



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, June 13, 2016

City Council Chambers

**PRE COMMISSION MEETING
6:30 P.M.
EXECUTIVE CONFERENCE ROOM
THIRD FLOOR**

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

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

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

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

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

1. APPROVAL OF MINUTES

May 9, 2016

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

3. PUBLIC HEARING AGENDA ITEMS

- 3a** Consideration of an amendment to the PUDC-Planned Unit Development Commercial District on Lots 1R, 2, and 3, Block 1 of the Village Park Addition, located at 1001, 1005, and 1009 Glade Road, Case ZC16-009

4. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards Friday, June 10, 2016, by 5:00 p.m.

Araceli Botello
Planning Technician

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, May 9, 2016

City Council Chambers

CALL MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by the Chairman Byerly on May 9, 2016, at 7:00p.m.

Roll Call

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

Staff Present: Shane Pace, Abra Nusser, Oscar Chavez, Cheryl Taylor, Rob McKeown, Matthew Butler (City Attorney), and Araceli Botello

1. APPROVAL OF MINUTES

Commissioner Phelps made a motion to approve the April 11, 2016 minutes as written. Commissioner Davis seconded.

The motion to approve the April 11, 2016 minutes as written carried by the following vote:

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

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

Julia Barth, 4810 Shadywood Lane, came forward and spoke regarding her property located at 5120 S.H. 121 (previously Mac's Bar and Grill) and the forthcoming Drunken Donkey restaurant.

3. PUBLIC HEARING AGENDA ITEMS

3a Consideration of a zoning change from the AG-Agricultural zoning district to the R20-Single Family Residential zoning district on Tracts 1A01H1 and 1A01G, of Abstract 1756, in the A T Young Survey, located at 4916 and 4928 Bills Lane, Case ZC16-002.

Shane Pace presented the case and briefed the Commission.

The public hearing was opened at 7:05 p.m.

There being no one wishing to speak, the public hearing was closed at

7:06 p.m.

Commissioner Wheelwright made a motion to withdraw Case ZC16-002. Commissioner Tornes seconded.

The motion to withdraw carried by the following vote:

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

- 3b** Consideration of a replat (Proposed Lots 1R1 & 17, Block 3, of the Highland Acres Addition), of Lot 1R, Block 3, of the Highland Acres Addition, and Tracts 1B & 1B2, Abstract 206, of the B.B.B. & C.R.R. Survey, located at 5108 Bransford Road, 409 Timberline Drive South, and 411 Timberline Drive South, Case PC16-004.

Shane Pace presented the case and briefed the Commission.

The public hearing was opened at 7:08 p.m.

Kathy Hadley, 204 North Timberline, came forward and spoke in opposition to this case.

There being no others present wishing to speak, the public hearing was closed at 7:12 p.m.

Commissioner Davis made a motion to approve Case ZC16-004. Commissioner Gotcher seconded.

The motion to approve carried by the following vote:

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

5. ADJOURNMENT

The meeting adjourned at 7:14 p.m.

The minutes were written and prepared by:



Shane Pace
Principal Planner

The meeting minutes were approved on _____ 2016, 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 06/13/2016	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of an amendment to the PUDC-Planned Unit Development Commercial District on Lots 1R, 2, and 3, Block 1 of the Village Park Addition, located at 1001, 1005, and 1009 Glade Road, Case ZC16-009

Explanation

Terry Lyons, the applicant, has submitted a request to amend the PUD-C – Planned Unit Development Commercial zoning on approximately 1.68 acres, located 1001, 1005, and 1009 Glade Road. As requested, the amendment would expand the permitted principal land uses on the subject property. The intent of the amendment is to achieve zoning compliance by permitting all existing land uses on the subject property not currently permitted by the governing PUD-C ordinance.

Existing Conditions: The subject property is currently platted as Lots 1R, 2, and 3, Block 1 of the Village Park Addition and generally located at the southwest corner of Glade Road and Bedford Road. The subject property consists of three commercial buildings with a variety of tenants.

Zoning: The subject property is currently zoned PUD-C – Planned Unit Development Commercial. The subject property was rezoned from the CC-1 Village Retail District and R-20 Single Family Residential District to PUD-C in May of 1996 by ordinance O-96-1024.

Statement of Planning Objectives: The applicant submitted a Statement of Planning Objectives which is attached for review. Included in the Statement of Planning Objectives, the applicant provided a detailed list of the current tenants, and their respective tenure on the subject property. As noted, a number of the existing businesses which are not in compliance with the PUD-C zoning have been operating on the subject property for many years.

Proposed Zoning Change: The governing PUD-C (Ordinance O-96-1024) stipulates that all uses must comply with the CPO–Professional Office District. The applicant is requesting to amend the existing zoning on the property to allow for the addition of the permitted principal land uses of the CN-Neighborhood Commercial District as well as one additional permitted principal land use of the CC-1 Village Retail District:

1. Apparel and Accessory Stores

The CPO zoning district does not permit three of the existing land uses on the subject property (apparel and accessory stores; beauty shops or day spas; restaurants, cafes and cafeterias). This limitation in the zoning appears to have been overlooked when Certificate of Occupancy applications were approved in the past.

The applicant is requesting to allow the existing restaurant (Mr. Jim's Pizza) to continue operations at this location, without permitting future restaurants on the subject property. Should the request be approved, the ordinance will include the following special ordinance provision: "upon termination or abandonment of the existing restaurant use, future uses shall thereafter conform to the regulations applicable to the governing zoning ordinance."

Table 3.24 B, Schedule of Permitted Principal Uses, details the permitted land uses for each zoning district located within the City. The following excerpt identifies the permitted principal land uses for the CPO and CN Districts:

**P-Permitted; S-Special Use Permit; Gray-Not Permitted*

	CPO	CN
F. Office Uses		
Accountant's Offices	P	P
Advertising Agencies	P	P
Attorney Offices	P	P
Chiropractic Clinics	P	
Engineering, Architect's, and Surveyor's Offices	P	P
General Business Offices not elsewhere listed	P	P
Insurance Agencies	P	P
Management and Public Relations Services Offices	P	P
Optometrist Office	P	
Psychologist Offices	P	P
Physician's or Dentist's Offices	P	
Real Estate Agency Offices	P	P
Security Broker Offices	P	P
Title Abstract Offices	P	P
Travel Agency/ Airline Ticket Offices	P	P
	CPO	CN
G. Retail and Services Uses		
Alcohol or Drug Treatment Center	S	S
Banks, Credit Unions and Financial institutions		P
Barber Shops, Beauty Shops, and Day Spas		P
Cemeteries or Mausoleums	S	S
Civic, Social or Fraternal Organizations	S	S
Copy Centers/Print Shops	S	S
Dance Studios and Martial Arts Studios	S	S

Day Care Centers	S	S
Dry Cleaner Pick-up Stations		S
<i>Florist Shops</i>		P
Hardware, electrical & plumbing w/o outside display		P
Interior Decoration Stores	P	P
Locksmiths		S
Jewelry Stores		P
Mailing and Shipping Stores		P
Pharmacy		S
Photography Studios	P	P
Self-service Laundries		S
Shoe Repair Shops		P
Tailor and Alteration Shops		P
	CPO	CN
H. Recreational and Entertainment Uses		
Golf Courses- Privately Owned	P	P
Commercial Recreation (outdoor)		S
I. Automotive and Transportation Uses		
Airports and Heliports	S	S
Auto Parking Lots and Garages (free standing)	S	S
Additional Land Uses Requested to be Permitted		
Apparel and Accessory Stores		
Restaurants, Cafes and Cafeterias		

Analysis: The governing PUD-C does not permit the principal land uses for four of the seven existing tenants currently operating on the subject property, thus resulting in a zoning violation. When a property is occupied by a land use not permitted in the governing zoning district, or the governing zoning ordinance, a zoning violation occurs. The zoning violation on the subject property was discovered by staff after receiving an inquiry from a prospective tenant (DFW MedSpa). Upon discovering the violation, the property owner (Terry Lyons) made application to amend the PUD-C in an effort to address all outstanding zoning violations, and bring all existing land uses into compliance. Although the nonconforming land uses were approved by previous City staff through the issuance of a Certificate of Occupancy, the subject property remains in violation of the governing zoning. Section 1.8 of the Land Development Code clearly determines that the issuance of a Certificate of Occupancy, in no way constitutes approval of a violation to the zoning regulations.

Chapter 1 (General Provisions) of the Land Development Code establishes the requirements for compliance with the Land Development Code and all other ordinances within the jurisdiction of the City. Further, Section 1.8-Compliance Required states:

"...No approval, authorization to proceed, or issuance of any certificate or permit shall be construed as an approval of a violation of the provisions of this document or of other ordinances of the City of Colleyville. Certificates presuming to give authority to violate or cancel the provisions of this document or of other ordinances of the jurisdiction shall be void."

The request to amend the PUD-C by including all CN-Neighborhood Commercial land uses along with one additional land use from the CC-1 Village Retail District (Apparel and Accessory Stores), and the conditioned approval of the existing restaurant (Mr. Jim's Pizza) will resolve all zoning violations on the subject property. Further, it will allow for the property owner to fully lease the remaining space to tenants of similar land uses to those existing today. The existing land uses along with the requested amendment, are generally consistent with the surrounding commercial land uses. Therefore, the proposed amendment should not have adverse impacts on adjacent properties.

Finally, staff conducted a parking analysis which is attached for review to ensure current and future zoning compliance. The analysis evaluated parking for all existing tenants, as well as any proposed future tenants (i.e. DFW MedSpa). The results of the parking analysis identify 68 parking spaces on the subject property, with a total of 64 spaces required, per the existing land uses. Based on this information the property is currently in compliance with the parking regulations of Chapter 3 (Land Use) of the Land Development Code. Additionally, there are no anticipated parking compliance issues should the subject property be fully leased.

Surrounding Development: The table below reflects the surrounding zoning and existing land uses for the subject property as further illustrated on the attached zoning and aerial maps:

CC-1 Village Retail (Undeveloped)	R-20 Single Family Residential (Single Family Home)	PUD-C Planned Unit Development – Commercial O-07-1643 (Office Use)
CC-1 Village Retail (Shandorza Spa & Salon)	<i>Subject Property</i> PUD-C Planned Unit Development – Commercial O-96-1024 (Commercial Uses)	R-20 Single Family Residential (Single Family Home)
R-20 Single Family Residential (Single Family Home)	R-20 Single Family Residential (Single Family Home)	R-20 Single Family Residential (Single Family Home)

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property as located within the Commercial land use. This land use

category is comprised of commercial development (e.g., retail, professional services, office). The current character of these areas is dominated by streets, access driveways, and surface parking areas that are frequently located in the front of the building. Moving forward, the desired character of these commercial areas is more visually attractive development with architectural styles that are less residential in character, have less parking along the front, and improved landscaping. These land uses are generally found along the major roadways of Precinct Line Road, SH 121, and Cheek-Sparger Road in order to take advantage of larger volumes of traffic.

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

Staff Recommendation: The requested PUD-C amendment will address all zoning violations on the subject property and bring the site into compliance. Additionally, the proposed addition of CN-Neighborhood Commercial District permitted principal land uses, along with "Apparel and Accessory Stores" should not adversely impact the surrounding properties. Staff recommends approval.

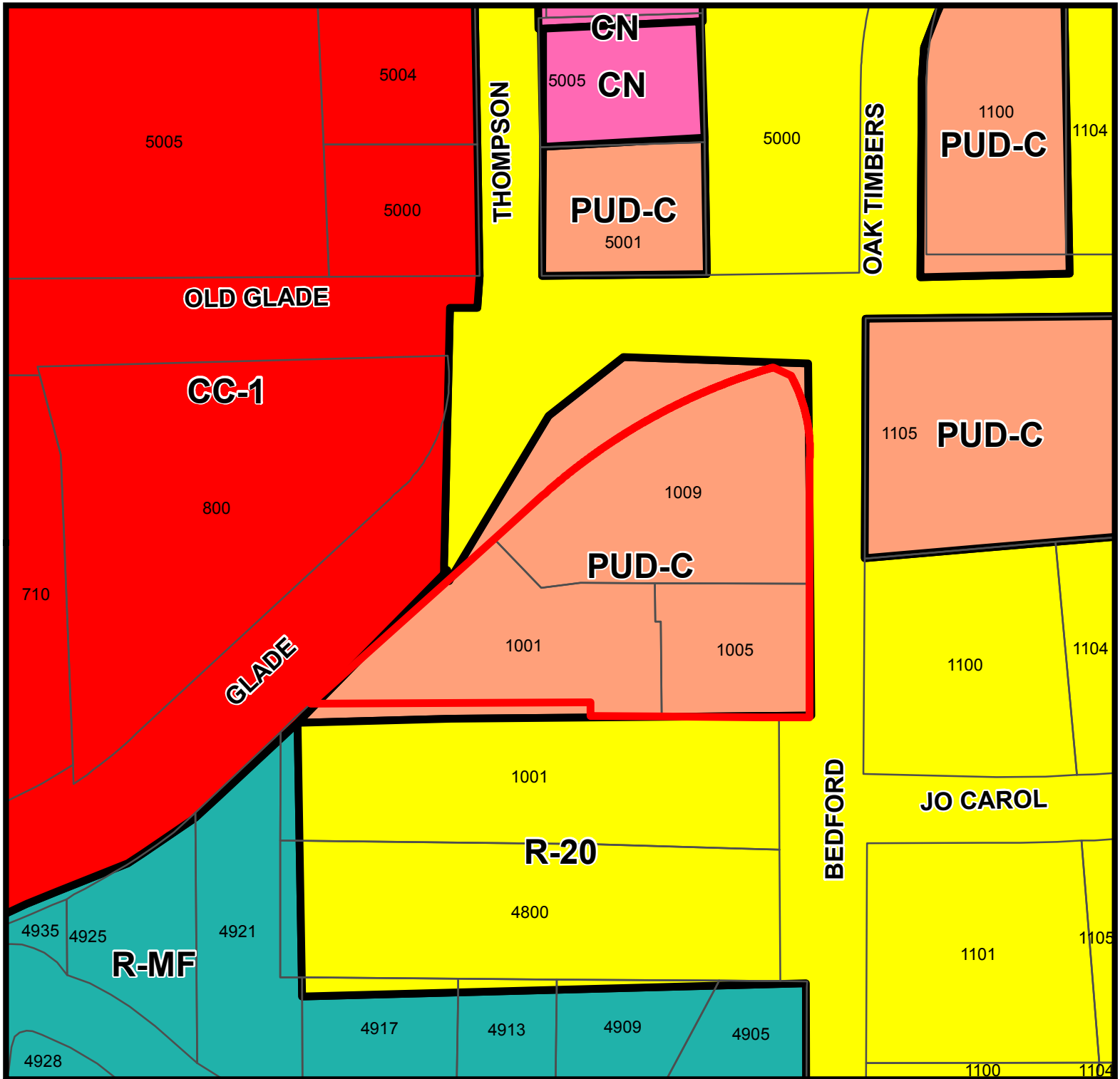
Recommendation

Approve

Attachments

1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Zoning Exhibit
6. Parking Analysis
7. Notification Map
8. Notification List
9. Existing Ordinance (O-96-1024)
10. Draft Ordinance

ZONING MAP



ZC16-009

1001, 1005, 1009 GLADE ROAD



1 inch = 104 feet



Subject Property

Vicinity Map



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which may exist.

AERIAL MAP



ZC16-009

1001, 1005, 1009 GLADE ROAD

Legend

 Subject Property



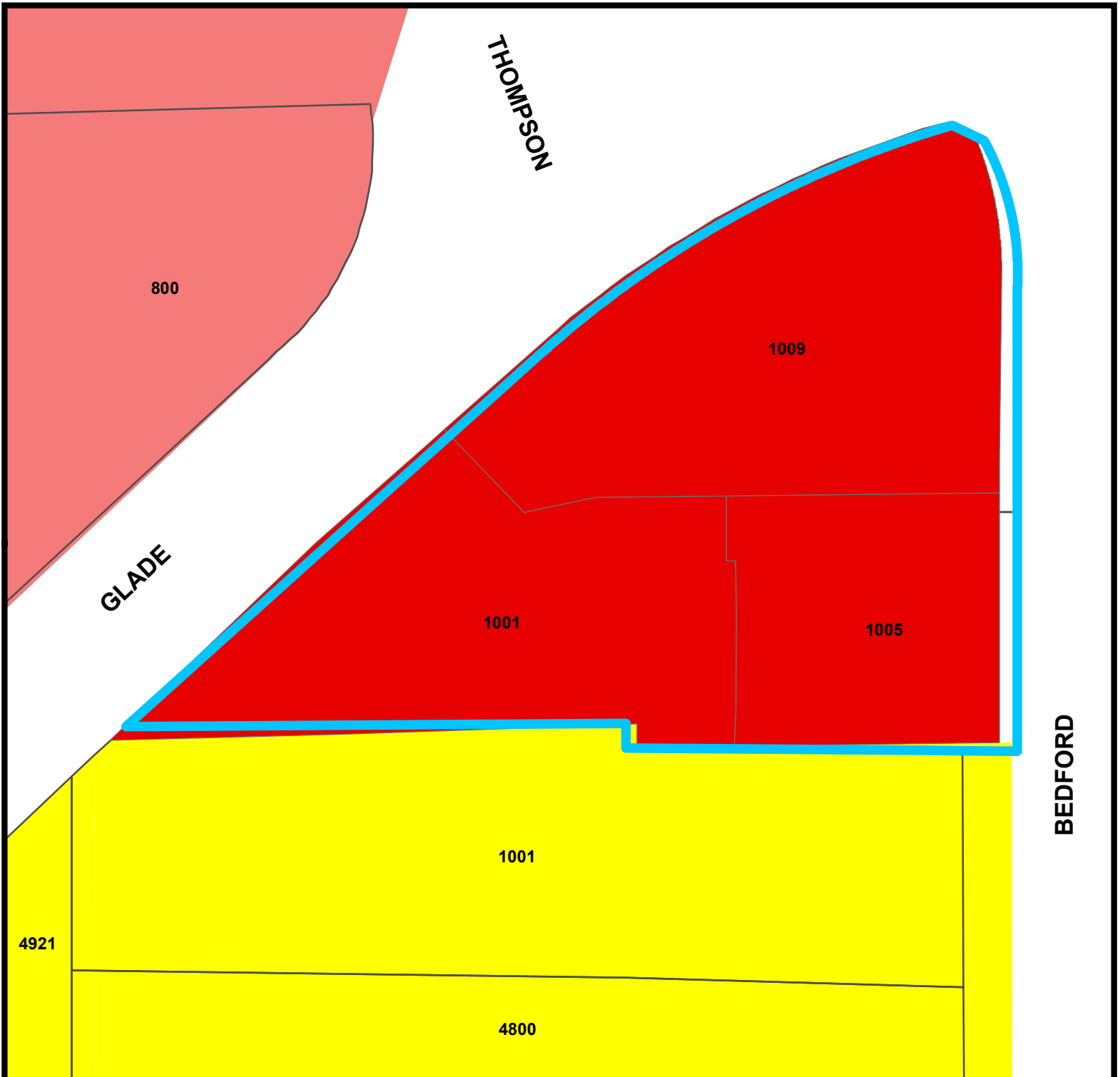
1 inch = 104 feet

Vicinity Map



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FUTURE LAND USE MAP



ZC16-009

1001, 1005, 1009 GLADE ROAD

- | | |
|--|---|
|  Subject Property |  INSTITUTIONAL |
|  RESIDENTIAL |  PARKS/ OPEN SPACE |
|  COMMERCIAL |  COLLEYVILLE BLVD CORRIDOR |



1 inch = 58 feet

Vicinity Map



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Statement of Planning Objectives

Glade Road Capital, LLC

P O Box 1821
Colleyville, Texas 76034
(817) 992-0505

May 27, 2016

Mr. Shane Pace
Principal Planner Community Development
City of Colleyville

Re: Statement of Planning Objectives and Request for Zoning Amendment
1001, 1005, and 1009 Glade Road, Colleyville, Texas
1.688 acres out of the T.J. Polson Survey, Abstract 1248, Tracts 1B, 1B2, 1B1, and 1B1B

Dear Shane:

We are requesting that the Planning and Zoning Commission amend the current PUD for the above referenced property by adding the Permitted Principal uses of CN and the following individual uses.

Apparel and Accessory Stores

These three properties were purchased individually by Glade Road Capital, LLC on the below dates:

1009 Glade Road Building – purchased in January, 2003
1001 Glade Road Building – purchased in November, 2004
1005 Glade Road Building – purchased in April, 2005

For property tax purposes, the Tarrant Appraisal District considers the three buildings as one retail center.

The below tenants have occupied the three buildings for several years:

1001 Glade Road Building

Suite 100	Mr. Jim's Pizza	since April, 2007
Suite 110	GirliGirl Boutique	since December, 2006
Suite 120	Colleyville Chiropractic	since July 2014
	(Prior to July 2014 occupied 1009 building since prior to Jan 2003)	
Suite 130	Vacant (possible Yoga studio)	

1005 Glade Road Building

GRC Professional Executive Suites	since May, 2014
-----------------------------------	-----------------

Statement of Planning Objectives

1009 Glade Road Building

Suite A	B. Haute Salon	since October, 2014
Suite B	Vacant (possible Beauty Salon)	
Suite C	Classis Image Salon	since August, 2009
Suite D	Excellent Living Ministries	since November, 2014
Suite E	Vacant (possible Day Spa)	

The buildings were originally zoned CC-1 but changed to PUD-C in April 1996. The area surrounding the buildings has changed significantly over the 20 years. There are several beauty salons and day spas located in the area.

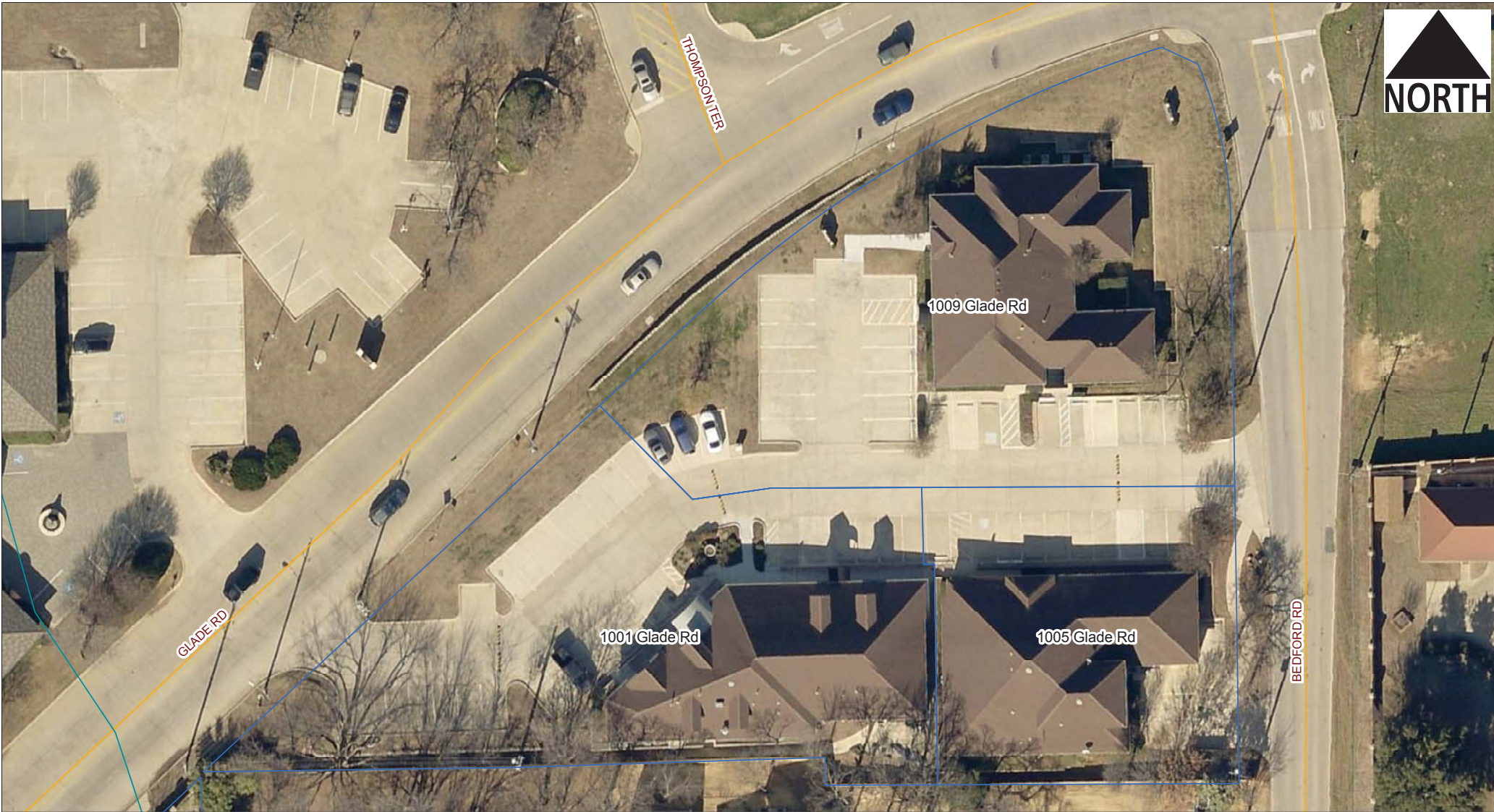
We are requesting that the Planning and Zoning Commission and City Council approve the amended uses in order to bring the buildings into compliance with the City of Colleyville zoning for the tenants that have occupied the three buildings for almost a decade and future possible tenants.

If you have any questions, please give me a call at (817) 992-0505

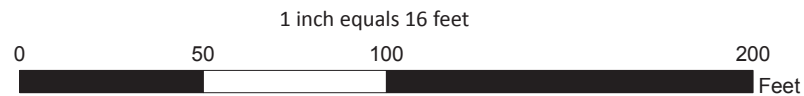
Best regards,

Terry Lyons
Owner

Zoning Exhibit



 Lot Boundaries
 City Streets



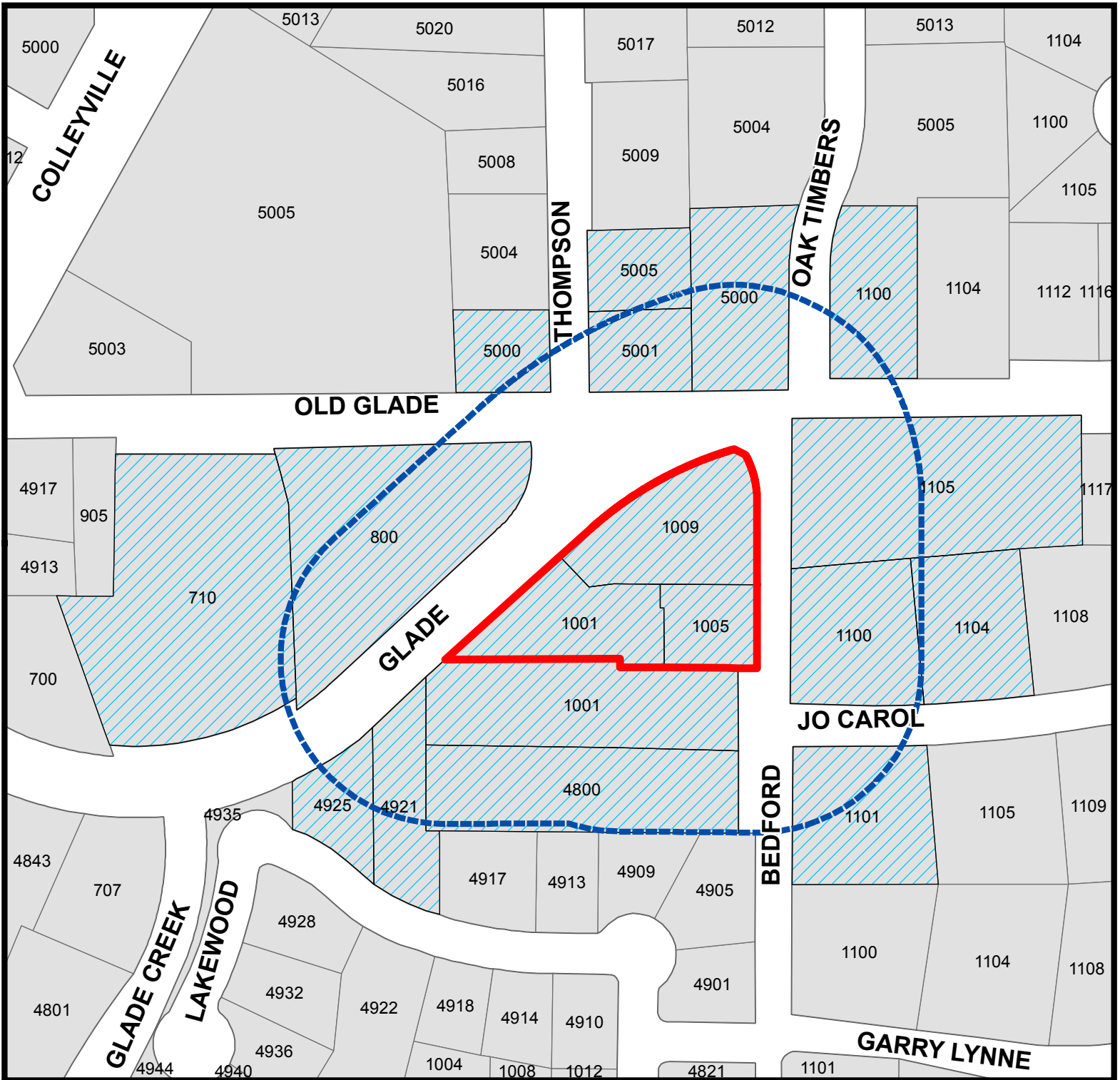
Scaled Page Size: 24 x 36

Zoning Exhibit
ZC16-009 - PUDC Amendment
1001, 1005, 1009 Glade Road

Parking Analysis

Glade Road Capital, LLC				
As of June 1, 2016				
		Rentable	Parking	Parking
		Leased	Ratio	Required
Suite #	Tenant	Sq. Ft.		
<u>1001 Glade Road Building</u>				
100	Goalmet Enterprises, LLC	1,326	1/200	6.63
	dba/ Mr. Jim's Pizza			
110	ETC Special Marketing, Inc.	1,552	1/200	7.76
	dba/ GirliGirl Gifts			
120	Dr. Alicia Castello - Colleyville Chiropractic	1,174	1/300	3.91
130	Vacant	988		
		5,506		
Total Parking Required				18.30
Total Parking Provided				30
<u>1005 Glade Road Building</u>				
1005	GRC Executive Suites	5,891	1/300	19.64
		5,891		
Total Parking Required				19.64
Total Parking Provided				13
<u>1009 Glade Road Building</u>				
A	B. Haute Salon	858	1/200	4.29
B	Vacant (Potential Salon Expansion)	650	1/200	3.25
C	M K Wallace Enterprises, Inc.	1,070	1/200	5.35
	and Kristy Wallace			
	dba/ Classic Image Salon			
D	Excelent Living Ministries	1,178	1/200	5.89
E	Vacant (Potential MedSpa)	1,339	1/200	6.70
Total Parking Required				25.48
Total Parking Provided				25
Summary				
Total Parking Required				63.42
Total Parking Provided				68

NOTIFICATION MAP



ZC16-009

1001, 1005, 1009 GLADE ROAD



1 inch = 167 feet

-  Subject_Property
 200 ft Buffer
 Properties within 200 ft

Vicinity Map



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Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
ACROPOLIS INC	15233 VENTURA BLVD SUITE 1160	SHERMAN OAKS, CA	91403	5001 THOMPSON TERR
ACROPOLIS INC	15233 VENTURA BLVD SUITE 1160	SHERMAN OAKS, CA	91403	5005 THOMPSON TERR
BONEY, TRAVIS	4925 LAKEWOOD DR	COLLEYVILLE, TX	76034	4925 LAKEWOOD DR
DELGADO, MARK ETAL	5000 THOMPSON TERR	COLLEYVILLE, TX	76034	5000 THOMPSON TERR
ESCOBAR, ROSA	4804 BEDFORD RD	COLLEYVILLE, TX	76034	
GLADE ROAD CAPITAL LLC	PO BOX 1821	COLLEYVILLE, TX	76034	1005 VILLAGE PARK DR
GLADE ROAD CAPITAL LLC	PO BOX 1821	COLLEYVILLE, TX	76034	1009 GLADE RD
GLADE ROAD CAPITAL LLC	PO BOX 1821	COLLEYVILLE, TX	76034	1001 VILLAGE PARK DR
HOA - LAKEWOOD ESTATES	6707 BRENTWOOD STR RD	FORT WORTH, TX	76112	4921 LAKEWOOD DR
HOLLAND, AXEL	1100 JO CAROL ST	COLLEYVILLE, TX	76034	1100 JO CAROL LN
KING, DALE L	PO BOX 371	COLLEYVILLE, TX	76034	5000 OAK TIMBERS CT
MOORE, VICKI LYNN EST	PO BOX 134	COLLEYVILLE, TX	76034	1101 JO CAROL LN
NOBEL SOURCE COMPANY LLC	640 S HILL ST STE 341	LOS ANGELES, CA	90014	800 GLADE RD
PETERSON, BARBARA LISA	1104 JO CAROL ST	COLLEYVILLE, TX	76034	1104 JO CAROL LN
PREMIER OFFICE EQUITIES	1117 GLADE RD STE 140	COLLEYVILLE, TX	76034	1117 GLADE RD
SEHAT, MAJID	4800 BEDFORD RD	COLLEYVILLE, TX	76034	4800 BEDFORD RD
THOMPSON BENJAMIN ETUX YEE-PIN	1100 GLADE RD	COLLEYVILLE, TX	76034	1100 GLADE RD
Y2KITCHEN PROPERTIES LLC	5003 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	710 GLADE RD

LAKEWOOD ESTATES c/o Lakeridge Property Management	P.O. BOX 1018	COLLEYVILLE, TX	76034	COURTESY NOTICE
GLADE ROAD CAPITAL LLC	PO BOX 1821	COLLEYVILLE, TX	76034	APPLICANT
GRAPEVINE COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were
mailed Friday, May 27, 2016 by
Araceli Botello

Existing Ordinance

ORDINANCE 0-96-1024

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF 1.688 ACRES OUT OF THE T.J. POLSON SURVEY, ABSTRACT 1248, TRACTS 1B, 1B2, 1B1, 1B1B, IN THE CITY OF COLLEYVILLE, TEXAS FROM THE CC-1 (VILLAGE RETAIL) AND R20 (SINGLE FAMILY RESIDENTIAL, MINIMUM LOT SIZE 20,000 S.F.) DISTRICT TO THE PUD-C (PLANNED UNIT DEVELOPMENT-COMMERCIAL) DISTRICT; PROVIDING A PENALTY AND AUTHORIZING PUBLICATION.

WHEREAS, an application for zoning change was filed by William Mitchell, President, Cavallino Properties, LTD, on March 05, 1996 under Case No. Z-96-052; and,

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

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

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

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

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

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

Sec. 1. THAT the Master Plan, the Zoning Ordinance of the City of Colleyville, Texas, and the accompanying Zoning Map (as indicated in Exhibit A) are hereby amended insofar as they relate to certain land located in Colleyville, Texas, described by metes and bounds (Exhibit B) by changing the zoning of said property from the CC-1 and R20 districts to the PUD-C district

Existing Ordinance

Ordinance O-96-1024

Page 2 of 7

together with all site plans, supporting documents, and other conditions and restrictions imposed and approved by the Council which are incorporated herein by reference including, but not limited to: the Statement of Planning Objectives which is Attachment 1 to this ordinance; the Conceptual Site Plan, which is Attachment 2 to this ordinance; and subject to the following conditions:

- A. Final location of buildings subject to horizontal site distance limitation to be approved by the Development Review Committee and noted on the final plat.
- B. The following tree preservation plan:
 - 1. Total preservation on site shall be required for all trees with a diameter of 20 inches or greater.
 - 2. After preservation of all trees 20 inches or greater, 100% exemption of Mulberry and Cottonwood trees under the building foot print shall be permitted and a 90% exemption of all other caliper inches under the foot print shall be permitted.
 - 3. After a calculation of the total caliper inches outside the footprint including those trees which must be preserved, 20% of the caliper inches outside the foot print shall be exempt.
- C. With the exception of setback requirements established by this concept drawing and the final plat, all other land use, area, parking, landscaping, screening, design and administrative provisions of the CPO district shall apply.

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

Sec. 3. 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.

Existing Ordinance

Ordinance O-96-1024
Page 3 of 7

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 16th day of April, 1996.

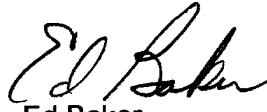
The second reading and public hearing being conducted on the 7th day of May, 1996.

ATTEST:

CITY OF COLLEYVILLE



Jean Harris, CMC
City Secretary



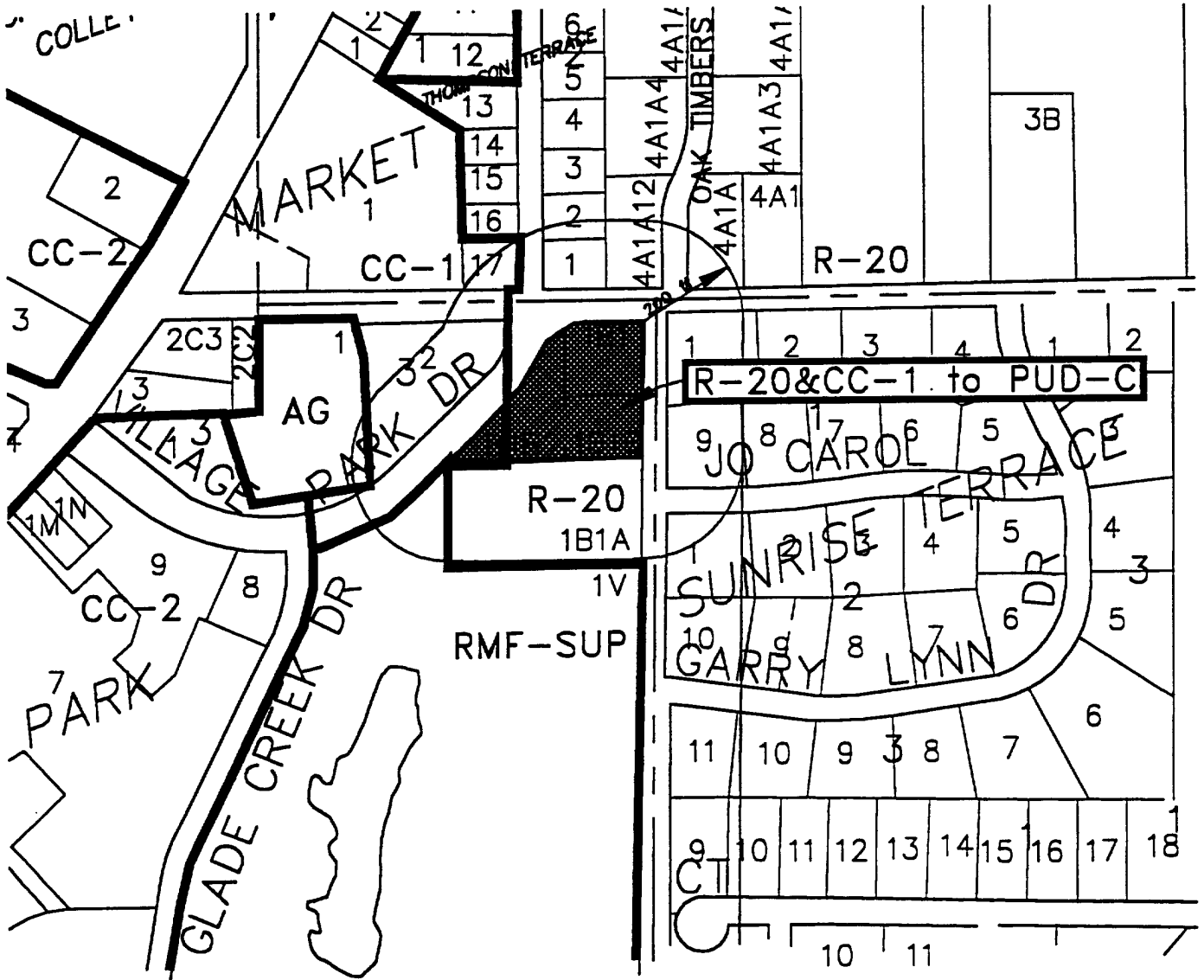
Ed Baker
Mayor

APPROVED AS TO FORM AND LEGALITY:



Ross T. Foster
City Attorney

Existing Ordinance



ORDINANCE O-96-1024
EXHIBIT "A"

Existing Ordinance

EXHIBIT A

ZONING CHANGE REQUEST from CPO & R-20 to PUD-C

PROPERTY DESCRIPTION

BEING all that certain tract, parcel, or lot of land located in the T. J. POLSON SURVEY, Abstract No. 1248, Tarrant County, Texas, and more particularly described as follows

BEGINNING at a point at the intersection of the south right-of-way line of Glade Road (a 65 foot right-of-way) and the west right-of-way line of Bedford Road (a variable width right-of-way);

THENCE S 00°01'31" E, 282.71 feet along the west right-of-way line of said Bedford Road;

THENCE departing said west right-of-way line N 89°24'43" W, 161.08 feet to a point;

THENCE North, 10.49 feet to a point;

THENCE S 88°57'24" W, 116.57 feet to a point;

THENCE N 89°58'24" W, 117.93 feet to a point in the southerly right-of-way line of Village Park Drive (a 70 foot right-of-way dedicated to the City of Colleyville by plat recorded in Volume 388-195, Page 23, Plat Records, Tarrant County, Texas;

THENCE N 48°02'33" E, 163.02 feet along said right-of-way line to the beginning of a tangent curve to the left, with a central angle of 26°58'23", a radius of 260.00 feet, a tangent length of 62.36 feet, and a long chord which bears N 34°33'21" E, 121.27 feet;

THENCE an arc length of 122.40 feet along said tangent curve and along said right-of-way line to the beginning of a tangent curve to the right, with a central angle of 69°04'33", a radius of 100.00 feet, a tangent length of 68.83 feet, and a long chord which bears N 55°36'26" E, 113.39 feet;

THENCE an arc length of 120.56 feet along said tangent curve to a point in the south right-of-way line of the aforementioned Glade Road;

THENCE S 89°51'19" E, 111.61 feet to the POINT OF BEGINNING, containing 1.6688 Acres (72,692 square feet) of land, more or less.

ORDINANCE O-96-1024 EXHIBIT "B"

Existing Ordinance

Cavallino Properties, LTD.

March 8, 1996

City of Colleyville
City Council and
Planning & Zoning Commission
P. O. Box 185
Colleyville, Texas 76034

RE: Property along the south side of Glade Rd. between Village Park Drive
and Bedford Road

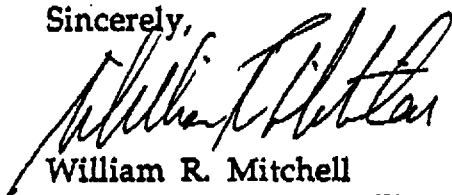
Dear Ladies & Gentlemen:

At the request of the planning staff we are writing this letter to describe our intentions for development on the referenced property. We are requesting PUD-C zoning to allow the construction of commercial buildings on this property. We anticipate build-to-suit opportunities of Office or Professional use, primarily in smaller buildings that can be nestled among the trees on this site.

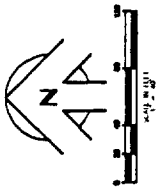
We anticipate that construction will begin on the first building in the next 12-18 months.

We thank you for your consideration on this zoning request and look forward to working with the city on this project.

Sincerely,



William R. Mitchell
General Partner, Cavallino Properties, Ltd.



PROPERTY DESCRIPTION

RECORD and best interest tract, parcel, or lot of land located in the City of Collegeville, Tarrant County, Texas, and more particularly described as follows:

RECORDING of a portion of the intersection of the south right-of-way of Glade Road (1.65, but right-of-way) and the west right-of-way line of Redford Road (1.50 but right-of-way).

RECORD 8.00'13" E 200.71' feet along the west right-of-way line of Redford Road.

RECORD 10.00' feet to a point.

RECORD North 10.40' feet to a point.

RECORD S 88°27'4" E 118.37' feet to a point.

RECORD N 88°27'4" E 117.93' feet to a point in the southerly right-of-way line of Redford Road (1.50 but right-of-way) as shown on the plat recorded in the City of Collegeville, Tarrant County, Texas.

RECORD N 88°27'4" E 117.93' feet along and right-of-way line to the beginning of a tangent curve to the left with a tangent length of 113.36' feet, a radius of 100.00' feet, a central angle of 113.36' feet, and a long chord which bears N 25°28'32" E 113.36' feet.

RECORD on arc length of 122.40' feet along said tangent curve to a point in the south right-of-way line of the intersection of these roads.

RECORD S 88°27'4" E 117.93' feet to the POINT OF BEGINNING, corner of the 1.50 but right-of-way line of Redford Road.

Existing Ordinance

ZONING EXHIBIT

for

ZONING CHANGE REQUEST

from CC-1 & R-20 to PUD-1

for a

1.6688 ACRE TRACT

out of the

T.J. POILSON SURVEY, ABST. 12

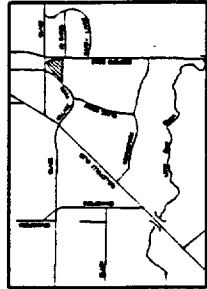
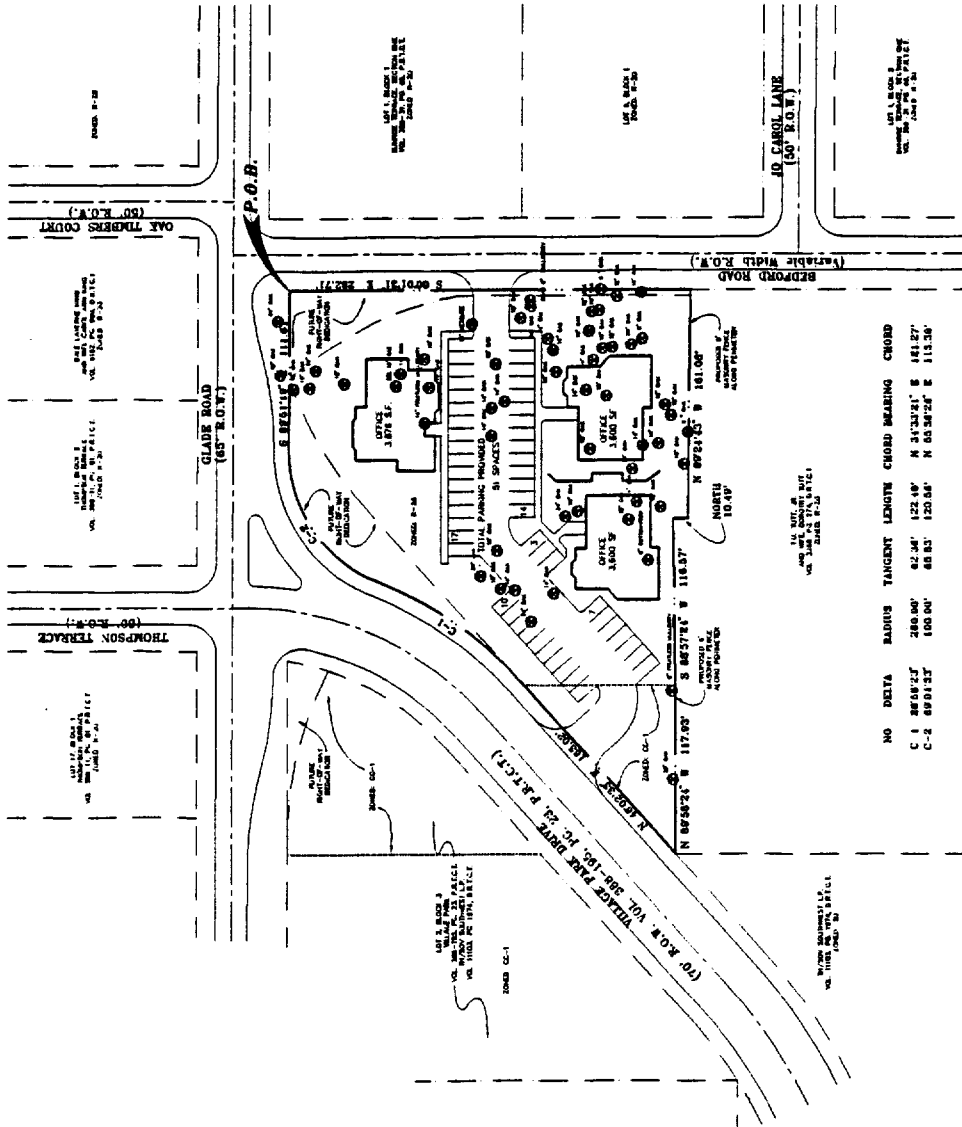
in the

City of Collegeville, Tarrant County, Texas

OFFICE / INTERPRETER:
CIVIL ENGINEER, L.P.
RECORDING & SURVEYING
COLLEGEVILLE, TEXAS 76044
(817) 440-1200
FAX (817) 440-1204

RECORDING & SURVEYING
RECORDING & SURVEYING
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(817) 440-1200 (817) 440-1204
FAX (817) 440-1204

1.6688 ACRE TRACT



NO	DELTA	RADIUS	TANGENT	LENGTH	CHORD	BEARING	CHORD
C-1	88°58'23"	200.00'	62.34'	122.40'	N 34°32'21" E	141.27'	
C-2	88°01'35"	100.00'	60.83'	120.54'	N 53°34'24" E	113.36'	

GROSS AREA OF TRACT = 1.6688 ACRES
GROSS AREA OF PUD-1 ZONE = 1.5000 ACRES
GROSS AREA OF CC-1 ZONE = 0.1688 ACRES
GROSS AREA OF R-20 ZONE = 0.0000 ACRES
GROSS AREA OF PUD-1 ZONE = 0.0000 ACRES
GROSS AREA OF CC-1 ZONE = 0.0000 ACRES
GROSS AREA OF R-20 ZONE = 0.0000 ACRES
GROSS AREA OF PUD-1 ZONE = 0.0000 ACRES
GROSS AREA OF CC-1 ZONE = 0.0000 ACRES
GROSS AREA OF R-20 ZONE = 0.0000 ACRES

This is a concept plan only. Any building locations and setbacks within 80 feet of the apex of the property lines at Glade Road will be conditioned on a site distance study to be performed separately by the applicant. The ultimate location and setbacks will be determined by the staff.

ORDINANCE O-96-1024 CONCEPTUAL SITE PLAN ATTACHMENT 2

ORDINANCE O-16-XXXX

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 1.68 ACRES, LOTS 1R, 2, AND 3, BLOCK 1, OF THE VILLAGE PARK ADDITION, LOCATED AT 1001, 1005, AND 1009 GLADE ROAD, FROM THE PUD-C – PLANNED UNIT DEVELOPMENT COMMERCIAL DISTRICT TO THE PUD-C – PLANNED UNIT DEVELOPMENT COMMERCIAL DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case ZC16-009; and

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

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

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

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

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

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 1.68 acres, Lots 1R, 2, and 3, Block 1 of the Village Park Addition, located at 1001, 1005, and 1009 Glade Road, from the PUD-C – Planned Unit Development Commercial District to the PUD-C – Planned Unit Development Commercial District, as depicted in the attached Exhibit “A” and Exhibit “B”.
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The permitted principal land uses of the CPO-Professional Office District, and CN- Neighborhood Commercial District shall be the only permitted land uses on the subject property except as amended by this ordinance.
- b. The following additional land use shall be permitted on the subject property:
 - a. Apparel and Accessory Stores

- c. Upon termination or abandonment of the existing restaurant use, future uses shall thereafter conform to the regulations applicable to the governing zoning ordinance."

- Sec. 5. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 6. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 7. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 17TH DAY OF JULY 2016.

Mayor Richard Newton	_____	Mayor Pro Tem Chris Putnam	_____
Place 1, Tammy Nakamura	_____	Place 5, Nancy Coplen	_____
Place 2, Bobby Lindamood	_____	Place 6, Mike Taylor	_____
Place 4, Jody Short	_____		

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

Exhibit “A”- Zoning Map

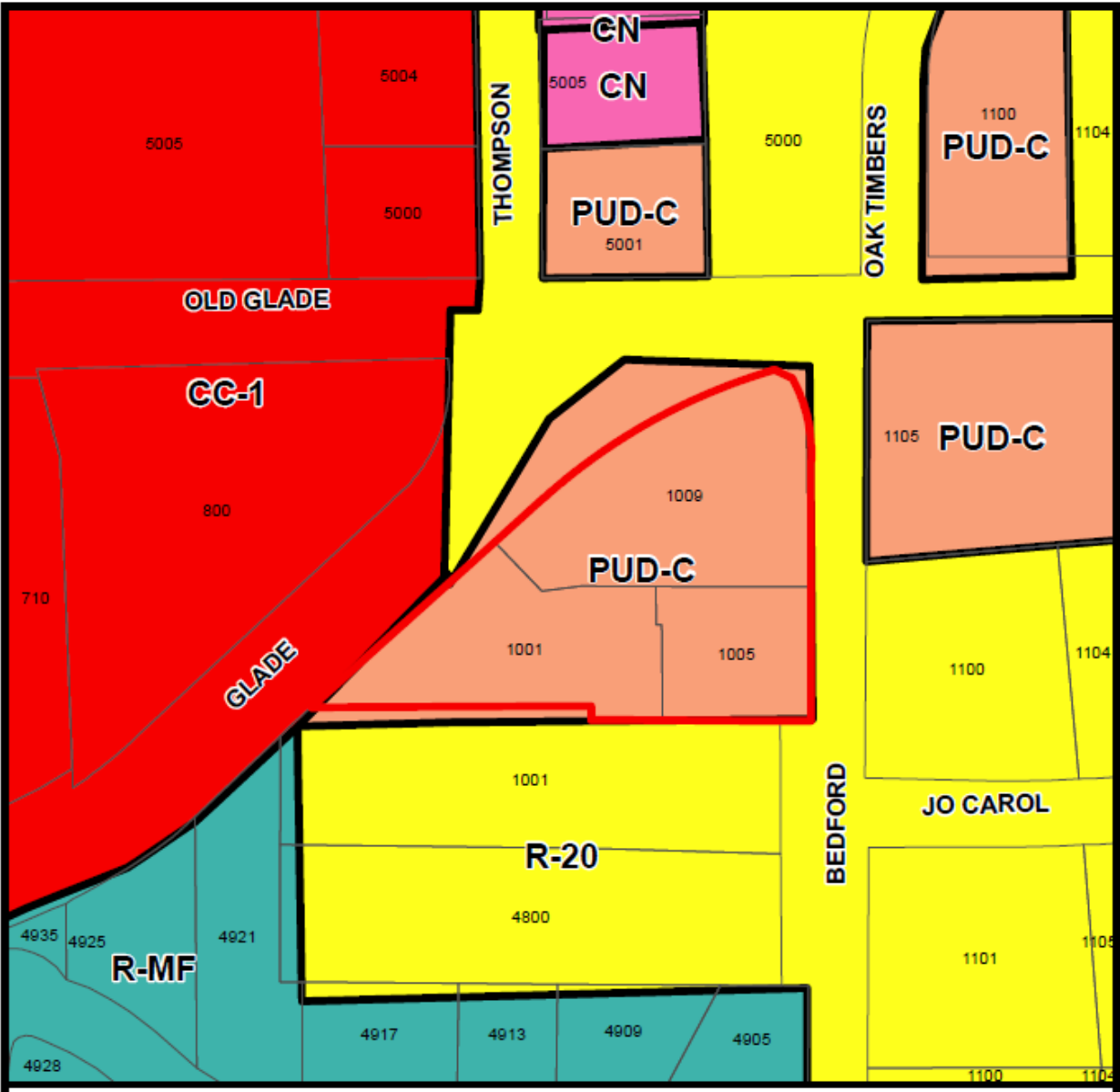


Exhibit "B"- Metes & Bounds Description

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