



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, November 14, 2016

City Council Chambers

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

SWEARING IN OF NEWLY APPOINTED COMMISSIONERS

**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. ELECTION OF A CHAIR AND VICE CHAIR**
- 2. APPOINTMENT OF A RECORDING SECRETARY**
- 3. APPOINTMENT TO THE PARK LAND DEDICATION COMMITTEE**

4. APPROVAL OF MINUTES

October 10, 2016

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

6. PUBLIC HEARING AGENDA ITEMS

6a

Consideration of a Special Use Permit for an Accessory Building larger than permitted on Lot 9, Block 2, of the Briarwood-Colleyville Addition, located at 6001 Quality Hill Road, Case ZC16-013, tabled from October 10, 2016 meeting

6b

Consideration of a replat on Lots 3, 4, and 5, Block 2, of the Jewell Estates Addition, located at 6603, 6503, and 6501 Diamond Court, Case PC16-012

6c

Consideration of a Special Use Permit for an Accessory Building larger than permitted on Lot 3, Block 2, of the Jewell Estates Addition, located at 6603 Diamond Court, Case ZC16-018

6d

Consideration of a zoning change from the AG-Agricultural district to the CN-Neighborhood Commercial district on Abstract 206, Tract 3A, in the BBB & C RY SURVEY located at 5300 Pleasant Run Road, Case ZC16-019

7. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards Friday, November 11, 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
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Monday, October 10, 2016

City Council Chambers

CALL MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Chairman Byerly on October 10, 2016, at 7:13 p.m.

Roll Call

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

Staff Present: Shane Pace, Ben Bryner, Oscar Chavez, Rob McKeown, Chief Brian Riley, Araceli Botello, and Matthew Butler (Assistant City Attorney)

1. APPROVAL OF MINUTES

Commissioner Davis made a motion to approve the September 12, 2016 minutes as corrected. Commissioner Phelps seconded.

The motion to approve the September 12, 2016 minutes as corrected carried by the following vote:

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

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

There were no citizen comments/presentations regarding items not on the agenda.

3. PUBLIC HEARING AGENDA ITEMS

3a Consideration of a replat on Lots 16 (South ½) & 17R, Block 1, of the Bettinger Place Addition, located at 6309 Bettinger Drive, Case PC16-010

Shane Pace presented the case and briefed the Commission.

The public hearing was opened at 7:17 p.m.

The applicant, Debra Perryman, 2805 Market Loop, Suite 100,

Southlake, came forward and briefed the Commission.

There being no others present wishing to speak, the public hearing was closed at 7:19 p.m.

Commissioner Tornes made a motion to approve Case PC16-010. Commissioner Elms seconded.

The motion to approve Case PC16-010 carried by the following vote:

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

- 3b** Consideration of a Special Use Permit for an Accessory Building larger than permitted on Lot 9, Block 2, of the Briarwood-Colleyville Addition, located at 6001 Quality Hill Road, Case ZC16-013

Shane Pace presented the case and briefed the Commission.

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

The applicants, Michael and Angela Meierhofer, 6001 Quality Hill Road, came forward and briefed the Commission.

There being no others present wishing to speak, the public hearing was closed at 7:37 p.m.

Commissioner Phelps made a motion to continue Case ZC16-013 to the November 14, 2016 Planning and Zoning Commission meeting. Commissioner Gotcher seconded.

The motion to continue Case ZC16-013 to the 10, 2016 Planning and Zoning Commission meeting carried by the following vote:

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

3c

Consideration of an amendment to the PUD-R Planned Unit Development-Residential district to amend the front building line on lots 1-9, Block 1, of the Carmel Place Estates Addition, located at 4916, 4912 4908, 4828, 4824, 4820, 4816, 4812, and 4808 Carmel Place, Case ZC16-015

Shane Pace presented the case and briefed the Commission.

The public hearing was opened at 7:49 p.m.

The applicant, Russell Slovak, 1800 Valley View Lane, Farmers Branch, came forward and briefed the Commission.

There being no others present wishing to speak, the public hearing was closed at 8:11 p.m.

Commissioner Phelps made a motion to approve Case ZC16-015 with the following condition: 1) All front facing garages must be located no closer than 25 feet from the front property line. Commissioner Tornes seconded.

The motion to approve Case ZC16-015 with the following condition: 1) All front facing garages must be located no closer than 25 feet from the front property line, carried by the following vote:

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

3d

Consideration of a zoning change from the AG Agricultural district to the R-20 Single Family Residential district on Abstract 1756 of the A T Young Survey, Tract 1A01B, located at 216 W. Glade Road, Case ZC16-016

Shane Pace presented the case and briefed the Commission.

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

The applicant, Hiep Nguyen, 2825 Yucca Avenue, Fort Worth, came forward and briefed the Commission.

There being no others present wishing to speak, the public hearing was closed at 8:37 p.m.

Commissioner Gotcher made a motion to approve Case ZC16-016 with the following recommendation: 1) that the request be updated to the R-40 zoning district. Commissioner Davis seconded.

The motion to approve Case ZC16-016 with the following recommendation: 1) that the request be updated to the R-40

zoning district, carried by the following vote:

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

5. ADJOURNMENT

The meeting adjourned at 8:38 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 6a	Agenda Date 11/14/2016	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a Special Use Permit for an Accessory Building larger than permitted on Lot 9, Block 2, of the Briarwood-Colleyville Addition, located at 6001 Quality Hill Road, Case ZC16-013, tabled from October 10, 2016 meeting

Explanation

Update: At the October 10, 2016 Planning and Zoning Commission meeting, the Planning and Zoning Commission recommended tabling this item to a future date to allow the applicant to revise the proposed accessory building. The applicant has revised the submittal information based on the direction of the Commission. The agenda briefing below reflects these changes.

Michael Meierhofer, the applicant, has submitted a request for a Special Use Permit (SUP) to construct an approximately 1,533 square foot accessory building at 6001 Quality Hill Road. The SUP is being requested because the total square footage of the accessory building will exceed the maximum square footage allowed.

Existing Conditions/Background: The subject property is zoned R20- Single Family Residential district and generally located on the east side of Quality Hill Road and north of LD Lockett Road. The subject property is a platted lot of the Briarwood Addition and currently developed with one single family home and one 120 square foot accessory building which is proposed to remain.

Proposed Special Use Permit Request:

Request – The applicant is requesting approval of a Special Use Permit to allow for the construction of an accessory building which will exceed the maximum square footage permitted.

Ordinance – Section 3.27 Accessory Buildings and Residential Carport Regulations of the Land Development Code establishes the maximum size and number of accessory buildings permitted on a residential lot:

"2. Maximum Size and Number of Buildings:

- 1. The maximum number of accessory buildings allowed per lot shall be three (3) buildings. In addition, the combined square footage of all accessory buildings shall not exceed the maximum square footage specified in the following table.*

Maximum Square Footage of all Accessory Buildings				
Lot Size	Under .5 ac	.5– .99 ac.	1 – 2.99 ac.	3+ ac.
Total s. f.	750 s. f.	1,000 s. f.	1,750 s. f.	2,500 s. f.

1. *For the purpose of this Section, the size of an accessory building shall be the square footage of the building footprint.*
2. *An application to exceed the total square footage shown in the above table may be approved as a Special Use Permit (SUP)."*

Analysis – The proposed accessory structure does not comply with the following provisions of the Land Development Code:

1. Section 3.27(A)2 – Maximum Size and Number of Buildings:

For lots under 0.5 acres in size, the maximum size allowed for all accessory buildings on the site is 750 square feet. The subject property is 21,518 square feet or 0.49 acres and currently contains one 120 square foot accessory building. The proposal up for consideration requests to construct a second accessory building 1,533 square feet in size. The total for both accessory buildings will be 1,653 square feet. This total exceeds the maximum 750 square footage allowed by 903 square feet.

The applicant plans to construct a 1,533 square foot accessory building on the rear portion of the property, approximately 10 feet from the rear property line, and seven (7) feet from the southern side property line. The accessory building will be located entirely behind the primary residence and access will be provided via a new extension to the existing driveway. The proposed building does not penetrate the vertical height envelope.

The proposed accessory building complies with all other requirements of Section 3.27. The site plan and elevations have been included as attachments for your review. The proposed building along with the existing home and accessory building does not exceed the maximum lot coverage of 30 percent for the R-20 district.

It should be noted that the subject property is 262 square feet less than 0.5 acre. As seen in the table above, lots 0.5-.99 acres are permitted to have 1,000 square feet of accessory buildings. Although the request up for consideration, exceeds the permitted size by more than 100 percent, the lot is more closely aligned with a 0.5 acre lot. Additionally, the applicant contends that similar buildings exist within the neighborhood. Staff reviewed the information for surrounding properties and confirmed that 5909 Quality Hill Road (to the south) currently has a 950 square foot detached accessory building which is visible from the street. There are no other large accessory structures visible from the street in the immediate vicinity which have been permitted.

Surrounding Development: The surrounding properties to the north, south, east, and west are zoned R-20 Single Family district and developed with single family homes.

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 applicant proposes to construct a detached accessory building which will exceed the total combined square footage allowed by the Land Development Code. The applicant has made modifications to the structure in an effort to meet the height requirements and reduced the total square footage by 400 square feet based on the direction of the Planning and Zoning Commission at the October 10, 2016 meeting. At this time the building meets the height requirements for the R-20 zoning district but exceeds the permitted square footage. Given the modifications to the building design, staff does not believe the proposed structure will adversely impact any of the surrounding properties. The location of the building meets the setback requirements for the governing zoning district and is completely behind the primary structure. Although the proposed building is larger than allowed, it does not exceed the maximum lot coverage and there are large accessory buildings in close proximity. Staff has not received any opposition to the proposal and the building will meet all of the other requirements of the Land Development Code. Staff recommends approval of the request.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Statement of Planning Objectives
4. Site Plan
5. Building Elevations and Floorplans
6. Notification Map
7. Notification List
8. Draft Ordinance

AERIAL MAP



ZC16-013

6001 QUALITY HILL ROAD



Subject Property

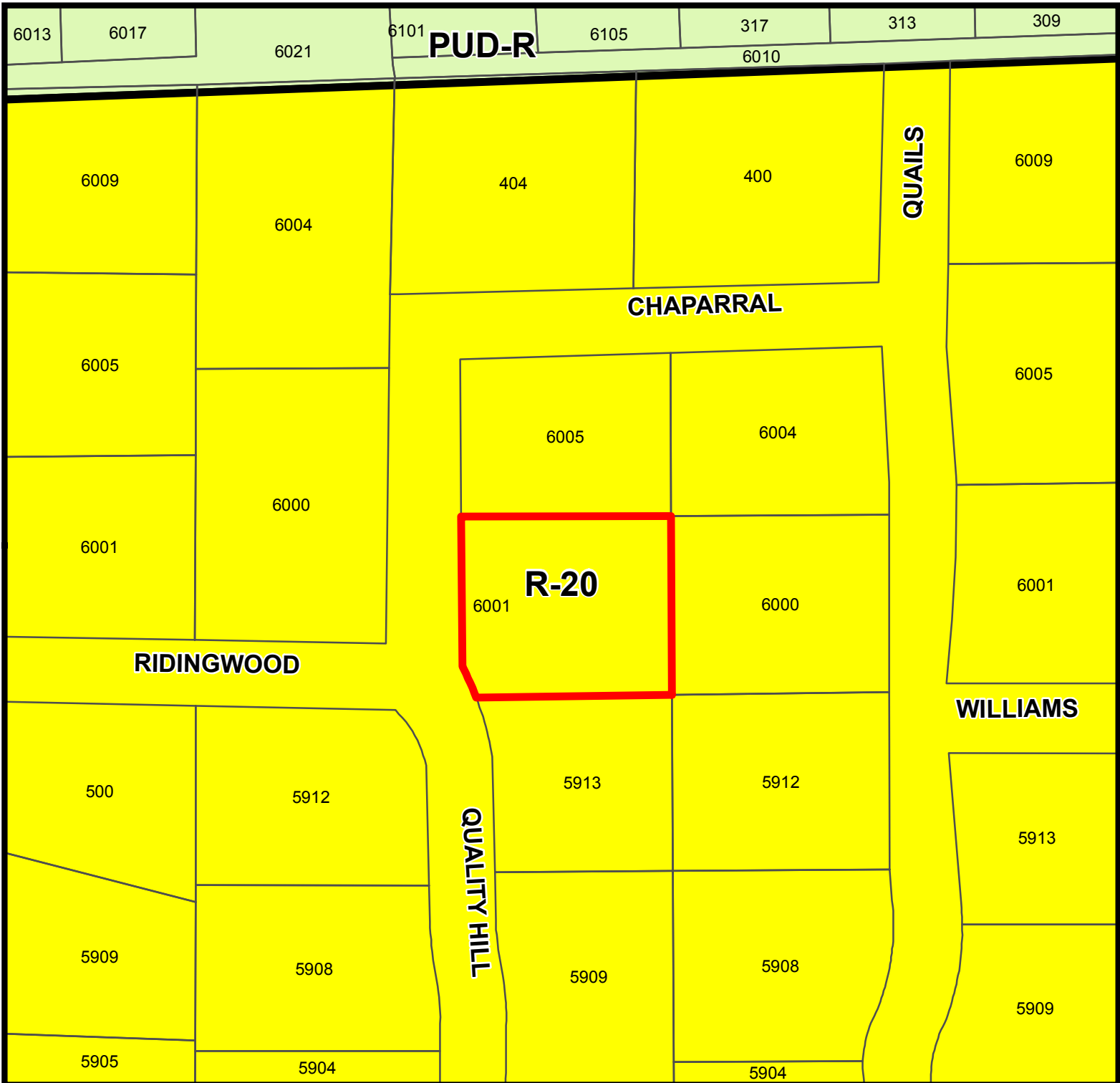
Vicinity Map



1 inch = 104 feet

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.

ZONING MAP



ZC16-013

6001 QUALITY HILL ROAD

-  Subject_Property
-  PUD-R Planned Unit Development, Residential
-  R-20 Single Family Residential (20,000 sq. ft. min)

Vicinity Map



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Statement of Planning Objectives

6001 Quality Hill Rd.

Meierhofer Garage/Poolhouse

Subject: ZC16-013, SUP for an Accessory Building

To whom it may concern:

The initial staff comments have been addressed, and the drawings have been revised, with the exception of the maximum height requirements. We are requesting a deviation from the provisions in regards to the height restrictions in the form of a separate written request as required by the city of Colleyville initial staff comments. Along with this letter, we are submitting to the city (4) sets of 24" x 36" revised drawings and site plan, (5) sets of 11" x 17" revised drawings and site plan, a CD containing all plans, the response to the staff comments, and a written request for variance of the height restrictions referenced above. If there are any other items or information needed, please make us aware as soon as possible.

Thank you,

Mike and Angela Meierhofer

FILE COPY

RECEIVED

SEP 16 2016

Per

Statement of Planning Objectives

Request for Variance

6001 Quality Hill Rd.

ZC16-013

To whom it may concern:

We would ask that you please consider waiving the height restrictions of our new proposed garage/poolhouse for the following reasons:

- 1-The new building will not exceed the height of the existing dwelling.
- 2-The new building will add value to the home and the neighborhood.
- 3-There are several existing buildings in the neighborhood that exceed the same restrictions. Some have been built in the recent past.
- 4-The new building is not an additional dwelling.
- 5-The lot is very large, and can accommodate the new building. (<30%)
- 6-We have spent over \$14,000 on design per multiple verbal instructions in person, with preliminary drawings, from a city of Colleyville employee before the process began. This employee is no longer employed at the city. Complete re-design will cost large amounts of additional time and money.

Thank you in advance for your sincere consideration,

Mike and Angela Meierhofer

FILE COPY

RECEIVED

SEP 16 2016

Per

Statement of Planning Objectives

Meierhofer Residence Planning Objective

The plan is to build a detached garage and pool house on our property. The garage will be a two car garage and the pool house will be attached to the garage. It is a two story pool house maximizing square footage. The house will be approximately 1900 square feet. This is an improvement to our home and neighborhood.

There are other homes in our neighborhood that have accessory buildings that exceed the maximum square footage as well. Some were existing and others were built in recent years.

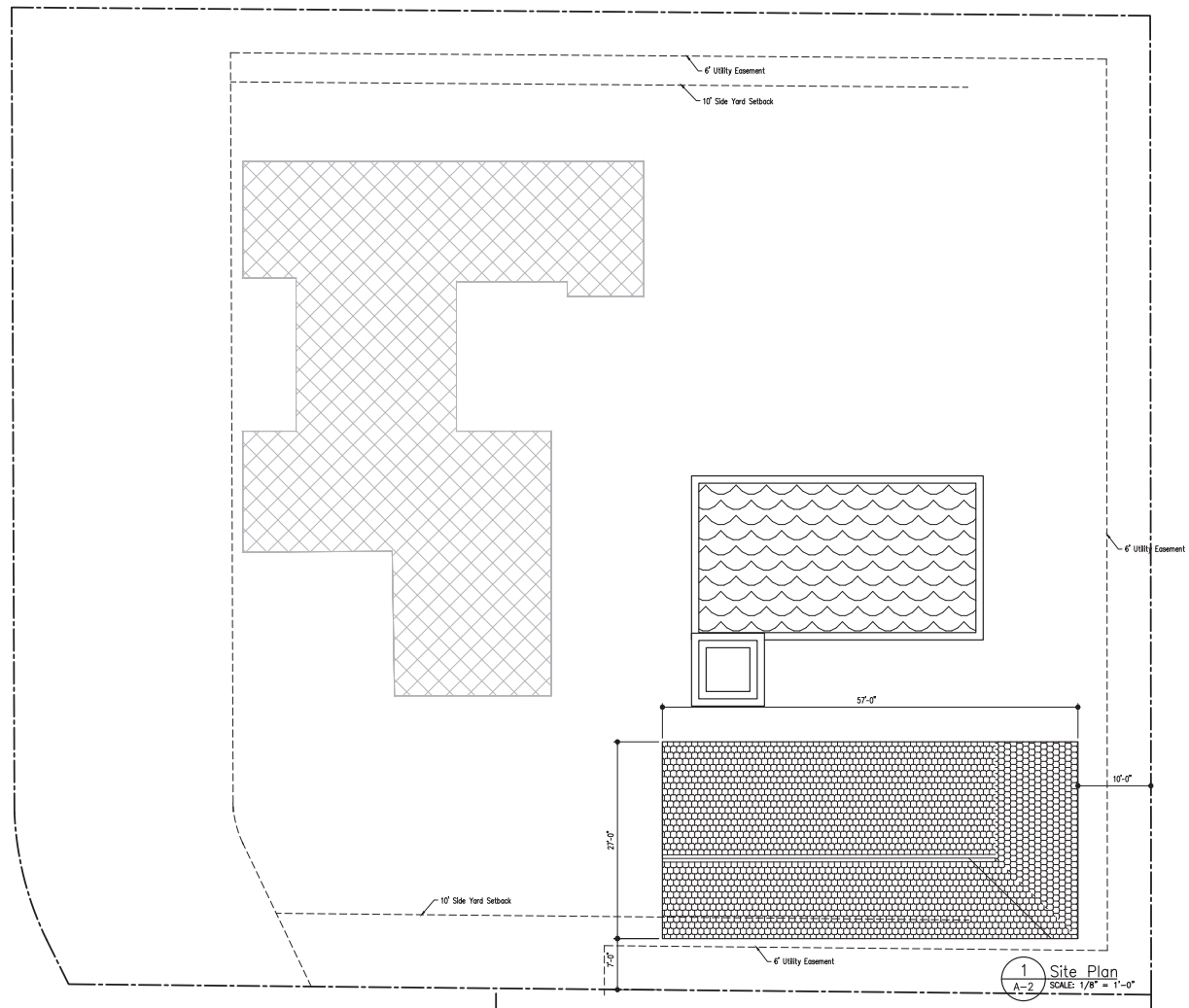
FILE COPY

RECEIVED

AUG 05 2016

Per

Site Plan



Larsen Dye Associates Architects
114 W. 1st Street, Suite 100
Long Beach, CA 90802-3917
(972) 331-1130 (phone)
(972) 331-2188 (fax)
info@larsendye.com
www.larsendye.com
Architects - A, Registered Professional
Member: American Institute of Architects



POOL HOUSE ADDITION
Meierhofer Residence
6001 Quality Hill Rd
COLLEYVILLE, TEXAS 76034

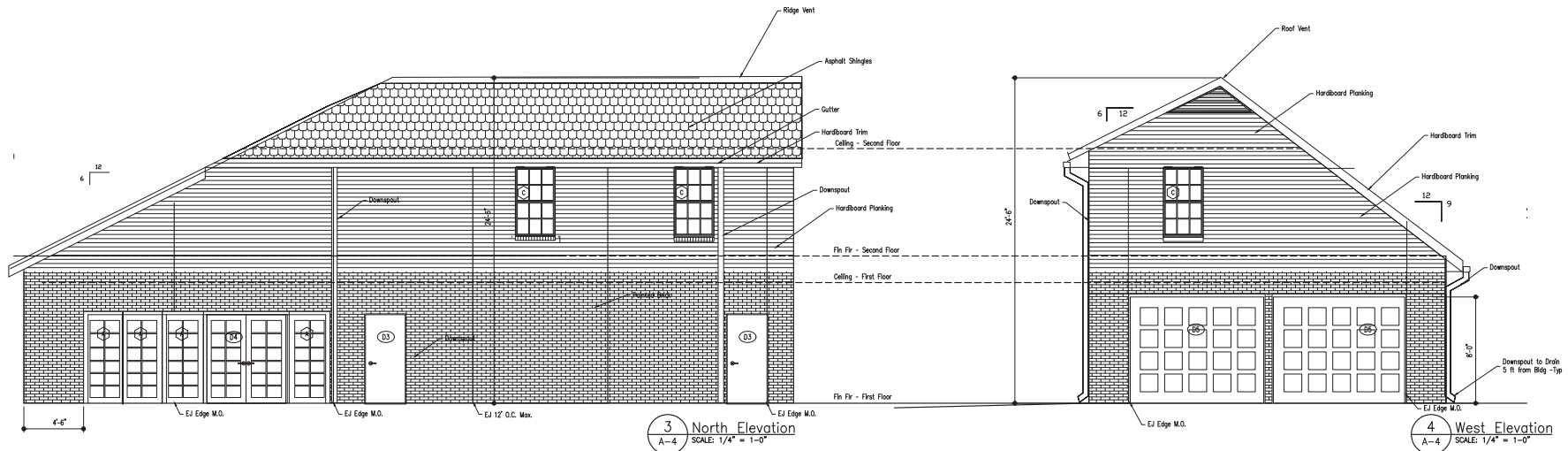
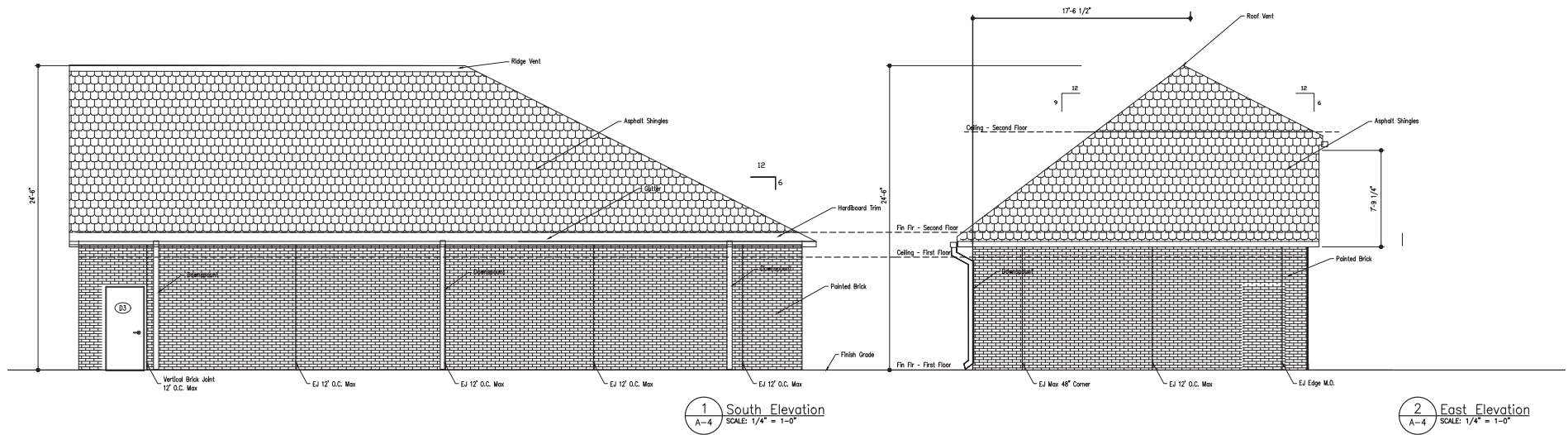
Job No. 1616
Issue Date: 10.26.2016
Drawn by: STAFF
Checked by: STAFF

SHEET TITLE
Site Study

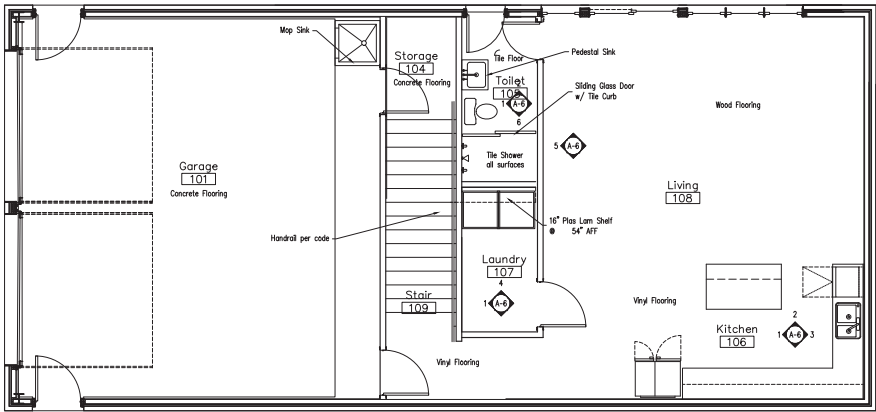
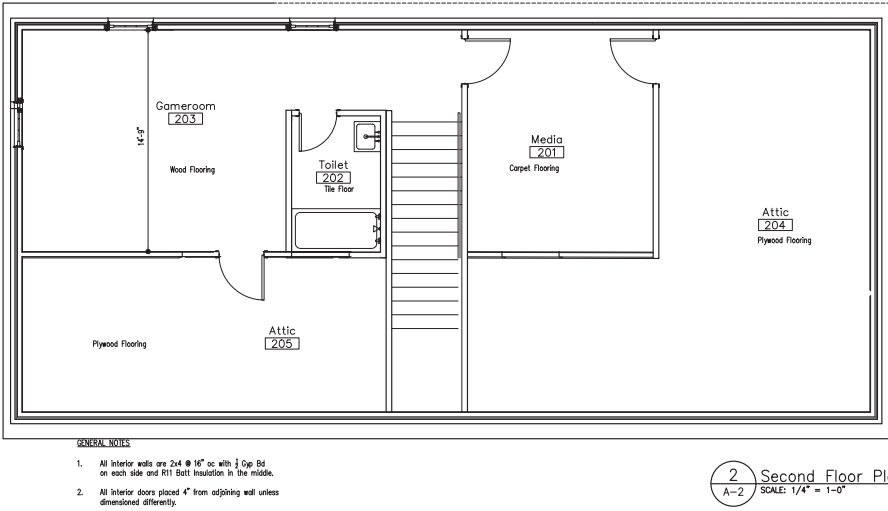
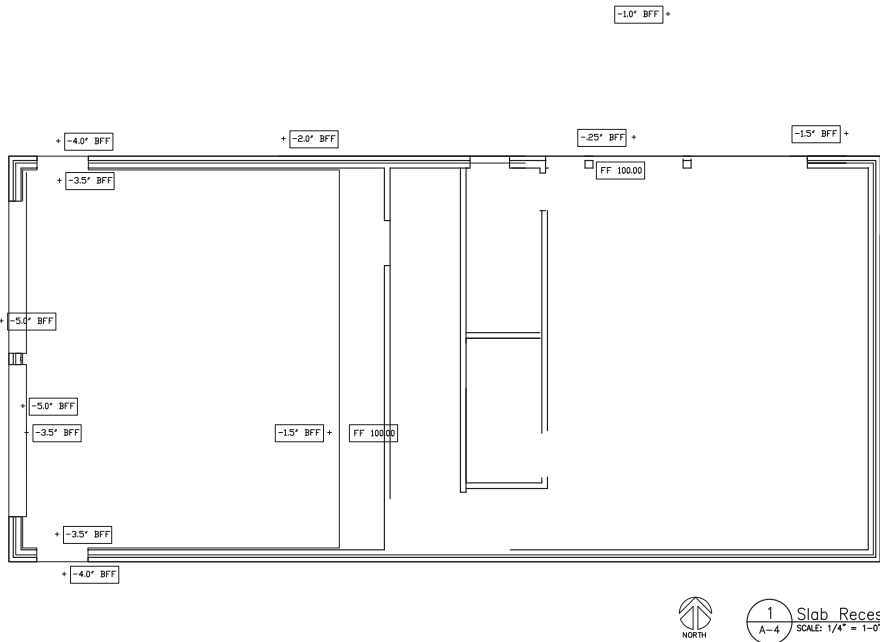
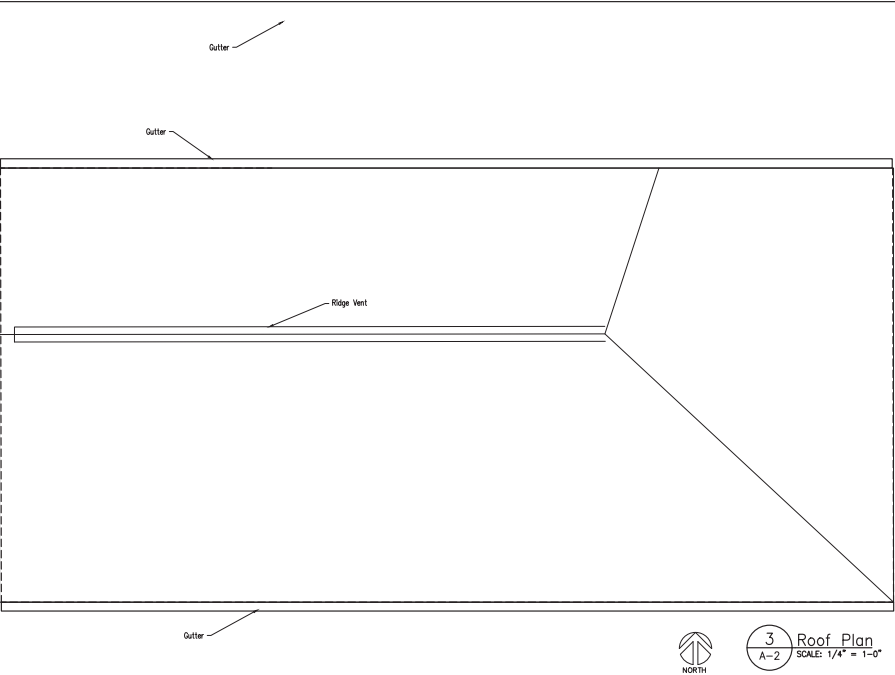
SHEET NO.
A-2

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Building Elevations and Floorplans



Building Elevations and Floorplans



Larsen Dye Associates Architects
114 W. 11th Street, Suite 100
Long Beach, CA 90802-3977
(972) 331-1330
Architects - A, Registered Professional
Member: American Institute of Architects



11/09/2016

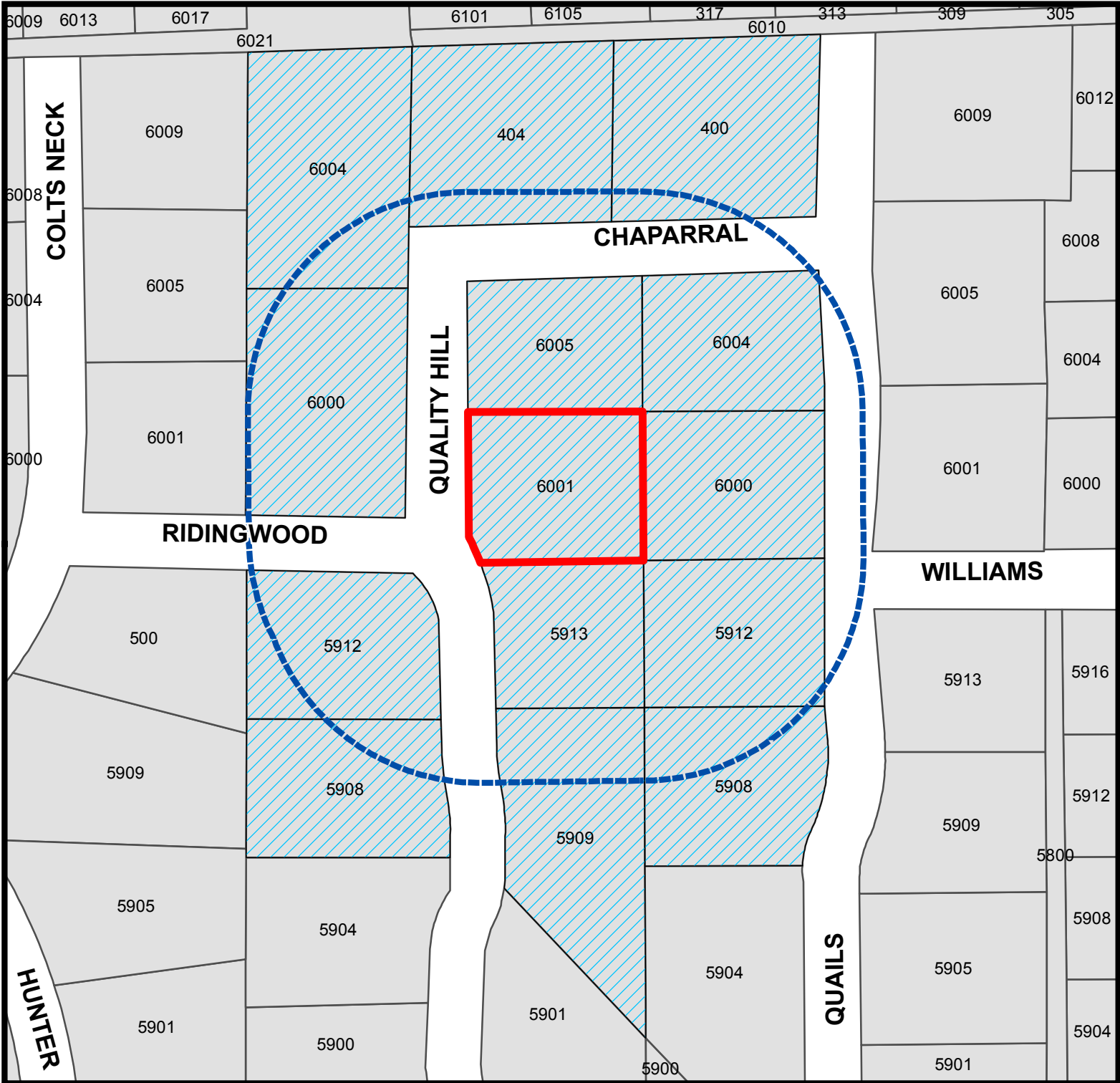
POOL HOUSE ADDITION
Meierhofer Residence
6001 Quality Hill Rd
COLLEGEVILLE, TEXAS 76034

Job No. 1616
Issue Date: 11/09/2016
Drawn by: STAFF
Checked by: STAFF
THIS OUTLINE SET WAS
PREPARED BY, OR
UNDER THE SUPERVISION
OF: TEXAS ARCHITECT
Richard A. Larsen, AIA
REG. NO. 6291

SHEET TITLE
Plans
SHEET NO.

A-3
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NOTIFICATION MAP



ZC16-013

6001 QUALITY HILL ROAD



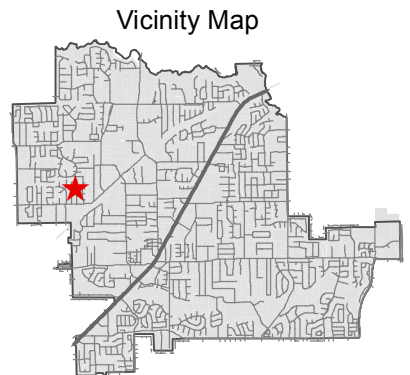
1 inch = 125 feet



Subject Property

200ft Buffer

Properties within 200ft



Vicinity Map

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Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
MEIERHOFER, MICHAEL	6001 QUALITY HILL RD	COLLEYVILLE, TX	76034	6001 QUALITY HILL RD
GEORGE, JAMES P	5908 QUALITY HILL RD	COLLEYVILLE, TX	76034	5908 QUALITY HILL RD
KIEWEG, KENNETH	5912 QUAILS PATH	COLLEYVILLE, TX	76034	5912 QUAILS PATH
GARVIN, BILLY RAY	5908 QUAILS PATH	COLLEYVILLE, TX	76034	5908 QUAILS PATH
SCHEPPY, EDWIN C	400 CHAPARRAL ST	COLLEYVILLE, TX	76034	400 CHAPARRAL ST
WHITE, DARYL H	5909 QUALITY HILL RD	COLLEYVILLE, TX	76034	5909 QUALITY HILL RD
FITZPATRICK, ALVIN A	404 CHAPARRAL ST	COLLEYVILLE, TX	76034	404 CHAPARRAL ST
COLLINS, ROBERT	5912 QUALITY HILL RD	COLLEYVILLE, TX	76034	5912 QUALITY HILL RD
LAND, KELCEY J	6004 QUAILS PATH	COLLEYVILLE, TX	76034	6004 QUAILS PATH
FREEMAN, FREDERICK D	5913 QUALITY HILL RD	COLLEYVILLE, TX	76034	5913 QUALITY HILL RD
KIDWELL, MARK D EST	6005 QUALITY HILL RD	COLLEYVILLE, TX	76034	6005 QUALITY HILL RD
USRY, CONRAD MORRIS	6000 QUAILS PATH	COLLEYVILLE, TX	76034	6000 QUAILS PATH
CHWA, RICHARD	6000 QUALITY HILL RD	COLLEYVILLE, TX	76034	6000 QUALITY HILL RD
ZEBROWSKI, MARK SHAVER	6004 QUALITY HILL RD	COLLEYVILLE, TX	76034	6004 QUALITY HILL RD
REMINGTON PARK HOA	5751 KROGER DRIVE	KELLER, TX	76244	COURTESY NOTICE
MEIERHOFER, MICHAEL	6001 QUALITY HILL RD	COLLEYVILLE, TX	76034	APPLICANT
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were mailed
Friday, October 28, 2016 by Araceli
Botello

ORDINANCE O-16-XXXX

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING OF LOT 9, BLOCK 2, OF THE BRIARWOOD-COLLEYVILLE ADDITION, LOCATED AT 6001 QUALITY HILL ROAD, BY AUTHORIZING A SPECIAL USE PERMIT FOR AN ACCESSORY BUILDING; 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 Special Use Permit for and accessory building under Case No. ZC16-013; and

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

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

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

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

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit for an Accessory Building on Lot 9, Block 2, of the Briarwood-Colleyville Addition, located at 6001 Quality Hill Road, as depicted on the attached as Exhibit "A".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Special Use Permit shall apply to the construction of an accessory building.
- b. The accessory building shall not exceed 1,533 square feet in size.
- c. The accessory building shall be consistent with the building elevations as depicted on the attached Exhibit "C"
- d. The accessory building may not be used as an accessory dwelling unit.

e. The existing 120 square foot accessory building is permitted to remain on the subject property.

f. All requirements of the Land Development Code shall be met, except where amended herein.

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

Sec. 6. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 7. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 8. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 6th day of December 2016.

The second reading and public hearing being conducted on the 20th day of December 2016.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 20th day of December 2016.

Mayor Richard Newton _____ Mayor Pro Tem Chris Putnam _____

Place 1, Tammy Nakamura
Place 2, Bobby Lindamood
Place 4, Jody Short

_____ Place 5, Nancy Coplen
_____ Place 6, Mike Taylor

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

6013 6017 6021 6101 PUD-R 6105 317 313 309 6010

6009 6004 404 400 6009 6005 6001 6000 6005 6004 6001 6000 6000 6000 500 5912 5913 5912 5909 5908 5905 5904 5909 5908 5904 5909

RIDINGWOOD CHAPARRAL QUAILS WILLIAMS QUALITY HILL

R-20 6001

CITY OF COLLEYVILLE TEXAS

ZC16-013

6001 QUALITY HILL ROAD

Subject_Property

1 inch = 104 feet

Vicinity Map

Exhibit "B" – Site Plan

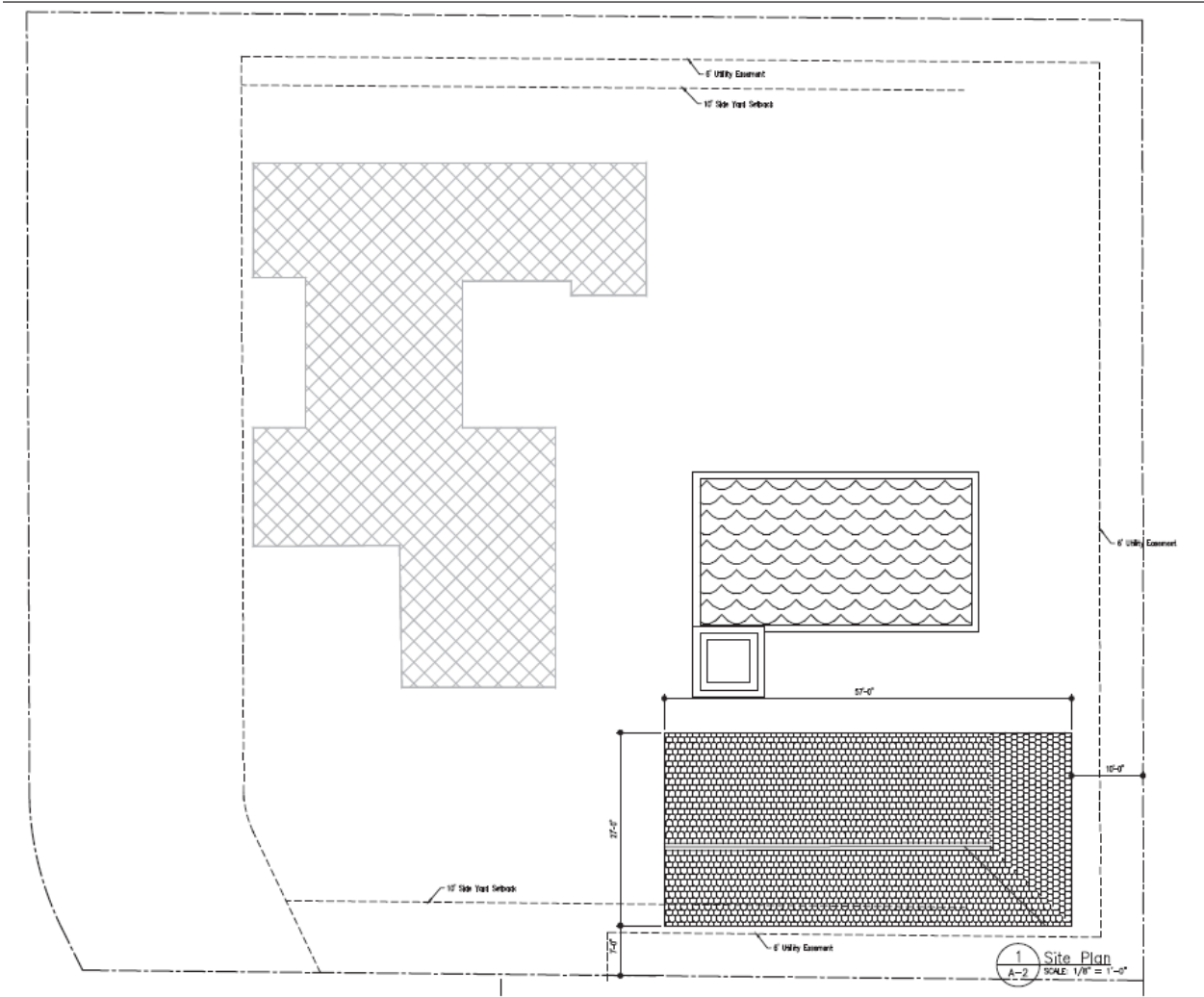
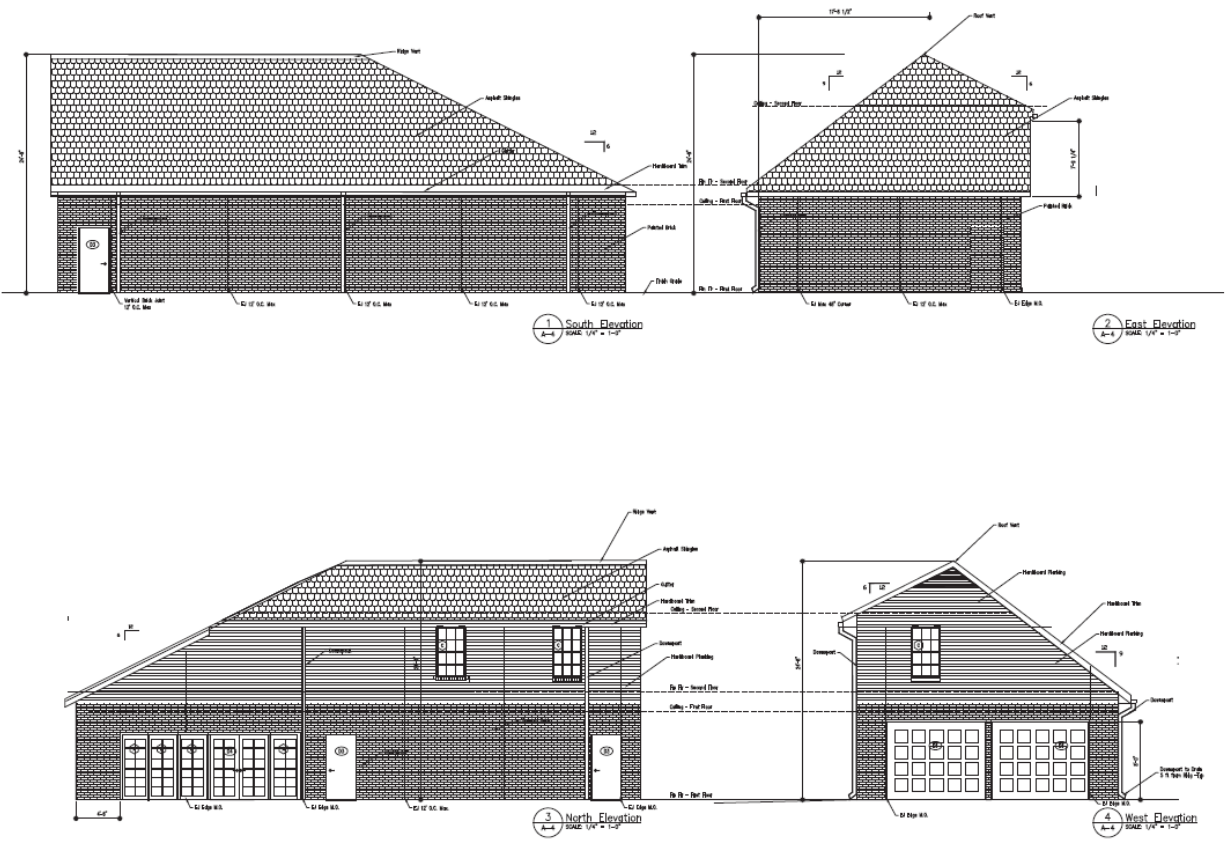


Exhibit "C" – Elevations





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 6b	Agenda Date 11/14/2016	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a replat on Lots 3, 4, and 5, Block 2, of the Jewell Estates Addition, located at 6603, 6503, and 6501 Diamond Court, Case PC16-012

Explanation

Richard Heidinger, Alex Von Lange, and Donald Peterson, the property owners, request approval of a replat for the Jewell Estates Addition on approximately 3.059 acres. The applicants propose to incorporate the abandoned portion of Caldwell-Hughes Road into their existing properties.

Existing Conditions/Background: The subject properties are zoned R-40 Single Family Residential district and are generally located on the east side of Diamond Court, south of Emerald Drive, and north of Tinker Road.

The subject properties are each developed with one single family home and associated accessory structures. The applicants do not intend to demolish or reconstruct any of the existing homes.

Caldwell-Hughes Road was abandoned as a public roadway in March, 1993 by Resolution R-93-870. At the time of approval the City transferred ownership and maintenance responsibility of the land to the adjacent property owners. In the years following, several property owners along the east side of the abandoned Caldwell-Hughes Road claimed the 20 feet of right-of-way they now owned through the platting process.

The replat up for consideration proposes to claim the 20 feet of right-of-way on the western side of Caldwell-Hughes Road adjacent to Lots 3, 4, and 5 of the Jewell Estates Addition.

Lot Dimensions and Setbacks: Per Section 3.24 G, Schedule of District Regulations in the Land Development Code, the R-40 zoning regulations require the following standards:

Minimum Lot Area: 40,000 square feet
Minimum Lot Width: 150 feet
Minimum Lot Depth: 150 feet

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

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

Surrounding Development: The properties to the north, south, and west are zoned R-40 Single Family Residential district and developed with single family homes. The properties to the east are zoned R-30 Single Family Residential district and AG-Agricultural district and developed with single family homes.

Fees: Impact Fees and Parkland Dedication fees are not required with this plat application.

Tree Preservation: The proposed subdivision must comply with Chapter 5 (Tree Preservation) of the Land Development Code. A Tree Removal Permit and associated Tree Preservation Plan must be approved prior to the removal of any tree, prior to site grading or dirt disturbance, or prior to any new construction on the subject property.

In addition to the requirements for approval of a Tree Removal Permit and Tree Preservation Plan, future development on the site must maintain the required percentage of existing protected tree canopy coverage as specified in Chapter 5, unless or until the Planning and Zoning Commission formally grants a waiver to the required preservation.

The existing homes are not proposed to be removed. Therefore, no tree preservation plan is required at this time.

Sidewalks: A minimum five-foot wide sidewalk will be required along Diamond Court with the construction of any residential 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.

Public Notification: Staff mailed notices to all property owners within 200 feet of the subject property. Notice was published in the Fort Worth Star-Telegram as required by State law and the Land Development Code. Staff has received no correspondence to date.

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

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Plat Exhibit
4. Right-of-Way Abandonment - R-93-870
5. Notification Map
6. Notification List

AERIAL MAP



PC16-012

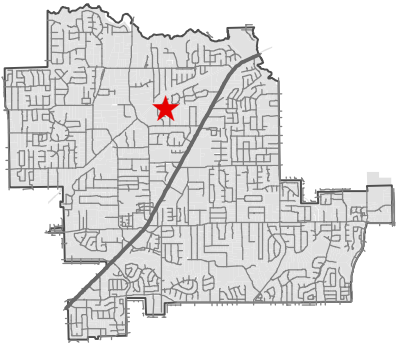
6603, 6503, AND 6501 DIAMOND COURT

 Subject Property



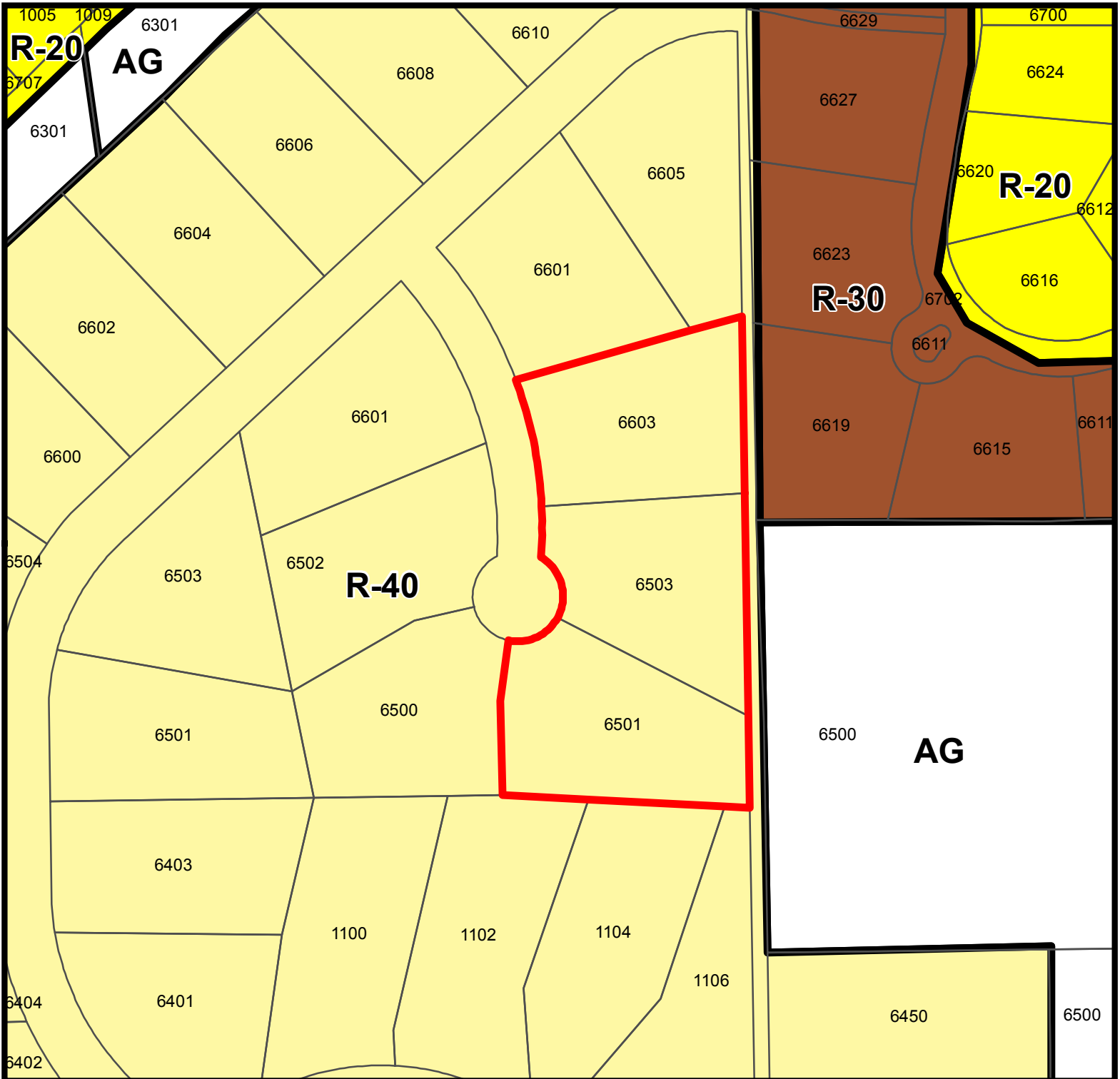
1 inch = 152 feet

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.

ZONING MAP



PC16-012

6603, 6503, AND 6501 DIAMOND COURT

-  Subject Property
-  AG Agricultural
-  R-20 Single Family Residential (20,000 sq. ft. min)
-  R-30 Single Family Residential (30,000 sq. ft. min)
-  R-40 Single Family Residential (40,000 sq. ft. min)



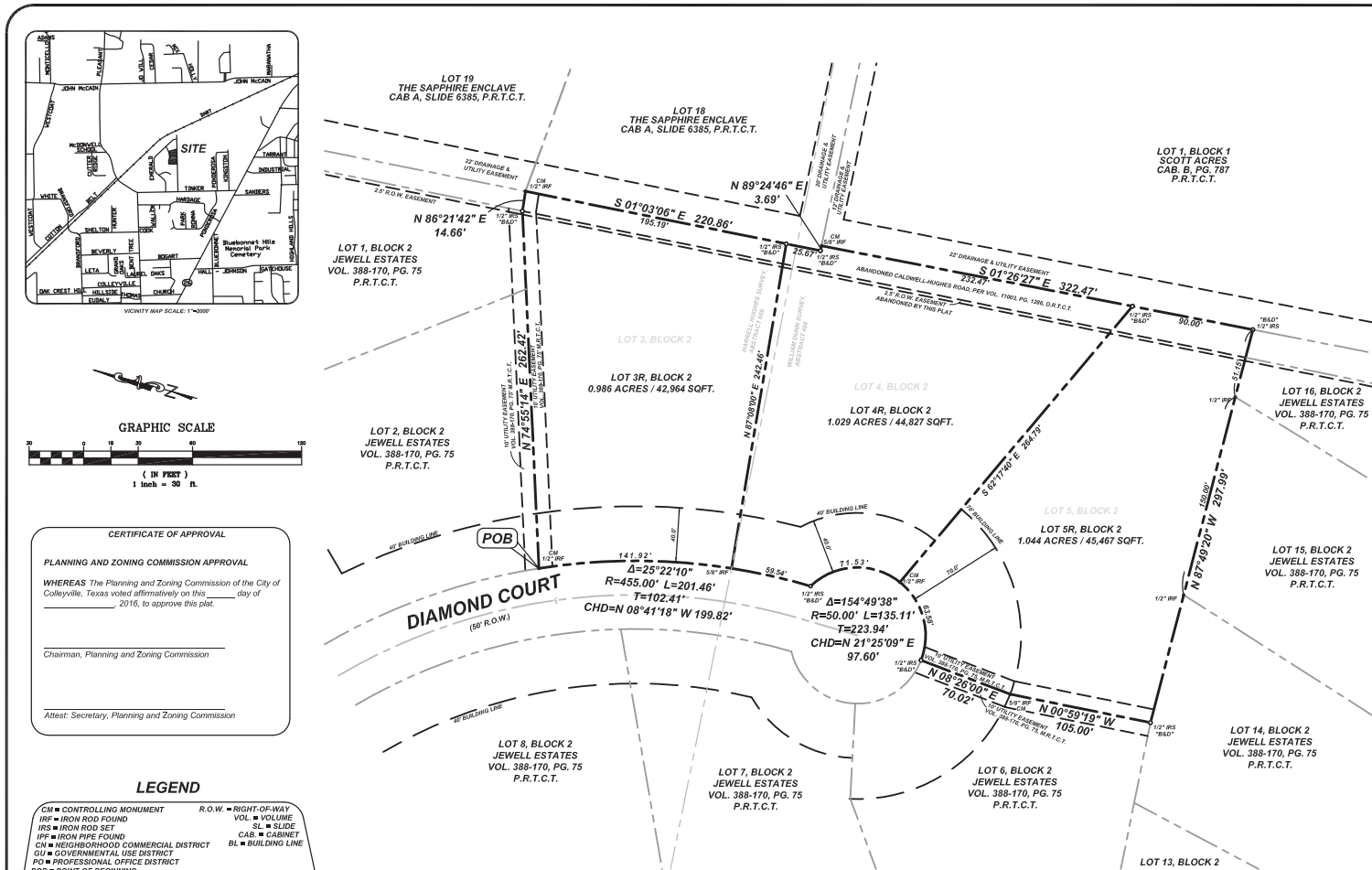
1 inch = 152 feet

Vicinity Map



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Plat Exhibit



STATE OF TEXAS
COUNTY OF TARRANT

WHEREAS GEORGE & KRISTIN LANGE, RICHARD C. II & JACQUELYN Q. HEIDINGER AND DONALD M. Jr. & CAROL DUKE PETERSON are the owners of a 3.059 acre tract of land out of the Harrell Hughes Survey, Abst. No. 656 and the William Dunn Survey, Abst. No. 404, in the City of Colleyville, Tarrant County, Texas, and being all of Lots 3, 4, 5, Block 2, of Jewell Estates, an addition to the City of Colleyville, Tarrant County, Texas, according to the plat thereof recorded in/under Vol. 388-107, of J. F. Plat Records, Tarrant County, Texas (PRCT); and being part of an abandoned road, formerly known as Coldwell Hughes Road as recorded in Vol. 11003, Pg. 1286, Deed Records, Tarrant County Records, Texas, and being more particularly described by metes and angles as follows:

BEGINNING at a 1/2 inch iron rod found for the northwest corner of the herein described tract and the southwest corner of Lot 2 of said Block 2, being in the easterly line of Diamond Court having a 50 foot right-of-way;

THENCE departing the easterly right-of-way line of said Diamond Court, North 74 degrees 55 minutes 14 seconds East, with the northerly line of the herein described tract, and the south line of said Lot 2 and continuing with the southerly line of Lot 1 of said Block 2, a distance of 262.42 feet to a 1/2 inch iron rod with red cap marked "B&D Surveying" set for the northeast corner of said Lot 3 and the southeast corner of said Lot 1, being in the westerly line of the aforementioned abandoned road and being in the easterly line of the aforementioned Jewell Estates;

THENCE departing the easterly line of said Jewell Estates and the westerly line of said abandoned road, North 86 degrees 21 minutes 42 seconds East, traversing through said abandoned road and with the northerly line of the herein described tract, a distance of 14.66 feet to a 1/2 inch iron rod found for the most northeasterly corner of the herein described tract and with the northwest corner of Lot 16 and the southwest corner of Lot 19 of The Sapphire Enclave, an addition to the City of Colleyville, Tarrant County, Texas, according to the map or plat thereof recorded in under Cab. A. S. 6385, PRCTC;

THENCE South 01 degrees 03 minutes 06 seconds East, with the easterly line of the herein described tract and with the westerly line of said Lot 18, a distance of 220.86 feet to a 1/2 inch iron rod with red cap marked "B&D Surveying" set for the east corner of the herein described tract, and being in the easterly line of said abandoned road;

THENCE North 89 degrees 24 minutes 46 seconds East, with the easterly line of the herein described tract and the easterly line of said abandoned road, a distance of 3.69 feet to a 5/8 inch iron rod found for the northwesterly corner of Lot 1, Block 1, Scott Acres, an addition to the City of Colleyville, Tarrant County, Texas, according to the map or plat thereof recorded in/under Cab. B, Pg. 787, PRCTC;

THENCE South 01 degrees 26 minutes 27 seconds East, with the easterly line of the herein described tract, also being the easterly line of said abandoned road, and with the westerly line of said Scott Acres, a distance of 322.47 feet to a 1/2 inch iron rod with red cap marked "B&D Surveying" set for the southeast corner of the herein described tract;

THENCE departing the westerly line of said Scott Acres and the easterly line of said abandoned road, North 87 degrees 49 minutes 20 seconds West, with the southerly line of the herein described tract, passing at a distance of 51.15 feet a 1/2 inch iron rod found, passing at a distance of 201.15 feet a 1/2 inch iron rod found for corner, and continued with the southerly line of the herein described tract for a total distance of 297.99 feet to a 1/2 inch iron rod with red cap marked "B&D Surveying" set for the southwest corner of the

THENCE North 00 degrees 59 minutes 19 seconds West, with the westerly line of the herein described tract and with the easterly line

THENCE North 08 degrees 26 minutes 00 seconds East, with the westerly line of the herein described tract and with the easterly line of said Lot 6, a distance of 70.02 feet to a 1/2 inch iron rod with red cap marked "B&D Surveying" set for the northwest corner of the aforementioned Lot 6 and the southeast corner of Lot 6, being at the beginning of an arc tangent curve to the left with a radius of 50.00

THENCE in a northeasterly direction with said curve, with a central angle of $154^{\circ}49'38''$, a tangent of 223.94 feet, a long chord of N $21^{\circ}25'09''$ E, a chord length of 97.60 feet, passing at an arc length of 63.58 feet a 1/2 inch iron rod found for corner and continuing for a

THENCE in a northerly direction with said curve, with a central angle of 25° 22' 10", a tangent of 102.41 feet, a long chord of N 08° 41'

AC-197, a land longer or shorter than, beginning at an intersection of road with a north-south road running northerly and containing not a lesser arc length of 201.46 feet to the POINT OF BEGINNING, containing 3.059 acres or 133,259 square feet of land, plus or minus.

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT GEORGE & KRISTI VON LANGE, RICHARD C. II & JACQUELYN G. HEIDINGER AND DONALD M. & CAROL DUKE PETERSON do hereby adopt this plat designating the herein above described property as Jewell Estates, an addition to the City of

Colleyville, Tarrant County, Texas and do hereby dedicate fee simple to the public use forever all streets, rights-of-way, and alleys shown thereon, and do hereby reserve the easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use or using the same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Colleyville, Texas.

Witness our hands this _____ day of _____, 2016.

George Von Lenge

Kristi Von Lenge

STATE OF TEXAS
COUNTY OF TARRANT

Before me, the undersigned Notary Public in and for said county and State on this day personally appeared George Von Lange and Kristi Von Lange, known to me to be the person whose names are subscribed to the foregoing instrument and acknowledged to me that they 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 the _____ day of _____, 2016.

Notary Public, State of Texas
My Commission Expires: _____

THE PURPOSE OF THIS REPLAT IS TO ADD AREA FROM
ABANDONED ROAD TO LOTS 3, 4 AND 5, BLOCK 2.

D FINAL PLAT

JEWELL ESTATES

BLOCK 2, LOTS 3R, 4R & 5R
BEING A REPLAT OF LOTS 3, 4 AND 5

BLOCK 2, JEWELL ESTATES,
RECORDED IN VOL. 388-170, PG. 75.

PLAT RECORDS, TARRANT COUNTY, TEXAS
3.059 ACRES / 133,259 SQUARE FEET

EXAS 75029
221-2838

City of Colleyville, Tarrant County, Texas
September 2016

THIS PLAT FILED ON _____, 2016 INSTRUMENT #D_____

Right-of-Way Abandonment

RESOLUTION NO: R-93-870

WHEREAS, the City of Colleyville is a home-rule municipal corporation; and

WHEREAS, as a home-rule municipal corporation, the City of Colleyville has the power to close and abandon public roadways; and

WHEREAS, the City Council of the City of Colleyville deems it is in the best interest of the citizens of the City to close or abandon Caldwell-Hughes Road as provided herein,

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

Sec. 1: THAT, Caldwell-Hughes Road, lying South of the DART Right-of-Way, the center line of said road being described in Exhibit "A" hereto, which is incorporated herein for all purposes, be and the same is hereby closed and abandoned as a public roadway; provided, however the City of Colleyville specifically retains and does not abandon any easement of any nature on the abandoned roadway, including, but not limited to, utility easements, access easements, construction easements, maintenance easements, sewer easements and drainage easements.

Sec. 2: THAT the closing and abandonment of the street pursuant to Section 1 hereof is conditioned upon the execution of a release in a form satisfactory to the City by the land owners adjacent to the roadway, or so many of them as the City may determine, releasing the City of Colleyville from any and all damages, including damages in the nature of condemnation or inverse condemnation, as a result of the closing and abandonment of said street.

Sec. 3: THAT the closing and abandonment of the aforesaid street shall be effective only upon certification by the City Manager of the City that conditions set out in Section 2 hereof has been met.

Right-of-Way Abandonment

1
2
3 AND IT IS SO RESOLVED.

4 Passed by a vote of 5 to 0 on this 2nd day of
5 March, 1993.
6

7 ATTEST:

CITY OF COLLEYVILLE

8
9 Jean Harris
10 Jean Harris
City Secretary

11
12 Richard Newton
Richard Newton, Mayor

13 APPROVED AS TO LEGAL FORM:

14 Ross T. Foster
15 Ross T. Foster
City Attorney
16
17
18
19
20
21
22
23
24
25
26

Right-of-Way Abandonment

STATE OF TEXAS

COUNTY OF TARRANT

KNOW ALL MEN BY THESE PRESENTS:

RELEASE

WHEREAS, the undersigned has requested that the City close and abandon Caldwell-Hughes Road, lying south of the DART right-of-way as provided in Resolution Number: R-93-870 of the City of Colleyville a true and correct copy of which is attached hereto as Exhibit "A"; and

WHEREAS, the City of Colleyville has agreed to close and abandon the Caldwell-Hughes Road as provided in said Resolution, provided the City receives from affected parties releases concerning any damages arising from said act; and

WHEREAS, the undersigned gives this Release as an inducement to and for the purpose of the City's consideration in closing and abandoning the Caldwell-Hughes Road as provided in said Resolution.

NOW, THEREFORE, for and in consideration of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned, whether one or more, hereby releases, discharges and quit-claims the City of Colleyville, its agents, servants and employees, and each of them, from any and all claims or causes of action, whether now existing or which may accrue in the future, concerning or in any manner arising from or as a result of the action of the City of Colleyville in closing and abandoning Caldwell-Hughes Road, lying south of the DART right-of-way within the City of Colleyville, including, without limitation, all damages in the nature of condemnation or inverse condemnation.

EXECUTED on the 18th day of MARCH 1993.

OWNERS:

Susan Scott Greg Scott
SUSAN SCOTT, et vir GREG SCOTT

Kris Eggepuhler Bonnel Eggepuhler
KRIS EGGEPUHLER, et ux BONNEL EGGEPUHLER

Jeanne Patterson
JEANNE PATTERSON

Elizabeth Ann Waller
ELIZABETH ANN WALLER as Independent Executrix of the Estate of
ANNIE TINKER

Right-of-Way Abandonment

BEFORE ME, the undersigned authority, on this day personally appeared SUSAN SCOTT, et vir GREG SCOTT, and known to me to be the persons whose names are subscribed to the above and foregoing instrument and acknowledged to me that they executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18th day of MAR, 1993.

JANET E. HOFSTROM
COMMISSION EXPIRES
SEPTEMBER 13, 1993

Janet E. Hofstrom
NOTARY PUBLIC

My Commission Expires: 9/13/93

BEFORE ME, the undersigned authority, on this day personally appeared KRIS EGGSPUEHLER, et ux BONNIE EGGSPUEHLER, and known to me to be the persons whose names are subscribed to the above and foregoing instrument and acknowledged to me that they executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18th day of MARCH, 1993.



Janet E. Hofstrom
NOTARY PUBLIC

My Commission Expires: 9/13/93

BEFORE ME, the undersigned authority, on this day personally appeared JEANNE PATTERSON, and known to me to be the persons whose names are subscribed to the above and foregoing instrument and acknowledged to me that they executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18th day of MARCH, 1993.

HOFSTROM
COMMISSION EXPIRES
SEPTEMBER 13, 1993

Janet E. Hofstrom
NOTARY PUBLIC

My Commission Expires: 9/13/93

BEFORE ME, the undersigned authority, on this day personally appeared ELIZABETH ANN WALLER as Independent Executrix of the Estate of ANNIE TINKER, and known to me to be the persons whose names are subscribed to the above and foregoing instrument and acknowledged to me that they executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 18th day of MARCH, 1993.



Janet E. Hofstrom
NOTARY PUBLIC

My Commission Expires: 9/13/93

Right-of-Way Abandonment

CENTERLINE OF CALDWELL-HUGHES ROAD
COLLEYVILLE, TARRANT COUNTY, TEXAS

The following described tract or parcel of land being the centerline of Caldwell-Hughes Road situated in the A.J. Lott Survey, A-963, Tarrant County, Texas and being more particularly described as follows:

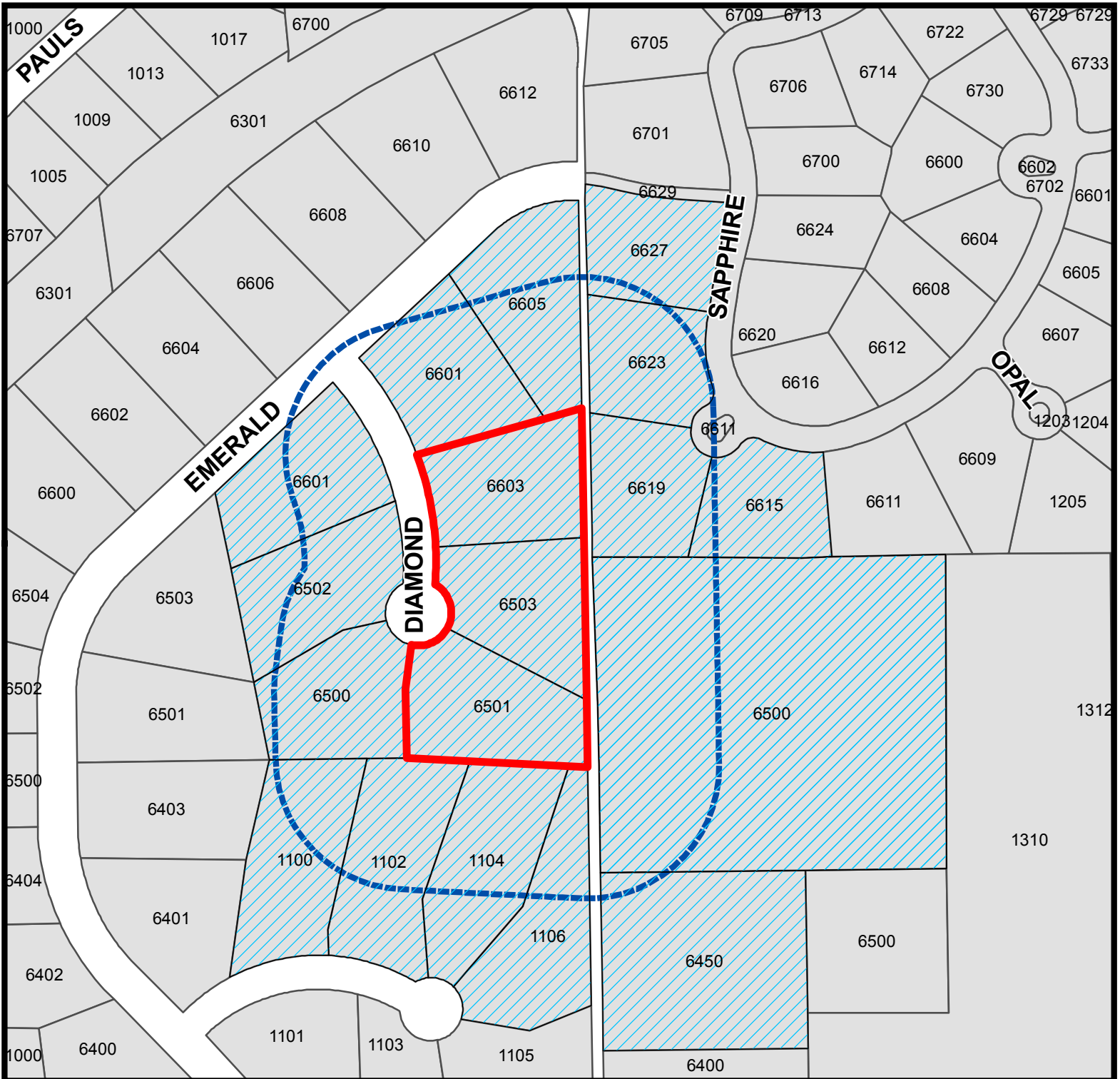
BEGINNING at the intersection of the centerline of said Caldwell-Hughes Road with the North line of Tinker Road and being N 89° 00' E a distance of 25.7 feet and S 1° 00' E a distance of 2.57 feet from an iron rod at the Southeast corner of Lot 21, Block 2, JEWELL ESTATES, an addition to the City of Colleyville, Tarrant County, Texas according to plat recorded on Page 75 of Volume 388-170 in the Tarrant County Plat Records;

THENCE N 1° 00' W along the centerline of said Caldwell-Hughes Road a distance of 1293.32 feet;

THENCE N 0° 02' 46" E a distance of 930.12 feet to the South right-of-way line of S.L. & S.W. Railroad.

EXHIBIT A

NOTIFICATION MAP



PC16-012

6603, 6503, AND 6501 DIAMOND COURT



Subject Property



Properties within 200ft



200ft Buffer



1 inch = 208 feet

Vicinity Map



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Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
CLARK, MICHAEL D	6502 DIAMOND CT	COLLEYVILLE, TX	76034	6502 DIAMOND CT
MERRILL, H L	1106 EMERALD CT	COLLEYVILLE, TX	76034	1106 EMERALD CT
FERGUSON, CHANDLER	6500 DIAMOND CT	COLLEYVILLE, TX	76034	6500 DIAMOND CT
HEIDINGER, RICHARD C	6503 DIAMOND CT	COLLEYVILLE, TX	76034	6503 DIAMOND CT
WATTS, BRETT M	6615 SAPPHIRE CIR S	COLLEYVILLE, TX	76034	6615 SAPPHIRE CIR S
BOORLA, SUSHRUTI	6627 SAPPHIRE CIR S	COLLEYVILLE, TX	76034	6627 SAPPHIRE CIR S
MAKHANI, NAZLEEN	6623 SAPPHIRE CIR S	COLLEYVILLE, TX	76034	6623 SAPPHIRE CIR S
VON LANGE, GEORGE	6603 DIAMOND CT	COLLEYVILLE, TX	76034	6603 DIAMOND CT
BRANSON, DAVID L	6619 SAPPHIRE CIR S	COLLEYVILLE, TX	76034	6619 SAPPHIRE CIR S
HEARN, JAMES W	6601 EMERALD DR	COLLEYVILLE, TX	76034	6601 EMERALD DR
KAHER, MARK T	1100 EMERALD CT	COLLEYVILLE, TX	76034	1100 EMERALD CT
THOMAS, ROY O	1104 EMERALD CT	COLLEYVILLE, TX	76034	1104 EMERALD CT
ESPINOZA, LAURA	6601 DIAMOND CT	COLLEYVILLE, TX	76034	6601 DIAMOND CT
PETERSON, D M	6501 DIAMOND CT	COLLEYVILLE, TX	76034	6501 DIAMOND CT
RYAN H PALMER LTD	4909 ROCKRIMMON CT	COLLEYVILLE, TX	76034	6500 CALDWELL HUGHES RD
HARDEN, TOMMY E	6450 CALDWELL HUGHES RD	COLLEYVILLE, TX	76034	6450 CALDWELL HUGHES RD
RYAN H PALMER LTD	4909 ROCKRIMMON CT	COLLEYVILLE, TX	76034	6500 CALDWELL HUGHES RD
MANNING, WESLEY G	6605 EMERALD DR	COLLEYVILLE, TX	76034	6605 EMERALD DR
METCALF, PAULA TATOM	1102 EMERALD CT	COLLEYVILLE, TX	76034	1102 EMERALD CT
SAPPHIRE ENCLAVE HOA	5751 KROGER DRIVE	KELLER, TX	76244	COURTESY NOTICE
PETERSON, D M	6501 DIAMOND CT	COLLEYVILLE, TX	76034	APPLICANT
HEIDINGER, RICHARD C	6503 DIAMOND CT	COLLEYVILLE, TX	76034	APPLICANT
VON LANGE, GEORGE	6603 DIAMOND CT	COLLEYVILLE, TX	76034	APPLICANT
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were mailed
Friday, October 28, 2016 by Araceli
Botello



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 6c	Agenda Date 11/14/2016	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a Special Use Permit for an Accessory Building larger than permitted on Lot 3, Block 2, of the Jewell Estates Addition, located at 6603 Diamond Court, Case ZC16-018

Explanation

Alex Von Lange, the applicant, has submitted a request for a Special Use Permit (SUP) to construct a 1,500 square foot accessory building (garage/storage building) at 6603 Diamond Court. The SUP is being requested because the total square footage for the accessory building will exceed the maximum square footage allowed.

Existing Conditions/Background: The subject property is zoned R-40 Single Family Residential district and generally located on the east side of Diamond Court, south of Emerald Drive, and north of Tinker Road. The subject property is a platted lot of the Jewell Estates Addition and currently developed with one single family home and one 192 square foot accessory building which is proposed to be removed.

Proposed Special Use Permit Request:

Request – The applicant is requesting approval of a Special Use Permit to allow for the construction of an accessory building. The proposed building will exceed the total square footage permitted on the subject property.

Ordinance – Section 3.27 Accessory Buildings and Residential Carport Regulations of the Land Development Code establishes the maximum size and number of accessory buildings permitted on a residential lot:

"2. Maximum Size and Number of Buildings:

- 1. The maximum number of accessory buildings allowed per lot shall be three (3) buildings. In addition, the combined square footage of all accessory buildings shall not exceed the maximum square footage specified in the following table.*

Maximum Square Footage of all Accessory Buildings				
Lot Size	Under .5 ac	.5– .99 ac.	1 – 2.99 ac.	3+ ac.
Total s. f.	750 s. f.	1,000 s. f.	1,750 s. f.	2,500 s. f.

1. *For the purpose of this Section, the size of an accessory building shall be the square footage of the building footprint.*
2. *An application to exceed the total square footage shown in the above table may be approved as a Special Use Permit (SUP)."*

Analysis – The proposed accessory structure does not comply with the following provisions of the Land Development Code:

1. Section 3.27(A)2 – Maximum Size and Number of Buildings:

For lots ranging from 0.5 to 0.99 acres in size, the maximum size allowed for all accessory buildings on the site is 1,000 square feet. The subject property is 42,964 square feet, or 0.99 acres. The proposal up for consideration requests to construct an accessory building 1,500 square feet in size. This total exceeds the maximum 1,000 square feet allowed by 500 square feet. It should be noted that the subject property falls 596 square feet below one acre. As noted in the table above, lots one acre in size are permitted to have a total of 1,750 square feet.

The applicant plans to construct the accessory building on the rear portion of the property, approximately 12 feet six inches (12'6") from the side property line and 96 feet from the rear property line. The accessory building will be located entirely behind the primary residence and access will be provided via a new extension to the existing concrete driveway. The proposed height is 14 feet to the top plate of the exterior wall. The proposed accessory structure does not penetrate the vertical height envelope and meets the required side and rear yard setbacks, respectively.

The applicant has indicated that the proposed building will be constructed of metal siding with stone veneer at the base along the front and south elevations.

The proposed accessory building complies with all other requirements of Section 3.27. The site plan and elevations have been included as attachments for your review.

Surrounding Development: The properties to the north, south, and west are zoned R-40 Single Family Residential district and developed with single family homes. The properties to the east are zoned R-30 Single Family Residential district and developed with single family homes.

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 applicant proposes to construct a detached accessory building which will exceed the square footage allowed by the Land Development Code. As stated above, the subject property is only 596 square feet less than one acre, which would permit 1,750 square feet of accessory building. The proposal up for consideration is for a 1,500 square foot accessory building. Although this exceeds the permitted square footage, it is consistent with the amount permitted on neighboring properties. In addition, the building meets all height and setback requirements for the R-40 district. Therefore, given the location, height, size, and lot area, staff recommends approval.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Statement of Planning Objectives
4. Site Plan
5. Building Elevations
6. Photos Provided by Applicant
7. Notification Map
8. Notification List
9. Draft Ordinance

AERIAL MAP



ZC16-018

6603 DIAMOND COURT

 Subject Property



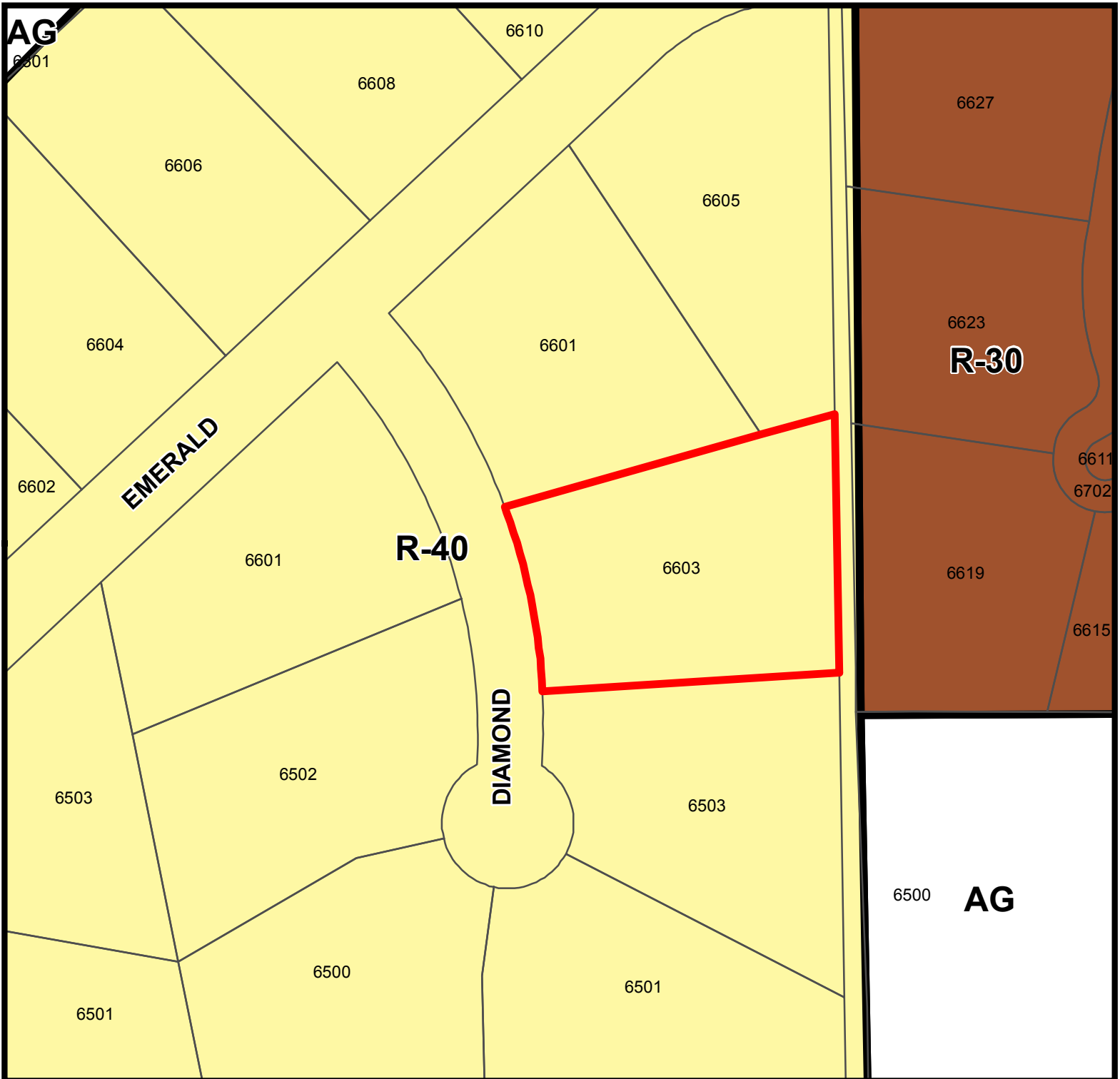
1 inch = 104 feet

Vicinity Map



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ZONING MAP



ZC16-018

6603 DIAMOND COURT

- Subject Property
- AG Agricultural
- R-30 Single Family Residential (30,000 sq. ft. min)
- R-40 Single Family Residential (40,000 sq. ft. min)



1 inch = 104 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.

Statement of Planning Objectives

Application for SUP Accessory Building

Presented by G. Alex von Lange

- Remove Existing 192sq.ft. building in back of property (see attached picture)
- Request is for a 1500 sq.ft. Accessory Building
- Property size is .986 acres = 42,963sq.ft which is short 596sq.ft. to equal a full acre
- Original Plan was to have accessory building 10' from the side of the existing residential structure, which is 2900sq.ft. Approximately. This would have made it part of the existing structure per Section 3.27 Land Development Code Line Item3,b Attached Accessory Building. This plan did not work out due to the possibility of damaging Post Oak Tree (picture attached)
- Building would also be used for storage and maintaining my antique automobiles, store lawn equipment, store personal items.
- Building would also have a Solar Panel System installed to make the home more independent of fossil fuels and more energy efficient (shown on Southside elevation)
- Building construction would be as follows;
 - West side would be metal with a stone precast fascia one garage door
 - South side would be metal with a stone fascia one 32" door, Solar Panels across Southside roof to meet the south east installation requirements
 - East side would be all metal (not visible from street) one garage door
 - North side would be all metal (not visible from street)

Site Plan

**B & D
SURVEYING, INC.**

FIRM NO. 101247-00



P.O. BOX 28024
LEWISVILLE, TEXAS 76039
PHONE: 972-251-3838
bandsurveying@verizon.net

DATE: 04/01/2016

B & D JOB #: 1603086

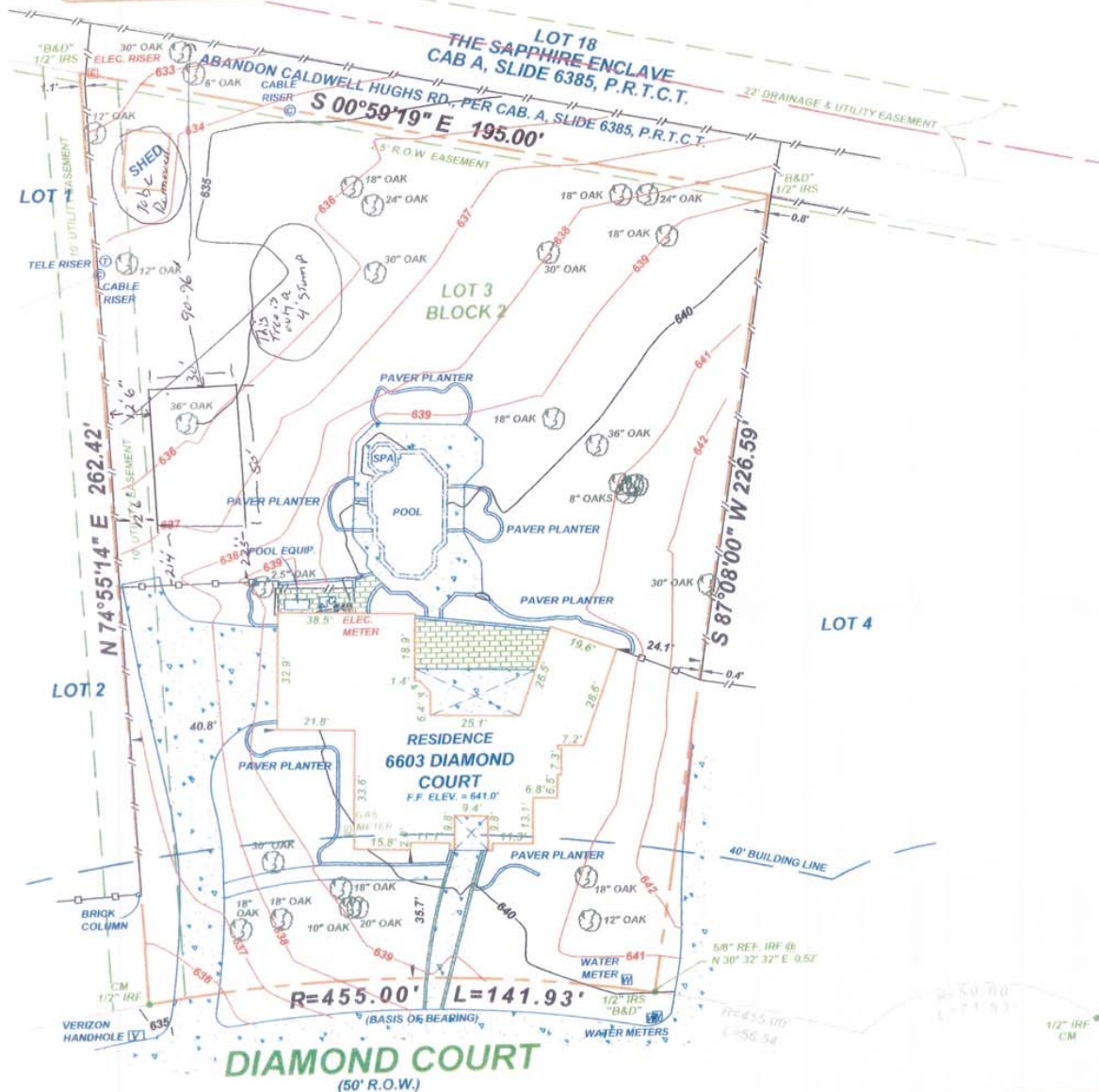
TECH: JT/BJB/MRD

LEGEND	
CONCRETE	WOOD FENCE
BRICK	WROUGHT IRON FENCE
TILE	BRICK WALL
WOOD	STONE WALL
PAVERS	OVERHEAD TELEPHONE LINE
"RPLS 3688" = RED CAP	OVERHEAD ELECTRIC LINE
STAMPED "RPLS 3688"	IRF(S) = IRON ROD FOUND (SET)
W/YC = WITH YELLOW CAP	IRP = IRON PIPE FOUND
WFPC = WOOD FENCE POST COR	CM = CONTROLLING MONUMENT
	FD = FOUND MON.

TOPOGRAPHIC SURVEY

COPYRIGHT © 2016 B & D SURVEYING INC. ALL RIGHTS RESERVED

ALEX VON LANGE
6603 DIAMOND COURT
COLLEYVILLE, TX 76034



PROPERTY DESCRIPTION

6603 DIAMOND COURT, BEING LOT 3, BLOCK 2, OF JEWELL ESTATES, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN UNDER VOL. 388-170, PG. 75, PLAT RECORDS, TARRANT COUNTY, TEXAS.

SURVEYORS CERTIFICATION

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, IS CORRECT, AND TO THE BEST OF MY KNOWLEDGE THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS AND EASEMENTS OF RIGHT-OF-WAY THAT I HAVE BEEN ADVISED OF EXCEPT AS SHOWN HEREON. SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.

FLOOD STATEMENT

THE PROPERTY DESCRIBED HEREON IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL NO. 48439C0085 K PRESENT EFFECTIVE DATE OF MAP SEPTEMBER 25, 2006, HEREIN PROPERTY SITUATED WITHIN ZONE X (UNSHADED).

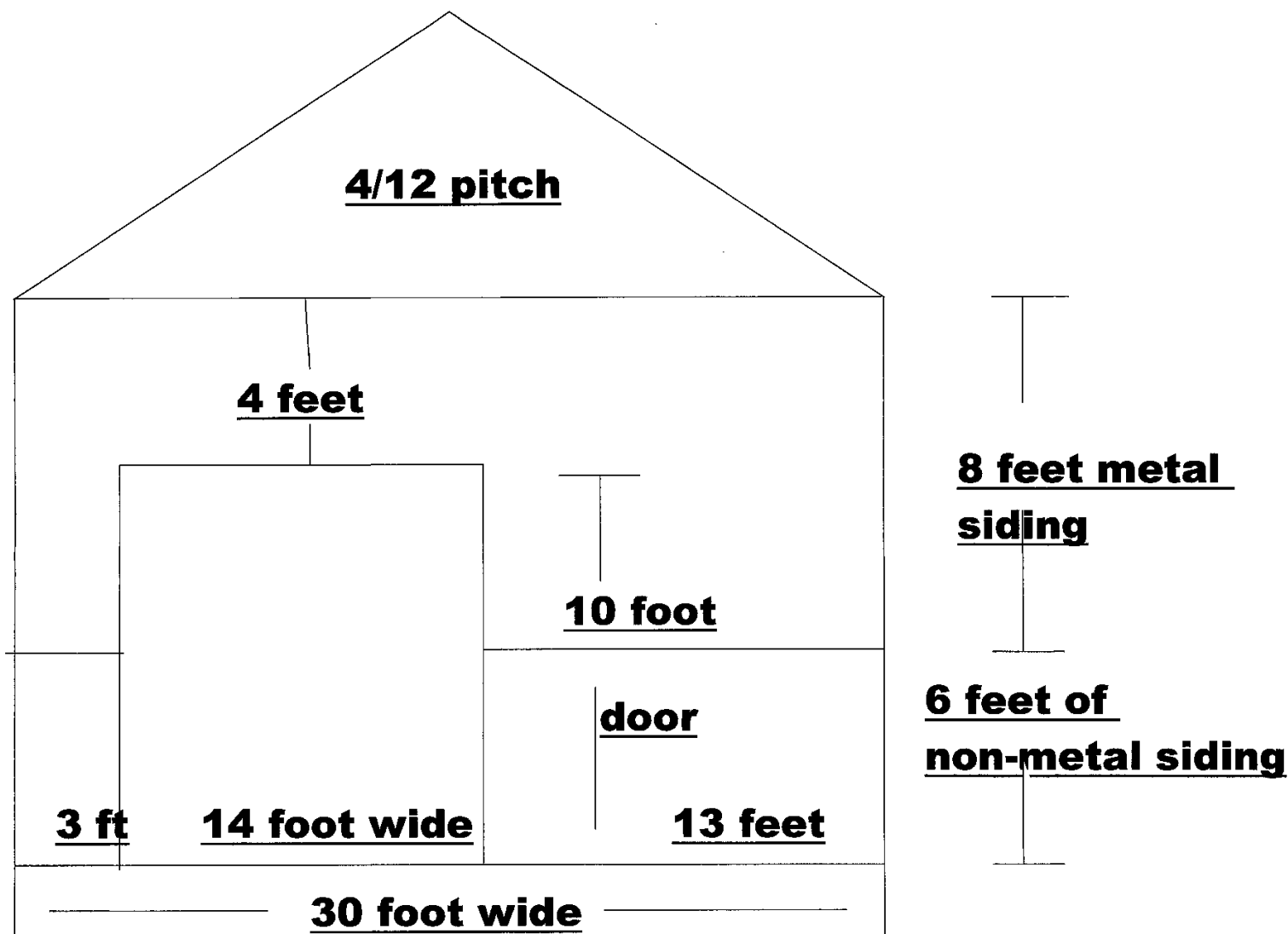
GENERAL NOTES

- 1.) THE BASIS OF BEARING FOR THIS SURVEY WAS DERIVED FROM DATA PROVIDED ON THE RECORDED PLAT.
- 2.) THERE ARE NO VISIBLE CONFLICTS OR PROTRUSIONS, EXCEPT AS SHOWN.
- 3.) THIS SURVEY IS FOR THE EXCLUSIVE USE OF THE NAMED CLIENT, MORTGAGE COMPANY, TITLE COMPANY, AND IS MADE PURSUANT TO THAT ONE CERTAIN TITLE COMMITMENT UNDER THE OF NUMBER LISTED HEREON.
- 4.) AS OF THIS DATE, ALL EASEMENTS, RIGHTS-OF-WAY OR OTHER LOCATABLE MATTERS OF RECORD SHOWN OR NOTED HEREON WERE DERIVED FROM THE RECORDED PLAT, THE VESTING DEED, OR THE TITLE REPORT AND SUPPORTING DOCUMENTS. ALL SUCH ITEMS WERE OBTAINED DURING THE RESEARCH PHASE OF THIS SURVEY OR PROVIDED BY THE CLIENT/TITLE COMPANY LISTED HEREON. B & D SURVEYING, INC. MAKES NO REPRESENTATION AS TO THE ACCURACY OR COMPLETENESS OF SUCH ITEMS AND HAS MADE NO ATTEMPTS TO OBTAIN OR SHOW ANY ADDITIONAL RESTRICTIONS ON OR NEAR THIS PROPERTY PUT IN PLACE BY LOCAL MUNICIPALITIES OR ASSOCIATIONS.
- 5.) THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.
- 6.) THE EXISTING UTILITIES DEPICTED HEREON ARE BASED ON FIELD LOCATION OF VISIBLE, ABOVE GROUND EVIDENCE. UNDERGROUND UTILITIES AND OTHER MINOR IMPROVEMENTS MAY EXIST THAT ARE NOT SHOWN ON THIS SURVEY. B & D SURVEYING, INC. IS NOT RESPONSIBLE FOR THE EXACT LOCATION OF SUBSURFACE UTILITIES, OR FOR ANY DAMAGES BY ANY CONSTRUCTION OR EXCAVATION ON OR NEAR SAID UTILITIES.
- 7.) VERTICAL DATUM BASED ON THE CITY OF COLLEYVILLE BENCHMARK NO. 81



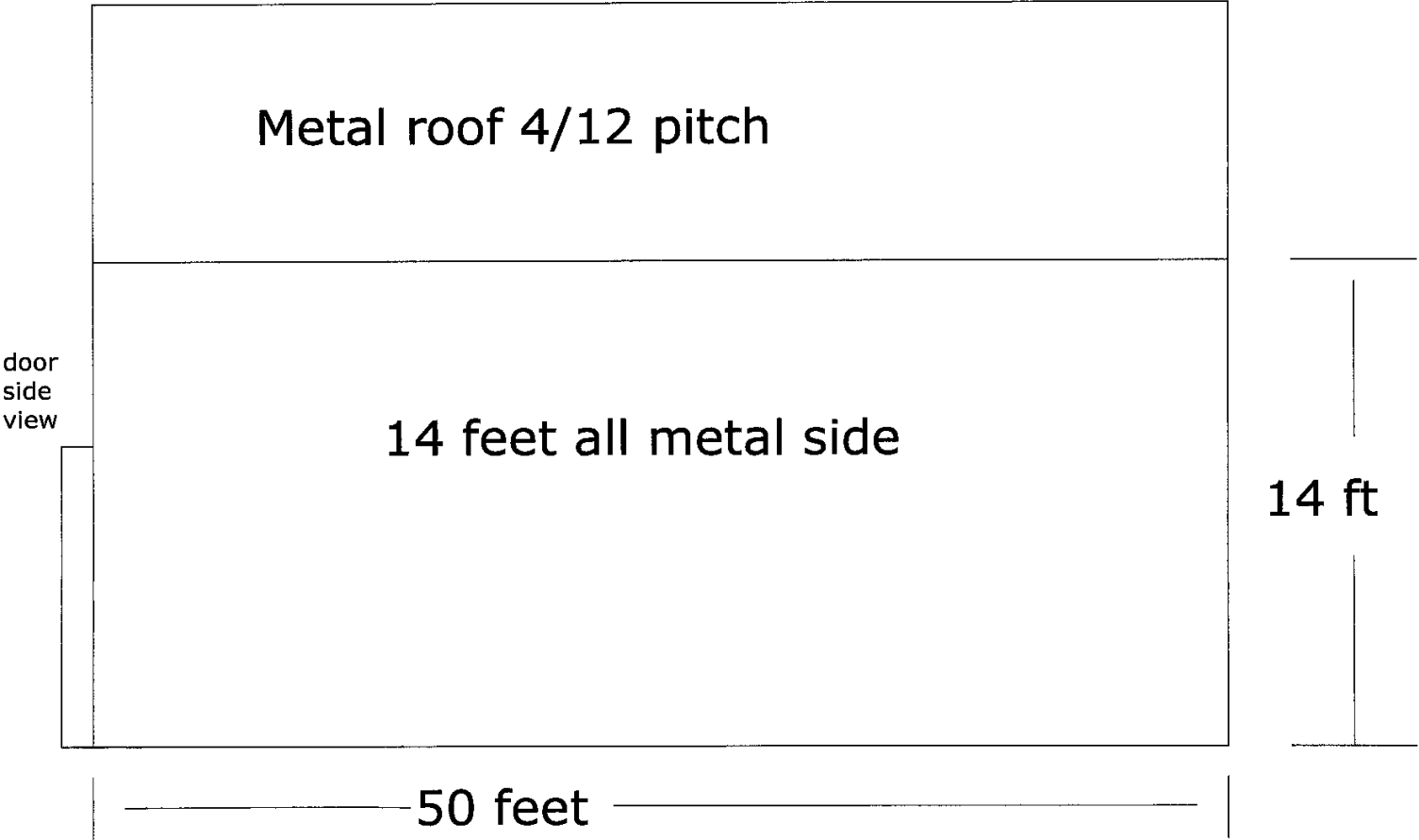
Building Elevations

Front Elevation of building



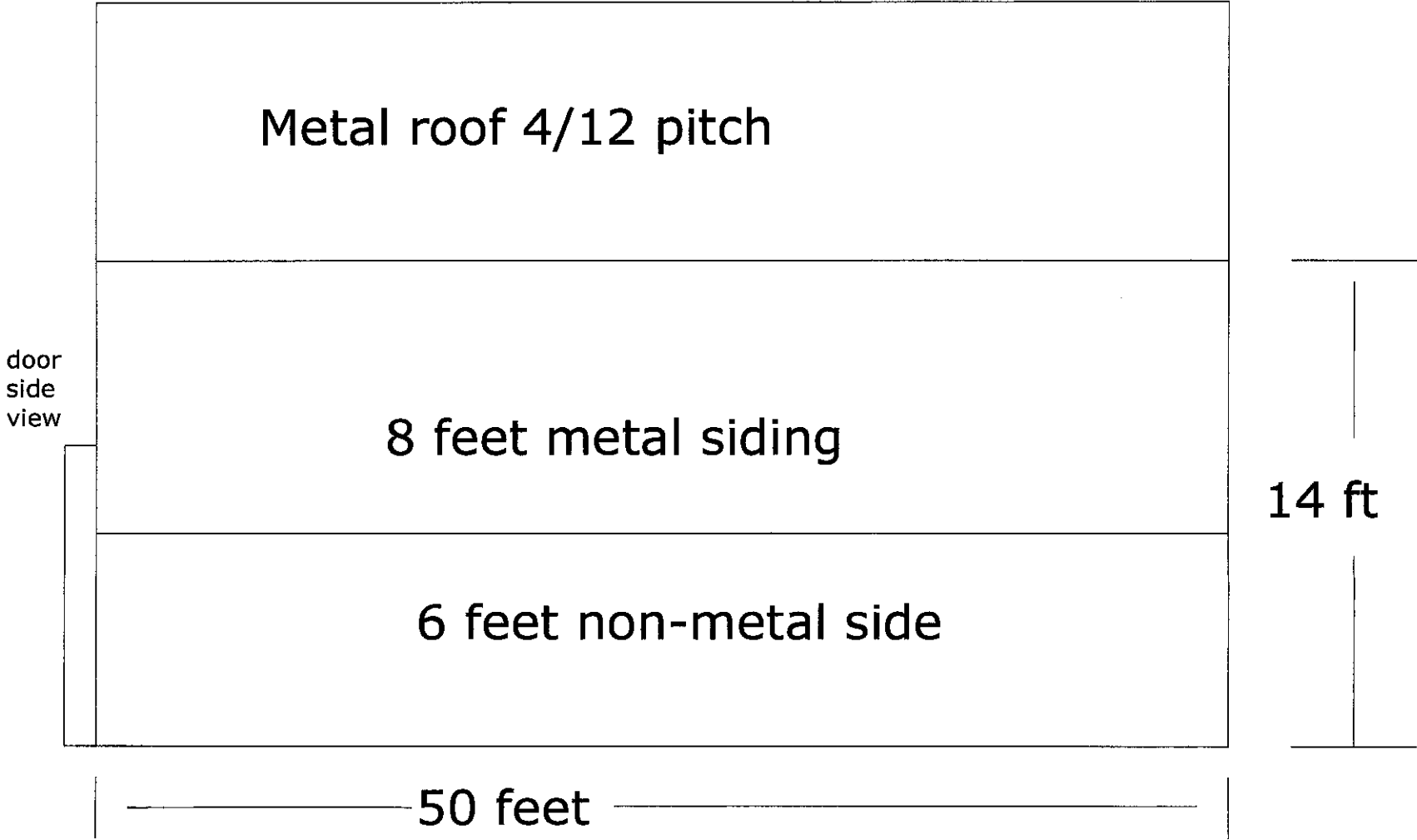
Building Elevations

Side Elevation northside

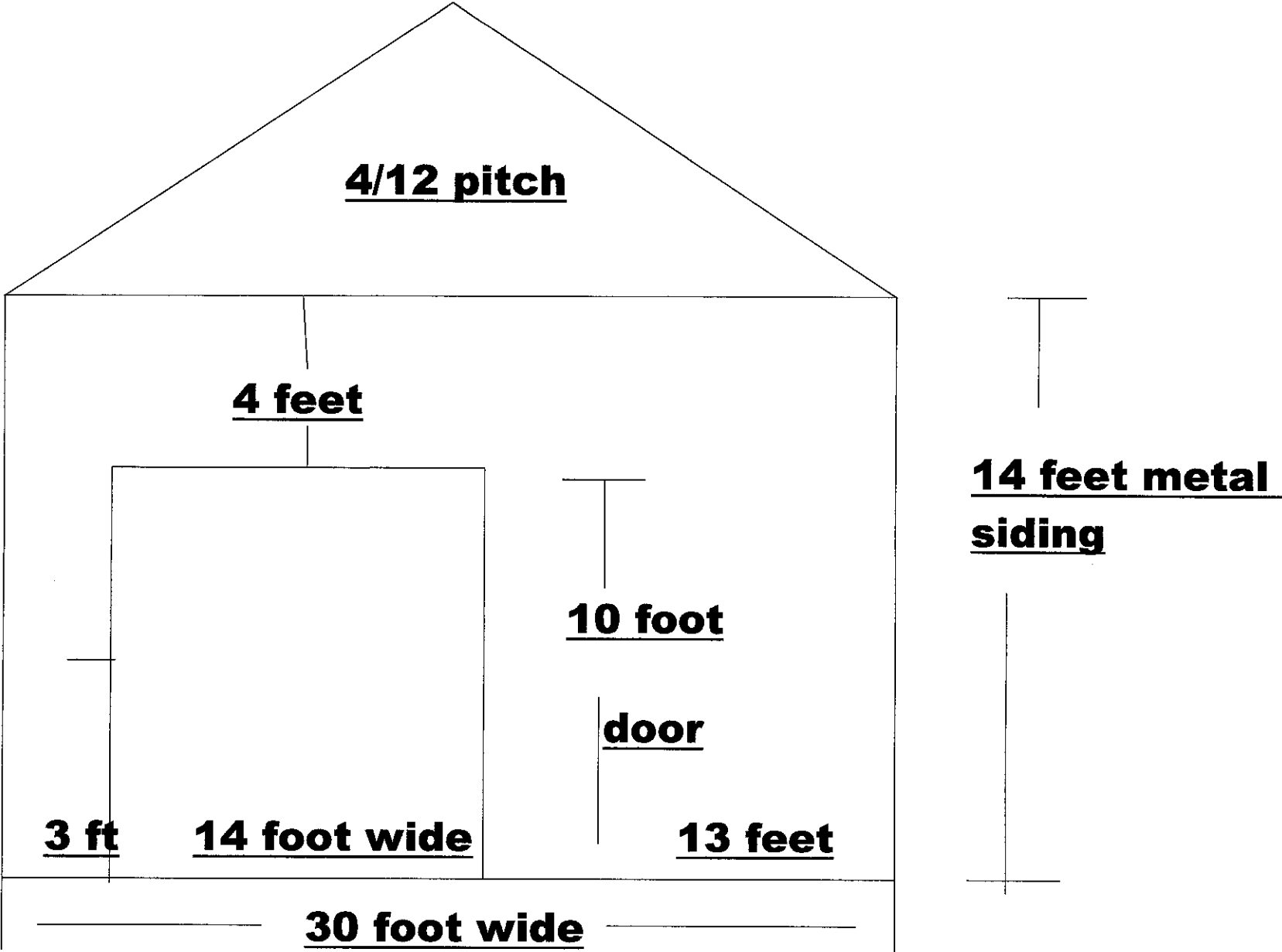


Building Elevations

Side Elevation Southside



Rear Elevation of building East side



Photos Provided by Applicant

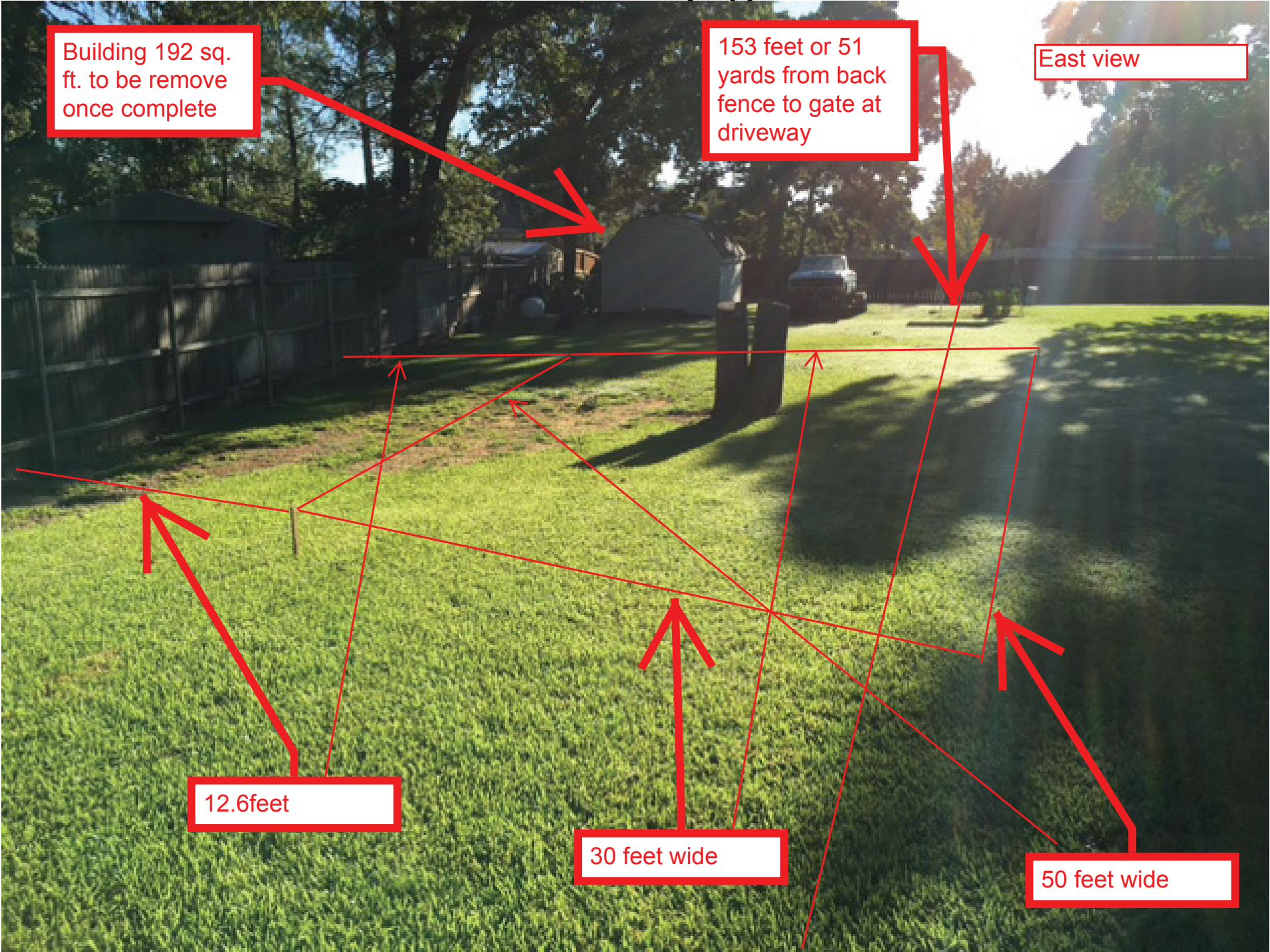


Photos Provided by Applicant



Shows landsacpe
facing south

Photos Provided by Applicant



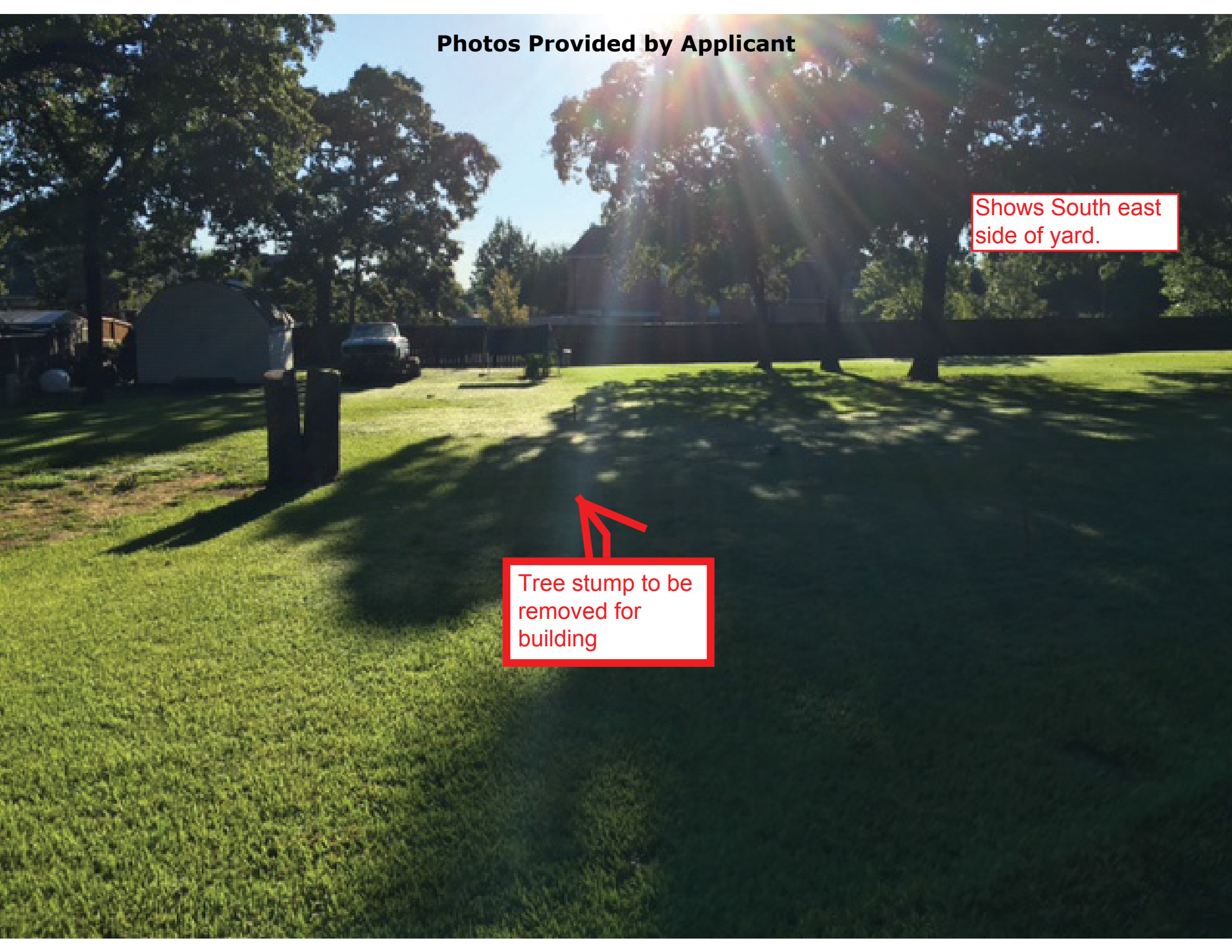
Photos Provided by Applicant



Photos Provided by Applicant

Shows South east
side of yard.

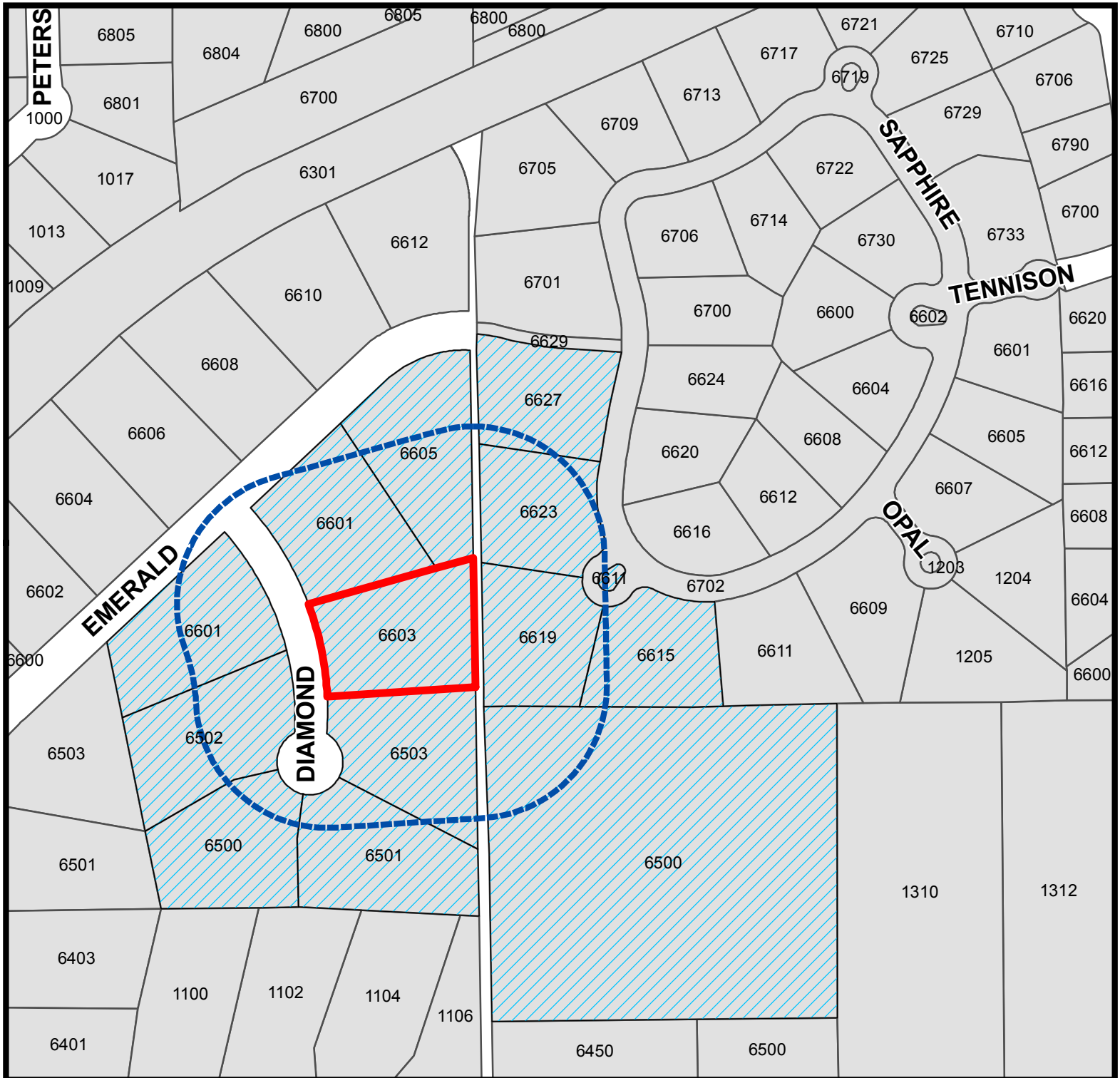
Tree stump to be
removed for
building



Photos Provided by Applicant



NOTIFICATION MAP



ZC16-018

6603 DIAMOND COURT

-  Subject Property
-  200ft Buffer
-  Properties within 200ft



1 inch = 208 feet

Vicinity Map



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Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
CLARK, MICHAEL D	6502 DIAMOND CT	COLLEYVILLE, TX	76034	6502 DIAMOND CT
FERGUSON, CHANDLER	6500 DIAMOND CT	COLLEYVILLE, TX	76034	6500 DIAMOND CT
HEIDINGER, RICHARD C	6503 DIAMOND CT	COLLEYVILLE, TX	76034	6503 DIAMOND CT
WATTS, BRETT M	6615 SAPPHIRE CIR S	COLLEYVILLE, TX	76034	6615 SAPPHIRE CIR S
BOORLA, SUSHRUTI	6627 SAPPHIRE CIR S	COLLEYVILLE, TX	76034	6627 SAPPHIRE CIR S
SAPPHIRE ENCLAVE HO ASSOC INC	5622 DYER ST	DALLAS, TX	75206	6702 SAPPHIRE CIR N
MAKHANI, NAZLEEN	6623 SAPPHIRE CIR S	COLLEYVILLE, TX	76034	6623 SAPPHIRE CIR S
VON LANGE, GEORGE	6603 DIAMOND CT	COLLEYVILLE, TX	76034	6603 DIAMOND CT
BRANSON, DAVID L	6619 SAPPHIRE CIR S	COLLEYVILLE, TX	76034	6619 SAPPHIRE CIR S
HEARN, JAMES W	6601 EMERALD DR	COLLEYVILLE, TX	76034	6601 EMERALD DR
ESPINOZA, LAURA	6601 DIAMOND CT	COLLEYVILLE, TX	76034	6601 DIAMOND CT
PETERSON, D M	6501 DIAMOND CT	COLLEYVILLE, TX	76034	6501 DIAMOND CT
RISCHON DEVELOPMENT CORP	6003 SUNDERLAND DR	COLLEYVILLE, TX	76034	6611 SAPPHIRE CIR S
RYAN H PALMER LTD	4909 ROCKRIMMON CT	COLLEYVILLE, TX	76034	6500 CALDWELL HUGHES RD
RYAN H PALMER LTD	4909 ROCKRIMMON CT	COLLEYVILLE, TX	76034	6500 CALDWELL HUGHES RD
MANNING, WESLEY G	6605 EMERALD DR	COLLEYVILLE, TX	76034	6605 EMERALD DR
SAPPHIRE ENCLAVE HO ASSOC INC	5751 KROGER DRIVE	KELLER, TX	76244	COURTESY NOTICE
VON LANGE, GEORGE	6603 DIAMOND CT	COLLEYVILLE, TX	76034	APPLICANT
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were mailed
Friday, October 28, 2016 by Araceli
Botello

ORDINANCE O-16-XXXX

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING OF LOT 3, BLOCK 2, OF THE JEWELL ESTATES ADDITION, LOCATED AT 6603 DIAMOND COURT, BY AUTHORIZING A SPECIAL USE PERMIT FOR AN ACCESSORY BUILDING; 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 Special Use Permit for and accessory building under Case No. ZC16-018; and

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

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

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

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

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices

by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit for an Accessory Building on Lot 3, Block 2, of the Jewell Estates Addition, located at 6603 Diamond Court, as depicted on the attached as Exhibit "A".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Special Use Permit shall apply to the construction of an accessory building.
- b. The accessory building shall not exceed 1,500 square feet in size.
- c. The accessory building shall be consistent with the building elevations as depicted on the attached Exhibit "C"
- d. The accessory building may not be used as an accessory dwelling unit.
- e. All requirements of the Land Development Code shall be met,

except where amended herein.

- Sec. 5. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 6. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 7. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 8. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 6th day of December 2016.

The second reading and public hearing being conducted on the 20th day of December 2016.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 20th day of December 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" - Location and Zoning Map

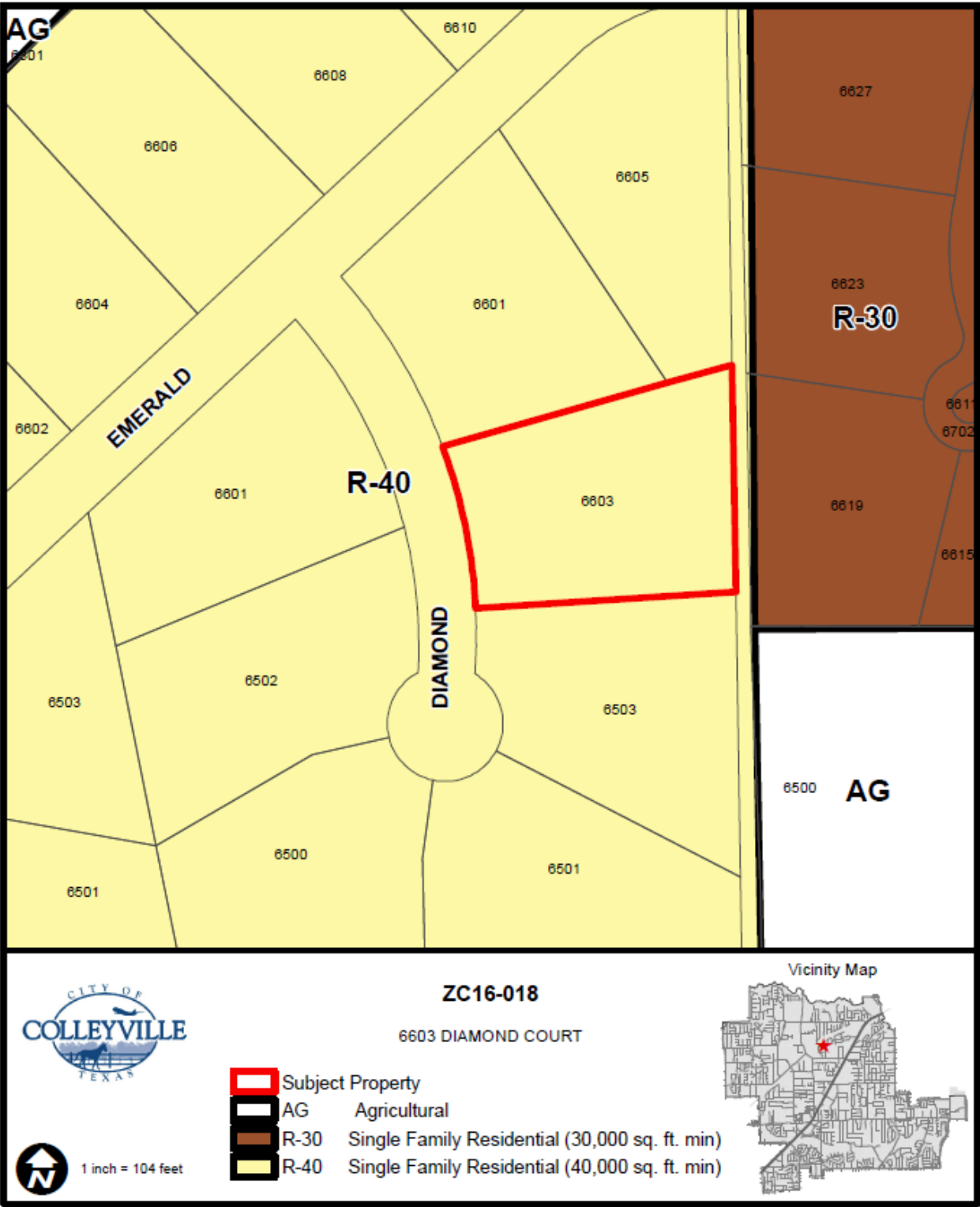


Exhibit "B" – Site Plan

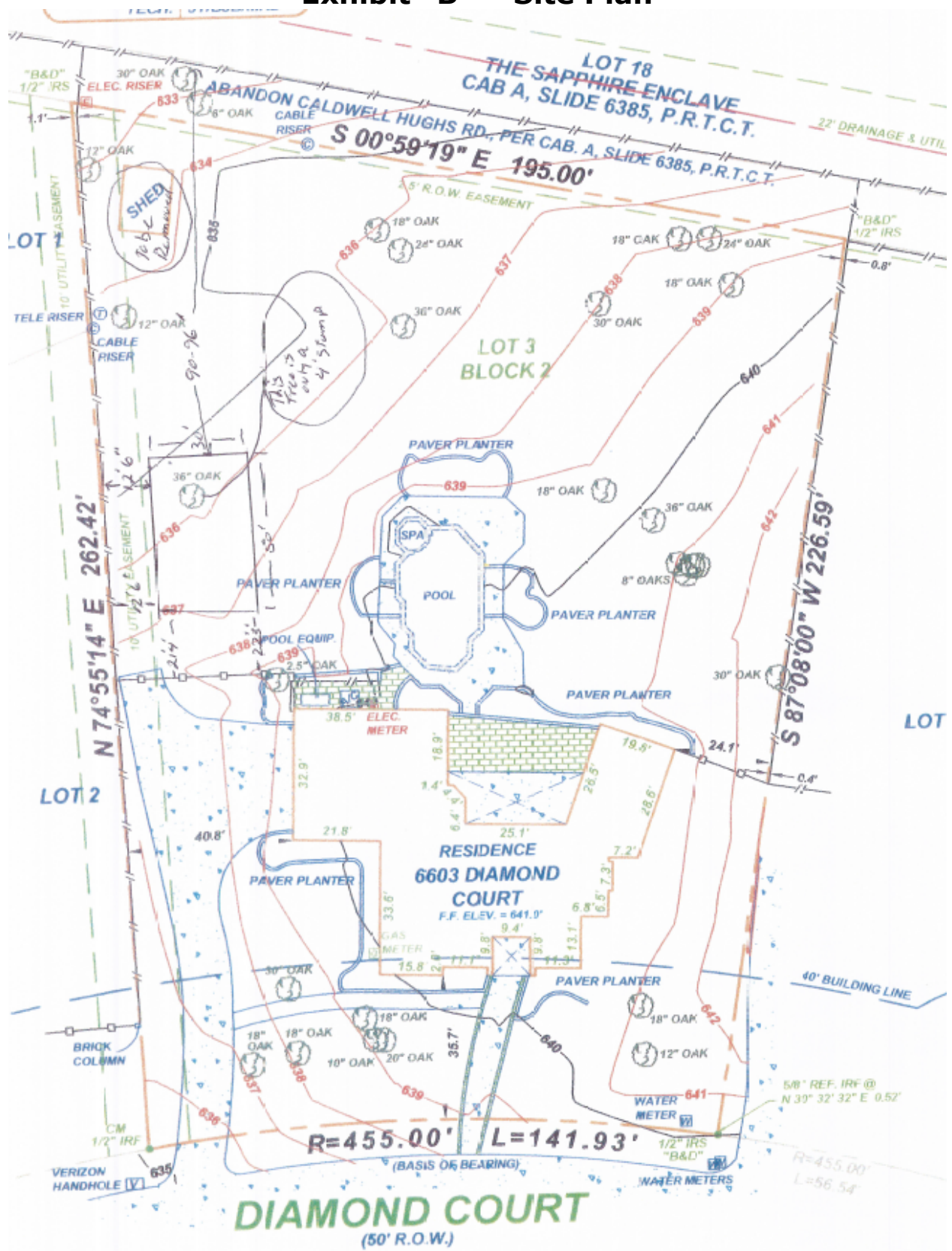
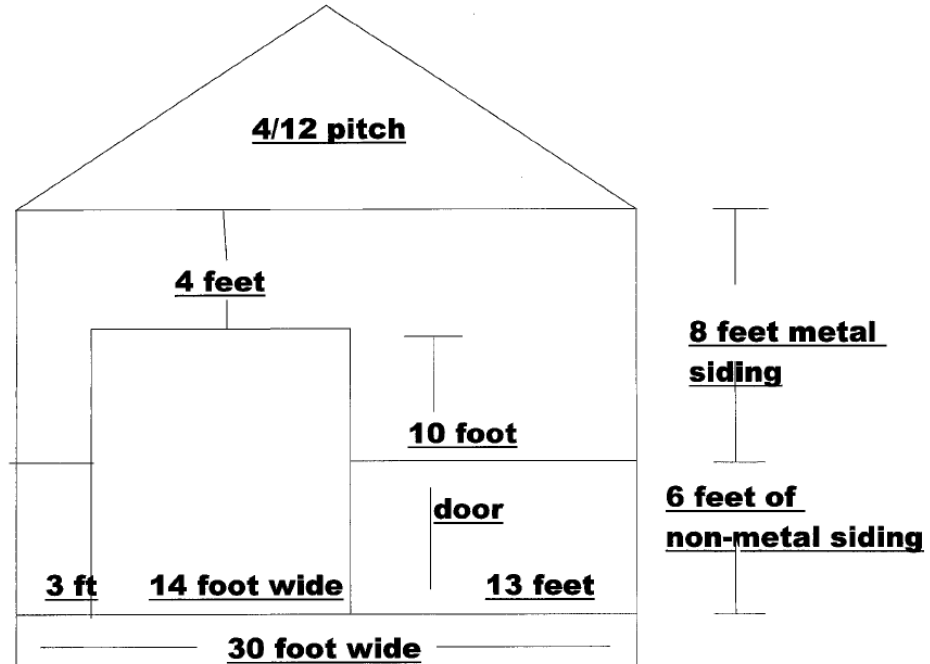


Exhibit "C" – Elevations

Building Elevations

Front Elevation of building



Side Elevation northside

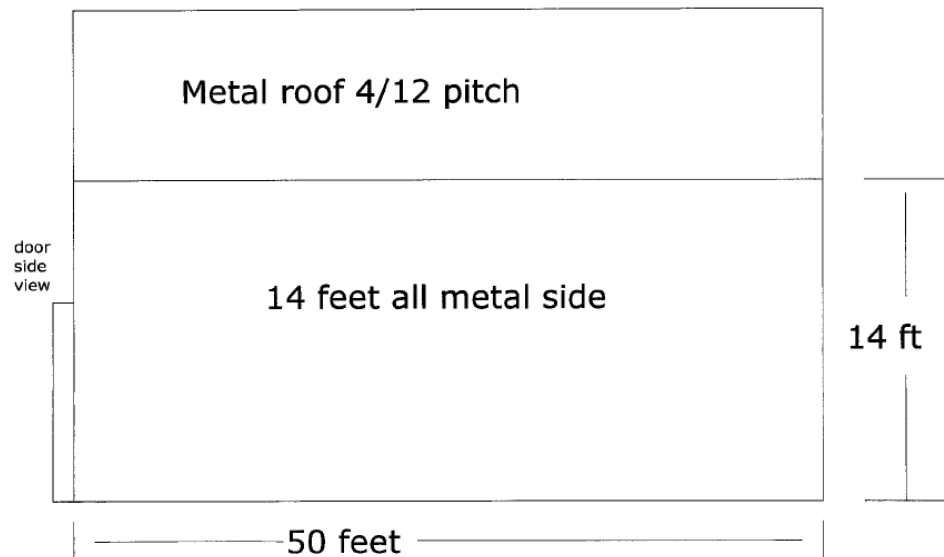
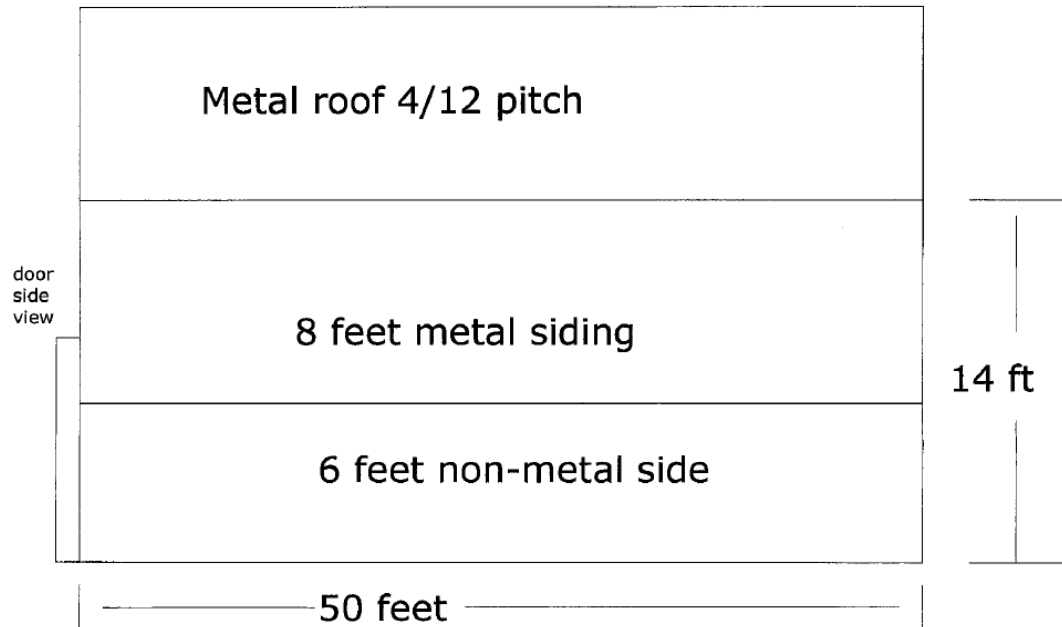
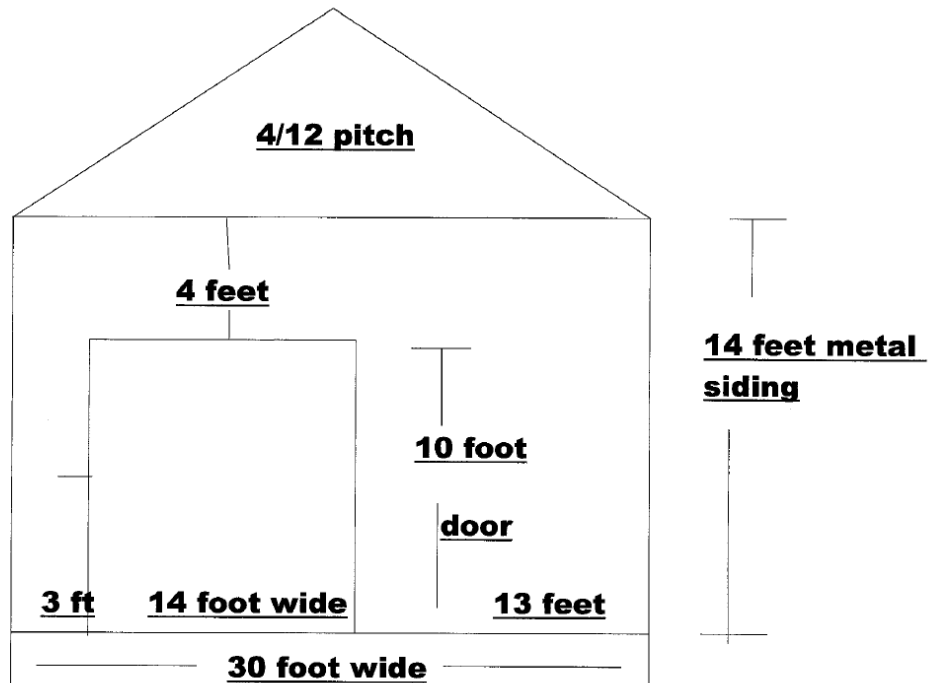


Exhibit "C" – Elevations

Side Elevation Southside



Rear Elevation of building East side





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 6d	Agenda Date 11/14/2016	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a zoning change from the AG-Agricultural district to the CN-Neighborhood Commercial district on Abstract 206, Tract 3A, in the BBB & C RY SURVEY located at 5300 Pleasant Run Road, Case ZC16-019

Explanation

Olanrewaju Sobo, of Glory House Church, has submitted a request to rezone approximately 0.639 acres, located at 5300 Pleasant Run Road, from the AG Agricultural district to the CN-Neighborhood Commercial district. The applicant is seeking a zoning change in order to plat the subject property and proceed with the development of a new building.

Existing Conditions/Background: The subject property is currently unplatted and undeveloped. A subsequent minor plat will be required prior to issuance of a building permit should the rezoning request be approved. The Glory House Church currently occupies the property at 5310 Pleasant Run Road (the former City of Colleyville Post Office). The church has purchased the property at 5300 Pleasant Run Road and plans to vacate the existing building and construct a new building on the subject property. Following completion of the new building, Glory House Church will only occupy the property at 5300 Pleasant Run Road.

Proposed Zoning Change:

Request – The applicant is requesting a zoning change from the AG Agricultural district to the CN-Neighborhood Commercial district to proceed with the subdivision (platting) of the property and construction of a new building. The applicant has indicated that the new building will be the future home of the existing church.

Ordinance – Per Section 3.24 G, Schedule of District Regulations in the Land Development Code, the CN-Neighborhood Commercial district regulations require the following standards:

Minimum Lot Area: 10,000 square feet
Minimum Lot Width: 100 feet
Minimum Lot Depth: 120 feet
Minimum Front Yard Setback: 40 feet
Minimum Side Yard Setbacks: 15 feet

Minimum Rear Yard Setback: 10 feet
Maximum Lot Coverage: 40 percent

A petition for a zoning district change to the CN district shall be accompanied by a site plan and supporting documents of the area petitioned for a zone change. The purpose of the site plan is to illustrate the logical arrangement of the elements on the land and to show relationships of elements to each other. The applicant has provided a zoning site plan exhibit which proposes a new church facility on one lot, 0.639 acres in size. This site plan appears to meet the CN-Neighborhood Commercial district's minimum lot area of 10,000 square feet as listed above. A detailed site plan review and approval process will be required prior to issuance of a building permit. The formal review process will determine compliance with all appropriate development standards contained within the Land Development Code.

Chapter 3 (Land Use) of the Land Development Code identifies the purpose and intent of the CN-Neighborhood Commercial district as designed to be compatible adjacent to or near residential areas and to provide goods needed by homeowners on a usual basis. Additionally, it states that the lot size maximum is small to encourage small-scale developments and the hours of operation do not permit businesses to be open at night.

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 majority of the permitted principal land uses for the CN district:

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

E. Public and Institutional Uses	
<i>Colleges or Universities</i>	<i>S</i>
<i>Community Centers or Recreation Centers</i>	<i>P</i>
<i>Government Buildings, Offices and Facilities</i>	<i>P</i>
<i>Fire Stations / Police Stations</i>	<i>P</i>
<i>Golf Courses – Public Owned</i>	<i>P</i>
<i>Government Maintenance Facilities</i>	<i>P</i>
<i>Libraries</i>	<i>P</i>
<i>Museums</i>	<i>P</i>
<i>Post Office</i>	<i>P</i>
<i>Parks and Open Space Areas</i>	<i>P</i>
<i>Public Maintenance and Storage Buildings</i>	<i>S</i>
<i>Private Schools – Elementary and Secondary</i>	<i>S</i>
<i>Private Schools – High School</i>	<i>S</i>
<i>Public Schools – Elementary and Secondary</i>	<i>P</i>
<i>Public Schools – High School</i>	<i>P</i>
<i>Religious Institutions</i>	<i>P</i>

F. Office Uses	P
Accountant's Offices	P
Advertising Agencies	P
Attorney Offices	P
Chiropractic Clinics	
Engineering, Architect's, and Surveyor's Offices	P
General Business Offices not elsewhere listed	P
Insurance Agencies	P
Management and Public Relations Services Offices	P
Optometrist Office	
Psychologist Offices	P
Physician's or Dentist's Offices	
Real Estate Agency Offices	P
Security Broker Offices	P
Title Abstract Offices	P
Travel Agency/ Airline Ticket Offices	P
G. Retail and Services Uses	
Alcohol or Drug Treatment Center	S
Banks, Credit Unions and Financial institutions	P
Barber Shops, Beauty Shops, and Day Spas	P
Cemeteries or Mausoleums	S
Civic, Social or Fraternal Organizations	S
Copy Centers/Print Shops	S
Dance Studios and Martial Arts Studios	S
Day Care Centers	S
Dry Cleaner Pick-up Stations	S
<i>Florist Shops</i>	P
Hardware, electrical & plumbing w/o outside display	P
Interior Decoration Stores	P
Locksmiths	S
Jewelry Stores	P
Mailing and Shipping Stores	P
Pharmacy	S
Photography Studios	P
Self-service Laundries	S
Shoe Repair Shops	P
Tailor and Alteration Shops	P
H. Recreational and Entertainment Uses	
Golf Courses- Privately Owned	P
Commercial Recreation (outdoor)	S
I. Automotive and Transportation Uses	
Airports and Heliports	S
Auto Parking Lots and Garages (free standing)	S

Analysis: In preparation for the future construction of the new church building, Glory House Church discovered that the newly purchased property is not platted. The Land Development Code requires all properties to be platted prior to issuing a building permit. As part of this process the subject property must be rezoned to a zoning district other than the AG Agricultural district. The applicant has selected the CN-Neighborhood Commercial district to be consistent with the current zoning of the property the church is occupying today.

The lot width for the subject property is 87 feet. This dimension does not meet the requirements of the CN-Neighborhood Commercial district. Additionally, the lot width does not meet the minimum requirements for any of the commercial or single family residential districts. The Land Development Code only permits lot widths less than 100 feet in the Multi-Family or Planned Unit Development zoning districts. The applicant does not desire to request either of these zoning designations for the subject property at this time.

Given the limited lot width, the forthcoming minor plat will be required to receive approval from the Planning and Zoning Commission. Section 9.7 of the Land Development Code states that the *"City may approve a plat which contains a lot that does not meet the minimum requirements when special conditions exist."* In this case staff believes there are special conditions. The subject property is constrained in lot width due to existing developed conditions on three sides. The lots to the north and south currently have existing buildings and limited setbacks from the property lines. Therefore, acquiring additional land appears to be unfeasible.

Surrounding Development: The properties to the north are zoned CN-Neighborhood Commercial and R-20 Single Family Residential. The property directly to the north is developed with the existing Glory House Church building. The properties to the west are zoned R-20 Single Family Residential and developed with single family homes. The property to the south is zoned AG-Agricultural district and is developed with one permanent structure (a large metal building). The properties to the east are zoned AG-Agricultural district and developed with single family homes.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property as located within the Central Sector of the Colleyville Boulevard Corridor. This area has been identified as having the greatest potential to become a true center of activity by tying together major commercial and entertainment centers along the Corridor. Public and institutional uses are encouraged within the Colleyville Boulevard Corridor.

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 proposed zoning change is consistent with the City's comprehensive plan. As described in the Chapter 3 of the Land Development Code, the CN district is designed to be compatible adjacent to or near residential areas. The requested CN-Neighborhood Commercial zoning district seeks to maintain consistent zoning between the subject property and the adjacent property to the north. With similar non-residential uses in the immediate vicinity the proposed zoning request should not adversely impact the surrounding properties. Staff recommends approval of the rezoning request.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Zoning Site Plan Exhibit
6. Notification Map
7. Notification List
8. Draft Ordinance

AERIAL MAP



ZC16-019

5300 PLEASANT RUN ROAD

 Subject Property



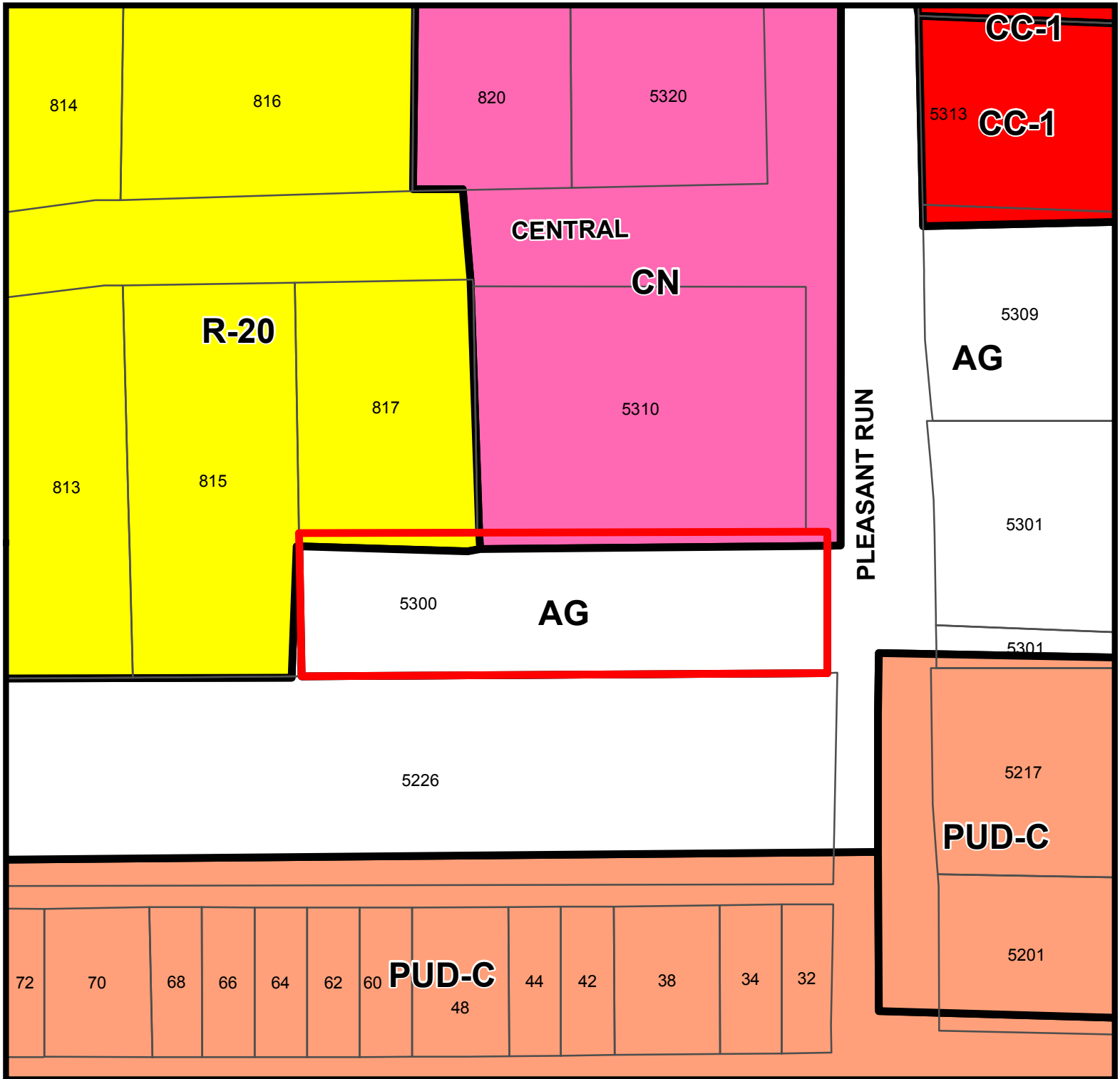
1 inch = 83 feet

Vicinity Map



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ZONING MAP



PLEASANT RUN



ZC16-019

5300 PLEASANT RUN ROAD

- Subject Property
- AG Agricultural
- CC-1 Village Retail
- CN Neighborhood Commercial
- PUD-C Planned Unit Development, Commercial
- R-20 Single Family Residential (20,000 sq. ft. min)



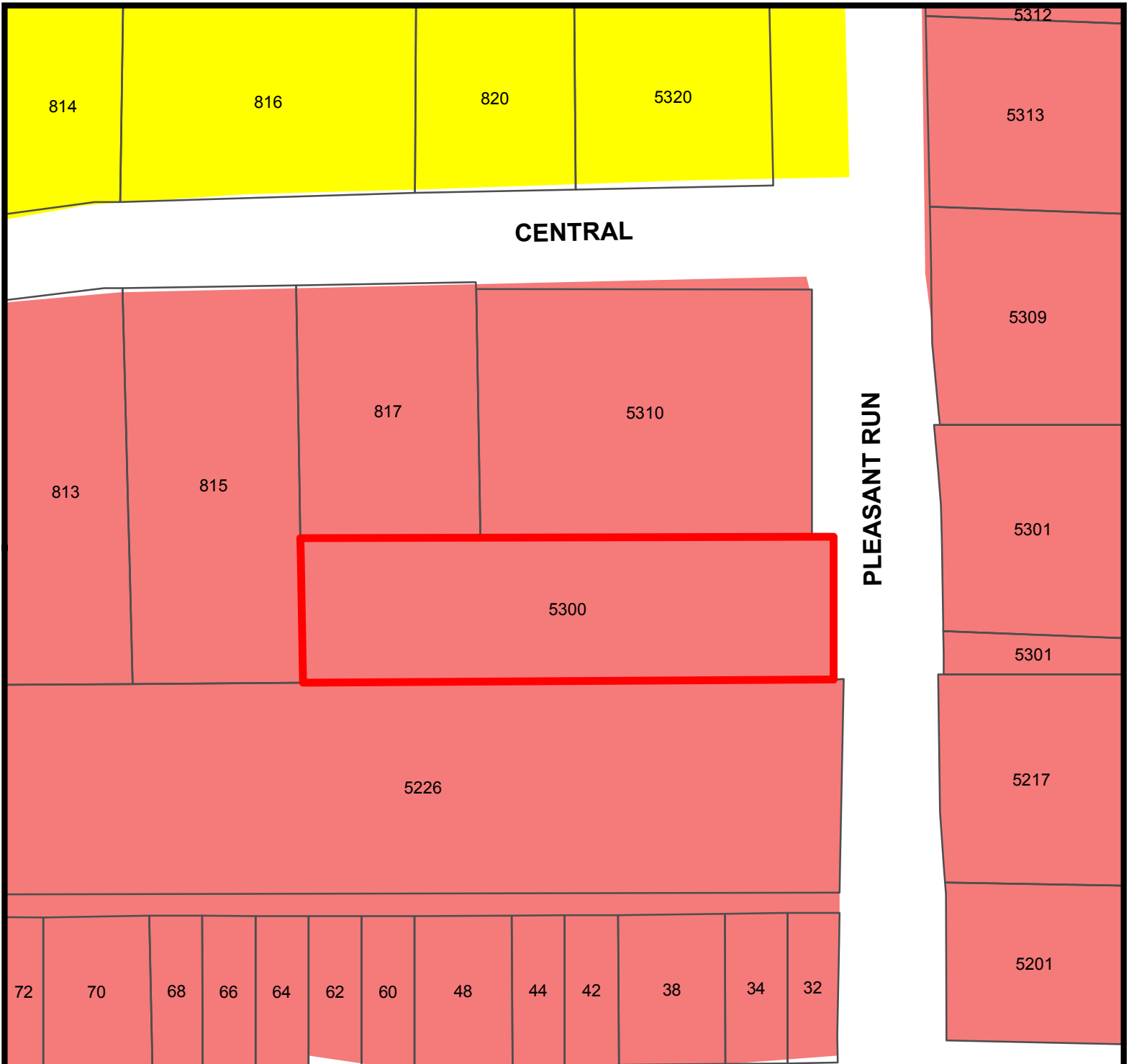
1 inch = 83 feet

Vicinity Map



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FUTURE LAND USE MAP



ZC16-019

5300 PLEASANT RUN ROAD



1 inch = 83 feet

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

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.

Statement of Planning Objectives

Lambdin Architects

1340 Twisting Wind Dr
Haslet, Texas 76052

Telephone 817 / 691-6621

RCCG Glory House
5310 Pleasant Run
Colleyville, Texas 76034

Planning Objectives:

The intent is to re-zone the property from agricultural to neighborhood commercial to be consistent with the area zoning along Pleasant Run Rd.

The church is currently renting the adjacent property and would like to proceed with construction on this lot.

Their financing has been reviewed by a lender and they have preliminary approval to proceed.

The facility will be used for a worship center with a sanctuary and nursery on the first level with classrooms on the second level. The back of the building will include a small playground. The facility will include an elevator and fire sprinkler system per code.

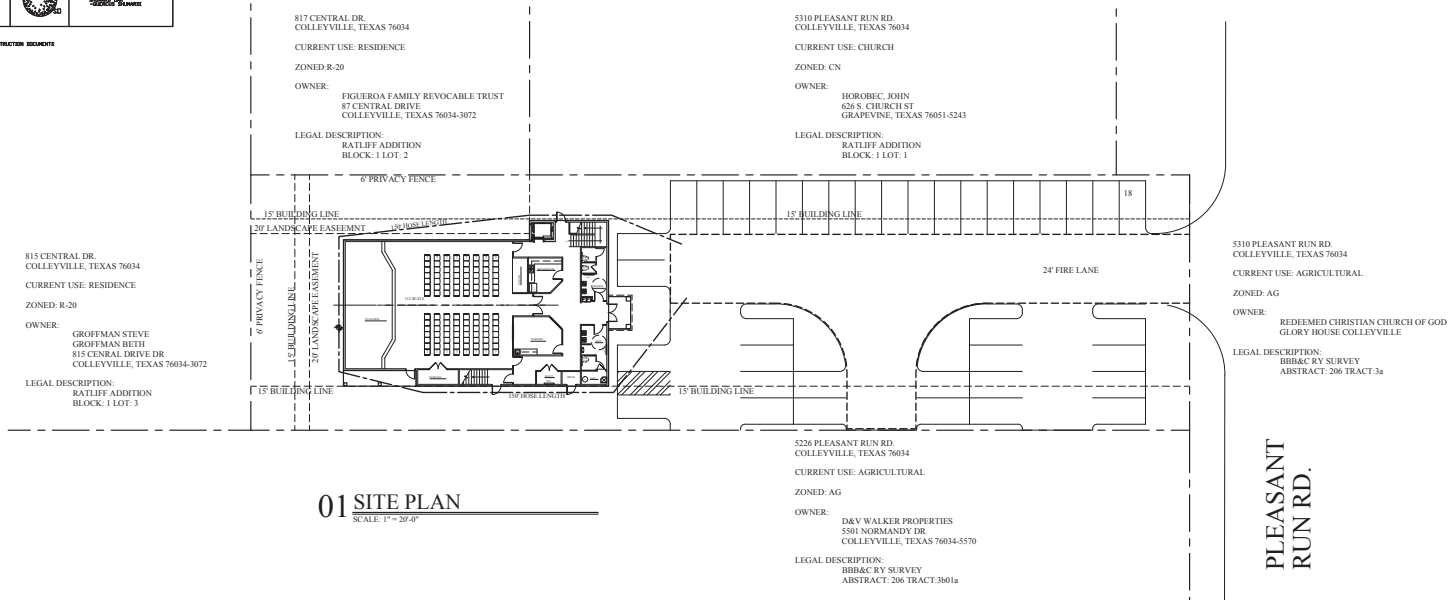
Schedule:

If the initial zoning change is approved the project will be further developed for site plan review including the required civil engineering and architectural elevations.

It is the intent of the church to proceed directly into construction document and proceed to permit as soon as the site plan is approved.

Upon approval of the permit the intent is to immediately proceed with construction. A construction manager has already been contacted to assist with the permitting process and cost estimating. Upon finalizing the subcontractor bids construction will proceed. At this time construction is estimated to be 6 to 8 months.

ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM AG TO CN



issued for zoning change and site plan review

2014-043

NOTIFICATION MAP



ZC16-019

5300 PLEASANT RUN ROAD



Subject Property



200ft Buffer



Properties within 200ft



1 inch = 167 feet

Vicinity Map



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Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
BURDETTE, MARK L	77 VERANDA LN	COLLEYVILLE, TX	76034	64 VERANDA LN # 410
BURDETTE, MARK L	77 VERANDA LN	COLLEYVILLE, TX	76034	64 VERANDA LN # 411
BURDETTE, MARK L	77 VERANDA LN	COLLEYVILLE, TX	76034	64 VERANDA LN # 412
BENTLEY, MARY I	42 VERANDA LN	COLLEYVILLE, TX	76034	42 VERANDA LN # 110
BENTLEY, MARY I	42 VERANDA LN	COLLEYVILLE, TX	76034	42 VERANDA LN # 112
BENTLEY, MARY I	42 VERANDA LN	COLLEYVILLE, TX	76034	42 VERANDA LN # 111
D & V WALKER PROPERTIES LLC	5501 NORMANDY DR	COLLEYVILLE, TX	76034	5226 PLEASANT RUN RD
REDEEMED CHRISTIAN CHURCH OF G	5310 PLEASANT RUN RD	COLLEYVILLE, TX	76034	5300 PLEASANT RUN RD
FEGAN, DENNIS JOHN	1303 BELLEFONTE LN	COLLEYVILLE, TX	76034	5309 PLEASANT RUN RD
FIGUEROA FAMILY REVOCABLE TRUS	817 CENTRAL DR	COLLEYVILLE, TX	76034	817 CENTRAL DR
HART, KAY LYNN FOSTER	5301 PLEASANT RUN RD	COLLEYVILLE, TX	76034	5301 PLEASANT RUN RD
TURNER, LORI	62 VERANDA LN	COLLEYVILLE, TX	76034	62 VERANDA LN # 312
TURNER, LORI	62 VERANDA LN	COLLEYVILLE, TX	76034	62 VERANDA LN # 311
TURNER, LORI	62 VERANDA LN	COLLEYVILLE, TX	76034	62 VERANDA LN # 310
SOUTH BOWIE INVESTMENT PARTNER	PO BOX 126	COLLEYVILLE, TX	76034	5217 PLEASANT RUN RD
GROFFMAN, STEVEN	815 CENTRAL DR	COLLEYVILLE, TX	76034	815 CENTRAL DR
HART, KAY LYNN FOSTER	5301 PLEASANT RUN RD	COLLEYVILLE, TX	76034	5301 PLEASANT RUN RD
GABLE, MICHAEL	813 CENTRAL DR	COLLEYVILLE, TX	76034	813 CENTRAL DR
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	38 VERANDA LN
HAMM, DAVID A	6109 EQUESTRIAN CT	COLLEYVILLE, TX	76034	32 VERANDA LN # 112
HAMM, DAVID A	6109 EQUESTRIAN CT	COLLEYVILLE, TX	76034	32 VERANDA LN # 110
HAMM, DAVID A	6109 EQUESTRIAN CT	COLLEYVILLE, TX	76034	32 VERANDA LN # 111
REDDEN, ROGER A	68 VERANDA LN # 610	COLLEYVILLE, TX	76034	68 VERANDA LN # 611
YOUNG, CLINT	811 CENTRAL DR	COLLEYVILLE, TX	76034	811 CENTRAL DR
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	48 VERANDA LN
HOROBEC, JOHN	626 S CHURCH ST	GRAPEVINE, TX	76051	5310 PLEASANT RUN RD
REDDEN, ROGER A	68 VERANDA LN # 610	COLLEYVILLE, TX	76034	68 VERANDA LN # 610
BOES, MARK	34 VERNADA LN # 210	COLLEYVILLE, TX	76034	34 VERANDA LN # 211
REDDEN, ROGER A	68 VERANDA LN # 610	COLLEYVILLE, TX	76034	68 VERANDA LN # 612
BOES, MARK	34 VERNADA LN # 210	COLLEYVILLE, TX	76034	34 VERANDA LN # 212
BOES, MARK	34 VERNADA LN # 210	COLLEYVILLE, TX	76034	34 VERANDA LN # 210
VILLAGE OWNERS ASSOCIATION INC	909 LAKE CAROLYN PKWY STE 150	IRVING, TX	75039	70 CASA LN
SOUTH BOWIE INVESTMENT PARTNER	PO BOX 126	COLLEYVILLE, TX	76034	5201 PLEASANT RUN RD
BELL, WILLIAM M	5900 E LANCASTER AVE	FORT WORTH, TX	76112	60 VERANDA LN # 211
BELL, WILLIAM M	5900 E LANCASTER AVE	FORT WORTH, TX	76112	60 VERANDA LN # 212
BELL, WILLIAM M	60 VERANDA LN # 210	COLLEYVILLE, TX	76034	60 VERANDA LN # 210
GBC CAPITAL LLC	PO BOX 121	COLLEYVILLE, TX	76034	44 VERANDA LN
PITTS, REX A	66 VERANDA LN	COLLEYVILLE, TX	76034	66 VERANDA LN # 512
PITTS, REX A	66 VERANDA LN	COLLEYVILLE, TX	76034	66 VERANDA LN # 510
GBC CAPITAL LLC	PO BOX 121	COLLEYVILLE, TX	76034	44 VERANDA LN
GBC CAPITAL LLC	PO BOX 121	COLLEYVILLE, TX	76034	44 VERANDA LN
PITTS, REX A	66 VERANDA LN	COLLEYVILLE, TX	76034	66 VERANDA LN # 511
COLLEYVILLE HEIGHTS HOA	8528 DAVIS BOULEVARD, SUITE 134	NORTH RICHLAND HILLS	76182	COURTESY NOTICE
REDEEMED CHRISTIAN CHURCH OF G	5310 PLEASANT RUN RD	COLLEYVILLE, TX	76034	APPLICANT
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were mailed
Friday, October 28, 2016 by Araceli
Botello

ORDINANCE O-16-XXXX

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 0.64 ACRES, ABSTRACT 206, TRACT 3A, IN THE BBB & C RY SURVEY LOCATED AT 5300 PLEASANT RUN ROAD, FROM THE AG-AGRICULTURAL DISTRICT TO THE CN-NEIGHBORHOOD COMMERCIAL ZONING DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case ZC16-019; and

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

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

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

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

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 0.64 acres of Abstract 206, Tract 3A, in the BBB & C RY SURVEY located at 5300 Pleasant Run Road, located at 5300 Pleasant Run Road from the AG-Agricultural district to the CN-Neighborhood 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 any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 7. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 6th day of December 2016.

The second reading and public hearing being conducted on the 20th day of December 2016.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 20TH DAY OF DECEMBER 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:

Whit Wyatt
City Attorney

Exhibit "A"- Zoning Map

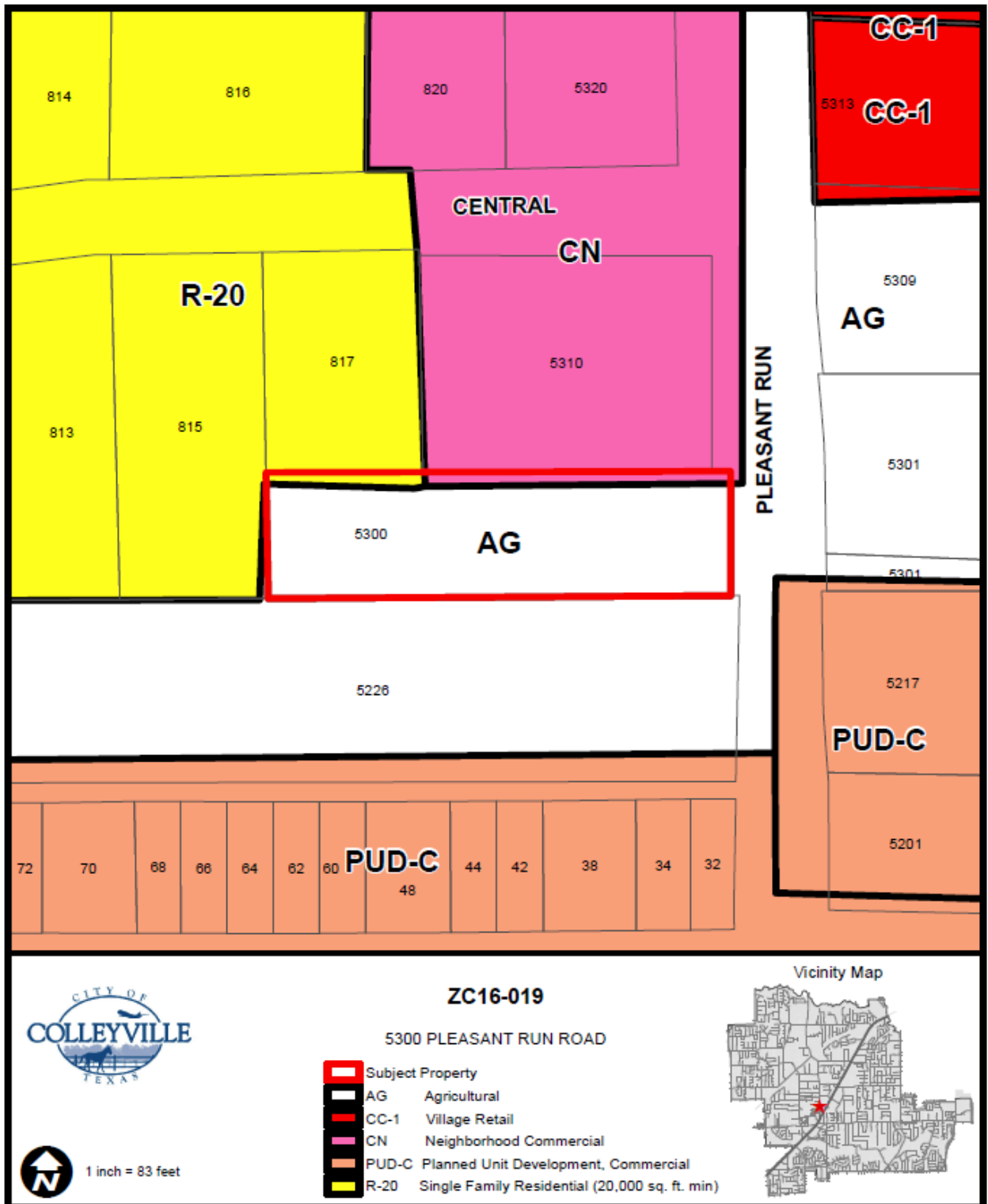


Exhibit "B"- Metes & Bounds Description

PROPERTY DESCRIPTION

Being a tract of land situated in the B.B.B. and C. RAILROAD CO. SURVEY, Abstract No. 206, Tarrant County, Texas, and being all that certain tract of land described in deed to Ruth M. Venable as recorded in Volume 7478, Page 1163, Deed Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a found 5/8-inch iron rod on the west line of Pleasant Run Road (50 foot right-of-way), said iron rod being the northeast corner of said Venable tract and being North 89 degrees 49 minutes 00 seconds East, a distance of 25.00 feet from the southeast corner of Ratliff Addition, an addition to the City of Colleyville, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-132, Page 82, Plat Records, Tarrant County, Texas;

THENCE South, a distance of 87.00 feet to the southeast corner of said Venable tract and being the on the west line of said Pleasant Run Road and being the northeast corner of a tract of land described in deed to D & V Walker Family Limited Partnership Number Two as recorded in Instrument No. D204220691, of said Deed Records, from which a found 1/2-inch iron rod bears South 53 degrees 02 minutes 52 seconds West, 3.53 feet;

THENCE South 89 degrees 49 minutes 00 seconds West, a distance of 320.00 feet to the southwest corner of said Venable tract and being on the north line of said Walker Family tract and being the southeast corner of Lot 3, Block 1 of Ratliff Addition, Second Filing, an addition to the City of Colleyville, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-162, Page 57, Plat Records, Tarrant County, Texas;

THENCE North, a distance of 87.00 feet to a fence corner at the northwest corner of said Venable tract and being on the east line of said Lot 3 and being the southwest corner of Lot 2, Block 1 of Ratliff Addition, an addition to the City of Colleyville, Tarrant County, Texas, according to the plat thereof recorded in Cabinet B, Slide 844, of said Plat Records;

THENCE North 89 degrees 49 minutes 00 seconds East, passing the southeast corner of said Lot 2 and the southwest corner of aforesaid Lot 1 at 95.00 feet and passing the southeast corner of said Lot 1 at 295.00 feet and continuing a total distance of 320.00 feet and containing 27,839 square feet or 0.639 of one acre of land.

THIS IS TO DECLARE that on this date a survey was made on the ground, under my direction and supervision of the above described tract of land.

There are no visible conflicts, visible evidence of easements or rights-of-way, or protrusions, except as shown, and that this date the easements, rights-of-way or other locatable matters of record of which the undersigned has knowledge or has been advised are as shown or noted hereon.

The subject property does not appear to lie within the limits of a 100-year flood hazard zone according to the Map published by the Federal Emergency Management Agency, and has a Zone "X" Rating as shown by Map No. 48439C0295 J, dated AUGUST 23, 2000. The statement that the property does or does not lie within a 100-year flood zone is not to be taken as a representation that the property will or will not flood. This Survey is not to be used for construction purposes and is for the exclusive use of Rattikin Title Company only and this survey is made pursuant to that one certain title commitment under the GF number 05-11085, provided by the title company named hereon.