



**CITY OF COLLEYVILLE  
CITY COUNCIL AGENDA**

100 Main Street, Colleyville, Texas, 76034

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**TUESDAY, MAY 12, 2026**

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**CENTRAL FIRE STATION TRAINING FACILITY  
DEDICATION AND RIBBON CUTTING  
5209 COLLEYVILLE BOULEVARD - 4:30 P.M.**

**WORKSESSION - 5:30 PM  
EXECUTIVE CONFERENCE ROOM  
THIRD FLOOR**

**CALL TO ORDER**

- WS-1** Discussion of Assisted Living Facilities, Applicable Zoning, and Other Zoning Issues
- WS-2** Discussion of the May 12, 2026, City Council regular agenda items

**1. EXECUTIVE SESSION - In accordance with Texas Government Code, Chapter 551, Subchapter D**

Section 551.071 - Legal - Consultation with the City Attorney regarding items on the agenda or for matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Code

Section 551.072 - Real Estate - Deliberate the purchase, exchange, lease, or value of real property for City facilities

Section 551.087 – Economic Development - Discuss or deliberate regarding commercial or financial information the City has received from business prospects the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect

**REGULAR MEETING  
7:00 P.M.  
CITY COUNCIL CHAMBERS**

**INVOCATION: Pastor Jon Chasten, Victory Church  
PLEDGE OF ALLEGIANCE: City Attorney**

**2. EXECUTIVE SESSION READING AND PUBLIC HEARING: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - RESOLUTION R-26-5146**

**3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS**

Proclamation in recognition of National Police Week, May 11-16, 2026 - Mayor Bobby Lindamood and Police Chief Michael Miller

Proclamation in recognition of National Public Works Week, May 17-23, 2026 - Mayor Bobby Lindamood and Public Works/Parks and Recreation Director Lisa Escobedo

Presentation of the Colleyville Receipt Race winners - Mayor Bobby Lindamood

**4. CONSENT: READING AND PUBLIC HEARING - RESOLUTION R-26-5147**

**4a** Approval of the May 5, 2026, City Council minutes

**4b** Approval of a Construction Services Agreement with Smith Lawn and Tree, LLC., in an amount not to exceed \$91,848.59, for the Texas Tree Trail project, and authorizing the City Manager to execute the Agreement

**5. ITEMS NOT FOR CITY COUNCIL ACTION**

**5a** Monthly Financial Report - April 2026

**6. ORDINANCE(S): SECOND READING AND PUBLIC HEARING**

**6a Ordinance O-26-2364**

Consideration of a Special Use Permit for an accessory building located in a non-residential zoning district on Lot 1R, Block 1, Covenant Christian Academy Addition, zoned PUD-C Planned Unit Development – Commercial, located at 901 Cheek-Sparger Road, Case ZC26-006

**6b Ordinance O-26-2365**

Consideration of a Special Use Permit for Alcoholic Beverage Sales – On-Premises Consumption on Lot 13R, Block 2, Thompson Terraces Subdivision, located at 5201 Colleyville Boulevard, Case ZC26-008

**6c Ordinance O-26-2366**

Consideration of a Special Use Permit for a Charitable Donation Station on Lot 8, Block 6R, Woodbriar Estates West Addition, zoned CC-3 Highway Commercial, located at 3901 Colleyville Boulevard, Case ZC26-010

**6d Ordinance O-26-2367**

Consideration of an amendment to the Land Development Code Chapter 3, Land Use, which includes edits throughout the chapter related to outdoor storage and display, Case GC26-005

**6e Ordinance O-26-2368**

Amending Chapter 86 (streets, sidewalks and other public places) of the City of Colleyville Code of Ordinances to adopt a Division 2; adopting safety restrictions for the use of motorized carts within the City

**7. RESOLUTION(S): READING AND PUBLIC HEARING****7a Resolution R-26-5148**

Consideration of a variance to the provisions of Section 3.24.G Schedule of District Regulations of the Land Development Code on Lot 14, Block 3, Lakes of Somerset, zoned R-20 Single-Family Residential, located at 4608 Alexandra Drive, Case VC26-005

**7b Resolution R-26-5149**

Consideration of a variance to the provisions of Section 3.24.G Schedule of District Regulations of the Land Development Code on Lot 10, Block 14, Ross Downs Estates, zoned PUD-R Planned Unit Development - Residential, located at 6406 Meade Drive, Case VC26-006

**8. CITIZEN COMMENTS****9. RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR TUESDAY, MAY 12, 2026 - READING AND PUBLIC HEARING - RESOLUTION R-26-5150****10. ADJOURNMENT**

I hereby certify this agenda was posted on City Hall bulletin boards *Wednesday, May 6, 2026*, by 5:00 p.m.

Christine Loven, TRMC  
City Secretary

A quorum of any Colleyville board, commission, or committee may be present at this meeting. Any matter on this agenda may, at the discretion of the governing body, be opened for public comment and discussion.

If you plan to attend this public meeting and have a disability that requires special accommodations, please advise the City Secretary at least 48 hours in advance at 817.503.1130, and reasonable accommodations will be made to assist you.



# CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

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**Agenda Number** WS-1

**Agenda Date** 5/12/2026

**Type** Worksession

**Department** City Manager

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**Title**

Discussion of Assisted Living Facilities, Applicable Zoning, and Other Zoning Issues

**Explanation**

This item provides for discussion of assisted living facilities.



# CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

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**Agenda Number** WS-2

**Agenda Date** 5/12/2026

**Type** Worksession

**Department** City Secretary

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**Title**

Discussion of the May 12, 2026, City Council regular agenda items



## CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

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**Agenda Number 1**

**Agenda Date** 5/12/2026

**Type** Executive Session

**Department** City Secretary

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**Title**

Section 551.071 - Legal - Consultation with the City Attorney regarding items on the agenda or for matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Code

Section 551.072 - Real Estate - Deliberate the purchase, exchange, lease, or value of real property for City facilities

Section 551.087 – Economic Development - Discuss or deliberate regarding commercial or financial information the City has received from business prospects the City seeks to have locate, stay, or expand in the City and with which the City is conducting economic development negotiations; deliberate the offer of a financial or other incentive to a business prospect

**RESOLUTION R-26-5146**

**A RESOLUTION APPROVING COUNCIL ACTION REGARDING  
EXECUTIVE SESSION ITEMS AT THE REGULAR CITY COUNCIL  
MEETING OF MAY 12, 2026**

**WHEREAS,** following discussion in Executive Session, and in full accordance with the requirements of the Open Meetings Act, the City Council determines that the following action is in the best interests of the health, safety, and welfare of the public.

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

Sec. 1. THAT

**AND IT IS SO RESOLVED.**

APPROVED BY A VOTE OF \_ AYES, \_ NAYS ON THIS THE 12<sup>TH</sup> DAY OF MAY 2026.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

**ATTEST:**

**CITY OF COLLEYVILLE**

Christine Loven  
City Secretary, TRMC

Bobby Lindamood  
Mayor



## CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

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**Agenda Number 3**

**Agenda Date** 5/12/2026

**Type** Announcements, Proclamations, and Presentations

**Department** Public Works

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**Title**

Proclamation in recognition of National Public Works Week, May 17-23, 2026 - Mayor Bobby Lindamood and Public Works/Parks and Recreation Director Lisa Escobedo

Proclamation in recognition of National Police Week, May 11-16, 2026 - Mayor Bobby Lindamood and Police Chief Michael Miller

Presentation of the Colleyville Receipt Race winners - Mayor Bobby Lindamood

**RESOLUTION R-26-5147**

**APPROVING CITY COUNCIL ACTION UNDER CONSENT ITEMS AT  
THE REGULAR CITY COUNCIL MEETING OF MAY 12, 2026**

**WHEREAS,** City Council has taken action on certain items on the agenda under Consent Items.

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

- Sec. 1. THAT the agenda decisions approved by City Council action under Consent Items as follows are hereby adopted:
- a. Approval of the May 5, 2026, City Council minutes
  - b. Approval of a Construction Services Agreement with Smith Lawn and Tree, LLC., in an amount not to exceed \$91,848.59, for the Texas Tree Trail project, and authorizing the City Manager to execute the Agreement

**AND IT IS SO RESOLVED.**

APPROVED BY A VOTE OF \_ AYES, \_ NAYS, ON THIS THE 12<sup>TH</sup> DAY OF MAY 2026.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

**ATTEST:**

**CITY OF COLLEYVILLE**

Christine Loven  
City Secretary, TRMC

Bobby Lindamood  
Mayor



# CITY OF COLLEYVILLE CITY COUNCIL MINUTES

100 Main Street, Colleyville, Texas, 76034

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**TUESDAY, MAY 5, 2026**

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Mayor Bobby Lindamood called the Colleyville City Council Worksession to order on Tuesday, May 5, 2026, at 5:33 p.m.

**ROLL CALL:** Mayor Bobby Lindamood, Mayor Pro Tem Brandi Elder, Deputy Mayor Pro Tem Scotty Richardson, and Councilmembers Mark Alphonso, Ben Graves, and Kimberly Holt Gunderson.

**ABSENT:** Councilmember Tim Raine.

**ALSO PRESENT:** City Manager Jerry Ducay, Assistant City Manager Mark Wood, Assistant City Manager Adrienne Lothery, Fire Chief Mark Cantrell, Community Development Director Ben Bryner, Finance Director Cassie Smith, Public Works and Parks and Recreation Director Lisa Escobedo, Assistant City Secretary Angela Fetters, Capital Projects Program Manager Elijah Dorminy, City Attorney Sarah Ross, and City Secretary Christine Loven.

## **WS-1** Library Department Update

Library Director Jack Pawlowski presented an update on the use of the library, programs, collections, community engagement, and number of visitors to the library for the past fiscal year and a cumulative since the library's opening in 2003. Director Pawlowski stated there is a program or service for every age group and encouraged the public to check out their local library.

## **WS-2** Discussion of home page layout options for new City website

Assistant City Manager Adrienne Lothery presented the background of the website project, noting the last refresh was in 2017, and there are new Department of Justice accessibility requirements the City will have to meet. She noted an internal committee with representatives from all departments have reviewed many websites and discussed content, look, and usability. This presentation provides for the City Council to review some of the recommendations of the committee and provide feedback on the homepage design.

City Council offered feedback on the design, color scheme, and front page feel which will be provided to CivicPlus for build and a final review by City Council.

## **WS-3** Discussion of the May 5, 2026, City Council regular agenda items

There was no discussion of this item.

Mayor Lindamood adjourned the Worksession at 6:33 p.m. and called the Executive Session to order.

**1. EXECUTIVE SESSION - In accordance with Texas Government Code, Chapter 551, Subchapter D**

Section 551.071 - Legal - Consultation with the City Attorney regarding items on the agenda or for matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Code

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There was no action taken and Mayor Lindamood adjourned Executive Session at 7:00 p.m.

Mayor Lindamood called the regular meeting of the City Council to order at 7:07 p.m. and called the roll.

**ROLL CALL:** Mayor Bobby Lindamood, Mayor Pro Tem Brandi Elder, Deputy Mayor Pro Tem Scotty Richardson, and Councilmembers Mark Alphonso, Ben Graves, and Kimberly Holt Gunderson.

**ABSENT:** Councilmember Tim Raine.

**INVOCATION: Paul Vigiletti, Good Shepherd  
PLEDGE OF ALLEGIANCE: City Attorney**

**2. EXECUTIVE SESSION READING AND PUBLIC HEARING: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - RESOLUTION R-26-5140**

This Resolution was not needed.

**3. OATH OF OFFICE**

City Secretary Christine Loven administered the Oath of Office to Scotty Richardson, Place 3 and Ben Graves, Place 4. Both were unopposed in the May 2, 2026 General Election.

#### **4. RECEPTION FOR CITY COUNCIL MEMBERS**

Mayor Lindamood recessed the meeting at 7:15 p.m. for a reception for City Councilmembers and called the meeting back to order at 7:32 p.m.

#### **5. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS**

Mayor Lindamood and the City Council provided announcements regarding community news and upcoming events.

#### **6. CONSENT: READING AND PUBLIC HEARING - RESOLUTION R-26-5141**

- 6a** Approval of the April 21, 2026, City Council minutes
- 6b** Approval of the sale of property, seized items, found items, obsolete and non-serviceable equipment
- 6c** Approval of a Construction Contract with West Texas Rebar Placers, Inc. for the Westcoat Drive Sidewalk Improvement Project, in an amount not to exceed \$204,319.00 a contingency amount not to exceed \$20,000.00, a material testing amount not to exceed \$17,000.00, and authorizing the City Manager to execute the contract
- 6d** Approval to donate \$6,750 of the City of Colleyville's Opioid Settlement funds to the Grapevine-Colleyville Independent School District Drug Dog Program

Mayor Lindamood read Resolution R-26-5141 in its entirety.

Public Works/Parks and Recreation Director Lisa Escobedo presented items 6b and 6c.

Assistant City Manager Adrienne Lothery presented item 6d.

There was no discussion, and Mayor Lindamood opened the public hearing.

Kathy Hadley, Colleyville, spoke in opposition to item 6c.

There were no others wishing to speak and Mayor Lindamood closed the public hearing.

**Mayor Pro Tem Elder made a motion to approve Resolution R-26-5141, seconded by Councilmember Holt Gunderson.**

**The motion was approved by the following vote:**

**Ayes: 6 – Mayor Bobby Lindamood, Mayor Pro Tem Brandi Elder, Deputy Mayor Pro Tem Scotty Richardson, and Councilmembers Mark Alphonso, Ben Graves, and Kimberly Holt Gunderson.**

**Absent: 1 – Councilmember Tim Raine.**

## **7. ELECTION OF MAYOR PRO TEM AND DEPUTY MAYOR PRO TEM**

Per the City Charter, Brandi Elder and Scotty Richardson were elected by City Council to serve as Mayor Pro Tem and Deputy Mayor Pro Tem respectively for the ensuing year.

## **8. ORDINANCE(S): FIRST READING AND PUBLIC HEARING**

### **8a Ordinance O-26-2363**

Consideration of a rezoning from AG Agricultural to R-20 Single-Family Residential on Tract 1A09, Abstract 1756, A.T. Young Survey, located at 108 Glade Road, Case ZC26-005 WITHDRAWN BY APPLICANT

This ordinance was withdrawn by the applicant and no action was taken.

### **8b Ordinance O-26-2364**

Consideration of a Special Use Permit for an accessory building located in a non-residential zoning district on Lot 1R, Block 1, Covenant Christian Academy Addition, zoned PUD-C Planned Unit Development – Commercial, located at 901 Cheek-Sparger Road, Case ZC26-006

Mayor Lindamood read the caption of Ordinance O-26-2364.

Community Development Director Ben Bryner presented the SUP request which would allow Covenant Christian Academy to add a commercial storage building on the property which is located in a non-residential district.

Trey Martinez, Covenant Christian Academy, was present to answer questions of the City Council.

Mayor Lindamood opened the public hearing.

Kathy Hadley, Colleyville, spoke in favor of the request.

There were no others wishing to speak and Mayor Lindamood closed the public hearing.

This was a first reading with no action taken.

**8c Ordinance O-26-2365**

Consideration of a Special Use Permit for Alcoholic Beverage Sales – On-Premises Consumption on Lot 13R, Block 2, Thompson Terraces Subdivision, located at 5201 Colleyville Boulevard, Case ZC26-008

Mayor Lindamood read the caption of Ordinance O-26-2365.

Community Development Director Ben Bryner presented this request to allow for a revision of the business hours which were established by ordinance.

Brian Hendershot, Stone House Restaurant, was present to answer questions of the City Council.

Mayor Lindamood opened and closed the public hearing without any speakers.

This was a first reading with no action taken.

**8d Ordinance O-26-2366**

Consideration of a Special Use Permit for a Charitable Donation Station on Lot 8, Block 6R, Woodbriar Estates West Addition, zoned CC-3 Highway Commercial, located at 3901 Colleyville Boulevard, Case ZC26-010

Mayor Lindamood read the caption of Ordinance O-26-2366.

Community Development Director presented this request for a SUP to allow Thrift Giant to provide a donation station drop off at the Colleyville location.

Thrift Giant leadership team members were present to answer questions of the City Council.

Mayor Lindamood opened and closed the public hearing without any speakers.

This was a first reading with no action taken.

**8e Ordinance O-26-2367**

Consideration of an amendment to the Land Development Code Chapter 3, Land Use, which includes edits throughout the chapter related to outdoor storage and display, Case GC26-005

Mayor Lindamood read the caption of Ordinance O-26-2367.

Community Development Director presented this item and stated staff has prepared an amendment to the Land Development Code which would amend sections of the code related to outdoor storage and display, and require a SUP approved by City Council.

Mayor Lindamood opened and closed the public hearing without any speakers.

This was a first reading with no action taken.

**8f Ordinance O-26-2368**

Amending Chapter 86 (streets, sidewalks and other public places) of the City of Colleyville Code of Ordinances to adopt a Division 2; adopting safety restrictions for the use of motorized carts within the City

Mayor Lindamood read the caption of Ordinance O-26-2368.

Assistant City Manager Adrienne Lothery presented this item and reviewed the proposed ordinance details which included definitions, safety equipment and a list of proposed prohibited streets.

There was discussion regarding prohibited streets, effect to citizens and neighborhoods, and regulation of golf carts.

Mayor Lindamood opened the public hearing.

Kathy Hadley, Colleyville, spoke in opposition to this item.

There were no others wishing to speak and Mayor Lindamood closed the public hearing.

This was a first reading with no action taken.

**9. RESOLUTION(S): READING AND PUBLIC HEARING**

**9a Resolution R-26-5142**

Repealing Resolution R-26-5120 and authorizing an Advanced Funding Agreement with the Texas Department of Transportation for the Reconstruction of the Roadway with Intersection Improvements and Sidewalks on Cheek-Sparger Road from Bedford Road to Heritage Avenue Project, and authorizing the City Manager to execute the Agreement

Mayor Lindamood read Resolution R-26-5142 in its entirety.

Public Works/Parks and Recreation Director Lisa Escobedo presented this Advanced Funding Agreement for reconstruction with intersection improvements and sidewalks on Cheek-Sparger Road. She noted the road will remain two-lane but will have intersection turn lanes.

Mayor Lindamood opened the public hearing.

Kathy Hadley, Colleyville, spoke in support of this item.

There were no others wishing to speak and Mayor Lindamood closed the public hearing.

**Councilmember Alphonso made a motion to approve Resolution R-26-5142, seconded by Councilmember Graves.**

**The motion was approved by the following vote:**

**Ayes: 6 – Mayor Bobby Lindamood, Mayor Pro Tem Brandi Elder, Deputy Mayor Pro Tem Scotty Richardson, and Councilmembers Mark Alphonso, Ben Graves, and Kimberly Holt Gunderson.**

**Absent: 1 – Councilmember Tim Raine.**

**9b Resolution R-26-5143**

Approval of an Advanced Funding Agreement with the Texas Department of Transportation for the construction of the Bedford Road Low Water Crossing (Little Bear Creek) between Saddlebrook Drive and Somerset Boulevard Project and authorizing the City Manager to execute the agreement

Mayor Lindamood read Resolution R-26-5143 in its entirety.

Public Works/Parks and Recreation Director Lisa Escobedo presented this Advanced Funding Agreement for construction of the Bedford Road low water crossing.

There was discussion of scope of the project and the safety of the design of the road.

Mayor Lindamood opened and closed the public hearing without any speakers.

**Councilmember Graves made a motion to approve Resolution R-26-5143, seconded by Deputy Mayor Pro Tem Richardson.**

**The motion was approved by the following vote:**

**Ayes: 6 – Mayor Bobby Lindamood, Mayor Pro Tem Brandi Elder, Deputy Mayor Pro Tem Scotty Richardson, and Councilmembers Mark Alphonso, Ben Graves, and Kimberly Holt Gunderson.**

**Absent: 1 – Councilmember Tim Raine.**

**9c Resolution R-26-5144**

Consideration of a replat for proposed Lot 3R, Adair & Brown Estates, being Lots 3B and 4A2, Adair & Brown Estates, and zoned R-40 Single-Family Residential, located at 813 John McCain Road, Case PC26-004

Mayor Lindamood read Resolution R-26-5144 in its entirety.

Community Development Director Ben Bryner presented this request to replat two lots to one, to allow for the construction of a pergola with a reduced sideyard setback.

Mayor Lindamood opened and closed the public hearing without any speakers.

**Deputy Mayor Pro Tem Richardson made a motion to approve Resolution R-26-5144, seconded by Councilmember Holt Gunderson.**

**The motion was approved by the following vote:**

**Ayes: 6 – Mayor Bobby Lindamood, Mayor Pro Tem Brandi Elder, Deputy Mayor Pro Tem Scotty Richardson, and Councilmembers Mark Alphonso, Ben Graves, and Kimberly Holt Gunderson.**

**Absent: 1 – Councilmember Tim Raine.**

## **10. CITIZEN COMMENTS**

Kathy Hadley, Colleyville, spoke regarding E-bikes and the need for more crossing zones with lights.

## **11. REPORTS**

Colleyville Library Board Minutes - December 15, 2025

Planning and Zoning Commission Minutes - March 9, 2026

Planning and Zoning Commission Worksession Minutes - March 23, 2026

There was no action taken.

## **12. RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR TUESDAY, MAY 5, 2026 - READING AND PUBLIC HEARING - RESOLUTION R-26-5145**

This resolution was not needed.

## **13. ADJOURNMENT**

There being no further business before the City Council, Mayor Lindamood adjourned the meeting without objection by the City Council at 9:02 p.m.

Minutes taken and prepared by:

*Christine Loven, TRMC*  
*City Secretary*



# CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

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**Agenda Number** 4b

**Agenda Date** 5/12/2026

**Number** Resolution R-26-5147

**Type** Resolution

**Department** Parks and Recreation

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## **Title**

Approval of a Construction Services Agreement with Smith Lawn and Tree, LLC., in an amount not to exceed \$91,848.59, for the Texas Tree Trail project, and authorizing the City Manager to execute the Agreement

## **Explanation**

### ***Reading and Public Hearing***

In October 2025, staff presented Council with an overview of the Texas Tree Trail project. The initial phase of planting 42 large trees has been completed. Phase II for the flowering trees was approved on April 21, 2026. This contract supports the next phase of the project, to include the furnishing and installation of 44 non-blooming trees.

## **Financial Impact**

The funding sources for this project is the Capital Projects and Voluntary Park funds.

## **Recommendation**

Approve

## **Attachments**

1. Construction Services Agreement

**CONSTRUCTION SERVICES AGREEMENT**  
**TEXAS TREE TRAIL PHII - NON FLOWERING TREES**  
(Bid #PKS-2026-006)

This CONSTRUCTION SERVICES AGREEMENT (“Agreement”) is made as of the Effective Date by and between **Smith Lawn and Tree, LLC**, a Texas Limited Liability Company, hereinafter called “Contractor”, and the **City of Colleyville, Texas**, hereinafter called “City”.

**RECITALS**

**WHEREAS**, City desires Contractor to perform certain work and services set forth in Section 1, below; and

**WHEREAS**, Contractor has expressed a willingness to perform said work and services, hereinafter referred to only as “services”, specified in the Contract Documents and Section 1 of this Agreement.

**NOW, THEREFORE**, for and in consideration of the covenants and promises made one to the other herein, City and Contractor agree as follows:

**Section 1.     Scope of Services**

Upon issuance of a written notice to proceed by City, Contractor agrees to provide to City the necessary services, labor, materials, equipment, and supplies to perform the Texas Tree Trail PHII - Non Flowering Trees (the “Project”), such services being more fully described herein and pursuant to the plans and specifications identified in the Contract Documents (defined below).

**Section 2.     Term of Agreement**

The term of this Agreement shall begin on the last date of execution hereof (the “Effective Date”) and shall continue until Contractor completes the services required herein to the satisfaction of City and has been paid in full by City, unless sooner terminated in conformance with this Agreement.

**Section 3.     Contract Documents**

- (a) This Agreement is a part of the “Contract Documents”, which include:
- (1) This Agreement, including all exhibits and addenda hereto;
  - (2) City’s plans, specifications, and all other contract documents for the Project contained in City’s Bid #PKS-2026-006;
  - (3) City’s written notice(s) to proceed to the Contractor;
  - (4) Properly authorized change orders;
  - (5) Contractor’s Bid Proposal (“Proposal” and/or “Response”); and
  - (6) Any other materials distributed by the City that relate to the Project.

In the event there exists a conflict between any term, provision, and/or interpretation of the Contract Documents, the documents shall take precedent and control in the order listed above in this section (which shall supersede any conflicting provision concerning priority of contract documents contained in the Bid Packet). If discrepancies are found that may impact Contractor’s performance of the services for the Project, it shall be the Contractor’s obligation to seek clarification as to which requirements or provisions control before undertaking any work on that component of the Project. Should the Contractor fail or refuse to seek a clarification of such conflicting or inconsistent requirements or provisions prior to any work on that component of the Project, the Contractor shall be solely responsible for the costs and expenses - including additional time - necessary to cure, repair and/or correct that component of the Project.

#### **Section 4. Contractor Obligations**

(a) Performance of Services. To the extent reasonably necessary for Contractor to perform the services under this Agreement, Contractor shall be authorized to engage the services of any agents, assistants, persons, or corporations that Contractor may deem proper to aid or assist in the performance of the services under this Agreement with the prior written approval of City. The cost of such personnel and assistance shall be a reimbursable expense to Contractor only if authorized in writing in advance by City. Unless otherwise agreed, Contractor shall provide and pay for all materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and all water, light, power, fuel, transportation and all other facilities necessary for the execution and completion of the Project.

(b) Quality Materials. Contractor shall be responsible for the professional quality, technical accuracy, and the coordination of all materials, construction, installation and other services furnished by Contractor under this Agreement. Unless otherwise specified in writing by City, all materials shall be new and both workmanship and materials shall be of a good quality. Contractor shall, if required, furnish satisfactory evidence as to the kind and quality of materials. Materials or work described in the Contract Documents that, so applied, have well known, technical or trade meaning shall be held to refer to such recognized standards. Contractor shall, without additional compensation, correct or revise any errors or deficiencies in the installation and construction of the Project components to conform as shown in the Project drawings and specifications.

(c) Additional Services. All minor details of the work not specifically mentioned in the Contract Documents but obviously necessary for the proper completion of the work, such as the proper connection of new work to old, shall be considered as incidental to and a part of the work for which the prices are set forth in this Agreement. Contractor will not be entitled to any additional compensation therefor unless specifically stated otherwise. Should City require additional services not included under this Agreement, Contractor shall make reasonable effort to provide such additional services at mutually agreed charges or rates, and within the time schedule prescribed by City, and without decreasing the effectiveness of the performance of services required under this Agreement. The terms "extra work" and "additional services" as used in this Agreement shall be understood to mean and include all work that may be required by City to be done by Contractor to accomplish any alteration or addition to the work as shown on the Project plans and drawings. It is agreed that Contractor shall perform all extra work under the direction of the City's representative when presented with a written work/change order signed by the City's representative, subject, however, to the right of Contractor to require written confirmation of such extra work order by City. No claims for extra services, additional services or changes in the services whatsoever, including any change in pricing or time for performance related to the services will be made by Contractor without first obtaining the City's written agreement and approval of a work/change order reflecting the same.

(d) Independent Contractor. It is understood and agreed by and between the parties that Contractor, while performing under this Agreement, is acting independently, and that City assumes no responsibility or liabilities to any third party in connection with Contractor's acts or omissions. All services to be performed by Contractor pursuant to this Agreement shall be in the capacity of an independent contractor, and not as an agent or employee of City. Contractor shall supervise the performance of its services and shall be entitled to control the manner and means by which its services are to be performed, subject to the terms of this Agreement. There is no intended third-party beneficiary to this Agreement.

(e) Inspection of Records. Contractor grants City and its designees the right to audit, examine, or inspect, at City's election, all of Contractor's Records relating to the performance of services under this Agreement, during the term of the Agreement and any retention period herein. City's audit, examination, or inspection of Contractor's Records may be performed by a City designee, which may include its internal auditors or an outside representative engaged by City. Contractor agrees to retain Contractor's Records for

a minimum of four (4) years following termination of the Agreement, unless there is an ongoing dispute under the contract; then, such retention period shall extend until final resolution of the dispute. "Contractor's Records" shall include any and all information, materials and data of every kind and character generated as a result of the services under this Agreement. City agrees that it will exercise its right to audit, examine or inspect Contractor's Records only during regular business hours unless City has provided advance written notice of an alternate time. Contractor agrees to allow City and its designees access to all of Contractor's Records, Contractor's facilities and the current or former employees of Contractor, deemed necessary by City or its designee(s), to perform such audit, inspection, or examination.

(f) Certification of No Conflicts. Contractor hereby warrants to the City that Contractor has made full disclosure in writing of any existing or potential conflicts of interest related to Contractor's services under this Agreement. In the event that any conflicts of interest arise after the Effective Date of this Agreement, Contractor hereby agrees immediately to make full disclosure to the City in writing.

(g) No Waiver of City's Rights. Neither City's review, approval or acceptance of, nor payment for any of the materials or services required under this Agreement, shall be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement, and Contractor shall be and remain liable to City in accordance with applicable law for all damages to City caused by Contractor's negligent performance of any of the services furnished under this Agreement.

(h) Rights-of-Access. City will endeavor to provide such rights of access on any project site as may be reasonably necessary for Contractor to perform any required preliminary site studies, surveys, tests, or other necessary investigations prior to mobilization for the Project. Contractor will take all necessary and reasonable precautions to minimize damage to all personal and real property in the performance of such surveys, tests, studies and investigations.

(i) Storm Water Management. When performing or delivering services at or upon any property owned, leased, or managed by the City, or in performance of any services or other acts on behalf of, or at the direction of the City (regardless of location), Contractor shall at all times comply with (i) the City's Storm Water Management and Discharge Control provisions codified in Chapter 42 of the Colleyville Municipal Code, as amended, (ii) all applicable Minimum Best Management Practice requirements, as defined by the Texas Commission on Environmental Quality, and (iii) any Storm Water Pollution Prevention Plan (SWPPP) applicable to the worksite. Regardless of the applicability of the foregoing regulations, CONTRACTOR SHALL AT ALL TIMES BE RESPONSIBLE FOR IMPLEMENTING SUCH CONTROLS AS MAY BE REASONABLY NECESSARY TO MINIMIZE ANY NEGATIVE IMPACT TO THE STORM WATER COLLECTION SYSTEM OR ENVIRONMENT AND SHALL FOLLOW ALL STATE AND LOCAL ILLICIT DISCHARGE REPORTING PROCEDURES IN THE EVENT OF AN OCCURRENCE OR DISCHARGE.

(j) Compliance with Laws. Contractor shall comply with all laws, ordinances, rules, policies, orders, directives, and other regulations governing Contractor's performance of this Agreement.

## **Section 5. Payment**

(a) Compensation. City agrees to pay Contractor for all services authorized in writing and properly performed by Contractor in a total amount not to exceed NINETY-ONE THOUSAND, EIGHT HUNDRED AND FOURTY-EIGHT DOLLARS AND FIFTY-NINE CENTS (\$91,848.59) ("Contract Price"), subject to additions or deletions for change orders and/or extra work agreed upon in writing.

(b) Method of Payment. Unless otherwise agreed by the parties in writing, payment to Contractor shall be monthly based on a monthly progress report and detailed monthly itemized statement for services submitted by Contractor that shows the names of the Contractor's employees, agents, or

subcontractors performing the services, the time worked, the actual services performed, and the rates charged for such services, in a form acceptable to City. City shall pay such monthly statements within thirty (30) days after receipt of a completed submission and City's verification of the services performed.

(c) Schedule of Values and Application for Payment. City may deduct from any amounts due or to become due to Contractor any sum or sums owing by Contractor to City. In the event of any breach by Contractor of any provision or obligation of this Agreement, or in the event of the assertion by any third-party of a claim or lien against City, or the City's premises, arising out of Contractor's performance under this Agreement, City shall have the right to retain out of any payments due or to become due to Contractor an amount sufficient to completely protect the City from any and all loss, damage or expense therefrom, until the breach, claim, or lien has been satisfactorily remedied by Contractor. Additionally, City may, on account of subsequently discovered evidence, withhold the whole or part of any payment to such extent as may be necessary to protect itself from loss on account of:

- (1) defective work not remedied;
- (2) claims filed or reasonable evidence indicating possible filing of claims;
- (3) failure of Contractor to make payments promptly to subcontractors or for material or labor which City may pay as an agent for the Contractor; or
- (4) damages to another contractor or subcontractor.

When the above grounds are removed, or Contractor provides a letter of credit, or similar guaranty satisfactory to City (to be determined in City's sole discretion) which will protect City in the amount withheld because of said grounds, City will release the amounts withheld.

## **Section 6. Performance Schedule**

(a) Extensions; Written Request Required. No allowance of any extension of time, for any cause whatever (including an event of Force Majeure), shall be claimed by or granted to Contractor, unless (i) Contractor shall have made written request to City for such extension within forty-eight (48) hours after the cause for such extension occurred, and (ii) City and Contractor have agreed in writing that such additional time shall be granted. As used in this section, the term "Force Majeure" shall mean that Contractor's performance of the services under this Agreement is prevented or delayed, in whole or in part, to such an extent that Contractor would not be able to complete the services (or any partial component thereof) within the time for performance set forth herein by reason of or through work strikes, stoppage of labor, riot, fire, flood, acts of war, insurrection, court judgment, act of God, pandemic, or other specific cause reasonably beyond Contractor's control and not attributable to its malfeasance, neglect or nonfeasance. Should Contractor timely request an extension of time due to an event of force majeure under this section, City and Contractor may agree in writing to suspended Contractor's performance until such disability to perform (other than a payment obligation) is removed; provided, that Contractor shall use commercially reasonable efforts to remove any such causes and resume performance of the services under this Agreement as soon as reasonably practicable.

(b) Costs of Delay. Contractor understands and agrees that time is of the essence of this contract, and no damages will be paid for delay.

## **Section 7. Ownership of Project; Bill of Sale; No Liens**

(a) Title of Ownership. Contractor warrants that title to all services, including all equipment and materials incorporated into the Project, will pass to City no later than the time of final payment. Contractor further warrants that upon payment by City, all services for which payments have been received from City shall be free and clear of liens, claims, security interests or other encumbrances in favor of Contractor or any other person or entity whatsoever.

(b) Assignment; Bill of Sale. Contractor agrees, no later than the time of completion of the Project, to assign to City all manufacturer's warranties relating to equipment, materials and labor used in the Project and further agrees it will at all times perform the services in a manner that will, to the greatest extent possible, preserve all manufacturer's warranties. If necessary as a matter of law, Contractor may retain the right to enforce directly any such manufacturers' warranties during the one year period following the date of acceptance of the Project by City; provided, that City's rights related to the same shall not be subordinate to Contractor's enforcement rights.

CONTRACTOR AGREES TO INDEMNIFY, DEFEND, AND SAVE CITY HARMLESS FROM ALL CLAIMS RELATED TO ANY DEMANDS OF SUBCONTRACTORS, LABORERS, WORKMEN, MECHANICS, MATERIALMEN, AND SUPPLIERS OF MACHINERY AND PARTS THEREOF, EQUIPMENT, POWER TOOLS, ALL SUPPLIES ARISING OUT OF THE PERFORMANCE OF THIS AGREEMENT. CONTRACTOR SHALL FURNISH SATISFACTORY EVIDENCE THAT ALL OBLIGATIONS DESCRIBED HEREIN HAVE BEEN PAID, DISCHARGED OR WAIVED UPON CITY'S WRITTEN REQUEST.

### **Section 8. Default; Termination; Abandonment**

(a) Default; Notice to Cure. A party shall be deemed in default under this Agreement if the party is in breach of a material provision of this Agreement and said breach is not cured within ten (10) days written notice of default by the other party. In the event the breaching party has notified the other party in writing that it is diligently working to cure the breach and has provided reasonable evidence in support of the same, the breaching party shall not be deemed in default until the thirtieth (30<sup>th</sup>) day following the non-breaching party's notice of default.

(b) Default by Contractor. In addition to default under Section 7(a) above, Should Contractor fail to comply with any term or condition this Agreement applicable to Contractor, or become disabled and unable to comply with any provisions of this Agreement related to the quality or character of the services or time of performance, Contractor shall be deemed in default of this Agreement. If such default is not corrected within ten (10) days after written notice by City to Contractor, City may, at its sole discretion and without prejudice to any other right or remedy:

- (1) terminate this Agreement and be relieved of any further payment or consideration to Contractor except for all services determined by City to be satisfactorily completed prior to such termination. Payment for work satisfactorily completed shall be for actual costs incurred and non-refundable, including reasonable salaries and travel expenses of Contractor to and from meetings called by City at which Contractor is required to attend, but shall not include any loss of profit of Contractor. City may further proceed to complete the services in any manner deemed proper by City, either by the use of its own forces or by resubletting to others; or
- (2) City may, without terminating this Agreement or taking over the services, furnish the necessary materials, equipment, supplies and/or help necessary to remedy the situation, at Contractor's sole expense.

(b) Suspension or Termination by City. City may suspend or terminate this Agreement for cause or without cause at any time by giving written notice to Contractor. In the event suspension or termination is without cause, payment to Contractor, in accordance with the terms of this Agreement, will be made based on services reasonably determined by City to be satisfactorily performed as of the date of suspension or termination. Such payment will become payable upon delivery of all instruments of service to City and City's acceptance of the same. If City requires a modification of the services under this Agreement, and in the event City and Contractor fail to agree upon such modification(s), City shall have

the option of terminating this Agreement and Contractor's services hereunder at no additional cost other than the payment to Contractor in accordance with the terms of this Agreement for the services reasonably determined by City to be properly performed prior to such termination date.

(c) Abandonment. If Contractor should abandon and fail or refuse to resume work within ten (10) days after written notification from the City, or if Contractor fails to timely comply with the orders of the City, when such orders are consistent with the Contract Documents, then, and in that case, where a performance bond(s) exists, the surety on the bond(s) may be notified in writing by City and directed to complete the work (at City's sole discretion), and a copy of said notice shall be delivered to Contractor. After receiving said notice of abandonment, Contractor shall not remove from the work any machinery, equipment, tools, materials or supplies then on the job, but the same, together with any materials and equipment under contract for the work, may be held for use on the work by the City or the surety on the performance bond, or another Contractor in completion of the work; and Contractor shall not receive any rental or credit therefor, having hereby acknowledged that the use of such equipment and materials will ultimately reduce the cost to complete the work and be reflected in the final settlement. In the event a surety fails to comply with City's written notice provided for herein, then the City may provide for completion of the work in either of the following elective manners:

- (1) the City may employ such labor and use such machinery, equipment, tools, materials and supplies as said City may deem necessary to complete the work and charge the expense of such labor, machinery, equipment, tools, materials and supplies to Contractor, which shall be deducted and paid by City out of such amounts as may be due, or that may thereafter at any time become due to the Contractor under this Agreement. In case such expense is less than the sum which would have been payable under this Agreement if the same had been completed by the Contractor, then Contractor shall receive the difference. In case such expense is greater than the sum which would have been payable under this Agreement if the same had been completed by said Contractor, then the Contractor and/or its surety (ies) shall pay the amount of such excess to the City; or
- (2) the City may (under sealed bids when and in the manner required by law) let the contract to another Contractor for the completion of the work under substantially the same terms and conditions which are provided in this Agreement. In the case of any increase in cost to the City under the new contract as compared to what would have been the cost under this Agreement, such increase shall be charged to the Contractor and its surety (ies) shall be and remain bound therefor. However, should the cost to complete any such new contract prove to be less than what would have been the cost to complete under this Agreement, the Contractor and/or its surety (ies) shall be credited therewith.

(d) Remedies Cumulative. The remedies in this section are cumulative and nothing herein shall be deemed a waiver of any other remedy available to the City under this Agreement, including its remedies upon default provided herein above.

## **Section 9. Insurance**

Contractor shall during the term hereof maintain in full force and effect all policies of insurance reasonably required by City and in compliance with the Contract Documents. Contractor's obligation to provide acceptable certificates of insurance is a material condition of this Agreement, and services under this Agreement shall not commence until certificates of insurance have been received, reviewed, and accepted by City. The minimum coverages and limits of liability for the policies of insurance required under this Agreement are maintained by and accessible through the City's purchasing department.

**Section 10. Indemnification**

(a) Release of liability. CITY SHALL NOT BE LIABLE FOR ANY LOSS, DAMAGE, OR INJURY OF ANY KIND OR CHARACTER TO ANY PERSON OR PROPERTY ARISING FROM THE SERVICES OF CONTRACTOR PURSUANT TO THIS AGREEMENT. CONTRACTOR HEREBY WAIVES ALL CLAIMS AGAINST CITY, ITS OFFICIALS, OFFICERS, EMPLOYEES, OR AGENTS (COLLECTIVELY REFERRED TO IN THIS SECTION AS “CITY”) FOR DAMAGE TO ANY PROPERTY OR INJURY TO, OR DEATH OF, ANY PERSON ARISING AT ANY TIME AND FROM ANY CAUSE (OTHER THAN THE GROSS NEGLIGENCE OF CITY, IN WHICH CASE CONTRACTOR SHALL WAIVE ALL CLAIMS TO THE EXTENT OR PROPORTION OF NEGLIGENCE ATTRIBUTED TO CONTRACTOR AND/OR ITS OFFICERS, DIRECTORS, SERVANTS, EMPLOYEES, REPRESENTATIVES, CONSULTANTS, LICENSEES, SUCCESSORS OR PERMITTED ASSIGNS AS DETERMINED BY A COURT OR OTHER FORUM OF COMPETENT JURISDICTION).

(b) Contractor’s Indemnity Obligation. CONTRACTOR AGREES TO INDEMNIFY AND SAVE HARMLESS CITY FROM AND AGAINST ANY AND ALL LIABILITIES, DAMAGES, CLAIMS, SUITS, COSTS (INCLUDING COURT COSTS, REASONABLE ATTORNEYS’ FEES AND COSTS OF INVESTIGATION) AND ACTIONS OF ANY KIND BY REASON OF INJURY TO OR DEATH OF ANY PERSON OR DAMAGE TO OR LOSS OF PROPERTY TO THE EXTENT CAUSED BY CONTRACTOR’S PERFORMANCE OF SERVICES UNDER THIS AGREEMENT OR BY REASON OF ANY NEGLIGENT ACT OR OMISSION ON THE PART OF CONTRACTOR, ITS OFFICERS, DIRECTORS, SERVANTS, EMPLOYEES, REPRESENTATIVES, CONSULTANTS, LICENSEES, SUCCESSORS OR PERMITTED ASSIGNS (EXCEPT WHEN SUCH LIABILITY, CLAIMS, SUITS, COSTS, INJURIES, DEATHS OR DAMAGES ARISE, IN WHOLE OR IN PART, FROM OR ARE ATTRIBUTED TO THE GROSS NEGLIGENCE OF CITY, IN WHICH CASE CONTRACTOR SHALL INDEMNIFY CITY ONLY TO THE EXTENT OR PROPORTION OF NEGLIGENCE ATTRIBUTED TO CONTRACTOR AND/OR ITS OFFICERS, DIRECTORS, SERVANTS, EMPLOYEES, REPRESENTATIVES, CONSULTANTS, LICENSEES, SUCCESSORS OR PERMITTED ASSIGNS AS DETERMINED BY A COURT OR OTHER FORUM OF COMPETENT JURISDICTION).

(c) Notice of Claim(s). Contractor shall promptly advise City in writing of any claim or demand against the City, related to or arising out of Contractor’s acts or omissions under this Agreement and shall see to the investigation and defense of such claims or demand at Contractor’s sole cost and expense; provided, that City, at its option and at its own expense, may participate in such defense without relieving Contractor of any of its obligations hereunder.

CONTRACTOR’S OBLIGATIONS UNDER THIS SECTION SHALL NOT BE LIMITED TO THE LIMITS OF COVERAGE OF INSURANCE MAINTAINED OR REQUIRED TO BE MAINTAINED BY CONTRACTOR UNDER THIS AGREEMENT. THE PROVISIONS OF THIS SECTION 10 SHALL SURVIVE TERMINATION OF THIS AGREEMENT.

**Section 11. Notice**

All notices required by this Agreement shall be in writing and addressed to the parties at the addresses set forth on the signature page(s) of this Agreement (or to such other address that may be designated by the receiving party from time to time in accordance with this section). All notices shall be delivered by (a) personal delivery, (b) certified or registered mail (in each case, return receipt requested, postage prepaid), (c) nationally recognized overnight courier (with all fees pre-paid), or (d) email of a pdf document containing the required notice. Such notice or document shall be deemed to be delivered or given, whether actually received or not, (i) when received if delivered or given in person, (ii) if sent by United

States mail, three (3) business days after being deposited in the United States mail as set forth above, (iii) on the next business day after the day the notice or document is provided to a nationally recognized carrier to be delivered as set forth above, or (iv) if sent by email, the next business day. A confirmation of delivery report which reflects the time that the email was delivered to the recipient's last notified email address is prima facie evidence of its receipt by the recipient, unless the sender receives a delivery failure notification, indicating that the email has not been delivered to the recipient.

## **Section 12. Sales and Use Taxes**

Contractor understands and acknowledges that City is a governmental entity and exempt from the payment of sales and use taxes for certain materials and equipment conveyed to City as part of this Project or otherwise incorporated into the Project. City agrees to provide Contractor such documentation as may otherwise be required by state law to allow Contractor to avoid payment of sales and uses taxes for materials and equipment with respect to the Project to the extent allowed by law.

## **Section 13. Texas Government Code Verifications**

Contractor's execution of this Agreement shall serve as its acknowledgement and written verification that: (i) the requirements of Subchapter J, Chapter 552, Government Code, apply to this Agreement and Contractor agrees that the Agreement can be terminated if Contractor knowingly or intentionally fails to comply with a requirement of that subchapter; (ii) pursuant to Texas Government Code Chapter 2271, that Contractor's organization does not presently boycott Israel and will not boycott Israel during the term of this Agreement; and (iii) pursuant to Texas Government Code Chapter 2251, that Contractor's organization does not current discriminate against firearm and ammunition industries and will not for the term of the contract. Discriminating means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with the firearm or ammunition industry or with a person or entity doing business in the firearm or ammunition industry, but does not include an action made for ordinary business purposes.

## **Section 14. Miscellaneous**

(a) Contractor shall not assign or sublet this Agreement, in whole or in part, without the prior written consent of City. (b) Contractor shall comply with all federal, state, county and municipal laws, ordinances, resolutions, regulations, rules, policies, orders, and directives applicable to the services under this Agreement. (c) The laws of the State of Texas shall govern this Agreement; and venue for any action concerning this Agreement shall be in the state district courts of Tarrant County, Texas. The parties agree to submit to the personal and subject matter jurisdiction of said courts. (d) This Agreement contains the entire understanding of the parties with respect to the subject matter hereof and there are no oral understandings, statements or stipulations bearing upon the meaning or effect of this Agreement which have not been incorporated herein. (e) The exhibits attached hereto, if any, are incorporated herein and made a part hereof for all purposes. (f) Unless expressly provided otherwise herein, this Agreement may only be modified, amended, supplemented or waived by a mutual written agreement of the parties. (g) In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it. (h) Any of the representations and obligations of the parties, as well as any rights and benefits of the parties pertaining to a period of time following the termination of this Agreement shall survive termination. (i) This Agreement may be executed by the parties in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one and the same instrument. Each counterpart may consist of any number of copies hereof each signed by less than all, but together signed by all of the parties. (j) Each party represents that it has full capacity and authority to grant all rights and assume all obligations granted and assumed

under this Agreement. (k) Subject to the provisions regarding assignment, this Agreement shall be binding on and inure to the benefit of the parties to it and their respective heirs, executors, administrators, legal representatives, successors and assigns.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY –  
SIGNATURES ON FOLLOWING PAGE(S)]

IN WITNESS WHEREOF, the parties have executed and delivered this Agreement as of the Effective Date.

<p>For City:</p> <p>CITY OF COLLEYVILLE, TEXAS</p> <p>By: _____ Jerry Ducay City Manager</p> <p>Date: _____</p>	<p>For Contractor:</p> <p>SMITH LAWN AND TREE, LLC</p> <p>By: _____ Russell Simpler Partner</p> <p>Date: _____</p>
<p><u>Notice Address:</u></p> <p>City of Colleyville Attn: City Manager 100 Main Street, 3<sup>rd</sup> Floor City of Colleyville, Texas 76034 E: jducay@colleyville.com</p> <p>ATTEST:</p> <p>By: _____ Christine Loven City Secretary</p> <p>Date: _____</p>	<p><u>Notice Address:</u></p> <p>Smith Lawn and Tree, LLC Attn: Russell Simpler, Partner 3200 Handley Ederville Rd Richland Hills, Texas 76118 E: russell@smithdfw.com</p>

GovDox Colleyville Contract ID:  
CSA\_pk\_May 12, 2026\_Rev20230112



**Proposal #16914**

Date: 3/18/2026

**Customer:**

Joe Flynn  
100 Main St  
Colleyville, TX 76034

**Property:**

City of Colleyville Senior Center  
2512 Glade Road  
Colleyville, TX 76034

**Trail Tree Planting Phase 2-Non-blooming Trees**

**Landscape Enhancement Proposal**

**Landscape Installation**

Items	Quantity	Unit	
Labor - Enhancement	330.00	HR	
OAK red 48" Box	4.00	200G	
Mexican White Oak	5.00	200G	
ELM lacebark 100 gal	6.00	100G	
ELM cedar 200g 200g	6.00	200G	
PISTACHE chinese 100g	4.00	100G	
HOLLY possum haw 30 Gal	3.00	45G	
HOLLY yaupon 45g	2.00	45G	
Overcup Oak 5" B&B	4.00	5"	
MAPLE shantung 4"	3.00	4" CAL	
PERSIMMON texas 30 Gal	3.00	30G	
OAK sawtooth 65 gal	4.00	3.5" CAL	
Delivery 275	3.00	ea	
Hardwood Mulch	50.00	3CF BAG	
T-post Stakes	97.00	ea	
<b>Landscape Installation:</b>			\$91,848.59

<b>Subtotal</b>	\$91,848.59
<b>Estimated Tax</b>	\$0.00
<b>Total</b>	<b>\$91,848.59</b>

**Terms & Conditions**

We will dispose of all Trimming Debris unless otherwise Noted

All work will be done in compliance with the ANSI A300 Pruning Standards

TXIRRLI#17503

**Billing: Our billing terms are net 30 from date on invoice**

I understand and agree that all verbal promises (specification and installation details) are contained within the scope of this attached proposal. Payment: Project balance is due within 30 days of invoice upon each phase of project if applicable. In the event that a service is not completed or material is not available at time of installation, that item (or items) will be considered a change order and deducted from the invoice amount and contract. Smith Lawn and Tree will make every reasonable attempt to locate and avoid damages to above and underground utilities, cable, wiring, etc. We will not be held responsible for damage to any and all private or unmarked buried utility or cables during work progress. The owner is responsible for moving any personal items in the work area before work commencement date. Smith Lawn and Tree is not responsible for damage to any item if asked to transport them or if unable to move the item(s). During movement of items on-site and transport to site location, we are not responsible for damage to turf or hardscape surfaces. The above prices, specifications and conditions are satisfactory and are hereby accepted. Payment will be made as outlined above. In the event that payments are not made according to the above terms and specifications, I agree to pay all legal fees required to collect any outstanding balances should I not meet the terms of this contract. Owners/Client mentioned on proposal hereby grant contractor a mechanic's lien, if applicable, against the property to secure payment for all labor and materials furnished by contractor here-under.

**Warranty Specifications**

All woody plants and shrubs installed by Smith Lawn and Tree will be guaranteed for a period of 90 days from installation date. Trees will be guaranteed for a period of 1 Year from installation date. Annual color plantings, perennials, transplanted items and sod are not guaranteed. If there is an issue with the quality or appearance of any material, Smith Lawn and Tree must be notified within 24 hours of installation.

Plants and Trees will NOT be warrantied under the following conditions: drought and water restrictions limiting the amount of watering needed to establish new shrubs and trees, owner negligence, vandalism or human error from vehicles, pets, etc., acts of God including freeze, flooding, tornado, high wind, storm damage or anything else out of our control.

Plants that have died during the warranty period will be replaced one (1) time only. Replacements are not covered with an additional guarantee, thus ending all warranty work.

Thank you for giving us the opportunity to bid for your business. We have been in the industry since 1997 and have established a reputation for quality and integrity. We look forward to serving you!

By \_\_\_\_\_

**David Yonis**

Date 3/18/2026

**Smith Lawn and Tree**

By \_\_\_\_\_

Date \_\_\_\_\_

**City of Colleyville Senior Center**



# CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

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**Agenda Number** 5

**Agenda Date** 5/12/2026

**Type** Report

**Department** Finance

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**Title**

Monthly Financial Report - April 2026

**Explanation**

Assistant City Manager Mark Wood will give an overview of the April 2026 Financial Report.

**Attachments**

1. 2026-04 - Monthly Budget vs Actual
2. 2026-04 Budget PowerPoint

**City of Colleyville  
Monthly Budget vs Actual Report  
April 30, 2026**

	FY 2026				FY 2025				
	Annual Budget	Actual Thru Mth	Variance Annual	% of Annual Bdg	Annual Actual YTD	Actual Thru Mth	Variance Annual	% of Annual Act	% chg from PY
<b>General Fund</b>									
Current Taxes	18,870,816	18,332,545	538,271	97.1%	17,980,445	17,336,650	643,795	96.4%	5.7%
Delinquent	30,000	18,661	11,339	62.2%	32,038	9,030	23,008	28.2%	106.7%
P&I	80,000	45,730	34,270	57.2%	98,948	41,852	57,096	42.3%	9.3%
<b>Property Tax Total</b>	<b>18,980,816</b>	<b>18,396,936</b>	<b>583,880</b>	<b>96.9%</b>	<b>18,111,431</b>	<b>17,387,532</b>	<b>723,899</b>	<b>96.0%</b>	<b>5.8%</b>
Sales Tax	5,304,000	2,313,028	2,990,972	43.6%	5,074,051	2,257,615	2,816,436	44.5%	2.5%
Oncor Electric	910,000	869,186	40,814	95.5%	887,583	887,583	-	100.0%	-2.1%
Tri-County Electric	185,000	184,158	842	99.5%	172,925	172,925	-	100.0%	6.5%
Atmos Gas	600,000	789,801	(189,801)	131.6%	682,980	682,980	-	100.0%	15.6%
AT&T	15,000	34,064	(19,064)	227.1%	9,534	7,352	2,182	77.1%	363.3%
Verizon/Others	12,000	3,621	8,379	30.2%	7,462	4,202	3,261	56.3%	-13.8%
Refuse/Recycling	300,000	172,388	127,612	57.5%	325,103	168,229	156,874	51.7%	2.5%
Cable TV	200,000	79,013	120,987	39.5%	186,044	97,980	88,064	52.7%	-19.4%
Network Nodes	250	250	-	100.0%	250	250	-	100.0%	0.0%
<b>Franchise Fees</b>	<b>2,222,250</b>	<b>2,132,481</b>	<b>89,769</b>	<b>96.0%</b>	<b>2,271,880</b>	<b>2,021,500</b>	<b>250,381</b>	<b>89.0%</b>	<b>5.5%</b>
GF Revenues	31,285,851	26,145,882	5,139,969	83.6%	30,677,534	24,863,854	5,813,680	81.0%	5.2%
GF Expenditures	31,268,504	18,616,398	12,652,106	59.5%	28,906,897	15,874,679	13,032,218	54.9%	17.3%
<b>Utilities Fund</b>									
Water - Base Rate	2,509,730	1,444,550	1,065,180	57.6%	2,429,276	1,395,156	1,034,120	57.4%	3.5%
Sewer - Base Rate	1,885,685	1,086,637	799,048	57.6%	1,728,568	1,011,557	717,012	58.5%	7.4%
Water - Volumetric Rate	17,072,779	7,179,612	9,893,167	42.1%	14,533,462	6,651,703	7,881,759	45.8%	7.9%
Sewer - Volumetric Rate	4,956,120	2,834,013	2,122,107	57.2%	4,536,672	2,624,551	1,912,121	57.9%	8.0%
<b>Water &amp; Sewer</b>	<b>26,424,314</b>	<b>12,544,811</b>	<b>13,879,503</b>	<b>47.5%</b>	<b>23,227,979</b>	<b>11,682,967</b>	<b>11,545,012</b>	<b>50.3%</b>	<b>7.4%</b>
Utilities Revenues	27,013,314	14,876,765	12,136,549	55.1%	25,445,010	13,598,849	11,846,161	53.4%	9.4%
Utilities Expenditures	26,855,702	14,269,873	12,585,829	53.1%	22,141,920	11,550,284	10,591,635	52.2%	23.5%
<b>Debt Service Fund</b>									
Current Taxes	924,135	1,102,761	(178,626)	119.3%	911,283	1,068,298	(157,015)	117.2%	3.2%
Delinquent	2,000	845	1,155	42.3%	1,242	347	895	27.9%	143.7%
P&I	3,400	2,628	772	77.3%	5,736	2,386	3,350	41.6%	10.2%
<b>Property Tax Total</b>	<b>929,535</b>	<b>1,106,235</b>	<b>(176,700)</b>	<b>119.0%</b>	<b>918,261</b>	<b>1,071,030</b>	<b>(152,769)</b>	<b>116.6%</b>	<b>3.3%</b>
DS Revenues	1,702,645	1,883,960	(181,315)	110.6%	1,475,019	1,071,089	403,929	72.6%	75.9%
DS Expenditures	1,693,245	1,355,794	337,451	80.1%	1,540,145	1,320,845	219,300	85.8%	2.6%
<b>Drainage Fund</b>									
Drainage Fee	2,021,000	1,182,867	838,133	58.5%	1,752,062	1,010,687	741,374	57.7%	17.0%
Drain Revenues	2,061,000	1,217,556	843,444	59.1%	1,814,626	1,038,125	776,501	57.2%	17.3%
Drain Expenditures	1,994,787	453,557	1,541,230	22.7%	737,977	427,624	310,353	57.9%	6.1%
<b>Hotel Occupancy Tax (HOT) Fund</b>									
HOT Tax	230,000	102,848	127,152	44.7%	422,460	104,213	318,247	24.7%	-1.3%
HOT Revenues	230,000	102,912	127,088	44.7%	422,500	104,224	318,277	24.7%	-1.3%
HOT Expenditures	260,439	152,117	108,322	58.4%	509,629	175,297	334,332	34.4%	-13.2%

**Note:** The financial figures presented are unaudited and subject to change pending final audit adjustments.

# **Monthly Financial Report**

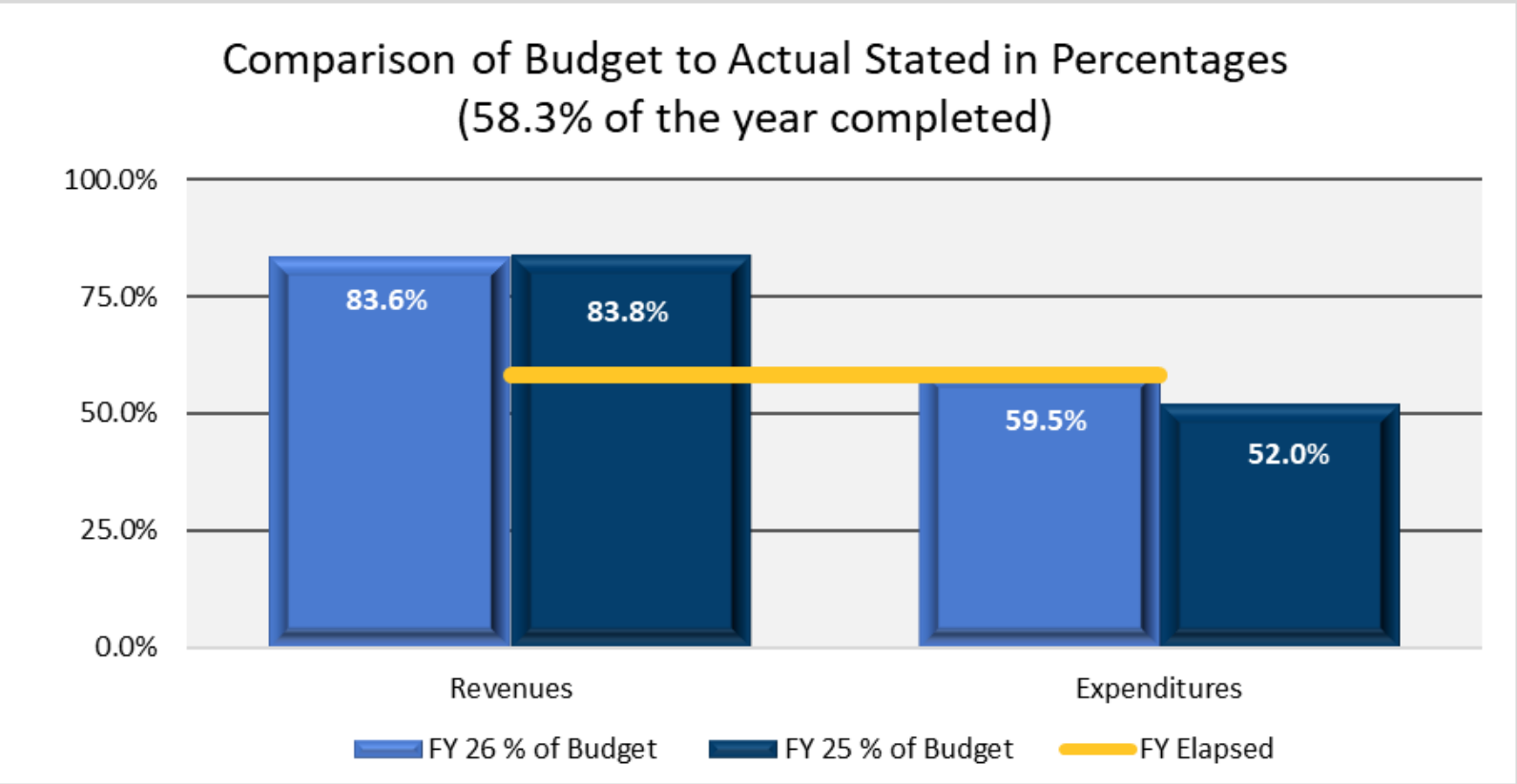
## **April 2026**

City Council Meeting  
May 12, 2026

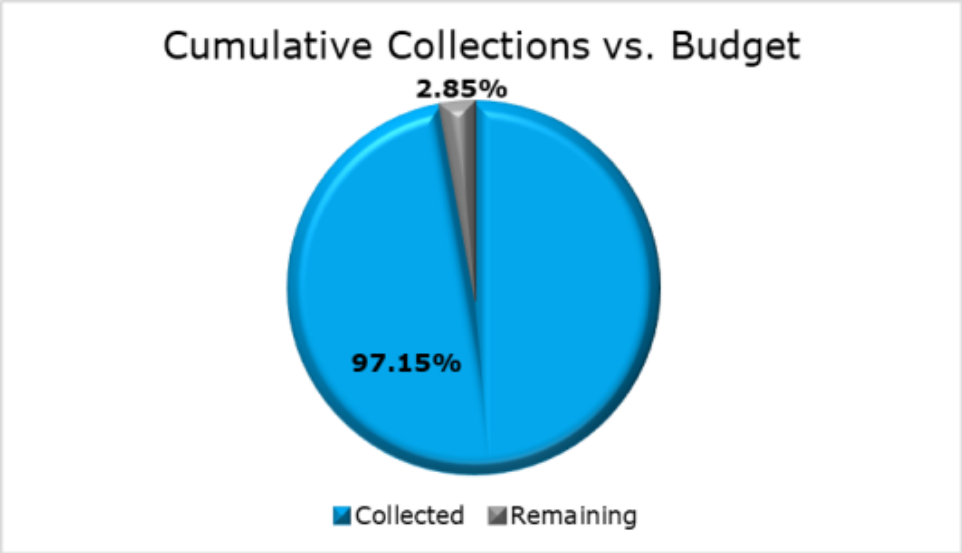
# General Fund Performance



	FY 26 Budget	FY 26 YTD	FY 26 % of Budget	FY 25 YTD	FY 25 % of Budget
Revenues	\$ 31,285,851	\$ 26,145,882	83.6%	\$ 24,863,854	83.8%
Expenditures	31,268,504	18,616,398	59.5%	15,874,679	52.0%
Total	\$ 17,347	\$ 7,529,483		\$ 8,989,176	



# Property Tax Collections



FY 26 Rate:

- M&O \$0.294232
- I&S \$0.017699

Total Rate:  
\$0.311931/\$100

\*TIF fund transfer has not been made, this is typically done in February.

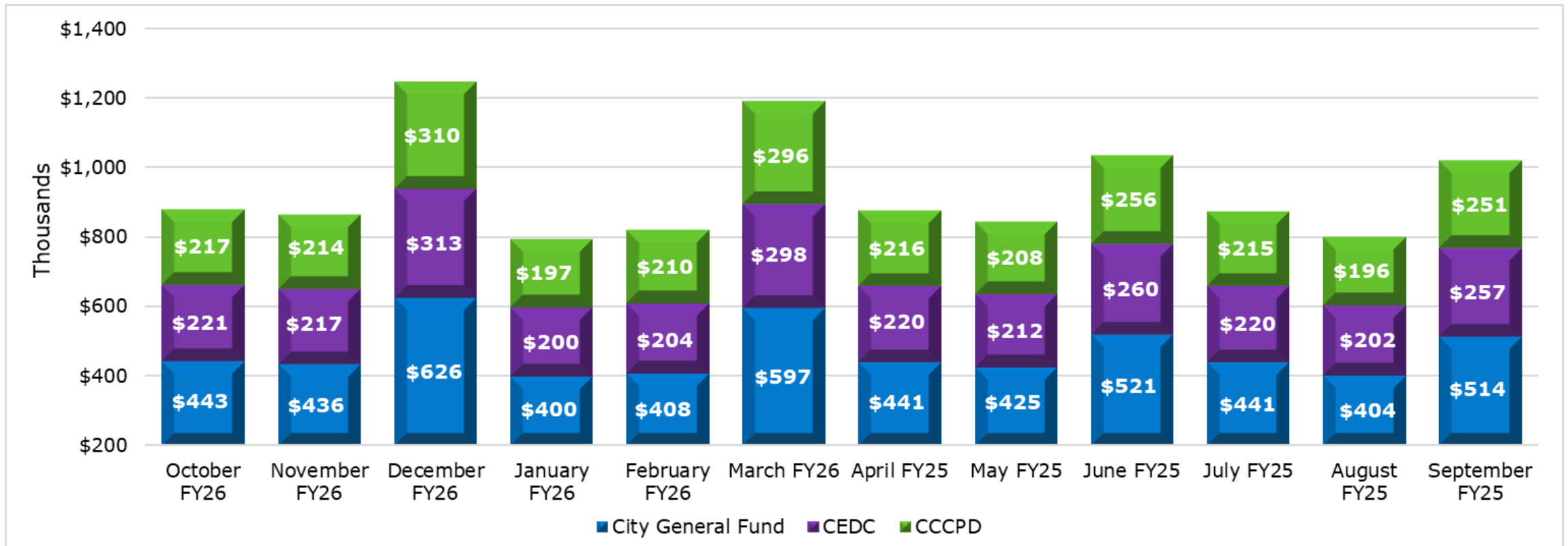
	FY 26 Budget	FY 26 YTD	FY 26 % of Budget	FY 25 YTD	FY 25 % of Budget
Current Taxes	\$ 18,870,816	\$ 18,332,545	97.15%	\$ 17,336,650	96.27%

**Note:** Property taxes are due in January with the majority of collections in December and January.

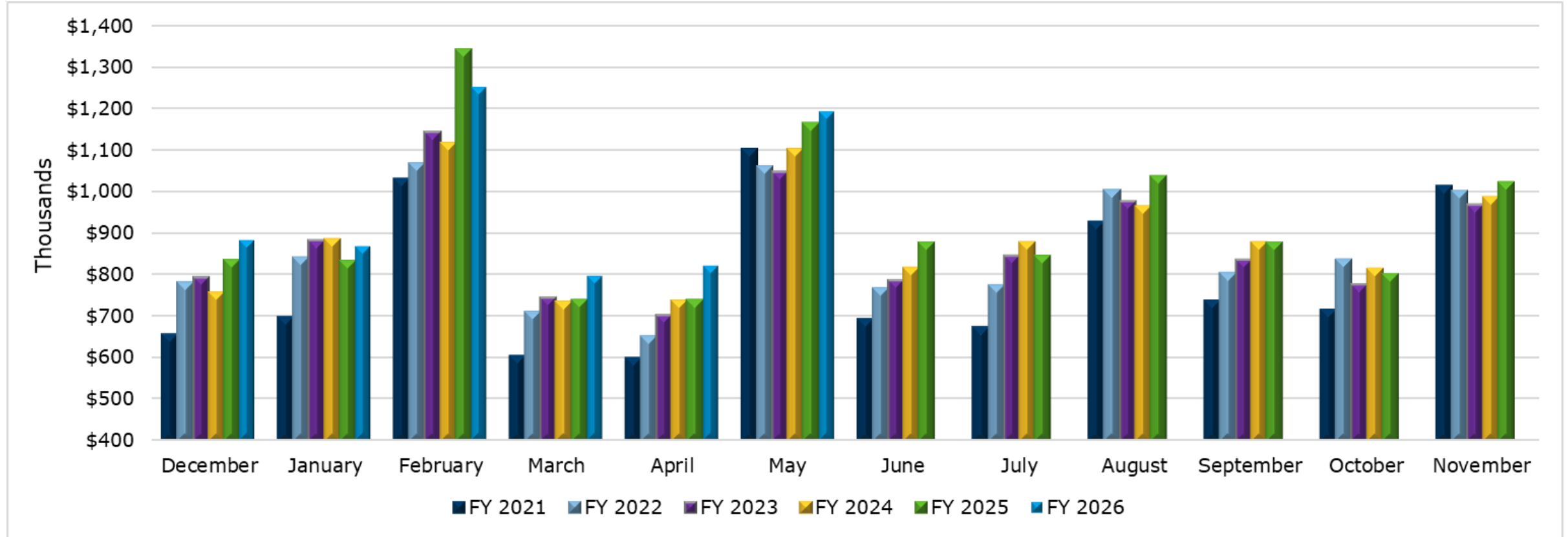
# Sales Tax: Current Fiscal Year Collections



May Collections / March Sales	FY 25 Actual	FY 26 Actual	Increase/ (Decrease)	% Change
City General Fund	\$ 585,067	\$ 596,991	\$ 11,924	2.04%
CEDC	\$ 292,095	\$ 298,048	\$ 5,953	2.04%
CCCPD	\$ 288,136	\$ 295,681	\$ 7,545	2.62%
<b>Total Collections</b>	<b>\$ 1,165,298</b>	<b>\$ 1,190,720</b>	<b>\$ 25,422</b>	<b>2.18%</b>



# Sales Tax: Comparative Collections



Per GASB rules, December is the first month of FY26 in which collections from sales taxes are recorded. October and November sales taxes are recorded in the prior fiscal year since the sales for those receipts occurred two months prior.

# Sales Tax: Current Fiscal Year Collections – General Fund



Collections Month	Sales Month	FY 25 Actual	FY 26 Actual	Increase/ (Decrease)	% Change
December	October	\$ 420,829	\$ 443,094	\$ 22,265	5.29%
January	November	418,443	435,561	17,118	4.09%
February	December	672,822	626,328	(46,494)	-6.91%
March	January	373,295	399,955	26,660	7.14%
April	February	372,227	408,090	35,863	9.63%
May	March	585,067	596,991	11,924	2.04%
<b>Total</b>		<b>\$ 2,842,682</b>	<b>\$ 2,910,019</b>	<b>\$ 67,336</b>	<b>2.37%</b>

Per GASB rules, December is the first month of FY26 in which collections from sales taxes are recorded. October and November sales taxes are recorded in the prior fiscal year since the sales for those receipts occurred two months prior.

# Sales Tax: Regional Benchmark



	Net Payment This Period	Comparable Payment PY	% Change	Payment YTD	PY Payment YTD	% Change YTD
<b>Colleyville</b>	895,039	877,162	2.04%	3,698,538	3,630,965	1.86%
<b>North Richland Hills</b>	2,219,914	2,100,022	5.71%	10,028,539	9,225,532	8.70%
<b>Bedford</b>	1,441,028	1,539,049	-6.37%	6,755,336	6,959,028	-2.93%
<b>Grapevine</b>	6,514,338	6,038,475	7.88%	29,037,293	27,871,234	4.18%
<b>Keller</b>	1,658,920	1,579,907	5.00%	7,034,851	7,156,777	-1.70%
<b>Hurst</b>	1,728,298	1,842,060	-6.18%	8,533,637	8,245,986	3.49%
<b>Eules</b>	3,028,902	2,631,224	15.11%	12,922,705	11,327,447	14.08%
<b>Southlake</b>	3,890,983	3,700,516	5.15%	18,953,867	17,966,736	5.49%

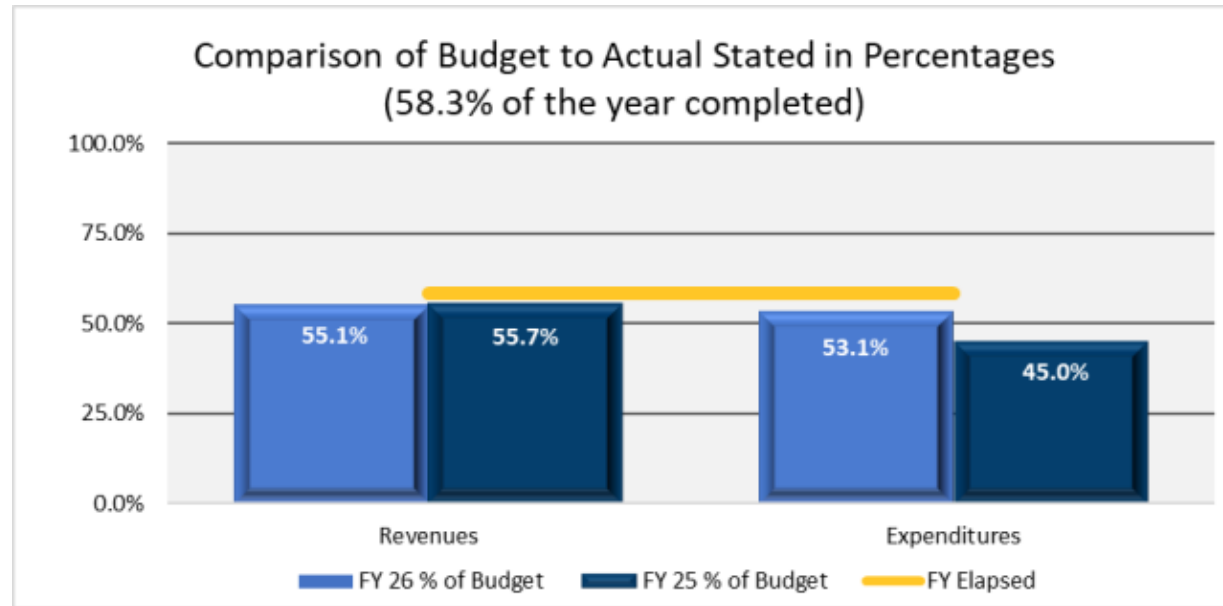
*Note: Colleyville Collections above include both City General Fund and CEDC collections.*



# Utilities Fund Performance



	FY 26 Budget	FY 26 YTD	FY 26 % of Budget	FY 25 YTD	FY 25 % of Budget
Revenues	\$ 27,013,314	\$ 14,876,765	55.1%	\$ 13,598,849	55.7%
Expenditures	26,855,702	14,269,873	53.1%	11,550,284	45.0%
<b>Total</b>	<b>\$ 157,612</b>	<b>\$ 606,893</b>		<b>\$ 2,048,564</b>	

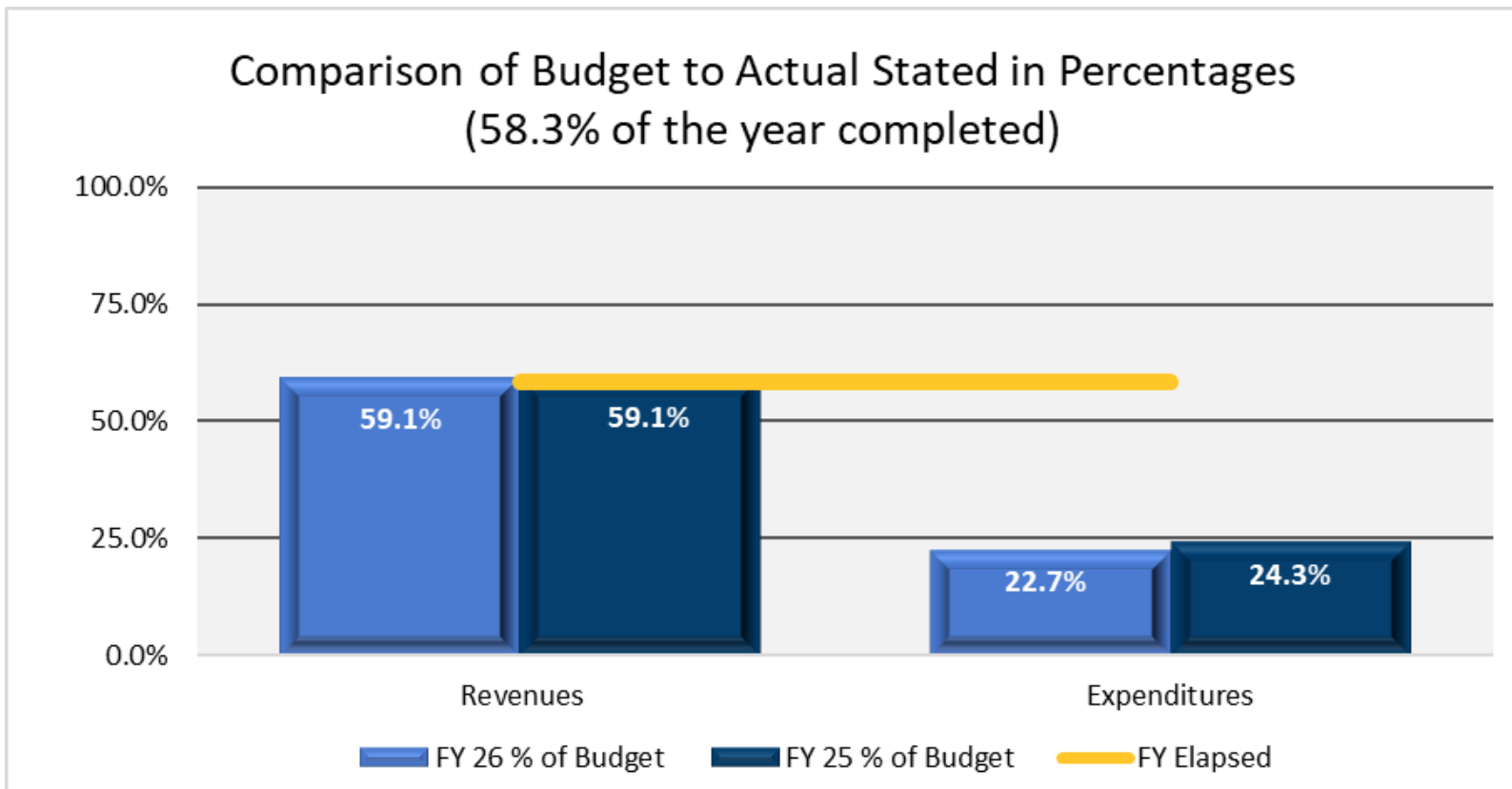


TRA			City		
	FY 26 Budget	FY 26 YTD		FY 26 Budget	FY 26 YTD
Revenues	\$ 22,028,899	\$ 10,013,625	Revenues	\$ 4,984,415	\$ 4,863,140
Expenditures	22,028,899	11,126,994	Expenditure	\$ 4,826,803	3,142,879
<b>Total</b>	<b>\$ -</b>	<b>\$ (1,113,369)</b>		<b>\$ 157,612</b>	<b>\$ 1,720,262</b>

# Drainage Fund Performance



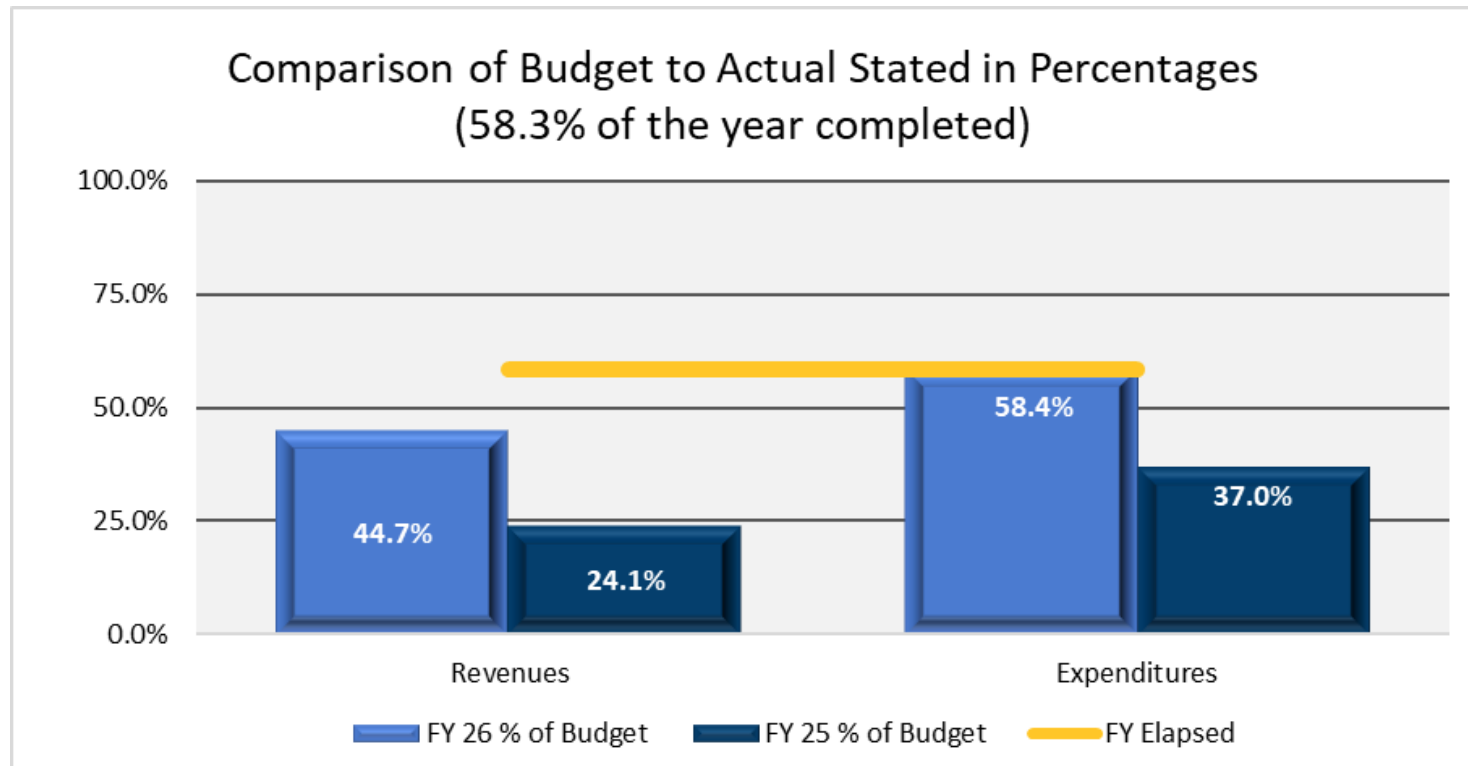
	FY 26 Budget	FY 26 YTD	FY 26 % of Budget	FY 25 YTD	FY 25 % of Budget
Revenues	\$ 2,061,000	\$ 1,217,556	59.1%	\$ 1,038,125	59.1%
Expenditures	1,994,787	453,557	22.7%	427,624	24.3%
<b>Total</b>	<b>\$ 66,213</b>	<b>\$ 763,999</b>		<b>\$ 610,501</b>	



# Hotel Tax (HOT) Fund Performance



	FY 26 Budget	FY 26 YTD	FY 26 % of Budget	FY 25 YTD	FY 25 % of Budget
Revenues	\$ 230,000	\$ 102,912	44.7%	\$ 104,224	24.1%
Expenditures	260,439	152,117	58.4%	175,297	37.0%
Total	\$ (30,439)	\$ (49,205)		\$ (71,073)	



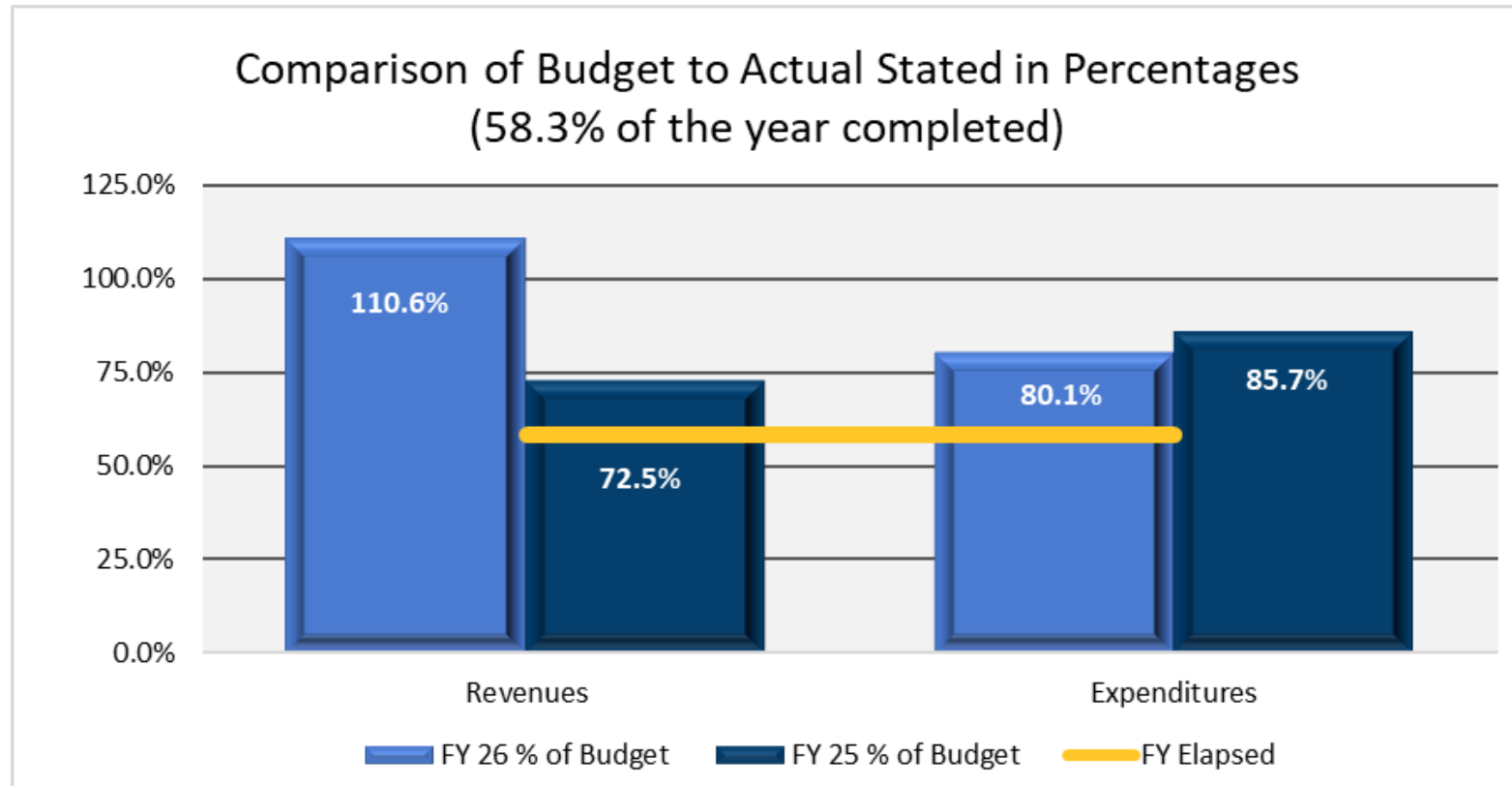
Hotel occupancy tax revenues are due quarterly.



# Debt Service Fund Performance



	FY 26 Budget	FY 26 YTD	FY 26 % of Budget	FY 25 YTD	FY 25 % of Budget
Revenues	\$ 1,702,645	\$ 1,883,960	110.6%	\$ 1,071,089	72.5%
Expenditures	1,693,245	1,355,794	80.1%	1,320,845	85.7%
<b>Total</b>	<b>\$ 9,400</b>	<b>\$ 528,166</b>		<b>\$ (249,755)</b>	



# Questions & Discussion





## CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

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**Agenda Number** 6a

**Agenda Date** 5/12/2026

**Number** Ordinance O-26-2364

**Type** Ordinance

**Department** Community Development

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### **Title**

Consideration of a Special Use Permit for an accessory building located in a non-residential zoning district on Lot 1R, Block 1, Covenant Christian Academy Addition, zoned PUD-C Planned Unit Development – Commercial, located at 901 Cheek-Sparger Road, Case ZC26-006

### **Explanation**

#### ***Second Reading and Public Hearing***

One citizen spoke in favor of this item at the May 5, 2026, City Council meeting.

#### ***First Reading and Public Hearing***

Trey Martinez, the applicant, has submitted a request for a Special Use Permit for an accessory building on Lot 1R, Block 1, Covenant Christian Academy Addition, being approximately 15.8 acres, and zoned PUD-C Planned Unit Development.

**Analysis:** The request is to allow for an accessory building in a non-residential zoning district. The proposed building would comply with the regulations of Section 3.27(B):

"Commercial accessory buildings approved as a result of an SUP to be located within non-residential districts are subject to the following conditions:

1. Must meet same setbacks as the primary structure.
2. Must be located to the rear of the primary building and not visible from adjacent roadways.
3. The use of the accessory building must be ancillary to the primary use.
4. Exterior walls and features shall be of the same materials as used with the primary structure.
5. Located in such a manner as not to impede, impair, or endanger vehicular traffic on the property."

**Existing Conditions/Background:** The subject property, 901 Cheek-Sparger Road, is zoned PUD-C Planned Unit Development - Commercial and developed as a private school. It is located on the southeast corner of Wayne Drive and Cheek-Sparger Road.

**Plat Status:** The subject property is platted.

**DRC Review:** The Development Review Committee reviewed the request during their March 23, 2026, meeting and the case was scheduled for the April 13, 2026, Planning and Zoning Commission meeting.

**Surrounding Development:** The properties to the north are zoned PUD-R Planned Unit Development - Residential and are improved with single-family homes. The properties to the east are zoned PUD-C Planned Unit Development - Commercial and are undeveloped. The property to the west is zoned PUD-C Planned Unit Development - Commercial and is improved with a church. To the south lies the border between the City of Colleyville and the City of Bedford.

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

**Public Notification:** Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1,000 feet of the subject property regarding this request. Hurst-Euless-Bedford ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code.

**Planning and Zoning Commission Recommendation:** The Planning and Zoning Commission recommended approval of the request at their April 13, 2026 meeting by a vote of 6-0.

### Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Site Exhibit
5. Notification Map
6. Notification Letter
7. Ordinance O-26-2364

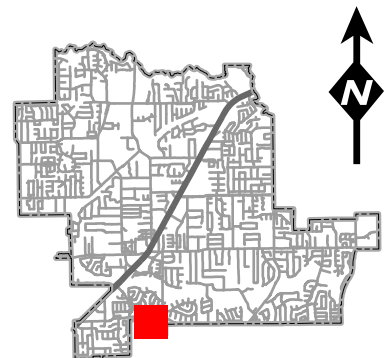
# Aerial Map



## ZC26-006

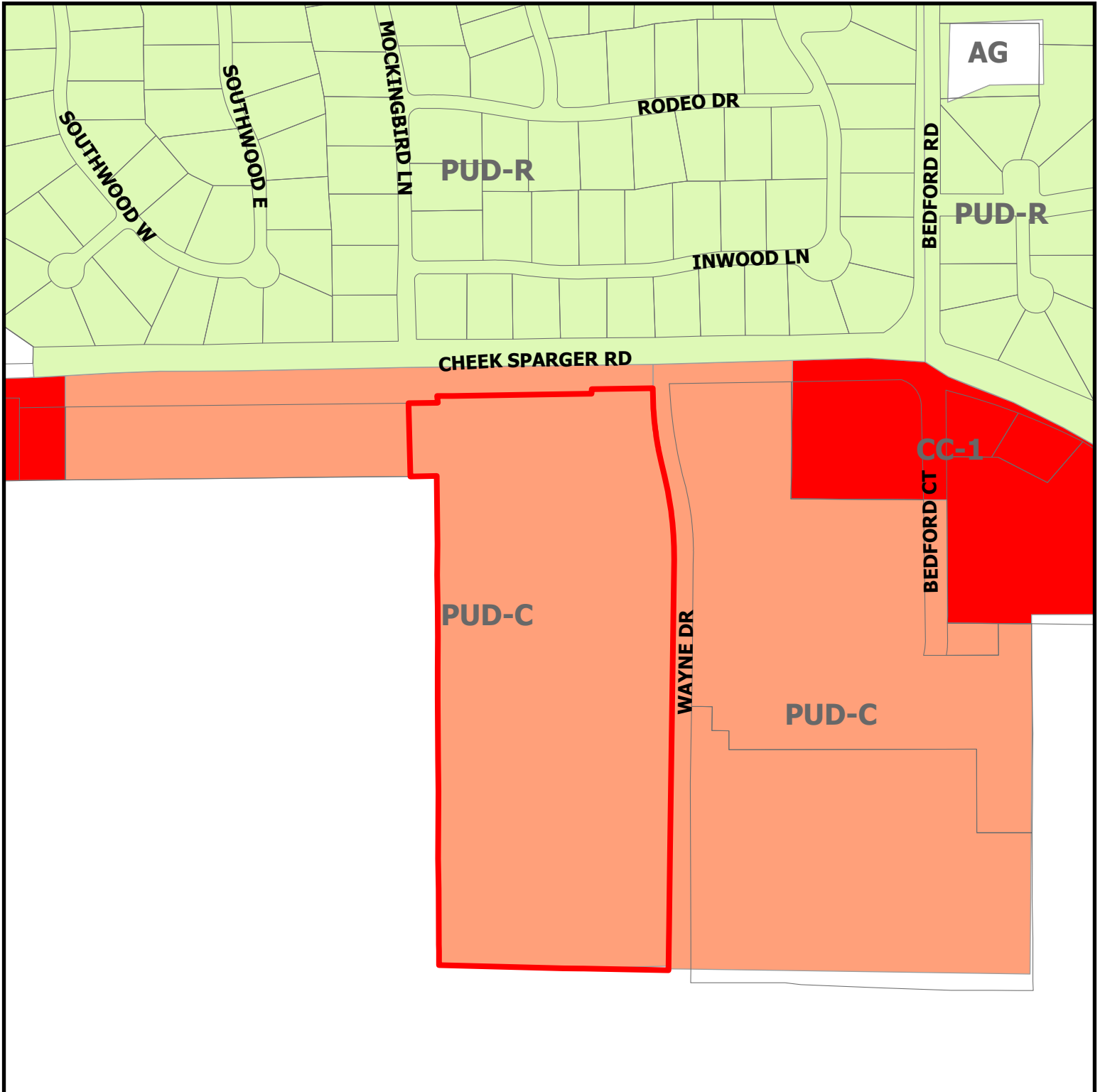
901 Cheek-Sparger Road

 Subject Property



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

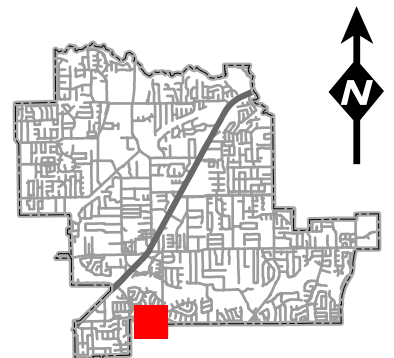
# Zoning Map



## ZC26-006

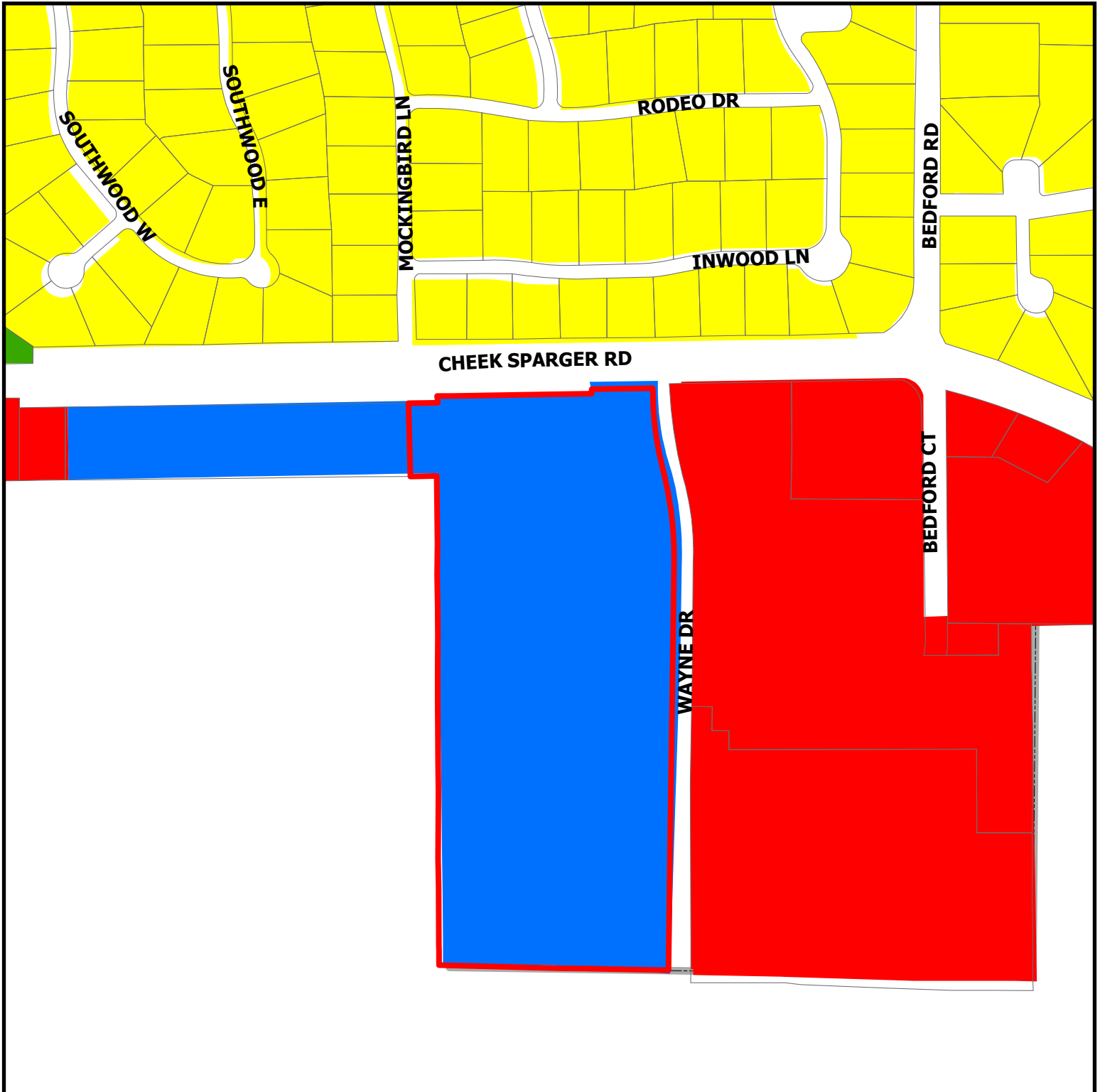
901 Cheek-Sparger Road

 Subject Property



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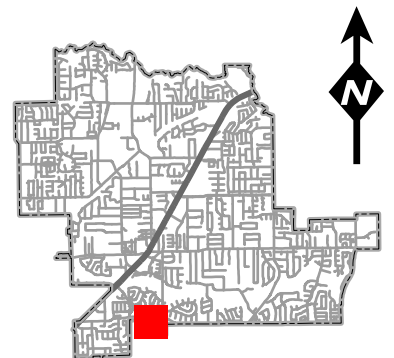
# Future Land Use Map



## ZC26-006

901 Cheek-Sparger Road

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



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Option 2



Add 2 parking spots

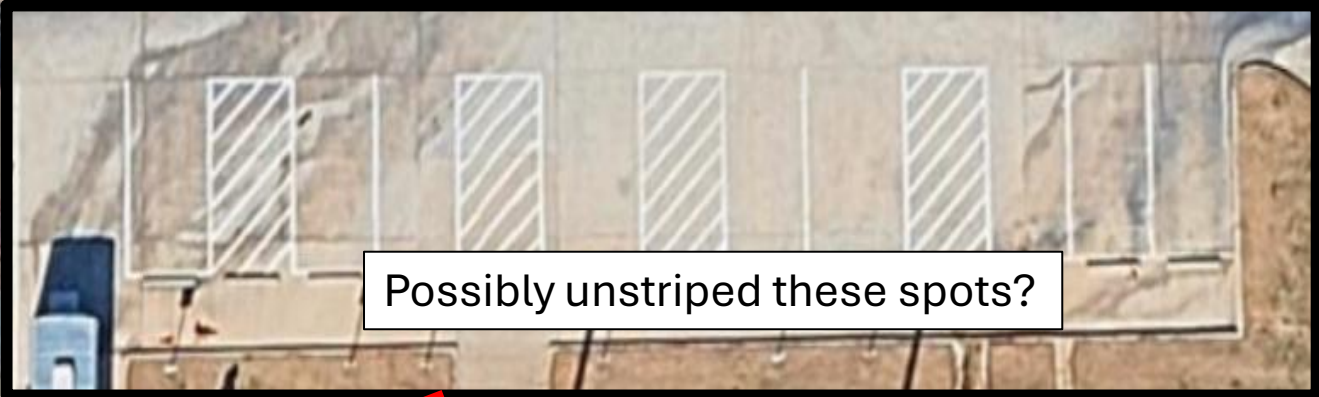
Take away 2 parking spots

Possibly unstriped these spots?

729

905

3837







Path or polygon ? ↶ ✕

Click points on the map to draw a path or polygon

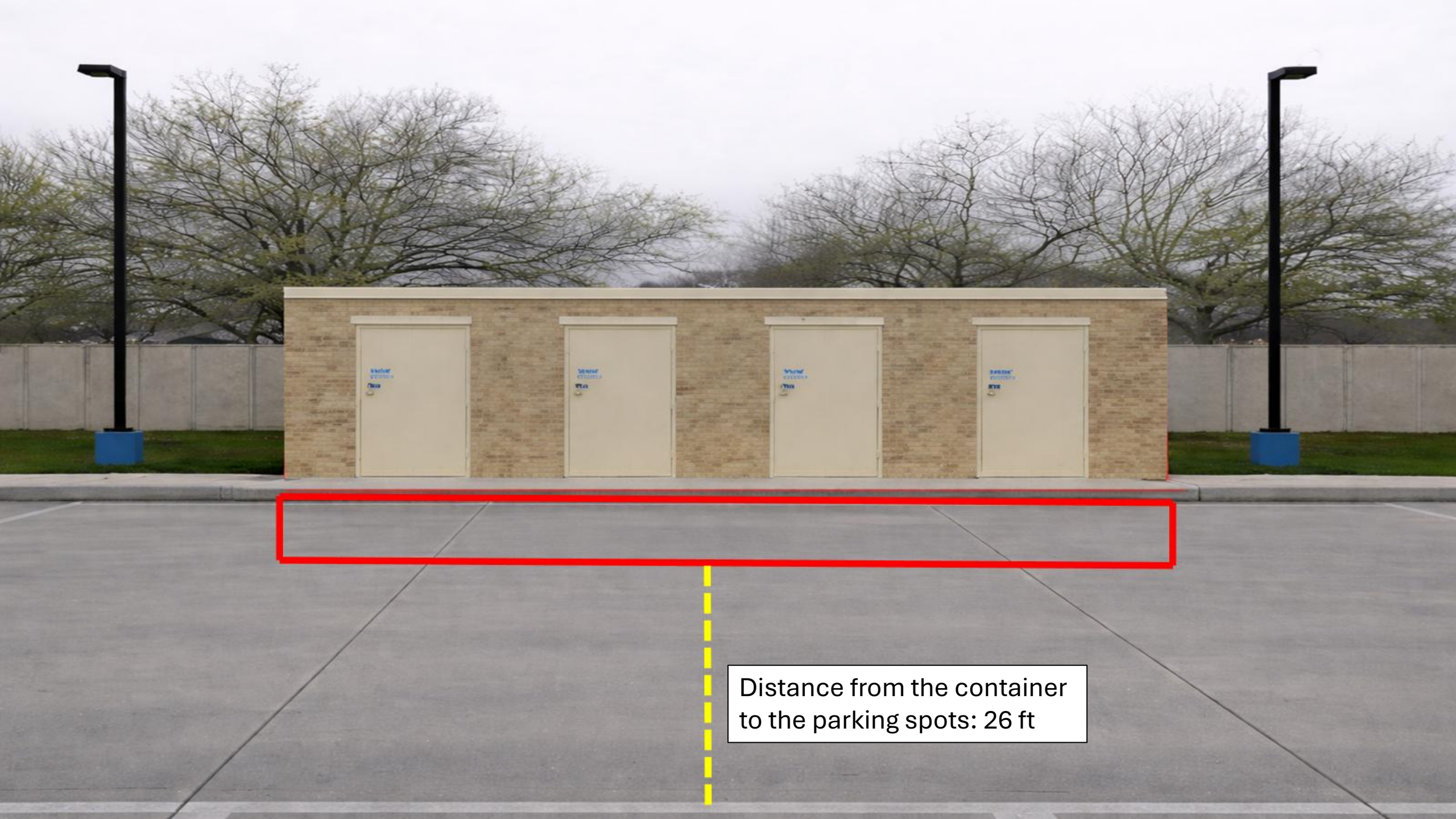
Length  
53 ft

Advanced measurements ⓘ ^

Elevation estimate  
Min: 622 ft | Median: 623 ft | Max: 625 ft

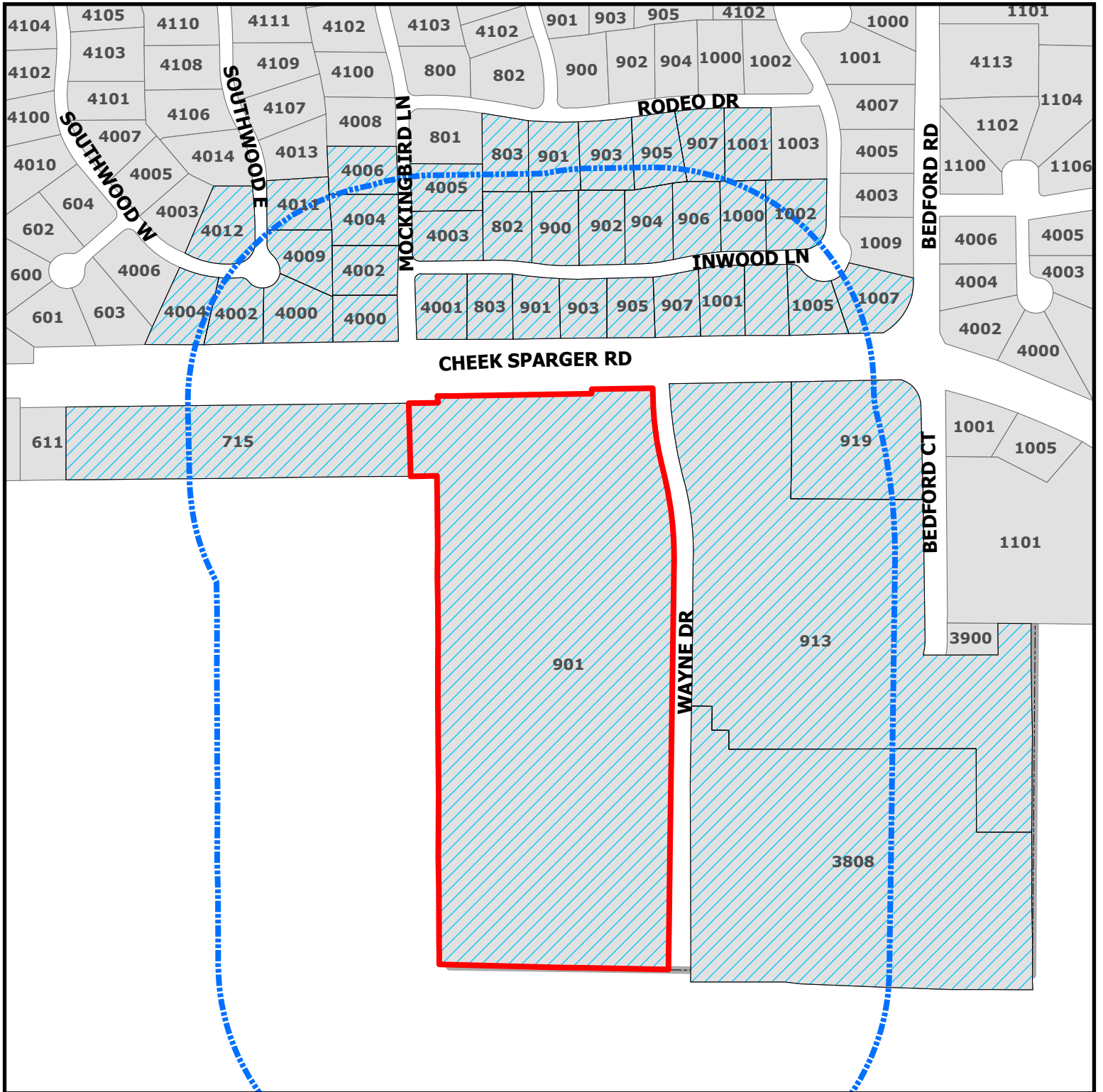
Slope estimate  
Min: 1° | Median: 2.9° | Max: 8°

✓ Done



Distance from the container to the parking spots: 26 ft

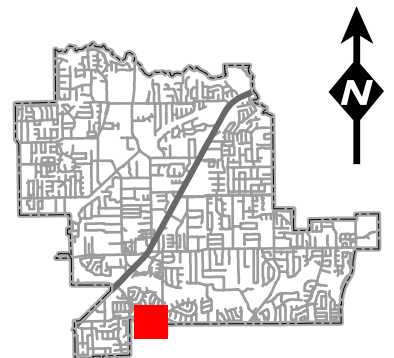
# Notification Map



## ZC26-006

901 Cheek-Sparger Road

- Subject Property
- Buffer
- Parcels to be notified



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## NOTICE OF PUBLIC HEARING

«Owner Name»

«Owner Address»

«Owner City» «Owner Zip»

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

**Planning & Zoning Commission Meeting: Monday, April 13, 2026 at 7:00p.m.**  
**City Council Meetings: Tuesday, May 5, 2026 & Tuesday, May 12, 2026 at 7:00p.m.**  
**3rd floor of City Hall, 100 Main Street, Colleyville, Texas**

**Request:** Consideration of a Special Use Permit for an accessory building located in a non-residential zoning district on Lot 1R, Block 1, Covenant Christian Academy Addition, being approximately 15.8 acres, and zoned PUD-C Planned Unit Development – Commercial. Accessory buildings require a Special Use Permit in non-residential zoning districts.

**Zoning Case:** ZC26-006

**Applicant:** Trey Martinez

**Owner:** Covenant Christian Academy

**Location:** 901 Cheek-Sparger Road

**Property Description:** Lot 1R, Block 1, Covenant Christian Academy Addition

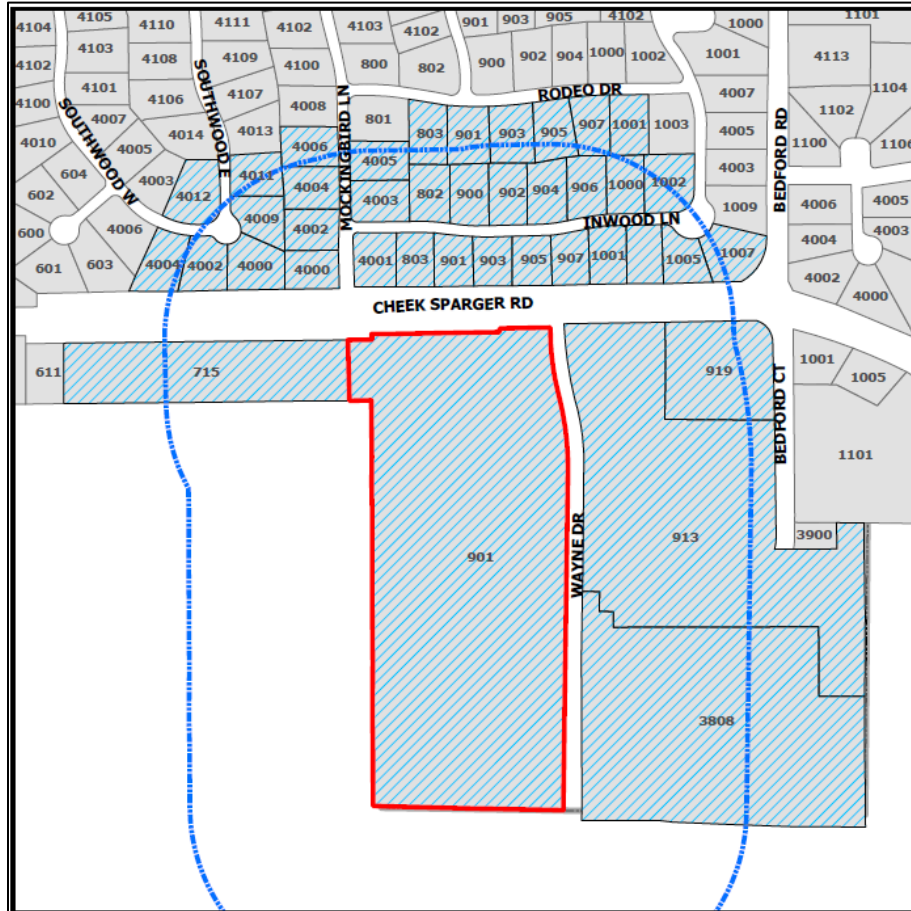
**Present Zoning:** PUD-C Planned Unit Development – Commercial

This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

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

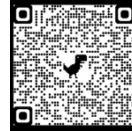
**Community Development Department**  
**City of Colleyville**  
**100 Main Street**  
**Colleyville, TX 76034**  
[Citizenletters@colleyville.com](mailto:Citizenletters@colleyville.com)

## NOTICE OF PUBLIC HEARING



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

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas 76034. A brief project description can be found online on the Agenda Packet and Active Development Case map (please use your phone's camera to scan QR code below):



For additional information, please contact the Community Development Department at 817.503.1050. Please reference the zoning case number when requesting information.

*Daniel Ponder*

Daniel Ponder  
Planning Manager

**ORDINANCE O-26-2364**

**AMENDING THE ZONING ON APPROXIMATELY 15.8 ACRES, BEING LOT 1R, BLOCK 1, COVENANT CHRISTIAN ACADEMY ADDITION, LOCATED AT 901 CHEEK-SPARGER ROAD, BY AUTHORIZING A SPECIAL USE PERMIT TO ALLOW FOR AN ACCESSORY BUILDING; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS,** the City of Colleyville has received a request for a Special Use Permit (Case ZC26-006) to allow for an accessory building for the real property described as Lot 1R, Block 1, Covenant Christian Academy Addition, located at 901 Cheek-Sparger Road, as further described and depicted on Exhibit "A" hereto (the "Subject Property"); and

**WHEREAS,** the Subject Property is presently zoned PUD-C Planned Unit Development Commercial; and

**WHEREAS,** the Planning and Zoning Commission of the City of Colleyville, has considered and made recommendations on the request, having given the requisite notices, and having held due hearings and affording a full and fair opportunity for all persons interested in the matter to be heard; and

**WHEREAS,** after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council finds that this amendment is in conformance with the Comprehensive Plan for the City of Colleyville and promotes the general health, safety, and welfare of this community.

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

Sec. 1. THAT the foregoing premises and findings are found to be true and correct and are incorporated as if fully set forth herein.

Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on the Subject Property, by authorizing a

Special Use Permit to allow for an accessory building, as depicted.

Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the City's Comprehensive Zoning Ordinance and Land Development Code, as amended herein.

Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

**1. GENERAL**

- a. The Special Use Permit shall allow for an accessory building measuring 40 feet in length, 8 feet in width, and 10 feet in height.
- b. The location of the accessory building shall be generally consistent as depicted in yellow on the attached as Exhibit "B".
- c. All requirements of the Land Development Code and ordinances applicable to the property shall be met, except where amended herein.

**2. PARKING REQUIREMENTS**

- a. Any parking spaces that are removed shall be replaced on the property at a minimum ratio of one (1) parking space provided for each one (1) parking space removed.

Sec. 5. THAT any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, Section 1-6 of the Code of Ordinances for the City of Colleyville.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or

unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 8. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

**AND IT IS SO ORDERED.**

The first reading and public hearing being conducted on the 5<sup>th</sup> day of May 2026.

The second reading and public hearing being conducted on the 12<sup>th</sup> day of May 2026.

APPROVED BY A VOTE OF \_\_\_\_ AYES, AND \_\_\_\_ NAYS, ON THIS THE 12<sup>TH</sup> DAY OF MAY 2026.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

**ATTEST:**

**CITY OF COLLEYVILLE**

Christine Loven, TRMC  
City Secretary

Bobby Lindamood  
Mayor

**APPROVED AS TO FORM:**

Sarah Ross  
City Attorney

# Exhibit "A" – Aerial Map



**Exhibit "B" – Site Plan**





## CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

---

**Agenda Number** 6b

**Agenda Date** 5/12/2026

**Number** Ordinance O-26-2365

**Type** Ordinance

**Department** Community Development

---

### **Title**

Consideration of a Special Use Permit for Alcoholic Beverage Sales – On-Premises Consumption on Lot 13R, Block 2, Thompson Terraces Subdivision, located at 5201 Colleyville Boulevard, Case ZC26-008

### **Explanation**

#### ***Second Reading and Public Hearing***

There were no speakers regarding this item at the May 5, 2026, City Council meeting.

#### ***First Reading and Public Hearing***

Brian Hendershot, the applicant, has submitted a request for a Special Use Permit for Alcoholic Beverage Sales – On-Premises Consumption on Lot 13R, Block 2, Thompson Terraces Subdivision, being approximately 0.69 acres, and zoned CC-1 Village Retail.

**Analysis:** The request is to revise the hours of operation established by Ordinance O-25-2349. The proposed hours are 8:00 a.m. – 11:00 p.m. Monday – Sunday.

**Existing Conditions/Background:** The subject property, 5201 Colleyville Boulevard, is zoned CC-1 Village Retail and is developed as a restaurant. It is located on the northeast corner of Colleyville Boulevard and Thompson Terrace.

**Plat Status:** The subject property is platted.

**DRC Review:** The Development Review Committee reviewed the request during their March 23, 2026, meeting and the case was scheduled for the April 13, 2026, Planning and Zoning Commission meeting.

**Surrounding Development:** The properties to the north, south, and west are zoned CC-1 Village Retail and are improved with commercial uses. The properties to the east are zoned R-20 Single-Family Residential and are improved with single-family homes.

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

**Public Notification:** Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1,000 feet of the subject property regarding this

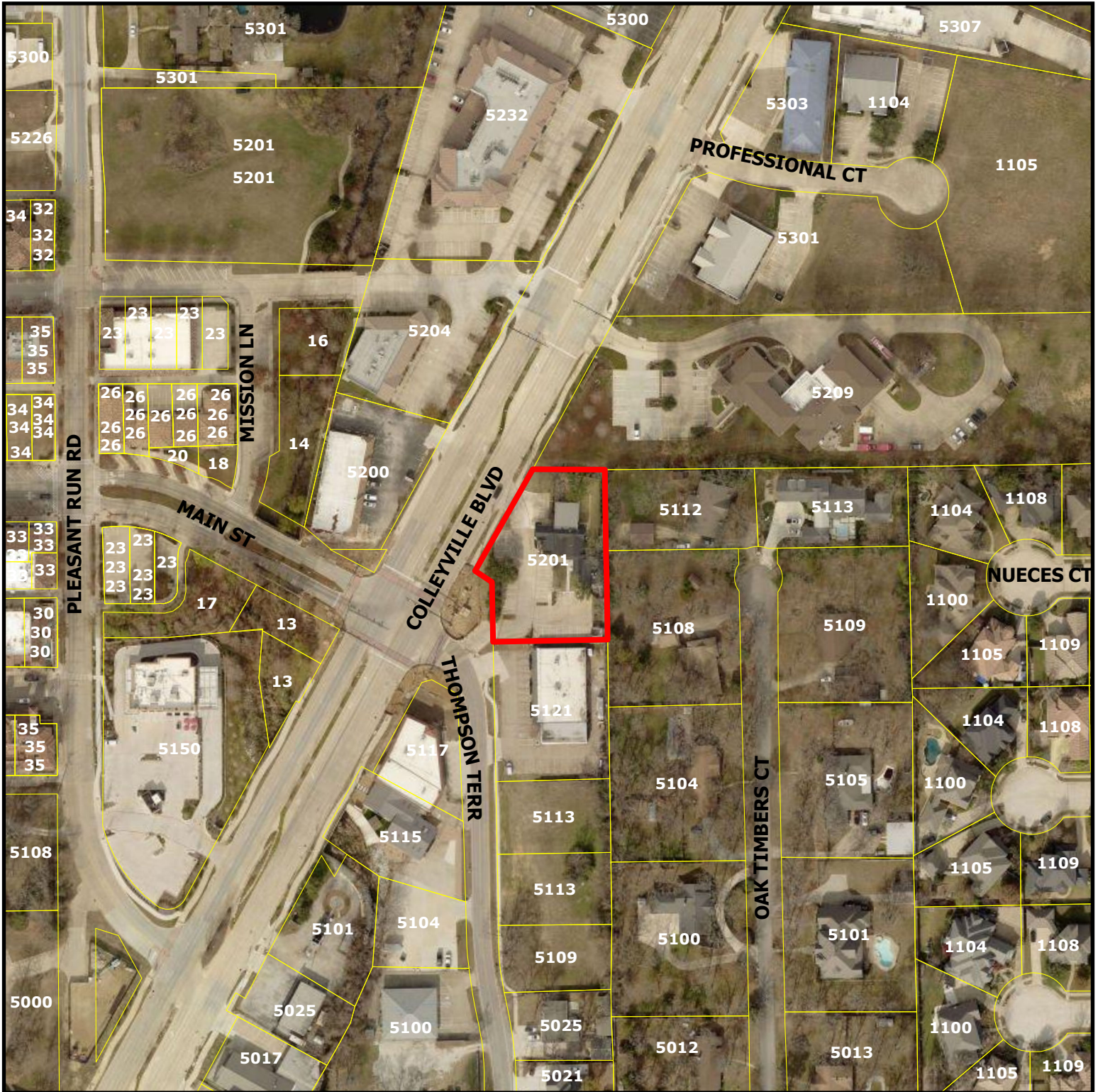
request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code.

**Planning and Zoning Commission Recommendation:** The Planning and Zoning Commission recommended approval of the request at their April 13, 2026 meeting by a vote of 6-0.

### **Attachments**

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Ordinances O-25-2349
6. Notification Map
7. Notification Letter
8. Ordinance O-26-2365

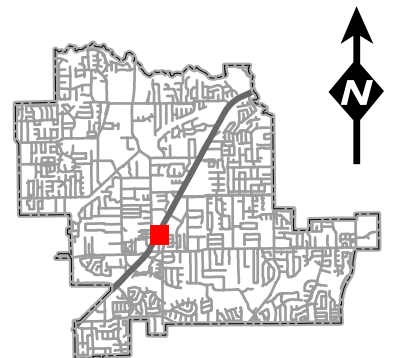
# Aerial Map



## ZC26-008

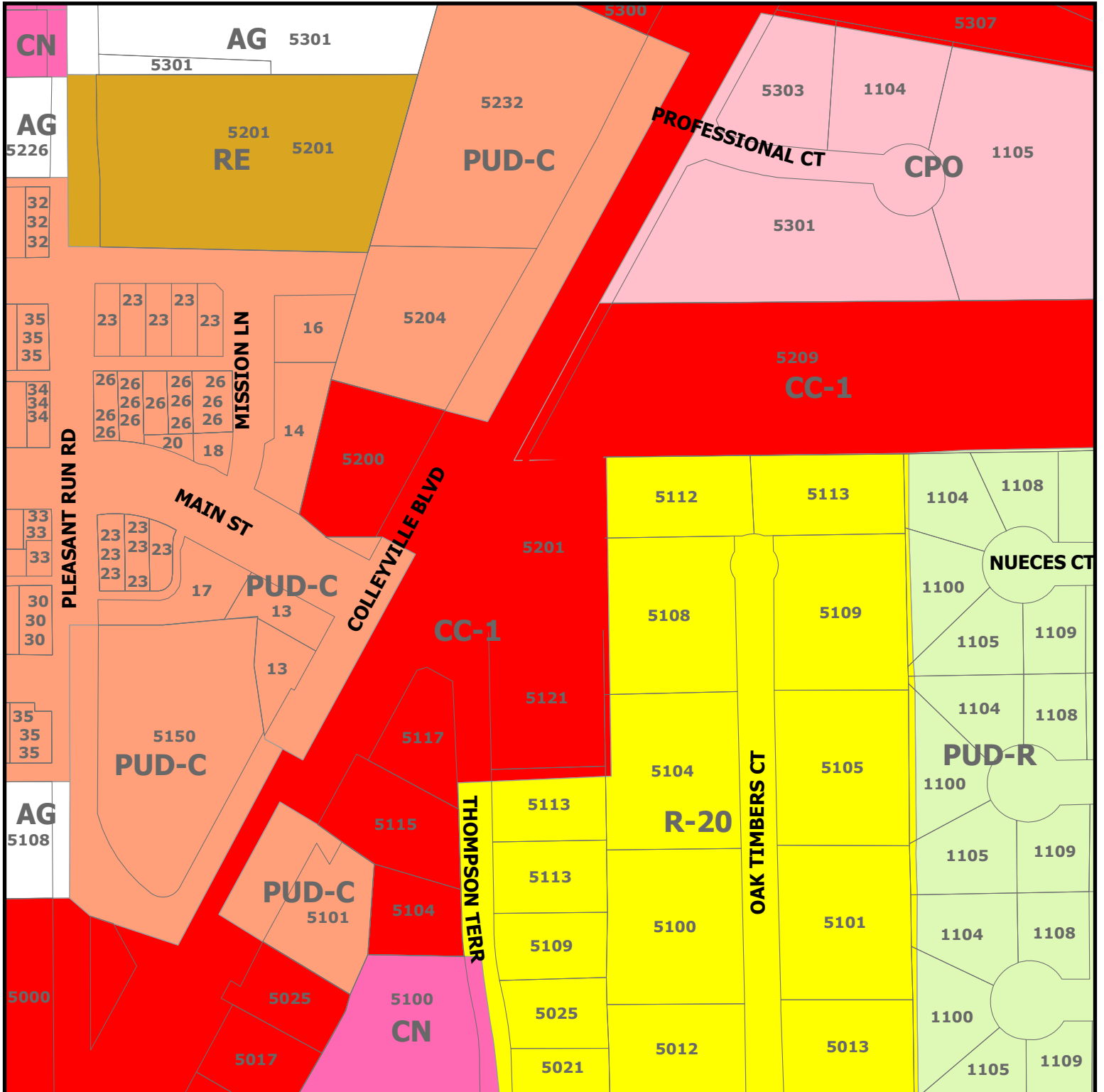
5201 Colleyville Boulevard

 Subject Property



DISCLAIMER:  
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# Zoning Map



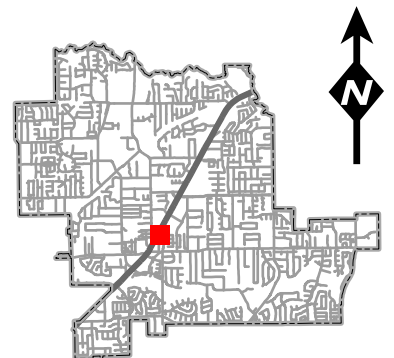
## ZC26-008

5201 Colleyville Boulevard

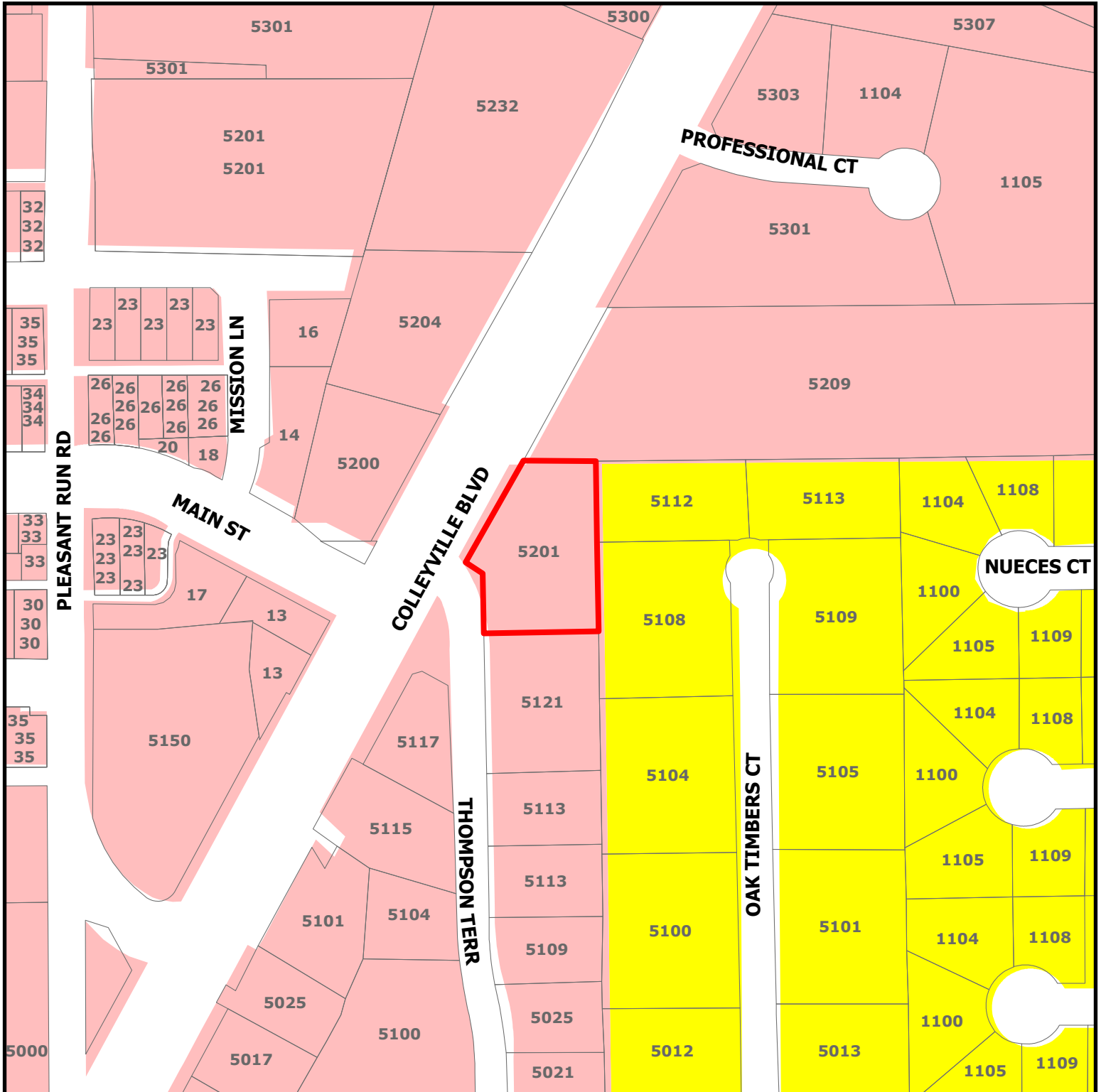


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 Subject Property



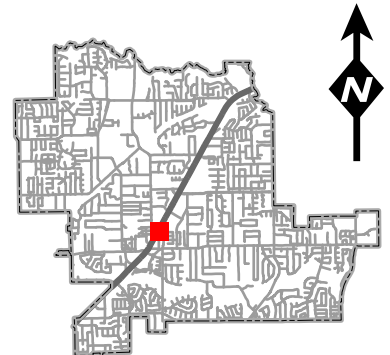
# Future Land Use Map



## ZC26-008

5201 Colleyville Boulevard

- Residential
- Colleyville Blvd Corridor
- Subject Property



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Our goal remains to become the premier dining destination in the area, which requires ongoing growth and continued investment in our operations. While we do not anticipate any significant changes to our day-to-day operations, our ability to host seasonal or special events is currently limited by the restrictions of the existing use permit.

Under the current permit, we are unable to pursue special event brunches such as those traditionally offered on holidays like Easter, Mother's Day, and Father's Day. These types of events are common in the hospitality industry and are highly anticipated by guests.

Through this application, we are requesting the flexibility to host these occasional events when appropriate. Allowing these opportunities would not alter our regular operations but would enable us to better serve the community while also generating additional revenue and increased sales tax benefits for the area.

**ORDINANCE O-25-2349**

**AMENDING THE ZONING FOR LOT 13R, BLOCK 2 OF THE THOMPSON TERRACES SUBDIVISION, LOCATED AT 5201 COLLEYVILLE BOULEVARD, BY AUTHORIZING A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS,** the City of Colleyville has received a request for a Special Use Permit (Case ZC25-022) for the sale of alcoholic beverages for on-premises consumption for the real property described as Lot 13R, Block 2, of the Thompson Terraces Subdivision, located at 5201 Colleyville Boulevard, as further described and depicted on Exhibits "A", "B", and "C" hereto (the "Subject Property"); and

**WHEREAS,** the Subject Property is presently zoned CC-1 Village Retail; and

**WHEREAS,** the Planning and Zoning Commission of the City of Colleyville, has considered and made recommendations on the request, having given the requisite notices, and having held due hearings and affording a full and fair opportunity for all persons interested in the matter to be heard; and

**WHEREAS,** after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council finds that this amendment is in conformance with the Comprehensive Plan for the City of Colleyville and promotes the general health, safety, and welfare of this community.

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

Sec. 1. THAT the foregoing premises and findings are found to be true and correct and are incorporated as if fully set forth herein.

Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on the Subject Property, by authorizing a Special Use Permit for the sale of alcoholic beverages for on-premise consumption, as depicted.

Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the City's Comprehensive Zoning Ordinance and Land Development Code, as amended herein.

Sec. 4. THAT the Special Use Permit is hereby granted subject to the following conditions:

**1. GENERAL**

- a. The Special Use Permit shall apply to the sale of alcoholic beverages for on-premise consumption in conjunction with a restaurant use only.
- b. The name of the business authorized for on-premise consumption alcohol sales by this Special Use Permit shall be called "Stone House Restaurant".
- c. Live music shall be limited to acoustic instruments only and shall remain subject to all state and local noise regulations. No amplification or loud speakers shall be used in connection with any live music within the interior or exterior of the premises.
- d. The Special Use Permit shall automatically expire upon the abandonment of the business, a change in the use, or upon the expiration or termination of the Certificate of Occupancy.
- e. All requirements of the Land Development Code shall be met, except where amended herein.

**2. HOURS OF OPERATION**

- a. The hours of operation shall not exceed the following schedule:

Monday and Tuesday: 4:00 p.m. – 9:00 p.m.

Wednesday – Saturday: 4:00 p.m. – 10:00 p.m.

Closed on Sundays

Sec. 5. THAT any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance, as heretofore amended, and upon conviction shall

be punished by a fine set in accordance with Chapter 1, Section 1-6 of the Code of Ordinances for the City of Colleyville.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

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

Sec. 8. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

**AND IT IS SO ORDERED.**

The first reading and public hearing being conducted on the 8<sup>th</sup> day of October 2025.

The second reading and public hearing being conducted on the 21<sup>st</sup> day of October 2025.

APPROVED BY A VOTE OF 7 AYES, AND 0 NAYS, ON THIS THE 21<sup>ST</sup> DAY OF OCTOBER 2025.

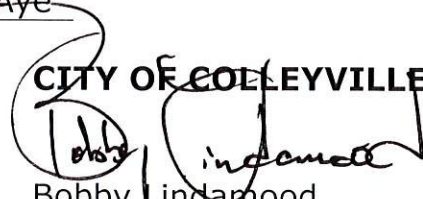
Mayor Bobby Lindamood	<u>Aye</u>	Mark Alphonso, Place 2	<u>Aye</u>
Mayor Pro Tem Brandi Elder	<u>Aye</u>	Ben Graves, Place 4	<u>Aye</u>
Deputy Mayor Pro Tem Scotty Richardson	<u>Aye</u>	Tim Raine, Place 6	<u>Aye</u>
Kimberly Holt Gunderson, Place 5	<u>Aye</u>		

**ATTEST:**



Christine Loven, TRMC  
City Secretary

**CITY OF COLLEYVILLE**



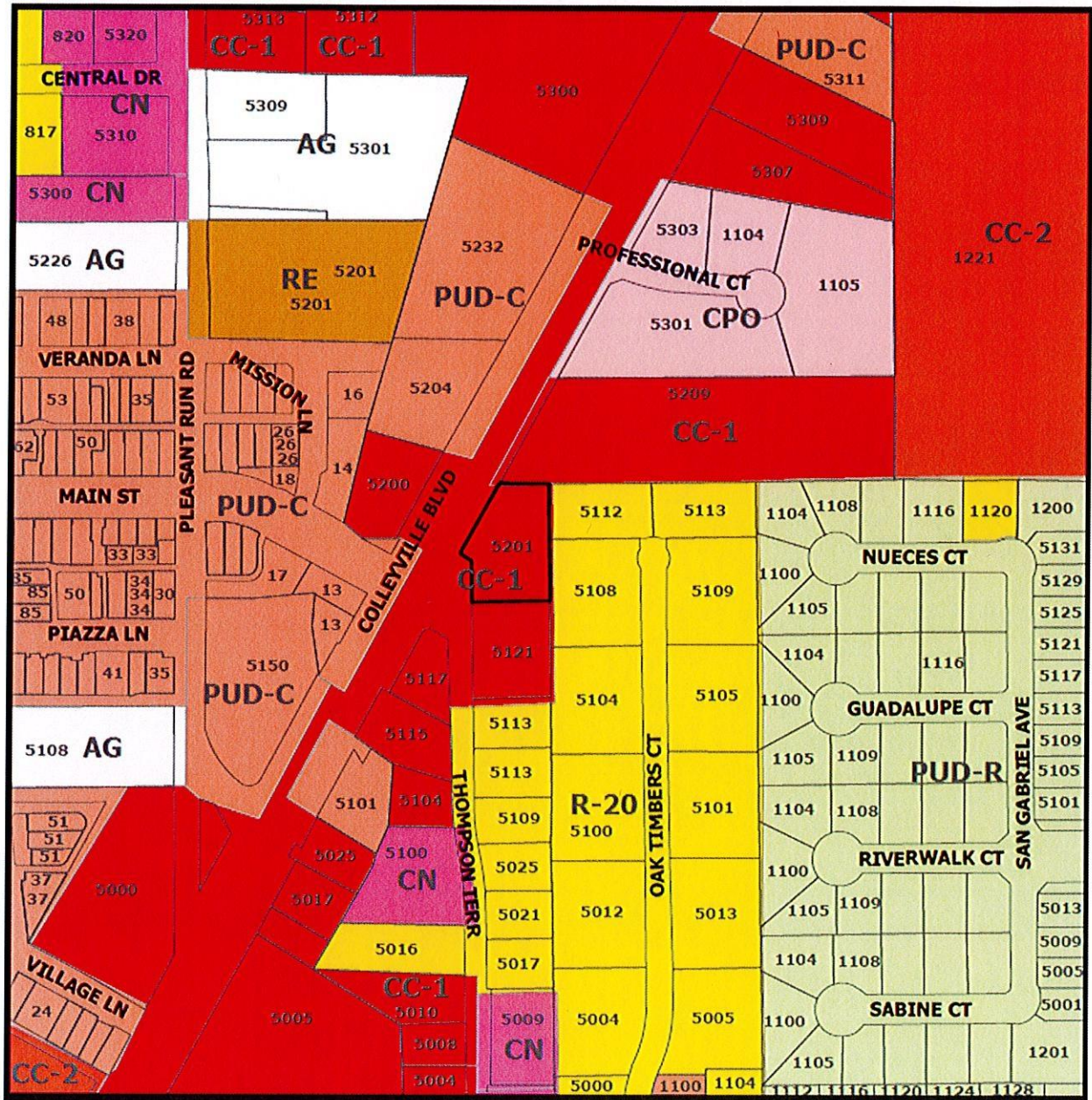
Bobby Lindamood  
Mayor

**APPROVED AS TO FORM:**



Whitt Wyatt  
City Attorney

# Exhibit "A" – Zoning Map



**Exhibit "B" – Aerial Map**

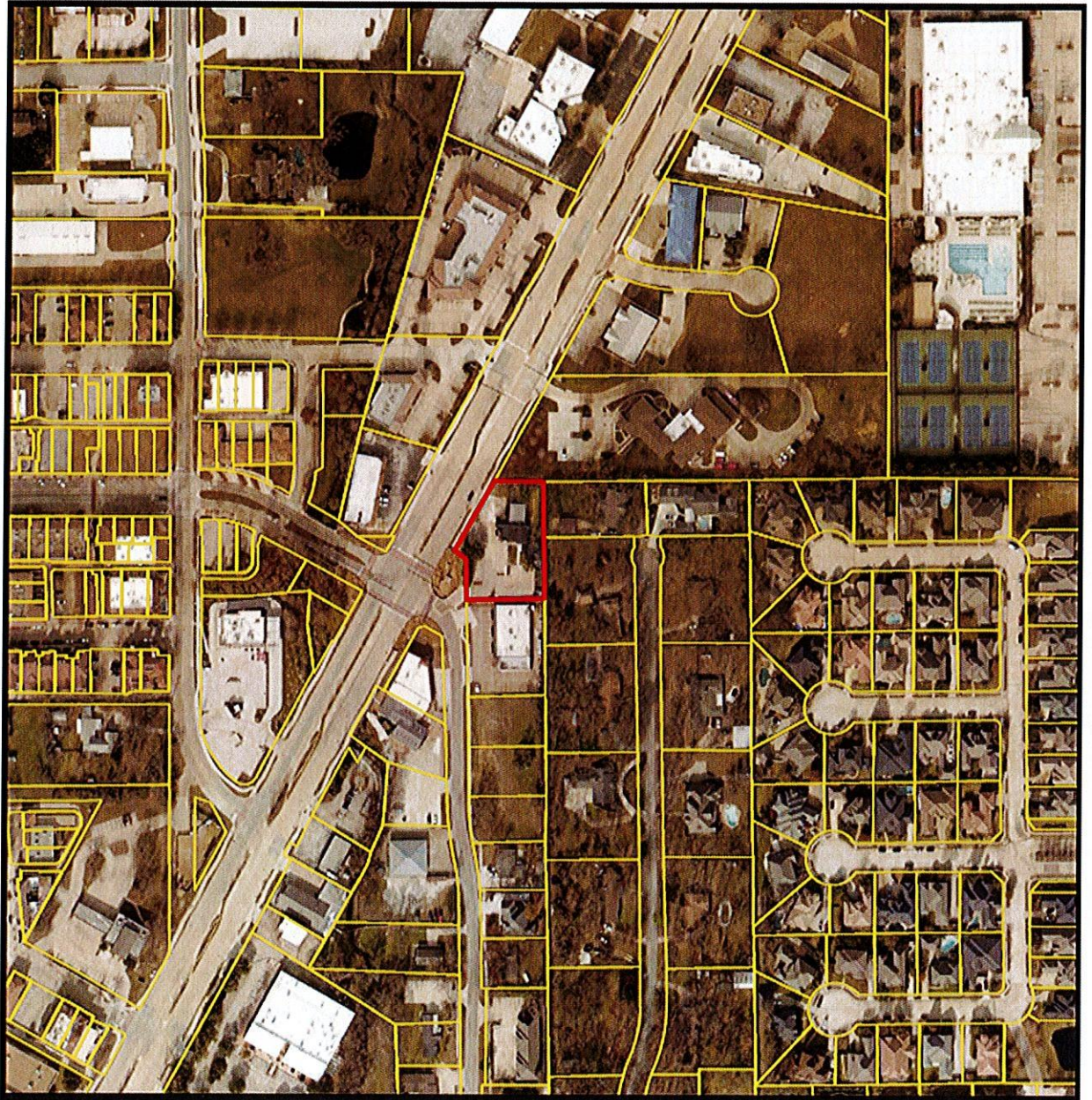


Exhibit "C" - Site Exhibit



**NOTES:**

1. The boundaries shown are based on the 1988 plan and the 1992 plan.
2. The boundaries shown are based on the 1988 plan and the 1992 plan.
3. The boundaries shown are based on the 1988 plan and the 1992 plan.
4. The boundaries shown are based on the 1988 plan and the 1992 plan.
5. The boundaries shown are based on the 1988 plan and the 1992 plan.
6. The boundaries shown are based on the 1988 plan and the 1992 plan.

**NOTICE:**

The boundaries shown are based on the 1988 plan and the 1992 plan. The boundaries shown are based on the 1988 plan and the 1992 plan. The boundaries shown are based on the 1988 plan and the 1992 plan.

**STATE OF TEXAS**

**COUNTY OF TAMU**

**NOTARY PUBLIC**

*[Signature]*

**THOMPSON TERRACES**

**AN ADDITION TO LOT 13A, BLOCK 2, THOMPSON TERRACES, SUBDIVISION OF THOMPSON TERRACES, BEING PART OF THE 1988 PLAN AND THE 1992 PLAN, CITY OF TAMU, COUNTY OF TAMU, STATE OF TEXAS.**

**APPROVED:**

*[Signature]*

**THOMPSON TERRACES**

**AN ADDITION TO LOT 13A, BLOCK 2, THOMPSON TERRACES, SUBDIVISION OF THOMPSON TERRACES, BEING PART OF THE 1988 PLAN AND THE 1992 PLAN, CITY OF TAMU, COUNTY OF TAMU, STATE OF TEXAS.**

**APPROVED:**

*[Signature]*

**THOMPSON TERRACES**

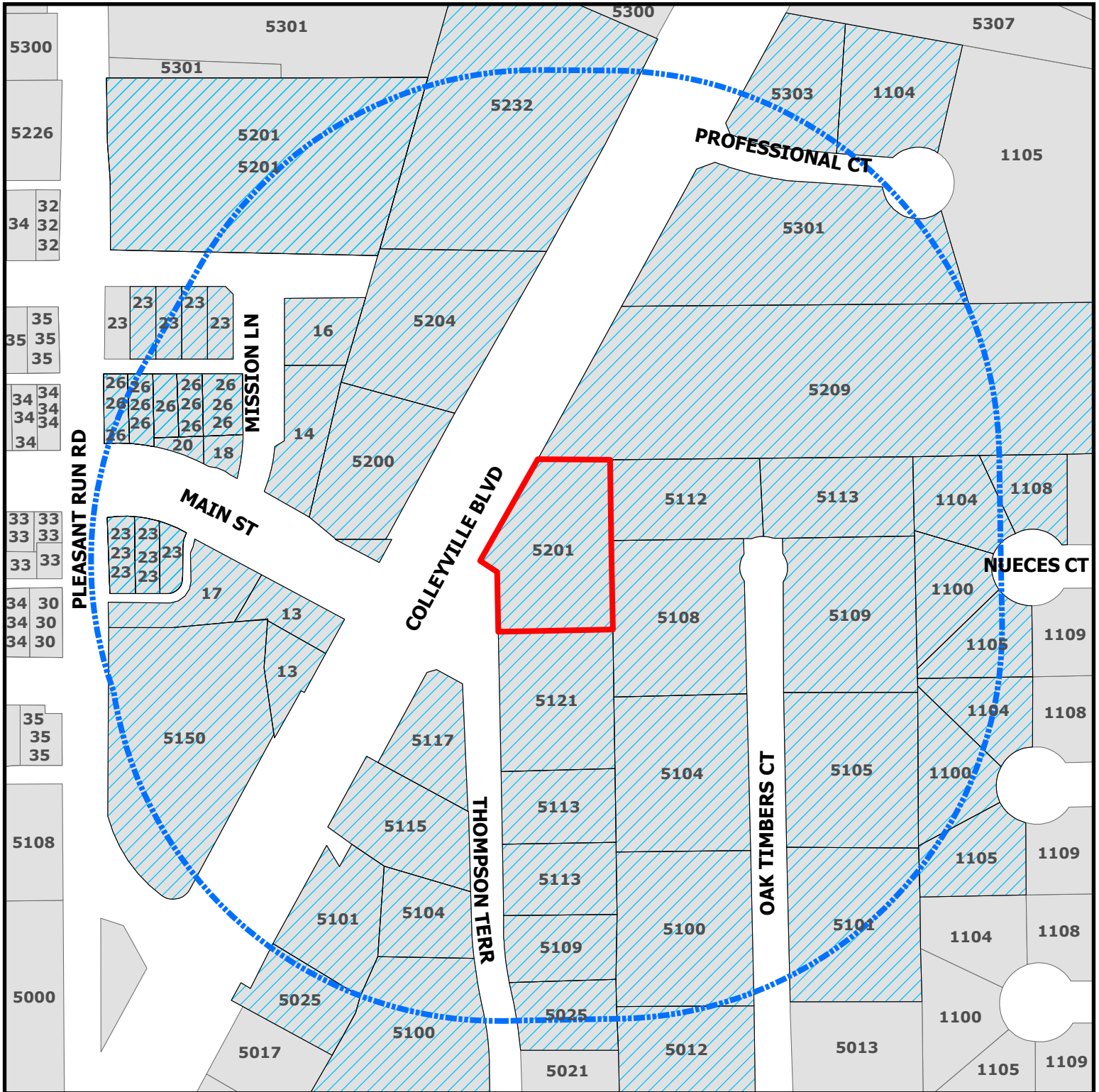
**AN ADDITION TO LOT 13A, BLOCK 2, THOMPSON TERRACES, SUBDIVISION OF THOMPSON TERRACES, BEING PART OF THE 1988 PLAN AND THE 1992 PLAN, CITY OF TAMU, COUNTY OF TAMU, STATE OF TEXAS.**

**APPROVED:**

*[Signature]*

Filed 11/15/19 #D219263244 PC19-013

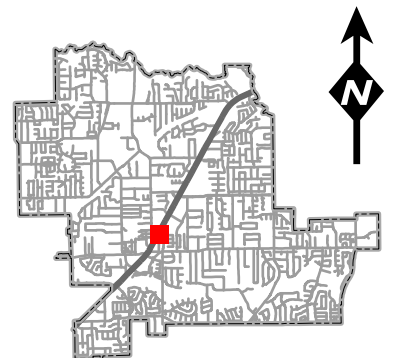
# Notification Map



## ZC26-008

5201 Colleyville Boulevard

- Subject Property
- Buffer
- Parcels to be notified



**DISCLAIMER:**  
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## NOTICE OF PUBLIC HEARING

«Owner Name»

«Owner Address»

«Owner City» «Owner Zip»

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

**Planning & Zoning Commission Meeting: Monday, April 13, 2026, at 7:00 p.m.**  
**City Council Meetings: Tuesday, May 5, 2026 & Tuesday, May 12, 2026, at 7:00 p.m.**  
**3rd floor of City Hall, 100 Main Street, Colleyville, Texas**

**Request:** Consideration of a Special Use Permit for Alcoholic Beverage Sales – On-Premises Consumption on Lot 13R, Block 2, Thompson Terraces Subdivision, being approximately 0.7 acres, and zoned CC-1 Village Retail. The request is to revise the hours of operation established by Ordinance O-25-2349. The proposed hours would be 8:00 a.m. to 10:00 p.m., Monday through Sunday.

**Zoning Case:** ZC26-008

**Applicant:** Brian Hendershot

**Owner:** Sunder Holdings LLC.

**Location:** 5201 Colleyville Boulevard

**Property Description:** Lot 13R, Block 2, Thompson Terraces Subdivision

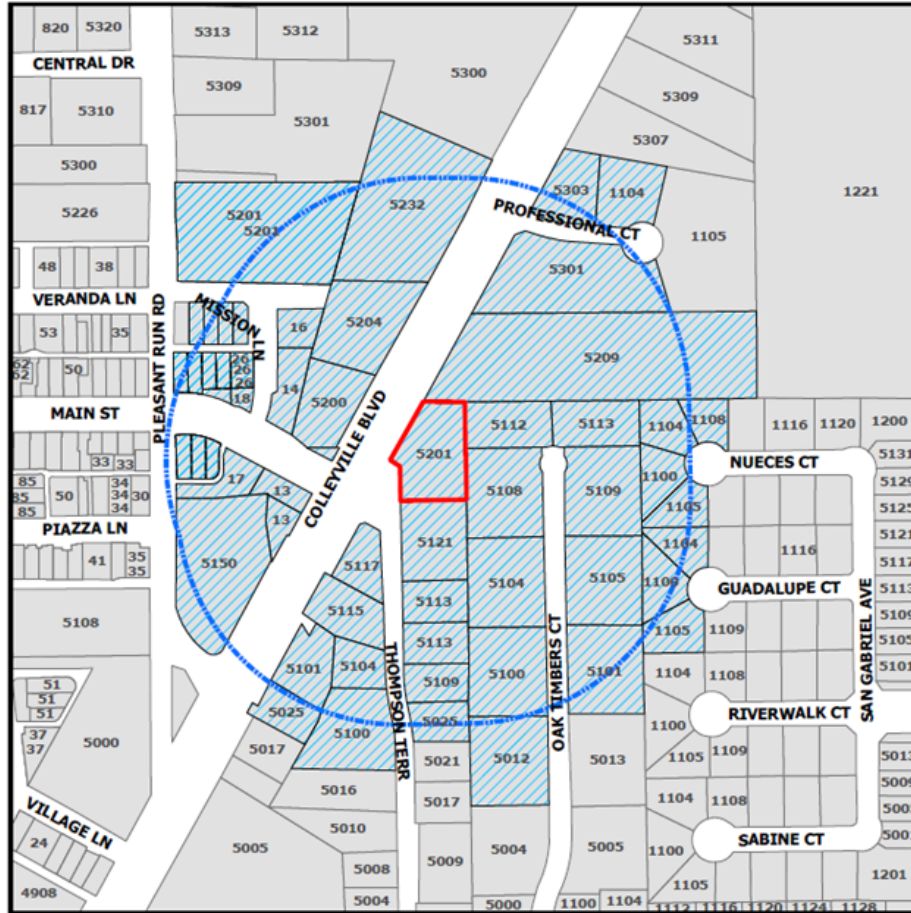
**Present Zoning:** CC-1 Village Retail

This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

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

**Community Development Department**  
**City of Colleyville**  
**100 Main Street**  
**Colleyville, TX 76034**  
[CitizenLetters@colleyville.com](mailto:CitizenLetters@colleyville.com)

# NOTICE OF PUBLIC HEARING



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

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas 76034. A brief project description can be found online on the Agenda Packet and Active Development Case map (please use your phone's camera to scan QR code below):



For additional information, please contact the Community Development Department at 817.503.1050. Please reference the zoning case number when requesting information.

*Daniel Ponder*  
Daniel Ponder  
Planning Manager

**ORDINANCE O-26-2365**

**AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING ON LOT 13R, BLOCK 2, OF THE THOMPSON TERRACES SUBDIVISION, LOCATED AT 5201 COLLEYVILLE BOULEVARD, BY AUTHORIZING A SPECIAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS,** the City of Colleyville has received an application for On-premises Consumption of Alcohol (Case ZC26-008); and

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

**WHEREAS,** the Planning and Zoning Commission of the City of Colleyville, has considered and made recommendations on the request, having given the requisite notices, and having held due hearings and affording a full and fair opportunity for all persons interested in the matter to be heard; and

**WHEREAS,** after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council finds that this amendment is in conformance with the Comprehensive Plan for the City of Colleyville and promotes the general health, safety, and welfare of this community.

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

Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on Lot 13R, Block 2, of the Thompson Terraces Subdivision, located at 5201 Colleyville Boulevard, by authorizing a Special Use Permit for the sale of Alcoholic

Beverages for On-premises Consumption, as depicted on Exhibit "B".

Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Land Development Code of the City of Colleyville as heretofore amended, and as amended herein.

Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

**1. GENERAL**

- a. The Special Use Permit shall apply to the sale of alcoholic beverages for on-premise consumption in conjunction with a restaurant use only.
- b. The name of the business authorized for on-premise consumption alcohol sales by this Special Use Permit shall be called "Stone House Restaurant".
- c. Live music shall be limited to acoustic instruments only and shall remain subject to all state and local noise regulations. No amplification or loud speakers shall be used in connection with any live music within the interior or exterior of the premises.
- d. The Special Use Permit shall automatically expire upon the abandonment of the business, a change in the use, or upon the extermination or termination of the Certificate of Occupancy.
- e. All requirements of the Land Development Code shall be met, except where amended herein.

**2. HOURS OF OPERATION**

- a. The hours of operation shall not exceed the following schedule:

Monday – Sunday: 8:00 a.m. – 11:00 p.m.

Sec. 5. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

Sec. 6. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

**AND IT IS SO ORDERED.**

The first reading and public hearing being conducted on the 5<sup>th</sup> day of May 2026.

The second reading and public hearing being conducted on the 12<sup>th</sup> day of May 2026.

APPROVED BY A VOTE OF \_\_\_ AYES, AND \_\_\_ NAYS, ON THIS THE 12<sup>TH</sup> DAY OF MAY 2026.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

**ATTEST:**

**CITY OF COLLEYVILLE**

Christine Loven, TRMC  
City Secretary

Bobby Lindamood  
Mayor

**APPROVED AS TO FORM:**

Sarah Ross  
City Attorney

**Exhibit "A" – Aerial Map**







# CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

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**Agenda Number** 6c

**Agenda Date** 5/12/2026

**Number** Ordinance O-26-2366

**Type** Ordinance

**Department** Community Development

---

## **Title**

Consideration of a Special Use Permit for a Charitable Donation Station on Lot 8, Block 6R, Woodbriar Estates West Addition, zoned CC-3 Highway Commercial, located at 3901 Colleyville Boulevard, Case ZC26-010

## **Explanation**

### ***Second Reading and Public Hearing***

There were no speakers regarding this item at the May 5, 2026, City Council meeting.

### ***First Reading and Public Hearing***

Nancy Hernandez Garcia, the applicant, has submitted a request for a Special Use Permit for a Charitable Donation Station on Lot 8, Block 6R, Woodbriar Estates West Addition, being approximately 2.7 acres, and zoned CC-3 Highway Commercial.

**Analysis:** The request is to allow for a Charitable Donation Station, which requires the approval of a Special Use Permit in accordance with the Land Development Code Section 3.24.

**Existing Conditions/Background:** The subject property, 3901 Colleyville Boulevard, is zoned CC-3 Highway Commercial and is developed with a commercial use. It is located on the southeast corner of Colleyville Boulevard and Cheek-Sparger Road.

**Plat Status:** The subject property is platted.

**DRC Review:** The Development Review Committee reviewed the request during their March 23, 2026, meeting and the case was scheduled for the April 13, 2026, Planning and Zoning Commission meeting.

**Surrounding Development:** The properties to the north and west are zoned CC-3 Highway Commercial and are improved with commercial uses. The properties to the east are zoned PUD-C Planned Unit Development - Commercial and are improved with commercial uses. The properties to the south are zoned PUD-R Planned Unit Development - Residential and CN Neighborhood Commercial and are developed with single-family homes and commercial uses.

**Comprehensive Plan:** The City's comprehensive plan, *Destination Colleyville*, identifies

the subject property for commercial development. The proposed request for commercial development complies with the future land use designation.

**Public Notification:** Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1,000 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code.

**Planning and Zoning Commission Recommendation:** The Planning and Zoning Commission recommended approval of the request at their April 13, 2026 meeting by a vote of 6-0.

### **Attachments**

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Zoning Exhibit
5. Notification Map
6. Notification Letter
7. Ordinance O-26-2366

# Aerial Map



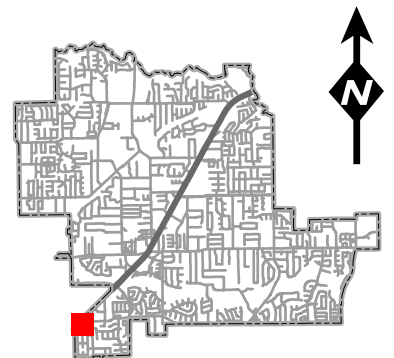
## ZC26-010

3901 Colleyville Boulevard

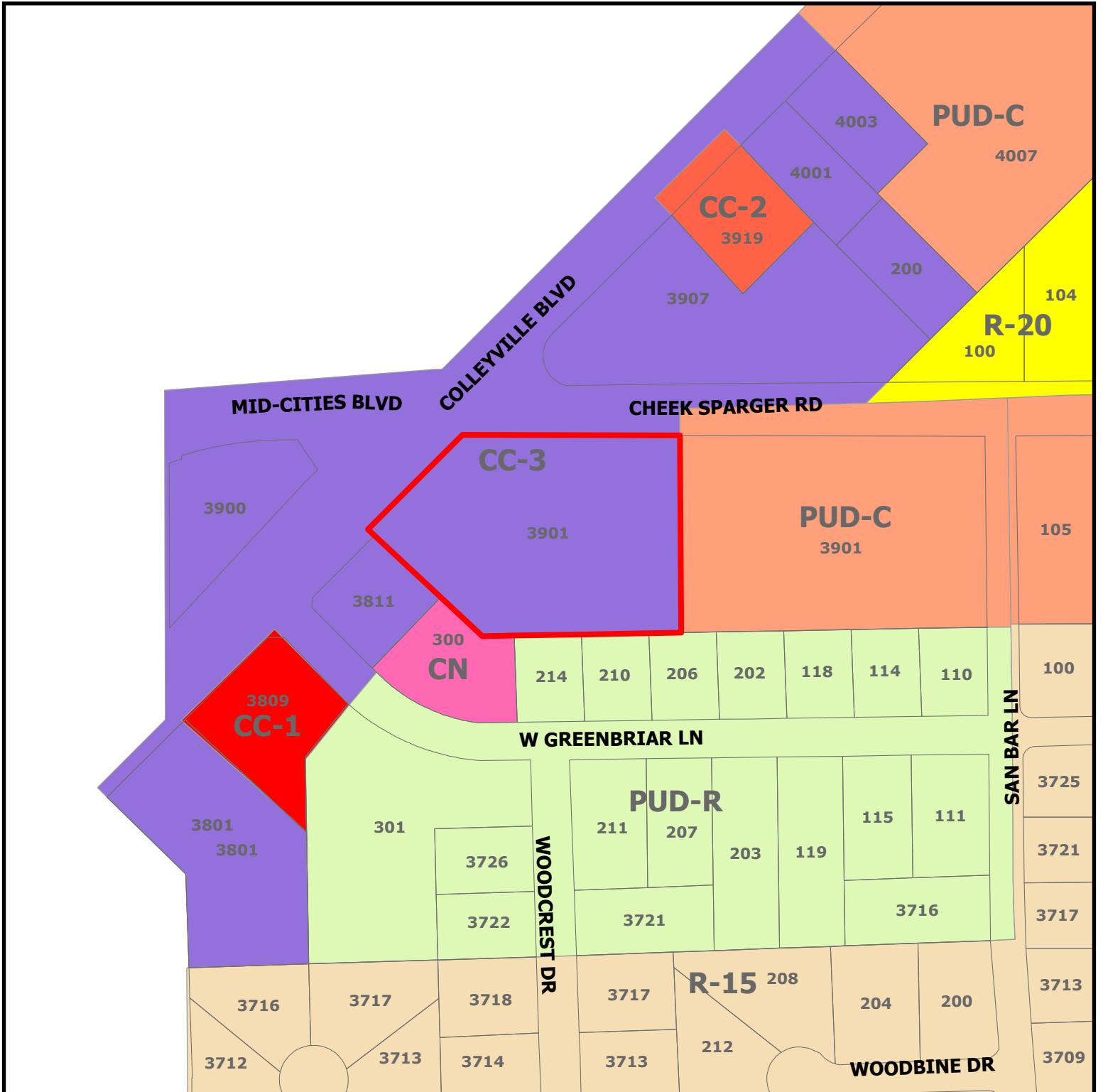


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 Subject Property



# Zoning Map



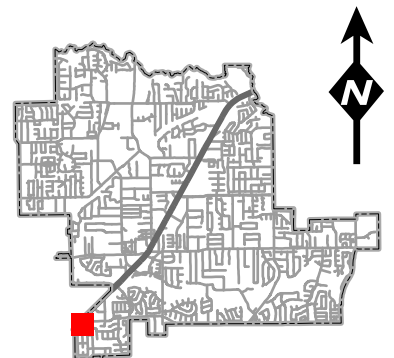
**ZC26-010**

3901 Colleyville Boulevard

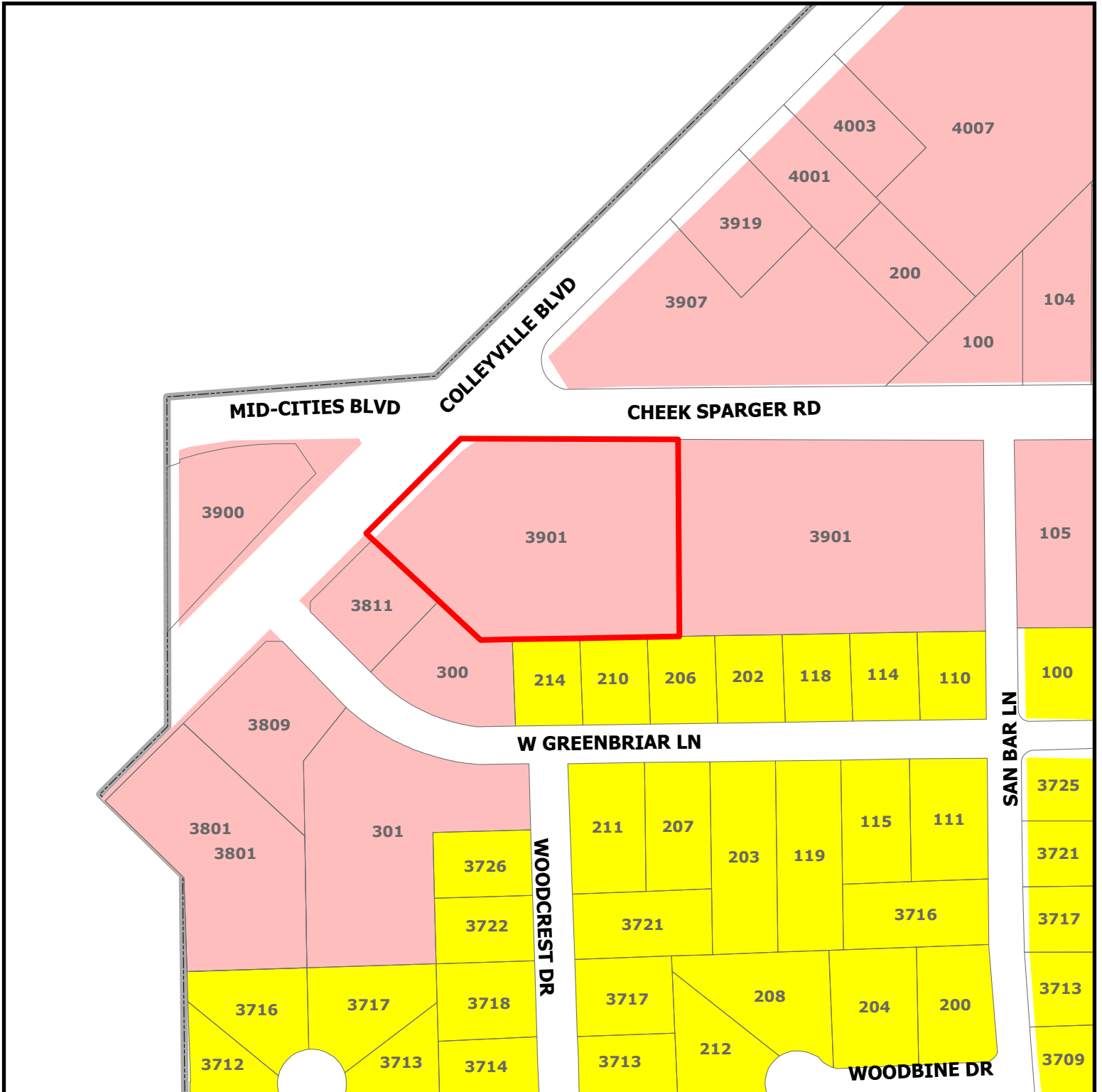


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 Subject Property



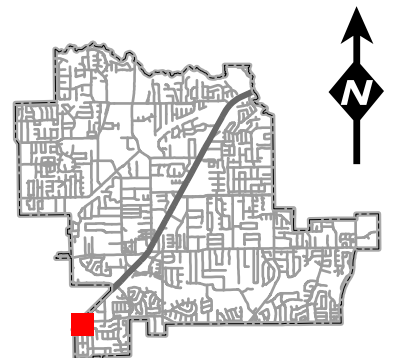
# Future Land Use Map



## ZC26-010

3901 Colleyville Boulevard

- Residential
- Colleyville Blvd Corridor
- Subject Property



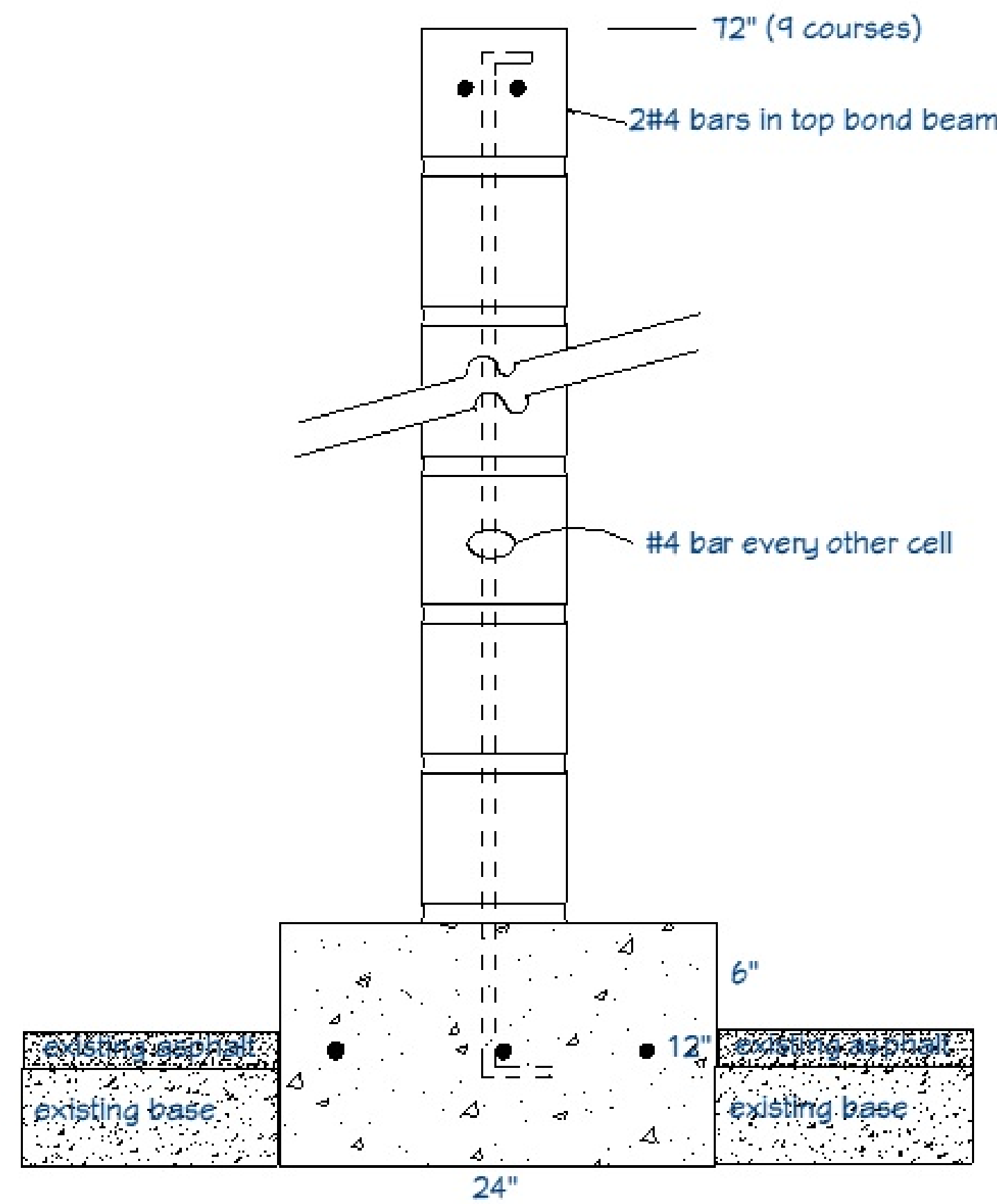
**DISCLAIMER:**  
 This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors,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

DRAWINGS PROVIDED BY:

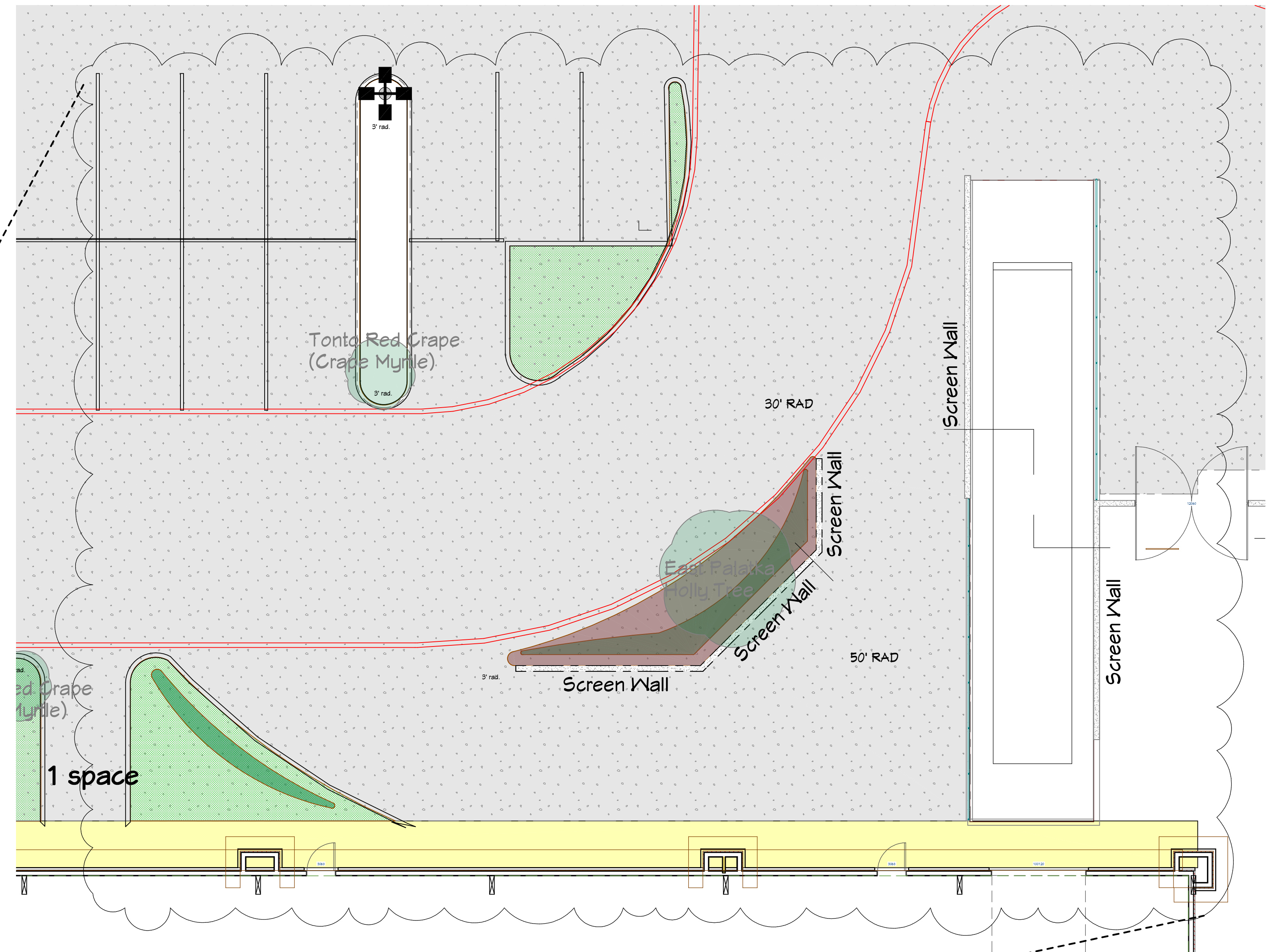
**Project Info:**  
Thrift Giant  
3901 Colleyville Blvd.  
Colleyville TX 76044  
Work Area: 2,000sf  
Building Area: 30,000sf  
Zoning: CC-3  
Occupancy: Mercantile  
Current Use: Retail  
Proposed Use: Retail  
Construction Type: IIB  
Fire Sprinkled  
Fire Alarm  
Occ. Load Factor: 60gross  
Occ. Load: 500 persons  
Egress Factor: 0.2  
Egress Width Reqd: 100"  
Egress Width Prvd: 144"  
Qty Exits Reqd: 2  
Qty Exits Prvd: 3

**Governing Codes:**  
2024 Int'l Bldg. Code  
2024 Int'l Mech. Code  
2024 Int'l Plbg. Code  
2024 Int'l Energy Cons  
2024 Exst'g Bldg Code  
2021 Int'l Fire Code  
2023 Nat'l Elect. Code

**Drawing List: Date:**  
A1 - Job Info 2/28/26  
A2 - Elevations 2/29/26  
A3 - Plans 2/29/26  
C1 - Site 2/29/26  
C2 - Site Dets. 2/29/26  
C3 - Old Fire Ln 2/29/26  
H1 - ADA/TAS 2/29/26  
D1 - Drop Plan 3/11/26  
D2 - Drop Prsp. 3/11/26



**Split Face Block  
Screen Wall & Footer** NTS



**Proposed Screening at Drop Plan:** scale 1/8" = 1' - 0"  
(blow up from site plan)



**Overall Site Plan:** scale 1/32" = 1' - 0"

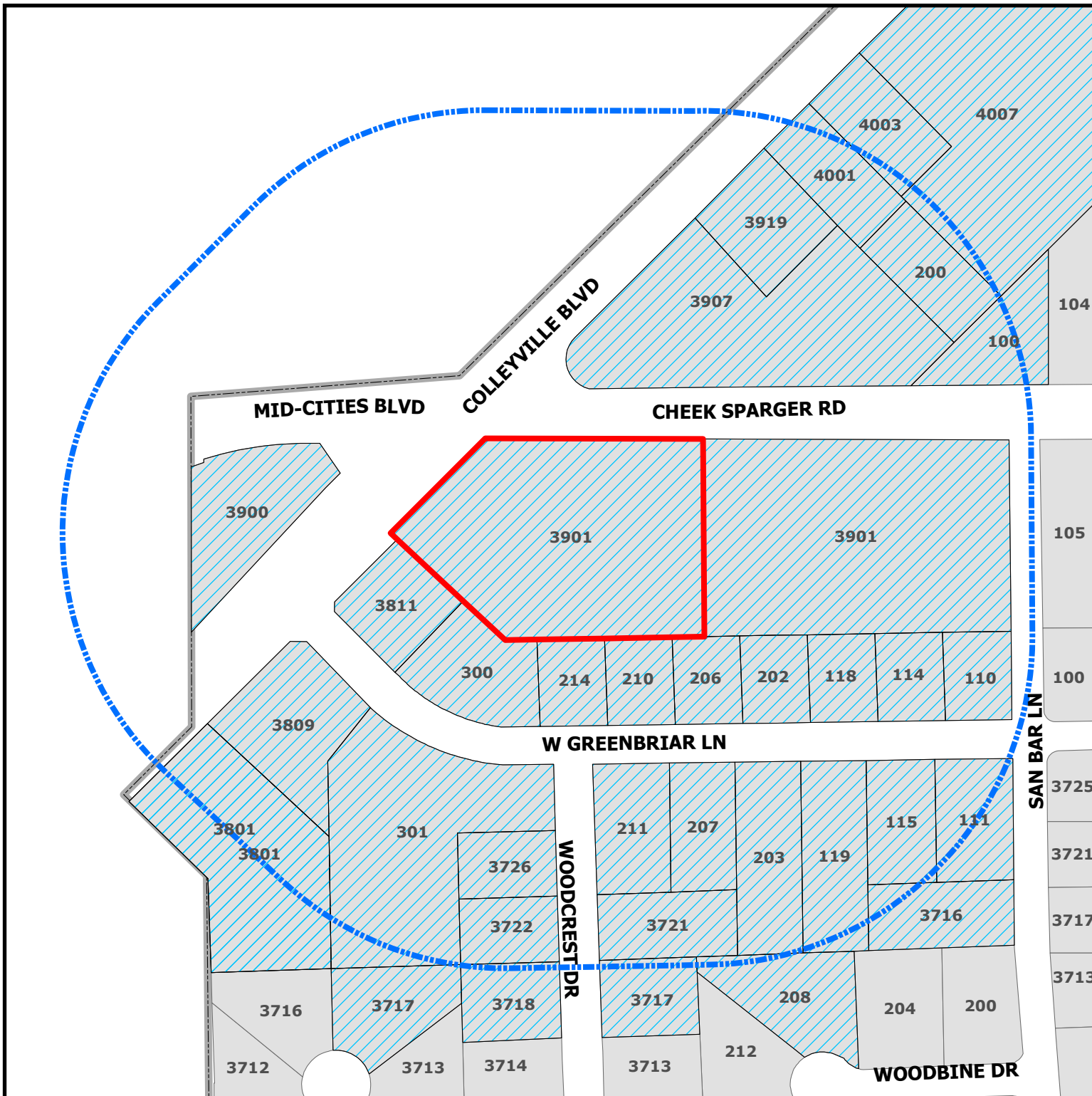
#	DATE	BY	DESCRIPTION
1	2026/02/11	MEA	CONCEPT
2	2026/02/16	MEA	FINAL PERMIT
3	2026/02/27	MEA	FINAL LANDSCAPE
4	2026/03/02	MEA	DEL-SIGN CRNS LNDS&CP (D&E)
5	2026/03/11	MEA	PROPOSED DROP SJP

**Project:**  
**Thrift  
Giant**  
3901  
Colleyville  
Blvd.  
Colleyville  
TX 76034

SHEET:

**D1**




# Notification Map

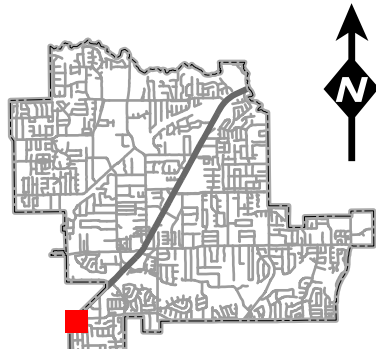


## ZC26-010

3901 Colleyville Boulevard



-  Subject Property
-  Buffer
-  Parcels to be notified



**DISCLAIMER:**  
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## NOTICE OF PUBLIC HEARING

«Owner Name»

«Owner Address»

«Owner City» «Owner Zip»

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

**Planning & Zoning Commission Meeting: Monday, April 13, 2026, at 7:00 p.m.**  
**City Council Meetings: Tuesday, May 5, 2026 & Tuesday, May 12, 2026, at 7:00 p.m.**  
**3rd floor of City Hall, 100 Main Street, Colleyville, Texas**

**Request:** Consideration of a Special Use Permit for a Charitable Donation Station on Lot 8, Block 6R, Woodbriar Estates West Addition, being approximately 2.7 acres, and zoned CC-3 Highway Commercial. The request is to allow for a donation station drive-through.

**Zoning Case:** ZC26-010

**Applicant:** Nancy Hernandez Garcia

**Owner:** ICA Properties Inc.

**Location:** 3901 Colleyville Boulevard

**Property Description:** Lot 8, Block 6R, Woodbriar Estates West Addition

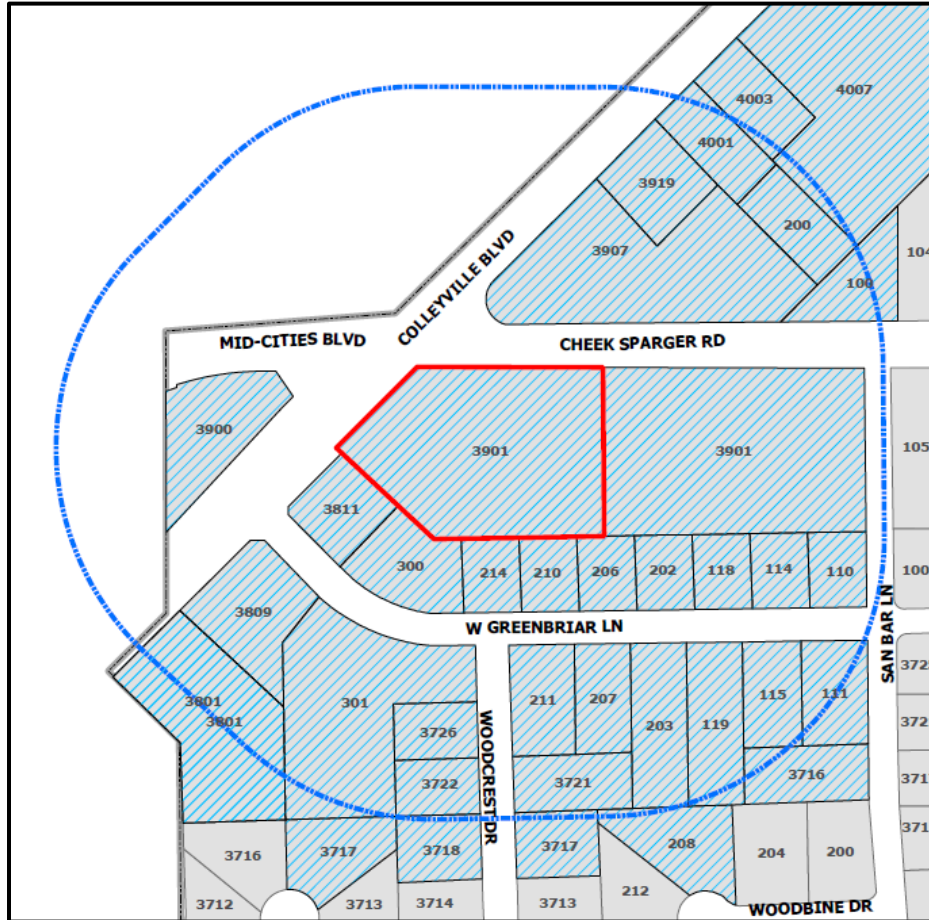
**Present Zoning:** CC-3 Highway Commercial

This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

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

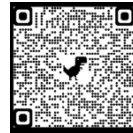
**Community Development Department**  
**City of Colleyville**  
**100 Main Street**  
**Colleyville, TX 76034**  
[CitizenLetters@colleyville.com](mailto:CitizenLetters@colleyville.com)

## NOTICE OF PUBLIC HEARING



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

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas 76034. A brief project description can be found online on the Agenda Packet and Active Development Case map (please use your phone's camera to scan QR code below):



For additional information, please contact the Community Development Department at 817.503.1050. Please reference the zoning case number when requesting information.

*Daniel Ponder*

Daniel Ponder  
Planning Manager

**ORDINANCE O-26-2366**

**AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON APPROXIMATELY 2.7 ACRES, BEING LOT 8, BLOCK 6R, WOODBRIAR ESTATES WEST ADDITION, LOCATED AT 3901 COLLEYVILLE BOULEVARD, BY AUTHORIZING A SPECIAL USE PERMIT TO ALLOW FOR A CHARITABLE DONATION STATION; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS,** the City of Colleyville has received an application for a Special Use Permit to allow for a Charitable Donation Station (Case ZC26-010); and

**WHEREAS,** the Subject Property is presently zoned CC-3 Highway Commercial; and

**WHEREAS,** the Planning and Zoning Commission of the City of Colleyville, has considered and made recommendations on the request, having given the requisite notices, and having held due hearings and affording a full and fair opportunity for all persons interested in the matter to be heard; and

**WHEREAS,** after due deliberations and consideration of the recommendation of the Planning and Zoning Commission, the information received at a public hearing, and other relevant information and materials, the City Council finds that this amendment is in conformance with the Comprehensive Plan for the City of Colleyville and promotes the general health, safety, and welfare of this community.

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

Sec. 1. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by authorizing a Special Use Permit for a Charitable Donation Station on 2.7 acres, being Lot 8, Block 8R, Woodbriar Estates West Addition, located at 3901 Colleyville Boulevard, as depicted on the attached as Exhibit "A".

Sec. 2. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.

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

**1. GENERAL**

a. The Special Use Permit shall allow a Charitable Donation Station.

b. It shall be generally consistent with the site plan and as depicted on the attached Exhibit "B".

c. The Special Use Permit shall automatically expire upon the abandonment of the business, change in the primary use of the building, a change in ownership, or upon the expiration or termination of the Certificate of Occupancy.

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

Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

Sec. 7. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

**AND IT IS SO ORDERED.**

The first reading and public hearing being conducted on the 5<sup>th</sup> day of May 2026.

The second reading and public hearing being conducted on the 12<sup>th</sup> day of May 2026.

APPROVED BY A VOTE OF \_\_\_ AYES, AND \_\_\_ NAYS, ON THIS THE 12<sup>TH</sup> DAY OF MAY 2026.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

**ATTEST:**

**CITY OF COLLEYVILLE**

Christine Loven, TRMC  
City Secretary

Bobby Lindamood  
Mayor

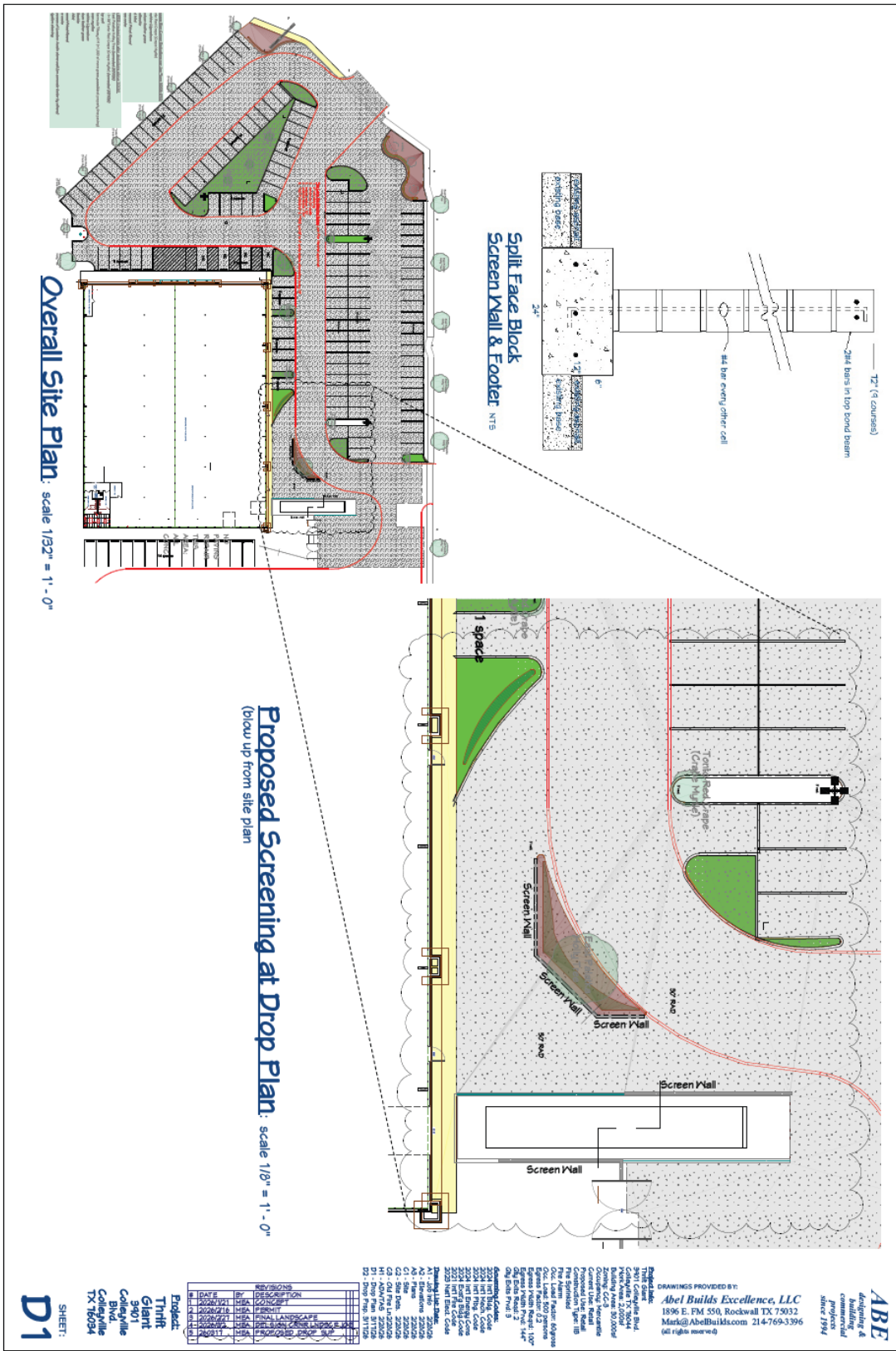
**APPROVED AS TO FORM:**

Sarah Ross  
City Attorney

# Exhibit "A" - Aerial Map



# Exhibit "B" – Site Plan



NO.	DATE	BY	CHKD	DESCRIPTION
1	08/15/2023	MA	MA	ISSUED FOR PERMIT
2	08/15/2023	MA	MA	REVISED PER COMMENTS
3	08/15/2023	MA	MA	REVISED PER COMMENTS
4	08/15/2023	MA	MA	REVISED PER COMMENTS
5	08/15/2023	MA	MA	REVISED PER COMMENTS
6	08/15/2023	MA	MA	REVISED PER COMMENTS
7	08/15/2023	MA	MA	REVISED PER COMMENTS
8	08/15/2023	MA	MA	REVISED PER COMMENTS
9	08/15/2023	MA	MA	REVISED PER COMMENTS
10	08/15/2023	MA	MA	REVISED PER COMMENTS

**PROJECT:**  
**THINK**  
**GLINT**  
 1500  
 Collegeville  
 Blvd  
 Collegeville  
 TX 76034

**ABE**  
 Architectural &  
 Engineering  
 commercial  
 projects  
 since 1994

**DRAWINGS PROVIDED BY:**  
**Abel Builds Excellence, LLC**  
 1896 E. FM 550, Rockwall TX 75087  
 Mark@AbelBuilds.com 214-769-3396  
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**Revised:**  
 01/15/2023  
 02/15/2023  
 03/15/2023  
 04/15/2023  
 05/15/2023  
 06/15/2023  
 07/15/2023  
 08/15/2023  
 09/15/2023  
 10/15/2023  
 11/15/2023  
 12/15/2023



## CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

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**Agenda Number** 6d

**Agenda Date** 5/12/2026

**Number** Ordinance O-26-2367

**Type** Ordinance

**Department** Community Development

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### **Title**

Consideration of an amendment to the Land Development Code Chapter 3, Land Use, which includes edits throughout the chapter related to outdoor storage and display, Case GC26-005

### **Explanation**

#### ***Second Reading and Public Hearing***

There were no speakers regarding this item at the May 5, 2026, City Council meeting.

#### ***First Reading and Public Hearing***

Staff has prepared an amendment to the Land Development Code Chapter 3, Land Use, which would amend sections of the code that relate to outdoor storage and display. The purpose of the amendment is to remove outdoor storage and display as permitted uses. All uses which allow outdoor storage and display will require Special Use Permit approval.

**Planning and Zoning Commission Recommendation:** The Planning and Zoning Commission recommended approval of the amendment at their April 13, 2026 meeting by a vote of 6-0.

### **Attachments**

1. Proposed Chapter 3 Amendments
2. Ordinance O-26-2367

**Section 3.21 CC-3 – Highway Commercial District**

- A. Purpose – This district would permit uses that do not fit within the retail or manufacturing categories. Service and retail uses associated with outdoor storage, noise, especially auto repair and service and others would be permitted. The minimum lot size is less than the Shopping Center District to allow for more flexibility of uses. It is anticipated that most of these districts would not be located near residential districts.
- B. Permitted Uses
  - 1. See Table 3.24.B - Schedule of Permitted Principle Uses
- C. Special Uses
  - 1. See Table 3.24.B - Schedule of Permitted Principle Uses
- D. Site Requirements

<b>General Requirements:</b>		<b>PRIMARY USE &amp; STRUCTURE:</b>		<b>Accessory Use &amp; Structure:</b>
Minimum lot size:	10,000 s.f.	Minimum setbacks:		Permitted as per Sec. 3.24 & 3.27
Maximum lot size:	none	front:	40 ft.	
Minimum lot width at front setback line:	150 ft.	side abutting residential:	25 ft.	
Minimum lot depth	120 ft.	side abutting non-residential:	15 ft.	
Maximum lot coverage	70%	rear abutting residential:	25 ft.	
		rear abutting non-residential	10 ft.	
		Max. Building height in stories:	2 st.	
		Max. building height in feet:	35 ft.	
		Max. building height adj. to residential district:	see Sec. 3.24 (A&B)	

E. Supplementary Requirements

<b>General:</b> - outdoor storage is permitted by <b>Special Use Permit</b> - uses adjacent to single family uses must be screened as per Sec. 3.24 - may be operated 24 hours/day.	<b>Landscaping Plans:</b> - required as per Chapter 4  <b>Commercial Bldg. Design Stds:</b> - as required per Chapter 6	<b>Off-Street Parking:</b> - as required by Sec. 3.29  <b>Site Plans:</b> - plans must be submitted in accordance with Sec. 3.31
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**Section 3.22 ML – Light Manufacturing District**

- A. Purpose – This district would permit uses that involve the fabrication of products or have outdoor storage, noise, odors or other objectionable aspects that would not be compatible in retail or service areas. This district is limited to those uses that are not retail in nature or in some cases those that need outdoor space.
- B. Permitted Uses
  - 1. See Table 3.24.B - Schedule of Permitted Principle Uses
- C. Special Uses
  - 1. See Table 3.24.B - Schedule of Permitted Principle Uses
- D. Site Requirements

<p><b>General Requirements:</b></p> <p>Minimum lot size: 10,000 s.f.                  Maximum lot size: none                  Minimum lot width at front                  Setback line: 100 ft.                  Minimum lot depth 120 ft.                  Maximum lot coverage 60%</p>	<p><b>PRIMARY USE &amp; STRUCTURE:</b></p> <p>Minimum setbacks:                  front: 40 ft.                  side abutting residential: 25 ft.                  side abutting non-residential: 15 ft.                  rear abutting residential: 25 ft.                  rear abutting non-residential 10 ft.                  Max. Building height in stories: 2 st.                  Max. building height in feet: 35 ft.                  Max. building height adj. To residential                  district: see Sec. 3.24 (A&amp;B)</p>	<p><b>Accessory Use &amp; Structure:</b>                  Permitted per Sec. 3.24 &amp; 3.27</p>
--	--	--

E. Supplementary Requirements

<p><b>General:</b></p> <p>- outdoor storage is permitted by Special Use Permit                  - uses adjacent to single family uses                  Must be screened as per Sec. 3.24                  - may be operated 24 hours/day.</p>	<p><b>Landscaping Plans:</b>                  - required as per Chapter 4</p> <p><b>Commercial Bldg. Design Stds:</b>                  - as required per Chapter 6</p>	<p><b>Off-Street Parking:</b>                  - as required by Sec. 3.29</p> <p><b>Site Plans:</b>                  - plans must be submitted in accordance with Sec. 3.31</p>
---	--	---

**Section 3.24 Schedule of Permitted Uses**

A. General Requirement and Symbols Used – Land and buildings may be used in accordance with Table 3.24.C, *Schedule of Permitted Principal Uses* and the additional requirements of this section. The following symbols are used in Table 3.24.C, *Schedule of Permitted Principal Uses*:

1. *Permitted Uses* – A “P” in a cell indicates that the use is allowed by right as the principal use in the applicable zoning district in accordance with Table 3.24.C, *Schedule of Permitted Principal Uses*.
2. *Specific Uses* – An “S” in a cell indicates that the use may be allowed with the approval by the City Council of a Special Use Permit following the applicable review and approval procedures.
3. *Prohibited Uses* – An empty cell indicates that the land use is prohibited in the applicable zoning district, unless otherwise allowed with the approval by the City Council of an ordinance establishing a Planned Unit Development District, or authorized by a Special Use Permit, or in conformance with the provisions contained in Section 3.6.B-*Classification of New and Unlisted Uses*.

Table 3.24.B- - Schedule of Permitted Principal Uses																	
Land Use Classification	Residential District									Non-Residential Districts						Special Land Use Standards or Section Ref.	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML		
<b>A. RESIDENTIAL ACCOMODATION USES</b>																	
Single Family Detached Dwelling	P	P	P	P	P	P	P	P	P							6	3
Duplex – Attached Dwelling							S	S								6	2
Townhome – Attached Dwellings								S								6	4
Multi-family – Attached Dwellings								S								6	4
HUD Code Manufactured Housing									P							6	2
Assisted Living Facilities	PUD only															17	
Bed and Breakfast Lodging	S	S	S	S	S	S	S	S	S							1,6	18
Private (HOA) Recreational Facilities		P	P	P	P	P	P	P	P								5
<b>B. ACCESSORY USES</b>																	
Accessory Building	P	P	P	P	P	P	P	P	P	S	S	S	S	S	S	Sec. 3.27	n.a.
Carport	S	S	S	S	S	S	S	S	S							Sec. 3.27.C	n.a.
Home Occupations Uses	P	P	P	P	P	P	P	P	P							6	n.a.
Accessory Dwelling	P	P	S	S											S	11	1
<b>C. AGRICULTURAL USES</b>																	
Commercial equestrian boarding stable and school	P	S															25
Crop Farming	P	P															n.a.
Livestock raising and breeding	P	P														8	n.a.
Private horse stables for domestic use	P	P	P	S	S												n.a.
Roadside produce stands (year round)	S	S															n.a.
<b>D. UTILITY USES</b>																	
Electrical Substations	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		21

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

Accountant's Offices											P	P	P	P	P	S		8
Advertising Agencies											P	P	P	P	P	S		8
<b>Table 3.24.B- - Schedule of Permitted Principal Uses</b>																		
Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Attorney Offices											P	P	P	P	P	S		8
Chiropractic Clinics											P	P	P	P	P	S		8
Emergency Clinic (24 hrs.)													S	P	P	S	7	6
Engineering, Architect's, and Surveyor's Offices											P	P	P	P	P	S		8
General Business Offices not elsewhere listed											P	P	P	P	P	S		8
Insurance Agencies											P	P	P	P	P	S		8
Management and Public Relations Services Offices											P	P	P	P	P	S		8
Optometrist Office											P	P	P	P	P	S		8
Psychologist Offices											P	P	P	P	P	S		8
Physician's or Dentist's Offices											P	P	P	P	P	S	4	7
Real Estate Agency Offices											P	P	P	P	P	S		8
Security Broker Offices											P	P	P	P	P	S		8
Telemarketing Offices													P	P	P	S		5
Title Abstract Offices											P	P	P	P	P	S		8
Trade or Business Schools													S	S	S	P		15
Travel Agency / Airline Ticket Offices											P	P	P	P	P	S		8
<b>G. RETAIL AND SERVICE USES</b>																		
Alcoholic Beverage Sales – (Beer and Wine Only) – Off-Premises Consumption													S	S	S		9	n.a.
Alcoholic Beverage Sales – On-premises Consumption													S	S	S		9	n.a.

Package Store Sales – Off-premises Consumption																S	S	S			9	n.a.	
Alcohol or Drug Treatment Center																S	S	S	S	S			24
Antique Stores																	P	P	P				7
<b>Table 3.24.B- - Schedule of Permitted Principal Uses</b>																							
Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group					
	AG	RE	R40	R30	R20	R15	RD	RMF	MH		CPO	CN	CC1	CC2	CC3	ML							
Apparel and Accessory Stores													P	P	P								7
Arts and Crafts Stores and Hobby Shops													P	P	P								7
Bakery Stores													P	P	P								7
Banks, Credit Unions and Financial Institutions												P	P	P	P								8
Barber Shops and Beauty Shops												P	P	P	P								7
Bicycle Shops													P	P	P								7
Book, Stationary or Greeting Card Shops													P	P	P								7
Camera or Music Stores													P	P	P								7
Carnivals and Circuses													S	S									24
CBD Store														S	S								7
Cemeteries or Mausoleums											S	S	S	S	S	S							24
Charitable Donation Station													S	S	S								24
Civic, Social or Fraternal Organizations											S	S	P	P									7
Convenience Stores with gasoline sales													S	S	S	S							7
Copy Centers/Print Shops											S	S	P	P	P	P							7
Dance Studios, Martial Arts Studios, and Cheerleading & Gymnastics Facilities												S	P	P	P	P							7
Day Care Centers											S	S	S	S	S								11
Department Stores													P	P	P								7
Dog Boarding with indoor and/or outdoor kennels														S	S	S							8

Dog Grooming																	S	S	S	8
Dry Cleaner Pick-up Stations															S	P	P	P		7
Dry Cleaners (up to 5,000 s. f. w/on-site laundry)																P	P	P		7
Equipment Rental and Leasing Stores																		S	P	7
<b>Table 3.24.B- - Schedule of Permitted Principal Uses</b>																				
Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group		
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML					
Florist Shops											P	P	P	P						7
Food Catering													S	S	P					8
Funeral Homes												S	S	S						24
Furniture and Appliance Stores												P	P	P						9
General Retail Store (not listed elsewhere)												S	S	S						7
Grocery Stores												P	P	P			12			7
Hardware, electrical & plumbing w/o outside display											P	P	P	P						
Hardware, electrical & plumbing with outside display													S	S	S					
Hospitals												S	S	S						24
Hotels and Motels												S	P	P						19
Home Decoration Stores											P	P	P	P						7
Jewelry Stores											P	P	P	P						7
Locksmiths											S	S	S	S	P					8
Massage Therapy (Licensed and Unlicensed)												S	S	S			16			7
Mailing and Shipping Stores											P	P	P	P	P					7
Meat or Fish Market												P	P	P						7
Nurseries and Greenhouses with outside display													S	S	S					16
Pawn Shops																		S		7

Pet Stores															P	P	P			7	
Pharmacy															S	P	P	P			7
Photography Studios															P	P	P	P	P		8
Purchasing and/or resale of precious metals including jewelry, gem stones, gold, silver, and platinum and not licensed as a Pawn Shop by the State of Texas																			S		7
Restaurants, Cafes and Cafeterias																P	P	P			5

**Table 3.24.B- - Schedule of Permitted Principal Uses**

Land Use Classification	Residential District										Non-Residential Districts					Special Land Use Standards	Parking Group				
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML						
Restaurants with drive-in or drive-thru service													P	P							5
Secondhand goods shop													S	S	S						7
Self-service Laundries												S	S	S	S						7
Short Term Loans (Title/Payday)																		S			7
Sporting Goods Store													P	P	P						
Shoe Repair Shops													P	P	P						8
Tailor and Alteration Shops												P	P	P	P						8
Veterinarian Clinic with indoor and/or outdoor kennels													S	S	S			3, 4			8
Video Rental and Sales Stores													P	P	P						7
Wedding Chapels													S	S	S	S					24

**H. RECREATIONAL AND ENTERTAINMENT USES**

Adult Entertainment Establishments	<b>See section 22-5 Code of Ordinances</b>																				5
Amusement Centers (indoors)													P	P	P	S					7
Archery and Firearms Ranges															S	S			5		24
Billiard Parlors													S	S	S				13		23
Commercial Recreation (outdoor)	S												S	S	S	S	S				24

Fitness Centers											S	P	P	P	P		7	
Golf Courses – Privately Owned	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P		22
Golf Driving Ranges											S	S	S	S	S		22	
Miniature Golf Courses												S	S	S			20	
Roller or Ice Skating Rinks												S	S	S			24	
Theaters												P	P	P	S		18	
<b>I. AUTOMOTIVE AND TRANSPORTATION USES</b>																		
Airports / Heliports / Commercial Drone Delivery Hub	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	17	24

**Table 3.24.B- - Schedule of Permitted Principal Uses**

Land Use Classification	Residential District									Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML		
Auto Alarm / Stereo / Window Tinting Stores													S	S	P	10	7
Auto Lube Shops													S	S	P	10	9
Automotive and Motor Vehicle Sales													S	S	S	10	8
Auto Parts and Accessory Stores												P	P	P	P	10	7
Auto, Truck or Trailer Rental													S	S	S	10	8
Auto Upholstery Shops														S	P	10	9
Auto Parking Lots and Garages (free standing)										S	S	S	S	S	S		n.a.
Auto Repair Shop													S	S	S	10	9
Boat and Water-craft Sales and Service													S	S	S	10	8
Bus or Passenger Train Stations												S	S	S	S		24
Car Wash (self-service and automatic)														S	S		9
Commuter Transit Stations												S	S	S	S		24
Electric Vehicle (EV) Charging Station										S	S	S	S	S	S	18	n.a.
Gasoline Service Stations														S	S	10	7

LPG / CNG Dispensing Stations															S	S		24	
Motorcycle Sales and Service															S	S	10	8	
Paint and Body Shops															S	S	10	9	
Park and Ride Facilities														S	S	S	S		24
Railroad or Motor Freight Terminals																S		24	
Recreational Vehicle Sales and Service															S	S	10	8	
Tire and Battery Stores														S	S	S	10	7	
Truck and Heavy Equipment Sales and Service															S	S	10	8	
Vehicle Storage Yards or Facilities														S	S	S	S		24

**J. HEAVY COMMERCIAL, INDUSTRIAL & MANUFACTURING USES**

**Table 3.24.B- - Schedule of Permitted Principal Uses**

Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Appliance Repair Shops														S	S		8	
Building Material Sales with outside storage														S	S		7	
Commercial Laundry														S	S		24	
Contractor Office with storage yard														S	S		24	
Contractor Office without storage yard														P	P		8	
Electronic Assembly or Manufacturing															P		25	
Exterminator Shop														S	S		24	
Food Packaging and Manufacturing															S		24	
Furniture and Cabinet Manufacturing															P		25	
Office Showroom															P		25	
Oil and Gas Extraction	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	See Ch. 3.1	24	
Plumbing, HVAC and Electrical Trades Shops														P	P		8	

Colleyville, Texas, Land Development Code

Printing and Publishing - Commercial															<b>P</b>	8
Research and Development Labs															<b>P</b>	8
Scientific Instrument Assembly and Manufacturing															<b>P</b>	8
Self-Storage Facilities (mini-warehouse)															<b>S</b>	24
Upholstery and Furniture Repair Shops														<b>P</b>	<b>P</b>	8
Warehouse and Distribution Facilities															<b>S</b>	24
Wood, Paper or Leather Products															<b>P</b>	25
Manufacturing not elsewhere listed															<b>S</b>	24
Welding or Machine Shop															<b>P</b>	25
Wholesale Store/Supply															<b>P</b>	25
Wholesale Store/Supply with outdoor storage															<b>S</b>	24

E. Outdoor Storage; Screening and Hours of Operations

<b>Zoning Districts</b>		<b>Outdoor Storage Allowed</b>	<b>Screening Requirements Adjacent to Single Family</b>	<b>Hours of Operation</b>
CPO	Professional Office Commercial	No	8'	Daytime only
CN	Neighborhood Commercial	No	8'	Daytime only
CC1	Village Retail	No	8'	24 hours
CC2	Shopping Center	No	8'	24 hours
CC3	Highway Commercial	Yes*	8'	24 hours
ML	Light Manufacturing - Industrial	Yes*	8'	24 hours

\*Only authorized after approval of a Special Use Permit by the City Council

## ORDINANCE O-26-2367

**AN ORDINANCE AMENDING CHAPTER 3, SECTION 3.21(E) CC-3 – HIGHWAY COMMERCIAL DISTRICT, SECTION 3.22(E) ML – LIGHT MANUFACTURING DISTRICT, TABLE 3.24(B) SCHEDULE OF PERMITTED PRINCIPAL USES, AND SECTION 3.24(E) OUTDOOR STORAGE; SCREENING AND HOURS OF OPERATION, OF THE LAND DEVELOPMENT CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE**

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

**WHEREAS,** the City of Colleyville desires to amend Chapter 3, Section 3.21(E) CC-3 Highway Commercial District, Section 3.22(E) ML Light Manufacturing District, Table 3.24(B) Schedule of permitted Principal Uses, and Section 3.24(E) Outdoor Storage; Screening and Hours of Operation of the Land Development Code; and

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

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

Sec. 1. THAT *Section 3.21(E) CC-3 Highway Commercial District, Section 3.22(E) ML Light Manufacturing District, Table 3.24(B) Schedule of permitted Principal Uses, and Section 3.24(E) Outdoor Storage; Screening and Hours of Operation* of the Land Development Code are hereby amended and replaced in its entirety as attached.

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

Sec. 3. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

Sec. 4. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

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

**AND IT IS SO ORDERED.**

The first reading and public hearing being conducted on the 5<sup>th</sup> day of May 2026.

The second reading and public hearing being conducted on the 12<sup>th</sup> day of May 2026.

APPROVED BY A VOTE OF \_\_\_ AYES, AND \_\_\_ NAYS, ON THIS THE 12<sup>TH</sup> DAY OF MAY 2026.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

**ATTEST:**

**CITY OF COLLEYVILLE**

Christine Loven, TRMC  
City Secretary

Bobby Lindamood  
Mayor

**APPROVED AS TO FORM:**

Sarah Ross  
City Attorney

**Section 3.21 CC-3 – Highway Commercial District**

- A. Purpose – This district would permit uses that do not fit within the retail or manufacturing categories. Service and retail uses associated with outdoor storage, noise, especially auto repair and service and others would be permitted. The minimum lot size is less than the Shopping Center District to allow for more flexibility of uses. It is anticipated that most of these districts would not be located near residential districts.
- B. Permitted Uses
  - 1. See Table 3.24.B - Schedule of Permitted Principle Uses
- C. Special Uses
  - 1. See Table 3.24.B - Schedule of Permitted Principle Uses
- D. Site Requirements

<b>General Requirements:</b>		<b>PRIMARY USE &amp; STRUCTURE:</b>		<b>Accessory Use &amp; Structure:</b>
Minimum lot size:	10,000 s.f.	Minimum setbacks:		Permitted as per Sec. 3.24 & 3.27
Maximum lot size:	none	front:	40 ft.	
Minimum lot width at front setback line:	150 ft.	side abutting residential:	25 ft.	
Minimum lot depth	120 ft.	side abutting non-residential:	15 ft.	
Maximum lot coverage	70%	rear abutting residential:	25 ft.	
		rear abutting non-residential	10 ft.	
		Max. Building height in stories:	2 st.	
		Max. building height in feet:	35 ft.	
		Max. building height adj. to residential district:	see Sec. 3.24 (A&B)	

E. Supplementary Requirements

<b>General:</b> - outdoor storage is permitted by <b>Special Use Permit</b> - uses adjacent to single family uses must be screened as per Sec. 3.24 - may be operated 24 hours/day.	<b>Landscaping Plans:</b> - required as per Chapter 4  <b>Commercial Bldg. Design Stds:</b> - as required per Chapter 6	<b>Off-Street Parking:</b> - as required by Sec. 3.29  <b>Site Plans:</b> - plans must be submitted in accordance with Sec. 3.31
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**Section 3.22 ML – Light Manufacturing District**

- A. Purpose – This district would permit uses that involve the fabrication of products or have outdoor storage, noise, odors or other objectionable aspects that would not be compatible in retail or service areas. This district is limited to those uses that are not retail in nature or in some cases those that need outdoor space.
- B. Permitted Uses
  - 1. See Table 3.24.B - Schedule of Permitted Principle Uses
- C. Special Uses
  - 1. See Table 3.24.B - Schedule of Permitted Principle Uses
- D. Site Requirements

<b>General Requirements:</b> Minimum lot size: 10,000 s.f. Maximum lot size: none Minimum lot width at front Setback line: 100 ft. Minimum lot depth 120 ft. Maximum lot coverage 60%	<b><u>PRIMARY USE &amp; STRUCTURE:</u></b> Minimum setbacks: front: 40 ft. side abutting residential: 25 ft. side abutting non-residential: 15 ft. rear abutting residential: 25 ft. rear abutting non-residential 10 ft. Max. Building height in stories: 2 st. Max. building height in feet: 35 ft. Max. building height adj. To residential district: see Sec. 3.24 (A&B)	<b>Accessory Use &amp; Structure:</b> Permitted per Sec. 3.24 & 3.27
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E. Supplementary Requirements

<b>General:</b> - outdoor storage is permitted by Special Use Permit - uses adjacent to single family uses Must be screened as per Sec. 3.24 - may be operated 24 hours/day.	<b>Landscaping Plans:</b> - required as per Chapter 4  <b>Commercial Bldg. Design Stds:</b> - as required per Chapter 6	<b>Off-Street Parking:</b> - as required by Sec. 3.29  <b>Site Plans:</b> - plans must be submitted in accordance with Sec. 3.31
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**Section 3.24 Schedule of Permitted Uses**

A. General Requirement and Symbols Used – Land and buildings may be used in accordance with Table 3.24.C, *Schedule of Permitted Principal Uses* and the additional requirements of this section. The following symbols are used in Table 3.24.C, *Schedule of Permitted Principal Uses*:

1. *Permitted Uses* – A “P” in a cell indicates that the use is allowed by right as the principal use in the applicable zoning district in accordance with Table 3.24.C, *Schedule of Permitted Principal Uses*.
2. *Specific Uses* – An “S” in a cell indicates that the use may be allowed with the approval by the City Council of a Special Use Permit following the applicable review and approval procedures.
3. *Prohibited Uses* – An empty cell indicates that the land use is prohibited in the applicable zoning district, unless otherwise allowed with the approval by the City Council of an ordinance establishing a Planned Unit Development District, or authorized by a Special Use Permit, or in conformance with the provisions contained in Section 3.6.B-*Classification of New and Unlisted Uses*.

Table 3.24.B- - Schedule of Permitted Principal Uses																	
Land Use Classification	Residential District									Non-Residential Districts					Special Land Use Standards or Section Ref.	Parking Group	
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3			ML
<b>A. RESIDENTIAL ACCOMODATION USES</b>																	
Single Family Detached Dwelling	P	P	P	P	P	P	P	P	P							6	3
Duplex – Attached Dwelling							S	S								6	2
Townhome – Attached Dwellings								S								6	4
Multi-family – Attached Dwellings								S								6	4
HUD Code Manufactured Housing									P							6	2
Assisted Living Facilities	PUD only															17	
Bed and Breakfast Lodging	S	S	S	S	S	S	S	S	S							1,6	18
Private (HOA) Recreational Facilities		P	P	P	P	P	P	P	P								5
<b>B. ACCESSORY USES</b>																	
Accessory Building	P	P	P	P	P	P	P	P	P	S	S	S	S	S	S	Sec. 3.27	n.a.
Carport	S	S	S	S	S	S	S	S	S							Sec. 3.27.C	n.a.
Home Occupations Uses	P	P	P	P	P	P	P	P	P							6	n.a.
Accessory Dwelling	P	P	S	S											S	11	1
<b>C. AGRICULTURAL USES</b>																	
Commercial equestrian boarding stable and school	P	S															25
Crop Farming	P	P															n.a.
Livestock raising and breeding	P	P														8	n.a.
Private horse stables for domestic use	P	P	P	S	S												n.a.
Roadside produce stands (year round)	S	S															n.a.
<b>D. UTILITY USES</b>																	
Electrical Substations	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		21

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

Accountant's Offices											P	P	P	P	P	S		8
Advertising Agencies											P	P	P	P	P	S		8
<b>Table 3.24.B- - Schedule of Permitted Principal Uses</b>																		
Land Use Classification	Residential District										Non-Residential Districts					Special Land Use Standards	Parking Group	
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Attorney Offices											P	P	P	P	P	S		8
Chiropractic Clinics											P	P	P	P	P	S		8
Emergency Clinic (24 hrs.)													S	P	P	S	7	6
Engineering, Architect's, and Surveyor's Offices											P	P	P	P	P	S		8
General Business Offices not elsewhere listed											P	P	P	P	P	S		8
Insurance Agencies											P	P	P	P	P	S		8
Management and Public Relations Services Offices											P	P	P	P	P	S		8
Optometrist Office											P	P	P	P	P	S		8
Psychologist Offices											P	P	P	P	P	S		8
Physician's or Dentist's Offices											P	P	P	P	P	S	4	7
Real Estate Agency Offices											P	P	P	P	P	S		8
Security Broker Offices											P	P	P	P	P	S		8
Telemarketing Offices													P	P	P	S		5
Title Abstract Offices											P	P	P	P	P	S		8
Trade or Business Schools													S	S	S	P		15
Travel Agency / Airline Ticket Offices											P	P	P	P	P	S		8
<b>G. RETAIL AND SERVICE USES</b>																		
Alcoholic Beverage Sales – (Beer and Wine Only) – Off-Premises Consumption													S	S	S		9	n.a.
Alcoholic Beverage Sales – On-premises Consumption													S	S	S		9	n.a.

Package Store Sales – Off-premises Consumption													S	S	S		9	n.a.
Alcohol or Drug Treatment Center													S	S	S	S	S	24
Antique Stores													P	P	P		7	

**Table 3.24.B- - Schedule of Permitted Principal Uses**

Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Apparel and Accessory Stores												P	P	P			7	
Arts and Crafts Stores and Hobby Shops												P	P	P			7	
Bakery Stores												P	P	P			7	
Banks, Credit Unions and Financial Institutions											P	P	P	P			8	
Barber Shops and Beauty Shops											P	P	P	P			7	
Bicycle Shops												P	P	P			7	
Book, Stationary or Greeting Card Shops												P	P	P			7	
Camera or Music Stores												P	P	P			7	
Carnivals and Circuses												S	S				24	
CBD Store													S	S			7	
Cemeteries or Mausoleums										S	S	S	S	S	S		24	
Charitable Donation Station												S	S	S			24	
Civic, Social or Fraternal Organizations										S	S	P	P				7	
Convenience Stores with gasoline sales												S	S	S	S		7	
Copy Centers/Print Shops										S	S	P	P	P	P		7	
Dance Studios, Martial Arts Studios, and Cheerleading & Gymnastics Facilities											S	P	P	P	P		7	
Day Care Centers										S	S	S	S	S			11	
Department Stores												P	P	P			7	
Dog Boarding with indoor and/or outdoor kennels													S	S	S		8	

Dog Grooming															S	S	S	8
Dry Cleaner Pick-up Stations														S	P	P	P	7
Dry Cleaners (up to 5,000 s. f. w/on-site laundry)															P	P	P	7
Equipment Rental and Leasing Stores																S	P	7

**Table 3.24.B- - Schedule of Permitted Principal Uses**

Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Florist Shops											P	P	P	P				7
Food Catering													S	S	P			8
Funeral Homes												S	S	S				24
Furniture and Appliance Stores												P	P	P				9
General Retail Store (not listed elsewhere)												S	S	S				7
Grocery Stores												P	P	P		12		7
Hardware, electrical & plumbing w/o outside display											P	P	P	P				
Hardware, electrical & plumbing with outside display													S	S	S			
Hospitals												S	S	S				24
Hotels and Motels												S	P	P				19
Home Decoration Stores											P	P	P	P				7
Jewelry Stores											P	P	P	P				7
Locksmiths											S	S	S	S	P			8
Massage Therapy (Licensed and Unlicensed)												S	S	S		16		7
Mailing and Shipping Stores											P	P	P	P	P			7
Meat or Fish Market												P	P	P				7
Nurseries and Greenhouses with outside display													S	S	S			16
Pawn Shops															S			7

Pet Stores														P	P	P			7
Pharmacy														S	P	P	P		7
Photography Studios														P	P	P	P	P	8
Purchasing and/or resale of precious metals including jewelry, gem stones, gold, silver, and platinum and not licensed as a Pawn Shop by the State of Texas																		S	7
Restaurants, Cafes and Cafeterias															P	P	P		5

**Table 3.24.B- - Schedule of Permitted Principal Uses**

Land Use Classification	Residential District										Non-Residential Districts					Special Land Use Standards	Parking Group		
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML				
Restaurants with drive-in or drive-thru service													P	P					5
Secondhand goods shop													S	S	S				7
Self-service Laundries													S	S	S	S			7
Short Term Loans (Title/Payday)																	S		7
Sporting Goods Store													P	P	P				
Shoe Repair Shops													P	P	P				8
Tailor and Alteration Shops													P	P	P	P			8
Veterinarian Clinic with indoor and/or outdoor kennels														S	S	S		3, 4	8
Video Rental and Sales Stores													P	P	P				7
Wedding Chapels													S	S	S	S			24

**H. RECREATIONAL AND ENTERTAINMENT USES**

Adult Entertainment Establishments	See section 22-5 Code of Ordinances																5			
Amusement Centers (indoors)														P	P	P	S			7
Archery and Firearms Ranges																S	S		5	24
Billiard Parlors														S	S	S			13	23
Commercial Recreation (outdoor)	S												S	S	S	S	S			24

Fitness Centers											S	P	P	P	P		7	
Golf Courses – Privately Owned	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P		22
Golf Driving Ranges											S	S	S	S	S		22	
Miniature Golf Courses												S	S	S			20	
Roller or Ice Skating Rinks												S	S	S			24	
Theaters												P	P	P	S		18	
<b>I. AUTOMOTIVE AND TRANSPORTATION USES</b>																		
Airports / Heliports / Commercial Drone Delivery Hub	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	17	24

**Table 3.24.B- - Schedule of Permitted Principal Uses**

Land Use Classification	Residential District									Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML		
Auto Alarm / Stereo / Window Tinting Stores													S	S	P	10	7
Auto Lube Shops													S	S	P	10	9
Automotive and Motor Vehicle Sales													S	S	S	10	8
Auto Parts and Accessory Stores												P	P	P	P	10	7
Auto, Truck or Trailer Rental													S	S	S	10	8
Auto Upholstery Shops														S	P	10	9
Auto Parking Lots and Garages (free standing)										S	S	S	S	S	S		n.a.
Auto Repair Shop													S	S	S	10	9
Boat and Water-craft Sales and Service													S	S	S	10	8
Bus or Passenger Train Stations												S	S	S	S		24
Car Wash (self-service and automatic)														S	S		9
Commuter Transit Stations												S	S	S	S		24
Electric Vehicle (EV) Charging Station										S	S	S	S	S	S	18	n.a.
Gasoline Service Stations														S	S	10	7

LPG / CNG Dispensing Stations															S	S		24
Motorcycle Sales and Service															S	S	10	8
Paint and Body Shops															S	S	10	9
Park and Ride Facilities													S	S	S	S		24
Railroad or Motor Freight Terminals																S		24
Recreational Vehicle Sales and Service															S	S	10	8
Tire and Battery Stores													S	S	S	10	7	
Truck and Heavy Equipment Sales and Service															S	S	10	8
Vehicle Storage Yards or Facilities													S	S	S	S		24

**J. HEAVY COMMERCIAL, INDUSTRIAL & MANUFACTURING USES**

**Table 3.24.B- - Schedule of Permitted Principal Uses**

Land Use Classification	Residential District										Non-Residential Districts						Special Land Use Standards	Parking Group
	AG	RE	R40	R30	R20	R15	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML			
Appliance Repair Shops														S	S		8	
Building Material Sales with outside storage														S	S		7	
Commercial Laundry														S	S		24	
Contractor Office with storage yard														S	S		24	
Contractor Office without storage yard														P	P		8	
Electronic Assembly or Manufacturing															P		25	
Exterminator Shop														S	S		24	
Food Packaging and Manufacturing															S		24	
Furniture and Cabinet Manufacturing															P		25	
Office Showroom															P		25	
Oil and Gas Extraction	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	See Ch. 3.1	24	
Plumbing, HVAC and Electrical Trades Shops														P	P		8	

*Colleyville, Texas, Land Development Code*

Printing and Publishing - Commercial																					<b>P</b>			8
Research and Development Labs																					<b>P</b>			8
Scientific Instrument Assembly and Manufacturing																					<b>P</b>			8
Self-Storage Facilities (mini-warehouse)																					<b>S</b>			24
Upholstery and Furniture Repair Shops																				<b>P</b>	<b>P</b>			8
Warehouse and Distribution Facilities																					<b>S</b>			24
Wood, Paper or Leather Products																					<b>P</b>			25
Manufacturing not elsewhere listed																					<b>S</b>			24
Welding or Machine Shop																					<b>P</b>			25
Wholesale Store/Supply																					<b>P</b>			25
Wholesale Store/Supply with outdoor storage																					<b>S</b>			24

E. Outdoor Storage; Screening and Hours of Operations

<b>Zoning Districts</b>		<b>Outdoor Storage Allowed</b>	<b>Screening Requirements Adjacent to Single Family</b>	<b>Hours of Operation</b>
CPO	Professional Office Commercial	No	8'	Daytime only
CN	Neighborhood Commercial	No	8'	Daytime only
CC1	Village Retail	No	8'	24 hours
CC2	Shopping Center	No	8'	24 hours
CC3	Highway Commercial	Yes*	8'	24 hours
ML	Light Manufacturing - Industrial	Yes*	8'	24 hours

\*Only authorized after approval of a Special Use Permit by the City Council



# CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

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**Agenda Number** 6e

**Agenda Date** 5/12/2026

**Number** Ordinance O-26-2368

**Type** Ordinance

**Department** City Manager

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## **Title**

Amending Chapter 86 (streets, sidewalks and other public places) of the City of Colleyville Code of Ordinances to adopt a Division 2; adopting safety restrictions for the use of motorized carts within the City

## **Explanation**

### ***Second Reading and Public Hearing***

There were no speakers regarding this item at the May 5, 2026, City Council meeting.

### ***First Reading and Public Hearing***

City Council discussed and considered golf cart regulations at the City Council Worksessions on February 7, and April 21, 2026. Based on the discussion and review with staff and the City Attorney, the proposed ordinance will provide for the operation and use of motorized carts within the City.

Highlights of the proposed ordinance include defining motorized carts, ATVs, low speed vehicles, and neighborhood electric vehicles. Providing for a list of prohibited streets as Cheek-Sparger Road, Hall-Johnson Road, and Pool Road, and provides for safety equipment on the motorized vehicle. Exhibit A provides for the complete regulations for use and operation of motorized carts in Colleyville.

## **Financial Impact**

There is no financial impact to the City.

## **Attachments**

1. Ordinance O-26-2368
2. Exhibit A - Golf Cart Regulations

## **ORDINANCE O-26-2368**

**AMENDING CHAPTER 86 (STREETS, SIDEWALKS AND OTHER PUBLIC PLACES) OF THE CITY OF COLLEYVILLE CODE OF ORDINANCES TO ADOPT A DIVISION 2; ADOPTING SAFETY RESTRICTIONS FOR THE USE OF MOTORIZED CARTS WITHIN THE CITY; AMENDING THE TITLE(S) TO REFLECT THE ADOPTION OF THE SAME; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS,** the City of Colleyville, Texas (the "City") is a home-rule municipality having full powers of self-government and may enact ordinances relative to its citizens' health, safety, and welfare that are not inconsistent with the Constitution and laws of the State; and

**WHEREAS,** the Colleyville City Council (the "City Council") finds and determines the passage of this ordinance as necessary to protect the public, health, safety, and welfare; and

**WHEREAS,** the City Council finds and determines that the regulations herein are necessary and proper for carrying out its power to protect the government interest, welfare, and good order of the City; and

**WHEREAS,** the City Council finds and determines that the following regulations are necessary to promote safety in the use of Motorized Carts within the City; and

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

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

Sec. 1. THAT all the forgoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

- Sec. 2. THAT Chapter 86 "Streets, Sidewalks, and Other Public Places" is hereby amended to include a new Division 2 in Article I entitled "Use and Operation of Motorized Carts", as provided in "Exhibit A", and to amend the Title of Article 1 and Division 1 to reflect the same.
- Sec. 3. THAT any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in Section 1-7 of the City of Colleyville Code of Ordinances, and upon conviction shall be punishable by a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense.
- Sec. 4. THAT all provisions of the Code of Ordinances of the City of Colleyville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.
- Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 6. THAT this ordinance shall take effect immediately from and after its passage subject to the publication of the caption, as the law or charter in such cases may provide.

**AND IT IS SO ORDERED.**

The first reading and public hearing being conducted on the 5<sup>th</sup> day of May 2026.

The second reading and public hearing being conducted on the 12<sup>th</sup> day of May 2026.

APPROVED BY A VOTE OF \_ AYES, \_ NAYS, ON THIS THE 12<sup>TH</sup> DAY OF MAY 2026.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

**ATTEST:**

**CITY OF COLLEYVILLE**

Christine Loven, TRMC  
City Secretary

Bobby Lindamood  
Mayor

**APPROVED AS TO FORM:**

Sarah Ross  
City Attorney

**EXHIBIT A  
ORDINANCE O-26-2368**

**"CHAPTER 86 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES... "  
Article 1 - USE AND OPERATION OF ELECTRONIC BICYCLES,  
ELECTRONIC SCOOTERS, AND MOTORIZED CARTS (GOLF CARTS)**

...

**DIVISION 2. USE AND OPERATION OF MOTORIZED CARTS.**

**Sec. 86-6. Applicability/Exemptions**

**A. Applicability.**

- 1. Motorized Cart or Cart.** Except as expressly provided herein, the provisions of this Division shall apply to all Motorized Carts operated upon a Street or other specifically designated area within the City of Colleyville.
- 2. ATV and Similar Vehicles.** Nothing in this Article permits the operation of those motorized conveyances commonly referred to as ATVs, four-wheelers, mules, gators, go-carts, and any similar gas-powered conveyance on a public roadway within the City of Colleyville, except when utilized by authorized City personnel for City business.
- 3. Low Speed Vehicle and Neighborhood Electric Vehicles.** Low Speed Vehicles (LSV's) and Neighborhood Electric Vehicles (NEV's) are authorized by the Transportation Code to be registered as a motor vehicle. If operated on the Streets of the City of Colleyville, LSV's and NEV's shall be required to meet all State and Federal safety standards and be registered as motor vehicles in accordance with the Texas Transportation Code.

**B. Exemptions.** The following use or operation of a Motorized Cart shall be exempt from the regulations of this Article:

- 1. Golf Course.** The operation of either a privately owned Motorized Cart or a Motorized Cart owned or leased by a golf course or other third party when the Cart is used only on the golf course or used only to cross a roadway from one section of a golf course to another section of the same course: or
- 2. Gated or Private Planned Community.** The operation of a Motorized

Cart within a gated, private, or limited access community with private streets, a uniform set of restrictive covenants, and a City approved plat, unless traffic enforcement has been requested by the homeowners living within the community and the City Council has approved their request; or

- 3. Official City Business.** A Motorized Cart is used or operated by personnel for the City of Colleyville on official police business or for official business of the City on property owned by or leased to the City; or
- 4. Transportation to/from Golf Course - Daytime Only.** The operation of a Motorized Cart upon a public street with a posted speed limit of not more than thirty-five (35) miles per hour if the golf cart complies with all requirements of the Texas Transportation Code, as amended, for the operation of a Cart, is operated during the daytime only and not more than two (2) miles from the location where the golf cart is usually parked and for transportation to or from a golf course; or
- 5. Parade, Festival or Special Event.** The operation of a Motorized Cart when the Cart is used in connection with a parade, festival or other City authorized or sponsored special event, the written consent of the sponsor is obtained, and the Cart is only used as part of such parade, festival or special event. Further, a Motorized Cart used in connection with such parade, festival, or special event shall comply with all requirements set forth in the City issued Special Event Permit for the parade, festival, or other special event.

**Sec. 86-7. Definitions.** The following words, terms, and phrases, when used in this Article, shall have the meanings provided below, except where the context clearly indicates a different meaning.

- A. Daytime Operation** means operation of a Cart during the period beginning one-half hour before sunrise and ending one-half hour after sunset.
- B. Driver** means a person driving and having physical control over a vehicle, including but not limited to a Motorized Cart.

- C. *Driver's License*** means an authorization issued by a State for the operation of a motor vehicle, including but not limited to a temporary license, provisional license, instructional permit, and an occupational license.
- D. *Low Speed Vehicle (LSV)*** means a motor vehicle that is four (4) wheeled and has an attainable top speed of more than twenty (20) miles per hour and not more than twenty-five (25) miles per hour on a paved level surface, which is manufactured or retrofitted in compliance with those federal motor vehicle safety standards for low-speed vehicles, and has a weight of less than 3,000 pounds.
- E. *Motorized Cart or Cart*** means those electric or gasoline powered carts, commonly referred to as golf carts, but which must have a minimum of four (4) wheels, and which have an attainable top speed of less than twenty (20) miles per hour on a paved level surface. Specifically excluded from this definition are those motorized conveyances commonly referred to as Low-Speed Vehicles (LSV's), Neighborhood Electric Vehicles (NEV's), ATVs, four-wheelers, mules, gators, and go-carts.
- F. *Owner*** means a Person who holds title to or who leases a Motorized Cart for his/her own personal use or for the use of a third party, whether for private or for commercial retail purposes.
- G. *Parking Area*** means those areas accessible to the public by motor vehicular traffic and which are designated for temporary parking of motor vehicles, usually in places referred to as parking lots.
- H. *Person*** means an individual, corporation, partnership, joint venture, or any other business entity.
- I. *Sidewalk*** means the portion of a Street that is between a curb or lateral line of a roadway and the adjacent property line and intended for pedestrian use.
- J. *Slow-Moving-Vehicle-Emblem*** means a triangular emblem that conforms to standards and specifications and displayed in accordance with Chapter 547 of the Texas Transportation Code, as amended.
- K. *Street(s)*** means the public roadways of the City of Colleyville and the private roadways for which the Texas Transportation Code has been applied by Council action regardless of its designation as a road, alley, avenue, highway, route, boulevard, etc. that:

- a. has a posted speed limit of thirty-five (35) miles per hour or less; or
- b. provides for no more than two (2) lanes of vehicular traffic per direction; or
- c. is not designated as part of either the State or Federal highway system.

**L. *Traffic Way*** is any land way open to the public as a matter of right or custom for moving persons or property from one place to another. The Traffic Way includes all property, both improved and unimproved, between the property lines of a roadway system.

### **Sec. 86-8. Operational Regulations**

- A. Operation of Cart/Compliance with Traffic Laws.** Except as provided herein, while operating a Motorized Cart upon Street(s) of the City a Driver shall comply with all laws applicable to Carts and other motor vehicles as set forth in this Code, the Texas Transportation Code, as amended, and other State laws. A Driver shall be subject to citation for all violations of this Article, the Texas Transportation Code, and other applicable State law. Only Daytime Operation is permitted pursuant to this Division, unless exempt.
- B. Prohibited Streets.** Motorized Carts shall not be driven on (1) Cheek-Sparger Road, (2) Hall-Johnson Road, or (3) Pool Road.
- C. Driver's License Required.** A Driver of a Motorized Cart shall be at least sixteen (16) years of age, hold a valid Texas Driver License and shall abide by all state and local traffic regulations applicable to vehicular traffic when operating a Motorized Cart upon the Streets and Parking Areas of the City.
- D. Sidewalk or Pedestrian Way.** A Driver shall not operate a Motorized Cart on any Sidewalk, pedestrian walkway, jogging path, park trail or any location normally used for pedestrian traffic, unless such operation is by Police or other authorized City personnel acting in an official capacity and performing an official duty.
- E. Crossing Intersections.** A Driver shall not operate a Motorized Cart upon any portion of a Street or Traffic Way having a posted speed greater than thirty-five (35) miles per hour; provided however, that a Person may cross an intersection, including a road or street that has a posted speed limit of more than thirty-five (35) miles per hour as

authorized by the Texas Transportation Code, as amended. A Driver of a Motorized Cart may cross a multi-lane or a federal, county or state route only at an intersection controlled by an official traffic control device which stops traffic from all directions.

- F. Lane Usage.** A Motorized Cart is entitled to full use of a lane on the authorized Streets and Parking Areas of the City and no motor vehicle shall be driven in such a manner as to deprive any Motorized Cart of the full use of a lane. A Driver shall not operate a Motorized Cart between lanes of traffic or between adjacent lines or rows of vehicles.
- G. Passing.** A Driver of a Motorized Cart shall not overtake and pass in the same lane occupied by the vehicle being overtaken.
- H. Maximum Number of Occupants.** The number of occupants in a Motorized Cart shall be limited to the number of persons for whom seating capacity is provided on the vehicle. The operator and all occupants shall be seated upon the seat of the vehicle and no part of the body of the operator or occupant shall extend outside the perimeter of the vehicle while the vehicle is being operated except while signaling turns or stops. A Driver shall not permit any occupant of a Cart to ride in the lap of any occupant or stand on the rear of the vehicle while the vehicle is in motion. No pets may ride in a Driver's lap.
- I. Parking.** A Driver of a Motorized Cart may park a Cart only in the same manner and at the same places designated for the parking of motor vehicles. The stopping, standing or parking of Motorized Carts in an area where parking is not allowed or in any place or manner that impedes the flow of traffic, pedestrian walkways or a passageway is prohibited. A Driver shall not park a Motorized Cart within a space designated for disabled persons unless a current disabled parking placard is displayed on the Cart and the person to whom the placard was issued is operating or being transported in the Motorized Cart. Notwithstanding the foregoing, a property owner may designate an area outside of a Parking Area specifically for the use of Motorized Carts, provided that the area is marked with appropriate signage and that the parking of a Cart in that area does not obstruct a fire lane, ingress or egress to a building, and does not interfere with the flow of vehicular traffic in a Parking Area.
- J. Towing Prohibited.** Except as expressly allowed in this Article, Motorized Carts shall not be used for the purpose of towing another Cart, trailer, vehicle of any kind or a Person, including without limitation a Person on roller skates, skateboard, bicycle, or other wheeled device.

A person employed by a golf course may tow a Cart for the purpose of relocating the Cart from one portion of a golf course to another portion of the same golf course and may cross a roadway while doing so.

**Sec. 86-9. Equipment Regulations—Operation of a Motorized Cart**

**A. General.** It shall be unlawful for a Person to operate a Motorized Cart on the Streets of the City if the Motorized Cart does not meet all minimum equipment standards, if required liability insurance for the Cart is not maintained, or if a Person fails to comply with any other requirement of this Article.

**B. Required Equipment.**

**1. Safety Equipment.** Except as expressly exempted from this Article, each Motorized Cart permitted and operated upon a Street(s) within the City shall be required to meet the minimum equipment standards specified in this Article:

- a. Operational headlamps (2 required)
- b. Operational tail lamps (2 required)
- c. Side reflectors (2 front: amber in color and 2 rear: red in color)
- d. Front and rear turn signal lamps
- e. Stop lamps (2 required)
- f. Operational parking brake
- g. An exterior mirror mounted on the Driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror (capable of a clear unobstructed view of at least two hundred (200) feet to the rear)
- h. Safety belts for driver and all riders
- i. Slow-Moving-Vehicle-Emblem on the rear
- j. Horn (audible for a distance of two hundred (200) feet in compliance with Texas Transportation Code, Section 547.501, as amended)
- k. A windshield.

All required equipment for a Motorized Cart shall meet Texas and Federal Motor Vehicle Safety Standards.

**C. Exhaust System for Gasoline Powered Motorized Carts.** In addition to the above listed equipment, every Motorized Cart powered by gasoline shall at all times be equipped with an exhaust system in good working order, in constant operation and meeting the following specifications:

1. The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or including any and all parts specified by the manufacturer.
2. The exhaust system and its elements shall be securely fastened with brackets or hangers, which are designed for the particular purpose of fastening motorized cart exhaust systems

**D. Atmospheric Emissions.** It shall be unlawful for the Owner of any Motorized Cart to operate or permit the operation of such Cart without a properly installed device controlling or abating atmospheric emissions. It shall be unlawful for a Cart Owner, Cart Manufacturer or any other third party to render such emissions device unserviceable by removal, alteration or by any other action which interferes with its operation.

**Sec. 86-10. Penalty.**

Any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in Section 1-7 of the City of Colleyville Code of Ordinances, and upon conviction shall be punishable by a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense.

**Secs. 86-11-86-25. - Reserved.**

**EXHIBIT A  
ORDINANCE O-26-2368**

**"CHAPTER 86 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES... "  
Article 1 - USE AND OPERATION OF ELECTRONIC BICYCLES,  
ELECTRONIC SCOOTERS, AND MOTORIZED CARTS (GOLF CARTS)**

...

**DIVISION 2. USE AND OPERATION OF MOTORIZED CARTS.**

**Sec. 86-6. Applicability/Exemptions**

**A. Applicability.**

- 1. Motorized Cart or Cart.** Except as expressly provided herein, the provisions of this Division shall apply to all Motorized Carts operated upon a Street or other specifically designated area within the City of Colleyville.
- 2. ATV and Similar Vehicles.** Nothing in this Article permits the operation of those motorized conveyances commonly referred to as ATVs, four-wheelers, mules, gators, go-carts, and any similar gas-powered conveyance on a public roadway within the City of Colleyville, except when utilized by authorized City personnel for City business.
- 3. Low Speed Vehicle and Neighborhood Electric Vehicles.** Low Speed Vehicles (LSV's) and Neighborhood Electric Vehicles (NEV's) are authorized by the Transportation Code to be registered as a motor vehicle. If operated on the Streets of the City of Colleyville, LSV's and NEV's shall be required to meet all State and Federal safety standards and be registered as motor vehicles in accordance with the Texas Transportation Code.

**B. Exemptions.** The following use or operation of a Motorized Cart shall be exempt from the regulations of this Article:

- 1. Golf Course.** The operation of either a privately owned Motorized Cart or a Motorized Cart owned or leased by a golf course or other third party when the Cart is used only on the golf course or used only to cross a roadway from one section of a golf course to another section of the same course: or

2. **Gated or Private Planned Community.** The operation of a Motorized Cart within a gated, private, or limited access community with private streets, a uniform set of restrictive covenants, and a City approved plat, unless traffic enforcement has been requested by the homeowners living within the community and the City Council has approved their request; or
3. **Official City Business.** A Motorized Cart is used or operated by personnel for the City of Colleyville on official police business or for official business of the City on property owned by or leased to the City; or
4. **Transportation to/from Golf Course - Daytime Only.** The operation of a Motorized Cart upon a public street with a posted speed limit of not more than thirty-five (35) miles per hour if the golf cart complies with all requirements of the Texas Transportation Code, as amended, for the operation of a Cart, is operated during the daytime only and not more than two (2) miles from the location where the golf cart is usually parked and for transportation to or from a golf course; or
5. **Parade, Festival or Special Event.** The operation of a Motorized Cart when the Cart is used in connection with a parade, festival or other City authorized or sponsored special event, the written consent of the sponsor is obtained, and the Cart is only used as part of such parade, festival or special event. Further, a Motorized Cart used in connection with such parade, festival, or special event shall comply with all requirements set forth in the City issued Special Event Permit for the parade, festival, or other special event.

**Sec. 86-7. Definitions.** The following words, terms, and phrases, when used in this Article, shall have the meanings provided below, except where the context clearly indicates a different meaning.

- A. **Daytime Operation** means operation of a Cart during the period beginning one-half hour before sunrise and ending one-half hour after sunset.
- B. **Driver** means a person driving and having physical control over a vehicle, including but not limited to a Motorized Cart.

- C. *Driver's License*** means an authorization issued by a State for the operation of a motor vehicle, including but not limited to a temporary license, provisional license, instructional permit, and an occupational license.
- D. *Low Speed Vehicle (LSV)*** means a motor vehicle that is four (4) wheeled and has an attainable top speed of more than twenty (20) miles per hour and not more than twenty-five (25) miles per hour on a paved level surface, which is manufactured or retrofitted in compliance with those federal motor vehicle safety standards for low-speed vehicles, and has a weight of less than 3,000 pounds.
- E. *Motorized Cart or Cart*** means those electric or gasoline powered carts, commonly referred to as golf carts, but which must have a minimum of four (4) wheels, and which have an attainable top speed of less than twenty (20) miles per hour on a paved level surface. Specifically excluded from this definition are those motorized conveyances commonly referred to as Low-Speed Vehicles (LSV's), Neighborhood Electric Vehicles (NEV's), ATVs, four-wheelers, mules, gators, and go-carts.
- F. *Owner*** means a Person who holds title to or who leases a Motorized Cart for his/her own personal use or for the use of a third party, whether for private or for commercial retail purposes.
- G. *Parking Area*** means those areas accessible to the public by motor vehicular traffic and which are designated for temporary parking of motor vehicles, usually in places referred to as parking lots.
- H. *Person*** means an individual, corporation, partnership, joint venture, or any other business entity.
- I. *Sidewalk*** means the portion of a Street that is between a curb or lateral line of a roadway and the adjacent property line and intended for pedestrian use.
- J. *Slow-Moving-Vehicle-Emblem*** means a triangular emblem that conforms to standards and specifications and displayed in accordance with Chapter 547 of the Texas Transportation Code, as amended.
- K. *Street(s)*** means the public roadways of the City of Colleyville and the private roadways for which the Texas Transportation Code has been applied by Council action regardless of its designation as a road, alley, avenue, highway, route, boulevard, etc. that:

- a) has a posted speed limit of thirty-five (35) miles per hour or less;  
or
- b) provides for no more than two (2) lanes of vehicular traffic per direction; or
- c) is not designated as part of either the State or Federal highway system.

**L. *Traffic Way*** is any land way open to the public as a matter of right or custom for moving persons or property from one place to another. The Traffic Way includes all property, both improved and unimproved, between the property lines of a roadway system.

### **Sec. 86-8. Operational Regulations**

- A. Operation of Cart/Compliance with Traffic Laws.** Except as provided herein, while operating a Motorized Cart upon Street(s) of the City a Driver shall comply with all laws applicable to Carts and other motor vehicles as set forth in this Code, the Texas Transportation Code, as amended, and other State laws. A Driver shall be subject to citation for all violations of this Article, the Texas Transportation Code, and other applicable State law. Only Daytime Operation is permitted pursuant to this Division, unless exempt.
- B. Prohibited Streets.** Motorized Carts shall not be driven on (1) Cheek-Sparger Road, (2) Hall-Johnson Road, or (3) Pool Road.
- C. Driver's License Required.** A Driver of a Motorized Cart shall be at least sixteen (16) years of age, hold a valid Texas Driver License and shall abide by all state and local traffic regulations applicable to vehicular traffic when operating a Motorized Cart upon the Streets and Parking Areas of the City.
- D. Sidewalk or Pedestrian Way.** A Driver shall not operate a Motorized Cart on any Sidewalk, pedestrian walkway, jogging path, park trail or any location normally used for pedestrian traffic, unless such operation is by Police or other authorized City personnel acting in an official capacity and performing an official duty.
- E. Crossing Intersections.** A Driver shall not operate a Motorized Cart upon any portion of a Street or Traffic Way having a posted speed greater than thirty-five (35) miles per hour; provided however, that a Person may cross an intersection, including a road or street that has a

posted speed limit of more than thirty-five (35) miles per hour as authorized by the Texas Transportation Code, as amended. A Driver of a Motorized Cart may cross a multi-lane or a federal, county or state route only at an intersection controlled by an official traffic control device which stops traffic from all directions.

- F. Lane Usage.** A Motorized Cart is entitled to full use of a lane on the authorized Streets and Parking Areas of the City and no motor vehicle shall be driven in such a manner as to deprive any Motorized Cart of the full use of a lane. A Driver shall not operate a Motorized Cart between lanes of traffic or between adjacent lines or rows of vehicles.
- G. Passing.** A Driver of a Motorized Cart shall not overtake and pass in the same lane occupied by the vehicle being overtaken.
- H. Maximum Number of Occupants.** The number of occupants in a Motorized Cart shall be limited to the number of persons for whom seating capacity is provided on the vehicle. The operator and all occupants shall be seated upon the seat of the vehicle and no part of the body of the operator or occupant shall extend outside the perimeter of the vehicle while the vehicle is being operated except while signaling turns or stops. A Driver shall not permit any occupant of a Cart to ride in the lap of any occupant or stand on the rear of the vehicle while the vehicle is in motion. No pets may ride in a Driver's lap.
- I. Parking.** A Driver of a Motorized Cart may park a Cart only in the same manner and at the same places designated for the parking of motor vehicles. The stopping, standing or parking of Motorized Carts in an area where parking is not allowed or in any place or manner that impedes the flow of traffic, pedestrian walkways or a passageway is prohibited. A Driver shall not park a Motorized Cart within a space designated for disabled persons unless a current disabled parking placard is displayed on the Cart and the person to whom the placard was issued is operating or being transported in the Motorized Cart. Notwithstanding the foregoing, a property owner may designate an area outside of a Parking Area specifically for the use of Motorized Carts, provided that the area is marked with appropriate signage and that the parking of a Cart in that area does not obstruct a fire lane, ingress or egress to a building, and does not interfere with the flow of vehicular traffic in a Parking Area.
- J. Towing Prohibited.** Except as expressly allowed in this Article, Motorized Carts shall not be used for the purpose of towing another Cart, trailer, vehicle of any kind or a Person, including without limitation

a Person on roller skates, skateboard, bicycle, or other wheeled device. A person employed by a golf course may tow a Cart for the purpose of relocating the Cart from one portion of a golf course to another portion of the same golf course and may cross a roadway while doing so.

### **Sec. 86-9. Equipment Regulations—Operation of a Motorized Cart**

**A. General.** It shall be unlawful for a Person to operate a Motorized Cart on the Streets of the City if the Motorized Cart does not meet all minimum equipment standards, if required liability insurance for the Cart is not maintained, or if a Person fails to comply with any other requirement of this Article.

#### **B. Required Equipment.**

**1. Safety Equipment.** Except as expressly exempted from this Article, each Motorized Cart permitted and operated upon a Street(s) within the City shall be required to meet the minimum equipment standards specified in this Article:

- a. Operational headlamps (2 required)
- b. Operational tail lamps (2 required)
- c. Side reflectors (2 front: amber in color and 2 rear: red in color)
- d. Front and rear turn signal lamps
- e. Stop lamps (2 required)
- f. Operational parking brake
- g. An exterior mirror mounted on the Driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror (capable of a clear unobstructed view of at least two hundred (200) feet to the rear)
- h. Safety belts for driver and all riders
- i. Slow-Moving-Vehicle-Emblem on the rear
- j. Horn (audible for a distance of two hundred (200) feet in compliance with Texas Transportation Code, Section 547.501, as amended)
- k. A windshield.

All required equipment for a Motorized Cart shall meet Texas and Federal Motor Vehicle Safety Standards.

**C. Exhaust System for Gasoline Powered Motorized Carts.** In addition to the above listed equipment, every Motorized Cart powered by gasoline shall at all times be equipped with an exhaust system in good working order, in constant operation and meeting the following specifications:

1. The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or including any and all parts specified by the manufacturer.
2. The exhaust system and its elements shall be securely fastened with brackets or hangers, which are designed for the particular purpose of fastening motorized cart exhaust systems

**D. Atmospheric Emissions.** It shall be unlawful for the Owner of any Motorized Cart to operate or permit the operation of such Cart without a properly installed device controlling or abating atmospheric emissions. It shall be unlawful for a Cart Owner, Cart Manufacturer or any other third party to render such emissions device unserviceable by removal, alteration or by any other action which interferes with its operation.

**Sec. 86-10. Penalty.**

Any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in Section 1-7 of the City of Colleyville Code of Ordinances, and upon conviction shall be punishable by a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense.

**Secs. 86-11-86-25. - Reserved.**



## CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

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**Agenda Number** 7a

**Agenda Date** 5/12/2026

**Number** Resolution R-26-5148

**Type** Resolution

**Department** Community Development

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### **Title**

Consideration of a variance to the provisions of Section 3.24.G Schedule of District Regulations of the Land Development Code on Lot 14, Block 3, Lakes of Somerset, zoned R-20 Single-Family Residential, located at 4608 Alexandra Drive, Case VC26-005

### **Explanation**

#### ***Reading and Public Hearing***

Todd Jenkins, the applicant, has submitted a request for variance to the provisions of Section 3.24.G, Schedule of District Regulations of the Land Development Code, for the lot setback regulations in the R-20 Single-Family Residential district.

**Requested Variance:** The applicant is requesting a variance to the lot setback regulations to permit the construction of an attached pergola. The request would reduce the side setback from 10 feet to 6 feet.

**Existing Conditions/Background:** The subject property, 4608 Alexandra Drive, is zoned R-20 Single Family Residential and is developed with a single-family home. It is located southwest of the intersection of Alexandra Drive and Chatsworth Drive.

**Plat Status:** The subject property is platted as Lot 14, Block 3, Lakes of Somerset.

**DRC Review:** The Development Review Committee reviewed the request during their April 20, 2026, meeting and the case has been scheduled for the May 12, 2026, City Council meeting.

**Surrounding Development:** The properties to the north, south, east, and west are zoned R-20 Single-Family Residential and are improved with single-family homes.

**Comprehensive Plan:** The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for residential development. The proposed request for a residential development complies with the future land use designation.

**Public Notification:** Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1,000 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code.

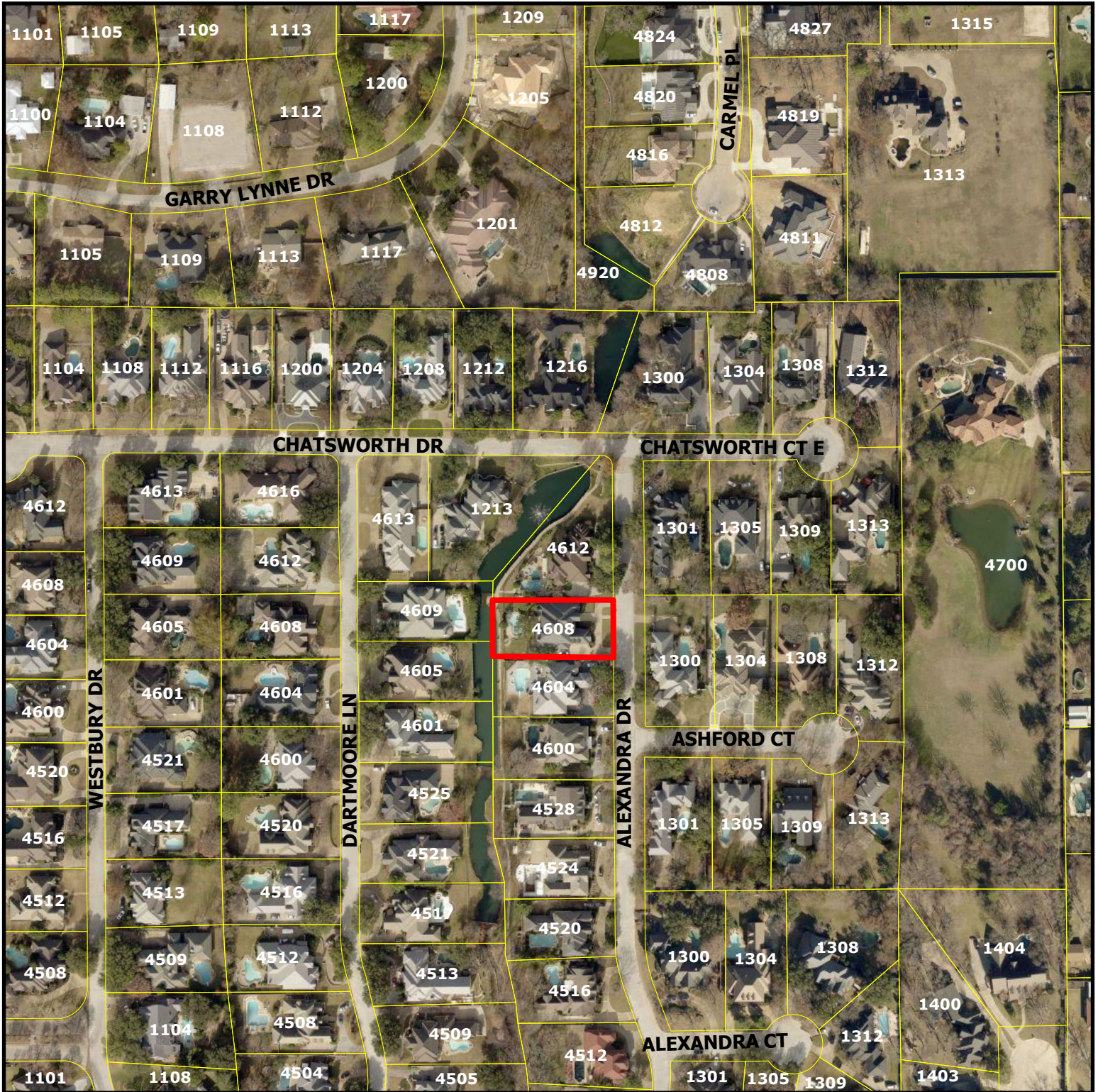
**Financial Impact**

There is no financial impact to the City.

**Attachments**

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Site Plan
6. Elevations
7. Letter of Support
8. Notification Map
9. Notification Letter
10. Resolution R-26-5148

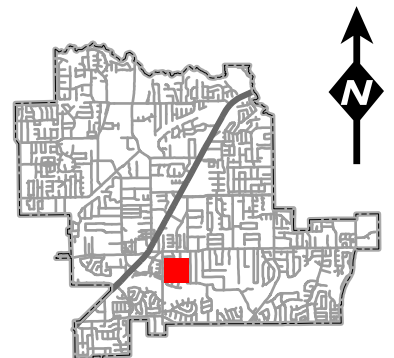
# Aerial Map



## VC26-005

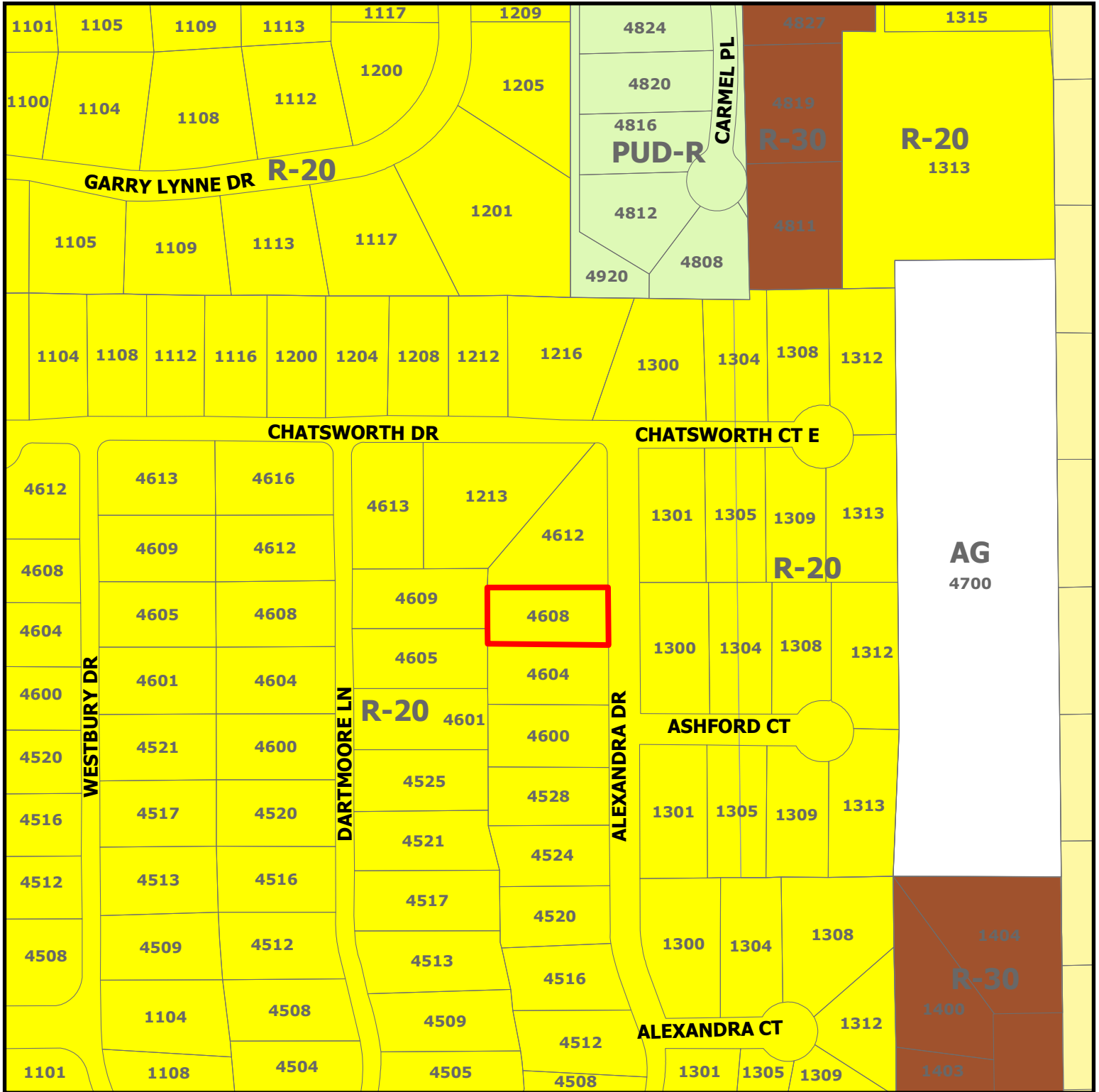
4608 Alexandra Drive

 Subject Property



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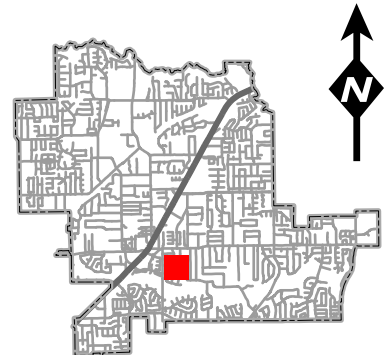
# Zoning Map



## VC26-005

4608 Alexandra Drive

 Subject Property



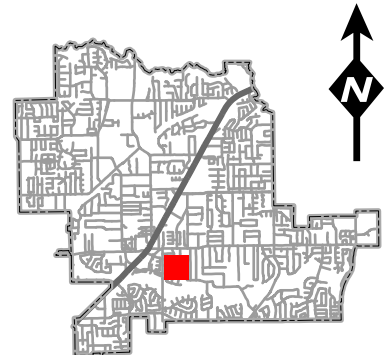
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# Future Land Use Map



**VC26-005**

4608 Alexandra Drive



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- Residential
- Subject Property



## JENKINS ROOFING CO., INC.

1615 W Abram St #110

Arlington, TX 76013

Office (972) 264-8091

Email: [todd@jenkinsroofing.com](mailto:todd@jenkinsroofing.com)

City of Colleyville  
100 Main St,  
Colleyville, TX 76034

**RE: Variance Request for Setback — 4608 Alexandra Dr Colleyville TX 76034**  
Permit Number: **BLDR-011054-2026**

To Whom It May Concern,

On behalf of the property owner, Kevin Kuykendall, we respectfully submit this request for a variance from the City of Colleyville zoning ordinance to allow for the construction of an attached pergola structure located approximately six (6) feet from the side property line at the above-referenced address.

The objective of this request is to construct a high-quality, attached cedar pergola that enhances the usability, functionality, and overall aesthetic of the existing outdoor living space. The proposed structure is designed to be architecturally consistent with the existing residence and surrounding neighborhood, contributing positively to the property and adjacent homes.

This request is driven by conditions specific to the property, including the layout of the existing residence, lot configuration, and the desire to integrate the pergola as a cohesive extension of the existing covered patio. Strict adherence to the current setback requirements would significantly limit the ability to reasonably design and construct the space in a manner that aligns with the home's existing layout and intended use of the outdoor living space.

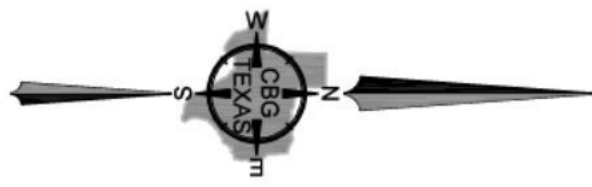
The variance requested represents the minimum deviation necessary to achieve this objective. The pergola is a non-enclosed structure that will not create issues related to drainage, privacy, or obstruction, and will have minimal visual impact on the adjacent properties.

**Additionally, the directly adjacent property owner has been fully informed of the proposed structure and its location and has expressed no objection. In fact, they have indicated their support, noting that the addition will positively contribute to the appearance and value of the neighboring properties.**

This request is not self-imposed, but rather a result of the existing conditions and layout of the property. Granting this variance will allow for a reasonable and appropriate improvement while maintaining the spirit and intent of the City's zoning regulations.

We respectfully request approval of this variance.

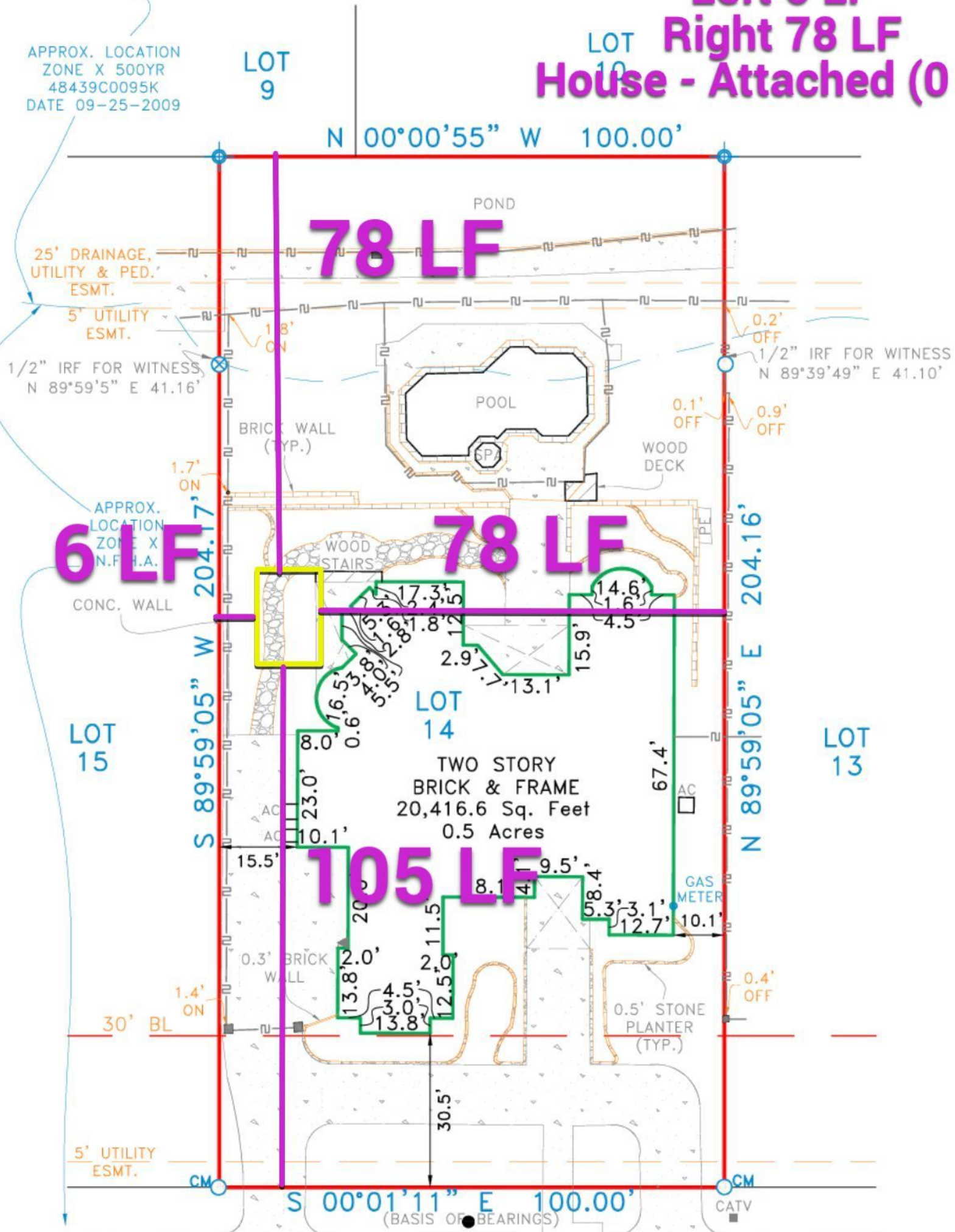
Todd Jenkins | President  
Jenkins Roofing  
817-881-3748



# Structure Setbacks

Front 105 LF  
Back 78 LF  
Left 6 LF  
Right 78 LF  
House - Attached (0 LF)

APPROX. LOCATION  
ZONE X 500YR  
48439C0095K  
DATE 09-25-2009



100.00' TO VISIBILITY  
CORNER OF ASHFORD  
COURT.

**ALEXANDRA DRIVE**  
50' R.O.W.

WATER METER

CATV

GAS METER

AC

LOT 14

TWO STORY  
BRICK & FRAME  
20,416.6 Sq. Feet  
0.5 Acres

LOT 15

LOT 13

LOT 9

LOT 10



March 19, 2026

City of Colleyville Zoning Board of Adjustment/Sign Board of Appeals  
and the Planning & Zoning Commission  
City Hall  
100 Main Street  
Colleyville, TX 76034

**Re: Support for Pergola Variance – 4608 Alexandra Drive, Colleyville, TX**

To the Zoning Board:

I am the adjacent property owner (4604 Alexandra Dr) to Kevin Kuykendall at 4608 Alexandra Drive, Colleyville TX 76034. I have reviewed the plans for the proposed pergola, including its placement within six (6) feet of our shared property line, and I have no objections.

The existing fence line features established bushes that provide ample privacy between our properties. I believe this structure will enhance the appearance and value of the surrounding neighborhood.

I fully support approval of this project. Please contact me at 214-763-3450 if you need anything further.

Respectfully,

A handwritten signature in black ink, appearing to read 'Heath Stallings', with a long horizontal flourish extending to the right.

Heath Stallings  
4604 Alexandra Dr (Adjacent Property Owner)  
Colleyville, TX 76034  
214-763-3450

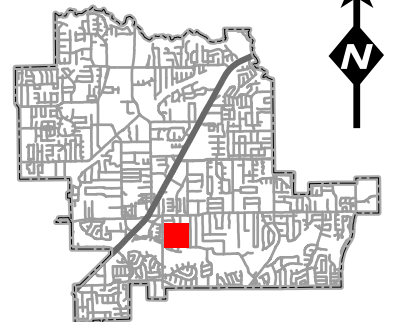
# Notification Map



## VC26-005

4608 Alexandra Drive

- Subject Property
- Buffer
- Parcels to be notified



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## NOTICE OF PUBLIC HEARING

«Owner Name»

«Owner Address»

«Owner City» «Owner Zip»

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

**City Council Meeting: Tuesday, May 12, 2026 at 7:00 p.m.  
3rd floor of City Hall, 100 Main Street, Colleyville, Texas**

**Request:** Consideration of a variance to the provisions of Section 3.24.G Schedule of District Regulations of the Land Development Code on Lot 14, Block 3, Lakes of Somerset, zoned R-20 Single-Family Residential, located at 4608 Alexandra Drive, Case VC26-005. The applicant is requesting to reduce the side setback from 15 feet to 6 feet.

**Zoning Case:** VC26-005

**Applicant:** Todd Jenkins

**Owner:** Kevin Kuykendall

**Location:** 4608 Alexandra Drive

**Property Description:** Lot 14, Block 3, Lakes of Somerset

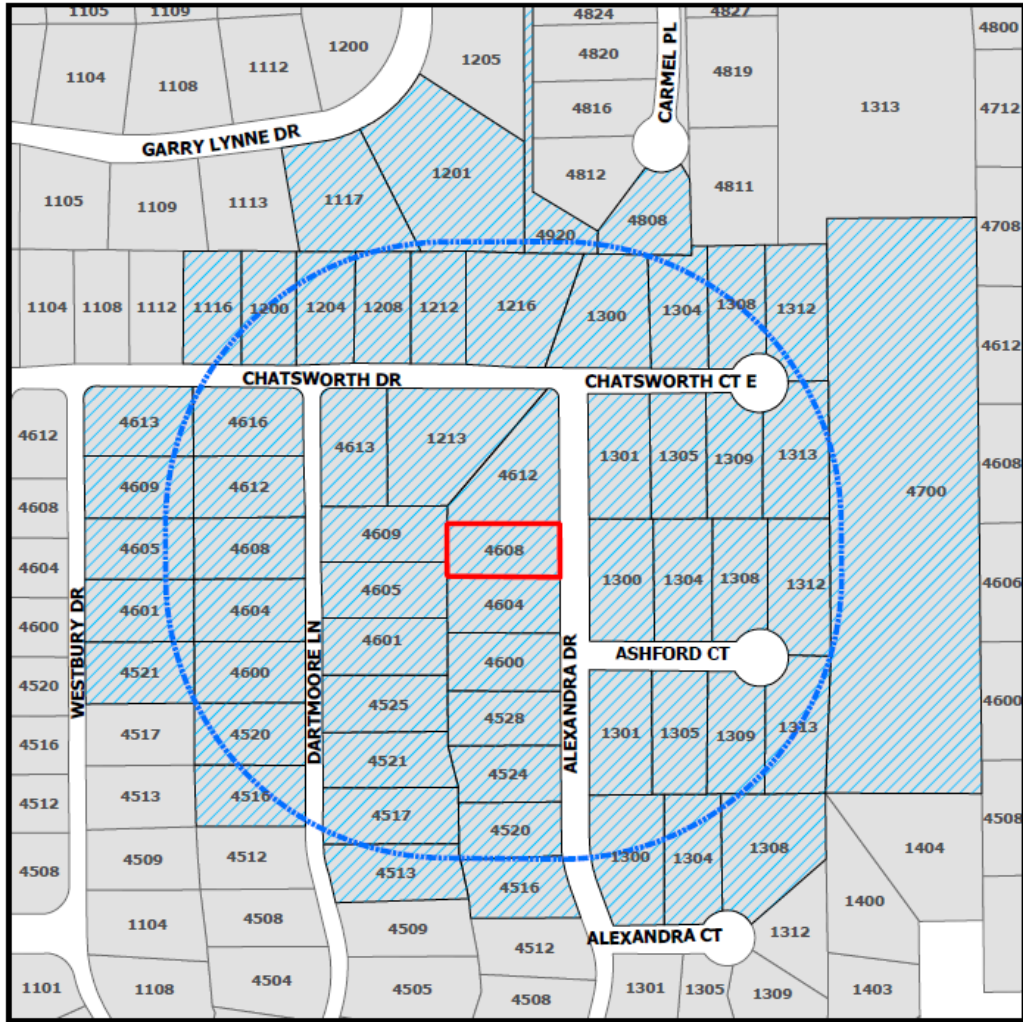
**Present Zoning:** R-20 Single-Family Residential

This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners' associations within 1000 feet. This variance is being processed in accordance with Section 1.13 of the Land Development Code, which allows property owners to request a variance to deviate from standards such as setbacks, lot dimensions, or coverage.

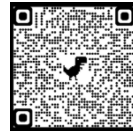
All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address or email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

**Community Development Department  
City of Colleyville  
100 Main Street  
Colleyville, TX 76034  
[Citizenletters@Colleyville.com](mailto:Citizenletters@Colleyville.com)**

# NOTICE OF PUBLIC HEARING



The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas 76034. A brief project description can be found online on the Agenda Packet and Active Development Case map (please use your phone's camera to scan QR code below):



For additional information, please contact the Community Development Department at 817.503.1050. Please reference the case number when requesting information.

*Daniel Ponder*  
Daniel Ponder  
Planning Manager

**RESOLUTION R-26-5148**

**A RESOLUTION APPROVING A REQUEST FOR A VARIANCE TO THE PROVISIONS OF SECTION 3.24.G SCHEDULE OF DISTRICT REGULATIONS OF THE LAND DEVELOPMENT CODE, SPECIFICALLY FOR THE SIDE SETBACK, IN THE R-20 SINGLE-FAMILY RESIDENTIAL DISTRICT, FOR LOT 14, BLOCK 3, LAKES OF SOMERSET, LOCATED AT 4608 ALEXANDRA DRIVE**

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

- Sec. 1. THAT the variance to allow for the side lot setback to be approximately 6 feet, in the R-20 Single-Family Residential district located at 4608 Alexandra Drive (the "Property"), as depicted in Exhibit "A" and Exhibit "B" hereto, is approved.
- Sec. 2. THAT this Resolution shall become effective immediately upon passage; provided that, the variance for the Property shall become effective immediately upon the conditions stated herein being fully satisfied.

**AND IT IS SO RESOLVED.**

APPROVED BY A VOTE OF \_ AYES, \_ NAYS ON THIS THE 12<sup>TH</sup> DAY OF MAY 2026.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

**ATTEST:**

**CITY OF COLLEYVILLE**

Christine Loven, TRMC  
City Secretary

Bobby Lindamood  
Mayor

# Exhibit "A"

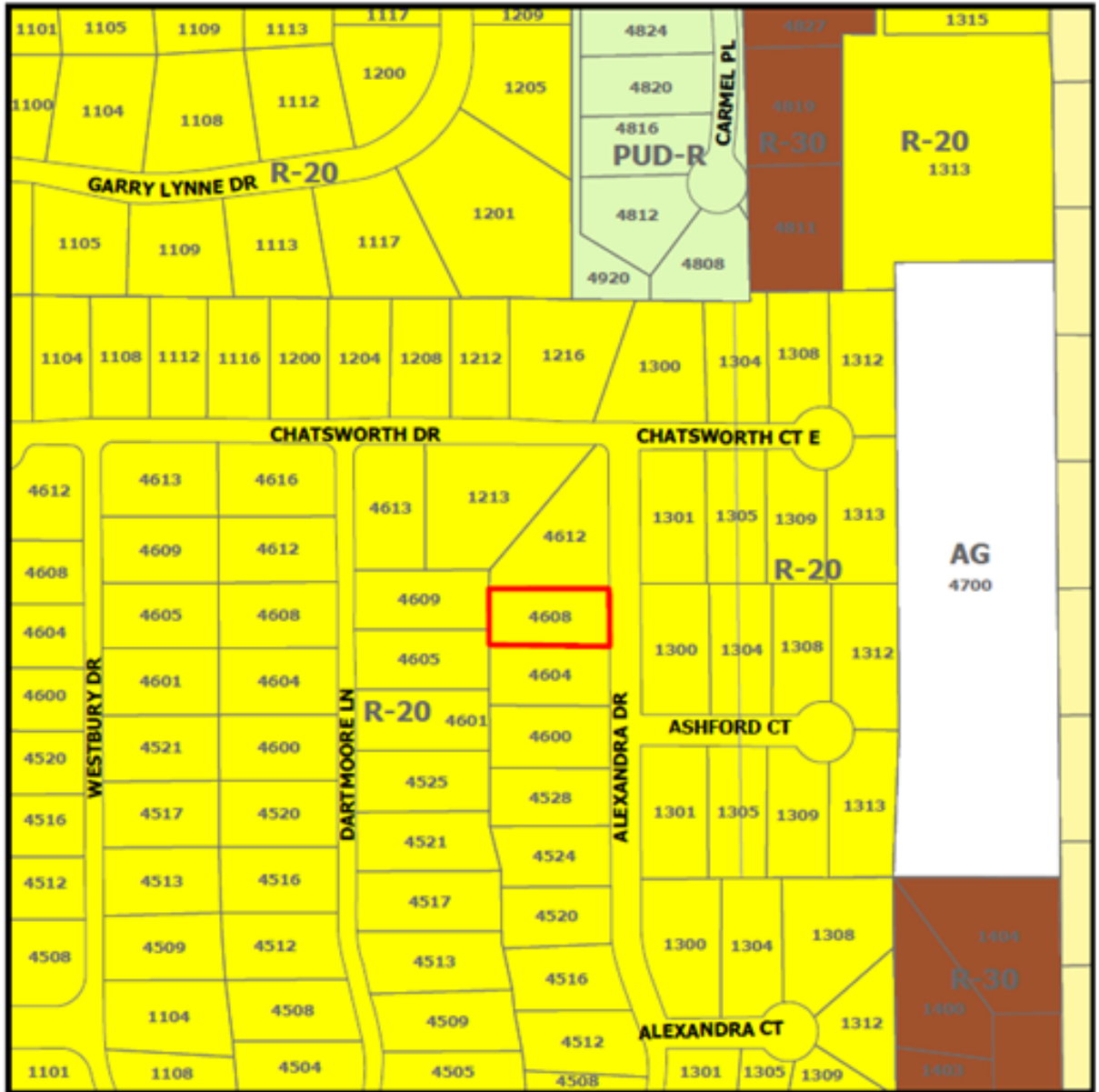
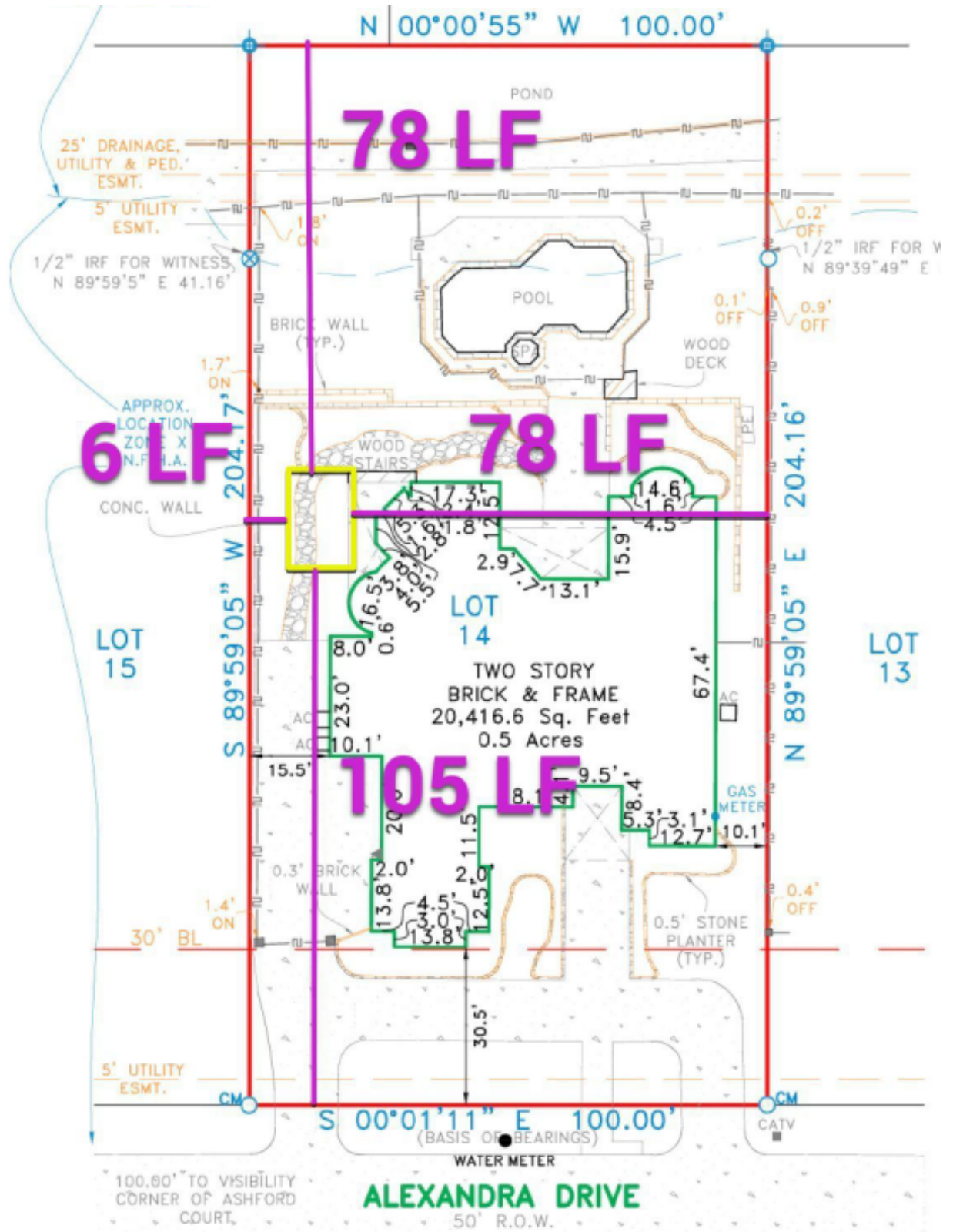


Exhibit "B"





# CITY OF COLLEYVILLE CITY COUNCIL BRIEFING

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**Agenda Number** 7b

**Agenda Date** 5/12/2026

**Number** Resolution R-26-5149

**Type** Resolution

**Department** Community Development

---

## **Title**

Consideration of a variance to the provisions of Section 3.24.G Schedule of District Regulations of the Land Development Code on Lot 10, Block 14, Ross Downs Estates, zoned PUD-R Planned Unit Development -Residential, located at 6406 Meade Drive, Case VC26-006

## **Explanation**

### ***Reading and Public Hearing***

Aaron & Rebecca Osborne, the applicants, have submitted a request for variance to the provisions of Section 3.24.G, Schedule of District Regulations of the Land Development Code, for the lot setback regulations and lot coverage regulations in the PUD-R Planned Unit Development Residential district.

**Requested Variance:** The applicant is requesting a variance to the lot setback regulations and the lot coverage regulations to permit the construction of an addition to the existing home. The request would reduce the rear setback from 25 feet to 17 feet and permit 30.1% lot coverage. The maximum permitted lot coverage is 30%.

**Existing Conditions/Background:** The subject property, 6406 Meade Drive, is zoned PUD-R Planned Unit Development Residential and is developed with a single-family home. It is located southwest of the intersection of Meade Drive and Frances Drive.

**Plat Status:** The subject property is platted as Lot 10, Block 14, Ross Downs Estates.

**DRC Review:** The Development Review Committee reviewed the request during their April 20, 2026, meeting and the case has been scheduled for the May 12, 2026, City Council meeting.

**Surrounding Development:** The properties to the north, south, east, and west are zoned PUD-R Planned Unit Development Residential and are improved with single-family homes.

**Comprehensive Plan:** The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for residential development. The proposed request for a residential development complies with the future land use designation.

**Public Notification:** Staff mailed notices to all property owners within 500 feet as well

as any Homeowners Associations within 1,000 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code.

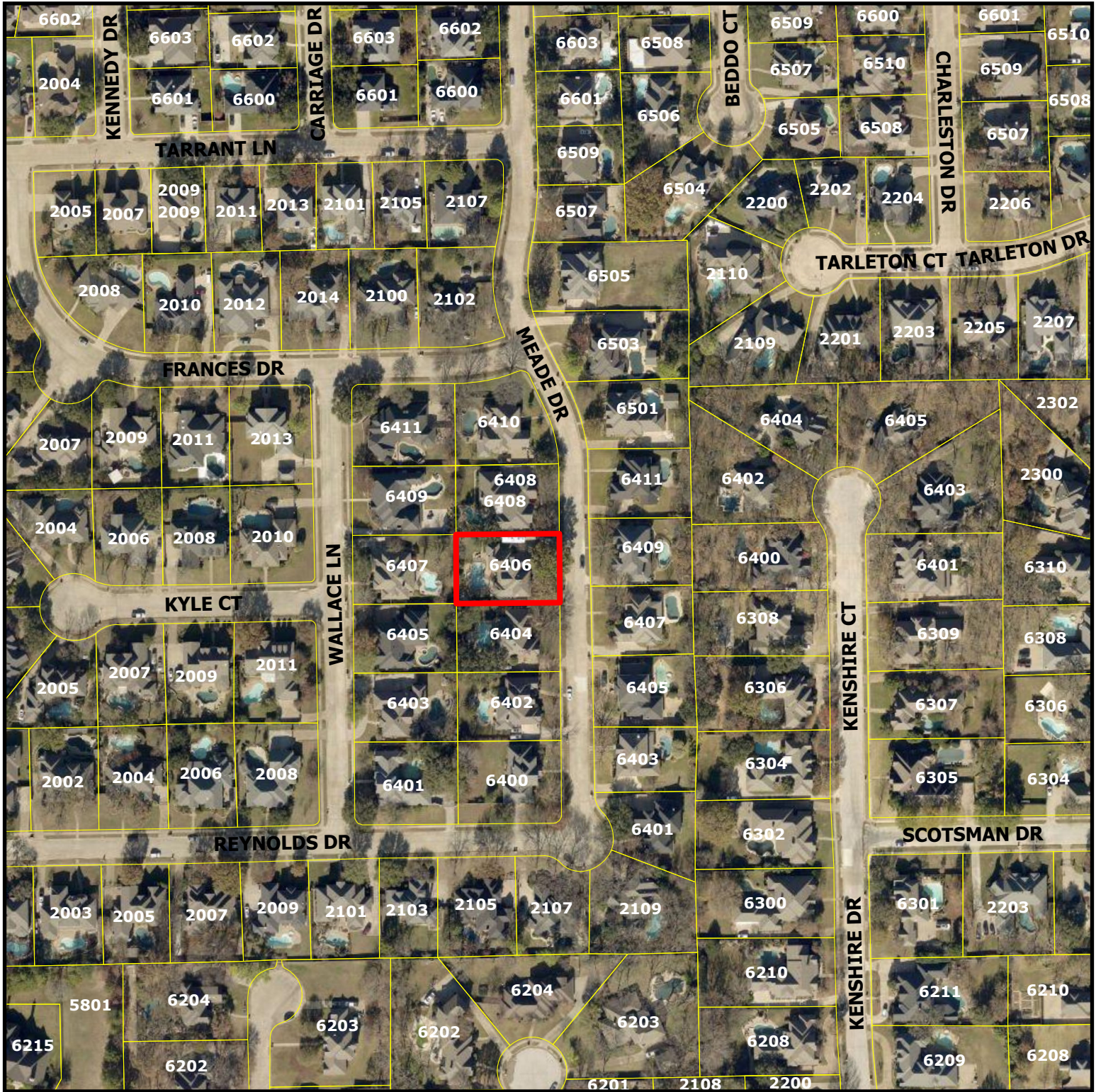
**Financial Impact**

There is no financial impact to the City.

**Attachments**

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Site Plan
6. Impervious Coverage Exhibit
7. Letter of Support
8. Notification Map
9. Notification Letter
10. Resolution R-26-5149

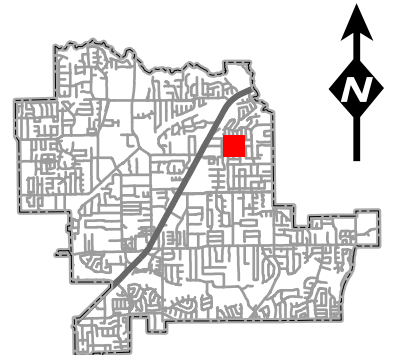
# Aerial Map



## VC26-006

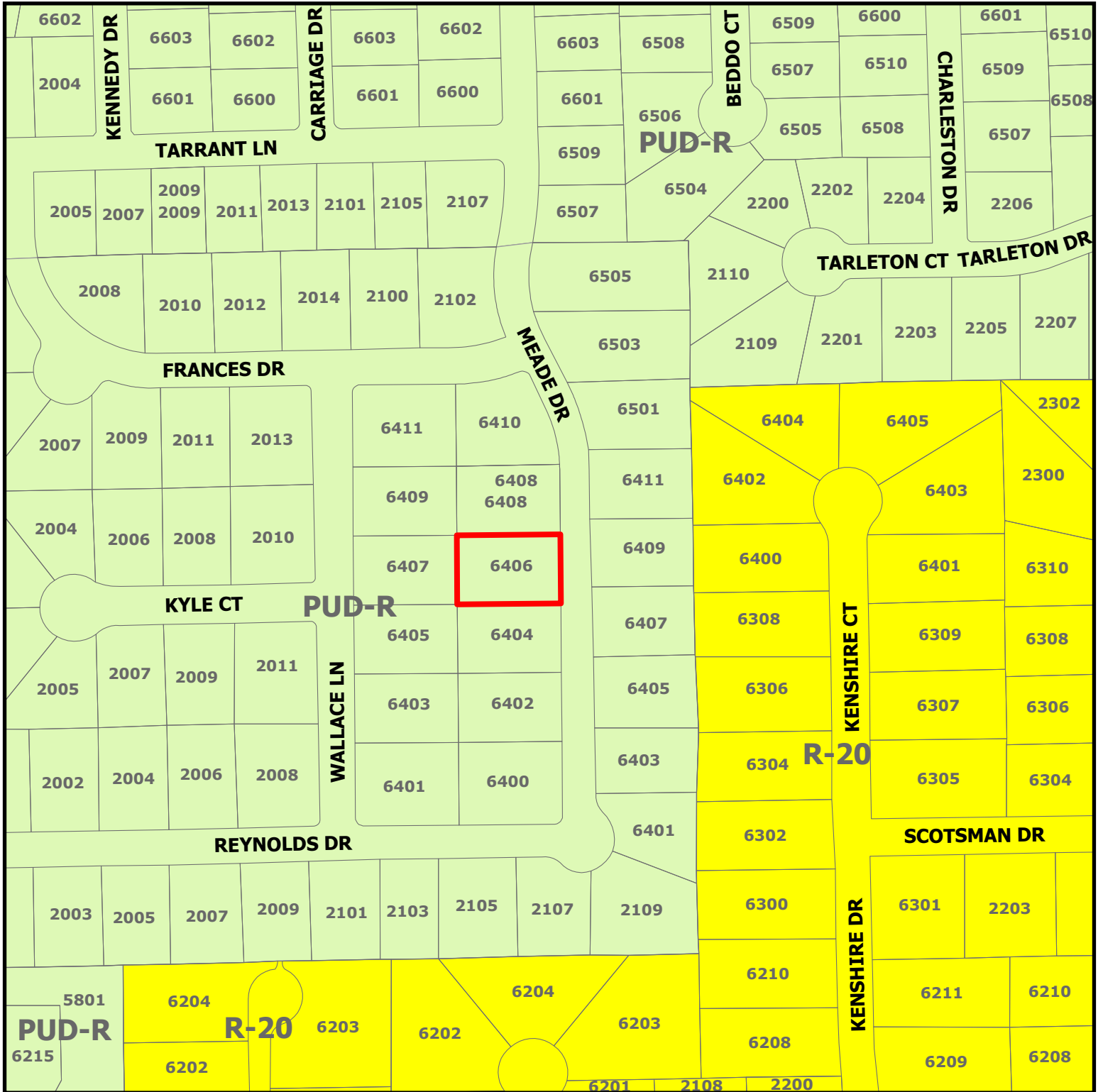
6406 Meade Drive

 Subject Property



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# Zoning Map



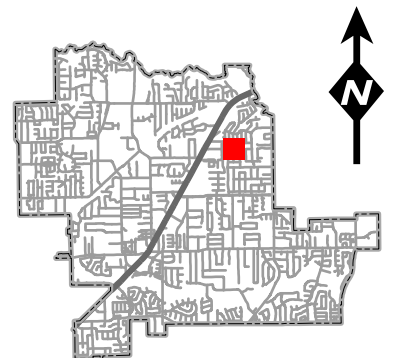
**VC26-006**

6406 Meade Drive



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 Subject Property



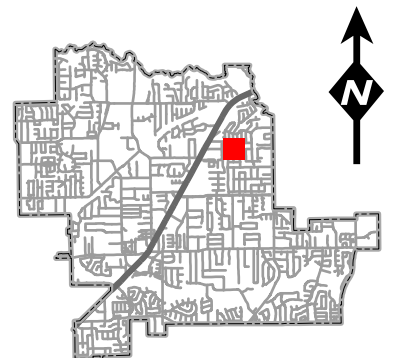
# Future Land Use Map



## VC26-006

6406 Meade Drive

- Residential
- Open Space; Parks
- Subject Property



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## SUMMARY OF PROJECT and PLANNING OBJECTIVES

DATE: April 8, 2026

TO: City of Colleyville Planning and Zoning Department

We are requesting approval of a zoning variance in connection with a proposed addition to our home at 6406 Meade Drive. This project is intended to accommodate the needs of our growing family. We have four children now and are planning to welcome Rebecca's parents into our home when the addition is complete.

The proposed design adds about 600 square-feet of ground area to create a suite for our parents, expanding on an existing bedroom that will be relocated upstairs for our son. A key design goal is to provide a private ground floor space designed for accessibility based on ADA guidelines to accommodate our aging parents. Detailed plans of the proposed improvements are included with this application.

To pursue this addition, we respectfully request a variance to allow an 8-foot encroachment into the current 25-foot rear setback, resulting in a minimum setback of 17 feet from the rear property line. This adjustment is necessary to provide a first-floor living space that can be designed to meet accessibility needs and safely accommodate our parents. Without this variance, achieving an accessible layout would require substantial and cost-prohibitive alterations to the existing home structure and in-ground pool, making the project impossible for us.

The proposed addition has been carefully designed to match the architectural style, materials, and overall quality of the existing residence. We believe the project will be consistent with the character of the neighborhood and will not negatively impact adjacent properties or their value. Furthermore, the request is driven by unique family needs and site constraints rather than a desire for special privilege.

For these reasons, we respectfully request your consideration and approval of this variance. We appreciate your time and thoughtful review of our application.

Aaron & Rebecca Osborne

LOT 4

LOT 3

LOT 2

10' X 10' TRANSFORMER PAD EASEMENT (per plat)

10' DRAINAGE & UTILITY EASEMENT (per plat)

N 00° 39' 16" W 100.00'

Found 1/2" iron rod bears N 30° 09' 28" E 0.55'

Found 1/2" iron rod bears N 27° 35' 30" W 0.42'

5' UTILITY EASEMENT (per plat)

S 89° 20' 44" W 150.00'

N 89° 20' 44" E 150.00'

LOT 9

LOT 11

TWO STORY BRICK 6406 MEADE DRIVE

326.86' TO REYNOLDS DRIVE (per plat)

30' BUILDING LINE (per plat)

Found "x" iron rod 208.00'

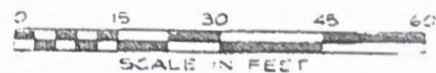
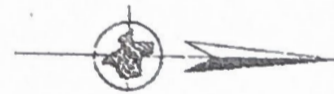
LOT 10 BLOCK 14

Found punch hole

S 00° 39' 16" E 100.00'

MEADE DRIVE

(50' R.O.W.)



NOTES: BEARINGS ARE BASED ON PLAT. THIS SURVEY IS VALID ONLY WITH ORIGINAL SIGNATURE IN BLACK INK.

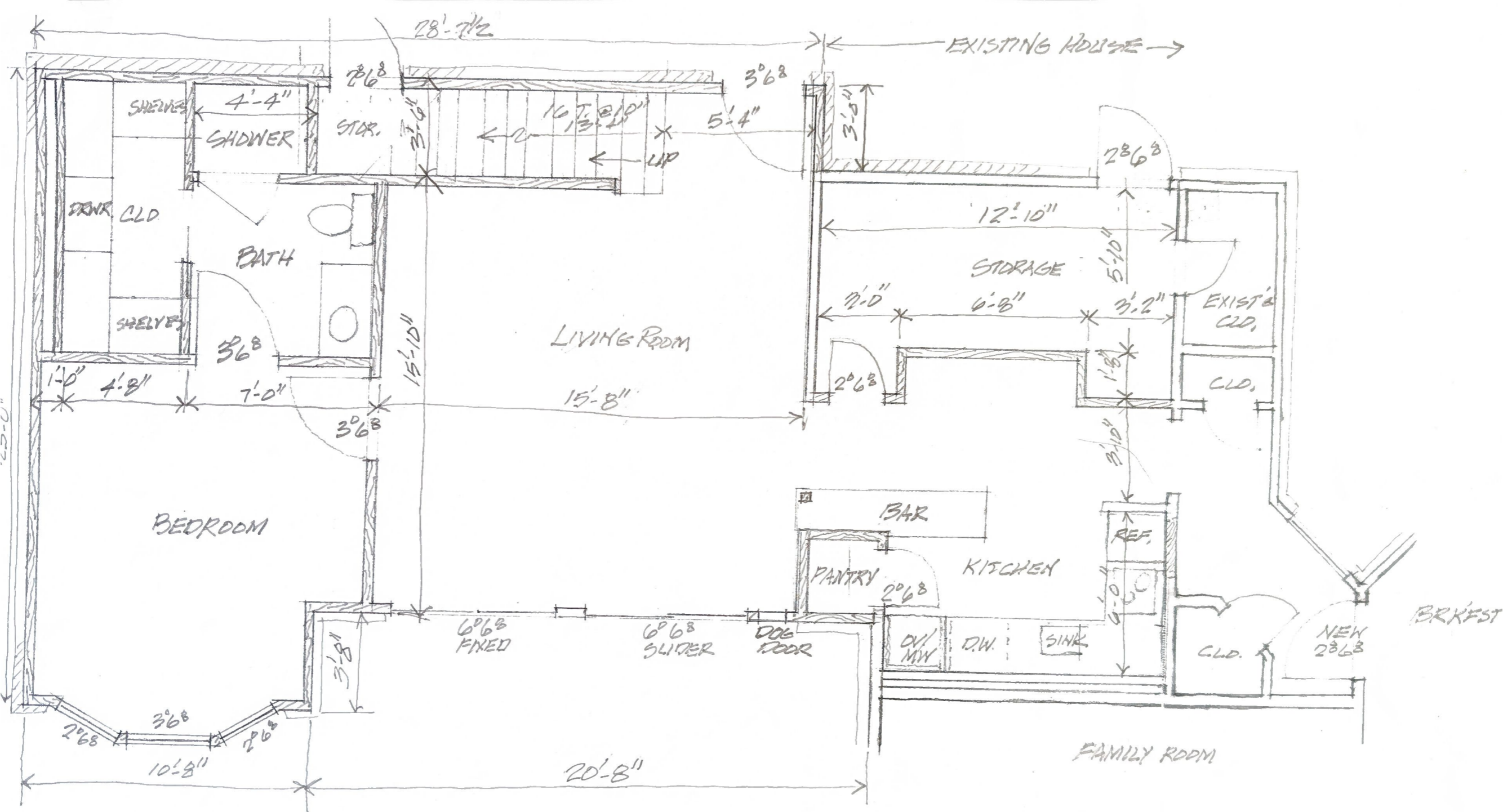
THIS IS TO DECLARE that on this date a survey was made on the ground, under my direction and supervision of the property located at 6406 MEADE DRIVE, and Being Lot 10, Block 14, ROSS DOWNS ESTATES V. an Addition to the City of Colleyville, Tarrant County, Texas, according to the revised plat thereof recorded in Cabinet A, Slide 1499, of the Plat Records of Tarrant County, Texas.

There are no visible conflicts or protrusions, except as shown.

The subject property does not appear to lie within the limits of a 100-year flood hazard zone according to the map published by the Federal Emergency Management Agency, and has a Zone "X" Rating as shown by Map No. 48439CC195 H, dated AUGUST 2, 1995. The statement that the property does or does not lie within a 100-year flood zone is not to be taken as a representation that the property will or will not flood. This Survey is not to be used for construction purposes and is for the exclusive use of the hereon named purchaser, mortgage company, and title company only and this survey is made pursuant to that one certain title commitment under the GF number shown hereon, provided by the title company named hereon.

ACCEPTED BY:	DATE:
DATE: 08/13/01	FIRST AMERICAN TITLE
DATE FIELD: 08/13/01	GF NO. 08106289-023-JLS
REVISED:	
JOB NO: 201-2885 TECH: SG	
MAPSCO NO: 40-B FIELD: TP	

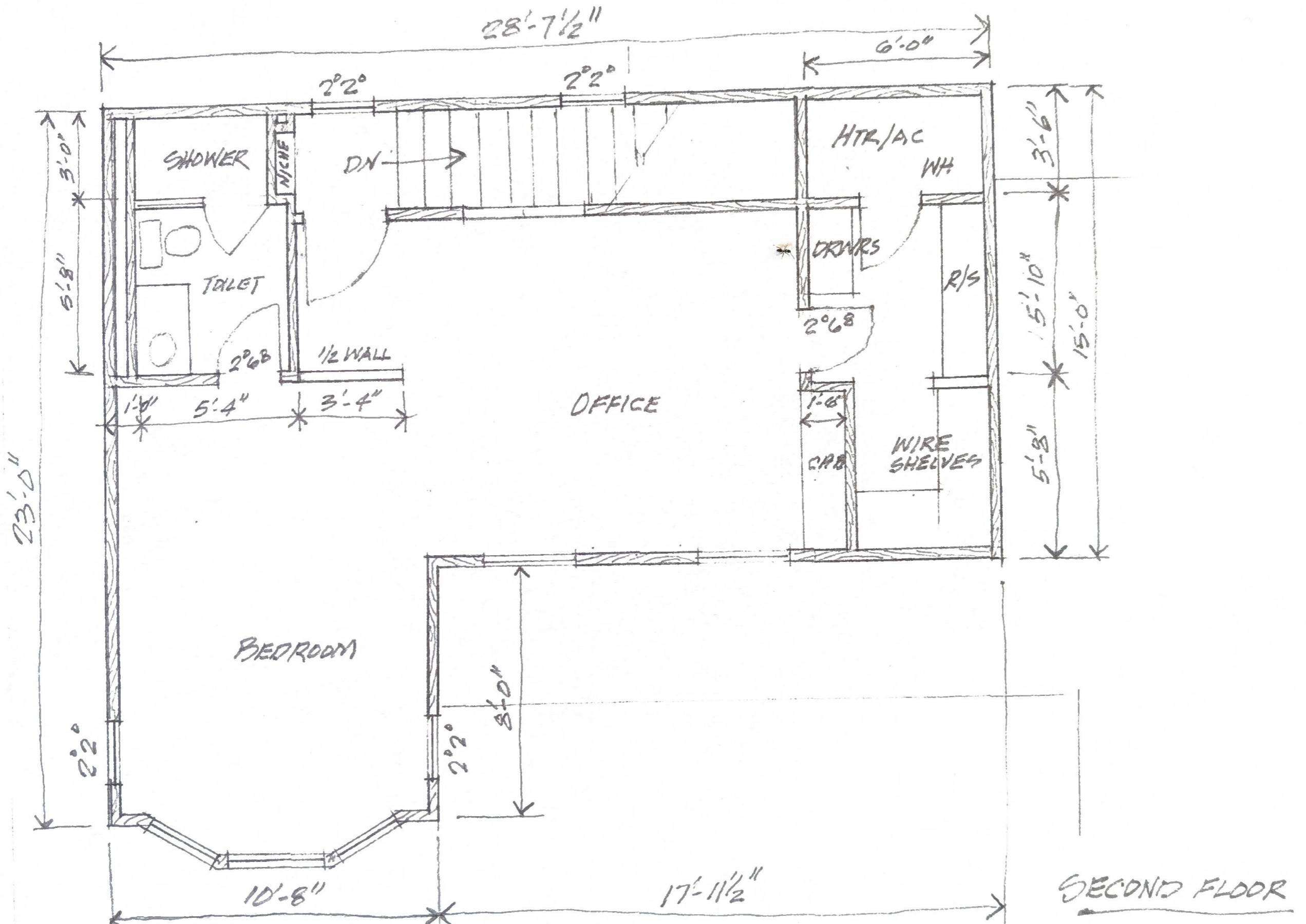




OSBORNE RESIDENCE ADDITION  
 6406 MEADE DRIVE, COLLEYVILLE, TX

FIRST FLOOR





OSBORNE RESIDENCE ADDITION  
 6406 MEADE DRIVE, COLLEYVILLE, TX

SECOND FLOOR  
 ↑  
 NORTH

**City of Colleyville Impervious Coverage Worksheet**

		Building Square Foot
<b>Existing</b>	Dwelling + Garage	3649
	Covered Porch	51
	Covered Patio	70
	Accessory Structures	18
	Other roofed areas	-
<b>New</b>	Dwelling + Garage	4238
	Covered Porch	192
	Covered Patio	70
	Accessory Structures	18
	Other roofed areas	-

		Paved + Pool/Spa Square Foot
Driveway	1376	
Sidewalk	200	
Uncovered Patio	-	
Uncovered Deck	-	
Pool/Spa (Surface area)	597	
Pool/Spa Deck (surface area)	1422	
Sport Court	60	
Driveway	1776	
Sidewalk	200	
Uncovered Patio	-	
Uncovered Deck	-	
Pool/Spa (Surface area)	597	
Pool/Spa Deck (surface area)	1345	
Sport Court	60	

<b>Total (Under Roof)</b>	<b>4518</b>
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<b>Total Uncovered</b>	<b>3978</b>	<b>Total Impervious (Under roof + Uncovered)</b>	<b>8496</b>
------------------------	-------------	--	-------------

<b>Total Under Roof/Lot Size</b>	<b>30.1 %</b>
----------------------------------	---------------

<b>Total Impervious/Lot Size</b>	<b>56.6 %</b>
----------------------------------	---------------

<b>Lot Size (sq. feet)</b>	<b>15,000</b>	SF
----------------------------	---------------	----

Statement of Neighbor Support

RE: Proposed Residential Addition at 6406 Meade Drive, Colleyville, Texas

To the Colleyville Community Development Department:

We, the undersigned, are the owners/residents of the properties immediately adjacent to Aaron and Rebecca Osborne, at 6406 Meade Drive, and we have been briefed on the plans for the proposed addition to their residence in order to build a small suite for Rebecca's parents.

After reviewing the general scope, scale, and design of the project, we wish to formally state the following:

We have no objections to the proposed construction or the necessary permits required to complete it.

We believe the addition is compatible with the character of our neighborhood.

We appreciate the proactive communication from our neighbors regarding this project.

We fully support the approval of this application and look forward to seeing the completed project.

Name(s): Lawrence & Karen Smith  
Address: 6408 Meade Dr, Colleyville, TX 76034

Statement of Neighbor Support

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To the Colleyville Community Development Department:

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We fully support the approval of this application and look forward to seeing the completed project.

Name(s): Adam Denne

Address: 6409 MEADE DR

Statement of Neighbor Support

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To the Colleyville Community Development Department:

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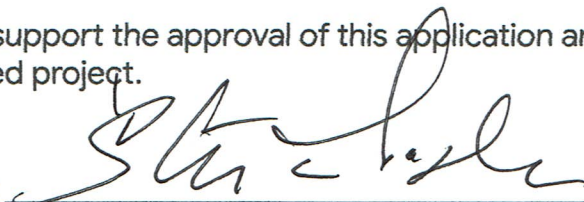
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Name(s):



Address:

6406 Meade Dr.

Statement of Neighbor Support

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To the Colleyville Community Development Department:

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We fully support the approval of this application and look forward to seeing the completed project.

Name(s): RAT O'HANLON




Address: 6407 WALLACE LN

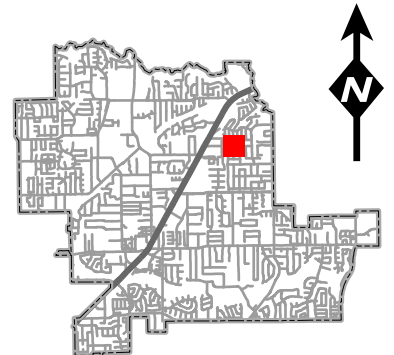
# Notification Map



## VC26-006

6406 Meade Drive

-  Subject Property
-  Buffer
-  Parcels to be notified



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



## NOTICE OF PUBLIC HEARING

«Owner Name»

«Owner Address»

«Owner City» «Owner Zip»

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

**City Council Meeting: Tuesday, May 12, 2026 at 7:00 p.m.  
3rd floor of City Hall, 100 Main Street, Colleyville, Texas**

- Request:** Consideration of a variance to the provisions of Section 3.24.G Schedule of District Regulations of the Land Development Code on Lot 10, Block 14, Ross Downs Estates, zoned R-20 Single-Family Residential, located at 6406 Meade Drive, Case VC26-006. The applicant is requesting to reduce the rear setback from 25 feet to 17 feet.
- Zoning Case:** VC26-006
- Applicant/Owner:** Aaron and Rebecca Osborne
- Location:** 6406 Meade Drive
- Property Description:** Lot 10, Block 14, Ross Down Estates
- Present Zoning:** PUD-R Planned Unit Development Residential

This notice has been sent to all owners of real property within 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners' associations within 1000 feet. This variance is being processed in accordance with Section 1.13 of the Land Development Code, which allows property owners to request a variance to deviate from standards such as setbacks, lot dimensions, or coverage.

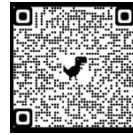
All interested persons are encouraged to attend the public hearing and express their opinions on the zoning change request. If you are unable to attend, but wish to have your opinions made a part of the public record, please submit written comments prior to the public hearing, to the address or email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

**Community Development Department  
City of Colleyville  
100 Main Street  
Colleyville, TX 76034  
[Citizenletters@Colleyville.com](mailto:Citizenletters@Colleyville.com)**

## NOTICE OF PUBLIC HEARING



The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas 76034. A brief project description can be found online on the Agenda Packet and Active Development Case map (please use your phone's camera to scan QR code below):



For additional information, please contact the Community Development Department at 817.503.1050. Please reference the case number when requesting information.

*Daniel Ponder*

Daniel Ponder  
Planning Manager

**RESOLUTION R-26-5149**

**A RESOLUTION APPROVING A REQUEST FOR A VARIANCE TO THE PROVISIONS OF SECTION 3.24.G SCHEDULE OF DISTRICT REGULATIONS OF THE LAND DEVELOPMENT CODE, SPECIFICALLY FOR THE REAR SETBACK, IN THE PUD-R PLANNED UNIT DEVELOPMENT RESIDENTIAL DISTRICT, FOR LOT 10, BLOCK 14, ROSS DOWNS ESTATES, LOCATED AT 6406 MEADE DRIVE**

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

- Sec. 1. THAT the variance to allow for the rear lot setback to be approximately 17 feet, in the PUD-R Planned Unit Development Residential district located at 6406 Meade Drive (the "Property"), as depicted in Exhibit "A" and Exhibit "B" hereto, is approved.
- Sec. 2. THAT this Resolution shall become effective immediately upon passage; provided that, the variance for the Property shall become effective immediately upon the conditions stated herein being fully satisfied.

**AND IT IS SO RESOLVED.**

APPROVED BY A VOTE OF \_ AYES, \_ NAYS ON THIS THE 12<sup>TH</sup> DAY OF MAY 2026.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

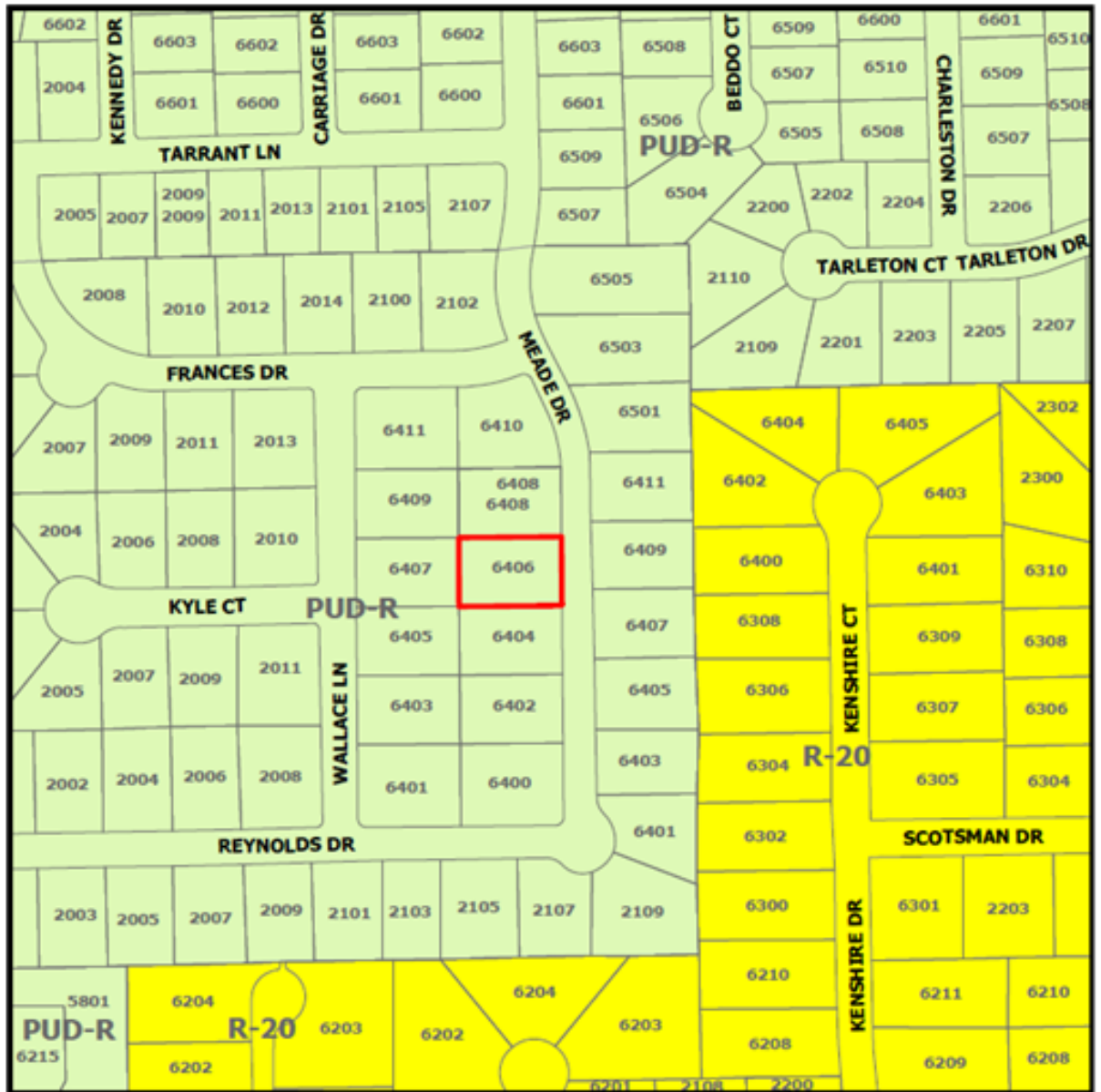
**ATTEST:**

**CITY OF COLLEYVILLE**

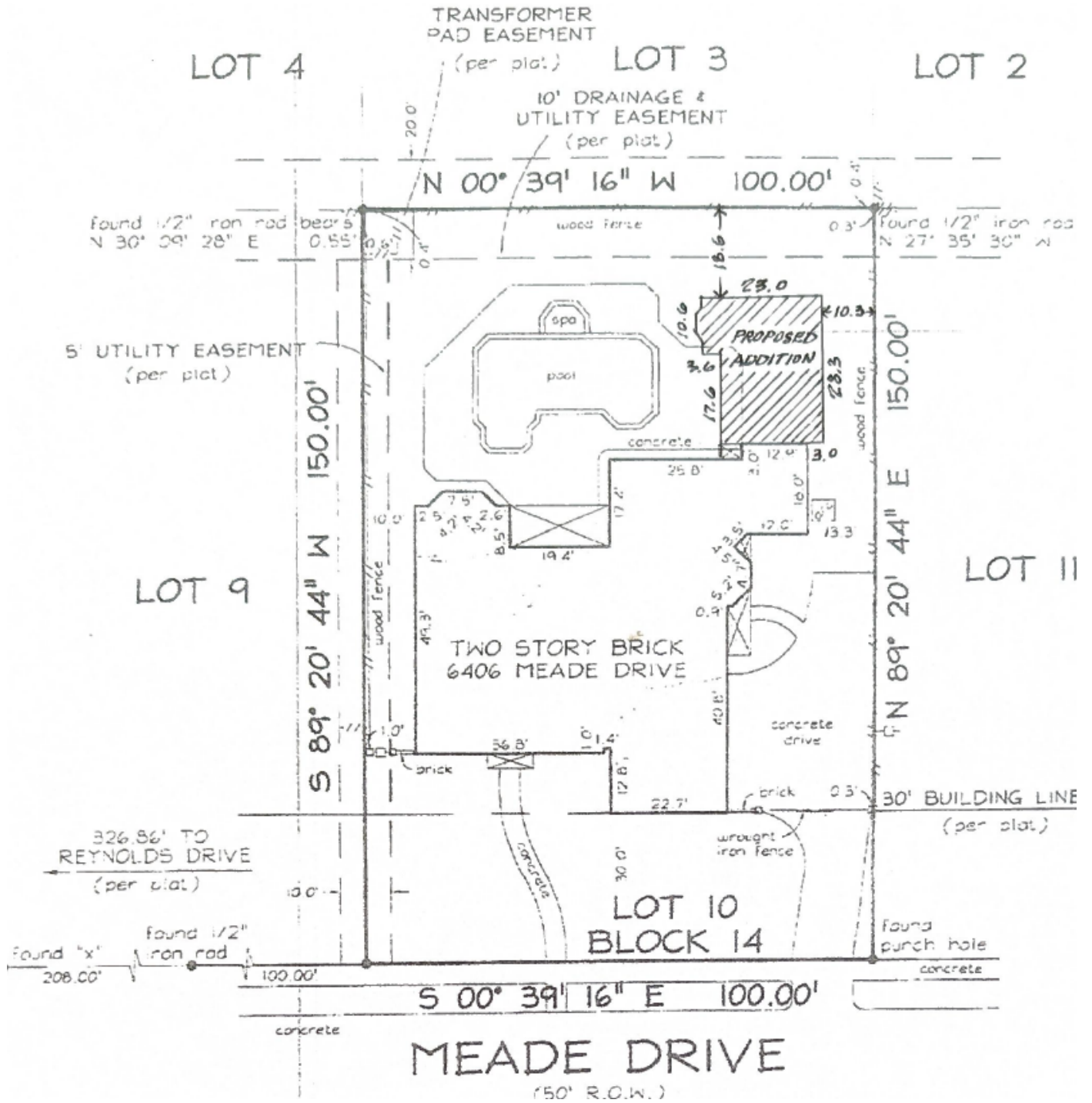
Christine Loven, TRMC  
City Secretary

Bobby Lindamood  
Mayor

# Exhibit "A"



# Exhibit "B"



**RESOLUTION R-26-5150**

**A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER  
BUSINESS AT THE REGULAR CITY COUNCIL MEETING OF  
MAY 12, 2026**

**WHEREAS**, City Council has taken action on certain items on the agenda under Business.

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

Sec. 1. THAT

**AND IT IS SO RESOLVED.**

APPROVED BY A VOTE OF \_ AYES, \_ NAYS, ON THIS THE 12<sup>TH</sup> DAY OF MAY 2026.

Mayor Bobby Lindamood	_____	Mark Alphonso, Place 2	_____
Mayor Pro Tem Brandi Elder	_____	Ben Graves, Place 4	_____
Deputy Mayor Pro Tem Scotty Richardson	_____	Tim Raine, Place 6	_____
Kimberly Holt Gunderson, Place 5	_____		

**ATTEST:**

**CITY OF COLLEYVILLE**

Christine Loven  
City Secretary, TRMC

Bobby Lindamood  
Mayor