



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, January 12, 2015

City Council Chambers

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

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

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

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

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

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

- 1. APPROVAL OF MINUTES**
December 8, 2014
- 2. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON
THE AGENDA AS A PUBLIC HEARING ITEM**
- 3. PUBLIC HEARING AGENDA ITEMS**
 - 3a** Consideration of a replat on Lots 1 and 2, Block 2, of the Sunrise Terrace Addition located at 1105 Glade Road, PC14-027
 - 3b** Consideration of a zoning change from PUD-C-Planned Unit

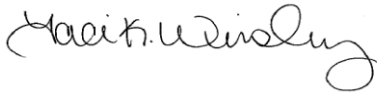
Development Commercial zoning district to the PUD-R-Planned Unit Development Residential zoning district on 1.82 acres on Lot 1, Block 1 of the San Bar Square Addition located at 105 Cheek-Sparger Road, Case ZC14-026

3c Consideration for a Special Use Permit for a telecommunications tower on Lot 5R-1, Block 1, of the Andy Felps Addition, located at 4003 Colleyville Blvd, Case ZC14-027

3d Consideration for a Special Use Permit for a Second Hand Goods Shop on Lot 8A, Block 1, of the Thompson Terrace Addition located at 5117 Colleyville Blvd, Suite A, Case ZC14-028

4. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards January 9, 2015 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

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

Agenda Number	Agenda Date 01/12/2015	Number
Type Approval of Minutes		
Department Community Development		

Title

December 8, 2014

Explanation

Recommendation

Attachments

1. Planning and Zoning Commission Meeting Minutes - December 8, 2014



City of Colleyville Planning and Zoning Commission Minutes

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

Monday, December 8, 2014

City Council Chambers

CALL MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Chairman Byerly on December 8, 2015 at 7:05 p.m.

Roll Call

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

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

1. SWEARING IN OF NEWLY APPOINTED MEMBER

Taci Wrisley swore in Jim Gotcher to Place 1.

2. APPROVAL OF MINUTES

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

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

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

3. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA

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

4. REGULAR AGENDA ITEMS

- 4a** Approval of a replat on Lot 2, Block 1 of the K. I. S. D. Addition, located at 8170 Precinct Line Road, Case PC14-026

Ron Ruthven presented the case and briefed the Commission.

Commissioner Tornes questioned staff regarding whether there was cross access between the subject property to the north and if

not does this create a potential fire safety issue. Ron Ruthven replied there currently is not a cross access easement to the property to the north. He further explained provided all of the fire code requirements were met on the subject property, the lack of a cross access easement would not be an issue.

Mike Stansberry, the applicant, came forward and briefed the Commission.

Commissioner Davis questioned Mr. Stansberry regarding whether there would be a single restaurant for this proposed location or would it be a dual restaurant. Mr. Stansberry replied it would be a single restaurant.

Discussion continued regarding the potential business.

Commissioner Phelps questioned Mr. Stansberry regarding whether their proposed site plan provided for a cross access easement. Mr. Stansberry replied yes.

Commissioner Davis questioned Mr. Stansberry regarding what various size stores they currently have. Mr. Stansberry replied they have three different model sizes.

Commissioner Tornes questioned Mr. Stansberry regarding whether the traffic flow would go around the building and then around the front to exit. Mr. Stansberry replied yes.

Commissioner Tornes questioned Mr. Stansberry regarding the location of the sidewalk. Mr. Stansberry replied the sidewalk would run parallel to Precinct Line Road and to the cross access easement.

Commissioner Phelps questioned staff regarding the sidewalk requirement for this property. Ron Ruthven replied there would be a ten foot (10') trail required for this property that would be placed in the right-of-way.

Discussion continued regarding the required trail.

Commissioner Davis questioned staff regarding why there is a minimum requirement for lot width for commercial. Ron Ruthven he believed it was to ensure adequate access.

Discussion continued regarding commercial lot sizes.

Commissioner Davis questioned staff regarding whether he anticipated any internal circulation issues with the proposed development. Ron Ruthven replied no.

Commissioner Gotcher questioned Mr. Stansberry regarding why the decision was made to go with the reduced lot width. Mr. Stansberry replied they had no use for the additional 30 feet of width.

Commissioner Davis questioned Mr. Stansberry regarding whether they had restaurants smaller than the proposed and were there traffic flow problems with any of them.

Commissioner Tornos questioned Mr. Stansberry regarding if traffic problems did occur on the site, could they contact the Texas Department of Transportation (TxDOT) to modify their entrance and exit. Mr. Stansberry replied they would need to apply with TxDOT to have that modification made.

Commissioner Knox questioned Mr. Stansberry regarding the width of the parking lot. Mr. Stansberry replied the parking spaces were 18 feet in length and 32 feet between the two (2) rows of parking spaces.

Commissioner Phelps made a motion to approve Case PC14-026. Commissioner Davis seconded.

The motion to approve Case PC14-026 carried by the following vote:

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

- 4b** Approval of a final plat on Lot 1, Block 1, of the Lavaca Trail Addition, Lot 1, Block 1, of the Miller Addition, Lot 1, Block 1, of the Lancaster Hill Addition, Lot A, of the Giacomini Addition, and Tract A and Tract B, of the McEwing Subdivision, located at 711, 715, 805, 809, 813, and 901 Lavaca Trail, Case PC14-025

Ron Ruthven presented the case and briefed the Commission.

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

Commissioner Tornes questioned Mr. Maykus regarding whether they planned to connect the trails to the Remington Park Addition trails. Mr. Maykus replied yes.

Commissioner Tornes made a motion to approve Case PC14-025. Commission Wheelwright seconded the motion.

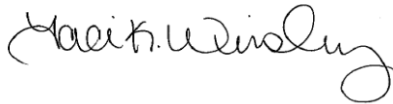
The motion to approve Case PC14-025 carried by the following vote:

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

5. ADJOURNMENT

The meeting adjourned at 7:33 p.m.

The minutes were written and prepared by:



Taci Wrisley
Planning and Zoning Assistant

The meeting minutes were approved on January 12, 2015 by a vote of _____.



City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall
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Agenda Number 3a	Agenda Date 01/12/2015	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a replat on Lots 1 and 2, Block 2, of the Sunrise Terrace Addition located at 1105 Glade Road, PC14-027

Explanation

Matt Moore proposes to replat two lots on 1.36 acres located at 1105 Glade Road in order to revise the lot configurations.

Existing Conditions. The property is currently platted as the Sunrise Terrace Addition, Block 1, Lots 1 and 2 and is currently vacant. The property was rezoned from the R-20-Single Family Residential district to the PUD-C-Planned Unit Commercial zoning district on October 21, 2014 under Ordinance O-14-1927 (attached).

Zoning. Ordinance O-14-1927 authorizes the construction of two office buildings on the property with all permitted uses in the CPO-Professional Office Commercial District authorized on the subject property.

Lot Dimensions and Setbacks. The PUD-C zoning district establishes a 40-foot front yard setback, a 10-foot side yard setback, and a 25-foot rear yard setback. However, Ordinance O-14-1927 authorizes a reduction from 40 feet to ten feet for the front setback and from 25 feet to 20 feet for the rear setback. The lot size and dimensions meet the minimum PUDC-Planned Unit Development Commercial requirements prescribed by the Land Development Code.

Sidewalks. A minimum five foot wide sidewalk is required along Glade Road and Bedford Road whenever any new structures are built.

Surrounding Properties. The properties to the north are zoned PUD-C, R-20 Single Family, and PUD-R. The property zoned PUD-C is developed as a professional office; the property zoned R-20 is an existing single family home; the property zoned PUD-R is developed as commercial uses along the frontage of Glade Road. The property to the east and west are zoned PUD-C and developed as professional offices. The properties to the south are zoned R-20 and developed as single family residential homes.

Public Notification. Staff mailed notices to all property owners within 200 feet of the subject property in the Sunrise Terrace subdivision. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. Staff

has received no correspondence to date.

Summary. The replat satisfies the requirements of PUD Ordinance O-14-1927 and the Land Development Code as amended by said ordinance. This plat only requires approval by the Planning and Zoning Commission.

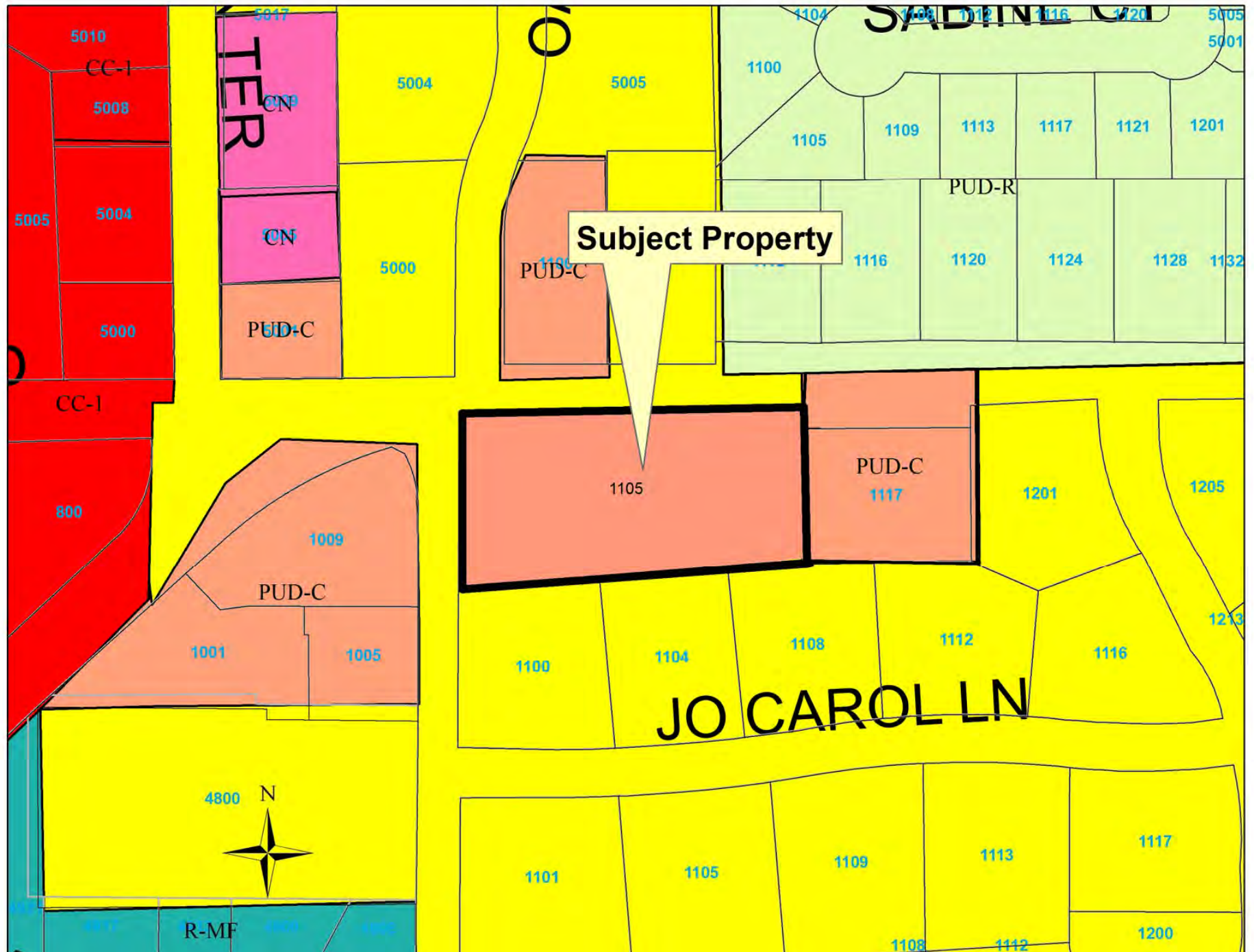
Recommendation

Approve

Attachments

1. Location and Zoning Map
2. Aerial
3. Buffer Map
4. Notification List
5. Replat Exhibit
6. Ordinance O-14-1927

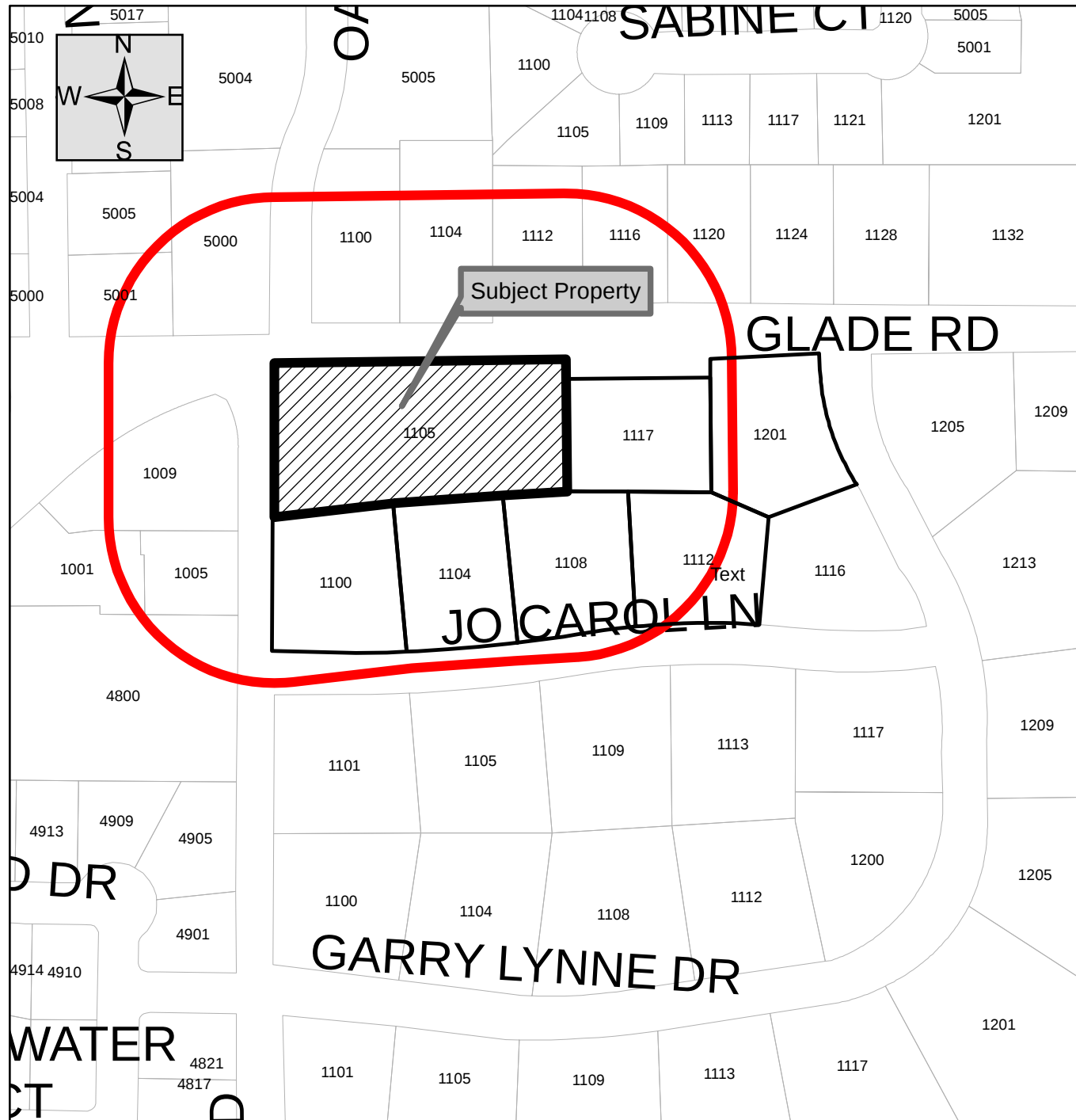
Location and Zoning Map



Aerial



Buffer Map



Case PC14-027

1105 Glade Road

Legend

-  Properties within 200 feet
-  Subject Property
-  Parcels

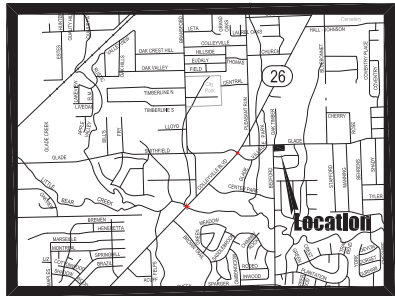
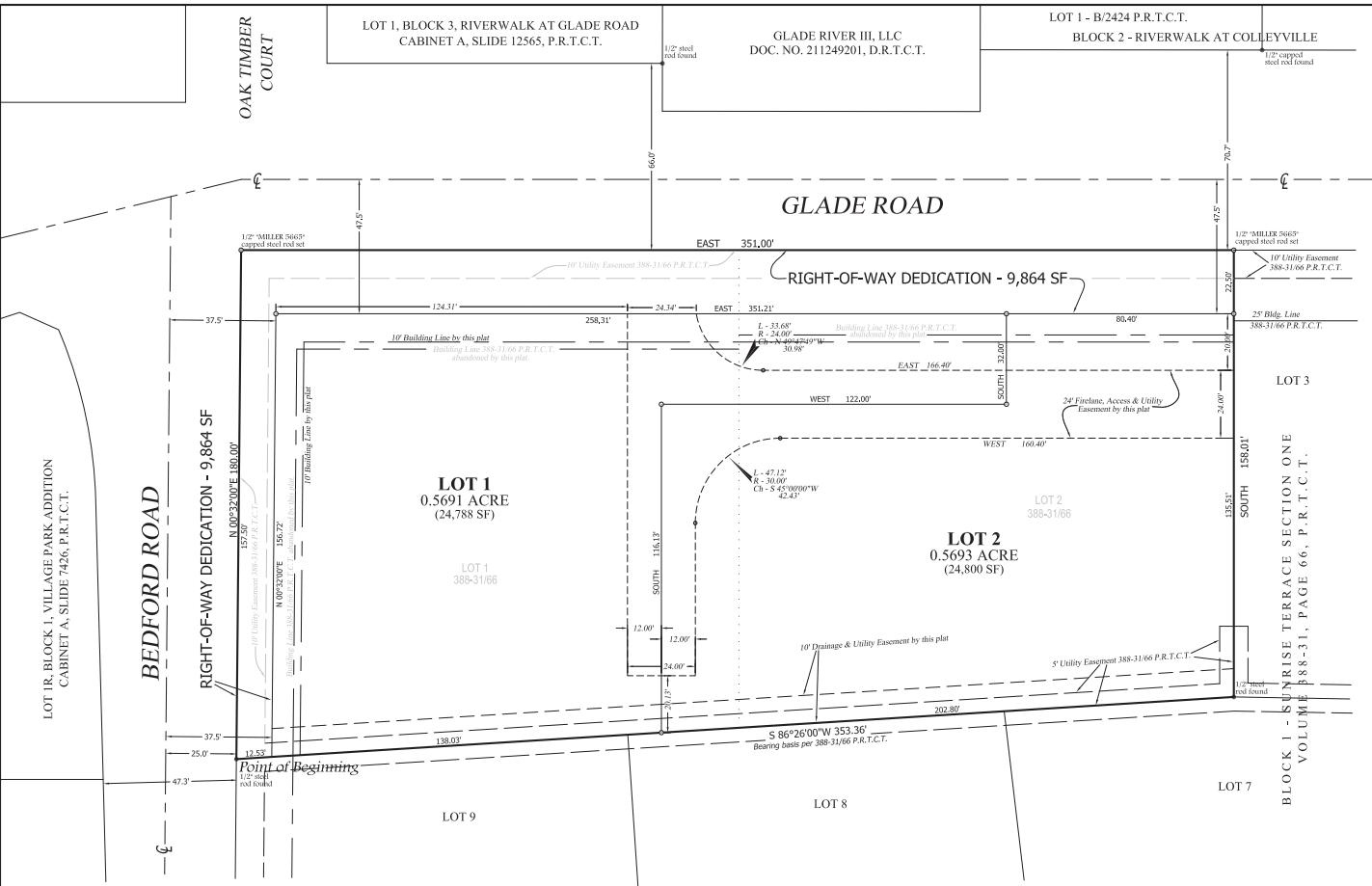


Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
Premier Office Equities	1117 Glade Rd Ste 140	Colleyville	Texas	76034	001117 Glade Rd
Rika, Sennear Etvir Tony	1201 Glade Rd	Colleyville	Texas	76034	001201 Glade Rd
Freeman, Becky A	1112 Jo Carol St	Colleyville	Texas	76034	001112 Jo Carol Ln
Trachier, Steve Etux Connie M	1108 Jo Carol St	Colleyville	Texas	76034	001108 Jo Carol Ln
Peterson, Barbara Lisa	1104 Jo Carol St	Colleyville	Texas	76034	001104 Jo Carol Ln
Holland, Axel Etux Ursula	1100 Jo Carol St	Colleyville	Texas	76034	001100 Jo Carol Ln
RIVERWALK HOA	1108 NUECES COURT	COLLEYVILLE	Texas	76034	COURTESY NOTICE
LAKEWOOD ESTATES HOA	4908 LAKESHORE COURT	COLLEYVILLE	Texas	76034	COURTESY NOTICE
GRAPEVINE-COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE	Texas	76051	COURTESY NOTICE
Claymoore Engineering	1903 Central Drive	Bedford	Texas	76021	Applicant

Public hearing notices were
mailed Tues. Dec. 23, 2014 by
Taci Wrisley

Replat Exhibit



- NOTES:
- The setbacks for this property are determined by the PUD-C for this site.

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



OWNER/APPLICANT:

BYD Development, Ltd.
Peter Slover, Manager
1203 S. White Chapel Blvd., Suite 250
Southlake, Texas 76092
(214) 626-8590

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

STATE OF TEXAS §
COUNTY OF TARRANT §

OWNER'S DEDICATION AND CERTIFICATE

WHEREAS BYD Development, Ltd. is the owner of a tract of land out of J. S. Newton Survey, Abstract No. 1177 and situated in the City of Colleyville, Tarrant County, Texas, and surveyed by Miller Surveying, Inc. of Hurst, Texas in October 2013, said tract being a portion of Tract A and Tract B, Block 1, The Oaks, an addition to the City of Hurst (now located in Colleyville) according to the plat thereof recorded in Volume 388-52, Page 88 in the Plat Records of Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

Beginning in the southerly boundary line of said Tract B from which a 1/2 inch "MILLER 5665" capped steel rod set for the southeast corner thereof bears North 89 degrees 15 minutes 06 seconds East at 240.43 feet, said beginning point being in the northerly right-of-way line of L. D. Lockett Road;

Thence South 89 degrees 15 minutes 06 seconds West with the southerly boundary line of said Tract B and with said northerly right-of-way line, passing at 36.44 feet a 1/2 inch steel rod found for the southwest corner of said Tract B and the southeast corner of said Tract A and continuing a total distance of 50.01 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence North 00 degrees 13 minutes 37 seconds East with the easterly boundary line of said Fawcett tract a distance of 197.14 feet to a 1/2 inch "MILLER 5665" capped steel rod set in the northerly boundary line of the same tract of land described in the deed to Barry and Joann Fawcett described in Volume 9479, Page 2387 in said Deed Records;

Thence South 87 degrees 17 minutes 16 seconds West with the northerly boundary line of said Fawcett tract (9479/2387) a distance of 262.40 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the northwest corner thereof, said rod being in the westerly boundary line of said Tract A;

Thence North 00 degrees 20 minutes 00 seconds East with said westerly boundary line a distance of 380.97 feet to a 1/2 inch steel rod found for the southwest corner of Lot 10-R, Block 1, The Oaks Section 2, an addition to the City of Colleyville, Texas according to the plat thereof recorded in 388-76, Page 10 of said Plat Records;

Thence North 89 degrees 22 minutes 30 seconds East with the southerly boundary line of said Lot 10-R a distance of 211.12 feet to the southeast corner thereof, said rod being in the westerly boundary line of Lot 9-R of said Section 2;

Thence South 01 degrees 38 minutes 27 seconds West with the westerly boundary line of said Lot 9-R a distance of 49.54 feet to a 1/2 inch steel rod found for the southwest corner thereof, said rod being in the northerly boundary line of said Tract A;

Thence North 89 degrees 20 minutes 38 seconds East with the southerly boundary line of said Section 2 and the northerly boundary line of said Tract A a distance of 65.01 feet to a 1/2 inch steel rod found for the northwest corner of said Tract B;

Thence North 89 degrees 01 minutes 02 seconds East continuing with the southerly boundary line of said Section 2 and with the northerly boundary line of said Tract B a distance of 279.05 feet to a 1/2 inch steel rod found for the northeast corner thereof, said rod being an inner corner of said Section 2;

Thence South 00 degrees 27 minutes 32 seconds West with the easterly boundary line of said Tract B and the westerly boundary line of said Section 2 a distance of 105.52 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence South 89 degrees 01 minutes 02 seconds West a distance of 263.54 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the left with a radius of 50.00 feet and whose chord bears South 30 degrees 17 minutes 59 seconds West at 30.07 feet;

Thence southwesterly with said curve through a central angle of 60 degrees 09 minutes 23 seconds and an arc length of 31.50 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence South 00 degrees 13 minutes 17 seconds West a distance of 47.15 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the left with a radius of 50.00 feet and whose chord bears South 08 degrees 06 minutes 14 seconds East at 14.48 feet;

Thence southerly with said curve through a central angle of 16 degrees 39 minutes 04 seconds and an arc length of 14.53 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence South 36 degrees 25 minutes 46 seconds East a distance of 105.20 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the right with a radius of 100.00 feet and whose chord bears South 08 degrees 16 minutes 14 seconds East at 26.96 feet;

Thence southerly with said curve through a central angle of 16 degrees 39 minutes 04 seconds and an arc length of 29.06 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the end of said curve;

Thence South 00 degrees 13 minutes 17 seconds West a distance of 196.71 feet to the point of beginning and containing 3.2690 acres of land, more or less

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That BYD Development, Ltd., owner, does hereby adopt this plat designating the hereinbefore described property as Lot 1 and Lot 2, Block 1, BYD Addition, 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__.

Peter Slover
BYD Development, 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 Peter Slover, 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 ____ day of ____, 20__, to approve this Plat.

Chairman, Planning and Zoning Commission

Attest: Secretary, Planning and Zoning Commission

Final Plat of
LOTS 1 AND 2, BLOCK 1
BYD ADDITION
an addition to the City of Colleyville, Tarrant County, Texas
Being a replat of Lot 1 and Lot 2, Block 1, Sunrise Terrace Section One
an addition to the City of Colleyville, Tarrant County, Texas according to the plat
recorded in Volume 388-31, Page 66 of the Plat Records of Tarrant County, Texas

This plat filed as Document No. _____, Date _____ in the Plat Records of Tarrant County, Texas

Job No. 14035 • Plot File 14035 Plat

ORDINANCE O-14-1927

AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 1.36 ACRES ON LOTS 1 AND 2, BLOCK 1, SUNRISE TERRACE ADDITION, FROM THE R-20-SINGLE FAMILY RESIDENTIAL ZONING DISTRICT TO THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a rezoning under Case No. ZC14-009; and

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

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

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

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, to 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 1.36 acres on Lots 1 and 2, Block 2, Sunrise Terrace Addition, from the R-20-Single Family Residential zoning district to the PUD-C-Planned Unit Development Commercial zoning district, as depicted in the attached Exhibit "A".
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. Permitted uses shall be limited to Professional and General Office as permitted by the CPO-Professional Office Commercial District.
- b. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this ordinance.
- c. Prior to the issuance of any building permit, a replat of the subject properties shall be submitted, approved and filed with the Tarrant County Clerk.

2. BUILDING AND SITE COMPLIANCE PROVISIONS

- a. All new buildings must comply with the provisions of

Chapter 6-Commercial Building Design in the Land Development Code.

- b. All landscaping shall meet the minimum requirements of Chapter 4-Landscaping and Buffering in the Land Development Code.
- c. The 40-foot front yard setback shall be reduced to 10 feet.
- d. The rear yard setback shall be reduced to 20 feet.
- e. This development, including the use of land and the layout of the buildings on the property shall be generally consistent with Exhibit "B" and "D".
- f. The building elevations shall be generally consistent with Exhibit "C".
- g. The driveway approach connecting to Glade Road may be located no closer than 145 feet, measured from centerline to centerline, from the potential realigned intersection of Bedford Road and Glade Road as shown on Exhibit "B". The final approval of said driveway location and determination of approved turning movements within said driveway approach shall be made by the City Engineer prior to the final approval and construction of said driveway.

Sec. 5. 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. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that

portion so decided to be invalid or unconstitutional.

Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

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

AND IT IS SO ORDERED.

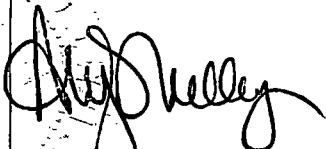
The first reading and public hearing being conducted on the 19th day of August 2014.

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

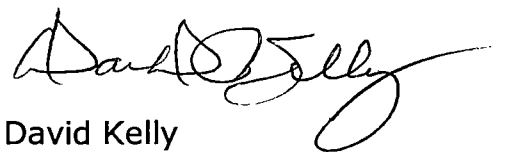
PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 21st day of October 2014.

ATTEST:

CITY OF COLLEYVILLE

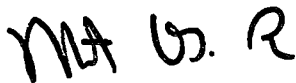


Amy Shelley, TRMC
City Secretary



David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

5113 5104 1105 1109 1117
5101 1104 1108 1112 1116
RIVERWALK CT
1100 1109 1113 1117 1121
1105 1104 1108 1112 1116 1120
PUD-R SABINE CT
1100 1109 1113 1117 1201
1105 1113 1117 1121
1100 1104 1112 1116 1120 1124 1128
GLADE RD
PUD-C 1117 1201 1205
1009
PUD-C
1001 1005
4800
4913
4917 4909
4905
4901
4918 4914 4910
1004
EDGEMOUNT CT
1001 1013 4817
1100 1104 1108 1112 1116 1200 1204
1101 1105 1109 1113 1117
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The map shows a residential or commercial area with several key features:

- Roads:** GLADE ROAD (top), BEDFORD ROAD (left), 1100 JO CAROL LANE (bottom).
- Buildings:**
 - BUILDING #1 PROPOSED 8,000 SF OFFICE (22,314 S.F. LOT 1)
 - BUILDING #2 PROPOSED 9,685 SF OFFICE (74.2% OF LOT 2)
 - EXISTING BUILDINGS: 1105 GLADE ROAD, 1109 JO CAROL LANE, 1108 JO CAROL LANE.
- Lots and Parcels:**
 - LOT 1, BLOCK 1 (1105 GLADE ROAD)
 - LOT 2, BLOCK 1 (1109 JO CAROL LANE)
 - LOT 3, BLOCK 1 (1108 JO CAROL LANE)
 - LOT 4, BLOCK 1 (1107 JO CAROL LANE)
 - LOT 5, BLOCK 1 (1106 JO CAROL LANE)
 - LOT 6, BLOCK 1 (1105 JO CAROL LANE)
 - LOT 7, BLOCK 1 (1104 JO CAROL LANE)
 - LOT 8, BLOCK 1 (1103 JO CAROL LANE)
 - LOT 9, BLOCK 1 (1102 JO CAROL LANE)
 - LOT 10, BLOCK 1 (1101 JO CAROL LANE)
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Exhibit B – Conceptual Site Plan

Exhibit C – Building Elevations

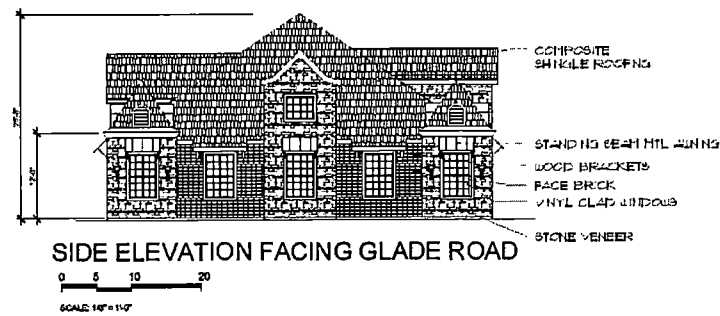
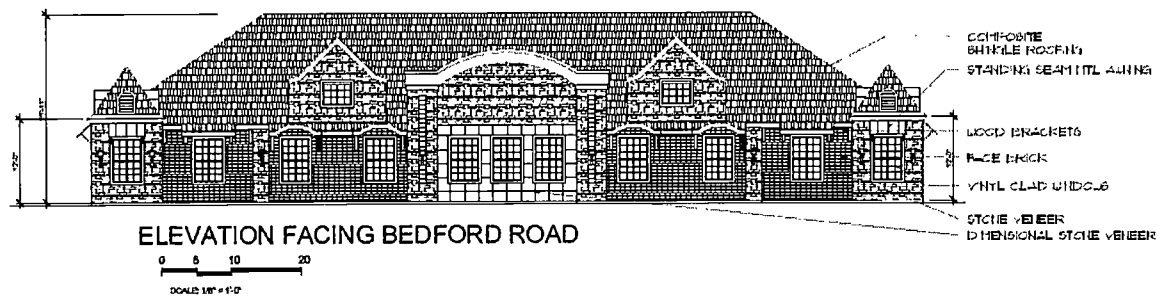
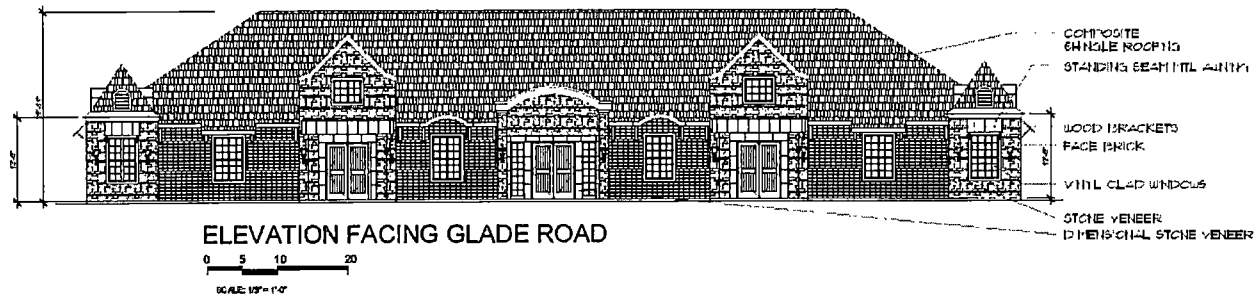


Exhibit D - Statement of Planning Objectives



October 7, 2014

Revised Statement of Planning Objectives
1105 Glade Road
Southeast corner of Glade Rd and Bedford Rd

The proposed tract is approximately 1.36 acres at the corner of Bedford Road and Glade Road. We propose to rezone the property from the current R-20 classification to a PUD-C district with the use for the site being commercial office. The development objective is to provide two premier garden office buildings as a cohesive complex and relevant to the adjoining uses on Glade Rd. These buildings are to be of top quality finishes inside and out. The exteriors are to be constructed of masonry materials including stone, brick, stucco and wood. Both buildings will be a mirror of each other and will be just less than 6,000 Sq. ft. each.

At the rear, a masonry screen wall and landscape buffer will be provided per the unified development code and city ordinances. We will insure that our landscape plan meets all requirements and codes as outlined by the city.

Bayley Yandell Development and Graham Hart Home Builder will occupy one building with all remaining space being leased out.

Sincerely,

Peter Slover



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 3b	Agenda Date 01/12/2015	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a zoning change from PUD-C-Planned Unit Development Commercial zoning district to the PUD-R-Planned Unit Development Residential zoning district on 1.82 acres on Lot 1, Block 1 of the San Bar Square Addition located at 105 Cheek-Sparger Road, Case ZC14-026

Explanation

Steve Isbell, applicant, has submitted a request to change the zoning on 1.82 acres of land located at 105 Cheek-Sparger Road. The applicant is requesting to rezone the property from PUD-C-Planned Unit Development Commercial to PUD-R-Planned Unit Development Residential zoning district. The applicant is seeking a zoning change in order to develop the property for seven new residential lots and three open space lots.

Previous Zoning Request. A request to rezone the subject property from the PUD-C-Planned Unit Development Commercial zoning district to the PUD-R-Planned Unit Development Residential zoning district (Ordinance O-13-1887) was denied without prejudice by the City Council on December 3, 2013 by a vote of 6-1. The primary differences from the current request to the previous request are that the current proposal contains seven (7) lots instead of eight (8) lots per the original proposal, and that the proposed open space now complies with the minimum requirement of 20 percent, all of which is described in more detail later in the briefing.

Existing Conditions and Zoning. The subject property is currently vacant and is platted. The property is currently zoned PUD-C-Planned Unit Development Commercial under Ordinance O-85-600 (attached). The uses allowed under Ordinance O-85-600 are "shopping centers, commercial or service centers, office parks, major recreation and entertainment facilities, and other similar business and commercial centers or facilities, when such uses are in conformance with the various commercial zoning district regulations" of the zoning ordinance as it existed in 1985. It should be noted that these uses are not listed in Ordinance O-85-600. In 1985, the PUD-C uses listed above were allowed by right, as part of the PUD-C ordinance approval, unless a particular use was specifically prohibited by the PUD-C ordinance. In the case of Ordinance O-85-600, no uses were prohibited.

Approval of a combination preliminary/final plat will be required upon approval of the rezoning request.

Statement of Planning Objectives. The applicant has submitted a Statement of Planning Objectives (attached), which contains a detailed description of the proposed development.

Lot Dimensions and Setbacks. PUD-R regulations require a minimum lot size of 13,000 square feet with a minimum lot width of 100 feet, and lot depth of 120 feet. Per the details of the Statement of Planning Objectives and the Conceptual Site Plan, the applicant proposes the following development standards:

Minimum lot width: 55 feet

Minimum Lot Depth: 120 feet (Except for lots fronting on the cul-de-sac)

Lot area is proposed as follows:

The minimum lot size proposed is 6,066 square feet

Setbacks are proposed as follows:

FrontYard								Setbacks:
a.	For	lots	with	a	J-Swing	garage:	10	feet
b.	For lots with a front entry garage:	20 feet						

Rear Yard Setback: 10 feet

Side Yard Setbacks: Five (5) feet for center placed structure and one (1) foot and nine (9) feet for other placements; Minimum of 10 feet between structures

Maximum Lot coverage: 65 percent

Maximum Height: 35 feet

Residential Design Requirements. Homes will be both single and two story construction.

Screening. A wood screening fence, not to exceed six feet in height will be constructed at the property lines adjacent to other residential properties to the east and south, as shown on the Conceptual Site Plan. At a minimum, the pole side of the screen fence will face into the new development along the south and east property lines.

A variable height masonry iron and brick fence will be installed along the west boundary of the development and portions of the north boundary of the development by the developer. Where open space is adjacent to Cheek-Sparger Road, a six (6) foot

wrought iron fence will be installed by the developer.

Open Space. PUD-R regulations require a minimum 20 percent of the development be reserved for open space for use by the residents of the development. Based on the information contained in the conceptual site plan, 20.6 percent open space will be provided, which complies with the Land Development Code. All open space shall be landscaped and maintained by the Homeowners Association.

Preliminary Drainage Analysis. The developer has submitted a Preliminary Drainage Analysis of the site, which has been reviewed by the Engineering Division of the Public Works Department. Conditions associated with drainage and stormwater runoff shall be set and enforced at the time of platting.

Sidewalks and Trails. Sidewalks are required to be installed along any new internal streets at the time of new home construction. According to the Colleyville Pathways Plan, sidewalks are required to be constructed along the frontage of Cheek-Sparger Road and San Bar Lane. The sidewalk along Cheek-Sparger Road is required to be five feet in width, and the sidewalk along San Bar Lane is required to be four feet in width. The sidewalks along the property frontages must be installed prior to the acceptance of final public improvements. The developer has the ability to request escrowing the sidewalk along Cheek-Sparger Road which would be considered during the review of public improvement plans.

Development Schedule. The applicant provided the following preliminary schedule of key development dates:

- Zoning Approval: February 2015
- Development Construction Commencing: March 2015
- Development Construction Completed: June 2015

Traffic Generation. The developer is not required to provide a Traffic Impact Analysis, since the development is not projected to generate in excess of 1,000 vehicle trips per day. The Institute of Transportation Engineers publication Trip Generation provides estimates of expected traffic generation based on land use. Data has been collected in the United States and Canada since the 1960's, primarily in suburban locations. Single family residences are expected to generate 9.57 trips per day, on average. Based on this average, a seven lot development would add approximately 67 vehicle trips per day to the surrounding roadways.

Only one means of ingress and egress is required for subdivisions with 12 lots or less.

Access and Streets. The proposed lots in the development will be served by a 115 foot long cul-de-sac street. The proposed street will be public and will not be gated.

The proposed street meets the minimum requirements of the Land Development Code.

According to the existing San Bar Square Addition plat for the subject property, there is 60 feet of right-of-way from the centerline of Cheek-Sparger Road south, to the north property line of the subject property.

- The paved portion of Cheek-Sparger Road, south of the centerline, includes 14 feet, leaving 46 feet of unpaved right-of-way south of the centerline.

- The Master Thoroughfare Plan designates Cheek-Sparger Road as a Major Collector (Two Lane), which requires 75 feet of right-of-way. Therefore, a minimum of 37.5 feet of right-of-way is required on each side of the centerline. Given the existing 60 feet of right-of-way available along the subject property, there remains 22.5 feet of right-of-way available above and beyond the 37.5 foot requirement.

- In terms of City utilities, there is an existing eight (8) inch sewer main and a variable width open bar ditch storm sewer located within the subject right-of-way area.

Development Fees. Park land dedication fees are due in the amount of \$1,802 per residential lot, prior to the plat being filed with the Tarrant County Clerk.

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

Water and Wastewater impact fees are due at the time of the building permit application. Fees for a typical 5/8 inch meter are \$2,491 for the water impact fee and \$643 for the wastewater impact fee.

Perimeter street improvement fees are due for Cheek-Sparger Road Road at the time of approval of the final plat. Perimeter street improvements are required for the newly created lots since Cheek-Sparger Road Road is considered unimproved adjacent to the subject property. The developer's portion of the costs for infrastructure improvements may not exceed the amount that is roughly proportionate to the projected impact of the proposed development, as determined by a professional engineer, licensed in the State of Texas, and who is retained by the City of Colleyville. In making the rough proportionality determination, consideration shall be given to the availability of adequate and minimum levels of public facilities and accessibility to the site for the delivery of emergency services.

Tree Preservation. As required by Chapter 5-Tree Preservation of the Land Development Code, approval of a tree preservation plan will be required upon approval of the final plat for the property and drawn according to the requirements of Chapter 5-Tree Preservation of the Land Development Code.

Master Plan. The Future Land Use Plan designates the entire subject property for

single family residential, and is consistent with the proposed use of this development.

Residential Density. The Colleyville Master Plan suggests a maximum residential density of 1.8 dwelling units per acre, in most situations. The 2004 Colleyville Master Plan states densities higher than 1.8 units per acre would be acceptable in those areas deemed consistent with sound land use planning principles. The proposed development of seven residential units on the 1.82 acre property will produce a residential density of 3.8 dwelling units per acre based upon the density calculation method prescribed by the Colleyville Master Plan and 5.9 dwelling units per acre based upon the density calculation method prescribed by the Land Development Code.

The Small Lot Development Comparison, attached to this briefing, provides a comprehensive listing of approved developments since 1996 with residential densities which exceed 1.8 dwelling units per acre.

Surrounding Development Trends. Properties to the north and east are zoned R20-Single Family Residential and developed as single family homes. Properties to the south are zoned R15-Single Family Residential and developed as single family homes. The property to the west is zoned PUD-C-Planned Unit Development Commercial and is developed as an office-showroom, multi-tenant retail, and self-storage business.

Public Notification. Staff mailed notices to 22 adjacent property owners within 200 feet of the subject property as well as all Homeowners Associations within 500 feet of the subject property regarding this request. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. To date no correspondence has been received.

Summary. The proposed zoning change is consistent with the Future Land Use Plan, which designates the subject property as single family residential uses. While the proposed development exceeds the residential density of 1.8 dwelling units per acre, the proposed density is generally consistent with other small lot subdivisions approved throughout the City, as referenced in the attached "Small Lot Subdivision Comparison" chart. The location of the proposed development will provide a viable transitional element between the commercial uses along Colleyville Boulevard to the west, and the collection of single family residential properties to the east and south.

Recommendation

Approval with the following conditions:

1. GENERAL

a. The purpose of this PUD-R is for a single-family residential development of seven (7) detached single family dwelling units, constructed at a gross maximum density of 3.8

dwelling units per acre.

b. This development shall be generally consistent with the Statement of Planning Objectives, Exhibit "B".

c. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this Ordinance.

2. DEVELOPMENT PLAN AND PLATTING

a. The development shall be generally consistent with the conceptual site plan, Exhibit "C", which shall not be considered the preliminary plat. The actual street and lot arrangement may differ from that shown on the conceptual site plan to accommodate topographic, drainage, or other conditions.

b. The developer shall submit and receive approval from the City, a combination preliminary/final plat in accordance with the requirements of the Land Development Code prior to development of this PUD-R.

3. PERMITTED USES

a. Single-family residences, detached

b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

a. Residential lot requirements and setbacks shall comply with the following provisions:

1. All lots shall be a minimum of 55 feet in width as measured at the building setback line.

2. The minimum lot size shall be 6,066 square feet.

3. The minimum lot depth shall be 120 feet, except for lots which front the cul-de-sac.

4. Front Yard Setbacks:

a. For lots that have a J-Swing garage: 10 feet

b. For lots that have a front entry garage: 20 feet

5. Minimum Rear Yard Setback: 10 feet

6. Minimum Side Yard Setbacks:

10 feet between structures; One (1) foot and nine (9) feet, or five (5) feet each side

property line.

7. Maximum Lot coverage: 65 percent

5. OPEN SPACE

a. This development shall provide a minimum of 20 percent common open space, which shall be configured as shown on Exhibit "C". All open space areas shall be landscaped and maintained by the HOA.

b. No more than 25 percent of the open space area may be utilized for detention.

6. SCREENING AND TREES

a. A wood screening fence, not to exceed six (6) feet in height, shall be constructed at the property lines adjacent to other residential properties to the east and south. A six foot wrought iron fence shall be constructed adjacent to the open space Lot 2A next to Cheek-Sparger Road.

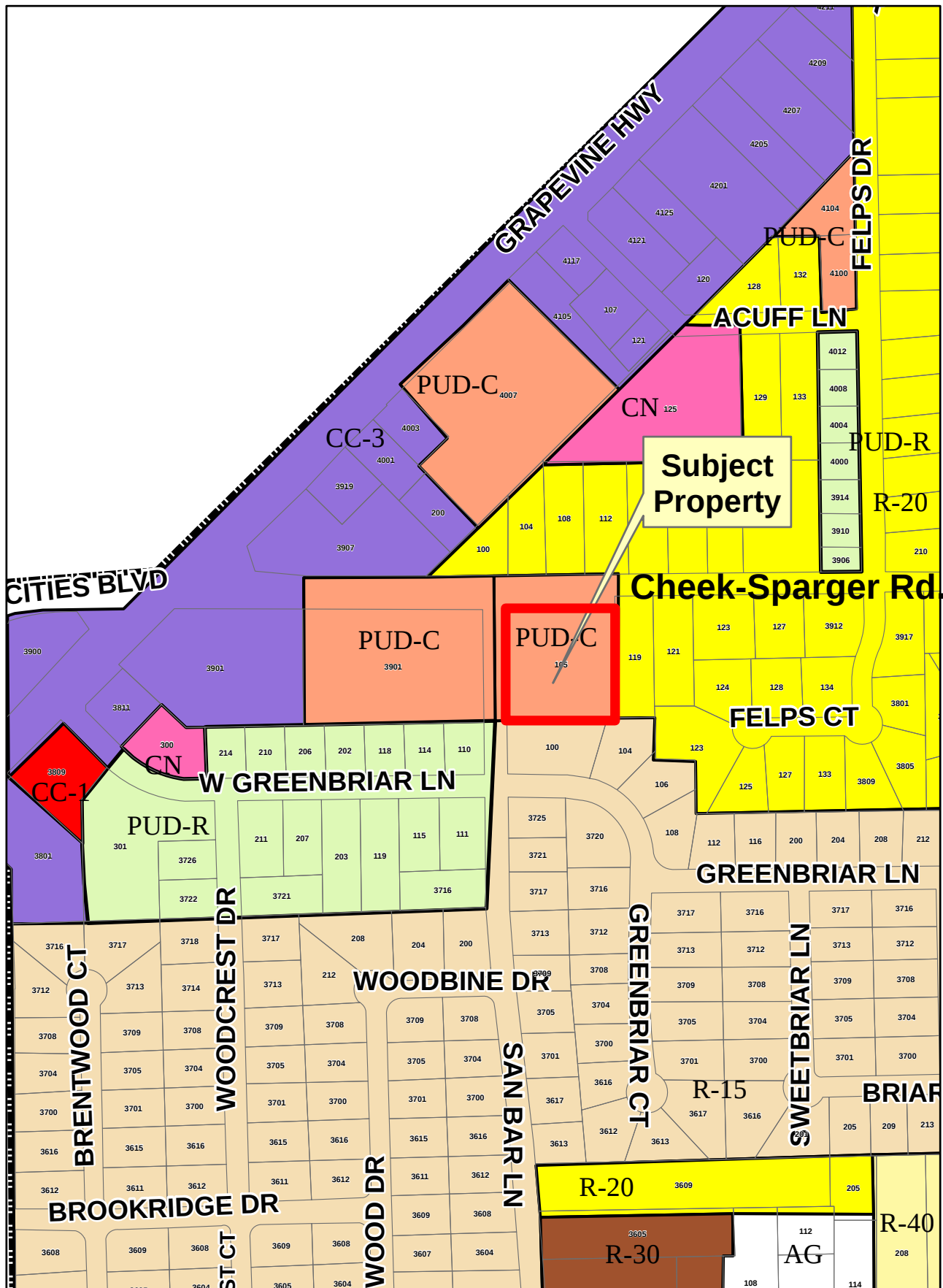
b. A variable height screening fence, constructed of a combination of brick, stone, and wrought iron will be constructed along the north and west portion of the property adjacent to Cheek-Sparger Road and San Bar Lane. The screening shall be continuous along the boundary with the exception of entry road right-of-way.

c. The wrought iron and masonry fences noted above shall be constructed by the developer prior to the acceptance of public improvements.

Attachments

1. Location and Zoning Map
2. Aerial
3. Buffer Map
4. Notification List
5. Statement of Planning Objectives
6. Conceptual Site Plan
7. Preliminary Drainage Analysis
8. Ordinance O-85-600
9. Small Lot Development Comparison Chart - 1996 to 2013
10. Proposed Ordinance

Location and Zoning Map

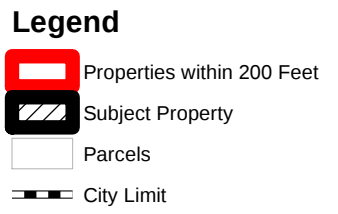


Aerial



~~GREENBRIAR CT~~

C



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
Wallace, David A Etux Cynthia	104 Greenbriar Ln	Colleyville	Texas	76034	000104 Greenbriar Ln
Brand, Donald R	121 Cheek Sparger Rd	Colleyville	Texas	76034	000121 Cheek Sparger Rd
Bevill, James H Etux Claudia M	119 Cheek Sparger Rd	Colleyville	Texas	76034	000119 Cheek Sparger Rd
Ulery, Richard G Etux Kristie	123 Cheek Sparger Rd	Colleyville	Texas	76034	000123 Cheek Sparger Rd
Callaway, Curtis L & Trisha	124 Felps Ct	Colleyville	Texas	76034	000124 Felps Ct
Morrison, Pamela M	710 Whispering Wood Cir	Southlake	Texas	76092	000123 Felps Ct
Guest, Elizabeth V	106 Greenbriar Ln	Colleyville	Texas	76034	000106 Greenbriar Ln
Uhlenhaker, Ronnie R	PO Box 1705	Colleyville	Texas	76034	000000 Cheek Sparger Rd
Davila, Michael Etux Jennifer	100 Greenbriar Ln	Colleyville	Texas	76034	000100 Greenbriar Ln
Dobson, James Etux Ruby C	3725 San Bar Ln	Colleyville	Texas	76034	003725 San Bar Ln
Skinner, Edna Etvir Floyd D	110 W Greenbriar Ln	Colleyville	Texas	76034	000110 W Greenbriar Ln
Rhodes, Gregory Etux Frances	114 W Greenbriar Ln	Colleyville	Texas	76034	000114 W Greenbriar Ln
Star Self Stor Of Colleyville	5605 Tyler St	Pearland	Texas	77581	003901 Colleyville Blvd
Howell, Dean G	104 Cheek Sparger Rd	Colleyville	Texas	76034	000104 Cheek Sparger Rd
Chatsworth Enterprises Llc	4413 Bowman Dr	Colleyville	Texas	76034	000112 Cheek Sparger Rd
Harris, D Keith	108 Cheek Sparger Rd	Colleyville	Texas	76034	000108 Cheek Sparger Rd
Hahn, Edward & Doris Est	7500 Windswept Trl	Colleyville	Texas	76034	000100 Cheek Sparger Rd
Burns, Edward H	7713 Lexus Dr	Fort Worth	Texas	76137	000120 Cheek Sparger Rd
Chatsworth Enterprises Llc	4413 Bowman Dr	Colleyville	Texas	76034	000116 Cheek Sparger Rd
Woodbriar Estates HOA	412 Woodbriar Court	Colleyville	Texas	76034	Courtesy Notice
Grapevine-Colleyville ISD	3051 Ira E. Woods Avenue	Grapevine	Texas	76051	Courtesy Notice
Hurst Euless Bedford ISD	1501 Central Drive	Bedford	Texas	76022	Courtesy Notice
Steve Isbell	PO BOX 516	Colleyville	Texas	76034	Applicant

Public hearing notices were
mailed Tues, Dec. 23, 2014 by Taci
Wrisley

Statement of Planning Objectives

Briar Grove Statement of Planning Objectives, Development Schedule and Proposed Ownership
PUD Single Family - 7 lots

Statement of Planning Objectives

1. GENERAL

- a. The purpose of PUD-R is for a single-family residential development of detached dwelling units, constructed at a gross maximum density of 3.608 dwelling units per acre.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. CONCEPTUAL PLAN AND PLATTING

- a. The street layout and arrangement of lots of the subdivision shall be generally consistent with the Conceptual Site Plan.
- b. The developer shall submit and receive approval from the City for a Preliminary and Final Plat in accordance with the requirements of the Land Development code prior to development of this PUDR.

3. PERMITTED USES

- a. Single-family residences, detached
- b. Common open space areas

4.RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Single-family detached residential lot requirements and setbacks shall comply with the following provisions. Building line setbacks established by the Conceptual Site Plan, shall control where such building line setback is different from the following requirements.

Minimum Lot Size	6,066 square feet
Minimum Lot Width	55 feet
Minimum Lot Depth	120 feet (exception for lot lines on cul-de-sac)
Front Building Line	10 feet for J-Swing Garage/ 20 feet for Front Entry
Side Building Line	5 feet for center placed structure and 1' and 9' for zero
Rear Building Line	10 feet
Maximum Lot Coverage	65 percent
Maximum Height	35 feet

5. OPEN SPACE

- a. This development shall provide not less than 20% common open space, which will generally be configured as shown on the Conceptual Site Plan.
All open space areas shall be landscaped and maintained by the Homeowners Association.
- b. No more than 25 percent of the open space area shall be utilized for storm water detention or retention.

Statement of Planning Objectives

6. SCREENING

a. A wood screening fence, not to exceed six feet in height will be constructed at the property lines adjacent to other residential properties to the south and along a portion of the eastern property line, as shown on the Conceptual Site Plan. The pole side of the screen fence will face into the new development along the south and east property lines.

b. A variable height screening fence, constructed of a combination of brick, stone and wrought iron will be constructed along the north and west portion of the property adjacent to Cheek Sparger Road and San Bar, as well as along the remaining portion of the eastern property line adjacent to the development's major open space. The screening will be continuous along the boundary with the exception of entry road right-of-way.

7. SIDEWALKS

Sidewalks will be constructed in accordance with the requirements of the Colleyville Land Development Code.

8. OTHER

a. Homes will be both single and two story construction.

b. Maintenance of the wood fence, masonry fence, open space and landscaping will be the responsibility of the HOA governing the new sub-division.

c. Construction times would be limited to City of Colleyville rules and regulations (Monday - Saturday 7:00am - 6:00pm)

Development Schedule

October, 2014: Begin city approval process

February, 2015: Complete city approval process

March, 2015: Begin development construction

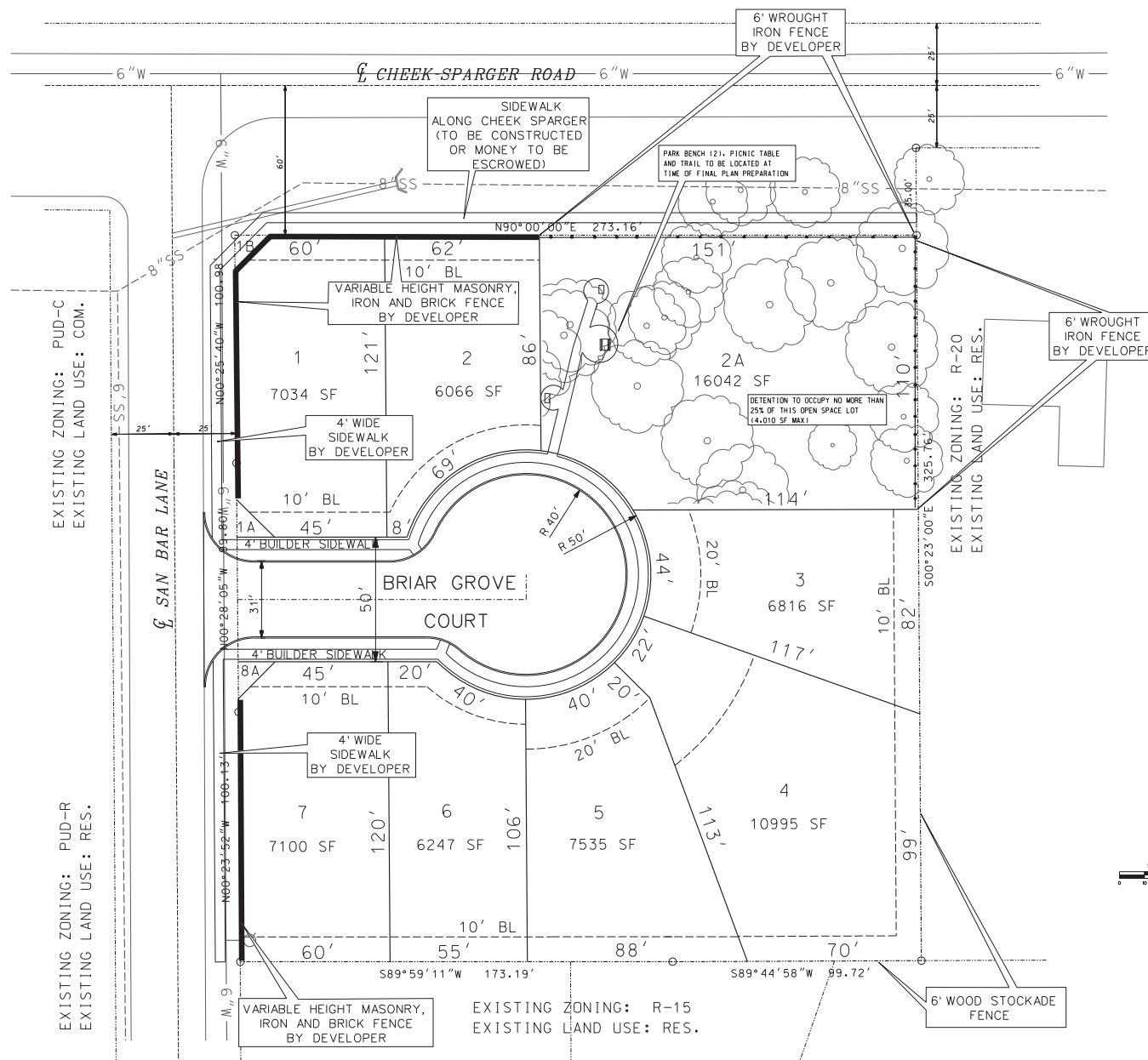
June, 2015: Complete development construction

July, 2015: Begin home construction

Proposed Ownership

The developed lots will be owned by individuals while the common areas will be owned by the Homeowner's Association.

Conceptual Site Plan



Vicinity Map
N.T.S.

NOTES:

1. HOME OWNER'S ASSOCIATION (HOA) TO MAINTAIN DETENTION POND, OPEN SPACE LOTS, PERIMETER WALLS AND LANDSCAPING. CITY WILL RECEIVE COPY OF RECORDED HWA DOCUMENTS AT TIME OF BUILDING PERMIT PROCESS.
2. BRIAR GARDEN COURT SHALL BE A PUBLIC STREET CONSTRUCTED TO CITY STANDARDS (13' 8"-8' WIDTH).
3. LOTS TO HAVE 5' SIDE YARDS ON EACH SIDE OF BUILDING PAD OR CAN BE 3' ON ONE SIDE AND 2' ON THE OTHER SIDE OF BUILDING PAD. SIDE LOTS WITH THE EXCEPTION OF LOT 4 WHICH CAN HAVE SIDE YARDS OF 5' AND 3' OR 1' AND 7'.
4. FRONT YARDING SHALL BE 20' FOR FRONT ENTRY GARAGES AND 10' FOR 4-SWING GARAGES.
5. BUILDOR SHALL BE REQUIRED TO PLANT 1 - 3" CANDY TREE AND 1 ORNAMENTAL TREE IN THE FRONT YARD OF EACH HOUSE.
6. OPEN SPACE LOTS TO BE PLANTED FOR LANDSCAPE PLAN. HOA TO MAINTAIN ALL OPEN SPACE AREAS.

LAND USE TABLE

AREA OF DEVELOPMENT	1.82 ACRES (79,466 SF)
NUMBER OF UNITS	7
OPEN SPACE	(LOTS 1A, 1B, 2A, 8A = 16,369 SF) (20.6%)
DENSITY	3.85 UNITS/AC
MAX BUILDING HEIGHT	35 FEET
FRONT BUILDING LINE	10 FEET FOR J-SWING & 20 FEET FOR FRONT ENTRY
REAR BUILDING LINE	10 FEET

ZONING EXHIBIT FOR ZONING
CHANGE FROM
PUD-C TO PUD-R (RESIDENTIAL)
BRIAR GROVE COURT

1.82 AC.

LOT 1, BLOCK 1,
SAN BAR SQUARE
CITY OF COLLEYVILLE,
TARRANT COUNTY, TEXAS

EXISTING ZONING - PUD-C
PROPOSED ZONING - PUD-R (RESIDENTIAL)
CITY FUTURE LAND USE - RESIDENTIAL

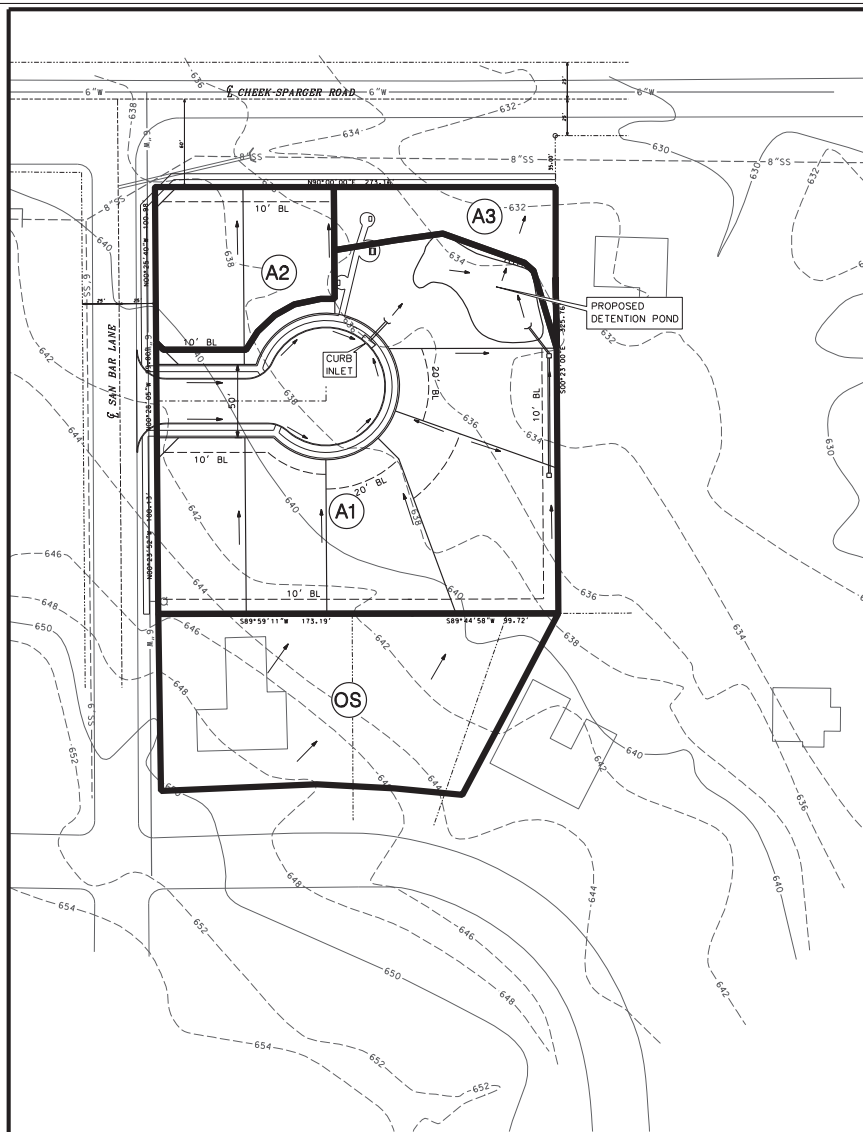
DATE OF PREPARATION 10-16-14

OWNER:
RONNIE R. UHLENHAKER
P.O. BOX 1405
COLLEYVILLE, TX 76034-1705

DEVELOPER:
STEVE ISBELL
6617 PRECINCT LINE ROAD
NRH, TEXAS 76182
STF #200

ENGINEER:
HAMILTON DUFFY, PC
8241 MID CITIES BLVD.
NRH, TEXAS 76182
(817) 268-0408
FAX (817) 284-8408

Preliminary Drainage Analysis



DRAINAGE AREA COMPUTATIONS

BASIS:

- Q = CIA (Rational Method)
- Q = Storm discharge (cubic feet per second)
- C = runoff coefficient, based on land use
- I = average rainfall intensity for time of concentration (inches per hour) (per ISWM)
- A = area, catchment runoff (acres)

RUNOFF COEFFICIENT:

C = 0.30	Parks and Open Areas
C = 0.60	Single Family Residential

STORM FREQUENCY:

5 Years - Enclosed Pipe System
100 Years - Combined Enclosed Pipe System - Street - R.O.W.

TIME OF CONSENT TO

Combination of inlet time and time of flow in the drain

being the time for water to flow over ground to the storm drain inlet (consist

MINIMUM INLET TIME OF CONCENTRATION

Parks and Open Areas	20 minutes
Residential, Single Family	15 minutes

Industrial, Business	10 minute
----------------------	-----------

I, Keith Hamilton, a Professional Engineer, registered and licensed in the State of Texas, have prepared this drainage study and/or plan in compliance with the latest published requirements and criteria of the City of Colleyville, and have verified that the topographic information used in this study and/or plan is in compliance with said requirements and is otherwise suitable for developing this workable plan of drainage which can be implemented through proper subsequent detailed construction planning.

Signed this _____ day of _____, 2013

PRELIMINARY
FOR REVIEW ONLY

THESE DOCUMENTS ARE FOR DESIGN REVIEW
AND NOT INTENDED FOR CONSTRUCTION,
BIDDING, OR PERMIT PURPOSES. THEY WERE
PREPARED BY OR UNDER SUPERVISION OF

KEITH M. HAMILTON 87384 10405

RETRY W. TRANSLATION	OF 504	DATE
	PE NO.	DATE

DRAINAGE NOTES:

1. TYPICAL STREET SECTION SHALL BE 31'-8" W/ MOUNTABLE CURB. MINIMUM STREET SLOPE IS 0.5%. STREET CAPACITY AT 0.5% GRADE + 22.7 CFS (TOP OF CURB)
2. ALL DRAINAGE DESIGN TO BE IN ACCORDANCE WITH CITY OF COLLETVILLE STANDARDS.
3. PER CITY REQUIREMENTS, DETENTION SHALL BE PROVIDED SUCH THAT DEVELOPED RUNOFF FROM THE PROPERTY LEAVES AT THE SAME RATE OR LESS THAN DURING PRE-DEVELOPED

PRE-DEVELOPED SITE DRAINAGE DATA															
MARK	AREA (ACRES)	C	T _c (MIN.)	I _s (IN/HR)	I _s (IN/HR)	I _s (IN/HR)	I _s (IN/HR)	I _s (IN/HR)	I _s (IN/HR)	Q _s (CFS)	Q _s (CFS)	Q _s (CFS)	Q _s (CFS)	Q _s (CFS)	COMMENTS
A1	1.39	0.30	15												
A2	0.28	0.30	15												
A3	0.15	0.30	15												
A4-A5	1.82	0.30	15	3.90	4.86	5.53	6.46	7.20	7.98	2.7				4.4	TO CHECK SPARGER ROAD
O5	0.65	0.60	15	3.90	4.86	5.53	6.46	7.20	7.98	1.9				3.1	TO AREA A1
A13-A14	0.63									1.9				2.5	TO SPARGER ROAD

POST-DEVELOPED SITE DRAINAGE DATA														
MARK	AREA (ACRES)	C	Ic (IN/HR)	Ic (IN/HR)	Ic (IN/HR)	Ic (IN/HR)	Ic (IN/HR)	Ic (IN/HR)	Qc (CFS)	Qc (CFS)	Qc (CFS)	Qc (CFS)	Qc (CFS)	COMMENTS
A1	1.39	0.60	15	3.90	4.86	5.53	6.46	7.20	7.98	0.1				6.7 TO DETENTION POND
A2	0.28	0.60	15	3.90	4.86	5.53	6.46	7.20	7.98	0.8				1.3 TO DETENTION POND
A3	0.15	0.30	15	3.90	4.86	5.53	6.46	7.20	7.98	0.2				0.4 TO CHEEK SPARGER (BYPASSES DETENTION)
O5	0.65	0.60	15	3.90	4.86	5.53	6.46	7.20	7.98	1.9				3.1 TO AREA A1
A1-A2-O5	2.32	0.60	15	3.90	4.86	5.53	6.46	7.20	7.98	6.8				11.1 TOTAL TO DETENTION POND

DETENTION POND

$$Q_{100}(\text{ALLOWABLE}) = Q_{\text{PRE}} - Q_{\text{BYPASS}} = 7.5 - 0.4 = 7.1 \text{ CFS}$$

Q100 TO POND A:

AREA = A1 + A2 + OS = 2.32 ACRES
C = 0.60

TC = 15 MIN.

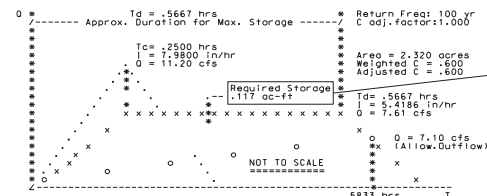
PONDPACK RESULTS

STORAGE REQUIRED = 0.117 AC-FT

----- MODIFIED RATIONAL METHOD -----
 Graphical Summary for Maximum Required Storage
 Method 1

0 = CIA * Units Conversion: Where Conversion = 43560 / (12 * 3600

```
*****
* RETURN FREQUENCY: 100 yr * Allowable Outflow: 7.10 cfs *
* C Adjustment: 1.000 * Required Storage: .117 ac-ft *
*****
* Peak Inflow: 7.61 cfs
* .HYG File: 100 yr
*****
```



0.117 AC-FT = 5,100 CU. FT
THIS EQUATES TO A 2,050 S.F.
DETENTION POND THAT IS 2.5
FEET DEEP OR 3.5 FEET DEEP
TO INCLUDE ONE FOOT OF
FREEBOARD.

Posted
12-13-85
4:30 P.M.
ly

ORDINANCE 0-85-600 ✓✓✓

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF A TRACT OF LAND SITUATED IN THE JONATHON RILEY SURVEY, ABSTRACT 1356, TRACT 3G AND WOODBRIAR ESTATES ADDITION, BLOCK 7, LOTS 20,21, AND 22 TO THE CITY OF COLLEYVILLE, TEXAS FROM R-15 AND R-20 TO PUD-C; PROVIDING A PENALTY AND AUTHORIZING PUBLICATION.

WHEREAS, an application for zoning change was filed by C. M. Bollinger, Inc. , October 22, 1985 under Case No. Z-85-547; 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 on the property herein described were held before both the Planning and Zoning Commission and the City Council, and the Planning and Zoning Commission has heretofore made a recommendation concerning the zone change; and,

WHEREAS, the City Council is of the opinion that the zone 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 Zoning Ordinance of the City of Colleyville, Texas, and the accompanying Zoning Map are hereby amended insofar as they relate to certain land located in Colleyville, Tarrant County, Texas, and described as follows:

1
2 BEING a tract of land in the JONATHON RILEY SURVEY,
3 Abstract NO. 1356, City of Colleyville, Tarrant
4 County, Texas, as surveyed by C.K. Vermillion,
Registered Public Surveyor No. 552, in August 1966,
and being more particularly described as follows:

5 BEGINNING at an iron pin in the South line of
6 Cheek-Sparger Road, said point being 202.0 feet
east and 15.0 feet south of the most westerly NW
corner of said Riley survey;

7 Thence East 100.00 feet along the south line of
said Cheek-Sparger Road to an iron pin;

8 Thence S 00° 23' E, 325.9 feet to an iron pin;

9 Thence S 89° 42' W, 100.0 feet to an iron pin;

10 Thence N 89° 36' W, 173.4 feet to an iron pin;

11 Thence N 00° 06' E, 300.00 feet to a point;

12 Thence S 89° 36' E, 173.4 feet to a point;

13 Thence N 00° 06' W, 23.60 feet to the point of
beginning and containing 1.943 acres of
land.

14 by changing the zoning thereof from R-15 and R-20
15 to PUD-C. **

16 Sec. 2. Any person, firm or corporation violating any of
17 the provisions of this ordinance as read together
18 with the Zoning Ordinance of the City of Colleyville
19 and accompanying official Zoning Map thereto shall
be guilty of a misdemeanor and upon conviction thereof
shall be fined in a sum not to exceed Two Hundred
Dollars (\$200.00). Each and every day such violation
continues shall constitute a separate offense and
shall be punishable as such.

20 Sec. 3. The City Secretary is hereby authorized and directed
21 to cause publication of the descriptive caption
and penalty clause hereof as an alternative method
of publication provided by law.

22 AND IT IS SO ORDERED.
23
24
25
26

The ^{17th} first reading and public hearing being conducted on the December, 1985.
The ^{19th} second reading and public hearing being conducted on the January, 1986.
The ^{21st} third reading and public hearing being conducted on the January, 1986.

ATTEST:

CITY OF COLLEYVILLE

Lavada Johnson
Lavada Johnson
City Secretary

J.R. "Buck" Hubbard
J.R. "Buck" Hubbard
Mayor

Approved as to Form and Legality:

Ross T. Foster
Ross T. Foster, City Attorney

**together with all site plans, supporting documents,
and other conditions and restrictions imposed by
and approved by the Council, which are incorporated
herein by reference.

Small Lot Development Comparison Chart - 1996 to 2013

Subdivision Name	Total Lots	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Lot Size (square feet)	Average Lot Size (square feet)	Maximum Lot Coverage	Master Plan Density - Dwelling Units Per Acre *	Land Development Code Density - Dwelling Units Per Acre **	Total Acres	Open Space	Approval Date	Ordinance
Spring Garden	45	36	70	2,520	2,700	90%	8	16.1	5.4	31.3%	12.17.96	O-96-1052
Villas of Caldwell Creek	43	59	115	6,594	7,408	50%	3.7	5.9	11.6	18.3%	4.1.97	O-97-1062
Bridges at Riverwalk	32	56	106	6,001	6,479	50%	3	6.7	10.0	24.0%	12.21.99	O-99-1192
Riverwalk at Colleyville	53	60	115	6,331	7,666	50%	3.2	5.7	20.0	20.0%	4.4.00	O-00-1210
Rosewood Villas	53	59	110	6,482	6,899	60%	3.6	6.3	14.8	21.4%	8.8.01	O-01-1286
Emerald Park	72	60	120	7,200	7,508	50%	3.5	5.8	20.2	19.6%	10.1.02	O-02-1366
Tiffany Park	25	60	100	7,200	7,580	50%	3.5	5.7	7.2	20.0%	10.21.03	O-04-1487
Tuscany	35	60	110	6,600	7,878	50%	3.9	5.5	8.8	6.6%	2.17.04	O-04-1442
Cambridge Place	38	50	58	4,500	5,300	60%	4.2	8.2	9.0	22.0%	7.6.04	O-04-1467
Heritage Oaks	103	30/40	90	2,700/3,600	3,600	90% and 75%	4.6	12.1	22.9	25.0%	03.21.06	O-09-1715
Villas at Oak Pointe	74	30/56	90/95/115	2,700/6,440	5,000	90% and 58%	3.7	8.7	13.6	22.0%	08.02.06	O-06-1584
Copperglen	22	55	105	5,924	6,650	65%	3.9	6.6	5.6	20.0%	10.17.06	O-06-1595
Villas of Colleyville	67	59	115	6,655	8,936	60%	3.4	4.9	19.8	21.0%	08.21.07	O-07-1627
Enclave at Arbor Estates	16	65	120	8,700	9,350	50%	2.9	4.7	5.6	19.3%	09.18.07	O-07-1634
Creekside at Colleyville	269	50	105	5,000	7,257	65%	2.4	6.0	108.5	20.0%	11.27.07	O-07-1645
Somerset Manor	77	50/60	100/110	5,000/6,600	6,000	50%	4	7.3	18.2	20.3%	05.05.08	O-08-1672
Ivy Glen	10	55	110	5,890	8,200	65%	3.4	5.3	3.0	20.0%	03.05.13	O-13-1864
The Preservation	36	60	140	8,500	9,170	50%	3	4.7	12.0	23.0%	05.14.13	O-13-1867
Heron Pond	49	47	120	7,000	7,800	65%	3.2	5.6	15.4	22.0%	11.19.13	O-13-1894

Average	59	56	106	6,260	6,915	58%	3.7	6.9	17.4	20.8%		
----------------	-----------	-----------	------------	--------------	--------------	------------	------------	------------	-------------	--------------	--	--

Zoning Case ZC14-026	7	55	120	6,066	7,399	65%	3.8	5.9	1.8	20.6%		
-----------------------------	----------	-----------	------------	--------------	--------------	------------	------------	------------	------------	--------------	--	--

* Master Plan Density is calculated by dividing the total units in the development by the total acreage of the development

** Land Development Code Density is calculated by dividing the total units in the development by the total development acreage minus open space and right-of-way acreage



ORDINANCE O-15-XXXX

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 1.82 ACRES ON LOT 1, BLOCK 1, OF THE SAN BAR SQUARE ADDITION, LOCATED AT 105 CHEEK-SPARGER ROAD FROM THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT TO THE PUD-R-PLANNED UNIT DEVELOPMENT RESIDENTIAL 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 a rezoning under Case No. ZC14-026; and

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

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

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

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, to 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 1.82 acres on Lot 1, Block 1, of the San Bar Square Addition, located at 105 Cheek-Sparger Road from the PUD-C-Planned Unit Development Commercial zoning district to the PUD-R-Planned Unit Development Residential zoning district, as depicted in the attached Exhibit "A" and "C", and as described in Exhibit "B".
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved 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-R is for a single-family residential development of seven (7) detached single family dwelling units, constructed at a gross maximum density of 3.8 dwelling units per acre.
- b. This development shall be generally consistent with the Statement of Planning Objectives, Exhibit "B".
- c. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this Ordinance.

2. DEVELOPMENT PLAN AND PLATTING

- a. The development shall be generally consistent with the conceptual site plan, Exhibit "C", which shall not be considered the preliminary plat. The actual street and lot arrangement may differ from that shown on the conceptual site plan to accommodate topographic, drainage, or other conditions.
- b. The developer shall submit and receive approval from the City, a combination preliminary/final plat in accordance with the requirements of the Land Development Code prior to development of this PUD-R.

3. PERMITTED USES

- a. Single-family residences, detached
- b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

- a. Residential lot requirements and setbacks shall comply with the following provisions:
 - 1. All lots shall be a minimum of 55 feet in width as measured at the building setback line.
 - 2. The minimum lot size shall be 6,066 square feet.
 - 3. The minimum lot depth shall be 120 feet, except for lots which front the cul-de-sac.
 - 4. Front Yard Setbacks:
 - a. For lots that have a J-Swing garage: 10 feet
 - b. For lots that have a front entry garage: 20 feet
 - 5. Minimum Rear Yard Setback: 10 feet

6. Minimum Side Yard Setbacks:

10 feet between structures; One (1) foot and nine (9) feet, or five (5) feet each side property line.

7. Maximum Lot coverage: 65 percent

5. OPEN SPACE

- a. This development shall provide a minimum of 20 percent common open space, which shall be configured as shown on Exhibit "C". All open space areas shall be landscaped and maintained by the HOA.
- b. No more than 25 percent of the open space area may be utilized for detention.

6. SCREENING AND TREES

- a. A wood screening fence, not to exceed six (6) feet in height, shall be constructed at the property lines adjacent to other residential properties to the east and south. A six foot wrought iron fence shall be constructed adjacent to the open space Lot 2A next to Cheek-Sparger Road.
- b. A variable height screening fence, constructed of a combination of brick, stone, and wrought iron will be constructed along the north and west portion of the property adjacent to Cheek-Sparger Road and San Bar Lane. The screening shall be continuous along the boundary with the exception of entry road right-of-way.
- c. The wrought iron and masonry fences noted above shall be constructed by the developer prior to the acceptance of public improvements.

Sec. 5. 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. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same

penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

- Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 9. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 3rd day of February 2015.

The second reading and public hearing being conducted on the 17th day of February 2015.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2015.

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

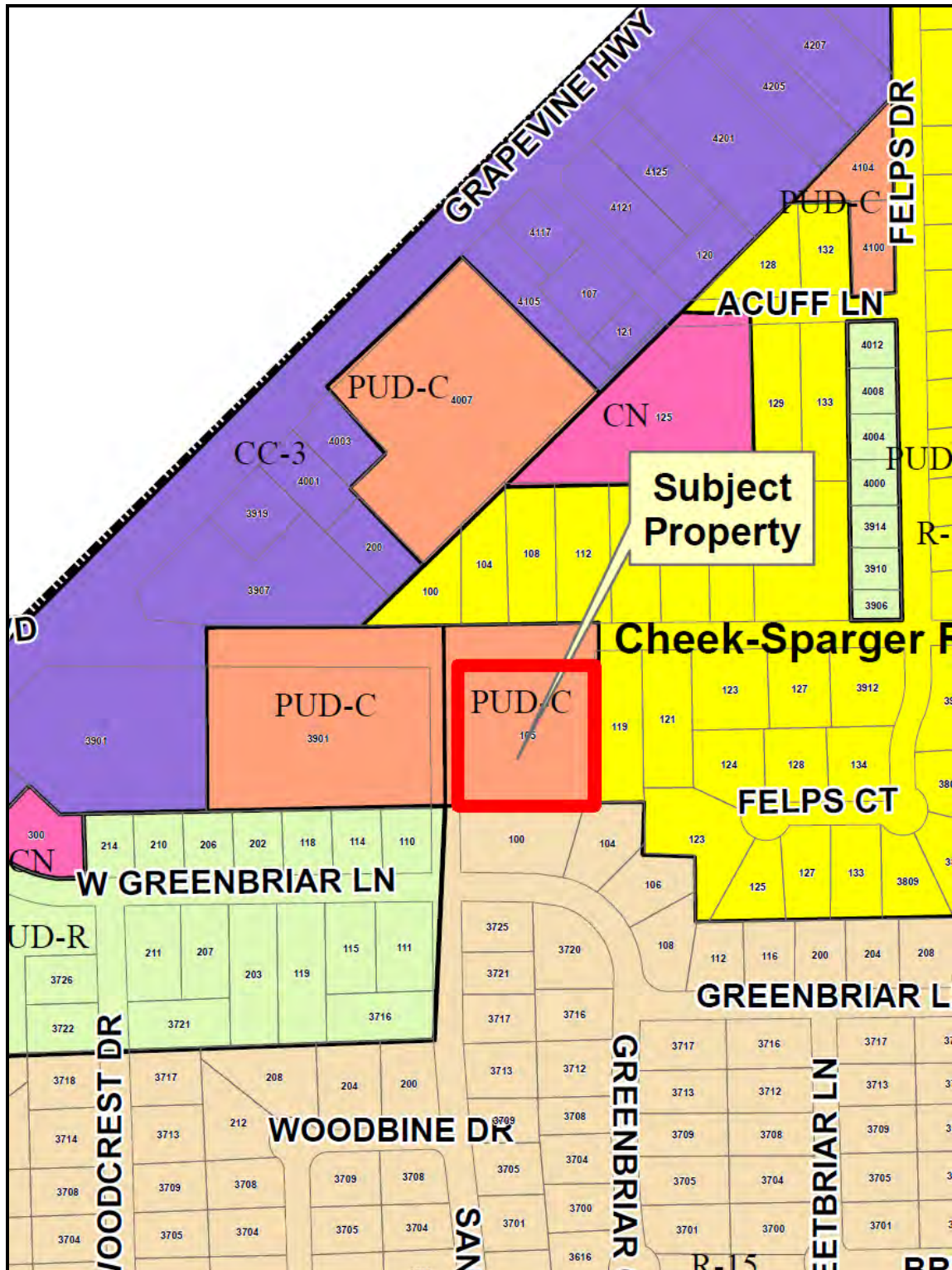


Exhibit B – Statement of Planning Objectives

Briar Grove Statement of Planning Objectives, Development Schedule and Proposed Ownership

PUD Single Family - 7 lots

Statement of Planning Objectives

1. GENERAL

- a. The purpose of PUD-R is for a single-family residential development of detached dwelling units, constructed at a gross maximum density of 3.608 dwelling units per acre.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. CONCEPTUAL PLAN AND PLATTING

- a. The street layout and arrangement of lots of the subdivision shall be generally consistent with the Conceptual Site Plan.
- b. The developer shall submit and receive approval from the City for a Preliminary and Final Plat in accordance with the requirements of the Land Development code prior to development of this PUDR.

3. PERMITTED USES

- a. Single-family residences, detached
- b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Single-family detached residential lot requirements and setbacks shall comply with the following provisions. Building line setbacks established by the Conceptual Site Plan, shall control where such building line setback is different from the following requirements.

Minimum Lot Size	6,066 square feet
Minimum Lot Width	55 feet
Minimum Lot Depth	120 feet (exception for lot lines on cul-de-sac)
Front Building Line	10 feet for J-Swing Garage/ 20 feet for Front Entry
Side Building Line	5 feet for center placed structure and 1' and 9' for zero
Rear Building Line	10 feet
Maximum Lot Coverage	65 percent
Maximum Height	35 feet

5. OPEN SPACE

- a. This development shall provide not less than 20% common open space, which will generally be configured as shown on the Conceptual Site Plan.
All open space areas shall be landscaped and maintained by the Homeowners Association.
- b. No more than 25 percent of the open space area shall be utilized for storm water detention or retention.

Exhibit B – Statement of Planning Objectives (Cont.)

6. SCREENING

a. A wood screening fence, not to exceed six feet in height will be constructed at the property lines adjacent to other residential properties to the south and along a portion of the eastern property line, as shown on the Conceptual Site Plan. The pole side of the screen fence will face into the new development along the south and east property lines.

b. A variable height screening fence, constructed of a combination of brick, stone and wrought iron will be constructed along the north and west portion of the property adjacent to Cheek Sparger Road and San Bar, as well as along the remaining portion of the eastern property line adjacent to the development's major open space. The screening will be continuous along the boundary with the exception of entry road right-of-way.

7. SIDEWALKS

Sidewalks will be constructed in accordance with the requirements of the Colleyville Land Development Code.

8. OTHER

a. Homes will be both single and two story construction.

b. Maintenance of the wood fence, masonry fence, open space and landscaping will be the responsibility of the HOA governing the new sub-division.

c. Construction times would be limited to City of Colleyville rules and regulations (Monday - Saturday 7:00am - 6:00pm)

Development Schedule

October, 2014: Begin city approval process

February, 2015: Complete city approval process

March, 2015: Begin development construction

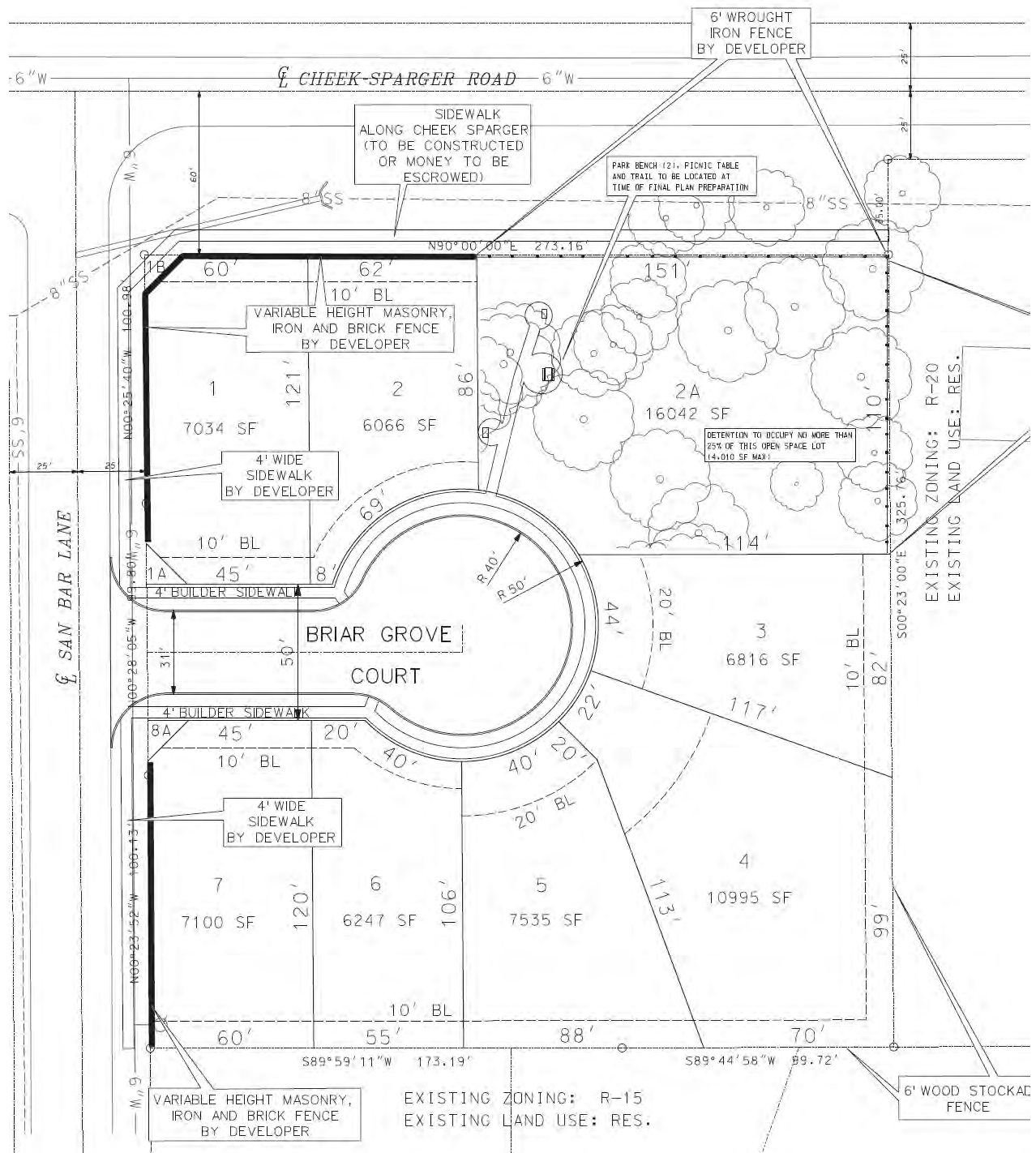
June, 2015: Complete development construction

July, 2015: Begin home construction

Proposed Ownership

The developed lots will be owned by individuals while the common areas will be owned by the Homeowner's Association.

Exhibit C – Conceptual Site Plan





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 3c	Agenda Date 01/12/2015	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration for a Special Use Permit for a telecommunications tower on Lot 5R-1, Block 1, of the AndyFelps Addition, located at 4003 Colleyville Blvd, Case ZC14-027

Explanation

The applicant, Verizon Wireless, has submitted a request for a Special Use Permit (SUP) to allow a telecommunications tower at 4003 Colleyville Boulevard. The subject property is zoned CC-3-Highway Commercial district. A telecommunications tower is allowed in the CC-3-Highway Commercial zoning district with the approval of an SUP.

Existing Conditions. The subject property is platted and is currently developed with a 2,368 square foot commercial building on 0.43 acres, constructed in 1986. The building is currently occupied by "Michael's Keys". Per the attached exhibits, the proposed tower would be located on the southeast corner of the subject property within a 20 foot x 35 foot lease area. The proposed lease area does not front on State Highway 26.

Applicant's Request. The applicant is requesting a new tower due to there being no other towers available within a one mile radius to meet the coverage needs of this area. They state that there is a significant gap in reliable coverage in this area now, and that optimal coverage will be provided by a tower at this site. They also state that the proposed site will provide optimal coverage for the residential and commercial areas within 1 mile around the proposed site and will serve both coverage and capacity needs by filling existing significant gaps in the ability of remote users of Verizon Wireless' wireless network to access the national telephone network. These statements are included in the Affidavit Exhibits in the attachments. It is also stated in the Affidavit Exhibits that the site will be secured with a six foot chain link fence, however, per the ordinance, staff is requiring an eight (8) foot masonry wall.

Tower Details. Per the attached exhibits provided by the applicant, the tower will be of monopole design and constructed to a height of 100 feet (108 feet including the lighting rod). The proposed tower will be available for use by up to two wireless communications providers, subject only to the negotiation of a mutually acceptable site leases with the providers. Ground equipment will be housed in outdoor equipment cabinets and will be screened with an eight (8) foot high masonry wall, a provision which is included in the ordinance. The tower and equipment will be accessible via the main paved drive that services the back of the building and will serviced by a vehicle

that will park outside the gate of the equipment area.

Land Development Code Requirements. Regulations for telecommunication towers are contained in Chapter 3, Section 3.24, Paragraph C.3 of the Land Development Code which states:

- 3. Telecommunication Towers – Construction shall be of monopole design only; and*
- a. the distance between the base of the tower and any Agricultural (Ag) or residential district shall be not less than two (2) times the height of the tower; and*
 - b. the site plan shall meet all other commercial development requirements of the City such as site plan review, landscaping, setbacks; and*
 - c. a minimum of one paved parking space shall be provided at the site of the structure.*

The proposed height of the tower will be 100 feet. According to the distance requirements of the Land Development Code, the tower would have to be 200 feet from a residential or agricultural zoning district. The nearest residential zoning district is 215 feet from the proposed tower and the nearest residential dwelling is approximately 180 feet from the tower. The only existing structure within the fall zone of the proposed tower is the main building on the subject property. One new parking stall is provided in the 15 foot wide Access and Utility Easement to the lease area. No parking will be taken from the existing site.

Height. Telecommunications towers are exempt from the City's height restrictions. Per the Federal Aviation Administration lighting requirements, the proposed telecommunications tower will not require safety lighting. Federal Aviation Administration guidelines state that towers under 200 feet in height do not have to meet obstruction lighting requirements, unless located within a designated aviation glide slope area, which is not applicable to the subject property.

Site Code Compliance. Staff recommends that any existing code compliance on the subject property that are not considered legal non-conforming be brought into compliance as a condition of approval of this item. This provision is contained in the proposed ordinance.

Surrounding Properties. The surrounding properties are zoned and developed as follows: The property to the north is zoned PUD-C-Planned Unit Development Commercial zoning district and is vacant. The properties to the east are zoned CC-3-Highway Commercial zoning district and PUD-C-Planned Unit Development Commercial zoning district and contain a single family home and are vacant. Properties to the south are zoned CC-3-Highway Commercial zoning district and are developed as retail. Properties to the west are located in the City of Hurst and developed as retail.

Public Notification. Staff notified nine property owners within 200 feet of the subject

property and homeowner's associations within 500 feet of the subject property regarding this request. Notice was sent to the Grapevine-Colleyville Independent School District as required by state law. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. To date no correspondence has been received.

Summary. The proposed tower meets the minimum requirements for telecommunications towers in the Land Development Code.

Recommendation

Approval with the following conditions:

1. GENERAL

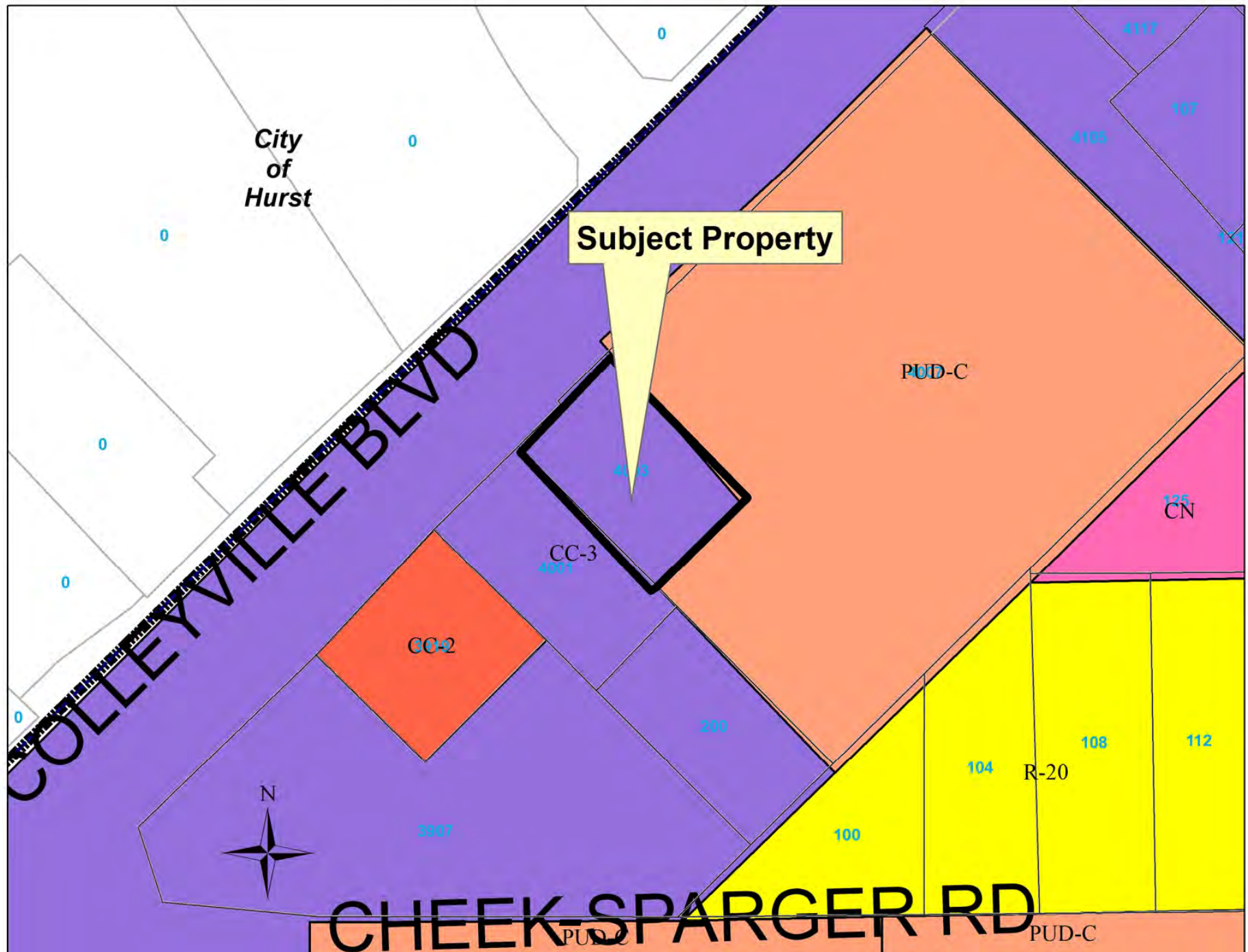
- a. This Special Use Permit shall only apply to the use of a telecommunications tower as described in Exhibit "B" and depicted on Exhibit "C" and "D".
- b. The tower shall be of a monopole design and shall not exceed a height of 108 feet from the ground to the highest point of the structure as depicted in Exhibit "D".
- c. The tower and all related ground appurtenances shall be located within a lease area not to exceed 700 square feet. Said lease area shall be located on the subject property per Exhibit "C"
- d. A minimum eight (8) foot tall decorative masonry wall shall be constructed around the entire perimeter of the tower lease area prior to the final inspection of the tower structure.
- e. At the time of building permit application for said tower, all non-compliant City code issues identified on the site that are not considered legal non-conforming as determined by the city manager or his/her designee shall be brought into compliance prior to the final inspection for the tower.
- f. The telecommunications tower and related construction authorized by this ordinance shall meet all requirements of the Land Development Code and the Code of Ordinances, except where amended herein.

Attachments

1. Location and Zoning Map
2. Aerial
3. Buffer Map
4. Notification List
5. Statement of Planning Objectives
6. Affidavit Exhibits
7. Site Plan and Tower Elevations

8. Proposed Ordinance

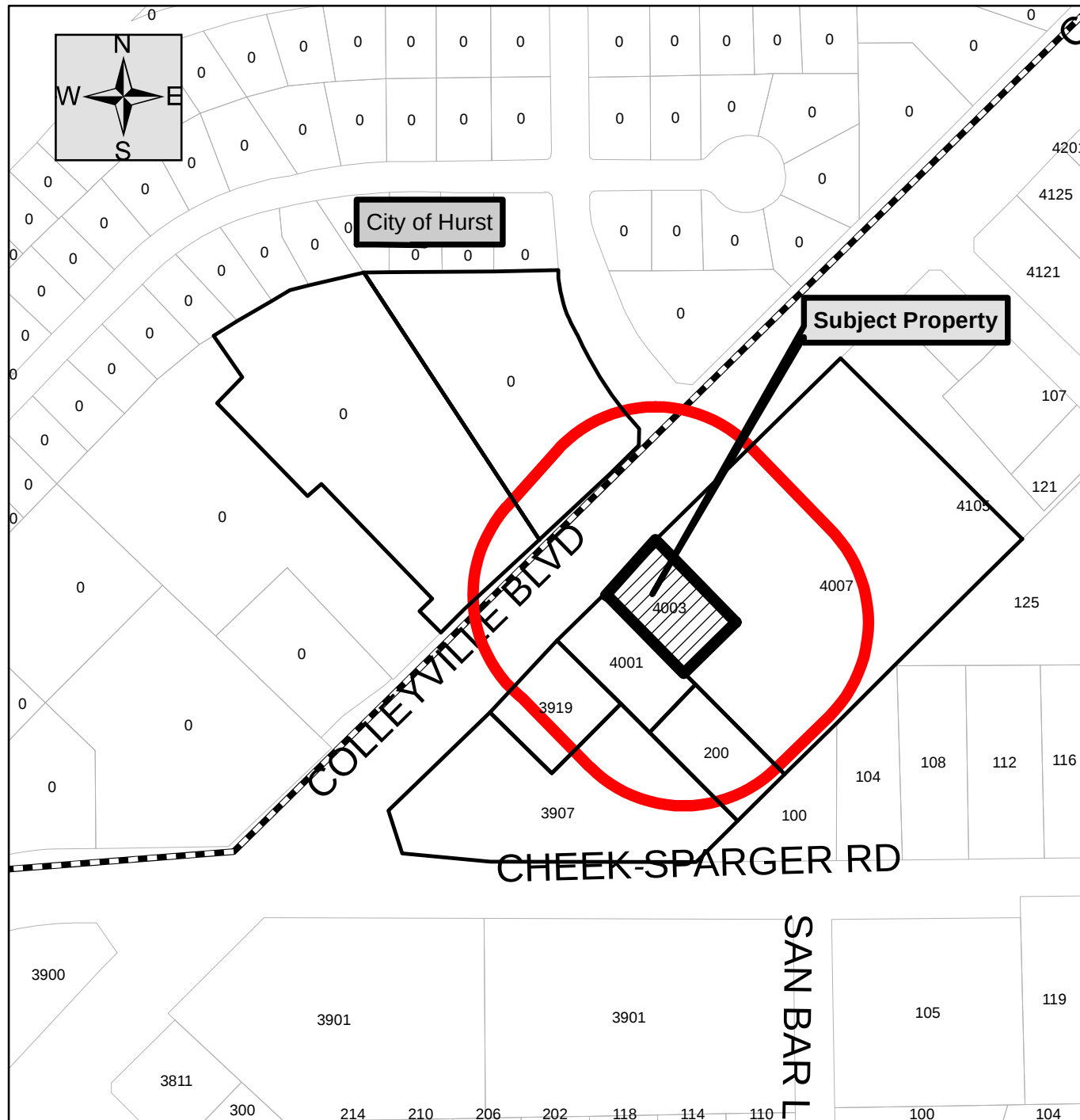
Location and Zoning Map



Aerial



Buffer Map



Case ZC14-027

4003 Colleyville Blvd

Legend

-  Properties within 200 Feet
-  Subject Property
-  Parcels
-  City Limit



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
3919 Colleyville Blvd Ltd	PO Box 802736	Dallas	Texas	75380	003919 Colleyville Blvd
Velasquez, Florentino & Daisy	1830 Silverside Dr	Grapevine	Texas	76051	004001 Colleyville Blvd
Hayworth, Ward	2757 Mesquite Ln	Grapevine	Texas	76051	004007 Colleyville Blvd
Lemmon, William M Etux Carol A	133 E Rio Rdg	Azle	Texas	76020	004003 Colleyville Blvd
Hibernia National Bank	275 Broadhollow Rd	Melville	New York	11747	003907 Colleyville Blvd
Dennie, Paul D Etux Peggy M	200 Cheek Sparger Rd	Colleyville	Texas	76034	000200 Cheek Sparger Rd
City of Hurst, Planning and Zoning	1505 Precinct Line Road	Hurst	Texas	76054	Courtesy Notice
Grapevine-Colleyville ISD	3051 Ira E. Woods Avenue	Grapevine	Texas	76051	Courtesy Notice
Hurst Euless Bedford ISD	1501 Central Drive	Bedford	Texas	76022	Courtesy Notice
Verizon Wireless	7 Village Circle, Suite 400	Westlake	Texas	76262	Applicant

Public hearing notices were mailed
Tues. Dec 23, 2014 by Taci Wrisley

Statement of Planning Objectives

SUP for Telecommunication Tower at 4003 Colleyville Blvd.

Statement of Planning Objectives

Verizon Wireless requests a Specific Use Permit for a telecommunication tower at 4003 Colleyville Blvd, Colleyville Texas, 76034. The property is zoned CC-3, highway commercial and it is fully developed and currently in use by Michaels Keys. It is surrounded by property zoned CC-3 to the west which is currently occupied by a fast food restaurant, and by vacant property zoned PUD-C Planned Unit Development-Commercial to the east and south. The property to the north is outside the city limit.

The proposed location for the tower is at the southeastern corner of the lot. . There is heavy vegetation between the lot and adjacent properties to the south. The distance between the base of the tower and any agricultural or residential district is more than two times the height of the tower, as shown on the site plan C-1. The tower structure is 100 feet high, and the closest residential district, an R-20 district to the south, is 223 feet from the closest edge of the tower base.

The tower at the Proposed Site will be available for use by up to two wireless communications providers, subject only to the negotiation of a mutually acceptable site leases with the providers. The design of the tower for the Proposed Site will be a monopole, which makes the tower (including its antennae, shelter and ground layout) the best design available to serve Verizon Wireless' customers' coverage needs. The tower will only be one-hundred and eight feet (108') tall to its highest point (the lightning rod) in a 20' x 35' lease area, and the equipment on the ground will be housed in outdoor equipment cabinets will be screened with an eight-foot-high masonry wall. The tower and equipment will be serviced by a vehicle that will park outside the gate of the equipment area.

As indicated by Mr. Siddiqui's affidavit, attached, there are no other towers available within a one mile radius to meet the coverage needs of this area. The coverage maps attached to his affidavit indicate the significant gap in reliable coverage in this area now, and the optimal coverage that will be provided by a tower at this site. The proposed site will provide optimal coverage for the residential and commercial areas within 1 mile around the Proposed Site and will serve both coverage and capacity needs by filling existing significant gaps in the ability of remote users of Verizon Wireless' wireless network to access the national telephone network

As indicated in Mr. Pyles' affidavit, this site was the only site available because the other candidates were either not interested, or their property did not meet the zoning setback requirements, or the sites were rejected by RF due to coverage issues. This shows that the proposed site and type of tower are the least intrusive means to provide the needed coverage.

Statement of Planning Objectives

Development Schedule

The development schedule cannot be provided with any certainty at this time. The start and completion dates will be determined once the site is released to construction. Once a site is awarded then we can provide the City with an estimated start date and completion date. The engineer for the project estimates that construction will take approximately 6-8 weeks from start to finish.

Economic Development Information

The proposed cell tower will not add any square feet of building area. There will be no associated sales per year at this site.

Traffic Impact Analysis

The proposed cell tower will not generate any vehicle trips per day.

Affidavit Exhibits

Greenbriar
SAR Affidavit

SAR AFFIDAVIT

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, this day personally appeared Stephen Pyles, who being by me first duly sworn, on oath says as follows:

1. "My name is Stephen Pyles. I am over the age of 18 and have never been convicted of a felony or crime involving moral turpitude. I am the Site Acquisition Representative for Verizon Wireless responsible for the Search Ring encompassing the site located at 4003 Colleyville Blvd, Colleyville Texas, 76034. I have worked as an independent contractor for Verizon Wireless, or its predecessor, as a Site Acquisition Representative since 2013. I have personal knowledge of the facts and statements contained herein and they are all true and correct."

2. "Verizon Wireless issued a "Search Ring" for the site in December 10th 2013 (a true and correct copy of which is attached hereto as Exhibit A). The radius of the Search Ring is approximately .25 miles. This Search Ring was primarily issued to address coverage problems at Hwy 26 and Cheek – Sparger Rd, in Colleyville, Texas."

3. "I have been personally involved in the identification of viable candidates and in the negotiations with potential lessors for this site. I contacted the candidates listed in Exhibit B. All were either not interested or did not meet the zoning setback requirements or were rejected by RF due to coverage issue."

4. "Due to the a lack of existing structures located in the Search Ring, Verizon Wireless has been severely limited on possible tower locations."

5. "Verizon Wireless could not take advantage of a shared use/co-location opportunity because no other towers exist in the area that meet Verizon Wireless' coverage needs. There is an existing Crown Castle monopole 0.87 miles northwest. After inspection by Verizon Wireless' RF Specialists, it has been determined that this tower is too far outside of the Search Ring to adequately address Verizon Wireless' coverage needs."

6. "William M Lemmon and Carol A. Lemmon are interested in leasing a portion of their property located at 4003 Colleyville Blvd. near Cheek-Sparger Rd. in Colleyville Texas, 76034 (the "Proposed Site") for a telecommunications tower."

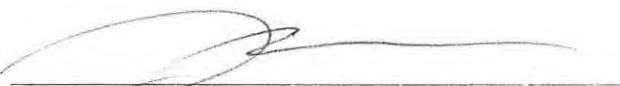
7. "Verizon Wireless certifies that the tower at the Proposed Site will be available for use by up to two wireless communications providers, subject only to the negotiation of a mutually acceptable site lease(s) with such provider(s)."

Affidavit Exhibits

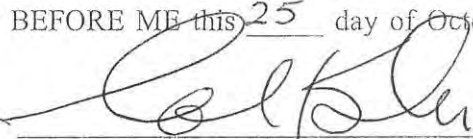
Greenbriar
SAR Affidavit

8. "The design of the tower for the Proposed Site will be a monopole, which makes the tower (including its antennae, shelter and ground layout) the best design available to serve Verizon Wireless' customers' coverage needs. The tower will only be one-hundred and eight feet (108') tall to its highest point (the lightning rod) in a 20' x 35' lease area, and the equipment on the ground will be housed in outdoor equipment cabinets will be screened with a six-foot-high chain link fence."

FURTHER, Affiant sayeth not.

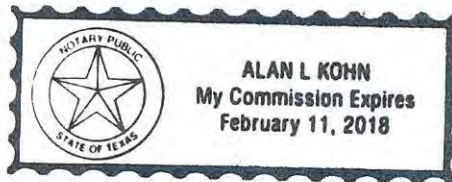

Stephen Pyles

SWORN TO AND SUBSCRIBED BEFORE ME this 25 day of October, 2014, by
STEPHEN PYLES


Notary Public, in and for the State of Texas

My commission expires:

Feb 11, 2018



Affidavit Exhibits

Greenbriar
SAR Affidavit

Exhibit A

See attached Search Ring

Affidavit Exhibits

SITE NAME-LOCATION CODE: Greenbriar Lane
287141

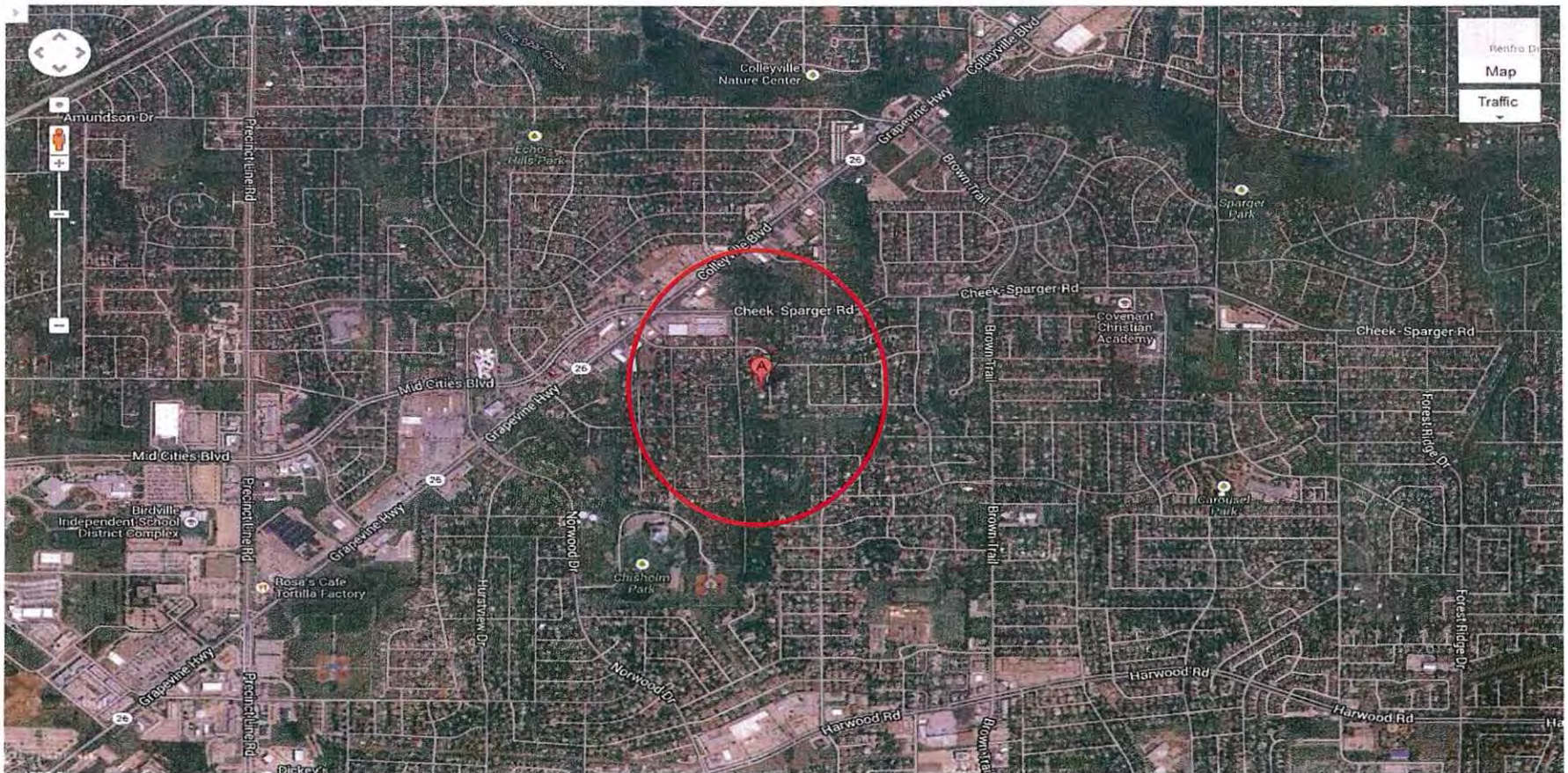
RF ENGINEER: Muhammad Siddiqui

COUNTY/CITY: Tarrant / Colleyville

SITE COORDINATES: 32.864697 -97.16785

ISSUE: Zoning and Lack of interest from LL

SUMMARY: Search ring exhausted



Affidavit Exhibits

Greenbriar
SAR Affidavit

Exhibit B
Prospects Contacted and Results

Affidavit Exhibits



Affidavit Exhibits



Affidavit Exhibits

Rawland Site:

Foreman Enterprise – LL backed out of possible lease.

Mkeys –RF approved, construction concerned about grease trap.

Colocation Sites:

ATC 309318 Hurst North – Rejected by RF

TXU/Oncor Brookridge and Grapevine Hwy. – Rejected by RF

TXU/Oncor Chisolm Park Pool – Rejected by RF

We have exhausted all areas of the search ring given. The search ring is placed in a center of a residential area. Zoning is an issue with a 2 to 1 setback on height from any residential area.

Affidavit Exhibits

Greenbriar
RF Affidavit

AFFIDAVIT

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, this day personally appeared Muhammad Umar Siddiqui, who being by me first duly sworn, on oath says as follows:

1. "My name is Muhammad Umar Siddiqui. I am over the age of 18 and have never been convicted of a felony or crime involving moral turpitude. I have a MS Telecommunications Engineering and an BS Computer Engineering degree. I have been working as a radio frequency specialist since 2012. I have personal knowledge of the facts and statements contained herein."
2. "I am an RF Design Engineer for Dallas MTA, L.P. d/b/a Verizon Wireless ("Verizon Wireless") in the Dallas-Fort Worth Market. As a radio frequency engineer, I am trained to identify gaps in coverage in wireless communications systems and to assess the ability of proposed antenna sites to remedy gaps in signal coverage."
3. "Verizon Wireless is authorized by the Federal Communications Commission to build a wireless communications system that will provide reliable coverage within the City of Colleyville."
4. "Verizon Wireless currently has a significant gap in reliable coverage in the City of Colleyville. A gap in coverage is evidenced by the inability to adequately transmit or receive calls, or by interrupted or disconnected calls."
5. "The significant gap in reliable coverage that exists in the City of Colleyville prevents Verizon Wireless from providing seamless wireless service to current and future public and private users of its wireless communication system including police, fire, ambulance and emergency response personnel."
6. "Since wireless communication is used with increasing frequency to report crimes, accidents, fires, medical emergencies and other threats to people or property, a gap in coverage represents a demonstrable threat to public health, safety and welfare."
7. "Verizon Wireless has conducted radio frequency studies of the area surrounding the proposed wireless communications facility site located at 4003 Colleyville Road near Cheek-Sparger Road, Colleyville Texas 76034 (the "Proposed Site"). Attached to this affidavit and incorporated herein by reference as Exhibits A and B are propagation studies depicting simulated radio frequency coverage in the area of the Proposed Site both before (Exhibit A) and after (Exhibit B) the Proposed Site is constructed and activated."

Affidavit Exhibits

Greenbriar
RF Affidavit

8. "Exhibit A is a true and accurate simulation of existing radio frequency coverage in the area of the Proposed Site and shows the location of Verizon Wireless' existing sites in and around the City of Colleyville that indicates varying degrees of less than optimum coverage in the general vicinity of the Proposed Site, including, without limitation, existing significant gaps in coverage. In real world terms, the colors indicate the following:

White= No coverage

Pink and Purple = Coverage outdoors

Yellow = Coverage inside vehicles

Light Greens = Coverage inside residences

Darker Greens = Coverage inside commercial buildings

This evidence conclusively demonstrates Verizon Wireless' need for the Proposed Site."

9. "Natural and man-made features such as large buildings, hills, trees, and ridge lines all affect the way a signal travels, and can distort or obstruct radio signals. Radio signals will either bounce off, bounce back or be absorbed by these obstructions. These constraints severely limit the suitability of sites for purposes of remedying a gap in signal coverage."

10. "The Proposed Site takes into account the foregoing topographic constraints and as shown in Exhibit B, following construction and activation of the Proposed Site, Verizon Wireless' coverage and capacity needs in the immediate area of the Proposed Site will be substantially satisfied."

11. "We have performed an FCC Antenna Structure Registrations Search for a one mile radius around the coordinates of the Proposed Site. The results of this search are attached and incorporated herein by reference as Exhibit C. There are three structures that came out of the search, one of which is terminated, the second one did not have enough headroom to support Verizon Wireless antennas at the desired height, and the third one was close to a mile away and was not able to serve the target area with good coverage. This additional evidence further demonstrates the need for the Proposed Site."

12. "This Proposed Site will provide optimal coverage for the residential and commercial areas within 1 mile around the Proposed Site and will serve both coverage and capacity needs by filling existing significant gaps in the ability of remote users of Verizon Wireless' wireless network to access the national telephone network."

13. "When coupled with Verizon Wireless' existing system, the minimum height to the highest point of the tower including the lightning rod at the Proposed Site necessary to meet Verizon Wireless' radio frequency coverage and capacity objectives is one hundred and eight feet (108'). The Proposed Site, as designed, will substantially accomplish Verizon Wireless' radio frequency goals in the area while minimizing any aesthetic impact to the community."

Affidavit Exhibits

Greenbriar
RF Affidavit

FURTHER, Affiant sayeth not.



Muhammad Umar Siddiqui

SWORN TO AND SUBSCRIBED BEFORE ME this 22nd day of OCTOBER,
2014, by Muhammad Umar Siddiqui .



Notary Public, in and for the State of Texas

My commission expires:

07/05/16



Affidavit Exhibits

Greenbriar
RF Affidavit

EXHIBIT A

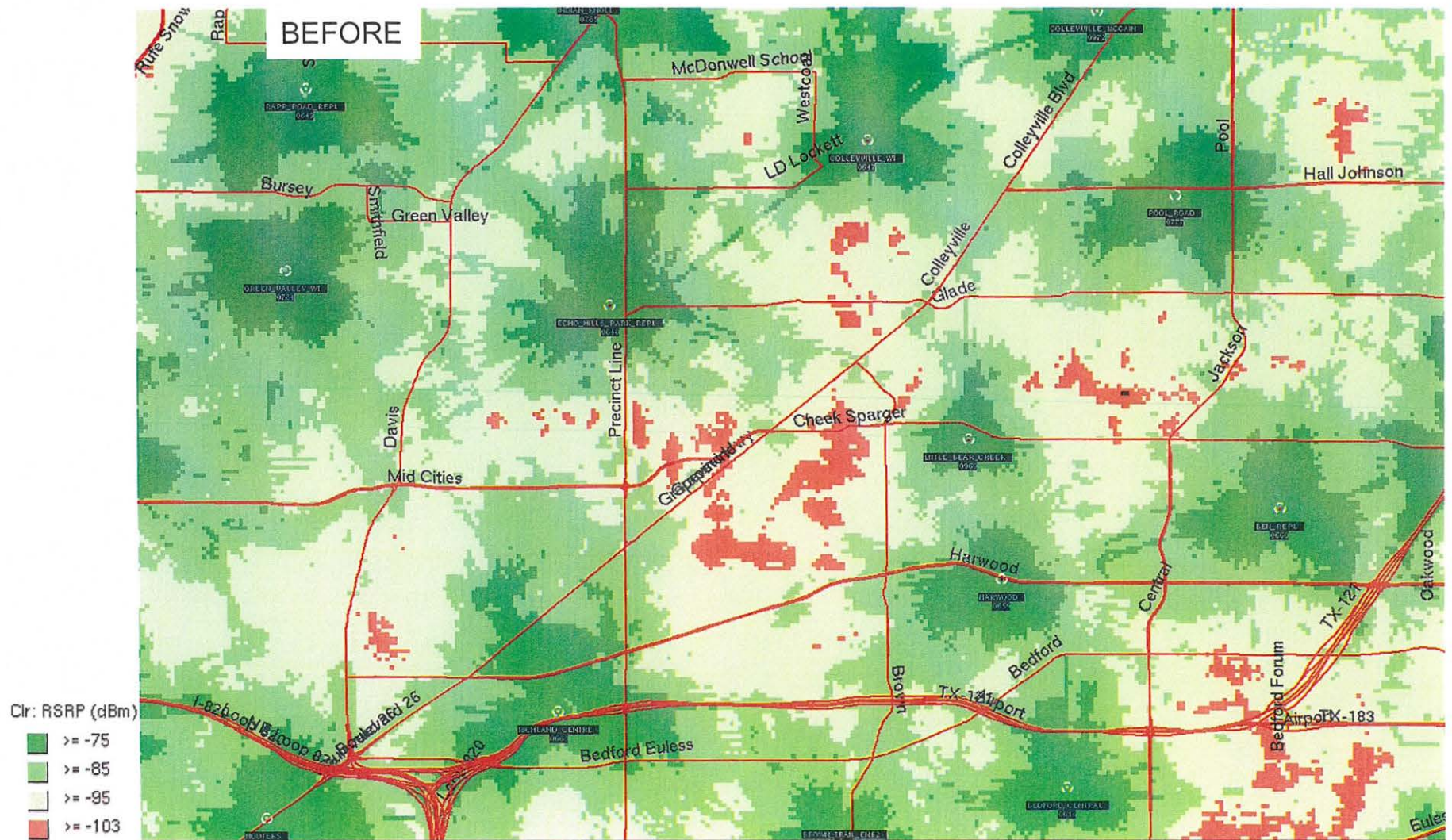
To Affidavit of Muhammad Umar Siddiqui

See attached Before Propagation Map

Affidavit Exhibits



GREENBRIAR_LANE



Affidavit Exhibits

Greenbriar
RF Affidavit

EXHIBIT B

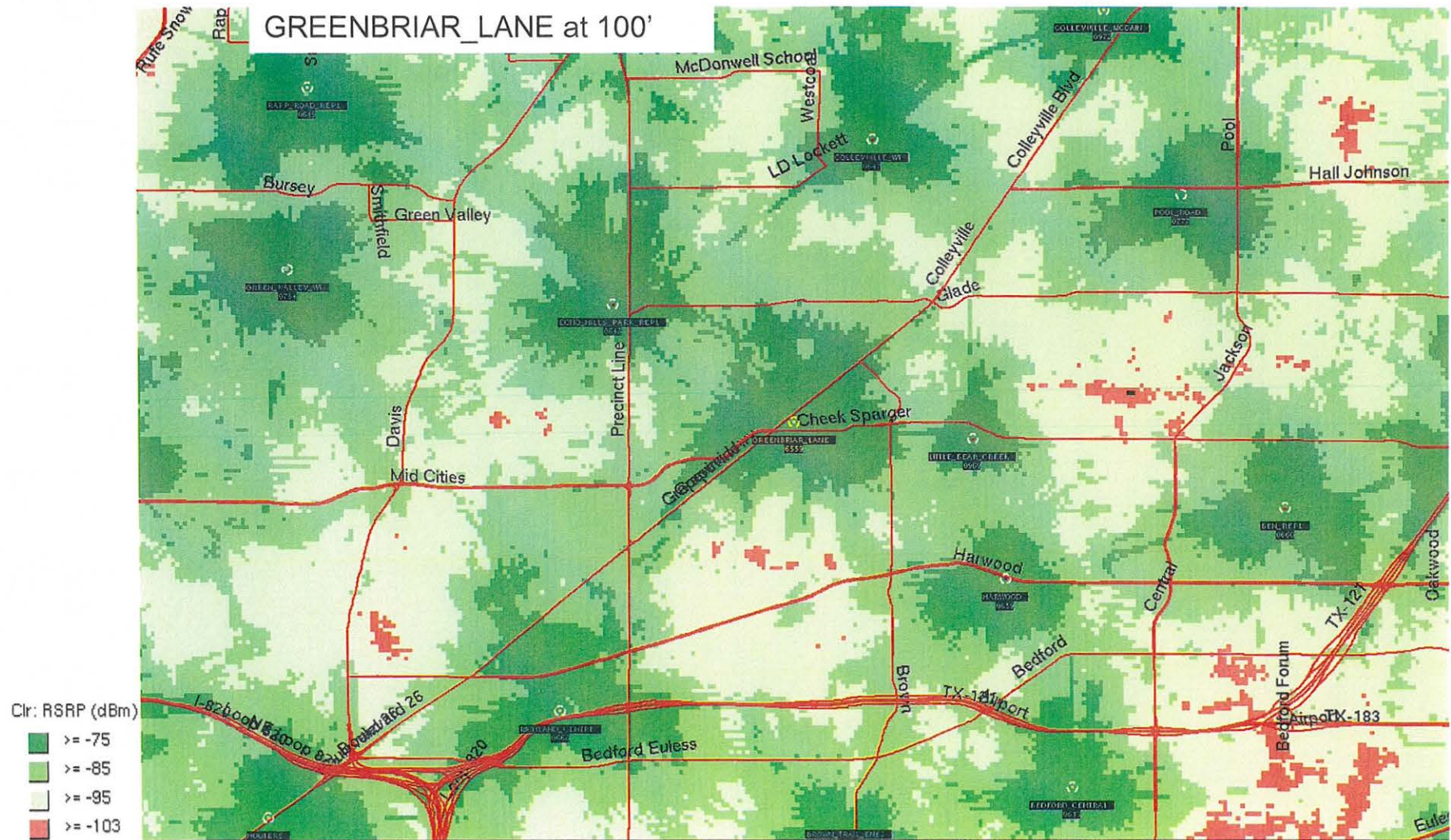
To Affidavit of Muhammad Umar Siddiqui

See attached After Propagation Map

Affidavit Exhibits



GREENBRIAR_LANE



Affidavit Exhibits

Greenbriar
RF Affidavit

EXHIBIT C

To Affidavit of Muhammad Umar Siddiqui

See attached FCC Antenna Structure Registrations Study Results

Affidavit Exhibits



Federal
Communications
Commission

FCC Home | Search | Updates | E-Filing | Initiatives | For Consumers



FCC > [WTT](#) > [ASR](#) > [Online Systems](#) > [ASR Search](#)

ASR Registration Search

Registration Search Results

[New Search](#) [Refine Search](#) [Printable Page](#) [Query Download](#) [Map Result\(s\)](#)

[ADVANCED SEARCH](#)

Displayed Results

Matches 1-3 (of 3)

1

Specified Search

Latitude='32-52-7.0 N', Longitude='97-10-9.5 W', Radius=1.6 Kilometers

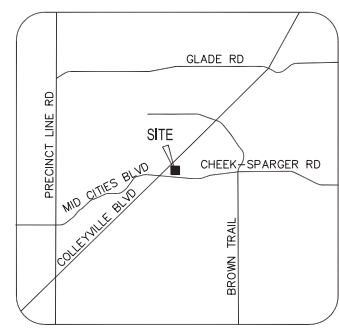
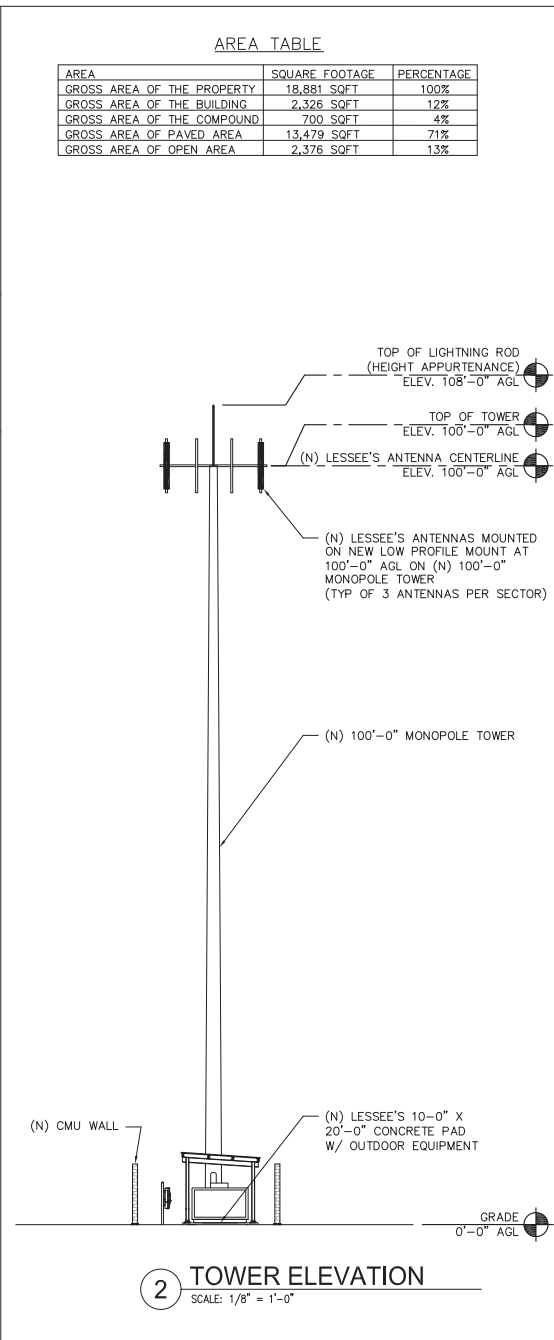
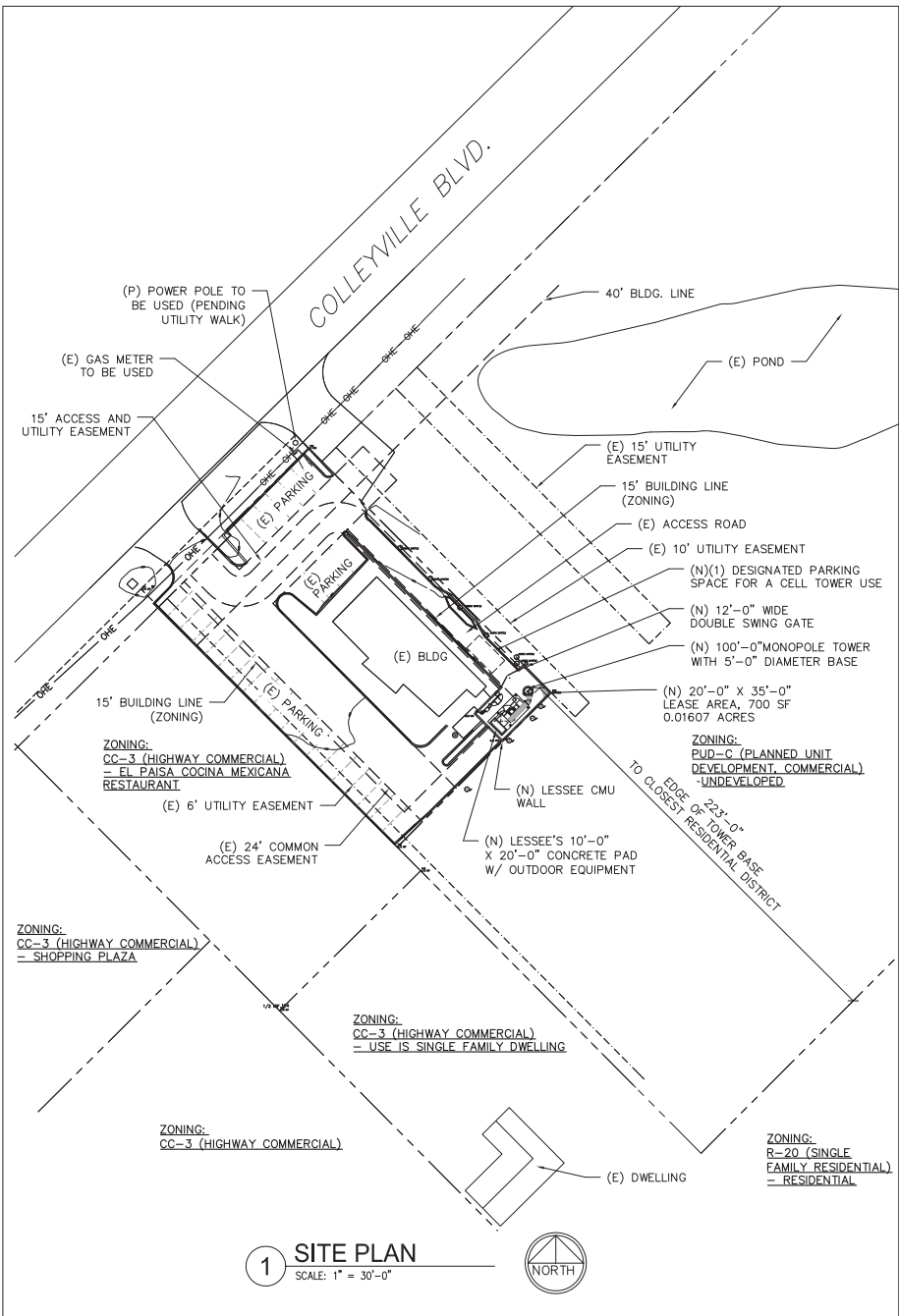
Display:

	Registration Number	Status	File Number	Owner Name	Latitude/Longitude	Structure City/State	Overall Height Above Ground (AGL)
1	1049980	Terminated	A0466239	NEW CINGULAR WIRELESS SERVICES, INC.	32-52-51.0N 097-09-17.0W	COLLEYVILLE, TX	30.4
2	1261270	Constructed	A0881027	New Cingular Wireless PCS, LLC	32-51-59.0N 097-10-27.8W	Hurst, TX	32.3
3	1282412	Constructed	A0902847	CCATT LLC	32-52-51.4N 097-09-16.8W	COLLEYVILLE, TX	31.4

Matches 1-3 (of 3)

1

Site Plan and Tower Elevations



NO.	DATE	REVISION
E	12/19/14	ZONING DRAWING
D	10/28/14	ZONING DRAWING
C	10/24/14	ZONING DRAWING
B	10/23/14	ZONING DRAWING
A	10/23/14	ZONING DRAWING

verizon wireless
7 VILLAGE CIRCLE SUITE #400
WESTLAKE, TEXAS 76262

DATE DRAWN: 12/19/14
DRAWN BY: C. RIM
APPROVED BY: J. GEORGE

**NEW SITE BUILD
GREENBRIAR LANE**

SITE # ID 287141
4003 COLLEYVILLE BLVD.
COLLEYVILLE, TX 76034
TARRANT COUNTY

ALLPRO
CONSULTING GROUP, INC.
9221 LYNDON B. JOHNSON FREEWAY
SUITE 204, DALLAS, TX 75243
PHONE: (972) 251-1883
FAX: (972) 251-1883
WWW.ALLPROCONSULTING.COM
FIRM REGISTRATION # 6242
ACGM 14-3889

ENGINEER:
ALLPRO CONSULTING GROUP, INC.
9221 LYNDON B. JOHNSON
FREEWAY SUITE 204
DALLAS, TX 75243
(972) 231-8893

OWNER:
WILLIAM M ETUX CAROL A LEMMON
133 E RIO RDG
AZLE TX 76020-1557

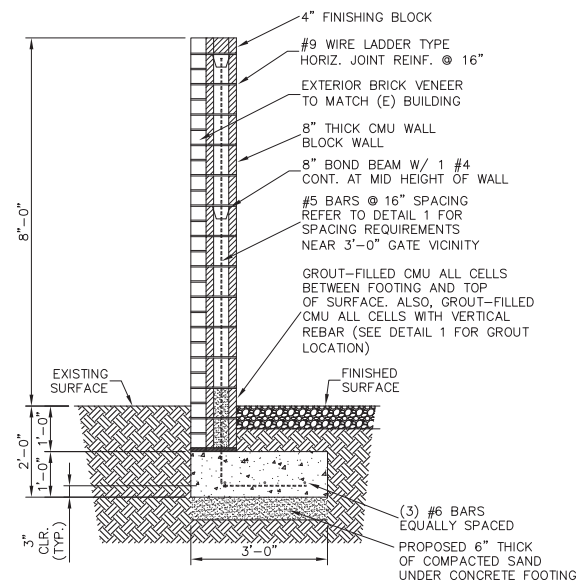
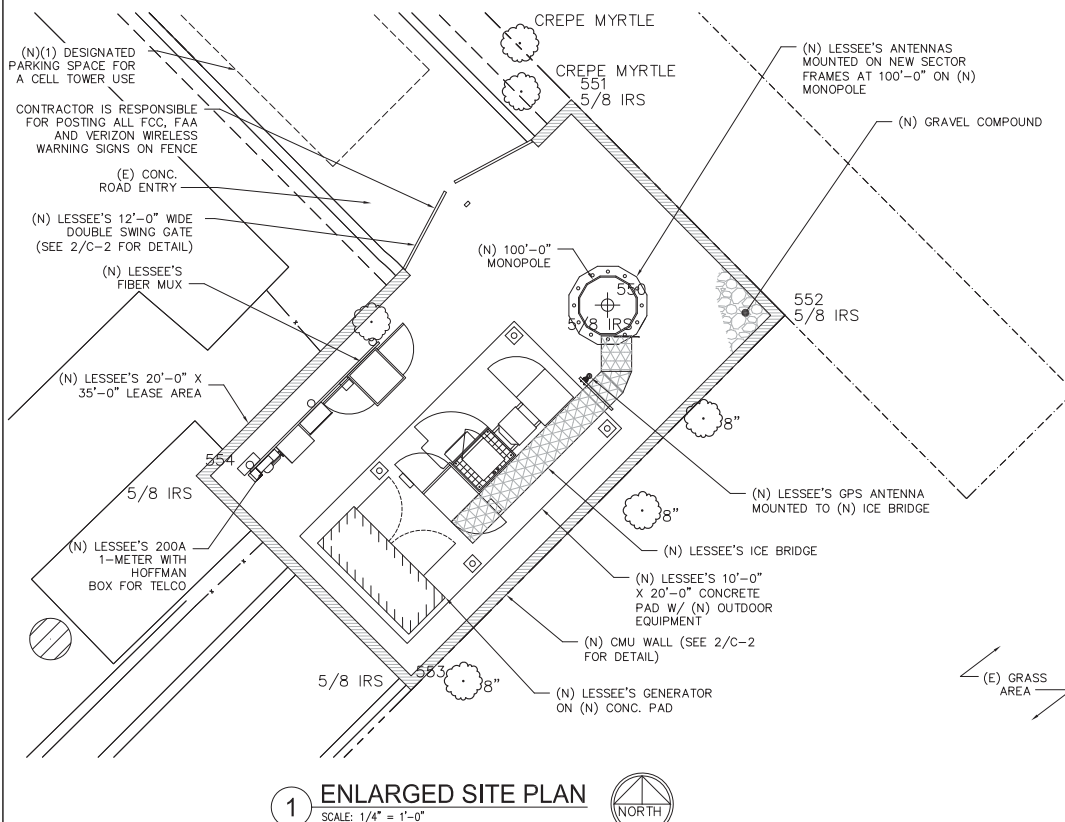
LEGAL DESCRIPTION:
FELPS, ANDY ADDITION
BLK 1 LOT 5R1A

ZONING EXHIBIT FOR ZONING
CHANGE REQUEST FROM CC-3
TO CC-3 WITH SUP FOR
TELECOMMUNICATION TOWER

SHEET NAME
**SITE PLAN AND
TOWER ELEVATION**

SHEET NUMBER
C-1

Site Plan and Tower Elevations



2 CMU WALL SECTION
SCALE: 3/4" = 1'-0"

			E	12/19/14	ZONING DRAWING
			D	10/28/14	ZONING DRAWING
			C	10/24/14	ZONING DRAWING
			B	10/23/14	ZONING DRAWING
			A	10/16/14	ZONING DRAWING
			NO.	DATE	REVISION



DATE DRAWN: 12/19/14

DRAWN BY: C. DMM

APPROVED BY: J. GEORGE

NEW SITE BUILD
GREENBRIAR LANE

SITE # ID 287141
4003 COLLEYVILLE BLVD.
COLLEYVILLE, TX 76034
TARRANT COUNTY



9221 LYNDON B JOHNSON FREEWAY
SUITE 204, DALLAS, TX 75243
PHONE: 972-231-8893
FAX: 972-364-8375
WWW.ALLPROCGL.COM

FIRM REGISTRATION # 8242
ACCM 14-3889

FIRM REGISTRATION # 8242
ACGI# 14-3889

SHEET NAME
ENLARGED PLAN AND
FENCE DETAIL

SHEET NUMBER

C-2

ORDINANCE O-15-XXXX

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF LOT 5R-1, BLOCK 1 OF THE ANDY FELPS ADDITION LOCATED AT 4003 COLLEYVILLE BOULEVARD, BY AUTHORIZING A SPECIAL USE PERMIT FOR A TELECOMMUNICATIONS TOWER; 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. ZC14-027; 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 authorizing a Special Use Permit for a second hand goods shop on Lot 5R-1, Block 1, of the Andy Felps Addition located at 4003 Colleyville Boulevard, as depicted on the attached as 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. This Special Use Permit shall only apply to the use of a telecommunications tower as described in Exhibit "B" and depicted on Exhibit "C" and "D".
- b. The tower shall be of a monopole design and shall not exceed a height of 108 feet from the ground to the highest point of the structure as depicted in Exhibit "D".
- c. The tower and all related ground appurtenances shall be located within a lease area not to exceed 700 square feet. Said lease area shall be located on the subject property per

Exhibit "C"

- d. A minimum eight (8) foot tall decorative masonry wall shall be constructed around the entire perimeter of the tower lease area prior to the final inspection of the tower structure.
- e. At the time of building permit application for said tower, all non-compliant City code issues identified on the site that are not considered legal non-conforming as determined the city manager or his/her designee shall be brought into compliance prior to the final inspection for the tower.
- f. The telecommunications tower and related construction authorized by this ordinance shall meet all requirements of the Land Development Code and the Code of Ordinances, except where amended herein.

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 3rd day of February 2015.

The second reading and public hearing being conducted on the 17th day of February 2015.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2015.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A" - Location and Zoning Map

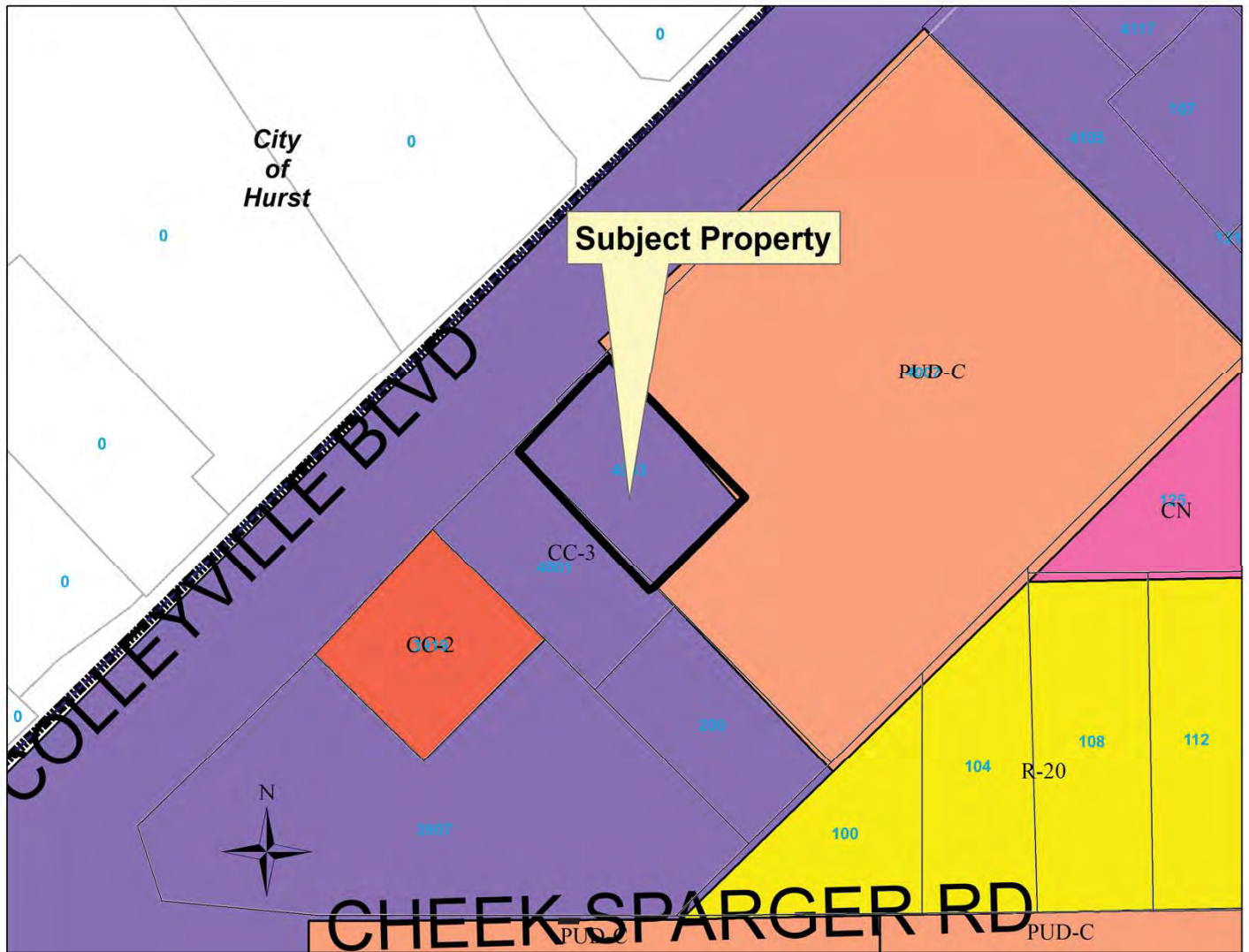


Exhibit “B” – Statement of Planning Objectives

SUP for Telecommunication Tower at 4003 Colleyville Blvd.

Statement of Planning Objectives

Verizon Wireless requests a Specific Use Permit for a telecommunication tower at 4003 Colleyville Blvd, Colleyville Texas, 76034. The property is zoned CC-3, highway commercial and it is fully developed and currently in use by Michaels Keys. It is surrounded by property zoned CC-3 to the west which is currently occupied by a fast food restaurant, and by vacant property zoned PUD-C Planned Unit Development-Commercial to the east and south. The property to the north is outside the city limit.

The proposed location for the tower is at the southeastern corner of the lot. . There is heavy vegetation between the lot and adjacent properties to the south. The distance between the base of the tower and any agricultural or residential district is more than two times the height of the tower, as shown on the site plan C-1. The tower structure is 100 feet high, and the closest residential district, an R-20 district to the south, is 223 feet from the closest edge of the tower base.

The tower at the Proposed Site will be available for use by up to two wireless communications providers, subject only to the negotiation of a mutually acceptable site leases with the providers. The design of the tower for the Proposed Site will be a monopole, which makes the tower (including its antennae, shelter and ground layout) the best design available to serve Verizon Wireless' customers' coverage needs. The tower will only be one-hundred and eight feet (108') tall to its highest point (the lightning rod) in a 20' x 35' lease area, and the equipment on the ground will be housed in outdoor equipment cabinets will be screened with an eight-foot-high masonry wall. The tower and equipment will be serviced by a vehicle that will park outside the gate of the equipment area.

As indicated by Mr. Siddiqui's affidavit, attached, there are no other towers available within a one mile radius to meet the coverage needs of this area. The coverage maps attached to his affidavit indicate the significant gap in reliable coverage in this area now, and the optimal coverage that will be provided by a tower at this site. The proposed site will provide optimal coverage for the residential and commercial areas within 1 mile around the Proposed Site and will serve both coverage and capacity needs by filling existing significant gaps in the ability of remote users of Verizon Wireless' wireless network to access the national telephone network

As indicated in Mr. Pyles' affidavit, this site was the only site available because the other candidates were either not interested, or their property did not meet the zoning setback requirements, or the sites were rejected by RF due to coverage issues. This shows that the proposed site and type of tower are the least intrusive means to provide the needed coverage.

Exhibit “B” – Statement of Planning Objectives (cont.)

Development Schedule

The development schedule cannot be provided with any certainty at this time. The start and completion dates will be determined once the site is released to construction. Once a site is awarded then we can provide the City with an estimated start date and completion date. The engineer for the project estimates that construction will take approximately 6-8 weeks from start to finish.

Economic Development Information

The proposed cell tower will not add any square feet of building area. There will be no associated sales per year at this site.

Traffic Impact Analysis

The proposed cell tower will not generate any vehicle trips per day.

Exhibit "C" – Site Plan

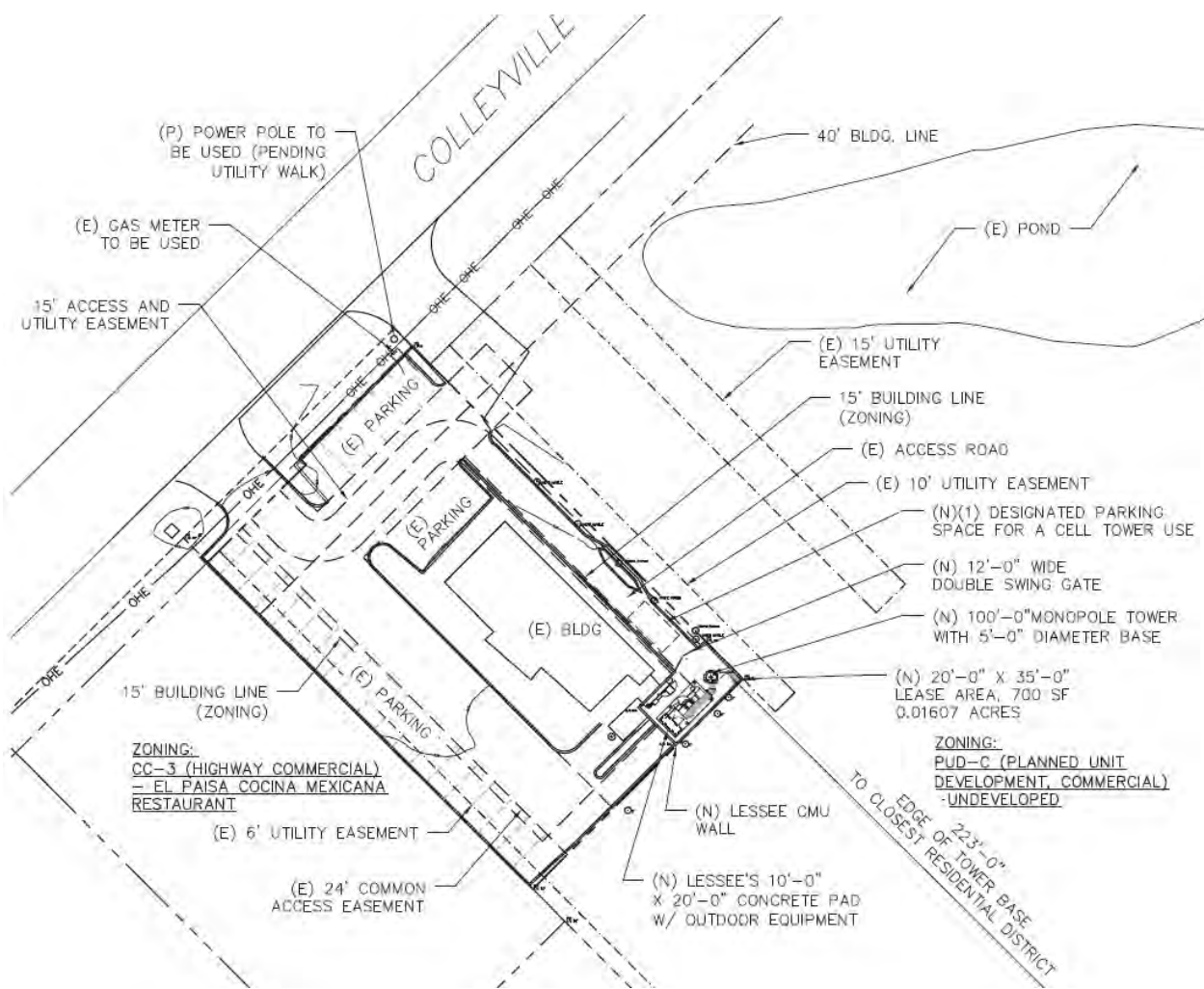
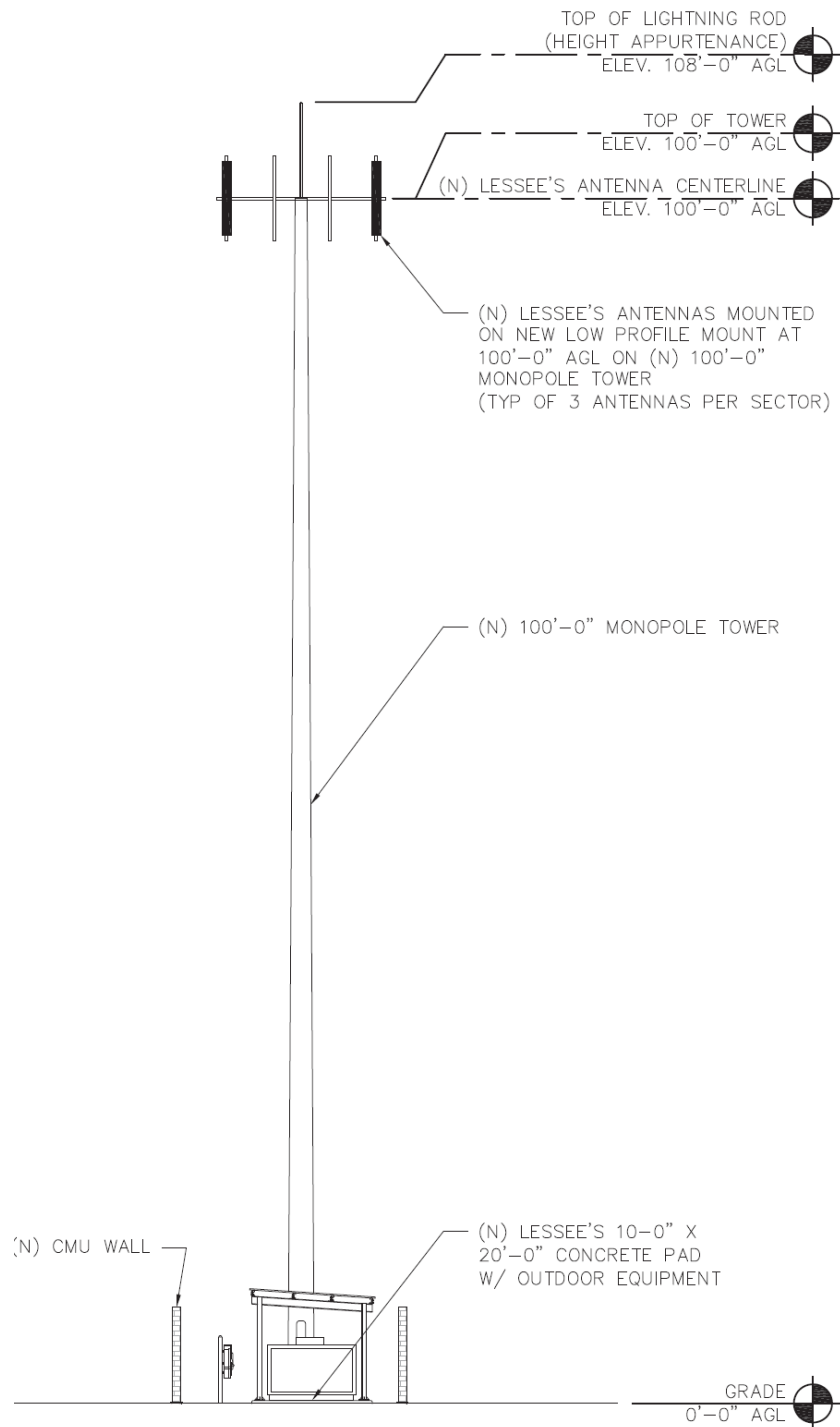


Exhibit "D" – Tower Elevation



2

TOWER ELEVATION

SCALE: 1/8" = 1'-0"



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number	Agenda Date	Number
3d	01/12/2015	
Type	Public Hearing Agenda Items	
Department	Community Development	

Title

Consideration for a Special Use Permit for a Second Hand Goods Shop on Lot 8A, Block 1, of the Thompson Terrace Addition located at 5117 Colleyville Blvd, Suite A, Case ZC14-028

Explanation

The applicants, Della Greener and Sumer Morgan, have submitted a request for a Special Use Permit (SUP) to allow a second hands goods shop at 5117 Colleyville Boulevard, Suite A. The subject property is zoned CC-1-Village Retail district. A second hand goods shop is allowed in the CC-1-Village Retail zoning district with the approval of an SUP.

Existing Conditions. The subject property is currently developed as a 6,588 square foot commercial building, constructed in 1985 and remodeled in 2010. Per the attached exhibit, the proposed business would occupy 2,400 square feet of lease space that is currently vacant. The remaining 4,188 square feet of the building is currently occupied by Goodwill Industries and is used as a charitable donation station, approved under SUP Ordinance O-13-1862 (attached) on January 15, 2013.

Proposed Business. Per the attached Statement of Planning Objectives, the proposed name of the business is "The Attic Resale". The business currently operates in North Richland Hills and would relocate to Colleyville upon approval of the zoning request.

According to the applicant, the business will sell the following items:

- women's clothing, accessories and jewelry;
- housewares;
- art, frames & wall hangings;
- unique antique pieces and furniture.

Hours of Operation. According to the Statement of Planning Objectives, the business will operate during the following hours:

- Monday: closed

- Tuesday, Thursday, Saturday and Sunday: 11:30 a.m. to 6:00 p.m.
- Wednesday and Friday: 11:30 a.m. to 4:30 p.m.

Similar to the adjacent Goodwill business, the hours of operation are not contained in the proposed ordinance.

Parking. There are currently 27 parking spaces provided on the site. The Land Development Code requires one parking space per 200 square feet of gross floor area for a retail use. Based on this requirement, a total of 12 parking spaces are required for the proposed business. In terms of the existing Goodwill business, the Land Development Code requires one parking space per 300 square feet of gross floor area for the donation station. Based on this requirement, a minimum of 14 spaces are required for the Goodwill business, leaving adequate parking (27 spaces) available for both businesses until such time that the existing ten spaces along State Highway 26 are removed to accommodate the reconstruction of State Highway 26. It is staff's opinion that after State Highway 26 reconstruction, the remaining 17 parking spaces will adequately accommodate both the Goodwill business and the proposed second hand goods shop. This is reflected in the draft ordinance.

The owner of the property, Norman Gibson, sent an email stating additional parking was added along Thompson Terrace to partially off-set the future loss of parking spaces due to the State Highway 26 reconstruction. Mr. Gibson does not believe there will be a future parking issue when State Highway 26 is reconstructed. Mr. Gibson's email is attached.

Off-Street Loading/Unloading. The applicant informed staff that all loading and unloading will take place through the rear of the building along Thompson Terrace due to the fact that there is not adequate space along the State Highway 26 side of the building to safely load and unload. The ordinance states that all off-street loading and unloading shall occur through the building entrance located on Thompson Terrace. The applicant also informed staff that all merchandise stocked in the store is purchased through estate sales, local non-profit retailers and select client referrals. The applicant does not accept donations. The ordinance prohibits the outside storage of any items on the property.

Signage. As required by the draft ordinance, all signage shall be consistent with the business name, "The Attic Resale", and shall not contain the word thrift, used, salvage, pawn or junk.

Master Plan. The Colleyville Master Plan designates the future use of this area for retail and commercial land uses. The request is consistent with the goals and objectives of the Master Plan.

Surrounding Properties. The surrounding properties are a mixture of office, retail,

and restaurant uses and are zoned CC1-Village Retail and PUD-C-Planned Unit Development Commercial.

Public Notification. Staff notified 18 property owners within 200 feet of the subject property and homeowner's associations within 500 feet of the subject property regarding this request. Notice was sent to the Grapevine-Colleyville Independent School District as required by state law. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. To date no correspondence has been received.

Summary. The proposed zoning change is in compliance with the Future Land Use Plan, which designates the subject property as a future retail development area and is consistent with the surrounding zoning designations.

Recommendation

Approval with the following conditions:

1. GENERAL

- a. This Special Use Permit shall only apply to the use of a second hand goods shop within Suite A only on the subject property as described in Exhibit "B".
- b. The name of the business authorized under this ordinance shall be "The Attic Resale".
- c. Signage shall be consistent with the business name and shall not contain the word thrift, used, salvage, pawn or junk.
- d. There shall be no outside storage of any items on the property.
- e. All off-street loading and unloading shall occur through the building entrance located on Thompson Terrace.
- f. Items authorized to be sold in said business shall be as follows:
 - (1) women's clothing, accessories and jewelry;
 - (2) housewares;
 - (3) art, frames & wall hangings;
 - (4) unique antique pieces and furniture.
- g. The Special Use Permit shall automatically expire upon the abandonment of the

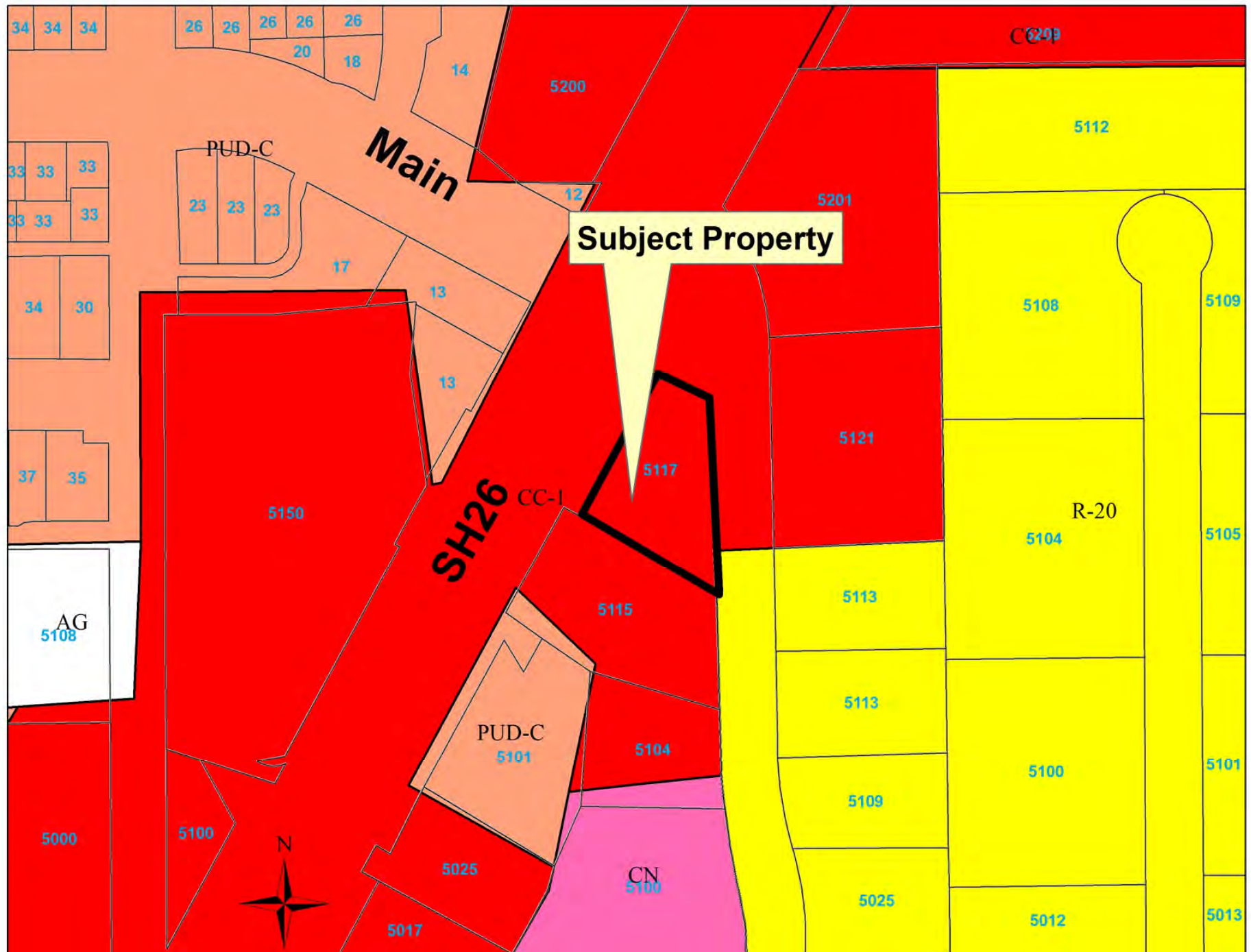
business, change in use, a change in ownership, or upon the expiration or termination of the Certificate of Occupancy for the approved use.

h. After reconstruction of State Highway 26, fewer than 12 parking spaces may be permitted for this use.

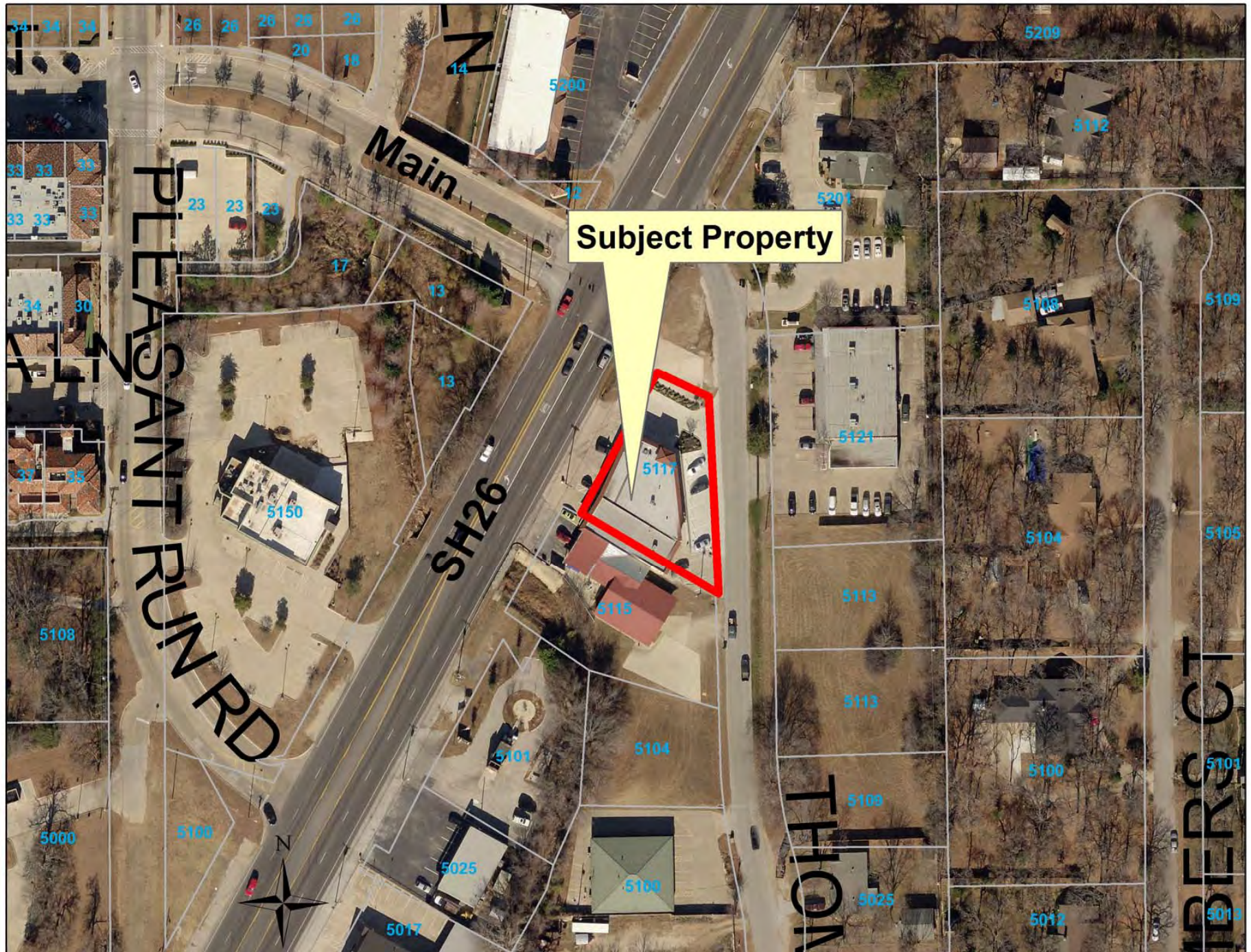
Attachments

1. Location and Zoning Map
2. Aerial
3. Buffer Map
4. Notification List
5. Statement of Planning Objectives
6. Applicant's Exhibit
7. Site Exhibit
8. Property Owner Email Regarding Parking
9. Ordinance O-13-1862
10. Proposed Ordinance

Location and Zoning Map



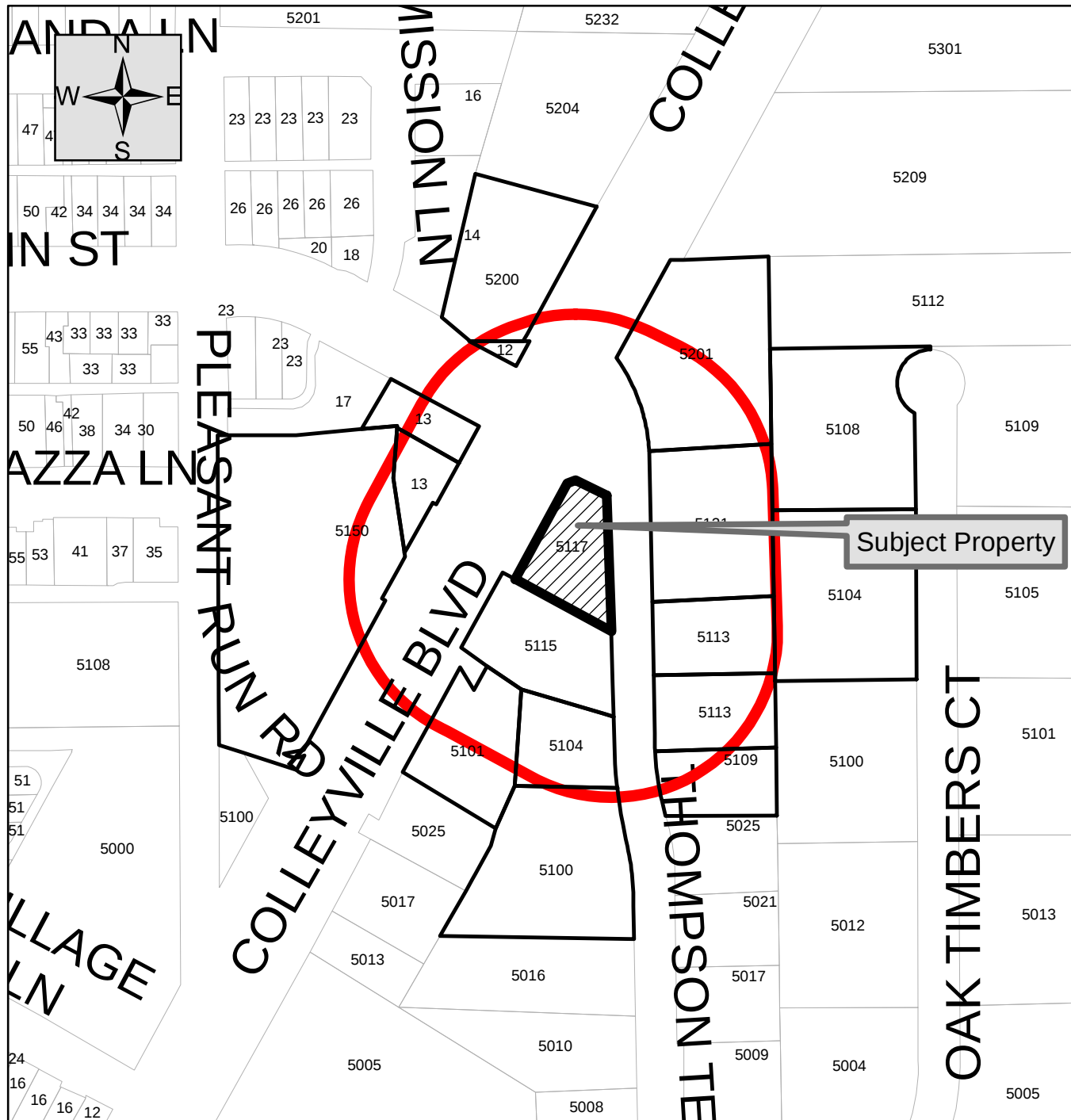
Location and Zoning Map



Buffer Map

Case ZC14-028

5117 Colleyville Blvd, Ste. A



Legend

-  Properties within 200 feet
 Subject Property
 Parcels
 City Limit



Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
Village Owners Association Inc	909 Lake Carolyn Pkwy Ste 150	Irving	Texas	75039	000012 Main St
Gibson, Norman C & Doris A	113 Timberline Dr S	Colleyville	Texas	76034	005104 Thompson Terr
Pleasant Run Holdings Llc	5115 Collyville Blvd	Colleyville	Texas	76034	005115 Colleyville Blvd
Bbtt Llc	6308 Remington Pkwy	Colleyville	Texas	76034	005100 Thompson Terr
Bojku, Afrim	5309 Collyville Blvd	Colleyville	Texas	76034	005150 Colleyville Blvd
Buchwald, Rudolph W III	1309 Ashford Ct	Colleyville	Texas	76034	005101 Colleyville Blvd
Village Owners Association Inc	909 Lake Carolyn Pkwy Ste 150	Irving	Texas	75039	000000 Main St
Swigart, William A	5104 Oak Timbers Ct	Colleyville	Texas	76034	005104 Oak Timbers Ct
Carew, Pat Etux Karen	5108 Oak Timbers Ct	Colleyville	Texas	76034	005108 Oak Timbers Ct
Mitcham, Carl D & Brian C	PO Box 983	Colleyville	Texas	76034	005121 Thompson Terr
Sides, Joseph D	2911 Compton Rd	Nashville	Tennessee	37215	000000 Thompson Terr
Sides, Joseph D	2911 Compton Rd	Nashville	Tennessee	37215	005113 Thompson Terr
Sides, Joseph D	2911 Compton Rd	Nashville	Tennessee	37215	005109 Thompson Terr
Gibson, Norman C Etux Doris A	113 Timberline Dr S	Colleyville	Texas	76034	005117 Colleyville Blvd
Colleyville Terrace Salon & Da	PO Box 337	Colleyville	Texas	76034	005201 Colleyville Blvd
Beam Real Estate Llc	14455 Webb Chapel Rd	Farmers Branch	Texas	75234	005200 Colleyville Blvd
Village Owners Association Inc	909 Lake Carolyn Pkwy Ste 150	Irving	Texas	75039	000013 Main St
Grapevine-Colleyville ISD	3051 Ira E. Woods Ave	Grapevine	Texas	76051	Courtesy Notice
Della Greener & Sumer Morgan	7205 Blvd 26	North Richland Hills	Texas	76180	Applicant

Public hearing notices were mailed
Tues, Dec 23, 2014 by Taci Wrisley

Statement of Planning Objectives



November 18, 2014

The City of Colleyville
100 Main Street
Colleyville, TX 76034

To Whom It May Concern:

This letter is addressed to the Planning & Zoning Commission and City Council of Colleyville, Texas with regard to the opening of the business known as The Attic Resale LLC, currently located at 7205 Boulevard 26, NRH, TX in the Greater Richland Plaza. The application for a Special Use Permit along with application fee of \$500.00, are accompanied by this letter.

The Attic is currently run by owners Della Greener and Sumer Morgan, and have no additional employees. Merchandise is purchased through Estate Sales, local Non-Profit Retailers & Select Client Referrals of The Attic. These purchases are recorded and tracked in Quickbooks. As a Resale Shop we offer a unique blend of New, Gently Loved & Repurposed items such as:

Women's Clothing, Shoes, Accessories & Jewelry
Housewares
Art/Frames/Wall Hangings
Unique Antique Pieces & Furniture

Hours of operation will be as follows:

Monday – Closed
Tues, Thurs, Sat & Sun – 11:30am thru 6:00pm
Wed & Fri – 11:30 thru 4:30pm

Applicant's Exhibit



Applicant's Exhibit



Applicant's Exhibit



Applicant's Exhibit



Applicant's Exhibit



Applicant's Exhibit



Applicant's Exhibit



Applicant's Exhibit



Applicant's Exhibit



Applicant's Exhibit



Site Exhibit



From: Norman Gibson
Date: Fri 1/9/2015 6:35 AM
To: Adam Marsh

Dear Mr. Marsh,

A few years ago we extensively remodeled 5117 Colleyville Blvd, taking down part of the building (1600 sq ft) to make room for the expansion of Main St/Thompson Terrace and Hwy 26, losing the Donut Palace and all that income. At that time we were granted a variance from the city for the 17 parking spaces left to us since this road expansion was going to take all our parking on Hwy 26 side. This was discussed several times and I was told that there would be no problem from the city meaning the variance solved any and all problems. If there was going to be a problem, the city wouldn't have allowed me to remodel. Goodwill has two employees and the Attic will have two also meaning there might be a total of maybe four spaces taken by the employees leaving thirteen for customers which should be plenty. When PCHelp (the computer place) was there with Goodwill, there was never a problem with parking and I see no future problems. This variance was granted by the city due to the grandfather clause. Of course if there isn't enough parking for me to have a business, the city can always buy the building and do what ever it wants to do. But since there was always plenty of space for parking in the past, I see no problem with the future. Besides, there's a lot more parking there than Colleyville Village has.

Thank you
Norman Gibson

ORDINANCE O-13-1862

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF LOT 8A, BLOCK 1 OF THE THOMPSON TERRACE SUBDIVISION LOCATED AT 5117-B COLLEYVILLE BOULEVARD, BY AUTHORIZING A SPECIAL USE PERMIT FOR A CHARITABLE DONATION STATION; 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. ZC12-027; 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 authorizing a Special Use Permit for a charitable donation station on Lot 8A, Block 1, of the Thompson Terrace Subdivision located at 5117-B Colleyville Boulevard, as depicted on the attached as 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. This Special Use Permit shall only apply to the use of a Goodwill Industries charitable donation station on the subject property.
- b. There shall be no overnight parking of any tractor-trailers or trailers on the property.
- c. There shall be no outside storage of any items on the property.

- d. Donated items shall not be placed outside of the building at any time and must be stored within the building immediately upon drop-off.
- e. There shall be no donation kiosks or other related donation structures independent of the main structure located on this property.
- f. The Special Use Permit shall automatically expire upon the abandonment of the business, change in use, a change in ownership, or upon the expiration or termination of the Certificate of Occupancy for the approved use.

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 8th day of January 2013.

The second reading and public hearing being conducted on the 15th day of January 2013.

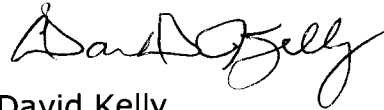
PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 15th day of January 2013.

ATTEST:



Amy Shelley
City Secretary

CITY OF COLLEYVILLE



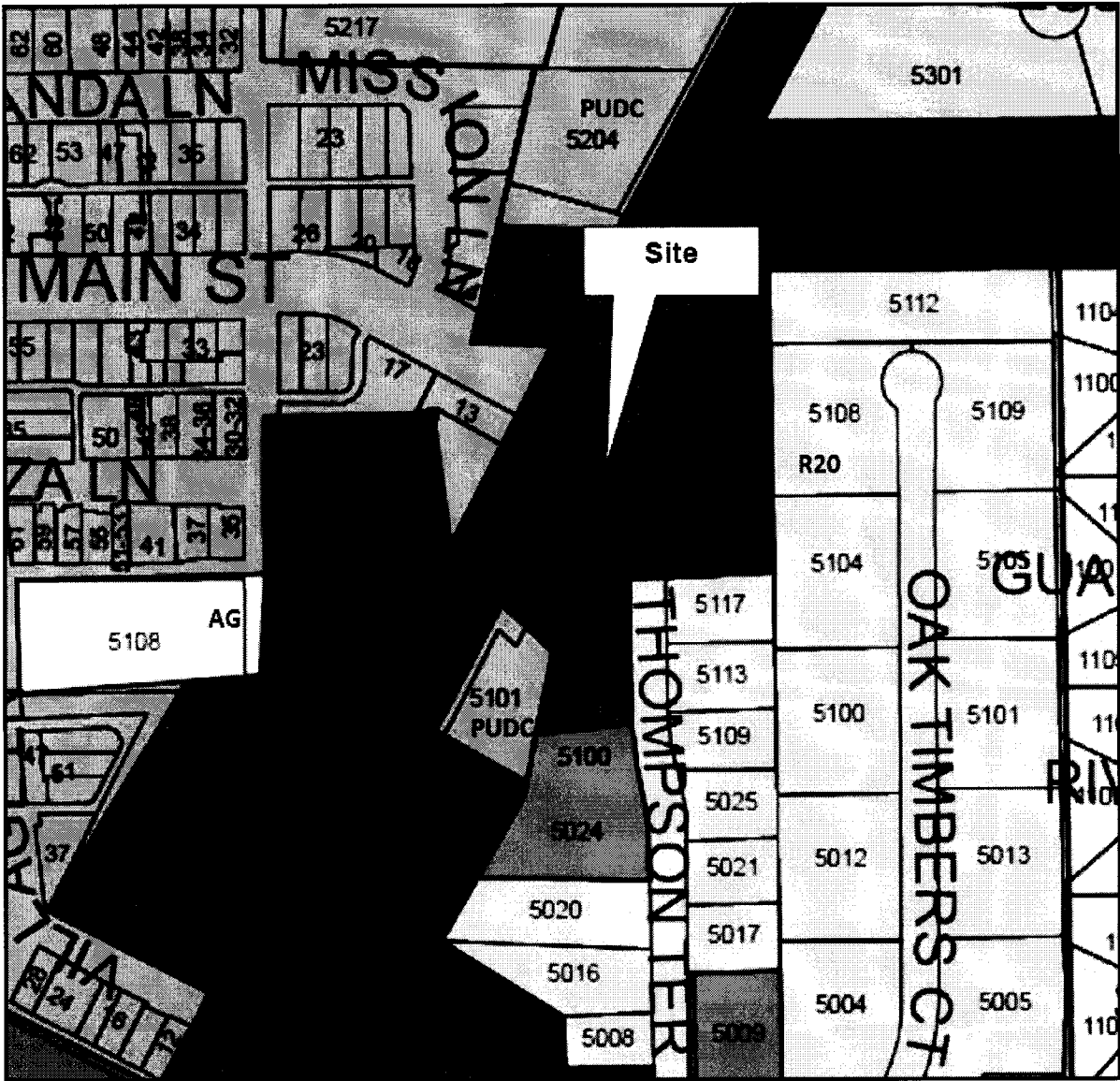
David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

Exhibit "A" - Location and Zoning Map



ORDINANCE O-15-XXXX

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF LOT 8A, BLOCK 1 OF THE THOMPSON TERRACE SUBDIVISION LOCATED AT 5117-A COLLEYVILLE BOULEVARD, BY AUTHORIZING A SPECIAL USE PERMIT FOR A SECOND HAND GOODS SHOP; 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. ZC14-028; and

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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 authorizing a Special Use Permit for a second hand goods shop on Lot 8A, Block 1, of the Thompson Terrace Subdivision located at 5117-A Colleyville Boulevard, as depicted on the attached as 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. This Special Use Permit shall only apply to the use of a second hand goods shop within Suite A only on the subject property as described in Exhibit "B".
- b. The name of the business authorized under this ordinance shall be "The Attic Resale".
- c. Signage shall be consistent with the business name and shall not contain the word thrift, used, salvage, pawn or junk.

- d. There shall be no outside storage of any items on the property.
 - e. All off-street loading and unloading shall occur through the building entrance located on Thompson Terrace.
 - f. Items authorized to be sold in said business shall be as follows:
 - (1) women's clothing, accessories and jewelry;
 - (2) housewares;
 - (3) art, frames & wall hangings;
 - (4) unique antique pieces and furniture.
 - g. The Special Use Permit shall automatically expire upon the abandonment of the business, change in use, a change in ownership, or upon the expiration or termination of the Certificate of Occupancy for the approved use.
 - h. After reconstruction of State Highway 26, fewer than 12 parking spaces may be permitted for this use.
- 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 3rd day of February 2015.

The second reading and public hearing being conducted on the 17th day of February 2015.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the _____ day of _____ 2015.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit “B” – Statement of Planning Objectives



November 18, 2014

The City of Colleyville
100 Main Street
Colleyville, TX 76034

To Whom It May Concern:

This letter is addressed to the Planning & Zoning Commission and City Council of Colleyville, Texas with regard to the opening of the business known as The Attic Resale LLC, currently located at 7205 Boulevard 26, NRH, TX in the Greater Richland Plaza. The application for a Special Use Permit along with application fee of \$500.00, are accompanied by this letter.

The Attic is currently run by owners Della Greener and Sumer Morgan, and have no additional employees. Merchandise is purchased through Estate Sales, local Non-Profit Retailers & Select Client Referrals of The Attic. These purchases are recorded and tracked in Quickbooks. As a Resale Shop we offer a unique blend of New, Gently Loved & Repurposed items such as:

Women's Clothing, Shoes, Accessories & Jewelry
Housewares
Art/Frames/Wall Hangings
Unique Antique Pieces & Furniture

Hours of operation will be as follows:

Monday – Closed
Tues, Thurs, Sat & Sun – 11:30am thru 6:00pm
Wed & Fri – 11:30 thru 4:30pm

7205 BOULEVARD 26 • NORTH RICHLAND HILLS • TEXAS • 76180