



City of Colleyville Planning and Zoning Commission Agenda

City Hall
100 Main Street
Colleyville, Texas 76034
817. 503.1000
www.colleyville.com

Monday, August 11, 2014

City Council Chambers

**PRE COMMISSION MEETING
6:15 P.M.
EXECUTIVE CONFERENCE ROOM
THIRD FLOOR**

**LEGAL BRIEFING BY CITY ATTORNEY REGARDING PLANNING, ZONING,
PLATTING, AND LAND USE**

**REVIEW OF REGULAR AGENDA ITEMS AND DISCUSSION OF PREVIOUS
MEETING MINUTES**

**DISCUSSION OF ITEMS TO BE PLACED ON FUTURE AGENDAS AND
UPDATES ON DEVELOPMENT TRENDS, PROGRESS AND CITY COUNCIL
ACTIONS ON PAST AGENDA ITEMS**

**EXECUTIVE SESSION – In accordance with Texas Government Code
Chapter 551, Subchapter D, Section 551.071 – Legal – Consultation with
attorney on legal issues raised by public hearing or action items on the
agenda**

**7:00 P.M. - REGULAR MEETING
CALL TO ORDER AND ROLL
INVOCATION: Commissioner Gotcher
PLEDGE OF ALLEGIANCE**

- 1. APPROVAL OF MINUTES**
July 14, 2014
- 2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON
THE AGENDA AS A PUBLIC HEARING ITEM**
- 3. REGULAR AGENDA ITEMS**
 - 3a** Approval of a minor plat on Tract 2N, Abstract 1692, of the J. White Survey, located at 6212 Pleasant Run Road, Case PC14-012
 - 3b** Approval of a minor plat on Tract 2A01, Abstract 1692, of the J. White

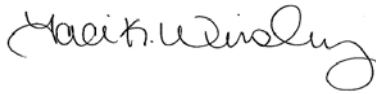
Survey, located at 6014 Pleasant Run Road, Case PC14-013

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Consideration of an amendment to the PUDC-Planned Unit Development Commercial zoning requirements on Lot R-14-2, Block 1, of the Colleyville Industrial Park Addition, and Tracts 2B and 2B02, Abstract 963, of the Absalom J. Lott Survey located at 1801 Industrial Boulevard, and 6401 and 6405 Colleyville Boulevard, Case ZC14-015

5. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards August 8, 2014 by 5:00 p.m.



Taci Wrisley
Planning and Zoning Assistant

A quorum of the Colleyville City Council may be in attendance at this meeting.

Any matter on this agenda may, at the discretion of the governing body, be opened for public comment and discussion.

If you plan to attend this public meeting and have a disability that requires special accommodations, please advise the City Secretary at least 48 hours in advance at 817.503.1133, and reasonable accommodations will be made to assist you.



City of Colleyville Planning and Zoning Commission Minutes

City Hall
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Monday, July 14, 2014

City Council Chambers

CALL MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Chairman Byerly on July 14, 2014 at 7:15 p.m.

Roll Call

Present: Commissioners Larry Knox, Carel Tornes, David Wheelwright, Jim Gotcher, Don Davis, David Phelps, and Chairman Byerly

Staff Present: Ron Ruthven, Taci Wrisley, Rob McKeown, Marty Wieder, Adam Marsh and Matt Butler (City Attorney)

1. APPROVAL OF MINUTES

Commissioner Knox made a motion to approve the minutes as corrected. Commissioner Davis seconded.

The motion to approve the minutes as corrected carried by the following vote:

Aye: 7– Knox, Tornes, Wheelwright, Gotcher, Davis, Phelps, and Byerly

2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA AS A PUBLIC HEARING ITEM

There were no citizen comments/presentations regarding items not on the agenda as a public hearing item.

3. REGULAR AGENDA ITEMS

3a Approval of a final plat for Phase Three of the Creekside at Colleyville Addition located at 2800 Heritage Avenue, PC14-010

Ron Ruthven presented the case and briefed the Commission.

The applicant was available for questions but did not wish to speak.

Commissioner Davis made a motion to approve Case PC14-010. Commissioner Tornes seconded.

The motion to approve Case PC14-010 carried by the following vote:

Aye: 7– Knox, Tornes, Wheelwright, Gotcher, Davis, Phelps, and Byerly

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Consideration of a zoning change from the R-40 Single Family Residential zoning district to the R-20 Single Family Residential zoning district on 13.09 acres of Tract A and Tract B, of the McEwing Subdivision and a portion of Lot A, of the Giacomini Addition, located at 711, 715, and 805 Lavaca Trail, Case ZC14-012

Ron Ruthven presented the case and briefed the Commission.

The public hearing was opened at 7:22 p.m.

Kosse Maykus, the applicant, came forward and briefed the Commission.

Ralph Sells, 712, 810, and 813 Lavaca Trail, came forward and spoke in opposition.

John Myers, 504 Lavaca Trail, came forward and spoke in opposition.

Nancy Pacilio, 500 Lavaca Trail, came forward and spoke in opposition.

Bill Pacilio, 500 Lavaca Trail, came forward and spoke in opposition.

Daniel Garrison, 901 Lavaca Trail, came forward and spoke in support.

Ed Hogan, 6201 Emmas Court, came forward and spoke in support.

Craig Walter, 5910 Crescent Lane, came forward and spoke in support.

Adrienne Myers, 504 Lavaca Trail, did not wish to speak but wished to record her opposition.

There being no one else wishing to speak, the public hearing was closed at 7:57 p.m.

Kosse Maykus, came forward to address questions and concerns.

Commissioner Tornes questioned Mr. Maykus regarding sidewalk connectivity along the north side of the development. Mr. Maykus explained the sidewalk would connect the Lavaca Trail Estates, Remington Park, Covington, and their development with a sidewalk. He further explained they would try to save as many trees as possible.

Commissioner Phelps questioned Mr. Maykus regarding the existing trail along their eastern border, in the Remington Park subdivision. Mr. Maykus replied, in addition to the trail being a buffer for the residents, they would have 50 foot of open space along the eastern border.

Discussion continued regarding the trail between the existing development and the proposed development.

Commissioner Wheelwright questioned Adam Marsh, development engineer for the city of Colleyville, regarding any future plans regarding Lavaca Trail. Adam Marsh replied Tarrant County has been in contact with the city and will be doing a maintenance project on Lavaca Trail. He further explained this should be completed by the end of September.

Discussion continued regarding the upcoming maintenance project for Lavaca Trail.

Commissioner Phelps questioned Adam Marsh regarding the number of trips per day necessary for improvements to be considered. Adam Marsh replied 1,000 trips per day would warrant another traffic impact analysis. He further explained, in 2007 the traffic impact analysis that was conducted only showed 413 trips per day on Lavaca Trail. He also explained even with the addition of 44 new single family residential homes, the trips would possibly double and still would not be enough to warrant a traffic impact analysis.

Commissioner Tornes questioned staff regarding whether the Remington Park subdivision was prohibited from closing off their subdivision at Lavaca Trail with a gate. Ron Ruthven replied without special permission, they are prohibited from installing a gate at Lavaca Trail. He further explained the traffic impact analysis conducted in 2007 was done at the request of the Remington Park subdivision's request.

Discussion continued regarding the possibility of the Remington Park subdivision's options for the installation of a gate at Lavaca Trail.

Commissioner Phelps stated he did not believe this development should be held to a higher standard than any of the surrounding developments.

Commissioner Phelps made a motion to approve Case ZC14-012. Commissioner Davis seconded.

Chairman Byerly stated he feels R-20 single family residential zoning is the appropriate zoning for this area and is consistent with the Master Plan.

The motion to approve Case ZC14-012 carried by the following vote:

Aye: 7– Knox, Tornes, Wheelwright, Gotcher, Davis, Phelps, and Byerly

- 4b** Consideration of a zoning change from the AG-Agricultural zoning district to the R-30 Single Family Residential zoning district on 1.05 acres of Lot 9, of the Mrs. Eva Paul's Subdivision located at 1109 Tinker Road, ZC14-013

Ron Ruthven presented the case and briefed the Commission.

Commissioner Phelps questioned Ron Ruthven regarding whether the adjacent lots were identical in width to the property in question and did the lot not meet the requirements for the R-40 Single Family Residential zoning district. Ron Ruthven replied the adjacent lots were all platted under the same subdivision and are very similar in size. He further explained the lot was just a shade under the R-40 Single Family Residential zoning district requirements. Ron Ruthven also stated the precedent has been set for the surrounding properties to be rezoned to the R-30 Single Family Residential zoning district.

Commissioner Gotcher questioned Ron Ruthven regarding his opinion on why the lots were just under the R-40 Single Family Residential zoning district requirements but were not being considered for the R-40 Single Family Residential zoning district. Ron Ruthven replied even though the lots vary slightly in width, some of them do meet the minimum requirements for the R-40 Single Family Residential zoning district.

Discussion continued regarding lot width requirements for each zoning district.

The public hearing was opened at 8:24 p.m.

Bud Sellers, the applicant, came forward to address any questions.

Commissioner Gotcher questioned Mr. Sellers regarding the lot width of the adjacent lot. Mr. Sellers replied it is identical. Mr. Gotcher further questioned why the R-30 Single Family Residential zoning district was chosen versus the R-40 Single Family Residential zoning district. Mr. Sellers replied that is just what decided to go with.

There being no one else wishing to speak, the public hearing was closed at 8:26 p.m.

Commissioner Tornes made a motion to approve Case ZC14-013. Commissioner Knox seconded.

The motion to approve Case ZC14-013 carried by the following vote:

Aye: 7– Knox, Tornes, Wheelwright, Gotcher, Davis, Phelps, and Byerly

- 4c** Request for approval of an amendment to the Future Land Use Map of the Colleyville Master Plan for Lots 1 and 2, Block 1, of the Sunrise Terrace Addition located at 1105 Glade Road, from a Single Family Residential to an Office Land Use Designation, Case GC14-014

Chairman Byerly moved Item 4c to the end of the agenda.

Ron Ruthven presented the case and briefed the Commission.

Chairman Byerly questioned staff regarding the reasoning behind this case. Ron Ruthven replied this case is to update the Future Land Use Plan to be consistent with the zoning change.

Discussion continued regarding the procedure for updating the Future Land Use Plan.

Commissioner Phelps questioned staff regarding why the Future Land Use Plan was not being updated along with the property in question. Ron Ruthven explained updates are generally made when a zoning change is requested for a specific property.

Commissioner Tornes questioned staff regarding whether general office type uses be the only use allowed for the subject property. Ron Ruthven replied yes.

Discussion continued regarding the allowable uses for the subject property based on the zoning district and Future Land Use Plan.

Chairman Byerly questioned staff regarding who the applicant would be for a case such as this one. Ron Ruthven replied the City.

The public hearing was opened at 9:20 p.m.

Becky Freeman, 1112 Jo Carol Lane, submitted a card to speak but stated she had only intended to speak for the zoning case specifically.

There being no one wishing to speak, the public hearing was closed at 9:21 p.m.

Commissioner Gotcher made a motion to approve Case GC14-014. Commissioner Davis seconded.

The motion to approve Case GC14-014 carried by the following vote:

Aye: 7– Knox, Tornes, Wheelwright, Gotcher, Davis, Phelps, and Byerly

5. CONTINUED PUBLIC HEARING AGENDA ITEMS

- 5a** Consideration of a zoning change from the R-20 Single Family Residential zoning district to the PUDC-Planned Unit Development Commercial zoning district on 1.36 acres of Lots 1 and 2, Block 1, of the Sunrise Terrace Addition located at 1105 Glade Road, Case ZC14-009

Chairman Byerly chose to hear Item 5a before Item 4c.

Ron Ruthven presented the case and briefed the Commission.

The public hearing was opened at 8:29 p.m.

Peter Slover, Bayley Yandell Development, Inc., came forward and briefed the Commission.

Commissioner Knox questioned Mr. Slover regarding whether the

resident located at 1100 Jo Carol Lane was satisfied with the dumpster being located directly behind his storage shed. Mr. Slover replied he did inform the resident of the proposed location and the resident seemed okay with the decision. Mr. Slover stated the resident was also present at the meeting.

Commissioner Tornes questioned Mr. Slover regarding the proposed height of the cedar trees. Mr. Slover replied the cedar trees they were proposing to plant would be nine foot (9') to ten foot (10') in height and would grow approximately one foot (1') per year. Mr. Slover further explained the screening wall would be six foot (6) foot.

Chairman Byerly questioned Mr. Slover regarding how many trees are proposed to be planted along the property line shared with the first two (2) properties. Mr. Slover replied those properties share about three-quarters of their property line and a bulk of the proposed 28 evergreen trees would be planted along the property lines of the two properties in question.

Discussion continued regarding the planting and maintenance of the proposed trees.

Commissioner Phelps questioned Mr. Slover regarding whether they would allow mutual access to the adjacent businesses. Mr. Slover replied yes.

Commissioner Phelps questioned Mr. Slover regarding whether the second floor of the first building is proposed to have a pitched roof. Mr. Slover replied no, their new exhibit is incorrect, the roof will be flat.

Commissioner Tornes questioned Mr. Slover regarding the free standing wall on the roof of the first building's first floor and would that be used for employees. Mr. Slover replied there will be a small courtyard for an executive suite.

Commissioner Knox questioned Mr. Slover regarding whether their air conditioning units would be screened. Mr. Slover replied yes.

Axel Holland, 1100 Jo Carol Lane, came forward and spoke in opposition.

Becky Freeman, 1112 Jo Carol Lane, came forward and spoke in opposition.

Lisa Peterson, 1104 Jo Carol Lane, came forward and spoke in opposition.

Amy Pittman, 1117 Glade Road, came forward and spoke in opposition to certain items.

The following wished to record their vote, but did not wish to speak:

Ursula Holland, 1100 Jo Carol Lane, opposition

Steven A. Trachier, 1108 Jo Carol Lane, opposition

Amy Edgell, 1116 Jo Carol Lane, opposition

There being no one else wishing to speak, the public hearing was closed at 8:56 p.m.

Peter Slover, came forward and addressed comments and concerns.

Matt Moore, Clay-Moore Engineering, came forward and explained the provided line of sight exhibit.

Commissioner Tornos questioned Mr. Slover regarding the possibility of moving the dumpster to the Glade Road driveway entrance. Mr. Slover explained the issue with moving the dumpster to the Glade Road driveway entrance would affect their number of required parking spaces.

Discussion continued regarding parking requirements.

Commissioner Tornos questioned Mr. Slover regarding whether there would be any shrubbery located on the corner of Glade Road and Bedford Road. Mr. Slover replied no, only against the building, but not in the visibility triangle.

Commissioner Phelps stated he felt conflicted due to having two (2) different sets of guidelines, one (1) being a very generic set and the other being specifically determined by City Council. He further explained he did appreciate the work put into the project.

Commissioner Knox stated the current proposed location of the dumpster was an issue but felt there were other alternative and could be resolved. Chairman Byerly concurred.

Chairman Byerly made a motion to approve Case ZC14-009 with the following conditions: 1) the screening wall and the landscape plan shall be consistent with the exhibit provided by the applicant and 2) the waiver for the dumpster is denied.

Commissioner Knox seconded the motion.

The motion to approve Case ZC14-009 with the following conditions: 1) the screening wall and the landscape plan shall be consistent with the exhibit provided by the applicant and 2) the waiver for the dumpster is denied carried by the following vote:

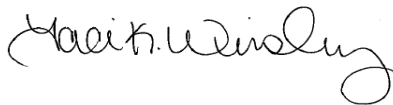
Aye: 4– Knox, Tornes, Wheelwright, and Byerly

Nay: 3 - Gotcher, Davis, and Phelps

6. ADJOURNMENT

The meeting adjourned at 9:22 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on August 11, 2014 by a vote of _____.



City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall
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Agenda Number 3a	Agenda Date 08/11/2014	Number
Type Regular Agenda Items		
Department Community Development		

Title

Approval of a minor plat on Tract 2N, Abstract 1692, of the J. White Survey, located at 6212 Pleasant Run Road, Case PC14-012

Explanation

Crystal Arnold has submitted a minor plat for a 1.01-acre tract of land located at 6212 Pleasant Run Road. The minor plat will consist of one residential lot.

Zoning. The property is zoned AG-Agricultural with a minimum lot width of 200 feet and a minimum lot depth of 300 feet. The minimum lot area is 130,680 square feet. The proposed lot does not meet the minimum requirements of the zoning district. However, since this is a lot of record, the existing lot width, length and area dimensions are grandfathered.

A lot of record is required to meet the zoning district setback requirements. The AG zoning district requires the following setback distances:

- Front setback: 40 feet
- Side setback: 25 feet
- Rear setback: 40 feet

Waiver Request: The applicant is requesting a waiver to reduce both side setbacks from 25 feet to 10 feet. The applicant has indicated that the 25 foot setbacks conflict with the proposed design of a new residence.

Waiver Request: The applicant is requesting a waiver to reduce the rear setback from 40 feet to 25 feet. The applicant has indicated that the 40 foot setback conflicts with the proposed design of a new residence.

The Land Development Code allows the Planning and Zoning Commission to approve a subdivision plat that contains a building line waiver request.

Existing Conditions. The lot is vacant.

Parkland Dedication Fees. Parkland Dedication fees are required prior to the filing of the plat.

Perimeter Street Improvement Fees. Pleasant Run is designated as a minor

arterial. Perimeter street improvement fees are required prior to the filing of the plat. A perimeter street fee may be required if the perimeter street fee is greater than the cost of the required roadway impact fee of \$4,941.

Sidewalks. Sidewalks are required along streets where none currently exist. The sidewalk must be a minimum of five (5) feet in width and installed when any new structures are built on the property. Escrow may be paid in lieu of construction as determined by the Public Works Department.

Surrounding Properties. The property to the west is zoned R-40-Single Family Residential and developed as a single family residence. Properties to the north and south are zoned AG-Agricultural and developed as a single family residences. The properties to the east are zoned R-20-Single Family Residential and developed as a single family residences.

Tree Preservation. All trees must be protected per the requirements of Chapter 5-Tree Preservation in the Land Development Code. Before construction begins on the site, protective fencing must be installed around all preserved trees located outside of the building footprints.

Total Waiver Requests. The applicant is requesting two waiver requests:

1. The applicant is requesting a waiver to reduce both side setbacks from 25 feet to 10 feet
2. The applicant is requesting a waiver to reduce the rear setback from 40 feet to 25 feet.

Summary. The owner's surveyor has addressed all Development Review Committee comments. With the exception of the waiver requests for the side and rear setback reductions, the proposed development satisfies all zoning requirements of the Land Development Code. This plat only requires approval by the Planning and Zoning Commission. The Land Development Code allows the Planning and Zoning Commission to approve a subdivision plat that contains building line waiver requests.

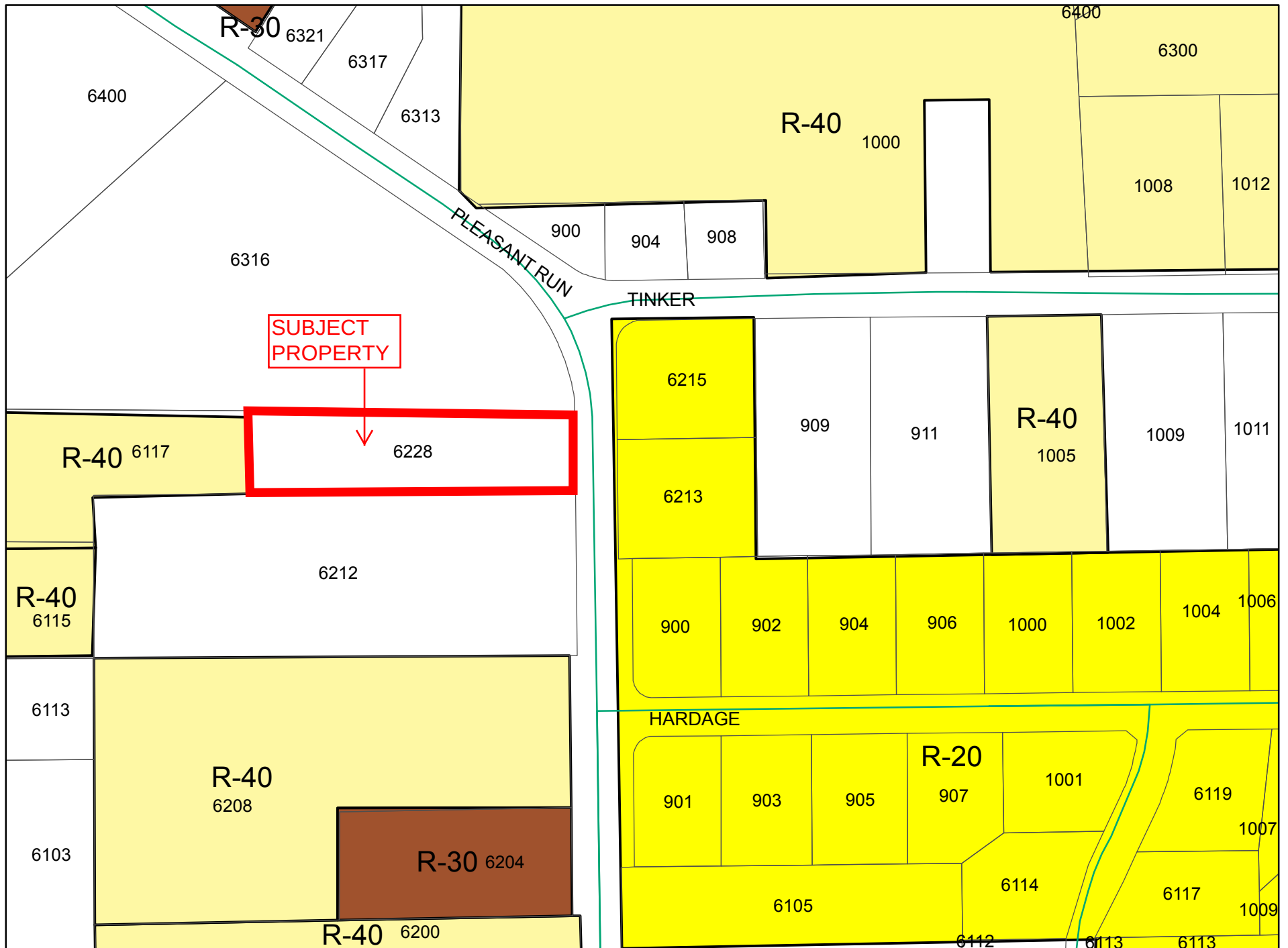
Recommendation

Approve

Attachments

1. Location and Zoning Map
2. Aerial
3. Plat Exhibit

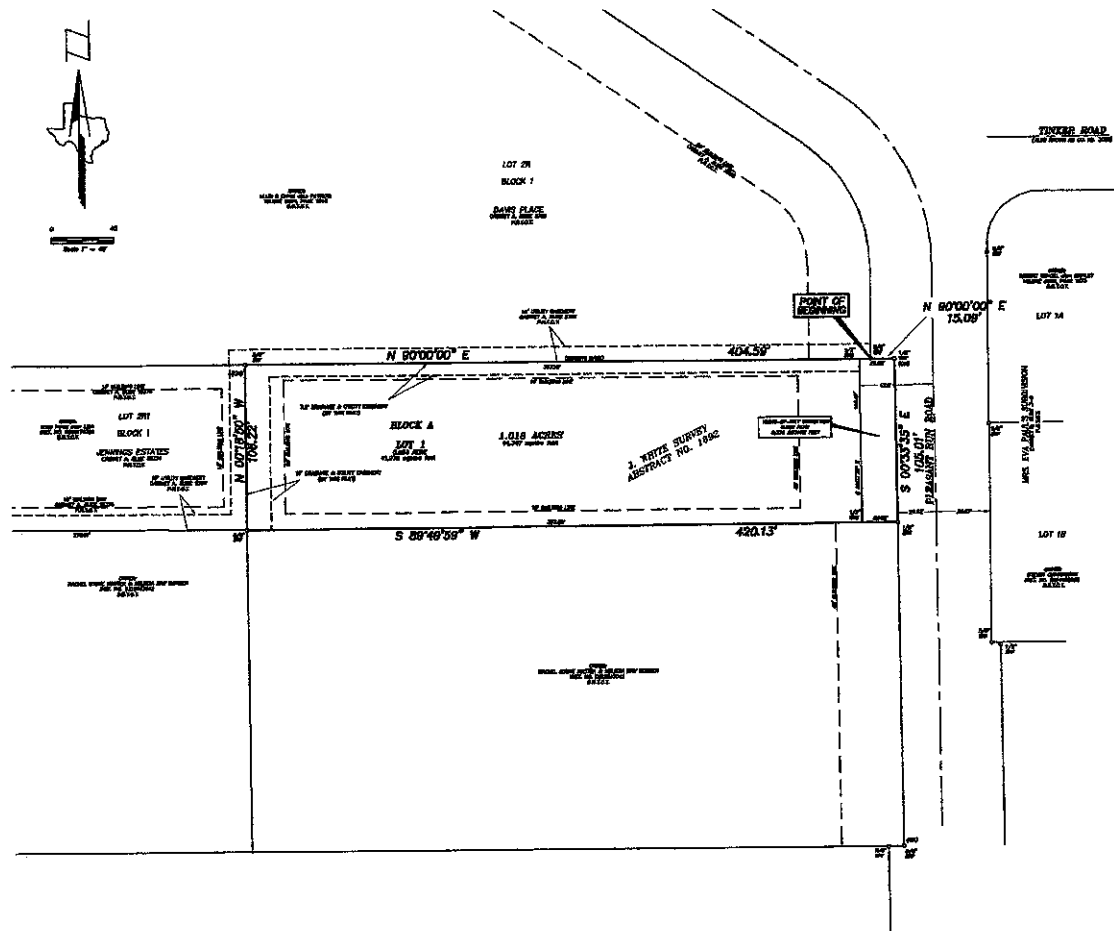
Location and Zoning Map



Aerial



Flood Statement
 My signature certifies only that the Flood Insurance Rate Map for
 Howard County, Texas, and Incorporated Areas, in portion of
 this property is shown in a certain flood hazard zone. This
 property is shown in Zone X (moderate). Map No. 45428C0000C.
 Map Date September 25, 2004.



FALSADE INVESTMENTS, LLC
732 LONESOME DOVE TRAIL
HURST, TEXAS 76054
OFFICE: 214-208-7335
CELL: 214-208-7300
FAX: 214-208-7331
CONTACT: CRYSTAL ARNOLD



City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
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Agenda Number 3b	Agenda Date 08/11/2014	Number
Type Regular Agenda Items		
Department Community Development		

Title

Approval of a minor plat on Tract 2A01, Abstract 1692, of the J. White Survey, located at 6014 Pleasant Run Road, Case PC14-013

Explanation

Lisa Grossman has submitted a minor plat for a 0.4478-acre tract of land located at 6014 Pleasant Run Road. The minor plat will consist of one residential lot.

Zoning. The property is zoned AG-Agricultural with a minimum lot width of 200 feet and a minimum lot depth of 300 feet. The minimum lot area is 130,680 square feet. The proposed lot does not meet the minimum requirements of the zoning district. However, since this is a lot of record, the existing lot width, length and area dimensions are grandfathered.

A lot of record is required to meet the zoning district setback requirements. The AG zoning district requires the following setback distances:

- Front setback: 40 feet
- Side setback: 25 feet
- Rear setback: 40 feet

Waiver Request: The applicant is requesting a waiver to reduce both side setbacks from 25 feet to 10 feet. The applicant has indicated that the 25 foot setbacks conflict with the proposed design of a new residence.

Waiver Request: The applicant is requesting a waiver to reduce the rear setback from 40 feet to 25 feet. The applicant has indicated that the 40 foot setback conflicts with the proposed design of a new residence.

The Land Development Code allows the Planning and Zoning Commission to approve a subdivision plat that contains a building line waiver request.

Existing Conditions. There is an existing single family residence on the property that will be removed.

Parkland Dedication Fees. Parkland dedication fees are not required since an existing house was located on the lot at the time of plat application.

Perimeter Street Improvement Fees. Pleasant Run is designated as a minor arterial. Perimeter street improvements are not required since an existing house was located on the lot at the time of plat application.

Sidewalks. Sidewalks are required along streets where none currently exist. The sidewalk must be a minimum of five (5) feet in width and installed when any new structures are built on the property. Escrow may be paid in lieu of construction as determined by the Public Works Department.

Surrounding Properties. Properties to the east and west are zoned AG-Agricultural and developed as a single family residences. The property to the north is zoned AG and developed as a church. The property to the south is zoned AG and is undeveloped.

Tree Preservation. All trees must be protected per the requirements of Chapter 5-Tree Preservation in the Land Development Code. Before construction begins on the site, protective fencing must be installed around all preserved trees located outside of the building footprints.

Total Waiver Requests. The applicant is requesting two waiver requests:

1. The applicant is requesting a waiver to reduce both side setbacks from 25 feet to 10 feet
2. The applicant is requesting a waiver to reduce the rear setback from 40 feet to 25 feet.

Summary. The owner's surveyor has addressed all Development Review Committee comments. With the exception of the waiver requests for the side and rear setback reductions, the proposed development satisfies all zoning requirements of the Land Development Code. This plat only requires approval by the Planning and Zoning Commission. The Land Development Code allows the Planning and Zoning Commission to approve a subdivision plat that contains building line waiver requests.

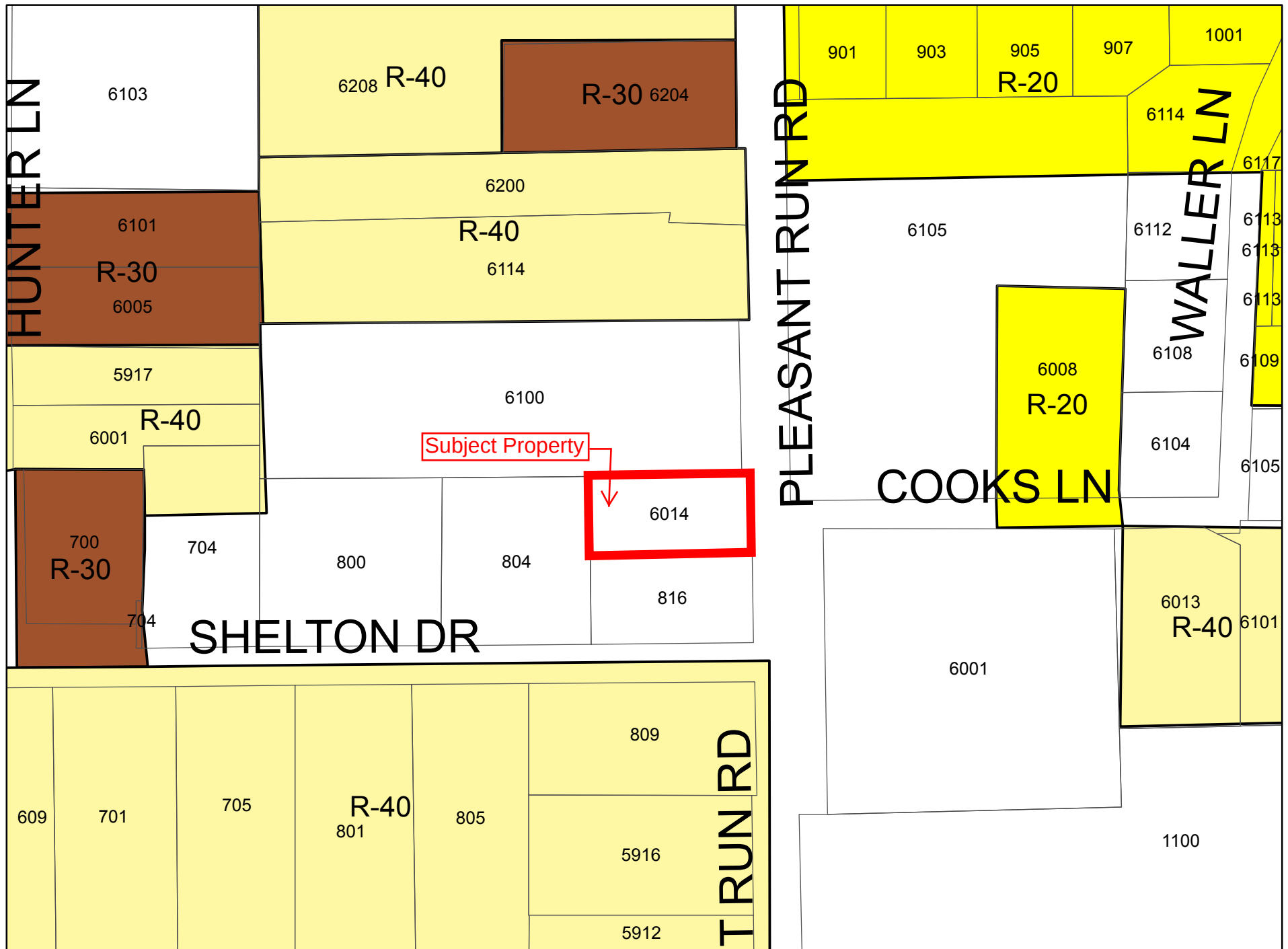
Recommendation

Approve

Attachments

1. Location and Zoning Map
2. Aerial
3. Letter from Applicant with Illustrations
4. Plat Exhibit

Location and Zoning Map



Aerial



Letter from Applicant with Illustrations

2700 Hidden Lake Cove
Grapevine, TX 76051
July 31, 2014

City of Colleyville
100 Main Street
Colleyville, TX 76034

Attn: Chris Fuller, Interim Planning and Development Coordinator

Re: PC14-013 Minor Plat, Grossman Addition, 6014 Pleasant Run Road

Dear Mr. Fuller:

Thank you for the speedy handling of my minor plat application and for the opportunity to reply to your comments regarding my land at 6014 Pleasant Run Rd. I am looking forward to getting back to Colleyville where I lived for almost twenty years with my daughter and late husband. In this letter, I am responding to your letter of July 18, 2014. David Myers, of Moak Surveyors, has responded to comments 1-4 on my behalf.

Planning comments:

5) Provide justification for reducing the rear yard building line from 40 feet to 25 feet.

This lot was apparently part of a once much larger agricultural lot that has been subdivided. When it was used for agricultural purposes, it made sense to have large setbacks to protect neighbors from any nuisances from livestock and chickens. I am not planning to have any livestock or chickens on my property and plan to use it only for my residence.

Because there is no longer any "neighborly" reason to set back my building lines to protect others, it is not reasonable to expect me to build my home in such a small area. After the city reduced my lot size by 2019 sq. ft. for additional right-of-way, the buildable area with AG setbacks is 108 ft. long by 43 ft. wide. (Please see drawing "C" on my exhibit.)

I am asking for the 25 ft. setback in the rear because I plan to put my garage in the back. We have not spent much time designing and drawing exact floor plans and footprints because of the uncertainty of this setback process, so I cannot give you my exact, specific needs. The neighbor behind me has a huge side yard adjacent to my rear yard and his home is far from the property line. In fact, he uses his side yard for equipment storage. It seems that no harm would come from allowing me to have the same 25 ft. rear setback as R20 residential lots all over the city. This would enable me to move my garage further back during the design process if necessary.

6) Provide justification for reducing the side yard building lines from 25 feet to 10 feet.

After the city reduced my lot size by 2019 sq. ft. for additional right-of-way, the buildable area with AG setbacks is 108 ft. long by 43 ft. wide. (Please see drawing "C" on my exhibit.) That narrow 43 ft. wide

Letter from Applicant with Illustrations

lot would create a huge hardship for me and would force me to build a tight little rectangle of a house. It would not allow my house to blend in with the beautiful, expansive front facades of the houses to the north and south of my lot. My house would be an eyesore. It also would not allow me to have any private yard in an inside courtyard.

Reducing the north side setback from 25 ft. to 10 ft. would not disturb or disrupt the temple beside my lot. Their parking lot is adjacent to the north side of my lot and there are many trees and bushes to screen the view. A reduction in the south setback would not affect the empty lot beside me. My driveway will be along the south side creating additional space between my house and any future house to the south.

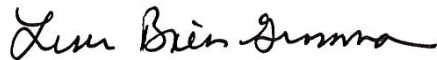
You can see from my drawing "C," that the house I hope to build would not fit inside the AG setbacks, but would be well accommodated by the 10 ft. side setbacks as shown in drawing "B."

Drawing "A" is of my lot with the desired setbacks before the additional right-of-way was taken and is for comparison purposes.

I believe that I have addressed each of your comments. I acknowledge that I have received the information that you included in your letter about impact fees, parkland dedication, tree preservation, tree survey and mitigation and sidewalks. I have signed and included the Record of Acknowledgement as requested.

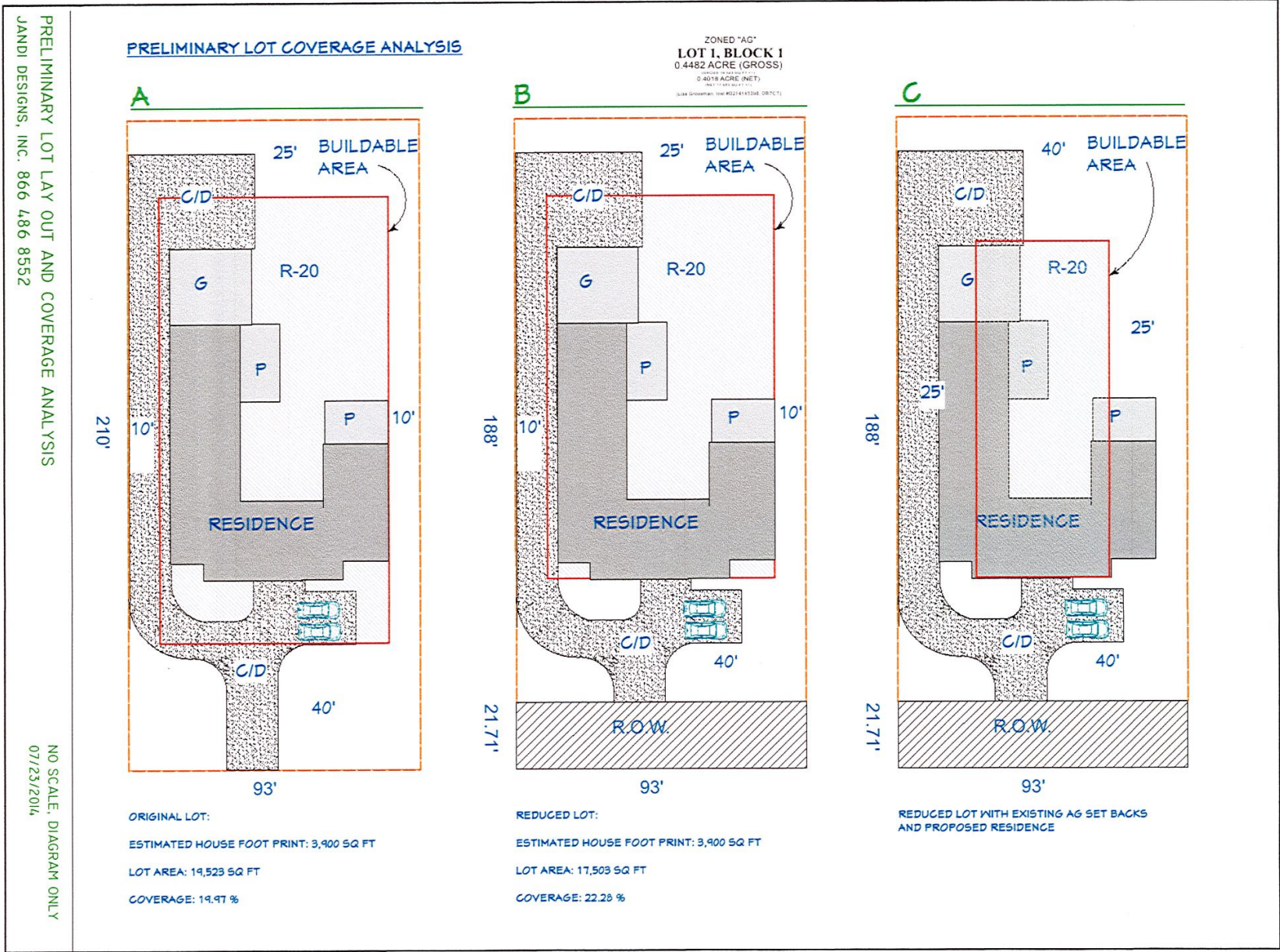
Thank you for your help in this matter. Please let me know if you need any further information.

Kindest regards,

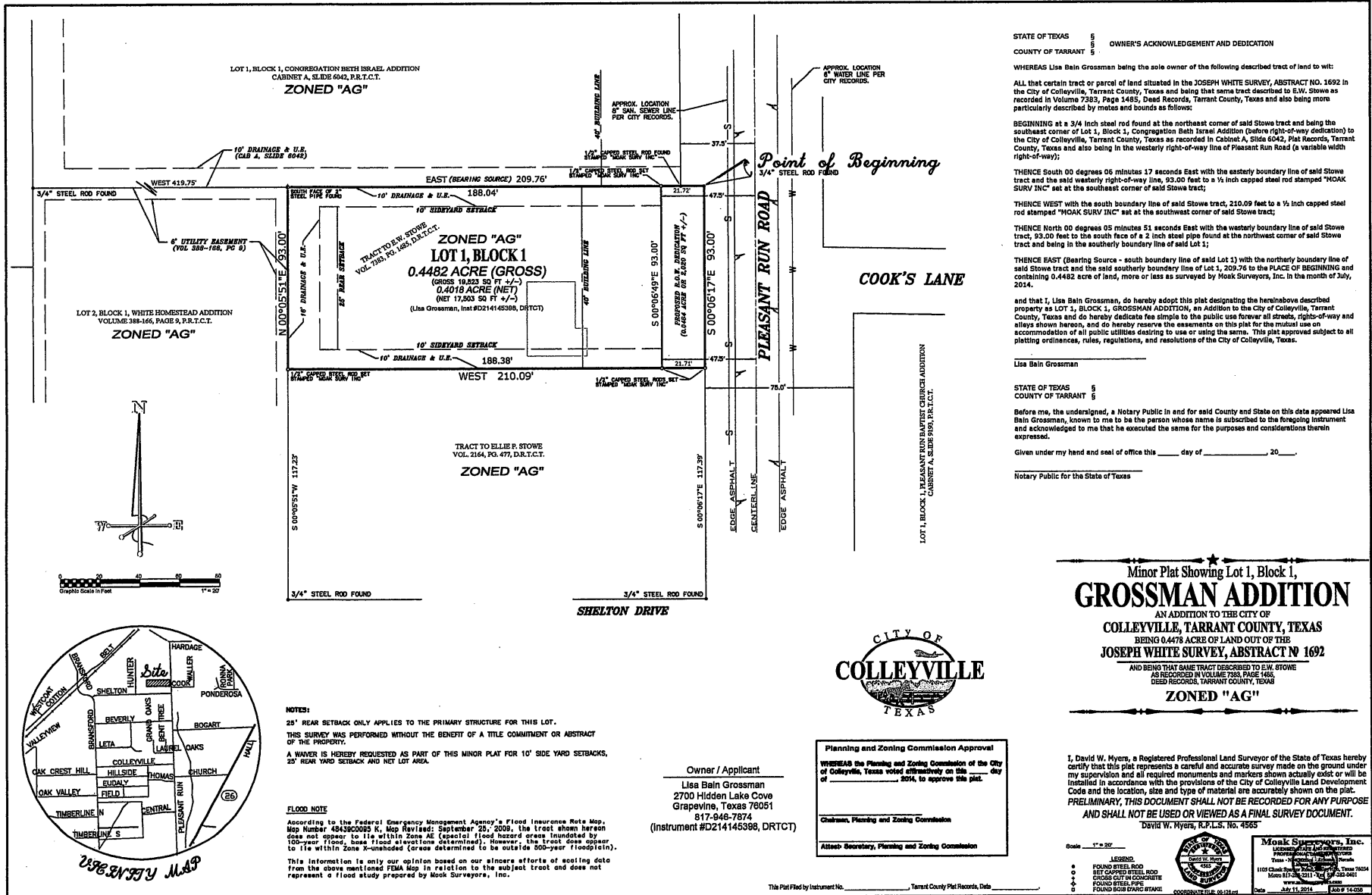


Lisa Bain Grossman

Letter from Applicant with Illustrations



Plat Exhibit





City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall
100 Main Street
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Agenda Number 4a	Agenda Date 08/11/2014	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of an amendment to the PUDC-Planned Unit Development Commercial zoning requirements on Lot R-14-2, Block 1, of the Colleyville Industrial Park Addition, and Tracts 2B and 2B02, Abstract 963, of the Absalom J. Lott Survey located at 1801 Industrial Boulevard, and 6401 and 6405 Colleyville Boulevard, Case ZC14-015

Explanation

Masterplan Consultants, on behalf of Additional Self Storage, LP, is requesting an amendment to PUDC Ordinance O-10-1741 in order to add self-storage as an additional use to two proposed buildings within the development. The site is located at 6401 and 6405 Colleyville Boulevard and 1801 Industrial Boulevard at the southwest corner of Colleyville Boulevard and Industrial Boulevard. The amendment proposes 40,000 square feet of additional self-storage on the site.

Existing Conditions. The subject property is composed of three lots. The property located at 1801 Industrial Boulevard is platted, developed as Additional Self Storage and is zoned PUDC-Planned Unit Development Commercial. The property located at 6405 Colleyville Boulevard is unplatted, contains a vacant building and is zoned PUDC-Planned Unit Development Commercial. The property located at 6401 Colleyville Boulevard is unplatted, undeveloped and is zoned PUDC-Planned Unit Development Commercial.

Master Plan. The rezoning request is consistent with the Colleyville Master Plan, adopted in 2004, which designates the subject property for future Industrial and Retail uses. Properties to the east are designated as Industrial and Office. Properties to the north are designated as Industrial and Retail. Properties to the west are designated as Industrial and Retail. Properties to the south are designated as Residential. Background. Ordinance O-10-1741 was approved in January, 2010 for the subject property. The ordinance permits retail, office and self-storage uses, including:

1. All uses permitted in the CC2-Shopping Center zoning district
2. Auto, truck or trailer rental
3. Office showroom
4. Warehouse
5. Self-storage facilities
6. Propane refilling station

7. Outside storage of recreational vehicles, boats and watercraft.

The ordinance specified the location, use, size and design of the new buildings to be constructed on the site.

Phase One

Building One

Maximum Size: 14,000 square feet

Permitted Uses: Retail and General Office

Maximum Retail area: 7,000 square feet

Maximum Office area: 7,000 square feet

Building Two

Maximum Size: 20,000 square feet

Permitted Uses: Office Showroom, Warehouse

Building Three

Maximum Size: 20,000 square feet

Permitted Uses: Office Showroom, Warehouse

Phase Two

Building One

Maximum Size: 28,000 square feet

Permitted Uses: Self-Storage

Proposed Rezoning Request. The applicant has submitted a Statement of Planning Objectives (attached) describing the proposed amendments to the zoning ordinance. The applicant is requesting to amend the PUDC zoning district to add self-storage as a use to proposed Buildings Two and Three in Phase One of development. This would permit a maximum of 40,000 square feet of additional self-storage within the development.

Phase One

Building Two

Maximum Size: 20,000 square feet

Permitted Uses: Office Showroom, Warehouse and Self-Storage

Building Three

Maximum Size: 20,000 square feet

Permitted Uses: Office Showroom, Warehouse and Self-Storage

Development Standards. The applicant has submitted conceptual renderings of the proposed buildings (attached). The applicant is proposing new building elevations for Buildings One and Two. No additional development standards are being amended per Ordinance O-10-1741.

Landscaping and Buffering. The applicant proposes a five (5) foot landscaped buffer along the entire southern property line and along the eastern property line where it is adjacent to property zoned or used for residential purposes. The applicant proposes to plant evergreen shrubs within the buffer per Chapter 4 – Landscaping and Buffering in the Land Development Code.

According to Chapter 4 – Landscaping and Buffering, a 20 foot greenbelt is required to be located along SH26, which is indicated on the conceptual site plan.

Fences, Walls and Screening. The applicant proposes to construct an eight (8) foot masonry fence along all property lines adjacent to the existing residential properties. This meets the minimum screening requirements of the Land Development Code.

Sidewalks. According to the Land Development Code, based on the recommendations of the Supplemental Sidewalk System Map, a minimum five (5) foot sidewalk is required to be constructed along Colleyville Boulevard and Industrial Boulevard adjacent to this development where none exist. All sidewalks and trails must be installed and/or improved when any new structures are built.

Platting. The unplatted portions of the subject properties will be required to be platted upon approval of the rezoning request and prior to the issuance of any building permits.

Access. The existing self-storage business is currently accessed via Industrial Blvd. The proposed new buildings would be accessed from SH26. The applicant will be required to obtain driveway permits from the Texas Department of Transportation (TxDOT) in order to access SH26. The conceptual site plan shows two points of access from SH26.

All required fire lanes must meet the minimum requirements of the Land Development Code and the Fire Code. Any gates installed as part of this development shall be installed with an Opticom system and shall meet the minimum requirements of the Land Development Code.

Surrounding Properties. The surrounding properties represent a variety of uses. The properties to the north and west are zoned ML-Light Manufacturing and CC-1-Village Commercial and are developed with offices, retail and warehouse facilities. The properties to the south are zoned PUDR-Planned Unit Development Residential and are developed as townhomes and single family residences. Properties to the east are zoned ML-Light Manufacturing and AG-Agriculture and are developed as warehouse and light manufacturing uses as well as a single family residence.

Public Notification. Staff mailed notices to 38 property owners within 200 feet of this rezoning request and all homeowner's associations within 500 feet. All school districts within the City of Colleyville were notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code.

Staff has received no correspondence regarding this request.

Summary. The proposed development complies with the future land use designations of the Master Plan. The majority of the provisions of Ordinance O-10-1741 remain in effect. The proposed uses are similar in use to the existing uses and buildings within the site.

Recommendation

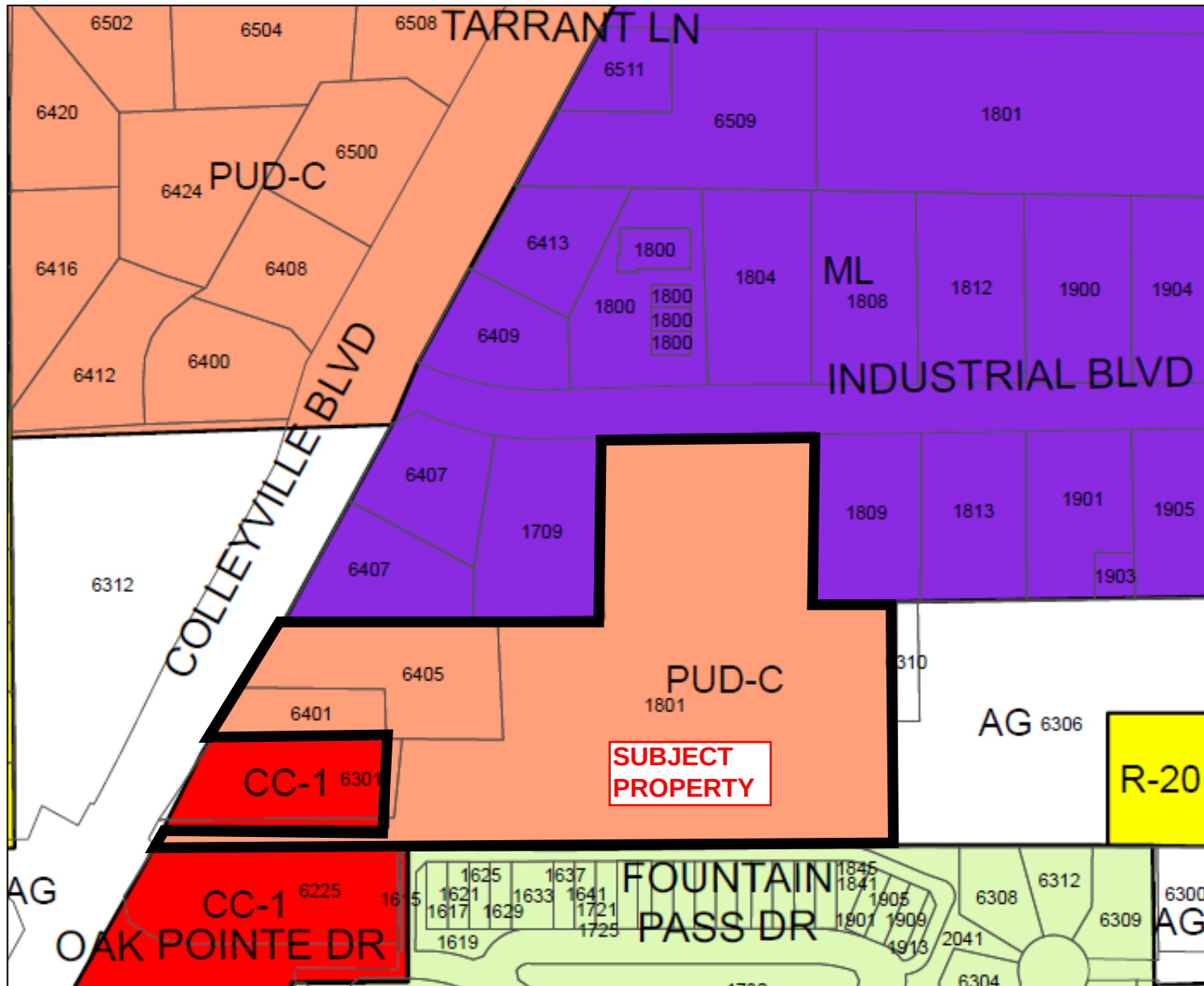
Approval with the following conditions:

1. Ordinance O-10-1741 hereby remains valid and all provisions of Ordinance O-10-1741 shall remain in full force and effect except where amended by the proposed ordinance.
2. Self-storage uses shall be permitted within Building Two and Three within Phase One.
3. Buildings Two and Three shall be generally consistent with the elevations shown as an exhibit within the proposed ordinance.

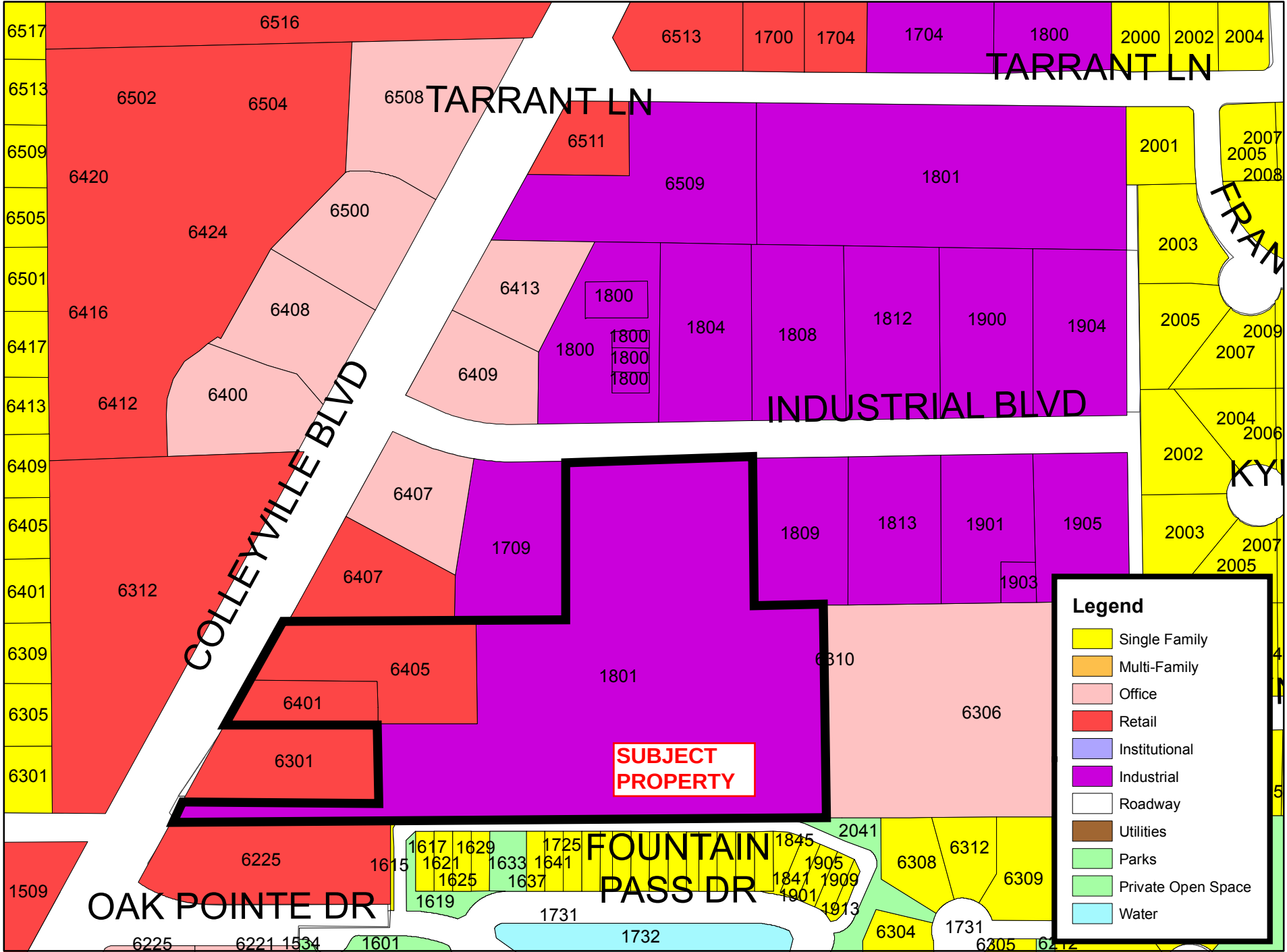
Attachments

1. Location and Zoning Map
2. Future Land Use Map
3. Aerial
4. Buffer Map
5. Notification List
6. Statement of Planning Objectives
7. Correspondence from Applicant
8. Site Plan
9. Building Elevations for Self Storage
10. Ordinance O-10-1741
11. Ordinance O-14-xxxx

Location and Zoning Map



Future Land Use Map



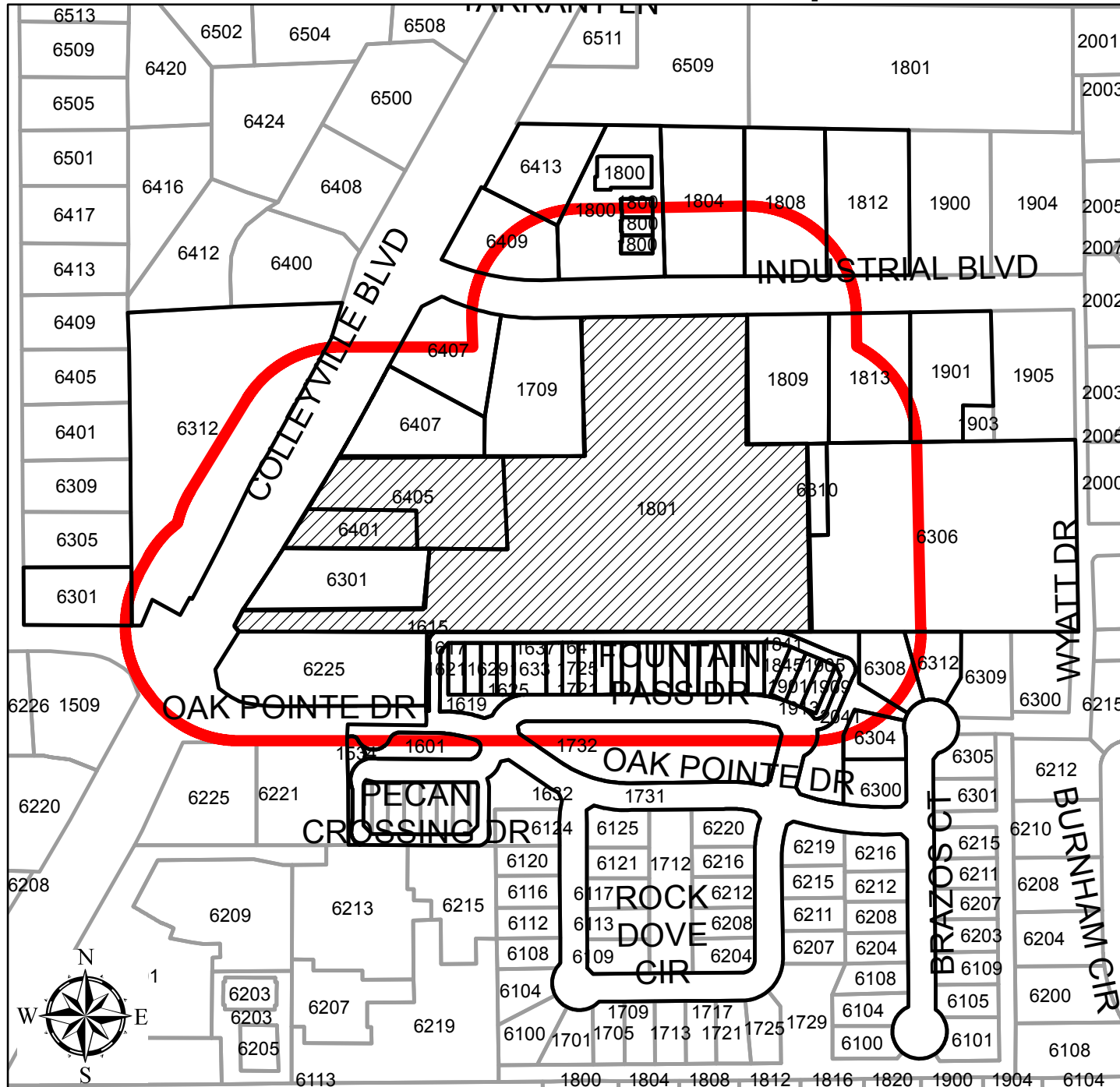
Aerial



Buffer Map

Case ZC14-015

1801 Industrial Blvd &
6401 & 6405 Colleyville Blvd



Legend

- Properties within 200 feet
- Subject properties
- Parcels



Notification List

Owner Name	Situs Address
LAM, CONNER	006312 COLLEYVILLE BLVD
FASOLA, KENNETH J	006312 BRAZOS CT
MINSHEW, JOHHNY L ETUX VICKI E	006308 BRAZOS CT
BOWERS, SARAH KIM	001721 FOUNTAIN PASS DR
FRITZ, WAYNE A & ANILYN S	001725 FOUNTAIN PASS DR
SANDFORD, CARL B II & PIPER A	001733 FOUNTAIN PASS DR
SPEAKE, HARRY M III	001909 FOUNTAIN PASS DR
DWYER, STACY H ETVIR JOHN	001625 FOUNTAIN PASS DR
SHIRLEY, CHRISTOPHER P	001629 FOUNTAIN PASS DR
MILLIMET, CHARLES R & GLORIA V	001833 FOUNTAIN PASS DR
WHITESIDE, LARRY ETUX JOY	001737 FOUNTAIN PASS DR
TERRY, DAVID C & PENELOPE D	001741 FOUNTAIN PASS DR
MCENEREE, JOEL	001821 FOUNTAIN PASS DR
SPEAKE, HARRY M JR & BARBARA	001829 FOUNTAIN PASS DR
YATES, RICHARD A ETUX DEBORAH	001905 FOUNTAIN PASS DR
FITZGERALD, WENDY	001617 FOUNTAIN PASS DR
KAC COLLEYVILLE JV	006225 COLLEYVILLE BLVD
AHMADI, AUSTIN ETUX SIMIN	001837 FOUNTAIN PASS DR
STOUT, DONOVAN	001637 FOUNTAIN PASS DR
ESKEW, REGINA	001621 FOUNTAIN PASS DR
OWSEN, SHARON	001641 FOUNTAIN PASS DR
ADDITIONAL SELF STORAGE LP	001801 INDUSTRIAL BLVD
IVM PROPERTIES LLC	001901 FOUNTAIN PASS DR
SHAFIPOUR, FOAD MARK	006407 COLLEYVILLE BLVD
LUERS FAMILY REVOCABLE TRUST	001901 INDUSTRIAL BLVD
LAND, BRAD	001813 INDUSTRIAL BLVD
TIERNEY, THOMAS A	001709 INDUSTRIAL BLVD
SPANN, TERESA G	006301 KINGSTON DR
HORN, BILLY J	001809 INDUSTRIAL BLVD
YARD ART P&F LTD	006407 COLLEYVILLE BLVD # C
MALONE, DERRICK L	006301 COLLEYVILLE BLVD
LOFTIN, STACEY B ETUX RONDA	006306 WYATT DR
GENEVA REALTY MANAGEMENT LLC	001808 INDUSTRIAL BLVD
INGRAM, BEVERLY	006409 COLLEYVILLE BLVD
SPARKS SOUTHWEST INC	001804 INDUSTRIAL BLVD
MEDI-DYNE HEALTHCARE PRODUCTS	001812 INDUSTRIAL BLVD
COMBINED ENTERPRISES INC	001800 INDUSTRIAL BLVD
GRAYLEY, ARTHUR D ETUX LINDA D	001841 FOUNTAIN PASS DR
BROUGHTON HOA	COURTESY NOTICE
ROSS DOWNS HOA	COURTESY NOTICE
GRAPEVINE-COLLEYVILLE ISD	COURTESY NOTICE
SANTOS T. MARTINEZ, APPLICANT	APPLICANT

Statement of Planning Objectives

Statement of Planning Objectives

Colleyville Boulevard, between Industrial Boulevard and Oak Point Drive

The property owner seeks an amendment to PUDC approved with ordinance O-10-1741. The amendment would allow Building Two and Three of Phase One to include a self-storage use. The building layout and height provisions would remain. The office showroom use would also remain as a permitted use for Building Two and Three.

The property owner does not seek to amend any other provisions of this PUDC. A new elevation for a self-storage use in Building Two and Three is included in this request. This proposed structure will comply with all required design standards.

Correspondence from Applicant



July 18, 2014

City of Colleyville
Community Development Department
100 Main Street
Colleyville, Tx 76034

RE: ZC14-015

Dear Mr. Fuller:

In speaking with our client, we have prepared the following response to your Development Review Committee report.

1. Indicate the approximate date(s) when construction of the proposed development, and subsequent stages or phases can be expected to begin and be completed.
Our client has not prepared a construction timeline until an amendment to the existing PUDC has been approved.
2. Provide justification for the addition of self-storage use to the proposed buildings.
The current occupancy rate of the existing self-storage facility is 93%. Peak capacity is 95% for this type of use. It is expected that this occupancy rate will continue to rise and this amendment is the first step to ensure that the property can accommodate this increase in occupancy.
3. Provide the maximum amount of allowable square feet self-storage proposed for Building Two.
All proposed self-storage would be placed within the 20,000 square feet footprint of building two. Building Three would be limited to 20,000 square feet (within the approved footprint).
4. Are revised two-story elevations proposed for the Office/Retail building along Colleyville Boulevard?
We do not propose any amendments to the elevation for the proposed Office/Retail building. We understand that Exhibit D and the ordinance provisions for that portion of the property will remain in effect.
5. We have revised the proposed concept plan to include building numbers.

Correspondence from Applicant

We acknowledge the impact fee requirement for all new structures and plat associated with this property. We also acknowledge the parkland dedication fees, tree preservation and mitigation plans, and the sidewalk requirements associated with this project.

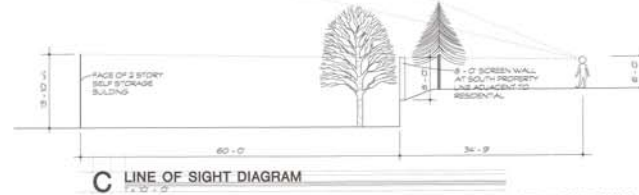
Please contact our office if you need any further information regarding this application.

Sincerely,



Santos T. Martinez
Authorized Representative for
Additional Self Storage

Site Plan



PHASE I - RECAPITULATION

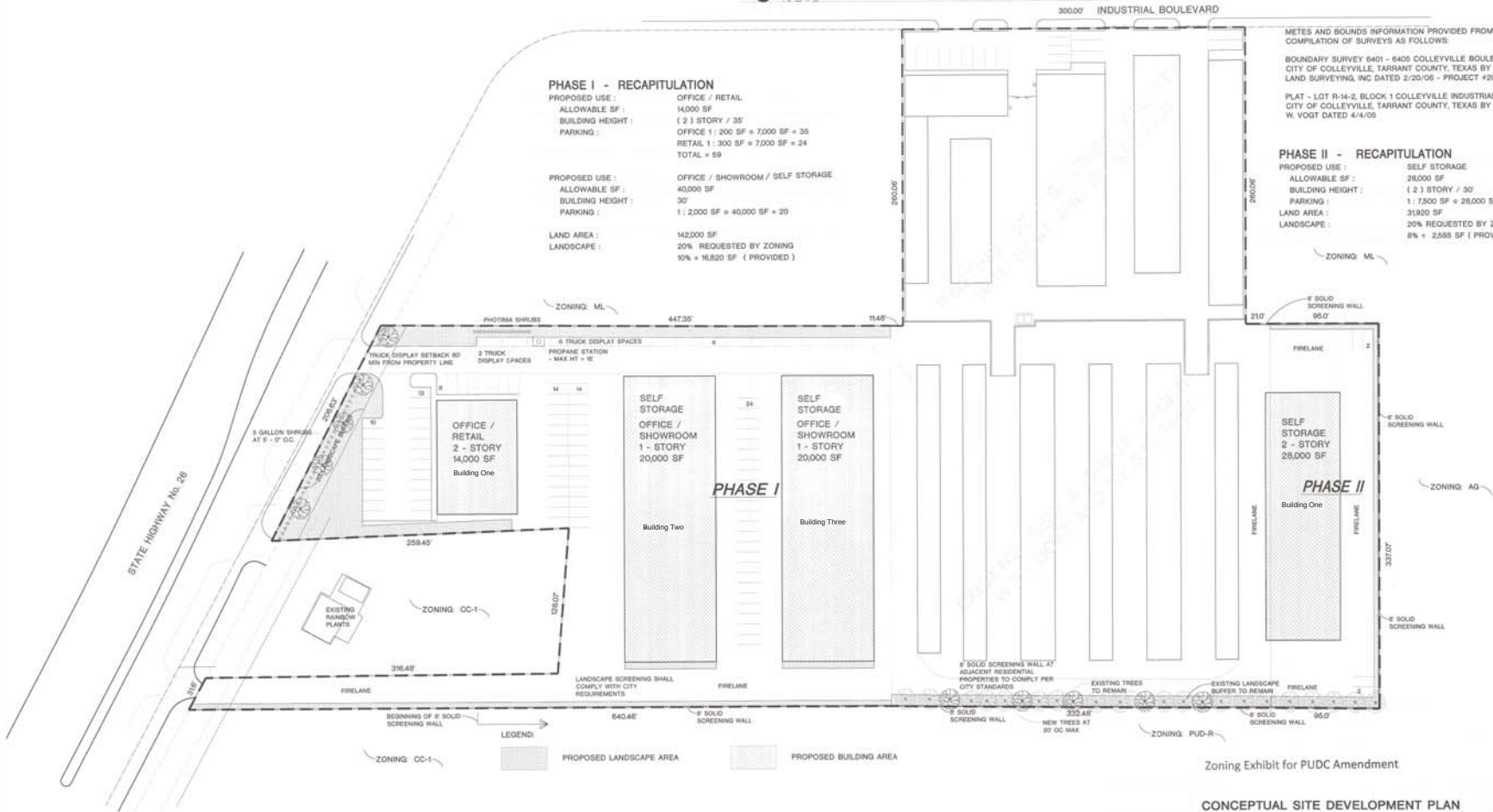
PROPOSED USE: OFFICE / RETAIL
 ALLOWABLE SF: 14,000 SF
 BUILDING HEIGHT: (2) STORY / 35'
 PARKING: OFFICE 1: 200 SF ± 7,000 SF ± 35
 RETAIL 1: 300 SF ± 7,000 SF ± 24
 TOTAL = 59

PROPOSED USE: OFFICE / SHOWROOM / SELF STORAGE
 ALLOWABLE SF: 40,000 SF
 BUILDING HEIGHT: 30'
 PARKING: 1: 2,000 SF ± 40,000 SF ± 20
 LAND AREA: 142,000 SF
 LANDSCAPE: 20% REQUESTED BY ZONING
 10% ± 16,820 SF (PROVIDED)

METES AND BOUNDS INFORMATION PROVIDED FROM A COMPILATION OF SURVEYS AS FOLLOWS:
 BOUNDARY SURVEY 6401 - 6405 COLLEYVILLE BOULEVARD, CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS BY PRECISE LAND SURVEYING, INC DATED 2/20/06 - PROJECT #2008-0100
 PLAT - LOT R-14-2, BLOCK 1 COLLEYVILLE INDUSTRIAL PARK, CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS BY THOMAS W. VOGT DATED 4/4/08

PHASE II - RECAPITULATION

PROPOSED USE: SELF STORAGE
 ALLOWABLE SF: 28,000 SF
 BUILDING HEIGHT: (2) STORY / 30'
 PARKING: 1: 7,500 SF ± 28,000 SF ± 4
 LAND AREA: 319,200 SF
 LANDSCAPE: 20% REQUESTED BY ZONING
 8% ± 2,585 SF (PROVIDED)



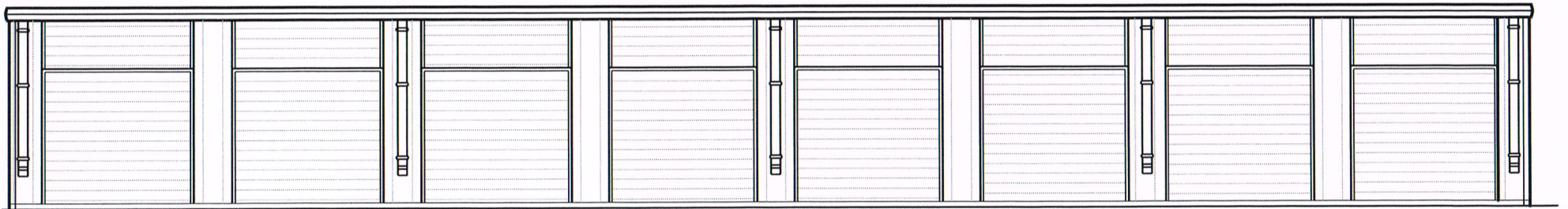
A CONCEPTUAL SITE PLAN

CONCEPTUAL SITE DEVELOPMENT PLAN

PROJECT NO. 2008-0100	THE ADDITIONS AND ALTERATIONS TO	ADDITIONAL STORAGE FOR: MR. HOWARD LAWSON 10000 S. W. 10TH AVE. SUITE 100 DALLAS, TEXAS 75241 PHONE: (214) 343-1000 FAX: (214) 343-1001 WWW.HKI-ARCHITECTS.COM	HSK ARCHITECTS 10000 S. W. 10TH AVE. SUITE 100 DALLAS, TEXAS 75241 PHONE: (214) 343-1000 FAX: (214) 343-1001 WWW.HKI-ARCHITECTS.COM
DRAWN BY: J. L. L.	REVISIONS AND ALTERATIONS TO		
CHECKED BY: J. L. L.	REVISIONS AND ALTERATIONS TO		
DATE: 6-11-09	REVISIONS AND ALTERATIONS TO		
DESIGNED BY: J. L. L.	REVISIONS AND ALTERATIONS TO	SHEET NUMBER A1 1 OF 1	

Z:\CLIENTS\LAWSON\COLLEYVILLE\2008\SPR\PLN\2-15-09.dwg 12/1/09 8:44:42 PM EST

EXHIBIT "D" BUILDING ELEVATION



Existing Ordinance O-10-1741

ORDINANCE O-10-1741

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AS HERETOFORE AMENDED; BY REPEALING ORDINANCE O-04-1484; BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF TRACTS 2B AND 2B02, ABSTRACT 963 OF THE ABSALOM J. LOTT SURVEY AND LOT R-14-2, COLLEYVILLE INDUSTRIAL PARK ADDITION FROM THE ML-LIGHT MANUFACTURING DISTRICT, CC1-VILLAGE RETAIL DISTRICT AND THE PUDC-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT TO THE PUDC-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case No. ZC09-010; and

WHEREAS, Ordinance O-04-1484 is hereby repealed in its entirety; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of

Existing Ordinance O-10-1741

Ordinance O-10-1741

Page 2 of 7

Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on Tracts 2b and 2b02, Abstract 963 of the Absalom J. Lott survey and Lot R-14-2, Colleyville Industrial Park Addition from the ML-Light Manufacturing zoning district, CC1-Village Retail zoning district and the PUDC-Planned Unit Development Commercial zoning district to the PUDC-Planned Unit Development Commercial zoning district, as depicted in Exhibit "A" and described in Exhibit "B".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT Ordinance O-04-1484 is hereby repealed in its entirety.
- Sec. 5. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUDC is for retail, office and self-storage uses.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. SITE PLAN AND PLATTING

- a. The development of this property shall be generally consistent with the conceptual site plan attached as Exhibit "C".

Existing Ordinance O-10-1741

Ordinance O-10-1741
Page 3 of 7

- b. All subject properties that are not platted as of the passage of this ordinance shall be platted in accordance with provisions of this ordinance and the Land Development Code prior to the issuance of any building permit.

3. PERMITTED AND PROHIBITED USES

The following land uses shall be permitted within this PUDC:

1. All uses permitted in the CC2-Shopping Center zoning district
2. Auto, truck or trailer rental
3. Office showroom
4. Warehouse
5. Self-storage facilities
6. Propane refilling station
7. Outside storage of recreational vehicles, boats and watercraft

The permitted land uses shall be allowed on the subject properties per the use designations labeled on the buildings shown in Exhibit "C".

4. BUILDING LAYOUT AND USE SPECIFICATIONS

- a. The following new buildings shall be allowed as described below and depicted on Exhibit "C":

Phase One Buildings

1. Building One - Maximum Size: 14,000 square feet
Permitted Uses: Retail and General Office
Maximum Retail area: 7,000 square feet
Maximum Office area: 7,000 square feet
Maximum Height: Two story, 35 feet
2. Building Two - Maximum Size: 20,000 square feet
Permitted Uses: Office Showroom, Warehouse
Maximum Height: One story, 35 feet
3. Building Three - Maximum Size: 20,000 square feet
Permitted Uses: Office Showroom, Warehouse
Maximum Height: One story, 35 feet

Phase Two Building

1. Building One – Maximum Size: 28,000 square feet
Permitted Uses: Self-Storage

Existing Ordinance O-10-1741

Ordinance O-10-1741
Page 4 of 7

Maximum Height: Two story, 30 feet.

5. BUILDING DESIGN

- a. All building designs shall be generally consistent within the elevations shown in exhibit "D".
- b. Building designs shall meet the minimum articulation requirements of Chapter 6 – Building Design in the Land Development Code.
- c. For any new buildings, exterior building colors, including roof-tops, shall be of medium to dark hue of brown, black or maroon. Otherwise, exterior colors shall match the natural color of the stone or brick construction.
- d. The exposed exterior walls of all buildings must be constructed of 75 percent masonry material. Window and door openings shall not be included in the calculation of the area of the wall.

6. PARKING

- a. All rental vehicles must be parked along the northernmost property line of the subject property and shall not be parked closer than 80 feet from the right-of-way of SH26.
- b. This development shall provide a minimum of 101 parking spaces.
- c. Except where noted above, all parking shall meet the minimum requirements of the Land Development Code.

7. LIGHTING

- a. All lighting including parking lot, building and security lighting shall be directed away from residential areas and shall provide a maximum candle illumination of 0.5 foot candles as measured from the property line.

8. LANDSCAPING, BUFFERING AND OPEN SPACE

- a. The developer shall construct a five (5) foot wide landscaped greenbelt adjacent to the south and east property line adjacent to existing residential properties. The greenbelt along the east property line shall contain live plant material of the evergreen variety which is expected to grow to six (6) feet height in two (2) years, a minimum of three (3) feet in height at the time of installation and planted on 36 inch centers. The

Existing Ordinance O-10-1741

Ordinance O-10-1741
Page 5 of 7

greenbelt along the southern property line shall be planted with large canopy trees, a minimum of five (5) to six (6) inches in caliper on 20 foot centers.

- b. Except where noted above, all required landscaping shall meet the minimum requirements of Chapter 4 – Landscaping and Buffering in the Land Development Code.
- c. This development shall provide a minimum of 11 percent of open space.

9. SIDEWALKS

- a. A minimum five (5) foot sidewalk shall be constructed along Industrial Boulevard where none exists prior to the issuance of the certificate of occupancy for any new structures.
- b. A minimum five (5) foot sidewalk shall be constructed along SH26 prior to the issuance of the certificate of occupancy for any new structures.

10. FENCES AND SCREENING

- a. A minimum eight (8) foot masonry fence shall be constructed along the south and east property line adjacent to existing residential properties prior to the issuance of any certificate of occupancy.

11. GENERAL DEVELOPMENT REQUIREMENTS

- a. The thirty (30) foot wide southernmost portion of the property shall be used only for a fire lane. This area shall not be used for the parking or storage of rental trucks, recreational vehicles or boat trailers.
- b. The location and width of all fire lanes and the installation of any gates shall meet the minimum requirements of the Land Development Code and the Fire Code and shall be approved by the Fire Marshal.
- c. The outside storage area for recreational vehicles, boats and watercraft shall contain no more than forty (40) covered parking spaces.
- d. Not more than eight (8) trucks for rental shall be parked or stored on the property.
- e. The hours of operation for any truck rental operation shall be as follows:

Monday through Saturday:	8:30 a.m. to 6:00 p.m.
Sunday:	9:00 a.m. to 1:00 p.m.

Existing Ordinance O-10-1741

Ordinance O-10-1741

Page 6 of 7

- f. The location of the propane refilling station shall be located along the northern property line as shown on Exhibit "C". The propane storage tank shall not exceed 15 feet in height and 500 gallons in volume. The storage tank shall not be closer than 100 feet from the right-of-way of SH26.
 - g. Prior to the issuance of any building permit for any buildings deriving primary access from SH26, a driveway permit shall be obtained from the Texas Department of Transportation (TxDOT).
 - h. A mutual access easement shall be located along the southernmost property line where it is adjacent to property zoned CC1-Village Retail as of the passage of this ordinance. Otherwise, mutual access easements shall be located adjacent to all properties with frontage along SH26. If not dedicated as part of a plat, said easements shall be dedicated by separate instrument prior to the issuance of the certificate of occupancy for any new structure.
- Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 9. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 5th day of January 2010.

Existing Ordinance O-10-1741

Ordinance O-10-1741
Page 7 of 7

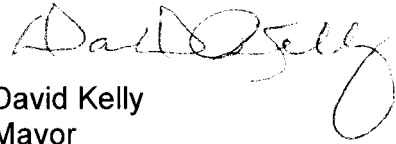
The second reading and public hearing being conducted on the 19th day of January 2010.

ATTEST:



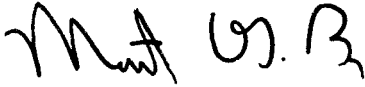
Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE



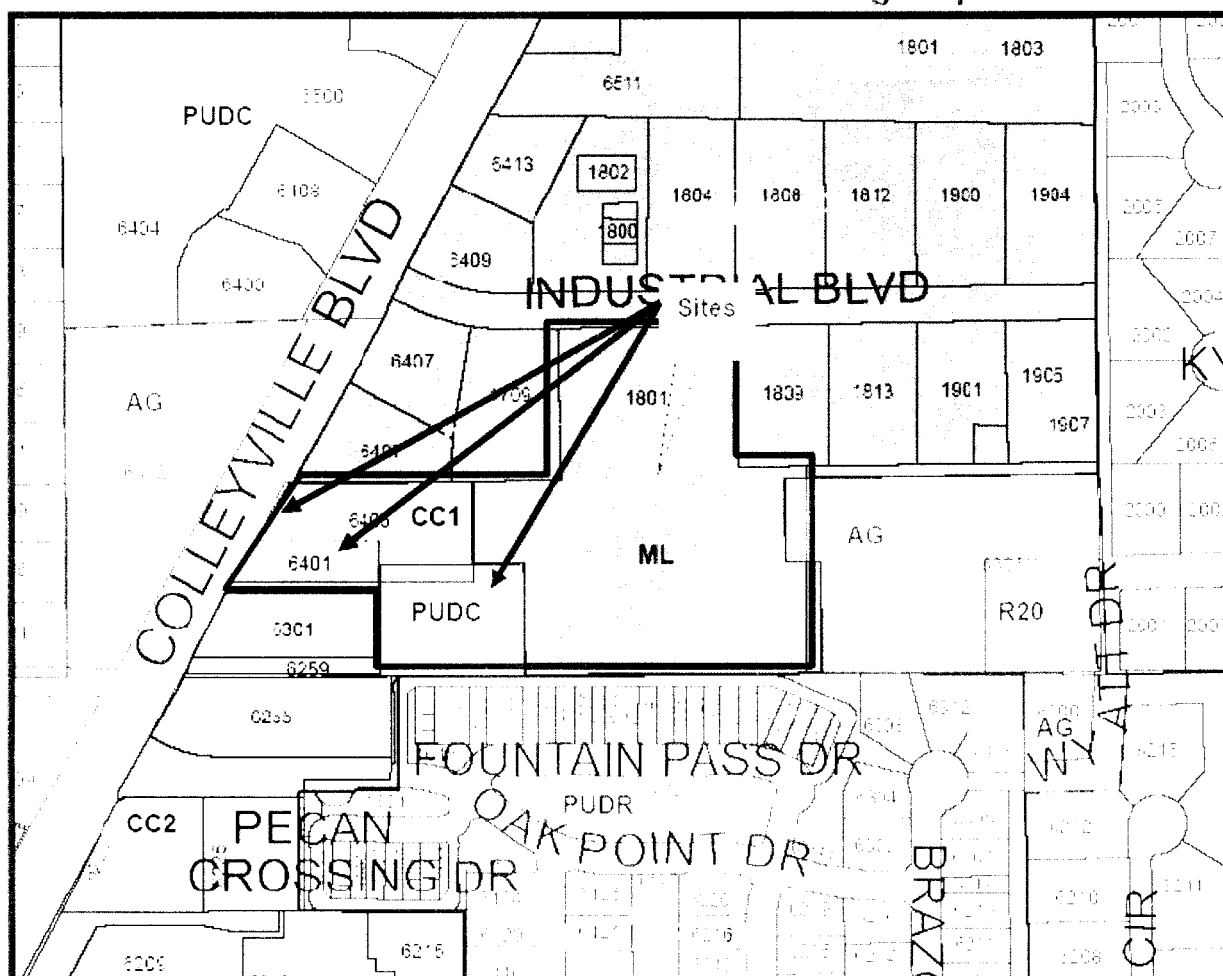
David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

EXHIBIT "A": Location and Zoning Map



Existing Ordinance O-10-1741

EXHIBIT "B"- Legal Description

SUBJECT PROPERTY DESCRIPTION

BEING a tract of land in the A. J. Lott Survey, Abstract No.963, in the City of Colleyville, Tarrant County, Texas, and being more particularly described as follows:

BEGINNING at a point on the southeast line of State Highway No. 26 (100 foot right-of-way), said point being at its intersection with the south line of the A. J. Lott Survey, Abstract No. 963;

THENCE North 29°16'00" East along the southeast line of said State Highway No. 26, a distance of 31.60 feet to a point for corner;

THENCE North 89° 31' 43" East along the south line of Lot 1 in Block 1 in the Tinker Crossing Addition, a distance of 333.77 feet to a point for corner on the east line of said Lot 1 in Block 1;

THENCE North 03° 37'13" East along said lot line, a distance of 128.07 feet to a point for corner on the north line of said Lot 1 in Block 1;

THENCE South 88° 54' 32" West along said lot line, a distance of approximately 269.46 feet to a point for corner on the southeast line of State Highway No. 26;

THENCE in a northeasterly direction along said State Highway No. 26, a distance of approximately 206.63 feet to a point for corner on the south line of Lot 16-R-2 in Block 1, Colleyville Industrial Park Addition;

THENCE North 89° 40' 00" East along said lot line, a distance of approximately 466.23 feet to a point for corner;

THENCE North 00° 34' 00" West, a distance of 260.06 feet to a point for corner on the south line of Industrial Boulevard (60 foot right-of-way);

THENCE North 89° 26' 00" East along the south line of Industrial Boulevard, a distance of 300.00 feet to a point for corner;

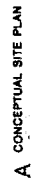
THENCE South 00° 34' 00" East, a distance of 260.06 feet to a point for corner;

THENCE North 89° 26' 00" East, a distance of approximately 111.16 feet to a point for corner;

THENCE South 00° 58' 06" East, a distance of 337.07 feet to a point for corner;

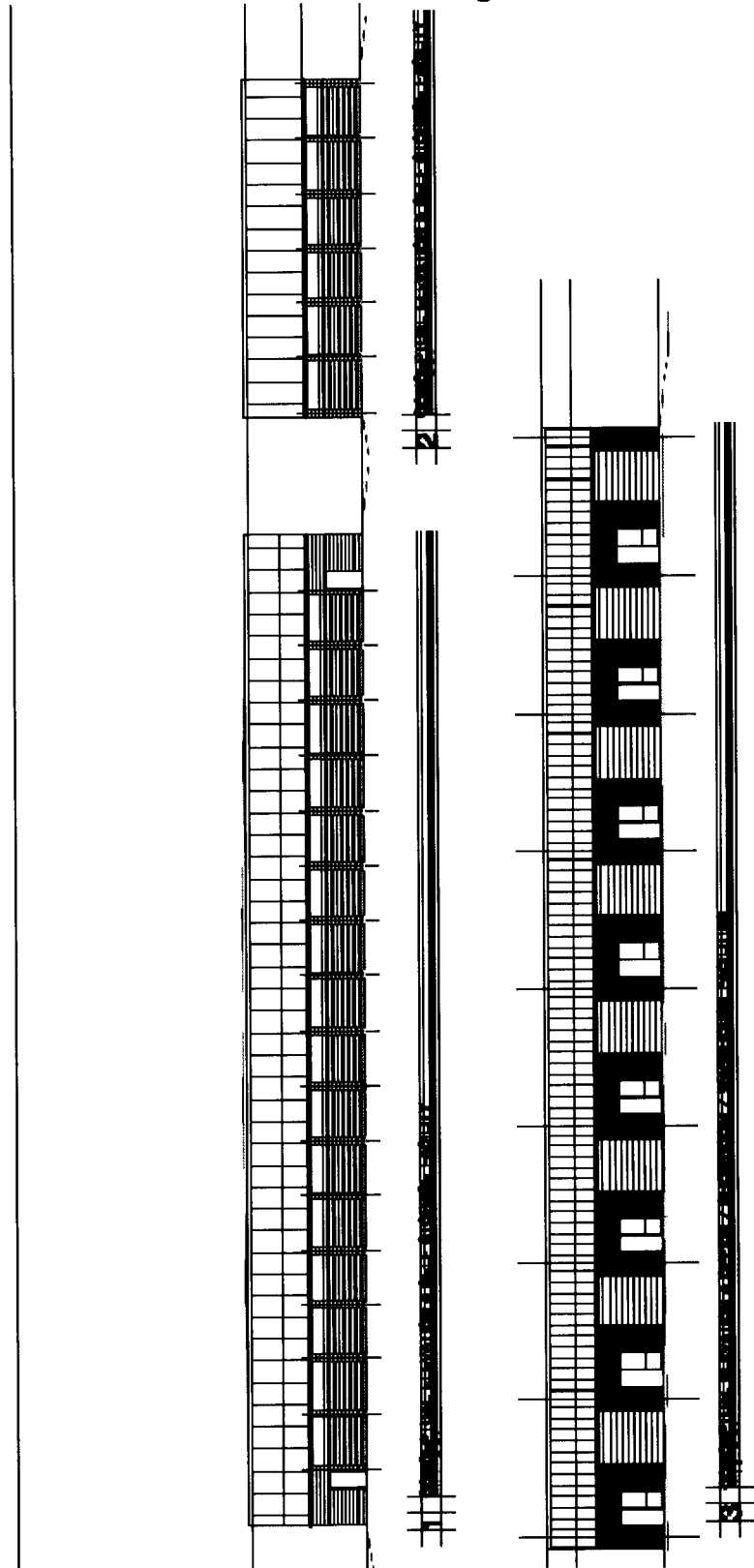
THENCE South 89° 54' 54" West, a distance of 1067.94 feet to the POINT OF BEGINNING, and containing approximately 8.322 acres of land.

EXHIBIT "C"- Conceptual Site Plan



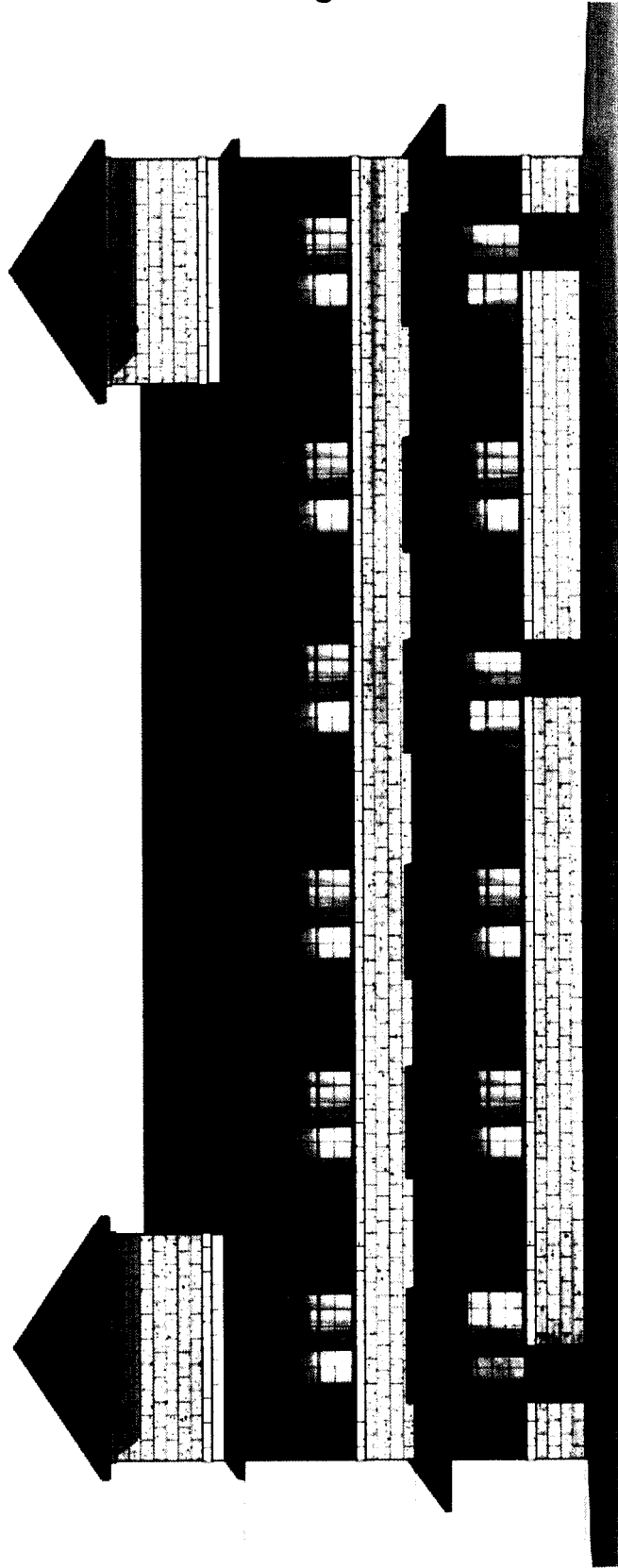
Existing Ordinance O-10-1741

EXHIBIT "D"- Building Elevations



Existing Ordinance O-10-1741

EXHIBIT "D"- Building Elevations Continued



ORDINANCE O-14-xxxx

AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AS HERETOFORE AMENDED; BY AMENDING ORDINANCE O-10-1741; BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON LOT R-14-2, BLOCK 1, OF THE COLLEYVILLE INDUSTRIAL PARK ADDITION, AND TRACTS 2B AND 2B02, ABSTRACT 963, OF THE ABSALOM J. LOTT SURVEY LOCATED AT 1801 INDUSTRIAL BOULEVARD, AND 6401 AND 6405 COLLEYVILLE BOULEVARD, FROM THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT TO THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council approved Ordinance O-10-1741 on November 16, 2010, under zoning case ZC09-010; and

WHEREAS, the applicant has requested an amendment to the conditions within Ordinance O-10-1741 under zoning case ZC14-015; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEYVILLE, TEXAS:

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended on Lot R-14-2, Block 1, of the Colleyville Industrial Park Addition, and Tracts 2B and 2B02, Abstract 963, of the Absalom J. Lott Survey located at 1801 Industrial Boulevard, and 6401 and 6405 Colleyville Boulevard, from the PUD-C-Planned Unit Development Commercial zoning district to the PUD-C-Planned Unit Development Commercial zoning district, as depicted in the attached Exhibit "A" and the same is hereby amended by amending Ordinance O-10-1741.
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:
- a. Ordinance O-10-1741 hereby remains valid and all provisions of Ordinance O-10-1741 shall remain in full force and effect except where amended herein.
 - b. This development, including the use of land and the layout

of the buildings on the property shall be generally consistent with Exhibits "B" and "C".

1. GENERAL AMENDMENTS

- a. The following amendments to Ordinance O-10-1741 are hereby authorized:

Phase One Buildings

- a. Building Two – Maximum Size: 20,000 square feet
Permitted Uses: Office Showroom, Warehouse and Self-Storage
Maximum Height: One story, 35 feet
- b. Building Three – Maximum Size: 20,000 square feet
Permitted Uses: Office Showroom, Warehouse and Self-Storage
Maximum Height: One story, 35 feet

2. Building Design

- a. Buildings Two and Three shall be generally consistent with the elevations shown in exhibit "D".

- Sec. 5. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 6. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 7. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 8. THAT all provisions of the Land Development Code shall remain in full force and effect, except where amended herein.

Sec. 9. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 2nd day of September 2014.

The second reading and public hearing being conducted on the 16th day of September 2014.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2014.

ATTEST:

CITY OF COLLEYVILLE

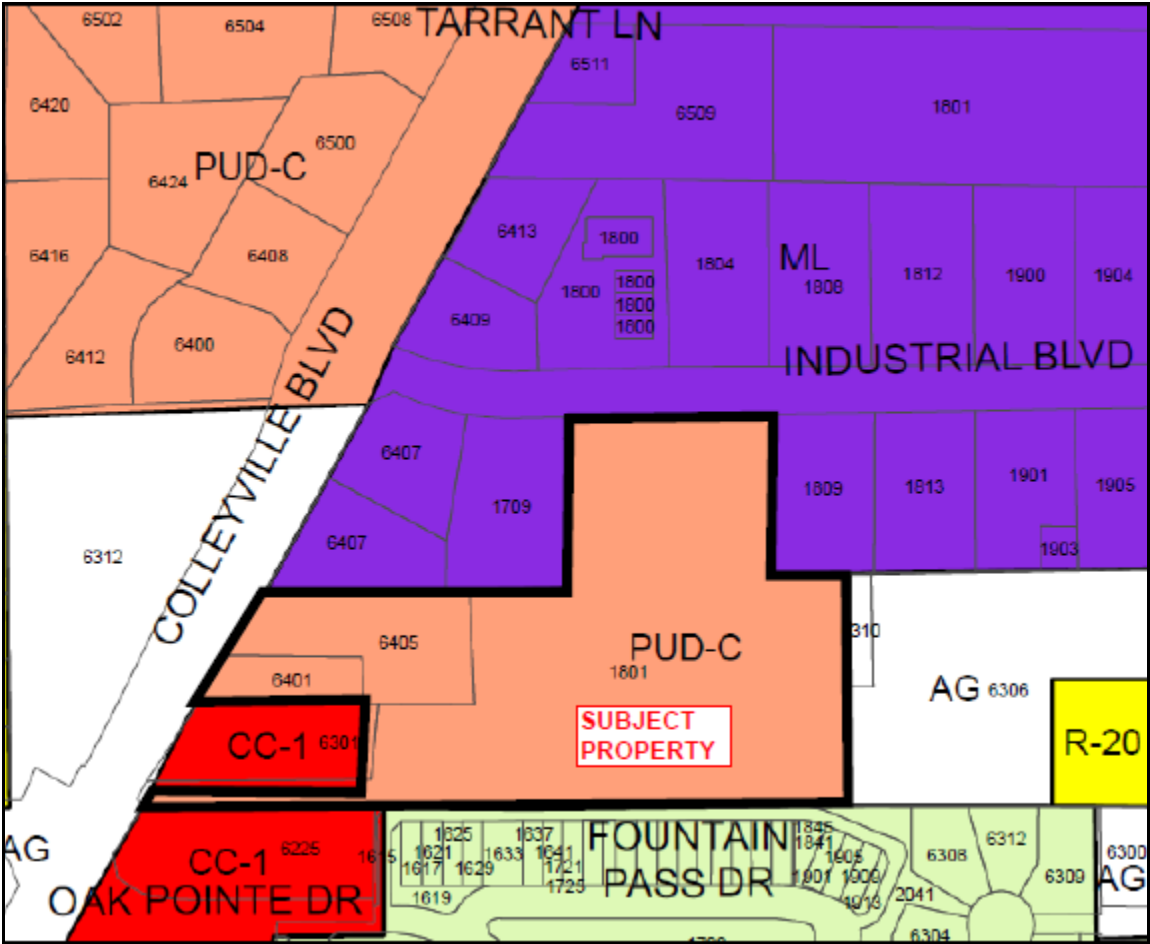
Amy Shelley, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit “A” –Location and Zoning Map



[illegible]

Exhibit “C” Statement of Planning Objectives

Statement of Planning Objectives

Colleyville Boulevard, between Industrial Boulevard and Oak Point Drive

The property owner seeks an amendment to PUDC approved with ordinance O-10-1741. The amendment would allow Building Two and Three of Phase One to include a self-storage use. The building layout and height provisions would remain. The office showroom use would also remain as a permitted use for Building Two and Three.

The property owner does not seek to amend any other provisions of this PUDC. A new elevation for a self-storage use in Building Two and Three is included in this request. This proposed structure will comply with all required design standards.

Exhibit “D” Building Design

