



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, October 8, 2018

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 MATHISEN
PLEDGE OF ALLEGIANCE**

1. SWEARING IN OF NEWLY APPOINTED MEMBERS

Julie Waltens - Place 3
Kimberly Holt - Place 4

2. ELECTION OF OFFICERS

Chair
Vice Chair

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

4. PUBLIC HEARING AGENDA ITEMS

- 4a** Consideration of a Replat for Lot A1R-1, Block 2, of the Pleasant Oaks Estates Addition, located at 512 and 600 Leta Lane, Case PC18-014, THE APPLICANT HAS REQUESTED TO TABLE THIS ITEM
- 4b** Consideration of a zoning change from R-40 Single Family Residential district to PUD-C Planned Unit Development – Commercial district on Tract 1, Abstract 1154, in the R H McEwing Survey and Tract 1G, Abstract A1182, in the Less Homesite Survey, located at 8060 Precinct Line Road, Case ZC18-028
- 4c** Consideration of a zoning change from R-40 Single Family Residential district to R-20 Single Family Residential district on Lot C, McEwing Subdivision & 1B02A, 1B2, 1B3, and 1B4, Abstract 1154, in the R H McEwing Survey, located at 712-810 Lavaca Trail, Case ZC18-033
- 4d** Consideration of amendments to Chapter 2 – Definitions and Chapter 3 – Land Use in the Land Development Code, specifically to “Short Term Home Rental”, Case GC18-008

5. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards October 5, 2018 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 Agenda Briefing

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

Agenda Number 4a	Agenda Date 10/08/2018	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a Replat for Lot A1R-1, Block 2, of the Pleasant Oaks Estates Addition, located at 512 and 600 Leta Lane, Case PC18-014, THE APPLICANT HAS REQUESTED TO TABLE THIS ITEM

Explanation

The applicant has requested to table the item. The applicant is reviewing their options for the property.

Grayson CeBallos, the applicant, has submitted a request for a Replat of Lot A1W and A1R, Block 2, of the Pleasant Oaks Addition, being approximately 2.937 acres, and zoned R-40 Single Family Residential district. The purpose is to combine a single-family residential lot with an unplatted tract.

Existing Conditions/Background: The subject properties, 512 & 600 Leta Lane, reside on the north side of Leta Lane east of Bransford Road. The subject property has R-40 zoning and are developed with a single-family residence.

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

- Minimum Lot Area: 40,000 square feet
- Minimum Lot Width: 150 feet
- Minimum Lot Depth: 150 feet
- Minimum Front Yard Setback: 40 feet
- Minimum Side Yard Setbacks: 15 feet
- Minimum Rear Yard Setback: 25 feet
- Maximum Lot Coverage: 20 percent

As submitted, the proposed plat meets all of the requirements of the R-40 zoning as described in the Land Development Code.

Surrounding Development: The surrounding area consists of a mix of larger lots with R-40 and smaller lots with R-10 zoning districts and are developed with single family homes.

Analysis: The proposed lot layout complies with the existing R-40 zoning and meets the intent of the Comprehensive Master Plan.

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

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

Public Notification: Staff mailed notices to all property owners within 500 feet of the subject property. Notice was also published in the Fort Worth Star-Telegram as required by State law and the Land Development Code. To date, no correspondence has been received for this item.

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

Recommendation

None

Attachments

1. Applicant's Request to Table
2. Aerial Map
3. Zoning Map
4. Future Land Use Map
5. Plat Exhibit
6. Notification Map
7. Notification List
8. Property Owner Notification

Araceli Botello

Subject: FW: PC18-014 Replat 512 & 600 Leta Lane

From: Grayson CeBallos

Sent: Monday, September 24, 2018 3:51 PM

To: Jackie Reyff <JReyff@colleyville.com>

Subject: RE: PC18-014 Replat 512 & 600 Leta Lane

Jackie,

We would like to Table Leta Lane and the current process of that for now.

We will aim to get back on the docket for the November meeting. I thank you again for your patience and help, it goes a long way.

Thanks,

GRAYSON CEBALLOS

JR. PROJECT MANAGER

220 ELM STREET, SUITE 200 | LEWISVILLE, TX 75057

Office: 214.217.2544 | Direct: 972.370.5871

WINDROSESERVICES.COM | FIRM REGISTRATION NO. 10194331



WINDROSE
LAND SURVEYING | PLATTING

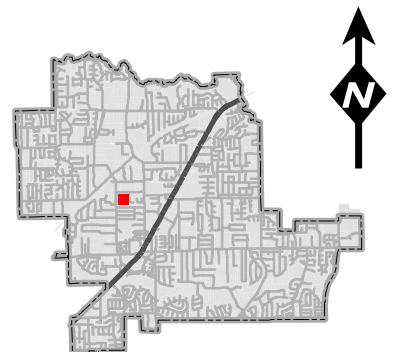
Aerial Map



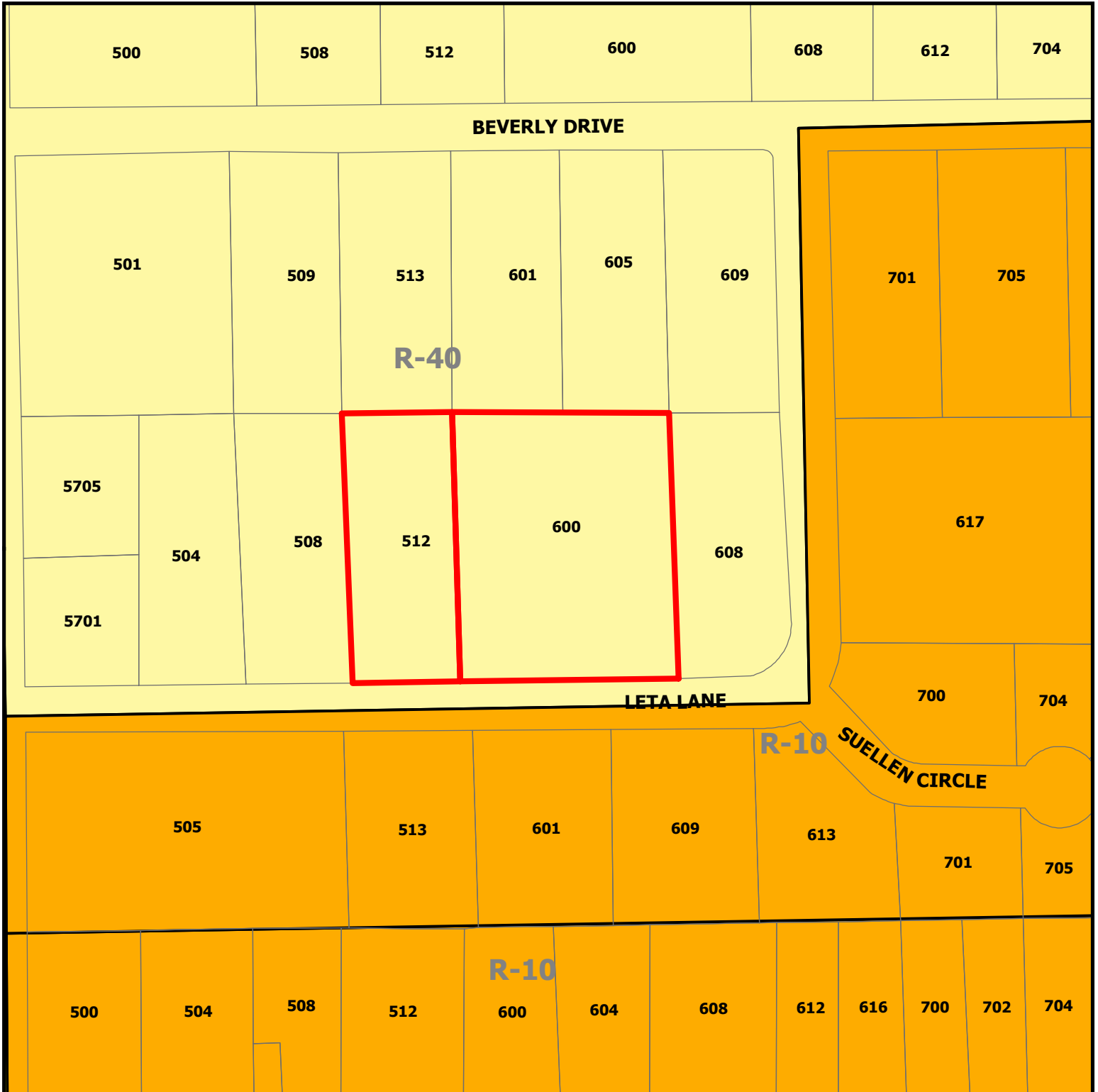
PC18-014 512 and 600 Leta Lane

DISCLAIMER:
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 Subject Property



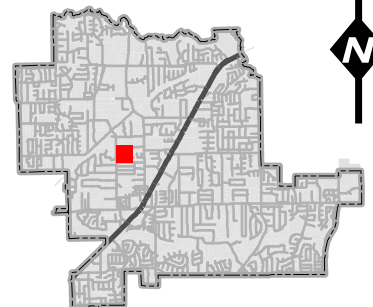
Zoning Map



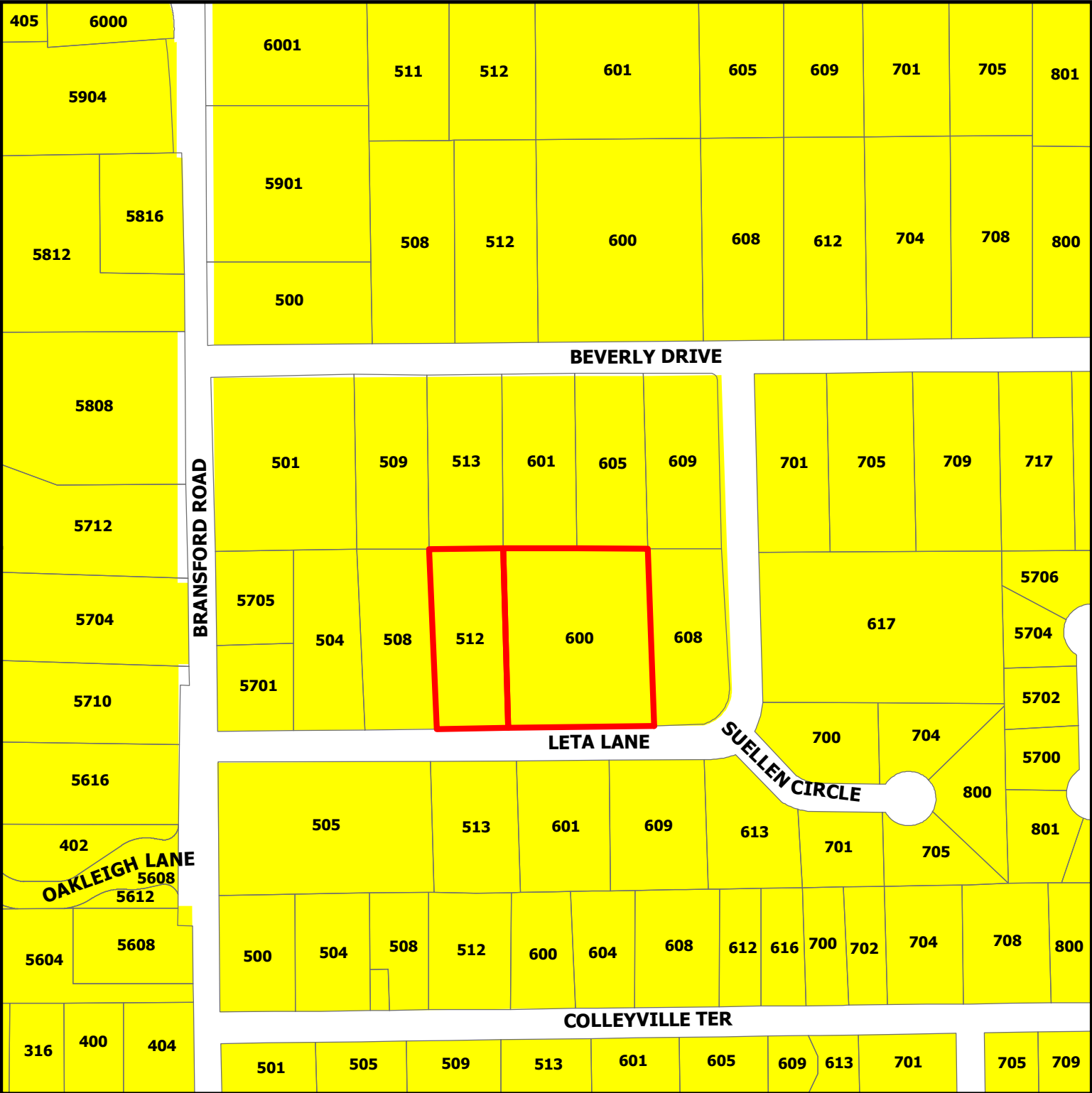
PC18-014 512 and 600 Leta Lane

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 Subject Property

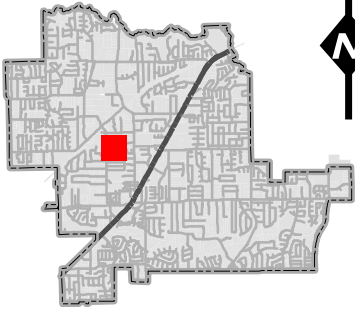


Future Land Use Map



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 Subject Property
 Residential

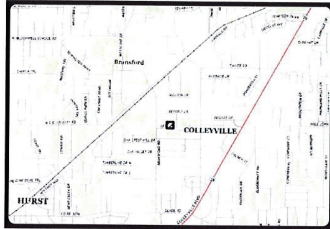


Plat Exhibit

SURVEYOR'S NOTES:

- Bearings and distances are based on Texas State Plane Coordinate System, Texas North Central Zone 4202 North American Datum of 1983 (NAD 83) (U.S. Foot) with a combined scale factor of 1.00012.
- This property lies within Zone "X" Unshaded of the Flood Insurance Rate Map for Tarrant County, Texas and Incorporated Areas, map no. 48439C00938, dated September 23, 2009, via scaled map location and graphic plotting.
- Notice: Selling a portion of this addition by metes and bounds is a violation of City subdivision ordinance and state planning statutes and is subject to fines and withholding of utilities and building certificates.
- The purpose of this plat is to combine one plotted lot and one unplatted lot into one single plotted lot.
- The maintenance of all drainage and utility easements located on private property are the responsibility of the property owner.

VICINITY MAP



UTILITY EASEMENT:

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

DRAINAGE EASEMENT RESTRICTION:

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

STATE OF TEXAS

COUNTY OF DENTON

This is to certify that I, Thomas W. Maak, a Registered Professional Land Surveyor of the State of Texas, have plotted the subdivision from an actual survey on the ground, and that this plat correctly represents that survey made by me or under my direction and supervision.

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT UNTIL IT IS FINAL.

Thomas W. Maak, R.P.L.S.
No. 3119

STATE OF TEXAS

COUNTY OF TARRANT

WHEREAS James K. and Theresa M. Lines are the owners of two tracts of land situated in the Pate Peterson Survey, Abstract Number 1203, being a portion of Block 2, Pleasant Oak Estates, an addition to the City of Colleyville, Texas, recorded in Volume 388-25, Page 88, Plat Records, Tarrant County, Texas and all of Lot AIR, Block 2, Pleasant Oak Estates, an addition to the City of Colleyville, Texas, recorded in Volume 388-25, Page 88, Plat Records, Tarrant County, Texas being two tracts of land described to James K. and Theresa M. Lines in Instrument Numbers D218070891 and D218092809, Deed Records, Tarrant County, Texas and being more particularly described by metes and bounds as follows: (Bearings and distances are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (NAD83) (U.S. Foot) with a combined scale factor of 1.00012).

COMMENCING from a 1/2 inch rebar found for the southernmost southeast corner of a tract of land described to Michael S. and Catherine M. Alford, recorded in Instrument Number D21607131, Deed Records, Tarrant County, Texas, and lying on the north right of way line of Leta Lane (66 foot right of way as shown in Cabinet 5, Slide 54, Plat Records, Tarrant County, Texas);

THENCE South 89 degrees 37 minutes 03 seconds West with the north right of way line of said Leta Lane, a distance of 85.00 feet to a 1/2 inch rebar capped "ASC" set for the southeast corner of said Lot AIR and the southwest corner of said Alford tract also being THE POINT OF BEGINNING;

THENCE South 89 degrees 31 minutes 26 seconds West continuing with the north right of way line of said Leta Lane, a distance of 397.09 feet to a point for the southwest corner of said first referenced Lines tract same being the southwest corner of a tract of land described to James K. and Theresa Lines, recorded in Instrument Number D217267073, Deed Records, Tarrant County, Texas from which a 1/2 inch rebar bears South 00 degrees 33 minutes 28 seconds East, a distance of 0.89 feet;

THENCE North 01 degrees 54 minutes 30 seconds West departing the north right of way line of said Leta Lane, with the east line of said third referenced Lines tract, a distance of 122.02 feet to a 1/2 inch rebar found for the northeast corner of said third referenced Lines tract, same being the southeast corner of Lot AIR, Block 2, Pleasant Oak Estates, an addition to the City of Colleyville, Texas, recorded in Instrument Number D191321196, Plat Records, Tarrant County, Texas, also being the southeast corner of a tract of land described to Brian O'Brian by deed recorded in Instrument Number D208301779, Deed Records, Tarrant County, Texas;

THENCE North 89 degrees 31 minutes 26 seconds East with the south line of said O'Brian tract, passing a wood fence corner post found for the southeast corner of said O'Brian tract at a distance of 132.60 feet and continuing with the south line of a tract of land described to John P. and Christine Thomet, by deed recorded in Instrument Number D20253011, Deed Records, Tarrant County, Texas and with the south line of a tract of land described to Michael De Jong and Spence, Michelle K. De Jong, as recorded in Instrument Number D204569538, Deed Records, Tarrant County, Texas, a total distance of 397.80 feet to a 1/2 inch rebar capped "ASC" set for the southeast corner of said De Jong tract, same being the southwest corner of Lot AIR, Pleasant Oak Estates Addition, an addition to the City of Colleyville, Texas, recorded in Instrument Number D213175100, Plat Records, Tarrant County, Texas, and being the northeast corner of said Alford tract;

THENCE South 01 degrees 46 minutes 57 seconds East with the west line of said Alford tract and with the east line of said Lot AIR, a distance of 322.00 feet back to THE POINT OF BEGINNING and containing 127.545 square feet or 2.937 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

That We, James K. Lines and Theresa M. Lines, Owners, do hereby adopt this plat designating the heretofore described property as Lot AIR-1, Block 2, PLEASANT OAK ESTATES, ADDITION, an addition to the City of Colleyville, Tarrant County, Texas, and do hereby dedicate for the public use forever all streets, right-of-way, and alleys shown thereon, and do hereby reserve the easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use or using the same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of the 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 maintaining, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all planning ordinances, rules, regulations, and resolutions of the City of Colleyville, Texas.

By: _____
James K. Lines
By: _____
Theresa M. Lines

STATE OF TEXAS

COUNTY OF _____

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared James K. Lines, 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 consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 20____.

Notary Public in and for the State of Texas

STATE OF TEXAS

COUNTY OF _____

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Theresa M. Lines, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 20____.

Notary Public in and for the State of Texas

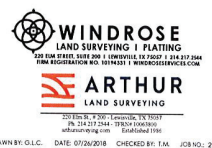
PLANNING AND ZONING COMMISSION APPROVAL:

WHEREAS The Planning and Zoning Commission of the City of Colleyville, Texas voted affirmatively on this ____ day of _____, 2018, to approve this Plat

Mayor, City of Colleyville

Attest: Secretary, Planning and Zoning Commission

REPLAT
PLEASANT OAK ESTATES
LOT AIR-1, BLOCK 2
FROM
LOT AIR PLEASANT OAK ESTATES
AND PART OF BLOCK 2
PATE PETERSON SURVEY,
ABSTRACT NO. 1203
CITY OF COLLEYVILLE, TARRANT
COUNTY, TEXAS



LEGEND OF ABBREVIATIONS

- D.R.T.C.T. DEED RECORDS, TARRANT COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS, TARRANT COUNTY, TEXAS
- R.O.W. RIGHT OF WAY
- I.R.S. 1/2 INCH CAPTED REBAR STAMPED "ASC" SET
- C.M. CONTROLLING MONUMENT
- S.F. SQUARE FEET

JAMES MILTON GRAY, JR.
TOL. AND PG. 46
INST. NO. D2080304
D.R.T.C.T.

EDWIN L. WALLER
TOL. AND PG. 46
INST. NO. D2080304
D.R.T.C.T.

RODNEY M. CROFTON AND
WIFE, DEBORAH A. CROFTON
INST. NO. D2080304
D.R.T.C.T.

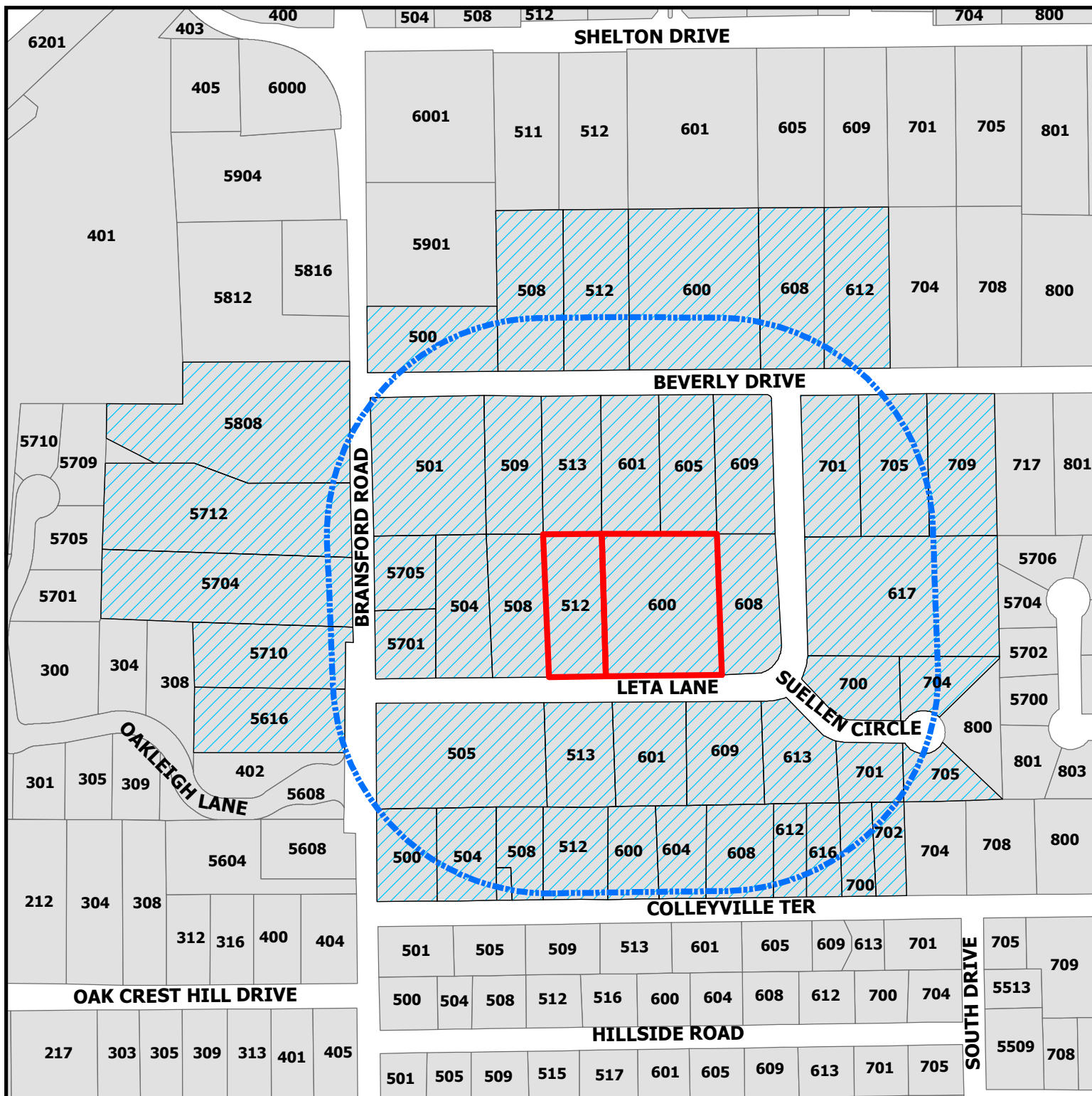
LORENA LEE
INST. NO. D2080304
D.R.T.C.T.

OWNER/DEVELOPER
THERESA LINES
3207 E. ALBANY CIRCLE
COLLEYVILLE, TEXAS 76034

DRAWN BY: G.L.C. DATE: 07/26/2018 CHECKED BY: T.M. J.C. NO.: 21803991

-2018-

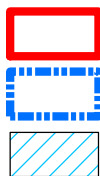
Notification Map



PC18-014
512 and 600 Leta Lane

DISCLAIMER:

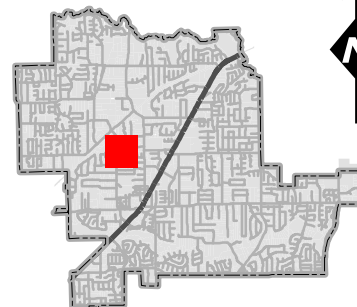
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Subject Property

500ft Buffer

Properties within 500ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
WALLER, EDWIN	513 LETA LN	COLLEYVILLE, TX	76034	513 LETA LN
MCGRATH, PAUL E	709 BEVERLY DR	COLLEYVILLE, TX	76034	709 BEVERLY DR
SURLEY, ELTON R	617 LETA LN	COLLEYVILLE, TX	76034	617 LETA LN
KOEHN, GARY L	612 COLLEYVILLE TERR	COLLEYVILLE, TX	76034	612 COLLEYVILLE TERR
FREIMUTH, KIRK	700 COLLEYVILLE TERR	COLLEYVILLE, TX	76034	700 COLLEYVILLE TERR
BUTLER, LINDSAY LEE	508 COLLEYVILLE TERR	COLLEYVILLE, TX	76034	508 COLLEYVILLE TERR
JOHNSON, WM R	608 COLLEYVILLE TERR	COLLEYVILLE, TX	76034	608 COLLEYVILLE TERR
ROGERS, LAURA	701 SUELLEN CIR	COLLEYVILLE, TX	76034	701 SUELLEN CIR
JEFFRIES, BRANDON	512 COLLEYVILLE TERR	COLLEYVILLE, TX	76034	512 COLLEYVILLE TERR
CHILDRESS, JOHN	512 BEVERLY DR	COLLEYVILLE, TX	76034	512 BEVERLY DR
BUTLER, LINDSAY LEE	508 COLLEYVILLE TERR	COLLEYVILLE, TX	76034	508 COLLEYVILLE TERR
CROSS, SHEILA	705 BEVERLY DR	COLLEYVILLE, TX	76034	705 BEVERLY DR
GRAY, JAMES M	505 LETA LN	COLLEYVILLE, TX	76034	505 LETA LN
BELLAMY, MARTY	705 SUELLEN CIR	COLLEYVILLE, TX	76034	705 SUELLEN CIR
KAMKID PROPERTIES LLC	6016 LD LOCKETT RD	COLLEYVILLE, TX	76034	600 COLLEYVILLE TERR
EDWARD, TIM A	608 BEVERLY DR	COLLEYVILLE, TX	76034	608 BEVERLY DR
LEMASTER, SCOTT L	504 COLLEYVILLE TERR	COLLEYVILLE, TX	76034	504 COLLEYVILLE TERR
ALVARADO, PATRICIA L	500 COLLEYVILLE TERR	COLLEYVILLE, TX	76034	500 COLLEYVILLE TERR
CROWSON, RODNEY	601 LETA LN	COLLEYVILLE, TX	76034	601 LETA LN
MINOR, ARVIL	5808 BRANSFORD RD	COLLEYVILLE, TX	76034	5808 BRANSFORD RD
WEST, NICHOLAS	5506 TEXAS TR	COLLEYVILLE, TX	76034	500 BEVERLY DR
RIMMER, HARRY L	508 BEVERLY DR	COLLEYVILLE, TX	76034	508 BEVERLY DR
CALDWELL, J R	604 COLLEYVILLE TERR	COLLEYVILLE, TX	76034	604 COLLEYVILLE TERR
DWYER, JOHN	5511 CLERMONT CT	COLLEYVILLE, TX	76034	616 COLLEYVILLE TERR
CLEFF, DAVID M	612 BEVERLY DR	COLLEYVILLE, TX	76034	612 BEVERLY DR
LOPEZ, CLAIRE LOUISE	701 BEVERLY DR	COLLEYVILLE, TX	76034	701 BEVERLY DR
GLEASON, JAMES T	600 BEVERLY DR	COLLEYVILLE, TX	76034	600 BEVERLY DR
TEES, LORENA	609 LETA LN	COLLEYVILLE, TX	76034	609 LETA LN
DWYER, JOHN J	5511 CLERMONT CT	COLLEYVILLE, TX	76034	613 SUELLEN CIR
WHITEHURST, MARY K	704 SUELLEN CR	COLLEYVILLE, TX	76034	704 SUELLEN CIR
PETERSON, LOWELL E	700 SUELLEN CIR	COLLEYVILLE, TX	76034	700 SUELLEN CIR
NELSON, ROBERT	608 LETA LN	COLLEYVILLE, TX	76034	608 LETA LN
LINES, JAMES K	3207 ST ALBANS CIR	COLLEYVILLE, TX	76034	508 LETA LN
TANNER, BRUCE	5616 BRANSFORD RD	COLLEYVILLE, TX	76034	5616 BRANSFORD RD
O'REGAN, BRIAN	513 BEVERLY DR	COLLEYVILLE, TX	76034	513 BEVERLY DR
BURNETT, JOHN P	601 BEVERLY DR	COLLEYVILLE, TX	76034	601 BEVERLY DR
LINES, JAMES K	3207 ST ALBANS CIR	COLLEYVILLE, TX	76034	512 LETA LN
LINES, JAMES K	3207 ST ALBANS CIR	COLLEYVILLE, TX	76034	600 LETA LN
OREGAN, BRIAN	513 BEVERLY DR	COLLEYVILLE, TX	76034	509 BEVERLY DR
WEST, GARY R	104 OAK VALLEY DR	COLLEYVILLE, TX	76034	504 LETA LN
TANNER, VICKI	15618 HADDON FIELD WAY	DARNESTOWN, MD	20878	5710 BRANSFORD RD
CARNEY, MAX	5712 BRANSFORD RD	COLLEYVILLE, TX	76034	5712 BRANSFORD RD
GARRISON, LISA	5704 BRANSFORD RD	COLLEYVILLE, TX	76034	5704 BRANSFORD RD
WEST, ERNEST R	104 OAK VALLEY DR	COLLEYVILLE, TX	76034	5705 BRANSFORD RD
BRISTOL, DAVID E	501 BEVERLY DR	COLLEYVILLE, TX	76034	501 BEVERLY DR
WEST, GARY R	104 OAK VALLEY DR	COLLEYVILLE, TX	76034	5701 BRANSFORD RD
DE JONG, MICHAEL	605 BEVERLY DR	COLLEYVILLE, TX	76034	605 BEVERLY DR
WEBB, JOHN P	609 BEVERLY DR	COLLEYVILLE, TX	76034	609 BEVERLY DR
DAVIS, JOSHUA	702 COLLEYVILLE TERR	COLLEYVILLE, TX	76034	702 COLLEYVILLE TERR
LAUREL OAKS ESTATES	809 LAUREL OAKS LANE	COLLEYVILLE, TX	76034	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
CEBALLOS, GRAYSON	220 ELMS STREET	LEWISVILLE, TX	75057	APPLICANT

Public hearing notices were mailed on September 21, 2018 by Araceli Botello



NOTICE OF PUBLIC HEARING

Zoning Case Number: PC18-014

Owner: Grayson CeBallos

Applicant: Grayson Ceballos

Location: 512 & 600 Leta Lane

Property Description: Lot A1W and A1R, Block 2, of the Pleasant Oaks Estates Addition

Present Zoning: R-40 Single Family Residential District

Request: Consideration of a Replat for Lot A1R-1, Block 2, of the Pleasant Oaks Estates Addition, located at 512 and 600 Leta Lane. The purpose is to combine both properties to make one single-family residential lot.

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, October 8, 2018 at 7:00 p.m.
City Council Meeting: Tuesday, November 5, 2018 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 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Action by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request.

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas. A brief project description can be found online on the Active Development Case map: <https://www.colleyville.com/government/departments-a-l/community-development/active-development-cases>. For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Jacquelyn Reyff
Principal Planner
jreyff@colleyville.com



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 10/08/2018	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a zoning change from R-40 Single Family Residential district to PUD-C Planned Unit Development – Commercial district on Tract 1, Abstract 1154, in the R H McEwing Survey and Tract 1G, Abstract A1182, in the Less Homesite Survey, located at 8060 Precinct Line Road, Case ZC18-028

Explanation

Rick Jones, the applicant, has submitted a request to rezone the property located at 8060 Precinct Line Road. The purpose is to rezone from the R-40 Single Family Residential district to the PUD-C Planned Unit Development-Commercial district in order to allow for the development and operation of a self-storage facility on the rear (eastern) portion of the property and creation of three (3) pad sites for retail/restaurant uses along the front (western) portion of the property.

Existing Conditions/Background: The subject property is currently un-platted and is Tract 1, Abstract 1154, in the R H McEwing Survey. The applicant proposes to develop the property into self-storage facilities and potential retail/restaurant for the property located along Precinct Line Road. The current zoning allows for single-family residential uses.

Proposed Zoning Change:

Request – The request is to rezone from the R-40 Single Family Residential (40,000 sq/ft min. lot size) to the Planned Unit Development - Commercial (PUD-C) district. The request is to construct an 86,675 SF self-storage warehouse with three (3) pad sites for approximately 12,850 SF of retail and restaurant.

Purpose: The purpose of a Planned Unit Development (PUD) is to provide for greater flexibility and discretion in the approval of residential, non-residential and mixed use developments by encouraging creative, efficient and aesthetically desirable residential and commercial projects that are superior to what could be accomplished in other zoning districts through the use of increased open spaces, greenbelts, or by providing enhanced amenities or features within the development that will be of special benefit to the property owners or to the community.

Analysis – The subject property meets all of the minimum physical requirements described for the requested PUD-C designation. This request also fits into a recent trend of commercial development along Precinct Line Road. The self-storage facilities

have been identified in the Land Development Code for use only with Special Use Permits in our Light Manufacturing (ML) district and therefore approval of this PUD would mean an approval of the self-storage use.

Staff has worked with the applicant to communicate the desire for high quality architectural standards in the development. By approving a PUD-C for the entire property at once, it ensures that the architectural quality of the buildings fronting Precinct Line Road will be of equally high standards and that the entire property develops in a cohesive manner.

Surrounding Development: Property immediately to the north has CC-2 and PUD-C zoning and has developed with commercial and office uses. A new office building is currently under construction to the rear of the existing building along Precinct Line Road. Property to the south has PUD-C zoning but remains undeveloped. Property across Precinct Line Road to the west has developed primarily as residential and falls outside of Colleyville's city boundaries. Property to the east has R-40 and R-20 Single-Family Residential zoning and has mostly developed with single-family residential uses. The property to the southeast is zoned PUD-R and developed with single family residential uses.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, designates the subject property and most of the property along Precinct Line Road for future commercial use. The Land Development Code only allows the proposed self-storage warehouse use with a Special Use Permit in the Light Manufacturing (ML) zoning district. The addition of retail/restaurant pad sites meets the intent of the comprehensive plan. The proposed rezoning request does comply with the commercial land use designation stated in the comprehensive plan.

Fees: This proposed project would require Park Land Dedication fees in the amount of \$2,876 based on a rate of \$800 per acre. 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, if applicable.

Tree Preservation: There exists a protected tree on the self-storage tract and the applicant is requesting to remove the tree due to its location. This request is reflected in the proposed PUD conditions. As the retail/restaurant pad sites develop they 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 or the development could

request a waiver to the requirements.

Public Notification: Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 500 feet of the subject property. Staff notified Keller ISD per state law, which serves the subject property. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code. To date, staff has not received any correspondence for this item.

Staff Recommendation: Staff recommends approval of the zoning change request based on the following findings:

- The proposed would conform to the Future Land Use Plan and stated goals described in the *Destination Colleyville* Plan due to the identification and inclusion of a retail/restaurant concepts to the Planned Unit Development.
- The proposed use does conform to recent development trends in the surrounding properties and along Precinct Line Road.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Conceptual Site Plan
6. Existing Site Exhibit
7. Site Plan
8. Existing Tree Exhibit
9. Landscape Plan
10. Building Elevations
11. Drainage Exhibit
12. Drainage Plan
13. Storm Sewer Plan
14. Water and Sanitary Sewer Plan
15. Notification Map
16. Notification List
17. Property Owner Notification
18. Draft Ordinance - R-40 to PUD-C

Aerial Map



DISCLAIMER:

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

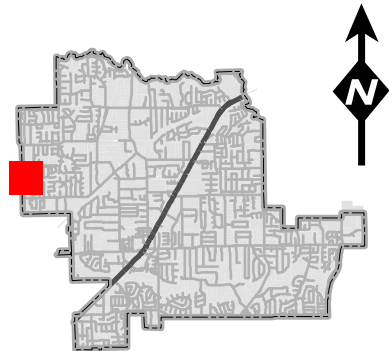
ZC18-028

8060 Precinct Line Road

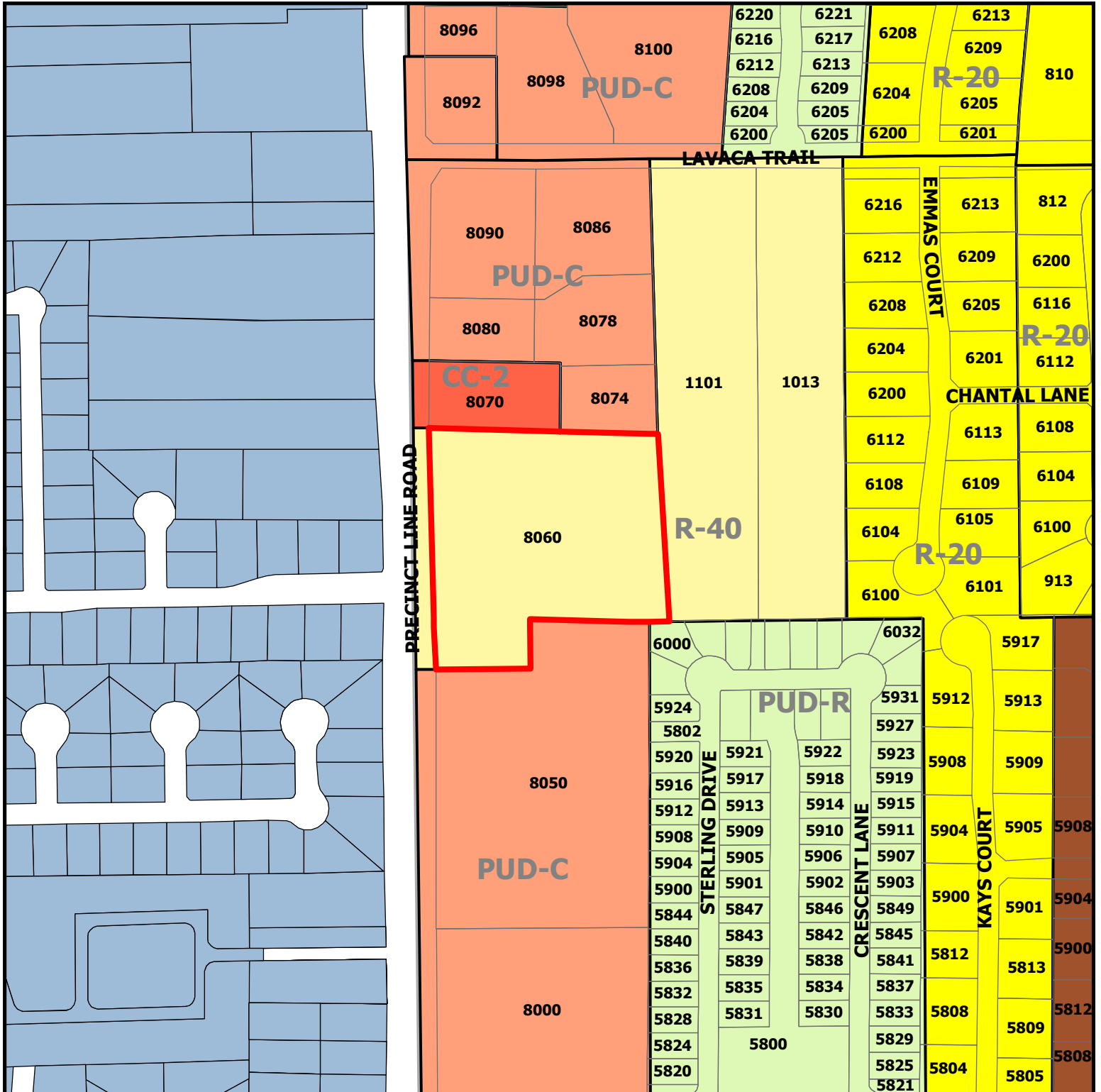


Subject Property

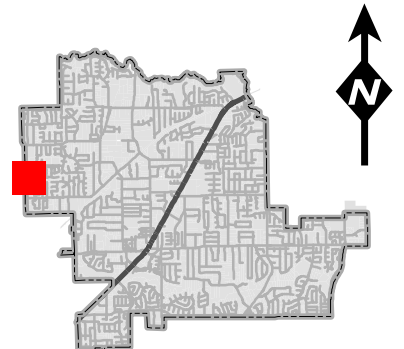
Properties Outside the City Limit



Zoning Map



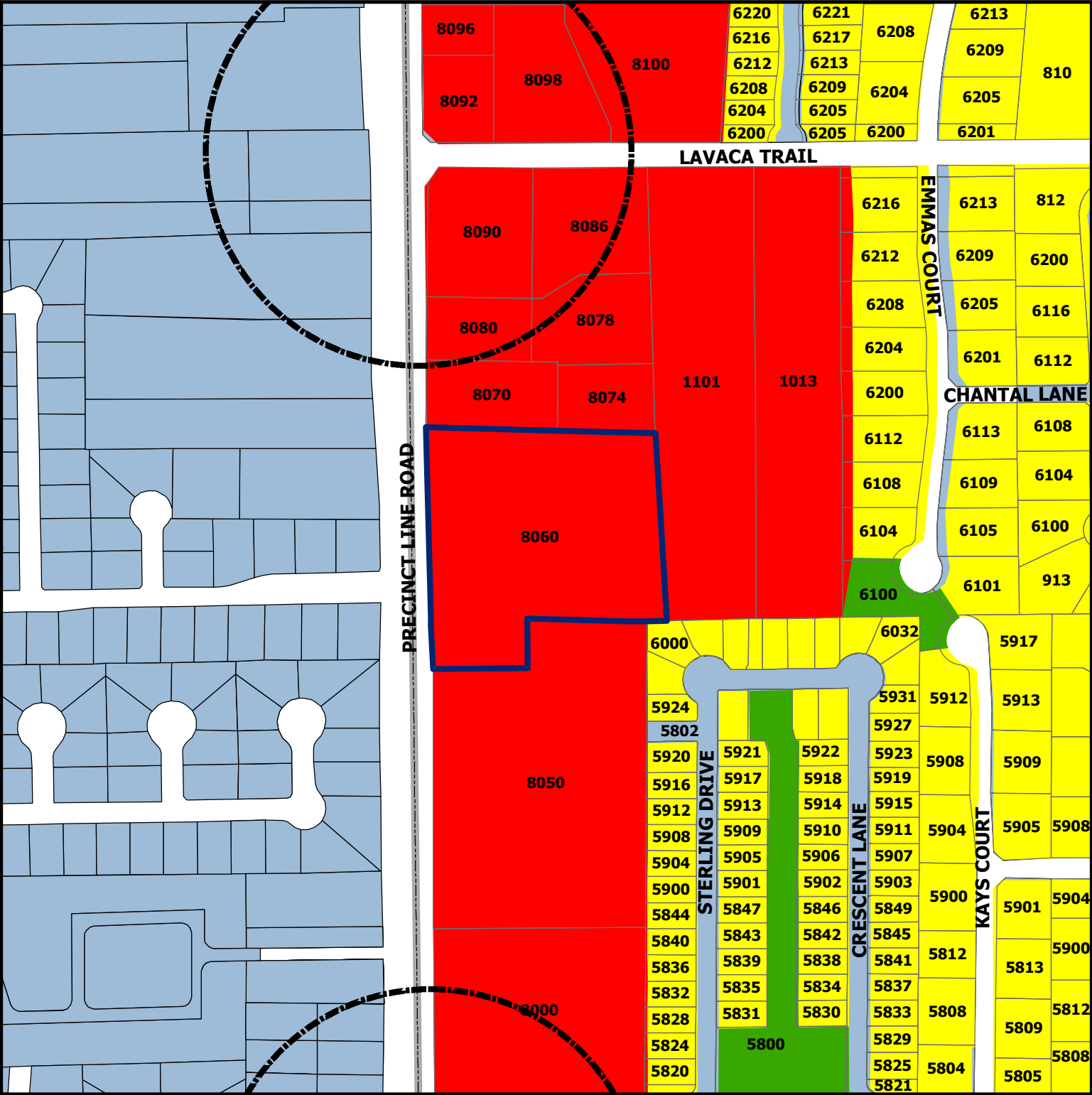
ZC18-028
8060 Precinct Line Road



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- Subject Property
- Properties Outside the City Limit

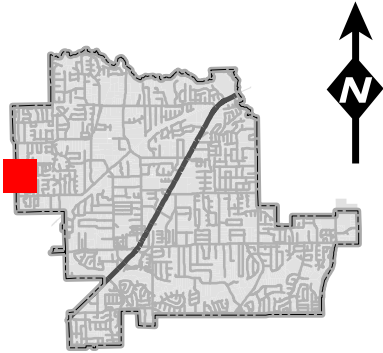
Future Land Use Map



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ZC18-028 8060 Precinct Line Road

- Subject Property
- Sales Tax Preferred Intersection
- Residential
- Commercial
- Open Space; Parks
- Properties Outside the City Limit



Statement of Planning Objectives

Advantage Storage
2600 Eldorado Parkway, Suite 110
McKinney, Texas 75070
972-547-0236
rjones@AdvantageStorage.net



7 September 2018

Mr. Ben Bryner, AICP
Director of Community Development
City of Colleyville
100 Main Street
Colleyville, Texas 76034

Re: Zoning Application
Proposed Self Storage Development
8060 North Precinct Line Road

Dear Mr. Bryner,

Please accept this letter in fulfillment of the zoning application provision for Statement of Planning Objectives, Development Schedule, Proposed Ownership and Economic Information.

STATEMENT OF PLANNING OBJECTIVES:

The project consists of 6.378 acres located along North Precinct Line Road and is configured in two tracts. Tract One contains 148,047 square feet (3.399 acres) and Tract Two contains 129,781 square feet (2.979 acres).

TRACT ONE:

The planning objective for Tract One is to develop a high quality self-storage facility. Storage facilities have changed significantly over the past 20 years reflecting the evolution of the asset type from a low-quality light industrial use to very high-quality retail service business. Whereas many early self-storage customers used storage for short term, transitory reasons, the majority of contemporary storage customers secure storage space for ongoing, space making reasons. These customers as well as others desire well located facilities near where they work and live. Storage use is much higher per capita today than twenty years ago. Storage development has changed to meet this market demand by providing higher quality facilities with architecture compatible with the high-end retail locations in which they reside. Advantage has since 1996 been on the leading edge of this evolution, developing state-of-the-art facilities in very high profile, retail locations.

The characteristics of the storage project are proposed to be:

- The project will be situated on a 3.399 acre site with 38' of North Precinct Line Road frontage.
- The project consists of two, two-story building and four single story buildings containing approximately 87,225 gross SF configured to provide approximately 71,175 net rentable square feet of storage consisting of approximately 625 individual storage units containing between 25 and 300 square feet.
- Approximately 65% of the net rentable area will be climate controlled, appealing to the higher household income in which the project resides.

Statement of Planning Objectives

- The buildings fronting North Precinct Line Road will be two-story with maximum 29.5' height. This allows the architecture of the building to replicate typical retail scale and incorporate interesting architectural features.
- All remaining buildings will be single story and will be oriented toward interior drives and will not exceed 15' in height. Drive visibility from North Precinct Line Road will be minimal, and no door openings will be oriented toward the perimeter of the project.
- The rental office for the facility will be in the front building.
- There will be no resident manager living on site
- The project will include state-of-the-art security features including CCV cameras and tenant only access via digital gate and building controls.
- Project signage will be a combination of masonry monument sign and building signage conforming to ordinance.
- Landscaping will conform to or exceed ordinance requirements, and will be concentrated on the project perimeters, most visible to the neighboring properties and the public.
- Adequate space has been provided for engineered storm water detention and public utility extensions as may be required.

TRACT TWO:

Tract Two contains 2.979 acres and will be zoned to provide for CC-2 Shopping Center uses. The tract is approximately 250' deep which is ideal for small commercial and retail users. Although the actual users have not yet been identified and therefore the precise building layout cannot be determined, the Conceptual Development Plan depicts the likely configuration of three pad sites for retail and restaurant users. The planning objective for Tract Two is to provide ideal lot depth to promote retail development and to provide an access and utility plan to fully develop the tract. Additionally, the planning objective is to provide construction standards to insure uniform, high quality development. Standards include the following:

- Requirement for increased use of natural stone in building facades.
- Enhanced requirement for landscape buffer along North Precinct Line Road.
- Enhanced requirement for landscaping adjacent to retail buildings.
- Enhanced requirement for landscaping in parking areas.
- Enhanced requirement for uniform monument signs.

DEVELOPMENT SCHEDULE:

- Platting and Site Plan Approval will commence immediately upon zoning approval.
- Storage building permit will occur approximately 120 days following zoning approval.
- Storage completion will occur approximately 14 months following zoning approval.
- Market demand will determine retail pad site development.

PROPOSED OWNERSHIP:

The storage project will be owned by a single asset limited liability company managed and controlled by Advantage Self Storage Advisors, LLC, a Texas limited liability company owned by Rick Jones and Davis Deadman.

ECONOMIC INFORMATION:

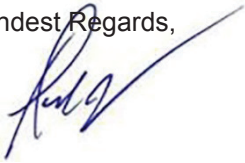
The proposed project will provide the following positive economic impact:

- Property tax valuation will likely increase from the current level of \$357,550 to approximately \$7,500,000 upon completion of the facility. The increase in property value will provide approximately \$167,000 in additional tax revenue, most of which stays in the local community via the city, school system and county.

Statement of Planning Objectives

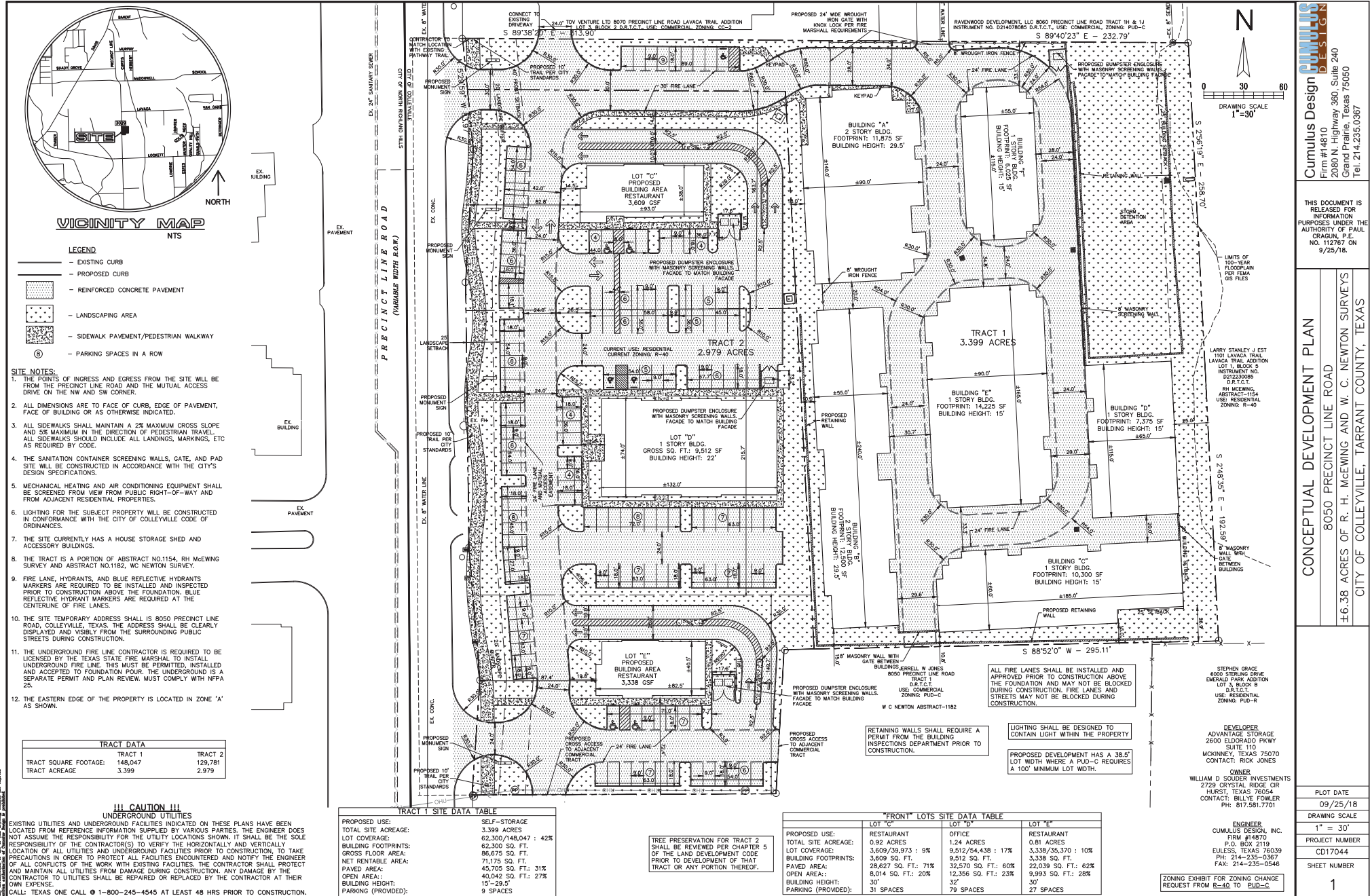
- The configuration of the proposed site is strategically conceived to promote retail and commercial development on the pad-depth property remaining in front of the facility. The current 6-acre parcel of which the storage facility is a portion is 545' deep. This is a size and depth that is awkward for small to mid-size business who would typically locate on this mid-block commercial corridor and does not promote development. The site plan provides remaining retail parcels with +/- 250' depth, near ideal for small business and pad-site development. The property owner is understandably very hesitant to sell front parcels currently because of the limited use and marketability of the back portion of the land. With the storage development taking mainly the back portion, front parcels will likely be quickly developed placing the entire six acres into economic production.
- The storage facility will provide limited sales tax revenue via the sale of packing and moving supplies.
- The storage facility will have approximately 2-3 employees.

Kindest Regards,



Rick Jones

Conceptual Site Plan

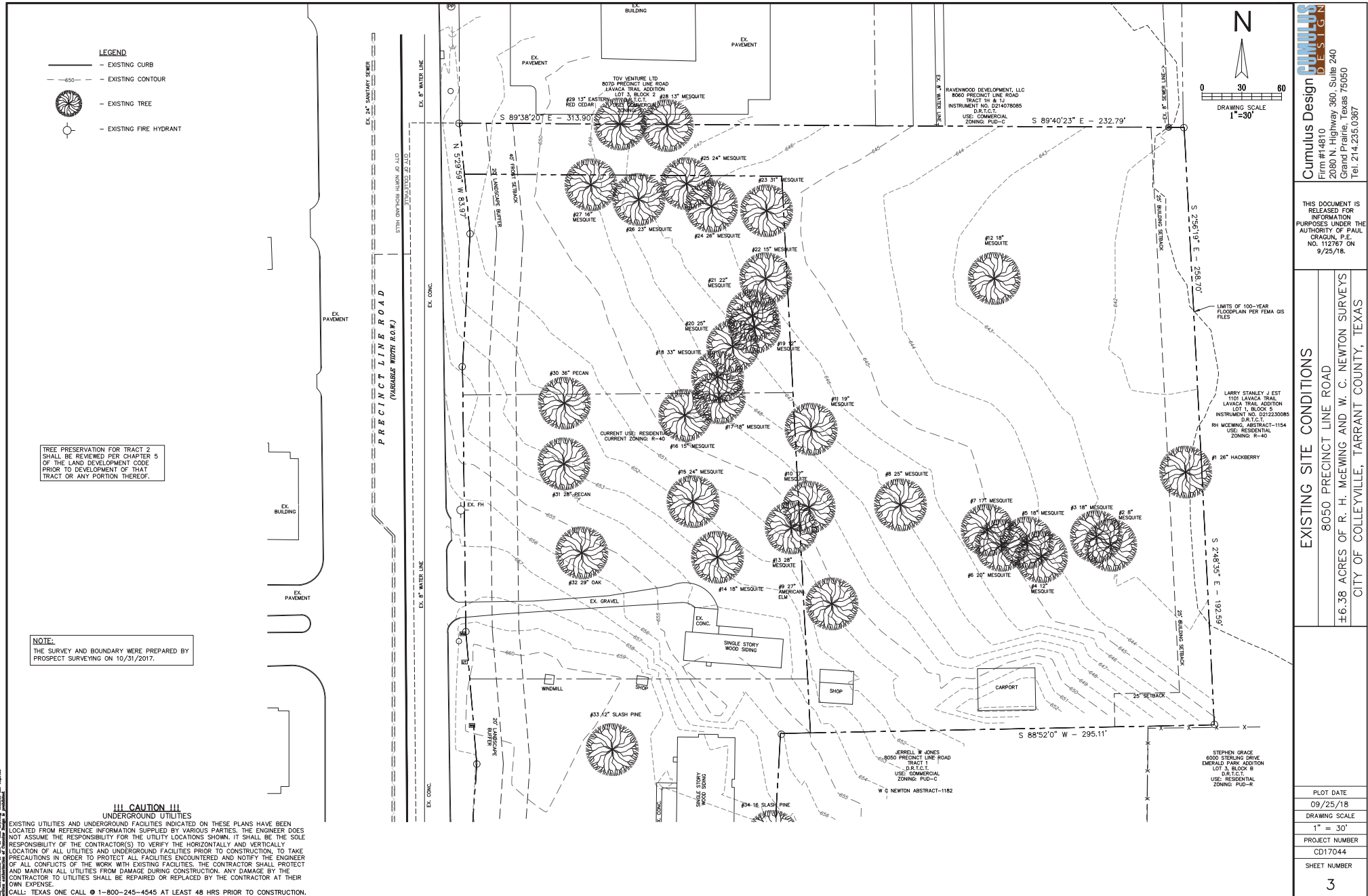


Cumulus Design
Firm #14810
2080 N. Highway 360, Suite 240
Grand Prairie, Texas 75050
Tel. 214.235.0367

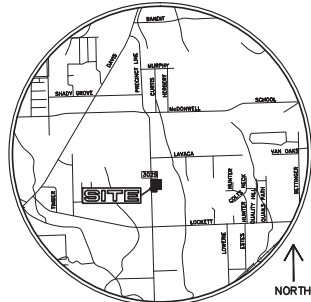
THIS DOCUMENT IS RELEASED FOR INFORMATION PURPOSES UNDER THE AUTHORITY OF PAUL ORAGIAN, P.E. NO. 112767 ON 9/25/18.

CONCEPTUAL DEVELOPMENT PLAN
8050 PRECINCT LINE ROAD
±6.38 ACRES OF R. H. MCWING AND W. C. NEWTON SURVEYS
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

Existing Site Exhibit



Site Plan



VICINITY MAP
NTS

- LEGEND**
-  - EXISTING CURB
 -  - PROPOSED CURB
 -  - REINFORCED CONCRETE PAVEMENT
 -  - LANDSCAPING AREA
 -  - SIDEWALK PAVEMENT/PEDESTRIAN WALKWAY
 -  - PARKING SPACES IN A ROW

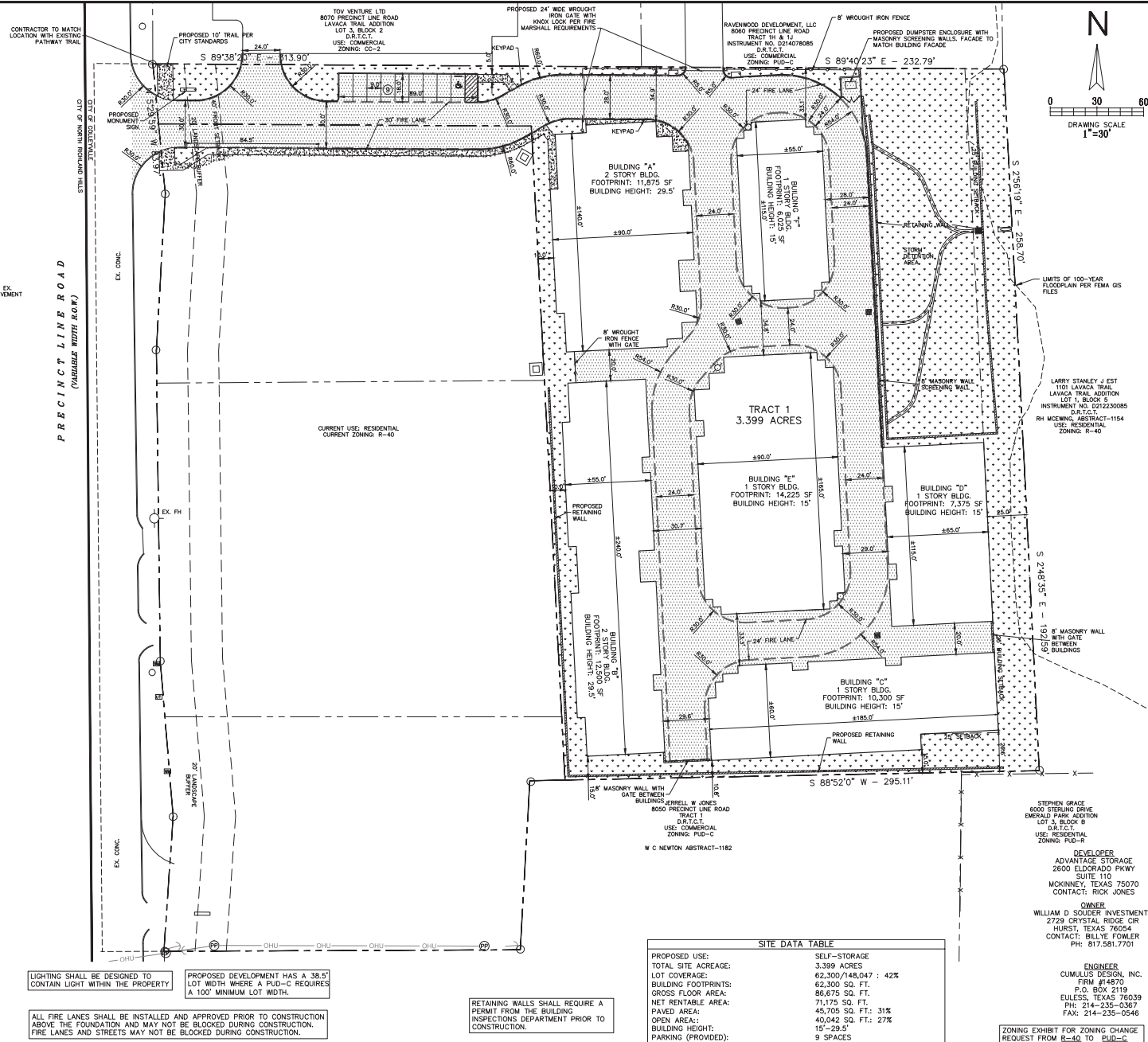
SITE NOTES:

2. THE TRACTS OF INGRESS AND EGRESS FROM THE SITE WILL BE FROM THE PRECINCT LINE ROAD AND THE MUTUAL ACCESS DRIVE ON THE SW CORNER.
3. ALL DIMENSIONS ARE TO FACE OF CURB, EDGE OF PAVEMENT, FACE OF BUILDING OR AS OTHERWISE INDICATED.
4. ALL SIDEWALKS SHALL MAINTAIN A 2% MAXIMUM CROSS SLOPE AND 5% MAXIMUM IN THE DIRECTION OF PEDESTRIAN TRAVEL. ALL SIDEWALKS SHOULD INCLUDE ALL LANDINGS, MARKINGS, ETC AS REQUIRED BY CODE.
5. THE SANITATION CONTAINER SCREENING WALLS, GATE, AND PAD SIDE WILL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY'S DESIGN SPECIFICATIONS.
6. MECHANICAL HEATING AND AIR CONDITIONING EQUIPMENT SHALL BE LOCATED AND RUN FROM NEW PUBLIC RIGHT-OF-WAY AND FROM ADJACENT RESIDENTIAL PROPERTIES.
7. LIGHTING FOR THE SUBJECT PROPERTY WILL BE CONSTRUCTED IN CONFORMANCE WITH THE CITY OF COLLEVILLE CODE OF ORDINANCES.
8. THE SITE CURRENTLY HAS A STORAGE SHED AND ACCESSORY BUILDING.
9. THE TRACT IS A PORTION OF ABSTRACT NO.1154, RM McWINEY SURVEY AND ABSTRACT NO.1182, MC NEWTON SURVEY.
10. THERE ARE SIX PROPOSED BUILDINGS ON SITE.
11. FIRE LANE, LUMBERYARDS, AND BLUE REFLECTIVE HIGHWAYS MARKERS ARE REQUIRED TO BE INSTALLED AND INSPECTED PRIOR TO CONSTRUCTION ABOVE THE FOUNDATION. BLUE REFLECTIVE HIGHWAYS MARKERS ARE REQUIRED AT THE CENTERLINE OF FIRE LANE.
12. THE SITE TEMPORARY ADDRESS SHALL IS 8050 PRECINCT LINE ROAD, COLLEVILLE, TEXAS. THE ADDRESS SHALL BE CLEARLY IDENTIFIED AND VISIBLE FROM THE SURROUNDING PUBLIC STREETS DURING CONSTRUCTION.
13. THE UNDERGROUND FIRE LINE CONTRACTOR IS REQUIRED TO BE LICENSED BY THE TEXAS STATE FIRE MARSHAL. TO INSTALL UNDERGROUND FIRE LINE. THIS MUST BE PERMITTED, INSTALLED AND ACCEPTED TO FOUNDATION FOUR. THE UNDERGROUND IS A SEPARATE PERMIT AND PLAN REVIEW, MUST COMPLY WITH NFPA 24.
14. THE EASTERN EDGE OF THE PROPERTY IS LOCATED IN ZONE 'A' AS SHOWN.

!!! CAUTION !!!
UNDERGROUND UTILITIES

EXISTING UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THESE PLANS HAVE BEEN LOCATED FROM REFERENCE INFORMATION SUPPLIED BY VARIOUS PARTIES. THE ENGINEER DOES NOT ASSUME THE RESPONSIBILITY FOR THE UTILITY LOCATIONS SHOWN. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR(S) TO VERIFY THE HORIZONTALLY AND VERTICALLY LOCATION OF ALL UTILITIES AND UNDERGROUND FACILITIES PRIOR TO CONSTRUCTION. TO TAKE THE NECESSARY PRECAUTIONS TO AVOID ANY DAMAGE TO EXISTING UTILITIES. IN THE EVENT OF ALL CONFLICTS OF THE WORK WITH EXISTING FACILITIES, THE CONTRACTOR SHALL PROTECT AND MAINTAIN ALL UTILITIES FROM DAMAGE DURING CONSTRUCTION. ANY DAMAGE BY THE CONTRACTOR TO UTILITIES SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR AT THEIR

CALL: TEXAS ONE CALL @ 1-800-245-4545 AT LEAST 48 HRS PRIOR TO CONSTRUCTION.



Cumulus Design
Firm #14810
2080 N. Highway 360, Suite 240
Grand Prairie, Texas 75050
Tel. 214.235.0367

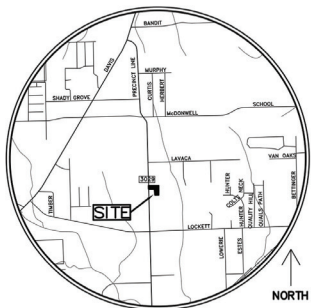
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AUTHORITY OF PAUL
CRAGUN, P.E.
NO. 112767 ON
9/25/18.

SITE PLAN

8050 PRECINCT LINE ROAD
8 ACRES OF R. H. McEWING AND W. C. NEWTON SURVEYS
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

PLOT DATE
09/25/18
DRAWING SCALE
1" = 30'
PROJECT NUMBER
CD17044
SHEET NUMBER

Landscape Plan



VICINITY MAP
NTS

Tree Preservation for Tract 2 shall be reviewed per Chapter 5 of the Land Development Code prior to development of that tract or any portion thereof.

OWNER:
WILLIAM D SOLDER INVESTMENTS
2729 CRYSTAL RIDGE CIR
HURST, TEXAS 76054
CONTACT: BILLYE FOWLER
PH: 817-581-7701

DEVELOPER:
ADVANTAGE STORAGE
2600 ELIZABETH PKWY
SUITE 110
MCKINNEY, TEXAS 75070
CONTACT: RICK JONES

ENGINEER:
CUMULUS DESIGN, INC.
FIRM #14570
P.O. BOX 2119
EULESS, TEXAS 76039
PH: 214-235-0367
FAX: 214-235-0546

III CAUTION III
UNDERGROUND UTILITIES

EXISTING UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THESE PLANS HAVE BEEN LOCATED FROM REFERENCE INFORMATION SUPPLIED BY VARIOUS PARTIES. THE ENGINEER DOES NOT ASSUME THE RESPONSIBILITY FOR THE UTILITY LOCATIONS SHOWN. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR(S) TO VERIFY THE HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES AND UNDERGROUND FACILITIES PRIOR TO CONSTRUCTION. TO TAKE PRECAUTIONS IN ORDER TO PROTECT ALL FACILITIES ENCOUNTERED AND NOTIFY THE ENGINEER OF ALL CONFLICTS OF THE WORK WITH EXISTING FACILITIES. THE CONTRACTOR SHALL PROTECT AND MAINTAIN ALL UTILITIES FROM DAMAGE DURING CONSTRUCTION. ANY DAMAGE BY THE CONTRACTOR TO UTILITIES SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR AT THEIR OWN EXPENSE.

CALL: TEXAS ONE CALL 1-800-245-4545 AT LEAST 48 HRS PRIOR TO CONSTRUCTION.

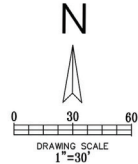
PRECINCT LINE ROAD
(VARIABLE WIDTH ROAD)



LEGEND	
	4\"/>
	4\"/>
	3\"/>
	5 gal. Indian Hawthorn
	5 gal. Variegated Pittosporum
	3 gal. Purple Fountain Grass
	3 gal. Spreading Yew
	3 gal. Mexican Feather Grass
	Sod Turf Grass

NOTE: THIS LANDSCAPE PLAN IS CONCEPTUAL IN NATURE AND IS NOT INTENDED TO DEPICT THE FINAL LANDSCAPE DESIGN OR INSTALLATION. IT IS OFFERED TO DEMONSTRATE THE STORAGE DEVELOPER'S INTENT IN TERMS OF NUMBERS OF TREES AND SHRUBS AND OVERALL LANDSCAPE DENSITY. FINAL LANDSCAPE PLANS FOR THE STORAGE SITE WILL BE SUBMITTED AT TIME OF SITE PLAN APPROVAL AND WILL CLOSELY FOLLOW THIS CONCEPT PLAN.

ACTUAL PAD SITE USERS ON TRACT TWO ARE YET TO BE DETERMINED AND FINAL PLANS WILL BE SUBMITTED AT THE TIME SUCH USERS SUBMIT PLANS FOR SITE PLAN APPROVAL. THE LANDSCAPE CONCEPT PLAN IS OFFERED TO DEPICT THE NUMBERS OF TREES AND OVERALL INTENSITY OF LANDSCAPE. FINAL PLANS WILL VARY.

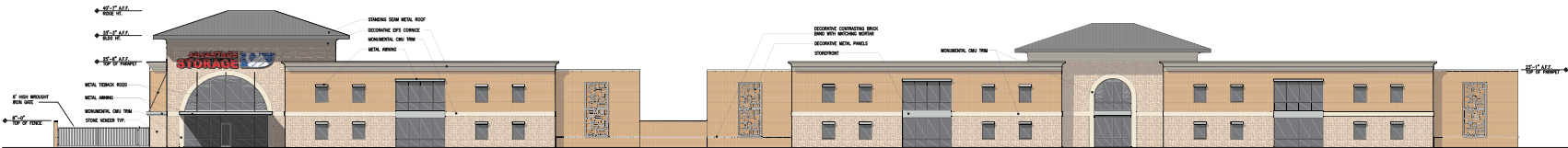


CONCEPTUAL LANDSCAPE PLAN
8060 PRECINCT LINE ROAD
±6.38 ACRES OF R. H. McWING AND W. C. NEWTON SURVEYS
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

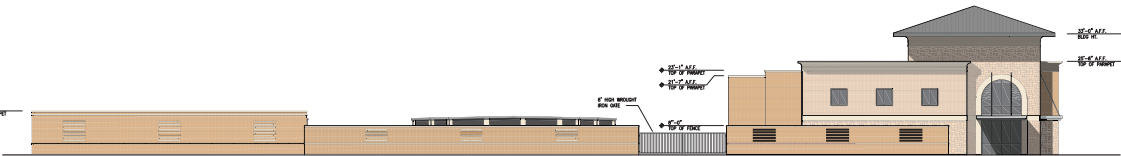
PLOT DATE	09/08/18
DRAWING SCALE	1" = 30'
PROJECT NUMBER	
SHEET NUMBER	

ZONING EXHIBIT FOR ZONING CHANGE
REQUEST FROM B-42 TO BUD-G

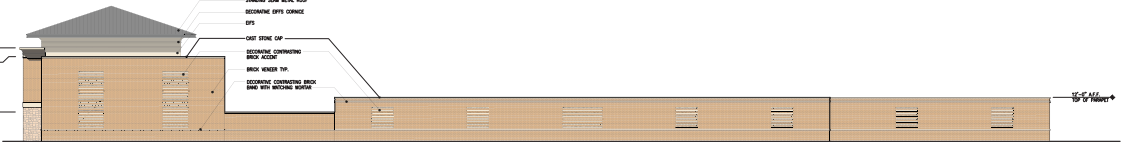
Building Elevations



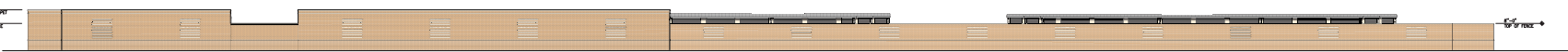
WEST (PRECINCT LINE ROAD) ELEVATION
SCALE: 1/16" = 1'-0"



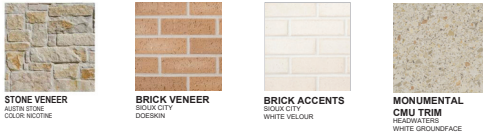
NORTH ELEVATION
SCALE: 1/16" = 1'-0"



SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



EAST (BACK) ELEVATION
SCALE: 1/16" = 1'-0"



COLLEYVILLE SITE MONUMENT SIGN
- Materials to match building
- Sign comprised of reinforced dark bronze face, letters and images are cut in relief with white lexan laminated behind. Backlit with LED.



100 NORTH TRAVIS STREET
SUITE 100.500A
SHERMAN, TEXAS 75090
903.893.5800
www.davidbacastudio.com

SCHEMATIC
DESIGN
REVIEW
NOT FOR REGULATORY
APPROVAL, PERMITTING, OR
CONSTRUCTION

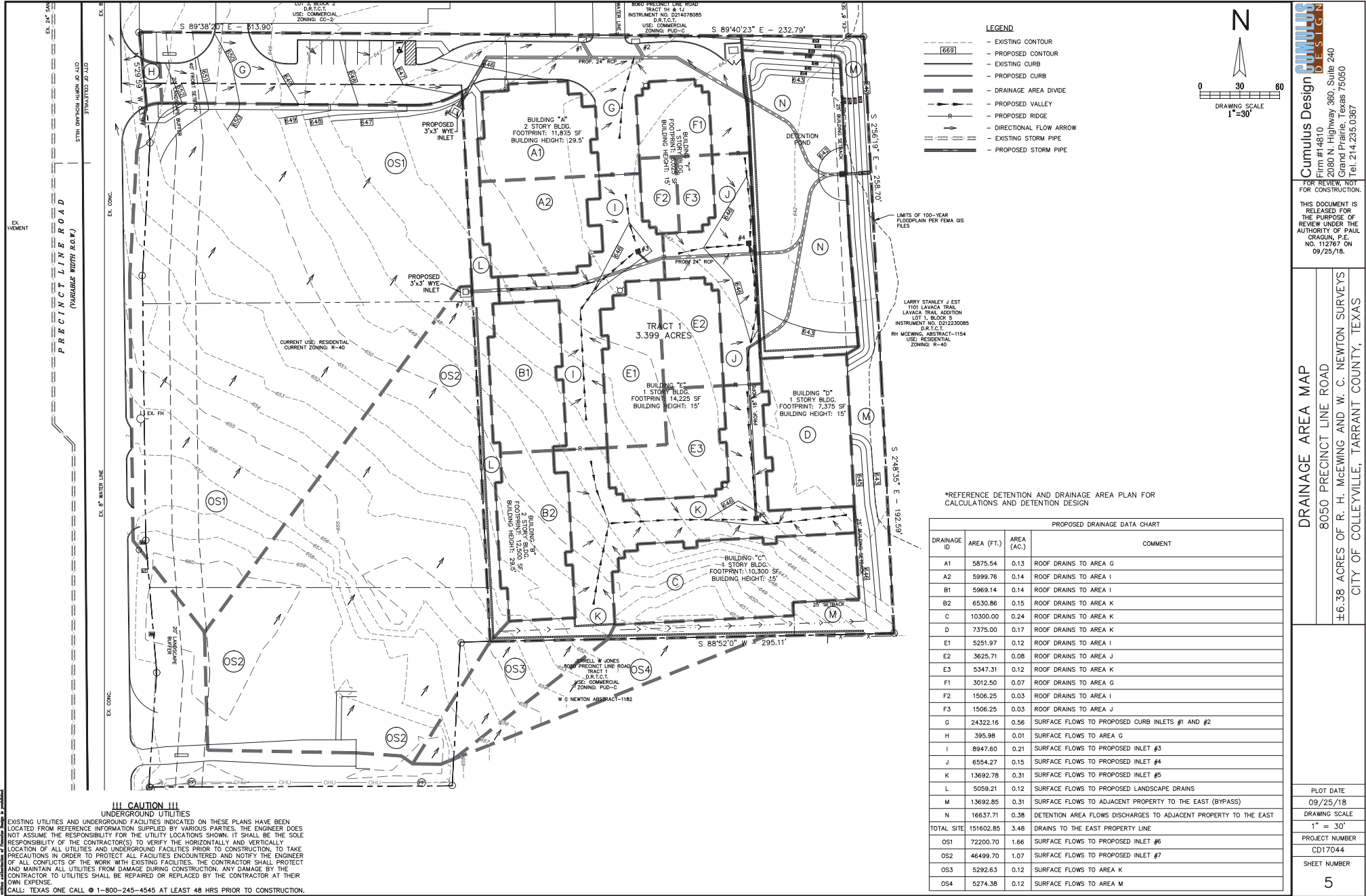
NO.	DATE	DESCRIPTION
1	11.10.2018	BUILDING FOOTPRINT CHANGES

Advantage Storage - Colleyville

PROJECT NUMBER
1735
DATE
11.20.17
SHEET NUMBER
SUP-1

exterior elevations; REVISED 09.25.18

Drainage Exhibit



Cumulus Design
Firm #14810
2080 N. Highway 360, Suite 240
Grand Prairie, Texas 75050
Tel. 214.235.0367

FOR REVIEW, NOT FOR CONSTRUCTION.
THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF PAUL CRAIGAN, P.E. NO. 112767 ON 09/25/18.

DRAINAGE AREA MAP
8050 PRECINCT LINE ROAD
±6.38 ACRES OF R. H. McEWING AND W. C. NEWTON SURVEY'S
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

PLOT DATE
09/25/18
DRAWING SCALE
1" = 30'
PROJECT NUMBER
CD17044
SHEET NUMBER
5

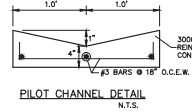
Drainage Plan

LEGEND

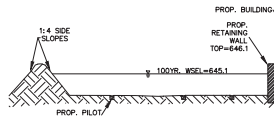
- EXISTING CURB
- PROPOSED CURB
- PROPOSED STORM PIPE
- 669 — EXISTING CONTOUR
- 669 — PROPOSED CONTOUR

DRAINAGE NOTES:

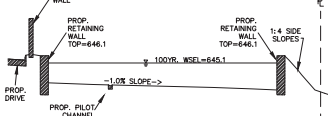
1. ALL MATERIALS AND CONSTRUCTION SHALL CONFORM TO THE CITY'S STANDARD CONSTRUCTION DETAILS AND SPECIFICATIONS EXCEPT AS NOTED HEREIN OR APPROVED BY THE CITY.
2. DURING THE CONSTRUCTION OF THE STORM AND DETENTION POND IMPROVEMENTS, ANY INTERPRETATION OF THE CITY'S STANDARD DETAILS AND SPECIFICATIONS MUST BE APPROVED BY THE DIRECTOR OF PUBLIC WORKS OR THEIR DESIGNEE. BEFORE ANY CONSTRUCTION INVOLVING THAT DECISION COMMENCES, ASSUMPTIONS ABOUT WHAT THESE DECISIONS MIGHT BE WHICH ARE MADE DURING THE BIDDING PHASE WILL HAVE NO BEARING ON THE DECISION.



NOTE:
CITY DESIGN STANDARDS/NOTES
SHALL BE USED FOR THE
CONSTRUCTION OF THIS PROJECT



POND SECTION B-B

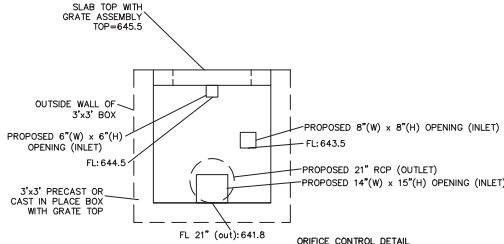


POND SECTION A-A

DETENTION POND DATA

STORM EVENT (YEAR)	EXISTING RUNOFF TO THE EAST (INCLUDING OFFSITE) (CFS)	PROPOSED SITE RUNOFF TO THE EAST (CFS)	DETENTION POND WATER SURFACE ELEVATION (FT)	RELEASE FROM 14\"(W) x 8\"(H) ORIFICE (CFS)	MAX RELEASE FROM 8\"(W) x 8\"(H) ORIFICE (CFS)	MAX RELEASE FROM 6\"(W) x 6\"(H) ORIFICE (CFS)	MAX RELEASE RATE FROM DETENTION (CFS)	BYPASS FLOW FROM THE SITE TO THE EAST (CFS)	TOTAL RELEASE FROM THE SITE TO THE EAST (CFS)	DETENTION VOLUME (CF)
100	17.9	50.6	645.1	11.4	2.4	0.7	14.4	3.5	17.9	35625
50	16.2	46.0	644.8	10.7	2.0	0.2	12.9	3.1	16.0	31088
25	14.6	41.4	644.5	10.0	1.7	0.0	11.7	2.8	14.5	27094
10	12.6	35.7	644.1	9.1	1.1	0.0	10.2	2.4	12.6	22047
5	11.1	31.5	643.9	8.4	0.5	0.0	8.9	2.1	11.0	18629
2	9.1	25.8	643.5	7.1	0.0	0.0	7.1	1.8	8.9	13160

THE DETENTION POND IS DESIGNED TO HANDLE THE ENTIRE DEVELOPMENT OF 8060 PRECINCT LINE, AND NOT ONLY THE SELF-STORAGE DEVELOPMENT.



NOTE:
ORIFICE EQUATION $Q = C \cdot A \cdot \sqrt{2 \cdot g \cdot H} \cdot (0.5)$
WAS USED FOR THE DETENTION POND CALCULATIONS WITH A C VALUE OF 0.6.

THE PRIMARY INLET FOR THE DETENTION POND ARE 3 ORIFICES AT VARIOUS ELEVATIONS. THE BOTTOM ORIFICE IS 14\" WIDE BY 15\" TALL. THE MIDDLE ORIFICE IS 8\" WIDE BY 8\" TALL AND THE TOP ORIFICE IS 6\" WIDE BY 6\" TALL OPENING (OUT OR Poured IN PLACE) INTO THE SIDE OF THE 3'x3' CONCRETE BOX. THE OUTLET FOR THE DETENTION POND IS AN 21\" RCP LOCATED IN THE 3'x3' PRECAST BOX.

EXISTING DRAINAGE DATA CHART

DRAINAGE ID	AREA (FT ²)	AREA (AC.)	C	I ₂ (in/hr)	I ₅ (in/hr)	I ₁₀ (in/hr)	I ₂₅ (in/hr)	I ₅₀ (in/hr)	I ₁₀₀ (in/hr)	Q ₂ (cfs)	Q ₅ (cfs)	Q ₁₀ (cfs)	Q ₂₅ (cfs)	Q ₅₀ (cfs)	Q ₁₀₀ (cfs)	COMMENT
SITE	151602.85	3.48	0.30	4.71	5.74	6.51	7.55	8.40	9.24	4.9	6.0	6.8	7.9	8.8	9.6	DRAINS TO THE EAST PROPERTY LINE
TOTAL SITE	151602.85	3.48								4.9	6.0	6.8	7.9	8.8	9.6	DRAINS TO THE EAST PROPERTY LINE
OS	129287.41	2.97	0.30	4.71	5.74	6.51	7.55	8.40	9.24	4.2	5.1	5.8	6.7	7.5	8.2	DRAINS TO THE SITE

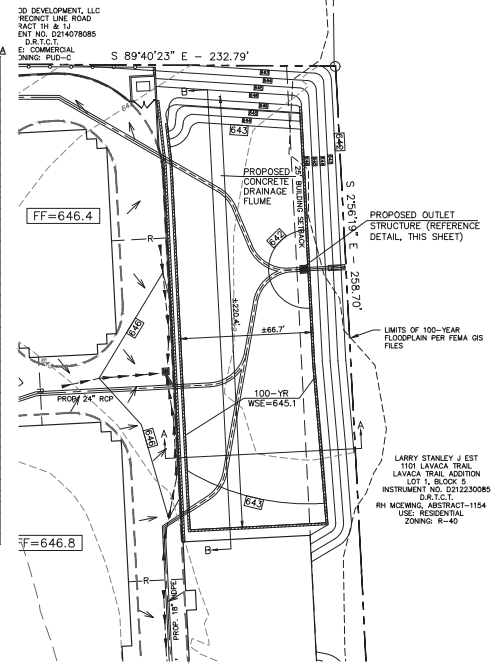
CAUTION

UNDERGROUND UTILITIES
EXISTING UTILITIES AND UNDERGROUND FACILITIES INDICATED ON THESE PLANS HAVE BEEN LOCATED FROM REFERENCE INFORMATION SUPPLIED BY VARIOUS PARTIES. THE ENGINEER DOES NOT ASSUME THE RESPONSIBILITY FOR THE UTILITY LOCATIONS SHOWN. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR(S) TO VERIFY THE HORIZONTALLY AND VERTICALLY LOCATION OF ALL UTILITIES AND UNDERGROUND FACILITIES PRIOR TO CONSTRUCTION, TO TAKE PRECAUTIONS IN ORDER TO PROTECT ALL FACILITIES ENCOUNTERED AND NOTIFY THE ENGINEER OF ALL CONFLICTS OF THE WORK WITH EXISTING FACILITIES. THE CONTRACTOR SHALL PROTECT AND MAINTAIN ALL UTILITIES FROM DAMAGE DURING CONSTRUCTION. ANY DAMAGE BY THE CONTRACTOR TO UTILITIES SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR AT THEIR OWN EXPENSE.

CALL: TEXAS ONE CALL @ 1-800-245-4545 AT LEAST 48 HRS PRIOR TO CONSTRUCTION.

GENERAL DETENTION POND DATA

Elevation (feet)	Surface (sq-ft)	Storage (cubic-feet)
641.8	0	0
641.9	157	5
642.0	628	40
642.1	1,406	141
642.2	2,493	333
642.3	3,889	650
642.4	5,594	1,121
642.5	7,609	1,779
642.6	8,536	2,586
642.7	9,515	3,485
642.8	10,548	4,491
642.9	11,635	5,599
643.0	12,774	6,829
643.1	12,913	8,104
643.2	13,052	9,402
643.3	13,192	10,714
643.4	13,333	12,040
643.5	13,475	13,381
643.6	13,618	14,735
643.7	13,761	16,104
643.8	13,905	17,488
643.9	14,050	18,885
644.0	14,195	20,298
644.1	14,235	21,719
644.2	14,276	23,149
644.3	14,286	24,570
644.4	14,317	26,000
644.5	14,347	27,433
644.6	14,378	28,869
644.7	14,408	30,309
644.8	14,439	31,751
644.9	14,469	33,196
645.0	14,500	34,645
645.1	14,531	36,096
645.2	14,562	37,551
645.3	14,593	39,009
645.4	14,624	40,470
645.5	14,655	41,933
645.6	14,686	43,400
645.7	14,717	44,871
645.8	14,748	46,344
645.9	14,779	47,820
646.0	14,810	49,300



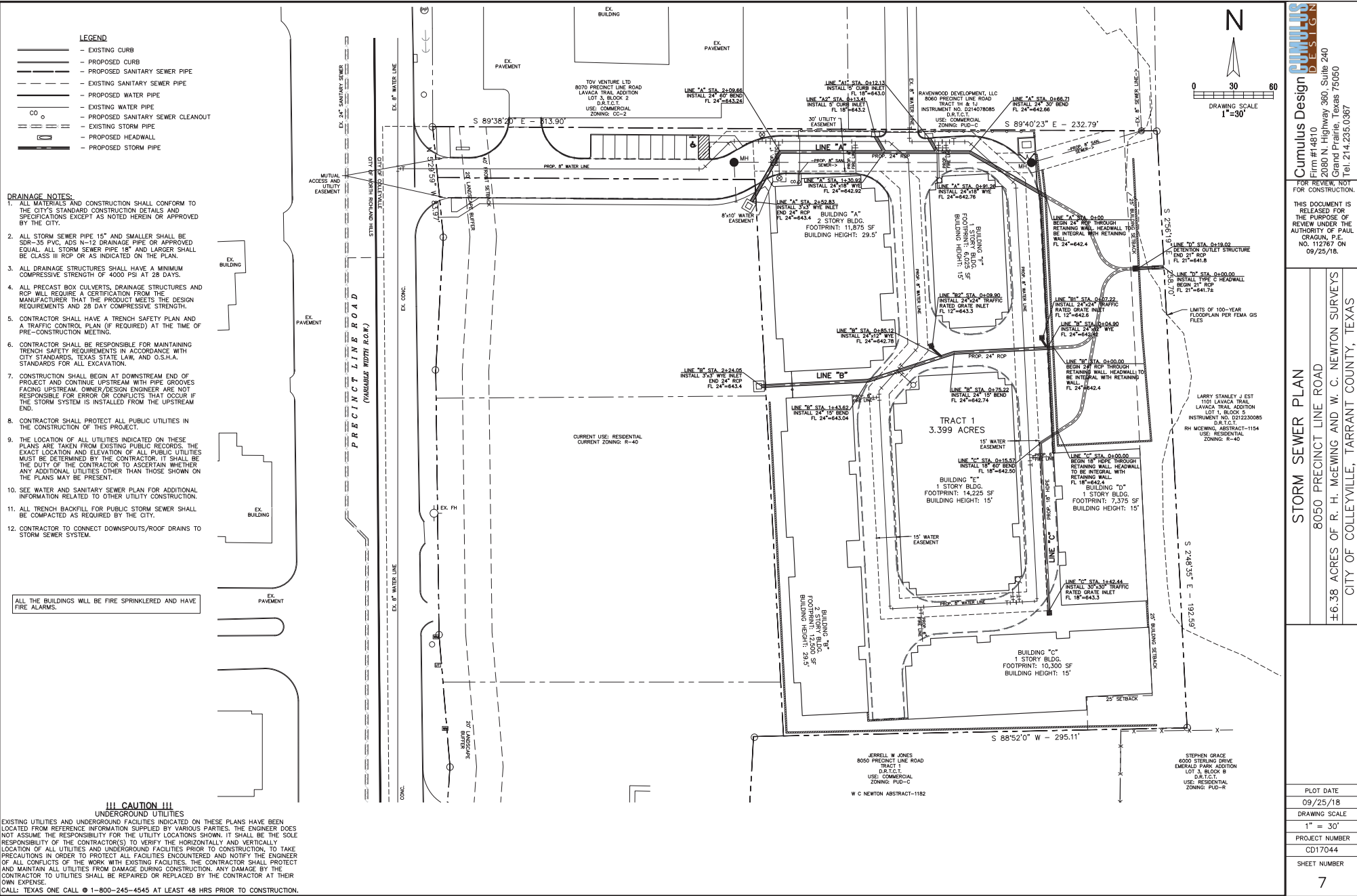
DRAINAGE ID	AREA (FT ²)	AREA (AC.)	C	I ₂ (in/hr)	I ₅ (in/hr)	I ₁₀ (in/hr)	I ₂₅ (in/hr)	I ₅₀ (in/hr)	I ₁₀₀ (in/hr)	Q ₂ (cfs)	Q ₅ (cfs)	Q ₁₀ (cfs)	Q ₂₅ (cfs)	Q ₅₀ (cfs)	Q ₁₀₀ (cfs)	COMMENT
A1	5875.54	0.13	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.5	0.7	0.7	0.9	1.0	1.1	ROOF DRAINS TO AREA G
A2	5999.76	0.14	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.6	0.7	0.8	0.9	1.0	1.1	ROOF DRAINS TO AREA I
B1	5969.14	0.14	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.5	0.7	0.8	0.9	1.0	1.1	ROOF DRAINS TO AREA I
B2	6530.86	0.15	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.6	0.7	0.8	1.0	1.1	1.2	ROOF DRAINS TO AREA K
C	10300.00	0.24	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.9	1.2	1.3	1.5	1.7	1.9	ROOF DRAINS TO AREA K
D	7375.00	0.17	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.7	0.8	0.9	1.1	1.2	1.3	ROOF DRAINS TO AREA K
E1	5251.97	0.12	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.5	0.6	0.7	0.8	0.9	0.9	ROOF DRAINS TO AREA I
E2	3625.71	0.08	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.3	0.4	0.5	0.5	0.6	0.7	ROOF DRAINS TO AREA J
E3	5347.31	0.12	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.5	0.6	0.7	0.8	0.9	1.0	ROOF DRAINS TO AREA K
F1	3012.50	0.07	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.3	0.3	0.4	0.4	0.5	0.5	ROOF DRAINS TO AREA G
F2	1506.25	0.03	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.1	0.2	0.2	0.2	0.2	0.3	ROOF DRAINS TO AREA I
F3	1506.25	0.03	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.1	0.2	0.2	0.2	0.2	0.3	ROOF DRAINS TO AREA J
G	24322.16	0.56	0.85	4.71	5.74	6.51	7.55	8.40	9.24	2.2	2.7	3.1	3.6	4.0	4.4	SURFACE FLOWS TO PROPOSED CURB INLETS #1 AND #2
H	395.98	0.01	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.0	0.0	0.1	0.1	0.1	0.1	SURFACE FLOWS TO AREA G
I	8947.60	0.21	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.8	1.0	1.1	1.3	1.5	1.6	SURFACE FLOWS TO PROPOSED INLET #3
J	6554.27	0.15	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.6	0.7	0.8	1.0	1.1	1.2	SURFACE FLOWS TO PROPOSED INLET #4
K	13692.78	0.31	0.85	4.71	5.74	6.51	7.55	8.40	9.24	1.3	1.5	1.7	2.0	2.2	2.5	SURFACE FLOWS TO PROPOSED INLET #5
L	5059.21	0.12	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.5	0.6	0.7	0.8	0.9	0.9	SURFACE FLOWS TO PROPOSED LANDSCAPE DRAINS
M	13692.85	0.31	0.85	4.71	5.74	6.51	7.55	8.40	9.24	1.3	1.5	1.7	2.0	2.2	2.5	SURFACE FLOWS TO ADJACENT PROPERTY TO THE EAST (BYPASS)
N	16637.71	0.38	0.85	4.71	5.74	6.51	7.55	8.40	9.24	1.5	1.9	2.1	2.5	2.7	3.0	DETENTION AREA FLOWS DISCHARGES TO ADJACENT PROPERTY TO THE EAST
TOTAL SITE	151602.8500	3.48								0.5	0.7	0.7	0.9	1.0	1.1	DRAINS TO THE EAST PROPERTY LINE
OS1	72200.70	1.66	0.85	4.71	5.74	6.51	7.55	8.40	9.24	6.6	8.1	9.2	10.6	11.8	13.0	SURFACE FLOWS TO PROPOSED INLET #6
OS2	46499.70	1.07	0.85	4.71	5.74	6.51	7.55	8.40	9.24	4.3	5.2	5.9	6.9	7.6	8.4	SURFACE FLOWS TO PROPOSED INLET #7
OS3	5292.63	0.12	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.5	0.6	0.7	0.8	0.9	1.0	SURFACE FLOWS TO AREA K
OS4	5274.38	0.12	0.85	4.71	5.74	6.51	7.55	8.40	9.24	0.5	0.6	0.7	0.8	0.9	1.0	SURFACE FLOWS TO AREA M

DETENTION AND DRAINAGE PLAN

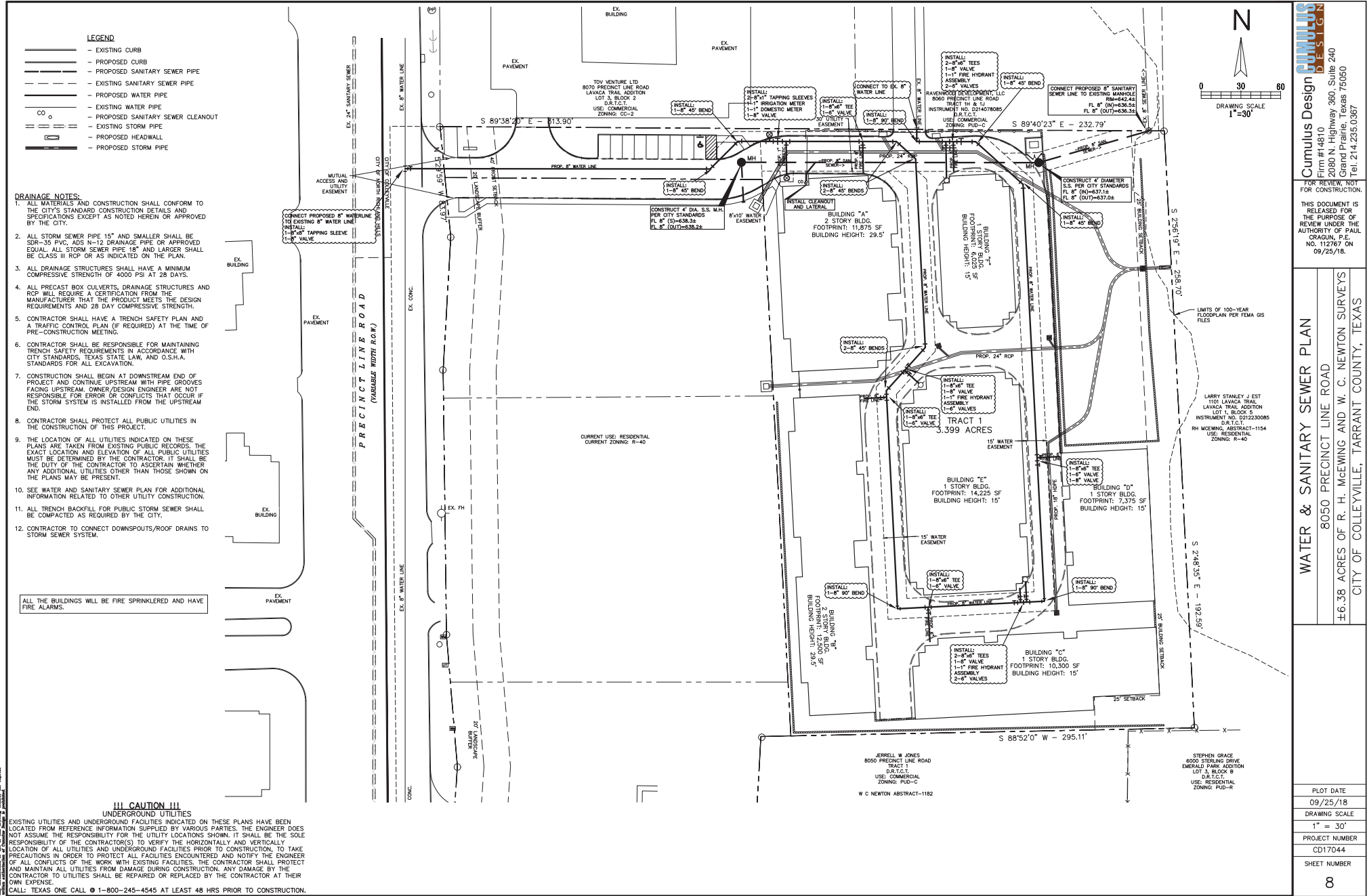
8050 PRECINCT LINE ROAD
±6.38 ACRES OF R. H. McEWING AND W. C. NEWTON SURVEY'S
CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

PLOT DATE
09/25/18
DRAWING SCALE
1\"/>

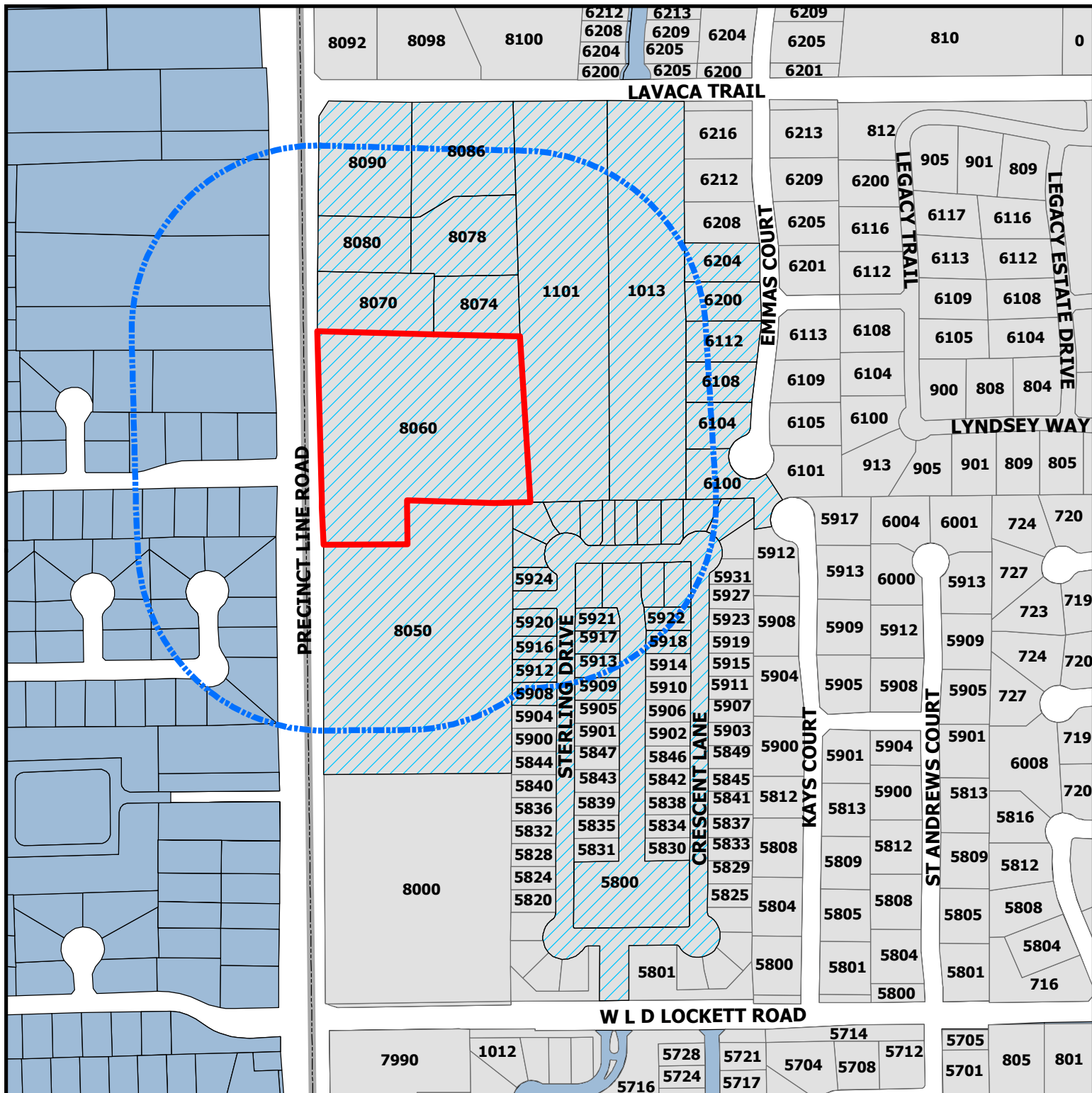
Storm Sewer Plan



Water and Sanitary Sewer Plan



Notification Map



DISCLAIMER:

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

ZC18-028

8060 Precinct Line Road



Subject Property



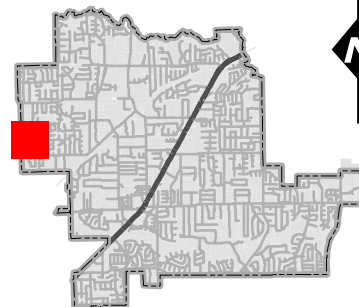
500ft Buffer



Properties within 500ft



Properties Outside the City Limit



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
CARRINGTON, WADE	6004 STERLING DR	COLLEYVILLE, TX	76034	6004 STERLING DR
TISSERA, SHIMAL A	5921 STERLING DR	COLLEYVILLE, TX	76034	5921 STERLING DR
BRICE, TONY J	6021 STERLING DR	COLLEYVILLE, TX	76034	6021 STERLING DR
TOV VENTURE LTD	16950 DALLAS PKWY STE 120	DALLAS, TX	75248	8070 PRECINCT LINE RD
GRACE, STEPHEN	6000 STERLING DR	COLLEYVILLE, TX	76034	6000 STERLING DR
SMITH, FERMAN P	5918 CRESCENT LN	COLLEYVILLE, TX	76034	5918 CRESCENT LN
EISENBARTH, JENNIFER	6032 STERLING DR	COLLEYVILLE, TX	76034	6032 STERLING DR
MILLS, ANDREW E	6008 STERLING DR	COLLEYVILLE, TX	76034	6008 STERLING DR
PIETROBON, JOHN	5916 STERLING DR	COLLEYVILLE, TX	76034	5916 STERLING DR
OLIPHANT, NEKESHA	5909 STERLING DR	COLLEYVILLE, TX	76034	5909 STERLING DR
PANCHAL, PRINCE H	6024 STERLING DR	COLLEYVILLE, TX	76034	6024 STERLING DR
NEILSON, HOWARD	5922 CRESCENT LN	COLLEYVILLE, TX	76034	5922 CRESCENT LN
EMERALD PARK H A INC	400 COUNTRY PL	COLLEYVILLE, TX	76034	6012 STERLING DR
VUJ, DON C	5908 STERLING DR	COLLEYVILLE, TX	76034	5908 STERLING DR
SINGLES, BRANDON S	5912 STERLING DR	COLLEYVILLE, TX	76034	5912 STERLING DR
SAKURAI, KAORU	5917 STERLING DR	COLLEYVILLE, TX	76034	5917 STERLING DR
DUDDING, MICHAEL	6025 STERLING DR	COLLEYVILLE, TX	76034	6025 STERLING DR
SL2 SALON SUITES LLC	7600 QUARTERING	NORTH RICHLAND HILLS, TX	76182	8080 PRECINCT LINE RD
SPRING, AYESHANILL	5913 STERLING DR	COLLEYVILLE, TX	76034	5913 STERLING DR
SIMMONS, DAVID	5924 STERLING DR	COLLEYVILLE, TX	76034	5924 STERLING DR
GRASSI, KAREN	6005 STERLING DR	COLLEYVILLE, TX	76034	6005 STERLING DR
ROTHROCK, ANGEL	5920 STERLING DR	COLLEYVILLE, TX	76034	5920 STERLING DR
CROWE, DANIEL L	6028 STERLING DR	COLLEYVILLE, TX	76034	6028 STERLING DR
EMERALD PARK H A INC	400 COUNTRY PL	COLLEYVILLE, TX	76034	5800 CRESCENT LN
LARSEN, SCOTT R	6016 STERLING DR	COLLEYVILLE, TX	76034	6016 STERLING DR
JONES, JERRELL W	11111 ABBEYWOOD	OKLAHOMA CITY, OK	73170	8050 PRECINCT LINE RD
KWUN, SUN T	5928 STERLING DR	COLLEYVILLE, TX	76034	5928 STERLING DR
EMERALD PARK H A INC	400 COUNTRY PL	COLLEYVILLE, TX	76034	5802 CRESCENT LN
WILLIAM D SOUDER INVESTMENTS	2729 CRYSTAL RIDGE CIR	HURST, TX	76054	8060 PRECINCT LINE RD
CAREY, DEVIN J	6020 STERLING DR	COLLEYVILLE, TX	76034	6020 STERLING DR
JAETZOLD, CORY B	6204 EMMAS CT	COLLEYVILLE, TX	76034	6204 EMMAS CT
THE BIG EASY BLUES AND CARE FR	6112 EMMAS CT	COLLEYVILLE, TX	76034	6112 EMMAS CT
L T ESTATES HOA INC	215 W COLLEGE ST	GRAPEVINE, TX	76051	6100 EMMAS CT
WARRICK, DAVID	6104 EMMAS CT	COLLEYVILLE, TX	76034	6104 EMMAS CT
PATEL, SHAILESH	6108 EMMAS CT	COLLEYVILLE, TX	76034	6108 EMMAS CT
PAL, ROHAN	6200 EMMAS CT	COLLEYVILLE, TX	76034	6200 EMMAS CT
STANLEY, LARRY J EST	1101 LAVACA TR	COLLEYVILLE, TX	76034	1101 LAVACA TR
RAVENWOOD DEVELOPMENT LLC	131 QUEST CT	KELLER, TX	76248	8078 PRECINCT LINE RD
FEKAN, DENNIS J	1303 BELLEFONTE LN	COLLEYVILLE, TX	76034	1013 LAVACA TR
LINLES PROPERTIES LTD	2601 HIGHLAND MEADOW DR	COLLEYVILLE, TX	76034	8090 PRECINCT LINE RD
RAVENWOOD DEVELOPMENT LLC	131 QUEST CT	KELLER, TX	76248	8086 PRECINCT LINE RD
RAVENWOOD DEVELOPMENT LLC	131 QUEST CT	KELLER, TX	76248	8074 PRECINCT LINE RD
EMERALD PARK ADDITION -COLLEY	5837 CRESCENT	COLLEYVILLE, TX	76034	COURTESY NOTICE
LAVACA TRAIL ESTATES		COLLEYVILLE, TX	76034	COURTESY NOTICE
VILLAS OF COLLEYVILLE	9001 AIRPORT FREEWAY SUITE 450	NORTH RICHLAND HILLS, TX	76180	COURTESY NOTICE
KELLER ISD	350 KELLER PKWY	KELLER, TX	76248	STATE REQUIRED
JONES, RICK	2600 ELDORADO PARKWAY, SUITE 110	MCKINNEY, TX	75070	APPLICANT

Public hearing notices were mailed September 21, 2018 by Araceli Botello



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-028
Applicant: Rick Jones
Owner: Billye Fowler
Location: 8060 Precinct Line Road
Property Description: Tract 1, Abstract 1154, in the R H McEwing Survey and Tract 1G, Abstract A1182, in the Less Homesite Survey
Present Zoning: R-40 Single Family Residential
Request: Consideration of a zoning change from R-40 Single Family Residential district to PUD-C Planned Unit Development – Commercial district. The purpose is to allow for the development of a self-storage facility on the eastern portion of the property and potentially 3 retail/restaurant buildings on the western portion of the 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, October 8, 2018 at 7:00 p.m.
City Council Meetings: Tuesday, November 5, 2018 & Tuesday, November 20, 2018 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 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 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. A brief project description can be found online on the Active Development Case map: <https://www.colleyville.com/government/departments-a-l/community-development/active-development-cases>. For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Jacquelyn Reyff
Principal Planner
jreyff@colleyville.com

ORDINANCE O-18-XXXX

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 6.378 ACRES ON TRACT 1, ABSTRACT 1154, IN THE R H MCEWING SURVEY, LOCATED AT 8060 PRECINCT LINE ROAD FROM THE R-40 SINGLE FAMILY RESIDENTIAL 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. ZC18-028; 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 6.378 acres on Tract 1, Abstract 1154, in the R H McEwing Survey, located at 8060 Precinct Line Road from the R-40 Single Family Residential 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 to allow for a self-storage facility totaling approximately 87,375 square feet and to provide development regulations for the future development of three (3) retail/restaurant lots on Tract 2.
- 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 and landscaping plan, Exhibit "C", and the Site Plan and Building Elevations, Exhibit "C".
- b. The development of Tract 2 shall be generally consistent with the requirements of CC-2 Shopping Center zoning district and all the associated regulations contained in the Land Development Code, except as amended by this Ordinance.

3. PERMITTED USES

- a. Uses shall be those allowed in the CC-2 Shopping Center zoning district.
- b. The self-storage use as depicted in the attached exhibits shall be a permitted use on Tract 1.

4. Lot Width

- a. The minimum lot width allowed for Tract 1 shall be ± 38 feet at the property line.

5. BUILDING DESIGN

- a. The storage facility on Tract 1 shall be generally consistent with the building elevations and specified material depicted in Exhibit "D".
- b. Development on Tract 2 shall be generally consistent with the requirements of the Land Development Code of the City of Colleyville and the following design standards:
 - i. At least fifty percent (50) of the exterior wall surface area shall be natural stone.

6. FENCING AND BUFFERYARDS

- a. The buffer yard along the rear (east) property line shall be a minimum of twenty-five feet.

- b. On Tract 1, in lieu of an eight (8) foot masonry wall along the east and south property lines adjacent to residential zoning, the rear of the buildings and connecting eight (8) foot masonry walls shall be permitted per the fence exhibit, Exhibit "D".

7. Tree Preservation Standards

- a. On Tract 1, minimum tree preservation standards will not be met per this PUD.
- b. Tree Preservation for Tract 2 shall be reviewed per Chapter 5 of the Land Development Code prior to development of this tract. This conceptual site plan and associated civil plans are not an approval of the layout as it pertains to tree preservation on Tract 2.

8. LANDSCAPING

- a. Tract 1: The requirement for fifty (50) percent of the required landscaping to be located in the street yard(s) as described in chapter 4.6 of the Land Development Code for the City of Colleyville shall be waived for Tract 1. On Tract 1, the landscape area shall be provided as generally depicted in Exhibit "E".
- b. Tract 2: Landscaping on Tract 2 shall conform to the CC-2 Shopping Center zoning district and all the associated regulations contained in the Land Development Code, except as amended as follows:
 - i. Along North Precinct Line Road, there shall be a minimum twenty (20) foot wide green belt of "live plant material of the evergreen variety", exclusive of access drives. This area may be planted with trees shrubs required at the front of the site. Landscape planting shall not be erected or installed in such a manner as to interfere with traffic view or impose a safety hazard.
 - ii. In addition to the requirements of locating 50% of required landscaping in the street yard(s) as described

in Section 4.6 of the Land Development Code for the City of Colleyville, developments on Tract 2 shall be required to provide landscaped areas immediately adjacent to each building equal to ten (10) percent of the footprint area of the building, with fifty (50) percent of that amount being located in the street yard.

- iii. Parking lots shall contain a minimum of one hundred forty (140) square feet of landscaped island per each nine (9) contiguous parking spaces required. This landscape island is to include one (1) three (3) inch caliper tree.

8. PARKING

- a. A total of nine (9) parking spaces shall be required for the storage facility on Tract 1.
- b. Parking requirements for Tract 2 shall conform to the CC-2 Shopping Center zoning district and all the associated regulations contained in the Land Development Code.

9. MONUMENT SIGN

- a. All monument signs will conform to Exhibit "F" except for the copy on the face of the sign which will be customized for each user on Tract 2. The face of all signs will be the same material and color or anodized aluminum, and sign copy will be uniformly white Lexan.

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 November 2018.

The second reading and public hearing being conducted on the 11th day of November 2018.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 11th day of November 2018.

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

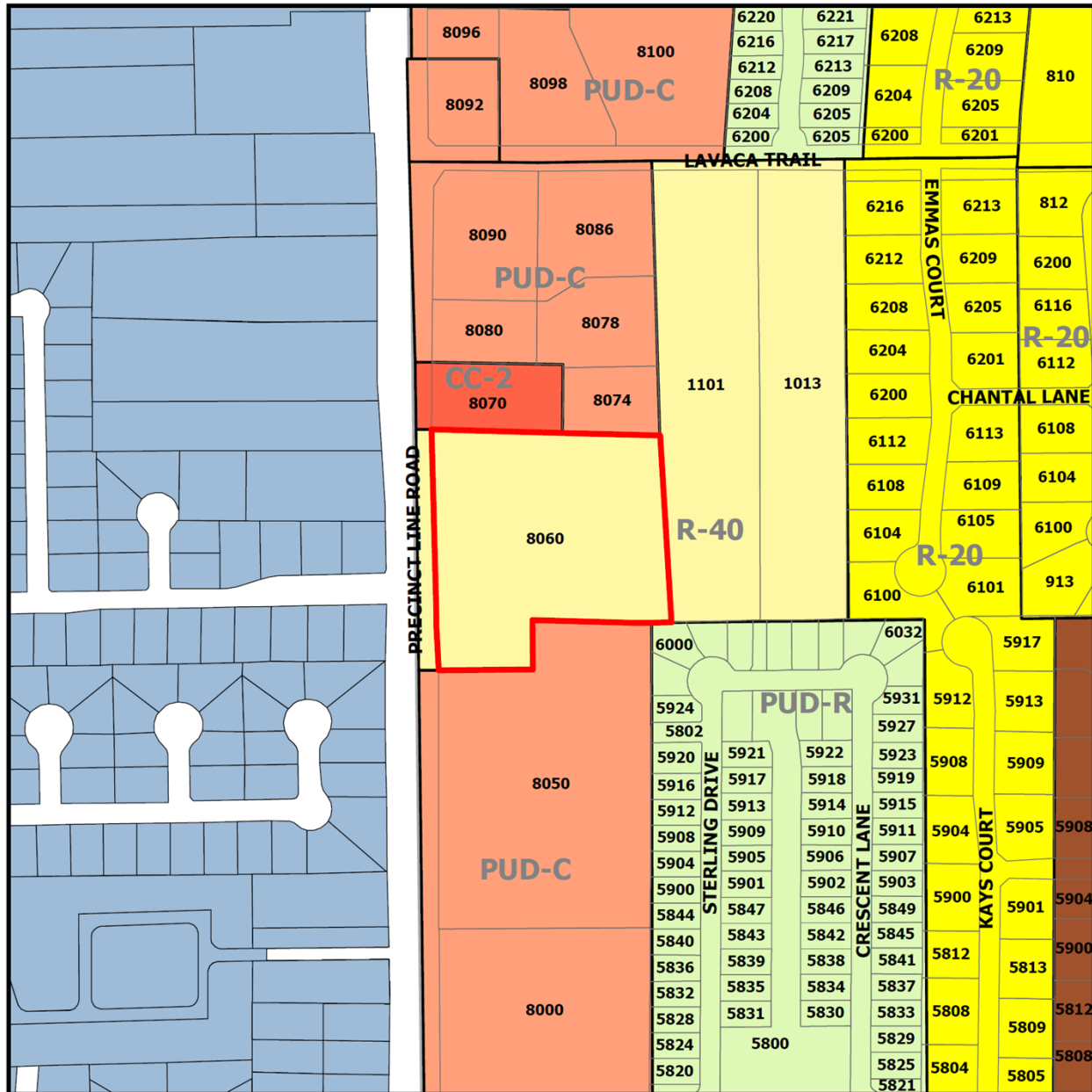
Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

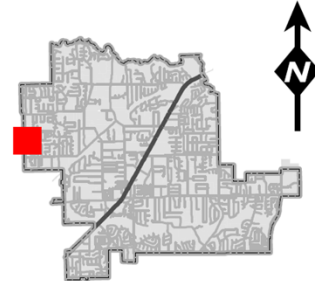
APPROVED AS TO FORM AND LEGALITY:

Whitt Wyatt
City Attorney

Exhibit "A" – Location and Zoning Map



ZC18-028
8060 Precinct Line Road



DISCLAIMER:
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- Subject Property
- Properties Outside the City Limit

Exhibit "B" – Statement of Planning Objectives

Statement of Planning Objectives

Advantage Storage
2600 Eldorado Parkway, Suite 110
McKinney, Texas 75070
972-547-0236
rjones@AdvantageStorage.net



7 September 2018

Mr. Ben Bryner, AICP
Director of Community Development
City of Colleyville
100 Main Street
Colleyville, Texas 76034

Re: Zoning Application
Proposed Self Storage Development
8060 North Precinct Line Road

Dear Mr. Bryner,

Please accept this letter in fulfillment of the zoning application provision for Statement of Planning Objectives, Development Schedule, Proposed Ownership and Economic Information.

STATEMENT OF PLANNING OBJECTIVES:

The project consists of 6.378 acres located along North Precinct Line Road and is configured in two tracts. Tract One contains 148,047 square feet (3.399 acres) and Tract Two contains 129,781 square feet (2.979 acres).

TRACT ONE:

The planning objective for Tract One is to develop a high quality self-storage facility. Storage facilities have changed significantly over the past 20 years reflecting the evolution of the asset type from a low-quality light industrial use to very high-quality retail service business. Whereas many early self-storage customers used storage for short term, transitory reasons, the majority of contemporary storage customers secure storage space for ongoing, space making reasons. These customers as well as others desire well located facilities near where they work and live. Storage use is much higher per capita today than twenty years ago. Storage development has changed to meet this market demand by providing higher quality facilities with architecture compatible with the high-end retail locations in which they reside. Advantage has since 1996 been on the leading edge of this evolution, developing state-of-the-art facilities in very high profile, retail locations.

The characteristics of the storage project are proposed to be:

- The project will be situated on a 3.399 acre site with 38' of North Precinct Line Road frontage.
- The project consists of two, two-story building and four single story buildings containing approximately 87,225 gross SF configured to provide approximately 71,175 net rentable square feet of storage consisting of approximately 625 individual storage units containing between 25 and 300 square feet.
- Approximately 65% of the net rentable area will be climate controlled, appealing to the higher household income in which the project resides.

Statement of Planning Objectives

- The buildings fronting North Precinct Line Road will be two-story with maximum 29.5' height. This allows the architecture of the building to replicate typical retail scale and incorporate interesting architectural features.
- All remaining buildings will be single story and will be oriented toward interior drives and will not exceed 15' in height. Drive visibility from North Precinct Line Road will be minimal, and no door openings will be oriented toward the perimeter of the project.
- The rental office for the facility will be in the front building.
- There will be no resident manager living on site
- The project will include state-of-the-art security features including CCV cameras and tenant only access via digital gate and building controls.
- Project signage will be a combination of masonry monument sign and building signage conforming to ordinance.
- Landscaping will conform to or exceed ordinance requirements, and will be concentrated on the project perimeters, most visible to the neighboring properties and the public.
- Adequate space has been provided for engineered storm water detention and public utility extensions as may be required.

TRACT TWO:

Tract Two contains 2.979 acres and will be zoned to provide for CC-2 Shopping Center uses. The tract is approximately 250' deep which is ideal for small commercial and retail users. Although the actual users have not yet been identified and therefore the precise building layout cannot be determined, the Conceptual Development Plan depicts the likely configuration of three pad sites for retail and restaurant users. The planning objective for Tract Two is to provide ideal lot depth to promote retail development and to provide an access and utility plan to fully develop the tract. Additionally, the planning objective is to provide construction standards to insure uniform, high quality development. Standards include the following:

- Requirement for increased use of natural stone in building facades.
- Enhanced requirement for landscape buffer along North Precinct Line Road.
- Enhanced requirement for landscaping adjacent to retail buildings.
- Enhanced requirement for landscaping in parking areas.
- Enhanced requirement for uniform monument signs.

DEVELOPMENT SCHEDULE:

- Platting and Site Plan Approval will commence immediately upon zoning approval.
- Storage building permit will occur approximately 120 days following zoning approval.
- Storage completion will occur approximately 14 months following zoning approval.
- Market demand will determine retail pad site development.

PROPOSED OWNERSHIP:

The storage project will be owned by a single asset limited liability company managed and controlled by Advantage Self Storage Advisors, LLC, a Texas limited liability company owned by Rick Jones and Davis Deadman.

ECONOMIC INFORMATION:

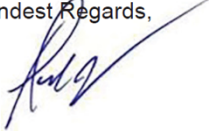
The proposed project will provide the following positive economic impact:

- Property tax valuation will likely increase from the current level of \$357,550 to approximately \$7,500,000 upon completion of the facility. The increase in property value will provide approximately \$167,000 in additional tax revenue, most of which stays in the local community via the city, school system and county.

Statement of Planning Objectives

- The configuration of the proposed site is strategically conceived to promote retail and commercial development on the pad-depth property remaining in front of the facility. The current 6-acre parcel of which the storage facility is a portion is 545' deep. This is a size and depth that is awkward for small to mid-size business who would typically locate on this mid-block commercial corridor and does not promote development. The site plan provides remaining retail parcels with +/- 250' depth, near ideal for small business and pad-site development. The property owner is understandably very hesitant to sell front parcels currently because of the limited use and marketability of the back portion of the land. With the storage development taking mainly the back portion, front parcels will likely be quickly developed placing the entire six acres into economic production.
- The storage facility will provide limited sales tax revenue via the sale of packing and moving supplies.
- The storage facility will have approximately 2-3 employees.

Kindest Regards,

A handwritten signature in blue ink, appearing to read 'Rick Jones', with a long, sweeping flourish extending to the right.

Rick Jones

Attachment: Draft PD Ordinance

[illegible]



100 NORTH TRAVIS STREET
SUITE 100-000
SAN ANTONIO, TEXAS 78202
803 843 3600
www.davidbacastudio.com

**SCHEMATIC
DESIGN
REVIEW**

NOT FOR CONSTRUCTION
OR ANY OTHER
CONSTRUCTION

REVISIONS	
NO.	DESCRIPTION
1	FINAL/CONTRACT CHANGES
2	
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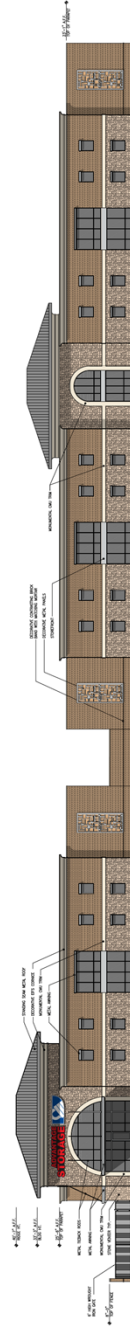
Advantage Storage - Colleyville

PROJECT NUMBER
1735

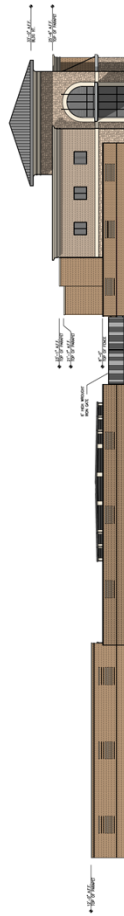
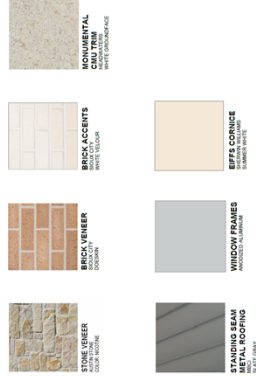
DATE
11.20.17

SHEET NUMBER
SUP-1

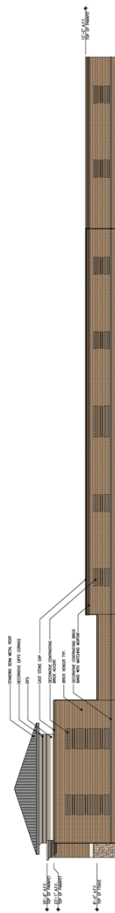
exterior elevations; REVISED 09.25.18



WEST (PRECINCT LINE ROAD) ELEVATION
SCALE: 1/16" = 1'-0"



NORHT ELEVATION
SCALE: 1/16" = 1'-0"



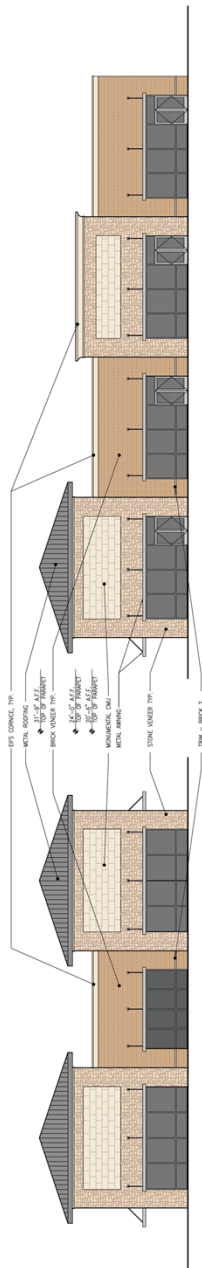
SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



EAST (BACK) ELEVATION
SCALE: 1/16" = 1'-0"

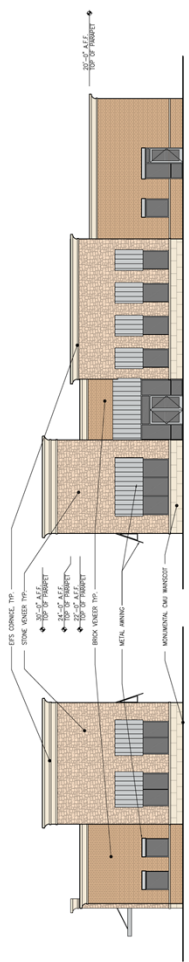


- Materials to match building
- Sign comprised of reinforced dark bronze face, letters and images are cut in relief with white lexan laminated behind. Backlit with LED

[illegible]

ELEVATION **RIGHT SIDE ELEVATION**
SCALE: 1" = 15'-0"

TRACT 2, LOT B CONCEPT ELEVATIONS



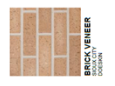
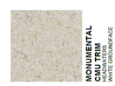
WEST (PRECINCT LINE ROAD) ELEVATION
SCALE: 1" = 10'-0"

RIGHT SIDE ELEVATION
SCALE: 1" = 10'-0"

TRACT 2, LOT C CONCEPT ELEVATIONS

TRACT 2, LOT C CONCEPT ELEVATIONS

NOTE: The Concept Elevations shown are solely intended as examples of how the envisioned architectural language of the development may be executed. Final and actual elevations shall be submitted for review and approval at such time when the property is developed.





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 10/08/2018	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a zoning change from R-40 Single Family Residential district to R-20 Single Family Residential district on Lot C, McEwing Subdivision & 1B02A, 1B2, 1B3, and 1B4, Abstract 1154, in the R H McEwing Survey, located at 712-810 Lavaca Trail, Case ZC18-033

Explanation

Keith Hamilton, the applicant, has submitted a request for a zoning change from the R-40 Single Family Residential district to the R-20 Single Family Residential district on Lot C, McEwing Subdivision & 1B02A, 1B2, 1B3, and 1B4, Abstract 1154, in the R H McEwing Survey, being approximately 17.32 acres. The purpose of the request is to allow for development of 25 new single-family residential lots and 5 open space lots.

Existing Conditions/Background: The subject property, 712-810 Lavaca Trail, resides on the north side of Lavaca Trail, across the street from an existing subdivision called Legacy Estates zoned R-20 Single Family Residential district. The property currently has R-40 zoning and remains undeveloped. The City's zoning map incorrectly shows these lots to be zoned R-20.

Proposed

Zoning:

Request – The applicant requests to rezone the property from R-40 to R-20 for the creation of a single-family residential subdivision consisting of twenty-five (25) single-family residential lots and five (5) open space lots. The development covers a total of 17.32 acres.

The minimum standards for the R-20 zoning district are as follows:

Minimum Lot Size:	20,000 square feet
Minimum Lot Width:	100 feet
Minimum Lot Depth:	125 feet
Front Building Line:	30 feet
Side Building Line:	10 feet
Rear Building Line:	25 feet
Maximum Lot Coverage:	30 percent

Analysis: The requested rezoning allows the applicant to develop the lots in a manner

complementary to the neighborhoods surrounding it.

The applicant had applied for a preliminary/final plat for the property due to the city's zoning map showing the zoning for these lots to be the R-20 zoning district. It has been discovered that these properties actually have R-40 zoning based on a Planning and Zoning Commission case from 2006, O-06-1600. A request to rezone the property from the R-40 district to the R-20 district was denied by the Planning and Zoning Commission at their November 13, 2006 meeting. The applicant at that time did not appeal to City Council, therefore the zoning remains R-40. Starting in January of 2007, the official zoning map has shown the R-20 zoning on the property. This error has continued through present day.

The exhibit provided is the Preliminary/Final Plat exhibit, which will be scheduled with the Planning and Zoning Commission and City Council at a later date.

Timeline for Zoning:

Many properties in and around these properties have been developed for a decade or more and were rezoned from R-40 to R-20.

- 1997 O-97-1058 Remington Park from AG, R-20, & R-40 to PUD-R
- 2001 O-01-1286 Rosewood Villas from PUD-C to PUD- R and CC-2
- 2006 O-06-1594 Lavaca Trail/Estates from AG and R-40 to R-20
- 2006 O-06-1599 Lavaca Parc from R-40 to R-20
- 2006 O-06-1597 Legacy Estates western lots from R-40 to R-20
- 2006 O-06-1594 Kays Court and Emmas Court from R-40 & AG to R-20
- 2006 O-06-1563 Villas of Colleyville from CC-2 to PUD-R
- 2007 O-07-1627 Villas of Colleyville from CC-2 to PUD-R
- 2014 O-14-1924 Legacy Estates eastern lots from R-40 to R-20

Surrounding Development: The properties to the south, across Lavaca Trail and west have R-20 zoning and have developed with single-family residential structures. Properties to the north and east have PUD-R zoning and have developed with single-family residential structures.

Comprehensive Plan: The City's comprehensive plan, Destination Colleyville, identifies the subject property for single-family residential development. The proposed R-20 does not conflict with any portion of the comprehensive plan.

Public Notification: Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1,000 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the Fort Worth Star-Telegram as required by State law and the Land Development Code. To date, no correspondence

has been received.

Staff Recommendation: Staff recommends approval for the applicant's request based on the following findings:

1. The proposed zoning meets the intent of the residential designation assigned in the Destination Colleyville comprehensive plan.
2. The R-20 zoning continues the R-20 zoning districts around the subject property and is similar to the development pattern already established.

Recommendation

Approve

Attachments

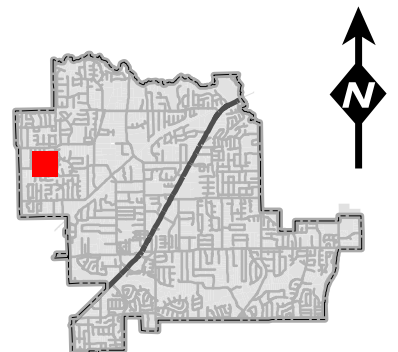
1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. City Zoning Map 2006
5. City Zoning Map 2007
6. Adjacent Properties Zoning
7. Zimmerman - City Council Agenda Briefing
8. November 13, 2006 - Planning and Zoning Commission Minutes
9. Zoning Exhibit
10. Photos Taken by Staff
11. Notification Map
12. Notification List
13. Property Owner Notification
14. Draft Ordinance O-18-xxxx

Aerial Map



ZC18-033

712 - 810 Lavaca Trail



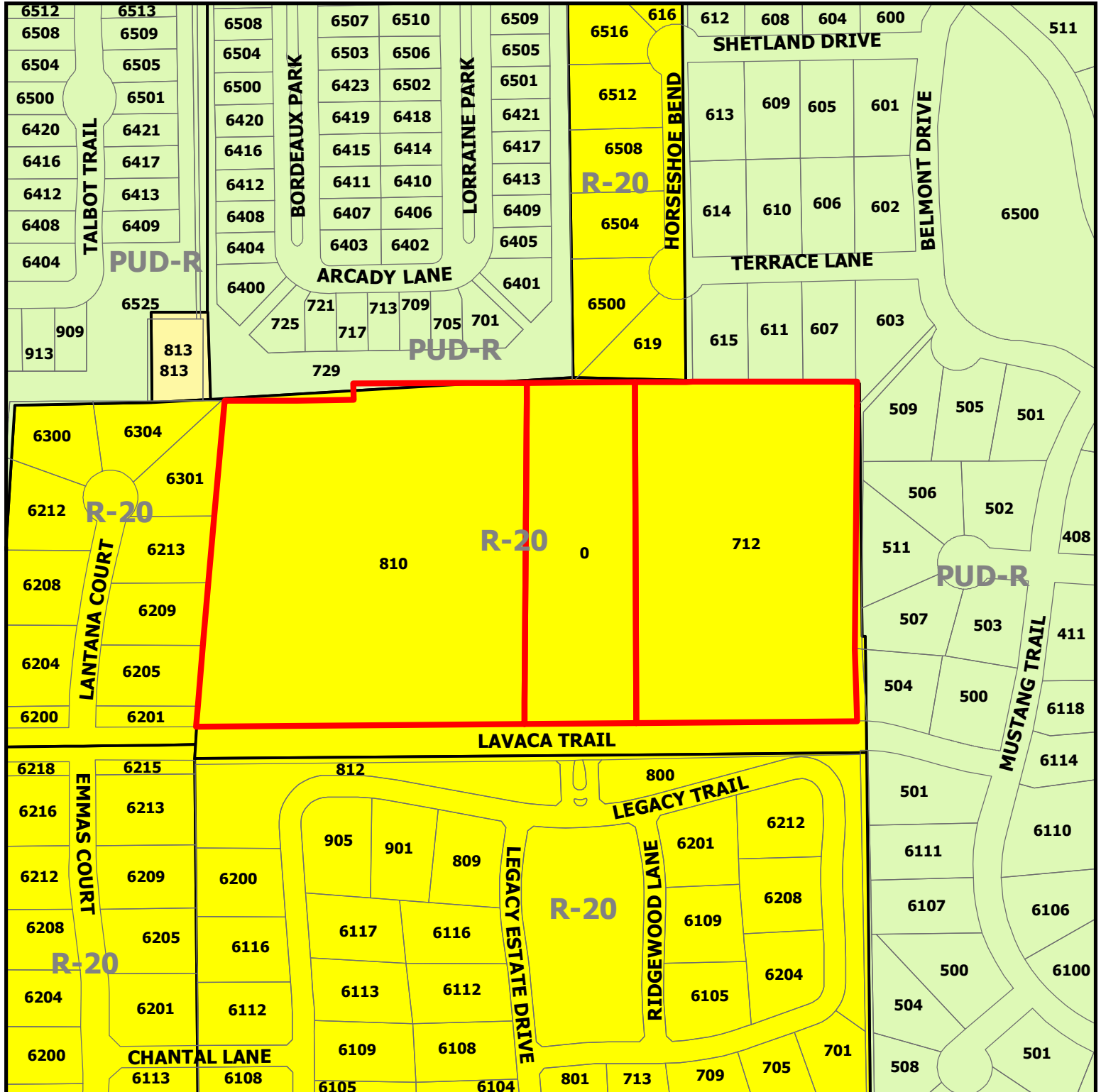
DISCLAIMER:

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Subject Property

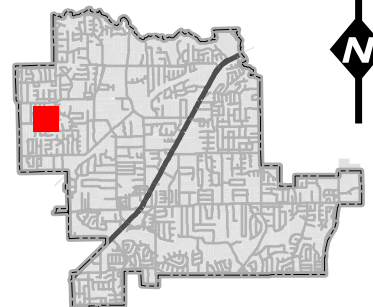
Zoning Map



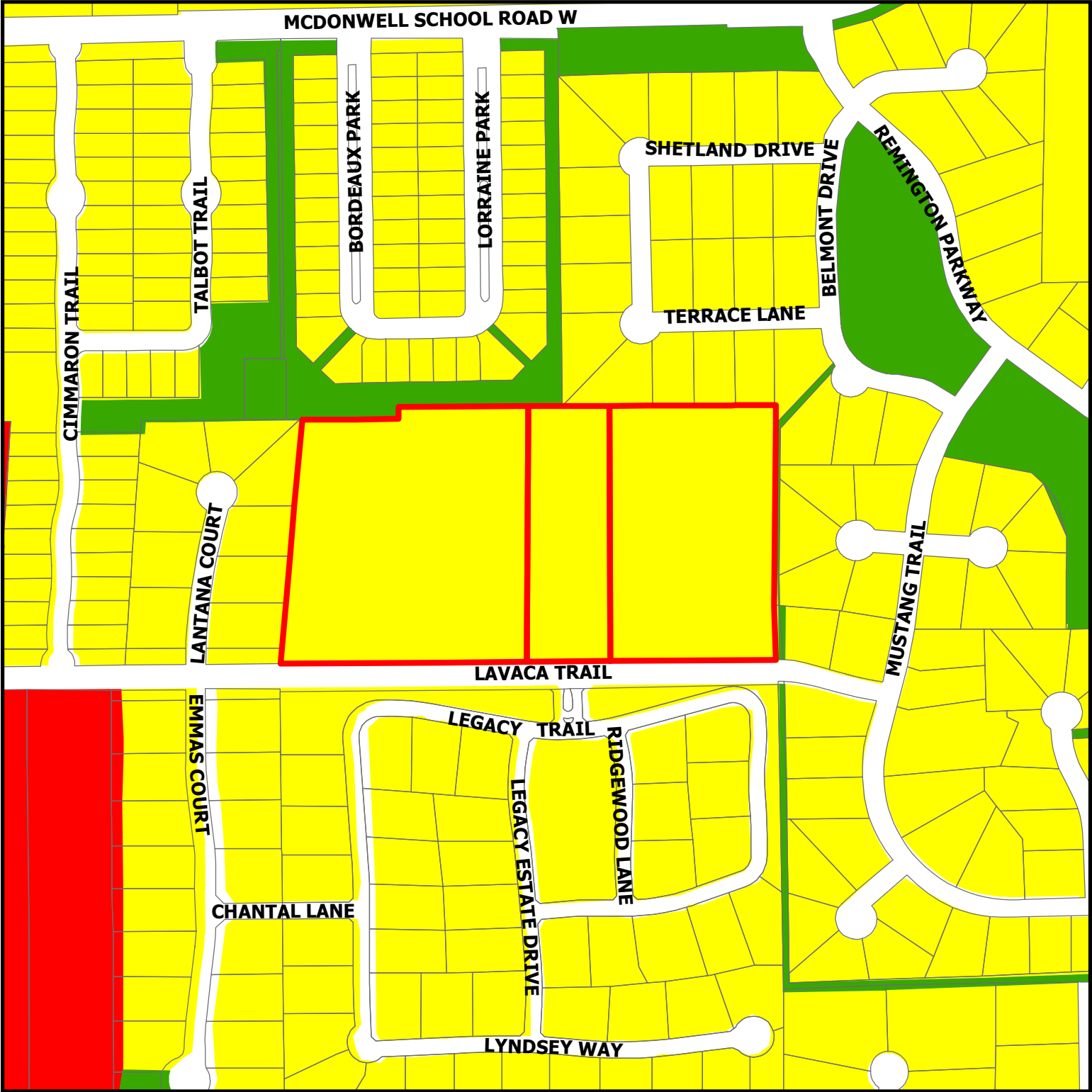
ZC18-033
712 - 810 Lavaca Trail

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 Subject Property



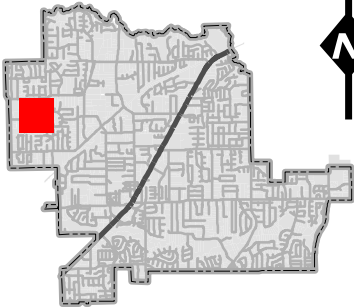
Future Land Use Map



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ZC18-033
712 - 810 Lavaca Trail

-  Subject Property
-  Residential
-  Commercial
-  Open Space; Parks



City Zoning Map 2006

Zoning

Legend

-  Schools
-  Parks
-  Municipal Locations
-  AG Agricultural
-  CC-1 Village Retail
-  CC-2 Shopping Center
-  CC-3 Highway Commercial
-  CN Neighborhood Commercial
-  CP0 Professional Office
-  ML Light Manufacturing
-  PUD-C Planned Unit Development, Commercial
-  PUD-R Planned Unit Development, Residential
-  R-10 Single Family Residential (10,000 sq. ft. min)
-  R-15 Single Family Residential (15,000 sq. ft. min)
-  R-20 Single Family Residential (20,000 sq. ft. min)
-  R-30 Single Family Residential (30,000 sq. ft. min)
-  R-40 Single Family Residential (40,000 sq. ft. min)
-  R-MF Multi-Family Residential
-  RD Two Family Residential
-  RE Single Family 'Estate' Residential



DISCLAIMER

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0 1,000 2,000 4,000 6,000 8,000 Feet

Last update 10/1/06

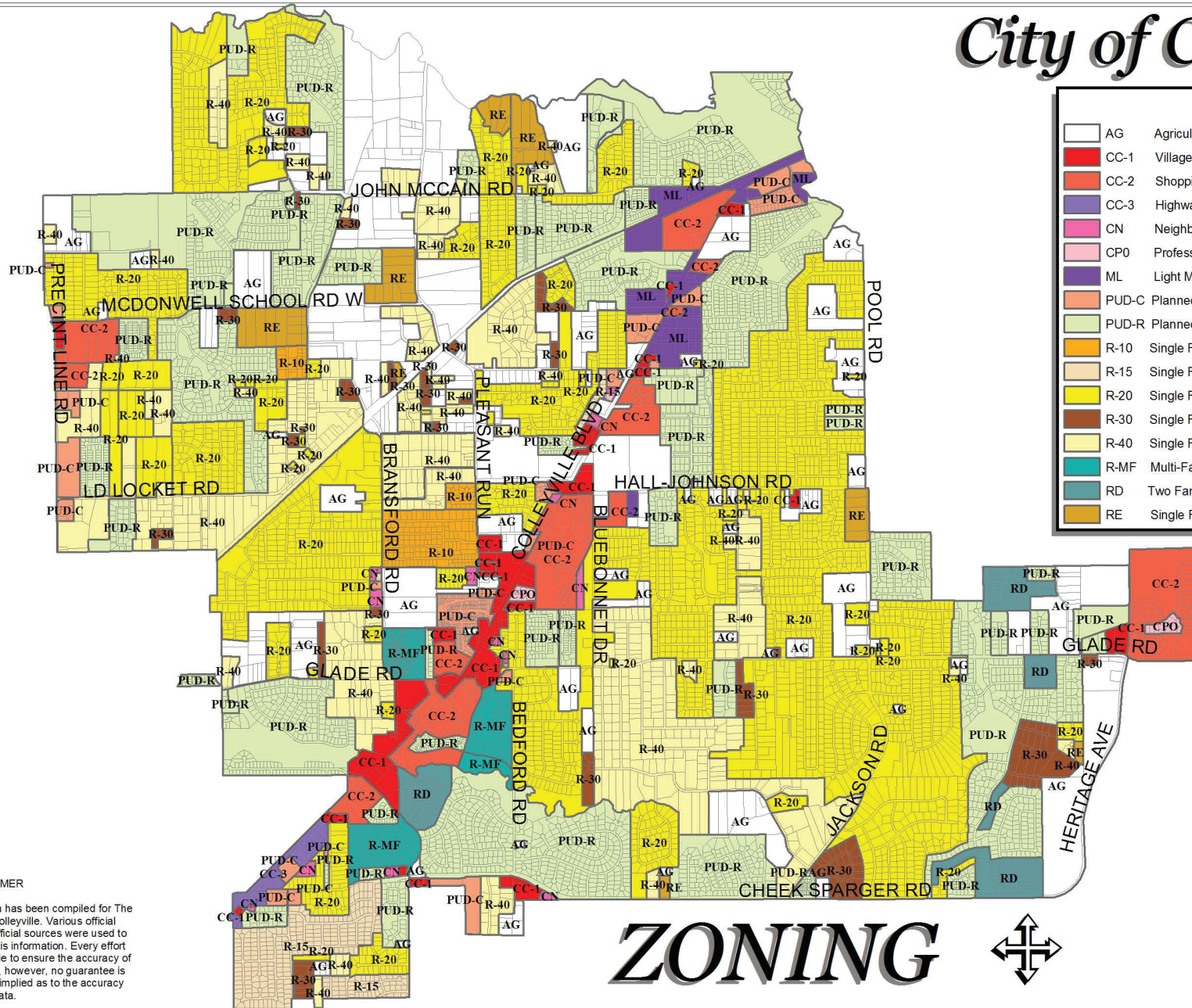


Geographic Information Systems

City Zoning Map 2007

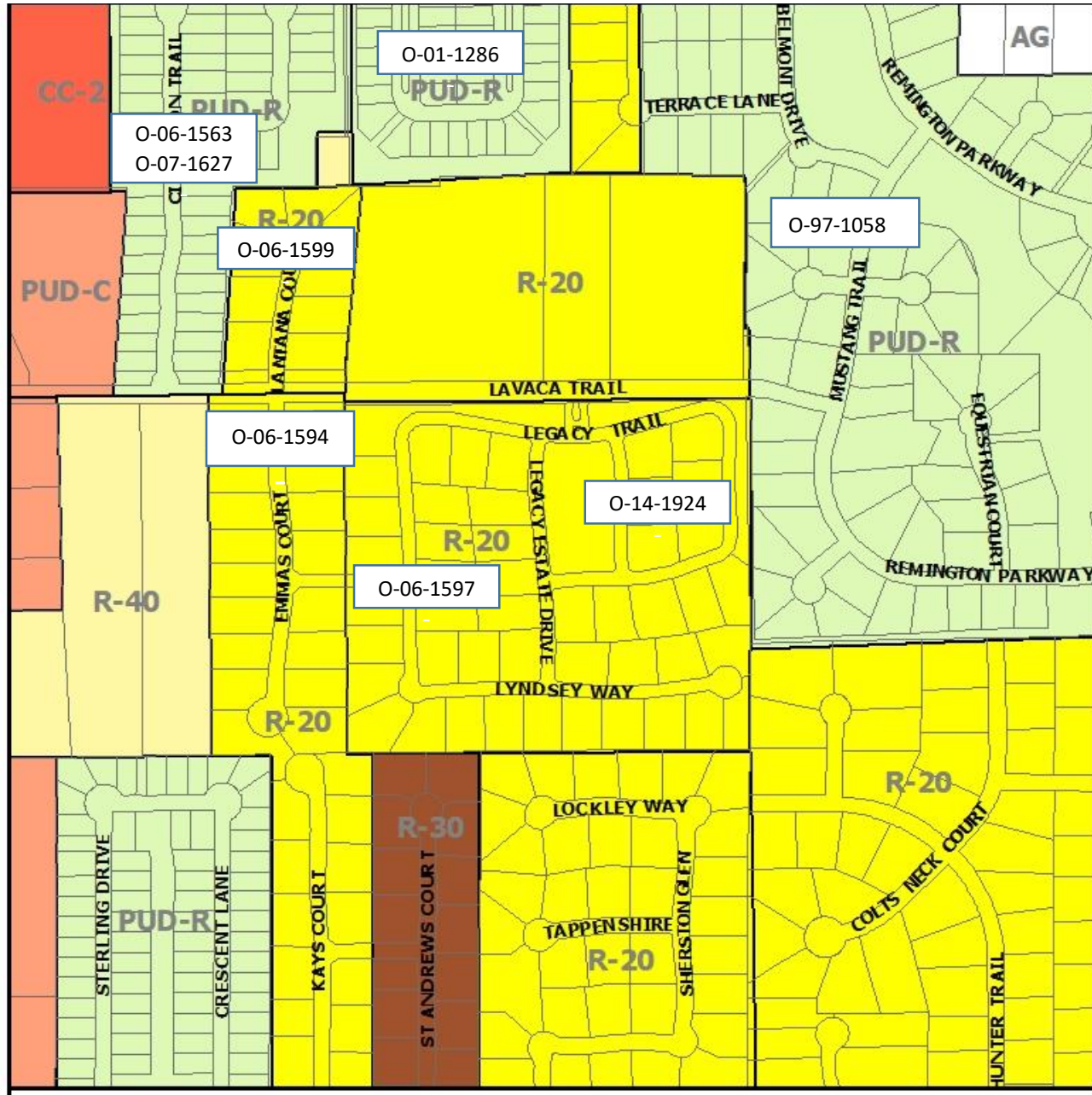
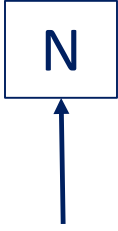
City of Colleyville

Legend	
AG	Agricultural
CC-1	Village Retail
CC-2	Shopping Center
CC-3	Highway Commercial
CN	Neighborhood Commercial
CP0	Professional Office
ML	Light Manufacturing
PUD-C	Planned Unit Development, Commercial
PUD-R	Planned Unit Development, Residential
R-10	Single Family Residential (10,000 sq. ft. min)
R-15	Single Family Residential (15,000 sq. ft. min)
R-20	Single Family Residential (20,000 sq. ft. min)
R-30	Single Family Residential (30,000 sq. ft. min)
R-40	Single Family Residential (40,000 sq. ft. min)
R-MF	Multi-Family Residential
RD	Two Family Residential
RE	Single Family 'Estate' Residential



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City of Colleyville

Agenda Briefing

100 Main Street
Colleyville, Texas 76034
(817) 503-1000
www.colleyville.com

File Number: O-06-1600

File Number: O-06-1600	File Type: Ordinance	Status: First Reading
Version: 1	Agenda Date: 12/05/2006	Controlling Body: City Council
Requester: Community Development Department	Agenda No.: 6a	Final Action:
File Name: Approval of a Request for a Special Use Permit on 17 acres out of the R.N. McEwing Survey and the McEwing Addition located at 712-900 Lavaca Trail, Case Z-06-027		
Attachments: Location and Zoning Map • List of Property Owners Notified • Zoning Exhibits • Ordinance O-06-1600		

History of Legislative File

Version:	Date:	Acting Body:	Action Text:
1	11/13/2006	Planning and Zoning Commission	
1	12/05/2006	City Council	

Title

Approval of a Request for a Special Use Permit on 17 acres out of the R.N. McEwing Survey and the McEwing Addition located at 712-900 Lavaca Trail, Case Z-06-027

Explanation

First Reading and Public Hearing

Jeffrey Zimmerman has submitted a request for consideration of a Special Use Permit (SUP) to allow grazing animals on 17 acres of land located on the north side of Lavaca Trail, approximately 275 feet west of Mustang Trail. The property is currently zoned R40-Single Family Residential.

The applicant originally submitted a request to rezone the property from the R40-Single Family Residential zoning district to the R20-Single Family Residential zoning district in conjunction with the SUP request. The Planning and Zoning Commission denied the R20 rezoning request and approved the SUP request. The applicant did not appeal the zoning request to City Council, therefore only the SUP request is being considered by the City Council. The Planning and Zoning Commission recommended approval of the SUP by a vote of 5-2.

Request. SUP to allow grazing animals on the property.

Location. The 17 acres is located at 712-900 Lavaca Trail.

Special Use Permit. The applicant is requesting approval of a SUP to allow grazing

animals on the property. Grazing animals are permitted by right within the AG-Agricultural and RE-Single Family Estate Residential zoning districts. The property is zoned R40 and the property owner indicated six cattle and three calves have existed on the property for many years.

Staff is recommending that a condition be placed within the ordinance stating that if the property is rezoned in the future, the SUP permitting the grazing of animals will become void. The proposed ordinance also contains a provision to limit the number of animals to the ratio permitted in Section 42 of the Colleyville Code of Ordinances, which allows one grazing animal per 15,000 square feet of land area. Using the formula permitted by the code, a total of 49 animals would be allowed on the 17 acre tract. The applicant is aware of the staff recommendations and has agreed to the conditions.

Surrounding Development Trends. The surrounding properties are primarily single family residential in nature. Properties to the north are zoned PUDR-Planned Unit Development Residential and R20-Single Family Residential and are developed as single family uses (Rosewood Villas and Remington Park). The properties to the west and south are zoned R20-Single Family Residential and are currently being developed for single family uses. The properties to the west are zoned PUDR-Planned Unit Development Residential and R20-Single Family Residential and are developed as single family uses (Remington Park).

Public Notification. Staff mailed notices to 36 adjacent property owners regarding this request. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. No correspondence has been received regarding this request.

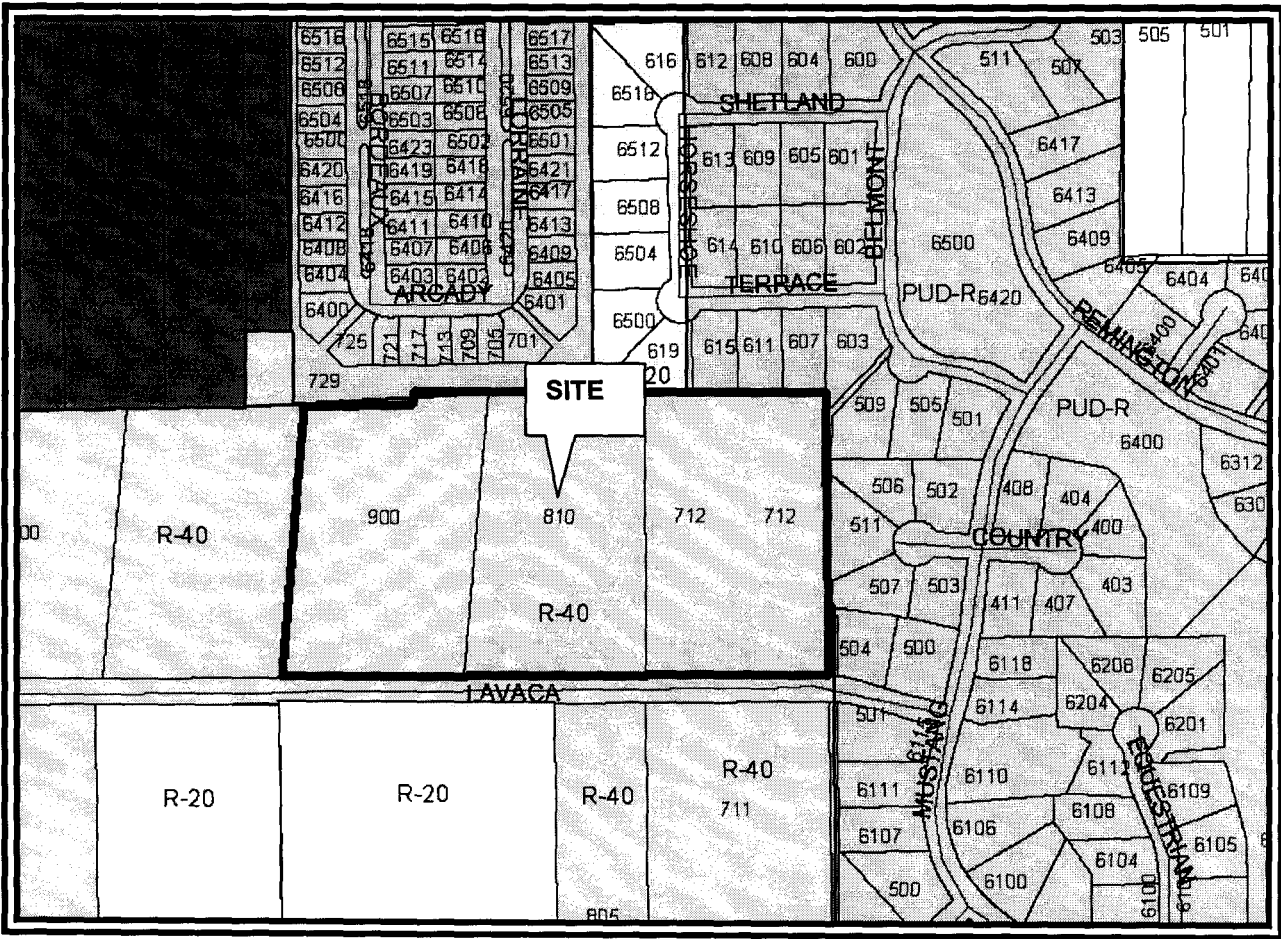
Financial Impact

It has been determined that there is no financial impact.

Recommendation

Approval with the condition that the SUP becomes void upon any future rezoning of the property, which has been incorporated into the attached proposed ordinance. Staff is concerned that a future rezoning of the property without voiding the SUP provisions would allow all future properties within the 17 acres to have grazing animals and have possible adverse effects on the residents in the future of that neighborhood.

Location and Zoning Map



List of Property Owners Notified

Z-06-027

Zimmerman, Jeffrey K applicant 501 Lavaca Trl Colleyville, TX 76034	Zimmerman, Jeffrey K applicant 501 Lavaca Trl Colleyville, TX 76034	Zimmerman, Jeffrey K applicant 501 Lavaca Trl Colleyville, TX 76034
Zimmerman, Jeffrey K applicant 501 Lavaca Trl Colleyville, TX 76034	Anderson, Gregory L Etux Tina 509 Belmont Dr Colleyville, Tx 76034	Bouton, Terry L Etux Debra L 611 Terrace Ln Colleyville, TX 76034
Brown, Sean W 2700 Tibbets Dr Ste 350 Bedford, TX 76022	Chandler, Raman PO Box 611 Colleyville, TX 76034	Cochran, Jerry W Etux Anne M 511 Mustang Ct Colleyville, TX 76034
Crawford, Scott Etux Michelle 502 Mustang Ct Colleyville, TX 76034	Dacy, Carol Crowder Etvir Tim 6500 Horseshoe Bnd Colleyville, TX 76034	Gardner, Thomas J Etux Melinda 607 Terrace Ln Colleyville, TX 76034
Gary Panno Inc PO Box 715 Colleyville, TX 76034	Giacomini, Stephanie A 805 W Lavaca Trl Colleyville, TX 76034	Glasgow, William Etux Karen 6400 Bordeaux Park Colleyville, TX 76034
Gohr, Martin Etux Lorraine 809 Lavaca Tr Colleyville, TX 76034	Gtp Acquisition Partners II 1801 Clint Moore Rd Ste 215 Boca Raton, FL 33487	Invitation Park III Lp 215 W College St Grapevine, TX 76051
Lamberth, Geo A Etux Sharrian 503 Mustang Ct Colleyville, TX 76034	Larson, Charles Etux Marsha 615 Terrace Ln Colleyville, TX 76034	Ldds Communications Inc 500 Clinton Center Dr Clinton, MS 39056
Maner, Jolene C 506 Mustang Ct Colleyville, TX 76034	Martin, Stephen L Etux Nan C 813 W Lavaca Trl Colleyville, TX 76034	McIntosh, Doyle & Mary Fam Lp 8333 Thornhill Dr North Richland Hills, TX 76180
Michelsen, John J III 619 Terrace Ln Colleyville, TX 76034	Morrison, David J 603 Terrace Ln Colleyville, TX 76034	Myers, John R Etux Adrienne A 504 Lavaca Tr Colleyville, TX 76034
O'Hanlon, Kerry Lyn 709 Arcady Ln Colleyville, TX 76034	Ortiz, Maria T 505 Belmont Dr Colleyville, TX 76034	Pacilio, William J Etux Nancy 500 Lavaca Trl Colleyville, TX 76034

Peek, Edward Allen Etux Darcy
507 Mustang Ct
Colleyville, TX 76034

Pratt, Leonard E
711 W Lavaca Trl
Colleyville, TX 76034

Randall, Mark R
6111 Mustang Trl
Colleyville, TX 76034

Rem Park H A Inc
PO Box 343
Colleyville, TX 76034

Rogers, Patricia A
725 Arcady Ln
Colleyville, TX 76034

Royal Lepage Relocation Servic
1905 Harney St Ste 300
Omaha, NE 68102

Terry, Douglas L
717 Arcady Ln
Colleyville, TX 76034

Thompson, Harold D Etux
Sandra
6401 Lorraine Park
Colleyville, TX 76034

Westgate Villas Ltd
PO Box 611
Colleyville, TX 76034

Jeffrey K Zimmerman
501 Lavaca Trail
Colleyville, TX 76034

October 13, 2006

City of Colleyville
100 Main Street
Colleyville, TX 76034

Re: Zimmerman Ranch - Zoning Change from R40-R20 and Special Use Permit for
Grazing Animals

I am requesting a zoning change from R40 to R20 on my 17+ acres located on Lavaca Trail. I am requesting the zoning change in order to keep my land cohesive with the surrounding zoning. The special use permit (SUP) is needed for grazing animals so that I may continue to keep my cattle on this land.

Regards,


Jeffrey K. Zimmerman

Jeffrey K Zimmerman
501 Lavaca Trail
Colleyville, TX 76034

October 13, 2006

SPECIAL INSTRUCTIONS FOR BARRY LeBARON

Re: Zimmerman Ranch - Zoning Change from R40-R20 and Special Use Permit for
Grazing Animals

Barry,

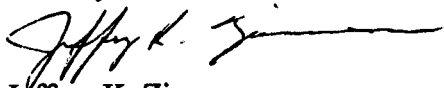
As discussed, I am applying for the single Ordinance that includes:

Section 1: R20 zoning

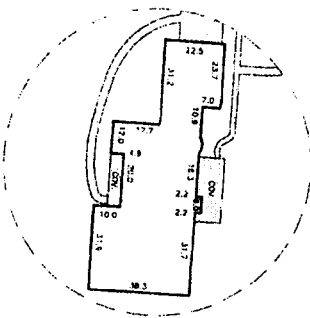
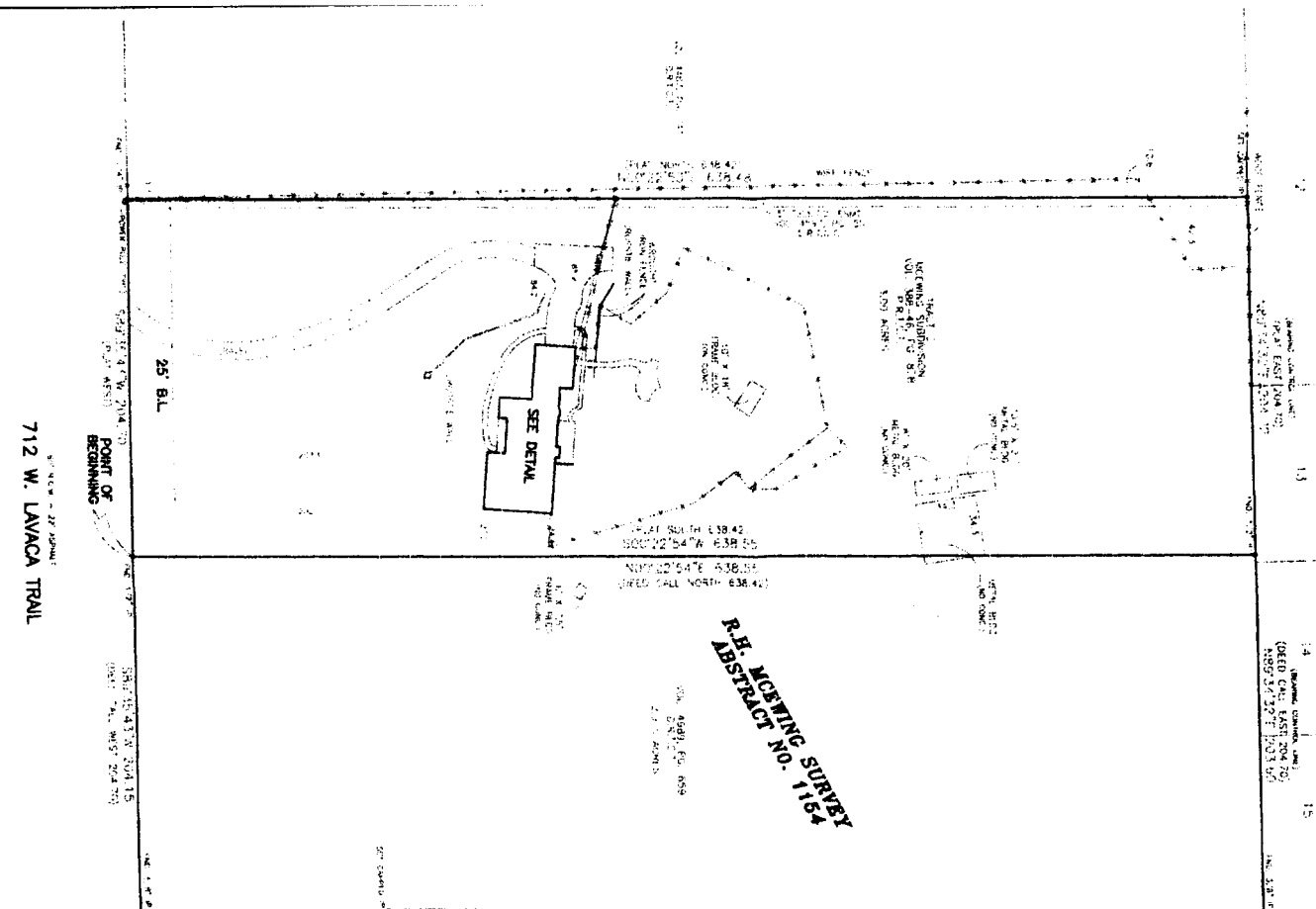
Section 2: SUP for grazing animals so that I may continue to keep livestock

We had determined that the SUP should expire if any portion of the property is platted or replatted, so we need wording in the SUP to reflect this.

Thank you,



Jeffrey K. Zimmerman
Ph: 817-427-4130
Mobile: 817-637-6677
Email: jzidi@aol.com



**DETAIL
ONE STORY
BRICK & FRAME
RESIDENCE**

[illegible]

ELEMENTS IN MOT EFFECT:
VOL. 206, PG. 109, D.R.I.T.
VOL. 227, PG. 25, D.R.I.T.
ELEMENT DOES EFFECT:
VOL. 206, PG. 109, D.R.I.T. - RANGET ELEMENT

CONALTS & MOORE, of SAN ANTONIO, TEXAS, HAVE BEEN ADVISED BY THE TEXAS DEPARTMENT OF CORRECTIONS THAT THE BOARD OF PRISONS HAS RECOMMENDED THE DEPORTATION OF ALL "ALIEN PRISONERS" WHOSE EXPIRATION DATES ARE APPROXIMATELY 1935. CONALTS & MOORE, IN ORDER TO PROTECT THE INTERESTS OF THEIR CLIENTS, HAVE BEEN ADVISED TO OBTAIN IMMEDIATELY FROM THE TEXAS DEPARTMENT OF CORRECTIONS THE NAMES OF ALL "ALIEN PRISONERS" WHOSE EXPIRATION DATES ARE APPROXIMATELY 1935. CONALTS & MOORE, IN ORDER TO PROTECT THE INTERESTS OF THEIR CLIENTS, HAVE BEEN ADVISED TO OBTAIN IMMEDIATELY FROM THE TEXAS DEPARTMENT OF CORRECTIONS THE NAMES OF ALL "ALIEN PRISONERS" WHOSE EXPIRATION DATES ARE APPROXIMATELY 1935.

LOYD BRANSON SURVEYORS INC.

CHARLES H. MOORE, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
1028 NORTH SYLVANIA AVENUE
FT. WORTH, TEXAS 76114

DATE: 05-22-01



01-1172

**DETAIL
ONE STORY
BRICK & FRAME
RESIDENCE**

BEING TRACT C, McEWING SUBDIVISION, AN ADDITION TO THE CITY OF HURST, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 388-46, PAGE 878, PLAT RECORDS, TARRANT COUNTY, TEXAS,
AND

A TRACT OF LAND OUT OF THE R.H. McEWING SURVEY, ABSTRACT NO. 1154, TARRANT COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 4989, PAGE 659, DEED RECORDS, TARRANT COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON PIN FOUND IN THE NORTH LINE OF W. LAVACA TRAIL FOR THE SOUTHWEST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID TRACT C, McEWING SUBDIVISION AND BY DEED BEING LOCATED 1572.75 FEET SOUTH 0 DEGREES 30 MINUTES EAST AND 2487.15 FEET EAST FROM THE NORTHWEST CORNER OF SAID McEWING SURVEY;

THENCE NORTH 00 DEGREES 22 MINUTES 54 SECONDS EAST 638.55 FEET (DEED CALL NORTH 638.42 FEET) ALONG THE EAST LINE OF SAID TRACT C, McEWING SUBDIVISION TO A 1/2" IRON PIN FOUND IN THE SOUTH LINE OF BLOCK 1, REMINGTON PARK, PHASE TWO, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 4801, PLAT RECORDS, TARRANT COUNTY, TEXAS, FOR THE NORTHWEST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID TRACT C, McEWING SUBDIVISION;

THENCE NORTH 89 DEGREES 34 MINUTES 32 SECONDS EAST 203.60 FEET (DEED CALL EAST 204.70) ALONG THE SOUTH LINE OF SAID BLOCK 1, REMINGTON PARK, PHASE TWO TO A 3/8" IRON PIN FOUND FOR THE NORTHEAST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 15, SAID BLOCK 1, REMINGTON PARK, PHASE TWO;

THENCE SOUTH 00 DEGREES 32 MINUTES 58 SECONDS WEST 471.98 FEET (DEED CALL SOUTH) ALONG THE WEST LINE OF SAID BLOCK 1, REMINGTON PARK, PHASE TWO, TO A CAPPED IRON PIN SET FOR THE SOUTHWEST CORNER OF LOT 17, SAID BLOCK 1, REMINGTON PARK, PHASE TWO, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT A2, E.A. SMITH ADDITION, AN ADDITION IN TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 388-60, PAGE 31, PLAT RECORDS, TARRANT COUNTY, TEXAS;

THENCE SOUTH 00 DEGREES 17 MINUTES 03 SECONDS EAST 166.64 FEET (DEED CALL SOUTH) ALONG THE WEST LINE OF SAID LOT A2, E.A. SMITH ADDITION TO A 5/8" IRON PIN FOUND IN THE NORTH LINE OF W. LAVACA TRAIL FOR THE SOUTHEAST CORNER OF TRACT BEING DESCRIBED;

THENCE SOUTH 89 DEGREES 35 MINUTES 43 SECONDS WEST 204.15 FEET (DEED CALL WEST 204.70 FEET) ALONG THE NORTH LINE OF SAID W. LAVACA TRAIL TO THE POINT OF BEGINNING AND CONTAINING 2.975 ACRES OF LAND, MORE OR LESS

EASEMENTS DO NOT EFFECT:

VOL. 950, PG. 529, D.R.T.C.T.
VOL. 3271, PG. 25, D.R.T.C.T.

EASEMENT DOES EFFECT:

VOL. 3068, PG. 295, D.R.T.C.T.- BLANKET EASEMENT

Vol. 14747, Pg. 32
D.R.T.C.T.

LOT 12, BLOCK
INDUSTRIAL PARK
PHASE TWO
CAR A, BIDE 40
PACIFIC.

N89°27'04"E 239.9

5892511E 1/1.9/

189 4321 E 240.43

N89-3432 E 110.6
WOOD ROAD

N05°36'17"E 803.36

**R.F. MEWING SURVEY
ABSTRACT NO. 1134**

DEED OF TRUST
VOL. 6697, PG. 564
D.R.T.C.T.
11.339 ACRES

11.339 ACRES

S00°22'53"W 638.48

TRACT C
MEETING SUBMISSION
VOL. 368-46, PG. 878
P R I V A T E

89°58'33"W 817.50
60' R.O.B. ~ 20' ASPHALT
W. LAVACA TRAIL

**POINT OF
DISCONTINUITY**

4

[illegible]

EASMENT DOES NOT EFFECT:
VOL. 3271, PG. 25, D.A.C.T.
VOL. 3004, PG. 443, D.A.C.T.

EASEMENTS DO EFFECT:
VOL. 3048, PG. 285, D.A.C.T. - BLANKET EASEMENT
VOL. 350, PG. 529, D.A.C.T. - BLANKET EASEMENT

LOYD BRANSON SURVEYORS INC.

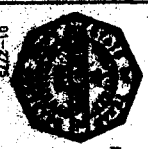
CHARLES B. HOOKS, JR

1028 NORTH SYLVANIA AVENUE
FT WORTH TEXAS 76114

MONTH, LEADS
(817) 834-3471

DATE: 09-24-01

01-2775



LITERATURE

● POK PM
○ BOB PIPE
△ BOS D'ARC STAGE
☐ CONCRETE FOUNDATION
— — — — — FENCE
— — — — — POWER LINE
— — — — — TELEPHONE LINE
— — — — — CABLE TELEVISION
☐ CONCRETE PAVING
SPRINT ASPHALT PAVING

1
PND. 1/3" P BEARS
S00'22'53" W 0.44

BEING A TRACT OF LAND OUT OF THE R.H. McEWING SURVEY, ABSTRACT NO. 1154, TARRANT COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 6897, PAGE 584, DEED RECORDS, TARRANT COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/4" IRON PIN FOUND IN THE NORTH LINE OF W. LAVACA TRAIL FOR THE SOUTHEAST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF TRACT C, McEWING SUBDIVISION, AN ADDITION TO THE CITY OF HURST, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 388-48, PAGE 878, PLAT RECORDS, TARRANT COUNTY, TEXAS, AND BY DEED BEING LOCATED 1572.75 FEET SOUTH 0 DEGREES 30 MINUTES EAST AND 1873.05 FEET EAST FROM THE NORTHWEST CORNER OF SAID R.H. McEWING SURVEY;

THENCE NORTH 89 DEGREES 58 MINUTES 33 SECONDS WEST 817.50 FEET ALONG THE NORTH LINE OF SAID W. LAVACA TRAIL TO A 5/8" IRON PIN FOUND FOR THE SOUTHWEST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF A TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 6742, PAGE 340, DEED RECORDS, TARRANT COUNTY, TEXAS;

THENCE NORTH 05 DEGREES 36 MINUTES 17 SECONDS EAST 983.38 FEET ALONG THE EAST LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 6742, PAGE 340 TO A 5/8" IRON PIN FOUND IN THE SOUTH LINE OF A TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325, DEED RECORDS, TARRANT COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 6742, PAGE 340 AND THE NORTHWEST CORNER OF TRACT BEING DESCRIBED;

THENCE NORTH 89 DEGREES 27 MINUTES 04 SECONDS EAST 239.90 FEET ALONG THE SOUTH LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 TO A 1/2" IRON PIN FOUND FOR AN INSIDE CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 AND CORNER OF TRACT BEING DESCRIBED;

THENCE NORTH 60 DEGREES 27 MINUTES 06 SECONDS WEST 35.11 FEET ALONG EAST LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 TO A 1/2" IRON PIN FOUND FOR AN INSIDE CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 AND CORNER OF TRACT BEING DESCRIBED;

THENCE SOUTH 89 DEGREES 25 MINUTES 11 SECONDS EAST 171.87 FEET ALONG THE SOUTH LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 TO A 3/8" IRON PIN FOUND FOR CORNER OF TRACT BEING DESCRIBED;

THENCE NORTH 89 DEGREES 43 MINUTES 27 SECONDS EAST 240.45 FEET AND CONTINUING ALONG THE SOUTH LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 TO A 1/2" IRON PIN FOUND FOR THE SOUTHEAST CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 AND THE SOUTHWEST CORNER OF LOT 12, BLOCK 1, REMINGTON PARK, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 4801, PLAT RECORDS, TARRANT COUNTY, TEXAS;

THENCE NORTH 89 DEGREES 34 MINUTES 32 SECONDS EAST 110.81 FEET ALONG THE SOUTH LINE OF SAID LOT 12, BLOCK 1, REMINGTON PARK TO THE NORTHEAST CORNER OF TRACT BEING DESCRIBED, FROM WHICH A 1/2" IRON PIN FOUND BEARS 0.44 FEET SOUTH 00 DEGREES 22 MINUTES 53 SECONDS WEST, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID TRACT C, McEWING SUBDIVISION;

THENCE SOUTH 00 DEGREES 22 MINUTES 53 SECONDS WEST 838.48 FEET ALONG THE WEST LINE OF SAID TRACT C, McEWING SUBDIVISION TO THE POINT OF BEGINNING AND CONTAINING 11.339 ACRES OF LAND, MORE OR LESS

5" T.E.S.CO. ESMT
VOL. 4897, PG. 58
D.R.T.C.T.

S00'22'53" W 638.48

TRACT C
McEWING SUBDIVISION
VOL. 388-48, PG. 878
P.R.T.C.T.

ORDINANCE O-06-1600

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AS HERETOFORE AMENDED; BY AMENDING THE OFFICIAL ZONING MAP BY AUTHORIZING A SPECIAL USE PERMIT TO ALLOW GRAZING ANIMALS ON 17 ACRES IN THE R.N. MCEWING SURVEY, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case No. Z-06-027; 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, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit to allow grazing animals on Tracts 1B4, 1B2, and 1B3 of the R. N. McEwing Survey, Abstract 1154 and Lot C, McEwing Subdivision, as depicted in the attached Exhibit "A" and described in the attached Exhibit "B" subject to the following conditions:
1. If the property is rezoned in the future, the SUP permitting grazing animals will be revoked.
 2. The number of animals shall be in conformance with Chapter 42 of the Colleyville Code of Ordinances.
- 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 _____ day of _____ 2006.

The second reading and public hearing being conducted on the _____ day of _____ 2006.

ATTEST:

CITY OF COLLEYVILLE

Cynthia Singleton, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

EXHIBIT "A"

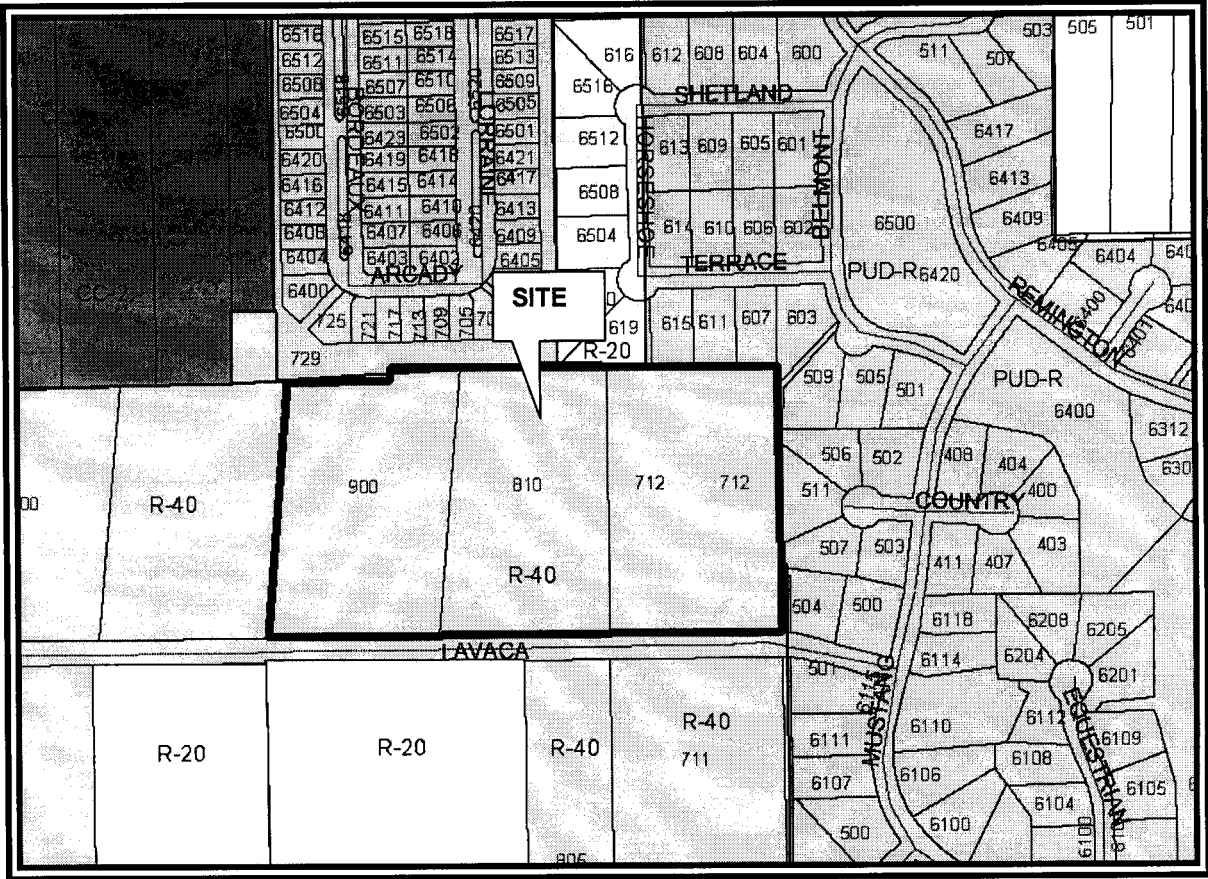


EXHIBIT "B"

BEING A TRACT OF LAND OUT OF THE R.H. McEWING SURVEY, ABSTRACT NO. 1154, TARRANT COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 6897, PAGE 584, DEED RECORDS, TARRANT COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/4" IRON PIN FOUND IN THE NORTH LINE OF W. LAVACA TRAIL FOR THE SOUTHEAST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF TRACT C, McEWING SUBDIVISION, AN ADDITION TO THE CITY OF HURST, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 388-46, PAGE 878, PLAT RECORDS, TARRANT COUNTY, TEXAS, AND BY DEED BEING LOCATED 1572.75 FEET SOUTH 0 DEGREES 30 MINUTES EAST AND 1873.05 FEET EAST FROM THE NORTHWEST CORNER OF SAID R.H. McEWING SURVEY;

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THENCE NORTH 05 DEGREES 36 MINUTES 17 SECONDS EAST 603.36 FEET ALONG THE EAST LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 6742, PAGE 340 TO A 5/8" IRON PIN FOUND IN THE SOUTH LINE OF A TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325, DEED RECORDS, TARRANT COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 6742, PAGE 340 AND THE NORTHWEST CORNER OF TRACT BEING DESCRIBED;

THENCE NORTH 89 DEGREES 27 MINUTES 04 SECONDS EAST 239.90 FEET ALONG THE SOUTH LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 TO A 1/2" IRON PIN FOUND FOR AN INSIDE CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 AND CORNER OF TRACT BEING DESCRIBED;

THENCE NORTH 00 DEGREES 27 MINUTES 09 SECONDS WEST 35.11 FEET ALONG EAST LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 TO A 1/2" IRON PIN FOUND FOR AN INSIDE CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 AND CORNER OF TRACT BEING DESCRIBED;

THENCE SOUTH 89 DEGREES 25 MINUTES 11 SECONDS EAST 171.97 FEET ALONG THE SOUTH LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 TO A 3/8" IRON PIN FOUND FOR CORNER OF TRACT BEING DESCRIBED;

THENCE NORTH 89 DEGREES 43 MINUTES 27 SECONDS EAST 240.45 FEET AND CONTINUING ALONG THE SOUTH LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 TO A 1/2" IRON PIN FOUND FOR THE SOUTHEAST CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 AND THE SOUTHWEST CORNER OF LOT 12, BLOCK 1, REMINGTON PARK, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 4801, PLAT RECORDS, TARRANT COUNTY, TEXAS;

THENCE NORTH 89 DEGREES 34 MINUTES 32 SECONDS EAST 110.81 FEET ALONG THE SOUTH LINE OF SAID LOT 12, BLOCK 1, REMINGTON PARK TO THE NORTHEAST CORNER OF TRACT BEING DESCRIBED, FROM WHICH A 1/2" IRON PIN FOUND BEARS 0.44 FEET SOUTH 00 DEGREES 22 MINUTES 53 SECONDS WEST, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID TRACT C, McEWING SUBDIVISION;

THENCE SOUTH 00 DEGREES 22 MINUTES 53 SECONDS WEST 638.48 FEET ALONG THE WEST LINE OF SAID TRACT C, McEWING SUBDIVISION TO THE POINT OF BEGINNING AND CONTAINING 11.339 ACRES OF LAND, MORE OR LESS

TRACT C
McEWING SUBDIVISION
VOL. 388-46, PG. 878
P.R.T.C.T.

BEING TRACT C, McEWING SUBDIVISION, AN ADDITION TO THE CITY OF HURST, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 388-46, PAGE 878, PLAT RECORDS, TARRANT COUNTY, TEXAS,

AND

A TRACT OF LAND OUT OF THE R.H. McEWING SURVEY, ABSTRACT NO. 1154, TARRANT COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 4989, PAGE 659, DEED RECORDS, TARRANT COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON PIN FOUND IN THE NORTH LINE OF W. LAVACA TRAIL FOR THE SOUTHWEST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID TRACT C, McEWING SUBDIVISION AND BY DEED BEING LOCATED 1572.75 FEET SOUTH 0 DEGREES 30 MINUTES EAST AND 2487.15 FEET EAST FROM THE NORTHWEST CORNER OF SAID McEWING SURVEY.

THENCE NORTH 00 DEGREES 22 MINUTES 54 SECONDS EAST 638.55 FEET (DEED CALL NORTH 638.42 FEET) ALONG THE EAST LINE OF SAID TRACT C, McEWING SUBDIVISION TO A 1/2" IRON PIN FOUND IN THE SOUTH LINE OF BLOCK 1, REMINGTON PARK, PHASE TWO, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 4801, PLAT RECORDS, TARRANT COUNTY, TEXAS, FOR THE NORTHWEST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID TRACT C, McEWING SUBDIVISION;

THENCE NORTH 89 DEGREES 34 MINUTES 32 SECONDS EAST 203.60 FEET (DEED CALL EAST 204.70) ALONG THE SOUTH LINE OF SAID BLOCK 1, REMINGTON PARK, PHASE TWO TO A 3/8" IRON PIN FOUND FOR THE NORTHEAST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 15, SAID BLOCK 1, REMINGTON PARK, PHASE TWO;

THENCE SOUTH 00 DEGREES 32 MINUTES 58 SECONDS WEST 471.95 FEET (DEED CALL SOUTH) ALONG THE WEST LINE OF SAID BLOCK 1, REMINGTON PARK, PHASE TWO, TO A CAPPED IRON PIN SET FOR THE SOUTHWEST CORNER OF LOT 17, SAID BLOCK 1, REMINGTON PARK, PHASE TWO, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT A2, E.A. SMITH ADDITION, AN ADDITION IN TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 388-60, PAGE 31, PLAT RECORDS, TARRANT COUNTY, TEXAS;

THENCE SOUTH 00 DEGREES 17 MINUTES 03 SECONDS EAST 166.64 FEET (DEED CALL SOUTH) ALONG THE WEST LINE OF SAID LOT A2, E.A. SMITH ADDITION TO A 5/8" IRON PIN FOUND IN THE NORTH LINE OF W. LAVACA TRAIL FOR THE SOUTHEAST CORNER OF TRACT BEING DESCRIBED;

THENCE SOUTH 89 DEGREES 35 MINUTES 43 SECONDS WEST 204.15 FEET (DEED CALL WEST 204.70 FEET) ALONG THE NORTH LINE OF SAID W. LAVACA TRAIL TO THE POINT OF BEGINNING AND CONTAINING 2.975 ACRES OF LAND, MORE OR LESS



City of Colleyville

Minutes - Final

100 Main Street
Colleyville, Texas 76034
(817) 503-1000
www.colleyville.com

Planning and Zoning Commission

Monday, November 13, 2006

7:00 PM

City Council Chambers

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

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

REVIEW OF REGULAR AGENDA ITEMS

**REGULAR MEETING
7:00 P.M.**

1. CALL TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Chairman Byerly on November 13, 2006 at 7:00 p.m.

2. ROLL CALL

Present: Commissioners Robert McCormick, Dave Dudziak, Scott Redfearn, Mary Taylor, David Phelps, Denis Duffy, Jeff Byerly

Staff Members: Barry LeBaron, Chris Fuller, Robert McKeown and Chad Barte

3. INVOCATION

The invocation was given by Commissioner Dudziak.

4. PLEDGE OF ALLEGIANCE

5. APPROVAL OF MINUTES

Commissioner Byerly stated City Attorney Michael Kallas needs to be placed throughout the minutes. The attorney's last name had been misspelled.

Commissioner Duffy stated the word codicil was misspelled in item number 11.

Commissioner Duffy moved to approve the minutes with corrections. Commissioner Dudziak seconded.

The motion carried by the following vote:

Aye: 7 - McCormick, Dudziak, Redfearn, Taylor, Phelps, Duffy, Byerly

6. CITIZEN COMMENTS REGARDING ITEMS NOT ON THE AGENDA

None

7. REGULAR AGENDA ITEMS

7a Consideration of appointments to the Park Land Dedication Committee

Barry LeBaron briefed the Commissioners regarding the Parkland Dedication Committee.

Commissioner Redfearn moved to appoint Commissioner Duffy to the Parkland Dedication Committee. Commissioner Dudziak seconded.

The motion carried by the following vote:

Aye: 7 - McCormick, Dudziak, Redfearn, Taylor, Phelps, Duffy, Byerly

8. PUBLIC HEARING AGENDA ITEMS

8a Case Z-06-026- PUBLIC HEARING - Request for a zoning change from R40-Single Family Residential to R20-Single Family Residential on 1.06 acres on Lot 5, Block 1 of the Alianne Estates located at 6214 Theresa Lane

Chris Fuller presented the case and briefed the Commissioners.

Commissioner Byerly opened the public hearing at 7:13 p.m.

Dean Larson, the applicant, came forward to present the case and brief the Commissioners regarding the rezoning request.

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

Commissioner Duffy moved to deny case Z-06-026. Commissioner Byerly seconded.

Commissioner Duffy disagreed with the rezoning request and stated this

will set the precedent for subdividing other R40 properties.

Commissioner Byerly concurred with Commissioner Duffy.

The motion carried by the following vote:

Aye: 7 - McCormick, Dudziak, Redfearn, Taylor, Phelps, Duffy, Byerly

8b

Approval of a Request for a Special Use Permit on 17 acres out of the R.N. McEwing Survey and the McEwing Addition located at 712-900 Lavaca Trail, Case Z-06-027

Chris Fuller presented the case and briefed the Commissioners.

Barry LeBaron briefed the Commissioners regarding a study being conducted concerning the traffic issues on Lavaca Trail and the surrounding area.

Commissioner Dudziak questioned staff if the Remington Park subdivision is served by the Liberty Elementary School in the Keller school district? Barry LeBaron replied the majority does not. Commissioner Redfearn stated some do go to that elementary school.

Commissioner Byerly opened the public hearing at 7:20 p.m.

Jeffrey Zimmerman, the applicant, came forward to present the case and brief the Commissioners.

Ron Shirley, 638 Castlrock, Southlake, stated he would like to see a conceptual plat or drainage study done before the rezoning request is approved. Other developers in this area have had to do so before rezoning their properties.

There being no one wishing to speak, the public hearing was closed at 7:30 p.m.

Commissioner Duffy made motion to separate the Special Use Permit (SUP) and rezoning as two separate issues. Commissioner Taylor seconded.

Commissioner Byerly questioned Mr. Zimmerman regarding if the R20 zoning would be acceptable without the SUP? Mr. Zimmerman stated he needs the SUP with the R20 zoning to allow for the grazing animals.

Commissioner Taylor questioned Mr. Zimmerman how many animals are there currently? Mr. Zimmerman replied six cattle and two calves.

Commissioner Phelps questioned Mr. Zimmerman for clarity the cattle are allowed now with the R40 zoning due to being "grandfathered" in? Mr. Zimmerman replied correct.

Commissioner Duffy moved to deny case Z-06-027. Commissioner Dudziak seconded.

Commissioner Duffy stated this commission needs to plan for the traffic and drainage before approving more homes in this area. He stated this area is not well planned. He suggested to deny this zoning case until a general overall study has been completed because Lavaca Trail needs to be improved.

Commissioner Taylor concurred with Commissioner Duffy.

Commissioner Phelps stated the history shows this rezoning would be reasonable, however, without having a drainage study or traffic study completed, it will not be a good decision to rezone. The timing for rezoning is premature for this property.

Commissioner Dudziak stated understanding why Mr. Zimmerman wants to rezone and thanked Mr. Zimmerman for keeping the rural feel for as long as he has.

Commissioner Byerly disagreed and stated understanding Mr. Zimmerman's issues. He stated a plat and a drainage study is not required for rezoning. He stated it is not necessary to see a preliminary plat for rezoning.

Commissioner McCormick questioned the Commissioners regarding why are we opposing what has been asked for in the past? Commissioner Taylor replied not opposing the actual R20 zoning, it is opposing it for all of the other reasons, the traffic and drainage for this area

Commissioner McCormick stated the roads will be built once the homes are built.

Commissioner Phelps stated it is not really the same without having a plat to look at in the beginning. If Mr. Zimmerman chose to keep the middle lot and sell the ones around him, then there would be two smaller R20 developments.

Commissioner Redfearn agreed with many concerns, the timing on this request is too soon. Over the next few months, the studies will be complete and will give further insight.

Commissioner Byerly questioned staff if the time limit is one year for this

applicant to come forward with the same rezoning request? Barry LeBaron replied the one year time frame only comes into affect if the council were to deny the zoning.

The motion carried by the following vote:

Aye: 5 - Dudziak, Redfearn, Taylor, Phelps, Duffy

Nay: 2 - McCormick, Byerly

Commissioner Byerly move to approve the Special Use Permit as provided in the code. Commissioner Taylor seconded.

Commissioner Duffy stated the Special Use Permit stays with the land, but if the land is subdivided, the Special Use Permit goes away. Both movers accepted.

The motion carried by the following vote:

Aye: 7 - McCormick, Dudziak, Redfearn, Taylor, Phelps, Duffy, Byerly

9. TABLED ITEMS

9a Case G-06-028- Consider amending the Planning and Zoning Commission's Rules of Procedure

Commissioner Duffy moved to remove case G-06-028 from the table. Commissioner Byerly seconded.

The motion carried by the following vote:

Aye: 6 - McCormick, Redfearn, Taylor, Phelps, Duffy, Byerly

Nay: 1 - Dudziak

Barry LeBaron briefed the Commissioners regarding this item.

Commissioner Redfearn moved to approve case G-06-028. Commissioner Phelps seconded.

The motion carried by the following vote:

Aye: 7 - McCormick, Dudziak, Redfearn, Taylor, Phelps, Duffy, Byerly

10. STAFF COMMENTS, REPORTS AND DISCUSSION ITEMS

Barry LeBaron thanked the Commissioners for being present at the workshop on November 2, 2006.

11. COMMISSIONERS' COMMENTS AND REPORTS

Commissioner Dudziak stated wanting to see the study for Lavaca Trail to help make better decisions.

Commissioner Byerly stated he wants the new procedures for the public hearing on the back of the speaker cards. Barry LeBaron replied we would do so.

Commissioner Byerly reminded everyone regarding the holidays, to bring calendars to the next meeting to make sure there is enough people to meet. Barry LeBaron stated the developers are busy as well.

12. ADJOURNMENT

There being no further business before the Planning and Zoning Commission, the meeting adjourned at 7:50 p.m. Approved by acclamation.

I hereby certify the above agenda was posted on the bulletin boards at City Hall on November 9, 2006 by 5:00 p.m.

Amy Shelley, Planning and Zoning Assistant

Minutes approved on November 27, 2006.

Zoning Exhibit



Zoning Exhibit

OWNER'S DEDICATION STATE OF TEXAS COUNTY OF TARRANT

WHEREAS, Ralph Sells, is the owner of all that certain 17.32 acres of land, which is all of Tracts I, which is all of Tract C, McEwing Subdivision, recorded in Volume 388-46, Page 878, in the Public Records of Tarrant County, Texas (P.R.T.C.T.), I, R, and N described in the deed to Omerta Cos II, LP, recorded in Document Number D21114766, P.R.T.C.T., in the R.N. McEwing Survey, A-1154, City of Coleville, Tarrant County, Texas and more particularly described by metes and bounds as follows: (All bearings shown hereon are based on the Texas Coordinate System of 1983, North Central Zone).

BEGINNING at a 3/4" iron rod found for the southwest corner of said Tract IV, common to the southeast corner of Lot 2, Lavaca Park, recorded in Document D207129471, P.R.T.C.T., in the north right-of-way line of West Lavaca Trail (right-of-way varies), from which a 3/4" iron rod found bears North 66° 32' East - 2.49' and a 3/8" iron rod found bears North 59° 43' East - 4.16';

THENCE North 04° 53' 39" East - 603.36' to the northwest corner of the herein described tract, common to the southeast corner of Lot 55, Block 1, Rosewood Villas, recorded in Document Number D203361290, P.R.T.C.T.,

THENCE along the south line of said Lot 55, Block 1, Rosewood Villas the following courses:

North 88° 42' 07" East - 239.91' to a 3/4" iron rod found for a point for corner of the herein described tract;

North 01° 19' 56" West - 35.08' to a 1/2" iron rod found for a point for corner of the herein described tract;

North 89° 21' 51" West - 412.31' to a 1/2" iron rod with a cap stamped "SPRY 5647" set for a point for corner of the herein described tract, common to the southeast corner of said Lot 55, Block 1, Rosewood Villas and southwest corner of Lot 12, Block 1, Remington Park Phase Two, recorded in Document Number D199029954, P.R.T.C.T., from which a 3/8" iron rod found bears South 74° 49' East - 0.32';

THENCE North 88° 51' 23" East - 519.12' departing the south line of said Lot 55, Block 1, Rosewood Villas, to a 3/8" iron rod found for the northeast corner of the herein described tract, common to the southeast corner of Lot 15, Block 1, of said Remington Park Phase Two;

THENCE South 00° 10' 13" East - 471.98' to a 5/8" iron rod found for a point for corner of the herein described tract, in the west line of Lot 17, Block 1, of said Remington Park Phase Two;

THENCE South 01° 00' 12" East - 166.64' to a 1/2" iron rod found for the southeast corner of the herein described tract, common to the southeast corner of Lot 28, Block 1, Remington Park Phase 4, recorded in Cabinet A, Slide 8469, P.R.T.C.T., in the north right-of-way line of said West Lavaca Trail;

THENCE along the north right-of-way line of said West Lavaca Trail the following courses:

North 88° 52' 34" West - 204.15' to a point for corner of the herein described tract and the common south corner of said Tracts I and II, Omerta Cos II, LP, from which a 1/2" iron rod found bears North 76° 27' East - 0.38';

South 88° 49' 17" West - 204.70' to a 1/2" iron rod found for a point for corner of the herein described tract and the common south corner of Tracts I and II, Omerta Cos II, LP; South 89° 18' 49" West - 817.41' to the POINT OF BEGINNING and containing 17.32 acres of land.

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

That Ralph Sells, the Owner, does hereby adopt this plat designating the herein before described property as Lots 1-15, Block A, Lots 1-6, Block B, Lots 1-6, Block C, & Lots 1-5 Open Space Lots, Legacy North, an addition to the City of Coleville, Tarrant County, Texas, and do hereby dedicate fee simple to the public use forever any streets, rights-of-way, and alleys shown thereon, and do hereby reserve the easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use or using the same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endorser or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all plotting ordinances, rules, regulations, and resolutions of the City of Coleville, Texas.

Witness our hands this _____ day of _____, 2018.

Signature _____ Title _____

NOTARY CERTIFICATE
STATE OF TEXAS
COUNTY OF TARRANT

Before me, the undersigned authority, a Notary Public in and for the 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/she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this _____ day of _____, 2018.

Notary Signature _____ Notary Stamp: _____

SURVEYOR CERTIFICATE

That I, David Carlton Lewis, a Registered Professional Land Surveyor licensed in the State of Texas, do hereby certify that I have prepared this plat from an actual on the ground survey of the land and the monuments shown hereon were found and/or placed under my personal supervision and in accordance with the Plotting Rules and Regulations of the City Plan Commission of the City of Coleville, Texas.

This document shall not be recorded for any purpose. This drawing shall be used for

REVIEW PURPOSES ONLY

David Carlton Lewis
R.P.L.S. No. 5647

Date: September 12, 2018



David Carlton Lewis, R.P.L.S.
Texas Registration No. 5647
Spry Surveyors, LLC
8241 Mid-Cities Blvd Ste 102
North Richland Hills, TX 76182

CITY COUNCIL APPROVAL

WHEREAS the City Council of the City of Coleville, Texas voted affirmatively on this _____ day of _____, 20____, to approve this Plat.

Mayor, City of Coleville _____

Attest: City Secretary _____

PLANNING AND ZONING COMMISSION APPROVAL

WHEREAS the Planning and Zoning Commission of the City of Coleville, Texas voted affirmatively on this _____ day of _____, 20____, to approve this Plat.

Chairman, Planning and Zoning Commission _____

Attest: Secretary, Planning and Zoning Commission _____

NOTES

- This Survey is issued without the benefit of a current title report and is subject to revision upon receipt thereof. Surveyor has done no additional research for possible easements, restrictions or covenants which may affect this property.
- All bearings shown hereon are based on the Texas Coordinate System of 1983, North Central Zone.
- Unless otherwise noted, all boundary and/or lot corners for the subject property shown hereon are 1/2" iron rods set with a cap stamped "SPRY 5647".
- Spry Surveyors and the Client have agreed to exclude the placement of monuments as required in Section 4.1 of the Texas Surveyors Association Manual of Practice.
- The Surveyor has not physically located any underground utilities and/or improvements which may be located under or near the subject property.
- Selling a portion of this addition by metes and bounds is a violation of the City Subdivision Ordinance and State plotting standards and is subject to fines and withholding of utilities and building permits.
- According to the Flood Insurance Rate Map No. map-fema-48439C0099K, published by the Federal Emergency Management Agency, dated: September 25, 2009, the surveyed property shown hereon does not lie within any special flood hazard area inundated by the 100-year flood.
- On the issue date of this survey the surveyed property shown hereon is zoned R-20 (Single Family Residential 20,000 sq.ft. minimum) according to the City of Coleville zoning ordinance maps. Refer to said zoning ordinance for minimum and maximum setback requirements.
- The maintenance of all drainage and utility easements located on private property are the responsibility of the property owner.
- All residences within the subdivision shall contain automatic fire-sprinkler systems.

LEGEND

- BOUNDARY CORNER
- LOT CORNER
- EASEMENT CORNER

ABBREVIATIONS

- N.T.S. NOT TO SCALE
- U.N.C. UNLESS NOTED OTHERWISE
- P.R.T.C.T. PUBLIC RECORDS OF TARRANT COUNTY, TEXAS
- P.G. PAGE
- C.B. CABINET
- D.C. NO. DOCUMENT NUMBER
- C.M. CONTROLLING MONUMENT
- IRF IRON ROD FOUND
- P.O.B. POINT OF BEGINNING
- C.M. CONTROLLING MONUMENT
- IRF IRON ROD FOUND
- IRS IRON ROD SET
- R.O.W. RIGHT-OF-WAY
- B.L. BUILDING LINE
- U.E. UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- B.U.L. DRAINAGE & UTILITY EASEMENT
- T.E.S.O. TEXAS ELECTRIC SERVICE COMPANY
- C.O.S. COMMON OPEN SPACE
- C.O.C. CONCRETE

PURPOSE OF PLAT
The purpose of this plat is to develop the 17.32 acre tract into a residential subdivision.

A PRELIMINARY/FINAL PLAT OF
LOTS 1-15, BLOCK A, LOTS 1-6, BLOCK B, LOTS 1-6, BLOCK C,
LOT 1, BLOCK D, LOT 1, BLOCK E, & LOT 1, BLOCK F
25 RESIDENTIAL & 5 OPEN SPACE LOTS
LEGACY NORTH
AND PLAT VACATION OF
TRACT C, McEwing SUBDIVISION
AN ADDITION TO THE CITY OF COLLEVILLE,
IN THE R.N. McEWING SURVEY, A-1154
CITY OF COLLEVILLE, TARRANT COUNTY, TEXAS

SURVEYOR: Spry Surveyors, LLC
8241 Mid-Cities Blvd., Ste.102
North Richland Hills, TX 76182
Phone: 817-776-4049
Firm Reg. No. 10110000

ENGINEER: Hamilton Duffy, P.C.
E.S.&C.M., Inc.
8241 Mid-Cities Blvd., Ste.100
North Richland Hills, TX 76182
Phone: 817-268-0408

OWNER: Ralph Sells
2405 Southern Hills Court
Keller, TX 76248
Phone: 817-458-0040

SPRY PROJECT NO. 066-009-30
DATE: JUNE 2018

Photos Taken by Staff



Photos Taken by Staff



Notification Map

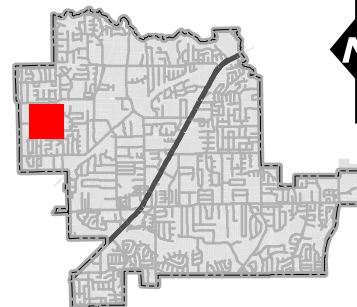


ZC18-033

712 - 810 Lavaca Trail

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
-  500ft Buffer
-  Properties within 500ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
BROWN, SEAN W	720 INDUSTRIAL BLVD STE 400	GRAPEVINE, TX	76051	701 ARCADY LN
BROWN, DAVID S	608 TERRACE LN	COLLEVILLE, TX	76034	608 TERRACE LN
ARSEMENT, PRESTON	504 LAVACA TRL	COLLEVILLE, TX	76034	504 LAVACA TR
KING, ROBERT D	8413 LORRAINE	COLLEVILLE, TX	76034	8413 LORRAINE PK
LARSON, CHARLES	6405 CIMMARON TR	COLLEVILLE, TX	76034	6405 CIMMARON TR
APGAR FAMILY TRUST	6209 CIMMARON TR	COLLEVILLE, TX	76034	6209 CIMMARON TR
KIERKERING, KENNETH	810 TERRACE LN	COLLEVILLE, TX	76034	810 TERRACE LN
VILLAS OF COLLEVILLE HOA LLC	1108 W PIONEER PKWY	ARLINGTON, TX	76013	6205 CIMMARON TR
BOZYCKI, MICHAEL	408 COUNTRY PL	COLLEVILLE, TX	76034	408 COUNTRY PL
NEWTON, ERIC	6408 BORDEAUX PARK	COLLEVILLE, TX	76034	6408 BORDEAUX PK
MILLER, LOUIS	6404 TALBOT TRL	COLLEVILLE, TX	76034	6404 TALBOT TR
LAVACA PARK HOMEOWNERS ASSC	1540 KELLER PKWY STE 108-151	KELLER, TX	76248	6201 LANTANA CT
CHOPYAK, ROBERT A	8400 BORDEAUX PK	COLLEVILLE, TX	76034	8400 BORDEAUX PK
BRINNAN, ALAGORY	6419 BORDEAUX PK	COLLEVILLE, TX	76034	6419 BORDEAUX PK
HOWE, RICHARD	917 TALBOT TRL	COLLEVILLE, TX	76034	917 TALBOT TR
JOAN Y ORTH FAMILY TRUST	913 TALBOT TR	COLLEVILLE, TX	76034	913 TALBOT TR
KNUDSEN, COR	6402 LORRAINE PK	COLLEVILLE, TX	76034	6402 LORRAINE PK
LDOS COMMUNICATIONS INC	PO BOX 152206	IRVING, TX	75015	813 MCDONWELL SCHOOL DR W
NEWSOME, CHAD	609 SHETLAND DR	COLLEVILLE, TX	76034	609 SHETLAND DR
HAIL, STANLEY DEAN	6228 CIMMARON TR	COLLEVILLE, TX	76034	6228 CIMMARON TR
AWALT, TERRY	6221 CIMMARON TR	COLLEVILLE, TX	76034	6221 CIMMARON TR
NEAL, DAVID J	8417 TALBOT TR	COLLEVILLE, TX	76034	8417 TALBOT TR
WICKERSHAM, SCOTT	6301 CIMMARON TR	COLLEVILLE, TX	76034	6301 CIMMARON TR
DYNEBORN, JOSH	6301 LANTANA CT	COLLEVILLE, TX	76034	6301 LANTANA CT
CRAWFORD, SCOTT	502 MUSTANG CT	COLLEVILLE, TX	76034	502 MUSTANG CT
THOMPSON, HAROLD D	6401 LORRAINE PK	COLLEVILLE, TX	76034	6401 LORRAINE PK
OMERTA COS II LP	2406 SOUTHERN HILLS CT	KELLER, TX	76248	810 LAVACA TR
VARLEY, JENIFFER	8411 BORDEAUX PK	COLLEVILLE, TX	76034	8411 BORDEAUX PK
MCPHERSON, BARBARA J	6226 CIMMARON TR	COLLEVILLE, TX	76034	6226 CIMMARON TR
STROTTIMAY TER, MARTIN	6213 CIMMARON TR	COLLEVILLE, TX	76034	6213 CIMMARON TR
LAVACA PARK HOMEOWNERS ASSC	1540 KELLER PKWY STE 108-151	KELLER, TX	76248	6200 LANTANA CT
PRAKASH, ANA	8213 LANTANA CT	COLLEVILLE, TX	76034	8213 LANTANA CT
COCHRAN, JERRY W	611 MUSTANG CT	COLLEVILLE, TX	76034	611 MUSTANG CT
LOZANO, ELSA	6404 BORDEAUX PK	COLLEVILLE, TX	76034	6404 BORDEAUX PK
HSU, LISAL W	6204 LANTANA CT	COLLEVILLE, TX	76034	6204 LANTANA CT
BROWN, SHARON E	7205 SMITHFIELD RD	NORTH RICHLAND HILLS, TX	76182	6007 BORDEAUX PK
YARRBROUGH, JOHN D	6118 MUSTANG TR	COLLEVILLE, TX	76034	6118 MUSTANG TR
WALTERS, WILLIAM	6512 HORSESHOE BND	COLLEVILLE, TX	76034	6512 HORSESHOE BEND
FONDREN, WYLIE A	6410 LORRAINE PK	COLLEVILLE, TX	76034	6410 LORRAINE PK
WILLIAMSON, DAVID	6403 BORDEAUX PK	COLLEVILLE, TX	76034	6403 BORDEAUX PK
SAGE, DESREE	6418 LORRAINE PK	COLLEVILLE, TX	76034	6418 LORRAINE PK
MYERS, CHARLES	8416 TALBOT TR	COLLEVILLE, TX	76034	8416 TALBOT TR
SHAKH, AFTAB SUNNY	6209 LANTANA CT	COLLEVILLE, TX	76034	6209 LANTANA CT
MANER, JOLENE G	506 MUSTANG CT	COLLEVILLE, TX	76034	506 MUSTANG CT
OMERTA COS II LP	2406 SOUTHERN HILLS CT	KELLER, TX	76248	812 LAVACA TR
REM PARK H A INC	PO BOX 343	COLLEVILLE, TX	76034	6091 BELMONT DR
HALLETT, CHARLES E	6504 HORSESHOE BND	COLLEVILLE, TX	76034	6504 HORSESHOE BEND
YARACAGODA, YUANYA	601 SHETLAND DR	COLLEVILLE, TX	76034	601 SHETLAND DR
HOOVER, FRANK	6414 LORRAINE PK	COLLEVILLE, TX	76034	6414 LORRAINE PK
DESANTO, DAVID	6408 TALBOT TR	COLLEVILLE, TX	76034	6408 TALBOT TR
PEARSON, LANE D	6508 HORSESHOE BEND	COLLEVILLE, TX	76034	6508 HORSESHOE BEND
HAGOOD, ROCKY J	6416 BORDEAUX PK	COLLEVILLE, TX	76034	6416 BORDEAUX PK
LANIER, PAULA K	6412 BORDEAUX PK	COLLEVILLE, TX	76034	6412 BORDEAUX PK
PICK, EDWARD ALLEN	507 MUSTANG CT	COLLEVILLE, TX	76034	507 MUSTANG CT
SLICKER, ROBERT M	411 COUNTRY PL	COLLEVILLE, TX	76034	411 COUNTRY PL
PALMER, AUBRA W	6406 LORRAINE PK	COLLEVILLE, TX	76034	6406 LORRAINE PK
DAVIDHERT, LARRY	901 TALBOT TR	COLLEVILLE, TX	76034	901 TALBOT TR
DAVIDSON, BRANDI RANEE	6108 MUSTANG TR	COLLEVILLE, TX	76034	6108 MUSTANG TR
GRANT, JAMES M	605 SHETLAND DR	COLLEVILLE, TX	76034	605 SHETLAND DR
PICKER, BRUCE A	813 SHETLAND DR	COLLEVILLE, TX	76034	813 SHETLAND DR
LDOS COMMUNICATIONS INC	PO BOX 152206	IRVING, TX	75015	813 MCDONWELL SCHOOL DR W
HUPP, DENNIS	603 TERRACE LN	COLLEVILLE, TX	76034	603 TERRACE LN
DURRANI, SABEEN	6304 LANTANA CT	COLLEVILLE, TX	76034	6304 LANTANA CT
BOLTON, TERRY L	811 TERRACE LN	COLLEVILLE, TX	76034	811 TERRACE LN
THOMASON, KENNETH	8413 TALBOT TRL	COLLEVILLE, TX	76034	8413 TALBOT TR
REM PARK H A INC	PO BOX 343	COLLEVILLE, TX	76034	6099 REMINGTON PKWY
LANE, THOMAS M	6300 LANTANA CT	COLLEVILLE, TX	76034	6300 LANTANA CT
DURBIN, RICHARD G	725 ARCADY LN	COLLEVILLE, TX	76034	725 ARCADY LN
MOLSON, ALAN H	6205 CIMMARON TR	COLLEVILLE, TX	76034	6205 CIMMARON TR
POULLIER, NORMAN	713 ARCADY LN	COLLEVILLE, TX	76034	713 ARCADY LN
MAKARY, MICHEL A	6217 CIMMARON TR	COLLEVILLE, TX	76034	6217 CIMMARON TR
ROSEWOOD VILLAS HOA INC	PO BOX 463	COLLEVILLE, TX	76034	6409 TALBOT TR
GUERRA, ROBERT	602 TERRACE LN	COLLEVILLE, TX	76034	602 TERRACE LN
DARCY, DALE PAUL	6412 TALBOT TR	COLLEVILLE, TX	76034	6412 TALBOT TR
HOPKINS, DILLARD E	6208 LANTANA CT	COLLEVILLE, TX	76034	6208 LANTANA CT
GLATZ, LARRY	501 BELMONT DR	COLLEVILLE, TX	76034	501 BELMONT DR
LYNCH, LAURA C	909 TALBOT TR	COLLEVILLE, TX	76034	909 TALBOT TR
OMERTA COS II LP	2406 SOUTHERN HILLS CT	KELLER, TX	76248	LAVACA TR
DAVIS, JERRY D	6421 LORRAINE PK	COLLEVILLE, TX	76034	6421 LORRAINE PK
TARVER, RUSSELL	6205 LANTANA CT	COLLEVILLE, TX	76034	6205 LANTANA CT
ARMITAGE, DOUGLAS R	6405 LORRAINE PK	COLLEVILLE, TX	76034	6405 LORRAINE PK
LEAVERTON, OWEN M	6420 BORDEAUX PK	COLLEVILLE, TX	76034	6420 BORDEAUX PK
BOLTON, VICTOR	614 TERRACE LN	COLLEVILLE, TX	76034	614 TERRACE LN
ZUBIZARRETA, EMILIO	6110 MUSTANG TR	COLLEVILLE, TX	76034	6110 MUSTANG TR
BURTON, BARRY	618 TERRACE LN	COLLEVILLE, TX	76034	618 TERRACE LN
ROSEWOOD VILLAS HOA INC	PO BOX 463	COLLEVILLE, TX	76034	725 ARCADY LN
GRAY, RANDY K	6233 CIMMARON TR	COLLEVILLE, TX	76034	6233 CIMMARON TR
MCORE, ROBERT E	404 COUNTRY PL	COLLEVILLE, TX	76034	404 COUNTRY PL
LANDS, ROBIN L	505 BELMONT DR	COLLEVILLE, TX	76034	505 BELMONT DR
LAMBERTH, GEORGE	503 MUSTANG CT	COLLEVILLE, TX	76034	503 MUSTANG CT
RINTALA, ROCKY L	925 TALBOT TR	COLLEVILLE, TX	76034	925 TALBOT TR
WRODEK, TODD	6600 HORSESHOE BEND	COLLEVILLE, TX	76034	6600 HORSESHOE BEND
DAVES, JAMES	407 COUNTRY PL	COLLEVILLE, TX	76034	407 COUNTRY PL
VILLAS OF COLLEVILLE HOA LLC	1108 W PIONEER PKWY	ARLINGTON, TX	76013	6525 TALBOT TR
MULLERS, MELANIE	6415 BORDEAUX PK	COLLEVILLE, TX	76034	6415 BORDEAUX PK
REM PARK H A INC	PO BOX 343	COLLEVILLE, TX	76034	6400 REMINGTON PKWY
REM PARK H A INC	PO BOX 343	COLLEVILLE, TX	76034	6500 REMINGTON PKWY
SWEENEY, MATTHEW	6114 MUSTANG TR	COLLEVILLE, TX	76034	6114 MUSTANG TR
BRUCE & BRENDA HUCKINS TRUST	6212 LANTANA CT	COLLEVILLE, TX	76034	6212 LANTANA CT
EASTERLIN, L A	6421 TALBOT TR	COLLEVILLE, TX	76034	6421 TALBOT TR
ROSEWOOD VILLAS HOA INC	PO BOX 463	COLLEVILLE, TX	76034	6020 LORRAINE PK
COLLINS, JOHNNY C	619 TERRACE LN	COLLEVILLE, TX	76034	619 TERRACE LN
ANDERSON, GREGORY L	509 BELMONT DR	COLLEVILLE, TX	76034	509 BELMONT DR
DERGANG, CHRISTOPHER	709 ARCADY LN	COLLEVILLE, TX	76034	709 ARCADY LN
KLEIN, DONALD W	721 ARCADY LN	COLLEVILLE, TX	76034	721 ARCADY LN
CRAIG, JAMES	717 ARCADY LN	COLLEVILLE, TX	76034	717 ARCADY LN
ROBERTS, KAREN	6409 LORRAINE PK	COLLEVILLE, TX	76034	6409 LORRAINE PK
GARRETT, COY E	709 ARCADY LN	COLLEVILLE, TX	76034	709 ARCADY LN
ROSEWOOD VILLAS HOA INC	PO BOX 463	COLLEVILLE, TX	76034	6418 BORDEAUX PK
EPELEY, H ROBERT	6417 LORRAINE PK	COLLEVILLE, TX	76034	6417 LORRAINE PK
GARNER, THOMAS J	607 TERRACE LN	COLLEVILLE, TX	76034	607 TERRACE LN
MALONE, TERRY	6409 TALBOT TR	COLLEVILLE, TX	76034	6409 TALBOT TR
PACLO, WILLIAM J	500 LAVACA TR	COLLEVILLE, TX	76034	500 LAVACA TR
PHINNEY, JASON	6213 EMMAS CT	COLLEVILLE, TX	76034	6213 EMMAS CT
JAEFZOLD, CORY B	6204 EMMAS CT	COLLEVILLE, TX	76034	6204 EMMAS CT
LT ESTATES HOA INC	215 W COLLEGE ST	GRAPEVINE, TX	76051	6215 EMMAS CT
CHANDLER, CHARLOTTE	6205 EMMAS CT	COLLEVILLE, TX	76034	6205 EMMAS CT
AJIBANI, VIVEK	6212 EMMAS CT	COLLEVILLE, TX	76034	6212 EMMAS CT
MOTIL, SALEM	6218 EMMAS CT	COLLEVILLE, TX	76034	6218 EMMAS CT
LT ESTATES HOA INC	215 W COLLEGE ST	GRAPEVINE, TX	76051	6218 EMMAS CT
HOGAN, EDWARD L	6201 EMMAS CT	COLLEVILLE, TX	76034	6201 EMMAS CT
RIFE, BRYAN D	6208 EMMAS CT	COLLEVILLE, TX	76034	6208 EMMAS CT
GEORGE, ANSH	6209 EMMAS CT	COLLEVILLE, TX	76034	6209 EMMAS CT
FEGAN, DENNIS J	1303 BELLEFONTE LN	COLLEVILLE, TX	76034	1013 LAVACA TR
RASMUSSEN, JASON	501 LAVACA TR	COLLEVILLE, TX	76034	501 LAVACA TR
MONUMENT CUSTOM BUILDERS LP	PO BOX 189	COLLEVILLE, TX	76034	8112 LEGACY TR
BILDERBACK, JAMES L	8105 RIDGEWOOD LN	COLLEVILLE, TX	76034	8105 RIDGEWOOD LN
TANEY, JOSEPH	901 LEGACY TR	COLLEVILLE, TX	76034	901 LEGACY TR
STARK, CHRISTOPHER	8201 RIDGEWOOD LN	COLLEVILLE, TX	76034	8201 RIDGEWOOD LN
LEGACY AT COLLEVILLE LLC THE	PO BOX 92747	SOUTHPLAKE, TX	76082	812 LEGACY TR
LEGACY AT COLLEVILLE LLC THE	PO BOX 92747	SOUTHPLAKE, TX	76082	806 LAGACY TR
TAYLOR, GREGORY	8117 LEGACY TR	COLLEVILLE, TX	76034	8117 LEGACY TR
PROVIDENTIAL LAND DEVELOPMENT	624 STONEGLEN DR	KELLER, TX	76248	6208 LEGACY TR
FORD, DOUGLAS	6200 LEGACY TR	COLLEVILLE, TX	76034	6200 LEGACY TR
PANDALL, MARK R	8111 MUSTANG TR	COLLEVILLE, TX	76034	8111 MUSTANG TR
ISELL, CHRISTOPHER M	504 LIBERTY CT	COLLEVILLE, TX	76034	504 LIBERTY CT
CAPPS, MICHAEL V	8116 LEGACY TR	COLLEVILLE, TX	76034	8116 LEGACY TR
ROSLAND, JAMES W	8107 MUSTANG TR	COLLEVILLE, TX	76034	8107 MUSTANG TR
RODRIGUEZ, JUAN	905 LEGACY TR	COLLEVILLE, TX	76034	905 LEGACY TR
O'NEILL LIVING TRUST	2806 EDGEWOOD LN	COLLEVILLE, TX	76034	8113 LEGACY TR
MCPHERSON, BRAD	14815 STORY LN	FRISCO, TX	75035	6204 LEGACY TR
STEWART, TERRACE	500 LIBERTY CT	COLLEVILLE, TX	76034	500 LIBERTY CT
CHUNG, KRAMER	809 LEGACY TR	COLLEVILLE, TX	76034	809 LEGACY TR
PHILLIP, ANDREW	8311 NILES CT	FORT WORTH, TX	76109	8109 RIDGEWOOD LN
PATRICK CUSTOM HOMES INC	2885 EXCHANGE BLVD STE 112	SOUTHPLAKE, TX	76082	8112 LEGACY ESTATES DR
REM PARK H A INC	PO BOX 343	COLLEVILLE, TX	76034	6021 REMINGTON PKWY
PROVIDENTIAL LAND DEVELOPMENT	624 STONEGLEN DR	KELLER, TX	76248	6116 LEGACY ESTATES DR
REATA BROKERAGE SERVICES LLC	4323 GLOSTER RD	DALLAS, TX	75220	6212 LEGACY TR
CLAREMONT ADDITION	3528 DAVIS BLVD SUITE 134	NORTH RICHLAND HILLS, TX	76182	COURTESY NOTICE
LAVACA TRAIL ESTATES		COLLEVILLE, TX	76034	COURTESY NOTICE
REMINGTON PARK ADDITION	5781 KROGER DRIVE	KELLER, TX	76244	COURTESY NOTICE
ROSEWOOD VILLAS	P.O. BOX 463	COLLEVILLE, TX	76034	COURTESY NOTICE
VILLAS OF COLLEVILLE	9051 AIRPORT FREEWAY SUITE 460	NORTH RICHLAND HILLS, TX	76182	COURTESY NOTICE
KELLER SD	350 KELLER PKWY	KELLER, TX	76248	STATE REQUIRED
GRAPEVINE COLLEVILLE SD	3501 RAE WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
HAMILTON, KEITH	8241 MCDIES BLVD	NORTH RICHLAND HILLS, TX	76182	APPLICANT



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-033

Applicant: Keith Hamilton

Owner: Omerta Cos II LP

Location: 712 – 810 Lavaca Trail

Property Description: Lot C, McEwing Subdivision & 1B02A, 1B2, 1B3, and 1B4, Abstract 1154, in the R H McEwing Survey

Present Zoning: R-40 Single Family Residential

Request: Consideration of a zoning change from R-40 Single Family Residential district to R-20 Single Family Residential district. The purpose is to subdivide the 3 properties into 25 single-family residential lots and 5 open spaces. The zoning map incorrectly shows the R-20 zoning on the 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, October 8, 2018 at 7:00 p.m.
City Council Meetings: Tuesday, November 5, 2018 & Tuesday, November 20, 2018 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 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 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. A brief project description can be found online on the Active Development Case map: <https://www.colleyville.com/government/departments-a-l/community-development/active-development-cases>. For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Jacquelyn Reyff
Principal Planner
jreyff@colleyville.com

ORDINANCE O-18-xxxx

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 17.32 ACRES, BEING LOT C, MCEWING SUBDIVISION & 1B02A, 1B2, 1B3, AND 1B4, ABSTRACT 1154, IN THE R H MCEWING SURVEY, LOCATED AT 712 – 810 LAVACA TRAIL, FROM THE R-40 SINGLE FAMILY RESIDENTIAL DISTRICT TO THE R-20 SINGLE FAMILY RESIDENTIAL DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case ZC18-033; 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 17.32 acres, Lot C, McEwing Subdivision & 1B02A, 1B2, 1B3, and 1B4, Abstract 1154, in the R H McEwing Survey at 712-810 Lavaca Trail, from the R-40 Single Family Residential district to the R-20 Single Family Residential district, as depicted in the attached Exhibit "A" and Exhibit "B".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 6. THAT in addition to and accumulative of all other penalties, the City

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

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

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 5th day of November 2018.

The second reading and public hearing being conducted on the 20th day of November 2018.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 20TH DAY OF NOVEMBER 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

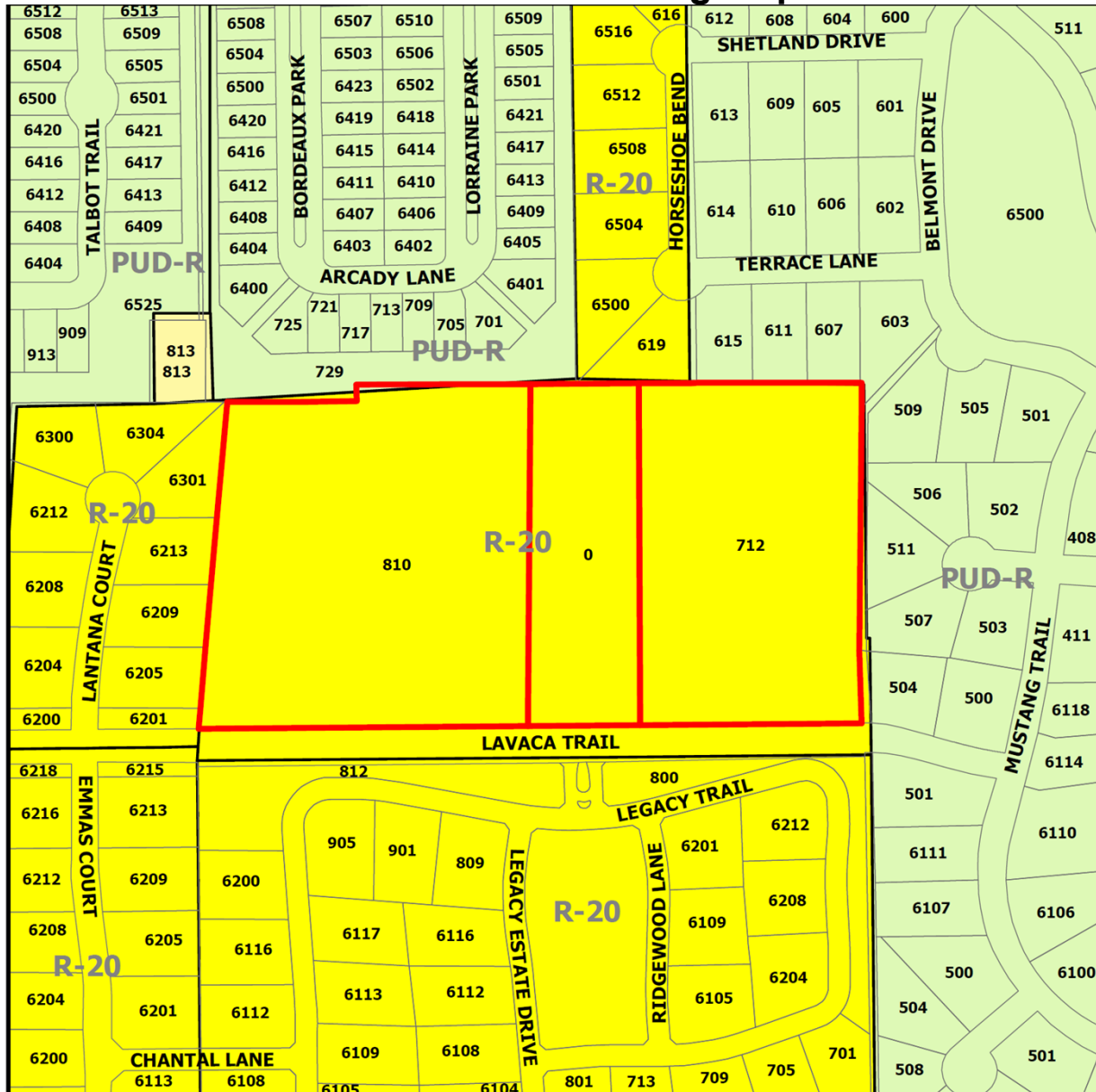
Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whit Wyatt
City Attorney

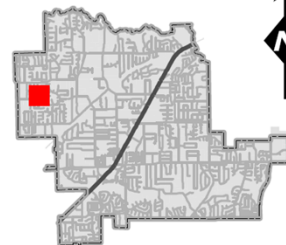
Exhibit "A"- Zoning Map



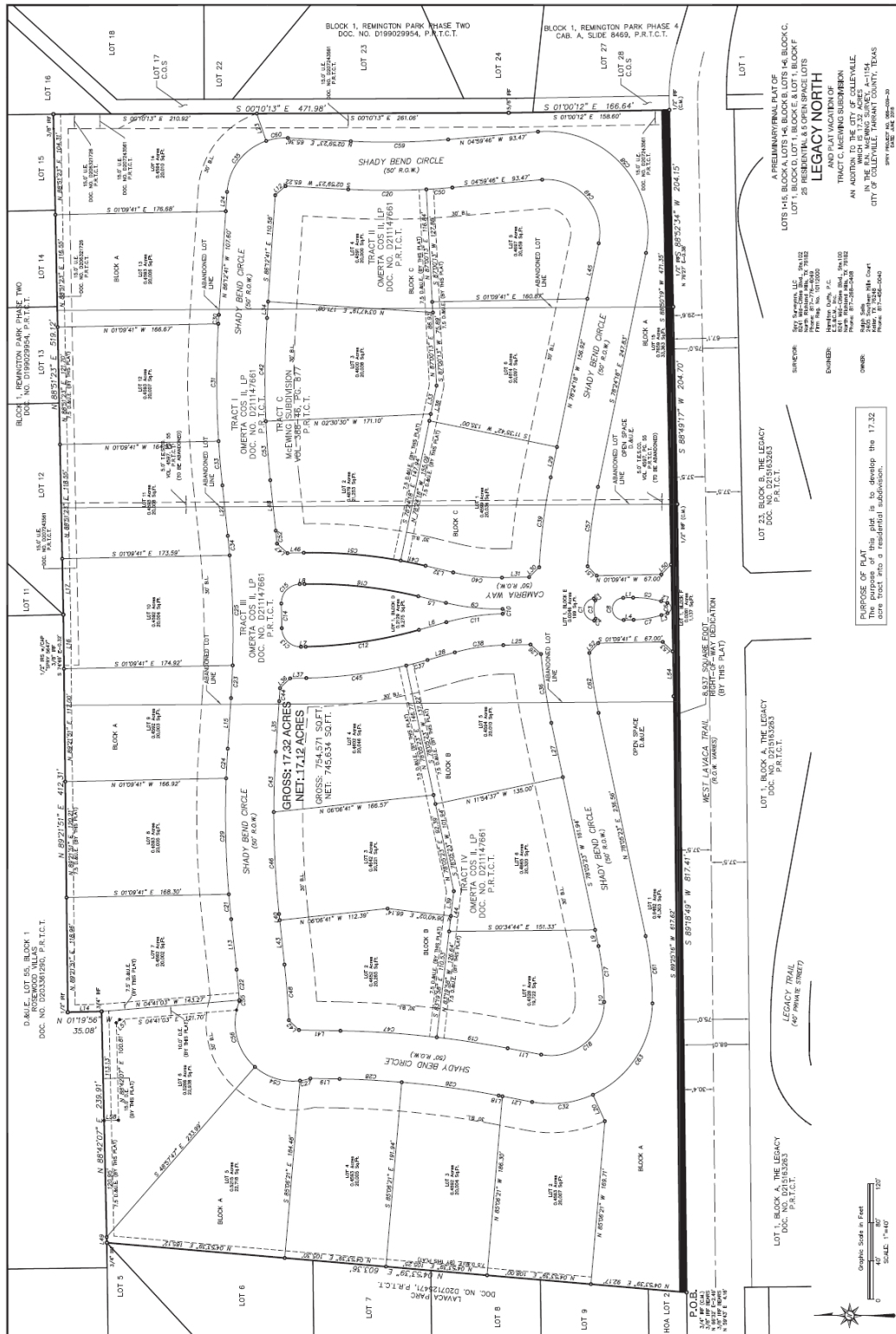
ZC18-033
712 - 810 Lavaca Trail

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 Exhibit





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number	Agenda Date	Number
4d	10/08/2018	
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of amendments to Chapter 2 – Definitions and Chapter 3 – Land Use in the Land Development Code, specifically to “Short Term Home Rental”, Case GC18-008

Explanation

Staff proposes amendments to Chapter 2 – Definitions, Chapter 3 Land Use, and Table 3.24.B Schedule of Permitted Uses of the Land Development Code, by adding the “Short Term Home Rental” use.

Background. The City Council has expressed a desire to restrict “short term home rentals” in single-family residential areas within the city. These uses tend to operate through entities like Air BnB and VRBO and they generally allow for the rental of a home on a short term basis like a weekend or even just a night. Several complaints have been made regarding noise, an increase in traffic, and an increase in trash. The City Council heard a presentation from Staff during a worksession on July 17, 2018. At the worksession, direction was given to staff to propose amendments to the Land Development Code.

Purpose. The purpose is to review the proposed amendments to the LDC that would restrict short term home rental in residential areas. Staff reviewed cities in Texas with regulations for comparison:

CITY	ADOPTED REGULATION
Austin, Texas*	Comprehensive Short Term Rental Licensing, Limits or Prohibits Units by Location & Hotel Occupancy Taxes
Houston, Texas	Incorporated into the Hotel and Motel Ordinance, Building/Housing Standards Apply & Hotel Occupancy Taxes
Coppell, Texas	Comprehensive Short Term Rental Licensing, Requires Inspections, C.O.'s & Hotel Occupancy Taxes
Ft. Worth, Texas	Prohibits Short Term Rentals Less than 30 Days in All Zoning Districts (underground market continues to grow)
New Braunfels, Texas	Comprehensive Short Term Rental Licensing, Prohibited in Residential Areas Altogether.
Southlake, Texas	Prohibits all Short Term Rentals
Galveston, Texas	Limited to Registration and Hotel Occupancy Taxes
Grapevine, Texas	Prohibits all Short Term Rentals

Proposed Amendments. Based on the City Council's direction, staff reviewed the LDC as well as a review of cities around Colleyville.

It is suggested to include the following definition of short term home rental:

Short Term Home Rental. The rental of all, or any portion of, a dwelling or accessory building for compensation for the purpose of overnight lodging for a period of not less than one night and not more than 30 consecutive days, other than an ongoing month-to-month tenancy granted to the same renter as their primary residence. The term shall not include a hotel or bed and breakfast lawfully operating with a current certificate of occupancy issued for such use.

In addition to the definition, Staff is proposing to restrict "Short Term Home Rentals" from single-family residential districts. The following changes to the Schedule of Permitted Principal Uses to be proposed are:

Require a Specific Use Permit in the following districts: RD Two Family Residential, R-MF Multi-Family Residential, and MH Mobile Home.

Staff Recommendation: Staff recommends approval of the amendments. The proposed amendments would restrict short term home rental in residential areas of the City.

Recommendation

Approve

Attachments

1. Draft Ordinance - Amending LDC re Short Term Rentals (STRs)
2. Property Rental in Colleyville
3. Grapevine Ordinance
4. Southlake Ordinance

ORDINANCE NO. O-18-XXXX

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 2, SECTION 2.5 "DEFINITIONS OF THE LAND DEVELOPMENT CODE", ADDING A DEFINITION FOR "SHORT TERM HOME RENTAL"; AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 3 "LAND USE", TABLE 3.24.B "SCHEDULE OF PERMITTED USES", BY ADDING "SHORT TERM HOME RENTAL" UNDER RESIDENTIAL ACCOMMODATION USES; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR A VIOLATION OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the short term home rental of a property in the City of Colleyville; with its attendant traffic, parking, noise, litter and the influx of non-residents into residential areas is incompatible with the intent of residential districts in the City and the desires and expectations of the City's residents and is contrary to the long-standing character of the community; and

WHEREAS, the short term home rental in residential areas of the City poses a risk of increased traffic, noise, public nuisances, disruption of neighborhoods, and additional enforcement related issues; 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 add language defining short term home rental within the Land Development Code; and

WHEREAS, the Planning and Zoning Commission and the City Council have found that the characteristics of short term home rentals are such that the public interest, safety and general welfare are best served with the prohibition of such short term home rentals within residential districts.

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, 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 the

Land Development Code of the City of Colleyville 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 Chapter 2, Section 2.5 "Definitions of the Land Development Code" of the City of Colleyville is hereby amended to add a definition for "Short Term Home Rental" to read, in relevant part, as follows:

"...

Shrubs. Woody plants which grow vertically in a multi-branched pattern.

Short Term Home Rental. The rental of all, or any portion of, a dwelling or accessory building for compensation for the purpose of overnight lodging for a period of not less than one night and not more than 30 consecutive days, other than an ongoing month-to-month tenancy granted to the same renter as their primary residence. The term shall not include a hotel or bed and breakfast lawfully operating with a current certificate of occupancy issued for such use.

..."

Sec. 3. THAT the Land Development Code of the City of Colleyville, Texas, Chapter 3 "Land Use", Table 3.24.B "Schedule of Permitted Uses" is hereby amended to read, in relevant part, as depicted in the attached Exhibit "A", by adding "Short Term Home Rental" to the list of uses in the category of "Residential Accommodation Uses", with nothing marked within the Residential Cells of AH through R-15 and the Non-Residential Cells CPO through ML to indicate the use is not allowed within those districts, as depicted in the attached Exhibit "A".

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 this Ordinance shall become effective immediately upon passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the ____ day of ____ 2018.

The second reading and public hearing being conducted on the ____ day of ____ 2018.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE ____ DAY OF ____ 2018.

Mayor Richard Newton	_____	Mayor Pro Tem Bobby Lindamood	_____
Place 1, Tammy Nakamura	_____	Place 5, Chuck Kelley	_____
Place 3, Kathy Wheat	_____	Place 6, Callie Rigney	_____
Place 4, George Dodson	_____		

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt L. Wyatt
City Attorney

7.20.18

Draft

TM101189

DRAFT

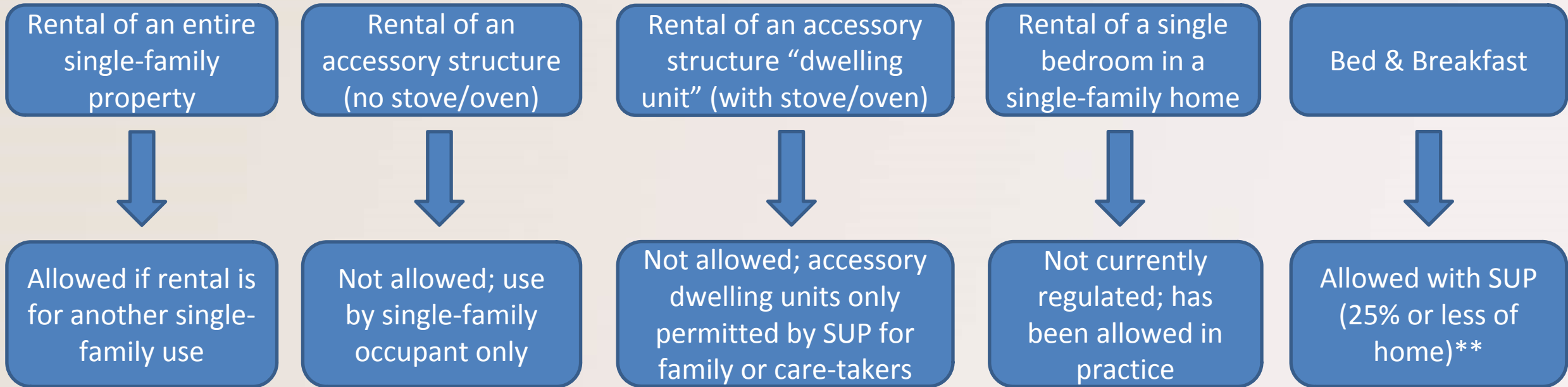
Exhibit “A”- Amendments to Table 3.24.B - Schedule of Permitted Uses

[illegible]

Property Rental in Colleyville

City Council Worksession
TBD 2018

Flow Chart: Current Situation



* No current ordinance on long or short term rental properties as long as the entire property is being leased or rented

** B&B definition could benefit from updating to make regulation easier (not many people identify themselves as a "tourist lodging service")

Local Regulation Overview



- The short term rental (STR) market is growing rapidly. The DFW metro experienced an approximately 40% increase in the number of short term rental (STR) listings over the past year. The Austin and Houston metro areas were even higher.
- In 2017, the Texas Legislature considered a bill to prohibit cities from regulating STRs in the last legislative session. The measure ultimately failed by a narrow margin.
- Several Texas cities have recently discussed and/or passed stand-alone ordinances specifically defining and regulating STRs.

City Regulation Comparison



CITY	ADOPTED REGULATION
Austin, Texas*	Comprehensive Short Term Rental Licensing, Limits or Prohibits Units by Location & Hotel Occupancy Taxes
Houston, Texas	Incorporated into the Hotel and Motel Ordinance, Building/Housing Standards Apply & Hotel Occupancy Taxes
Coppell, Texas	Comprehensive Short Term Rental Licensing, Requires Inspections, C.O.'s & Hotel Occupancy Taxes
Ft. Worth, Texas	Prohibits Short Term Rentals Less than 30 Days in All Zoning Districts (underground market continues to grow)
New Braunfels, Texas	Comprehensive Short Term Rental Licensing, Prohibited in Residential Areas Altogether.
Southlake, Texas	Prohibits all Short Term Rentals
Galveston, Texas	Limited to Registration and Hotel Occupancy Taxes

* City of Austin is involved in a lawsuit brought by homeowners challenging the city's regulations. The Texas Attorney General joined the suit on the side of homeowners.

Local Regulation Categories



Main Regulation Categories

- Licensing Regulations
- C.O. Requirements
- Zoning (Area and Density Restrictions)
- Restrictions on Number of Occupants
- Noise and Parking Regulations
- Fire Safety Requirements
- Rental Unit Inspections

Level of Local Regulation by Category

General	Moderate	Strict
• License + Fees • Noise Regs • Parking Regs • Taxes	• C.O. Required • Limit Occupants	• Limit Density • Limit Location • Inspections

Options



- Maintain current regulations and enforce existing rules for issues such as noise, parking, etc...
- Amend current bed and breakfast/hotel regulations to address STRs
- Adopt a stand-alone ordinance regulating STRs (i.e., general, moderate, or strict ordinance)

ORDINANCE NO. 2018-065

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ADOPTING A NEW ARTICLE VI TO CHAPTER 14 OF THE CODE OF ORDINANCES REGARDING SINGLE-FAMILY DWELLING TRANSIENT RENTALS; REPEALING CONFLICTING ORDINANCES; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Grapevine is authorized to adopt and enforce ordinances necessary to protect health, life, and property to preserve good government and the security of its inhabitants; and

WHEREAS, the City of Grapevine has adopted a comprehensive Zoning Ordinance to regulate the location and use of buildings and land in full accordance with Chapter 211 of the Local Government Code; and

WHEREAS, single-family dwelling transient rentals have been identified in the City's Zoning Ordinance since at least April 18, 2000, with the adoption of Ordinance No. 2000-47; and

WHEREAS, single-family dwelling transient rentals are not currently listed as a permitted use in any Zoning District within the City; and

WHEREAS, there has been a proliferation of single-family dwelling transient rentals within residential areas of the City; and

WHEREAS, single-family dwelling transient rentals do not fit in or fall under the definition of single-family attached dwelling or single-family detached dwelling under the Zoning Ordinance; and

WHEREAS, single-family dwelling transient rentals are not consistent with the character or nature of single-family residential uses under the Zoning Ordinance; and

WHEREAS, single-family dwelling transient rentals are not suitable in residential neighborhoods, are not compatible with residential uses, and the neighborhood adjacency of single-family dwelling transient rentals in residential neighborhoods is harmful; and

WHEREAS, in the absence of being listed as a permitted use in any Zoning District, single-family dwelling transient rentals are prohibited under the City's Zoning Ordinance; and

WHEREAS, single-family dwelling transient rentals in the City of Grapevine, with their attendant traffic, parking, noise, litter, and the influx of non-residents into residential

areas is incompatible with the intent of residential districts in the City and the desires and expectations of the City's residents and is contrary to the long-standing character of the community; and

WHEREAS, single-family dwelling transient rentals in residential areas of the City pose a risk of increased public nuisances, disruption of neighborhoods, and additional enforcement related issues; and

WHEREAS, the City's Police Department has responded to multiple calls for service at known addresses of single-family dwelling transient rentals in residential areas of the City; and

WHEREAS, the calls for service attributable to single-family dwelling transient rentals in residential areas of the City include noise, parking, and disturbance complaints; and

WHEREAS, the increase in calls for service attributable to single-family dwelling transient rentals in residential areas of the City result in an additional burden on the Police Department; and

WHEREAS, the City of Grapevine City Council has determined that it is a necessity to regulate activities as provided for herein to safeguard the public; and

WHEREAS, the City of Grapevine is authorized by law to adopt the provisions contained herein; and

WHEREAS, the City Council of the City of Grapevine deems the passage of this ordinance as necessary to protect the public, health, safety, and welfare; and

WHEREAS, the City Council is authorized by law to adopt the provisions contained herein, and has complied with all the prerequisites necessary for the passage of this Ordinance, including but not limited to the Open Meetings Act.

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

Section 1. That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2. That a new Article VI to Chapter 14 is hereby adopted and added to the Code of Ordinances as follows:

"ARTICLE VI. SINGLE-FAMILY DWELLING TRANSIENT RENTALS

14-150 - Definitions

Single-family dwelling transient rental – The rental or offer for rental of any dwelling or any portion of a dwelling for a period of less than 30 days.

Rental – The renting, bartering, trading, letting or otherwise allowing the use of a dwelling or room or rooms within a dwelling for compensation. This shall not restrict, limit or interfere with any homeowner from participating in a leaseback upon the sale of a dwelling.

Leaseback – An arrangement where the seller of a home leases the home back from the purchaser. In a leaseback arrangement, the specifics of the arrangements are typically made prior or immediately after the sale of the home.

14-151 - Single-family Dwelling Transient Rentals Prohibited

All single-family dwelling transient rentals are hereby prohibited and unlawful within the City of Grapevine."

Section 3. That City staff is hereby directed to proceed with a notice and enforcement initiative as to single-family dwelling transient rentals.

Section 4. That all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect; provided, however, that the ordinance or ordinances under which the cases currently filed and pending in the Municipal Court of the City of Grapevine, Texas shall be deemed repealed only when all such cases filed and pending under such ordinance or ordinances have been disposed of by a final conviction or a finding of not guilty, nolo contendere, or dismissal.

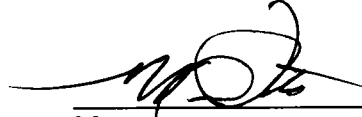
Section 5. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed two thousand dollars (\$2,000.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Section 6. If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 7. The fact that the present ordinances and regulations of the City of Grapevine, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the public creates an emergency which requires that this ordinance become effective from and after the date of its passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE,
TEXAS on this the 4th day of September, 2018.

APPROVED:

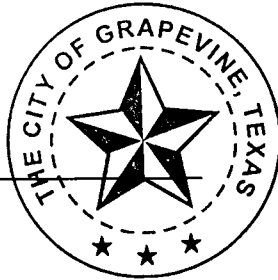


Mayor
William D. Tate

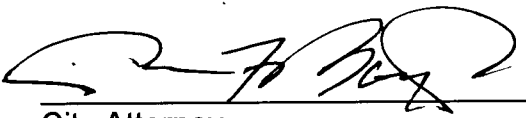
ATTEST



Tara Brooks
City Secretary



APPROVED AS TO FORM:



City Attorney

CITY OF SOUTHLAKE, TEXAS

ORDINANCE NO. 1187

AN ORDINANCE OF THE CITY OF SOUTHLAKE, TEXAS, AMENDING CHAPTER 11 OF THE SOUTHLAKE CODE OF ORDINANCES "OFFENSES AND MISCELLANEOUS PROVISIONS" TO CREATE A NEW ARTICLE VI "SHORT TERM RENTALS"; PROVIDING A PENALTY OF UP TO \$2,000 PER DAY FOR A VIOLATION OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; REPEALING CONFLICTING LAWS; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the short term rental of a property in the City of Southlake, with its attendant traffic, parking, noise, litter, and the influx of non-residents into residential areas is incompatible with the intent of residential districts in the City and the desires and expectations of the City's residents and is contrary to the long-standing character of the community; and

WHEREAS, the short term rental of houses in residential areas of the City poses a risk of increased public nuisances, disruption of neighborhoods, and additional enforcement related issues; and

WHEREAS, the City of Southlake is empowered to enact regulations that promote the public health, safety and welfare of its citizens.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTHLAKE;

SECTION 1. The Southlake Code of Ordinances is hereby amended by adding language to the existing text that is set forth in this ordinance.

SECTION 2. Chapter 11 of the Southlake Code of Ordinances entitled "Offenses and Miscellaneous Provisions" is amended by creating and inserting a new Article VI as follows:

Article VI: Short Term Rental

Sec. 11-93 Definitions

Short term rental – the rental of any residence or residential structure or any portion of a residence or residential structure for a period of less than 30 days.

Rental - The renting, bartering, trading, letting or otherwise allowing the use of a residence or residential structure or room or rooms within a residence or residential structure. This shall not restrict, limit or interfere with any homeowner from participating in a leaseback upon the sale of a residence or residential structure.

Leaseback – is an arrangement where the seller of a home leases the home back from the purchaser. In a leaseback arrangement, the specifics of the arrangements are typically made prior or immediately after the sale of the home.

Sec. 11-94 - Short Term Rentals Prohibited

- (a) All short term rentals are hereby prohibited and unlawful within the City of Southlake

Sec. 11-95 – Enforcement/Penalty

- (a) A person commits an offense under this chapter if that person owns or operates a short term rental in the City
- (b) Violation of the conditions of this article shall be punishable by a maximum fine of \$2,000 per violation, per day.
- (c) Each day of violation of said regulations of this article constitutes a separate offense and is separately punishable, but may be joined in a single prosecution.

Section 3. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

Section 4. Publication. The city secretary is directed to publish this entire ordinance, not including Exhibit A, at least one time within 10 days after its final passage, in the official newspaper of the city in accordance with Section 3.13(b) of the Southlake Home Rule Charter and Section 53.002 of the Local Government Code.

Section 5. Cumulative Clause. This ordinance and the Southlake City Code shall be cumulative of all provisions of ordinances of the City of Southlake except where the provisions of this ordinance or the Southlake City Code are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 6. Severability Clause. It is hereby declared to be the intention of the city council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 7. Effective date. This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

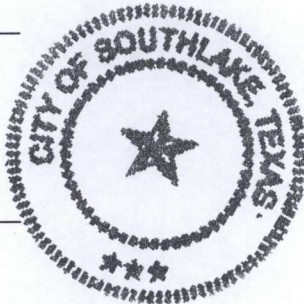
PASSED AND APPROVED on the 1st reading the 16th day of January, 2018.



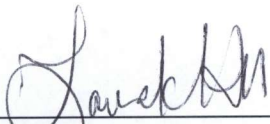
MAYOR
ATTEST:



CITY SECRETARY



PASSED AND APPROVED on the 2nd reading the 6th day of February, 2018.



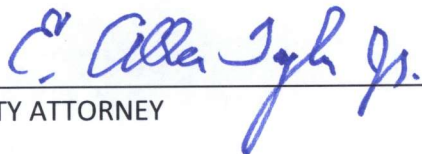
MAYOR
ATTEST:



CITY SECRETARY



APPROVED AS TO FORM AND LEGALITY:



CITY ATTORNEY

DATE: 2/6/2018

ADOPTED: 2/9/2018

EFFECTIVE: 2/9/2018