



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, July 10, 2017

City Council Chambers

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

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

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

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

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

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

1. SWEARING IN OF NEWLY APPOINTED MEMBERS

Chris Putnam

2. ELECTION OF OFFICERS

3. APPROVAL OF MINUTES

June 12, 2017

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

5. PUBLIC HEARING AGENDA ITEMS

- 5a** Consideration of a zoning change from the R-40 Single Family Residential zoning district to the R-30 Single Family Residential zoning district on Tracts 1B1A and 2C2B, Abstracts 1674 and 1038, in the Hall Medlin Survey, located at 600 John McCain Road, Case ZC17-001
- 5b** Consideration of a Special Use Permit for an Accessory Building to exceed the total square footage permitted on Lot 1A, Block 1, of the K Bar G Estates Addition, located at 6401 Westcoat Road, Case ZC17-008
- 5c** Consideration of a zoning change from the PUD-C Planned Unit Development Commercial zoning district to the PUD-C Planned Unit Development Commercial zoning district on Lot 1, Block 1, of the San Bar Square Addition, located at 105 Cheek Sparger Road, Case ZC17-009

6. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards Friday, July 7, 2017 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, June 12, 2017

City Council Chambers

CALL MEETING TO ORDER

The City of Colleyville Planning and Zoning Commission meeting was called to order by Vice Chairman van Bever on June 12, 2017, at 7:00 p.m.

Roll Call

Present: Commissioners Susan Mathisen, Veronica Baughman, Sam van Bever, Charles Kelly, and Jason Elms

Absent: Commissioner John Frazier

Staff Present: Ben Bryner, Cheryl Taylor, Oscar Chavez, Eddie Tangadunrat, Robert McKeown, Araceli Botello, and Assistant City Attorney Evan Fisher

1. APPROVAL OF MINUTES

Commissioner Elms made a motion to approve the May 8, 2017 minutes. Commissioner Mathisen seconded.

The motion to approve carried by the following vote:

Aye: 5 – Mathisen, Baughman, van Bever, Kelly, and Elms
Nay: 0

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, being Lots 2R1, 2R2, & 2R3, Block 1, if the Morris Addition, a replat of Lot 2, Block 1, of the Morris Addition, located at 7201 Pleasant Run Road, Case PC17-006

Ben Bryner presented the case and briefed the Commission.

The applicant, Mark Assaad, 5000 Thompson Terrance, came forward and briefed the Commission.

The public hearing was opened at 7:07 p.m.

There being no others present wishing to speak, the public hearing was closed at 7:07 p.m.

Commissioner Kelly questioned the applicant regarding a citizen letter received inquiring about the top soil manipulation, run off, and changes to the flood plain to the subject property. The applicant responded that he has not received any communication regarding these concerns. He added that no changes will be made to the flood plain, the only changes done were the trimming to some trees for clearing underbrush and replacing the fence line between the abutting properties with a wrought iron fence.

Commissioner Mathisen questioned staff regarding concerns of additional dirt to be added to the eastern border. Staff responded that there are no current concerns at this time. Once building permits are submitted the applicant will be required to submit grading and drainage plans to comply with drainage and detention requirements.

Commissioner Elms made a motion to approve Case PC17-006. Commissioner Baughman seconded.

The motion to approve carried by the following vote:

Aye: 5 – Mathisen, Baughman, van Bever, Kelly, and Elms

Nay: 0

3B Consideration for a zoning change from the Ag – Agricultural zoning district to the R40 – Single Family Residential zoning district on Tract 5A01, Abstract 294, in the Robert Chowling Survey, located at 6260 Pool Road, Case ZC17-007

Ben Bryner presented the case and briefed the Commission.

The applicant, Sharon Chan, 6300 Pool Road, came forward and briefed the Commission.

The public hearing was opened at 7:15 p.m.

There being no one present wishing to speak, the public hearing was closed at 7:15 p.m.

Commissioner Mathisen noted that the proposed zoning request of R-40 – Single Family Residential zoning district for the subject property is consistent with the Comprehensive Plan and ensures the integrity of the neighborhood.

Commissioner Mathisen made a motion to approve Case ZC17-007. Commissioner Kelly seconded.

The motion to approve carried by the following vote:

Aye: 5 – Mathisen, Baughman, van Bever, Kelly, and Elms

Nay: 0

3c Consideration of a Special Use Permit for a Convenience Store with Gasoline Sales on Lot 1R, Block 1, of the Gardens Addition, located at 7015 Colleyville Boulevard, Case ZC17-007

Ben Bryner presented the case and briefed the Commission.

Commissioner Elms questioned the staff regarding the six provisions in the Comprehensive Plan that the proposed request is not in compliance with. Staff confirmed and provided additional explanation.

The applicant, Drew Cunningham, 3225 Cumberland Boulevard, Atlanta, came forward and briefed the Commission.

The applicant's attorney, Tommy Mann, 500 Winsted Building, Dallas, came forward and briefed the Commission.

Commissioner Baughman questioned the applicant regarding the proposed look for the outside of the building and if they had a photo from a different location. The applicant responded that he did not have a picture of the outside of the building to visually show what the actual building looks like. He added that the proposed prototype for the subject property is new and only one store is open at this time located in Greenville, Texas.

Commissioner Elms made a notation about the vision of the comprehensive plan for the subject property regarding connectivity to the cotton belt trail and the building being close to highway 26. The attorney responded that six lane divided highways make it difficult to create a walkable retail street. He also addressed the concern of noise and light.

Commissioner Elms added that a 24 hour operation would not be desirable for the subject property. The attorney responded that the 24 hour operation is attached to the zoning and is not being requested to be altered. Commissioner Elms responded that the SUP is required for the 24 hour operation for any use not allowed by right on the subject property.

Commissioner Mathisen referenced the requirements of the Comprehensive Plan for gateway signage, specifically for the Northern Gateway. The applicant's attorney responded that two gateways would not be necessary, but the location of the current gateway makes sense when coming into town as opposed to going out of the city. Commissioner Mathisen added that the proposed monument sign for the gasoline station would overpower the gateway sign. The applicant's attorney added that his client would be willing to add a second gateway sign.

Discussion continued regarding the gateway signage.

The public hearing was opened at 7:47 p.m.

Henry Mikhail, 500 Briarwood North, came forward and spoke in opposition of the case. Mr. Mikhail address concerns regarding contamination and if the city collects tax on gasoline sales.

Commissioner Mathisen addressed the question of tax on gasoline sales. She added that city does not receive tax proceeds for gasoline sales.

The applicant, Drew Cunningham, 3225 Cumberland Boulevard, Atlanta, came forward and addressed the concerns regarding contamination. He explained the measures taken to avoid contamination and added he is not aware of any current contamination or lawsuits regarding contamination issues.

Craig Wozniak, 7004 Coleman Court, came forward and spoke in opposition of the case. Mr. Wozniak addressed concerns regarding environmental impact and lack of research or data regarding traffic analysis by the RaceTrac.

Pam Wozniak, 7004 Coleman Court, came forward and spoke in opposition of the case. Mrs. Wozniak addressed concerns regarding environmental impacts and poor stewardship from RaceTrac.

Pat Aistrup, 2201 Danielle Drive, came forward and spoke in support of the case. Mrs. Aistrup addressed her support for the proposed use being a single story structure and a masonry wall proposed blocking the view.

Dave Aistrup, 2201 Danielle Drive, came forward and spoke in support of the case. Mr. Aistrup addressed having no concerns regarding the pollution by the proposed used and it being a gateway entrance.

Floyd Swaim, 204 Timberline South, came forward and spoke in support of the case. Mr. Swain addressed his support for the potential revenue, lower density, and RaceTrac being a good steward to the environment.

Randy Johnson, 7401 Braemar Terrace, came forward and spoke in support of the case. Mr. Johnson addressed his support for potential road improvement, business growth in the area, and the aesthetics of the proposed building.

Matt Koch, 6907 Upland Lane, came forward and spoke in opposition of the case. Mr. Koch addressed concerns regarding pollution, high traffic, and this type of use near the gateway entrance.

The applicant, Drew Cunningham, 3225 Cumberland Boulevard, Atlanta, came forward for a rebuttal before the Commission. The applicant addressed the concerns of the speakers.

There being no others present wishing to speak, the public hearing was closed at 8:24 p.m.

Commissioner Elms opened discussion regarding making decisions based on the Comprehensive Plan and whether the proposed request meets the direction of the plan. Commissioner Kelly added that he likes the idea of RaceTrac in the city, but not at the proposed location and adjacent to a residential area.

Commissioner Kelly made a motion to deny Case ZC16-007. Commissioner Mathisen seconded.

The motion to deny carried by the following vote:

Aye: 5 – Mathisen, Baughman, van Bever, Kelly, and Elms

Nay: 0

3d Consideration of a Special Use Permit for Alcohol Beverage Sales – (Beer and Wine Only) – Off-Premises Consumption, on Lot 1R, Block 1, of the Gardens Addition, located at 7015 Colleyville Boulevard, Case ZC17-010

Ben Bryner presented the case and briefed the Commission.

The attorney, Tommy Mann, 500 Winsted Building, Dallas, came forward and briefed the Commission.

The public hearing was opened at 8:28 p.m.

Pam Wozniak, 7004 Coleman Court, came forward and spoke in opposition of the case. Mrs. Wozniak addressed her opposition for alcohol sales due to the previous case being denied on the request for a convenience store with gasoline sales.

Pat Aistrup, 2201 Danielle Drive, came forward and spoke in support of the case. Mrs. Aistrup addressed various concerns about prior proposed business uses in the area.

Randy Johnson, 7401 Braemar Terrace, came forward and spoke in support of the case. Mr. Johnson addressed concerns of gas tanks at his business location and commended RaceTrac for their work.

Matt Koch, 6907 Upland Lane, came forward and spoke in opposition of the case. Mr. Koch addressed his opposition for alcohol sales.

The following people wished to record their position but did not wish to speak:

Opposition:

Craig Wozniak, 7004 Coleman Court

Support:

Dave Aistrup, 2201 Danielle Drive

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

Commissioner Kelly made a motion to deny Case ZC17-010. Commissioner Baughman seconded.

The motion to deny carried by the following vote:

Aye: 5 – Mathisen, Baughman, van Bever, Kelly, and Elms

Nay: 0

- 3e** Consideration of approval of amendments to the Land Development Code regarding a proposed requirement that newly installed utilities be underground; specifically Chapter 9 – Subdivision Design & Public Facilities, Section 9.17 Street Design Criteria, proposed Section 9.18 Easement, proposed Section 9.19 Private Utilities, and Chapter 14 – Engineering Design Standards, Section 14-175 Miscellaneous, Case **GC17-015, TABLED FROM MAY 8, 2017 MEETING**

Commissioner Elms made a motion to remove Case GC17-015 from the table. Commissioner Mathisen seconded.

The motion carried by the following vote:

Aye: 5 – Mathisen, Baughman, van Bever, Kelly, and Elms

Nay: 0

Ben Bryner presented the case and briefed the Commission.

Staff noted the following amendments to the underground utility proposal as requested by the Commission:

Section 14-175 Miscellaneous

- B. Underground Utilities – All newly installed lines, cables, or other conduits for utilities shall be installed below ground and in accordance with the regulations found in Section 9.19 Private Utilities.

Section 9.19 Private Utilities

- A. Newly Installed Utilities Required to be Underground (O-17-xxxx / xx-xx-17)
1. All newly installed gas, electric, telephone utilities, street lighting, cable television, and fiber lines shall be underground.
 2. All electric, telephone, cable, and fiber utilities shall be placed in the rear easement. Mechanical equipment, transformers, and other visible installations will not be permitted in the front yards of any lots.
 3. All support equipment (transformers, amplifiers, switching devices, etc.) necessary for underground installations shall be pad mounted or placed underground. Nothing in this section shall restrict or prohibit the placement, erection, or construction of street lighting poles or standards above ground, provided all lines and wires used to provide such lighting are placed underground.
 4. All above ground equipment shall be screened from public view, in such a manner that the ground equipment cannot be seen from a public right-of-way. Said screening shall be completed at the time of installation by the utility company and/or developer.
 5. Where existing overhead service or lateral/distribution utilities lines are located within the land proposed for development and the lines

must be relocated to accommodate the development, the developer is responsible for relocation and placement of the lines underground.

6. All new service lines shall be placed underground.
7. Overhead services will not be permitted to cross public rights-of-way. All such crossings of a right-of-way will be required to be completed by methods as approved by the city.
8. Temporary construction service may be provided by overhead electric lines and facilities without obtaining a variance or exception, provided that when the underground utility service to any portion of a subdivision is completed, such overhead electric lines and facilities are promptly removed.

Commission Mathisen recommended additional language be added to temporary overhead electric use to include work performed for remodeling or redevelopment associated with certificates of occupancy and final inspections. The Commission agreed.

The public hearing was opened at 8:49 p.m.

There being no others present wishing to speak, the public hearing was closed at 8:49 p.m.

Commissioner Elms made a motion to approve Case GC17-015 as presented by City Staff. Commissioner Kelley seconded.

The motion to approve carried by the following vote:

Aye: 5 – Mathisen, Baughman, van Bever, Kelly, and Elms

Nay: 0

4. ADJOURNMENT

The meeting adjourned at 8:51 p.m.

The minutes were written and prepared by:



Araceli Botello
Planning Technician

The meeting minutes were approved on _____ 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 5a	Agenda Date 07/10/2017	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a zoning change from the R-40 Single Family Residential zoning district to the R-30 Single Family Residential zoning district on Tracts 1B1A and 2C2B, Abstracts 1674 and 1038, in the Hall Medlin Survey, located at 600 John McCain Road, Case ZC17-001

Explanation

Edward Mitchell, the owner, has submitted a request to rezone approximately 1.39 acres, located at 600 John McCain Road, from the R-40 Single Family Residential district to the R-30 Single Family Residential district. The applicant is seeking a zoning change in order to subdivide one single family residential lot into two lots for future residential development.

Existing Conditions/Background: The subject property is currently unplatted. The applicant has indicated the intent to create a new lot for a new single family home on the western portion of the subject property. The applicant has submitted a zoning exhibit demonstrating the proposed subdivision as part of the rezoning request.

Proposed Zoning Change:

Request – The applicant is requesting a zoning change from the R-40 Single Family Residential district to the R-30 Single Family Residential district to create one additional single family residential lot.

Ordinance – Per Section 3.24 G, Schedule of District Regulations in the Land Development Code, the R-30 zoning regulations require the following standards:

- Minimum Lot Area: 30,000 square feet
- Minimum Lot Width: 125 feet
- Minimum Lot Depth: 125 feet
- Minimum Front Yard Setback: 35 feet
- Minimum Side Yard Setbacks: 10 feet
- Minimum Rear Yard Setback: 25 feet
- Maximum Lot Coverage: 25 percent

The applicant has provided a zoning exhibit which is conceptual in nature and not up for consideration as part of the zoning request. However, the conceptual exhibit proposes two lots 30,298 square feet and 30,018 square feet, or 1.44 net acres. This

conceptual plan appears to meet the R-30 zoning district's minimum lot area of 30,000 square feet and other standards as listed above. Chapter 3 (Land Use) of the Land Development Code identifies the purpose and intent of the R-30 zoning district as primarily oriented toward low-density residential purposes and open space uses. Additionally, it states the principal uses shall be moderately low-density detached single family homes. A plat will be required to be submitted and reviewed for compliance prior to approval and filing in the County Clerk's Office.

Analysis – The zoning designations for the majority of the adjacent properties are AG Agricultural and R-40 Single Family Residential. The subject property is closely aligned with the existing R-40 district. The proposed conceptual zoning exhibit does preliminarily meet the minimum standards for the R-30 district.

Surrounding Development: The properties to the north and west are zoned R-40 and developed with single family homes. The properties to the south and east are zoned AG Agricultural district and also developed with single family homes. There are several properties to the northeast and southeast also zoned R-40 and developed with single family homes.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for single family residential uses. The proposed rezoning request does not seek to change the use on the subject property from single family residential uses. The comprehensive plan's Residential Density Policy states that the maximum density of each residential project shall be 1.8 dwelling units per net acre. The proposed density is 1.44 dwelling units per net acre. The requested zoning change complies with the net density policy of 1.8 dwelling units per acre and is consistent with the general density policy stated in the Comprehensive Plan:

"...each residential project shall have a minimum lot size of 20,000 square feet and no more than 2 dwelling units per gross acre."

Fees: Park Land Dedication fees are required in the amount of \$1,802 per new residential lot. Park Land Dedication fees are due prior to filing the plat for record. Impact Fees are also required per Chapter 13 (Impact Fees) of the Land Development Code and are due prior to the issuance of a Building Permit.

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

In addition to the requirements for submittal of a Tree Removal Permit and Tree Preservation Plan, future development on the site must maintain the minimum existing protected tree canopy coverage as required in Chapter 5.

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 on Friday, June 23, 2017 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* on Saturday, June 24, 2017 as required by State law and the Land Development Code. To date, no correspondence has been received.

Staff Recommendation: Although the proposed zoning change is generally consistent with the City's comprehensive plan, the requested R-30 district is not the same as the surrounding AG Agricultural and R-40 district designations. Staff recommends denial of the proposed rezoning request.

Recommendation

Denial

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Zoning Exhibit
5. Notification Map
6. Notification List
7. Property Owner Notification
8. Legal Notice
9. Draft Ordinance

Aerial Map

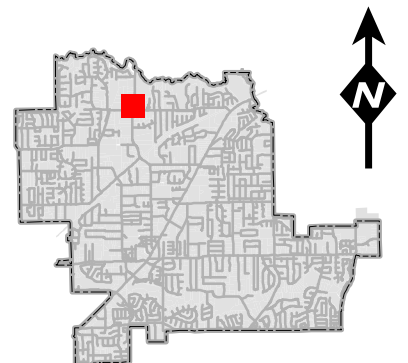


ZC17-001

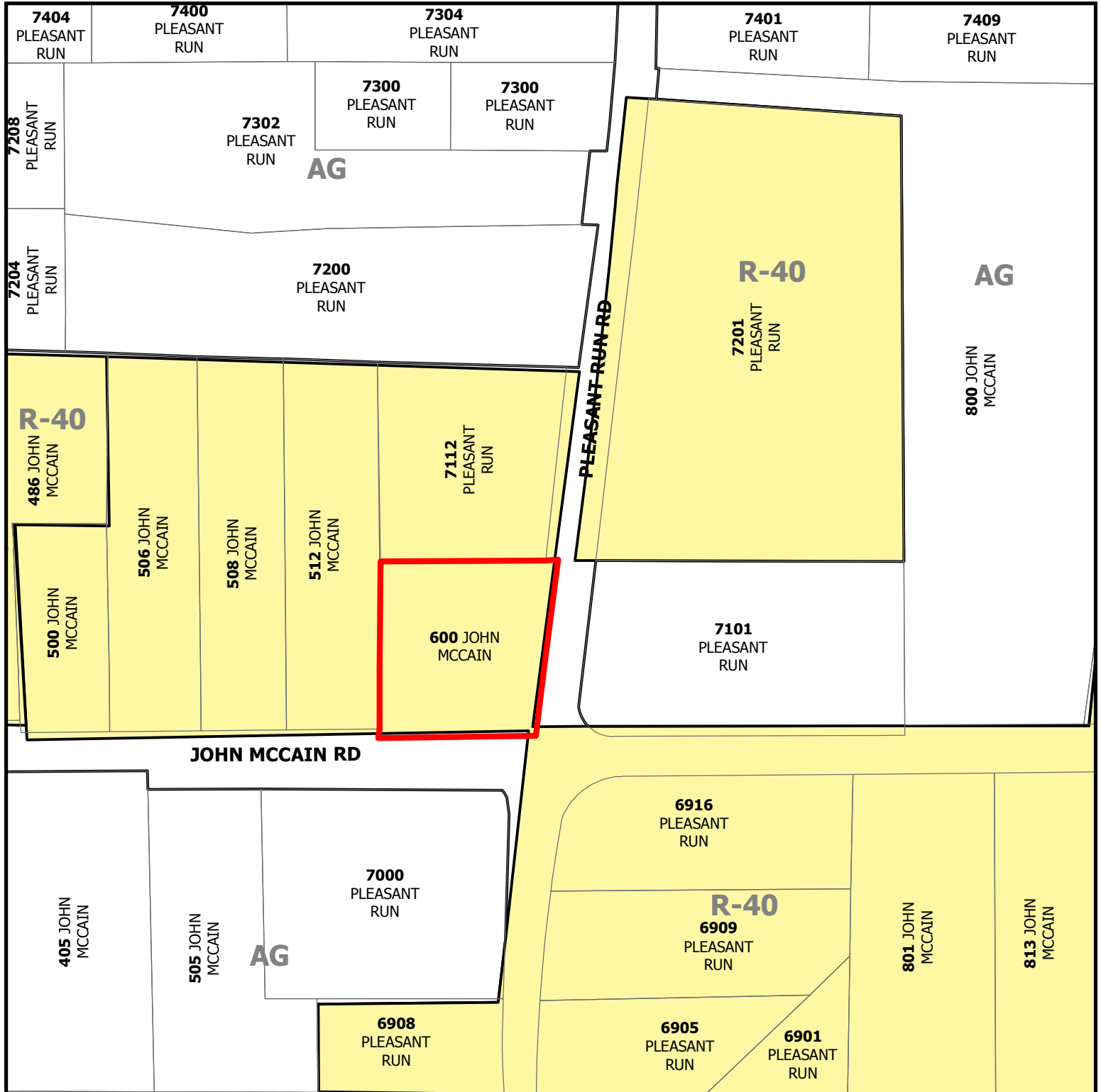
600 JOHN MCCAIN ROAD

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.

 Subject Property



Zoning Map

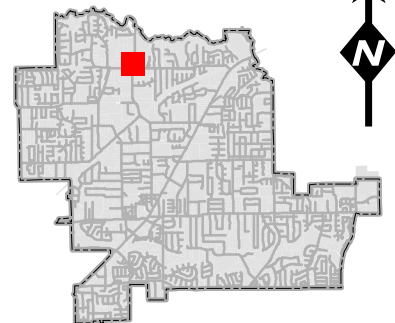


ZC17-001

600 JOHN MCCAIN ROAD

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 Subject Property



Future Land Use Map



ZC17-001

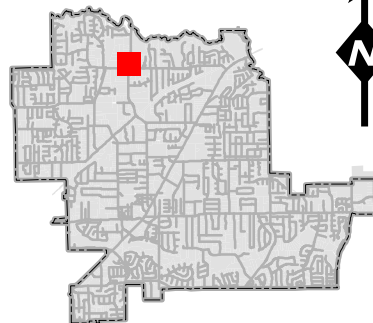
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DISCLAIMER:

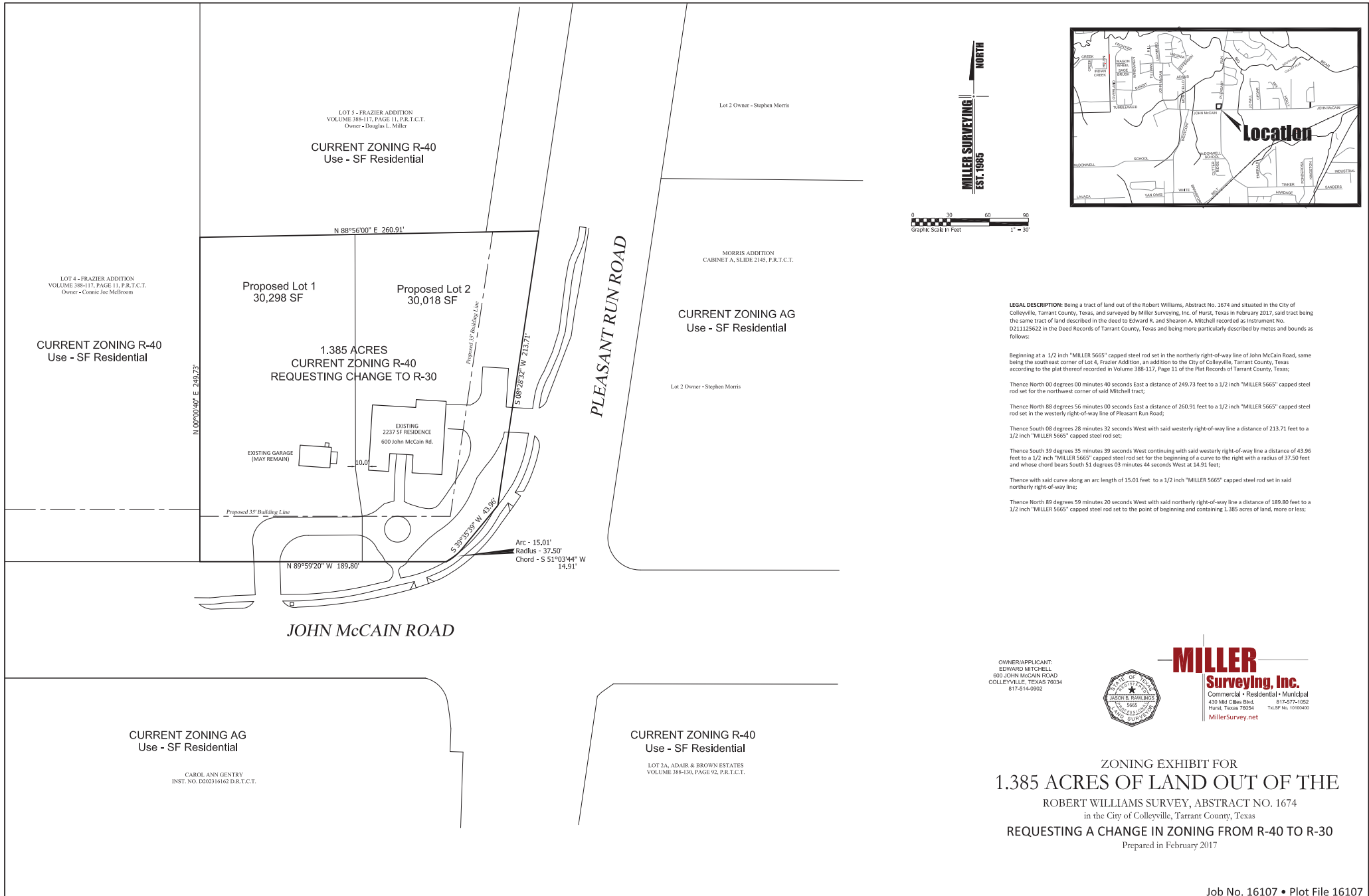
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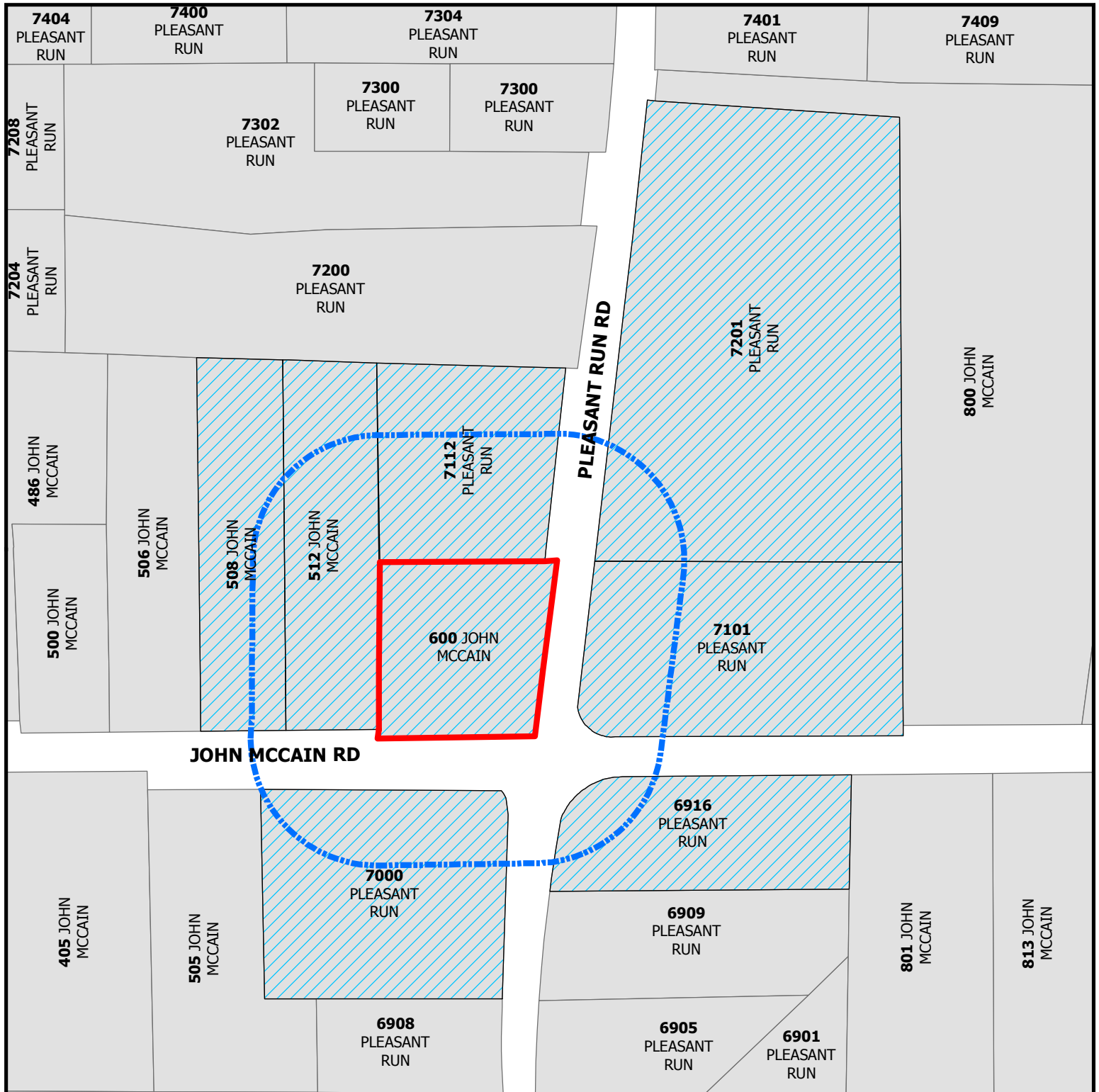
Subject Property



Zoning Exhibit



Notification Map

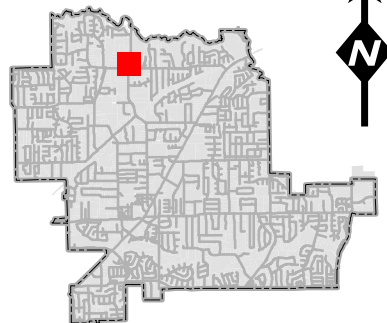


ZC17-001

600 JOHN MCCAIN ROAD

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



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
BROWN, CLIFFORD E	508 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	508 JOHN MCCAIN RD
MORRIS, STEPHEN	7201 PLEASANT RUN RD	COLLEYVILLE, TX	76034	7201 PLEASANT RUN RD
MILLER, DOUGLAS L	7112 PLEASANT RUN RD	COLLEYVILLE, TX	76034	7112 PLEASANT RUN RD
MITCHELL, EDWARD	600 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	600 JOHN MCCAIN RD
KIENTZ, ROBERT	6916 PLEASANT RUN RD	COLLEYVILLE, TX	76034	6916 PLEASANT RUN RD
GENTRY, CAROL ANN	7000 PLEASANT RUN RD	COLLEYVILLE, TX	76034	7000 PLEASANT RUN RD
MCBROOM, OPAL	PO BOX 184	COLLEYVILLE, TX	76034	512 JOHN MCCAIN RD
GOIN, DONALD	7101 PLEASANT RUN RD	COLLEYVILLE, TX	76034	7101 PLEASANT RUN RD
MITCHELL, EDWARD	600 JOHN MCCAIN 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, June 23, 2017 by Araceli Botello

Property Owner Notification



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC17-001
Applicant: Edward Mitchell
Owner: Edward Mitchell
Location: 600 John McCain Road
Property Description: Tracts 1B1A and 2C2B, Abstracts 1674 and 1038, in the Hall Medlin Survey
Present Zoning: R-40 Single Family Residential zoning district
Request: Consideration of a zoning change from the R-40 Single Family Residential zoning district to the R-30 Single Family Residential zoning district

The City of Colleyville has scheduled public hearings concerning the above referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Monday, July 10, 2017 at 7:00 p.m.
City Council Meeting: Tuesday, August 1, 2017 & Tuesday, August 15, 2017 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

This notice has been sent to all owners of real property within 200 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 200 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

**Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034**

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas. For additional information, please contact the Community Development Department at 817.503.1052. Please reference the zoning case number when requesting information.

Ben Bryner
Community Development Director
bbryner@colleyville.com

Legal Notice

June 23, 2017

SENT VIA EMAIL on Friday, June 23, 2017

Christine Lopez
Legal Notices
Fort Worth Star-Telegram
400 W. Seventh Street
Fort Worth, TX 76102

Dear Christine:

Please publish and furnish an affidavit (N.E. Section):
Saturday, June 24, 2017

The City of Colleyville Planning and Zoning Commission gives notice of a Public Hearing on Monday, 7/10/17 at 7:00 p.m. at City Hall, 100 Main Street, Colleyville, Texas:

Case ZC17-001 - Consideration of a zoning change from the R-40 Single Family Residential zoning district to the R-30 Single Family Residential zoning district on Tracts 1B1A and 2C2B, Abstracts 1674 and 1038, in the Hall Medlin Survey, located at 600 John McCain Road

Case ZC16-008 – Consideration of a Special Use Permit for an Accessory Building to exceed the total square footage permitted on Lot 1A, Block 1, of the K Bar G Estates Addition, located at 6401 Westcoat Road

Case ZC17-009 - Consideration of a zoning change from the PUD-C Planned Unit Development Commercial zoning district to the PUD-C Planned Unit Development Commercial zoning district on Lot 1, Block 1, of the San Bar Square Addition, located at 105 Cheek Sparger Road

The City Council will hold a Public Hearing on the above items on 8/1/17 and 8/15/17 at 7:30 p.m. at City Hall, 100 Main Street, Colleyville, Texas.

All interested citizens will be given the opportunity to speak and be heard.

CITY OF COLLEYVILLE



Araceli Botello
Planning Technician

ORDINANCE O-17-XXXX

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 1.39 ACRES, BEING TRACT 1B1A, ABSTRACT 1038, AND TRACT 2C2B, ABSTRACT 1674, BOTH IN THE HALL MEDLIN SURVEY, LOCATED AT 600 JOHN MCCAIN ROAD, FROM THE R-40 SINGLE FAMILY RESIDENTIAL DISTRICT TO THE R-30 SINGLE FAMILY RESIDENTIAL 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 ZC17-001; and

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

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

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

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

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

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 1.39 acres, being Tract 1B1A, Abstract 1038, and Tract 2C2B, Abstract 1674, both in the Hall Medlin Survey, located at 600 John McCain Road, from the R-40 Single Family Residential district to the R-30 Single Family Residential 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 1st day of August 2017.

The second reading and public hearing being conducted on the 15th day of August 2017.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 15TH DAY OF AUGUST 2017.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Nancy Coplen	_____
Place 3, Kathy Wheat	_____	Place 6, Mike Taylor	_____
Place 4, George Dodson	_____		

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

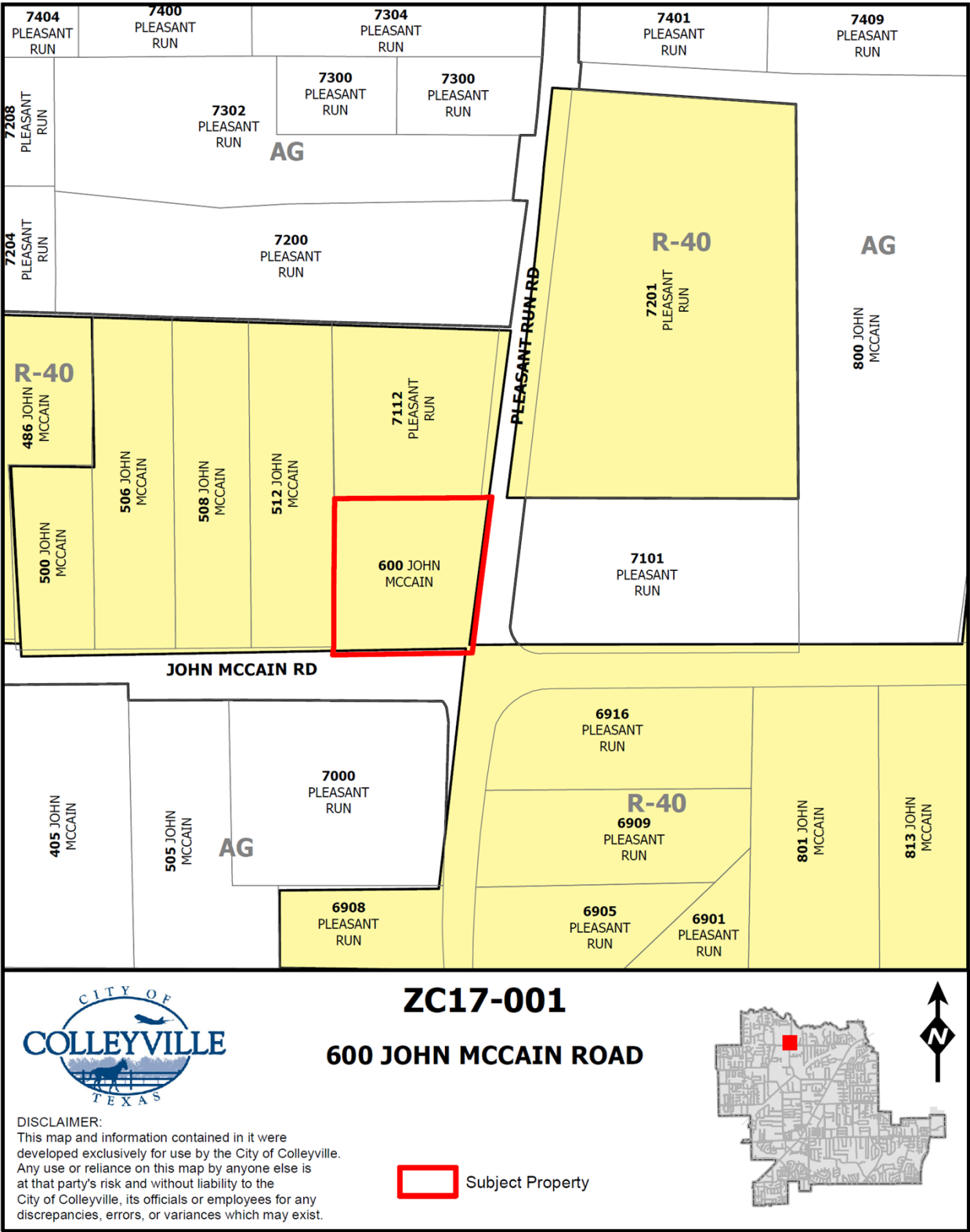


Exhibit "B"- Metes & Bounds Description

Being a tract of land out of the Robert Williams, Abstract No. 1674 and situated in the City of Colleyville, Tarrant County, Texas, and surveyed by Miller Surveying, Inc. of Hurst, Texas in February 2017, said tract being the same tract of land described in the deed to Edward R. and Shearon A. Mitchell recorded as Instrument No. D211125622 in the Deed Records of Tarrant County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a 1/2 inch "MILLER 5665" capped steel rod set in the northerly right-of-way line of John McCain Road, same being the southeast corner of Lot 4, Frazier Addition, an addition to the City of Colleyville, Tarrant County, Texas according to the plat thereof recorded in Volume 388-117, Page 11 of the Plat Records of Tarrant County, Texas;

Thence North 00 degrees 00 minutes 40 seconds East a distance of 249.73 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the northwest corner of said Mitchell tract;

Thence North 88 degrees 56 minutes 00 seconds East a distance of 260.91 feet to a 1/2 inch "MILLER 5665" capped steel rod set in the westerly right-of-way line of Pleasant Run Road;

Thence South 08 degrees 28 minutes 32 seconds West with said westerly right-of-way line a distance of 213.71 feet to a 1/2 inch "MILLER 5665" capped steel rod set;

Thence South 39 degrees 35 minutes 39 seconds West continuing with said westerly right-of-way line a distance of 43.96 feet to a 1/2 inch "MILLER 5665" capped steel rod set for the beginning of a curve to the right with a radius of 37.50 feet and whose chord bears South 51 degrees 03 minutes 44 seconds West at 14.91 feet;

Thence with said curve along an arc length of 15.01 feet to a 1/2 inch "MILLER 5665" capped steel rod set in said northerly right-of-way line;

Thence North 89 degrees 59 minutes 20 seconds West with said northerly right-of-way line a distance of 189.80 feet to a 1/2 inch "MILLER 5665" capped steel rod set to the point of beginning and containing 1.385 acres of land, more or less;



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 5b	Agenda Date 07/10/2017	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a Special Use Permit for an Accessory Building to exceed the total square footage permitted on Lot 1A, Block 1, of the K Bar G Estates Addition, located at 6401 Westcoat Road, Case ZC17-008

Explanation

Jeff Polk, the applicant, on behalf of Ms. Julianna Garrison, the owner, has submitted a request for a Special Use Permit (SUP) to construct an additional 302 square feet to an existing cabana of approximately 660 square feet located at 6401 Westcoat Road. Specifically the applicant is requesting an SUP to allow the total square footage of the accessory building to exceed the square footage permitted by staff for all accessory buildings on the lot. The expansion is to create additional restroom areas for guests and employees of the farm.

Existing Conditions/Background: The subject property is zoned AG Agricultural district and generally located on the east side of Westcoat Road and north of White Drive. The subject property is approximately 286,708 square feet, or 6.58 acres and currently developed with one single family home, and three existing accessory buildings. The existing accessory buildings consist of one 6,000 square foot barn, one 750 square foot 3-sided pole barn, and one 660 square foot cabana or pool house. The total square footage for all existing accessory buildings is 7,410 square feet. The proposed lot coverage for the existing home and accessory buildings together equals approximately 20,030 square feet of building footprint or 7.0 percent of the lot.

Proposed Special Use Permit Request:

Request – The applicant is requesting an SUP to permit the proposed building expansion of the existing cabana which would exceed the total square footage for all accessory buildings allowed to be permitted by staff 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 to be permitted by staff on a residential lot:

"2. Maximum Size and Number of Buildings:

- a. 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.

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

Analysis – The purpose of a Special Use Permit is to allow a use not normally allowed in a zoning district, which could be of benefit in a particular case to the general welfare, provided adequate development standards and special requirements are imposed to protect surrounding uses or to preserve the character of the neighborhood.

The proposed expansion to the accessory building will not comply with the following provisions of the Land Development Code:

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

For lots greater than 3 acres in size, the maximum size allowed for all accessory buildings on the site is 2,500 square feet.

The subject property is 286,708 square feet, or 6.58 acres. The proposal up for consideration requests to expand the restroom areas in an existing cabana totaling 962 square feet in size. As previously stated, the total square footage for the three existing accessory buildings is 7,410 square feet. Therefore, the total proposed square footage for all accessory buildings will be 7,712 square feet. This total exceeds the maximum 2,500 square footage allowed by 5,212 square feet.

The existing cabana is on the rear portion of the property and the proposed expansion does not reduce the distance to the south property line. The setback will be approximately 95 feet from the side property line and approximately 90 feet from the rear property line. The accessory building will be located entirely behind the primary residence and will not be clearly visible from the street. The 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 with masonry materials, specifically stone to match the existing material.

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 and east are zoned AG Agricultural district and is part of the farm or developed with single family homes. The properties to the south and west are of mix of R-10 Single Family Residential, R-20 Single Family Residential, and R-40 Single Family Residential districts 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 on Friday, June 23, 2017. Both Grapevine-Colleyville ISD and Keller ISD, where the subject property is located, were notified per State law. Notice was published in the *Fort Worth Star-Telegram* on Saturday, June 24, 2017 as required by State law and the Land Development Code. To date, no correspondence has been received.

Staff Recommendation: The applicant proposes to expand a 660 square foot cabana by 302 square feet. The proposed accessory building meets all of the requirements for a cabana and appears to be compatible with the property and surrounding development patterns. However, the total square footage for all accessory buildings exceeds the allowed 2,500 square feet allowed to be permitted by staff by 5,212 square feet. However, given the location, size of the lot, and minor impact of the expansion, staff recommends approval.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Site Plan
6. Floor Plan
7. Building Elevations
8. Notification Map
9. Notification List
10. Property Owner Notification
11. Legal Notice
12. Draft Ordinance

Aerial Map

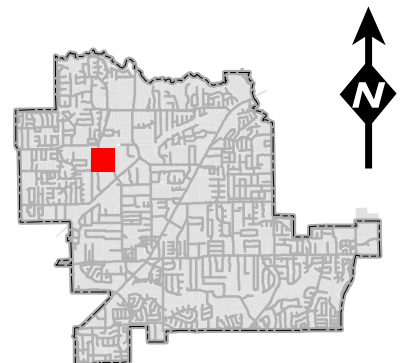


ZC17-008

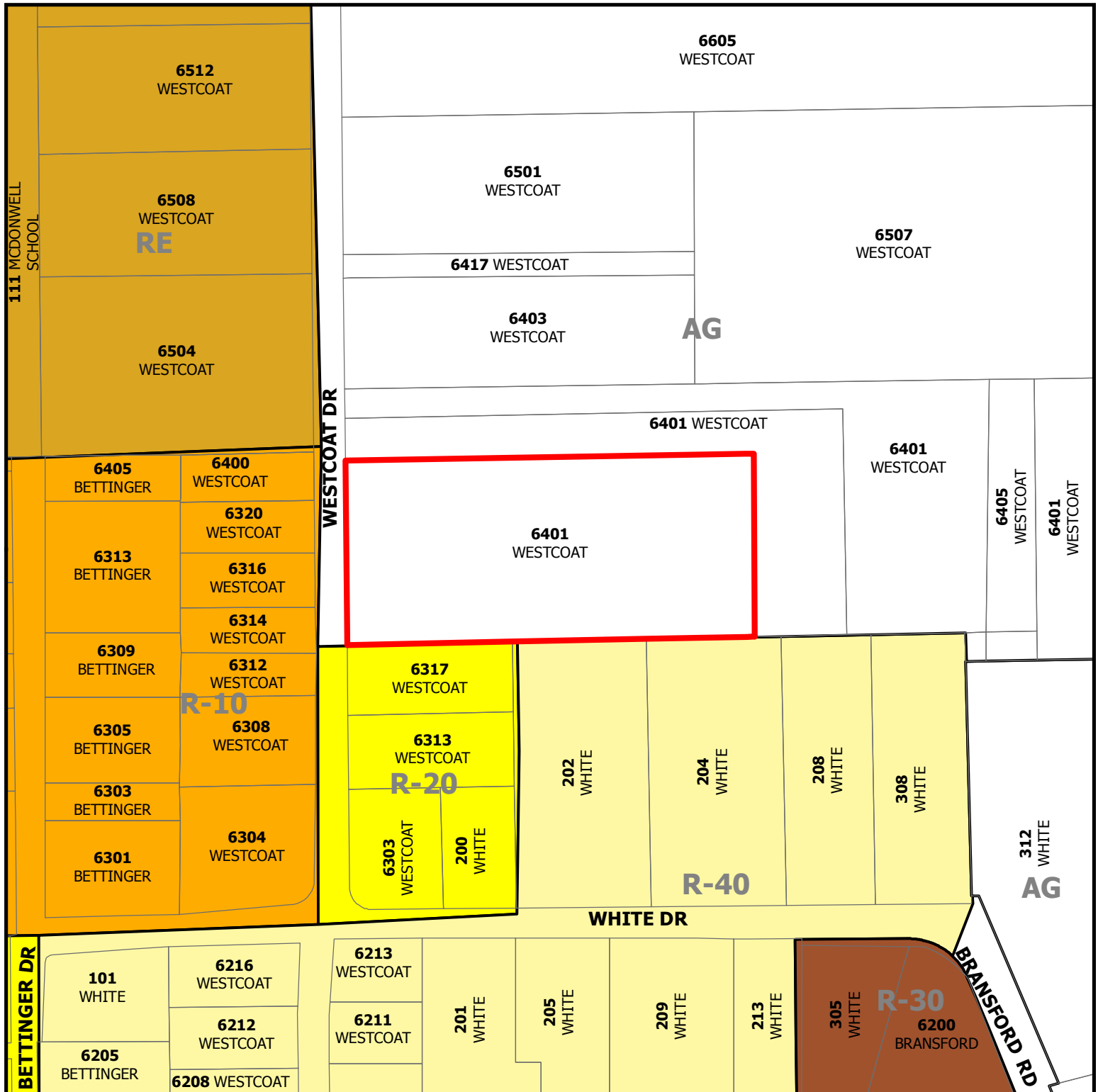
6401 WESTCOAT DRIVE

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.

 Subject Property



Zoning Map

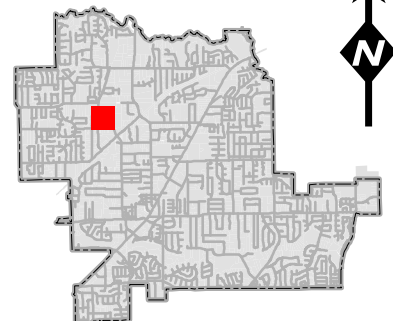


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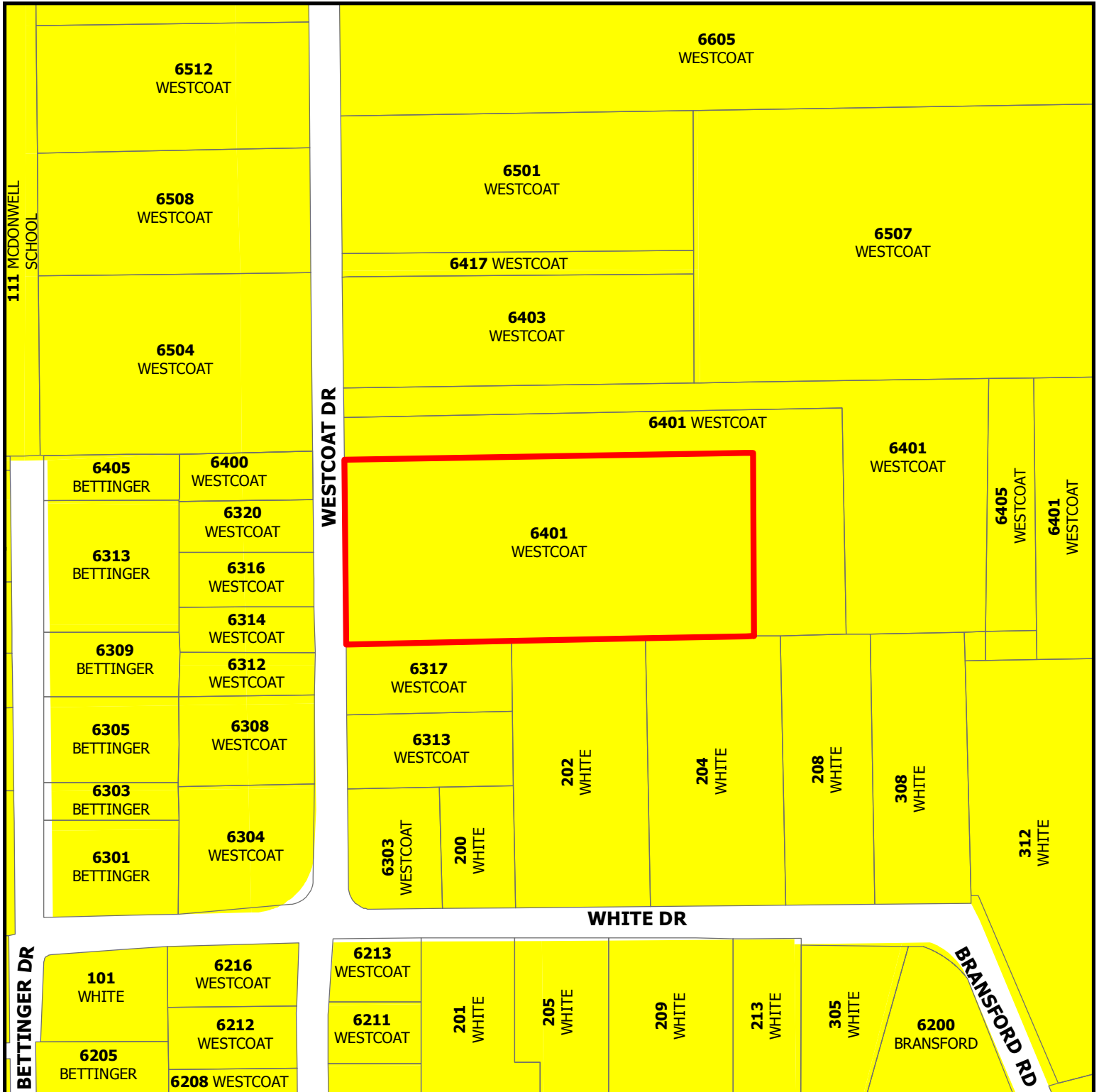
6401 WESTCOAT DRIVE

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 Subject_Property



Future Land Use Map

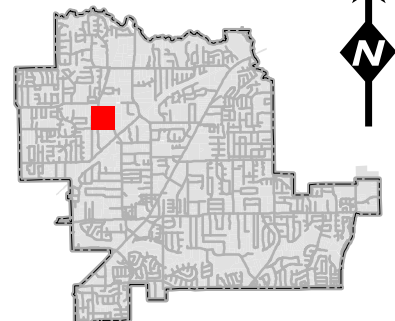


ZC17-008

6401 WESTCOAT DRIVE

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 Subject_Property



Statement of Planning Objectives

6401 Westcoat Rd. SUP – Statement of Planning Objectives

The proposed construction requiring a special use permit involves adding 302 square feet to an already existing accessory building (Cabana). The addition would include 2 bathrooms. The remodel of the existing structure takes in an existing closet and half bath to enlarge the existing bar. See the attached plans for more details.

The purpose of this addition is to address a need for restroom facilities apart from the existing home. The property includes a working farm which employs 3 farm workers. The owner, Julianna Garrison who lost her husband in the fall of 2016 and is living alone wishes to provide separate full restroom facilities outside of the main residence to enhance security for the main home. The remodeled bar would also serve as a space for farm visitors, customers and employees to meet and take breaks outside of the main home. Additionally, the proposed addition is not substantially visible from adjacent properties.

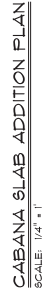
Site Plan



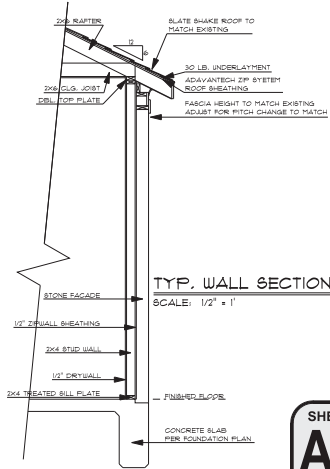
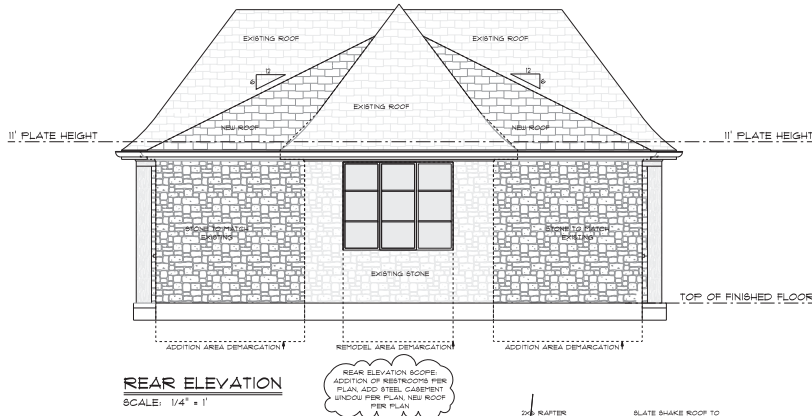
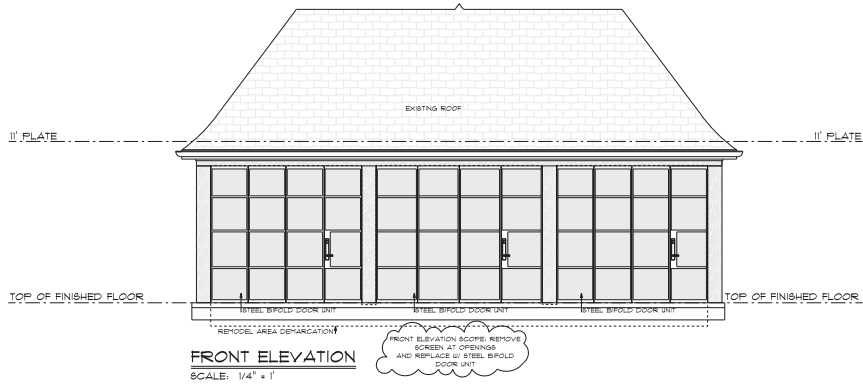
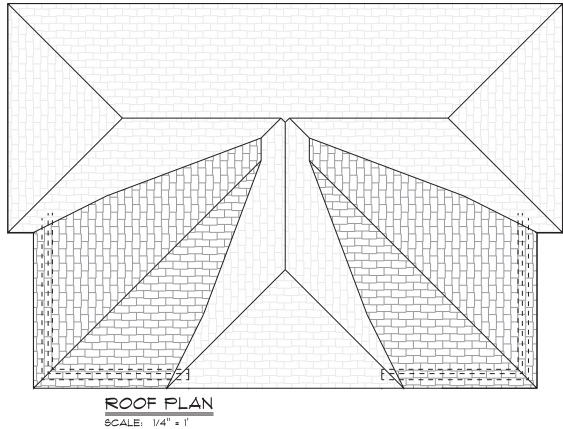
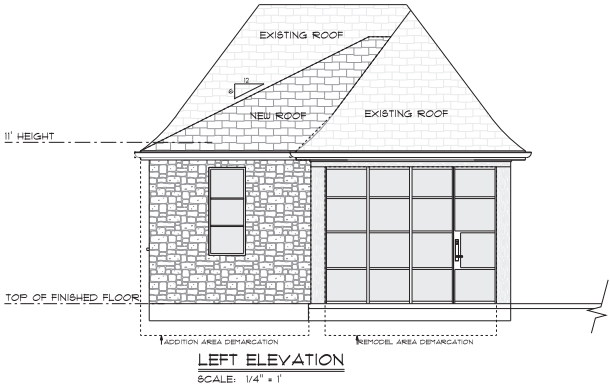
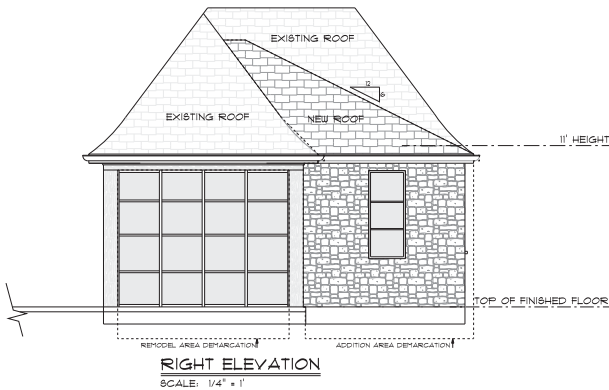
ROUGH SITE PLAN SCALE: 1" = 50'

	OWNER: Julianna Garrison PROJECT ADDRESS: 6401 Westcoat Rd. Colleyville, TX 76034		Wardlaw Polk Design Build, LLC 1904 Industrial Blvd, Suite 104 -- Colleyville, TX 76034 wardlawpolk.com -- jeff@wardlawpolk.com -- 817-829-0040	GREAT CARE AND EFFORT HAVE GONE INTO THE CREATION OF THESE BLUEPRINTS. HOWEVER, DUE TO VARIANCES IN GEOGRAPHIC LOCATIONS, POLK DESIGN BUILD GROUP, LLC, OR JEFF POLK WILL NOT ASSUME LIABILITY FOR ANY DAMAGES DUE TO ERRORS, OMISSIONS, OR DEFICIENCIES ON THESE PLANS. ANY REVISIONS NOT TO EXCEED THE ORIGINAL COST OF THE PLANS. OWNER/BUILDER MUST COMPLY WITH LOCAL BUILDING CODES PRIOR TO COMMENCEMENT OF CONSTRUCTION. THESE PLANS ARE PROTECTED UNDER COPYRIGHT LAW. REPRODUCTION BY ANY MEANS IS STRICTLY PROHIBITED. THE RIGHT OF BUILDING ONLY ONE STRUCTURE IS LICENSED EXCLUSIVELY TO THE ORIGINAL BUYER. © 2017, WARDLAW POLK DESIGN BUILD	DRAWN BY: Jeff A. Polk DATE: 04.20.2017	Designer Approval: x _____ date _____ Owner Approval: x _____ date _____	SHEET: C.01.01
--	---	--	--	--	--	---	--------------------------

MEMBER
A B D
AMERICAN BUILDING DESIGN
WARDLAW POLK DESIGN BUILD, LLC
 1504 Industrial Blvd, Suite 104 • Colleyville, TX 76034
 wardlawpolk.com • info@wardlawpolk.com • 817-629-0040



Building Elevations



Wardlaw Polk Design Build, LLC
1904 Industrial Blvd. Suite 104 - Colleyville, TX 76034
wardlawpolk.com | 817-555-0000

WARDLAW-POLK
DESIGN-BUILD

Our Core Values
Be Honest
Be Transparent
Be Creative
Be Communicative
Be Humble

WARDLAW-POLK DESIGN-BUILD
1904 Industrial Blvd. Suite 104 - Colleyville, TX 76034
wardlawpolk.com | 817-555-0000

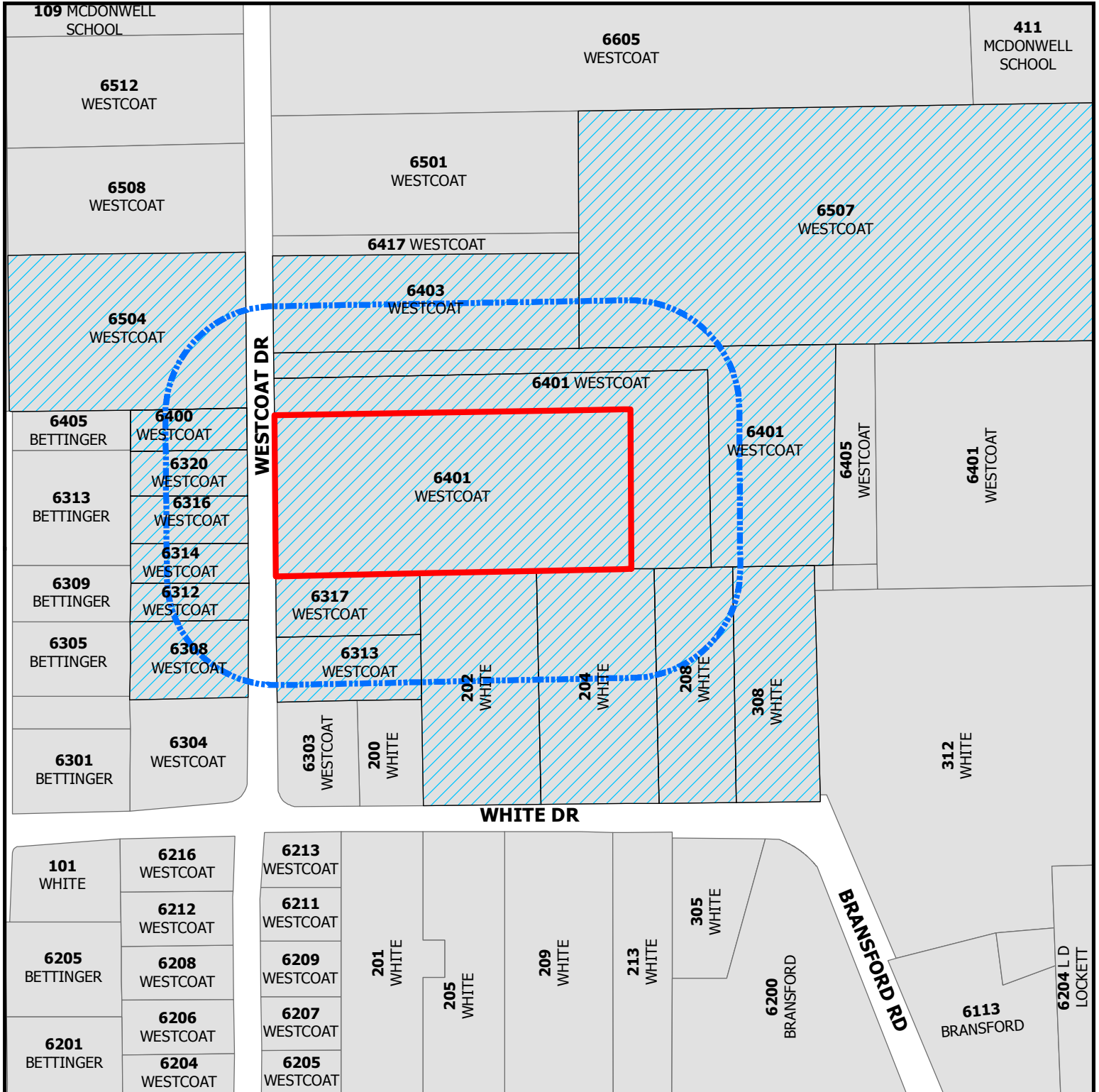
Owner Approval: _____
Designer Approval: _____

DRAWN BY: Jeff A. Polk
DATE: 04.07.2017

OWNER: Juliana Garrison
PROJECT: 6401 Westcoat Rd.
ADDRESS: Colleyville, TX 76034

SHEET:
A.2.01

Notification Map



ZC17-008

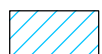
6401 WESTCOAT DRIVE



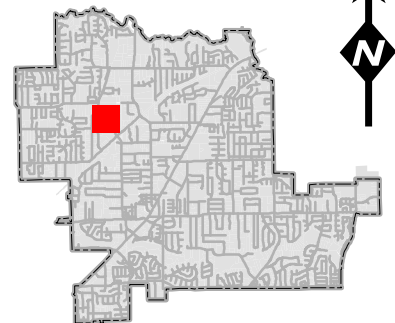
Subject Property



200ft Buffer



Properties within 200ft



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Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
GREYSTONE MANOR LP	6401 WESTCOAT DR	COLLEYVILLE, TX	76034	6507 WESTCOAT DR
ROBERTS, CORY	6314 WESTCOAT DR	COLLEYVILLE, TX	76034	6314 WESTCOAT DR
STEWART, PAM	208 WHITE DR	COLLEYVILLE, TX	76034	208 WHITE DR
CALHOON, CHRISTOPHER	6308 WESTCOAT DR	COLLEYVILLE, TX	76034	6308 WESTCOAT DR
LEVITZ, SHELLEY	6403 WESTCOAT DR	COLLEYVILLE, TX	76034	6403 WESTCOAT DR
WAYMARK LP	103 ADAMS CT	COLLEYVILLE, TX	76034	6317 WESTCOAT DR
HYDE, R W	202 WHITE DR	COLLEYVILLE, TX	76034	202 WHITE DR
GARRISON, JULIANNA	6401 WESTCOAT DR	COLLEYVILLE, TX	76034	6401 WESTCOAT DR
DOODY, KEVIN J	1109 SOMERSET BLVD	COLLEYVILLE, TX	76034	6312 WESTCOAT DR
PUTNAM, CHRISTOPHER	204 WHITE DR	COLLEYVILLE, TX	76034	204 WHITE DR
OWENS, GARY A	6313 WESTCOAT DR	COLLEYVILLE, TX	76034	6313 WESTCOAT DR
GARRISON, DANIEL	6401 WESTCOAT DR	COLLEYVILLE, TX	76034	6401 WESTCOAT DR
HEATH, H DARRYL	6200 BRANSFORD RD	COLLEYVILLE, TX	76034	6316 WESTCOAT DR
HOFMANN, NANCY C	6400 WESTCOAT DR	COLLEYVILLE, TX	76034	6400 WESTCOAT DR
BROWN, WHITNEY C	308 WHITE DR	COLLEYVILLE, TX	76034	308 WHITE DR
MERCER, LEE	6504 WESTCOAT DR	COLLEYVILLE, TX	76034	6504 WESTCOAT DR
GREYSTONE MANOR LP	6401 WESTCOAT DR	COLLEYVILLE, TX	76034	6401 WESTCOAT DR
HOFMANN, NANCY C	6400 WESTCOAT DR	COLLEYVILLE, TX	76034	6400 WESTCOAT DR
WALTON, KIMBERLY A	6320 WESTCOAT DR	COLLEYVILLE, TX	76034	6320 WESTCOAT DR
POLK, JEFF	1904 INDUSTRIAL BLVD, SUITE 104	COLLEYVILLE, TX	76034	APPLICANT
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were mailed Friday,
June 23, 2017 by Araceli Botello

Property Owner Notification



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC17-008
Applicant: Jeff Polk
Owner: Julianna Garrison
Location: 6401 Westcoat Drive
Property Description: Lot 1A, Block 1, of the K Bar G Estates Addition
Present Zoning: AG – Agricultural zoning district
Request: Consideration of a Special Use Permit for an Accessory Building to exceed the total square footage permitted

The City of Colleyville has scheduled public hearings concerning the above referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Monday, July 10, 2017 at 7:00 p.m.
City Council Meeting: Tuesday, August 1, 2017 & Tuesday, August 15, 2017 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

This notice has been sent to all owners of real property within 200 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 200 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

**Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034**

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas. For additional information, please contact the Community Development Department at 817.503.1052. Please reference the zoning case number when requesting information.

Ben Bryner
Community Development Director
bbryner@colleyville.com

Legal Notice

June 23, 2017

SENT VIA EMAIL on Friday, June 23, 2017

Christine Lopez
Legal Notices
Fort Worth Star-Telegram
400 W. Seventh Street
Fort Worth, TX 76102

Dear Christine:

Please publish and furnish an affidavit (N.E. Section):
Saturday, June 24, 2017

The City of Colleyville Planning and Zoning Commission gives notice of a Public Hearing on Monday, 7/10/17 at 7:00 p.m. at City Hall, 100 Main Street, Colleyville, Texas:

Case ZC17-001 - Consideration of a zoning change from the R-40 Single Family Residential zoning district to the R-30 Single Family Residential zoning district on Tracts 1B1A and 2C2B, Abstracts 1674 and 1038, in the Hall Medlin Survey, located at 600 John McCain Road

Case ZC16-008 – Consideration of a Special Use Permit for an Accessory Building to exceed the total square footage permitted on Lot 1A, Block 1, of the K Bar G Estates Addition, located at 6401 Westcoat Road

Case ZC17-009 - Consideration of a zoning change from the PUD-C Planned Unit Development Commercial zoning district to the PUD-C Planned Unit Development Commercial zoning district on Lot 1, Block 1, of the San Bar Square Addition, located at 105 Cheek Sparger Road

The City Council will hold a Public Hearing on the above items on 8/1/17 and 8/15/17 at 7:30 p.m. at City Hall, 100 Main Street, Colleyville, Texas.

All interested citizens will be given the opportunity to speak and be heard.

CITY OF COLLEYVILLE



Araceli Botello
Planning Technician

ORDINANCE O-17-XXXX

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING OF LOT 1, BLOCK 1, K BAR G ESTATES ADDITION, LOCATED AT 6401 WESTCOAT ROAD, BY AUTHORIZING A SPECIAL USE PERMIT FOR AN ACCESSORY BUILDING TO EXCEED THE SQUARE FOOTAGE PERMITTED BY STAFF FOR ALL ACCESSORY BUILDINGS ON THE LOT; 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 an accessory building to exceed the square footage permitted by staff for all accessory buildings on the lot under Case No. ZC17-008; 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 to exceed the square footage permitted by staff for all accessory buildings on the lot on Lot 1, Block 1, K Bar G Estates Addition, located at 6401 Westcoat 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 expansion of the existing cabana.
- b. The expansion shall only be permitted for approximately 302 square feet for the purpose of expanding the bathroom areas within the cabana building.
- c. The accessory building shall be generally consistent with the, site plan and building elevations as depicted on the attached

Exhibits "B" and "C"

d. 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 1st day of August 2017.

The second reading and public hearing being conducted on the 15th day of August 2017.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 15th day of August 2017.

Mayor Richard Newton
Place 1, Tammy Nakamura
Place 3, Kathy Wheat
Place 4, Jody Short

____ Mayor Pro Tem Bobby Lindamood ____
____ 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:

Whitt Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map

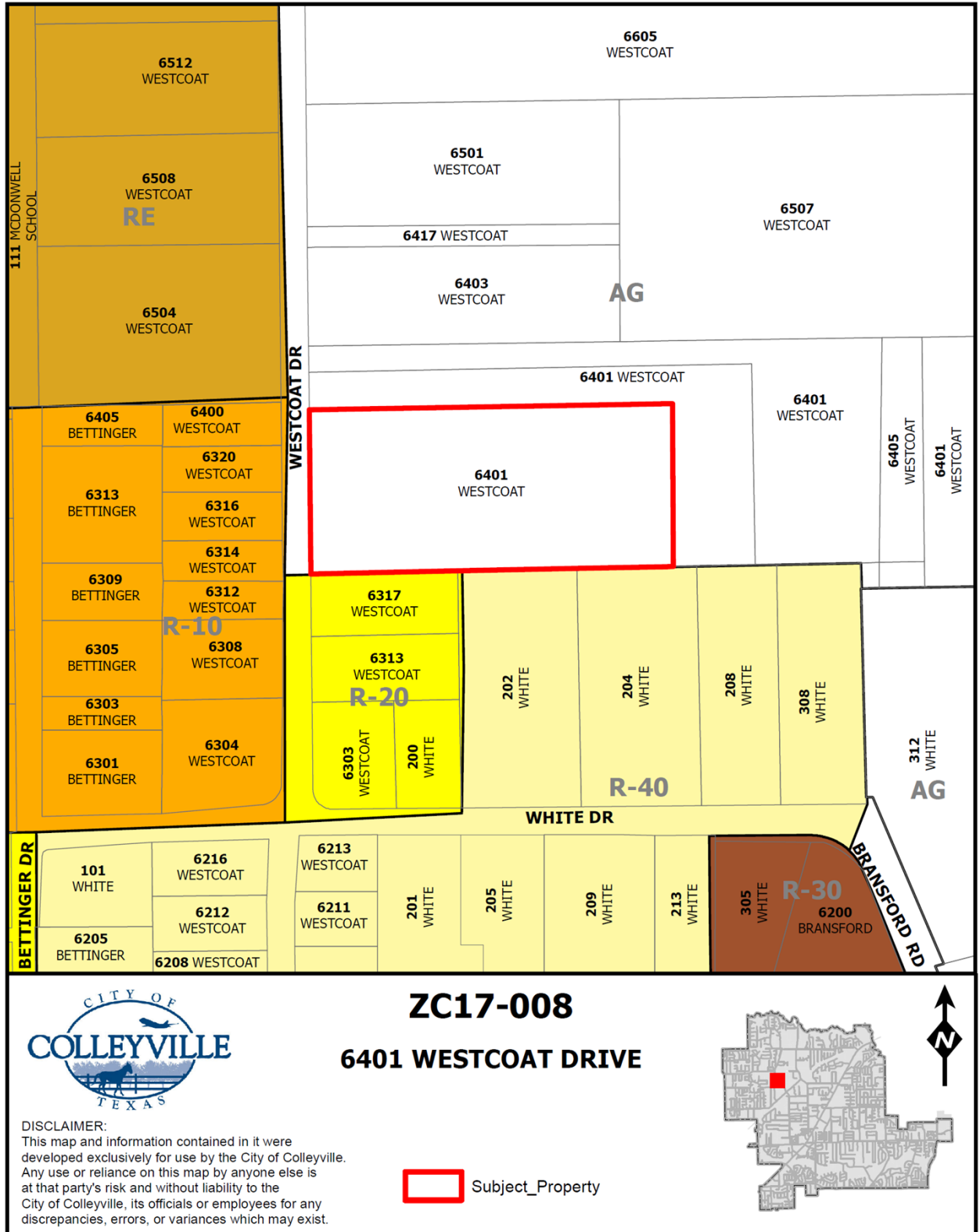
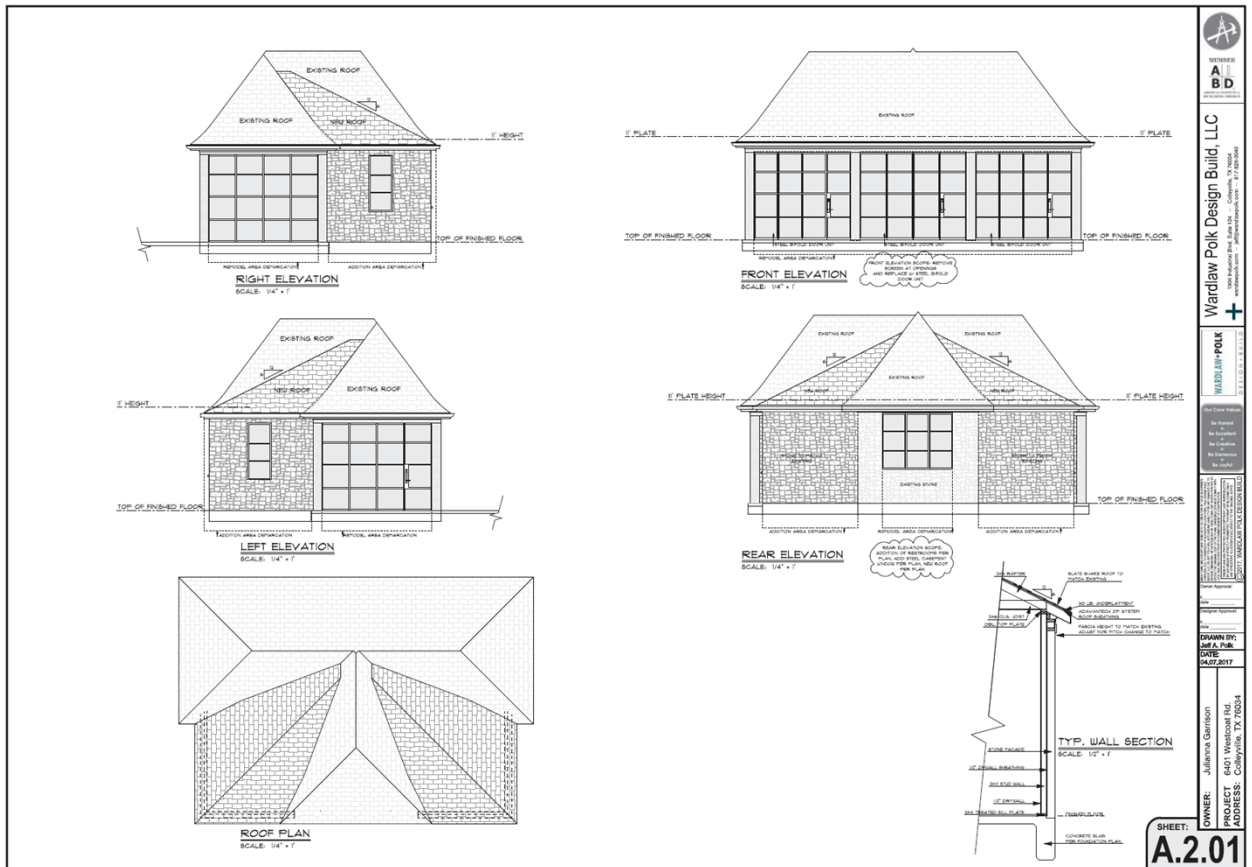


Exhibit "C" – Elevations





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 5c	Agenda Date 07/10/2017	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a zoning change from the PUD-C Planned Unit Development Commercial zoning district to the PUD-C Planned Unit Development Commercial zoning district on Lot 1, Block 1, of the San Bar Square Addition, located at 105 Cheek Sparger Road, Case ZC17-009

Explanation

Ruth-Ann Jones of Jenkins Sandhill Ranch, LLC, the applicant, has submitted a request for PUD-C Planned Unit Development – Commercial zoning on approximately 1.94 acres, located 105 Cheek-Sparger Road. As requested, the zoning would be to permit a “boutique” assisted living center on the subject property. The proposed facility would be limited to 10 rooms and will include an indoor pool for residents.

Existing Conditions: The subject property is currently platted as Lots 1, Block 1, of the San Bar Square Addition and generally located at the southeast corner of Cheek-Sparger Road and San Bar Lane. The property is not far from Colleyville Blvd which is located to the west of the subject property. The subject property currently is undeveloped.

Zoning: The subject property is currently zoned PUD-C Planned Unit Development – Commercial which was approved in January of 1986 by ordinance O-85-600. Unfortunately, the existing PUD-C ordinance does not provide specific detail to the permitted uses previously approved for the property. Per the Land Development Code, any new request for an assisted living use on a property requires approval of a PUD-C zoning.

Statement of Planning Objectives: The applicant submitted a Statement of Planning Objectives which is attached for your review. Included in the statement, the applicant desires to construct and operate a Small Type ‘A’ Licensed Assisted Living Facility. Type ‘A’ Assisted Living licenses restricts the facility to only those residents who have the ability to self-evacuate and follow directions during an emergency. The “Small” designation restricts the facility to 16 or less residents. The proposed facility is designed with 10 rooms providing an exclusive concierge type service for residents.

Proposed Zoning Change: The purpose of the PUD-C zoning request is to permit a “boutique” assisted living facility home to include ten (10) rooms, constructed at a gross maximum density of 5.2 dwelling units per acre. The proposed development is

subject to all the regulations contained in the Land Development Code, except as amended by the PUD-C ordinance.

Ordinance – Per Section 3.24 G, Schedule of District Regulations in the Land Development Code, the PUD-C zoning regulations require the following standards:

- Minimum Lot Area: 7,200 square feet
- Minimum Lot Width: 70 feet
- Minimum Lot Depth: 115 feet
- Minimum Front Yard Setback: 40 feet
- Minimum Side Yard Setbacks: 10 feet
- Minimum Rear Yard Setback: 10 feet (25 feet adjacent to residential)
- Maximum Lot Coverage: 50 percent

The PUD-C ordinance as written identifies the only permitted use as a “boutique” assisted living facility home to include a maximum of ten (10) rooms. The ordinance also limits the facility to one (1) story. The applicant is requesting to allow the existing seven (7) foot wood screening fence along the south property line in place of the required eight (8) foot masonry wall. This is at the request of the property owner to the south. The development shall be generally consistent with the submitted Statement of Planning Objectives, conceptual site plan, and building elevations.

Analysis: The proposed PUD-C zoning request is to allow a “boutique” assisted living facility home to include ten (10) rooms. Assisted living facilities are a congregate residence facility for ten or more elderly (over 55 years of age) persons, regardless of legal relationship, who need limited assistance with daily living activities. A limited number of support services such as meals, laundry, housekeeping, transportation and social or recreational services may be provided or associated with the assisted living facility.

The applicant has taken measures to protect the adjacent residential uses by limiting the building to one story, maintaining large setbacks, and preserving the majority of existing trees on the site. The applicant will also be required to comply with existing buffering and landscaping requirements of the Land Development Code.

Surrounding Development: The properties to the north and east are zoned R-20 and developed with single family homes. The properties to the south are zoned R-15 and also developed with single family homes. The property to the west is zoned PUD-C and allows for office/showroom uses and some self-service storage units. Cheek-Sparger Road is designated as a ‘minor arterial’ roadway on the City’s Master Thoroughfare Plan.

Comprehensive Plan: The City’s comprehensive plan, *Destination Colleyville*, identifies the subject property as located within the Southern Gateway of the Colleyville Boulevard Corridor. This area is currently ambiguous and is mostly a series

of small lots with auto-service uses in old metal buildings and non-updated uses and structures. The goals are to create a more memorable entry point to the city and elevate the quality of development.

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 on Friday, June 23, 2017 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* on Saturday, June 24, 2017 as required by State law and the Land Development Code. To date, no correspondence has been received.

Staff Recommendation: The requested PUD-C zoning request attempts to protect the adjacent single family residential properties and should not adversely impact the surrounding properties. Staff recommends approval contingent on support from the surrounding property owners.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Site Plan
6. Floor Plan
7. Pool House Floor Plan
8. Pergola Plans
9. Building Elevations
10. Architectural Renderings
11. Notification Map
12. Notification List
13. Property Owner Notification
14. Legal Notice
15. Draft Ordinance

Aerial Map



ZC17-009

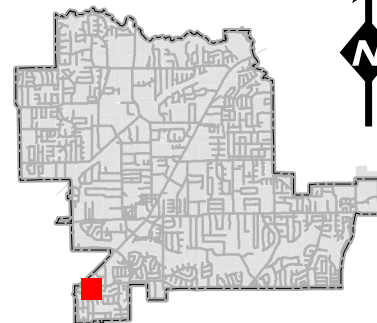
105 CHEEK SPARGER ROAD

DISCLAIMER:

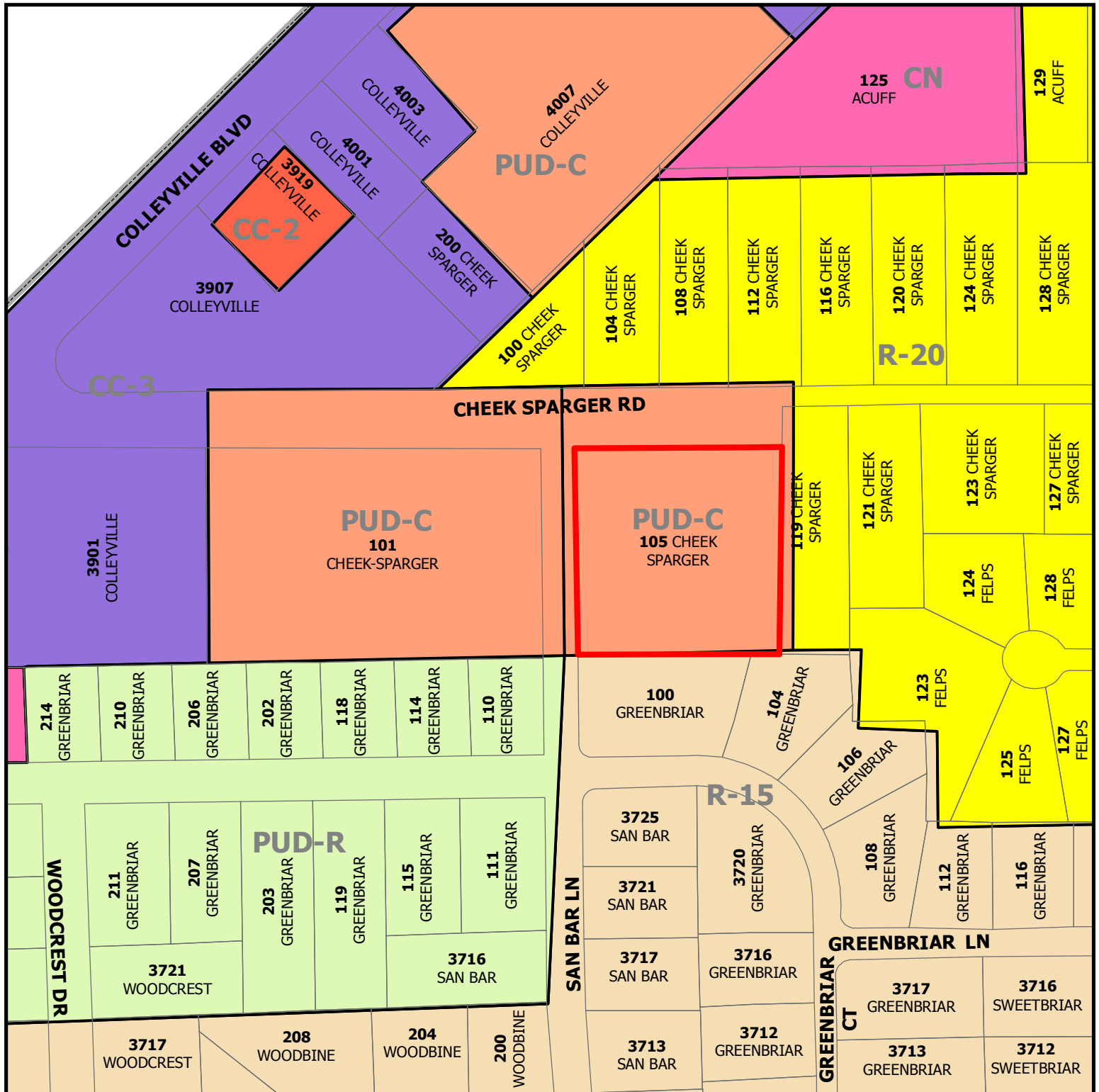
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which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



Subject Property



Zoning Map

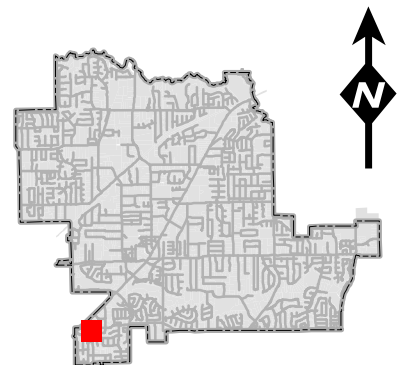


ZC17-009

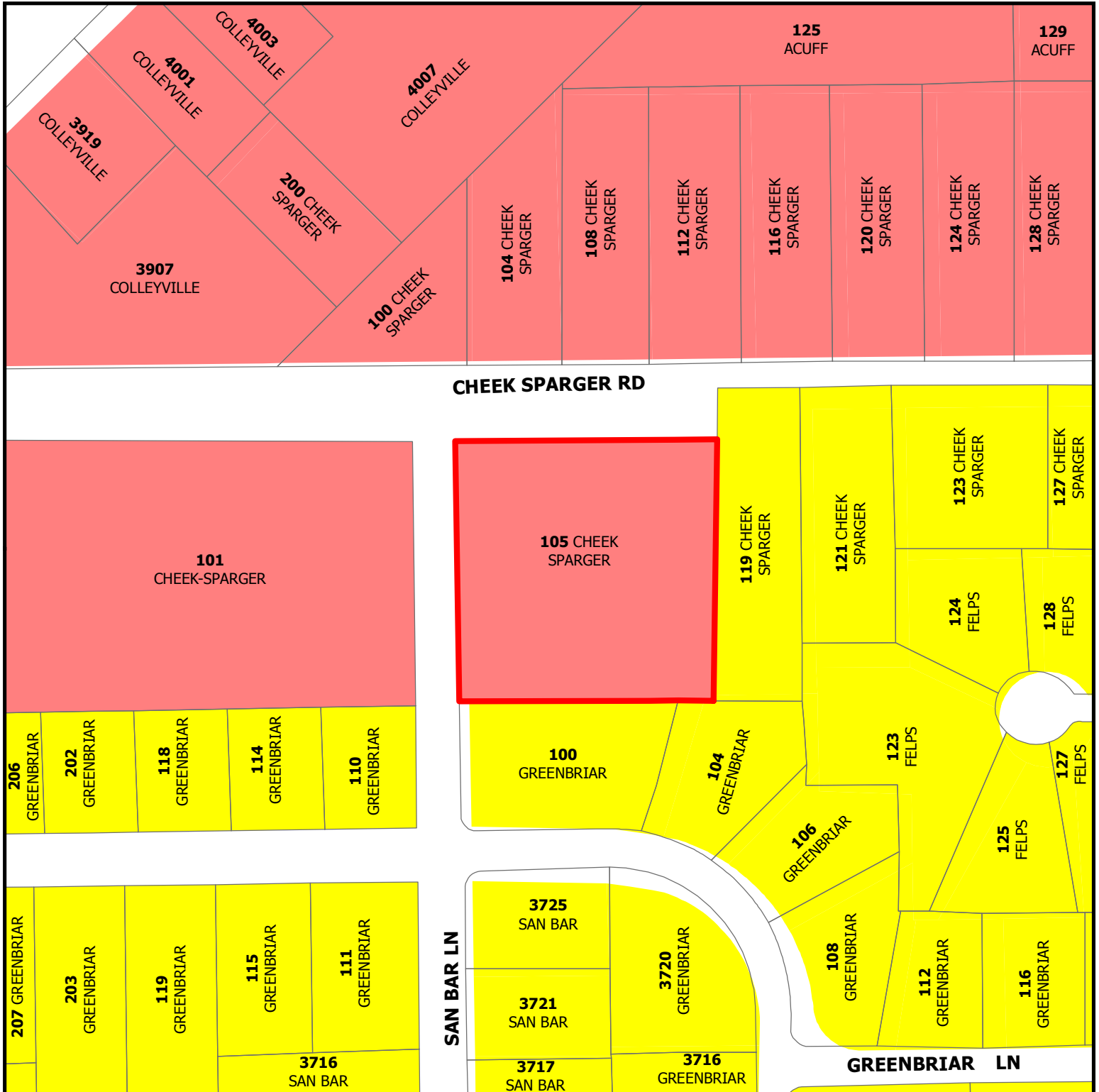
105 CHEEK SPARGER ROAD

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.

 Subject Property



Future Land Use Map

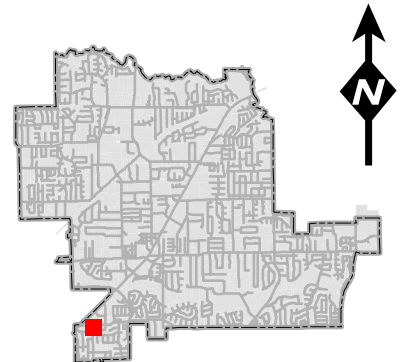


ZC17-009

105 CHEEK SPARGER ROAD

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.

 **Subject Property**



Statement of Planning Objectives

Statement of Planning Objectives

Request for Zoning Change and Land Use

May 10, 2017

City of Colleyville Planning Department

100 Main Street, Colleyville, Texas 76034

Re: Zoning Change for 105 Cheek-Sparger Road
 Block 1, Lot 1, San Bar Square Addition
 South East Corner of Cheek-Sparger and San Bar Lane
 Proposed Boutique Assisted Living

To Whom It May Concern:

Subject property is zoned PUD-C Planned Unit Development Commercial as approved by Ordinance 0-85-600, approved with no additional conditions by the City Council. Given the absence of any additional conditions, the permitted land uses allowed by Ordinance 0-85-600 correspond to the zoning ordinance requirements for PUD-C zoning districts that were in effect when Ordinance 0-85-600 was adopted in 1985.

Whereas, the Council is respectfully requested to grant this request to change the zoning for this property to PUD-C with provisions to permit the construction and operation of a Small Type A Licensed Assisted Living Facility.

The applicant desires to develop the property under PUD-C with special use as an Assisted Living Facility, affording the city close control over the initial development of the property and of any future uses of the property. The facility is designed as a luxury home and will not be able to be used for other purposes in the future. This property is zoned PUD-C under its current zoning and the City of Colleyville has recommended this property to continue under PUD-C zoning in the future Master Plan for the City of Colleyville.

Type A Assisted Living licenses restricts the facility to only those residents who have the ability to self-evacuate and follow directions during an emergency. The Small designation restricts the facility to 16 or

Statement of Planning Objectives

2

less residents. The facility is designed with 10 rooms providing an exclusive concierge type service for its discerning residents who need limited assistance with daily activities.

The median age for Colleyville residents increased from 40 years to 46.5 years during the 2000 to 2013 period and is continuing to see an increase in median age. Colleyville is becoming a favored place for affluent seniors to live, as many activities and services for this aging population are being expanded. Behind many gated communities in Colleyville live seniors in their seventies and eighties who would like to have a luxury home-like atmosphere providing assistance in their personal needs while maintaining a living standard to which they have been accustomed.

This facility is not in direct competition to any current or known future facility in Colleyville or surrounding municipalities because of its limited number of residents and unique amenities. The nature of the boutique Assisted Living will draw affluent seniors who desire relocation and shopping in Colleyville.

Under this proposal, the entire 1.92 acres of this property will be restricted to a one-story facility facing San Bar Lane. Every effort will be taken to preserve at least 72 (approximately 893 caliper inches) of the 82 mature trees currently on the property with minimal tree removal meeting Chapter 5 of the Tree Preservation requirements and tree replacement.

In order to shield the residences adjacent to the East and South from the proposed development the project will meet Chapter 4 Landscaping and Buffering requirements for the creation of a (20) foot green space. The screening between the development and the residential property owner to the East will also be enhanced with an eight (8) foot masonry fence and proper drainage design to prevent drainage onto that property. The property owner to the South has requested that instead of an eight (8) foot masonry fence that the project enter into a written agreement to maintain their seven (7) foot wooden stockade fence. With single story construction, both residents will be able to maintain their privacy from the development.

Landscaping is an integral part of creating the large lot "country" feel around the facility providing an area for seniors to enjoy the scenery and delights of nature. The project will meet Chapter 4 Landscape and Buffering requirements for the creation of a ten (10) foot green space with buffering shrubs and trees along both Cheek-Sparger and San Bar Lane. The project desires to create along Cheek-Sparger a design that is consistent with the city's stated goal to create a "country" feel with a look of openness using shrubs and trees.

Meeting sidewalk requirements five (5) foot wide sidewalks will be constructed along both Cheek-Sparger and San Bar Lane.

All life safety requirements that the State places on a licensed Assisted Living and all local Fire Marshall Life Safety requirements will be met in both the design and implementation of the development including a fire lane driveway in front of the facility.

Statement of Planning Objectives

3

It is the intent to meet the Comprehensive Plan recommendations for Colleyville as it relates to the Southern Corridor. The project design aesthetics emphasizes the preservation of neighborhood and quality contributing to the Colleyville Character and placement to make the Southern Corridor a unique destination. The building design incorporates a tower and multiple elevated portions. Both stone and brick are used on the outside of the building. The building faces San Bar Lane but will also be seen facing Colleyville Boulevard. The project seeks to satisfy the City of Colleyville Comprehensive Plan which emphasizes green space buffering between parking and local streets, single row parking, and an enhanced access (provided by the ornamental iron gates and supporting rock columns).

This project demonstrates Colleyville as an excellent and convenient place to locate a business. The project provides diversity to the local economy and strengthens Colleyville attractiveness as a high-quality place to live, work, retire, and play. Senior resident outreach to the community will connect individuals and groups with one another through health, the wellness, enrichment, technology, education, and special events for the Colleyville community.

If you require any additional information not shown on the accompanying plans, please do not hesitate to call.

Sincerely,



Ruth-Ann Jones, Trustee and Manager

Jenkins Sandhills Ranch, LLC.

Enclosures: Elevations of proposed building and entry

Statement of Planning Objectives

Exhibit Development Schedule

May 10, 2017

City of Colleyville Planning Department

100 Main Street, Colleyville, Texas 76034

Re: Development Schedule for 105 Cheek-Sparger Road
Block 1, Lot 1, San Bar Square Addition
South East Corner of Cheek-Sparger and San Bar Lane
Proposed Boutique Assisted Living

To Whom It May Concern:

With zoning request approved by the City of Colleyville City Council, all architectural and engineering documents will be completed and a final Commercial Site Plan will be submitted to city Staff for consideration and approval.

Construction of phase one will begin with the issuance of a building permit. Construction is expected to be completed within eight months from issuance of permit.

Issuance of a Certificate of Occupancy will allow the opening of the Assisted Living facility. Within Ten Months of the issuance of the Certificate of Occupancy Phase Two will begin construction with completion expected to be completed within five months.

Respectfully,



Ruth-Ann Jones, Trustee and Manager

Jenkins Sandhills Ranch, LLC

Statement of Planning Objectives

Proposed Ownership

May 10, 2017

City of Colleyville Planning Department

100 Main Street, Colleyville, Texas 76034

Re: Proposed Ownership for 105 Cheek-Sparger Road
Block 1, Lot 1, San Bar Square Addition
South East Corner of Cheek-Sparger and San Bar Lane
Boutique Assisted Living

To Whom It May Concern:

Zoning request is made of the City of Colleyville City Council, by Jenkins Sandhills Ranch, LLC. This is a family managed partnership LLC owned by two family Trusts. The LLC is funded from proceeds of the Jenkins Sandhills Ranch and was created to make real estate investments for the Trusts. The Trustee of the two Trusts is Ruth-Ann Jones. Ruth-Ann Jones is also the primary manager of the Jenkins Sandhills Ranch, LLC.

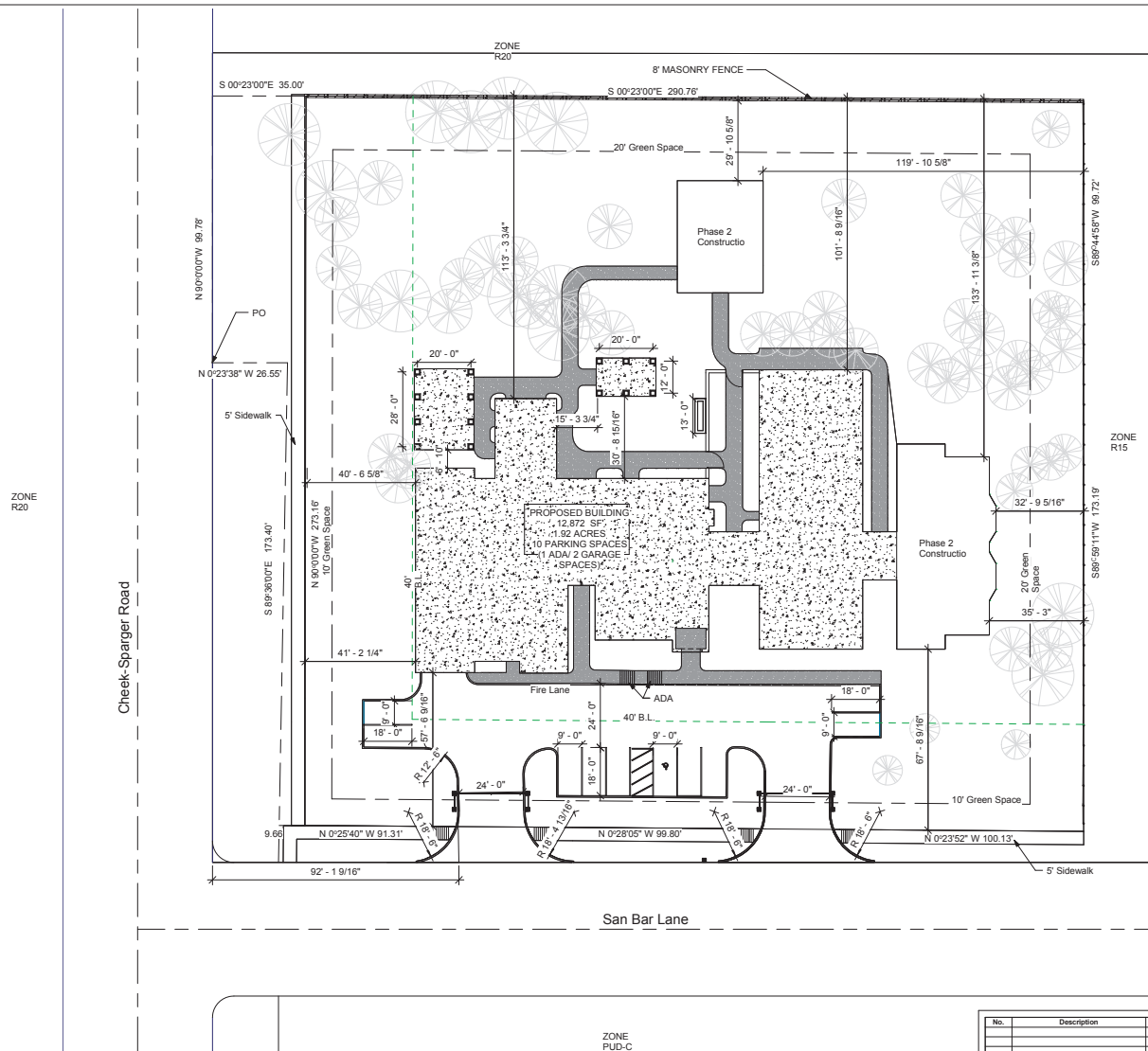
Respectfully,



Ruth-Ann Jones, Trustee and Manager

Jenkins Sandhills Ranch, LLC

Site Plan



Note: All Tree Preservation and Planting will meet Chapter 5 Requirements
 Note: All Landscape and Buffering will meet Chapter 4 Requirements
 Note: ADA Compliant Sidewalks and ramps.
 Note: Not in 100 Year Flood Plan

Land use Chart

Gross Area of 105 Cheek-Sparger 84,637 square feet
 Gross Area
 Main Building 14,968 square feet 17.56 %
 Pool Building 864 square feet 1 %
 Pergola I, II 908 square feet 1 %
 Parking/Driveway 4,956 square feet 5.8 %
 Sidewalk 1,125 square feet 1.3 %
 Open Space 62,731 square feet 74.1 %

① Site
 1" = 20'-0"

ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM _____ TO _____

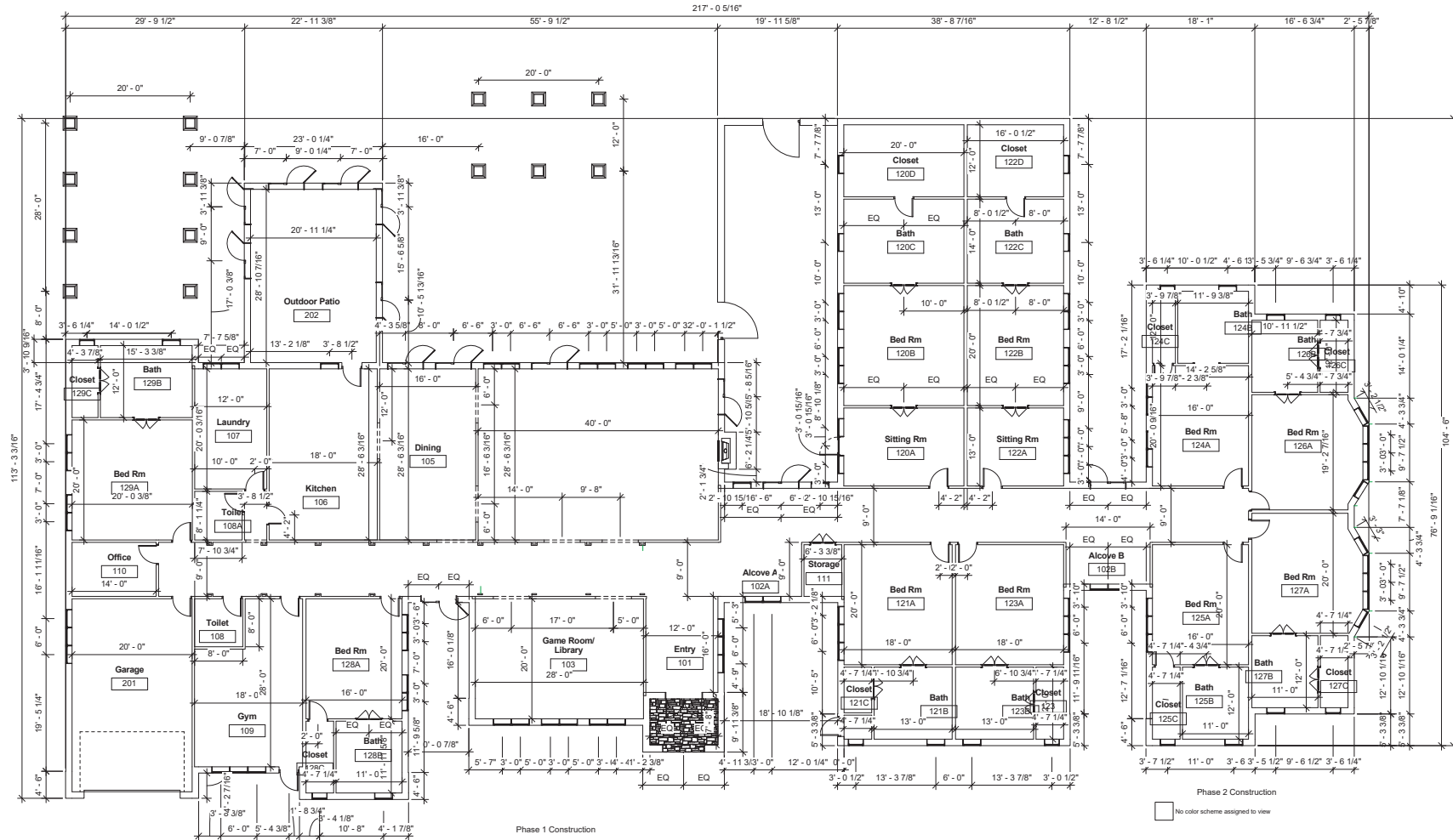
No.	Description	Date

**Boutique Assisted
 Living Home
 Site Plan**

Project number	2017-1508-C5B
Date	5-4-2017
Drawn by	A. Freeman
Checked by	D.J.
C101	
Scale	1" = 20'-0"

WS2017-443291N

Floor Plan



① Floorplan - With Dimensions
1/8" = 1'-0"

ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM _____ TO _____

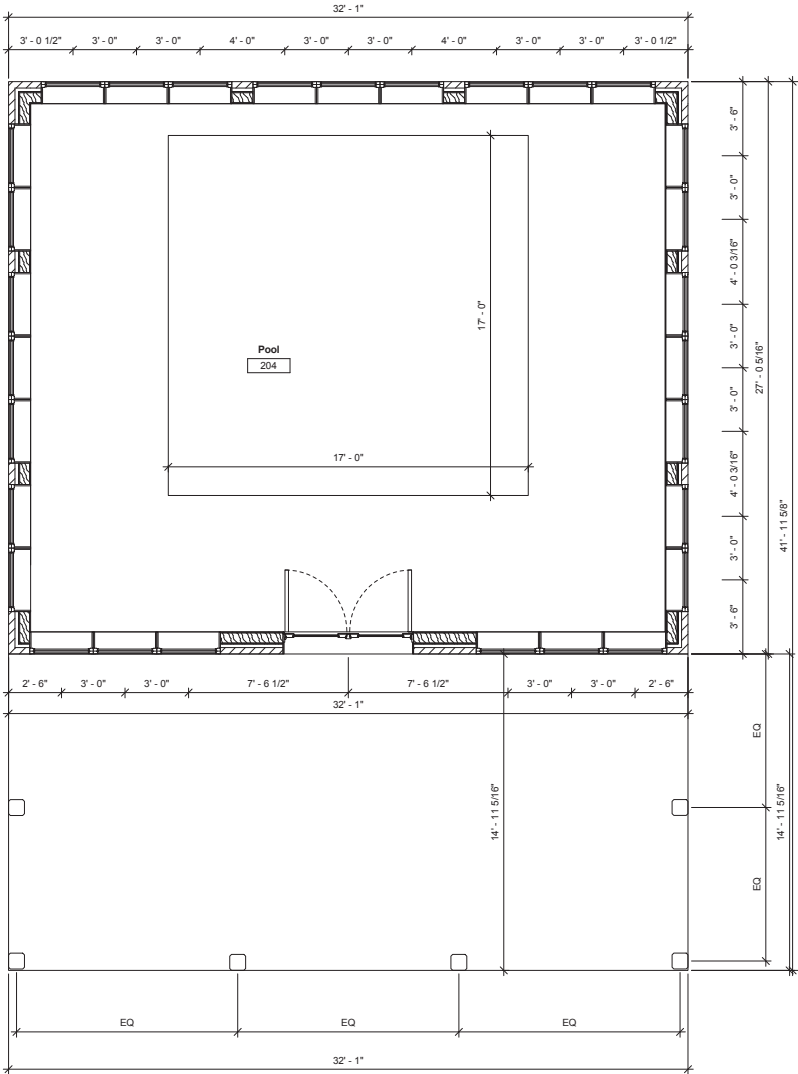
No.	Description	Date

**Boutique Assisted
Living Home
Floorplan Layout**

Project number	2017-1508-C5B
Date	5-4-2017
Drawn by	A. Freeman
Checked by	D.J.
A101	
Scale	1/8" = 1'-0"

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Pool House Floor Plan



① Floorplan Poolhouse
3/8" = 1'-0"

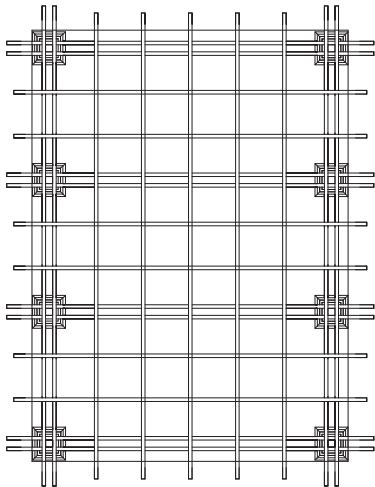
No.	Description	Date

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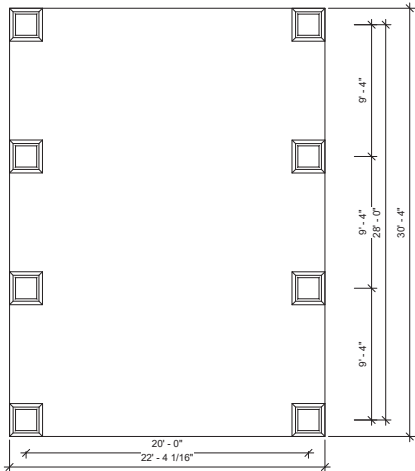
Boutique Assisted Living Home Poolhouse Floor Plan	
Project number 2017-1508-C5B	
Date 5-10-2017	
Drawn by A.Freeman	
Checked by D.J.	
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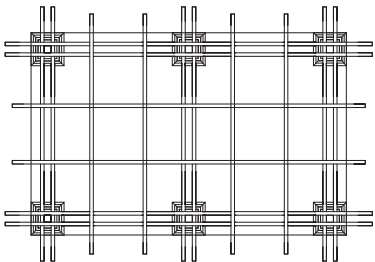
Pergola Plans



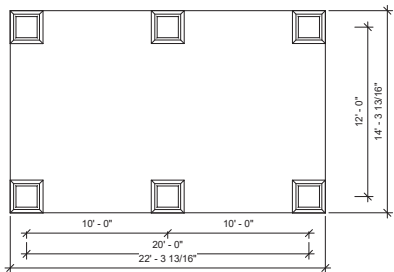
3 Roof - Large Pergola
1/4" = 1'-0"



1 Floor Plan - Large Pergola
1/4" = 1'-0"



4 Roof - Small Pergola
1/4" = 1'-0"



2 Floor Plan - Small Pergola
1/4" = 1'-0"

ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM _____ TO _____

No.	Description	Date

Boutique Assisted
Living Home
Pergola Plans

Project number	2017-1508-C5B
Date	5-4-2017
Drawn by	Author
Checked by	Checker
A105	
Scale	1/4" = 1'-0"

Building Elevations



ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM _____ TO _____

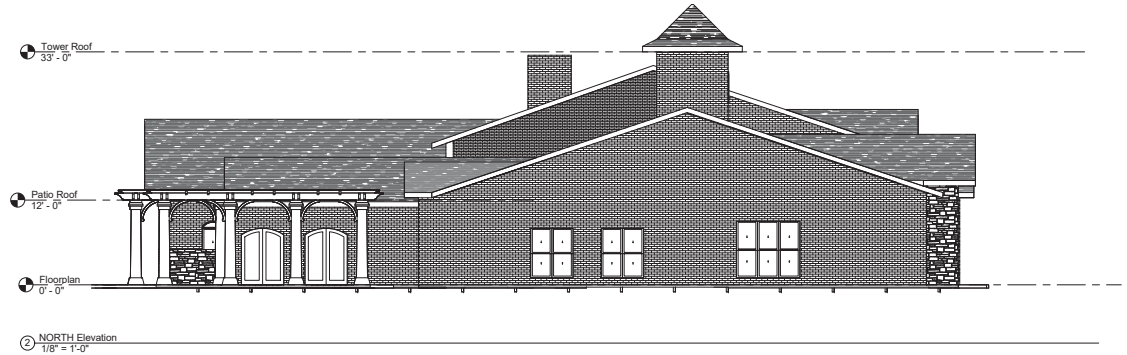
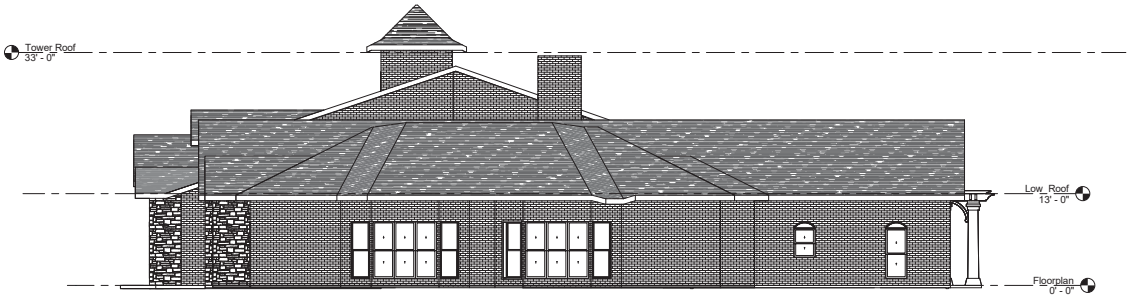
No.	Description	Date

Boutique Assisted
Living Home
Building Elevations

Project number	2017-1508-C5B
Date	5-4-2017
Drawn by	A. Freeman
Checked by	D.J.
A201	
Scale	1/8" = 1'-0"

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Building Elevations



ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM _____ TO _____

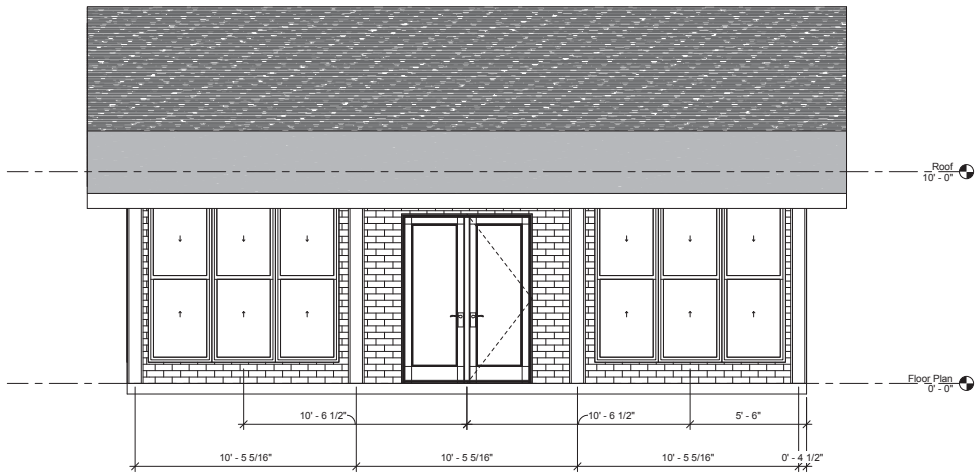
No.	Description	Date

Boutique Assisted
Living Home
Building Elevations

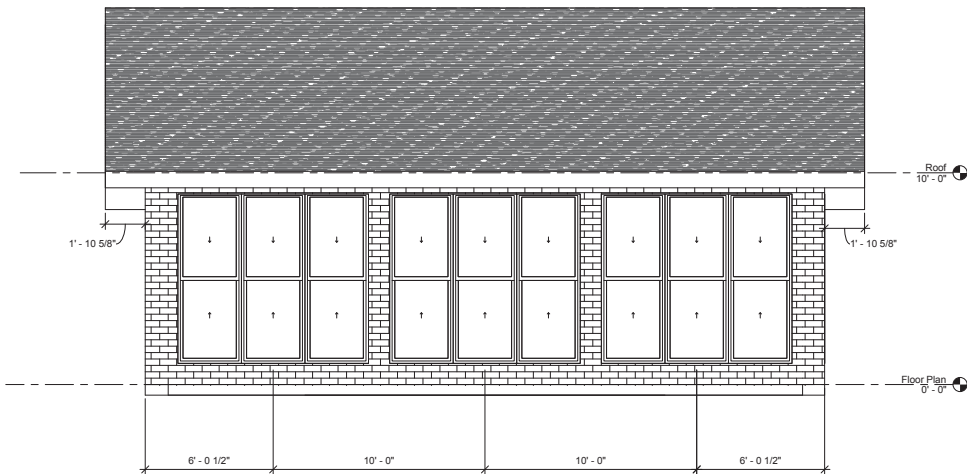
Project number	2017-1508-C5B
Date	5-4-2017
Drawn by	A. Freeman
Checked by	D.J.
A202	
Scale	1/8" = 1'-0"

WWS2017 11:25:10 PM

Building Elevations



① West Elevation - Poolhouse
3/8" = 1'-0"



② East Elevation - Poolhouse
3/8" = 1'-0"

ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM _____ TO _____

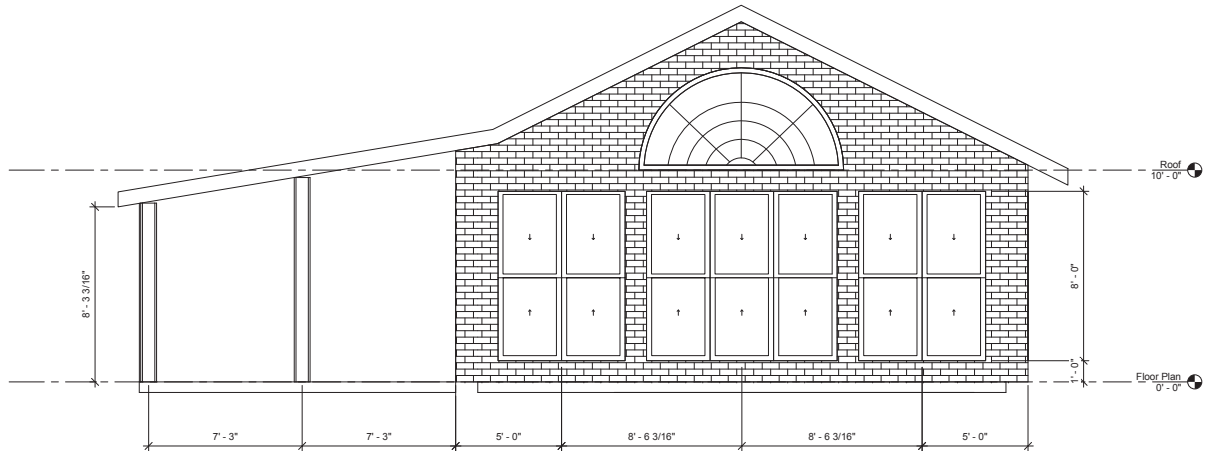
No.	Description	Date

Boutique Assisted
Living Home
Building Elevations -
Poolhouse

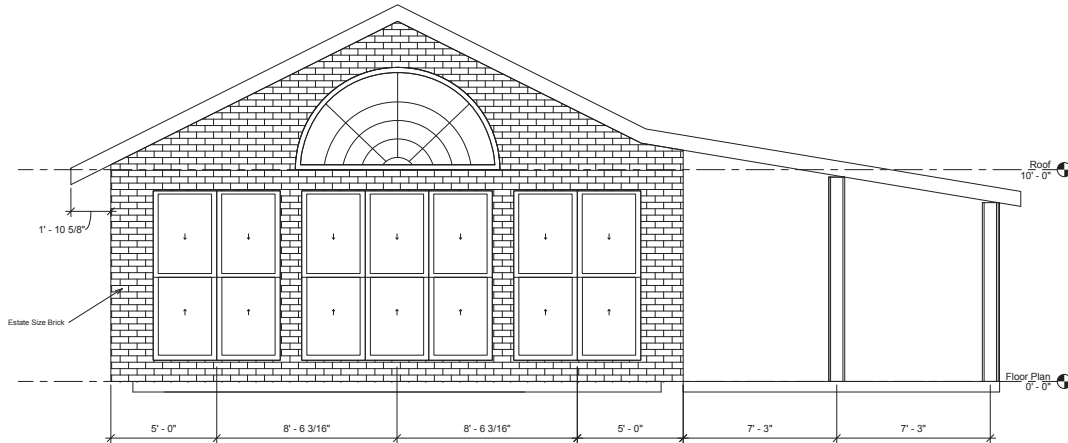
Project number	2017-1508-C5B
Date	5-10-2017
Drawn by	Author
Checked by	Checker
A203	
Scale	3/8" = 1'-0"

WS00177 21/09/14

Building Elevations



1 South Elevation - Poolhouse
3/8" = 1'-0"



2 North Elevation - Poolhouse
3/8" = 1'-0"

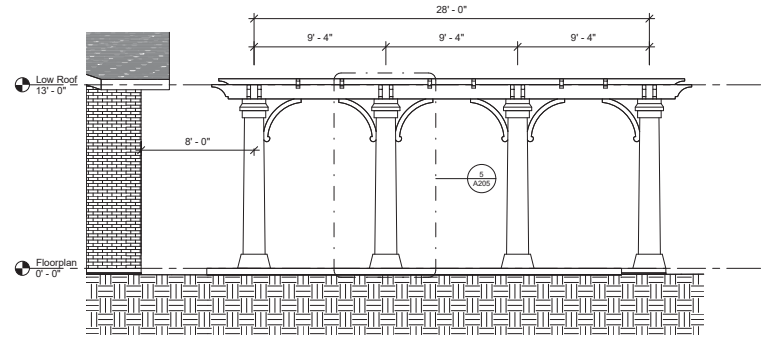
ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM _____ TO _____

No.	Description	Date

Boutique Assisted
Living Home
Building Elevations -
Poolhouse

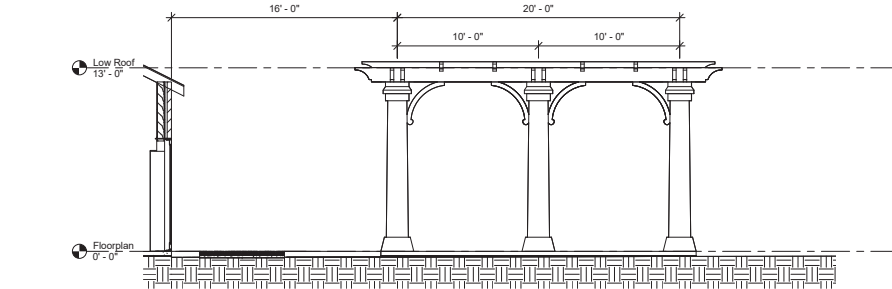
Project number	2017-1508-C5B
Date	5-10-2017
Drawn by	Author
Checked by	Checker
A204	
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Building Elevations



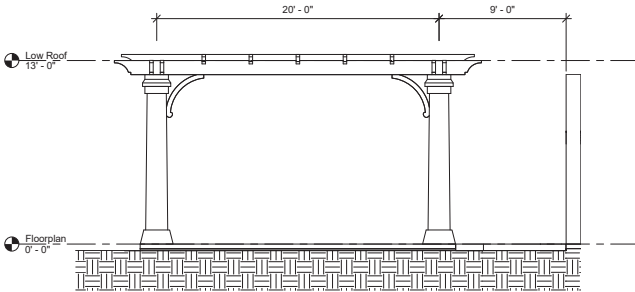
3 South Elevation - Large Pergola 28'

1/4" = 1'-0"



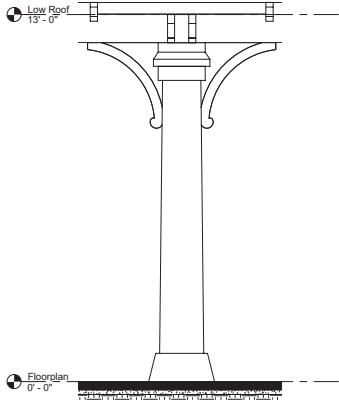
1 East Elevation - Small Pergola 12x20'

1/4" = 1'-0"



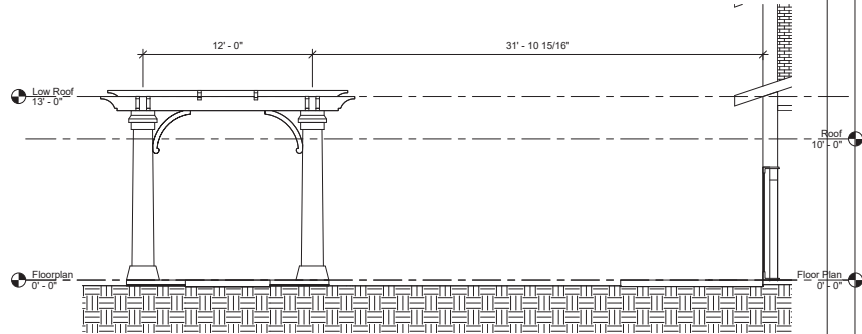
4 West Elevation - Large Pergola 20'

1/4" = 1'-0"



5 Column Detail - Typical

1/2" = 1'-0"



2 North Elevation - Small Pergola

1/4" = 1'-0"

No.	Description	Date

ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM _____ TO _____

Boutique Assisted
Living Home
Pergola Elevations

Project number	2017-1508-C5B
Date	5-4-2017
Drawn by	A. Freeman
Checked by	D.J.
Scale	As indicated

W062017 11:23:14 PM

Architectural Renderings



① CLEAR VIEW West
1/8" = 1'-0"



② CLEAR VIEW - East
1/8" = 1'-0"

ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM ____ TO ____

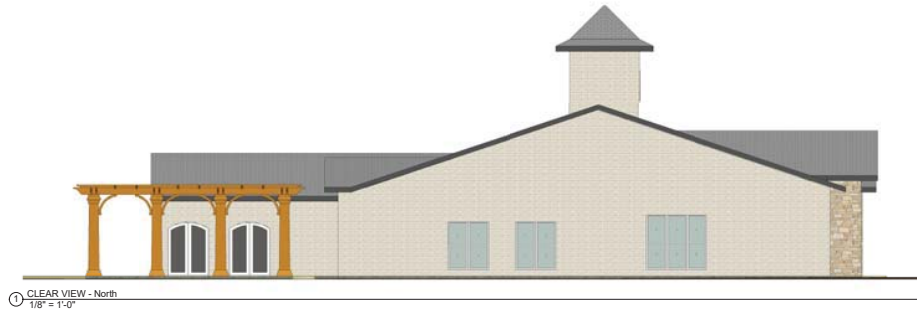
No.	Description	Date

Boutique Assisted
Living Home
Elevations Clear View

Project number	2017-1508-C5B
Date	5-4-2017
Drawn by	Author
Checked by	Checker
Scale	1/8" = 1'-0"

A801

Architectural Renderings



① CLEAR VIEW - North
1/8" = 1'-0"



② CLEAR VIEW South
1/8" = 1'-0"

ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM ____ TO ____

No.	Description	Date

**Boutique Assisted
Living Home
Elevations Clear View**

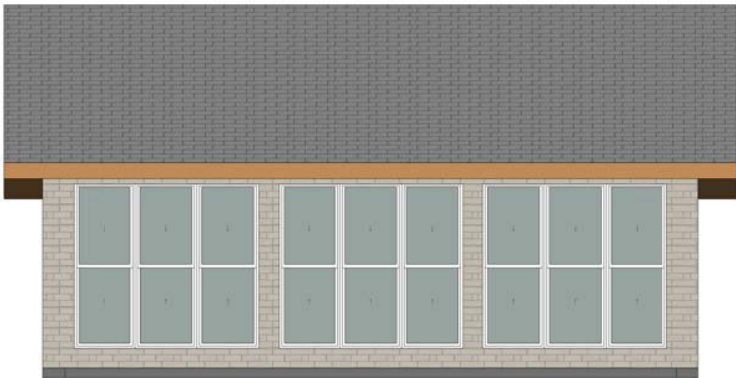
Project number	2017-1508-C5B
Date	5-4-2017
Drawn by	A. Freeman
Checked by	D.J.
Scale	1/8" = 1'-0"

A802

Architectural Renderings



West Elevation - Poolhouse Copy 1
3/8" = 1'-0"



East Elevation - Poolhouse Clear view
3/8" = 1'-0"

No.	Description	Date

ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM ____ TO ____

Project number		2017-1508-C5B
Date		5-10-2017
Drawn by		A.Freeman
Checked by		D.J.
Scale		3/8" = 1'-0"

Boutique Assisted
Living Home
Elevation Clear View

A803

Architectural Renderings



① South Elevation - Poolhouse Clear View
3/8" = 1'-0"



② North Elevation - Poolhouse Clear View
3/8" = 1'-0"

ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM ____ TO ____

No.	Description	Date

Boutique Assisted
Living Home
Elevation Clear View

Project number	2017-1508-C5B
Date	5-10-2017
Drawn by	A. Freeman
Checked by	D. J.
Scale	3/8" = 1'-0"
A804	

5/10/2017 2:25 PM

Architectural Renderings



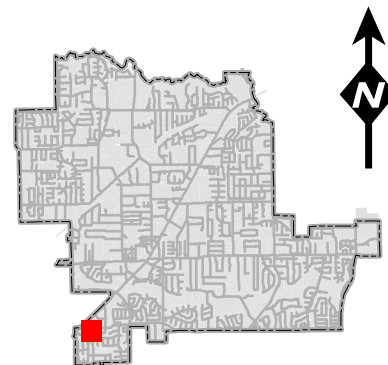
Notification Map



ZC17-009

105 CHEEK SPARGER ROAD

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



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.

Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
CHATSWORTH ENTERPRISES LLC	4413 BOWMAN DR	COLLEYVILLE, TX	76034	116 CHEEK SPARGER RD
STAR SELF STOR OF COLLEYVILLE	5605 TYLER ST	PEARLAND, TX	77581	101 CHEEK SPARGER RD #
ULERY, RICHARD G	123 CHEEK SPARGER RD	COLLEYVILLE, TX	76034	123 CHEEK SPARGER RD
SKINNER, EDNA	110 W GREENBRIAR LN	COLLEYVILLE, TX	76034	110 W GREENBRIAR LN
RHODES, GREGORY	114 W GREENBRIAR LN	COLLEYVILLE, TX	76034	114 W GREENBRIAR LN
BEVILL, JAMES H	119 CHEEK SPARGER RD	COLLEYVILLE, TX	76034	119 CHEEK SPARGER RD
CALLAWAY, CURTIS L	124 FELPS CT	COLLEYVILLE, TX	76034	124 FELPS CT
BRAND, NETA FAY	121 CHEEK SPARGER RD	COLLEYVILLE, TX	76034	121 CHEEK SPARGER RD
HARRIS, D KEITH	108 CHEEK SPARGER RD	COLLEYVILLE, TX	76034	108 CHEEK SPARGER RD
BURNS, EDWARD H	7713 LEXUS DR	FORT WORTH, TX	76137	120 CHEEK SPARGER RD
DOBSON, JAMES	3725 SAN BAR LN	COLLEYVILLE, TX	76034	3725 SAN BAR LN
HAHN, EDWARD	7500 WINDSWAPT TR	COLLEYVILLE, TX	76034	100 CHEEK SPARGER RD
MORRISON, PAMELA M	710 WHISPERING WOOD CIR	SOUTHLAKE, TX	76092	123 FELPS CT
DENNIE, PAUL D EST	200 CHEEK SPARGER RD	COLLEYVILLE, TX	76034	200 CHEEK SPARGER RD
CHATSWORTH ENTERPRISES LLC	4413 BOWMAN DR	COLLEYVILLE, TX	76034	112 CHEEK SPARGER RD
HOWELL, DEAN G	104 CHEEK SPARGER RD	COLLEYVILLE, TX	76034	104 CHEEK SPARGER RD
GUEST, ELIZABETH V	106 GREENBRIAR LN	COLLEYVILLE, TX	76034	106 GREENBRIAR LN
UHLNHAKER, RONNIE R	PO BOX 1705	COLLEYVILLE, TX	76034	99 CHEEK SPARGER RD #
DAVILA, MICHAEL	100 GREENBRIAR LN	COLLEYVILLE, TX	76034	100 GREENBRIAR LN
HIBERNIA NATIONAL BANK	275 BROADHOLLOW RD	MELVILLE, NY	11747	3907 COLLEYVILLE BLVD
NICHOLS, BRADY J	3720 GREENBRIAR CT	COLLEYVILLE, TX	76034	3720 GREENBRIAR CT
WALLACE, DAVID A	104 GREENBRIAR LN	COLLEYVILLE, TX	76034	104 GREENBRIAR LN

WOODBRIAR ESTATES WEST ADDN	3700 SWEETBRIAR	COLLEYVILLE, TX	76034	COURTESY NOTICE
WOODBRIAR ESTATES ADDITION	3700 SWEETBRIAR	COLLEYVILLE, TX	76034	COURTESY NOTICE
WOODBRIAR NORTH ADDITION	3700 SWEETBRIAR	COLLEYVILLE, TX	76034	COURTESY NOTICE
JONES, RUTH-ANN	2404 ARBOR TRAIL	COLLEYVILLE, TX	76034	APPLICANT
HURST EULESS BEDFORD ISD	1849 CENTRAL DR	BEDFORD, TX	76022	STATE LAW REQUIRED
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were mailed Friday,
June 23, 2017 by Araceli Botello

Property Owner Notification



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC17-009
Applicant: Ruth-Ann Jones
Owner: Ronnie L. Uhlenhaker
Location: 105 Cheek Sparger Road
Property Description: Lot 1, Block 1, of the San Bar Square Addition
Present Zoning: PUD-C Planned Unit Development Commercial zoning district
Request: Consideration of a zoning change from the PUD-C Planned Unit Development Commercial zoning district to the PUD-C Planned Unit Development Commercial zoning district

The City of Colleyville has scheduled public hearings concerning the above referenced request on the following dates and location:

Planning and Zoning Commission Meeting: Monday, July 10, 2017 at 7:00 p.m.
City Council Meeting: Tuesday, August 1, 2017 & Tuesday, August 15, 2017 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

This notice has been sent to all owners of real property within 200 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 200 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address below:

**Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034**

If the property owners of 20% or more of the land within the 200 foot notification area file a written protest prior to the public hearing, State law provides that the approval of the zoning change request shall require the approval of a super majority vote by City Council.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas. For additional information, please contact the Community Development Department at 817.503.1052. Please reference the zoning case number when requesting information.

Ben Bryner
Community Development Director
bbryner@colleyville.com

Legal Notice

June 23, 2017

SENT VIA EMAIL on Friday, June 23, 2017

Christine Lopez
Legal Notices
Fort Worth Star-Telegram
400 W. Seventh Street
Fort Worth, TX 76102

Dear Christine:

Please publish and furnish an affidavit (N.E. Section):
Saturday, June 24, 2017

The City of Colleyville Planning and Zoning Commission gives notice of a Public Hearing on Monday, 7/10/17 at 7:00 p.m. at City Hall, 100 Main Street, Colleyville, Texas:

Case ZC17-001 - Consideration of a zoning change from the R-40 Single Family Residential zoning district to the R-30 Single Family Residential zoning district on Tracts 1B1A and 2C2B, Abstracts 1674 and 1038, in the Hall Medlin Survey, located at 600 John McCain Road

Case ZC16-008 – Consideration of a Special Use Permit for an Accessory Building to exceed the total square footage permitted on Lot 1A, Block 1, of the K Bar G Estates Addition, located at 6401 Westcoat Road

Case ZC17-009 - Consideration of a zoning change from the PUD-C Planned Unit Development Commercial zoning district to the PUD-C Planned Unit Development Commercial zoning district on Lot 1, Block 1, of the San Bar Square Addition, located at 105 Cheek Sparger Road

The City Council will hold a Public Hearing on the above items on 8/1/17 and 8/15/17 at 7:30 p.m. at City Hall, 100 Main Street, Colleyville, Texas.

All interested citizens will be given the opportunity to speak and be heard.

CITY OF COLLEYVILLE



Araceli Botello
Planning Technician

ORDINANCE O-17-xxxx

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 1.94 ACRES ON LOT 1, BLOCK 1, OF THE SAN BAR SQUARE ADDITION, LOCATED AT 105 CHEEK-SPARGER ROAD FROM THE PUD-C PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT TO THE PUD-C PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a rezoning under Case No. ZC17-009; and

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

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

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

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

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

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 1.94 acres on Lot 1, Block 1, of the San Bar Square Addition, located at 105 Cheek-Sparger Road from the PUD-C Planned Unit Development Commercial zoning district to the PUD-C Planned Unit Development Commercial zoning district, as depicted in the attached Exhibit "A" and Exhibit "C", and as described in Exhibit "B".
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUD-C is for a "boutique" assisted living facility home to include ten (10) rooms, constructed at a gross maximum density of 5.2 dwelling units per acre.
- b. This development shall be generally consistent with the Statement of Planning Objectives, Exhibit "B".
- c. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this Ordinance.

2. DEVELOPMENT PLAN

- a. The development shall be generally consistent with the conceptual site plan, Exhibit "C".

3. PERMITTED USES

- a. Assisted Living Facility limited to ten (10) rooms.

4. BUILDING DESIGN

- a. The facility shall be limited to one (1) story.
- b. The facility shall be generally consistent with the building elevations, Exhibit "C".

5. SCREENING

- a. The existing seven (7) foot wood screening fence shall be permitted along the south property line in place of the required eight (8) foot masonry wall.

- Sec. 5. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all

violations of this ordinance.

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

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 1st day of August 2017.

The second reading and public hearing being conducted on the 15th day of August 2017.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 15th day of August 2017.

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt Wyatt
City Attorney

Exhibit "A" – Location and Zoning Map

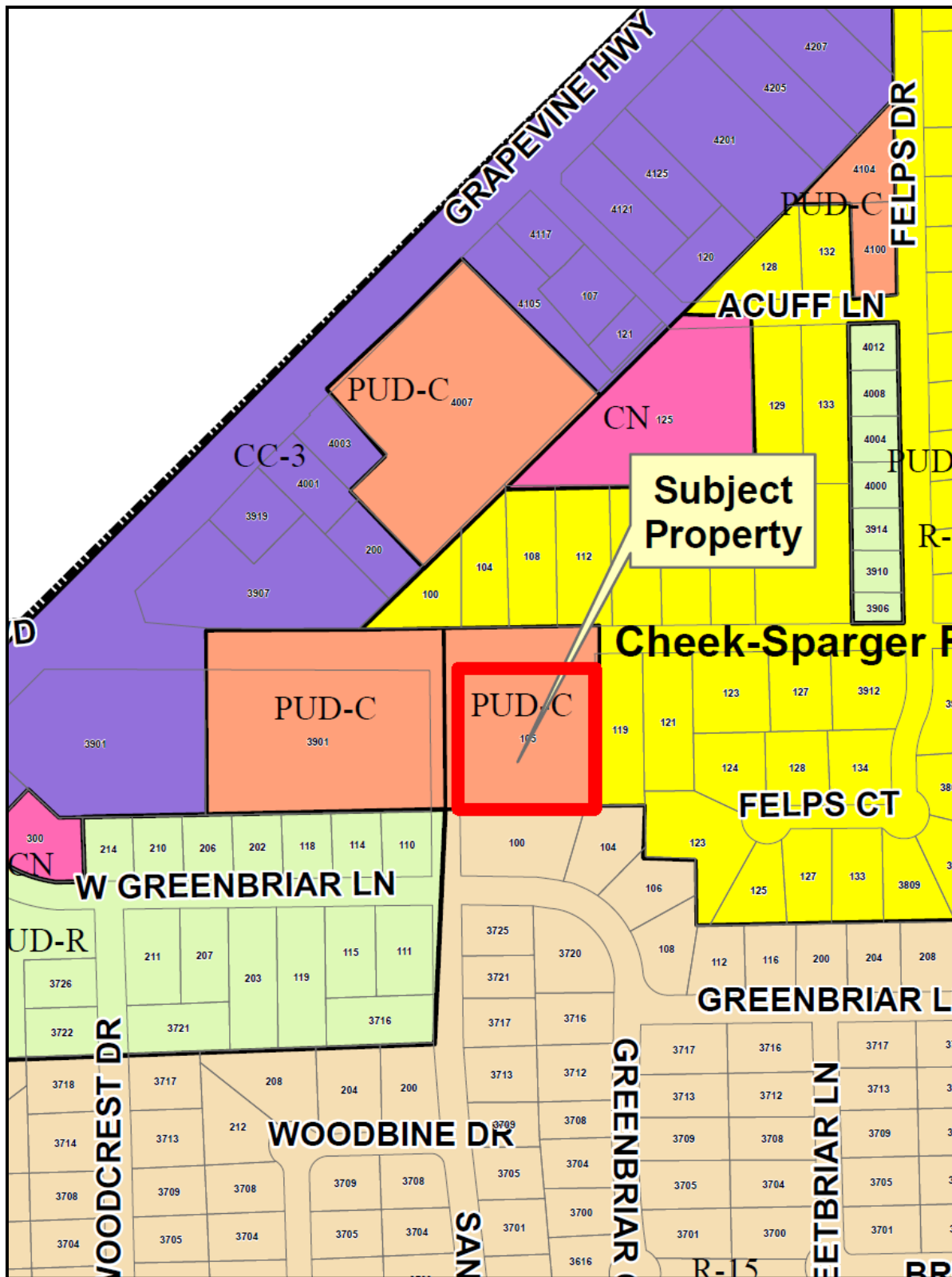


Exhibit "B" – Statement of Planning Objectives

Request for Zoning Change and Land Use

May 10, 2017

City of Colleyville Planning Department

100 Main Street, Colleyville, Texas 76034

Re: Zoning Change for 105 Cheek-Sparger Road
 Block 1, Lot 1, San Bar Square Addition
 South East Corner of Cheek-Sparger and San Bar Lane
 Proposed Boutique Assisted Living

To Whom It May Concern:

Subject property is zoned PUD-C Planned Unit Development Commercial as approved by Ordinance 0-85-600, approved with no additional conditions by the City Council. Given the absence of any additional conditions, the permitted land uses allowed by Ordinance 0-85-600 correspond to the zoning ordinance requirements for PUD-C zoning districts that were in effect when Ordinance 0-85-600 was adopted in 1985.

Whereas, the Council is respectfully requested to grant this request to change the zoning for this property to PUD-C with provisions to permit the construction and operation of a Small Type A Licensed Assisted Living Facility.

The applicant desires to develop the property under PUD-C with special use as an Assisted Living Facility, affording the city close control over the initial development of the property and of any future uses of the property. The facility is designed as a luxury home and will not be able to be used for other purposes in the future. This property is zoned PUD-C under its current zoning and the City of Colleyville has recommended this property to continue under PUD-C zoning in the future Master Plan for the City of Colleyville.

Type A Assisted Living licenses restricts the facility to only those residents who have the ability to self-evacuate and follow directions during an emergency. The Small designation restricts the facility to 16 or

less residents. The facility is designed with 10 rooms providing an exclusive concierge type service for its discerning residents who need limited assistance with daily activities.

The median age for Colleyville residents increased from 40 years to 46.5 years during the 2000 to 2013 period and is continuing to see an increase in median age. Colleyville is becoming a favored place for affluent seniors to live, as many activities and services for this aging population are being expanded. Behind many gated communities in Colleyville live seniors in their seventies and eighties who would like to have a luxury home-like atmosphere providing assistance in their personal needs while maintaining a living standard to which they have been accustomed.

This facility is not in direct competition to any current or known future facility in Colleyville or surrounding municipalities because of its limited number of residents and unique amenities. The nature of the boutique Assisted Living will draw affluent seniors who desire relocation and shopping in Colleyville.

Under this proposal, the entire 1.92 acres of this property will be restricted to a one-story facility facing San Bar Lane. Every effort will be taken to preserve at least 72 (approximately 893 caliper inches) of the 82 mature trees currently on the property with minimal tree removal meeting Chapter 5 of the Tree Preservation requirements and tree replacement.

In order to shield the residences adjacent to the East and South from the proposed development the project will meet Chapter 4 Landscaping and Buffering requirements for the creation of a (20) foot green space. The screening between the development and the residential property owner to the East will also be enhanced with an eight (8) foot masonry fence and proper drainage design to prevent drainage onto that property. The property owner to the South has requested that instead of an eight (8) foot masonry fence that the project enter into a written agreement to maintain their seven (7) foot wooden stockade fence. With single story construction, both residents will be able to maintain their privacy from the development.

Landscaping is an integral part of creating the large lot "country" feel around the facility providing an area for seniors to enjoy the scenery and delights of nature. The project will meet Chapter 4 Landscape and Buffering requirements for the creation of a ten (10) foot green space with buffering shrubs and trees along both Cheek-Sparger and San Bar Lane. The project desires to create along Cheek-Sparger a design that is consistent with the city's stated goal to create a "country" feel with a look of openness using shrubs and trees.

Meeting sidewalk requirements five (5) foot wide sidewalks will be constructed along both Cheek-Sparger and San Bar Lane.

All life safety requirements that the State places on a licensed Assisted Living and all local Fire Marshall Life Safety requirements will be met in both the design and implementation of the development including a fire lane driveway in front of the facility.

It is the intent to meet the Comprehensive Plan recommendations for Colleyville as it relates to the Southern Corridor. The project design aesthetics emphasizes the preservation of neighborhood and quality contributing to the Colleyville Character and placement to make the Southern Corridor a unique destination. The building design incorporates a tower and multiple elevated portions. Both stone and brick are used on the outside of the building. The building faces San Bar Lane but will also be seen facing Colleyville Boulevard. The project seeks to satisfy the City of Colleyville Comprehensive Plan which emphasizes green space buffering between parking and local streets, single row parking, and an enhanced access (provided by the ornamental iron gates and supporting rock columns).

This project demonstrates Colleyville as an excellent and convenient place to locate a business. The project provides diversity to the local economy and strengthens Colleyville attractiveness as a high-quality place to live, work, retire, and play. Senior resident outreach to the community will connect individuals and groups with one another through health, the wellness, enrichment, technology, education, and special events for the Colleyville community.

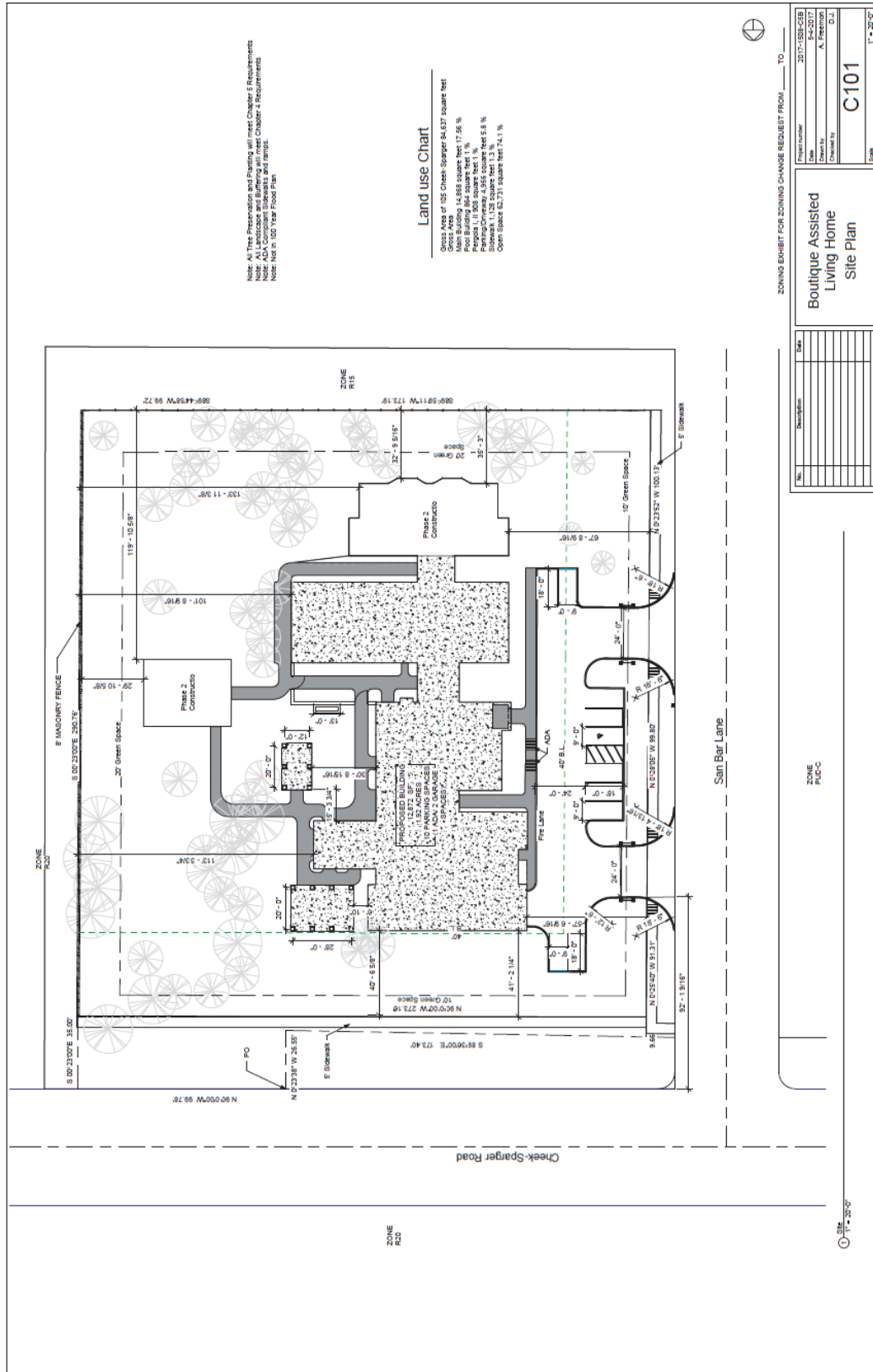
If you require any additional information not shown on the accompanying plans, please do not hesitate to call.

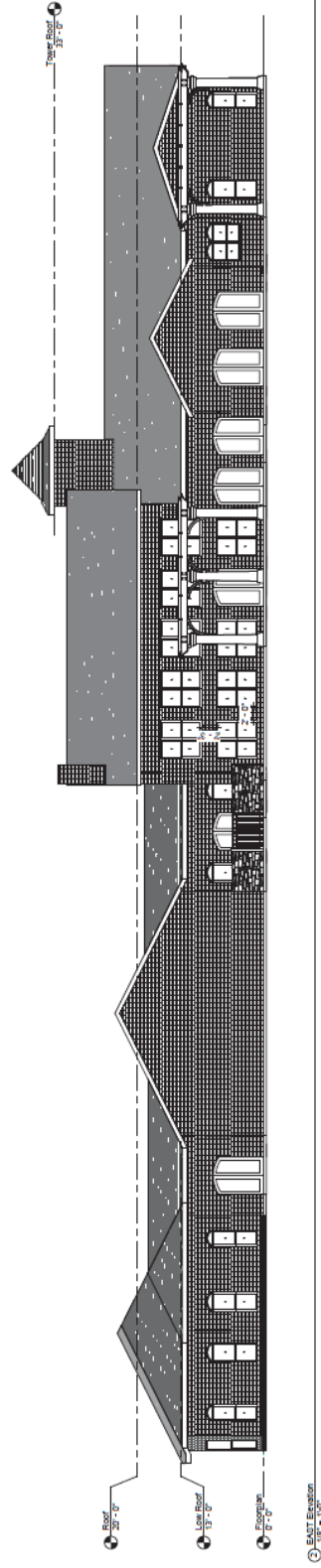
Sincerely,

A handwritten signature in black ink that reads "Ruth-Ann Jones". The script is fluid and cursive, with the first name "Ruth" and last name "Jones" clearly legible.

Ruth-Ann Jones, Trustee and Manager

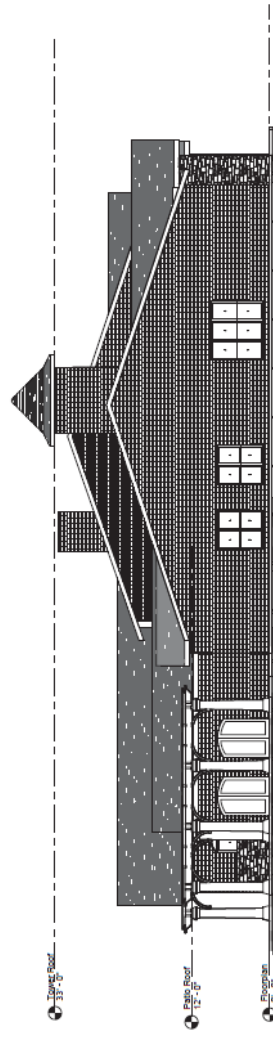
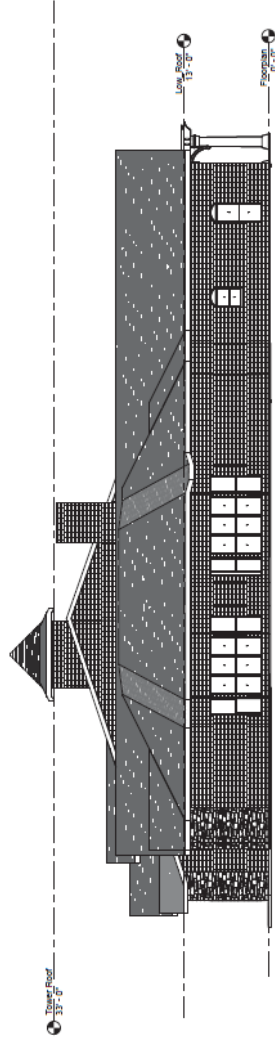
Jenkins Sandhills Ranch, LLC.





A201

Boutique Assisted Living Home Building Elevations			Project number 2017-169-C-5B Date 9-4-2017 Drawn by A. Freeman Checked by D.J. A201	
Scale 1/8" = 1'-0"				
No.	Description	Date		



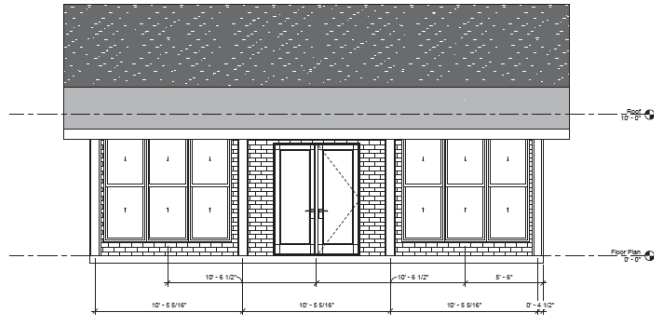
2 NORTH Elevation
118° - 117°

② NORTH ELEVATION
1/8" = 1'-0"

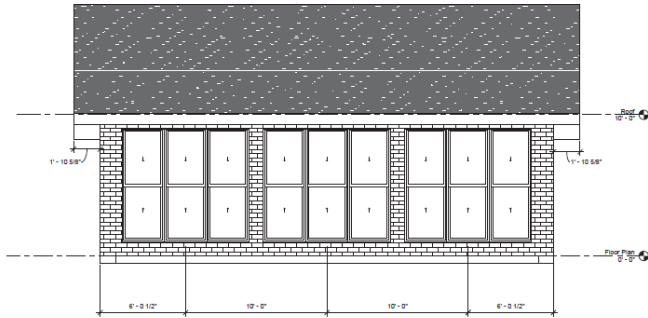
ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM _____ TO _____

No.		
Description		
Date		
Boutique Assisted Living Home Building Elevations		
Project number 2017-152B-C5B		
Date 5-4-2017		
Drawn by A. Freedman		
Checked By G.J.		
A202		
Scale 1/8" = 1'-0"		

**Boutique Assisted
Living Home
Building Elevations**



West Elevation - Poolhouse
3/8" = 1'-0"



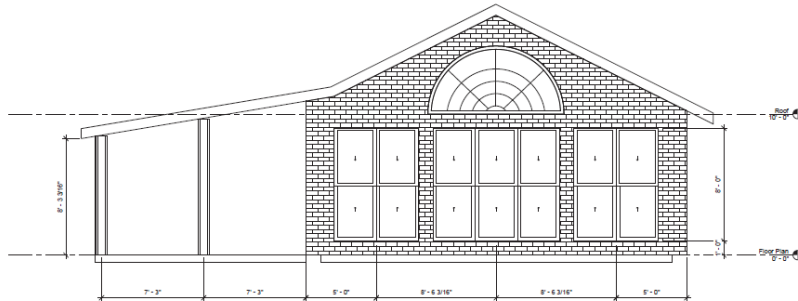
East Elevation - Poolhouse
3/8" = 1'-0"

No.	Description	Date

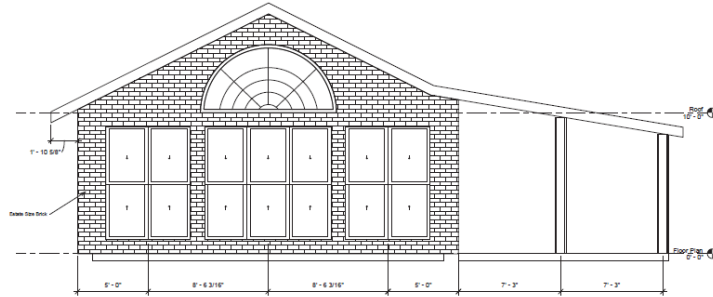
ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM _____ TO _____

Boutique Assisted
Living Home
Building Elevations -
Poolhouse

Project Number	2017-1008-C08
Date	5-10-2017
Drawn by	Author
Checked by	Checker
Scale	A203 3/8" = 1'-0"



South Elevation - Poolhouse
3/8" = 1'-0"



North Elevation - Poolhouse
3/8" = 1'-0"

No.	Description	Date

ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM _____ TO _____

Boutique Assisted
Living Home
Building Elevations -
Poolhouse

Project Number	2017-1008-C08
Date	5-10-2017
Drawn by	Author
Checked by	Checker
Scale	A204 3/8" = 1'-0"

