



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, July 11, 2016

City Council Chambers

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

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

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

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

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

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

1. APPROVAL OF MINUTES

June 13, 2016

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

3. CONSENT AGENDA ITEMS

- 3a** Consideration of a replat on Lots 1 and 2, Block 1, of the Covenant Christian Academy Addition, located at 901 Cheek- Sparger Road, and Lot 5, Block 3, of the Southgate Addition, located at 3709 Wayne Drive, Case PC16-002

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Consideration of a waiver to certain provisions of Section 5.9 Minimum Tree Preservation Requirements of the Land Development Code on Lots 1-12, Block 1, and 2 Common Areas, of the Villas at Windsor Steele Addition, located at 5011, 5101, 5105, 5109, 5015, 5113, 5117, 5121, 5125, 5129, 5133, 5137, 5141, and 5145 Roberts Road, Case GC16-004

5. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards Friday, July 8, 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
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Monday, June 13, 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 June 13, 2016, at 7:04p.m.

Roll Call

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

Staff Present: Shane Pace, Oscar Chavez, Cheryl Taylor, Rob McKeown, Chris Fuller, Chief Brian Riley, Araceli Botello, and Matthew Butler (City Attorney)

1. APPROVAL OF MINUTES

Commissioner Tornes made a motion to approve the May 09, 2016 minutes as written. Commissioner Davis seconded.

The motion to approve the May 09, 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

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 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

Shane Pace presented the case and briefed the Commission.

The public hearing was opened at 7:10 p.m.

Terry Lyons, the applicant, came forward and briefed the Commission.

There being no one else wishing to speak, the public hearing was closed at 7:22 p.m.

Commissioner Phelps made a motion to approve case ZC16-009 as written. Commissioner Davis seconded.

The motion to approve carried by the following vote:

Aye: 6 – Elms, Tornes, Wheelwright, Davis, Phelps, and Byerly

Nay: 1 - Gotcher

5. ADJOURNMENT

The meeting adjourned at 7:27 p.m.

The minutes were written and prepared by:



Araceli Botello
Planning Technician

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 07/11/2016	Number
Type Regular Agenda Items		
Department Community Development		

Title

Consideration of a replat on Lots 1 and 2, Block 1, of the Covenant Christian Academy Addition, located at 901 Cheek- Sparger Road, and Lot 5, Block 3, of the Southgate Addition, located at 3709 Wayne Drive, Case PC16-002

Explanation

Keith Castello of Covenant Christian Academy, the applicant, requests approval of a replat for the Covenant Christian Academy Addition on approximately 15.88 acres, located at 901 Cheek-Sparger Road and 3709 Wayne Drive. The applicant proposes to combine two commercial/institutional lots into one lot.

Existing Conditions/Background: The subject property is zoned Planned Unit Development-Commercial (PUD-C), Ordinance O-13-1876 and is generally located south of Cheek-Sparger Road and west of Wayne Drive.

The replat will incorporate Lot 5, Block 3, of the Southgate Addition (3709 Wayne Drive) to create Lot 1R, Block 1, of the Covenant Christian Academy Addition. The applicant has submitted the replat to meet the requirements of the governing ordinance for the subject property. Ordinance O-13-1876 requires the approval of a replat prior to the issuance of any building permits for Lot 5, Block 3.

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

<i>Planned Unit Development-Residential (Saddlebrook Addition)</i>	<i>Planned Unit Development-Residential (Saddlebrook Addition)</i>	<i>Planned Unit Development-Residential (Saddlebrook Addition)</i>
<i>City of Bedford (Single Family Homes)</i>	Subject Property <i>Planned Unit Development-Commercial (Covenant Christian Academy)</i>	<i>Planned Unit Development-Commercial (Heritage Farms Addition-Undeveloped)</i>
<i>City of Bedford(Single Family Homes)</i>	<i>City of Bedford(Single Family Homes)</i>	<i>Planned Unit Development - Commercial (Heritage Farms Addition-Undeveloped)</i>

Lot Dimensions and Setbacks: Per Section 3.24 G, Schedule of District Regulations in the Land Development Code, the PUD-C zoning regulations require the following standards:

Minimum Lot Area: 7,200 square feet

Minimum Lot Width: 70 feet

Minimum Lot Depth: 115 feet

Minimum Front Yard Setback: 40 feet

Minimum Side Yard Setbacks: 10 feet

Minimum Rear Yard Setback: 25 feet (where abutting residential zoning or land use)

Maximum Lot Coverage: 50 percent

As submitted, the proposed plat meets all of the requirements of the Land Development Code.

Fees: Park Land Dedication fees are required, in the amount of \$800 per acre for non-residential development, when applicable. Park Land Dedication fees are due prior to filing the plat for record. Impact Fees are also required per Chapter 13 (Impact Fees) of the Land Development Code and are due prior to the issuance of a Building Permit.

Tree Preservation: The proposed subdivision must comply with Chapter 5 (Tree Preservation) of the Land Development Code. Where any tree is slated for removal, no site grading, dirt disturbance or new construction may occur on the property until a Tree Removal Permit has been issued that is associated with an approved Tree Preservation Plan.

In addition to the requirements for submittal of a Tree Removal Permit and Tree Preservation Plan, future development on the site must maintain the minimum existing protected tree canopy coverage.

Staff has received a preliminary tree survey and it appears the project is in compliance with the Land Development Code.

Sidewalks: A minimum five-foot wide sidewalk is required along Wayne Drive with the construction of any future structure.

Drainage and Stormwater Runoff: As required by the Land Development Code, preliminary drainage plans have been submitted with the proposed plat. Water and sanitary sewer services are available to the property. The developer is responsible for the extension of any water and/or sewer service lines to the lots as part of the development process, if applicable.

Public Notification: Notification of property owners is not required for the approval of a commercial replat. However, notices were published on the City's website, and the

agenda was posted in advance of the meeting for public review per standard procedure and the Texas Local Government Code.

Staff Recommendation: The proposed replat meets the requirements of the Land Development Code, therefore staff recommends approval.

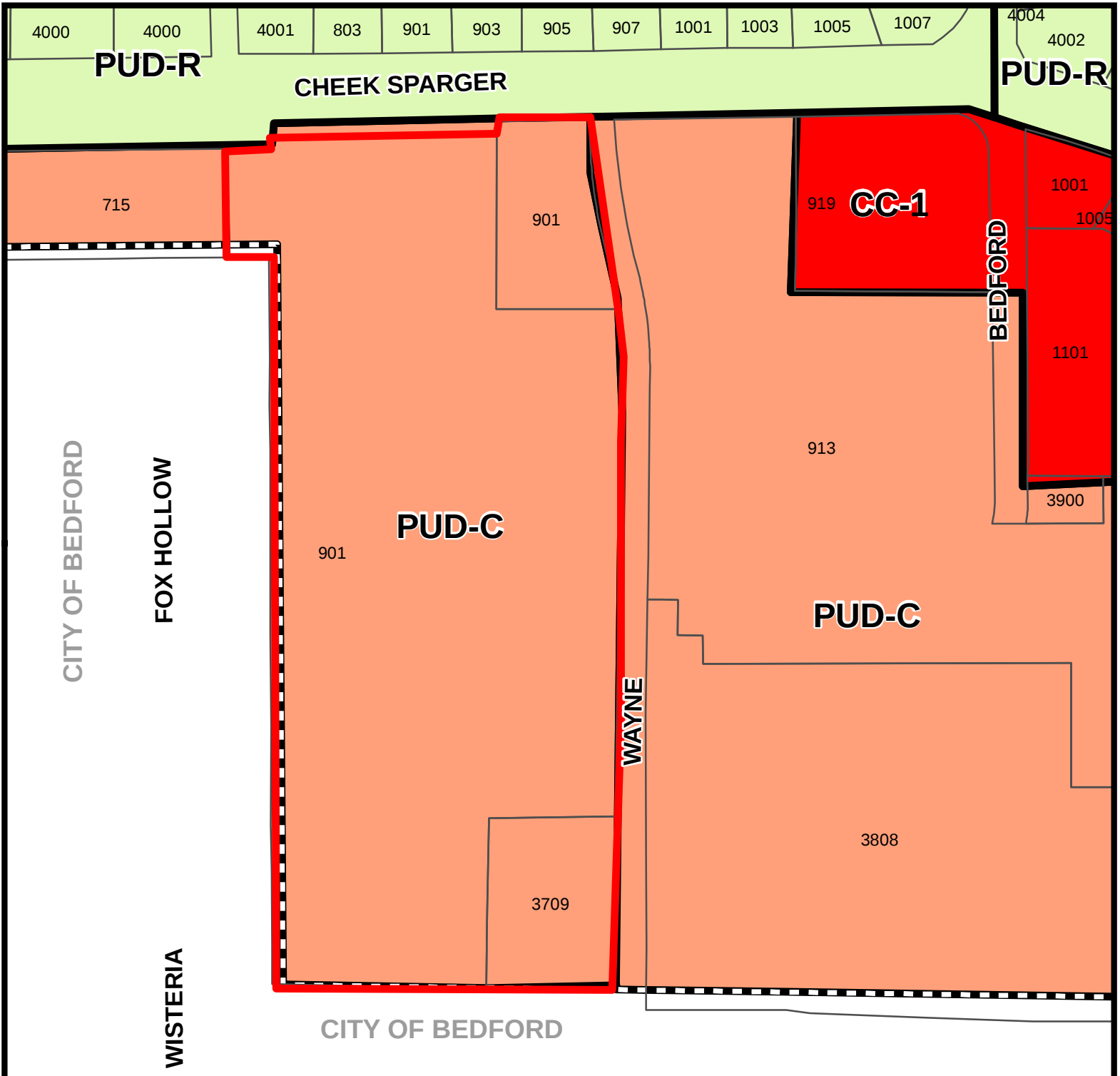
Recommendation

Approve

Attachments

1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Plat Exhibit
5. Existing Ordinance (O-13-1876)

ZONING MAP



PC16-002

901 CHEEK-SPARGER ROAD
AND 3709 WAYNE DRIVE

 Subject Property



1 inch = 208 feet

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



PC16-002

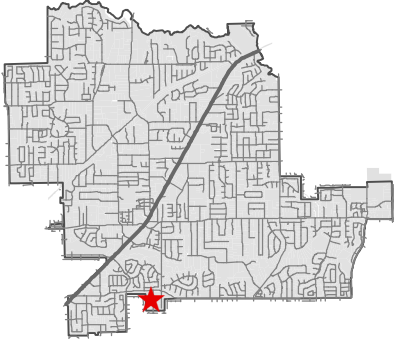
901 CHEEK-SPARGER ROAD
AND 3709 WAYNE DRIVE

 Subject Property



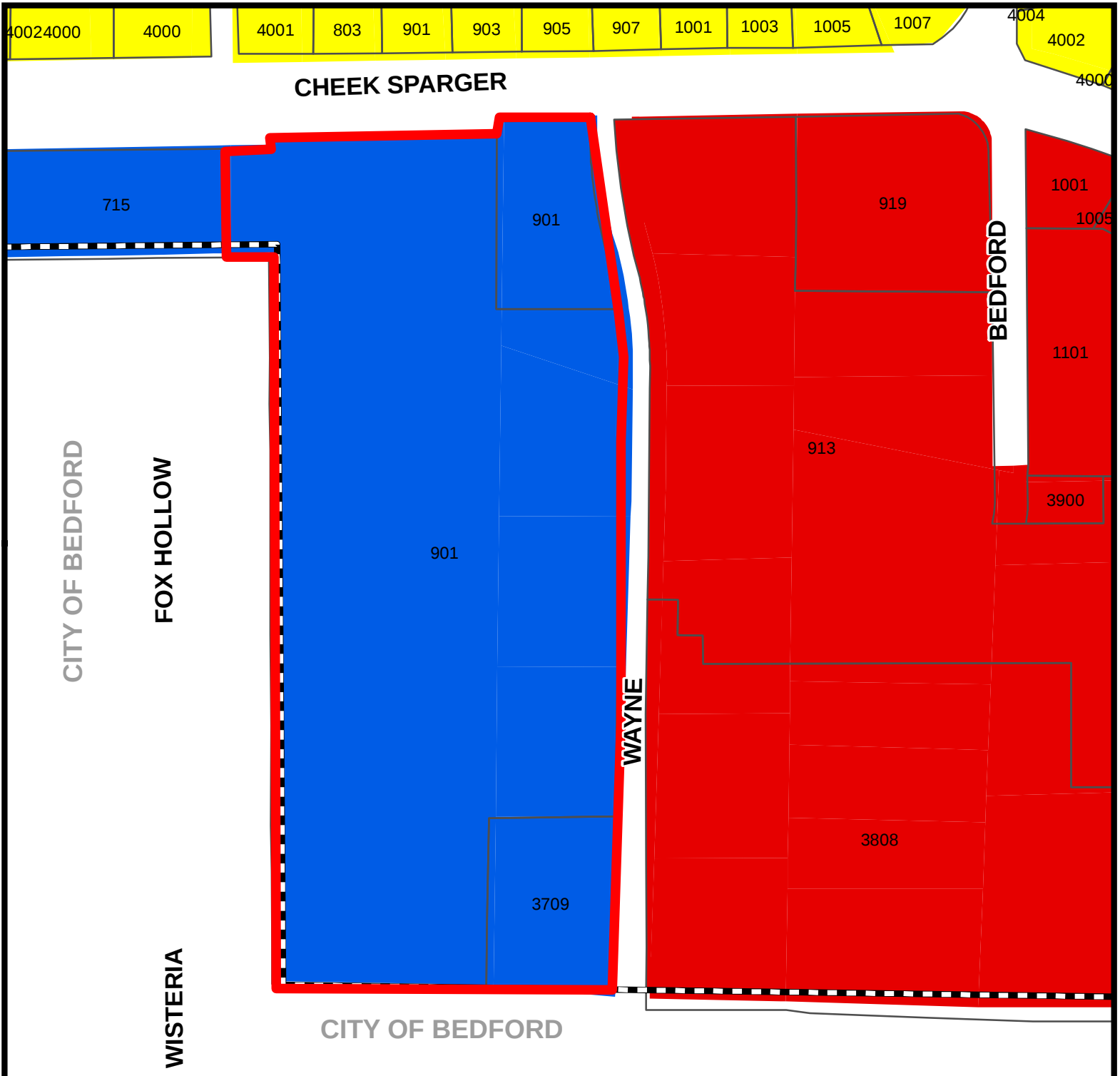
1 inch = 208 feet

Vicinity Map



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FUTURE LAND USE MAP



PC16-002

901 CHEEK-SPARGER ROAD
AND 3709 WAYNE DRIVE

- Subject Property
- RESIDENTIAL
- INSTITUTIONAL
- PARKS/ OPEN SPACE
- COMMERCIAL



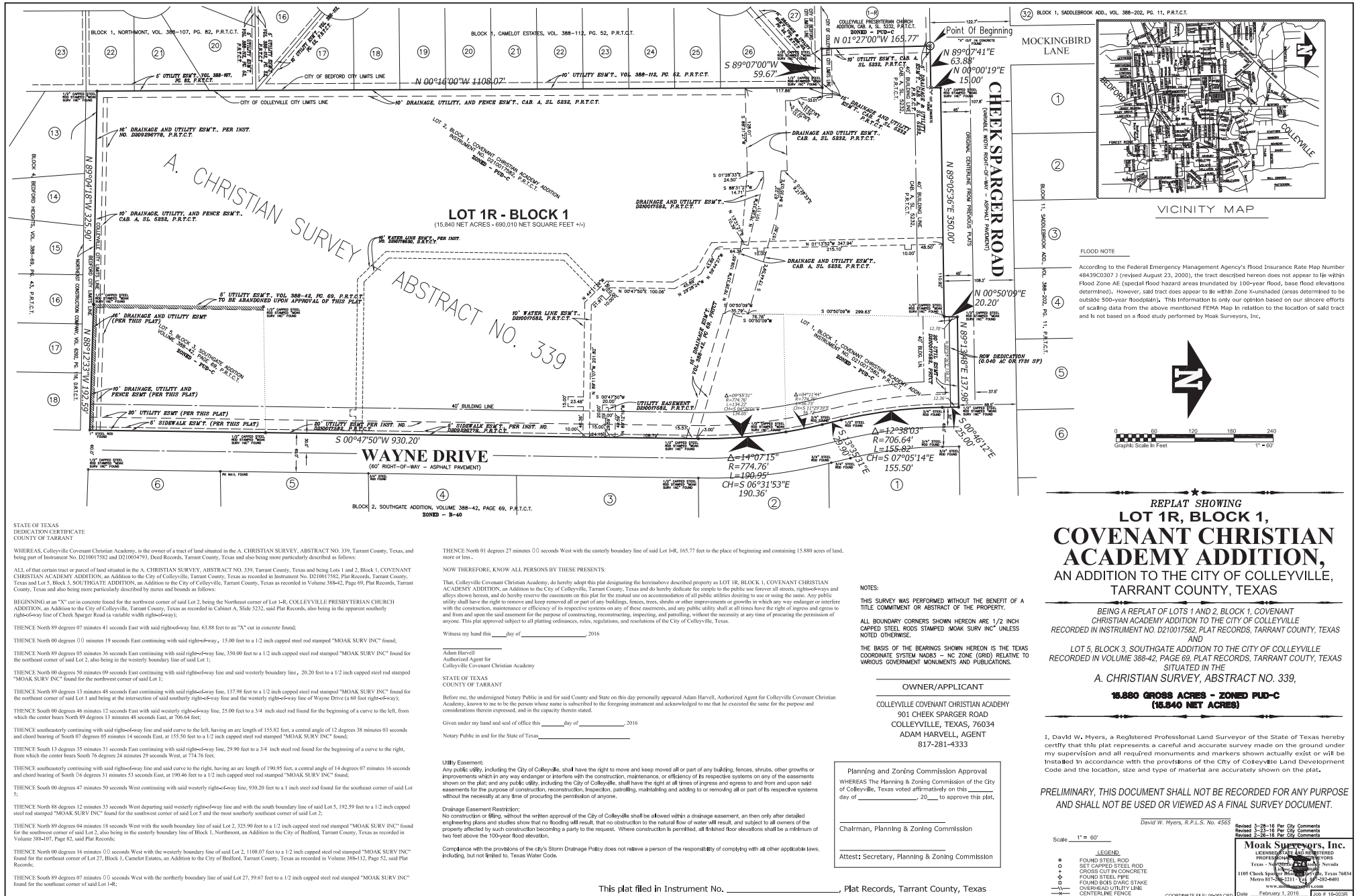
1 inch = 208 feet

Vicinity Map



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Plat Exhibit



STATE OF TEXAS
DEDICATION CERTIFICATE
COUNTY OF TARRANT

WHEREAS, Colleyville Covenant Christian Academy, is the owner of a tract of land situated in the A. CHRISTIAN SURVEY, ABSTRACT NO. 339, Tarrant County, Texas, and being part of Instrument No. D21007582 and D21004793, Deed Records, Tarrant County, Texas and also being more particularly described as follows:

All of that certain tract or parcel of land situated in the A. CHRISTIAN SURVEY, ABSTRACT NO. 339, Tarrant County, Texas and being Lot 1 and 2, Block 1, COVENANT CHRISTIAN ACADEMY ADDITION, an Addition to the City of Colleyville, Tarrant County, Texas as recorded in Instrument No. D21007582, Plat Records, Tarrant County, Texas and Lot 5, Block 3, SOUTHGATE ADDITION, an Addition to the City of Colleyville, Tarrant County, Texas as recorded in Volume 388-42, Page 69, Plat Records, Tarrant County, Texas and also being more particularly described by metes and bounds as follows:

BEGINNING at an "X" cut in concrete found for the northwest corner of said Lot 2, being the Northeast corner of Lot 4-LR, COLLEYVILLE PRESBYTERIAN CHURCH ADDITION, an Addition to the City of Colleyville, Tarrant County, Texas as recorded in Cabinet A, Slide 5232, said Plat Records, also being in the apparent southerly right-of-way line of Cheek Sparger Road (variable width right-of-way);

THENCE North 89 degrees 07 minutes 41 seconds East with said right-of-way line, 63.88 feet to an "X" cut in concrete found;

THENCE North 00 degrees 00 minutes 19 seconds East continuing with said right-of-way line, 15.00 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" found;

THENCE North 89 degrees 05 minutes 36 seconds East continuing with said right-of-way line, 350.00 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" found for the northeast corner of said Lot 2, also being in the westerly boundary line of said Lot 1;

THENCE North 00 degrees 50 minutes 02 seconds East continuing with said right-of-way line and said westerly boundary line, 20.20 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" found for the northwest corner of said Lot 1;

THENCE North 89 degrees 13 minutes 48 seconds East continuing with said right-of-way line, 137.98 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" found for the northeast corner of said Lot 1 and being at the intersection of said southerly right-of-way line and the westerly right-of-way line of Wayne Drive (a 60 foot right-of-way);

THENCE South 00 degrees 46 minutes 12 seconds East with said westerly right-of-way line, 25.00 feet to a 3/4 inch steel rod found for the beginning of a curve to the left, from which the center bears North 89 degrees 05 minutes 48 seconds East, at 155.50 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" found;

THENCE southeasterly continuing with said right-of-way line and said curve to the left, having an arc length of 155.82 feet, a central angle of 12 degrees 38 minutes 03 seconds and chord bearing of South 07 degrees 05 minutes 14 seconds East, at 155.50 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" found;

THENCE South 13 degrees 35 minutes 31 seconds East continuing with said right-of-way line, 29.90 feet to a 3/4 inch steel rod found for the beginning of a curve to the right, from which the center bears South 76 degrees 24 minutes 29 seconds West, at 774.76 feet;

THENCE southeasterly continuing with said right-of-way line and said curve to the right, having an arc length of 190.95 feet, a central angle of 14 degrees 07 minutes 15 seconds and chord bearing of South 06 degrees 31 minutes 53 seconds East, at 190.45 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" found;

THENCE South 00 degrees 47 minutes 50 seconds West continuing with said westerly right-of-way line, 930.20 feet to a 1 inch steel rod found for the southeast corner of said Lot 5;

THENCE North 89 degrees 02 minutes 33 seconds West departing said westerly right-of-way line and with the south boundary line of said Lot 5, 192.59 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" found for the southwest corner of said Lot 5 and the most southerly southeast corner of said Lot 2;

THENCE North 89 degrees 09 degrees 18 seconds West with the south boundary line of said Lot 2, 325.90 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" found for the southwest corner of said Lot 2, also being in the easterly boundary line of Block 1, Northmont, an Addition to the City of Bedford, Tarrant County, Texas as recorded in Volume 388-07, Page 82, said Plat Records;

THENCE North 00 degrees 16 minutes 10 seconds West with the westerly boundary line of said Lot 2, 1108.07 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" found for the northeast corner of Lot 27, Block 1, Camelot Estates, an Addition to the City of Bedford, Tarrant County, Texas as recorded in Volume 388-112, Page 52, said Plat Records;

THENCE South 89 degrees 07 minutes 10 seconds West with the northerly boundary line of said Lot 27, 59.67 feet to a 1/2 inch capped steel rod stamped "MOAK SURV INC" found for the southeast corner of said Lot 1-R;

THENCE North 01 degrees 27 minutes 00 seconds West with the easterly boundary line of said Lot 1-R, 165.77 feet to the place of beginning and containing 15.880 acres of land, more or less.

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

That, Colleyville Covenant Christian Academy, do hereby adopt this plat designating the hereinabove described property as LOT 1R, BLOCK 1, COVENANT CHRISTIAN ACADEMY ADDITION, an Addition to the City of Colleyville, Tarrant County, Texas and do hereby dedicate for simple to the public use forever all streets, right-of-ways and alleys shown herein, and do hereby reserve the easements on this plat for the manual use on accommodation of all public utilities desiring to use or using the same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all planning ordinances, rules, regulations, and resolutions of the City of Colleyville, Texas.

Witness my hand this _____ day of _____, 2016

Adam Harvell
Authorized Agent for
Colleyville Covenant Christian Academy

STATE OF TEXAS
COUNTY OF TARRANT

Before me, the undersigned Notary Public in and for said County and State on this day personally appeared Adam Harvell, Authorized Agent for Colleyville Covenant Christian Academy, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2016

Notary Public in and for the State of Texas

UTILITY Easement:

Any public utility, including the City of Colleyville, shall have the right to move and keep moved all or part of any building, fences, shrubs, other growths or improvements which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easements shown on the plat, and any public utility, including the City of Colleyville, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

Drainage Easement Restriction:

No construction or filling, without the written approval of the City of Colleyville shall be allowed within a drainage easement, an then only after detailed engineering plans and studies show that no flooding will result, that no obstruction to the natural flow of water will result, and subject to all owners of the property affected by such construction becoming a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of two feet above the 100-year flood elevation.

Compliance with the provisions of the city's Storm Drainage Policy does not relieve a person of the responsibility of complying with all other applicable laws, including, but not limited to, Texas Water Code.

NOTES:

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT OR ABSTRACT OF THE PROPERTY.

ALL BOUNDARY CORNERS SHOWN HEREON ARE 1/2 INCH CAPPED STEEL RODS STAMPED "MOAK SURV INC" UNLESS NOTED OTHERWISE.

THE BASIS OF THE BEARINGS SHOWN HEREON IS THE TEXAS COORDINATE SYSTEM (NAD83) - HC ZONE (GEOID) RELATIVE TO VARIOUS GOVERNMENT MONUMENTS AND PUBLICATIONS.

OWNER/APPLICANT

COLLEYVILLE COVENANT CHRISTIAN ACADEMY
901 CHEEK SPARGER ROAD
COLLEYVILLE, TEXAS, 76034
ADAM HARVELL, AGENT
817-281-4333

Planning and Zoning Commission Approval
WHEREAS The Planning & Zoning Commission of the City of Colleyville, Texas voted affirmatively on this _____ day of _____, 20____ to approve this plat,

Chairman, Planning & Zoning Commission

Attest: Secretary, Planning & Zoning Commission

REPLAT SHOWING
LOT 1R, BLOCK 1,
COVENANT CHRISTIAN
ACADEMY ADDITION,
AN ADDITION TO THE CITY OF COLLEYVILLE,
TARRANT COUNTY, TEXAS

BEING A REPLAT OF LOTS 1 AND 2, BLOCK 1, COVENANT CHRISTIAN ACADEMY ADDITION TO THE CITY OF COLLEYVILLE RECORDED IN INSTRUMENT NO. D21007582, PLAT RECORDS, TARRANT COUNTY, TEXAS AND

LOT 5, BLOCK 3, SOUTHGATE ADDITION TO THE CITY OF COLLEYVILLE RECORDED IN VOLUME 388-42, PAGE 69, PLAT RECORDS, TARRANT COUNTY, TEXAS SITUATED IN THE

A. CHRISTIAN SURVEY, ABSTRACT NO. 339,
15.880 GROSS ACRES - ZONED PUD-C
(15.840 NET ACRES)

I, David W. Myers, a Registered Professional Land Surveyor of the State of Texas hereby certify that this plat represents a careful and accurate survey made on the ground under my supervision and all required monuments and markers shown actually exist or will be installed in accordance with the provisions of the City of Colleyville Land Development Code and the location, size and type of material are accurately shown on the plat.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED AS A FINAL SURVEY DOCUMENT.

David W. Myers, R.P.L.S. No. 4565

Scale 1" = 60'

LEGEND
● FOUND STEEL ROD
○ SET CAPPED STEEL ROD
□ CROSS CUT IN CONCRETE
+ FOUND STEEL PIPE
x FOUND BBS DVARC STAKE
— OVERHEAD UTILITY LINE
— CENTERLINE FENCE

COORDINATE FILE: 09-065.CRD

Moak Surveys, Inc.
LICENSED STATE AND REGISTERED PROFESSIONAL LAND SURVEYORS
Texas • Nebraska • Kansas • Nevada
1105 Cheek Sparger Road, Suite 100, Colleyville, Texas 76034
Metro 817-281-2111 • Cell 817-281-0481
www.moaksurveys.com
Date February 1, 2016 Job # 16-003R

Existing Ordinance

ORDINANCE O-13-1876

AN ORDINANCE AMENDING ORDINANCE O-09-1725 CONDITIONS AND AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON LOT 5, BLOCK 3, SOUTHGATE ADDITION FROM THE R40-SINGLE FAMILY RESIDENTIAL DISTRICT TO THE PUD-C-PLANNED UNIT DEVELOPMENT COMMERCIAL DISTRICT; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; 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 Council approved Ordinance O-09-1725 on August 18, 2009, to establish the zoning of 17.7 acres on Lot 1 and 2, Block 1, Colleyville Presbyterian Church Addition, and Lots 1, 2, 3 and 4, Block 3, Southgate Addition; and

WHEREAS, the applicant has requested an amendment to Ordinance O-09-1725 and requests to rezone Lot 5, Block 3, Southgate Addition so as to incorporate the property into the PUD authorized by Ordinance O-09-1725 under Case ZC13-004; 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

Existing Ordinance

Ordinance O-13-1876
Page 2 of 7

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 amending Ordinance O-09-1725.
- Sec. 3. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning of Lot 5, Block 3, Southgate Addition from the R40-Single Family Residential District to the PUD-C-Planned Unit Development Commercial District, as depicted in the attached Exhibit "A".
- Sec. 4. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 5. THAT the above described tract of land shall be subject to the following conditions:

Existing Ordinance

Ordinance O-13-1876
Page 3 of 7

1. SITE PLAN AND PLATTING

- a. The development of this property shall be generally consistent with Exhibit "B" and Exhibit "C".
- b. Prior to the issuance of any building permit involving Lot 5, Block 3, Southgate Addition, a replat of the subject properties must be submitted and approved such that Lot 5, Block 3, Southgate Addition is incorporated into the Covenant Christian Academy Addition.

2. PERMITTED AND PROHIBITED USES

- a. Section 5(3)3 of Ordinance O-09-1725 is deleted and is replaced with the following:

Private elementary, secondary, and high school not to exceed 855 students total.

3. BUILDINGS AND SITE PLAN APPROVAL

- a. This section shall repeal Section 5(4)a of Ordinance O-09-1725. The following buildings shall be allowed as described below and depicted and described on Exhibits "B" and "C".
 1. Addition of 42,400 square feet to the secondary school building (Redeemer Hall)
 2. Addition of 27,000 square feet to the administration building (Nissi Hall)
 3. Addition of a 50,000 square foot gymnasium
 4. New baseball stadium and parking garage
 5. Expansion to existing football/soccer field
 6. All buildings and improvements existing on the date of adoption of this Ordinance within the boundaries of this PUD-C-Planned Unit Development Commercial District
 7. New 40,000 square foot, two-story church facility on the western portion of Lot 1R, Colleyville Presbyterian Church Addition on the Planned Unit Development Property
- b. Prior to construction, the baseball stadium, baseball lighting, parking garage, expansion to the existing football/soccer field shown above and football/soccer field lighting shall require the approval of a detailed site plan and building

Existing Ordinance

Ordinance O-13-1876
Page 4 of 7

elevations. The detailed site plan submission shall, at a minimum, meet the requirements of Section 3.23 J.K.6. of the Land Development Code, be consistent with this Ordinance, and may also be required to show additional conditions provided in Section 3.23 M. b. of the Land Development Code. Further, such detailed site plan(s) shall be considered as a legislative approval, subject to the sole discretion of City Council upon the recommendation of the Planning and Zoning Commission.

- c. All buildings shall, at a minimum, meet the building design and masonry requirements of Chapter 6-Building Design in the Land Development Code.

4. PARKING

- a. Prior to the final inspection of any building expansion or construction described Section 3, there shall, at a minimum, be adequate on-site, off-street parking spaces provided to accommodate the maximum enrollment of 855 students.
- b. Section 5(6)a of Ordinance O-09-1725 is hereby deleted.

5. LANDSCAPING AND BUFFERING

- a. The development shall provide a minimum of 35 percent of open space. This section shall replace and supersede Section 5(8)a of Ordinance O-09-1725.
- b. Section 5(8)c of Ordinance O-09-1725 is hereby deleted.
- c. Prior to the final inspection of the construction of the new baseball stadium, there shall be a minimum of 360 caliper inches of trees planted on the subject property. Prior to the final inspection for any building construction authorized by this ordinance, there shall be a minimum of 270 caliper inches of trees planted on the subject property. All new trees planted within this development, whether required or not, shall be a minimum of four (4) inches in caliper width. At its election, the property owner may cause or pay for new trees of a minimum of three (3) inches in caliper width to be planted adjacent to the Planned Unit Development District on the residential lots in neighboring Bedford as part of the

Existing Ordinance

Ordinance O-13-1876
Page 5 of 7

natural screen between those lots and the uses in the Planned Unit Development District. The total caliper width in inches of any such trees planted on the Bedford lots will also be credited to the total number of caliper inches of trees required in the PUD Planned Unit Development District.

- d. All landscaping within this development shall meet the minimum requirements of Chapter 4-Landscaping and Buffering in the Land Development Code, except where amended herein.

6. FENCES AND SCREENING

- a. Section 5(10) of Ordinance O-09-1725 is hereby deleted.
- b. All required screening shall meet the minimum requirements of the Land Development Code

7. LIGHTING

- a. Section 5(7)b of Ordinance O-09-1725 is hereby deleted.
- b. Baseball Field Lighting Use Restrictions
 - 1. No field lighting may be installed prior to approval pursuant to the provisions of Section 5(3)b.
 - 2. No field lighting is permitted after 9:30 p.m. on Monday through Thursday and 10:30 p.m. on Friday and Saturday evenings, however field lighting may be extended one hour past these establish curfews on not more than 5 events per calendar year if the event was originally scheduled to end prior the normal curfew and could not reasonably be completed.
 - 3. No field lighting is permitted on Sundays.
 - 4. Field lighting may not extend past 9:30 p.m. on any more than 20 nights in one calendar year.
- c. Football/Soccer Field Lighting Use Restrictions
 - 1. No field lighting is permitted after 10:30 p.m., provided, however, that field lighting may be extended one hour past normal curfew on not more than 6 events per calendar year

Existing Ordinance

Ordinance O-13-1876
Page 6 of 7

if the event was originally scheduled to end prior to normal curfew and could not reasonably be completed.

2. No field lighting is permitted on Sundays.
3. Field lighting may not be used after 9:00 p.m. on any more than 40 days in any calendar year.
- d. Prior to the installation of any lighting for any athletic fields, a lighting plan that includes all details of the proposed lighting shall be submitted to the City Council for final approval.

8. TRAFFIC IMPACT

- a. Prior to the issuance of any building permit applied for after the effective date of this ordinance, either a new or amended traffic impact analysis (TIA) shall be submitted and approved by City Council. Said TIA shall, at a minimum, address the development authorized by this ordinance and depicted in Exhibit "B".

Sec. 6. 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. 7. 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. 8. 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. 9. 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.

Existing Ordinance

Ordinance O-13-1876
Page 7 of 7

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.

Sec. 11. THAT Ordinance O-09-1725 shall remain in full force and effect, except where amended by this ordinance.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of June 2013.

The second reading and public hearing being conducted on the 18th day of June 2013.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 18th day of June 2013.

ATTEST:



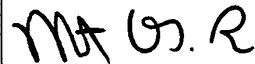
Amy Shelley
City Secretary

CITY OF COLLEYVILLE



Mike Taylor
Mayor Pro Tem

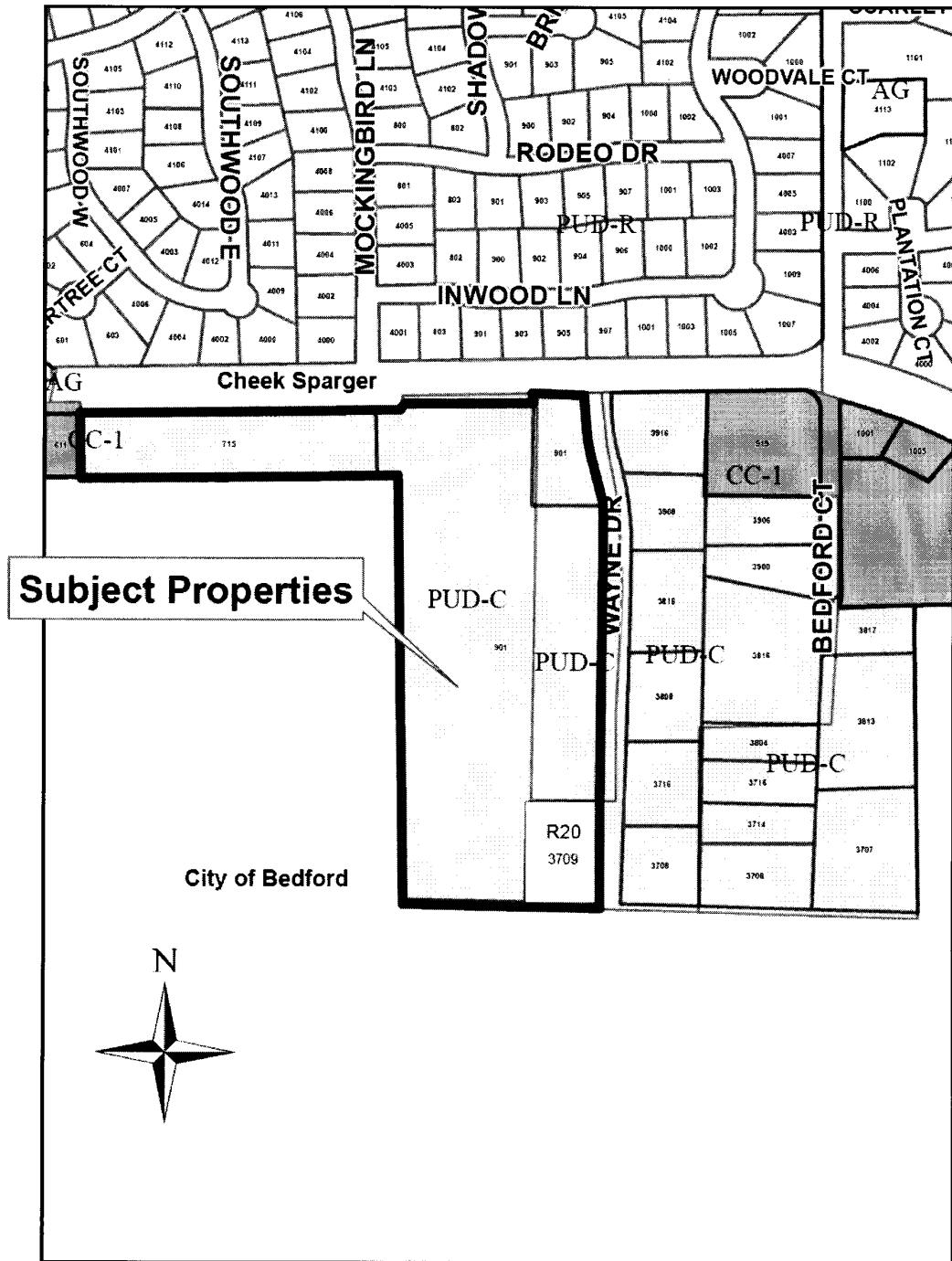
APPROVED AS TO FORM AND LEGALITY:



Matthew C. G. Boyle
City Attorney

Existing Ordinance

Exhibit "A" –Location and Zoning Map



Existing Ordinance

Exhibit “B” – Statement of Planning Objectives

Supporting Documents:

Statement of Planning Objectives:

Covenant Christian Academy (CCA) and Colleyville Presbyterian Church (CPC) have developed this campus plan to:

- Provide on-campus structures and athletic facilities projected to meet the foreseeable long-term needs for the programs of the school and church without acquiring more land
- Develop a comprehensive plan that seeks to eliminate the need for future PUD amendments and seek approval with the utmost transparency
- Develop facilities that provide tremendous beauty and function for the surrounding community
- Align the School’s needs with the City of Colleyville’s Master plan
 - Provide additional ball fields in Colleyville
 - Make our southern corner of Colleyville a great destination that positively contributes to our city’s economic development
- Consider and provide reasonable solutions for the concerns of our neighbors in the design of the campus

The Church moved to her current campus in 1978. The next year the Church developed plans for a Christian school. Covenant Christian Academy began classes in August of 1980. The Church and school continued to grow. CCA’s first graduating class received their diplomas in 1992. Both the Church and the school are proud to be long-standing Colleyville institutions. Since that beginning, a large number of Colleyville residents have become part of the CCA family. CCA has repeatedly considered different campus locations over the last thirty years. More than a dozen sites have been reviewed for some or all of the needed school facilities over the last fourteen years. Deliberate and considered acquisition of adjoining property has consistently been our best option. With the approval of the Heritage Farms senior living project on the only adjoining undeveloped property, CCA must now look to its current property to meet all of its future facility needs.

In the past, particularly in CCA’s prior development and zoning dealings with the City, CCA has been restricted by limited financial resources, deed restrictions on the former residential lots along Wayne Drive and uncertainty about the amount of land that would comprise our ultimate campus. Though the school had a clear identity and goals as an educational institution, these have lacked the necessary land and physical infrastructure to fully flourish. Additionally, the school has not had the administrative bandwidth to thoroughly plan in the past. The acquisition of all of the former residential lots on the west side of Wayne Drive, removal of the former deed restrictions on those lots, growth in financial resources and consistent institutional growth and maturity has significantly altered these limitations.

CCA’s mission is to provide a Biblically based, classical, college-preparatory education that inspires a passion for excellence, and heart of grace, and the character of Christ. Initiatives founded on this mission are filtered through a set of core values:

1. Imparting a Distinctively Christian Worldview
2. Employing a Classical, Interdisciplinary Educational Approach

Existing Ordinance

Exhibit "B" – Statement of Planning Objectives (continued)

3. Pursuing the Discipline of Critical Thinking, a Lifelong Love of Learning, and an Understanding of God's Unique Calling
4. Applying Rigorous Curricular, Instructional, and Character Standards
5. Fostering a Covenant Community Grounded in Truth and Grace
6. Promoting Financial Practices that Honor Biblical Standards of Stewardship

CCA has developed this campus build-out plan so that the physical plant of the school will better exemplify the quality educational efforts that have long occurred within her walls.

Teams of CCA administrators, teachers, staff members, parents, and students have constructed a comprehensive list of school's facility uses. The school's campus was then reviewed for the best possible layout to provide space for these activities. CCA administration has made dozens of revisions to the documents comprising this application based on the responses from every constituent segment of the school community, neighbors that reside around the school, city staff and leadership, and several different architects.

Enrollment at Full Build-Out

Seven years ago, CCA established a full build-out enrollment goal for the maximum number of students that the site could accommodate. Confusion about this goal has been connected to which segments of our program resided on campus. Until three years ago, CCA had leased off-site space for our Pre-Grammar School. When our lower school, Jireh Hall, was completed, we were able to unite everyone on a single campus. CCA's current enrollment is 662. CCA's ultimate goal is 855. The detail of this goal is listed below, which is the maximum enrollment desired by CCA. CCA believes the close-knit familial environment is a critical component of the education provided. Growing the school beyond this number negatively impacts the school's ethos.

<u>Grade Level</u>	<u>Enrollment Cap</u>
Pre-Kindergarten 3-Year-Olds:	20
Pre-Kindergarten 4-Year-Olds:	40
Kindergarten:	60
Pre-First:	15
<u>1st – 12th (60 per Grade):</u>	<u>720</u>
Grand Total:	855

Meeting with Neighbors:

In the past, four issues have dominated neighborhood concerns: traffic, drainage, aesthetics, and noise. CCA wanted to address these concerns to the fullest extent possible, while planning for the facilities necessary to the school's full program. As a result, the school hosted five meetings with the neighbors in both Colleyville and Bedford. CCA sent out 2246 invitations. 1312 to Colleyville neighbors and 934 to Bedford neighbors. Leadership and staff at the cities of Colleyville and Bedford were also invited to these meetings. CCA's Headmaster and Facilities Director met with the Board of Saddlebrook's Home Owners Association. CCA also met with the Executive Board of the Colleyville Chamber of Commerce. Each meeting included a clear exposition of the current campus build-out plan as well as time for questions and feedback. The resulting feedback was very useful in further modifying the plan. One

Existing Ordinance

Exhibit “B” – Statement of Planning Objectives (continued)

major change, explained below, was a direct result of these meetings. CCA is thankful for the contribution our neighbors have made to this campus plan.

Mitigating Concerns:

Traffic:

CCA is presently at 78% of full capacity. CCA has room for measured, not dramatic growth. The proposed campus plan will improve the flow of traffic on Cheek Sparger Road during our drop-off and pick-up times. The plan significantly increases capacity for internal cueing of traffic. The number of drop-off points increases and there is an additional lane through campus. There is also a dramatic increase in parking. The school currently has 218 parking spaces. The plan increases this number to 660, with 604 on the CCA site and an additional 56 on the CPC site. While development codes require only the parking necessary for a facility’s primary use, CCA wants to accommodate parking for the highest capacity events held on campus, now or in the future. Perhaps, the most impactful element for mitigating traffic issues is not on campus at all. CCA has willingly participated in the effort to create a round-about at the intersection of Cheek Sparger Road and Bedford Road. This feature will protect and facilitate the flow of the road even at peak times.

Drainage:

CCA mitigated drainage issues on the north end of campus during the last phase of construction. The school’s retention pond is attractive, effective, and sustainable. The pond is fed from a well and is used to irrigate the campus. This maintains the lovely aesthetic. The campus plan calls for two more retention ponds. These will care for drainage concerns caused by additional rooflines at the currently undeveloped south end of campus. These efforts combined with the work of Heritage Farms “down-stream” from CCA should serve to mitigate routine drainage issues.

Aesthetics:

CCA and CPC have both made significant strides over the last five years. The portables that were not desirable to neighbors, the church, and the school are long gone. Each new facility has brought an increased regard for beauty. The older facilities have been repainted and remodeled to improve curb appeal. CCA’s campus is now a lovely corner of Colleyville. The school is committed to this continued effort.

With respect to the plan in this application, lights and looming rooflines were two concerns we heard from our neighbors. To meet the long-term needs for athletic competition, CCA has an express need for lighted fields. Colleyville’s Master Plan delineates the City’s need for additional ball fields. Even the Colleyville Youth Associations echo this sentiment. In an effort to balance these seemingly oppositional criteria, CCA has approached the need with the utmost consideration for the potential impact on neighbors. As a result, CCA is agreeing to zero bleed-over lights for both the baseball and soccer/football facilities. This technology, while expensive, is impressively effective. These lights cost about 57% more than traditional lights but they produce the necessary illumination for competition with zero foot-candles of light at the campus boundary. This effect is true even without the additional buffer

Existing Ordinance

Exhibit "B" – Statement of Planning Objectives (continued)

of trees. The looming roofline concerns have been largely mitigated by a roofless building design for the soccer/football field. This design blocks direct light from our neighbors while providing a much lower roof profile. It also provides some environmental relief to spectators.

CCA is assigning significant funds for landscaping. All of the feedback provided to the school has included the appreciation of trees. The school's landscape plan includes 90 four-inch caliper trees. As part of this addition, the school has offered to plant live oak trees on 30-foot centers in the back yards of neighbors that adjoin CCA's campus. CCA will be a largely forested campus. These trees will outline the campus as a whole and the competition facilities in particular. Ultimately, CCA's campus will significantly contribute to Colleyville's commitment to provide premier parks, open spaces, and neighborhood connectivity.

Noise:

The plan includes several components designed to mitigate noise. Some already mentioned are: low profile roofs that go behind and above spectators on both of the competition fields, additional trees at the boundaries, and additional buildings that impede the path of sound. The plan also lowers the entire soccer/football field which will further mitigate noise. The parking structure will effectively put parking and batting cages underground, which will reduce noise. The sound systems for the competition fields will not use large speakers hung on poles, but rather small speakers imbedded in the roofline above the spectator areas or in the rails in front of spectators. These will be directed at the spectators so that the volume is much lower and noise spill-over is minimized.

Unique Facilities:

A Parking Structure with a Competition Baseball Field Above:

CCA enjoys a significant rise of land on the south end of our campus. The highest point on campus is toward the southern end of our western boundary line. The topography falls over 30 feet as one moves to the east. This southwest area is also heavily treed. This environment allowed for a one-level parking garage with a full competition baseball field on top. The parking is largely hidden from view, recessed into the hill, and the baseball field is both lovely and sustainable. The state-of-the-art turf field incorporates recycled water bottles to provide a cooler playing surface that is more enjoyable for athletes and friendlier to our environment. This design provides more open space while retaining the forested boundaries. An existing playground is located next to the baseball facilities and under the trees, allowing children to play in a pleasant and secure setting while parents watch a game. The whole facility is nestled among the existing trees.

Roofless Building for Soccer and Football Competitions and Track Practice:

CCA had considered a strictly outdoor facility and a fully indoor competition field, but the best option was not considered until we received feedback from our nearest neighbors. Their concerns about a looming roofline led to this unique approach. The lights are positioned to eliminate spillage onto neighboring properties. Smaller speakers will be located to focus sound toward the spectators. The resulting decibel level is much lower than typical high school facilities. This facility maintains beautiful open space while still mitigating lights and noise. It will produce a unique facility attractive as an event destination.

Existing Ordinance

Exhibit “B” – Statement of Planning Objectives (continued)

Development Schedule:

CCA and CPC’s campus master plan is comprehensive, carefully designed, and represents a long-term commitment to the Colleyville community. Given the school’s policies on debt, the typical goal for a capital campaign, and the length of time required to run these campaigns, CCA expects the build-out of this campus to take 25 years. This schedule can be accelerated if sizable donations come in quickly, but 25 years is a reasonable expectation. The following is a loose projection:

<u>Campus Component</u>	<u>Probable Opening</u>
Redeemer Hall Expansion	2017
Parking and Baseball	2022
Soccer/Football Field	2027
Nissi Hall Expansion	2032
Competition Gym	2037
Fine Arts Remodel with Theater	2038

Economic Development Information:

CCA’s Impact on the Local Economy:

CCA currently educates 662 students from 426 families. 137 of these families live in Colleyville while 289 families live in the surrounding area. 47 of the Colleyville families moved to Colleyville in order to be close to CCA. Most of the school’s families come to campus twice a day. They regularly shop and dine at Colleyville businesses. They contribute substantially to the thriving Colleyville economic community.

CCA employs 103 people. This number does not include stipend coaches or school of the arts instructors.

Sixteen CCA parents are also Colleyville business owners.

The proposed campus creates the kind of facilities that promote a destination / visitor’s economy. The school’s social, academic, artistic, and athletic events are well-attended. A significant number of these are currently held in other cities because we do not have a campus venue for them.

Private Schools and Quality of Life

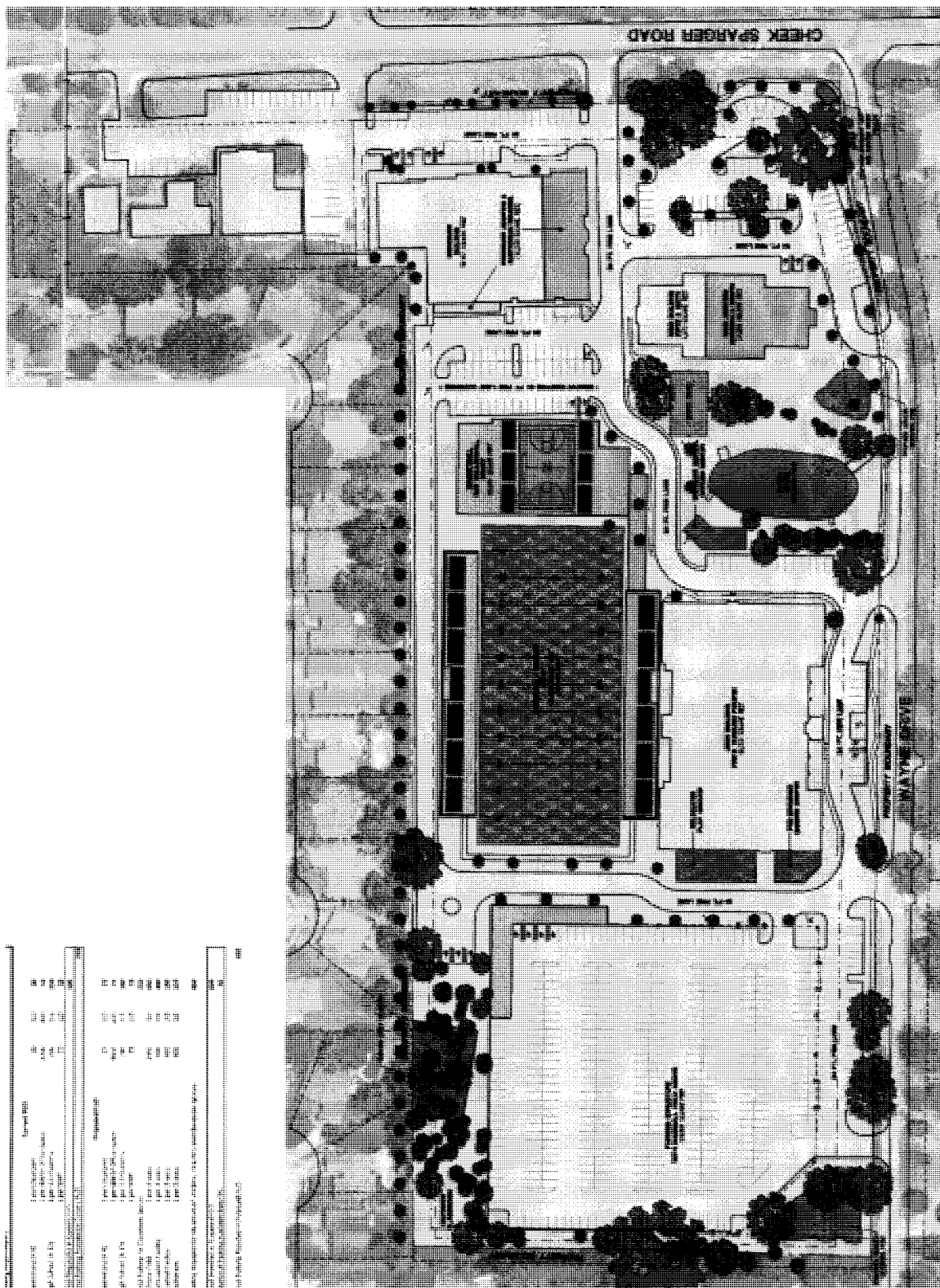
Premier residential communities are often typified by top-flight private schools. Covenant Christian Academy is Colleyville’s only private school serving Pre-Kindergarten through 12th graders. CCA has a tremendous reputation and draws new residents to Colleyville.

Traffic Impact Analysis:

CCA has conducted several TIAs over the years. Cirrus Health recently conducted an extensive study of the area for their Heritage Farms development which will be situated across Wayne Drive from CCA.

CCA administration has contacted the engineer, Mark Goode, who conducted this most recent study. He will work with CCA and the City of Colleyville to conduct any supplemental work that is required.

Exhibit "C" – Conceptual Site Plan





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 4a	Agenda Date 07/11/2016	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a waiver to certain provisions of Section 5.9 Minimum Tree Preservation Requirements of the Land Development Code on Lots 1-12, Block 1, and 2 Common Areas, of the Villas at Windsor Steele Addition, located at 5011, 5101, 5105, 5109, 5015, 5113, 5117, 5121, 5125, 5129, 5133, 5137, 5141, and 5145 Roberts Road, Case GC16-004

Explanation

Todd Atwood, the applicant, is requesting a variance to the requirements of Section 5.9-Minimum Tree Preservation Requirements. The applicant is requesting the variance to reduce the percentage of required tree canopy coverage from 50 percent to 31 percent.

Existing Conditions/Background: The subject property was rezoned by City Council on September 15, 2015, from the AG – Agricultural District to the PUD-R – Planned Unit Development Residential District (ZC15-011, Ordinance O-15-1964). A subsequent Final Plat was approved by the Planning and Zoning Commission on March 14, 2016. The plat created 12 residential lots, one common area (open space) lot, and a private, non-gated slip road (also in a common area).

The subject property is generally located north of Glade Road and east of Roberts Road. Three existing single-family residential homes with accessory structures are on the subject property and scheduled to be demolished.

Lot Dimensions and Setbacks: Per Ordinance O-15-1964 and the approved plat, all future development on the subject property must meet the following standards:

Minimum Lot Area: 4,882 square feet

Minimum Lot Width: 50 feet

Minimum Lot Depth: 97 feet

Minimum Front Yard Setback: 10 feet

Minimum Side Yard Setbacks: 5 feet

Minimum Rear Yard Setback: 10 feet

Maximum Lot Coverage: 66 percent

Maximum Building Height: 30 feet

Maximum Residential Density: 6.3 dwelling units per acre (12 divided by 1.92)

Minimum Open Space: 19,668 square feet or 17.3 percent of the gross acreage

The aforementioned development standards are utilized to establish the maximum building footprint for each lot and are a primary factor affecting tree preservation.

Variance Request. The applicant is requesting a variance to the requirements of Section 5.9-Minimum Tree Preservation Requirements of Chapter 5 (Tree Preservation) in the Land Development Code to reduce the percentage of required tree canopy coverage from 50 percent to 31 percent.

Ordinance: Section 5.9(B) of the Land Development Code states:

"Minimum Existing Tree Preservation Requirements: When any new construction occurs, there shall be a minimum number of trees protected on the property."

Analysis: According to the "Tree Preservation Plan" provided by the applicant, 44.2 percent of the subject property is covered by protected tree canopy. Based on this amount, a minimum of 50 percent of the protected canopy on the subject property must be preserved. The following is a breakdown of the requirement (this information is also provided on the attached Tree Preservation Plan):

- Total pre-developed canopy coverage – 44.2% or 42,144 square feet of canopy coverage
- Total preservation requirement – 50% or 21,072 square feet of canopy coverage
- Total proposed canopy coverage – 31% or 12,871 square feet of canopy coverage

Staff worked with the applicant to revise the original plan and provided recommendations to increase the preservation percentage from zero percent to 31 percent of the existing canopy coverage on the subject property. The applicant agreed with staff's recommendations and has committed to preserving as many trees as possible on the subject property. Of the trees staff requested to be considered for preservation, all but two are proposed to be preserved. The applicant contends that preserving any additional trees will result in the loss of one developable residential lot (to open space), a significant reduction in buildable area, or a modification to the slip road. Staff concurs with the applicant.

The governing ordinance (O-15-1964) requires two trees located within the open space lot to be preserved. These trees were not taken into consideration in the tree preservation calculations for two reasons: one tree is a non-protected species (Hackberry) per Chapter 5 of the Land Development Code, and the second tree (Bradford Pear) was severely damaged in a recent storm and is now considered to be a hazard tree.

The applicant is proposing to meet all mitigation requirements. The attached Mitigation and Planting Plan meets and/or exceeds the required mitigation for the subject property.

All other regulations regarding tree protection measures and new tree planting have been met with the current plans.

As submitted, the proposal does not meet the requirements of the Chapter 5 of the Land Development Code. Although the applicant has made significant efforts to preserve trees on the subject property, the proposed tree preservation plan does not comply with all regulations. Staff concedes that the proposal preserves the greatest number of trees without inhibiting the full development potential of the site. However, preservation of the required percentage of canopy coverage is possible.

Staff Recommendation.

The applicant has requested a variance to allow for a reduction in the percentage of preserved tree canopy coverage on the subject property. Although the applicant has attempted to address staff concerns, and revise the preservation plans to preserve additional trees, as submitted the proposal is not in compliance with Chapter 5 of the Land Development Code. Staff recommends denial based on technical noncompliance.

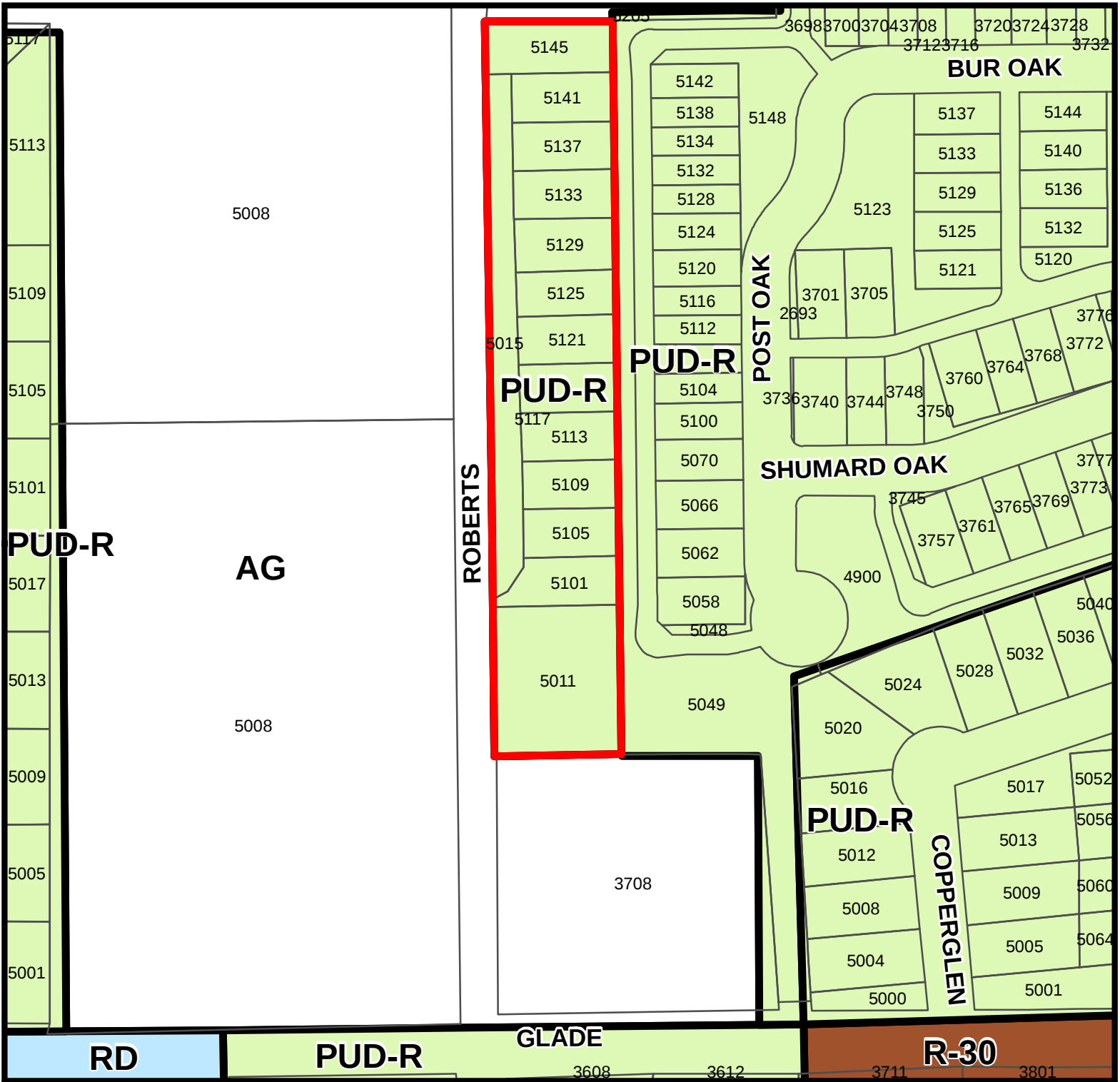
Recommendation

Denial

Attachments

1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Tree Preservation Plan
6. Tree Mitigation and Planting Plan
7. Existing Ordinance (O-15-1964)

ZONING MAP



GC16-004

5011, 5101, 5105, 5109,
5015, 5113, 5117, 5121,
5125, 5129, 5133, 5137,
5141, AND 5145 ROBERTS ROAD

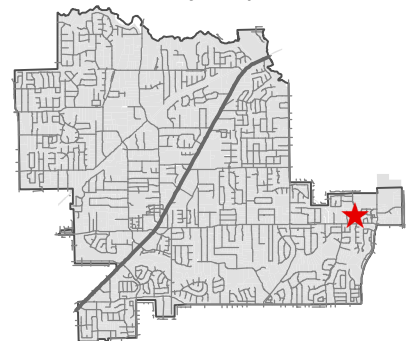


1 inch = 142 feet



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



GC16-004

5011, 5101, 5105, 5109,
5015, 5113, 5117, 5121,
5125, 5129, 5133, 5137,
5141, AND 5145 ROBERTS ROAD

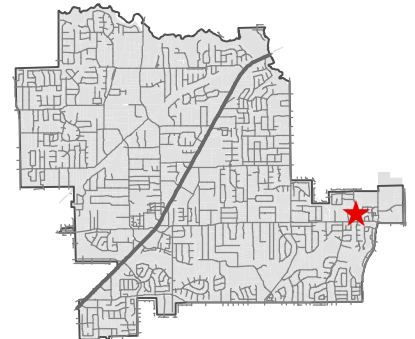


1 inch = 142 feet



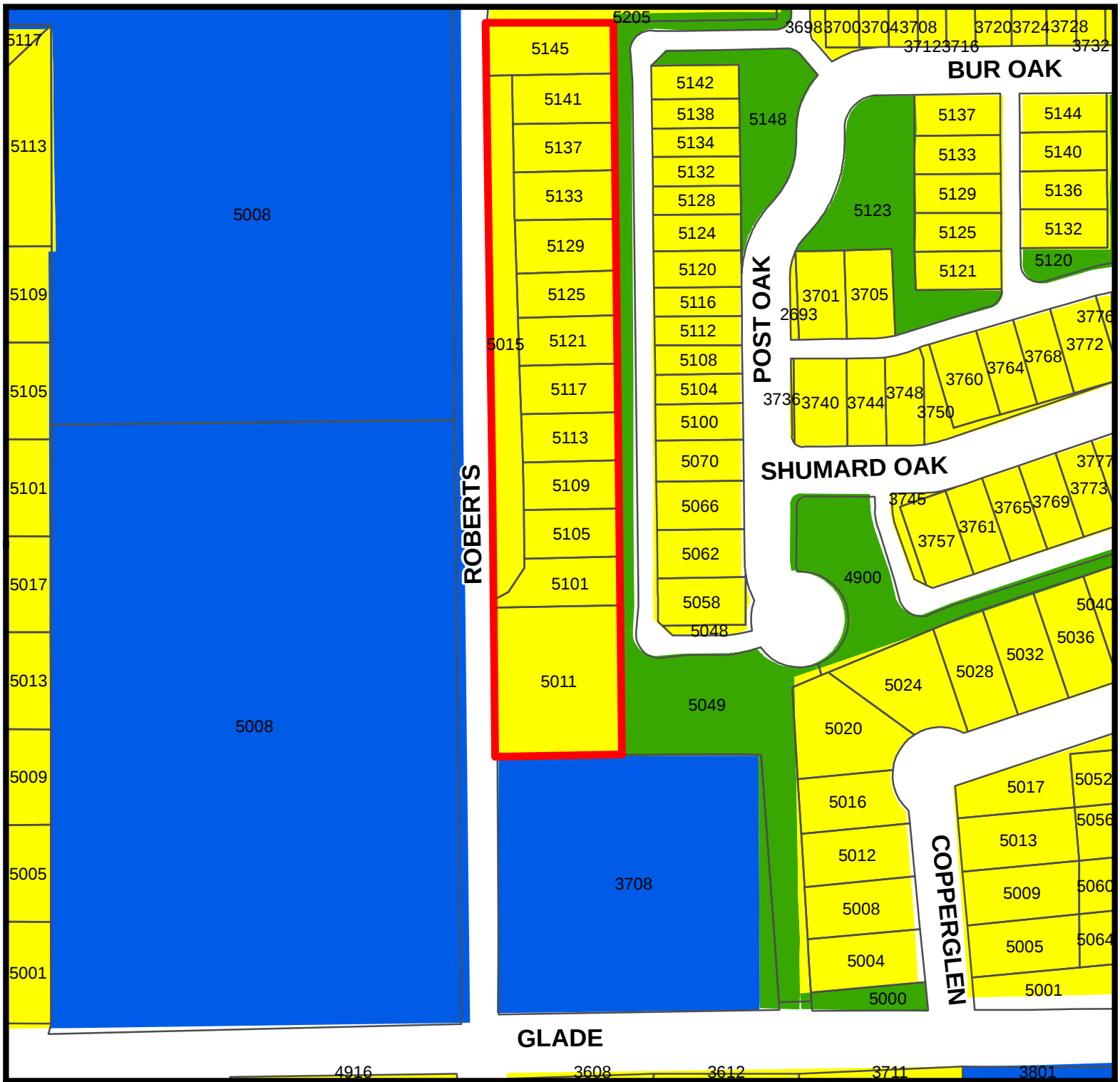
Subject Property

Vicinity Map



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FUTURE LAND USE MAP



GC16-004

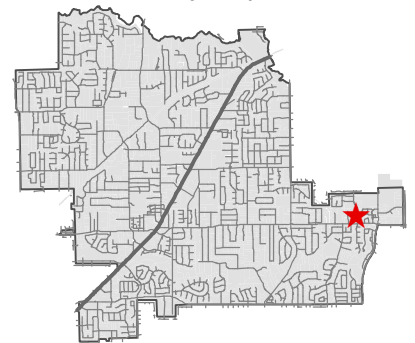
5011, 5101, 5105, 5109,
5015, 5113, 5117, 5121,
5125, 5129, 5133, 5137,
5141, AND 5145 ROBERTS ROAD



1 inch = 142 feet

- Subject Property
- RESIDENTIAL
- INSTITUTIONAL
- PARKS/ OPEN SPACE
- COMMERCIAL

Vicinity Map



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Statement of Planning Objectives



Leeming Design Group
Landscape Architecture

June 21, 2016

Mr. Caleb Tandy
City of Colleyville
Community Development Dept.
100 Main Street
Colleyville, Texas 76034

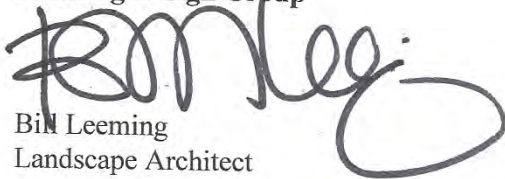
RE: The Villas at Windsor Steele

Mr. Tandy,

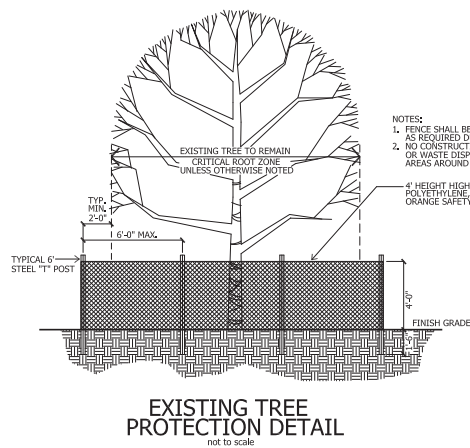
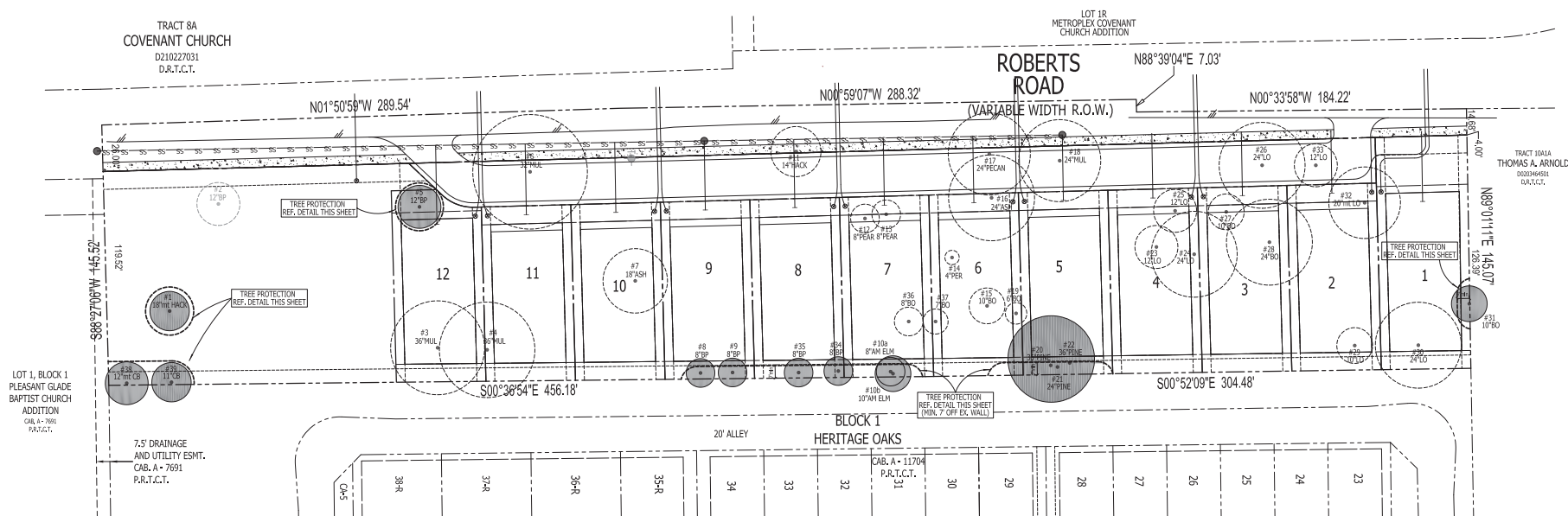
On behalf of Windsor Steele Homes, I am requesting a waiver from the minimum tree preservation requirements within Chapter 5 of Colleyville's Land Development Code. Based on the existing tree survey, we are required to preserve 50% of the existing tree canopy. We are preserving one tree as described in the PUD-R Ordinance O-15-1964 (one was damaged during recent storms) as well as an additional 12 trees. Due to the configuration of the approved and proposed single-family development we hereby request that a variance of Section 5.9.B of the Colleyville Land Development Code be granted to allow a reduction in preservation percentage from 50% to 31%, which the proposed plan meets.

Thank you,

Leeming Design Group

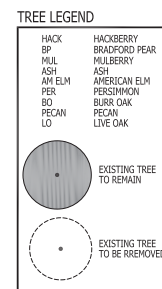
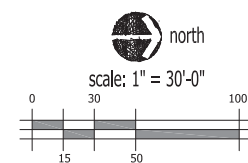

Bill Leeming
Landscape Architect

Tree Preservation Plan



EXISTING TREE INVENTORY					
#	DBH	COMMON NAME	GENUS/SPECIES	CZSR SF	NOTE
#1	18"	HACKBERRY	CELTIS OCCIDENTALIS	578.5F	PRESERVE
#2	36"	BURK OAK	QUERCUS MACROCARPA	824.0F	REMOVE
#3	36"	MULBERRY	MORUS ALBA	1777.5F	REMOVE
#4	36"	MULBERRY	MORUS ALBA	1777.5F	REMOVE
#5	36"	BURK OAK	QUERCUS MACROCARPA	824.0F	PRESERVE
#6	36"	MULBERRY	MORUS ALBA	1778.5F	REMOVE
#7	18"	ASH	FRAXINUS SPP.	200.0F	REMOVE
#8	36"	BURK OAK	QUERCUS MACROCARPA	1018.5F	PRESERVE
#9	8"	BURK OAK	QUERCUS MACROCARPA	21.5F	PRESERVE
#10	8"	AMERICAN ELM	ULMUS AMERICANA	114.5F	PRESERVE
#11	36"	BURK OAK	QUERCUS MACROCARPA	200.0F	PRESERVE
#11	14"	HACKBERRY	CELTIS OCCIDENTALIS	61.5F	REMOVE
#12	8"	BURK OAK	QUERCUS MACROCARPA	162.5F	REMOVE
#13	36"	BURK OAK	QUERCUS MACROCARPA	182.5F	REMOVE
#14	4"	PERMISKAW	DISFORDIA VIRGINIANA	50.5F	REMOVE
#15	10"	BURK OAK	QUERCUS MACROCARPA	31.5F	REMOVE
#16	36"	BURK OAK	QUERCUS MACROCARPA	1416.5F	REMOVE
#17	24"	PECAN	CARYA ILLINOENSES	1477.5F	REMOVE
#18	24"	MULBERRY	MORUS ALBA	1416.5F	REMOVE
#19	36"	BURK OAK	QUERCUS MACROCARPA	113.5F	REMOVE
#20	36"	PINE	PINUS ELLIOTTII	650.5F	PRESERVE
#21	24"	PINE	PINUS ELLIOTTII	534.5F	PRESERVE
#22	36"	BURK OAK	QUERCUS MACROCARPA	1800.5F	REMOVE
#23	12"	LIVE OAK	QUERCUS VIRGINIANA	110.0F	REMOVE
#24	24"	LIVE OAK	QUERCUS VIRGINIANA	180.5F	REMOVE
#25	12"	LIVE OAK	QUERCUS VIRGINIANA	110.0F	REMOVE
#26	24"	LIVE OAK	QUERCUS VIRGINIANA	1800.5F	REMOVE
#27	10"	BURK OAK	QUERCUS MACROCARPA	304.5F	REMOVE
#28	24"	BURK OAK	QUERCUS MACROCARPA	1800.5F	REMOVE
#29	24"	BURK OAK	QUERCUS VIRGINIANA	314.5F	REMOVE
#30	24"	LIVE OAK	QUERCUS VIRGINIANA	1809.5F	REMOVE
#31	10"	BURK OAK	QUERCUS MACROCARPA	314.5F	PRESERVE
#32	10"	BURK OAK	QUERCUS VIRGINIANA	314.5F	REMOVE
#33	12"	LIVE OAK	QUERCUS VIRGINIANA	388.5F	REMOVE
#34	8"	BURK OAK	QUERCUS MACROCARPA	201.5F	PRESERVE
#35	36"	BURK OAK	QUERCUS MACROCARPA	201.5F	PRESERVE
#36	8"	BURK OAK	QUERCUS MACROCARPA	201.5F	REMOVE
#37	12"	MULBERRY	MORUS ALBA	154.5F	REMOVE
#38	12"	MULBERRY	MORUS ALBA	154.5F	PRESERVE
#39	11"	CHICKENBERRY	MELIA AZEDARACH	38.5F	PRESERVE

NOTE: TREE PRESERVATION AND PROPOSED TREE INSTALLATION TO BE PERFORMED AS DESIGNATED IN ORDINANCE O-15-1964, Sec.4, 5, OPEN SPACE AND LANDSCAPING



TREE CANOPY CALCULATIONS		
TOTAL SITE	95,427 SF	
TREE CANOPY COVERAGE	42,144 SF	(44.2% SITE)
REQUIRED PRESERVATION	21,072 SF	(50% COVERAGE)
PROVIDED PRESERVATION	12,871 SF	(31% COVERAGE)

appr. by:
drawn by:
date: 05-12-16

revisions
06-16-16
06-21-16



Leeming
Design Group
Landscape Architecture

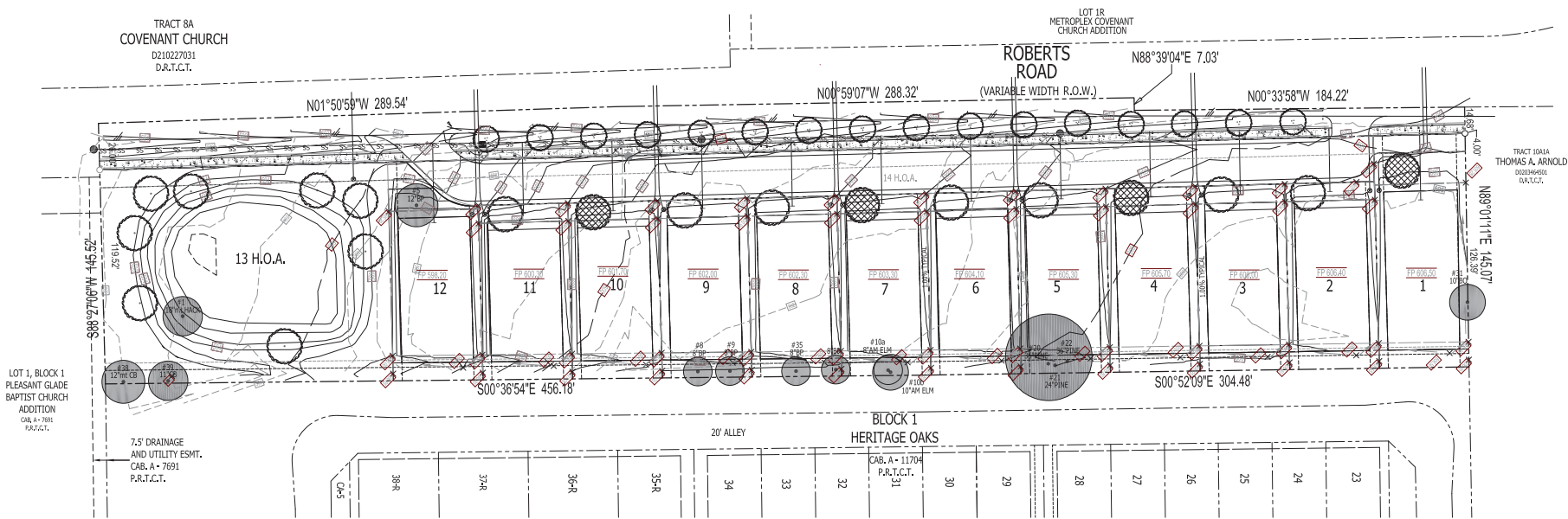
TREE PRESERVATION PLAN

THE VILLAS AT WINDSOR STEELE
ROBERTS ROAD
COLLEVILLE, TEXAS

file name:
c:\Coley\file\las\WindsorSteel\do-base WindsorSteel.dwg

sheet
T-2

Tree Mitigation and Planting Plan



COMMON AREA TREES SLIP ROAD MEDIAN TREES		INDIVIDUAL LOT TREES	
	MIN. 3" CALIPER		MIN. 6" CALIPER
LIVE OAK BURK OAK SHUMARD OAK CHINKAPIN OAK LACINIA ELM CEDAR ELM	QUERCUS VIRGINIANA QUERCUS MACROCARPA QUERCUS SHUMARDII QUERCUS MUhlenBERGII ULMUS PARVIFOLIA ULMUS CRASSIFOLIA	CHINESE PISTACHE RED MAPLE SHUMARD OAK CHINKAPIN OAK	PISTACHIA CHINENSIS ACER RUBRUM OCTOBER GLORY QUERCUS SHUMARDII QUERCUS MUhlenBERGII
NOTE - LARGE TREES CAN ONLY BE USED IN R.O.W. IF ELECTRIC DISTRIBUTION LINE IS BURIED AND DIRECTOR OF PUBLIC WORKS APPROVES TREE CLOSE TO SANITARY SEWER			MIN. 7'-9" HEIGHT
CRAPPE MYRTLE CHASTE TREE DESERT WILLOW		LACERSTROPHIA INDICA VITEX AGNES-CASTUS CHLOPSIS LINEARIS	

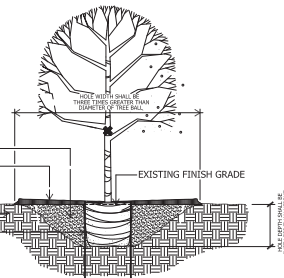
DRENCH WITH COMPOST TEA
OR GARRETT JUICE AT TIME
OF INSTALLATION

TREE STAKING TO BE PROVIDED
ONLY AS REQUIRED OR AT REQUEST
OF OWNER/LANDSCAPE ARCHITECT
AND REIMBURSED AT PER TREE COST

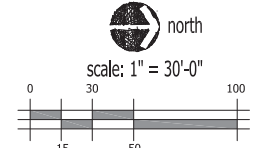
EXISTING NATIVE SOIL BACKFILL ONLY
SHREDDED CEDAR MULCH AS SPECIFIED
TAPER FROM 1/2" AT TRUNK TO 3-5"
AT OUTSIDE EDGE TREE HOLE

UNDISTURBED SUBGRADE

MODEL 658G-NS BELOW-GRADE
TREE STAKING AS MFG. BY
TREE STAKE SOLUTIONS
(www.treestakesolutions.com)



TREE PLANTING
SHADE TREE - 3" CAL. and smaller
not to scale



appr. by:
drawn by:
date: 05-12-16

revisions
06-16-16
06-21-16



Leaping
Design Group
Landscape Architecture
4015 South Loop West, Suite 1000 • Fort Worth, Texas 76107
(817) 337-0000 • Fax: (817) 337-0000
www.leapingdesigngroup.com

TREE REPLACEMENT PLAN

THE VILLAS AT WINDSOR STEELE
ROBERTS ROAD
COLLEGEVILLE, TEXAS

file name:
C:\Users\leaping\Documents\The Villas at Windsor Steele\Tree Replacement\Tree Replacement.dwg
sheet
T-3

Existing Ordinance

ORDINANCE O-15-1964

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 2.60 ACRES IN THE G.W. MINTER SURVEY, ABSTRACT 1034, LOCATED AT 5017, 5113, AND 5201 ROBERTS ROAD FROM THE AG-AGRICULTURAL ZONING DISTRICT TO THE PUD-R-PLANNED UNIT DEVELOPMENT RESIDENTIAL ZONING DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a rezoning under Case No. ZC15-011; 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

Existing Ordinance

Ordinance O-15-1964

Page 2 of 6

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 2.60 acres in the G.W. Minter Survey, Abstract 1034, located at 5017, 5113, and 5201 Roberts Road from the AG-Agricultural zoning district to the PUD-R-Planned Unit Development Residential zoning district, as depicted in the attached Exhibit "A" and as legally described in Exhibit "B".
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. General

- a. The purpose of this PUD-R is for a single family residential development of 12 detached dwelling units, constructed at a maximum net density of 6.3 dwelling units per acre (12 divided by 1.92 acres).
- b. The subject property is subject to all the regulations contained in the Land Development Code, except as noted herein.

2. Development Plan

- a. The development shall be generally consistent with Exhibits "C" and "D" relating to the layout and common open space, which shall not be considered the associated plat. The actual

Existing Ordinance

Ordinance O-15-1964

Page 3 of 6

street and lot arrangement may differ from that shown on Exhibit "C" to accommodate topographic, drainage, or other conditions. All final details are subject to the other provisions of this ordinance and all other City codes and regulations.

- b. The development shall provide a slip road, similar to the one in attached Exhibit "E." The photos represent the character and look the slip street shall have.
- c. Homes constructed shall generally comply with the building materials, architectural style, and scale of the architecture as shown in the renderings contained in Exhibit "F."
- d. Homes constructed shall utilize 100 percent masonry materials on all facades, excluding windows, doors and trim.
- e. Homes shall feature wooden or faux-wood garage doors.
- f. A six-foot masonry wall shall be provided along the northern and southern property lines, extending from the eastern property line and existing masonry wall of Heritage Oaks to the front building line of proposed Lots 1 and 12.

3. Permitted Uses

- a. Single Family Detached Dwellings
- b. Common Open Space Areas

4. Residential Lot Requirements and Setbacks

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

- a. Minimum Lot Size: 4,882 square feet
- b. Minimum Lot Depth: 97 feet
- c. Minimum Lot Width: 50 feet
- d. Front Building Line: 10 feet

Existing Ordinance

Ordinance O-15-1964
Page 4 of 6

- e. Side Building Line: 5 feet
- f. Rear Building Line: 10 feet
- g. Maximum Lot Coverage: 66 percent
- h. Maximum Building Height: 30 feet

5. Open Space and Landscaping

- a. This development shall provide a minimum of 17.3 percent common open space, as shown on Exhibits "C" and "D" which shall be for the aesthetic, leisure, and recreational enjoyment of the development's residents. The open space shall comply with the provisions contained in the Land Development Code except as noted herein. All open space areas shall be landscaped and maintained by the Homeowner's Association (HOA).
- b. A minimum of eight, three-inch caliper trees shall be planted on proposed Lot 13 by the developer, prior to the final acceptance of the subdivision.
- c. A minimum of one, three-inch caliper tree shall be planted in each residential lot front yard.
- d. The two existing trees as noted on Exhibit "D" shall be preserved. Should the two trees be removed, the caliper inches shall be replaced with trees meeting the standards of the Land Development Code at the rate of three times the removed tree's caliper inches.
- e. The median between Roberts Road and the slip road shall contain one tree for every 30 linear feet, to be provided by the developer prior to final acceptance of the subdivision.

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.

Existing Ordinance

Ordinance O-15-1964

Page 5 of 6

- 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.

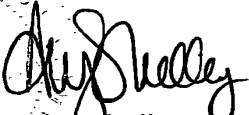
AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 1st day of September 2015.

The second reading and public hearing being conducted on the 15th day of September 2015.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 15th day of September 2015.

ATTEST:


Amy Shelley, TRMC
City Secretary

CITY OF COLLEYVILLE


David Kelly
Mayor

Existing Ordinance

Ordinance O-15-1964
Page 6 of 6

APPROVED AS TO FORM AND LEGALITY:

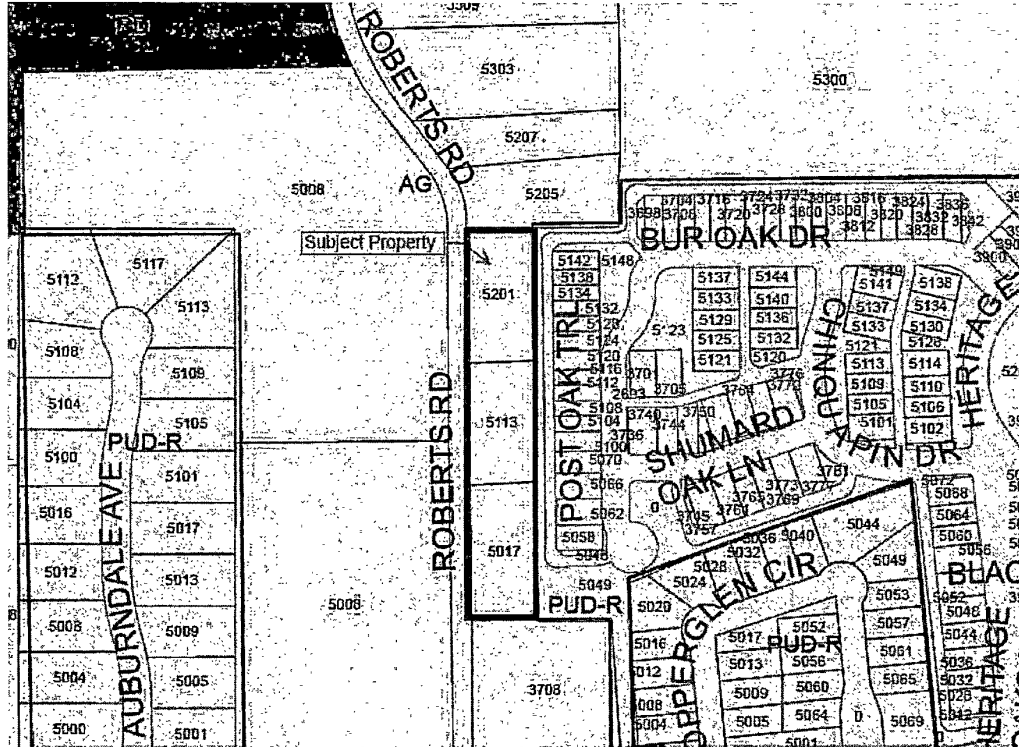


Matthew C. G. Boyle
City Attorney

Ben L. Stool
Ass't City Attorney
Boyle & Lowry, LLP

Existing Ordinance

Exhibit A -Location and Zoning Map



Existing Ordinance

Exhibit B – Legal Description

Being a tract in the G.W. Minter Survey, Abstract 1034, City of Colleyville, Tarrant County, Texas conveyed to Kenneth W Sauer, etux, recorded in Document No. 211194191, James Lecocq recorded in Document No. 203104559, and Ted Scribner, etux recorded in Vol. 5564 Page 899 of the Deed Records of Tarrant County, Texas, and being more particularly described as follows with bearings related to the west line of Heritage Oaks recorded in Cabinet "A" Slide 11704 of the plat records of Tarrant County; Beginning at the northwest corner of said Heritage Oaks; THENCE S00/48'20"E, a distance of 304.48 feet along said west line to a point for a corner; THENCE S00/33'05"E, a distance of 456.18 feet continuing along said west line to a point for a corner in the north line of Lot 1 Block 1 Pleasant Glade Baptist Church Addition recorded in Cabinet "A" Slide 7691 of said Plat Records; THENCE S88/30'45"W, a distance of 144.98 feet to a point for a corner in Roberts Road; THENCE N01/52'36"W, a distance of 289.95 feet to a point for a corner; THENCE N00/39'22"W, a distance of 286.54 feet to a point for a corner; THENCE N88/51'25"E, a distance of 6.77 feet to a point for a corner; THENCE N00/48'20"W, a distance of 185.47 feet to a point for a corner in the south line of a tract conveyed to Thomas Arnold recorded in Document 203464501 of said deed records; THENCE N89/01'26"E, a distance of 144.90 feet along said Arnold south line to the POINT OF BEGINNING and containing 2.60 acres, more or less.

Existing Ordinance

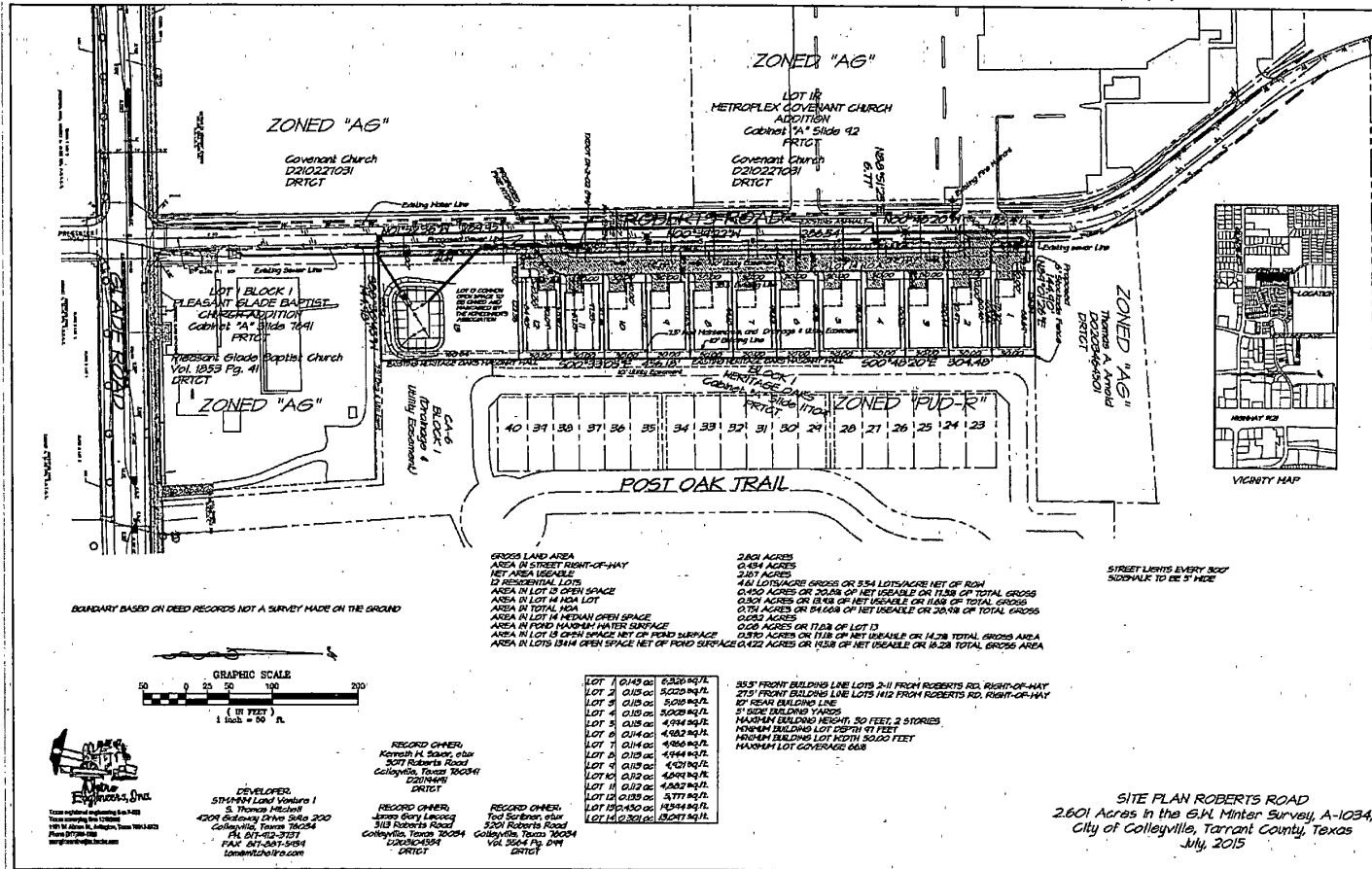


Exhibit C - Site Layout

Existing Ordinance

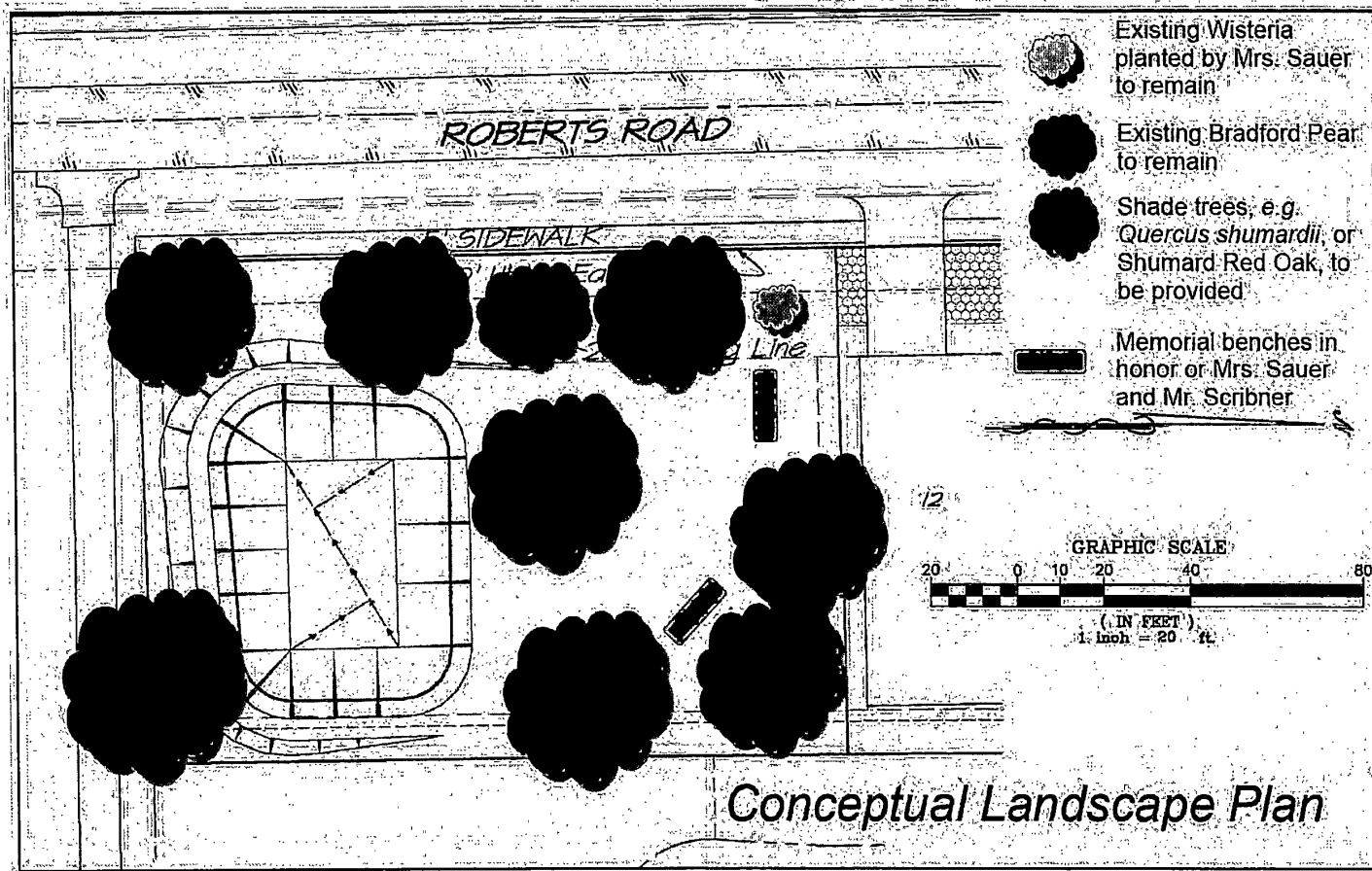
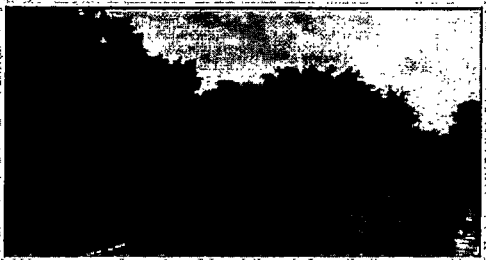


Exhibit D - Conceptual Landscape

Existing Ordinance

Exhibit E – Slip Road



Existing Ordinance

Representative Architecture

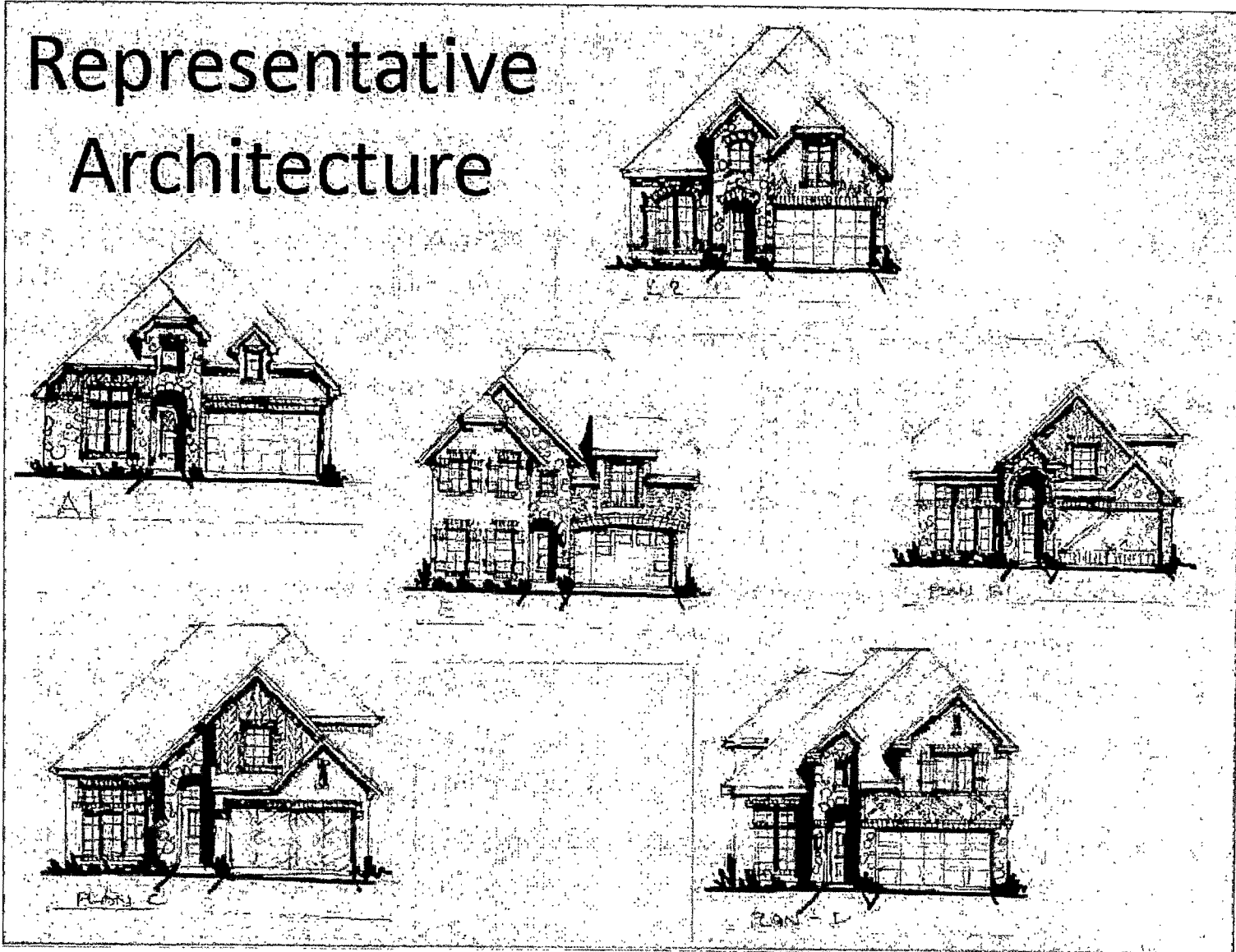


Exhibit F – Architectural Renderings