



# **City of Colleyville Planning and Zoning Commission Agenda**

City Hall  
100 Main Street  
Colleyville, Texas 76034  
817. 503.1000  
[www.colleyville.com](http://www.colleyville.com)

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Monday, September 8, 2014

City Council Chambers

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**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 Davis  
PLEDGE OF ALLEGIANCE**

**1. APPROVAL OF MINUTES**

August 11, 2014

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

**3. REGULAR AGENDA ITEMS**

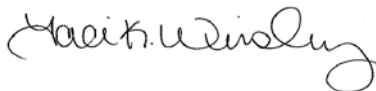
- 3a** Approval of a revised preliminary plat for the Reserve at Colleyville Addition located on 94.024 acres on the north and south side of Murphy Road, Case PC14-024
- 3b** Approval of a final plat on Lots 3-15, Block C and Lots 1-5, Block F, of the Reserve at Colleyville Addition, Phase 2A, Case PC14-016
- 3c** Approval of a final plat on Lots 1-11, Block A and Lots 1-3, Block B, of the Reserve at Colleyville Addition, Phase 2B, Case PC14-023
- 3d** Approval of a final plat on Lots 9-22, Block D; Lots 10-18, Block J; and Lots 1-9 & 14-21, Block K, of the Reserve at Colleyville Addition, Phase 2C, Case PC14-017

#### **4. PUBLIC HEARING AGENDA ITEMS**

- 4a** Consideration of a replat on Lot 16, Block 2, of the Fair Way Addition, located at 8508 Precinct Line Road, Case PC14-014
- 4b** Consideration of a replat on Lot 1, Block 1, of the Reagan Estates 3 Addition and Tract 1N, Abstract 356, of the Isaac Carodine Survey, located at 5608 Lowrie Road, Case PC14-019
- 4c** Consideration of a zoning change from R-20 Single Family Residential zoning district to CN-Neighborhood Commercial zoning district on Lot 18, Block 2, of the Fair Way Addition, located at 8500 Precinct Line Road, Case ZC14-017
- 4d** Consideration of a zoning change from the R-40 Single Family Residential zoning district to the R-30 Single Family Residential zoning district on Tracts 2A & 2A1A, Abstract 233, of the D. R. Blanton Survey, located at 5101 Bluebonnet Drive, Case ZC14-021

#### **5. ADJOURNMENT**

I hereby certify this agenda was posted on City Hall bulletin boards September 5, 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 Agenda Briefing

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|-----------------------------------------|-------------------------------|---------------|
| <b>Agenda Number</b>                    | <b>Agenda Date</b> 09/08/2014 | <b>Number</b> |
| <b>Type</b> Approval of Minutes         |                               |               |
| <b>Department</b> Community Development |                               |               |

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## **Title**

August 11, 2014

## **Explanation**

## **Recommendation**

## **Attachments**

1. Planning and Zoning Commission Minutes - August 11, 2014





# City of Colleyville Planning and Zoning Commission Minutes

City Hall  
100 Main Street  
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Monday, August 11, 2014

City Council Chambers

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## CALL MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Chairman Byerly on August 11, 2014 at 7:00 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, Brian Riley, Lauren LeCren, and Matt Butler (City Attorney)

### 1. APPROVAL OF MINUTES

**Commissioner Davis made a motion to approve the minutes as written. Commissioner Gotcher seconded.**

**The motion to approve the minutes as written 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 minor plat on Tract 2N, Abstract 1692, of the J. White Survey, located at 6212 Pleasant Run Road, Case PC14-012

Ron Ruthven presented the case and briefed the Commission.

Commissioner Gotcher questioned staff regarding whether reduced setbacks are typically requested through the Zoning Board of Adjustment. Ron Ruthven replied yes.

Commissioner Phelps questioned staff regarding whether the house

number and the lot number were required to be identical. Ron Ruthven replied no.

Commissioner Tornes questioned staff regarding the square footage of the proposed structure. Ron Ruthven replied he did not have that information.

Crystal Arnold, the property owner, came forward and briefed the Commission.

Commissioner Tornes questioned Ms. Arnold regarding the square footage of the proposed structure. Ms. Arnold replied approximately 4,000 to 5,000 square feet. Commissioner Tornes confirmed the lot coverage would be well under 50 percent. Ms. Arnold concurred.

Commissioner Gotcher questioned Ms. Arnold regarding whether she would be building her own home at the subject property. Ms. Arnold replied yes.

**Commissioner Phelps made a motion to approve Case PC14-012. Commissioner Tornes seconded.**

**The motion to approve Case PC14-012 carried by the following vote:**

**Aye: 6**– Knox, Tornes, Wheelwright, Davis, Phelps, and Byerly

**Nay: 1** - Gotcher

- 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

Ron Ruthven presented the case and briefed the Commission.

Lisa Grossman, the property owner, came forward and briefed the Commission.

Commissioner Wheelwright questioned Ms. Grossman regarding if there was an issue with the front setback. Ms. Grossman replied not, the issue is with the side setbacks.

Commissioner Tornes questioned Ms. Grossman regarding the lot coverage. Ms. Grossman replied the lot coverage would be approximately 20 percent.

Discussion continued regarding lot coverage.

Commissioner Gotcher questioned Ms. Grossman regarding whether she was aware of the zoning requirements when she purchased the property and was she aware of the duties of the Zoning Board of Adjustment. Ms. Grossman replied yes, on both accounts.

**Commissioner Knox made a motion to approve Case PC14-013. Commissioner Davis seconded.**

**The motion to approve Case PC14-013 carried by the following vote:**

**Aye: 6**– Knox, Tornes, Wheelwright, Davis, Phelps, and Byerly

**Nay: 1** - Gotcher

#### **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

Ron Ruthven presented the case and briefed the Commission.

Discussion occurred between staff and the Commission regarding the proposed site plan and building layout.

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

Santos Martinez, the applicant, came forward and briefed the Commission.

Commissioner Tornes questioned Mr. Martinez regarding whether the two story building along the eastern property line was the only two story building, with the exception of the retail building along the western property line. Mr. Martinez replied correct.

Discussion continued regarding the addition of two story structures to the subject property.

Commissioner Tornes questioned Mr. Martinez regarding when the fire lane would be constructed. Mr. Martinez replied he did not believe they would be able to obtain a certificate of occupancy if the fire lane was not constructed.

Commissioner Wheelwright questioned Mr. Martinez regarding the timeline for completion of the phases. Mr. Martinez replied he did not have a specific timeline. He further explained the property owner expressed the need to move quickly on the project.

Discussion continued regarding the phasing of the project.

Commissioner Wheelwright questioned Mr. Martinez regarding whether the existing fence along the southern property line would be replaced. Mr. Martinez replied the southern property line does not have a fence along the whole length. He further explained they will replace the fence in areas that need replacement and install new fence in areas where needed.

Discussion continued regarding the proposed fence along the southern property line.

Chairman Byerly questioned Mr. Martinez regarding whether the current facility has office/showroom space available. Mr. Martinez replied no.

Discussion continued regarding market demand for self-storage facilities and office/showroom space.

Commissioner Tornes questioned Mr. Martinez regarding whether the office/retail space along Colleyville Boulevard would be developed. Mr. Martinez replied he and the property owner have not discussed the development of the proposed office/retail space.

Karl Meek, 6204 Rock Dove Circle, came forward and spoke in opposition.

Joel Justiss, 6304 Brazos Court, came forward and spoke in opposition.

Wendy Fitzgerald, 1617 Fountain Pass Drive, wished to record her support but did not wish to speak.

Geneva Wallace, 6407 Colleyville Boulevard, wished to record her opposition but did not wish to speak.

There being no one else wishing to speak, the public hearing was closed at 7:43 p.m.

Mr. Martinez came forward and addressed comments and concerns.

Commissioner Tornes questioned Mr. Martinez regarding whether their plan was to plant more trees along the southern property line. Mr. Martinez replied yes. He further explained they were willing to work with the homeowner's association to determine what type of trees to plant.

Commissioner Gotcher questioned Mr. Martinez regarding whether there was a tree mitigation plan for the proposed development. Mr. Martinez replied they have not had a plan drawn for this development as of yet. He further explained they stand ready to follow the City of Colleyville code for tree mitigation.

Discussion occurred between staff and the Commission regarding the requirements of a tree mitigation plan for new developments.

Commissioner Phelps questioned staff regarding whether the proposed new buildings would be required to meet the current building design score rating. Ron Ruthven replied yes.

Commissioner Phelps stated he was hesitant to give up the office/retail use so that more storage units could be added.

Chairman Byerly invited Marty Wieder to come forward and discuss the advantages and disadvantages of storage facilities in the City.

Commissioner Tornes questioned Marty Wieder regarding how much commercial property was occupied in the City currently. Marty Wieder replied retail is currently at 93 percent and office space is currently at 88 percent.

Discussion continued regarding the demand for retail and office space and uses.

Commissioner Wheelwright questioned staff regarding the minimum distance for the propane filling station to residential structures. Ron Ruthven replied there are no requirements in the Ordinance for this property that address residential structures. He further explained the Ordinance does state the propane filling station may not be closer than 100 feet to Colleyville Boulevard. Rob McKeown added the distance would be determined by the size of the tank and would have to meet the National Fire Protection Association guidelines.

Commissioner Tornes and Chairman Byerly concurred with Commissioner Phelps regarding being hesitant to give up the office/retail use for more storage units.

**Chairman Byerly made a motion to deny Case ZC14-015. Commissioner Phelps seconded.**

Commissioner Gotcher stated did not agree with denying a business owner the ability to build or improve their business.

**The motion to deny Case ZC14-015 carried by the following vote:**

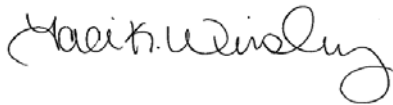
**Aye: 6**– Knox, Tornes, Wheelwright, Davis, Phelps, and Byerly

**Nay: 1** - Gotcher

## **5. ADJOURNMENT**

The meeting adjourned at 8:06 p.m.

The minutes were written and prepared by:



Taci Wrisley  
Planning and Zoning Assistant

*The meeting minutes were approved on September 8, 2014 by a vote of \_\_\_\_\_.*



# City of Colleyville Planning and Zoning Commission Agenda Briefing

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|-----------------------------------------|-------------------------------|---------------|
| <b>Agenda Number</b> 3a                 | <b>Agenda Date</b> 09/08/2014 | <b>Number</b> |
| <b>Type</b> Regular Agenda Items        |                               |               |
| <b>Department</b> Community Development |                               |               |

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## Title

Approval of a revised preliminary plat for the Reserve at Colleyville Addition located on 94.024 acres on the north and south side of Murphy Road, Case PC14-024

## Explanation

Jacobs Engineering has submitted a revised Preliminary Plat of The Reserve at Colleyville that contains a decrease in single family lots, a decrease in open space square footage, modified open space lot (public use areas) locations, and a roadway connection with the Whittier Heights subdivision. The preliminary plat and the final plat for Phase 1 of this development were approved by the City Council on December 18, 2007. The final plat for Phase 2A-1 was approved by City council on November 19, 2013. The following is an analysis of the revised preliminary plat.

**Zoning.** The proposed development is located in a PUDR (Ordinance 0-99-1153) zoning district. The subject property was originally included in the site for the proposed Glenwood development. Portions of the Glenwood development later became platted as the Whittier Heights and Old Grove Additions. The revised preliminary plat has been reviewed per the regulations of the Land Development Code and the standards contained in the PUDR ordinance for this development. The revised preliminary plat is in compliance with these regulations.

**Phasing of Development.** The Land Development Code permits subdivision plats to be phased, provided the preliminary plat shows the proposed phases of the development. According to the preliminary plat, this development will be platted in five separate phases, though multiple phases may be approved concurrently.

**Revised Preliminary Plat.** The original preliminary plat approved in 2007 contained a total of 171 single family residential lots and 10 open space lots (public use areas). The proposed revised preliminary plat contains 169 single family residential lots and 12 open space lots (public use areas). The areas of Phases 1 and 2A-1 of the development that have been final platted and contain no changes from the original preliminary plat are shown as a lighter shade on the plat.

Phase 1, Block L originally consisted of eight single family lots and one open space lot. Block L within the revised preliminary plat consists of five single family lots and one open space lot. The reduction of the three residential lots accommodates an increase of

open space area by approximately 31,500 square feet.

Phase 2A consists of 18 single family lots, one open space lot and is consistent with the original preliminary plat.

Phase 2B consists of 14 single family lots and two open space lots. An additional open space lot was created within this phase. Public Use Area #12 provides of 5,799 square feet of open space.

Phase 2C consists of 40 single family lots and one open space lot. Lot 23, Block D was eliminated in order to provide the roadway connection to the Whittier Height subdivision. Two single family lots were added to Block K.

**Single Family Lots.** The revised preliminary plat reduced the total number of single family lots from 171 to 169 lots. Lot 23, Block D, located in Phase 2C, was removed from the plat in order to provide roadway access to the Whittier Height subdivision. Three single family lots were removed in order to increase the size of Public Use Area #2R, located in Block L, Phase 1. Lots 20 and 21, Block K, in Phase 2C were added to offset the overall reduction in lots.

**Open Space Lots.** The applicant has relocated open space lots throughout the development and reduced the total open space by approximately 13,000 square feet. 5,799 square feet of open space was added to Public Use Area #12, located in Phase 2B. An amendment to Public Use Area #2R, located in Block L, Phase 1 increased the open space from 3,911 square feet to 35,380 square feet. Public Use Area #9, located in Phase 2C and consisting of 58,489 square feet, was removed from the plat. Public Use Area #12, consisting of 4,347 square feet, was added within Phase 2C.

**Sidewalks and Trails.** Trail 29 on the Colleyville Pathways Plan is required to be constructed along the north side of Murphy Road and then north along Schubert on the west side of the street. The trail must be a minimum of eight feet in width and constructed by the homebuilder of the adjacent lot prior to the final inspection. Sidewalks are required along all interior streets. The internal sidewalks must be at least 4-feet wide, and must be installed when any new residence is constructed on a lot.

**Access.** Access to the development is along Murphy Road. An emergency access has been provided with the extension of Riverpath to the Whittier Heights subdivision.

**Summary.** The proposed development satisfies the requirements of the Land Development Code and Ordinance 0-99-1153.

### **Recommendation**

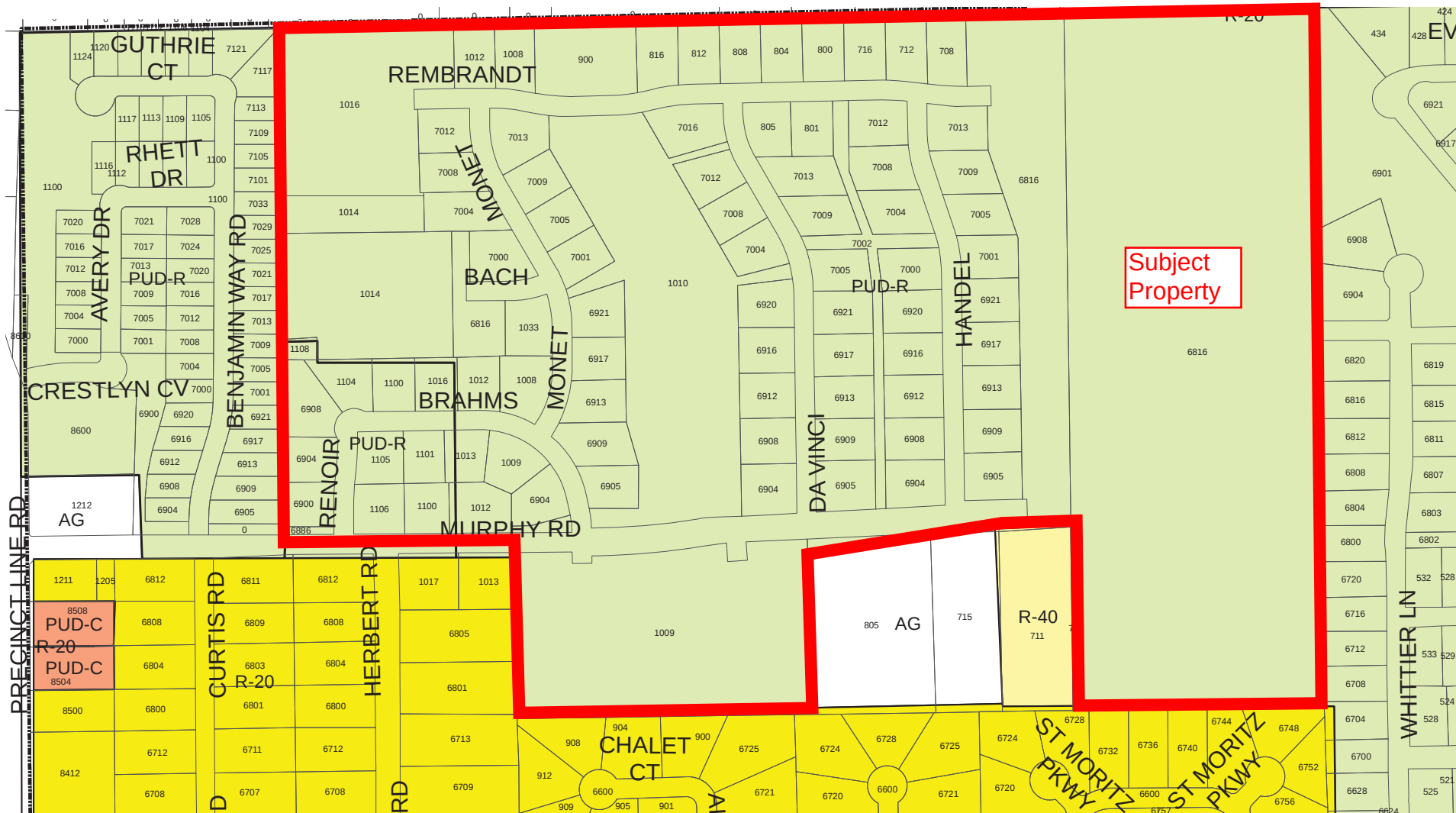
Approve



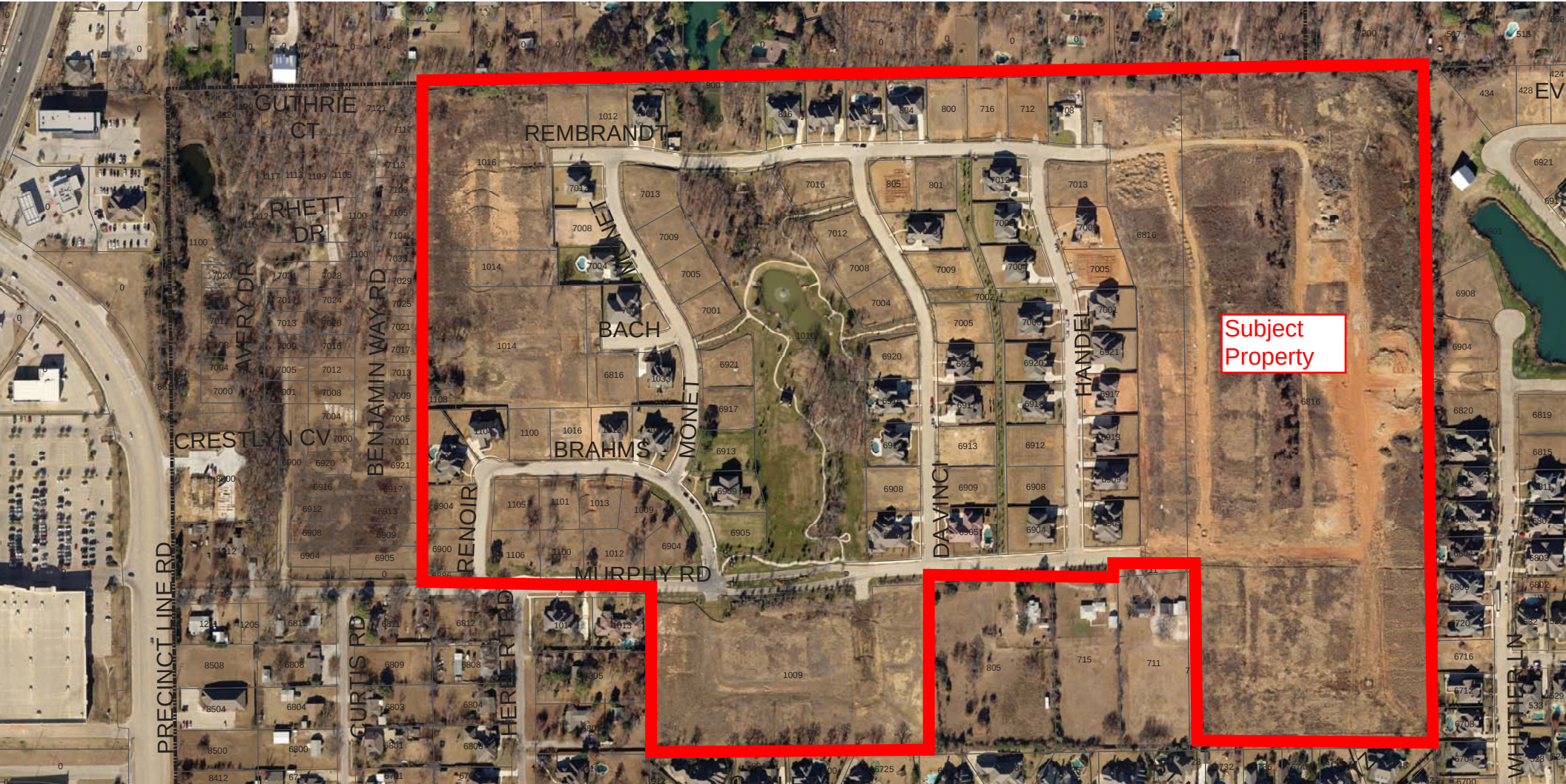
**Attachments**

1. Location and Zoning Map
2. Aerial
3. Revised Preliminary Plat - The Reserve at Colleyville
4. Original Preliminary Plat - The Reserve at Colleyville
5. Final Plat - Phase One, The Reserve at Colleyville
6. Open Space Comparison Exhibit
7. Ordinance 0-99-1153
8. Resolution R-xxx

# Location and Zoning Map

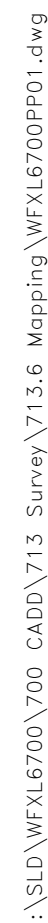


# Aerial

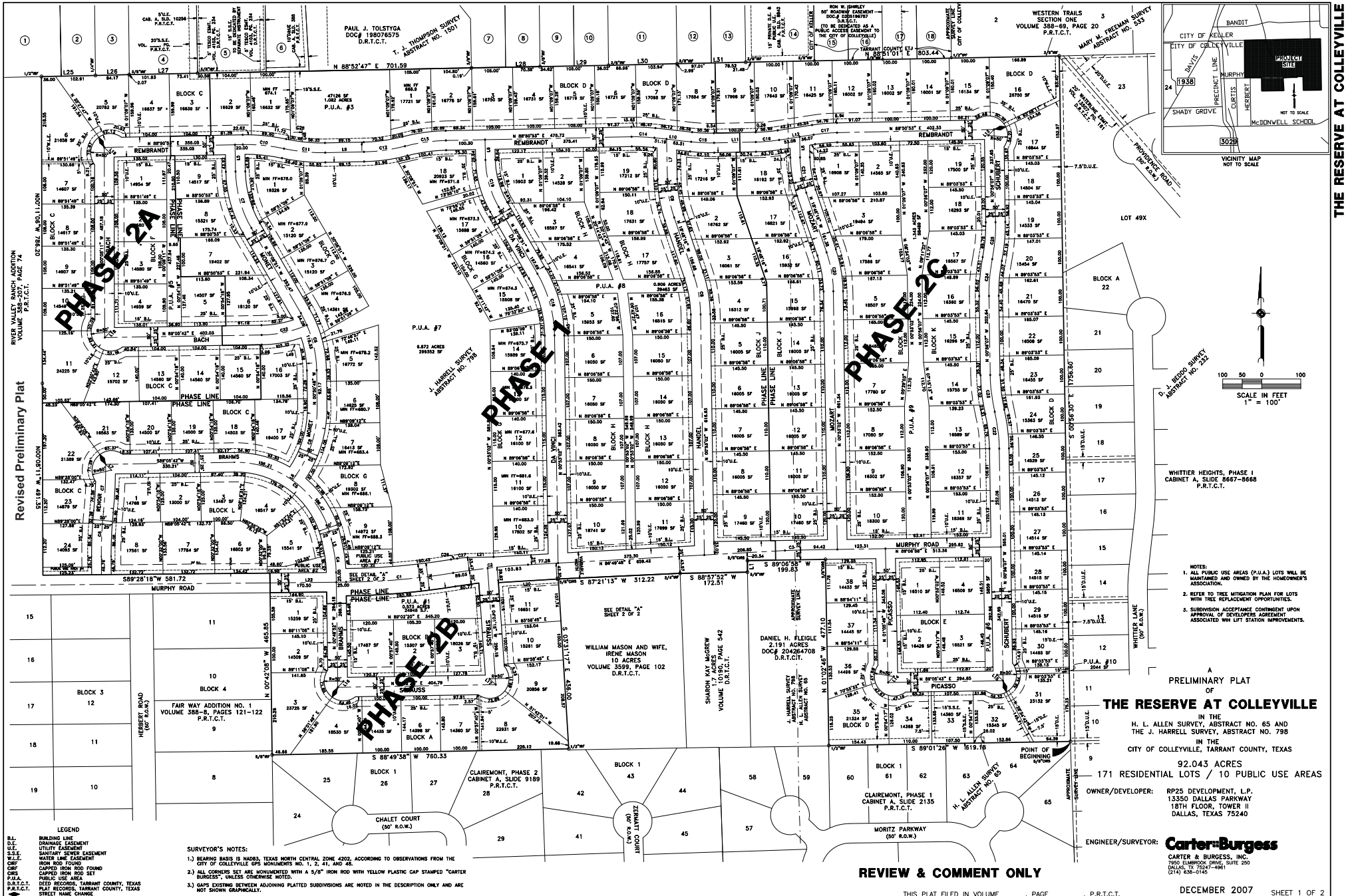




THE RESERVE AT COLLEYVILLE



# Preliminary Plat - The Reserve at Colleyville





THE RESERVE AT COLLEYVILLE, PHASE 1



**NOTES:**

1. ALL PUBLIC USE AREAS (P.U.A.) LOTS WILL BE MAINTAINED AND OWNED BY THE HOMEOWNER'S ASSOCIATION.
2. REFER TO TREE MITIGATION PLAN FOR LOTS WITH TREE REPLACEMENT OPPORTUNITIES.
3. SUBDIVISION ACCEPTANCE CONTINGENT UPON APPROVAL OF DEVELOPERS AGREEMENT ASSOCIATED WITH LIFT STATION IMPROVEMENTS.

FINAL PLAT  
OF  
— THE RESERVE AT COLLEYVILLE  
PHASE 1  
IN THE  
J. HARRELL SURVEY, ABSTRACT NO. 798  
IN THE  
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS  
46.795 ACRES  
77 RESIDENTIAL LOTS / 5 PUBLIC USE AREAS  
OWNER/DEVELOPER: RP25 DEVELOPMENT, L.P.  
13350 DALLAS PARKWAY  
18TH FLOOR, TOWER II  
DALLAS, TEXAS 75240

ENGINEER/SURVEYOR: **Carter::Burgess**  
CARTER & BURGESS, INC.  
7550 ELMBROOK DRIVE, SUITE 250  
DALLAS, TX 75247-4961  
(214) 638-0145

THIS PLAT FILED IN CABINET A, SLIDE 12531  
12532 FEBRUARY 2008 SHEET 1 OF 2  
 FILE NO: 01-8074



# Open Space Comparison Exhibit



SCALE: 1" = 100'

## THE RESERVE AT COLLEYVILLE REVISED PRELIMINARY PLAT COMPARISON EXHIBIT AUGUST 2014

**JACOBS**

1999 BRYAN STREET, SUITE 1200  
DALLAS, TX 75201-3138  
PHONE 214-638-0145  
FAX 214-638-0447  
Jacobs Engineering Group Inc.  
Texas Registration #2966

**ORDINANCE O-99-1153**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF APPROXIMATELY 187 ACRES OUT OF THE S. HARRELL SURVEY, A-798, TRACTS 1J, 1J1, 1J1A, 1J3, 1J4, AND 1J2; THE H.L. ALLEN SURVEY, A-65, TRACTS 1, 1C, 1B, AND 1A; THE D.J. BEDDO SURVEY, A-232, TRACTS 1C, 2A, 2B, 1A, AND 1B; AND LOT 1, BLOCK 1, PURCELL ADDITION; THE MARY M. FREEMAN SURVEY, A-533, TRACT 2A7A, AND THE WILLIAM C. COOK SURVEY, A-295, TRACT 4D1 FROM THE AG (AGRICULTURE) AND THE R40 (SINGLE FAMILY RESIDENTIAL) TO THE PUD-R (PLANNED UNIT DEVELOPMENT-RESIDENTIAL) DISTRICT; PROVIDING FOR A PENALTY FOR VIOLATIONS AND AUTHORIZING PUBLICATION:**

**WHEREAS**, an application for a zoning change was filed by David Bagwell, The David Bagwell Company, on November 12, 1998, under Case No. Z-98-031; and

**WHEREAS**, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and

**WHEREAS**, notice of a public hearing before the City Council was published in a newspaper of general circulation in Colleyville at least 15 days before such hearing; and

**WHEREAS**, notices were posted on the subject land as provided by the zoning ordinance; and

**WHEREAS**, public hearings to change the zoning and the Master Plan on the property herein described were held before the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation; and,

**WHEREAS**, the City Council is of the opinion that the zoning change herein effectuated furthers the purpose of zoning as set forth in the Zoning Ordinance and is in the best interest of the citizens of the City of Colleyville;

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



Sec. 1. THAT the Master Plan, the Zoning Ordinance of the City of Colleyville, Texas, and the accompanying Zoning Map (Exhibit A) are hereby amended insofar as they relate to certain land located in Colleyville, Texas, described by metes and bounds (Exhibit B), by changing the zoning of said property from the AG and R40 districts to the PUD-R district, together with all site plans which are only conceptual in nature, supporting documents, and other conditions and restrictions imposed and approved by the Council which are incorporated herein by reference including, but not limited to the conceptual site plan (Exhibit C); and subject to the following conditions:

1. PERMITTED USES

The PUD-R shall have three (3) land uses as indicated on Exhibit C and the primary land use for each area shall be as follows:

- a. Areas 1A & 1B shall consist of single family dwelling units.
- b. Area 2 shall consist of a church.
- c. Area 3 shall be open space.

2. PLATTING & PHASING

- a. Prior to the issuance of any development permits on the subject property and as a condition to the development of the property the developer shall obtain approval of a preliminary plat and final plat of the property, which may be in phases. In approving the preliminary and final plat the approving body shall exercise complete discretion over roadway design, lot size, lot shape, building lines, set-back lines, open space, and all other aspects of the plat; provided, the approving body shall not approve anything inconsistent with the other conditions of this ordinance.
- b. The general limits of all phases of development shall be shown on the preliminary plan. Each phase shall be numbered to represent the sequential development phases anticipated. Any deviation from the approved development sequence shall require approval from the City Council.
- c. This development shall be subject to all impact fees in accordance with the Colleyville Subdivision Regulations.

### 3. DENSITY

The average residential density is permitted to be 1.8 dwelling units per acre over the combined acreage of Areas 1A & B, 2 & 3.

### 4. STREETS AND SIDEWALKS

- a. No street intersection shall be allowed on McDonwell School Road which aligns with the McDonwell School Road/Remington Parkway intersection. Street intersections along McDonwell School Road shall maintain a minimum of 300 feet separation between centerlines.
- b. Sidewalks shall be required for all lots within this development, except no sidewalks shall be required in rights-of-way adjacent to open space areas where a sidewalk is proposed on the opposite side of the same right-of-way. Sidewalks in rights-of-way adjacent to each lot frontage or side-yard shall be constructed by the lot owner no later than the date of occupancy of the home on the lot.
- c. Street rights-of-way shall be a minimum width of 50 feet, except for single loaded streets which may have a 40 foot right-of-way width with a 5 foot utility easement abutting the unloaded side of the street.
- d. All streets in this PUD shall be thirty-one feet (31') wide and be constructed of five inch (5"), 3,000 p.s.i. concrete.
- e. The City's street design standards (tangency between curves, radius requirements, etc.) shall be waived, except that a minimum radius shall not be less than twenty-five feet (25').

### 5. DRAINAGE

- a. All drainage facilities shall be designed and constructed in accordance with the Colleyville Subdivision Regulations.
- b. It shall not be the responsibility of the developer to improve any off-site drainage structures or any other public facilities.
- c. At developer's election, pursuant to a grading plan acceptable to the City Engineer, only one side-yard swale between and behind lots may be utilized for lot drainage; retaining wall construction, lot benching and drainage swale construction shall not be the responsibility of the developer but shall be the responsibility of builders on individual lots and shall not be



required of the developer for City acceptance of public improvements.

- d. Lot-to-lot drainage shall be allowed in a grading plan acceptable to the City Engineer across two lots contiguous with one another and adjacent to the lot(s) where drainage begins, i.e. drainage shall be allowed from the drainage source lot(s) across two other lots which are adjacent on to the other.
- e. In order to preserve trees, no pilot channels shall be required.
- f. There shall be no prohibition against regrading, expanding, and/or eliminating existing ponds and against adding additional ponds on the property in order to accomplish developer's storm drainage plan, as long as it otherwise meets City standards and is acceptable to the City Engineer.
- g. As approved by the City Engineer, City park land adjacent to the development may be utilized for storm water retention and/or detention purposes.

#### 6. LOT REQUIREMENTS AND SETBACKS

- a. All lot dimensions and building setback lines shall be in accordance with the Colleyville Zoning Regulations and Subdivision Regulations, except where amended by this ordinance.
- b. The minimum lot size in Areas 1A & 1B shall be 13,000 square feet and the average size of all residential lots in Areas 1A & 1B shall not be less than 16,000 square feet.
- c. One side yard of any lot may be as narrow as six (6) feet, provided the total width of any two adjacent side yards shall not be less than twenty (20) feet. On lots with an area of less than 16,000 square feet, front yard setbacks may be twenty-five feet (25'), and rear yard setbacks may be ten feet (10'). On any lot with an area greater than 16,000 s.f. that backs to open space, the rear yard setback may be ten feet (10').
- d. The minimum lot width for any lot in Areas 1A & 1B under 16,000 s.f. may be eighty (80) feet if approved by the City Council.

7. PARKS

- a. The provisions of the Colleyville Pathways plan shall be incorporated in the project. Pathways shall be designated on the preliminary plan and final plat in a dedicated public right-of-way. Pathways shall be constructed by the developer for each phase of development. Within each phase of development, pathways shall be completed prior to the issuance of any building permit for residential development in that phase.
- b. Each phase of development is subject to the parkland dedication requirements contained in the Colleyville Subdivision Regulations.
- c. The development shall contain open space which totals twenty percent (20%) of the total area contained in this development as shown on Exhibit C. The City shall not accept the dedication of any open space until all environmental issues are addressed to the City's satisfaction. The developer shall submit to the City an environmental study, audit or assessment demonstrating that the property is in a condition which would allow the City to utilize the property for park purposes without expenditures to remove environmental waste or hazardous materials, that the property is suitable and safe for use as a park and is free from environmentally related problems.
- d. Tree mitigation is waived for Area 3.
- e. A 72.5-foot greenbelt setback shall be provided along the north side of McDonwell School Road. Said greenbelt shall be consistent with the greenbelt setback in the Westmont Addition.

8. SIGNAGE

- a. Developer is permitted to erect at locations approved by the City Engineer entry structures with or without permanent signage (which signage must comply with the City sign ordinance and be properly permitted) in the rights-of-way of perimeter roads at their intersection with internal streets not to exceed twenty-five feet (25') in height, i.e. in the sight triangle areas of such intersections, provided that said structures do not obstruct the view of traffic as determined by the City Engineer.



Sec. 2. THAT notwithstanding any other provisions of the Code, including Section 1-7 of the Code, it is the intention of the City Council in approving this ordinance that no provision or section is severable from any other provision or section. It is further the intent of the City Council that in the event any portion of this ordinance is declared invalid by any court of competent jurisdiction, then the entire ordinance shall be invalid.

Sec. 3. THAT any person, firm or corporation violating any of the provisions of this ordinance as read together with the Zoning Ordinance of the City of Colleyville shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such.

Sec 4. THAT the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternate method of publication provided by law.

**AND IT IS SO ORDERED.**

The first reading and public hearing being conducted on the 23<sup>rd</sup> day of March, 1999.

The second reading and public hearing being conducted on the 6<sup>th</sup> day of April, 1999. Tabled at second reading, approved April 20, 1999.

**ATTEST:**

  
Jean Harris, CMC  
City Secretary

**CITY OF COLLEYVILLE:**

Richard Newton  
Mayor

**APPROVED AS TO FORM AND LEGALITY:**

  
Ross T. Foster  
City Attorney

If the Mayor shall neglect to approve or object to any such proceedings for a longer period than seven (7) days after the ordinance or resolution is placed in the office of the City Secretary as aforesaid, the same shall become effective immediately upon publication as required by law.

**Exhibit A**  
**Ordinance O-99-1153**  
**PUD-R**

**TRACT I:**

Lot, tract or parcel of land, lying and being situated in Tarrant County, Texas, being out of the Joseph Harrell Survey, Abst. #798, and the H.L. Allen Survey, Abst. #65, in said Tarrant County, and being described by metes and bounds as follows:

BEGINNING 686 ft. North 89 1/2 degrees East from the Northwest corner of the Joseph Harrell Survey Abst. #798, an iron pin the Northeast corner of a 20 acre tract of land as shown in Volume 756, Page 498 Deed of Trust Records of Tarrant County, Texas;

THENCE North 89 1/2 degrees East with fence line at 1954 ft. the Northeast corner of said Harrell Survey and the Northwest corner of the North "ELL" of the H.L. Allen Survey, in all 2605 ft. an iron pin the Northeast corner of said Allen Survey, the Northeast corner of a tract of land deeded to W.E. Roussey et ux as shown in Volume 1478, Page 285 Deed Records of Tarrant County, Texas.

THENCE South 1/4 degrees East with fence line and the East line of said Allen Survey, 1760 ft. an iron pin the Southeast corner of said Roussey tract;

THENCE West with fence line and the South line of said Roussey tract, 618.3 ft. an iron pin;

THENCE North 477.2 ft. an iron pin;

THENCE West 1414.3 ft. an iron pin;

THENCE South 84 1/4 degrees West 149 ft. an iron pin the Southeast corner of a tract of land as shown in Volume 2528, Page 354 Deed Records of Tarrant County, Texas;

THENCE North 434 ft., an iron pin, its Northeast corner;

THENCE West 340 ft. an iron pin in the East line of a tract of land shown in Volume 2379, Page 539, Deed Records of Tarrant County, Texas;

THENCE North 50 ft. its Northeast corner an iron pin;

THENCE West 90 ft. an iron pin, its Northwest corner in the East line of said 20 acre tract;

THENCE North with the East line and fence line 786 ft. to the place of beginning; being 52.5 acres of land out of the Joseph Harrell Survey and 26 acres of land out of the H.L. Allen Survey, in all 78.5 acres of land more or less.

**TRACT II:**

7.24 acres out of the above 10 acre tract and BEGINNING at a point which stands 1727.55 feet South and 1264.22 feet East of the Northwest corner of the Joseph Harrell Survey, said Northwest corner also being the Northwest corner of a 20 acre tract recorded in Volume 756, Page 498, Deed Records of Tarrant County, Texas, and said beginning point being the Southwest corner of the 10 acre tract;

THENCE North 413.46 feet along fence line and West line of said 10 acre tract;

THENCE North 89 degrees 29 minutes East 733.94 feet to iron pin for corner;

THENCE South 1 degree 49 minutes East 430 feet to iron pin set in South line of said 10 acre tract;

THENCE North 88 degrees 48 minutes West along the South line of said 10 acre tract 750 feet to POINT OF BEGINNING.



### Tract III

Lot 1, Block 1, of PURCELL ADDITION, an Addition to the City of Colleyville, Tarrant County, Texas, according to the Plat thereof recorded in Volume 388-130, Page 93, of the Plat Records of Tarrant County, Texas.

### Tract IV

Being a tract of land situated in the D. J. Heddo Survey, Abstract No. 232, City of Colleyville, Tarrant County, Texas and being a portion of that certain tract of land donated to Jerry W. Weidholt as recorded in Volume 4779, Page 614 of the Deed Records of Tarrant County, Texas and being more particularly described by notes and bounds as follows:

BEGINNING at an iron rod found for the northwest corner of the Weidholt Addition, an addition to the City of Colleyville, Tarrant County, Texas as recorded in Volume 388-130, Page 64 of the Plat Records of Tarrant County, Texas:

THENCE S 15°47'28"E, with the west line of said Weidholt Addition, a distance of 247.86 feet to an iron rod found for corner;  
THENCE S 89°49'30"E, with the south line of Lot 1 of said Weidholt Addition, a distance of 76.78 feet to an iron rod found for corner;  
THENCE N 89°19'57"E, with the south line of Lots 2 and 3 of said Weidholt Addition, a distance of 222.57 feet to an iron rod found for corner;  
THENCE S 00°31'09"E, a distance of 911.11 feet to an iron rod found for corner;  
THENCE N 89°43'33"W, a distance of 418.94 feet to an iron rod found for corner;  
THENCE N 00°25'17"W, a distance of 461.82 feet to an iron rod set for corner;  
THENCE S 89°34'42"W, a distance of 407.45 feet to an iron rod found for corner;  
THENCE N 00°40'45"W, a distance of 517.00 feet to an iron rod found for corner;  
THENCE N 62°06'48"E, a distance of 55.55 feet to an iron rod found for corner;  
THENCE N 68°25'23"E, a distance of 236.10 feet to an iron rod found for corner;  
THENCE N 73°10'29"E, a distance of 200.19 feet to the POINT OF BEGINNING and containing 14.798 acres or 644,618 square feet of land, more or less.

### Tract V

Being a tract of land situated in the D. J. Heddo Survey, Abstract No. 232, City of Colleyville, Tarrant County, Texas, said tract of land being all or intended to be all of that certain tract of land donated to Jerry W. Weidholt as recorded in Volume 3881, Page 454 of the Deed Records of Tarrant County, Texas, and being more particularly described by notes and bounds as follows:

BEGINNING at an iron rod found for corner being South, a distance of 1342.0 feet and West, a distance of 420.42 feet from the northeast corner of the D. J. Heddo Survey, Abstract No. 232 as per said deed recorded in Volume 3881, Page 454 of the Deed Records of Tarrant County, Texas:

THENCE N 89°58'10"W, a distance of 405.39 feet to an iron rod set for corner;  
THENCE N 00°40'45"W, a distance of 458.64 feet to an iron rod found for corner;  
THENCE N 89°34'42"E, a distance of 407.45 feet to an iron rod set for corner;  
THENCE S 00°25'17"E, a distance of 461.82 feet to the POINT OF BEGINNING and containing 4.294 acres or 187,041 square feet of land, more or less.

# Tract VI

## DESCRIPTION OF PROPERTY

Being a tract of land situated in the B.J. BEDDO SURVEY, Abstract No. 132, City of Colleyville, Tarrant County, Texas and being more particularly described as follows:

BEGINNING at an iron rod found for the northwest corner of Lot 1, Block 1, Purcell Addition, an addition to the City of Colleyville, Tarrant County, Texas as recorded in Volume 188-130, Page 33 of the Plat Records of Tarrant County, Texas;

THENCE S 00°00'51" W, with the west line of said Purcell Addition, a distance of 1277.63 feet to an iron rod set in the north line of McDonnell School Road;

THENCE S 86°39'53" W, a distance of 677.28 feet to an iron rod found for corner;

THENCE N 00°48'08" W, a distance of 832.13 feet to an iron rod found for the northeast corner of a 30.42 acre tract of land donated to K. Yazhair as recorded in Volume 7886, Page 177 of the Deed Records of Tarrant County, Texas, said iron rod also being the southeast corner of a 78.5 acre tract of land donated to M.R. Cole as recorded in Volume 2591, Page 128 of the Deed Records of Tarrant County, Texas;

THENCE N 00°02'42" W, with the east line of said M.R. Cole tract, a distance of 419.05 feet to an iron rod found at a fence corner;

THENCE N 00°31'50" W, continuing with the east line of said M.R. Cole tract, a distance of 1340.99 feet to an iron rod found for the northeast corner of said M.R. Cole tract;

THENCE N 89°07'19"E, a distance of 1223.36 feet to an iron pipe found for the southwest corner of Lukasey-Holley Subdivision, an addition to the City of Colleyville, Tarrant County, Texas, as recorded Volume 388-117, Page 58 of the Plat Records of Tarrant County, Texas;

THENCE N 89°00'58" E, with the south line of said Lukasey-Holley Subdivision, a distance of 230.76 feet to an iron rod found for the southeast corner of said Lukasey-Holley Subdivision, said iron rod also being the southwest corner of a 4.0 acre tract of land donated to T. Benton as recorded in Volume 8238, Page 425 of the Deed Records of Tarrant County, Texas;

THENCE N 89°13'12" E, with the south line of said T. Benton tract, a distance of 76.46 feet to an iron rod found for corner;

THENCE N 89°25'25" E, a distance of 661.55 feet to an iron rod found for the southeast corner of said T. Benton tract, said iron rod also being the southwest corner of a 1.31 acre tract of land donated to D. Skelton as recorded in Volume 8395, Page 216 of the Deed Records of Tarrant County, Texas;

THENCE N 89°24'45"E, with the south line of said D. Skelton tract, a distance of 133.44 feet to an iron rod found for corner;

THENCE S 86°52'22" E, a distance of 199.28 feet to an iron rod found for the southeast corner of said D. Skelton tract;

THENCE S 46°36'59" E, a distance of 26.23 feet to an iron rod found for the most northerly northwest corner of Weidholt Addition, an addition to the City of Colleyville, Tarrant County, Texas as recorded in Volume 388-123, Page 64 of the Plat Records of Tarrant County, Texas;

THENCE S 50°48'53" W, with the northwesterly line of said Weidholt Addition, a distance of 182.25 feet to an iron rod found for corner;

THENCE S 60°20'45" W, a distance of 131.84 feet to an iron rod found for the most westerly corner of said Weidholt Addition, said iron rod also being the most northerly corner of a tract of land donated to J. Weidholt as recorded in Volume 4777, Page 613 of the Deed Records of Tarrant County, Texas;

THENCE S 73°18'29" W, with the most northerly line of said J. Weidholt tract, a distance of 280.19 feet to an iron rod found for corner;

THENCE S 48°25'23" W, a distance of 236.10 feet to an iron rod found for corner;

THENCE S 63°06'48" W, a distance of 55.35 feet to an iron rod found for the northwest corner of said J. Weidholt tract;

THENCE S 00°40'45" E, passing an iron rod found for the southwest corner of said J. Weidholt tract at a distance of 517.00 feet, in all a distance of 973.64 feet to an iron rod set for corner;

THENCE S 89°52'28" W, a distance of 515.65 feet to an iron rod set at a fence corner;

THENCE S 88°46'10" W, a distance of 225.29 feet to an iron rod found for the northeast corner of said of Lot 1, Block 1, Purcell Addition;

THENCE N 89°04'31" W, with the north line of said Purcell Addition, a distance of 395.84 feet to the POINT OF BEGINNING and containing 30.394 acres or 3,501,991 square feet of land, more or less.

# Tract VII

## FIELD NOTES

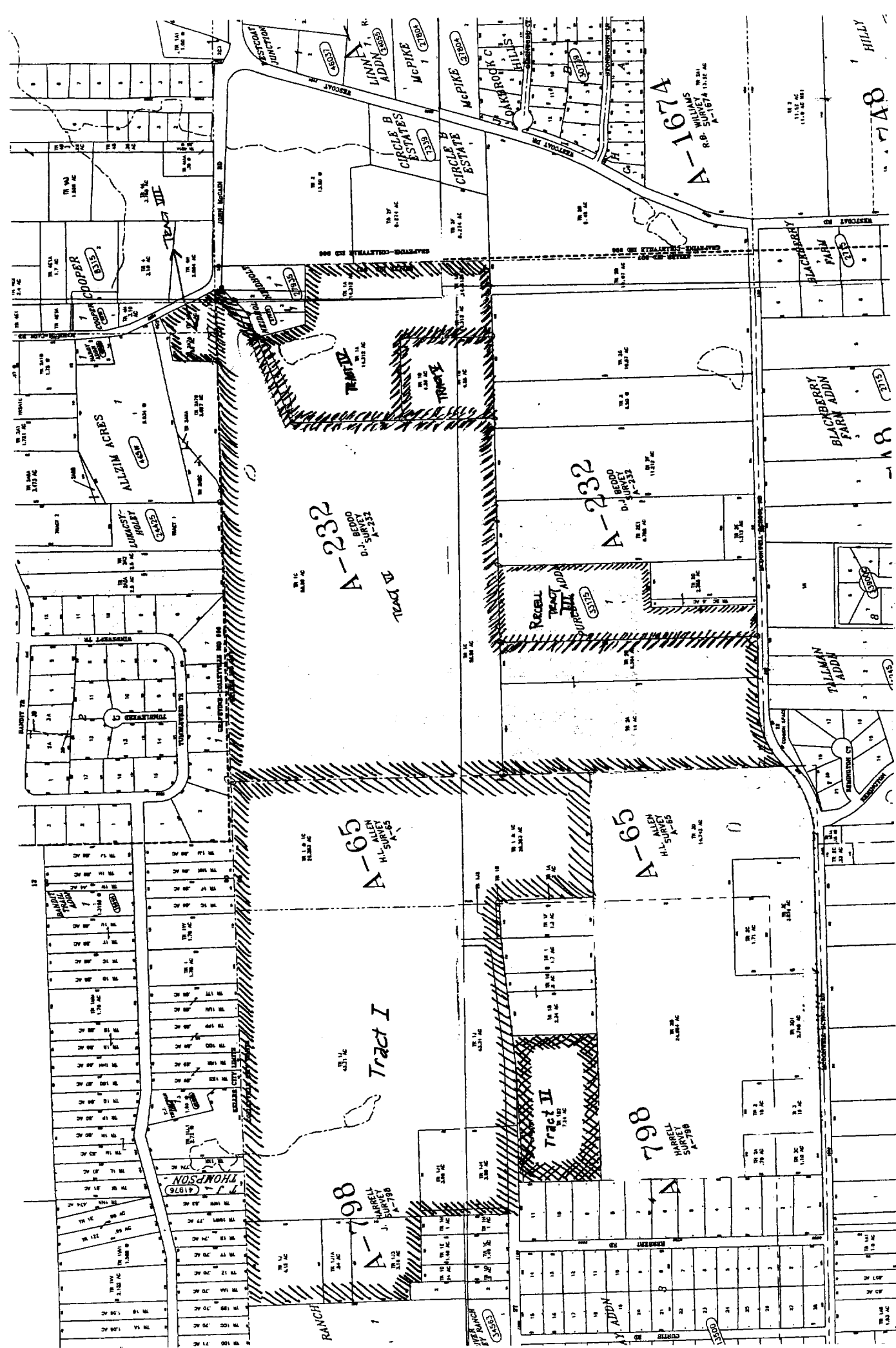
FOR A TRACT OF LAND IN THE M. M. FREEMAN SURVEY, ABSTRACT NO. 533 AND THE W. E. CROOK SURVEY, ABSTRACT NO. 295, SITUATED IN TARRANT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

- BEGINNING at an iron pin in the West line of John McCain Road, said point being, by deed calls, S. 89° - 51' - 40" E. 552.74 feet, S. 1° - 39' E. 150.0 feet, S. 5° - 08' E. 92.2 feet and S. 26° - 04' - 05" E. 194.52 feet from the Southwest corner of a called 7.018 acre tract as described in a deed of record in Volume 3560, Page 281, Deed Records, Tarrant County, Texas;
- THENCE S. 26° - 04' - 03" E. 314.32 feet continuing along the West line of said John McCain Road to an iron pin set in same for corner;
- THENCE N. 87° - 05' - 22" W. 199.27 feet to an iron pin found at the occupied Southeast corner of said Freeman Survey and the Southwest corner of said Crook Survey;
- THENCE S. 89° - 12' - 30" W. 133.53 feet to a bolt found for corner;
- THENCE N. 4° - 05' - 44" W. 203.87 feet along a fence line to a 3" metal fence corner post for corner;
- THENCE N. 69° - 42' - 40" E. 58.01 feet to an iron pin found for corner;
- THENCE N. 86° - 25' - 55" E. 79.53 feet to an iron pin found for corner;
- THENCE N. 58° - 43' - 46" E. 87.96 feet to the POINT OF BEGINNING and containing 1.511 acres.

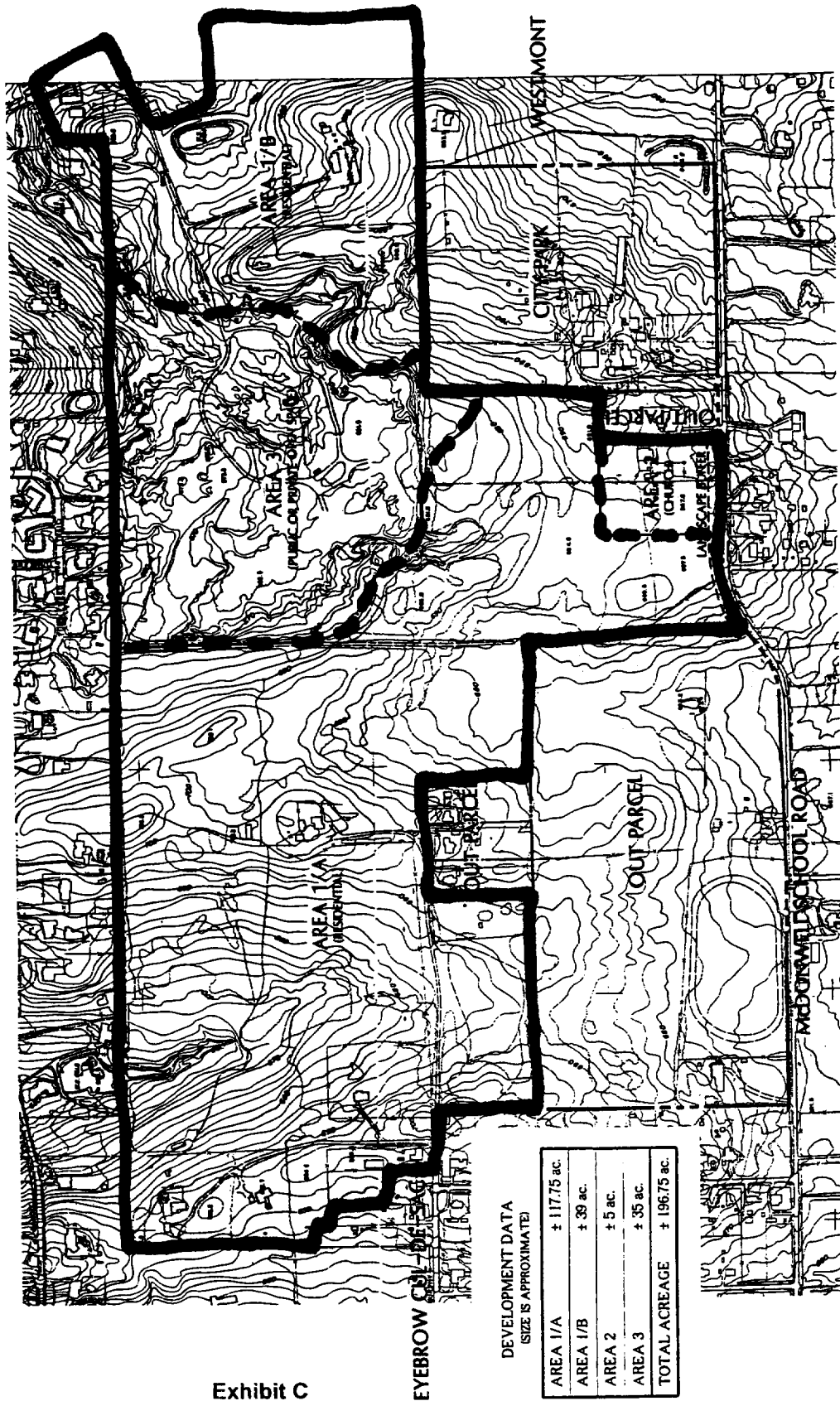


*Walter W. Ward*  
4-6-89





Map showing tract numbers  
for Exhibit "B"



DEVELOPMENT DATA  
(SIZE IS APPROXIMATE)

|               |              |
|---------------|--------------|
| AREA 1/A      | ± 117.75 ac. |
| AREA 1/B      | ± 39 ac.     |
| AREA 2        | ± 5 ac.      |
| AREA 3        | ± 35 ac.     |
| TOTAL ACREAGE | ± 196.75 ac. |

Exhibit C  
Conceptual Site Plan  
Ordinance O-99-1153

THE DAVID BAGWELL COMPANY  
8222 DOUGLAS AVENUE, SUITE 770  
DALLAS, TEXAS 75225

GLENWOOD  
CONCEPTUAL LAND USE PLAN  
COLLEYVILLE, TEXAS  
APRIL 1999

**RESOLUTION R-14-XXXX**

**A RESOLUTION APPROVING A REVISED PRELIMINARY PLAT FOR  
THE RESERVE AT COLLEYVILLE ADDITION**

**WHEREAS**, the Planning and Zoning Commission recommended approval of the revised preliminary plat for The Reserve at Colleyville Addition on September 8, 2014.

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

Sec. 1. THAT the revised preliminary plat for The Reserve at Colleyville Addition, attached as Exhibit "A", is hereby approved subject to the following conditions.

**AND IT IS SO RESOLVED.**

PASSED BY A VOTE OF \_\_\_\_ AYES, \_\_\_\_ NAYS, AND \_\_\_\_ ABSTENTIONS ON THIS  
THE 6<sup>TH</sup> DAY OF OCTOBER 2014.

**ATTEST:**

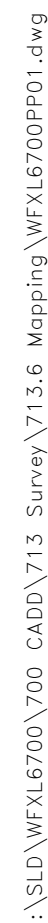
**CITY OF COLLEYVILLE**

Amy Shelley, TRMC  
City Secretary

David Kelly  
Mayor



# THE RESERVE AT COLLEYVILLE





# City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
[www.colleyville.com](http://www.colleyville.com)

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|                                         |                               |               |
|-----------------------------------------|-------------------------------|---------------|
| <b>Agenda Number</b> 3b                 | <b>Agenda Date</b> 09/08/2014 | <b>Number</b> |
| <b>Type</b> Public Hearing Agenda Items |                               |               |
| <b>Department</b> Community Development |                               |               |

---

## Title

Approval of a final plat on Lots 3-15, Block C and Lots 1-5, Block F, of the Reserve at Colleyville Addition, Phase 2A, Case PC14-016

## Explanation

Jacobs Engineering has submitted a request to approve the final plat for phase 2A of The Reserve at Colleyville. The final plat consists of 8.13 acres that includes 18 single family residential lots and one open space (or public use area) lot.

The preliminary plat (attached) and final plat for phase one (attached) for The Reserve at Colleyville were approved by City Council on December 18, 2007. A revised preliminary plat is also on this meeting's agenda.

**Zoning.** The Reserve at Colleyville is zoned PUDR-Planned Unit Development Residential by Ordinance 0-99-1153. This ordinance also includes the Whittier Heights and Old Grove developments. The plat has been reviewed per the regulations of the Land Development Code and the standards contained in the PUDR ordinance for this development. The plat is in compliance with these regulations.

**Development Fees.** Park land dedication fees are required, in the amount of \$1,802 per residential lot. Park land dedication fees are due at the time of final plat, and must be paid before the final plat is recorded with the County Clerk's office.

Roadway impact fees are due in the amount of \$4,941 per residential lot at the time of the building permit application.

Perimeter street improvement fees are not required for this development since the applicant is improving the road as part of the development.

Water and Wastewater impact fees are due at the time of the building permit application.

**Sidewalks and Trails.** All new streets require a minimum four foot sidewalk to be installed by the homebuilder prior to the final inspection.

**Summary.** The proposed development satisfies the requirements of PUDR Ordinance 0-99-1153 and the Land Development Code. Since the plat indicates that development will occur in phases, the final plat requires approval by City Council.

**Recommendation**

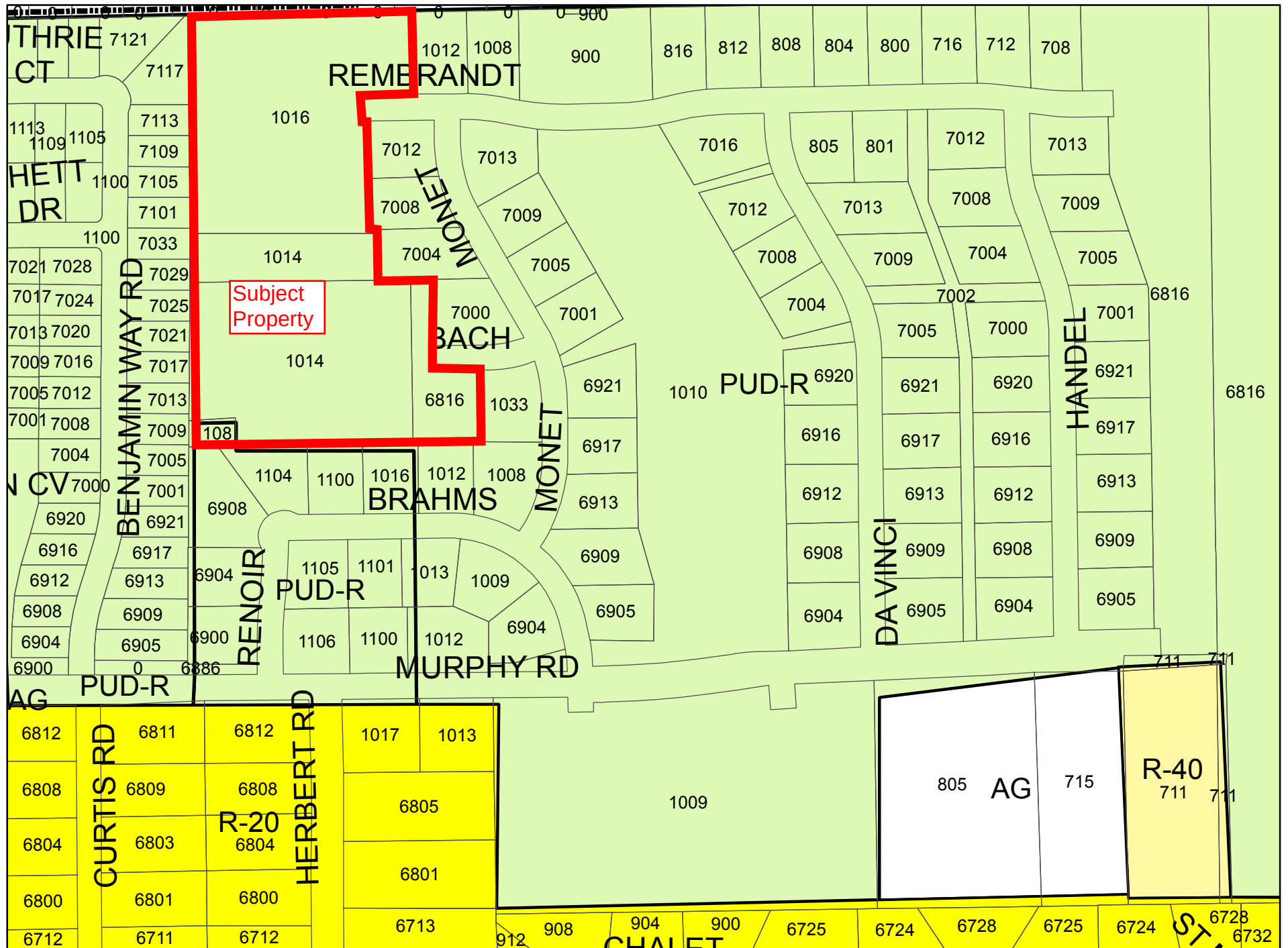
Approve

**Attachments**

1. Location and Zoning Map
2. Aerial
3. Final Plat - The Reserve at Colleyville, Phase 2A
4. Preliminary Plat - The Reserve at Colleyville
5. Final Plat - Phase One, The Reserve at Colleyville
6. Ordinance 0-99-1153
7. Resolution R-14-xxxx



# Location and Zoning Map



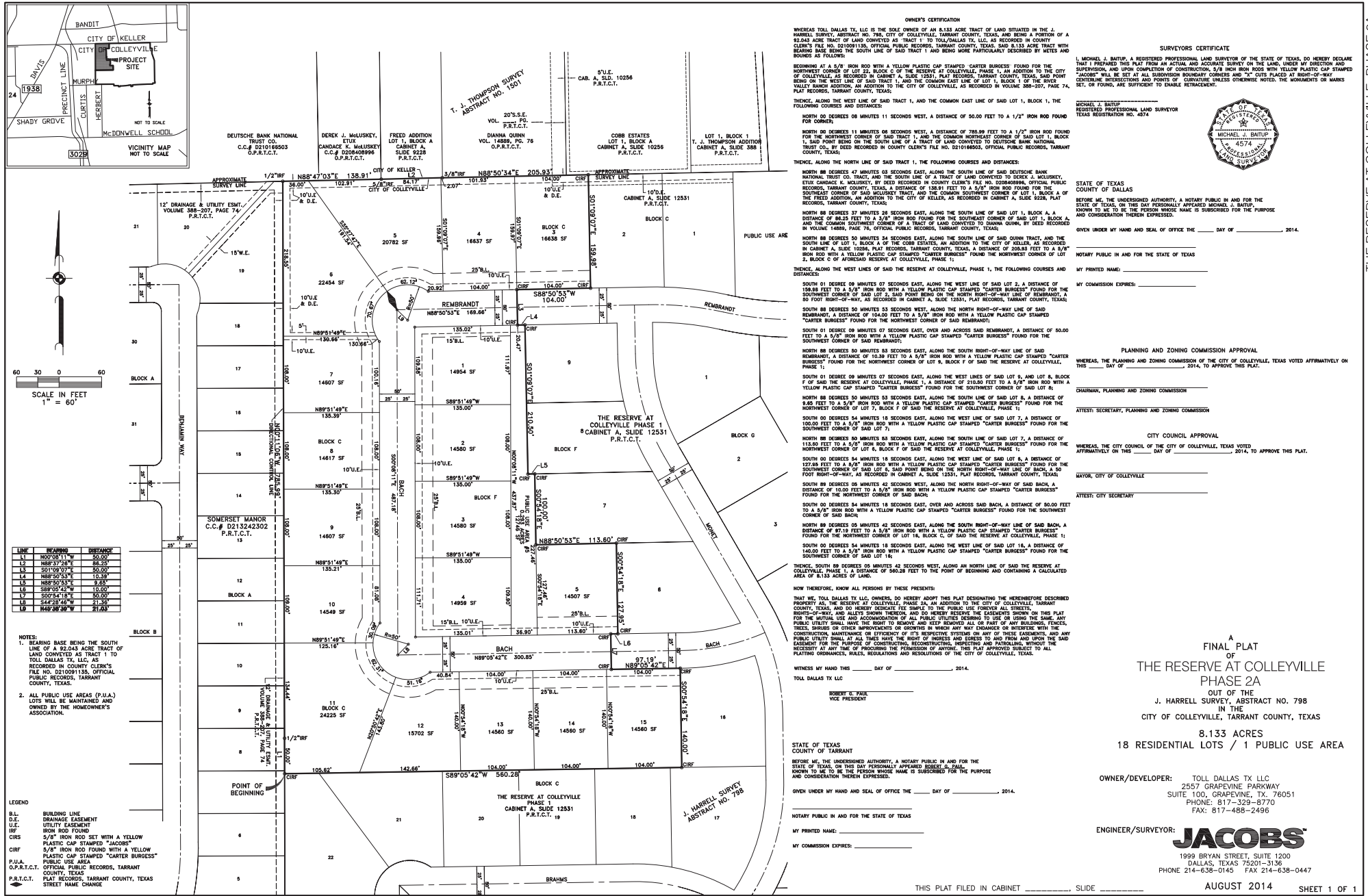


# Aerial





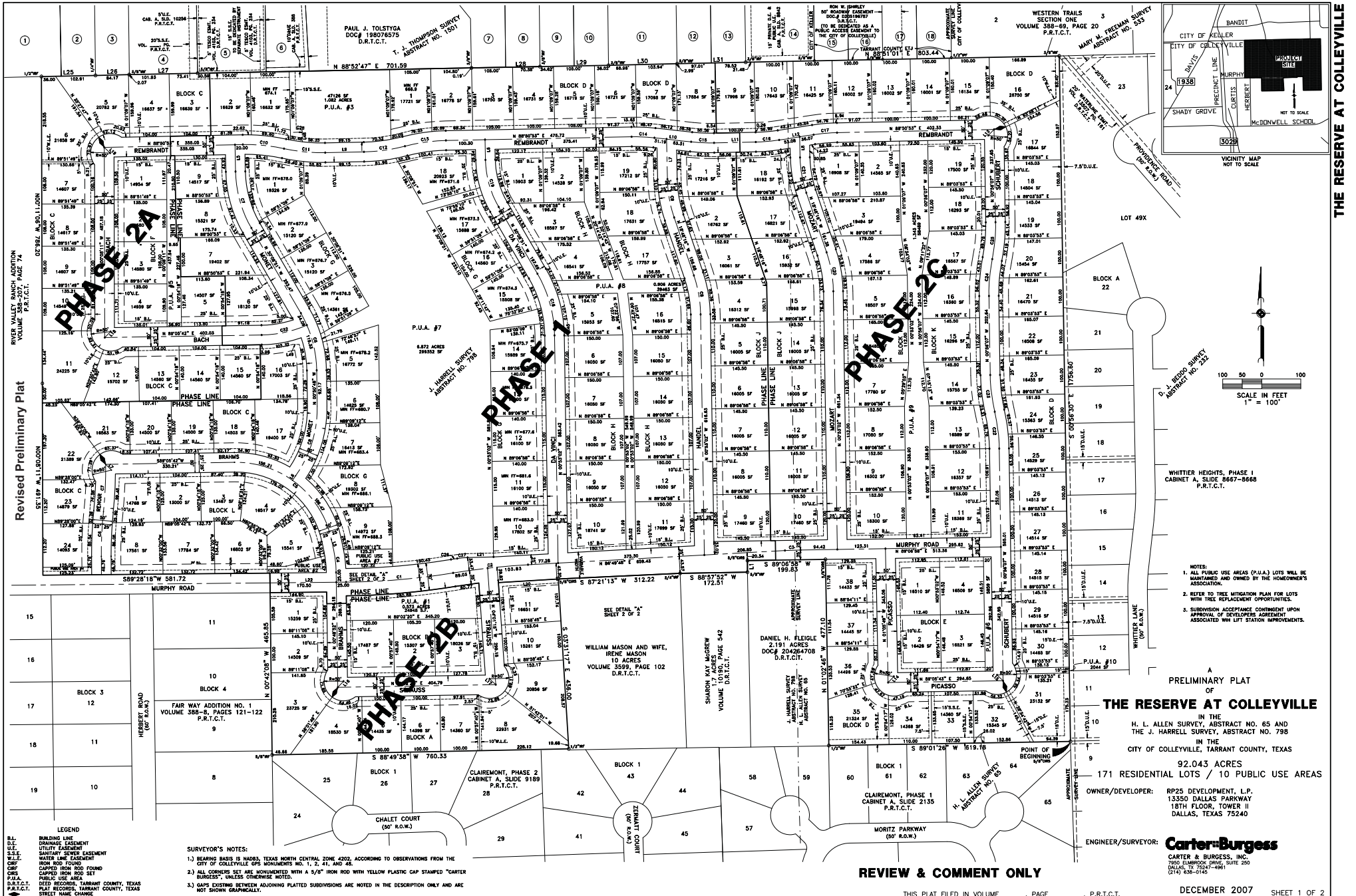
# Plat Exhibit



THE RESERVE AT COLLEYVILLE, PHASE 2A



# Preliminary Plat - The Reserve at Colleyville





THE RESERVE AT COLLEYVILLE, PHASE 1



**NOTES:**

1. ALL PUBLIC USE AREAS (P.U.A.) LOTS WILL BE MAINTAINED AND OWNED BY THE HOMEOWNER'S ASSOCIATION.
2. REFER TO TREE MITIGATION PLAN FOR LOTS WITH TREE REPLACEMENT OPPORTUNITIES.
3. SUBDIVISION ACCEPTANCE CONTINGENT UPON APPROVAL OF DEVELOPERS AGREEMENT ASSOCIATED WITH LIFT STATION IMPROVEMENTS.

FINAL PLAT  
OF  
— THE RESERVE AT COLLEYVILLE  
PHASE 1  
IN THE  
J. HARRELL SURVEY, ABSTRACT NO. 798  
IN THE  
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS  
46.795 ACRES  
77 RESIDENTIAL LOTS / 5 PUBLIC USE AREAS  
OWNER/DEVELOPER: RP25 DEVELOPMENT, L.P.  
13350 DALLAS PARKWAY  
18TH FLOOR, TOWER II  
DALLAS, TEXAS 75240

ENGINEER/SURVEYOR: **Carter::Burgess**  
CARTER & BURGESS, INC.  
7550 ELMBROOK DRIVE, SUITE 250  
DALLAS, TX 75247-4961  
(214) 638-0145

THIS PLAT FILED IN CABINET A, SLIDE 12531  
12532 FEBRUARY 2008 SHEET 1 OF 2  
 FILE NO: 01-8074



**ORDINANCE O-99-1153**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF APPROXIMATELY 187 ACRES OUT OF THE S. HARRELL SURVEY, A-798, TRACTS 1J, 1J1, 1J1A, 1J3, 1J4, AND 1J2; THE H.L. ALLEN SURVEY, A-65, TRACTS 1, 1C, 1B, AND 1A; THE D.J. BEDDO SURVEY, A-232, TRACTS 1C, 2A, 2B, 1A, AND 1B; AND LOT 1, BLOCK 1, PURCELL ADDITION; THE MARY M. FREEMAN SURVEY, A-533, TRACT 2A7A, AND THE WILLIAM C. COOK SURVEY, A-295, TRACT 4D1 FROM THE AG (AGRICULTURE) AND THE R40 (SINGLE FAMILY RESIDENTIAL) TO THE PUD-R (PLANNED UNIT DEVELOPMENT-RESIDENTIAL) DISTRICT; PROVIDING FOR A PENALTY FOR VIOLATIONS AND AUTHORIZING PUBLICATION:**

**WHEREAS**, an application for a zoning change was filed by David Bagwell, The David Bagwell Company, on November 12, 1998, under Case No. Z-98-031; and

**WHEREAS**, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and

**WHEREAS**, notice of a public hearing before the City Council was published in a newspaper of general circulation in Colleyville at least 15 days before such hearing; and

**WHEREAS**, notices were posted on the subject land as provided by the zoning ordinance; and

**WHEREAS**, public hearings to change the zoning and the Master Plan on the property herein described were held before the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation; and,

**WHEREAS**, the City Council is of the opinion that the zoning change herein effectuated furthers the purpose of zoning as set forth in the Zoning Ordinance and is in the best interest of the citizens of the City of Colleyville;

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



Sec. 1. THAT the Master Plan, the Zoning Ordinance of the City of Colleyville, Texas, and the accompanying Zoning Map (Exhibit A) are hereby amended insofar as they relate to certain land located in Colleyville, Texas, described by metes and bounds (Exhibit B), by changing the zoning of said property from the AG and R40 districts to the PUD-R district, together with all site plans which are only conceptual in nature, supporting documents, and other conditions and restrictions imposed and approved by the Council which are incorporated herein by reference including, but not limited to the conceptual site plan (Exhibit C); and subject to the following conditions:

1. PERMITTED USES

The PUD-R shall have three (3) land uses as indicated on Exhibit C and the primary land use for each area shall be as follows:

- a. Areas 1A & 1B shall consist of single family dwelling units.
- b. Area 2 shall consist of a church.
- c. Area 3 shall be open space.

2. PLATTING & PHASING

- a. Prior to the issuance of any development permits on the subject property and as a condition to the development of the property the developer shall obtain approval of a preliminary plat and final plat of the property, which may be in phases. In approving the preliminary and final plat the approving body shall exercise complete discretion over roadway design, lot size, lot shape, building lines, set-back lines, open space, and all other aspects of the plat; provided, the approving body shall not approve anything inconsistent with the other conditions of this ordinance.
- b. The general limits of all phases of development shall be shown on the preliminary plan. Each phase shall be numbered to represent the sequential development phases anticipated. Any deviation from the approved development sequence shall require approval from the City Council.
- c. This development shall be subject to all impact fees in accordance with the Colleyville Subdivision Regulations.

### 3. DENSITY

The average residential density is permitted to be 1.8 dwelling units per acre over the combined acreage of Areas 1A & B, 2 & 3.

### 4. STREETS AND SIDEWALKS

- a. No street intersection shall be allowed on McDonwell School Road which aligns with the McDonwell School Road/Remington Parkway intersection. Street intersections along McDonwell School Road shall maintain a minimum of 300 feet separation between centerlines.
- b. Sidewalks shall be required for all lots within this development, except no sidewalks shall be required in rights-of-way adjacent to open space areas where a sidewalk is proposed on the opposite side of the same right-of-way. Sidewalks in rights-of-way adjacent to each lot frontage or side-yard shall be constructed by the lot owner no later than the date of occupancy of the home on the lot.
- c. Street rights-of-way shall be a minimum width of 50 feet, except for single loaded streets which may have a 40 foot right-of-way width with a 5 foot utility easement abutting the unloaded side of the street.
- d. All streets in this PUD shall be thirty-one feet (31') wide and be constructed of five inch (5"), 3,000 p.s.i. concrete.
- e. The City's street design standards (tangency between curves, radius requirements, etc.) shall be waived, except that a minimum radius shall not be less than twenty-five feet (25').

### 5. DRAINAGE

- a. All drainage facilities shall be designed and constructed in accordance with the Colleyville Subdivision Regulations.
- b. It shall not be the responsibility of the developer to improve any off-site drainage structures or any other public facilities.
- c. At developer's election, pursuant to a grading plan acceptable to the City Engineer, only one side-yard swale between and behind lots may be utilized for lot drainage; retaining wall construction, lot benching and drainage swale construction shall not be the responsibility of the developer but shall be the responsibility of builders on individual lots and shall not be



required of the developer for City acceptance of public improvements.

- d. Lot-to-lot drainage shall be allowed in a grading plan acceptable to the City Engineer across two lots contiguous with one another and adjacent to the lot(s) where drainage begins, i.e. drainage shall be allowed from the drainage source lot(s) across two other lots which are adjacent on to the other.
- e. In order to preserve trees, no pilot channels shall be required.
- f. There shall be no prohibition against regrading, expanding, and/or eliminating existing ponds and against adding additional ponds on the property in order to accomplish developer's storm drainage plan, as long as it otherwise meets City standards and is acceptable to the City Engineer.
- g. As approved by the City Engineer, City park land adjacent to the development may be utilized for storm water retention and/or detention purposes.

#### 6. LOT REQUIREMENTS AND SETBACKS

- a. All lot dimensions and building setback lines shall be in accordance with the Colleyville Zoning Regulations and Subdivision Regulations, except where amended by this ordinance.
- b. The minimum lot size in Areas 1A & 1B shall be 13,000 square feet and the average size of all residential lots in Areas 1A & 1B shall not be less than 16,000 square feet.
- c. One side yard of any lot may be as narrow as six (6) feet, provided the total width of any two adjacent side yards shall not be less than twenty (20) feet. On lots with an area of less than 16,000 square feet, front yard setbacks may be twenty-five feet (25'), and rear yard setbacks may be ten feet (10'). On any lot with an area greater than 16,000 s.f. that backs to open space, the rear yard setback may be ten feet (10').
- d. The minimum lot width for any lot in Areas 1A & 1B under 16,000 s.f. may be eighty (80) feet if approved by the City Council.

7. PARKS

- a. The provisions of the Colleyville Pathways plan shall be incorporated in the project. Pathways shall be designated on the preliminary plan and final plat in a dedicated public right-of-way. Pathways shall be constructed by the developer for each phase of development. Within each phase of development, pathways shall be completed prior to the issuance of any building permit for residential development in that phase.
- b. Each phase of development is subject to the parkland dedication requirements contained in the Colleyville Subdivision Regulations.
- c. The development shall contain open space which totals twenty percent (20%) of the total area contained in this development as shown on Exhibit C. The City shall not accept the dedication of any open space until all environmental issues are addressed to the City's satisfaction. The developer shall submit to the City an environmental study, audit or assessment demonstrating that the property is in a condition which would allow the City to utilize the property for park purposes without expenditures to remove environmental waste or hazardous materials, that the property is suitable and safe for use as a park and is free from environmentally related problems.
- d. Tree mitigation is waived for Area 3.
- e. A 72.5-foot greenbelt setback shall be provided along the north side of McDonwell School Road. Said greenbelt shall be consistent with the greenbelt setback in the Westmont Addition.

8. SIGNAGE

- a. Developer is permitted to erect at locations approved by the City Engineer entry structures with or without permanent signage (which signage must comply with the City sign ordinance and be properly permitted) in the rights-of-way of perimeter roads at their intersection with internal streets not to exceed twenty-five feet (25') in height, i.e. in the sight triangle areas of such intersections, provided that said structures do not obstruct the view of traffic as determined by the City Engineer.



Sec. 2. THAT notwithstanding any other provisions of the Code, including Section 1-7 of the Code, it is the intention of the City Council in approving this ordinance that no provision or section is severable from any other provision or section. It is further the intent of the City Council that in the event any portion of this ordinance is declared invalid by any court of competent jurisdiction, then the entire ordinance shall be invalid.

Sec. 3. THAT any person, firm or corporation violating any of the provisions of this ordinance as read together with the Zoning Ordinance of the City of Colleyville shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such.

Sec 4. THAT the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternate method of publication provided by law.

**AND IT IS SO ORDERED.**

The first reading and public hearing being conducted on the 23<sup>rd</sup> day of March, 1999.

The second reading and public hearing being conducted on the 6<sup>th</sup> day of April, 1999. Tabled at second reading, approved April 20, 1999.

**ATTEST:**

  
Jean Harris, CMC  
City Secretary

**CITY OF COLLEYVILLE:**

Richard Newton  
Mayor

**APPROVED AS TO FORM AND LEGALITY:**

  
Ross T. Foster  
City Attorney

If the Mayor shall neglect to approve or object to any such proceedings for a longer period than seven (7) days after the ordinance or resolution is placed in the office of the City Secretary as aforesaid, the same shall become effective immediately upon publication as required by law.

[illegible]

**Exhibit A**  
**Ordinance O-99-1153**  
**PUD-R**



**TRACT I:**

Lot, tract or parcel of land, lying and being situated in Tarrant County, Texas, being out of the Joseph Harrell Survey, Abst. #798, and the H.L. Allen Survey, Abst. #65, in said Tarrant County, and being described by metes and bounds as follows:

BEGINNING 686 ft. North 89 1/2 degrees East from the Northwest corner of the Joseph Harrell Survey Abst. #798, an iron pin the Northeast corner of a 20 acre tract of land as shown in Volume 756, Page 498 Deed of Trust Records of Tarrant County, Texas;

THENCE North 89 1/2 degrees East with fence line at 1954 ft. the Northeast corner of said Harrell Survey and the Northwest corner of the North "ELL" of the H.L. Allen Survey, in all 2605 ft. an iron pin the Northeast corner of said Allen Survey, the Northeast corner of a tract of land deeded to W.E. Roussey et ux as shown in Volume 1478, Page 285 Deed Records of Tarrant County, Texas.

THENCE South 1/4 degrees East with fence line and the East line of said Allen Survey, 1760 ft. an iron pin the Southeast corner of said Roussey tract;

THENCE West with fence line and the South line of said Roussey tract, 618.3 ft. an iron pin;

THENCE North 477.2 ft. an iron pin;

THENCE West 1414.3 ft. an iron pin;

THENCE South 84 1/4 degrees West 149 ft. an iron pin the Southeast corner of a tract of land as shown in Volume 2528, Page 354 Deed Records of Tarrant County, Texas;

THENCE North 434 ft., an iron pin, its Northeast corner;

THENCE West 340 ft. an iron pin in the East line of a tract of land shown in Volume 2379, Page 539, Deed Records of Tarrant County, Texas;

THENCE North 50 ft. its Northeast corner an iron pin;

THENCE West 90 ft. an iron pin, its Northwest corner in the East line of said 20 acre tract;

THENCE North with the East line and fence line 786 ft. to the place of beginning; being 52.5 acres of land out of the Joseph Harrell Survey and 26 acres of land out of the H.L. Allen Survey, in all 78.5 acres of land more or less.

**TRACT II:**

7.24 acres out of the above 10 acre tract and BEGINNING at a point which stands 1727.55 feet South and 1264.22 feet East of the Northwest corner of the Joseph Harrell Survey, said Northwest corner also being the Northwest corner of a 20 acre tract recorded in Volume 756, Page 498, Deed Records of Tarrant County, Texas, and said beginning point being the Southwest corner of the 10 acre tract;

THENCE North 413.46 feet along fence line and West line of said 10 acre tract;

THENCE North 89 degrees 29 minutes East 733.94 feet to iron pin for corner;

THENCE South 1 degree 49 minutes East 430 feet to iron pin set in South line of said 10 acre tract;

THENCE North 88 degrees 48 minutes West along the South line of said 10 acre tract 750 feet to POINT OF BEGINNING.

### Tract III

Lot 1, Block 1, of PURCELL ADDITION, an Addition to the City of Colleyville, Tarrant County, Texas, according to the Plat thereof recorded in Volume 388-130, Page 93, of the Plat Records of Tarrant County, Texas.

### Tract IV

Being a tract of land situated in the D. J. Heddo Survey, Abstract No. 232, City of Colleyville, Tarrant County, Texas and being a portion of that certain tract of land donated to Jerry W. Weidholt as recorded in Volume 4779, Page 614 of the Deed Records of Tarrant County, Texas and being more particularly described by notes and bounds as follows:

BEGINNING at an iron rod found for the northwest corner of the Weidholt Addition, an addition to the City of Colleyville, Tarrant County, Texas as recorded in Volume 388-130, Page 64 of the Plat Records of Tarrant County, Texas:

THENCE S 15°47'28"E, with the west line of said Weidholt Addition, a distance of 247.86 feet to an iron rod found for corner;  
THENCE S 89°49'30"E, with the south line of Lot 1 of said Weidholt Addition, a distance of 76.78 feet to an iron rod found for corner;  
THENCE N 89°19'57"E, with the south line of Lots 2 and 3 of said Weidholt Addition, a distance of 222.57 feet to an iron rod found for corner;  
THENCE S 00°31'09"E, a distance of 911.11 feet to an iron rod found for corner;  
THENCE N 89°43'33"W, a distance of 418.94 feet to an iron rod found for corner;  
THENCE N 00°25'17"W, a distance of 461.82 feet to an iron rod set for corner;  
THENCE S 89°34'42"W, a distance of 407.45 feet to an iron rod found for corner;  
THENCE N 00°40'45"W, a distance of 517.00 feet to an iron rod found for corner;  
THENCE N 62°06'48"E, a distance of 55.55 feet to an iron rod found for corner;  
THENCE N 68°25'23"E, a distance of 236.10 feet to an iron rod found for corner;  
THENCE N 73°10'29"E, a distance of 288.19 feet to the POINT OF BEGINNING and containing 14.798 acres or 644,618 square feet of land, more or less.

### Tract V

Being a tract of land situated in the D. J. Heddo Survey, Abstract No. 232, City of Colleyville, Tarrant County, Texas, said tract of land being all or intended to be all of that certain tract of land donated to Jerry W. Weidholt as recorded in Volume 3881, Page 454 of the Deed Records of Tarrant County, Texas, and being more particularly described by notes and bounds as follows:

BEGINNING at an iron rod found for corner being South, a distance of 1342.0 feet and West, a distance of 420.42 feet from the northeast corner of the D. J. Heddo Survey, Abstract No. 232 as per said deed recorded in Volume 3881, Page 454 of the Deed Records of Tarrant County, Texas:

THENCE N 89°58'10"W, a distance of 405.39 feet to an iron rod set for corner;  
THENCE N 00°40'45"W, a distance of 458.64 feet to an iron rod found for corner;  
THENCE N 89°34'42"E, a distance of 407.45 feet to an iron rod set for corner;  
THENCE S 00°25'17"E, a distance of 461.82 feet to the POINT OF BEGINNING and containing 4.294 acres or 187,041 square feet of land, more or less.



# Tract VI

## DESCRIPTION OF PROPERTY

Being a tract of land situated in the B.J. BEDDO SURVEY, Abstract No. 132, City of Colleyville, Tarrant County, Texas and being more particularly described as follows:

BEGINNING at an iron rod found for the northwest corner of Lot 1, Block 1, Purcell Addition, an addition to the City of Colleyville, Tarrant County, Texas as recorded in Volume 188-130, Page 33 of the Plat Records of Tarrant County, Texas;

THENCE S 00°00'51" W, with the west line of said Purcell Addition, a distance of 1277.63 feet to an iron rod set in the north line of McDonnell School Road;

THENCE S 86°39'53" W, a distance of 677.28 feet to an iron rod found for corner;

THENCE N 00°48'08" W, a distance of 832.13 feet to an iron rod found for the northeast corner of a 30.42 acre tract of land donated to K. Yazhair as recorded in Volume 7886, Page 177 of the Deed Records of Tarrant County, Texas, said iron rod also being the southeast corner of a 78.5 acre tract of land donated to W.R. Cole as recorded in Volume 2591, Page 128 of the Deed Records of Tarrant County, Texas;

THENCE N 00°02'42" W, with the east line of said W.R. Cole tract, a distance of 419.05 feet to an iron rod found at a fence corner;

THENCE N 00°31'50" W, continuing with the east line of said W.R. Cole tract, a distance of 1340.99 feet to an iron rod found for the northeast corner of said W.R. Cole tract;

THENCE N 89°07'19"E, a distance of 1223.36 feet to an iron pipe found for the southwest corner of Lukasey-Holley Subdivision, an addition to the City of Colleyville, Tarrant County, Texas, as recorded Volume 388-117, Page 58 of the Plat Records of Tarrant County, Texas;

THENCE N 89°00'58" E, with the south line of said Lukasey-Holley Subdivision, a distance of 230.76 feet to an iron rod found for the southeast corner of said Lukasey-Holley Subdivision, said iron rod also being the southwest corner of a 4.0 acre tract of land donated to T. Benton as recorded in Volume 8238, Page 425 of the Deed Records of Tarrant County, Texas;

THENCE N 89°13'12" E, with the south line of said T. Benton tract, a distance of 76.46 feet to an iron rod found for corner;

THENCE N 89°25'25" E, a distance of 661.55 feet to an iron rod found for the southeast corner of said T. Benton tract, said iron rod also being the southwest corner of a 1.31 acre tract of land donated to D. Skelton as recorded in Volume 8395, Page 216 of the Deed Records of Tarrant County, Texas;

THENCE N 89°24'45"E, with the south line of said D. Skelton tract, a distance of 133.44 feet to an iron rod found for corner;

THENCE S 86°52'22" E, a distance of 199.28 feet to an iron rod found for the southeast corner of said D. Skelton tract;

THENCE S 46°36'59" E, a distance of 26.23 feet to an iron rod found for the most northerly northwest corner of Weidholt Addition, an addition to the City of Colleyville, Tarrant County, Texas as recorded in Volume 388-123, Page 64 of the Plat Records of Tarrant County, Texas;

THENCE S 50°48'53" W, with the northwesterly line of said Weidholt Addition, a distance of 182.25 feet to an iron rod found for corner;

THENCE S 60°20'45" W, a distance of 131.84 feet to an iron rod found for the most westerly corner of said Weidholt Addition, said iron rod also being the most northerly corner of a tract of land donated to J. Weidholt as recorded in Volume 4777, Page 613 of the Deed Records of Tarrant County, Texas;

THENCE S 73°18'29" W, with the most northerly line of said J. Weidholt tract, a distance of 280.19 feet to an iron rod found for corner;

THENCE S 48°25'23" W, a distance of 236.10 feet to an iron rod found for corner;

THENCE S 63°06'48" W, a distance of 55.35 feet to an iron rod found for the northwest corner of said J. Weidholt tract;

THENCE S 00°40'45" E, passing an iron rod found for the southwest corner of said J. Weidholt tract at a distance of 517.00 feet, in all a distance of 973.64 feet to an iron rod set for corner;

THENCE S 89°52'28" W, a distance of 515.65 feet to an iron rod set at a fence corner;

THENCE S 88°46'10" W, a distance of 225.29 feet to an iron rod found for the northeast corner of said of Lot 1, Block 1, Purcell Addition;

THENCE N 89°04'31" W, with the north line of said Purcell Addition, a distance of 395.84 feet to the POINT OF BEGINNING and containing 30.394 acres or 3,501,991 square feet of land, more or less.

# Tract VII

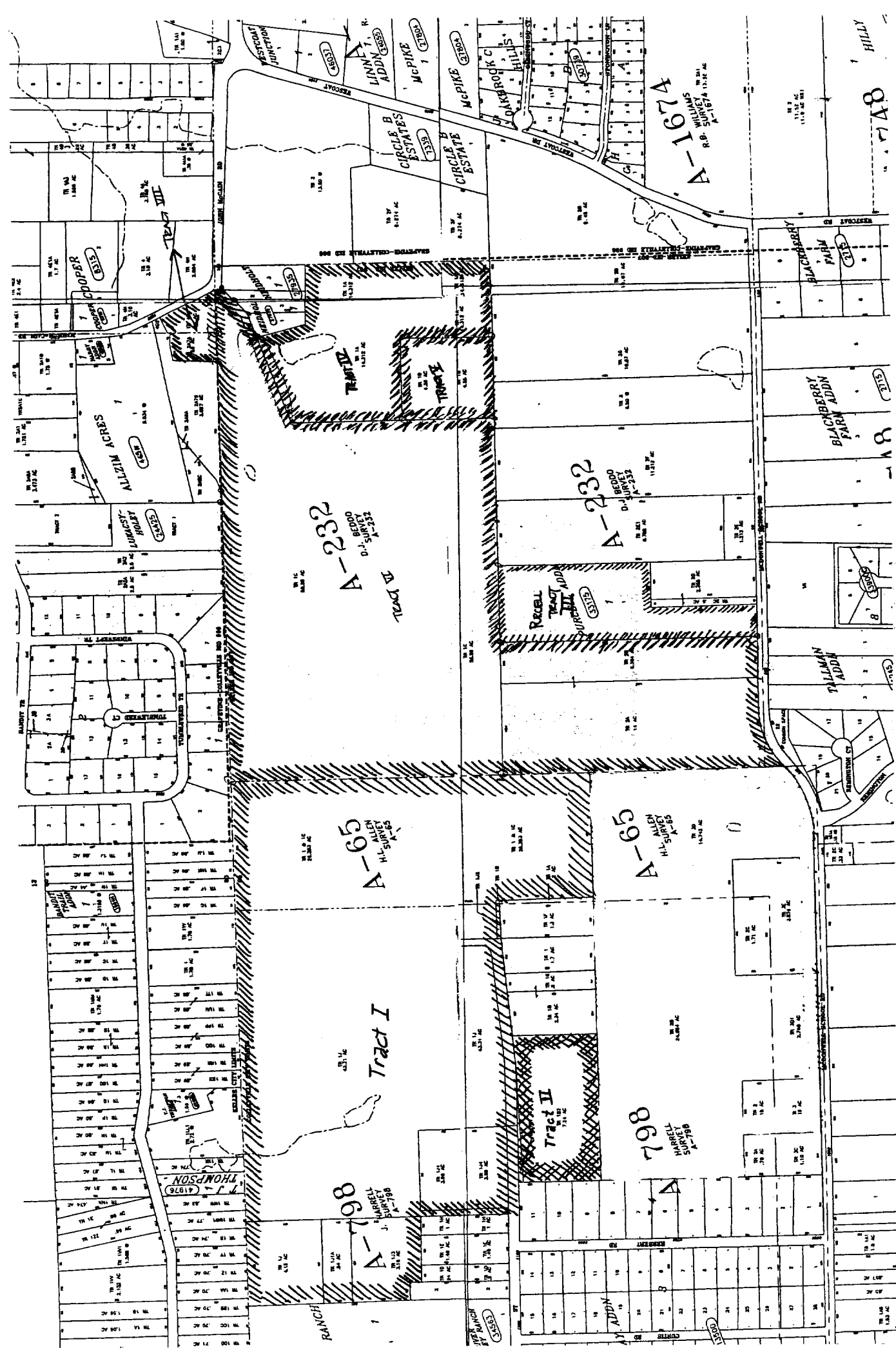
## FIELD NOTES

FOR A TRACT OF LAND IN THE M. M. FREEMAN SURVEY, ABSTRACT NO. 533 AND THE W. E. CROOK SURVEY, ABSTRACT NO. 295, SITUATED IN TARRANT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

- BEGINNING at an iron pin in the West line of John McCain Road, said point being, by deed calls, S. 89° - 51' - 40" E. 552.74 feet, S. 1° - 39' E. 150.0 feet, S. 5° - 08' E. 92.2 feet and S. 26° - 04' - 05" E. 194.52 feet from the Southwest corner of a called 7.018 acre tract as described in a deed of record in Volume 3560, Page 281, Deed Records, Tarrant County, Texas;
- THENCE S. 26° - 04' - 03" E. 314.32 feet continuing along the West line of said John McCain Road to an iron pin set in same for corner;
- THENCE N. 87° - 05' - 22" W. 199.27 feet to an iron pin found at the occupied Southeast corner of said Freeman Survey and the Southwest corner of said Crook Survey;
- THENCE S. 89° - 12' - 30" W. 133.53 feet to a bolt found for corner;
- THENCE N. 4° - 05' - 44" W. 203.87 feet along a fence line to a 3" metal fence corner post for corner;
- THENCE N. 69° - 42' - 40" E. 58.01 feet to an iron pin found for corner;
- THENCE N. 86° - 25' - 55" E. 79.53 feet to an iron pin found for corner;
- THENCE N. 58° - 43' - 46" E. 87.96 feet to the POINT OF BEGINNING and containing 1.511 acres.

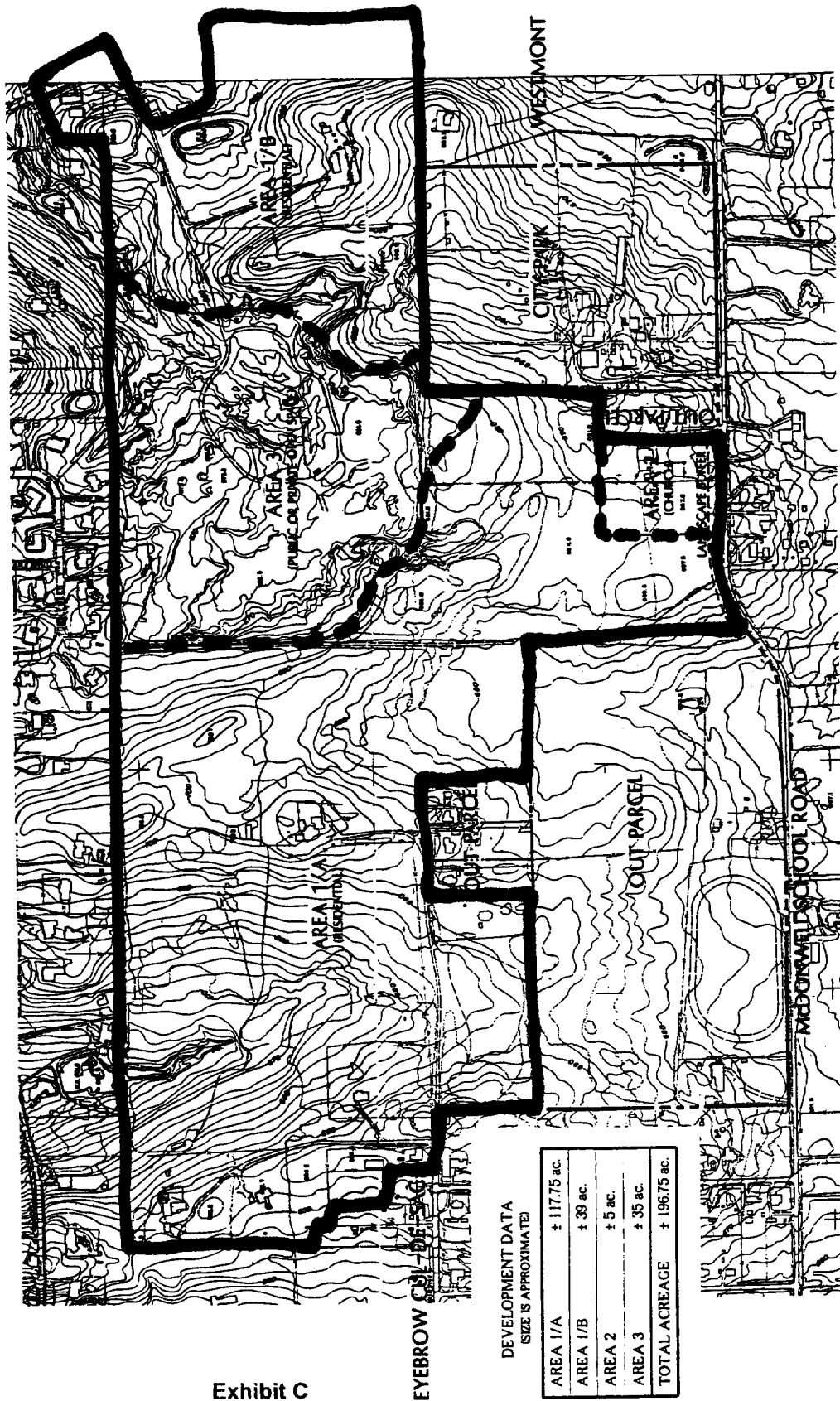


*Walter W. Ward*  
4-6-89



Map showing tract numbers  
for Exhibit "B"





DEVELOPMENT DATA  
(SIZE IS APPROXIMATE)

|               |              |
|---------------|--------------|
| AREA 1/A      | ± 117.75 ac. |
| AREA 1/B      | ± 39 ac.     |
| AREA 2        | ± 5 ac.      |
| AREA 3        | ± 35 ac.     |
| TOTAL ACREAGE | ± 196.75 ac. |

Exhibit C  
Conceptual Site Plan  
Ordinance O-99-1153

THE DAVID BAGWELL COMPANY  
8222 DOUGLAS AVENUE, SUITE 770  
DALLAS, TEXAS 75225

GLENWOOD  
CONCEPTUAL LAND USE PLAN  
COLLEYVILLE, TEXAS  
APRIL 1999

**RESOLUTION R-14-XXXX**

**A RESOLUTION APPROVING A FINAL PLAT FOR  
THE RESERVE AT COLLEYVILLE ADDITION, PHASE 2A**

**WHEREAS**, the Planning and Zoning Commission recommended approval of the final plat for The Reserve at Colleyville Addition, Phase 2A on September 8, 2014.

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

Sec. 1. THAT the final plat for The Reserve at Colleyville Addition, Phase 2A, attached as Exhibit "A", is hereby approved subject to the following conditions.

**AND IT IS SO RESOLVED.**

PASSED BY A VOTE OF \_\_\_\_ AYES, \_\_\_\_ NAYS, AND \_\_\_\_ ABSTENTIONS ON THIS THE 6<sup>TH</sup> DAY OF OCTOBER 2014.

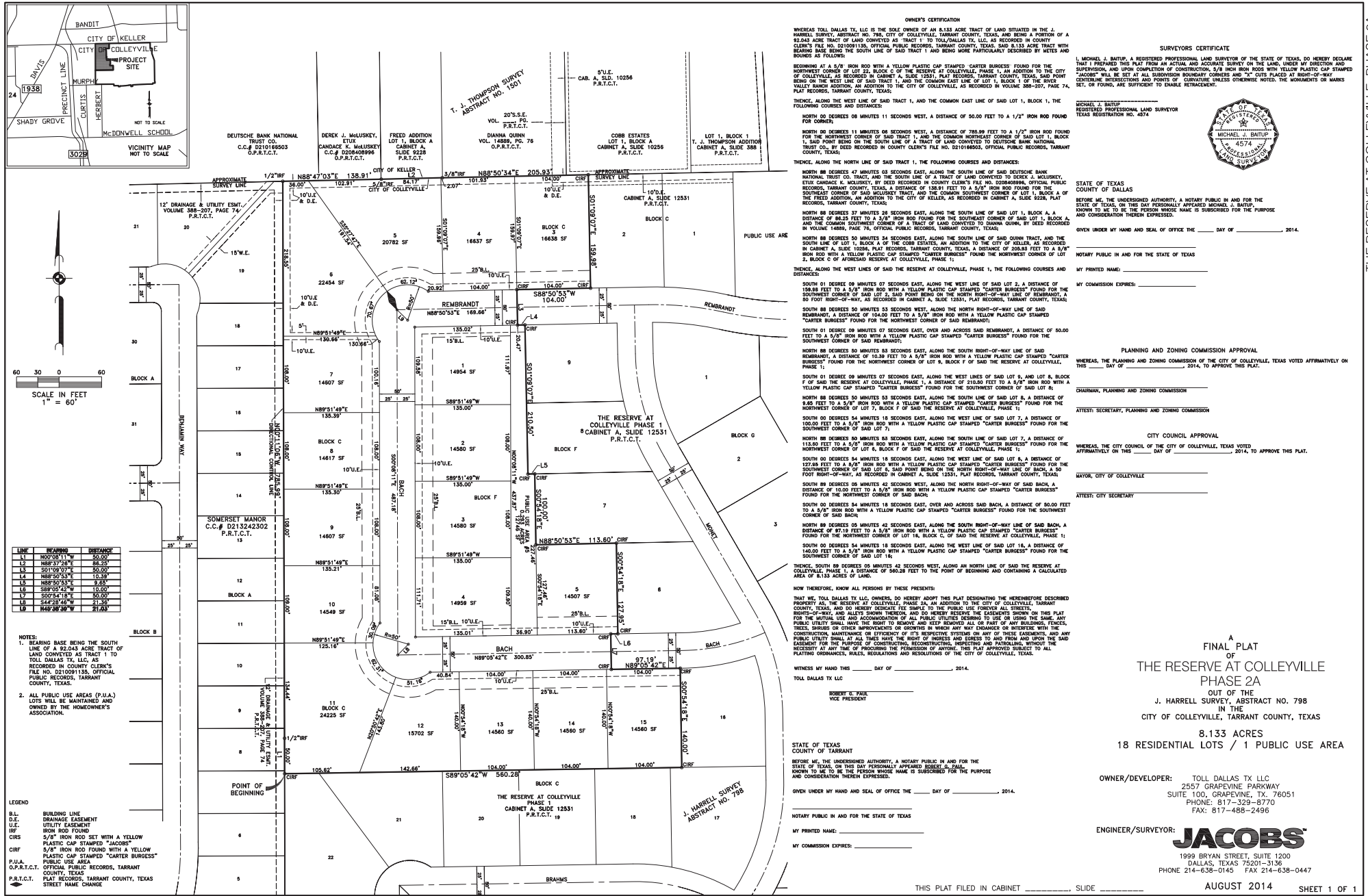
**ATTEST:**

**CITY OF COLLEYVILLE**

Amy Shelley, TRMC  
City Secretary

David Kelly  
Mayor

# Exhibit "A" - Final Plat



THE RESERVE AT COLLEYVILLE PHASE 2A





# City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
[www.colleyville.com](http://www.colleyville.com)

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|                                         |                               |               |
|-----------------------------------------|-------------------------------|---------------|
| <b>Agenda Number</b> 3c                 | <b>Agenda Date</b> 09/08/2014 | <b>Number</b> |
| <b>Type</b> Regular Agenda Items        |                               |               |
| <b>Department</b> Community Development |                               |               |

---

## Title

Approval of a final plat on Lots 1-11, Block A and Lots 1-3, Block B, of the Reserve at Colleyville Addition, Phase 2B, Case PC14-023

## Explanation

Jacobs Engineering has submitted a request to approve the final plat for phase 2B of The Reserve at Colleyville. The final plat consists of 7.11 acres that includes 14 single family residential lots and two open space (or public use areas) lots.

The preliminary plat (attached) and final plat for phase one (attached) for The Reserve at Colleyville were approved by City Council on December 18, 2007. A revised preliminary plat is also on this meeting's agenda.

**Zoning.** The Reserve at Colleyville is zoned PUDR-Planned Unit Development Residential by Ordinance 0-99-1153. This ordinance also includes the Whittier Heights and Old Grove developments. The plat has been reviewed per the regulations of the Land Development Code and the standards contained in the PUDR ordinance for this development. The plat is in compliance with these regulations.

**Development Fees.** Park land dedication fees are required, in the amount of \$1,802 per residential lot. Park land dedication fees are due at the time of final plat, and must be paid before the final plat is recorded with the County Clerk's office.

Roadway impact fees are due in the amount of \$4,941 per residential lot at the time of the building permit application.

Perimeter street improvement fees are not required for this development since the applicant is improving the road as part of the development.

Water and Wastewater impact fees are due at the time of the building permit application.

**Sidewalks and Trails.** All new streets require a minimum four foot sidewalk to be installed by the homebuilder prior to the final inspection.

**Summary.** The proposed development satisfies the requirements of PUDR Ordinance 0-99-1153 and the Land Development Code. Since the plat indicates that development will occur in phases, the final plat requires approval by City Council.

**Recommendation**

Approve

**Attachments**

1. Location and Zoning Map
2. Aerial
3. Final Plat - The Reserve at Colleyville Phase 2B
4. Preliminary Plat - The Reserve at Colleyville
5. Final Plat - Phase One, The Reserve at Colleyville
6. Ordinance 0-99-1153
7. Resolution R-xxx



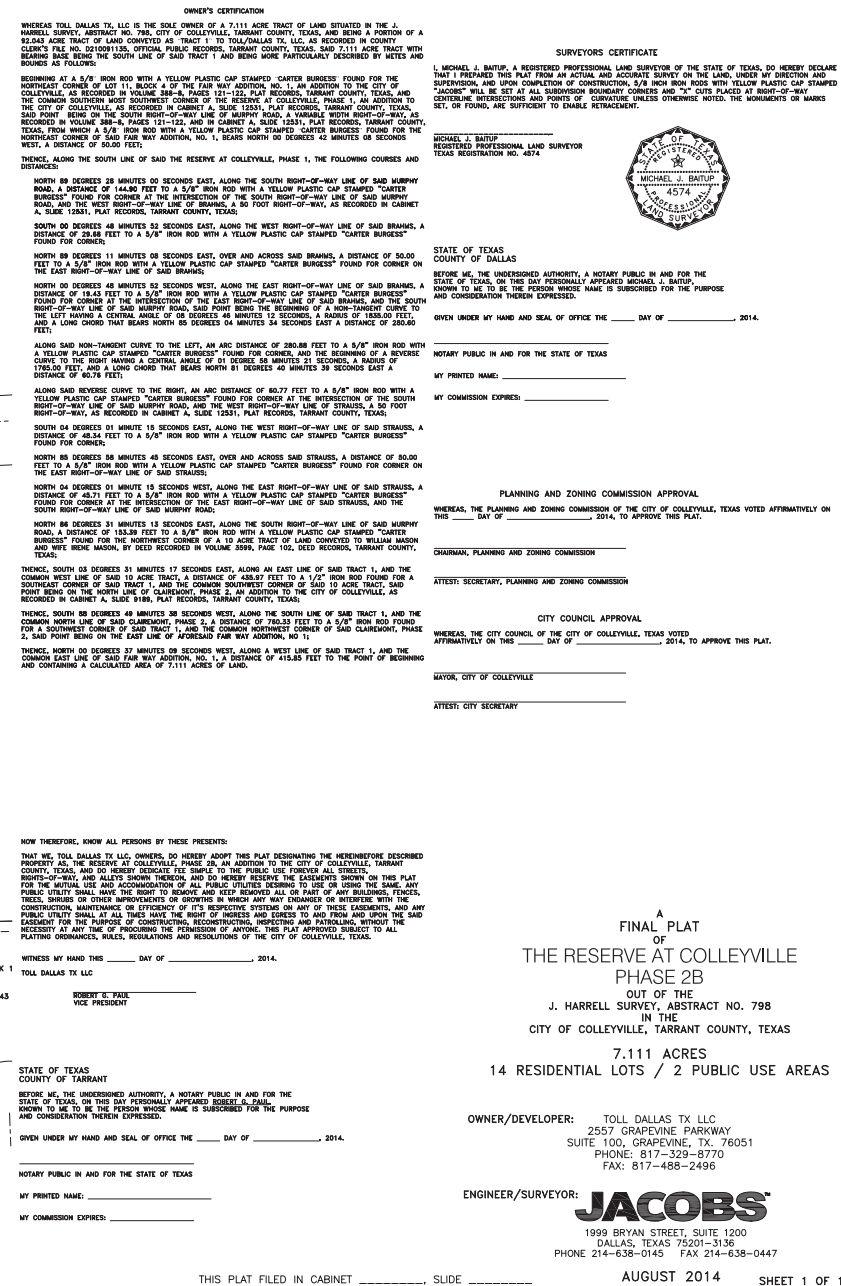


## Aerial

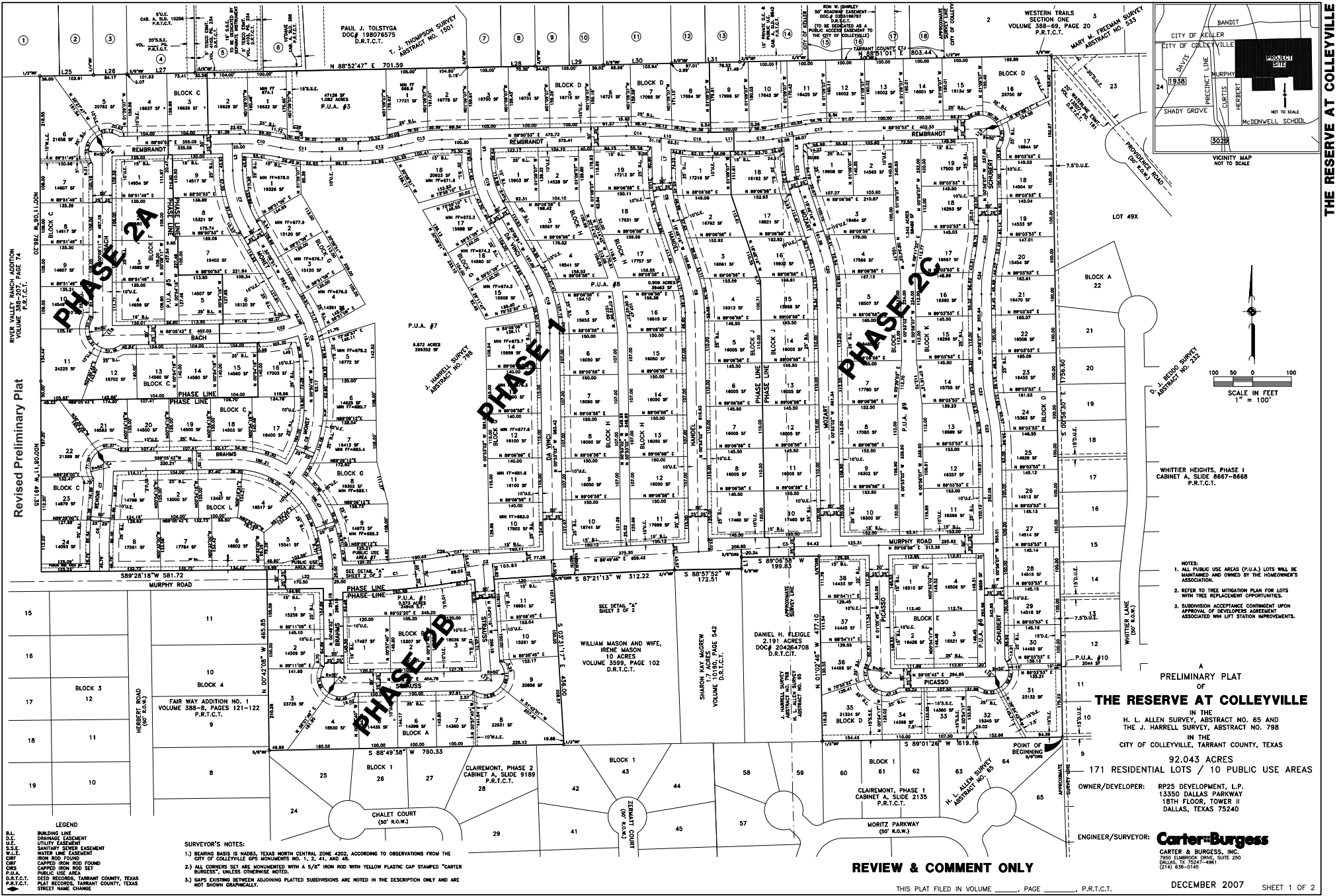




## THE RESERVE AT COLLEYVILLE, PHASE 2B



# Preliminary Plat - The Reserve at Colleyville



THE RESERVE AT COLLEYVILLE

Revised Preliminary Plat

LEGEND  
B.L. BUILDING LINE  
D.E. DRAINAGE EASEMENT  
U.E. UTILITY EASEMENT  
S.E. SANITARY SEWER EASEMENT  
W.E. WATER LINE EASEMENT  
R.F. RIGHT OF WAY  
C.F. CAPED IRON ROD FOUND  
C.F. CAPED IRON ROD SET  
P.U.A. PUBLIC USE AREA  
D.E.D. DEED RECORD, TARRANT COUNTY, TEXAS  
P.L. PLAT RECORD, TARRANT COUNTY, TEXAS  
S.C. STREET NAME CHANGE

SURVEYOR'S NOTES:  
1. BEARING BASIS IS NAD83, TEXAS NORTH CENTRAL ZONE 4202, ACCORDING TO OBSERVATIONS FROM THE CITY OF COLLEYVILLE GPS MONUMENTS NO. 1, 2, 41, AND 42.  
2. ALL CORNERS SET ARE MONUMENTED WITH A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER & BURGESS", UNLESS OTHERWISE NOTED.  
3. GAPS EXISTING BETWEEN ADJOINING PLATTED SUBDIVISIONS ARE NOTED IN THE DESCRIPTION ONLY AND ARE NOT SHOWN GRAPHICALLY.

REVIEW & COMMENT ONLY

THIS PLAT FILED IN VOLUME 1, PAGE 1, P.R.T.C.T. DECEMBER 2007 SHEET 1 OF 2  
FILE NO: 01-8074

OWNER/DEVELOPER: RP25 DEVELOPMENT, L.P.  
13350 DALLAS PARKWAY  
18TH FLOOR, TOWER II  
DALLAS, TEXAS 75240

ENGINEER/SURVEYOR: Carter & Burgess  
CARTER & BURGESS, INC.  
7500 LUMBER, JUNG, SUITE 250  
DALLAS, TX 75225-1991  
(214) 436-2145



THE RESERVE AT COLLEYVILLE, PHASE 1



**NOTES:**

1. ALL PUBLIC USE AREAS (P.U.A.) LOTS WILL BE MAINTAINED AND OWNED BY THE HOMEOWNER'S ASSOCIATION.
2. REFER TO TREE MITIGATION PLAN FOR LOTS WITH TREE REPLACEMENT OPPORTUNITIES.
3. SUBDIVISION ACCEPTANCE CONTINGENT UPON APPROVAL OF DEVELOPERS AGREEMENT ASSOCIATED WITH IFT STATION IMPROVEMENTS.

FINAL PLAT  
OF  
— THE RESERVE AT COLLEYVILLE  
PHASE 1  
IN THE  
J. HARRELL SURVEY, ABSTRACT NO. 798  
IN THE  
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS  
46.795 ACRES  
77 RESIDENTIAL LOTS / 5 PUBLIC USE AREAS  
OWNER/DEVELOPER: RP25 DEVELOPMENT, L.P.  
13350 DALLAS PARKWAY  
18TH FLOOR, TOWER II  
DALLAS, TEXAS 75240

ENGINEER/SURVEYOR: **Carter::Burgess**  
CARTER & BURGESS, INC.  
7550 ELMBROOK DRIVE, SUITE 250  
DALLAS, TX 75247-4961  
(214) 638-0145

THIS PLAT FILED IN CABINET A, SLIDE <sup>12531</sup>  
12532 FEBRUARY 2008 SHEET 1 OF 2  
FILE NO: 01-8074



**ORDINANCE O-99-1153**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF APPROXIMATELY 187 ACRES OUT OF THE S. HARRELL SURVEY, A-798, TRACTS 1J, 1J1, 1J1A, 1J3, 1J4, AND 1J2; THE H.L. ALLEN SURVEY, A-65, TRACTS 1, 1C, 1B, AND 1A; THE D.J. BEDDO SURVEY, A-232, TRACTS 1C, 2A, 2B, 1A, AND 1B; AND LOT 1, BLOCK 1, PURCELL ADDITION; THE MARY M. FREEMAN SURVEY, A-533, TRACT 2A7A, AND THE WILLIAM C. COOK SURVEY, A-295, TRACT 4D1 FROM THE AG (AGRICULTURE) AND THE R40 (SINGLE FAMILY RESIDENTIAL) TO THE PUD-R (PLANNED UNIT DEVELOPMENT-RESIDENTIAL) DISTRICT; PROVIDING FOR A PENALTY FOR VIOLATIONS AND AUTHORIZING PUBLICATION:**

**WHEREAS**, an application for a zoning change was filed by David Bagwell, The David Bagwell Company, on November 12, 1998, under Case No. Z-98-031; and

**WHEREAS**, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and

**WHEREAS**, notice of a public hearing before the City Council was published in a newspaper of general circulation in Colleyville at least 15 days before such hearing; and

**WHEREAS**, notices were posted on the subject land as provided by the zoning ordinance; and

**WHEREAS**, public hearings to change the zoning and the Master Plan on the property herein described were held before the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation; and,

**WHEREAS**, the City Council is of the opinion that the zoning change herein effectuated furthers the purpose of zoning as set forth in the Zoning Ordinance and is in the best interest of the citizens of the City of Colleyville;

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

Sec. 1. THAT the Master Plan, the Zoning Ordinance of the City of Colleyville, Texas, and the accompanying Zoning Map (Exhibit A) are hereby amended insofar as they relate to certain land located in Colleyville, Texas, described by metes and bounds (Exhibit B), by changing the zoning of said property from the AG and R40 districts to the PUD-R district, together with all site plans which are only conceptual in nature, supporting documents, and other conditions and restrictions imposed and approved by the Council which are incorporated herein by reference including, but not limited to the conceptual site plan (Exhibit C); and subject to the following conditions:

#### 1. PERMITTED USES

The PUD-R shall have three (3) land uses as indicated on Exhibit C and the primary land use for each area shall be as follows:

- a. Areas 1A & 1B shall consist of single family dwelling units.
- b. Area 2 shall consist of a church.
- c. Area 3 shall be open space.

#### 2. PLATTING & PHASING

- a. Prior to the issuance of any development permits on the subject property and as a condition to the development of the property the developer shall obtain approval of a preliminary plat and final plat of the property, which may be in phases. In approving the preliminary and final plat the approving body shall exercise complete discretion over roadway design, lot size, lot shape, building lines, set-back lines, open space, and all other aspects of the plat; provided, the approving body shall not approve anything inconsistent with the other conditions of this ordinance.
- b. The general limits of all phases of development shall be shown on the preliminary plan. Each phase shall be numbered to represent the sequential development phases anticipated. Any deviation from the approved development sequence shall require approval from the City Council.
- c. This development shall be subject to all impact fees in accordance with the Colleyville Subdivision Regulations.



### 3. DENSITY

The average residential density is permitted to be 1.8 dwelling units per acre over the combined acreage of Areas 1A & B, 2 & 3.

### 4. STREETS AND SIDEWALKS

- a. No street intersection shall be allowed on McDonwell School Road which aligns with the McDonwell School Road/Remington Parkway intersection. Street intersections along McDonwell School Road shall maintain a minimum of 300 feet separation between centerlines.
- b. Sidewalks shall be required for all lots within this development, except no sidewalks shall be required in rights-of-way adjacent to open space areas where a sidewalk is proposed on the opposite side of the same right-of-way. Sidewalks in rights-of-way adjacent to each lot frontage or side-yard shall be constructed by the lot owner no later than the date of occupancy of the home on the lot.
- c. Street rights-of-way shall be a minimum width of 50 feet, except for single loaded streets which may have a 40 foot right-of-way width with a 5 foot utility easement abutting the unloaded side of the street.
- d. All streets in this PUD shall be thirty-one feet (31') wide and be constructed of five inch (5"), 3,000 p.s.i. concrete.
- e. The City's street design standards (tangency between curves, radius requirements, etc.) shall be waived, except that a minimum radius shall not be less than twenty-five feet (25').

### 5. DRAINAGE

- a. All drainage facilities shall be designed and constructed in accordance with the Colleyville Subdivision Regulations.
- b. It shall not be the responsibility of the developer to improve any off-site drainage structures or any other public facilities.
- c. At developer's election, pursuant to a grading plan acceptable to the City Engineer, only one side-yard swale between and behind lots may be utilized for lot drainage; retaining wall construction, lot benching and drainage swale construction shall not be the responsibility of the developer but shall be the responsibility of builders on individual lots and shall not be

required of the developer for City acceptance of public improvements.

- d. Lot-to-lot drainage shall be allowed in a grading plan acceptable to the City Engineer across two lots contiguous with one another and adjacent to the lot(s) where drainage begins, i.e. drainage shall be allowed from the drainage source lot(s) across two other lots which are adjacent on to the other.
- e. In order to preserve trees, no pilot channels shall be required.
- f. There shall be no prohibition against regrading, expanding, and/or eliminating existing ponds and against adding additional ponds on the property in order to accomplish developer's storm drainage plan, as long as it otherwise meets City standards and is acceptable to the City Engineer.
- g. As approved by the City Engineer, City park land adjacent to the development may be utilized for storm water retention and/or detention purposes.

#### 6. LOT REQUIREMENTS AND SETBACKS

- a. All lot dimensions and building setback lines shall be in accordance with the Colleyville Zoning Regulations and Subdivision Regulations, except where amended by this ordinance.
- b. The minimum lot size in Areas 1A & 1B shall be 13,000 square feet and the average size of all residential lots in Areas 1A & 1B shall not be less than 16,000 square feet.
- c. One side yard of any lot may be as narrow as six (6) feet, provided the total width of any two adjacent side yards shall not be less than twenty (20) feet. On lots with an area of less than 16,000 square feet, front yard setbacks may be twenty-five feet (25'), and rear yard setbacks may be ten feet (10'). On any lot with an area greater than 16,000 s.f. that backs to open space, the rear yard setback may be ten feet (10').
- d. The minimum lot width for any lot in Areas 1A & 1B under 16,000 s.f. may be eighty (80) feet if approved by the City Council.



7. PARKS

- a. The provisions of the Colleyville Pathways plan shall be incorporated in the project. Pathways shall be designated on the preliminary plan and final plat in a dedicated public right-of-way. Pathways shall be constructed by the developer for each phase of development. Within each phase of development, pathways shall be completed prior to the issuance of any building permit for residential development in that phase.
- b. Each phase of development is subject to the parkland dedication requirements contained in the Colleyville Subdivision Regulations.
- c. The development shall contain open space which totals twenty percent (20%) of the total area contained in this development as shown on Exhibit C. The City shall not accept the dedication of any open space until all environmental issues are addressed to the City's satisfaction. The developer shall submit to the City an environmental study, audit or assessment demonstrating that the property is in a condition which would allow the City to utilize the property for park purposes without expenditures to remove environmental waste or hazardous materials, that the property is suitable and safe for use as a park and is free from environmentally related problems.
- d. Tree mitigation is waived for Area 3.
- e. A 72.5-foot greenbelt setback shall be provided along the north side of McDonwell School Road. Said greenbelt shall be consistent with the greenbelt setback in the Westmont Addition.

8. SIGNAGE

- a. Developer is permitted to erect at locations approved by the City Engineer entry structures with or without permanent signage (which signage must comply with the City sign ordinance and be properly permitted) in the rights-of-way of perimeter roads at their intersection with internal streets not to exceed twenty-five feet (25') in height, i.e. in the sight triangle areas of such intersections, provided that said structures do not obstruct the view of traffic as determined by the City Engineer.

Sec. 2. THAT notwithstanding any other provisions of the Code, including Section 1-7 of the Code, it is the intention of the City Council in approving this ordinance that no provision or section is severable from any other provision or section. It is further the intent of the City Council that in the event any portion of this ordinance is declared invalid by any court of competent jurisdiction, then the entire ordinance shall be invalid.

Sec. 3. THAT any person, firm or corporation violating any of the provisions of this ordinance as read together with the Zoning Ordinance of the City of Colleyville shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such.

Sec 4. THAT the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternate method of publication provided by law.

**AND IT IS SO ORDERED.**

The first reading and public hearing being conducted on the 23<sup>rd</sup> day of March, 1999.

The second reading and public hearing being conducted on the 6<sup>th</sup> day of April, 1999. Tabled at second reading, approved April 20, 1999.

**ATTEST:**

  
Jean Harris, CMC  
City Secretary

**CITY OF COLLEYVILLE:**

Richard Newton  
Mayor

**APPROVED AS TO FORM AND LEGALITY:**

  
Ross T. Foster  
City Attorney

If the Mayor shall neglect to approve or object to any such proceedings for a longer period than seven (7) days after the ordinance or resolution is placed in the office of the City Secretary as aforesaid, the same shall become effective immediately upon publication as required by law.



**Exhibit A**  
**Ordinance O-99-1153**  
**PUD-R**

**TRACT I:**

Lot, tract or parcel of land, lying and being situated in Tarrant County, Texas, being out of the Joseph Harrell Survey, Abst. #798, and the H.L. Allen Survey, Abst. #65, in said Tarrant County, and being described by metes and bounds as follows:

BEGINNING 686 ft. North 89 1/2 degrees East from the Northwest corner of the Joseph Harrell Survey Abst. #798, an iron pin the Northeast corner of a 20 acre tract of land as shown in Volume 756, Page 498 Deed of Trust Records of Tarrant County, Texas;

THENCE North 89 1/2 degrees East with fence line at 1954 ft. the Northeast corner of said Harrell Survey and the Northwest corner of the North "ELL" of the H.L. Allen Survey, in all 2605 ft. an iron pin the Northeast corner of said Allen Survey, the Northeast corner of a tract of land deeded to W.E. Roussey et ux as shown in Volume 1478, Page 285 Deed Records of Tarrant County, Texas.

THENCE South 1/4 degrees East with fence line and the East line of said Allen Survey, 1760 ft. an iron pin the Southeast corner of said Roussey tract;

THENCE West with fence line and the South line of said Roussey tract, 618.3 ft. an iron pin;

THENCE North 477.2 ft. an iron pin;

THENCE West 1414.3 ft. an iron pin;

THENCE South 84 1/4 degrees West 149 ft. an iron pin the Southeast corner of a tract of land as shown in Volume 2528, Page 354 Deed Records of Tarrant County, Texas;

THENCE North 434 ft., an iron pin, its Northeast corner;

THENCE West 340 ft. an iron pin in the East line of a tract of land shown in Volume 2379, Page 539, Deed Records of Tarrant County, Texas;

THENCE North 50 ft. its Northeast corner an iron pin;

THENCE West 90 ft. an iron pin, its Northwest corner in the East line of said 20 acre tract;

THENCE North with the East line and fence line 786 ft. to the place of beginning; being 52.5 acres of land out of the Joseph Harrell Survey and 26 acres of land out of the H.L. Allen Survey, in all 78.5 acres of land more or less.

**TRACT II:**

7.24 acres out of the above 10 acre tract and BEGINNING at a point which stands 1727.55 feet South and 1264.22 feet East of the Northwest corner of the Joseph Harrell Survey, said Northwest corner also being the Northwest corner of a 20 acre tract recorded in Volume 756, Page 498, Deed Records of Tarrant County, Texas, and said beginning point being the Southwest corner of the 10 acre tract;

THENCE North 413.46 feet along fence line and West line of said 10 acre tract;

THENCE North 89 degrees 29 minutes East 733.94 feet to iron pin for corner;

THENCE South 1 degree 49 minutes East 430 feet to iron pin set in South line of said 10 acre tract;

THENCE North 88 degrees 48 minutes West along the South line of said 10 acre tract 750 feet to POINT OF BEGINNING.



### Tract III

Lot 1, Block 1, of PURCELL ADDITION, an Addition to the City of Colleyville, Tarrant County, Texas, according to the Plat thereof recorded in Volume 388-130, Page 93, of the Plat Records of Tarrant County, Texas.

### Tract IV

Being a tract of land situated in the D. J. Heddo Survey, Abstract No. 232, City of Colleyville, Tarrant County, Texas and being a portion of that certain tract of land donated to Jerry W. Weidholt as recorded in Volume 4779, Page 614 of the Deed Records of Tarrant County, Texas and being more particularly described by notes and bounds as follows:

BEGINNING at an iron rod found for the northwest corner of the Weidholt Addition, an addition to the City of Colleyville, Tarrant County, Texas as recorded in Volume 388-130, Page 64 of the Plat Records of Tarrant County, Texas:

THENCE S 15°47'28"E, with the west line of said Weidholt Addition, a distance of 247.86 feet to an iron rod found for corner;  
THENCE S 89°49'30"E, with the south line of Lot 1 of said Weidholt Addition, a distance of 76.78 feet to an iron rod found for corner;  
THENCE N 89°19'57"E, with the south line of Lots 2 and 3 of said Weidholt Addition, a distance of 222.57 feet to an iron rod found for corner;  
THENCE S 00°31'09"E, a distance of 911.11 feet to an iron rod found for corner;  
THENCE N 89°43'33"W, a distance of 418.94 feet to an iron rod found for corner;  
THENCE N 00°25'17"W, a distance of 461.82 feet to an iron rod set for corner;  
THENCE S 89°34'42"W, a distance of 407.45 feet to an iron rod found for corner;  
THENCE N 00°40'45"W, a distance of 517.00 feet to an iron rod found for corner;  
THENCE N 62°06'48"E, a distance of 55.55 feet to an iron rod found for corner;  
THENCE N 68°25'23"E, a distance of 236.10 feet to an iron rod found for corner;  
THENCE N 73°10'29"E, a distance of 288.19 feet to the POINT OF BEGINNING and containing 14.798 acres or 644,618 square feet of land, more or less.

### Tract V

Being a tract of land situated in the D. J. Heddo Survey, Abstract No. 232, City of Colleyville, Tarrant County, Texas, said tract of land being all or intended to be all of that certain tract of land donated to Jerry W. Weidholt as recorded in Volume 3881, Page 454 of the Deed Records of Tarrant County, Texas, and being more particularly described by notes and bounds as follows:

BEGINNING at an iron rod found for corner being South, a distance of 1342.0 feet and West, a distance of 420.42 feet from the northeast corner of the D. J. Heddo Survey, Abstract No. 232 as per said deed recorded in Volume 3881, Page 454 of the Deed Records of Tarrant County, Texas:

THENCE N 89°58'10"W, a distance of 405.39 feet to an iron rod set for corner;  
THENCE N 00°40'45"W, a distance of 458.64 feet to an iron rod found for corner;  
THENCE N 89°34'42"E, a distance of 407.45 feet to an iron rod set for corner;  
THENCE S 00°25'17"E, a distance of 461.82 feet to the POINT OF BEGINNING and containing 4.294 acres or 187,041 square feet of land, more or less.

# Tract VI

## DESCRIPTION OF PROPERTY

Being a tract of land situated in the B.J. BEDDO SURVEY, Abstract No. 132, City of Colleyville, Tarrant County, Texas and being more particularly described as follows:

BEGINNING at an iron rod found for the northwest corner of Lot 1, Block 1, Purcell Addition, an addition to the City of Colleyville, Tarrant County, Texas as recorded in Volume 188-130, Page 33 of the Plat Records of Tarrant County, Texas;

THENCE S 00°00'51" W, with the west line of said Purcell Addition, a distance of 1277.63 feet to an iron rod set in the north line of McDonnell School Road;

THENCE S 86°39'53" W, a distance of 677.28 feet to an iron rod found for corner;

THENCE N 00°48'08" W, a distance of 832.13 feet to an iron rod found for the northeast corner of a 30.42 acre tract of land donated to K. Yazhair as recorded in Volume 7886, Page 177 of the Deed Records of Tarrant County, Texas, said iron rod also being the southeast corner of a 78.5 acre tract of land donated to W.R. Cole as recorded in Volume 2591, Page 128 of the Deed Records of Tarrant County, Texas;

THENCE N 00°02'42" W, with the east line of said W.R. Cole tract, a distance of 419.05 feet to an iron rod found at a fence corner;

THENCE N 00°31'50" W, continuing with the east line of said W.R. Cole tract, a distance of 1340.99 feet to an iron rod found for the northeast corner of said W.R. Cole tract;

THENCE N 89°07'19"E, a distance of 1223.36 feet to an iron pipe found for the southwest corner of Lukasey-Holley Subdivision, an addition to the City of Colleyville, Tarrant County, Texas, as recorded Volume 388-117, Page 58 of the Plat Records of Tarrant County, Texas;

THENCE N 89°00'58" E, with the south line of said Lukasey-Holley Subdivision, a distance of 230.76 feet to an iron rod found for the southeast corner of said Lukasey-Holley Subdivision, said iron rod also being the southwest corner of a 4.0 acre tract of land donated to T. Benton as recorded in Volume 8238, Page 425 of the Deed Records of Tarrant County, Texas;

THENCE N 89°13'12" E, with the south line of said T. Benton tract, a distance of 76.46 feet to an iron rod found for corner;

THENCE N 89°25'25" E, a distance of 661.55 feet to an iron rod found for the southeast corner of said T. Benton tract, said iron rod also being the southwest corner of a 1.31 acre tract of land donated to D. Skelton as recorded in Volume 8395, Page 216 of the Deed Records of Tarrant County, Texas;

THENCE N 89°24'45"E, with the south line of said D. Skelton tract, a distance of 133.44 feet to an iron rod found for corner;

THENCE S 86°52'22" E, a distance of 199.28 feet to an iron rod found for the southeast corner of said D. Skelton tract;

THENCE S 46°36'59" E, a distance of 26.23 feet to an iron rod found for the most northerly northwest corner of Weidholt Addition, an addition to the City of Colleyville, Tarrant County, Texas as recorded in Volume 388-123, Page 64 of the Plat Records of Tarrant County, Texas;

THENCE S 50°48'53" W, with the northwesterly line of said Weidholt Addition, a distance of 182.25 feet to an iron rod found for corner;

THENCE S 60°20'45" W, a distance of 131.84 feet to an iron rod found for the most westerly corner of said Weidholt Addition, said iron rod also being the most northerly corner of a tract of land donated to J. Weidholt as recorded in Volume 4777, Page 613 of the Deed Records of Tarrant County, Texas;

THENCE S 73°18'29" W, with the most northerly line of said J. Weidholt tract, a distance of 280.19 feet to an iron rod found for corner;

THENCE S 48°25'23" W, a distance of 236.10 feet to an iron rod found for corner;

THENCE S 63°06'48" W, a distance of 55.35 feet to an iron rod found for the northwest corner of said J. Weidholt tract;

THENCE S 00°40'45" E, passing an iron rod found for the southwest corner of said J. Weidholt tract at a distance of 517.00 feet, in all a distance of 973.64 feet to an iron rod set for corner;

THENCE S 89°52'28" W, a distance of 515.65 feet to an iron rod set at a fence corner;

THENCE S 88°46'10" W, a distance of 225.29 feet to an iron rod found for the northeast corner of said of Lot 1, Block 1, Purcell Addition;

THENCE N 89°04'31" W, with the north line of said Purcell Addition, a distance of 395.84 feet to the POINT OF BEGINNING and containing 30.394 acres or 3,501,991 square feet of land, more or less.

# Tract VII

## FIELD NOTES

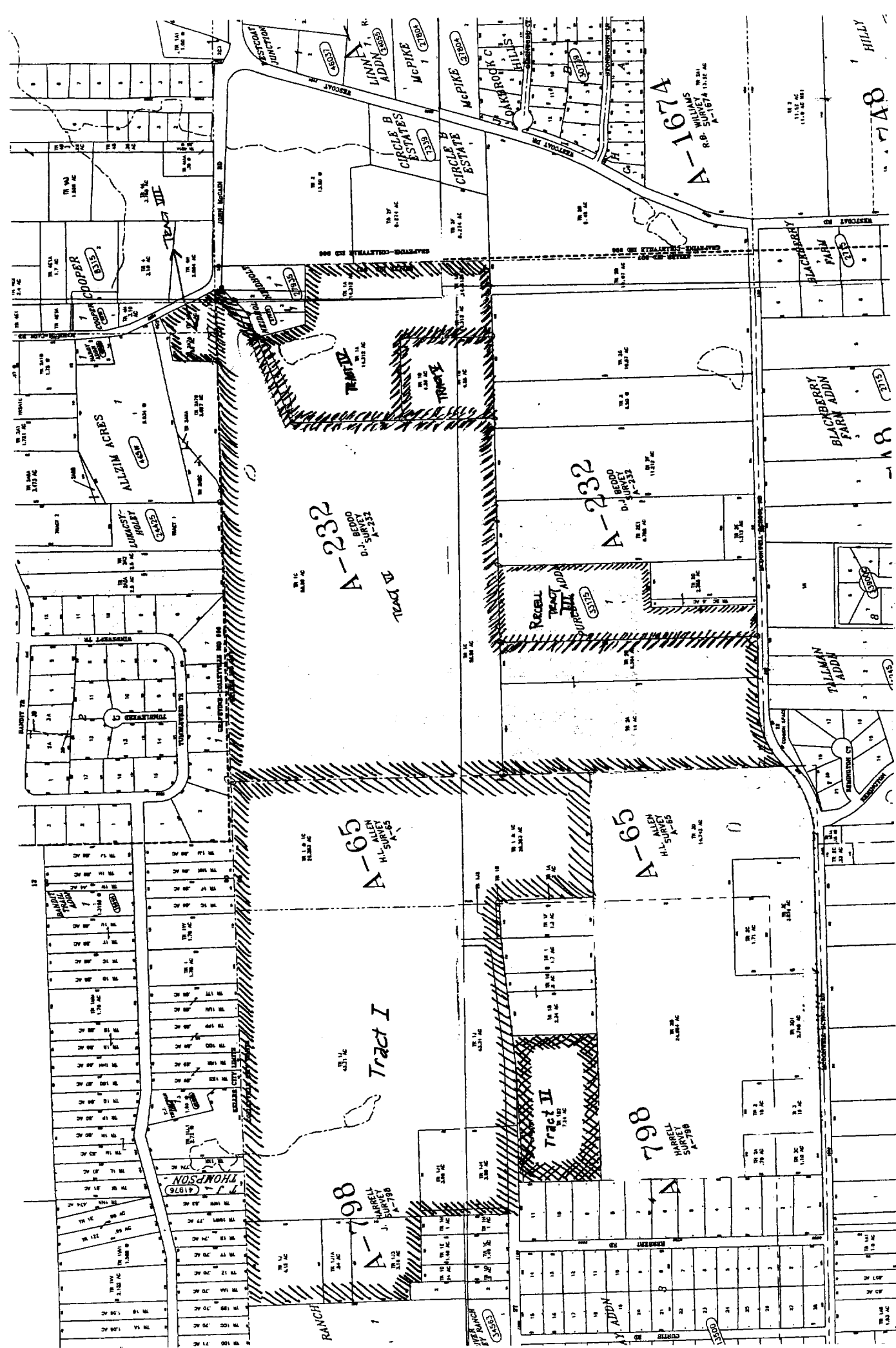
FOR A TRACT OF LAND IN THE M. M. FREEMAN SURVEY, ABSTRACT NO. 533 AND THE W. E. CROOK SURVEY, ABSTRACT NO. 295, SITUATED IN TARRANT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

- BEGINNING at an iron pin in the West line of John McCain Road, said point being, by deed calls, S. 89° - 51' - 40" E. 552.74 feet, S. 1° - 39' E. 150.0 feet, S. 5° - 08' E. 92.2 feet and S. 26° - 04' - 05" E. 194.52 feet from the Southwest corner of a called 7.018 acre tract as described in a deed of record in Volume 3560, Page 281, Deed Records, Tarrant County, Texas;
- THENCE S. 26° - 04' - 03" E. 314.32 feet continuing along the West line of said John McCain Road to an iron pin set in same for corner;
- THENCE N. 87° - 05' - 22" W. 199.27 feet to an iron pin found at the occupied Southeast corner of said Freeman Survey and the Southwest corner of said Crook Survey;
- THENCE S. 89° - 12' - 30" W. 133.53 feet to a bolt found for corner;
- THENCE N. 4° - 05' - 44" W. 203.87 feet along a fence line to a 3" metal fence corner post for corner;
- THENCE N. 69° - 42' - 40" E. 58.01 feet to an iron pin found for corner;
- THENCE N. 86° - 25' - 55" E. 79.53 feet to an iron pin found for corner;
- THENCE N. 58° - 43' - 46" E. 87.96 feet to the POINT OF BEGINNING and containing 1.511 acres.

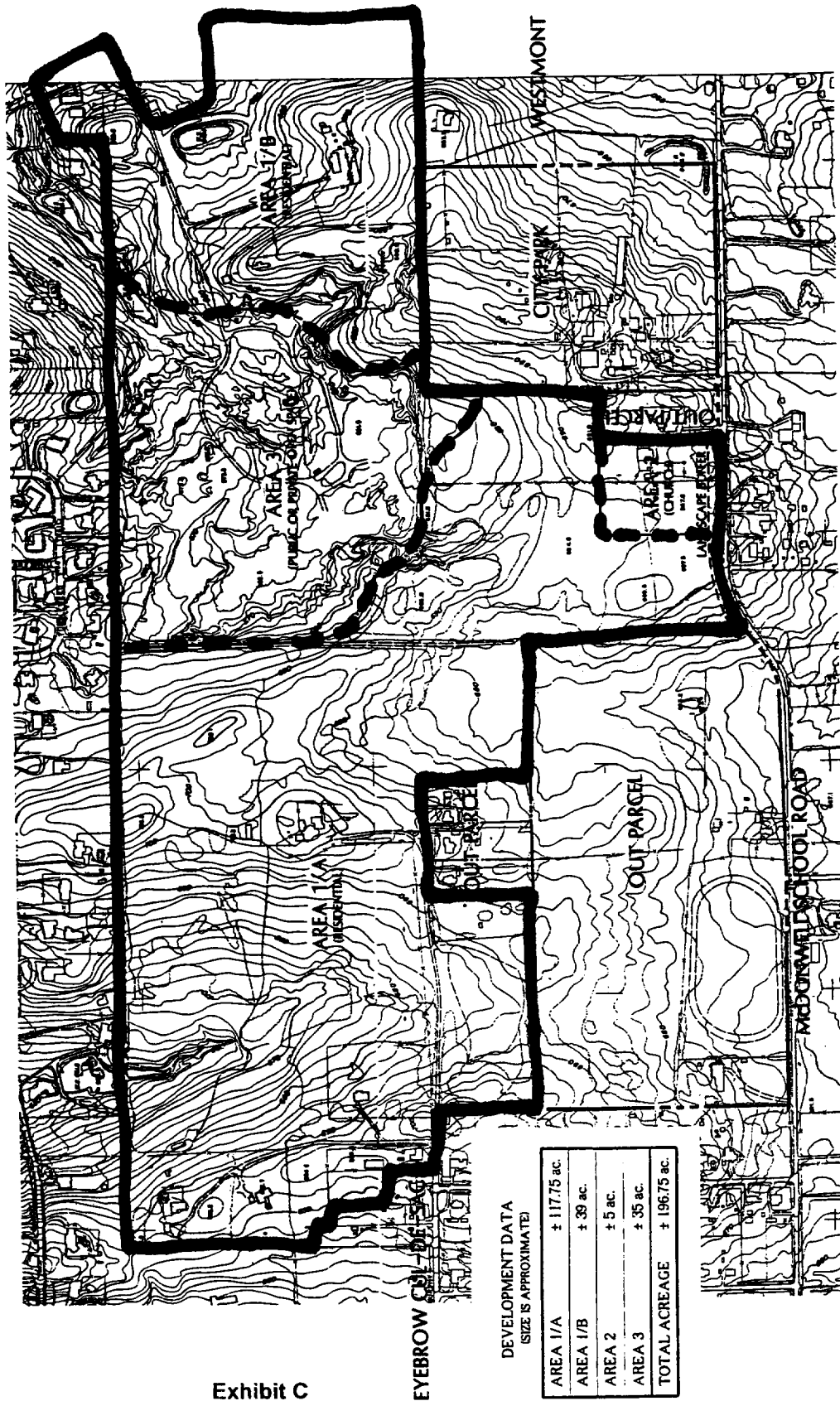


*Walter W. Ward*  
4-6-89





Map showing tract numbers  
for Exhibit "B"



DEVELOPMENT DATA  
(SIZE IS APPROXIMATE)

|               |              |
|---------------|--------------|
| AREA 1/A      | ± 117.75 ac. |
| AREA 1/B      | ± 39 ac.     |
| AREA 2        | ± 5 ac.      |
| AREA 3        | ± 35 ac.     |
| TOTAL ACREAGE | ± 196.75 ac. |

Exhibit C  
Conceptual Site Plan  
Ordinance O-99-1153

THE DAVID BAGWELL COMPANY  
8222 DOUGLAS AVENUE, SUITE 770  
DALLAS, TEXAS 75225

GLENWOOD  
CONCEPTUAL LAND USE PLAN  
COLLEYVILLE, TEXAS  
APRIL 1999

MESA  
DESIGN GROUP



**RESOLUTION R-14-XXXX**

**A RESOLUTION APPROVING A FINAL PLAT FOR  
THE RESERVE AT COLLEYVILLE ADDITION, PHASE 2B**

**WHEREAS**, the Planning and Zoning Commission recommended approval of the final plat for The Reserve at Colleyville Addition, Phase 2B on September 8, 2014.

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

Sec. 1. THAT the final plat for The Reserve at Colleyville Addition, Phase 2B, attached as Exhibit "A", is hereby approved subject to the following conditions.

**AND IT IS SO RESOLVED.**

PASSED BY A VOTE OF \_\_\_\_ AYES, \_\_\_\_ NAYS, AND \_\_\_\_ ABSTENTIONS ON THIS THE 6<sup>TH</sup> DAY OF OCTOBER 2014.

**ATTEST:**

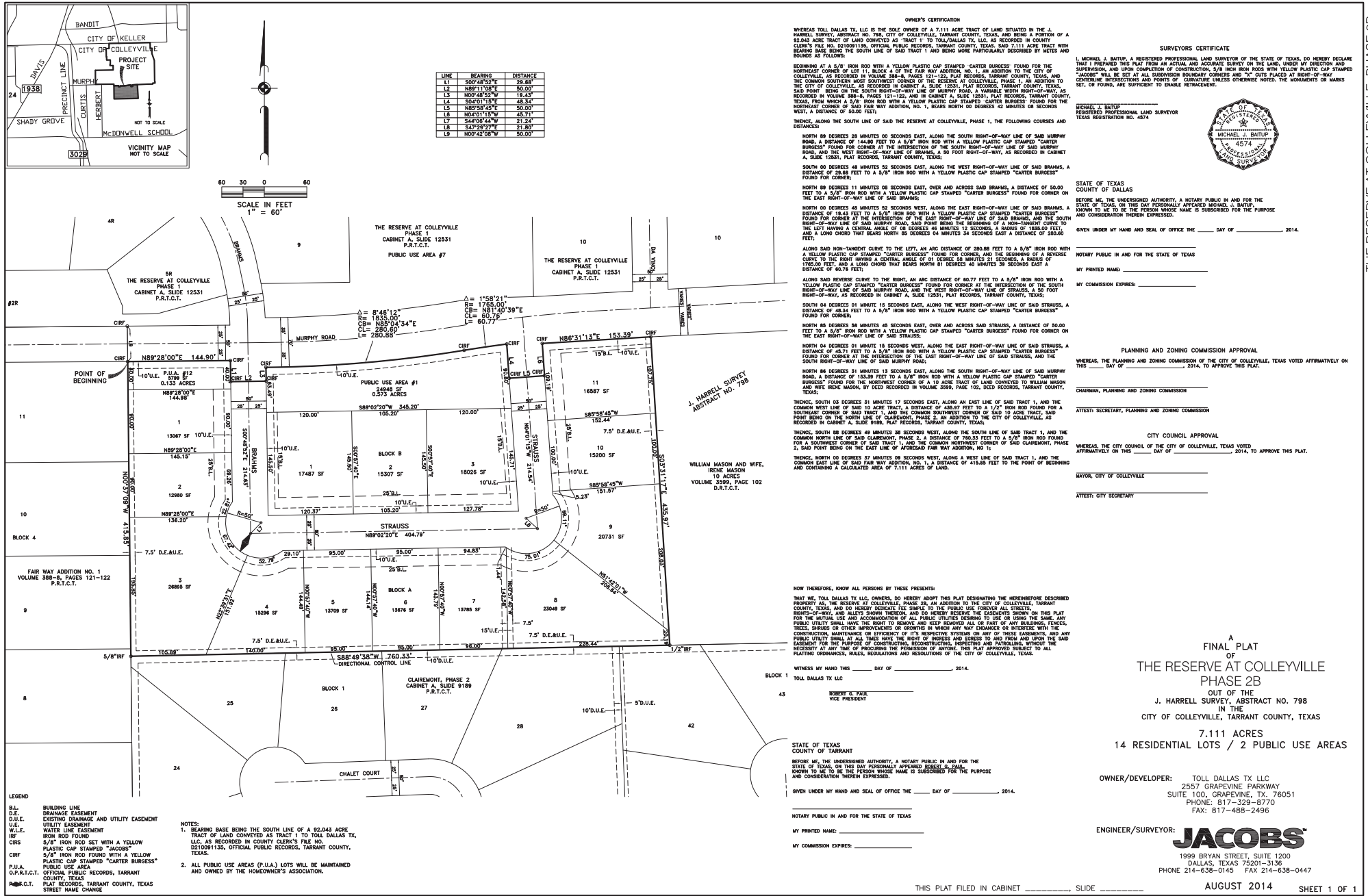
**CITY OF COLLEYVILLE**

Amy Shelley, TRMC  
City Secretary

David Kelly  
Mayor



# Exhibit "A" - Final Plat



THE RESERVE AT COLLEYVILLE, PHASE 2B



# City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
[www.colleyville.com](http://www.colleyville.com)

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|                                         |                               |               |
|-----------------------------------------|-------------------------------|---------------|
| <b>Agenda Number</b> 3d                 | <b>Agenda Date</b> 09/08/2014 | <b>Number</b> |
| <b>Type</b> Regular Agenda Items        |                               |               |
| <b>Department</b> Community Development |                               |               |

---

## Title

Approval of a final plat on Lots 9-22, Block D; Lots 10-18, Block J; and Lots 1-9 & 14-21, Block K, of the Reserve at Colleyville Addition, Phase 2C, Case PC14-017

## Explanation

Jacobs Engineering has submitted a request to approve the final plat for phase 2C of The Reserve at Colleyville. The final plat consists of 18.43 acres that includes 40 single family residential lots and one open space (or public use area) lot.

The preliminary plat (attached) and final plat for phase one (attached) for The Reserve at Colleyville were approved by City Council on December 18, 2007. A revised preliminary plat is also on this meeting's agenda.

**Zoning.** The Reserve at Colleyville is zoned PUDR-Planned Unit Development Residential by Ordinance 0-99-1153. This ordinance also includes the Whittier Heights and Old Grove developments. The plat has been reviewed per the regulations of the Land Development Code and the standards contained in the PUDR ordinance for this development. The plat is in compliance with these regulations.

**Access.** Street access to Riverpath has been provided with the removal of Lot 23, Block D.

**Development Fees.** Park land dedication fees are required, in the amount of \$1,802 per residential lot. Park land dedication fees are due at the time of final plat, and must be paid before the final plat is recorded with the County Clerk's office.

Roadway impact fees are due in the amount of \$4,941 per residential lot at the time of the building permit application.

Perimeter street improvement fees are not required for this development since the applicant is improving the road as part of the development.

Water and Wastewater impact fees are due at the time of the building permit application.

**Sidewalks and Trails.** All new streets require a minimum four foot sidewalk to be installed by the homebuilder prior to the final inspection. Trail 29 on the Colleyville Pathways Plan is required to be constructed along the north side of Murphy Road and

then north along Schubert on the west side of the street. The trail must be a minimum of eight feet in width and constructed by the homebuilder of the adjacent lot prior to the final inspection.

**Summary.** The proposed development satisfies the requirements of PUDR Ordinance 0-99-1153 and the Land Development Code. Since the plat indicates that development will occur in phases, the final plat requires approval by City Council.

### **Recommendation**

Approve

### **Attachments**

1. Location and Zoning Map
2. Aerial
3. Final Plat - The Reserve at Colleyville Phase 2C
4. Preliminary Plat - The Reserve at Colleyville
5. Final Plat - Phase One, The Reserve at Colleyville
6. Ordinance 0-99-1153
7. Resolution R-xxx



[illegible]



# Aerial



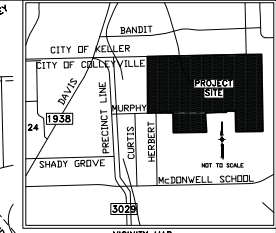


## THE RESERVE AT COLLEYVILLE, PHASE 2C





## **THE RESERVE AT COLLEYVILLE**





THE RESERVE AT COLLEYVILLE, PHASE 1



**NOTES:**

1. ALL PUBLIC USE AREAS (P.U.A.) LOTS WILL BE MAINTAINED AND OWNED BY THE HOMEOWNER'S ASSOCIATION.
2. REFER TO TREE MITIGATION PLAN FOR LOTS WITH TREE REPLACEMENT OPPORTUNITIES.
3. SUBDIVISION ACCEPTANCE CONTINGENT UPON APPROVAL OF DEVELOPERS AGREEMENT ASSOCIATED WITH LIFT STATION IMPROVEMENTS.

FINAL PLAT  
OF  
THE RESERVE AT COLLEYVILLE  
PHASE 1  
IN THE  
J. HARRELL SURVEY, ABSTRACT NO. 798  
IN THE  
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS  
46.795 ACRES  
77 RESIDENTIAL LOTS / 5 PUBLIC USE AREAS  
OWNER/DEVELOPER: RP25 DEVELOPMENT, L.P.  
13350 DALLAS PARKWAY  
18TH FLOOR, TOWER II  
DALLAS, TEXAS 75240

ENGINEER/SURVEYOR: **Carter::Burgess**  
CARTER & BURGESS, INC.  
7950 ELMBROOK DRIVE, SUITE 250  
DALLAS, TX 75247-4961  
(214) 638-0145

THIS PLAT FILED IN CABINET A, SLIDE 12531  
12532 FEBRUARY 2008 SHEET 1 OF 2  
 FILE NO: 01-8074



**ORDINANCE O-99-1153**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF APPROXIMATELY 187 ACRES OUT OF THE S. HARRELL SURVEY, A-798, TRACTS 1J, 1J1, 1J1A, 1J3, 1J4, AND 1J2; THE H.L. ALLEN SURVEY, A-65, TRACTS 1, 1C, 1B, AND 1A; THE D.J. BEDDO SURVEY, A-232, TRACTS 1C, 2A, 2B, 1A, AND 1B; AND LOT 1, BLOCK 1, PURCELL ADDITION; THE MARY M. FREEMAN SURVEY, A-533, TRACT 2A7A, AND THE WILLIAM C. COOK SURVEY, A-295, TRACT 4D1 FROM THE AG (AGRICULTURE) AND THE R40 (SINGLE FAMILY RESIDENTIAL) TO THE PUD-R (PLANNED UNIT DEVELOPMENT-RESIDENTIAL) DISTRICT; PROVIDING FOR A PENALTY FOR VIOLATIONS AND AUTHORIZING PUBLICATION:**

**WHEREAS**, an application for a zoning change was filed by David Bagwell, The David Bagwell Company, on November 12, 1998, under Case No. Z-98-031; and

**WHEREAS**, notice of a hearing before the Planning and Zoning Commission was sent to real property owners within 200 feet of the property herein described at least 10 days before such hearing; and

**WHEREAS**, notice of a public hearing before the City Council was published in a newspaper of general circulation in Colleyville at least 15 days before such hearing; and

**WHEREAS**, notices were posted on the subject land as provided by the zoning ordinance; and

**WHEREAS**, public hearings to change the zoning and the Master Plan on the property herein described were held before the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation; and,

**WHEREAS**, the City Council is of the opinion that the zoning change herein effectuated furthers the purpose of zoning as set forth in the Zoning Ordinance and is in the best interest of the citizens of the City of Colleyville;

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



Sec. 1. THAT the Master Plan, the Zoning Ordinance of the City of Colleyville, Texas, and the accompanying Zoning Map (Exhibit A) are hereby amended insofar as they relate to certain land located in Colleyville, Texas, described by metes and bounds (Exhibit B), by changing the zoning of said property from the AG and R40 districts to the PUD-R district, together with all site plans which are only conceptual in nature, supporting documents, and other conditions and restrictions imposed and approved by the Council which are incorporated herein by reference including, but not limited to the conceptual site plan (Exhibit C); and subject to the following conditions:

1. PERMITTED USES

The PUD-R shall have three (3) land uses as indicated on Exhibit C and the primary land use for each area shall be as follows:

- a. Areas 1A & 1B shall consist of single family dwelling units.
- b. Area 2 shall consist of a church.
- c. Area 3 shall be open space.

2. PLATTING & PHASING

- a. Prior to the issuance of any development permits on the subject property and as a condition to the development of the property the developer shall obtain approval of a preliminary plat and final plat of the property, which may be in phases. In approving the preliminary and final plat the approving body shall exercise complete discretion over roadway design, lot size, lot shape, building lines, set-back lines, open space, and all other aspects of the plat; provided, the approving body shall not approve anything inconsistent with the other conditions of this ordinance.
- b. The general limits of all phases of development shall be shown on the preliminary plan. Each phase shall be numbered to represent the sequential development phases anticipated. Any deviation from the approved development sequence shall require approval from the City Council.
- c. This development shall be subject to all impact fees in accordance with the Colleyville Subdivision Regulations.

### 3. DENSITY

The average residential density is permitted to be 1.8 dwelling units per acre over the combined acreage of Areas 1A & B, 2 & 3.

### 4. STREETS AND SIDEWALKS

- a. No street intersection shall be allowed on McDonwell School Road which aligns with the McDonwell School Road/Remington Parkway intersection. Street intersections along McDonwell School Road shall maintain a minimum of 300 feet separation between centerlines.
- b. Sidewalks shall be required for all lots within this development, except no sidewalks shall be required in rights-of-way adjacent to open space areas where a sidewalk is proposed on the opposite side of the same right-of-way. Sidewalks in rights-of-way adjacent to each lot frontage or side-yard shall be constructed by the lot owner no later than the date of occupancy of the home on the lot.
- c. Street rights-of-way shall be a minimum width of 50 feet, except for single loaded streets which may have a 40 foot right-of-way width with a 5 foot utility easement abutting the unloaded side of the street.
- d. All streets in this PUD shall be thirty-one feet (31') wide and be constructed of five inch (5"), 3,000 p.s.i. concrete.
- e. The City's street design standards (tangency between curves, radius requirements, etc.) shall be waived, except that a minimum radius shall not be less than twenty-five feet (25').

### 5. DRAINAGE

- a. All drainage facilities shall be designed and constructed in accordance with the Colleyville Subdivision Regulations.
- b. It shall not be the responsibility of the developer to improve any off-site drainage structures or any other public facilities.
- c. At developer's election, pursuant to a grading plan acceptable to the City Engineer, only one side-yard swale between and behind lots may be utilized for lot drainage; retaining wall construction, lot benching and drainage swale construction shall not be the responsibility of the developer but shall be the responsibility of builders on individual lots and shall not be



required of the developer for City acceptance of public improvements.

- d. Lot-to-lot drainage shall be allowed in a grading plan acceptable to the City Engineer across two lots contiguous with one another and adjacent to the lot(s) where drainage begins, i.e. drainage shall be allowed from the drainage source lot(s) across two other lots which are adjacent on to the other.
- e. In order to preserve trees, no pilot channels shall be required.
- f. There shall be no prohibition against regrading, expanding, and/or eliminating existing ponds and against adding additional ponds on the property in order to accomplish developer's storm drainage plan, as long as it otherwise meets City standards and is acceptable to the City Engineer.
- g. As approved by the City Engineer, City park land adjacent to the development may be utilized for storm water retention and/or detention purposes.

#### 6. LOT REQUIREMENTS AND SETBACKS

- a. All lot dimensions and building setback lines shall be in accordance with the Colleyville Zoning Regulations and Subdivision Regulations, except where amended by this ordinance.
- b. The minimum lot size in Areas 1A & 1B shall be 13,000 square feet and the average size of all residential lots in Areas 1A & 1B shall not be less than 16,000 square feet.
- c. One side yard of any lot may be as narrow as six (6) feet, provided the total width of any two adjacent side yards shall not be less than twenty (20) feet. On lots with an area of less than 16,000 square feet, front yard setbacks may be twenty-five feet (25'), and rear yard setbacks may be ten feet (10'). On any lot with an area greater than 16,000 s.f. that backs to open space, the rear yard setback may be ten feet (10').
- d. The minimum lot width for any lot in Areas 1A & 1B under 16,000 s.f. may be eighty (80) feet if approved by the City Council.

7. PARKS

- a. The provisions of the Colleyville Pathways plan shall be incorporated in the project. Pathways shall be designated on the preliminary plan and final plat in a dedicated public right-of-way. Pathways shall be constructed by the developer for each phase of development. Within each phase of development, pathways shall be completed prior to the issuance of any building permit for residential development in that phase.
- b. Each phase of development is subject to the parkland dedication requirements contained in the Colleyville Subdivision Regulations.
- c. The development shall contain open space which totals twenty percent (20%) of the total area contained in this development as shown on Exhibit C. The City shall not accept the dedication of any open space until all environmental issues are addressed to the City's satisfaction. The developer shall submit to the City an environmental study, audit or assessment demonstrating that the property is in a condition which would allow the City to utilize the property for park purposes without expenditures to remove environmental waste or hazardous materials, that the property is suitable and safe for use as a park and is free from environmentally related problems.
- d. Tree mitigation is waived for Area 3.
- e. A 72.5-foot greenbelt setback shall be provided along the north side of McDonwell School Road. Said greenbelt shall be consistent with the greenbelt setback in the Westmont Addition.

8. SIGNAGE

- a. Developer is permitted to erect at locations approved by the City Engineer entry structures with or without permanent signage (which signage must comply with the City sign ordinance and be properly permitted) in the rights-of-way of perimeter roads at their intersection with internal streets not to exceed twenty-five feet (25') in height, i.e. in the sight triangle areas of such intersections, provided that said structures do not obstruct the view of traffic as determined by the City Engineer.



Sec. 2. THAT notwithstanding any other provisions of the Code, including Section 1-7 of the Code, it is the intention of the City Council in approving this ordinance that no provision or section is severable from any other provision or section. It is further the intent of the City Council that in the event any portion of this ordinance is declared invalid by any court of competent jurisdiction, then the entire ordinance shall be invalid.

Sec. 3. THAT any person, firm or corporation violating any of the provisions of this ordinance as read together with the Zoning Ordinance of the City of Colleyville shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such.

Sec 4. THAT the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternate method of publication provided by law.

**AND IT IS SO ORDERED.**

The first reading and public hearing being conducted on the 23<sup>rd</sup> day of March, 1999.

The second reading and public hearing being conducted on the 6<sup>th</sup> day of April, 1999. Tabled at second reading, approved April 20, 1999.

**ATTEST:**

  
Jean Harris, CMC  
City Secretary

**CITY OF COLLEYVILLE:**

Richard Newton  
Mayor

**APPROVED AS TO FORM AND LEGALITY:**

  
Ross T. Foster  
City Attorney

If the Mayor shall neglect to approve or object to any such proceedings for a longer period than seven (7) days after the ordinance or resolution is placed in the office of the City Secretary as aforesaid, the same shall become effective immediately upon publication as required by law.

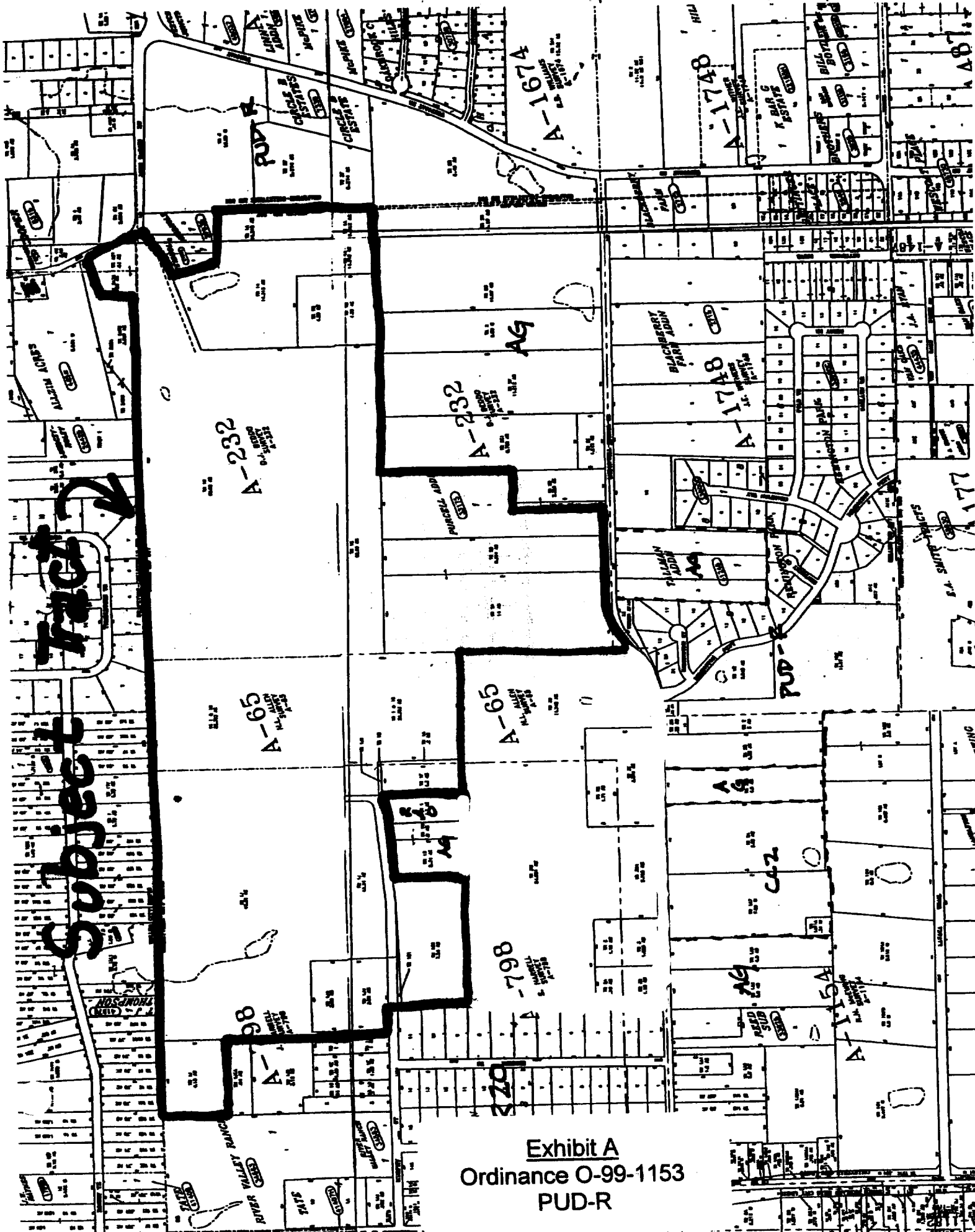


Exhibit A  
Ordinance O-99-1153  
PUD-R



**TRACT I:**

Lot, tract or parcel of land, lying and being situated in Tarrant County, Texas, being out of the Joseph Harrell Survey, Abst. #798, and the H.L. Allen Survey, Abst. #65, in said Tarrant County, and being described by metes and bounds as follows:

BEGINNING 686 ft. North 89 1/2 degrees East from the Northwest corner of the Joseph Harrell Survey Abst. #798, an iron pin the Northeast corner of a 20 acre tract of land as shown in Volume 756, Page 498 Deed of Trust Records of Tarrant County, Texas;

THENCE North 89 1/2 degrees East with fence line at 1954 ft. the Northeast corner of said Harrell Survey and the Northwest corner of the North "ELL" of the H.L. Allen Survey, in all 2605 ft. an iron pin the Northeast corner of said Allen Survey, the Northeast corner of a tract of land deeded to W.E. Roussey et ux as shown in Volume 1478, Page 285 Deed Records of Tarrant County, Texas.

THENCE South 1/4 degrees East with fence line and the East line of said Allen Survey, 1760 ft. an iron pin the Southeast corner of said Roussey tract;

THENCE West with fence line and the South line of said Roussey tract, 618.3 ft. an iron pin;

THENCE North 477.2 ft. an iron pin;

THENCE West 1414.3 ft. an iron pin;

THENCE South 84 1/4 degrees West 149 ft. an iron pin the Southeast corner of a tract of land as shown in Volume 2528, Page 354 Deed Records of Tarrant County, Texas;

THENCE North 434 ft., an iron pin, its Northeast corner;

THENCE West 340 ft. an iron pin in the East line of a tract of land shown in Volume 2379, Page 539, Deed Records of Tarrant County, Texas;

THENCE North 50 ft. its Northeast corner an iron pin;

THENCE West 90 ft. an iron pin, its Northwest corner in the East line of said 20 acre tract;

THENCE North with the East line and fence line 786 ft. to the place of beginning; being 52.5 acres of land out of the Joseph Harrell Survey and 26 acres of land out of the H.L. Allen Survey, in all 78.5 acres of land more or less.

**TRACT II:**

7.24 acres out of the above 10 acre tract and BEGINNING at a point which stands 1727.55 feet South and 1264.22 feet East of the Northwest corner of the Joseph Harrell Survey, said Northwest corner also being the Northwest corner of a 20 acre tract recorded in Volume 756, Page 498, Deed Records of Tarrant County, Texas, and said beginning point being the Southwest corner of the 10 acre tract;

THENCE North 413.46 feet along fence line and West line of said 10 acre tract;

THENCE North 89 degrees 29 minutes East 733.94 feet to iron pin for corner;

THENCE South 1 degree 49 minutes East 430 feet to iron pin set in South line of said 10 acre tract;

THENCE North 88 degrees 48 minutes West along the South line of said 10 acre tract 750 feet to POINT OF BEGINNING.

### Tract III

Lot 1, Block 1, of PURCELL ADDITION, an Addition to the City of Colleyville, Tarrant County, Texas, according to the Plat thereof recorded in Volume 388-130, Page 93, of the Plat Records of Tarrant County, Texas.

### Tract IV

Being a tract of land situated in the D. J. Heddo Survey, Abstract No. 232, City of Colleyville, Tarrant County, Texas and being a portion of that certain tract of land donated to Jerry W. Weidholt as recorded in Volume 4779, Page 614 of the Deed Records of Tarrant County, Texas and being more particularly described by notes and bounds as follows:

BEGINNING at an iron rod found for the northwest corner of the Weidholt Addition, an addition to the City of Colleyville, Tarrant County, Texas as recorded in Volume 388-130, Page 64 of the Plat Records of Tarrant County, Texas:

THENCE S 15°47'28"E, with the west line of said Weidholt Addition, a distance of 247.86 feet to an iron rod found for corner;  
THENCE S 89°49'30"E, with the south line of Lot 1 of said Weidholt Addition, a distance of 76.78 feet to an iron rod found for corner;  
THENCE N 89°19'57"E, with the south line of Lots 2 and 3 of said Weidholt Addition, a distance of 222.57 feet to an iron rod found for corner;  
THENCE S 00°31'09"E, a distance of 911.11 feet to an iron rod found for corner;  
THENCE N 89°43'33"W, a distance of 418.94 feet to an iron rod found for corner;  
THENCE N 00°25'17"W, a distance of 461.82 feet to an iron rod set for corner;  
THENCE S 89°34'42"W, a distance of 407.45 feet to an iron rod found for corner;  
THENCE N 00°40'45"W, a distance of 517.00 feet to an iron rod found for corner;  
THENCE N 62°06'48"E, a distance of 55.55 feet to an iron rod found for corner;  
THENCE N 68°25'23"E, a distance of 236.10 feet to an iron rod found for corner;  
THENCE N 73°10'29"E, a distance of 288.19 feet to the POINT OF BEGINNING and containing 14.798 acres or 644,618 square feet of land, more or less.

### Tract V

Being a tract of land situated in the D. J. Heddo Survey, Abstract No. 232, City of Colleyville, Tarrant County, Texas, said tract of land being all or intended to be all of that certain tract of land donated to Jerry W. Weidholt as recorded in Volume 3881, Page 454 of the Deed Records of Tarrant County, Texas, and being more particularly described by notes and bounds as follows:

BEGINNING at an iron rod found for corner being South, a distance of 1342.0 feet and West, a distance of 420.42 feet from the northeast corner of the D. J. Heddo Survey, Abstract No. 232 as per said deed recorded in Volume 3881, Page 454 of the Deed Records of Tarrant County, Texas:

THENCE N 89°58'10"W, a distance of 405.39 feet to an iron rod set for corner;  
THENCE N 00°40'45"W, a distance of 458.64 feet to an iron rod found for corner;  
THENCE N 89°34'42"E, a distance of 407.45 feet to an iron rod set for corner;  
THENCE S 00°25'17"E, a distance of 461.82 feet to the POINT OF BEGINNING and containing 4.294 acres or 187,041 square feet of land, more or less.



# Tract VI

## DESCRIPTION OF PROPERTY

Being a tract of land situated in the B.J. BEDDO SURVEY, Abstract No. 132, City of Colleyville, Tarrant County, Texas and being more particularly described as follows:

BEGINNING at an iron rod found for the northwest corner of Lot 1, Block 1, Purcell Addition, an addition to the City of Colleyville, Tarrant County, Texas as recorded in Volume 188-130, Page 33 of the Plat Records of Tarrant County, Texas;

THENCE S 00°00'51" W, with the west line of said Purcell Addition, a distance of 1277.63 feet to an iron rod set in the north line of McDonnell School Road;

THENCE S 86°39'53" W, a distance of 677.28 feet to an iron rod found for corner;

THENCE N 00°48'08" W, a distance of 832.13 feet to an iron rod found for the northeast corner of a 30.42 acre tract of land donated to K. Yazhair as recorded in Volume 7886, Page 177 of the Deed Records of Tarrant County, Texas, said iron rod also being the southeast corner of a 78.5 acre tract of land donated to M.R. Cole as recorded in Volume 2591, Page 128 of the Deed Records of Tarrant County, Texas;

THENCE N 00°02'42" W, with the east line of said M.R. Cole tract, a distance of 419.05 feet to an iron rod found at a fence corner;

THENCE N 00°31'50" W, continuing with the east line of said M.R. Cole tract, a distance of 1340.99 feet to an iron rod found for the northeast corner of said M.R. Cole tract;

THENCE N 89°07'19"E, a distance of 1223.36 feet to an iron pipe found for the southwest corner of Lukasey-Holley Subdivision, an addition to the City of Colleyville, Tarrant County, Texas, as recorded Volume 388-117, Page 58 of the Plat Records of Tarrant County, Texas;

THENCE N 89°08'58" E, with the south line of said Lukasey-Holley Subdivision, a distance of 230.76 feet to an iron rod found for the southeast corner of said Lukasey-Holley Subdivision, said iron rod also being the southwest corner of a 4.0 acre tract of land donated to T. Benton as recorded in Volume 8238, Page 425 of the Deed Records of Tarrant County, Texas;

THENCE N 89°13'12" E, with the south line of said T. Benton tract, a distance of 76.46 feet to an iron rod found for corner;

THENCE N 89°25'25" E, a distance of 661.55 feet to an iron rod found for the southeast corner of said T. Benton tract, said iron rod also being the southwest corner of a 1.31 acre tract of land donated to D. Skelton as recorded in Volume 8395, Page 216 of the Deed Records of Tarrant County, Texas;

THENCE N 89°24'45"E, with the south line of said D. Skelton tract, a distance of 133.44 feet to an iron rod found for corner;

THENCE S 86°52'22" E, a distance of 199.28 feet to an iron rod found for the southeast corner of said D. Skelton tract;

THENCE S 46°36'59" E, a distance of 26.23 feet to an iron rod found for the most northerly northwest corner of Weidholt Addition, an addition to the City of Colleyville, Tarrant County, Texas as recorded in Volume 388-123, Page 64 of the Plat Records of Tarrant County, Texas;

THENCE S 50°48'53" W, with the northwesterly line of said Weidholt Addition, a distance of 182.25 feet to an iron rod found for corner;

THENCE S 60°20'45" W, a distance of 131.84 feet to an iron rod found for the most westerly corner of said Weidholt Addition, said iron rod also being the most northerly corner of a tract of land donated to J. Weidholt as recorded in Volume 4777, Page 613 of the Deed Records of Tarrant County, Texas;

THENCE S 73°18'29" W, with the most northerly line of said J. Weidholt tract, a distance of 280.19 feet to an iron rod found for corner;

THENCE S 48°25'23" W, a distance of 236.10 feet to an iron rod found for corner;

THENCE S 63°06'48" W, a distance of 55.35 feet to an iron rod found for the northwest corner of said J. Weidholt tract;

THENCE S 00°40'45" E, passing an iron rod found for the southwest corner of said J. Weidholt tract at a distance of 517.00 feet, in all a distance of 973.64 feet to an iron rod set for corner;

THENCE S 89°52'28" W, a distance of 515.65 feet to an iron rod set at a fence corner;

THENCE S 88°46'10" W, a distance of 225.29 feet to an iron rod found for the northeast corner of said of Lot 1, Block 1, Purcell Addition;

THENCE S 89°04'31" W, with the north line of said Purcell Addition, a distance of 395.84 feet to the POINT OF BEGINNING and containing 30.394 acres or 3,503,991 square feet of land, more or less.

# Tract VII

## FIELD NOTES

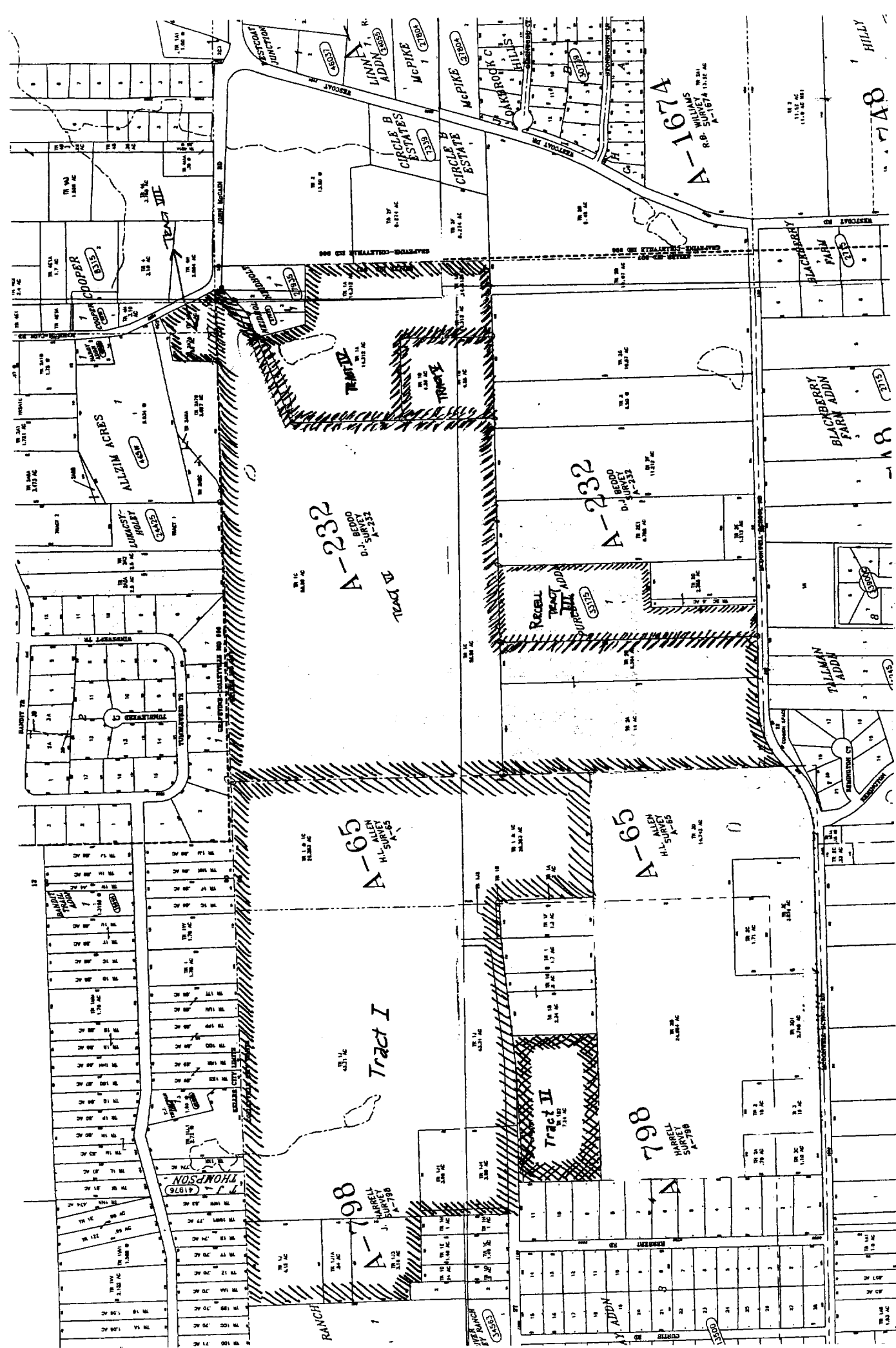
FOR A TRACT OF LAND IN THE M. M. FREEMAN SURVEY, ABSTRACT NO. 533 AND THE W. E. CROOK SURVEY, ABSTRACT NO. 295, SITUATED IN TARRANT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

- BEGINNING at an iron pin in the West line of John McCain Road, said point being, by deed calls, S. 89° - 51' - 40" E. 552.74 feet, S. 1° - 39' E. 150.0 feet, S. 5° - 08' E. 92.2 feet and S. 26° - 04' - 05" E. 194.52 feet from the Southwest corner of a called 7.018 acre tract as described in a deed of record in Volume 3560, Page 281, Deed Records, Tarrant County, Texas;
- THENCE S. 26° - 04' - 03" E. 314.32 feet continuing along the West line of said John McCain Road to an iron pin set in same for corner;
- THENCE N. 87° - 05' - 22" W. 199.27 feet to an iron pin found at the occupied Southeast corner of said Freeman Survey and the Southwest corner of said Crook Survey;
- THENCE S. 89° - 12' - 30" W. 133.53 feet to a bolt found for corner;
- THENCE N. 4° - 05' - 44" W. 203.87 feet along a fence line to a 3" metal fence corner post for corner;
- THENCE N. 69° - 42' - 40" E. 58.01 feet to an iron pin found for corner;
- THENCE N. 86° - 25' - 55" E. 79.53 feet to an iron pin found for corner;
- THENCE N. 58° - 43' - 46" E. 87.96 feet to the POINT OF BEGINNING and containing 1.511 acres.



*Walter W. Ward*  
4-6-89





Map showing tract numbers  
for Exhibit "B"



**RESOLUTION R-14-XXXX**

**A RESOLUTION APPROVING A FINAL PLAT FOR  
THE RESERVE AT COLLEYVILLE ADDITION, PHASE 2C**

**WHEREAS**, the Planning and Zoning Commission recommended approval of the final plat for The Reserve at Colleyville Addition, Phase 2C on September 8, 2014.

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

Sec. 1. THAT the final plat for The Reserve at Colleyville Addition, Phase 2C, attached as Exhibit "A", is hereby approved subject to the following conditions.

**AND IT IS SO RESOLVED.**

PASSED BY A VOTE OF \_\_\_\_ AYES, \_\_\_\_ NAYS, AND \_\_\_\_ ABSTENTIONS ON THIS THE 6<sup>TH</sup> DAY OF OCTOBER 2014.

**ATTEST:**

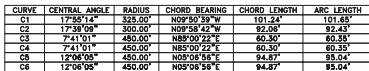
**CITY OF COLLEYVILLE**

Amy Shelley, TRMC  
City Secretary

David Kelly  
Mayor



## THE RESERVE AT COLLEYVILLE, PHASE 2C



PUBLIC USE AREAS (P.U.A.) LOTS WILL BE MAINTAINED  
AND OWNED BY THE HOMEOWNER'S ASSOCIATION.

| LEGEND                                                                              |                                                                        |
|-------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| B.L.                                                                                | BUILDING LINE                                                          |
| D.E.                                                                                | DRAINAGE EASEMENT                                                      |
| U.E.                                                                                | UTILITY EASEMENT                                                       |
| IRF                                                                                 | IRON ROD FOUND                                                         |
| CIRS                                                                                | 5/8" IRON ROD SET WITH A YELLOW PLASTIC CAP STAMPED "JACOBS"           |
| CIRF                                                                                | 5/8" IRON ROD FOUND WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" |
| P.U.A.                                                                              | PUBLIC USE AREA                                                        |
| D.R.T.C.T.                                                                          | DEED RECORDS, TARRANT COUNTY, TEXAS                                    |
| O.P.R.T.C.T.                                                                        | OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS                         |
| P.R.T.C.T.                                                                          | PLAT RECORDS, TARRANT COUNTY, TEXAS                                    |
|  | STREET NAME CHANGE                                                     |

NOTES

THIS PLAT FILED IN CABINET \_\_\_\_\_,

PHONE 214-638-0145 FAX 214-638-0447

SLIDE \_\_\_\_\_ AUGUST 2014 SHEET 1 OF 1

PHONE 214-638-0145 FAX 214-638-0447

SLIDE \_\_\_\_\_ AUGUST 2014 SHEET 1 OF 1

A  
FINAL PLAT  
OF  
THE RESERVE AT COLLEYVILLE  
PHASE 2C

OUT OF THE  
J. HARRELL SURVEY, ABSTRACT NO. 798 AND  
THE D.J. BEDDO SURVEY, ABSTRACT NO 232  
IN THE  
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

18.436 ACRES  
40 RESIDENTIAL LOTS / 1 PUBLIC USE AREA

OWNER/DEVELOPER: TOLL DALLAS TX LLC  
2557 GRAPEVINE PARKWAY  
SUITE 100, GRAPEVINE, TX. 76051  
PHONE: 817-329-8770  
FAX: 817-488-2496

ENGINEER/SURVEYOR: **JACOBS**

1999 BRYAN STREET, SUITE 1200  
DALLAS, TEXAS 75201-3136  
PHONE 214-638-0145 FAX 214-638-0447

AUGUST 2014 SH

THIS PLAT FILED IN CABINET \_\_\_\_\_, SLIDE \_\_\_\_\_ AUGUST 2014 SHEET 1 OF 1



# City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
[www.colleyville.com](http://www.colleyville.com)

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|                                         |                               |               |
|-----------------------------------------|-------------------------------|---------------|
| <b>Agenda Number</b> 4a                 | <b>Agenda Date</b> 09/08/2014 | <b>Number</b> |
| <b>Type</b> Public Hearing Agenda Items |                               |               |
| <b>Department</b> Community Development |                               |               |

---

## Title

Consideration of a replat on Lot 16, Block 2, of the Fair Way Addition, located at 8508 Precinct Line Road, Case PC14-014

## Explanation

Robert Comstock, with L125 Partners, Ltd., is requesting approval of a replat to create one commercial lot on 0.5128 acres, located at 8508 Precinct Line Road.

**Zoning.** The subject property is zoned PUDC-Planned Unit Development Commercial zoning district, Ordinance O-13-1873, approved by City Council on May 14, 2013. Ordinance O-13-1873 allows all uses in the CC1-Village Retail zoning district with a maximum square footage of 5,500 square feet.

The subject property was required to be replatted as a condition of Ordinance O-13-1873.

**Existing Conditions.** The subject property is vacant and platted as Lot 16, Block 2, Fair Way Addition.

**Lot Dimensions and Setbacks.** Ordinance O-13-1873 does not specify lot dimensions and setbacks in the ordinance. The Land Development Code states that PUDC zoning district requirements are a minimum lot size of 7,200 square feet with a minimum lot width of 70 feet, and lot depth of 115 feet. The proposed lot is 109 feet wide and 204 feet in depth.

Per Section 3.24 G, Schedule of District Regulations, the following residential zoning standards apply:

Minimum Front Yard Setback: 40 feet  
Minimum Side Yard Setbacks: 10 feet  
Minimum Rear Yard Setback: 25 feet  
Maximum Lot Coverage: 50 percent

**Access.** Precinct Line Road is the point of access for the proposed lot.

**Sidewalks.** Ordinance O-13-1873 states that a minimum ten foot wide trail shall be constructed along Precinct Line Road where it is adjacent to the subject property prior

to the final inspection for the primary structure.

**Surrounding Properties.** Properties to the north and east are zoned R20-Single Family Residential and developed as a single family residences. The property to the south is zoned PUDC-Planned Unit Development Commercial district and is developed with an office building. The property to the west is within the City of North Richland Hills and developed as retail uses.

**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.

**Summary.** Staff recommends approval of the replat as it complies with the requirements of the Land Development Code and Ordinance O-13-1873.

### **Recommendation**

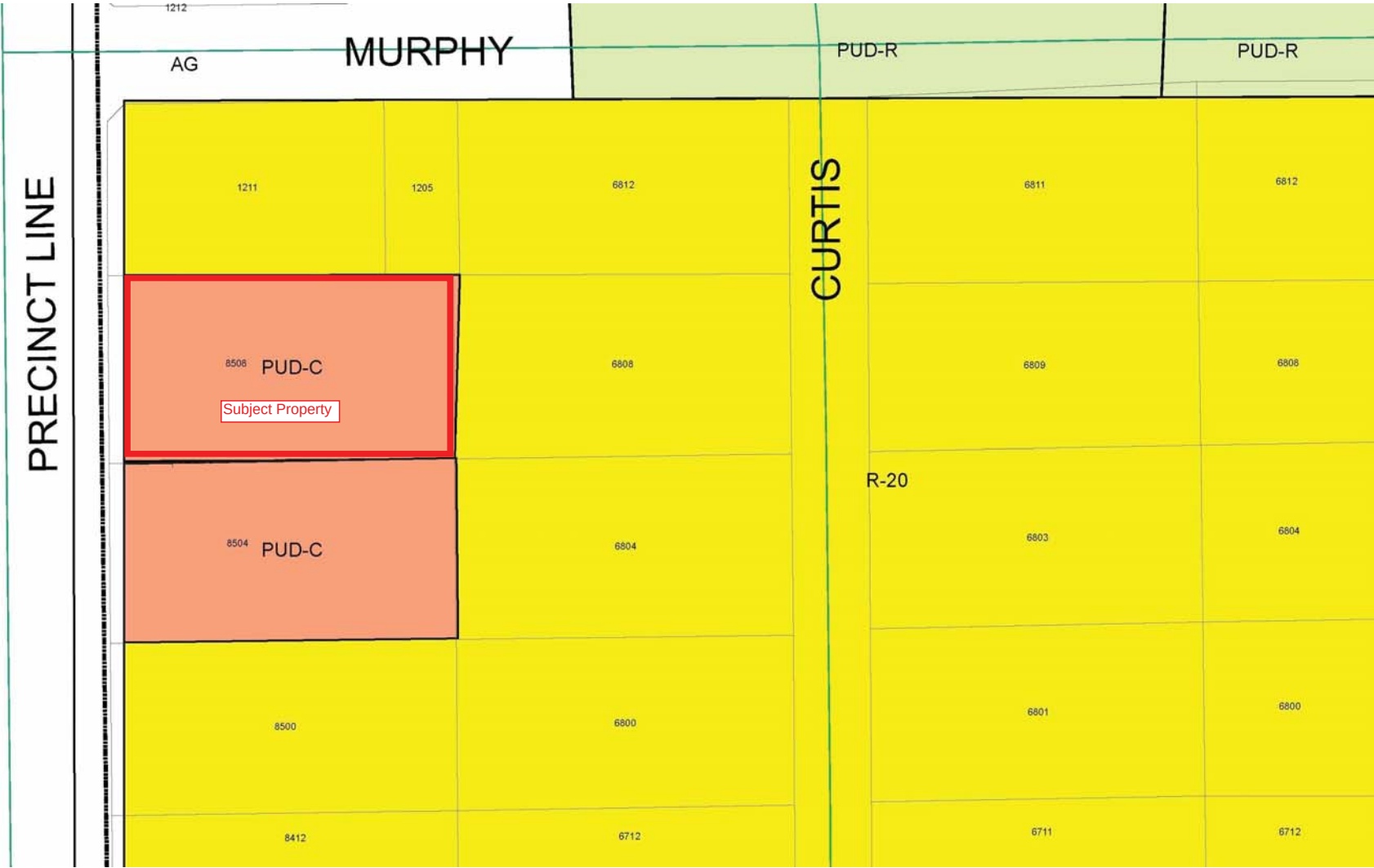
Approve

### **Attachments**

1. Location and Zoning Map
2. Aerial
3. Final Plat
4. Ordinance O-13-1873



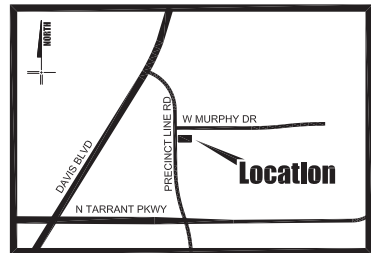
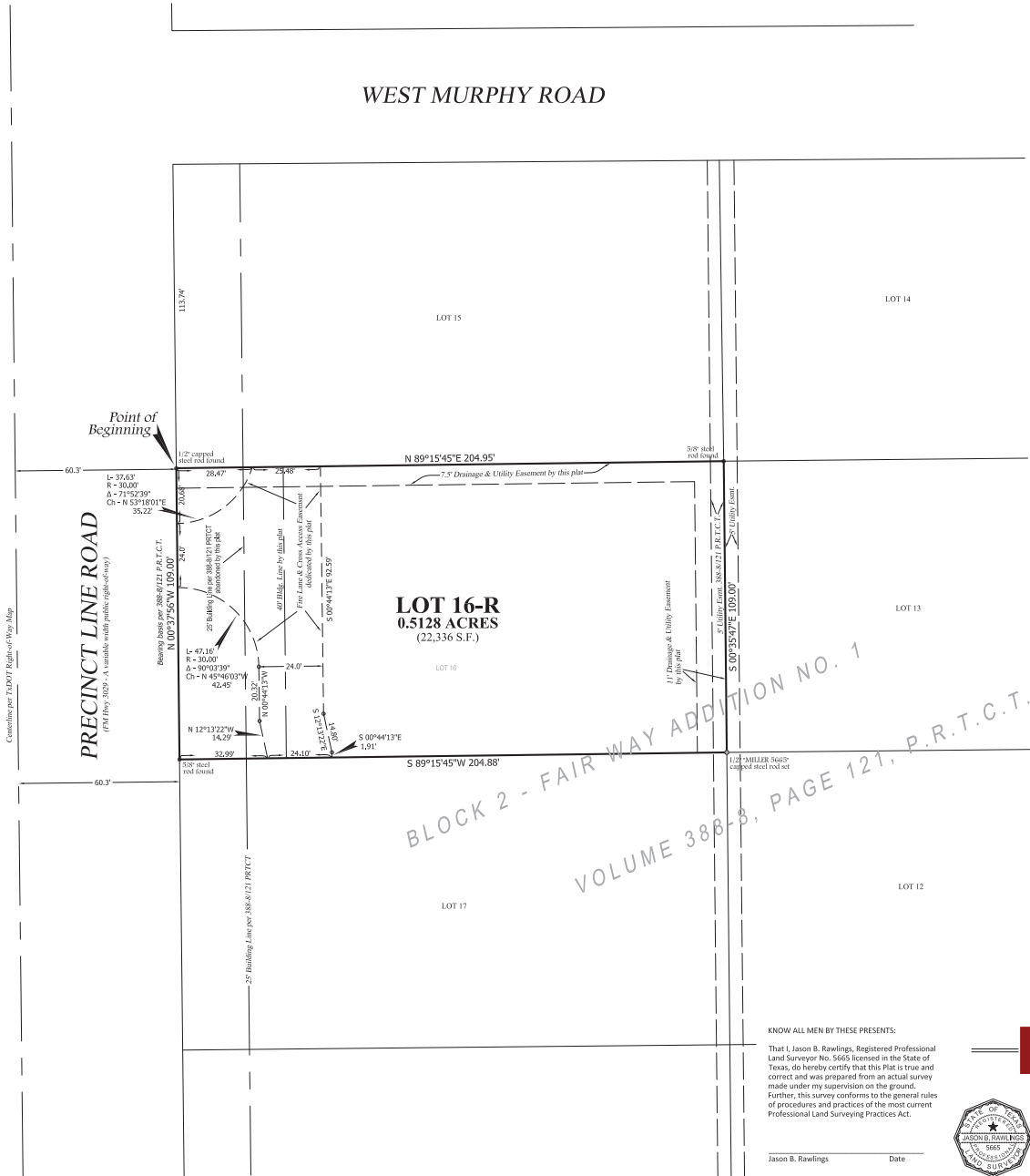
Location and Zoning Map



# Aerial



Plat Exhibit



STATE OF TEXAS §  
COUNTY OF TARRANT §

OWNER'S DEDICATION AND CERTIFICATE

WHEREAS 910 Double Springs Partners, Ltd. is the owner of a tract of land out of the Joseph Harrell Survey, Abstract No. 798 and situated in the City of Colleyville, Tarrant County, Texas, and surveyed by Miller Surveying, Inc. of Hurst, Texas in July 2014, said tract being Lot 16, Block 2, Fair Way Addition, an addition to the City of Colleyville, Texas according to the plat thereof recorded in Volume 388-8, Page 121 in the Plat Records of Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a 1/2 inch steel rod found for the northwest corner of said Lot 16, said rod being in the easterly right-of-way line of Precinct Line Road (FM Hwy. 3025);

Thence North 89 degrees 15 minutes 45 seconds East with the northerly boundary line of said Lot 16 a distance of 204.95 feet to a 5/8 inch steel rod found for the northeast corner thereof;

Thence South 00 degrees 35 minutes 47 seconds East with the easterly boundary line of said Lot 16 a distance of 109.00 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the southeast corner thereof;

Thence South 89 degrees 15 minutes 45 seconds West with the southerly boundary line of said Lot 16 a distance of 204.88 feet to a 5/8 inch steel rod found for the southwest corner thereof, said rod being in said easterly right-of-way line;

Thence North 00 degrees 37 minutes 56 se West with the westerly boundary line of said Lot 16 and with said easterly right-of-way line a distance of 109.00 feet to the point of beginning and containing 0.5128 acres of land;

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That 910 Double Springs Partners, Ltd., do hereby adopt this plat designating the hereinbefore described property as Lot 16-R, Block 2, Fair Way Addition No. 1, an addition to the City of Colleyville, Tarrant County, Texas, and do hereby dedicate fee simple to the public use forever all streets, rights-of-way, and alleys shown thereon, and do hereby reserve the easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use or using the same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules regulations, and resolutions of the City of Colleyville, Texas.

Witness my hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Robert P. Comstock  
910 Double Springs Partners, Ltd.

STATE OF TEXAS §  
COUNTY OF TARRANT §

Before me, the undersigned, a Notary Public in and for said County and State on this date appeared Robert P. Comstock, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public for the State of Texas

PLANNING AND ZONING COMMISSION APPROVAL

WHEREAS The Planning and Zoning Commission of the City of Colleyville, Texas voted affirmatively on this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, to approve this Plat.

Chairman, Planning and Zoning Commission \_\_\_\_\_

Attest: Secretary, Planning and Zoning Commission \_\_\_\_\_

OWNER/APPLICANT:  
910 Double Springs Partners, Ltd.  
Robert P. Comstock, Reg. Agent  
5583 Davis Blvd., Ste. 200  
N Richland Hills Tx 76180  
Office: 817-424-5995  
Fax: 817-424-3113

KNOW ALL MEN BY THESE PRESENTS:

That I, Jason B. Rawlings, Registered Professional Land Surveyor No. 5665 licensed in the State of Texas, do hereby certify that this Plat is true and correct and was prepared from an actual survey made under my supervision on the ground. Further, this survey conforms to the general rules of procedures and practices of the most current Professional Land Surveying Practices Act.

Jason B. Rawlings \_\_\_\_\_ Date \_\_\_\_\_



**MILLER**  
**Surveying, Inc.**

Residential • Commercial • Municipal

430 Mid Cities Blvd.  
Hurst, Texas 76054  
817.577.1052 Fax 817.577.0972  
www.MillerSurveying-Inc.com

Replat  
LOT 16-R, BLOCK 2  
**FAIR WAY ADDITION**  
NO. 1

Being a replat of Lot 16, Block 2, Fair Way Addition No. 1 an addition to the City of Colleyville, Tarrant County, Texas according to the plat recorded in Volume 388-8, Page 121, Plat Records, Tarrant County, Texas

1 commercial lot - 0.5128 acres  
Date of Preparation - July 2014



**ORDINANCE O-13-1873**

**AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON .49 ACRES ON LOT 16, BLOCK 2, OF THE FAIRWAY ADDITION LOCATED AT 8508 PRECINCT LINE ROAD BY AUTHORIZING A ZONING CHANGE FROM THE R20-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO THE PUD-C-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. ZC12-030; 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 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 .49 acres on Lot 16, Block 2, of the Fairway Addition located at 8508 Precinct Line Road, from the R20-Single Family Residential zoning district to the PUD-C-Planned Unit Development Commercial zoning district, as depicted on the Location and Zoning Map, Exhibit "A".
- 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:

**1. GENERAL**

- a. The purpose of this PUD-C is for professional and medical office uses, as well as retail uses.
- b. All uses permitted in the CC1-Village Retail Zoning district shall be permitted in this PUD-C.
- c. The layout of the development shall be generally consistent with the Conceptual Site Plan, Exhibit "B".

- d. The total gross floor area for all uses allowed by this PUD-C shall not exceed 5,500 square feet.
- e. Prior to the issuance of any building permit on the subject property, a replat shall be submitted, approved, and filed with the Tarrant County Clerk for the subject property.
- f. This property is subject to all the regulations contained in the Land Development Code, except where amended by this ordinance.

## **2. COMMERCIAL BUILDING DESIGN**

- a. The design score of all buildings shall meet a minimum design score of 30 as required by Chapter 6-Commercial Design of the Land Development Code.
- b. The building elevations shall be generally consistent with Exhibit "C".

## **3. SCREENING, FENCING, AND LANDSCAPING**

- a. The required landscape buffer along the north property line may be reduced to a width of not less than five feet.
- b. The landscape buffer adjacent to the east property line shall be at least 20 feet in width. The landscape buffer shall conform to Chapter 4-Landscaping and Buffering of the Land Development Code.
- c. The developer shall construct a minimum eight (8) foot tall wood screening fence where the subject property is adjacent to any residential properties to the north of the subject property and a minimum eight (8) foot tall masonry screening fence where the subject property is adjacent to any residential properties to the east of the subject property per the requirements of the Land Development Code.

## **4. TRAIL REQUIREMENT**

- a. A minimum ten (10) foot wide trail shall be constructed along Precinct Line Road where it is adjacent to the subject property prior to the final inspection for the primary structure.



**5. LIGHTING**

a. All building and parking lot light lighting shall be directed downward and shall not directly illuminate onto any adjacent residential properties.

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 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 7<sup>th</sup> day of May 2013.

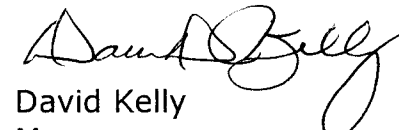
The second reading and public hearing being conducted on the 14<sup>th</sup> day of May 2013.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 14<sup>th</sup> day of May 2013.

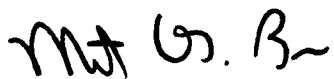
**ATTEST:**

  
Amy Shelley  
City Secretary

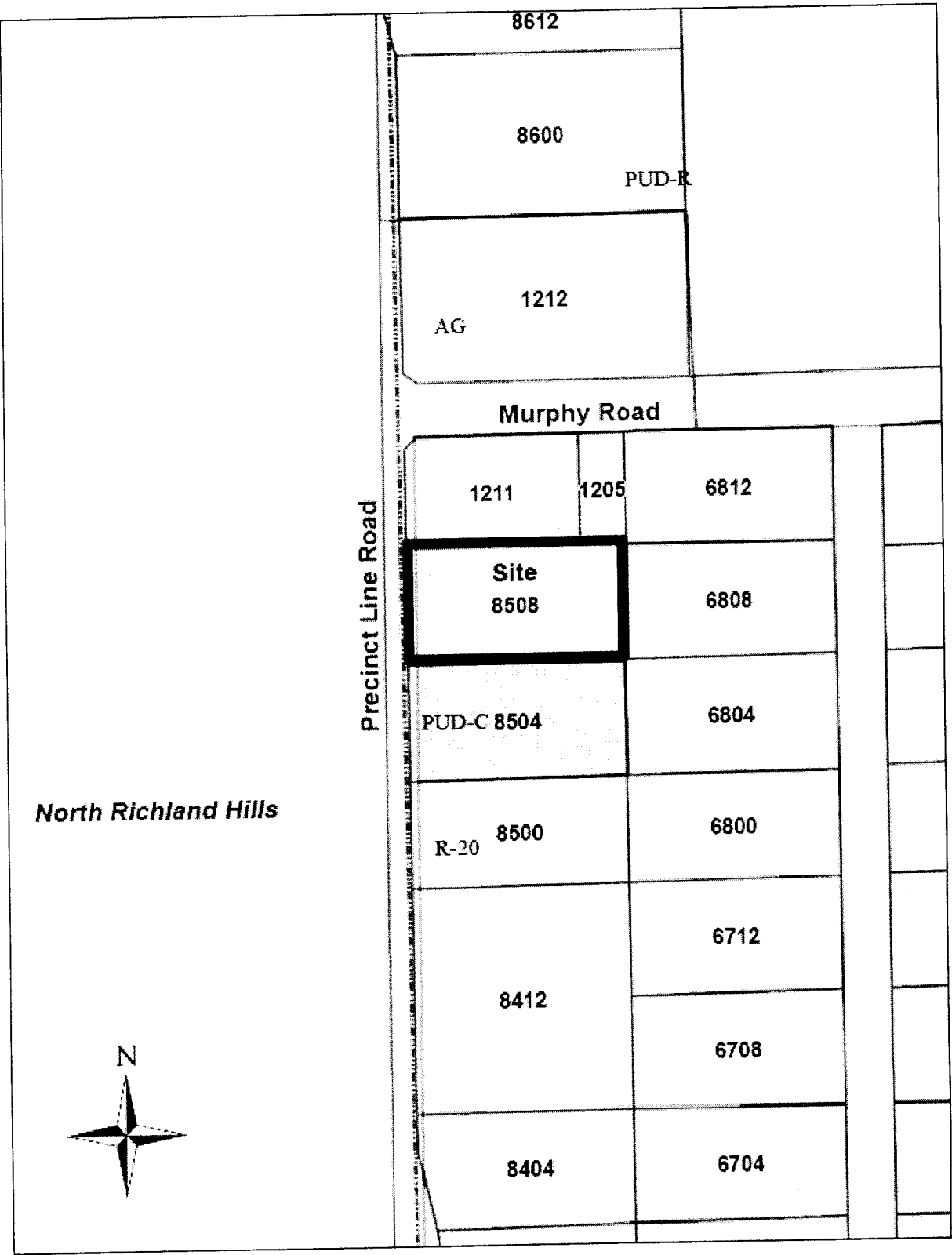
**CITY OF COLLEYVILLE**

  
David Kelly  
Mayor

**APPROVED AS TO FORM AND LEGALITY:**

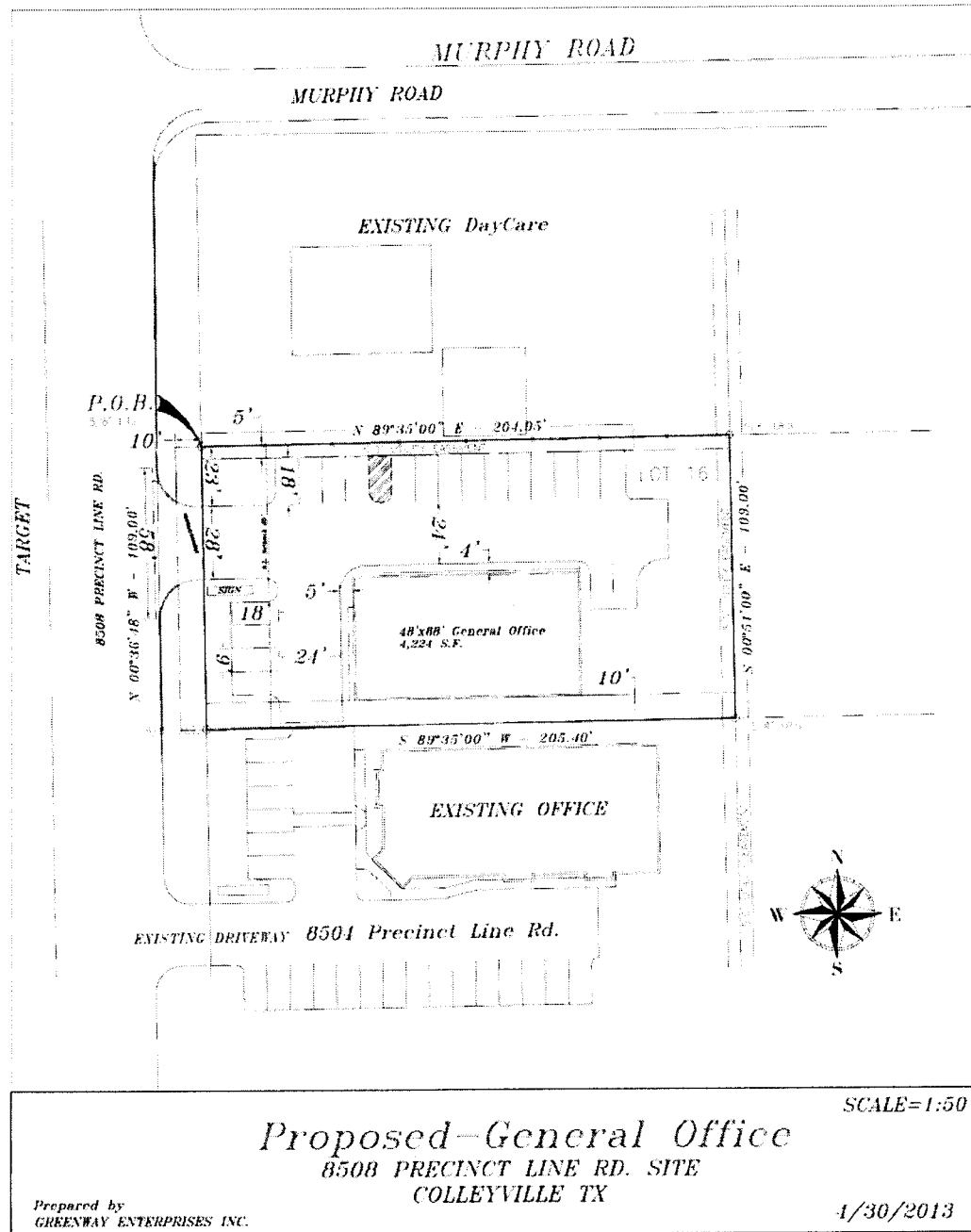
  
Matthew C. G. Boyle  
City Attorney

**Exhibit "A" - Location and Zoning Map**





## Exhibit "B" – Conceptual Site Plan



## Exhibit "C" Building Elevation





# City of Colleyville Planning and Zoning Commission Agenda Briefing

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

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|                                         |                               |               |
|-----------------------------------------|-------------------------------|---------------|
| <b>Agenda Number</b> 4a                 | <b>Agenda Date</b> 09/08/2014 | <b>Number</b> |
| <b>Type</b> Public Hearing Agenda Items |                               |               |
| <b>Department</b> Community Development |                               |               |

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## Title

Consideration of a replat on Lot 1, Block 1, of the Reagan Estates 3 Addition and Tract 1N, Abstract 356, of the Isaac Carodine Survey, located at 5608 Lowrie Road, Case PC14-019

## Explanation

Michael and Kathleen McCarthy are requesting approval of a final plat to create one single family lot on 1.61 acres, located at 5608 Lowrie Road. Given that a portion of the property is currently platted, the plat is being processed as a replat.

**Zoning.** The subject property is zoned R-40-Single Family Residential district.

**Existing Conditions.** The subject property currently contains one single family residence on a platted lot and is adjacent to an unplatted tract. The applicant intends to combine the entire property to create one single family platted lot.

**Lot Dimensions and Setbacks.** The R-40-Single Family Residential zoning regulations require a minimum lot size of 40,000 square feet with a minimum lot width of 150 feet, and lot depth of 150 feet. The proposed lot is 145 feet wide and does not meet the minimum lot width requirement 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. Per Section 3.24 G, Schedule of District Regulations, the following residential zoning standards apply:

Minimum Front Yard Setback: 40 feet  
Minimum Side Yard Setbacks: 15 feet  
Minimum Rear Yard Setback: 25 feet  
Maximum Lot Coverage: 20 percent

**Access.** Lowrie Road is the point of access for the proposed lot.

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

**Perimeter Street Improvement Fees.** Perimeter street improvements are not



required since an existing house is 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 four (4) 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 north, south, and east are zoned R-40-Single Family Residential and developed as a single family residences. The property to the west is zoned R-40-Single Family Residential and developed as a City of Colleyville water storage tank.

**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.

**Summary.** Staff recommends approval of Reagan Estates 3 Addition final plat as it complies with the requirements of the Land Development Code.

### **Recommendation**

Approve

### **Attachments**

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

**Location and Zoning Map**

The map displays a grid of land parcels with various zoning designations and lot numbers. The 'Subject Property' is highlighted in a red box, located at the intersection of Lowrie Rd and Reagan Rd. The surrounding area includes several other lots and streets.

**Streets:**

- W L D LOCKETT RD (Top)
- REAGAN RD (Right)
- LOWRIE RD (Bottom)
- REATTA PL (Left)

**Zoning Designations:**

- R-20 (Yellow)
- R-40 (Light Yellow)
- R-30 (Brown)
- PUD-R (Green)

**Lot Numbers:**

- Top Row: 5804, 816, 5801, 5804, 716, 712, 708, 710, 702, 3, 5800, 5801
- Second Row: 5714, 5705, 805, 801, 707, 705, 701, 609, 605, 601, 509, 501
- Third Row: 5712, 5701, 5617, 5613, 5609, 5605, 5601, 5525, 5529
- Fourth Row: 5616, 5617, 5613, 5609, 5605, 5601, 5525, 5529
- Fifth Row: 5612, 5613, 5609, 5605, 5601, 5525, 5529
- Sixth Row: 5608, 5605, 5601, 5513, 5512
- Seventh Row: 5604, 5601, 5513, 5512
- Eighth Row: 5601, 5513, 5512
- Ninth Row: 5601, 5513, 5512
- Tenth Row: 5601, 5513, 5512
- Eleventh Row: 5601, 5513, 5512
- Twelfth Row: 5601, 5513, 5512
- Thirteenth Row: 5601, 5513, 5512
- Fourteenth Row: 5601, 5513, 5512
- Fifteenth Row: 5601, 5513, 5512
- Sixteenth Row: 5601, 5513, 5512
- Seventeenth Row: 5601, 5513, 5512
- Eighteenth Row: 5601, 5513, 5512
- Nineteenth Row: 5601, 5513, 5512
- Twentieth Row: 5601, 5513, 5512

**Subject Property:**

5608

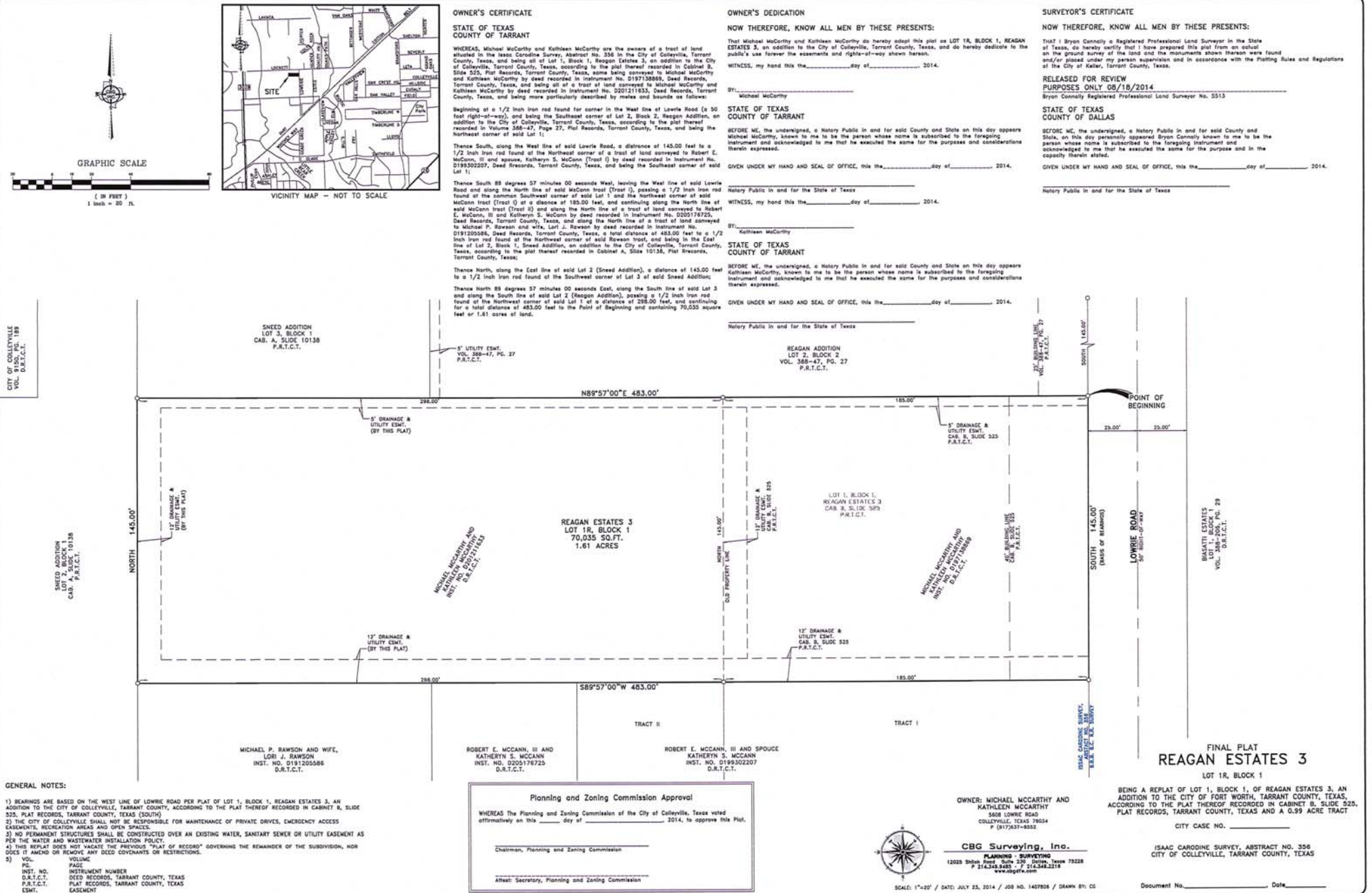
[illegible]

# Aerial





# Plat Exhibit





# City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
[www.colleyville.com](http://www.colleyville.com)

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|                                         |                               |               |
|-----------------------------------------|-------------------------------|---------------|
| <b>Agenda Number</b> 4c                 | <b>Agenda Date</b> 09/08/2014 | <b>Number</b> |
| <b>Type</b> Public Hearing Agenda Items |                               |               |
| <b>Department</b> Community Development |                               |               |

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## Title

Consideration of a zoning change from R-20 Single Family Residential zoning district to CN-Neighborhood Commercial zoning district on Lot 18, Block 2, of the Fair Way Addition, located at 8500 Precinct Line Road, Case ZC14-017

## Explanation

Robert Comstock, with L125 Partners, Ltd., has submitted a request to change the zoning on 0.512 acres, located at 8500 Precinct Line Road. The applicant is requesting to rezone the property from the R-20-Single Family Residential zoning district to the CN-Neighborhood Commercial zoning district. The applicant is seeking a zoning change in order to build a professional office building. The CN-Neighborhood Commercial zoning district permits professional and general office uses.

**Existing Conditions.** The subject property is undeveloped and platted as Lot 8, Block 2, Fair Way Addition.

**Non-Discretionary Zoning Request.** As the rezoning request does not involve a discretionary zoning category such as a Special Use Permit or Planned Unit Development, and is, instead, a rezoning request from one non-discretionary zoning district to another non-discretionary zoning district, no extra conditions or exactions may be added to the proposed ordinance as part of any approval by the City Council.

**Lot Dimensions and Setbacks.** The CN-Neighborhood Commercial zoning district regulations, in the Land Development Code, require a minimum lot size of 10,000 square feet with a minimum lot width of 100 feet and lot depth of 120 feet. Per Section 3.24 G, Schedule of District Regulations, in the Land Development Code, the following zoning standards apply for the CN-Neighborhood Commercial zoning district:

Minimum Front Yard Setback: 40 feet  
Minimum Side Yard Setbacks: 15 feet  
Minimum Rear Yard Setback: 10 feet  
Maximum Lot Coverage: 40 Percent

The current dimensions of the lot meet the minimum standards of the Land Development Code for the CN zoning district.

**Surrounding Development Trends.** The property to the north is zoned PUDC-

Planned Unit Development Commercial district, approved in 2003 for use as an office building, and is developed with an office building. The property to the east is zoned R-20-Single Family Residential and developed as a single family detached home. The property to the south is zoned R-20-Single Family Residential and is undeveloped. The property to the west is within the City of North Richland Hills and developed as retail uses.

**Master Plan.** The rezoning request is consistent with the Colleyville Master Plan, adopted in 2004, which designates the subject property for retail uses.

**Public Notification.** Staff mailed notices to 11 property owners within 200 feet as well as any Homeowners Associations within 500 feet of the subject property regarding this request. The school district where the subject property is located within Colleyville was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. To date, staff has received no correspondence regarding this request.

**Summary.** The rezoning request is consistent with the Colleyville Master Plan, adopted in 2004, which designates the subject property for retail uses. Additionally, the proposed development is consistent with the existing office developments approved at 8504 and 8508 Precinct Line Road in 2003 and 2013 respectively.

## **Recommendation**

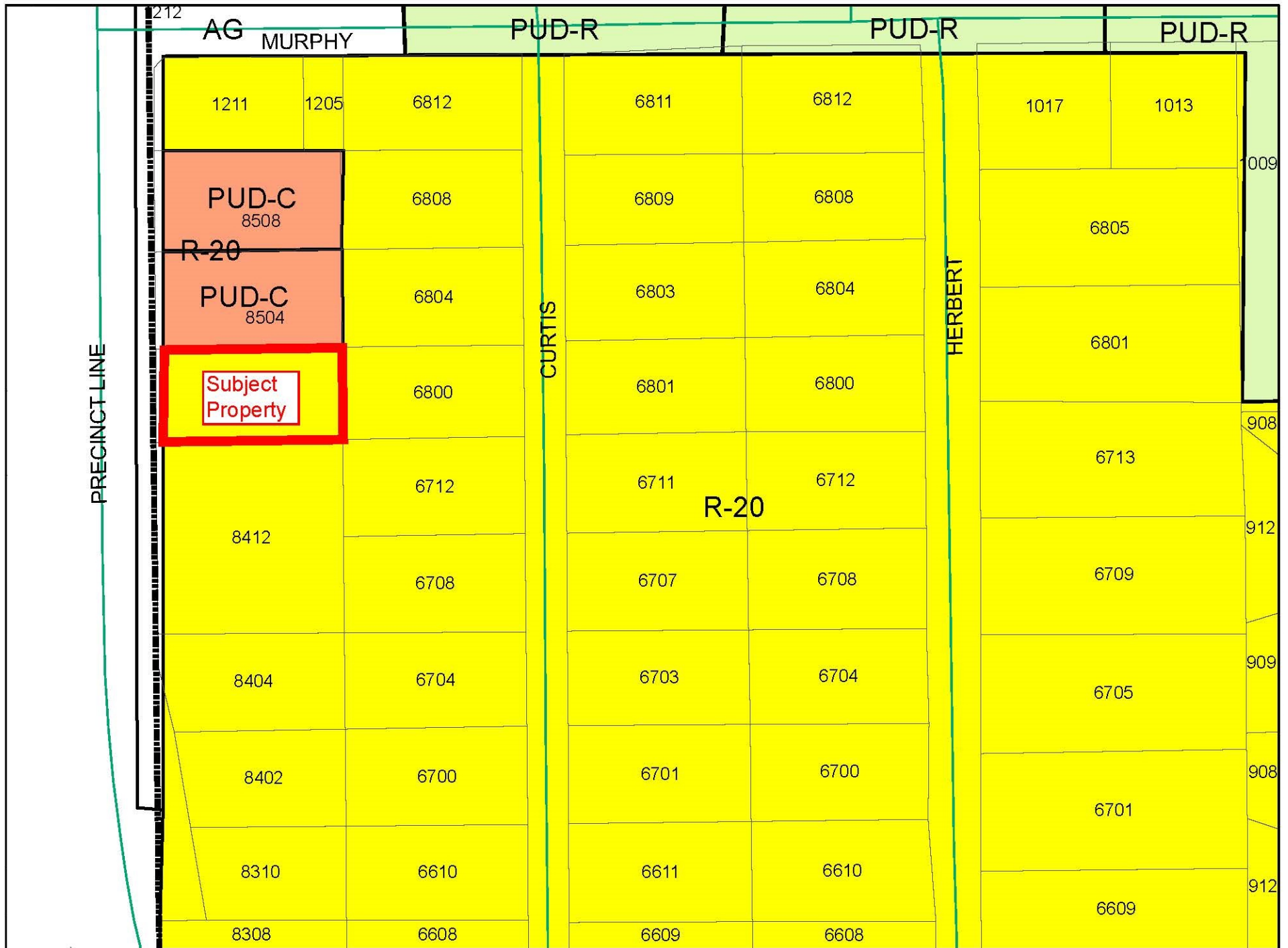
Approve

## **Attachments**

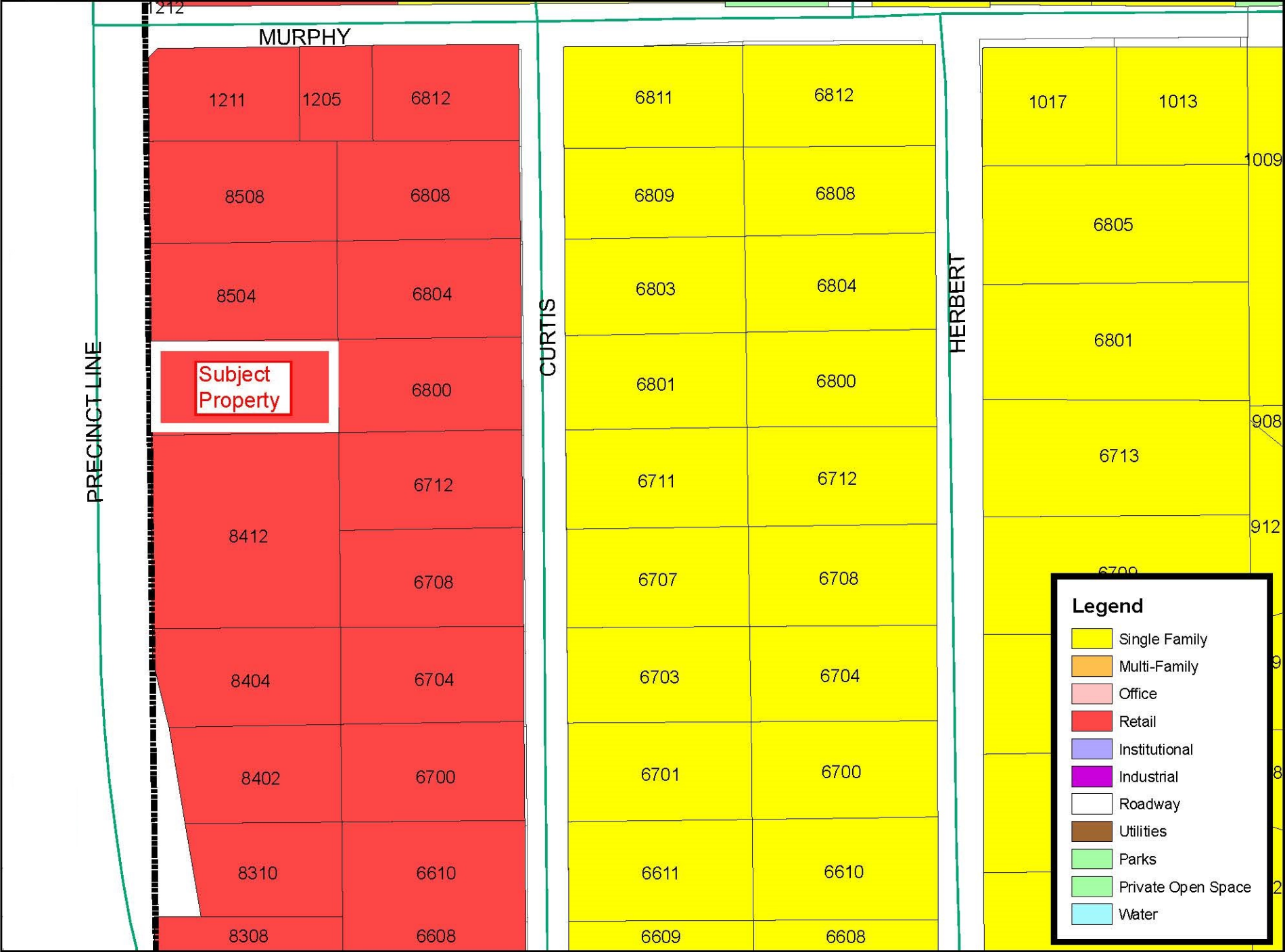
1. Location and Zoning Map
2. Future Land Use Map
3. Aerial
4. Notification List
5. Buffer Map (Notification Area)
6. Statement of Planning Objectives
7. Zoning Exhibit
8. O-14-xxxx



# Location and Zoning Map

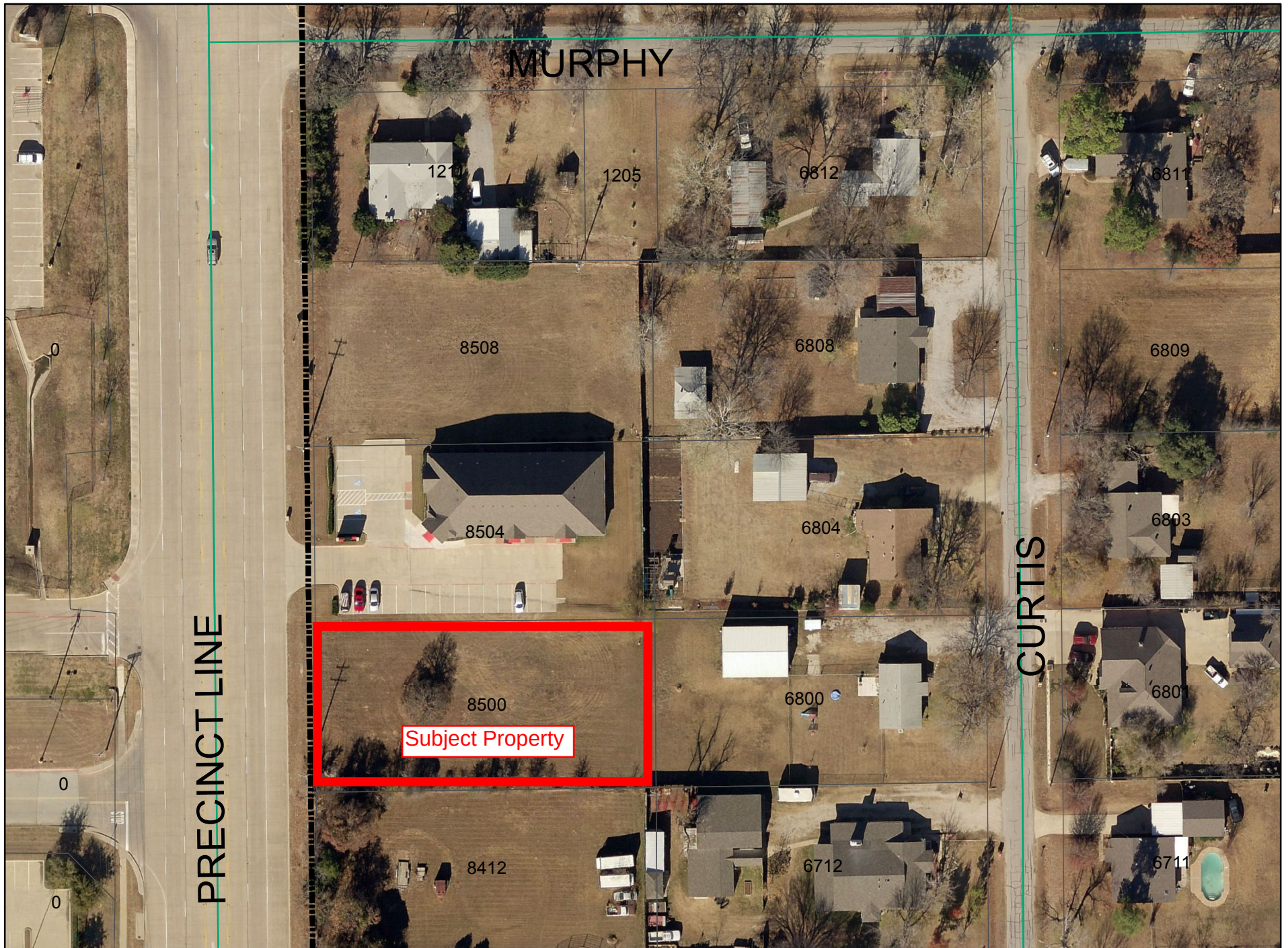


Future Land Use Plan





# Aerial





| Owner Name                     | Owner Address                 | Owner City           | Owner State | Owner Zip | Situs Address           |
|--------------------------------|-------------------------------|----------------------|-------------|-----------|-------------------------|
| 7000 INVESTORS LP              | 8504 PRECINCT LINE RD STE 100 | COLLEYVILLE          | TEXAS       | 76034     | 008504 PRECINCT LINE RD |
| LAPRADE, JOY L                 | 6800 CURTIS RD                | COLLEYVILLE          | TEXAS       | 76034     | 006800 CURTIS RD        |
| WILLIAMS, SUE REGION           | 4904 DELTA CT                 | NORTH RICHLAND HILLS | TEXAS       | 76180     | 008500 PRECINCT LINE RD |
| BOLLING, CECIL ETUX SAMMIE     | 6712 CURTIS RD                | COLLEYVILLE          | TEXAS       | 76034     | 006712 CURTIS RD        |
| BOYD, M LESLIE                 | 6708 CURTIS RD                | COLLEYVILLE          | TEXAS       | 76034     | 008412 PRECINCT LINE RD |
| BOYD, WILLIAM S III ETUX ANITA | 6708 CURTIS RD                | COLLEYVILLE          | TEXAS       | 76034     | 006708 CURTIS RD        |
| GREENWAY ENTERPRISES INC       | 1313 HARDAGE LN               | COLLEYVILLE          | TEXAS       | 76034     | 008508 PRECINCT LINE RD |
| ALECU FAMILY TR                | 6308 REMINGTON PKWY           | COLLEYVILLE          | TEXAS       | 76034     | 006808 CURTIS RD        |
| MCCANN, ALVIN L ETUX GLENDA S  | 6804 CURTIS RD                | COLLEYVILLE          | TEXAS       | 76034     | 006804 CURTIS RD        |
| KELLER ISD                     | 350 KELLER PKWY               | KELLER               | TEXAS       | 76248     | COURTESY NOTICE         |
| CITY OF NORTH RICHLAND HILLS   | 7301 N.E. LOOP 820            | NORTH RICHLAND HILLS | TEXAS       | 76180     | COURTESY NOTICE         |
| ROBERT COMSTOCK, APPLICANT     | 5592 DAVIS BLVD. #100         | NORTH RICHLAND HILLS | TEXAS       | 76180     | APPLICANT               |

Public hearing notices were mailed  
Friday, Aug. 29, 2014, by Taci Wrisley

[illegible]

8500 Precinct Line Road

 Properties within 200 feet  
 Subject Property  
 Parcels



# Statement of Planning Objectives

August 20, 2014

Re: ZC 14-016 R20 to CN 8500 Precinct Line Road

To whom it may concern:

It is my intent to build a quality, attractive professional building on the property located at 8500 Precinct Line Road. This building will be approximately 4400sf. It will be a very nice structure that both the city and I will be proud of and will enhance the surrounding area. Should you have any questions, please call me at (817) 271-0052.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Comstock", written in a cursive style.

Robert Comstock



# Statement of Planning Objectives

**CITY OF COLLEYVILLE**  
COMMUNITY DEVELOPMENT DEPARTMENT

## DEVELOPMENT REVIEW COMMITTEE

---

**DATE** August 19, 2014  
**TO** ROBERT COMSTOCK  
JASON RAWLINGS  
**EMAIL** [bcomstock@pnlending.com](mailto:bcomstock@pnlending.com)  
[jason@millersurvey.net](mailto:jason@millersurvey.net)  
**FROM** Chris Fuller, Interim Planning and Development Coordinator  
**SUBJECT** ZC14-016 R20 to CN 8500 Precinct Line Road

---

The Colleyville Development Review Committee (DRC) has reviewed your zoning request submitted to this office. The following comments are for your consideration.

### The Following Comments Require a Response from the Applicant:

1. Provide proof of ownership of property. Tarrant Appraisal District records indicate *L125 Partners Ltd* as the owner. If the applicant is not the property owner, the current property owner must provide consent for the property to seek a zoning change.
2. Provide the following information:

**STATEMENT OF PLANNING OBJECTIVES** Written statement of what is to be achieved in the development proposal for this property. The statement should be prepared as a narrative description of the character of the proposed development and rationale behind the assumptions and choices made by the applicant, including the use and ownership of open spaces. This is the applicant's opportunity to describe what they want to do with the property and why. The applicant may also submit drawings, photographs, company information, etc. with the application.

**DEVELOPMENT SCHEDULE** Indicate the approximate date(s) when construction of the proposed development, and subsequent stages or phases can be expected to begin and be completed, to the best of applicant's knowledge and belief.

**ECONOMIC DEVELOPMENT INFORMATION** Provide the following data in table or spreadsheet format: 1) total square feet of building area, 2) estimated sales per square foot, 3) estimated sales per year, and 4) estimated ad valorem taxes per year.

# Statement of Planning Objectives

DEVELOPMENT REVIEW COMMITTEE  
ZC14-016 R20 TO PUDC 8500 PRECINCT LINE ROAD

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3. Informational: A replat of the property will be required upon approval of the zoning case and prior to the issuance of any building permits. The Land Development Code states, *A Replat submittal shall be used when a previously platted property is proposed for redevelopment.*
4. Informational: At the time of platting, provide a mutual access easement across the frontage of the lot to the adjacent north and south properties.

Contact Rob McKeown, Fire Marshal, at (817) 503-1411, for information about the following comments:

1. The fire lane will be required to connect to the property to the north (8504 Precinct Line). The fire lanes are required to be installed prior to construction above the foundation.
2. Additional Hydrants may be required.
3. Additional comments will be needed when building plans are submitted.

## In Your Response Letter, Acknowledge the Following Information:

**IMPACT FEES.** Water, sewer and roadway impact fees are due at the time a building permit is issued for a new structure on a newly platted lot. The fees listed below are intended to provide general information on the fees that could be assessed for this project. The actual fee paid may be different depending upon the specific plans for construction or other arrangements provided for by a City-Developer Agreement.

|                |                                                                                                      |
|----------------|------------------------------------------------------------------------------------------------------|
| <b>ROADWAY</b> | Fee will vary depending upon land use. See Chapter 13 of the Land Development Code for more details. |
| <b>WATER</b>   | Fee will vary depending upon land use. See Chapter 13 of the Land Development Code for more details. |
| <b>SEWER</b>   | Fee will vary depending upon land use. See Chapter 13 of the Land Development Code for more details. |

**PARKLAND DEDICATION.** Parkland dedication fees are due for the residential lots and must be paid before the plat can be filed. The fee is \$800 per acre for non-residential lots.

**TREE PRESERVATION.** Trees not located within the right-of-way or under the pad site must be preserved during construction. Before construction begins on the site, protective fencing must be installed around all preserved trees located outside the right-of-way. The fencing must be located at the drip line of the preserved trees. The protective fencing may be comprised of orange vinyl construction fencing, chain link fence, erosion control fencing, or other similar fencing. The fencing must remain in place during the entire construction period.

**TREE SURVEY AND MITIGATION.** Approval of a tree survey and mitigation plan shall be required prior to the issuance of a Notice to Proceed letter from the engineering department. Chapter 5 of the Land Development Code specifies requirements for the tree survey and mitigation plan.

# Statement of Planning Objectives

DEVELOPMENT REVIEW COMMITTEE  
ZC14-016 R20 TO PUDC 8500 PRECINCT LINE ROAD

NOTE: The cost of any third-party enforcement of Chapter 5 related to this development may be charged to the developer by the City.

**SIDEWALKS AND TRAILS.** Construction of a 10-foot wide trail is required in accordance with Trail .

Please *sign the Record of Acknowledgement* provided below and submit it with the following to our office:

- A written letter stating that each comment has been addressed or stating reasons why the requirement should be modified or waived;
- 3 full size copies of any exhibits;
- 1 reduced copy (8.5x11) of the exhibit.
- Digital (rastered images when possible) copies of all exhibits
- *The above requested items must be submitted no later than Friday, August 29, 2014.*

▪ Tentative Schedule:

▪ Planning & Zoning Commission: September 8, 2014

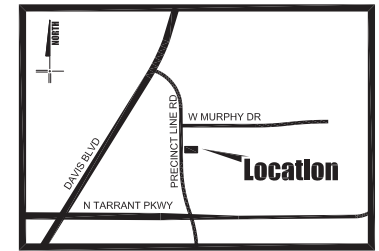
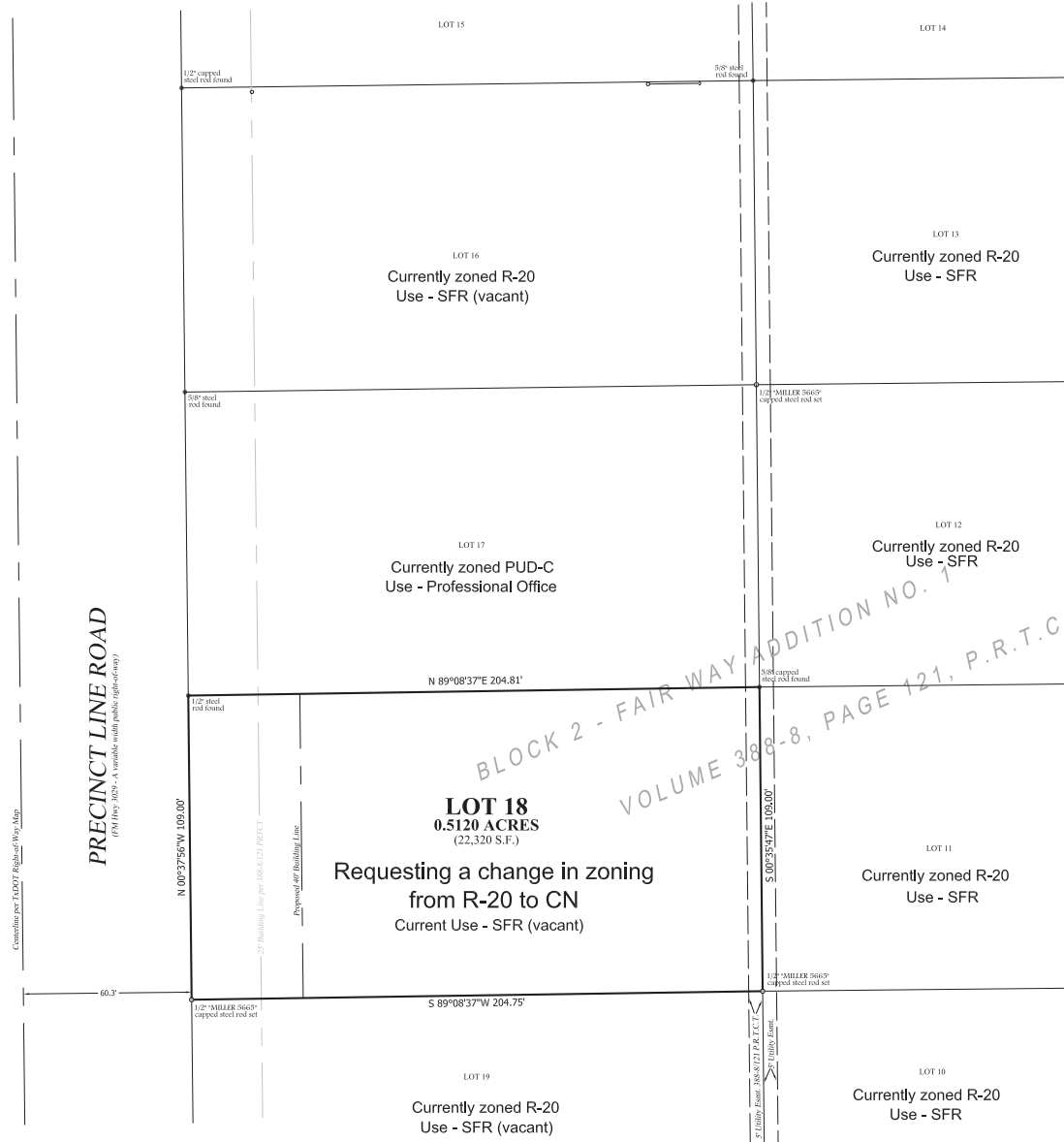
City Council: October 6 and October 21, 2014

Please contact me at [cfuller@colleyville.com](mailto:cfuller@colleyville.com) or 817.503.1056 if you have any questions.

| Record of Acknowledgement                                                                                                                                                                                                                                                                                                                                                                                           |                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| <i>I have read the Development Review Committee memo in its entirety and fully acknowledge all comments that have been presented herein. I also understand that if new information becomes available or the request is altered from what was originally submitted to the Community Development Department, the case may be subject to further review and additional requirements not included within this memo.</i> |                |
| <u>Robert Comstock</u>                                                                                                                                                                                                                                                                                                                                                                                              |                |
| Printed Name                                                                                                                                                                                                                                                                                                                                                                                                        |                |
| <u>Robert Comstock</u>                                                                                                                                                                                                                                                                                                                                                                                              |                |
| Signature                                                                                                                                                                                                                                                                                                                                                                                                           |                |
|                                                                                                                                                                                                                                                                                                                                                                                                                     | <u>8/20/14</u> |
|                                                                                                                                                                                                                                                                                                                                                                                                                     | Date           |



# Zoning Exhibit



LEGAL DESCRIPTION: Lot 18, Block 2, Fair Way Addition, an addition to the City of Colleyville, Texas according to the plat thereof recorded in Volume 388-8, Page 121 in the Plat Records of Tarrant County, Texas

**OWNER/APPLICANT:**  
910 Double Springs Partners, Ltd.  
Robert P. Comstock, Reg. Agent  
5583 Davis Blvd., Ste. 200  
N Richland Hills Tx 76180  
Office: 817-424-5995  
Fax: 817-424-5113

## KNOW ALL MEN BY THESE PRESENTS:

That I, Jason B. Rawlings, Registered Professional Land Surveyor No. 5655 licensed in the State of Texas, do hereby certify that this Plat is true and correct and was prepared from an actual survey made under my supervision on the ground. Further, this survey conforms to the general rules of procedures and practices of the most current Professional Land Surveying Practices Act.

Jason B. Rawlings Date



**MILLER**  
**Surveying, Inc.**  
Residential • Commercial • Municipal  
430 Mid Cities Blvd.  
Hurst, Texas 76054  
817.577.1052 Fax 817.577.0972  
www.MillerSurveying4nc.com

## Zoning Exhibit LOT 18, BLOCK 2 FAIR WAY ADDITION NO. 1

an addition to the City of Colleyville, Tarrant County, Texas according to the plat recorded in Volume 388-8, Page 121, Plat Records, Tarrant County, Texas

Date of Preparation - July 2014

Requesting a change in zoning from R-20 to CN

## **ORDINANCE O-14-xxxx**

**AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AS HERETOFORE AMENDED; BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 0.51 ACRES ON LOT 18, BLOCK 2 OF THE FAIR WAY ADDITION, LOCATED AT 8500 PRECINCT LINE ROAD, FROM THE R-20-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO THE CN-NEIGHBORHOOD 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 of Colleyville has received an application for rezoning under Case ZC14-017; 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; and 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 by changing the zoning on 0.51 acres on Lot 18, Block 2 of the Fair Way Addition, located at 8500 Precinct Line Road, from the R-20-Single Family Residential zoning district to the CN-Neighborhood Commercial zoning district, as depicted in the attached Exhibit "A".
- 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 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. 5. 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. 6. 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. 7. 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 6<sup>th</sup> day of October 2014.

The second reading and public hearing being conducted on the 21<sup>st</sup> day of October 2014.

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

**ATTEST:**

**CITY OF COLLEYVILLE**

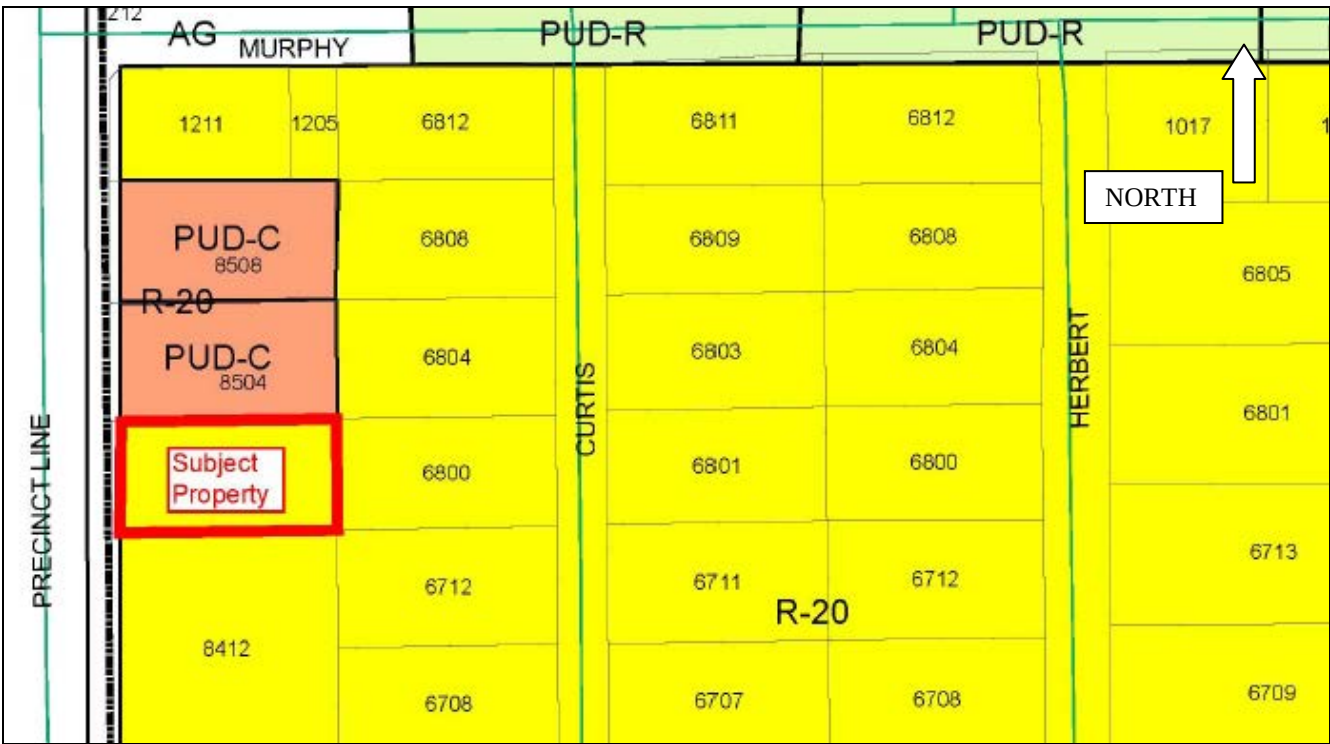
Amy Shelley, TRMC  
City Secretary

David Kelly  
Mayor

**APPROVED AS TO FORM AND LEGALITY:**

Matthew C. G. Boyle  
City Attorney

Exhibit "A"- Location and Zoning Map





# City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall  
100 Main Street  
Colleyville, Texas 76034  
[www.colleyville.com](http://www.colleyville.com)

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|                                         |                               |               |
|-----------------------------------------|-------------------------------|---------------|
| <b>Agenda Number</b> 4d                 | <b>Agenda Date</b> 09/08/2014 | <b>Number</b> |
| <b>Type</b> Public Hearing Agenda Items |                               |               |
| <b>Department</b> Community Development |                               |               |

---

## Title

Consideration of a zoning change from the R-40 Single Family Residential zoning district to the R-30 Single Family Residential zoning district on Tracts 2A & 2A1A, Abstract 233, of the D. R. Blanton Survey, located at 5101 Bluebonnet Drive, Case ZC14-021

## Explanation

Larry Stewart has submitted a request to change the zoning on 2.56 acres, located at 5101 Bluebonnet Drive. The applicant is requesting to rezone the property from the R-40-Single Family Residential zoning district to the R-30-Single Family Residential zoning district. The applicant is seeking a zoning change in order to create three (3) single family residential lots.

**Existing Conditions.** The subject property is not platted and contains a single family home.

**Non-Discretionary Zoning Request.** As the rezoning request does not involve a discretionary zoning category such as a Special Use Permit or Planned Unit Development, and is, instead, a rezoning request from one non-discretionary zoning district to another non-discretionary zoning district, no extra conditions or exactions may be added to the proposed ordinance as part of any approval by the City Council.

**Lot Dimensions and Setbacks.** Per Section 3.24 G, Schedule of District Regulations, in the Land Development Code, the R-30-Single Family zoning district regulations require a minimum lot size of 30,000 square feet with a minimum lot width of 125 feet and lot depth of 125 feet. The following additional standards are applicable to the R-30 zoning designation:

Minimum Front Yard Setback: 35 feet  
Minimum Side Yard Setbacks: 10 feet  
Minimum Rear Yard Setback: 25 feet  
Maximum Lot Coverage: 25 percent

The proposed conceptual plan meets the minimum standards of the Land Development Code for the R-30 zoning district.



**Area Analysis of Residential Lots.** There are a total of 34 lots zoned R40-Single Family Residential or larger, including the subject property, that front along Cherry Lane, Rose Street, Bluebonnet Drive and Glade Road between the Chelsea Park Addition and Bluebonnet Drive. Of these properties, 18 contain less than 40,000 square feet in area and six (6) properties contain less than 30,000 square feet in area.

**Surrounding Development Trends.** The property to the south is zoned R-20-Single Family Residential and developed as a single family detached home. The properties to the west are zoned PUD-R and under development as single family detached homes. The properties to the north and east are zoned R-40 Single Family Residential and developed as single family detached homes.

**Master Plan.** The Future Land Use Plan designates the subject property for single family residential uses. The proposed rezoning is consistent with the Future Land Use Plan.

**Public Notification.** Staff mailed notices to 14 property owners within 200 feet as well as any Homeowners Associations within 500 feet of the subject property regarding this request. The school district where the subject property is located within Colleyville was notified per state law. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code.

**Summary.** The proposed zoning change is consistent with the Future Land Use Plan, which designates the subject property as single family residential uses. The proposed 2.56 acres meet the minimum standards of the Land Development Code for the R-30 zoning district given the applicant's intention to subdivide the property into three (3) lots.

## **Recommendation**

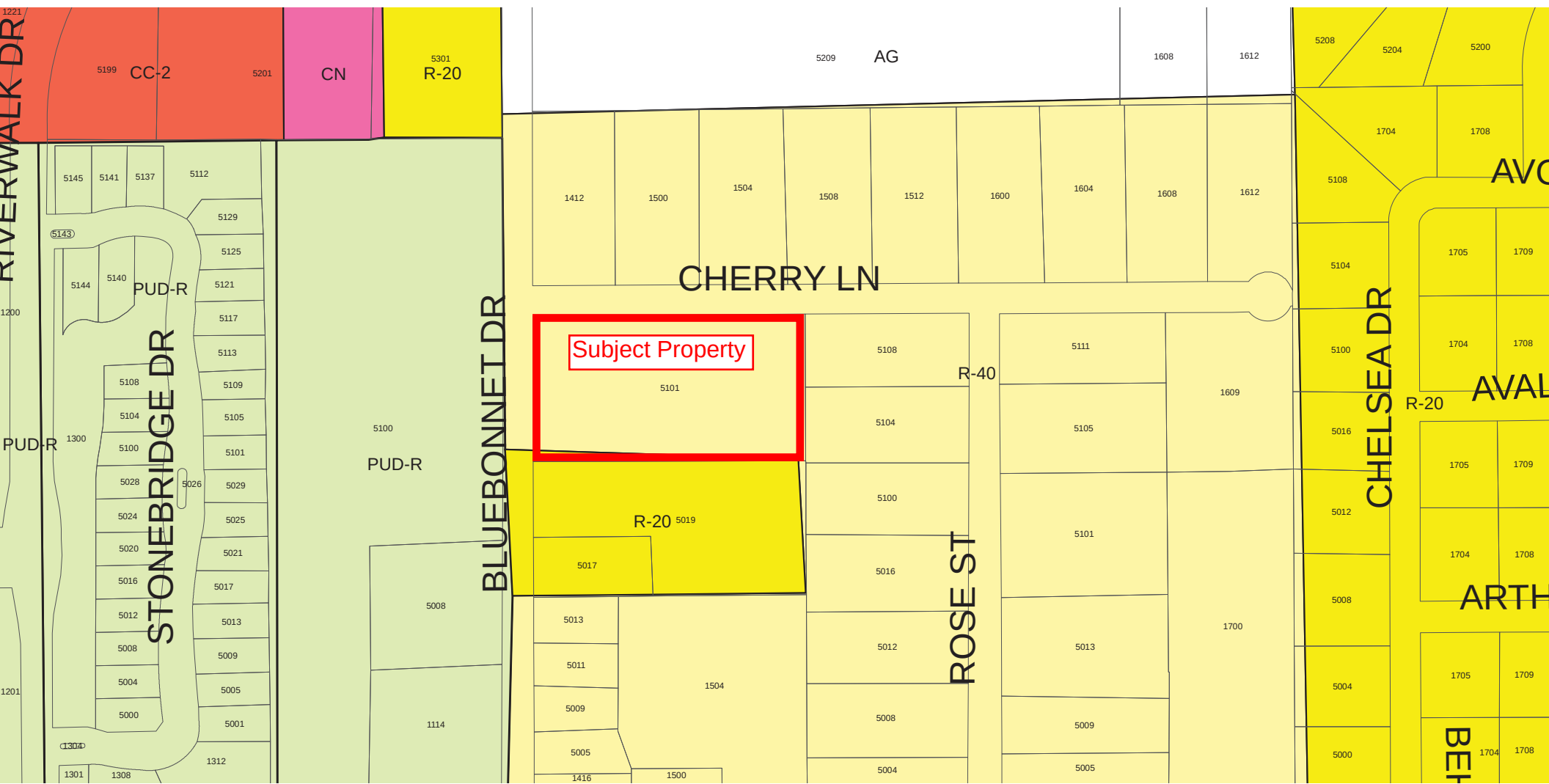
Approve

## **Attachments**

1. Location and Zoning Map
2. Future Land Use Map
3. Aerial
4. Notification List
5. Buffer Map (Notification Area)
6. Statement of Planning Objectives
7. Zoning Exhibit
8. O-14-xxxx

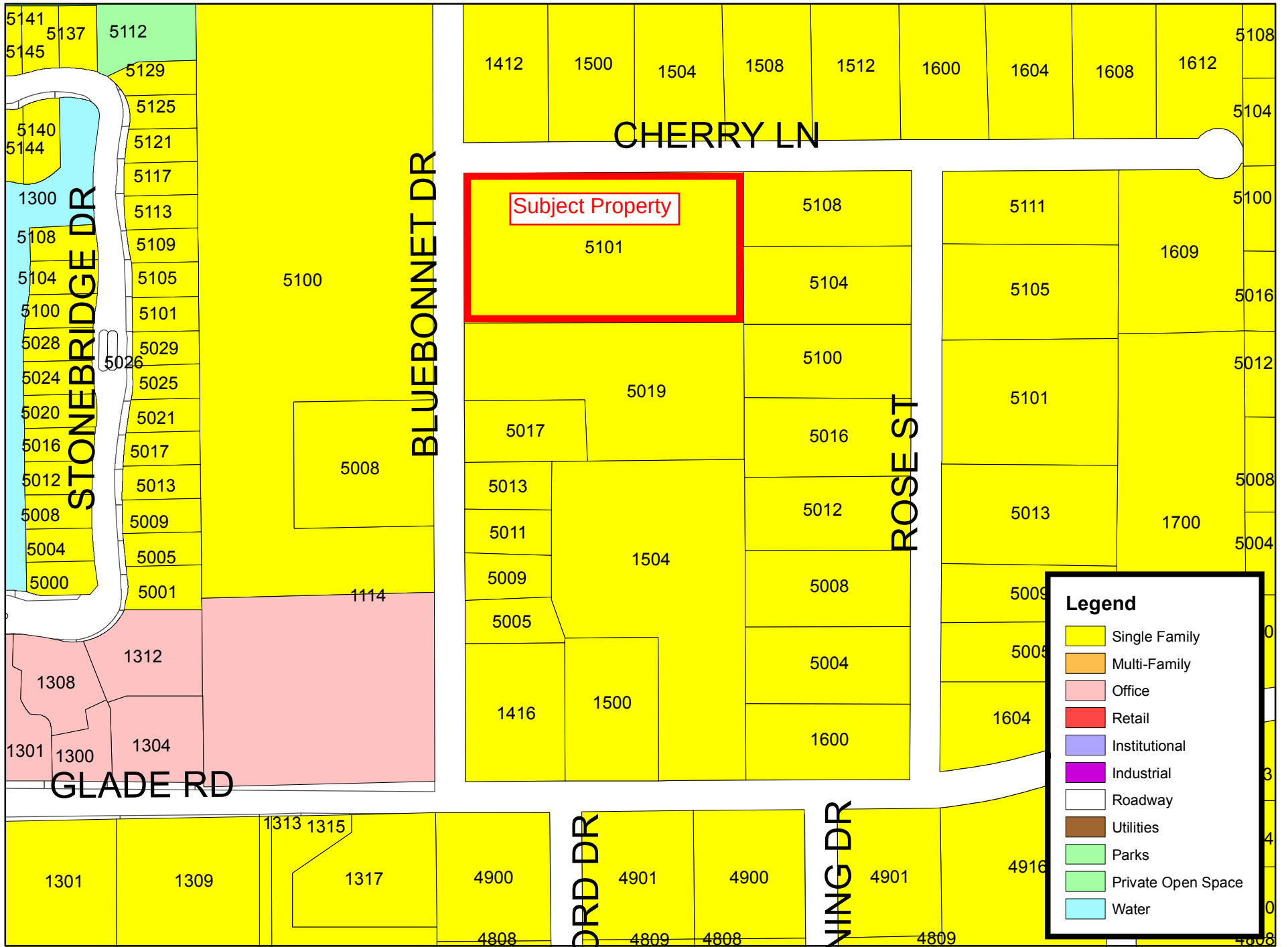


Location and Zoning Map





## Future Land Use Map



## Aerial



| Owner Name                     | Owner Address             | Owner City           |
|--------------------------------|---------------------------|----------------------|
| SPEIGHT CONSTRUCTION LTD       | 5137 DAVIS BLVD           | NORTH RICHLAND HILLS |
| TURNER, RUTH                   | PO BOX 145                | COLLEYVILLE          |
| TERRA MANNA PRESERVATION LLC   | 395 W STATE HIGHWAY 114   | SOUTHLAKE            |
| COBB, JESSE G ETUX LOLA M      | 1508 CHERRY LN            | COLLEYVILLE          |
| BARTOLOMEI, JUAN C             | 209 W MCDONWELL SCHOOL RD | COLLEYVILLE          |
| DAVIS, ALAN T ETUX MARY C      | 1500 CHERRY LN            | COLLEYVILLE          |
| DOUGLASS, GEORGE W JR ETUX BER | 1412 CHERRY LN            | COLLEYVILLE          |
| WILLIAMS, JAMES R JR ETUX BETH | 5108 ROSE ST              | COLLEYVILLE          |
| CALLAHAN, JAMES M ETUX MARY R  | 5019 BLUEBONNET RD        | COLLEYVILLE          |
| HALLEY, WILLIAM LEE            | 5100 ROSE ST              | COLLEYVILLE          |
| CLARK, HARRY P ETUX LINDA L    | 5104 ROSE ST              | COLLEYVILLE          |
| GARDNER, DAVID & JACKIE A      | 5017 BLUEBONNET RD        | COLLEYVILLE          |
| PHAGAN, QUELL I                | 5016 ROSE ST              | COLLEYVILLE          |
| TERRA MANNA PRESERVATION LLC   | 395 W STATE HIGHWAY 114   | SOUTHLAKE            |
| BRIDGES AT RIVERWALK           | PO BOX 1183               | COLLEYVILLE          |
| GRAPEVINE-COLLEYVILLE ISD      | 3051 IRA E. WOODS AVE     | GRAPEVINE            |
| LARRY STEWART, APPLICANT       | PO BOX 1497               | COLLEYVILLE          |

Public hearing notices were mailed Fri.,  
Aug. 29, 2014 by Taci Wrisley



| Owner State | Owner Zip | Situs Address        |
|-------------|-----------|----------------------|
| TEXAS       | 76180     | 001504 CHERRY LN     |
| TEXAS       | 76034     | 005101 BLUEBONNET DR |
| TEXAS       | 76092     | 005008 BLUEBONNET DR |
| TEXAS       | 76034     | 001508 CHERRY LN     |
| TEXAS       | 76034     | 001512 CHERRY LN     |
| TEXAS       | 76034     | 001500 CHERRY LN     |
| TEXAS       | 76034     | 001412 CHERRY LN     |
| TEXAS       | 76034     | 005108 ROSE ST       |
| TEXAS       | 76034     | 005019 BLUEBONNET DR |
| TEXAS       | 76034     | 005100 ROSE ST       |
| TEXAS       | 76034     | 005104 ROSE ST       |
| TEXAS       | 76034     | 005017 BLUEBONNET DR |
| TEXAS       | 76034     | 005016 ROSE ST       |
| TEXAS       | 76092     | 005100 BLUEBONNET DR |
| TEXAS       | 76034     | COURTESY NOTICE      |
| TEXAS       | 76051     | COURTESY NOTICE      |
| TEXAS       | 76034     | APPLICANT            |

## 5101 Bluebonnet Drive



## **Statement of Planning Objectives**

The reason for the rezoning request is homeowners wanting to have 30,000 foot lots to build homes for their families in the City. Due to the fact that this particular tract already has the street frontage to do it makes it a great opportunity for those families.

Larry Stewart Custom Homes will be the only home builder for the three lots.

We have two of the lots reserved to begin as soon as approval is granted. The third lot is also planned to start within one year.

Thank you for your consideration,

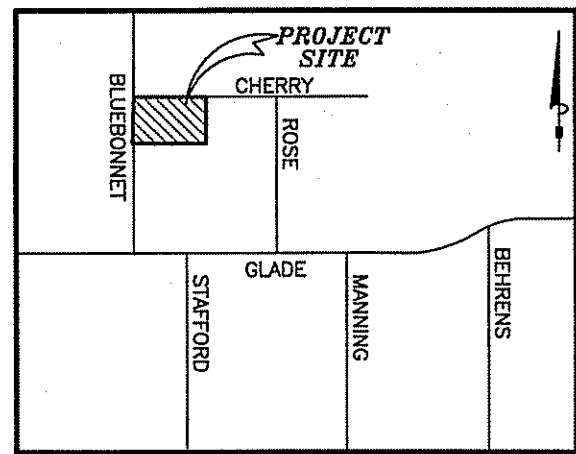
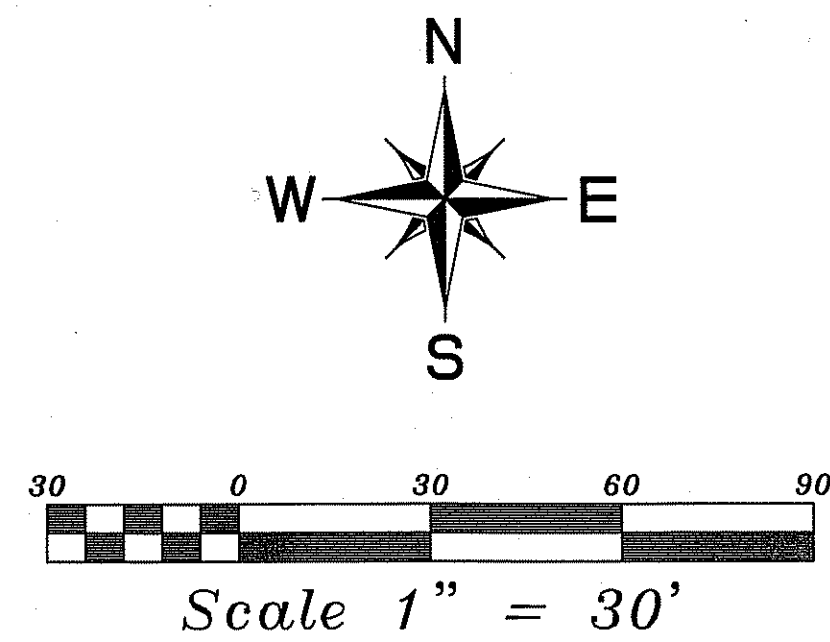
Larry Stewart

[www.lstewarthomes.com](http://www.lstewarthomes.com)

cell 817-996-9908



Zoning Exhibit



VICINITY MAP

ZONED R-20

D.R. BLANTON SURVEY  
ABSTRACT NO. 233

40' B.L.

OWNER:  
ESTATE OF RUTH TURNER  
JOHN P. TURNER, EXECUTOR  
P.O. BOX 145  
COLLEYVILLE, TEXAS 76034

OWNERS REPRESENTATIVE  
LARRY STEWART CUSTOM HOMES  
LARRY STEWART  
P.O. BOX 1497  
COLLEYVILLE, TEXAS 76034  
817.251.5832

ENGINEER:  
KELLIE ENGINEERING, INC.  
ED KELLIE  
P.O. BOX 471898  
FORT WORTH, TEXAS 76147  
817.455.1396

SURVEYOR:  
LOYD BRANSOM SURVEYORS, INC.  
CHARLES B. HOOKS, JR. RPLS  
1028 N. SYLVANIA AVE  
FORT WORTH, TEXAS 76111  
817.834.3477  
FAX 817.831.9818

14-699E  
08-21-14  
BH

BLUEBONNET DRIVE

LOT 1  
COMMUNITY HOME ADDITION  
VOL. 388-R, PG. 40  
P.R.T.C.T.  
ZONED R-40

LOT 2  
COMMUNITY HOME ADDITION  
VOL. 388-R, PG. 40  
P.R.T.C.T.  
ZONED R-40

LOT 3  
COMMUNITY HOME ADDITION  
VOL. 388-R, PG. 40  
P.R.T.C.T.  
ZONED R-40

LOT 4  
COMMUNITY HOME ADDITION  
VOL. 388-R, PG. 40  
P.R.T.C.T.  
ZONED R-40

CHERRY AVENUE

35' B.L.

LOT 1  
BLOCK 2  
41848.51 S.F.

LOT 2  
BLOCK 2  
33782.43 S.F.

LOT 3  
BLOCK 2  
33577.53 S.F.

LOT 1, BLOCK 1  
TURNER ADDITION  
VOL. 388-207, PG. 73  
P.R.T.C.T.  
ZONED R-20

LOT 2, BLOCK 1  
TURNER ADDITION  
VOL. 388-207, PG. 73  
P.R.T.C.T.  
ZONED R-20

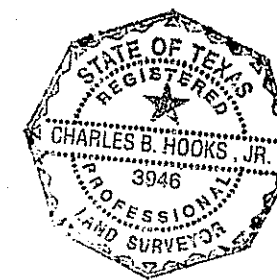
BEING A TRACT OF LAND OUT OF THE D.R. BLANTON SURVEY, ABSTRACT NO. 233  
TARRANT COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND AS DESCRIBED  
IN DEED RECORDED IN VOLUME 2410, PAGE 289, DEED RECORDS, TARRANT  
COUNTY, TEXAS,

BEGINNING AT CAPPED IRON PIN (MOAK) FOUND IN THE SOUTH R.O.W. LINE OF CHERRY AVENUE FOR THE  
NORTHEAST CORNER OF TRACT BEING DESCRIBED, SAID POINT BEING THE NORTHWEST CORNER OF LOT 10,  
COMMUNITY HOME ADDITION, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, ACCORDING  
TO PLAT RECORDED IN VOLUME 388-R, PAGE 40, PLAT RECORDS, TARRANT COUNTY, TEXAS;  
THENCE SOUTH 00 DEGREES 31 MINUTES 23 SECONDS WEST 239.11 FEET ALONG THE WEST LINE OF  
LOTS 10 AND 11, SAID COMMUNITY HOME ADDITION TO A CAPPED IRON PIN (MOAK) FOUND FOR THE  
SOUTHEAST CORNER OF TRACT BEING DESCRIBED, SAID POINT BEING THE NORTHEAST CORNER OF LOT 1,  
BLOCK 1, TURNER ADDITION, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, ACCORDING  
TO PLAT RECORDED IN VOLUME 388-207, PAGE 73, PLAT RECORDS, TARRANT COUNTY, TEXAS;  
THENCE NORTH 89 DEGREES 53 MINUTES 20 SECONDS WEST 461.84 FEET ALONG THE NORTH LINE OF  
SAID LOT 1, BLOCK 1, TURNER ADDITION TO A CAPPED IRON PIN (MOAK) FOUND IN THE EAST LINE OF  
BLUEBONNET DRIVE FOR THE SOUTHWEST CORNER OF TRACT BEING DESCRIBED;  
THENCE NORTH 00 DEGREES 19 MINUTES 09 SECONDS EAST 243.94 FEET ALONG THE EAST LINE OF  
SAID BLUEBONNET DRIVE TO A CAPPED IRON PIN (MOAK) FOUND IN THE SOUTH R.O.W. LINE OF SAID  
CHERRY AVENUE FOR THE NORTHWEST CORNER OF TRACT BEING DESCRIBED;  
THENCE NORTH 89 DEGREES 17 MINUTES 24 SECONDS WEST 462.70 FEET ALONG SAID R.O.W. TO THE  
POINT OF BEGINNING AND CONTAINING 2.56 ACRES OF LAND, MORE OR LESS

ZONING EXHIBIT  
CURRENT ZONING - R-40  
PROPOSED ZONING - R-30

PROPOSED  
LOTS 1, 2 AND 3, BLOCK 2  
**TURNER ADDITION**  
AN ADDITION TO THE CITY OF COLLEYVILLE,  
TARRANT COUNTY, TEXAS

BEING A TRACT OF LAND OUT OF THE D.R. BLANTON SURVEY, ABSTRACT NO. 233  
TARRANT COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND AS DESCRIBED  
IN DEED RECORDED IN VOLUME 2410, PAGE 289, DEED RECORDS, TARRANT  
COUNTY, TEXAS,



THIS IS TO CERTIFY THAT I, CHARLES B. HOOKS, JR., A REGISTERED  
PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, HAVING  
PLATTED THE ABOVE SUBDIVISION FROM A ACTUAL SURVEY ON THE  
GROUND, AND THAT ALL LOT CORNERS, AND ANGLE POINTS, AND  
POINTS OF CURVE SHALL BE PROPERLY MARKED ON THE GROUND, BY  
REQUIRED MONUMENTS AND MARKERS IN ACCORDANCE WITH THE  
PROVISIONS OF CHAPTER 9 OF THE CITY OF COLLEYVILLE CODE AND  
THAT THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MADE BY ME OR  
UNDER MY DIRECTION AND SUPERVISION.  
08-15-14  
CHARLES B. HOOKS, JR. RPLS  
TEXAS REGISTRATION NO. 3946

## **ORDINANCE O-14-xxxx**

**AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AS HERETOFORE AMENDED; BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 2.56 ACRES ON TRACTS 2A & 2A1A, ABSTRACT 233, OF THE D. R. BLANTON SURVEY, LOCATED AT 5101 BLUEBONNET DRIVE, FROM THE R-40-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO THE R-30-SINGLE FAMILY RESIDENTIAL 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 of Colleyville has received an application for rezoning under Case ZC14-021; 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

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**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.

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Sec. 6. 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.

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**AND IT IS SO ORDERED.**

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The second reading and public hearing being conducted on the 21<sup>st</sup> day of October 2014.

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

**ATTEST:**

**CITY OF COLLEYVILLE**

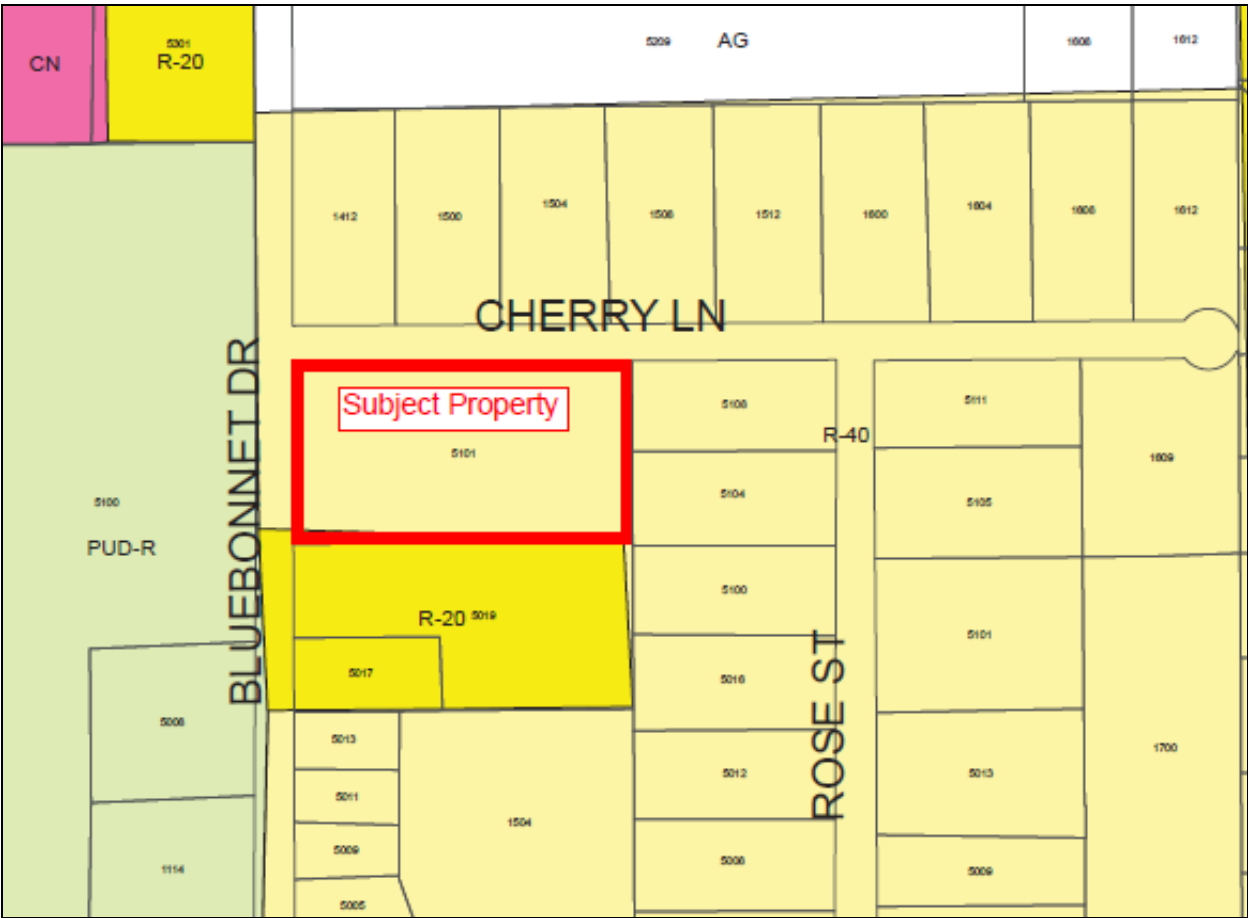
Amy Shelley, TRMC  
City Secretary

David Kelly  
Mayor

**APPROVED AS TO FORM AND LEGALITY:**

Matthew C. G. Boyle  
City Attorney

Exhibit “A”- Location and Zoning Map



## **Exhibit “B”- Metes & Bounds Description**

BEING A TRACT OF LAND OUT OF THE D.R. BLANTON SURVEY, ABSTRACT NO. 233 TARRANT COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 2410, PAGE 289, DEED RECORDS, TARRANT COUNTY, TEXAS, BEGINNING AT CAPPED IRON PIN (MOAK) FOUND IN THE SOUTH R.O.W. LINE OF CHERRY AVENUE FOR THE NORTHEAST CORNER OF TRACT BEING DESCRIBED, SAID POINT BEING THE NORTHWEST CORNER OF LOT 10, COMMUNITY HOME ADDITION, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 388-R, PAGE 40, PLAT RECORDS, TARRANT COUNTY, TEXAS; THENCE SOUTH 00 DEGREES 31 MINUTES 23 SECONDS WEST 239.11 FEET ALONG THE WEST LINE OF LOTS 10 AND 11, SAID COMMUNITY HOME ADDITION TO A CAPPED IRON PIN (MOAK) FOUND FOR THE SOUTHEAST CORNER OF TRACT BEING DESCRIBED, SAID POINT BEING THE NORTHEAST CORNER OF LOT 1, BLOCK 1, TURNER ADDITION, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 388-207, PAGE 73, PLAT RECORDS, TARRANT COUNTY, TEXAS; THENCE NORTH 89 DEGREES 53 MINUTES 20 SECONDS WEST 461.84 FEET ALONG THE NORTH LINE OF SAID LOT 1, BLOCK 1, TURNER ADDITION TO A CAPPED IRON PIN (MOAK) FOUND IN THE EAST LINE OF BLUEBONNET DRIVE FOR THE SOUTHWEST CORNER OF TRACT BEING DESCRIBED; THENCE NORTH 00 DEGREES 19 MINUTES 09 SECONDS EAST 243.94 FEET ALONG THE EAST LINE OF SAID BLUEBONNET DRIVE TO A CAPPED IRON PIN (MOAK) FOUND IN THE SOUTH R.O.W. LINE OF SAID CHERRY AVENUE FOR THE NORTHWEST CORNER OF TRACT BEING DESCRIBED; THENCE NORTH 89 DEGREES 17 MINUTES 24 SECONDS WEST 462.70 FEET ALONG SAID R.O.W. TO THE POINT OF BEGINNING AND CONTAINING 2.56 ACRES OF LAND, MORE OR LESS