City of Colleyville
Planning and Zoning Commission
Agenda

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

Monday, September 14, 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: Chairman Byerly

PLEDGE OF ALLEGIANCE

1. **APPROVAL OF MINUTES**
   August 10, 2015
2. **CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA**
3. **PUBLIC HEARING AGENDA ITEMS**

3a Consideration of a zoning change from the PUDC-Planned Unit Development Commercial zoning district to the PUDC-Planned Unit Development Commercial zoning district and PUDR-Planned Unit

Development Residential zoning district on 15.18 acres of Abstract 1182 of the WC Newton Survey and Abstract 356 of the Isaac Caradine Survey, located at 8000 & 8050 Precinct Line Road, Case ZC15-013

3b Consideration of an amendment to the PUDC-Planned Unit Development Commercial zoning district on Lots 2, 53, and 54, of the Village at Colleyville, located at 18, 20, & 26 Main Street, Case ZC15-016

4. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards September 11, 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 Minutes

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

Monday, August 10, 2015 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 August 10, 2015 at 7:08 p.m.

Roll Call

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

Staff Present: Abra Nusser, Jeremy Hutt, Rob McKeown, Brian Riley, Taci Wrisley, and Matt Butler (City Attorney)

1. APPROVAL OF MINUTES

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

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

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

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

There were no 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 23A & 23D, Block 1, of the Westcoat Place Addition, located at 5805 Bettinger Drive, Case PC15-016

Abra Nusser presented the case and briefed the Commission.

The public hearing was opened at 7:13 p.m.

Sam Noel, the applicant and property owner, came forward to answer any questions.

There being no one else wishing to speak, the public hearing was closed at 7:14 p.m.

Commissioner Tornes made a motion to approve Case PC15-016. Commissioner Gotcher seconded.

The motion to approve Case PC15-016 was carried by the following vote:

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

3b Consideration of a zoning change from the R40-Single Family Residential to the PUDR-Planned Unit Development Residential zoning district Lot 4, Block 1, of the Lavaca Trail Addition, located at 1013 Lavaca Trail, Case ZC15-012

Abra Nusser presented the case and briefed the Commission.

Commissioner Tornes questioned staff regarding whether the south west portion of the development was in the flood plain. Jeremy Hutt replied yes. He further explained the applicant would be supplying a Letter of Map Revision and would be required to meet the city's requirements for building in a flood plain.

Chairman Byerly questioned staff regarding the city's requirements for drainage flowing onto the neighbor's property. Jeremy Hutt replied the city would ensure the properties upstream and downstream were not negatively affected by drainage.

Commissioner Phelps questioned staff regarding the city's requirements for open space lots or streets in the flood plain. Jeremy Hutt replied there are no requirements for either.

Commissioner Davis questioned staff regarding whether emergency and fire apparatus would have enough clearance for maneuvering through this development. Rob McKeown replied yes. He further explained the proposed cul-de-sac meets the Land Development Code requirements.

Commissioner Tornes questioned staff regarding whether fire suppression system would be required for this development. Rob McKeown replied yes. He further explained due to the uncertainty of when the second point of access would be accessible, this development is considered to only have one point of access.

Commissioner Phelps questioned staff regarding the median at the entrance to the development and whether it met the Land Development Code requirements. Rob McKeown replied to his knowledge the proposed median met the Land Development Code requirements.

Discussion continued regarding the entrance median.

Chairman Byerly questioned staff regarding why the proposed open space was being considered as open space versus a median. Abra Nusser replied the proposed open space was determined to be useable green space.

Discussion continued regarding the proposed open space.

The public hearing was opened at 7:30 p.m.

Konstantine Bakintas, on behalf of the developer, and John Fegan, the developer, came forward to brief the Commission.

Commissioner Davis questioned Mr. Bakintas regarding the size of the cul-de-sac turnaround. Mr. Bakintas replied the cul-de-sac is an eighty foot turnaround and is consistent with the Land Development Code.

Commissioner Davis questioned Mr. Bakintas regarding what the feature was at the entrance to the development. Mr. Bakintas replied the entrance to the development has a stamped concrete feature that will not be an obstruction for ingress or egress.

Chairman Byerly questioned Mr. Bakintas and Mr. Fegan regarding if other options for the open space. Mr. Fegan replied he has developed other subdivisions with the same type of open space and the concept has worked out.

Commissioner Tornes questioned Mr. Bakintas regarding whether there was a sidewalk proposed for the open space area. Mr. Bakintas replied there is no sidewalk proposed for the open space area.

Commissioner Wheelwright questioned Mr. Bakintas regarding the drainage. Mr. Bakintas replied drainage for the development will be conveyed through a low grade drainage system and will tie into an existing drainage system that flows into an existing drainage channel.

Commissioner Tornes questioned Mr. Bakintas and Mr. Fegan regarding the lot coverage. Mr. Bakintas replied they have not done a calculation on lot coverage but the structures would potentially cover approximately fifty or sixty percent of the lot.

Elizabeth Warrick, 6104 Emmas Court, came forward and spoke in opposition.

Lynette Stanley, 1101 Lavaca Trail, came forward and spoke in opposition.

Joel Stanley, 1609 Douglas Avenue, came forward and spoke in opposition.

Callie Stanley, 1609 Douglas Avenue came forward and spoke in opposition.

The following people did not wish to speak:

David Warrick, 6104 Emmas Court, opposition
Jason Stanley, 909 Chateau Court, opposition
Renee Baptiste, 1928 Shadowood Trail, opposition
Abran Stanley, 1928 Shadowood Trail, opposition

There being no one else wishing to speak, the public hearing was closed at 7:50 p.m.

Mr. Bakintas and Mr. Fegan came forward to address comments and concerns.

Commissioner Davis questioned Mr. Bakintas and Mr. Fegan regarding whether they would be open to not placing rear facing windows on the second stories. Mr. Bakintas replied he did not see that as a fair option. Mr. Fegan added if the Commission wanted to add no rear-facing windows on the second story as a condition, they would accept the condition.

The public hearing was reopened at 7:59 p.m.

Cory Jaetzodd, 6204 Emmas Court, came forward and spoke in opposition.

Bryan Riffe, 6208 Emmas Court, came forward and spoke in opposition.

There being no one else wishing to speak, the public hearing was closed at 8:02 p.m.

Mr. Bakintas and Mr. Fegan came forward to address comments and concerns.

Commissioner Tornes made the suggestion to Mr. Bakintas and Mr. Fegan regarding the possibility of adding more trees to the backyard of the proposed residential lots.

Commissioner Tornes questioned Mr. Bakintas and Mr. Fegan regarding the fence material of the shared fence. Mr. Fegan replied the existing fence is wood material.

Commissioner Tornes questioned Mr. Fegan regarding whether he had considered larger lots. Mr. Fegan replied he reached out to the adjacent property owner but they were not willing to sell at this time. He further added with the shape of the lot, larger lots would not work.

Discussion continued regarding lot sizes.

Commissioner Knox questioned Mr. Bakintas regarding how drainage would flow from the proposed lots. Mr. Bakintas replied the lots would drain to the east and then to the south, where drainage would then flow into Meadows Creek.

Discussion continued regarding drainage on the proposed development and surrounding properties.

Commissioner Phelps questioned Mr. Bakintas and Mr. Fegan regarding the public access easement and would it be landscaped until the adjacent property develops or would it be paved. Mr. Bakintas replied the access easement was added at the request of staff in order to secure access for future development.

Discussion continued regarding future development and the relocation on the public access easement, if needed.

Commissioner Phelps questioned staff regarding the reasoning behind the public access easement. Jeremy Hutt replied the purpose of asking the developer to add the public access easement was to secure access for any future developments. He further explained this is common practice.

Commissioner Tornes questioned staff regarding whether staff was comfortable with the proposed drainage plan. Jeremy Hutt replied yes, based on what staff has reviewed.

Commissioner Tornes stated he would like to see trees added to the backyards, no rear-facing second story windows, or a combination of both.

Chairman Byerly questioned staff regarding the rear yard setbacks for the R20-Single Family Residential zoning district versus the proposed fifteen feet. Taci Wrisley replied the rear yard setbacks for the R20-Single Family Residential zoning district is twenty five feet.

Discussion occurred amongst the Commission regarding possible conditions.

Commissioner Davis made a motion to approve Case ZC15-012. Commissioner Wheelwright seconded.

Commissioner Tornes stated he would like to see that a condition to add more trees to the backyards be added.

Commissioner Gotcher stated he would like to see more space between the homes added with regards to the setbacks.

Chairman Byerly questioned Mr. Fegan regarding whether he would accept the conditions to add additional trees to the backyards and have no rear-facing second story windows. Mr. Fegan replied yes.

Discussion occurred regarding adding a condition to require a twenty foot rear yard setback for Lot 3 – Lot 14.

Commissioner Gotcher made a friendly amendment to require two – three inch caliper trees to the rear yard of each lot and require a twenty foot rear yard setback on Lot 3 – Lot 14. Commissioners Davis and Wheelwright both accepted the amendment.

Commissioner Phelps stated he would have liked to have seen lower density for this development. Mr. Bakintas replied they had already reduced the development by one lot at the recommendation of staff.

The motion to approve Case ZC15-012 with the following conditions: 1) two – three inch caliper trees to the rear yard of each lot and 2) twenty foot rear yard setback on Lot 3 – Lot 14 carried by the following vote:

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

3c Consideration of a zoning change from the AG-Agricultural zoning district to the PUDR-Planned Unit Development Residential zoning district on 2.60 acres of Abstract 1034 of the GW Minter Survey, located at 5017, 5113, & 5201 Roberts Road, Case ZC15-011

Abra Nusser presented the case and briefed the Commission.

The public hearing was opened at 8:34 p.m.

Steve Isbell, the applicant, came forward and briefed the Commission.

Commissioner Davis questioned Mr. Isbell regarding whether he was frustrated with the Commission. Mr. Isbell replied he was frustrated with staff and the reasons for the recommendation of denial. Mr. Davis questioned Mr. Isbell regarding whether he had submitted the additional layout with staff. Mr. Isbell replied no, he showed it to them but did not officially submit it.

Commissioner Tornes questioned Mr. Isbell regarding whether he had considered shared driveways. Mr. Isbell replied yes. He further explained staff was not in favor of the shared driveway proposal.

Discussion continued regarding additional layout options.

Commissioner Tornes questioned Mr. Isbell regarding what the proposed lot coverage would be. Mr. Isbell replied roughly sixty eight point five percent.

Gary Lecocq, 5113 Roberts Road, came forward and spoke in support.

There being no one else wishing to speak, the public hearing was closed at 9:04 p.m.

Mr. Isbell came forward to answer additional questions.

Commissioner Wheelwright questioned Mr. Isbell regarding what the buffer between the slip street and Roberts Road would look like. Mr. Isbell replied he planned on planting some trees, shrubs, and some ground cover.

Discussion continued regarding the buffer between the slip street and

Roberts Road.

Commissioner Phelps questioned staff regarding where the middle ground was for good planning and use guidelines. Abra Nusser replied staff's recommendation was based strictly on the development proposed. She further explained staff has struggled with getting the appropriate documentation from the applicant.

Discussion continued regarding the proposed development.

Chairman Byerly questioned staff regarding the previous zoning case for these subject properties. Abra Nusser replied the previous zoning case was denied by the Planning and Zoning Commission and was appealed to the City Council but was withdrawn prior to the second reading and public hearing.

Commissioner Phelps questioned staff regarding the direction given to this development and the previously proposed development. Jeremy Hutt replied some direction was given based on the discussions with the previous developer and the City Council.

Discussion continued regarding the direction given to the proposed development.

Commissioner Gotcher stated he felt Mr. Isbell did a great job on designing the proposed development.

Commissioner Phelps stated he did not have an issue with the density, his issue is with the slip street.

Discussion occurred between the Commission and Mr. Isbell regarding layout options for the proposed development.

Discussion occurred between the Commission and Staff regarding the previous zoning case and the proposed zoning case.

Commissioner Wheelwright questioned Mr. Isbell regarding what was presented to City Council with the previous zoning case. Mr. Isbell replied twelve lots and twelve driveways were presented but was withdrawn prior to City Council making a decision.

Discussion occurred between the Commission and Mr. Isbell regarding layout options for the proposed development.

Commissioner Knox made a motion to approve Case ZC15-011.

Commissioner Gotcher seconded.

Commissioner Tornes questioned staff regarding which development was safest, the slip street or driveways onto Roberts Road. Rob McKeown replied he did not know which layout proved to be safest. He further replied they would not drive emergency or fire apparatus onto the slip street.

The motion to approve Case ZC15-011 carried by the following vote:

Aye: 5 – Knox, Tornes, Wheelwright, Gotcher, and Davis
Nay: 2 - Phelps, and Byerly

4. CONTINUED PUBLIC HEARING AGENDA ITEMS

4a Consideration of a zoning change from the PUDC-Planned Unit Development Commercial zoning district to the PUDC - Planned Unit Development Commercial District and PUDR-Planned Unit Development Residential District, on approximately 15.17 acres on Abstract 1182 of the WC Newton Survey and Abstract 356 of the Isaac Caradine Survey, located at 8000 & 8050 Precinct Line Road, Case ZC15-013 (REQUEST TO BE CONTINUED)

Abra Nusser briefed the Commission.

Commissioner Tornes made a motion to continue Case ZC15-013 to a date uncertain. Commissioner Knox seconded.

The motion to continue Case ZC15-013 to a date uncertain carried by the following vote:

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

5. ADJOURNMENT

The meeting adjourned at 9:47 p.m.

The minutes were written and prepared by:

Taci K. Wrisley

Taci Wrisley

Planning and Zoning Assistant

The meeting minutes were approved on September 14, 2015 by a vote of _____.

City of Colleyville
Planning and Zoning Commission
Agenda Briefing

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

Agenda Number 3a **Agenda Date** 09/14/2015 **Number**
Type Public Hearing Agenda Items
Department Community Development

Title
Consideration of a zoning change from the PUDC-Planned Unit Development Commercial zoning district to the PUDC-Planned Unit Development Commercial zoning district and PUDR-Planned Unit Development Residential zoning district on 15.18 acres of Abstract 1182 of the WC Newton Survey and Abstract 356 of the Isaac Caradine Survey, located at 8000 & 8050 Precinct Line Road, Case ZC15-013

Explanation
The applicant, Kosse Maykus, is requesting to rezone the subject property from “PUD-C” – Planned Unit Development – Commercial District to “PUD-C” – Planned Unit Development – Commercial District and “PUD-R” – Planned Unit Development – Residential District to allow a residential project consisting of 31 single family residential lots and five common areas, fronting on a proposed private and gated, north-south street, and to allow approximately 6.92 acres of commercial development along Precinct Line. The subject property consists of approximately 15.18 acres.

Existing Conditions. The subject property is currently zoned PUD-C – Planned Unit Development – Commercial District, Ordinance O-02-1366, approved in 2002. The property is vacant and unplatted. Approval of a combination preliminary/final plat will be required, prior to the issuance of a building permit, should the rezoning request be approved.

Statement of Planning Objectives. The applicant submitted a Statement of Planning Objectives with an associated zoning exhibit (attached) that provide descriptions of the proposed development.

PUD-R: Residential Development Standards. The 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. Average lot size for PUD-R projects is required to be 16,000 square feet. Per the Statement of Planning Objectives, the applicant proposes the following development standards:

Average Lot Size: 7,500 square feet
Minimum Lot Size: 7,100 square feet
Minimum Lot Width: 45 feet (at Front Setback)
Typical Lot Width: 60 feet
Minimum Lot Depth: 110 feet

Typical Lot Depth: 120 feet
Front Building Line: 20 feet, 15 feet for a swing garage
Rear Building Line: 10 feet
Side Building Line: 5 feet, or 0/10 or 1/9 feet with a 10 foot minimum between buildings
Maximum Building Height: 35 feet
Maximum Lot Coverage: 65%
Minimum House Size: 2,500 square feet

The applicant is proposing a single family detached development that is not consistent with the requirements for PUD-R's in the Land Development Code. Elevations of the proposed residences were not provided for review, but a narrative description was provided in the Statement of Planning Objectives.

The applicant has stated that the residential exterior materials shall consist of a minimum 80 percent masonry materials and all siding shall be of a cementitious material. The homes shall have a minimum 8:12 roof pitch. Each home will have at a minimum a two car garage, with enhanced decorative garage doors.

PUD-R: Private Gated Development. The applicant proposes a private gated development with the internal residential street connecting to Crystal Way within Emerald Park, which is also a private street within a gated subdivision. An emergency access gate is proposed at the point where the proposed street connects with Crystal Way. The applicant is willing to allow "resident only" access to and from either development, should that be a consideration.

PUD-R: Fencing. The applicant proposes a minimum six-foot in height masonry and iron screen wall along the L.D. Lockett Road frontage, between the residential lots and the open space lots. A minimum eight-foot in height masonry screen wall will be built between the residential lots and the commercial parcels (where they are adjacent). Wood fencing between residential lots will be permitted within the development.

All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All fencing between residential lots, or between residential lots and open space areas will be installed by the builders at the time of home construction.

A six-foot in height masonry wall is proposed between the commercial lots and the open space lots within the residential portion of the development. Where open space lots border adjacent properties, either the existing fence will be maintained, or a decorative metal or wooden fence will be installed, as shown on the development plan.

PUD-R: Residential Tree Plantings. A minimum of one, three-inch caliper tree per each front yard of all lots, and two, three inch (3") caliper trees per each rear yard of lots backing to the eastern boundary shall be planted (credit toward this requirement for preserving existing trees will be given). Front and rear yards shall be fully landscaped and sprinklered within sixty days of completing a house. These tree planting shall apply toward any required Tree Mitigation requirements.

PUD-R: Open Space and Landscaping. The PUD-R regulations require a minimum 20 percent of the development be reserved for open space for use by the residents of the development. The proposed Site Plan for the development indicates that 1.65 acres of open space will be provided. This equates to 20 percent of the gross project area as stated by the applicant. The Land Development Code does not permit open space lots that serve as "street medians or islands." The applicant proposes five open space lots within the residential portion of the development, two of which are located outside of the entry gates along L.D. Lockett Road and serve as entry features and could be considered medians and could therefore affect the open space percentage. Three open space lots are internal to the development.

The applicant has stated on the development plan exhibit and the Development Comparison Details Form that the proposed PUD-R portion is providing 20 percent open space, but staff recommends that the applicant revise the Development Comparison Details Form to reflect required open space calculations that meet the design requirements of the PUD regulations in the Land Development Code prior to City Council consideration. Once revised, the open space provided will be less than 20 percent unless the proposal is revised.

The applicant proposes that the common open space lots shall be either left natural (where disturbance and irrigation may harm existing trees) or fully landscaped and irrigated with a combination of trees and shrubbery. Staff recommends that the applicant provide a landscape plan or a more detailed narrative description of what the common open space lots will contain prior to City Council consideration. The applicant is proposing to build a product that allows for on-lot landscaping with functional and integrated open space for the development.

PUD-R: Open Space Maintenance: The open space lots within the subdivision shall be maintained by the Homeowners Association. Membership in the Homeowner's Association will be mandatory.

PUD-R: Signage. A monument sign identifying the subdivision shall be built at the entry from L.D. Lockett Road and/or incorporated into the masonry wall adjacent to that entry. The applicant proposes decorative street and stop signs, and light standards.

PUD-R: Residential Density. The Master Plan suggests a maximum residential density of 1.8 dwelling units per acre, in most situations. The Land Development Code states that densities higher than 1.8 units per acre in PUD-R zoning districts could be acceptable in those areas deemed consistent with sound land use planning principles, such as a transitional area situated between commercial uses and less dense residential developments, or near major street intersections.

The project area is situated north of commercial uses along Precinct Line Road, currently located between existing single family residential uses on its west (City of North Richland Hills), north, and east sides. Per the PUD regulations in the Land Development Code, "The maximum residential density permitted in a PUD-R district, or in a PUD-C district where residential uses are proposed, shall not exceed 1.8 dwelling units per gross acre. For the purpose of this regulation, the density calculation shall include all residential areas of the project and one-half of any abutting street situated adjacent to the project. This calculation shall exclude all proposed non-residential acreage from the gross acreage."

The proposed development of 31 residential units on 7.01 net acres will produce a residential net density of 4.42 dwelling units per acre (31 residential units divided by 7.01 net acres). Emerald Park (adjacent on the east side of the proposed development) has a residential net density of 4.6 dwelling units per acre.

The attached Small Lot Development Comparison Chart provides a listing of approved developments since 1996 with residential densities that exceed 1.8 dwelling units per acre. The proposed net density of 4.42 dwelling units per acre is compatible with residential densities in the vicinity of the proposed project.

PUD-R: Sidewalks and Trails. A four-foot wide sidewalk is proposed along the frontage of each residential lot, which will be constructed as each home is built. The sidewalk will connect to a five-foot wide trail along L.D. Lockett Road on the south and through the Open Space Lot located on the northern end of the development. Each five-foot wide section will connect with a 10-foot wide trail along Precinct Line Road.

PUD-R: Traffic Generation and Access. The applicant 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 31 lot development would add approximately 297 vehicle trips per day to the surrounding roadways.

PUD-R: 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, per home.

PUD-C: Commercial Development Standards. The applicant has provided two exhibits to be attached to the PUD-C portion of the development: Commercial Architectural Motif Exhibit and Storefront Elevations and Profiles. Although the applicant has submitted three conceptual site layout examples to illustrate possible layouts of the PUD-C portion, the applicant is not proposing to attach a site plan with the rezoning request. Therefore, the conceptual site layouts should be viewed with the knowledge that site plans submitted for the property would not have to comply with any of the layouts.

The applicant stated in Statement of Planning Objectives that "The buildings will be designed with a common theme, as illustrated in the submitted Commercial Architectural Motif Exhibit, be compatible and complementary to the adjacent residential, using a variety of high quality materials including a high percentage of masonry, sloped roofs where appropriate, and will be designed to meet the city's articulation standards, with a minimum score of 30."

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.

PUD-C: Proposed Zoning Uses. The applicant has submitted a Statement of Planning Objectives (attached) describing the proposed development. The applicant is requesting to rezone to the PUD-C zoning district to develop the site for Village Retail (CC-1) Uses, including restaurants with drive-thru service and veterinarian clinics with indoor kennels.

PUD-C: Open Space and Landscaping. The PUD-R regulations require a minimum 20 percent of the development be reserved for open space for use by the residents of the development. The proposed Site Plan for the development indicates that 42,580 square feet (.98 acres) of open space will be provided. This equates to 19.1 percent of the gross project area. The applicant proposes to designate a minimum of 20 percent of the overall site area as landscaped, open space. The Land Development Code requires that 20 percent of a total site must be a landscape area with fifty percent of the total landscape area within the street yard. The applicant proposes a 25-foot wide landscape buffer between Precinct Line Road and the development.

<u>WAIVER REQUEST:</u> The applicant proposes a minimum 10-foot wide landscape buffer adjacent to the residential lots. The Land Development Code requires a minimum 20 foot wide green belt adjacent to residential districts. It is unclear whether the applicant anticipates this waiver request or if a 20-foot wide landscape buffer will be provided. Staff recommends the applicant revise the Statement of Planning Objectives to include the waiver request or speak to the discrepancy accordingly, prior to City Council consideration.

PUD-C: Perimeter Fencing. The applicant proposes a six-foot in height cedar fence is proposed along the entire northern boundary.

WAIVER REQUEST: The proposed fence is not in compliance with the Land Development Code that states where a nonresidential use abuts a residential lot, use or district, the side and rear property lines abutting said residential lot, use or district shall be suitably screened, with a decorative masonry wall, by the nonresidential use so as to obscure the view from the residential lot, use or district to the nonresidential use to a height not less than eight (8) feet.

It is unclear whether the applicant anticipates this waiver request or if a decorative masonry wall will be provided. Staff recommends the applicant revise the Statement of Planning Objectives to include the waiver request or speak to the discrepancy accordingly, prior to City Council consideration.

PUD-C: Access. The applicant is proposing access from Precinct Line Road and L.D. Lockett Road.

PUD-C: Development Phasing. The applicant states that the residential portion of the project will be developed in a single phase. The commercial sites will be developed and sold as the market dictates.

PUD-C/PUD-R: Tree Preservation. As required by Chapter 5 (Tree Preservation) of the Land Development Code, approval of a tree survey and mitigation plan will be required with an associated plat application, and a Tree Removal Permit will be required prior to the removal of any tree on the subject property.

PUD-C/PUD-R: Surrounding Development Trends. The table below reflects the surrounding zoning and existing land uses for the subject property as further illustrated on the attached location and zoning map:

North Richland Hills	R-40 Residential Home	R-40 Residential Home
North Richland Hills	***Subject Property*** *Proposed PUD-R* *(Residential Subdivision)*	PUD-R (Emerald Park Residential Subdivision)
North Richland Hills	PUD-C (gasoline sales, convenience store/package store)	PUD-R (Heron Pond Residential Subdivision)

Master Plan. The Future Land Use Map designates the subject property as Retail. The proposed rezoning request is inconsistent with the Future Land Use Map. Staff has taken the market study provided by the applicant into consideration but has assessed that the subject property should remain zoned for commercial uses and maintain a Retail designation. The Colleyville Master Plan has very few Retail-designated properties that are undeveloped, and this property specifically is one of Colleyville's last remaining retail sites available for development.

Recent installation of a light signal at the hard corner intersection of L.D. Lockett and Precinct Line Road will enhance a developer's ability to attract and accommodate junior anchor, retail, and restaurant tenants and users located a short distance from a new grocery-anchored center in neighboring North Richland Hills. The subject property currently has sufficient depth to accommodate a number of uses, and reduction of depth decreases marketability. The proposed rezoning request not only proposes other uses besides retail, it also has a smaller percentage of commercial than residential.

Public Notification. Staff mailed notices to 42 adjacent property owners as well as all Homeowners Associations within 500 feet of the subject property regarding this request. Keller ISD and GCISD received notification of this rezoning request. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. To date, one letter in opposition has been received.
Waiver Requests. The applicant is requesting two waivers from the Land Development Code.

1. The applicant proposes a minimum 10 foot wide landscape buffer adjacent to the residential lots. The Land Development Code requires a minimum 20 foot wide green belt adjacent to residential districts.

2. The applicant proposes a six foot in height cedar fence is proposed along the entire northern boundary. The proposed fence is not in compliance with the Land Development Code that states where a nonresidential use abuts a residential lot, use or district, the side and rear property lines abutting said residential lot, use or district shall be suitably screened, with a decorative masonry wall, by the nonresidential use so as to obscure the view from the residential lot, use or district to the nonresidential use to a height not less than eight (8) feet.

Summary. The applicant has proposed a split rezoning request with 54 percent of the project planned for a 31 lot residential development (PUD-R) and the remaining portion designated for future commercial development (PUD-C). The applicant has provided details for the PUD-R component which suggest it will be a high quality product, but its proposed location is not consistent with the Master Plan, which designates the property as Retail. The PUD-C component is incomplete without a site plan attached or other development details that could provide assurance that one of Colleyville's last prime retail corners can still be successful with a reduced area to provide for future tenants. Therefore, staff recommends denial of the proposed rezoning request.

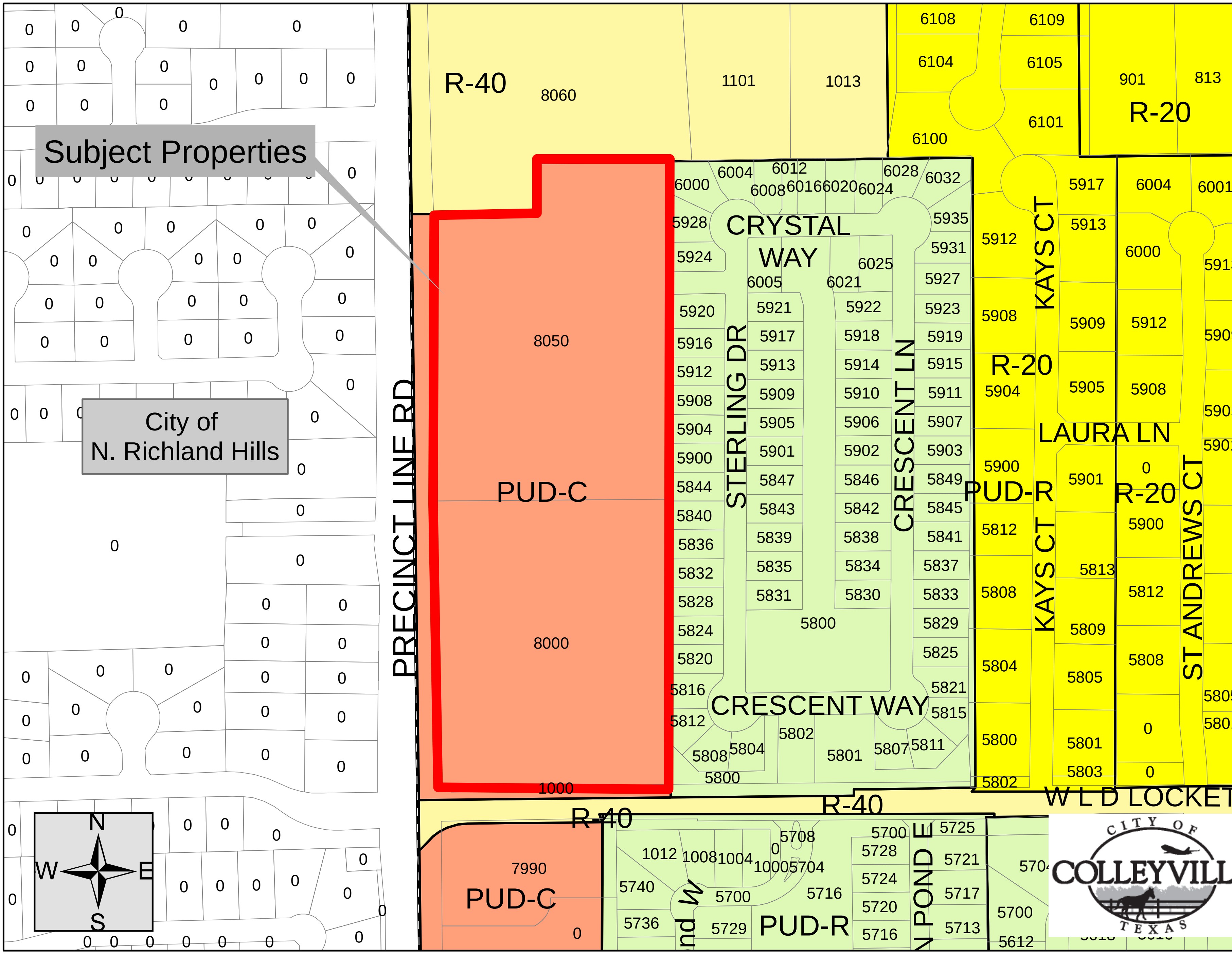
Due to the number and complexity of the special ordinance provisions that will be necessary and the clarifications by the applicant recommended by staff prior to City

Council consideration, staff has not provided a draft ordinance for review. Upon Planning and Zoning Commission consideration and additional clarification by the applicant, staff will draft an ordinance for the project.

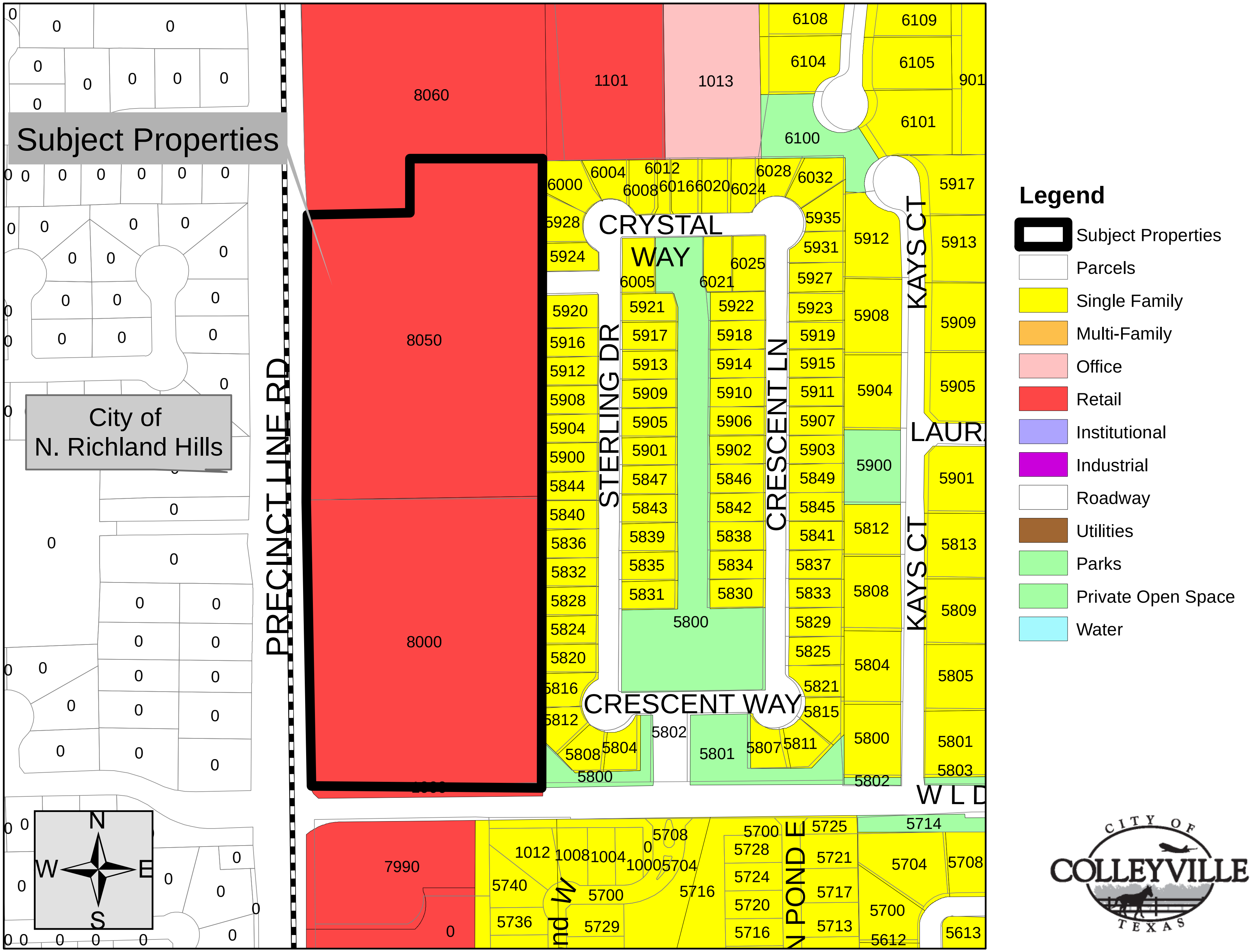
Recommendation
Denial

Attachments
1. Location and Zoning Map
2. Future Land Use Plan
3. Aerial
4. Public Notification Map
5. Notification List
6. Opposition Letter
7. Development Comparison Details Form
8. Small Lot Development Comparison Chart
9. Statement of Planning Objectives
10. Development Plan
11. Applicant's Market Study
12. Conceptual Site Layout Examples
13. Commercial Architectural Rendering
14. Storefront Plan and Elevation Profiles
15. Ordinance O-02-1366

Location and Zoning Map



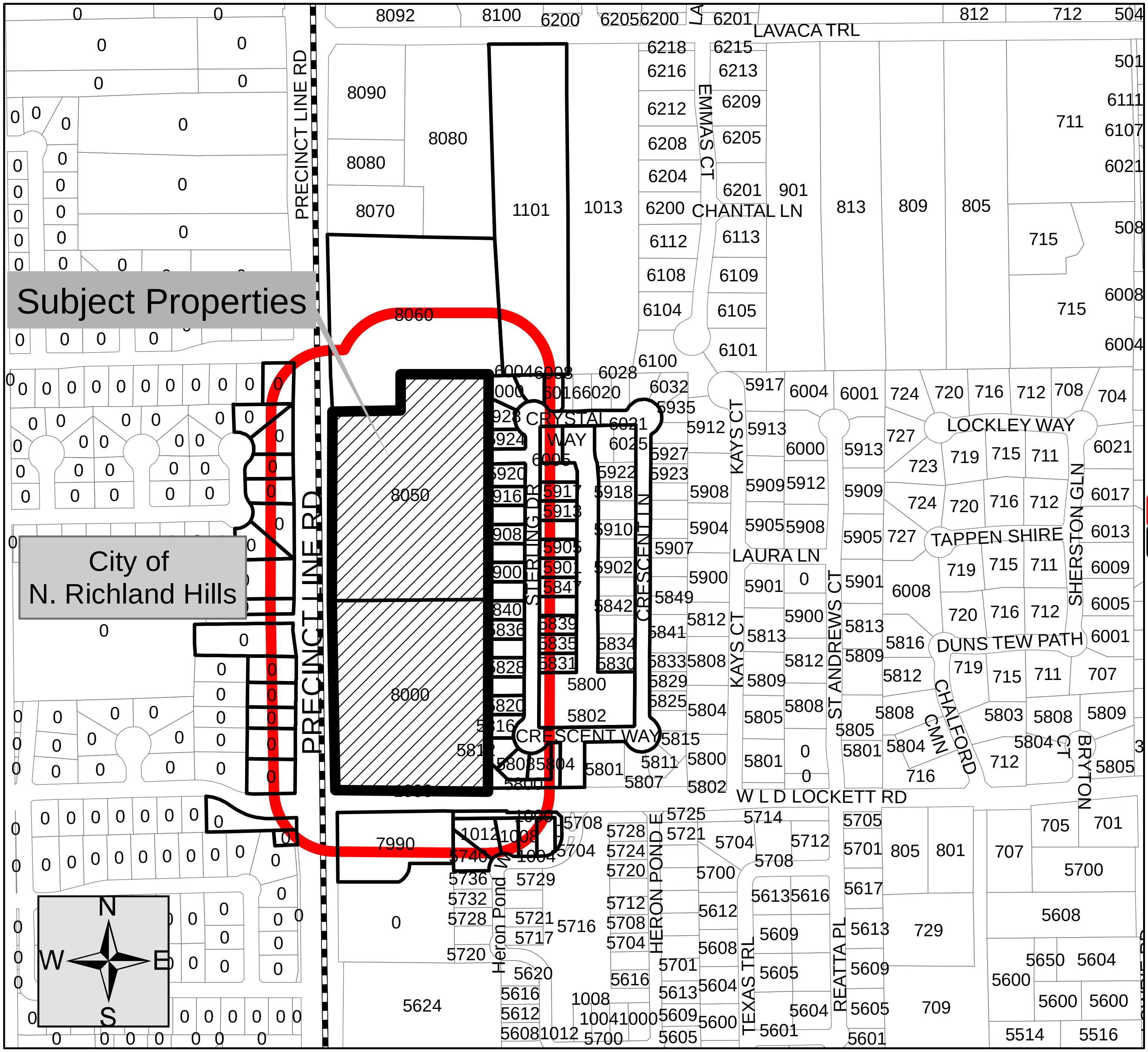
Future Land Use Map



Aerial


Subject Properties
City of
N. Richland Hills
PRECINCT LINE RD
CRYSTAL
WAY
STERLING DR
CRESCENT LN
CRESCENT WAY
KAYS CT
LAURA LN
KAYS CT
ST ANDREWS CT
W L D LOCKET
8060
8050
8000
1000
1101
1013
6100
6108
6104
6109
6105
6101
901
813
5800
7990
N
S
W
E
CITY OF
COLLEYVILLE
TEXAS

Buffer Map



Case ZC15-013

8000 & 8050
Precinct Line Road

Legend

- Properties within 200 feet
- Subject Properties
- Parcels

Notification List

Owner Name	Owner Address	Owner City	Owner State	Owner Zip	Situs Address
JONES JERRELL W	11111 ABBEYWOOD	OKLAHOMA CITY	OKLAHOMA	73170	8050 PRECINCT LINE RD
RAMSEY AMANDA	5920 STERLING DR	COLLEYVILLE	TEXAS	76034	5920 STERLING DR
PIETROBON JOHN	5916 STERLING DR	COLLEYVILLE	TEXAS	76034	5916 STERLING DR
BATTE RICHARD E	5912 STERLING DR	COLLEYVILLE	TEXAS	76034	5912 STERLING DR
VU DON C	5908 STERLING DR	COLLEYVILLE	TEXAS	76034	5908 STERLING DR
OSTENDORF MICHAEL	5904 STERLING DR	COLLEYVILLE	TEXAS	76034	5904 STERLING DR
SCULL DIANE	5900 STERLING DR	COLLEYVILLE	TEXAS	76034	5900 STERLING DR
KIM SEAN H	5844 STERLING DR	COLLEYVILLE	TEXAS	76034	5844 STERLING DR
CHOUDHARY ASHWANI	5840 STERLING DR	COLLEYVILLE	TEXAS	76034	5840 STERLING DR
SMITH GREG	5836 STERLING DR	COLLEYVILLE	TEXAS	76034	5836 STERLING DR
MARTINEZ CHARLES	5832 STERLING DR	COLLEYVILLE	TEXAS	76034	5832 STERLING DR
PURVIS CONRAD J	5828 STERLING DR	COLLEYVILLE	TEXAS	76034	5828 STERLING DR
VARGHESE GEORGE	5824 STERLING DR	COLLEYVILLE	TEXAS	76034	5824 STERLING DR
GIEBLER TERRY L	5820 STERLING DR	COLLEYVILLE	TEXAS	76034	5820 STERLING DR
GRASSI KAREN	6005 STERLING DR	COLLEYVILLE	TEXAS	76034	6005 STERLING DR
TISSERA SHIMAL A	5921 STERLING DR	COLLEYVILLE	TEXAS	76034	5921 STERLING DR
SAKURAI KAORU	5917 STERLING DR	COLLEYVILLE	TEXAS	76034	5917 STERLING DR
SPRING AYESHANILL	5913 STERLING DR	COLLEYVILLE	TEXAS	76034	5913 STERLING DR
RAY DAVID T	5909 STERLING DR	COLLEYVILLE	TEXAS	76034	5909 STERLING DR
MCNEELY MITLON JR	5905 STERLING DR	COLLEYVILLE	TEXAS	76034	5905 STERLING DR
KADOKO ROBERT	5901 STERLING DR	COLLEYVILLE	TEXAS	76034	5901 STERLING DR
GALLOWAY JOHN W	5847 STERLING DR	COLLEYVILLE	TEXAS	76034	5847 STERLING DR
CHERNLY REVOCABLE TRUST	5843 STERLING DR	COLLEYVILLE	TEXAS	76034	5843 STERLING DR
ANDREOLA DANIEL	5839 STERLING DR	COLLEYVILLE	TEXAS	76034	5839 STERLING DR
JUMA SAMIR	5835 STERLING DR	COLLEYVILLE	TEXAS	76034	5835 STERLING DR
NEUFELD JOHN	5831 STERLING DR	COLLEYVILLE	TEXAS	76034	5831 STERLING DR
STANLEY LARRY J EST	1101 LAVACA TR	COLLEYVILLE	TEXAS	76034	1101 LAVACA TR
WILLIAM D SOUDER INVESTMENTS	305 BROOKRIDGE CT	HURST	TEXAS	76054	8060 PRECINCT LINE RD
MARKHAM DIANA L ETAL	5000 GADSDEN AVE	FORT WORTH	TEXAS	76244	1000 W L D LOCKETT RD
GRACE STEPHEN	6000 STERLING DR	COLLEYVILLE	TEXAS	76034	6000 STERLING DR
EMERALD PARK H A INC	400 COUNTRY PL	COLLEYVILLE	TEXAS	76034	5802 CRESCENT LN
KUO MAN-LI	5812 STERLING DR	COLLEYVILLE	TEXAS	76034	5812 STERLING DR
VORA JAY	5808 STERLING DR	COLLEYVILLE	TEXAS	76034	5808 STERLING DR
SIRISAKD NED	5816 STERLING DR	COLLEYVILLE	TEXAS	76034	5816 STERLING DR
KIM TAE WOO	5804 STERLING DR	COLLEYVILLE	TEXAS	76034	5804 STERLING DR
SIMMONS DAVID	5924 STERLING DR	COLLEYVILLE	TEXAS	76034	5924 STERLING DR
KWUN SUN T	5928 STERLING DR	COLLEYVILLE	TEXAS	76034	5928 STERLING DR
EMERALD PARK H A INC	400 COUNTRY PL	COLLEYVILLE	TEXAS	76034	5800 CRESCENT LN
CARRINGTION WADE	6004 STERLING DR	COLLEYVILLE	TEXAS	76034	6004 STERLING DR
MILLS ANDREW E	6008 STERLING DR	COLLEYVILLE	TEXAS	76034	6008 STERLING DR
VICTRON STORES LP	PO BOX 2599	WAXAHACHIE	TEXAS	75168	7990 PRECINCT LINE RD
HERON POND LLC	PO BOX 92747	SOUTHLAKE	TEXAS	76092	5740 HERON DR W
GRAPEVINE COLLEYVILLE ISD	3051 IRA E. WOODS AVE	GRAPEVINE	TEXAS	76051	STATE REQ
KELLER ISD	350 KELLER PKWY	KELLER	TEXAS	76248	STATE REQ
CITY OF NORTH RICHLAND HILLS	7301 N.E. LOOP 820	NORTH RICHLAND HILLS	TEXAS	76180	COURTESY NOTICE
LAVACA TRAIL ESTATES	215 W. COLLEGE STREET	GRAPEVINE	TEXAS	76051	COURTESY NOTICE
EMERALD PARK H A INC	400 COUNTRY PL	COLLEYVILLE	TEXAS	76034	5800 STERLING DR
KOSSE MAYKUS	PO BOX 92747	SOUTHLAKE	TEXAS	76092	APPLICANT

Public hearing notices were mailed
Friday, June 26, 2015 by Taci Wrisley

To: The Community and Development Department

Fr: Terry and Pam Giebler (5820 Sterling Driver – our house backs up to the property)

Re: Zoning Case ZC15-013 Kosse Maykus

We vote against the proposed land development at Precinct Line and LD Locket. We moved to Colleyville 3 years ago to escape the deterioration of the mid-cities. At that time, we believed Colleyville was a prestigious place to live. Since that time, with all of the neighborhood development along LD Locket it is becoming apparent that if we are not careful, Colleyville will become another, Euless, Bedford, Hurst, NRH, Haltom City etc.

Why must we have neighborhoods being built so close to one another? That is the way the towns mentioned above do it.

The prior proposal for this same land at LD Locket and Precinct Line included a 40 foot deep green belt (grass and trees) off of the wall that divides Emerald Park from the new neighborhood. There is no good reason that same green belt cannot be provided in this proposal. It is NOT only about the builders of the new neighborhood, it is also about us EXISTING COLLEYVILLE RESIDENTS. Why do I get the feeling the home builders (K Havenian and all the others) have all the power in Colleyville over the existing residents? Let's have those powerful builders commit to the 40 foot green belt and then they can proceed with their plans. The plans that make them a lot of money.

We appreciate you taking a moment to read our concerns and we are sorry we cannot attend on Monday July 13.

Pamela Giebler Terry Giebler

RECEIVED
JUL 14 2015
Per ....

Abra Nusser

From: Wufoo <no-reply@wufoo.com>
Sent: Friday, September 11, 2015 1:21 PM
To: Abra Nusser
Subject: Development Comparison Details Form [#4]

Development Comparison Details Form #4

Name *	Curtis Young
Company (if applicable)	Sage Group, Inc.
Email Address *	
Project Name and/or Project Address *	Walkers Meadow
Total Number of Residential Lots *	31
Minimum Lot Width (in feet) *	60'
Minimum Lot Depth (in feet) *	110' (120 Typ.)
Minimum Lot Size (in square feet) *	7,100 sf
Average Lot Size (in square feet) *	7,531sf
Maximum Lot Coverage (percentage) *	65%
Proposed Right-of-Way Area (square feet AND acreage) *	54,371 s.f.; 1.25 ac.
Total Gross Acreage of the Subject Property (including ROW) *	8.26 ac.
Please explain the source of the gross acreage calculation/number. *	CAD calculation of the Residential portion of the property survey.
Total Net Acreage of the Subject Property (NOT including ROW) *	7.01 ac.
Please explain the source/method of the net acreage calculation/number. *	Gross Residential area of 8.26 ac. less the ROW of 1.25 ac. equals 7.01 ac.

Gross Density (dwelling units per acre) *	3.75 du/ac.
Net Density (dwelling units per acre) *	4.42 du/ net. ac.
Common Open Space Area (square feet AND acres) *	71,752 sf; 1.65 ac.
Please explain the source/method of the common open space area calculation/number. *	CAD calculation of Open Space tracts.
Common Open Space Percentage *	20.0 %
Please explain the numbers utilized for the common open space percentage calculation. *	Open Space area (1.65 ac.) divided by Gross Residential area (8.26 ac.) equals 20.0 %.

Created
11 Sep 2015
12:16:04 PM PUBLIC

71.240.170.16
IP Address

Small Lot Development Comparison Chart - 1996 to 2015

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	Gross Density - Dwelling Units Per Acre *	Net Density - Dwelling Units Per Acre **	Total Acres	Open Space	Approval Date	Ordinance
Spring Garden	43	*100*	*120*	2,412	NA	*50%*	6.4	8.2	6.7	19.4%	12.17.96	O-96-1052
Villas of Caldwell Creek	43	*100*	*120*	NA	NA	*50%*	3.7	4.5	11.5	28.0%	4.1.97	O-97-1062
Bridges at Riverwalk	32	56	106	6,001	6,479	*50%*	2.7	3.5	12.0	25.5%	12.21.99	O-99-1192
Riverwalk at Colleyville	68	115	60	6,331	7,666	*50%*	3.3	4.2	23.7	20.7%	4.4.00	O-00-1210
Rosewood Villas	53	59	110	6,490	6,753	60%	3.6	4.5	14.8	24.0%	8.8.01	O-01-1286
Emerald Park	71	60	120	7,200	NA	*50%*	3.6	4.6	20.0	20.0%	10.1.02	O-02-1366
Tuscany	32	60	110	6,600	8,304	*50%*	3.6	4.8	8.8	6.6%	2.17.04	O-04-1442
Tiffany Park	25	60	100	7200	NA	*50%*	3.5	4.0	7.2	19.5%	11.16.04	O-04-1487
Cambridge Place	36	50	58	4,500	5,300	60%	3.9	4.9	9.2	22.5%	7.6.04	O-04-1467
Villas at Oak Pointe	74	30/56	90/115	2,700/6,440	NA	90% and 58%	3.7	5.4	19.8	22.9%	8.2.06	O-06-1584
Copperglen	22	55	105	5,924	NA	65%	3.9	4.9	5.6	20.0%	10.17.06	O-06-1595
Villas of Colleyville	67	59	115	6,655	7,936	60%	3.3	3.9	20.5	21.0%	08.21.07	O-07-1627
Enclave at Arbor Estates	16	65	*120*	10,000	NA	*50%*	2.8	3.3	5.6	19.3%	09.18.07	O-07-1634
Creekside at Colleyville	228	50	105	5,000	7,257	65%	2.4	3.0	96.4	29.0%	11.27.07	O-07-1645
Somerset Manor	77	50	110	5000	6,500	*50%*	4.2	5.0	18.3	21.5%	05.05.08	O-08-1672
Heritage Oaks	100	30/50	90	2,700/4,500	NA	75% and 90%	4.4	6.6	22.8	30.4%	03.21.06	O-10-1749
Ivy Glen	10	55	110	5,890	8,200	65%	3.4	4.0	2.9	20.1%	03.05.13	O-13-1864
The Preservation	36	60	140	8,500	NA	50%	3.0	3.5	12.0	23.0%	05.14.13	O-13-1867
Heron Pond	49	60/74	120	7,000/9000	NA	65%	3.2	3.7	15.4	22.1%	11.19.13	O-13-1894
Average	***56.95***	***66***	***107***	***6,247***	***7,155***	***55%***	***3.6***	***4.6***	***17.5***	***21.9%***		
Zoning Case ZC15-011 - Roberts	*12*	*50*	*97*	*4,882*	*5,145*	*66%*	*4.6*	*6.3*	*2.6*	*17.3%*	*CC 2nd Reading 9/15/15*	
Zoning Case ZC15-012 - Lavaca	*16*	*50*	*75*	*7,200*	*7,488*	*48%*	*3.1*	*4.3*	*5.1*	*19.1%*	*CC 2nd Reading 9/15/15*	
Zoning Case ZC15-013 - Walkers	*31*	*60*	*110*	*7,100*	*7,531*	*65%*	*3.8*	*4.4*	*8.3*	*20.0%*	*P&Z 9/14/15*	

*** Gross Density is calculated by dividing the total number of residential lots by the total acres of the development, including rights-of-way.**

**** Net Density is calculated by dividing the total number of residential lots by the total acres of the development, less any rights-of-way.**

>>Items in *BLUE* **are not referenced in ordinace or supporting materials therefore items defaulted to Section 3.24.G Schedule of District Regulations of the LDC.**

CITY OF COLLEYVILLE

Walkers Meadow

Colleyville, Texas – July 29, 2015 *Sage Group, Inc.*

Statement of Planning Objectives-

The two tracts at 8000 & 8050 Precinct Line Road are proposed as a Commercial and Residential neighborhood called "Walkers Meadow," to be developed by Hat Creek Development, under the PUD- Planned Unit Development regulations within the Land Development Code of the City of Colleyville. The Commercial portion fronting Precinct Line Road proposed to be developed under the Planned Unit Development regulations for Commercial development (PUD-C) in the City of Colleyville, primarily using the uses and regulations contained in the Village Retail (CC-1) district. The remainder of the property is proposed to be developed under the Planned Unit Development regulations for Residential development (PUD-R) in the City of Colleyville, to be compatible with the existing Emerald Park neighborhood to the east. The 15.18 acre property is located on the north side of LD Lockett Road, just east of Precinct Line Road. The property is currently shown on the Future Land Use Plan as Retail, and is zoned for Commercial Uses (PUD-C). The property is currently vacant open space.

The only existing development adjacent to the site is the existing Emerald Park neighborhood. Across LD Lockett to the south is an existing gasoline station/ convenience store/ package store, and the Heron Pond neighborhood. The property to the north in undeveloped, save for a single existing home.

The subject tract is shown on the Future Land Use Plan as "Retail," and has been zoned for such uses for many years. However, due to competition from better located properties in the area- many of which are developed or being developed for Retail Uses currently, we believe there would be a limited market for Retail Uses at this location- and certainly not to the "greater than ideal" depth this site possesses. This property has been zoned and available for Commercial development for almost 15 years, without success. This fact along with the input we have received from many of the neighboring residents in the Emerald Park neighborhood just to the east, lead us to believe the optimum development scenario for this property should include a single-family residential component (to be compatible with those neighbors, and a "right-sized" Commercial parcel, oriented toward the Precinct Line Road frontage, allowing for a marketable amount of Retail and Office uses.

This proposal, which transitions between the Commercial Tracts along Precinct Line Road with residential lots averaging over 7,500 s.f. (compatible with the adjacent Emerald Park lots), and over 20% Open Space, is consistent with this and- we believe- the surrounding uses.

The PUD-C Commercial tract will be developed with a combination of Retail, Restaurant and/or Office Uses, as specified below under "Permitted Land Uses." Several conceptual Commercial site layout examples have been submitted to illustrate possible layouts of the potential Retail, Restaurant and Office uses we feel are marketable for the property, but the final configuration of the site will be dependent upon the needs of the users the market attracts, and could vary from those layout concepts. The buildings will be designed with a common theme, as illustrated in the submitted Commercial Architectural Motif exhibit, be compatible and complementary to the adjacent residential, using a variety of high quality materials including a high percentage of masonry, sloped roofs where appropriate, and will be designed to meet the city's articulation standards, with a minimum score of 30. A minimum of 20% of the overall site area shall be devoted to open space, and be fully landscaped, including a 25' buffer along Precinct Line Road and a minimum 10' landscaped buffer adjacent to the residential lots.

The property generally slopes north and south or to the east. All of our street and lot drainage would be directed toward the street or drainage facilities and would not affect any of the neighboring properties. We have commissioned a drainage study to illustrate the current conditions and make sure this development- as proposed- would meet the requirements of the ordinances regulating development and drainage.

Quality and compatibility with the adjacent residential, as well as the rest of Colleyville is essential, and we have designed this proposal with those goals in mind. The residences planned for this neighborhood will be very upscale, with selling prices estimated to range between $400,000 to over $600,000. The development will have as its focal points, and features, open space and a pond at either end, near the primary entry and an internal park area. The main entry road has been located to take advantage of the resulting entry view toward the landscaped lake area.

The internal road is planned to be a gated private road with a Resident/ Visitor gate at the southern entry, designed to meet all the city standards for such an entry. Depending on the desires of the Emerald Park residents, the eastern entry will be either remain emergency-only (as it is currently their emergency-only access), or will allow for resident-only access to and from either development, but in either case providing a second point of access. We propose to build the normal Colleyville street section of 31' (back of curb to back of curb), in a 40' R.O.W. with 5' utility and sidewalk easements on either side.

There are not a large number of trees existing on the property; however, for any mitigation required, there will be a requirement of a front yard tree for every residential lot to be installed by the home builders, adjacent to the street right of way, and a minimum of two trees will also be installed in the rear yard of each lot backing to the neighboring lots in Emerald Park, at the eastern boundary, where existing trees do not already exist. To encourage pedestrian activity in the neighborhood, 4' sidewalks will be built along the front of each lot, as well as a 5' trail into the lake park, leading also to Precinct Line Road via a pedestrian easement along the north side of the Commercial Tract. All Open Space lots within the Residential portion of the development will be owned and maintained by the Homeowners Association.

The scale and orientation of the development has been designed to have an inviting visual flow with the existing neighborhoods and surrounding uses. The design criteria of the homes will create high quality homes in keeping with both the immediate neighborhood and Colleyville as a whole.

Development Standards

Permitted Land Uses:
PUD-C:
- Village Retail (CC-1) Uses,
- Restaurants with Drive-thru service,
- Veterinarian Clinic with indoor kennels,

PUD-R:
- Single Family Residential Detached (as indicated on Development Plan)

Commercial Buildings Standards:
The buildings shall be designed with a common theme (as illustrated in the submitted Commercial Architectural Motif exhibit), be compatible and complementary to the adjacent residential, use a variety of high quality materials including a high percentage of masonry, sloped roofs where appropriate, and will be designed to meet the city's articulation standards, with a minimum score of 30. A minimum of 20% of the overall site area shall be devoted to open space, and be fully landscaped, including a 25' buffer along Precinct Line Road and a minimum 10' landscape buffer adjacent to the residential lots.

Residential Lot Requirements and Setbacks:
Residential lot requirements and setbacks shall comply with the following provisions.

a.	Average Lot Size	7,500 square feet
b.	Minimum Lot Size	7,100 square feet
c.	Typical Lot Width	60 feet
d.	Minimum Lot Width	45 feet (at Front Setback)
e.	Typical Lot Depth	120 feet
f.	Minimum Lot Depth	110 feet
g.	Front Building Line	20 feet, 15' for a swing garage;
h.	Side Building Line	5 feet, or 0/10 or 1/9 feet with a 10 foot minimum between buildings
i.	Rear Building Line	10 feet
j.	Maximum Building Height	35 feet
k.	Maximum Lot Coverage	65%
l.	Minimum House Size	2,500 s.f.

Exterior Materials:	80% Masonry; all siding shall be of a cementitious material.
Roof Materials:	Minimum 240 lb. dimensional shingle.
Minimum Roof Pitch:	Minimum of an 8:12 roof pitch.
Garage Standard:	Minimum of a two car garage, with enhanced decorative doors.
Fencing:	A minimum 6' masonry/ iron screen wall will be built along the LD Lockett frontage, between the residential lots and the open space lots. A minimum 8' masonry screen wall will be built between the residential lots and the Commercial parcels (where

they are adjacent). Wood fencing between lots is permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lot boundaries along Common Open Space areas shall be open style fencing of Decorative Metal, and/or Masonry.

All fencing between residential lots, or between residential lots and open space areas will be installed by the builders at the time of home construction.

Where open space lots border adjacent properties, either the existing fence will be maintained, or a Decorative Metal or Wooden fence will be installed, as per the Fencing Plan.

Streetscape Standards: Minimum of one (1) three-inch (3") caliper tree per each front yard of all lots, and two (2) three inch (3") caliper trees per each rear yard of lots backing to the eastern boundary (credit toward this requirement for preserving existing trees will be given). Fully landscaped and sprinklered front and rear yard within sixty days of completing a house. These tree planting shall apply toward any required Tree Mitigation requirements.

Open Space Maintenance: The open space lots within the subdivision shall be maintained in a consistent, uniform manner by the Homeowners Association through dues collected from the individual homeowners. Membership in the Homeowner's Association will be mandatory.

Street Design Standards:

Right of Way:	Forty feet (40')
Travel Lane Width:	Thirty-one foot (31'), back of curb to back of curb
Turning Radii:	Twenty feet (20')

Open Space Standards: The Common Open Space shall be either left natural (where disturbance and irrigation may harm existing trees) or fully landscaped and irrigated with a combination of trees and shrubbery pursuant to an approved landscape plan. The Common Open Space shall be owned and operated by the Homeowners Association which shall have a mandatory membership of all homeowners and shall collect dues in amounts satisfactory to maintain the Common Open Space. The Association shall have fine and lien rights as permitted by law to enforce compliance with the rules of the association.

Signage: A monument sign identifying the subdivision shall be built at the entry from LD Lockett and/or incorporated into the masonry wall adjacent to that entry. All street and stop signs, and light standards shall decorative.

Development Schedule

The Residential portion of this project will be developed in a single phase with such development commencing upon the successful completion of the zoning and platting, and the subsequent approval of the final plat and engineering plans. Construction of homes is anticipated to start immediately upon completion of the subdivision's infrastructure. The Commercial sites will be developed and sold as the market dictates.

Economic Development Information

This development will have 6.84 acres of Commercial property (with an estimated value of $10,500,000 at build out), plus a total of thirty-one (31) homes, each with an average estimated value upon completion of approximately $400,000 to over $600,000, resulting in an overall tax base of $15,500,000, based on a $500,000 estimated average. At the current tax rate of 2.694677%, the total taxes generated from the development are projected to be $700,660, with $ 98,000 generated directly for the City.

Overall Site Area Data

Residential	8.26 ac.
Commercial / Office	6.92 ac.
Gross Acreage	15.18 ac.

Zoning

Existing Zoning:	PUD-C
Proposed Zoning:	PUD-R & PUD-C

Residential Site Data

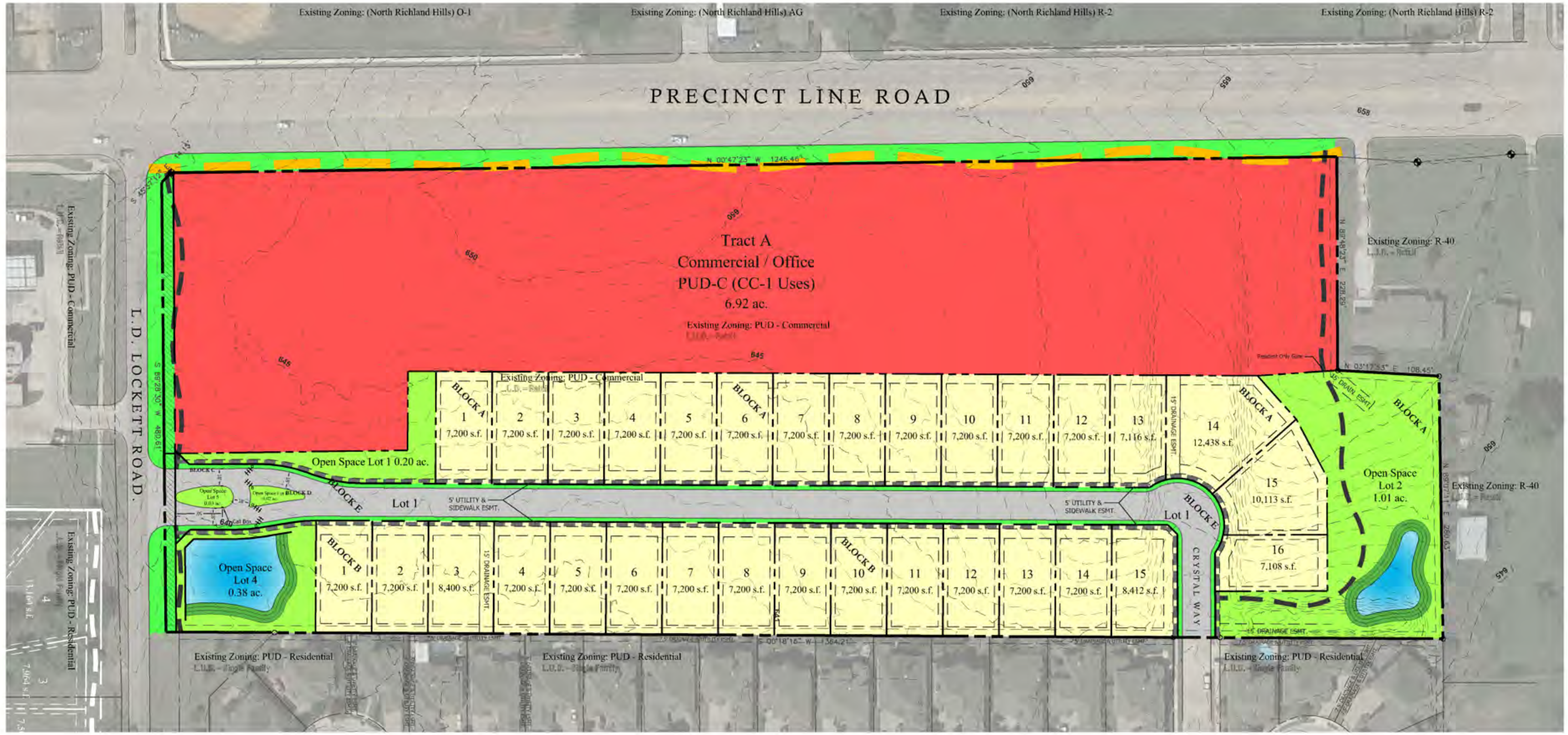
Single Family Residential Lots		31
Common Areas		5
Residential Lots	64.9%	5.36 ac.
Open Space (0.37 ac. of detention - 22.4%)	20.0%	1.65 ac.
R.O.W.	15.1%	1.25 ac.
Res. Gross Acreage	100.00%	8.26 ac.

Site Data

Gross Residential Acreage	8.26
Gross Residential Density	3.75

Lot Summary

Residential Lots	31
Minimum Building Lot Area	7,100 s.f.
Average Building Lot Area	7,531 s.f.
Common Areas	5



FIELD NOTES

Description for a tract of land in the W. C. Newton Survey, Abstract Number 1182, City of Colleyville, Tarrant County, Texas, and being a portion of a tract of land described in a deed to Diana L. Markham, Nancy C. Parvin, and Richard L. Jones, recorded in Instrument Number D20925138, Real Property Records, Tarrant County, Texas; Together With a portion of a tract of land described in a deed to Jerrell W. Jones, recorded in Instrument Number D190069864, Real Property Records, Tarrant County, Texas, and being described as one (1) tract by metes and bounds as follows:

Beginning at a 1/2" iron pin found for the northwest corner of Lot 3, Block B, Emerald Park Addition, Phase I, according to the plat recorded in Cabinet A, Slide 8170, Plat Records, Tarrant County, Texas;

Thence South 00 degree 18 minutes 15 seconds West at 238.29 feet passing a 1/2" iron pin found with orange cap stamped "MOAK SURV INC" for the southwest corner of Lot 1, in said Block B, at 288.32 feet passing a 1/2" iron pin found with orange cap stamped "MOAK SURV INC" for the northwest corner of Lot 1, in Block A, of said Emerald Park Addition, at 1,248.34 passing a 1/2" iron pin found with orange cap stamped "MOAK SURV INC" for the most westerly southwest corner of Lot 15, in said Block A, Emerald Park Addition, in all, a total distance of 1,364.21 feet to the north line of L. D. Lockett Road;

Thence South 89 degrees 28 minutes 30 seconds West a distance of 480.61 feet;

Thence North 45 degrees 37 minutes 12 seconds West a distance of 14.15 feet to a Texas Department of Transportation concrete monument found in the east line of Precinct Line Road (F.M. Highway 3029);

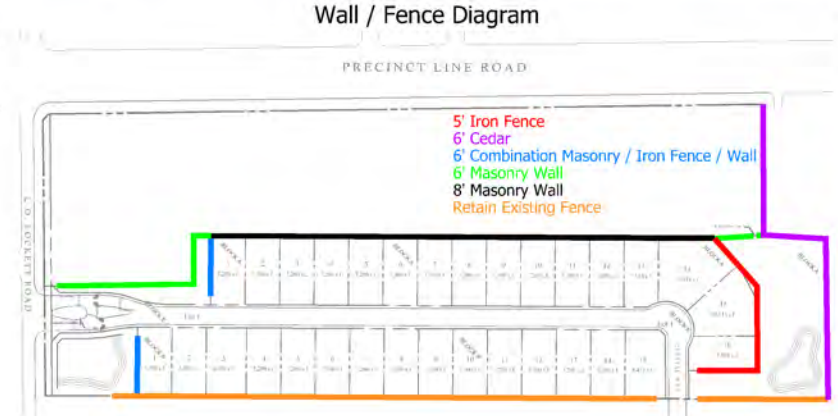
Thence North 00 degree 47 minutes 23 seconds West a distance of 1,245.46 feet along the east line of Precinct Line Road;

Thence North 89 degrees 48 minutes 23 seconds East a distance of 228.29 feet to a 1/2" iron pin found;

Thence North 03 degrees 17 minutes 53 seconds East a distance of 108.45 feet to a 1/2" iron pin found;

Thence North 89 degrees 07 minutes 11 seconds East a distance of 280.62 feet to the Point of Beginning, said described tract containing 15.181 acres of land.

Wall / Fence Diagram



Legend

- 4' Concrete Sidewalk
- 5' Concrete Trail
- 10' Concrete Trail
- Common Open Space
- 60' Residential Lots (30 total)
- R.O.W. Dedication

Engineer:

Hamilton Duffy, P.C.
8241 Mid Cities Blvd., #100
North Richland Hills, TX 76182
TEL: 817-268-0408
Contact: Keith Hamilton

Applicant:

Hat Creek Development
P.O. Box 92747
Southlake, TX 76092
817-329-3111
Contact: Kosse Maykus

Hat Creek DEVELOPMENT

Planner:

SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture

SAGE

1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
TEL. 817-424-2626

PUD-R Notes:

- -60' WIDE LOTS - Front Setbacks are 20', or 15' with a swing garage
- -60' WIDE LOTS - Rear Setbacks are 10' Typical
- -60' WIDE LOTS -Side Setbacks are 5'
- -There will be no outside storage onsite
- -Open space lots & landscape easements will be maintained by the Homeowners Association (HOA).

Owner:	Owner:	Owner:	Owner:	Owner:
Jerrell Jones	Robert Jones	Diana Markham	Nancy Parvin	Shannon Rivera
11111 Abbeywood St.	1412 W. 117th St. S.	500 Gadsen Ave.	9835 Ray White	809 41st St.
Oklahoma City, OK 73170	Oklahoma City, OK 74037	Fort Worth, TX 76244	Fort Worth, TX 76244	Silver City, NM 88061

Zoning Exhibit for
Zoning Change Request
From PUD-C to PUD-R & PUD-C
Case # ZC15-013 PUD-C to PUD-R & PUD-C

Case #ZC15-013

11 SEPT 15

1" = 60'

0 60' 120' 240'

Development Plan

Walkers Meadow

W.C. Newton Survey, Abstract No. 1182 & the Isaac Caradine Survey, Abstract No.356, Tracts 1 & 1E

Colleyville, Tarrant County, Texas

CAMERON APPRAISAL GROUP, LLC
REAL ESTATE APPRAISAL & CONSULTATION

CONSULTATION REPORT:

HIGHEST AND BEST USE STUDY
15.11 ACRES VACANT LAND
NEC PRECINCT LINE ROAD & L.D. LOCKETT ROAD
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

PRESENTED TO:	**MR. KOSSE MAYKUS** **HAT CREEK DEVELOPMENT** **1723 E. SOUTHLAKE BOULEVARD** **SUITE 120** **SOUTHLAKE, TEXAS 76092**
PREPARED BY:	**CAMERON APPRAISAL GROUP, LLC** **2330 FM 407, SUITE 200** **HIGHLAND VILLAGE, TEXAS 75077**

September 2, 2015

Mr. Kosse Maykus
Hat Creek Realty
1723 E. Southlake Boulevard, Suite 120
Southlake, Texas 76092

Re: Our File Reference No. A-2015-08-13

Highest & Best Use Study
15.11 Acres of Vacant Land
NEC Precinct Line Road & L.D. Lockett Road
City of Colleyville, Tarrant County, Texas

Dear Mr. Maykus:

At your request, a report providing real estate consultation (highest and best use study) regarding the above mentioned property is being provided. The purpose is to assist the client in evaluation of highest and best use, specifically addressing whether retail, office, single-family subdivision uses or some combination of these uses represents highest and best use. The appraiser has attempted to comply with the 13th Edition of The Appraisal of Real Estate, Market Analysis for Real Estate, as well as the Uniform Standards of Professional Appraisal Practice as approved by the Appraisal Standards Board and promulgated by the Appraisal Foundation; and believe this consultation report is in compliance with the aforementioned. The report represents our findings and conclusions based on data considered to date. However, Cameron Appraisal Group reserves the right to supplement aforementioned report in the future, if necessary. My firm appreciates the opportunity to provide this report for you. If we can be of further service, please contact us.

Respectfully submitted,
CAMERON APPRAISAL GROUP, LLC

Scott A. Cameron, President/Owner
State Certified General Real Estate Appraiser
Number: TX-1323488-G
Date of Expiration: August 31, 2016

VIEW OF SUBJECT PROPERTY

VIEW OF PRECINCT LINE ROAD FACING NORTH

VIEW OF CHELSEA BOULEVARD FACING SOUTH

VIEW OF L.D. LOCKETT ROAD FACING EAST

VIEW OF L.D. LOCKETT ROAD FACING WEST

TABLE OF CONTENTS

CONSULTATION STUDY

General Information 7
Highest and Best Use Analysis 9
Property Analysis 11
Market Analysis 21
Marketability Analysis 29
Financial Analysis of Alternative Uses 44
Highest and Best Use Conclusion 45
Certification 46

ADDENDA
Qualifications of Appraiser

Identification of the Assignment: This report addresses the highest and best use of the subject property, including evaluation of whether retail, office, single-family subdivision or some combination of the use types represents highest and best use for the site.

Report Option: This is a report that provides consultation conclusions.

Property Interest Addressed: Fee Simple Interest

Intended Use of the Report: The intended use of this report is to assist the client in evaluation of subject property's highest and best use. The intended user is Kosse Maykus and/or his assigns.

Effective Date of the Assignment: The effective date of the consultation analyses and concluding opinions is August 20, 2015. The report date is September 2, 2015, representing the date of final completion and submission to the client.

Scope of the Assignment: The Scope of the Assignment refers to the extent of the process of collecting, confirming, and reporting data. This consultation report is a brief recapitulation of data, analyses, and conclusions made regarding the highest and best use of the subject property. This analysis evaluates what use type(s) represents highest and best use on the subject property. A summary of investigations and analyses to implement the highest and best use study follows:

- Scott A. Cameron conducted a visual survey of the subject property and properties in the community of Colleyville and surrounding submarket area. Those properties identified as competitive vacant tracts were visually surveyed.

- Analyzed regional, community and immediate area trends information gathered through a visual survey of the areas, reviews of published secondary data, such as that provided by City of Colleyville, County and State entities, STDB Online, NCTCOG, Costar Property and Comps, Loopnet, MLS, Residential Strategies, Inc. and interviews with individuals and market participants knowledgeable about the area and property types.

- Site exhibits, current FEMA flood insurance rate maps, zoning maps and future land use plan were reviewed.

- Analyzed the highest and best use of the site. In this analysis, market conditions and supply/demand trends for alternative uses were analyzed in order to determine a conclusion, specifically addressing whether retail, office, single-family subdivision or a combination of the use types represents highest and best use of the property. The analysis is considered a “Level C” Highest & Best Use study.

General Assumptions & Limiting Conditions: This report is provided in accordance with the following:

- The information furnished by others is believed to be reliable, but no warranty is given for its accuracy. Those secondary data sources utilized are generally considered credible by market participants.

- The forecasts or projections contained herein are based on current market conditions, anticipated supply and demand factors, per sources and methodology for this report. These forecasts are, therefore, subject to changes with future conditions.

- Possession of this report, or a copy thereof, does not carry with it the right of publication.

- Neither all nor any part of the contents of this report, including conclusions, the identity of the appraiser, or the firm with which the appraiser is connected, shall be disseminated to the public through advertising, public relations, news, sales, or other media without prior written consent and approval of the appraiser.

Nature of the Assignment

This section addresses the effect on use and value of the following factors: existing land use regulations, reasonably probable modifications of such land use regulations, economic demand, the physical adaptability of the real estate, market area trends, and the highest and best use of the real estate. The analysis of the property's use potential, marketability and economic analysis of alternatives form the basis of the subject's highest and best use conclusions. These interrelated concepts are defined as follows:

***Highest and Best Use Definition*[6]**

"The reasonably probable and legal use of vacant land or an improved property, that is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity. Alternatively, the probable use of land or improved property-specific with respect to the user and timing of the use-that is adequately supported and results in the highest present value".

***Marketability Study Definition*[7]**

"A microeconomic study that examines the marketability of a given property or class of properties, usually focusing on the market segment(s) in which the property is likely to generate demand. Marketability studies are useful in determining a specific highest and best use, testing development proposals, and projecting an appropriate tenant mix.

Economic Analysis

A study of the financial return expectations of alternative uses. All uses that are expected to produce a positive return are regarded as financially feasible. Of the financially feasible uses, the use that produces the highest residual land value consistent with the rate of return warranted by the market for that use is the highest and best use.

---

6 The Dictionary of Real Estate, Fifth Edition, Appraisal Institute, 2010, pg. 93

7 Ibid. pg. 120

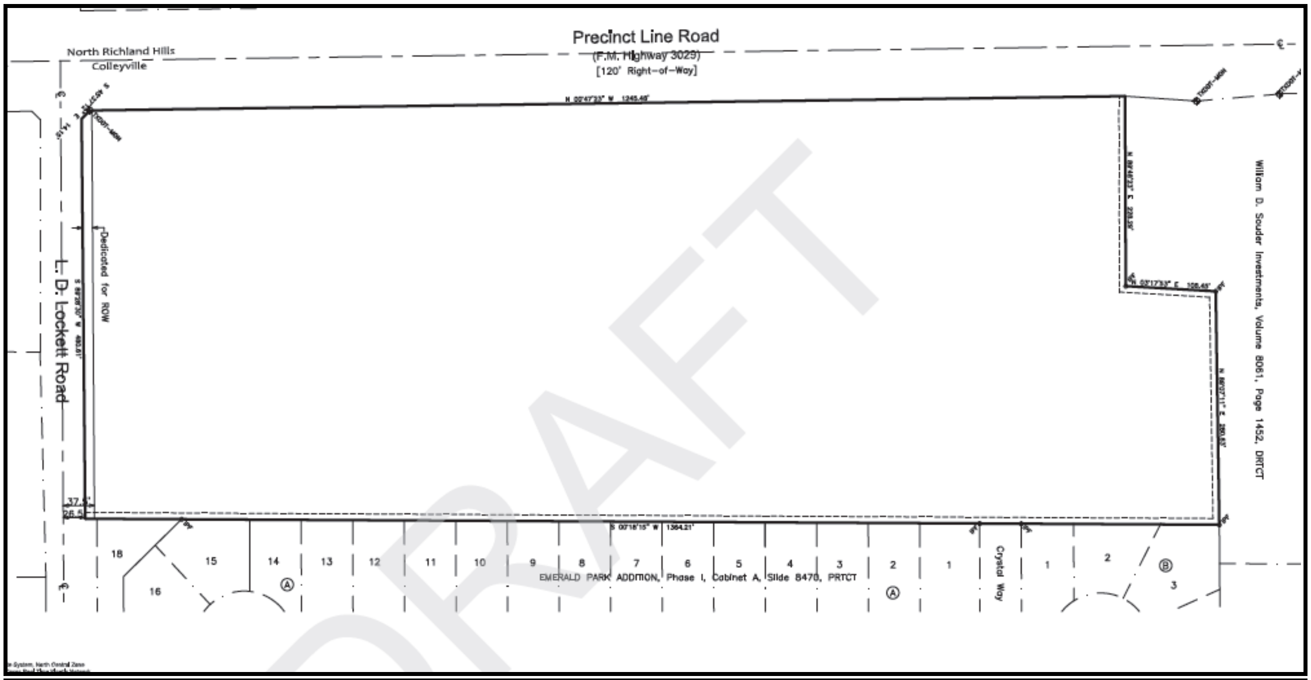
Highest and Best Use (Land) Analysis Process and Scope

The study process is a screening of alternative use possibilities for the land assumed vacant. Each alternative is analyzed based on the following steps in the study. The detail of this study is considered a "Level C" analysis. [8]

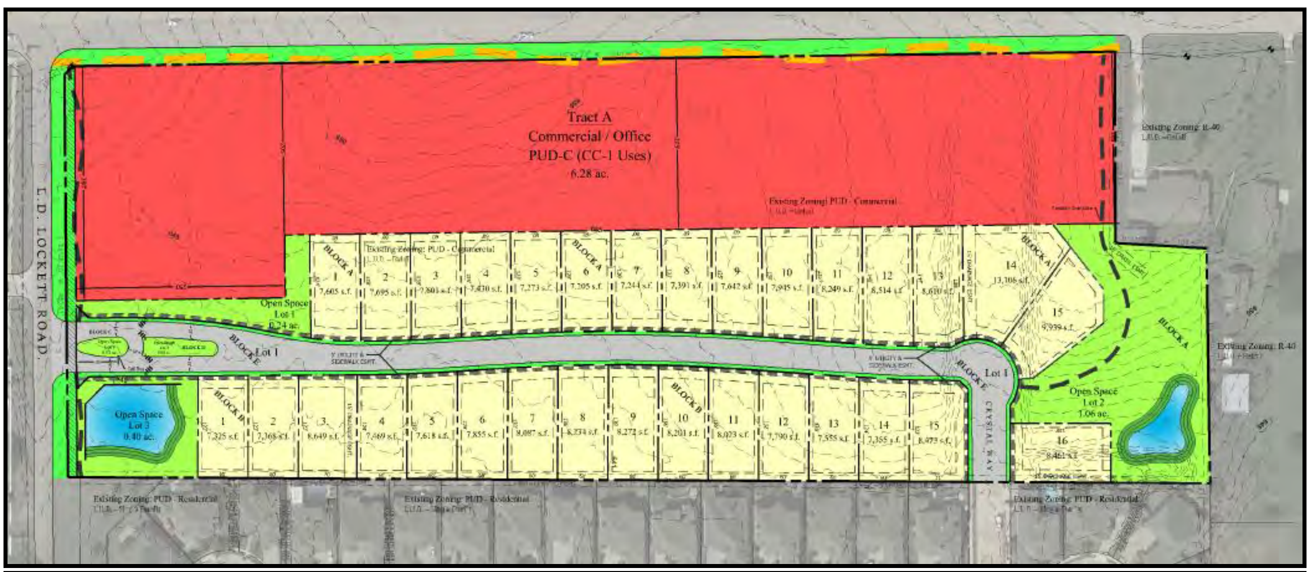
- ***Property Analysis***
  - Site determinants of use
  - Legal determinants of use
  - Location determinants of use and timing
- ***Market Analysis***
  - Market determinants of use and performance (supply and demand)
  - Market condition analysis
- ***Marketability Analysis*** (subject capture forecast)
- ***Financial Analysis of Alternative Uses***
- ***Highest and Best Use Conclusions***

The following presents a summary of the reasoning and conclusions from this study.

8 Market Analysis For Real Estate, *Concepts and Applications in Valuation and Highest and Best Use,* Stephen F. Fanning, Appraisal Institute, 2005, Ch. 2



SITE DEPICTION



PROPOSED SITE PLAN

PROPERTY ANALYSIS

Site Size/Location: The subject site is 15.11 Acres of land at the northeast corner of Precinct Line Road and L.D. Lockett Road. The site size is expressed net of R.O.W.

Shape: Generally rectangular in shape with adequate frontage width relative to depth that would accommodate various uses, including single-family subdivision, retail, office or a combination of the use types. The site includes wide frontage width and somewhat reduced depth that results in shape not being particularly compatible with shopping centers having large retail or supermarket anchors.

Access/Visibility: Frontage is along Precinct Line Road and L.D. Lockett Road. Precinct Line Road is a thoroughfare providing primary interior neighborhood ingress-egress, being six-lanes, concrete-paved with concrete curbs. L.D. Lockett Road is a secondary thoroughfare that is two-lanes, asphalt-paved with open drainage. The site is at a signalized intersection along a thoroughfare providing primary neighborhood ingress-egress and secondary neighborhood ingress-egress. Access/visibility of the corner portion is considered in accordance with retail-related uses while northern and rear-eastern site area frontage is more secondary, which would be in accordance with office or residential-related uses.

Flood Plain: The entire subject property is situated outside of the 100-year flood plain.

Utilities: All available, adequate to support retail, office or single-family subdivision development.

Surrounding Uses: The subject site is surrounded by vacant land to the north, a moderate-density single-family subdivision to the east, convenience store to the south and new office buildings in front of a moderate density subdivision to the west.

Zoning: The subject property is currently regulated by a “PUD-C”, Planned Use Development-Commercial, by the City of Colleyville. This zoning designation allows for common commercial uses, including retail and office. It is a planned development type designation that currently depicts an “L-shaped” strip center on a portion of the site, retail pad, and secondary commercial buildings. A change in zoning is being requested to allow moderate density single-family development on the rear site area and commercial uses along the Precinct Line road frontage. Zoning changes from commercial to moderate density single-family designations are noted in the community within a recent time frame due to limited vacant tracts suited to residential development remaining. The use on the rear portion of the site is compatible with adjacent moderate density existing residential subdivision and in accordance with location common of moderate density subdivisions.

Site Analysis Conclusion: The subject property is considered physically suited to various uses, including retail, office and a single-family subdivision, as well as mixed-use development of above-mentioned property types. No significant adverse characteristics are associated with the site and all utilities are available to accommodate development in accordance with highest and best use.

Location Analysis for Determinants Of Use

Real estate location attributes determine the type and location of land uses most expected in an area. In the next step of this study, the economic demand analysis will tell how much growth might be expected over time.

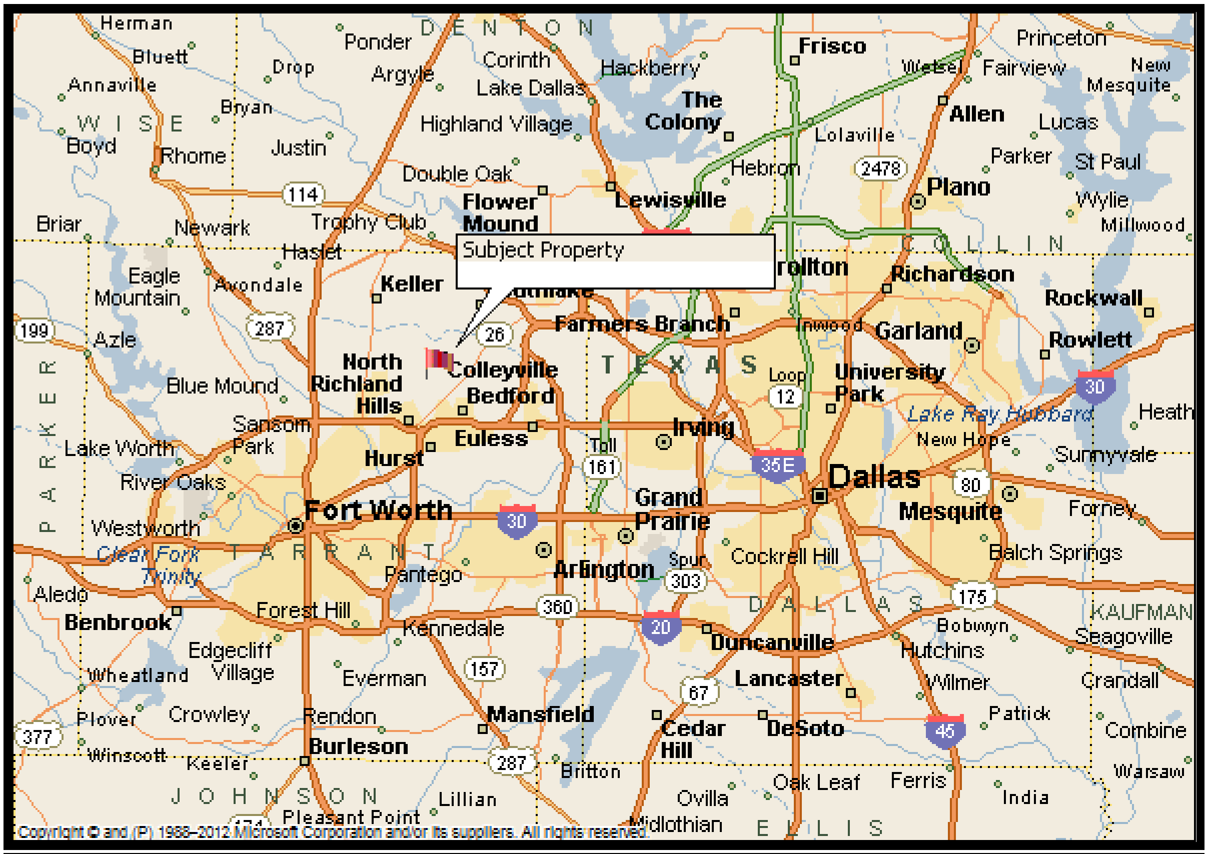
Location determinants of growth consist of static and dynamic features. Static features include linkages and land use associations. Linkages refer to the movement of people, goods, services, or communication to and from the property site. Common linkages include roads and utilities. Land use association refers to the current type of development in the area and how they relate or support each other. Current land uses in an area set a pattern that is typically expected in the future.

Because location changes over time, the dynamic aspects of location also need to be addressed. Dynamic location features are the land uses growth patterns and the direction and rate of this growth.

The location analysis addresses these major questions regarding the use potential and competitive position at the property.

- What is the current and expected growth pattern in the area and how does the subject fit in relation to this growth pattern?

- How does the subject location compare to the competitive areas?



REGIONAL LOCATION MAP

Regional/Community Growth Trends

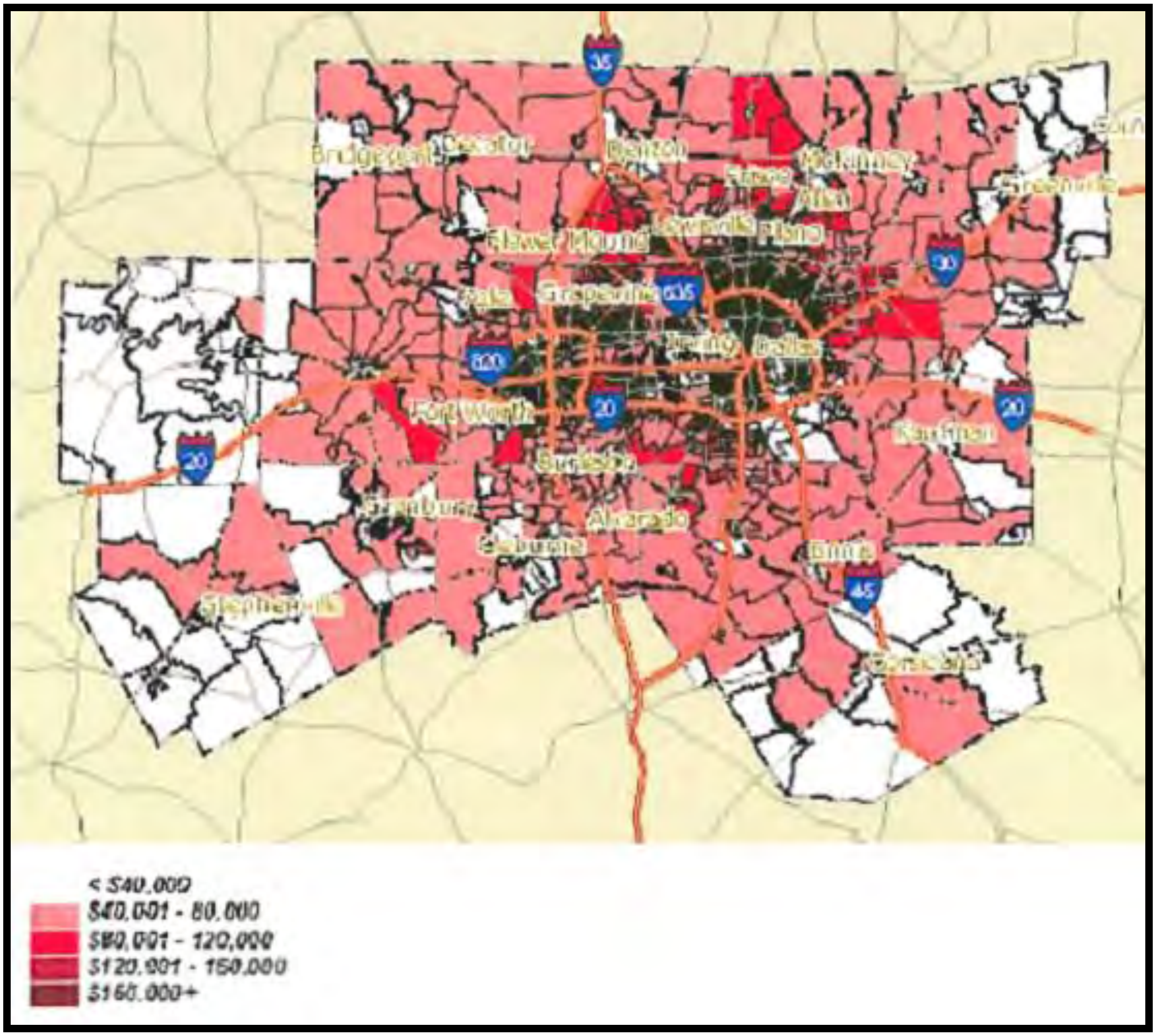
Dallas and Ft. Worth central cities have had strong growth trends, particularly in the northern suburban areas, including sections of Tarrant, Denton and Dallas counties within close proximity to D/FW International Airport, being an area that includes the subject property.

D/FW & COLLEYVILLE POPULATION GROWTH 1980-2014							
Metropolitan Area	Total Population					Growth Rate	
	1980	1990	2000	2010	Estimated 2015	2000-2010	2010-2015
Dallas/Ft. Worth	3,030,239	4,013,418	5,197,317	6,417,724	6,812,020	22.60%	6.14%
Colleyville	4,156	13,683	19,135	22,807	23,760	19.19%	4.18%
Source: North Central Texas Council Of Governments (NCTCOG)							

D/FW percentage population growth notably exceeds that of the State of Texas. The region growth on a percentage basis exceeds that of Colleyville. Also, based on the pace established in 2010-2015, percentage growth in the community of Colleyville will be reduced relative to that of 2000-2010 on both a percentage and absolute growth basis. This is not considered a result of lack of demand within the community but a reduced level of land suited to residential development that would result in added population increase. Colleyville is essentially an infill region location in regard to residential development that is in high demand; however, added population growth has moved to more outlying sections of the region where land suited to residential development is more abundant. Prior to land availability being limited, Colleyville posted solid population growth in decades prior to 2000, transitioning from a small community in 1980 to a suburban community in the 1990's with a very affluent resident base.

Income Patterns – Allen And Surrounding Areas

The following map shows the income pattern for the subject community and surrounding areas. The map shows median household income areas in colors with the upper incomes being darker and the lower income areas being lighter. The City of Colleyville has median household income that is notably above that of the region at $167,400 (2015, per STDB Online). Overall, Colleyville represents one of the most affluent communities within the D/FW region, a trend that is expected to continue.

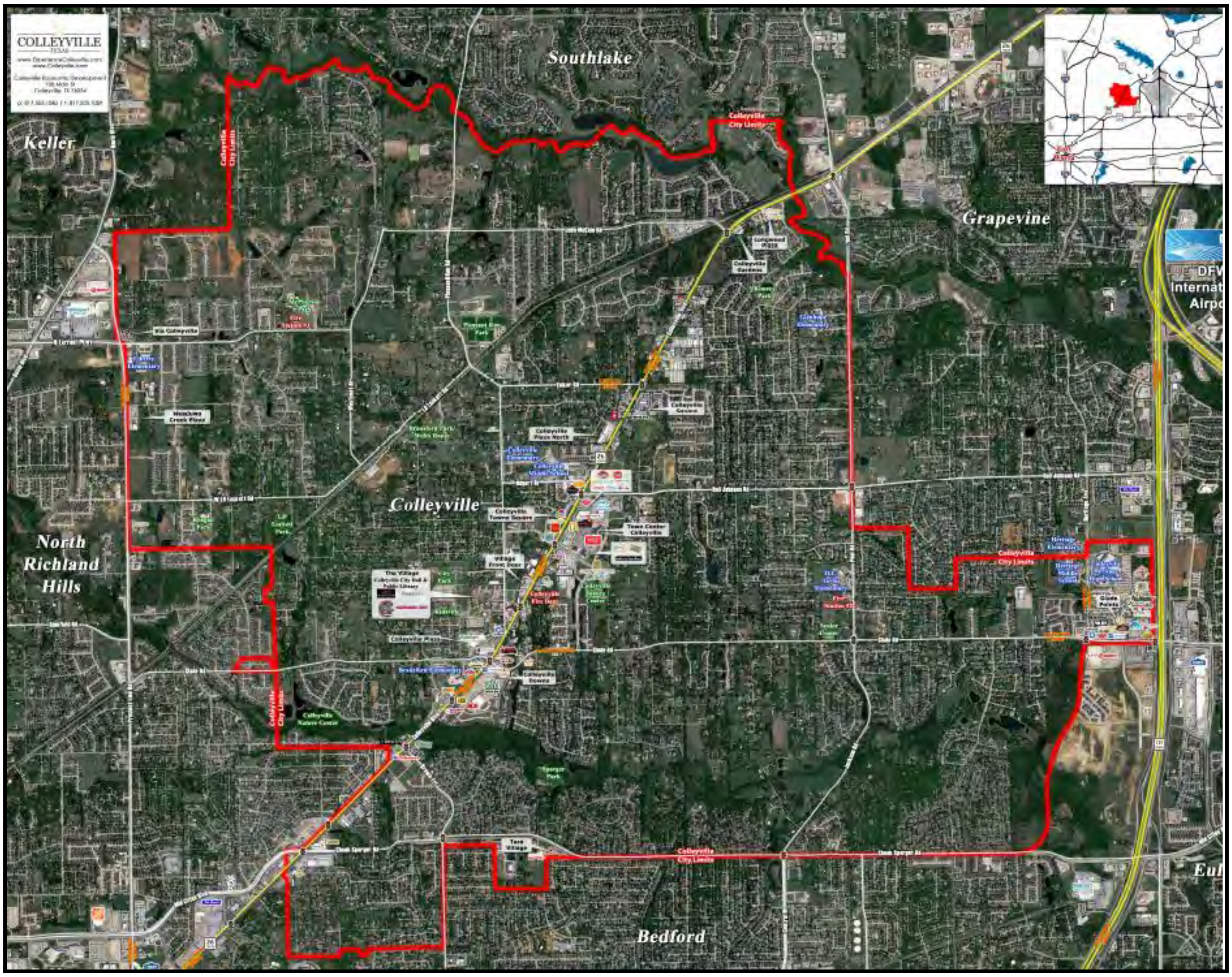


CAMERON APPRAISAL GROUP

HOUSEHOLD INCOME MAP

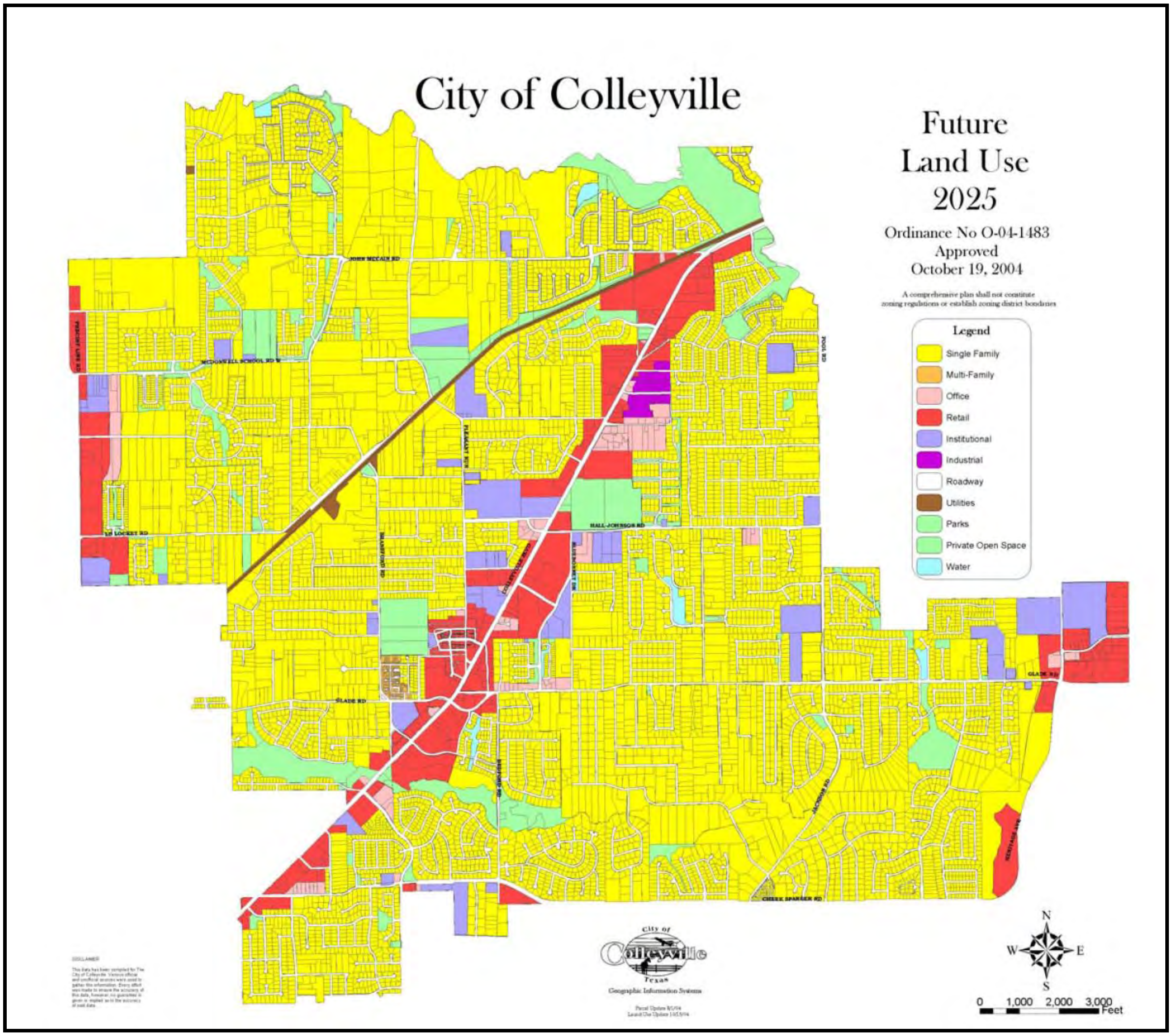
Land Use Patterns In Colleyville

The aerial depiction below provides a visual representation of community land use:



AERIAL LAND USE DEPICTION

The City of Colleyville is a suburban community that is mainly composed of low density and moderate density residential subdivisions having home price range toward the upper-end of the region range, reflective of the community being very affluent. As of 2010, the North Central Council of Governments reported that approximately 30% of Colleyville's total acreage was vacant land, which includes flood plain areas. Development density is not tracked for the current period; however, per visual review, Colleyville exhibits high development density, mainly composed of low to moderate density single-family subdivisions with commercial uses along primary thoroughfares and intersections and a limited percentage of light industrial and multi-family uses. Home price trends are toward the upper-end of the range within the region and unit rents for office and retail space are also increased relative to the region. New commercial and single-family development is noted in recent years with demand for additional development reported by market participants, tempered by land availability. Colleyville is expected to remain in the slow growth stage of the real estate life cycle due to land availability for development. The future 2025 land use plan is provided below:



FUTURE LAND USE PLAN 2025

The future land use plan has an increased level of commercial use in the western section of the community along Precinct Line Road relative to the 2003 land use plan, reportedly having a reduced level of commercial use in the 1998 Land Use Plan. The key commercial corridor within the community is Colleyville Boulevard (SH 26). There is limited single-family land remaining and a large portion of remaining tracts are designated for retail-related uses; however, per market conditions of retail space in the community, added population density will be necessary to accommodate increased retail development within the community since the current supply adequately accommodates the residential base.

Property Analysis Conclusion

The subject property is situated in a community that exhibits “infill” region position with demand for both commercial and residential property types. The subject site is situated in an area of limited commercial development density but a portion of the site is considered suited to commercial uses with a portion also exhibiting characteristics that would accommodate moderate density residential development, further assisting in added community demand for commercial development on remaining tracts, particularly retail. Site corner location that includes frontage along a thoroughfare providing primary interior neighborhood ingress-egress is well suited to retail-related uses at the key corner and commercial uses along Precinct Line frontage while the rear portion of the site also retains characteristics and location rating common of moderate density single-family subdivisions.

MARKET ANALYSIS

In this section, those uses that are physically possible and legally permissible are evaluated further in regard to financial feasibility of development. The subject is currently zoned PUD-C, which allows commercial-related uses. The site remains physically suited to a single-family subdivision use, as well. It is noted that sites with commercial zoning are commonly acquired for single-family development in the competitive market area due to limited supply of single-family tracts. Since a zoning change allowing single-family subdivision on the site or a portion of the site is being evaluated, this use type is also considered as a potential use in this section.

Market Area Defined

The subject property is situated in the City of Colleyville, which is also considered the competitive market area. The community is mainly composed of single-family subdivisions with upper-end home price range, having commercial support facilities commonly situated at primary intersections or along primary thoroughfares.

Single-Family Market Conditions

In order to evaluate single-family market conditions, the appraiser utilized information provided by Residential Strategies, Inc., a reputable market survey firm that specializes in single-family subdivision analysis in the D/FW area. Single-family market conditions in the region, overall, are first analyzed, followed by specific analysis of the immediate market area delineated for the subject property.

D/FW Region: The following table summarizes single-family market conditions in the region:

DALLAS/FORT WORTH SINGLE-FAMILY MARKET CONDITIONS – 2Q15	
Annual Starts	**25,878**
Annual Closings	**22,565**
Finished-Vacant Residence Inventory	**1.5 Months**
Vacant-Developed Lots	**49,532**
Vacant-Developed Lot Inventory	**1.9 Years**
Source: Residential Strategies, Inc.	

From the later part of 2008 extending through 2010, new single-family starts dipped to the lowest level in over a decade, being down over 60% from 2006, the period where starts peaked, followed by gradual decline. Starts during 2012-2015 were notably improved relative to preceding years. The improvements in job growth and economic climate were gradual from 2011-mid-2012, increased improvement noted from mid-2012 to 2015, the region being among top job growth areas relative to other regions in the nation. Continued positive job growth is anticipated in upcoming years, which drives single-family housing and subdivision development.

It is positive to note that the supply of finished-vacant residences is 1.5 Months, which is below the equilibrium 2.5-month supply, being a key indicator of immediate demand for new single-family residences in the region, overall. It is noted that the largest supply of vacant finished residences and lots is concentrated in third tier outlying region submarkets with a number of those having more interior region position being below the equilibrium level. The lot supply within the region has gradually declined in recent years, reaching the equilibrium level of 2.0 years, an indicator that timing for development is immediate in the region, overall, level of demand/supply varying according to submarket. The number of new projects being initiated has increased during the last two years relative to preceding years; however, starts/closings are keeping pace with added lot supply resulting in net decline in years supply, reducing to the current equilibrium level. Overall, new development is currently warranted in a large percentage of D/FW submarket areas while others remain over-supplied, those mainly being outlying third-tier submarkets most suited to entry level home product.

Subject Submarket Conditions: In order to analyze an area more specific to the subject property, the appraiser utilizes a report prepared by Residential Strategies, Inc. that evaluates single-family subdivision and new residence supply/demand for an area considered more specific to the subject, being the City of Colleyville. The following table summarizes submarket conditions.

CITY OF COLLEYVILLE SINGLE-FAMILY MARKET CONDITIONS – 2Q15	
Annual Starts	**101 Units**
Annual Closings	**68 Units**
Finished-Vacant Residence Inventory	**3.5 Months**
Vacant-Developed Lots	**354 Lots**
Vacant-Developed Lot Inventory (Actual Starts)	**3.5 Years**
Vacant-Developed Lot Inventory (Annualized Starts)	**2.7 Years**
Source: Residential Strategies, Inc.	

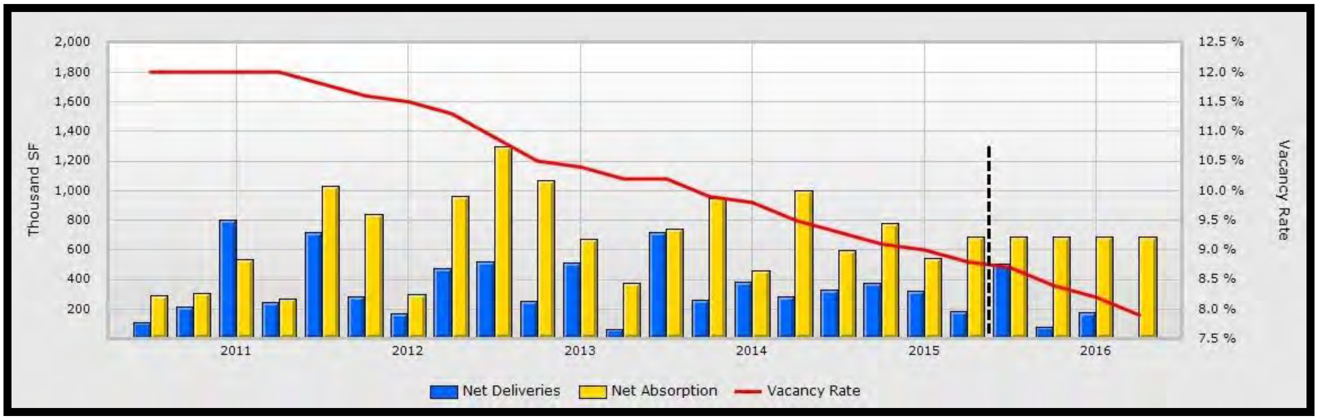
Annual starts for the year-ending 2Q2015 are similar to the preceding year. The finished-vacant home supply is 3.5 months, which is slightly above the 2.5-month equilibrium level; however, it is noted that the subject submarket is composed of upper-end home price range, which commonly results in slight added finished-vacant product relative to that of the region. Closings are notably below annual starts; however, this is attributed to a notable increase in new starts in recent quarters, closings being a trailing calculation. The year's supply of lots is provided as 2 figures above. The first is based on actual starts. Confirmed per data provided by RSI, Inc., as well as discussions with officials at the company, the lot supply is somewhat inflated because there were 3 subdivisions delivered where starts have only been occurring for 1 quarter versus the whole year. Once those starts are annualized, a slightly reduced supply of 2.7 years is indicated. The year's supply exceeds the equilibrium level; however, since it commonly takes 9-12 months to implement common-sized subdivision development phases, timing for additional new development is considered short term, estimated as being immediate per lower-end years supply and approximately 1-year per upper-end year's supply range.

Even according to increased land unit sales price trends and slight increases in development unit costs, development of a moderate density single-family subdivision within the community of Colleyville remains financially feasible due to an increase in the average new home price range, commonly noted at $450,000+. Therefore, considering the preceding, timing for single-family subdivision development on the subject site is considered immediate to 1-year.

Retail Market Conditions

In assessment of retail market conditions, the primary source for data was *Costar Property.* It should be noted that both regional and local evaluation includes common light industrial space and flex space, of which technology related uses are categorized as. Market conditions for the region and more specific subject competitive market area, are evaluated in following paragraphs.

D/FW Area: Shopping center market conditions for the region are summarized in the following tables:



Availability	Survey	5-Year Avg
NNN Rent Per SF	$14.03	$13.71
Vacancy Rate	8.7%	10.8%
Vacant SF	19,068,771	23,085,793
Availability Rate	10.9%	13.3%
Available SF	23,886,123	28,650,757
Sublet SF	612,199	1,017,203
Months on Market	29.0	21.8

Demand	Survey	5-Year Avg
12 Mo. Absorption SF	3,598,352	2,647,005
12 Mo. Leasing SF	7,254,879	7,474,249

Inventory	Survey	5-Year Avg
Existing Buildings	7,584	7,411
Existing SF	218,071,640	214,539,726
12 Mo. Const. Starts	1,339,826	1,287,612
Under Construction	773,161	1,145,135
12 Mo. Deliveries	1,490,233	1,535,212

Sales	Past Year	5-Year Avg
Sale Price Per SF	$193	$155
Asking Price Per SF	$129	$132
Sales Volume (Mil.)	$750	$585
Cap Rate	6.9%	7.7%

Vacancy has shown gradual decrease in the region during recent years, reducing to a stabilized level of 8.7%, a result of absorption that exceeds reduced levels of new supply relative to peak development periods in 2006-2008. Absorption remained positive during recent years, typically outpacing new supply, resulting in gradual reduction in vacancy. Average rents for the region are reported at $14.03/SF, according to a NNN lease structure.

Relatively new properties commonly exhibit a range of $18.00/SF to $24.00/SF, dependent on location and quality of the facility. Overall, region retail market conditions have shown improvements with development timing being immediate in certain submarket areas while others remain slightly over-supplied.

<u>*City of Colleyville:*</u> The following table summarizes industrial market conditions in an area more specific to the subject, being the City of Colleyville:

Availability	Survey	5-Year Avg
NNN Rent Per SF	$18.02	$14.97
Vacancy Rate	7.1%	14.2%
Vacant SF	73,725	147,724
Availability Rate	9.8%	22.3%
Available SF	103,293	233,484
Sublet SF	3,696	23,644
Months on Market	37.0	22.3

Demand	Survey	5-Year Avg
12 Mo. Absorption SF	21,411	31,011
12 Mo. Leasing SF	53,559	61,604

Inventory	Survey	5-Year Avg
Existing Buildings	53	52
Existing SF	1,044,505	1,041,427
12 Mo. Const. Starts	12,832	4,154
Under Construction	12,832	4,865
12 Mo. Deliveries	0	4,513

Sales	Past Year	5-Year Avg
Sale Price Per SF	$241	$236
Asking Price Per SF	$163	$152
Sales Volume (Mil.)	$45	$20
Cap Rate	-	6.7%

In Colleyville, vacancy is slightly below that of the region at 7.1%, being at the equilibrium level. Vacancy is notably improved relative to the 5-year average of 14.2%, which is above the equilibrium level. Due to new deliveries as presented in the preceding forecast table, near term vacancy is expected to increase above the equilibrium level to approximately 11% in the upcoming quarter, subsequently declining back to the stabilized level within 1-year. Therefore, speculative development timing for speculative retail space in the community is estimated at immediate to 1-year.

Office Market Conditions

Office: In assessment of office market conditions, the primary source for data was *Costar Property.* Market conditions for the region, a submarket area more specific to the subject and immediate surrounding area, are evaluated in following paragraphs.

D/FW Region: The following table summarizes office market conditions and trends in the region:

Availability	Survey	5-Year Avg
Gross Rent Per SF	$22.06	$19.95
Vacancy Rate	14.3%	16.4%
Vacant SF	49,249,516	55,423,082
Availability Rate	19.3%	20.0%
Available SF	68,492,298	68,270,073
Sublet SF	6,345,495	5,291,170
Months on Market	21.0	18.7

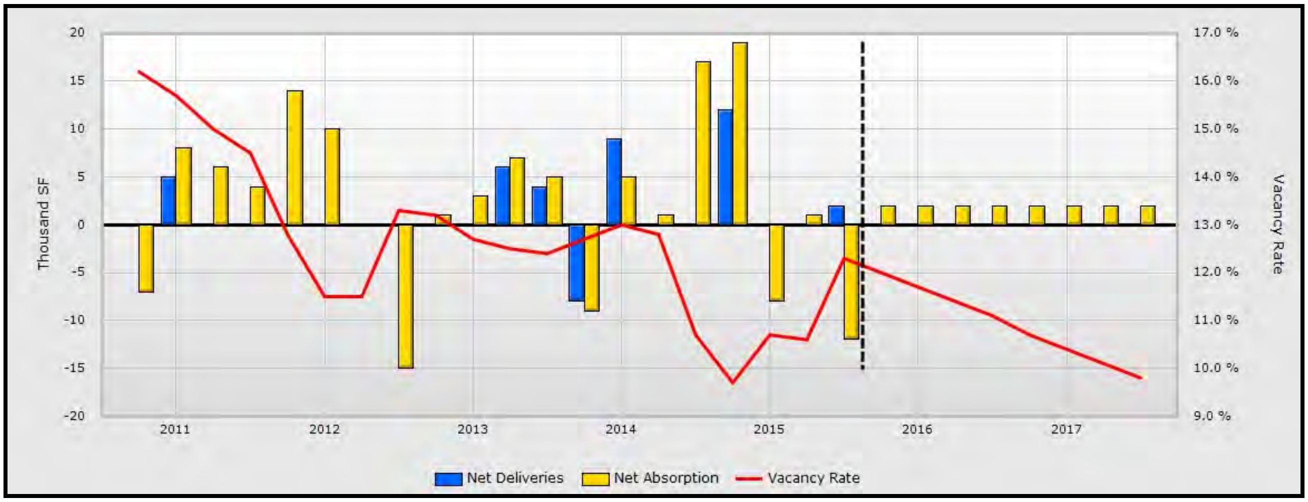
Demand	Survey	5-Year Avg
12 Mo. Absorption SF	6,844,145	3,617,414
12 Mo. Leasing SF	23,458,715	23,620,965

Inventory	Survey	5-Year Avg
Existing Buildings	11,064	10,848
Existing SF	344,510,915	338,173,163
12 Mo. Const. Starts	8,622,969	3,592,930
Under Construction	10,084,604	3,738,955
12 Mo. Deliveries	6,390,380	2,761,427

Sales	Past Year	5-Year Avg
Sale Price Per SF	$161	$130
Asking Price Per SF	$101	$90
Sales Volume (Mil.)	$1,932	$1,762
Cap Rate	7.8%	8.2%

Office vacancy levels have remained above the stabilized level during the last five years. The D/FW region has remained overbuilt with office space since the 1980's. Solid positive net absorption is noted from 2005 to 2008; however, demand was unable to keep pace with a large level of new space being added. Absorption was negative in 2009 and the first part of 2010, turning positive by a small level in following years, most improvement during 2012-2015. Office space deliveries are reduced relative to preceding years. Average rents are reported at $22.06/SF, according to a full service lease structure. Overall, the D/FW area is over-supplied with office space, a trend that has remained in recent decades. Speculative development is warranted in some submarkets while others remain over-supplied.

Immediate Subject Area: The appraiser reviewed information regarding market conditions of office properties within the community of Colleyville, generally considered the competitive market area. Conditions in the competitive submarket area are summarized as follows:



Availability	Survey	5-Year Avg
Gross Rent Per SF	$22.26	$20.28
Vacancy Rate	12.0%	14.8%
Vacant SF	193,316	228,463
Availability Rate	14.3%	18.0%
Available SF	232,620	282,140
Sublet SF	5,320	8,828
Months on Market	9.1	14.3

Demand	Survey	5-Year Avg
12 Mo. Absorption SF	67,938	37,961
12 Mo. Leasing SF	84,348	88,275

Inventory	Survey	5-Year Avg
Existing Buildings	224	211
Existing SF	1,614,366	1,547,646
12 Mo. Const. Starts	34,095	30,606
Under Construction	17,574	24,174
12 Mo. Deliveries	58,440	31,733

Sales	Past Year	5-Year Avg
Sale Price Per SF	$146	$156
Asking Price Per SF	$85	$90
Sales Volume (Mil.)	$0.4	$1.6
Cap Rate	7.0%	8.0%

Office vacancy in the competitive area is slightly below that in the region at 12.0%, remaining above the stabilized level. Vacancy is below the 5-year average and has fluctuated, dipping below 10% at the beginning of 2015 but then increasing to the current level subsequent to some negative absorption. For the preceding year, absorption is solid at 63,938 SF, exceeding the 5-year average of 37,961 SF. Rents in the community are increased relative to the 5-year average at $22.26/SF, according to gross lease structure, which is generally at a level that would support adequate return on new development. New properties commonly exhibit rent above the average. Based on preceding year absorption, a stabilized vacancy level of 10% could be achieved in the community within approximately 1-year. Increased demand is considered likely during the near term, more similar to preceding year absorption than the 5-year average. Taking the information above into consideration, speculative office development timing is not considered immediate but remains short term, estimated at 1-year.

Conclusion of Market Analysis

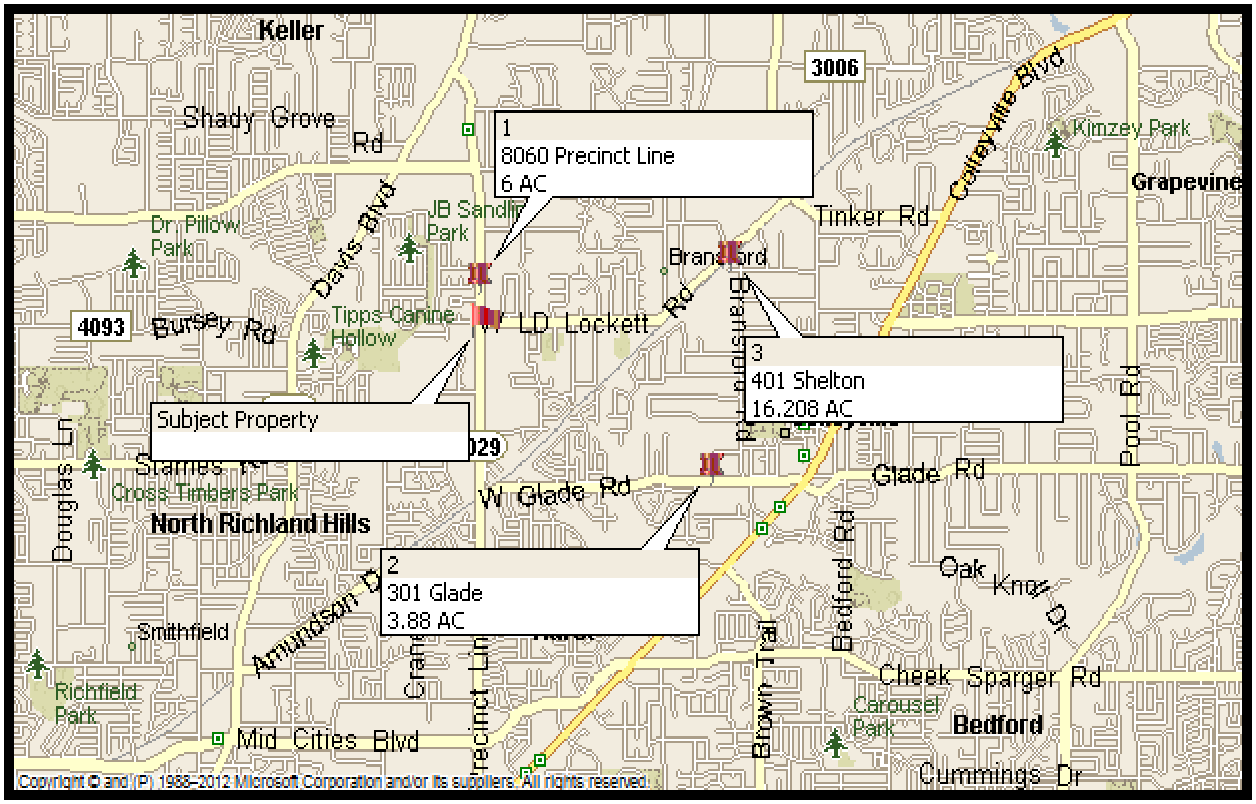
Moderate density single-family subdivision timing in the immediate submarket area is considered immediate to 1-year. Speculative retail development in the community is also considered immediate to 1-year. Speculative office development is estimated at 1-year. Essentially development timing for the three use types is immediate to short term.

MARKETABILITY ANALYSIS

This section addresses subject site potential marketability of potential uses suited to the subject tract.

Single-Family Subdivision Use

Identification of Competitive Tracts: In order to assess development timing on the subject site, competitive vacant tracts suited to single-family subdivision development are identified in the immediate market area. There is limited vacant land zoned for single-family development within the community, particularly moderate density development. The small level of tracts noted are based on tracts offered for sale on Costar, Loopnet and MLS. While a small number of additional single-family tracts may be present, currently not being offered for sale, the large majority single-family tracts are developed, also confirmed per data provided by Residential Strategies, Inc. (RSI). The single-family tracts identified, as well as total acreage, are summarized in the map and table on the following page.



REMAINING VACANT SINGLE-FAMILY LAND IDENTIFIED – CITY OF COLLEYVILLE

SINGLE-FAMILY TRACTS - COLLEYVILLE		
Map No.	**Location**	**Acres**
1	8060 Precinct Line	6
2	301 Glade	3.88
3	401 Shelton	16.208
TOTAL SINGLE-FAMILY IDENTIFIED		26.088

As presented in the preceding table, there is only a nominal amount of land area at 26.088 acres.

Fundamental Demand

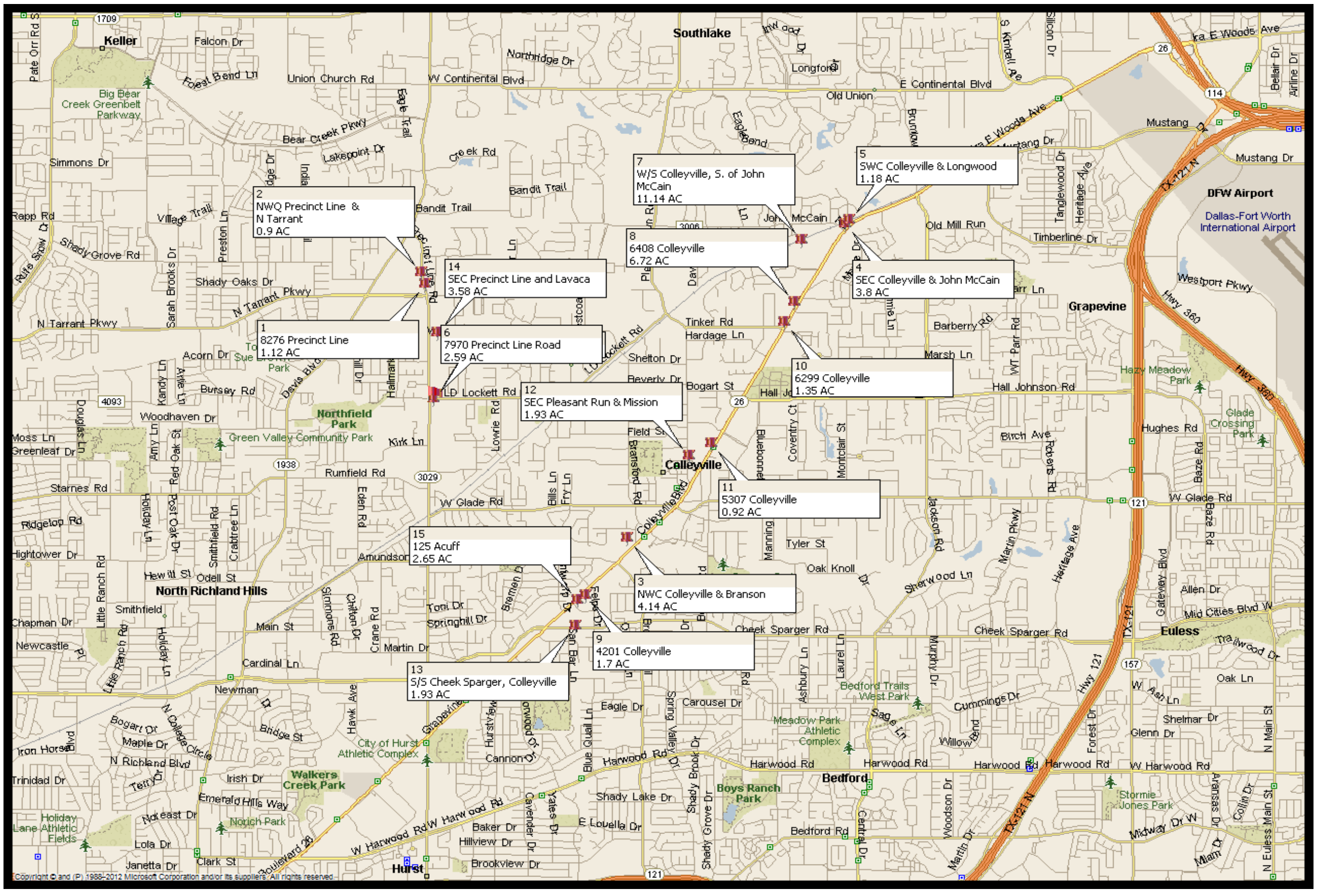
Subject Property Capture: In order to evaluate demand for single-family land, recent starts in the last two years are considered reflective of upcoming years demand. Annual starts for the year-ending 2Q14 were 99 units with an increase for year ending in 2Q15 at 101 units. A projection estimate of 100 units per year is considered reasonable and conservative. In the event that there were added vacant tracts suited to moderate density single-family development, increased starts would be likely.

The subject proposed density is approximately 3.5 units per acre, which is considered within the common range noted for other projects in the community. Based on vacant acreage identified at 26.088 acres, the remaining land area would accommodate only 78 units. This excludes the subject property. Due to the limited remaining residential land, secondary commercial tracts are commonly sought for zoning change to moderate density residential development. Although being moderate density, home price range remains toward the upper-end of the region range due to good competitive location rating within the affluent community. The subject competitive location rating is equal to slightly superior to the residential zoned vacant land identified. Due to the limited land remaining suited to single-family subdivision development, a trend of somewhat secondary sites having zoning change for such use is considered likely, similar to proposal for a secondary portion of the subject site (rear site area). Considering competitive location rating, current supply and limiting remaining land availability, timing for moderate density single-family development on the subject site is considered immediate to 1-year. Market participants, including major region developers/builders that are active in the area indicated that there is demand for additional residential land and lots in the community.

Retail Use

The timing for a retail use in the community based on market conditions associated with existing space is generally similar to single-family residential, being immediate to 1-year. Even so, the supply of tracts that are suited to retail-related development exceeds the level of sites suited to single-family subdivision development. It is noted that added demand for retail-related sites depend on added housing since the current housing base is considered adequately served by existing retail space, as indicated by current retail market conditions within the community. Unit land sales price trends are similar in the subject community regarding both single-family tracts and commercial tracts in the subject size category. This is similar to a region trend where key submarket areas such as the subject community are commonly noted to have single-family tract sales in the $5.00-$6.00/SF range, which is similar to unit price range for moderate sized commercial tracts with comparable access/visibility exhibited by the subject.

Identification of Competitive Tracts: In order to assess timing for development on the subject site, competitive vacant tracts suited to commercial use are identified in the immediate market area. Potential for retail use varies per tract location; however, all are on the future land use plan for retail. Some have primary thoroughfare frontage that are suited solely for retail type uses while some have zoning that would allow office on the sites with location rating indicating similar suitability for office and/or retail uses. The appraiser identified tracts considered potentially suited to commercial related uses by evaluating multiple search engines that track sites for sale, including Costar, Loopnet and MLS. The tracts identified, as well as total acreage, are summarized in the map and table on the following pages.



CAMERON APPRAISAL GROUP

REMAINING VACANT COMMERCIAL LAND IDENTIFIED - CITY OF COLLEYVILLE

Fundamental Demand

In order to evaluate demand for vacant retail related uses, fundamental demand is estimated utilizing the Retail Demand by Per Capita Expenditure Method, in accordance with *Market Analysis For Real Estate*, by Stephen Fanning and serving as the text book for the Appraisal Institute's Market Study/Highest and Best Use class. Total retail sales are divided by current population to establish an estimate of retail sales per capita. The total retail sales projections are divided by rule of thumb retail sales per square foot result in the level of square footage in demand, which is then adjusted by some demand coming from outside of the community and also for frictional vacancy to result in the total demand for retail/service square footage in the primary market area, which is considered the community of Colleyville.

Per information provided by STDB Online, the following provides retail sales by category for the community of Colleyville:

Retail MarketPlace Profile

Colleyville City, TX 3
Colleyville city, TX (4815988)
Geography: Place

Prepared by Esri

Summary Demographics						
2015 Population						24,456
2015 Households						8,508
2015 Median Disposable Income						$127,776
2015 Per Capita Income						$74,010
Industry Summary	**NAICS**	**Demand** (Retail Potential)	**Supply** (Retail Sales)	**Retail Gap**	**Leakage/Surplus Factor**	**Number of Businesses**
Total Retail Trade and Food & Drink	44-45,722	$611,952,776	$347,126,283	$264,826,493	27.6	275
Total Retail Trade	44-45	$545,657,032	$320,821,149	$224,835,883	25.9	248
Total Food & Drink	722	$66,295,744	$26,305,134	$39,990,610	43.2	27
Industry Group	**NAICS**	**Demand** (Retail Potential)	**Supply** (Retail Sales)	**Retail Gap**	**Leakage/Surplus Factor**	**Number of Businesses**
Motor Vehicle & Parts Dealers	441	$113,513,979	$36,681,654	$76,832,325	51.2	17
Automobile Dealers	4411	$97,217,181	$30,183,992	$67,033,189	52.6	5
Other Motor Vehicle Dealers	4412	$7,590,605	$5,209,488	$2,381,117	18.6	7
Auto Parts, Accessories & Tire Stores	4413	$8,706,193	$1,288,174	$7,418,019	74.2	5
Furniture & Home Furnishings Stores	442	$13,965,149	$5,027,581	$8,937,568	47.1	16
Furniture Stores	4421	$7,881,648	$1,704,901	$6,176,747	64.4	7
Home Furnishings Stores	4422	$6,083,501	$3,322,680	$2,760,821	29.4	9
Electronics & Appliance Stores	443	$15,909,525	$4,784,442	$11,125,083	53.8	11
Bldg Materials, Garden Equip. & Supply Stores	444	$22,049,951	$4,388,402	$17,661,549	66.8	6
Bldg Material & Supplies Dealers	4441	$19,652,136	$1,827,121	$17,825,015	83.0	4
Lawn & Garden Equip & Supply Stores	4442	$2,397,815	$2,561,281	-$163,466	-3.3	2
Food & Beverage Stores	445	$94,073,592	$115,105,785	-$21,032,193	-10.1	34
Grocery Stores	4451	$86,225,410	$110,925,780	-$24,700,370	-12.5	17
Specialty Food Stores	4452	$3,112,014	$2,060,242	$1,051,772	20.3	13
Beer, Wine & Liquor Stores	4453	$4,736,168	$2,119,763	$2,616,405	38.2	4
Health & Personal Care Stores	446,4461	$40,093,137	$33,578,196	$6,514,941	8.8	21
Gasoline Stations	447,4471	$50,072,981	$5,154,021	$44,918,960	81.3	3
Clothing & Clothing Accessories Stores	448	$36,609,080	$47,987,644	-$11,378,564	-13.5	45
Clothing Stores	4481	$26,476,675	$44,711,724	-$18,235,049	-25.6	36
Shoe Stores	4482	$4,114,411	$99,306	$4,015,105	95.3	1
Jewelry, Luggage & Leather Goods Stores	4483	$6,017,994	$3,176,614	$2,841,380	30.9	8
Sporting Goods, Hobby, Book & Music Stores	451	$14,059,008	$3,278,272	$10,780,736	62.2	15
Sporting Goods/Hobby/Musical Instr Stores	4511	$10,862,289	$3,215,107	$7,647,182	54.3	14
Book, Periodical & Music Stores	4512	$3,196,719	$63,165	$3,133,554	96.1	1
General Merchandise Stores	452	$93,663,020	$57,929,714	$35,733,306	23.6	5
Department Stores Excluding Leased Depts.	4521	$33,137,626	$0	$33,137,626	100.0	0
Other General Merchandise Stores	4529	$60,525,394	$57,929,714	$2,595,680	2.2	5
Miscellaneous Store Retailers	453	$16,118,774	$3,804,372	$12,314,402	61.8	53
Florists	4531	$681,290	$225,258	$456,032	50.3	4
Office Supplies, Stationery & Gift Stores	4532	$3,656,624	$475,478	$3,181,146	77.0	15
Used Merchandise Stores	4533	$3,625,158	$1,534,496	$2,090,662	40.5	14
Other Miscellaneous Store Retailers	4539	$8,155,702	$1,569,140	$6,586,562	67.7	20
Nonstore Retailers	454	$35,528,836	$3,101,066	$32,427,770	83.9	22
Electronic Shopping & Mail-Order Houses	4541	$28,955,306	$558,466	$28,396,840	96.2	1
Vending Machine Operators	4542	$1,512,137	$1,685,953	-$173,816	-5.4	8
Direct Selling Establishments	4543	$5,061,393	$856,647	$4,204,746	71.0	13
Food Services & Drinking Places	722	$66,295,744	$26,305,134	$39,990,610	43.2	27
Full-Service Restaurants	7221	$24,066,134	$6,167,529	$17,898,605	59.2	9
Limited-Service Eating Places	7222	$35,177,638	$15,763,908	$19,413,730	38.1	11
Special Food Services	7223	$1,742,918	$2,101,568	-$358,650	-9.3	2
Drinking Places - Alcoholic Beverages	7224	$5,309,054	$2,272,129	$3,036,925	40.1	5

Source: ESRI (STDB Online) and Dunn & Bradstreet

Among the categories on the preceding page, some would not be suited to the subject due to size/shape/location, examples including a supermarket or auto dealership. The revised categories and total retail sales for uses suited to the site are provided, as follows:

Industry Group	NAICS	Demand (Retail Potential)	Supply (Retail Sales)	Retail Gap	Leakage/Surplu Factor	Number of Businesses
Auto Parts, Accessories & Tire Stores	4413	$8,706,193	$1,288,174	$7,418,019	74.2	5
Furniture & Home Furnishings Stores	442	$13,965,149	$5,027,581	$8,937,568	47.1	16
Electronics & Appliance Stores	443	$15,909,525	$4,784,442	$11,125,083	53.8	11
Lawn & Garden Equip & Supply Stores	4442	$2,397,815	$2,561,281	-$163,466	-3.3	2
Specialty Food Stores	4452	$3,112,014	$2,060,242	$1,051,772	20.3	13
Beer, Wine & Liquor Stores	4453	$4,736,168	$2,119,763	$2,616,405	38.2	4
Health & Personal Care Stores	446,4461	$40,093,137	$33,578,196	$6,514,941	8.8	21
Gasoline Stations	447,4471	$50,072,981	$5,154,021	$44,918,960	81.3	3
Clothing & Clothing Accessories Stores	448	$36,609,080	$47,987,644	-$11,378,564	-13.5	45
Sporting Goods, Hobby, Book & Music Stores	451	$14,059,008	$3,278,272	$10,780,736	62.2	15
Other General Merchandise Stores	4529	$60,525,394	$57,929,714	$2,595,680	2.2	5
Florists	4531	$681,290	$225,258	$456,032	50.3	4
Office Supplies, Stationery & Gift Stores	4532	$3,656,624	$475,478	$3,181,146	77.0	15
Used Merchandise Stores	4533	$3,625,158	$1,534,496	$2,090,662	40.5	14
Other Miscellaneous Store Retailers	4539	$8,155,702	$1,569,140	$6,586,562	67.7	20
Food Services & Drinking Places	722	$66,295,744	$26,305,134	$39,990,610	43.2	27
		$332,600,982	$195,878,836			

In the following table, the steps to estimate total demand for retail/service space in Colleyville are summarized.

Retail/Service Demand by Per Capita Expenditure Method - City Of Colleyville					
Line	**Year**	**Current**	**In 5 Yrs.**	**In 10 Yrs.**	**Source/Comment**
1	**Population in market area**	23,760	26,237	28,861	NCTCOG
2	**Neighborhood-type retail sales per capita**	$13,998	$13,998	$13,998	Line 3 Divided by Line 1 for Current and Line 1 x Line 2 for Projections
3	**Total neighborhood retail sales potential**	$332,600,982	$367,265,526	$403,996,278	From residents in primary market area
4	**Required sales per sq. ft.**	$250	$250	$250	Within Rule of Thumb Range
5	**Supportable retail sq. ft. from resident population in market area**	1,330,404	1,469,062	1,615,985	Divide Line 4 by Line 3
6	**Plus demand for neighborhood retail from secondary trade area or other sources**	133,040	146,906	161,599	10% Of Line Item Above
7	**Total demand for occupied retail and service/local office sq. ft. in Market area**	1,463,444	1,615,968	1,777,584	Total occupied retail space in sq. ft.
8	**Plus frictional vacancy @ 7%**	110,152	121,632	133,797	Approximate Equilibrium Level
9	**Total demand for retail/service sq. ft. in primary Market area**	1,573,596	1,737,600	1,911,380	Market demand for neighborhood shopping center space

2025 Total Demand:	1,911,380 SF	
Less-Current Demand:	(1,463,444 SF)	
10-Year Additional Demand:	447,936 SF or	44,794 SF /Year

Those properties formerly provided on the map of commercial properties identified are summarized and ranked relative to the subject, as follows:

VACANT COMMERCIAL TRACTS - COLLEYVILLE		
Map No.	**Location**	**Acres**
1	8276 Precinct Line	1.12
2	NWQ Precinct Line & N. Tarrant	0.9
3	NWC Colleyville & Branson	4.14
4	SEC Colleyville & John McCain	3.8
5	SWC Colleyville & Longwood	1.18
	Superior Tracts	**11.14**
6	W/S Colleyville, S. of John McCain	11.14
7	6408 Colleyville	6.72
8	4201 Colleyville	1.74
9	6299 Colleyville	1.35
10	5307 Colleyville	0.92
	Equal Tracts	**21.87**
11	SEC Pleasant Run & Mission	1.93
12	S/S Cheek Sparger, Colleyville	1.93
13	SEC Precinct Line and Lavaca	3.58
14	125 Acuff	2.65
	Inferior Tracts	**10.09**
TOTAL IDENTIFIED COMMERCIAL TRACTS		**43.1**

As presented in the preceding table, a total of **43.1** Acres is identified. Properties 1-5 have superior location and/or physical characteristics for retail use relative to the subject and remaining tracts, considered to absorb prior to the subject site absorbing. Properties 6-10 are rated generally equal to the subject regarding location and/or physical characteristics. These properties may or may not absorb prior to the subject. Also, these sites are considered to have similar potential for office and retail development so in evaluation of retail development timing only half of the 21.87 acres (10.94 Acres) is considered in absorption projection. Properties 11-14 are inferior to the subject and remaining tracts, timing for development subsequent to that of the subject and remaining tracts.

The infrastructure would be unlikely to exceed 5% of total site area since a number of the tracts are small. The acreage evaluated in absorption includes the 11.14 Acres that are superior added to 10.94 Acres as discussed above, equating to <u>22.08 Acres</u>. The lower-end development timing would be reflective of the time frame subsequent to the superior 11.14 acres less 5% equaling <u>10.6 Acres</u> absorbing. The upper-end of the development timing range would be 22.8 acres less 5% equaling <u>21.7 Acres</u> absorbing.

Applying a common 4:1 to 5:1 (upper-end common range) land to building ratio results in the following estimate of potential office space on the vacant tracts:

Lower-End Speculative Retail Development Timing:

10.6 Acres x 43,560 SF = 461,736 SF ÷ 4 = 115,434 SF Retail Space

To

10.6 Acres x 43,560 SF = 461,736 SF ÷ 5 = 92,347 SF Retail Space

Considering additional demand projected, the years' supply of space is determined, as follows:

115,434 SF ÷ 44,794 SF Annual Absorption = 2.6 years

92,347 SF ÷ 44,794 SF Annual Absorption = 2.1 years

The lower-end development timing for retail space is reconciled within the above range at 2 ¼ year.

Upper-End Speculative Retail Development Timing:

21.7 Acres x 43,560 SF = 945,252 SF ÷ 4 = 236,313 SF Retail Space

To

21.7 Acres x 43,560 SF = 945,252 SF ÷ 5 = 189,050 SF Retail Space

Considering additional demand projected, the years' supply of space is determined, as follows:

236,313 SF ÷ 44,794 SF Annual Absorption = 5.3 years

189,050 SF ÷ 44,794 SF Annual Absorption = 4.2 years

The upper-end development timing for speculative retail space is reconciled within the above range at 4 ½ years.

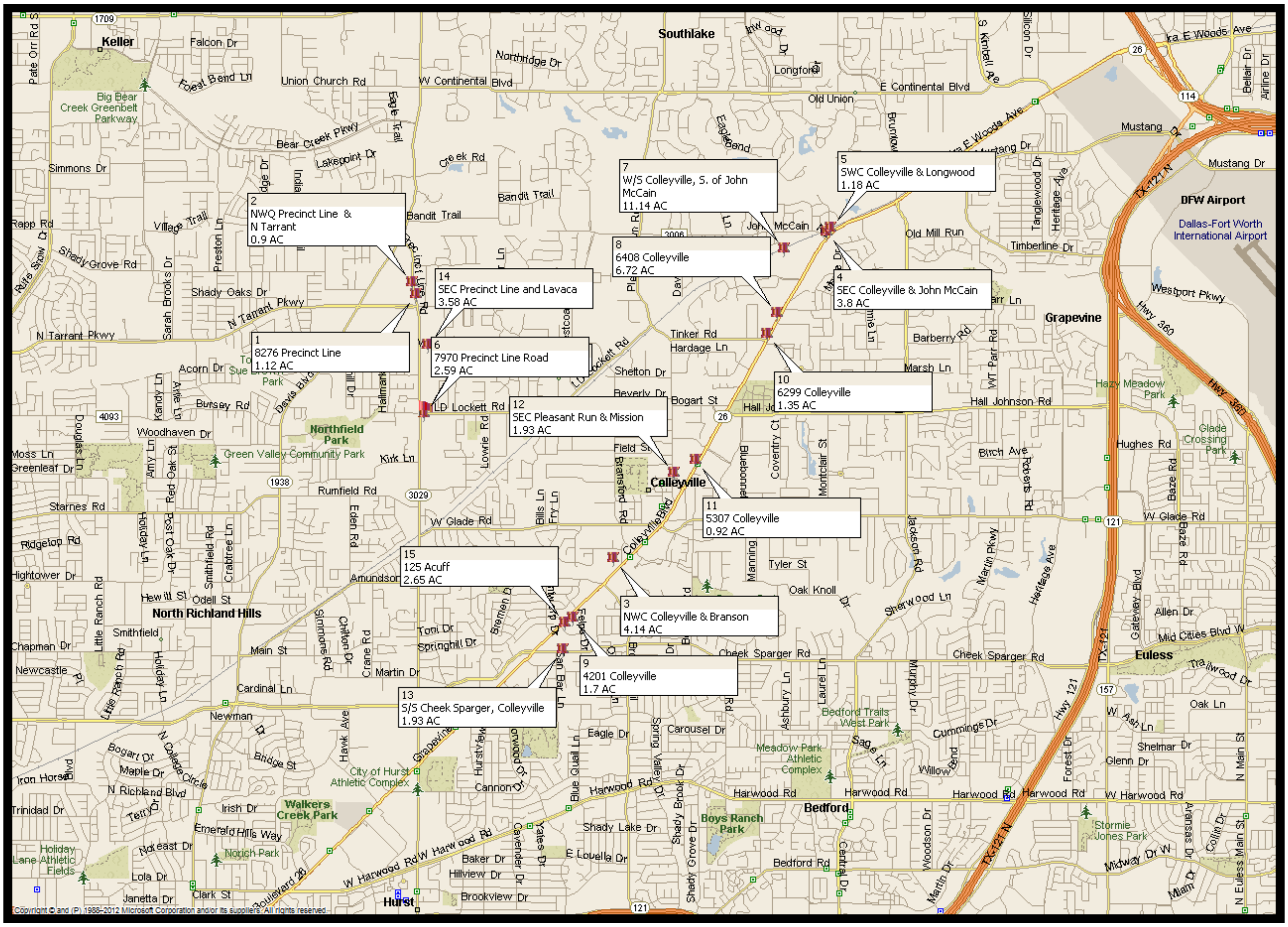
Per preceding evaluation, the development timing estimate for the subject site for speculative retail space is 2 ¼ years to 4 ½ years, final reconciled, as follows:

Speculative Office Development Timing: **2-4 Years**

Office Use

The timing for an office use in the community based on market conditions associated with existing space is slightly increased relative to single-family residential and retail; however, this section evaluates potential for the specific subject site based on competitive location rating. Unit land sales price trends are similar in the subject community regarding both single-family tracts and secondary commercial tracts in the subject size category. This is similar to a region trend where key submarket areas such as the subject community are commonly noted to have single-family tract sales in the $5.00-$6.00/SF, which is similar to unit price range for tracts with similar location in the subject size category acquired for commercial-related uses.

Identification of Competitive Tracts: In order to assess timing for development on the subject site, competitive vacant tracts suited to commercial use are identified in the immediate market area. The appraiser identified tracts considered potentially suited to commercial related uses by evaluating multiple search engines that track sites for sale, including Costar, Loopnet and MLS. The suitability for office-related uses is based on more secondary location rating relative to tracts suited to retail development, the same remaining commercial sites provided in the following map as indicated in prior analysis.



CAMERON APPRAISAL GROUP

REMAINING VACANT COMMERCIAL LAND IDENTIFIED - COLLEYVILLE

Fundamental Demand

The subject property potential capture among the market area is estimated according to location rating of the subject relative to the other identified light industrial/technology sites. Those tracts with the best competitive location rating are expected to capture office space prior to tracts with inferior location rating. Competitive location rating for office use is summarized in the following table.

VACANT COMMERCIAL TRACTS - COLLEYVILLE		
Map No.	**Location**	**Acres**
1	8276 Precinct Line	1.12
2	NWQ Precinct Line & N. Tarrant	0.9
3	NWC Colleyville & Branson	4.14
4	SEC Colleyville & John McCain	3.8
5	SWC Colleyville & Longwood	1.18
	Superior Tracts	**11.14**
6	W/S Colleyville, S. of John McCain	11.14
7	6408 Colleyville	6.72
8	4201 Colleyville	1.74
9	6299 Colleyville	1.35
10	5307 Colleyville	0.92
	Equal Tracts	**21.87**
11	SEC Pleasant Run & Mission	1.93
12	S/S Cheek Sparger, Colleyville	1.93
13	SEC Precinct Line and Lavaca	3.58
14	125 Acuff	2.65
	Inferior Tracts	**10.09**
TOTAL IDENTIFIED COMMERCIAL TRACTS		**43.1**

The commercial tracts are the same as provided earlier in retail space analysis. Properties 1-5 that have superior location rating relative to the subject are very well-suited to retail-related uses and are not particularly suited to office development due to primary thoroughfare locations and superior community position. These properties are excluded in evaluation of subject capture. Properties 6-10 are rated equal to the subject and have more secondary location than Properties 1-5, being considered suited to office and/or retail related uses. Considering 50%/50% office/retail usage, half of the acreage is rated equal to the subject, equating to 21.87 acres ÷ 2 = 10.94 Acres. Properties 11-14 are inferior to the subject, thus expected to absorb after the subject and Properties 6-10.

In order to evaluate demand for vacant office sites, fundamental demand is estimated utilizing the Ratio Method. Essentially, a ratio is developed in regard to total area workforce relative to occupied light industrial space. A summary of projected employee growth is provided in the following table:

EMPLOYMENT PROJECTIONS – COLLEYVILLE					
	2010	**2015**	**2020**	**2025**	**2030**
Employment	6,915	8,160	9,405	10,218	11,032
Source: NCTCOG					

Fundamental demand may be evaluated by considering a ratio of employment relative to occupied office space.

FUNDAMENTAL DEMAND – RATIO METHOD			
	2015 Current**	**2020**	**2030**
Total Employment	8,160	9,405	11,032
Occupied Office Space*	1,421,050	---	---
Ratio-Space Per Employee	174.15	174.15	174.15
Projected Total Demand (SF)	---	1,637,881	1,921,222
*** Space is per Costar for the entire City of Colleyville (Existing Space + Under Construction – Vacancy)** **** Estimate 2020 is based on annualized increase based from current year and 2030 forecast** **Source: NCTCOG**			

Based on projections above, the additional office space demand is summarized, as follows:

2030 Total Demand: 1,921,222 SF
Less-Existing Occupied Space: <u>(1,421,050 SF)</u>
15-Year Additional Demand: 500,172 SF or 33,345 SF /Year

The subject has equal rating to those tracts that include suitability for office use. Even so, the lower-end timing range is not immediate since the community currently exhibits vacancy slightly above the stabilized level with a 1-year supply of existing space needed to absorb prior to additional new development being implemented. As discussed earlier, half of the total area for tracts rated equal to the subject are rated to have office potential, equating to 10.94 acres. The land area is mostly small tracts so on-site street infrastructure would be considered unlikely to exceed 5% of the total site areas. Deducting 5% from total acreage to allow for infrastructure results in 10.4 utilized acres considered suited to office space, being equal to the subject.

Applying a common 4:1 to 5:1 land to building ratio range results in the following estimate of potential office space on the vacant tracts:

10.4 Acres x 43,560 SF = 453,024 SF ÷ 4 = 113,256 SF Office Space
to
10.4 Acres x 43,560 SF = 453,024 SF ÷ 5 = 90,605 SF Office Space

Considering demand projected, the years' supply of space is determined, as follows:

113,256 SF ÷ 33,345 SF Annual Absorption = 3.4 years, Say 3 1/2 years.

90,605 SF ÷ 33,345 SF Annual Absorption = 2.7 years, Say 3 years.

Per preceding evaluation, the development timing estimate for the subject site for office space is 1-year (allowing for existing space to achieve stabilized vacancy) to 3 ½ years (fundamental demand), being the upper-end likely upon including those tracts with equal rating to the subject. Therefore development timing for speculative office development is reconciled, as follows:

Speculative Office Development Timing: **1-3 Years**

MAXIMAL PRODUCTIVITY – FINANCIAL ANALYSIS OF ALTERNATIVES

Single-Family Subdivision: As determined in preceding analysis, there is limited single-family land remaining within the community with timing for single-family subdivision development being immediate to 1-year. The subject property exhibits location that would be considered in accordance with single-family development and is of a size that would accommodate a single-phase of development. Even so, a portion of the subject site exhibits location more suited to commercial development, mainly being the key signalized corner and a portion of frontage site area extending from the key corner. Overall, single-family subdivision development is considered maximally productive on the rear site area and potentially a portion of the site frontage that is removed from the intersection.

Retail Use: Speculative retail development is not currently warranted on the subject site, development timing considered 2-4 years for speculative retail space. Also, overall site location is considered too secondary to accommodate retail use on more than a portion of the site area, mainly being the signalized corner and potentially a portion of the additional site area with thoroughfare frontage. It is noted that while speculative retail development is not currently warranted, single-tenant/end-user related retail uses that commonly locate at intersection locations with characteristics similar to the subject would have reduced development timing, say immediate to 2 years. Particularly on the corner, this use type is considered maximally productive with small retail tract(s) in the 1-2 acre size range commanding added residual land value relative to implementing other use types at the intersection, such as single-family or office.

Office Use: Speculative office development is not currently warranted on the subject site, development timing considered 1-3 years, slightly reduced relative to speculative retail development. With exception of the key corner and potentially some additional site area, the subject site frontage extending from the corner is rated somewhat secondary and more in accordance with office related uses than retail uses. Similar to retail development, timing for single-tenant/end-user office uses is considered reduced relative to speculative development, say immediate to 1-year.

Specific Subject Development Plan: A mixed-use development plan has been provided to the City in regard to the subject property. The plan includes approximately 6.28 acres of commercial use up front along Precinct Line Road, the key corner most suited to retail-related uses and the northern front section of site area being most suited to office or certain retail uses that may be constructed with somewhat secondary access/visibility. The rear 8.77-acre portion of the site is allocated for moderate-density single-family subdivision lots. This mixed use development plan is considered maximally productive on the site and in accordance with proceeding maximal productive use discussion of the mixed use office/retail/single-family use types.

HIGHEST AND BEST USE CONCLUSION

Use: Mixed use with Moderate Density Single-family Subdivision Development on the rear site area with retail related use at the signalized corner and office-related uses on the northern site area fronting Precinct Line Road, location being more secondary extending from the signalized intersection.

Timing: Immediate to 2-Years

Typical User(s): Developer

CERTIFICATION OF APPRAISER

I, Scott A. Cameron, certify that to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct. Research data utilized is considered to be from sources deemed credible within the region who report general market data according to property type.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional opinions and conclusions.
- I have no present or prospective interest in this report, and I have no personal interest with respect to the parties involved who have provided the data or are seeking conclusions determined in this summary report.
- I have no bias with respect to any data provided or discussed in this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined direction of conclusions that favors the cause of the client, the opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this consulting assignment.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- No one provided significant real property appraisal or appraisal consulting assistance to the person signing this certification.

CAMERON APPRAISAL GROUP, LLC

Scott A. Cameron, Principal
State Certified General Real Estate Appraiser
Number: TX- 1323488-G
Date of Expiration: August 31, 2016

ADDENDA SECTION

COMPETENCE REGARDING SPECIFIC ASSIGNMENT

Cameron Appraisal Group, LLC is a full service real estate advisory company formed in 1998 by Scott A. Cameron, who has over 20-years experience in the commercial real estate appraisal industry. Cameron commonly appraises a wide range of property types in the D/FW region, as well as other regions in the state. In addition, the following confirms competence in regard to this assignment:

- Appraisal of numerous single-family subdivisions within the region during recent years and the preceding two decades. Experience includes appraisal of proposed single-family subdivisions in the Allen/Frisco/Mckinney areas within the preceding years and recent years.

- Appraisal of numerous light industrial facilities and vacant light industrial tracts within the D/FW region, during recent years and the prior two decades. Experience includes appraisal of properties in the subject community/market during the preceding and recent years.

- High level highest and best use studies for a number of properties in the region. Cameron also jointly participates in appraisal assignments requiring a large level of highest and best use study with Stephen F. Fanning, author of Market Analysis for Real Estate, the text book for nationwide Appraisal Institute highest and best use course.

NOTABLE ASSIGNMENTS COMPLETED BY CAMERON APPRAISAL GROUP

- A large number of proposed single-family subdivisions, typically being 100+ lots being acquired by area volume builders. Currently, the firm is conducting a large level of proposed single-family Subdivision appraisals in the D/FW, Houston, Austin and San Antonio market areas.
- Multi-tenant proposed light industrial facilities exceeding 100,000 SF
- Large 150,000 SF+ neighborhood shopping centers in the D/FW area
- U.S. Postal Service Air Mail Facility Site in D/FW International Airport
- Numerous R.O.W. acquisition tracts for Cities (Required Expert Witness Testimony)
- Market study to assess impact on value that a three story apartment complex has on single-family residences (engaged jointly by Centex Homes and Homeowners Association)
- European Cross Roads Shopping Center - Dallas
- Site abandonment for HCA Medical Center Lewisville
- Assignment including multiple properties for acquisition and relocation of the Lewisville City Hall and Cultural Arts Center.
- Conservation easement donation valuation for IRS purposes
- Business going concern of Phil Dill Boats dealership
- Lantana master-planned group of subdivisions and commercial land
- Numerous single and multi-tenant office, retail, and light industrial developments in Bexar, Collin, Dallas, Denton, Grayson, Harris, Tarrant, and Wise Counties

QUALIFICATIONS OF:

SCOTT A. CAMERON

PRESIDENT

PROFESSIONAL DESIGNATION:

Texas Appraiser Licensing and Certification Board
State Certified General Real Estate Appraiser
TX #1323488-G (Certified September 1, 1992; Expires August 31, 2016)

REAL ESTATE APPRAISAL EXPERIENCE:

Cameron Appraisal Group (July 1997 - Present)

- Owner. Provide professional real estate advisory services.

Tommy Marshall & Associates (December 1991 - July 1997)

- Senior Appraiser. In addition to commercial property appraisal, communicated directly with clients, bid assignments, coordinated work and provided follow-up. Trained research associates entering the field from college.

Alliance Appraisal Group (May 1990 - December 1991)

- Commercial Research Associate/Appraiser. Conducted commercial appraisal research and writing through a structured training program.

EDUCATION:

Bachelor of Business Administration Degree , University of North Texas; Concentration in Real Estate/Finance.

SEMINARS AND CONTINUING EDUCATION:

Appraisal Institute Course Nos. 710 & 720, Condemnation Appraising: Advanced Topics and Applications

Appraisal Institute Course No. 510, Highest and Best Use

Texas Real Estate Market Outlook 1997, 1998, M/PF Research

Apartment Market Workshop 1996, M/PF Research

D/FW Perspective Seminars 1992, 1994, 1995, 1996, 1997, 1998, 1999 by M/PF Research

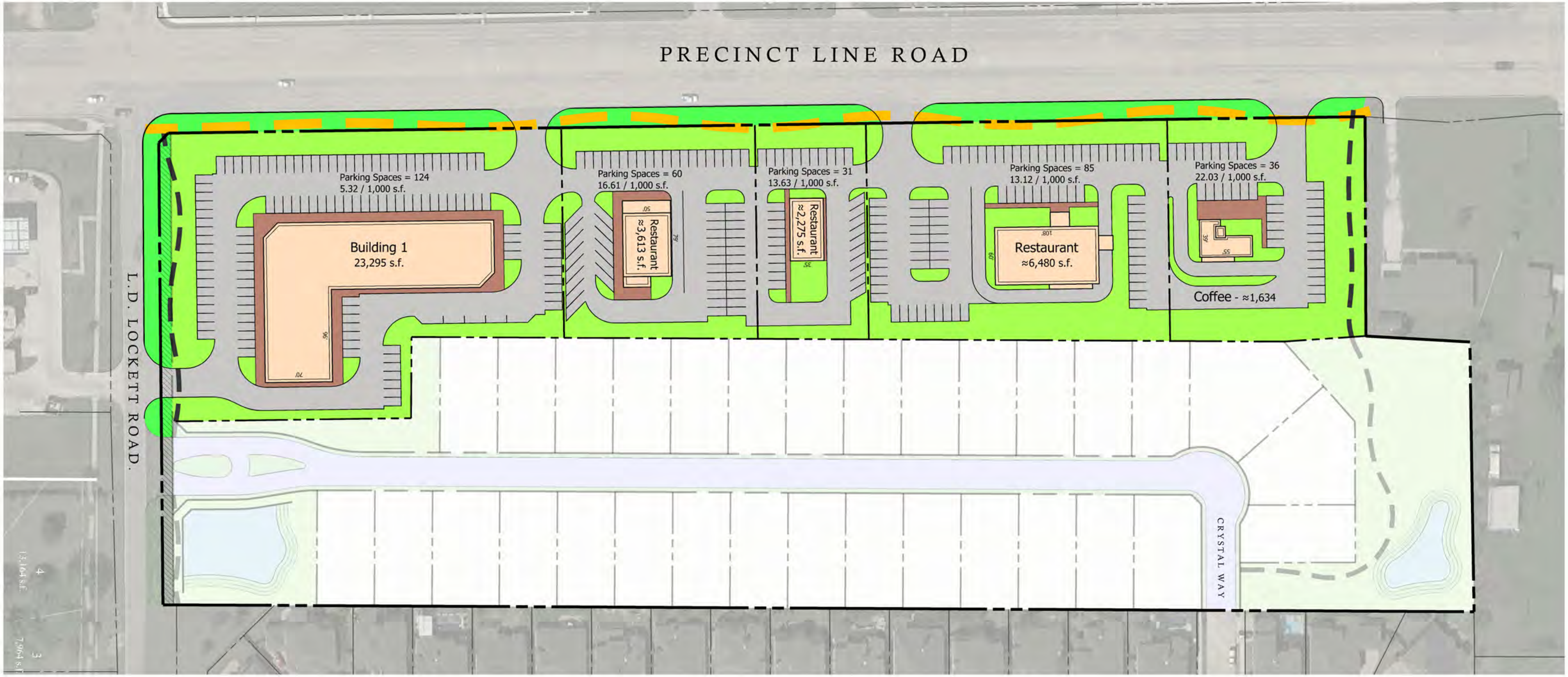
Ethics and Standards of Professional Practice (Course covering USPAP Guidelines)

Appraisal Institute Course No. 1310, Basic Income Capitalization

REAL 5440 - Advanced Real Estate Finance and Analysis, graduate course at the University of North Texas

TYPES OF PROPERTIES APPRAISED: Apartment complexes, auto sales facilities, farm/ranch properties, industrial properties, office buildings, proposed single-family subdivisions, shopping centers, special use properties, and vacant land. Market/feasibility studies and consultation addressing use potential of specific real estate properties. Condemnation appraisal, expert witness testimony, and mortgage underwriting.

PERSONAL AFFILIATIONS: Member-Lewisville Noon Rotary, Volunteer Advocate for Denton County CASA



Applicant:
Hat Creek Development
P.O. Box 92747
Southlake, TX 76092
817-329-3111
Contact: Kosse Maykus

Hat Creek DEVELOPMENT

Planner:
SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture

1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
TEL. 817-424-2626

29 JULY 15

0 50' 100' 200'

Overall Site Area Data

Residential	8.21 ac.
Commercial / Office	6.84 ac.
R.O.W. Dedication (on L.D. Lockett Road)	0.13 ac.
Gross Acreage	15.18 ac.

Zoning Exhibit for
Zoning Change Request
From PUD-C to PUD-R & PUD-C
Case # ZC15-013 PUD-C to PUD-R & PUD-C

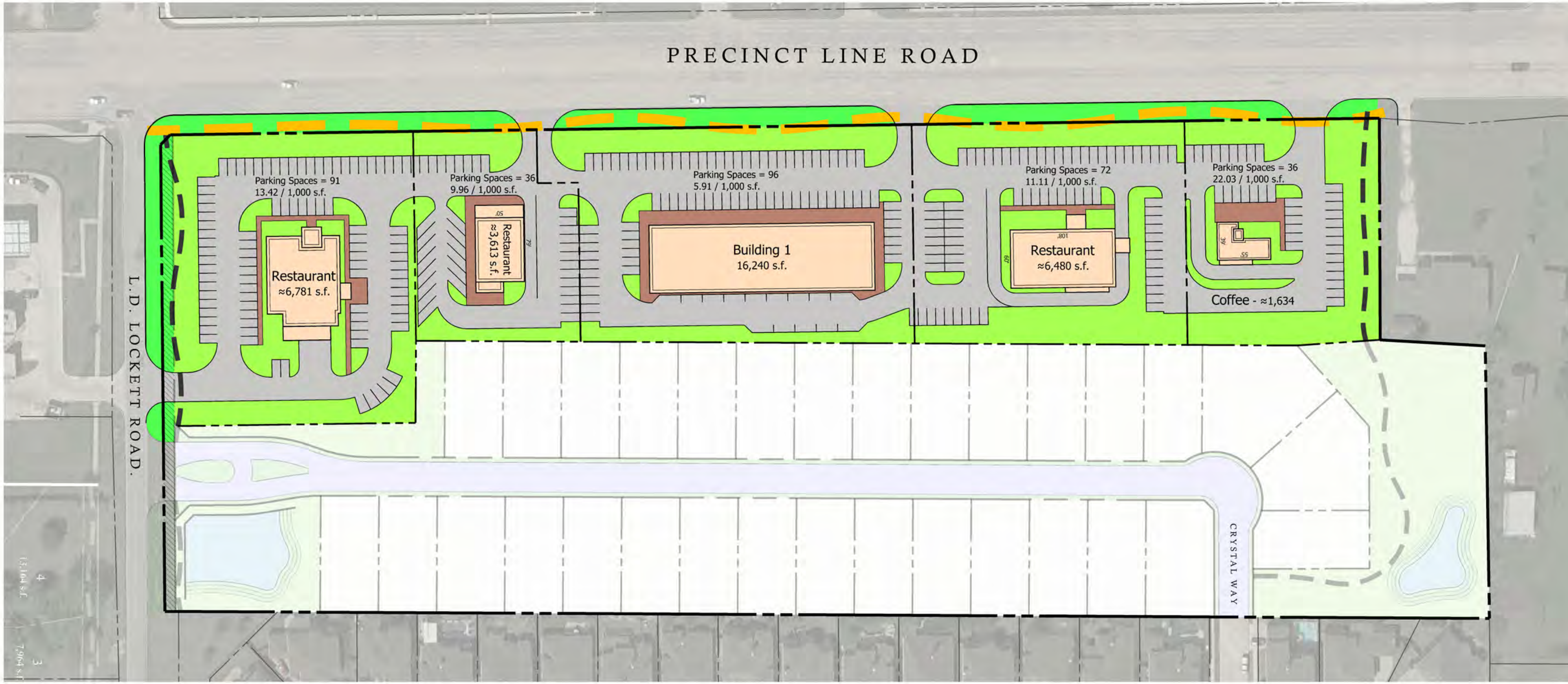
Case #ZC15-013

Commercial Example A

Walkers Meadow

W.C. Newton Survey, Abstract No. 1182 & the Isaac Caradine Survey, Abstract No.356, Tracts 1 & 1E

Colleyville, Tarrant County, Texas



Applicant:
Hat Creek Development
P.O. Box 92747
Southlake, TX 76092
817-329-3111
Contact: Kosse Maykus

Planner:
SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
TEL. 817-424-2626

29 JULY 15

0 50' 100' 200'

Overall Site Area Data

Residential	8.21 ac.
Commercial / Office	6.84 ac.
R.O.W. Dedication (on L.D. Lockett Road)	0.13 ac.
Gross Acreage	15.18 ac.

Zoning Exhibit for
Zoning Change Request
From PUD-C to PUD-R & PUD-C
Case # ZC15-013 PUD-C to PUD-R & PUD-C

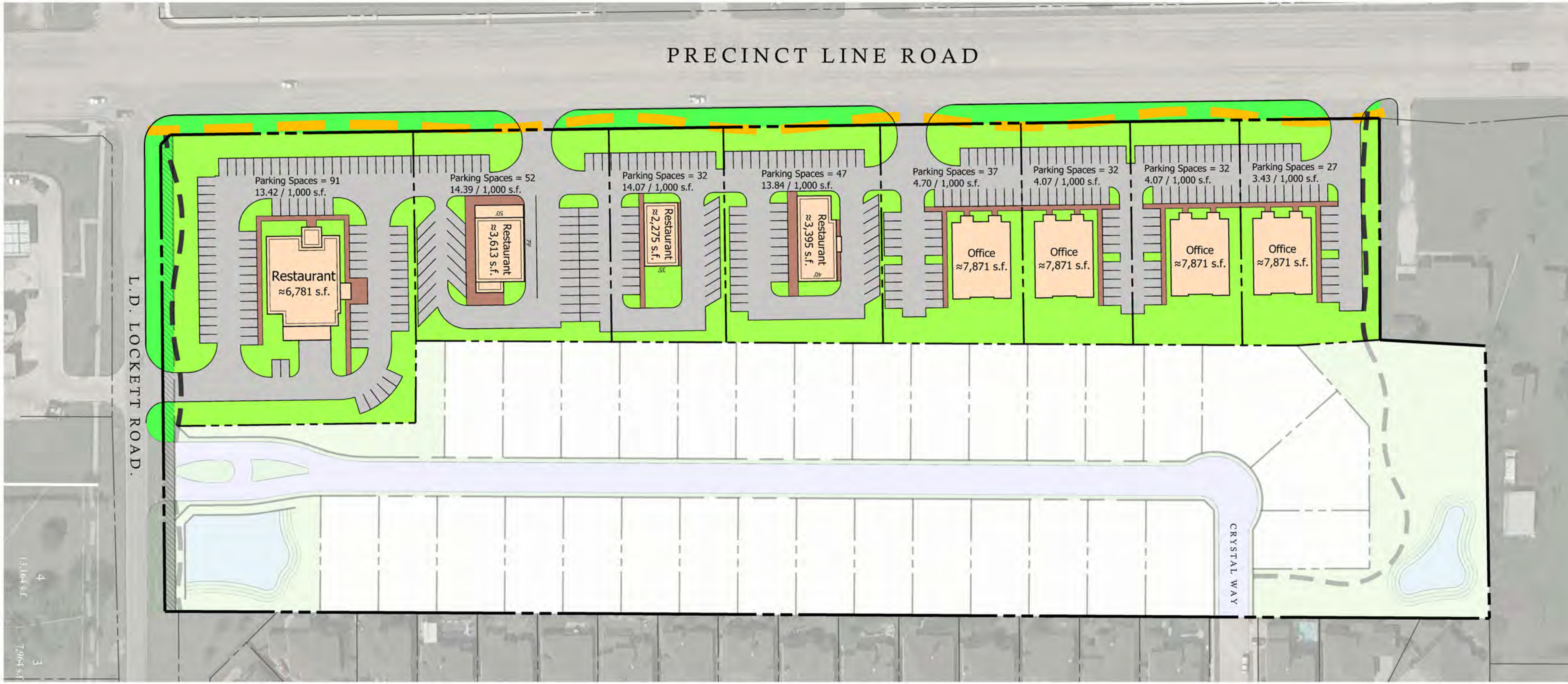
Case #ZC15-013

Commercial Example B

Walkers Meadow

W.C. Newton Survey, Abstract No. 1182 & the Isaac Caradine Survey, Abstract No.356, Tracts 1 & 1E

Colleyville, Tarrant County, Texas



Applicant:
Hat Creek Development
P.O. Box 92747
Southlake, TX 76092
817-329-3111
Contact: Kosse Maykus

Planner:
SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
TEL. 817-424-2626

29 JULY 15

0 50' 100' 200'

Overall Site Area Data

Residential	8.21 ac.
Commercial / Office	6.84 ac.
R.O.W. Dedication (on L.D. Lockett Road)	0.13 ac.
Gross Acreage	15.18 ac.

Zoning Exhibit for
Zoning Change Request
From PUD-C to PUD-R & PUD-C
Case # ZC15-013 PUD-C to PUD-R & PUD-C

Case #ZC15-013

Commercial Example C

Walkers Meadow

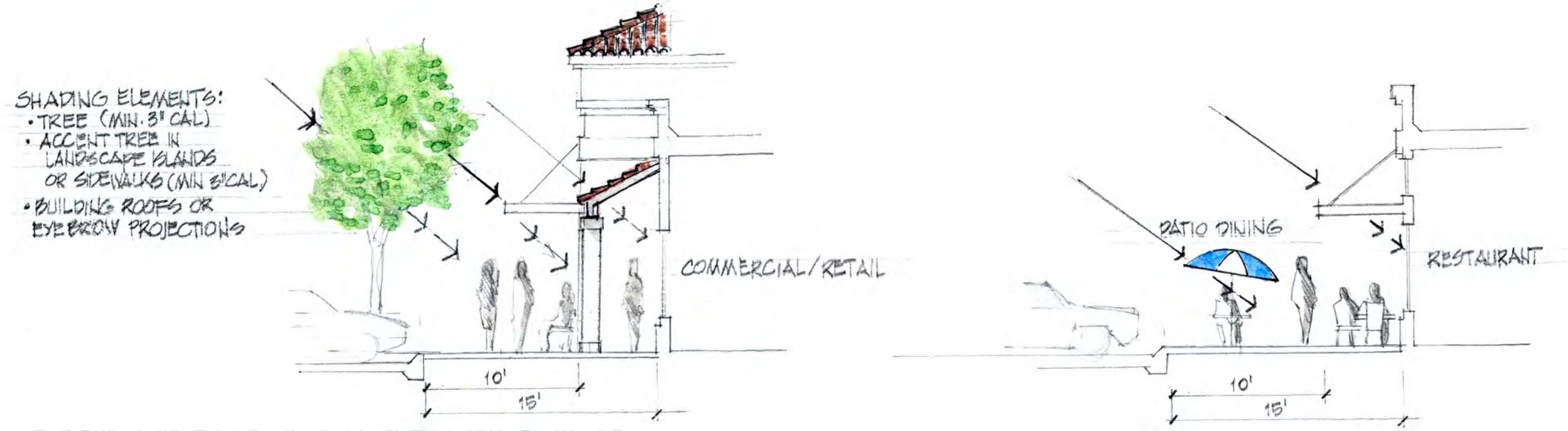
W.C. Newton Survey, Abstract No. 1182 & the Isaac Caradine Survey, Abstract No.356, Tracts 1 & 1E

Colleyville, Tarrant County, Texas

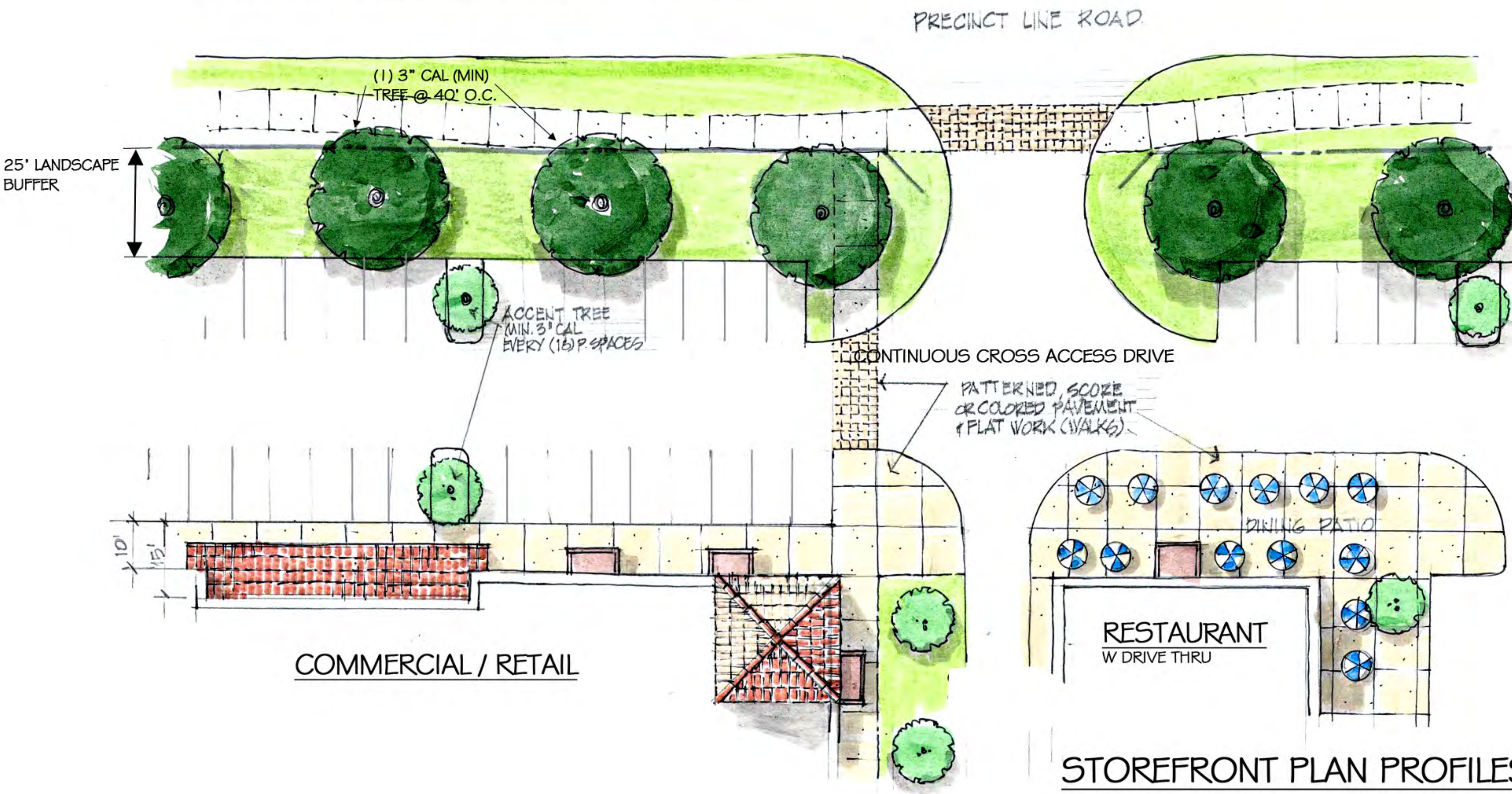
SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste 200
Southlake, Texas 76092
TEL: 817-424-2626

WALKERS MEADOW

COMMERCIAL ARCHITECTURAL MOTIF



STOREFRONT ELEVATION PROFILES



STOREFRONT PLAN PROFILES

SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste 200
Southlake, Texas 76092
TEL: 817-424-2626

DATE: 16 AUG 2015

WALKERS MEADOW

COMMERCIAL / RETAIL

ORDINANCE O-02-1366

AN ORDINANCE AMENDING CHAPTER 3, LAND USE OF THE LAND DEVELOPMENT CODE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF A 36.264 ACRE TRACT OF LAND OUT OF THE W.C. NEWTON SURVEY, ABSTRACT 1182, FROM THE R40 SINGLE FAMILY RESIDENTIAL DISTRICT TO THE PUD-R PLANNED UNIT DEVELOPMENT RESIDENTIAL DISTRICT AND THE PUD-C PLANNED UNIT DEVELOPMENT COMMERCIAL; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; AUTHORIZING PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application for a zoning change was filed by Larry Cole for Norma J. Jones and Jerrell W. Jones on July 29, 2002, under Case No. Z-02-023; and

WHEREAS, the City of Colleyville has complied with the notification requirements of the Texas Local Government Code and the Colleyville Land Development Code; and

WHEREAS, the Planning and Zoning Commission has held a public hearing and made a recommendation on the proposed zoning amendment; and

WHEREAS, the City Council has determined that the proposed zoning amendment is in the best interests of the City of Colleyville.

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

Sec. 1. THAT the Master Plan, the Land Development Code of the City of Colleyville, Texas, and the Official Zoning Map are hereby amended insofar as they relate to certain land located in Colleyville, Texas, as shown on the Zoning Map attached as Exhibit "A", and described by metes and bounds description attached as Exhibit "B", by changing the zoning of said property from the R40 Single Family Residential district to the PUD-R Planned Unit Development Residential district and the PUD-C Planned Unit Development Commercial district, as shown on the attached Exhibit "C", including any other conditions and restrictions imposed and approved by the City Council, which are incorporated herein.

Sec. 2. THAT the PUD-R area shall be subject to the following conditions:

1. GENERAL

a. The purpose of the PUD-R area is for single-family residential development, constructed at an approximate density of 3.53 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. PERMITTED USES

a. Single family residences, detached

b. Open space

3. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

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

a.	Minimum Lot Size	7,200 square feet
b.	Minimum Lot Width	60 feet
c.	Minimum Lot Depth	120 feet, except cul-de-sac lots
d.	Front Building Line	20 feet
e.	Side Building Line	6 feet
f.	Rear Building Line	10 feet

4. DWELLING UNIT CONSTRUCTION REQUIREMENTS

a. The minimum dwelling unit size shall be two thousand five hundred (2,500) square feet. At least two thousand three hundred (2,300) square feet shall be located on the first floor of the dwelling unit.

b. The exterior wall surface area of each dwelling unit shall be constructed of ninety percent (90%) brick, stone, stucco or other masonry material. The area of window and door openings shall not be included in the calculation of this requirement. This requirement shall only apply to the first story of the structure.

c. The front elevation wall surface area of the dwelling unit shall not be constructed of siding or non-masonry material.

d. The primary roof of the dwelling unit shall be constructed with a roof pitch of not less than a 10:12 pitch.

e. All chimneys shall be constructed of brick, stone, stucco or other masonry material.

f. Not more than forty percent (40%) of the garage doors shall face the street. Garage doors shall be constructed of wood or wood-faced steel.

5. OPEN SPACE

a. The PUD-R area shall provide a minimum of twenty percent (20%) of the residential project area as common open space for the leisure and recreational use of the development's residents. The open space shall comply with the provisions contained in the Land Development Code.

b. The common open space may be utilized for storm water detention purposes.

6. CONCEPTUAL SITE PLANS AND PLATTING

a. The residential lot layout of the PUD-R area shall be generally consistent with the conceptual site plan attached as Exhibit "C", which shall not be considered the preliminary plat. The actual street and lot arrangement may differ from that shown on Exhibit "C" to accommodate physical, topographic, drainage or other conditions.

b. Prior to the issuance of any development permits within this PUD-R and as a condition to the development of the subject property, the developer shall obtain approval of a preliminary plat and a final plat of the property in accordance with the procedures and requirements of the Colleyville Land Development Code.

7. SIDEWALKS

a. The developer shall construct a 5-foot wide sidewalk along L.D. Lockett Road at the same time as other public improvements are constructed in the subdivision, unless funds are escrowed with the City for future construction of the sidewalk.

b. Each homebuilder shall construct sidewalks along lot frontages. All sidewalks shall be constructed in accordance with the requirements of the Colleyville Land Development Code.

Sec. 3. THAT the PUD-C area shall be subject to the following conditions:

1. GENERAL

a. The purpose of this PUD-C is for office, retail, and office-warehouse land uses.

b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. PERMITTED USES

The PUD-C area shall be divided into two sub-areas as shown on the attached Exhibit "C" and the list of permitted uses shall be limited to the areas designated for each use, as shown below:

a. Sub-area 1 permitted uses allowed by right:

(1) All uses allowed in the CC1 and CC2 District

(2) Along Precinct Line Road, the building floor area in the front two hundred fifty (250) feet shall consist of sales tax-generating retail uses

b. Sub-area 2 permitted uses allowed by right:

(1) All uses allowed in the CC1 and CC2 District

(2) Office-warehouse

c. Sub-area 3 permitted uses allowed by right:

(1) All uses allowed in the CC1 and CC2 District

(2) Eighty percent (80%) of the building floor area shall consist of sales tax-generating retail uses

3. CONCEPTUAL SITE PLANS AND PLATTING

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

b. The arrangement, location and footprint of buildings within the PUD-C may differ from that shown on the attached Exhibit "C" and will be determined at time of site plan approval. However, the combined total square footage of all buildings within each sub-area shall not exceed the following, which may be in one or more buildings, provided that any large commercial building shall comply with any additional requirements of the Land Development Code:

(1) Sub-area 1 – 48,100 square feet

(2) Sub-area 2 – 30,000 square feet

(3) Sub-area 3 – 54,000 square feet

c. Prior to the issuance of any development permits within this PUD-C and as a condition to the development of the subject property, the developer shall obtain approval of a preliminary plat and a final plat of the property in accordance with the procedures and requirements of the Colleyville Land Development Code.

4. LOT REQUIREMENTS AND SETBACKS

The lot requirements and setbacks shall the following minimum standards:

a. Minimum Lot Size	none
b. Front Building Line	40 feet
c. Side Building Line	none (25' abutting residential)
d. Rear Building Line	none (25' abutting residential)
e. Maximum Building Height	35 feet

5. OPEN SPACE AND LANDSCAPING

a. Each building site shall comply with the minimum landscaping requirements of the Land Development Code, which shall satisfy the open space requirements for the PUD-C area.

b. The common open space may be utilized for storm water detention purposes.

6. SIDEWALKS

a. The developer of each individual commercial lot shall construct a 5-foot wide sidewalk along L.D. Lockett Road, unless funds are escrowed with the City for future construction of the sidewalk.

b. The developer of each individual commercial lot shall construct a ten (10) foot wide hike and bike trail along Precinct Line Road.

7. OTHER

a. The developer of each individual commercial lot shall construct a six (6) foot tall masonry screening wall where the commercial lot abuts a residential lot.

b. The architectural design score for all commercial buildings shall be a minimum of 30 points, as described in Chapter 6 of the Land Development Code.

Sec. 4. THAT any person, firm, or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined a sum not to exceed Two Thousand Dollars ($2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such.

Sec. 5. THAT the Land Development Code of the City of Colleyville, Texas, shall remain in full force and effect, except where amended by this ordinance.

Sec. 6. THAT the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

Sec. 7. THAT this ordinance shall become effective immediately upon publication.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 17th day of September 2002.

The second reading and public hearing being conducted on the 1st day of October 2002.

ATTEST:

Cynthia Singleton

Cynthia Singleton, TRMC
City Secretary

CITY OF COLLEYVILLE:

Donna Arp

Donna Arp
Mayor

APPROVED AS TO FORM AND LEGALITY:

Ross T. Foster
City Attorney

EXHIBIT A – ZONING MAP

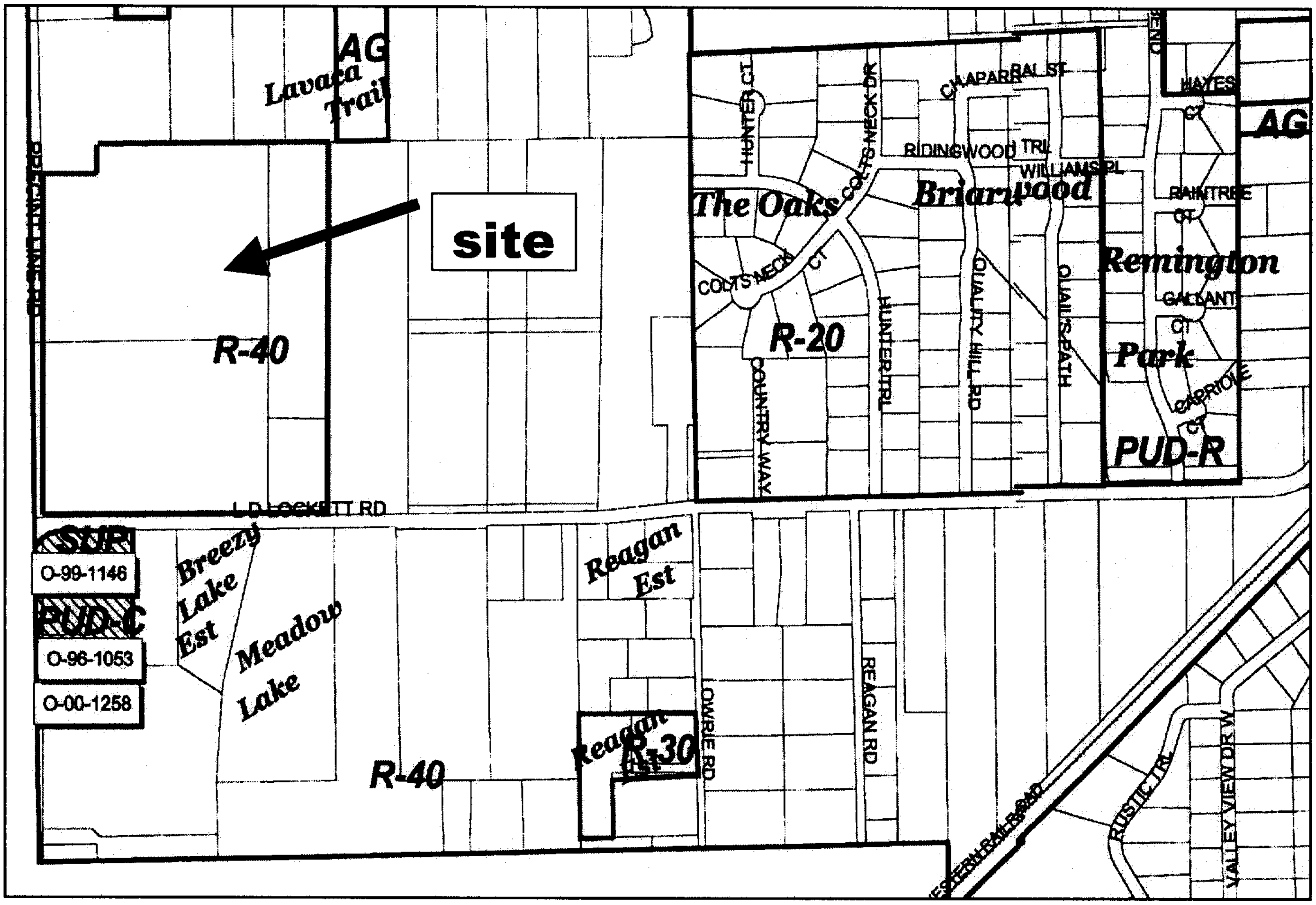


EXHIBIT B – METES AND BOUNDS DESCRIPTION

BEGINNING at a pipe in the north line of County Road No. 3126 (L.D. Lockett Road), a distance of 1,227.26 feet East and 1,346.73 feet South of the southwest corner of the R.H. McEwing Survey, said pipe also being at the southeast corner of a tract conveyed to Mrs. Ruth Walker Jones by J.E. Walker and wife, Myrtle L. Walker by deed dated March 19, 1955, recorded in Volume 2914 Page 575, Deed Records, Tarrant County, Texas;

THENCE North along a fence 1,346.73 feet to a pipe;

THENCE West along the north line of the W.C. Newton Survey, A-1182, 245.00 feet;

THENCE South 88 degrees 32 minutes 32 seconds West along the north line of the W.C. Newton Survey 680.00 feet to an iron pin;

THENCE South 02 degrees 55 minutes 10 seconds West 110.00 feet to an iron pin;

THENCE South 89 degrees 26 minutes 19 seconds West 270.00 feet to an iron pin;

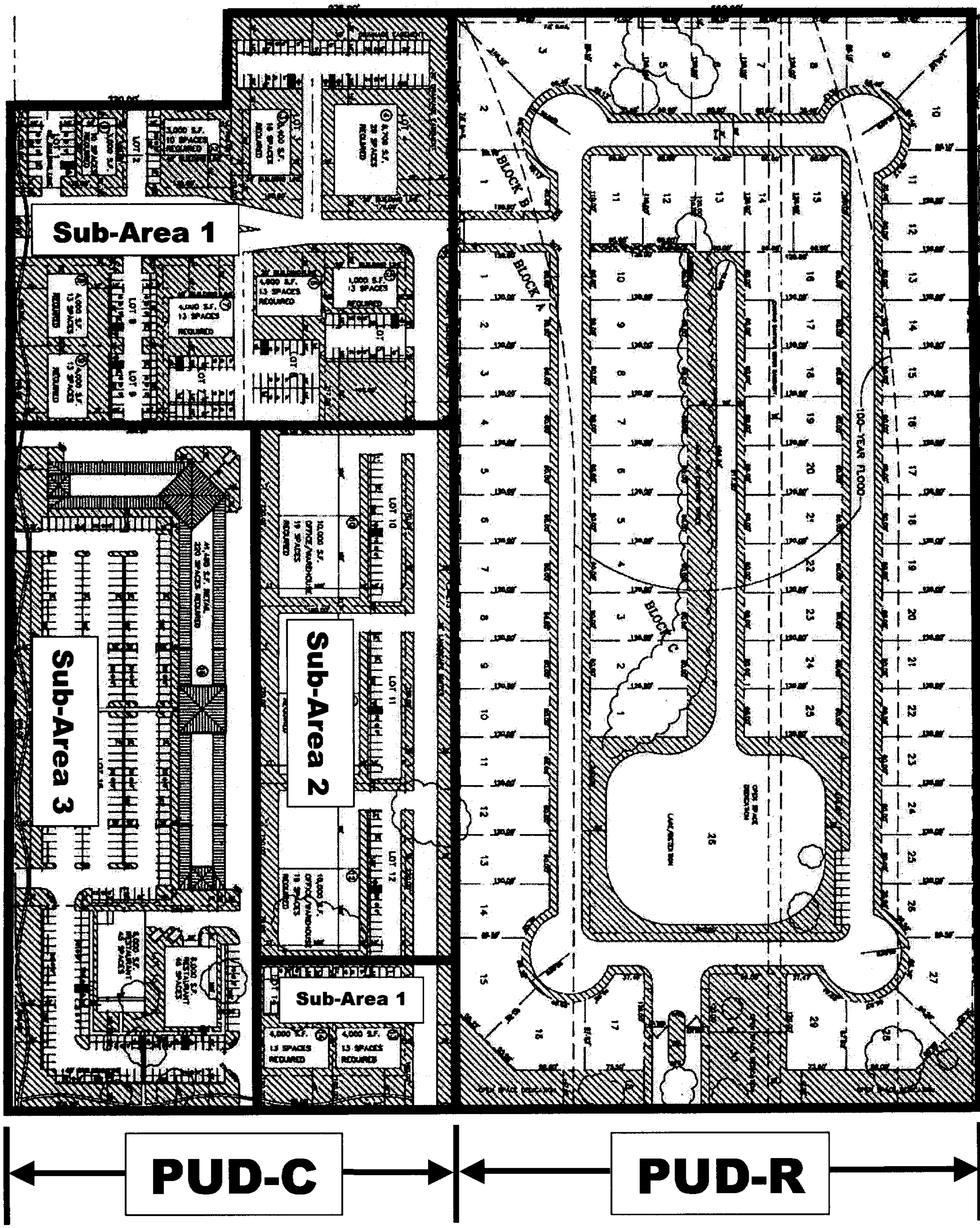
THENCE South 00 degrees 54 minutes 49 seconds East 590.48 feet along the West line of the W.C. Newton Survey, A-1182 to a point;

THENCE South 646.25 feet to a point;

THENCE East 950.00 feet along the north line of County Road No. 3126 to a point;

THENCE East 245.00 feet along the north line of said County Road to the point of beginning, containing 36.264 acres, more or less.

EXHIBIT C –CONCEPTUAL SITE PLAN



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

Agenda Number 3b **Agenda Date** 09/14/2015 **Number**
Type Public Hearing Agenda Items
Department Community Development

Title
Consideration of an amendment to the PUDC-Planned Unit Development Commercial zoning district on Lots 2, 53, and 54, of the Village at Colleyville, located at 18, 20, & 26 Main Street, Case ZC15-016

Explanation
The applicant, Jeff Polk, is requesting to rezone the subject property from "PUD-C" – Planned Unit Development – Commercial District to "PUD-C" – Planned Unit Development – Commercial District to change six parallel parking spaces to six angled parking spaces along Main Street in the Village at Colleyille. The subject property consists of approximately .427 acres and is located at 18, 20, and 26 Main Street.

Existing Conditions. The subject property is currently zoned "PUD-C" – Planned Unit Development Commercial (Ordinance Number O-12-1859) and is platted as Lots 2, 53, and 54 of the Village at Colleyville Addition.

Statement of Planning Objectives. The applicant submitted a Statement of Planning Objectives with an associated zoning exhibit (attached) which contain a description of the proposed development. The applicant is proposing to construct an 8,602 square-foot, one-story office building. The proposed rezoning request is for a PUD amendment to change six parallel parking spaces to six angled parking spaces along Main Street in the Village at Colleyville. The parking spaces are associated with a proposed office building to house Steward Financial Group and the Early Law Firm. The applicant has stated in the Statement of Planning Objectives that "the proposed angled parking will offer clients and visitors a more convenient and comfortable parking option and is substantially preferable to parallel parking as it exists."

History. A brief summary of the amendments to The Village PUD is below:

- The PUD-C zoning for The Village development was originally established on January 19, 1999, with the approval by the City Council by Ordinance O-99-1131. The PUD-C zoning for this project allows a mixture of retail, office and residential units within multi-level structures.
- Additional development regulations were later affixed to the development on May 7, 2002, with the approval of Ordinance O-02-1337.4. The May 7, 2002 amendments served to amend Ordinance O-99-1131 in its entirety and were primarily designed to address a number of issues not anticipated when the

original ordinance was adopted by the City Council in 1999, such as encroachments of right-of-ways with bay windows and balcony overhangs.

- Ordinance O-02-1337.4 was amended on January 17, 2006 under Ordinance O-06-1560 in order to allow more residential units to be built provided certain performance criteria are met with a maximum of 200 residential units allowed.
- The previous PUD-C ordinances noted above were amended on May 20, 2008 in order to allow removal of the median on Main Street between Village Lane and Pleasant Run Road and allow installation of 45 degree angled parking.
- On December 18, 2012, Ordinance O-12-1859 was adopted to increase the number of residential units allowed on the ground floor in the development, along with multiple other changes. The ordinance also replaced all previous Village ordinances to consolidate them and simplify the project.

Development Standards. The applicant is proposing to amend Exhibit "C" of Ordinance O-12-1859 to replace six parallel parking spaces with six angled parking spaces, as reflected on the attached site plan exhibit, along Main Street, east of Pleasant Run Road. The change to parking spaces in this area would also necessitate a change to Section H (Parking Requirements) where it states that "45 degree angled public on-street parking spaces shall be allowed along both sides of Main Street between Village Lane and Pleasant Run Road." The applicant is proposing provision H1.d.(1) to read "45 degree angled public on-street parking spaces shall be allowed along both sides of Main Street, between Village Lane and Pleasant Run and on the north side of Main Street between Pleasant Run and Mission Lane." The proposed site plan exhibit is meant to illustrate the proposed parking configuration and is not meant to be fully reviewed for all site plan criteria at this time. This request constitutes a preliminary site plan review, and all site plan criteria will be reviewed at the time of building permit submittal.

The applicant has provided elevations and a conceptual rendering of the proposed building for review. All elevations submitted in a forthcoming building permit package would need to comply with any changes that were deemed appropriate by the Planning and Zoning Commission upon review of this request.

Open Space and Landscaping. No changes to approved open space are being proposed, and the applicant's landscaping will be reviewed at the time of building permit.

Screening. No changes to screening are being proposed at this time.

Sidewalks and Trails. The applicant intends to provide and maintain a 10-foot sidewalk along Main Street as required. A trail exists on the west side of the subject property. In order to satisfy the trail requirement for this project, ADA compliance must be demonstrated and will be reviewed at the time of building permit.

Right-of-Way Dedication. No right-of-way dedication is applicable to the proposed request.

Traffic Generation and Access. The applicant's request does not trigger a Traffic Impact Analysis at this time.

Development Fees. All fees will be assessed upon submittal of a building permit application.

Tree Preservation. As required by Chapter 5 (Tree Preservation) of the Land Development Code, a Tree Removal Permit is required prior to the removal of any tree on the subject property. Although the applicant is proposing to preserve five 12-inch Bald Cypress Trees along Main Street in the area of work, staff has concerns that they might not survive. The applicant has submitted a letter from a Certified Arborist that the trees essentially have a 50 percent chance of surviving with the work proposed if the critical root zones are protected. Staff has assessed that these trees are in danger of becoming critically altered with the proposed work being done in the area and that they may not survive.

Infrastructure. The existing lot is served with water and sewer. The developer will be required to provide any extensions necessary for the project, and the utility proposals will be further reviewed at the time of building permit.

Drainage and Stormwater Runoff. The drainage and stormwater facilities for the project have been preliminarily reviewed and appear feasible. Full review will take place at the time of building permit.

Residential Density. Not applicable.

Surrounding Development Trends. The subject property is surrounded by other properties in The Village's PUD. The property to the north is an office use, to the northwest is medical office, to the west is undeveloped, to the southwest is miscellaneous retail and service uses, to the south is a shared parking lot, and to the east is a creek.

Master Plan. The Future Land Use Map designates the subject property as Retail. Although the proposed office use is inconsistent with the Future Land Use Map, the applicant is not proposing to change the allowed uses on the subject property. The request to change the parking from parallel to angled is inconsistent with the Master Plan's goal of applying sound land use planning principles since it does not complement the existing development. The Village PUD was established as a master planned development. The existing parallel parking spaces and trees were installed as part of a vision for that development, and they mirror what is across the street to create a boulevard effect. This request is inconsistent with the vision for the development as established in the PUD.

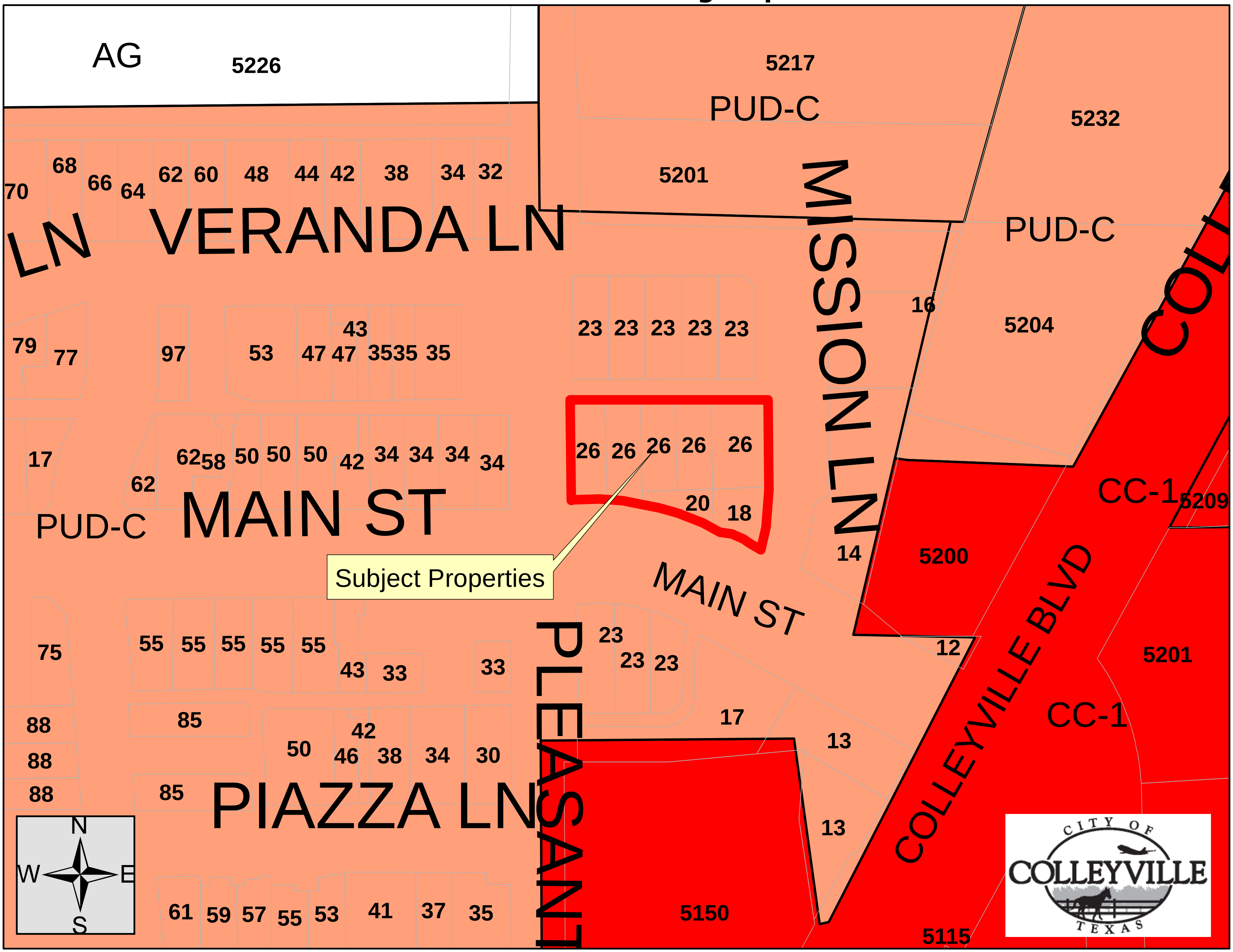
Public Notification. Staff mailed notices to 14 adjacent property owners within 200 feet of the subject property, in addition to courtesy notices to Grapevine-Colleyville ISD and the applicant, regarding this request. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. To date, no correspondence has been received.

Summary. The applicant has not provided justification to replace the existing parallel parking spaces with angled spaces, especially when considering how it will affect the aesthetic of Main Street in The Village. Staff recommends denial of the proposed PUD amendment.

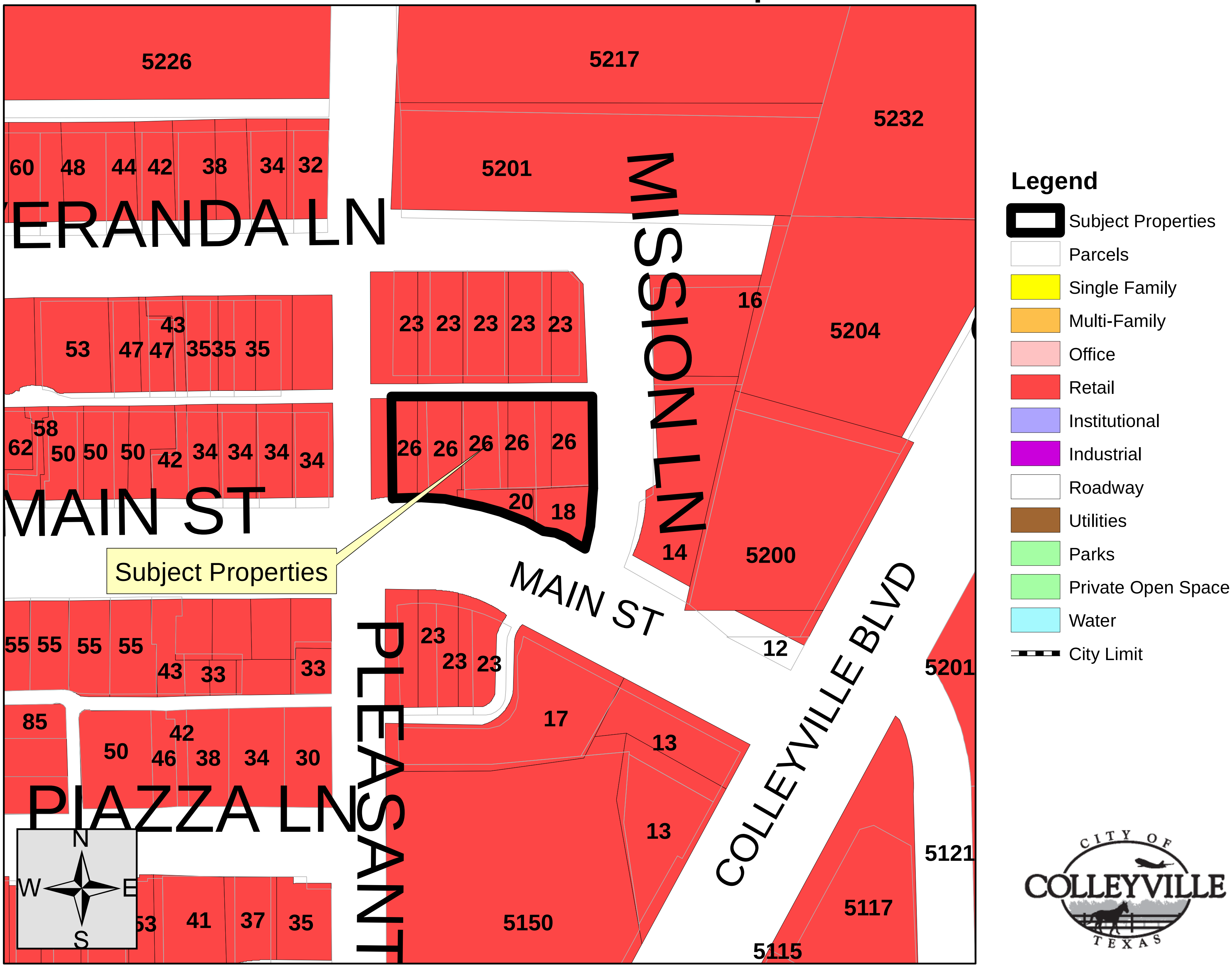
Recommendation
Denial

Attachments
1. Location and Zoning Map
2. Future Land Use Map
3. Aerial Map
4. Public Notification Map
5. Notification List
6. Statement of Planning Objectives
7. Site Plan Exhibit
8. Building Elevations
9. Architectural Rendering
10. Letter from Arborist (Provided by Applicant)
11. Governing Planned Unit Development Ordinance
12. Draft Ordinance

Location and Zoning Map



Future Land Use Map

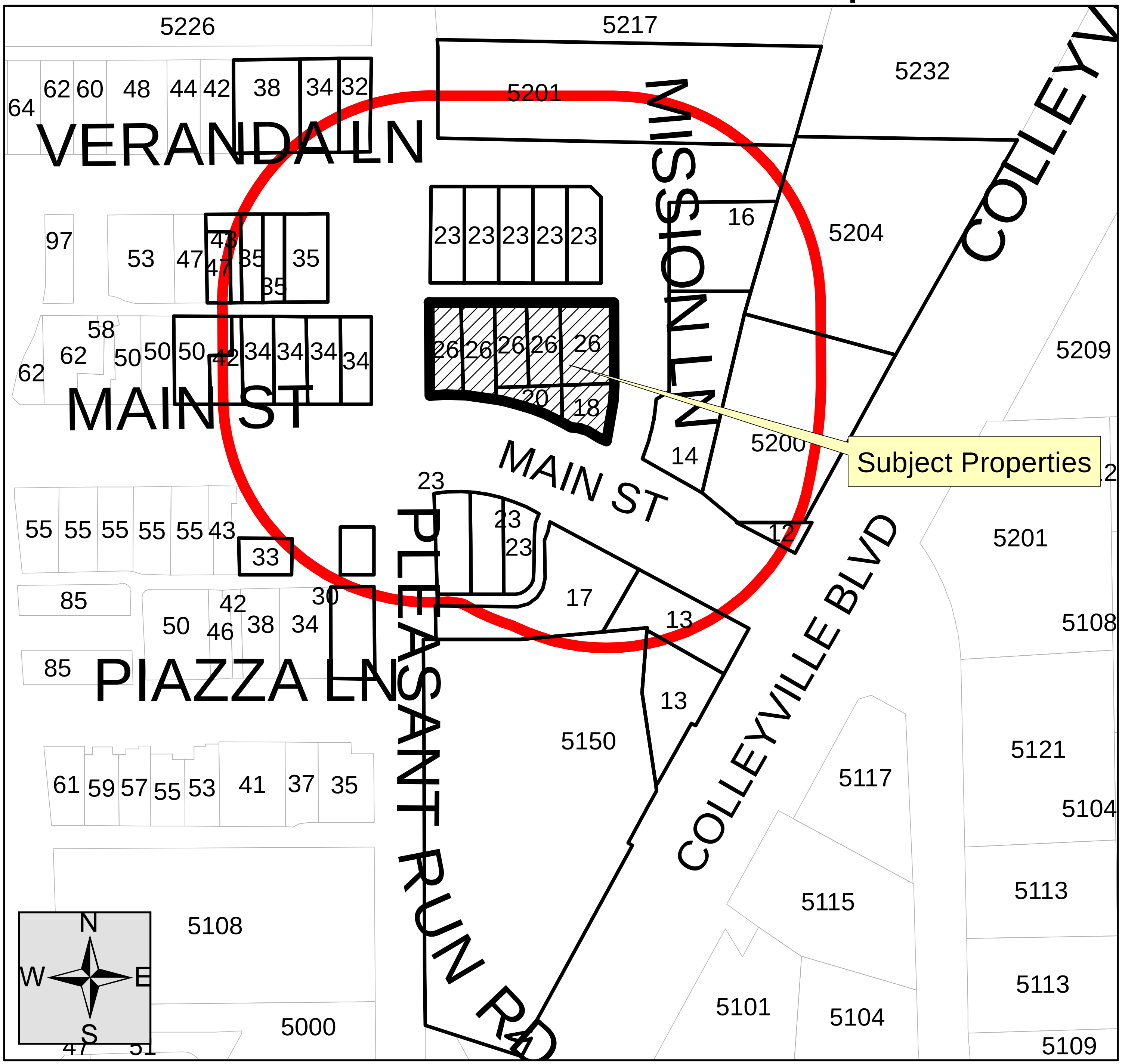


CITY OF COLLEYVILLE TEXAS

Aerial Map

VERANDA LN
LN
MAIN ST
MAIN ST
MISSION LN
PLEASANT
PIAZZA LN
COLLEYVILLE BLVD
COLL
Subject Properties
5226
5217
5201
5232
5204
5200
5209
5201
5150
5115
23 23 23 23 23
26 26 26 26 26
20
18
16
14
12
17
13
13
N
S
W
E
CITY OF
COLLEYVILLE
TEXAS

Public Notification Map



Case ZC15-016

18, 20, & 26 Main St.

Legend

- Properties within 200 feet
- Subject Properties
- Parcels
- City Limit

CITY OF COLLEYVILLE TEXAS

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	17 MAIN ST
VILLAGE MANAGEMENT LTD	909 LAKE CAROLYN PKWY STE 150	IRVING	Texas	75039	50 MAIN ST
TAP REALTY LLC	600 E LAS COLINAS BLVD	DALLAS	Texas	75254	23 MISSION LN
TCN INVESTMENTS III LLC	1861 BROWN BLVD # 744	ARLINGTON	Texas	76006	35 VERANDA LN # 210
VILLAGE MONTICELLO PRTNS LTD	909 LAKE CAROLYN PKWY STE 150	IRVING	Texas	75039	14 MAIN ST
MORANI PROPERTIES LTD	909 LAKE CAROLYN PKWY STE 150	IRVING	Texas	75309	33 MAIN ST
WINCHESTER, NATALIE	2121 MORNING GLORY AVE	FORT WORTH	Texas	76111	32 VERANDA LN # 111
BOJKU, AFRIM	5309 COLLYVILLE BLVD	COLLEYVILLE	Texas	76034	5150 COLLEYVILLE BLVD
DUNHAM, KELLEN C	33 MAIN ST STE 200	COLLEYVILLE	Texas	76034	33 MAIN ST
DDK REAL ESTATE INV LLC	PO BOX 1131	COLLEYVILLE	Texas	76034	5204 COLLEYVILLE BLVD
BOES, MARK	34 VERNADA LN # 210	COLLEYVILLE	Texas	76034	34 VERANDA LN # 210
ROGERS, J ANDREW	201 MAIN ST STE 2500	FORT WORTH	Texas	76102	30 PIAZZA LN
SOUTH BOWIE INVESTMENT PARTNER	PO BOX 126	COLLEYVILLE	Texas	76034	5201 PLEASANT RUN RD
BEAM REAL ESTATE LLC	14455 WEBB CHAPEL RD	FARMERS BRANCH	Texas	75234	5200 COLLEYVILLE BLVD
GRAPEVINE-COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE	TEXAS	76051	STATE LAW REQ.
HESLAND, LLC	5850 COLLEYVILLE BLVD., STE 110	COLLEYVILLE	TEXAS	76034	APPLICANT

Public hearing notices were mailed
Friday, September 4, 2015 by Taci
Wrisley

PUD Amendment Request – angled parking in lieu of parallel parking
26 Main St. – Steward Financial Office Building

Application for PUD Amendment date:	7/22/2015
Ordinance:	0-12-1859
	Village at Colleyville Development

TABLE OF CONTENTS

Parties & Contact Information 1
Statement of Planning Objectives 2
Development Schedule 3
Economic Development Information 3
Zoning Exhibit / Site Plan 4
Supporting Documentation Appendix 5

Parties & Contact Information

Owner

Owner:	Hesland, LLC
Address:	5850 Colleyville Blvd. Ste. 110
	Colleyville, TX 76034
Principals:	Dustin Stiefel
	Vince Hawkins
	Steve Early

Building Tenant

Tenants:	Steward Financial Group	Early Law Firm
Address:	5850 Colleyville Blvd. Ste. 110	5850 Colleyville Blvd. Ste. 110
	Colleyville, TX 76034	Colleyville, TX 76034
Principals:	Dustin Stiefel	Steve Early
	Vince Hawkins	

Owner's Agent / Designer / Builder

Agent:	Polk design Build Group, LLC
Principal:	Jeff Polk
Address:	1904 Industrial Blvd. Ste. 104
	Colleyville, TX 76034

Civil Engineer / Surveyor

Engineer / Surveyor:	Neel-Schaffer
Address:	2501 Avenue J, Suite 120
	Arlington, TX 76006
PE of record:	Derek Cheatham, PE
Surveyor:	Phil Wolters, RPLS

Statement of Planning Objectives

Hesland, LLC is made up of partners representing both Steward Financial Group and the Early Law Firm, both of which will be tenants in the proposed office building to be built at 26 Main St on the subject lot. These companies currently office in Colleyville and the partners all reside in Colleyville. The building design and proposed site plan reflect the diligent pursuit of an office building that will be consistent with the architectural and styling excellence indicative of the Village at Colleyville and the clients these firms serve.

In an effort to optimize design, safety and convenience for its clients, pedestrians and vehicle traffic, the preliminary site plan design includes angled parking to be installed in lieu of the existing parallel parking on the Main St. frontage of the lot. We understand that this proposed change would require an amendment to the PUD and the PUD approved master site plan. The PUD does not explicitly prohibit angled parking at the proposed location but the approved site plan attached to the PUD calls for the existing parallel parking. The PUD does however specifically allow for angled parking on Main St. between Village Lane and Pleasant Run.

We believe the proposed angled parking will offer clients and visitors a more convenient and comfortable parking option and is substantially preferable to parallel parking as it exists. In addition, should the amendment pass we plan to replace the existing 4' sidewalk adjacent to the parallel parking spaces and replace it with a 10' sidewalk as required by the PUD for all "new" sidewalks. While the existing 4' sidewalk is compliant with the PUD if we do not modify the parking necessitating a "new" sidewalk, we believe that a 10' sidewalk is preferable. The proposed 10' sidewalk would provide a consistent sidewalk width along Main Street and enhances the pedestrian experience and community feel of the Village.

We understand that a concern exists relative to the mature Bald Cypress trees located in the area of the proposed parking change. The proposed design accounts for the existing Bald Cypress trees and incorporates peninsulas at each tree location as seen on the attached zoning exhibit. Also note that the proposed design actually increases the root capacity around the circumference of the trees on the south side of each tree. Bald Cypress trees are selected by landscape architects for this exact application because they do very well in close proximity to curbs, sidewalks and parking spaces. We are confident that these trees were selected initially for this very reason and we are confident that this modification will have no adverse effect on the health of these trees. Hesland is willing to warrant the livelihood of the 5 Bald Cypress trees in question and will, if amendment passes, draft an agreement stating such.

Our proposed site plan to change to angled parking will require owner(s) to dedicate a small portion of the east side of the lots to the City of Colleyville where the angled parking encroaches into each lot. Both Hesland, LLC and the VOA who owns lots 53 and 54 which are set aside as private park are in agreement to this dedication. Additionally, the VOA is in support of the proposed parking and has provided a letter attached. Hesland, LLC and the VOA have also provided an access agreement stating its level of cooperation in the development of these lots.

In summary, we believe that this proposed parking change will enhance the ease of use and overall aesthetic of the Steward Financial office building as well as the Village at Colleyville in whole. Please do not hesitate to call me with any questions.

Jeff Polk
President, Polk Design Build Group
Owner's Agent

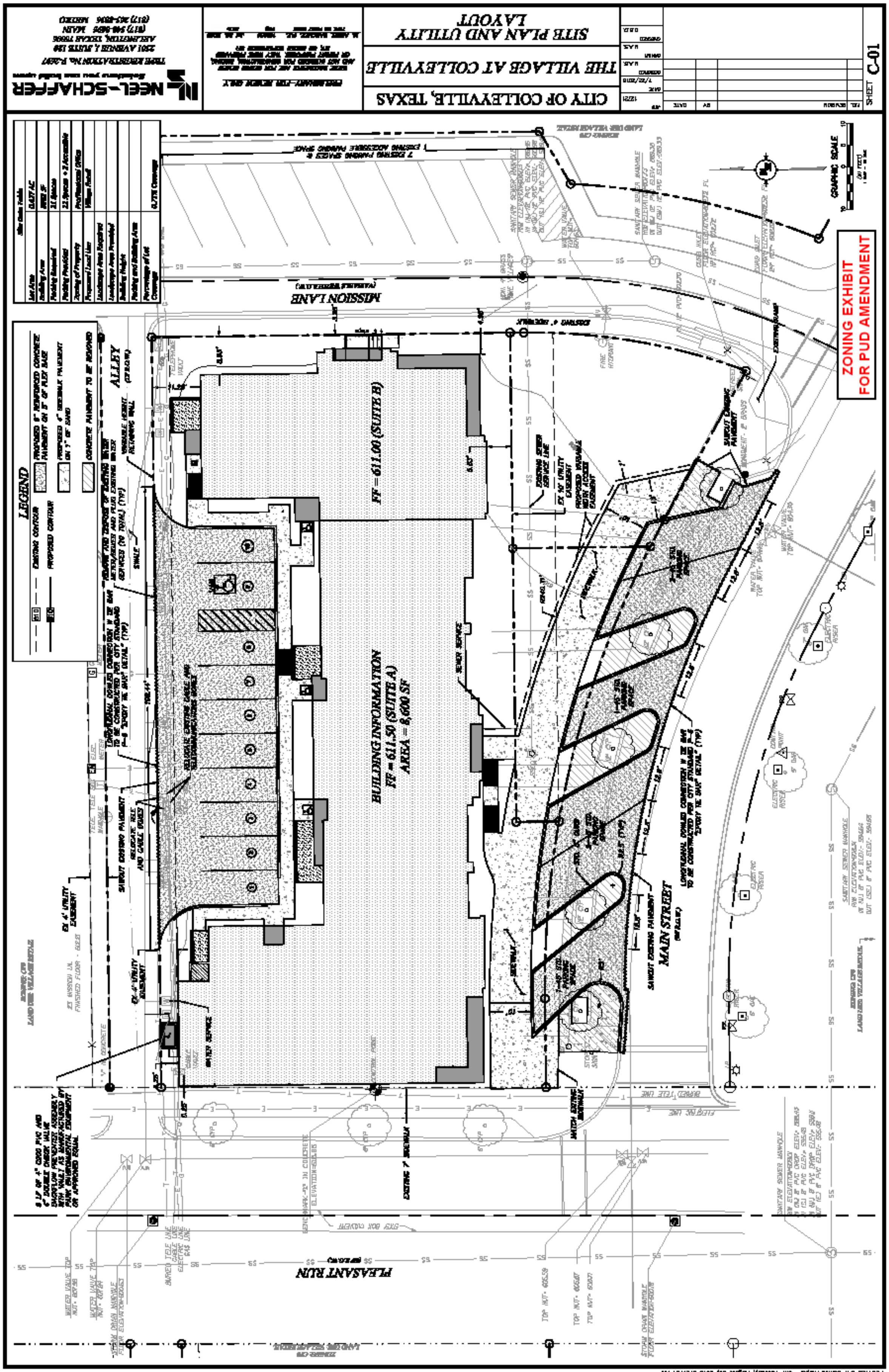
Development Schedule

We plan to pull building permits as soon as possible.

Economic Development Information

Steward Financial – Suite A

Building Square Feet – Suite A only	6,358
Estimated Sales per Year	$2,300,000.00
Estimated Sales per Square Foot	$361.75
Estimated Ad Valorum Tax	$34,000.00


ZONING EXHIBIT
FOR PUD AMENDMENT
CITY OF COLLEYVILLE, TEXAS
THE VILLAGE AT COLLEYVILLE
SITE PLAN AND UTILITY
LAYOUT
NEEL-SCHAFFER
SHEET C-01
LEGEND
ALLEY
MISSION LANE
MAIN STREET
PLEASANT RUN
FF = 611.00 (SUITE B)
BUILDING INFORMATION
FF = 611.50 (SUITE A)
AREA = 8,600 SF

Supporting Documentation Appendix

Access Agreement with Realty Capital / Village Owners Association, onwers of lots 53 &54

Document to be finalized for P&Z Review – see email below

From: Jimmy Archie
Date: July 21, 2015 at 2:59:10 PM EDT
To: Steven Early
Cc: Dustin Stiefel
Subject: Re: Access Easement Agreement

I am back from vacation on Thursday and won't be able to do anything until then. Also, since we passed the Board of Directorship off to the homeowners last month recently, I will need some time to explain this to them and ultimately get their consent. We still manage the Owners Association but no longer serve on the board. There will be no issue getting their consent but I need to take it though the proper channel as I no longer have he authority to execute the easement.

This should not hold you up from your submitting your application. You can tell the staff you will have the agreement in place and a letter or support by the time it gets to council for a vote.

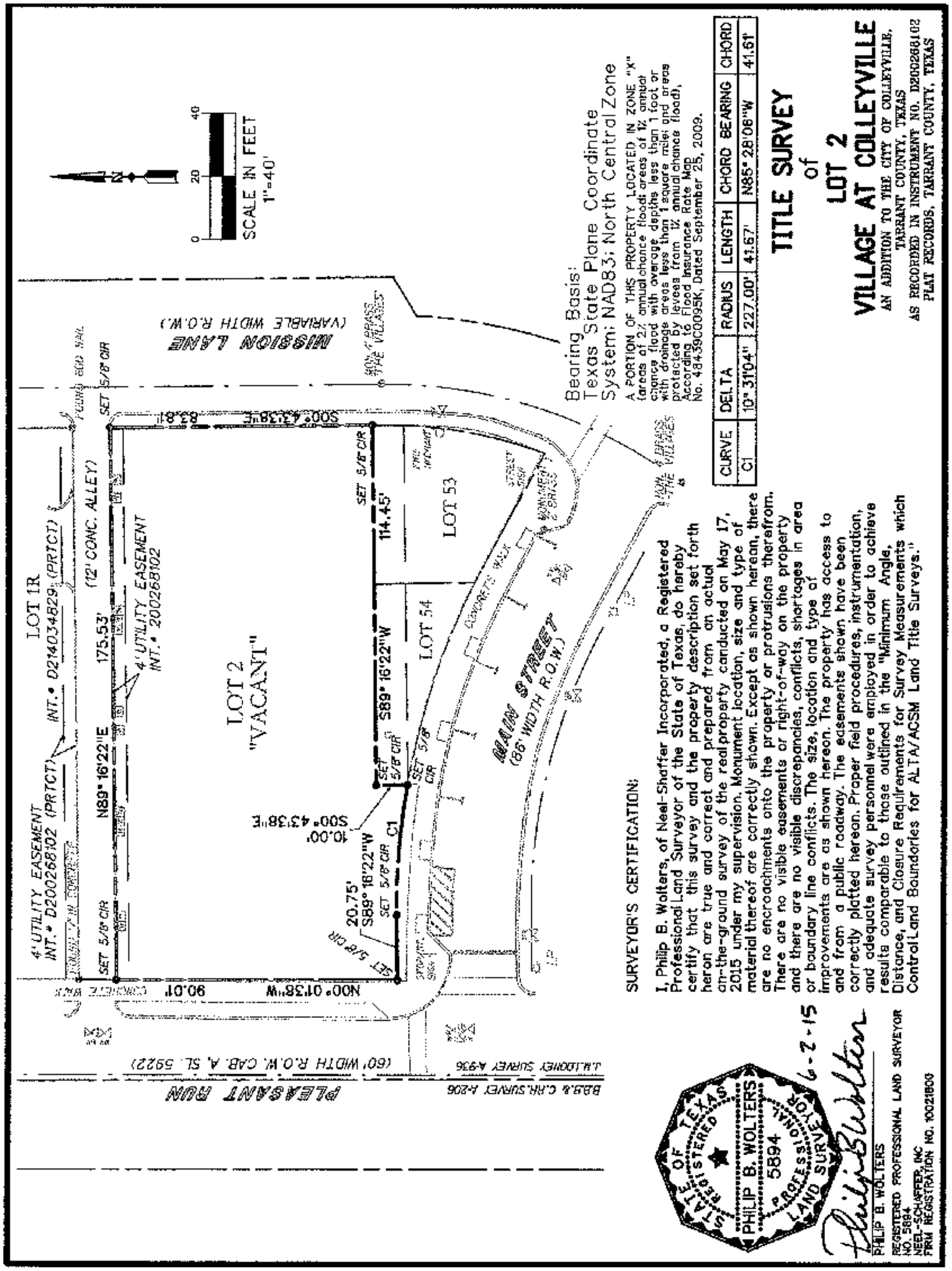
Jimmy Archie

Realty Capital Management, LLC

Letter of Support – Village Owner's Association

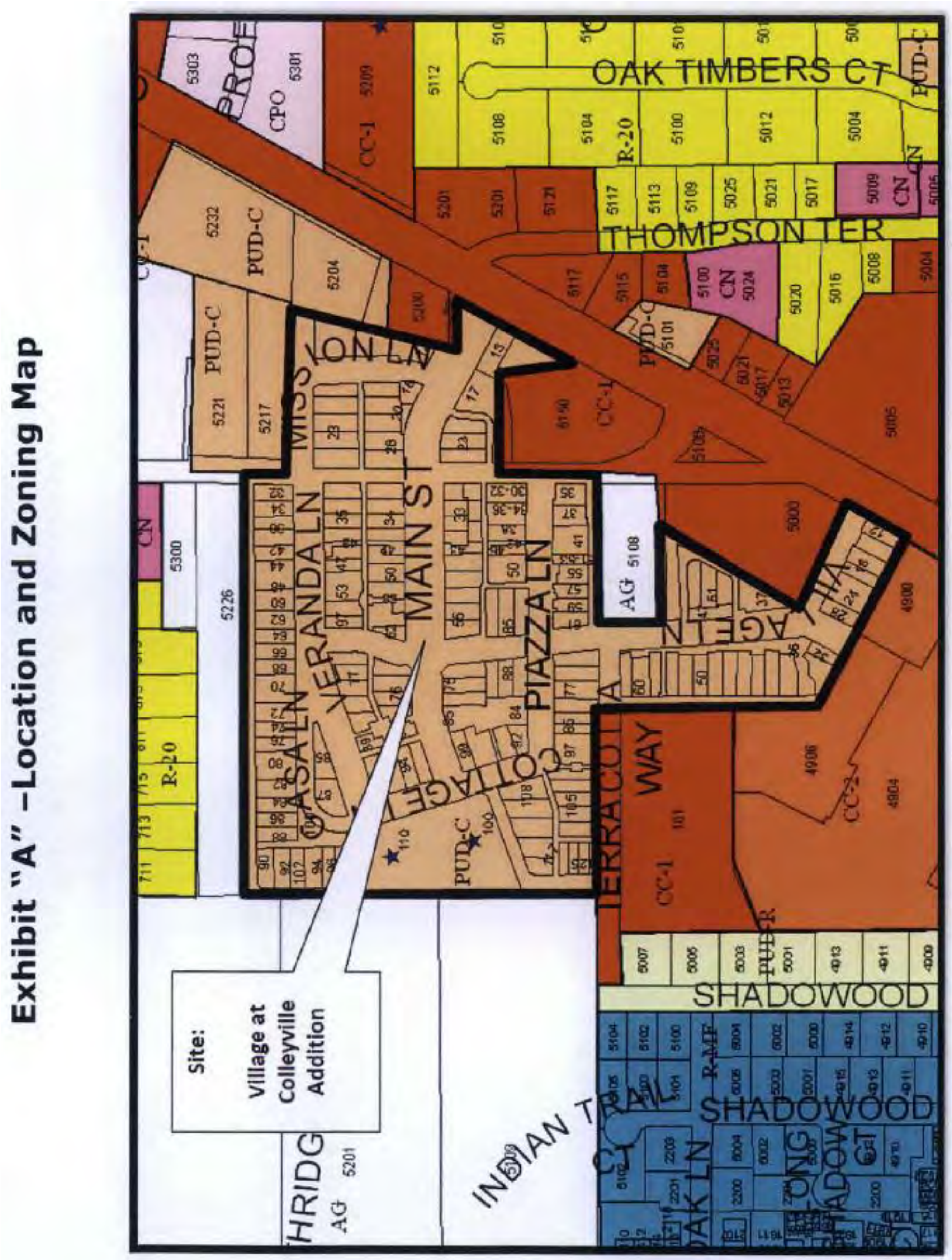
Will provide document prior to P&Z Review

Lot 2 Survey



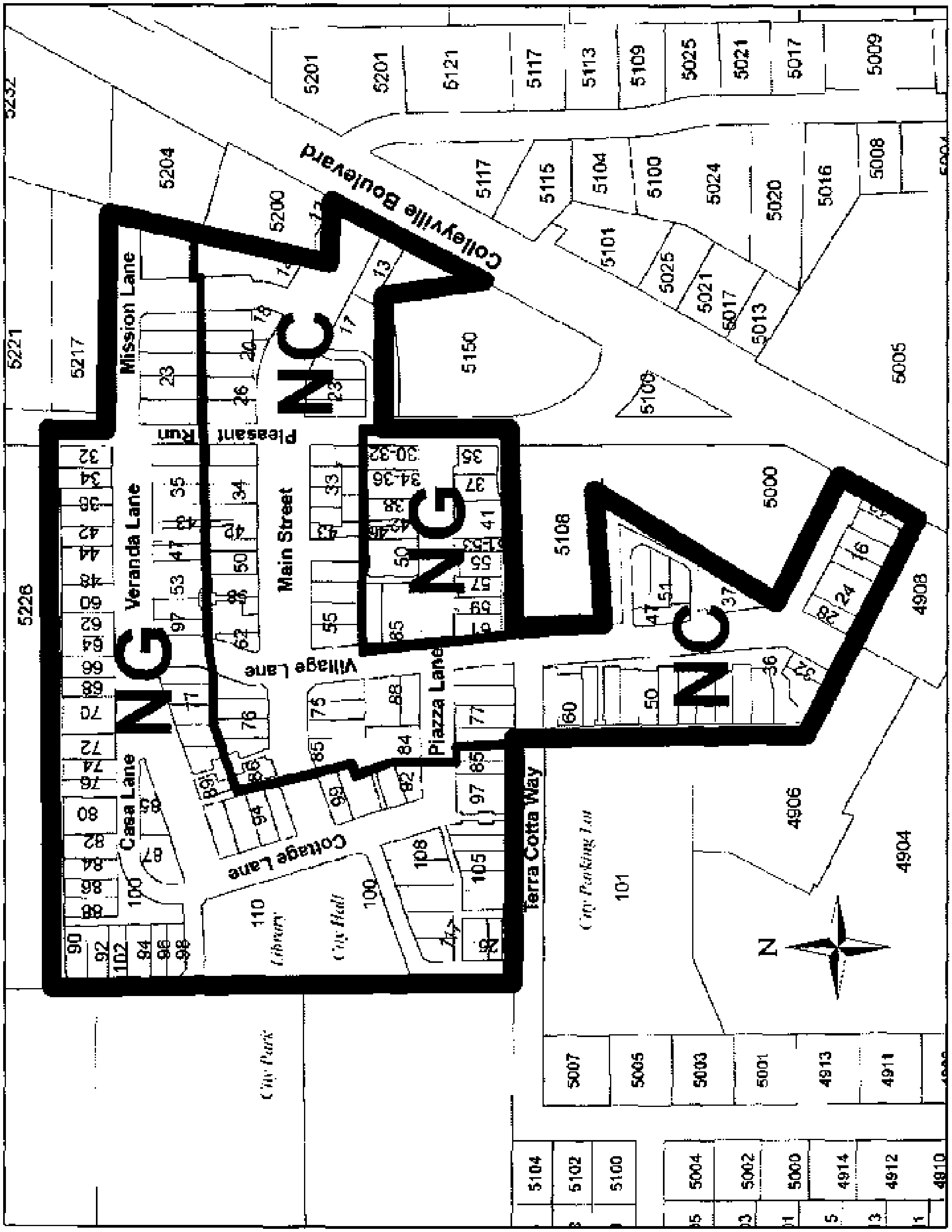
4' UTILITY EASEMENT
INT.# D200268102 (PRTCT)
LOT 1R
INT.# D214034829 (PRTCT)
(12' CONC. ALLEY)
SET 5/8" CIR
N89° 16'22"E
175.53'
4' UTILITY EASEMENT
INT.# 200268102
PLEASANT RUN
(60' WIDTH R.O.W. CAB. A, SL. 5922)
90.01'
N00° 01'38"W
LOT 2
"VACANT"
10.00'
S00° 43'38"E
83.81'
S00° 43'38"E
MISSION LANE
(VARIABLE WIDTH R.O.W.)
SCALE IN FEET
1"=40'
20.75'
S89° 16'22"W
SET 5/8" CIR
C1
S89° 16'22"W
114.45'
LOT 54
LOT 53
MAIN STREET
(86' WIDTH R.O.W.)
Bearing Basis:
Texas State Plane Coordinate
System: NAD83; North Central Zone
A PORTION OF THIS PROPERTY LOCATED IN ZONE "X" (areas of 2% annual chance flood; areas of 1% annual chance flood with average depths less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood), According to Flood Insurance Rate Map No. 48439C0095K, Dated September 25, 2009.
SURVEYOR'S CERTIFICATION:
I, Philip B. Wolters, of Neel-Shaffer Incorporated, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this survey and the property description set forth heron are true and correct and prepared from an actual on-the-ground survey of the real property conducted on May 17, 2015 under my supervision. Monument location, size and type of material thereof are correctly shown. Except as shown hereon, there are no encroachments onto the property or protrusions therefrom. There are no visible easements or right-of-way on the property and there are no visible discrepancies, conflicts, shortages in area or boundary line conflicts. The size, location and type of improvements are as shown hereon. The property has access to and from a public roadway. The easements shown have been correctly platted hereon. Proper field procedures, instrumentation, and adequate survey personnel were employed in order to achieve results comparable to those outlined in the "Minimum Angle, Distance, and Closure Requirements for Survey Measurements which Control Land Boundaries for ALTA/ACSM Land Title Surveys."
STATE OF TEXAS
REGISTERED
PHILIP B. WOLTERS
5894
PROFESSIONAL LAND SURVEYOR
6-2-15
PHILIP B. WOLTERS
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5894
NEEL-SCHAFFER, INC
FIRM REGISTRATION NO. 10021800
CURVE | DELTA | RADIUS | LENGTH | CHORD BEARING | CHORD
C1 | 10° 31'04" | 227.00' | 41.67' | N85° 28'06"W | 41.61'
TITLE SURVEY
of
LOT 2
VILLAGE AT COLLEYVILLE
AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS
AS RECORDED IN INSTRUMENT NO. D200268102
PLAT RECORDS, TARRANT COUNTY, TEXAS

Location and Zoning Map



Neighborhood Areas

EXHIBIT "B"- Neighborhood Areas



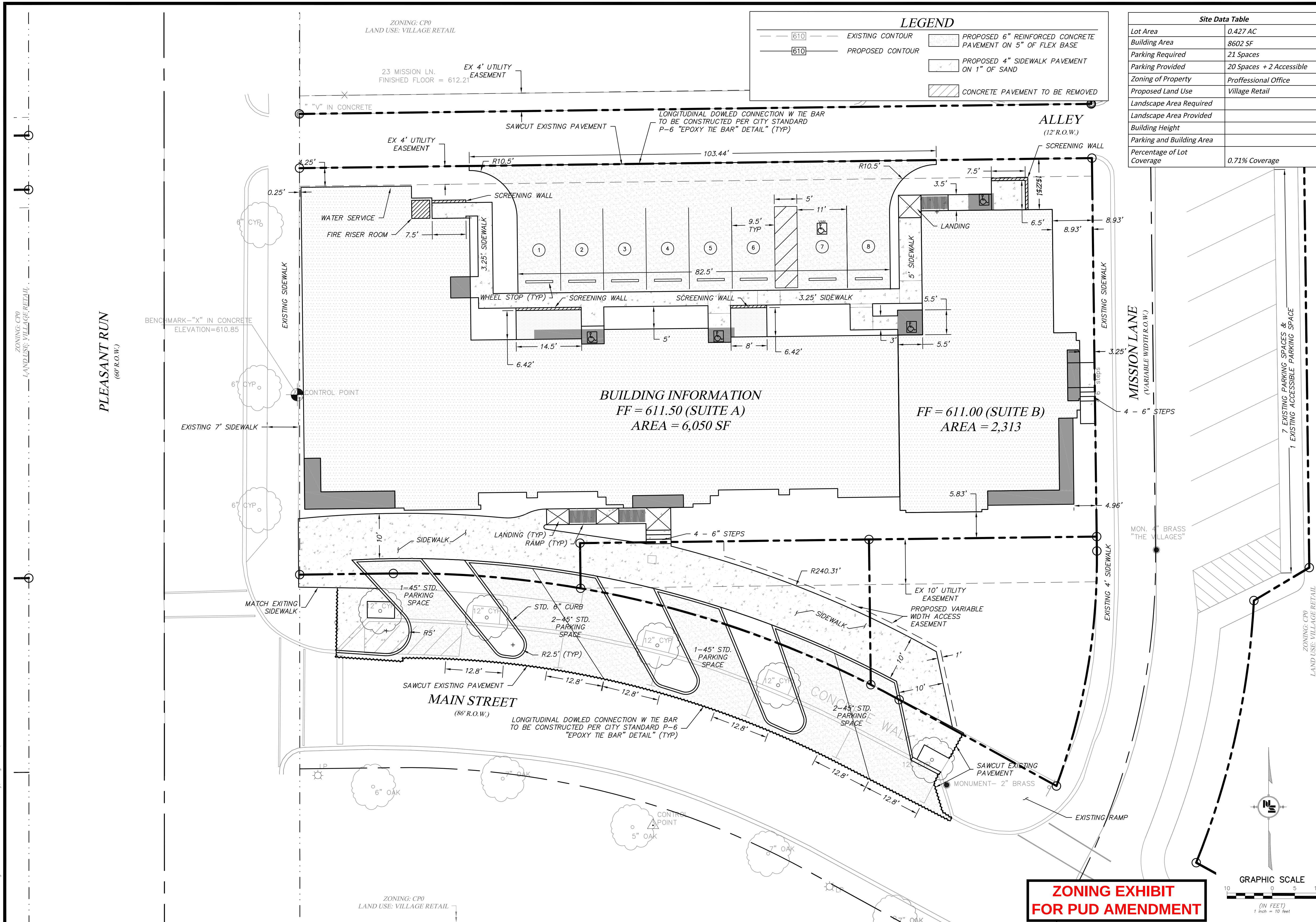
Ariel View of Site

Letter of Support from Adjacent Property Owners

Will provide document prior to P&Z Review

Bald Cyprus Information

Will provide document prior to P&Z Review



Site Data Table

Lot Area	0.427 AC
Building Area	8602 SF
Parking Required	21 Spaces
Parking Provided	20 Spaces + 2 Accessible
Zoning of Property	Proffessional Office
Proposed Land Use	Village Retail
Landscape Area Required	
Landscape Area Provided	
Building Height	
Parking and Building Area	
Percentage of Lot Coverage	0.71% Coverage

NEEL-SCHAFFER
Solutions you can build upon

TBPE REGISTRATION No. F-2697
2501 AVENUE J, SUITE 120
ARLINGTON, TEXAS 76006
(817) 548-0696 MAIN
(817) 265-8836 METRO

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:
M. ANGEL SANCHEZ, P.E. 110254 Aug 26, 2015
TYPE OR PRINT NAME PE# DATE

CITY OF COLLEYVILLE, TEXAS
VILLAGE AT COLLEYVILLE
SITE PLAN LAYOUT ANGLED PARKING EXHIBIT

JOB	12721
DATE	8/26/2015
DESIGNED	M.A.S.
DRAWN	M.A.S.
CHECKED	D.B.C.

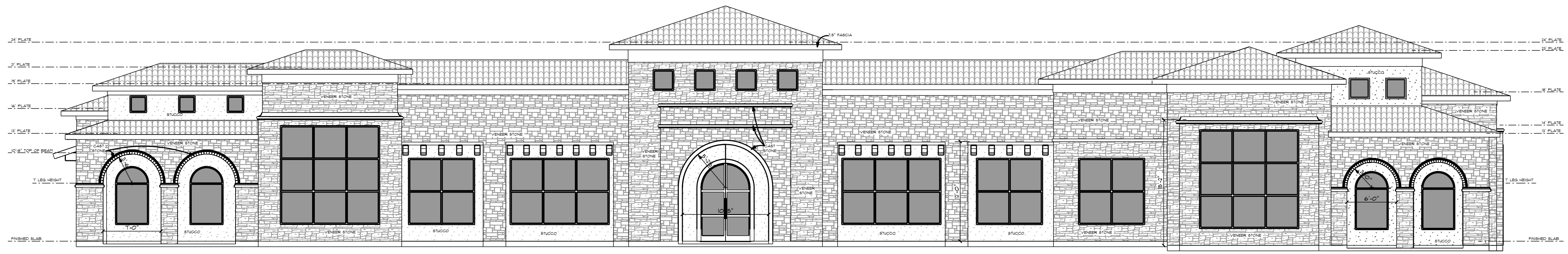
NO.	REVISION	BY	DATE

SHEET C-01

ZONING EXHIBIT FOR PUD AMENDMENT

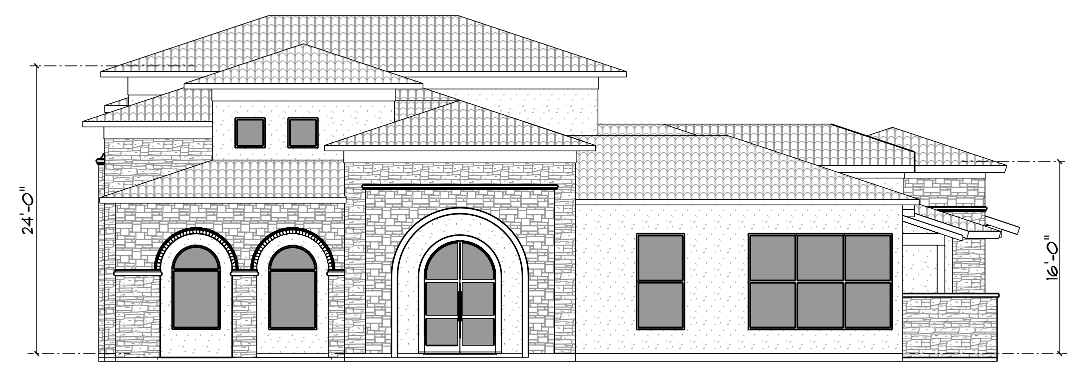
P:\AdamsPolk\12721-Village of Colleyville\CADD\Base\Old\Proposed Site Plan w angled parking wo utilities.dwg
PLOTTED BY: Angel Sanchez ON: Wednesday, August 26, 2015 1:54:32 PM

NON-DETAILED ELEVATIONS FOR REVIEW PURPOSES ONLY



FRONT ELEVATION - MAIN ST. FRONTAGE

LEFT ELEVATION - PLEASANT RUN FRONTAGE



RIGHT ELEVATION - MISSION LN. FRONTAGE

REAR ELEVATION - ALLEY FRONTAGE

HESLAND OFFICE
26 MAIN ST.
COLLEYVILLE, TX 76034

DRAWN BY: Jeff Polk
DATE: 08.25.15

Polk Design Build Group, LLC
1904 lindustrial blvd. st. 104
Colleyville, TX 76034
PHONE: 817.829.0040
jpolk@polkdbg.com

Polk
design build group

APPROVED:

SCALE: 1/16" = 1'

Mr. Polk,

I reviewed your plans for the parking spaces at 26 Main St. in Colleyville and inspected the site with the bald cypress trees in question. My opinion is as follows:

There are several factors that suggest the odds that the trees will survive are good:

1. Bald cypress is a species that is resistant to construction damage, adding to its suitability as an urban tree.
2. The trees are currently in very good health.
3. The available soil volume will not be dramatically changed.

Also, fertilization and vertical mulching can further reduce the likelihood of long term damage to the trees. It is essential, however, that the critical root zone be vigorously protected throughout the construction process, or all of the advantages could mean little. Fences, signage, wrapping trunks with protective material (such as burlap), and mulching the critical root zone should be employed to ensure protection. Also, if cutting large roots is necessary, it should be done with an appropriate tool such as a saw or wood chisel, rather than ripping through it with blunt tools. This facilitates healing of the roots, rather than rotting and mortality. Although plant health (especially in construction sites) can never be guaranteed, if all of these guidelines are followed, I would expect a better than 50% chance the trees survive.

Thank you,

Wesley Rivers - ISA Certified Arborist # TX 3642A

Alpine Tree Service, Inc.

817.505.9913 cell

817.656.8733 office

ORDINANCE O-12-1859

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AS HERETOFORE AMENDED; BY REPEALING ORDINANCES O-99-1141, O-02-1337.4, O-06-1560 AND O-08-1680; BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 26 ACRES IN THE VILLAGE AT COLLEYVILLE ADDITION AND LOTS 3A AND 3B, BLOCK 1, VILLAGE FRONT DOOR ADDITION, FROM THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT TO THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case No. ZC12-022; and

WHEREAS, Ordinances O-99-1141, O-02-1337.4, O-06-1560 and O-08-1680 are hereby repealed in their entirety; and

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

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

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

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

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of 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 26 acres in the Village at Colleyville Addition and Lots 3a and 3b, Block 1, Village Front Door Addition, from the PUD-C-Planned Unit Development Commercial Zoning District to the PUD-C-Planned Unit Development Commercial Zoning District, as depicted in 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 Ordinances O-99-1141, O-02-1337.4, O-06-1560 and O-08-1680 are hereby repealed in their entirety.

Sec. 5. THAT the above described tract of land shall be subject to the following conditions:

<u>A. PURPOSE</u>

The purpose of this planned unit development is to encourage mixed-use, compact development that is sensitive to the environmental characteristics of the land and facilitates the efficient use of services. This planned unit development diversifies and integrates residential and commercial land uses within close proximity to each other and promotes long-term economic sustainability for the City.

B. PUD BOUNDARIES

The properties shown on the attached Zoning Exhibit "A" are zoned PUD-C Planned Unit Development-Commercial district and the Official Zoning Map and Land Development Code of the City of Colleyville, Texas and are hereby amended by the terms of this ordinance.

C. NEIGHBORHOOD AREAS

This Planned Unit Development is hereby divided into two neighborhood areas. The boundaries of the neighborhood areas are shown on the attached Exhibit "B". The neighborhood areas and their symbol designations are described as follows:

Neighborhood Center - The Neighborhood Center area shall serve as the commercial and business focal point of the development with a limited amount of area used for residential purposes. The Neighborhood Center area shall be designated with the letters "NC".

Neighborhood General - The Neighborhood General area shall serve as a secondary area for commercial and business activities of the development and may have a higher percentage of residential dwellings than the Neighborhood Center area. The Neighborhood General area shall be designated with the letters "NG".

D. DEVELOPMENT STANDARDS

Buildings or structures containing any combination of single-family residences and business use listed herein shall be allowed in accordance with the following Development Standards:

1. Permitted Uses – the following permitted uses shall be

allowed within this planned unit development:

a. *Single-family Residences:* Residential units may be either detached or attached, and more than one residence may be located per building site. A building site may also have one ancillary residential structure. An ancillary unit is a residential unit that is accessory to the primary residential unit allowed by this section. Ancillary units shall not be sold separate from the primary unit to which they are connected. For the purpose of this ordinance, a building site is defined as a single building site as identified on the Condominium Exhibit of The Village at Colleyville. The habitable area of the ancillary structure shall not exceed 600 square feet. Within each neighborhood area, the maximum number of residential units on the ground floor of a building shall not exceed the following maximum residential densities:

(1) NC Area: A maximum of 14 of the building sites in the Neighborhood Center area may contain a single-family residence use on the first floor of its building.

(2) NG Area: A maximum of 61 of the building sites in the Neighborhood General area may contain a single-family residence use on the first floor of its building.

(3) A maximum of 75 of the building sites within the boundaries of this PUD-C may contain a single-family residence use on the first floor of its building.

(4) Work/Live Units: A work/live unit is defined as a single unit consisting of both a commercial/office and a residential component that is occupied by the same resident. The work/live unit shall be the primary dwelling of the occupant. Provided compliance with sections 1 through 3 above are met, all lots within this development may contain a work/live unit. Work areas are encouraged to be placed on the ground floor while the living area is encouraged to be placed on upper floor above the work unit.

(5) Not including ancillary units or the units described in subsection 6 below, all residential units shall have a minimum of 1,500 square feet of climate controlled area.

(6) No more than a total of twenty-four (24) residential units may be built with a minimum square footage of 1,000 square feet. Units allowed by this subsection shall not be located on the ground floor of any building.

(7) The method of calculating the square footage of a residential unit within this PUD-C shall not include floor areas used as common area hallways and stairwells, but shall include the climate controlled space of the dwelling unit.

(8) There shall be no residential units located on the ground floor of any building located along Main Street between Cottage Lane and SH26.

(9) Not including ancillary units, defined above, there shall be no more than 200 residential units constructed within this PUD.

b. *Retail:* Retail specialty shops including, but not limited to, the sale of clothing, gifts, antiques, flowers and plants, books, jewelry, music, electronic equipment, computers and software, tobacco and related supplies, crafts, toys, cameras, souvenirs, greeting cards, artwork, furniture, hardware, sporting goods, house and garden supplies, office supplies, leather goods and periodicals.

c. *Service:* Personal service shops including, but not limited to, travel agency, banks, airline ticket office, tailor, barber, beauty salon, spa, health club/fitness center, shoe repair, food catering, dry cleaners, studios for dance, art, music, photography, radio, and television, or similar service uses.

d. *Food and Lodging:* Boutique hotels, bed and breakfast inns, restaurants, cafes, coffee shops, bakeries, butchers, fish markets, delicatessens, ice cream parlors, cookie stores, grocery stores, drug stores, bagel or doughnut shops, and soda fountain shops.

e. *Entertainment:* Entertainment venues including movie theatres, provided the total number of all movie screens does not exceed four; playhouses, comedy clubs, and jazz/music clubs.

f. *Office:* Business offices including, but not limited to, software design firms, business consulting, security and commodity brokerage, general business offices, real estate sales, insurance sales, advertising, mailing and stenographic services, professional offices for lawyers, engineers, architects, doctors, dentists, psychiatrists, accountants, investment advisors, orthodontists, or other office related businesses.

g. *Educational:* Private schools, and day-care centers.

h. *Mixed-use:* buildings or structures containing any combination of single-family residences and other uses listed herein.

i. *Public/Semi-public:* Buildings or structures owned or operated by the City of Colleyville or The Village Owner's Association. Semi-public uses such as a neighborhood center, pool and related recreational facilities. The lots bounded by Cottage Lane, Village Lane, Veranda Lane and Main Street may be used, either all or in part, as a public plaza including the installation of permanent public amenities such as a fountain and seating area. The purpose of the plaza would be for public gatherings and events.

j. Parking lots.

k. Accessory buildings or uses as defined herein.

l. Any use of a nature similar to the above when granted a Special Use Permit by the Colleyville City Council.

m. Outside sales on the sidewalk of art, antiques, fruit, vegetables, flowers, plants, gifts and souvenirs.

n. Outdoor seating areas for food, lodging or entertainment uses.

o. Above ground parking garages containing fourteen (14) or fewer parking spaces, underground parking garages, basements, and cellars.

2. Permitted Uses with a Special Use Permit – The following uses may be permitted upon approval of a Special Use Permit by the City Council as provided in the Land Development Code of the City of Colleyville:

a. Food trucks, including outside sales of cooked food and other items not listed in Section E.1 Permitted Uses.

c. Television and appliance repair service shop.

d. Club, lodge or other fraternal organizations.

e. Above ground parking garages containing fifteen (15) or more parking spaces. Any above ground parking garage that fronts a street within the Neighborhood Central (NC) zone shall be allowed only with the approval of a Special Use Permit.

f. Package (liquor) stores

g. Wedding chapel

h. Alcoholic beverage sales for on-premise consumption in conjunction with a restaurant use.

i. Alcoholic beverage sales for off-premise consumption for a grocery store, specialty wine shop or gourmet food store.

j. The Special Use Permit requirements for the alcoholic beverage sales allowed in subsections "h" and "I" above shall not become effective until May 1, 2013.

3. Prohibited Uses – The following uses shall be prohibited within this planned unit development:

a. Drive-through commercial uses where patrons remain in automobiles.

b. Vending machines, except within buildings.

c. Retail uses containing more than 40,000 square feet of floor area per certificate of occupancy.

d. Industrial and manufacturing businesses that create noise, vibration or obnoxious odors.

e. Kennels.

f. Terminals or depots for large-scale storage or distribution of goods.

g. Scrap yards for the processing or storage of waste materials.

h. Automotive repair businesses.

i. Telemarketing office with over 20 employees.

j. Uses not listed herein shall be considered by following the procedures outlined in the Colleyville Land Development Code for new and unlisted uses.

4. General Lot Criteria – See Table 1 below:

Table 1
General Lot Criteria

	Neighborhood General Zone (NG)		Neighborhood Center Zone (NC)	
Lot Dimensions	Min.Area	2,600 s.f.	Min. Area	2,600 s.f.
	Max. Area	5 acres	Max. Area	5 acres
	Min. Lot Coverage	30%	Min. Lot Coverage	45%
	Max. Lot Coverage	90%	Max. Lot Coverage	95%
Setbacks	Front	0′ min – 15′ max.	Front	0′ min – 15′ max.
	Side	0′ min – 15′ max.	Side	0′ min – 15′ max.
	Rear – Main Bldg.	4′ min.	Rear – Main Bldg.	4′ min.
	Rear – Accy. Bldg.	4′	Rear – Accy. Bldg.	4′

Height	Max. Height	48 ft. or 3.5 stories	Max. Height	48 ft. or 3.5 stories
	Notes: 1. the one-half story above third floor shall not exceed 400 s.f.			

5. Building Exteriors - The exposed exterior walls of each building must contain 100% masonry. For purpose of this ordinance, masonry shall consist of any combination of brick, stone, faux-stone, or stucco. Non-masonry materials may be utilized for building accents per the requirements of Chapter 6-Building Design in the Land Development Code.

6. Roofing - If a flat roof is constructed, all sides of the building shall have a mansard or built-up parapet wall roof at least four feet (4') in height, which shall simulate the look of a pitched roof from street level. If a roof terrace is constructed, then railings may be used which comply with Section (8) Balconies below.

7. Balconies - Balcony railings must be constructed with wrought iron or masonry balustrades.

8. Building Design Requirements - Articulation of walls shall not be mandatory. Buildings within this planned unit development shall be exempt from Chapter 6 Building Design of the Colleyville Land Development Code.

9. Exterior Building Lighting - Buildings may be lit with wall washer type lights, natural gas lamps, or low wattage decorative electric lamps. Lights shall be placed on buildings in a manner so as to not be a nuisance.

10. HVAC Systems - All air-conditioning condenser units must be hidden from street view or placed on the roof.

11. Backyard Walls - These shall be constructed 100% masonry materials or wrought-iron fencing. Any gates must be constructed of wrought iron.

12. Landscaping – Lots with street frontage within this planned unit development shall, at a minimum, meet the requirements of *Chapter 4 – Landscaping and Buffering*

in the Land Development Code. The owners of the first floor shall plant and maintain the storefront planting area (if applicable) along its street frontage. All sidewalks in the project will have tree planter islands spaced every thirty to thirty-five feet. Approved trees shall include trees allowed for planting in *Chapter 4 – Landscaping and Buffering* in the Land Development Code. A minimum of 25% of the building sites shall be required to install and maintain a 24" wide planting area (at least 8 feet long) in the setback between their building and the sidewalk. The owners of the ground floor levels of these buildings shall be required to plant, irrigate and maintain flowers, vines or shrubs in those areas. In addition, any roof terraces shall contain at least two irrigated, potted shrubs or trees. A landscaped buffer with natural openings shall be provided along the entire length of the northern boundary from City Park to Pleasant Run Road, in lieu of the masonry screening wall. Said landscape buffer shall consist of a row of trees. Trees shall be a minimum of four (4") caliper, spaced at 25' intervals. Trees shall be selected from the list of approved trees contained in *Chapter 4 – Landscaping and Buffering* of the Land Development Code. Fifty percent of said trees shall be Highrise Live Oaks (quercus virginiana). In addition, there shall be a minimum five foot tall wrought iron fence installed along the northern boundary from City Park to Pleasant Run Road, said minimum five foot tall wrought iron fence shall also be installed on top of any retaining wall along the northern boundary line.

13. <u>Awnings</u> – Buildings with commercial uses on the ground level shall install awnings over all windows on the ground level that front public sidewalks, if those buildings contain a residential use above the ground level.

14. <u>Architectural Control Committee</u> - The Property Owner's Association must create an Architectural Control Committee, which shall be funded by the Property Owner's Association. All building exterior specifications, site plans, lighting, signage and landscaping plans must be approved by the Architectural Control Committee prior to approval of a building permit.

15. Limitation on Late Night Hours of Operation – Businesses located within the PUD-C shall close no later than 12:00 midnight on all days except on Friday and Saturday nights where such businesses shall close no later than 2:00 a.m. on Saturday and Sunday mornings respectively.

16. Dumpster Screening – All freestanding dumpsters shall be screened on all four sides with an opaque closure measuring to a height at least six (6) inches above the top of the dumpster. A dumpster located in an alley on the perimeter of the project shall be screened from view on all sides with an opaque enclosure or building niche measuring at least six (6) inches above the top of the dumpster. The enclosure and/or building niche shall be constructed of material that matches the building.

17. Fire Prevention – All buildings within this PUD-C shall be equipped with fire detection and suppression systems as required and approved by the City of Colleyville Fire Marshal. Said systems shall be maintained and inspected as required by the Fire Marshal.

E. ENCROACHMENTS AND USE OF PUBLIC RIGHT-OF-WAY

Due to the unique nature of this planned unit development, the encroachments of buildings and architectural features into the public right-of-way and certain uses within the public right-of-way, stated herein in Section E.1, shall be allowed within this planned unit development and shall be exceptions to the requirements of the Land Development Code. All encroachments, including temporary structures, must maintain a forty-eight (48") inch pedestrian right-of-way and comply with all other ADA regulations.

1. Encroachments below grade - Approval by the Director of Public Works of a Right-of-way Permit is required for any building encroachments below grade. All encroachments shall not exceed eighteen (18") inches.

2. Encroachments of architectural features above grade - Approval by the Building Inspection Department is required for any encroachment of architectural features above grade, provided such encroachments comply with

the standards contained in the following table and local building and fire codes:

Right-of-way Encroachment Standards	
Type of Encroachment	**Maximum Allowable Encroachment**
Bay Windows	18 inches with max. 7 foot length, 3 feet min. spacing & one bay window per 15 feet of site frontage
Awnings & canopies	80% of sidewalk width, 8 feet clearance over pedestrian area & 14 feet clearance over vehicle area
Signs	66% of sidewalk width, 8 feet clearance over pedestrian area & 14 feet clearance over vehicle area
Lights	If the light encroaches 12 inches or less, it may be mounted at any height on the building façade. From 8 feet to 11 feet above grade, one additional inch of encroachment shall be required for each inch of clearance above 8 feet, not to exceed 48 inches of encroachment. Encroachments over 12 inches require 8 feet clearance over pedestrian areas & 14 feet clearance over vehicle areas, and shall not encroach beyond 48 inches
Eaves, cornices and balconies	From 8 feet to 15 feet above grade, one inch of encroachment for each inch of clearance above 8 feet not to exceed 48 inches of encroachment. Encroachments 15 feet or more above grade shall have 8 feet of clearance over pedestrian area & 14 feet clearance over vehicle area and shall not encroach beyond 6 feet

3. Temporary structures in public right-of-way – The temporary use of sidewalk areas located within a public right-of-way shall be allowed for the following types of temporary structures: planter boxes, benches, sandwich board signs, retail merchandise, and four (4) tables with chairs. Use of the public right-of-way for retail merchandise shall be limited to business hours.

4. Outdoor Eating Areas on public sidewalks – The use of a public sidewalk as an outdoor eating area containing more than four tables shall only be permitted with administrative approval of the Community Development Director.

F. SUPPLEMENTAL REQUIREMENTS

This planned unit development shall comply with the following supplementary requirements:

1. Open Space Requirements - This development shall provide open space areas as shown on the attached Exhibit "C" in lieu of any other open space requirements of the Colleyville Land Development Code.

2. Park Land Dedication Fees – Payment of Park Land Dedication Fees at the rate applicable at the time of building permit shall be due and payable when a building permit is issued for each non-residential structure or primary single-family dwelling unit.

3. Street Right-of-Way Widths – These shall be established upon approval of the Final Plat using the street and alley design standards contained in Paragraph 7 below.

    a. Not later than 90 days from the date of approval of this ordinance , the developer shall convey to the City at no cost all necessary right-of-way to accommodate the roadway widening for the portion of Mission Lane located between Pleasant Run Road and Lot 1, Block 1 of the Village Front Door Addition such that said portion of the roadway can accommodate two-way automobile traffic. The final determination of the amount of right-of-way needed shall be performed by the Public Works Director. The sidewalk width requirements of Section 5(F)4 shall not apply to the portion of Mission Lane addressed in this section, specifically as it relates to the widening of the street.

4. Sidewalks – Sidewalks shall be required for all lots in this development. Where no sidewalks exist as of the passage of this ordinance, any new sidewalks constructed shall be a minimum of ten feet in width and shall comply with the Americans with Disabilities Act.

5. Garages/Accessory Buildings - The walls of the buildings shall be 100% masonry, constructed of similar materials as the building on the same building site and shall cover no more than 20% of the building site area, and they

may be connected to the main building by an enclosed walkway. These buildings shall comply with all other requirements in this ordinance.

6. Advertising Signs – Buildings may contain the following types of signs:

a. Wall Signs - The size of a wall sign shall be limited to the size of the building wall it is attached to: either 10 percent of the wall area or 1.5 square feet for each linear foot of the building's wall, whichever is less.

b. Projecting Signs - These may not exceed 20 square feet in size, with a clearance of at least eight feet above ground level.

c. Awning Signs - Individual letters on awning signs shall not exceed 12 inches in height.

d. None of the above signs shall be internally lit. These signs may be front-lit with lights that do not create an unreasonable glare on adjacent buildings.

e. Window Signs – Food and Lodging and Entertainment uses may use internally lit window signs (made of decorative neon) inside of their businesses. Any business shall be limited to a maximum of two window signs. Internally lit box signs are permitted.

f. Grand Opening Signs – When a certificate of occupancy has been issued for a new business and within one (1) year thereafter, one (1) Grand Opening Sign permit shall be allowed to advertise the new business. A Grand Opening Sign permit shall not be valid for more than sixty (60) days. No permit fee shall be required for a Grand Opening Sign permit. Only one grand opening sign may be placed at this location at any given time.

g. State Highway 26 (SH26) Off-Premise Signage – Businesses located within this development may place one temporary sign along SH26. Not more than two businesses may place a sign allowed by this section at any one time at this location. The signs must meet all

permitting and time restrictions for temporary business signs in the Land Development Code.
h. The signage authorized by sections f and g above shall be located at the southwest corner of Main Street and SH26 along SH26 with the permission of the property owner. The signs shall not be placed within any right-of-way and shall meet the visibility requirements stated in Chapter 7-Sign Regulations of the Land Development Code. Said signage shall not exceed eight (8) feet in height and eight (8) feet in width and shall not exceed 64 square feet in area. Said signage shall be composed of metallic material with the sign(s) message either painted on or wrapped over the metallic surface of the sign(s) as allowed by the Community Development Director. The sign(s) shall be affixed to a masonry or decorative metal support column on both sides.

i. Sandwich Board (A-Frame) Signs – One (1) temporary Sandwich Board sign shall be allowed per business, provided such sign does not exceed forty-eight inches (48") high and thirty-six inches (36") wide and is located in front of the business site. Sandwich Board Signs may be placed in front of another business site with the approval of that business owner. For the purpose of this regulation, Sandwich Board signs shall include easels and podiums.

7. Street and Alley Design

a. Two-way Street - The cross-section of the typical village street shall be comprised of twenty-four feet of drive lanes (two, twelve-foot lanes); two, seven-foot parallel parking spaces; and a ten-foot sidewalk on each side of the street. The total public right-of-way shall not be less than fifty-eight (58) feet wide.

b. One-way Street - A cross-section of a typical one-way street shall contain an eighteen-foot drive lane, one seven-foot parallel parking space and sidewalks ten (10) feet in width. The public right-of-way for a one-way street shall not be less than forty-five (45) feet.

c. Alley - The cross section of the typical alley shall contain twelve feet of pavement with green space on each side. The alley right-of-way width shall not be less than twenty (20) feet.

8. Public Area Landscaping – Public parks in the project shall be landscaped and irrigated according to plans approved by the City of Colleyville.

G. AMENITIES

1. Parks and Playgrounds - All or portions of certain lots identified on the project site plan must be set aside for public parks, meeting areas and playgrounds.

2. Sidewalk Amenities - Besides the trees and other landscaping, sidewalks may be constructed to contain the following amenities: bicycle racks, benches, bulletin boards, drinking fountains, underground electric outlets for sidewalk vendors, chess and checkers tables, and water fountains. All amenities shall be maintained by the Village Owner's Association.

3. Street Lights - The street lights may be either gas or electric and shall be installed on the sidewalks and be of a style which compliments that architectural style of the project's buildings. The final location and number shall be determined and approved by the Public Works Director.

4. Walking Paths - Certain paths in front of some lots and building sites will be for pedestrian and bicycle use only. These paths shall range from eight to twenty feet in width and shall be constructed of brick, stone and/or concrete.

5. Street Signs – Street signs may be attached on the appropriate buildings at each intersection. The signs, if attached, shall be placed fifteen (15) feet above street level and shall be front lit with a decorative lighting fixture. The signs shall contain eight-inch letters.

H. PARKING REQUIREMENTS

The parking requirements for this planned unit development shall be as follows and subject to review when the project is 50% complete:

1. Parking spaces shall consist of a combination of parking spaces provided on the street, on each building site, within a parking garage or in an open parking lot. Approximately thirty (30) percent of the parking requirements will be provided on the streets as streets are constructed within the development. The remaining seventy (70) percent of the parking requirements shall be provided as building permits are issued for each structure in accordance with the following requirements:

   a. Residential Uses – The parking requirements for residential units shall be as follows:
   (1) Ground floor – when a primary residence is located on the ground floor, two (2) parking spaces shall be provided on the same building site as the dwelling unit and one additional on-site parking space if the building site contains an ancillary residential unit.

   (2) Upper floor – when a primary residence is located on an upper floor, two (2) parking spaces shall be provided either on the same building site as the residence or in a parking lot or parking garage located within 400 feet of the residence. Said parking spaces shall not have been used in calculating parking needs for any other residence or use within the planned unit development.

   b. Non-Residential Uses (includes work/live units) – The parking requirements for non-residential uses shall be at a ratio of one (1) parking space per 400 square feet of floor area. Parking spaces shall either be located on the building site, in a parking lot, or in a parking garage. Said parking lot or parking garage shall be located within 400 feet of the use requiring the parking space. Said parking spaces shall not have been used in calculating the parking needs for any other use within the planned unit development.

c. Public Parking - Public parking lots and parallel parking spaces shall be located as shown on the attached Exhibit "C". All public parking shall be free of charge. Overnight parking shall be allowed. Any modification to the current configuration of parallel parking shall be approved specifically by site plan approval by the City Council.

d. 45 degree Angled Public Parking

(1) 45 degree angled public on-street parking spaces shall be allowed along both sides of Main Street between Village Lane and Pleasant Run Road.

(2) There shall be a minimum unobstructed pavement width of 28 feet maintained on Main Street between Village Lane and Pleasant Run Road.

(3) These spaces shall meet the minimum design specifications for parking spaces as stated in Section 3.29.1 – Parking Space Construction Standards in the Land Development Code, except where amended herein.

(4) No parking spaces may be placed such that a vehicle backing out of said space would impede the flow of traffic and/or create a threat to public safety within a street intersection.

I. PROPERTY OWNERS ASSOCIATION

Each property owner in the project shall be a member of the owners' association which shall collect quarterly fees from each property owner for payment for the following common services: landscaping, Village promotions and events, cleaning, security, marketing, architectural control and project administration. If a Village property owner fails to timely pay its association fees, the owners association's declaration of covenants shall enable it to file a lien against that owner's property.

J. CITY/DEVELOPER AGREEMENT

Not later than one year from the approval date of this ordinance, an amended city/developer agreement shall be approved by the City Council for this development between the City and the "developer" and/or their assigns, transferee(s) or designee(s) listed on the current, approved agreement. Said agreement shall, at a minimum, amend and repeal all previous city/developer agreements related to this development by creating a single updated new agreement. Failure to meet this requirement within the specified time frame shall be considered a violation of the terms of this ordinance on the part of the current named "developer", their assigns, transferee(s) or designee(s).

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 all provisions of the Land Development Code shall remain in full force and effect, except where amended herein.

Sec. 10. 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 4th day of December 2012.

The second reading and public hearing being conducted on the 18th day of December 2012.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 18th day of December 2012.

ATTEST:

Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit "A" –Location and Zoning Map

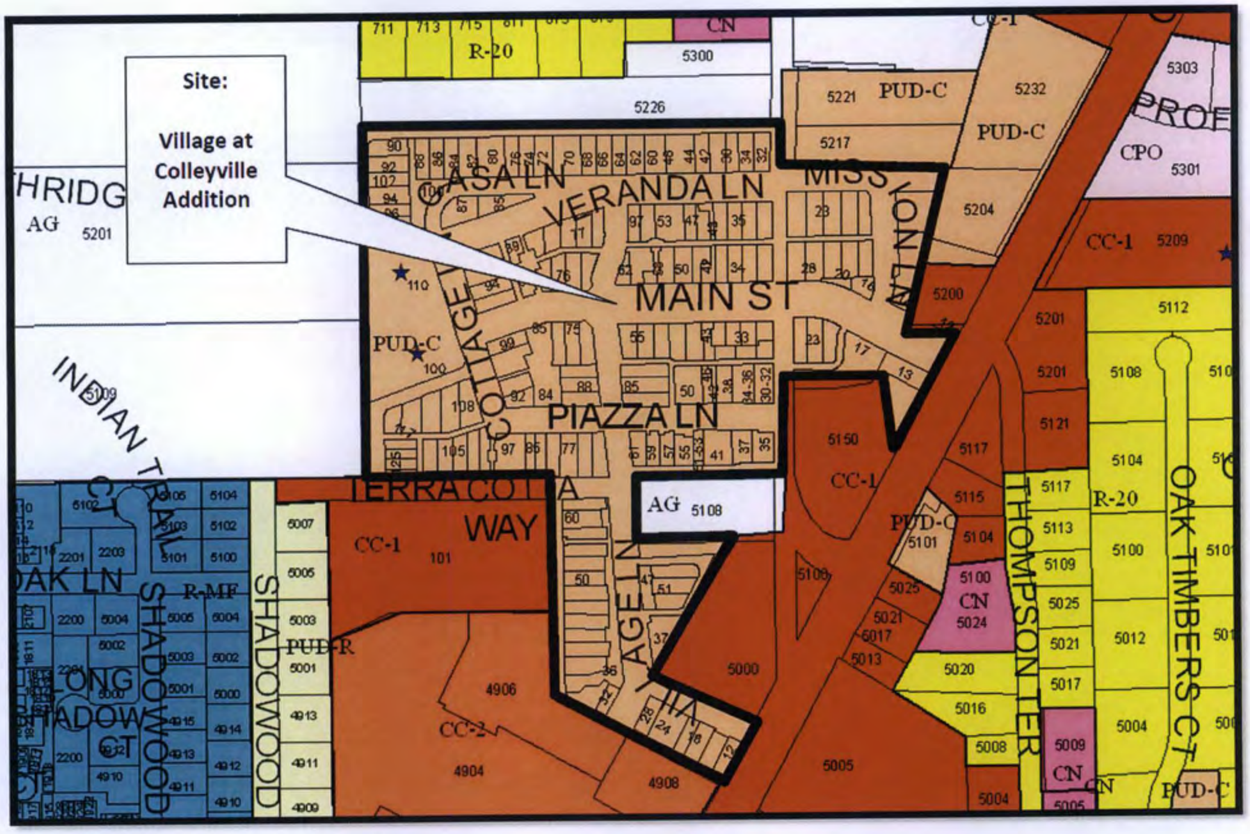


EXHIBIT "B"- Neighborhood Areas

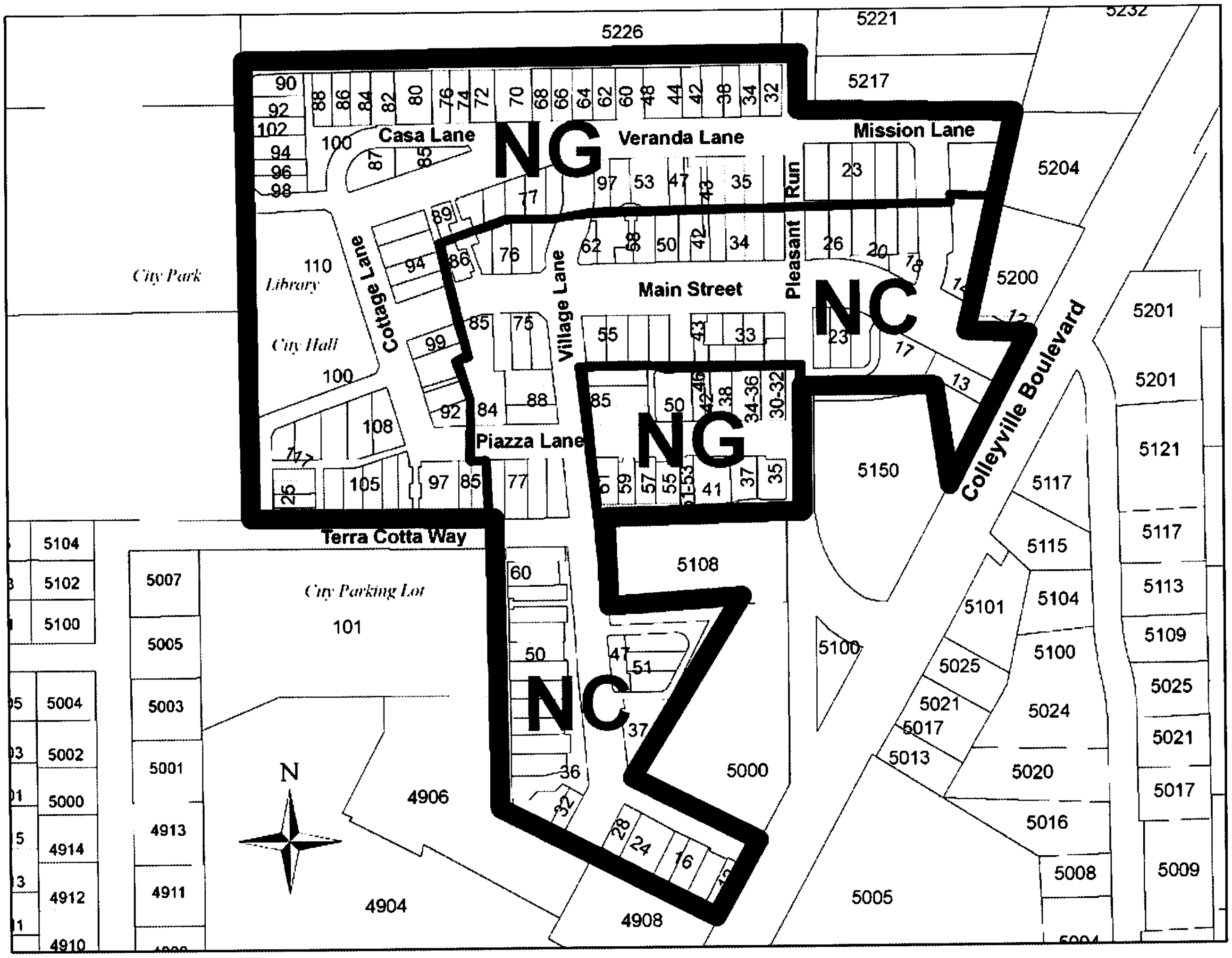
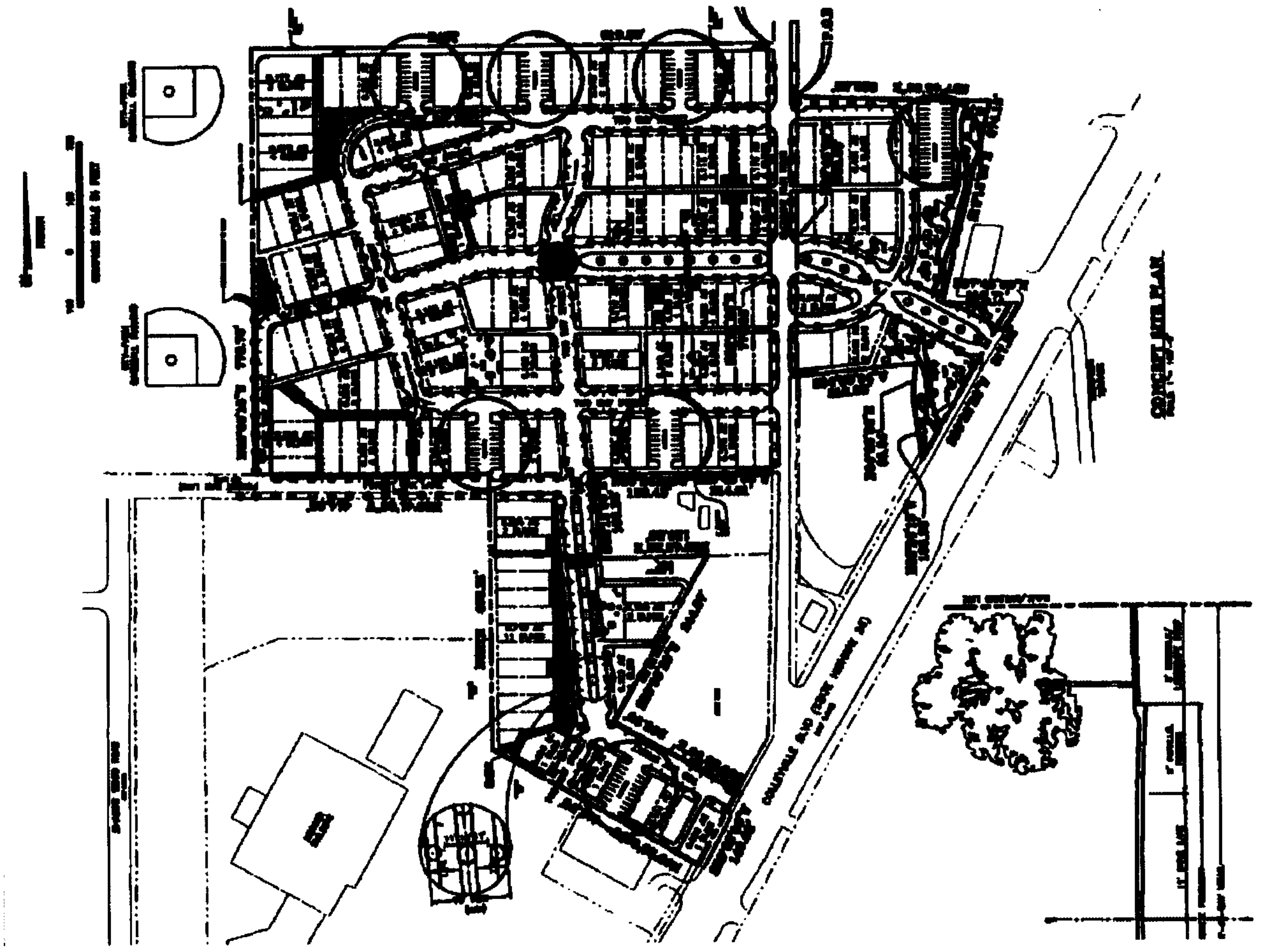


EXHIBIT "C"- Parking and Open Space Areas



ORDINANCE O-15-XXXX

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON .427 ACRES ON LOTS 2, 53, and 58, OF THE VILLAGE AT COLLEYVILLE ADDITION, LOCATED AT 18, 20, AND 26 MAIN STREET FROM THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT TO THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT, GENERALLY TO AMEND ORDINANCE O-12-1859 TO ALLOW FOR ANGLED PARKING; 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. ZC15-016; 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 .427 acres on Lots 2, 53, and 58, of the Village at Colleyville Addition, located at 18, 20, and 26 Main Street from the PUD-C Planned Unit Development Commercial District to the PUD-C Planned Unit Development Commercial District, generally to amend Ordinance 12-1859 to allow for angled parking, 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 special ordinance provisions as they amend Ordinance 12-1859:

H. Parking Requirements

...

1. Parking spaces shall consist of...

...

c. Public Parking – Public parking lots and parallel parking spaces shall be located as shown on the attached Exhibit “C.” All public parking shall be free of charge. Overnight parking shall be allowed. Any modification to the current configuration of parallel parking shall be approved specifically by site plan approval by the City Council. One said site plan has been approved by City Council and is attached as an amendment to this ordinance as Exhibit “C-1.”

d. 45 degree angled public on-street parking spaces shall be allowed along both sides of Main Street, between Village Lane and Pleasant Run and on the north side of Main Street between Pleasant Run and Mission Lane.

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 5th day of October 2015.

The second reading and public hearing being conducted on the 20h day of October 2015.

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

ATTEST:

Amy Shelley, TRMC
City Secretary

CITY OF COLLEYVILLE

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit A –Location and Zoning Map

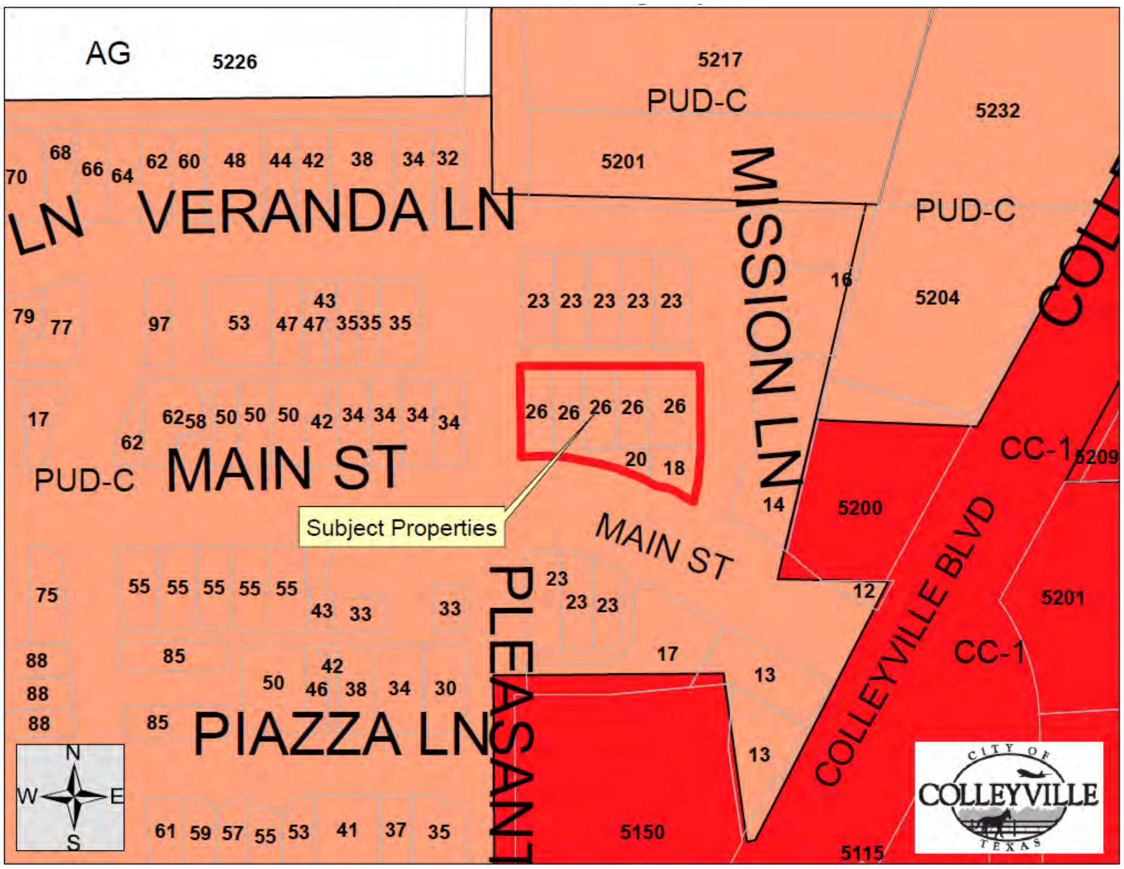


Exhibit C-1 – Site Plan Exhibit