



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, July 13, 2020

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
INVOCATION:COMMISSIONER BOND
PLEDGE OF ALLEGIANCE**

1. APPROVAL OF MINUTES

November 25, 2019 Planning and Zoning Commission Worksession
December 9, 2019 Planning and Zoning Commission
May 26, 2020 Planning and Zoning Commission Worksession
May 26, 2020 Planning and Zoning Commission
June 8, 2020 Planning and Zoning Commission

2. CITIZEN COMMENTS

3. PUBLIC HEARING AGENDA ITEMS

- 3a** Consideration for a Special Use Permit for a 'Day Care Center' on Lots 9R and 10R, Block 1, of the Winding Creek Addition, located at 6412 and 6416 Colleyville Boulevard, Case ZC20-0015
- 3b** Consideration of an amendment to the PUD-C Planned Unit Development-Commercial district for the Winding Creek development, specifically for hours of operation on Lots 9R and 10R, Block 1, of the Winding Creek Addition, located at 6412 and 6416 Colleyville Boulevard, Case ZC20-012
- 3c** Consideration of a Special Use Permit for a Fence to extend into the required street side yard on Lot 1, Block 7, Creekside at Colleyville, Phase 3, located at 3501 Valmur Avenue, Case ZC20-013
- 3d** Consideration of a Special Use Permit for a Fence to extend into the required street side yard on Lot 54, Block 5, Creekside at Colleyville, Phase 3, located at 3913 Lambrusco Lane, Case ZC20-014
- 3e** Consideration of a Special Use Permit for a Fence to extend into the require street side yard on Lot 3, Block 7, Creekside at Colleyville, located at 3509 Valmur Avenue, Case ZC20-016
- 3f** Consideration of amendments to Chapter 2, Section 2.5 Definitions, Chapter 3, Section 3.24.B Schedule of Permitted Principal Uses, and Chapter 3, Section 3.24.C Special Land Use Standards of the Land Development Code, specifically for the inclusion of Massage Therapy as a land use and for regulations associated with a Massage Therapy use

4. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards July 10, 2020 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
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Agenda Number**Agenda Date** 7/13/2020**Type** Approval of Minutes**Department** Community Development

Title

November 25, 2019 Planning and Zoning Commission Worksession

December 9, 2019 Planning and Zoning Commission

May 26, 2020 Planning and Zoning Commission Worksession

May 26, 2020 Planning and Zoning Commission

June 8, 2020 Planning and Zoning Commission

Attachments

1. November 25, 2019 PZ WK Minutes
2. December 9, 2019 P&Z Minutes
3. May 26, 2020 P&Z WK Minutes
4. May 26, 2020 P&Z Minutes
5. June 8, 2020 P&Z Minutes



City of Colleyville Planning and Zoning Commission Worksession Minutes

City Hall
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Monday, November 25, 2019

City Council Chambers

CALL MEETING TO ORDER

The City of Colleyville Planning and Zoning Commission Worksession was called to order by Chair Mathisen on November 25, 2019, at 6:15 p.m.

Roll Call

Present: Sayeda Syed, Kimberly Holt, Susan Mathisen, Claudia Bevill, and George Bond

Absent: Ryan Moore and Matt Koch

Staff Present: Ben Bryner, Jacquelyn Reyff, Robert McKeown, Araceli Botello

1. REGULAR AGENDA ITEMS

- 1a** Presentation and discussion of an amendment to the PUD on Lots 1, 2, & 3, Block A, of the Heritage Farms Addition, located at 913 Cheek Sparger Road, 3808 Wayne Drive, and 3900 Bedford Court, Case ZC19-009

Jacquelyn Reyff presented the case and briefed the Commission.

There was general discussion regarding building materials, the history of the project, a detention pond, tree preservation, the results of a traffic study, the proposed fence, sidewalks, and the number of road lanes.

- 1b** Presentation and discussion of a zoning change from AG Agricultural to R40 Single Family Residential on Tracts 2F3 and 2F5, Abstract 1692, in the Joseph White Survey, located at 704 Shelton Drive, Case ZC19-020

Jacquelyn Reyff presented the case and briefed the Commission.

There was general discussion regarding the state of the property.

- 1c** Presentation and discussion of an amendment to the PUD on Lots 19 and Lots 10X, 11X, and 12X, Block 1, of the Carmel Place Estates, located at 4800 – 4920 Carmel Place, Case ZC19-021

Jacquelyn Reyff presented the case and briefed the Commission.

There was general discussion regarding salt finish concrete driveways.

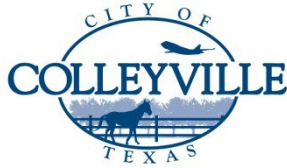
2. ADJOURNMENT

The meeting adjourned at 6:51 p.m.

The minutes were written and prepared by:

Keera Seiger
Assistant to the City Secretary

The meeting minutes were approved on _____ by a vote of ____.



City of Colleyville Planning and Zoning Commission Minutes

City Hall
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Monday, December 9, 2019

City Council Chambers

CALL MEETING TO ORDER

The City of Colleyville Planning and Zoning Commission meeting was called to order by Chair Mathisen on December 9, 2019, at 7:01 p.m.

Roll Call

Present: Ryan Moore, Sayeda Syed, Kimberly Holt, Susan Mathisen, Matt Koch, and Claudia Bevill

Staff Present: Ben Bryner, Jacquelyn Reyff, Christine Loven, Keera Seiger, Rob McKeown, and Eddie Tangadunrat

1. SWEARING IN OF NEWLY APPOINTED OFFICIALS

City Secretary Christine Loven swore in George Bond to Place 7 on the Planning and Zoning Commission.

2. ELECTION OF OFFICERS

Commissioner Moore made a motion to nominate Susan Mathisen as Chair. Commissioner Syed seconded the motion.

The motion to approve was carried by the following vote:

Aye: 6 – Moore, Syed, Holt, Mathisen, Koch, Bond

Nay: 1 - Bevill

Chair Mathisen made a motion to nominate Commissioner Moore as Vice-Chair. Commissioner Bond seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 – Moore, Syed, Holt, Mathisen, Koch, Bevill, Bond

Nay: 0

3. CITIZEN COMMENTS

There were no citizens wishing to speak.

4. APPROVAL OF MINUTES

December 10, 2018 Minutes (Regular Meeting)
January 14, 2019 Minutes (Regular Meeting)
February 11, 2019 Minutes (Regular Meeting)
February 25, 2019 Minutes (Worksession)

Commissioner Bevill made a motion to approve the December 10, 2018 regular meeting minutes, the January 14, 2019 regular meeting minutes, the February 11, 2019 regular meeting minutes, and the February 25, 2019 worksession minutes. Commissioner Holt seconded the motion.

The motion to approve was carried by the following vote:

**Aye: 7 – Moore, Syed, Holt, Mathisen, Koch, Bevill, Bond
Nay: 0**

5. PUBLIC HEARING AGENDA ITEMS

5a Consideration of a zoning change from AG Agricultural to R40 Single Family Residential on Tracts 2F3 & 2F5, Abstract 1692, in the Joseph White Survey, located at 704 Shelton Drive, Case ZC19-020

Jacquelyn Reyff presented the item and briefed the Commission.

Applicant Matt Grantland, 201 Fremont Court, briefed the Commission.

The public hearing was opened at 7:11 p.m. With no one wishing to speak, the public hearing was closed at 7:11 p.m.

Commissioner Koch made a motion to approve Case ZC19-020. Commissioner Bevill seconded the motion.

The motion to approve was carried by the following vote:

**Aye: 7 – Moore, Syed, Holt, Mathisen, Koch, Bevill, Bond
Nay: 0**

- 5b** Consideration of an amendment to the PUDR Planned Unit Development Residential zoning district regarding driveways and private walkways for the Carmel Place Estates subdivision, being Lots 19 and Lots 10X, 11X, and 12X, Block 1, Carmel Place Estates, located at 4800 – 4920 Carmel Place, Case ZC19-021

Jacquelyn Reyff presented the item and briefed the Commission.

The public hearing was opened at 7:18 p.m. With no one wishing to speak, the public hearing was closed at 7:18 p.m.

There was general discussion regarding rock salt and the effect it has on concrete.

Commissioner Bevill made a motion to approve Case ZC19-021. Commissioner Holt seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 – Moore, Syed, Holt, Mathisen, Koch, Bevill, Bond
Nay: 0

6. ADJOURNMENT

The meeting was adjourned at 7:20 p.m.

The minutes were written and prepared by:

Keera Seiger
Assistant to the City Secretary

The meeting minutes were approved on _____ by a vote of ____.



City of Colleyville Planning and Zoning Commission Worksession Minutes

City Hall
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Tuesday, May 26, 2020

City Council Chambers

CALL MEETING TO ORDER

The City of Colleyville Planning and Zoning Commission Worksession was called to order by Chair Mathisen on May 26, 2020, at 6:16 p.m.

Roll Call

Present: Kimberly Holt, Ryan Moore, Susan Mathisen, Matt Koch, and George Bond

Absent: Claudia Bevill and Sayeda Syed

Staff Present: Ben Bryner, Jacquelyn Reyff, Robert McKeown, Araceli Botello, Eddie Tangadunrat

1. WORKSESSION ITEMS

WS-1 Presentation and discussion of a Special Use Permit for a Fence to extend into the required street side yard on Lot 1, Block 1, of the Stowe Addition, located at 816 Shelton Drive, Case ZC20-009

Jacquelyn Reyff presented the case and briefed the Commission.

There was general discussion regarding fence regulations for street side yard fences, material, height, privacy, setbacks, and Special Use Permits.

WS-2 Presentation and discussion of a Special Use Permit for a Fence to extend into the required street side yard on Lot 1, Block 8, Creekside at Colleyville, Phase 3, located at 3501 LeJoie Lane, Case ZC20-010

Jacquelyn Reyff presented the case and briefed the Commission.

There was general discussion regarding material and public hearing date.

WS-3 Presentation and discussion of a Special Use Permit for a Fence to extend into the required street side yard on Lots 9 & 10, Block 8, Creekside at Colleyville, Phase 3, located at 3609 LeJoie Lane and

3608 Valmur Avenue, Case ZC20-011

Jacquelyn Reyff presented the case and briefed the Commission.

There was general discussion regarding material, height, and safety.

WS-4 Presentation and discussion of an amendment to the PUD-C Planned Unit Development-Commercial district for the Winding Creek development, specifically for hours of operation on Lot 9R and 10R, Block 1, of the Winding Creek Addition, located at 6412 and 6416 Colleyville Boulevard, Case ZC20-012

Jacquelyn Reyff presented the case and briefed the Commission.

There was general discussion regarding location of the daycare, hours of operation for indoor/outdoor activities.

WS-5 Presentation and discussion of amendments to Chapter 1, Section 1.17 of the Land Development Code, specifically for the permitting of expiration of vested project rights

Jacquelyn Reyff presented the case and briefed the Commission.

There was general discussion regarding 2-5 year time frames for expiration of approved projects with no activity and retroactive approach for compliance of older project that have been approved prior to this regulation.

2. ADJOURNMENT

The meeting adjourned at 6:45 p.m.

The minutes were written and prepared by:

Araceli Botello
Planning Technician

The meeting minutes were approved on _____ by a vote of ____.



City of Colleyville Planning and Zoning Commission Minutes

City Hall
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Tuesday, May 26, 2020

City Council Chambers

CALL MEETING TO ORDER

The City of Colleyville Planning and Zoning Commission Meeting was called to order by Chair Mathisen on May 26, 2020, at 6:51 p.m.

Roll Call

Present: Kimberly Holt, Ryan Moore, Susan Mathisen, Matt Koch, and George Bond

Absent: Claudia Bevill and Sayeda Syed

Staff Present: Ben Bryner, Jacquelyn Reyff, Robert McKeown, Araceli Botello, Eddie Tangadunrat

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

There were no citizen wishing to speak.

3. PUBLIC HEARING AGENDA ITMES

- 3a** Consideration of a request for a Special Use Permit for a 'Day Care Center' on Lots 9R and 10R, Block 1, of the Winding Creek Addition, located at 6412 and 6416 Colleyville Blvd, Case ZC20-008, TABLED FROM THE MAY 11, 2020 PLANNING AND ZONING COMMISSION MEETING

Commissioner Moore made a motion to remove Case ZC20-008 from the table. Commissioner Holt seconded the motion.

The motion to remove the item from the table was carried by the following vote:

Aye: 5 – Moore, Holt, Mathisen, Koch, and Bond

Nay: 0

Ben Bryner presented the item and briefed the Commission.

The public hearing was opened at 7:08 p.m.

Bradley Hildreth, 6409 Kingston Drive, came forward and spoke in opposition to the case. Mr. Hildreth addressed concerns regarding noise and property value,

Susan Reynolds, 6417 Kingston Drive, came forward and spoke in opposition to the case. Mrs. Reynolds addressed concerns regarding the daycare abutting residential, distance of the daycare to neighboring properties, traffic, lighting, and noise.

Robert Fish, 6401 Kingston Drive, came forward and spoke in opposition to the case. Mr. Fish addressed concerns regarding the location of the playground and the wild life in the property.

The developer, Fray Webster, 112 Quail Run, came forward and spoke in support of the case. Mr. Webster addressed that the property meet all criteria, commercial development, and safety features.

With no one wishing to speak, the public hearing was closed at 7:23 p.m.

The applicant, Kevin Patel, 1784 W McDermott Drive, Allen, TX, came forward and briefing the Commission. Mr. Patel answered questions of the Commission regarding location of the play grounds, fencing, safety concerns/feature, entrance/exit location, hours of operation, and noise.

The owner, Steven Brown, 6612 Josephine Street, Plano, TX came forward and briefed the Commission. Mr. Brown answered questions of the Commission regarding traffic, safety measure, noise, wild life, fencing, and location of the child care center.

There was general discussion amongst the Commissioners regarding the location of the playground in relation to neighboring properties, lighting, fencing, and noise.

Commissioner Koch made a motion to deny Case ZC20-008. Commissioner Moore seconded the motion.

The motion was carried by the following vote:

**Aye: 5 – Moore, Holt, Mathisen, Koch, and Bond
Nay: 0**

- 3b** Consideration of amendments to Chapter 2 – Definitions and Chapter 3, Section 3.24.B – Schedule of Permitted Principal Uses and Section 3.24.C – Special Land Use Standards of the Land Development Code specific to Cannabidiol (CBD) stores, TABLED FROM THE MAY 11, 2020 PLANNING AND ZONING COMMISSION MEETING

Commissioner Holt made a motion to remove Case Item 3b from the table. Commissioner Moore seconded the motion.

The motion to remove the item from the table was carried by the following vote:

**Aye: 5 – Moore, Holt, Mathisen, Koch, and Bond
Nay: 0**

Ben Bryner presented the item and briefed the Commission. Mr. Bryner answered questions of the Commission regarding the difference between commercial zonings, regulations for the use of vaping stores, definition of a CBD store, percentage of sale threshold for Special Use Permit requirement,

The public hearing was opened at 8:22 p.m. With no one wishing to speak, the public hearing was closed at 8:22 p.m.

Commissioner Moore made a motion to approve Item 3b with the condition that it only applies to business that generates 15 percent or more in sales of CBD products. Commissioner Bond seconded the motion.

The motion was carried by the following vote:

**Aye: 5 – Moore, Holt, Mathisen, Koch, and Bond
Nay: 0**

- 3c** Consideration of amendments to Chapter 9, Section 9.21 – Sidewalks of the Land Development Code, TABLED FROM THE MAY 11, 2020 PLANNING AND ZONING COMMISSION MEETING

Commissioner Holt made a motion to remove Item 3c from the table. Commissioner Bond seconded the motion.

The motion to remove the item from the table was carried by the following vote:

Aye: 5 – Moore, Holt, Mathisen, Koch, and Bond
Nay: 0

Ben Bryner presented the item and briefed the Commission. Mr. Bryner answered questions of the Commission regarding

The public hearing was opened at 8:31 p.m. With no one wishing to speak, the public hearing was closed at 8:31 p.m.

Commissioner Moore made a motion to approve Item 3c.
Commissioner Bond seconded the motion.

The motion was carried by the following vote:

Aye: 5 – Moore, Holt, Mathisen, Koch, and Bond
Nay: 0

4. AJOURMENT

The meeting adjourned at 8:32 p.m.

The minutes were written and prepared by:

Araceli Botello
Planning Technician

The meeting minutes were approved on _____ by a vote of ____.



City of Colleyville Planning and Zoning Commission Minutes

City Hall
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Monday, June 8, 2020

City Council Chambers

CALL MEETING TO ORDER

The City of Colleyville Planning and Zoning Commission Meeting was called to order by Vice Chair Moore on June 8, 2020, at 7:00 p.m.

Roll Call

Present: Sayeda Syed, Ryan Moore, Matt Koch, and Claudia Bevill

Absent: Kimberly Holt, Susan Mathisen, and George Bond

Staff Present: Ben Bryner, Jacquelyn Reyff, Robert McKeown, Araceli Botello, Eddie Tangadunrat

1 CITIZEN COMMENTS/ PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA

There were no citizen wishing to speak.

2. APPROVAL OF MINUTES

January 13, 2020 Planning and Zoning Commission

January 27, 2020 Planning and Zoning Commission Worksession

February 10, 2020 Planning and Zoning Commission

February 24, 2020 Planning and Zoning Commission Worksession

February 24, 2020 Planning and Zoning Commission

Commissioner Koch made a motion to approve the January 13, 2020 regular meeting minutes, the January 27, 2020 worksession minutes, the February 10, 2020 regular meeting minutes, and February 24, 2020 regular and worksession meeting minutes. Commissioner Syed seconded the motion.

The motion to approve carried with the following vote:

Aye: 5 – Moore, Syed, Bevill, and Koch
Nay: 0

3. PUBLIC HEARING AGENDA ITEMS

3a Consideration of a Special Use Permit for a Fence to extend into the required street side yard on Lot 1, Block 1, of the Stowe Addition, located at 816 Shelton Drive, Case ZC20-009

Jacquelyn Reyff presented the item and briefed the Commission.

The applicant, Mark Cooper, 2804 Lake Brook Court, Highland Village, TX, came forward and briefed the Commission.

The public hearing was opened at 7:12 p.m.

Lisa Grossman, 6014 Pleasant Run Road, came forward and spoke in opposition to the case. Mrs. Grossman addressed concerns regarding view of the fencing, the request not meeting requirements, and no hardship or safety concerns to merit the request by the applicant.

The applicant, Mark Cooper, 2804 Lake Brook Court, Highland Village, TX, came to address the concerns brought forth by the citizens. Mr. Cooper addressed the position of the home to face Shelton Drive, changes in the fence ordinance, safety concerns, and privacy.

With no one wishing to speak, the public hearing was closed at 7:21 p.m.

There was general discussion amongst the Commissioners and Staff regarding the timeline, permits, and adopted changes to the fence ordinance. Commissioners discussed the location subject property's backyard in relation to the surrounding properties, privacy, traffic, material of the fence, location of the property, the ordinance requirements for fencing and the option to table the case.

Commissioner Koch made a motion to table Case ZC20-008 to June 22, 2020 Planning and Zoning Commission Meeting. Commissioner Syed seconded the motion.

The motion was carried by the following vote:

Aye: 4 – Moore, Syed, Koch, and Bevill
Nay: 0

- 3b** Consideration of a Special Use Permit for a Fence to extend into the required street side yard on Lot 1, Block 8, Creekside at Colleyville, Phase 3, located at 3501 LeJoie Lane, Case ZC20-010

Jacquelyn Reyff presented the item and briefed the Commission.

The applicant, Cheryl Turner, 5835 Shoreside Bend, Irving, TX, came forward and briefed the Commission.

The public hearing was opened at 7:37 p.m. With no one wishing to speak, the public hearing was closed at 7:37 p.m.

The following did not wish to speak, but would like to have their support recorded:

Amish Patel, 3509 Valmur Avenue

There was general discussion amongst the Commissioners regarding maintain the consistency of the neighborhood, uniqueness of the request, and mimicking the fencing to the surrounding properties.

Commissioner Koch made a motion to approve Case ZC20-010. Commissioner Syed seconded the motion.

The motion was carried by the following vote:

Aye: 3 – Moore, Syed, and Koch

Nay: 1 - Bevill

Due to a lack of four affirmative votes, the motion fails and the case is therefore denied.

- 3c** Consideration of a Special Use Permit for a Fence to extend into the required street side yard on Lots 9 & 10, Block 8, Creekside at Colleyville, Phase 3, located at 3609 LeJoie Lane and 3609 Valmur Avenue, Case ZC20-011

Jacquelyn Reyff presented the item and briefed the Commission.

The public hearing was opened at 7:44 p.m. With no one wishing to speak, the public hearing was closed at 7:44 p.m.

The following did not wish to speak, but would like to have their support recorded:

Amish Patel, 3509 Valmur Avenue

There was general discussion amongst the Commissioners regarding the height of the fence and the retaining wall and setting a precedence for future request.

Commissioner Bevill made a motion to deny Case ZC20-011. Commissioner Syed seconded the motion.

The motion was carried by the following vote:

Aye: 1 – Bevill

Nay: 3 - Moore, Syed, and Koch

Due to a lack of four affirmative votes, the motion fails and a second motion is requested to clarify the stance of the Commission.

Commissioner Koch made a motion to approve Case ZC20-011. Commissioner Syed seconded the motion.

The motion was carried by the following vote:

Aye: 3 – Moore, Syed, and Koch

Nay: 1 - Bevill

Due to a lack of four affirmative votes, the motion fails and the case is therefore denied.

3d WITHDRAWN BY APPLICANT - Consideration of an amendment to the PUD-C Planned Unit Development-Commercial district for Winding Creek development, specifically for hours of operation on Lot 9R and 10R, Block 1, of the Winding Creek Addition, located at 6412 and 6416 Colleyville Boulevard, Case ZC20-012.

No action required by the Commission

3e Consideration of amendments to Chapter 1, Section 1.17 of the Land Development Code, specifically for the permitting of expiration of vested project rights.

Jacquelyn Reyff and Ben Bryner presented the item and briefed the Commission. Staff answered questions of the Commission regarding the definition of progress for development of a project, the time limits, and the expiration of un-development projects after two years since the approval date.

The public hearing was opened at 7:58 p.m. With no one wishing to speak, the

public hearing was closed at 7:58 p.m.

There was general discussion among the Commissioners regarding the time limit for expiration of an un-developed project from the approval date and the definition of development/improvement of a project in a given time.

Commissioner Bevill made a motion to approve Case Item 3e with the condition that if the Texas Local Government Code allows, reduce the 5 years expiration down to 3 years. Commissioner Koch seconded the motion.

The motion was carried by the following vote:

**Aye: 4 – Moore, Syed, Bevill, and Koch
Nay: 0**

4. AJOURMENT

The meeting adjourned at 8:02 p.m.

The minutes were written and prepared by:

Araceli Botello
Planning Technician

The meeting minutes were approved on _____ by a vote of ____.



City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall
100 Main Street
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Agenda Number 3a	Agenda Date 7/13/2020	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration for a Special Use Permit for a 'Day Care Center' on Lots 9R and 10R, Block 1, of the Winding Creek Addition, located at 6412 and 6416 Colleyville Boulevard, Case ZC20-0015

Explanation

Stephen Brown, the applicant, has submitted a request for a Special Use Permit (SUP) to allow for a Day Care Center at 6412 and 6416 Colleyville Boulevard. The subject property is zoned PUD-C Planned Unit Development- Commercial district. A Day Care Center is only allowed in the office and commercial districts with the approval of an SUP.

Existing Conditions/Background: The subject property is currently known as the Winding Creek Development and is developed as an office park with the Montclair Wedding Venue Commercial retail uses are permitted on properties adjacent to Colleyville Boulevard. Per the attached site plan, landscaping, and elevation exhibits, the proposed business would construct a 10,000 s.f. day care center.

Proposed Zoning Change:

Request – The applicant requests an SUP for a Day Care in the PUD-C Planned Unit Development-Commercial zoning district.

The minimum standards for the PUD-C zoning district, which are applicable to this request are as follows:

1. General

a. The purpose of this PUD-C is for office and retail uses.

b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

3. Permitted and Prohibited Uses

a. The following land uses shall be permitted within the Planned Unit Development:

1. All office used allowed in the Land Development Code.

4. Buildings and Site Plan Approval

a. The total square footage of all office buildings constructed within this development be allowed as follows:

1. General Office: Maximum Square Footage: 34,515

b. All office buildings shall contain no more than one-story unless mixed with retail uses.

c. All buildings constructed as part of this development that do not have frontage along State Highway 26 shall be generally consistent with the building elevation designs, attached as Exhibit "C".

6. Lighting

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

7. Landscaping, buffering and open space

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

c. A 25 foot building setback shall be maintained along the entire western property line where it is adjacent to residential properties.

9. Fences and Screening

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

10. Other

b. For any building not fronting on State Highway 26, the hours of operation shall not exceed 6:30 a.m. to 6:30 p.m. Monday – Friday.

Surrounding Development: The property to the north and east are zoned PUD-C

Planned Unit Development - Commercial and is unimproved lots within the Winding Creek development. The property to the south is zoned AG Agricultural and is unimproved. Properties to the west are zoned R-20 Single Family Residential and are improved with single family homes.

Proposed Business: Per the attached Statement of Planning Objectives the proposed name of the business is "Kiddie Academy Day Care". The business is expected to have 30 staff and 190 students at full capacity. The business will operate a "Kiddie Academy Day Care" that focuses on learning, creativity, compassion, and character. The proposed use is compatible with the surrounding zoning because it will add a convenient and aesthetically pleasing mix of neighborhood services.

Ordinance – Chapter 3 (Land Use) of the Land Development Code identifies the purpose of a Special Use Permit as:

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

Analysis Existing and Proposed – The Special Use Permit request up for consideration is consistent with the land uses located on the subject property and the governing zoning district. Although residential adjacency exists to the west (Kingston Subdivision), the proposal does not appear to be of a nature anticipated to adversely impact the adjacent residential properties.

Changes from Previous Proposal: The building location has been shifted to the west with a setback from the property line of 25 feet. The playgrounds previously were located behind the building to the west and are now located on the east side, or front, of the building. The previous tree preservation plan indicated 9 trees being removed. Due to the shifting of the building two additional trees are proposed to be removed for a total of 11 trees. A photometric plan has been included with the current proposal and it indicates the planned development would be in compliance with the PUD-C Ordinance in that the foot candles at the property lines do not exceed 0.5 foot candles.

Hours of Operation: The applicant is proposing to amend the PUD-C Ordinance to allow for the hours of operation of the business to not exceed:

- 6:30 am to 6:30 pm daily Monday - Friday

Parking: The attached site plan identifies 45 parking spaces provided for the day care. The Land Development Code does prescribe a specific number of parking spaces for the proposed land use of 1 per 5 pupils plus drop-off and pick up area. Utilizing this

ratio, 38 parking spaces will be required for the proposed day care facility. Sufficient parking is proposed for the site.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for commercial development as part of the Colleyville Boulevard Corridor. The proposed SUP 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 1000 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.

Staff Recommendation: Staff recommends approval of the Special Use Permit. The proposed zoning change is generally consistent with the City's comprehensive plan. Additionally the request is consistent with the land uses located on the subject property and the governing zoning district.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Business Plan
6. Site Plan
7. Tree Preservation and Landscape Plan
8. Drainage and Grading Plan
9. Photomatic Plan
10. Building Elevations
11. Notification Map
12. Notification List
13. Property Owner Notification
14. Draft Ordinance
15. Letters of Opposition

Aerial Map



ZC20-015

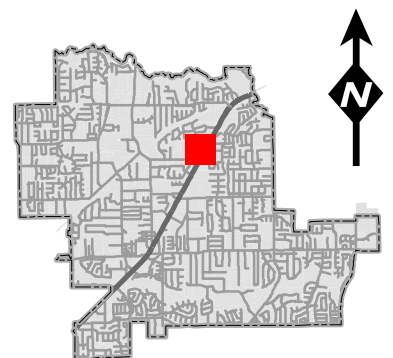
6412-6416 Colleyville Blvd

DISCLAIMER:

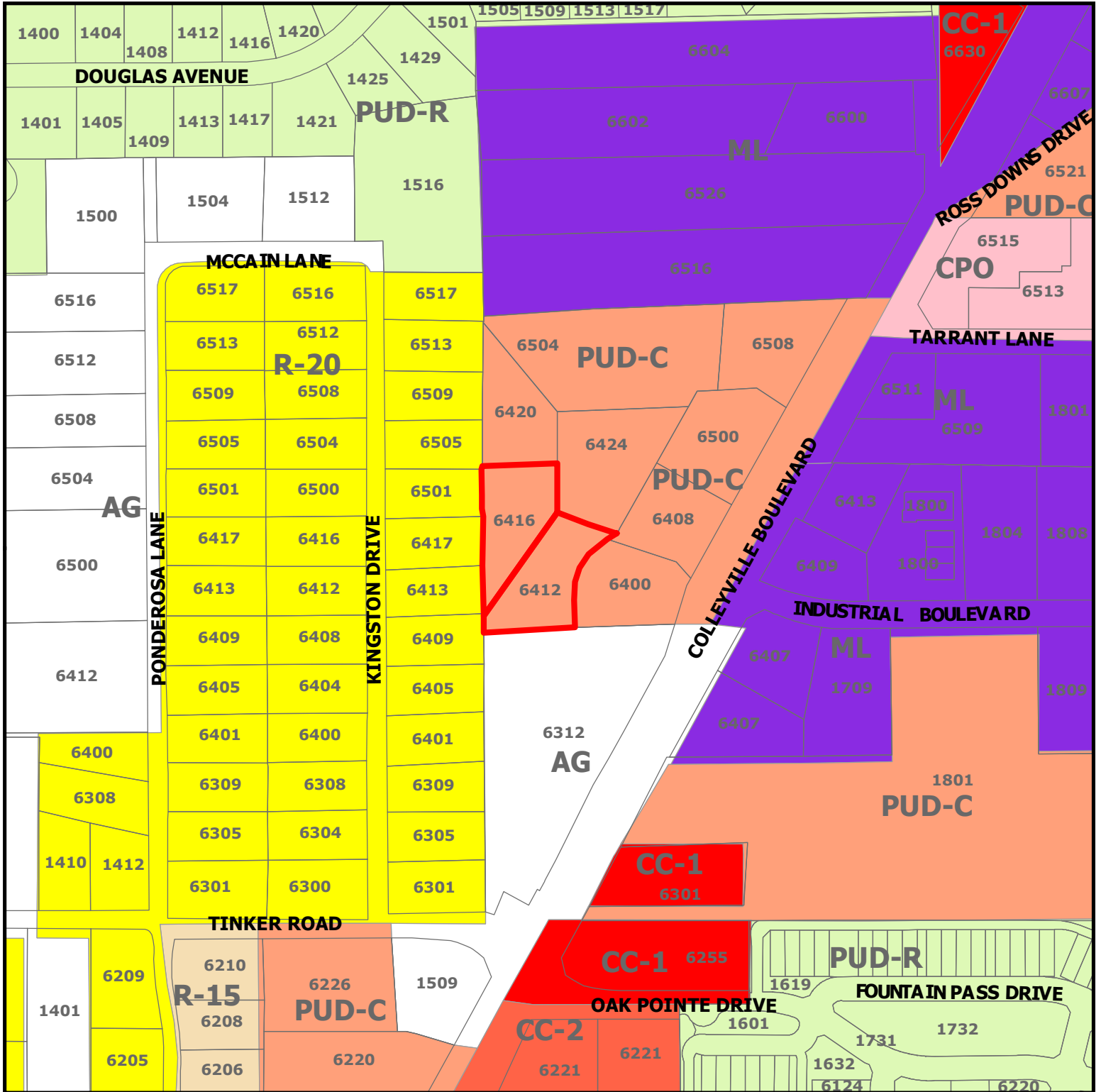
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Subject Property



Zoning Map



ZC20-015

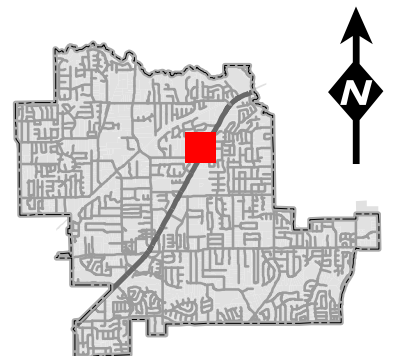
6412-6416 Colleyville Blvd

DISCLAIMER:

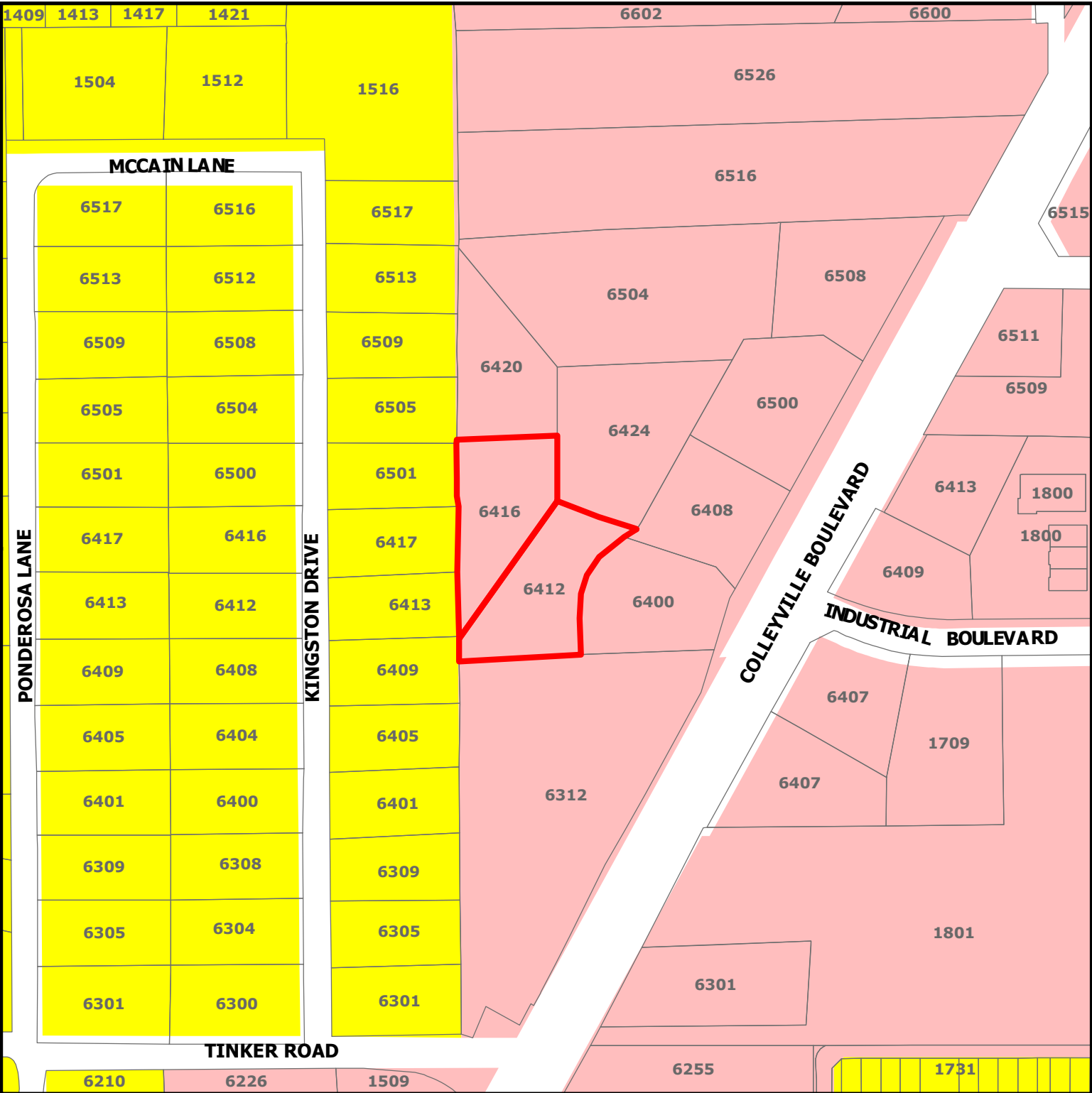
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Subject Property



Future Land Use Map

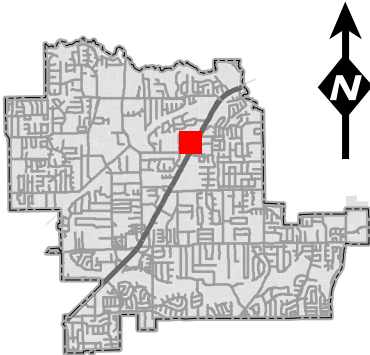


ZC20-015

6412-6416 Colleyville Blvd

DISCLAIMER:
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-  Subject Property
-  Residential
-  Colleyville Blvd Corridor



Statement of Planning Objectives



T: 469.331.8566 | F: 469.359.6709 | W: triangle-engr.com | O: 1784 W McDermott Drive, Suite 110, Allen, TX 75013

State of Planning Objectives

The purpose of the special use permit application is to request for Kiddle Academy Day Care service on Lot 9R & 10R, Block 1, WindingCreek Addition. Kiddle Academy is an educational child care provider that focuses on learning, creativity, compassion, and character. Shaping and inspiring children for the future always have been a critical part of the Kiddle Academy vision. The Kiddle Academy cares for, educates, and encourages its children to do more and be more.

The provided site plan complies with the city of Colleyville ordinance. The proposed use is compatible with the surrounding zoning because it will add a convenient and aesthetically pleasing mix of neighborhood services. Adequate vehicular and pedestrian circulation has been providing throughout the site. Proper fire safety accommodations have been provided. Off-street parking for the Kiddle Academy has presented at one space per faculty plus one space per 5 children. Stacking will not be an issue as parents will be required to park in a parking space and enter the building to sign children in and out. The proposed landscape has been shown to meet screening requirements and enhance the overall site aesthetics.

Development Schedule

The Kiddle Academy anticipates estimated to start construction on August 2020. The grand opening day projected on August 2021.

Bussiness Plan

PROPOSED KIDDIE ACADEMY® OF COLLEYVILLE



05/05/2020

Bussiness Plan

Kiddie Academy of Colleyville TX

OPERATIONAL INFORMATION

Days of Operation:	Monday thru Friday
Hours of Operation:	6:30 AM - 6:30 PM
Holiday Closings:	6 Major Holidays
Square Footage:	10,000 sq/ft

Bussiness Plan

OUTDOOR PLAY AREA

- Total playground square footage: **9,252** square feet
- Play area divided into a minimum of three separate play areas for safety.
- Infant/toddler area approximately: **1,864** square feet
- Pre-school play area approximately: **3,294** square feet, and
- School age play area approximately **4,094** square feet
- Children will have outdoor play twice a day.
- Outdoor play schedules will rotate in accordance with program scheduling (see below). This proposed play schedule is provided for illustrative purposes only and is subject to change based upon age groups.

Infant/Toddler Playground Schedule

- The largest infant/toddler group size at any given time would be **47** children allowing **80** square feet per child.

Morning

Staff/Child Ratio	Age Group	Time Schedule
1:4	Infant	10:00 - 10:30 AM
1:9 max	toddler	10:30 - 11:00 AM
1:11	2 years	11:00 - 11:30 AM

Afternoon

Staff/Child Ratio	Age Group	Time Schedule
1:4	Infant	3:00 - 3:30 PM
1:9 max	toddler	3:30 - 4:00 PM
1:11	2 years	4:00 - 4:30 PM

Pre-School and School Age Playground Schedule

- The largest group size at any given time would be **48** children allowing **80** square feet per child.

Morning

Staff/Child Ratio	Age Group	Time Schedule
1:15	3 years	9:30 - 10:00 AM
1:18	4 years	10:00 - 10:30 AM
1:22	5 years	10:30 - 11:00 AM

Afternoon

Staff/Child Ratio	Age Group	Time Schedule
1:15	3 years	3:00 - 3:30 PM
1:18	4 years	3:30 - 4:00 PM
1:22	5 years	4:00 - 4:30 PM

Bussiness Plan

TRAFFIC FLOW

CAPACITY

190

PARENT PARKING

DROP OFF AM

Time	Children Drop Off	Cumulative Children	Number of Cars	Time	Children Drop Off	Cumulative Children	Number of Cars
6:30 - 6:40	4	4	3	8:00 - 8:10	17	99	12
6:40 - 6:50	6	10	4	8:10 - 8:20	17	116	12
6:50 - 7:00	6	15	4	8:20 - 8:30	15	131	11
7:00 - 7:10	8	23	5	8:30 - 8:40	13	144	9
7:10 - 7:20	10	32	7	8:40 - 8:50	13	158	9
7:20 - 7:30	11	44	8	8:50 - 9:00	13	171	9
7:30 - 7:40	11	55	8	9:00 - 9:30	10	181	7
7:40 - 7:50	13	68	9	9:30 - 10:00	6	186	4
7:50 - 8:00	13	82	9	10:00 - 10:30	4	190	3

PICK-UP PM

Time	Children Pick up	Cumulative Children	Number of Cars	Time	Children Pick up	Cumulative Children	Number of Cars
3:00 - 3:10	2	188	1	4:40 - 5:00	13	110	9
3:10 - 3:20	4	184	3	5:00 - 5:10	15	95	11
3:20 - 3:30	4	181	3	5:10 - 5:20	15	80	11
3:30 - 3:40	5	176	3	5:20 - 5:30	17	63	12
3:40 - 3:50	5	171	3	5:30 - 5:40	17	46	12
3:50 - 4:00	6	165	4	5:40 - 5:50	17	29	12
4:00 - 4:10	8	158	5	5:50 - 6:00	11	17	8
4:10 - 4:20	10	148	7	6:00 - 6:10	8	9	5
4:20 - 4:30	11	137	8	6:10 - 6:20	6	4	3
4:30 - 4:40	13	124	9	6:20 - 6:30	4	0	3

PARENT AND STAFF PARKING

TOTAL (AM)

Time	# of Staff at Academy	Total Cars (Staff & Parents)*		Time	# of Staff at Academy	Total Cars (Staff & Parents)*
6:30 - 6:40	2	5		8:00 - 8:10	13	23
6:40 - 6:50	3	7		8:10 - 8:20	15	25
6:50 - 7:00	4	8		8:20 - 8:30	16	25
7:00 - 7:10	5	10		8:30 - 8:40	18	25
7:10 - 7:20	6	12		8:40 - 8:50	19	26
7:20 - 7:30	7	14		8:50 - 9:00	21	27
7:30 - 7:40	8	15		9:00 - 9:30	22	26
7:40 - 7:50	10	18		9:30 - 10:00	22	24
7:50 - 8:00	11	19		10:00 - 10:30	23	23

*Considers 15% of Staff do not park a car at the Academy

Mid-day	Total Projected Cars*
10:30 - 3:00	20

TOTAL (PM)

Time	# of Staff at Academy	Total Cars (Staff & Parents)*		Time	# of Staff at Academy	Total Cars (Staff & Parents)*
3:00 - 3:10	24	25		4:40 - 5:00	13	22
3:10 - 3:20	23	25		5:00 - 5:10	11	22
3:20 - 3:30	23	25		5:10 - 5:20	10	20
3:30 - 3:40	22	25		5:20 - 5:30	8	20
3:40 - 3:50	20	23		5:30 - 5:40	6	18
3:50 - 4:00	19	23		5:40 - 5:50	4	16
4:00 - 4:10	18	23		5:50 - 6:00	3	11
4:10 - 4:20	17	24		6:00 - 6:10	2	7
4:20 - 4:30	16	24		6:10 - 6:20	2	5
4:30 - 4:40	15	24		6:20 - 6:30	2	5

*Considers 15% of Staff do not park a car at the Academy

Bussiness Plan

TRAFFIC FLOW RESULTS

Drop off / Pick up Schedules of Children

- Approximately **115** parent cars are projected during peak drop off (7:00 – 9:00 AM) in intervals of 10 minutes.
- Approximately **104** parent cars are projected during peak pick up (4:00 – 6:00 PM) in intervals of 10 minutes.
- Approximately 1/3 of children enrolled in program are 2 sibling households.

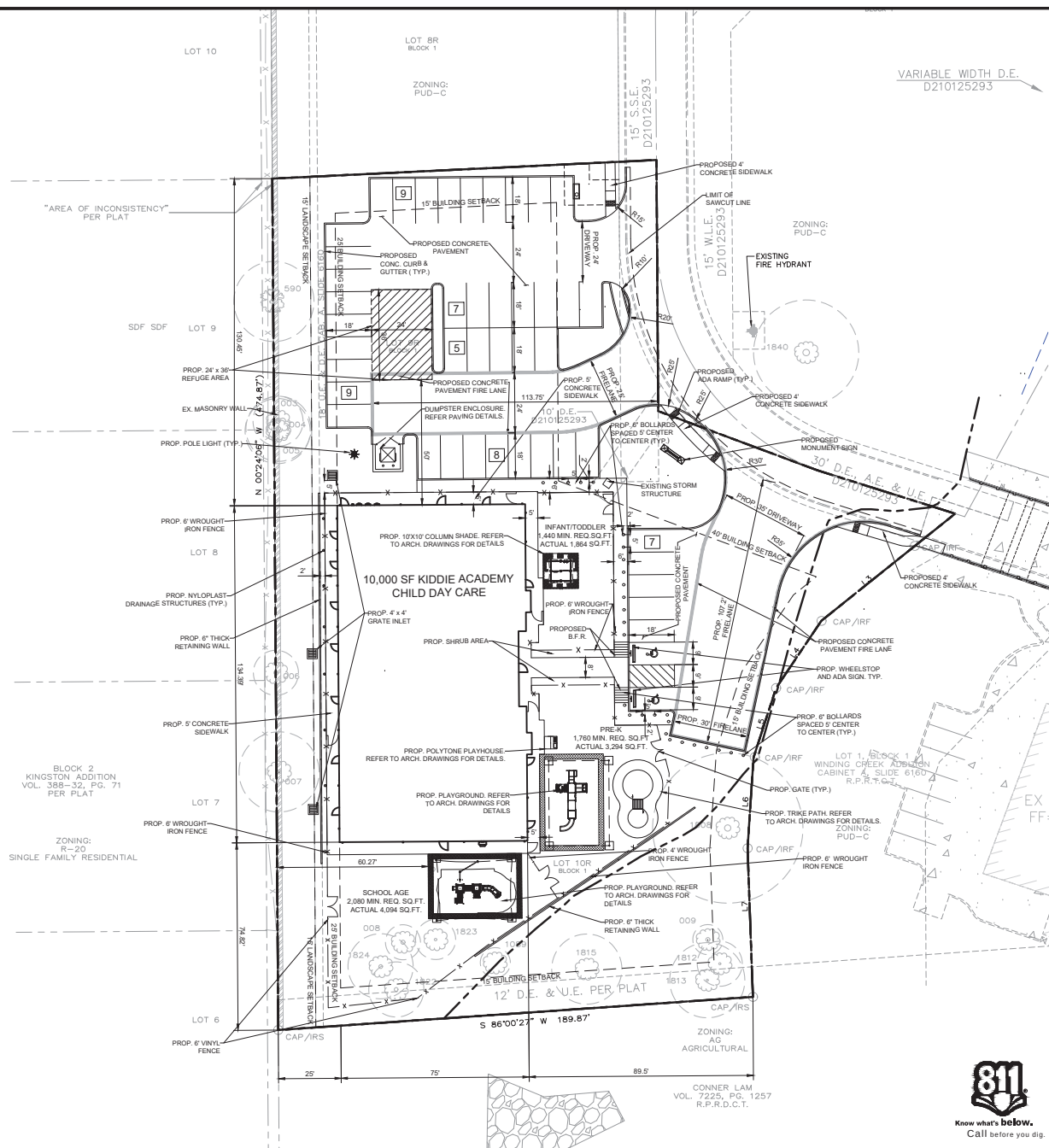
Staff Parking

- A maximum of **17** teachers and two (2) administrators (part time food service personnel and director) are planned to maintain staff/child ratios and management of the academy throughout the day. This equates to a total of **19** staff members.
- Approximately 15% of staff is dropped off at the academy or has another means of transportation to the academy.

Total Projected Parking

- The projected total number of parent and staff cars for any period of time is **27**

Site Plan



SITE DATA SUMMARY CHART	
EXISTING ZONING	PUD-C
PROPOSED USE	DAYCARE
GROSS ACRES	1.473 ACRES OR 64,164 S.F.
BUILDING SQUARE FOOTAGE	10,000
LOT COVERAGE	16.27%
FAR	0.16
MAXIMUM HEIGHT	26' - 1 STORY
PARKING RATIO PER USE	190 CHILDREN
PARKING REQUIRED	38
PARKING PROVIDED	45
BUILDING SETBACKS	40' FRONT & 25' REAR
LANDSCAPE SETBACK	15' REAR
IMPERVIOUS AREA	34.693 SF / 54%
PERVIOUS LANDSCAPE	29,471 SF / 46%

PROJECT CONTACT LIST	
OWNER WINDING CREEK VILLAGE LLC 1801 PRECINCT LINE RD. STE A HURST, TX. 76054 KEVIN AFKAMI 469-363-3222	DEVELOPER BUTTRY & BROWN DEVELOPMENT, L 5040 TENNYSON PARKWAY PLANO, TX. 75024 STEPHEN BROWN 214-277-4830
ENGINEER TRIANGLE ENGINEERING LLC 1784 MODERHOTT DR. STE. 110 ALLEN, TX. 75013 ANDREW YECH 469-213-2804	

SITE LEGEND

CONCRETE CURB	
SAW-CUT LINE	
FENCE	
FIRE LANE	
STRIPING	
PARKING SPACES	
MONUMENT/PYLON SIGN	
WHEEL STOPS	
HANDICAP LOGO	
HANDICAP SIGN	
RAMP	
BOLLARD	
TRAFFIC ARROW	
FIRE HYDRANT	
DUMPSTER	
LIGHT POLE	

A map showing the location of the site in the Richmond Hill area. The map includes Highway 7, Highway 404, and the Richmond Hill Municipal Office. The site is located near the intersection of Highway 7 and Highway 404, and is adjacent to the Richmond Hill Municipal Office.

VICINITY MAP

SITE GENERAL NOTES

SITE GENERAL NOTES
1. ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE CITY OR LOCAL JURISDICTION STANDARDS.

2. THE LOCATION OF UNDERGROUND UTILITIES INDICATED ON THE PLANS IS TAKEN FROM AS-BUILTS, UTILITY PLANS OR SURVEY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAKE ARRANGEMENTS WITH THE OWNERS OF SUCH UNDERGROUND UTILITIES PRIOR TO WORKING IN THE AREA TO CONFIRM THEIR EXACT LOCATION AND TO DETERMINE WHETHER ANY ADDITIONAL UTILITIES OTHER THAN THOSE SHOWN ON THE PLANS MAY BE PRESENT. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL UNDERGROUND UTILITIES. IF ANY UNDERGROUND UTILITIES ARE DAMAGED, THE CONTRACTOR WILL BE RESPONSIBLE FOR THE COST OF REPAIRING THE UTILITY.

3. WHERE EXISTING UTILITIES OR SERVICE LINES ARE CUT, BROKEN OR DAMAGED, THE CONTRACTOR SHALL REPLACE OR REPAIR THE UTILITIES OR SERVICE LINES WITH THE SAME TYPE OF ORIGINAL MATERIAL AND CONSTRUCTION, OR BETTER, UNLESS OTHERWISE SHOWN OR NOTED ON THE PLANS, AT HIS OWN COST AND EXPENSE. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER AT ONCE OF ANY CONFLICTS WITH UTILITIES.

4. ALL EXCAVATIONS, TRENCHING AND SHORING OPERATIONS SHALL COMPLY WITH THE REQUIREMENTS OF THE U. S. DEPARTMENT OF LABOR, OSHA, CONSTRUCTION SAFETY AND HEALTH REGULATIONS AND ANY AMENDMENTS THERETO.

5. THE CONTRACTOR SHALL RESTORE ALL AREAS DISTURBED BY CONSTRUCTION TO ORIGINAL CONDITION OR BETTER. RESTORED AREAS INCLUDE, BUT ARE NOT LIMITED TO TRENCH BACKFILL, SIDE SLOPES, FENCES, DRAINAGE DITCHES, DRIVEWAYS, PRIVATE YARDS AND ROADWAYS.

6. ANY CHANGES NEEDED AFTER CONSTRUCTION PLANS HAVE BEEN RELEASED, SHALL BE APPROVED BY THE CITY ENGINEER. THESE

7. THE CONTRACTOR SHALL PROVIDE "RED LINED" MARKED PRINTS TO THE ENGINEER PRIOR TO FINAL INSPECTION INDICATING ALL CONSTRUCTION WHICH DEVIATED FROM THE PLANS OR WAS CONSTRUCTED IN ADDITION TO THAT INDICATED ON THE PLANS.

8. ALL CURB RADIUS TO BE 10' OR 2' UNLESS OTHERWISE NOTED ON THE SITE PLAN.

SITE PLAN

KIDDIE ACADEMY

6412 COLLEYVILLE BOULEVARD (S.H.26)

CITY OF COLLEYVILLE

TARRANT COUNTY, TEXAS

LOT 9R & 10 R, BLOCK 1, WINDING CREEK ADDITION



T: 469.331.8566 | F: 469.213.7145 | E: info@triangle-engr.com
W: triangle-engr.com | O: 1784 McDermott Drive, Suite 110, Allen, TX 75015

Planning | Civil Engineering | Construction Management

P.E.	DES.	DATE	SCALE	PROJECT NO.	SHEET NO.
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AY	GH	04/15/20	SEE SCALE BAR	28-20	C1
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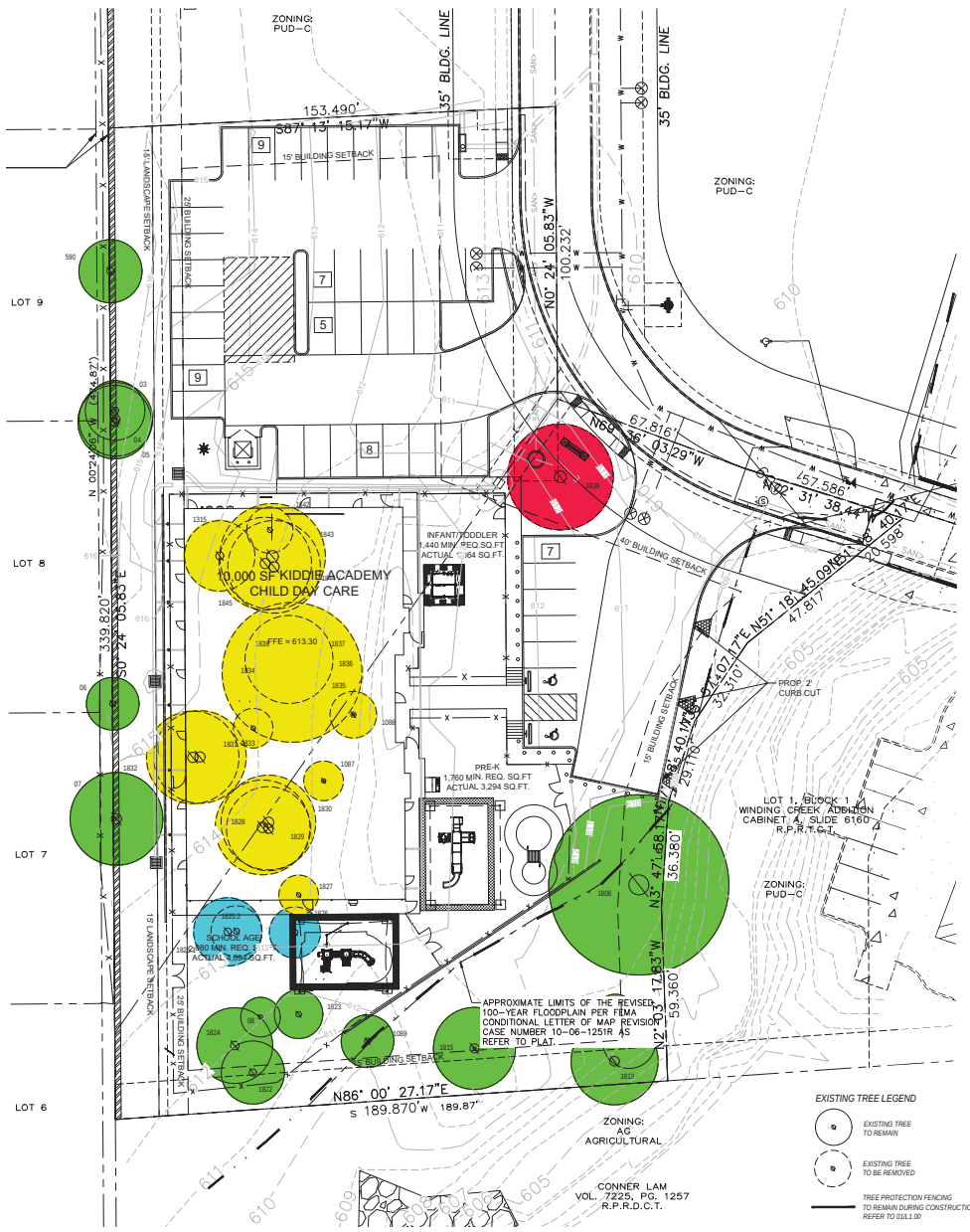
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6/12/2020

TX. P.E. FIRM #11525

C1

Tree Preservation and Landscape Plan



EXISTING TREE CHART

NO.	DA (INCHES)	MITIGATION REQUIRED	SPECIES (COMMON NAME)	CANOPY COVERAGE	REMARKS
03	10	0	GUM BUMELIA	314	TO REMAIN
04	13	0	POST OAK	531	TO REMAIN
05	13	0	POST OAK	531	TO REMAIN
06	9	0	POST OAK	254	TO REMAIN
07	18	0	BLACKJACK OAK	864	TO REMAIN
08	7	0	AMERICAN ELM	151	TO REMAIN
09	6	0	OSAGE (ORANGE) (NON PROTECTED)	113	TO REMAIN
10	10	0	AMERICAN ELM	404	TO REMAIN
1087	7	0	SLASH PINE	154	TO BE REMOVED (BUILDING PAD)
1088	8	0	BLACKJACK OAK	331	TO REMAIN
1089	6	0	AMERICAN ELM	113	TO REMAIN
1125	12	0	GUM BUMELIA	402	TO BE REMOVED (BUILDING PAD)
1308	30	0	POST OAK	2827	TO REMAIN
1312	9	0	POST OAK	254	TO REMAIN
1313	15	0	POST OAK	707	TO REMAIN
1315	14	0	BLACKJACK OAK	616	TO REMAIN
1322	9	0	POST OAK	380	TO REMAIN
1323	8.0	0	AMERICAN ELM	254	TO REMAIN
1324	12	0	AMERICAN ELM	331	TO REMAIN
1325.1	10	0	POST OAK	427	TO BE REMOVED
1325.2	6	0	POST OAK	240	TO BE REMOVED
1329	9	0	POST OAK	254	TO BE REMOVED (B.L.F. FROM BUILDING PAD)
1327	7	0	BLACKJACK OAK	154	TO BE REMOVED (B.L.F. FROM BUILDING PAD)
1328	16	4000	POST OAK	864	TO BE REMOVED (B.L.F. FROM BUILDING PAD)
1329	14	0	POST OAK	616	TO BE REMOVED (B.L.F. FROM BUILDING PAD)
1330	16	4000	POST OAK	864	TO BE REMOVED (B.L.F. FROM BUILDING PAD)
1331	21	\$1200 VALUE	POST OAK	1386	TO BE REMOVED (BUILDING PAD)
1332	16	4000	POST OAK	864	TO BE REMOVED (BUILDING PAD)
1333	7	0	HACKBERRY (NON PROTECTED)	864	TO BE REMOVED
1334	24	\$2400 VALUE	POST OAK	3310	TO BE REMOVED (BUILDING PAD)
1335	8	0	POST OAK	201	TO BE REMOVED (BUILDING PAD)
1336	8	0	POST OAK	201	TO BE REMOVED (BUILDING PAD)
1337	8	0	POST OAK	201	TO BE REMOVED (BUILDING PAD)
1338	15	3035	POST OAK	707	TO BE REMOVED (BUILDING PAD)
1339	16	0	BLACKJACK OAK	864	TO REMAIN
1340	21	0	OSAGE (ORANGE) (NON PROTECTED)	1386	TO BE REMOVED
1342	8	0	EASTERN RED CEDAR	201	TO BE REMOVED (B.L.F. FROM BUILDING PAD)
1343	32.34	\$2200 VALUE	POST OAK	3454	TO BE REMOVED (BUILDING PAD)
1344	18	\$1800 VALUE	POST OAK	1018	TO BE REMOVED (BUILDING PAD)
1345	16	4000	POST OAK	864	TO BE REMOVED (B.L.F. FROM BUILDING PAD)

15,261 S.F. OF TREE CANOPY TO BE REMOVED
12,351 S.F. OF TREE CANOPY TO BE REMOVED ARE LOCATED ON WITHIN 5' L.F. OF THE BUILDING PAD
921 S.F. OF TREE PROTECTED TREE CANOPY TO BE REMOVED FROM THE REMAINDER OF THE SITE
2,189 S.F. OF UNPROTECTED TREE CANOPY TO BE REMOVED FROM THE REMAINDER OF THE SITE

50% OF THE EXISTING TREE CANOPY THAT IS NOT LOCATED WITHIN THE BUILDING PAD MUST BE PRESERVED (800 S.F. OF CANOPY X 50% = 400 S.F. OF TREE CANOPY PRESERVATION)
9,881 S.F. OF TREE CANOPY TO BE PRESERVED

19,615 S.F. OF HERITAGE TREE CANOPY IS WITH IN THE BUILDING PAD AND REQUIRE MITIGATION
10-7 CALIPER LARGE CANOPY TREES ARE PROPOSED TO BE PLANTED ON SITE-20,000 S.F.

TREE NUMBERS 1313 (\$2000 TREE VALUE), 1344 (\$2400 VALUE), AND 1343 (\$2000 TREE VALUE), AND 1344 (\$2000 VALUE) ARE TO BE PAD INTO
THE CITY TREE FUND-\$9500.00

64 CALIPER INCHES OF MITIGATION IS REQUIRED ON LOT 9R AND 10R PER DEVELOPER AGREEMENTS
64 CALIPER INCHES TO BE PAD INTO THE CITY TREE FUND @ \$100.00 PER CALIPER INCH-\$6400.00

TREE PROTECTION STANDARDS

The following procedures shall be followed for all construction projects which involve activity that requires Urban Forestry Review, unless an alternative is deemed appropriate by the Administrative Official.

A. Pre-Construction: The ensuing procedures shall be followed prior to construction.

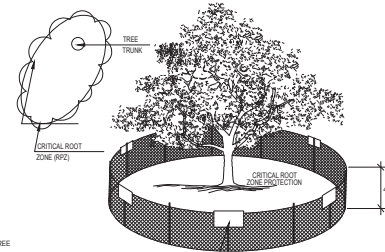
- All Preserved Trees shall have protective fencing located at the tree's critical root zone. The protective fencing shall be comprised of orange vinyl construction fencing, with a minimum of four-foot (4') approximate height.
- Lumber shall be wrapped vertically around the tree trunk and held in place with wire or any other non-damaging method if a tree is within ten (10') feet of the construction of a building or any other situation determined by the Administrative Official that would pose a physical risk to the tree trunk.
- In order to prevent damage to low hanging limbs, anything that may be impacted by equipment shall be pruned according to ANSI A300 standards.
- Each area of tree protection shall require temporary signage that indicates the area is a "Tree Protection Area" and to "Keep Out". A wording standard will be developed, updated, and maintained by the Administrative Official. The wording shall be in English and Spanish and include the appropriate contact phone number with the City to report violations.

B. During Construction: The following procedures shall be followed within the limits of the Critical Root Zone (CRZ) of any Preserved Tree for any activity that is subject to the requirements of this chapter.

- No placement of materials intended for use in construction or waste materials accumulated due to excavation or demolition.
- No equipment may be cleaned or other liquids deposited. This would include but not be limited to, paint, oil, solvents, asphalt, concrete, mortar or other materials.
- No signs, wires or other attachments, other than those of a protective nature shall be attached to the trees.
- No vehicular and construction equipment traffic or parking.
- Underground utilities shall be bored underneath trees' CRZ unless pre-approved by the Administrative Official.
- Irrigation systems shall be designed to NOT require branching across the critical root zone of any tree unless otherwise approved by the Administrative Official.
- No digging, building, paving, or elevation changes.

EXISTING TREE LEGEND

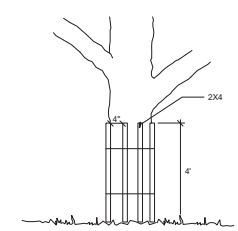
- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED
- TREE PROTECTION FENCING TO REMAIN DURING CONSTRUCTION REFER TO DUL.1.00



TEMPORARY SIGNAGE THAT INDICATES THIS AREA IS A "TREE PROTECTION AREA" REFER TO TREE PROTECTION STANDARDS FOR INFORMATION THAT IS REQUIRED TO BE ON SIGNS

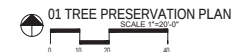
01 TREE PROTECTION FENCE A

NOT TO SCALE



02 TREE PROTECTION FENCE B

NOT TO SCALE



LANDSCAPE ARCHITECT
STUDIO GREEN SPOT, INC.
1784 W. MODERNITY DR.
SUITE 110
ALLEN, TEXAS 75013
(409) 369-4448
CHRIS@STUDIOGREENSPOT.COM



KIDDIE ACADEMY
COLLEVILLE BLVD.
CITY OF COLLEVILLE, TEXAS

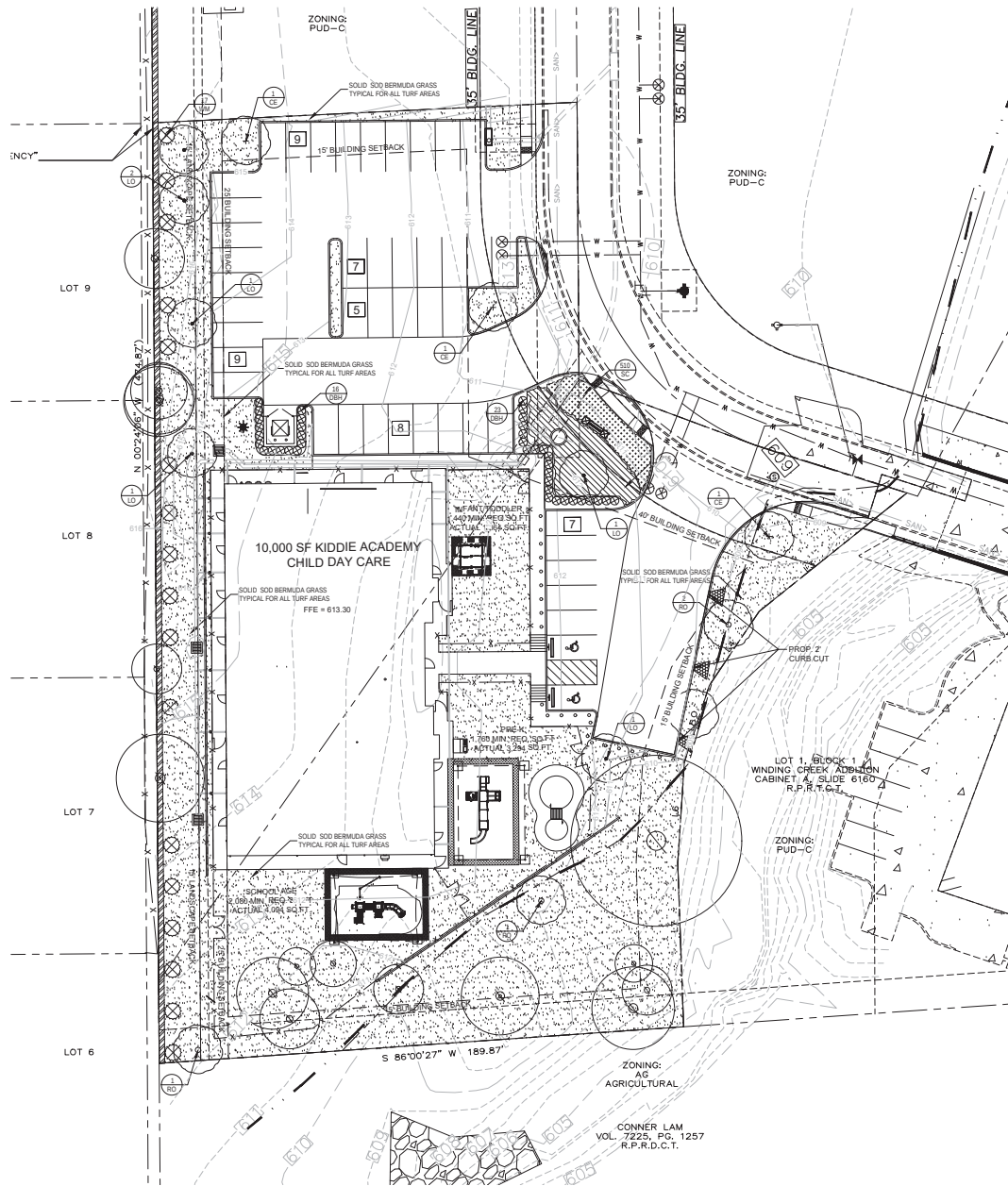
ISSUE:
FOR APPROVAL 03.16.2020
CITY COMMENTS 04.16.2020
CITY COMMENTS 04.29.2020
FOR APPROVAL 06.12.2020

DATE:
06.12.2020

SHEET NAME:
TREE PRESERVATION PLAN

SHEET NUMBER:
L.1

Tree Preservation and Landscape Plan



GENERAL LAWN NOTES

1. FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED ON CIVIL PLANS.
2. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
3. ALL LAWN AREAS TO RECEIVE SOLID SOD SHALL BE LEFT IN A MAXIMUM OF 1" BELOW FINAL FINISH GRADE. CONTRACTOR TO COORDINATE OPERATIONS WITH ON-SITE CONSTRUCTION MANAGER.
4. IMPORTED TOPSOIL SHALL BE NATURAL, FRANKLIN SOIL FROM THE REGION, KNOWN AS: BOTTOM AND SOIL, FREE FROM LIMBS, CLAY, TOXIC SUBSTANCES, ROOTS, DEBRIS, VEGETATION, STONES, CONTAINING NO SALT AND BLACK TO BROWN IN COLOR.
5. ALL LAWN AREAS TO BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED, AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR ARCHITECT PRIOR TO INSTALLATION.
6. ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLODS, STICKS, CONCRETE SPILLS, ETC. SHALL BE REMOVED PRIOR TO PLACING TOPSOIL AND ANY LAWN INSTALLATION.
7. CONTRACTOR SHALL PROVIDE (1) ONE INCH OF IMPORTED TOPSOIL ON ALL AREAS TO RECEIVE LAWN.

LANDSCAPE NOTES

1. CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
2. CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
3. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.
4. CONTRACTOR TO PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
5. ALL PLANTING BEDS AND LAWN AREAS TO BE SEPARATED BY STEEL EDGING. NO STEEL TO BE INSTALLED ADJACENT TO SIDEWALKS OR CURBS.
6. ALL LANDSCAPE AREAS TO BE IRRIGATED WITH AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM AND SHALL INCLUDE RAIN AND FREEZE SENSORS.
7. ALL LAWN AREAS TO BE SOLID SOD BERMUDAGRASS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.

SOLID SOD NOTES

1. FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL, 1" BELOW FINAL FINISH GRADE IN PLANTING AREAS AND 1" BELOW FINAL GRADE IN TURF AREAS.
2. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
3. ALL LAWN AREAS TO RECEIVE SOLID SOD SHALL BE LEFT IN A MAXIMUM OF 1" BELOW FINAL FINISH GRADE. CONTRACTOR TO COORDINATE OPERATIONS WITH ON-SITE CONSTRUCTION MANAGER.
4. CONTRACTOR TO COORDINATE WITH ON-SITE CONSTRUCTION MANAGER FOR AVAILABILITY OF EXISTING TOPSOIL.
5. PLANT SOD BY HAND TO COVER INDICATED AREA COMPLETELY. INSURE EDGES OF SOD ARE TOUCHING. TOP DRESS JOINTS BY HAND WITH TOPSOIL TO FILL JOINTS.
6. ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE, FREE FROM UNNATURAL UNDULATIONS.
7. WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.
8. CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT LIMITED TO, MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
9. CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF AN ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.
10. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, ALL SOD AREAS TO BE OVER-SEED WITH WINTER RYEGRASS AT A RATE OF 1/2 POUNDS PER ONE THOUSAND (1000) SQUARE FEET.

LANDSCAPE TABULATIONS

SITE AREA - 64,162 s.f.

Requirement: 30% of the total site area to be landscape area.

50% of the required landscape area to be located in the front yard.

Required: 10,248 s.f. (32%)

Provided: 26,768 s.f. (42%)

Requirement: 10,230 s.f. (33%)

PARKING LOTS - 45 spaces

Requirement: (1) tree per 10 parking spaces

All parking spaces to be within 90 ft. of canopy tree

Required: (3) canopy trees, 3" cal.

Provided: (3) canopy trees, 3" cal.

All spaces within 90 ft. of tree

RESIDENTIAL ADJACENCY

Requirement: 15' wide landscape buffer

Wax Myrtle Shrubs 15' o.c.

15' wide landscape buffer

Wax Myrtle Shrubs 15' o.c.

PLANT MATERIAL SCHEDULE

TREES					
TYPE	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
CE	3	Cedar Elm	Ulmus crassifolia	3" cal.	B&B, 12" ht., 5' spread min., 5' clear trunk
LO	6	Lives Oak	Quercus virginiana	3" cal.	container, 12" ht., 5' spread, 3' clear straight trunk
RO	4	Red Oak	Quercus shumardii	3" cal.	container, 12" ht., 5' spread, 3' clear straight trunk
SHRUBS					
TYPE	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
DBH	39	Dwarf Burford Holly	Ilex cornuta burfordii 'nana'	5 gal.	container, 24" ht., 20" spread
WM	17	Wax Myrtle	Myrica carolinensis	15 gal.	container, 48" ht., 30" spread
GROUNDCOVERS					
TYPE	QTY	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
SC	510	Seasonal Color	Liriodendron tulipifera	4" pots	selection by owner, 12" o.c.
LIR	755	Liriodendron	Liriodendron tulipifera	4" pots	container, 3-12" runners min., 12" o.c.
		419' Bermudagrass	Cynodon dactylon 419'		Solid Sod refer to notes

NOTE: Plant list is an aid to bidders only. Contractor shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed remarks as indicated. All trees to have straight trunks and be matching within varieties.

01 LANDSCAPE PLAN
SCALE 1"=20'

0 10 20 40

06.12.2020

LANDSCAPE ARCHITECT
STUDIO GREEN SPOT, INC.
1784 W. MACDONALD ST.
SUITE 110
ALLEN, TEXAS 75013
(409) 369-4448
CHRS@STUDIOGREENSPOT.COM



KIDDLE ACADEMY
COLLEVILLE BLVD.
CITY OF COLLEVILLE, TEXAS

ISSUE:
FOR APPROVAL 03.16.2020
CITY COMMENTS 04.16.2020
CITY COMMENTS 04.29.2020
FOR APPROVAL 06.12.2020

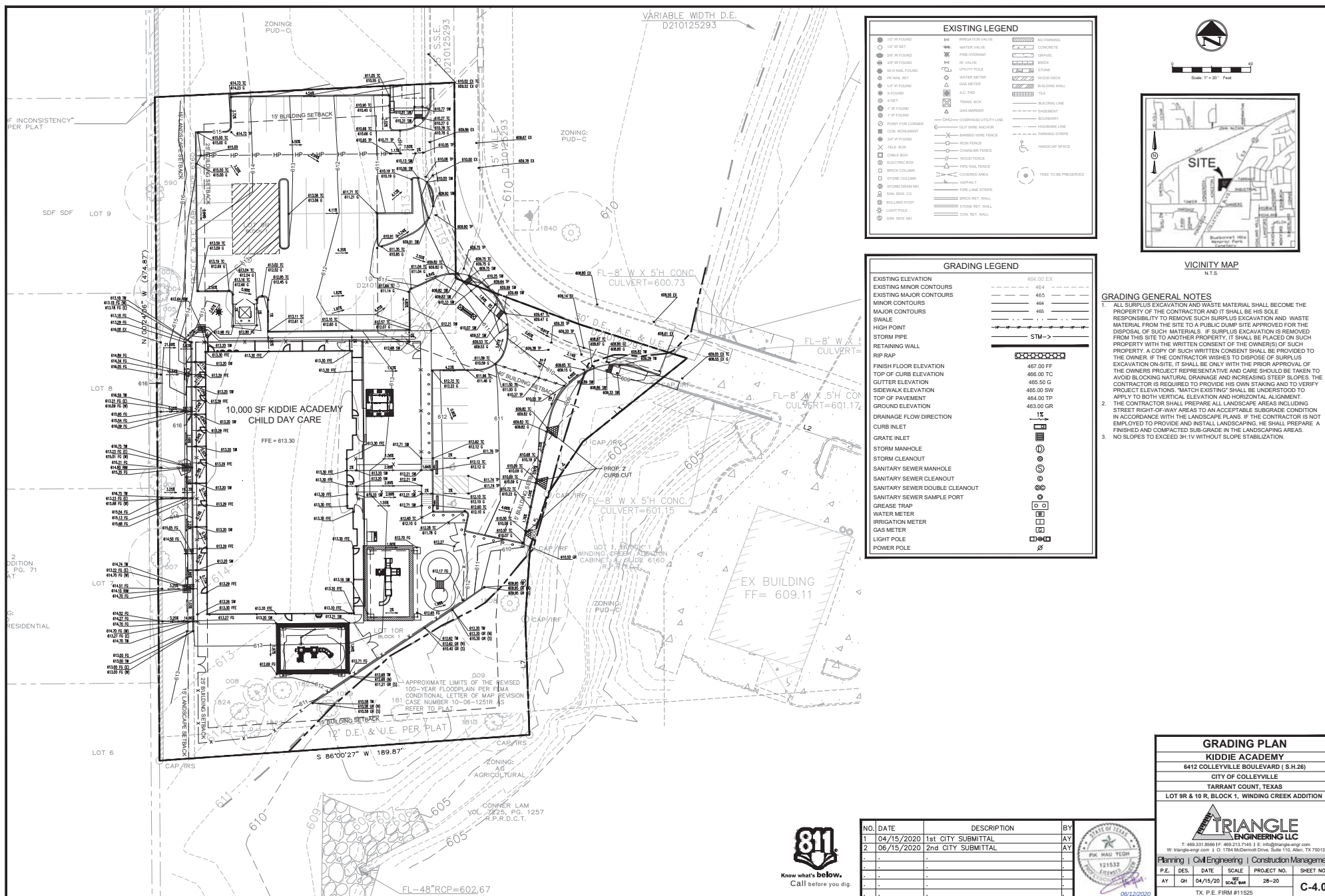
DATE:
06.12.2020

SHEET NAME:
LANDSCAPE PLAN

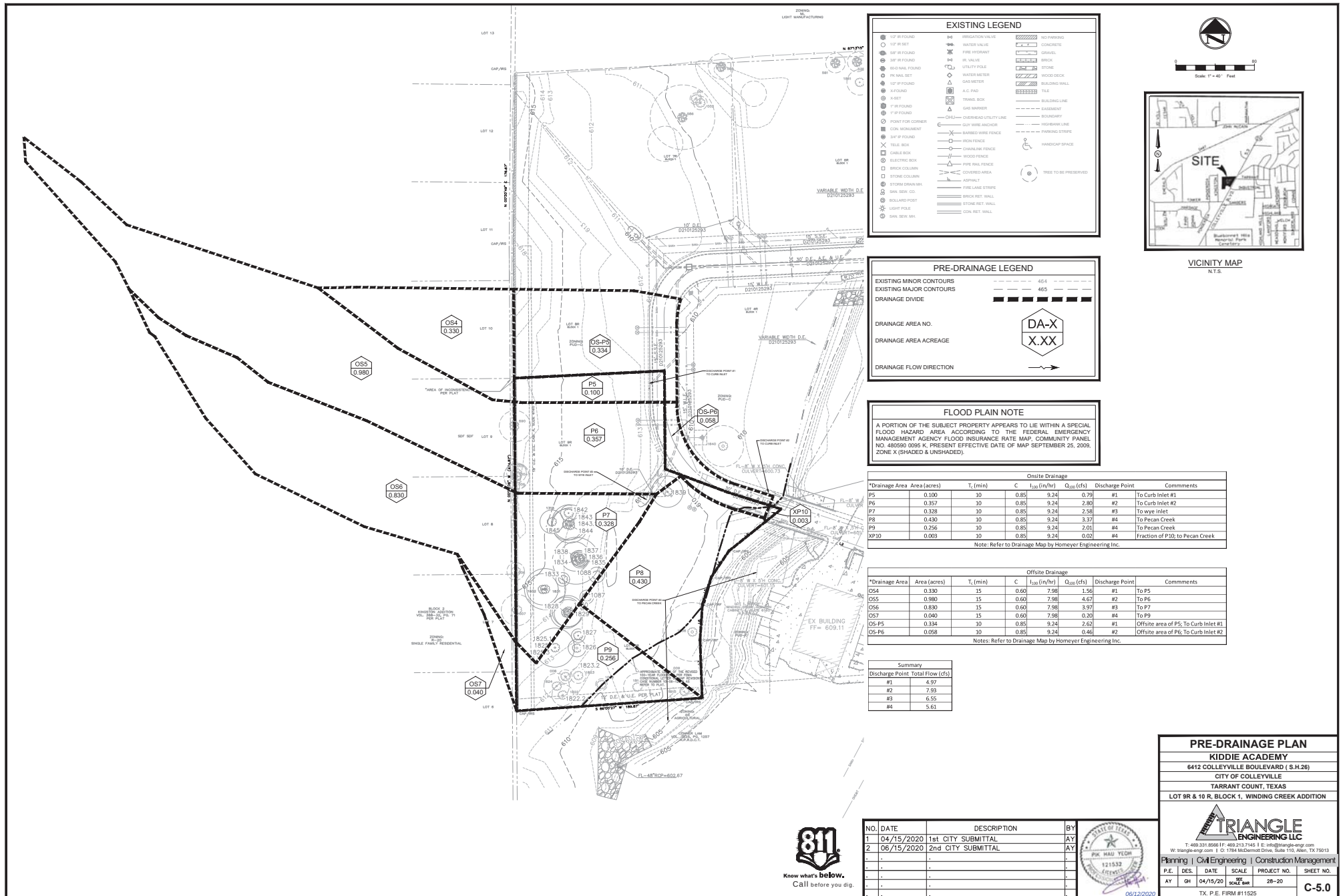
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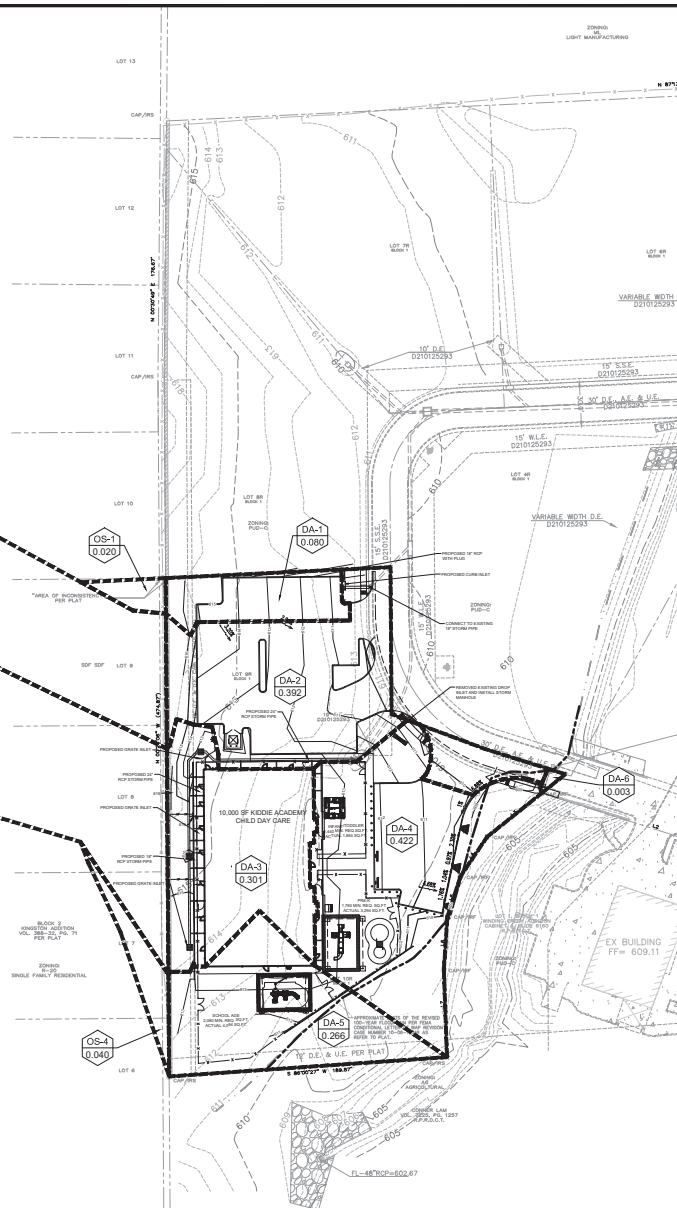
Drainage and Grading Plan



Drainage and Grading Plan



Drainage and Grading Plan

[illegible]

POST-DRAINAGE LEGEND

EXISTING MINOR CONTOURS	----	45.5
EXISTING MAJOR CONTOURS	----	46.5
MINOR CONTOURS	----	46.4
MAJOR CONTOURS	----	46.6
DRAINAGE DIVIDE		
HIGH POINT		

DRAINAGE AREA NO.

DRAINAGE AREA ACREAGE

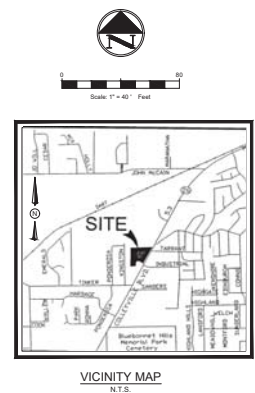
DRAINAGE FLOW DIRECTION





FLOOD PLAIN NOTE						
A PORTION OF THE SUBJECT PROPERTY APPEARS TO LIE WITHIN A SPECIAL FLOOD HAZARD AREA DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, COMMUNITY PLAN NO. 480550 ISSUED 6/30. PRESENT EFFECTIVE DATE OF MAP SEPTEMBER 25, 2009. ZONE K (SHADED & UNSHADED)						
Onsite Drainage						
Drainage Area	Area (acres)	T ₁ (min)	C	t ₂₀₀ (in/hr/Qu ₁₀₀)	Discharge	Comments
DA-1	0.0005	10	0.85	9.24	0.63	#1 To curb inlet
DA-2	0.391	10	0.85	9.24	1.08	#2 To curb inlet
DA-3	0.301	10	0.85	9.24	2.36	#3 To wave inlet
DA-4	0.422	10	0.85	9.24	3.31	#4 To Pecan Creek
DA-5	0.266	10	0.85	9.24	2.09	#4 To Pecan Creek
DA-6	0.005	10	0.85	9.24	0.02	#4 To Pecan Creek
Offsite Drainage						
Drainage Area	Area (acres)	T ₁ (min)	C	t ₂₀₀ (in/hr/Qu ₁₀₀)	Discharge	Comments
OS-1	0.002	15	0.6	7.98	0.10	#1 To DA-1
OS-2	0.98	15	0.6	7.98	4.69	#2 To DA-2
OS-3	0.83	15	0.6	7.98	3.97	#3 To DA-3
OS-4	0.04	15	0.6	7.98	0.19	#4 To DA-5
Summary						
Discharge	Pre-Drainage Total Flow (cfs)	Post-Drainage Total Flow (cfs)	Comments			
#1	4.96	0.73	OK			
#2	7.93	7.77	OK			
#3	5.68	6.34	OK			
#4	5.64	5.61	OK			

NO.	DATE	DESCRIPTION	BY
1	04/15/2020	1st CITY SUBMITTAL	AY
2	06/15/2020	2nd CITY SUBMITTAL	AY
.	.	.	.
.	.	.	.
.	.	.	.
.	.	.	.
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POST-DRAINAGE PLAN KIDDIE ACADEMY 6412 COLLEYVILLE BOULEVARD (S.H.26) CITY OF COLLEYVILLE TARRANT COUNTY, TEXAS LOT 9R & 10 R, BLOCK 1, WINDING CREEK ADDITION									
 TRIANGLE ENGINEERING LLC T: 469.331.6566 F: 469.231.7144 E: info@triangle-eng.com W: triangle-eng.com C: 17386 McDermott Drive, Suite 100, Allen, TX 75013									
Planning Civil Engineering Construction Management									
P.E.	DES.	DATE	SCALE	PROJECT NAME				SHEET NO.	
AY	QH	04/15/20	1" = 40' PLAN	28-20				C-6.0	
TX D.E. FIRM#11575									



Drainage and Grading Plan



PROPOSED DRAINAGE AREA MAP

DEVELOPED FLOW FROM OFF-SITE DRAINAGE AREAS ARE ASSUMED TO NOT INCREASE.

LEGEND	
	DRAINAGE AREA NUMBER
	Q100 PROPOSED
	DRAINAGE AREA LIMITS
	EXISTING CONTOURS
	PROPOSED CONTOURS
	DIRECTION OF STORMWATER FLOW

BENCHMARK INFORMATION	
TBM #1 - ELEVATION: 608.88	"X" CUT ON CONCRETE APPROXIMATELY 65 FEET NORTH AND 51 WEST OF THE SOUTHERN MOST PROPERTY CORNER OF LOT 2R.
TBM #2 - ELEVATION: 606.29	(BM TO BE REMOVED DURING CONSTRUCTION)
"X" CUT ON CONCRETE APPROXIMATELY 281 FEET SOUTH AND 198 WEST OF THE EASTERN MOST PROPERTY CORNER OF LOT 3R.	

PROPOSED DRAINAGE CALCULATIONS						
DRAINAGE AREA	AREA ACRES	"c"	Tc (min)	"1-100" (in/hr)	"Q-100" (cfs)	COMMENTS
P1	1.11	0.85	10	9.24	8.69	TO PECAN CREEK
P2	0.15	0.85	10	9.24	1.16	TO OFF-SITE NORTH
P3	0.61	0.85	10	9.24	4.76	TO WYE INLET
P4	0.20	0.85	10	9.24	1.58	TO WYE INLET
P5	0.43	0.85	10	9.24	3.40	TO CURB INLET
P6	0.41	0.85	10	9.24	3.25	TO CURB INLET
P7	0.33	0.85	10	9.24	2.61	TO WYE INLET
P8	0.44	0.85	10	9.24	3.43	TO PECAN CREEK
P9	0.25	0.85	10	9.24	1.99	TO OFF-SITE SOUTH
P10	2.20	0.85	10	9.24	17.30	TO PECAN CREEK
P11	0.42	0.85	10	9.24	3.26	TO CURB INLET
P12	0.14	0.85	10	9.24	1.12	TO OS-10
OS1	0.14	0.60	15	7.98	0.68	TO P3
OS2	1.75	0.60	15	7.98	8.36	TO P4
OS3	0.60	0.60	15	7.98	2.87	TO P11
OS4	0.33	0.60	15	7.98	1.56	TO P5
OS5	0.98	0.60	15	7.98	4.67	TO P6
OS6	0.83	0.60	15	7.98	3.97	TO P7
OS7	0.04	0.60	15	7.98	0.20	TO P9
OS8	0.38	0.85	15	7.98	2.56	TO P10
OS9	0.04	0.85	10	9.24	0.31	TO P11
OS10	0.86	0.85	10	9.24	6.77	TO P1
TOTAL	12.63				84.49	

RESULTS:

PROPOSED CONDITIONS DO NOT INCREASE PEAK FLOWS. THE OFFSITE FLOW OF 1,500 CFS ARRIVES 22 MINUTES PAST OUR ONSITE FLOW DISCHARGE, AS SUCH, WATER SURFACE ELEVATIONS AND VELOCITIES DO NOT CHANGE, THUS WE ARE NOT ADVERSELY AFFECTING DOWN STREAM FLOWS. DETENTION IS NOT REQUIRED.

RECORD DRAWING

The record drawing herein reflects to the best of the design engineer's knowledge, the approximate location of the constructed improvements using information provided by the contractor.

Matthew Haskin, P.E. #10889
Date: 1/16/19



HOMMEYER ENGINEERING, INC.
1000 E. 10TH STREET
SUITE 200
DALLAS, TEXAS 75202
P.O. BOX 294527 • LEWISVILLE, TEXAS 75039
972-906-9985 PHONE • 972-906-9987 FAX
WWW.HEI.UTEX.COM



WINDING CREEK OFFICE PARK
LOTS 2R-4R & 6R-10R, BLOCK 1
WINDING CREEK ADDITION
6.717 ACRES
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS

PROPOSED DRAINAGE
AREA MAP

REVISIONS:
10/27/17 BRIDGE Replaced
Culverts with Bridge

DRAWN: JDH

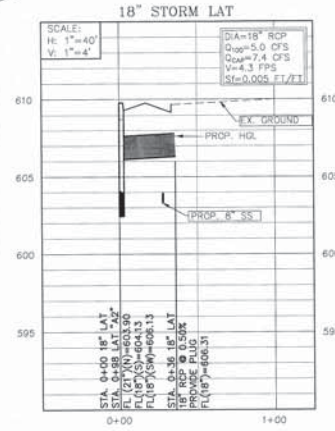
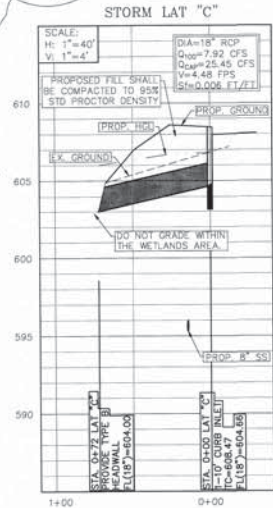
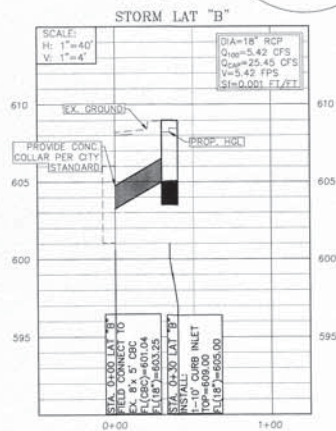
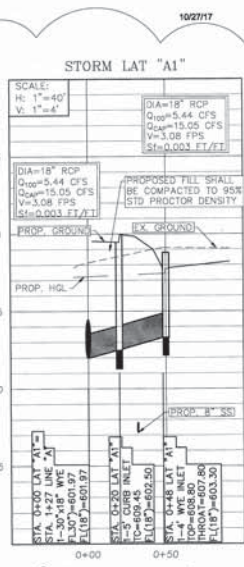
DATE: 03/04/2016

HEI #: 16-114

SHEET NO:

C7

[Source: *Accounting*, 114 edition, Cengage Learning, www.cengage.com/accounting, 10/28/2017, 9:00 PM EDT.](#)



RECORD DRAWING

The record drawing herein reflects to the best of the design engineer's knowledge, the approximate location of the constructed improvements using information provided by the contractor.

Matthew Hoskin
 Matthew Hoskin, P.E. #120889
 Date: 1/11/19



HOMAYER
ENGINEERING, INC.
TYPE FIRM REGISTRATION NO. F-8440
P.O. BOX 294527 • LEWISVILLE • TEXAS • 75029
972-906-9955 PHONE • 972-906-9987 FAX
WWW.HEI.US.COM

WINDING CREEK OFFICE PARK
LOTS 2R-4R & 6R-10R, BLOCK 1
WINDING CREEK ADDITION
6.717 ACRES
CITY OF COLLEYVILLE
TARRANT COUNTY, TEXAS

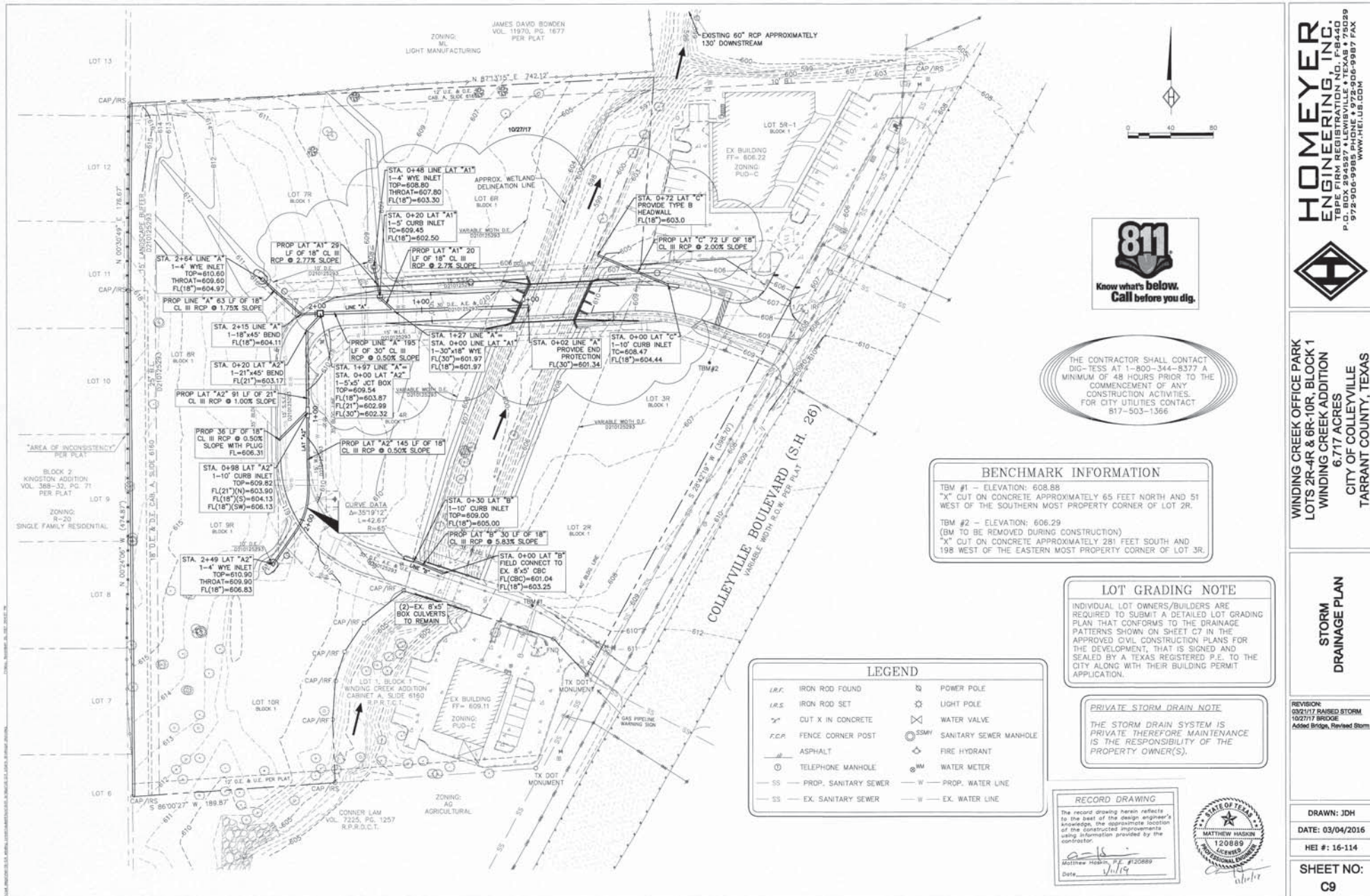
STORM DRAINAGE PROFILE

REVISION:
03/21/17 RAISED STORM
04/06/17 ADD SD PROFILE
10/27/17 BRIDGE
Added Bridge Changed Storm

DRAWN: JDH
DATE: 03/04/2016
HEI #: 16-114

SHEET NO:
C10

Drainage and Grading Plan



HOMEYER ENGINEERING, INC.
 P.O. BOX 1000
 FARMERSVILLE, TEXAS 77936
 972-906-9985 PHONE • 972-906-9987 FAX
 WWW.HEI.US.COM



WINDING CREEK OFFICE PARK
 LOTS 2R-4R & 6R-10R, BLOCK 1
 WINDING CREEK ADDITION
 6.717 ACRES
 CITY OF COLLEYVILLE
 TARRANT COUNTY, TEXAS

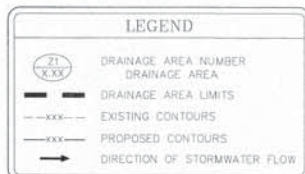
STORM DRAINAGE PLAN

Drainage and Grading Plan



EXISTING DRAINAGE AREA MAP

THE OFF-SITE TOPOGRAPHIC INFORMATION FOR THE DRAINAGE AREA MAP WAS OBTAINED FROM THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS WEBSITE.



HYDROLOGIC PARAMETERS AND RESULTS

CURRENT OFFSITE CONDITIONS WERE USED FOR THE ANALYSIS. THE FOLLOWING IS THE GENERAL INPUT CRITERIA FOR THE HEC-HMS RESULT.

AREA: BASED UPON THE 2007, 2-FOOT CONTOURS, BASIN AREAS WERE DETERMINED. AREAS WERE BROKEN UP INTO POINTS OF INTEREST AND SIMILAR LAND USES.

TIME OF CONCENTRATION: TIME OF CONCENTRATION (TC) WAS DETERMINED USING THE NTCOG ISWM EQUATION (1.4). THE LAG TIME (LT) IS A FUNCTION OF THE TC (LT=0.6TC). HOWEVER, THE TC WAS CHECKED USING A MINIMUM TIME FOR EACH BASIN OF 25 MINUTES. SINCE THE DISTANCE WAS ONE AND ONE HALF BASINS, THE CONSERVATIVE SMALLER TIME OF 37 MINUTES WAS USED.

RUNOFF: CURVE NUMBERS (CN) ARE BASED UPON THE LAND USE AND REVIEW OF THE CURRENT 2015 AERIALS. CURVE NUMBER VALUES WERE TAKEN FROM ISWM TABLE 1.9 (RUNOFF CURVE NUMBERS). NUMBERS REFLECT A CONSERVATIVE ASSUMPTION THAT ALL OFFSITE LAND USE IS BUILT OUT PER THEIR LAND USE.

ABSTRACTION: INITIAL ABSTRACTION (IA) VALUES ARE BASED UPON THE FINAL WEIGHTED CN. ABSTRACTION VALUES ARE PROVIDED ON TABLE 1.11 OF THE ISWM MANUAL.

PRECIPITATION: RAINFALL USED THE SCS TYPE II DISTRIBUTION WITH A TOTAL DEPTH OF 0.12-INCHES (0.38 *24) PER ISWM TABLE 5.15. AN INTENSITY OF 0.38 (IN/HR) IS GIVEN FOR THE 100-YEAR 24-HOUR EVENT.

RESULTS: A FLOW OF 1,487 CFS WAS DETERMINED. HOWEVER, A FLOW OF 1,500 CFS WAS USED FOR HYDRAULIC ANALYSIS.

RAINFALL DISTRIBUTION

16-114

Basin Models

- Basin whole
 - No Canopy
 - No Surface
 - SCS Curve Number
 - SCS Unit Hydrograph
 - No Baseflow
- Meteorologic Models
 - Met 1
- Control Specifications
 - Control 1

Components Compute Results

Precipitation

Met Name: Met 1

Method: Type 2

Depth (IN): 9.12

Subbasin Loss Transform Options

Basin Name: Basin whole

Element Name: whole

Initial Abstraction (IN): 0.273

Curve Number: 88

Impervious (%): 0.0

Subbasin Loss Transform Options

Basin Name: Basin whole

Element Name: whole

Graph Type: Standard

Lag Time (MIN): 22.2

HYDRAULIC ANALYSIS AND RESULTS

HEC-RAS WAS USED TO DETERMINE THE EXISTING AND PROPOSED HYDRAULIC CONDITIONS. PLEASE REFER TO THE HYDRAULIC REPORT SEPARATE OF THESE PLANS.

PROPOSED FLOW CONDITIONS ARE BASED UPON TWO EXISTING CULVERTS. THE FIRST CULVERT TWO (2) 8'X5' RCB'S AT THE SOUTHERN UPSTREAM END OF THE PROJECT. THE SECOND CULVERT IS A 60-INCH RCP JUST UPSTREAM OF THE SITE. EACH CULVERT CAUSES A SIGNIFICANT HYDRAULIC JUMP SINCE THEY ARE BOTH UNDERSIZED. PROPOSED (6) 6'X6' RCB'S ARE USED DUE TO THE BACK-WATER EFFECT TO KEEP THE ROADWAY ABOVE THE 100-YEAR WATER SURFACE ELEVATION.

CONCLUSION

- ALL FLOWS WILL CONTINUE IN THEIR CURRENT AND HISTORICAL FLOW PATHS.
- WATER SURFACE ELEVATIONS BOTH UPSTREAM AND DOWNSTREAM ARE NOT AFFECTED AND DO NOT CHANGE.
- THE 100-YEAR FLOW IS CONTAINED WITHIN THE PROPOSED CHANNEL BETWEEN THE EXISTING AND PROPOSED CULVERTS WITH AT LEAST 1-FOOT OF FREEBOARD.
- THE SITE WILL HAVE VEHICLE ACCESS DURING THE 100-YEAR EVENT.
- FINISHED FLOOR ELEVATIONS HAVE BEEN SET TO AT LEAST 2-FOET ABOVE THE WATER SURFACE ELEVATION.

HYDROLOGY CALCULATIONS

BASIN NAME	AREA ACRES	SOIL D 80	Tc (MIN)	WEIGHTED CN
19E-1	49.2	100	25	91.67
19LL	21.8	100	25	94.53
19L	36.4	100	25	87.24
19D	33.6	100	25	87.51
19C	63.4	100	25	87.22
19K	64.7	100	25	86.76
TOTAL	269.10			

HYDROLOGIC INPUT

AREA (MI ²)	WEIGHTED CN	LAG TIME (LT)	ABSTRACTION (Ia)	100-YEAR (cfs)
0.4203	88	22.2	0.273	1,487*

* A 100-YR FLOW OF 1,500 CFS WAS USED.

RESULTS

Summary Results for Subbasin "whole"

Project: 16-114 Simulation Run: Run 1

Subbasin: whole

Start of Run: 01Jan2016, 00:00 Basin Model: Basin whole

End of Run: 02Jan2016, 01:00 Meteorologic Model: Met 1

Compute Time: 10Mar2016, 14:15:22 Control Specifications: Control 1

Volume Units: ☒ IN ☐ AC-FI

Computed Results

Peak Discharge: 1,487.0 (CFS) Date/Time of Peak Discharge: 01Jan2016, 12:15

Precipitation Volume: 9.12 (IN) Direct Runoff Volume: 7.66 (IN)

Loss Volume: 1.45 (IN) Baseflow Volume: 0.00 (IN)

Excess Volume: 7.67 (IN) Discharge Volume: 7.66 (IN)

RECORD DRAWING

The record drawing herein reflects to the best of the design engineer's knowledge, the approximate location of the constructed improvements using information provided by the contractor.

Matthew Haskin, P.E. #120889
Date: 1/11/19



HOMEYER ENGINEERING, INC.
TPE FIRM REGISTRATION NO. F-8440
10000 WINDING CREEK ADDITION
P.O. BOX 10000 WINDING CREEK ADDITION
972-906-9985 PHONE • 972-906-9987 FAX
WWW.HEI.US.COM

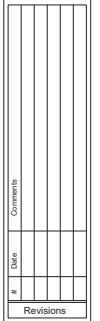


WINDING CREEK OFFICE PARK
LOTS 2R-4R & 6R-10R, BLOCK 1
WINDING CREEK ADDITION
6.717 ACRES
CITY OF COLLEVILLE
TARRANT COUNTY, TEXAS

OVERALL DRAINAGE AREA MAP

DRAWN: JDM
DATE: 03/04/2016
HEI #: 16-114

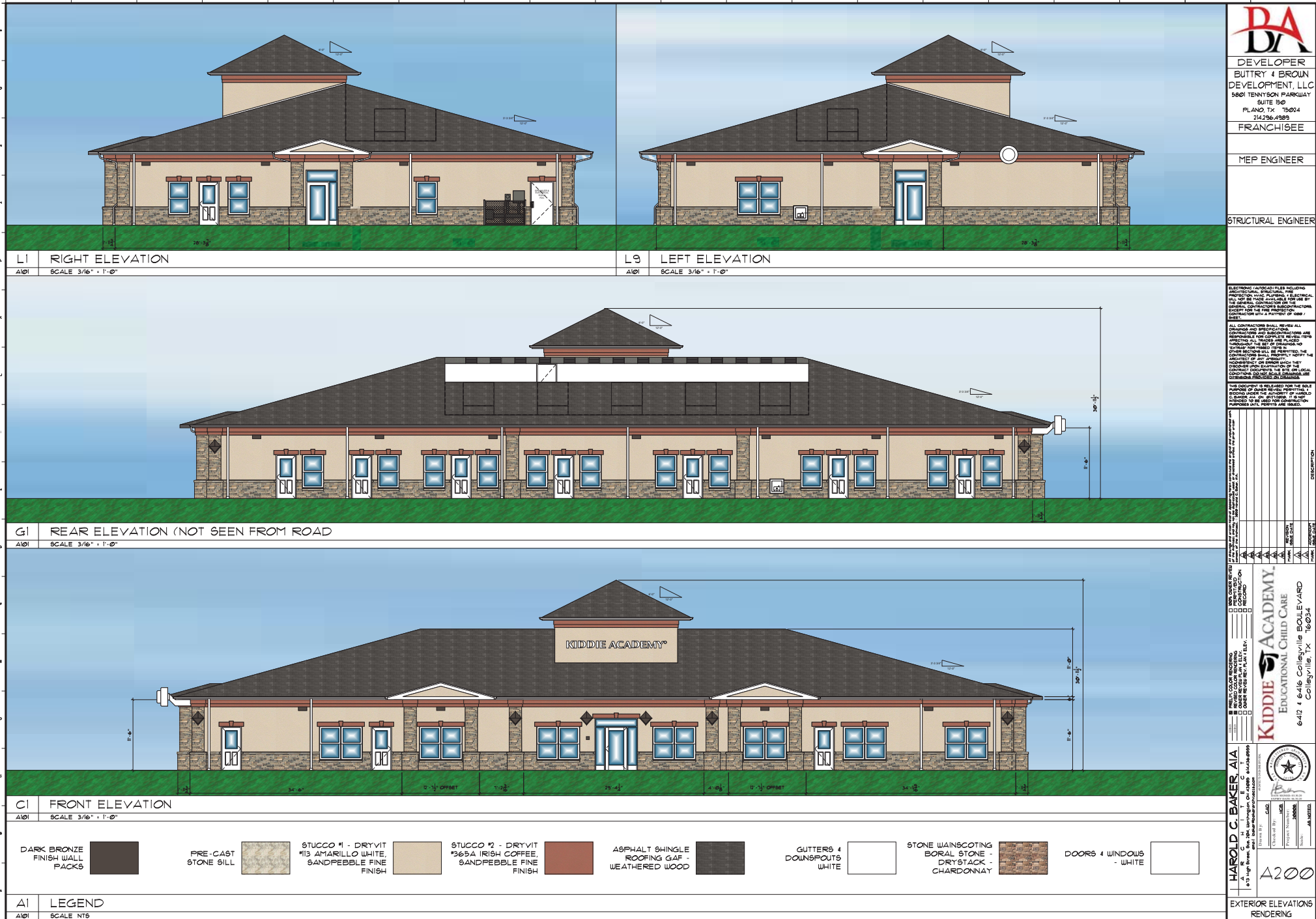
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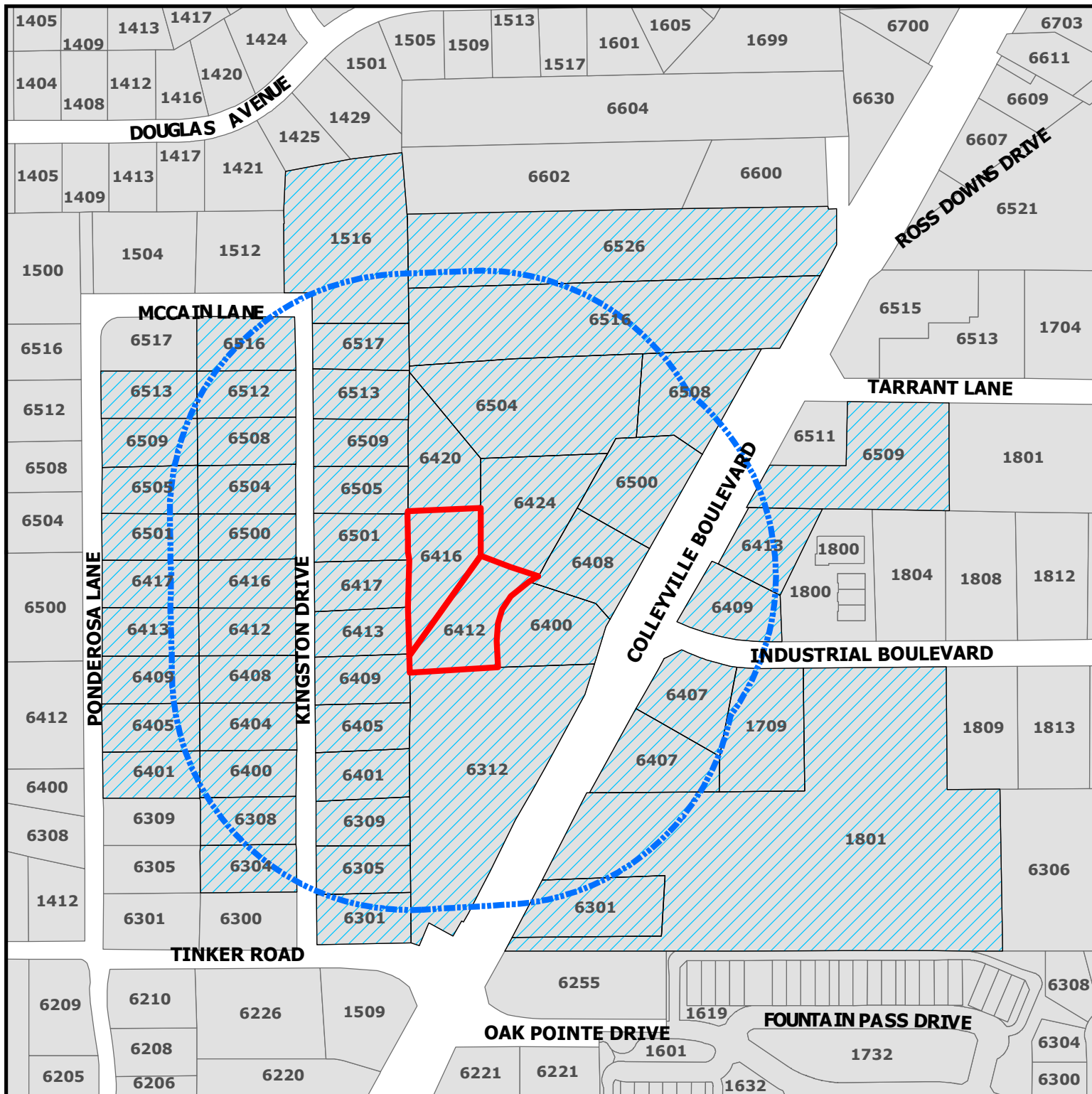
Date: 6/12/2020

KIDDIE ACADEMY
COLLEYVILLE, TX

Building Elevations



Notification Map



ZC20-015

6412-6416 Colleyville Blvd

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.



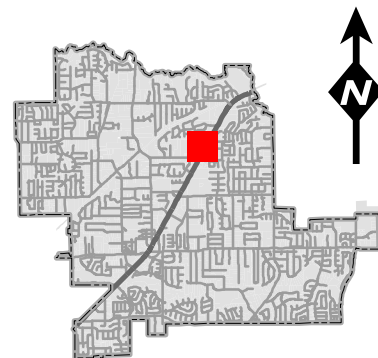
Subject Property



500ft Buffer



Properties within 500ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6500 COLLEYVILLE BLVD
3 J GREEN LIMITED PARTNERSHIP	6620 COLLEYVILLE BLVD STE 100	COLLEYVILLE, TX	76034	6508 COLLEYVILLE BLVD
7 MOON INVESTMENT INC	7009 COLE CT	COLLEYVILLE, TX	76034	6312 COLLEYVILLE BLVD
ADDITIONAL SELF STORAGE LP	2964 LBJ FRWY STE 400	DALLAS, TX	75234	1801 INDUSTRIAL BLVD
AMERICA'S STORAGE	4311 OAK LAWN AVE STE 360	DALLAS, TX	75219	6509 COLLEYVILLE BLVD
BITTICK, EDWARD D	6405 KINGSTON	COLLEYVILLE, TX	76034	6405 KINGSTON DR
BOULEVARD ANIMAL HOSPITAL PC	6413 COLLYVILLE BLVD	COLLEYVILLE, TX	76034	6413 COLLEYVILLE BLVD
BOWDEN, GERALD W	850 AVENIDA SERENA	MARBLE FALLS, TX	78654	6516 COLLEYVILLE BLVD
BOYLES, MARTIN	6505 PONDEROSA LN	COLLEYVILLE, TX	76034	6505 PONDEROSA LN
BRASHEAR, H C	5616 BELFAST LN	NORTH RICHLAND HILLS, TX	76180	6400 KINGSTON DR
CANNADAY, JOHN W EST	6413 KINGSTON	COLLEYVILLE, TX	76034	6413 KINGSTON DR
CAVINS, ANDREW	6513 PONDEROSA LN	COLLEYVILLE, TX	76034	6513 PONDEROSA LN
CROCKER, RHONDA	6500 KINGSTON	COLLEYVILLE, TX	76034	6500 KINGSTON DR
DACY, TIMOTHY LANCE	5705 MORLAIX CT	COLLEYVILLE, TX	76034	6516 KINGSTON DR
DIMITROV, LACHEZAR P	6509 KINGSTON	COLLEYVILLE, TX	76034	6509 KINGSTON DR
DOUGLAS, SCOTT E	6308 KINGSTON	COLLEYVILLE, TX	76034	6308 KINGSTON DR
FENNEMA, SEAN	6513 KINGSTON DR	COLLEYVILLE, TX	76034	6513 KINGSTON DR
FISH, ROBERT	6401 KINGSTON	COLLEYVILLE, TX	76034	6401 KINGSTON DR
FLIPPIN, LINDA M	6405 PONDEROSA LN	COLLEYVILLE, TX	76034	6405 PONDEROSA LN
FRANKLIN, THOMAS C	6413 PONDEROSA LN	COLLEYVILLE, TX	76034	6413 PONDEROSA LN
GABLE, STEPHAN D	6412 KINGSTON	COLLEYVILLE, TX	76034	6412 KINGSTON DR
GARRETT, KENNETH	6517 KINGSTON	COLLEYVILLE, TX	76034	6517 KINGSTON DR
GLASS, THOMAS	6304 KINGSTON	COLLEYVILLE, TX	76034	6304 KINGSTON DR
HANZELKA, JOSEPH R	6508 KINGSTON	COLLEYVILLE, TX	76034	6508 KINGSTON DR
HILDRETH, BRADLEY E	6409 KINGSTON	COLLEYVILLE, TX	76034	6409 KINGSTON DR
INGRAM, BEVERLY	212 STRATFORD CT	HURST, TX	76054	6409 COLLEYVILLE BLVD
JOHNSON, WHITNEY	6401 PONDEROSA LN	COLLEYVILLE, TX	76034	6401 PONDEROSA LN
LACZNY, WILLIAM G	6408 KINGSTON	COLLEYVILLE, TX	76034	6408 KINGSTON DR
LORD, M'LINDA	6301 KINGSTON DR	COLLEYVILLE, TX	76034	6301 KINGSTON DR
MALONE, DERRICK L	6115 GARCIA LN	FORT WORTH, TX	76140	6301 COLLEYVILLE BLVD
MCCAIN, NORMA	PO BOX 92185	SOUTHLAKE, TX	76092	1516 MCCAIN LN
MOELLER, KARLA S	6501 PONDEROSA LN	COLLEYVILLE, TX	76034	6501 PONDEROSA LN
PHETTEPLACE, NATHAN	6404 KINGSTON	COLLEYVILLE, TX	76034	6404 KINGSTON DR
PULLEN, TIMOTHY B	6501 KINGSTON	COLLEYVILLE, TX	76034	6501 KINGSTON DR
REYNOLDS, DOUGLAS	6417 KINGSTON	COLLEYVILLE, TX	76034	6417 KINGSTON DR
RICHARDSON, BOBANNE	6409 PONDEROSA LN	COLLEYVILLE, TX	76034	6409 PONDEROSA LN
RICHFIELD PROPERTIES INC	2140 E SOUTHLAKE BLVD SUITE L-	SOUTHLAKE, TX	76092	6407 COLLEYVILLE BLVD
RYAN, GERALD CASEY	6509 PONDEROSA LN	COLLEYVILLE, TX	76034	6509 PONDEROSA LN
SANDERS, BAILEY	6305 KINGSTON	COLLEYVILLE, TX	76034	6305 KINGSTON DR
SHEARS, THOMAS T TR EST	PO BOX 33349	FORT WORTH, TX	76162	6504 KINGSTON DR
SIMS, REX A	6505 KINGSTON	COLLEYVILLE, TX	76034	6505 KINGSTON DR
SMITH, CHARLES L	6417 PONDEROSA LN	COLLEYVILLE, TX	76034	6417 PONDEROSA LN
SNEED, FRANK	6309 KINGSTON	COLLEYVILLE, TX	76034	6309 KINGSTON DR
THOMAS, MATHEW	6416 KINGSTON ST	COLLEYVILLE, TX	76034	6416 KINGSTON DR
TIERNEY, THOMAS A	1709 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	1709 INDUSTRIAL BLVD
TIERNEY, TOM	1709 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	6400 COLLEYVILLE BLVD
TONDRE, ZACHARY	6512 KINGSTON DR	COLLEYVILLE, TX	76034	6512 KINGSTON DR
TRES ROSAS LTD	6516 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6526 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6420 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6416 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6424 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6412 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6408 COLLEYVILLE BLVD
YARD ART P&F LTD	1223 CRESTSIDE DR STE 100	COPPELL, TX	75019	6407 COLLEYVILLE BLVD
				6504 COLLEYVILLE BLVD
MONTERRA ADDITION	6811 MILTON DR	COLLEYVILLE, TX	76034	COURTESY NOTICE
VILLAS AT OAK POINTE, THE	2555 SW GRAPEVINE PARKWAY, SUITE 300	GRAPEVINE, TX	76051	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
BROWN, STEPHEN	5801 TENNYSON PARKWAY, SUITE 150	PLANO, TX	75024	APPLICANT

Public hearing notices were mailed on June 26, 2020



NOTICE OF PUBLIC HEARING

«Owner Name»

«Owner Address»

«Owner City» «Owner Zip»

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

Planning and Zoning Commission Meeting: Monday, July 13, 2020 at 7:00 p.m.
City Council Meetings: Tuesday, August 4, 2020 & Tuesday, August 18, 2020 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a request for a Special Use Permit for a 'Day Care Center'. The purpose is to allow for new construction and operation of the child day care facility, Kiddie Academy Day Care.

Zoning Case: ZC20-015

Applicant: Stephen Brown

Owner: Kevin Afkami

Location: 6412 and 6416 Colleyville Blvd

Property Description: Lot 9R and 10R, Block 1, of the Winding Creek Addition

Present Zoning: PUD-R Planned Unit Development-Residential

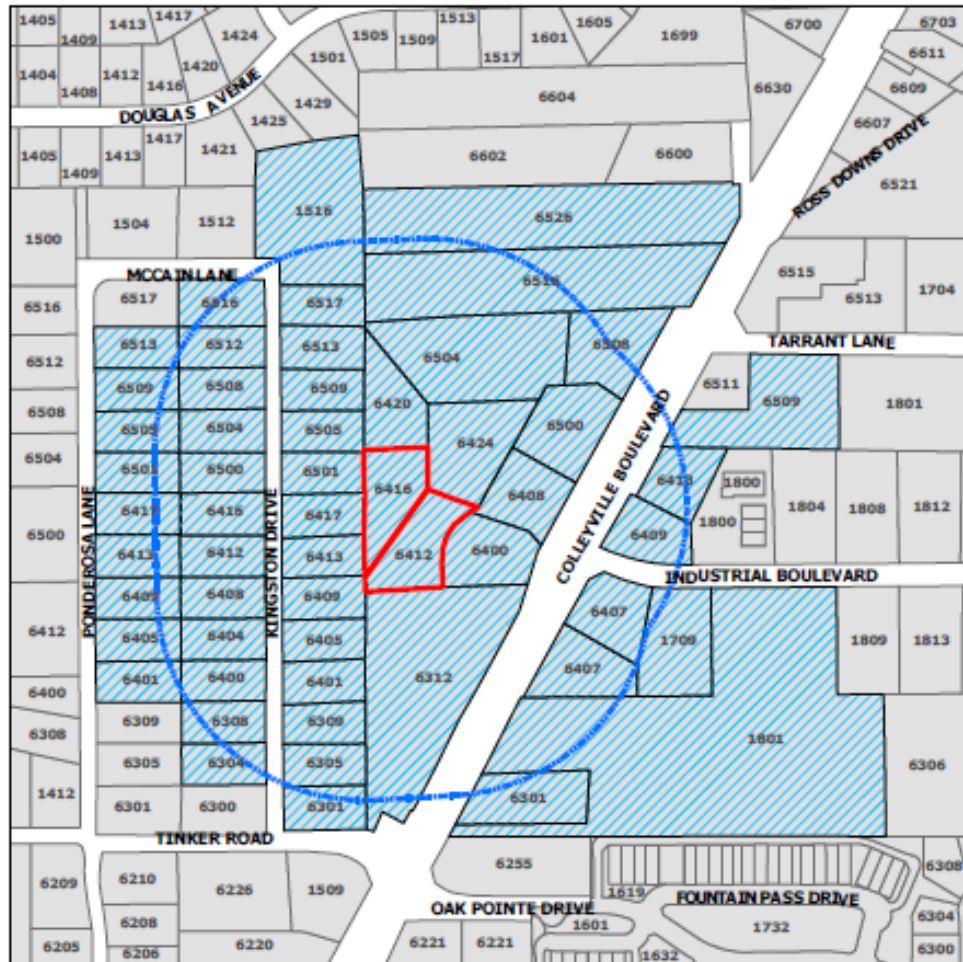
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a 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**

NOTICE OF PUBLIC HEARING

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 76034. 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-20-XXXX

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING ON LOTS 9R & 10R, BLOCK 1, OF THE WINDING CREEK ADDITION, LOCATED AT 6412 AND 6416 COLLEYVILLE BOULEVARD, BY AUTHORIZING A SPECIAL USE PERMIT FOR A DAY CARE CENTER; A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a special use permit for a Day Care Center under Case No. ZC20-008; and

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

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

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

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

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

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on Lots 9R & 10R, Block 1, of the Winding Creek Addition, located at 6412 and 6416 Colleyville Boulevard, by authorizing a Special Use Permit for a Day Care Center, as depicted on Exhibit "A", Exhibit "B", and Exhibit "C".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. This Special Use Permit shall apply only to "Exhibit "B" and Exhibit "C" as shown on the Zoning Exhibit and Elevations Exhibit as attached.
- b. The hours of operation shall be from 6:30 a.m. to 6:30 p.m. Monday – Friday.
- c. A minimum of 45 parking spaces shall be required for this use.
- d. This Special Use Permit shall automatically expire upon the abandonment of the business, change in the use, a change in ownership or upon the expiration or termination of the Certificate of Occupancy.

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

- Sec. 5. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 6. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 7. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 8. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of August 2020.

The second reading and public hearing being conducted on the 18th day of August 2020.

PASSED AND APPROVED BY A VOTE OF _____ AYES, _____ NAYS, AND _____ ABSTENTIONS ON THIS THE 18th DAY OF AUGUST 2020.

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:

Whitt Wyatt
City Attorney

The map displays a portion of the City of Dallas, Texas, with various land use zones and street layouts. The zones are color-coded and labeled as follows:

- PUD-R** (Professional Office/Urban District): Light green areas, primarily along Douglas Avenue and McCain Lane.
- PUD-C** (Community Center): Orange areas, primarily along McCain Lane and Kingston Drive.
- PUD-O** (Office): Pink areas, primarily along Ross Downs Drive.
- CPO** (Community Professional Office): Light pink areas, primarily along Ross Downs Drive.
- ML** (Medium Density Residential): Purple areas, primarily along Colleyville Boulevard and Fountain Pass Drive.
- AG** (Agriculture): White areas, primarily along Ponderosa Lane and Kingston Drive.
- CC-1** (Community Center): Red areas, primarily along Oak Pointe Drive and Fountain Pass Drive.
- CC-2** (Community Center): Dark red areas, primarily along Oak Pointe Drive and Fountain Pass Drive.
- R-20** (Residential Single-Family): Yellow areas, primarily along McCain Lane and Kingston Drive.
- R-15** (Residential Single-Family): Light brown areas, primarily along Tinker Road and Fountain Pass Drive.

The map also shows various lot numbers and street names, including Douglas Avenue, McCain Lane, Ponderosa Lane, Kingston Drive, Tinker Road, Oak Pointe Drive, Fountain Pass Drive, Ross Downs Drive, and Colleyville Boulevard. A specific parcel, 6412, is highlighted with a red outline.

Exhibit “B” – Statement of Planning Objectives and Site Plan Exhibit



T: 469.331.8566 | F: 469.359.6709 | W: triangle-engr.com | O: 1784 W McDermott Drive, Suite 110, Allen, TX 75013

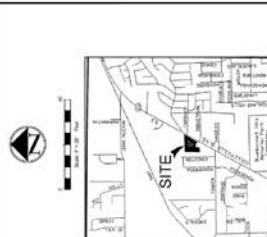
State of Planning Objectives

The purpose of the special use permit application is to request for Kiddle Academy Day Care service on Lot 9R & 10R, Block 1, WindingCreek Addition. Kiddle Academy is an educational child care provider that focuses on learning, creativity, compassion, and character. Shaping and inspiring children for the future always have been a critical part of the Kiddle Academy vision. The Kiddle Academy cares for, educates, and encourages its children to do more and be more.

The provided site plan complies with the city of Colleyville ordinance. The proposed use is compatible with the surrounding zoning because it will add a convenient and aesthetically pleasing mix of neighborhood services. Adequate vehicular and pedestrian circulation has been providing throughout the site. Proper fire safety accommodations have been provided. Off-street parking for the Kiddle Academy has presented at one space per faculty plus one space per 5 children. Stacking will not be an issue as parents will be required to park in a parking space and enter the building to sign children in and out. The proposed landscape has been shown to meet screening requirements and enhance the overall site aesthetics.

Development Schedule

The Kiddle Academy anticipates estimated to start construction on August 2020. The grand opening day projected on August 2021.

[illegible]

PROJECT CONTACT LIST	
OWNER WHITING-CRENSHAW LLC (601) 399-5500 1001 PINE BLVD. STE A FLORENCE, AL 36505 KYLE A. ADAMS 404-363-3222	DEVELOPER BUTTER & BROWN DEVELOPMENT LLC 5500 W. 10TH AVE. STE 200 DENVER, CO 80202 510-949-8800 248-277-4830
CONTRACTOR THOMAS T. LEWIS ENGINEERING 1708 BROADWAY DR. STE. 110 ANN ARBOR, MI 48106 ANNEZEE T. PUGH 466-173-2028	ARCHITECT MCMURDO 248-277-4830

SITE LEGEND

- CROSS-SECTION PROFILE
- FENCE
- PAVING SPACES
- STREET LIGHTS
- LANDSCAPE TREES
- PARKING LOT
- HANDICAPED PARKING SPACE
- BOLLARD
- TERRACE ARBOUR
- FIRE HYDRANT
- CLAMP SIGN
- LIGHT POLE

[illegible]

NO.	DATE	DESCRIPTION	BY
	04/15/2020	1st CITY SUBMITTAL	AT
	06/15/2020	2nd CITY SUBMITTAL	AT



The figure displays three architectural elevations of the Kiddle Academy building, a two-story structure with a dark brown roof and light beige walls. The building features multiple windows with blue shutters and a central entrance with a small porch. The elevations are labeled as follows:

- FRONT ELEVATION:** Shows the main facade of the building, including the entrance and a large window on the right side.
- REAR ELEVATION (NOT SEEN FROM ROAD):** Shows the back of the building, featuring a large covered area and a small structure on the left.
- LEFT ELEVATION:** Shows the side profile of the building, highlighting the roofline and the side entrance.

LEGEND:

- DARK BROWN: FINISH PAINT
- NEW CAST STONE: SILL
- STUCCO: 1 - CRACK FREE, SANDPAPER FINE, SANDPAPER FINE
- BRICK: 1 - CRACK FREE, SANDPAPER FINE, SANDPAPER FINE
- ASPHALT: SINGLE, REPAIRS, REPAIRS, REPAIRS
- GUTTERS: 4, DOWNPOUTS, WHITE
- STONE: UNPAINTED, BRICK, BRICK, BRICK
- DOORS: 4, UNPAINTED, WHITE

Letter of Opposition

From: [Susan Reynolds](#)
To: [Jackie Reyff](#)
Subject: 6412 & 6416 Colleyville Blvd
Date: Wednesday, July 1, 2020 1:35:04 PM

Writing to state we oppose the request for Kiddie Academy to be on this property listed above.

The applicant has not improved the layout of this daycare to not infringe on neighboring residents. We being one of them.

Sincerely,

Doug & Susan Reynolds

6417 Kingston

Colleyville

Sent from my iPhone

Letter of Opposition

Araceli Botello

Subject: FW: Drainage problem concerning 6412 and 6416 Colleyville Blvd.

From: Tim Pullen

Sent: Tuesday, July 7, 2020 1:16 PM

To: Ben Bryner

Subject: Drainage problem concerning 6412 and 6416 Colleyville Blvd.

In the past, we have never had a drainage issue behind our house. Ever since they regraded the lot and put up a fence, we have a standing water problem after it rains. This year we have had heavy rain which has resulted in approximately 6 inches of water around our outbuilding. Sometimes it lasts for over a day. The water has caused the entrance and patio stones to shift. It's only a matter of time before the inside and structure has damage.

I met with Randy Bright who is the Environmental Compliance Officer a few weeks ago after a heavy rain. He looked at our problem and would see what he could do. A few hours later he called and said that he dug a small trench into the field to help the drainage. Randy showed true public service.

Our real concern is if the day care is built, we will have this issue start over again.
Thank you for your time.

Tim and Gayline Pullen
6501 Kingston Dr.

Sent from [Mail](#) for Windows 10



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 3b	Agenda Date 7/13/2020	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of an amendment to the PUD-C Planned Unit Development-Commercial district for the Winding Creek development, specifically for hours of operation on Lots 9R and 10R, Block 1, of the Winding Creek Addition, located at 6412 and 6416 Colleyville Boulevard, Case ZC20-012

Explanation

Stephen Brown, the applicant, has submitted a request for an amendment to the existing PUD-C Planned Unit Development – Commercial ordinance for the Winding Creek development, being approximately 1.41 acres, and zoned PUD-C Planned Unit Development – Commercial. The purpose is to amend the PUD-C's hours of operation from 7:00 a.m. – 8:00 p.m. to 6:30 a.m. – 6:30 p.m. specific to Lots 9R and 10R for a child care facility.

Existing Conditions/Background: The subject property is currently known as the Winding Creek development and is developed as an office park with the Montclair Wedding Venue Commercial retail uses are permitted on properties adjacent to Colleyville Boulevard. The proposed business would be a 10,000 s.f. day care center.

Proposed Amendment:

Request – The applicant requests to change the PUD Ordinance to change the hours of operation for the child day care center to 6:30 a.m. – 6:30 p.m. Monday – Friday.

Analysis: The requested PUD-C amendment will establish hours of operation similar to other child day care facilities in Colleyville. The Crème de la Crème child day care center's hours of operation are 6:30 a.m. to 6:30 p.m. Monday - Friday

Surrounding Development: The property to the north and east are zoned PUD-C Planned Unit Development - Commercial and is unimproved lots within the Winding Creek development. The property to the south is zoned AG Agricultural and is unimproved. Properties to the west are zoned R-20 Single Family Residential and are improved with single family homes.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for commercial development. The proposed change to

the PUD-C ordinance 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 of the requested amendment. The proposed amendment to the existing PUD-C ordinance adjusting the hours of operation would comply with Colleyville development regulations and the comprehensive plan.

Recommendation

Approve

Attachments

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

Aerial Map



ZC20-012

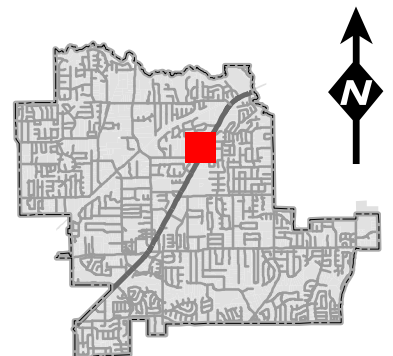
6412-6416 Colleyville Blvd

DISCLAIMER:

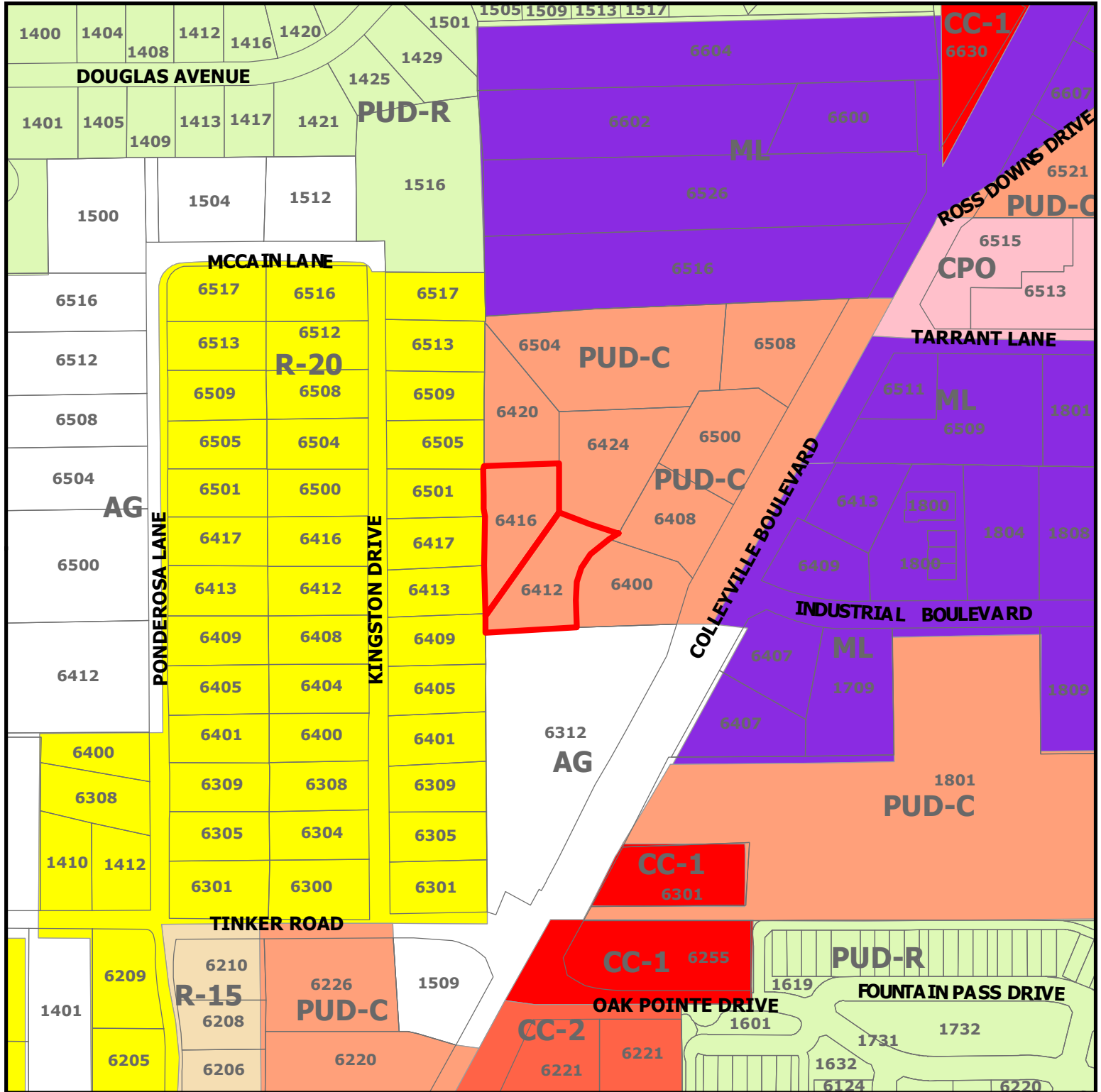
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which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



Subject Property



Zoning Map

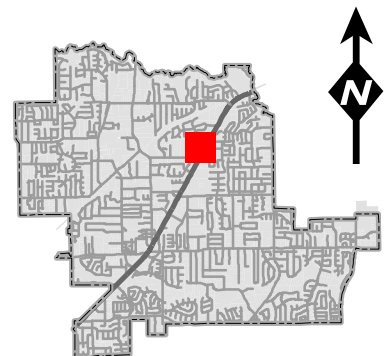


ZC20-012

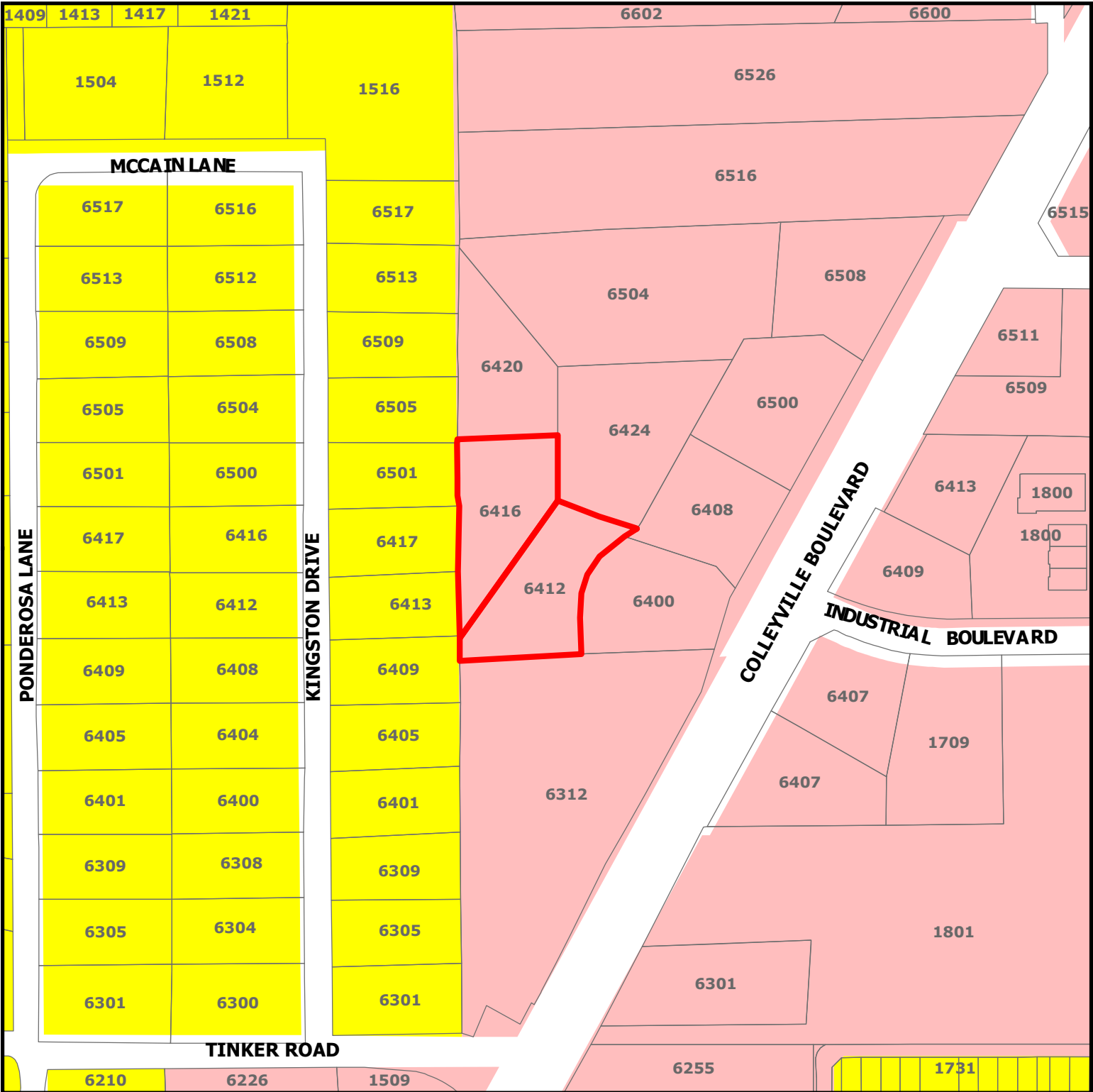
6412-6416 Colleyville Blvd

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 Subject Property



Future Land Use Map

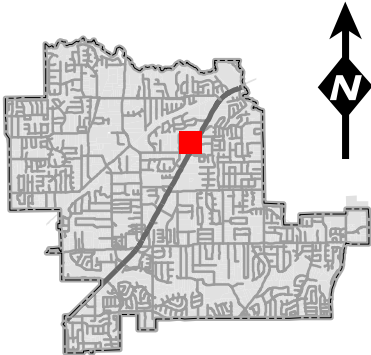


ZC20-012

6412-6416 Colleyville Blvd

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-  Subject Property
-  Residential
-  Colleyville Blvd Corridor



Statement of Planning Objectives



T: 469.331.8566 | F: 469.359.6709 | W: triangle-engr.com | O: 1784 W McDermott Drive, Suite 110, Allen, TX 75013

State of Planning Objectives

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Development Schedule

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Bussiness Plan

PROPOSED KIDDIE ACADEMY® OF COLLEYVILLE



05/05/2020

Bussiness Plan

Kiddie Academy of Colleyville TX

OPERATIONAL INFORMATION

Days of Operation:	Monday thru Friday
Hours of Operation:	6:30 AM - 6:30 PM
Holiday Closings:	6 Major Holidays
Square Footage:	10,000 sq/ft

Bussiness Plan

OUTDOOR PLAY AREA

- Total playground square footage: **9,252** square feet
- Play area divided into a minimum of three separate play areas for safety.
- Infant/toddler area approximately: **1,864** square feet
- Pre-school play area approximately: **3,294** square feet, and
- School age play area approximately **4,094** square feet
- Children will have outdoor play twice a day.
- Outdoor play schedules will rotate in accordance with program scheduling (see below). This proposed play schedule is provided for illustrative purposes only and is subject to change based upon age groups.

Infant/Toddler Playground Schedule

- The largest infant/toddler group size at any given time would be **47** children allowing **80** square feet per child.

Morning

Staff/Child Ratio	Age Group	Time Schedule
1:4	Infant	10:00 - 10:30 AM
1:9 max	toddler	10:30 - 11:00 AM
1:11	2 years	11:00 - 11:30 AM

Afternoon

Staff/Child Ratio	Age Group	Time Schedule
1:4	Infant	3:00 - 3:30 PM
1:9 max	toddler	3:30 - 4:00 PM
1:11	2 years	4:00 - 4:30 PM

Pre-School and School Age Playground Schedule

- The largest group size at any given time would be **48** children allowing **80** square feet per child.

Morning

Staff/Child Ratio	Age Group	Time Schedule
1:15	3 years	9:30 - 10:00 AM
1:18	4 years	10:00 - 10:30 AM
1:22	5 years	10:30 - 11:00 AM

Afternoon

Staff/Child Ratio	Age Group	Time Schedule
1:15	3 years	3:00 - 3:30 PM
1:18	4 years	3:30 - 4:00 PM
1:22	5 years	4:00 - 4:30 PM

Bussiness Plan

TRAFFIC FLOW

CAPACITY

190

PARENT PARKING

DROP OFF AM

Time	Children Drop Off	Cumulative Children	Number of Cars	Time	Children Drop Off	Cumulative Children	Number of Cars
6:30 - 6:40	4	4	3	8:00 - 8:10	17	99	12
6:40 - 6:50	6	10	4	8:10 - 8:20	17	116	12
6:50 - 7:00	6	15	4	8:20 - 8:30	15	131	11
7:00 - 7:10	8	23	5	8:30 - 8:40	13	144	9
7:10 - 7:20	10	32	7	8:40 - 8:50	13	158	9
7:20 - 7:30	11	44	8	8:50 - 9:00	13	171	9
7:30 - 7:40	11	55	8	9:00 - 9:30	10	181	7
7:40 - 7:50	13	68	9	9:30 - 10:00	6	186	4
7:50 - 8:00	13	82	9	10:00 - 10:30	4	190	3

PICK-UP PM

Time	Children Pick up	Cumulative Children	Number of Cars	Time	Children Pick up	Cumulative Children	Number of Cars
3:00 - 3:10	2	188	1	4:40 - 5:00	13	110	9
3:10 - 3:20	4	184	3	5:00 - 5:10	15	95	11
3:20 - 3:30	4	181	3	5:10 - 5:20	15	80	11
3:30 - 3:40	5	176	3	5:20 - 5:30	17	63	12
3:40 - 3:50	5	171	3	5:30 - 5:40	17	46	12
3:50 - 4:00	6	165	4	5:40 - 5:50	17	29	12
4:00 - 4:10	8	158	5	5:50 - 6:00	11	17	8
4:10 - 4:20	10	148	7	6:00 - 6:10	8	9	5
4:20 - 4:30	11	137	8	6:10 - 6:20	6	4	3
4:30 - 4:40	13	124	9	6:20 - 6:30	4	0	3

PARENT AND STAFF PARKING

TOTAL (AM)

Time	# of Staff at Academy	Total Cars (Staff & Parents)*		Time	# of Staff at Academy	Total Cars (Staff & Parents)*
6:30 - 6:40	2	5		8:00 - 8:10	13	23
6:40 - 6:50	3	7		8:10 - 8:20	15	25
6:50 - 7:00	4	8		8:20 - 8:30	16	25
7:00 - 7:10	5	10		8:30 - 8:40	18	25
7:10 - 7:20	6	12		8:40 - 8:50	19	26
7:20 - 7:30	7	14		8:50 - 9:00	21	27
7:30 - 7:40	8	15		9:00 - 9:30	22	26
7:40 - 7:50	10	18		9:30 - 10:00	22	24
7:50 - 8:00	11	19		10:00 - 10:30	23	23

*Considers 15% of Staff do not park a car at the Academy

Mid-day	Total Projected Cars*
10:30 - 3:00	20

TOTAL (PM)

Time	# of Staff at Academy	Total Cars (Staff & Parents)*		Time	# of Staff at Academy	Total Cars (Staff & Parents)*
3:00 - 3:10	24	25		4:40 - 5:00	13	22
3:10 - 3:20	23	25		5:00 - 5:10	11	22
3:20 - 3:30	23	25		5:10 - 5:20	10	20
3:30 - 3:40	22	25		5:20 - 5:30	8	20
3:40 - 3:50	20	23		5:30 - 5:40	6	18
3:50 - 4:00	19	23		5:40 - 5:50	4	16
4:00 - 4:10	18	23		5:50 - 6:00	3	11
4:10 - 4:20	17	24		6:00 - 6:10	2	7
4:20 - 4:30	16	24		6:10 - 6:20	2	5
4:30 - 4:40	15	24		6:20 - 6:30	2	5

*Considers 15% of Staff do not park a car at the Academy

Bussiness Plan

TRAFFIC FLOW RESULTS

Drop off / Pick up Schedules of Children

- Approximately **115** parent cars are projected during peak drop off (7:00 – 9:00 AM) in intervals of 10 minutes.
- Approximately **104** parent cars are projected during peak pick up (4:00 – 6:00 PM) in intervals of 10 minutes.
- Approximately 1/3 of children enrolled in program are 2 sibling households.

Staff Parking

- A maximum of **17** teachers and two (2) administrators (part time food service personnel and director) are planned to maintain staff/child ratios and management of the academy throughout the day. This equates to a total of **19** staff members.
- Approximately 15% of staff is dropped off at the academy or has another means of transportation to the academy.

Total Projected Parking

- The projected total number of parent and staff cars for any period of time is **27**

MEP ENGINEER

STRUCTURAL ENGINEER

ELECTRONIC (AUTOCADD) FILES INCLUDING ARCHITECTURAL, STRUCTURAL, FIRE PROTECTION, HVAC, PLUMBING, & ELECTRICAL, WILL NOT BE SUBMITTED TO THE OWNER BY THE GENERAL CONTRACTOR OR THE SUBCONTRACTORS, EXCEPT FOR THE FIRE PROTECTION CONTRACT WITH A PAYMENT OF \$500 / SHEET.

ALL CONTRACTORS SHALL REVIEW ALL DRAWINGS AND SPECIFICATIONS. CONTRACTORS AND SUBCONTRACTORS ARE RESPONSIBLE FOR VERIFYING ALL ITEMS AFFECTING ALL TRADES ARE PLACED THROUGHOUT THE SET. ITEMS NOT IN "EXTRA'S" FOR MISSED ITEMS IN OTHER SECTIONS WILL BE PERMITTED. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT OF ANY AMBIGUITY, INCONSISTENCY, OR CONFLICT. THEY DISCOVER UPON EXAMINATION OF THE DRAWINGS. THE CONTRACTOR SHALL OBTAIN LOCAL CONDITIONS. DO NOT SCALE DRAWINGS, USE DIMENSIONS PROVIDED ON DRAWINGS.

THIS DOCUMENT IS RELEASED FOR THE SOLE PURPOSE OF OWNER REVIEW. REPEATING, REPRODUCING, OR TRANSMITTING IN ANY MANNER, OR BARRER JAIL OR IMPRISONMENT, IF IT NOT INTENDED FOR USE FOR ANY OTHER CONSTRUCTION PROJECT, PERMITS ARE ISSUED.

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ecr18.com

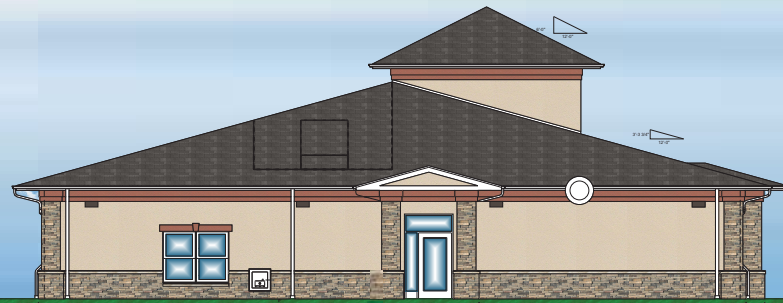
REGISTERED ARCHITECT
INDEPENDENT SINCE 1911
CALIFORNIA
18000
H. Ker

400 CENTRE STREET, SUITE 100, LOS ANGELES, CA 90012

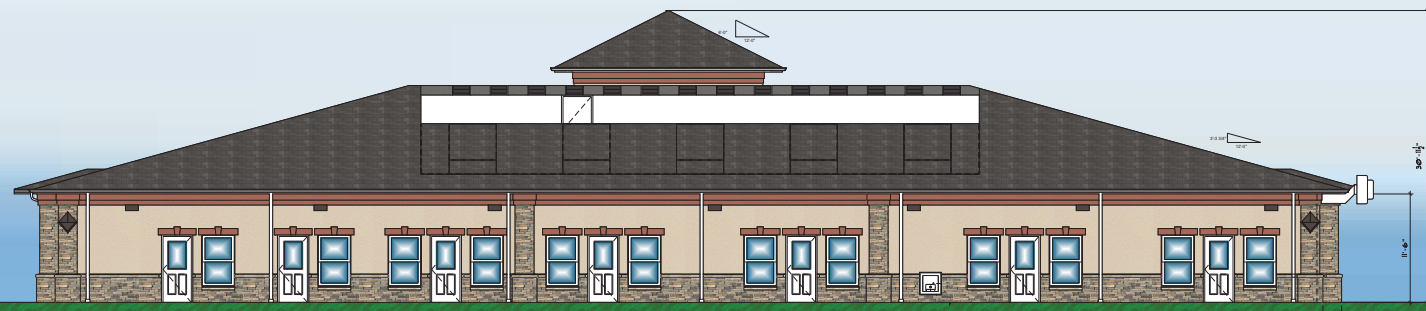
EXTERIOR ELEVATIONS
RENDERING



LI	RIGHT ELEVATION
A101	SCALE 3/16" = 1'-0"



L9	LEFT ELEVATION
A101	SCALE 3/16" = 1'-0"



G1	REAR ELEVATION (NOT SEEN FROM ROAD)
A101	SCALE 3/16" = 1'-0"



CI	FRONT ELEVATION
A101	SCALE 3/16" = 1'-0"

PRE-CAST
STONE SILL

STUCCO #1 - DRYVIT
#113 AMARILLO WHITE,
SANDPEBBLE FINE
FINISH

STUCCO #2 - DRYVIT
#365A IRISH COFFEE,
SANDPEBBLE FINE
FINISH

ASPHALT SHINGLE
ROOFING GAF -
WEATHERED WOOD

GUTTERS &
DOWNSPOUTS
WHITE

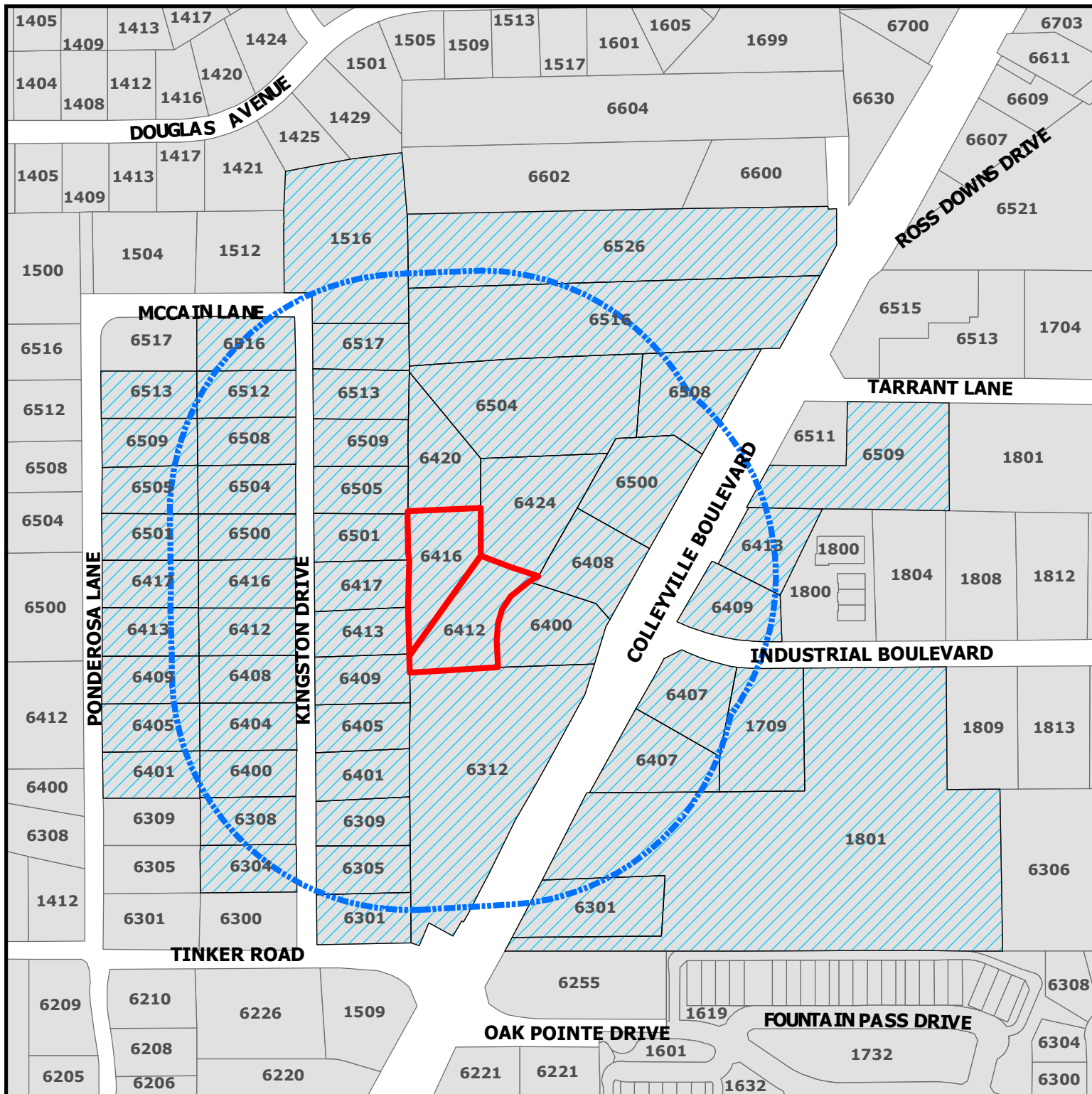
STONE WAINSCOTING
BORAL STONE -
DRystack -
CHARDONNAY

DOORS & WINDOWS
- WHITE

A1	LEGEND
A101	SCALE NTS

A200

Notification Map



ZC20-012

6412-6416 Colleyville Blvd

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.



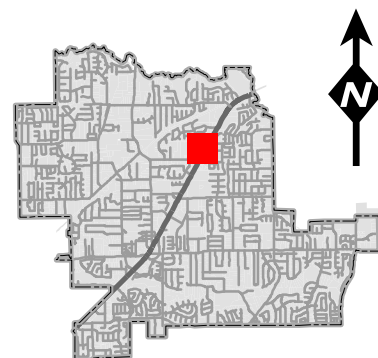
Subject Property



500ft Buffer



Properties within 500ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6500 COLLEYVILLE BLVD
3 J GREEN LIMITED PARTNERSHIP	6620 COLLEYVILLE BLVD STE 100	COLLEYVILLE, TX	76034	6508 COLLEYVILLE BLVD
3 J GREEN LIMITED PARTNERSHIP	6620 COLLEYVILLE BLVD STE 100	COLLEYVILLE, TX	76034	6630 COLLEYVILLE BLVD
6515 COLLEYVILLE LLC	6508 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6513 TARRANT LN
6515 COLLEYVILLE LLC	6508 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6515 TARRANT LN
7 MOON INVESTMENT INC	7009 COLE CT	COLLEYVILLE, TX	76034	6312 COLLEYVILLE BLVD
ADDITIONAL SELF STORAGE LP	2964 LBJ FRWY STE 400	DALLAS, TX	75234	1801 INDUSTRIAL BLVD
AMERICA'S STORAGE	4311 OAK LAWN AVE STE 360	DALLAS, TX	75219	6511 COLLEYVILLE BLVD
AMERICA'S STORAGE	4311 OAK LAWN AVE STE 360	DALLAS, TX	75219	1801 TARRANT LN
AMERICA'S STORAGE	4311 OAK LAWN AVE STE 360	DALLAS, TX	75219	6509 COLLEYVILLE BLVD
ARROYO NORTE LTD	6516 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6600 COLLEYVILLE BLVD
BAILEY, ARVEL W	PO BOX 747	COLLEYVILLE, TX	76034	1504 MCCAIN LN
BIERIG, KELLY D	1425 DOUGLAS AVE	COLLEYVILLE, TX	76034	1425 DOUGLAS AVE
BITTICK, EDWARD D	6405 KINGSTON	COLLEYVILLE, TX	76034	6405 KINGSTON DR
BOULEVARD ANIMAL HOSPITAL PC	6413 COLLYVILLE BLVD	COLLEYVILLE, TX	76034	6413 COLLEYVILLE BLVD
BOWDEN, GERALD W	850 AVENIDA SERENA	MARBLE FALLS, TX	78654	6516 COLLEYVILLE BLVD
BOYLES, MARTIN	6505 PONDEROSA LN	COLLEYVILLE, TX	76034	6505 PONDEROSA LN
BRASHEAR, H C	5616 BELFAST LN	NORTH RICHLAND HILLS, TX	76180	6400 KINGSTON DR
CANNADAY, MARY	6413 KINGSTON	COLLEYVILLE, TX	76034	6413 KINGSTON DR
CAVINS, ANDREW	6513 PONDEROSA LN	COLLEYVILLE, TX	76034	6513 PONDEROSA LN
COMBINED ENTERPRISES INC	1802 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	1800 INDUSTRIAL BLVD
COMBINED ENTERPRISES INC	1802 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	1800 INDUSTRIAL BLVD
COMBINED ENTERPRISES INC	1802 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	1800 INDUSTRIAL BLVD
COMBINED ENTERPRISES INC	1802 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	1800 INDUSTRIAL BLVD
COMBINED ENTERPRISES INC	1802 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	1800 INDUSTRIAL BLVD
CROCKER, RHONDA	6500 KINGSTON	COLLEYVILLE, TX	76034	6500 KINGSTON DR
DACY, TIMOTHY LANCE	5705 MORLAIX CT	COLLEYVILLE, TX	76034	6516 KINGSTON DR
DIMITROV, LACHEZAR P	6509 KINGSTON	COLLEYVILLE, TX	76034	6509 KINGSTON DR
DOUGLAS, SCOTT E	6308 KINGSTON	COLLEYVILLE, TX	76034	6308 KINGSTON DR
FENNEMA, SEAN	6513 KINGSTON DR	COLLEYVILLE, TX	76034	6513 KINGSTON DR
FISH, ROBERT	6401 KINGSTON	COLLEYVILLE, TX	76034	6401 KINGSTON DR
FLIPPIN, LINDA M	6405 PONDEROSA LN	COLLEYVILLE, TX	76034	6405 PONDEROSA LN
FRANKLIN, THOMAS C	6413 PONDEROSA LN	COLLEYVILLE, TX	76034	6413 PONDEROSA LN
FUQUA, WILLIAM L	6517 PONDEROSA LN	COLLEYVILLE, TX	76034	6517 PONDEROSA LN
GABLE, STEPHAN D	6412 KINGSTON	COLLEYVILLE, TX	76034	6412 KINGSTON DR
GARRETT, KENNETH	6517 KINGSTON	COLLEYVILLE, TX	76034	6517 KINGSTON DR
GLASS, THOMAS	6304 KINGSTON	COLLEYVILLE, TX	76034	6304 KINGSTON DR
HANZELKA, JOSEPH R	6508 KINGSTON	COLLEYVILLE, TX	76034	6508 KINGSTON DR
HARRISON, MARK	1421 DOUGLAS AVE	COLLEYVILLE, TX	76034	1421 DOUGLAS AVE
HILDRETH, BRADLEY E	6409 KINGSTON	COLLEYVILLE, TX	76034	6409 KINGSTON DR
INGRAM, BEVERLY	212 STRATFORD CT	HURST, TX	76054	6409 COLLEYVILLE BLVD
J&C SERVICE GROUP LLC	6521 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6521 COLLEYVILLE BLVD
JACKSON, SHANE	1512 MCCAIN LN	COLLEYVILLE, TX	76034	1512 MCCAIN LN
JACKSON, STEVEN P	1501 DOUGLAS AVE	COLLEYVILLE, TX	76034	1501 DOUGLAS AVE
JAMZ AVB HOLDINGS LLC	7135 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6504 COLLEYVILLE BLVD
JOHNSON, WHITNEY	6401 PONDEROSA LN	COLLEYVILLE, TX	76034	6401 PONDEROSA LN
LACZNY, WILLIAM G	6408 KINGSTON	COLLEYVILLE, TX	76034	6408 KINGSTON DR
LORD, M'LINDA	6301 KINGSTON DR	COLLEYVILLE, TX	76034	6301 KINGSTON DR
MALONE, DERRICK L	6115 GARCIA LN	FORT WORTH, TX	76140	6301 COLLEYVILLE BLVD
MARS, MARK	1429 DOUGLAS AVE	COLLEYVILLE, TX	76034	1429 DOUGLAS AVE
MCCAIN, NORMA	PO BOX 92185	SOUTHLAKE, TX	76092	1516 MCCAIN LN
MOELLER, KARLA S	6501 PONDEROSA LN	COLLEYVILLE, TX	76034	6501 PONDEROSA LN
PHETTEPLACE, NATHAN	6404 KINGSTON	COLLEYVILLE, TX	76034	6404 KINGSTON DR
PULLEN, TIMOTHY B	6501 KINGSTON	COLLEYVILLE, TX	76034	6501 KINGSTON DR
REYNOLDS, DOUGLAS	6417 KINGSTON	COLLEYVILLE, TX	76034	6417 KINGSTON DR
REYNOLDS, LESLIE	6604 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6604 COLLEYVILLE BLVD
RICHARDSON, BOBANNE	6409 PONDEROSA LN	COLLEYVILLE, TX	76034	6409 PONDEROSA LN
RICHFIELD PROPERTIES INC	2140 E SOUTHLAKE BLVD SUITE L-	SOUTHLAKE, TX	76092	6407 COLLEYVILLE BLVD
RYAN, GERALD CASEY	6509 PONDEROSA LN	COLLEYVILLE, TX	76034	6509 PONDEROSA LN
SANDERS, BAILEY	6305 KINGSTON	COLLEYVILLE, TX	76034	6305 KINGSTON DR
SELECT ROOFING LLC	6605 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6605 COLLEYVILLE BLVD
SHEARS, THOMAS T TR EST	PO BOX 33349	FORT WORTH, TX	76162	6504 KINGSTON DR
SIMS, REX A	6505 KINGSTON	COLLEYVILLE, TX	76034	6505 KINGSTON DR
SMITH, CHARLES L	6417 PONDEROSA LN	COLLEYVILLE, TX	76034	6417 PONDEROSA LN
SNEED, FRANK	6309 KINGSTON	COLLEYVILLE, TX	76034	6309 KINGSTON DR
SPARKS SOUTHWEST INC	1804 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	1804 INDUSTRIAL BLVD
THOMAS, MATHEW	6416 KINGSTON ST	COLLEYVILLE, TX	76034	6416 KINGSTON DR
TIERNEY, THOMAS A	1709 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	1709 INDUSTRIAL BLVD
TIERNEY, TOM	1709 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	6400 COLLEYVILLE BLVD
TONDRE, ZACHARY	6512 KINGSTON DR	COLLEYVILLE, TX	76034	6512 KINGSTON DR
TRES ROSAS LTD	6516 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6526 COLLEYVILLE BLVD
TRES ROSAS LTD	6516 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6602 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6420 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6416 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6424 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6412 COLLEYVILLE BLVD
WINDING CREEK VILLAGE LLC	1801 PRECINCT LINE RD STE A	HURST, TX	76054	6408 COLLEYVILLE BLVD
YARD ART P&F LTD	1223 CRESTSIDE DR STE 100	COPPELL, TX	75019	6407 COLLEYVILLE BLVD
MONTERRA ADDITION	6811 MILTON DR	COLLEYVILLE, TX	76034	COURTESY NOTICE
ROSS DOWNS ESTATES	4113 GATEWAY DRIVE #100	COLLEYVILLE, TX	76034	COURTESY NOTICE
VILLAS AT OAK POINTE, THE	2555 SW GRAPEVINE PARKWAY, SUITE 300	GRAPEVINE, TX	76051	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
BROWN, STEPHEN	5801 TENNYSON PARKWAY, SUITE 150	PLANO, TX	75024	APPLICANT

Public hearing notices were mailed out on June 26, 2020



NOTICE OF PUBLIC HEARING

«Owner Name»

«Owner Address»

«Owner City» «Owner Zip»

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

Planning and Zoning Commission Meeting: Monday, July 13, 2020 at 7:00 p.m.
City Council Meetings: Tuesday, August 4, 2020 & Tuesday, August 18, 2020 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of an amendment to the PUD-C Planned Unit Development-Commercial district for the Winding Creek development, specifically for hours of operation. The purpose is to allow for the child daycare facility, Kiddie Academy Day Care to operate between the hours of 6:30 a.m. to 6:30 p.m. in lieu of the 7:00 a.m. to 8:00 p.m. hours of operation as required by the PUD-C Ordinance.

Zoning Case: ZC20-012

Applicant: Stephen Brown

Owner: Kevin Afkami

Location: 6412 and 6416 Colleyville Blvd

Property Description: Lot 9R and 10R, Block 1, of the Winding Creek Addition

Present Zoning: PUD-R Planned Unit Development-Residential

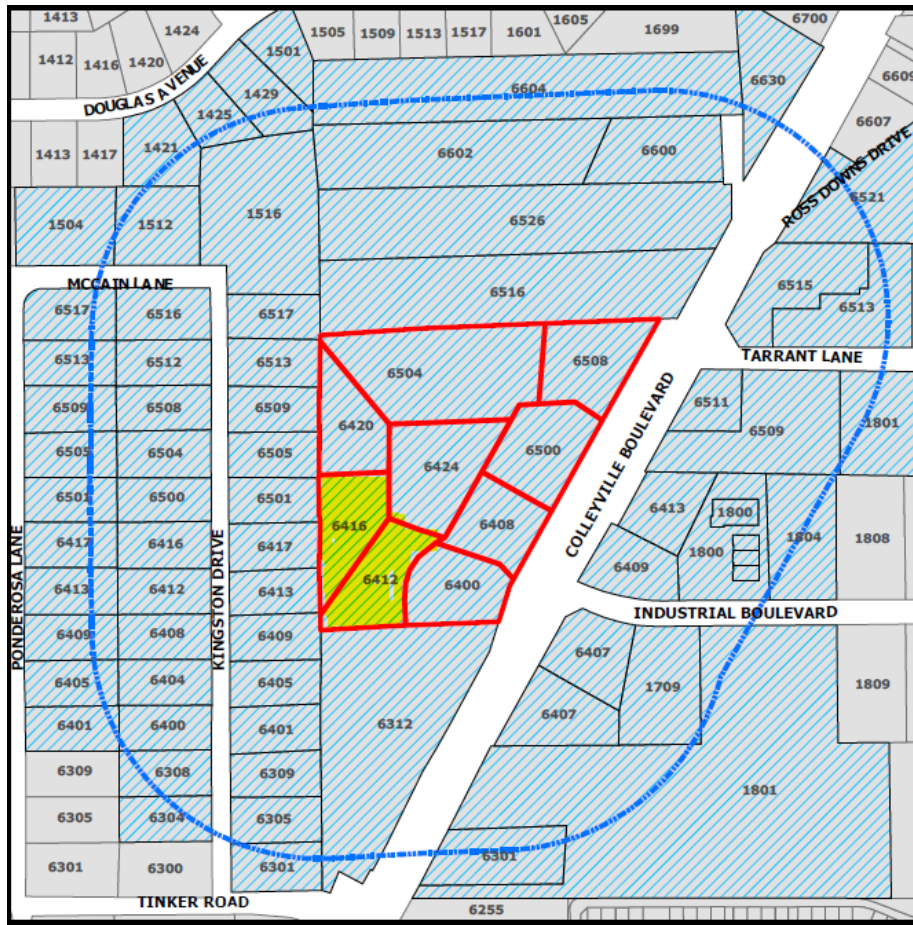
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a 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**

NOTICE OF PUBLIC HEARING

If the property owners of 20% or more of the land included in the proposed change or land within a 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 76034. 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-20-XXXX

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING PLANNED UNIT DEVELOPMENT ORDINANCE O-09-1736, BY AUTHORIZING AN AMENDMENT TO ALLOW FOR A CHILD DAYCARE FACILITY TO OPERATE BETWEEN THE HOURS OF 6:30 A.M. TO 6:30 P.M. IN LIEU OF THE 7:00 A.M. TO 8:00 P.M. HOURS OF OPERATION; 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 to amend the hours of operation for a childcare facility from 6:30 a.m. to 6:30 p.m. Monday- Friday, Case No. ZC20-012; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning 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 City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

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

- Sec. 1. THAT Ordinance O-09-1736 of the City of Colleyville, Texas, be, and the same is hereby amended by allowing for a child day care facility to operate between the hours of 6:30 a.m. to 6:30 p.m. Monday- Friday on 1.41 acres, being Lots 9R & 10R Block 1, of the Winding Creek located at 6412 and 6416 Colleyville Boulevard as shown in Exhibit "A"
- .

Sec. 2. THAT the Ordinance O-09-1736 shall be subject to the following condition:

1. GENERAL

a. 10. Other

b. For any building not fronting on State Highway 26, the hours of operation shall not exceed 7:00 a.m. to 8:00 p.m. and specifically for a child daycare facility on lots 9R and 10R the hours of operation shall not exceed 6:30 a.m. to 6:30 p.m. Monday – Friday.

Sec. 3. 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. 4. 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. 5. 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. 6. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of August 2020.

The second reading and public hearing being conducted on the 18th day of August 2020.

PASSED AND APPROVED BY A VOTE OF _ AYES, _ NAYS, AND _ ABSTENTIONS
ON THIS THE 18th DAY OF AUGUST 2020.

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:

Whitt Wyatt
City Attorney

Exhibit "A" – Ordinance Exhibit

1. GENERAL

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

2. SITE PLAN AND PLATTING

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

3. PERMITTED AND PROHIBITED USES

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

4. BUILDINGS AND SITE PLAN APPROVAL

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

d. All buildings constructed as part of this development shall meet the minimum design score of 30 as described in Chapter 6-Building Design in the Land Development Code.

5. PARKING

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

6. LIGHTING

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

7. LANDSCAPING, BUFFERING AND OPEN SPACE

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

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

c. A 25 foot building setback shall be maintained along the entire western property line where it is adjacent to residential properties.

8. SIDEWALKS

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

b. A minimum four (4) foot sidewalk shall be constructed along all fire lanes and in front of each building when any new structures are built.

9. FENCES AND SCREENING

a. A minimum eight (8) foot masonry screening fence shall be constructed along the entire western property line adjacent to

residential properties prior to the issuance of the certificate of occupancy for any new structures.

10. OTHER

a. A minimum of 221 caliper inches of new trees shall be planted on the subject property per requirements of Chapter 5-Tree Preservation in the Land Development Code prior to the issuance of the certificate of occupancy for the fifth structure built on the subject properties.

b. For any building not fronting on State Highway 26, the hours of operation shall not exceed 7:00 a.m. to 8:00 p.m. and specifically for a child daycare facility on lots 9R and 10R the hours of operation shall not exceed 6:30 a.m. to 6:30 p.m. Monday-Friday.

Letter of Opposition

From: [Susan Reynolds](#)
To: [Jackie Reyff](#)
Subject: 6412 & 6416 Colleyville Blvd
Date: Wednesday, July 1, 2020 1:35:04 PM

Writing to state we oppose the request for Kiddie Academy to be on this property listed above.

The applicant has not improved the layout of this daycare to not infringe on neighboring residents. We being one of them.

Sincerely,

Doug & Susan Reynolds

6417 Kingston

Colleyville

Sent from my iPhone

Letter of Opposition

Araceli Botello

Subject: FW: Drainage problem concerning 6412 and 6416 Colleyville Blvd.

From: Tim Pullen

Sent: Tuesday, July 7, 2020 1:16 PM

To: Ben Bryner

Subject: Drainage problem concerning 6412 and 6416 Colleyville Blvd.

In the past, we have never had a drainage issue behind our house. Ever since they regraded the lot and put up a fence, we have a standing water problem after it rains. This year we have had heavy rain which has resulted in approximately 6 inches of water around our outbuilding. Sometimes it lasts for over a day. The water has caused the entrance and patio stones to shift. It's only a matter of time before the inside and structure has damage.

I met with Randy Bright who is the Environmental Compliance Officer a few weeks ago after a heavy rain. He looked at our problem and would see what he could do. A few hours later he called and said that he dug a small trench into the field to help the drainage. Randy showed true public service.

Our real concern is if the day care is built, we will have this issue start over again.
Thank you for your time.

Tim and Gayline Pullen
6501 Kingston Dr.

Sent from [Mail](#) for Windows 10



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 3c	Agenda Date 7/13/2020	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a Special Use Permit for a Fence to extend into the required street side yard on Lot 1, Block 7, Creekside at Colleyville, Phase 3, located at 3501 Valmur Avenue, Case ZC20-013

Explanation

Cheryl Turner, the applicant, has submitted a request for a Special Use Permit (SUP) for a five foot iron rod fence to encroach into the street side yard setback for a corner lot on Lot 1, Block 7, of the Creekside at Colleyville, being approximately 0.1927 acres, and zoned PUD-R Planned Unit Development- Residential district.

Existing Conditions/Background: The subject property, 3501 Valmur Avenue, has PUD-R zoning and is located on the southeast corner at the intersection of Petrus Boulevard and Valmur Avenue. The subject property is planned for a new single family residence.

The applicant was in receipt of an informational letter from Staff dated November 16, 2018 and at that time the Land Development Code allowed for a non-privacy fence (wrought iron, no more than 25% opaque) to be allowed within the street side yard setback and even along the exterior side property line.

A building permit was issued for the construction of a new home in April of 2020.

The applicant was informed that the Land Development Code had been amended by the City Council in August of 2019 (Ordinance O-19-2088) and therefore the request by the applicant is not allowed unless approved with an SUP. The applicant subsequently applied for an SUP as allowed per the Land Development Code.

SUP Request:

Request – The applicant is requesting approval of an SUP to allow for a 5 foot iron rod fence to be located approximately five feet from the corner street side property line which is within the street side yard of the property.

Ordinance – Section 3.26 Fences, Free Standing Walls, and Screening Materials Regulations of the Land Development Code establishes the maximum size and location

of fencing to be permitted by staff on a residential lot:

"E. Fence and Free-Standing Wall Setback Requirement:

2. Corner Side Yards: Except where allowed elsewhere in this chapter, no fence or free standing wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction shall extend into the required street side yard. The regulations of 1.a through 1.d above shall apply.

Regulation "2" above applies in this case requiring no fence be allowed to extend into the street side yard which is 15' per the zoning. The applicant proposes to locate a 5 foot iron rod fence to encroach into the side yard setback for a corner lot. The Land Development Code provides the opportunity to modify from the requirements per this:

Special Use Permit Provision: Any request for a building permit for a fence/wall which does not meet the criteria in this Section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

Analysis: Any request for a residential fence which differs from the Land Development Code shall only be authorized after approval of a Special Use Permit by the City Council. The applicant is proposing the fence similar to what was previously allowed in the subdivision prior to August 2019.

Surrounding Development: The properties to the north, south, east and west are zoned PUD-R zoning and contain residential development in the Creekside at Colleyville subdivision.

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 denial as it does not meet the technical requirements of the Land Development Code.

Recommendation

Denial

Attachments

1. Aerial Map
2. Zoning Map

3. Future Land Use Map
4. Statement of Planning Objectives
5. Site Plan
6. Photo Provided by Applicant
7. Letter by Staff
8. Notification Map
9. Notification List
10. Property Owner Notification
11. Draft Ordinance

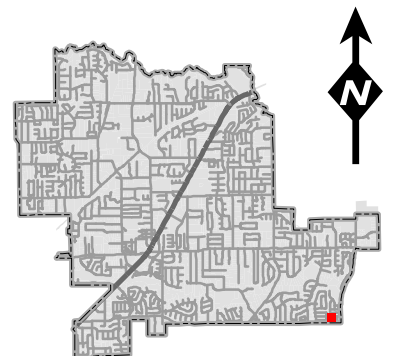
Aerial Map



ZC20-013
3501 Valmur Avenue

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

 Subject Property



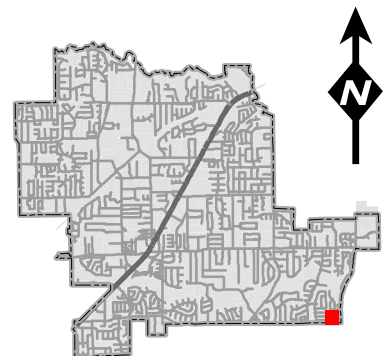
Zoning Map



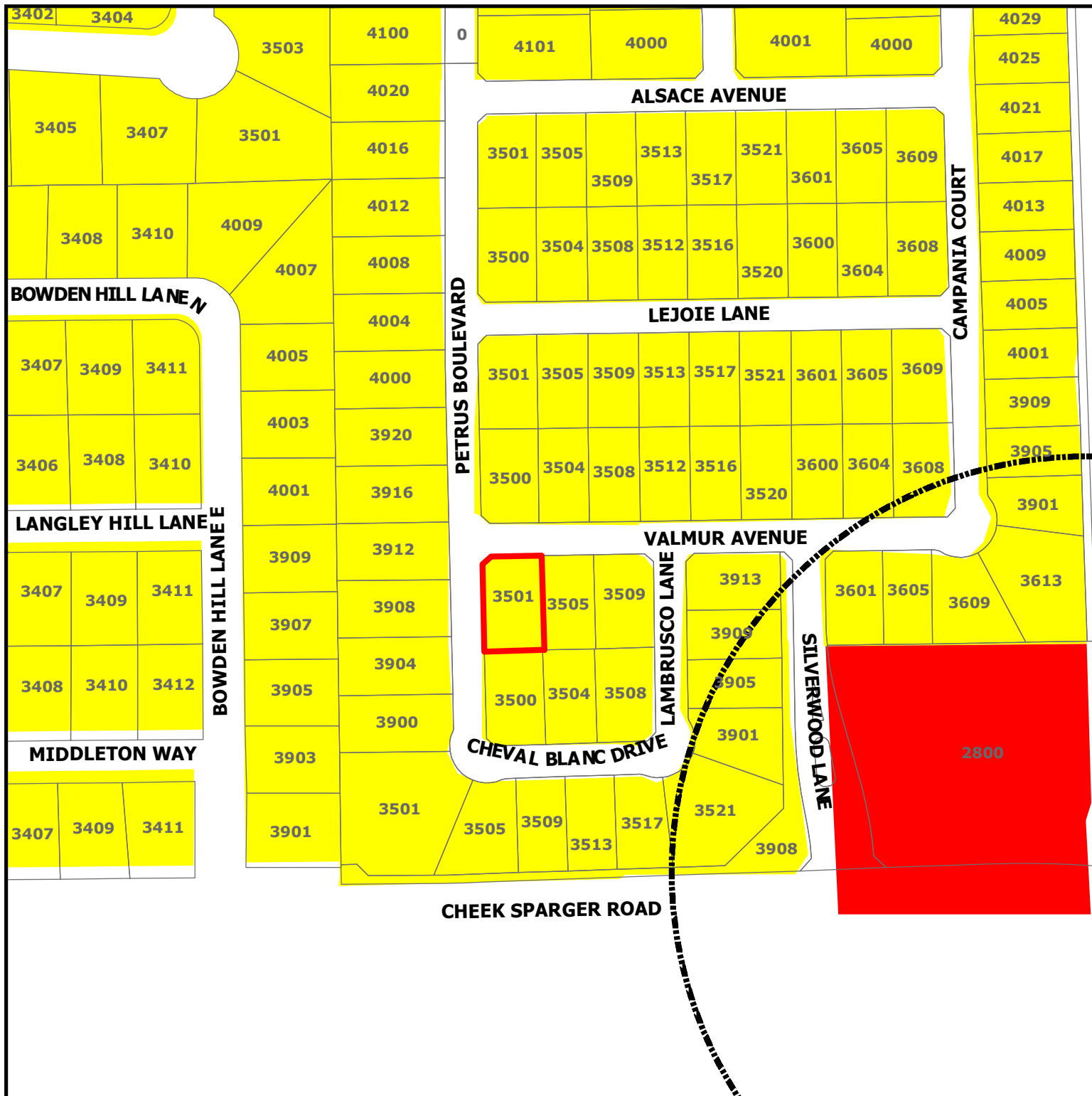
ZC20-013
3501 Valmur Avenue

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 Subject Property

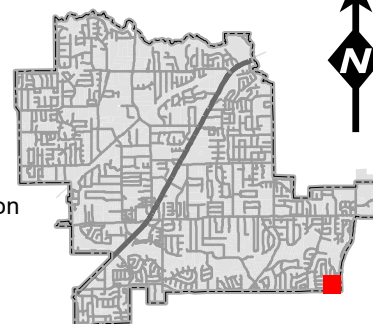


Future Land Use Map



ZC20-013
3501 Valmur Avenue

-  Subject Property
-  Sales Tax Preferred Intersection
-  Residential
-  Commercial



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Statement of Planning Objectives

EXHIBIT TO APPLICATION FOR SPECIAL USE PERMIT FOR A RESIDENTIAL FENCE AT 3501 VALMUR LANE

REQUEST: This SUP is sought to allow a rod iron fence at 3501 Valmur Lane to terminate 18" from the sidewalk, similar to the location of several other rod iron fences in the gated community of Creekside at Colleyville. This fence will be of the same, 5' black rod iron material as all the existing rod iron fences in Creekside at Colleyville. The fence will not exceed 25% opacity.

BACKGROUND:

Applicant MainVue Homes is the builder of 41 single family luxury homes in the gated community of Creekside at Colleyville, Phase 3. Creekside is a very unique community for Colleyville, with smaller (approximately 60' x 115') lot sizes and minimal (5') side yards. Because of the smaller lots, fence locations differing only by a few feet can have a dramatic impact on the amount of a homeowner's usable, private yard.

The subject property is a home under construction on a corner lot.

The property lines for the homes in Creekside at Colleyville Phase 3 terminate at the street, meaning that sidewalks and parkways are within the property boundary for each lot. In early 2018, some confusion arose over allowable locations for fencing. After some discussion, the City of Colleyville issued a letter on November 18, 2018 clarifying that corner lot fences constructed of iron with no more than 25% opacity could extend to 18" from the sidewalk. The letter is attached to this application.

In reliance of the November 18, 2018 letter, the builders in Creekside at Colleyville constructed several homes with rod iron fencing terminating 18" from the sidewalk. One such home is located at 3500 Valmur and is across the street from the subject property. Photographs of the existing fence at 3500 Valmur are attached to this application to show the style and height currently existing in the neighborhood.

In August of 2019, Council adopted O-19-2089, limiting side yard fences to 30" in height and no more than 25% opacity.

BASIS FOR REQUEST:

Over 75% of the homes in Creekside at Colleyville are occupied residences. Many of the occupied homes were allowed to construct fences in various locations beyond the build line, setting the precedent for property owners in this unique, small-lot, gated community to expect the ability to expand their fenced yard. In the case of the subject property, requiring the fence to be placed at the build line only yields a 1055sf private yard. Allowing a rod iron fence as previously allowed in Creekside increases the usable fenced yard to 2301sf. While such a move may be insignificant on a large lot community, in a small lot community, the difference is very significant. The request further allows for consistency by placing the subject fence in the same location as other metal fences in Creekside. The subject home is one of the last to be constructed in Creekside, and not allowing additional back yard space will likely prejudice the value of this home in relation to neighboring properties that were allowed to place their fences outside the build line.

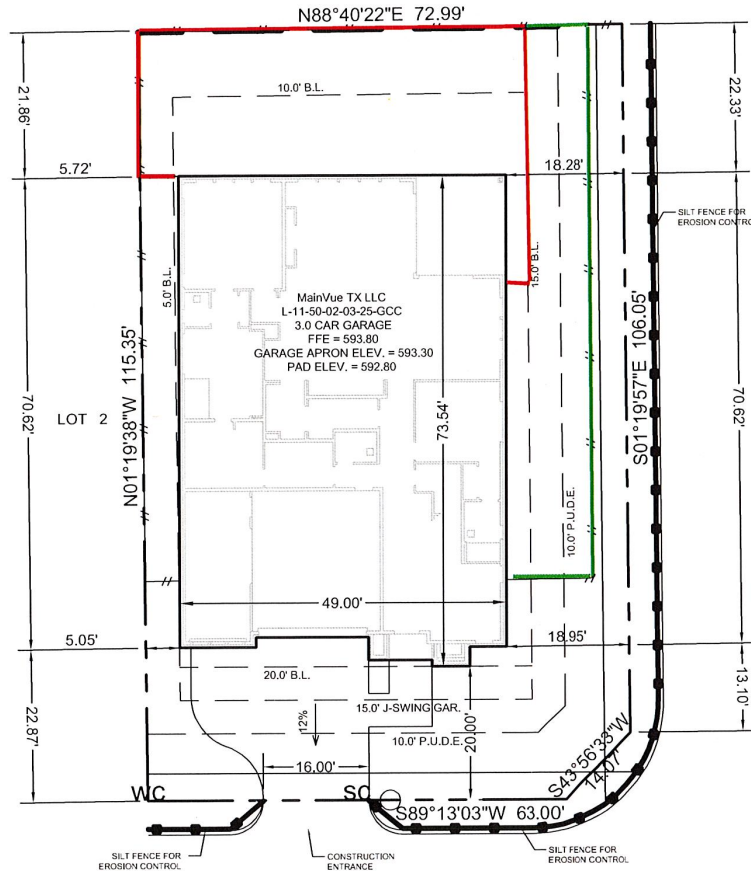
Site Plan

Tarrant County
Lot Area: 8396 Sq.Ft.

SCALE: 1" = 20'

LOT 6

Approved wood fence location
Requested iron fence location



LEGEND:

- - BOUNDARY CORNER
- ⊕ - FIRE HYDRANT
- ⊕ - WATER VALVE
- ⊕ - WATER METER
- ⊕ - IRRIGATION CONTROL VALVE
- ⊕ - STORM DRAIN
- ⊕ - TRANSFORMER
- ⊕ - ELECTRIC JUNCTION BOX
- ⊕ - ELECTRICAL METER
- ⊕ - AIR CONDITIONER
- ⊕ - GAS METER
- ⊕ - COMMUNICATION PEDESTAL
- ⊕ - COMMUNICATION JUNCTION BOX
- ⊕ - CLEAN OUT
- ⊕ - SANITARY SEWER MANHOLE
- ⊕ - SIGN
- ⊕ - MAILBOX
- ⊕ - MISC. VAULT
- ⊕ - ZERO LOT LINE

ABBREVIATIONS:

- IRF - IRON ROD FOUND
- FFE - FINISHED FLOOR ELEVATION
- WC - WATER CONNECTION
- SC - SEWER CONNECTION
- G - GAS CONNECTION
- DG - DROP GARAGE W/ DISTANCE
- FG - FINISHED GRADE
- TW - TOP OF WALL
- BW - BOTTOM OF WALL
- BL - BUILD LINE
- UE - UTILITY EASEMENT
- DE - DRAINAGE EASEMENT
- CONC. - CONCRETE
- NG - NATURAL GROUND
- XXX.X - NG ELEVATION
- XXX.XX - PAVING ELEVATION

LINETYPES:

- WOOD FENCE
- WROUGHT IRON FENCE
- FENCE LINE

NOTE: This plot plan does not represent an on the ground survey. All improvements shown hereon are for illustration purposes only. Builder to verify ALL information and actual improvement locations on this plot plan before construction. Refer to city and/or county approved subdivision construction documents for minimum slab elevation and drainage requirements. Improvements and elevations shown hereon are based on construction plans provided by Builder. Driveway slopes are calculated from garage apron to right-of-way line.

FLATWORK	SQ.FT.	AREAS
Driveway:	597	Lot Area: 8396 s.f.
Citywalk:	735	House & Garage: 3470 s.f.
Approach:	106	House & Driveway: 4067 s.f.
TOTAL:	1438	Total Impervious: 4802 s.f.
SOD	SQ.YDS.	
Front:	109	House & Garage: 41.33 %
Left:	6	House & Driveway: 48.44 %
Back:	346	Impervious Coverage: 57.19 %
Right:	22	
TOTAL:	482	Fence: 251.0 l.f.

REV. DATE DESCRIPTION

1.	2/16/2020	Final, L-11-50-02-03-25-GCC
2.		
3.		
4.		
5.		

SPRY SURVEYORS

8241 Mid-Cities Blvd., Suite 102 • North Richland Hills, TX 76182
PH: 817.776.4049 • sprysurveyors.com • www.sprysurveyors.com
Firm Reg. No. 10112000

builder MainVue TX LLC		
subdivision Creekside at Colleyville		
lot 1	blk 7	phase / section 3
address 3501 Valmur Avenue		city Colleyville, TX
date 2/16/2020	plan L-11-50-02-03-25-GCC	

Photos Provided By Applicant



PROPERTY ACROSS THE STREET
FROM SUBJECT SHOWING EXISTING
FENCE LOCATION. PROPOSED FENCE
TO BE OF SAME HEIGHT AND STYLE.

Letter by Staff



November 16, 2018

RE: Corner Side Street Fencing – Creekside at Colleyville

To Whom It May Concern:

In regard to the type of fencing allowed along/within the exterior side (corner side street) setback, a wrought-iron fence is a permitted fence type under the fencing regulations found within Chapter 3 of the Land Development Code (LDC).

A privacy fence (solid wood or masonry) along the exterior side property is allowed but must be setback from the property line a minimum of 15 feet to the required building setback line. However, a non-privacy fence (wrought iron, no more than 25% opaque) is allowed along the exterior side property and may be located on the property line.

Due to the existence of easements adjacent to the right-of-way that allow for utilities and sidewalks to be located on private property, a minimum 'shy' distance (buffer distance) of 18 inches will be required from the edge of the sidewalk. This will allow for appropriate maintenance of the sidewalk and maneuverability for those using the sidewalks.

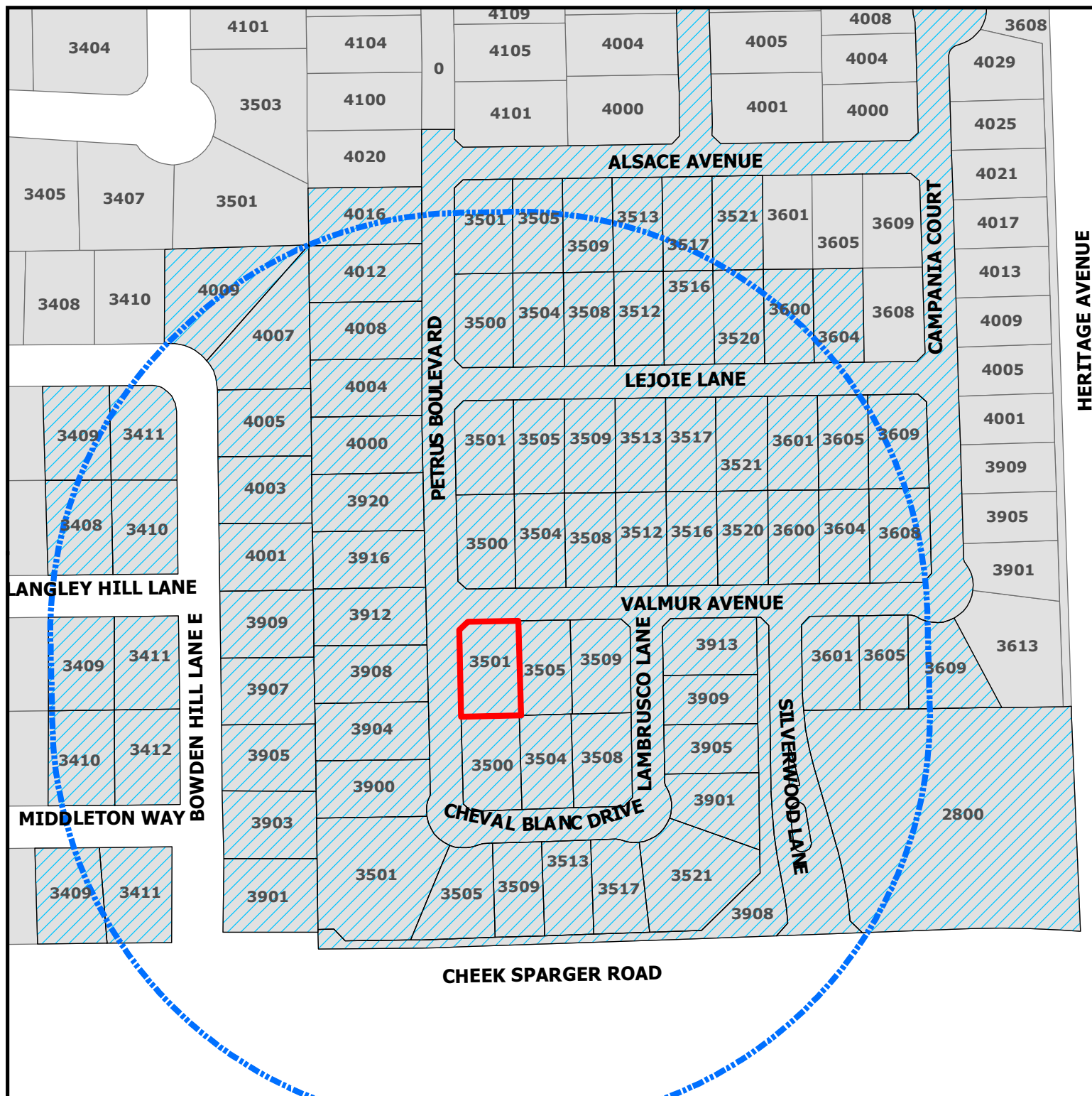
Please contact me for questions or comments.

Sincerely,

A handwritten signature in cursive script that reads "Benjamin L. Bryner".

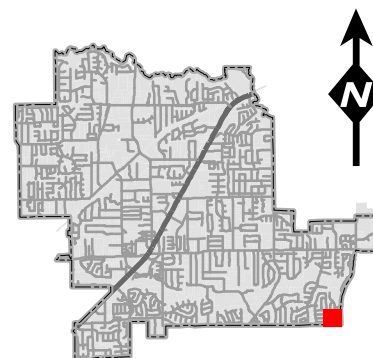
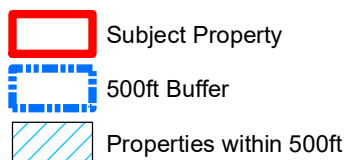
Ben Bryner, AICP
Director, Community Development Department
(817) 503-1052
bbryner@colleyville.com

Notification Map



ZC20-013
3501 Valmur Avenue

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Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
170 PLAYERS LLC	170 PLAYERS CIR	SOUTHLAKE, TX	76092	2800 HERITAGE AVE
AJANI, ZUMERA	3521 CHEVAL BLANC	COLLEYVILLE, TX	76034	3521 CHEVAL BLANC DR
AKERS, THOMAS R	4003 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	4003 BOWDEN HILL LN E
BATES, STEPHEN	3411 LANGLEY HILL LN	COLLEYVILLE, TX	76034	3411 LANGLEY HILL LN
BEYENE, SABA	3508 VALMUR AVE	COLLEYVILLE, TX	76034	3508 VALMUR AVE
BIEHL, STEVE	4001 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	4001 BOWDEN HILL LN E
BILL AND MARY OTTO FAMILY TRUS	3412 MIDDLETON WAY	COLLEYVILLE, TX	76034	3412 MIDDLETON WAY
BOSTICK, JAMES D	3909 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	3909 BOWDEN HILL LN E
BROWN, JOSHUA	3521 ALSACE AVE	COLLEYVILLE, TX	76034	3521 ALSACE AVE
CANTU, GARY	3410 MIDDLETON WAY	COLLEYVILLE, TX	76034	3410 MIDDLETON WAY
CHAN, ELIZABETH	3509 CHEVAL BLANC	COLLEYVILLE, TX	76034	3509 CHEVAL BLANC DR
CHIU, CHIN	3604 LEJOIE LN	COLLEYVILLE, TX	76034	3604 LEJOIE LN
CREEKSIDE AT COLLEYVILLE HOA I	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	3900 SILVERWOOD LN
CREEKSIDE AT COLLEYVILLE HOA I	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	3904 SILVERWOOD LN
DANNER, DELYLE JE	4005 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	4005 BOWDEN HILL LN E
DAVIS, DONALD C	3409 MIDDLETON WAY	COLLEYVILLE, TX	76034	3409 MIDDLETON WAY
DAVIS, LARRY	3409 BOWDEN HILL LN N	COLLEYVILLE, TX	76034	3409 BOWDEN HILL LN N
GEORGE, JOHN	4007 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	4007 BOWDEN HILL LN E
HARRIS-CASTRO, JILL	3450 KEYSTONE LOOP	DISCOVERY BAY, CA	94505	3903 BOWDEN HILL LN E
HOHERTZ, MICHAEL	3411 BOWDEN HILL LN N	COLLEYVILLE, TX	76034	3411 BOWDEN HILL LN N
JOHNSON, LARRY B	3408 LANGLEY HILL LN	COLLEYVILLE, TX	76034	3408 LANGLEY HILL LN
LIM, GRACE	3513 CHEVAL BLANC	COLLEYVILLE, TX	76034	3513 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3908 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3517 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3512 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3501 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3501 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3517 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3505 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3508 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4016 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3600 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3516 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3608 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3521 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3520 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4004 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3505 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3508 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4012 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4000 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3513 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3900 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3609 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3509 LEJOIE LN
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MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3913 LAMBRUSCO LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3520 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3505 ALSACE AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3605 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3501 LEJOIE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3605 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3905 LAMBRUSCO LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3501 ALSACE AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3920 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3609 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3904 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3600 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3601 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3504 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4008 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3601 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3516 LEJOIE LN
MAMIDIBATTULA, KRISHNA	3505 LEJOIE LN	COLLEYVILLE, TX	76034	3505 LEJOIE LN
MILLER, RONALD JAKE	3409 LANGLEY HILL LN	COLLEYVILLE, TX	76034	3409 LANGLEY HILL LN
NATURON PROPERTIES LLC	PO BOX 610	COLLEYVILLE, TX	76034	3504 VALMUR AVE
PATEL, AMISH	3509 VALMUR AVE	COLLEYVILLE, TX	76034	3509 VALMUR AVE
PEREZ, ALFONSO	3509 ALSACE AVE	COLLEYVILLE, TX	76034	3509 ALSACE AVE
PETTY, BRYCE	3500 CHEVAL BLANC	COLLEYVILLE, TX	76034	3500 CHEVAL BLANC DR
REDDY, DIVAKAR	3517 ALSACE	COLLEYVILLE, TX	76034	3517 ALSACE AVE
SILVERMAN, DONALD	PO BOX 610735	DALLAS, TX	75261	3411 MIDDLETON WAY
SOHAIL, MOHAMMAD	3513 ALSACE AVE	COLLEYVILLE, TX	76034	3513 ALSACE AVE
STIEGLER, DANIEL	3901 LAMBRUSCO	COLLEYVILLE, TX	76034	3901 LAMBRUSCO LN
STOVALL, SCOTT	3905 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	3905 BOWDEN HILL LN E
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3916 PETRUS BLVD
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3912 PETRUS BLVD
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3604 VALMUR AVE
VON STORCH, KENNETH	4713 BEHRENS CT	COLLEYVILLE, TX	76034	4009 BOWDEN HILL LN E
WHIP, MATTHEW	3504 CHEVAL BLANC DR	COLLEYVILLE, TX	76034	3504 CHEVAL BLANC DR
WOEHRLE, SANDRA	3907 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	3907 BOWDEN HILL LN E
WU, WANG	3512 VALMUR AVE	COLLEYVILLE, TX	76034	3512 VALMUR AVE
XUE, YAN	3500 VALMUR AVE	COLLEYVILLE, TX	76034	3500 VALMUR AVE
YORK, CHRISTOPHER	3909 LAMBRUSCO	COLLEYVILLE, TX	76034	3909 LAMBRUSCO LN
YU, CHIAO-CHIN MARK	3901 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	3901 BOWDEN HILL LN E
ZIEGLER, DAVID C	3410 LANGLEY HILL LN	COLLEYVILLE, TX	76034	3410 LANGLEY HILL LN
				3908 SILVERWOOD LN
CITY OF BEDFORD	2000 FOREST RIDGE DRIVE	BEDFORD, TX	76021	COURTESY NOTICE
WOODLAND HILLS (COLLEYVILLE)	4100 OXFORD COURT	COLLEYVILLE, TX	76034	COURTESY NOTICE
CREEKSIDE	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
TURNER, CHERYL	6900 DALLAS PARKWAY, 3RD FLOOR	PLANO, TX	75024	APPLICANT



NOTICE OF PUBLIC HEARING

«Owner Name»

«Owner Address»

«Owner City» «Owner Zip»

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

Planning and Zoning Commission Meeting: Monday, July 13, 2020 at 7:00 p.m.
City Council Meetings: Tuesday, August 4, 2020 & Tuesday, August 18, 2020 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a Special Use Permit for a Fence to extend into the required street side yard. The purpose is to allow for a 5-foot tall black rod iron fence to encroach into the side yard property line (corner lot).

Zoning Case: ZC20-013

Applicant: Cheryl C. Turner

Owner: Cheryl C. Turner

Location: 3501 Valmur Avenue

Property Description: Lot 1, Block 7, of the Creekside at Colleyville Phase III

Present Zoning: PUD-R Planned Unit Development-Residential

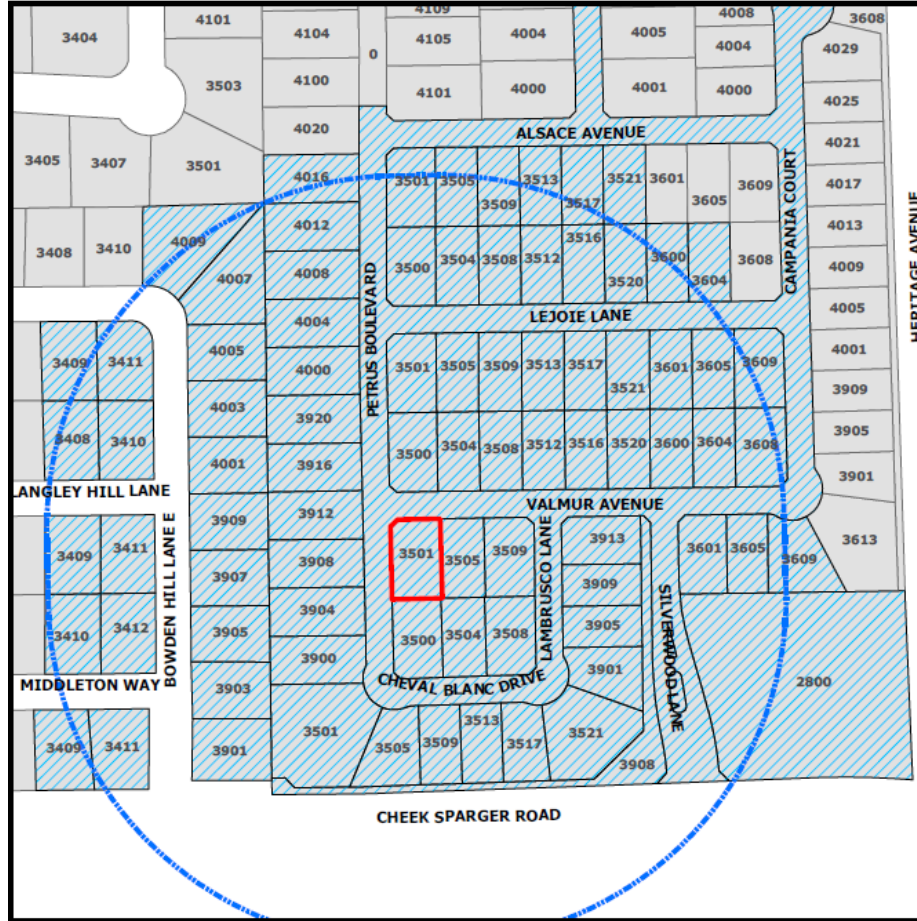
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a 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**

NOTICE OF PUBLIC HEARING

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 76034. 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-20-XXXX

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 0.1927 ACRES, BEING LOT 1 BLOCK 7, OF THE CREEKSIDE AT COLLEYVILLE, LOCATED AT 3501 VALMUR AVENUE, BY AUTHORIZING A SPECIAL USE PERMIT FOR A 5 FOOT IRON ROD FENCE TO ENCROACH INTO THE STREET SIDE YARD SETBACK FOR A CORNER LOT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit for a 5 foot iron rod fence to encroach into the street side yard setback for a corner lot under Case No. ZC20-013; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning 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 City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

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

- Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit for a 5 foot iron rod fence to encroach into the street side yard setback for a corner lot on 0.1927 acres, being Lot 1 Block 7, of the Creekside at Colleyville, located at 3501 Valmur Avenue, as depicted on the attached as Exhibit "A".

Sec. 2. 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. 3. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Special Use Permit shall apply to the 5 foot iron rod fence to encroach into the street side yard setback for a corner lot.
- b. The fence location shall be approximately 5 feet from the street side property line shall be generally consistent with the site plan and as depicted on the attached Exhibit "B".
- c. All requirements of the Land Development Code shall be met, except where 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 this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of August 2020.

The second reading and public hearing being conducted on the 18th day of August 2020.

PASSED AND APPROVED BY A VOTE OF _ AYES, _ NAYS, AND _ ABSTENTIONS ON THIS THE 18th DAY OF AUGUST 2020.

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

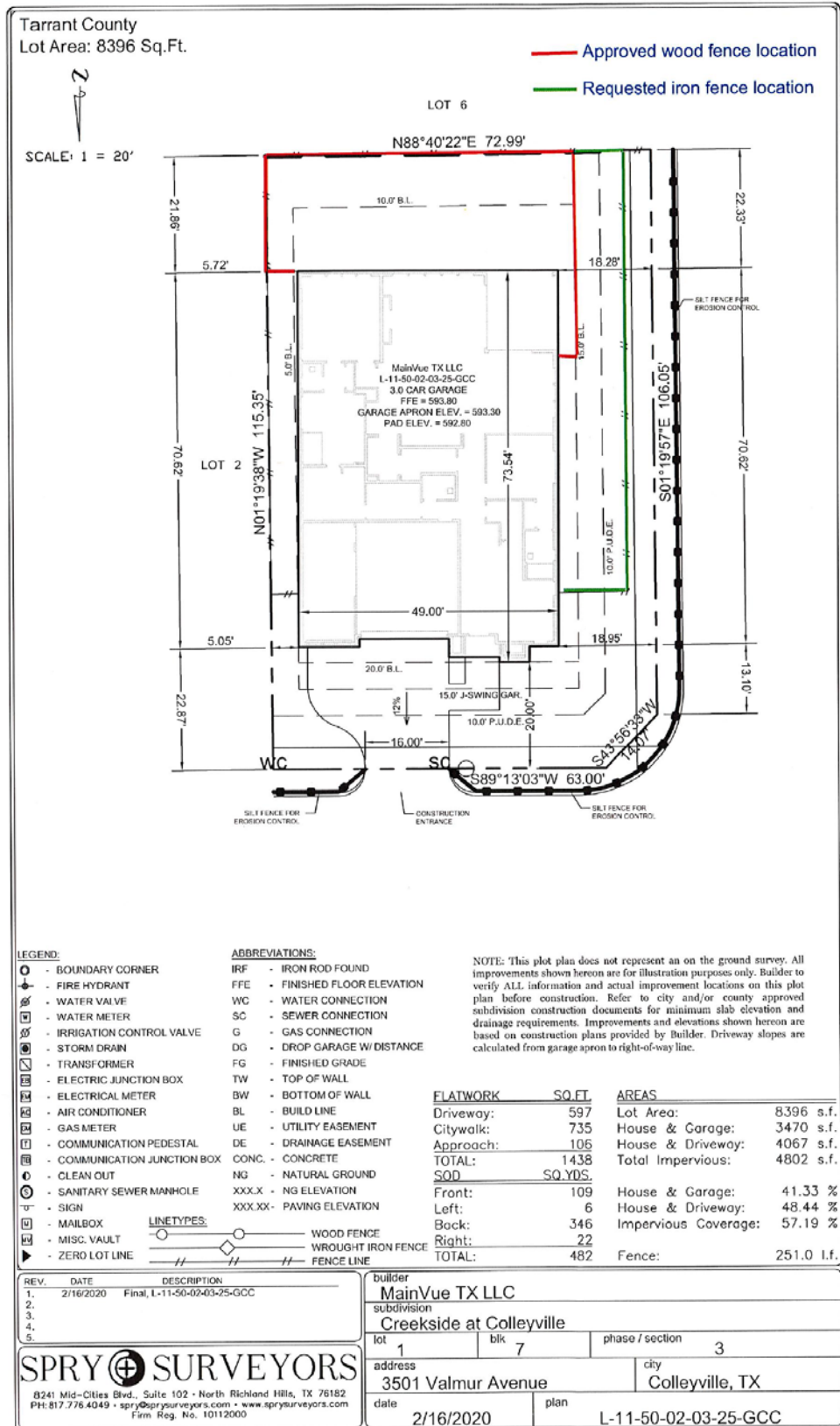
APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

Exhibit “A” - Location and Zoning Map



Exhibit “B” – Site Plan





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 3d	Agenda Date 7/13/2020	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a Special Use Permit for a Fence to extend into the required street side yard on Lot 54, Block 5, Creekside at Colleyville, Phase 3, located at 3913 Lambrusco Lane, Case ZC20-014

Explanation

Cheryl Turner, the applicant, has submitted a request for a Special Use Permit (SUP) for a five foot iron rod fence to encroach into the street side yard setback for a corner lot on Lot 54, Block 5, of the Creekside at Colleyville, being approximately 0.1830 acres, and zoned PUD-R Planned Unit Development- Residential district.

Existing Conditions/Background: The subject property, 3913 Lambrusco Lane, has PUD-R zoning and is located at the southeast corner of Lambrusco Lane and Valmur Avenue. The subject property is planned for a new single family residence.

The applicant was in receipt of an informational letter from Staff dated November 16, 2018 and at that time the Land Development Code allowed for a non-privacy fence (wrought iron, no more than 25% opaque) to be allowed within the street side yard setback and even along the exterior side property line.

A building permit has been issued for the construction of a new home in March of 2020.

The applicant was informed that the Land Development Code had been amended by the City Council in August of 2019 (Ordinance O-19-2088) and therefore the request by the applicant is not allowed unless approved with an SUP. The applicant subsequently applied for an SUP as allowed per the Land Development Code.

SUP Request:

Request – The applicant is requesting approval of an SUP to allow for a 5 foot iron rod fence to be located approximately ten feet from the corner street side property line which is within the street side yard of the property.

Ordinance – Section 3.26 Fences, Free Standing Walls, and Screening Materials Regulations of the Land Development Code establishes the maximum size and location

of fencing to be permitted by staff on a residential lot:

"E. Fence and Free-Standing Wall Setback Requirement:

2. Corner Side Yards: Except where allowed elsewhere in this chapter, no fence or free standing wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction shall extend into the required street side yard. The regulations of 1.a through 1.d above shall apply.

Regulation "2" above applies in this case requiring no fence be allowed to extend into the street side yard, which is 15' per the zoning. The applicant proposes to locate a 5 foot iron rod fence to encroach into the side yard setback for a corner lot. The Land Development Code provides the opportunity to modify from the requirements per this:

Special Use Permit Provision: Any request for a building permit for a fence/wall which does not meet the criteria in this Section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

Analysis: Any request for a residential fence which differs from the Land Development Code shall only be authorized after approval of a Special Use Permit by the City Council. The applicant is proposing the fence similar to what was previously allowed in the subdivision prior to August 2019.

Surrounding Development: The properties to the north, south, east and west are zoned PUD-R zoning and contain residential development in the Creekside at Colleyville subdivision.

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 denial as it does not meet the technical requirements of the Land Development Code.

Recommendation

Denial

Attachments

1. Aerial Map
2. Zoning Map

3. Future Land Use Map
4. Statement of Planning Objectives
5. Site Plan
6. Photos Provided by Applicant
7. Letter by Staff
8. Notification Map
9. Notification List
10. Property Owner Notification
11. Draft Ordinance

Aerial Map

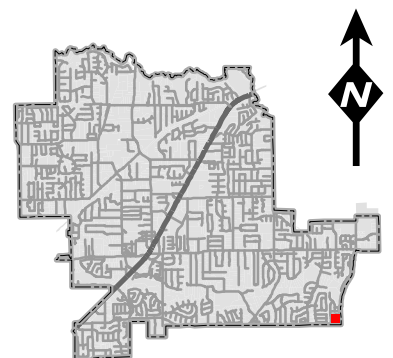


ZC20-014
3913 Lambrusco Lane

DISCLAIMER:
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Subject Property



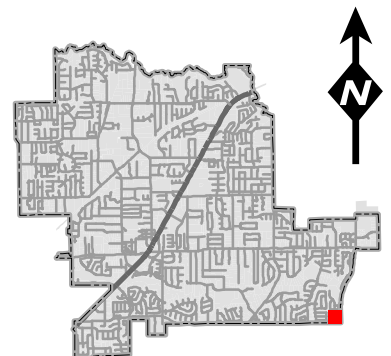
Zoning Map



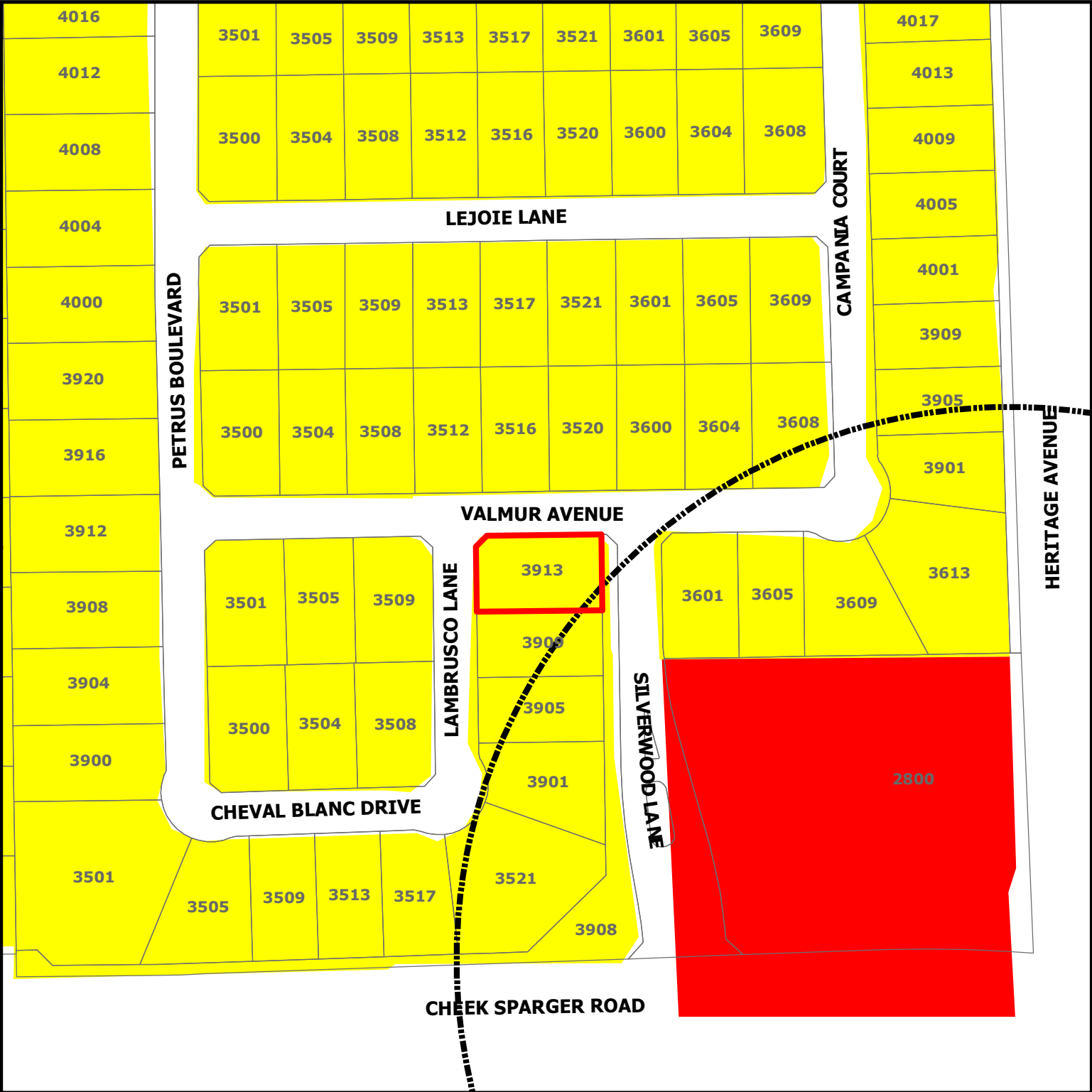
ZC20-014
3913 Lambrusco Lane

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 Subject Property



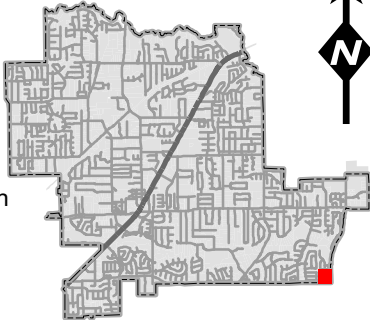
Future Land Use Map



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ZC20-014 3913 Lambrusco Lane

-  Subject Property
-  Sales Tax Preferred Intersection
-  Residential
-  Commercial



Statement of Planning Objectives

EXHIBIT TO APPLICATION FOR SPECIAL USE PERMIT

FOR A RESIDENTIAL FENCE AT 3513 LAMBRUSCO LANE

REQUEST: This SUP is sought to allow a rod iron fence at 3513 Lambrusco Lane to terminate at and join the masonry community wall that forms the rear property line of this home, similar to the location of several other rod iron fences in the gated community of Creekside at Colleyville. This fence will be of the same, 5' black rod iron material as all the existing rod iron fences in Creekside at Colleyville. The fence will not exceed 25% opacity.

BACKGROUND:

Applicant MainVue Homes is the builder of 41 single family luxury homes in the gated community of Creekside at Colleyville, Phase 3. Creekside is a very unique community for Colleyville, with smaller (approximately 60' x 115') lot sizes and minimal (5') side yards. Because of the smaller lots, fence locations differing only by a few feet can have a dramatic impact on the amount of a homeowner's usable, private yard.

The subject property is a home under construction on a corner lot. The rear fencing for the home is an 8' masonry community screening wall built by the developer. Because of the unusual shape of this lot, if the allowed wood fence was placed on the build line, the side yard would be less than 3' (2' less than the community minimum side yard of 5'), making access to the yard for maintenance of the home or foundation impossible. To comply with the existing ordinance would require placing the fence well within the build line, denying this homeowner a significant portion of useable, private yard. It would also mean that the fence does not tie into the end of the screening wall, leaving an open and unfinished "wing" wall. Clearly, the fence for this property was originally intended to join (and finish off) the masonry community wall.

On November 18, 2018, the City issued a letter allowing iron fencing to exceed the build line on corner lots (letter is attached to the application). In reliance of the November 18, 2018 letter, the builders in Creekside at Colleyville constructed several homes with rod iron fencing between the build line and the community sidewalks. One such home is located at 3500 Valmur and is across the street and three lots over from the subject property. Photographs of the existing fence at 3500 Valmur are attached to this application to show the style and height currently existing in the neighborhood.

In August of 2019, Council adopted O-19-2089, changing the rules and limiting side yard fences to 30" in height and no more than 25% opacity. This change means that the last 25% of homes in Creekside will be held to different fencing rules than the rest of the community.

BASIS FOR REQUEST:

In the case of the subject property, requiring the fence to be placed at the build line only yields a 3' side yard and leaves the community fence with an unfinished "wing" wall. Allowing a rod iron fence as previously allowed in Creekside: 1) increases the usable fenced yard; 2) allows reasonable access to the side of the home; and 3) creates a finished intersection with the existing masonry wall. Moreover, the subject home is one of the last to be constructed in Creekside, and not allowing this fence extension will likely prejudice the value of this home in relation to neighboring properties that were allowed to place their fences outside the build line.

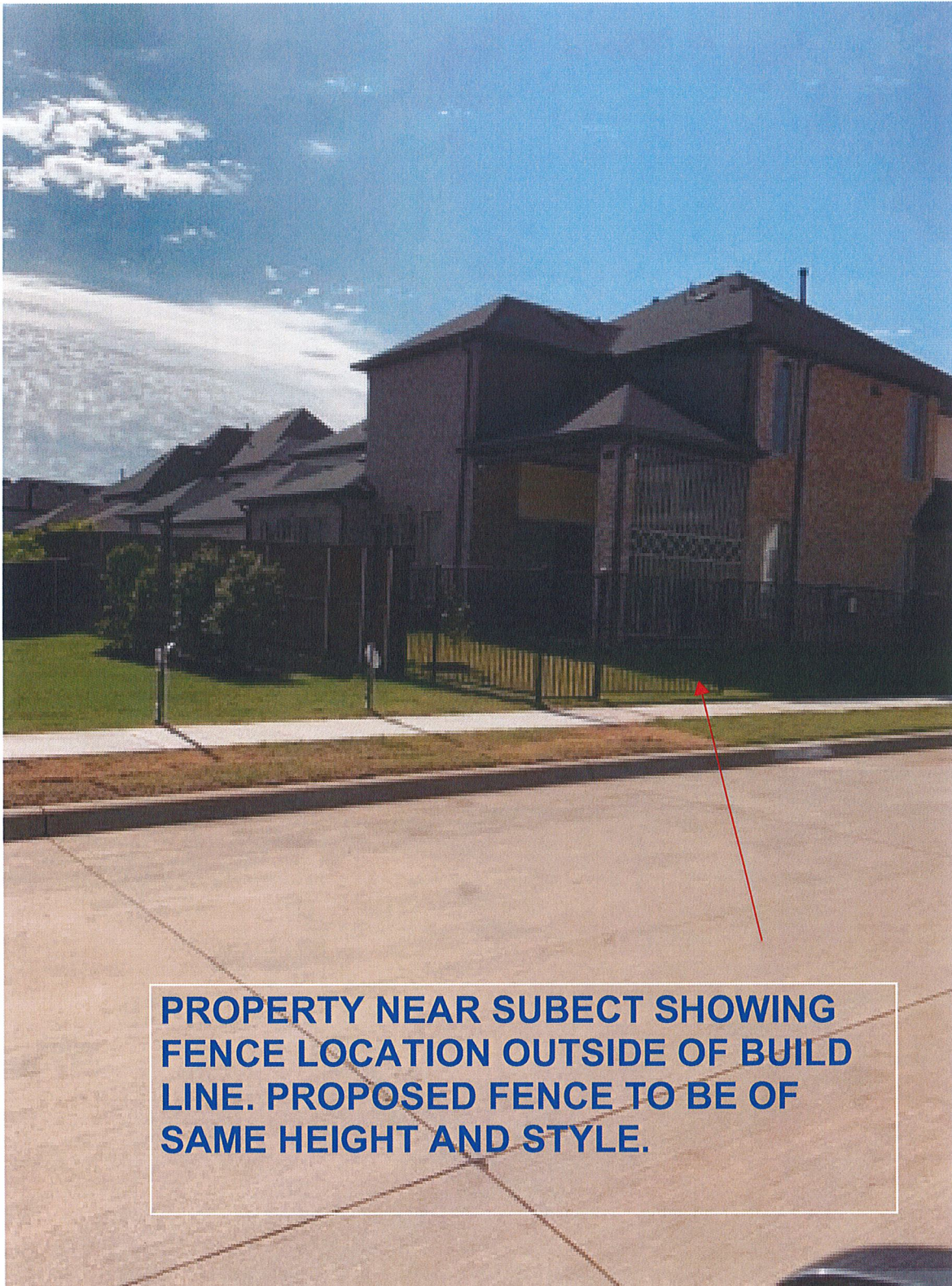
builder		MainVue TX LLC	
subdivision		Creekside at Colleyville	
lot	54	blk	5
		phase / section	3
address		city	
3913 Lambrusco Lane		Colleyville, TX	
date	1/15/2020	plan	R-15-50-02-11-25-GCC

Photos Provided By Applicant



SUBJECT PROPERTY

Photos Provided By Applicant



Letter by Staff



November 16, 2018

RE: Corner Side Street Fencing – Creekside at Colleyville

To Whom It May Concern:

In regard to the type of fencing allowed along/within the exterior side (corner side street) setback, a wrought-iron fence is a permitted fence type under the fencing regulations found within Chapter 3 of the Land Development Code (LDC).

A privacy fence (solid wood or masonry) along the exterior side property is allowed but must be setback from the property line a minimum of 15 feet to the required building setback line. However, a non-privacy fence (wrought iron, no more than 25% opaque) is allowed along the exterior side property and may be located on the property line.

Due to the existence of easements adjacent to the right-of-way that allow for utilities and sidewalks to be located on private property, a minimum 'shy' distance (buffer distance) of 18 inches will be required from the edge of the sidewalk. This will allow for appropriate maintenance of the sidewalk and maneuverability for those using the sidewalks.

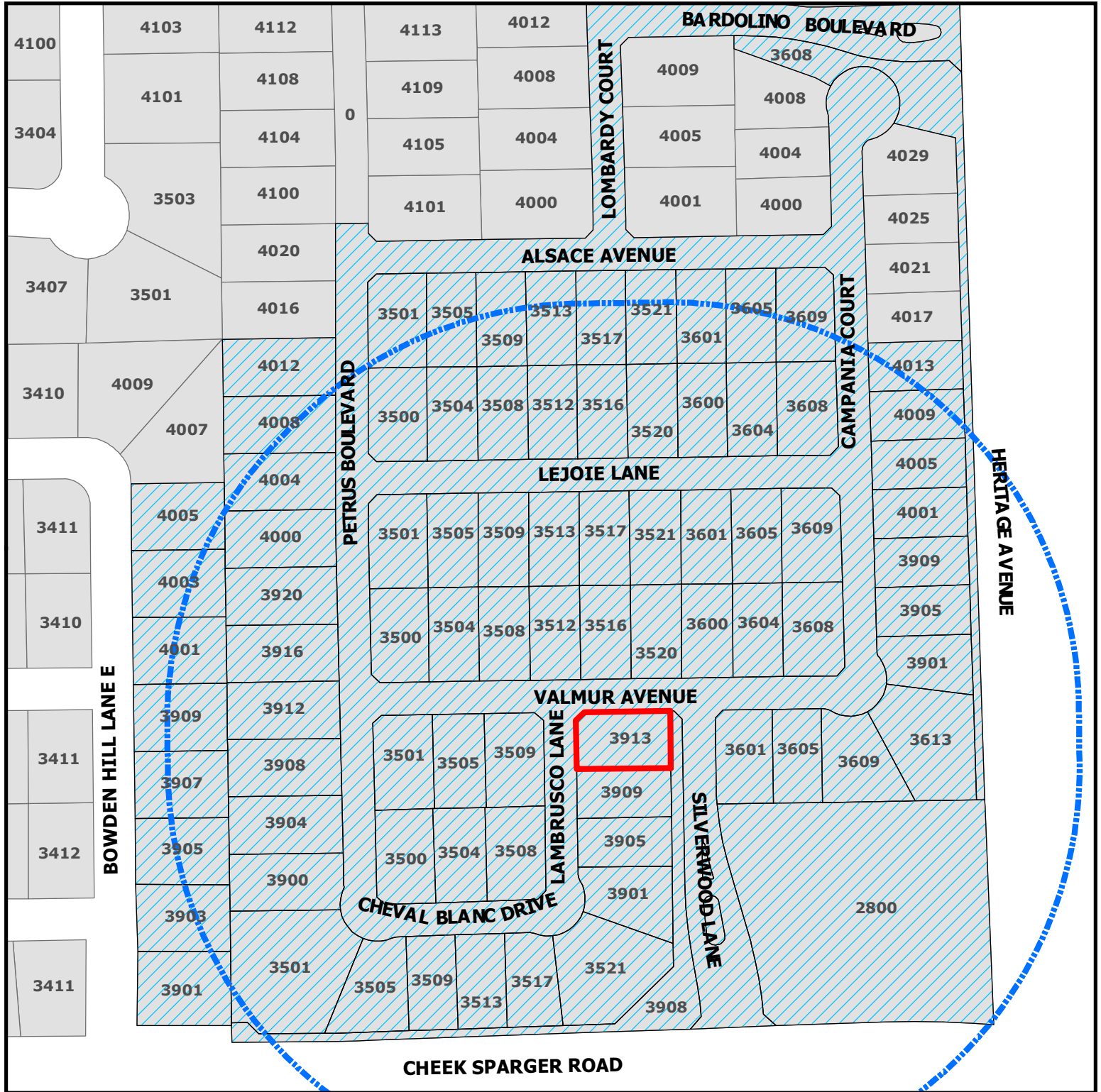
Please contact me for questions or comments.

Sincerely,

A handwritten signature in cursive script that reads "Benjamin L. Bryner".

Ben Bryner, AICP
Director, Community Development Department
(817) 503-1052
bbryner@colleyville.com

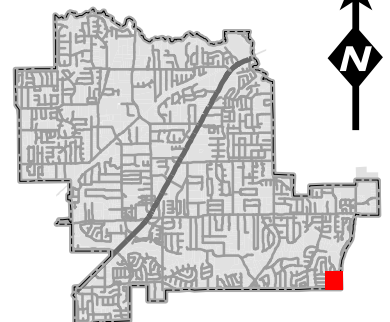
Notification Map



ZC20-014
3913 Lambrusco Lane

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-  Subject Property
-  500ft Buffer
-  Properties within 500ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
170 PLAYERS LLC	170 PLAYERS CIR	SOUTHLAKE, TX	76092	2800 HERITAGE AVE
AJANI, ZUMERA	3521 CHEVAL BLANC	COLLEYVILLE, TX	76034	3521 CHEVAL BLANC DR
AKERS, THOMAS R	4003 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	4003 BOWDEN HILL LN E
BEYENE, SABA	3508 VALMUR AVE	COLLEYVILLE, TX	76034	3508 VALMUR AVE
BIEHL, STEVE	4001 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	4001 BOWDEN HILL LN E
BOSTICK, JAMES D	3909 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	3909 BOWDEN HILL LN E
BROWN, JOSHUA	3521 ALSACE AVE	COLLEYVILLE, TX	76034	3521 ALSACE AVE
CHAN, ELIZABETH	3509 CHEVAL BLANC	COLLEYVILLE, TX	76034	3509 CHEVAL BLANC DR
CHIU, CHIN	3604 LEJOIE LN	COLLEYVILLE, TX	76034	3604 LEJOIE LN
CREEKSIDE AT COLLEYVILLE HOA I	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	3900 SILVERWOOD LN
CREEKSIDE AT COLLEYVILLE HOA I	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	3904 SILVERWOOD LN
CUMMINGS, KIM	3601 ALSACE	COLLEYVILLE, TX	76034	3601 ALSACE AVE
DANNER, DELYLE JE	4005 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	4005 BOWDEN HILL LN E
HARRIS-CASTRO, JILL	3450 KEYSTONE LOOP	DISCOVERY BAY, CA	94505	3903 BOWDEN HILL LN E
JACKSON, LOREN	3613 VALMUR AVE	COLLEYVILLE, TX	76034	3613 VALMUR AVE
LIM, GRACE	3513 CHEVAL BLANC	COLLEYVILLE, TX	76034	3513 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3500 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3501 ALSACE AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3501 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3501 LEJOIE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3501 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3504 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3505 ALSACE AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3505 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3505 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3508 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3508 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3509 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3512 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3513 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3516 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3516 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3517 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3517 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3520 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3520 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3521 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3600 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3600 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3601 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3601 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3605 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3605 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3608 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3609 ALSACE AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3609 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3609 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3900 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3901 CAMPANIA CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3904 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3905 CAMPANIA CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3905 LAMBRUSCO LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3908 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3913 LAMBRUSCO LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3920 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4000 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4001 CAMPANIA CT
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4004 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4005 CAMPANIA CT
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MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4012 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4013 CAMPANIA CT
MAMIDIBATTULA, KRISHNA	3505 LEJOIE LN	COLLEYVILLE, TX	76034	3505 LEJOIE LN
NATURON PROPERTIES LLC	PO BOX 610	COLLEYVILLE, TX	76034	3504 VALMUR AVE
PATEL, AMISH	3509 VALMUR AVE	COLLEYVILLE, TX	76034	3509 VALMUR AVE
PATEL, ANIL	3605 ALSACE AVE	COLLEYVILLE, TX	76034	3605 ALSACE AVE
PEREZ, ALFONSO	3509 ALSACE AVE	COLLEYVILLE, TX	76034	3509 ALSACE AVE
PETTY, BRYCE	3500 CHEVAL BLANC	COLLEYVILLE, TX	76034	3500 CHEVAL BLANC DR
REDDY, DIVAKAR	3517 ALSACE	COLLEYVILLE, TX	76034	3517 ALSACE AVE
SOHAIL, MOHAMMAD	3513 ALSACE AVE	COLLEYVILLE, TX	76034	3513 ALSACE AVE
STIEGLER, DANIEL	3901 LAMBRUSCO	COLLEYVILLE, TX	76034	3901 LAMBRUSCO LN
STOVALL, SCOTT	3905 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	3905 BOWDEN HILL LN E
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3604 VALMUR AVE
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3909 CAMPANIA CT
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3912 PETRUS BLVD
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3916 PETRUS BLVD
WANG, CHAO-CHENG	3608 LEJOIE LN	COLLEYVILLE, TX	76034	3608 LEJOIE LN
WHIP, MATTHEW	3504 CHEVAL BLANC DR	COLLEYVILLE, TX	76034	3504 CHEVAL BLANC DR
WOEHRLE, SANDRA	3907 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	3907 BOWDEN HILL LN E
WU, WANG	3512 VALMUR AVE	COLLEYVILLE, TX	76034	3512 VALMUR AVE
XUE, YAN	3500 VALMUR AVE	COLLEYVILLE, TX	76034	3500 VALMUR AVE
YORK, CHRISTOPHER	3909 LAMBRUSCO	COLLEYVILLE, TX	76034	3909 LAMBRUSCO LN
YU, CHIAO-CHIN MARK	3901 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	3901 BOWDEN HILL LN E
				3608 CAMPANIA CT
				3908 SILVERWOOD LN
CITY OF EULESS	201 N ECTOR DRIVE	EULESS, TX	76039	COURTESY NOTICE
CITY OF BEDFORD	2000 FOREST RIDGE DRIVE	BEDFORD, TX	76021	COURTESY NOTICE
WOODLAND HILLS (COLLEYVILLE)	4100 OXFORD COURT	COLLEYVILLE, TX	76034	COURTESY NOTICE
CREEKSIDE	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
TURNER, CHERYL	6900 DALLAS PARKWAY, 3RD FLOOR	PLANO, TX	75024	APPLICANT



NOTICE OF PUBLIC HEARING

«Owner Name»

«Owner Address»

«Owner City» «Owner Zip»

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

Planning and Zoning Commission Meeting: Monday, July 13, 2020 at 7:00 p.m.
City Council Meetings: Tuesday, August 4, 2020 & Tuesday, August 18, 2020 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a Special Use Permit for a Fence to extend into the required street side yard. The purpose is to allow for a 5-foot tall wrought-iron fence to encroach into the side yard property line (corner lot)

Zoning Case: ZC20-014

Applicant: Cheryl C. Turner

Owner: Cheryl C. Turner

Location: 3913 Lambrusco Lane

Property Description: Lot 54, Block 5, of the Creekside at Colleyville Phase III

Present Zoning: PUD-R Planned Unit Development-Residential

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**

NOTICE OF PUBLIC HEARING

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 76034. 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-20-XXXX

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 0.1830 ACRES, BEING LOT 54 BLOCK 5, OF THE CREEKSIDE AT COLLEYVILLE, LOCATED AT 3913 LAMBRUSCO LANE, BY AUTHORIZING A SPECIAL USE PERMIT FOR A 5 FOOT IRON ROD FENCE TO ENCROACH INTO THE STREET SIDE YARD SETBACK FOR A CORNER LOT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit for a 5 foot iron rod fence to encroach into the street side yard setback for a corner lot under Case No. ZC20-014; and

WHEREAS, the City of Colleyville deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning 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 City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

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

- Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit for a 5 foot iron rod fence to encroach into the street side yard setback for a corner lot on 0.1830 acres, being Lot 54 Block 5, of the Creekside at Colleyville, located

at 3913 Lambrusco Lane, as depicted on the attached as Exhibit "A".

- Sec. 2. 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. 3. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Special Use Permit shall apply to the 5 foot iron rod fence to encroach into the street side yard setback for a corner lot.
 - b. The fence location shall be approximately 10 feet from the street side property line and shall be generally consistent with the site plan and as depicted on the attached Exhibit "B".
 - c. All requirements of the Land Development Code shall be met, except where 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 this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of August 2020.

The second reading and public hearing being conducted on the 18th day of August 2020.

PASSED AND APPROVED BY A VOTE OF __ AYES, __ NAYS, AND __ ABSTENTIONS ON THIS THE 18th DAY OF AUGUST 2020.

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

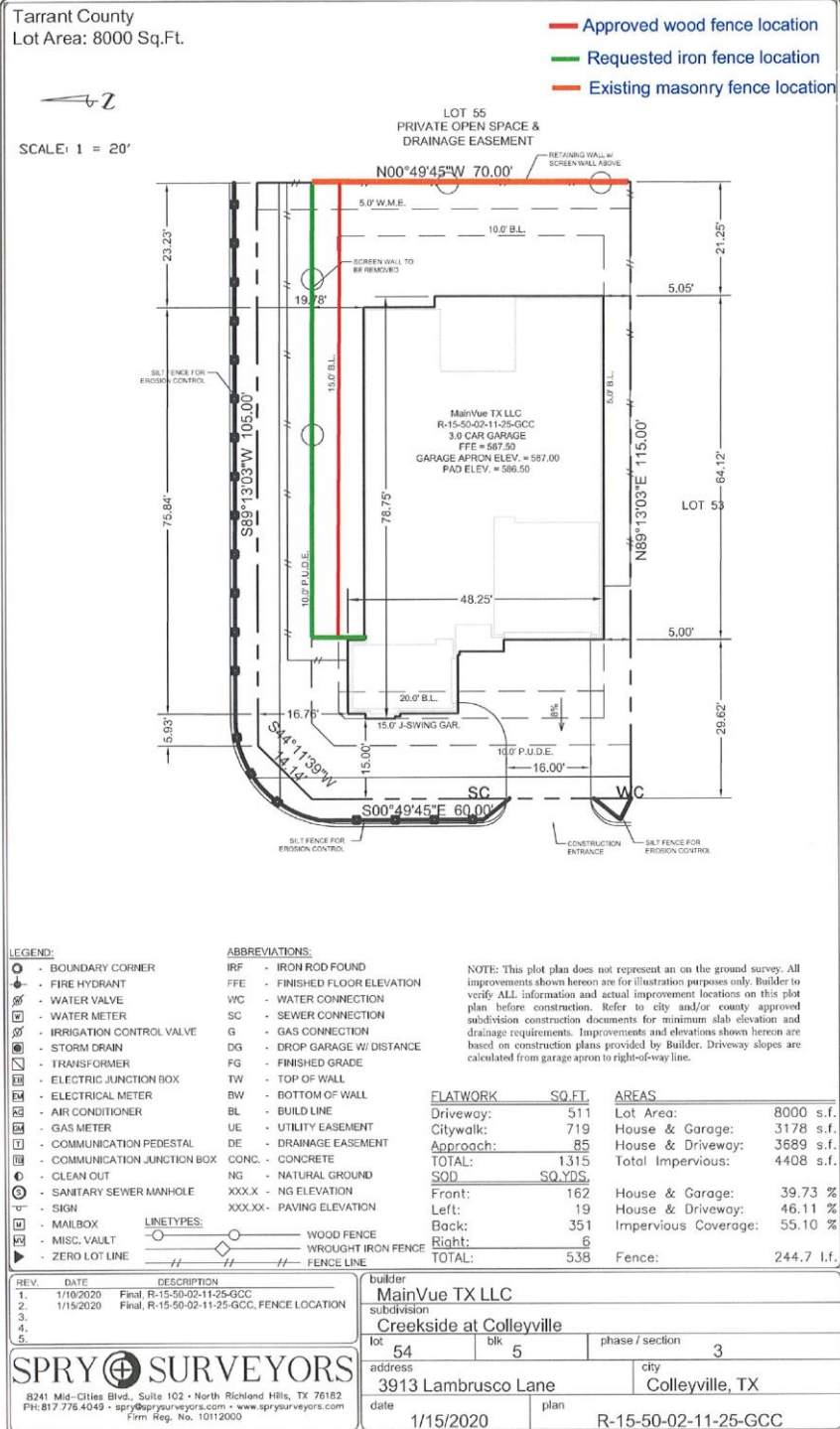
APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map



Exhibit "B" – Site Plan





City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 3e	Agenda Date 7/13/2020	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a Special Use Permit for a Fence to extend into the require street side yard on Lot 3, Block 7, Creekside at Colleyville, located at 3509 Valmur Avenue, Case ZC20-016

Explanation

Amish Patel, the applicant, has submitted a request for a Special Use Permit (SUP) for a six foot wood fence to be placed on a retaining wall and encroach into the street side yard setback for a corner lot on Lot 3, Block 7 of the Creekside at Colleyville, being approximately 0.1877 acres, and zoned PUD-R Planned Unit Development- Residential district.

Existing Conditions/Background: The subject property, 3509 Valmur Avenue, has PUD-R zoning and is located at the southwest corner of Lambrusco Lane and Valmur Avenue. The subject property has a single family residence.

A building permit was applied for the home in August of 2017 and received its final occupancy in February of 2019.

The applicant desired to have a solid wood fence to enclose the rear yard. The fence was built at the setback line. The space between the fence and the retaining wall is difficult to maintain. The wall is approximately 10 feet from the street side property line. The applicant desires to move the existing fence and be placed on top of the retaining wall to give more space to the back yard. The request by the applicant is not allowed unless approved with an SUP. The applicant subsequently applied for an SUP as allowed per the Land Development Code.

SUP Request:

Request – The applicant is requesting approval of an SUP to allow for a 6 foot wood fence to be placed on a retaining wall and encroach into the street side yard setback for a corner lot.

Ordinance – *Section 3.26 Fences, Free Standing Walls, and Screening Materials* Regulations of the Land Development Code establishes the maximum size and location of fencing to be permitted by staff on a residential lot:

"E. Fence and Free-Standing Wall Setback Requirement:

2. Corner Side Yards: Except where allowed elsewhere in this chapter, no fence or free standing wall greater than thirty (30) inches in height and no greater than twenty-five (25) percent opaque construction shall extend into the required street side yard. The regulations of 1.a through 1.d above shall apply.

Regulation "2" above applies in this case requiring no fence be allowed to extend into the street side yard which is 15' per the zoning. The applicant proposes to locate a 6 foot wood fence on an existing retaining wall to encroach into the side yard setback for a corner lot where the fence would be approximately 10 feet from the street side property line. The Land Development Code provides the opportunity to modify from the requirements per the following:

Special Use Permit Provision: Any request for a building permit for a fence/wall which does not meet the criteria in this Section shall only be authorized after approval of a Special Use Permit by the City Council using the procedures contained elsewhere in this Land Development Code.

Analysis: Any request for a residential fence which differs from the Land Development Code shall only be authorized after approval of a Special Use Permit by the City Council.

Surrounding Development: The properties to the north, south, east and west are zoned PUD-R zoning and contain residential development in the Creekside at Colleyville subdivision.

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 denial as it does not meet the technical requirements of the Land Development Code.

Recommendation

Denial

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map

4. Site Plan
5. Photos Provided by Applicant
6. Notification Map
7. Notification List
8. Property Owner Notification
9. Draft Ordinance

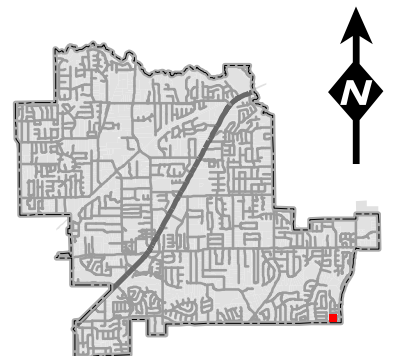
Aerial Map



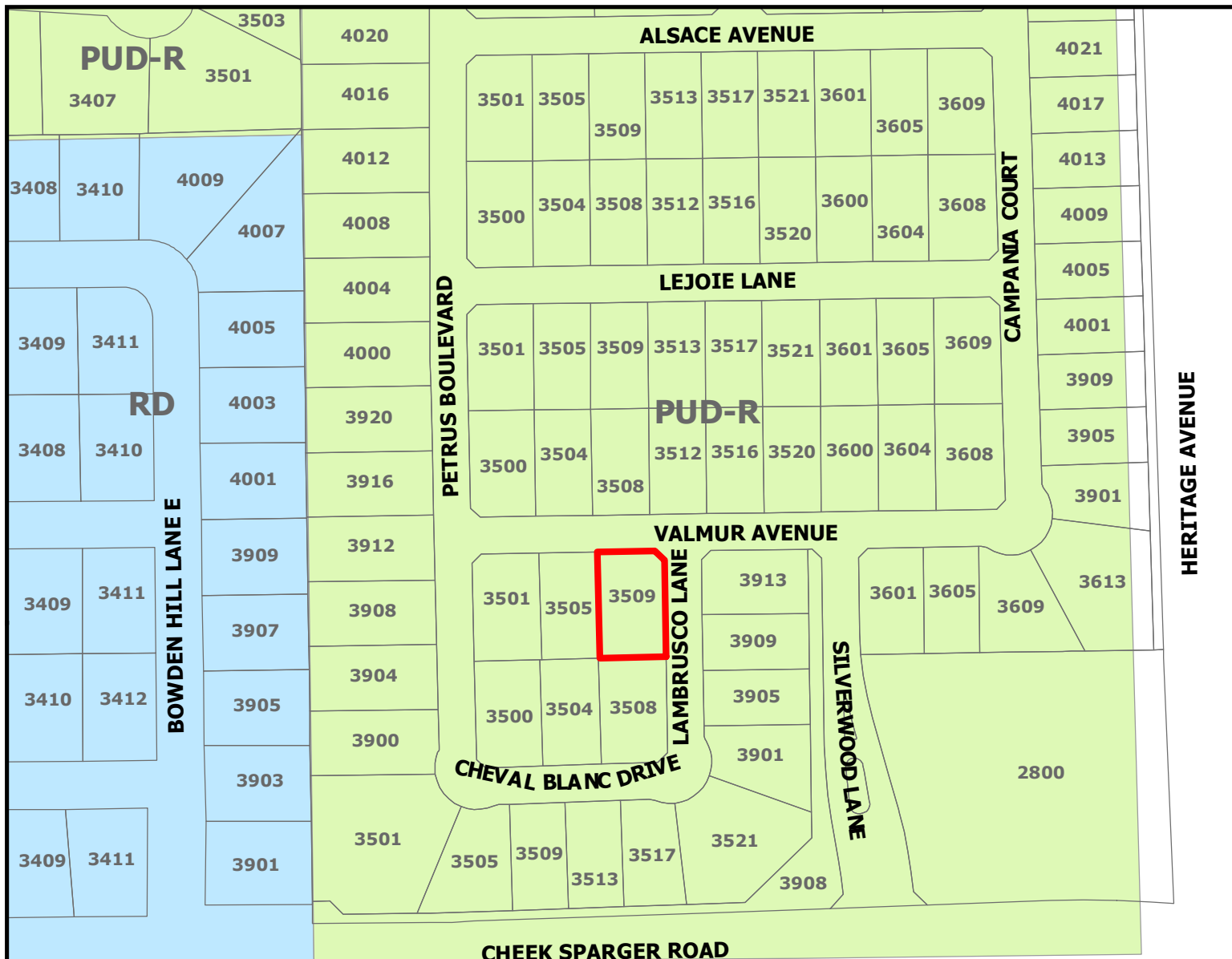
ZC20-016
3509 Valmur Avenue

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

 Subject Property



Zoning Map



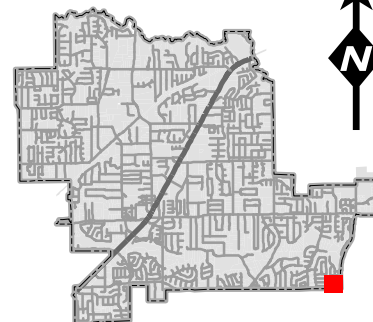
ZC20-016
3509 Valmur Avenue

DISCLAIMER:

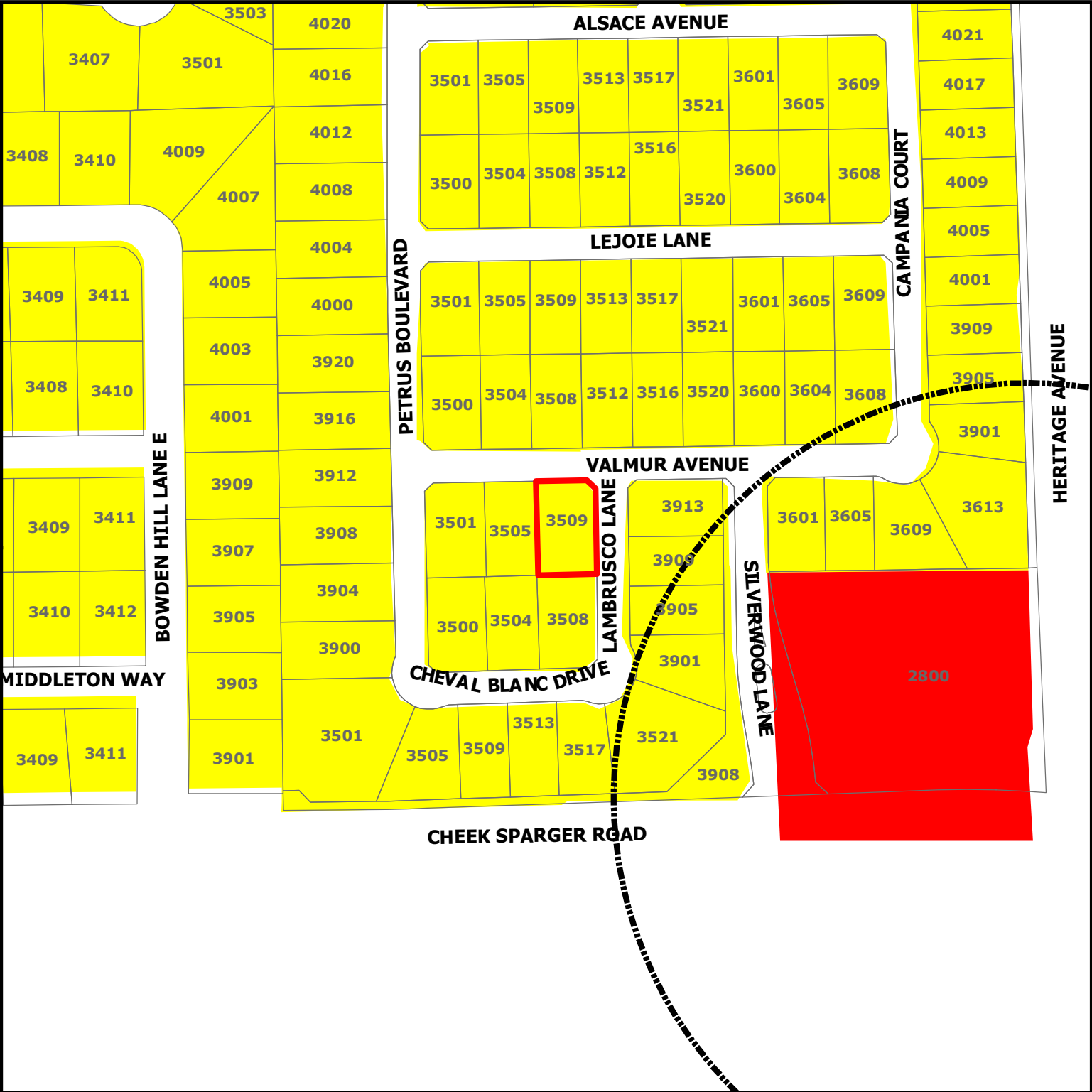
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Subject Property



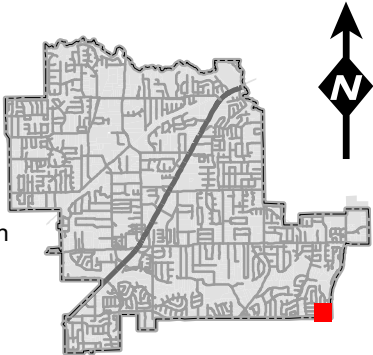
Future Land Use Map



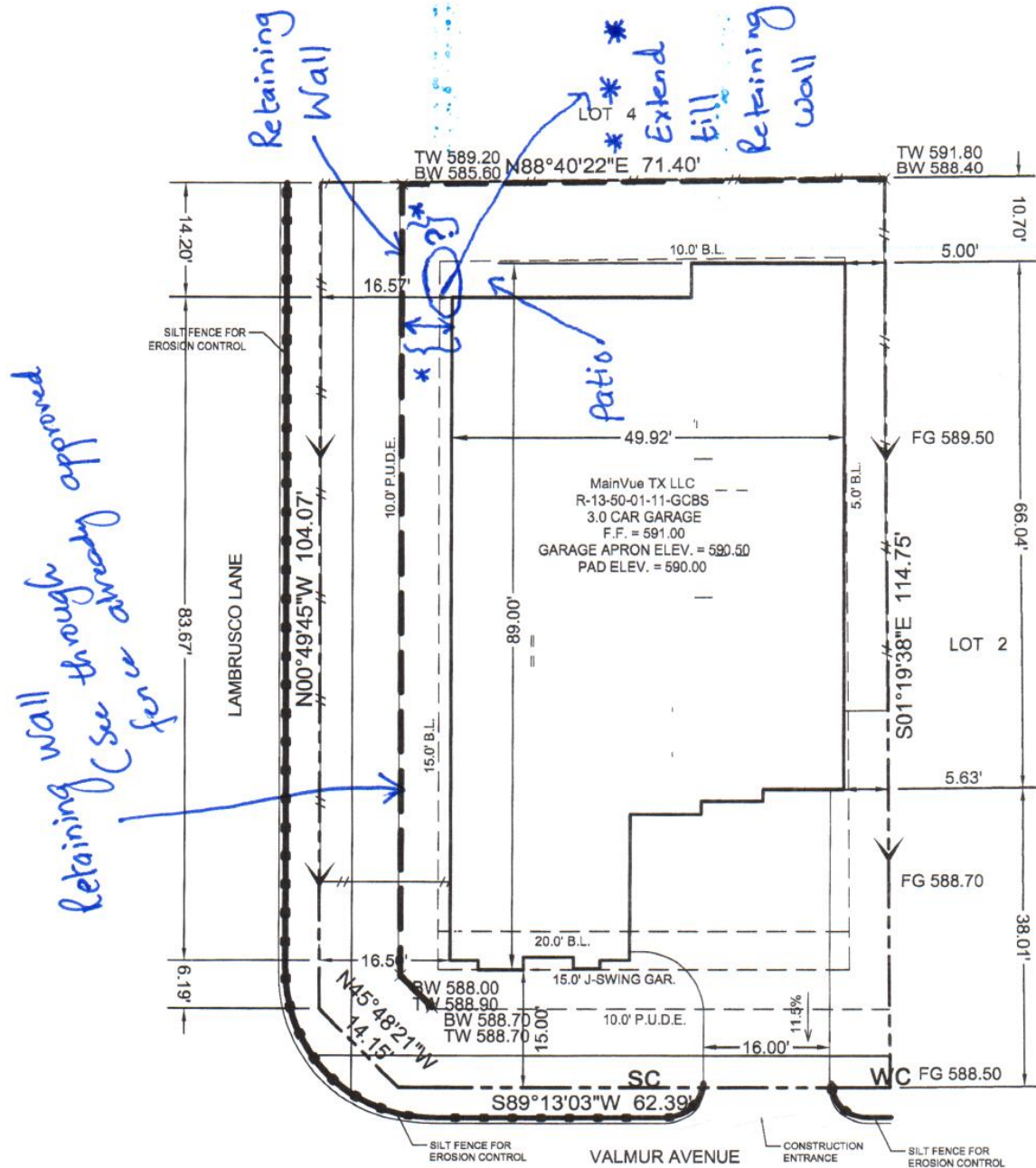
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ZC20-016
3509 Valmur Avenue

-  Subject Property
-  Sales Tax Preferred Intersection
-  Residential
-  Commercial



Site Plan



LEGEND:

FFE	-	FINISHED FLOOR ELEVATION
WC	-	WATER CONNECTION
SC	-	SEWER CONNECTION
G	-	GAS CONNECTION
►	-	ZERO LOT LINE
DG	-	DROP GARAGE W/ DISTANCE
FG	-	FINISHED GRADE
TW	-	TOP OF WALL
BW	-	BOTTOM OF WALL
BL	-	BUILD LINE
UE	-	UTILITY EASEMENT
DE	-	DRAINAGE EASEMENT
--	-	FENCE LINE

NOTE:

LOT GRADING IS PER THE
ENGINEERED PLANS BY J. VOLK
CONSULTING DATED 7/20/2015.

AREAS

Lot Area:	8176 s.f.
House & Garage:	3715 s.f.
House & Driveway:	4426 s.f.
Total Impervious:	5151 s.f.
House & Garage:	45.44 %
House & Driveway:	54.13 %
Impervious Coverage:	63.00 %
Fence:	248.0 l.f.

FLATWORK	SQ.FT.
Driveway:	711
Citywalk:	725
Approach:	73
TOTAL:	1509

SOD	SQ.YDS.
Front:	118
Left:	19
Back:	277
Right:	6
TOTAL:	420

REV.	DATE	DESCRIPTION
1.	7/19/2017	Final, R-13-50-01-11-GCBS
2.		

builder
MainVue TX LLC

Photos Provided By Applicant



Photos Provided By Applicant



Photos Provided By Applicant



Photos Provided By Applicant



Photos Provided By Applicant



Photos Provided By Applicant



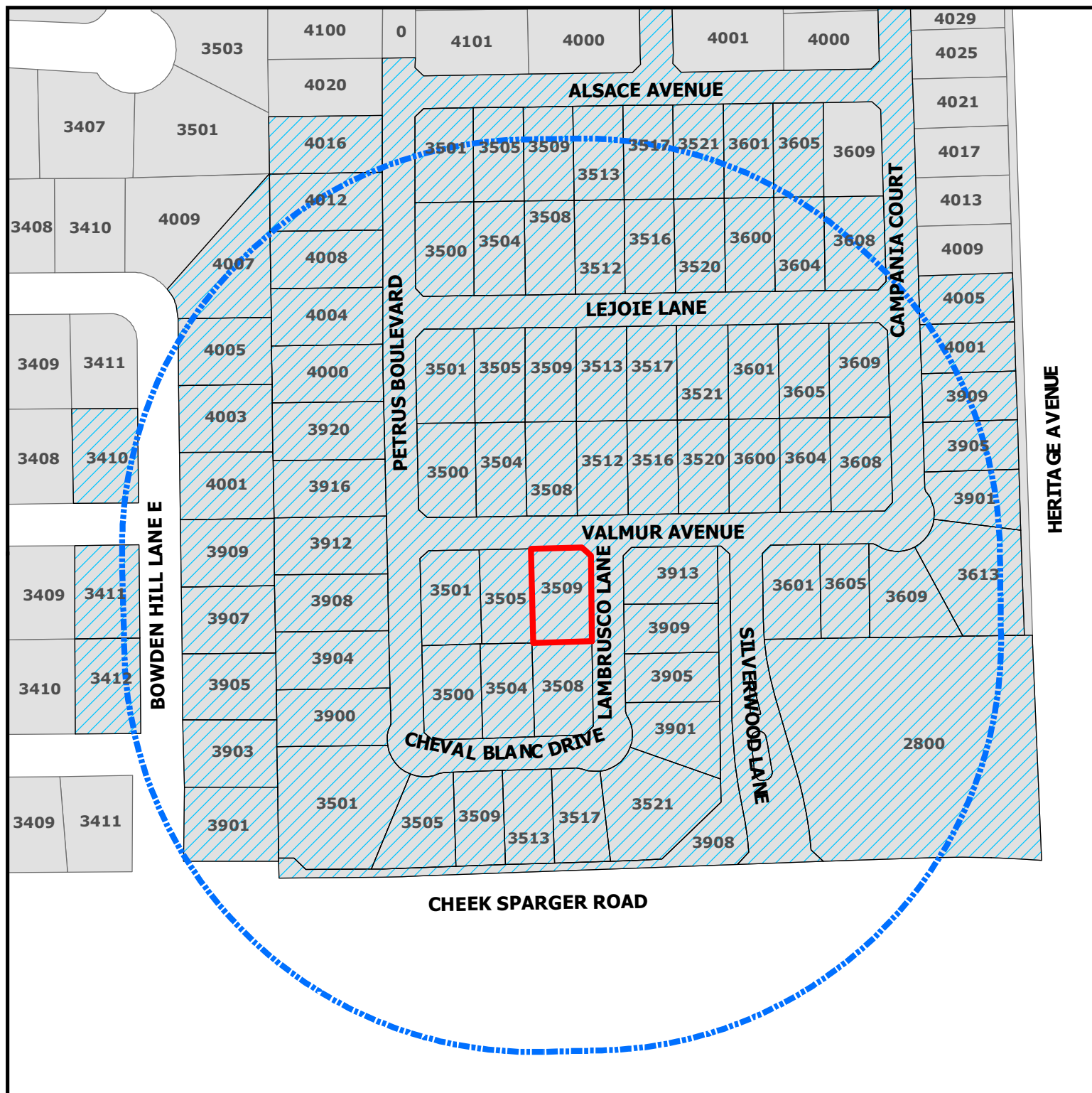
Photos Provided By Applicant



Photos Provided By Applicant

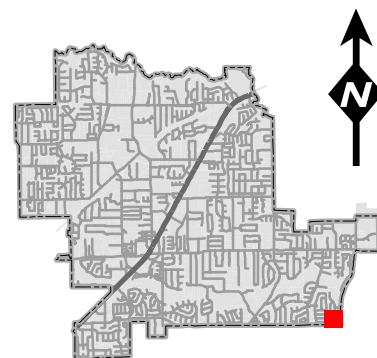
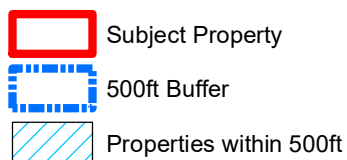


Notification Map



ZC20-016
3509 Valmur Avenue

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Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
BILL AND MARY OTTO FAMILY TRUS	3412 MIDDLETON WAY	COLLEYVILLE, TX	76034	3412 MIDDLETON WAY
170 PLAYERS LLC	170 PLAYERS CIR	SOUTHLAKE, TX	76092	2800 HERITAGE AVE
AJANI, ZUMERA	3521 CHEVAL BLANC	COLLEYVILLE, TX	76034	3521 CHEVAL BLANC DR
AKERS, THOMAS R	4003 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	4003 BOWDEN HILL LN E
BATES, STEPHEN	3411 LANGLEY HILL LN	COLLEYVILLE, TX	76034	3411 LANGLEY HILL LN
BEYENE, SABA	3508 VALMUR AVE	COLLEYVILLE, TX	76034	3508 VALMUR AVE
BIEHL, STEVE	4001 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	4001 BOWDEN HILL LN E
BOSTICK, JAMES D	3909 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	3909 BOWDEN HILL LN E
BROWN, JOSHUA	3521 ALSACE AVE	COLLEYVILLE, TX	76034	3521 ALSACE AVE
CHAN, ELIZABETH	3509 CHEVAL BLANC	COLLEYVILLE, TX	76034	3509 CHEVAL BLANC DR
CHIU, CHIN	3604 LEJOIE LN	COLLEYVILLE, TX	76034	3604 LEJOIE LN
CREEKSIDE AT COLLEYVILLE HOA I	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	3900 SILVERWOOD LN
CREEKSIDE AT COLLEYVILLE HOA I	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	3904 SILVERWOOD LN
CUMMINGS, KIM	3601 ALSACE	COLLEYVILLE, TX	76034	3601 ALSACE AVE
DANNER, DELYLE JE	4005 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	4005 BOWDEN HILL LN E
GEORGE, JOHN	4007 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	4007 BOWDEN HILL LN E
HARRIS-CASTRO, JILL	3450 KEYSTONE LOOP	DISCOVERY BAY, CA	94505	3903 BOWDEN HILL LN E
JACKSON, LOREN	3613 VALMUR AVE	COLLEYVILLE, TX	76034	3613 VALMUR AVE
LAMB, JONATHAN	3520 VALMUR AVE	COLLEYVILLE, TX	76034	3520 VALMUR AVE
LIM, GRACE	3513 CHEVAL BLANC	COLLEYVILLE, TX	76034	3513 CHEVAL BLANC DR
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3908 PETRUS BLVD
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MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	4016 PETRUS BLVD
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3600 VALMUR AVE
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MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3608 VALMUR AVE
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3521 LEJOIE LN
MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3520 LEJOIE LN
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MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3501 LEJOIE
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MAINVUE TX LLC	1110-112TH AVENUE NE STE 202	BELLEVUE, WA	98004	3601 VALMUR AVE
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MAMIDIBATTULA, KRISHNA	3505 LEJOIE LN	COLLEYVILLE, TX	76034	3505 LEJOIE LN
NATURON PROPERTIES LLC	PO BOX 610	COLLEYVILLE, TX	76034	3504 VALMUR AVE
PATEL, AMISH	3509 VALMUR AVE	COLLEYVILLE, TX	76034	3509 VALMUR AVE
PATEL, ANIL	3605 ALSACE AVE	COLLEYVILLE, TX	76034	3605 ALSACE AVE
PEREZ, ALFONSO	3509 ALSACE AVE	COLLEYVILLE, TX	76034	3509 ALSACE AVE
PETTY, BRYCE	3500 CHEVAL BLANC	COLLEYVILLE, TX	76034	3500 CHEVAL BLANC DR
REDDY, DIVAKAR	3517 ALSACE	COLLEYVILLE, TX	76034	3517 ALSACE AVE
SHARMA, SUDEEP	3505 ALSACE AVE	COLLEYVILLE, TX	76034	3505 ALSACE AVE
SOHAIL, MOHAMMAD	3513 ALSACE AVE	COLLEYVILLE, TX	76034	3513 ALSACE AVE
STIEGLER, DANIEL	3901 LAMBRUSCO	COLLEYVILLE, TX	76034	3901 LAMBRUSCO LN
STOVALL, SCOTT	3905 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	3905 BOWDEN HILL LN E
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3501 CHEVAL BLANC DR
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3916 PETRUS BLVD
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3912 PETRUS BLVD
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3605 VALMUR AVE
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3909 CAMPANIA CT
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3904 PETRUS BLVD
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	3604 VALMUR AVE
TRADITION HOMES LLC	8751 COLLIN MCKINNEY PKWY STE	MCKINNEY, TX	75070	4008 PETRUS BLVD
WANG, CHAO-CHENG	3608 LEJOIE LN	COLLEYVILLE, TX	76034	3608 LEJOIE LN
WHIP, MATTHEW	3504 CHEVAL BLANC DR	COLLEYVILLE, TX	76034	3504 CHEVAL BLANC DR
WOEHRLE, SANDRA	3907 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	3907 BOWDEN HILL LN E
WU, WANG	3512 VALMUR AVE	COLLEYVILLE, TX	76034	3512 VALMUR AVE
XUE, YAN	3500 VALMUR AVE	COLLEYVILLE, TX	76034	3500 VALMUR AVE
YORK, CHRISTOPHER	3909 LAMBRUSCO	COLLEYVILLE, TX	76034	3909 LAMBRUSCO LN
YU, CHIAO-CHIN MARK	3901 BOWDEN HILL LN E	COLLEYVILLE, TX	76034	3901 BOWDEN HILL LN E
ZIEGLER, DAVID C	3410 LANGLEY HILL LN	COLLEYVILLE, TX	76034	3410 LANGLEY HILL LN
				3908 SILVERWOOD LN
CITY OF BEDFORD	2000 FOREST RIDGE DRIVE	BEDFORD, TX	76021	COURTESY NOTICE
WOODLAND HILLS (COLLEYVILLE)	4100 OXFORD COURT	COLLEYVILLE, TX	76034	COURTESY NOTICE
CREEKSIDE	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
PATEL, AMISH	3509 VALMUR AVE	COLLEYVILLE, TX	76034	APPLICANT



NOTICE OF PUBLIC HEARING

«Owner Name»

«Owner Address»

«Owner City» «Owner Zip»

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

Planning and Zoning Commission Meeting: Monday, July 13, 2020 at 7:00 p.m.
City Council Meetings: Tuesday, August 4, 2020 & Tuesday, August 18, 2020 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

Request: Consideration of a Special Use Permit for a Fence to extend into the required street side yard. The purpose is to allow for a 6 foot wood fence to be placed on a retaining wall and encroach into the side yard property line (corner lot).

Zoning Case: ZC20-016

Applicant: Amish Patel

Owner: Amish Patel

Location: 3509 Valmur Avenue

Property Description: Lot 3, Block 7, of the Creekside at Colleyville Phase III

Present Zoning: PUD-R Planned Unit Development-Residential

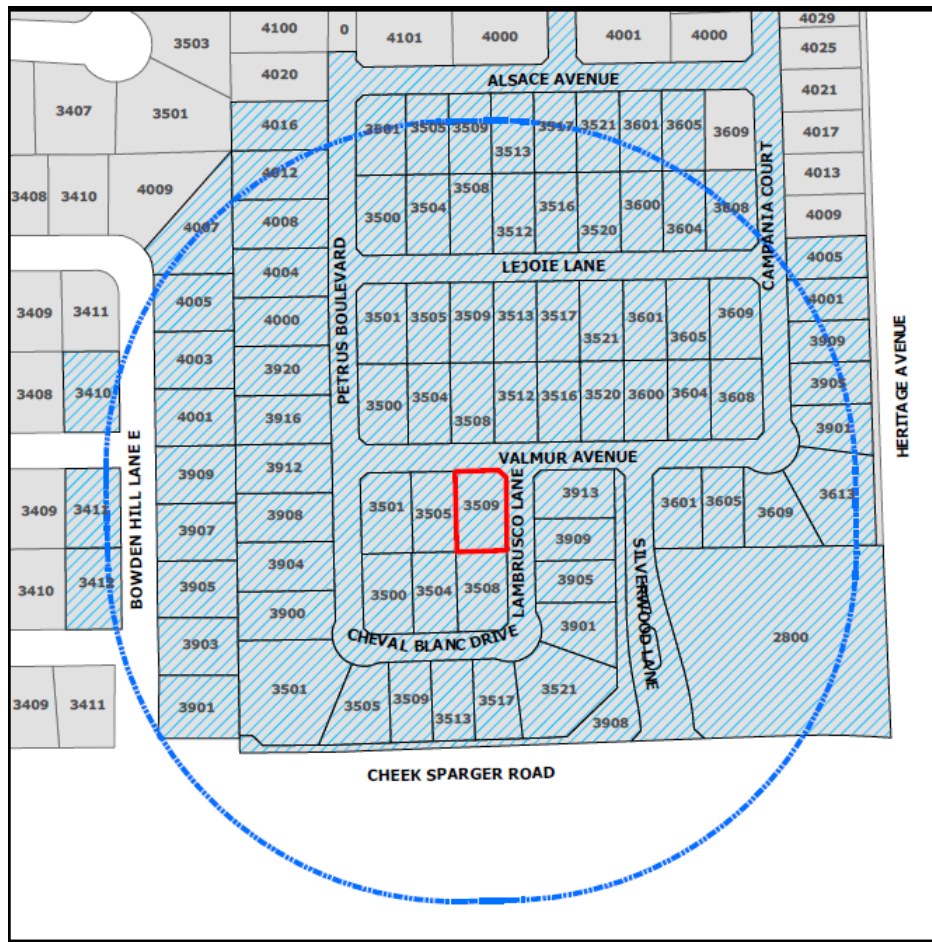
This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a 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

NOTICE OF PUBLIC HEARING

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 76034. 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-20-XXXX

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 0.1877 ACRES, BEING LOT 3 BLOCK 7, OF THE CREEKSIDE AT COLLEYVILLE, LOCATED AT 3509 VALMUR AVENUE, BY AUTHORIZING A SPECIAL USE PERMIT FOR A 6 FOOT WOOD FENCE ON A RETAINING WALL TO ENCROACH INTO THE STREET SIDE YARD SETBACK FOR A CORNER LOT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a Special Use Permit for a 6 foot wood fence on a retaining wall to encroach into the street side yard setback for a corner lot under Case No. ZC20-016; 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 amend the City's zoning ordinance; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration to, among other things, the character of the City's zoning 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 City Council is of the opinion that the change in zoning provided for herein should be made, in compliance with the City Charter, and state law with reference to changes to zoning classifications under the City's zoning ordinance and zoning map, having given the requisite notices required by law and having held public hearings affording all interested persons and property owners a full and fair opportunity to be heard.

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

Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit for a 6 foot wood fence on a retaining wall to encroach into the street side yard setback for a corner lot on 0.1877 acres, being Lot 3 Block 7, of the Creekside at

Colleyville, located at 3509 Valmur Avenue, as depicted on the attached as Exhibit "A".

- Sec. 2. 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. 3. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The Special Use Permit shall apply to the 6 foot wood fence on a retaining wall to encroach into the street side yard setback for a corner lot.
 - b. The fence location shall be approximately 10 feet from the street side property line shall be generally consistent with the site plan and as depicted on the attached Exhibit "B".
 - c. All requirements of the Land Development Code shall be met, except where 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 this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of August 2020.

The second reading and public hearing being conducted on the 18th day of August 2020.

PASSED AND APPROVED BY A VOTE OF __ AYES, __ NAYS, AND __ ABSTENTIONS ON THIS THE 18th DAY OF AUGUST 2020.

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

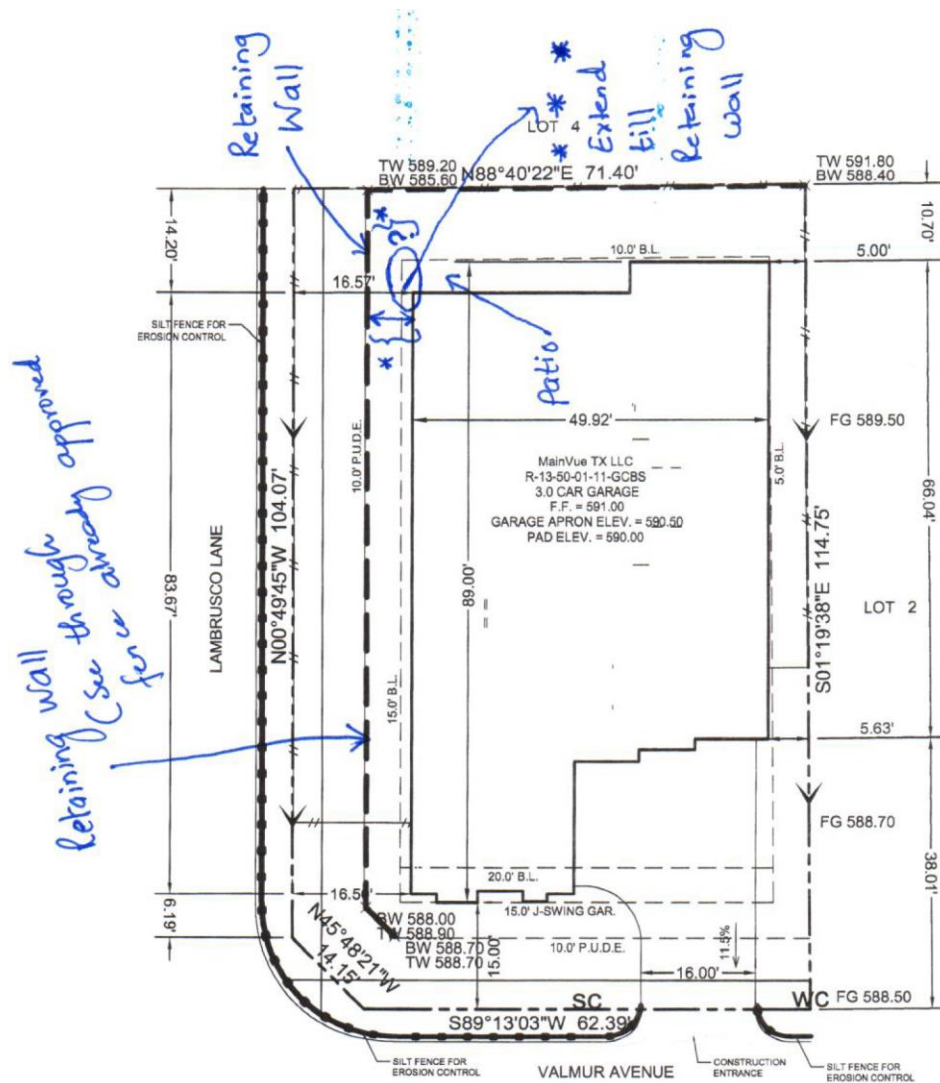
APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

Exhibit "A" - Location and Zoning Map



Exhibit "B" – Site Plan



LEGEND:

FFE	- FINISHED FLOOR ELEVATION
WC	- WATER CONNECTION
SC	- SEWER CONNECTION
G	- GAS CONNECTION
►	- ZERO LOT LINE
DG	- DROP GARAGE W/ DISTANCE
FG	- FINISHED GRADE
TW	- TOP OF WALL
BW	- BOTTOM OF WALL
BL	- BUILD LINE
UE	- UTILITY EASEMENT
DE	- DRAINAGE EASEMENT
--	- FENCE LINE

NOTE:
LOT GRADING IS PER THE
ENGINEERED PLANS BY J. VOLK
CONSULTING DATED 7/20/2015.

FLATWORK	SQ. FT.
Driveway:	711
Citywalk:	725
Approach:	73
TOTAL:	1509

SOD	SQ. YDS.
Front:	118
Left:	19
Back:	277
Right:	6
TOTAL:	420

AREAS

Lot Area:	8176 s.f.
House & Garage:	3715 s.f.
House & Driveway:	4426 s.f.
Total Impervious:	5151 s.f.
House & Garage:	45.44 %
House & Driveway:	54.13 %
Impervious Coverage:	63.00 %
Fence:	248.0 l.f.



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
3f	7/13/2020	
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of amendments to Chapter 2, Section 2.5 Definitions, Chapter 3, Section 3.24.B Schedule of Permitted Principal Uses, and Chapter 3, Section 3.24.C Special Land Use Standards of the Land Development Code, specifically for the inclusion of Massage Therapy as a land use and for regulations associated with a Massage Therapy use

Explanation

The City of Colleyville regularly reviews language in the Land Development Code (LDC) in order to identify possible improvements and to increase quality standards related to development and business within the city limits. One area that staff has looked at, and is proposing improvements to, is in regard to 'massage therapy' uses. Some of the potential issues identified that the recommended changes address include: continual change in ownership; change/expansion of use as originally identified with the Certificate of Occupancy request; and, non-compliance with building code and sign code regulations. The City has seen an increase in massage therapy operations and wants to insure appropriate quality standards are being met.

Staff is proposing amendments to the LDC in an effort to better control the massage therapy uses with the City of Colleyville. The changes include new definitions, identifying the use within the Schedule of Permitted Principal Uses chart, and new regulations specific to massage therapy uses.

The proposal is for a land use classification of 'Massage Therapy (Licensed and Unlicensed)' within the Schedule of Permitted Principal Uses chart requiring a Special Use Permit approval and only within the CC-1, CC-2, and CC-3 zoning districts. Additionally, each use must be a minimum of 300 feet from another massage therapy establishment, with some specific exceptions.

Recommendation

Approve

Attachments

1. Proposed Amendments
2. Draft Ordinance - Massage Therapy uses

DEFINITIONS {New definitions to add to Chapter 2 of the LDC}

MASSAGE THERAPY, LICENSED. Any place of business in which massage therapy is practiced by a massage therapist, as defined by State Law. "Massage therapy", as a health care service, means the manipulation of soft tissue for therapeutic purposes. The term includes but is not limited to effleurage (stroking), petrissage (kneading), tapotement (percussion), compression, vibration, friction, nerve strokes, and Swedish gymnastics/massage. The practice may include the use of oil, salt glows, heat lamps, hot and cold packs, and tub, shower, or cabinet baths. Equivalent terms for "massage therapy" are massage, therapeutic massage. Massage and "therapeutic" do not include diagnosis, the treatment of illness or disease, or any service or procedure for which a license to practice medicine, chiropractic, physical therapy, or podiatry is required by law.

MASSAGE THERAPY, UNLICENSED. Any place of business in which massage therapy is practiced by an unlicensed massage therapist. "Massage therapy", as a health care service, means the manipulation of soft tissue for therapeutic purposes. The term includes but is not limited to effleurage (stroking), petrissage (kneading), tapotement (percussion), compression, vibration, friction, nerve strokes, and Swedish gymnastics/massage. The practice may include the use of oil, salt glows, heat lamps, hot and cold packs, and tub, shower, or cabinet baths. Equivalent terms for "massage therapy" are massage, therapeutic massage. Massage and "therapeutic" do not include diagnosis, the treatment of illness or disease, or any service or procedure for which a license to practice medicine, chiropractic, physical therapy, or podiatry is required by law. Acupuncture, acupressure, reflexology, and similar unlicensed therapeutic practices are included in this definition. This definition does not include barbers, beauticians, and manicurists who are duly licensed by the state of Texas while engaging in the practice within the scope of their respective licenses, for which this exemption applies solely to the massaging of the neck, face, and/or scalp of the customer of a barber or beautician, or massaging of the forearms, hands, calves, and/or feet of the customer of a licensed manicurist.

MASSAGE THERAPY ESTABLISHMENT. An establishment registered with the State Department of Health Services as a massage therapy establishment under Tex. Occupations Code Chapter, 455. Does not include a sexually oriented business as defined in Tex. Local Gov't Code § 243.002.

REFLEXOLOGY. Energy work on the hands and feet only which involves holding on the energy points. It does not involve manipulating soft tissue, stroking, rubbing, tapping, stretching, bathing, scrubbing, or the use of oils or lotions. The person performing reflexology cannot touch any other part of the body (e.g. cannot start rubbing the ankles as part of foot reflexology) and cannot represent they are a massage therapist or use any of the other protected terms of the state statute.

Table 3.24.B- - Schedule of Permitted Principal Uses

[illegible]

Table 3.24.B- - Schedule of Permitted Principal Uses

Table 3.24.B- - Schedule of Permitted Principal Uses																		
Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Telecommunications Towers	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	2	21	
Water Pumping Stations	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		24	
Wind Driven Generators	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	14	n.a.	
E. PUBLIC AND INSTITUTIONAL USES																		
Colleges or Universities										S	S	S	S	S	S		12	
Community Centers or Recreation Centers	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P		5	
Government Buildings, Offices and Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		8	
Fire Stations / Police Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		16	
Golf Courses – Public Owned	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		22	
Government Maintenance Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		25	
Libraries										P	P	P	P	P	P		9	
Museums										P	P	P	P	P	P		8	
Post Office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		10	
Parks and Open Space Areas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		25	
Public Maintenance and Storage Buildings	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		25	
Private Schools – Elementary and Secondary	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		13	
Private Schools – High School	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		14	
Public Schools – Elementary and Secondary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		13	
Public Schools – High School	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		14	
Religious Institutions	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		18	
F. OFFICE USES																		
Accountant's Offices										P	P	P	P	P	S		8	
Advertising Agencies										P	P	P	P	P	S		8	

Table 3.24.B- - Schedule of Permitted Principal Uses

Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Attorney Offices											P	P	P	P	P	S		8
Chiropractic Clinics											P	P	P	P	P	S		8
Emergency Clinic (24 hrs.)													S	P	P	S	7	6
Engineering, Architect's, and Surveyor's Offices											P	P	P	P	P	S		8
General Business Offices not elsewhere listed											P	P	P	P	P	S		8
Insurance Agencies											P	P	P	P	P	S		8
Management and Public Relations Services Offices											P	P	P	P	P	S		8
Optometrist Office											P	P	P	P	P	S		8
Psychologist Offices											P	P	P	P	P	S		8
Physician's or Dentist's Offices											P	P	P	P	P	S	4	7
Real Estate Agency Offices											P	P	P	P	P	S		8
Security Broker Offices											P	P	P	P	P	S		8
Telemarketing Offices													P	P	P	S		5
Title Abstract Offices											P	P	P	P	P	S		8
Trade or Business Schools													S	S	S	P		15
Travel Agency / Airline Ticket Offices											P	P	P	P	P	S		8
G. RETAIL AND SERVICE USES																		
Alcoholic Beverage Sales – (Beer and Wine Only) – Off-Premises Consumption													S	S	S		9	n.a.
Alcoholic Beverage Sales – On-premises Consumption													S	S	S		9	n.a.
Package Store Sales – Off-premises Consumption													S	S	S		9	n.a.
Alcohol or Drug Treatment Center											S	S	S	S	S	S		24
Antique Stores													P	P	P			7

Table 3.24.B- - Schedule of Permitted Principal Uses

Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Apparel and Accessory Stores												P	P	P			7	
Arts and Crafts Stores and Hobby Shops												P	P	P			7	
Bakery Stores												P	P	P			7	
Banks, Credit Unions and Financial Institutions											P	P	P	P			8	
Barber Shops, Beauty Shops and Day Spas											P	P	P	P			7	
Bicycle Shops												P	P	P			7	
Book, Stationary or Greeting Card Shops												P	P	P			7	
Camera or Music Stores												P	P	P			7	
Carnivals and Circuses												S	S				24	
Cemeteries or Mausoleums										S	S	S	S	S	S		24	
Charitable Donation Station												S	S	S			24	
Civic, Social or Fraternal Organizations										S	S	P	P				7	
Convenience Stores with gasoline sales												S	S	S	S		7	
Copy Centers/Print Shops										S	S	P	P	P	P		7	
Dance Studios, Martial Arts Studios, and Cheerleading & Gymnastics Facilities										S	S	P	P	P	P		7	
Day Care Centers										S	S	S	S	S			11	
Department Stores												P	P	P			7	
Dog Boarding with indoor and/or outdoor kennels													S	S	S		8	
Dog Grooming													S	S	S		8	
Dry Cleaner Pick-up Stations											S	P	P	P			7	
Dry Cleaners (up to 5,000 s. f. w/on-site laundry)												P	P	P			7	
Equipment Rental and Leasing Stores														S	P		7	
Florist Shops											P	P	P	P			7	

Table 3.24.B- - Schedule of Permitted Principal Uses

Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Food Catering													S	S	P		8	
Funeral Homes												S	S	S			24	
Furniture and Appliance Stores												P	P	P			9	
General Retail Store (not listed elsewhere)												S	S	S			7	
Grocery Stores												P	P	P		12	7	
Hardware, electrical & plumbing w/o outside display											P	P	P	P				
Hardware , electrical & plumbing with outside display													S	P	P			
Hospitals												S	S	S			24	
Hotels and Motels												S	P	P			19	
Home Decoration Stores										P	P	P	P	P			7	
Jewelry Stores											P	P	P	P			7	
Locksmiths											S	S	S	S	P		8	
Massage Therapy (Licensed and Unlicensed)												S	S	S		16	7	
Mailing and Shipping Stores											P	P	P	P	P		7	
Meat or Fish Market												P	P	P			7	
Nurseries and Greenhouses with outside display													S	P	P		16	
Pawn Shops															S		7	
Pet Stores												P	P	P			7	
Pharmacy											S	P	P	P			7	
Photography Studios										P	P	P	P	P	P		8	
Purchasing and/or resale of precious metals including jewelry, gem stones, gold, silver, and platinum and not licensed as a Pawn Shop by the State of Texas															S		7	
Restaurants, Cafes and Cafeterias												P	P	P			5	

Table 3.24.B- - Schedule of Permitted Principal Uses

[illegible]

Table 3.24.B- - Schedule of Permitted Principal Uses

Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Airports and Heliports	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		24	
Auto Alarm / Stereo / Window Tinting Stores													S	S	P	10	7	
Auto Lube Shops													S	S	P	10	9	
Automotive and Motor Vehicle Sales													S	S	S	10	8	
Auto Parts and Accessory Stores												P	P	P	P	10	7	
Auto, Truck or Trailer Rental													S	S	S	10	8	
Auto Upholstery Shops														S	P	10	9	
Auto Parking Lots and Garages (free standing)										S	S	S	S	S	S		n.a.	
Auto Repair Shop													S	S	S	10	9	
Boat and Water-craft Sales and Service													S	S	S	10	8	
Bus or Passenger Train Stations												S	S	S	S		24	
Car Wash (self service and automatic)														S	S		9	
Commuter Transit Stations												S	S	S	S		24	
Gasoline Service Stations														S	S	10	7	
LPG / CNG Dispensing Stations														S	S		24	
Motorcycle Sales and Service														S	S	10	8	
Paint and Body Shops														S	S	10	9	
Park and Ride Facilities												S	S	S	S		24	
Railroad or Motor Freight Terminals													S	S	S		24	
Recreational Vehicle Sales and Service														S	S	10	8	
Tire and Battery Stores													S	S	S	10	7	
Truck and Heavy Equipment Sales and Service														S	S	10	8	
Vehicle Storage Yards or Facilities												S	S	S	S		24	

Table 3.24.B- - Schedule of Permitted Principal Uses

[illegible]

Wholesale Store/Supply with outdoor storage															S		24
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{New regulations for Massage Therapy – reviewed as part of the SUP approval}

Section 3.24 (C) Schedule of Permitted Uses

16. Massage Therapy – Any building, room, place, or establishment with a Massage Therapy use shall comply with the following regulations, unless the City Council in approving a Special Use Permit for a Massage Therapy use has imposed other requirements necessary in the particular case to protect the public interests:

- a) Shall be located not less than 300 feet from another Massage Therapy establishment.
Exception: In shopping centers with multiple buildings, at least one (1) Massage Therapy establishment shall be permitted per building regardless of distance.
- b) Approval of an application to locate a Massage Therapy establishment shall be deemed a temporary permit. Said permit shall be in effect as long as the current tenant, at the time the approval was granted, operates within the location and may operate in perpetuity until such time as a new Certificate of Occupancy (C/O) is required. A new C/O is required for a change in the existing **occupancy classification** or **use** or **occupant** or **business name** or **business owner**.

Legal-nonconforming Uses or Buildings: Massage therapy businesses legally in existence after the effective adoption date of the applicable amended provisions for massage therapy may operate in perpetuity until such time as a new Certificate of Occupancy (C/O) is required. A new C/O is required for a change in the existing **occupancy classification** or **use** or **occupant** or **business name** or **business owner**. Before issuance of a new Certificate of Occupancy, a Special Use Permit must be approved.

{Existing section describing the SUP process – for reference}

Section 3.25 Special Use Permit

The purpose of a Special Use Permit is to allow a use not normally allowed in a zoning district, which could be of benefit in a particular case to the general welfare, provided adequate development standards, and special requirements are imposed to protect surrounding uses or to preserve the character of the neighborhood. Upon proper application and payment of the applicable fee, the City Council, after public hearing and proper notice to all parties affected and after recommendation from the Planning and Zoning Commission, may authorize a Special Use Permit for a use not allowed by right in *Section 3.24 “Schedule of Permitted Principal Uses”* in accordance with the following criteria.

1. Procedures – Every Special Use Permit application shall be reviewed and considered using the same procedures for reviewing and considering a rezoning application as specified in *Chapter 1 – General Provisions* of this Land Development Code.
2. Site Plan – The applicant must submit a site plan in the form and manner specified by the Administrative Official, showing the details of the proposed use and its relationship to surrounding properties.
3. Additional Information – The City Council and the Planning and Zoning Commission, in considering and determining its recommendation to the City Council on any request for a Special Use Permit, may require from the applicant plans, information, operating data and expert evaluation concerning the location and function and characteristics of any building, structure or use proposed.
4. Conditions of Approval – The City Council may impose such safeguards, requirements and conditions as it deems are necessary to properly protect any surrounding property, surrounding use, or neighborhood character and to insure the appropriate conduct of the special permitted use, including, without limitation, imposing development standards, requiring public facility improvements and means of ingress and egress of public streets, establishing conditions of operation, establishing time limits, establishing location,

arrangement and construction of any uses or structures, adopting regulations to protect the general welfare and adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view of other undesirable or hazardous conditions. All conditions imposed by the City Council shall be complied with prior to the issuance of a Certificate of Occupancy.

5. Revocation Upon Failure to Develop – A special use permit approved by the Council shall become null and void one year from the date of approval by the City Council unless a building permit or certificate of occupancy, whichever is applicable, has been obtained on the property within said one year period. The City Council may in its adopting ordinance, shorten or lengthen the time in which a building permit or certificate of occupancy must be issued in order to preserve the special use permit. Any Special Use Permit in existence upon the passage of this ordinance shall become null and void one year after the passage of this ordinance, unless a building permit or certificate of occupancy, whichever is applicable, has been issued within said year.

Exception: The ordinance authorizing a Special Use Permit may provide for an alternate expiration period.

6. Termination and Abandonment of Use – In the event the building, premises or land uses authorized by a Special Use Permit are terminated or abandoned for a period of six (6) months or longer, the use of the same shall thereafter conform to the regulations applicable to the zoning district, unless a new and separate Special Use Permit is approved for continuation of the use.
7. Modification – No building or premises authorized by a Special Use Permit may be enlarged, modified, structurally altered, or otherwise significantly changed unless an amendment to the Special Use Permit is approved by the City Council using the procedures specified in *Chapter 1 – General Provisions* of this Land Development Code.
8. Violation – It shall be unlawful for property owner or tenant to violate any terms or conditions of the ordinance approving the Special Use Permit.

ORDINANCE O-20-xxxx

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING CHAPTER 2, SECTION 2.5 DEFINITIONS, CHAPTER 3, SECTION 3.24.B SCHEDULE OF PERMITTED PRINCIPAL USES AND SECTION 3.24.C SPECIAL LAND USE STANDARDS OF THE LAND DEVELOPMENT CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Colleyville approved Ordinance O-00-1214 on April 18, 2000, adopting the Land Development Code; and

WHEREAS, the City of Colleyville desires to amend Chapter 2, Section 2.5 – Definitions, Chapter 3, Section 3.24.B – Schedule Of Permitted Principal Uses and Section 3.24.C – Special Land Use Standards of the Land Development Code; and

WHEREAS, notice of a public hearing before the City Council was published in a newspaper of general circulation in Colleyville at least 15 days before such hearing.

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

Sec. 1. THAT *Chapter 2, Section 2.5 – Definitions, Chapter 3, Section 3.24.B – Schedule Of Permitted Principal Uses and Section 3.24.C – Special Land Use Standards* of the Land Development Code are hereby amended to read as depicted in the attached Exhibit “A”.

Sec. 2. 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. 3. 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. 4. 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. 5. THAT this ordinance shall take effect immediately from and after its passage.
- Sec. 6. THAT all other provisions of the Land Development Code shall remain in full force and effect, except as amended herein.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 4th day of August 2020.

The second reading and public hearing being conducted on the 18th day of August 2020.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 18TH DAY OF AUGUST 2020.

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:

Whitt L. Wyatt
City

Attorney

Exhibit “A”

{Include amendments to Ch. 2 & Ch. 3 for 'Massage Therapy' uses}