



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, August 14, 2017

City Council Chambers

**WORKSESSION
E-VOTING TRAINING
5:15 PM
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 KELLEY
PLEDGE OF ALLEGIANCE**

1. APPROVAL OF MINUTES

July 10, 2017

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

3. REGULAR AGENDA ITEMS

- 3a** Consideration of a Minor Plat for the Stowe Addition on property legally described as Tract 2A, Abstract 1692, in the Joseph White Survey, located at 816 Shelton Drive, Case PC17-005

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Consideration of a zoning change from the AG Agricultural zoning district to the PUD-C Planned Unit Development Commercial zoning district on Tract A8, Abstract 1034, in the Green Minter W Survey, located at 5008 Roberts Road, Case ZC17-011
- 4b** Consideration of an amendment to the PUD-C Planned Unit Development Commercial requirements on Lots 6R & 7R, Block 1, of the Winding Creek Addition located at 6504 and 6502 Colleyville Boulevard, Case ZC17-012
- 4c** 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 1A, Block 1, of the Twin Lakes Plaza Addition, located at 4007 Colleyville Boulevard, Case ZC17-013
- 4d** Consideration of a zoning change from the AG Agricultural zoning district to the RE Single Family "Estate" Residential zoning district on Tract 2, Abstract 1487, in the O C Strum Survey, located at 6204 L D Lockett Road, Case ZC17-014

5. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards Friday, August 11, 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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817. 503.1000
www.colleyville.com

Monday, July 10, 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 July 10, 2017, at 7:00 p.m.

Roll Call

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

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

1. SWEARING IN OF NEWLY APPOINTED MEMBERS

Araceli Botello swore in newly appointed members:

Chris Putnam, Place 2

2. ELECTION OF OFFICERS

Commissioner van Bever made a motion to appoint Commissioner Mathisen as Chair. Commissioner Kelley seconded.

Brief discussion was held on another commissioner to consider for Chair.

The motion to appoint Commissioner Mathisen as Chair carried by the following vote:

Aye: 6 – Mathisen, Putnam, van Bever, Kelly, Frazier, and Elms

Nay: 1 - Baughman

3. APPROVAL OF MINUTES

Commissioner van Bever made a motion to approve the June 12, 2017 minutes. Commissioner Baughman seconded.

The motion to approve carried by the following vote:

Aye: 7 – Putnam, van Bever, Baughman, Mathisen, Kelly, Frazier, and Elms
Nay: 0

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

There were no 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

Ben Bryner presented the case and briefed the Commission.

The applicants, Edward and Shearon Mitchell, 600 John McCain Road, came forward and briefed the Commission.

Commissioner Putnam questioned the staff regarding the size of the neighboring lots to the subject property. Staff responded that he did not have the actual size, but estimated based on the subject property being 60,000 square feet that the neighboring lots are about 60,000-75,000 square feet and up to two acres. Commissioner Putnam asked staff regarding the size of the Agricultural lots north of the subject property. Staff responded that northern lots may be zoned Agricultural by default. Staff added that Agricultural zoned lots are required to have a minimum lot size of 3 acres.

Commissioner Kelley questioned staff regarding the distance of the closest lots zoned R-20 and PUD-C to the subject property. Staff responded that he did not have the information but could research if necessary. Commissioner Kelley responded the information was not required.

Commissioner Frazier questioned staff regarding the allowed lot coverage for the R-40 zoning district. Staff responded that the allowed lot coverage for R-40 zoning district is 20 percent and increases to 25 percent for R-30 zoning district.

Commissioner Putnam commended the applicant and opened discussion regarding the amendments made to the Comprehensive Plan for preserving larger lots and Agricultural tracts. Chairwoman Mathisen commended the

applicant and noted that the Commission is tasked to use the Comprehensive Plan as a guiding document.

The public hearing was opened at 7:27 p.m.

Commissioner Frazier questioned staff regarding receiving letters of support or opposition for the case. Staff responded that no letters of support or opposition were received.

There being no others present wishing to speak, the public hearing was closed at 7:28 p.m.

Commissioner Frazier made a motion to deny Case ZC17-001 based on the City's Comprehensive Plan. Commissioner Putnam seconded.

The motion to deny carried by the following vote:

Aye: 7 – Mathisen, Putnam, Baughman, van Bever, Kelly, Frazier, and Elms
Nay: 0

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

Commissioner Putnam stated a need to abstain from the item and recused himself from the meeting.

Ben Bryner presented the case and briefed the Commission.

Commissioner Kelley made a notation to clarify that the request is to expand the current building. Staff confirmed and added that the property lines are 95 feet to the south and 90 feet to the east of the proposed expansion. Commissioner Kelley made a notation that one of the neighboring properties is in support of the case.

Chairwoman Mathisen questioned staff if the subject property is about six and a half acres. Staff confirmed, the plat exhibit for the property shows approximately six and a half acres. Chairwoman Mathisen noted that the additional 302 square feet requested to expand the building would place the subject property at seven percent lot coverage and the maximum lot coverage allowed is 20 percent, which is below the allowed maximum lot coverage.

Commissioner Kelley questioned staff regarding the boundary line of the subject property on the aerial exhibit. Staff pointed to the plat exhibit as the

area used to calculate the lot coverage and accurately provides the platted lot boundaries.

The applicant, Jeff Polk, 5705 Ponderosa Street, came forward and briefed the Commission.

The public hearing was opened at 7:43 p.m.

There being no one present wishing to speak, the public hearing was closed at 7:43 p.m.

Commissioner Kelley made a motion to approve Case ZC17-008. Commissioner van Bever seconded.

The motion to approve carried by the following vote:

Aye: 6 –van Bever, Baughman, Mathisen, Kelly, Frazier, and Elms

Nay: 0

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

Commissioner Putnam rejoined the meeting.

Ben Bryner presented the case and briefed the Commission.

Commissioner Kelley questioned the staff if the number of phases for the development is two, where phase one would build 6 rooms and no pool. Staff confirmed.

Chairwoman Mathisen question staff regarding the timeline of development for phase one and two. Staff directed the question for the applicant to respond.

Commissioner Frazier questioned staff regarding the parking requirement for the type of development proposed. Staff responded the code requires one parking space per room, which would require ten parking spaces for the ten proposed rooms.

Discussion continued regarding parking requirements.

Commissioner Frazier questioned staff that the motion required is whether to allow for the type of used being proposed. Staff confirmed.

Commissioner Kelley made a notation that the neighboring property is requesting a 7 foot fence as a requirement. Commissioner Kelley added that the Commission would need documentation regarding the request to allow as a requirement of the PUD-C. Commissioner Mathisen added that the applicant could clarify the request.

Discussion continued regarding verification of the request for the wooden fence by the neighboring property.

The applicant, Don Jones, 2404 Arbor Trail, came forward and briefed the Commission.

Chairwoman Mathisen questioned the applicant regarding the development schedule of phase one and two. The applicant responded that there would not be more than a 10 month lag time for development between the phases. Applicant added that if the Commission requires to be built at a one time, he was confident in meeting the request.

Chairwoman Mathisen questioned the applicant regarding the required regulations to classify the property as an assisted living facility and specifically the required number of bedrooms. The applicant responded that the required number of rooms to classify as an assisted living facility could be as few as 2-4 rooms.

Chairwoman Mathisen questioned the applicant regarding feedback received from neighboring properties regarding his proposal. The applicant responded that he has discussed the proposal with a couple neighboring to the east about a masonry wall, drainage concerns, and other low level concerns. The applicant added that he had reached out to other neighboring properties and had received support from properties to the south, the home owners association for the neighborhood to the south, and a neighbor across the street.

Chairwoman Mathisen questioned the applicant regarding the purchase of the property. The applicant responded that the contract on the property is subject to the zoning change.

Commissioner Baughman questioned the applicant regarding the number of assisted living facilities owned by the applicant. The applicant responded that he is a retired school teacher and he does not own any commercial properties. Commissioner Baughman questioned the applicant regarding the type of business model used for his proposed assisted living facility. The applicant responded that he used his personal preference in determining the model of the proposed assisted living facility. The applicant added that the facility is not for business purposes, but intended for his retirement.

Chairwoman Mathisen questioned the applicant regarding the use of the applicant's family trust to invest in the purchase of the subject property for profit. The applicant confirmed that his family's trust would be used to purchase the subject property. The applicant added that he expects to make a profit, but the design of the facility is based on personal preference as opposed to a business stand point.

Commissioner Kelley questioned the applicant regarding the management of the facility. The applicant responded that he is seeking to contract a state regulated management company to run the assisted living facility. Commissioner Kelley questioned the applicant regarding the expected income per unit. The applicant responded that he expects a monthly income of \$5,000 - \$6,000 for a single occupancy unit.

The public hearing was opened at 8:20 p.m.

Claudia Bevill, 119 Cheek-Sparger Road, came forward and spoke in opposition of the case. Mrs. Bevill addressed concerns regarding communal living, location being near a gateway, drainage concerns, and the number of assisted living facilities in Colleyville. Mrs. Bevill added that if the request is approved, she would request language not allowing storage and accessory buildings within the 20 foot buffer.

James Bevill, 119 Cheek-Sparger Road, came forward and spoke in opposition of the case. Mr. Bevill addressed concerns regarding drainage, fencing, and maintenance of the property.

There being no others present wishing to speak, the public hearing was closed at 8:29 p.m.

Commissioner Elms opened discussion regarding the PUD-C zoning request to allow an assisted living facility and the concerns brought forth by the speakers. Commissioner Frazier added that the facility is regulated by the state.

Discussion continued regarding concerns brought forth by the speakers.

Commissioner Elms made a motion to approve Case ZC17-009 with the condition that the applicant provide an affidavit from the property owners at 100 and 104 Greenbriar Lane that agree to the existing 7 foot wooden fence in lieu of an 8 foot masonry fence. Commissioner Frazier seconded.

The motion to approve failed by the following vote:

Aye: 2 – Frazier and Elms

Nay: 5 – Putnam, van Bever, Baughman, Mathisen, and Kelley

6. ADJOURNMENT

The meeting adjourned at 8:40 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 3a	Agenda Date 08/14/2017	Number
Type Regular Agenda Items		
Department Community Development		

Title

Consideration of a Minor Plat for the Stowe Addition on property legally described as Tract 2A, Abstract 1692, in the Joseph White Survey, located at 816 Shelton Drive, Case PC17-005

Explanation

Jeff Avery, of Avery Homes, requests approval of a minor plat for the Stowe Addition on approximately 0.48 acres, located at 816 Shelton Drive. The applicant proposes to create one lot with the intent to construct a new single-family residence. The applicant is requesting waivers to lot size, lot dimensions, and the required yard requirements of the AG Agricultural zoning district.

Existing Conditions/Background: The subject property is currently unplatted and undeveloped. Approval of a rezoning request from the AG Agricultural district to the R-20 Single Family Residential district was denied by the City Council on June 20, 2017. The minimum yard requirements for the AG zoning district limit the buildable area.

Lot Dimensions and Setbacks: Per Section 3.24 G, Schedule of District Regulations in the Land Development Code, the AG Agricultural district regulations require the following standards:

- Minimum Lot Area: 130,680 square feet
- Minimum Lot Width: 200 feet
- Minimum Lot Depth: 300 feet
- Minimum Front Yard Setback: 40 feet
- Minimum Side Yard Setbacks: 25 feet
- Minimum Rear Yard Setback: 40 feet
- Maximum Lot Coverage: 20 percent

As submitted, the proposed plat does not meet the lot area or lot dimension requirements of the Land Development Code. The applicant is requesting plat waivers to match the requirements of the R-20 Single Family Residential district per the following standards:

- Minimum Lot Area: 20,000 square feet
- Minimum Lot Width: 100 feet
- Minimum Lot Depth: 125 feet

Minimum Front Yard Setback: 30 feet
Minimum Side Yard Setbacks: 10 feet
Minimum Rear Yard Setback: 25 feet

Waiver Requests: The applicant is requesting a waiver to the minimum lot area, lot dimensions (width and depth), and required yard requirements of the AG Agricultural district. The subject property is proposed 105 feet wide and 198 feet long for a total area of 0.48 acres, or 20,792 square feet. The applicant is also requesting the minimum yards to match the R-20 zoning requirements. The request is for a 30 foot front yard (along both street frontages), a 25 foot rear yard, and a 10 foot side yard (along the north property line).

Minor plats are typically approved administratively by City staff. When circumstances arise requiring a waiver to a specific provision, the Land Development Code explicitly prescribes the authority to grant such waivers to the City Council. Therefore the request up for consideration must receive approval from City Council for the plat to be approved and filed.

Analysis: The lot area and lot dimensions (width and depth) do not meet the requirements of the AG Agricultural district. Additionally, the minimum yard requirements would limit the buildable area on the property.

Section 9.7 of the Land Development Code states that the *"City may approve a plat which contains a lot that does not meet the minimum requirements when special conditions exist."* In this case staff believes there are special conditions. The subject property is constrained in lot size due to existing developed conditions on adjacent sides. The lots to the north and west currently have existing residences and limited setbacks from the property lines. Therefore, acquiring additional land appears to be unfeasible.

In the same section of the Land Development Code, it also states that the *"City may approve a building line which differs from the zoning requirements when special conditions exist."* The minimum yard requirements compared to the size of the property will not allow for an adequate buildable area.

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

Fees: Park Land Dedication fees are required in the amount of \$1,802 per 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.

Sidewalks: Sidewalks are required along both Pleasant Run Road and Shelton Drive with the construction of any new single-family home.

Staff Recommendation: The proposed minor plat does not meet the requirements of the Land Development Code. As outlined in this briefing, staff believes special conditions exist on the subject property which warrant the approval of the waiver requests. Staff recommends approval.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Plat Exhibit
6. Draft Resolution

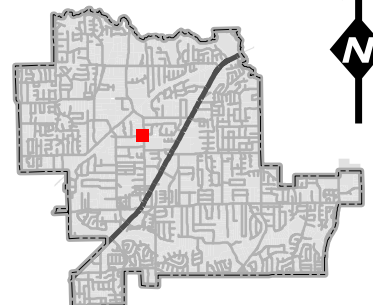
Aerial Map



PC17-005
816 Shelton Drive

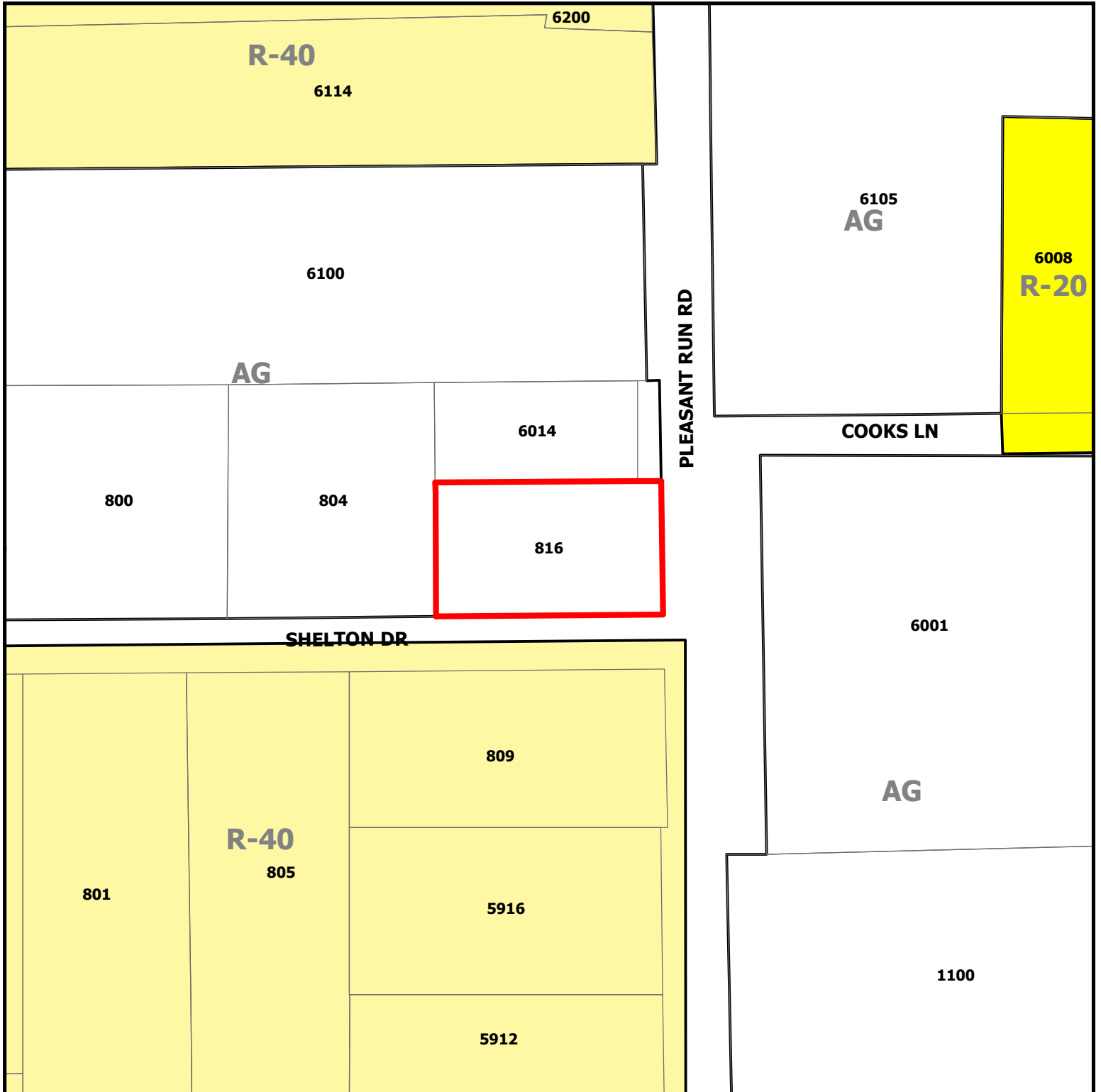


Subject Property



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

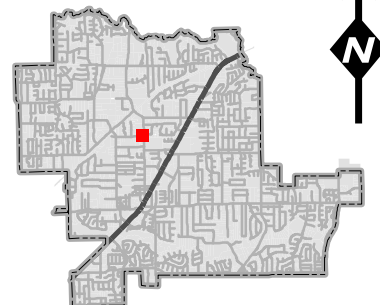
Zoning Map



PC17-005
816 Shelton Drive

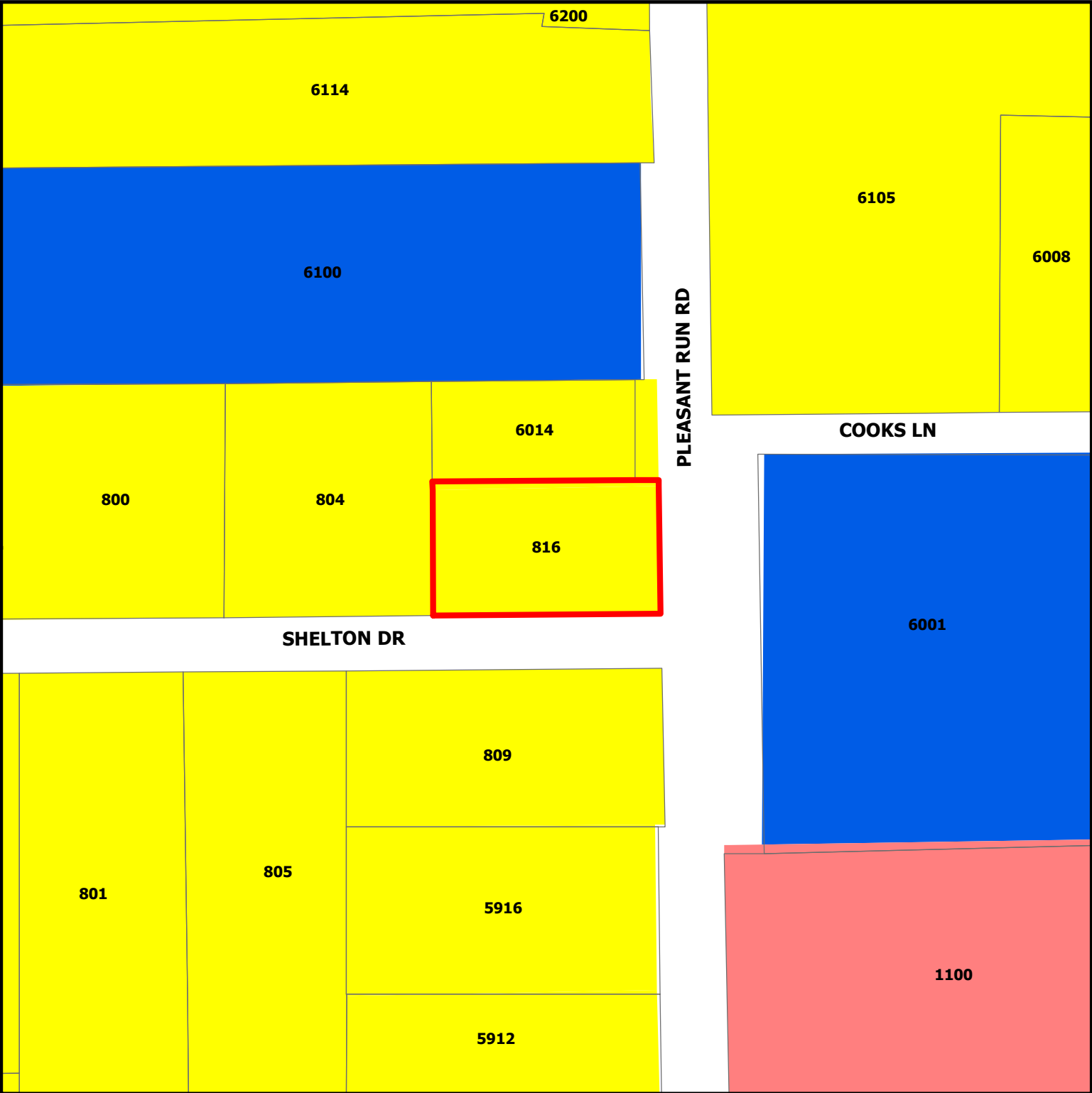


Subject Property



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Future Land Use Map

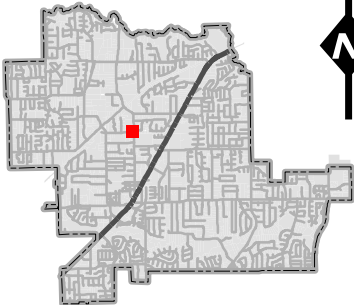


PC17-005

816 Shelton Drive



Subject Property



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Statement of Planning Objectives

STATEMENT OF PLANNING OBJECTIVES

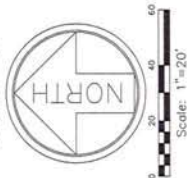
Legal: Tract 2A, Abstract 1692 in the Joseph White Survey Address:
816 Shelton Road, Colleyville, Texas 76034

The objective of this plat request is to transfer this currently un-platted Tract of land into a single family residential home-site in accordance with the master plan objectives for this area of Colleyville.

Subject property is a 0.48 acre parcel (20,792 SF). The least dense zoning category that this property size would legally comply with is R-20. Therefore, our “overall” objective is to plat this property into a buildable lot fully in compliance with that R-20 zoning code requirements. This Plat does meet or exceed all the particular **Section 3.24.G Schedule of District Regulations** for R-20 zoning including minimum lot size, width and depth. In addition we intend to fully comply with regulations for maximum building height and lot coverage.

Relative to “**Minimum Yard Requirements**”, we are requesting those outlined below.

Front (Pleasant Run Rd.)	30' (meets R-20 requirements)
Left Side (Shelton Rd.)	30' (meets R-20 requirements)
Rear (West Facing)	25' (meets R-20 requirements)
Right (North Facing)	10' (meets R-20 requirements)

[illegible][illegible]

Community Development Director

Signature _____ Date _____

The maintenance of all drainage and utility easements located on private property are the responsibility of the property owner.



WHEREAS, Ellie P. Snow, is the owner of a tract of land situated in the Joseph White Survey, Abstract Number 1692, Tarrant County, Texas, and being that tract of land described as deed to her recorded in Volume 2164, Page 477, Deed Records, Tarrant County, Texas, and being more particularly described as follows:

Beginning at an iron pin found for the southwest corner of Lot 1, Block 1, Grossman Addition, according to the plat recorded in Instrument No. D214183221, Real Property Records, Tarrant County, Texas;

Thence EAST a distance of 210.09 feet to an iron pin found in the west line of Pleasant Run Road;

Thence S 60°00'06" E a distance of 117.39 feet to an iron pin found at the intersection of the west line of Pleasant Run Road with the north line of Shelton Drive;

Thence N 89° 57' 23" W a distance of 210.10 feet along the north line of Shelton Drive to an iron pin found;

Thence N 00°00'06" E a distance of 117.23 feet to the Point of beginning, said described tract containing 0.6 of an acre of land.

NOW THEREFORE KNOW ALL PERSONS BY THESE PRESENTS:

Third, *Ellie P. Snow, Owner*, do hereby assign to this city designating the heretofore described property as Snow Avenue, in addition to the City of Colleyville, Tarrant County, Texas, and do hereby dedicate fee simple to the public use forever all streets, rights-of-way, and alleys shown thereon, and do hereby reserve the easements shown on these plans for the mineral use and accommodation of all public utilities desiring to use or using the same. Any public utility shall have the right to use, occupy, and construct any and all structures, conduits, pipes, lines, and other improvements or growths in which any way endower or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and paroling, without the necessity of any franchise or license, any and all lines, conduits, pipes, and structures to all and every part of the said Snow Avenue and the City of Colleyville, Texas.

Witness my hand this _____ day of _____, 20____.

Ellie P. Stowe

STATE OF TEXAS
COUNTY OF TARRANT

Before me, the undersigned Notary Public in and for said county and State on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____ 20____

Notary Public in and for Tarrant County

Minor Plat
Lot 1, Block 1.

Stowe Addition

Being a tract of land in the
Joseph White Survey, Abstract Number 1692,
City of Colville, Tarrant County, Texas

Gross Area: 0.57 Acre (24,646 SF) - Net Area: 0.48 Acre (20,792 SF)

Prepared February, 2017
Revised 03/14/17

Area Surveying, Inc.
Roger W. Hart, RPLS

[illegible]

RESOLUTION R-17-xxxx

**APPROVING A MINOR PLAT FOR LOT 1, BLOCK 1, OF THE STOWE
ADDITION**

WHEREAS, the Planning and Zoning Commission recommended approval of the Minor Plat for Lot 1, Block 1, of the Stowe Addition on September 5, 2017.

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

- Sec. 1. THAT the Minor Plat for Lot 1, Block 1, of the Stowe Addition on approximately 0.48 acres, attached as Exhibit "A" - Plat Exhibit, is hereby approved, with the following conditions:
- a. The requested plat waivers for the lot size and lot dimensions are approved.
 - b. The requested plat waivers for the minimum yard requirements are approved as follows:
 - 1. Front = 30 feet
 - 2. Side = 10 feet
 - 3. Rear = 25 feet

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON
THIS THE 5TH DAY OF SEPTEMBER 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

[illegible]



City of Colleyville Planning and Zoning Commission Agenda Briefing

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Agenda Number 4a	Agenda Date 08/14/2017	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a zoning change from the AG Agricultural zoning district to the PUD-C Planned Unit Development Commercial zoning district on Tract A8, Abstract 1034, in the Green Minter W Survey, located at 5008 Roberts Road, Case ZC17-011

Explanation

Chriss Murdoch of Construction Zone International, the applicant, has submitted a request for PUD-C Planned Unit Development – Commercial zoning on approximately 5.94 acres, located 5008 Roberts Road. As requested, the zoning would be to permit an assisted living center on the subject property. The proposed facility would be limited to 96 rooms and will include 6 residential style 'homes'.

Existing Conditions: The subject property is currently unplatted and generally located at the northwest corner of Glade Road and Roberts Road. The subject property is owned by Covenant Church which is located to the north and currently is being used as soccer fields.

Zoning: The subject property is currently zoned AG Agricultural district. 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 several Small Type 'A' Licensed Assisted Living Facilities. 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 project proposes 6 small facilities, or 'homes', each designed with 16 rooms to provide an exclusive concierge type service for residents. The total number of rooms proposed is 96 rooms.

Proposed Zoning Change: The purpose of the PUD-C zoning request is to permit an assisted living facility home to include 16 rooms in 6 separate 'homes' for a total of 96 rooms. 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 an assisted living facility to include a maximum of sixteen (16) rooms in six (6) homes for a total of ninety-six (96) rooms. The ordinance also limits the facility to one (1) story. The applicant is requesting to allow a living screen of a mixture of evergreen shrubs and trees along the entire west boundary in place of the required eight (8) foot masonry wall when adjacent to single-family residential homes. Additionally, the applicant is requesting a reduction in parking to allow for a total of forty-eight (48) parking spaces for the facility. 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 an assisted living facility to include sixteen (16) rooms in six (6) homes for a total of ninety-six (96) 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 buildings to one story, maintaining large setbacks, and proposing a screen of evergreen shrubs and trees along the western boundary. The applicant will also be required to comply with additional buffering and landscaping requirements of the Land Development Code.

Surrounding Development: The property to the north is zoned AG and the location of Covenant Church. The properties to the west are zoned PUD-R Planned Unit Development – Residential and developed with single family homes. The properties to the east is zoned PUD-R and AG and developed with a church and single family homes. The properties to the south are zoned PUD-R and RD Two-Family Residential and developed with single family residential homes. Glade 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 institutional. This area is currently developed

primarily with single family homes with several churches nearby.

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, July 28, 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, July 29, 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.

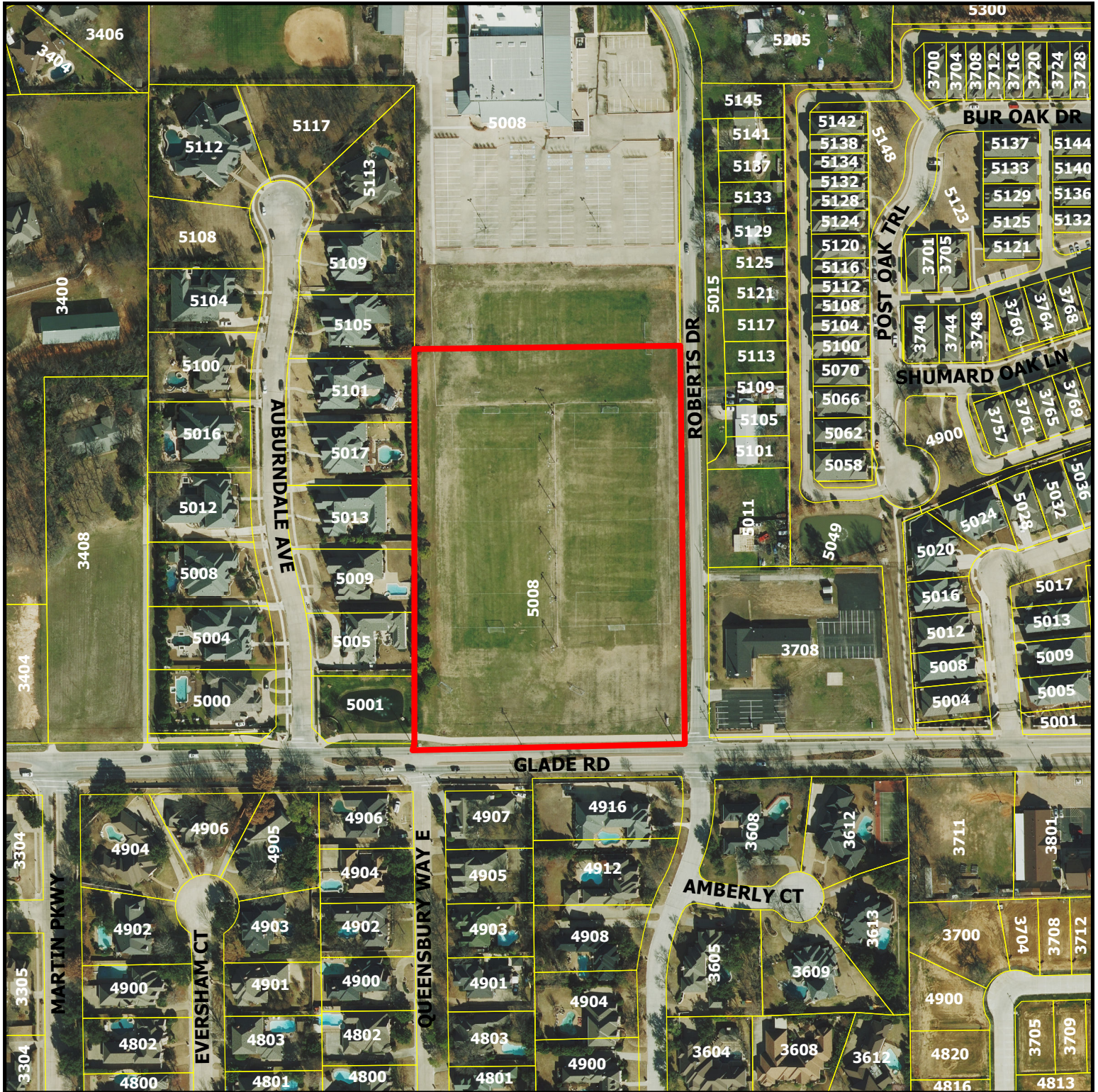
Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Economic Development Information
6. Zoning Exhibit
7. Site Plan
8. Drainage Exhibit
9. Architectural Renderings
10. Notification Map
11. Notification List
12. Property Owner Notification
13. Legal Notice
14. Draft Ordinance

Aerial Map

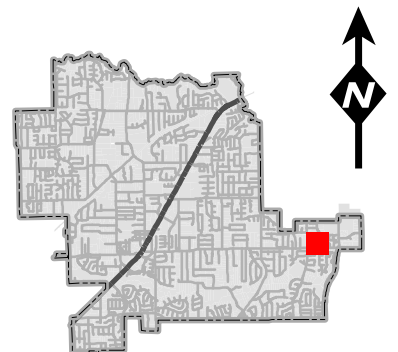


ZC17-011

5008 Roberts Road

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 Subject Property



Zoning Map



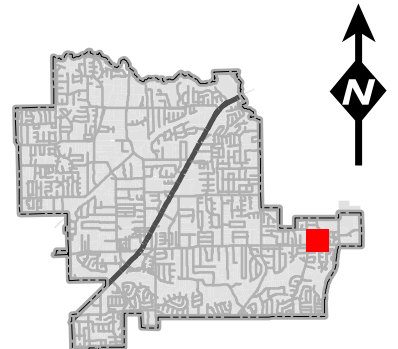
ZC17-011

5008 Roberts Road

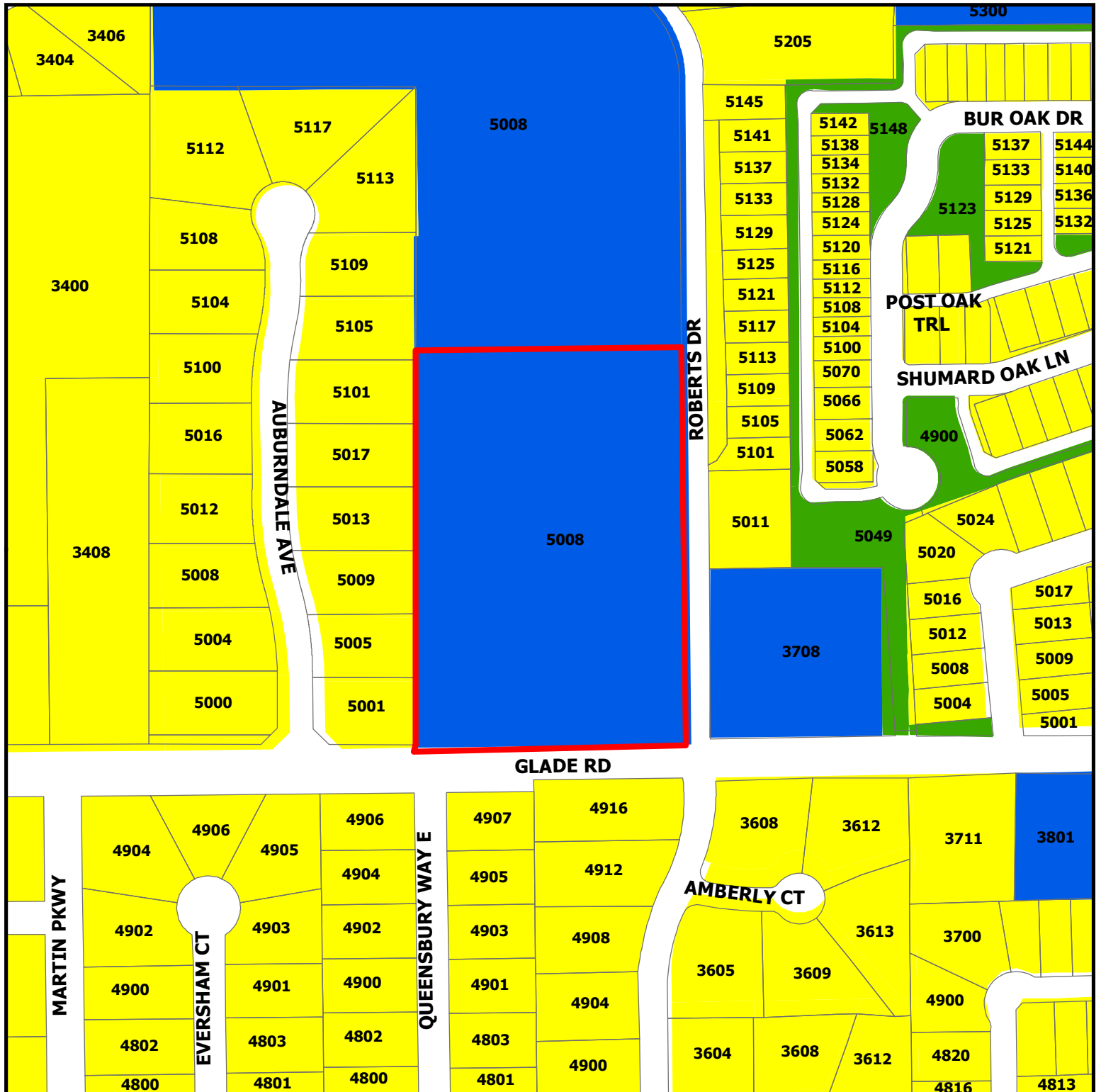
 Subject Property



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Future Land Use Map

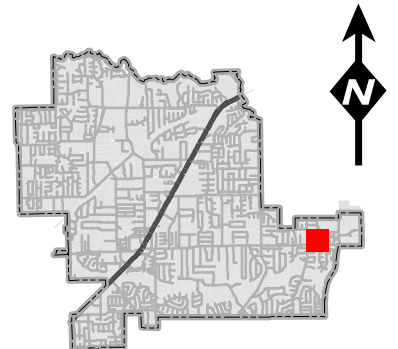


ZC17-011

5008 Roberts Road



Subject Property



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Statement of Planning Objectives

Statement of Planning Objectives

Heritage Villas

Senior Housing Neighborhood

On land currently owned by Covenant Church, a unique partnership between Red X Development Corporation, Covenant Church, JAL Properties, and Construction Zone International will develop and manage an upscale senior living neighborhood. Heritage Villas will be a 2-phase, 6-house assisted living community for area senior citizens. We envision a community that will provide a vastly better housing option than most others. Upon completion, our development will be home to 96 seniors in a true neighborhood setting. It will not only feel like home to our residents; it will look like an upscale neighborhood that appears to be another of Colleyville's finest neighborhoods.

A joint venture between Red X Development Corporation (wholly owned by Covenant Church) and JAL Properties will purchase the vacant land (currently used for soccer practice) south of Covenant Church. This property is bordered on the east by Roberts Rd., by Glade Rd. to the south, and by Heritage Glen subdivision to the west. Construction Zone International will be the general contractor, and a management company owned by JAL Properties will be responsible for day-to-day operations.

Heritage Villas will be built in two phases each consisting of 3 homes. Each 8,000-square foot home will be 1-story and each will have differing roof pitches, elevations, and building materials. In short, our neighborhood is designed to be like those in the area – made up of beautifully landscaped homes with each having its own unique architectural appeal. Heritage Villas will have walking trails and landscaped green space to accommodate our residents who wish to enjoy the outdoors. Each home will have differing amenities and activities; this will encourage our residents to visit all of the other homes, thus encouraging a true neighborhood feel where everyone knows their neighbors.

Heritage Villas will be licensed by the Texas Department of Aging and Disability Services as a Type B assisted living facility. Each home will be separately licensed and will be home for 16 residents. Each resident will have their own private bedroom, sitting space and private bathroom. Each home will have a common kitchen and dining room; these common areas will encourage the residents to interact with one another.

Because we will have only one kitchen per home, Heritage Villas will look and function as a single-family home. Unlike many other assisted living facilities that provide kitchenettes in each

Statement of Planning Objectives

room which causes them to feel like apartments, our homes will not have that apartment look or feel. Each building will be a residence – a home for our seniors.

Covenant Church has been a great neighbor and an involved community member for many years. As a growing church, it has always sought to meet the needs of Colleyville residents, not just its own members. With a growing congregation, the church has looked at the best way to utilize its resources, including the vacant land immediately in front of the sanctuary. While deciding the best long term usage of the land, the church has allowed area soccer teams to use the field for practice.

In the past, the church has explored the possibility of expanding their current sanctuary which would increase seating capacity to approximately 1,500. This would require a much larger building, larger parking lot and significantly increase traffic. Other options have included upgrading the current soccer fields to include covered seating, stadium lights, concession stands, and restroom facilities and opening the fields to competitive league play. The church has also been approached by private developers to sell the land.

However, none of these options fits best for the vision and mission of the Church. Covenant has long had a vision of providing “cradle to grave” benefits to the community. Heritage Villas fits in well with that vision, and fits in well with the needs of Colleyville-area senior citizens.

Because of the church’s vision of assisting people at all stages of life, the time is right for the church to enter into a partnership with a developer to create the best in senior housing. JAL Properties, Construction Zone International and its’ owners have a long history of community service and a genuine heart to help others. Our seniors deserve the highest standards of living and assistance if and when their ability to remain at home safely and comfortably requires them to seek alternative living choices. Heritage Villas will soon be the choice for assisted living in Colleyville and the surrounding mid-cities area. We will not only provide a house – we will create a new home for seniors in need. A place to call home. A place to live out their golden years in comfort and style. A place where their age is celebrated, and a place where they can share their life experiences with one another. Heritage Villas will provide homes that are small enough so as not to overwhelm our residents with too many new faces and yet large enough so that plenty of opportunities for social life exist. By having numerous homes in our neighborhood, residents will be able to easily visit friends next door and enjoy the social amenities of each home and those offered in the neighborhood community building. All homes in Heritage Villas will be easily accessible to all of our residents.

While our community will be located in front of Covenant Church, residents will not be required to be church members. Although we believe that some of the residents may come from any of the Covenant Church campuses located throughout the metroplex, we anticipate that the

Statement of Planning Objectives

majority will be Colleyville, Grapevine, Keller or Mid-Cities residents. Our residents will mostly be in their late 70's or older, although we will not have any age restrictions. Our residents will require some assistance with day-to-day activities and will have decided that moving from their current home is necessary. Moving is challenging for all of us, and for seniors this change can be overwhelming. At Heritage Villas, we will do whatever it takes to minimize the stress of moving, and we will make every effort to cause them to quickly come to appreciate their new living arrangements and to call it home.

Heritage Villas will employ, at completion of both phases and at full occupancy, approximately 45 - 50 people who will be dedicated to providing the best 24-hour-a-day assistance for our seniors – so that they can live with as much hands-on assistance as required, but also so they can experience as much independence and dignity as possible. Our employees will include direct care staff (nurses and certified nurse aides, activity director) along with other management staff and contract staff (maintenance, landscaping, etc.)

Each home will include space for differing amenities or activities to enhance our residents' enjoyment of daily life. All residents will have access to all amenities/activities in each home.

Currently, we have held 2 meetings with area HOA's. Our first meeting was with residents of Prestwick Park HOA, Heritage Glen HOA and the members of Pleasant Glade Baptist church. Our second meeting was with Prestwick Park HOA (at their request). We videotaped both meetings and made them available to all residents who were unable to attend. We hope that this will help us to develop strong, ongoing relationships with all our neighbors and to create a community that they will enjoy living near.

We believe that Heritage Villas will be an outstanding addition to the city of Colleyville and to the neighborhoods surrounding Glade Rd. and Roberts Rd. and look forward to the day that our first resident begins a new journey with us.

Updates/Additions to Statement of Planning Objectives

In response to staff comments, please note the following additions to our statement of planning objectives:

Parking

While the City of Colleyville's Land Development Code requires 96 parking spaces, we are requesting a reduction from 96 to 48 dedicated parking spaces. Although this is only half of that required by the City, it is twice that required by the Texas Department of Aging and Disability Services for assisted living facilities.

Statement of Planning Objectives

Our justification for this reduction is as follows:

- The Texas Department of Aging and Disability Services (assisted living regulatory agency) requires only one parking space for every four residents. For Heritage Villas, this will equate to only 24 spaces.
- The Institute of Traffic Engineers Parking Generation Manual, 4th Edition, indicates that 0.5 spaces per resident or 48 spaces for assisted living developments is sufficient.
- Similar assisted living developments in the metroplex have parking spaces as follows:

Development	Beds	Parking Spaces	Spaces to Beds Percentage
Mustang Creek – Frisco	96	39	40.6%
Mustang Creek – Keller	112	57	50.9%
Sonoma House - Carrollton	112	55	49.1%
Mayberry Gardens – Garland	143	61	42.7%
Heritage Villas – Colleyville (proposed)	96	48	50%

We are proposing a 50% parking space to bed ratio, which is a higher percentage than many developments and equal to others that we surveyed.

- Our research indicates that most assisted living developments use only a portion of their available spaces. We believe this usage analysis supports our request for a variance from 96 to 48 spaces.

Development	Beds	Parking Spaces	Occupied Spaces	% of Spaces Occupied
Mustang Creek – Frisco	96	39	24	62%
Sonoma House – Carrollton	112	55	24	44%
Mustang Creek – Keller	112	57	21	37%
Mayberry Gardens – Garland	143	61	34	55%

- Most people will not choose to live in an assisted living development unless certain aspects of their life were in decline. With these age and health related declines, driving skills also decline. Most assisted living residents willingly, or with family pressure, give up their driving privileges.

Although we believe that 48 spaces will be more than enough to accommodate our residents, visitors, and our employees, we have additional spaces available to us on an as-needed basis. The Covenant Church parking lot, located immediately to the north of our houses, will be available to our residents, their families, and our employees if we encounter an occasional overflow.

Statement of Planning Objectives

Masonry Screen Wall

In lieu of the 8-ft. masonry screen wall required as a visual buffer between residential and non-residential properties, we are requesting approval to use an evergreen landscape screen wall as a visual living screen separating our development from our neighbors on the western property line.

Our justification for this is as follows:

- Although our development may be evaluated as a commercial property, our homes are designed to look and function as single-family dwellings. As such, they will appear to our neighbors to be attractive residences when glimpsed through the proposed living screen. Most commercial businesses would have utility service and loading/receiving docks in the rear of their buildings. In those instances, a masonry screen wall would be invaluable to the residential neighbors. At Heritage Villa, each house will be designed to be attractive from all sides. A masonry screen wall designed to shield neighbors from viewing the back of commercial buildings will be less attractive than a well-kept living screen wall.
- The existing trees on the west property line provide an attractive addition to the area. The attached picture indicates the extent of the existing landscaping. We will supplement the existing landscape with approved varieties of trees and shrubs that will result in an attractive sight barrier. In addition, obscuring the existing landscaping behind a masonry wall would result in these trees being hidden from view, and would make maintaining them difficult as they would be located between the existing wrought iron fence and the masonry screen.
- Adding additional trees, shrubs, and other plants to the existing tree line will provide an effective, and very attractive, visual screen. It will enhance the views from our neighbors' side of the living screen, and will be more attractive to traffic passing by on Glade Rd.

We believe that a living evergreen screen wall is much more practical than a masonry screen wall as a divider between the existing homes and the homes in our development. In addition to being more practical, it will be much more attractive and complement the existing neighborhoods in a way that an 8-ft. masonry screen will not do.

Economic Development Information

Proposed Senior Development

Development Name: Heritage Villas
Location: NW corner of Glade Rd. and Roberts Rd.
Ownership: JAL Properties, LP / Red X Development
Colleyville P&Z ID: ZC17-011
6 Homes - 16 residents per home with 10% vacancy rate

Scenarios calculated using 6%, 7%, 8% and 9% to estimate market value
Based on current DFW market trends, the most likely estimate of current value is determined with a 7% cap rate

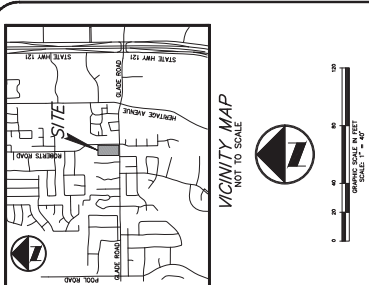
Estimated Property Value After Stabilized Occupancy (9% cap rate) \$11,111,111.11	Tax Rate				Property Tax Per Year \$263,236.67
	Colleyville	Grapevine-Colleyville ISD	Tarrant County	Total	
	0.33913	1.4	0.63	2.36913	
Tax Revenue per entity	\$37,681.11	\$155,555.56	\$70,000.00	\$263,236.67	

Estimated Property Value After Stabilized Occupancy (8% cap rate) \$12,500,000.00	Tax Rate				Property Tax Per Year \$296,141.25
	Colleyville	Grapevine-Colleyville ISD	Tarrant County	Total	
	0.33913	1.4	0.63	2.36913	
Tax Revenue per entity	\$42,391.25	\$175,000.00	\$78,750.00	\$296,141.25	

Estimated Property Value After Stabilized Occupancy (7% cap rate) \$14,285,714.29	Tax Rate				Property Tax Per Year \$338,447.14
	Colleyville	Grapevine-Colleyville ISD	Tarrant County	Total	
	0.33913	1.4	0.63	2.36913	
Tax Revenue per entity	\$48,447.14	\$200,000.00	\$90,000.00	\$338,447.14	

Estimated Property Value After Stabilized Occupancy (6% cap rate) \$16,666,666.67	Tax Rate				Property Tax Per Year \$394,855.00
	Colleyville	Grapevine-Colleyville ISD	Tarrant County	Total	
	0.33913	1.4	0.63	2.36913	
Tax Revenue per entity	\$56,521.67	\$233,333.33	\$105,000.00	\$394,855.00	

Tax Rates obtained from: <https://www.davedowns.com/dallas-property-tax.php>



VICINITY MAP
NOT TO SCALE



GRAPHIC SCALE IN FEET
SCALE: 1" = 40'

DISPOSITION: A of S-942 are tract of land situated in the N.W. Miller Survey, Abstract No. 1034, Tarrant County, Texas, containing approximately 6.7 acres of land described as "Tract 1 in Correctional Center owned by Tarrant County, Texas," said tract being part of that certain tract of land described as "Tract 1 in Correctional Center owned by Tarrant County, Texas and part of that certain tract of land described in Document No. D2122703-1 of the David Records of Tarrant County, Texas and part of that certain tract of land described in Warranty Deed With Vendor's Lien to Metropolitan Covenant Church, Inc. recorded in Volume 7804, Page 997 of the said Deed Records; said S-942 are tract being more particularly described as follows:

BEGINNING, at a point of the intersection of the north right-of-way line of Glade Road (a variable width right-of-way) and the west right-of-way line of Roberts Road (a variable width right-of-way);

THENCE, in a westerly direction, along the sold north line of Good Road, the following three (3) calls: North 89 degrees, 50 minutes, 14 seconds West, a distance of 354.49 feet a point at the beginning of a tangent curve to the right;

In a westerly direction, along said curve to the right, having a central angle of 15 degrees, 19 minutes, 31 seconds, a radius of 94.00 feet, a chord bearing and distance of North 82 degrees, 10 minutes, 28 seconds West, 25.07 feet, an arc distance of 25.14 feet to a point at the end of said curve; said point also being the beginning of reverse curve to the left;

In a westerly direction, along said curve to the left, having a central angle of 13 degrees, 55 minutes, 58 seconds, a radius of 106.00 feet, a chord bearing and distance of North 81 degrees, 28 minutes, 42 seconds West, 25.71 feet, an arc distance of 25.78 feet to a point at the end of said curve in the east line of Block 1, Heritage Glen, an addition to the City of Colleyville, Texas according to the plat recorded in Cabinet B, Slide 2342 of the Plat Records of Tarrant County, Texas; said point also being an angle point in the said north line of Glade Road;

THENCE, North 00 degrees, 07 minutes, 43 seconds East, departing the said north line of Glade Road and along the west line of said Tract II and the said east line of Lot 1, a distance of 612.17 feet to a 5/8-inch iron rod with "Pogue & Day" cap found for corner in a south line of Lot 1-6, Metroplex Covenant Church Addition, an addition to the City of Colleyville, Texas according to the plat recorded in Cabinet A, Slide 82 of the said Plat Records; said point also being the northwest corner of said Tract II.

THENCE, South 89 degrees, 55 minutes, 57 seconds East, departing the said west line of Tract II and said east line of Block I and along the north line of said Tract I, at a distance of 405.08 feet, passing a 1/2-inch iron rod found at the northeast corner of said Tract I, at a point of said east line of Roberts Road, contributing along the said east line of Roberts road in a total distance of 230.32 feet to a point for corner in the west line of said Metairie Cement Church tract, said north also takes an angle north in the said west line of Roberts Road.

THENCE, along the said west line of Roberts Road, the following three (3) calls: South 00 degrees, 04 minutes, 06 seconds West, a distance of 519.94 feet to a point for corner, said point also being

North 89 degrees, 51 minutes, 03 seconds West, a distance of 16.05 feet to re-entrant corner, sold point also being on angle point in the sold west line of Roberts Road;

South 00 degrees, 09 minutes, 29 seconds West, a distance of 102.00 feet to the POINT OF BEGINNING;
CONTAINING, 258,842 square feet or 5.942 acres of land, more or less.

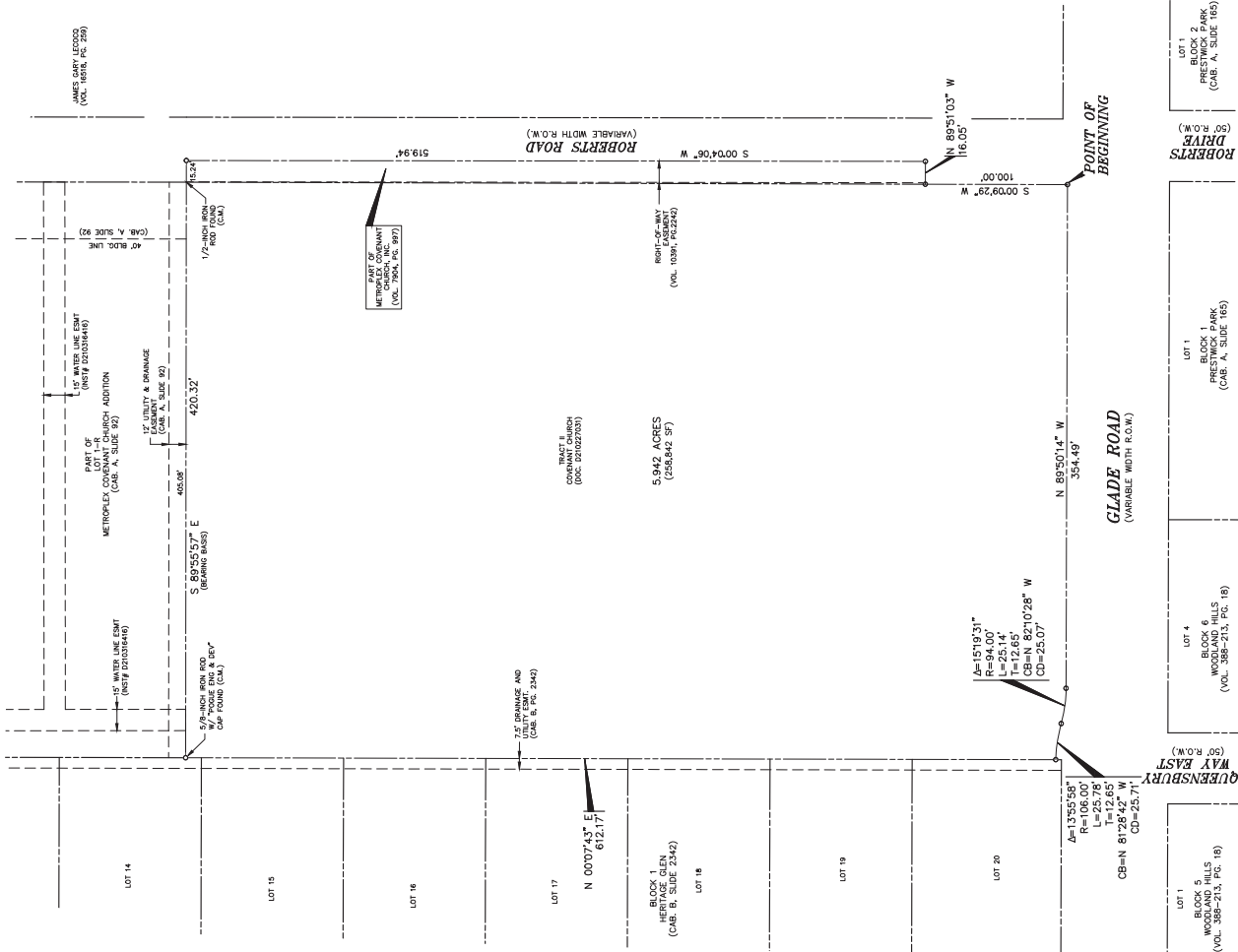
NOTES

1. Bearing system for this survey is based on a bearing of South 89 degrees, 55 minutes, 57 seconds East for the south line of Lot 1-R, Metroplex Covenant Church Addition, an addition to the City of Colleyville, Texas according to the plot recorded in Cabinet A, Slide 92 of the Plat Records of Tarrant County, Texas.

2. (C.M.) - Controlling Monument.

ZONING EXHIBIT FOR ZONING CHANGE
REQUEST FROM AG TO PUD-C
5.942 ACRE TRACT
LOCATED IN THE CITY OF COLLEYVILLE, TEXAS
AND BEING OUT OF THE
G.W. MINTER SURVEY, ABSTRACT No. 103
TARRANT COUNTY, TEXAS

OWNER: COVENANT CHURCH 2666 E. Trinity Mills Road Carrollton, Texas 75006	APPLICANT: Mr. Orie Murdoch CONSTRUCTION ZONE INTERNATIONAL 14444 Highway 190 Aubrey, Texas 76227 (940) 365-1366 (PHONE)	PPG a division of Westwood ENGINEERING & DEVELOPMENT CORP., INC. 2706 COLLINGS PARKWAY SUITE 200 PLANO, TEXAS 75053 (972) 420-2000 FAX: (972) 420-2001 WWW.WESTWOODPAPER.COM	PREPARED 04-21-2017	SUBMITTED 03-31-2013	SCALE 1" = 40'	W NUMBER R001972.00	DRAWN BY: RLG	CHECKED BY: AWS
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DATE 06/30/2017

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DRAINAGE CRITERIA - RATIONAL METHOD
 $Q = C \cdot I \cdot A$, CFS
 C = WEIGHTED RUNOFF COEFFICIENT, DIMENSIONLESS
 I = AVERAGE RAINFALL INTENSITY, N/HR
 A = DRAINAGE BASIN AREA, ACRES

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF ARJIN W. SAMUELSON, PE 95877 FOR USE ONLY FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.

DESIGNED:	AWS
CHECKED:	AWS
DRAWN:	A.S.C.
FIELD CREW:	
DIB D W/OSB DATE:	

CONSTRUCTION ZONE INTERNATIONAL
1420 SPRINGHILL ROAD

THIS DOCUMENT IS RELEASED FOR
THE PURPOSE OF INTERIM REVIEW
UNDER THE AUTHORITY OF ARLYN W.
SAMUELSON, P.E. 95877 ON
06-22-2017. IT IS NOT TO BE USED
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PERMIT PURPOSES.

Westwood
 Phone (214) 473-4640
 Toll Free (800) 937-5150
 2740 Dallas Parkway
 Plano, TX 75095
 westwood@westwood.com

Westwood Professional Services, Inc.
 10 BOARDWALK, WESTPORT, CT 07093

DRAINAGE EXHIBIT FOR
ZONING CHANGE REQUEST
FROM AG TO PUD-C

DATE: 06/30/2017

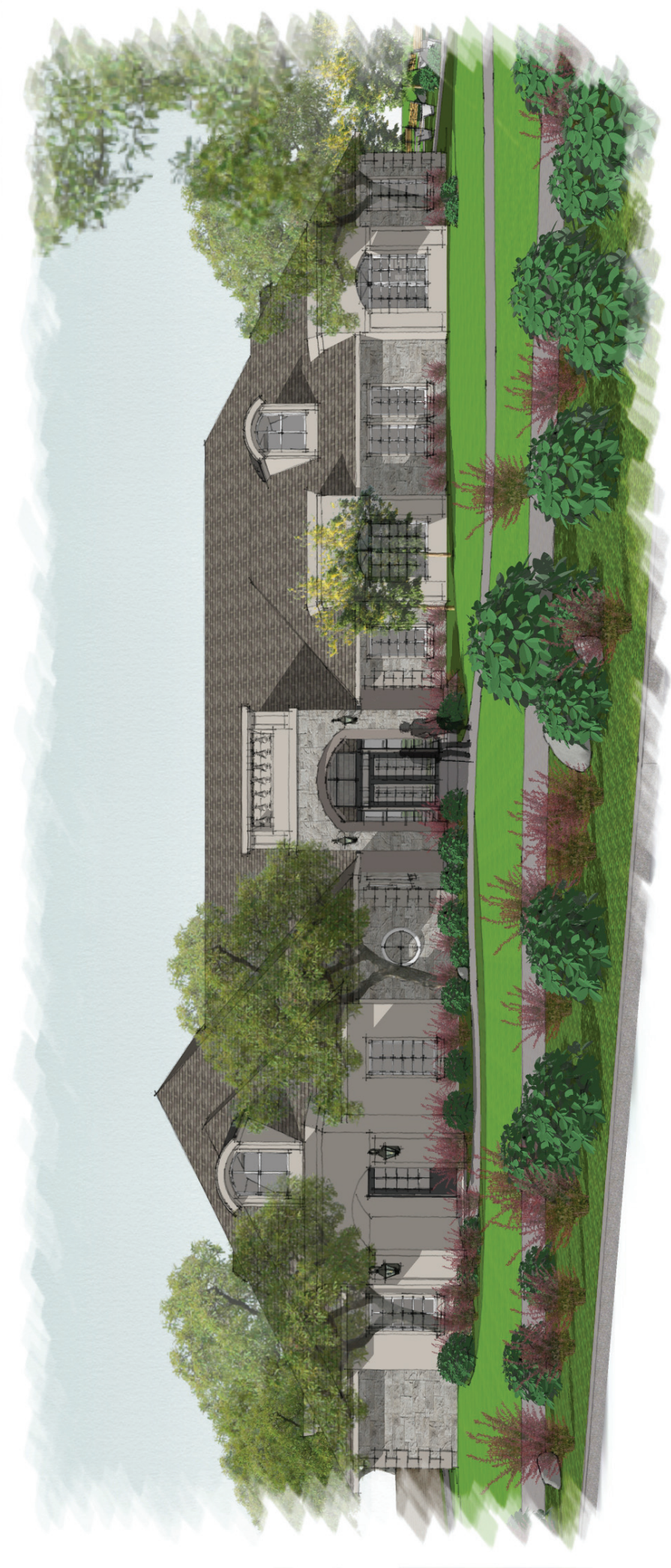
Architectural Renderings



Architectural Renderings



Architectural Renderings



Architectural Renderings



Architectural Renderings



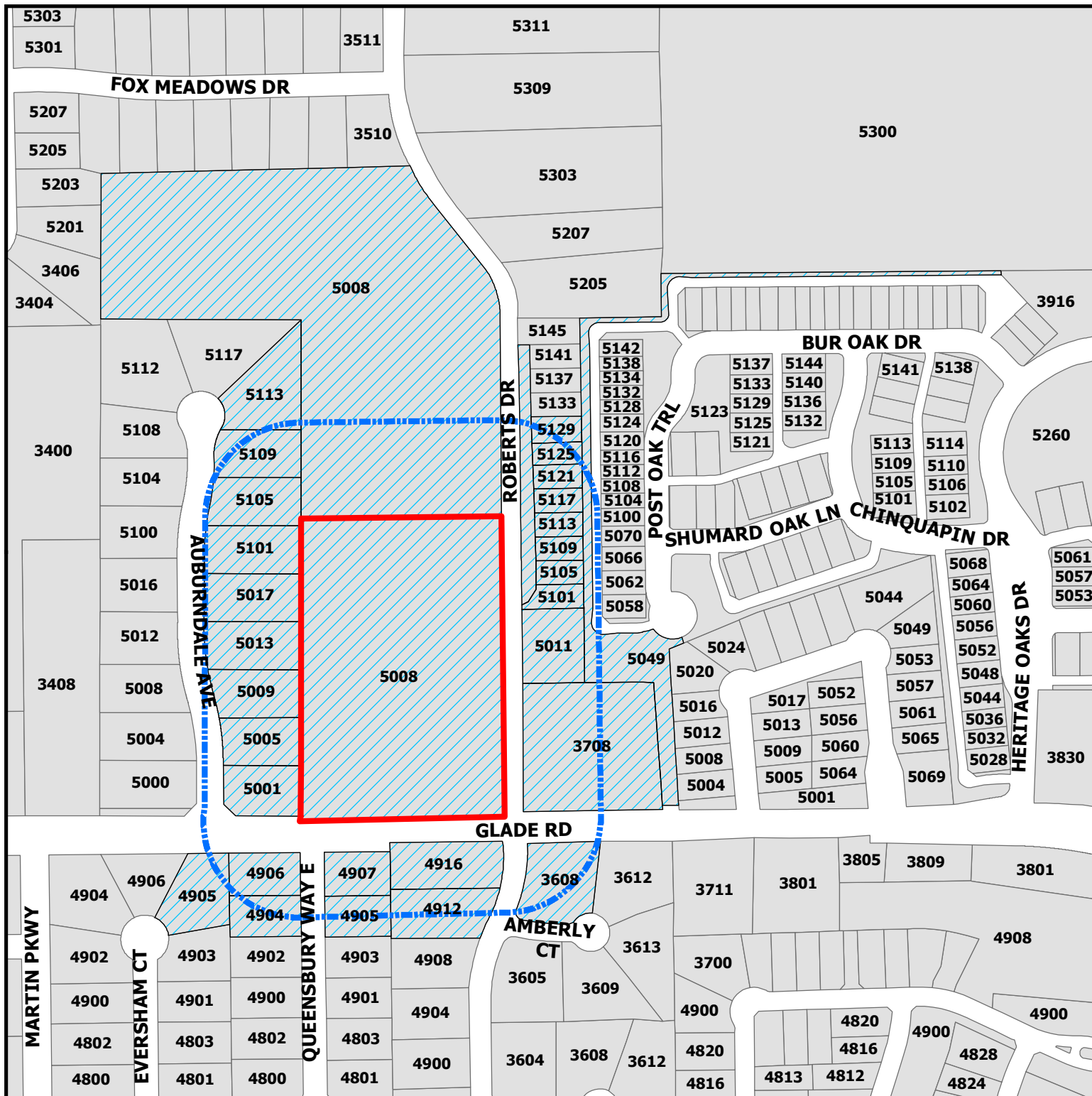
Architectural Renderings



Architectural Renderings



Notification Map



ZC17-011

5008 Roberts Road



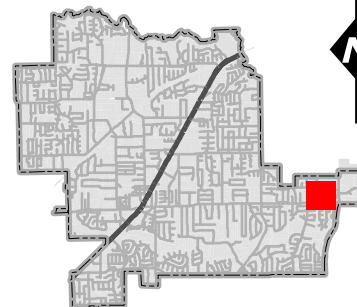
Subject Property



200ft Buffer



Properties within 200ft



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Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
WINDSOR STEELE HOMES LP	4201 N STATE HWY 161	IRVING, TX	75038	5011 ROBERTS RD
BRILL, DONALD	4916 PRESTWICK DR	COLLEYVILLE, TX	76034	4916 PRESTWICK DR
PARHAM, VAN E	5013 AUBURNDALE AVE	COLLEYVILLE, TX	76034	5013 AUBURNDALE AVE
GRABER J J REVOCABLE TRUST	5101 AUBURNDALE AVE	COLLEYVILLE, TX	76034	5101 AUBURNDALE AVE
WINDSOR STEELE HOMES LP	4201 N STATE HWY 161	IRVING, TX	75038	5113 ROBERTS RD
COVENANT CHURCH	2660 E TRINITY MILLS RD	CARROLLTON, TX	75006	5008 ROBERTS RD
WINDSOR STEELE HOMES LP	4201 N STATE HWY 161	IRVING, TX	75038	5125 ROBERTS RD
PLEASANT GLADE BAPTIST CHURCH	3708 GLADE RD	COLLEYVILLE, TX	76034	3708 GLADE RD
LEMASTER, ANTHONY	4904 QUEENSBURY WAY E	COLLEYVILLE, TX	76034	4904 QUEENSBURY WAY E
KIEWEG, IRENE	4912 PRESTWICK DR	COLLEYVILLE, TX	76034	4912 PRESTWICK DR
LIZARDI, JANIS	4907 QUEENSBURY WAY E	COLLEYVILLE, TX	76034	4907 QUEENSBURY WAY E
WARD, THOMAS M	4906 QUEENSBURY WAY E	COLLEYVILLE, TX	76034	4906 QUEENSBURY WAY E
BARTON, LUCAS	5017 AUBURNDALE AVE	COLLEYVILLE, TX	76034	5017 AUBURNDALE AVE
ASSN OF HERITAGE GLEN HOA INC	5105 AUBURNDALE AVE	COLLEYVILLE, TX	76034	5001 AUBURNDALE AVE
BASSLER, DENNIS	5105 AUBURNDALE AVE	COLLEYVILLE, TX	76034	5105 AUBURNDALE AVE
ARGENBRIGHT, HARVEY S	4905 QUEENSBURY WAY E	COLLEYVILLE, TX	76034	4905 QUEENSBURY WAY E
COVENANT CHURCH	2660 E TRINITY MILLS RD	CARROLLTON, TX	75006	5008 ROBERTS RD
MDC-HERITAGE OAKS ESTATES LTD	545 E JOHN CARPENTER FWY	IRVING, TX	75062	5049 POST OAK TR
SOHN, TAESIK	3608 AMBERLEY CT	COLLEYVILLE, TX	76034	3608 AMBERLEY CT
SHALWANI, FEROZ	5009 AUBURNDALE AVE	COLLEYVILLE, TX	76034	5009 AUBURNDALE AVE
TANDON, NIDHI	5109 AUBURNDALE AVE	COLLEYVILLE, TX	76034	5109 AUBURNDALE AVE
MCCOMBS, SCOTT	5113 AUBURNDALE AVE	COLLEYVILLE, TX	76034	5113 AUBURNDALE AVE
CHEN, BONNIE	5005 AUBURNDALE AVE	COLLEYVILLE, TX	76034	5005 AUBURNDALE AVE
STILLWELL, RONALD	4905 EVERS HAM CT	COLLEYVILLE, TX	76034	4905 EVERS HAM CT
WINDSOR STEELE HOMES LP	4201 N STATE HWY 161	IRVING, TX	75038	5125 ROBERTS RD
WINDSOR STEELE HOMES LP	4201 N STATE HWY 161	IRVING, TX	75038	5121 ROBERTS RD
WINDSOR STEELE HOMES LP	4201 N STATE HWY 161	IRVING, TX	75038	5117 ROBERTS RD
WINDSOR STEELE HOMES LP	4201 N STATE HWY 161	IRVING, TX	75038	5109 ROBERTS RD
WINDSOR STEELE HOMES LP	4201 N STATE HWY 161	IRVING, TX	75038	5105 ROBERTS RD
WINDSOR STEELE HOMES LP	4201 N STATE HWY 161	IRVING, TX	75038	5101 ROBERTS RD
WINDSOR STEELE HOMES LP	4201 N STATE HWY 161	IRVING, TX	75038	5015 ROBERTS RD

HERITAGE GLEN ADDN-COLLEYVILLE	5105 AUBURNDALE AVENUE	COLLEYVILLE, TX	76034	COURTESY NOTICE
WOODLAND HILLS (COLLEYVILLE)	4100 OXFORD COURT	COLLEYVILLE, TX	76034	COURTESY NOTICE
MURDOCH, CRISS	1420 SPRINGHILL RD	AUBREY, TX	76227	APPLICANT
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were mailed Friday,
July 28, 2017 by Araceli Botello

Property Owner Notification



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC17-011
Applicant: Criss Murdoch
Owner: Covenant Church
Location: 5008 Roberts Road
Property Description: Tract A8, Abstract 1034, in the Green Minter W Survey
Present Zoning: AG - Agricultural zoning district
Request: Consideration of a zoning change from the AG Agricultural zoning district to the PUD-C Planned Unit Development Commercial zoning district. The purpose of the zoning change request is to permit the use of an assisted living center on the subject property.

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, August 14, 2017 at 7:00 p.m.
City Council Meeting: Tuesday, September 5, 2017 & Tuesday, September 19, 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

July 28, 2017

SENT VIA EMAIL on Friday, July 28, 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, July 29, 2017***

The City of Colleyville Planning and Zoning Commission gives notice of a Public Hearing on Monday, 8/14/17 at 7:00 p.m. at City Hall, 100 Main Street, Colleyville, Texas:

Case ZC17-011 - Consideration of a zoning change from the AG Agricultural zoning district to the PUD-C Planned Unit Development Commercial zoning district on Tract A8, Abstract 1034, in the Green Minter W Survey, located at 5008 Roberts Road

Case ZC17-012 - Consideration of an amendment to the PUD-C Planned Unit Development Commercial requirements on Lots 6R & 7R, Block 1, of the Winding Creek Addition located at 6504 and 6502 Colleyville Boulevard

Case ZC17-013 - 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 1A, Block 1, of the Twin Lakes Plaza Addition, located at 4007 Colleyville Boulevard

Case ZC17-014 - Consideration of a zoning change from the AG Agricultural zoning district to the RE Single Family "Estate" Residential zoning district on Tract 2, Abstract 1487, in the O C Strum Survey, located at 6204 L D Lockett Road

The City Council will hold a Public Hearing on the above items on 9/5/17 and 9/19/17 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 5.94 ACRES ON TRACT A8, ABSTRACT 1034, IN THE GREEN MINTER W SURVEY, LOCATED AT 5008 ROBERTS ROAD FROM THE AG AGRICULTURAL 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. ZC17-011; and

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

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

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

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

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings 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 5.94 acres on Tract A8, Abstract 1034, in the Green Minter W Survey, located at 5008 Roberts Road from the AG Agricultural 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 an assisted living facility to include ninety-six (96) rooms in six (6) homes.
- 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 sixteen (16) rooms in six (6) homes for a total of ninety-six (96) rooms.

4. BUILDING DESIGN

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

5. SCREENING

- a. In lieu of the required eight (8) foot masonry wall, a living screen of a mixture of evergreen shrubs and trees shall be provided along the entire west boundary.

6. PARKING

- a. A total of forty-eight (48) parking spaces shall be required for the facility.

Sec. 5. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 8. THAT in addition to and accumulative of all other penalties, the

City shall have the right to seek injunctive relief for any and all violations of this ordinance.

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

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 5th day of September 2017.

The second reading and public hearing being conducted on the 19th day of September 2017.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 19th day of September 2017.

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

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt Wyatt
City Attorney

3406
3404 RD

5205

5300

5112 **5117** **5113** **5008**

5108 **5109** **5105** **AG**

5104 **5101** **5017** **5013** **5009** **5005** **5001**

5100 **5016** **5012** **5008** **5004** **5000**

5145 **5141** **5137** **5133** **5129** **5125** **5121** **5117** **5113** **5109** **5105** **5101** **5011**

5142 **5138** **5134** **5132** **5128** **5124** **5120** **5116** **5112** **5108** **5104** **5100** **5070** **5066** **5062** **5058**

5148 **5123** **5137** **5133** **5129** **5125** **5121** **5144** **5140** **5136** **5132**

BUR OAK DR

POST OAK TRL **PUD-R**

SHUMARD OAK LN

4900 **5049** **5024** **5020** **5016** **5012** **5008** **5004** **5017** **5013** **5009** **5005** **5001**

3708

5008

GLADE RD

4916 **4912** **4908** **4904** **4900**

3608 **3612** **3613** **3609** **3605** **3604** **3608** **3612**

AMBERLY CT **PUD-R**

4907 **4905** **4903** **4901** **4803** **4801**

4904 **4906** **4905** **4903** **4901** **4803** **4801**

4902 **4900** **4802** **4800**

4904 **4905** **4903** **4901** **4803** **4801**

RD

QUEENSBURY WAY E

MARTIN PKWY

EVERSHAM CT

3711 **3801** **3700** **4900** **4820** **4816** **4813**

R-30 **PUD-R**

CITY OF COLLEYVILLE TEXAS

ZC17-011

5008 Roberts 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

Exhibit “B” – Statement of Planning Objectives

Heritage Villas

Senior Housing Neighborhood

On land currently owned by Covenant Church, a unique partnership between Red X Development Corporation, Covenant Church, JAL Properties, and Construction Zone International will develop and manage an upscale senior living neighborhood. Heritage Villas will be a 2-phase, 6-house assisted living community for area senior citizens. We envision a community that will provide a vastly better housing option than most others. Upon completion, our development will be home to 96 seniors in a true neighborhood setting. It will not only feel like home to our residents; it will look like an upscale neighborhood that appears to be another of Colleyville’s finest neighborhoods.

A joint venture between Red X Development Corporation (wholly owned by Covenant Church) and JAL Properties will purchase the vacant land (currently used for soccer practice) south of Covenant Church. This property is bordered on the east by Roberts Rd., by Glade Rd. to the south, and by Heritage Glen subdivision to the west. Construction Zone International will be the general contractor, and a management company owned by JAL Properties will be responsible for day-to-day operations.

Heritage Villas will be built in two phases each consisting of 3 homes. Each 8,000-square foot home will be 1-story and each will have differing roof pitches, elevations, and building materials. In short, our neighborhood is designed to be like those in the area – made up of beautifully landscaped homes with each having its own unique architectural appeal. Heritage Villas will have walking trails and landscaped green space to accommodate our residents who wish to enjoy the outdoors. Each home will have differing amenities and activities; this will encourage our residents to visit all of the other homes, thus encouraging a true neighborhood feel where everyone knows their neighbors.

Heritage Villas will be licensed by the Texas Department of Aging and Disability Services as a Type B assisted living facility. Each home will be separately licensed and will be home for 16 residents. Each resident will have their own private bedroom, sitting space and private bathroom. Each home will have a common kitchen and dining room; these common areas will encourage the residents to interact with one another.

Because we will have only one kitchen per home, Heritage Villas will look and function as a single-family home. Unlike many other assisted living facilities that provide kitchenettes in each

room which causes them to feel like apartments, our homes will not have that apartment look or feel. Each building will be a residence – a home for our seniors.

Covenant Church has been a great neighbor and an involved community member for many years. As a growing church, it has always sought to meet the needs of Colleyville residents, not just its own members. With a growing congregation, the church has looked at the best way to utilize its resources, including the vacant land immediately in front of the sanctuary. While deciding the best long term usage of the land, the church has allowed area soccer teams to use the field for practice.

In the past, the church has explored the possibility of expanding their current sanctuary which would increase seating capacity to approximately 1,500. This would require a much larger building, larger parking lot and significantly increase traffic. Other options have included upgrading the current soccer fields to include covered seating, stadium lights, concession stands, and restroom facilities and opening the fields to competitive league play. The church has also been approached by private developers to sell the land.

However, none of these options fits best for the vision and mission of the Church. Covenant has long had a vision of providing “cradle to grave” benefits to the community. Heritage Villas fits in well with that vision, and fits in well with the needs of Colleyville-area senior citizens.

Because of the church’s vision of assisting people at all stages of life, the time is right for the church to enter into a partnership with a developer to create the best in senior housing. JAL Properties, Construction Zone International and its’ owners have a long history of community service and a genuine heart to help others. Our seniors deserve the highest standards of living and assistance if and when their ability to remain at home safely and comfortably requires them to seek alternative living choices. Heritage Villas will soon be the choice for assisted living in Colleyville and the surrounding mid-cities area. We will not only provide a house – we will create a new home for seniors in need. A place to call home. A place to live out their golden years in comfort and style. A place where their age is celebrated, and a place where they can share their life experiences with one another. Heritage Villas will provide homes that are small enough so as not to overwhelm our residents with too many new faces and yet large enough so that plenty of opportunities for social life exist. By having numerous homes in our neighborhood, residents will be able to easily visit friends next door and enjoy the social amenities of each home and those offered in the neighborhood community building. All homes in Heritage Villas will be easily accessible to all of our residents.

While our community will be located in front of Covenant Church, residents will not be required to be church members. Although we believe that some of the residents may come from any of the Covenant Church campuses located throughout the metroplex, we anticipate that the

majority will be Colleyville, Grapevine, Keller or Mid-Cities residents. Our residents will mostly be in their late 70's or older, although we will not have any age restrictions. Our residents will require some assistance with day-to-day activities and will have decided that moving from their current home is necessary. Moving is challenging for all of us, and for seniors this change can be overwhelming. At Heritage Villas, we will do whatever it takes to minimize the stress of moving, and we will make every effort to cause them to quickly come to appreciate their new living arrangements and to call it home.

Heritage Villas will employ, at completion of both phases and at full occupancy, approximately 45 - 50 people who will be dedicated to providing the best 24-hour-a-day assistance for our seniors – so that they can live with as much hands-on assistance as required, but also so they can experience as much independence and dignity as possible. Our employees will include direct care staff (nurses and certified nurse aides, activity director) along with other management staff and contract staff (maintenance, landscaping, etc.)

Each home will include space for differing amenities or activities to enhance our residents' enjoyment of daily life. All residents will have access to all amenities/activities in each home.

Currently, we have held 2 meetings with area HOA's. Our first meeting was with residents of Prestwick Park HOA, Heritage Glen HOA and the members of Pleasant Glade Baptist church. Our second meeting was with Prestwick Park HOA (at their request). We videotaped both meetings and made them available to all residents who were unable to attend. We hope that this will help us to develop strong, ongoing relationships with all our neighbors and to create a community that they will enjoy living near.

We believe that Heritage Villas will be an outstanding addition to the city of Colleyville and to the neighborhoods surrounding Glade Rd. and Roberts Rd. and look forward to the day that our first resident begins a new journey with us.

Updates/Additions to Statement of Planning Objectives

In response to staff comments, please note the following additions to our statement of planning objectives:

Parking

While the City of Colleyville's Land Development Code requires 96 parking spaces, we are requesting a reduction from 96 to 48 dedicated parking spaces. Although this is only half of that required by the City, it is twice that required by the Texas Department of Aging and Disability Services for assisted living facilities.

Our justification for this reduction is as follows:

- The Texas Department of Aging and Disability Services (assisted living regulatory agency) requires only one parking space for every four residents. For Heritage Villas, this will equate to only 24 spaces.
- The Institute of Traffic Engineers Parking Generation Manual, 4th Edition, indicates that 0.5 spaces per resident or 48 spaces for assisted living developments is sufficient.
- Similar assisted living developments in the metroplex have parking spaces as follows:

Development	Beds	Parking Spaces	Spaces to Beds Percentage
Mustang Creek – Frisco	96	39	40.6%
Mustang Creek – Keller	112	57	50.9%
Sonoma House - Carrollton	112	55	49.1%
Mayberry Gardens – Garland	143	61	42.7%
Heritage Villas – Colleyville (proposed)	96	48	50%

We are proposing a 50% parking space to bed ratio, which is a higher percentage than many developments and equal to others that we surveyed.

- Our research indicates that most assisted living developments use only a portion of their available spaces. We believe this usage analysis supports our request for a variance from 96 to 48 spaces.

Development	Beds	Parking Spaces	Occupied Spaces	% of Spaces Occupied
Mustang Creek – Frisco	96	39	24	62%
Sonoma House – Carrollton	112	55	24	44%
Mustang Creek – Keller	112	57	21	37%
Mayberry Gardens – Garland	143	61	34	55%

- Most people will not choose to live in an assisted living development unless certain aspects of their life were in decline. With these age and health related declines, driving skills also decline. Most assisted living residents willingly, or with family pressure, give up their driving privileges.

Although we believe that 48 spaces will be more than enough to accommodate our residents, visitors, and our employees, we have additional spaces available to us on an as-needed basis. The Covenant Church parking lot, located immediately to the north of our houses, will be available to our residents, their families, and our employees if we encounter an occasional overflow.

Masonry Screen Wall

In lieu of the 8-ft. masonry screen wall required as a visual buffer between residential and non-residential properties, we are requesting approval to use an evergreen landscape screen wall as a visual living screen separating our development from our neighbors on the western property line.

Our justification for this is as follows:

- Although our development may be evaluated as a commercial property, our homes are designed to look and function as single-family dwellings. As such, they will appear to our neighbors to be attractive residences when glimpsed through the proposed living screen. Most commercial businesses would have utility service and loading/receiving docks in the rear of their buildings. In those instances, a masonry screen wall would be invaluable to the residential neighbors. At Heritage Villa, each house will be designed to be attractive from all sides. A masonry screen wall designed to shield neighbors from viewing the back of commercial buildings will be less attractive than a well-kept living screen wall.
- The existing trees on the west property line provide an attractive addition to the area. The attached picture indicates the extent of the existing landscaping. We will supplement the existing landscape with approved varieties of trees and shrubs that will result in an attractive sight barrier. In addition, obscuring the existing landscaping behind a masonry wall would result in these trees being hidden from view, and would make maintaining them difficult as they would be located between the existing wrought iron fence and the masonry screen.
- Adding additional trees, shrubs, and other plants to the existing tree line will provide an effective, and very attractive, visual screen. It will enhance the views from our neighbors' side of the living screen, and will be more attractive to traffic passing by on Glade Rd.

We believe that a living evergreen screen wall is much more practical than a masonry screen wall as a divider between the existing homes and the homes in our development. In addition to being more practical, it will be much more attractive and complement the existing neighborhoods in a way that an 8-ft. masonry screen will not do.

[illegible]

DESIGNED	AMS
CHECKED	AMS
DRAWN	AMS
FIELD REVIEW	
FIELD WORK DATE	









City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 4b	Agenda Date 08/14/2017	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of an amendment to the PUD-C Planned Unit Development Commercial requirements on Lots 6R & 7R, Block 1, of the Winding Creek Addition located at 6504 and 6502 Colleyville Boulevard, Case ZC17-012

Explanation

Matt Moore of ClayMoore Engineering, the applicant, has submitted a request for an amendment to the existing PUD-C Planned Unit Development – Commercial zoning district on Lots 6R and 7R of the Winding Creek Addition being approximately 1.93 acres, located at 6502 and 6504 Colleyville Boulevard. As requested, the amendment would be to permit an event center on the subject property. The proposed facility would be a 2 story building to cater to receptions and weddings.

Existing Conditions: The subject property is currently platted and generally located on the west side of Colleyville Boulevard north of Tinker Road. The subject property is part of the Winding Creek Addition which allows for retail uses along Colleyville Boulevard and office uses interior to the development. The internal fire lane loop drive is currently under construction.

Zoning: The existing PUD-C Planning Unit Development – Commercial zoning was approved by the City Council on November 17, 2009 per ordinance O-09-1736. The PUD-C zoning only allows for office uses on lots within the development that do not have street frontage onto Colleyville Boulevard. An 'event center' use is considered a commercial use and thus is not allowed under the existing PUD-C regulations.

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 an event center facility for receptions and weddings. The project proposes a 12,000 square foot, 2-story building with chapel that seats 180 people and a reception area for up to 250 people.

Proposed Zoning Change: The purpose of the PUD-C zoning amendment request is to permit the 'event center' facility and to allow for extended operating hours for the affected lots. The proposed development is subject to all the regulations contained in the PUD-C ordinance and in the Land Development Code, except as amended by the PUD-C ordinance.

Ordinance – Per the existing PUD-C ordinance, the following regulations apply to the subject property:

- Permitted uses shall include all office uses; CC-2 Shopping Center uses shall be permitted for buildings with frontage along State Highway 26 (Colleyville Boulevard).
- Development shall be consistent with the attached site plan exhibit.
- All office buildings shall contain no more than one-story unless mixed with retail uses.
- Office buildings shall be consistent with attached building elevations.
- Lighting shall be directed away from residential areas and a maximum illumination of 0.5 foot candles at the property line.
- A minimum of 30% open space shall be provided for the development.
- A 15 foot buffer yard is required along the western boundary containing 43 wax myrtles and installed prior to the issuance of a certificate of occupancy for any new structures.
- A 25 foot setback adjacent to residential properties.
- A minimum 8 foot masonry wall along the entire western boundary adjacent to residential properties is required prior to the issuance of a certificate of occupancy for any new structures.
- A minimum of 221 caliper inches of new trees shall be planted within the development and prior to issuance of a certificate of occupancy for the fifth structure built.
- For any building not fronting Colleyville Boulevard, the hours of operations shall not exceed 7:00 a.m. to 8:00 p.m.

The PUD-C ordinance amendment as written would allow for the reception and wedding event center on Lots 6R and 7R only. The applicant is requesting to increase the hours of operation to allow for late night activity, specifically 12 a.m. (midnight). The development shall be generally consistent with the submitted Statement of Planning Objectives, site plan exhibit, and building elevations. Additionally, the property will be subject to all other regulations contained in the existing PUD-C ordinance and the City's Land Development Code.

Analysis: The proposed PUD-C zoning request is to allow a reception and wedding event center facility on Lots 6R and 7R of the Winding Creek Addition. Event centers are designed to accommodate gatherings for large numbers of people and provide a number of support services and facilities such as a kitchen, restrooms, changing rooms, and event setup.

The existing PUD-C ordinance has measures in place to protect the adjacent residential uses to include the 8 foot masonry wall, buffer area, living screen, limiting buildings to one story, and hours of operation. The applicant is requesting an amendment to allow

a 2 story building and an extension to the hours of operation. Although the proposed building will be 2 story, the parking has been located between the residential properties and the building.

Surrounding Development: The property to the north is zoned ML Light Manufacturing and used for the outdoor storage area of a sod installation company. The properties to the west are zoned R-20 Single Family Residential and developed with single family homes. The properties to the south and east are zoned PUD-C and will be developed with office and retail uses. Colleyville Boulevard is designated as a 'principal arterial' roadway on the City's Master Thoroughfare Plan and is currently under construction to be widened to a 6-lane roadway with a center left-turn median.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property as part of the Upper Sector of the Colleyville Boulevard Corridor. The Upper Sector of the Corridor offers a unique opportunity to create an eclectic corridor with a mix of newer buildings and older buildings. This area can evolve over time into a more attractive and cohesive section of the Corridor. Allowing some of these older, smaller, auto-service and light industrial uses to transition to flex offices, garden offices, and retail-service uses would create some redevelopment activity in an area of the Corridor that would benefit from incremental changes to properties.

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, July 28, 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, July 29, 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 amendment request attempts to protect the adjacent single family residential properties while taking advantage of the traffic along Colleyville Boulevard. Staff recommends approval contingent on support from the surrounding property owners.

Recommendation

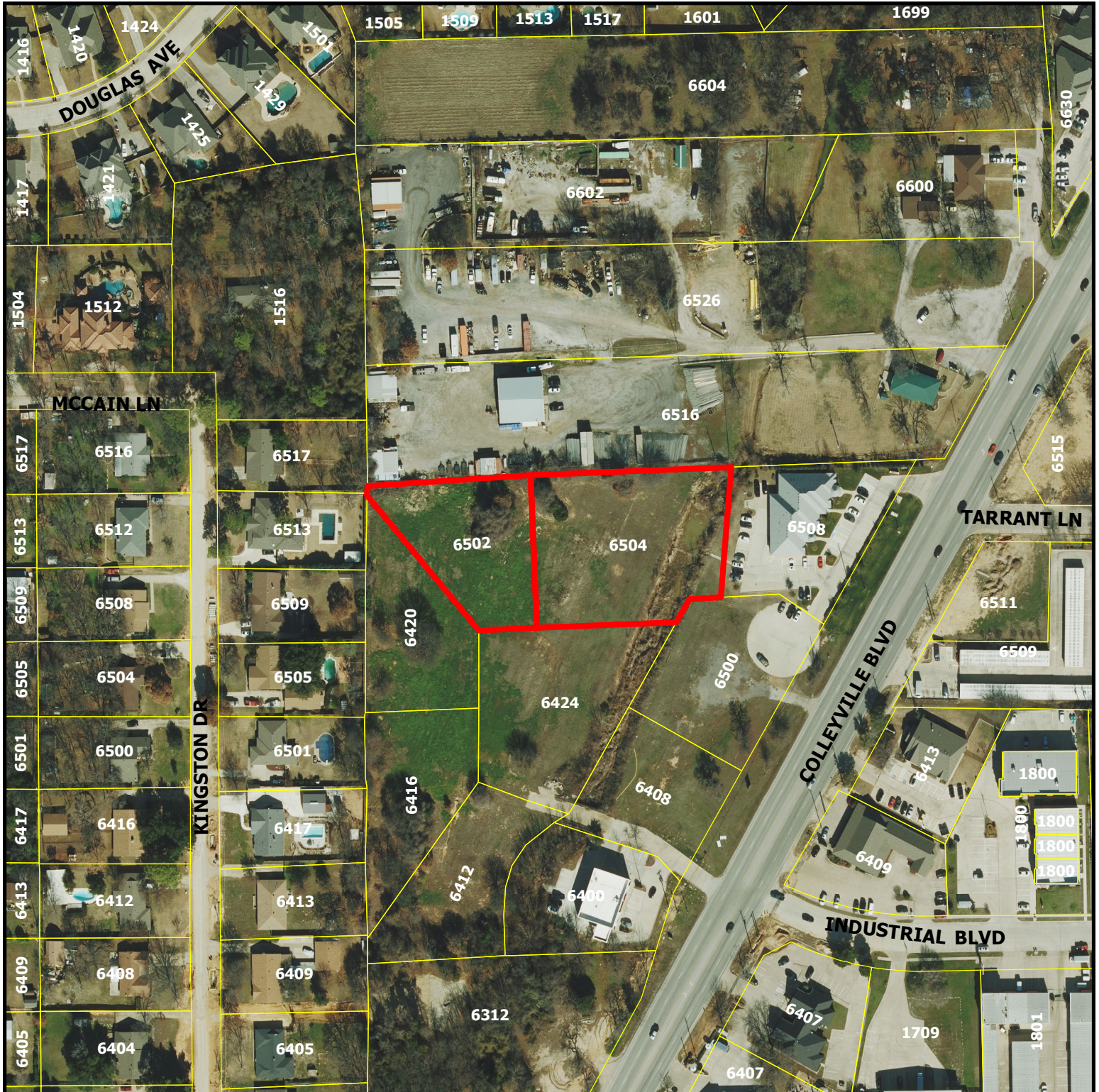
Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Plat Exhibit
6. Site Plan
7. Drainage Exhibit
8. Building Elevations

9. Existing Ordinance - O-09-1736
10. Notification Map
11. Notification List
12. Property Owner Notification
13. Legal Notice
14. Draft Ordinance

Aerial Map

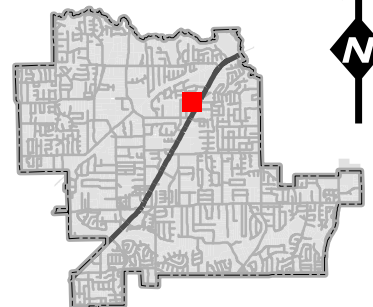


ZC17-012

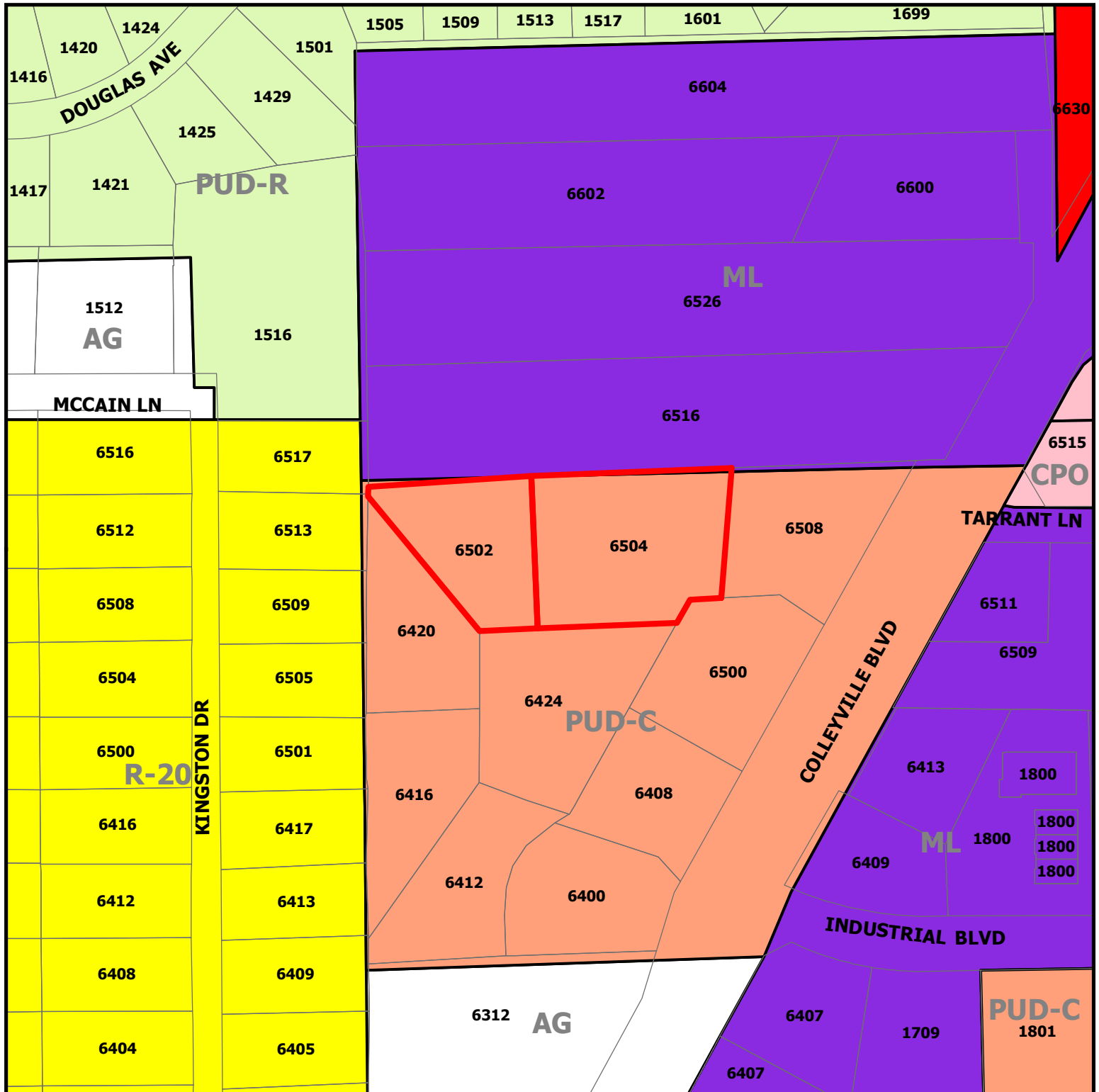
6504 & 6502 Colleyville Boulevard

DISCLAIMER:
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 Subject Property



Zoning Map



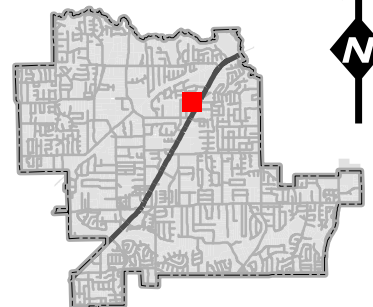
ZC17-012

6504 & 6502 Colleyville Boulevard

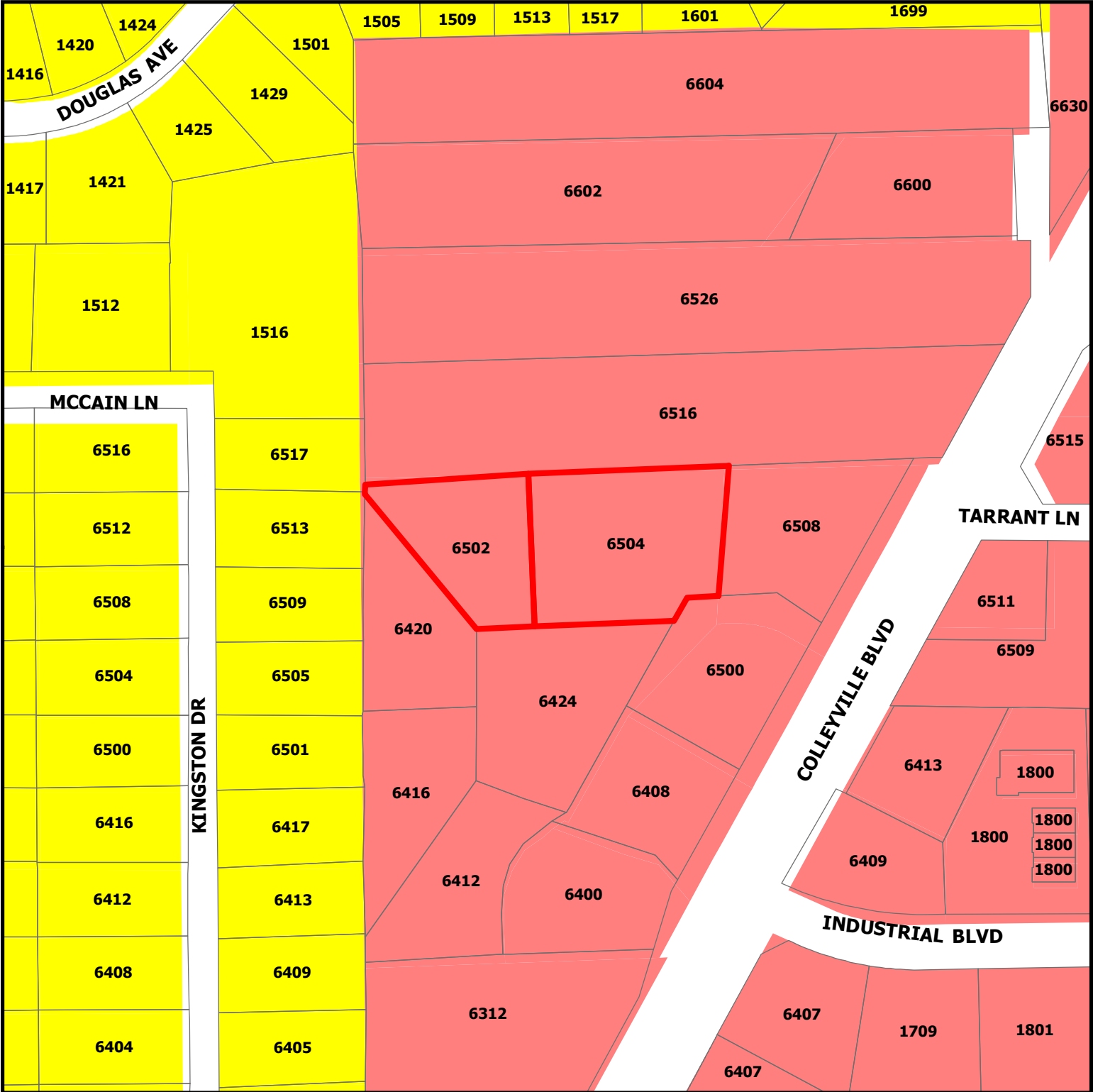


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 Subject Property



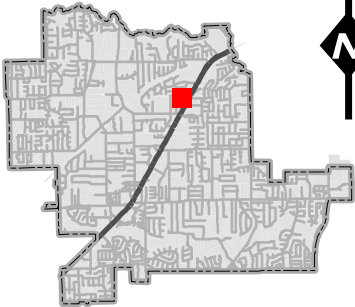
Future Land Use Map



ZC17-012

6504 & 6502 Colleyville Boulevard

- Subject Property
- Residential
- Colleyville Blvd Corridor



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Statement of Planning Objectives

Statement of Planning, Development & Economics

For:

Montclair Event Venue
Located at Colleyville, Texas

Owners:

Mark Alphonso
Drew Van Brunt
Aka: JAMZ AVB Holdings LLC.

Montclair will be a reception and wedding facility offering a luxurious environment for those clients who choose to capture their special day in style and sophistication. There were approximately 46,000 weddings in the immediate DFW Motorplex in 2015-2016.

Montclair will provide a high end 12,000 square foot wedding and reception location in the center of Dallas/Fort Worth Area. There are large churches including the well-known Whites Chapel, Gateway and Compass churches, located within miles from the property, making this location convenient for weddings and events to take place at the client's perspective church, and proceeding to the Montclair for the reception. The location would be active typically on Friday evenings, Saturday day and evening, and Sundays. The North DFW area is lacking this type of facility.

The project includes a chapel with seating up to 180 people, and a reception area large enough for an event of 250. A full service bar, and in House Food service will be provided by our own contracted caterer.

Clients will be directly responsible for contacting and contracting with local businesses for items such as:

- ↵ Bakery
- ↵ Florist
- ↵ DJ/entertainment
- ↵ Hotels
- ↵ Wedding Planning

Montclair will have a senior wedding planner/coordinator on staff for consulting with the client. We will have a site manager whose duties will be to oversee operations, such as facilities, maintenance, landscaping, janitorial, deliveries and all duties during wedding set up. An off-duty police officer will be hired to be on-site during all events when alcohol is served.

The owner and manager of Montclair has had the privilege of building two successful wedding venues

Statement of Planning Objectives

in North Texas. Ashton Gardens located in Corinth, and The Windsor at Hebron Park. Located in Carrollton. With the knowledge and experience gained from these venues we feel confident in this new endeavor.

Development Schedule

We plan to proceed with the development of this project immediately upon city approval, we hope to be open for celebrations by May 2018.

Economic Development

Approximate SQFT	Est sales per sqft	Est Annual Sales	Est Ad Valorem Tax
12,000	\$63.00 - \$83.00	\$750,000- \$1M	\$70,000

Thank you in advance for the cities attention and assistance. Please contact me with any questions and comments you may have.

Sincerely,

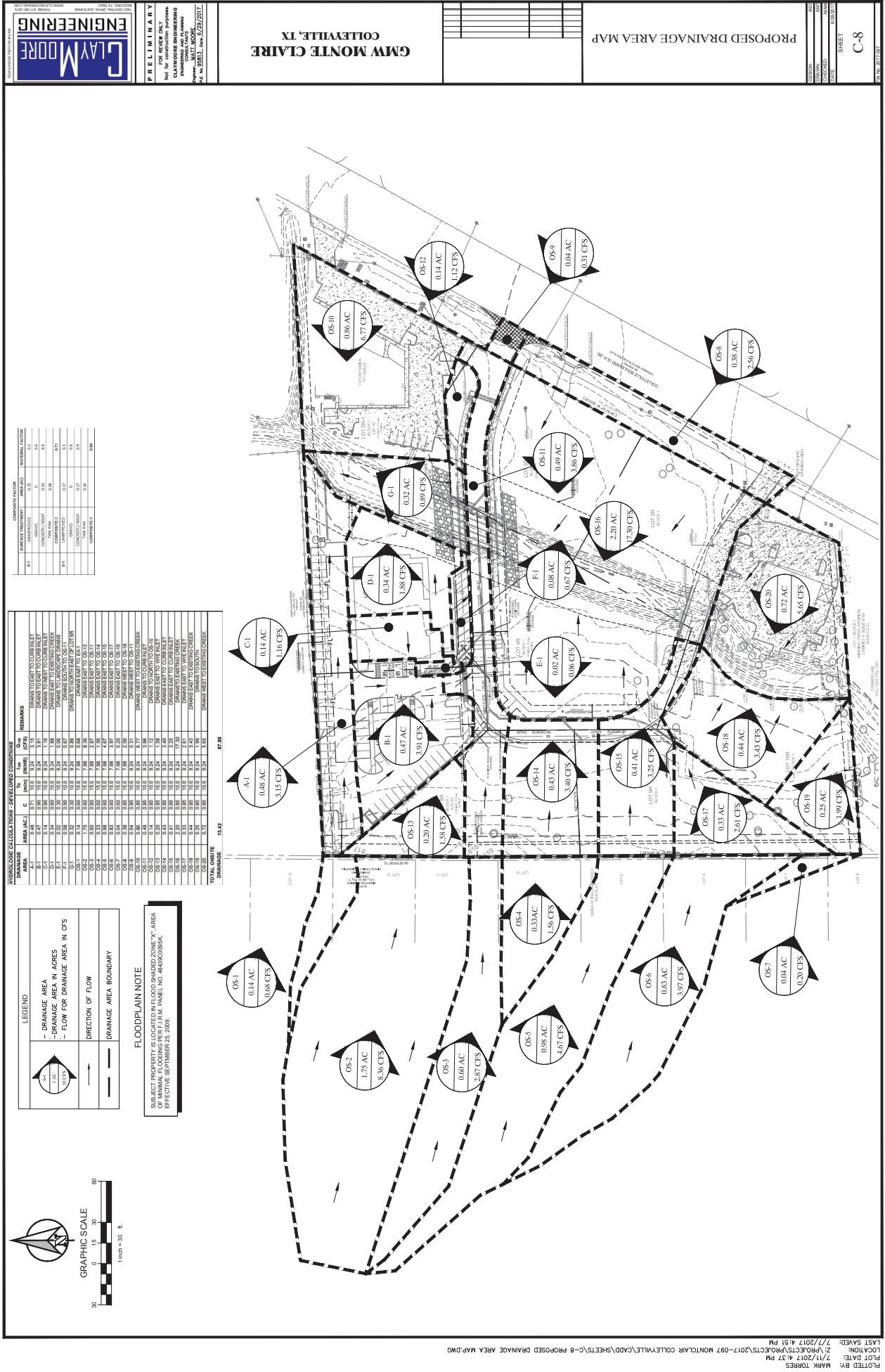
Mark Alphonso
Cell 214-929-6446

0211181841

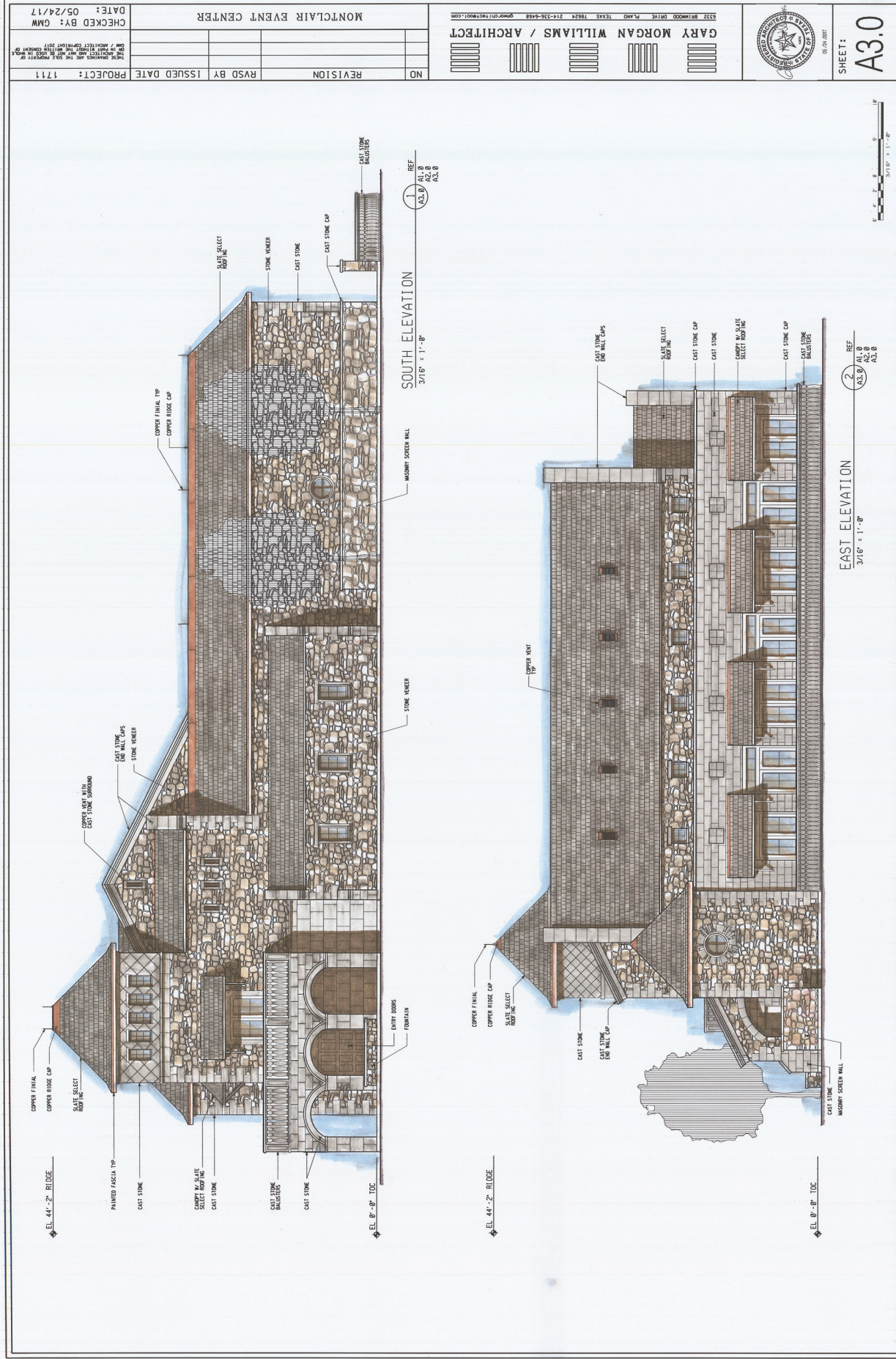


PLOTTED BY: MARK TORRES
 PLOT DATE: 7/11/2017 4:53 PM
 LOCATION: Z:\PROJECTS\PROJECTS\2017-097 MONTCLAIR COLLEYMILLE\CADD\SHEETS\SP-1 CITY SITE PLAN.DWG
 LAST SAVED: 7/10/2017 10:01 AM

Drainage Exhibit



Building Elevations



Building Elevations

[illegible]

ORDINANCE O-09-1736

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AS HERETOFORE AMENDED; BY REPEALING ORDINANCES O-00-1211 AND O-08-1675; BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON 8.8 ACRES ON LOTS 1, 2R, 3R AND 5R, BLOCK 1, WINDING CREEK ADDITION FROM THE PUDC-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT TO THE PUDC-PLANNED UNIT DEVELOPMENT COMMERCIAL ZONING DISTRICT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case No. ZC09-008; and

WHEREAS, Ordinances O-00-1211 and O-08-1675 are hereby repealed in their entirety; and

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

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

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

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

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

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 8.8 acres on Lots 1, 2R, 3R and 5R, Block 1, Winding Creek Addition from the PUDC-Planned Unit Development Commercial zoning district to the PUDC-Planned Unit Development Commercial zoning district, as depicted in Exhibit "A".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT Ordinances O-00-1211 and O-08-1675 are hereby repealed in their entirety.
- Sec. 5. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUDC is for office and retail uses.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. SITE PLAN AND PLATTING

- a. The development of this property shall be generally consistent with the site plan attached as Exhibit "B".
- b. Prior to the issuance of any building permit, a replat of the subject properties must be submitted and approved. No building permit may be

issued until said plat is filed with the County Clerk.

3. PERMITTED AND PROHIBITED USES

- a. The following land uses shall be permitted within the Planned Unit Development:
 1. All office uses allowed in the Land Development Code.
 2. For buildings with frontage along State Highway 26, all uses allowed in the CC2-Shopping Center district shall be permitted.

4. BUILDINGS AND SITE PLAN APPROVAL

- a. The total square footage of all office buildings constructed within this development be allowed as follows:
 1. General Office: Maximum Square Footage: 34,515
 2. Medical Office: Maximum Square Footage: 13,565
- b. All office buildings shall contain no more than one-story unless mixed with retail uses.
- c. All buildings constructed as part of this development that do not have frontage along State Highway 26 shall be generally consistent with the building elevation designs, attached as Exhibit "C".
- d. All buildings constructed as part of this development shall meet the minimum building design score of 30 as described in Chapter 6-Building Design in the Land Development Code.

5. PARKING

- a. All off-street parking required as part of this development shall meet the requirements of the Land Development Code.

6. LIGHTING

- a. All lighting including parking lot, building and security lighting shall be directed away from residential areas and shall provide a maximum candle illumination of 0.5 foot candles as measured from the property line.

7. LANDSCAPING, BUFFERING AND OPEN SPACE

- a. The development shall provide a minimum of 30 percent of open space.

- b. A 15 foot landscape buffer shall be maintained along the western boundary of the development where it is adjacent to residential properties. Additionally, the landscape buffer shall contain 43 wax myrtles planted on 15 foot centers. The required buffer shall be installed prior to the issuance of the certificate of occupancy for any new structures.
- c. A 25 foot building setback shall be maintained along the entire western property line where it is adjacent to residential properties.

8. SIDEWALKS

- a. A minimum five (5) foot sidewalk shall be constructed along State Highway 26 when any new structures are built.
- b. A minimum four (4) foot sidewalk shall be constructed along all fire lines and in front of each building when any new structures are built.

9. FENCES AND SCREENING

- a. A minimum eight (8) foot masonry screening fence shall be constructed along the entire western property line adjacent to residential properties prior to the issuance of the certificate of occupancy for any new structures.

10. OTHER

- a. A minimum of 221 caliper inches of new trees shall be planted on the subject property per the requirements of Chapter 5-Tree Preservation in the Land Development Code prior to the issuance of the certificate of occupancy for the fifth structure built on the subject properties.
- b. For any building not fronting on State Highway 26, the hours of operation shall not exceed 7:00 a.m. to 8:00 p.m.
- c. All driveway approaches on State Highway 26 shall receive approval from the Texas Department of Transportation.

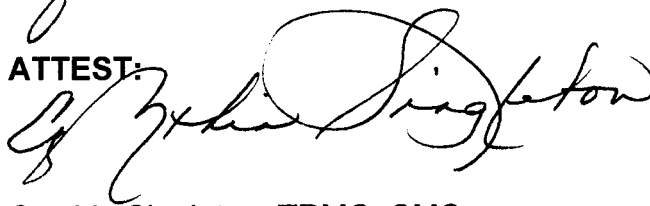
Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two 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 4th day of November 2009.

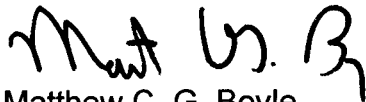
The second reading and public hearing being conducted on the 14th day of November 2009.

ATTEST:

Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

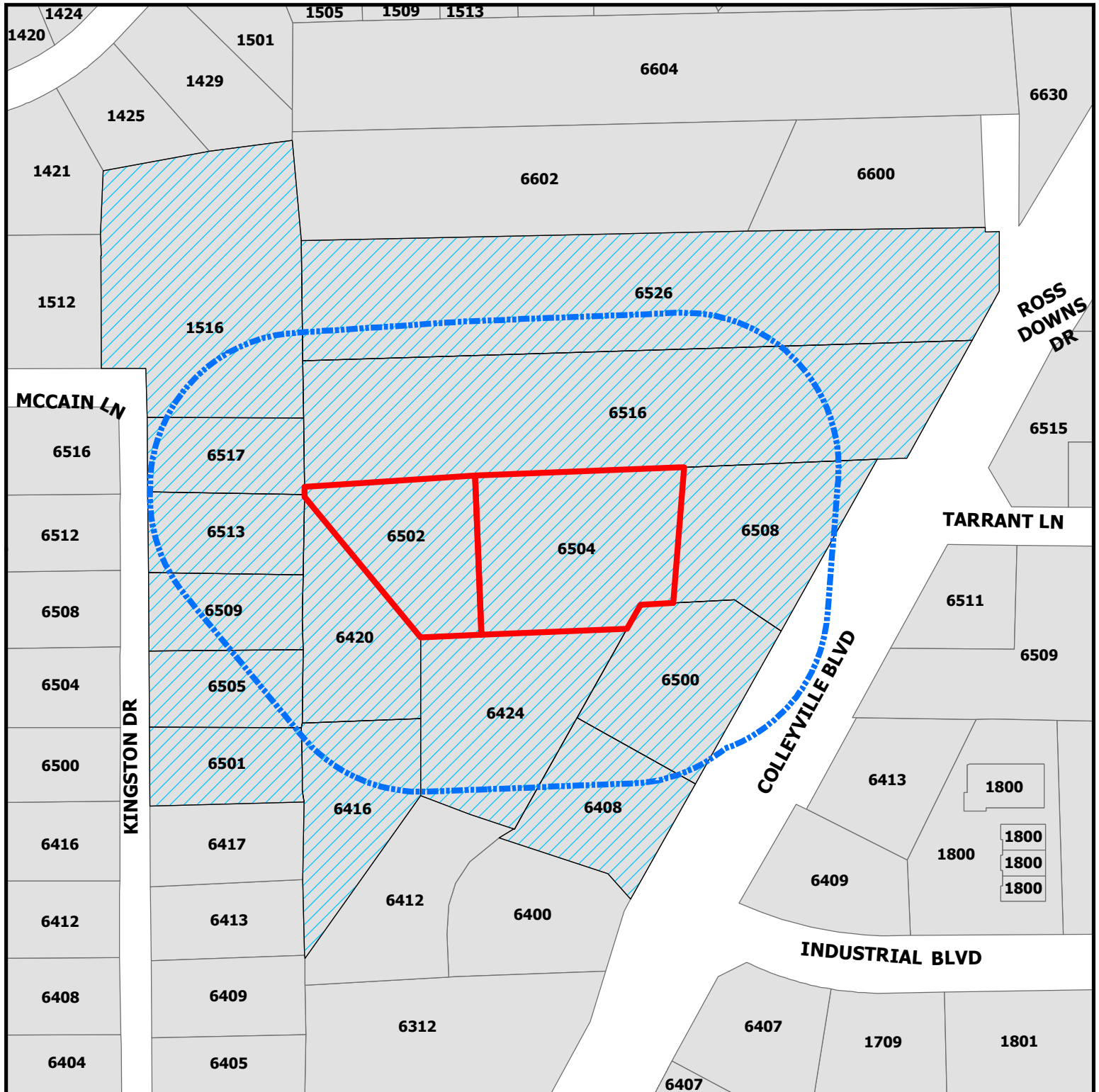
Matthew C. G. Boyle
City Attorney

[illegible]

[illegible]

Architectural drawing of the front elevation of a building. The drawing shows a symmetrical facade with a central entrance and two side wings. The central entrance features a large arched doorway with a decorative pediment. The side wings have windows with decorative frames. The roofline is shown with a central gable and side wings. The drawing includes a scale bar (1/4" = 1'-0") and a north arrow. The drawing is labeled "FRONT ELEVATION" and "SCALE 1/4" = 1'-0"". The drawing is oriented vertically on the page.

Notification Map

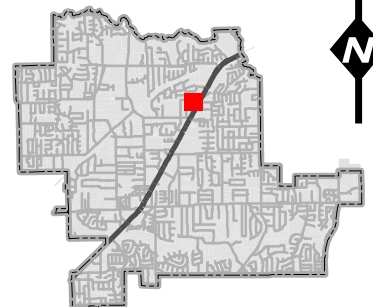


ZC17-012

6504 & 6502 Colleyville Boulevard

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



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6502 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6500 COLLEYVILLE BLVD
SIMS, REX A	6505 KINGSTON	COLLEYVILLE, TX	76034	6505 KINGSTON DR
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6420 COLLEYVILLE BLVD
DIMITROV, LACHEZAR P	6509 KINGSTON	COLLEYVILLE, TX	76034	6509 KINGSTON DR
SMITH, BRYAN E	6513 KINGSTON	COLLEYVILLE, TX	76034	6513 KINGSTON DR
3 J GREEN LIMITED PARTNERSHIP	6620 COLLYVILLE BLVD STE 100	COLLEYVILLE, TX	76034	6508 COLLEYVILLE BLVD
TRES ROSAS LTD	6516 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6526 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6416 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6504 COLLEYVILLE BLVD
GARRETT, KENNETH	6517 KINGSTON	COLLEYVILLE, TX	76034	6517 KINGSTON DR
BOWDEN, GERALD W	850 AVENIDA SERENA	MARBLE FALLS, TX	78654	6516 COLLEYVILLE BLVD
PULLEN, TIMOTHY B	6501 KINGSTON	COLLEYVILLE, TX	76034	6501 KINGSTON DR
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6424 COLLEYVILLE BLVD
MCCAIN, NORMA	PO BOX 92185	SOUTHLAKE, TX	76092	1516 MCCAIN LN
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6408 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6408 COLLEYVILLE BLVD

MONTERRA ADDITION	6811 MILTON DRIVE	COLLEYVILLE, TX	76034	COURTESY NOTICE
MOORE, MATT	1903 CENTRAL DR STE 406	BEDFORD, TX	76021	APPLICANT
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were mailed Friday,
July 28, 2017 by Araceli Botello

Property Owner Notification



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC17-012
Applicant: Matt Moore
Owner: Fray Webster
Location: 6504 & 6502 Colleyville Boulevard
Property Description: Lots 6R & 7R, Block 1, of the Winding Creek Addition
Present Zoning: PUD-C Planned Unit Development Commercial zoning district
Request: Consideration of an amendment to the PUD-C Planned Unit Development Commercial requirements. The purpose of the zoning change request is to permit the use of a wedding facility on the subject properties.

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, August 14, 2017 at 7:00 p.m.
City Council Meeting: Tuesday, September 5, 2017 & Tuesday, September 19, 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

July 28, 2017

SENT VIA EMAIL on Friday, July 28, 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, July 29, 2017***

The City of Colleyville Planning and Zoning Commission gives notice of a Public Hearing on Monday, 8/14/17 at 7:00 p.m. at City Hall, 100 Main Street, Colleyville, Texas:

Case ZC17-011 - Consideration of a zoning change from the AG Agricultural zoning district to the PUD-C Planned Unit Development Commercial zoning district on Tract A8, Abstract 1034, in the Green Minter W Survey, located at 5008 Roberts Road

Case ZC17-012 - Consideration of an amendment to the PUD-C Planned Unit Development Commercial requirements on Lots 6R & 7R, Block 1, of the Winding Creek Addition located at 6504 and 6502 Colleyville Boulevard

Case ZC17-013 - 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 1A, Block 1, of the Twin Lakes Plaza Addition, located at 4007 Colleyville Boulevard

Case ZC17-014 - Consideration of a zoning change from the AG Agricultural zoning district to the RE Single Family "Estate" Residential zoning district on Tract 2, Abstract 1487, in the O C Strum Survey, located at 6204 L D Lockett Road

The City Council will hold a Public Hearing on the above items on 9/5/17 and 9/19/17 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 ORDINANCE O-09-1736 CONDITIONS; 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 Council approved Ordinance O-09-1736 on November 17, 2009 to grant a rezoning request from the PUD-C Planned Unit Development - Commercial district to the PUD-C Planned Unit Development - Commercial district on 8.8 acres located at 1301 Glade Road, under Case Z-09-008; and

WHEREAS, the applicant has requested an amendment to Ordinance O-09-1736 to amend Sections 2, 3, 4, and 10 to allow for an 'event venue', located at 6502 and 6504 Colleyville Boulevard, under Case ZC17-012; 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 6R and 7R, Block 1, of the Winding Creek Addition, located at 6502 and 6504 Colleyville Boulevard, 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 "B".

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

- Sec. 3. **1. General**
- a. The following amendments to Ordinance O-09-1736 are hereby authorized:
- i. Section 2 of Ordinance O-09-1736 is hereby amended to revise the site plan for Lots 6R and 7R attached as Exhibit "B".
 - ii. Section 3 of Ordinance O-09-1736 is hereby amended to allow for an 'event center' on Lots 6R and 7R.
 - iii. Section 4 of Ordinance O-09-1736 is hereby amended to permit a 2 story building on Lots 6R and 7R. The

building shall be generally consistent with the building elevation designs attached as Exhibit "C".

- iv. Section 10 of Ordinance O-09-1736 is hereby amended to permit hours of operation to extend to 12 a.m. on Lots 6R and 7R.
- v. Ordinance O-09-1736 hereby remains valid and all provisions of Ordinance O-09-1736 shall remain in full force and effect except where amended herein.

- Sec. 4. 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. 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 5th day of September 2017.

The second reading and public hearing being conducted on the 19th day of September 2017.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 19TH DAY OF SEPTEMBER 2017.

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

ATTEST:

CITY OF COLLEYVILLE

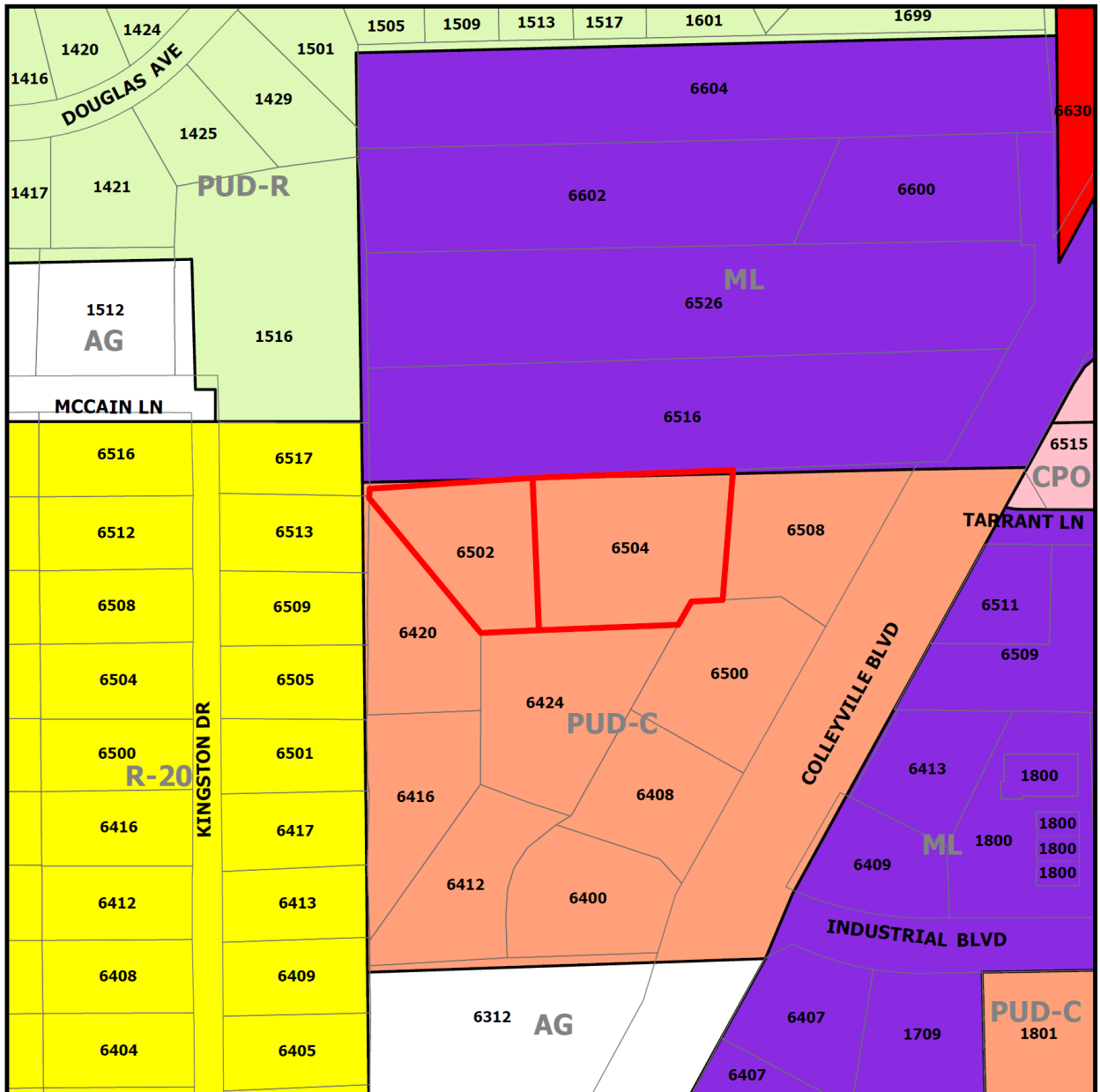
Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt Wyatt
City Attorney

Exhibit "A"- Zoning Map



ZC17-012

6504 & 6502 Colleyville Boulevard

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 Subject Property

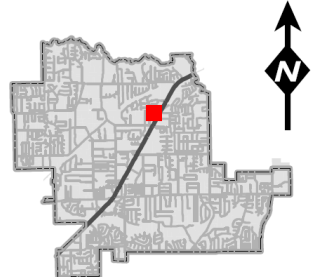
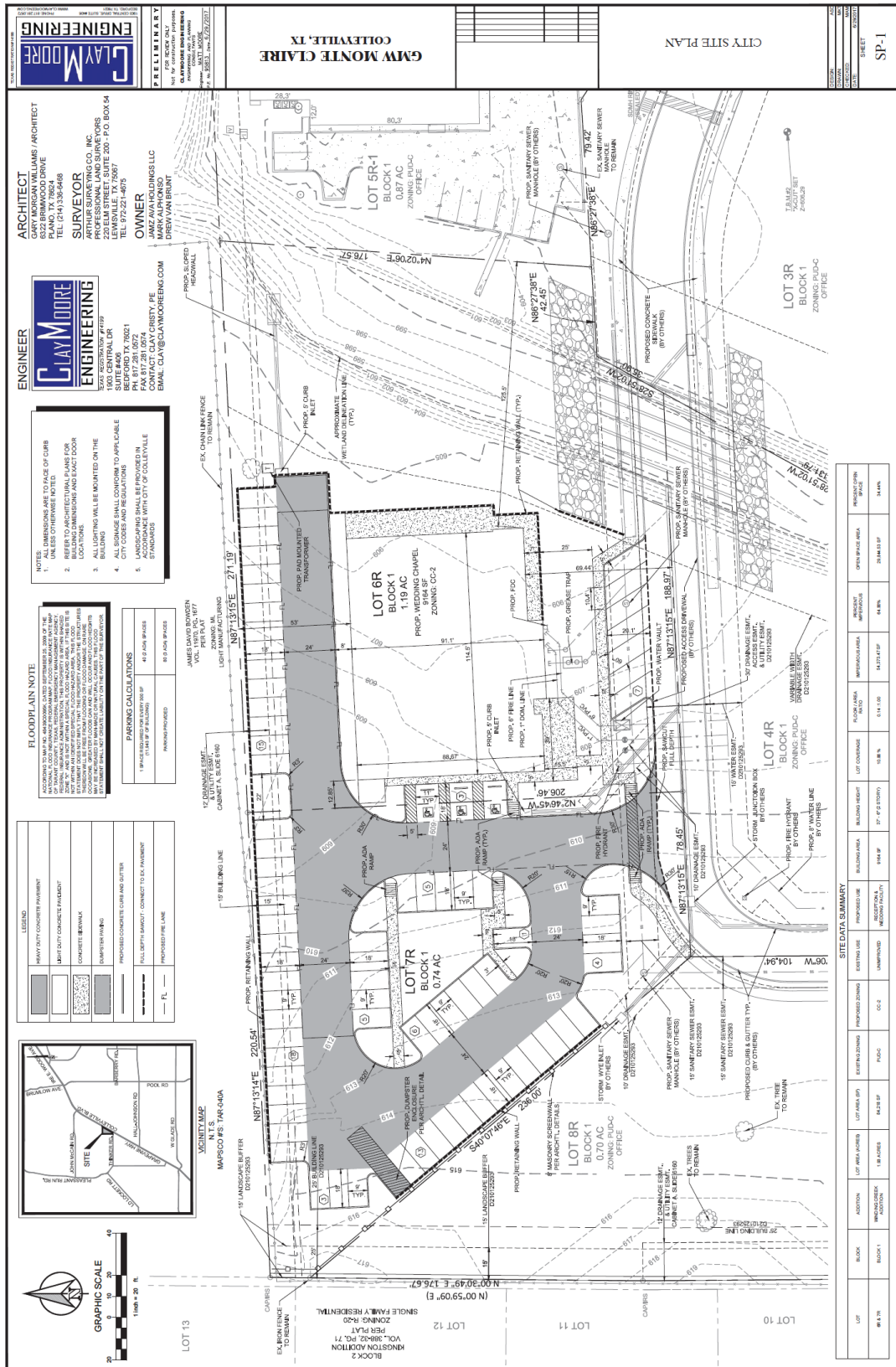
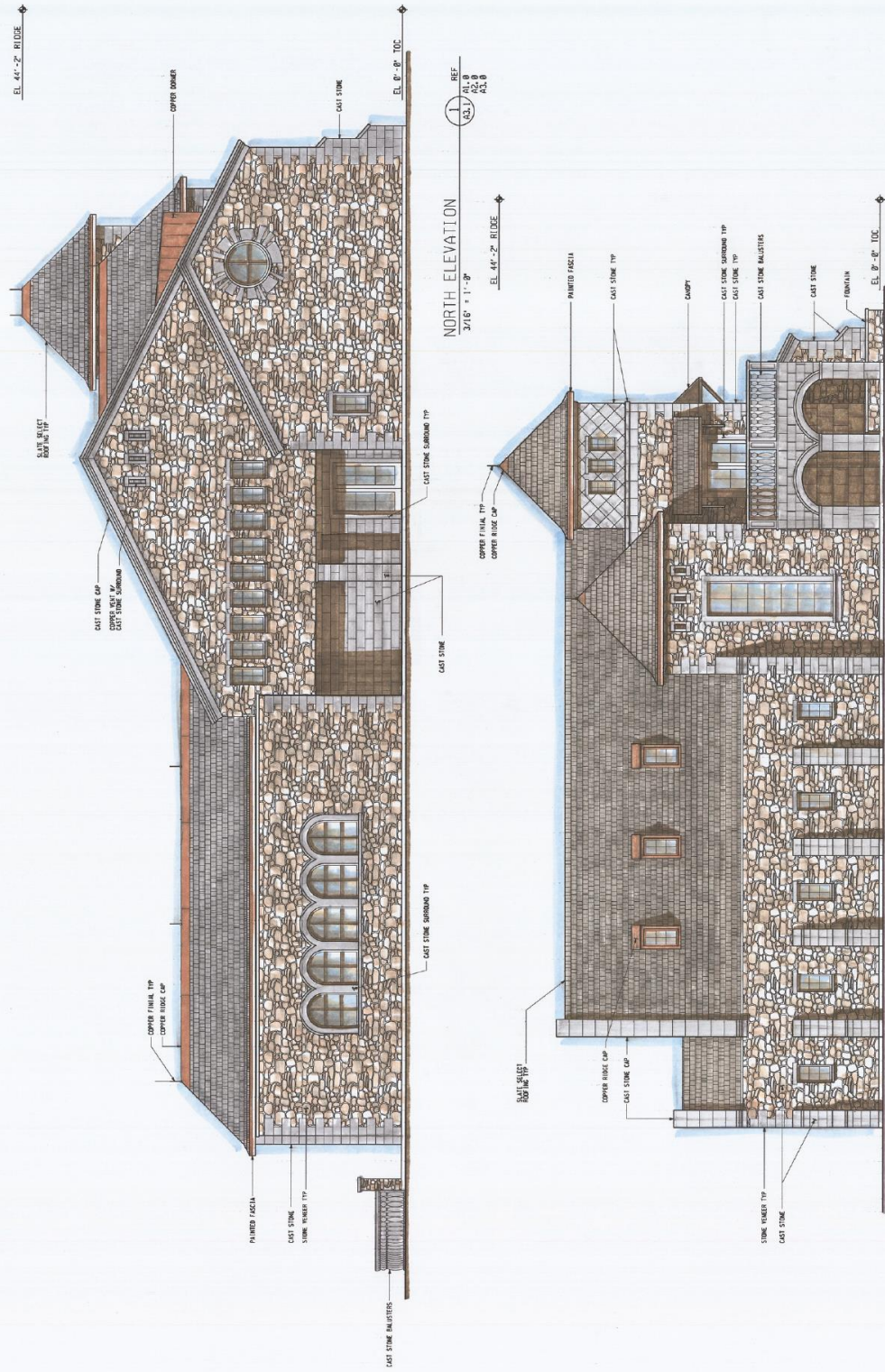
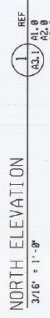
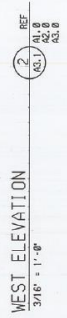


Exhibit “B”- Site Plan Exhibit



[illegible]





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 4c	Agenda Date 08/14/2017	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 1A, Block 1, of the Twin Lakes Plaza Addition, located at 4007 Colleyville Boulevard, Case ZC17-013

Explanation

The applicant, Ryan Alcala of Jones Carter, has submitted a request for PUD-C Planned Unit Development – Commercial zoning on approximately 3.96 acres located at 4007 Colleyville Boulevard. As requested, the zoning would be to permit a 36,000 square foot grocery store on the subject property.

Existing Conditions: The subject property is currently platted as Lot 1A, Block 1, of the Twin Lakes Plaza Addition and generally located on the east side of Colleyville Boulevard, just north of Cheek-Sparger Road and south of Acuff Lane. The subject property currently is undeveloped.

Zoning: The subject property is currently zoned PUD-C Planned Unit Development – Commercial which was approved in September of 1998 by ordinance O-98-1122. The existing PUD-C ordinance establishes the permitted uses as those allowed in CC-1 Village Retail zoning plus food catering, sale of alcohol for on premise consumption in three designated restaurants, and a Special Use Permit to allow for an indoor amusement facility. A grocery store is allowed by right in the CC-1 zoning district. However, the proposed zoning site exhibit is substantially different from the approved plan and therefore a new PUD-C zoning is being requested.

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 36,000 square foot LIDL grocery store.

Proposed PUD-C Zoning Change – The requested PUD-C zoning proposes that the property be subject to the CC-2 Shopping Center zoning district and all associated regulations contained in the Land Development Code, except as amended by the PUD-C ordinance. The applicant proposes the following additions to the PUD-C ordinance which deviate from the existing regulations in the Land Development Code:

- Landscape buffer along Colleyville Boulevard to be reduced from twenty feet (20') to sixteen feet (16')
- Off-street parking requirement of 180 spaces reduced to 173 spaces.
- Open space requirement of twenty percent (20%) reduced to eighteen percent (18%)
- Common area depth of twenty five feet (25') along adjacent street right-of-way reduced to match landscape buffer of sixteen feet (16')
- The number of replacement trees reduced from 182 to 44 trees
- Vertical Departure Variables to not max out at 10 points so that the building meets the architectural minimum design score of 30 points

The applicant states the following site constraints and reasons for these requests:

- Additional right-of-way dedication for the widening of Colleyville Boulevard resulting in approximately thirty five foot strip of additional open space in the right-of-way
- Proposed shared access drives between neighboring properties
- Required fire lane around the grocery store building
- The required number of trees will not fit on the site due to the parking requirement and widening of the right-of-way

Analysis – The proposed PUD-C zoning request is to allow a 36,000 square foot grocery store. Grocery stores are allowed by right in both the CC-1 and CC-2 zoning districts. The Lidl grocery chain is new to the Texas market and is proposing several other locations in north Texas area.

The applicant has attempted to comply with all development regulations. The proposed deviations are minimal and allow for a properly designed site. The applicant has also made adjustments to the appearance of the building, the cart corral area, and the loading docks in an effort to elevate the quality of the end product and set a standard for the Southern Gateway of the Colleyville Boulevard Corridor area. Being the first development, all other development and redevelopment projects will be held to the same standard or higher.

Surrounding Development: The properties to the northeast and southwest are zoned CC-3 Highway Commercial and developed with commercial buildings. The properties to the south are zoned R-20 Single Family Residential and developed with single family homes. The property to the east is zoned CN Neighborhood Commercial and currently developed with a house. Colleyville Boulevard is designated as a 'principal arterial' roadway on the City's Master Thoroughfare Plan and is currently under construction to be widened through most of the city. The properties across Colleyville Boulevard are located in the city of Hurst.

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, July 28, 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, July 29, 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 meet the goals of the comprehensive plan, protect the adjacent single family residential properties, and should not adversely impact the surrounding properties. Staff recommends approval.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Zoning Exhibit
6. Drainage Exhibit
7. Building Elevations
8. Cart Storage Exhibit
9. Landscape Plan
10. Tree Preservation Plan
11. Notification Map
12. Notification List
13. Property Owner Notification
14. Legal Notice
15. Draft Ordinance

Aerial Map



ZC17-013

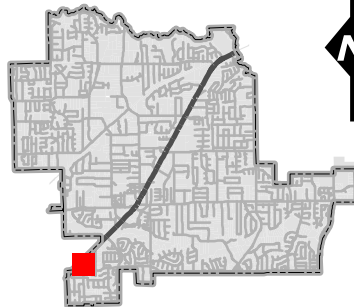
4007 Colleyville Boulevard

DISCLAIMER:

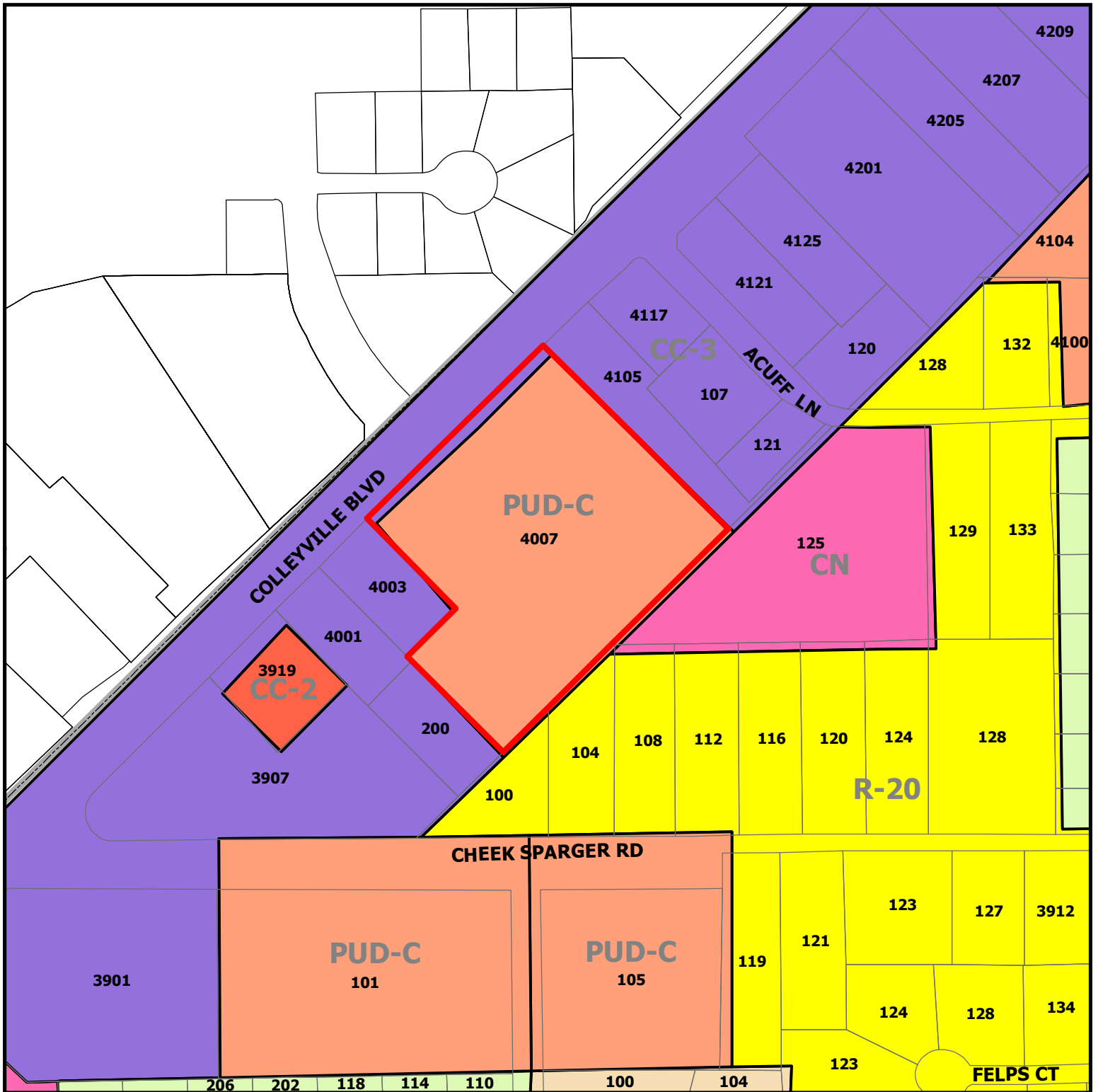
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which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



Subject Property



Zoning Map

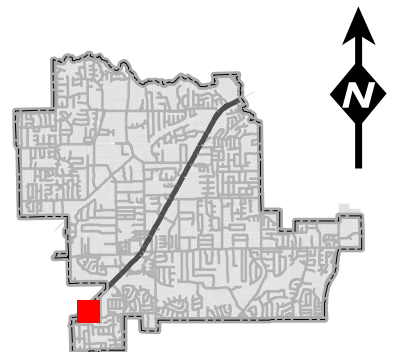


ZC17-013

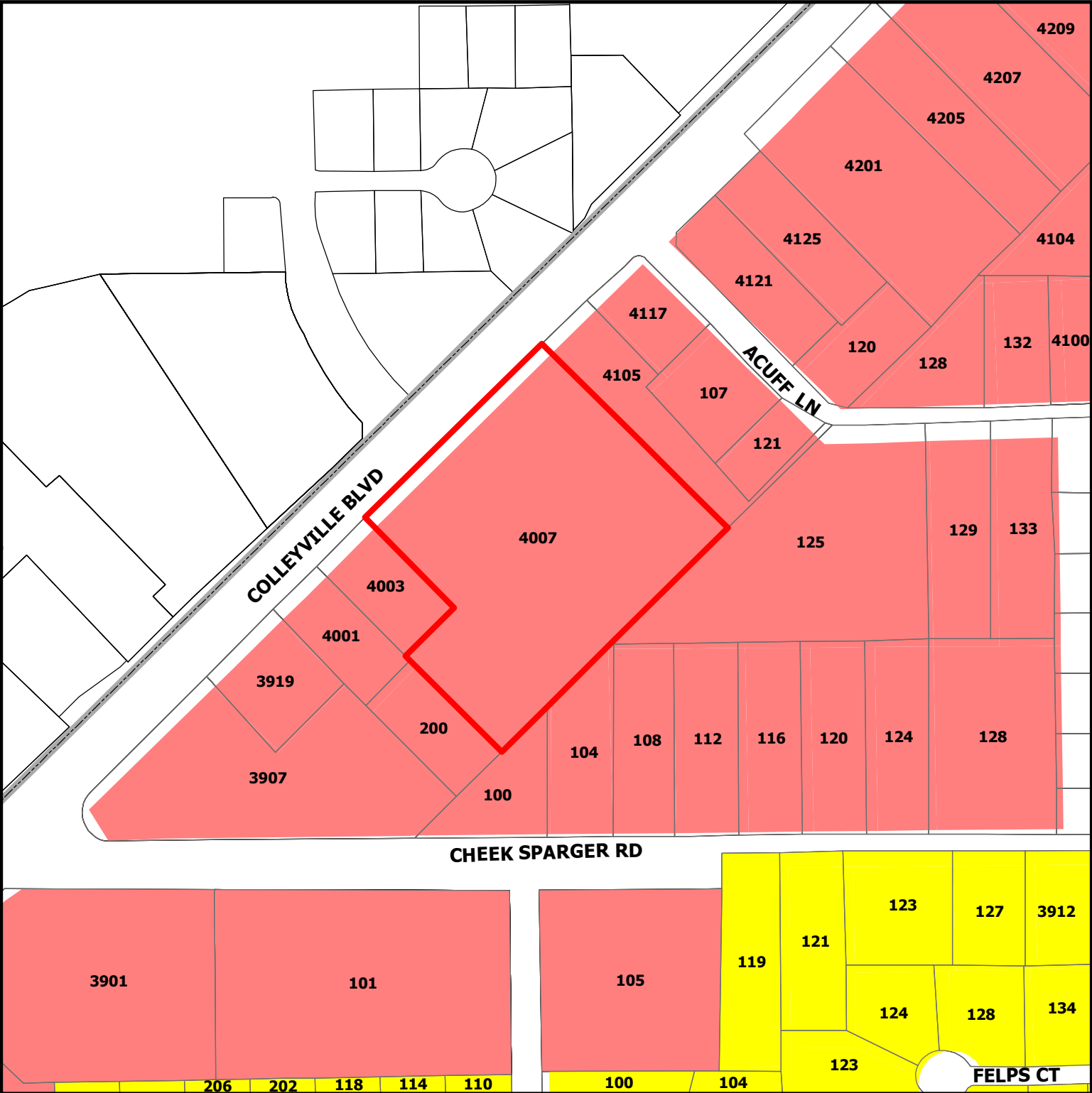
4007 Colleyville Boulevard

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 Subject Property



Future Land Use Map



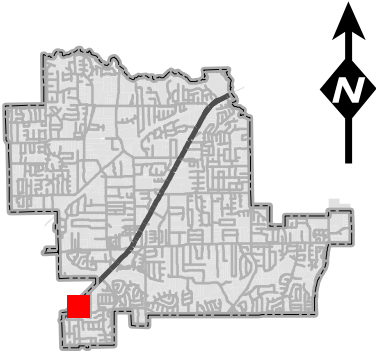
ZC17-013

4007 Colleyville Boulevard

-  Subject Property
-  Residential
-  Colleyville Blvd Corridor



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Statement of Planning Objectives



6509 Windcrest Drive, Suite 600
Plano, Texas 75024
Tel: 972.265.7171
Fax: 972.488.3882
www.jonescarter.com

August 9, 2017

Mr. Ben Bryner, AICP
Director - Community Development Department
City of Colleyville

Re: ZC17-013, PUD-C to PUD-C
4007 Colleyville Boulevard
Zoning Application
Colleyville, Texas

Dear Mr. Bryner, AICP,

On behalf of our client, we are submitting the attached zoning application for the site located at 4007 Colleyville Boulevard. This 3.956-acre tract is currently zoned PUD-C (Planned Unit Development, Commercial). We are requesting a zoning permit to allow for the proposed use of a 36,000 square foot grocery store with an additional 3,000 square foot loading dock enclosure.

The surrounding tracts are currently zoned CC-3 (Highway Commercial) to the north and south, CN (Neighborhood Commercial) and R-20 (Single Family Residential) to the east, and Colleyville Boulevard (SH 26) is to the west. The proposed grocery store is compatible with adjacent commercial developments along Colleyville Boulevard.

The City of Colleyville Land Development Code requires a twenty foot (20') landscaping buffer along Colleyville Boulevard. The code also requires grocery stores to have at least one (1) parking space per 200 square foot of gross floor area. The proposed grocery store will be approximately 36,000 square feet, which requires 180 parking spaces. Due to the site constraints, such as the additional right-of-way dedication for the widening of Colleyville Boulevard, proposed shared access drives to neighboring properties, additional landscaping to screen dumpster enclosure, and a fire lane around the grocery store, we are requesting a variance to reduce the twenty foot (20') wide landscape greenbelt along Colleyville Boulevard to sixteen feet (16') and the number of off-street parking to 173 spaces.

According to Chapter 3 of the Land Development Code all non-residential areas within a Planned Unit Development shall have at least (20%) of the developed area dedicated to open space. It also goes on to state that common open space areas adjacent to street right-of-way shall be a minimum depth of twenty five feet (25'). As stated earlier the site previously dedicated additional right-of-way for the widening of Colleyville Boulevard, which results in approximately thirty five feet (35') of open space within the extended right-of-way. Due to the large open space within the right-of-way and the site constraints mentioned previously, we are requesting a reduction in the required open space within the property from twenty percent (20%) to eighteen percent (18%) and the depth of the open space along Colleyville Boulevard reduced to match the landscape greenbelt of sixteen feet (16').



Statement of Planning Objectives

JONES | CARTER

ZC17-013, PUD-C to PUD-C
Grocery Store – Zoning Application
Page 2
August 9, 2017

A tree survey performed on the site indicated an existing tree coverage of 59,263 square feet, or 34.4%. According to Chapter 5 of the City of Colleyville Land Development Code, the minimum percentage of the existing protected canopy tree coverage to be preserved is 60%. There are a total of 85 trees on site with a total caliper inches of 1,092. We are proposing to preserve 456 caliper inches of the existing trees and 201 inches are within the building pad. Our attached tree preservation plan shows that in order to meet the requirements outlined in Chapter 5 of the Land Development Code we need to replace 182 trees, which is unattainable with the site constraints and the off-street parking requirements. Due to the site being unkept for several decades, a significant number of American elm trees have spread invasively over the site. An aerial photograph taken over thirty years ago shows the site being a fishing hole with a limited amount of trees. With this history and the site constraints in mind, we are requesting a variance to reduce the number of required replacement trees to 44.

Chapter 6 of the City's Land Development Code also requires a minimum design score for all commercial and institutional buildings constructed to be 30 points in all zoning districts. It also states that the required number may be lowered as a condition of Planned Unit Development zoning district. The proposed building has a design score of 21.5, which is below the required minimum. If allowed to count all points from Vertical Departure Variables and not max out at 10 points, the building would surpass the architectural minimum design score. We have included as part of our submittal a filled out building design checklist and architectural drawings for reference. The proposed building possesses a modern look with significant glass and masonry components. Additionally, we are working with city staff to beautify the shopping cart corral areas to further enhance the buildings appearance.

In conclusion, we are requesting variances for the proposed grocery store on the following requirements:

- Landscape buffer along Colleyville Boulevard to be reduced to sixteen feet (16').
- Off-street parking requirement of 180 spaces reduced to 173 spaces.
- Open space requirement of twenty percent (20%) reduced to eighteen percent (18%).
- Common area depth of twenty five feet (25') along adjacent street right-of-way reduced to match landscape buffer of sixteen feet (16').
- Reduce number of replacement trees from 182 to 44.
- Vertical Departure Variables to not max out at 10 points so that we can meet the architectural 30 point minimum design score.

We feel the variances requested above will provide a superior landscape and aesthetic environment along this section of Colleyville Boulevard than what currently exists.

Typically a drainage analysis is required when submitting a zoning application. However, based on conversation with City of Colleyville Project Engineer, Oscar Chavez, and his knowledge of the site, a drainage analysis is not be required. The drainage and detention calculations will be provided and reviewed with the civil construction plans.



Statement of Planning Objectives

ZC17-013, PUD-C to PUD-C
Grocery Store – Zoning Application
Page 3
August 9, 2017

We appreciate your consideration and should you have any questions or require additional information, please call.

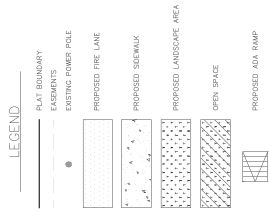
Sincerely,

Ryan Alcala

RJA/rja

K:\0D364\0D364-0002-00\Project Management\Correspondence\City of Colleyville\Zoning Application\Final Submittal\Statement of Planning Objectives-Zoning App.doc

Enclosures

[illegible]

OWNER: MR. WARD HAYWORTH
2757 MESQUITE LANE
GRAPEVINE, TX 76051

APPLICANT: JONES CARTER
ATTN: MR. RYAN ALCALA
6509 WINDCREST DRIVE, SUITE 600
PLANO, TX 75024

[illegible]

COLLEYVILLE, TEXAS

PLANNING EXHIBIT FOR
ZONING CHANGE REQUEST
FROM PUD-C TO PUD-C



972-083380

SCALE: 1"=40' H. 1"=4' V. DGN. BY: RJA

DATE: August 17 DWN. BY: RJA

JOB NO. 00364-002-00 DWG. NO. _____

SUBMITTED: SURV. BY: _____

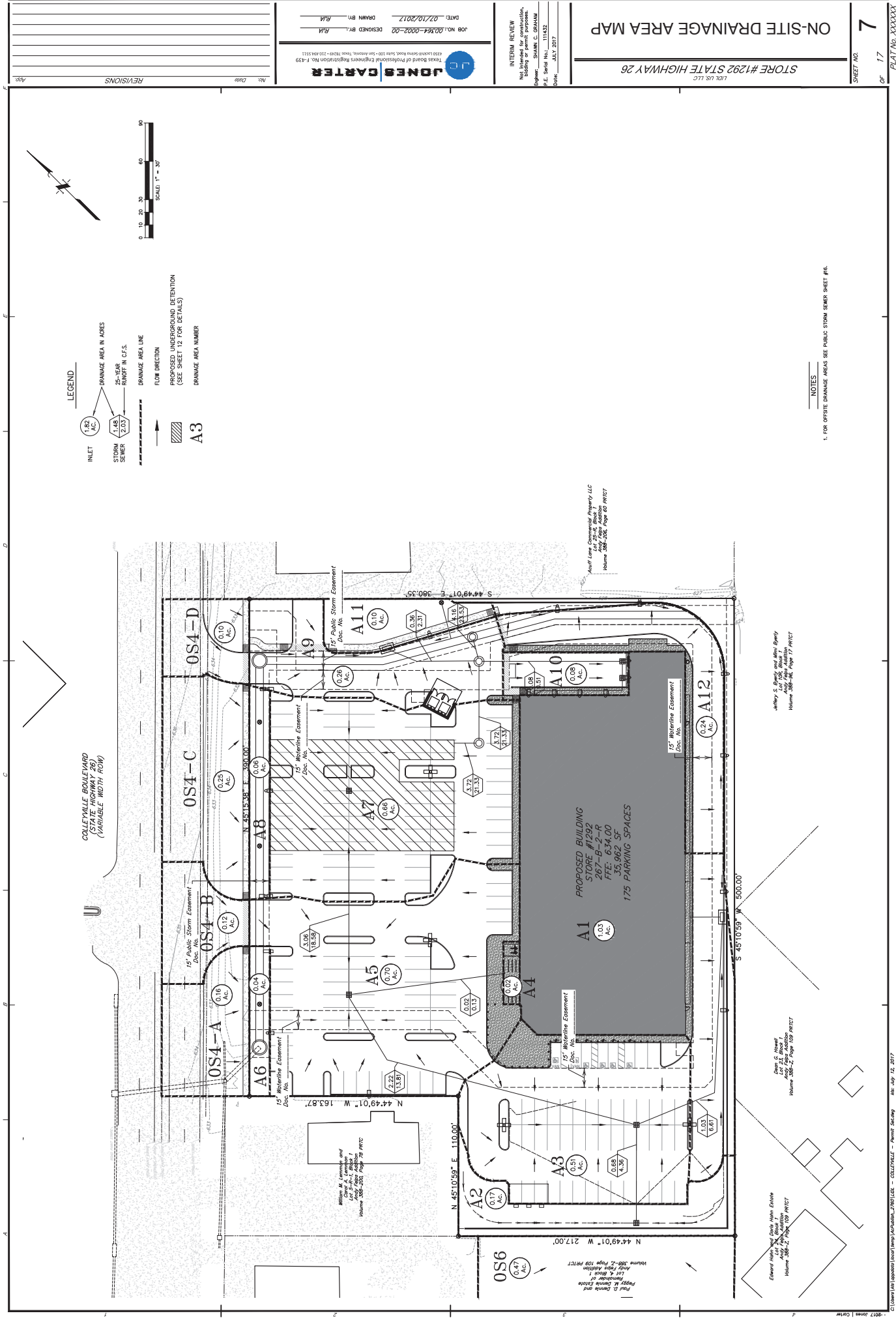
F.B. NO. _____

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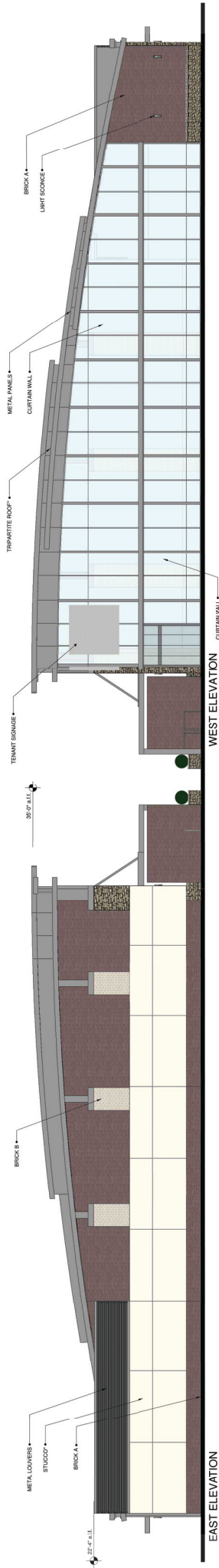
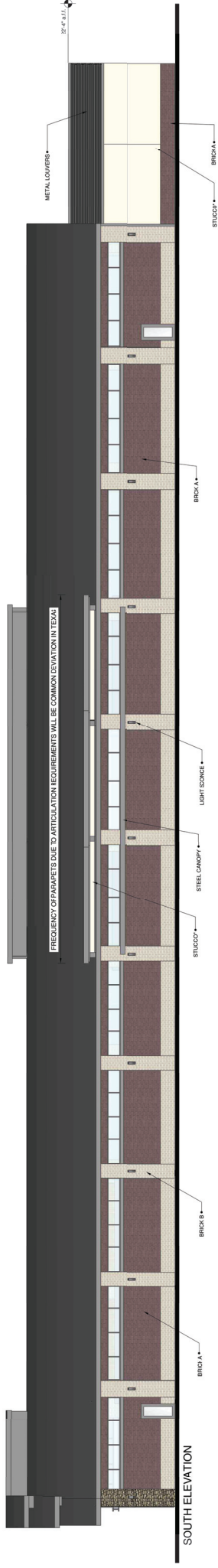
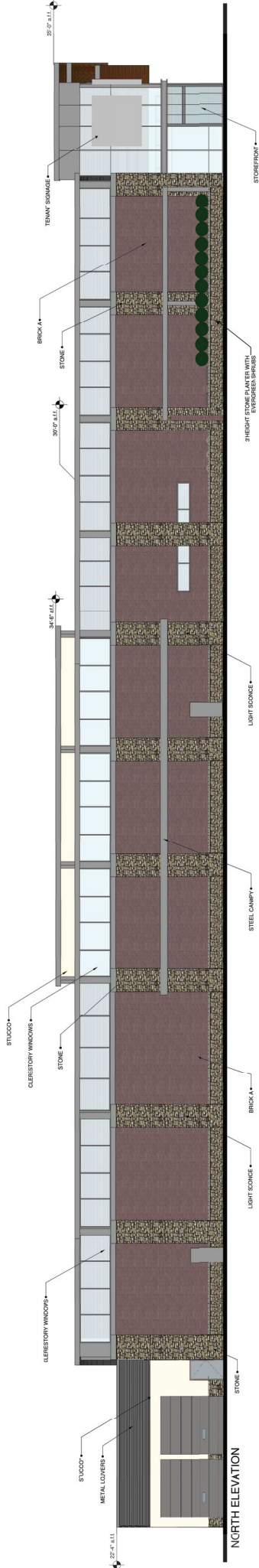
SITE INFORMATION		GROCER - COLLEAVILLE
PROJECT NAME		3,956 ACRES
AREA	NEIGHBORHOOD DISTRICT 2	PUB-C
	EXISTING ZONING	UNDEVELOPED
	EXISTING USE	PUB-C
	PROPOSED ZONING	GROCERY STORE
	PROPOSED USE	OUTSIDE 100-YR
	FLOOD PLAIN	14,835 SF
	LANDSCAPE WITHIN ROW	
		AREA (SF)
	RETAIL BUILDING	38,940
	PAVED SURFACES	102,540
	OPEN SPACE	30,843
	TOTAL SITE AREA	172.323
		100%

**CHEEK SPARGER
ROAD**

Drainage Exhibit



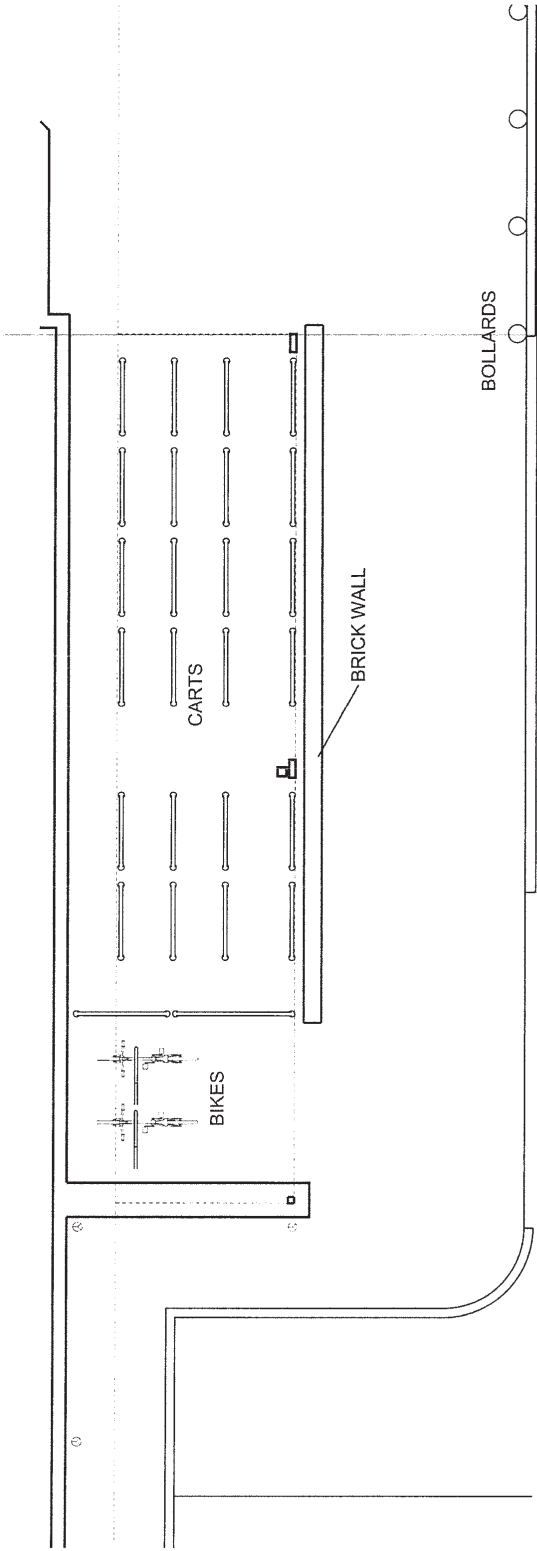
Building Elevations



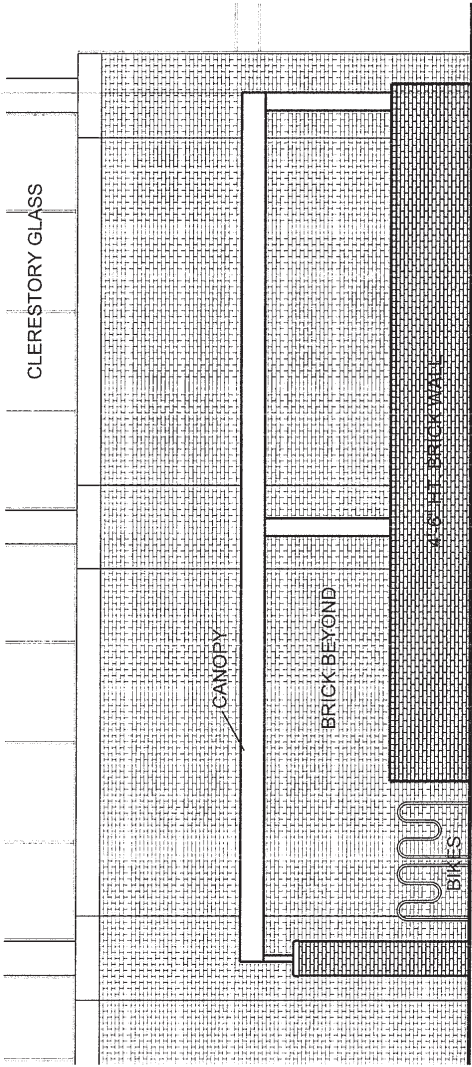
*Stucco: Where possible loading dock areas will be stucco based on allowed percentage per municipality.

*TRIPARTITE ROOF: This will be a cornice cantilever detail applied to the parapet and not a full lapped roof.

Cart Storage Exhibit



PLAN



COLLEYVILLE LIDL CART STORAGE

07/26/17

SPA #1

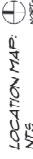
Robert Boyd ARCHITECTS, Inc. 4004 Beltline Rd., Ste. 220 Addison, Texas 75001 (214) 969-7000 Fax (214) 481-9816

BS&A COMMERCIAL ARCHITECTURE PLANNING 741 Sweet Grass Drive Lewisville, Texas 75067 (214) 356-2109 PH. FAX 311 bsusa@aol.com bsusa@verizon.net	EXP. 06/17 8-2-17
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LIDL GROCERY STORE
4007 COLLEEVILLE BOULEVARD
COLLEEVILLE, TEXAS

[illegible]

SHEET
L1.02



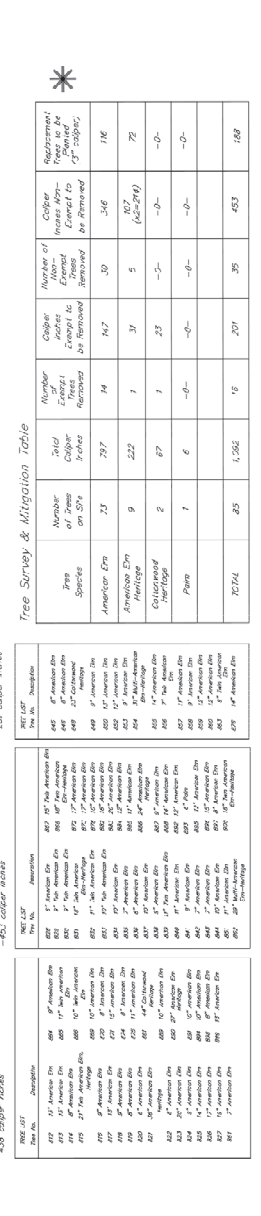
LANDSCAPING SHALL INCLUDE THE PLANTING OF TREES (1) THREE (3) NEW CALIPERS TREE PER EACH 400 FEET OF STREET FRONTAGE. (2) ONE (1) NEW CALIPER TREE PER EACH 160 FEET OF STREET FRONTAGE. (3) ONE (1) NEW CALIPER TREE PER EACH 80 FEET OF STREET FRONTAGE. (4) ONE (1) NEW CALIPER TREE PER EACH 40 FEET OF STREET FRONTAGE. (5) ONE (1) NEW CALIPER TREE PER EACH 20 FEET OF STREET FRONTAGE. (6) ONE (1) NEW CALIPER TREE PER EACH 10 FEET OF STREET FRONTAGE. (7) ONE (1) NEW CALIPER TREE PER EACH 5 FEET OF STREET FRONTAGE. (8) ONE (1) NEW CALIPER TREE PER EACH 2 FEET OF STREET FRONTAGE. (9) ONE (1) NEW CALIPER TREE PER EACH 1 FEET OF STREET FRONTAGE. (10) ONE (1) NEW CALIPER TREE PER EACH 0.5 FEET OF STREET FRONTAGE. (11) ONE (1) NEW CALIPER TREE PER EACH 0.25 FEET OF STREET FRONTAGE. (12) ONE (1) NEW CALIPER TREE PER EACH 0.125 FEET OF STREET FRONTAGE. (13) ONE (1) NEW CALIPER TREE PER EACH 0.0625 FEET OF STREET FRONTAGE. (14) ONE (1) NEW CALIPER TREE PER EACH 0.03125 FEET OF STREET FRONTAGE. 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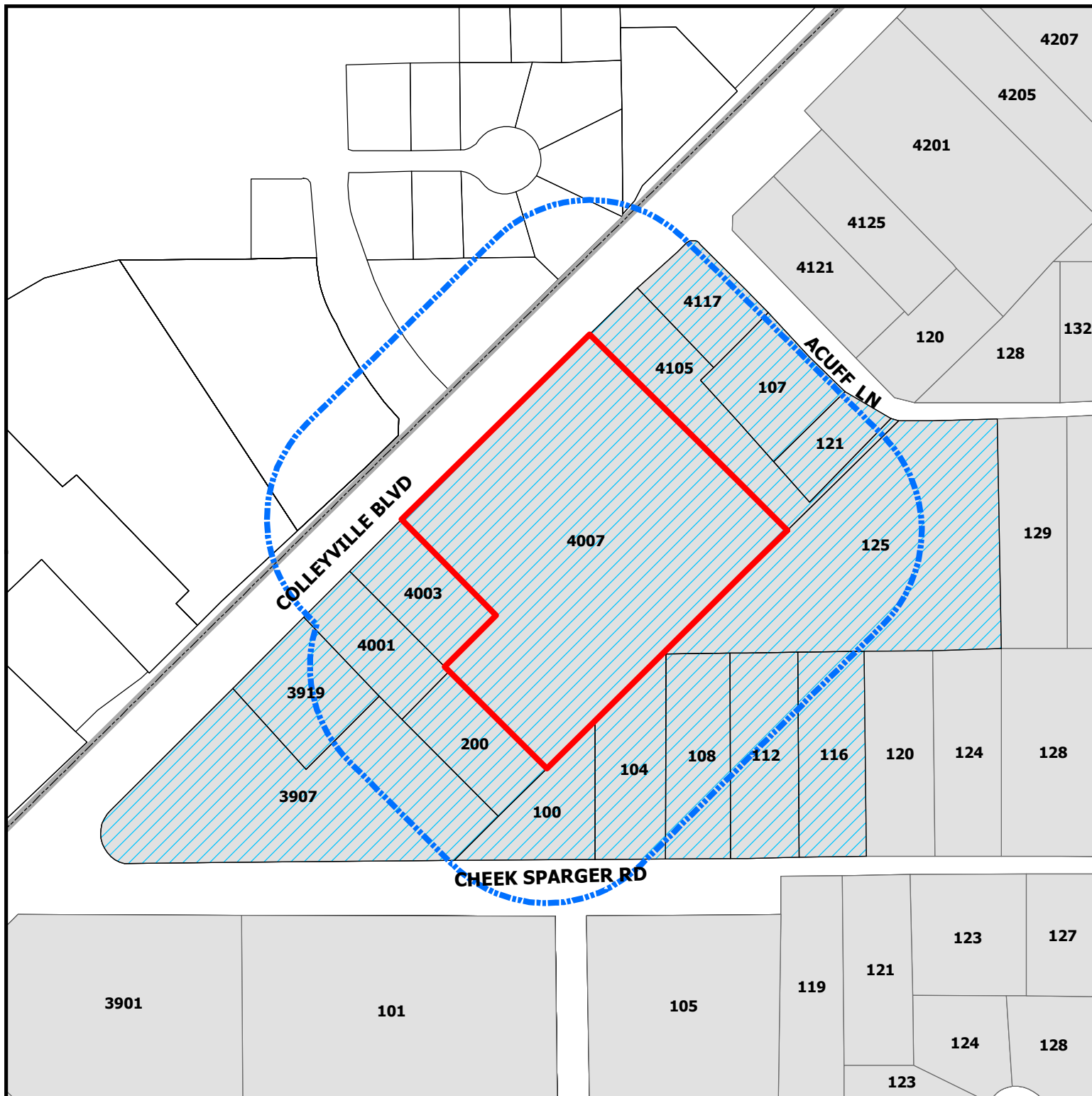
NOTE: REFER TO CIVIL ENGINEERS' DRAWINGS FOR PROPOSED SITE SHEDDING

LOT 1, BLOCK 1
 TWIN LAKES PLAZA
 AN ADDITION TO THE CITY OF
 COLLEYVILLE, TARRANT COUNTY, TEXAS
 BEING
 3.956 ACRES
 OUT OF THE
 JOHN H. DUNCAN SURVEY, A-369
 TARRANT COUNTY, TEXAS
 DECEMBER 2015

JONES CARTER
*New Nonaffiliated Law Firm Registration at 10/01/02
 300 Parkside Drive, Suite 303 • College Station, Texas 77840 • 202-338-3800



Notification Map



ZC17-013

4007 Colleyville Boulevard



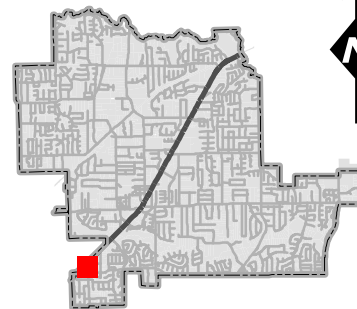
Subject Property



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
3919 COLLEYVILLE BLVD LTD	PO BOX 802736	DALLAS, TX	75380	3919 COLLEYVILLE BLVD
BYERLY, MIMI	7109 PEBBLE HILL DR	COLLEYVILLE, TX	76034	125 ACUFF LN
ACUFF LANE COMMERCIAL PROP LLC	PO BOX 550	TIOGA, TX	76271	4117 COLLEYVILLE BLVD
HARRIS, D KEITH	108 CHEEK SPARGER RD	COLLEYVILLE, TX	76034	108 CHEEK SPARGER RD
ACUFF LANE COMMERCIAL PROP LLC	PO BOX 550	TIOGA, TX	76271	4105 COLLEYVILLE BLVD
VELASQUEZ, FLORENTINO	1830 SILVERSIDE DR	GRAPEVINE, TX	76051	4001 COLLEYVILLE BLVD
ACUFF LANE COMMERCIAL PROP LLC	PO BOX 550	TIOGA, TX	76271	107 ACUFF LN
HAHN, EDWARD	7500 WINDSWEPT TR	COLLEYVILLE, TX	76034	100 CHEEK SPARGER RD
VELASQUEZ, DAISY	1830 SILVERSIDE DR	GRAPEVINE, TX	76051	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
HAYWORTH, WARD	2757 MESQUITE LN	GRAPEVINE, TX	76051	4007 COLLEYVILLE BLVD
LEMMON, WILLIAM M	133 E RIO RDG	AZLE, TX	76020	4003 COLLEYVILLE BLVD
HIBERNIA NATIONAL BANK	275 BROADHOLLOW RD	MELVILLE, NY	11747	3907 COLLEYVILLE BLVD
ACUFF LANE COMMERCIAL PROP LLC	PO BOX 550	TIOGA, TX	76271	121 ACUFF LN
WOODBRIAR ESTATES WEST ADDN	3700 SWEETBRIAR LANE	COLLEYVILLE, TX	76034	COURTESY NOTICE
WOODBRIAR NORTH ADDITION	3700 SWEETBRIAR LANE	COLLEYVILLE, TX	76034	COURTESY NOTICE
ALCALA, RYAN	6509 WINDCREST DR STE 600	PLANO, TX	75024	APPLICANT
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were mailed Friday,
July 28, 2017 by Araceli Botello

Property Owner Notification



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC17-013
Applicant: Ryan Alcala
Owner: Ward Hayworth
Location: 4007 Colleyville Boulevard
Property Description: Lot 1A, Block 1, of the Twin Lakes Plaza 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 purpose of the zoning change request is to permit the use of grocery store on the subject property.

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, August 14, 2017 at 7:00 p.m.
City Council Meeting: Tuesday, September 5, 2017 & Tuesday, September 19, 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

July 28, 2017

SENT VIA EMAIL on Friday, July 28, 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, July 29, 2017***

The City of Colleyville Planning and Zoning Commission gives notice of a Public Hearing on Monday, 8/14/17 at 7:00 p.m. at City Hall, 100 Main Street, Colleyville, Texas:

Case ZC17-011 - Consideration of a zoning change from the AG Agricultural zoning district to the PUD-C Planned Unit Development Commercial zoning district on Tract A8, Abstract 1034, in the Green Minter W Survey, located at 5008 Roberts Road

Case ZC17-012 - Consideration of an amendment to the PUD-C Planned Unit Development Commercial requirements on Lots 6R & 7R, Block 1, of the Winding Creek Addition located at 6504 and 6502 Colleyville Boulevard

Case ZC17-013 - 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 1A, Block 1, of the Twin Lakes Plaza Addition, located at 4007 Colleyville Boulevard

Case ZC17-014 - Consideration of a zoning change from the AG Agricultural zoning district to the RE Single Family "Estate" Residential zoning district on Tract 2, Abstract 1487, in the O C Strum Survey, located at 6204 L D Lockett Road

The City Council will hold a Public Hearing on the above items on 9/5/17 and 9/19/17 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 3.96 ACRES ON LOT 1A, BLOCK 1, OF THE TWIN LAKE PLAZA ADDITION, LOCATED AT 4007 COLLEYVILLE BOULEVARD 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. ZC17-013; and

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

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

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan 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 3.96 acres on Lot 1A, Block 1, of the Twin Lakes Plaza Addition, located at 4007 Colleyville Boulevard 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 an approximately 36,000 square foot grocery store.
- b. This development shall be generally consistent with the Statement of Planning Objectives, Exhibit “B”.
- c. The proposed development is subject to CC-2 Shopping Center zoning district and all the associated 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. Uses shall be those allowed in the CC-2 Shopping Center zoning district.

4. BUILDING DESIGN

- a. The vertical departure variables shall not max out at 10 points so that the building meets the architectural minimum design score of 30 points.
- b. The facility shall be generally consistent with the building elevations, Exhibit "C".

5. LANDSCAPING AND OPEN SPACE

- a. The landscape buffer along Colleyville Boulevard shall be reduced from twenty feet (20') to sixteen feet (16').
- b. The open space requirement of twenty percent (20%) shall be reduced to eighteen percent (18%).
- c. The common area depth of twenty five feet (25') along adjacent street right-of-way shall be reduced to match landscape buffer of sixteen feet (16').

6. PARKING

- a. A total of one hundred seventy-three (173) parking spaces shall be required for the facility.

7. TREE PRESERVATION

- a. The number of replacement trees shall be reduced from 182 trees to 44 trees for mitigation.

Sec. 5. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive

Zoning Ordinance of the City of Colleyville as heretofore amended,
and as amended herein.

- Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 9. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 5th day of September 2017.

The second reading and public hearing being conducted on the 19th day of September 2017.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas,
on this the 19th day of September 2017.

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

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

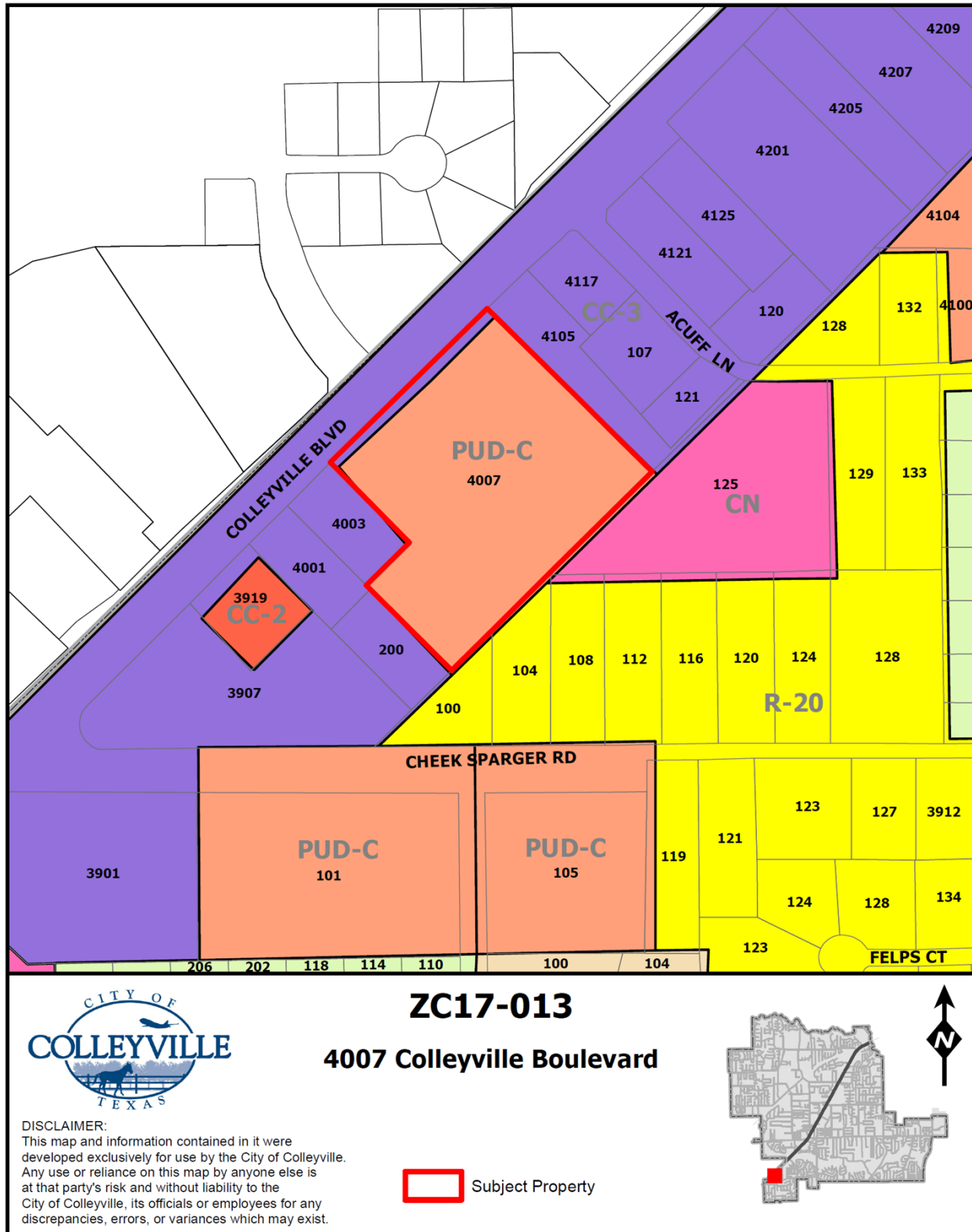


Exhibit "B" – Statement of Planning Objectives



6509 Windcrest Drive, Suite 600
Plano, Texas 75024
Tel: 972.265.7171
Fax: 972.488.3882
www.jonescarter.com

August 9, 2017

Mr. Ben Bryner, AICP
Director - Community Development Department
City of Colleyville

Re: ZC17-013, PUD-C to PUD-C
4007 Colleyville Boulevard
Zoning Application
Colleyville, Texas

Dear Mr. Bryner, AICP,

On behalf of our client, we are submitting the attached zoning application for the site located at 4007 Colleyville Boulevard. This 3.956-acre tract is currently zoned PUD-C (Planned Unit Development, Commercial). We are requesting a zoning permit to allow for the proposed use of a 36,000 square foot grocery store with an additional 3,000 square foot loading dock enclosure.

The surrounding tracts are currently zoned CC-3 (Highway Commercial) to the north and south, CN (Neighborhood Commercial) and R-20 (Single Family Residential) to the east, and Colleyville Boulevard (SH 26) is to the west. The proposed grocery store is compatible with adjacent commercial developments along Colleyville Boulevard.

The City of Colleyville Land Development Code requires a twenty foot (20') landscaping buffer along Colleyville Boulevard. The code also requires grocery stores to have at least one (1) parking space per 200 square foot of gross floor area. The proposed grocery store will be approximately 36,000 square feet, which requires 180 parking spaces. Due to the site constraints, such as the additional right-of-way dedication for the widening of Colleyville Boulevard, proposed shared access drives to neighboring properties, additional landscaping to screen dumpster enclosure, and a fire lane around the grocery store, we are requesting a variance to reduce the twenty foot (20') wide landscape greenbelt along Colleyville Boulevard to sixteen feet (16') and the number of off-street parking to 173 spaces.

According to Chapter 3 of the Land Development Code all non-residential areas within a Planned Unit Development shall have at least (20%) of the developed area dedicated to open space. It also goes on to state that common open space areas adjacent to street right-of-way shall be a minimum depth of twenty five feet (25'). As stated earlier the site previously dedicated additional right-of-way for the widening of Colleyville Boulevard, which results in approximately thirty five feet (35') of open space within the extended right-of-way. Due to the large open space within the right-of-way and the site constraints mentioned previously, we are requesting a reduction in the required open space within the property from twenty percent (20%) to eighteen percent (18%) and the depth of the open space along Colleyville Boulevard reduced to match the landscape greenbelt of sixteen feet (16').



ZC17-013, PUD-C to PUD-C
Grocery Store – Zoning Application
Page 2
August 9, 2017

A tree survey performed on the site indicated an existing tree coverage of 59,263 square feet, or 34.4%. According to Chapter 5 of the City of Colleyville Land Development Code, the minimum percentage of the existing protected canopy tree coverage to be preserved is 60%. There are a total of 85 trees on site with a total caliper inches of 1,092. We are proposing to preserve 456 caliper inches of the existing trees and 201 inches are within the building pad. Our attached tree preservation plan shows that in order to meet the requirements outlined in Chapter 5 of the Land Development Code we need to replace 182 trees, which is unattainable with the site constraints and the off-street parking requirements. Due to the site being unkept for several decades, a significant number of American elm trees have spread invasively over the site. An aerial photograph taken over thirty years ago shows the site being a fishing hole with a limited amount of trees. With this history and the site constraints in mind, we are requesting a variance to reduce the number of required replacement trees to 44.

Chapter 6 of the City's Land Development Code also requires a minimum design score for all commercial and institutional buildings constructed to be 30 points in all zoning districts. It also states that the required number may be lowered as a condition of Planned Unit Development zoning district. The proposed building has a design score of 21.5, which is below the required minimum. If allowed to count all points from Vertical Departure Variables and not max out at 10 points, the building would surpass the architectural minimum design score. We have included as part of our submittal a filled out building design checklist and architectural drawings for reference. The proposed building possesses a modern look with significant glass and masonry components. Additionally, we are working with city staff to beautify the shopping cart corral areas to further enhance the buildings appearance.

In conclusion, we are requesting variances for the proposed grocery store on the following requirements:

- Landscape buffer along Colleyville Boulevard to be reduced to sixteen feet (16').
- Off-street parking requirement of 180 spaces reduced to 173 spaces.
- Open space requirement of twenty percent (20%) reduced to eighteen percent (18%).
- Common area depth of twenty five feet (25') along adjacent street right-of-way reduced to match landscape buffer of sixteen feet (16').
- Reduce number of replacement trees from 182 to 44.
- Vertical Departure Variables to not max out at 10 points so that we can meet the architectural 30 point minimum design score.

We feel the variances requested above will provide a superior landscape and aesthetic environment along this section of Colleyville Boulevard than what currently exists.

Typically a drainage analysis is required when submitting a zoning application. However, based on conversation with City of Colleyville Project Engineer, Oscar Chavez, and his knowledge of the site, a drainage analysis is not be required. The drainage and detention calculations will be provided and reviewed with the civil construction plans.



ZC17-013, PUD-C to PUD-C
Grocery Store – Zoning Application
Page 3
August 9, 2017

We appreciate your consideration and should you have any questions or require additional information, please call.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ryan Alcala'.

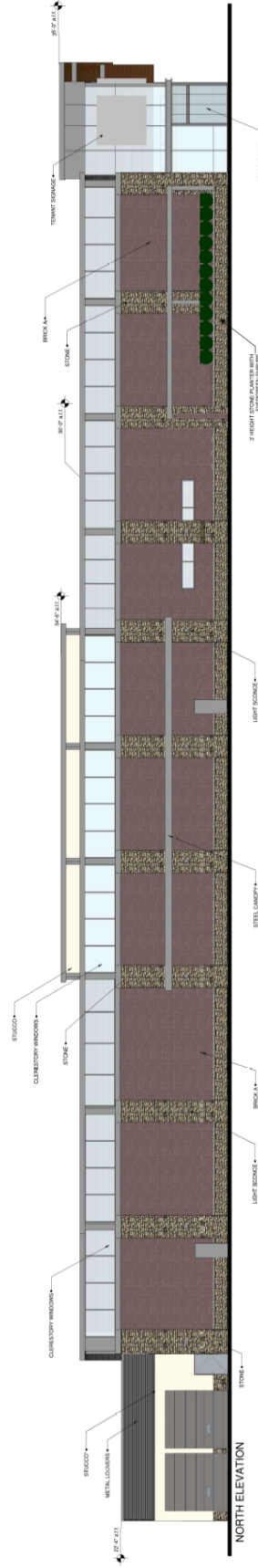
Ryan Alcala

RJA/rja

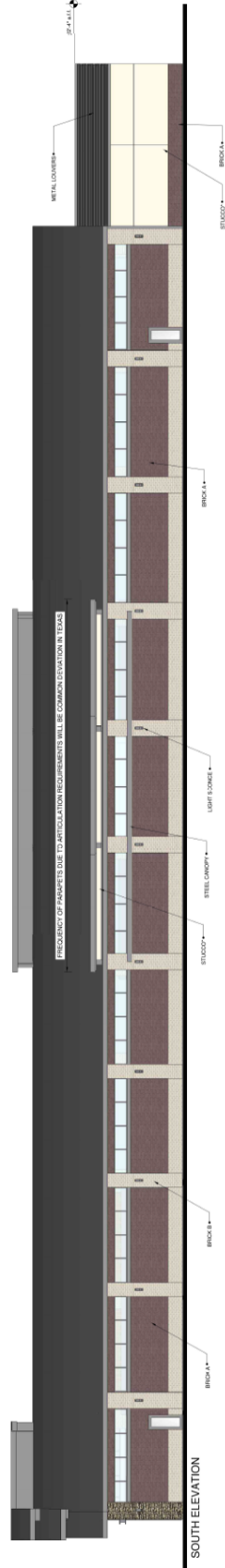
K:\0D364\0D364-0002-00\Project Management\Correspondence\City of Colleyville\Zoning Application\Final Submittal\Statement of Planning Objectives-Zoning App.doc

Enclosures

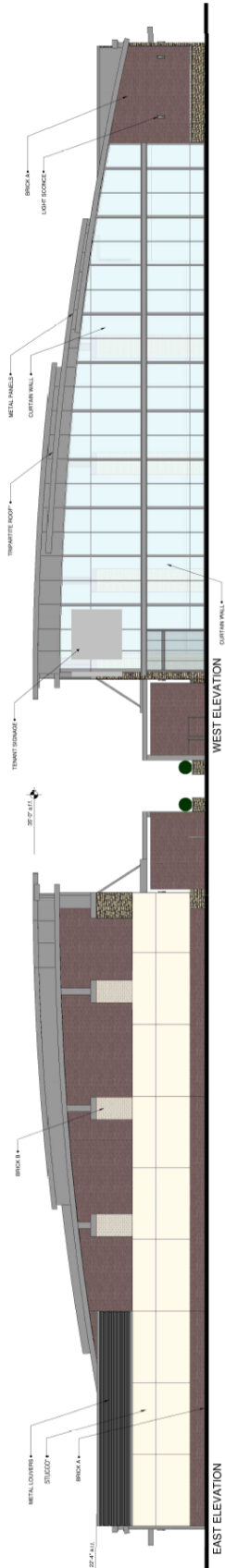
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NORTH ELEVATION



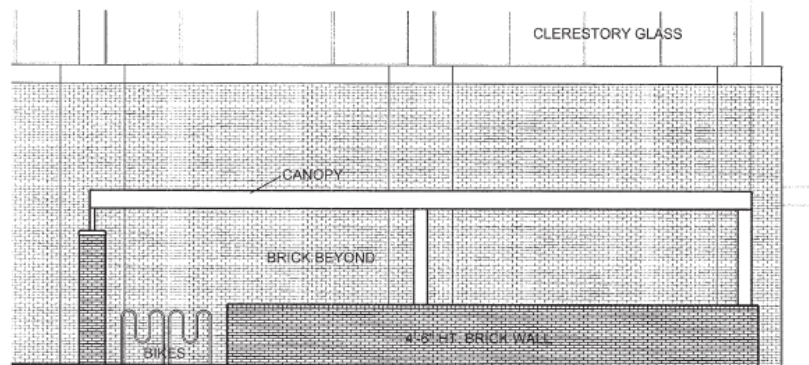
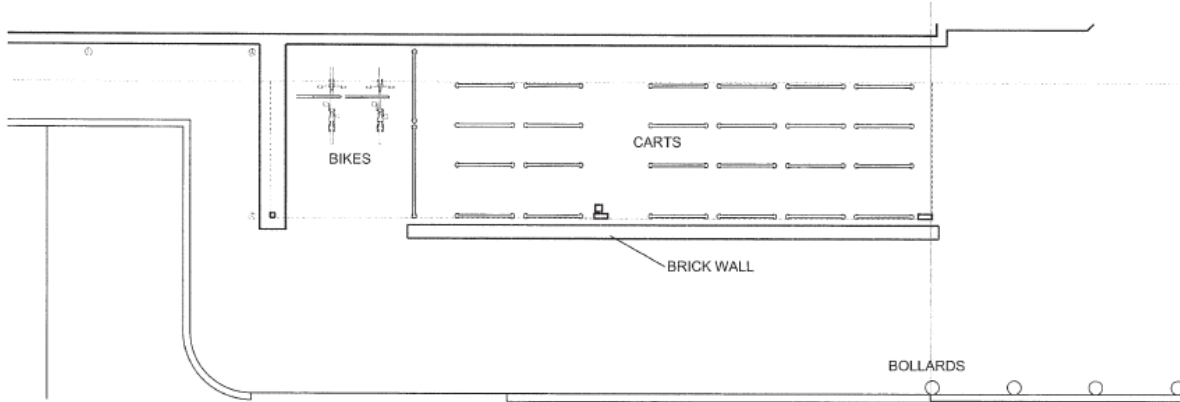
SOUTH ELEVATION



WEST ELEVATION

*Stucco: Where possible, loading dock areas will be stucco based on allowed percentage per municipality.

*TRIPARTITE ROOF: This will be a cornice cantilever detail applied to the parapet and not a full lapped roof.



COLLEYVILLE LIDL CART STORAGE

07/26/17

SPA #1

Robert Boyd ARCHITECTS, Inc. 4004 Beltline Rd., Ste. 220 Addison, Texas 75001 (214) 969-7000 Fax (214) 481-9816



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 4d	Agenda Date 08/14/2017	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a zoning change from the AG Agricultural zoning district to the RE Single Family "Estate" Residential zoning district on Tract 2, Abstract 1487, in the O C Strum Survey, located at 6204 L D Lockett Road, Case ZC17-014

Explanation

Tommy Cunningham, the applicant, has submitted a request to rezone approximately 2.242 acres, located at 6204 LD Lockett Road, from the AG Agricultural district to the RE Single Family "Estate" Residential district. The applicant is seeking a zoning change in order to create one single family residential lot for future residential development.

Existing Conditions/Background: The subject property is currently unplatted. The applicant has indicated the intent to remove the existing home and construct a new single family home on the subject property. A minor plat will be required prior to issuance of a building permit for a new home on the property. The current AG zoning requires a minimum of 3 acres, which the property does not have.

Proposed Zoning Change:

Request – The applicant is requesting a zoning change from the AG Agricultural district to the RE Single Family Residential district to create one single family residential lot.

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

- Minimum Lot Area: 80,000 square feet
- Minimum Lot Width: 200 feet
- Minimum Lot Depth: 300 feet
- Minimum Front Yard Setback: 40 feet
- Minimum Side Yard Setbacks: 25 feet
- Minimum Rear Yard Setback: 40 feet
- Maximum Lot Coverage: 20 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 one lot of 97,699 square feet, or 2.242 acres. This conceptual plan meets the RE zoning district's minimum lot area of 80,000 square feet and other standards as listed above. Chapter 3 (Land Use) of the Land Development Code identifies the

purpose and intent of the RE zoning district as primarily oriented toward low-density residential purposes and open space uses. Additionally, it states the principal uses shall be low-density detached single family homes.

Analysis – The zoning designations for the majority of the adjacent properties are AG Agricultural and R-40 Single Family Residential with some R-30 Single Family Residential. The subject property is clearly aligned with the RE district based on the size of the property. The proposed conceptual zoning exhibit meets the minimum standards for the RE district and is consistent with the development patterns in the immediate area. Additionally, the zoning request will create a large estate lot along LD Lockett Road which is aligned with the Comprehensive Plan and the larger vision for this portion of Colleyville.

Surrounding Development: The properties to the north, south, and west are zoned AG Agricultural district and developed with single family homes. The property to the east are zoned R-40 Single Family Residential district and developed with single family homes. The Cottonbelt Trail and the railroad line both exist along the south side of LD Lockett Road.

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 0.45 dwelling units per net acre. The proposed rezoning request complies with the density policy stated in the Comprehensive Plan.

Fees: Park Land Dedication fees are not required for the subject property.

Tree Preservation: Any future development 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, July 28, 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, July 29, 2017 as required by State law and the Land Development Code. To date, staff has not received any correspondence for this item.

Staff Recommendation: The proposed zoning change is generally consistent with the City's comprehensive plan. The requested RE District is the most compatible zoning district for this property. The applicant will be required to submit a minor plat which meets the requirements of the RE district prior to issuance of a building permit. Staff recommends approval of the proposed rezoning request.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Zoning Exhibit
6. Site Survey
7. Notification Map
8. Notification List
9. Property Owner Notification
10. Legal Notice
11. Ordinance

Aerial Map

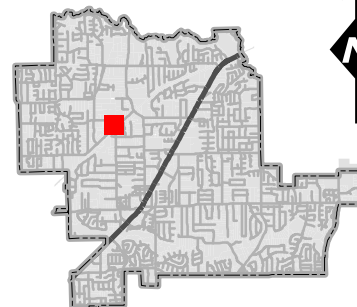


ZC17-014

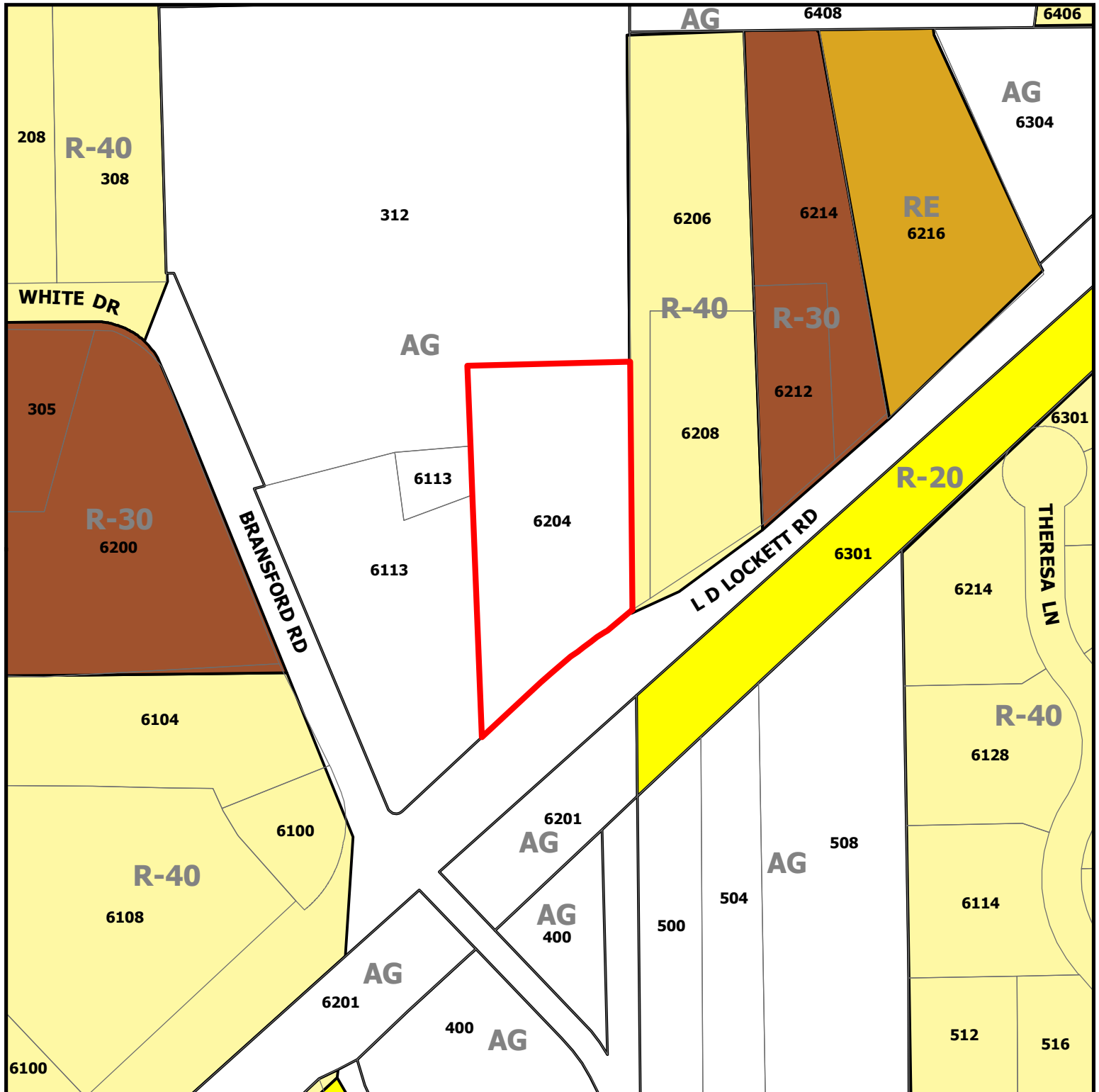
6204 L D Lockett Road

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



ZC17-014

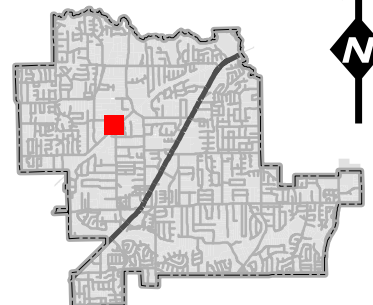
6204 L D Lockett Road

DISCLAIMER:

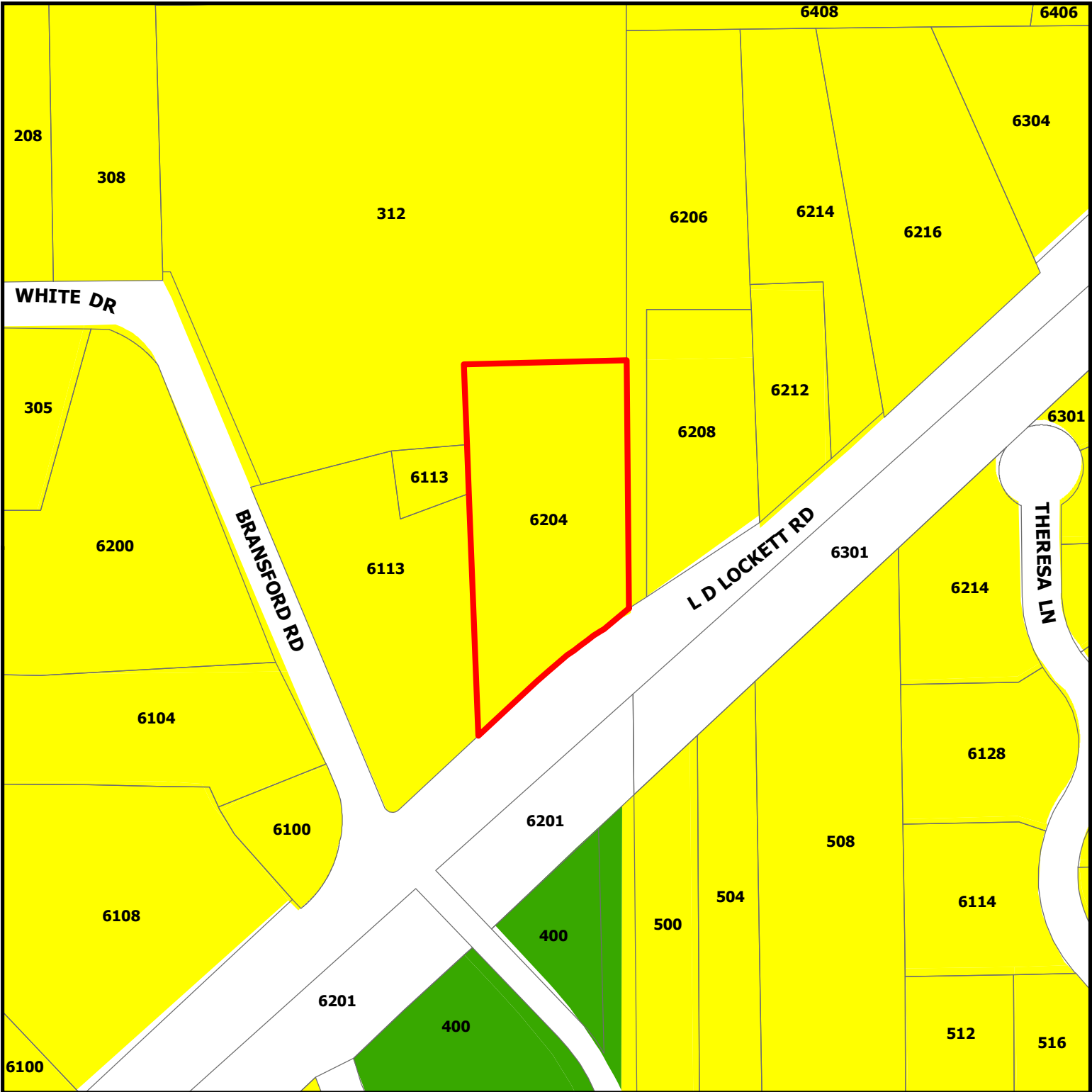
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Subject Property



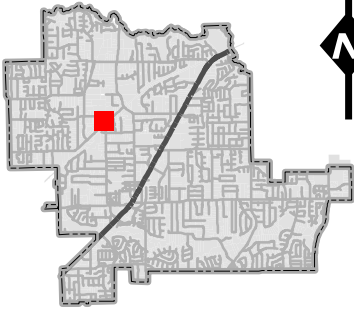
Future Land Use Map



ZC17-014

6204 L D Lockett Road

-  Subject Property
-  Residential
-  Parks/ Open Space



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Statement of Planning Objectives

From:
To: [Araceli Botello](#)
Subject: L D LOCKETT REZONEING
Date: Thursday, June 22, 2017 10:21:45 AM

We are requesting a zoning change on 6204 L.D.Lockett Rd. from its current zoning to Residential Estate District Zoning.

Sincerely

Tommy Cunningham
8179667608
Sent from [Outlook](#)

[illegible]

Year	Actual (%)	Projected (%)
1960	10	10
1970	11	11
1980	12	12
1990	13	13
2000	14	14
2010	14	16
2020	-	18

15' DRG. & U.E.

N 87° 37' 55"E 226.69

15' DRG. & U.E.

PTM SURVEY
PLOT NO. 1467
1209082615

1
ADDITION
446

LOT 1
BLOCK 1
97699.115 S.P.
Z.342 AGMS

A vicinity map showing a road intersection. A horizontal road at the top is labeled "BRIGGSFORD ROAD". A vertical road on the right side is labeled "LA LOMA ROAD". The two roads intersect at a T-junction.

30 19 1987

[illegible]

A blank sheet of graph paper with a grid pattern. The grid consists of small squares formed by thin black lines. There are approximately 20 columns and 20 rows of squares. In the bottom right corner, there is a small, faint logo or text that appears to say "CPS".

40° BL

OWNER:
MICHAEL & AMY TURNER
8204 L.D. LOCKETT ROAD

SEAFAR APPROVAL AUTHORITY
 APPROVED IN ACCORDANCE WITH SECTION 112.00405 OF THE TEXAS
 WATER CODE AND THE CITY OF COLLEYSVILLE SUBMERSION REGULATIONS.

OWNERS REPRESENTATIVE:
CUNNINGHAM CLASSIC HOMES
TOMMY CUNNINGHAM
317.566.7608

ENGINEER:
KELLY ENGINEERING, INC.
EDWARD KELIE, PE
P.O. BOX 47898
FORT WORTH, TEXAS 76147
317.455.1396
FAX: 817.704.4458

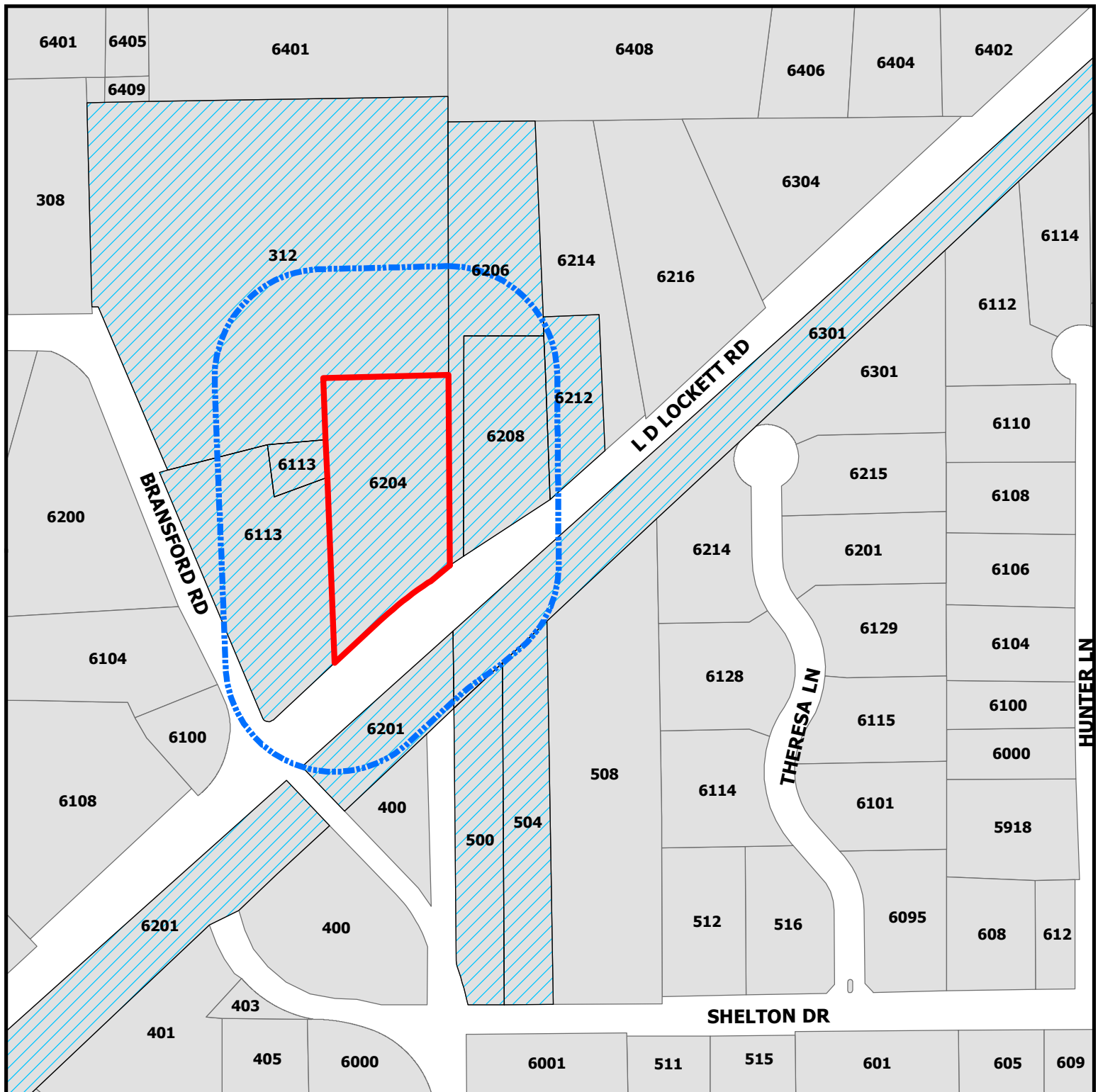
SURVEYOR:
LOYD BRANSOM SURVEYORS, INC.
CHARLES B. HOOKS, JR., RPLS
1028 N. STYLANA AVE.
FAC: 817.704.4458

DIRECTOR _____

[illegible]

FAX 817.831.9818
17-216
15-09-17
PM REGISTRATION/LICENSE NO.

Notification Map



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ZC17-014

6204 L D Lockett Road



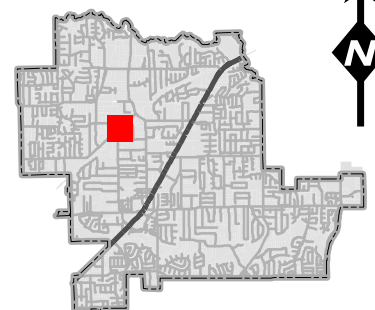
Subject Property



200ft Buffer



Properties within 200ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
MELISSA J HUTTON SEPARATE PROP	312 WHITE DR	COLLEYVILLE, TX	76034	312 WHITE DR
REGIONAL RAIL ROW CO	PO BOX 660163	DALLAS, TX	75266	6301 L D LOCKETT RD
77 LEGACY LLC	6214 LD LOCKETT RD	COLLEYVILLE, TX	76034	6212 L D LOCKETT RD
MOORE, SEAN	6208 LD LOCKETT RD	COLLEYVILLE, TX	76034	6208 L D LOCKETT RD
MOORE, SEAN	6208 LD LOCKETT RD	COLLEYVILLE, TX	76034	6208 L D LOCKETT RD
CADENHEAD, WM B	6113 BRANSFORD RD	COLLEYVILLE, TX	76034	6113 BRANSFORD RD
CADENHEAD, WM B	6113 BRANSFORD RD	COLLEYVILLE, TX	76034	6113 BRANSFORD RD
DOODY, KEVIN	1109 SOMERSET BLVD	COLLEYVILLE, TX	76034	500 SHELTON DR
DOODY, KEVIN	1109 SOMERSET BLVD	COLLEYVILLE, TX	76034	504 SHELTON DR
REGIONAL RAIL ROW CO	PO BOX 660163	DALLAS, TX	75266	6201 L D LOCKETT RD
TURNER, MICHAEL	6204 L D LOCKETT RD	COLLEYVILLE, TX	76034	6204 L D LOCKETT RD
ALIANNE ESTATES	6201 THERESA LANE	COLLEYVILLE, TX	76034	COURTESY NOTICE
CUTTER RIDGE ESTATES ADDITION	6404 CUTTER RIDGE COURT	COLLEYVILLE, TX	76034	COURTESY NOTICE
CUNNINGHAM CLASSIC HOMES	6809 BAKER BLVD	FORT WORTH, TX	76118	APPLICANT
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were mailed Friday,
July 28, 2017 by Araceli Botello

Property Owner Notification



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC17-014
Applicant: Cunningham Classic Homes
Owner: Amy and Michael Turner
Location: 6204 L D Lockett Road
Property Description: Tract 2, Abstract 1487, in the O C Strum Survey
Present Zoning: AG Agricultural zoning district
Request: Consideration of a zoning change from the AG Agricultural zoning district to the RE Single Family "Estate" Residential zoning district. The purpose of the zoning change request is to create one single family residential lot for future residential development

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, August 14, 2017 at 7:00 p.m.
City Council Meeting: Tuesday, September 5, 2017 & Tuesday, September 19, 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

July 28, 2017

SENT VIA EMAIL on Friday, July 28, 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, July 29, 2017***

The City of Colleyville Planning and Zoning Commission gives notice of a Public Hearing on Monday, 8/14/17 at 7:00 p.m. at City Hall, 100 Main Street, Colleyville, Texas:

Case ZC17-011 - Consideration of a zoning change from the AG Agricultural zoning district to the PUD-C Planned Unit Development Commercial zoning district on Tract A8, Abstract 1034, in the Green Minter W Survey, located at 5008 Roberts Road

Case ZC17-012 - Consideration of an amendment to the PUD-C Planned Unit Development Commercial requirements on Lots 6R & 7R, Block 1, of the Winding Creek Addition located at 6504 and 6502 Colleyville Boulevard

Case ZC17-013 - 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 1A, Block 1, of the Twin Lakes Plaza Addition, located at 4007 Colleyville Boulevard

Case ZC17-014 - Consideration of a zoning change from the AG Agricultural zoning district to the RE Single Family "Estate" Residential zoning district on Tract 2, Abstract 1487, in the O C Strum Survey, located at 6204 L D Lockett Road

The City Council will hold a Public Hearing on the above items on 9/5/17 and 9/19/17 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 2.242 ACRES, TRACT 2, ABSTRACT 1487, IN THE O C STRUM SURVEY, LOCATED AT 6204 L D LOCKETT ROAD, FROM THE AG AGRICULTURAL DISTRICT TO THE RE SINGLE FAMILY "ESTATE" 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 ZC17-014; 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 2.242 acres, Tract 2, Abstract 1487, in the O C Strum Survey, located at 6204 L D Lockett Road, from the AG Agricultural district to the RE Single Family "Estate" 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 5th day of September 2017.

The second reading and public hearing being conducted on the 19th day of September 2017.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 19TH DAY OF SEPTEMBER 2017.

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

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

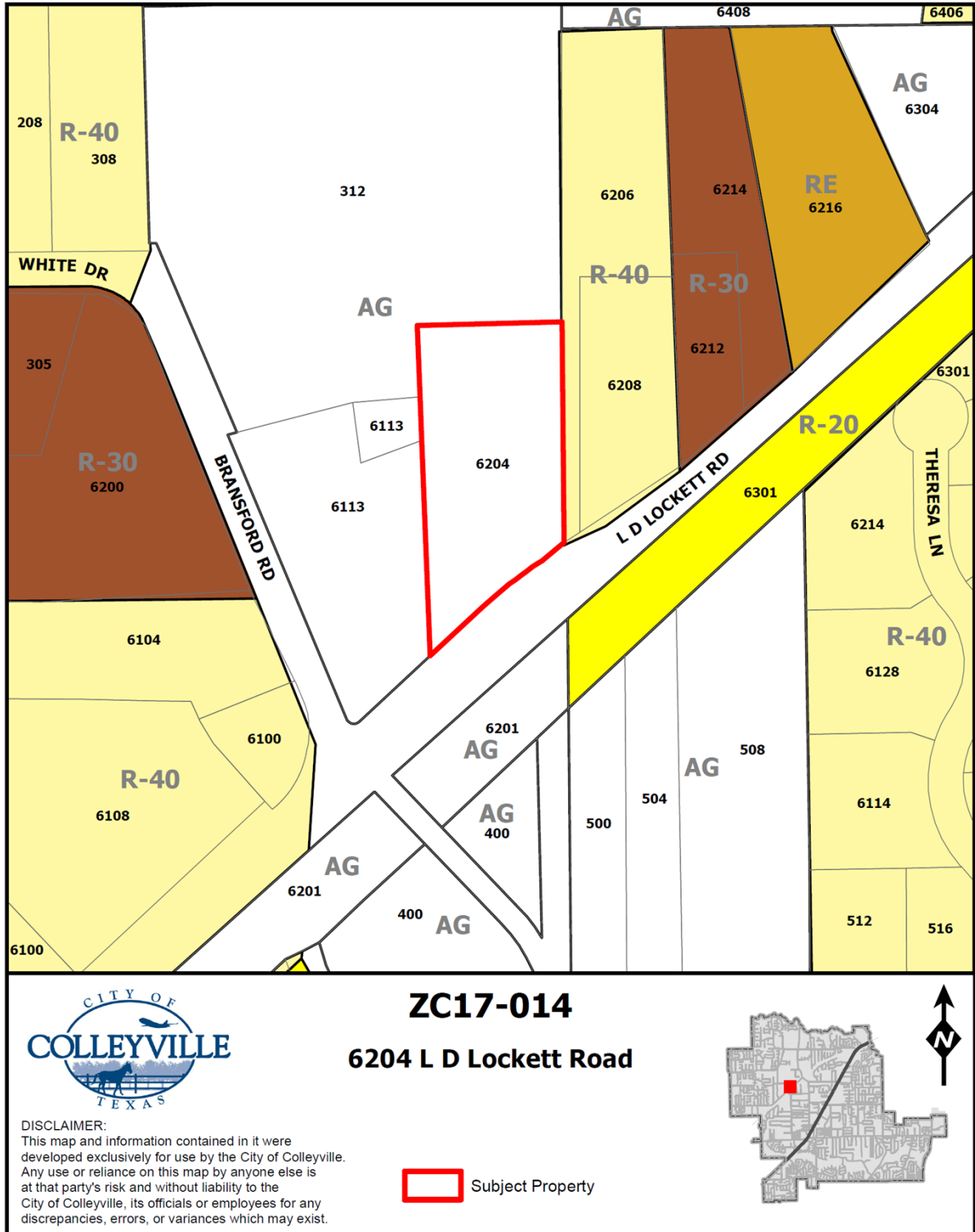


Exhibit "B"- Metes & Bounds Description

Legal Description

BEING A TRACT OF LAND OUT OF THE O.C. STRUM SURVEY, ABSTRACT NO. 1437, TARRANT COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN INSTRUMENT NO. D216295215, DEED RECORDS, TARRANT COUNTY, TEXAS

BEGINNING AT A CAPPED IRON PIN (MOAK) FOUND IN THE NORTH LINE OF L.D. LOCKETT ROAD FOR THE SOUTHWEST CORNER OF TRACT BEING DESCRIBED, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, HOWARD PLACE ADDITION, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 388-139, PAGE 97, PLAT RECORDS, TARRANT COUNTY, TEXAS;

THENCE NORTH 01 DEGREES 41 MINUTES 01 SECONDS WEST 329.87 FEET ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1, HOWARD PLACE ADDITION TO A CAPPED IRON PIN SET FOR CORNER OF TRACT BEING DESCRIBED, SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1, HOWARD PLACE ADDITION AND THE SOUTHEAST CORNER OF A TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 13475, PAGE 59, DEED RECORDS, TARRANT COUNTY, TEXAS;

THENCE NORTH 00 DEGREES 15 MINUTES 03 SECONDS WEST 188.18 FEET ALONG THE EAST LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 13475, PAGE 59 AND THE EAST LINE OF LOT 1, BLOCK 1, KRAMER ADDITION, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 6003, PLAT RECORDS, TARRANT COUNTY, TEXAS, TO A CAPPED IRON PIN (MOAK) FOUND FOR THE NORTHWEST CORNER OF TRACT BEING DESCRIBED, SAID POINT BEING AN INSIDE CORNER OF SAID LOT 1, BLOCK 1, KRAMER ADDITION;

THENCE NORTH 89 DEGREES 37 MINUTES 35 SECONDS EAST 228.89 FEET ALONG THE SOUTH LINE OF LOT 1, BLOCK 1, KRAMER ADDITION TO A CAPPED IRON PIN SET IN THE WEST LINE OF LOT 1R, BLOCK 1, BURNETT WHITTLESEY ADDITION, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 11445, PLAT RECORDS, TARRANT COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF TRACT BEING DESCRIBED, FROM WHICH A 3/4" PIPE FOUND BEARS 0.64 FEET NORTH 12 DEGREES 34 MINUTES 26 SECONDS EAST;

THENCE SOUTH 00 DEGREES 10 MINUTES 30 SECONDS WEST 347.31 FEET ALONG THE WEST LINE OF SAID LOT 1R, BLOCK 1, BURNETT WHITTLESEY ADDITION TO A 'H' IRON PIN FOUND IN THE NORTH LINE OF SAID L.D. LOCKETT ROAD FOR THE SOUTHEAST CORNER OF TRACT BEING DESCRIBED AND FOR THE SOUTHWEST CORNER OF SAID LOT 1R, BLOCK 1, BURNETT WHITTLESEY ADDITION;

THENCE SOUTH 51 DEGREES 37 MINUTES 23 SECONDS WEST 277.20 FEET ALONG THE NORTH LINE OF SAID L.D. LOCKETT ROAD TO THE POINT OF BEGINNING AND CONTAINING 2.242 ACRES OF LAND, MORE OR LESS