

**AGENDA
CITY OF THE COLONY
PLANNING AND ZONING COMMISSION
JUNE 28, 2016**

After determining that a quorum is present, the Planning and Zoning Commission of the City of The Colony, Texas will convene into regular session which will be held on Tuesday, June 28, 2016 at 6:30 PM in the City Council Chambers located in City Hall, 6800 Main Street, The Colony, Texas, at which time the following items will be addressed:

| | |
|------------|--------------------------------------|
| 1.0 | CALL REGULAR SESSION TO ORDER |
| 1.1 | Citizen Input |

| | |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.0 | CONSENT AGENDA |
| 2.1 | Consider approval of the minutes of the May 24 and June 14, 2016 Regular Sessions. |
| 2.2 | <i>FP16-0004, Final Plat for Waterford Point Ph 1B at Tribute</i> Consider approval of a final plat for Lots 25-30, 61X, Block A, Lots 1-5, Block P, Waterford Point Phase 1B, being 5.805 -acres of land out of the B.B.B. and C.R.R. Survey, Abstract No. 170, an addition to the City of The Colony, Denton County, Texas located north of Waterford Point Phase 1 within the Planned Development 23 (PD 23) aka the Tribute Planned Development zoning district. |
| 2.3 | <i>RP16-0005, Replat for Lots 6R, 7R, Block A, Grandscape Addition</i> Consider approval of a replat for Lots 6R, 7R Block A, Grandscape Addition, being a replat of Lots 6, 7 Block A, Grandscape Addition, City of The Colony, Denton County, Texas as recorded in County Clerk’s Document No. 2014-290 Official Public Records of Denton County, Texas located at northeast corner of Bargain Way and Nebraska Furniture Mart Drive, within the Planned Development 25 (PD 25) aka the Grandscape Planned Development zoning district. |

| | |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.0 | PUBLIC HEARING ITEMS |
| 3.1 | <i>RP16-0006, Replat for Lots 13R, 14R, Block B, Aberdeen Phase 3 at Tribute</i> Conduct a public hearing, discuss and consider approval of a replat for Lots 13R, 14R Block B, Aberdeen Phase 3, being a replat of Lots 13, 14 Block B, a 0.603 -acres of land out of the B.B.B. and C.R.R. Survey, Abstract No. 182, an addition to the City of The Colony, Denton County, Texas located at 3005 and 3009 Marykirk Court within the Planned Development 23 (PD 23) aka the Tribute Planned Development zoning district. |

| | |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4.0 | DISCUSSION ITEMS |
| 4.1 | <i>SP16-0007, Scooters Coffee Site Plan Amendment</i> Discuss and consider making a recommendation to the City Council on a request for Site Plan Amendment to allow Scooters Coffee, a 458 sf drive-through coffee kiosk on Lot 2R, Colony Corners Addition on a vacant pad next to the existing strip center located at the southeast corner of Main Street and S Colony BLVD. within General Retail (GR) zoning district. |

“Pursuant to the Texas Open Meetings Act, Government Code Chapter 551, one or more of the above items may be considered in executive session closed to the public. Any decision held on such matter will be taken or conducted in open session following the conclusion of the executive session”.

Persons with disabilities who plan to attend this meeting who may need auxiliary aids such as interpreters for persons who are deaf or hearing impaired, readers or, large print are requested to contact Tina Stewart, Interim City Secretary, at 972-624-3105 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

CERTIFICATION

I hereby certify that above notice of meeting was posted outside the front door of City Hall by 5:00 p.m. on the 24th day of June 2016.



Tina Stewart, Interim City Secretary



**MINUTES
CITY OF THE COLONY
PLANNING AND ZONING COMMISSION
MAY 24, 2016**

After determining that a quorum was present, the Planning and Zoning Commission of the City of The Colony, Texas convened into Regular Session which was held on Tuesday, May 24, 2016 at 6:30 PM in the City Council Chambers located in City Hall, 6800 Main Street, The Colony, Texas, at which time the following items were addressed:

Board Members Present: Karen Hames, Chairman, Detrick DeBurr, Vice Chairman, Brian Buffington, Cesar Molina Jr., Shawn Rockenbaugh, Janece Pool, and Shannon Hebb.

Board Members Absent: None

City Council Liaison: David Terre, City Council Place 4

Staff Present: Gordon Scruggs, P.E. Director of Engineering and Development Services, Surupa Sen, AICP, Senior Planner, Brian McNuelty, Engineering Technician, and Ed Voss, City Attorney.

| | |
|------------|--------------------------------------|
| 1.0 | CALL REGULAR SESSION TO ORDER |
|------------|--------------------------------------|

Chairman Hames called the meeting to order at 6:30 p.m.

| | |
|------------|----------------------|
| 1.1 | CITIZEN INPUT |
|------------|----------------------|

Brant Shallenburger, Director of Government Relations addressed the Commission regarding recent city email server update. He informed Commission on how to access the new city email system and whom they might contact if they are having problems with the new system.

| | |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.0 | CONSENT AGENDA |
| 2.1 | Consider approval of the minutes of the May 10, 2016 Regular Session. |
| 2.2 | <i>PP16-0002, Preliminary Plat for Village at The Pointe</i> Consider approval of a preliminary plat for Lots 1-63, 64X, Block A, Lots 1-14, 15X, Block B, Village at The Pointe, being 12.50 -acres of land out of the B.B.B. and C.R.R. Survey, Abstract No. 173, 174, an addition to the City of The Colony, Denton County, Texas located near the southwest corner of Memorial Drive and S Colony BLVD. approximately 300 feet west of the intersection, within the Planned Development 16 (PD 16) aka the Cascades Planned Development zoning district. |

Chairman Hames read the Consent Agenda items into the record.

Commissioner Pool moved to approve Items 2.1 and 2.2, Commissioner Hebb seconded the motion. Motion carried (7-0).

| | |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.0 | PUBLIC HEARING ITEMS |
| 3.1 | <i>SUP16-0002, Woodspring Suites Limited Service Hotel</i> Conduct a public hearing, discuss and consider making a recommendation to City Council on an application for a Specific Use Permit (SUP) to allow a limited service hotel, Woodspring Suites, to be located on a 3.22 acre tract of land along west side of S Colony BLVD, approximately 500' south of Memorial Drive within Planned Development 16 (PD 16) aka the Cascades Planned Development zoning district. |

Chairman Hames read the public hearing item 3.1 into record.

Ms. Sen presented the staff report.

Applicant, Mr. Ian McClure addressed the Commission and explained that the Woodspring Suites, in spite of being an extended stay hotel, is not anything like a Budget Suites that the City is having problems with. The room rates per night for Woodspring Suites will be on average \$100.00 – \$124.00 which is comparable to other hotels in the area. Mr. McClure also added that he is the preferred developer for Marriott and Hilton group of hotels and owns and operates multiple hotels with no complaints on any of the hotels.

Commissioner Buffington asked why Mr. McClure chose this particular lot for the proposed hotel development.

Mr. McClure stated with the arrival of Toyota and other major employers to this area of the DFW metroplex there is demand for hotel rooms and all the brands in the SH 121 and Dallas North Tollway vicinity are doing extremely well. This particular site is perfect in the sense that it is not located on the highway but within close proximity and close to all the new constructions happening in the area.

Commissioner Buffington mentioned that there is a single family development planned next to the proposed hotel site which might be impacted by the hotel.

Mr. McClure said that he has communicated with the property owner and developer for the single family project and they do not have any concern over the hotel being next to the single family development.

Commissioner Rockenbaugh enquired about the per night room rate for the proposed hotel and why the existing Woodspring hotels researched by staff shows lower room rates.

Mr. McClure stated that the hotels researched are not owned by him and the proposed Woodspring Suites would command a higher rate, around \$100.00 – \$124.00 as that is the predominant rate for this market.

Commissioner Molina stated that the clientele for this hotel is said to be the corporate clients arriving with major employers like Toyota or State Farm, what would happen once their transition to this area is complete.

Mr. McClure stated that with Toyota, even after their transition is complete they will be staff from support services like audit, IT etc. who will utilize the hotel service and will stay in town for one, two or three nights. With all the new commercial activities in the area, hotel development is growing and there will not be a shortage of clientele to serve.

Commissioner Molina asked what assurances can Mr. McClure provide that with increasing competition the hotel room rate will not go down or the maintenance of the property deteriorates resulting in Budget Suite type environment.

Mr. McClure answered that he has more than 15 years of track history, building, owning and managing different brands of hotel so the regular upkeep of the property and maintaining a quality hotel than can earn \$100.00 – \$124.00 room rates should not be a problem.

Chairman Hames opened and closed the public hearing at 6:50 p.m. with no one wishing to speak on the item.

Commissioner Buffington moved to deny Item 3.1 Commissioner Molina seconded the motion. Motion carried (7-0).

| | |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.2 | <i>SUP16-0002, Woodspring Suites Limited Service Hotel EIFS Exterior Material</i> Conduct a public hearing, discuss and consider making a recommendation to City Council on an application for a Specific Use Permit (SUP) to allow EIFS exterior construction on a proposed limited service hotel, Woodspring Suites, to be located on a 3.22 acre tract of land along west side of S Colony BLVD, approximately 500' south of Memorial Drive within Planned Development 16 (PD 16) aka the Cascades Planned Development zoning district. |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Chairman Hames read the public hearing item 3.2 into record.

Ms. Sen presented the staff report.

Chairman Hames opened and closed the public hearing at 6:55 p.m. with no one wishing to speak on the item.

Commissioner DeBurr stated that in his opinion it might be the right product but wrong location and there are compatibility issues with this hotel.

Commissioner DeBurr moved to deny Item 3.2 Commissioner Rockenbaugh seconded the motion. Motion carried (7-0).

| | |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4.0 | DISCUSSION ITEMS |
| 4.1 | <i>SP16-0006, Village at The Pointe Development Plan</i> Discuss and consider making a recommendation to the City Council on a request for a Development Plan to allow Village at The Pointe, a residential town home development on 12.5 acre land located near the southwest corner of Memorial Drive and S Colony BLVD. approximately 300 feet west of the intersection, within the Planned Development 16 (PD 16) aka the Cascades Planned Development zoning district. |

Chairman Hames read the discussion item 4.1 into record.

Ms. Sen presented the staff report.

Commissioner Rockenbaugh asked for the schedule of Memorial Road expansion.

Mr. Scruggs mentioned that the project contract has been approved by Council and staff hopes that construction can start in July.

Commissioner Rockenbaugh asked that the Memorial Road expansion would start before this townhome project begins construction.

Mr. Scruggs responded affirmative.

Commissioner Molina asked about the mutual access from the Valero Corner store to this development which would result in mixing commercial traffic with this residential development.

Ms. Sen agreed that staff has discussed this with the applicant that there is a potential for people from Valero gas station to cut through the neighborhood as that is the only left turn on Memorial Drive available for the users of the Valero Corner store.

Applicant, Bobby Samuel from Meritage Homes responded that the mutual access has to be kept open as a requirement of purchase for the town home property.

Commissioner Molina stated that in future the City will receive complaints from the residents if there is too much traffic from the Valero cutting through the neighborhood. He asked if it becomes problem could the City put one-way only sign on that segment to prevent traffic from entering the neighborhood.

Mr. Scruggs mentioned that staff has looked at the traffic numbers. Primary concern will be speeding, but these roadway segments being too short, speeding might not occur and if occurs the City can put three way stop signs. So if necessary the City can put stop sign or one-way signs in that area.

Commissioner Hebb asked that the cul-de-sacs are only 40' radius, is that sufficient for the Fire Department access.

Ms. Sen responded that the Fire Marshall has reviewed the plans and the minimum requirement is 30' radius.

Commissioner Hebb asked what the foot candle will be for street lights within this development.

Mr. Samuel could not respond to the question.

Mr. Scruggs mentioned that the development has to comply with City requirements for type of light and spacing and that will be reviewed and approved during the construction drawings approval.

Commissioner Molina asked if the water line on Memorial has to be complete before this subdivision is built as that will be providing water to this project.

Mr. Scruggs agreed that the 16" line on Memorial will be serving this project and connects to the water tower in Legends.

Commissioner Hebb asked if there will be a crosswalk from this development on Memorial Drive.

Mr. Scruggs responded that ultimately the Memorial Drive will be a six lane divided roadway and the City would prefer crosswalk at the intersection.

Commissioner Hebb asked if a signal will be installed for this project.

Mr. Scruggs responded that signal is not warranted at this location and it is too close to the existing signalized intersection at S Colony Blvd and Memorial Drive.

Commissioner Molina moved to approve Item 4.1 Commissioner Hebb seconded the motion. Motion carried (7-0).

| | |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4.2 | <i>SP16-0007, Scooters Coffee Site Plan Amendment</i> Discuss and consider making a recommendation to the City Council on a request for Site Plan Amendment to allow Scooters Coffee, a 458 sf drive-through coffee kiosk on Lot 2R, Colony Corners Addition on a vacant pad next to existing strip center located at the southeast corner of Main Street and S Colony BLVD. within General Retail (GR) zoning district. |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Chairman Hames read the discussion item 4.2 into record.

Ms. Sen presented the staff report.

Commissioner Hebb stated that the stacking for the proposed Scooters Coffee is on the wrong side of the road and incoming traffic from Main Street through the driveway on the west side of the building will be in conflict with the incoming traffic from South Colony Blvd that is trying to stack next to the parking. Also where will the employee parking be?

Ms. Sen stated that there is no designated employee parking. Employees will be parking in the available parking spaces around the strip center.

Commissioner Rockenbaugh added that there will not be enough room for two way traffic within the internal drive way with the stacking lane introduced to the left.

Chairman Hames also stated that there will be issues with parking as the stacking will block people from getting out of the parking spaces.

Applicant David Bond with Spiars Engineering agreed that there is no designated employee parking. They will park in the existing parking spaces of the center. Also for people coming from Main Street, there will be signage to show drive through exit only. So that people coming from Main Street will drive through the alley on the south side of the building and come around to get into the stacking lane.

Megan Boise with Scooter's Coffee addressed Commission stating that usually drive through lanes follow the curb of the building, so the traffic being on the wrong side of the road is not really a problem that has been seen in their existing stores. Also the business model requires fast efficient service where the stacking to be that long is very rare.

Commissioner Hebb asked if there will be any patio area where people can come to order coffee and wait.

Mr. Bond stated there will not be a patio area. The business is based on drive-through only.

Commissioner Pool expressed concern over the stacking of cars blocking the parking where patrons will not be able to back out of their parking spaces when cars are stacked behind them.

Ms. Angela Durett with Tom Day Company, the property managers for this location addressed commission and stated that they have contacted the existing tenants regarding this addition and they have not expressed any concerns about the stacking might impacting the parking. Also regarding anyone parking in those spaces and not being able to back out, probably only the employees of Pizza Hut might come in early and they would know about this new tenant and would park in spaces not blocked by the stacked cars.

Commissioner Hebb asked as there is no one walking up to get coffee in this model, why a handicap accessible parking space is proposed.

Mr. Bond responded that being a ADA requirement in case an employee required such accessibility.

Commissioner Hebb asked how wide the island is between the drive through lane and the existing driveway.

Mr. Bond stated that to be 2' wide.

Commissioner Hebb expressed concern over the island being too narrow and people driving over it.

Commissioner Buffington asked if the drivers existing Scooters Coffee will be allowed to turn left and go through the alley as that is not allowed by law and people have been cited before on this issue. Commissioner Hebb agreed.

Mr. Scruggs mentioned that it is against the law to cut through from one street to another through a drive approach. But if people using the shopping center of the Coffee shop takes a left turn to exit on the alley that is legal and allowed.

Enquired by Commissioner Hebb, Chairman Hames requested to move to Executive Session at 7:33 p.m. to receive legal counsel.

Commission convened to regular session at 7:48 p.m.

Commissioner Molina moved to table item 4.2 till June 28th Planning and Zoning commission meeting to allow applicant to address the concerns expressed by the Commission tonight and bring it back for consideration, Commissioner Hebb seconded the motion. Motion carried (7-0).

There being no further business to come before the Commission, Chairman Hames adjourned the Regular Session of the Planning and Zoning Commission at 7: 40 p.m.

Karen Hames, Chairman

Surupa Sen, AICP, Senior Planner

**MINUTES
CITY OF THE COLONY
PLANNING AND ZONING COMMISSION
JUNE 14, 2016**

After determining that a quorum was present, the Planning and Zoning Commission of the City of The Colony, Texas convened into Regular Session which was held on Tuesday, June 14, 2016 at 6:30 PM in the City Council Chambers located in City Hall, 6800 Main Street, The Colony, Texas, at which time the following items were addressed:

Board Members Present: Karen Hames, Chairman, Brian Buffington, Cesar Molina Jr., Shawn Rockenbaugh, and Janece Pool

Board Members Absent: Detrick DeBurr, Vice Chairman and Shannon Hebb

City Council Liaison: David Terre, City Council Place 4

Staff Present: Gordon Scruggs, P.E. Director of Engineering and Development Services, Mike Joyce, AICP, Planning Director, Surupa Sen, AICP, Senior Planner, Brian McNulty, Engineering Technician, and Ed Voss, City Attorney.

| | |
|------------|--------------------------------------|
| 1.0 | CALL REGULAR SESSION TO ORDER |
|------------|--------------------------------------|

Chairman Hames called the meeting to order at 6:30 p.m.

| | |
|------------|----------------------|
| 1.1 | CITIZEN INPUT |
|------------|----------------------|

No citizens came forward during Citizen Input.

| | |
|------------|------------------------------------------------------|
| 1.3 | Election of Chair and Vice Chair for the Commission. |
|------------|------------------------------------------------------|

Commissioner Molina moved to nominate Karen Hames as Chairman, Commissioner Pool seconded the motion. Motion carried (5-0).

Commissioner Rockenbaugh moved to nominate Detrick DeBurr as Vice-Chairman, Commissioner Molina seconded the motion. Motion carried (5-0).

| | |
|------------|-----------------------------|
| 2.0 | PUBLIC HEARING ITEMS |
|------------|-----------------------------|

| | |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.1 | <i>SUP12-0004, Lots 77 through 88 of the Garza Little Elm Lake Estates</i> Conduct a public hearing, discuss and consider making a recommendation to City Council regarding the revocation of a Specific Use Permit in a General Retail zoning district which allowed outside display of vehicles and merchandise on a tract of land totaling approximately 0.88 acres, generally located on the east side of Main Street (FM 423). The property is located at 7228, 7300 and 7320 Main Street. |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Chairman Hames read the public hearing item 2.1 into record.

Mr. Joyce presented the staff report.

Commissioner Rockenbaugh asked if the revocation of SUP will restrict the applicant from displaying cars outside.

Mr. Joyce responded affirmative.

Commissioner Molina asked that the Planning and Zoning Commissioner is only making a recommendation on the SUP revocation, the Council will have the final authority to revoke the SUP.

Mr. Voss answered affirmative.

Chairman Hames opened the public hearing at 6:44 p.m.

Property owner Mr. James Ramsey approached the Council. He stated that this property was being manager by one of the renters and he had not been personally involved with this SUP process and the requirements set forth by the Council. There were environmental issues on this land that he was deemed responsible party even though he had bought the property without any knowledge of environmental impacts. He would like to resolve this issue and would like for Commission and Council direction on how to amend the situation.

Commissioner Buffington enquired of Mr. Ramsey that when he was notified about the issues on this property.

Mr. Ramsey stated that Mr. Louis Jews was primarily handling the matters at that time and he was only informed when last year his attorney came and met with staff.

Chairman Hames asked who is currently renting the property.

Mr. Ramsey informed that the auto sales business is the only renter he has currently and confirmed Chairman Hames' statement that the renter is currently displaying automobiles outside, even though no improvements have been made to the property.

Commissioner Rockenbaugh enquired that under typical procedure, property owner should have been notified in 2012 when the SUP was approved and why Mr. Ramsey is stating that he wasn't aware of the situation and nothing has been done.

Mr. Ramsey stated that Mr. Jews did not keep him in the loop as to what was going on or what requirements have been put in place. He has caused a lot of damage when he left the building and occupied the store next to this property.

Commissioner Pool asked whether the notices were sent to the property owner or the tenant at that time.

Mr. Joyce stated that the tenant was notified as the owner had listed him as the primary point of contact handling the business.

Chairman Hames closed the public hearing at 6:45 p.m.

Commissioner Molina moved to revoke the SUP for Item 2.1 Commissioner Pool seconded the motion. Motion carried (5-0).

| | |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.2 | <i>SUP16-0004 – Pappy’s Pet Lodge at 4000 Paige Road</i> Conduct a public hearing, discuss, and consider making a recommendation to City Council regarding a Specific Use Permit request for proposed Pappy’s Pet Lodge at 4000 Paige Road. |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Chairman Hames read the public hearing item 2.2 into record.

Ms. Sen presented the staff report.

Chairman Hames stated that a shade structure should be added to the proposal for the outside play area.

Chairman Hames opened the public hearing at 7:00 p.m.

Applicant Bill Kinder from Pappy's Pet Lodge approached the Commission. He described Pappy's Pet Lodge business, location and reputation for its operation of award winning pet care facilities.

Commissioner Buffington enquired why this particular address or the building was chosen as being behind the gas station and convenience store.

Mr. Kinder responded that the size of the building is optimum for their use. The demographics around the area (2 – 5 mile radius) are supportive of this need. The population around have 55% people with pets. There is good signage available on SH 121. Enough traffic on SH 121 and Paige Road to generate interest. So they feel this location to be successful.

Commissioner Buffington asked if this facility will be set up in similar fashion like their rest of the location.

Mr. Kinder responded that this facility will have similar basic setup like the other locations currently open.

Chairman Hames closed the public hearing at 7:05 p.m.

Commissioner Molina moved to approve Item 2.2 with condition that a shade structure will be added to the play area, Commissioner Buffington seconded the motion. Motion carried (5-0).

There being no further business to come before the Commission, Chairman Hames adjourned the Regular Session of the Planning and Zoning Commission at 7: 06 p.m.

Karen Hames, Chairman

Surupa Sen, AICP, Senior Planner

PLANNING AND ZONING COMMISSION REPORT

AGENDA DATE: June 28, 2016

DEPARTMENT: Development Services Department

PLANNER: Surupa Sen, AICP, Senior Planner, 972-624-3164

SUBJECT: *FP16-0004, Final Plat for Waterford Point Ph 1B at Tribute*

Consider approval of a final plat for Lots 25-30, 61X, Block A, Lots 1-5, Block P, Waterford Point Phase 1B, being 5.805 -acres of land out of the B.B.B. and C.R.R. Survey, Abstract No. 170, an addition to the City of The Colony, Denton County, Texas located north of Waterford Point Phase 1 within the Planned Development 23 (PD 23) aka the Tribute Planned Development zoning district.

APPLICANT

| | | |
|--------------------|----------------------|-------------------|
| Owner/Developer: | Tribute Partners LLC | Lewisville, Texas |
| Engineer/Surveyor: | JBI Partners, Inc. | Addison, Texas |

EXISTING CONDITION OF PROPERTY

The subject property is currently undeveloped.

PROPOSED DEVELOPMENT

11 residential lots and 1 common area lot are being proposed within Tribute. The lots will be accessed through Castlebridge Road. The lots range in size from 11,236 sf to 26,492 sf. The common area lot is 56,970 sf.

ADJACENT ZONING

North - Planned Development 23 (PD 23) – Tribute
South - Planned Development 23 (PD 23) – Tribute
East- Planned Development 23 (PD 23) – Tribute
West- Planned Development 23 (PD 23) – Tribute

PLAT DETAILS

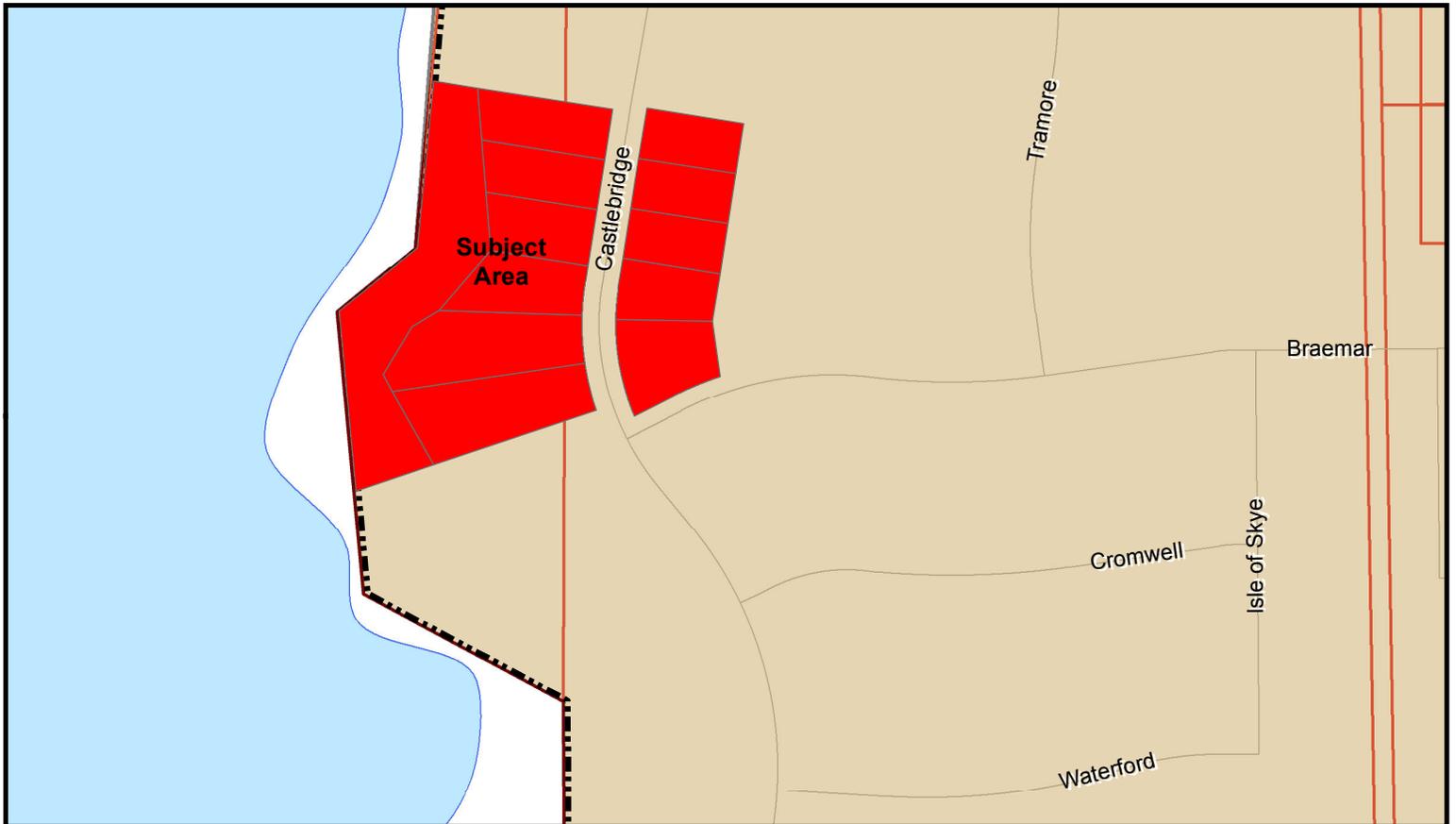
5.805 acres of land is being subdivided into 11 residential lots and one open space lot.

RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the Final Plat.

ATTACHMENTS

1. Location Map
2. Proposed Final Plat



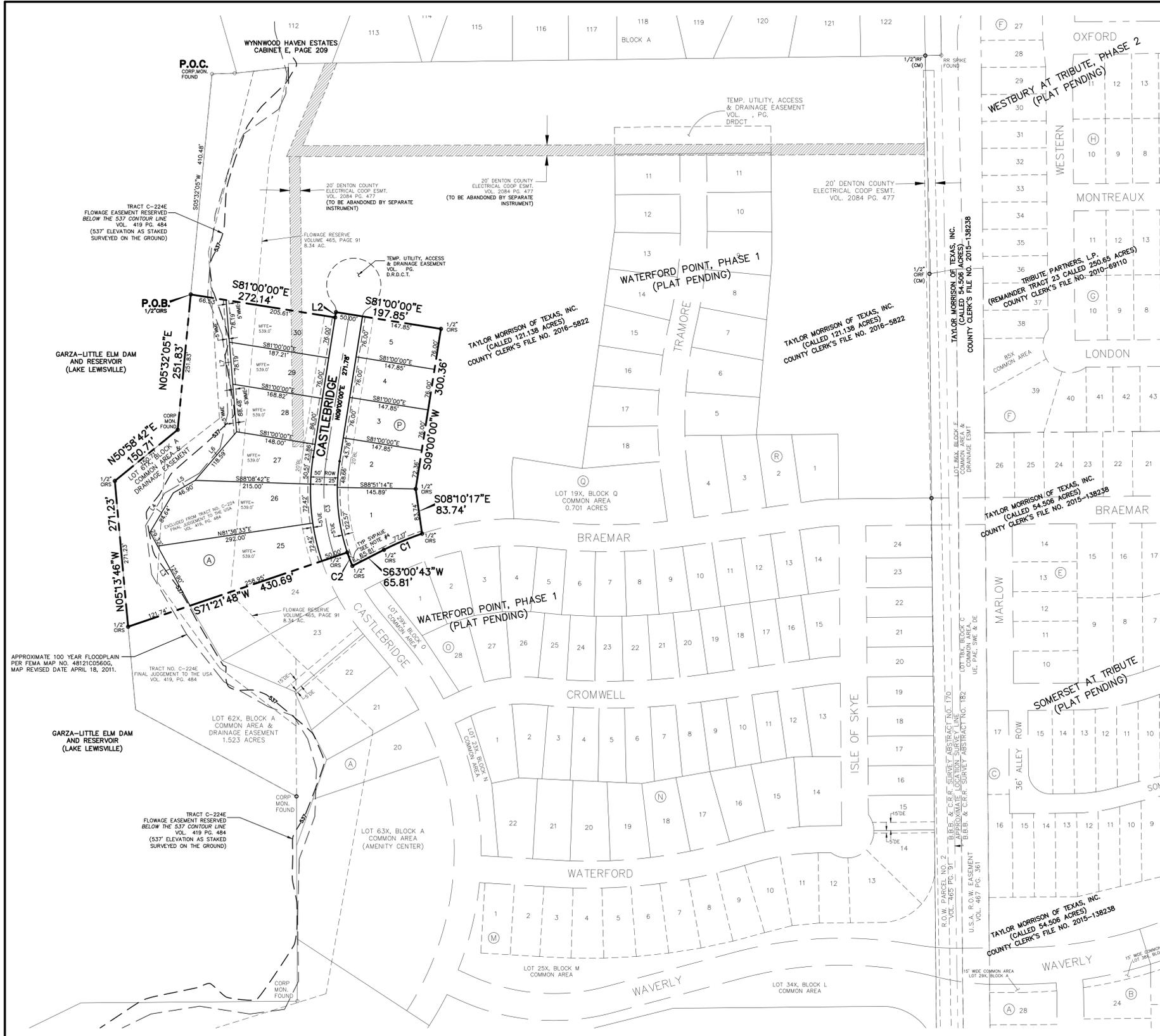
Project No. FP16-0004 - Project Name: Waterford Point Ph1B Final Plat



| | | | | |
|-----------------------|--------------------------|------------------|----------------------|------------------------|
| Waterford Point Ph 1B | Business Park/Industrial | Heavy Commercial | Mobile Home | Planned Development |
| Agricultural | Duplex Dwelling | Industrial | Neighborhood Service | Shopping Center |
| Business Park | General Retail | Light Commercial | Office District 1 | Single Family Dwelling |

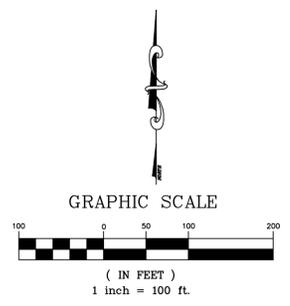
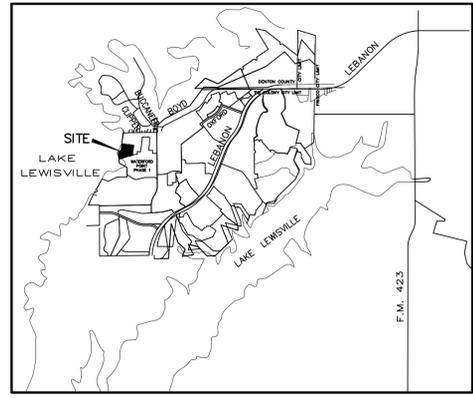
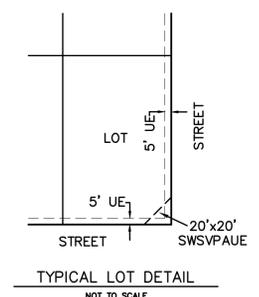
This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.





LEGEND

POC POINT OF COMMENCING
 POB POINT OF BEGINNING
 CM CONTROL MONUMENT
 CIRS CAPPED IRON ROD SET WITH YELLOW CAP STAMPED "JBI"
 CIRF CAPPED IRON ROD FOUND WITH YELLOW CAP STAMPED "JBI"
 ROW RIGHT-OF-WAY
 AE ACCESS EASEMENT
 DE DRAINAGE EASEMENT
 PWME PRIVATE WALL MAINTENANCE EASEMENT
 PAE PUBLIC ACCESS EASEMENT
 SSE SANITARY SEWER EASEMENT
 SWE SIDEWALK EASEMENT
 SVP/PAUE SIDEWALK, SIGHT VISIBILITY, PUBLIC ACCESS, & UTILITY EASEMENT
 UE UTILITY EASEMENT
 WE WATER EASEMENT
 R RADIUS
 MFFE MINIMUM FINISHED FLOOR ELEVATION
 STREET NAME CHANGE



- NOTES:
- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
 - ALL LOTS ARE LOCATED OUTSIDE OF THE PROPOSED 537'-FT CONTOUR LINE AS SURVEYED ON THE GROUND.
 - ALL COMMON AREA LOTS AS SHOWN HEREON ARE TO BE MAINTAINED BY AND DEDICATED TO THE TRIBUTE HOMEOWNER'S ASSOCIATION (HOA) VIA THE EXECUTION AND FILING OF THIS FINAL PLAT WITH RESPECTIVE COUNTY.
 - A 20'x20' SIDEWALK, SIGHT VISIBILITY, PUBLIC ACCESS AND UTILITY EASEMENT WILL BE AT ALL RIGHT-OF-WAY INTERSECTIONS WITH A BARRIER FREE RAMP.
 - ALL FINISHED FLOORS SHALL BE A MINIMUM OF TWO FEET ABOVE THE 537' CONTOUR LINE OR THE 100-YEAR FLOODPLAIN, WHICHEVER IS GREATER.
 - SIDEWALKS (WHICH ARE REQUIRED IN ALL RESIDENTIAL DISTRICTS AND WHEREVER PEDESTRIAN TRAFFIC MAY BE GENERATED) SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF THE COLONY'S SPECIFICATIONS. THE DEVELOPER WILL CONSTRUCT SIDEWALKS ALONG THE REAR AND SIDE LOTS THAT ABUT THOROUGHFARES OR WHICH ABUT PERIMETER STREETS, OR WHERE AN ALLEY IS ADJACENT TO A THOROUGHFARE. THE BUILDER ON A LOT WILL CONSTRUCT ALL OTHER SIDEWALKS ON THE FRONT AND SIDE OF LOTS INTERNAL STREETS.
 - BASIS OF BEARINGS: BASED ON MONUMENTS FOUND ALONG THE EAST LINE OF CALLED 121.138 ACRE TRACT, DEEDED TO TAYLOR MORRISON OF TEXAS, INC. AS RECORDED IN DOCUMENT NO. 2016-5822, R.P.R.D.C.T.
 - SETBACKS ARE ESTABLISHED IN ACCORDANCE WITH PD-18 AND PD-23.
 - EXCEPT AS SHOWN ON PLAT ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NUMBER 4812C0560 G, DATED APRIL 18, 2011, SUBJECT TRACT LIES OUTSIDE OF SHADED ZONE AE, A SPECIAL FLOOD HAZARD AREA WITH BASE FLOOD ELEVATION DETERMINED AT 537' TO BE THE 100 YEAR FLOOD OR 1 PERCENT ANNUAL CHANCE FLOOD LINE.

CITY CASE NO. FP16-0004
 FINAL PLAT

**WATERFORD POINT,
 PHASE 1B**

11 RESIDENTIAL LOTS AND 1 COMMON AREA LOTS
 LOTS 25-30 AND 61X, BLOCK A; LOTS 1-5, BLOCK P;
 BEING 5.805 ACRES OUT OF THE
 B.B.B. & C.R.R. SURVEY, ABSTRACT NO. 170
 THE CITY OF THE COLONY, DENTON COUNTY, TEXAS

TAYLOR MORRISON OF TEXAS, INC. OWNER/DEVELOPER
 2500 Legacy Drive, Suite 100 Frisco, Texas 75034
 Contact: Phillip Thompson (469) 252-2194

JBI PARTNERS, INC. SURVEYOR/ENGINEER
 16301 Quorum Drive, Suite 200 B Addison, Texas 75001
 Contact: Jason Kaiser, P.E. (972)248-7676
 TBPE No. F-438 TBPLS No. 10076000

Benchmarks:

BM 1) "X" set on center of curb inlet located along the west curb line of Lebanon Road, approximately 100 feet north of the intersection of Lebanon Road and Bonnybank. Elevation=550.85'

BM 2) "X" set on center of curb inlet located along the east curb line of Lebanon Road, approximately 90 feet north of the intersection of Lebanon Road and Bankside. Elevation=546.03'

BM 3) "X" set on center of curb inlet located along the east curb line of Lebanon Road, approximately 1050 feet south of the intersection of Lebanon Road and Haywick. Elevation=536.26'

LINE TABLE

| NO. | BEARING | LENGTH |
|-----|-------------|--------|
| L2 | N09°00'00"E | 9.92 |
| L3 | N28°40'17"W | 155.23 |
| L4 | S30°41'34"W | 84.64 |
| L5 | N60°16'13"E | 46.90 |
| L6 | N40°37'33"E | 118.59 |
| L7 | S04°36'22"E | 244.87 |

CURVE TABLE

| NO. | LENGTH | DELTA | RADIUS | TANGENT | CHORD BEARING | CHORD |
|-----|--------|-----------|--------|---------|---------------|--------|
| C1 | 77.17 | 8°25'20" | 525.00 | 38.66 | S67°13'22"W | 77.10 |
| C2 | 26.72 | 4°18'47" | 355.00 | 13.37 | S20°47'36"E | 26.72 |
| C3 | 183.29 | 27°38'12" | 380.00 | 93.47 | S04°49'06"E | 181.52 |

STATE OF TEXAS ~
COUNTY OF DENTON ~

WHEREAS, Taylor Morrison of Texas, Inc. is the owner of a parcel of land located in the City of the Colony, Denton County, Texas, a part of the B.B.B. & C.R.R. Survey, Abstract 170, and being a part of that called 121.138 acre tract of land described in deed to Taylor Morrison of Texas, Inc. as recorded in Document Number 2016-5822, Denton County Deed Records, and being further described as follows:

COMMENCING at a Corp of Engineer monument found at the northwest corner of said 121.138 acre tract, said point also being in the east line of Garza-Little Elm Dam and Reservoir (Lake Lewisville);

THENCE South 05 degrees 32 minutes 05 seconds West, 410.48 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point being in the west line of said 121.138 acre tract and in the east line of said Garza-Little Elm Dam and Reservoir (Lake Lewisville), said point also being the POINT OF BEGINNING of this tract of land;

THENCE South 81 degrees 00 minutes 00 seconds East, 272.14 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE North 09 degrees 00 minutes 00 seconds East, 9.92 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 81 degrees 00 minutes 00 seconds East, 197.85 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 09 degrees 00 minutes 00 seconds West, 300.36 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 08 degrees 10 minutes 17 seconds East, 83.74 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southwesterly, 77.17 feet along a curve to the left having a central angle of 08 degrees 25 minutes 20 seconds, a radius of 525.00 feet, a tangent of 38.66 feet, and whose chord bears South 67 degrees 13 minutes 22 seconds West, 77.10 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 63 degrees 00 minutes 43 seconds West, 65.81 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE Southeasterly, 26.72 feet along a curve to the left having a central angle of 04 degrees 18 minutes 47 seconds, a radius of 355.00 feet, a tangent of 13.37 feet, and whose chord bears South 20 degrees 47 minutes 36 seconds East, 26.72 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

THENCE South 71 degrees 21 minutes 48 seconds West, 430.69 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner, said point being in the west line of said 121.138 acre tract and in the east line of said Garza-Little Elm Dam and Reservoir (Lake Lewisville);

THENCE along the west line of said 121.138 acre tract and along the east line of said Garza-Little Elm Dam and Reservoir (Lake Lewisville) as follows:

North 05 degrees 13 minutes 46 seconds West, 271.23 feet to a one-half inch iron rod with yellow cap stamped "JBI" set for corner;

North 50 degrees 58 minutes 42 seconds East, 150.71 feet to a Corp of Engineers monument found for corner;

North 05 degrees 32 minutes 05 seconds East, 251.83 feet to the POINT OF BEGINNING and containing 252,847 square feet or 5.805 acres of land.

DEDICATION STATEMENT

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT TAYLOR MORRISON OF TEXAS, INC., THROUGH THE UNDER SIGNED AUTHORITY, DOES HEREBY ADOPT THIS PLAT DESIGNATION THE HEREIN ABOVE DESCRIBED PROPERTY AS WATERFORD POINT, PHASE 1B, AN ADDITION TO THE CITY OF THE COLONY, TEXAS, AND DOES HEREBY DEDICATE IN FEE SIMPLE TO THE PUBLIC USE FOREVER THE STREETS AND ALLEYS SHOWN HEREON; AND DOES HEREBY DEDICATE THE EASEMENTS SHOWN ON THE FINAL PLAT FOR MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE, OR USING SAME, SAID DEDICATIONS BEING FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT AS SHOWN HEREIN. TRIBUTE PARTNERS, L.P., DOES HEREBY BIND ITSELF, ITS SUCCESSORS AND ASSIGNS TO FOREVER WARRANT AND DEFEND ALL AND SINGULAR THE ABOVE DESCRIBED STREETS, ALLEYS, EASEMENTS AND RIGHTS UNTO THE PUBLIC AGAINST EVERY PERSON WHOMSOEVER LAWFULLY CLAIMING OR TO CLAIM THE SAME OR ANY PART THEREOF. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS ON SAID FINAL PLAT. ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON ANY OF THESE EASEMENTS, AND ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON ANY OF SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEM WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.

EXECUTED this ____day of _____ 2016.

TAYLOR MORRISON OF TEXAS, INC.

By: _____
Name:
Title:

NOTARY CERTIFICATE

STATE OF TEXAS §

COUNTY OF DENTON §

Before me, the undersigned authority, a Notary Public in and for the said County and State on this day personally appeared _____ of TAYLOR MORRISON OF TEXAS, INC., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this ____day of _____, 2016.

Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, MARK W. HARP, do hereby certify that I prepared this plat from an actual survey of the land and that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of The Colony, Denton County, Texas.

MARK W. HARP, R.P.L.S. No. 6425

STATE OF TEXAS §

COUNTY OF DALLAS §

BEFORE ME, the undersigned authority in and for the State of Texas, on this day personally appeared MARK W. HARP, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office, this ____day of _____, 2016.

Notary Public in and for the State of Texas

CITY SIGNATURE BLOCK

"On the ____day of _____, 2016, this plat was duly approved by the Planning and Zoning Commission of the City of The Colony.

Signed, _____
Chairman of the Planning and Zoning Commission

Attest: _____
City Secretary

WATERFORD POINT, PHASE 1B

Parcel name: PHASE 1B BOUNDARY

North: 7093136.2255 East: 2449537.2384
Line Course: S 81-00-00 E Length: 272.14
North: 7093083.6534 East: 2449806.0279
Line Course: N 09-00-00 E Length: 9.92
North: 7093103.4513 East: 2449807.5797
Line Course: S 81-00-00 E Length: 197.85
North: 7093072.5007 East: 2450002.9939
Line Course: S 09-00-00 W Length: 300.36
North: 7092775.8387 East: 2449956.0072
Line Course: S 08-10-17 E Length: 83.74
North: 7092692.9489 East: 2449967.9096
Curve Length: 77.17 Radius: 525.00
Delta: 8-25-20 Tangent: 38.66
Chord: 77.10 Course: S 67-13-22 W
Course In: S 18-33-58 E Course Out: N 26-59-18 W
RP North: 7092195.2715 East: 2450135.0689
End North: 7092663.0984 East: 2449896.8191
Line Course: S 63-00-43 W Length: 65.81
North: 7092633.2335 East: 2449838.1757
Curve Length: 26.73 Radius: 355.00
Delta: 4-18-48 Tangent: 13.37
Chord: 26.72 Course: N 20-47-36 W
Course In: N 67-03-00 E Course Out: S 71-21-48 W
RP North: 7092771.6579 East: 2450165.0759
End North: 7092658.2120 East: 2449828.6906
Line Course: S 71-21-48 W Length: 430.69
North: 7092520.5782 East: 2449420.5842
Line Course: N 05-13-46 W Length: 271.23
North: 7092790.6793 East: 2449395.8632
Line Course: N 50-58-42 E Length: 150.71
North: 7092885.5885 East: 2449512.9510
Line Course: N 05-32-05 E Length: 251.83
North: 7093136.2244 East: 2449537.2397

Perimeter: 2138.16 Area: 252,847 sq.ft. 5.805 acres
Mapcheck Closure -- (Uses listed courses, radii, and deltas)
Error Closure: 0.0017 Course: S 50-08-28 E
Error North: -0.00110 East: 0.00132
Precision 1: 1,257,752.94

| BLOCK - LOT | SQ. FT. | ACRES |
|-------------|---------|-------|
| PH1-A25 | 26,492 | 0.608 |
| PH1-A26 | 26,503 | 0.608 |
| PH1-A27 | 15,369 | 0.353 |
| PH1-A28 | 13,623 | 0.313 |
| PH1-A29 | 13,529 | 0.311 |
| PH1-A30 | 14,927 | 0.343 |
| PH1-A61X | 56,970 | 1.308 |
| PH1-P1 | 16,819 | 0.386 |
| PH1-P2 | 12,151 | 0.279 |
| PH1-P3 | 11,236 | 0.258 |
| PH1-P4 | 11,236 | 0.258 |
| PH1-P5 | 11,236 | 0.258 |

CITY CASE NO. FP16-0004
FINAL PLAT

WATERFORD POINT,
PHASE 1B

11 RESIDENTIAL LOTS AND 1 COMMON AREA LOTS
LOTS 25-30 AND 61X, BLOCK A; LOTS 1-5, BLOCK P;

BEING 5.805 ACRES OUT OF THE
B.B.B. & C.R.R. SURVEY, ABSTRACT NO. 170

THE CITY OF THE COLONY, DENTON COUNTY, TEXAS

TAYLOR MORRISON OF TEXAS, INC. OWNER/DEVELOPER

2500 Legacy Drive, Suite 100 (469) 252-2194
Frisco, Texas 75034
Contact: Phillip Thompson

JBI PARTNERS, INC. SURVEYOR/ENGINEER

16301 Quorum Drive, Suite 200 B (972)248-7676
Addison, Texas 75001
Contact: Jason Kaiser, P.E.
TBPE No. F-438 TBPLS No. 10076000

RESUBMITTED: MAY 27, 2016
SUBMITTED: APRIL 19, 2016

PLANNING AND ZONING COMMISSION REPORT

AGENDA DATE: June 28, 2016

DEPARTMENT: Development Services Department

PLANNER: Surupa Sen, AICP, Senior Planner, 972-624-3164

SUBJECT: *RP16-0005, Replat for Lots 6R, 7R, Block A, Grandscape Addition*

Consider approval of a replat for Lots 6R, 7R Block A, Grandscape Addition, being a replat of Lots 6, 7 Block A, Grandscape Addition, City of The Colony, Denton County, Texas as recorded in County Clerk's Document No. 2014-290 Official Public Records of Denton County, Texas located at northeast corner of Bargain Way and Nebraska Furniture Mart Drive, within the Planned Development 25 (PD 25) aka the Grandscape Planned Development zoning district.

APPLICANT

| | | |
|--------------------|-------------------------|------------------|
| Owner/Developer: | LMG Ventures LLC | Omaha, Nebraska |
| Engineer/Surveyor: | Graham Associates, Inc. | Arlington, Texas |

EXISTING CONDITION OF PROPERTY

The subject property is currently developed with Cheddar's and MiCocina restaurants.

PROPOSED DEVELOPMENT

The purpose of this replat is to add public water and Coserv electric easements. Lots 6, 7 Block A, Grandscape Addition Final Plat was approved by Planning and Zoning Commission on July 8, 2014.

ADJACENT ZONING

North - PD-25 and the Sam Rayburn Tollway (S.H. 121)
South - PD-25, Grandscape, undeveloped land
East- PD-22, Nebraska Furniture Mart and its parking structure
West- PD-25, Grandscape, undeveloped land

PLAT DETAILS

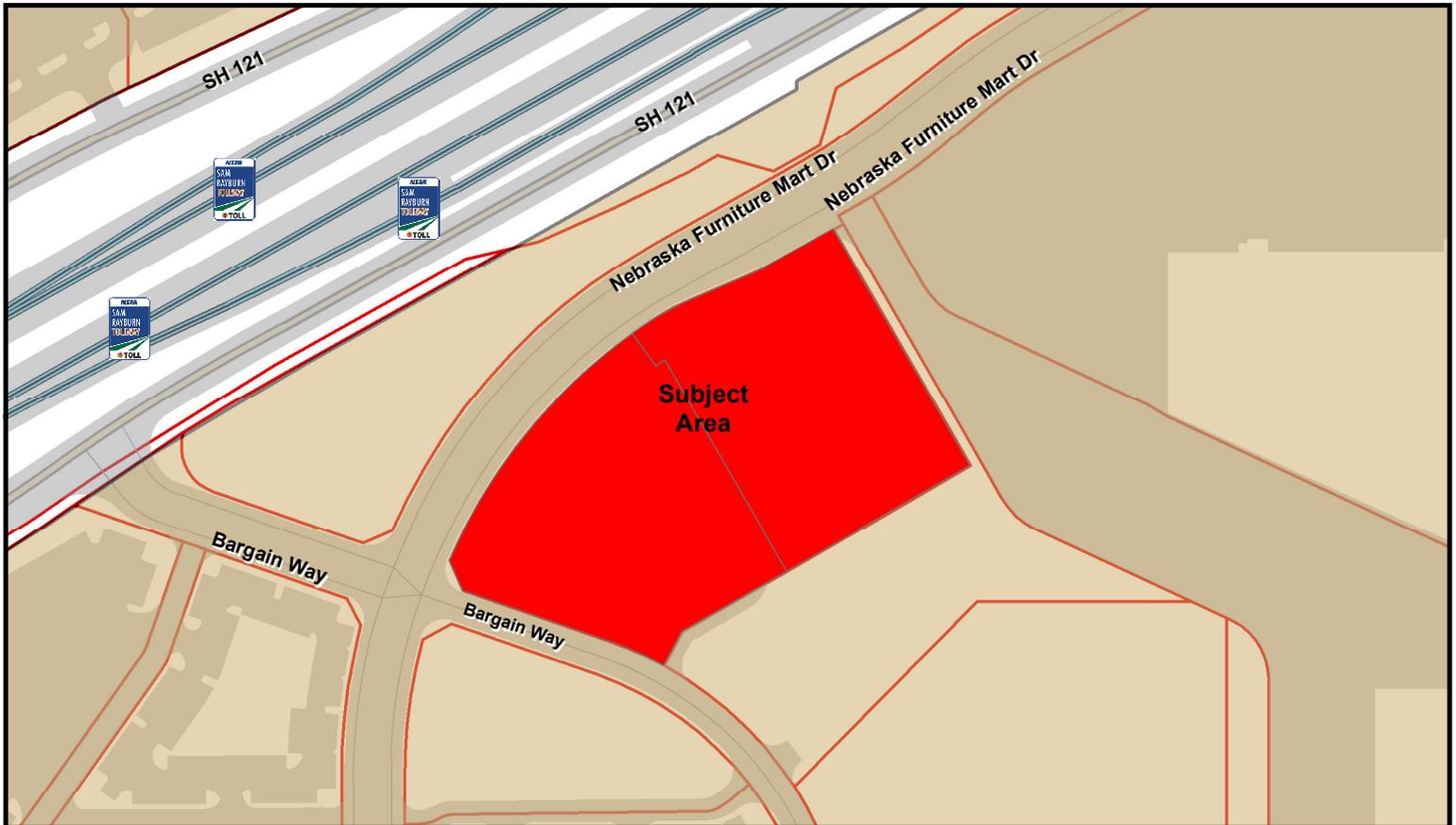
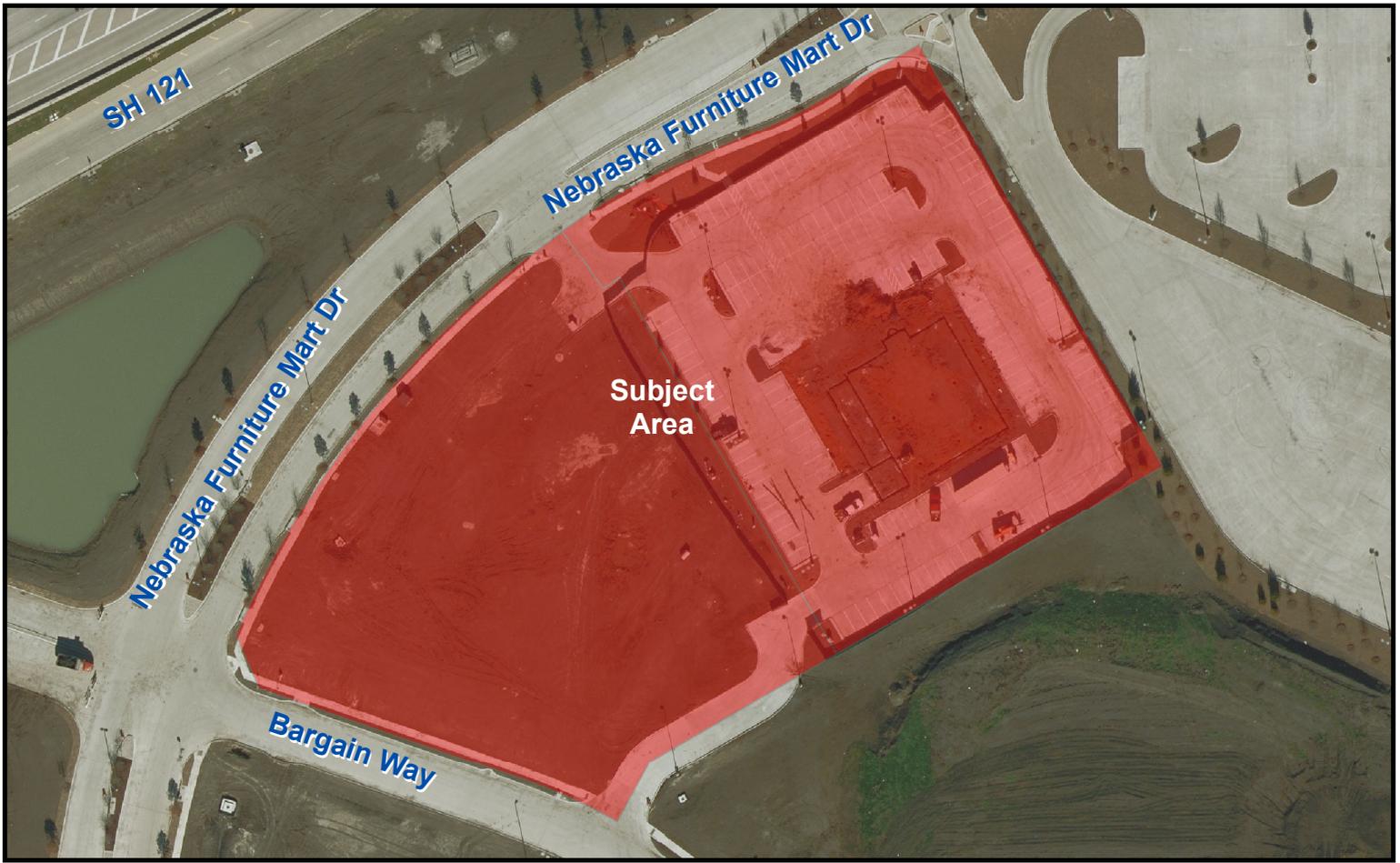
Cheddar's and MiCocina restaurants are located on Lots 6R and 7R, Block A, Grandscape Addition. Additional utility easements were needed during planning and construction of MiCocina which initiates this replat.

RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the Replat.

ATTACHMENTS

1. Location Map
2. Proposed Replat

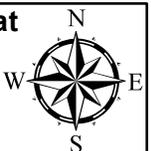


Project No. RP16-0005 - Project Name: Lots 6R, 7R, Blk A, Grandscape Addition Replat



- | | | | | |
|-----------------------------------------|--------------------------|------------------|----------------------|------------------------|
| Lots 6R, 7R, Blk A, Grandscape Addition | Business Park/Industrial | Heavy Commercial | Mobile Home | Planned Development |
| Agricultural | Duplex Dwelling | Industrial | Neighborhood Service | Shopping Center |
| Business Park | General Retail | Light Commercial | Office District 1 | Single Family Dwelling |

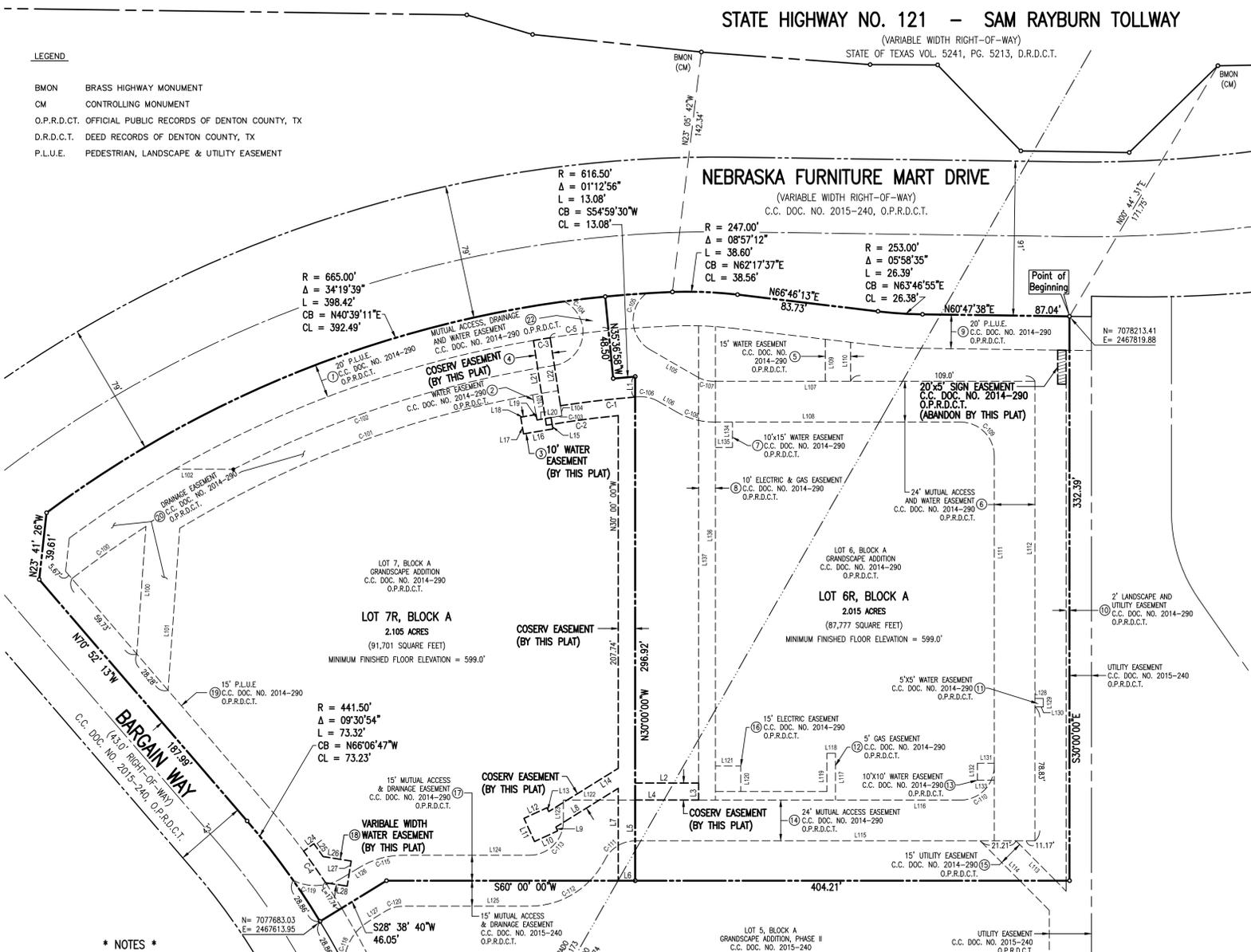
This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.



STATE HIGHWAY NO. 121 - SAM RAYBURN TOLLWAY

(VARIABLE WIDTH RIGHT-OF-WAY)
STATE OF TEXAS VOL. 5241, PG. 5213, D.R.D.C.T.

- LEGEND**
- BMON BRASS HIGHWAY MONUMENT
 - CM CONTROLLING MONUMENT
 - O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TX
 - D.R.D.C.T. DEED RECORDS OF DENTON COUNTY, TX
 - P.L.U.E. PEDESTRIAN, LANDSCAPE & UTILITY EASEMENT



STATE OF TEXAS §
COUNTY OF DENTON §

WHEREAS, LMG VENTURES, LLC is the owner of a 4.120 acre tract of land situated in the Buffalo Bayou, Brazos & Colorado Railroad Company Survey, Abstract No. 173 and 174, City of The Colony, Denton County, Texas and being all of Lots 6 and 7, Block A, Grandscape Addition, as recorded in County Clerk's Document 2014-290 of the Official Public Records of Denton County, Texas and being more particularly described as follows:

BEGINNING at a capped iron rod set in the southerly right-of-way line of Nebraska Furniture Mart Drive (a proposed variable width right-of-way), from which a brass highway monument found in the south right-of-way line of State Highway No. 121 (variable width right-of-way as recorded in Volume 5241, Page 5213, Page 4 of 8, paragraph 15) bears North 00 degrees 44 minutes 31 seconds East, a distance of 171.75 feet;

THENCE South 30 degrees 00 minutes 00 seconds East, departing the southerly right-of-way line of said Nebraska Furniture Mart Drive, a distance of 332.39 feet to a capped iron rod set;

THENCE South 60 degrees 00 minutes 00 seconds West, a distance of 404.21 feet to a capped iron rod set;

THENCE South 28 degrees 38 minutes 40 seconds West, a distance of 46.05 feet to a capped iron rod set in the northerly right-of-way line of Bargain Way (a proposed 43.0 foot wide right-of-way) and being in a non-tangent curve to the left having a radius of 441.50 feet, a central angle of 09 degrees 30 minutes 54 seconds, a chord bearing of North 66 degrees 06 minutes 47 seconds and a chord length of 73.23 feet;

THENCE with the southerly right-of-way line of said Bargain Way the following:

with said non-tangent curve to the left for an arc length of 73.32 feet to a capped iron rod set;

North 70 degrees 52 minutes 13 seconds West, a distance of 187.99 feet to a capped iron rod set;

North 23 degrees 42 minutes 26 seconds West, a distance of 39.61 feet to a capped iron rod set in the southerly right-of-way line of said Nebraska Furniture Mart Drive and being the beginning of a non-tangent curve to the right having a radius of 665.00 feet, a central angle of 34 degrees 19 minutes 39 seconds, a chord bearing of North 40 degrees 39 minutes 11 seconds East and a chord length of 392.49 feet;

THENCE with the southerly right-of-way line of said Nebraska Furniture Mart Drive the following:

with a said non-tangent curve to the right for an arc length of 398.42 feet to a capped iron rod set, from which a brass highway monument found bears North 23 degrees 05 minutes 42 seconds West, a distance of 142.34 feet, said capped iron rod being the beginning of a compound curve to the right having a radius of 247.00 feet, a central angle of 08 degrees 57 minutes 12 seconds, a chord bearing of North 62 degrees 17 minutes 37 seconds and a chord length of 38.56 feet;

with said compound curve to the right for an arc length of 38.60 feet to a capped iron rod set;

North 66 degrees 46 minutes 13 seconds East, a distance of 83.73 feet to a capped iron rod set for the beginning of a curve to the left having a radius of 253.00 feet, a central angle of 05 degrees 58 minutes 35 seconds, a chord bearing of North 63 degrees 46 minutes 55 seconds East and a chord length of 26.38 feet;

with said curve to the left for an arc length of 26.39 feet to a capped iron rod set;

North 60 degrees 47 minutes 38 seconds East, a distance of 87.04 feet to the POINT OF BEGINNING, containing 4.120 acres or 179,478 square feet of land, more or less.

OWNER'S DEDICATION

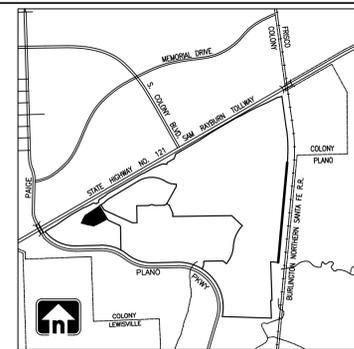
NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, LMG VENTURES, LLC, through the undersigned authority, does hereby adopt this replat designating the herein above described property as LOTS 6R and 7R, BLOCK A, GRANDSCAPE ADDITION, an addition to the City of The Colony, Denton County, Texas, and does hereby dedicate to the public use forever the streets and alleys shown hereon; does hereby dedicate the utility easements shown hereon for mutual use and accommodation of all public utilities desiring to use, or using the same, for the limited purposes stated hereon; and does hereby dedicate to the City of The Colony all other easements shown hereon for the limited purposes stated hereon; LMG VENTURES, LLC does hereby bind itself and its successors and assigns to forever warrant and defend all and singular the above described streets, alleys, and easements against every person whomsoever lawfully claiming or to claim the same or any part thereof. With the exception of streets and alleys shown hereon, (1) all easements shown hereon shall be non-exclusive easements; and (2) all easements shown hereon shall be for the construction and maintenance of improvements below grade unless otherwise stated hereon on the easement summary table, provided, however, no above ground electric lines shall be permitted. No buildings, fences, trees, shrubs, or other improvements shall be constructed or placed upon, over or across the easements on said plat if such improvements will unreasonably interfere with the purposes stated hereon for which the easement was granted. Any public utility shall have the right to remove and keep removed all or any part of any buildings, fences, trees, shrubs or other improvements or growths which unreasonably interfere with the construction, maintenance or efficiency of its respective system on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon any of said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system without the necessity of procuring the permission of anyone. All of the easements shown hereon, including but not limited to the easements dedicated by plat and recorded in the Real Property Records of Denton County as Document Nos. 2014-290 and 2015-240, are hereby amended, and shall be subject to this paragraph and any other restrictions stated hereon notwithstanding anything to the contrary on a plat approved by the City of The Colony prior to the date of approval of this replat.

WITNESS MY HAND THIS _____ day of _____, 2016

LMG VENTURES, LLC

Ryan Blumkin, Vice President



VICINITY MAP
NOT TO SCALE
MPSCO NO. 554 U, V, Y & Z

STATE OF _____ §
COUNTY OF _____ §

Before me, the undersigned authority, a Notary Public in and for the State of _____, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in and for the purpose and consideration therein express, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2016

Notary Public in and for the State of Texas

My commission expires _____

SURVEYOR'S CERTIFICATION

I, M.L. Peterson, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I have prepared this plat from an actual on the ground survey of the land, and that the corner monuments shown thereon were properly placed under my supervision and in accordance with the Rules and Regulations of the City of The Colony, Texas.

M.L. Peterson, R.P.L.S. Texas Registration No. 5999



STATE OF TEXAS §
COUNTY OF TARRANT §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2016

Notary Public in and for the State of Texas

My commission expires _____

*** NOTES ***

- ALL PROPERTY CORNERS SHALL BE MONUMENTED WITH A 1/2 INCH IRON ROD SET WITH A CAP STAMPED "GAI" UNLESS OTHERWISE SHOWN HEREON.
- THE BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM (NAD83), NORTH CENTRAL ZONE (4202). COMBINED SCALE FACTOR = 0.999847330
- SELLING OFF A PORTION OF THIS ADDITION BY METES AND BOUNDS DESCRIPTION, WITHOUT A REPLAT BEING APPROVED BY THE CITY OF THE COLONY, IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

EASEMENT SUMMARY TABLE

| EASEMENT NO. | PURPOSE OF EASEMENT | ABOVE GROUND IMPROVEMENTS PERMITTED BY EASEMENT |
|------------------------|-----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1, 9, 19 | PEDESTRIAN, LANDSCAPE, & UTILITY IMPROVEMENTS | PAVING, SIDEWALK AND OTHER PEDESTRIAN FACILITIES, GROUND COVER AND PLANTINGS, LIGHTING, SIGNAGE, METERS, VALVES, FIRE HYDRANTS, TRANSFORMERS, PEDESTALS AND OTHER UTILITY APPURTENANCES PERTINENT FOR CONSTRUCTION AND FUNCTIONALITY |
| 2, 3, 5, 7, 11, 13, 18 | WATER IMPROVEMENTS | PAVING, GROUND COVER, METERS, VALVES, FIRE HYDRANTS AND OTHER WATER APPURTENANCES PERTINENT FOR CONSTRUCTION AND FUNCTIONALITY |
| 4, 8 | ELECTRIC & GAS IMPROVEMENTS | PAVING, GROUND COVER, METERS, VALVES, TRANSFORMERS, PEDESTALS AND OTHER ELECTRIC AND GAS APPURTENANCES PERTINENT FOR CONSTRUCTION AND FUNCTIONALITY |
| 6 | MUTUAL ACCESS & WATER IMPROVEMENTS | PAVING, METERS, VALVES, FIRE HYDRANTS AND OTHER WATER APPURTENANCES PERTINENT FOR CONSTRUCTION AND FUNCTIONALITY |
| 10 | LANDSCAPE & UTILITY IMPROVEMENTS | GROUND COVER AND PLANTINGS, METERS, VALVES, FIRE HYDRANTS, MANHOLES, TRANSFORMERS, PEDESTALS AND OTHER UTILITY APPURTENANCES PERTINENT FOR CONSTRUCTION AND FUNCTIONALITY |
| 12 | GAS IMPROVEMENTS | PAVING, GROUND COVER, METERS, TRANSFORMERS, PEDESTALS AND OTHER GAS APPURTENANCES PERTINENT FOR CONSTRUCTION AND FUNCTIONALITY |
| 14 | MUTUAL ACCESS | PAVING |
| 15 | UTILITY IMPROVEMENTS | PAVING, GROUND COVER, METERS, VALVES, FIRE HYDRANTS, MANHOLES, TRANSFORMERS, PEDESTALS AND OTHER UTILITY APPURTENANCES PERTINENT FOR CONSTRUCTION AND FUNCTIONALITY |
| 16 | ELECTRIC IMPROVEMENTS | PAVING, GROUND COVER, METERS, TRANSFORMERS, PEDESTALS AND OTHER ELECTRIC APPURTENANCES PERTINENT FOR CONSTRUCTION AND FUNCTIONALITY |
| 17 | MUTUAL ACCESS & DRAINAGE IMPROVEMENTS | PAVING, MANHOLES, INLETS AND OTHER DRAINAGE APPURTENANCES PERTINENT FOR CONSTRUCTION AND FUNCTIONALITY |
| 20 | DRAINAGE IMPROVEMENTS | PAVING, MANHOLES, INLETS AND OTHER DRAINAGE APPURTENANCES PERTINENT FOR CONSTRUCTION AND FUNCTIONALITY |
| 21 | MUTUAL ACCESS, DRAINAGE, & WATER IMPROVEMENTS | PAVING, MANHOLES, INLETS, METERS, VALVES, FIRE HYDRANTS AND OTHER DRAINAGE AND WATER APPURTENANCES PERTINENT FOR CONSTRUCTION AND FUNCTIONALITY |

PROPOSED

| Parcel Line # | LENGTH | DIRECTION |
|---------------|--------|---------------|
| L1 | 12.04' | S30° 00' 00"E |
| L2 | 37.50' | N60° 00' 00"E |
| L3 | 10.00' | N30° 00' 00"W |
| L4 | 37.50' | N60° 00' 00"E |
| L5 | 47.50' | S30° 00' 00"E |
| L6 | 10.00' | N60° 00' 00"E |
| L7 | 54.47' | N30° 00' 00"W |
| L8 | 43.49' | N28° 15' 29"E |
| L9 | 2.46' | N54° 39' 08"W |
| L10 | 15.00' | N35° 20' 52"E |
| L11 | 15.00' | S54° 39' 08"E |
| L12 | 15.00' | S35° 20' 52"W |
| L13 | 2.46' | N54° 39' 08"W |
| L14 | 48.43' | S28° 15' 29"W |
| L15 | 6.77' | N39° 33' 52"W |
| L16 | 17.65' | N50° 26' 08"E |
| L17 | 10.00' | S39° 33' 52"E |
| L18 | 9.21' | S50° 26' 08"W |

PROPOSED

| Parcel Line # | LENGTH | DIRECTION |
|---------------|--------|---------------|
| L19 | 3.26' | N40° 08' 45"W |
| L20 | 8.41' | S50° 15' 25"W |
| L21 | 50.51' | N38° 42' 36"W |
| L22 | 40.50' | N38° 42' 36"W |
| L24 | 7.51' | S23° 56' 53"W |
| L25 | 9.38' | N66° 03' 07"W |
| L26 | 16.78' | S68° 56' 53"W |
| L27 | 15.00' | N21° 03' 07"W |
| L28 | 12.98' | N68° 56' 53"E |

PROPOSED

| CURVE # | Δ | RADIUS | TANGENT | LENGTH |
|---------|------------|---------|---------|--------|
| C-1 | 4° 13' 19" | 604.50' | 22.28' | 44.54' |
| C-2 | 4° 08' 33" | 594.50' | 21.50' | 42.98' |
| C-3 | 0° 53' 18" | 645.00' | 5.00' | 10.00' |
| C-4 | 2° 50' 45" | 456.50' | 11.34' | 22.67' |
| C-5 | 3° 05' 38" | 645.00' | 17.42' | 34.83' |

EXISTING

| Line # | Length | Direction |
|--------|--------|---------------|
| L100 | 75.39 | N25° 52' 13"W |
| L101 | 95.70 | N25° 52' 13"W |
| L102 | 34.63 | S60° 05' 39"W |
| L103 | 11.74 | N40° 08' 45"W |
| L104 | 6.00 | S38° 42' 36"E |
| L105 | 32.06 | N89° 48' 35"E |
| L106 | 12.99 | S89° 48' 35"W |
| L107 | 189.92 | N60° 00' 00"E |
| L108 | 145.92 | S60° 00' 00"W |
| L109 | 24.73 | S30° 00' 00"E |
| L110 | 22.95 | S30° 00' 00"E |
| L111 | 182.67 | N30° 00' 00"W |
| L112 | 270.67 | S30° 00' 00"E |
| L113 | 33.23 | N75° 00' 00"W |
| L114 | 33.23 | N75° 00' 00"W |
| L115 | 236.50 | S60° 00' 00"W |
| L116 | 115.00 | N60° 00' 00"E |
| L117 | 27.58 | S30° 00' 00"E |
| L118 | 5.00 | S60° 00' 00"W |

EXISTING

| Line # | Length | Direction |
|--------|--------|---------------|
| L119 | 22.58 | S30° 00' 00"E |
| L120 | 15.00 | N30° 00' 00"W |
| L121 | 15.00 | N60° 00' 00"E |
| L122 | 42.51 | N60° 00' 00"E |
| L123 | 12.50 | N30° 00' 00"W |
| L124 | 74.87 | N60° 00' 00"E |
| L125 | 74.87 | N60° 00' 00"E |
| L126 | 11.90 | N28° 38' 40"E |
| L127 | 11.90 | N28° 38' 40"E |
| L128 | 5.00 | N30° 00' 00"E |
| L129 | 5.00 | N30° 00' 00"W |
| L130 | 5.00 | N60° 00' 00"E |
| L131 | 10.00 | S60° 00' 00"W |
| L132 | 10.00 | N30° 00' 00"W |
| L133 | 10.00 | S60° 00' 00"W |
| L134 | 15.00 | N30° 00' 00"W |
| L135 | 10.00 | N60° 00' 00"W |
| L136 | 278.86 | N30° 00' 00"W |
| L137 | 269.35 | N30° 00' 00"W |

EXISTING

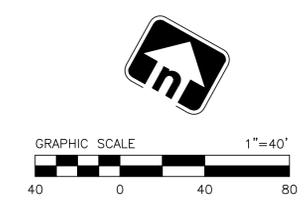
| Curve # | Length | Radius | Delta |
|---------|--------|--------|------------|
| C-100 | 53.60 | 625.00 | 4°54'49" |
| C-101 | 239.69 | 613.50 | 22°23'05" |
| C-102 | 200.40 | 628.50 | 18°16'09" |
| C-103 | 6.59 | 598.50 | 0°37'50" |
| C-104 | 50.85 | 20.00 | 145°05'32" |
| C-105 | 39.36 | 20.00 | 112°45'37" |
| C-106 | 11.91 | 20.00 | 34°06'27" |
| C-107 | 10.41 | 20.00 | 29°48'35" |
| C-108 | 22.89 | 44.00 | 29°48'35" |
| C-109 | 31.42 | 20.00 | 90°00'00" |
| C-110 | 31.42 | 20.00 | 90°00'00" |
| C-111 | 22.08 | 20.00 | 63°15'23" |
| C-112 | 39.77 | 50.00 | 45°34'23" |
| C-113 | 31.42 | 20.00 | 90°00'00" |
| C-115 | 27.36 | 50.00 | 31°21'20" |
| C-118 | 30.06 | 30.00 | 57°24'10" |
| C-119 | 30.06 | 30.00 | 57°24'10" |
| C-120 | 10.95 | 20.00 | 31°21'20" |

CITY SIGNATURE BLOCK

On the _____ day of _____, 2016, this plat was duly approved by the Planning and Zoning Commission of the City of The Colony, Texas.

Signed: _____
Chairperson of the Planning and Zoning Commission

Attest: _____
City Secretary



REPLAT

LOT 6R and 7R, BLOCK A GRANDSCAPE ADDITION

BEING A REPLAT OF LOTS 6 & 7, BLOCK A, GRANDSCAPE ADDITION, CITY OF THE COLONY, DENTON COUNTY, TEXAS AS RECORDED IN COUNTY CLERK'S DOCUMENT NO. 2014-290 OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS

JUNE 2016
CITY PROJECT NO. RP16-0005

OWNER:
LMG VENTURES, LLC
700 S. 72ND STREET
OMAHA, NEBRASKA 68114



Graham Associates, Inc.
CONSULTING ENGINEERS & PLANNERS
600 SIX FLAGS DRIVE, SUITE 500
ARLINGTON, TEXAS 76011 (817) 648-3555
TBP# FIRM #1191/TBPLS FIRM #10158-00

THE PURPOSE OF THIS REPLAT IS TO ADD PUBLIC WATER AND COSERV ELECTRIC EASEMENTS

PLANNING AND ZONING COMMISSION REPORT

AGENDA DATE: June 28, 2016

DEPARTMENT: Development Services Department

PLANNER: Surupa Sen, AICP, Senior Planner, 972-624-3164

SUBJECT: *RP16-0006, Replat for Lots 13R, 14R, Block B, Aberdeen Phase 3 at Tribute*

Conduct a public hearing, discuss and consider approval of a replat for Lots 13R, 14R Block B, Aberdeen Phase 3, being a replat of Lots 13, 14 Block B, a 0.603 -acres of land out of the B.B.B. and C.R.R. Survey, Abstract No. 182, an addition to the City of The Colony, Denton County, Texas located at 3005 and 3009 Marykirk Court within the Planned Development 23 (PD 23) aka the Tribute Planned Development zoning district.

APPLICANT

| | | |
|--------------------|----------------------|-------------------|
| Owner/Developer: | Tribute Partners LLC | Lewisville, Texas |
| Engineer/Surveyor: | JBI Partners, Inc. | Addison, Texas |

EXISTING CONDITION OF PROPERTY

The subject property is currently undeveloped.

PROPOSED DEVELOPMENT

The purpose of this replat is to revise the common lot line between lots 13 and 14, Block B or Aberdeen Phase 3. The Aberdeen Phase 3 Final Plat was approved by Planning and Zoning Commission on October 22, 2013.

ADJACENT ZONING

North - Planned Development 23 (PD 23) – Tribute
South - Planned Development 23 (PD 23) – Tribute
East- Planned Development 23 (PD 23) – Tribute
West- Planned Development 23 (PD 23) – Tribute

NOTIFICATION

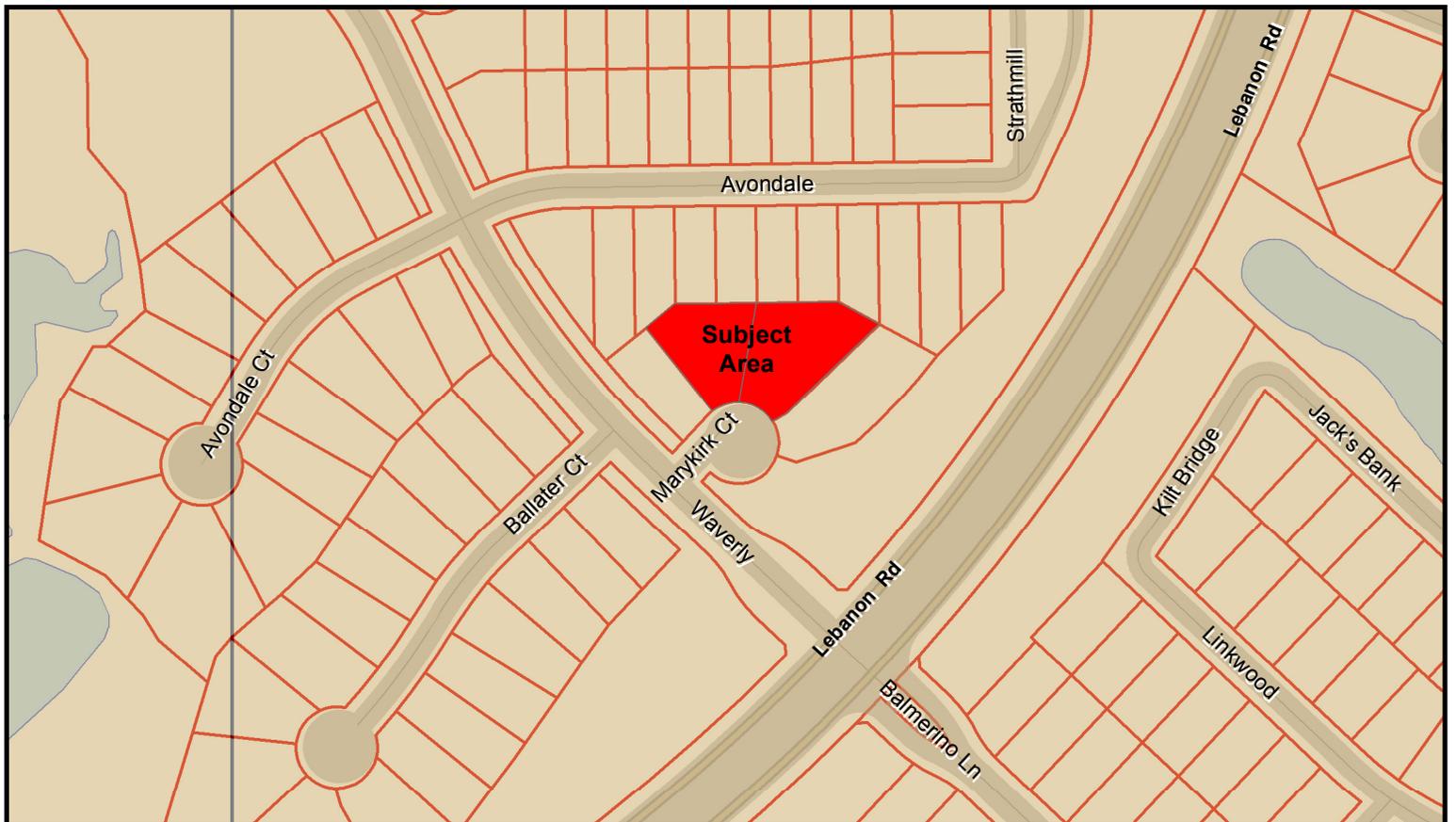
As per The Colony Zoning Ordinance, residential replats require newspaper notification and property owner notification atleast ten (10) days before the set date of hearing. Notice for this Public Hearing was published in *The Dallas Morning news* on June 17, 2016. In addition, the Zoning Ordinance also requires notification of property owners located within 200 feet of the subject property a minimum of ten (10) days prior to the public hearing. Notices were mailed on June 17, 2016 to twenty three (23) property owners. No comments either for or against the replat were received as of the printing of this packet.

RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the Replat.

ATTACHMENTS

1. Location Map
2. Proposed Replat

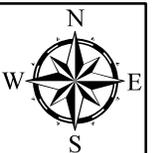


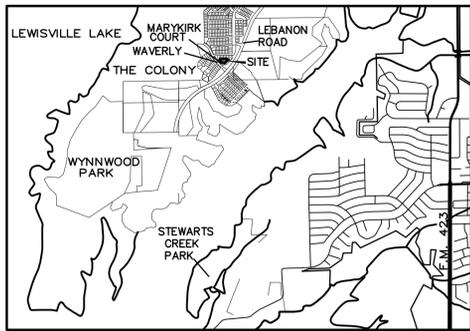
Project No. RP16-0006 - Project Name: Lot 13R,14R, Blk B, Aberdeen Ph 3 Replat



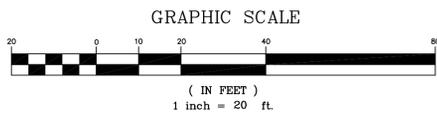
- | | | | | |
|------------------------------------|--------------------------|------------------|----------------------|------------------------|
| Lot 13R, 14R, Blk B, Aberdeen Ph 3 | Business Park/Industrial | Heavy Commercial | Mobile Home | Planned Development |
| Agricultural | Duplex Dwelling | Industrial | Neighborhood Service | Shopping Center |
| Business Park | General Retail | Light Commercial | Office District 1 | Single Family Dwelling |

This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.





LOCATION MAP
NOT TO SCALE

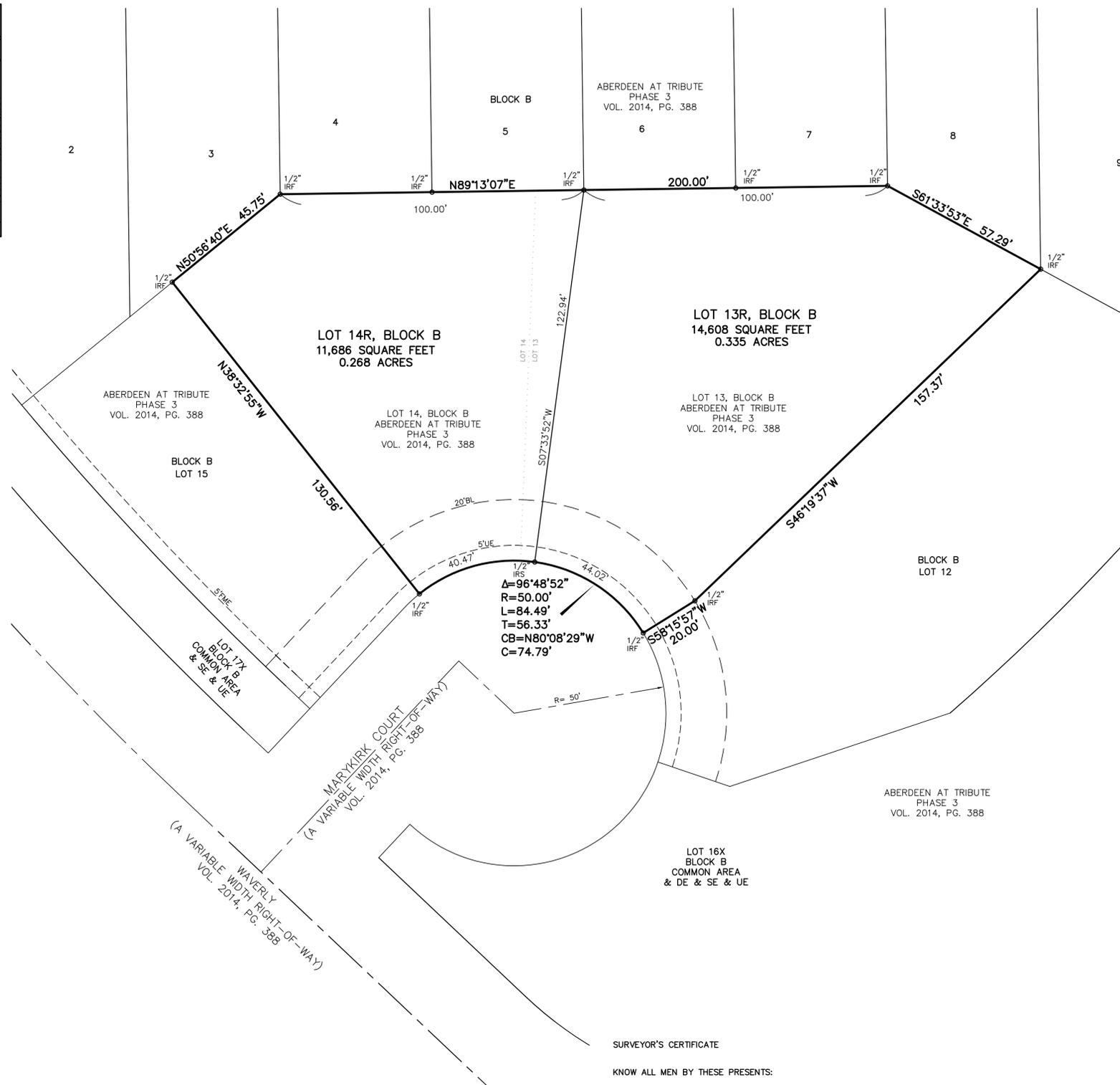


LEGEND

- IRF IRON ROD FOUND
- IRS IRON ROD SET
- BL BUILDING LINE SETBACK
- ROW RIGHT-OF-WAY
- UE UTILITY EASEMENT
- FME FENCE MAINTENANCE EASEMENT
- SE SIDEWALK EASEMENT

NOTES:

1. "SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS DESCRIPTION, WITHOUT A REPLAT BEING APPROVED BY THE CITY OF THE COLONY, IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS."
2. SIDEWALKS (WHICH ARE REQUIRED IN ALL RESIDENTIAL DISTRICTS AND WHEREVER PEDESTRIAN TRAFFIC MAY BE GENERATED) SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF THE COLONY'S SPECIFICATIONS. THE DEVELOPER WILL CONSTRUCT SIDEWALKS ALONG THE REAR AND SIDE LOTS THAT ABUT THOROUGHFARES OR WHICH ABUT PERIMETER STREETS, OR WHERE AN ALLEY IS ADJACENT TO A THOROUGHFARE. THE BUILDER ON A LOT WILL CONSTRUCT ALL OTHER SIDEWALKS ON THE FRONT AND SIDE OF LOTS INTERNAL STREETS.
4. BASIS OF BEARINGS: BASED ON MONUMENTS FOUND ALONG THE NORTH, WEST, SOUTH AND EAST LINES OF LOTS 13 AND 14, BLOCK B, ABERDEEN AT TRIBUTE PHASE 3, AN ADDITION TO THE CITY OF THE COLONY AS RECORDED IN VOLUME 2015, PG. 388, DENTON COUNTY PLAT RECORDS.



OWNER'S CERTIFICATE

STATE OF TEXAS ~
COUNTY OF DENTON ~

WHEREAS, TP ABERDEEN III, LLC, is the owner of a parcel of land located in the City of the Colony, Denton County, Texas, a part of a part of the B.B.B. & C.R.R. Survey, Abstract Number 182, and being all of Lot 13 and 14, Block B, Aberdeen at Tribute Phase 3, an addition to the City of the Colony, as recorded in Volume 2015, Page 388, Denton County Plat Records.

OWNER DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

9 THAT TP ABERDEEN III, LLC, THROUGH THE UNDER SIGNED AUTHORITY, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOTS 13R AND 14R, BLOCK B, ABERDEEN AT TRIBUTE PHASE 3, AN ADDITION TO THE CITY OF THE COLONY, TEXAS, AND DOES HEREBY DEDICATE IN FEE SIMPLE TO THE PUBLIC USE FOREVER THE STREETS AND ALLEYS SHOWN HEREON; AND DOES HEREBY DEDICATE THE EASEMENTS SHOWN ON THE FINAL PLAT FOR MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE, OR USING SAME, SAID DEDICATIONS BEING FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT AS SHOWN HEREIN. TP ABERDEEN III, LLC, DOES HEREBY BIND ITSELF, ITS SUCCESSORS AND ASSIGNS TO FOREVER WARRANT AND DEFEND ALL AND SINGULAR THE ABOVE DESCRIBED STREETS, ALLEYS, EASEMENTS AND RIGHTS UNTO THE PUBLIC AGAINST EVERY PERSON WHOMSOEVER LAWFULLY CLAIMING OR TO CLAIM THE SAME OR ANY PART THEREOF. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS ON SAID FINAL PLAT. ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON ANY OF THESE EASEMENTS, AND ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON ANY OF SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEM WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.

EXECUTED this ____ day of _____ 2016.

TP ABERDEEN III, LLC,
a Texas limited liability company

By: TP VENTURE HOLDINGS, LP,
a Texas limited partnership,
its manager

By: Wynnwood Peninsula Partners GP, LLC,
a Texas limited liability company,
its general partner

By: Matthews Holdings Southwest, Inc.,
a Texas corporation, its manager

By: Kristian T. Teleki, Senior
Vice President

STATE OF TEXAS ~
COUNTY OF DENTON ~

This instrument was acknowledged before me on the ____ day of _____ 2016,
by Kristian Teleki, Sr., Vice President of MSW Wynnwood Holdings GP, LLC, a Texas
limited liability company on behalf of MSW Wynnwood Holdings, Ltd., a Texas limited
partnership on behalf of TP ABERDEEN III, LLC, a Texas limited partnership.

My commission expires: _____

Notary Public, State of Texas
Notary's printed name

THE PURPOSE OF THE REPLAT IS TO REVISE THE
COMMON LOT LINE BETWEEN LOT 13 AND LOT 14
BLOCK B.

CASE NO. RP16-0006

**REPLAT
ABERDEEN
AT TRIBUTE
PHASE 3**

LOT 13R AND 14R, BLOCK B

BEING A REPLAT OF LOT 13 AND 14, BLOCK B,
ABERDEEN AT TRIBUTE PHASE 3, AN ADDITION
TO THE CITY OF THE COLONY AS RECORDED IN
VOLUME 2015, PG. 388, DENTON COUNTY PLAT RECORDS.

26,294 SQUARE FEET OR 0.603 ACRES OUT OF THE
B.B.B. & C.R.R. SURVEY, ABSTRACT NO. 182;
THE CITY OF THE COLONY, DENTON COUNTY, TEXAS

TP ABERDEEN III, LLC, OWNER
1660 S. Stemmons Freeway, Suite 100 (972) 221-1199
Lewisville, Texas 75067
Contact: Kristian Teleki

JBI PARTNERS, INC. SURVEYOR/ENGINEER
16301 Quorum Drive, Suite 200 B (972) 248-7676
Addison, Texas 75001
Contact: Thomas Juhn

Sheet 1 of 1

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, DAN B. RAMSEY, do hereby certify that I prepared this plat from an actual survey of the land and that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of The Colony, Denton County, Texas.

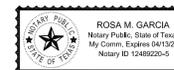
Dan B. Ramsey, R.P.L.S. No. 4172



STATE OF TEXAS ~
COUNTY OF DALLAS ~

BEFORE ME, the undersigned authority in and for the State of Texas, on this day personally appeared Dan B. Ramsey, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

WITNESS MY HAND at Dallas, Texas, this 28th day of April, 2016.



Notary Public in and for the State of Texas.

CITY SIGNATURE BLOCK

"On the ____ day of _____, 2016, this plat was duly approved by the Planning and Zoning Commission of the City of The Colony.

Signed, _____
Chairman of the Planning and Zoning Commission

Attest: _____
City Secretary

PLANNING AND ZONING COMMISSION REPORT

AGENDA DATE: June 28, 2016

DEPARTMENT: Engineering/Development Services Department

PLANNER: Surupa Sen, AICP, Senior Planner, 972-624-3164

SUBJECT *SP16-0007, Scooters Coffee Site Plan Amendment*

Discuss and consider making a recommendation to the City Council on a request for Site Plan Amendment to allow Scooters Coffee, a 458 sf drive-through coffee kiosk on Lot 2R, Colony Corners Addition on a vacant pad next to the existing strip center located at the southeast corner of Main Street and S Colony BLVD. within General Retail (GR) zoning district.

OWNER/ENGINEER

| | | |
|--------------------|-------------------------|-----------------|
| Owner/Developer: | Axial Investments | McKinney, Texas |
| Engineer/Surveyor: | Spiars Engineering Inc. | Plano, Texas |

EXISTING CONDITION OF PROPERTY

The property is currently developed with a strip center. The vacant front pad site is where the Scooters Coffee is being planned.

PRIOR BOARD, COMMISSION ACTION

At the May 24, 2016 regular meeting Planning and Zoning Commission tabled this item till June 28, 2016 to allow applicant time to address the concerns expressed by Commission regarding the traffic flow within the site. Applicant has since worked with staff to find a better layout that would address most of the Commission concerns.

PROPOSED DEVELOPMENT

458 sf Scooters Coffee drive-through kiosk is proposed to be built adjacent to the existing strip center at the southeast corner of Main Street and S Colony BLVD.

ADJACENT ZONING AND LAND USE

North - Shopping Center (SC) – Dental Depot (under construction), retail/shopping center containing Big Lots, CCA and several other retail clients across S Colony Blvd

South - General Retail (GR) – Puff & Stuff, David’s Automotive Repair

East- General Retail (GR) – existing strip center with Pizza Hut, Mazas Mexican Restaurant

West- Shopping Center (SC) – McDonalds across Main Street

DEVELOPMENT REVIEW COMMITTEE (DRC) REVIEW

The Development Review Committee (DRC) finds the Site Plan amendment meets the requirements of the Zoning Ordinance as outlined in the Staff Report.

ATTACHMENTS

1. Staff Analysis

2. Location Map
3. Proposed Site Plan
4. Proposed signage and striping plan
5. Proposed Elevation

ATTACHMENT 1

Staff Analysis

Summary of Request

The applicant is proposing to build Scooters Coffee, a 458 sf drive-through coffee kiosk at the southeast corner of Main Street and S Colony Blvd next to the existing strip center. The store will operate between 6 am and 7 pm with peak hours during 6 – 9:30 a.m.

Existing Condition of Property

The property is currently developed with a strip center. The vacant front pad site is where the Scooters Coffee is being planned.

Platting Status

The property is platted as Lot 2R, Block A, Colony Corners Addition.

Adjacent Zoning/Land Use

North - Shopping Center (SC) – Dental Depot (under construction), retail/shopping center containing Big Lots, CCA and several other retail clients across S Colony Blvd
South - General Retail (GR) – Puff & Stuff, David’s Automotive Repair
East- General Retail (GR) – existing strip center with Pizza Hut, Mazas Mexican Restaurant
West- Shopping Center (SC) – McDonalds across Main Street

Land Use Analysis

The proposed use is allowed under General Retail (GR) zoning.

Infrastructure Improvements

Main Street/F.M 423 expansion is currently underway by TxDOT.

Circulation and Parking

As per Section 13-113 Stacking Space for Drive-Through Facilities, 5 car stacking space is required for drive through restaurants measured from the menu board. Due to existing site constraints the stacking proposed for the Scooters Coffee drive through is less than 5 cars. The property manager of the strip center and the franchise contacts for Scooters Coffee has provided letters supporting the project and stated that the peak business hours for Scooters Coffee do not conflict with the other stores in the center and this should not create issues for blocking existing tenant parking. Also there are enough parking spaces available on the site to accommodate tenant customers.

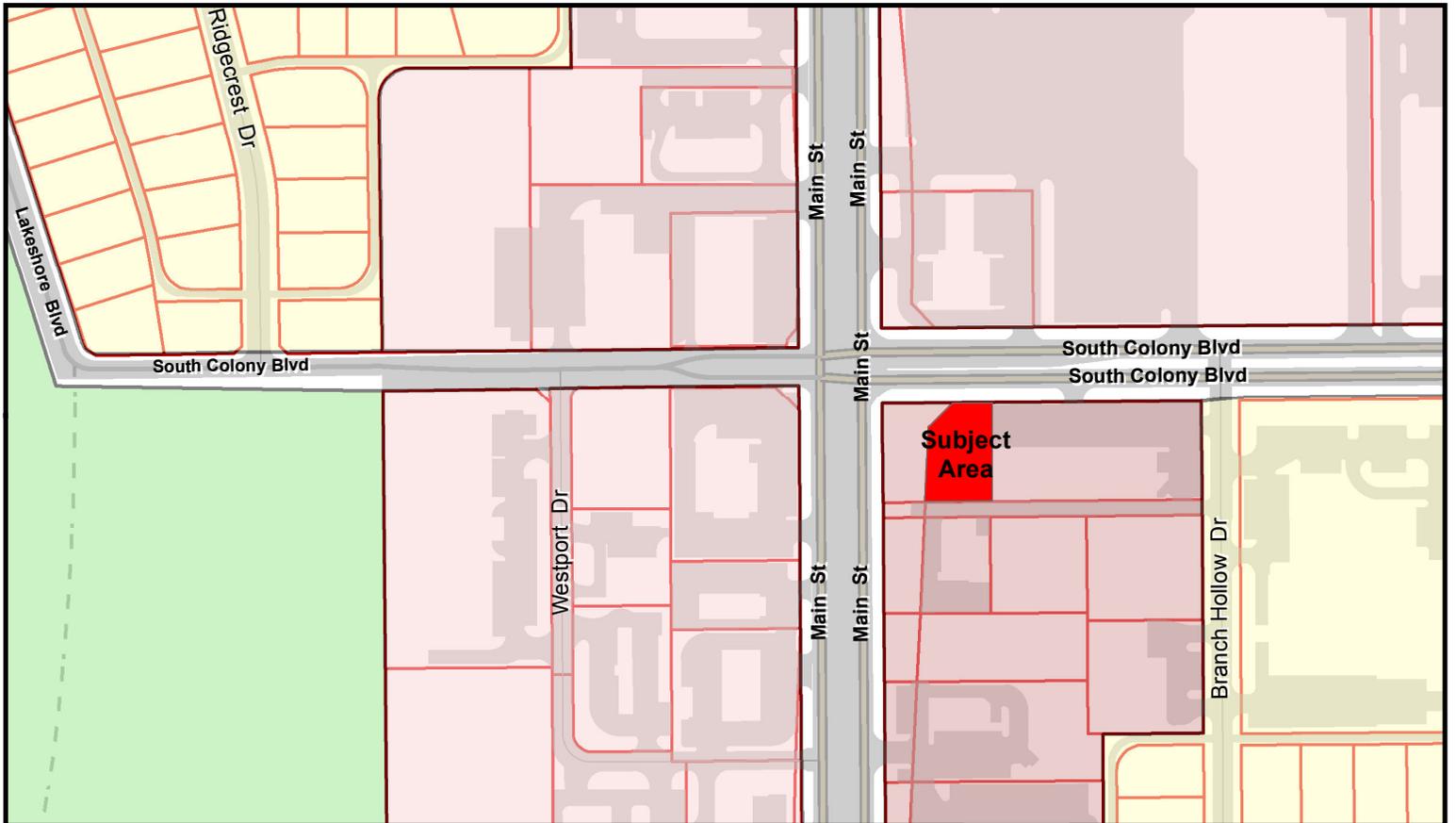
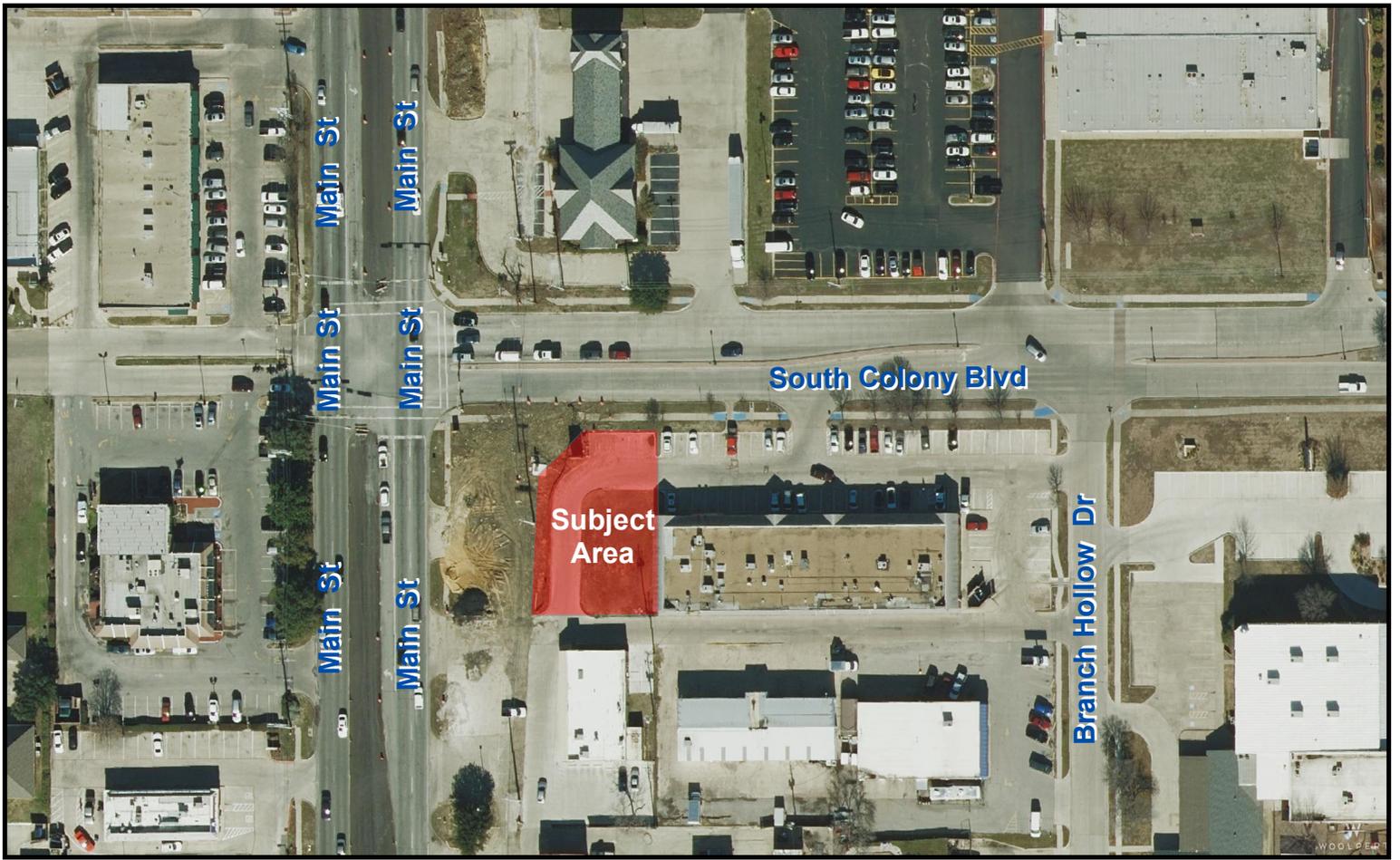
After the May 24, 2016 meeting with the Planning and Zoning Commission the applicant had attempted to address some of the traffic flow concerns expressed by the Commission. The existing mutual access easement has been interchanged with the drive-through lane. As a result vehicle entering from S Colony Blvd will be stacking on the right side of the drive way. Also people driving in from the alley towards south side of the building through the mutual access easement drive should not be in direct conflict with incoming traffic from S Colony due to this alignment. The applicant has also provided a signage and striping plan to show how motorists will be alerted on “drive through - exit only” and other directional signs within the site.

Exterior Building Material

The Scooters Coffee kiosk will have 28% – 36% brick/stone exterior complying with Gateway Overlay requirements.

Development Review Committee Review

The Development Review Committee finds that the Site Plan meets all applicable requirements of the Zoning Ordinance, therefore recommends approval.



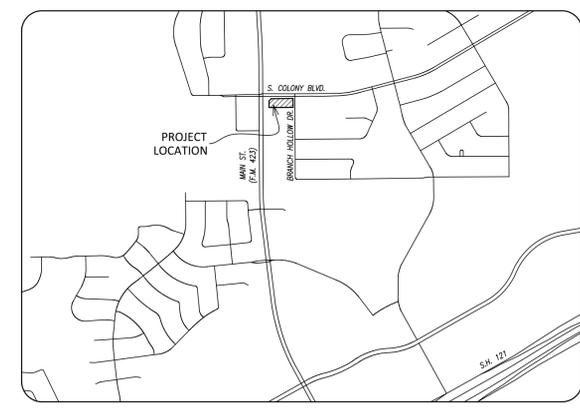
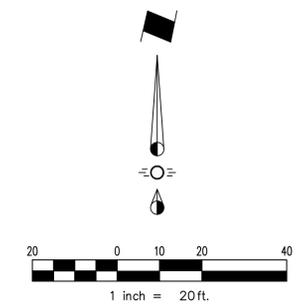
Project No. SP16-0007 - Project Name: Scooters Coffee Site Plan Amendment



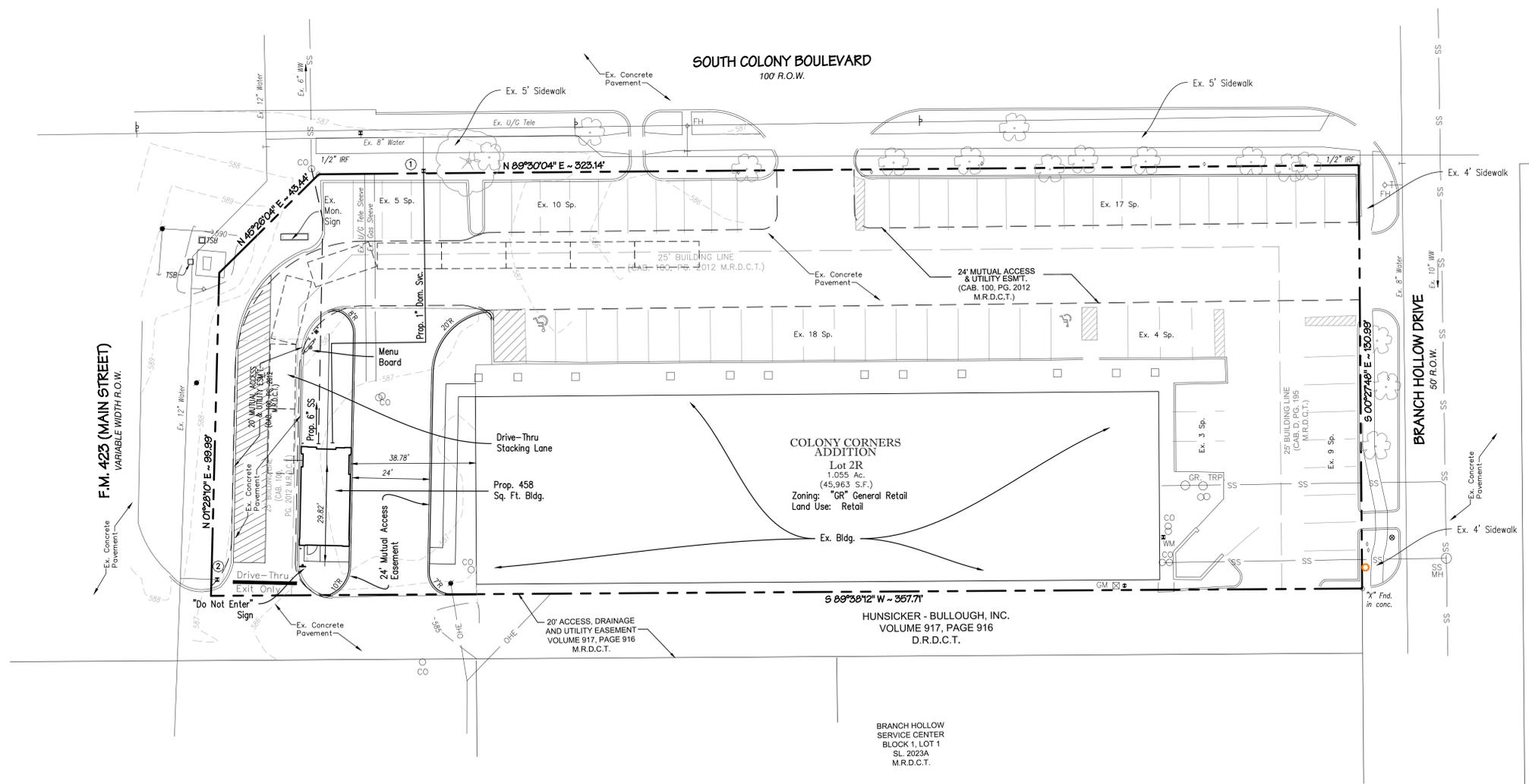
- | | | | | |
|-----------------|--------------------------|------------------|----------------------|------------------------|
| Scooters Coffee | Business Park/Industrial | Heavy Commercial | Mobile Home | Planned Development |
| Agricultural | Duplex Dwelling | Industrial | Neighborhood Service | Shopping Center |
| Business Park | General Retail | Light Commercial | Office District 1 | Single Family Dwelling |

This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.





LOCATION MAP
NTS



NOTES:

1. Rooftop mechanical equipment shall be screened from view from all adjacent properties and public R.O.W.
2. All dimensions are from face of curb to face of curb, unless noted otherwise.
3. Buildings shall be sprinkled as required by Code.
4. All fire lanes shall comply with City Standards.
5. Barrier-free ramps shall be constructed at all driveway/street intersections.
6. No landscaping shall be placed within the visibility triangles, which obstructs the view of motorist in excess of two (2) feet in height, except trees with lower limbs pruned to a minimum height of eight (8) feet above grade.
7. All primary buildings and structures are required to meet the masonry standards set forth in Ordinance No. 01-1207.
8. All private streets shall be constructed in accordance with City specifications. All private streets shall not be dedicated to the City and should be noted as such on the Site Plan. A Developer's agreement shall be required to give the City unrestricted and unlimited access to accommodate City vehicles, emergency and service personnel. The developer's agreement is required before a building permit is issued. Property owner will have sole responsibility for maintenance of all private streets.

SYNOPSIS

| | |
|--------------------------------------|--------------------------|
| Zoning | GR General Retail |
| Existing Use | Retail |
| Proposed Use | Retail |
| Total Lot Area | 1,055 Ac./45,963 Sq. Ft. |
| Existing Building Area | 12,288 Sq. Ft. |
| Proposed Building Area | 458 Sq. Ft. |
| Total Building Area | 12,746 Sq. Ft. |
| Floor Area Ratio | 0.277:1 |
| Building Height | 2-Stories Max. |
| Street Yard Area | 26,430 Sq. Ft. |
| Impervious Area | 27,698 Sq. Ft. |
| Pervious Area | 5,519 Sq. Ft. |
| Parking Required (1 Sp./200 Sq. Ft.) | 64 Spaces |
| Parking Provided | 68 Spaces (Incl. 2 HC) |
| HC Parking Required | 2 Spaces |
| Parking Provided | 2 Spaces |

Water Meter & Sewer Schedule - Lot 2R

| I.D. | Type | Size | No. | Sewer | Remarks |
|------|------------|------|-----|-------|----------|
| ① | Domestic | 1" | 1 | 6" | Existing |
| ② | Irrigation | 1" | 1 | N/A | Existing |

Note:
Contractor Shall Coordinate Exact Location of Irrigation Meters with Landscape Arch. to Avoid Conflicts with Trees and Light Stds.

Note:
Tap size & service from public main to meter shall be the same as the proposed meter size.

SITE PLAN AMENDMENT
SCOOTERS COFFEE

LOT 2R
1 LOT ON 1.055 ACRES OF LAND
SITUATED IN THE
BBB and CRR CO. SURVEY, ABSTRACT NO. 173
IN THE CITY OF THE COLONY
DENTON COUNTY, TEXAS
City Project No. SP16-

| | | |
|-------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| OWNER Axial Investments 105 N. Bengo Street McKinney, TX 75069 Telephone: (214) 504-1450 Contact: Sridhar Ratakonda | APPLICANT R Beasess, Inc. 17141 Oakmont Street Omaha, NE 68136 Telephone: (402) 575-1751 Contact: Cris Taylor | ENGINEER / SURVEYOR Spiars Engineering, Inc. 765 Custer Road, Suite 100 Plano, TX 75075 Telephone: (972) 422-0077 TBP# No. F-2121 Contact: David Bond |
|-------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Approved by the City Council on the _____ day of _____, 2016.

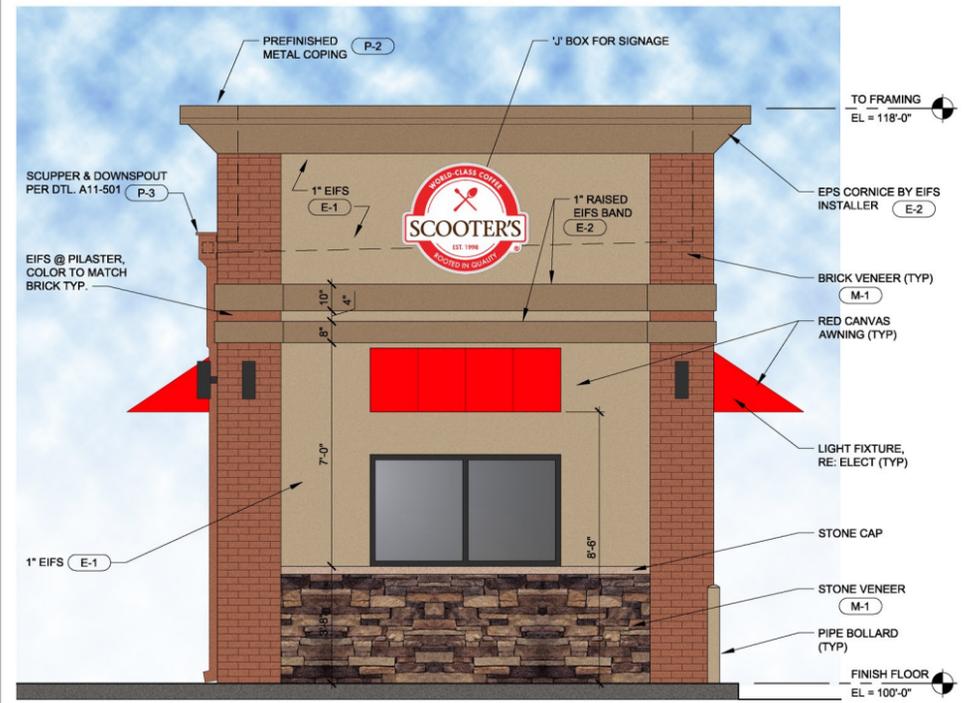
Director of Planning and Development

Drawing: © 2016, 085514-014 Scooters Coffee\16-014 Site Plan\16-014 Site Plan.dwg Saved By: dbernd10 Save Time: 6/17/2016 10:09:05 AM
Printed by: dbernd10 Print Date: 6/21/2016 8:10 AM



| | |
|------------------------------------|--------------|
| MASONRY TABULATION - WEST | |
| FACADE AREA | = 553 SQ.FT. |
| MASONRY AREA | = 156 SQ.FT. |
| % OF MASONRY (INCL. BRICK & STONE) | = 28% |

J1 DRIVE-THRU WINDOW ELEVATION - WEST
SCALE: 3/8" = 1'-0"



| | |
|------------------------------------|--------------|
| MASONRY TABULATION - SOUTH | |
| FACADE AREA | = 283 SQ.FT. |
| MASONRY AREA | = 102 SQ.FT. |
| % OF MASONRY (INCL. BRICK & STONE) | = 36% |

J13 FRONT ELEVATION - NORTH
SCALE: 3/8" = 1'-0"

NOTE: INSTALL 'J' BOX FOR SIGNAGE. ELECTRICAL CONTRACTOR SHALL COORDINATE W/ SIGN INSTALLER FOR LOCATION & FINAL ELECTRICAL CONNECTIONS



| | |
|------------------------------------|--------------|
| MASONRY TABULATION - EAST | |
| FACADE AREA | = 553 SQ.FT. |
| MASONRY AREA | = 156 SQ.FT. |
| % OF MASONRY (INCL. BRICK & STONE) | = 28% |

A1 SIDE ELEVATION - EAST
SCALE: 3/8" = 1'-0"



| | |
|------------------------------------|--------------|
| MASONRY TABULATION - SOUTH | |
| FACADE AREA | = 283 SQ.FT. |
| MASONRY AREA | = 89 SQ.FT. |
| % OF MASONRY (INCL. BRICK & STONE) | = 31% |

A13 REAR ELEVATION - SOUTH
SCALE: 3/8" = 1'-0"

NOTE: REFER TO SEPARATE SUBMITTAL FOR PROPOSED SIGNAGE

| # | BY | DATE | SOURCE |
|---|----|------|--------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

DATE: 2.15.16
DESIGNED BY: cdt
DRAWN BY: cdt
APPROVED BY: KAW