



City of Colleyville Planning and Zoning Commission Agenda

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

Monday, January 9, 2017

City Council Chambers

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

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

**REVIEW OF REGULAR AGENDA ITEMS AND DISCUSSION OF PREVIOUS
MEETING MINUTES**

**DISCUSSION OF ITEMS TO BE PLACED ON FUTURE AGENDAS AND
UPDATES ON DEVELOPMENT TRENDS, PROGRESS AND CITY COUNCIL
ACTIONS ON PAST AGENDA ITEMS**

**EXECUTIVE SESSION – In accordance with Texas Government Code
Chapter 551, Subchapter D, Section 551.071 – Legal – Consultation with
attorney on legal issues raised by public hearing or action items on the
agenda**

**7:00 P.M. - REGULAR MEETING
CALL TO ORDER AND ROLL
INVOCATION: Commissioner Mathisen
PLEDGE OF ALLEGIANCE**

1. APPROVAL OF MINUTES

December 12, 2016

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

3. PUBLIC HEARING AGENDA ITEMS

- 3a** Consideration of a Combination Preliminary/Final plat of Lots 1RA-1, and Lot 4, Block 1, Kay's Circle B Bar K Ranch Addition, located at 5700 Winnie Drive and 5618 Bransford Road, Case PC16-003
- 3b** Consideration of amendments to the Land Development Code regarding granting of authority to the City Council to approve waivers related to the construction of mutual access easements/drives adjacent to Major Arterials, and to establish a permit process for the construction of such drives; specifically Chapter 1 - General Provisions, Section 1.12 Waivers and Appeals – Generally, Section 1.13 Waivers and Appeals – City Council, and Chapter 3 - Land Use, Section 3.29 Parking Requirements, Case GC16-023
- 3c** Conduct a public hearing to consider an amendment to the City of Colleyville comprehensive plan, Case GC16-024

4. ADJOURNMENT

I hereby certify this agenda was posted on City Hall bulletin boards Friday, January 6, 2017 by 5:00 p.m.



Araceli Botello
Planning Technician

A quorum of the Colleyville City Council may be in attendance at this meeting.

Any matter on this agenda may, at the discretion of the governing body, be opened for public comment and discussion.

If you plan to attend this public meeting and have a disability that requires special accommodations, please advise the City Secretary at least 48 hours in advance at 817.503.1133, and reasonable accommodations will be made to assist you.



City of Colleyville Planning and Zoning Commission Minutes

City Hall
100 Main Street
Colleyville, Texas 76034
817. 503.1000
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Monday, December 12, 2016

City Council Chambers

CALL MEETING TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Chairman Dodson on December 12, 2016, at 7:04 p.m.

Roll Call

Present: Commissioners Susan Mathisen, George Dodson, Sam van Bever, Charles Kelley, Don Davis, and Jason Elms

Absent: Commissioner Veronica Baughman

Staff Present: Ben Bryner, Oscar Chavez, Fire Chief Brian Riley, Araceli Botello, and Assistant City Attorney Evan Fisher

1. SWEARING IN OF NEWLY APPOINTED MEMBERS

Araceli Botello swore in newly appointed member:

Charles Kelley, Place 5

2. APPOINTMENT TO THE PARK LAND DEDICATION COMMITTEE

Commissioner Elms made a motion to appoint Commissioner Kelley to the Park Land Dedication Committee. Commissioner Davis seconded.

The motion to appoint Commissioner Kelley to the Park Land Dedication Committee carried by the following vote:

Aye: 6 –Mathisen, Dodson, van Bever, Kelley, Davis, and Elms

3. APPROVAL OF MINUTES

Commissioner van Bever made a motion to approve the November 14, 2016 minutes. Commissioner Kelley seconded.

The motion to approve the November 14, 2016 minutes carried by the following vote:

Aye: 6 – Mathisen, Dodson, van Bever, Kelley, Davis, and Elms

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

There were no citizen comments/presentations regarding items not on the agenda.

5. PUBLIC HEARING AGENDA ITEMS

- 5a** Consideration for approval of amendments to Chapter 7 – Sign Regulations in the Land Development Code regarding directory signage, specifically Section 7-150 Permanent Freestanding Signs – Sign Classifications & Regulations, Section 7-160 Permanent Freestanding Signs – Allowable Districts, and Section 7-165 Permanent Freestanding Signs – Area, Height and Setback Requirements, Case GC16-019

Ben Bryner presented the case and briefed the Commission.

The public hearing was opened at 7:21 p.m.

There being no one present wishing to speak, the public hearing was closed at 7:22 p.m.

Commissioner Mathisen questioned staff regarding the type of materials permitted for monument signs. Ben Bryner responded by detailing the permitted materials for monument signs.

Commissioner Kelley questioned staff regarding properties in the City that meet the 250,000 square feet requirement and the requirement being viable for application. Mr. Bryner responded that Town Center is the largest development in the City of Colleyville, followed by Colleyville Downs which is less than 200,000 square feet. Commissioner Elms questioned staff regarding the square footage of the Albertson's shopping center development. Mr. Bryner responded that Albertson's is approximately 140,000 square feet.

Commissioner Elms questioned staff regarding other potential multi-tenant properties in the City that would be eligible to request the proposed signage. Mr. Bryner responded the Village at Colleyville has the size to qualify, but is not eligible due to public streets. Therefore, no other developments would be able to have directory signs if the

amendment is approved.

Commissioner Davis questioned staff regarding the proposed 250,000 square feet requirement. Mr. Bryner responded the 250,000 square feet was proposed at a City Council Worksession. Mr. Bryner went on to state the original proposal requested 100,000 square feet, but there were concerns of visual clutter.

Discussion continued regarding the 250,000 square feet requirement.

Commissioner Mathisen questioned staff about the height restriction on the proposed signage. Mr. Bryner responded the general business sign regulations allow for a maximum of 8 feet in height for monument signs and 5 feet in height for major shopping center entry-wall signs.

Discussion continued regarding the height and location of the proposed signage.

Commissioner Elms questioned staff regarding the Planning and Zoning Commission's role in developing the regulations. Mr. Bryner responded the intent is for the development to address the specifics of the signage, such as location and appearance. Commissioner Elms added the 250,000 square feet requirement should be reduced to 200,000 square feet or less.

Commissioner Elms questioned staff regarding the proposed regulations being incorporated into the existing sign ordinance. Mr. Bryner responded yes, the proposed amendments would be made to the sign regulations chapter of the Land Development Code.

Commissioner Kelley questioned staff regarding the permitted font size, logos, and illumination. Staff responded the Land Development Code speaks only to illumination. Mr. Bryner added that the regulations should avoid getting into specifics of content to prevent legal issues. City Attorney, Evan Fisher, added that Section 7-145, D of the Land Development Code speaks to the illumination of signage and that no additional amendments are required.

Discussion continued regarding addressing the specifics of the proposed signage.

Commissioner Mathisen questioned staff regarding whether the signs are proposed to be permanent. Mr. Bryner responded the signs would be permanent.

Chairman Dodson questioned staff regarding sign permits. Mr. Bryner responded sign permit applications are received and reviewed by the Building Inspections and Community Development departments. Mr. Bryner added that the permits are issued by Building Inspections, but a Planner will review the regulations for compliance. Chairman Dodson questioned staff regarding requirements for letter size. Staff responded that there are no requirements in the Land Development Code.

Discussion continued regarding requirements and restrictions for lettering on signs.

Commissioner Mathisen questioned staff regarding the locations of the proposed signs and the proximity to internal stop signs. Mr. Bryner responded the placement of internal signs are determined by the property management company.

Commissioner Davis questioned staff regarding a two sided versus four sided sign. Mr. Bryner responded there was no concern with a four sided sign. Staff added there was concern about the overall square footage allowance, which was reduced to 25 square feet.

Discussion continued regarding two sided signs.

Commissioner Elms made a motion to approve Case GC16-019 with the recommendation to reduce the 250,000 square feet requirement to 200,000 square feet. Commissioner Kelley seconded.

The motion to approve Case GC16-019 carried by the following vote:

Aye: 6 – Mathisen, van Bever, Dodson, Kelley, Davis, and Elms

- 5b** Consideration for approval of amendments to Chapter 8 – Plat Review Procedures in the Land Development Code regarding plat approval to be made by the City Council, specifically Section 8 – 130 Approval Authority Over Subdivision Plats, Case GC16-020

Ben Bryner presented the case and briefed the Commission.

The public hearing was opened at 8:06 p.m.

There being no one present wishing to speak, the public hearing was

closed at 8:06 p.m.

Commissioner van Bever questioned staff regarding the approval process of plats by the Planning and Zoning Commission. Ben Bryner responded by describing the proposed process where plats, both approved and denied by the Planning and Zoning Commission, would then go to City Council. Staff added that plats denied would continue to go forward to City Council with a recommendation of denial which would then require a super-majority vote from City Council for the plat to be approved.

Commissioner Mathisen questioned staffed regarding minor plats approved by staff. Staff responded with an example of a minor plat which may be approved by staff such as a large property subdividing into two smaller lots.

Commissioner van Bever made a motion to approve Case GC16-020. Commissioner Elms seconded.

The motion to approve Case GC16-020 carried by the following vote:

Aye: 6 – Mathisen, Dodson, van Bever, Kelley, Davis, and Elms

6. ADJOURNMENT

The meeting adjourned at 8:10 p.m.

The minutes were written and prepared by:



Araceli Botello
Planning Technician

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



City of Colleyville Planning and Zoning Commission Agenda Briefing

City Hall
100 Main Street
Colleyville, Texas 76034
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Agenda Number 3a	Agenda Date 01/09/2017	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Consideration of a Combination Preliminary/Final plat of Lots 1RA-1, and Lot 4, Block 1, Kay's Circle B Bar K Ranch Addition, located at 5700 Winnie Drive and 5618 Bransford Road, Case PC16-003

Explanation

WPC Acquisitions, Inc., the applicant, requests approval of a Combination Preliminary/Final plat for the Oakleigh Addition on approximately 17.04 acres. The applicant proposes to subdivide the property into 23 residential lots and seven common area lots with the intent of developing a new residential subdivision with private streets.

Existing Conditions/Background: The subject property is zoned PUD-R Planned Unit Development Residential (Ordinance O-16-1798) and R-20 Single Family Residential. The property is generally located on the west side of Bransford Road and north of Winnie Drive.

The subject property is currently undeveloped. The process of demolishing one single family residence and accessory structures began in October 2016. The applicant has indicated the intent to construct 23 single family homes on the subject property.

Ordinance O-16-1798 was approved by City Council on April 19, 2016, and established the layout of each lot, street, and open space within the subdivision. The PUD-R also established the minimum development standards for the subdivision as outlined below.

Lot Dimensions and Setbacks: The subject property is zoned both PUD-R (Ordinance O-16-1798) and R-20 Single Family Residential District. In cases such as this where a property contains two zoning designations, the property generally follows whichever zoning district is under that particular portion of the property for the particular regulation (if front yard setback is in question, it is the front yard setback of whichever zoning district covers the front yard). If there is a conflict for a certain regulation between the districts, the more restrictive district regulation prevails.

Per the governing zoning ordinance, the PUD-R zoning regulations require the following standards:

Minimum Lot Size: 20,000 square feet
Minimum Lot Depth: 125 feet

Minimum Lot Width:100 feet
>>Minimum Lot Width on Proposed Lot 4, Block A shall be 81 feet.
Minimum Front Yard Setback:30 feet
Minimum Side Yard Setback:10 feet
Minimum Rear Yard Setback:25 feet
Maximum Lot Coverage:40 percent

Per Section 3.24 G, Schedule of District Regulations in the Land Development Code, the R-20 zoning regulations require the following standards:

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

As submitted, the proposed plat meets all of the requirements of the governing ordinance and the Land Development Code for both zoning districts.

Private Streets: The governing PUD-R Ordinance approved by City Council describes the intent to create private streets as part of the development. The ordinance goes on to state that the City Council will be required to approve the private streets with the subdivision plat. Chapter 10 – Private Streets and Entrance Gates, establishes the general regulations for gated subdivisions with privately owned and maintained streets. Furthermore, Section 10-125 states that no subdivision plat may include private streets unless approval is granted by the City Council and only after receiving recommendation from the Planning and Zoning Commission.

Chapter 10 also requires the establishment of a Homeowners Association (HOA) which is responsible for ownership and maintenance of the private streets. As part of the approval process, the applicant is required to submit all HOA documentation to the City for review by the City Attorney's office prior to approval. The applicant has submitted all HOA documents which are currently under review by the City Attorney's office. The plat will not be considered for City Council approval until the HOA documents are officially approved by the City Attorney.

Surrounding Development: The properties to the north, south, east, and west are zoned R-20 Single Family Residential district and generally developed with single family homes. As an exception, the property to the north is primarily undeveloped.

Fees: Park Land Dedication Fees are required prior to filing the plat for record in the amount of \$1,802 per residential lot. Impact Fees are also required per Chapter 13 (Impact Fees) of the Land Development Code and are due prior to the issuance of a

Building Permit if more than one residence is constructed in the future after the demolition of the structures currently on the subject property.

Tree Preservation: The proposed subdivision must comply with Chapter 5 (Tree Preservation) of the Land Development Code. A Tree Removal Permit and associated Tree Preservation Plan must be approved prior to the removal of any tree, prior to site grading or dirt disturbance, or prior to new construction on the subject property.

In addition to the requirements for approval of a Tree Removal Permit and Tree Preservation Plan, future development on the site must maintain the required percentage of existing protected tree canopy coverage as specified in Chapter 5 unless or until the Planning and Zoning Commission formally grants a waiver to the required preservation.

Staff has reviewed a preliminary tree survey and it appears the project will maintain compliance with the Land Development Code. In the event the plans fail to maintain the required percentage of tree canopy coverage, a waiver request will be required from the Planning and Zoning Commission per the Land Development Code.

Sidewalks: A minimum four-foot wide sidewalk is required along all internal streets and the applicant is proposing to install six-foot sidewalks for all internal streets.

Drainage and Stormwater Runoff:

As required by the Land Development Code, construction drawings consistent with the requirements of the Land Development Code, including drainage, water, and sewer plans have been submitted with the proposed plat.

Public Notification: Notification of property owners is not required for the approval of a Combination Preliminary/Final Plat. However, due to portions of the property are being replatted, Staff mailed notices to all property owners within 200 feet of the subject property. Notice was also published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code. Staff has received no correspondence to date.

Staff Recommendation: The proposed Combination Preliminary/Final Plat meets the requirements of the governing ordinance and the Land Development Code. Staff recommends approval.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map

3. Plat Exhibit
4. Ordinance O-16-1798
5. Draft - HOA Documentation
6. Notification Map
7. Notification List

AERIAL MAP



PC16-003

5700 WINNIE DRIVE AND 5618 BRANSFORD ROAD



Subject Property



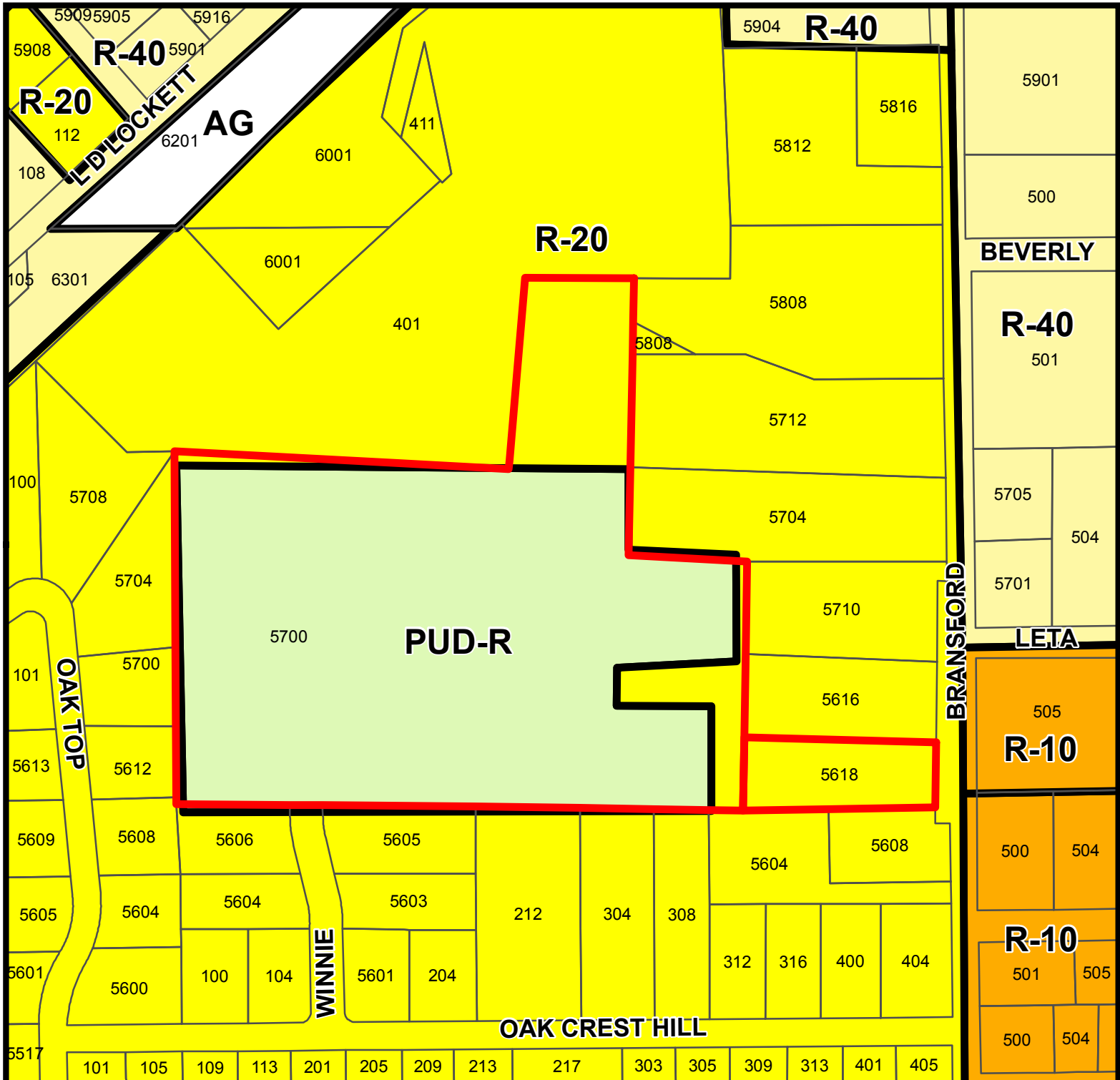
1 inch = 250 feet

Vicinity Map



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

ZONING MAP



PC16-003

5700 WINNIE DRIVE AND 5618 BRANSFORD ROAD

- Subject Property
- AG Agricultural
- PUD-R Planned Unit Development, Residential
- R-10 Single Family Residential (10,000 sq. ft. min)
- R-20 Single Family Residential (20,000 sq. ft. min)
- R-40 Single Family Residential (40,000 sq. ft. min)

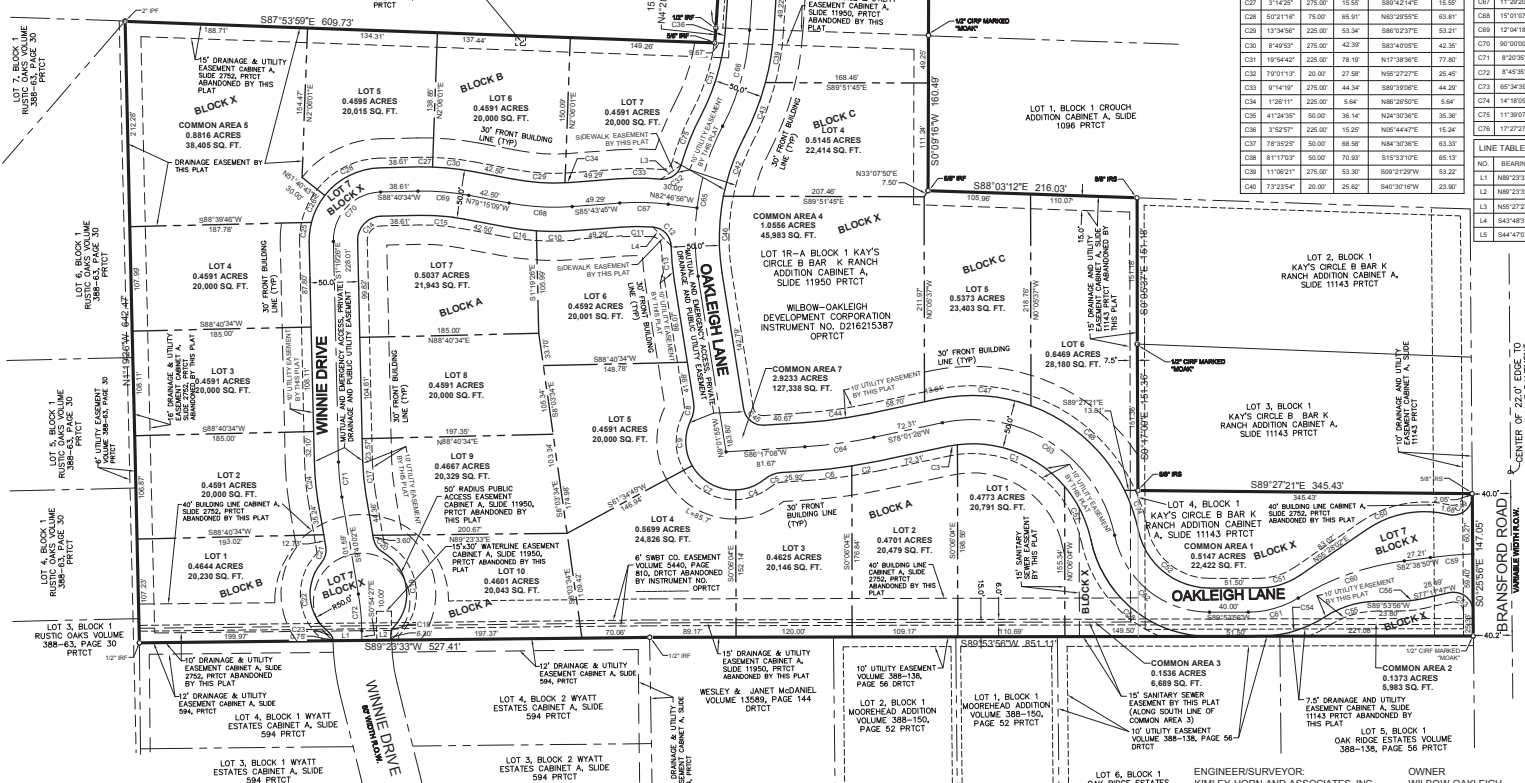
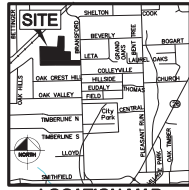


1 inch = 250 feet

Vicinity Map



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[illegible]

NO	CURVE TAB
C1	58°45'21"
C2	3°08'36"
C3	4°49'28"
C4	37°30'56"
C5	35°39'33"
C7	62°13'28"
C8	5°09'06"
C9	35°39'33"
C9	58°45'21"
C10	8°06'34"
C11	8°16'25"
C12	84°22'39"
C13	7°24'44"
C14	90°00'00"
C15	12°04'18"
C16	6°54'33"
C17	8°20'35"
C18	44°20'06"
C19	103°09'52"
C20	48°50'49"
C22	93°03'38"
C23	51°49'33"
C24	8°20'35"
C25	15°38'48"
C26	23°59'56"
C27	3°14'25"
C28	50°21'16"
C29	15°34'56"
C30	8°49'53"
C32	79°01'13"
C33	19°54'42"
C34	9°14'19"
C35	4°12'31"
C36	3°52'57"
C37	78°32'55"
C38	81°17'03"
C39	11°06'21"
C40	73°23'54"

CURVE TABLE	
NO.	DELTA
C41	52°06'S
C42	16°27'24"
C43	12°41'18"
C44	8°15'42"
C45	84°40'S
C46	20°10'01"
C47	32°30'03"
C48	43°46'46"
C49	103°25'11"
C50	47°31'11"
C51	34°25'24"
C52	78°20'04"
C53	102°16'11"
C54	32°51'05"
C55	32°51'05"
C56	12°36'06"
C57	28°38'22"
C58	78°20'04"
C59	5°01'121"
C60	23°56'02"
C61	31°11'101"
C62	78°20'04"
C63	90°13'51"
C64	8°15'42"
C65	30°37'53"
C66	23°47'37"
C67	11°22'29"
C68	15°01'01"
C69	12°46'18"
C70	80°00'00"
C71	8°20'35"
C72	8°45'35"
C73	65°36'34"
C74	14°18'08"
C75	11°30'05"
C76	17°22'21"

LINE TABLE	
NO.	BEARING
L1	N89°23'30"E
L2	N96°12'28"E

LOT TABLE			
LOT NO	ACRES	SQ FT	
LOT 1 BLOCK A	0.4773	20,479	
LOT 2 BLOCK A	0.4701	20,491	
LOT 3 BLOCK A	0.4625	20,148	
LOT 4 BLOCK A	0.5869	25,466	
LOT 5 BLOCK A	0.4891	20,601	
LOT 6 BLOCK A	0.5492	23,051	
LOT 7 BLOCK A	0.5803	23,943	
LOT 8 BLOCK A	0.4991	20,600	
LOT 9 BLOCK A	0.4991	20,600	
LOT 10 BLOCK A	0.4991	20,600	
LOT 11 BLOCK A	0.4991	20,600	
LOT 12 BLOCK A	0.4991	20,600	
LOT 13 BLOCK A	0.4991	20,600	
LOT 14 BLOCK A	0.4991	20,600	
LOT 15 BLOCK A	0.4991	20,600	
LOT 16 BLOCK C	0.4883	20,811	
LOT 17 BLOCK C	0.4883	20,811	
LOT 18 BLOCK C	0.5147	22,423	
LOT 19 BLOCK C	0.5147	22,423	
COMMON AREA 1 BLOCK 1	0.1738	6,893	
COMMON AREA 2 BLOCK 1	0.1738	6,893	
COMMON AREA 3 BLOCK 1	0.1556	6,480	
COMMON AREA 4 BLOCK 1	0.1556	6,480	
COMMON AREA 5 BLOCK 1	0.2549	10,938	
COMMON AREA 6 BLOCK 1	0.2549	10,938	

LINE TABLE	
NO.	BEARING
L1	N80°23'3"
L2	N80°23'3"
L3	N55°27'2"
L4	S43°48'3"
L5	S44°47'0"

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR
VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

**PRELIMINARY FINAL PLAT
BLOCKS A, B, C AND X
OAKLEIGH ADDITION**

an addition to the City of Colleyville, Tarrant County, Texas
being a replat of Lot 1R-A, Block 1 of the KAY'S CIRCLE
BAR B BAR K RANCH, an addition to the City of Colleyville,
Tarrant County, Texas according to the plat thereof recorded
in Cabinet A, Slide 11950 of the Plat Records of Tarrant
County, Texas and a replat of Lot 4, Block 1 of the KAY'S
CIRCLE BAR B BAR K RANCH, an addition to the City of
Colleyville, Tarrant County, Texas according to the plat
thereof recorded in Cabinet A, Slide 11143 of the Plat
Records of Tarrant, and being portion of the J.J. NEWTON
SURVEY, Abstract No. 1176
23 Residential Lots, 7 Common Areas
17.0470 acres
December, 2016

ENGINEER/SURVYOR:	OWNER
KIMBLEY-HORN AND ASSOCIATES, INC.	WILBOW-OAKLEIGH
801 Cherry Street, Unit 11, Suite 950	DEVELOPMENT CORPORATION
Fort Worth, Texas 76102	4131 North Central Expressway,
Contact: Paul Ward, RPLS	Suite 990, LB -13
paul.ward@kimbley-horn.com	Dallas, Texas 75204
Tel. No.: (817) 335-6511	Contact: Jennifer Rabon
	(972) 865-1343

OWNER
WILBOW-OAKLEIGH
DEVELOPMENT CORPORATION
4131 North Central Expressway,
Suite 990, LB -13
Dallas, Texas 75204
Contact: Jennifer Rabon
(972) 865-1343

Kimley»Horn

801 Cherry Street, Unit 11, # 950 Fort Worth, Texas 76102		FIRM # 10194040		Tel. No. (817) 335-6511 www.kimley-horn.com	
<u>Scale</u> 1" = 60'	<u>Drawn by</u> JPW	<u>Checked by</u> FCN	<u>Date</u> 10/2/2016	<u>Project No.</u> 087125005	<u>Sheet No.</u> 1 OF 2

ORDINANCE O-16-1978

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 13.3 ACRES, IN ABSTRACT 1176 OF THE J.J. NEWTON SURVEY, AND BEING A PORTION OF LOT 1R-A, BLOCK 1, KAY'S CIRCLE B BAR K RANCH ADDITION, LOCATED AT 5700 WINNIE DRIVE, FROM THE AG - AGRICULTURAL ZONING DISTRICT TO THE PUD-R - PLANNED UNIT DEVELOPMENT RESIDENTIAL ZONING DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case ZC15-022; and

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

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

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

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

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 13.3 acres, in Abstract 1176 of the J.J. Newton Survey, and being a portion of Lot 1R-A, Block 1, Kay's Circle B Bar K Ranch Addition, located at 5700 Winnie Drive, from the Agricultural Zoning District to the Planned Unit Development - Residential District, as depicted in the attached Exhibit "A" and Exhibit "B".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:
1. The subject property is subject to all the regulations contained in all other City codes and regulations, except as noted herein.
 2. The development shall be generally consistent with Exhibit "C," which shall not be considered the associated plat. Slight modifications from Exhibit "C" to accommodate topographic, drainage, or other conditions may be made as long as they are generally consistent with Exhibit "C." All

final details are subject to the other provisions of this ordinance and all other City codes and regulations.

3. Permitted land uses shall be single family residential detached and common open space.
4. Residential lot requirements shall comply with the following standards:

- a. Minimum Lot Size: 20,000 square feet
- b. Minimum Lot Depth: 125 feet
- c. Minimum Lot Width: 100 feet

>>Minimum Lot Width on Proposed Lot 4, Block A shall be 81 feet.

- d. Front Setback: 30 feet
 - e. Side Setback: 10 feet
 - f. Rear Setback: 25 feet
 - g. Maximum Lot Coverage: 40 percent
5. With the submittal of a Building Permit application, a letter from the Oakleigh Architectural Review Committee shall be provided indicating their approval of the elevations. The approval from the Committee shall require elevations to have a hierarchy of plate dominance featuring custom front doors and entrances; to balance architectural features and interests with natural tones for paint and exterior finishes; and to add interest to the entire streetscape. The approval from the Committee shall also require roofing to be either 40-year Architectural Dimension shingles, slate, tile, or standing seam metal. Any new Re-roof Permits shall be required to provide the originally approved materials in color and material unless a revised letter from the Committee is submitted.
 6. A minimum of a three car garage with wood like, architecturally enhanced doors, or contemporary style doors

to compliment the architecture of the residence.

7. Homes shall be 100 percent brick, stone, or real stucco masonry. No EIFS or artificial stucco material shall be permitted.
8. No aluminum windows shall be permitted. Windows shall be high quality and high energy efficiency, such as vinyl or vinyl clad wood. All windows shall be insulated glass with a "low-e" specification.
9. This development shall provide a minimum of 14.4 percent (114,640 square feet) common open space, as shown on Exhibit "C," which shall be for the aesthetic, leisure, and recreational enjoyment of the residents. All open space areas shall be owned and maintained by the Homeowner's Association (HOA). Preservation of existing trees shall be required per applicable tree preservation plans and requirements of Chapter 5 of the Land Development Code.
10. A minimum of two, three-inch caliper trees from the Approved Plant List in Chapter 4 of the Land Development Code shall be planted on each residential lot prior to each house's final inspection. If existing protected trees are preserved in the front yard, they can be utilized to satisfy this requirement. Front and back yards shall be fully irrigated with approved Irrigation Permits on file with the City Building Inspections Division, prior to final inspection.
11. A landscape buffer adjacent to the common property line of 5616 Bransford Road and the development, as reflected in Exhibit "D," shall be generally consistent with Exhibit "D." Any deviations from this agreement will require City Council approval, in addition to any private agreements that would need to be revised.
12. The development will have as its focal point and feature, a central open space as the main amenity for the neighborhood.
13. The development shall be a private, gated community. This PUD-R does not constitute approval of the required plat and documentation associated with Private Street Developments

in Chapter 10 (Private Streets and Entrance Gates). The plat and required documentation must be provided and approved by City Council in a separate application and submittal.

14. The gate in the southwest corner of the subject property, as reflected in Exhibit "C," shall be for emergency access only and shall not be opened for residential traffic.
15. Home sites shall not be mass graded in order to preserve as many existing trees as possible.
16. There shall be sidewalks along the front of each lot connecting to the internal open space areas. Sidewalks adjacent to open space lots shall be constructed prior to final acceptance of the subdivision. Sidewalks adjacent to residential lots shall be constructed concurrent to the construction of the home and shall be installed prior to each house's final inspection.
17. A monument sign, identifying the subdivision, shall be provided at the project entry, prior to final acceptance of the subdivision.

- Sec. 5. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 6. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 7. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 8. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary

that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 5th day of April 2016.

The second reading and public hearing being conducted on the 19th day of April 2016.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 19th day of April 2016.

ATTEST:

CITY OF COLLEYVILLE



Amy Shelley

Amy Shelley, TRMC
City Secretary

David Kelly

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

MA G. R

Matthew C. G. Boyle
City Attorney

Exhibit "A"- Zoning Map

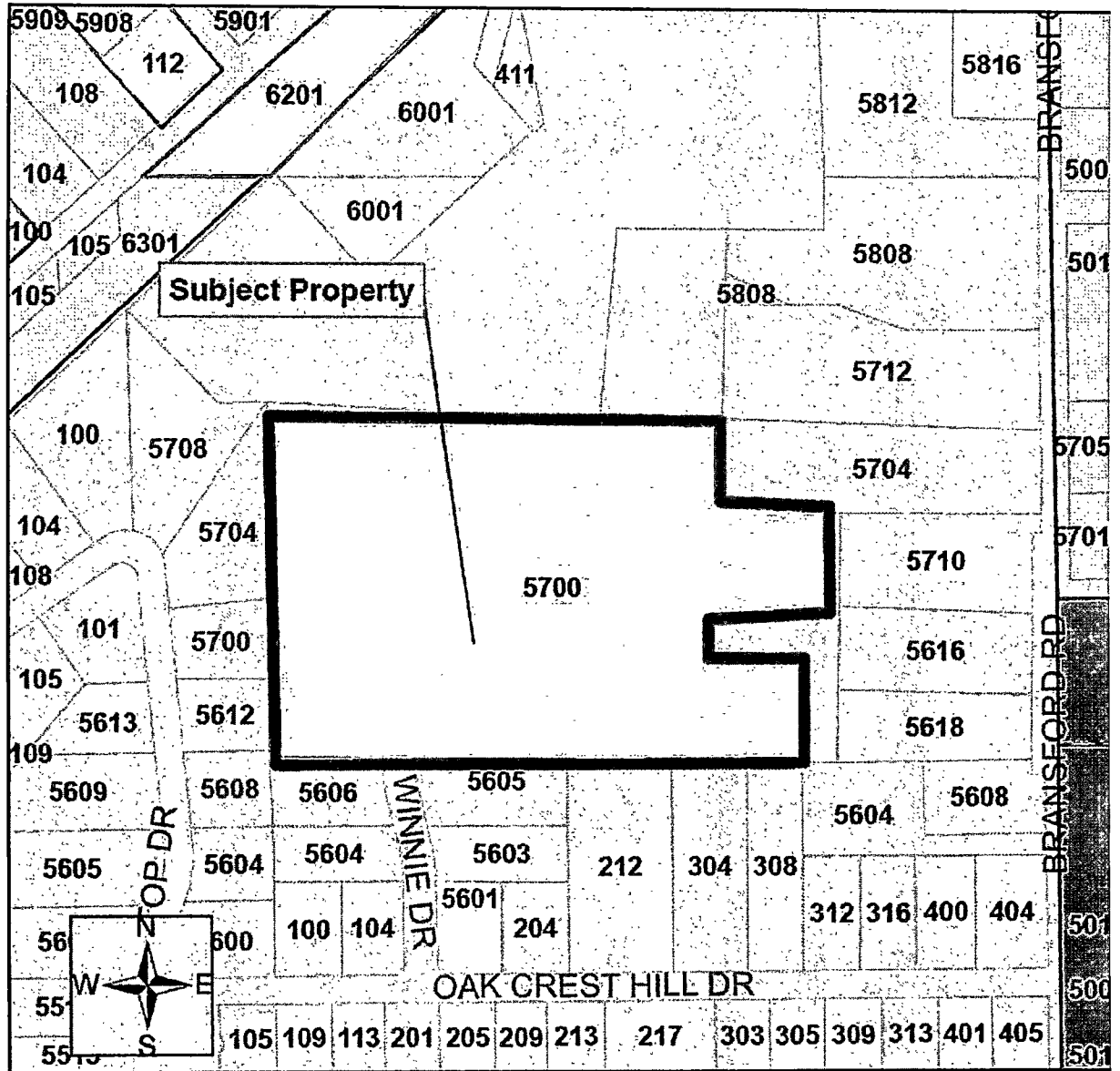


Exhibit "B"- Metes & Bounds Description

BEING a 13.299 acre tract of land in the J.J. Newton Survey, Abstract Number 1176, situated in the City of Colleyville, Tarrant County, Texas, and being a portion of Lot 1R-A, Block 1, Kay's Circle B Bar K Ranch, an addition to the City of Colleyville, Tarrant County, Texas, recorded in Cabinet A, Slide 11950, Plat Records, Tarrant County, Texas. The bearings for this description are based on the bearings as they appear in Cabinet A, Slide 11950, Plat Records, Tarrant County, Texas. Said 13.299 acre tract being described by metes and bounds as follows:

COMMENCING at a 5/8" iron rod found at the southeast corner of said Lot 1R-A, Block 1, Kay's Circle B Bar K Ranch Addition;

THENCE North 89°06'48" West, along the south line of said Lot 1R-A, Kay's Circle B Bar K Ranch Addition, a distance of 60.52 Feet to the PLACE OF BEGINNING;

THENCE North 89°06'48" West, continuing along the south line of said Lot 1R-A, Kay's Circle B Bar K Ranch Addition, a distance of 442.56 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818";

THENCE North 89°34'20" West, continuing along the south line of said Lot 1R-A, a distance of 528.82 Feet to a 5/8" iron rod found at the southwest corner of said Lot 1R-A;

THENCE North 00°19'54" West, along the west line of the said Lot 1R-A, a distance of 642.23 Feet to a 5/8" iron rod found at the most westerly north west corner of said Lot 1R-A;

THENCE South 86°55'50" East, along a northerly line of the said Lot 1R-A, Block 1, Kay's Circle B Bar K Ranch Addition, a distance of 830.98 Feet to a point on the westerly line of Lot 1, Block 1, Crouch Addition, an Addition to the City of Colleyville recorded in Cabinet A, Slide 1096, Plat Records, Tarrant County, Texas, and being on the east line of the said Lot 1R-A, Block 1, Kay's Circle B Bar K Ranch Addition;

THENCE South 01°09'36" West, along the common line of the said Lot 1, Block 1, Crouch Addition, and Lot 1R-A, Block 1, Kay's Circle B Bar K Ranch Addition, a distance of 144.83 Feet to a 5/8" iron rod found at the southwest corner of the said Lot 1, Block 1, Crouch Addition, same being an inner ell corner of the said Lot 1R-A, Block 1, Kay's Circle B Bar K Ranch Addition;

THENCE South $87^{\circ}03'08''$ East, along the common line of the said Lot 1, Block 1, Crouch Addition, and Lot 1R-A, Block 1, Kay's Circle B Bar K Ranch Addition, a distance of 196.21 Feet to a point for corner;

THENCE South $00^{\circ}01'20''$ West, a distance of 194.00 feet to a point for corner;

THENCE South $87^{\circ}18'10''$ West, a distance of 218.55 feet to a point for corner;

THENCE South $00^{\circ}56'10''$ West, a distance of 69.50 feet to a point for corner;

THENCE South $89^{\circ}31'00''$ East, a distance of 172.75 feet to a point for corner;

THENCE South $00^{\circ}19'10''$ West, a distance of 178.39 Feet to the POINT OF BEGINNING, and containing a computed area of 13.299 Acres, more or less.

PROPERTY DESCRIPTION

BEING a 13.299 acre tract of land in the J.J. Newton Survey, Abstract Number 1176, situated in the City of Colleyville, Tarrant County, Texas, and being a portion of Lot 1R-A, Block 1, Kay's Circle B Bar K Ranch, an addition to the City of Colleyville, Tarrant County, Texas, recorded in Cabinet A, Slide 11950, Plat Records, Tarrant County, Texas. The bearings for this description are based on the bearings as they appear in Cabinet A, Slide 11950, Plat Records, Tarrant County, Texas. Said 13.299 acre tract being described by metes and bounds as follows:

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THENCE North 00°19'54" West, along the west line of the said Lot 1R-A, a distance of 642.23 Feet to a 5/8" iron rod found at the most westerly north west corner of said Lot 1R-A;

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THENCE South 87°03'08" East, along the common line of the said Lot 1, Block 1, Crouch Addition, and Lot 1R-A, Block 1, Kay's Circle B Bar K Ranch Addition, a distance of 196.21 Feet to a point for corner;

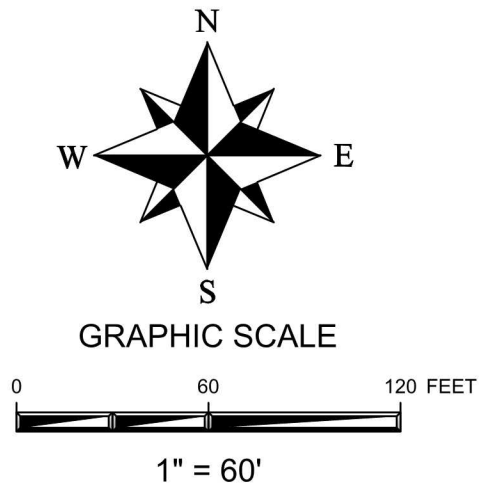
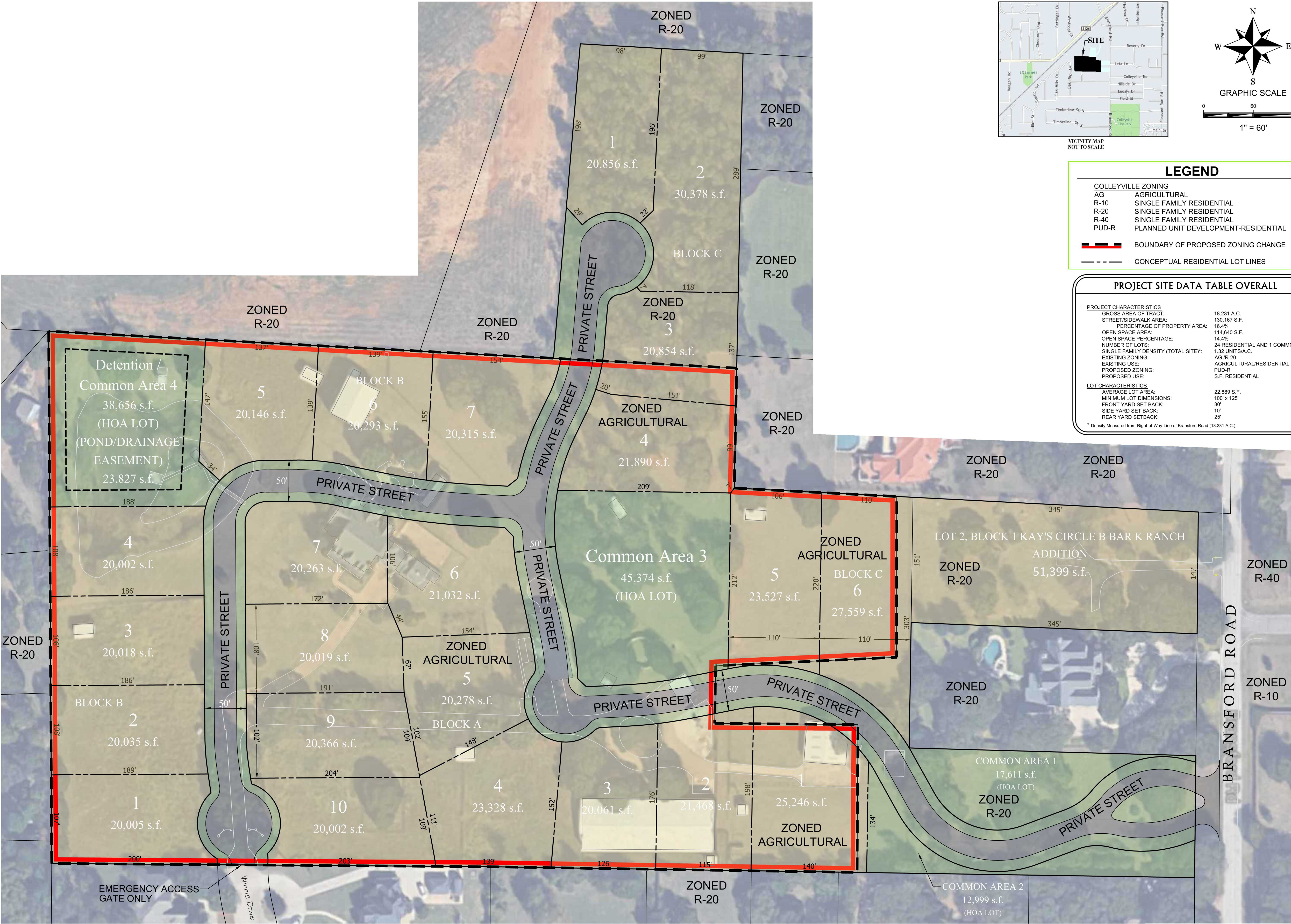
THENCE South 00°01'20" West, a distance of 194.00 feet to a point for corner;

THENCE South 87°18'10" West, a distance of 218.55 feet to a point for corner;

THENCE South 00°56'10" West, a distance of 69.50 feet to a point for corner;

THENCE South 89°31'00" East, a distance of 172.75 feet to a point for corner;

THENCE South 00°19'10" West, a distance of 178.39 Feet to the POINT OF BEGINNING, and containing a computed area of 13.299 Acres, more or less.



LEGEND

COLLEYVILLE ZONING	
AG	AGRICULTURAL
R-10	SINGLE FAMILY RESIDENTIAL
R-20	SINGLE FAMILY RESIDENTIAL
R-40	SINGLE FAMILY RESIDENTIAL
PUD-R	PLANNED UNIT DEVELOPMENT-RESIDENTIAL
	BOUNDARY OF PROPOSED ZONING CHANGE
	CONCEPTUAL RESIDENTIAL LOT LINES

PROJECT SITE DATA TABLE OVERALL

PROJECT CHARACTERISTICS	
GROSS AREA OF TRACT:	18,231 A.C.
STREET/SIDEWALK AREA:	130,167 S.F.
PERCENTAGE OF PROPERTY AREA:	16.4%
OPEN SPACE AREA:	114,840 S.F.
OPEN SPACE PERCENTAGE:	14.4%
NUMBER OF LOTS:	24 RESIDENTIAL AND 1 COMMON AREA
SINGLE FAMILY DENSITY (TOTAL SITE):	1.32 UNITS/A.C.
EXISTING ZONING:	AG (R-20)
PROPOSED ZONING:	AGRICULTURAL/RESIDENTIAL
PROPOSED USE:	PUD-R
PROPOSED USE:	S.F. RESIDENTIAL

LOT CHARACTERISTICS	
AVERAGE LOT AREA:	22,889 S.F.
MINIMUM LOT DIMENSIONS:	100' x 125'
FRONT YARD SET BACK:	30'
SIDE YARD SET BACK:	10'
REAR YARD SET BACK:	25'

* Density Measured From Right-of-Way Line of Bransford Road (18,231 A.C.)

Owner:
XTO Energy Inc.
810 Houston Street
Fort Worth, TX 76102
Contact: Edwin Ryan, Jr.
(817) 885-2336

Developer/Applicant:
WPC Acquisitions, Inc.
4131 N. Central Expressway, Suite 990
Dallas, TX 75204
Contact: Jennifer Rabon, VP of Development
(972) 479-0697

Land Planner:
SAGE Group, Inc.
1130 N. Carroll Ave., Ste. 200
Southlake, TX 76092
(817) 424-2528

Surveyor:
Whitfield - Hall Surveyors
3559 Williams Road, Suite 107
Fort Worth, TX 76116
Contact: Johnny Williams
(817) 560-2916

**ZONING EXHIBIT FOR ZONING CHANGE REQUEST FROM AG (AGRICULTURAL) TO PUD-R (PLANNED UNIT DEVELOPMENT - RESIDENTIAL)

Zoning Exhibit For Zoning Change Request From AG To PUD-R

18.231 Acre Tract - 24 Lots Total

Rezoning Area = 13.299 Acres



8951 Cypress Waters Blvd., Ste. 150 ■ Dallas, Texas 75019 ■ (817) 328-3200

Exhibit "D"- Memorandum of Understanding

March 14, 2016

Bruce and Vicki Tanner
5616 Bransford Road,
Colleyville, TX 76034

Re: proposed Oakleigh community and landscape buffer

Dear Bruce and Vicki,

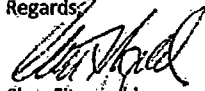
This letter will serve as a Memorandum of Understanding between you and Wilbow that should we secure our approvals for the Oakleigh community, Wilbow will instruct Curtis Young and The Sage Group to design a landscape buffer adjacent to our common property lines, those being your southern lot line and your rear property line to achieve screening from our community. The landscape border along the southern property line will be planted in the common area lot and likely incorporate the existing crape myrtles. It is our understanding that you would like us to install the backyard screening inside your fence and you would own the plantings. We are fine with this arrangement.

We will present you with a meandering layered planting design for your approval and will modify plant selections based upon your feedback. You would be responsible for irrigation and maintenance of the plantings within your yard and our homeowners association would be responsible for the plantings in the common area.

Please know that we have located our meandering entry street from Bransford Road away from our property line in consideration of your privacy. Furthermore, there is a front yard behind you for a deep lot that sides to your rear property line. The actual residence on that lot will for the most part sit behind our 1.2 acre lot to your north so your view will continue to be primarily to treetops of the proposed 1 acre common area park. In addition, the metal sheds will be dismantled and disappear from your view, which should enhance your view.

I trust that we can work together to create a beautiful luxury enclave that will fit with the area and be a good neighbor to those who have already chosen Colleyville as home.

Regards,

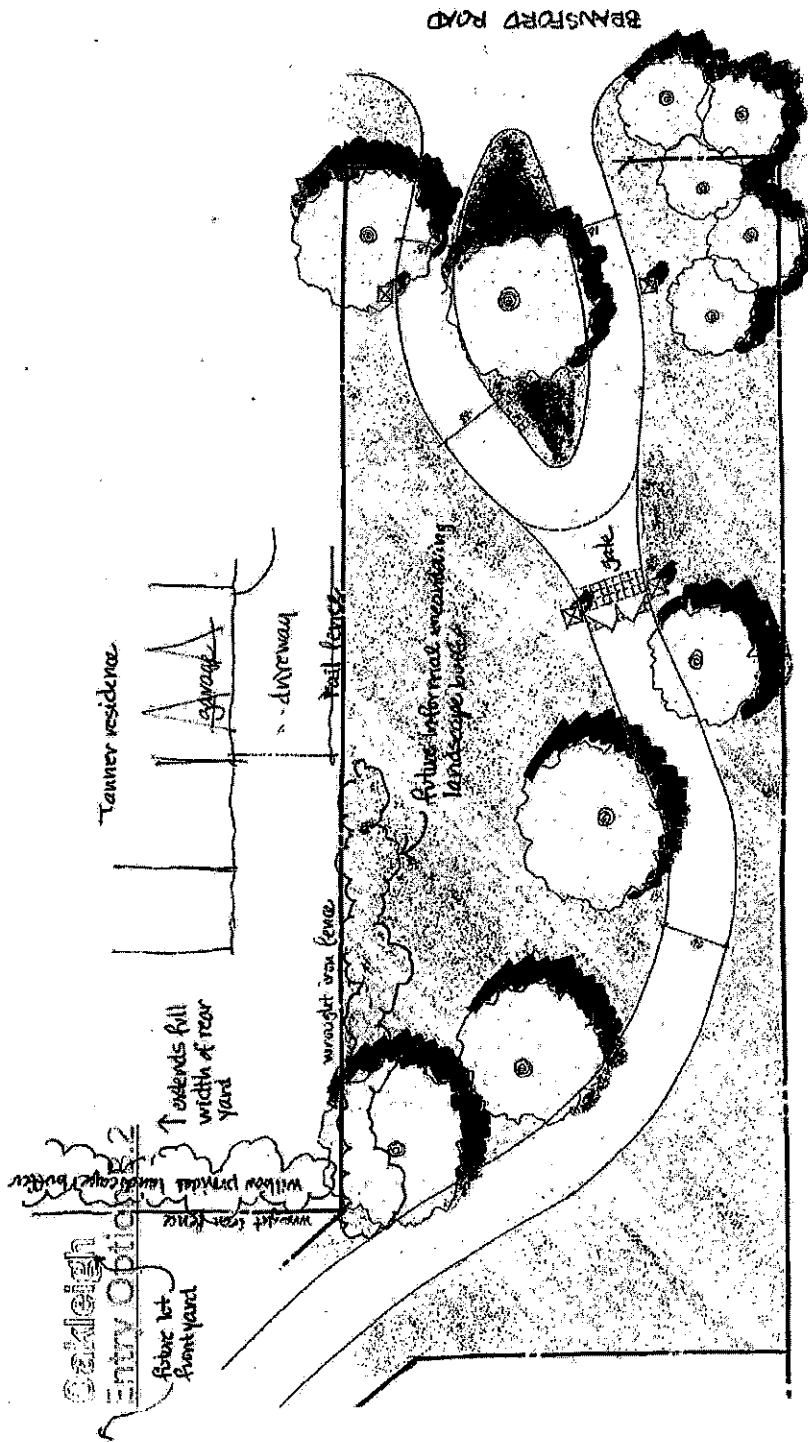


Chas Fitzgerald
Co-President



Wilbow Corporation Inc.
Fitzhugh Central Building
4131 N. Central Expressway
Suite 990, Lockbox 13
Dallas, Texas 75204
Telephone: 972.479.0697
Facsimile: 972.479.0397

Exhibit "D" - Memorandum of Understanding



OAKLEIGH B.2

Alignment subject to city approval.



SAGE GROUP, INC.
10000 Wilbow Road
Suite 100
Dallas, Texas 75243
Tel: 214/343-1000
Fax: 214/343-1001



After Recording Return To:
Robert D. Burton
Winstead PC
401 Congress Ave., Suite 2100
Austin, Texas 78701
email: rburton@winstead.com

DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS

OAKLEIGH
[TARRANT COUNTY, TEXAS]

Declarant: WILBOW-OAKLEIGH DEVELOPMENT CORPORATION, a Texas
corporation

This Declaration of Covenants, Conditions and Restrictions may be used only in connection with the residential community known as Oakleigh in Tarrant County, Texas and the operation of the Oakleigh Residential Community, Inc.

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DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

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DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OAKLEIGH

This Declaration of Covenants, Conditions and Restrictions (the “**Declaration**”) is made by **WILBOW-OAKLEIGH DEVELOPMENT CORPORATION**, a Texas corporation (the “**Declarant**”), and is as follows:

RECITALS:

A. This Declaration is filed with respect to Lots 1 through 10, Block A; Lots 1 through 7, Block B; and Lots 1 through 6, Block C; Oakleigh Addition, a subdivision in Tarrant County Texas, according to the plat Recorded under Document No. _____, (the “**Property**”). Declarant is the owner of the Property.

B. Declarant desires to create and carry out a uniform plan for the development, improvement, and sale of the Property.

C. By the Recording of this Declaration, Declarant serves notice that the Property is subject to the terms and provisions of this Declaration.

NOW, THEREFORE, it is hereby declared: (i) that the Property (or any portion thereof) will be held sold, conveyed, and occupied subject to the following covenants, conditions and restrictions which will run with such portions of the Property and will be binding upon all parties having right, title, or interest in or to such portions of the Property or any part thereof, their heirs, successors, and assigns and will inure to the benefit of each owner thereof; and (ii) that each contract or deed conveying the Property (or any portion thereof) will conclusively be held to have been executed, delivered, and accepted subject to the following covenants, conditions and restrictions, regardless of whether or not the same are set out in full or by reference in said contract or deed.

This Declaration uses notes (text set apart in boxes) to illustrate concepts and assist the reader. If there is a conflict between any note and the text of the Declaration, the text will control.

ARTICLE 1 DEFINITIONS

Unless the context otherwise specifies or requires, the following words and phrases when used in this Declaration will have the meanings hereinafter specified:

“**Applicable Law**” means all statutes, public laws, ordinances, policies, rules, regulations and orders of all federal, state, county and municipal governments or their agencies having jurisdiction and control over the Property in effect at the time a provision of the Restrictions is applied, and pertaining to the subject matter of the Restriction provision, and all

Draft HOA Documentation

other ordinances and any other applicable building codes, zoning restrictions and permits or other applicable regulations. Applicable Law shall specifically include Ordinance 0-16-1978, adopted on April 19, 2016 by the City of Colleyville. Statutes and ordinances specifically referenced in the Restrictions are "Applicable Law" on the date of the Restrictions, and are not intended to apply to the Property if they cease to be applicable by operation of law, or if they are replaced or superseded by one or more other statutes or ordinances.

"Architectural Control Committee" or **"ACC"** means the committee created pursuant to this Declaration to review and approve or deny plans for the construction, placement, modification, alteration or remodeling of any Improvements on a Lot. As provided in *Article 7* below, the Declarant acts as the ACC and the ACC is not a committee of the Association until the Declarant has assigned its right to appoint and remove all ACC members to the Association in a Recorded and written instrument.

"Assessment" or **"Assessments"** means all assessments imposed by the Association under this Declaration.

"Assessment Unit" has the meaning set forth in *Section 6.7.2*.

"Association" means the Oakleigh Residential Community, Inc., a Texas non-profit corporation, which will be created by Declarant to exercise the authority and assume the powers specified in *Article 4* and elsewhere in this Declaration. The failure of the Association to maintain its corporate charter from time to time does not affect the existence or legitimacy of the Association, which derives its authority from this Declaration, the Certificate, the Bylaws, and Applicable Law.

"Board" means the Board of Directors of the Association.

"Bulk Rate Contract" or **"Bulk Rate Contracts"** means one or more contracts which are entered into by the Association for the provision of utility services or other services of any kind or nature to the Lots. The services provided under Bulk Rate Contracts may include, without limitation, cable television services, telecommunications services, internet access services, "broadband" services, security services, trash pickup services, propane service, natural gas service, lawn maintenance services, wastewater services, and any other services of any kind or nature which are considered by the Board to be beneficial to all or a portion of the Property. Each Bulk Rate Contract must be approved in advance and in writing by the Declarant until expiration or termination of the Development Period.

"Bylaws" means the bylaws of the Association, which may be initially adopted and Recorded by Declarant or the Board of the Association and Recorded as part of the initial project documentation for the benefit of the Association. The Bylaws may be amended, from time to time, by the Declarant until expiration or termination of the Development Period. Any amendment to the Bylaws proposed by the Board must be approved in advance and in writing

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by the Declarant until expiration or termination of the Development Period. Upon expiration of the Development Period, the Bylaws may be amended by a Majority of the Board.

"Certificate" means the Certificate of Formation of the Association, filed in the Office of the Secretary of State of Texas, as the same may be amended from time to time.

"City" means the City of Colleyville, Texas.

"Common Area" means any property and facilities that the Association owns or in which it otherwise holds rights or obligations, including any property or facilities held by the Declarant for the benefit of the Association or its Members. Common Area includes any property that the Association holds under a lease, license, or any easement in favor of the Association. Some Common Area will be solely for the common use and enjoyment of the Owners, while other portions of the Common Area may be for the use and enjoyment of the Owners and members of the public.

"Community Manual" means the community manual of the Association, which may be initially adopted and Recorded by the Declarant or the Board of the Association and Recorded as part of the initial project documentation for the benefit of the Association and the Property. The Community Manual may include the Bylaws, Rules and Regulations and other policies governing the Association. The Bylaws, Rules and Regulations and other policies set forth in the Community Manual may be amended, from time to time, by the Declarant until expiration or termination of the Development Period. Any amendment to the Bylaws, Rules and Regulations and other policies governing the Association prosecuted by the Board must be approved in advance and in writing by the Declarant until expiration or termination of the Development Period. Upon expiration or termination of the Development Period, the Community Manual may be amended by a Majority of the Board.

"Community Systems" means any and all cable television, telecommunications, alarm/monitoring, internet, telephone or other lines, conduits, wires, amplifiers, towers, antennae, satellite dishes, equipment, materials and installations and fixtures (including those based on, containing and serving future technological advances not now known), if installed by Declarant pursuant to any grant of easement or authority by Declarant within the Property.

"Declarant" means **WILBOW-OAKLEIGH DEVELOPMENT CORPORATION**, a Texas corporation, its successors or assigns; provided that any assignment(s) of the rights of **WILBOW-OAKLEIGH DEVELOPMENT CORPORATION**, a Texas corporation, as Declarant, must be expressly set forth in writing and Recorded.

Declarant enjoys special rights and privileges to help protect its investment in the Property which are described in this Declaration. Many of these rights do not terminate until either Declarant: (i) has conveyed all Lots which may be created out of the Property; or (ii) voluntarily terminates these rights by a Recorded written instrument.

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"Design Guidelines" means the standards for design, construction, landscaping, and exterior items proposed to be placed on any Lot adopted pursuant to *Section 7.2.3*, as the same may be amended from time to time. The Design Guidelines may consist of multiple written design guidelines applying to specific portions of the Property. At Declarant's option, Declarant may adopt or amend from time to time the Design Guidelines for the Property or any portion thereof. Notwithstanding anything in this Declaration to the contrary, Declarant will have no obligation to establish Design Guidelines for the Property or any portion thereof.

"Development Period" means the period of time beginning on the date when this Declaration has been Recorded, and ending twenty-four (24) months after the date that Declarant no longer owns any portion of the Property, unless earlier terminated by a Recorded written instrument executed by the Declarant. The Development Period is the period in which Declarant reserves the right to facilitate the development, construction, and marketing of the Property, and the right to direct the size, shape and composition of the Property

"Homebuilder" means an Owner (other than the Declarant) who acquires a Lot for the construction of a single family residence for resale to a third party.

"Improvement" means all physical enhancements and alterations to the Property, including but not limited to grading, clearing, removal of trees, alteration of drainage flow, and site work, and every structure and all appurtenances of every type and kind, whether temporary or permanent in nature, including, but not limited to, buildings, outbuildings, storage sheds, patios, tennis courts, sport courts, recreational facilities, swimming pools, putting greens, garages, driveways, parking areas and/or facilities, storage buildings, sidewalks, fences, gates, screening walls, retaining walls, stairs, patios, decks, walkways, landscaping, mailboxes, poles, signs, antennas, exterior air conditioning equipment or fixtures, exterior lighting fixtures, water softener fixtures or equipment, and poles, pumps, wells, tanks, reservoirs, pipes, lines, meters, antennas, towers and other facilities used in connection with water, sewer, gas, electric, telephone, regular or cable television, or other utilities.

"Lot" means any portion of the Property designated by Declarant or as shown as a subdivided Lot on a Plat other than Common Area.

"Majority" means more than half.

"Manager" has the meaning set forth in *Section 4.5.8*.

"Members" means every person or entity that holds membership privileges in the Association.

"Mortgage" or **"Mortgages"** means any mortgage(s) or deed(s) of trust securing indebtedness and covering any Lot.

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"Mortgagee" or **"Mortgagees"** means the holder(s) of any Mortgage(s).

"Owner" means the person(s), entity or entities, including Declarant, holding all or a portion of the fee simple interest in any Lot, but does not include the Mortgagee under a Mortgage prior to its acquisition of fee simple interest in such Lot pursuant to foreclosure of the lien of its Mortgage.

"Plat" means a Recorded subdivision plat of any portion of the Property and any amendments thereto.

"Private Streets" means Lot 7, Block X, Oakleigh Addition, a subdivision in Tarrant County Texas, according to the plat Recorded under Document No. _____, consisting of private roadways known as Oakleigh Lane and Charlton Drive. The Private Streets shall be used for vehicular and pedestrian ingress and egress to and from the Lots and are designated hereby as Common Area.

"Property" means Lots 1 through 10, Block A; Lots 1 through 7, Block B; and Lots 1 through 6, Block C; Oakleigh Addition, a subdivision in Tarrant County Texas, according to the plat Recorded under Document No. _____, subject to such additions thereto and deletions therefrom as may be made pursuant to *Section 11.3* and *Section 11.4* of this Declaration.

"Record, Recording, Recordation and Recorded" means recorded or to be recorded in the Official Public Records of Tarrant County, Texas.

"Resident" means an occupant or tenant of a Lot, regardless of whether the person owns the Lot.

"Restrictions" means the restrictions, covenants, and conditions contained in this Declaration, the Design Guidelines, Bylaws, Community Manual, Rules or policies promulgated by the Board and amended from time to time. *See Table 1* for a summary of the Restrictions.

"Rules and Regulations" means any instrument, however denominated, which is adopted by the Board for the regulation and management of the Property, including any amendments to those instruments.

"Solar Energy Device" means a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy. The term includes a mechanical or chemical device that has the ability to store solar-generated energy for use in heating or cooling or in the production of power.

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TABLE 1: RESTRICTIONS	
Declaration (Recorded)	Creates obligations that are binding upon the Association and all present and future owners of Property.
Certificate of Formation (Recorded)	Establishes the Association as a Texas nonprofit corporation.
Bylaws (Recorded)	Governs the Association's internal affairs, such as elections, meetings, etc.
Community Manual (Recorded)	Establishes rules and policies governing the Association.
Design Guidelines (if adopted, Recorded)	Governs the design and architectural standards for the construction of Improvements and modifications thereto. The Declarant shall have no obligation to adopt the Design Guidelines.
Rules and Regulations (if adopted, Recorded)	Regulates the use of property, activities, and conduct within the Property.
Board Resolutions (adopted by the Board of the Association)	Establishes rules, policies, and procedures for the Property, Owners and the Association.

ARTICLE 2 USE RESTRICTIONS

All of the Property shall be owned, held, encumbered, leased, used, occupied, and enjoyed subject to the following limitations and restrictions:

2.1 General.

2.1.1 Conditions and Restrictions. All Lots within the Property will be owned, held, encumbered, leased, used, occupied and enjoyed subject to the Restrictions.

NOTICE

The Restrictions are subject to change from time to time. By owning or occupying a Lot, you agree to remain in compliance with the Restrictions, as they may change from time to time.

2.1.2 Ordinances. Ordinances and requirements imposed by local governmental authorities are applicable to all Lots within the Property. Compliance with the Restrictions is not a substitute for compliance with such ordinances and regulations. Please be advised that the Restrictions do not purport to list or describe each ordinance or regulation which may be applicable to a Lot located within the Property. Each Owner is advised to review all ordinances, requirements, regulations and encumbrances affecting the use and improvement of their Lot prior to submitting plans to the ACC for approval. Furthermore, approval by the ACC should not be construed by the Owner that any Improvement complies with the terms and provisions of any ordinances, requirements, regulations or encumbrances which may affect the

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Owner's Lot. Certain encumbrances may benefit parties whose interests are not addressed by the ACC.

2.2 Ordinance 0-16-1978. The Property is subject to Ordinance 0-16-1978 (the "**Ordinance**") adopted on April 19, 2016 by the City. The Ordinance includes certain development requirements, as set forth below. This list is not intended to be an exhaustive list of all of the development requirements of the Ordinance. All Owners are encouraged to review the Ordinance prior to any construction of Improvements on the Property. The Property must be developed, used and otherwise improved in accordance with the following development requirements:

- (i) Each residence must include a garage capable of holding not less than three (3) vehicles. Each garage must be constructed with wood like, architecturally enhanced doors, or contemporary style doors to compliment the architecture of the residence.
- (ii) Residences shall be one hundred percent (100%) brick, stone, or real stucco masonry. No EIFS or artificial stucco material shall be permitted.
- (iii) No aluminum windows shall be permitted. Windows shall be high quality and high energy efficiency, such as vinyl or vinyl clad wood. All windows shall be insulated glass with "low-e" specification.
- (iv) Approved masonry materials shall adhere to the masonry materials allowed in Chapter 6 of the City Land Development Code on Building Design.
- (v) Except for emergency access in accordance with *Section 4.14* hereof, direct access from the Lots to Winnie Drive is prohibited.

All Lots shall be equipped with an irrigation system per the requirements of Chapter 4 - Landscaping and Buffering in the City Land Development Code. Neither the Association, Declarant, nor the ACC have the right or obligation to enforce the terms and provisions of the Ordinance or any other ordinance promulgated, from time to time, by the City.

2.3 Conceptual Plans. All master plans, site plans, brochures, illustrations, information and marketing materials relating to the Property (collectively, the "**Conceptual Plans**") are conceptual in nature and are intended to be used for illustrative purposes only. The land uses and Improvements reflected on the Conceptual Plans are subject to change at any time and from time to time, and it is expressly agreed and understood that land uses within the Property may include uses which are not shown on the Conceptual Plans. Neither Declarant nor any Homebuilder or other developer of any portion of the Property makes any representation or warranty concerning such land uses and Improvements shown on the Conceptual Plans or otherwise planned for the Property and it is expressly agreed and

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understood that no Owner will be entitled to rely upon the Conceptual Plans in making the decision to purchase any land or Improvements within the Property. Each Owner who acquires a Lot within the Property acknowledges that development of the Property will likely extend over many years, and agrees that the Association will not engage in, or use Association funds to support, protest, challenge, or make any other form of objection to development of the Property or changes in the Conceptual Plans as they may be amended or modified from time to time.

2.4 Single-Family Residential Use. The Lots shall be used solely for single-family residential purposes. The Lots may not be used for any other purposes without the prior written consent of the Declarant, which consent may be withheld by the Declarant in its sole and absolute discretion. No professional, business, or commercial activity to which the general public is invited shall be conducted on any portion of a Lot, except an Owner or Resident may conduct business activities within a residence so long as: (i) such activity complies with all the applicable zoning ordinances (if any); (ii) participation in the business activity is limited to the Owner(s) or Resident(s) of a residence; (iii) the existence or operation of the business activity is not apparent or detectable by sight, i.e., no sign may be erected advertising the business within the Property, sound, or smell from outside the residence; (iv) the business activity does not involve door-to-door solicitation of residents within the Property; (v) the business does not, in the Board's judgment, generate a level of vehicular or pedestrian traffic or a number of vehicles parked within the Property which is noticeably greater than that which is typical of residences in which no business activity is being conducted; (vi) the business activity is consistent with the residential character of the Property and does not constitute a nuisance, or a hazardous or offensive use, or threaten the security or safety of other Residents within the Property as may be determined in the sole discretion of the Board; and (vii) the business does not require the installation of any machinery other than that customary to normal household operations. In addition, for the purpose of obtaining any business or commercial license, neither the residence nor Lot will be considered open to the public. The terms "business" and "trade", as used in this provision, shall be construed to have their ordinary, generally accepted meanings and shall include, without limitation, any occupation, work, or activity undertaken on an ongoing basis which involves the provision of goods or services to persons other than the provider's family and for which the provider receives a fee, compensation, or other form of consideration, regardless of whether: (x) such activity is engaged in full or part-time; (y) such activity is intended to or does generate a profit; or (z) a license is required.

Leasing of a residence shall not be considered a business or trade within the meaning of this subsection. This subsection shall not apply to any activity conducted by the Declarant or a Homebuilder.

Notwithstanding any provision in this Declaration to the contrary, until the earlier to occur of expiration or termination of the Development Period, or forty (40) years from the date this Declaration is Recorded:

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- (i) Declarant and/or its designees may construct and maintain upon portions of the Common Area and any Lot owned by the Declarant such facilities and may conduct such activities which, in Declarant's sole opinion, may be reasonably required, convenient, or incidental to the construction or sale of single family residences constructed upon the Lots, including, but not limited to, business offices, signs, model homes, and sales offices. Declarant and/or its designees shall have an easement over and across the Common Area for access and use of such facilities at no charge; and
- (ii) Declarant and/or its designees will have an access easement over and across the Common Area for the purpose of making, constructing and installing Improvements upon the Common Area.

2.5 Rentals. Nothing in this Declaration will prevent the rental of any Lot and the Improvements thereon by the Owner thereof for residential purposes; provided that: (i) all rentals must be for terms of at least six (6) months; and (ii) no portion of a Lot (other than the entire Lot) may be rented. All leases shall be in writing, and the Board will have the authority to approve all leases in advance. Each lease must provide, or be deemed to provide, that the Board shall have the right to terminate the lease upon default by the tenant in observing any provisions of the Restrictions. The Board may deny permission to lease any Lot on any reasonable grounds the Board may find. The Board shall have the right to require the Owner to deposit in escrow with the Association (in addition to any other deposits which may be required by the Owner so long as such additional deposit is not prohibited by law) an amount not to exceed one month's rental fee paid. Said deposit may be used by the Association to repair any damage to the Property resulting from acts or omission by the tenants (as determined in the sole discretion of the Board). Regardless of whether or not expressed in the applicable lease, all Owners shall be jointly and severally liable with the tenants of such Lot to the Association for any amount which is required by the Association to effect such repairs or to pay any claim for any injury or damage to property caused by the negligence of the tenant of such Lot or for the acts or omissions of the tenant(s) of such Lot which constitute a violation of, or non-compliance with, the provisions of the Documents. All leases shall comply with and be subject to the provisions of the Restrictions and the provisions of same shall be deemed expressly incorporated into any lease of a Lot. This Section shall also apply to assignments and renewals of leases. No lease approved by the Board shall be amended or modified without the Board's approval. In making its determination as to whether to approve a lease of a Lot, the Board shall not discriminate on the grounds of race, gender, religion, national origin, familial status or physical or mental handicap; *provided, however*, nothing herein shall be construed to require the Association to furnish an alternate tenant to the Owner in the event the Board disapproves a lease or tenant. Upon entering into an agreement for the lease of a Lot, an Owner, other than Declarant, shall provide written notice to the Board, or its designee, of the lease agreement and furnish the names of the prospective tenant. The Board may require that the Owner deliver to the tenant, a copy of the Restrictions and obtain a written instrument executed by the tenant acknowledging receipt of the Restrictions which receipt will be provided

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to the Board. The Board shall have the right to charge an Owner a reasonable fee (not to exceed \$500.00) as determined by the Board for the processing of leases of Lots.

2.6 Subdividing. No Lot shall be further divided or subdivided, nor may any easements or other interests therein less than the whole be conveyed by the Owner thereof without the prior written approval of the ACC; provided, however, that when Declarant is the Owner thereof, Declarant may further divide and subdivide any Lot and convey any easements or other interests less than the whole, all without the approval of the ACC.

2.7 Hazardous Activities. No activities may be conducted on or within the Property and no Improvements constructed on any portion of the Property which, in the opinion of the Board, are or might be unsafe or hazardous to any person or property. Without limiting the generality of the foregoing, no firearms or fireworks may be discharged upon any portion of the Property unless discharged in conjunction with an event approved in advance by the Board and no open fires may be lighted or permitted except within safe and well-designed fireplaces or in contained barbecue units while attended and in use for cooking purposes. No portion of the Property may be used for the takeoff, storage, or landing of aircraft (including, without limitation, helicopters) except for medical emergencies.

2.8 Insurance Rates. Nothing shall be done or kept on the Property which would increase the rate of casualty or liability insurance or cause the cancellation of any such insurance on the Common Area, or the Improvements located thereon, without the prior written approval of the Board.

2.9 Mining and Drilling. No portion of the Property may be used for the purpose of mining, quarrying, drilling, boring, or exploring for or removing oil, gas, or other hydrocarbons, minerals of any kind, rocks, stones, sand, gravel, aggregate, or earth. This provision will not be construed to prevent the excavation of rocks, stones, sand, gravel, aggregate, or earth or the storage of such material for use as fill provided that such activities are conducted in conjunction with the construction of Improvements and/or the development of the Property by the Declarant. Furthermore, this provision will not be interpreted to prevent the drilling of water wells approved in advance by the ACC which are required to provide water to all or any portion of the Property. All water wells must also be approved in advance by the ACC and any applicable regulatory authority.

2.10 Water Bodies. By acceptance of a deed to a home or a lot, each owner acknowledges that the water levels of all water bodies, if any, may vary. There is no guarantee by the Declarant or the Association that water levels will be constant or aesthetically pleasing at any particular time. In fact, water levels may be non-existent from time to time.

2.11 Noise. No exterior speakers, horns, whistles, bells, or other sound devices (other than security devices used exclusively for security purposes) shall be located, used, or placed on any of the Property. No noise or other nuisance shall be permitted to exist or operate upon any portion of the Property so as to be offensive or detrimental to any other portion of the Property

or to its Residents. Without limiting the generality of the foregoing, if any noise or nuisance emanates from any Improvement on any Lot, the Association may (but shall not be obligated to) enter any such Improvement and take such reasonable actions necessary to terminate such noise (including silencing any burglar or break-in alarm).

2.12 Animals - Household Pets. No animals, including pigs, hogs, swine, poultry, fowl, wild animals, horses, cattle, sheep, goats, or any other type of animal not considered to be a domestic household pet within the ordinary meaning and interpretation of such words may be kept, maintained, or cared for on or within the Property (as used in this paragraph, the term "domestic household pet" shall not mean or include non-traditional pets such as pot-bellied pigs, miniature horses, goats, exotic snakes or lizards, ferrets, monkeys, chickens or other exotic animals). The Board may conclusively determine, in its sole discretion, whether a particular pet is a domestic household pet within the ordinary meaning and interpretation of such words. No Owner may keep more than four (4) cats and dogs, in the aggregate, of which no more than two (2) may be dogs, unless otherwise approved by the Board. No animal may be allowed to make an unreasonable amount of noise, or to become a nuisance, and no domestic pets will be allowed on the Property other than within the Owner's residence, or the fenced yard space associated therewith, unless confined to a leash. The Association may restrict pets to certain areas on the Property. No animal may be stabled, maintained, kept, cared for, or boarded for hire or remuneration on the Property, and no kennels or breeding operation will be allowed. No animal may be allowed to run at large, and all animals must be kept within enclosed areas which must be clean, sanitary, and reasonably free of refuse, insects, and waste at all times. No pet may be left unattended in yards, porches or other outside area. All pet waste will be removed and appropriately disposed of by the owner of the pet. All pets must be registered, licensed and inoculated as required by Applicable Law. If, in the opinion of the Board, any pet becomes a source of unreasonable annoyance to others, or the owner of the pet fails or refuses to comply with these restrictions, the Owner, upon written notice, may be required to remove the pet from the Property.

2.13 Rubbish and Debris. As determined by the Board, no rubbish or debris of any kind may be placed or permitted to accumulate on or within the Property, and no odors will be permitted to arise therefrom so as to render all or any portion of the Property unsanitary, unsightly, offensive, or detrimental to any other property or Residents. Refuse, garbage, and trash must be kept at all times in covered containers, and such containers must be kept within enclosed structures or appropriately screened from view. Each Owner will contract with an independent disposal service to collect all garbage or other wastes, if such service is not provided by a governmental entity or the Association.

2.14 Trash Containers. Trash containers and recycling bins must be stored in one of the following locations:

- (i) inside the garage of the single-family residence constructed on the Lot; or

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- (ii) behind the single-family residence or fence constructed on the Lot in such a manner that the trash container and recycling bin is not visible from any street, alley, or adjacent Lot.

The Board shall have the right to specify additional locations on each Owner's Lot in which trash containers or recycling bins must be stored.

2.15 Maintenance. The Owners of each Lot shall jointly and severally have the duty and responsibility, at their sole cost and expense, to keep their Lot and all Improvements thereon in good condition and repair and in a well-maintained, safe, clean and attractive condition at all times. The Board, in its sole discretion, shall determine whether a violation of the maintenance obligations set forth in this *Section 2.15* has occurred. Such maintenance includes, but is not limited to the following, which shall be performed in a timely manner, as determined by the Board, in its sole discretion:

- (i) Prompt removal of all litter, trash, refuse, and wastes.
- (ii) Lawn mowing.
- (iii) Tree and shrub pruning.
- (iv) Watering.
- (v) Keeping exterior lighting and mechanical facilities in working order.
- (vi) Keeping lawn and garden areas alive, free of weeds, and attractive.
- (vii) Keeping planting beds free of turf grass.
- (viii) Keeping sidewalks and driveways in good repair.
- (ix) Complying with Applicable Law.
- (x) Repainting of Improvements.
- (xi) Repair of exterior damage, and wear and tear to Improvements.

2.16 Street Landscape Area-Owner's Obligation to Maintain Landscaping. Each Owner will be responsible, at such Owner's sole cost and expense, for maintaining mowing, replacing, pruning, and irrigating the landscaping between the boundary of such Owner's Lot and the curb of any adjacent right-of-way, street or alley (the "**ST Landscape Area**") unless the responsibility for maintaining the ST Landscape Area is performed by the Association.

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2.17 Antennas. Except as expressly provided below, no exterior radio or television antennae or aerial or satellite dish or disc, shall be erected, maintained or placed on a Lot without the prior written approval of the ACC; provided, however, that:

- (i) an antenna designed to receive direct broadcast services, including direct-to-home satellite services, that is one meter or less in diameter; or
- (ii) an antenna designed to receive video programming services via multipoint distribution services, including multi-channel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, that is one meter or less in diameter or diagonal measurement; or
- (iii) an antenna that is designed to receive television or radio broadcast signals;

(collectively, (i) through (iii) are referred to herein as the “**Permitted Antennas**”) will be permitted subject to reasonable requirements as to location and screening as may be set forth in rules adopted by the ACC, consistent with Applicable Law, in order to minimize obtrusiveness as viewed from streets and adjacent property. Declarant and/or the Association will have the right, but not the obligation, to erect an aerial, satellite dish, or other apparatus for a master antenna, cable, or other communication system for the benefit of all or any portion of the Property.

2.18 Location of Permitted Antennas. A Permitted Antenna may be installed solely on the Owner's Lot and shall not encroach upon any street, Common Area, or any other portion of the Property. A Permitted Antenna shall be installed in a location on the Lot from which an acceptable quality signal can be obtained and where least visible from the street and the Property, other than the Lot. In order of preference, the locations of a Permitted Antenna which will be considered least visible by the ACC are as follows:

- (i) Attached to the back of the principal single-family residence constructed on the Lot, with no part of the Permitted Antenna any higher than the lowest point of the roofline and screened from view of adjacent Lots and the street; then
- (ii) Attached to the side of the principal single-family residence constructed on the Lot, with no part of the Permitted Antenna any higher than the lowest point of the roofline and screened from view of adjacent Lots and the street.

The ACC may, from time to time, modify, amend, or supplement the rules regarding installation and placement of Permitted Antennas.

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Satellite dishes one meter or less in diameter, e.g., DirectTV or Dish satellite dishes, are permitted, HOWEVER, you are required to comply with the rules regarding installation and placement. These Rules and Regulations may be modified by the ACC from time to time. Please contact the ACC for the current rules regarding installation and placement.

2.19 Signs. Unless otherwise prohibited by Applicable Law, no sign of any kind may be displayed to the public view on any Lot without the prior written approval of the ACC, except for:

- (i) signs which are expressly permitted pursuant to the Design Guidelines or Rules and Regulations;
- (ii) signs which are part of Declarant's or Homebuilder's overall marketing, sale, or construction plans or activities for the Property;
- (iii) one (1) temporary school "spirit" sign placed on the Lot. The sign must be professionally made and shall be limited to maximum face area of five (5) square feet on each visible side and, if free standing, is mounted on a single or frame post. The overall height of the sign from finished grade at the spot where the sign is located may not exceed four (4) feet. The sign must be removed within five (5) business days following the athletic season for which the sign relates;
- (iv) one (1) temporary "For Sale" sign placed on the Lot. The sign must be professionally made and shall be limited to a maximum face area of five (5) square feet on each visible side and, if free standing, is mounted on a single or frame post. The overall height of the sign from the finished grade of the Lot at the spot where the sign is located may not exceed four (4) feet. The sign must be removed within two (2) business days following the sale or lease of the Lot;
- (v) political signs may be erected provided the sign: (a) is erected no earlier than the 90th day before the date of the election to which the sign relates; (b) is removed no later than the 10th day after the date of the election to which the sign relates; and (c) is ground-mounted. Only one sign may be erected for each candidate or ballot item. In addition, signs which include any of the components or characteristics described in Section 202.009(c) of the Texas Property Code are prohibited;
- (vi) a religious item on the entry door or door frame of a residence (which may not extend beyond the outer edge of the door frame), provided that the size of the item(s), individually or in combination with other religious

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items on the entry door or door frame of the residence, does not exceed twenty-five (25) square inches;

- (vii) permits as may be required by legal proceedings; and
- (viii) permits as may be required by any governmental entity.

An Owner or Resident will be permitted to post a “no soliciting” and “security warning” sign near or on the front door to their residence, provided, that the sign may not exceed twenty-five (25) square inches.

For Lease and For Rent signs are expressly prohibited.

2.20 Flags – Approval Requirements. An Owner is permitted to display the flag of the United States of America, the flag of the State of Texas, or an official or replica flag of any branch of the United States Military (“**Permitted Flag**”) and permitted to install a flagpole no more than five feet (5') in length affixed to the front of a residence near the principal entry or affixed to the rear of a residence (“**Permitted Flagpole**”). Only two (2) permitted Flagpoles are allowed per residence. A Permitted Flag or Permitted Flagpole need not be approved in advance by the ACC. Approval by the ACC is required prior to installing vertical freestanding flagpoles installed in the front or back yard area of any Lot (“**Freestanding Flagpole**”). To obtain ACC approval of any Freestanding Flagpole, the Owner shall provide the ACC with the following information: (a) the location of the Freestanding Flagpole to be installed on the Lot; (b) the type of Freestanding Flagpole to be installed; (c) the dimensions of the Freestanding Flagpole; and (d) the proposed materials of the Freestanding Flagpole (the “**Flagpole Application**”). A Flagpole Application may only be submitted by an Owner. The Flagpole Application shall be submitted in accordance with the provisions of *Article 7* of this Declaration.

2.21 Flags – Installation and Display. Unless otherwise approved in advance and in writing by the ACC, Permitted Flags, Permitted Flagpoles and Freestanding Flagpoles, installed in accordance with the Flagpole Application, must comply with the following:

- (i) No more than one (1) Freestanding Flagpole OR no more than two (2) Permitted Flagpoles are permitted per Lot, on which only Permitted Flags may be displayed;
- (ii) Any Permitted Flagpole must be no longer than five feet (5') in length and any Freestanding Flagpole must be no more than twenty feet (20') in height
- (iii) Any Permitted Flag displayed on any flagpole may not be more than three feet in height by five feet in width (3'x5');

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- (iv) With the exception of flags displayed on Common Area or any Lot which is being used for marketing purposes by the Declarant or a Homebuilder, the flag of the United States of America must be displayed in accordance with 4 U.S.C. Sections 5-10 and the flag of the State of Texas must be displayed in accordance with Chapter 3100 of the Texas Government Code;
- (v) The display of a Permitted Flag, or the location and construction of a Permitted Flagpole or Freestanding Flagpole must comply with all Applicable Law;
- (vi) Each Permitted Flagpole and Freestanding Flagpole must be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction thereof and harmonious with the residence;
- (vii) Each Permitted Flag, Permitted Flagpole or Freestanding Flagpole must be maintained in good condition and any deteriorated Permitted Flag or deteriorated or structurally unsafe Permitted Flagpole or Freestanding Flagpole must be repaired, replaced or removed;
- (viii) A Permitted Flag may be illuminated by no more than one (1) halogen landscaping light of low beam intensity which shall not be aimed towards or directly affect any neighboring Lot; and
- (ix) Any external halyard of a Permitted Flagpole or Freestanding Flagpole must be secured so as to reduce or eliminate noise from flapping against the metal of the Permitted Flagpole or Freestanding Flagpole.

2.22 Tanks. The ACC must approve any tank used or proposed in connection with a residence, including tanks for storage of fuel, water, oil, or LPG, and including swimming pool filter tanks. No elevated tanks of any kind may be erected, placed or permitted on any Lot without the advance written approval of the ACC. All permitted tanks must be screened from view in accordance with a screening plan approved in advance by the ACC. This provision will not apply to a tank used to operate a standard residential gas grill.

2.23 Temporary Structures. No tent, shack, or other temporary building, Improvement, or structure shall be placed upon the Property without the prior written approval of the ACC; provided, however, that temporary structures necessary for storage of tools and equipment, and for office space for Homebuilders, architects, and foremen during actual construction may be maintained with the prior approval of Declarant, approval to include the nature, size, duration, and location of such structure.

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2.24 Unsightly Articles; Vehicles. No article deemed to be unsightly by the Board will be permitted to remain on any Lot so as to be visible from adjoining property or from public or private thoroughfares. Without limiting the generality of the foregoing, trailers, graders, trucks other than pickups, boats, tractors, campers, wagons, buses, motorcycles, motor scooters, all-terrain vehicles and garden and lawn maintenance equipment must be kept at all times except when in actual use, in enclosed structures or screened from view and no repair or maintenance work may be done on any of the foregoing, or on any automobile (other than minor emergency repairs), except in enclosed garages or other structures. Service areas, storage areas, compost piles and facilities for hanging, drying or airing clothing or household fabrics must be appropriately screened from view, and no lumber, grass, plant waste, shrub or tree clippings, metals, bulk materials, scrap, refuse or trash must be kept, stored, or allowed to accumulate on any portion of the Property except within enclosed structures or appropriately screened from view. No: (i) racing vehicles; or (ii) other vehicles (including, without limitation, motorcycles or motor scooters) which are inoperable or do not have a current license tag will be permitted to remain visible on any Lot or to be parked on any roadway within the Property. Motorcycles shall be operated in a quiet manner.

Parking of commercial vehicles or equipment, recreational vehicles, boats and other watercraft, trailers, stored vehicles or inoperable vehicles in places other than: (a) in enclosed garages; and (b) behind a fence so as to not be visible from any other portion of the Property is prohibited; provided, construction, service and delivery vehicles may be exempt from this provision for such period of time as is reasonably necessary to provide service or to make a delivery to a residence, but in no event exceeding twenty-four (24) hours.

Mobile homes are prohibited. Notwithstanding the foregoing, sales trailers or other temporary structures expressly approved by the ACC shall be permitted.

2.25 On Street Parking. Unless otherwise approved by the Declarant or the Board, no vehicle may be parked on any road or street within the Property unless in the event of an emergency. "Emergency" for purposes of the foregoing sentence shall mean an event which jeopardizes life or property. "Parked" as used herein shall be defined as a vehicle left unattended by a licensed operator for more than thirty (30) consecutive minutes.

2.26 Basketball Goals; Permanent and Portable. Permanent basketball goals are permitted between the street right-of-way and the front of the residence on a Lot provided the basketball goal is located approximately twenty-five feet (25') from the street curb. The basketball goal backboard must be perpendicular to the street and mounted on a black metal pole permanently installed in the ground. Portable basketball goals are permitted but must be stored in the rear of the Lot or inside garage from sundown to sunrise. Basketball goals must be properly maintained and painted, with the net in good repair. All basketball goals, whether permanent or portable, must be approved by the ACC prior to being placed on any Lot.

2.27 Compliance with Restrictions. Each Owner, his or her family, Residents of a Lot, tenants, and the guests, invitees, and licensees of the preceding shall comply strictly with

the provisions of the Restrictions as the same may be amended from time to time. Failure to comply with any of the Restrictions shall constitute a violation of the Restrictions and may result in a fine against the Owner in accordance with *Section 6.12* of this Declaration, and shall give rise to a cause of action to recover sums due for damages or injunctive relief, or both, maintainable by the Declarant, the Board on behalf of the Association, the ACC, or by an aggrieved Owner. Without limiting any rights or powers of the Association, the Board may (but shall not be obligated to) remedy or attempt to remedy any violation of any of the provisions of Restrictions, and the Owner whose violation has been so remedied shall be personally liable to the Association for all costs and expenses of effecting (or attempting to effect) such remedy. If such Owner fails to pay such costs and expenses upon demand by the Association, such costs and expenses (plus interest from the date of demand until paid at the maximum lawful rate, or if there is no such maximum lawful rate, at the rate of one and one-half percent (1-1/2%) per month) shall be assessed against and chargeable to the Owner's Lot(s). Any such amounts assessed and chargeable against a Lot shall be secured by the liens reserved in this Declaration for Assessments and may be collected by any means provided in this Declaration for the collection of Assessments, including, but not limited to, foreclosure of such liens against the Owner's Lot(s). **Each such Owner shall indemnify and hold harmless the Association and its officers, directors, employees and agents from any cost, loss, damage, expense, liability, claim or cause of action incurred or that may arise by reason of the Association's acts or activities under this Section 2.27 (including any cost, loss, damage, expense, liability, claim or cause of action arising out of the Association's negligence in connection therewith), except for such cost, loss, damage, expense, liability, claim or cause of action arising by reason of the Association's gross negligence or willful misconduct. "Gross negligence" as used herein does not include simple negligence, contributory negligence or similar negligence short of actual gross negligence.**

2.28 Liability of Owners for Damage to Common Area. No Owner shall in any way alter, modify, add to or otherwise perform any work upon the Common Area without the prior written approval of the Board. Each Owner shall be liable to the Association for any and all damages to: (i) the Common Area and any Improvements constructed thereon; or (ii) any Improvements constructed on any Lot, the maintenance of which has been assumed by the Association, which damages were caused by the neglect, misuse or negligence of such Owner or Owner's family, or by Resident of such Owner's Lot, or any guest or invitee of such Owner or Resident. The full cost of all repairs of such damage shall be an Individual Assessment against such Owner's Lot, secured by a lien against such Owner's Lot and collectable in the same manner as provided in *Section 6.10* of this Declaration.

2.29 No Warranty of Enforceability. Declarant makes no warranty or representation as to the present or future validity or enforceability of the Restrictions. Any Owner acquiring a Lot in reliance on one or more of the Restrictions shall assume all risks of the validity and enforceability thereof and, by acquiring the Lot, agrees to hold Declarant harmless therefrom.

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2.30 Party Wall Fences. A fence or wall located on or near the dividing line between two (2) Lots and intended to benefit both Lots constitutes a "Party Wall" and, to the extent not inconsistent with the provisions of this *Section 2.30*, is subject to the general rules of law regarding party walls and liability for property damage due to negligence, willful acts, or omissions.

2.30.1 Encroachments & Easement. If the Party Wall is on one Lot due to an error in construction, the Party Wall is nevertheless deemed to be on the dividing line for purposes of this *Section 2.30*. Each Lot sharing a Party Wall is subject to an easement for the existence and continuance of any encroachment by the Party Wall as a result of construction, repair, shifting, settlement, or movement in any portion of the Party Wall, so that the encroachment may remain undisturbed as long as the Party Wall stands. Each Lot is subject to a reciprocal easement for the maintenance, repair, replacement, or reconstruction of the Party Wall.

2.30.2 Right to Repair. If the Party Wall is damaged or destroyed from any cause, the Owner of either Lot may repair or rebuild the Party Wall to its previous condition, and the Owners of both Lots, their successors and assigns, have the right to the full use of the repaired or rebuilt Party Wall.

2.30.3 Maintenance Costs. The Owners of the adjoining Lots share equally the costs of repair, reconstruction, or replacement of the Party Wall, subject to the right of one Owner to call for larger contribution from the other under any rule of law regarding liability for negligence or willful acts or omissions. If an Owner is responsible for damage to or destruction of the Party Wall, that Owner will bear the entire cost of repair, reconstruction, or replacement. If an Owner fails or refuses to pay his share of costs of repair or replacement of the Party Wall, the Owner advancing monies has a right to file a claim of lien for the monies advanced in the Official Public Records of Tarrant County, Texas, and has the right to foreclose the lien as if it were a mechanic's lien. The right of an Owner to require contribution from another Owner under this *Section 2.30* is appurtenant to the Lot and passes to the Owner's successors in title.

2.30.4 Alterations. The Owner of a Lot sharing a Party Wall may not cut openings in the Party Wall or alter or change the Party Wall in any manner that affects the use, condition, or appearance of the Party Wall to the adjoining Lot. The Party Wall will always remain in the same location as when erected unless otherwise approved by the Owner of each Lot sharing the Party Wall and the ACC.

2.31 No Tennis or Recreational Courts; Playscapes. No tennis, recreational or sport courts shall be constructed on any Lot unless expressly approved by the ACC. The ACC may prohibit the installation of a tennis, recreational or sport court on any Lot. Playscapes or any similar recreational facilities may not be constructed on any Lot without the advance written approval of the ACC. The ACC may prohibit the installation of playscapes or similar recreational facilities on any Lot.

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2.32 Decorations and Lighting. Unless otherwise permitted by *Section 2.19(vi)*, no decorative appurtenances such as sculptures, birdbaths and birdhouses, fountains, or other decorative embellishments shall be placed on the residence or on the front yard or on any other portion of a Lot which is visible from any street, unless such specific items have been approved in writing by the ACC. Customary seasonal decorations for holidays are permitted without approval by the ACC but shall be removed within thirty (30) days of the applicable holiday. Outside lighting fixtures shall be placed so as to illuminate only the yard of the applicable Lot and so as not to affect or reflect into surrounding residences or yards. No mercury vapor, sodium or halogen light shall be installed on any Lot which is visible from any street unless otherwise approved by the ACC.

2.33 Clotheslines; Window Air Conditioners. No clotheslines and no outdoor clothes drying or hanging shall be permitted within the Property, nor shall anything be hung, painted or displayed on the outside of the windows (or inside, if visible from the outside) or placed on the outside walls or outside surfaces of doors of any of the residence, and no awnings, canopies or shutters (except for those heretofore or hereinafter installed by Declarant or a Homebuilder) shall be affixed or placed upon the exterior walls or roofs of residences, or any part thereof, nor relocated or extended, without the prior written consent of the ACC. Window air conditioners are prohibited.

2.34 Dumping. No portion of the Property shall be used or maintained as a dumping ground for rubbish, trash, new or used lumber or wood, metal scrap, garbage or other waste, except that such material may be kept in areas of the Property designated for this purpose by Declarant (in connection with its construction) or by the Board, provided that these materials are kept in sanitary containers in a clean and sanitary condition. Owners shall place these containers for collection only in the designated areas and only on the day these refuse materials are to be collected. Empty containers shall be removed promptly after collection.

2.35 Restriction on Use of Common Area. The Board may prohibit or restrict the use of the Common Area from time to time, on a non-discriminatory basis, if and to the extent required for safety or other valid reasons.

2.36 Water Quality Facilities, Drainage Facilities and Drainage Ponds. The Property may include, now or in the future, one or more water quality facilities, sedimentation, drainage and detention facilities, or ponds which serve all or a portion of the Property and are inspected, maintained and administered by the Association in accordance with Applicable Law. Access to these facilities and ponds is limited to persons engaged by the Association to periodically maintain such facilities. Each Owner is advised that the water quality facilities, sedimentation, drainage and detention facilities and ponds are an active utility feature integral to the proper operation of the Property and may periodically hold standing water. Each Owner is advised that entry into the water quality facilities, sedimentation, drainage and detention facilities or ponds may result in injury and is a violation of the Rules and Regulations.

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2.37 Homebuilder Exemption. The provisions of this Article are intended to restrict certain uses that may be harmful or affect the ambience or aesthetic appeal of the Property; the restrictions are not intended to prohibit the Declarant or Homebuilders from performing such work as may be necessary in the completion of the Property, or any portion thereof. The restrictions in this Article shall not be binding on Declarant or Homebuilders in the performance of any work required in order to complete construction of the Property, or any portion thereof.

ARTICLE 3 CONSTRUCTION RESTRICTIONS

3.1 Approval for Construction. Unless prosecuted by the Declarant, no Improvements shall be constructed upon any Lot without the prior written approval of the ACC in accordance with Article 7 of this Declaration.

3.2 Masonry Requirements. The masonry requirements for each residence constructed on a Lot are set forth in the Design Guidelines.

3.3 Minimum Square Footage. The minimum square footage requirements for each residence constructed on a Lot are set forth in the Design Guidelines.

3.4 Garages. Each residence constructed upon a Lot shall have a private garage for not less than three (3) automobiles. The location, orientation and opening of each garage to be located on a Lot shall be approved in advance of construction by the ACC. All garages shall be maintained for the parking of automobiles, may not be used for storage or other purposes which preclude its use for the parking of automobiles, and no garage may be permanently enclosed or otherwise used for habitation.

3.5 Fences; Sidewalks. All fences and walls shall comply with all Applicable Law. Unless otherwise approved by the ACC, no fence, wall or hedge will be erected or maintained on any Lot nearer to the street than the front elevation of the residence constructed on the Lot, except for fences erected in conjunction with the model homes or sales offices. The ACC will have the sole discretion to determine the front elevation of the residence for the purpose of this Section 3.5. Fences constructed on corner lots may be installed one (1) foot from the sidewalk and/or curb along the side yard adjacent to the street provided that such fencing complies with Applicable Law. The fencing requirements for each residence constructed on a Lot are set forth in the Design Guidelines. If required by the Plat, the Owner of each Lot shall construct, at such Owner's sole cost and expense and prior to occupying any Improvement, a sidewalk on such Owner's Lot, located and designed in conformance with the Plat.

3.6 Building Restrictions. All building materials must be approved in advance by the ACC, and only new building materials shall be used for constructing any Improvements. All projections from a residence or other structure, including but not limited to chimney flues, vents, gutters, downspouts, utility boxes, porches, railings and exterior stairways must, unless

otherwise approved by the ACC, match the color of the surface from which they project. No highly reflective finishes (other than glass, which may not be mirrored) shall be used on exterior surfaces (other than surfaces of hardware fixtures), including, without limitation, the exterior surfaces of any Improvements.

3.7 Alteration or Removal of Improvements. Any construction, other than normal maintenance, which in any way alters the exterior appearance of any Improvement, or the removal of any Improvement shall be performed only with the prior written approval of the ACC.

3.8 Drainage. There shall be no interference with the established drainage patterns over any of the Property, including the Lots, except by Declarant, unless adequate provision is made for proper drainage and such provision is approved in advance by the ACC. Specifically, and not by way of limitation, no Improvement, including landscaping, may be installed which impedes the proper drainage of water between Lots.

3.9 Construction Activities. The Restrictions will not be construed or applied so as to unreasonably interfere with or prevent normal construction activities during the construction of Improvements by an Owner (including Declarant or a Homebuilder) upon or within the Property. Specifically, no such construction activities will be deemed to constitute a nuisance or a violation of the Restrictions by reason of noise, dust, presence of vehicles or construction machinery, posting of signs or similar activities, provided that such construction is pursued to completion with reasonable diligence and conforms to usual construction practices in the area. In the event that construction upon any Lot does not conform to usual practices in the area as determined by the ACC in its sole and reasonable judgment, the ACC will have the authority to seek an injunction to stop such construction. In addition, if during the course of construction upon any Lot there is excessive accumulation of debris of any kind which would render the Lot or any portion thereof unsanitary, unsightly, offensive, or detrimental to it or any other portion of the Property, then the ACC may contract for or cause such debris to be removed, and the Owner of the Lot will be liable for all reasonable expenses incurred in connection therewith.

3.10 Roofing. The roofing requirements for each residence constructed on a Lot are set forth in the Design Guidelines.

3.11 Swimming Pools. Any swimming pool constructed on a Lot must be enclosed with a fence or other enclosure device completely surrounding the swimming pool which, at a minimum, satisfies all Applicable Law. Nothing in this *Section 3.11* is intended or shall be construed to limit or affect an Owner's obligation to comply with any Applicable Law concerning swimming pool enclosure requirements. Above-ground or temporary swimming pools are prohibited.

3.12 Solar Energy Device. Solar Energy Devices may be installed with the advance written approval of the ACC in accordance with the procedures and requirements set forth below:

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3.12.1 Application. To obtain ACC approval of a Solar Energy Device, the Owner shall provide the ACC with the following information: (i) the proposed installation location of the Solar Energy Device; and (ii) a description of the Solar Energy Device, including the dimensions, manufacturer, and photograph or other accurate depiction (the “**Solar Application**”). A Solar Application may only be submitted by an Owner unless the Owner’s tenant provides written confirmation at the time of submission that the Owner consents to the Solar Application. The Solar Application shall be submitted in accordance with the provisions of *Article 7* of this Declaration.

3.12.2 Approval Process. The ACC will review the Solar Application in accordance with the terms and provisions of *Article 7* of this Declaration. The ACC will approve a Solar Energy Device if the Solar Application complies with *Section 3.12.3* below **UNLESS** the ACC makes a written determination that placement of the Solar Energy Device, despite compliance with *Section 3.12.3*, will create a condition that substantially interferes with the use and enjoyment of property within the Property by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. The ACC’s right to make a written determination in accordance with the foregoing sentence is negated if all Owners of Lots immediately adjacent to the Owner/applicant provide written approval of the proposed placement. Any proposal to install a Solar Energy Device on property owned or maintained by the Association or property owned in common by Members of the Association must be approved in advance and in writing by the Board, and the Board need not adhere to this *Section 3.12* when considering any such request.

3.12.3 Approval Conditions. Unless otherwise approved in advance and in writing by the ACC, each Solar Application and each Solar Energy Device to be installed in accordance therewith must comply with the following:

- (i) The Solar Energy Device must be located on the roof of the residence located on the Owner’s Lot, entirely within a fenced area of the Owner’s Lot, or entirely within a fenced patio located on the Owner’s Lot. If the Solar Energy Device will be located on the roof of the residence, the ACC may designate the location for placement unless the location proposed by the Owner increases the estimated annual energy production of the Solar Energy Device, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than ten (10) percent above the energy production of the Solar Energy Device if installed in the location designated by the ACC. If the Owner desires to contest the alternate location proposed by the ACC, the Owner should submit information to the ACC which demonstrates that the Owner’s proposed location meets the foregoing criteria. If the Solar Energy Device will be located in the fenced area of the Owner’s Lot or patio, no portion of the Solar Energy Device may extend above the fence line.

- (ii) If the Solar Energy Device is mounted on the roof of the principal residence located on the Owner's Lot, then: (a) the Solar Energy Device may not extend higher than or beyond the roofline; (b) the Solar Energy Device must conform to the slope of the roof and the top edge of the Solar Device must be parallel to the roofline; (c) the frame, support brackets, or visible piping or wiring associated with the Solar Energy Device must be silver, bronze or black.

3.13 Rainwater Harvesting Systems. Rain barrels or rainwater harvesting systems (a "Rainwater Harvesting System") may be installed with the advance written approval of the ACC.

3.13.1 Application. To obtain ACC approval of a Rainwater Harvesting System, the Owner shall provide the ACC with the following information: (a) the proposed installation location of the Rainwater Harvesting System; and (b) a description of the Rainwater Harvesting System, including the color, dimensions, manufacturer, and photograph or other accurate depiction (the "**Rain System Application**"). A Rain System Application may only be submitted by an Owner unless the Owner's tenant provides written confirmation at the time of submission that the Owner consents to the Rain System Application.

3.13.2 Approval Process. The decision of the ACC will be made in accordance with *Article 7* of this Declaration. Any proposal to install a Rainwater Harvesting System on property owned by the Association or property owned in common by Members of the Association must be approved in advance and in writing by the Board, and the Board need not adhere to this *Section 3.13* when considering any such request.

3.13.3 Approval Conditions. Unless otherwise approved in advance and in writing by the ACC, each Rain System Application and each Rainwater Harvesting System to be installed in accordance therewith must comply with the following:

- (i) The Rainwater Harvesting System must be consistent with the color scheme of the residence constructed on the Owner's Lot, as reasonably determined by the ACC.
- (ii) The Rainwater Harvesting System does not include any language or other content that is not typically displayed on such a device.
- (iii) The Rainwater Harvesting System is in no event located between the front of the residence constructed on the Owner's Lot and any adjoining or adjacent street.
- (iv) There is sufficient area on the Owner's Lot to install the Rainwater Harvesting System, as reasonably determined by the ACC.

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See *Section 3.13.4* for additional guidance.

3.13.4 Guidelines. If the Rainwater Harvesting System will be installed on or within the side yard of a Lot, or would otherwise be visible from a street, the Common Area, or another Owner's Lot, the ACC may regulate the size, type, shielding of, and materials used in the construction of the Rainwater Harvesting System. Accordingly, when submitting a Rain System Application, the application should describe methods proposed by the Owner to shield the Rainwater Harvesting System from the view of any street, Common Area, or another Owner's Lot. When reviewing a Rain System Application for a Rainwater Harvesting System that will be installed on or within the side yard of a Lot, or would otherwise be visible from a street, the Common Area, or another Owner's Lot, any additional requirements imposed by the ACC to regulate the size, type, shielding of, and materials used in the construction of the Rainwater Harvesting System, may not prohibit the economic installation of the Rainwater Harvesting System, as reasonably determined by the ACC.

3.14 Xeriscaping. As part of the installation and maintenance of landscaping on an Owner's Lot, an Owner may submit plans for and install drought tolerant landscaping ("**Xeriscaping**") upon written approval by the ACC. All Owners implementing Xeriscaping shall comply with the following:

3.14.1 Application. Approval by the ACC is required prior to installing Xeriscaping. To obtain the approval of the ACC for Xeriscaping, the Owner shall provide the ACC with the following information: (i) the proposed site location of the Xeriscaping on the Owner's Lot; (ii) a description of the Xeriscaping, including the types of plants, border materials, hardscape materials and photograph or other accurate depiction and (iii) the percentage of yard to be covered with gravel, rocks and cacti (the "**Xeriscaping Application**"). A Xeriscaping Application may only be submitted by an Owner unless the Owner's tenant provides written confirmation at the time of submission that the Owner consents to the Xeriscaping Application. The ACC is not responsible for: (i) errors or omissions in the Xeriscaping Application submitted to the ACC for approval; (ii) supervising installation or construction to confirm compliance with an approved Xeriscaping Application or (iii) the compliance of an approved application with Applicable Law.

3.14.2 Approval Conditions. Unless otherwise approved in advance and in writing by the ACC, each Xeriscaping Application and all Xeriscaping to be installed in accordance therewith must comply with the following:

- (i) The Xeriscaping must be aesthetically compatible with other landscaping in the community as reasonably determined by the ACC. For purposes of this *Section 3.14*, "aesthetically compatible" shall mean overall and long-term aesthetic compatibility within the community. For example, an Owner's Lot plan may be denied if the ACC determines that: a) the proposed Xeriscaping would not be harmonious with already established turf and landscaping in the overall community; and/or b) the use of

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specific turf or plant materials would result in damage to or cause deterioration of the turf or landscaping of an adjacent property owner, resulting in a reduction of aesthetic appeal of the adjacent property Owner's Lot.

- (ii) No Owners shall install gravel, rocks or cacti that in the aggregate encompass over ten percent (10%) of such Owner's front yard or ten percent (10%) of such Owner's back yard.
- (iii) The Xeriscaping must not attract diseases and insects that are harmful to the existing landscaping on neighboring Lots, as reasonably determined by the ACC.

3.14.3 Process. The decision of the ACC will be made within a reasonable time, or within the time period otherwise required by the principal deed restrictions which govern the review and approval of improvements. A Xeriscaping Application submitted to install Xeriscaping on property owned by the Association or property owned in common by members of the Association will not be approved. Any proposal to install Xeriscaping on property owned by the Association or property owned in common by members of the Association must be approved in advance and in writing by the Board, and the Board need not adhere to the requirements set forth in this *Section 3.14* when considering any such request.

3.14.4 Approval. Each Owner is advised that if the Xeriscaping Application is approved by the ACC, installation of the Xeriscaping must: (i) strictly comply with the Xeriscaping Application; (ii) commence within thirty (30) days of approval; and (iii) be diligently prosecuted to completion. If the Owner fails to cause the Xeriscaping to be installed in accordance with the approved Xeriscaping Application, the ACC may require the Owner to: (i) modify the Xeriscaping Application to accurately reflect the Xeriscaping installed on the Property; or (ii) remove the Xeriscaping and reinstall the Xeriscaping in accordance with the approved Xeriscaping Application. Failure to install Xeriscaping in accordance with the approved Xeriscaping Application or an Owner's failure to comply with the post-approval requirements constitutes a violation of this Declaration and may subject the Owner to fines and penalties. Any requirement imposed by the ACC to resubmit a Xeriscaping Application or remove and relocate Xeriscaping in accordance with the approved Xeriscaping Application shall be at the Owner's sole cost and expense

ARTICLE 4

OAKLEIGH RESIDENTIAL COMMUNITY, INC.

4.1 Organization. The Association will be a nonprofit corporation created for the purposes, charged with the duties, and vested with the powers of a Texas non-profit corporation. Neither the Certificate nor Bylaws will for any reason be amended or otherwise changed or interpreted so as to be inconsistent with this Declaration.

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4.2 Membership.

4.2.1 Mandatory Membership. Any person or entity, upon becoming an Owner, will automatically become a Member of the Association. Membership will be appurtenant to and will run with the ownership of the Lot that qualifies the Owner thereof for membership, and membership may not be severed from the ownership of the Lot, or in any way transferred, pledged, mortgaged or alienated, except together with the title to such Lot.

**If you acquire a Lot you automatically become a member of the Association.
Membership is Mandatory!**

4.2.2 Easement of Enjoyment – Common Area. Every Member will have a right and easement of enjoyment in and to all of the Common Area and an access easement by and through any Common Area, which easements will be appurtenant to and will pass with the title to such Member's Lot, subject to the following restrictions and reservations:

- (i) The right of the Declarant, or the Declarant's designee, to cause such Improvements and features to be constructed upon the Common Area, as determined from time to time by the Declarant, in the Declarant's sole and absolute discretion;
- (ii) The right of the Association to suspend the Member's right to use the Common Area for any period during which any Assessment against such Member's Lot remains past due and for any period during which such member is in violation of any provision of this Declaration;
- (iii) The right of the Declarant, during the Development Period, and the Board thereafter, to dedicate or transfer all or any part of the Common Area to any public agency, authority or utility for any purpose;
- (iv) With the advance written approval of the Declarant during the Development Period, the right of the Board to grant easements or licenses over and across the Common Area;
- (v) With the advance written approval of the Declarant during the Development Period, the right of the Board to borrow money for the purpose of improving the Common Area and, in furtherance thereof, mortgage the Common Area;
- (vi) The right of the Declarant, during the Development Period, and the Board, with the advance written approval of the Declarant during the Development Period, to promulgate Rules and Regulations regarding the use of the Common Area and any Improvements thereon; and

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- (vii) The right of the Association to contract for services with any third parties on such terms as the Board may determine, except that during the Development Period, all such contracts must be approved in advance and in writing by the Declarant.

4.3 Governance. As more specifically described in the Bylaws, the Board will consist of at least three (3) persons elected at the annual meeting of the Association, or at a special meeting called for such purpose. **Notwithstanding the foregoing provision or any provision in this Declaration to the contrary, Declarant will have the sole right to appoint and remove all members of the Board until the 10th anniversary of the date this Declaration is Recorded. Not later than the 10th anniversary of the date this Declaration is Recorded, or sooner as determined by Declarant, the Board shall hold a meeting of Members of the Association for the purpose of electing one-third of the Board (the "Initial Member Election Meeting"), which Board member(s) must be elected by Owners other than the Declarant. Declarant shall continue to have the sole right to appoint and remove two-thirds of the Board from and after the Initial Member Election Meeting until expiration or termination of the Development Period.**

4.4 Voting Rights. The right to cast votes and the number of votes which may be cast for election of members to the Board (except as provided by *Section 4.3*) and on all other matters to be voted on by the Members will be calculated as set forth below.

4.4.1 Owner Votes. The Owner of each Lot will have one (1) vote for each Lot so owned.

4.4.2 Declarant Votes. In addition to the votes to which Declarant is entitled by reason of *Section 4.4.9*, for every one (1) vote outstanding in favor of any other person or entity, Declarant will have four (4) additional votes until the expiration or termination of the Development Period.

4.4.3 Co-Owner Votes. When more than one person or entity owns a portion of the fee simple interest in any Lot, all such persons or entities will be Members. The vote or votes (or fraction thereof) for such Lot will be exercised by the person so designated in writing to the Secretary of the Association by the Owner of such Lot, and in no event will the vote for such Lot exceed the total votes to which such Lot is otherwise entitled under this *Section 4.4*.

4.5 Powers. The Association will have the powers of a Texas nonprofit corporation. It will further have the power to do and perform any and all acts that may be necessary or proper, for or incidental to, the exercise of any of the express powers granted to it by Applicable Law or this Declaration. Without in any way limiting the generality of the two preceding sentences, the Board, acting on behalf of the Association, will have the following powers at all times:

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4.5.1 Rules and Regulations, Bylaws and Community Manual. To make, establish and promulgate, and in its discretion to amend from time to time, or repeal and re-enact, such rules, regulations, policies, Bylaws and Community Manual, as applicable, which are not in conflict with this Declaration, as it deems proper, covering any and all aspects of the Property, the Common Area (including the operation, maintenance and preservation thereof) or the Association. Any Rules and Regulations, policies, the Bylaws and the Community Manual and any modifications thereto proposed by the Board must be approved in advance and in writing by the Declarant until expiration or termination of the Development Period.

4.5.2 Insurance. To obtain and maintain in effect, policies of insurance that, in the opinion of the Board, are reasonably necessary or appropriate to carry out the Association's functions.

4.5.3 Records. To keep books and records of the Association's affairs, and to make such books and records, together with current copies of the Restrictions available for inspection by the Owners, Mortgagees, and insurers or guarantors of any Mortgage upon request during normal business hours.

4.5.4 Assessments. To levy and collect assessments, as provided in *Article 6* below.

4.5.5 Right of Entry and Enforcement. To enter at any time without notice in an emergency (or in the case of a non-emergency, after twenty-four (24) hours written notice), without being liable to any Owner or Resident, upon any Lot and into any Improvement thereon for the purpose of enforcing the Restrictions or for the purpose of maintaining or repairing any area, Improvement or other facility to conform to the Restrictions. The expense incurred by the Association in connection with the entry upon any Lot and the maintenance and repair work conducted thereon or therein will be a personal obligation of the Owner of the Lot so entered, will be deemed an Individual Assessment against such Lot, will be secured by a lien upon such Lot, and will be enforced in the same manner and to the same extent as provided in *Article 6* hereof for Assessments. The Association will have the power and authority from time to time, in its own name and on its own behalf, or in the name of and on behalf of any Owner who consents thereto, to commence and maintain actions and suits to enforce, by mandatory injunction or otherwise, or to restrain and enjoin, any breach or threatened breach of the Restrictions. The Association is also authorized to settle claims, enforce liens and take all such action as it may deem necessary or expedient to enforce the Restrictions; provided, however, that the Board will never be authorized to expend any Association funds for the purpose of bringing suit against Declarant, or its successors or assigns. The Association may not alter or demolish any Improvements on any Lot other than Common Area in enforcing these Restrictions before a judicial order authorizing such action has been obtained by the Association, or before the written consent of the Owner(s) of the affected Lot(s) has been obtained. **EACH SUCH OWNER AND RESIDENT WILL INDEMNIFY AND HOLD HARMLESS THE ASSOCIATION, ITS OFFICERS, DIRECTORS, EMPLOYEES AND**

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AGENTS FROM ANY COST, LOSS, DAMAGE, EXPENSE, LIABILITY, CLAIM OR CAUSE OF ACTION INCURRED OR THAT MAY ARISE BY REASON OF THE ASSOCIATION'S ACTS OR ACTIVITIES UNDER THIS SECTION 4.5.5 (INCLUDING ANY COST, EXPENSE, LIABILITY, CLAIM OR CAUSE OF ACTION ARISING OUT OF THE ASSOCIATION'S NEGLIGENCE IN CONNECTION THEREWITH), EXCEPT FOR SUCH COST, LOSS, DAMAGE, EXPENSE, LIABILITY, CLAIM OR CAUSE OF ACTION ARISING BY REASON OF THE ASSOCIATION'S GROSS NEGLIGENCE OR WILLFUL MISCONDUCT. "GROSS NEGLIGENCE" DOES NOT INCLUDE SIMPLE NEGLIGENCE, CONTRIBUTORY NEGLIGENCE OR SIMILAR NEGLIGENCE SHORT OF ACTUAL GROSS NEGLIGENCE.

4.5.6 Legal and Accounting Services. To retain and pay for legal and accounting services necessary or proper in the operation of the Association.

4.5.7 Conveyances. To grant and convey to any person or entity the real property and/or other interest, including fee title, leasehold estates, easements, rights-of-way or mortgages, out of, in, on, over, or under any Common Area for the purpose of constructing, erecting, operating or maintaining the following:

- (i) Parks, parkways or other recreational facilities or structures;
- (ii) Roads, streets, sidewalks, signs, street lights, walks, driveways, trails and paths;
- (iii) Lines, cables, wires, conduits, pipelines or other devices for utility purposes;
- (iv) Sewers, water systems, storm water drainage systems, sprinkler systems and pipelines; and/or
- (v) Any similar Improvements or facilities.

Nothing set forth above, however, will be construed to permit use or occupancy of any Improvement or other facility in a way that would violate applicable use and occupancy restrictions imposed by the Restrictions or by Applicable Law. In addition, until expiration or termination of the Development Period, any grant or conveyance under this Section 4.5.7 must be approved in advance and in writing by the Declarant. In addition, the Association is (with the advance written approval of the Declarant during the Development Period) and the Declarant are expressly authorized and permitted to convey easements over and across Common Area for the benefit of property not otherwise subject to the terms and provisions of this Declaration.

4.5.8 Manager. To retain and pay for the services of a person or firm (the "Manager"), which may include Declarant or any affiliate of Declarant, to manage and operate the Association, including its property, to the extent deemed advisable by the Board. Personnel

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may be employed directly by the Association or may be furnished by the Manager. To the extent permitted by Applicable Law, the Board may delegate any other duties, powers and functions to the Manager. In addition, the Board may adopt transfer fees, resale certificate fees or any other fees associated with the provision of management services to the Association or its Members. **THE MEMBERS HEREBY RELEASE THE ASSOCIATION AND THE MEMBERS OF THE BOARD AND COMMITTEE MEMBERS FROM LIABILITY FOR ANY OMISSION OR IMPROPER EXERCISE BY THE MANAGER OF ANY SUCH DUTY, POWER OR FUNCTION SO DELEGATED.**

4.5.9 Property Services. To pay for water, sewer, garbage removal, street lights, landscaping, gardening and all other utilities, services, repair and maintenance for any portion of the Property, Common Area, private or public recreational facilities, easements, roads, roadways, rights-of-ways, signs, parks, parkways, median strips, sidewalks, paths, trails, ponds, and lakes.

4.5.10 Other Services and Properties. To obtain and pay for any other property and services, and to pay any other taxes or assessments that the Association or the Board is required or permitted to secure or to pay for pursuant to Applicable Law or under the terms of the Restrictions or as determined by the Board.

4.5.11 Construction on Common Area. To construct new Improvements or additions to any property owned, leased, or licensed by the Association, subject to the approval of the Board and the Declarant until expiration or termination of the Development Period.

4.5.12 Contracts. To enter into Bulk Rate Contracts or other contracts or licenses with Declarant or any third party on such terms and provisions as the Board will determine, to operate and maintain any Common Area or other property, or to provide any service, including but not limited to cable, utility, or telecommunication services, or perform any function on behalf of Declarant, the Board, the Association, or the Members. During the Development Period, all Bulk Rate Contracts must be approved in advance and in writing by the Declarant.

4.5.13 Property Ownership. To acquire, own and dispose of all manner of real and personal property, including habitat, whether by grant, lease, easement, gift or otherwise. During the Development Period, all acquisitions and dispositions of the Association hereunder must be approved in advance and in writing by the Declarant.

4.5.14 Allocation of Votes. To determine votes when permitted pursuant to *Section 4.4* above.

4.5.15 Authority with Respect to the Restrictions. To do any act, thing or deed that is necessary or desirable, in the judgment of the Board, to implement, administer or enforce any of the Restrictions. Any decision by the Board to delay or defer the exercise of the

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power and authority granted by this *Section 4.5.15* will not subsequently in any way limit, impair or affect ability of the Board to exercise such power and authority.

4.5.16 Membership Privileges. To establish Rules and Regulations governing and limiting the use of the Common Area and any Improvements thereon.

4.6 Conveyance of Common Area to the Association. The Association may acquire, hold, and dispose of any interest in tangible and intangible personal property and real property. Declarant, and its assignees, reserves the right, from time to time and at any time, to designate, convey, assign or transfer by written and Recorded instrument property being held by the Declarant for the benefit of the Association. Upon the Recording of a designation, the portion of the property identified therein will be considered Common Area for the purpose of this Declaration and the Association shall have an easement over and across the Common Area necessary or required to discharge the Association's obligations under this Declaration, subject to any terms and limitations to such easement set forth in the designation. Declarant and its assignees may also assign, transfer or convey to the Association interests in real or personal property within or for the benefit of the Property, for the Property and the general public, or otherwise, as determined in the sole and absolute discretion of the Declarant. All or any real or personal property assigned, transferred and/or conveyed by the Declarant to the Association shall be deemed accepted by the Association upon Recordation, and without further action by the Association, and shall be considered Common Area without regard to whether such real or personal property is designated by the Declarant as Common Area. If requested by the Declarant, the Association will execute a written instrument, in a form requested by the Declarant, evidencing acceptance of such real or personal property; provided, however, execution of a written consent by the Association shall in no event be a precondition to acceptance by the Association. The assignment, transfer, and/or conveyance of real or personal property to the Association may be by deed without warranty, may reserve easements in favor of the Declarant or a third party designated by Declarant over and across such property, and may include such other provisions, including restrictions on use, determined by the Declarant, in the Declarant's sole and absolute discretion. Property assigned, transferred, and/or conveyed to the Association may be improved or unimproved and may consist of fee simple title, easements, leases, licenses, or other real or personal property interests. Upon Declarant's written request, the Association will re-convey to Declarant any unimproved real property that Declarant originally conveyed to the Association for no payment.

4.7 Indemnification. To the fullest extent permitted by Applicable Law but without duplication (and subject to) any rights or benefits arising under the Certificate or Bylaws of the Association, the Association will indemnify any person who was, or is, a party, or is threatened to be made a party to any threatened pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative by reason of the fact that he is, or was, a director, officer, committee member, employee, servant or agent of the Association against expenses, including attorneys' fees, reasonably incurred by him in connection with such action, suit or proceeding if it is found and determined by the Board or a court of competent jurisdiction that

he or she: (i) acted in good faith and in a manner he or she reasonably believed to be in, or not opposed to, the best interests of the Association; or (ii) with respect to any criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful. The termination of any action, suit or proceeding by settlement, or upon a plea of *nolo contendere* or its equivalent, will not of itself create a presumption that the person did not act in good faith or in a manner which was reasonably believed to be in, or not opposed to, the best interests of the Association or, with respect to any criminal action or proceeding, had reasonable cause to believe that his or her conduct was unlawful.

4.8 Insurance. The Board may purchase and cause to be maintained, at the expense of the Association, insurance on behalf of any person who is acting as a director, officer, committee member, employee, servant or agent of the Association against any liability asserted against or incurred by such person in any such capacity, or arising out of such person's status as such, whether or not the Association would have the power to indemnify such person against such liability or otherwise.

4.9 Bulk Rate Contracts. Without limitation on the generality of the Association powers set out in *Section 4.5* hereinabove (except that during the Development Period, all Bulk Rate Contracts must be approved in advance and in writing by the Declarant), the Association will have the power to enter into Bulk Rate Contracts at any time and from time to time. The Association may enter into Bulk Rate Contracts with any service providers chosen by the Board (including Declarant, and/or any entities in which Declarant, or the owners or partners of Declarant are owners or participants, directly or indirectly). The Bulk Rate Contracts may be entered into on such terms and provisions as the Board may determine in its sole and absolute discretion. The Association may, at its option and election, add the charges payable by such Owner under such Bulk Rate Contract to the Assessments against such Owner's Lot. In this regard, it is agreed and understood that, if any Owner fails to pay any charges due by such Owner under the terms of any Bulk Rate Contract, then the Association will be entitled to collect such charges by exercising the same rights and remedies it would be entitled to exercise under this Declaration with respect to the failure by such Owner to pay Assessments, including without limitation the right to foreclose the lien against such Owner's Lot which is reserved under the terms and provisions of this Declaration. In addition, in the event of nonpayment by any Owner of any charges due under any Bulk Rate Contract and after the lapse of at least twelve (12) days since such charges were due, the Association may, upon five (5) days' prior written notice to such Owner (which may run concurrently with such 12 day period), in addition to all other rights and remedies available pursuant to Applicable Law, terminate, in such manner as the Board deems appropriate, any utility service or other service provided at the cost of the Association and not paid for by such Owner (or the Resident of such Owner's Lot) directly to the applicable service or utility provider. Such notice will consist of a separate mailing or hand delivery at least five (5) days prior to a stated date of termination, with the title "termination notice" or similar language prominently displayed on the notice. The notice will include the office or street address where the Owner (or the Resident of such Owner's Lot) can make arrangements for payment of the bill and for re-connection or re-institution of service. No

utility or cable television service will be disconnected on a day, or immediately preceding a day, when personnel are not available for the purpose of collection and reconnecting such services.

4.10 Community Systems. The Association is specifically authorized to provide, or to enter into contracts to provide Community Systems. Any such contracts may provide for installation, operation, management, maintenance, and upgrades or modifications to the Community Systems as the Board determines appropriate. Each Owner acknowledges that interruptions in Community Systems and services will occur from time to time. Declarant and the Association, or any of their respective successors or assigns shall not be liable for, and no Community System or service user shall be entitled to refund, rebate, discount, or offset in applicable fees for, any interruption in Community Systems and services, regardless of whether or not such interruption is caused by reasons within the service provider's control.

4.11 Declarant's Right to Contribute to Revenues of the Association. Declarant shall have the right, but not the obligation, in its sole discretion and from time to time, to contribute to the revenues of the Association. At the option of Declarant, such contribution may be reflected on the books and records of the Association as a loan, in which event it shall be repaid by the Association to Declarant, at the discretion of Declarant. If treated as a loan, the contribution shall accrue interest, compounded monthly, from the date it is made until the date of its repayment, at the short term Applicable Federal Rate ("AFR"), as published by the Internal Revenue Service, and adjusted each month to reflect the AFR for such month.

4.12 Protection of Declarant's Interests. Despite any assumption of control of the Board by Owners other than Declarant, until the expiration or termination of the Development Period, the Board is prohibited from taking any action which would discriminate against Declarant, or which would be detrimental to the sale of Lots owned by Declarant. Declarant shall be entitled to determine, in its sole and absolute discretion, whether any such action discriminates or is detrimental to Declarant. The Board will be required to continue the same level and quality of maintenance, operations and services as that provided immediately prior to assumption of control of the Board by Owners other than Declarant until the expiration or termination of the Development Period.

4.13 Administration of Common Area. The administration of the Common Area by the Association shall be in accordance with the provisions of Applicable Law and the Restrictions, and of any other agreements, documents, amendments or supplements to the foregoing which may be duly adopted or subsequently required by any institutional or governmental lender, purchaser, insurer or guarantor of mortgage loans (including, for example, the Federal Home Loan Mortgage Corporation) designated by Declarant or by any governmental or quasi-governmental agency having regulatory jurisdiction over the Common Area or by any title insurance company selected by Declarant to insure title to any portion of the Common Area.

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4.14 Private Streets. The following provisions are hereby adopted in order to comply with the requirements of Chapter 10 – Private Streets and Entrance Gates in the City Land Development Code.

4.14.1 General. The Private Streets are private and to be owned and maintained by the Association. The Association shall be obligated to maintain the Private Streets and related appurtenances in a good and functioning condition and in compliance with Applicable Law. The City shall have no obligation to maintain or reconstruct the Private Streets, non-public storm sewers and drainage facilities.

4.14.2 City Inspection. The City shall be allowed to inspect the Private Streets, drainage facilities, and related appurtenances on a period basis to determine the need for repairs. The Association shall repair all drainage facilities and Private Streets when instructed to do so by the City, subject to appeal to the City Council of Colleyville (the “**Council**”).

4.14.3 City’s Right to Maintain Private Streets. The City shall be allowed, but not obligated, to repair and maintain the Private Streets, appurtenances, related private storm sewers and drainage facilities if the Declarant or the Association, as applicable, fails to maintain such facilities in good condition and repair after the City has provided the Association written notice and opportunity to remedy such failure. The costs incurred by the City to repair and/or maintain the Private Streets, appurtenances, related private storm sewers and drainage facilities, plus applicable interest, will be payable by the Association upon demand from the City.

4.14.4 Access. Access to the Private Streets may be restricted by access gates or other security control systems. Notwithstanding the foregoing, the Association shall ensure that the Private Streets provide perpetual access to all Lots for police and other emergency vehicles, public and private utility maintenance and service personnel, solid waste collection services, and government employees in pursuit of their official duties. If the Association fails to comply with the requirements of this *Section 4.14.4*, the City shall have the right to enter the Property remove any gate or device which is a barrier to access at the expense of the Association, subject to approval by the Council.

4.14.5 City Easement. In accordance with *Sections 4.14.3* and *4.14.4* hereof, the City, its agents, representatives and employees, shall have the right of access, ingress and egress to and over the Private Streets, appurtenances, related private storm sewers and drainage facilities for the purposes of repairing, maintaining, improving and preserving the same, including the right to remove any vehicle or obstacle within the Private Streets that impairs emergency access.

4.14.6 Indemnification. The Association agrees to release, indemnify, defend and hold the City, its officers, agents, licensees, servants and employees harmless from any and all claims, lawsuits, judgments, costs or causes of action of any nature whatsoever,

whether real or asserted, brought for or on account of any injuries or damages to persons or property including death, resulting from or in any way connected with (i) the reasonable use of the Private Streets and any emergency access, utility easements, entrance gate or structure by the City, its officers, agents, licensees, servants and employees; (ii) the condition of the Private Streets or appurtenances, including lights, entrance gates or structures, private walls or fences, private pedestrian access, private storm drainage systems and emergency access; and (iii) any use of the Property by the City, its officers, agents, licensees, servants and employees for any purpose related to the exercise of a governmental function or service, whether or not caused, in whole or in part, by alleged negligence of officers, agents, servants, employees, contractors, subcontractors, licensees or invitees of the City. The Association shall carry commercial general liability insurance in sufficient amounts to meet the requirements of this *Section 4.14.6*, which coverage may be provided in the form of a rider and/or endorsement to a previously existing insurance policy.

4.14.7 Revocation of Private Street Permit. The Council may, after delivering sixty (60) day notice to the Association and holding a public hearing, revoke the permit allowing the Private Streets (the “**Private Street Permit**”) if the Council finds that the Association has failed to provide reliable emergency access, in accordance with *Section 4.14.4* hereof. Should the Council revoke the Private Street Permit, the City shall inspect the Private Streets and levy an assessment upon each Lot on a pro-rata basis for the expense of any needed repairs, which assessment will constitute an assessment lien upon each Lot. The Council shall make the final determination of whether repairs are needed. The City shall also have the right to require, at the Association’s expense, the removal of guard houses, access control devices, landscaping or other aesthetic amenities located within the Private Streets. If the Private Street Permit is revoked, the Association will be assessed the cost of appropriate maintenance of the Private Streets.

4.14.8 No Dissolution. Notwithstanding anything contained herein or in the Certificate to the contrary, the Association may not be dissolved without the prior written consent of the City.

NOTWITHSTANDING ANYTHING CONTAINED IN THIS DECLARATION TO THE CONTRARY, THE TERMS AND PROVISIONS OF THIS SECTION 4.14 MAY NOT BE AMENDED UNLESS SUCH AMENDMENT IS EXPRESSLY APPROVED IN WRITING BY THE CITY.

4.15 Notices and Disclaimers as to Security Systems. NEITHER THE DECLARANT, A HOMEBUILDER, NOR THE ASSOCIATION, OR THEIR SUCCESSORS OR ASSIGNS GUARANTEE OR WARRANT, EXPRESSLY OR IMPLIEDLY, THE MERCHANTABILITY OR FITNESS FOR USE OF ANY SUCH SECURITY SYSTEM OR SERVICES, OR THAT ANY SYSTEM OR SERVICES WILL PREVENT INTRUSIONS NOTIFY AUTHORITIES OF FIRES OR OTHER OCCURRENCES, OR THE CONSEQUENCES OF SUCH OCCURRENCES, REGARDLESS OF WHETHER OR NOT THE SYSTEM OR SERVICES ARE DESIGNED TO

MONITOR SAME; AND EVERY OWNER OR OCCUPANT OF PROPERTY RECEIVING SECURITY SERVICES THROUGH THE COMMUNITY SYSTEMS ACKNOWLEDGES THAT NEITHER THE DECLARANT, A HOMEBUILDER, NOR THE ASSOCIATION, OR ANY OR THEIR SUCCESSORS OR ASSIGNS ARE INSURERS OF THE OWNER OR OCCUPANT'S PROPERTY OR OF THE PROPERTY OF OTHERS LOCATED ON THE LOT AND WILL NOT BE RESPONSIBLE OR LIABLE FOR LOSSES, INJURIES OR DEATHS RESULTING FROM SUCH OCCURRENCES. It is extremely difficult and impractical to determine the actual damages, if any, which may proximately result from a failure on the part of a security service provider to perform any of its obligations with respect to security services and, therefore, every Owner or occupant of property receiving security services through the Community Systems agrees that neither the Declarant, a Homebuilder, nor the Association, or their successors or assigns assumes liability for loss or damage to property or for personal injury or death to persons due to any reason, including, without limitation, failure in transmission of an alarm, interruption of security service or failure to respond to an alarm because of: (a) any failure of the Owner's security system; (b) any defective or damaged equipment, device, line or circuit; (c) negligence, active or otherwise, of the security service provider or its officers, agents or employees; or (d) fire, flood, riot, war, act of God or other similar causes which are beyond the control of the security service provider. Every Owner and Resident obtaining security services through the Community Systems further agrees for himself, his grantees, tenants, guests, invitees, licensees and family members that if any loss or damage should result from a failure of performance or operation, or from defective performance or operation, or from improper installation, monitoring or servicing of the system, or from negligence, active or otherwise, of the security service provider or its officers, agents, or employees, the liability, if any, of the Declarant, a Homebuilder, the Association, or their successors or assigns for loss, damage, injury or death shall be limited to a sum not exceeding Two Hundred Fifty U.S. Dollars (\$250.00), which limitation apply irrespective of the cause or origin of the loss or damage and notwithstanding that the loss or damage results directly or indirectly from negligent performance, active or otherwise, or non-performance by an officer, agent or employee of Declarant, a Homebuilder, or the Association, or their successors or assigns. Further, in no event will Declarant, a Homebuilder, the Association, or their successors or assigns be liable for consequential damages, wrongful death, personal injury or commercial loss.

4.16 Merger. Merger or consolidation of the Association with another association must be evidenced by an amendment to this Declaration. The amendment must be approved by at least two-thirds of the votes of Members present in person or by proxy at the meeting at which the action to merge or consolidate with another association is submitted for a vote. On merger or consolidation of the Association with another association, the property, rights, and obligations of another association may, by operation of law, be added to the properties, rights, and obligations of the Association as a surviving corporation pursuant to the merger. The surviving or consolidated association may administer the provisions of the Restrictions within the Property, together with the covenants and restrictions established on any other property under its jurisdiction. No merger or consolidation, however, will effect a revocation, change, or addition to the covenants established by this Declaration within the Property.

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4.17 Right of Action by Association. The Association shall not have the power to institute, defend, intervene in, settle or compromise litigation or administrative proceedings: (i) in the name of or on behalf of any Lot Owner (whether one or more); or (ii) pertaining to a Claim, as defined in *Section 12.1* below, relating to the design or construction of Improvements on a Lot. This *Section 4.17* may not be amended or modified without Declarant's written and acknowledged consent and Members entitled to cast at least one hundred percent (100%) of the total number of votes of the Association, which must be part of the Recorded amendment instrument.

ARTICLE 5 INSURANCE

5.1 Insurance. Each Owner will be required to purchase and maintain commercially standard insurance on the Improvements located upon such Owner's Lot. The Association will not be required to maintain insurance on the Improvements constructed upon any Lot. The Association may, however, obtain such insurance as it may deem necessary, including but not limited to such policies of liability and property damage insurance as the Board, in its discretion, may deem necessary. Insurance premiums for such policies will be a common expense to be included in the Assessments levied by the Association. The acquisition of insurance by the Association will be without prejudice to the right and obligation of any Owner to obtain additional individual insurance. During the Development Period, Declarant reserves the right to satisfy the insurance obligations of the Association with a master insurance program controlled by Declarant.

ARE YOU COVERED?

The Association will not provide insurance which covers an Owner's Lot or any Improvements or personal property located on a Lot.

5.2 Restoration. In the event of any fire or other casualty, unless otherwise approved by the ACC, the Owner (i) promptly repair, restore and replace any damaged or destroyed structures to their same exterior condition existing prior to the damage or destruction thereof, or (ii) in the case of substantial or total damage or destruction of any Improvement, remove all such damaged Improvements and debris from the Property within thirty (30) days after the occurrence of such damage. Such repair, restoration or replacement will be commenced and completed in a good and workmanlike manner and diligently pursued to completion using exterior materials identical to those originally used in the structures damaged or destroyed. To the extent that the Owner fails to commence such repair, restoration or replacement of substantial or total damage or destruction within one hundred and twenty (120) days after the occurrence of such damage or destruction, and thereafter prosecute same to completion, or if the Owner does not clean up any debris resulting from any damage within thirty (30) days after the occurrence of such damage, the Association may commence, complete or effect such repair, restoration, replacement or clean-up, and such Owner will be personally liable to the Association for the cost of such work; provided, however, that if the Owner is

prohibited or delayed by Applicable Law from commencing such repair, restoration, replacement or clean-up, the rights of the Association under this provision will not arise until the expiration of thirty (30) days after such prohibition or delay is removed. If the Owner fails to pay such cost upon demand by the Association, the cost thereof (plus interest from the date of demand until paid at the maximum lawful rate, or if there is no such maximum lawful rate, than at the rate of one and one-half percent (1½%) per month) will be added to the Assessment chargeable to the Owner's Lot. Any such amounts added to the Assessments chargeable against a Lot will be secured by the liens reserved in this Declaration for Assessments and may be collected by any means provided in this Declaration for the collection of Assessments, including, but not limited to, foreclosure of such liens against the Owner's Lot. **EACH SUCH OWNER WILL INDEMNIFY AND HOLD HARMLESS THE ASSOCIATION AND ITS OFFICERS, DIRECTORS, COMMITTEE MEMBERS, EMPLOYEES AND AGENTS FROM ANY COST, LOSS, DAMAGE, EXPENSE, LIABILITY, CLAIM OR CAUSE OF ACTION INCURRED OR THAT MAY ARISE BY REASON OF THE ASSOCIATION'S ACTS OR ACTIVITIES UNDER THIS SECTION 5.2, EXCEPT FOR SUCH COST, LOSS, DAMAGE, EXPENSE, LIABILITY, CLAIM OR COST OF ACTION ARISING BY REASON OF THE ASSOCIATION'S GROSS NEGLIGENCE OR WILLFUL MISCONDUCT. "GROSS NEGLIGENCE" AS USED HEREIN DOES NOT INCLUDE SIMPLE NEGLIGENCE, CONTRIBUTORY NEGLIGENCE OR SIMILAR NEGLIGENCE SHORT OF ACTUAL GROSS NEGLIGENCE.**

5.3 Mechanic's and Materialmen's Lien. Each Owner whose structure is repaired, restored, replaced or cleaned up by the Association pursuant to the rights granted under this *Article 5*, hereby grants to the Association an express mechanic's and materialmen's lien for the reasonable cost of such repair, restoration, or replacement of the damaged or destroyed Improvement to the extent that the cost of such repair, restoration or replacement exceeds any insurance proceeds allocable to such repair, restoration or replacement and delivered to the Association. Upon request by the Board, and before the commencement of any reconstruction, repair, restoration or replacement, such Owner will execute all documents sufficient to effectuate such mechanic's and materialmen's lien in favor of the Association.

ARTICLE 6 COVENANT FOR ASSESSMENTS

6.1 Assessments.

6.1.1 Established by Board. Assessments established by the Board pursuant to the provisions of this *Article 6* will be levied against each Lot in amounts determined pursuant to *Section 6.7* below. The total amount of Assessments will be determined by the Board pursuant to *Section 6.3, 6.4, 6.5 and/or 6.6.*

6.1.2 Personal Obligation; Lien. Each Assessment, together with such interest thereon and costs of collection as hereinafter provided, will be the personal obligation of the Owner of the Lot against which the Assessment is levied and will be secured by a lien

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hereby granted and conveyed by Declarant to the Association against each such Lot and all Improvements thereon (such lien, with respect to any Lot not in existence on the date hereof, will be deemed granted and conveyed at the time that such Lot is created). The Association may enforce payment of such Assessments in accordance with the provisions of this Article.

6.1.3 Declarant Subsidy. Declarant may, but is not obligated to, reduce Assessments which would otherwise be levied against Lots for any fiscal year by the payment of a subsidy to the Association. Any subsidy paid to the Association by Declarant may be treated as a contribution or a loan, in Declarant's sole and absolute discretion. The payment of a subsidy in any given year will not obligate Declarant to continue payment of a subsidy to the Association in future years.

6.2 Maintenance Fund. The Board will establish a maintenance fund into which will be deposited all monies paid to the Association and from which disbursements will be made in performing the functions of the Association under this Declaration. The funds of the Association may be used for any purpose authorized by the Restrictions and the Applicable Law.

6.3 Regular Annual Assessments. Prior to the beginning of each fiscal year, the Board will estimate the expenses to be incurred by the Association during such year in performing its functions and exercising its powers under the Restrictions, including, but not limited to, the cost of all management, repair and maintenance, the cost of providing street and other lighting, the cost of administering and enforcing the Restrictions, and will estimate the amount needed to maintain a reasonable provision for contingencies and an appropriate replacement reserve, and will give due consideration to any expected income and any surplus from the prior year's fund. Assessments sufficient to pay such estimated net expenses will then be levied at the level of Assessments set by the Board in its sole and absolute discretion, and the Board's determination will be final and binding so long as it is made in good faith. If the sums collected prove inadequate for any reason, including nonpayment of any Assessment, the Association may at any time, and from time to time, levy further Assessments in the same manner. All such regular Assessments will be due and payable to the Association annually on or before the first day of the month at the beginning of the fiscal year, or in such other manner as the Board may designate in its sole and absolute discretion.

6.4 Working Capital Assessment. Each Owner (other than Declarant) of a Lot will pay a one-time working capital assessment (the "**Working Capital Assessment**") to the Association in such amount as may be determined by the Declarant or the Board, until expiration or termination of the Development Period, and the Board thereafter. The Working Capital Assessment hereunder will be due and payable to the Association upon the transfer of a Lot (including both transfers from Declarant to the initial Owner, and transfers from one Owner of a Lot to a subsequent Owner of a Lot). Each Working Capital Assessment will be collected from the transferee of a Lot upon the conveyance of the Lot from one Owner (including Declarant) to another (expressly including any reconveyance of the Lot upon resale or transfer

thereof). Such Working Capital Assessment need not be uniform among all Lots, and the Board is expressly authorized to levy Working Capital Assessments of varying amounts depending on the size, use and general character of the Lots then being made subject to such levy. The Association may use the working capital to discharge operating expenses. The levy of any Working Capital Assessment will be effective only upon the Recordation of a written notice, signed by the Declarant or a duly authorized officer of the Association, setting forth the amount of the Working Capital Assessment and the Lots to which it applies.

Notwithstanding the foregoing provision, the following transfers will not be subject to the Working Capital Assessment: (i) foreclosure of a deed of trust lien, tax lien, or the Association's assessment lien; (ii) transfer to, from, or by the Association; (iii) voluntary transfer by an Owner to one or more co-owners, or to the Owner's spouse, child, or parent. Additionally, an Owner who (i) is a Homebuilder; or (ii) acquires a Lot for the purpose of resale to a Homebuilder (a "**Development Owner**") will not be subject to the Working Capital Assessment; however, the Working Capital Assessment will be payable by any Owner who acquires a Lot from a Homebuilder or Development Owner for residential living purposes or by any Owner who: (i) acquires a Lot and is not in the business of constructing single-family residences for resale to a third party; or (ii) who acquires the Lot for any purpose other than constructing a single-family residence thereon for resale to a third party. In the event of any dispute regarding the application of the Working Capital Assessment to a particular Owner, the Declarant's during the Development Period, and thereafter the Board's, determination regarding the application of the exemption will be binding and conclusive without regard to any contrary interpretation of this *Section 6.4*. The Working Capital Assessment will be in addition to, not in lieu of, any other Assessments levied in accordance with this Article 6 and will not be considered an advance payment of such Assessments. The Declarant during the Development Period, and thereafter the Board, will have the power to waive the payment of any Working Capital Assessment attributable to a Lot (or all Lots) by the Recordation of a waiver notice, which waiver may be temporary or permanent.

6.5 Special Assessments. In addition to the regular annual Assessments provided for above, the Board may levy special Assessments whenever in the Board's opinion such special Assessments are necessary to enable the Board to carry out the functions of the Association under the Restrictions. The amount of any special Assessments will be at the reasonable discretion of the Board. In addition to the special Assessments authorized above, the Association may, in any fiscal year, levy a special Assessment applicable to that fiscal year only for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair or replacement of a capital improvement upon the Common Area.

6.6 Individual Assessments. In addition to any other Assessments, the Board may levy an Individual Assessment against an Owner and the Owner's Lot. Individual Assessments may include, but are not limited to: interest, late charges, and collection costs on delinquent Assessments; reimbursement for costs incurred in bringing an Owner or the Owner's Lot into compliance with the Declaration; fines for violations of the Restrictions; transfer-related fees

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and resale certificate fees; fees for estoppel letters and project documents; insurance deductibles; reimbursement for damage or waste caused by willful or negligent acts of the Owner, the Owner's guests, invitees or Residents of the Owner's Lot; common expenses that benefit fewer than all of the Lots, which may be assessed according to benefit received; fees or charges levied against the Association on a per-Lot basis; and "pass through" expenses for services to Lots provided through the Association and which are equitably paid by each Lot according to the benefit received.

6.7 Amount of Assessment.

6.7.1 Assessments to be Levied. The Board shall levy Assessments against each "Assessment Unit" (as defined in *Section 6.7.2* below). Unless otherwise provided in this Declaration, Assessments levied pursuant to *Section 6.3* and *Section 6.6* shall be levied uniformly against each Assessment Unit allocated to a Lot.

6.7.2 Assessment Unit. Each Lot shall constitute one "Assessment Unit" unless otherwise provided in *Section 6.7.3* and *6.7.4*.

6.7.3 Assessment Exemption. Notwithstanding anything in this Declaration to the contrary, no Assessments shall be levied upon Lots owned by Declarant.

6.7.4 Other Exemptions. Declarant may, in its sole discretion, elect to: (i) exempt any un-platted or unimproved portion of the Property or any Lot from any Assessments levied or charged pursuant to this *Article 6*; or (ii) delay the levy of Assessments against any un-platted, unimproved or improved portion of the Property. Declarant or the Board may also exempt any portion of the Property which is dedicated and accepted by public authority from Assessments.

6.8 Late Charges. If any Assessment is not paid by the due date applicable thereto, the Owner responsible for the payment may be required by the Board, at the Board's election at any time and from time to time, to pay a late charge in such amount as the Board may designate, and the late charge (and any reasonable handling costs) will be levied as an Individual Assessment against the Lot owned by such Owner, collectible in the manner as provided for collection of Assessments, including foreclosure of the lien against such Lot; provided, however, such charge will never exceed the maximum charge permitted under Applicable Law.

6.9 Owner's Personal Obligation; Interest. Assessments levied as provided for herein will be the personal and individual debt of the Owner of the Lot against which are levied such Assessments. No Owner may exempt himself from liability for such Assessments. In the event of default in the payment of any such Assessment, the Owner of the Lot will be obligated to pay interest on the amount of the Assessment at the highest rate allowed by applicable usury laws then in effect on the amount of the Assessment from the due date therefor (or if there is no such highest rate, then at the rate of one and one half percent (1 1/2%) per month), together with

all late charges, if any, costs and expenses of collection, including reasonable attorney's fees. Such amounts will be levied as an Individual Assessment against the Lot owned by such Owner.

6.10 Assessment Lien and Foreclosure. The payment of all sums assessed in the manner provided in this Article is, together with late charges as provided in *Section 6.8* and interest as provided in *Section 6.9* hereof and all costs of collection, including attorney's fees as herein provided, secured by the continuing Assessment lien granted to the Association pursuant to *Section 6.1.2* above, and will bind each Lot in the hands of the Owner thereof, and such Owner's heirs, devisees, personal representatives, successors or assigns. The aforesaid lien will be superior to all other liens and charges against such Lot, except only for: (i) tax liens and governmental assessment liens; (ii) all sums secured by a Recorded first mortgage lien or Recorded first deed of trust lien of record, to the extent such lien secures sums borrowed for the acquisition or improvement of the Lot in question; (iii) home equity loans or home equity lines of credit which are secured by a Recorded second mortgage lien or Recorded second deed of trust lien of record; or (iv) as otherwise provided by Applicable Law; provided that, in the case of subparagraphs (ii), (iii) and (iv) above, such Mortgage was Recorded before the delinquent Assessment was due. The Association will have the power to subordinate the aforesaid Assessment lien to any other lien. Such power will be entirely discretionary with the Board, and such subordination may be signed by an authorized officer, agent, or attorney of the Association. The Association may, at its option and without prejudice to the priority or enforceability of the Assessment lien granted hereunder, prepare a written notice of Assessment lien setting forth the amount of the unpaid indebtedness, the name of the Owner of the Lot covered by such lien and a description of the Lot. Such notice may be signed by one of the authorized officers, agents, or attorneys of the Association and will be Recorded. Each Owner, by accepting a deed or ownership interest to a Lot subject to this Declaration, will be deemed conclusively to have granted a power of sale to the Association to secure and enforce the Assessment lien granted hereunder. The Assessment liens and rights to foreclosure thereof will be in addition to and not in substitution of any other rights and remedies the Association may have by law and under this Declaration, including the rights of the Association to institute suit against such Owner personally obligated to pay the Assessment and/or for foreclosure of the aforesaid lien. In any foreclosure proceeding, such Owner will be required to pay the costs, expenses and reasonable attorney's fees incurred. The Association will have the power to bid (in cash or by credit against the amount secured by the lien) on the property at foreclosure or other legal sale and to acquire, hold, lease, mortgage, convey or otherwise deal with the same. Upon the written request of any Mortgagee, the Association will report to said Mortgagee any unpaid Assessments remaining unpaid for longer than sixty (60) days after the same are due. The lien hereunder will not be affected by the sale or transfer of any Lot; except, however, that in the event of foreclosure of any lien superior to the Assessment lien, the lien for any Assessments that were due and payable before the foreclosure sale will be extinguished, provided that past-due Assessments will be paid out of the proceeds of such foreclosure sale only to the extent that funds are available after the satisfaction of the indebtedness secured by the Mortgage. The provisions of the preceding sentence will not, however, relieve any

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subsequent Owner (including any Mortgagee or other purchaser at a foreclosure sale) from paying Assessments becoming due and payable after the foreclosure sale. Upon payment of all sums secured by a lien of the type described in this *Section 6.10*, the Association will upon the request of the Owner, and at such Owner's cost, execute a release of lien relating to any lien for which written notice has been Recorded as provided above, except in circumstances in which the Association has already foreclosed such lien. Such release will be signed by an authorized officer, agent, or attorney of the Association. In addition to the lien hereby retained, in the event of nonpayment by any Owner of any Assessment and after the lapse of at least twelve (12) days since such payment was due, the Association may, upon five (5) days' prior written notice (which may run concurrently with such twelve (12) day period) to such Owner, in addition to all other rights and remedies available pursuant to Applicable Law, equity or otherwise, terminate, in such manner as the Board deems appropriate, any utility or cable service provided through the Association and not paid for directly by an Owner or Resident to the utility or service provider. Such notice will consist of a separate mailing or hand delivery at least five (5) days prior to a stated date of disconnection, with the title "termination notice" or similar language prominently displayed on the notice. The notice will include the office or street address where the Owner or the Resident of the Owner's Lot can make arrangements for payment of the bill and for reconnection of service. Utility or cable service will not be disconnected on a day, or immediately preceding a day, when personnel are not available for the purpose of collection and reconnecting such services. Except as otherwise provided by Applicable Law, the sale or transfer of a Lot will not relieve the Owner of such Lot or such Owner's transferee from liability for any Assessments thereafter becoming due or from the lien associated therewith. If an Owner conveys its Lot and on the date of such conveyance Assessments against the Lot remain unpaid, or said Owner owes other sums or fees under this Declaration to the Association, the Owner will pay such amounts to the Association out of the sales price of the Lot, and such sums will be paid in preference to any other charges against the Lot other than liens superior to the Assessment lien and charges in favor of the State of Texas or a political subdivision thereof for taxes on the Lot which are due and unpaid. The Owner conveying such Lot will remain personally liable for all such sums until the same are fully paid, regardless of whether the transferee of the Lot also assumes the obligation to pay such amounts. The Board may adopt an administrative transfer fee to cover the expenses associated with updating the Association's records upon the transfer of a Lot to a third party; provided, however, that no transfer fee will be due upon the transfer of a Lot from Declarant to a third party.

Yes, the Association *can* foreclose on your Lot!

If you fail to pay assessments to the Association, you may lose title to your Lot if the Association forecloses its assessment lien.

6.11 Exempt Property. The following areas will be exempt from the Assessments provided for in this Article:

- (i) All area dedicated and accepted by a public authority;
- (ii) The Common Area; and
- (iii) Any portion of the Property owned by Declarant.

6.12 Fines and Damages Assessment.

6.12.1 Board Assessment. The Board may assess fines against an Owner for violations of the Restrictions which have been committed by an Owner, a Resident, or the Owner or Residents guests, agents or invitees pursuant to the Fine and Collection Policy adopted by the Board. Any fine and/or charge levied in accordance with this *Section 6.12* will be considered an Individual Assessment pursuant to this Declaration. Each day of violation may be considered a separate violation if the violation continues after written notice to the Owner. The Board may assess damage charges against an Owner for pecuniary loss to the Association from property damage or destruction of Common Area or any facilities caused by the Owner, Resident, or their guests, agents, or invitees. The Manager will have authority to send notices to alleged violators, informing them of their violations and asking them to comply with the Rules and/or informing them of potential or probable fines or damage assessments. The Board may from time to time adopt a schedule of fines.

6.12.2 Lien Created. The payment of each fine and/or damage charge levied by the Board against the Owner of a Lot is, together with interest as provided in *Section 6.9* hereof and all costs of collection, including attorney's fees as herein provided, secured by the lien granted to the Association pursuant to *Section 6.1.2* of this Declaration. The fine and/or damage charge will be considered an Assessment for the purpose of this Article, and will be enforced in accordance with the terms and provisions governing the enforcement of assessments pursuant to this *Article 6*.

ARTICLE 7 ARCHITECTURAL CONTROL COMMITTEE

ORDINANCES AND REQUIREMENTS IMPOSED BY THE CITY OF COLLEYVILLE ARE APPLICABLE TO ALL LOTS. APPROVAL BY THE ARCHITECTURAL CONTROL COMMITTEE IS NOT A SUBSTITUTE FOR COMPLIANCE WITH SUCH ORDINANCES AND REGULATIONS. THIS DECLARATION DOES NOT PURPORT TO LIST OR DESCRIBE EACH ORDINANCE OR RESTRICTION WHICH MAY BE APPLICABLE TO A LOT.

Until Declarant has delegated its right to appoint and remove all members of the ACC to the Board as provided in *Section 7.2.1* below, the ACC will be acting solely in Declarant's interest and will owe no duty to any other Owner or the Association. Notwithstanding any provision in this Declaration to the contrary, Declarant may appoint a single person to exercise the rights of the ACC.

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7.1 Construction of Improvements. No Improvement may be erected, placed, constructed, painted, altered, modified or remodeled on any Lot, and no Lot may be re-subdivided or consolidated with other Lots or Property, by anyone other than Declarant without the prior written approval of the ACC.

7.2 Architectural Control Committee.

7.2.1 Composition. The ACC will be composed of not more than three (3) persons (who need not be Members or Owners) appointed as provided below, who will review Improvements proposed to be made by any Owner other than Declarant. Declarant will have the right to appoint and remove (with or without cause) all members of the ACC. Declarant may assign its right to appoint all members of the ACC to the Association by Recorded written instrument, and thereafter, the Board will have the right to appoint and remove (with or without cause) all members of the ACC. Any assignment by Declarant of the right to appoint and remove all members of the ACC may be withdrawn until expiration of twelve (12) months after the expiration of the Development Period. If Declarant withdraws its assignment of the right to appoint and remove all members of the ACC, then on the date of such withdrawal, Declarant will have the right to appoint and remove (with or without cause) all members of the ACC. Declarant's right to appoint all members of the ACC will automatically be assigned to the Association upon the expiration of twelve (12) months after the expiration of the Development Period. Declarant, at its option, may create and assign specific duties and responsibilities to one or more sub-committees consisting of members and/or nonmembers of the ACC. In the event responsibilities and duties are assigned to a sub-committee, those responsibilities and duties will no longer be discharged by the ACC unless the sub-committee exercising such duties and responsibilities is dissolved by Declarant. The right to create, dissolve, and appoint members of such sub-committees will reside exclusively with Declarant until such time as Declarant has assigned its right to appoint members of the ACC to the Association. The ACC will have the right to employ consultants and advisors as it deems necessary or appropriate.

7.2.2 Submission and Approval of Plans and Specifications. Construction plans and specifications or, when an Owner desires solely to re-subdivide or consolidate Lots, a proposal for such re-subdivision or consolidation, will be submitted in accordance with the Design Guidelines or any additional rules adopted by the ACC together with any review fee which is imposed by the ACC in accordance with *Section 7.2.3* to the ACC at the offices of Declarant, at such address as may hereafter be designated in writing from time to time. No re-subdivision or consolidation will be made, nor any Improvement placed or allowed on any Lot, until the plans and specifications thereof have been approved in writing by a Majority of the members of the ACC. The ACC may, in reviewing such plans and specifications consider any information that it deems proper; including, without limitation, any permits, environmental impact statements or percolation tests that may be required by the ACC or any other entity; and harmony of external design and location in relation to surrounding structures, topography, vegetation, and finished grade elevation. The ACC may postpone its review of any plans and specifications submitted for approval pending receipt of any information or material which the

ACC, in its sole discretion, may require. Site plans must be approved by the ACC prior to the clearing of any Lot, or the construction of any Improvements. The ACC may refuse to approve plans and specifications for proposed Improvements, or for the re-subdivision or consolidation of any Lot on any grounds that, in the sole and absolute discretion of the ACC, are deemed sufficient, including, but not limited to, purely aesthetic grounds.

Notwithstanding any provision to the contrary in the Declaration, the ACC may issue an approval to Homebuilders for the construction of Improvements based on the review and approval of plan types and adopt a procedure which differs from the procedures for review and approval of Improvements set forth in this Declaration.

7.2.3 Design Guidelines. Declarant may adopt the initial Design Guidelines and, during the Development Period, will have the power from time to time, to adopt (unless previously adopted by Declarant), amend, modify, or supplement the Design Guidelines. Upon expiration or termination of the Development Period, the ACC, or any sub-committee thereof created pursuant to *Section 7.2.1*, will have the power from time to time, to amend, modify, or supplement the Design Guidelines; provided, however, that any amendment to the Design Guidelines made by a sub-committee will only apply to the Improvements under the jurisdiction of such sub-committee, and during the Development Period, any such amendment, modification or supplement must be approved in advance and in writing by the Declarant. In the event of any conflict between the terms and provisions of the Design Guidelines and the terms and provisions of this Declaration, the terms and provisions of this Declaration will control. In addition, the ACC will have the power and authority to impose a fee for the review of plans, specifications and other documents and information submitted to it pursuant to the terms of this Declaration. Such charges will be held by the ACC and used to defray the administrative expenses incurred by the ACC in performing its duties hereunder; provided, however, that any excess funds held by the ACC will be distributed to the Association at the end of each calendar year. The ACC will not be required to review any plans until a complete submittal package, as required by this Declaration and the Design Guidelines, is assembled and submitted to the ACC. The ACC will have the authority to adopt such additional procedural and substantive rules and guidelines (including, without limitation, the imposition of any requirements for certificates of compliance or completion relating to any Improvement and the right to approve in advance any contractor selected for the construction of Improvements), not in conflict with this Declaration, as it may deem necessary or appropriate in connection with the performance of its duties hereunder.

7.2.4 Actions of the ACC. The ACC may, by resolution unanimously adopted in writing, designate one or more of its members, or an agent acting on its behalf, to take any action or perform any duties for and on behalf of the ACC, except the granting of variances. In the absence of such designation, the vote of a Majority of all of the members of the ACC taken at a duly constituted meeting will constitute an act of the ACC.

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7.2.5 Failure to Act. In the event that any plans and specifications are submitted to the ACC as provided herein, and the ACC fails either to approve or reject such plans and specifications for a period of sixty (60) days following such submission, rejection of such plans and specifications by the ACC will be presumed. In furtherance, and not in limitation, of the foregoing, any failure of the ACC to act upon a request for a variance will not be deemed a consent to such variance, and the ACC's written approval of all requests for variances will be expressly required.

7.2.6 Variances. The ACC may grant variances from compliance with any of the provisions of the Design Guidelines or this Declaration, when, in the opinion of the ACC, in its sole and absolute discretion, such variance is justified. All variances must be evidenced in writing and must be signed by at least a Majority of the members of the ACC. Each variance must also be Recorded; provided however, that failure to record a variance will not affect the validity thereof or give rise to any claim or cause of action against the ACC, including the Declarant or its designee, the Association, or the Board. If a variance is granted, no violation of the covenants, conditions, or restrictions contained in this Declaration or the Design Guidelines will be deemed to have occurred with respect to the matter for which the variance was granted. The granting of such variance will not operate to waive or amend any of the terms and provisions of this Declaration or the Design Guidelines for any purpose except as to the particular property and in the particular instance covered by the variance, and such variance will not be considered to establish a precedent for any future waiver, modification, or amendment of the terms and provisions of this Declaration or the Design Guidelines.

7.2.7 Duration of Approval. Unless otherwise directed by the ACC, the approval of the ACC of any plans and specifications, and any variances granted by the ACC, will be valid for a period of one hundred and eighty (180) days only. If construction in accordance with such plans and specifications or variance is not commenced within such one hundred and eighty (180) day period and diligently prosecuted to completion, the Owner will be required to resubmit such plans and specifications or request for a variance to the ACC, and the ACC will have the authority to re-evaluate such plans and specifications in accordance with this Section 7.2.7 and may, in addition, consider any change in circumstances which may have occurred since the time of the original approval.

7.2.8 No Waiver of Future Approvals. The approval of the ACC to any plans or specifications for any work done or proposed in connection with any matter requiring the approval or consent of the ACC will not be deemed to constitute a waiver of any right to withhold approval or consent as to any plans and specifications on any other matter, subsequently or additionally submitted for approval by the same or a different person, nor will such approval or consent be deemed to establish a precedent for future approvals by the ACC.

7.2.9 Non-Liability of Committee Members. NEITHER DECLARANT, THE ACC, NOR ANY PARTNER, EMPLOYEE, DIRECTOR, OFFICER, COMMITTEE MEMBER, OR AGENT WILL BE LIABLE TO ANY OWNER OR TO ANY OTHER PERSON

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FOR ANY LOSS, DAMAGE OR INJURY ARISING OUT OF THE PERFORMANCE OF THE ACC'S DUTIES UNDER THIS DECLARATION.

ARTICLE 8 MORTGAGE PROVISIONS

The following provisions are for the benefit of holders, insurers and guarantors of first Mortgages on Lots within the Property. The provisions of this Article apply to the Declaration and the Bylaws of the Association.

8.1 Notice of Action. An institutional holder, insurer, or guarantor of a first Mortgage which provides a written request to the Association (such request to state the name and address of such holder, insurer, or guarantor and the street address of the Lot to which its Mortgage relates (thereby becoming an "**Eligible Mortgage Holder**")), will be entitled to timely written notice of:

- (i) Any condemnation loss or any casualty loss which affects a material portion of the Property or which affects any Lot on which there is an Eligible Mortgage held, insured, or guaranteed by such Eligible Mortgage Holder; or
- (ii) Any delinquency in the payment of assessments or charges owed for a Lot subject to the Mortgage of such Eligible Mortgage Holder, where such delinquency has continued for a period of sixty (60) days, or any other violation of the Restrictions relating to such Lot or the Owner or Resident which is not cured within sixty (60) days; or
- (iii) Any lapse, cancellation, or material modification of any insurance policy maintained by the Association.

8.2 Examination of Books. The Association will permit Mortgagees to examine the books and records of the Association during normal business hours.

8.3 Taxes, Assessments and Charges. All taxes, assessments and charges that may become liens prior to first lien mortgages under Applicable Law will relate only to the individual Lots and not to any other portion of the Property.

ARTICLE 9 GENERAL PROVISIONS

9.1 Term. The terms, covenants, conditions, restrictions, easements, charges, and liens set out in this Declaration will run with and bind the Property, and will inure to the benefit of and be enforceable by the Association, and every Owner, including Declarant, and their respective legal representatives, heirs, successors, and assigns, for a term beginning on the date

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this Declaration is Recorded, and continuing through and including January 1, 2065, after which time this Declaration will be automatically extended for successive periods of ten (10) years unless a change (the word "change" meaning a termination, or change of term or renewal term) is approved in a resolution adopted by Members entitled to cast at least sixty-seven percent (67%) of the total number of votes of the Association, voting in person or by proxy at a meeting duly called for such purpose, written notice of which will be given to all Members at least thirty (30) days in advance and will set forth the purpose of such meeting; provided, however, that such change will be effective only upon the Recording of a certified copy of such resolution. The foregoing sentence shall in no way be interpreted to mean sixty-seven percent (67%) of a quorum as established pursuant to the Bylaws. Notwithstanding any provision in this *Section 9.1* to the contrary, if any provision of this Declaration would be unlawful, void, or voidable by reason of any Applicable Law restricting the period of time that covenants on land may be enforced, such provision will expire twenty-one (21) years after the death of the last survivor of the now living, as of the date that this document is first Recorded, descendants of Elizabeth II, Queen of England.

9.2 Eminent Domain. In the event it becomes necessary for any public authority to acquire all or any part of the Common Area for any public purpose during the period this Declaration is in effect, the Board is hereby authorized to negotiate with such public authority for such acquisition and to execute instruments necessary for that purpose. Should acquisitions by eminent domain become necessary, only the Board need be made a party, and in any event the proceeds received will be held by the Association for the benefit of the Owners. In the event any proceeds attributable to acquisition of Common Area are paid to Owners, such payments will be allocated on the basis of Assessment Units and paid jointly to the Owners and the holders of Mortgages or deeds of trust on the respective Lot.

9.3 Amendment. This Declaration may be amended or terminated by the Recording of an instrument executed and acknowledged by: (i) Declarant acting alone; or (ii) by the president and secretary of the Association setting forth the amendment and certifying that such amendment has been approved by Declarant (until expiration or termination of the Development Period) and Members entitled to cast at least sixty-seven percent (67%) of the number of votes entitled to be cast by members of the Association. No amendment will be effective without the written consent of Declarant, its successors or assigns, during the Development Period. Specifically, and not by way of limitation, Declarant may unilaterally amend this Declaration: (i) to bring any provision into compliance with Applicable Law; (ii) to enable any reputable title insurance company to issue title insurance coverage on any Lot; (iii) to enable any institutional or governmental lender, purchaser, insurer or guarantor of mortgage loans, including, for example, the Federal Home Loan Mortgage Corporation, to make, purchase, insure or guarantee mortgage loans on Lots; or (iv) to comply with any requirements promulgated by a local, state or governmental agency, including, for example, the Department of Housing and Urban Development.

9.4 Roadway and Utility Easements. Declarant reserves the right to create, locate, relocate, construct, erect, and maintain or cause to be created, located, relocated, constructed, erected, and maintained in and on any portion of the Property then owned by Declarant or any streets maintained by the Association, or areas conveyed to the Association, or areas reserved or held as Common Area, roadways, sewer lines, water lines, electrical lines and conduits, and other pipelines, conduits, wires, and any public utility function beneath or above the surface of the ground with the right of access to the same at any time for the purposes of repair and maintenance.

9.5 Enforcement. Except as otherwise provided herein, any Owner of a Lot, at such Owner's own expense, Declarant and the Association will have the right to enforce, by a proceeding at law or in equity, the Restrictions. The Association and/or the Declarant may initiate, defend or intervene in any action brought to enforce any provision of the Restrictions. Such right of enforcement will include both damages for and injunctive relief against the breach of any provision hereof. Every act or omission whereby any provision of the Restrictions is violated, in whole or in part, is hereby declared to be a nuisance and may be enjoined or abated by any Owner of a Lot (at such Owner's own expense), Declarant or the Association. Any violation of any Applicable Law pertaining to the ownership, occupancy, or use of any portion of the Property is hereby declared to be a violation of this Declaration and subject to all of the enforcement procedures set forth herein. Failure to enforce any right, provision, covenant, or condition set forth in the Restrictions will not constitute a waiver of the right to enforce such right, provision, covenants or condition in the future. Failure of the Declarant or the Association to enforce the terms and provisions of the Restrictions shall in no event give rise to any claim or liability against the Declarant, the Association, or any of their partners, directors, officers, or agents. EACH OWNER, BY ACCEPTING TITLE TO ALL OR ANY PORTION OF THE PROPERTY, HEREBY RELEASES AND SHALL HOLD HARMLESS EACH OF THE DECLARANT, THE ASSOCIATION, AND THEIR PARTNERS, DIRECTORS, OFFICERS, OR AGENTS FROM AND AGAINST ANY DAMAGES, CLAIMS, OR LIABILITY ASSOCIATED WITH THE FAILURE OF THE DECLARANT OR THE ASSOCIATION TO ENFORCE THE TERMS AND PROVISIONS OF THE RESTRICTIONS.

9.6 Higher Authority. The terms and provisions of this Declaration are subordinate to Applicable Law. Generally, the terms and provisions of this Declaration are enforceable to the extent they do not violate or conflict with Applicable Law.

9.7 Severability. If any provision of this Declaration is held to be invalid by any court of competent jurisdiction, such invalidity will not affect the validity of any other provision of this Declaration, or, to the extent permitted by Applicable Law, the validity of such provision as applied to any other person or entity.

9.8 Conflicts. If there is any conflict between the provisions of this Declaration, the Certificate, the Bylaws, or any Rules and Regulations adopted pursuant to the terms of such

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documents, the provisions of this Declaration, the Certificate, the Bylaws, and the Rules and Regulations, in such order, will govern.

9.9 Gender. Whenever the context so requires, all words herein in the male gender will be deemed to include the female or neuter gender, all singular words will include the plural, and all plural words will include the singular.

9.10 Acceptance by Grantees. Each grantee of Declarant of a Lot or other real property interest in the Property, by the acceptance of a deed of conveyance, or each subsequent purchaser, accepts the same subject to all terms, restrictions, conditions, covenants, reservations, easements, liens and charges, and the jurisdiction rights and powers created or reserved by this Declaration or to whom this Declaration is subject, and all rights, benefits and privileges of every character hereby granted, created, reserved or declared. Furthermore, each grantee agrees that no assignee or successor to Declarant hereunder will have any liability for any act or omission of Declarant which occurred prior to the effective date of any such succession or assignment. All impositions and obligations hereby imposed will constitute covenants running with the land within the Property, and will bind any person having at any time any interest or estate in the Property, and will inure to the benefit of each Owner in like manner as though the provisions of this Declaration were recited and stipulated at length in each and every deed of conveyance.

9.11 Damage and Destruction. The Association shall undertake the following actions subsequent to damage or destruction of all or any part of the Common Area covered by insurance.

9.11.1 Claims. Promptly after damage or destruction by fire or other casualty to all or any part of the Common Area covered by insurance, the Board, or its duly authorized agent, will proceed with the filing and adjustment of all claims arising under such insurance and obtain reliable and detailed estimates of the cost of repair of the damage. Repair, as used in this *Section 9.11.1*, means repairing or restoring the Common Area to substantially the same condition as existed prior to the fire or other casualty.

9.11.2 Repair Obligations. Any damage to or destruction of the Common Area will be repaired unless a Majority of the Board decides within sixty (60) days after the casualty not to repair. If for any reason either the amount of the insurance proceeds to be paid as a result of such damage or destruction, or reliable and detailed estimates of the cost of repair, or both, are not made available to the Association within said period, then the period will be extended until such information will be made available.

9.11.3 Restoration. In the event that it should be determined by the Board that the damage or destruction of the Common Area will not be repaired and no alternative Improvements are authorized, then the affected portion of the Common Area will be restored to its natural state and maintained as an undeveloped portion of the Common Area by the Association in a neat and attractive condition.

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9.11.4 Special Assessment. If insurance proceeds are paid to restore or repair any damaged or destroyed Common Area, and such proceeds are not sufficient to defray the cost of such repair or restoration, the Board will levy a special Assessment, as provided in *Article 6*, against all Owners. Additional Assessments may be made in like manner at any time during or following the completion of any repair.

9.11.5 Proceeds Payable to Owners. In the event that any proceeds of insurance policies are paid to Owners as a result of any damage or destruction to any Common Area, such payments will be allocated based on Assessment Units and paid jointly to the Owners and the holders of Mortgages or deeds of trust on their Lots.

9.12 No Partition. Except as may be permitted in this Declaration or amendments thereto, no physical partition of the Common Area or any part will be permitted, nor will any person acquiring any interest in the Property or any part seek any such judicial partition unless the Property in question has been removed from the provisions of this Declaration pursuant to *Section 11.4* below. This *Section 9.12* will not be construed to prohibit the Board from acquiring and disposing of tangible personal property or from acquiring title to real property that may or may not be subject to this Declaration, nor will this provision be constructed to prohibit or affect the creation of a condominium regime in accordance with the Texas Uniform Condominium Act.

9.13 Notices. Any notice permitted or required to be given to any person by this Declaration will be in writing and may be delivered either personally or by mail, or as otherwise required by Applicable Law. If delivery is made by mail, it will be deemed to have been delivered on the third (3rd) day (other than a Sunday or legal holiday) after a copy of the same has been deposited in the United States mail, postage prepaid, addressed to the person at the address given by such person to the Association for the purpose of service of notices. Such address may be changed from time to time by notice in writing given by such person to the Association.

9.14 View Impairment. Neither Declarant nor the Association guarantee or represent that any view over and across the Lots, or any open space or Common Area within the Property will be preserved without impairment. Neither the Declarant, the ACC, nor the Association shall have any obligation to relocate, prune, or thin trees or perform other landscaping. The Association (with respect to any Common Area) will have the right to add trees and other landscaping from time to time, subject to Applicable Law. There shall be no express or implied easements for view purposes or for the passage of light and air.

9.15 Safety and Security. Each Owner and Resident of a Lot, and their respective guests and invitees, shall be responsible for their own personal safety and the security of their property within the Property. The Association may, but shall not be obligated to, maintain or support certain activities within the Property designed to promote or enhance the level of safety or security which each person provides for himself or herself and his or her property. However, neither the Association nor Declarant shall in any way be considered insurers or guarantors of

safety or security within the Property, nor shall either be held liable for any loss or damage by reason of failure to provide adequate security or ineffectiveness of security measures undertaken. No representation or warranty is made that any systems or measures, including security monitoring systems or any gate, mechanism or system for limiting access to the Property or the Common Area, cannot be compromised or circumvented; or that any such system or security measures undertaken will in all cases prevent loss or provide the detection or protection for which the system is designed or intended. Each Owner acknowledges, understands, and shall be responsible for informing any Residents of such Owner's Lot that the Association, its Board, its employees, agents, and committees, and the Declarant are not insurers or guarantors of security or safety and that each person within the Property assumes all risks of personal injury and loss or damage to property, including any residences or Improvements constructed upon any Lot and the contents thereof, resulting from acts of third parties.

ARTICLE 10 EASEMENTS

10.1 Right of Ingress and Egress. Declarant, its agents, employees, designees, successors or assigns will have a right of ingress and egress over and the right of access to the Common Area to the extent necessary to use the Common Area and the right to such other temporary uses of the Common Area as may be required or reasonably desirable (as determined by Declarant in its sole discretion) in connection with the construction and development of the Property. The Property shall be subject to a perpetual non-exclusive easement for the installation and maintenance, including the right to read meters, service or repair lines and equipment, and to do everything and anything necessary to properly maintain and furnish the Community Systems and the facilities pertinent and necessary to the same, which easement shall run in favor of Declarant. Declarant shall have the right, but not the obligation, to install and provide the Community Systems and to provide the services available through the Community Systems to any and all Lots within the Property. Neither the Association nor any Owner shall have any interest therein. Any or all of such services may be provided either directly through the Association and paid for as part of the Assessments or paid directly to Declarant, any affiliate of Declarant, or a third party, by the Owner who receives the services. The Community Systems shall be the property of Declarant unless transferred by Declarant, whereupon any proceeds of such transfer shall belong to Declarant. Declarant shall have the right but not the obligation to convey, transfer, sell or assign all or any portion of the Community Systems or all or any portion of the rights, duties or obligations with respect thereto, to the Association or to any person or entity. The rights of Declarant with respect to the Community Systems installed by Declarant and the services provided through such Community Systems are exclusive, and no other person or entity may provide such services through the Community Systems installed by Declarant without the prior written consent of Declarant. In recognition of the fact that interruptions in cable television and other Community Systems services will occur from time to time, no person or entity described above shall in any manner be liable, and no user of any Community System shall be entitled to any refund, rebate,

discount or offset in applicable fees, for any interruption in Community Systems services, regardless of whether or not same is caused by reasons within the control of the then-provider of such services.

10.2 Reserved Easements. All dedications, limitations, restrictions, easements, rights-of-way, licenses, leases, encumbrances and reservations shown on any Plat or otherwise Recorded against the Property and all grants and dedications of easements, rights-of-way, restrictions and related rights made by Declarant or any third party prior to the Property becoming subject to this Declaration are incorporated herein by reference and made a part of this Declaration for all purposes as if fully set forth herein, and will be construed as being adopted in each and every contract, deed or conveyance executed or to be executed by or on behalf of Declarant. Declarant reserves the right to relocate, make changes in, and additions to said dedications, limitations, restrictions, easements, rights-of-way, licenses, leases, encumbrances, reservations and other grants for the purpose of developing the Property.

10.3 Utility Easements. Declarant hereby reserves unto itself and Declarant's successors and assigns a perpetual non-exclusive easement over and across the Property for: (i) the installation, operation and maintenance of utilities and associated infrastructure to serve the Property and any other property owned by Declarant; (ii) the installation, operation and maintenance of cable lines and associated infrastructure for sending and receiving data and/or other electronic signals, security and similar services to serve the Property and any other property owned by Declarant; and (iii) the installation, operation and maintenance of, roadways, gates, walkways, pathways and trails, drainage systems, street lights and signage to serve the Property and any other property owned by Declarant. Declarant will be entitled to unilaterally assign the easements reserved hereunder to any third party who owns, operates or maintains the facilities and Improvements described in (i) through (iii) of this *Section 10.3*. The exercise of the easement reserved herein will not extend to permitting entry into any residence, nor will it unreasonably interfere with the use of any Lot or residence or Improvement constructed thereon.

10.4 Subdivision Entry and Fencing Easement. Declarant reserves for itself and the Association, an easement over and across the Property for the installation, maintenance, repair or replacement of certain subdivision entry facilities and fencing which serves the Property. Declarant will have the right, from time to time, to Record a written notice which identifies the subdivision entry facilities fencing to which the easement reserved hereunder applies. Declarant may designate all or any portion of the subdivision entry facilities and/or fencing as Common Area by Recorded written notice. The exercise of the easements reserved hereunder will not extend to permitting entry into any residence, nor will it unreasonably interfere with the use of any Lot or residence or Improvement constructed thereon.

10.5 Landscape and Monument Sign Easement. Declarant hereby reserves for itself and the Association, an easement over and across the Property for the installation, maintenance, repair or replacement of one or more monument signs which serve the Property. Declarant will

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have the right, from time to time, to Record a written notice, which identifies those portions of the Property to which the easement reserved hereunder applies. Declarant designates the easement areas reserved hereunder as Common Area. The exercise of the easements reserved hereunder will not extend to permitting entry into any residence, nor will it unreasonably interfere with the use of any Lot or residence or Improvement constructed thereon.

ARTICLE 11 DEVELOPMENT RIGHTS

11.1 Development by Declarant. It is contemplated that the Property will be developed pursuant to a plan, which may, from time to time, be amended or modified. Declarant reserves the right, but will not be obligated, to pursue the development, construction and marketing of the Property, the right to direct the size, shape, and composition of the Property, the right to create and/or designate Lots or Common Area, and to subdivide all or any portion of the Property, subject to any limitations imposed on portions of the Property by any applicable Plat. Collectively, the rights reserved to the Declarant as set forth in this Declaration shall be known as the "Development Rights", and Declarant hereby reserves the right and privilege for itself, and/or its assigns, to exercise the Development Rights, and any other rights reserved on behalf of the Declarant as set forth in this Declaration until twenty-four (24) months after the expiration or termination of the Development Period, except the right to appoint and remove Board members and officers of the Association which shall be governed by the provisions set out in *Section 4.3*. These rights may be exercised with respect to any portions of the Property or the Common Area. As each portion of the Property is developed or dedicated, Declarant may designate the use, classification and such additional covenants, conditions and restrictions as Declarant may deem appropriate for such Property.

11.2 Special Declarant Rights. Notwithstanding any provision of this Declaration to the contrary, at all times, Declarant will have the right and privilege: (i) to erect and maintain advertising signs (illuminated or non-illuminated), sales flags, other sales devices and banners for the purpose of aiding the sale of Lots in the Property; (ii) to maintain Improvements upon Lots as sales, model, management, business and construction offices; and (iii) to maintain and locate construction trailers and construction tools and equipment within the Property. The construction, placement or maintenance of Improvements by Declarant will not be considered a nuisance, and Declarant hereby reserves the right and privilege for itself to conduct the activities enumerated in this *Section 11.2* until twenty-four months (24) months after expiration or termination of the Development Period.

11.3 Addition of Land. Declarant may, at any time and from time to time, add additional lands to the Property. Upon the filing of a notice of addition of land, such land will be considered part of the Property for purposes of this Declaration, and such added lands will be considered part of the Property subject to this Declaration and the terms, covenants, conditions, restrictions and obligations set forth in this Declaration, and the rights, privileges, duties and liabilities of the persons subject to this Declaration will be the same with respect to

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such added land as with respect to the lands originally covered by this Declaration. To add lands to the Property, Declarant will be required only to Record a notice of addition of land containing the following provisions:

- (i) A reference to this Declaration, which reference will state the document number or volume and initial page number of the Official Public Records of Tarrant County wherein this Declaration is Recorded;
- (ii) A statement that such land will be considered Property for purposes of this Declaration, and that all of the terms, covenants, conditions, restrictions and obligations of this Declaration will apply to the added land; and
- (iii) A legal description of the added land.

11.4 Withdrawal of Land. Declarant may, at any time and from time to time, reduce or withdraw land from the Property, and remove and exclude from the burden of this Declaration and the jurisdiction of the Association any portion of the Property. Upon any such withdrawal and removal this Declaration and the covenants conditions, restrictions and obligations set forth herein will no longer apply to the portion of the Property withdrawn. To withdraw lands from the Property hereunder, Declarant will be required only to Record a notice of withdrawal of land containing the following provisions:

- (i) A reference to this Declaration, which reference will state the document number or volume and initial page number of the Official Public Records of Tarrant County wherein this Declaration is recorded;
- (ii) A statement that the provisions of this Declaration will no longer apply to the withdrawn land; and
- (iii) A legal description of the withdrawn land.

11.5 Assignment of Declarant's Rights. Notwithstanding any provision in this Declaration to the contrary, Declarant may, by written instrument, assign, in whole or in part, any of its privileges, exemptions, rights and duties under this Declaration to any person or entity and may permit the participation, in whole, in part, exclusively, or non-exclusively, by any other person or entity in any of its privileges, exemptions, rights and duties hereunder.

ARTICLE 12 DISPUTE RESOLUTION

12.1 Introduction and Definitions. The Association, the Owners, Declarant, all persons subject to this Declaration, and any person not otherwise subject to this Declaration who agrees to submit to this Article (collectively, the "**Parties**") agree to encourage the amicable

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resolution of disputes involving the Property and to avoid the emotional and financial costs of litigation and arbitration if at all possible. Accordingly, each Party hereby covenants and agrees that this Article applies to all Claims as hereafter defined. This *Article 12* may only be amended with the prior written approval of the Declarant, the Association (acting through a Majority of the Board), and Owners holding 100% of the votes in the Association. As used in this Article only, the following words, when capitalized, have the following specified meanings:

(i) **"Claim"** means:

- A. Claims relating to the rights and/or duties of Declarant, the Association, or an Owner, under the Restrictions.
- B. Claims relating to the acts or omissions of the Declarant or the Association during control and administration of the Association, any claim asserted against the ACC, and any claims asserted against a Board or a person serving as a Board member or officer of the Association, or the ACC.
- C. Claims relating to the design or construction of Improvements on the Common Areas or Lots located within the Property.

A "Claim", for purposes of this Article 12, shall in no event include any action or proceeding initiated by the City to enforce Section 4.14, or any action deemed necessary or required, in the City's sole discretion, to exercise any rights afforded to the City pursuant to Section 4.14.

(ii) **"Claimant"** means any Party having a Claim against any other Party.

(iii) **"Respondent"** means any Party against which a Claim has been asserted by a Claimant.

12.2 Mandatory Procedures. Claimant may not initiate any proceeding before any administrative tribunal seeking redress of resolution of its Claim until Claimant has complied with the procedures of this Article. As provided in *Section 12.8* below, a Claim will be resolved by binding arbitration.

12.3 Claim Affecting Common Areas. In accordance with *Section 4.17* of this Declaration, the Association does not have the power or right to institute, defend, intervene in, settle, or compromise litigation or administrative proceedings: (i) in the name of or on behalf of any Lot Owner (whether one or more); or (ii) pertaining to a Claim, as defined in *Section 12.1* above, relating to the design or construction of Improvements on a Lot (whether one or more). In the event the Association or a Lot Owner asserts a Claim related to the Common Areas, as a precondition to providing the Notice defined in *Section 12.4*, initiating the mandatory dispute

resolution procedures set forth in this *Article 12*, or taking any other action to prosecute a Claim related to the Common Areas, the Association or a Lot Owner, as applicable, must:

12.3.1 Independent Report on the Condition of the Common Areas. Obtain an independent third-party report (the “**Common Area Report**”) from a licensed professional engineer which: (i) identifies the Common Areas subject to the Claim including the present physical condition of the Common Areas; (ii) describes any modification, maintenance, or repairs to the Common Areas performed by the Lot Owner(s) and/or the Association; and (iii) provides specific and detailed recommendations regarding remediation and/or repair of the Common Areas subject to the Claim. For the purposes of this Section, an independent third-party report is a report obtained directly by the Association or a Lot Owner and paid for by the Association or a Lot Owner, as applicable, and not prepared by a person employed by or otherwise affiliated with the attorney or law firm that represents or will represent the Association or a Lot Owner in the Claim. As a precondition to providing the Notice described in *Section 12.4*, the Association or Lot Owner must provide at least ten (10) days prior written notice of the inspection to each party subject to a Claim which notice shall identify the independent third-party engaged to prepare the Common Area Report, the specific Common Areas to be inspected, and the date and time the inspection will occur. Each party subject to a Claim may attend the inspection, personally or through an agent. Upon completion, the Common Area Report shall be provided to each party subject to a Claim. In addition, before providing the Notice described in *Section 12.4*, the Association or the Lot Owner, as applicable, shall have permitted each party subject to a Claim the right, for a period of ninety (90) days, to inspect and correct, any condition identified in the Common Area Report.

12.3.2 Claim by the Association - Owner Meeting and Approval. If the Claim is prosecuted by the Association, obtain approval from Members holding sixty-seven percent (67%) of the votes in the Association to provide the Notice described in *Section 12.4*, initiate the mandatory dispute resolution procedures set forth in this *Article 12*, or take any other action to prosecute a Claim, which approval from Members must be obtained at a special meeting of Members called in accordance with the Bylaws. The notice of meeting required hereunder will be provided pursuant to the Bylaws but the notice must also include: (i) the nature of the Claim, the relief sought, the anticipated duration of prosecuting the Claim, and the likelihood of success; (ii) a copy of the Common Area Report; (iii) a copy of any proposed engagement letter, with the terms of such engagement between the Association and an attorney to be engaged by the Association to assert or provide assistance with the claim (the “**Engagement Letter**”); (iv) a description of the attorney fees, consultant fees, expert witness fees, and court costs, whether incurred by the Association directly or for which it may be liable if it is not the prevailing party or that the Association will be required, pursuant to the Engagement Letter or otherwise, to pay if the Association elects to not proceed with the Claim; (v) a summary of the steps previously taken, and proposed to be taken, to resolve the Claim; (vi) an estimate of the impact on the value of each Lot if the Claim is prosecuted and an estimate of the impact on the value of each Lot after resolution of the Claim; (vii) an estimate of the impact on the marketability of each Lot if the Claim is prosecuted and during prosecution of the

Claim, and an estimate of the impact on the value of each Lot during and after resolution of the Claim; (viii) the manner in which the Association proposes to fund the cost of prosecuting the Claim; and (ix) the impact on the finances of the Association, including the impact on present and projected reserves, in the event the Association is not the prevailing party. The notice required by this paragraph must be prepared and signed by a person other than, and not employed by or otherwise affiliated with, the attorney or law firm that represents or will represent the Association or Lot Owner, as applicable, in the Claim. In the event Members approve providing the Notice described in *Section 12.4*, or taking any other action to prosecute a Claim, the Members holding a Majority of the votes in the Association, at a special meeting called in accordance with the Bylaws, may elect to discontinue prosecution or pursuit of the Claim.

12.4 Notice. Claimant must notify Respondent in writing of the Claim (the “Notice”), stating plainly and concisely: (i) the nature of the Claim, including date, time, location, persons involved, and Respondent’s role in the Claim; (ii) the basis of the Claim (i.e., the provision of the Restrictions or other authority out of which the Claim arises); (iii) what Claimant wants Respondent to do or not do to resolve the Claim; and (iv) that the Notice is given pursuant to this Section. For Claims governed by Chapter 27 of the Texas Property Code, the time period for negotiation in *Section 12.5* below, is equivalent to the sixty (60) day period under Section 27.004 of the Texas Property Code. If a Claim is subject to Chapter 27 of the Texas Property Code, the Claimant and Respondent are advised, in addition to compliance with *Section 12.5*, to comply with the terms and provisions of Section 27.004 during such sixty (60) day period. *Section 12.5* does not modify or extend the time period set forth in Section 27.004 of the Texas Property Code. Failure to comply with the time periods or actions specified in Section 27.004 could affect a Claim if the Claim is subject to Chapter 27 of the Texas Property Code. The one hundred and twenty (120) day period for mediation set forth in *Section 12.6* below, is intended to provide the Claimant and Respondent with sufficient time to resolve the Claim in the event resolution is not accomplished during negotiation. If the Claim is not resolved during negotiation, mediation pursuant to *Section 12.6* is required without regard to the monetary amount of the Claim.

If the Claimant is the Association, the Notice will also include: (a) a true and correct copy of the Common Area Report; (b) a copy of the Engagement Letter; (c) copies of all reports, studies, analyses, and recommendations obtained by the Association related to the Common Area which forms the basis of the Claim; (d) a true and correct copy of the special meeting notice provided to Members in accordance with *Section 12.4* above; and (e) reasonable and credible evidence confirming that Members holding sixty-seven percent (67%) of the votes in the Association approved providing the Notice. If the Claimant is not the Association and pertains to the Common Areas, the Notice will also include a true and correct copy of the Common Area Report.

12.5 Negotiation. Claimant and Respondent will make every reasonable effort to meet in person to resolve the Claim by good faith negotiation. Within sixty (60) days after

Respondent's receipt of the Notice, Respondent and Claimant will meet at a mutually acceptable place and time to discuss the Claim. If the Claim involves all or any portion of the Property, then at such meeting or at some other mutually-agreeable time, Respondent and Respondent's representatives will have full access to the Property that is subject to the Claim for the purposes of inspecting the Property. If Respondent elects to take corrective action, Claimant will provide Respondent and Respondent's representatives and agents with full access to the Property to take and complete corrective action.

12.6 Mediation. If the parties negotiate, but do not resolve the Claim through negotiation within one-hundred twenty (120) days from the date of the Notice (or within such other period as may be agreed on by the parties), Claimant will have thirty (30) additional days within which to submit the Claim to mediation under the auspices of a mediation center or individual mediator on which the parties mutually agree. The mediator must have at least five (5) years of experience serving as a mediator and must have technical knowledge or expertise appropriate to the subject matter of the Claim. If Claimant does not submit the Claim to mediation within the 30-day period, Respondent will submit the Claim to mediation in accordance with this *Section 12.6*.

12.7 Termination Of Mediation. If the Parties do not settle the Claim within thirty (30) days after submission to mediation, or within a time deemed reasonable by the mediator, the mediator will issue a notice of termination of the mediation proceedings indicating that the Parties are at an impasse and the date that mediation was terminated. Thereafter, Claimant may file suit or initiate arbitration proceedings on the Claim, as appropriate and permitted by this Article.

12.8 Binding Arbitration-Claims. All Claims must be settled by binding arbitration. Claimant or Respondent may, by summary proceedings (e.g., a plea in abatement or motion to stay further proceedings), bring an action in court to compel arbitration of any Claim not referred to arbitration as required by this *Section 12.8*.

12.8.1 Governing Rules. If a Claim has not been resolved after mediation as required by *Section 12.6*, the Claim will be resolved by binding arbitration in accordance with the terms of this *Section 12.8* and the rules and procedures of the American Arbitration Association ("AAA") or, if the AAA is unable or unwilling to act as the arbitrator, then the arbitration shall be conducted by another neutral reputable arbitration service selected by Respondent in Tarrant County, Texas. Regardless of what entity or person is acting as the arbitrator, the arbitration shall be conducted in accordance with the AAA's "Construction Industry Dispute Resolution Procedures" and, if they apply to the disagreement, the rules contained in the Supplementary Procedures for Consumer-Related Disputes. If such Rules have changed or been renamed by the time a disagreement arises, then the successor rules will apply. Also, despite the choice of rules governing the arbitration of any Claim, if the AAA has, by the time of Claim, identified different rules that would specifically apply to the Claim, then those rules will apply instead of the rules identified above. In the event of any inconsistency between

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any such applicable rules and this *Section 12.8*, this *Section 12.8* will control. Judgment upon the award rendered by the arbitrator shall be binding and not subject to appeal, but may be reduced to judgment in any court having jurisdiction. Notwithstanding any provision to the contrary or any applicable rules for arbitration, any arbitration with respect to Claims arising hereunder shall be conducted by a panel of three (3) arbitrators, to be chosen as follows:

- (i) One arbitrator shall be selected by Respondent, in its sole and absolute discretion;
- (ii) One arbitrator shall be selected by the Claimant, in its sole and absolute discretion; and
- (iii) One arbitrator shall be selected by mutual agreement of the arbitrators having been selected by Respondent and the Claimant, in their sole and absolute discretion.

12.8.2 Exceptions to Arbitration; Preservation of Remedies. No provision of, nor the exercise of any rights under, this *Section 12.8* will limit the right of Claimant or Respondent, and Claimant and the Respondent will have the right during any Claim, to seek, use, and employ ancillary or preliminary remedies, judicial or otherwise, for the purposes of realizing upon, preserving, or protecting upon any property, real or personal, that is involved in a Claim, including, without limitation, rights and remedies relating to: (i) exercising self-help remedies (including set-off rights); or (ii) obtaining provisions or ancillary remedies such as injunctive relief, sequestration, attachment, garnishment, or the appointment of a receiver from a court having jurisdiction before, during, or after the pendency of any arbitration. The institution and maintenance of an action for judicial relief or pursuit of provisional or ancillary remedies or exercise of self-help remedies shall not constitute a waiver of the right of any party to submit the Claim to arbitration nor render inapplicable the compulsory arbitration provisions hereof.

12.8.3 Statute of Limitations. All statutes of limitation that would otherwise be applicable shall apply to any arbitration proceeding under this *Section 12.8*.

12.8.4 Scope of Award; Modification or Vacation of Award. The arbitrator shall resolve all Claims in accordance with the applicable substantive law. The arbitrator may grant any remedy or relief that the arbitrator deems just and equitable and within the scope of this *Section 12.8* and subject to *Section 12.9* below (attorney's fees and costs may not be awarded by the arbitrator); provided, however, that for a Claim, or any portion of a Claim governed by Chapter 27 of the Texas Property Code, or any successor statute, in no event shall the arbitrator award damages which exceed the damages a Claimant would be entitled to under Chapter 27 of the Texas Property Code. In all arbitration proceedings the arbitrator shall make specific, written findings of fact and conclusions of law. In all arbitration proceedings the parties shall have the right to seek vacation or modification of any award that is based in whole, or in part, on (i) factual findings that have no legally or factually sufficient evidence, as those terms are

defined in Texas law; (ii) conclusions of law that are erroneous; (iii) an error of federal or state law; or (iv) a cause of action or remedy not expressly provided under existing state or federal law. In no event may an arbitrator award speculative, consequential, or punitive damages for any Claim.

12.8.5 Other Matters. To the maximum extent practicable, an arbitration proceeding hereunder shall be concluded within one hundred and eighty (180) days of the filing of the Claim for arbitration by notice from either party to the other. Arbitration proceedings hereunder shall be conducted in Tarrant County, Texas. The arbitrator shall be empowered to impose sanctions and to take such other actions as the arbitrator deems necessary to the same extent a judge could pursuant to the Federal Rules of Civil Procedure, the Texas Rules of Civil Procedure and Applicable Law. Each party agrees to keep all Claims and arbitration proceedings strictly confidential, except for disclosures of information required in the ordinary course of business of the parties or by Applicable Law or regulation. In no event shall any party discuss with the news media or grant any interviews with the news media regarding a Claim or issue any press release regarding any Claim without the written consent of the other parties to the Claim.

12.9 Allocation Of Costs. Notwithstanding any provision in this Declaration to the contrary, each party bears all of its own costs incurred prior to and during the proceedings described in the Notice, Negotiation, Mediation, and Arbitration sections above, including its attorney's fees. Respondent and Claimant will equally divide all expenses and fees charged by the mediator and arbitrator.

12.10 General Provisions. A release or discharge of Respondent from liability to Claimant on account of the Claim does not release Respondent from liability to persons who are not party to Claimant's Claim.

12.11 Period of Limitation.

12.11.1 For Actions by an Owner. The exclusive period of limitation for any of the Parties to bring any Claim, including, but not limited to, a Claim of construction defect or defective design of Improvements on the Common Areas or Lots, shall be the earliest of: (i) for Claims alleging construction defect or defective design, two (2) years and one (1) day from the date that the Owner discovered or reasonably should have discovered evidence of the Claim; (ii) for Claims other than those alleging construction defect or defective design, four (4) years and one (1) day from the date that the Owner discovered or reasonably should have discovered evidence of the Claim.

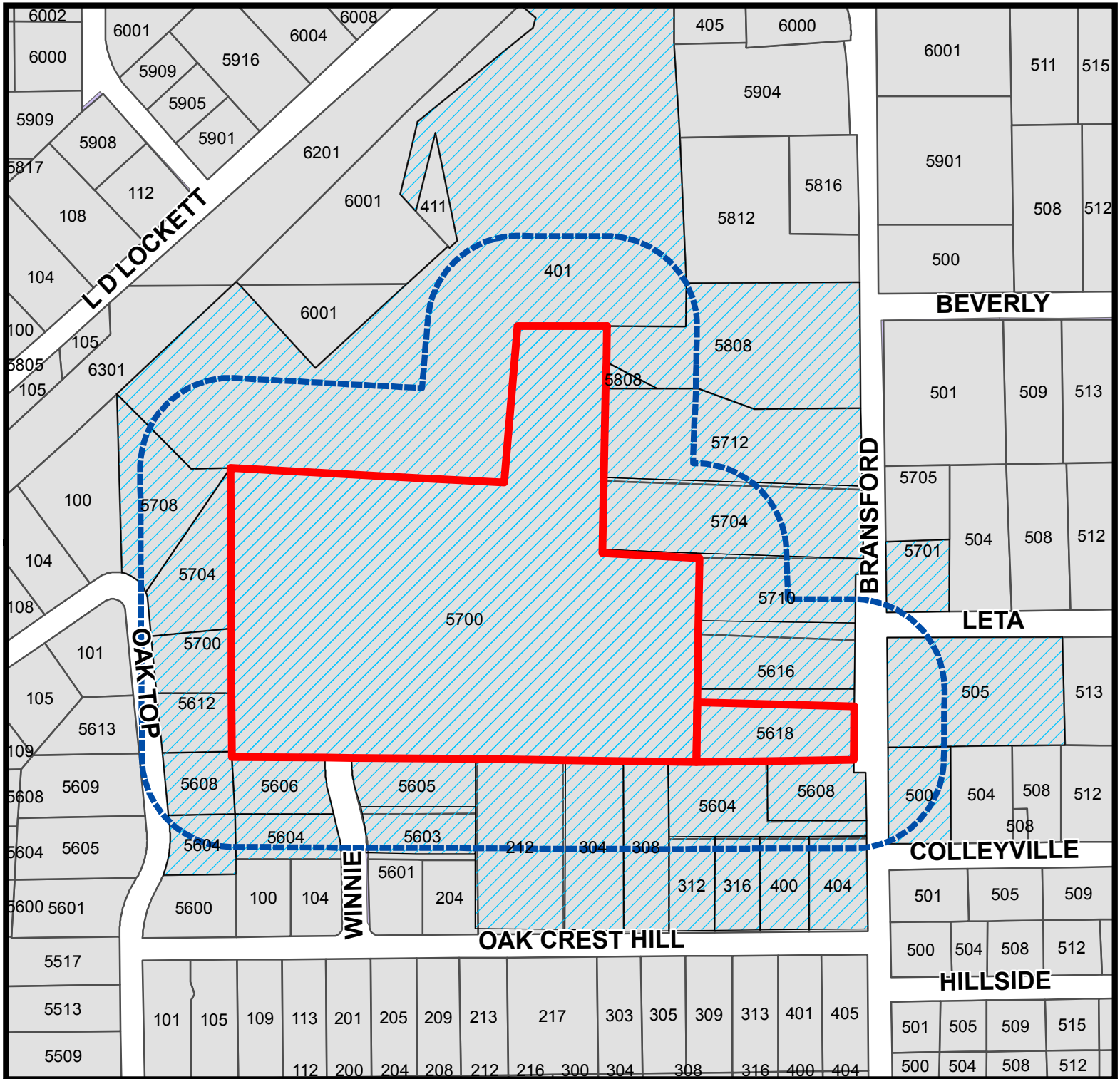
12.11.2 For Actions by the Association. The exclusive period of limitation for the Association to bring any Claim, including, but not limited to, a Claim of construction defect or defective design of the Common Areas, shall be the earliest of: (i) for Claims alleging construction defect or defective design, two (2) years and one (1) day from the date that the Association or its agents discovered or reasonably should have discovered evidence of the

Claim; (ii) for Claims other than those alleging construction defect or defective design of the Common Areas, four (4) years and one (1) day from the date that the Association discovered or reasonably should have discovered evidence of the Claim.

12.12 Funding Arbitration and Litigation. The Association must levy a Special Assessment to fund the estimated costs of arbitration, including estimated attorney's fees, conducted pursuant to this *Article 12* or any judicial action initiated by the Association. The Association may not use its annual operating income or reserve funds or savings to fund arbitration or litigation, unless the Association's annual budget or a savings account was established and funded from its inception as an arbitration and litigation reserve fund.

[SIGNATURE PAGE FOLLOWS]

NOTIFICATION MAP



PC16-003

5700 WINNIE DRIVE AND 5618 BRANSFORD ROAD



1 inch = 304 feet

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

Vicinity Map



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

Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
MINOR, ARVIL	5808 BRANSFORD RD	COLLEYVILLE, TX	76034	5808 BRANSFORD RD
BURTIN, VIOLET M	312 OAK CREST HILL DR	COLLEYVILLE, TX	76034	312 OAK CREST HILL DR
WRIGHT, TRENTON	316 OAK CREST HILL DR	COLLEYVILLE, TX	76034	316 OAK CREST HILL DR
TANNER, BRUCE	5616 BRANSFORD RD	COLLEYVILLE, TX	76034	5616 BRANSFORD RD
BARLOW, RONALD M	304 OAK CREST HILL DR	COLLEYVILLE, TX	76034	304 OAK CREST HILL DR
COLEY, LILA J	401 SHELTON DR	COLLEYVILLE, TX	76034	401 SHELTON DR
DEVEREAUX, WALTER J	5608 OAK TOP DR	COLLEYVILLE, TX	76034	5608 OAK TOP DR
HEITMAN, NICHOLAS	400 OAK CREST HILL DR	COLLEYVILLE, TX	76034	400 OAK CREST HILL DR
TATE, FREDERICK C	5605 WINNIE DR	COLLEYVILLE, TX	76034	5605 WINNIE DR
SCHWARTZKOPF, KRISTINA	5612 OAK TOP DR	COLLEYVILLE, TX	76034	5612 OAK TOP DR
FRANCIS, CHERYL ANN	308 OAK CREST HILL DR	COLLEYVILLE, TX	76034	308 OAK CREST HILL DR
GREEN, REVVIE A	5604 WINNIE DR	COLLEYVILLE, TX	76034	5604 WINNIE DR
HACKBARTH, JULIE	6732 ST MORITZ PKWY	COLLEYVILLE, TX	76034	212 OAK CREST HILL DR
BOSTON, DOUGLAS	5606 WINNIE DR	COLLEYVILLE, TX	76034	5606 WINNIE DR
TRAN, THAI V	5603 WINNIE DR	COLLEYVILLE, TX	76034	5603 WINNIE DR
VALLE, SERGIO	404 OAK CREST HILL DR	COLLEYVILLE, TX	76034	404 OAK CREST HILL DR
MILAKOVICH, JOEL	PO BOX 130	COLLEYVILLE, TX	76034	5604 BRANSFORD RD
ALVARADO, PATRICIA L	500 COLLEYVILLE TERR	COLLEYVILLE, TX	76034	500 COLLEYVILLE TERR
XTO ENERGY INC	PO BOX 53	HOUSTON, TX	77001	5700 WINNIE DR
XTO ENERGY INC	PO BOX 53	HOUSTON, TX	77001	5700 WINNIE DR
NEMERGUT, S P	5700 OAK TOP DR	COLLEYVILLE, TX	76034	5700 OAK TOP DR
LANE, TROY T	5604 OAK TOP DR	COLLEYVILLE, TX	76034	5604 OAK TOP DR
BRADSHAW, BOB	5708 OAK TOP DR	COLLEYVILLE, TX	76034	5708 OAK TOP DR
XTO ENERGY INC	PO BOX 53	HOUSTON, TX	77001	5710 BRANSFORD RD
XTO ENERGY INC	PO BOX 53	HOUSTON, TX	77001	5618 BRANSFORD RD
CARNEY, MAX	5712 BRANSFORD RD	COLLEYVILLE, TX	76034	5712 BRANSFORD RD
GARRISON, LISA	5704 BRANSFORD RD	COLLEYVILLE, TX	76034	5704 BRANSFORD RD
GRAY, JAMES M	505 LETA LN	COLLEYVILLE, TX	76034	505 LETA LN
WEST, GARY R	104 OAK VALLEY DR	COLLEYVILLE, TX	76034	5701 BRANSFORD RD
UTLEY, WILLIAM B	5704 OAK TOP DR	COLLEYVILLE, TX	76034	5704 OAK TOP DR
BUCKLEY, RACHEL L	5608 BRANSFORD RD	COLLEYVILLE, TX	76034	5608 BRANSFORD RD
NORTHSTAR BANK OF TEXAS	400 N CARROLL BLVD	DENTON, TX	76201	5808 BRANSFORD RD
WPC ACQUISITIONS, INC.	4131 N. CENTRAL EXPY, STE. 9	DALLAS, TX	75204	APPLICANT
GRAPEVINE-COLLEYVILLE ISD	3051 IRA WOODS AVE E	GRAPEVINE, TX	76051	STATE LAW REQUIRED

Public hearing notices were mailed
Thursday, December 22, 2016 by
Araceli Botello



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 3b	Agenda Date 01/09/2017	Number
Type Public Hearing Agenda Items		
Department City Manager		

Title

Consideration of amendments to the Land Development Code regarding granting of authority to the City Council to approve waivers related to the construction of mutual access easements/drives adjacent to Major Arterials, and to establish a permit process for the construction of such drives; specifically Chapter 1 - General Provisions, Section 1.12 Waivers and Appeals – Generally, Section 1.13 Waivers and Appeals – City Council, and Chapter 3 - Land Use, Section 3.29 Parking Requirements, Case GC16-023

Explanation

Staff proposes amendments to Chapter 1 – *General Provisions* and Chapter 3 – *Land Use* in the Land Development Code. The proposed amendments to Section 1.12 and 1.13 would provide the City Council the ability to consider waivers to provisions in the Land Development Code that are directly related to the construction of a mutual access easement/drive adjacent to a Major Arterial. The proposed amendment to Section 3.29 would create a permit for the construction of mutual access connections requiring waivers along such roadways. City Council has requested these amendments in an effort to mitigate the impacts of the State Highway 26 project.

Background

Mutual Access Easements as defined in the Land Development Code are required for new development that abuts and that may derive access from a Collector Street or Arterial Street as shown on the Master Thoroughfare Plan. The purpose of these easements is to provide public access to adjacent properties by reducing the number of driveway cuts and potential traffic accidents on adjacent streets. For the purposes of this briefing the term *Mutual Access Easement* is synonymous with *Joint Access Easement*.

At the March 3, 2015 City Council meeting, the Guidelines and Criteria for Economic Development Incentives were revised to include a new Matching Grant category for joint access easements along State Highway 26, per attached Resolution R-15-3854. The addition of this category provides up to \$30,000 for joint access easements constructed between adjacent properties along State Highway 26, and was added to support businesses that might be impacted by the State Highway 26 reconstruction project, which includes the addition of curbed center medians.

Update

At the November 1, 2016 Worksession, City Council directed staff to amend the Land Development Code to provide the City Council with authority to consider waivers for the purposes of joint access easements along State Highway 26.

At the Worksession, the City Council reviewed the potential impact that the construction of joint access drives could have on existing parking. As seen in the attached November 1, 2016 Worksession Presentation the construction of such connections would likely result in a reduction of parking spaces on one, or both, properties to be connected.

The City Council discussed how the loss of parking could impact properties in each of the following scenarios:

1. Current occupancy/use
2. Future occupancy/use
3. Building expansion
4. Redevelopment (tear down/rebuild)

The City Council provided the following direction:

The city should pursue joint access easements in locations that are determined to be of benefit to businesses and the public.

1. **Current occupancy/use**
 - a. not impacted by loss of parking
2. **Future occupancy/use**
 - a. parking spaces lost by the construction of joint access easements will be applied (grandfathered) toward future uses
3. **Building expansion**
 - a. parking would have to be added to accommodate the new space
4. **Redevelopment (tear down/rebuild)**
 - a. no waiver/grandfathering of parking

Proposed Amendments

Based on the City Council's direction, staff is seeking a recommendation from the Planning and Zoning Commission to amend the following: Chapter 1- *General Provisions* and Chapter 3 – *Land Use* in the Land Development Code.

Changes to General Provisions

Staff proposes that the City Council be given direct authority to accept and hear waiver requests related to the construction of a mutual access easement/drive adjacent to a Major Arterial.

As seen in Attachment A and below, the proposed amendments to the table in section

1.12 and the addition of section 1.13(b), would modify the authority of the City Council:

Land Development Code

City of Colleyville, Texas

Approval Authority for Waiver, Variance and Appeal Requests					
Chapter Title	City Council	P & Z Commission	ZBA	Sign Board	Staff
Chapter 2 – Definitions	N/A	N/A	See Section 1.16	N/A	N/A
Chapter 3 – Land Use	<u>N/A See Section 1.13</u>	N/A	See Section 1.16	N/A	N/A
Chapter 4 – Landscaping & Buffering	<u>N/A See Section 1.13</u>	N/A	N/A	N/A	See Section 4.6
Chapter 5 – Tree Preservation	<u>N/A See Section 1.13</u>	See Section 1.14	N/A	N/A	N/A
Chapter 6 – Building Design	<u>N/A See Section 1.13</u>	See Section 1.14	N/A	N/A	N/A
Chapter 7 – Sign Regulations	<u>N/A See Section 1.13</u>	N/A	N/A	See Section 1.15	N/A
Chapter 8 – Platting Procedures (except perimeter streets)	See Section 1.13	See Section 1.14 & 7.2	N/A	N/A	N/A
Perimeter streets	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 9 – Subdivision Design & Required Facilities	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 10 – Private Streets & Entrance Gates	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 11 – Park Land Dedication	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 12 – Erosion Control	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 13 – Impact Fees	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 14 – Engineering Design	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 15 – Public Works Construction Details	See Section 1.13	N/A	N/A	N/A	N/A

Note to table above: N/A – Not Authorized

Section 1.13 Waivers and Appeals – City Council

A. Where specifically provided for in this Land Development Code, the City Council shall have the authority to consider requests for a waiver or to hear and decide an appeal from an administrative decision on a regulation. The City Council may approve, disapprove or modify such a request provided that such approval or modification will not be detrimental to the public safety, health, or welfare or injurious to other property. The applicant shall provide information to support a claim that there are extraordinary hardships or practical difficulties which may result from strict compliance with the regulation or that the public interest may be better served by an alternative proposal.

B. Notwithstanding any provision of this Land Development Code relating to waiver procedures contained herein, and to the extent not otherwise prohibited by State law, the City Council shall have the authority to directly consider requests for a waiver to any regulation contained herein in connection with the construction of a mutual access easement/drive adjacent to a Major Arterial as defined in the thoroughfare plan. The City Council may approve, disapprove or modify such a request provided that such approval or modification will not be detrimental to the public safety, health, or welfare or injurious to other property. The applicant shall provide information to support a claim that there are extraordinary hardships or practical difficulties which may result from strict compliance with the regulation or that the public interest may be better served by an alternative proposal.

The proposed amendment will allow for direct review and oversight by the City Council to ensure that applications for the Matching Grant category associated with mutual access easements are handled efficiently. As these connections are yet to be designed, the proposed amendment provides the City Council with the authority to approve a waiver for unknown but anticipated situations that may arise.

Changes to Land Use

Staff proposes that Section 3.29 of the Land Development Code be amended to include a permit for the construction of mutual access connections along major arterials (i.e. State Highway 26). The permit process in conjunction with the amendment to sections 1.12 and 1.13 would allow the City Council to directly consider the construction of mutual access drives that require waivers.

As seen in Attachment B and below, the proposed amendment to section 3.29 would create a new permit:

K. Mutual Access Easement/Drive along a Major Arterial

1. Permit: The City Council shall provide consent to approve a permit for the construction of a mutual access connection that requires a waiver to any provision in this Land Development Code. See Section 1.13.
2. Conditions of Approval - The City Council may impose such safeguards, requirements and conditions as it deems are necessary to properly protect any surrounding property, surrounding use, or neighborhood character, including, without limitation, imposing development standards, requiring public facility improvements and means of ingress and egress of public streets, establishing conditions of operation, establishing time limits, establishing location, arrangement and construction of any uses or structures, adopting regulations to protect the general welfare and adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view of other undesirable or hazardous conditions. All conditions imposed by the City Council shall be complied with prior to the issuance of a permit.
3. Required submittals
 - a. Application – These forms are furnished by the Administrative Official
 - b. Detailed site plan
 - c. Parking analysis
 - d. A shared parking agreement between the properties to be connected must be executed if the conditions of Section 3.29(g) are met

Staff Recommendation: Staff recommends approval of these amendments. These amendments will provide the City Council the ability to work more efficiently with the community to ensure that impacts State Highway 26 project are mitigated appropriately.

Recommendation

Approve

Attachments

1. Resolution R-15-3854
2. City Council Worksession - November 1, 2016
3. Attachment A
4. Attachment B
5. Draft Ordinance

RESOLUTION R-15-3854

**A RESOLUTION REVISING RESOLUTION R-12-3565 ADOPTING
GUIDELINES AND CRITERIA FOR ECONOMIC DEVELOPMENT
INCENTIVES**

WHEREAS, Texas State law provides for a home rule municipality to offer various economic development incentives; and

WHEREAS, the City of Colleyville has made a long term commitment to economic development, and the City seeks to foster a more diversified tax base so that it may deliver sustainable government; and

WHEREAS, the economic viability of the City of Colleyville depends upon the City's ability to retain and foster the expansion of existing businesses, as well as attract new investment through the location of new businesses; and

WHEREAS, the City of Colleyville recognizes it must also enhance its competitiveness with other communities and especially neighboring municipalities; and

WHEREAS, the City of Colleyville recognizes the value in adding an additional Matching Grant category to assist in the construction of joint access easements between several existing property owners and businesses, especially before the start of Phase II, State Highway 26 reconstruction; and

WHEREAS, Chapter 312 of the Texas Tax Code requires that each taxing entity who wishes to consider granting economic development incentives must first adopt a set of guidelines and criteria, and the City of Colleyville desires to update Resolution R-12-3550.

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

Sec. 1. THAT the Economic Development Incentive Guidelines and Criteria contained in the attached Exhibit "A" are hereby adopted.

Sec. 2. THAT the City of Colleyville will utilize said Guidelines and Criteria to negotiate and consider economic development incentive programs.

Sec. 3. THAT prospective joint access easements along State Highway 26 are hereby eligible for Matching Grant fund application and consideration.

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF 6 AYES, 0 NAYS AND 0 ABSTENTIONS ON THIS THE 3rd DAY OF MARCH 2015.

ATTEST:



Amy Shelley, TRMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

Exhibit "A"
CITY OF COLLEYVILLE, TEXAS
ECONOMIC DEVELOPMENT INCENTIVES
GUIDELINES AND CRITERIA

Section 1. General Purpose and Objectives

General Purpose

The policy herein is intended as a guide for use in developing economic development incentive packages under the provisions of state law. Notwithstanding the policy herein established, the City Council of the City of Colleyville retains the right to act within the provisions of such act without the necessity of amending the general policy and/or purpose adopted within this set of *Guidelines and Criteria*.

Objectives

The City of Colleyville, Texas, has made a long-term commitment to economic development. The City seeks to foster a more diversified tax base so that it may deliver sustainable government. Insofar as these objectives are generally served by the enhancement and expansion of the local economy, the City of Colleyville will, on a case-by-case basis, give consideration to providing tax abatements and other forms of economic development incentives as stimulation for economic growth in Colleyville. It is the policy of the City of Colleyville that said consideration will be provided in accordance with the criteria outlined in this document. Nothing herein shall imply or suggest that the City of Colleyville is under any obligation to provide any type of incentive to any applicant.

The City of Colleyville's Economic Development Department is charged with retaining existing businesses, attracting new businesses and marketing Colleyville—with the goal of expanding the City's commercial tax base. In keeping with this overall mission, the City has implemented a three point strategy in order to accomplish these important tasks:

- To identify and assist retail developers, corporate offices, and medical/physician specialist/laboratory-related facilities to invest and

build new, high quality, sales and property tax-generating projects in Colleyville;

- To assist landowners in the sale, development, and redevelopment of potential retail, office, and hotel sites to their highest and best use; and
- To recruit new, and retain existing, Colleyville retailers, restaurants, corporate offices, and medical/physician specialist/laboratory-related facilities and other sales tax and property tax generating businesses compatible with Colleyville's available land, land use plan, and demographics.

To achieve this goal, the City wishes to enhance its economic development efforts by developing an incentive policy to promote retention and expansion of existing retailers, restaurants, corporate offices, and medical/physician specialist/laboratory-related facilities, and to attract similar new businesses to Colleyville.

Within the context of these goals, the City of Colleyville will give consideration to providing reasonable incentives as a stimulus for new development and redevelopment on a case-by-case basis. Nothing herein implies or suggests that the City of Colleyville is under any obligation to provide any incentive to an applicant. The City recognizes that only certain businesses are worthy of incentives.

Section 2. Criteria

Any request for a tax abatement or any other type of economic development incentive shall be reviewed by the City Council. Their decision shall be based upon an evaluation of the following criteria, which each applicant will address in narrative form within or on pages attached to the City's Application for Economic Development Incentives:

Employment Impact

- Total number of full time equivalent jobs brought to Colleyville;
- Types of jobs created;
- Total annual payroll.

Fiscal Impact

- Total real and personal property value to be added to the tax roll;
- Anticipated direct sales tax to be generated at one (1) percent of taxable sales;
- Other revenues generated for the City: franchise payments, occupancy taxes, utility revenues, etc.;

- Amount of City infrastructure construction or participation required;
- Projected total annual operating budget of the facility.

Community Impact

- The expected effect the project will have on the local housing market;
- The expected environmental impact, if any, created by the project;
- The compatibility of the project with the City's Comprehensive Plan;
- The impact on neighboring businesses and/or property owners;
- The project's location (i.e. is it proposed to be located in a targeted area or an area designated for redevelopment?);
- The project's impact on the cost or provision of Colleyville municipal services;
- The project's type of business enterprise (i.e. is it among the types of businesses targeted for retention within or attraction to Colleyville?).

Competitive Impact

- The effect the project would have on existing businesses in Colleyville;
- A list of the types of products or services to be sold by the applicant which are currently sold by existing Colleyville merchants;
- A list of specific businesses seen as direct competitors to the applicant.

Please note that the City of Colleyville seeks first to retain existing businesses and therefore will consider whether an applicant will compete or potentially displace existing Colleyville businesses.

Section 3. Types of Incentives

It is the policy of the City of Colleyville to customize the provisions of economic development incentives on a case-by-case basis. This individualized design of a total incentive package is intended to allow maximum flexibility in addressing the unique concerns of each applicant while enabling the City of Colleyville to better respond to the changing needs of the community. Colleyville's goal is to adequately package incentives, with clear parameters, that are tailored to match business needs—as well as to the types of businesses Colleyville prefers. Likewise, Colleyville recognizes how incentives that encourage business growth and development are often unique to the needs of each individual business. The City is therefore open to discuss any particular incentive(s) that may be necessary for a business to ensure its success in Colleyville.

Consideration will be given to providing any type of economic development incentives not prohibited by state or federal law including, but not limited to:

tax abatements, in-lieu-of Freeport exemptions, state tax grants, and other grants in general, as well as participation in infrastructure and waiver of fees.

These economic development incentives are in addition to an ongoing tax increment financing program offered by the various taxing entities, which is not a part of this incentive program. The provision of incentives will be subject to the procedural and other requirements outlined in this document as well as those mandated by state or federal law, and by other actions of the City of Colleyville. All incentive agreements will be performance-based.

Nothing within these guidelines shall imply or suggest that the City of Colleyville is under any obligation to provide any incentive to any applicant.

Section 4. Value of Incentives

Following an assessment of the response provided to the criteria contained in Section 2, the City Council shall determine whether it is in the best interests of the City of Colleyville that economic development incentives be granted to the applicant. The review process will examine the "value added" terms of the project. Additional consideration, beyond the criteria, will include such items as the degree to which the project/applicant furthers the goals and objectives of the community or meets or complements a special need identified by the City Council. Moreover, the City will consider whether the proposed business type is included on the targeted list identified within the three point strategy included in Section 1. Preference is given to medical/physician specialist/laboratory-related facilities and corporate office uses.

Tax Abatements:

A Tax Abatement may be offered in two categories:

1. Real Property (not located in the TIF District); and/or
2. Business and Personal Property

Real property abatements may be offered to applicants which will pursue the construction of new or expanded facilities in which to house the applicable project. The abatement may apply only to the value of improvements made.

Business Personal property abatements may be offered to applicants which will pursue the purchase or long-term lease of existing facilities. The abatement will apply to the value of new personal property brought into the taxing jurisdiction.

State law permits municipalities to grant a maximum property tax abatement of 100 percent each year for up to ten (10) years. Once a determination has been made that a tax abatement may be offered, the City will determine the value and term of the abatement according to the following schedule:

Minimum Property	Abatement Duration	Percentage of Abatement Investment Considered by Council
\$2 million*	1 st year	Up to 100%
	2 nd year	Up to 90%
	3 rd year	Up to 80%
\$5 million	1 st year	Up to 80%
	2 nd year	Up to 70%
	3 rd year	Up to 60%
\$10 million+	1 st year	Up to 60%
	2 nd year	Up to 50%
	3 rd year	Up to 40%

*Only medical/physician specialist/laboratory-related facilities are eligible for consideration.

Each application for consideration of a tax abatement, whether for Real Property or Business and Personal Property, shall include a \$1,000 tax abatement application fee. The fee shall cover the cost of staff time spent analyzing and evaluating the application's merits.

Grants

The City of Colleyville may agree to extend a grant based on the amount of revenues to be generated by the economic development project to the City of Colleyville for such categories as sales tax, occupancy taxes, utility fees, or similarly related revenues. Chapter 380 of the Texas Local Government Code also permits loans and grants of City funds and use of City staff and City facilities at minimal or no charge. Any such use must be construed as serving a "public purpose". Likewise, any type of loan, grant or waiver requires a contract between the City and the applicant.

Retail Sales Tax Grants

By contract, the City may provide an incentive consisting of an annual grant through a tax rebate, based on a percentage of the sales and use tax received by the City from the sale of taxable items by the applicant. The City is authorized by Section 380.001, Texas Local Government Code, to make such grants.

Sales and use tax means the City's one (1) percent sales and use tax on the sale of taxable items by the applicant at the applicant's business location in the City. The applicant by contract will be required to provide a sales tax certificate setting forth the applicant's collection of sales and use tax for the sale of taxable items consummated at the applicant's business location in the City for the previous ending twelve (12) calendar month period, with such supporting documentation as may be required by the City.

The grant would be conditioned on the applicant's continued ownership / occupancy of the project site.

The sales tax grants would be paid in annual installments within ninety (90) days of the end of each twelve (12) calendar month period following the issuance of the certificate of occupancy for the facility, or other commencement date if no certificate of occupancy is required. The grant would not include any of the City sales and use tax receipt from the imposition and collection of sales and use tax for taxable items consummated at any location, business establishment or by any other entity in the City, other than from the applicant's sale of taxable items at the applicant's business location in the city.

Any sales tax grant payable would be limited to the extent that the City has received sales tax from taxable sales by the applicant. The City would not be required to provide any grant for any twelve (12) calendar month period during the term of the agreement for which the City has not received sales tax revenue from taxable sales by the applicant for such twelve (12) calendar month period.

The City's obligation to pay the sales tax grants in the agreement would additionally be conditioned upon the applicant requesting and providing sales tax documentation from the Office of the Comptroller of the State of Texas.

The City may also condition the incentive upon the creation of employment, construction of improvements, certain development, continued operations for a stated period, or other public consideration. Any incentive agreement shall be written in a legally enforceable contract. The contract shall require the

applicant to construct certain improvements or expansions and contain at a minimum the following terms:

1. Generation of a certain level of sales tax;
2. An annual written certification that applicant is in compliance with the agreement;
3. Authority to terminate or modify the agreement if applicant fails to comply with agreement;
4. Minimum term of occupancy or continued operations within the City;
5. Authority/permission for the City to schedule an annual inspection of the business or facility;
6. Annual review of the business entity's financials;
7. Agreement that the applicant will not contest any Tarrant Appraisal District appraisal increases throughout the term of the contract;
8. Claw-back or recapture of any and all rebated grants should the applicant default on any portion of the contract (see Section 5. Recapture).

In the event the applicant files an amended sales and use tax return or report with the State of Texas, or if additional sales and use tax is due and owing, as determined by the State of Texas, affecting sales tax receipts for a previous twelve (12) calendar month period, the sales tax grant payment for the next twelve (12) month calendar period immediately following such State of Texas approved amendment could be adjusted accordingly; provided that the City has received sales tax receipts attributed to such adjustment. As a condition precedent to payment of such adjustment, the applicant should provide the City with a copy of any such amended sales and use tax report or return, and the approval thereof by the State of Texas.

In the event the State of Texas determines that the City erroneously received sales tax receipts, or that the amount of sales and use tax paid to the City exceeds the correct amount of sales and use tax for a previous twelve (12) calendar month period for which the applicant has received a sales tax grant, the applicant will be required within thirty (30) days after receipt of notification thereof, from the City, specifying the amount by which such sales tax grant exceeds the amount to which the applicant was entitled pursuant to such State of Texas determination, repay such amount to the City.

TIF Grants

By contract (as authorized by Chapter 312 of the Texas Local Government Code), the City may provide an incentive consisting of a Tax Increment Financing (TIF) Grant. The Economic Development TIF Grant Program has the purpose of benefiting the City, its residents, and property owners.

The objectives of the Economic Development TIF Grant Program are to promote within the TIF:

- 1) development and diversification of the economy;
- 2) elimination of unemployment and underemployment; and
- 3) development and expansion of commerce.

These objectives will be achieved by making grants and loans from the Tax Increment Fund of the TIF in an aggregate amount not to exceed the amount of tax increment produced by the City and paid into the TIF fund for activities that benefit the TIF and stimulate business and commercial activity within the TIF.

The City is authorized by Texas Local Government Code §380.001 to provide economic development grants to promote local economic development and to stimulate business and commercial activity in the City. The City Council shall make the final determination of all grant award amounts and awardées. The City Council shall also authorize by resolution, any development agreement entered into by the TIF board.

Nothing contained herein shall obligate the TIF Board or the City Council to provide grant awards, as this Economic Development TIF Grant Program does not constitute an entitlement.

Infrastructure Participation and Waiver of Fees

The City of Colleyville may agree to partial or complete cost participation for the extension, construction, or reconstruction of infrastructure necessary for the development of an economic development applicant's project. In addition, the City Council may approve the waiver of fees for, but not limited to, building permit applicants, utility taps, and similar fees.

Matching Grants

In accordance with the City Council's strategic initiatives plan, the City of Colleyville will also consider providing matching grants of up to \$30,000 for any and only one of the following types of investments through a public/private, cost-sharing program:

1. Façade improvements—Existing building façade improvements that meet the following criteria:
 - Proposed improvements must exceed City's minimum rating criteria for commercial building designs;

- Proposed improvements must be reviewed and approved by an Architectural Review Commission.
2. Signage removal and replacement—Assistance with pole sign removal and/or replacement as landscaped monument signs or landmark signs (if applicant meets the City's square footage requirement); signage plan must meet the following criteria:
 - Proposed signage removal and replacement must meet all the current requirements of the City's Land Development Code and be reviewed and approved by an Architectural Review Commission.
 3. Joint access easements between adjoining businesses of any type located along Colleyville Boulevard (i.e. toward paving costs associated with construction of new access easements).
 4. Tenant improvements for destination restaurants and retailers—Restaurants or retailers interested in applying for a matching grant for tenant improvements must not be presently located in Colleyville or any immediately adjacent city, if new, and not replicated in any adjacent city if existing; moreover, applicants must show that they will attract residents of other, neighboring communities (in addition to Colleyville residents).

Matching grants for this purpose are designed to help stimulate redevelopment and development (i.e. tenant finish out) of spaces to accommodate these types of restaurants and retailers, providing a way to attract diners, shoppers, and expenditures from other parts of our region, from even outside the region and to reduce existing leakage within the region. Those associated expenditures become additional revenues to Colleyville's businesses, wages to the employees, and tax receipts to the City.

By definition, a destination restaurant or retailer is a dining or shopping establishment that is unique to the City's primary trade area, as delineated by the Colleyville Merchandising Plan.

As it relates to the idea of "destination" restaurants and retailers, Wikipedia defines a destination restaurant as "one that has a strong enough appeal to draw customers from beyond its community."

Prentice-Hall's On-line Glossary notes that a destination retailer is "A retailer to whom consumers will make a special shopping trip." And BusinessDirectory.com adds that it is a "Popular retailer (catalog, store,

or website) from whom customers, attracted by its ambience, price, and/or variety, will make a special effort to buy."

To qualify for matching grant consideration under Matching Grant Program category 4, applicants must illustrate their proposed restaurant or retail establishment:

- 1) Will be unique to Colleyville's primary retail market;
- 2) Is investing a minimum of twice the amount of sought for interior tenant improvements (qualifying as real property improvements that will remain with the building in a worst case scenario), and exclusive of any equipment or fixtures (i.e. personal property which could be removed and sold on the secondary market, again in a worst case scenario).

All applications for Matching Grants associated with a new or relocating business venture occupying an existing building must also submit a written business plan for review and comment by the City's SCORE business counseling office.

When considering applications for Matching Grants, highest priority will be given to:

1. Applicants whose property is located on or adjacent to Colleyville Boulevard (SH26). Not all projects submitted for City Council consideration have the same merit; therefore there is no guarantee that a grant will be awarded to each applicant.
2. Applicants that generate or which has signed, contingent leases with a tenant or tenants that generate sales tax revenues.

Please note, City Council will not consider applications for the same address of a previous grant recipient unless the time period of the first grant has expired, all of the original criteria have been met, and the property ownership has changed.

As identified by the Architectural Review Commission, projects having the greatest aesthetic impact in the City should likewise be given priority. In evaluating applications, they have recommended that Colleyville focus on and seek the following:

1. Projects that will encourage other restoration or redevelopment in the local proximity.
2. Projects where an immediate renovation will stop serious deterioration of the building's facade.

3. Projects that improve the architectural integrity of the building façade.
4. Projects that demonstrate collaboration with adjacent properties and will help to attract people to Colleyville.
5. Projects that will result in new or increased property values or the generation of either sales or occupancy tax revenues for the City.
6. Projects which are strategically located.
7. Projects that may have a positive impact on existing, adjacent properties.

In addition, proposed projects will be reviewed and based on the merits of individual applications. Individuals contemplating an application to the City's Matching Grant Program should note that general building maintenance is not eligible under this program. All applicants will be considered on a case-by-case basis.

Matching Grant incentives approved for the first three categories will consist of cash payments payable upon successful completion and inspection of all facility improvements or redevelopment, as outlined in an incentive agreement to be entered into between the City and the owner of the facility or facilities to receive the grant. If the City chooses to utilize the Matching Grant program for one of the first three categories of improvements, the City may elect to make a grant in an amount up to 50% of the cost of improvement, not to exceed \$30,000 per improvement, with a minimum business investment of \$15,000.

Matching Grant incentives approved for the fourth category will be paid out, likewise as outlined in an incentive agreement to be entered into between the City and the owner of the facility or facilities to receive the grant, in two equal payments within the first two years of operation (i.e. one half after improvements have been inspected and the business opens its doors and the other one half after completion of one year of operation).

Forgivable Loans

The City of Colleyville will consider providing destination restaurants or retailers (again, ones that have "a strong enough appeal to draw customers from beyond" our community or "to whom consumers will make a special shopping trip") with forgivable loans of up to an amount negotiated by the City Council, in which the restaurant or retailer is forgiven a portion of its loan for each year it is open and operates. Any loan approved under this program shall be forgiven 20% each year for up to 5 years. Thus for example, if City Council approves a forgivable loan amount of \$100,000, it is to be forgiven in annual increments of 20% or \$20,000, beginning one year after the issuance of a certificate of occupancy. The entire loan amount may be recaptured by

the City, should the restaurant or retailer suspend operations at any time within 5 years following the issuance of a certificate of occupancy.

Non-Cash Incentives

The City of Colleyville will also consider providing non-cash incentives (primarily procedural in nature) for stimulation of development and redevelopment. Such incentives include:

1. Signage and intersection improvements already funded within the CIP;
2. Fast-track planning, plans review, and permitting; as staff work level allows;
3. Dedicated inspections;
4. Corporate relocation assistance for employees and their families;
5. Employee recruitment and training, as funded through State of Texas grant programs and Tarrant County College;
6. Possible access to community bank lending through the City's CDARS program;
7. Recreational opportunities;
8. Business promotion and assistance;
9. Assistance with demolition of existing structures for redevelopment and new investment.

Public Improvement Districts

The City of Colleyville is also willing to consider the creation of Public Improvement Districts (PIDs). Public Improvement Districts may be created by a municipality at the request or with the consent of property owners. PIDs allow for the levy of voluntary assessments and the issuance of tax exempt bonds. Funds collected through PIDs and any associated bonds may be used for capital improvement projects and maintenance within the geographic area.

Section 5. Recapture

All incentive agreements shall include a provision allowing City staff access to the applicant's business and/or facilities for an annual inspection, so the City may monitor and enforce accountability. In the event a business receiving incentives from the City of Colleyville fails to perform under the agreement executed between the City and the business, the incentive obligation on the part of the City will be void. Any incentive paid to the business up to the point of failure shall be returned to the City of Colleyville in full. All incentive agreements will be negotiated and executed to include claw-back provisions.

Section 6. Procedural Guidelines

Any person, organization or corporation desiring that the City of Colleyville consider providing economic development incentives to encourage location or expansion of operations within the City limits of Colleyville shall be required to comply with the following procedural guidelines. Nothing within these guidelines shall imply or suggest that Colleyville is under any obligation to provide incentives of any amount or value to any applicant.

Preliminary Application Steps

1. Applicant shall complete an "Application for Economic Development Incentive" as provided by the City.
2. Applicant shall address all criteria questions outlined in Section 2. above directly on the application form and in letter format, if additional explanation and information are necessary.
3. Applicant shall prepare a plat showing the precise location of the property, all roadways within 200 feet of the site, and all existing land uses and zoning within 200 feet of the site. If the property is described by metes and bounds, then the applicant shall also provide a complete legal description.
4. Applicant shall present the application to the Director of Economic Development and obtain his/her signature that the package is complete before formal submission to the City.

Applicant shall complete all forms and information detailed in items 1 through 3 above and submit them to the Director of Economic Development, City of Colleyville, 100 Main Street, Colleyville, Texas 76034.

Application Review Steps

1. All information in the application package detailed above will be reviewed for completeness and accuracy. Additional information may be requested as needed.
2. The application will be distributed to the appropriate City departments for internal review and comments. Additional information may be requested as needed.
3. Copies of the complete application package and staff comments will be provided to the City Council.
4. In light of the proprietary nature of this data, all information included within the application shall remain confidential unless and until formal action is taken to establish an incentive agreement.

Consideration of the Application

The City Council will consider the application at a regular or called meeting(s). State law stipulates that incentives need to be endorsed by a local governing body. Therefore, additional information may be requested as needed.

The City Council of Colleyville may consider a resolution calling a public hearing to consider establishment of a tax reinvestment or redevelopment zone or other zone designation as deemed appropriate.

The Colleyville City Council shall hold a public hearing and determine whether the project is "feasible and practical" and whether it "would be of benefit to the land to be included in the zone and to the municipality."

The City Council of Colleyville may consider adoption of an ordinance or resolution, as deemed appropriate, designating the area described in the legal description of the proposed project.

The City Council may consider adoption of a resolution approving the terms and conditions of a contract between the City and the applicant governing the provision of the economic development incentives.

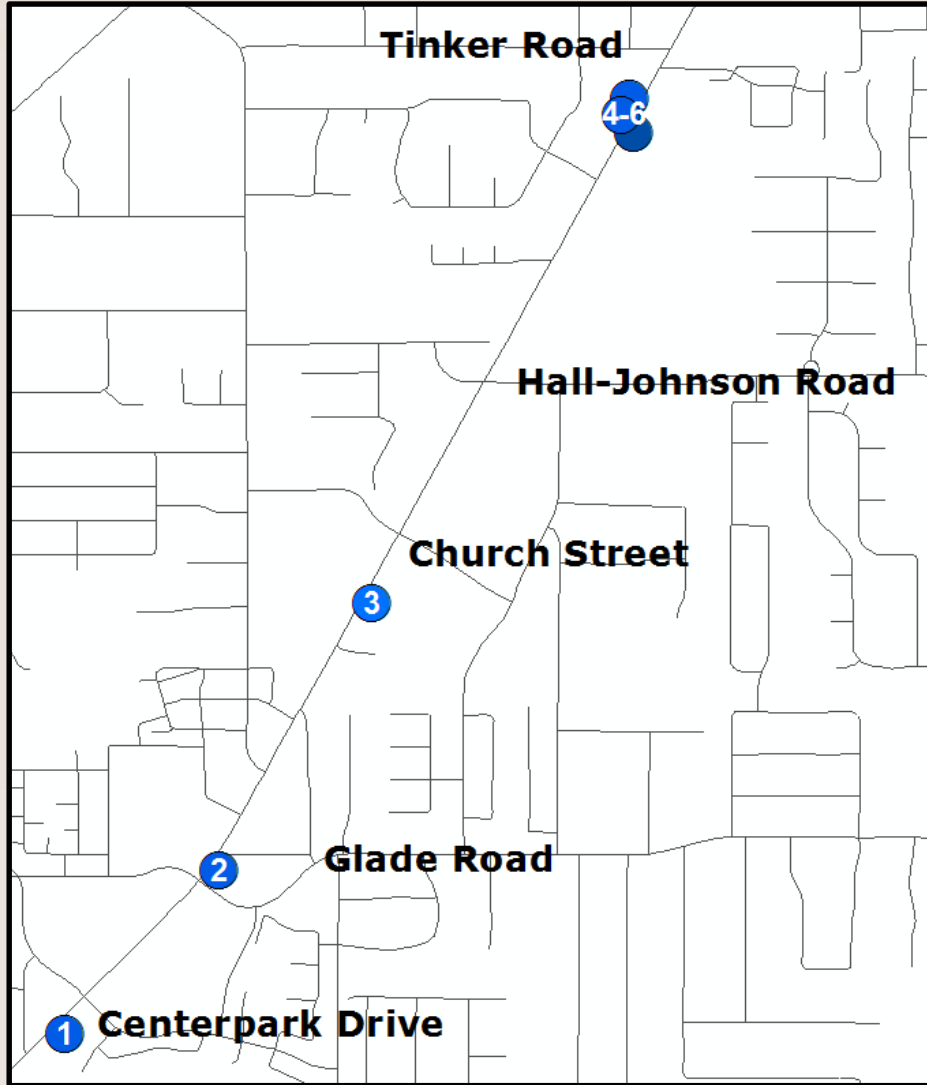
If the City Council chooses to grant a tax abatement, the City must designate an area as a reinvestment zone. Any City designating a reinvestment zone must make two findings:

1. Proposed improvements are feasible and practical and would benefit the zone; and
2. The zone meets one of the eligible criteria for reinvestment zones. The City's criterion include:
 - 1) whether the proposed project within the zone is likely to contribute to the retention or expansion of primary employment, or
 - 2) to attract investment within the zone.

Discussion of Joint Access Easements along SH26

City Council Worksession
November 1, 2016

Overview



Location Map

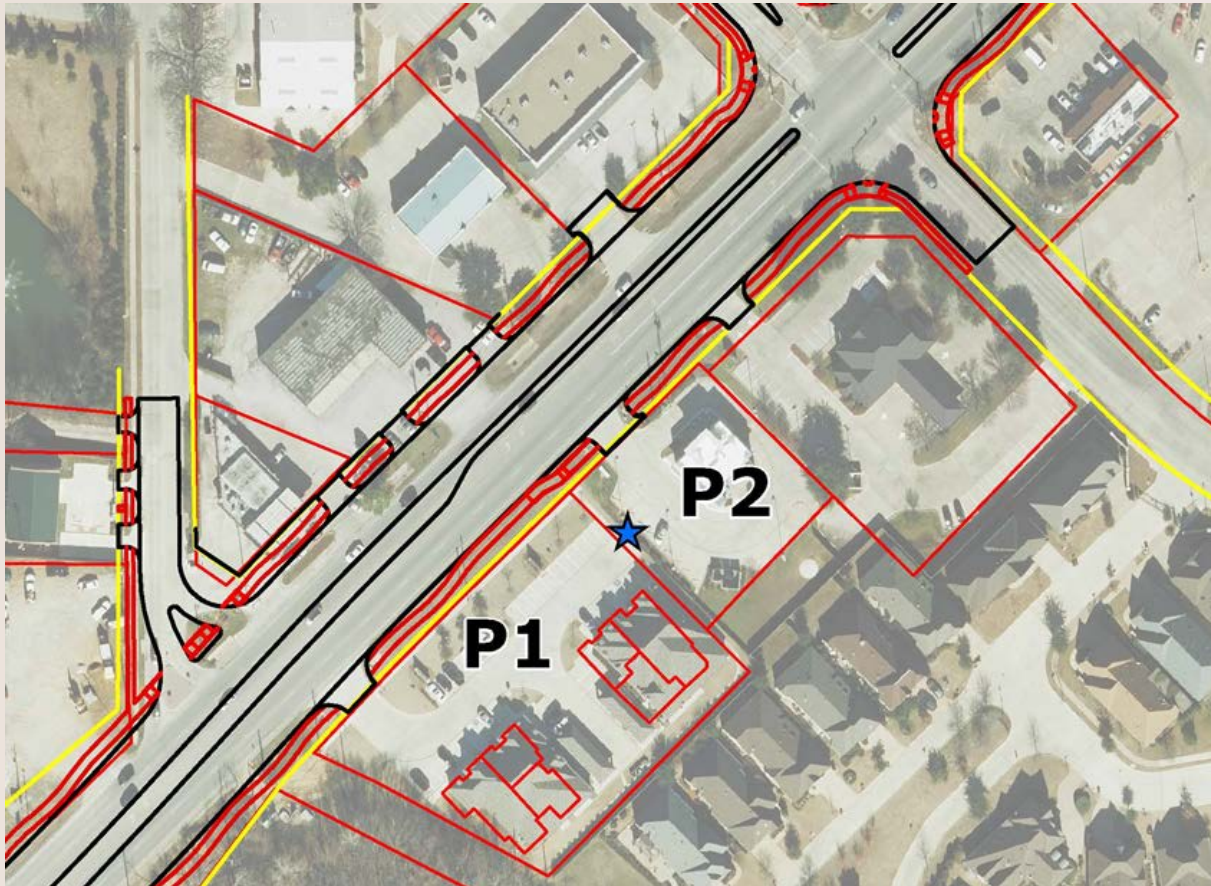
- Matching grant for joint access easements along SH26 added to the *guidelines and criteria for economic development incentives* in 2015, per Resolution R-15-3854
- 6 potential locations have been identified by staff
- Construction of such connections would reduce current parking spaces

Purpose

- To obtain City Council direction regarding an ordinance that would address the loss of parking, on the identified properties, in the following scenarios:
 - (1) Current occupancy/use
 - (2) Future occupancy/use
 - (3) Building expansion
 - (4) Redevelopment (tear down/rebuild)

(1) Current Occupancy/Use

Will existing businesses that seek to construct a joint access drive that results in a reduction of parking spaces to a number below the required parking ratio be permitted to stay in operation?



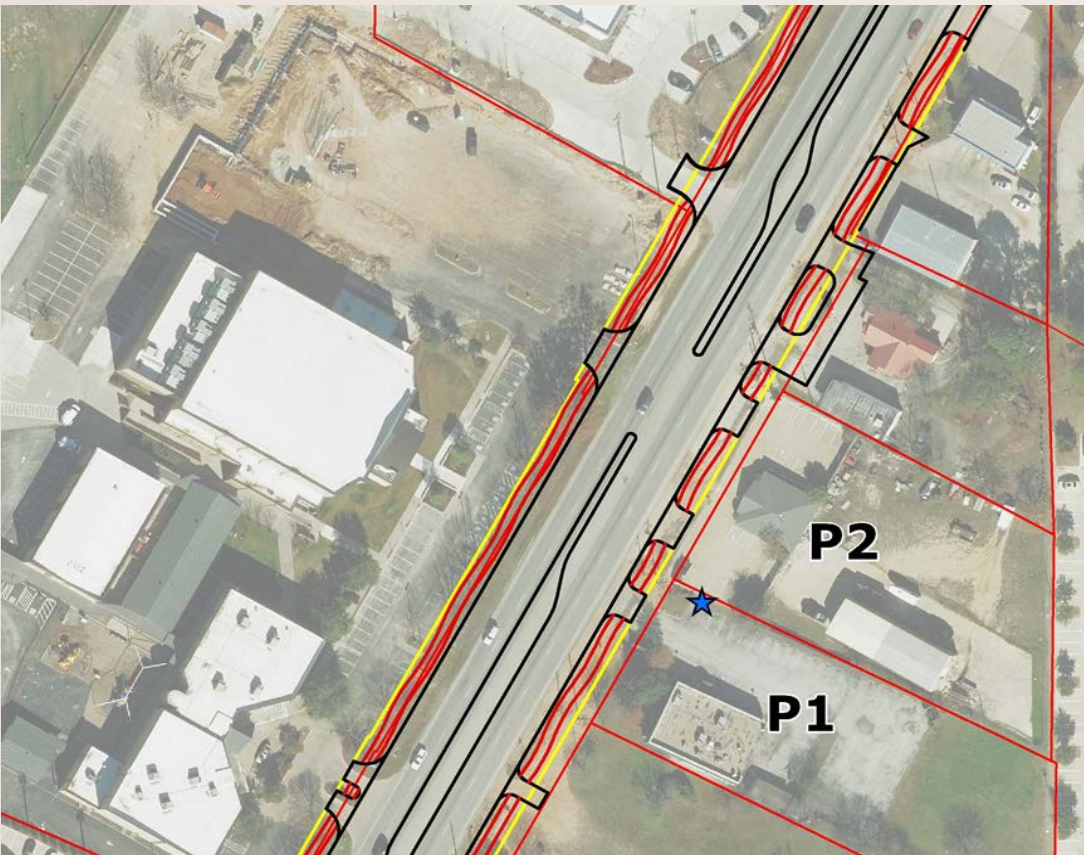
(2) Future Occupancy/Use

Should land use change to require additional parking, will the parking spaces removed to construct the joint access drive be credited toward the new use?



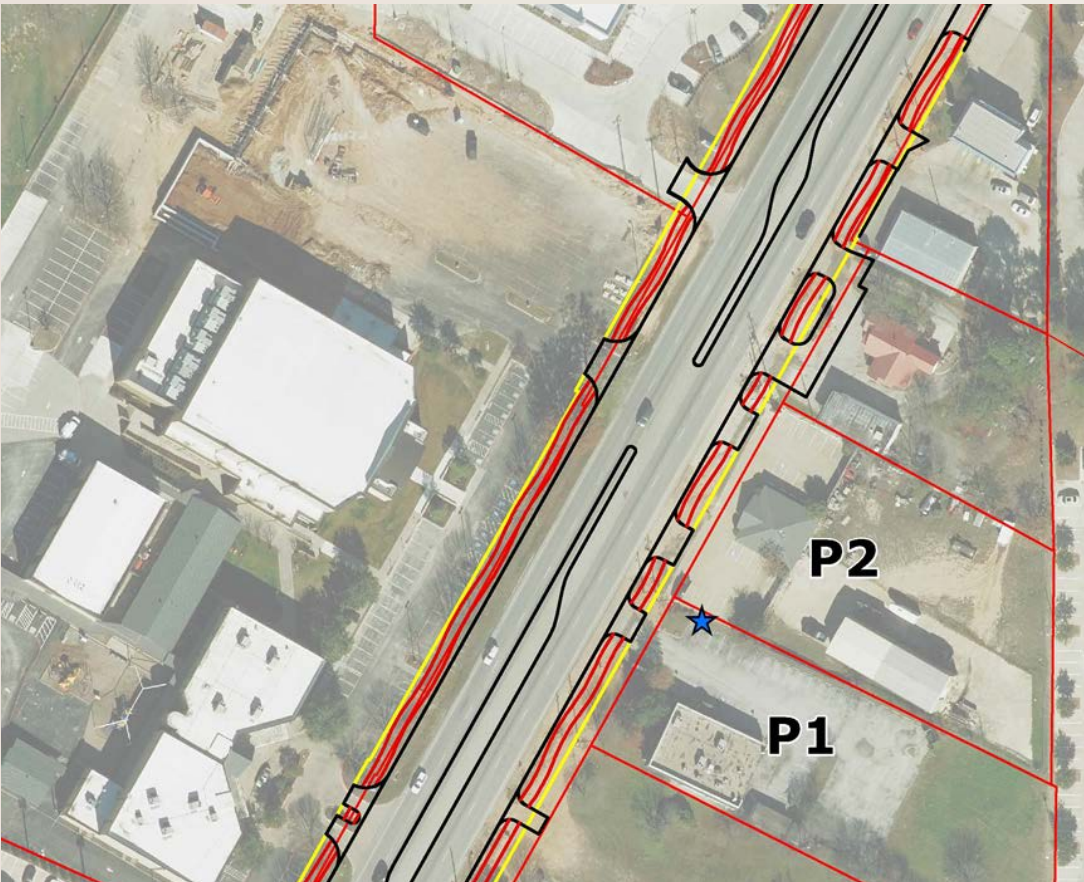
(3) Building Expansion

Should a business expand on a property, which had spaces removed due to the construction of a joint access drive, will they only be required to add parking spaces proportional to the addition?



(4) Redevelopment

If a site is redeveloped, or properties assembled, will the spaces removed due to the construction of a joint access drive be credited in the redevelopment process?



Summary



City Council direction regarding the following scenarios is needed:

1. Current occupancy / use

- Will existing businesses that seek to construct a joint access drive that results in a reduction of parking spaces to a number below the required parking ratio be permitted to stay in operation?

2. Future occupancy / use

- Should land use change to require additional parking, will the parking spaces removed to construct the joint access drive be credited toward the new use?

3. Building expansion

- Should a business expand on a property, which had spaces removed due to the construction of a joint access drive, will they only be required to add parking spaces proportional to the addition?

4. Redevelopment (tear down / rebuild)

- If a site is redeveloped, or properties assembled, will the spaces removed due to the construction of a joint access drive be credited in the redevelopment process?

Based on City Council direction staff is prepared to seek a recommendation from the Planning and Zoning Commission and to bring forward an ordinance for consideration by the City Council that addresses the above scenarios

Questions and Discussion

1.9.C RECORDS

The Building Inspection Office shall maintain a record of all buildings or parcels of land for which a Certificate of Occupancy has been issued.

1.9.D CERTIFICATE OF OCCUPANCY APPLICATION

Application for a certificate of occupancy shall be made to the Building Inspection Office. No application for a certificate of occupancy shall be approved which does not, at a minimum, contain the following information: business name, business address, business phone number, type of proposed use, business owner, business owner's address, business owner's phone number and emergency phone number, applicant's driver's license number, applicant's date of birth, and applicant's signature.

1.9.E DISPLAY AND STATUS OF CERTIFICATE OF OCCUPANCY

1. All non-residential occupancies shall display a certificate of occupancy on the site and in a conspicuous place.
2. The holder of a certificate of occupancy for a non-residential occupancy is required to notify the Building Inspection Office of any change of address, name changes, or other pertinent information listed on the certificate of occupancy application.

Section 1.10 Project Under Construction at Time of Code Adoption

Nothing herein contained shall require any change in the plans, construction or designated use of a building actually under construction within the city on the effective date of this document and which entire building shall be completed within one (1) year from the effective date of the document or which building shall be maintained under continuous construction even though not completed within one (1) year. Nothing herein contained shall require any change in plan, construction or designated use of a building for which a building permit has been heretofore issued while such permit is valid and provided the building shall have been started within 180 days of the date of issuance of the permit and which entire building shall be maintained under continuous construction even though not completed within one (1) year.

Section 1.11 Compliance Required for Building Permits & Utility Services

No building or structure may be erected, constructed or installed on any lot, tract or parcel of land and public utilities shall not be extended or connected to a building or structure unless the lot, tract or parcel of land is in compliance with the provisions and requirements of this Land Development Code and all applicable Building Permits and authorizations to proceed are first obtained.

Section 1.12 Waivers and Appeals - Generally

Any person seeking approval of a development as required by this Land Development Code may request a waiver of or a variance from a requirement contained in this Code, or appeal a decision of an Administrative Official by submitting a request using the procedures described in this Chapter. Due to the unique arrangement and statutory organization of this Land Development Code, provisions for waivers, variances and appeals of administrative decisions vary from chapter to chapter. The following table shows the approval authority for waiver, variance and appeal requests for the specific chapters of this Land Development Code.

Approval Authority for Waiver, Variance and Appeal Requests					
Chapter Title	City Council	P & Z Commission	ZBA	Sign Board	Staff
Chapter 2 – Definitions	N/A	N/A	See Section 1.16	N/A	N/A
Chapter 3 – Land Use	N/A See Section 1.13	N/A	See Section 1.16	N/A	N/A
Chapter 4 – Landscaping & Buffering	N/A See Section 1.13	N/A	N/A	N/A	See Section 4.6
Chapter 5 – Tree Preservation	N/A See Section 1.13	See Section 1.14	N/A	N/A	N/A
Chapter 6 – Building Design	N/A See Section 1.13	See Section 1.14	N/A	N/A	N/A
Chapter 7 – Sign Regulations	N/A See Section 1.13	N/A	N/A	See Section 1.15	N/A
Chapter 8 – Platting Procedures (except perimeter streets)	See Section 1.13	See Section 1.14 & 7.2	N/A	N/A	N/A
Perimeter streets	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 9 – Subdivision Design & Required Facilities	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 10 – Private Streets & Entrance Gates	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 11 – Park Land Dedication	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 12 – Erosion Control	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 13 – Impact Fees	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 14 – Engineering Design	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 15 – Public Works Construction Details	See Section 1.13	N/A	N/A	N/A	N/A

Note to table above: N/A – Not Authorized

Section 1.13 Waivers and Appeals – City Council

- A. Where specifically provided for in this Land Development Code, the City Council shall have the authority to consider requests for a waiver or to hear and decide an appeal from an administrative decision on a regulation. The City Council may approve, disapprove or modify such a request provided that such approval or modification will not be detrimental to the public safety, health, or welfare or injurious to other property. The applicant shall provide information to support a claim that there are extraordinary hardships or practical difficulties which may result from strict compliance with the regulation or that the public interest may be better served by an alternative proposal.
- B. Notwithstanding any provision of this Land Development Code relating to waiver procedures contained herein, and to the extent not otherwise prohibited by State law, the City Council shall have the authority to directly consider requests for a waiver to any regulation contained herein in connection with the construction of a mutual access easement/drive adjacent to a Major Arterial as defined in the thoroughfare plan. The City Council may approve, disapprove or modify such a request provided that such approval or modification will not be detrimental to the public safety, health, or welfare or injurious to other property. The applicant shall provide information to support a claim that there are extraordinary hardships or practical difficulties which may result from strict compliance with the regulation or that the public interest may be better served by an alternative proposal.

not less than five (5) feet in width unless every dwelling unit therein opens directly upon a front yard, rear yard or court yard-.

2. Whenever a lot of record at the time of the effective date of this Chapter has a width of less than fifty (50) feet, the side yard on each side of a building may be reduced to a width not less than ten (10) percent of the width of the lot, but in no instance shall such width be less than four (4) feet.
3. On corner lots of record the yard adjacent to the side street shall not be less than fifteen (15) feet.
4. For commercial or industrial lots abutting a lot zoned CC1, CC2, CC3, CN, CPO or ML, subject to the approval of the city building official, a zero lot line is permitted on one side, provided a four hour fire wall is constructed at said zero lot line.

L. Rear Yard Adjustments – Rear yard requirements as established in *Section 3.24 - Schedule of District Regulations* may be adjusted in the following case:

1. Where a lot abuts an alley, one-half the alley width may be considered as part of the required rear yard.

M. Lot Area Per Family Adjustments – Lot area per family (dwelling unit) requirements as established in *Section 3.24. - Schedule of District Regulations* shall be adjusted in the following cases:

1. Where a lot of record or a lot in a subdivision which the Planning and Zoning Commission and City Council have officially approved and agreed to accept at the time of the effective date of this Chapter has less area or width than herein required, in the district in which it is located, said lot may nonetheless be used for a residential or nonresidential use, whichever is applicable, in the district in which it is located.

Section 3.29 – Parking Requirements

- A. Purpose – The purpose of this section is to require off-street parking and loading facilities proportional to the need created by each use. Where the minimum number of required parking spaces can not be calculated in accordance with the parking group schedule, the Building Official shall be authorized to determine the minimum number of required parking spaces using acceptable industry comparables.
- B. General Provision – In all zoning districts, there shall be provided in connection with the appropriate permitted use, off-street parking spaces in accordance with the provision of this section, unless a different parking standard has been set forth as a condition of a Special Use Permit or Planned Unit Development for a specific site. Existing facilities being used for off-street parking shall not be reduced in capacity to less than the minimum number of spaces prescribed, or altered in design or function to less than the minimum standards prescribed herein.
- C. Location of Parking – All required parking spaces shall be provided on the same lot or tract occupied by the use being served, except that where an increase in the number of spaces is required by a change or enlargement of a non-residential use, the additional required parking spaces may be located off-premises in accordance with the shared parking requirements contained in this section, unless a different parking standard has been set forth as a condition of a Special Use Permit or Planned Unit Development for a specific site. Required parking spaces for a residential use shall be provided on the lot or tract occupied by the use being served.
- D. Parking Space Locations Prohibited – No off-street parking space shall be located, either in whole or in part, within any fire lane, driveway, driving lane, or maneuvering area. Furthermore, no required off-street parking space shall be located, either in whole or in part, in a public street, sidewalk, parkway, alley or other public right of way.
- E. Parking Space Dimensions – No required off-street parking space shall be less than nine (9) feet in width by eighteen (18) feet in length.

- F. Mixed Use Parking – The parking requirements for a lot or building containing a mixture of uses shall be the sum of the requirements for each type of use. No parking space provided for one type of use or building shall be included in the calculation of the parking requirements for any other use or building. For multi-tenant developments containing greater than 30,000 square feet of floor area, the sum of the total number of required parking spaces may be reduced by ten percent (10%).
- G. Shared Parking – Where an increase in the number of off-street parking spaces is required by a change or enlargement of use, the additional required spaces may be located on another property that is located on the site of a use not normally open and used or operated during the same hours, provided, that the following conditions are satisfied:
1. The parking spaces are located within three-hundred feet from an entrance to the building or use being served, measured along the shortest available pedestrian route with public access.
 2. A copy of the written agreement, executed by the parties concerned, is furnished to the Building Official, assuring their retention for such purposes.
- H. Building Renovations – When an existing building or use is enlarged, structurally altered, or remodeled to the extent of increasing or changing the use by more than ten percent (10%), but less than fifty percent (50%), of the existing square footage, additional off-street parking shall be provided for the incremental increase in accordance with the off-street parking regulations set forth herein. When an existing building or use is enlarged, structurally altered, or remodeled to the extent of increasing or changing the use by fifty percent (50%) or more of the existing square footage, the off-street parking requirements for the entire building shall be comply with the parking regulations set forth herein.
- I. Supplemental Parking Space Requirements
1. Parking regulations are based on the gross floor area (GFA) of the building.
 2. In determining the required number of parking spaces, fractional spaces shall be rounded to the nearest whole space. Parking spaces located in buildings used for repair garages or car washes, and spaces in drive-through lanes shall not be counted as meeting the required minimum number of parking spaces.
 3. Wooden poles shall not be used for parking lot or site lighting for a non-residential use.
 4. Except for single-family dwelling units, parking spaces shall be arranged so that vehicles shall not be required to back out of the parking spaces directly into a street.
- J. Parking Group Schedule – The minimum number of off-street parking spaces to be provided in connection with the permitted use listed in Table 3-310, *Schedule of Permitted Principal Uses*, shall be in accordance with the following Table 3.29 – *Parking Group Schedule*.

K. Mutual Access Easement/Drive along a Major Arterial

1. Permit: The City Council shall provide consent to approve a permit for the construction of a mutual access connection that requires a waiver to any provision in this Land Development Code. See Section 1.13.
2. Conditions of Approval - The City Council may impose such safeguards, requirements and conditions as it deems are necessary to properly protect any surrounding property, surrounding use, or neighborhood character, including, without limitation, imposing development standards, requiring public facility improvements and means of ingress and egress of public streets, establishing conditions of operation, establishing time limits, establishing location, arrangement and construction of any uses or structures, adopting regulations to protect the general welfare and adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view of other undesirable or hazardous conditions. All conditions imposed by the City Council shall be complied with prior to the issuance of a permit.

3. Required submittals

- a. Application – These forms are furnished by the Administrative Official
- b. Detailed site plan
- c. Parking analysis
- d. A shared parking agreement between the properties to be connected must be executed if the conditions of Section 3.29(g) are met

**Table 3.29
Parking Group Schedule**

Parking Group	Minimum Number of Off-Street Parking Spaces
1	1 per unit
2	2 per unit
3	2 per unit, exclusive of "in-garage" parking
4	1 per unit plus 1 guest space per every 5 units
5	1 per 100 sq. ft. of gross floor area
6	1 per 150 sq. ft. of gross floor area
7	1 per 200 sq. ft. of gross floor area
8	1 per 300 sq. ft. of gross floor area
9	1 per 400 sq. ft. of gross floor area
10	1 per 500 sq. ft. of gross floor area
11	1 per 5 pupils plus drop-off and pick-up areas
12	1 per classroom plus 1 per each 2 students
13	1 per classroom plus 1 per 400 sq. ft. of office space
14	1 per 1.5 students and staff, based on capacity
15	1 per 3 students
16	1 per 200 sq. ft. of gross floor area plus 1 per 5,000 sq. ft. of exterior nursery area
17	1 per living unit
18	1 per 3 seats in primary seating area
19	1 per guest room plus 1 per 300 sq. ft. of office area – parking for restaurant additional
20	2 per hole
21	1 space
22	5 per hole (one per tee area for driving ranges)
23	5 per alley or table
24	As set by the SUP or PUD approved ordinance
25	Determined by the Building Official using acceptable industry comparables

ORDINANCE O-16-XXXX

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING CHAPTER 1- GENERAL PROVISIONS, SECTIONS 1.12 AND 1.13, AND CHAPTER 3 – LAND USE, SECTION 3.29 TO PROVIDE ADDITIONAL AUTHORITY TO THE CITY COUNCIL FOR WAIVERS RELATED TO THE CONSTRUCTION OF MUTUAL ACCESS EASEMENTS/DRIVES AND TO CREATE A PERMIT FOR THE CONSTRUCTION OF SUCH DRIVES; 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 1 (General Provisions) Sections 1.12 and 1.13, and Chapter 3 (Land Use) Section 3.29 of the Land Development Code to provide addition authority to the City Council for waivers related to the construction of mutual access easements/drives adjacent to Major Arterials and to establish a permit for the construction of such drives.; and

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

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

- Sec. 1 **THAT** *Chapter 1- General Provisions, Sections 1.12 and 1.13* of the Land Development Code, are hereby amended to read as depicted in the attached Exhibit "A".
- Sec. 2. **THAT** *Chapter 3 – Land Use, Section 3.29* of the Land Development Code is hereby amended to read as depicted in the attachment Exhibit "B".
- Sec. 3. **THAT** any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of

the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.

- Sec. 4. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 5. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 6. THAT this ordinance shall take effect immediately from and after its passage.
- Sec. 7. THAT all other provisions of the Land Development Code shall remain in full force and effect, except as amended herein.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 7th day of February 2017.

The second reading and public hearing being conducted on the 21st day of February 2017.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 21ST DAY OF FEBRUARY 2017.

Mayor Richard Newton	_____ Mayor Pro Tem Chris Putnam	_____
Place 1, Tammy Nakamura	_____ Place 5, Nancy Coplen	_____
Place 2, Bobby Lindamood	_____ Place 6, Mike Taylor	_____
Place 4, Jody Short	_____	

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt L. Wyatt
City Attorney

1.9.C RECORDS

The Building Inspection Office shall maintain a record of all buildings or parcels of land for which a Certificate of Occupancy has been issued.

1.9.D CERTIFICATE OF OCCUPANCY APPLICATION

Application for a certificate of occupancy shall be made to the Building Inspection Office. No application for a certificate of occupancy shall be approved which does not, at a minimum, contain the following information: business name, business address, business phone number, type of proposed use, business owner, business owner's address, business owner's phone number and emergency phone number, applicant's driver's license number, applicant's date of birth, and applicant's signature.

1.9.E DISPLAY AND STATUS OF CERTIFICATE OF OCCUPANCY

1. All non-residential occupancies shall display a certificate of occupancy on the site and in a conspicuous place.
2. The holder of a certificate of occupancy for a non-residential occupancy is required to notify the Building Inspection Office of any change of address, name changes, or other pertinent information listed on the certificate of occupancy application.

Section 1.10 Project Under Construction at Time of Code Adoption

Nothing herein contained shall require any change in the plans, construction or designated use of a building actually under construction within the city on the effective date of this document and which entire building shall be completed within one (1) year from the effective date of the document or which building shall be maintained under continuous construction even though not completed within one (1) year. Nothing herein contained shall require any change in plan, construction or designated use of a building for which a building permit has been heretofore issued while such permit is valid and provided the building shall have been started within 180 days of the date of issuance of the permit and which entire building shall be maintained under continuous construction even though not completed within one (1) year.

Section 1.11 Compliance Required for Building Permits & Utility Services

No building or structure may be erected, constructed or installed on any lot, tract or parcel of land and public utilities shall not be extended or connected to a building or structure unless the lot, tract or parcel of land is in compliance with the provisions and requirements of this Land Development Code and all applicable Building Permits and authorizations to proceed are first obtained.

Section 1.12 Waivers and Appeals - Generally

Any person seeking approval of a development as required by this Land Development Code may request a waiver of or a variance from a requirement contained in this Code, or appeal a decision of an Administrative Official by submitting a request using the procedures described in this Chapter. Due to the unique arrangement and statutory organization of this Land Development Code, provisions for waivers, variances and appeals of administrative decisions vary from chapter to chapter. The following table shows the approval authority for waiver, variance and appeal requests for the specific chapters of this Land Development Code.

Exhibit "A"

Approval Authority for Waiver, Variance and Appeal Requests					
Chapter Title	City Council	P & Z Commission	ZBA	Sign Board	Staff
Chapter 2 – Definitions	N/A	N/A	See Section 1.16	N/A	N/A
Chapter 3 – Land Use	See Section 1.13	N/A	See Section 1.16	N/A	N/A
Chapter 4 – Landscaping & Buffering	See Section 1.13	N/A	N/A	N/A	See Section 4.6
Chapter 5 – Tree Preservation	See Section 1.13	See Section 1.14	N/A	N/A	N/A
Chapter 6 – Building Design	See Section 1.13	See Section 1.14	N/A	N/A	N/A
Chapter 7 – Sign Regulations	See Section 1.13	N/A	N/A	See Section 1.15	N/A
Chapter 8 – Platting Procedures (except perimeter streets)	See Section 1.13	See Section 1.14 & 7.2	N/A	N/A	N/A
Perimeter streets	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 9 – Subdivision Design & Required Facilities	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 10 – Private Streets & Entrance Gates	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 11 – Park Land Dedication	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 12 – Erosion Control	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 13 – Impact Fees	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 14 – Engineering Design	See Section 1.13	N/A	N/A	N/A	N/A
Chapter 15 – Public Works Construction Details	See Section 1.13	N/A	N/A	N/A	N/A

Note to table above: N/A – Not Authorized

Section 1.13 Waivers and Appeals – City Council

- A. Where specifically provided for in this Land Development Code, the City Council shall have the authority to consider requests for a waiver or to hear and decide an appeal from an administrative decision on a regulation. The City Council may approve, disapprove or modify such a request provided that such approval or modification will not be detrimental to the public safety, health, or welfare or injurious to other property. The applicant shall provide information to support a claim that there are extraordinary hardships or practical difficulties which may result from strict compliance with the regulation or that the public interest may be better served by an alternative proposal.
- B. Notwithstanding any provision of this Land Development Code relating to waiver procedures contained herein, and to the extent not otherwise prohibited by State law, the City Council shall have the authority to directly consider requests for a waiver to any regulation contained herein in connection with the construction of a mutual access easement/drive adjacent to a Major Arterial as defined in the thoroughfare plan. The City Council may approve, disapprove or modify such a request provided that such approval or modification will not be detrimental to the public safety, health, or welfare or injurious to other property. The applicant shall provide information to support a claim that there are extraordinary hardships or practical difficulties which may result from strict compliance with the regulation or that the public interest may be better served by an alternative proposal.

not less than five (5) feet in width unless every dwelling unit therein opens directly upon a front yard, rear yard or court yard-

2. Whenever a lot of record at the time of the effective date of this Chapter has a width of less than fifty (50) feet, the side yard on each side of a building may be reduced to a width not less than ten (10) percent of the width of the lot, but in no instance shall such width be less than four (4) feet.
3. On corner lots of record the yard adjacent to the side street shall not be less than fifteen (15) feet.
4. For commercial or industrial lots abutting a lot zoned CC1, CC2, CC3, CN, CPO or ML, subject to the approval of the city building official, a zero lot line is permitted on one side, provided a four hour fire wall is constructed at said zero lot line.

L. Rear Yard Adjustments – Rear yard requirements as established in *Section 3.24 - Schedule of District Regulations* may be adjusted in the following case:

1. Where a lot abuts an alley, one-half the alley width may be considered as part of the required rear yard.

M. Lot Area Per Family Adjustments – Lot area per family (dwelling unit) requirements as established in *Section 3.24. - Schedule of District Regulations* shall be adjusted in the following cases:

1. Where a lot of record or a lot in a subdivision which the Planning and Zoning Commission and City Council have officially approved and agreed to accept at the time of the effective date of this Chapter has less area or width than herein required, in the district in which it is located, said lot may nonetheless be used for a residential or nonresidential use, whichever is applicable, in the district in which it is located.

Section 3.29 – Parking Requirements

- A. Purpose – The purpose of this section is to require off-street parking and loading facilities proportional to the need created by each use. Where the minimum number of required parking spaces can not be calculated in accordance with the parking group schedule, the Building Official shall be authorized to determine the minimum number of required parking spaces using acceptable industry comparables.
- B. General Provision – In all zoning districts, there shall be provided in connection with the appropriate permitted use, off-street parking spaces in accordance with the provision of this section, unless a different parking standard has been set forth as a condition of a Special Use Permit or Planned Unit Development for a specific site. Existing facilities being used for off-street parking shall not be reduced in capacity to less than the minimum number of spaces prescribed, or altered in design or function to less than the minimum standards prescribed herein.
- C. Location of Parking – All required parking spaces shall be provided on the same lot or tract occupied by the use being served, except that where an increase in the number of spaces is required by a change or enlargement of a non-residential use, the additional required parking spaces may be located off-premises in accordance with the shared parking requirements contained in this section, unless a different parking standard has been set forth as a condition of a Special Use Permit or Planned Unit Development for a specific site. Required parking spaces for a residential use shall be provided on the lot or tract occupied by the use being served.
- D. Parking Space Locations Prohibited – No off-street parking space shall be located, either in whole or in part, within any fire lane, driveway, driving lane, or maneuvering area. Furthermore, no required off-street parking space shall be located, either in whole or in part, in a public street, sidewalk, parkway, alley or other public right of way.
- E. Parking Space Dimensions – No required off-street parking space shall be less than nine (9) feet in width by eighteen (18) feet in length.

- F. Mixed Use Parking – The parking requirements for a lot or building containing a mixture of uses shall be the sum of the requirements for each type of use. No parking space provided for one type of use or building shall be included in the calculation of the parking requirements for any other use or building. For multi-tenant developments containing greater than 30,000 square feet of floor area, the sum of the total number of required parking spaces may be reduced by ten percent (10%).
- G. Shared Parking – Where an increase in the number of off-street parking spaces is required by a change or enlargement of use, the additional required spaces may be located on another property that is located on the site of a use not normally open and used or operated during the same hours, provided, that the following conditions are satisfied:
1. The parking spaces are located within three-hundred feet from an entrance to the building or use being served, measured along the shortest available pedestrian route with public access.
 2. A copy of the written agreement, executed by the parties concerned, is furnished to the Building Official, assuring their retention for such purposes.
- H. Building Renovations – When an existing building or use is enlarged, structurally altered, or remodeled to the extent of increasing or changing the use by more than ten percent (10%), but less than fifty percent (50%), of the existing square footage, additional off-street parking shall be provided for the incremental increase in accordance with the off-street parking regulations set forth herein. When an existing building or use is enlarged, structurally altered, or remodeled to the extent of increasing or changing the use by fifty percent (50%) or more of the existing square footage, the off-street parking requirements for the entire building shall be comply with the parking regulations set forth herein.
- I. Supplemental Parking Space Requirements
1. Parking regulations are based on the gross floor area (GFA) of the building.
 2. In determining the required number of parking spaces, fractional spaces shall be rounded to the nearest whole space. Parking spaces located in buildings used for repair garages or car washes, and spaces in drive-through lanes shall not be counted as meeting the required minimum number of parking spaces.
 3. Wooden poles shall not be used for parking lot or site lighting for a non-residential use.
 4. Except for single-family dwelling units, parking spaces shall be arranged so that vehicles shall not be required to back out of the parking spaces directly into a street.
- J. Parking Group Schedule – The minimum number of off-street parking spaces to be provided in connection with the permitted use listed in Table 3-310, *Schedule of Permitted Principal Uses*, shall be in accordance with the following Table 3.29 – *Parking Group Schedule*.
- K. Mutual Access Easement/Drive along a Major Arterial
1. Permit: The City Council shall provide consent to approve a permit for the construction of a mutual access connection that requires a waiver to any provision in this Land Development Code. See Section 1.13.
 2. Conditions of Approval - The City Council may impose such safeguards, requirements and conditions as it deems are necessary to properly protect any surrounding property, surrounding use, or neighborhood character, including, without limitation, imposing development standards, requiring public facility improvements and means of ingress and egress of public streets, establishing conditions of operation, establishing time limits, establishing location, arrangement and construction of any uses or structures, adopting regulations to protect the general welfare and adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view of other undesirable or hazardous conditions. All conditions imposed by the City Council shall be complied with prior to the issuance of a permit.

3. Required submittals

- a. Application – These forms are furnished by the Administrative Official
- b. Detailed site plan
- c. Parking analysis
- d. A shared parking agreement between the properties to be connected must be executed if the conditions of Section 3.29(g) are met

Table 3.29 Parking Group Schedule	
Parking Group	Minimum Number of Off-Street Parking Spaces
1	1 per unit
2	2 per unit
3	2 per unit, exclusive of "in-garage" parking
4	1 per unit plus 1 guest space per every 5 units
5	1 per 100 sq. ft. of gross floor area
6	1 per 150 sq. ft. of gross floor area
7	1 per 200 sq. ft. of gross floor area
8	1 per 300 sq. ft. of gross floor area
9	1 per 400 sq. ft. of gross floor area
10	1 per 500 sq. ft. of gross floor area
11	1 per 5 pupils plus drop-off and pick-up areas
12	1 per classroom plus 1 per each 2 students
13	1 per classroom plus 1 per 400 sq. ft. of office space
14	1 per 1.5 students and staff, based on capacity
15	1 per 3 students
16	1 per 200 sq. ft. of gross floor area plus 1 per 5,000 sq. ft. of exterior nursery area
17	1 per living unit
18	1 per 3 seats in primary seating area
19	1 per guest room plus 1 per 300 sq. ft. of office area – parking for restaurant additional
20	2 per hole
21	1 space
22	5 per hole (one per tee area for driving ranges)
23	5 per alley or table
24	As set by the SUP or PUD approved ordinance
25	Determined by the Building Official using acceptable industry comparables

Section 3.29.1 –Parking Space Construction Standards

- A. Dimensions – No parking space shall be less than nine (9) feet in width by eighteen (18) feet in length. The design and dimensions of off-street parking areas shall be in accordance with the following Table 3.29.1 – *Table of Parking Space Dimensions*.

Table 3.29.1 Table of Parking Space Dimensions					
Angles (Degrees)	0	30	45	60	90
Stall, Parallel to Aisle	23.0	18.0	12.7	11.4	9.0



City of Colleyville Planning and Zoning Commission Agenda Briefing

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

Agenda Number 3c	Agenda Date 01/09/2017	Number
Type Public Hearing Agenda Items		
Department Community Development		

Title

Conduct a public hearing to consider an amendment to the City of Colleyville comprehensive plan, Case GC16-024

Explanation

The update to Colleyville's comprehensive plan, *Destination Colleyville*, was completed over the course of approximately two years. The project was launched in February of 2014, and final adoption was completed on December 15, 2015. The process was built upon community feedback, first and foremost, with guidance and direction provided by the City Council, the Planning and Zoning Commission, and the Comprehensive Plan Advisory Committee throughout the process. The updated comprehensive plan serves as an update/amendment to the City's previous *Colleyville Plan*, which was adopted in 2004. Although the vision and many of the policies of the *Colleyville Plan* were carried over to *Destination Colleyville*, the updated plan provides a fresh look at the city and provides innovative approaches to the city's development and function that adapt to community preferences and needs.

Destination Colleyville provides a vision for the future of Colleyville through 2035. Although the plan will be updated before 2035, it is important to maintain a long range perspective with a comprehensive plan in order to anticipate the future needs of the community and guide development and city operations accordingly.

2016 Updates: In May 2016, City Council directed staff to begin the process of amending the Comprehensive Plan, *Destination Colleyville*. Following this direction, the firm of Freese and Nichols Inc. was selected as the consultant to assist staff with the amendment process. On July 27, 2016, the City Council held a worksession to discuss the necessary amendments and provided staff and the consultant team with direction for moving the item forward. At the July meeting the consultant requested comments from Councilmembers in an effort to identify the necessary changes, revisions, and key themes to be addressed as part of the amendment process. Following the worksession, comments and revisions were received from both Mayor Newton and Mayor Pro Tem Putnam. Staff provided the comments and revision markups to the consultant team who began revising the *Destination Colleyville* document based on all comments that were received.

The consultant team has identified a total of 60 revisions on 38 pages within the *Destination Colleyville* document. A summary of these changes has been created and is

included as an attachment to this briefing. The affected pages have also been amended with the proposed changes highlighted and marked (red-lined) for ease of review. These pages have been isolated from the entire document and are also included as an attachment for review.

Proposed Changes:

The proposed amendments were classified into 6 themes which include:

- Density – changing from ‘gross’ to ‘net’ density
- Transitional Areas – eliminating altogether any reference pertaining to transitional areas
- Existing Neighborhoods – adding language identifying a priority to protect the integrity and character of existing neighborhoods
- Re-zonings – setting a policy for City initiated re-zonings based on developed conditions
- Private Parks – acknowledging that private parks do not count toward public park needs
- Clarifications – other amendments to provide added clarification

Recommendation:

Staff recommends approval of the proposed amendments.

Recommendation

Approve

Attachments

1. Comprehensive Plan Table of Changes
2. Comprehensive Plan Revisions/Redlines
3. Mayor Newton's Comments
4. Mayor Pro-Tem Putnam's Comments
5. December 14, 2016 Worksession Presentation
6. Comprehensive Plan - Hyperlink
7. Draft Ordinance

Table of Comprehensive Plan Changes

12/22/2016

Page	Change	Source
vii	1. Added comments into Executive Summary regarding protecting neighborhoods.	Mayor's markups and the July Council workshop discussion
14	2. Deleted reference to the old plan, because it created confusion and is unnecessary, since the calculation is spelled out.	Mayor's markups and the July Council workshop discussion
15	3. Updated the population forecast. Removed 15% of the developable acreage to accommodate for right-of-way. 4. Removed mathematical calculation for density. 5. Added text to clarify the projection does not include the redevelopment of existing large lots.	Mayor's markups and the July Council workshop discussion & the December Council Meeting
28	6. Added items #4 and #5 under Chapter 6. 7. Added text to clarifying landscaping for public land and common areas.	Staff/Consultant Follow-Up Change & the December Council Meeting
29	8. Added "net density" text to Chapter 9 goal.	Mayor's markups and the July Council workshop discussion
38	9. Added Precinct Line Road and S.H. 121 to Action 4-3. 10. Deleted "and other appropriate locations."	Mayor's markups and the July Council workshop discussion & the December Council Meeting
47	11. Added Glade Road to list of roadways containing signature elements.	Staff/Consultant Follow-Up Change
61	12. Statement about Land Development Code has been amended.	Mayor's markups and the July Council workshop discussion
68	13. Add a statement about character and integrity. 14. Added statement about existing character.	Mayor's markups and the July Council workshop discussion
70	15. Updated acreages for net density. 16. Updated text to clarify 1.8 acres for net density.	Mayor's markups and the July Council workshop discussion
71	17. Changed non-residential to intensity of commercial development. 18. Added statement to #4 about character of existing road design 19. Added item #5.	Mayor's markups and the July Council workshop discussion & the December Council Meeting
73	20. Added the total net acres for Neighborhood Area 2.	Staff/Consultant Follow-Up Change
74	21. Added item #7.	Mayor's markups and the July Council workshop discussion
76	22. Added the total net acres and total lots for Neighborhood Area 3.	Staff/Consultant Follow-Up Change
77	23. Added item #3.	Mayor's markups and the July Council workshop discussion
79	24. Added the total net acres and total lots for Neighborhood Area 4.	Staff/Consultant Follow-Up Change
80	25. Add additional language to the end of #4 and correct south to west. 26. Added item #5. 27. Added the total net acres and total lots for Neighborhood Area 5.	Staff/Consultant Follow-Up Change & the December Council Meeting
82	28. Added item #4.	Mayor's markups and the July Council workshop discussion
84	29. Updated the net density. 30. Added the total net acres and total lots for Neighborhood Area 6. 31. Delete McDonwell School Road to be extended to Cutter Ridge Court. 32. Deleted "and MTP connectivity recommendations."	Staff/Consultant Follow-Up Change & the December Council Meeting

Table of Comprehensive Plan Changes 12/22/2016

85	33. Added item #2. 34. Add sentence emphasizing policy doesn't allow for higher density residential development as existing neighborhoods redevelop.	Mayor's markups and the July Council workshop discussion
86	35. Added Action 6-2A.	Mayor's markups and the July Council workshop discussion
87	36. Added verbiage about withstanding test of time. 37. Added placeholder image.	Mayor's markups and the July Council workshop discussion
88	38. Underlined sentence about reducing cul-de-sacs. 39. Made a callout box for reducing cul-de-sacs. 40. Added language to 6-7 about trees.	Mayor's markups and the July Council workshop discussion
89	41. Added policy related to tree canopies and quality landscaping.	Mayor's markups and the July Council workshop discussion
95	42. Updated text related to private parks and the level of service (LOS).	Mayor's markups
96	43. Updated Table 7.1 based on new population projection. 44. Updated Table 7.1 to remove grand totals, since they are no longer applicable.	Staff/Consultant Follow-Up Change & the December Council Meeting
109	45. Updated Action 7-14 to clarify low impact development (LID).	Mayor's markups and the July Council workshop discussion
110	46. Updated Action 7-14 to clarify low impact development (LID).	Mayor's markups and the July Council workshop discussion
115	47. Updated residential density discussion to clarify net versus gross. 48. Removed text regarding Transitional Areas.	Mayor's markups and the July Council workshop discussion & the December Council Meeting
116	49. Removed text regarding Transitional Areas.	July Council workshop discussion
119	50. Added bullet point about open space adjacent to roads.	Mayor's markups and the July Council workshop discussion
123	51. Added Mixed-use to the land use types. 52. Added bullet point addressing relocation of utilities 53. Deleted the word "single" to clarify the beautification project was the "most important."	Mayor's markups and the July Council workshop discussion & the December Council Meeting
124	54. Deleted Transitional Areas text box.	Staff/Consultant Follow-Up Change
130	55. Added text to clarify the plan contains action, rather than Appendix A.	Staff/Consultant Follow-Up Change
136	56. Removed text regarding Transitional Areas. 57. Softened language from shall to recommend.	December Council Meeting & the December Council Meeting
137	58. Added Figure 9.4a.	Staff/Consultant Follow-Up Change
154	59. Updated Table 10.1: Added proactive rezonings, added text to recommend revising the LDC, and added text for floodplain regulations.	Staff/Consultant Follow-Up Change
170	60. Updated Table 10.3: Added recommended actions to match revisions.	Staff/Consultant Follow-Up Change

Comprehensive Plan Revisions/Redlines

DESTINATION COLLEYVILLE - EXECUTIVE SUMMARY

Colleyville is one of the premier places to live in the greater Dallas-Fort Worth (DFW) Metroplex. The city is well known for its great neighborhoods, excellent schools, and well-maintained parks and amenities, all located with convenient access to regional employment destinations such as DFW International Airport, Downtown Fort Worth, Las Colinas, and Downtown Dallas.

This comprehensive plan reflects the vision for the Colleyville of tomorrow. It has been crafted from community input over the course of more than a year. It builds on the strengths of the city today and identifies the framework for key decisions and actions that will guide Colleyville over the next two decades to make that vision become a reality.

The Colleyville community recognizes and cherishes the strengths of the city and wants to preserve and enhance those qualities. The community wants to make Colleyville the destination of choice for those seeking a vibrant place to live, work, or play with a high quality of life. A key strength of Colleyville is the high quality, low density neighborhoods. A goal of the plan is to define strategies to protect and maintain the quality and character of those neighborhoods. It is recognized that there will be tremendous pressure to redevelop them into higher density housing that will not distinguish Colleyville from its neighbors. This plan reinforces and builds on the principles and values that have historically guided decisions in the city, but it also updates policies on new topics since the previous plan's adoption.

Destination Colleyville contains the following framework that encompasses the goals and policies of the Plan:

- Preservation of neighborhoods.
- Enhancing Colleyville's economic resilience.
- Creating a connected Colleyville.
- Enhancing Colleyville's character and brand.
- Securing the economic spine of the city.
- Enhancing amenities and services.

The Plan then translates these framework principles into key goals for economic stability, transportation, housing and neighborhoods, City services and facilities, future land use, and character and placemaking. Each of these elements includes goals, policies, actions and benchmarks which are based on Colleyville's unique context and community input.

More specifically, this Plan details the future vision for Colleyville Boulevard. Colleyville Boulevard is not only the city's main economic engine, but is also the key to defining the character of Colleyville. It provides access to entertainment and boutique retail destinations, as well as meeting the day-to-day needs of the residents who live in the city. One of the major goals of this comprehensive plan update is to address the redevelopment and enhancement of properties along Colleyville Boulevard to create a cohesive development character, while recognizing key nodes or areas as special places with greater concentration of commercial/retail uses in a more pedestrian-friendly context.

This Plan emphasizes implementation as a key for its success. Implementation in the Plan's context is aligning the policies in this plan with the city's regulatory, infrastructure, operational, and fiscal tools. In moving forward, this Plan and associated principles and goals help the community prioritize the city's actions in addressing its many competing needs and requests. *Destination Colleyville* guides the city into its bright future, setting the stage for continued success.

Comprehensive Plan Revisions/Redlines

Further, the plan projected that the city's annual growth rate would slow to 1.25 percent during the years 2011 through 2015, decrease even further to 0.75 percent for the years 2016 through 2020, and decrease further to 0.50 after 2020. During the past five years (2010 to 2014), the city's actual annual growth rate was 0.81 percent.

With fixed boundaries and an increasingly limited amount of land remaining available for development, Colleyville is getting closer to its maximum population.

Population Estimate

While it would be easy to simply utilize the estimate that was contained in The Colleyville Plan (2004-2025), there have been many changes in the city that have occurred since then. First is that the city, like the rest of the country, has been impacted by a significant recession. While this may not have had as great of an impact on Texas cities as elsewhere, it has resulted in changes in consumer preferences (regarding housing, debt, driving and commuting preferences, among others). The city has also had 10 additional years of development which means there is less land available for development. Therefore, it was determined that

an analysis, using a similar methodology as was used in *The Colleyville Plan* (2004-2025), would further quantify the city's maximum population.

First, areas within the city that had sufficient acreage (approximately 3 acres or larger) and characteristics for potential redevelopment were identified. These areas equaled about 492.7 acres or 0.77 square miles out of 13.10 square miles. Second, an analysis of both the city's current Future Land Use Map (adopted 2004) and the draft Future Land Use Map contained within this plan were undertaken. Both maps identified that a majority of these potential areas are classified as single-family detached residential.

~~In The Colleyville Plan (2004-2025), the low and high estimates were calculated using an average residential density factor of 1.8 (base estimate) and 3.5 dwelling units per acre (high estimate). The estimate below was (see Table 2.1, Population Forecast) prepared using the following calculation:~~

$$[(\text{acres}) \times (\text{net density}) \times (\text{occupancy rate}) \times (\text{household size})] + [(\text{vacant platted lots}) \times (\text{household size})] + (\text{current population estimate}) = \text{population forecast}$$



Population growth stabilizes as the city has fewer and fewer parcels remaining for development.

Comprehensive Plan Revisions/Redlines

The result indicates that the city could reach a population of ~~27,943~~ 27,518 people depending on the development that occurs over the next 20 years and beyond. The city can feasibly accommodate this population growth by utilizing sound land use planning and associated implementation tools. The differences in population should not have a significant impact on the city's ability to provide services or meet infrastructure needs.

Table 2.1, Population Forecast

Net Acreage ¹	Net Density ²	Vacant Platted Lots ²	Household Size ³	Occupancy Rate ⁴	Projected Maximum Population ⁵
492.7 418.8 +/-	1.8	600	2.88	96.9%	27,943 27,518 people
Notes: ¹ The identified acreage is based on an analysis of property that is of sufficient size, shape, and characteristics to be potentially redeveloped during this planning horizon. <u>A 1.5 percent reduction to the gross acreage has been applied to calculate net acreage. This reduction is for right-of-way.</u> * A net density of 1.8 dwelling units per acre produces 24,200 square foot lots. * ² Is an approximate estimate of residentially zoned and platted lots that are currently vacant or under construction. ³ Household size is from the U.S. Census Bureau 2010 Decennial Census: <i>Profile of General Population and Housing Characteristics: 2010</i>. ⁴ Occupancy Rate is from the U.S. Census Bureau 2010 Decennial Census: <i>Profile of General Population and Housing Characteristics: 2010</i>. ⁵ The projected maximum population is derived by adding the estimated increase in population to the current population of 23,740 people. <u>The population projection does not consider the redevelopment of existing large lots.</u>					

Comprehensive Plan Revisions/Redlines

Housing & Neighborhoods Chapter 6



Goals:

Preserve high quality, established neighborhoods with an emphasis on large lots and natural settings with a “country feel.”

Connect neighborhoods and provide high quality amenities.

Policies

1. Preserve neighborhood character and quality.
2. Enhance neighborhood-level amenities and connectivity such as pocket parks, sidewalks, and trails.
3. Require new neighborhood developments to demonstrate and contribute to Colleyville’s character.
4. Ensure tree canopies and quality landscaping are created and maintained on public land and common areas.
5. Maintain “current built” density or less in existing neighborhoods as redevelopment occurs.

Benchmarks

- Improved access to neighborhood-level park improvements.
- Increased number and quality of neighborhood-level amenities and connections (ex. trails).

City Services & Facilities Chapter 7



Goal:

Maintain an exceptional system of City services and facilities that is technologically current, efficient, and responsive to the needs of the Colleyville community.

Policies

1. Continue to maintain and improve the City’s facilities as appropriate.
2. Continue proactive and effective public services to ensure the public health, safety, and welfare of the Colleyville community.
3. Provide and maintain a well-planned and fiscally sustainable public infrastructure.
4. Proactively support efforts to promote green initiatives for fiscal resilience.

Benchmarks

- Additional facility improvements completed.
- Maintained a minimum 90 percent level of satisfaction among the community with City services.
- Maintained or improved current response times for Police and Fire services.
- Additional infrastructure improvements completed.

Comprehensive Plan Revisions/Redlines

Future Land Use Chapter 8



Goal:

Maintain the integrity of the existing land uses by ensuring the Future Land Use Plan map and categories reflect the land use mix and character of desired development.

Policies

Establish appropriate future land use categories in the City's Future Land Use Map (FLUM):

- Residential
- Commercial
- Institutional
- Parks and Open Space
- Colleyville Boulevard Corridor (CBC)

Character & Placemaking Chapter 9



Goal:

Ensure high quality neighborhood design [at a net density of 1.8 dwelling units per acre or less](#) that positively contributes to surrounding neighborhoods and the country character of Colleyville.

Enhance the city's commercial corridors to make them unique destinations – specifically Colleyville Boulevard and Precinct Line Road – by creating a unique design aesthetic that sets these corridors apart from adjoining communities and continues to attract destination commercial uses.

Policies

1. Preserve the “country-feel” of roadways.
2. Ensure compatibility of new neighborhoods with existing neighborhoods and connectivity with adjoining developments where appropriate.
3. Create a plan to coordinate the public realm and private development standards for the Colleyville Boulevard Corridor with a strong and unique sense of place that transforms the Corridor into a true destination.
4. Create a unique commercial corridor for Precinct Line Road.

Comprehensive Plan Revisions / Redlines

Figure 4.4. Businesses Needed in Colleyville

As part of the city-wide survey administered during this comprehensive planning process, participants identified the following types of businesses that were needed in the city. These expressed “needs” by community residents can contribute to additional sales tax dollars and revenues for the city.

- **Small retail stores / boutiques** – 48.3 percent of respondents felt that more small retail / boutique stores were definitely needed (15%) or somewhat needed (33.3%).
- **Medium-sized retail stores** – 77.7 percent of respondents felt that medium-sized retail stores were definitely needed (34.0%) or somewhat needed (43.7%).
- **Large retail stores** – 56.1 percent of respondents felt that large retail stores were definitely needed (30.6%) or somewhat needed (25.5%).
- **Professional services** – 42.5 percent of respondents felt that additional professional services (e.g., medical, legal, health, beauty, etc.) were definitely needed (10.2%) or somewhat needed (32.3%). Conversely, almost 40 percent felt that more of these services were not needed.
- **Sit-down restaurants** – 85.2 percent of respondents felt that additional sit-down restaurants were definitely needed (45.2%) or somewhat needed (40.0%). Conversely, 50.4 percent felt that more fast food services were not needed.
- **Mixed-use developments** – 47.0 percent of respondents felt that mixed-use areas were definitely needed (16.2%) or somewhat needed (30.8%).

Source: Community responses from the 2014 city-wide opinion survey

Policy: Recruit – Continue to promote Colleyville as an excellent and convenient place to locate a business.

Businesses are attracted to locations that are vibrant and offer a high standard of living for their management and staff. Businesses with specialized professional staff, in particular, favor walkable and vibrant locations that help them attract top talent. Colleyville can readily be promoted as a place where it is easy to live, work, play, and stay. The City’s neighborhoods and schools are already top-notch and can help recruit businesses to the City in conjunction with the City’s incentive policy and Economic Development Strategic Plan.

There are limited locations within the City for new, quality, commercial development. It will be imperative to ensure that the City can maximize this new commercial development potential to the extent possible. Details on the design and quality considerations are included in Chapter 9.

- **Action 4-3: Continue to pursue new commercial development in the Colleyville Boulevard Corridor, Precinct Line Road, and S.H. 121 and other appropriate locations.**

Pursuing new, quality, commercial development in the Colleyville Boulevard Corridor, specifically at the Northern Gateway, and the Precinct Line Road Corridor, is a priority to increase commercial tax base, and to reduce retail sales leakage to other cities within the region. Catalyst’s assessment identified the capacity for an additional 303,000 square feet of retail goods and services by 2024 (see Figure 4.4. *Businesses Needed in Colleyville* on the left).

Historically, the City has absorbed an average of 6,000 square feet of professional office space and current absorption is close to 15,000 square feet with vacancy near 7%. Additional opportunities in Colleyville would be for boutique corporate headquarters. Overall, forecasts show that demand for quality office will continue to increase. The addition of quality professional office uses will not only capitalize on the areas available highly educated workforce but also provide additional daytime visitors that can increase sales at Colleyville’s stores and restaurants.

Comprehensive Plan Revisions/Redlines

Character of Streets

The community identified the country character associated with driving along roads within and throughout Colleyville as one of the community's key strengths. The old county roadway system that previously existed in most of the neighboring communities eventually gave way to multi-lane improvement projects. However, in Colleyville, significant sections of the old county roadway system have been retained and generally function today as

the collector streets. Many of the existing roadways in the city contain signature elements (e.g., mature trees, rural fencing, open swales, etc.) that create a unique character which sets Colleyville apart from many of the surrounding communities. See Figure 5.1, *Existing Streets With Character*. Some of these streets include sections of Pleasant Run Road, Cheek-Sparger Road, Jackson Road, Oak Knoll Drive, Westcoat Drive, Bransford Road, [Glade Road](#), John McCain Road, and McDonnell School Road.

Figure 5.1. Examples of Existing Streets With Character



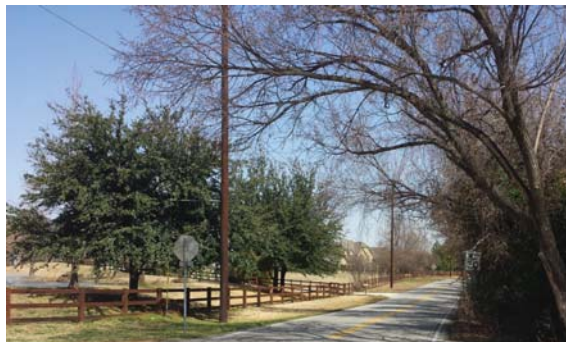
Fencing and open space as signature elements



Mature trees and no curbing as signature elements



Open swales and no curbing as signature elements



Fencing and woodlands as signature elements

Comprehensive Plan Revisions/Redlines



During the planning process, the Colleyville community frequently noted their appreciation for the roundabouts that have been installed in recent years, and asked that those improvements continue. The photo depicts the roundabout installed at the intersection of Glade and Pool Roads.

Policy: Explore opportunities to improve connectivity within and between neighborhoods and developments (especially along the Colleyville Boulevard Corridor and adjoining neighborhoods).

As Colleyville developed, many neighborhoods were built with only one or two vehicular access points and frequently lacked vehicular connections to nearby neighborhoods. In recent years, many newer developments have been built in the same manner, forcing all traffic out to the nearby collectors or arterials. In places where higher capacity collectors and arterials are available, this may be acceptable. However, with the desire to maintain a rural character in Colleyville, this design arrangement simply increases the burden on the city's collectors and arterials. Similarly, many commercial developments were designed without internal connectivity to adjacent parcels. [The Land Development Code has been amended to ensure internal connectivity and cross access for all new development.](#)

In addition, there is increasing desire on the part of Colleyville residents to be able to walk or ride a bicycle to nearby destinations. Access to sidewalks and trails for both recreation and mobility is becoming an important element of quality of life for many communities, especially for Colleyville. The Colleyville community has expressed this desire repeatedly, going back to the 1998 Plan, The Colleyville Plan (2004– 2025), and most recently as part of the 2011 Parks, Recreation & Open Space Master Plan.

Given the narrow pavement sections and the desire to maintain the rural character of drainage swales along many streets, the preferred solution to improve connectivity for both bicyclists and pedestrians is to expand the city's system of trails that parallel many streets. These trails are typically 10-feet wide and can carry low to medium volumes of both bicyclists and pedestrians concurrently (as long as high-speed bicycle travel is not anticipated). Since there is a growing interest in walking and bicycling, every neighborhood in Colleyville should have comfortable and appealing options for users to walk or ride to nearby destinations.

Comprehensive Plan Revisions/Redlines

Housing and Neighborhoods

Colleyville is widely known for the high quality of its neighborhoods. Colleyville residents enjoy quiet internal neighborhood streets with little traffic, mature trees, extensive green areas, nearby parks and other amenities, and access to some of the best schools in the entire DFW Metroplex region. The city's crime rate is extraordinarily low, and residents can also rest assured that their investment in their property will retain its value over the years. As a result, Colleyville continues to be one of the most desired places to live.

The character of the existing neighborhoods can be defined by the width of its streets, the size and number of trees, size of the front yards, sidewalks, and neighborhood amenities such as parks and trails, which all culminate into the creation of a true sense of place. Retaining the value and quality of neighborhoods is one of the single most important priorities of the Colleyville community.

Since much of the city consists of existing residential neighborhoods, Colleyville's long-term future is inextricably tied to its housing quality and conditions. In the 1970's areas of high density zoning were approved. However, these areas have developed at a much lower density. In order to preserve these neighborhoods, the City must have a policy to rezone the higher density zoning designations to a lower density which is consistent with the built conditions. If a policy is not implemented, these areas may redevelop at a higher density, thereby destroying the character and quality of the neighborhood. While one challenge is to protect and preserve existing neighborhoods, another is to ensure future housing further strengthens the city's status in the DFW Metroplex region. In the city's mature existing neighborhoods, housing exhibits a rural character accessed by rural roadways. In these areas, increased access to quality-of-life amenities (e.g., improved walkability, recreation, etc.) is important. In new neighborhoods, tree preservation, high quality layout and design should be a minimum requirement to ensure that these important amenities are considered while creating neighborhoods that have a sense of character. Each of these

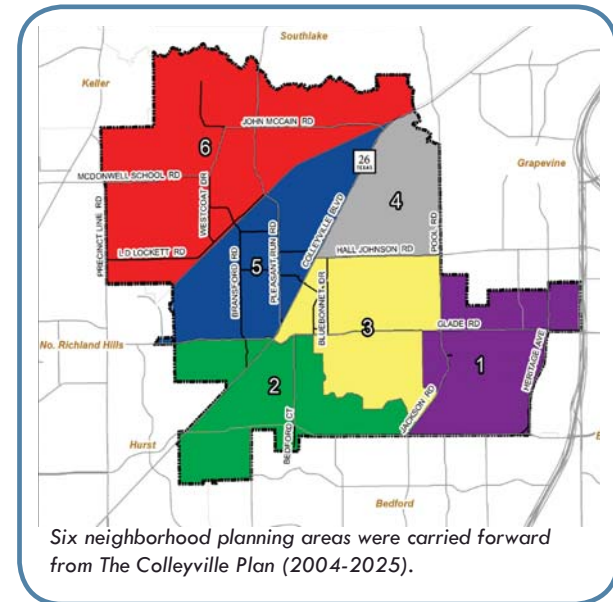
considerations, if done well, strengthens the character of the city which is so important to the Colleyville community.

Neighborhood Planning Areas

During the planning process for The Colleyville Plan (2004-2025), the city was divided into six neighborhood planning areas to help facilitate participation and planning. The boundaries of the six planning areas were chosen based on the service areas of the existing homeowner associations, as well as physical features such as major streets, railroads, and creeks.

Destination Colleyville uses the same six neighborhood planning areas to facilitate discussions and develop strategies to enhance neighborhoods in all parts of the city.

Figure 6.1. Six Neighborhood Planning Areas



**PRESERVING
NEIGHBORHOOD
INTEGRITY**

Preservation of the existing neighborhood character is a top priority should redevelopment occur.

Protection of the character and integrity of existing neighborhoods should be ensured by the promotion of future development that is compatible with existing neighborhoods.

Comprehensive Plan Revisions/Redlines

Southeast Colleyville - Neighborhood Area 1

Placement in the Community

Southeast Colleyville occupies the southeast quadrant of the city. Bounded by Cheek-Sparger Road to the south, Jackson and Pool Roads to the west, State Highway (SH) 121 and Heritage Avenue to the east, and the city limits with Grapevine to the north and east, Southeast Colleyville totals approximately 1,213 acres (1.9 square miles) or 14.3 percent of the overall land area of Colleyville. With the development of the Heritage Avenue tract into single family homes, most of Southeast Colleyville is developed.

During the planning process for the comprehensive plan, feedback from focus groups comprised of residents of this area noted the convenience of living here, with easy access to SH 121 and also to commercial areas along Colleyville Boulevard. The major issue for the area is traffic congestion along Glade Road and Cheek-Sparger Road, and occasional periodic traffic delays generated by other users in the area (e.g., churches).

Character and Form

The following descriptions provide a summary of the character, development pattern, transportation and connectivity, and parks, recreation and open space in Southeast Colleyville.

- **General character.** Small portions of this area can be characterized as fairly typical suburban style developments. However, these developments transition to portions of Southeast Colleyville that are among the most beautiful in all of Colleyville. Home styles vary from older 1970's ranch style homes to large mansions with extensive open space and attractive front yards. Several gated communities exist in the area along Martin Parkway

and Jackson Road. Much of the area drains to tributaries of Little Bear Creek, and as a result the area is heavily wooded with stands of large mature trees. This wooded character is extremely appealing and is one of the distinguishing aspects of much of Southeast Colleyville. Private ponds which are visible from the area's public streets also contribute to the lush, luxurious feel of the area.

- **Development Pattern.** Approximately 90 percent¹ of this area is comprised of existing single family residences, with the remaining 10 percent consisting of commercial and institutional uses. Residential lot sizes vary from estate-sized lots along drainage tributaries of Little Bear Creek, to garden home-sized lots north of Glade Road and west of Heritage Avenue. Development patterns transition from freeway commercial uses at Glade Road and SH 121, to garden residential lots near Heritage Avenue and Glade Roads, finally to larger lots further to the west and throughout the remainder of Southeast Colleyville. Residential uses in the area total ~~1,112~~ **945 net** acres and 1,707 lots, yielding a residential **net** density² of **1.8** ~~approximately~~ ~~1.54~~ dwelling units per acre³.
- **Transportation and Linkages.** Glade Road and Cheek-Sparger Road are the primary east-west minor arterials in the area. Heritage Avenue, Martin Parkway, and Jackson Road are the primary north-south roadways for this area. Apart from the four-lane sections of Glade Road and Heritage

¹ Existing residential percentage for each neighborhood area includes all areas within residential and agricultural zoning districts and includes rights-of-way and parks.

² **Net density is calculated by removing 1.5 percent of the gross area for right-of-way.**

³ Residential density is calculated by dividing the total number of residential lots (occupied and vacant) in the neighborhood by the total land area in the neighborhood in residential or Agricultural zoning district categories.

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Avenue at the commercial areas near SH 121, most streets in the area, including arterial, are two-lane roadways.

- **Parks, Recreation, and Open Space.** Southeast Colleyville has several private parks but no public parkland. The open parkland behind the Senior Center in Southwest Colleyville provides the main park space for this area. A total of 46 acres of private parkland are contained in the area, however, much of this private parkland is fenced and restricted to specific neighborhoods or homes. Some residents of the area have access to Melrose Park, which is a large private neighborhood park located on Martin Parkway. With the exception of wide sidewalks along a portion of Glade Road and Heritage Avenue, leading to the middle school and high school, the area has no existing public trails. Private recreational trails can be found in Melrose Park, as well as in privately shared open space east of Martin Parkway.

Key Current and Future Considerations for Southeast Colleyville

- The commercial areas between SH 121 and Heritage Avenue are vital to the overall fiscal health of the city. They are the only freeway-oriented properties in the city, and have no direct residential adjacencies. As such, the intensity of development directly adjacent to SH 121 should be maintained and even increased where appropriate. ~~Non-residential~~ Intensity of commercial development densities can decrease closer to Heritage Avenue, but should still remain among the highest in the city.
- 1. Roadway improvements are discussed in the Transportation section of this plan. However,

Southeast Colleyville residents have expressed their desire that Glade Road remain two lanes, with the exception of upgrades at intersections to improve traffic flow. Any improvements to Cheek-Sparger Road should carefully consider the character of the roadway. For both roads, shoulder improvements for roadway safety and traffic flow improvements at key intersections should be considered, where and when feasible.

2. No public park improvements are currently slated for this area. However, future park improvements in the city's park land adjacent to the Senior Center will be needed to provide public facilities for residents of Southeast Colleyville.
3. Sections of ~~eight- to 10-foot wide~~ trails exist along the north parkway of Glade Road between Pool Road and Heritage Avenue. Filling trail gaps along this section of Glade Road should be planned in order to enhance connections to area schools, retail and dining closer to SH 121. However, these enhancements should be done in a manner that maintains the character of the existing road design.
4. Heritage Avenue and Cheek-Sparger Road intersection – work with the City of Euless to make improvements as appropriate when necessary.
5. Protect the integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.

Southwest Colleyville - Neighborhood Area 2

Placement in the Community

Southwest Colleyville occupies the southwest corner of Colleyville, and is generally bounded by Glade Road and Little Bear Creek to the north, Cheek-Sparger Road to the south, Jackson Road to the east, and Colleyville Boulevard to the west. A portion of Southwest Colleyville neighborhood area is west of Colleyville Boulevard and extends to Precinct Line Road which is the city limits with Hurst. Southwest Colleyville totals approximately 1,292 acres (2.02 sq. miles) or 15.3 percent of the overall land area of Colleyville.

Feedback from focus groups comprised of residents of this neighborhood area noted the high quality of their neighborhoods and, with this area's proximity to Colleyville Boulevard, the relative convenience and accessibility to other areas of the city.

Character and Form

- **General character.** While more than three-quarters residential, this area also has some non-residential uses extending along Colleyville Boulevard. The area is traversed by Little Bear Creek and consequently includes significant green spaces. Bedford Road, which crosses Little Bear Creek, is representative of the characteristic beautiful Colleyville thoroughfare, with large trees and a classic rural feel along much of the roadway in this area.
- **Development Pattern.** Southwest Colleyville is essentially completely developed, with only a few lots remaining open for development. The area is approximately 83 percent existing residential uses (911.5 net acres) with 1,718 lots. This neighborhood has a net density of approximately ~~1.60~~ 1.9

dwelling units per acre. Lots in the area are still generally below average in size, ranging from 10,000 to 15,000 square feet in size.

- **Transportation and Linkages.** Glade Road and Cheek-Sparger Road are the only east-west minor arterials in the area. Colleyville Boulevard, Precinct Line Road, Bedford Road, and Brown Trail are the only major north-south roadways in the area. With an eventual six lanes, Colleyville Boulevard has significant capacity to handle the traffic needs of the area. However, getting to Colleyville Boulevard is through a two lane section of Cheek-Sparger Road between Oakbriar Lane and Colleyville Boulevard.
- **Parks, Recreation, and Open Space.** This area has a higher percentage of public parkland than any other in the city. The Colleyville Nature Center and Sparger Park take advantage of their pristine locations adjacent to Little Bear Creek and are major amenities for the area. Woodbriar Neighborhood Park provides amenities south of Cheek-Sparger Road, and all neighborhoods in this area have close access to parks. Trails can be found in both parks, and older private trails along Cheek-Sparger Road point to future trail possibilities that mimic the public trail across Cheek-Sparger Road in Bedford.

Key Current and Future Considerations for Southwest Colleyville

1. Redevelopment of the existing commercial lands between Colleyville Boulevard and Felps Drive will most likely occur in the future, and should be encouraged to bring additional destination value to Colleyville Boulevard. The buffering of residential

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areas east of Felps Drive should be incorporated into any redevelopment plans for the area. More compact and walkable non-residential development should be encouraged for other tracts along Colleyville Boulevard, and should take advantage of the desire to be close to Colleyville Downs Shopping Center.

[patterns and development character.](#)

2. Neighborhood-scale retail and office uses should be encouraged at the southern corners of Cheek-Sparger Road and Bedford Road, with adequate buffering provided where residential adjacencies occur.
3. Proposals for development of floodplain lands on the north side of Little Bear Creek between Colleyville Boulevard and Bedford Road should be carefully evaluated for their potential impact on area flooding and the beautiful creek environment. The loss of creek environment could impact the value of nearby residential areas.
4. Evaluate options to improve traffic flow along Cheek-Sparger Road between Bedford Road and Colleyville Boulevard, including improving the intersection of Bedford Road and Cheek-Sparger Road. Consider improvements as appropriate along Cheek-Sparger Road between Colleyville Boulevard and Brown Trail (San Bar Lane to Oakbriar Lane).
5. Trail linkages between the Nature Center and Sparger Park would create a unique amenity for this neighborhood area and should be a high-priority focus. These trail linkages could use natural paving materials in keeping with the character of the area.
6. Explore ways to widen and enhance the existing trails on the south side of Cheek-Sparger Road in partnership with the City of Bedford.
7. [Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development.](#)

Comprehensive Plan Revisions/Redlines

South Central Colleyville - Neighborhood Area 3

Placement in the Community

Neighborhood Area 3 (South Central Colleyville) focuses on a central area of the city, east of Colleyville Boulevard. It extends from Pool Road on the east, the centerline of Little Bear Creek and Jackson Road on the south, Colleyville Boulevard on the west, and Hall-Johnson Road to the north. This area is key to the future of Colleyville, since it contains commercial areas along the Colleyville Boulevard Corridor. South Central Colleyville totals approximately 1,248 acres (1.95 sq. miles) or 14.7 percent of the overall land area of Colleyville.

Feedback from focus groups comprised of residents of this neighborhood area noted the quality and love for their neighborhoods. They expressed the desire to ensure that the character of major streets in the area, such as Glade Road, is not lost due to roadway improvements to increase traffic flow.

Character and Form

- **General character.** Much of this neighborhood area has a large estate lot feeling to it. The area also includes significant commercial development along Colleyville Boulevard. Residential areas along Little Bear Creek, with forest-like stands of mature trees, are among the most scenic and beautiful areas in the entire city. Preservation of the existing neighborhood character should be a top priority should redevelopment occur.
- **Development Pattern.** As is the case in other areas, South Central Colleyville is essentially completely developed, with only a few lots remaining to be developed. The area is approximately 90 percent existing residential uses, which is the third highest ratio of residential to non-residential in the city. This neighborhood has ~~an approximate a net~~ density of ~~1.00~~ 1.2 dwelling units per acre, with 954.7 net

residential acres and 1,124 lots. A significant number of large estate-sized lots can be found along Oak Knoll Drive, other streets south of Glade Road, and along Montclair Drive and Bluebonnet Drive north of Glade Road.

- **Transportation and Linkages.** Glade Road and Hall-Johnson Road are the only major east-west arterials in the area, and they link this neighborhood area to commercial developments along Colleyville Boulevard. Colleyville Boulevard and Pool Road provide major north-south access north of Glade Road, and are supplemented by Riverwalk Drive and Montclair Drive in the area. South of Glade Road, Jackson Road, Martin Parkway, and Heritage Avenue all provide adequate north-south connectivity given the low density of the area.
- **Parks, Recreation, and Open Space.** South Central Colleyville has only one public open space, at the Senior Center along Glade Road, and no significant private parks. Although it is located in Southwest Colleyville, nearby Sparger Park also serves this area. Open spaces at the Colleyville Center also have potential to address quasi-parkland needs for this area. Trails can be found in Sparger Park, at the Senior Center, and along Church Street and Riverwalk Drive. Trails along Glade Road stop at Pool Road and do not extend westward into this area.

Key Current and Future Considerations for South Central Colleyville

1. Though not yet realized, pedestrian and bicycling connections between this area and the major retail, dining, and entertainment uses along Colleyville Boulevard are vital and highly desired. Efforts to

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provide these connections, while preserving the area's existing character and large trees, should be a priority.

2. Intersection, and ingress/egress, and other improvements along Glade Road as planned should continue to improve traffic flow. Preservation of mature trees should be prioritized and may require unique design solutions.
3. [Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.](#)



The Colleyville Senior Center is one of the amenities serving the Colleyville community in South Central Colleyville (Neighborhood Area 3).

Northeast Colleyville - Neighborhood Area 4

Placement in the Community

Occupying the northeastern portion of the city, Neighborhood Area 4 (Northeast Colleyville) encompasses the area north of Hall-Johnson Road, east of Colleyville Boulevard, west of Pool Road and south of Big Bear Creek. Northeast Colleyville totals approximately 793 acres (1.24 sq. miles) or 9.4 percent of the overall land area of Colleyville.

Feedback from focus groups comprised of residents of this neighborhood area were concentrated on issues dealing with the future development of large rural tracts along Colleyville Boulevard, and the interest in trail connections to Big Bear Creek.

Character and Form

- **General character.** This area is characterized by more traditional suburban residential neighborhoods. Lot sizes in this area might be considered large in other communities but are on the smaller side for Colleyville. Neighborhoods range in age from more mature developments that have been in place for more than 30 years, to newer areas around Kimzey Park that were developed within the last 10 to 15 years. With the exception of the visual open space provided by Bluebonnet Hills at the corner of Hall-Johnson Road and Colleyville Boulevard and a portion of Big Bear Creek north of Kimzey Park, this area has no significant open space features. Neighborhoods have attractive mature trees that add character and value to properties in the area.
- **Development Pattern.** While still largely developed, Northeast Colleyville does have some large remaining undeveloped areas along Colleyville Boulevard. Northeast Colleyville is approximately 81 percent existing residential uses, which is the lowest ratio of residential to

non-residential in the city. This neighborhood has a net density of 1.9 dwelling units per acre, with 545.9 net residential acres and 1,022 lots. ~~At approximately 1.59 dwelling units per acre, this area has the highest overall density of single family residential in the city.~~

This area incorporates extensive commercial properties along Colleyville Boulevard. Many of these commercial and industrial type uses can be redeveloped in the future.

- **Transportation and Linkages.** Hall-Johnson Road is the only major east-west minor arterial in the area, and provides the only direct link to commercial areas along Colleyville Boulevard. Colleyville Boulevard and Pool Road provide major north-south access, with no other continuous north-south roads in the area. Apart from Tarrant Lane, Industrial Boulevard and Oak Pointe Drive provide limited road connections between area neighborhoods and the commercial destinations along Colleyville Boulevard. However, the bulk of the residents to go south to Hall-Johnson Road or north along Pool Road to access signalized intersections at Colleyville Boulevard.
- **Parks, Recreation, and Open Space.** Kimzey Park in the northern tip of this area and the playground facilities at Glenhope Elementary School provide the only public park and playground services for residents of this area. A small private park with a pond and walking trail located south of Independence Street provides park access to nearby residents. Natural areas along small portions of Big Bear Creek which are within Colleyville are found in this area. Apart from walking trails located in Kimzey Park, the area has no significant publicly accessible trails.

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Key Current and Future Considerations for Northeast Colleyville

1. Promote the development of a unique walkable commercial site at the Northern Gateway, an undeveloped 23 acre tract across from John McCain Road and Colleyville Boulevard. Ensure that adequate buffering/transitions between the development and adjacent residential areas is incorporated.
2. To provide a stronger and more sustainable economic foundation for the city, encourage the redevelopment of older commercial and industrial uses along Colleyville Boulevard into high quality commercial and service destinations. Where feasible, make these walkable.
3. Create additional pedestrian and bicycling connections between neighborhoods in this area and the major retail, dining, and entertainment uses along Colleyville Boulevard.
4. Create walking and bicycling connections between Kimzey Park and regional trails to the north along Big Bear Creek and to the south west along Big Bear Creek and under the bridge at Colleyville Boulevard.
5. Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.

Western Central Colleyville - Neighborhood Area 5

Placement in the Community

Occupying the center-west portion of the city, Neighborhood Area 5 generally occupies the area between Colleyville Boulevard to the east and the Cotton Belt Trail corridor to the west. Glade Road forms the southern boundary of this area. The area contains a portion of the northern gateway, three connected undeveloped tracts that total to 36 acres. Western Central Colleyville totals approximately 1,324 acres (2.07 sq. miles) or 15.6 percent of the overall land area of Colleyville.

Feedback from focus groups comprised of residents of this neighborhood area focused on issues relating to appropriate transitions to the future development on the large Northern Gateway tracts along Colleyville Boulevard, and the interest in connections to the regional Cotton Belt Trail.

Character and Form

- **General character.** This area is characterized by a mix of residential lot sizes, ranging from high quality, zero-lot-line homes in the Village area to large estate-sized lots closer to the Cotton Belt Trail. Tinker and Bransford Roads in the area are all two-lane rural roads that characterize the city's country past. Extensive mature trees and open swale drainage preserve a country feeling throughout the residential portions of this area.
- **Development Pattern.** Western Central Colleyville is approximately 86 percent existing residential uses and its net density is ~~approximately 1.16~~ 1.4 dwelling units per acre, with 967.8 net residential acres and 1.322 residential lots. Non-residential development along Colleyville Boulevard ranges

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from the walkable, mixed-use character of The Village, to churches, medical facilities, and schools between Church Street and Bogart Drive, to older commercial developments north of Tinker Road. The northernmost tip of Western Central Colleyville includes the 59-acre undeveloped lands that are referred to as the city's Northern Gateway. Thirty-six (36) of those acres are on the west side of Colleyville Boulevard and 23 on the east.

- **Transportation and Linkages.** Glade Road serves as the only continuous east-west road in the area. Other east-west connections are provided by Tinker Road and Bogart Drive, but neither extend completely across the area. Conversely, excellent north-south movement is provided by Colleyville Boulevard, Pleasant Run Road, and Bransford Road.
- **Parks, Recreation, and Open Space.** City Park is centrally located in this area and serves as the major passive and active park for the area. Bransford Park has also been recently improved with many amenities and is home to the historic Webb House. In addition, private parklands in the northern tip of this area provide trails and park facilities for residents in the Tension Parkway area. The Cotton Belt Trail is one of the major regional amenities in the area, and is accessed via Bransford or Pleasant Run Roads. The availability of trails is among the best in the city in this area.

Key Current and Future Considerations for Western Central Colleyville

1. Promote high quality non-residential development of the Northern Gateway properties, so as to contribute to a sustainable economic foundation for the city. Ensure that adequate buffering from

and transitions to adjacent residential areas are provided.

2. Promote the maintenance of larger lot (1/2 to one acre) requirements.
3. Encourage the development of a "creekwalk" environment along the existing drainage corridor between Church and Main Streets (see Chapter 9 for additional information). Added value and a unique sense of place can create a one-of-a-kind destination in the area.
4. [Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.](#)



Maintaining areas in larger lot configurations is important for areas on the western edge of Western Central Colleyville.

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Northwest Colleyville - Neighborhood Area 6

Placement in the Community

Neighborhood Area 6 (Northwest Colleyville) encompasses the western third of Colleyville. It is bounded by the Cotton Belt Trail corridor to the east, Big Bear Creek to the north, Precinct Line Road to the west, and L. D. Lockett Road to the south. Northwest Colleyville totals approximately 2,601 acres (4.06 sq. miles) or 30.7 percent of the overall land area of Colleyville.

Character and Form

- **General character.** This neighborhood encompasses the entire western sector of the city. A significant number of the large estate lots on the far western edge of the city near Precinct Line Road have been redeveloped into smaller-lot neighborhoods transitioning to lower density neighborhoods to the east. The Northwest Neighborhood has beautiful established areas with the country character that represents what the Colleyville community wants to preserve.
- **Development Pattern.** This neighborhood area is the largest in the city, encompassing more than 30 percent of the gross land area of the city. Northwest Colleyville has experienced significant change since the previous comprehensive plan in 2004. The neighborhood's residential net density of ~~1.06~~ 1.3 dwelling units per acre is one of the lowest in the city, with 2,122.4 net residential acres and 2,656 residential lots. Overall, 96 percent of the area is existing single family residential uses, the highest percentage in the city. The area has significant open space and parklands, but a very small amount of retail development.
- **Transportation and Linkages.** Major roadways

in the area include L. D. Lockett Road, Westcoat Drive, McDonwell School Road, Precinct Line Road, Pleasant Run Road, and John McCain Road. ~~In addition, the MTP proposes McDonwell School Road be extended east from Westcoat Drive to connect just west of Cutter Ridge Court to improve east-west connectivity in the area.~~ Most roadways in Northwest Colleyville all are generally two-lane rural cross-sections, and intersection improvements and MTP connectivity recommendations can serve to improve traffic flow in the area.

- **Parks, Recreation, and Open Space.** This area has four City parks and multiple smaller private parks. L. D. Lockett, McPherson, Reagan, and Pleasant Run Parks are the major public park facilities in the area. Trail connections along McDonwell School Road and Westcoat Drive, as well as the Cotton Belt Trail, are the major trail corridors in this area. Trails along McDonwell School Road are excellent examples of trail integration adjacent to a two-lane roadway.

Comprehensive Plan Revisions/Redlines

Key Current and Future Consideration for Northwest Colleyville

[that is compatible with the surrounding development patterns and development character.](#)

1. Encourage a mix of retail and professional office uses along the remaining undeveloped areas of Precinct Line Road, with the goal of expanding the city's sales tax base.
2. [Protect the character and integrity of existing neighborhoods by promoting future development](#)

Housing and Neighborhood Framework

GOALS

Preserve high quality, established neighborhoods with an emphasis on large lots and natural settings with a "country feel."

Connect neighborhoods and provide high quality amenities.



Policy: Preserve neighborhood character and quality.

Neighborhoods are one of Colleyville's greatest assets, as they form the foundation for the city's reputation and quality of life. As neighborhoods age and mature, some develop a unique and enduring character while others are unable to maintain the quality of development they once had. For this reason, the City should support neighborhood protection and preservation efforts. Safe, well-maintained neighborhoods that have enduring character allow reinvestment and help maintain property values and residential tax base.

The City can support and establish programs to protect and enhance the integrity of its neighborhoods. Potential strategies include improving or updating public facilities and services such as streets, street lighting, drainage systems, traffic control or management, neighborhood policing, and code enforcement. [It is critical to emphasize a policy of not allowing higher density residential development as existing neighborhoods redevelop.](#)

Comprehensive Plan Revisions / Redlines

■ Action 6-1: Consider overlays for established neighborhoods.

In many neighborhoods, residents may want to protect the existing character of development. In these cases, the City could work with neighborhood residents and representatives to develop specific recommendations for protection or enhancement. This may include the creation of a special area plan that frames appropriate changes needed in the underlying regulations, such as garage placement, setbacks, building materials, etc. This may also include other actions that help existing neighborhoods maintain or add landscaping, sidewalks, trails, and park amenities.

■ Action 6-2: Provide mechanisms for context-sensitive residential redevelopment.

Given the high demand for homes in the Colleyville area and as the city approaches build-out, it will be important to thoughtfully design new residential projects with appropriate considerations of lot sizes, transitions and connections to adjacent neighborhoods, trails, open space and tree preservation, and design of open fencing, landscape treatment, and setbacks along rural character roadways.

■ Action 6-2A: Consider PUD-R or overlay zoning to implement consistency standards for new neighborhoods.

In order to ensure the integrity of existing neighborhoods is protected, new subdivisions should be designed to reflect the character of surrounding neighborhoods. The lot sizes and building setbacks within new subdivisions should be determined based on the existing lot sizes and building setbacks of the existing neighborhoods.

Policy: Enhance neighborhood-level amenities and connectivity such as pocket parks, sidewalks, and trails.

While the city is known for its superb neighborhoods, there are still opportunities for improvement so they continue to be one of the key assets in the community. Access to sidewalks, trails, and parks is becoming an important element of quality of life for many communities, especially for Colleyville. Neighborhoods designed with such amenities typically maintain their property values over time. It is about providing safer and inviting ways to move in and around one's neighborhood without having to get in an automobile in addition to creating a reinvestment dynamic in the neighborhood as it matures.

■ Action 6-3: Continue to focus on neighborhood park and recreation improvements to positively contribute to neighborhood vitality.

Clean, well-maintained, and vibrant neighborhood parks are an anchor for strong, established neighborhoods. The City can work with neighborhoods to determine ideas to increase access to, and amenities at, neighborhood parks.

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This could include the installation of upgraded or additional amenities at existing parks.

■ Action 6-4: Improve neighborhood connectivity to the Colleyville Boulevard Corridor and key destinations.

Colleyville Boulevard is the economic spine for the city. It also contains most of the commercial services that the Colleyville community is interested in visiting. Currently, the Village at Colleyville is probably the most walkable and pedestrian-friendly commercial area in the city. As additional areas of Colleyville Boulevard are redeveloped and revitalized (e.g., in the Northern Gateway), more opportunities for creating walkable and pedestrian-friendly environments can be created. As a result, there will also be increased demand for accessing these areas without having to get in an automobile. Consequently, the City can proactively increase neighborhood connectivity to the Colleyville Boulevard Corridor. This could include the development of key greenway trails (e.g., along Little Bear Creek) which provide needed east-west connectivity from established neighborhoods to Colleyville Boulevard. This could also include the installation of new sidewalk and trail segments in areas where sidewalk connectivity is limited or nonexistent, and the installation of crosswalks. In addition, connections to the Cotton Belt trail from the Northern Gateway should be prioritized.

Policy: Require new neighborhood developments to demonstrate and contribute to Colleyville's character.

As evident by the online survey that was administered during the planning process, the Colleyville community has expressed an interest in quality development as one of the key attributes that makes Colleyville unique. As such, it is also a high priority to ensure that all new neighborhoods add to the existing quality of development. This can be done by requiring the development of neighborhoods which provide a high quality of design, an easily perceived sense of identity, and bicycle and pedestrian connectivity.

■ Action 6-5: Encourage new neighborhood design that creates defined centers, edges, common spaces, and entries.

Creating neighborhoods with defined centers, edges, and entries where feasible with large setbacks, trees, and greenspaces that withstands the test of time and gives neighborhoods a sense of place. A defined center provides for a focal point to gather (e.g., park, trail, school, etc.), defined edges allows neighborhood residents to take pride in their geographic area, and bold and unique entries (e.g., entrance monuments) provide notice to residents and visitors that one has entered into a new defined place.

■ Action 6-6: Require new neighborhoods to be connected where appropriate.

Connectivity is an important quality of great neighborhoods. A well-connected neighborhood reduces congestion along major streets, is friendlier to pedestrians and bicyclists, facilitates active transportation, and leads to higher levels of physical activity. One way to ensure that new neighborhoods are connected is to require conformance with additional



Placeholder Image- to be updated

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CONNECTING NEIGHBORHOODS

One way to connect neighborhoods can be to reduce using cul-de-sacs and increase the street connections.



connectivity standards which could be incorporated into the City's subdivision regulations. Concerns about cut-through traffic can be alleviated through appropriate design of new residential streets for low speed traffic and traffic calming measures on existing residential streets.

For vehicles, it is important to create multiple entries between a neighborhood and the City's thoroughfare system. This reduces congestion at intersections and along the entire thoroughfare system by dispersing vehicles among multiple access points. This could also include reducing the use of cul-de-sac streets and increasing the number of internal connected streets. Although given Colleyville's development context, there may be few remaining opportunities to create new strategic connections to help overall traffic circulation.

At a minimum, it will be important to create a strong internal sidewalk system to connect to all internal (e.g., neighborhood pools and schools) and external (e.g., off-site trails, commercial areas, etc.) destinations. This may include the creation of internal greenway trails and pedestrian access easements through connecting cul-de-sacs and the middle of long blocks.

■ Action 6-7: Encourage the construction of local gateways and signs that promote unique neighborhood identity that is tied to Colleyville's heritage and/or a "country feel."

Gateways help define entrances and provide a sense of place to a neighborhood. Many existing neighborhoods include attractive gateway entrance features. The City can review its sign regulations to ensure that there is enough flexibility to allow for creative design of gateway entrance monuments that add to the character of



The entrance to Pebble Hill Plantation Estates is an example of a well-designed neighborhood entrance.

the city's neighborhoods. In addition, the City can encourage the construction of unique gateway entrances for all new neighborhoods. Such gateways and signs should be coordinated with landscaping, fencing, and other streetscape elements within the neighborhood.

Large and mature trees add to the quality of Colleyville's neighborhoods. Trees generally improve the appearance of a neighborhood and tree-lined streets are often highly valued by residents once the trees have matured. Trees and the tree canopies provide residents a break from the hot Texas sun and provide walkers and joggers a pleasant environment to enjoy. Landscaping should also be promoted as a means to improve the appearance of neighborhoods. Opportunities to landscape can occur along roadways and at entrances into neighborhoods.

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Policy: Ensure tree canopies and quality landscaping are created and maintained.

- **Action 6-8: Consider amending the existing tree preservation ordinance to ensure the existing tree canopy is preserved.**

Colleyville's country charm is exemplified by its large open spaces, mature trees, and rustic ranch fences. If the existing tree canopy is removed and lots are clear-cut for development, then the look and feel that many residents value is destroyed. The existing tree preservation ordinance should be reviewed and revised, if necessary, to ensure the community's tree preservation desires.

- **Action 6-9: Consider expanding the free tree planting program to encourage residents to plant trees.**

In order to encourage tree planting, Colleyville could expand the existing Arbor Day program where residents obtain free trees. The expanded annual event could have hundreds of new trees planted on residential lots every year and the combined effect over a decade could have a substantial impact on creating a greater tree canopy for Colleyville.

- **Action 6-10: Consider standards for ensuring that quality landscaping is created and maintained.**

New developments should provide landscaping along major roadways and at the entrances into neighborhoods.

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A Vision for Parks

As part of the development of the 2011 Parks, Recreation, and Open Space Master Plan, a mission was identified to provide one of the highest quality parks, recreation, and open space systems in the DFW Metroplex by creating opportunities where people can “escape and enjoy an enriching environment.” Through the public engagement process, a new vision was created for the future of the parks and recreation system (see at right).

To help implement this vision, a series of goals were developed and adopted by the Parks and Recreation Advisory Board and City Council. These include:

- Provide parks and trails within easy and convenient access to households in Colleyville.
- Provide leisure opportunities for all ages, specifically targeting young adults to baby boomers (who are historically underserved in terms of recreation facilities and programming).
- Support the development of a healthy community by providing facilities and programs that lead to choices for healthy living.
- Aim to be comprehensive and financially sustainable while encouraging collaboration.
- Market Colleyville as a destination known, in part, for its unique parks and leisure programs, while also marketing to current users and residents.
- Reflect and support the city’s objective to become the environmental leader in Tarrant County.

Needs Assessment

While the existing parks, recreation, and open space system was rated as excellent, a plan of action for the future is necessary to ensure the system continues to excel long into the future. This is particularly important as the city nears its population estimate of ~~27,943~~ 27,518 persons by 2035 (see Chapter 2, *Colleyville Context*, regarding the historical and projected population of the city).

Colleyville is unique in that the majority of park acreage in the city is made up of private parks and open spaces (over 301 acres as compared to approximately 225 public park acres). In most cities in the DFW Metroplex, park and recreation areas are predominantly comprised of public parks. ~~Therefore, the acreage for private parks and open spaces is included in the level of service (LOS) analysis of this plan because of its significant contribution to the overall public-private park system in the city.~~

Colleyville’s current LOS and future LOS were calculated using the historical population counts from the 2010 U.S. Census, combined with recommended National Recreation and Park Association (NRPA) standards that have been tailored to the city’s unique situation (see Table 7.1, *Current and Projected Parkland LOS*, on the next page). These numbers differ slightly than what was indicated in the 2011 Parks, Recreation, and Open Space Master Plan because of a larger projected maximum population (see Chapter 2, *Colleyville Context*, regarding the historical and projected population of the city) and more accurate 2010 Census Data. Additionally, private parks are an amenity to the City, however only parks available to the general community should be considered in the overall computation of LOS.

“Colleyville has a renowned system of parks, recreation, open space, and trails that creates a true sense of ‘home’ within the city of Colleyville.”

Source: Vision from the 2011 Parks, Recreation, and Open Space Master Plan

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Today, the city's LOS for overall public parks is 9.88 acres per 1,000 people. This is less than the per capita acreage recommended by the National Recreation and Parks Administration (NRPA), which the city compares itself against for national benchmarking. In order to meet the NRPA LOS standard for public parks for the current population, the city would need to add approximately 32 additional acres of public parkland. In order to meet the NRPA LOS standard for public parks for the projected population, the city would have to add approximately 90 to 98 acres of new public parkland. ~~When factoring in the city's private parks and open space lands, the city has more than enough acreage to meet the minimum LOS standard for the~~

~~current population and would still be near the top of the range for the projected population.~~

Park Service Area Deficits

In addition to determining current and future park acreage needs based on the city's population, it is also important to ensure that the park and recreation system is well distributed and accessible for most users. Typically, neighborhood parks serve an area of about one-quarter mile to one-half mile (which equates to about a five to 10 minute walk), while community parks serve an area of about one mile (which equates to about a five minute drive).

Table 7.1. Current and Projected Parkland LOS

Park Category	Existing Acreage (2015)	NRPA Standard	Level of Service (LOS) (22,807 population) ¹	Projected 2035 LOS (27,943 27,518 population) ²
Public Parks	225.24	11.25 - 20.50 acres / 1,000	9.88 acres / 1,000	8.06 8.19 acres / 1,000
Neighborhood Parks	41.66	1 - 2 acres / 1,000	1.83 acres / 1,000	1.49 1.51 acres / 1,000
Community Parks	101.10	5 - 8 acres / 1,000	4.43 acres / 1,000	3.62 3.67 acres / 1,000
Other Parks	82.48	Variable	3.62 acres / 1,000	2.95 3.00 acres / 1,000
Private Parks and Open Space ³	301.70	None	13.23 acres / 1,000	10.80 10.96 acres / 1,000
Grand Total	526.94	11.25 - 20.5 acres / 1,000	23.10 acres / 1,000	18.86 acres / 1,000

Table Notes:

¹ The current population of 22,807 people is derived from the 2010 Census Bureau.

² The projected population of ~~27,943~~ 27,518 people is derived using the population estimates set out in Chapter 2, Colleyville Context.

³ ~~When factoring in the City's private parks and open space lands, the city has more than enough acreage to meet the minimum LOS standard for the current population and would still be near the top of the range for the projected population.~~

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■ Action 7-12: Update the Master Drainage Plan to continue to ensure the city is adequately protected.

The City's Master Drainage Plan should be updated to develop a higher level of detail than what was provided in the 1992 plan. This Master Drainage Plan would provide the City with the tools necessary to identify the most critical flood-prone locations, potential solutions, and the costs for necessary drainage projects.

Depending on the recommendations identified in the Master Drainage Plan, the City should identify available funding sources to implement to make the improvements to the city's drainage system in addition to evaluating the City's current utility fee structure.

Policy: Proactively support efforts to promote green initiatives for fiscal resilience.

Colleyville should explore opportunities to promote more environmentally friendly and green initiatives that are also fiscally beneficial to both the City and residents.

■ Action 7-13: Work with regional water supply entities to ensure that Colleyville's drought contingency planning is proactive and innovative.

Ensure that the City continues to monitor and maintain a strong water supply, and that efficient and effective water conservation techniques are used where appropriate.

■ Action 7-14: Explore Low Impact Development (LID) solutions for commercial, residential, and public infrastructure projects.

~~The City should explore LID solutions as an opportunity to implement storm water management and water quality management strategies over that can have a significant impact on this sub watershed and also provide quality of life and aesthetic benefits while saving costs. The City should evaluate the benefits of adopting and participating in North Central Texas Council of Governments' (NCTCOG's) integrated Stormwater Management (iSWM) program which is intended to help area cities achieve their goals of water quality protection, streambank protection, and flood mitigation, while also helping communities meet their construction and post-construction obligations under state stormwater permits.~~ Low Impact Development (LID), as defined by the Low Impact Development Center, "is a comprehensive land planning and engineering design approach with a goal of maintaining and enhancing the pre-development hydrologic regime of urban and developing watersheds."

The EPA states LID is an "approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible."

LID employs principles such as:

- Conserve natural areas wherever possible.

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- [Minimize the development impact on hydrology.](#)
- [Maintain runoff rate and duration from the site.](#)
- [Implement pollution prevention, proper maintenance and public education programs.](#)
- [Emphasize the use of on-site natural drainage features.](#)
- [Maintain or enhance the site's hydrologic characteristics after development, and](#)
- [Reduce overall imperviousness.](#)

■ **Action 7-15: Promote green building and energy efficiency as part of public and private development.**

As part of a growing trend to reduce the environmental impact of development, the City should support efforts in both public and private sector development that incorporate green building practices and/or energy efficiency. This could include an assessment of the City's Land Development Code to remove impediments and/or add incentives for green building practices. Examples of green building practices that should be considered include low impact development (which utilizes the site's natural resources as part of the overall stormwater management program), rainwater capture, xeriscaping, and pervious pavement, among others.

■ **Action 7.16: Consider establishing an Urban Forestry Program to preserve and enhance the urban tree canopy in the city.**

Tree canopy within Colleyville is an important component of the city's overall character and is one attribute that sets the city apart from other areas within the DFW Metroplex. As the city continues toward developing the limited number of remaining lots and revitalizing and redeveloping existing lots, it is important to have a strategy in place to protect what makes the city what it is today. An urban forest provides a number of economic, environmental, and social benefits to a city. Economic benefits include attracting tourists and businesses, increasing property value, and reducing the amount of energy needed for development. Environmental benefits include providing food and habitat for wildlife, absorbing carbon dioxide, reducing the heat island effect, and reducing sedimentation in streams. Social benefits include adding character and promoting a sense of pride in a community as well as increased privacy. Due to the significant amount of benefits provided, the City should consider establishing an Urban Forestry Program to protect this significant asset to the community. This could include an initial assessment of city parks, followed by an assessment of all City-owned property. A subsequent phase could include the eventual preparation of an Urban Forestry Master Plan, which is a roadmap to effectively and proactively manage and grow the city's urban tree canopy.

Residential Density

~~The maximum density of each residential project should be a net density of 1.8 dwelling units per gross acre.~~ Destination Colleyville proposes to maintain the residential density policies of the 2004 Colleyville Plan. 1.8 dwelling units per net acre, therefore each residential project shall have a minimum lot size of 20,000 square feet and no more than 2 dwelling units per gross acre.

The 2004 Colleyville Plan states:

“One of the fundamental principles associated with the City’s zoning authority, as granted by the State, is the ability to regulate population density through the adoption of zoning regulations. By establishing a variety of zoning districts, and each district with a different minimum lot size, municipalities are able to control the number of dwelling units that can be built in a particular area. Controlling the overall density has far-reaching public interests and ultimately has an effect on transportation, parks, schools and other public facilities.

Colleyville is noted for its large-lot subdivisions and for its large homes with generous front and side yards. Additionally, many older single family homes located along the major collector street network have been demolished and the properties rebuilt into estate type settings. The redevelopment of these estate properties has helped to keep the overall residential density quite low and promotes the rural atmosphere that Colleyville citizens enjoy.

In Colleyville, the 1998 Comprehensive Plan established a city-wide residential density benchmark of 1.8 dwelling units per net acre. This standard approximates the density achieved by the R20, Single Family Residential District, which calls for a minimum lot size of 20,000 square feet. The intent of this lower residential density standard is to maintain the rural character and ensure a higher quality of residential development that makes Colleyville unique.”

The 2004 Colleyville Plan further states that “Developments with densities higher than 1.8 dwelling units per acre would be acceptable, according to the 1998 Master Plan guideline, but only in those areas deemed to be consistent with sound land use planning principles, such as for those transitional areas situated between commercial uses and less dense residential developments, or near major street intersections. Higher density development may also be appropriate for smaller parcels that make less dense development economically difficult or on sites with unique topographical features. Since the future land use plan of Colleyville, prepared in 1998, utilized the 1.8 dwelling unit per acre guideline and the community has embraced this as a suitable development density, there is no need to deviate from this standard.”

~~Each residential project should have be a maximum net density of 1.8 dwelling units per acre, but “variances” could be allowed in certain and specific situations. Variances to the net density of 1.8 dwelling units per gross acre maximum could be allowed for the following:~~

~~The project is located within a transitional area. (Note: These transitional areas are contained within the Colleyville Blvd. Corridor.)~~

~~» Between commercial and residential uses (existing or Future Land Use Map-designated):~~

OR

■ ~~The project is located on a property with unique topography:~~

- ~~» Restricted access options;~~
- ~~» Significant floodplain or drainage considerations;~~
- ~~» Property shape that necessitates deviations from standard development; or~~
- ~~» Native tree stand(s):~~

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COMPATIBILITY CONSIDERATIONS



1. Landscape buffers:

- Preserve existing trees that separate the proposed use from the existing use when possible.
- Preference for landscape screening and open fencing to contribute to residential character.
- New trees planted where proposed use is adjacent to existing use for beautification and screening.

2. Form:

- As residential square footage to lot area ratio increases, open space(s) and buffering provided should also increase.

3. Traffic Impacts:

- Connections to existing neighborhoods should be provided with sensitivity to the existing homes.
- Impact to roadways and intersections in the vicinity should be mitigated where possible.

TRANSITIONAL AREAS

A key topic during the comprehensive plan drafting process was the need for guidance related to proposals for transitional developments, especially as it concerns developments proposed with lots smaller than 20,000 square feet. Although residential developments with large lots are very common in Colleyville and are still being proposed for new construction, as the city approaches build-out, many new residential neighborhoods have come under the Planned Unit Development - Residential (PUD-R) zoning district. PUD-Rs provide some level of variation with respect to lot sizes and development standards while giving the City more control over the development character, treatment of transitions, and overall quality of the development.

A transitional area is a piece of land that may be appropriate for residential development with lots smaller than 20,000 square feet. These areas serve as gradual changes in intensity from commercial or institutional uses to lower density residential uses (lots 20,000 square feet or larger). Proposals requesting variances to the net 1.8 dwelling units per gross acre requirement should address each compatibility consideration listed here. These developments are restricted to areas within the Colleyville Blvd. Corridor.

There are instances when an existing land use will be different from the land use designated on the Future Land Use Map or instances when the existing land use will be different than the zoning on a property. For example, there could be a residential home on a property zoned for commercial uses and also designated on the Future Land Use Map for commercial uses. In these instances, a proposal can provide a phased approach whereby screening and/or landscaping provided could be adjusted along the common boundary once the residential property was redeveloped with commercial uses (ex. wooden screening fence with shrubs then gets removed to provide cross access between commercial parcels).

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Residential

This land use category is predominantly comprised of single-family detached residential dwellings. The preference for new residential areas is that they preserve rural character along John McCain Road, Westcoat Drive, Pleasant Run Road, Bransford Road, and similar roadways, and that they incorporate landscaping and tree preservation features to retain the natural quality of new residential areas in the city. Residential areas typically include:

LAND USE TYPES

- Detached residential
- Parks, trails, and open space

DESIRED DEVELOPMENT CHARACTERISTICS

- Predominantly single family residences on lots over 20,000 square feet with natural landscaping, a rural appeal, and significant private open space.
- Overall aesthetic is country charm, exemplified by large open spaces, mature trees, and rustic ranch fences in some areas of the city – especially along rural roadway corridors such as Westcoat Drive, Pleasant Run Road, and Bransford Road.
- High-quality development with attractive entrance areas and amenities (e.g., internal walking trails).
- Appropriate transitions (e.g., one-story offices) between residential and non-residential areas.
- [Open space adjacent to roads to create feeling of openness.](#)

Figure 8.3. Illustrative Residential Uses



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Colleyville Boulevard Corridor

This land use category is to promote the transformation of Colleyville Boulevard into a vibrant and economically strong “town center” for the City. While still readily accessible via the automobile, more compact and walkable development types will create a distinct sense of place. The Colleyville Boulevard Corridor includes:

LAND USE TYPES

- Retail, service, and entertainment
- Office
- Public and institutional uses
- Flexible innovation uses (e.g., research, office-warehouse, etc.)
- **Residential Mixed-use**

DESIRED DEVELOPMENT CHARACTERISTICS

- Architecture and site characteristics that are distinct, attractive, and have a pedestrian-friendly urban form.
- Able to accommodate a high degree of automobile activity, but parking is not the predominant visual feature from adjacent streets.
- Significant connectivity through cross/mutual access easements and multi-modal options (biking and walking).
- Design encourages a high degree of pedestrian activity, oftentimes during both the day and night.
- Institutional functions may require multiple buildings, arranged in a campus-like setting.
- Building facades are articulated, have significant window areas, and often include porticos or awnings to provide shade for pedestrians.
- Multistory buildings are encouraged to add a greater variety of destinations and uses in close, walkable proximity. This in turn leads to an increased vibrancy for the area and more available commercial development square footage.
- As a goal, the single most important beautification project will be the relocation of overhead utility lines.

Figure 8.7. Illustrative Colleyville Boulevard Corridor Development Types



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COLLEYVILLE BOULEVARD CORRIDOR LAND USE AREAS

The Colleyville Boulevard corridor has unique land use areas with distinct character and land use characteristics. The areas serve as the basis for specific policies and actions related to each area. The four areas are described below:

- Northern Gateway: Offers a unique opportunity for new development on relatively undeveloped property as a new mixed commercial node, highlighting this northern entry point into the city along the Corridor.
- Upper Sector: Offers a unique opportunity to create an eclectic Corridor node with a mixture of newer buildings with older buildings that can take advantage of the City's façade improvement grant program and evolve over time into a more attractive and cohesive section of the Corridor with a mixture of retail, office, and service uses.
- Central Sector: Has the most potential to become a true center of activity within the city by tying the major commercial and entertainment centers along the Corridor with a focus on creating a more walkable street context.
- Southern Gateway: An opportunity to create a more memorable entry point to the city and elevate the quality of the existing development with a focused, long-term redevelopment strategy.

Actions related to each Colleyville Boulevard Corridor area are contained in Chapter 9, and a detailed discussion of each area is contained in the Appendices.

TRANSITIONAL AREAS

~~The transitional areas are intended to provide a buffer within the Colleyville Blvd. Corridor between the non-residential uses and the residential uses located outside of the corridor. It is intended that these transitional areas can be either residential uses, which may include residential uses on lots smaller than 20,000 square feet, or nonresidential uses. The nonresidential uses should be designed to buffer the neighboring residential uses from the effects of nonresidential uses, such as light and noise.~~

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- **Northern Gateway** (Bear Creek to Tennison Parkway)
- **Upper Sector** (Tennison Parkway to Hall-Johnson Road)
- **Central Sector** (Hall-Johnson Road to Brown Trail)
- **Southern Gateway** (Brown Trail to Cheek-Sparger Road/Mid-Cities Boulevard)

The development context along the Corridor is a mix of older auto service, industrial development mixed in with newer office, professional services, and retail buildings towards the northern sectors of the corridor. The Central Sector has the highest concentration of newer retail developments, many of which have been built or significantly redeveloped over the past 15 years. The lower or southernmost portion of the Corridor also has smaller and aging auto-service and strip retail buildings. Generally, there are very few vacant or undeveloped properties, but a large agglomeration of vacant properties is located in the northern section of the Corridor (see Map 9.2, *Colleyville Boulevard Corridor and Sectors*).

The Corridor is mostly auto-oriented, with buildings set back from the roadway and parking located in front of the buildings between the roadway and the buildings. Most of the corridor also lacks sidewalks and safe places to walk. Shoulders, if any, are very narrow with swales immediately adjacent to them. Most of the Corridor also has overhead utility lines and poles that add to the visual clutter. (see Figure 9.1. *Character of Existing Development along the Colleyville Boulevard Corridor*.)

Although it is clear when traveling down Colleyville Boulevard that it is a center for activity and commerce, there are no clear signs that the Corridor is Colleyville's

main destination or that it is specifically in Colleyville either. There is a patchwork of architectural styles and materials, some properties lacking landscaping while others provide abundant and tasteful landscaping. There are no distinguishing features that indicate when one has entered or left the city other than two Colleyville monument signs. ~~Appendix A provides more detailed discussion about the existing land use context and development character in the different sectors of the Corridor. The proposed actions on the following pages are designed to improve the Corridor.~~

Figure 9.1. Character of existing development along the Colleyville Boulevard Corridor



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Transitional Areas:

The transitional areas are intended to provide a buffer within the Colleyville Blvd. Corridor between the nonresidential uses and the residential uses located outside of the corridor. It is intended that these transitional areas can be either residential uses, which may include residential uses on lots smaller than 20,000 square feet, or nonresidential uses. The nonresidential uses should be designed to buffer the neighboring residential uses from the effects of nonresidential uses, such as light and noise.

- Ensure Colleyville Blvd. Corridor uses respect and are compatible with single-family uses outside of the corridor.
 - » Residential uses on lots smaller than 20,000 square feet are a suitable buffer within the corridor.
 - * Residential use should be single family detached uses.
 - * Residential uses should reflect the character and design of Colleyville's existing single family detached neighborhoods.
 - » Nonresidential uses ~~should be required~~ are recommended to have building and site design elements to lessen their impacts on residential use outside the corridor.
 - * Building Design Elements:
 - Loading docks and overhead doors: A screening wall ~~should be required~~ is recommended for these areas.
 - Lighting: Fully shielded lights ~~should be required~~ are recommended to limit glare.
 - Roof mounted equipment: ~~Must be screened by a parapet walls or some other devices~~ or designs are recommended to screen equipment.
 - Building materials: Building ~~shall be finished with~~ are recommended to be the same type of materials and in the same percentage used on the front façade.
 - Building height: ~~Limit~~ low building heights are recommended to protect residential uses.
 - * Site Design Elements:
 - Buffer yard: ~~Require a~~ A 30-foot buffer yard with two rows of shade trees is recommended.
 - Lighting: Fully cutoff lights ~~should be required~~ are recommended and light poles ~~should~~ are recommended to be lower in height towards the back of the property ~~be limited to 10 feet in height.~~
 - Parking: Headlight screening, such as a row of shrubs, ~~shall be installed~~ are recommended to prevent vehicle headlights from projecting onto adjacent residential properties.
 - Dumpsters: ~~Shall be placed adjacent to the building and in no case shall be placed within 20 feet of a residential property line. It is recommended that dumpsters be placed adjacent to buildings and not close to residential properties.~~

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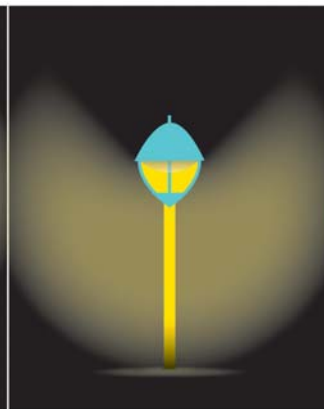
Figure 9.4a. Neighborhood Compatibility Design Elements



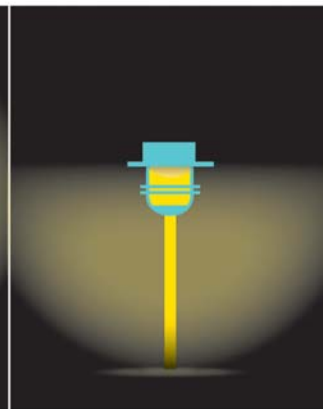
Building and site design elements should lessen the impacts on the surrounding residential properties.



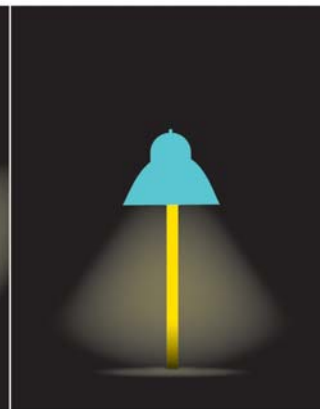
NONCUTOFF



SEMICUTOFF



CUTOFF



FULL CUTOFF

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desired standards and framework for converting each of the Colleyville Boulevard Corridor Sectors into more walkable and memorable zones.

Table 10.1. Overarching Zoning Recommendations

Land Use Designation	Recommended Zoning Tool	Recommended Implementation Priority
Residential	■ Maintain maximum net density target of 1.8 dwelling units per gross acre. ■ Revise the PUD-R development standards to establish rural frontage standards along certain key roadways such as John McCain Road, Pleasant Run Road, Bransford Road, and Westcoat Drive. ■ Revise PUD-R standards to require appropriate transitions and quality open space. More specifically, establish design and performance criteria for open space to maximize value creation, tree preservation, preservation of rural frontage along key roadways, etc. ■ Proactively rezone to bring the existing zoning districts R-10, R-15, R-MF, and RD into agreement with the existing development pattern, which is R-20 or greater. ■ Revise the LDC to require an accompanying conceptual plan with straight zoning requests (non-PUD) to ensure new developments are built in substantial compliance to the approved conceptual plan. ■ Add additional regulations for floodplains. ■ Implement neighborhood consistency standards through PUD-R or overlay zoning.	City Initiated
Commercial	■ Streamline all commercial design standards into one section of the LDC. ■ Include all elements of building and site design in the same section. ■ Create corresponding public realm and streetscape standards to complement the private realm standards. ■ Revise PUD standards to address appropriate design context for mixing of residential and commercial uses in the same PUD. ■ Add additional regulations for floodplains.	City Initiated
Colleyville Boulevard Corridor	■ Create an integrated regulatory tool (through a Corridor Zoning District or similar tool) to achieve a mix of commercial uses, appropriate transitions and buffers, and desired character that is tailored to the four different sections of the Boulevard as described in the vision -- the Northern Gateway, Upper Sector, Central Sector, and Southern Gateway (see Table 10.2, <i>Proposed Colleyville Boulevard Corridor Regulatory Framework</i> for more detail). ■ Establish appropriate urban design standards associated with each sector including building design, site design and orientation, mix of use, signage, and civic/open space standards with pedestrian-oriented design elements, specifically in the Central Sector. ■ Establish public and private street design standards that are consistent with the different sectors and vision for the Corridor. ■ Add additional regulations for floodplains.	City Initiated

Comprehensive Plan Revisions / Redlines

Table 10.3. Implementation Priorities, Responsibilities, and Time Frames (cont'd)

Action No.	Recommended Action	Potential Time frame
Housing & Neighborhoods		
Action 6.1	Consider overlays for established neighborhoods.	Short-term
Action 6.2	Provide mechanisms for context-sensitive residential redevelopment.	Short-term to Mid-term
Action 6.2A	Consider PUD-R or overlay zoning to implement consistency standards for new neighborhoods.	Short-term
Action 6.3	Continue to focus on neighborhood park and recreation improvements to positively contribute to neighborhood vitality.	Short-term to Mid-term
Action 6.4	Improve neighborhood connectivity to the Colleyville Boulevard Corridor and key destinations.	Short-term to Mid-term, where feasible
Action 6.5	Encourage new neighborhood design that creates defined centers, edges, common spaces, and entries.	Short-term
Action 6.6	Require new neighborhoods to be connected where appropriate.	Short-term to Long-term
Action 6.7	Encourage the construction of local gateways and signs that promote unique neighborhood identity that is tied to Colleyville's heritage and/or a "country feel."	Short-term to Mid-term
Action 6.8	Consider amending the existing tree preservation ordinance to ensure the existing tree canopy is preserved.	Short-term
Action 6.9	Consider expanding the free tree planting program to encourage residents to plant trees.	Short-term
Action 6.10	Consider standards for ensuring that quality landscaping is created and maintained.	Short-term
City Services & Facilities		
Action 7.1	Update the long-range plan for the Colleyville Public Library.	Short-term to Mid-term
Action 7.2	Update the Parks, Recreation, and Open Space Master Plan as needed.	Short-term to Mid-term
Action 7.3	Evaluate options to upgrade the Colleyville Senior Center to continue to serve senior residents of the City.	Short-term to Mid-term
Action 7.4	Evaluate options to improve the Colleyville Center so that it can continue to meet citizen needs as well as attract additional usage and visitation.	Short-term to Mid-term
Action 7.5	Continue to ensure Police, EMS, and Fire Department equipment and facilities continue to meet the current and future public safety needs of the Colleyville community.	Ongoing
Action 7.6	Continue to ensure that firefighter, EMS personnel, and police officer training is adequate to respond to emergency situations.	Ongoing
Action 7.7	Continue to ensure that Fire, Police, and EMS Departments staffing needs are maintained adequately to address changes in growth and current levels of service.	Ongoing
Action 7.8	Maintain a proactive approach to the use of technology to improve public safety in Colleyville.	Ongoing

Mayor Newton's Comments

DESTINATION COLLEYVILLE - EXECUTIVE SUMMARY

Colleyville is one of the premier places to live in the greater Dallas-Fort Worth (DFW) Metroplex. The city is well known for its great neighborhoods, excellent schools, and well-maintained parks and amenities, all located with convenient access to regional employment destinations such as DFW International Airport, Downtown Fort Worth, Las Colinas, and Downtown Dallas.

This comprehensive plan reflects the vision for the Colleyville of tomorrow. It has been crafted from community input over the course of more than a year. It builds on the strengths of the city today and identifies the framework for key decisions and actions that will guide Colleyville over the next two decades to make that vision become a reality.

The Colleyville community recognizes and cherishes the strengths of the city and wants to preserve and enhance those qualities. The community wants to make Colleyville the destination of choice for those seeking a vibrant place to live, work, or play with a high quality of life. This plan reinforces and builds on the principles and values that have historically guided decisions in the city, but it also updates policies on new topics since the previous plan's adoption.

Destination Colleyville contains the following framework that encompasses the goals and policies of the Plan:

- Preservation of neighborhoods.
- Enhancing Colleyville's economic resilience.
- Creating a connected Colleyville.
- Enhancing Colleyville's character and brand.
- Securing the economic spine of the city.
- Enhancing amenities and services.

The Plan then translates these framework principles into key goals for economic stability, transportation, housing and neighborhoods, City services and facilities, future land use, and character and placemaking. Each of these elements includes goals, policies, actions and benchmarks which are based on Colleyville's unique context and community input.

More specifically, this Plan details the future vision for Colleyville Boulevard. Colleyville Boulevard is not only the city's main economic engine, but is also the key to defining the character of Colleyville. It provides access to entertainment and boutique retail destinations, as well as meeting the day-to-day needs of the residents who live in the city. One of the major goals of this comprehensive plan update is to address the redevelopment and enhancement of properties along Colleyville Boulevard to create a cohesive development character, while recognizing key nodes or areas as special places with greater concentration of commercial/retail uses in a more pedestrian-friendly context. ??

This Plan emphasizes implementation as a key for its success. Implementation in the Plan's context is aligning the policies in this plan with the city's regulatory, infrastructure, operational, and fiscal tools. In moving forward, this Plan and associated principles and goals help the community prioritize the city's actions in addressing its many competing needs and requests. Destination Colleyville guides the city into its bright future, setting the stage for continued success.

Another key strength of Colleyville
are the high quality low density neighborhoods.
A goal of this plan should also be to define
strategies to protect and maintain the quality
and character of these neighborhoods. There will
be a transition measure to redevelop these into higher-
density that will not distinguish Colleyville
from its neighbors.

Mayor Newton's Comments

CHAPTER 1 – INTRODUCTION

From its quiet rural beginnings, Colleyville has become one of the premier places to live in the greater Dallas-Fort Worth (DFW) Metroplex. The city is well known and admired for its great neighborhoods, excellent schools, and pleasing parks and amenities, all located within a few miles of DFW International Airport, Fort Worth and the many employment opportunities of the region.

The Colleyville community recognizes and cherishes the strengths of the city and wants to preserve and enhance those qualities. The community wants to make Colleyville the destination of choice for those seeking a vibrant place to live, work, or play with a high quality of life.

This comprehensive plan is the collective vision of the community for the Colleyville of tomorrow. It has been crafted with extensive input from the Colleyville community over the course of more than a year and represents the dreams and aspirations for the city. It builds on the strengths of the city today and identifies the framework for key decisions and actions that will guide Colleyville over the next two decades to make that vision become a reality.

This plan reinforces and builds on the principles and values that have always guided decisions in the city, but also establishes a fresh perspective that responds to changing dynamics.

DESTINATION (des-tuh-ney-shuh n)



The word "destination" is defined as:

- the purpose for which something is "destined;"
- a place to which one is journeying; and
- a place worthy of travel or for an extended visit.

What is "Destination Colleyville?"

The title "Destination Colleyville" represents a vision for what the city will become in the future, as well as how the city is perceived by those who live outside of it. The idea builds on the strengths of what Colleyville already is – a unique place that can be called home and that has everything that is needed, including great places to live and all the nearby amenities that make up a great way of life. It also recognizes that the Colleyville community has reconfirmed its commitment to maintaining the city's unique rural character which makes it like no other place in the DFW Metroplex.

Very Important

This plan recognizes that for the long-term vision to become a reality, Colleyville should not only be a choice community for residents and destination retail, but it should continue to draw from the regional market for new visitors and excellent companies.



Superb neighborhoods are an example of what makes Colleyville a "destination" in the greater DFW Metroplex region.

Mayor Newton's Comments

- **There is an opportunity to provide for a range of options for the Colleyville Community.** While Colleyville's predominant attraction is the city's beautiful neighborhoods, a growing segment of the population is increasingly interested in connecting residential properties to amenities such as trails, parks, shopping, and dining areas that promote social experiences.

- **Colleyville's demographics continue to change.** As noted in The Colleyville Plan (2004–2025), the median age of the city's residents continues to become older, increasing from around 40 years in 2000 to 45.5 in 2010 and 45.6 in 2013. This gradually aging population may begin to impact the types of retailer, entertainment, and dining prospects for the commercial areas of Colleyville.

Building on the City's Strengths and Unique Opportunities

This plan fully recognizes the unique strengths of Colleyville and builds on them. These are discussed in detail in subsequent sections of the plan, but include:

- **The city has a great location.** In addition to being only five miles from DFW International Airport, Colleyville benefits from a back-door, direct connection that provides easy access to the airport for residents and local businesses. Additionally, the city benefits from newly improved freeways that provide quick access to the entire region.
- **Colleyville Boulevard provides an opportunity for economic growth.** When proposed improvements by the Texas Department of Transportation (TxDOT) including the turnback to city for maintenance are completed, Colleyville Boulevard will have improved traffic capacity. Better defined access points from

Colleyville Boulevard to adjacent commercial areas will provide opportunities to improve connectivity between developments. Planned walkways will also make walking and bicycling along Colleyville Boulevard more feasible, and additional aesthetic improvements will help create a true sense of place along much of the Corridor.

- **The city has character and exceptional natural areas.** Colleyville is known for the beauty of its neighborhoods. Its tree-lined roadways are complemented by stunning homes and pastures that contribute to Colleyville's "country feel." Natural and semi-natural areas such as Big Bear Creek and Little Bear Creek create spectacular amenities right within the core of Colleyville. Similarly, the Cotton Belt Trail corridor provides access to semi-natural areas and a corridor near the core of the city.

- **Non-residential redevelopment provides opportunities to further shape the city.** While much of Colleyville has been developed, a new round of redevelopment or enhancement of existing development, especially along Colleyville Boulevard, is already beginning to take place. Each project offers the opportunity to promote and reinforce the environmental character and connectivity goals established by this plan.

— what about Ancient 2nd Rd — we have available commercial streets there as well

Mayor Newton's Comments

Further, the plan projected that the city's annual growth rate would slow to 1.25 percent during the years 2011 through 2015, decrease even further to 0.75 percent for the years 2016 through 2020, and decrease further to 0.50 after 2020. During the past five years (2010 to 2014), the city's actual annual growth rate was 0.81 percent.

With fixed boundaries and an increasingly limited amount of land remaining available for development, Colleyville is getting closer to its maximum population.

Population Estimate

While it would be easy to simply utilize the estimate that was contained in The Colleyville Plan (2004-2025), there have been many changes in the city that have occurred since then. First is that the city, like the rest of the country, has been impacted by a significant recession. While this may not have had as great of an impact on Texas cities as elsewhere, it has resulted in changes in consumer preferences (regarding housing, debt, driving and commuting preferences, among others). The city has also had 10 additional years of development which means there is less land available for development. Therefore, it was determined that

an analysis, using a similar methodology as was used in The Colleyville Plan (2004-2025), would further quantify the city's maximum population.

First, areas within the city that had sufficient acreage (approximately 3 acres or larger) and characteristics for potential redevelopment were identified. These areas equaled about 492.7 acres or 0.77 square miles out of 13.10 square miles. Second, an analysis of both the city's current Future Land Use Map (adopted 2004) and the draft Future Land Use Map contained within this plan were undertaken. Both maps identified that a majority of these potential areas are classified as single-family detached residential.

In The Colleyville Plan (2004-2025), the low and high estimates were calculated using an average residential density factor of 1.8 (base estimate) and 3.5 dwelling units per acre (high estimate). The estimate below was (see Table 2.1, Population Forecast) prepared using the following calculation:

$$[(\text{acres}) \times (\text{density}) \times (\text{occupancy rate}) \times (\text{household size})] + [(\text{vacant platted lots}) \times (\text{household size})] + (\text{current population estimate}) = \text{population forecast}$$



Population growth stabilizes as the city has fewer and fewer parcels remaining for development.

This number is not used; why should it be included?

how determined?

how determined?

Mayor Newton's Comments

Plan Principles

Although the vision has remained the same, the path to achieve it has to keep up with a changing environment. Continued outward expansion from the DFW Metroplex increases the scale and intensity of growth pressures being felt in Colleyville, not to mention a host of fundamental changes in the world around us.

Based on long-standing community input from previous planning efforts, as well as this one, a new set of plan principles were developed to ensure Colleyville continues progression toward its envisioned future. These plan principles provide the fundamental framework for the analysis and recommendations discussed throughout the rest of this plan. They include:

- **Preservation of neighborhoods.** Colleyville is a superb place to live. Its neighborhoods are beautiful and housing is attractive and very well maintained. All neighborhoods have attractive natural settings or an emphasis on significant landscaping. Amenities are plentiful, both within neighborhoods and nearby. First and foremost, Colleyville's neighborhoods, both existing and yet to come, should remain among the very best in the entire region.
- **Enhancing Colleyville's economic resilience.** The diversification of Colleyville's tax base is key to enhancing the city's economic status. Proactive strategies are necessary to improve on what is already an excellent financial position. It may be necessary to fund the type of management, maintenance, and investments in the future that the Colleyville community has asked for. Encouraging non-residential development that provides that strong resource underpinning is vital to the future of the city. This may include increasing the value of development in key areas, such as the areas along Colleyville Boulevard, at the northern gateway to Colleyville, and along the city's edges at Precinct Line Road and State Highway 121.
- **Creating a connected Colleyville.** The Colleyville community expressed their interest in a completely connected city, where major destinations such as parks, schools, retail, dining and civic facilities are all easy to get to in a variety of modes and not only by driving. This goal was echoed repeatedly throughout the planning process. Whether walking or riding a bicycle, a comfortable and safe network (which is well underway) should be completed. Colleyville has the opportunity to make additions and improvements to the network that can have significantly positive effects on quality of life.
- **Enhancing Colleyville's character and brand.** The Colleyville community wants to preserve its unique character and country feel while reinforcing this aesthetic into creating a special brand that sets the city apart.
- **Securing the economic spine of the city.** Through high-quality infill development, more walkable and urban-scaled buildings, and the strategic placement of parking in less visible locations, the Colleyville Boulevard Corridor can gradually evolve into a more identifiable special place. The Colleyville community expressed significant interest in moving forward with this throughout the planning process.
- **Enhancing amenities and services.** In city-wide surveys over the years, the Colleyville community has expressed their appreciation for the effective infrastructure that they have. They are interested in quality over quantity, ensuring that amenities, such as parks and the library, and services, such as public safety and utility infrastructure, are all high quality and provide great value to the community.

Mayor Newton's Comments

Housing & Neighborhoods Chapter 6



Goals

Preserve high quality, established neighborhoods with an emphasis on large lots and natural settings with a "country feel."

Connect neighborhoods and provide high quality amenities.

Policies

1. Preserve neighborhood character and quality.
2. Enhance neighborhood-level amenities and connectivity such as pocket parks, sidewalks, and trails.
3. Require new neighborhood developments to demonstrate and contribute to Colleyville's character.

Benchmarks

- Improved access to neighborhood-level park improvements.
- Increased number and quality of neighborhood-level amenities and connections (e.g. trails).

- maintain "current built" density in established neighborhoods
allowing for additional redevelopment
options

City Services & Facilities Chapter 7



Goals

Maintain an exceptional system of City services and facilities that is technologically current, efficient, and responsive to the needs of the Colleyville community.

Policies

1. Continue to maintain and improve the City's facilities as appropriate.
2. Continue proactive and effective public services to ensure the public health, safety, and welfare of the Colleyville community.
3. Provide and maintain a well-planned and fiscally sustainable public infrastructure.
4. Proactively support efforts to promote green initiatives for fiscal resilience.

Benchmarks

- Additional facility improvements completed.
- Maintained a minimum 90 percent level of satisfaction among the community with City services.
- Maintained or improved current response times for Police and Fire services.
- Additional infrastructure improvements completed.

- Ensure the corporate and quality landscaping are created and maintained
new

Mayor Newton's Comments

Future Land Use Chapter 8



Goal

Maintain the integrity of the existing land uses by ensuring the Future Land Use Plan map and categories reflect the land use mix and character of desired development.

Policies

Establish appropriate future land use categories in the City's Future Land Use Map (FLUM):

- Residential
- Commercial
- Institutional
- Parks and Open Space
- Colleyville Boulevard Corridor (CBC)

Character & Placemaking Chapter 9



Goal

Ensure high quality neighborhood design that positively contributes to surrounding neighborhoods and the country character of Colleyville. *at Colleyville leading north for work*
~~create a unique~~

Enhance the city's commercial corridors to make them unique destinations – specifically Colleyville Boulevard and Precinct Line Road – by creating a unique design aesthetic that sets these corridors apart from adjoining communities and continues to attract destination commercial uses.

Policies

1. Preserve the "country-feel" of roadways.
2. Ensure compatibility of new neighborhoods with existing neighborhoods and connectivity with adjoining developments where appropriate.
3. Create a plan to coordinate the public realm and private development standards for the Colleyville Boulevard Corridor with a strong and unique sense of place that transforms the Corridor into a true destination.
4. Create a unique commercial corridor for Precinct Line Road.

Mayor Newton's Comments

Moreover, the workforce is employed in those industries poised for the highest growth in the region. Nearly 40 percent of the city's workforce is employed in administrative support, professional scientific and technology services, and health care and social assistance.¹ As employment opportunities increase in the area, Colleyville will benefit by maintaining a stable residential base and capturing more retail and office uses within the city. A market analysis performed by Catalyst Commercial identified specific retail and office opportunities in Colleyville, which are summarized below:

RETAIL OPPORTUNITIES

There is a high demand for retail in Colleyville due to retail leakage caused by residents shopping elsewhere in the region. Current and projected retail demand among residents in Colleyville and surrounding communities is high. Additionally, the workforce that commutes into and through Colleyville creates additional demand for retail. Based on Colleyville household data, there is enough current and projected demand to support an additional 303,000 square feet of retail goods and services in Colleyville by 2024.

This retail analysis took into account proximity of adjacent community retail centers, limited amount of greenfield land and lack of highway frontage in Colleyville, and the changing face of retailing due to competition from web-based retailers.

According to Catalyst's market analysis, workforce spending patterns account for an additional \$195 per person per week, totaling \$99 million in annual sales in the city's retail stores and restaurants. It is estimated that the addition of more high quality development with national and regional brands, convenient parking, and a variety of retail and restaurant options could bring in an additional 10 percent of potential retail expenditures from the local

¹ Catalyst Commercial, Market Analysis for Colleyville, Texas.



POTENTIAL RETAIL DEMAND

114,000 SF	retail demand based on current retail expenditure leakage
160,000 SF	projected retail demand based on population and income growth
29,000 SF	estimated retail demand based on workforce spending
303,000 SF	total possible retail demand within Colleyville by 2024.

Source: Catalyst Commercial, Market Analysis for Colleyville, Texas.

how was this determined?

workforce which are currently spent outside the city limits (see Figure 4.2 Potential Retail Demand on Page 34).

OFFICE SPACE OPPORTUNITIES

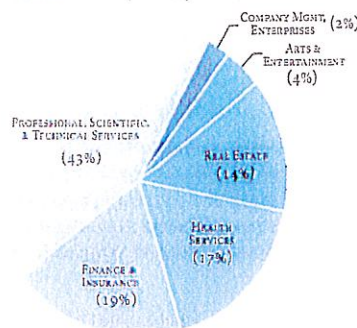
As industries expand and diversify in the area, demand for professional office space will also grow. Office space users will include not only those businesses that provide services to residents, such as lawyers, real estate agents, and financial businesses, but also businesses that provide support services to other companies.

Rental rates in the Westlake/Grapevine/Colleyville submarket are some of the strongest in the region, and vacancy rates of class A and B office space in Colleyville are below the average of the overall market.

According to the office market analysis performed by Catalyst Commercial, there is 817,000 square feet of office space in the city, 83 percent (719,000 square feet) of which is for small office firms. Most of these small firms (43%) provide professional, scientific, and technical services. Only 17 percent is occupied by firms that offer health services (see Figure 4.3 Employment Trends on the right).

Overall, the city's 12 largest employers account for over 60 percent of the city's overall employment. In total, approximately 2,700 businesses employ over 9,800 workers within the city. A significant portion of these workers are employed in the retail and food service sector which accounts for approximately 18 percent of all workers.

Based on current trends, nearly 5,300 square feet of net absorption will be for small office space (firms with five employees or less). Small business relocation from existing space may create additional demand. Based on historical office space turnover trends and average vacancy rates, Colleyville could capture an additional 9,500 square feet of annual office demand for a total of 14,800 square feet of annual absorption.



Source: Catalyst Commercial, Market Analysis for Colleyville, Texas.

The City of Colleyville and surrounding area is home to numerous employers. Below are the top employers (based on total employment) in the area:

DFW International Airport (on-airport employees only)	60,000
Sabre Corporate HQ	2,532
Grapevine Colleyville ISD*	1,681
Texas Health Harris Methodist Hospital	1,546
Gaylord Texan Resort Hotel & Convention Center	1,500
HealthMarkets	1,450
Baylor Regional Medical Center at Grapevine	1,230
Atlantic Southeast Airline, Inc.	1,000
Triad Financial Group	1,000
Market Street*	369

*In City of Colleyville

OFFICE CLASS DEFINITIONS



Office classes represent a subjective quality rating of buildings which indicates the competitive ability of each building to attract similar types of tenants. A combination of factors including rent, building finishes, system standards and efficiency, building amenities, location/accessibility and market perception are used as relative measures.

Class A: Most prestigious office buildings competing for premier office users with rents above average for the area. Buildings have high quality standard finishes, state of the art systems, exceptional accessibility and a definite market presence.

Class B: Office buildings competing for a wide range of users with rents in the average range for the area. Building finishes are fair to good for the area. Building finishes are fair to good for the area and systems are adequate, but the building does not compete with Class A at the same price.

Source: Building Owners and Managers Association International (<http://www.boma.org/research/Pages/building-class-definitions.aspx>)

Mayor Newton's Comments

responsibilities placed on residential landowners. However, many of these new businesses will want to be located along the Colleyville Boulevard Corridor. With limited opportunities, this needs to be through a carefully crafted redevelopment strategy for existing underutilized and under-performing properties based on market opportunities.

- Action 4-1: Continue to utilize creative funding mechanisms (e.g., grants, public improvement or municipal development districts, etc.) to encourage desirable economic growth in targeted areas of commercial redevelopment.

The City already has been successful in using a range of funding mechanisms, such as matching grants, infrastructure participation, and non-cash incentives as tools for attracting new businesses and improving existing ones along Colleyville Boulevard. Incentives, when quantified, can be effective in mitigating excessive development costs and gaps in public infrastructure needed to facilitate high quality development, especially in a redevelopment context. Incentives should be evaluated based upon need, overall public/private ratio, payback period, impact on adjacent developments, net new benefits and other policy goals. In addition, where possible, performance-based incentives should be used. This also includes a continual evaluation of existing programs (e.g., the city's existing Tax Increment Reinvestment Zone (TIRZ)) to ensure they are functioning as needed, and whether or not additional restructuring is recommended.

Incentives, if carefully targeted, frequently provide a net positive return on public investment. This then increases the City's capacity to bring additional private investment that can contribute to the continued economic vitality of the city.

- Action 4-2: Facilitate infrastructure improvements and amenities that support placemaking.

Today, cities are competing to be great places to live and work. In that regard, facilitating development and redevelopment that has a "sense of place" is becoming an essential component of many economic development efforts. This plan establishes a strong vision to transform Colleyville Boulevard into a true destination with a set of coordinated public and private improvements.

Redevelopment is often more expensive due to demolition, property agglomeration, upgrading infrastructure, amending easements, utility relocations, and coordinating with existing adjoining businesses and neighborhoods. To this end, the city should identify and prioritize public infrastructure investments that can encourage private redevelopment that creates higher quality environments, better merchandising, and enhances elements that improve quality of life.

PLACEMAKING

"Placemaking is a multi-faceted approach to the planning, design, and management of public spaces...the art of creating places that uplift and help us connect with others."



Source: Project for Public Spaces.

Mayor Newton's Comments

As part of the city-wide survey administered during this comprehensive planning process, participants identified the following types of businesses that were needed in the city. These expressed "needs" by community residents can contribute to additional sales tax dollars and revenues for the city.

- **Small retail stores / boutiques** – 48.3 percent of respondents felt that more small retail / boutique stores were definitely needed (15%) or somewhat needed (33.3%).
- **Medium-sized retail stores** – 77.7 percent of respondents felt that medium-sized retail stores were definitely needed (34.0%) or somewhat needed (43.7%).
- **Large retail stores** – 56.1 percent of respondents felt that large retail stores were definitely needed (30.6%) or somewhat needed (25.5%).
- **Professional services** – 42.5 percent of respondents felt that additional professional services (e.g., medical, legal, health, beauty, etc.) were definitely needed (10.2%) or somewhat needed (32.3%). Conversely, almost 40 percent felt that more of these services were not needed.
- **Sit-down restaurants** – 85.2 percent of respondents felt that additional sit-down restaurants were definitely needed (45.2%) or somewhat needed (40.0%). Conversely, 50.4 percent felt that more fast food services were not needed.
- **Mixed-use developments** – 47.0 percent of respondents felt that mixed-use areas were definitely needed (16.2%) or somewhat needed (30.8%).

Source: Community responses from the 2014 city-wide opinion survey

Policy: Recruit – Continue to promote Colleyville as an excellent and convenient place to locate a business.

Businesses are attracted to locations that are vibrant and offer a high standard of living for their management and staff. Businesses with specialized professional staff, in particular, favor walkable and vibrant locations that help them attract top talent. Colleyville can readily be promoted as a place where it is easy to live, work, play, and stay. The City's neighborhoods and schools are already top-notch and can help recruit businesses to the City in conjunction with the City's incentive policy and Economic Development Strategic Plan.

There are limited locations within the City for new, quality, commercial development. It will be imperative to ensure that the City can maximize this new commercial development potential to the extent possible. Details on the design and quality considerations are included in Chapter 9.

■ Action 4-3: Continue to pursue new commercial development in the Colleyville Boulevard Corridor and other appropriate locations

Pursuing new, quality, commercial development in the Colleyville Boulevard Corridor, specifically at the Northern Gateway, and the Precinct Line Road Corridor, is a priority to increase commercial tax base, and to reduce retail sales leakage to other cities within the region. Catalyst's assessment identified the capacity for an additional 303,000 square feet of retail goods and services by 2024 (see Figure 4.4. *Businesses Needed in Colleyville* on the left).

Historically, the City has absorbed an average of 6,000 square feet of professional office space and current absorption is close to 15,000 square feet with vacancy near 7%. Additional opportunities in Colleyville would be for boutique corporate headquarters. Overall, forecasts show that demand for quality office will continue to increase. The addition of quality professional office uses will not only capitalize on the areas available highly educated workforce but also provide additional daytime visitors that can increase sales at Colleyville's stores and restaurants.

Shouldn't we
consider Precinct Line
and 121 also?

Mayor Newton's Comments

- **Action 4-1:** Continue to identify the types of prospective businesses (retailers, restaurants, and office uses) that will complement Colleyville's market context.

The City has already recruited several quality retailers and restaurants. Continuing to use this strategic approach by communicating the strength of the city's economic development opportunities and incentives to prospective new retailers and restaurants, will be the key to maintain the current momentum. This could include continuing coordinating meetings at local and regional conferences, organizing annual Retailers Roundup events, etc.

- **Action 4-3:** Continue to pursue and strategically develop high quality lodging-related uses within the city.

As part of a larger effort to increase long-term tax revenue, the City should target hospitality-related uses to attract tourists and visitors. This will support leisure and corporate recruitment and retain visitor spending. In addition, the City should explore integrating conference/meeting space to attract out-of-town guests and increase spending on hotels, restaurants, and local shopping for additional tax revenue. In addition to providing direct jobs within the community, hotels and other lodging-related uses provide the city with hotel occupancy tax revenue and other complementary benefits that can be utilized to fund additional marketing and promotional materials or events.

- **Action 4-6:** Establish partnerships to create a business incubator or accelerator to support start-ups and local businesses within the city.

In addition to national credit retailers and established chain restaurants, it will also be important for the City to support a program to incubate new local businesses in an effort to diversify the city's commercial base.

A small business incubator or accelerator is a facility that provides small, start-up businesses with temporary space and shared business support services. An overarching goal of an incubator or accelerator is to enhance the entrepreneurial climate within the city and to create jobs that can lead to growth and expansion. The focus is on helping new businesses overcome the common problems that cause a business to fail within its first four years of existence. These include poor management, lack of funding, and inadequate marketing.

Although it is normal that small business start-ups have a high failure rate, the City can support the Chamber of Commerce and others in efforts to increase their chances of success. Led by the Chamber, this can include, but is not limited to, temporary office space, office services (e.g., copying, printing, faxing, computers, and high-speed Internet access), etc.

WHAT IS A BUSINESS INCUBATOR or ACCELERATOR?

A business incubator or accelerator is a business support process that accelerates the successful development of start-up and fledgling companies by providing entrepreneurs with an array of targeted resources and services.



Source: National Business Incubation Association, www.nbia.org

Mayor Newton's Comments

Character of Streets

The community identified the country character associated with driving along roads within and throughout Colleyville as one of the community's key strengths. The old county roadway system that previously existed in most of the neighboring communities eventually gave way to multi-lane improvement projects. However, in Colleyville, significant sections of the old county roadway system have been retained and generally function today as

the collector streets. Many of the existing roadways in the city contain signature elements (e.g., mature trees, rural fencing, open swales, etc.) that create a unique character which sets Colleyville apart from many of the surrounding communities. See Figure 5.1, *Existing Streets With Character*. Some of these streets include sections of Pleasant Run Road, Cheek-Sparger Road, Jackson Road, Oak Knoll Drive, Westcoat Drive, Bransford Road, John McCain Road, and McDonnell School Road.

Figure 5.1 Examples of Existing Streets With Character



Fencing and open space as signature elements



Mature trees and no curbing as signature elements



Open swales and no curbing as signature elements



Fencing and woodlands as signature elements

Mayor Newton's Comments

regional roadway that extends along the western edge of Colleyville and serves as the western boundary between Colleyville and North Richland Hills.

Traffic Generators

Typically, the major sources of traffic in a community are internal (e.g., travel to and from a school or a shopping center). In Colleyville, however, a significant amount of vehicular traffic is generated by adjacent community residents traveling through Colleyville to reach destinations in other nearby communities. Colleyville Boulevard carries a significant amount of external commuter traffic. However, its route does not extend through Colleyville's residential neighborhoods, contrary to the east-west roadways of McDonwell School Road, John McCain Road, Glade Road, Hall-Johnson Road, and Cheek-Sparger Road.

In the past, Colleyville has received relatively little economic benefit from increased traffic through the community. With the growth of retail areas such as Colleyville Downs, the Village at Colleyville, and the Colleyville Town Center/Market Street development, connectivity can serve to generate significant activity that benefits the city.

North Tarrant Parkway was recently extended to Interstate Highway 35W, between Fort Worth and Keller. This route provides a multi-lane connection from the north side of Fort Worth to Precinct Line Road. Due to its completion, east-bound traffic will likely increase in the future along McDonwell School Road and John McCain Road. Mid-Cities Boulevard already provides a multi-lane east-west roadway from Saginaw to DFW International Airport through Colleyville along Cheek-Sparger Road.

During early morning and evening commute times, additional traffic (which comes in large part from the external pass-through traffic) increases congestion along Colleyville's roadways making it more difficult to gain access to adjacent residential neighborhoods. This is not to be too unexpected, as most of the major intersections on the city's predominantly two-lane arterial system are not designed to accommodate high volumes of turning movements.

Traffic Volumes

On an annual basis, City collects traffic volume information for most of the major roadways in the community, generally taken near major intersections. Future traffic volume projections are derived from the North Central Texas Council of Governments (NCTCOG) 2035 Traffic Volume Projections. However, several roadways are already seeing traffic counts at the 2035 level. Information on both current and projected traffic volumes is useful for economic development purposes as well as for establishing a sound roadway maintenance or improvement program.

TRAFFIC GENERATORS

Within the city limits, the major traffic generators include, but are not limited to, the following:

- Glade Pains shopping center
- Colleyville Downs shopping center (formerly Village Park)
- Colleyville Town Center
- Village at Colleyville
- Area schools



which roads?

Mayor Newton's Comments

From a design standpoint, the right of way of a collector street should not be narrower than any of the local streets entering it. Additionally, the design of a collector street should include consideration for the right-of-way width and number of lanes which provide for continuity of the overall system. Right-of-way widths will be a maximum of 75 feet with pavement widths of 28 to 42 feet, depending on whether the street is serving an urban or rural area and the need for a specific lane configuration (e.g., six-foot paved shoulders, center turn lane, etc.).

ARTERIAL STREETS

Arterials move large volumes of traffic between major destinations. With some degree of access control they prioritize mobility over accessibility in order to provide the highest level of service at the greatest speed for the longest uninterrupted distance. Major arterial thoroughfares are often multi-lane facilities and are often constructed and maintained by the Texas Department of Transportation (TxDOT). The two major arterial streets in Colleyville are Colleyville Boulevard and Precinct Line Road. Minor arterial streets provide for traffic movement from the various neighborhoods to commercial areas and other major traffic generators (e.g., schools and municipal buildings), and also serve as routes for thru-traffic from adjacent cities. Right-of-way widths will be a maximum of 95 feet with pavement widths of 36 feet to 44 feet. Examples of minor arterial streets include Hall-Johnson Road, Cheek-Sparger Road, and Glade Road.

EXPRESSWAYS/FREEWAYS

Expressways/freeways provide for expeditious movement of traffic between areas and across cities,

with an intent of moving large volumes of traffic at relatively high speeds, with as few delays and interruptions as possible. One of the ways this occurs is through the limitation of direct access to adjacent properties. With the exception of adjacency to a segment of State Highway 121 on the eastern border of Colleyville, no expressways will occur in the city.

Mayor Newton's Comments



During the planning process, the Colleyville community frequently noted their appreciation for the roundabouts that have been installed in recent years, and asked that those improvements continue. The photo depicts the roundabout installed at the intersection of Glade and Pool Roads.

Policy: Explore opportunities to improve connectivity within and between neighborhoods and developments (especially along the Colleyville Boulevard Corridor and adjoining neighborhoods).

As Colleyville developed, many neighborhoods were built with only one or two vehicular access points and frequently lacked vehicular connections to nearby neighborhoods. In recent years, many newer developments have been built in the same manner, forcing all traffic out to the nearby collectors or arterials. In places where higher capacity collectors and arterials are available, this may be acceptable. However, with the desire to maintain a rural character in Colleyville, this design arrangement simply increases the burden on the city's collectors and arterials. Similarly, many commercial developments were designed without internal connectivity to adjacent parcels.

In addition, there is increasing desire on the part of Colleyville residents to be able to walk or ride a bicycle to nearby destinations. Access to sidewalks and trails for both recreation and mobility is becoming an important element of quality of life for many communities, especially for Colleyville. The Colleyville community has expressed this desire repeatedly, going back to the 1998 Plan, The Colleyville Plan (2004– 2025), and most recently as part of the 2011 Parks, Recreation & Open Space Master Plan.

Given the narrow pavement sections and the desire to maintain the rural character of drainage swales along many streets, the preferred solution to improve connectivity for both bicyclists and pedestrians is to expand the city's system of trails that parallel many streets. These trails are typically 10-feet wide and can carry low to medium volumes of both bicyclists and pedestrians concurrently (as long as high-speed bicycle travel is not anticipated). Since there is a growing interest in walking and bicycling, every neighborhood in Colleyville should have comfortable and appealing options for users to walk or ride to nearby destinations.

Why?
This needs to
change - proactively

Mayor Newton's Comments

- Action 5-9: Integrate trail and sidewalk improvements as part of the City's Capital Improvements Program (CIP) with a direct tie to the City's trail plan.

In addition, the City should consider creating a sidewalk or trail infill program as part of the CIP which can prioritize short segments (1/4 mile or less) that can be implemented if street improvements are not imminent in order to provide short term (between 5 and 10 years) connectivity or critical links.

Policy: Balance traffic volume, capacity, and mobility needs with the preservation and/or creation of character along city streets.

The rural character exhibited by many of the streets in Colleyville is one of the city's strongest assets. Colleyville, as a community, strongly supports the preservation of that rural character, rather than developing standard streets that can be found in any community in the area. Given the relatively low number of collectors and arterials in Colleyville, attention should be paid to the character and context of each non-local street. Further, both the Colleyville community and the Comprehensive Plan Advisory Committee (CPAC) recommended that the character of key roadways in the city be considered when planning for land use and roadway improvements.

- Action 5-10: Develop site-specific or context-sensitive solutions (CSS) that preserve the character of streets as they are improved.

As streets are redeveloped or improved, signature elements (e.g., the drainage swales which help to create a rural character along many of the city's roadways) should be identified for possible protection prior to finalizing design and construction plans. Landscape architects, planners, or urban designers should be included as early in the process as possible when a street is considered for improvement. Preliminary engineering reports should be used to identify solutions that combine appropriate best practices and design standards, while also exploring specific strategies to preserve the character-building signature elements of that street (see the Character of Streets section earlier in this Chapter). Standard cross-sections should be used for guidance, but should maintain flexibility and be adjusted as necessary using CSS.

BAR DITCHES / SWALES

In the 2014 Citizens' Survey, 57 percent of respondents expressed that eliminating bar ditches on city streets is not important for Colleyville to address in the near future (27% not very important; 14% not at all important; 17% no opinion). Bar ditches (also known as borrow pits or swales) are roadside channels dug for drainage purposes.

Source: 2014 Citizens' Survey.



WHAT IS CSS?

Context sensitive solutions (CSS) is a collaborative, interdisciplinary approach that involves all stakeholders in providing a transportation facility that fits its setting. It is an approach that leads to preserving and enhancing scenic, aesthetic, historic, community, and environmental resources, while improving or maintaining safety, mobility, and infrastructure conditions.

— Results of Joint AASHTO / FHWA Context Sensitive Solutions Strategic Planning Process, Summary Report, March 2007



Mayor Newton's Comments

The rural character while traveling through many parts of the city, especially west of Colleyville Boulevard, is unique to the area and helps Colleyville stand out as a community.

■ Action 5.11 Encourage preservation of signature street elements as part of improvement projects

Since the character of many existing streets is such an asset for the community, implementation of unique, one-of-a-kind solutions, where appropriate, should be supported. Utilize preliminary engineering reports to identify the funding levels needed for improvements to each street corridor. Support efforts for companion tree preservation and streetscape elements as part of improvements to streets, where possible.

■ Action 5.12 Consider context-sensitive solutions to constructing trails within the city

Many of the streets in Colleyville are conversions from the city's rural past and are still lined with trees. Consequently, even trail or sidewalk design and construction should consider the context of each individual corridor to determine appropriate solutions for building that segment of trail or sidewalk. Since many of the streets within the city have relatively narrow rights-of-way, drainage swales could be utilized to improve city-wide connectivity. While the City should have general standards for trail width that it applies consistently, the implementation of trails should use context-sensitive solutions to protect mature trees and other signature elements that define Colleyville's rural character.



Mayor Newton's Comments

Housing and Neighborhoods

Colleyville is widely known for the high quality of its neighborhoods. Colleyville residents enjoy quiet internal neighborhood streets with little traffic, mature trees, extensive green areas, nearby parks and other amenities, and access to some of the best schools in the entire DFW Metroplex region. The city's crime rate is extraordinarily low, and residents can also rest assured that their investment in their property will retain its value over the years. As a result, Colleyville continues to be one of the most desired places to live.

Retaining the value and quality of neighborhoods is one of the single most important priorities of the Colleyville community.

Since much of the city consists of existing residential neighborhoods, Colleyville's long-term future is inextricably tied to its housing quality and conditions. While one challenge is to protect and preserve existing neighborhoods, another is to ensure future housing further strengthens the city's status in the DFW Metroplex region. In the city's mature existing neighborhoods, housing exhibits a rural character accessed by rural roadways. In these areas, increased access to quality-of-life amenities (e.g., improved walkability, recreation, etc.) is important. In new neighborhoods, tree preservation, high quality layout and design should be a minimum requirement to ensure that these important amenities are considered while creating neighborhoods that have a sense of character. Each of these considerations, if done well, strengthens the character of the city which is so important to the Colleyville community.

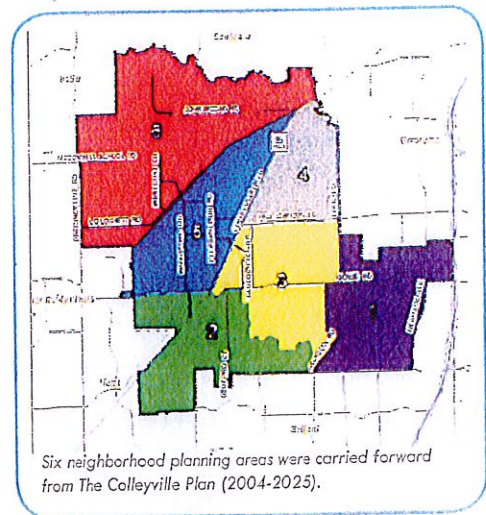
low density

Neighborhood Planning Areas

During the planning process for The Colleyville Plan (2004-2025), the city was divided into six neighborhood planning areas to help facilitate participation and planning. The boundaries of the six planning areas were chosen based on the service areas of the existing homeowner associations, as well as physical features such as major streets, railroads, and creeks.

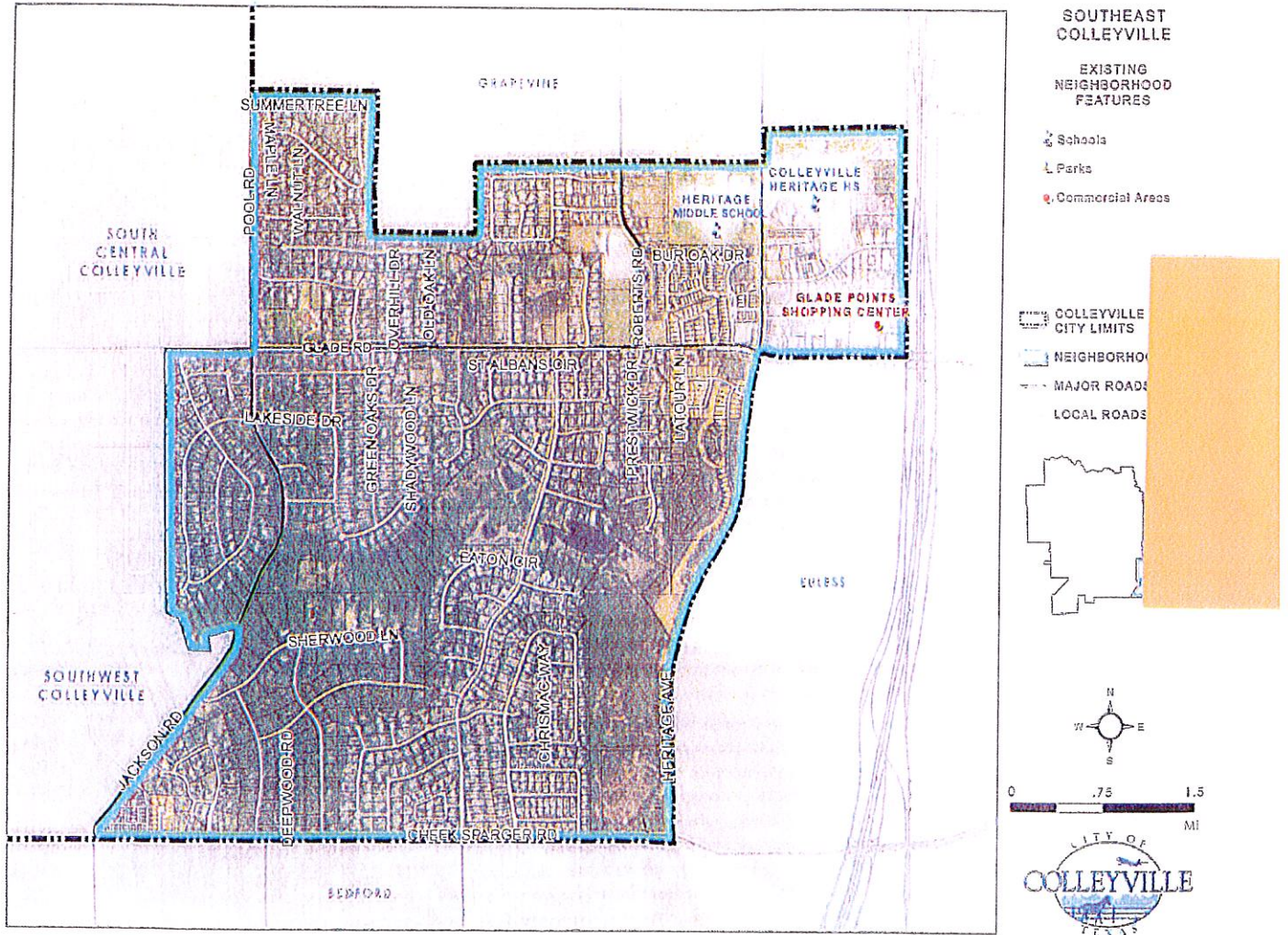
Destination Colleyville uses the same six neighborhood planning areas to facilitate discussions and develop strategies to enhance neighborhoods in all parts of the city.

Figure 6.1 Six Neighborhood Planning Areas



Add these concepts
 need to discuss the areas of zoning that was approved in the 1970's but that is built at a much lower density. we need to preserve these neighborhoods etc. city must have a policy that re-zones the higher density zoning to a lower density that matches what was actually built. estimate the areas could

Mayor Newton's Comments



→ redevelop to a higher density form by destroying the character and quality of the neighborhood

- Re development is a threat to overabundant character if that re development allows higher density (see net loss)

— need to improve quality requirements and standards at our development platform

Mayor Newton's Comments

Southeast Colleyville • Neighborhood Area 1

Placement in the Community

Southeast Colleyville occupies the southeast quadrant of the city. Bounded by Cheek-Sparger Road to the south, Jackson and Pool Roads to the west, State Highway (SH) 121 and Heritage Avenue to the east, and the city limits with Grapevine to the north and east, Southeast Colleyville totals approximately 1,213 acres (1.9 square miles) or 14.3 percent of the overall land area of Colleyville. With the development of the Heritage Avenue tract into single family homes, most of Southeast Colleyville is developed.

During the planning process for the comprehensive plan, feedback from focus groups comprised of residents of this area noted the convenience of living here, with easy access to SH 121 and also to commercial areas along Colleyville Boulevard. The major issue for the area is traffic congestion along Glade Road and Cheek-Sparger Road, and occasional periodic traffic delays generated by other users in the area (e.g., churches).

Character and Form

The following descriptions provide a summary of the character, development pattern, transportation and connectivity, and parks, recreation and open space in Southeast Colleyville.

- **General character.** Small portions of this area can be characterized as fairly typical suburban style developments. However, these developments transition to portions of Southeast Colleyville that are among the most beautiful in all of Colleyville. Home styles vary from older 1970's ranch style homes to large mansions with extensive open space and attractive front yards. Several gated communities exist in the area along Martin Parkway

and Jackson Road. Much of the area drains to tributaries of Little Bear Creek, and as a result the area is heavily wooded with stands of large mature trees. This wooded character is extremely appealing and is one of the distinguishing aspects of much of Southeast Colleyville. Private ponds which are visible from the area's public streets also contribute to the lush, luxurious feel of the area.

- **Development Pattern.** Approximately 90 percent of this area is comprised of existing single family residences, with the remaining 10 percent consisting of commercial and institutional uses. Residential lot sizes vary from estate-sized lots along drainage tributaries of Little Bear Creek, to garden home-sized lots north of Glade Road and west of Heritage Avenue. Development patterns transition from freeway commercial uses at Glade Road and SH 121, to garden residential lots near Heritage Avenue and Glade Roads, finally to larger lots further to the west and throughout the remainder of Southeast Colleyville. Residential uses in the area total 1,112 acres and 1,707 lots, yielding a residential density of approximately 1.54 dwelling units per acre¹.

- **Transportation and Linkages.** Glade Road and Cheek-Sparger Road are the primary east-west minor arterials in the area. Heritage Avenue, Martin Parkway, and Jackson Road are the primary north-south roadways for this area. Apart from the four-lane sections of Glade Road and Heritage

¹ Existing residential percentage for each neighborhood area includes all areas within residential and agricultural zoning districts and includes rights-of-way and parks.

Residential density is calculated by dividing the total number of residential lots (occupied and vacant) in the neighborhood by the total land area in the neighborhood in residential or agricultural zoning district categories.

Area not density => Should be computed by total lots in residential developments by the acreage in the residential development minus ROW

Mayor Newton's Comments

Avenue at the commercial areas near SH 121, most streets in the area, including arterial, are two-lane roadways.

- **Parks, Recreation, and Open Space.** Southeast Colleyville has several private parks but no public parkland. The open parkland behind the Senior Center in Southwest Colleyville provides the main park space for this area. A total of 46 acres of private parkland are contained in the area, however, much of this private parkland is fenced and restricted to specific neighborhoods or homes. Some residents of the area have access to Melrose Park, which is a large private neighborhood park located on Martin Parkway. With the exception of wide sidewalks along a portion of Glade Road and Heritage Avenue, leading to the middle school and high school, the area has no existing public trails. Private recreational trails can be found in Melrose Park, as well as in privately shared open space east of Martin Parkway.

Key Current and Future Considerations for Southeast Colleyville

1. The commercial areas between SH 121 and Heritage Avenue are vital to the overall fiscal health of the city. They are the only freeway-oriented properties in the city, and have no direct residential adjacencies. As such, the intensity of development directly adjacent to SH 121 should be maintained and even increased where appropriate. Non-residential densities can decrease closer to Heritage Avenue, but should still remain among the highest in the city.
2. Roadway improvements are discussed in the Transportation section of this plan. However,

Southeast Colleyville residents have expressed their desire that Glade Road remain two lanes, with the exception of upgrades at intersections to improve traffic flow. Any improvements to Cheek-Sparger Road should carefully consider the character of the roadway. For both roads, shoulder improvements for roadway safety and traffic flow improvements at key intersections should be considered, where and when feasible.

3. No public park improvements are currently slated for this area. However, future park improvements in the city's park land adjacent to the Senior Center will be needed to provide public facilities for residents of Southeast Colleyville.
4. Sections of eight- to 10-foot wide trails exist along the north parkway of Glade Road between Pool Road and Heritage Avenue. Filling trail gaps along this section of Glade Road should be planned in order to enhance connections to area schools, retail and dining closer to SH 121.
5. Heritage Avenue and Cheek-Sparger Road Intersection – work with the City of Euless to make improvements as appropriate when necessary.

Enhancement should be done in a way that maintains the character of the road.

*I have
→ why is this statement here?*

Mayor Newton's Comments

See comment as how to
compute density - not residential
density

Southwest Colleyville - Neighborhood Area 2

Physical and Cultural Context

Southwest Colleyville occupies the southwest corner of Colleyville, and is generally bounded by Glade Road and Little Bear Creek to the north, Cheek-Sparger Road to the south, Jackson Road to the east, and Colleyville Boulevard to the west. A portion of Southwest Colleyville neighborhood area is west of Colleyville Boulevard and extends to Precinct Line Road which is the city limits with Hurst. Southwest Colleyville totals approximately 1,292 acres (2.02 sq. miles) or 15.3 percent of the overall land area of Colleyville.

Feedback from focus groups comprised of residents of this neighborhood area noted the high quality of their neighborhoods and, with this area's proximity to Colleyville Boulevard, the relative convenience and accessibility to other areas of the city.

Character and Form

- **General character.** While more than three-quarters residential, this area also has some non-residential uses extending along Colleyville Boulevard. The area is traversed by Little Bear Creek and consequently includes significant green spaces. Bedford Road, which crosses Little Bear Creek, is representative of the characteristic beautiful Colleyville thoroughfare, with large trees and a classic rural feel along much of the roadway in this area.
- **Development Pattern.** Southwest Colleyville is essentially completely developed, with only a few lots remaining open for development. The area is approximately 83 percent existing residential uses with 1,718 lots. This neighborhood has a density of

approximately 1.60 dwelling units per acre. Lots in the area are still generally below average in size, ranging from 10,000 to 15,000 square feet in size.

- **Transportation and Linkages.** Glade Road and Cheek-Sparger Road are the only east-west minor arterials in the area. Colleyville Boulevard, Precinct Line Road, Bedford Road, and Brown Trail are the only major north-south roadways in the area. With an eventual six lanes, Colleyville Boulevard has significant capacity to handle the traffic needs of the area. However, getting to Colleyville Boulevard is through a two lane section of Cheek-Sparger Road between Oakbriar Lane and Colleyville Boulevard.
- **Parks, Recreation, and Open Space.** This area has a higher percentage of public parkland than any other in the city. The Colleyville Nature Center and Sparger Park take advantage of their pristine locations adjacent to Little Bear Creek and are major amenities for the area. Woodbriar Neighborhood Park provides amenities south of Cheek-Sparger Road, and all neighborhoods in this area have close access to parks. Trails can be found in both parks, and older private trails along Cheek-Sparger Road point to future trail possibilities that mimic the public trail across Cheek-Sparger Road in Bedford.

Key Current and Future Considerations for Southwest Colleyville

1. Redevelopment of the existing commercial lands between Colleyville Boulevard and Felps Drive will most likely occur in the future, and should be encouraged to bring additional destination value to Colleyville Boulevard. The buffering of residential

Mayor Newton's Comments

areas east of Felps Drive should be incorporated into any redevelopment plans for the area. More compact and walkable non-residential development should be encouraged for other tracts along Colleyville Boulevard, and should take advantage of the desire to be close to Colleyville Downs Shopping Center.

2. Neighborhood-scale retail and office uses should be encouraged at the southern corners of Cheek-Sparger Road and Bedford Road, with adequate buffering provided where residential adjacencies occur.
3. Proposals for development of floodplain lands on the north side of Little Bear Creek between Colleyville Boulevard and Bedford Road should be carefully evaluated for their potential impact on area flooding and the beautiful creek environment. The loss of creek environment could impact the value of nearby residential areas.
4. Evaluate options to improve traffic flow along Cheek-Sparger Road between Bedford Road and Colleyville Boulevard, including improving the intersection of Bedford Road and Cheek-Sparger Road. Consider improvements as appropriate along Cheek-Sparger Road between Colleyville Boulevard and Brown Trail (San Bar Lane to Oakbriar Lane).
5. Trail linkages between the Nature Center and Sparger Park would create a unique amenity for this neighborhood area and should be a high-priority focus. These trail linkages could use natural paving materials in keeping with the character of the area.
6. Explore ways to widen and enhance the existing trails on the south side of Cheek-Sparger Road in partnership with the City of Bedford.

a connecting trail system could be put in this creek area

Mayor Newton's Comments

South Central Colleyville - Neighborhood Area 3

Placement in the Community

Neighborhood Area 3 (South Central Colleyville) focuses on a central area of the city, east of Colleyville Boulevard. It extends from Pool Road on the east, the centerline of Little Bear Creek and Jackson Road on the south, Colleyville Boulevard on the west, and Hall-Johnson Road to the north. This area is key to the future of Colleyville, since it contains commercial areas along the Colleyville Boulevard Corridor. South Central Colleyville totals approximately 1,248 acres (1.95 sq. miles) or 14.7 percent of the overall land area of Colleyville.

Feedback from focus groups comprised of residents of this neighborhood area noted the quality and love for their neighborhoods. They expressed the desire to ensure that the character of major streets in the area, such as Glade Road, is not lost due to roadway improvements to increase traffic flow.

Character and Form

- **General character.** Much of this neighborhood area has a large estate lot feeling to it. The area also includes significant commercial development along Colleyville Boulevard. Residential areas along Little Bear Creek, with forest-like stands of mature trees, are among the most scenic and beautiful areas in the entire city.
- **Development Pattern.** As is the case in other areas, South Central Colleyville is essentially completely developed, with only a few lots remaining to be developed. The area is approximately 90 percent existing residential uses, which is the third highest ratio of residential to non-residential in the city. This neighborhood has an approximate density of 1.00 dwelling units per acre. A significant number

of large estate-sized lots can be found along Oak Knoll Drive, other streets south of Glade Road, and along Montclair Drive and Bluebonnet Drive north of Glade Road.

- **Transportation and Linkages.** Glade Road and Hall-Johnson Road are the only major east-west arterials in the area, and they link this neighborhood area to commercial developments along Colleyville Boulevard. Colleyville Boulevard and Pool Road provide major north-south access north of Glade Road, and are supplemented by Riverwalk Drive and Montclair Drive in the area. South of Glade Road, Jackson Road, Martin Parkway, and Heritage Avenue all provide adequate north-south connectivity given the low density of the area.
- **Parks, Recreation, and Open Space.** South Central Colleyville has only one public open space, at the Senior Center along Glade Road, and no significant private parks. Although it is located in Southwest Colleyville, nearby Sparger Park also serves this area. Open spaces at the Colleyville Center also have potential to address quasi-parkland needs for this area. Trails can be found in Sparger Park, at the Senior Center, and along Church Street and Riverwalk Drive. Trails along Glade Road stop at Pool Road and do not extend westward into this area.

Key Current and Future Considerations for South Central Colleyville

1. Though not yet realized, pedestrian and bicycling connections between this area and the major retail, dining, and entertainment uses along Colleyville Boulevard are vital and highly desired. Efforts to

- Some comment - use not density
- a strategy to preserve the character
of this area is very important to it
does not change with
redevelopment. We maintain low density
standing - do not allow zoning changes
to classify upon redevelopment

Mayor Newton's Comments

Northeast Colleyville - Neighborhood Area 4

Location in City Comments

Occupying the northeastern portion of the city, Neighborhood Area 4 (Northeast Colleyville) encompasses the area north of Hall-Johnson Road, east of Colleyville Boulevard, west of Pool Road and south of Big Bear Creek. Northeast Colleyville totals approximately 793 acres (1.24 sq. miles) or 9.4 percent of the overall land area of Colleyville.

Feedback from focus groups comprised of residents of this neighborhood area were concentrated on issues dealing with the future development of large rural tracts along Colleyville Boulevard, and the interest in trail connections to Big Bear Creek.

Character and Form

- **General character.** This area is characterized by more traditional suburban residential neighborhoods. Lot sizes in this area might be considered large in other communities but are on the smaller side for Colleyville. Neighborhoods range in age from more mature developments that have been in place for more than 30 years, to newer areas around Kimzey Park that were developed within the last 10 to 15 years. With the exception of the visual open space provided by Bluebonnet Hills at the corner of Hall-Johnson Road and Colleyville Boulevard and a portion of Big Bear Creek north of Kimzey Park, this area has no significant open space features. Neighborhoods have attractive mature trees that add character and value to properties in the area.
- **Development Pattern.** While still largely developed, Northeast Colleyville does have some large remaining undeveloped areas along Colleyville Boulevard. Northeast Colleyville is

approximately 81 percent existing residential uses, which is the lowest ratio of residential to non-residential in the city. At approximately 1.59 dwelling units per acre, this area has the highest overall density of single family residential in the city.

This area incorporates extensive commercial properties along Colleyville Boulevard. Many of these commercial and industrial type uses can be redeveloped in the future.

- **Transportation and Linkages.** Hall-Johnson Road is the only major east-west minor arterial in the area, and provides the only direct link to commercial areas along Colleyville Boulevard. Colleyville Boulevard and Pool Road provide major north-south access, with no other continuous north-south roads in the area. Apart from Tarrant Lane, Industrial Boulevard and Oak Pointe Drive provide limited road connections between area neighborhoods and the commercial destinations along Colleyville Boulevard. However, the bulk of the residents to go south to Hall-Johnson Road or north along Pool Road to access signalized intersections at Colleyville Boulevard.
- **Parks, Recreation, and Open Space.** Kimzey Park in the northern tip of this area and the playground facilities at Glenhope Elementary School provide the only public park and playground services for residents of this area. A small private park with a pond and walking trail located south of Independence Street provides park access to nearby residents. Natural areas along small portions of Big Bear Creek which are within Colleyville are found in this area. Apart from walking trails located in Kimzey Park, the area has no significant publicly accessible trails.

Save comment
do have to
compute this
- not residential
density

*
there can be
developed with
trail connections
along the creek
to Park Park

Mayor Newton's Comments

Key Current and Future Considerations for Northeast Colleyville

1. Promote the development of a unique walkable commercial site at the Northern Gateway, an undeveloped 23 acre tract across from John McCain Road and Colleyville Boulevard. Ensure that adequate buffering/transitions between the development and adjacent residential areas is incorporated.
2. To provide a stronger and more sustainable economic foundation for the city, encourage the redevelopment of older commercial and industrial uses along Colleyville Boulevard into high quality commercial and service destinations. Where feasible, make these walkable.
3. Create additional pedestrian and bicycling connections between neighborhoods in this area and the major retail, dining, and entertainment uses along Colleyville Boulevard.
4. Create walking and bicycling connections between Kimzey Park and regional trails to the north along Big Bear Creek.

- Convert Cotton Belt trail along from McCain & 26 along creek to Kimzey park and on to Park Park
in Grapevine
- new trail under bridge a Hwy 26 to connect

Western Central Colleyville - Neighborhood Area 5

Placement in the Community

Occupying the center-west portion of the city, Neighborhood Area 5 generally occupies the area between Colleyville Boulevard to the east and the Cotton Belt Trail corridor to the west. Glade Road forms the southern boundary of this area. The area contains a portion of the northern gateway, three connected undeveloped tracts that total to 36 acres. Western Central Colleyville totals approximately 1,324 acres (2.07 sq. miles) or 15.6 percent of the overall land area of Colleyville.

Feedback from focus groups comprised of residents of this neighborhood area focused on issues relating to appropriate transitions to the future development on the large Northern Gateway tracts along Colleyville Boulevard, and the interest in connections to the regional Cotton Belt Trail.

Character and Form

■ **General character.** This area is characterized by a mix of residential lot sizes, ranging from high quality, zero-lot-line homes in the Village area to large estate-sized lots closer to the Cotton Belt Trail. Tinker and Bransford Roads in the area are all two-lane rural roads that characterize the city's country past. Extensive mature trees and open swale drainage preserve a country feeling throughout the residential portions of this area.

■ **Development Pattern.** Western Central Colleyville is approximately 86 percent existing residential uses, and its density is approximately 1.16 dwelling units per acre. Non-residential development along Colleyville Boulevard ranges

Some comment to compute density - net residential density. This needs to include the residences in the Village. The 1.16 number does not include that.

Mayor Newton's Comments

Northwest Colleyville - Neighborhood Area 6

Placement in the Community

Neighborhood Area 6 (Northwest Colleyville) encompasses the western third of Colleyville. It is bounded by the Cotton Belt Trail corridor to the east, Big Bear Creek to the north, Precinct Line Road to the west, and L. D. Lockett Road to the south. Northwest Colleyville totals approximately 2,601 acres (4.06 sq. miles) or 30.7 percent of the overall land area of Colleyville.

Character and Form

- **General character.** This neighborhood encompasses the entire western sector of the city. A significant number of the large estate lots on the far western edge of the city near Precinct Line Road have been redeveloped into smaller-lot neighborhoods transitioning to lower density neighborhoods to the east. The Northwest Neighborhood has beautiful established areas with the country character that represents what the Colleyville community wants to preserve.
- **Development Pattern.** This neighborhood area is the largest in the city, encompassing more than 30 percent of the gross land area of the city. Northwest Colleyville has experienced significant change since the previous comprehensive plan in 2004. The neighborhood's residential density of 1.06 dwelling units per acre is one of the lowest in the city. Overall, 96 percent of the area is existing single family residential uses, the highest percentage in the city. The area has significant open space and parklands, but a very small amount of retail development.
- **Transportation and Linkages.** Major roadways in the area include L. D. Lockett Road, Westcoat

Drive, McDonwell School Road, Precinct Line Road, Pleasant Run Road, and John McCain Road. In addition, the MTP proposes McDonwell School Road be extended east from Westcoat Drive to connect just west of Cutter Ridge Court to improve east-west connectivity in the area. Most roadways in Northwest Colleyville all are generally two-lane rural cross-sections, and intersection improvements and MTP connectivity recommendations can serve to improve traffic flow in the area.

- **Parks, Recreation, and Open Space.** This area has four City parks and multiple smaller private parks. L. D. Lockett, McPherson, Reagan, and Pleasant Run Parks are the major public park facilities in the area. Trail connections along McDonwell School Road and Westcoat Drive, as well as the Cotton Belt Trail, are the major trail corridors in this area. Trails along McDonwell School Road are excellent examples of trail integration adjacent to a two-lane roadway.

I think this may relate to a road extension that we removed

This was a travesty

Comments were not density

Mayor Newton's Comments

Recommendation for Future Consideration for Northwest Colleyville

1. Encourage a mix of retail and professional office uses along the remaining undeveloped areas of Precinct Line Road, with the goal of expanding the city's sales tax base.

why office?

why not stress retail along Precinct Line Road. Is there Colleyville has not put adequate effort into developing this commercial area

Housing and Neighborhood Framework

GOALS

Preserve high quality, established neighborhoods with an emphasis on large lots and natural settings with a "country feel."

Connect neighborhoods and provide high quality amenities.



Policy: Preserve neighborhood character and quality.

Neighborhoods are one of Colleyville's greatest assets, as they form the foundation for the city's reputation and quality of life. As neighborhoods age and mature, some develop a unique and enduring character while others are unable to maintain the quality of development they once had. For this reason, the City should support neighborhood protection and preservation efforts. Safe, well-maintained neighborhoods that have enduring character allow reinvestment and help maintain property values and residential tax base.

The City can support and establish programs to protect and enhance the integrity of its neighborhoods. Potential strategies include improving or updating public facilities and services such as streets, street lighting, drainage systems, traffic control or management, neighborhood policing, and code enforcement.

→ also we should emphasize a policy of not allowing high density pop redevelopment - I think this is critical

Mayor Newton's Comments

Action 6-1: Consider overlays for established neighborhoods

In many neighborhoods, residents may want to protect the existing character of development. In these cases, the City could work with neighborhood residents and representatives to develop specific recommendations for protection or enhancement. This may include the creation of a special area plan that frames appropriate changes needed in the underlying regulations, such as garage placement, setbacks, building materials, etc. This may also include other actions that help existing neighborhoods maintain or add landscaping, sidewalks, trails, and park amenities.

Action 6-2: Provide mechanisms for context-sensitive residential redevelopment

Given the high demand for homes in the Colleyville area and as the city approaches build-out, it will be important to thoughtfully design new residential projects with appropriate considerations of lot sizes, transitions and connections to adjacent neighborhoods, trails, open space and tree preservation, and design of open fencing, landscape treatment, and setbacks along rural character roadways.

Policy: Enhance neighborhood-level amenities and connectivity such as pocket parks, sidewalks, and trails.

While the city is known for its superb neighborhoods, there are still opportunities for improvement so they continue to be one of the key assets in the community. Access to sidewalks, trails, and parks is becoming an important element of quality of life for many communities, especially for Colleyville. Neighborhoods designed with such amenities typically maintain their property values over time. It is about providing safer and inviting ways to move in and around one's neighborhood without having to get in an automobile in addition to creating a reinvestment dynamic in the neighborhood as it matures.

Action 6-3: Continue to focus on neighborhood park and recreation improvements to positively contribute to neighborhood vitality

Clean, well-maintained, and vibrant neighborhood parks are an anchor for strong, established neighborhoods. The City can work with neighborhoods to determine ideas to increase access to, and amenities at, neighborhood parks. This could include the installation of upgraded or additional amenities at existing parks.

*Protect neighborhoods
character and density
upon redevelopment!*

*—add policy for protecting neighborhood character
and density upon redevelopment*

Mayor Newton's Comments

Action 6-4: Improve neighborhood connectivity to the Colleyville Boulevard Corridor and key destinations.

Colleyville Boulevard is the economic spine for the city. It also contains most of the commercial services that the Colleyville community is interested in visiting. Currently, the Village at Colleyville is probably the most walkable and pedestrian-friendly commercial area in the city. As additional areas of Colleyville Boulevard are redeveloped and revitalized (e.g., in the Northern Gateway), more opportunities for creating walkable and pedestrian-friendly environments can be created. As a result, there will also be increased demand for accessing these areas without having to get in an automobile. Consequently, the City can proactively increase neighborhood connectivity to the Colleyville Boulevard Corridor. This could include the development of key greenway trails (e.g., along Little Bear Creek) which provide needed east-west connectivity from established neighborhoods to Colleyville Boulevard. This could also include the installation of new sidewalk and trail segments in areas where sidewalk connectivity is limited or nonexistent, and the installation of crosswalks. In addition, connections to the Cotton Belt trail from the Northern Gateway should be prioritized.

Policy: Require new neighborhood developments to demonstrate and contribute to Colleyville's character.

As evident by the online survey that was administered during the planning process, the Colleyville community has expressed an interest in quality development as one of the key attributes that makes Colleyville unique. As such, it is also a high priority to ensure that all new neighborhoods add to the existing quality of development. This can be done by requiring the development of neighborhoods which provide a high quality of design, an easily perceived sense of identity, and bicycle and pedestrian connectivity.

Action 6-5: Encourage new neighborhood design that creates defined centers, edges, common spaces, and entries.

Creating neighborhoods with defined centers, edges, and entries where feasible gives neighborhoods a sense of place. A defined center provides for a focal point to gather (e.g., park, trail, school, etc.), defined edges allows neighborhood residents to take pride in their geographic area, and bold and unique entries (e.g., entrance monuments) provide notice to residents and visitors that one has entered into a new defined place.

Action 6-6: Require new neighborhoods to be connected where appropriate.

Connectivity is an important quality of great neighborhoods. A well-connected neighborhood reduces congestion along major streets, is friendlier to pedestrians and bicyclists, facilitates active transportation, and leads to higher levels of physical activity. One way to ensure that new neighborhoods are connected is to require conformance

maintaining low density policy is one of the growth key success factors

but one of the most successful conservatively!

agreed

neighborhood growth is also enhanced by wider streets, especially if there are main entry or thoroughfare street in a neighborhood. This should be built into the development code

Mayor Newton's Comments

This should be addressed

with additional connectivity standards which could be incorporated into the City's subdivision regulations. Concerns about cut-through traffic can be alleviated through appropriate design of new residential streets for low speed traffic and traffic calming measures on existing residential streets.

For vehicles, it is important to create multiple entries between a neighborhood and the City's thoroughfare system. This reduces congestion at intersections and along the entire thoroughfare system by dispersing vehicles among multiple access points. This could also include reducing the use of cul-de-sac streets and increasing the number of internal connected streets. Although given Colleyville's development context, there may be few remaining opportunities to create new strategic connections to help overall traffic circulation.

At a minimum, it will be important to create a strong internal sidewalk system to connect to all internal (e.g., neighborhood pools and schools) and external (e.g., off-site trails, commercial areas, etc.) destinations. This may include the creation of internal greenway trails and pedestrian access easements through connecting cul-de-sacs and the middle of long blocks.

- Action 6-7: Encourage the construction of local gateways and signs that promote unique neighborhood identity that is tied to Colleyville's heritage and/or a "country feel"



The entrance to Pebble Hill Plantation Estates is an example of a well-designed neighborhood entrance.

Gateways help define entrances and provide a sense of place to a neighborhood. Many existing neighborhoods include attractive gateway entrance features. The City can review its sign regulations to ensure that there is enough flexibility to allow for creative design of gateway entrance monuments that add to the character of the city's neighborhoods. In addition, the City can encourage the construction of unique gateway entrances for all new neighborhoods. Such gateways and signs should be coordinated with landscaping, fencing, and other streetscape elements within the neighborhood.

Mayor Newton's Comments

A Vision for Parks

As part of the development of the 2011 Parks, Recreation, and Open Space Master Plan, a mission was identified to provide one of the highest quality parks, recreation, and open space systems in the DFW Metroplex by creating opportunities where people can "escape and enjoy an enriching environment." Through the public engagement process, a new vision was created for the future of the parks and recreation system (see at right).

To help implement this vision, a series of goals were developed and adopted by the Parks and Recreation Advisory Board and City Council. These include:

- Provide parks and trails within easy and convenient access to households in Colleyville.
- Provide leisure opportunities for all ages, specifically targeting young adults to baby boomers (who are historically underserved in terms of recreation facilities and programming).
- Support the development of a healthy community by providing facilities and programs that lead to choices for healthy living.
- Aim to be comprehensive and financially sustainable while encouraging collaboration.
- Market Colleyville as a destination known, in part, for its unique parks and leisure programs, while also marketing to current users and residents.
- Reflect and support the city's objective to become the environmental leader in Tarrant County.

Needs Assessment

While the existing parks, recreation, and open space system was rated as excellent, a plan of action for the future is necessary to ensure the system continues to excel long into the future. This is particularly important as the city nears its population estimate of 27,943 persons by 2035 (see Chapter 2, *Colleyville Context*, regarding the historical and projected population of the city).

Colleyville is unique in that the majority of park acreage in the city is made up of private parks and open spaces (over 301 acres as compared to approximately 225 public park acres). In most cities in the DFW Metroplex, park and recreation areas are predominantly comprised of public parks. Therefore, the acreage for private parks and open spaces is included in the level of service (LOS) analysis of this plan because of its significant contribution to the overall public-private park system in the city.

Colleyville's current LOS and future LOS were calculated using the historical population counts from the 2010 U.S. Census, combined with recommended National Recreation and Park Association (NRPA) standards that have been tailored to the city's unique situation (see Table 7.1, *Current and Projected Parkland LOS*, on the next page). These numbers differ slightly than what was indicated in the 2011 Parks, Recreation, and Open Space Master Plan because of a larger projected maximum population (see Chapter 2, *Colleyville Context*, regarding the historical and projected population of the city) and more accurate 2010 Census Data.

Today, the city's LOS for overall public parks is 9.88 acres per 1,000 people. This is less than the per capita

"Colleyville has a renowned system of parks, recreation, open space, and trails that creates a true sense of 'home' within the city of Colleyville."

Source: Vision from the 2011 Parks, Recreation and Open Space Master Plan

no, we should only include private parks in the computation if that person meets the standard on its own merit

Mayor Newton's Comments

So is our policy to be at standard or not?
and if so, what is the strategy to accomplish that
- we deficit at our park systems
it but we have little parkland
that is available for general
use. Most of it is
consumed by sports
association activities
but include a lot of resources

acreage recommended by the National Recreation and Parks Administration (NRPA), which the city compares itself against for national benchmarking. In order to meet the NRPA LOS standard for public parks for the current population, the city would need to add approximately 32 additional acres of public parkland. In order to meet the NRPA LOS standard for public parks for the projected population, the city would have to add approximately 90 to 98 acres of new public parkland. When factoring in the city's private parks and open space lands, the city has more than enough acreage to meet the minimum LOS standard for the

current population and would still be near the top of the range for the projected population.

Park Service Area Deficits

In addition to determining current and future park acreage needs based on the city's population, it is also important to ensure that the park and recreation system is well distributed and accessible for most users. Typically, neighborhood parks serve an area of about one-quarter mile to one-half mile (which equates to about a five to 10 minute walk), while community parks serve an area of about one mile (which equates to about a five minute drive).

Table 7.1 Current and Projected Parkland LOS

Park Category	Existing Acreage (2015)	NRPA Standard	Level of Service (LOS) (22,807 population) ¹	Projected 2035 LOS (27,943 population) ²
Public Parks	225.24	11.25 - 20.50 acres / 1,000	9.88 acres / 1,000	8.06 acres / 1,000
Neighborhood Parks	41.66	1 - 2 acres / 1,000	1.83 acres / 1,000	1.49 acres / 1,000
Community Parks	101.10	5 - 8 acres / 1,000	4.43 acres / 1,000	3.62 acres / 1,000
Other Parks	82.48	Variable	3.62 acres / 1,000	2.95 acres / 1,000
Private Parks and Open Space	301.70	None	13.23 acres / 1,000	10.80 acres / 1,000
Grand Total	526.94	11.25 - 20.5 acres / 1,000	23.10 acres / 1,000	18.86 acres / 1,000

Table Notes:

¹ The current population of 22,807 people is derived from the 2010 Census Bureau.

² The projected population of 27,943 people is derived using the population estimates set out in Chapter 2, Colleyville Context.

Mayor Newton's Comments

Drainage

Colleyville has two main creeks known as Big Bear Creek and Little Bear Creek. These creeks generally flow west to east through the city. There are four tributaries in Colleyville that flow into Big Bear Creek and 12 tributaries that flow into Little Bear Creek.

Big Bear Creek, Little Bear Creek, and their tributary creeks are shown on Flood Insurance Rate Maps (FIRM), dated September 25, 2009, that were prepared by the Federal Emergency Management Administration (FEMA). The FEMA FIRMs show areas subject to flooding, limits for the one percent annual chance flood (100-year flood), limits for the 0.2 percent annual chance flood (500-year flood), and other flood prone areas. The intent of the FIRM is to administer the National Flood Insurance Program, not necessarily to identify all areas subject to flooding, particularly from local drainage sources of small size. Current floodplain areas in Colleyville with a one percent annual chance of a flood occurring are shown on Map 7.2, *Drainage Areas*, on the next page.

Halff Associates, Inc., performed a Drainage Master Plan for Colleyville and published this plan in January 1992. Several other drainage studies in specific areas of the city have been prepared since 1992, but a comprehensive Drainage Master Plan has not been performed since 1992. Over the past few decades, significant development has taken place in Colleyville. This has greatly increased the impervious surface coverage throughout the city and has the potential of significantly changing the localized flooding conditions in Colleyville. An update to the Drainage Master Plan is a priority in the City's Capital Improvements Program (CIP).

The cities of Colleyville and Southlake are working together to study Big Bear Creek using funding from FEMA's Cooperating Technical Partners (CTP) Program. The CTP Program is an innovative approach to creating partnerships between FEMA and participating National Flood Insurance Program (NFIP) communities, regional agencies, and states agencies that have the interest and capabilities to become more active participants in the FEMA flood hazard mapping program. The North Central Texas Council of Government (NCTCOG) is administering the funding for the program for FEMA.

To protect the public health and safety from the loss of life and property caused by surface water overflows, stagnation, and pollution, the City enacted a public drainage utility in 1993 which assesses charges for all property within the delineated area. These assessments are used for the future construction, repair, and maintenance of the drainage system (see Chapter 98, Article IV, *Drainage Utility System*, of the Colleyville Code of Ordinances).



Drainage areas in Colleyville are also one of the city's greatest natural assets. Many of these areas retain significant amounts of trees and vegetation, and create some of the most beautiful locations in the city.

* need to update drainage master plan

Mayor Newton's Comments

■ Action 7-12: Update the Master Drainage Plan to continue to ensure the city is adequately protected

The City's Master Drainage Plan should be updated to develop a higher level of detail than what was provided in the 1992 plan. This Master Drainage Plan would provide the City with the tools necessary to identify the most critical flood-prone locations, potential solutions, and the costs for necessary drainage projects.

Depending on the recommendations identified in the Master Drainage Plan, the City should identify available funding sources to implement to make the improvements to the city's drainage system in addition to evaluating the City's current utility fee structure.

Policy: Proactively support efforts to promote green initiatives for fiscal resilience.

Colleyville should explore opportunities to promote more environmentally friendly and green initiatives that are also fiscally beneficial to both the City and residents.

■ Action 7-13: Work with regional water supply entities to ensure that Colleyville's drought contingency planning is proactive and innovative.

Ensure that the City continues to monitor and maintain a strong water supply, and that efficient and effective water conservation techniques are used where appropriate.

■ Action 7-14: Explore low impact development (LID) solutions for commercial, residential, and public infrastructure projects.

The City should explore LID solutions as an opportunity to implement storm water management and water quality management strategies over that can have a significant impact on this sub watershed and also provide quality of life and aesthetic benefits while saving costs. The City should evaluate the benefits of adopting and participating in North Central Texas Council of Governments' (NCTCOG's) integrated Stormwater Management (ISWM) program which is intended to help area cities achieve their goals of water quality protection, streambank protection, and flood mitigation, while also helping communities meet their construction and post-construction obligations under state stormwater permits.

What is this?

■ Action 7-15: Promote green building and energy efficiency as part of public and private development.

As part of a growing trend to reduce the environmental impact of development, the City should support efforts in both public and private sector development that incorporate green building practices and/or energy efficiency. This could include an assessment of the City's Land Development Code to remove impediments and/or add

Mayor Newton's Comments

- historical and consistent ^{over many} density designations for Colleyville 1.8 net
- 1982 plan defines ≤ 0.5 du/acre as low density, ≤ 22 du/acre as medium and ≤ 8 du/acre as high (Colleyville standards)
- a description of the ~~the~~ higher density zoned areas in Colleyville (4 at that time) and a rezoning strategy to bring them up to Future Land Use standards

Residential Density ^{net}

The maximum density of each residential project should be 1.8 dwelling units per gross acre. Destination Colleyville proposes to maintain the residential density policies of the 2004 Colleyville Plan. The 2004 Colleyville Plan states:

"One of the fundamental principles associated with the City's zoning authority, as granted by the State, is the ability to regulate population density through the adoption of zoning regulations. By establishing a variety of zoning districts, and each district with a different minimum lot size, municipalities are able to control the number of dwelling units that can be built in a particular area. Controlling the overall density has far-reaching public interests and ultimately has an effect on transportation, parks, schools and other public facilities.

Colleyville is noted for its large-lot subdivisions and for its large homes with generous front and side yards. Additionally, many older single family homes located along the major collector street network have been demolished and the properties rebuilt into estate type settings. The redevelopment of these estate properties has helped to keep the overall residential density quite low and promotes the rural atmosphere that Colleyville citizens enjoy.

In Colleyville, the 1998 Comprehensive Plan established a city-wide residential density benchmark of 1.8 dwelling units per net acre. This standard approximates the density achieved by the R20, Single Family Residential District, which calls for a minimum lot size of 20,000 square feet. The intent of this lower residential density standard is to maintain the rural character and ensure a higher quality of residential development that makes Colleyville unique."

The 2004 Colleyville Plan further states that "Developments with densities higher than 1.8 dwelling units per acre would be acceptable, according to the 1998 Master Plan guideline, but only in those areas deemed to be consistent with sound land use planning principles, such as for those transitional areas situated between commercial uses and less dense residential developments, or near major street intersections. Higher density development may also be appropriate for smaller parcels that make less dense development economically difficult or on sites with unique topographical features. Since the future land use plan of Colleyville, prepared in 1998, utilized the 1.8 dwelling unit per acre guideline and the community has embraced this as a suitable development density, there is no need to deviate from this standard."

Each residential project should be a maximum of 1.8 dwelling units per acre, but "variances" could be allowed in certain and specific situations. Variances to the 1.8 dwelling units per gross acre maximum could be the following:

- The project is located within a transitional area.
 - » Between commercial and residential uses (existing or Future Land Use Map-designated).
- OR
- The project is located on a property with unique topography.
 - » Restricted access options,
 - » Significant floodplain or drainage considerations,
 - » Property shape that necessitates deviations from standard development, or
 - » Native tree stand(s).

- analysis of how much high density (> 1.8 du/acre) already exists in Colleyville and stated policy on whether we will allow anymore or not
- analysis of transition areas - I think the transition areas are already filled up. If so, there is no more

Mayor Newton's Comments

* we need to ~~fix~~ ^{from} ~~create~~ that we ^{zoned} ~~high density~~, but ^{low density}

COMPATIBILITY CONSIDERATIONS



1. Landscape buffers:

- Preserve existing trees that separate the proposed use from the existing use when possible.
- Preference for landscape screening and open fencing to contribute to residential character.
- New trees planted where proposed use is adjacent to existing use for beautification and screening.

2. Form:

- As residential square footage to lot area ratio increases, open space(s) and buffering provided should also increase.

3. Traffic Impacts:

- Connections to existing neighborhoods should be provided with sensitivity to the existing homes.
- Impact to roadways and intersections in the vicinity should be mitigated where possible.

A transitional area is a piece of land that may be appropriate for residential development with lots smaller than 20,000 square feet. These areas serve as gradual changes in intensity from commercial or institutional uses to lower density residential uses (lots 20,000 square feet or larger). Proposals requesting variance to the 1.8 dwelling units per gross acre requirement should address each compatibility consideration listed here.

There are instances when an existing land use will be different from the land use designated on the Future Land Use Map or instances when the existing land use will be different than the zoning on a property. For example, there could be a residential home on a property zoned for commercial uses and also designated on the Future Land Use Map for commercial uses. In these instances, a proposal can provide a phased approach whereby screening and/or landscaping provided could be adjusted along the common boundary once the residential property was redeveloped with commercial uses (ex. wooden screening fence with shrubs then gets removed to provide cross access between commercial parcels).

TRANSITIONAL AREAS

A key topic during the comprehensive plan drafting process was the need for guidance related to proposals for transitional developments, especially as it concerns developments proposed with lots smaller than 20,000 square feet. Although residential developments with large lots are very common in Colleyville and are still being proposed for new construction, as the city approaches build out, many new residential neighborhoods have come under the Planned Unit Development - Residential (PUD-R) zoning district. PUD-Rs provide some level of variation with respect to lot sizes and development standards while giving the City more control over the development character, treatment of transitions, and overall quality of the development.

) theoretically true, but previous councils have not used it that way

Mayor Newton's Comments

Future Land Use Map Framework

GOAL

Maintain the integrity of the existing land uses by ensuring the Future Land Use Plan map and categories reflect the land use mix and character of desired development.



Policy: Establish appropriate future land use categories in the City's Future Land Use Map (FLUM).

The Future Land Use Map (FLUM) provides a roadmap indicating future areas within the city that are comprised of similar or compatible land uses. This "preferred future" provides guidance to City staff, appointed and elected officials, land and business owners, the public, and private developers as to what types of development are desirable in different parts of the city (see Map 8.1, *Future Land Use Map*, on the next page).

As its core, the FLUM helps to implement the preferred future by providing decision-making guidance. The FLUM strikes a balance between ensuring predictable outcomes for the community at large while responding to community needs.

Therefore, it becomes important to have and implement a FLUM that is supported by the community, and that truly reflects the envisioned future of the Colleyville community. If this support is comprehensive, the vision of the FLUM can be implemented.

The following section provides descriptions of the intended uses and character of development within these future land use categories. This is intended to guide the development community with respect to the community's consensus vision for development within each land use category.

The recommended FLUM includes the following land use categories:

- Residential
- Commercial
- Institutional
- Parks and Open Space
- Colleyville Boulevard Corridor (CBC)

— why is Prescott Line commercial area not considered?

use why in the
little focus on
present time ~~concerned~~ ^{about}



Mayor Newton's Comments

Residential

This land use category is predominantly comprised of single-family detached residential dwellings. The preference for new residential areas is that they preserve rural character along John McCain Road, Westcoat Drive, Pleasant Run Road, Bransford Road, and similar roadways, and that they incorporate landscaping and tree preservation features to retain the natural quality of new residential areas in the city. Residential areas typically include:

LAND USE TYPES

- Detached residential
- Parks, trails, and open space

DESIRED DEVELOPMENT CHARACTERISTICS

- Predominantly single family residences on lots over 20,000 square feet with natural landscaping, a rural appeal, and significant private open space.
- Overall aesthetic is country charm, exemplified by large open spaces, mature trees, and rustic ranch fences in some areas of the city – especially along rural roadway corridors such as Westcoat Drive, Pleasant Run Road, and Bransford Road.
- High-quality development with attractive entrance areas and amenities (e.g., internal walking trails).
- Appropriate transitions (e.g., one-story offices) between residential and non-residential areas.

• Open space adjacent to roads to create feeling of openness

Pleasant Run Road, Bransford Road



Mayor Newton's Comments

High Quality Buildings and Streetscapes

This land use category is to promote the transformation of Colleyville Boulevard into a vibrant and economically strong "town center" for the City. While still readily accessible via the automobile, more compact and walkable development types will create a distinct sense of place. The Colleyville Boulevard Corridor includes:

LAND USE TYPES

- Retail, service, and entertainment
- Office
- Public and institutional uses
- Flexible innovation uses (e.g., research, office-warehouse, etc.)

DESIRED DEVELOPMENT CHARACTERISTICS

- Architecture and site characteristics that are distinct, attractive, and have a pedestrian-friendly urban form.
- Able to accommodate a high degree of automobile activity, but parking is not the predominant visual feature from adjacent streets.
- Significant connectivity through cross/mutual access easements and multi-modal options (biking and walking).
- Design encourages a high degree of pedestrian activity, oftentimes during both the day and night.
- Institutional functions may require multiple buildings, arranged in a campus-like setting.
- Building facades are articulated, have significant window areas, and often include porticos or awnings to provide shade for pedestrians.
- Multistory buildings are encouraged to add a greater variety of destinations and uses in close, walkable proximity. This in turn leads to an increased vibrancy for the area and more available commercial development square footage.



but we need ~~just~~ plenty of parking so as not to inhibit customers

COLLEYVILLE 2035 COMPREHENSIVE PLAN

DESTINATION COLLEYVILLE

123

how to?

the single most important beautification project would be
be lowering the skyline (which is now purely electoral)
Shouldn't this be a strategy even if it's done a little at a time?

Mayor Newton's Comments

so what are we going to do about it?

- **Northern Gateway** (Bear Creek to Tonnison Parkway)
- **Upper Sector** (Tonnison Parkway to Hall-Johnson Road)
- **Central Sector** (Hall-Johnson Road to Brown Trail)
- **Southern Gateway** (Brown Trail to Cheek-Sparger Road/Mid-Cities Boulevard)

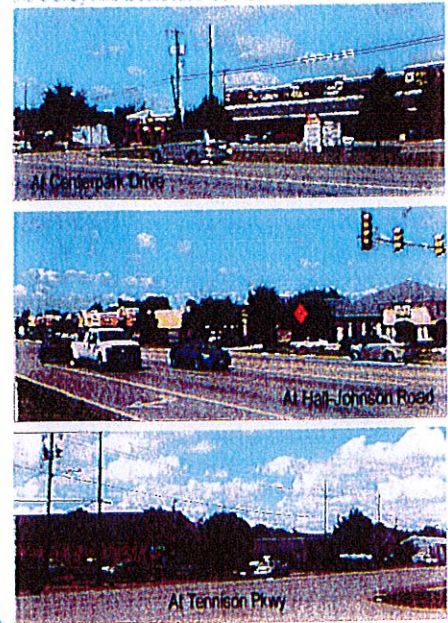
The development context along the Corridor is a mix of older auto service, industrial development mixed in with newer office, professional services, and retail buildings towards the northern sectors of the corridor. The Central Sector has the highest concentration of newer retail developments, many of which have been built or significantly redeveloped over the past 15 years. The lower or southernmost portion of the Corridor also has smaller and aging auto-service and strip retail buildings. Generally, there are very few vacant or undeveloped properties, but a large agglomeration of vacant properties is located in the northern section of the Corridor (see Map 9.2, Colleyville Boulevard Corridor and Sectors).

The Corridor is mostly auto-oriented, with buildings set back from the roadway and parking located in front of the buildings between the roadway and the buildings. Most of the corridor also lacks sidewalks and safe places to walk. Shoulders, if any, are very narrow with swales immediately adjacent to them. Most of the Corridor also has overhead utility lines and poles that add to the visual clutter. (see Figure 9.1. Character of Existing Development along the Colleyville Boulevard Corridor.)

Although it is clear when traveling down Colleyville Boulevard that it is a center for activity and commerce, there are no clear signs that the Corridor is Colleyville's

main destination or that it is specifically in Colleyville either. There is a patchwork of architectural styles and materials, some properties lacking landscaping while others provide abundant and tasteful landscaping. There are no distinguishing features that indicate when one has entered or left the city other than two Colleyville monument signs. Appendix A provides more detailed discussion about the existing land use context and development character in the different sectors of the Corridor.

Figure 9.1. Character of existing development along the Colleyville Boulevard Corridor



Mayor Newton's Comments

Figure 9-2 Examples of public realm improvements along the corridor



- » Screening of parking lots with shrubs or low walls
- » Street lighting standards (pedestrian and vehicular lighting)
- » Drought tolerant landscape palette for parkways and medians that includes ornamental and shade trees in addition to shrubs and ground cover
- » Sidewalk and pedestrian amenities
- » Special treatment of intersections and pedestrian crosswalks with stamped concrete or asphalt
- Develop a strategy to address the visual appeal and character of all public realm elements of the Corridor.
 - » Based on existing development, future development, and the ultimate vision for redevelopment along the Corridor, specific locations (such as the Central Sector) should be considered a priority for public realm improvements.
 - » To minimize the visual impact of overhead utilities on the Corridor in the short-run, canopy or ornamental trees should be planted in between the utility lines and the travel lanes to shield them. Long-term, the City should possibly evaluate a range of funding options and partnerships including zoning entitlements such as mix and intensity of uses, developer's agreements, Chapter 380 agreements, tax increment financing (TIF) reimbursements, and other incentives.
- Encourage the creation of unified sign plans for large development projects to enhance the character of development along the Corridor.

*need stated position & strategy
for eliminating overhead utilities*

What about
Love to
Painting

Mayor Pro Tem Putnam's Comments

- deluxe CP*
- There is an opportunity to provide for a range of options for the Colleyville Community. While Colleyville's predominant attraction is the city's beautiful neighborhoods, a growing segment of the population is increasingly interested in connecting residential properties to amenities such as trails, parks, shopping, and dining areas that promote social experiences.

- Colleyville's demographics continue to change. As noted in The Colleyville Plan (2004–2025), the median age of the city's residents continues to become older, increasing from around 40 years in 2000 to 45.5 in 2010 and 45.6 in 2013. This gradually aging population may begin to impact the types of retailer, entertainment, and dining prospects for the commercial areas of Colleyville.

Building on the City's Strengths and Unique Opportunities

This plan fully recognizes the unique strengths of Colleyville and builds on them. These are discussed in detail in subsequent sections of the plan, but include:

- The city has a great location. In addition to being only five miles from DFW International Airport, Colleyville benefits from a back-door, direct connection that provides easy access to the airport for residents and local businesses. Additionally, the city benefits from newly improved freeways that provide quick access to the entire region.
- Colleyville Boulevard provides an opportunity for economic growth. When proposed improvements by the Texas Department of Transportation (TxDOT) including the turnback to city for maintenance are completed, Colleyville Boulevard will have improved traffic capacity. Better defined access points from

Colleyville Boulevard to adjacent commercial areas will provide opportunities to improve connectivity between developments. Planned walkways will also make walking and bicycling along Colleyville Boulevard more feasible, and additional aesthetic improvements will help create a true sense of place along much of the Corridor.

- The city has character and exceptional natural areas. Colleyville is known for the beauty of its neighborhoods. Its tree-lined roadways are complemented by stunning homes and pastures that contribute to Colleyville's "country feel." Natural and semi-natural areas such as Big Bear Creek and Little Bear Creek create spectacular amenities right within the core of Colleyville. Similarly, the Cotton Belt Trail corridor provides access to semi-natural areas and a corridor near the core of the city.
- Non-residential redevelopment provides opportunities to further shape the city. While much of Colleyville has been developed, a new round of redevelopment or enhancement of existing development, especially along Colleyville Boulevard, is already beginning to take place. Each project offers the opportunity to promote and reinforce the environmental character and connectivity goals established by this plan.

not necessary

- what about Ancient 2nd Rd - we have available commercial streets there as well

Not a material & justification for higher density

Mayor Pro Tem Putnam's Comments

Plan Principles

Although the vision has remained the same, the path to achieve it has to keep up with a changing environment. Continued outward expansion from the DFW Metroplex increases the scale and intensity of growth pressures being felt in Colleyville, not to mention a host of fundamental changes in the world around us.

Based on long-standing community input from previous planning efforts, as well as this one, a new set of plan principles were developed to ensure Colleyville continues progression toward its envisioned future. These plan principles provide the fundamental framework for the analysis and recommendations discussed throughout the rest of this plan. They include:

- **Preservation of neighborhoods.** Colleyville is a superb place to live. Its neighborhoods are beautiful and housing is attractive and very well maintained. All neighborhoods have attractive natural settings or an emphasis on significant landscaping. Amenities are plentiful, both within neighborhoods and nearby. First and foremost, Colleyville's neighborhoods, both existing and yet to come, should remain among the very best in the entire region.
- **Enhancing Colleyville's economic resilience.** The diversification of Colleyville's tax base is key to enhancing the city's economic status. Proactive strategies are necessary to improve on what is already an excellent financial position. It may be necessary to fund the type of management, maintenance, and investments in the future that the Colleyville community has asked for. Encouraging non-residential development that provides that strong resource underpinning is vital to the future of the city. This may include increasing the value of development in key areas, such as the areas along Colleyville Boulevard, at the northern gateway to Colleyville, and along the city's edges at Precinct Line Road and State Highway 121.
- **Creating a connected Colleyville.** The Colleyville community expressed their interest in a completely connected city, where major destinations such as parks, schools, retail, dining and civic facilities are all easy to get to in a variety of modes and not only by driving. This goal was echoed repeatedly throughout the planning process. Whether walking or riding a bicycle, a comfortable and safe network (which is well underway) should be completed. Colleyville has the opportunity to make additions and improvements to the network that can have significantly positive effects on quality of life.
- **Enhancing Colleyville's character and brand.** The Colleyville community wants to preserve its unique character and country feel while reinforcing this aesthetic into creating a special brand that sets the city apart.
- **Securing the economic spine of the city.** Through high-quality infill development, more walkable and urban-scaled buildings, and the strategic placement of parking in less visible locations, the Colleyville Boulevard Corridor can gradually evolve into a more identifiable special place. The Colleyville community expressed significant interest in moving forward with this throughout the planning process.
- **Enhancing amenities and services.** In city-wide surveys over the years, the Colleyville community has expressed their appreciation for the effective infrastructure that they have. They are interested in quality over quantity, ensuring that amenities, such as parks and the library, and services, such as public safety and utility infrastructure, are all high quality and provide great value to the community.

*Urbanism
nonsense*

Mayor Pro Tem Putnam's Comments

Summary of Plan Element Goals & Policies

The goals, policies, actions, and benchmarks identified below are explored in further detail in the following chapters in this plan:

Economic Sustainability Chapter 4



Goal:

Expand the retail base and diversify the local economy to strengthen Colleyville's position in the region and increase its attractiveness as a high quality place to live, work, and play.

Policies

1. Redevelop – Encourage commercial redevelopment opportunities consistent with Land Use and Placemaking policies.
2. Recruit – Continue to promote Colleyville as an excellent and convenient place to locate a business.
3. Retain – Continue to support existing business development opportunities and initiatives.

Benchmarks

- Increased traffic to the City's Economic Development webpage.
- Increased and encouraged engagement in business networking activities.
- Increased sources for sales tax revenue.

Transportation Chapter 5



Goals:

Maintain the existing street network that encourages efficient and pleasant movement of all modes in the city with a focus on improving strategic vehicular, pedestrian, and bicycle connectivity at key locations.

Balance the need for efficient movement with promoting and protecting the unique character of the city's established roadways.

Policies

1. Implement the Master Thoroughfare Plan.
2. Explore opportunities to improve connectivity within and between neighborhoods and developments (especially along the Colleyville Boulevard Corridor and adjoining neighborhoods).
3. Balance traffic volume, capacity, and mobility needs with the preservation and/or creation of character along city streets.

Benchmarks

- Additional facilities constructed to connect key destinations by walking and bicycling.
- Additional intersection improvements completed.
- Increased number of cross access points between existing and future developments where appropriate.

Mayor Pro Tem Putnam's Comments

- **Action 4-4: Continue to identify the types of prospective businesses (retailers, restaurants, and office uses) that will complement Colleyville's market context.**

The City has already recruited several quality retailers and restaurants. Continuing to use this strategic approach by communicating the strength of the city's economic development opportunities and incentives to prospective new retailers and restaurants, will be the key to maintain the current momentum. This could include continuing coordinating meetings at local and regional conferences, organizing annual Retailers Roundup events, etc.

- **Action 4-5: Continue to pursue and strategically develop high quality lodging-related uses within the city.**

As part of a larger effort to increase long-term tax revenue, the City should target hospitality-related uses to attract tourists and visitors. This will support leisure and corporate recruitment and retain visitor spending. In addition, the City should explore integrating conference/meeting space to attract out-of-town guests and increase spending on hotels, restaurants, and local shopping for additional tax revenue. In addition to providing direct jobs within the community, hotels and other lodging-related uses provide the city with hotel occupancy tax revenue and other complementary benefits that can be utilized to fund additional marketing and promotional materials or events.

- **Action 4-6: Establish partnerships to create a business incubator or accelerator to support start-ups and local businesses within the city.**

In addition to national credit retailers and established chain restaurants, it will also be important for the City to support a program to incubate new local businesses in an effort to diversify the city's commercial base.

A small business incubator or accelerator is a facility that provides small, start-up businesses with temporary space and shared business support services. An overarching goal of an incubator or accelerator is to enhance the entrepreneurial climate within the city and to create jobs that can lead to growth and expansion. The focus is on helping new businesses overcome the common problems that cause a business to fail within its first four years of existence. These include poor management, lack of funding, and inadequate marketing.

Although it is normal that small business start-ups have a high failure rate, the City can support the Chamber of Commerce and others in efforts to increase their chances of success. Led by the Chamber, this can include, but is not limited to, temporary office space, office services (e.g., copying, printing, faxing, computers, and high-speed Internet access), etc.

WHAT IS A BUSINESS INCUBATOR or ACCELERATOR?

A business incubator or accelerator is a business support process that accelerates the successful development of start-up and fledgling companies by providing entrepreneurs with an array of targeted resources and services.



Source: National Business Incubation Association, www.nbia.org

Not our
role
CF

Mayor Pro Tem Putnam's Comments

Complete Streets

A "Complete Street" provides access for all users, including motor vehicles, bicycles, and pedestrians. Users of all ages and abilities are able to move safely along and across a Complete Street.¹ Benefits of Complete Streets include:

- Creation of more efficient streets that do not depend on one single mode of mobility; ?
- Ensuring that current and future street improvements, by any entity (private or public), consider providing balanced access to non-vehicular modes, as well as vehicles;
- Greater attention being paid to streetscape elements such as crosswalks, street lighting and

¹ National Complete Streets Coalition, <http://www.smartgrowthamerica.org/complete-streets/complete-streets-fundamentals/complete-streets-faq>

furniture, pedestrian crossings, wide sidewalks, street trees, promenades, and accessibility ramps;

- Helping create a healthier and more vibrant community by encouraging walking and bicycling by residents and visitors of all ages; and
- Providing access for younger residents of the city to walk or ride a bike to school, leading to more active youth in Colleyville. safety

In Colleyville, the rural cross-section found on many well-loved streets creates challenges to providing facilities for pedestrians and bicyclists. However, considerations to provide for such facilities where appropriate and feasible are recommended for every street on the Master Thoroughfare Plan.



An example of a proposed Complete Street in Sugar Land, Texas.

Discussion of Comprehensive Plan Updates

Worksession
December 14, 2016

Agenda

- Overview of the Update Process
- Review updates by page (38 pages updated)
- Discussion of any additional updates or changes
- Discussion of next steps

Objectives

- City Council to provide direction on all amendments to the Comprehensive Plan
- Determine how the amendment process will move forward

Update Themes

- Change from **"gross" to "net" density** (dwelling units per acre)
 - Effect: Lower density overall by removing 15% of developable land
- Remove references to **"transitional areas"**
- Protect the integrity of **existing neighborhoods**
 - Establish a goal for protecting existing neighborhoods
- Add language that the City initiate **rezonings** based on the Comprehensive Plan to eliminate areas that are zoned for small lots, but have developed with large lots
- Only **private parks** available to the entire community may be considered in the overall computation of Level of Service (LOS)

Update Themes

- Clarifications
 - Roads where added to discussion (pg. 38 and 47)
 - Low Impact Development – LID (pg. 109)
 - Floodplains – recommended adding additional regulations (pg. 154)
 - Revise PUD-R standards to help implement the Comprehensive Plan's vision – for example consistency standards for new neighborhoods (pg. 86 and 170)
 - Revise LDC standards for conceptual plans with straight zoning requests (pg. 154)
- Appendix A and B would be moved out of the Comprehensive Plan and be kept as standalone documents

Comp Plan Chapter Outline

1. Introduction
2. Colleyville Context
3. Plan Framework
4. Economic Sustainability
5. Transportation
6. Housing and Neighborhoods
7. City Services
8. Future Land Use
9. Character and Placemaking
10. Implementation and Next Steps
11. Appendix A
12. Appendix B

*Yellow Highlight
Indicates a Change*

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines DESTINATION COLLEYVILLE - EXECUTIVE SUMMARY

Colleyville is one of the premier places to live in the greater Dallas-Fort Worth (DFW) Metroplex. The city is well known for its great neighborhoods, excellent schools, and well-maintained parks and amenities, all located with convenient access to regional employment destinations such as DFW International Airport, Downtown Fort Worth, Las Colinas, and Downtown Dallas.

This comprehensive plan reflects the vision for the Colleyville of tomorrow. It has been crafted from community input over the course of more than a year. It builds on the strengths of the city today and identifies the framework for key decisions and actions that will guide Colleyville over the next two decades to make that vision become a reality.

The Colleyville community recognizes and cherishes the strengths of the city and wants to preserve and enhance those qualities. The community wants to make Colleyville *the* destination of choice for those seeking a vibrant place to live, work, or play with a high quality of life. *A key strength of Colleyville is the high quality, low density neighborhoods. A goal of the plan is to define strategies to protect and maintain the quality and character of those neighborhoods. It is recognized that there will be tremendous pressure to redevelop them into higher density housing that will not distinguish Colleyville from its neighbors.* This plan reinforces and builds on the principles and values that have historically guided decisions in the city, but it also updates policies on new topics since the previous plan's adoption.

Destination Colleyville contains the following framework that encompasses the goals and policies of the Plan:

- Preservation of neighborhoods.
- Enhancing Colleyville's economic resilience.
- Creating a connected Colleyville.
- Enhancing Colleyville's character and brand.
- Securing the economic spine of the city.
- Enhancing amenities and services.

The Plan then translates these framework principles into key goals for economic stability, transportation, housing and neighborhoods, City services and facilities, future land use, and character and placemaking. Each of these elements includes goals, policies, actions and benchmarks which are based on Colleyville's unique context and community input.

More specifically, this Plan details the future vision for Colleyville Boulevard. Colleyville Boulevard is not only the city's main economic engine, but is also the key to defining the character of Colleyville. It provides access to entertainment and boutique retail destinations, as well as meeting the day-to-day needs of the residents who live in the city. One of the major goals of this comprehensive plan update is to address the redevelopment and enhancement of properties along Colleyville Boulevard to create a cohesive development character, while recognizing key nodes or areas as special places with greater concentration of commercial/retail uses in a more pedestrian-friendly context.

This Plan emphasizes implementation as a key for its success. Implementation in the Plan's context is aligning the policies in this plan with the city's regulatory, infrastructure, operational, and fiscal tools. In moving forward, this Plan and associated principles and goals help the community prioritize the city's actions in addressing its many competing needs and requests. *Destination Colleyville* guides the city into its bright future, setting the stage for continued success.

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DESTINATION COLLEYVILLE

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The Colleyville community recognizes and cherishes the strengths of the city and wants to preserve and enhance those qualities. The community wants to make Colleyville *the* destination of choice for those seeking a vibrant place to live, work, or play with a high quality of life. *A key strength of Colleyville is the high quality, low density neighborhoods. A goal of the plan is to define strategies to protect and maintain the quality and character of those neighborhoods. It is recognized that there will be tremendous pressure to redevelop them into higher density housing that will not distinguish Colleyville from its neighbors.* This plan reinforces and builds on the principles and values that have historically guided decisions in the city, but it also updates policies on new topics since the previous plan's adoption.

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezonings
- 5) Private Parks
- 6) Clarifications



Comprehensive Plan Amendments

Further, the plan projected that the city's annual growth rate would slow to 1.25 percent during the years 2011 through 2015, decrease even further to 0.75 percent for the years 2016 through 2020, and decrease further to 0.50 after 2020. During the past five years (2010 to 2014), the city's actual annual growth rate was 0.81 percent.

With fixed boundaries and an increasingly limited amount of land remaining available for development, Colleyville is getting closer to its maximum population.

Population Estimate

While it would be easy to simply utilize the estimate that was contained in The Colleyville Plan (2004-2025), there have been many changes in the city that have occurred since then. First is that the city, like the rest of the country, has been impacted by a significant recession. While this may not have had as great of an impact on Texas cities as elsewhere, it has resulted in changes in consumer preferences (regarding housing, debt, driving and commuting preferences, among others). The city has also had 10 additional years of development which means there is less land available for development. Therefore, it was determined that

an analysis, using a similar methodology as was used in The Colleyville Plan (2004-2025), would further quantify the city's maximum population.

First, areas within the city that had sufficient acreage (approximately 3 acres or larger) and characteristics for potential redevelopment were identified. These areas equaled about 492.7 acres or 0.77 square miles out of 13.10 square miles. Second, an analysis of both the city's current Future Land Use Map (adopted 2004) and the draft Future Land Use Map contained within this plan were undertaken. Both maps identified that a majority of these potential areas are classified as single-family detached residential.

~~In The Colleyville Plan (2004-2025), the low and high estimates were calculated using an average residential density factor of 1.8 (base estimate) and 3.5 dwelling units per acre (high estimate). The estimate below was (see Table 2.1, Population Forecast) prepared using the following calculation:~~

$$[(\text{acres}) \times (\text{net density}) \times (\text{occupancy rate}) \times (\text{household size})] + [(\text{vacant platted lots}) \times (\text{household size})] + (\text{current population estimate}) = \text{population forecast}$$



Population growth stabilizes as the city has fewer and fewer parcels remaining for development.

~~In The Colleyville Plan (2004-2025), the low and high estimates were calculated using an average residential density factor of 1.8 (base estimate) and 3.5 dwelling units per acre (high estimate). The estimate below was (see Table 2.1, Population Forecast) prepared using the following calculation:~~

$$[(\text{acres}) \times (\text{net density}) \times (\text{occupancy rate}) \times (\text{household size})] + [(\text{vacant platted lots}) \times (\text{household size})] + (\text{current population estimate}) = \text{population forecast}$$

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines

The result indicates that the city could reach a population of ~~27,943~~ 27,518 people depending on the development that occurs over the next 20 years and beyond. The city can feasibly accommodate this population growth by utilizing sound land use planning and associated implementation tools. The differences in population should not have a significant impact on the city's ability to provide services or meet infrastructure needs.

Table 2.1, Population Forecast

Acreage ¹	Density	Vacant Platted Lots ²	Household Size ³	Occupancy Rate ⁴	Projected Maximum Population ⁵
49,227 418.8 +/-	1.8	600	2.88	96.9%	27,943 27,518 people

Notes:

¹ The identified acreage is based on an analysis of property that is of sufficient size, shape, and characteristics to be potentially redeveloped during this planning horizon. A 1.5 percent reduction to the gross acreage has been applied to calculate net acreage. This reduction is for right-of-way.

A net density of 1.8 dwelling units per acre produces 24,200 square foot lots.

² Is an approximate estimate of residentially zoned and platted lots that are currently vacant or under construction.

³ Household size is from the U.S. Census Bureau 2010 Decennial Census: Profile of General Population and Housing Characteristics: 2010.

⁴ Occupancy Rate is from the U.S. Census Bureau 2010 Decennial Census: Profile of General Population and Housing Characteristics: 2010.

⁵ The projected maximum population is derived by adding the estimated increase in population to the current population of 23,740 people.

The result indicates that the city could reach a population of ~~27,943~~ 27,518 people depending on the development that occurs over the next 20 years

Net Acreage ¹	Net Density	Vacant Platted Lots ²	Household Size ³	Occupancy Rate ⁴	Projected Maximum Population ⁵
49,227 418.8 +/-	1.8	600	2.88	96.9%	27,943 27,518 people

Notes:

¹ The identified acreage is based on an analysis of property that is of sufficient size, shape, and characteristics to be potentially redeveloped during this planning horizon. A 1.5 percent reduction to the gross acreage has been applied to calculate net acreage. This reduction is for right-of-way.

A net density of 1.8 dwelling units per acre produces 24,200 square foot lots.

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines

Housing & Neighborhoods Chapter 6



Goals:

Preserve high quality, established neighborhoods with an emphasis on large lots and natural settings with a "country feel."

Connect neighborhoods and provide high quality amenities.

Policies

1. Preserve neighborhood character and quality.
2. Enhance neighborhood-level amenities and connectivity such as pocket parks, sidewalks, and trails.
3. Require new neighborhood developments to demonstrate and contribute to Colleyville's character.
4. Ensure tree canopies and quality landscaping are created and maintained.
5. Maintain "current built" density or less in existing neighborhoods as redevelopment occurs.

Benchmarks

- Improved access to neighborhood-level park improvements.
- Increased number and quality of neighborhood-level amenities and connections (ex. trails).

City Services & Facilities Chapter 7



Goal:

Maintain an exceptional system of City services and facilities that is technologically current, efficient, and responsive to the needs of the Colleyville community.

Policies

1. Continue to maintain and improve the City's facilities as appropriate.
2. Continue proactive and effective public services to ensure the public health, safety, and welfare of the Colleyville community.
3. Provide and maintain a well-planned and fiscally sustainable public infrastructure.
4. Proactively support efforts to promote green initiatives for fiscal resilience.

Benchmarks

- Additional facility improvements completed.
- Maintained a minimum 90 percent level of satisfaction among the community with City services.
- Maintained or improved current response times for Police and Fire services.
- Additional infrastructure improvements completed.

4. Ensure tree canopies and quality landscaping are created and maintained.
5. Maintain "current built" density or less in existing neighborhoods as redevelopment occurs.

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Future Land Use Chapter 8



Goal:

Maintain the integrity of the existing land uses by ensuring the Future Land Use Plan map and categories reflect the land use mix and character of desired development.

Policies

Establish appropriate future land use categories in the City's Future Land Use Map (FLUM):

- Residential
- Commercial
- Institutional
- Parks and Open Space
- Colleyville Boulevard Corridor (CBC)

Character & Placemaking Chapter 9



Goal:

Ensure high quality neighborhood design at a net density of 1.8 dwelling units per acre or less that positively contributes to surrounding neighborhoods and the country character of Colleyville.

Enhance the city's commercial corridors to make them unique destinations – specifically Colleyville Boulevard and Precinct Line Road – by creating a unique design aesthetic that sets these corridors apart from adjoining communities and continues to attract destination commercial uses.

Policies

1. Preserve the "country-feel" of roadways.
2. Ensure compatibility of new neighborhoods with existing neighborhoods and connectivity with adjoining developments where appropriate.
3. Create a plan to coordinate the public realm and private development standards for the Colleyville Boulevard Corridor with a strong and unique sense of place that transforms the Corridor into a true destination.
4. Create a unique commercial corridor for Precinct Line Road.

Character & Placemaking Chapter 9



Goal:

Ensure high quality neighborhood design at a net density of 1.8 dwelling units per acre or less that positively contributes to surrounding neighborhoods and the country character of Colleyville.

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Figure 4.4. Businesses Needed in Colleyville

As part of the city-wide survey administered during this comprehensive planning process, participants identified the following types of businesses that were needed in the city. These expressed "needs" by community residents can contribute to additional sales tax dollars and revenues for the city.

- **Small retail stores / boutiques** – 48.3 percent of respondents felt that more small retail / boutique stores were definitely needed (15%) or somewhat needed (33.3%).
- **Medium-sized retail stores** – 77.7 percent of respondents felt that medium-sized retail stores were definitely needed (34.0%) or somewhat needed (43.7%).
- **Large retail stores** – 56.1 percent of respondents felt that large retail stores were definitely needed (30.6%) or somewhat needed (25.5%).
- **Professional services** – 42.5 percent of respondents felt that additional professional services (e.g., medical, legal, health, beauty, etc.) were definitely needed (10.2%) or somewhat needed (32.3%). Conversely, almost 40 percent felt that more of these services were not needed.
- **Sit-down restaurants** – 85.2 percent of respondents felt that additional sit-down restaurants were definitely needed (45.2%) or somewhat needed (40.0%). Conversely, 50.4 percent felt that more fast food services were not needed.
- **Mixed-use developments** – 47.0 percent of respondents felt that mixed-use areas were definitely needed (16.2%) or somewhat needed (30.8%).

Source: Community responses from the 2014 city-wide opinion survey

Policy: Recruit – Continue to promote Colleyville as an excellent and convenient place to locate a business.

Businesses are attracted to locations that are vibrant and offer a high standard of living for their management and staff. Businesses with specialized professional staff, in particular, favor walkable and vibrant locations that help them attract top talent. Colleyville can readily be promoted as a place where it is easy to live, work, play, and stay. The City's neighborhoods and schools are already top-notch and can help recruit businesses to the City in conjunction with the City's incentive policy and Economic Development Strategic Plan.

There are limited locations within the City for new, quality, commercial development. It will be imperative to ensure that the City can maximize this new commercial development potential to the extent possible. Details on the design and quality considerations are included in Chapter 9.

- **Action 4-3: Continue to pursue new commercial development in the Colleyville Boulevard Corridor, Precinct Line Road, S.H. 121, and other appropriate locations.**

Pursuing new, quality, commercial development in the Colleyville Boulevard Corridor, specifically at the Northern Gateway, and the Precinct Line Road Corridor, is a priority to increase commercial tax base, and to reduce retail sales leakage to other cities within the region. Catalyst's assessment identified the capacity for an additional 303,000 square feet of retail goods and services by 2024 (see Figure 4.4. *Businesses Needed in Colleyville* on the left).

Historically, the City has absorbed an average of 6,000 square feet of professional office space and current absorption is close to 15,000 square feet with vacancy near 7%. Additional opportunities in Colleyville would be for boutique corporate headquarters. Overall, forecasts show that demand for quality office will continue to increase. The addition of quality professional office uses will not only capitalize on the areas available highly educated workforce but also provide additional daytime visitors that can increase sales at Colleyville's stores and restaurants.

- **Action 4-3: Continue to pursue new commercial development in the Colleyville Boulevard Corridor, Precinct Line Road, S.H. 121, and other appropriate locations.**

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezonings
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Character of Streets

The community identified the country character associated with driving along roads within and throughout Colleyville as one of the community's key strengths. The old county roadway system that previously existed in most of the neighboring communities eventually gave way to multi-lane improvement projects. However, in Colleyville, significant sections of the old county roadway system have been retained and generally function today as

the collector streets. Many of the existing roadways in the city contain signature elements (e.g., mature trees, rural fencing, open swales, etc.) that create a unique character which sets Colleyville apart from many of the surrounding communities. See Figure 5.1, *Existing Streets With Character*. Some of these streets include sections of Pleasant Run Road, Cheek-Sparger Road, Jackson Road, Oak Knoll Drive, Westcoat Drive, Bransford Road, [Glade Road](#), John McCain Road, and McDonnell School Road.

Figure 5.1. Examples of Existing Streets With Character



Fencing and open space as signature elements



Mature trees and no curbing as signature elements



Open swales and no curbing as signature elements



Fencing and woodlands as signature elements

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With Character. Some of these streets include sections of Pleasant Run Road, Cheek-Sparger Road, Jackson Road, Oak Knoll Drive, Westcoat Drive, Bransford Road, [Glade Road](#), John McCain Road, and McDonnell School Road.

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines



During the planning process, the Colleyville community frequently noted their appreciation for the roundabouts that have been installed in recent years, and asked that those improvements continue. The photo depicts the roundabout installed at the intersection of Glade and Pool Roads.

Policy: Explore opportunities to improve connectivity within and between neighborhoods and developments (especially along the Colleyville Boulevard Corridor and adjoining neighborhoods).

As Colleyville developed, many neighborhoods were built with only one or two vehicular access points and frequently lacked vehicular connections to nearby neighborhoods. In recent years, many newer developments have been built in the same manner, forcing all traffic out to the nearby collectors or arterials. In places where higher capacity collectors and arterials are available, this may be acceptable. However, with the desire to maintain a rural character in Colleyville, this design arrangement simply increases the burden on the city's collectors and arterials. Similarly, many commercial developments were designed without internal connectivity to adjacent parcels. [The Land Development Code has been amended to ensure internal connectivity and cross access for all new development.](#)

In addition, there is increasing desire on the part of Colleyville residents to be able to walk or ride a bicycle to nearby destinations. Access to sidewalks and trails for both recreation and mobility is becoming an important element of quality of life for many communities, especially for Colleyville. The Colleyville community has expressed this desire repeatedly, going back to the 1998 Plan, The Colleyville Plan (2004–2025), and most recently as part of the 2011 Parks, Recreation & Open Space Master Plan.

Given the narrow pavement sections and the desire to maintain the rural character of drainage swales along many streets, the preferred solution to improve connectivity for both bicyclists and pedestrians is to expand the city's system of trails that parallel many streets. These trails are typically 10-feet wide and can carry low to medium volumes of both bicyclists and pedestrians concurrently (as long as high-speed bicycle travel is not antipated). Since there is a growing interest in walking and bicycling, every neighborhood in Colleyville should have comfortable and appealing options for users to walk or ride to nearby destinations.

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Chapter 5 | TRANSPORTATION

As Colleyville developed, many neighborhoods were built with only one or two vehicular access points and frequently lacked vehicular connections to nearby neighborhoods. In recent years, many newer developments have been built in the same manner, forcing all traffic out to the nearby collectors or arterials. In places where higher capacity collectors and arterials are available, this may be acceptable. However, with the desire to maintain a rural character in Colleyville, this design arrangement simply increases the burden on the city's collectors and arterials. Similarly, many commercial developments were designed without internal connectivity to adjacent parcels. [The Land Development Code has been amended to ensure internal connectivity and cross access for all new development.](#)

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines Housing and Neighborhoods

Colleyville is widely known for the high quality of its neighborhoods. Colleyville residents enjoy quiet internal neighborhood streets with little traffic, mature trees, extensive green areas, nearby parks and other amenities, and access to some of the best schools in the entire DFW Metroplex region. The city's crime rate is extraordinarily low, and residents can also rest assured that their investment in their property will retain its value over the years. As a result, Colleyville continues to be one of the most desired places to live.

The character of existing neighborhoods can be defined by the of the width of its streets, the size and number of trees, size of the front yards, sidewalks, and neighborhood amenities such as parks and trails, which all culminate into the creation of a true sense of place. Retaining the value and quality of neighborhoods is one of the single most important priorities of the Colleyville community.

Since much of the city consists of existing residential neighborhoods, Colleyville's long-term future is inextricably tied to its housing quality and conditions. In the 1970's areas of high density zoning were approved. However, these areas have developed at a much lower density. In order to preserve these neighborhoods, the City must have a policy to rezone the higher density zoning designations to a lower density which is consistent with the built conditions. If a policy is not implemented, these areas may redevelop at a higher density, thereby destroying the character and quality of the neighborhood. While one challenge is to protect and preserve existing neighborhoods, another is to ensure future housing further strengthens the city's status in the DFW Metroplex region. In the city's mature existing neighborhoods, housing exhibits a rural character accessed by rural roadways. In these areas, increased access to quality-of-life amenities (e.g., improved walkability, recreation, etc.) is important. In new neighborhoods, tree preservation, high quality layout and design should be a minimum requirement to ensure that these important amenities are considered while creating neighborhoods that have a sense of character. Each of these

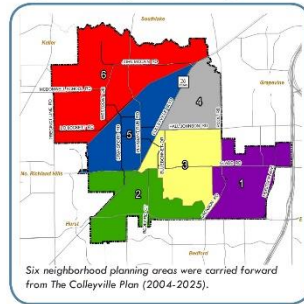
considerations, if done well, strengthens the character of the city which is so important to the Colleyville community.

Neighborhood Planning Areas

During the planning process for The Colleyville Plan (2004-2025), the city was divided into six neighborhood planning areas to help facilitate participation and planning. The boundaries of the six planning areas were chosen based on the service areas of the existing homeowner associations, as well as physical features such as major streets, railroads, and creeks.

Destination Colleyville uses the same six neighborhood planning areas to facilitate discussions and develop strategies to enhance neighborhoods in all parts of the city.

Figure 6.1. Six Neighborhood Planning Areas



The character of existing neighborhoods can be defined by the of the width of its streets, the size and number of trees, size of the front yards, sidewalks, and neighborhood amenities such as parks and trails, which all culminate into the creation of a true sense of place. Retaining the value and quality of neighborhoods is one of the single most important priorities of the Colleyville community.

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Themes:

- 1) Density
- 2) Transitional Areas
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- 4) Rezoning
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- 6) Clarifications

Comprehensive Plan Amendments

PRESERVING NEIGHBORHOOD INTEGRITY

Preservation of the existing neighborhood character is a top priority should redevelopment occur.

Protection of the character and integrity of existing neighborhoods should be ensured by the promotion of future development that is compatible with existing neighborhoods.

Southeast Colleyville - Neighborhood Area 1

Placement in the Community

Southeast Colleyville occupies the southeast quadrant of the city. Bounded by Cheek-Sparger Road to the south, Jackson and Pool Roads to the west, State Highway (SH) 121 and Heritage Avenue to the east, and the city limits with Grapevine to the north and east, Southeast Colleyville totals approximately 1,213 acres (1.9 square miles) or 14.3 percent of the overall land area of Colleyville. With the development of the Heritage Avenue tract into single family homes, most of Southeast Colleyville is developed.

During the planning process for the comprehensive plan, feedback from focus groups comprised of residents of this area noted the convenience of living here, with easy access to SH 121 and also to commercial areas along Colleyville Boulevard. The major issue for the area is traffic congestion along Glade Road and Cheek-Sparger Road, and occasional periodic traffic delays generated by other users in the area (e.g., churches).

Character and Form

The following descriptions provide a summary of the character, development pattern, transportation and connectivity, and parks, recreation and open space in Southeast Colleyville.

- **General character.** Small portions of this area can be characterized as fairly typical suburban style developments. However, these developments transition to portions of Southeast Colleyville that are among the most beautiful in all of Colleyville. Home styles vary from older 1970's ranch style homes to large mansions with extensive open space and attractive front yards. Several gated communities exist in the area along Martin Parkway

and Jackson Road. Much of the area drains to tributaries of Little Bear Creek, and as a result the area is heavily wooded with stands of large mature trees. This wooded character is extremely appealing and is one of the distinguishing aspects of much of Southeast Colleyville. Private ponds which are visible from the area's public streets also contribute to the lush, luxurious feel of the area.

- **Development Pattern.** Approximately 90 percent of this area is comprised of existing single family residences, with the remaining 10 percent consisting of commercial and institutional uses. Residential lot sizes vary from estate-sized lots along drainage tributaries of Little Bear Creek, to garden home-sized lots north of Glade Road and west of Heritage Avenue. Development patterns transition from freeway commercial uses at Glade Road and SH 121, to garden residential lots near Heritage Avenue and Glade Roads, finally to larger lots further to the west and throughout the remainder of Southeast Colleyville. Residential uses in the area total ~~1,112~~ **945 net** acres and 1,707 lots, yielding a residential **net** density² of **1.8 approximately** ~~1.54~~ dwelling units per acre²¹.

- **Transportation and Linkages.** Glade Road and Cheek-Sparger Road are the primary east-west minor arterials in the area. Heritage Avenue, Martin Parkway, and Jackson Road are the primary north-south roadways for this area. Apart from the four-lane sections of Glade Road and Heritage

¹ Existing residential percentage for each neighborhood area includes all areas within residential and agricultural zoning districts and includes rights-of-way and parks.
² **Net density is calculated by removing 15 percent of the gross area for right-of-ways.**
³ Residential density is calculated by dividing the total number of residential lots (occupied and vacant) in the neighborhood by the total land area in the neighborhood in residential or Agricultural zoning district categories.

Southeast Colleyville. Residential uses in the area total ~~1,112~~ **945 net** acres and 1,707 lots, yielding a residential **net** density² of **1.8 approximately** ~~1.54~~ dwelling units per acre²¹.

- 1 Existing residential percentage for each neighborhood area includes all areas within residential and agricultural zoning districts and includes rights-of-way and parks.
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- 3 Residential density is calculated by dividing the total number of residential lots (occupied and vacant) in the neighborhood by the total land area in the neighborhood in residential or Agricultural zoning district categories.

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines

Avenue at the commercial areas near SH 121, most streets in the area, including arterial, are two-lane roadways.

- **Parks, Recreation, and Open Space.** Southeast Colleyville has several private parks but no public parkland. The open parkland behind the Senior Center in Southwest Colleyville provides the main park space for this area. A total of 46 acres of private parkland are contained in the area, however, much of this private parkland is fenced and restricted to specific neighborhoods or homes. Some residents of the area have access to Melrose Park, which is a large private neighborhood park located on Martin Parkway. With the exception of wide sidewalks along a portion of Glade Road and Heritage Avenue, leading to the middle school and high school, the area has no existing public trails. Private recreational trails can be found in Melrose Park, as well as in privately shared open space east of Martin Parkway.

Key Current and Future Considerations for Southeast Colleyville

- The commercial areas between SH 121 and Heritage Avenue are vital to the overall fiscal health of the city. They are the only freeway-oriented properties in the city, and have no direct residential adjacencies. As such, the intensity of development directly adjacent to SH 121 should be maintained and even increased where appropriate. Non-residential intensity of commercial development densities can decrease closer to Heritage Avenue, but should still remain among the highest in the city.
1. Roadway improvements are discussed in the Transportation section of this plan. However,

Southeast Colleyville residents have expressed their desire that Glade Road remain two lanes, with the exception of upgrades at intersections to improve traffic flow. Any improvements to Cheek-Sparger Road should carefully consider the character of the roadway. For both roads, shoulder improvements for roadway safety and traffic flow improvements at key intersections should be considered, where and when feasible.

2. No public park improvements are currently slated for this area. However, future park improvements in the city's park land adjacent to the Senior Center will be needed to provide public facilities for residents of Southeast Colleyville.
3. Sections of eight- to 10-foot wide trails exist along the north parkway of Glade Road between Pool Road and Heritage Avenue. Filling trail gaps along this section of Glade Road should be planned in order to enhance connections to area schools, retail and dining closer to SH 121. However, these enhancements should be done in a manner that maintains the character of the existing road design.
4. Heritage Avenue and Cheek-Sparger Road intersection – work with the City of Euless to make improvements as appropriate when necessary.
5. Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.

and even increased where appropriate. Non-residential intensity of commercial development densities can decrease closer to Heritage Avenue, but should still remain among the highest in the city.

3. Sections of eight- to 10-foot wide trails exist along the north parkway of Glade Road between Pool Road and Heritage Avenue. Filling trail gaps along this section of Glade Road should be planned in order to enhance connections to area schools, retail and dining closer to SH 121. However, these enhancements should be done in a manner that maintains the character of the existing road design.

5. Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezonings
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Southwest Colleyville - Neighborhood Area 2

Placement in the Community

Southwest Colleyville occupies the southwest corner of Colleyville, and is generally bounded by Glade Road and Little Bear Creek to the north, Cheek-Sparger Road to the south, Jackson Road to the east, and Colleyville Boulevard to the west. A portion of Southwest Colleyville neighborhood area is west of Colleyville Boulevard and extends to Precinct Line Road which is the city limits with Hurst. Southwest Colleyville totals approximately 1,292 acres (2.02 sq. miles) or 15.3 percent of the overall land area of Colleyville.

Feedback from focus groups comprised of residents of this neighborhood area noted the high quality of their neighborhoods and, with this area's proximity to Colleyville Boulevard, the relative convenience and accessibility to other areas of the city.

Character and Form

- **General character.** While more than three-quarters residential, this area also has some non-residential uses extending along Colleyville Boulevard. The area is traversed by Little Bear Creek and consequently includes significant green spaces. Bedford Road, which crosses Little Bear Creek, is representative of the characteristic beautiful Colleyville thoroughfare, with large trees and a classic rural feel along much of the roadway in this area.
- **Development Pattern.** Southwest Colleyville is essentially completely developed, with only a few lots remaining open for development. The area is approximately 83 percent existing residential uses (911.5 net acres) with 1,718 lots. This neighborhood has a net density of approximately 1:60 1.9

dwelling units per acre. Lots in the area are still generally below average in size, ranging from 10,000 to 15,000 square feet in size.

- **Transportation and Linkages.** Glade Road and Cheek-Sparger Road are the only east-west minor arterials in the area. Colleyville Boulevard, Precinct Line Road, Bedford Road, and Brown Trail are the only major north-south roadways in the area. With an eventual six lanes, Colleyville Boulevard has significant capacity to handle the traffic needs of the area. However, getting to Colleyville Boulevard is through a two lane section of Cheek-Sparger Road between Oakbriar Lane and Colleyville Boulevard.
- **Parks, Recreation, and Open Space.** This area has a higher percentage of public parkland than any other in the city. The Colleyville Nature Center and Sparger Park take advantage of their pristine locations adjacent to Little Bear Creek and are major amenities for the area. Woodbriar Neighborhood Park provides amenities south of Cheek-Sparger Road, and all neighborhoods in this area have close access to parks. Trails can be found in both parks, and older private trails along Cheek-Sparger Road point to future trail possibilities that mimic the public trail across Cheek-Sparger Road in Bedford.

Key Current and Future Considerations for Southwest Colleyville

1. Redevelopment of the existing commercial lands between Colleyville Boulevard and Felps Drive will most likely occur in the future, and should be encouraged to bring additional destination value to Colleyville Boulevard. The buffering of residential

- **Development Pattern.** Southwest Colleyville is essentially completely developed, with only a few lots remaining open for development. The area is approximately 83 percent existing residential uses (911.5 net acres) with 1,718 lots. This neighborhood has a net density of approximately 1:60 1.9

Themes:

- 1) Density
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- 4) Rezoning
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- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines

areas east of Felps Drive should be incorporated into any redevelopment plans for the area. More compact and walkable non-residential development should be encouraged for other tracts along Colleyville Boulevard, and should take advantage of the desire to be close to Colleyville Downs Shopping Center.

2. Neighborhood-scale retail and office uses should be encouraged at the southern corners of Cheek-Sparger Road and Bedford Road, with adequate buffering provided where residential adjacencies occur.
3. Proposals for development of floodplain lands on the north side of Little Bear Creek between Colleyville Boulevard and Bedford Road should be carefully evaluated for their potential impact on area flooding and the beautiful creek environment. The loss of creek environment could impact the value of nearby residential areas.
4. Evaluate options to improve traffic flow along Cheek-Sparger Road between Bedford Road and Colleyville Boulevard, including improving the intersection of Bedford Road and Cheek-Sparger Road. Consider improvements as appropriate along Cheek-Sparger Road between Colleyville Boulevard and Brown Trail (San Bar Lane to Oakbriar Lane).
5. Trail linkages between the Nature Center and Sparger Park would create a unique amenity for this neighborhood area and should be a high-priority focus. These trail linkages could use natural paving materials in keeping with the character of the area.
6. Explore ways to widen and enhance the existing trails on the south side of Cheek-Sparger Road in partnership with the City of Bedford.
7. Protect the character and integrity of existing neighborhoods by promoting future development

that is compatible with the surrounding development patterns and development character.

7. Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezonings
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines South Central Colleyville - Neighborhood Area 3

Placement in the Community

Neighborhood Area 3 (South Central Colleyville) focuses on a central area of the city, east of Colleyville Boulevard. It extends from Pool Road on the east, the centerline of Little Bear Creek and Jackson Road on the south, Colleyville Boulevard on the west, and Hall-Johnson Road to the north. This area is key to the future of Colleyville, since it contains commercial areas along the Colleyville Boulevard Corridor. South Central Colleyville totals approximately 1,248 acres (1.95 sq. miles) or 14.7 percent of the overall land area of Colleyville.

Feedback from focus groups comprised of residents of this neighborhood area noted the quality and love for their neighborhoods. They expressed the desire to ensure that the character of major streets in the area, such as Glade Road, is not lost due to roadway improvements to increase traffic flow.

Character and Form

- **General character.** Much of this neighborhood area has a large estate lot feeling to it. The area also includes significant commercial development along Colleyville Boulevard. Residential areas along Little Bear Creek, with forest-like stands of mature trees, are among the most scenic and beautiful areas in the entire city. Preservation of the existing neighborhood character should be a top priority should redevelopment occur.
- **Development Pattern.** As is the case in other areas, South Central Colleyville is essentially completely developed, with only a few lots remaining to be developed. The area is approximately 90 percent existing residential uses, which is the third highest ratio of residential to non-residential in the city. This neighborhood has an approximate a net density of 1.00 1.2 dwelling units per acre, with 954.7

net residential acres and 1,124 lots. A significant number of large estate-sized lots can be found along Oak Knoll Drive, other streets south of Glade Road, and along Montclair Drive and Bluebonnet Drive north of Glade Road.

- **Transportation and Linkages.** Glade Road and Hall-Johnson Road are the only major east-west arterials in the area, and they link this neighborhood area to commercial developments along Colleyville Boulevard, Colleyville Boulevard and Pool Road provide major north-south access north of Glade Road, and are supplemented by Riverwalk Drive and Montclair Drive in the area. South of Glade Road, Jackson Road, Martin Parkway, and Heritage Avenue all provide adequate north-south connectivity given the low density of the area.
- **Parks, Recreation, and Open Space.** South Central Colleyville has only one public open space, at the Senior Center along Glade Road, and no significant private parks. Although it is located in Southwest Colleyville, nearby Sparger Park also serves this area. Open spaces at the Colleyville Center also have potential to address quasi-parkland needs for this area. Trails can be found in Sparger Park, at the Senior Center, and along Church Street and Riverwalk Drive. Trails along Glade Road stop at Pool Road and do not extend westward into this area.

Key Current and Future Considerations for South Central Colleyville

1. Though not yet realized, pedestrian and bicycling connections between this area and the major retail, dining, and entertainment uses along Colleyville Boulevard are vital and highly desired. Efforts to

the entire city. Preservation of the existing neighborhood character should be a top priority should redevelopment occur.

- **Development Pattern.** As is the case in other areas, South Central Colleyville is essentially completely developed, with only a few lots remaining to be developed. The area is approximately 90 percent existing residential uses, which is the third highest ratio of residential to non-residential in the city. This neighborhood has an approximate a net density of 1.00 1.2 dwelling units per acre, with 954.7 net residential acres and 1,124 lots. A significant number of large estate-sized lots can be found along Oak Knoll Drive, other streets south of Glade Road, and along Montclair Drive and Bluebonnet Drive north of Glade Road.

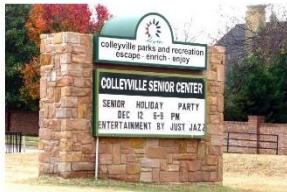
Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezonings
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines

- provide these connections, while preserving the area's existing character and large trees, should be a priority.
2. Intersection, and Ingress/Egress, and other improvements along Glade Road as planned should continue to improve traffic flow. Preservation of mature trees should be prioritized and may require unique design solutions.
 3. Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.



The Colleyville Senior Center is one of the amenities serving the Colleyville community in South Central Colleyville (Neighborhood Area 3).

3. Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezonings
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Northeast Colleyville - Neighborhood Area 4

Placement in the Community

Occupying the northeastern portion of the city, Neighborhood Area 4 (Northeast Colleyville) encompasses the area north of Hall-Johnson Road, east of Colleyville Boulevard, west of Pool Road and south of Big Bear Creek. Northeast Colleyville totals approximately 793 acres (1.24 sq. miles) or 9.4 percent of the overall land area of Colleyville.

Feedback from focus groups comprised of residents of this neighborhood area were concentrated on issues dealing with the future development of large rural tracts along Colleyville Boulevard, and the interest in trail connections to Big Bear Creek.

Character and Form

- **General character.** This area is characterized by more traditional suburban residential neighborhoods. Lot sizes in this area might be considered large in other communities but are on the smaller side for Colleyville. Neighborhoods range in age from more mature developments that have been in place for more than 30 years, to newer areas around Kimzey Park that were developed within the last 10 to 15 years. With the exception of the visual open space provided by Bluebonnet Hills at the corner of Hall-Johnson Road and Colleyville Boulevard and a portion of Big Bear Creek north of Kimzey Park, this area has no significant open space features. Neighborhoods have attractive mature trees that add character and value to properties in the area.
- **Development Pattern.** While still largely developed, Northeast Colleyville does have some large remaining undeveloped areas along Colleyville Boulevard. Northeast Colleyville is approximately 81 percent existing residential uses, which is the lowest ratio of residential to

non-residential in the city. This neighborhood has a net density of 1.9 dwelling units per acre, with 545.9 net residential acres and 1,022 lots. At approximately 1.59 dwelling units per acre, this area has the highest overall density of single family residential in the city.

This area incorporates extensive commercial properties along Colleyville Boulevard. Many of these commercial and industrial type uses can be redeveloped in the future.

- **Transportation and Linkages.** Hall-Johnson Road is the only major east-west minor arterial in the area, and provides the only direct link to commercial areas along Colleyville Boulevard. Colleyville Boulevard and Pool Road provide major north-south access, with no other continuous north-south roads in the area. Apart from Tarrant Lane, Industrial Boulevard and Oak Pointe Drive provide limited road connections between area neighborhoods and the commercial destinations along Colleyville Boulevard. However, the bulk of the residents to go south to Hall-Johnson Road or north along Pool Road to access signalized intersections at Colleyville Boulevard.
- **Parks, Recreation, and Open Space.** Kimzey Park in the northern tip of this area and the playground facilities at Glenhope Elementary School provide the only public park and playground services for residents of this area. A small private park with a pond and walking trail located south of Independence Street provides park access to nearby residents. Natural areas along small portions of Big Bear Creek which are within Colleyville are found in this area. Apart from walking trails located in Kimzey Park, the area has no significant publicly accessible trails.

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Chapter 6 | HOUSING & NEIGHBORHOODS

non-residential in the city. This neighborhood has a net density of 1.9 dwelling units per acre, with 545.9 net residential acres and 1,022 lots. At approximately 1.59 dwelling units per acre, this area has the highest overall density of single family residential in the city.

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines

Western Central Colleyville - Neighborhood Area 5

Key Current and Future Considerations for Northeast Colleyville

1. Promote the development of a unique walkable commercial site at the Northern Gateway, an undeveloped 23 acre tract across from John McCain Road and Colleyville Boulevard. Ensure that adequate buffering/transitions between the development and adjacent residential areas is incorporated.
2. To provide a stronger and more sustainable economic foundation for the city, encourage the redevelopment of older commercial and industrial uses along Colleyville Boulevard into high quality commercial and service destinations. Where feasible, make these walkable.
3. Create additional pedestrian and bicycling connections between neighborhoods in this area and the major retail, dining, and entertainment uses along Colleyville Boulevard.
4. Create walking and bicycling connections between Kimzey Park and regional trails to the north along Big Bear Creek and to the south along Big Bear Creek and under the bridge at Colleyville Boulevard.
5. Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.

Placement in the Community

Occupying the center-west portion of the city, Neighborhood Area 5 generally occupies the area between Colleyville Boulevard to the east and the Cotton Belt Trail corridor to the west. Glade Road forms the southern boundary of this area. The area contains a portion of the northern gateway, three connected undeveloped tracts that total to 36 acres. Western Central Colleyville totals approximately 1,324 acres (2.07 sq. miles) or 15.6 percent of the overall land area of Colleyville.

Feedback from focus groups comprised of residents of this neighborhood area focused on issues relating to appropriate transitions to the future development on the large Northern Gateway tracts along Colleyville Boulevard, and the interest in connections to the regional Cotton Belt Trail.

Character and Form

- **General character.** This area is characterized by a mix of residential lot sizes, ranging from high quality, zero-lot-line homes in the Village area to large estate-sized lots closer to the Cotton Belt Trail. Tinker and Bransford Roads in the area are all two-lane rural roads that characterize the city's country past. Extensive mature trees and open swale drainage preserve a country feeling throughout the residential portions of this area.
- **Development Pattern.** Western Central Colleyville is approximately 86 percent existing residential uses and its net density is approximately 1.16 1.4 dwelling units per acre, with 967.8 net residential acres and 1,322 residential lots. Non-residential development along Colleyville Boulevard ranges

4. Create walking and bicycling connections between Kimzey Park and regional trails to the north along Big Bear Creek and to the south along Big Bear Creek and under the bridge at Colleyville Boulevard.
 5. Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.
- **Development Pattern.** Western Central Colleyville is approximately 86 percent existing residential uses and its net density is approximately 1.16 1.4 dwelling units per acre, with 967.8 net residential acres and 1,322 residential lots. Non-residential development along Colleyville Boulevard ranges

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines

from the walkable, mixed-use character of The Village, to churches, medical facilities, and schools between Church Street and Bogart Drive, to older commercial developments north of Tinker Road. The northernmost tip of Western Central Colleyville includes the 59-acre undeveloped lands that are referred to as the city's Northern Gateway. Thirty-six (36) of those acres are on the west side of Colleyville Boulevard and 23 on the east.

- **Transportation and Linkages.** Glade Road serves as the only continuous east-west road in the area. Other east-west connections are provided by Tinker Road and Bogart Drive, but neither extend completely across the area. Conversely, excellent north-south movement is provided by Colleyville Boulevard, Pleasant Run Road, and Bransford Road.

- **Parks, Recreation, and Open Space.** City Park is centrally located in this area and serves as the major passive and active park for the area. Bransford Park has also been recently improved with many amenities and is home to the historic Webb House. In addition, private parklands in the northern tip of this area provide trails and park facilities for residents in the Tension Parkway area. The Cotton Belt Trail is one of the major regional amenities in the area, and is accessed via Bransford or Pleasant Run Roads. The availability of trails is among the best in the city in this area.

Key Current and Future Considerations for Western Central Colleyville

1. Promote high quality non-residential development of the Northern Gateway properties, so as to contribute to a sustainable economic foundation for the city. Ensure that adequate buffering from

and transitions to adjacent residential areas are provided.

2. Promote the maintenance of larger lot (1/2 to one acre) requirements.
3. Encourage the development of a "creekwalk" environment along the existing drainage corridor between Church and Main Streets (see Chapter 9 for additional information). Added value and a unique sense of place can create a one-of-a-kind destination in the area.
4. *Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.*



Maintaining areas in larger lot configurations is important for areas on the western edge of Western Central Colleyville.

4. *Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.*

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines Northwest Colleyville - Neighborhood Area 6

Placement in the Community

Neighborhood Area 6 (Northwest Colleyville) encompasses the western third of Colleyville. It is bounded by the Cotton Belt Trail corridor to the east, Big Bear Creek to the north, Precinct Line Road to the west, and L. D. Lockett Road to the south. Northwest Colleyville totals approximately 2,601 acres (4.06 sq. miles) or 30.7 percent of the overall land area of Colleyville.

Character and Form

- **General character.** This neighborhood encompasses the entire western sector of the city. A significant number of the large estate lots on the far western edge of the city near Precinct Line Road have been redeveloped into smaller-lot neighborhoods transitioning to lower density neighborhoods to the east. The Northwest Neighborhood has beautiful established areas with the country character that represents what the Colleyville community wants to preserve.
- **Development Pattern.** This neighborhood area is the largest in the city, encompassing more than 30 percent of the gross land area of the city. Northwest Colleyville has experienced significant change since the previous comprehensive plan in 2004. The neighborhood's residential ~~net~~ density of ~~1.06~~ **1.3** dwelling units per acre is one of the lowest in the city, ~~with 2,122.4 net residential acres and 2,656 residential lots.~~ Overall, 96 percent of the area is existing single family residential uses, the highest percentage in the city. The area has significant open space and parklands, but a very small amount of retail development.
- **Transportation and Linkages.** Major roadways

in the area include L. D. Lockett Road, Westcoat Drive, McDonnell School Road, Precinct Line Road, Pleasant Run Road, and John McCain Road. ~~In addition, the MTP proposes McDonnell School Road be extended east from Westcoat Drive to connect just west of Cutter Ridge Court to improve east-west connectivity in the area.~~ Most roadways in Northwest Colleyville all are generally two-lane rural cross-sections; and intersection improvements a and MTP connectivity recommendations can serve to improve traffic flow in the area.

- **Parks, Recreation, and Open Space.** This area has four City parks and multiple smaller private parks. L. D. Lockett, McPherson, Reagan, and Pleasant Run Parks are the major public park facilities in the area. Trail connections along McDonnell School Road and Westcoat Drive, as well as the Cotton Belt Trail, are the major trail corridors in this area. Trails along McDonnell School Road are excellent examples of trail integration adjacent to a two-lane roadway.

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Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines

Key Current and Future Consideration for Northwest Colleyville

1. Encourage a mix of retail and professional office uses along the remaining undeveloped areas of Precinct Line Road, with the goal of expanding the city's sales tax base.
2. Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.

Housing and Neighborhood Framework

GOALS

Preserve high quality, established neighborhoods with an emphasis on large lots and natural settings with a "country feel."

Connect neighborhoods and provide high quality amenities.



Policy: Preserve neighborhood character and quality.

Neighborhoods are one of Colleyville's greatest assets, as they form the foundation for the city's reputation and quality of life. As neighborhoods age and mature, some develop a unique and enduring character while others are unable to maintain the quality of development they once had. For this reason, the City should support neighborhood protection and preservation efforts. Safe, well-maintained neighborhoods that have enduring character allow reinvestment and help maintain property values and residential tax base.

The City can support and establish programs to protect and enhance the integrity of its neighborhoods. Potential strategies include improving or updating public facilities and services such as streets, street lighting, drainage systems, traffic control or management, neighborhood policing, and code enforcement. [It is critical to emphasize a policy of not allowing higher density residential development as existing neighborhoods redevelop.](#)

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DESTINATION COLLEYVILLE

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Chapter 6 | HOUSING & NEIGHBORHOODS

2. Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.

The City can support and establish programs to protect and enhance the integrity of its neighborhoods. Potential strategies include improving or updating public facilities and services such as streets, street lighting, drainage systems, traffic control or management, neighborhood policing, and code enforcement. [It is critical to emphasize a policy of not allowing higher density residential development as existing neighborhoods redevelop.](#)

Themes:

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Comprehensive Plan Revisions/Redlines

■ Action 6-1: Consider overlays for established neighborhoods.

In many neighborhoods, residents may want to protect the existing character of development. In these cases, the City could work with neighborhood residents and representatives to develop specific recommendations for protection or enhancement. This may include the creation of a special area plan that frames appropriate changes needed in the underlying regulations, such as garage placement, setbacks, building materials, etc. This may also include other actions that help existing neighborhoods maintain or add landscaping, sidewalks, trails, and park amenities.

■ Action 6-2: Provide mechanisms for context-sensitive residential redevelopment.

Given the high demand for homes in the Colleyville area and as the city approaches build-out, it will be important to thoughtfully design new residential projects with appropriate considerations of lot sizes, transitions and connections to adjacent neighborhoods, trails, open space and tree preservation, and design of open fencing, landscape treatment, and setbacks along rural character roadways.

■ Action 6-2A: Consider PUD-R or overlay zoning to implement consistency standards for new neighborhoods.

In order to ensure the integrity of existing neighborhoods is protected, new subdivisions should be designed to reflect the character of surrounding neighborhoods. The lot sizes and building setbacks within new subdivisions should be determined based on the existing lot sizes and building setbacks of the existing neighborhoods.

Policy: Enhance neighborhood-level amenities and connectivity such as pocket parks, sidewalks, and trails.

While the city is known for its superb neighborhoods, there are still opportunities for improvement so they continue to be one of the key assets in the community. Access to sidewalks, trails, and parks is becoming an important element of quality of life for many communities, especially for Colleyville. Neighborhoods designed with such amenities typically maintain their property values over time. It is about providing safer and inviting ways to move in and around one's neighborhood without having to get in an automobile in addition to creating a reinvestment dynamic in the neighborhood as it matures.

■ Action 6-3: Continue to focus on neighborhood park and recreation improvements to positively contribute to neighborhood vitality.

Clean, well-maintained, and vibrant neighborhood parks are an anchor for strong, established neighborhoods. The City can work with neighborhoods to determine ideas to increase access to, and amenities at, neighborhood parks.

■ Action 6-2A: Consider PUD-R or overlay zoning to implement consistency standards for new neighborhoods.

In order to ensure the integrity of existing neighborhoods is protected, new subdivisions should be designed to reflect the character of surrounding neighborhoods. The lot sizes and building setbacks within new subdivisions should be determined based on the existing lot sizes and building setbacks of the existing neighborhoods.

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Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines

This could include the installation of upgraded or additional amenities at existing parks.

- Action 6-4: Improve neighborhood connectivity to the Colleyville Boulevard Corridor and key destinations.

Colleyville Boulevard is the economic spine for the city. It also contains most of the commercial services that the Colleyville community is interested in visiting. Currently, the Village at Colleyville is probably the most walkable and pedestrian-friendly commercial area in the city. As additional areas of Colleyville Boulevard are redeveloped and revitalized (e.g., in the Northern Gateway), more opportunities for creating walkable and pedestrian-friendly environments can be created. As a result, there will also be increased demand for accessing these areas without having to get in an automobile. Consequently, the City can proactively increase neighborhood connectivity to the Colleyville Boulevard Corridor. This could include the development of key greenway trails (e.g., along Little Bear Creek) which provide needed east-west connectivity from established neighborhoods to Colleyville Boulevard. This could also include the installation of new sidewalk and trail segments in areas where sidewalk connectivity is limited or nonexistent, and the installation of crosswalks. In addition, connections to the Cotton Belt trail from the Northern Gateway should be prioritized.

Policy: Require new neighborhood developments to demonstrate and contribute to Colleyville's character.

As evident by the online survey that was administered during the planning process, the Colleyville community has expressed an interest in quality development as one of the key attributes that makes Colleyville unique. As such, it is also a high priority to ensure that all new neighborhoods add to the existing quality of development. This can be done by requiring the development of neighborhoods which provide a high quality of design, an easily perceived sense of identity, and bicycle and pedestrian connectivity.

- Action 6-5: Encourage new neighborhood design that creates defined centers, edges, common spaces, and entries.

Creating neighborhoods with defined centers, edges, and entries where feasible with large setbacks, trees, and greenspaces that withstands the test of time and gives neighborhoods a sense of place. A defined center provides for a focal point to gather (e.g., park, trail, school, etc.), defined edges allows neighborhood residents to take pride in their geographic area, and bold and unique entries (e.g., entrance monuments) provide notice to residents and visitors that one has entered into a new defined place.

- Action 6-6: Require new neighborhoods to be connected where appropriate.

Connectivity is an important quality of great neighborhoods. A well-connected neighborhood reduces congestion along major streets, is friendlier to pedestrians and bicyclists, facilitates active transportation, and leads to higher levels of physical activity. One way to ensure that new neighborhoods are connected is to require conformance with additional

COLLEYVILLE 2035 COMPREHENSIVE PLAN
DESTINATION COLLEYVILLE



Placeholder image- to be updated

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Placeholder image- to be updated

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines

CONNECTING NEIGHBORHOODS

One way to connect neighborhoods can be to reduce using cul-de-sacs and increase the street connections.



connectivity standards which could be incorporated into the City's subdivision regulations. Concerns about cut-through traffic can be alleviated through appropriate design of new residential streets for low speed traffic and traffic calming measures on existing residential streets.

For vehicles, it is important to create multiple entries between a neighborhood and the City's thoroughfare system. This reduces congestion at intersections and along the entire thoroughfare system by dispersing vehicles among multiple access points. This could also include reducing the use of cul-de-sac streets and increasing the number of internal connected streets. Although given Colleyville's development context, there may be few remaining opportunities to create new strategic connections to help overall traffic circulation.

At a minimum, it will be important to create a strong internal sidewalk system to connect to all internal (e.g., neighborhood pools and schools) and external (e.g., off-site trails, commercial areas, etc.) destinations. This may include the creation of internal greenway trails and pedestrian access easements through connecting cul-de-sacs and the middle of long blocks.

- Action 6-7: Encourage the construction of local gateways and signs that promote unique neighborhood identity that is tied to Colleyville's heritage and/or a "country feel."

Gateways help define entrances and provide a sense of place to a neighborhood. Many existing neighborhoods include attractive gateway entrance features. The City can review its sign regulations to ensure that there is enough flexibility to allow for creative design of gateway entrance monuments that add to the character of the city's neighborhoods. In addition, the City can encourage the construction of unique gateway entrances for all new neighborhoods. Such gateways and signs should be coordinated with landscaping, fencing, and other streetscape elements within the neighborhood.



The entrance to Pebble Hill Plantation Estates is an example of a well-designed neighborhood entrance.

Large and mature trees add to the quality of Colleyville's neighborhoods. Trees generally improve the appearance of a neighborhood and tree-lined streets are often highly valued by residents once the trees have matured. Trees and the tree canopies provide residents a break from the hot Texas sun and provide walkers and joggers a pleasant environment to enjoy. Landscaping should also be promoted as a means to improve the appearance of neighborhoods. Opportunities to landscape can occur along roadways and at entrances into neighborhoods.

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Comprehensive Plan Amendments

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Policy: Ensure tree canopies and quality landscaping are created and maintained.

- Action 6-8: Consider amending the existing tree preservation ordinance to ensure the existing tree canopy is preserved.

Colleyville's country charm is exemplified by its large open spaces, mature trees, and rustic ranch fences. If the existing tree canopy is removed and lots are clear-cut for development, then the look and feel that many residents value is destroyed. The existing tree preservation ordinance should be reviewed and revised, if necessary, to ensure the community's tree preservation desires.

- Action 6-9: Consider expanding the free tree planting program to encourage residents to plant trees.

In order to encourage tree planting, Colleyville could expand the existing Arbor Day program where residents obtain free trees. The expanded annual event could have hundreds of new trees planted on residential lots every year and the combined effect over a decade could have a substantial impact on creating a greater tree canopy for Colleyville.

- Action 6-10: Consider standards for ensuring that quality landscaping is created and maintained.

New developments should provide landscaping along major roadways and at the entrances into neighborhoods.

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A Vision for Parks

As part of the development of the 2011 Parks, Recreation, and Open Space Master Plan, a mission was identified to provide one of the highest quality parks, recreation, and open space systems in the DFW Metroplex by creating opportunities where people can "escape and enjoy an enriching environment." Through the public engagement process, a new vision was created for the future of the parks and recreation system (see at right).

To help implement this vision, a series of goals were developed and adopted by the Parks and Recreation Advisory Board and City Council. These include:

- Provide parks and trails within easy and convenient access to households in Colleyville.
- Provide leisure opportunities for all ages, specifically targeting young adults to baby boomers (who are historically underserved in terms of recreation facilities and programming).
- Support the development of a healthy community by providing facilities and programs that lead to choices for healthy living.
- Aim to be comprehensive and financially sustainable while encouraging collaboration.
- Market Colleyville as a destination known, in part, for its unique parks and leisure programs, while also marketing to current users and residents.
- Reflect and support the city's objective to become the environmental leader in Tarrant County.

Needs Assessment

While the existing parks, recreation, and open space system was rated as excellent, a plan of action for the future is necessary to ensure the system continues to excel long into the future. This is particularly important as the city nears its population estimate of ~~27,943~~ **27,518** persons by 2035 (see Chapter 2, Colleyville Context, regarding the historical and projected population of the city).

Colleyville is unique in that the majority of park acreage in the city is made up of private parks and open spaces (over 301 acres as compared to approximately 225 public park acres). In most cities in the DFW Metroplex, park and recreation areas are predominantly comprised of public parks. ~~Therefore, the acreage for private parks and open spaces is included in the level of service (LOS) analysis of this plan because of its significant contribution to the overall public-private park system in the city.~~

Colleyville's current LOS and future LOS were calculated using the historical population counts from the 2010 U.S. Census, combined with recommended National Recreation and Park Association (NRPA) standards that have been tailored to the city's unique situation (see Table 7.1, *Current and Projected Parkland LOS*, on the next page). These numbers differ slightly than what was indicated in the 2011 Parks, Recreation, and Open Space Master Plan because of a larger projected maximum population (see Chapter 2, *Colleyville Context*, regarding the historical and projected population of the city) and more accurate 2010 Census Data. **Additionally, private parks are an amenity to the City, however only parks available to the general community should be considered in the overall computation of LOS.**

"Colleyville has a renowned system of parks, recreation, open space, and trails that creates a true sense of 'home' within the city of Colleyville."

Source: Vision from the 2011 Parks, Recreation, and Open Space Master Plan

excel long into the future. This is particularly important as the city nears its population estimate of ~~27,943~~ **27,518** persons by 2035 (see Chapter 2, *Colleyville Context*, regarding the historical and projected population of the city).

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acreage recommended by the National Recreation and Parks Administration (NRPA), which the city compares itself against for national benchmarking. In order to meet the NRPA LOS standard for public parks for the current population, the city would need to add approximately 32 additional acres of public parkland. In order to meet the NRPA LOS standard for public parks for the projected population, the city would have to add approximately 90 to 98 acres of new public parkland. ~~When factoring in the city's private parks and open space lands, the city has more than enough acreage to meet the minimum LOS standard for the~~

current population and would still be near the top of the range for the projected population.

Park Service Area Deficits

In addition to determining current and future park acreage needs based on the city's population, it is also important to ensure that the park and recreation system is well distributed and accessible for most users. Typically, neighborhood parks serve an area of about one-quarter mile to one-half mile (which equates to about a five to 10 minute walk), while community parks serve an area of about one mile (which equates to about a five minute drive).

Table 7.1. Current and Projected Parkland LOS

Park Category	Existing Acreage (2015)	NRPA Standard	Level of Service (LOS) (22,807 population) ¹	Projected 2035 LOS (27,943 27,943 27,518 population) ²
Public Parks	225.24	11.25 - 20.50 acres / 1,000	9.88 acres / 1,000	8.06 8.19 8.19 acres / 1,000
Neighborhood Parks	41.66	1 - 2 acres / 1,000	1.83 acres / 1,000	1.49 1.51 1.51 acres / 1,000
Community Parks	101.10	5 - 8 acres / 1,000	4.43 acres / 1,000	3.62 3.67 3.67 acres / 1,000
Other Parks	82.48	Variable	3.62 acres / 1,000	2.95 3.00 3.00 acres / 1,000
Private Parks and Open Space	301.70	None	13.23 acres / 1,000	10.80 acres / 1,000
Grand Total	526.94	11.25 - 20.5 acres / 1,000	23.10 acres / 1,000	18.86 acres / 1,000

Table Notes:

¹ The current population of 22,807 people is derived from the 2010 Census Bureau.

² The projected population of ~~27,943~~ 27,518 people is derived using the population estimates set out in Chapter 2, Colleyville Context.

~~parkland. When factoring in the city's private parks and open space lands, the city has more than enough acreage to meet the minimum LOS standard for the~~

~~current population and would still be near the top of the range for the projected population.~~

Private Parks and Open Space	301.70	None	13.23 acres / 1,000	10.80 acres / 1,000
Grand Total	526.94	11.25 - 20.5 acres / 1,000	23.10 acres / 1,000	18.86 acres / 1,000

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■ Action 7-12: Update the Master Drainage Plan to continue to ensure the city is adequately protected.

The City's Master Drainage Plan should be updated to develop a higher level of detail than what was provided in the 1992 plan. This Master Drainage Plan would provide the City with the tools necessary to identify the most critical flood-prone locations, potential solutions, and the costs for necessary drainage projects.

Depending on the recommendations identified in the Master Drainage Plan, the City should identify available funding sources to implement to make the improvements to the city's drainage system in addition to evaluating the City's current utility fee structure.

Policy: Proactively support efforts to promote green initiatives for fiscal resilience.

Colleyville should explore opportunities to promote more environmentally friendly and green initiatives that are also fiscally beneficial to both the City and residents.

■ Action 7-13: Work with regional water supply entities to ensure that Colleyville's drought contingency planning is proactive and innovative.

Ensure that the City continues to monitor and maintain a strong water supply, and that efficient and effective water conservation techniques are used where appropriate.

■ Action 7-14: Explore Low Impact Development (LID) solutions for commercial, residential, and public infrastructure projects.

The City should explore LID solutions as an opportunity to implement storm water management and water quality management strategies over that can have a significant impact on this sub-watershed and also provide quality of life and aesthetic benefits while saving costs. The City should evaluate the benefits of adopting and participating in North Central Texas Council of Governments' (NCTCOG's) integrated Stormwater Management (ISWM) program which is intended to help area cities achieve their goals of water quality protection, streambank protection, and flood mitigation, while also helping communities meet their construction and post-construction obligations under state stormwater permits. Low Impact Development, as defined by the Low Impact Development Center, "is a comprehensive land planning and engineering design approach with a goal of maintaining and enhancing the pre-development hydrologic regime of urban and developing watersheds."

The EPA states LID is an "approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible."

LID employs principles such as:

- Conserve natural areas wherever possible,

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- [Minimize the development impact on hydrology,](#)
- [Maintain runoff rate and duration from the site,](#)
- [Implement pollution prevention, proper maintenance and public education programs,](#)
- [Emphasize the use of on-site natural drainage features,](#)
- [Maintain or enhance the site's hydrologic characteristics after development, and](#)
- [Reduce overall imperviousness.](#)

- Action 7-15: Promote green building and energy efficiency as part of public and private development.

As part of a growing trend to reduce the environmental impact of development, the City should support efforts in both public and private sector development that incorporate green building practices and/or energy efficiency. This could include an assessment of the City's Land Development Code to remove impediments and/or add incentives for green building practices. Examples of green building practices that should be considered include low impact development (which utilizes the site's natural resources as part of the overall stormwater management program), rainwater capture, xeriscaping, and pervious pavement, among others.

- Action 7.16: Consider establishing an Urban Forestry Program to preserve and enhance the urban tree canopy in the city.

Tree canopy within Colleyville is an important component of the city's overall character and is one attribute that sets the city apart from other areas within the DFW Metroplex. As the city continues toward developing the limited number of remaining lots and revitalizing and redeveloping existing lots, it is important to have a strategy in place to protect what makes the city what it is today. An urban forest provides a number of economic, environmental, and social benefits to a city. Economic benefits include attracting tourists and businesses, increasing property value, and reducing the amount of energy needed for development. Environmental benefits include providing food and habitat for wildlife, absorbing carbon dioxide, reducing the heat island effect, and reducing sedimentation in streams. Social benefits include adding character and promoting a sense of pride in a community as well as increased privacy. Due to the significant amount of benefits provided, the City should consider establishing an Urban Forestry Program to protect this significant asset to the community. This could include an initial assessment of city parks, followed by an assessment of all City-owned property. A subsequent phase could include the eventual preparation of an Urban Forestry Master Plan, which is a roadmap to effectively and proactively manage and grow the city's urban tree canopy.

- [Minimize the development impact on hydrology,](#)
- [Maintain runoff rate and duration from the site,](#)
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Residential Density

~~The maximum density of each residential project should be a net density of 1.8 dwelling units per gross acre.~~ Destination Colleyville proposes to maintain the residential density policies of the 2004 Colleyville Plan with a goal of 1.8 dwelling units per acre, therefore each residential project shall have a minimum lot size of 20,000 square feet and no more than 2 dwelling units per acre. The 2004 Colleyville Plan states:

"One of the fundamental principles associated with the City's zoning authority, as granted by the State, is the ability to regulate population density through the adoption of zoning regulations. By establishing a variety of zoning districts, and each district with a different minimum lot size, municipalities are able to control the number of dwelling units that can be built in a particular area. Controlling the overall density has far-reaching public interests and ultimately has an effect on transportation, parks, schools and other public facilities.

Colleyville is noted for its large-lot subdivisions and for its large homes with generous front and side yards. Additionally, many older single family homes located along the major collector street network have been demolished and the properties rebuilt into estate type settings. The redevelopment of these estate properties has helped to keep the overall residential density quite low and promotes the rural atmosphere that Colleyville citizens enjoy.

In Colleyville, the 1998 Comprehensive Plan established a city-wide residential density benchmark of 1.8 dwelling units per net acre. This standard approximates the density achieved by the R20, Single Family Residential District, which calls for a minimum lot size of 20,000 square feet. The intent of this lower residential density standard is to maintain the rural character and ensure a higher quality of residential development that makes Colleyville unique."

The 2004 Colleyville Plan further states that "Developments with densities higher than 1.8 dwelling units per acre would be

acceptable, according to the 1998 Master Plan guideline, but only in those areas deemed to be consistent with sound land use planning principles, such as for those transitional areas situated between commercial uses and less dense residential developments, or near major street intersections. Higher density development may also be appropriate for smaller parcels that make less dense development economically difficult or on sites with unique topographical features. Since the future land use plan of Colleyville, prepared in 1998, utilized the 1.8 dwelling unit per acre guideline and the community has embraced this as a suitable development density, there is no need to deviate from this standard."

~~Each residential project should have a maximum net density of 1.8 dwelling units per acre, but "variances" could be allowed in certain and specific situations. Variances to the net density of 1.8 dwelling units per gross acre maximum could be allowed for the following:~~

~~The project is located within a transitional area. (Note: These transitional areas are contained within the Colleyville Blvd Corridor.)~~

- ~~» Between commercial and residential uses (existing or future land use Map designated);~~

~~OR~~

- ~~■ The project is located on a property with unique topography:~~
 - ~~» Restricted access options;~~
 - ~~» Significant floodplain or drainage considerations;~~
 - ~~» Property shape that necessitates deviations from standard development; or~~
 - ~~» Native tree stand(s);~~

Residential Density

~~The maximum density of each residential project should be a net density of 1.8 dwelling units per gross acre.~~ Destination Colleyville proposes to maintain the residential density policies of the 2004 Colleyville Plan with a goal of 1.8 dwelling units per acre, therefore each residential project shall have a minimum lot size of 20,000 square feet and no more than 2 dwelling units per acre. The 2004 Colleyville Plan states:

~~Each residential project should have a maximum net density of 1.8 dwelling units per acre, but "variances" could be allowed in certain and specific situations. Variances to the net density of 1.8 dwelling units per gross acre maximum could be allowed for the following:~~

~~The project is located within a transitional area. (Note: These transitional areas are contained within the Colleyville Blvd Corridor.)~~

- ~~» Between commercial and residential uses (existing or future land use Map designated);~~

~~OR~~

- ~~■ The project is located on a property with unique topography:~~
 - ~~» Restricted access options;~~
 - ~~» Significant floodplain or drainage considerations;~~
 - ~~» Property shape that necessitates deviations from standard development; or~~
 - ~~» Native tree stand(s);~~

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezonings
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines

COMPATIBILITY CONSIDERATIONS



1. Landscape buffers:

- Preserve existing trees that separate the proposed use from the existing use when possible.
- Preference for landscape screening and open fencing to contribute to residential character.
- New trees planted where proposed use is adjacent to existing use for beautification and screening.

2. Form:

- As residential square footage to lot area ratio increases, open space(s) and buffering provided should also increase.

3. Traffic Impacts:

- Connections to existing neighborhoods should be provided with sensitivity to the existing homes.
- Impact to roadways and intersections in the vicinity should be mitigated where possible.

TRANSITIONAL AREAS

A key topic during the comprehensive plan drafting process was the need for guidance related to proposals for transitional developments, especially as it concerns developments proposed with lots smaller than 20,000 square feet. Although residential developments with large lots are very common in Colleyville and are still being proposed for new construction, as the city approaches build-out, many new residential neighborhoods have come under the Planned Unit Development - Residential (PUD-R) zoning district. PUD-Rs provide some level of variation with respect to lot sizes and development standards while giving the City more control over the development character, treatment of transitions, and overall quality of the development.

A transitional area is a piece of land that may be appropriate for residential development with lots smaller than 20,000 square feet. These areas serve as gradual changes in intensity from commercial or institutional uses to lower density residential uses (lots 20,000 square feet or larger). Proposals requesting variances to the 1:1.0 dwelling units per gross acre requirement should address each compatibility consideration listed here. These developments are restricted to uses permitted in the Colleyville Plud District

There are instances when an existing land use will be different from the land use designated on the future land use map or instances when the existing land use will be different than the zoning on a property. For example, there could be a residential home on a property zoned for commercial uses and also designated on the future land use map for commercial uses. In these instances, a proponent provide a phased approach whereby screening and/or landscaping provided could be adjusted along the common boundary once the residential property was redeveloped with commercial uses for a wooden screening fence with shrubs that gets removed for provide cross access between commercial parcels.

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines

Residential

This land use category is predominantly comprised of single-family detached residential dwellings. The preference for new residential areas is that they preserve rural character along John McCain Road, Westcoat Drive, Pleasant Run Road, Bransford Road, and similar roadways, and that they incorporate landscaping and tree preservation features to retain the natural quality of new residential areas in the city. Residential areas typically include:

LAND USE TYPES

- Detached residential
- Parks, trails, and open space

DESIRED DEVELOPMENT CHARACTERISTICS

- Predominantly single family residences on lots over 20,000 square feet with natural landscaping, a rural appeal, and significant private open space.
- Overall aesthetic is country charm, exemplified by large open spaces, mature trees, and rustic ranch fences in some areas of the city – especially along rural roadway corridors such as Westcoat Drive, Pleasant Run Road, and Bransford Road.
- High-quality development with attractive entrance areas and amenities (e.g., internal walking trails).
- Appropriate transitions (e.g., one-story offices) between residential and non-residential areas.
- [Open space adjacent to roads to create feeling of openness.](#)

Figure 8.3. Illustrative Residential Uses



- [Open space adjacent to roads to create feeling of openness.](#)

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines

Colleyville Boulevard Corridor

This land use category is to promote the transformation of Colleyville Boulevard into a vibrant and economically strong "town center" for the City. While still readily accessible via the automobile, more compact and walkable development types will create a distinct sense of place. The Colleyville Boulevard Corridor includes:

LAND USE TYPES

- Retail, service, and entertainment
- Office
- Public and institutional uses
- Flexible innovation uses (e.g., research, office-warehouse, etc.)
- [Residential](#)

DESIRED DEVELOPMENT CHARACTERISTICS

- Architecture and site characteristics that are distinct, attractive, and have a pedestrian-friendly urban form.
- Able to accommodate a high degree of automobile activity, but parking is not the predominant visual feature from adjacent streets.
- Significant connectivity through cross/mutual access easements and multi-modal options (biking and walking).
- Design encourages a high degree of pedestrian activity, oftentimes during both the day and night.
- Institutional functions may require multiple buildings, arranged in a campus-like setting.
- Building facades are articulated, have significant window areas, and often include porticos or awnings to provide shade for pedestrians.
- Multistory buildings are encouraged to add a greater variety of destinations and uses in close, walkable proximity. This in turn leads to an increased vibrancy for the area and more available commercial development square footage.
- [As a goal, the single most important beautification project will be the relocation of overhead utility lines.](#)

Figure 8.7. Illustrative Colleyville Boulevard Corridor Development Types



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Chapter 8 | FUTURE LAND USE

LAND USE TYPES

- Retail, service, and entertainment
 - Office
 - Public and institutional uses
 - Flexible innovation uses (e.g., research, office-warehouse, etc.)
 - [Residential](#)
-
- [As a goal, the single most important beautification project will be the relocation of overhead utility lines.](#)

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines

COLLEYVILLE BOULEVARD CORRIDOR LAND USE AREAS

The Colleyville Boulevard corridor has unique land use areas with distinct character and land use characteristics. The areas serve as the basis for specific policies and actions related to each area. The four areas are described below:

- Northern Gateway: Offers a unique opportunity for new development on relatively undeveloped property as a new mixed commercial node, highlighting this northern entry point into the city along the Corridor.
- Upper Sector: Offers a unique opportunity to create an eclectic Corridor node with a mixture of newer buildings with older buildings that can take advantage of the City's facade improvement grant program and evolve over time into a more attractive and cohesive section of the Corridor with a mixture of retail, office, and service uses.
- Central Sector: Has the most potential to become a true center of activity within the city by tying the major commercial and entertainment centers along the Corridor with a focus on creating a more walkable street context.
- Southern Gateway: An opportunity to create a more memorable entry point to the city and elevate the quality of the existing development with a focused, long-term redevelopment strategy.

Actions related to each Colleyville Boulevard Corridor area are contained in Chapter 9, and a detailed discussion of each area is contained in the Appendices.

TRANSITIONAL AREAS

~~The transitional areas are intended to provide a buffer within the Colleyville Blvd. Corridor between the non-residential uses and the residential uses located outside of the corridor. It is intended that these transitional areas can be either residential uses, which may include residential uses on lots smaller than 20,000 square feet, or nonresidential uses. The nonresidential uses should be designed to buffer the neighboring residential uses from the effects of nonresidential uses, such as light and noise.~~

TRANSITIONAL AREAS

~~The transitional areas are intended to provide a buffer within the Colleyville Blvd. Corridor between the non-residential uses and the residential uses located outside of the corridor. It is intended that these transitional areas can be either residential uses, which may include residential uses on lots smaller than 20,000 square feet, or nonresidential uses. The nonresidential uses should be designed to buffer the neighboring residential uses from the effects of nonresidential uses, such as light and noise.~~

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

- **Northern Gateway** (Bear Creek to Tension Parkway)
- **Upper Sector** (Tension Parkway to Hall-Johnson Road)
- **Central Sector** (Hall-Johnson Road to Brown Trail)
- **Southern Gateway** (Brown Trail to Cheek-Sparger Road/Mid-Cities Boulevard)

The development context along the Corridor is a mix of older auto service, industrial development mixed in with newer office, professional services, and retail buildings towards the northern sectors of the corridor. The Central Sector has the highest concentration of newer retail developments, many of which have been built or significantly redeveloped over the past 15 years. The lower or southernmost portion of the Corridor also has smaller and aging auto-service and strip retail buildings. Generally, there are very few vacant or undeveloped properties, but a large agglomeration of vacant properties is located in the northern section of the Corridor (see Map 9.2, *Colleyville Boulevard Corridor and Sectors*).

The Corridor is mostly auto-oriented, with buildings set back from the roadway and parking located in front of the buildings between the roadway and the buildings. Most of the corridor also lacks sidewalks and safe places to walk. Shoulders, if any, are very narrow with swales immediately adjacent to them. Most of the Corridor also has overhead utility lines and poles that add to the visual clutter. (see Figure 9.1. *Character of Existing Development along the Colleyville Boulevard Corridor*.)

Although it is clear when traveling down Colleyville Boulevard that it is a center for activity and commerce, there are no clear signs that the Corridor is Colleyville's

main destination or that it is specifically in Colleyville either. There is a patchwork of architectural styles and materials, some properties lacking landscaping while others provide abundant and tasteful landscaping. There are no distinguishing features that indicate when one has entered or left the city other than two Colleyville monument signs. ~~Appendix A provides more detailed discussion about the existing land use context and development character in the different sectors of the Corridor. The proposed actions on the following pages are designed to improve the Corridor.~~

Figure 9.1. Character of existing development along the Colleyville Boulevard Corridor



~~Colleyville monument signs. Appendix A provides more detailed discussion about the existing land use context and development character in the different sectors of the Corridor. The proposed actions on the following pages are designed to improve the Corridor.~~

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines

Transitional Areas

The transitional areas are intended to provide a buffer within the Colleyville Blvd. Corridor between the nonresidential uses and the residential uses located outside of the corridor. It is intended that these transitional areas can be either residential uses, which may include residential uses on lots smaller than 20,000 square feet, or nonresidential uses. The nonresidential uses should be designed to buffer the neighboring residential uses from the effects of nonresidential uses, such as light and noise.

- Ensure Colleyville Blvd. Corridor uses respect and are compatible with single-family uses outside of the corridor.
 - Residential uses on lots smaller than 20,000 square feet are a suitable buffer within the corridor.
 - Residential use should be single-family detached uses.
 - Residential uses should reflect the character and design of Colleyville's existing single-family detached neighborhoods.
 - Nonresidential uses should be required to have building and site design elements to lessen their impacts on residential use outside the corridor.
 - Building Design Elements:
 - Loading docks and overhead doors: A screening wall should be required.
 - Lighting: Fully shielded lights should be required to limit glare.
 - Roof mounted equipment: Must be screened by a parapet wall or some other device or design.
 - Building materials: Building shall be finished with the same type of materials and in the same percentage used on the front facade.
 - Building height: Limit building heights to protect residential uses.
 - Site Design Elements:
 - Buffer yard: Require a 30-foot buffer yard with two rows of shade trees.
 - Lighting: Fully cutoff lights should be required and light poles should be limited to 10 feet in height.
 - Parking: Headlight screening, such as a row of shrubs, shall be installed to prevent vehicle headlights from projecting onto adjacent residential properties.
 - Dumpsters: Shall be placed adjacent to the building and in no case shall be placed within 20 feet of a residential property line.

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
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Comprehensive Plan Amendments

Figure 9.4a_Neighborhood Compatibility Design Elements



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Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
- 5) Private Parks
- 6) Clarifications

Comprehensive Plan Amendments

Comprehensive Plan Revisions/Redlines

desired standards and framework for converting each of the Colleyville Boulevard Corridor Sectors into more walkable and memorable zones.

Table 10.1. Overarching Zoning Recommendations

Land Use Designation	Recommended Zoning Tool	Recommended Implementation Priority
Residential	- Maintain maximum net density target of 1.8 dwelling units per gross acre. - Revise the PUD-R development standards to establish rural frontage standards along certain key roadways such as John McCain Road, Pleasant Run Road, Bransford Road, and Westcoat Drive. - Revise PUD-R standards to require appropriate-transitions-and quality open space. More specifically, establish design and performance criteria for open space to maximize value creation, tree preservation, preservation of rural frontage along key roadways, etc. Proactively rezone to bring the existing zoning districts R-10, R-15, R-MF, and RD into agreement with the existing development pattern, which is R-20 or greater. - Revise the LDC to require an accompanying conceptual plan with straight zoning requests (non-PUD) to ensure new developments are built in substantial compliance to the approved conceptual plan. - Add additional regulations for floodplains. - Implement neighborhood consistency standards through PUD-R or overlay zoning.	City Initiated
Commercial	- Streamline all commercial design standards into one section of the LDC. - Include all elements of building and site design in the same section. - Create corresponding public realm and streetscape standards to complement the private realm standards. - Revise PUD standards to address appropriate design context for mixing of residential and commercial uses in the same PUD. Add additional regulations for floodplains.	City Initiated
Colleyville Boulevard Corridor	- Create an integrated regulatory tool (through a Corridor Zoning District or similar tool) to achieve a mix of commercial uses, appropriate transitions and buffers, and desired character that is tailored to the four different sections of the Boulevard as described in the vision -- the Northern Gateway, Upper Sector, Central Sector, and Southern Gateway (see Table 10.2, Proposed Colleyville Boulevard Corridor Regulatory Framework for more detail). - Establish appropriate urban design standards associated with each sector including building design, site design and orientation, mix of use, signage, and civic/open space standards with pedestrian-oriented design elements, specifically in the Central Sector. - Establish public and private street design standards that are consistent with the different sectors and vision for the Corridor. Add additional regulations for floodplains.	City Initiated

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- [Proactively rezone to bring the existing zoning districts R-10, R-15, R-MF, and RD into agreement with the existing development pattern, which is R-20 or greater.](#)
- Revise the LDC to require an accompanying conceptual plan with straight zoning requests (non-PUD) to ensure new developments are built in substantial compliance to the approved conceptual plan.
- Add additional regulations for floodplains.
- Implement neighborhood consistency standards through PUD-R or overlay zoning.

[Add additional regulations for floodplains.](#)

[Add additional regulations for floodplains.](#)

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
- 4) Rezoning
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- 6) Clarifications

Comprehensive Plan Amendments

Table 10.3. Implementation Priorities, Responsibilities, and Time Frames (cont'd)

Action No.	Recommended Action	Potential Time frame
Housing & Neighborhoods		
Action 6.1	Consider overlays for established neighborhoods.	Short-term
Action 6.2	Provide mechanisms for context-sensitive residential redevelopment.	Short-term to Mid-term
Action 6.2A	Consider PUD-R or overlay zoning to implement consistency standards for new neighborhoods.	Short-term
Action 6.3	Continue to focus on neighborhood park and recreation improvements to positively contribute to neighborhood vitality.	Short-term to Mid-term
Action 6.4	Improve neighborhood connectivity to the Colleyville Boulevard Corridor and key destinations.	Short-term to Mid-term, where feasible
Action 6.5	Encourage new neighborhood design that creates defined centers, edges, common spaces, and entries.	Short-term
Action 6.6	Require new neighborhoods to be connected where appropriate.	Short-term to Long-term
Action 6.7	Encourage the construction of local gateways and signs that promote unique neighborhood identity that is tied to Colleyville's heritage and/or a "country feel."	Short-term to Mid-term
Action 6.8	Consider amending the existing tree preservation ordinance to ensure the existing tree canopy is preserved.	Short-term
Action 6.9	Consider expanding the free tree planting program to encourage residents to plant trees.	Short-term
Action 6.10	Consider standards for ensuring that quality landscaping is created and maintained.	Short-term
City Services & Facilities		
Action 7.1	Update the long-range plan for the Colleyville Public Library.	Short-term to Mid-term
Action 7.2	Update the Parks, Recreation, and Open Space Master Plan as needed.	Short-term to Mid-term
Action 7.3	Evaluate options to upgrade the Colleyville Senior Center to continue to serve senior residents of the City.	Short-term to Mid-term
Action 7.4	Evaluate options to improve the Colleyville Center so that it can continue to meet citizen needs as well as attract additional usage and visitation.	Short-term to Mid-term
Action 7.5	Continue to ensure Police, EMS, and Fire Department equipment and facilities continue to meet the current and future public safety needs of the Colleyville community.	Ongoing
Action 7.6	Continue to ensure that firefighter, EMS personnel, and police officer training is adequate to respond to emergency situations.	Ongoing
Action 7.7	Continue to ensure that Fire, Police, and EMS Departments staffing needs are maintained adequately to address changes in growth and current levels of service.	Ongoing
Action 7.8	Maintain a proactive approach to the use of technology to improve public safety in Colleyville.	Ongoing

[Consider PUD-R or overlay zoning to implement consistency standards for new neighborhoods.](#)

[Consider amending the existing tree preservation ordinance to ensure the existing tree canopy is preserved.](#)

[Consider expanding the free tree planting program to encourage residents to plant trees.](#)

[Consider standards for ensuring that quality landscaping is created and maintained.](#)

Themes:

- 1) Density
- 2) Transitional Areas
- 3) Existing Neighborhoods
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- 5) Private Parks
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Next Steps

- **Determine how the amendment process will move forward.**

Adjournment

Comprehensive Plan “*Destination Colleyville*”

In an effort to reduce the number of pages and size of the agenda packet we are providing a hyperlink to the Comprehensive Plan “Destination Colleyville”. The link below will direct you to the plan for your review.

<http://www.colleyville.com/images/Destination-Colleyville-2015.pdf>

ORDINANCE O-17-XXXX

AN ORDINANCE AMENDING THE COLLEYVILLE 2035 COMPREHENSIVE PLAN, DESTINATION COLLEYVILLE, BY AMENDING ORDINANCE O-15-1972; AUTHORIZING PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council approved Ordinance O-15-1972 on December 15, 2015, adopting the Colleyville comprehensive plan, *Destination Colleyville*; and

WHEREAS, the City Council deems it in the best interests of the public to adopt this ordinance amending of the Colleyville comprehensive plan, *Destination Colleyville*; and

WHEREAS, the City of Colleyville has complied with the requirements contained in Section 11.03 of the Colleyville Charter regarding the Master Plan adoption procedure; and

WHEREAS, the City of Colleyville has complied with the provisions of Chapter 213.003 of the Texas Local Government Code regarding comprehensive planning public hearing requirements; and

WHEREAS, the Planning and Zoning Commission has forwarded their recommendation to the City Council of the amendments to the Colleyville comprehensive plan, *Destination Colleyville*; and

WHEREAS, all statutory and constitutional requirements for the passage of this ordinance have been adhered to, including but not limited to the Open Meetings Act; and

WHEREAS, the purposes of this ordinance are to promote the public health, safety, and general welfare of the citizens of the City of Colleyville.

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

Sec. 1. THAT the document entitled "*Destination Colleyville*" is hereby amended as shown in Exhibit "A" and shall serve as the guide for future development of the community.

Sec. 2. THAT the City Secretary is hereby authorized and directed to cause publication of the descriptive caption hereof as an alternative method of publication provided by law.

Sec. 3. THAT this ordinance shall become effective immediately upon publication.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 7th day of February 2017.

The second reading and public hearing being conducted on the 21st day of February 2017.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 21ST DAY OF February 2017.

Mayor Richard Newton	_____	Mayor Pro Tem Chris Putnam	_____
Place 1, Tammy Nakamura	_____	Place 5, Nancy Coplen	_____
Place 2, Bobby Lindamood	_____	Place 6, Mike Taylor	_____
Place 4, Jody Short	_____		

ATTEST:

CITY OF COLLEYVILLE

Amy Shelley, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt Wyatt
City Attorney

Exhibit "A"

DESTINATION COLLEYVILLE - EXECUTIVE SUMMARY

Colleyville is one of the premier places to live in the greater Dallas-Fort Worth (DFW) Metroplex. The city is well known for its great neighborhoods, excellent schools, and well-maintained parks and amenities, all located with convenient access to regional employment destinations such as DFW International Airport, Downtown Fort Worth, Las Colinas, and Downtown Dallas.

This comprehensive plan reflects the vision for the Colleyville of tomorrow. It has been crafted from community input over the course of more than a year. It builds on the strengths of the city today and identifies the framework for key decisions and actions that will guide Colleyville over the next two decades to make that vision become a reality.

The Colleyville community recognizes and cherishes the strengths of the city and wants to preserve and enhance those qualities. The community wants to make Colleyville the destination of choice for those seeking a vibrant place to live, work, or play with a high quality of life. A key strength of Colleyville is the high quality, low density neighborhoods. A goal of the plan is to define strategies to protect and maintain the quality and character of those neighborhoods. It is recognized that there will be tremendous pressure to redevelop them into higher density housing that will not distinguish Colleyville from its neighbors. This plan reinforces and builds on the principles and values that have historically guided decisions in the city, but it also updates policies on new topics since the previous plan's adoption.

Destination Colleyville contains the following framework that encompasses the goals and policies of the Plan:

- Preservation of neighborhoods.
- Enhancing Colleyville's economic resilience.
- Creating a connected Colleyville.
- Enhancing Colleyville's character and brand.
- Securing the economic spine of the city.
- Enhancing amenities and services.

The Plan then translates these framework principles into key goals for economic stability, transportation, housing and neighborhoods, City services and facilities, future land use, and character and placemaking. Each of these elements includes goals, policies, actions and benchmarks which are based on Colleyville's unique context and community input.

More specifically, this Plan details the future vision for Colleyville Boulevard. Colleyville Boulevard is not only the city's main economic engine, but is also the key to defining the character of Colleyville. It provides access to entertainment and boutique retail destinations, as well as meeting the day-to-day needs of the residents who live in the city. One of the major goals of this comprehensive plan update is to address the redevelopment and enhancement of properties along Colleyville Boulevard to create a cohesive development character, while recognizing key nodes or areas as special places with greater concentration of commercial/retail uses in a more pedestrian-friendly context.

This Plan emphasizes implementation as a key for its success. Implementation in the Plan's context is aligning the policies in this plan with the city's regulatory, infrastructure, operational, and fiscal tools. In moving forward, this Plan and associated principles and goals help the community prioritize the city's actions in addressing its many competing needs and requests. *Destination Colleyville* guides the city into its bright future, setting the stage for continued success.

Exhibit "A"

Further, the plan projected that the city's annual growth rate would slow to 1.25 percent during the years 2011 through 2015, decrease even further to 0.75 percent for the years 2016 through 2020, and decrease further to 0.50 after 2020. During the past five years (2010 to 2014), the city's actual annual growth rate was 0.81 percent.

With fixed boundaries and an increasingly limited amount of land remaining available for development, Colleyville is getting closer to its maximum population.

Population Estimate

While it would be easy to simply utilize the estimate that was contained in The Colleyville Plan (2004-2025), there have been many changes in the city that have occurred since then. First is that the city, like the rest of the country, has been impacted by a significant recession. While this may not have had as great of an impact on Texas cities as elsewhere, it has resulted in changes in consumer preferences (regarding housing, debt, driving and commuting preferences, among others). The city has also had 10 additional years of development which means there is less land available for development. Therefore, it was determined that

an analysis, using a similar methodology as was used in *The Colleyville Plan* (2004-2025), would further quantify the city's maximum population.

First, areas within the city that had sufficient acreage (approximately 3 acres or larger) and characteristics for potential redevelopment were identified. These areas equaled about 492.7 acres or 0.77 square miles out of 13.10 square miles. Second, an analysis of both the city's current Future Land Use Map (adopted 2004) and the draft Future Land Use Map contained within this plan were undertaken. Both maps identified that a majority of these potential areas are classified as single-family detached residential.

~~In The Colleyville Plan (2004-2025), the low and high estimates were calculated using an average residential density factor of 1.8 (base estimate) and 3.5 dwelling units per acre (high estimate).~~ The estimate below was (see Table 2.1, *Population Forecast*) prepared using the following calculation:

$$[(\text{acres}) \times (\text{net density}) \times (\text{occupancy rate}) \times (\text{household size})] + [(\text{vacant platted lots}) \times (\text{household size})] + (\text{current population estimate}) = \text{population forecast}$$



Population growth stabilizes as the city has fewer and fewer parcels remaining for development.

Exhibit "A"

The result indicates that the city could reach a population of ~~27,943~~ 27,518 people depending on the development that occurs over the next 20 years and beyond. The city can feasibly accommodate this population growth by utilizing sound land use planning and associated implementation tools. The differences in population should not have a significant impact on the city’s ability to provide services or meet infrastructure needs.

Table 2.1, Population Forecast

Net Acreage ¹	Net Density ²	Vacant Platted Lots ³	Household Size ⁴	Occupancy Rate ⁵	Projected Maximum Population ⁶
492.7 418.8 +/-	1.8	600	2.88	96.9%	27,943 27,518 people

Notes:

¹ The identified acreage is based on an analysis of property that is of sufficient size, shape, and characteristics to be potentially redeveloped during this planning horizon. [A 15 percent reduction to the gross acreage has been applied to calculate net acreage. This reduction is for right-of-way.](#)

~~² A net density of 1.8 dwelling units per acre produces 24,200 square foot lots.~~

³ Is an approximate estimate of residentially zoned and platted lots that are currently vacant or under construction.

⁴ Household size is from the U.S. Census Bureau 2010 Decennial Census: *Profile of General Population and Housing Characteristics: 2010*.

⁵ Occupancy Rate is from the U.S. Census Bureau 2010 Decennial Census: *Profile of General Population and Housing Characteristics: 2010*.

⁶ The projected maximum population is derived by adding the estimated increase in population to the current population of 23,740 people.

Exhibit "A"

Housing & Neighborhoods Chapter 6



Goals:

Preserve high quality, established neighborhoods with an emphasis on large lots and natural settings with a “country feel.”

Connect neighborhoods and provide high quality amenities.

Policies

1. Preserve neighborhood character and quality.
2. Enhance neighborhood-level amenities and connectivity such as pocket parks, sidewalks, and trails.
3. Require new neighborhood developments to demonstrate and contribute to Colleyville’s character.
4. Ensure tree canopies and quality landscaping are created and maintained.
5. Maintain “current built” density or less in existing neighborhoods as redevelopment occurs.

Benchmarks

- Improved access to neighborhood-level park improvements.
- Increased number and quality of neighborhood-level amenities and connections (ex. trails).

City Services & Facilities Chapter 7



Goal:

Maintain an exceptional system of City services and facilities that is technologically current, efficient, and responsive to the needs of the Colleyville community.

Policies

1. Continue to maintain and improve the City’s facilities as appropriate.
2. Continue proactive and effective public services to ensure the public health, safety, and welfare of the Colleyville community.
3. Provide and maintain a well-planned and fiscally sustainable public infrastructure.
4. Proactively support efforts to promote green initiatives for fiscal resilience.

Benchmarks

- Additional facility improvements completed.
- Maintained a minimum 90 percent level of satisfaction among the community with City services.
- Maintained or improved current response times for Police and Fire services.
- Additional infrastructure improvements completed.

Exhibit "A"

Future Land Use Chapter 8



Goal:

Maintain the integrity of the existing land uses by ensuring the Future Land Use Plan map and categories reflect the land use mix and character of desired development.

Policies

Establish appropriate future land use categories in the City's Future Land Use Map (FLUM):

- Residential
- Commercial
- Institutional
- Parks and Open Space
- Colleyville Boulevard Corridor (CBC)

Character & Placemaking Chapter 9



Goal:

Ensure high quality neighborhood design at a net density of 1.8 dwelling units per acre or less that positively contributes to surrounding neighborhoods and the country character of Colleyville.

Enhance the city's commercial corridors to make them unique destinations – specifically Colleyville Boulevard and Precinct Line Road – by creating a unique design aesthetic that sets these corridors apart from adjoining communities and continues to attract destination commercial uses.

Policies

1. Preserve the “country-feel” of roadways.
2. Ensure compatibility of new neighborhoods with existing neighborhoods and connectivity with adjoining developments where appropriate.
3. Create a plan to coordinate the public realm and private development standards for the Colleyville Boulevard Corridor with a strong and unique sense of place that transforms the Corridor into a true destination.
4. Create a unique commercial corridor for Precinct Line Road.

Exhibit "A"

Figure 4.4. Businesses Needed in Colleyville

As part of the city-wide survey administered during this comprehensive planning process, participants identified the following types of businesses that were needed in the city. These expressed "needs" by community residents can contribute to additional sales tax dollars and revenues for the city.

- **Small retail stores / boutiques** – 48.3 percent of respondents felt that more small retail / boutique stores were definitely needed (15%) or somewhat needed (33.3%).
- **Medium-sized retail stores** – 77.7 percent of respondents felt that medium-sized retail stores were definitely needed (34.0%) or somewhat needed (43.7%).
- **Large retail stores** – 56.1 percent of respondents felt that large retail stores were definitely needed (30.6%) or somewhat needed (25.5%).
- **Professional services** – 42.5 percent of respondents felt that additional professional services (e.g., medical, legal, health, beauty, etc.) were definitely needed (10.2%) or somewhat needed (32.3%). Conversely, almost 40 percent felt that more of these services were not needed.
- **Sit-down restaurants** – 85.2 percent of respondents felt that additional sit-down restaurants were definitely needed (45.2%) or somewhat needed (40.0%). Conversely, 50.4 percent felt that more fast food services were not needed.
- **Mixed-use developments** – 47.0 percent of respondents felt that mixed-use areas were definitely needed (16.2%) or somewhat needed (30.8%).

Source: Community responses from the 2014 city-wide opinion survey

Policy: Recruit – Continue to promote Colleyville as an excellent and convenient place to locate a business.

Businesses are attracted to locations that are vibrant and offer a high standard of living for their management and staff. Businesses with specialized professional staff, in particular, favor walkable and vibrant locations that help them attract top talent. Colleyville can readily be promoted as a place where it is easy to live, work, play, and stay. The City's neighborhoods and schools are already top-notch and can help recruit businesses to the City in conjunction with the City's incentive policy and Economic Development Strategic Plan.

There are limited locations within the City for new, quality, commercial development. It will be imperative to ensure that the City can maximize this new commercial development potential to the extent possible. Details on the design and quality considerations are included in Chapter 9.

■ **Action 4-3: Continue to pursue new commercial development in the Colleyville Boulevard Corridor, Precinct Line Road, S.H. 121, and other appropriate locations.**

Pursuing new, quality, commercial development in the Colleyville Boulevard Corridor, specifically at the Northern Gateway, and the Precinct Line Road Corridor, is a priority to increase commercial tax base, and to reduce retail sales leakage to other cities within the region. Catalyst's assessment identified the capacity for an additional 303,000 square feet of retail goods and services by 2024 (see Figure 4.4. *Businesses Needed in Colleyville* on the left).

Historically, the City has absorbed an average of 6,000 square feet of professional office space and current absorption is close to 15,000 square feet with vacancy near 7%. Additional opportunities in Colleyville would be for boutique corporate headquarters. Overall, forecasts show that demand for quality office will continue to increase. The addition of quality professional office uses will not only capitalize on the areas available highly educated workforce but also provide additional daytime visitors that can increase sales at Colleyville's stores and restaurants.

Exhibit "A"

Character of Streets

The community identified the country character associated with driving along roads within and throughout Colleyville as one of the community's key strengths. The old county roadway system that previously existed in most of the neighboring communities eventually gave way to multi-lane improvement projects. However, in Colleyville, significant sections of the old county roadway system have been retained and generally function today as

the collector streets. Many of the existing roadways in the city contain signature elements (e.g., mature trees, rural fencing, open swales, etc.) that create a unique character which sets Colleyville apart from many of the surrounding communities. See Figure 5.1, *Existing Streets With Character*. Some of these streets include sections of Pleasant Run Road, Cheek-Sparger Road, Jackson Road, Oak Knoll Drive, Westcoat Drive, Bransford Road, [Glade Road](#), John McCain Road, and McDonwell School Road.

Figure 5.1. Examples of Existing Streets With Character



Fencing and open space as signature elements



Mature trees and no curbing as signature elements



Open swales and no curbing as signature elements



Fencing and woodlands as signature elements

Exhibit "A"



During the planning process, the Colleyville community frequently noted their appreciation for the roundabouts that have been installed in recent years, and asked that those improvements continue. The photo depicts the roundabout installed at the intersection of Glade and Pool Roads.

Policy: Explore opportunities to improve connectivity within and between neighborhoods and developments (especially along the Colleyville Boulevard Corridor and adjoining neighborhoods).

As Colleyville developed, many neighborhoods were built with only one or two vehicular access points and frequently lacked vehicular connections to nearby neighborhoods. In recent years, many newer developments have been built in the same manner, forcing all traffic out to the nearby collectors or arterials. In places where higher capacity collectors and arterials are available, this may be acceptable. However, with the desire to maintain a rural character in Colleyville, this design arrangement simply increases the burden on the city's collectors and arterials. Similarly, many commercial developments were designed without internal connectivity to adjacent parcels. [The Land Development Code has been amended to ensure internal connectivity and cross access for all new development.](#)

In addition, there is increasing desire on the part of Colleyville residents to be able to walk or ride a bicycle to nearby destinations. Access to sidewalks and trails for both recreation and mobility is becoming an important element of quality of life for many communities, especially for Colleyville. The Colleyville community has expressed this desire repeatedly, going back to the 1998 Plan, The Colleyville Plan (2004– 2025), and most recently as part of the 2011 Parks, Recreation & Open Space Master Plan.

Given the narrow pavement sections and the desire to maintain the rural character of drainage swales along many streets, the preferred solution to improve connectivity for both bicyclists and pedestrians is to expand the city's system of trails that parallel many streets. These trails are typically 10-feet wide and can carry low to medium volumes of both bicyclists and pedestrians concurrently (as long as high-speed bicycle travel is not anticipated). Since there is a growing interest in walking and bicycling, every neighborhood in Colleyville should have comfortable and appealing options for users to walk or ride to nearby destinations.

Housing and Neighborhoods

Colleyville is widely known for the high quality of its neighborhoods. Colleyville residents enjoy quiet internal neighborhood streets with little traffic, mature trees, extensive green areas, nearby parks and other amenities, and access to some of the best schools in the entire DFW Metroplex region. The city's crime rate is extraordinarily low, and residents can also rest assured that their investment in their property will retain its value over the years. As a result, Colleyville continues to be one of the most desired places to live.

The character of the existing neighborhoods can be defined by the width of its streets, the size and number of trees, size of the front yards, sidewalks, and neighborhood amenities such as parks and trails, which all culminate into the creation of a true sense of place. Retaining the value and quality of neighborhoods is one of the single most important priorities of the Colleyville community.

Since much of the city consists of existing residential neighborhoods, Colleyville's long-term future is inextricably tied to its housing quality and conditions. In the 1970's areas of high density zoning were approved. However, these areas have developed at a much lower density. In order to preserve these neighborhoods, the City must have a policy to rezone the higher density zoning designations to a lower density which is consistent with the built conditions. If a policy is not implemented, these areas may redevelop at a higher density, thereby destroying the character and quality of the neighborhood. While one challenge is to protect and preserve existing neighborhoods, another is to ensure future housing further strengthens the city's status in the DFW Metroplex region. In the city's mature existing neighborhoods, housing exhibits a rural character accessed by rural roadways. In these areas, increased access to quality-of-life amenities (e.g., improved walkability, recreation, etc.) is important. In new neighborhoods, tree preservation, high quality layout and design should be a minimum requirement to ensure that these important amenities are considered while creating neighborhoods that have a sense of character. Each of these

considerations, if done well, strengthens the character of the city which is so important to the Colleyville community.

Neighborhood Planning Areas

During the planning process for The Colleyville Plan (2004-2025), the city was divided into six neighborhood planning areas to help facilitate participation and planning. The boundaries of the six planning areas were chosen based on the service areas of the existing homeowner associations, as well as physical features such as major streets, railroads, and creeks.

Destination Colleyville uses the same six neighborhood planning areas to facilitate discussions and develop strategies to enhance neighborhoods in all parts of the city.

Figure 6.1. Six Neighborhood Planning Areas

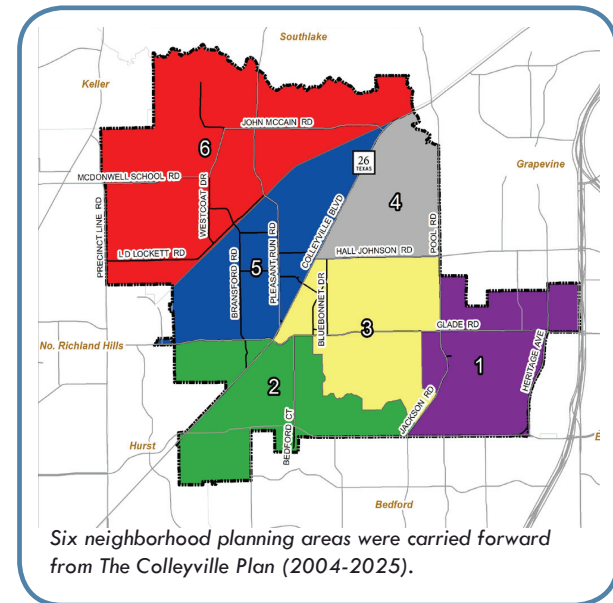


Exhibit "A"

PRESERVING NEIGHBORHOOD INTEGRITY

Preservation of the existing neighborhood character is a top priority should redevelopment occur.

Protection of the character and integrity of existing neighborhoods should be ensured by the promotion of future development that is compatible with existing neighborhoods.

Southeast Colleyville - Neighborhood Area 1

Placement in the Community

Southeast Colleyville occupies the southeast quadrant of the city. Bounded by Cheek-Sparger Road to the south, Jackson and Pool Roads to the west, State Highway (SH) 121 and Heritage Avenue to the east, and the city limits with Grapevine to the north and east, Southeast Colleyville totals approximately 1,213 acres (1.9 square miles) or 14.3 percent of the overall land area of Colleyville. With the development of the Heritage Avenue tract into single family homes, most of Southeast Colleyville is developed.

During the planning process for the comprehensive plan, feedback from focus groups comprised of residents of this area noted the convenience of living here, with easy access to SH 121 and also to commercial areas along Colleyville Boulevard. The major issue for the area is traffic congestion along Glade Road and Cheek-Sparger Road, and occasional periodic traffic delays generated by other users in the area (e.g., churches).

Character and Form

The following descriptions provide a summary of the character, development pattern, transportation and connectivity, and parks, recreation and open space in Southeast Colleyville.

- **General character.** Small portions of this area can be characterized as fairly typical suburban style developments. However, these developments transition to portions of Southeast Colleyville that are among the most beautiful in all of Colleyville. Home styles vary from older 1970's ranch style homes to large mansions with extensive open space and attractive front yards. Several gated communities exist in the area along Martin Parkway

and Jackson Road. Much of the area drains to tributaries of Little Bear Creek, and as a result the area is heavily wooded with stands of large mature trees. This wooded character is extremely appealing and is one of the distinguishing aspects of much of Southeast Colleyville. Private ponds which are visible from the area's public streets also contribute to the lush, luxurious feel of the area.

- **Development Pattern.** Approximately 90 percent¹ of this area is comprised of existing single family residences, with the remaining 10 percent consisting of commercial and institutional uses. Residential lot sizes vary from estate-sized lots along drainage tributaries of Little Bear Creek, to garden home-sized lots north of Glade Road and west of Heritage Avenue. Development patterns transition from freeway commercial uses at Glade Road and SH 121, to garden residential lots near Heritage Avenue and Glade Roads, finally to larger lots further to the west and throughout the remainder of Southeast Colleyville. Residential uses in the area total ~~1,112~~ **945 net** acres and 1,707 lots, yielding a residential **net** density² of **1.8** ~~approximately 1.54~~ dwelling units per acre³.
- **Transportation and Linkages.** Glade Road and Cheek-Sparger Road are the primary east-west minor arterials in the area. Heritage Avenue, Martin Parkway, and Jackson Road are the primary north-south roadways for this area. Apart from the four-lane sections of Glade Road and Heritage

¹ Existing residential percentage for each neighborhood area includes all areas within residential and agricultural zoning districts and includes rights-of-way and parks.

² **Net density is calculated by removing 1.5 percent of the gross area for right-of-way.**

³ Residential density is calculated by dividing the total number of residential lots (occupied and vacant) in the neighborhood by the total land area in the neighborhood in residential or Agricultural zoning district categories.

Exhibit "A"

Avenue at the commercial areas near SH 121, most streets in the area, including arterial, are two-lane roadways.

- **Parks, Recreation, and Open Space.** Southeast Colleyville has several private parks but no public parkland. The open parkland behind the Senior Center in Southwest Colleyville provides the main park space for this area. A total of 46 acres of private parkland are contained in the area, however, much of this private parkland is fenced and restricted to specific neighborhoods or homes. Some residents of the area have access to Melrose Park, which is a large private neighborhood park located on Martin Parkway. With the exception of wide sidewalks along a portion of Glade Road and Heritage Avenue, leading to the middle school and high school, the area has no existing public trails. Private recreational trails can be found in Melrose Park, as well as in privately shared open space east of Martin Parkway.

Key Current and Future Considerations for Southeast Colleyville

- The commercial areas between SH 121 and Heritage Avenue are vital to the overall fiscal health of the city. They are the only freeway-oriented properties in the city, and have no direct residential adjacencies. As such, the intensity of development directly adjacent to SH 121 should be maintained and even increased where appropriate. ~~Non-residential~~ Intensity of commercial development densities can decrease closer to Heritage Avenue, but should still remain among the highest in the city.
1. Roadway improvements are discussed in the Transportation section of this plan. However,

Southeast Colleyville residents have expressed their desire that Glade Road remain two lanes, with the exception of upgrades at intersections to improve traffic flow. Any improvements to Cheek-Sparger Road should carefully consider the character of the roadway. For both roads, shoulder improvements for roadway safety and traffic flow improvements at key intersections should be considered, where and when feasible.

2. No public park improvements are currently slated for this area. However, future park improvements in the city's park land adjacent to the Senior Center will be needed to provide public facilities for residents of Southeast Colleyville.
3. Sections of eight- to 10-foot wide trails exist along the north parkway of Glade Road between Pool Road and Heritage Avenue. Filling trail gaps along this section of Glade Road should be planned in order to enhance connections to area schools, retail and dining closer to SH 121. However, these enhancements should be done in a manner that maintains the character of the existing road design.
4. Heritage Avenue and Cheek-Sparger Road intersection – work with the City of Euless to make improvements as appropriate when necessary.
5. Protect the integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.

Exhibit "A"

Southwest Colleyville - Neighborhood Area 2

Placement in the Community

Southwest Colleyville occupies the southwest corner of Colleyville, and is generally bounded by Glade Road and Little Bear Creek to the north, Cheek-Sparger Road to the south, Jackson Road to the east, and Colleyville Boulevard to the west. A portion of Southwest Colleyville neighborhood area is west of Colleyville Boulevard and extends to Precinct Line Road which is the city limits with Hurst. Southwest Colleyville totals approximately 1,292 acres (2.02 sq. miles) or 15.3 percent of the overall land area of Colleyville.

Feedback from focus groups comprised of residents of this neighborhood area noted the high quality of their neighborhoods and, with this area's proximity to Colleyville Boulevard, the relative convenience and accessibility to other areas of the city.

Character and Form

- **General character.** While more than three-quarters residential, this area also has some non-residential uses extending along Colleyville Boulevard. The area is traversed by Little Bear Creek and consequently includes significant green spaces. Bedford Road, which crosses Little Bear Creek, is representative of the characteristic beautiful Colleyville thoroughfare, with large trees and a classic rural feel along much of the roadway in this area.
- **Development Pattern.** Southwest Colleyville is essentially completely developed, with only a few lots remaining open for development. The area is approximately 83 percent existing residential uses (911.5 net acres) with 1,718 lots. This neighborhood has a net density of approximately ~~1.60~~ 1.9

dwelling units per acre. Lots in the area are still generally below average in size, ranging from 10,000 to 15,000 square feet in size.

- **Transportation and Linkages.** Glade Road and Cheek-Sparger Road are the only east-west minor arterials in the area. Colleyville Boulevard, Precinct Line Road, Bedford Road, and Brown Trail are the only major north-south roadways in the area. With an eventual six lanes, Colleyville Boulevard has significant capacity to handle the traffic needs of the area. However, getting to Colleyville Boulevard is through a two lane section of Cheek-Sparger Road between Oakbriar Lane and Colleyville Boulevard.
- **Parks, Recreation, and Open Space.** This area has a higher percentage of public parkland than any other in the city. The Colleyville Nature Center and Sparger Park take advantage of their pristine locations adjacent to Little Bear Creek and are major amenities for the area. Woodbriar Neighborhood Park provides amenities south of Cheek-Sparger Road, and all neighborhoods in this area have close access to parks. Trails can be found in both parks, and older private trails along Cheek-Sparger Road point to future trail possibilities that mimic the public trail across Cheek-Sparger Road in Bedford.

Key Current and Future Considerations for Southwest Colleyville

1. Redevelopment of the existing commercial lands between Colleyville Boulevard and Felps Drive will most likely occur in the future, and should be encouraged to bring additional destination value to Colleyville Boulevard. The buffering of residential

Exhibit "A"

areas east of Felps Drive should be incorporated into any redevelopment plans for the area. More compact and walkable non-residential development should be encouraged for other tracts along Colleyville Boulevard, and should take advantage of the desire to be close to Colleyville Downs Shopping Center.

[patterns and development character.](#)

2. Neighborhood-scale retail and office uses should be encouraged at the southern corners of Cheek-Sparger Road and Bedford Road, with adequate buffering provided where residential adjacencies occur.
3. Proposals for development of floodplain lands on the north side of Little Bear Creek between Colleyville Boulevard and Bedford Road should be carefully evaluated for their potential impact on area flooding and the beautiful creek environment. The loss of creek environment could impact the value of nearby residential areas.
4. Evaluate options to improve traffic flow along Cheek-Sparger Road between Bedford Road and Colleyville Boulevard, including improving the intersection of Bedford Road and Cheek-Sparger Road. Consider improvements as appropriate along Cheek-Sparger Road between Colleyville Boulevard and Brown Trail (San Bar Lane to Oakbriar Lane).
5. Trail linkages between the Nature Center and Sparger Park would create a unique amenity for this neighborhood area and should be a high-priority focus. These trail linkages could use natural paving materials in keeping with the character of the area.
6. Explore ways to widen and enhance the existing trails on the south side of Cheek-Sparger Road in partnership with the City of Bedford.
7. [Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development.](#)

Exhibit "A"

South Central Colleyville - Neighborhood Area 3

Placement in the Community

Neighborhood Area 3 (South Central Colleyville) focuses on a central area of the city, east of Colleyville Boulevard. It extends from Pool Road on the east, the centerline of Little Bear Creek and Jackson Road on the south, Colleyville Boulevard on the west, and Hall-Johnson Road to the north. This area is key to the future of Colleyville, since it contains commercial areas along the Colleyville Boulevard Corridor. South Central Colleyville totals approximately 1,248 acres (1.95 sq. miles) or 14.7 percent of the overall land area of Colleyville.

Feedback from focus groups comprised of residents of this neighborhood area noted the quality and love for their neighborhoods. They expressed the desire to ensure that the character of major streets in the area, such as Glade Road, is not lost due to roadway improvements to increase traffic flow.

Character and Form

- **General character.** Much of this neighborhood area has a large estate lot feeling to it. The area also includes significant commercial development along Colleyville Boulevard. Residential areas along Little Bear Creek, with forest-like stands of mature trees, are among the most scenic and beautiful areas in the entire city. Preservation of the existing neighborhood character should be a top priority should redevelopment occur.
- **Development Pattern.** As is the case in other areas, South Central Colleyville is essentially completely developed, with only a few lots remaining to be developed. The area is approximately 90 percent existing residential uses, which is the third highest ratio of residential to non-residential in the city. This neighborhood has ~~an approximate a net~~ density of ~~1.00~~ 1.2 dwelling units per acre, ~~with 954.7 net~~

residential acres and 1,124 lots. A significant number of large estate-sized lots can be found along Oak Knoll Drive, other streets south of Glade Road, and along Montclair Drive and Bluebonnet Drive north of Glade Road.

- **Transportation and Linkages.** Glade Road and Hall-Johnson Road are the only major east-west arterials in the area, and they link this neighborhood area to commercial developments along Colleyville Boulevard. Colleyville Boulevard and Pool Road provide major north-south access north of Glade Road, and are supplemented by Riverwalk Drive and Montclair Drive in the area. South of Glade Road, Jackson Road, Martin Parkway, and Heritage Avenue all provide adequate north-south connectivity given the low density of the area.
- **Parks, Recreation, and Open Space.** South Central Colleyville has only one public open space, at the Senior Center along Glade Road, and no significant private parks. Although it is located in Southwest Colleyville, nearby Sparger Park also serves this area. Open spaces at the Colleyville Center also have potential to address quasi-parkland needs for this area. Trails can be found in Sparger Park, at the Senior Center, and along Church Street and Riverwalk Drive. Trails along Glade Road stop at Pool Road and do not extend westward into this area.

Key Current and Future Considerations for South Central Colleyville

1. Though not yet realized, pedestrian and bicycling connections between this area and the major retail, dining, and entertainment uses along Colleyville Boulevard are vital and highly desired. Efforts to

Exhibit "A"

provide these connections, while preserving the area's existing character and large trees, should be a priority.

2. Intersection, and ingress/egress, and other improvements along Glade Road as planned should continue to improve traffic flow. Preservation of mature trees should be prioritized and may require unique design solutions.
3. [Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.](#)



The Colleyville Senior Center is one of the amenities serving the Colleyville community in South Central Colleyville (Neighborhood Area 3).

Exhibit "A"

Northeast Colleyville - Neighborhood Area 4

Placement in the Community

Occupying the northeastern portion of the city, Neighborhood Area 4 (Northeast Colleyville) encompasses the area north of Hall-Johnson Road, east of Colleyville Boulevard, west of Pool Road and south of Big Bear Creek. Northeast Colleyville totals approximately 793 acres (1.24 sq. miles) or 9.4 percent of the overall land area of Colleyville.

Feedback from focus groups comprised of residents of this neighborhood area were concentrated on issues dealing with the future development of large rural tracts along Colleyville Boulevard, and the interest in trail connections to Big Bear Creek.

Character and Form

- **General character.** This area is characterized by more traditional suburban residential neighborhoods. Lot sizes in this area might be considered large in other communities but are on the smaller side for Colleyville. Neighborhoods range in age from more mature developments that have been in place for more than 30 years, to newer areas around Kimzey Park that were developed within the last 10 to 15 years. With the exception of the visual open space provided by Bluebonnet Hills at the corner of Hall-Johnson Road and Colleyville Boulevard and a portion of Big Bear Creek north of Kimzey Park, this area has no significant open space features. Neighborhoods have attractive mature trees that add character and value to properties in the area.
- **Development Pattern.** While still largely developed, Northeast Colleyville does have some large remaining undeveloped areas along Colleyville Boulevard. Northeast Colleyville is approximately 81 percent existing residential uses, which is the lowest ratio of residential to

non-residential in the city. This neighborhood has a net density of 1.9 dwelling units per acre, with 545.9 net residential acres and 1,022 lots. ~~At approximately 1.59 dwelling units per acre, this area has the highest overall density of single family residential in the city.~~

This area incorporates extensive commercial properties along Colleyville Boulevard. Many of these commercial and industrial type uses can be redeveloped in the future.

- **Transportation and Linkages.** Hall-Johnson Road is the only major east-west minor arterial in the area, and provides the only direct link to commercial areas along Colleyville Boulevard. Colleyville Boulevard and Pool Road provide major north-south access, with no other continuous north-south roads in the area. Apart from Tarrant Lane, Industrial Boulevard and Oak Pointe Drive provide limited road connections between area neighborhoods and the commercial destinations along Colleyville Boulevard. However, the bulk of the residents to go south to Hall-Johnson Road or north along Pool Road to access signalized intersections at Colleyville Boulevard.
- **Parks, Recreation, and Open Space.** Kimzey Park in the northern tip of this area and the playground facilities at Glenhope Elementary School provide the only public park and playground services for residents of this area. A small private park with a pond and walking trail located south of Independence Street provides park access to nearby residents. Natural areas along small portions of Big Bear Creek which are within Colleyville are found in this area. Apart from walking trails located in Kimzey Park, the area has no significant publicly accessible trails.

Exhibit "A"

Key Current and Future Considerations for Northeast Colleyville

1. Promote the development of a unique walkable commercial site at the Northern Gateway, an undeveloped 23 acre tract across from John McCain Road and Colleyville Boulevard. Ensure that adequate buffering/transitions between the development and adjacent residential areas is incorporated.
2. To provide a stronger and more sustainable economic foundation for the city, encourage the redevelopment of older commercial and industrial uses along Colleyville Boulevard into high quality commercial and service destinations. Where feasible, make these walkable.
3. Create additional pedestrian and bicycling connections between neighborhoods in this area and the major retail, dining, and entertainment uses along Colleyville Boulevard.
4. Create walking and bicycling connections between Kimzey Park and regional trails to the north along Big Bear Creek [and to the south along Big Bear Creek and under the bridge at Colleyville Boulevard.](#)
5. [Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.](#)

Western Central Colleyville - Neighborhood Area 5

Placement in the Community

Occupying the center-west portion of the city, Neighborhood Area 5 generally occupies the area between Colleyville Boulevard to the east and the Cotton Belt Trail corridor to the west. Glade Road forms the southern boundary of this area. The area contains a portion of the northern gateway, three connected undeveloped tracts that total to 36 acres. Western Central Colleyville totals approximately 1,324 acres (2.07 sq. miles) or 15.6 percent of the overall land area of Colleyville.

Feedback from focus groups comprised of residents of this neighborhood area focused on issues relating to appropriate transitions to the future development on the large Northern Gateway tracts along Colleyville Boulevard, and the interest in connections to the regional Cotton Belt Trail.

Character and Form

- **General character.** This area is characterized by a mix of residential lot sizes, ranging from high quality, zero-lot-line homes in the Village area to large estate-sized lots closer to the Cotton Belt Trail. Tinker and Bransford Roads in the area are all two-lane rural roads that characterize the city's country past. Extensive mature trees and open swale drainage preserve a country feeling throughout the residential portions of this area.
- **Development Pattern.** Western Central Colleyville is approximately 86 percent existing residential uses and its [net](#) density is ~~approximately 1.16~~ [1.4](#) dwelling units per acre, [with 967.8 net residential acres and 1,322 residential lots.](#) Non-residential development along Colleyville Boulevard ranges

Exhibit "A"

from the walkable, mixed-use character of The Village, to churches, medical facilities, and schools between Church Street and Bogart Drive, to older commercial developments north of Tinker Road. The northernmost tip of Western Central Colleyville includes the 59-acre undeveloped lands that are referred to as the city's Northern Gateway. Thirty-six (36) of those acres are on the west side of Colleyville Boulevard and 23 on the east.

- **Transportation and Linkages.** Glade Road serves as the only continuous east-west road in the area. Other east-west connections are provided by Tinker Road and Bogart Drive, but neither extend completely across the area. Conversely, excellent north-south movement is provided by Colleyville Boulevard, Pleasant Run Road, and Bransford Road.
- **Parks, Recreation, and Open Space.** City Park is centrally located in this area and serves as the major passive and active park for the area. Bransford Park has also been recently improved with many amenities and is home to the historic Webb House. In addition, private parklands in the northern tip of this area provide trails and park facilities for residents in the Tension Parkway area. The Cotton Belt Trail is one of the major regional amenities in the area, and is accessed via Bransford or Pleasant Run Roads. The availability of trails is among the best in the city in this area.

Key Current and Future Considerations for Western Central Colleyville

1. Promote high quality non-residential development of the Northern Gateway properties, so as to contribute to a sustainable economic foundation for the city. Ensure that adequate buffering from

and transitions to adjacent residential areas are provided.

2. Promote the maintenance of larger lot (1/2 to one acre) requirements.
3. Encourage the development of a "creekwalk" environment along the existing drainage corridor between Church and Main Streets (see Chapter 9 for additional information). Added value and a unique sense of place can create a one-of-a-kind destination in the area.
4. Protect the character and integrity of existing neighborhoods by promoting future development that is compatible with the surrounding development patterns and development character.



Maintaining areas in larger lot configurations is important for areas on the western edge of Western Central Colleyville.

Exhibit "A"

Northwest Colleyville - Neighborhood Area 6

Placement in the Community

Neighborhood Area 6 (Northwest Colleyville) encompasses the western third of Colleyville. It is bounded by the Cotton Belt Trail corridor to the east, Big Bear Creek to the north, Precinct Line Road to the west, and L. D. Lockett Road to the south. Northwest Colleyville totals approximately 2,601 acres (4.06 sq. miles) or 30.7 percent of the overall land area of Colleyville.

Character and Form

- **General character.** This neighborhood encompasses the entire western sector of the city. A significant number of the large estate lots on the far western edge of the city near Precinct Line Road have been redeveloped into smaller-lot neighborhoods transitioning to lower density neighborhoods to the east. The Northwest Neighborhood has beautiful established areas with the country character that represents what the Colleyville community wants to preserve.
- **Development Pattern.** This neighborhood area is the largest in the city, encompassing more than 30 percent of the gross land area of the city. Northwest Colleyville has experienced significant change since the previous comprehensive plan in 2004. The neighborhood's residential net density of ~~1.06~~ 1.3 dwelling units per acre is one of the lowest in the city, with 2,122.4 net residential acres and 2,656 residential lots. Overall, 96 percent of the area is existing single family residential uses, the highest percentage in the city. The area has significant open space and parklands, but a very small amount of retail development.
- **Transportation and Linkages.** Major roadways

in the area include L. D. Lockett Road, Westcoat Drive, McDonwell School Road, Precinct Line Road, Pleasant Run Road, and John McCain Road. ~~In addition, the MTP proposes McDonwell School Road be extended east from Westcoat Drive to connect just west of Cutter Ridge Court to improve east-west connectivity in the area.~~ Most roadways in Northwest Colleyville all are generally two-lane rural cross-sections, and intersection improvements and MTP connectivity recommendations can serve to improve traffic flow in the area.

- **Parks, Recreation, and Open Space.** This area has four City parks and multiple smaller private parks. L. D. Lockett, McPherson, Reagan, and Pleasant Run Parks are the major public park facilities in the area. Trail connections along McDonwell School Road and Westcoat Drive, as well as the Cotton Belt Trail, are the major trail corridors in this area. Trails along McDonwell School Road are excellent examples of trail integration adjacent to a two-lane roadway.

Exhibit "A"

Key Current and Future Consideration for Northwest Colleyville

[that is compatible with the surrounding development patterns and development character.](#)

1. Encourage a mix of retail and professional office uses along the remaining undeveloped areas of Precinct Line Road, with the goal of expanding the city's sales tax base.
2. [Protect the character and integrity of existing neighborhoods by promoting future development](#)

Housing and Neighborhood Framework

GOALS

Preserve high quality, established neighborhoods with an emphasis on large lots and natural settings with a "country feel."

Connect neighborhoods and provide high quality amenities.



Policy: Preserve neighborhood character and quality.

Neighborhoods are one of Colleyville's greatest assets, as they form the foundation for the city's reputation and quality of life. As neighborhoods age and mature, some develop a unique and enduring character while others are unable to maintain the quality of development they once had. For this reason, the City should support neighborhood protection and preservation efforts. Safe, well-maintained neighborhoods that have enduring character allow reinvestment and help maintain property values and residential tax base.

The City can support and establish programs to protect and enhance the integrity of its neighborhoods. Potential strategies include improving or updating public facilities and services such as streets, street lighting, drainage systems, traffic control or management, neighborhood policing, and code enforcement. [It is critical to emphasize a policy of not allowing higher density residential development as existing neighborhoods redevelop.](#)

Exhibit "A"

Action 6-1: Consider overlays for established neighborhoods.

In many neighborhoods, residents may want to protect the existing character of development. In these cases, the City could work with neighborhood residents and representatives to develop specific recommendations for protection or enhancement. This may include the creation of a special area plan that frames appropriate changes needed in the underlying regulations, such as garage placement, setbacks, building materials, etc. This may also include other actions that help existing neighborhoods maintain or add landscaping, sidewalks, trails, and park amenities.

Action 6-2: Provide mechanisms for context-sensitive residential redevelopment.

Given the high demand for homes in the Colleyville area and as the city approaches build-out, it will be important to thoughtfully design new residential projects with appropriate considerations of lot sizes, transitions and connections to adjacent neighborhoods, trails, open space and tree preservation, and design of open fencing, landscape treatment, and setbacks along rural character roadways.

Action 6-2A: Consider PUD-R or overlay zoning to implement consistency standards for new neighborhoods.

In order to ensure the integrity of existing neighborhoods is protected, new subdivisions should be designed to reflect the character of surrounding neighborhoods. The lot sizes and building setbacks within new subdivisions should be determined based on the existing lot sizes and building setbacks of the existing neighborhoods.

Policy: Enhance neighborhood-level amenities and connectivity such as pocket parks, sidewalks, and trails.

While the city is known for its superb neighborhoods, there are still opportunities for improvement so they continue to be one of the key assets in the community. Access to sidewalks, trails, and parks is becoming an important element of quality of life for many communities, especially for Colleyville. Neighborhoods designed with such amenities typically maintain their property values over time. It is about providing safer and inviting ways to move in and around one's neighborhood without having to get in an automobile in addition to creating a reinvestment dynamic in the neighborhood as it matures.

Action 6-3: Continue to focus on neighborhood park and recreation improvements to positively contribute to neighborhood vitality.

Clean, well-maintained, and vibrant neighborhood parks are an anchor for strong, established neighborhoods. The City can work with neighborhoods to determine ideas to increase access to, and amenities at, neighborhood parks.

Exhibit "A"

This could include the installation of upgraded or additional amenities at existing parks.

- **Action 6-4: Improve neighborhood connectivity to the Colleyville Boulevard Corridor and key destinations.**

Colleyville Boulevard is the economic spine for the city. It also contains most of the commercial services that the Colleyville community is interested in visiting. Currently, the Village at Colleyville is probably the most walkable and pedestrian-friendly commercial area in the city. As additional areas of Colleyville Boulevard are redeveloped and revitalized (e.g., in the Northern Gateway), more opportunities for creating walkable and pedestrian-friendly environments can be created. As a result, there will also be increased demand for accessing these areas without having to get in an automobile. Consequently, the City can proactively increase neighborhood connectivity to the Colleyville Boulevard Corridor. This could include the development of key greenway trails (e.g., along Little Bear Creek) which provide needed east-west connectivity from established neighborhoods to Colleyville Boulevard. This could also include the installation of new sidewalk and trail segments in areas where sidewalk connectivity is limited or nonexistent, and the installation of crosswalks. In addition, connections to the Cotton Belt trail from the Northern Gateway should be prioritized.

Policy: Require new neighborhood developments to demonstrate and contribute to Colleyville's character.

As evident by the online survey that was administered during the planning process, the Colleyville community has expressed an interest in quality development as one of the key attributes that makes Colleyville unique. As such, it is also a high priority to ensure that all new neighborhoods add to the existing quality of development. This can be done by requiring the development of neighborhoods which provide a high quality of design, an easily perceived sense of identity, and bicycle and pedestrian connectivity.

- **Action 6-5: Encourage new neighborhood design that creates defined centers, edges, common spaces, and entries.**

Creating neighborhoods with defined centers, edges, and entries where feasible with large setbacks, trees, and greenspaces that withstands the test of time and gives neighborhoods a sense of place. A defined center provides for a focal point to gather (e.g., park, trail, school, etc.), defined edges allows neighborhood residents to take pride in their geographic area, and bold and unique entries (e.g., entrance monuments) provide notice to residents and visitors that one has entered into a new defined place.

- **Action 6-6: Require new neighborhoods to be connected where appropriate.**

Connectivity is an important quality of great neighborhoods. A well-connected neighborhood reduces congestion along major streets, is friendlier to pedestrians and bicyclists, facilitates active transportation, and leads to higher levels of physical activity. One way to ensure that new neighborhoods are connected is to require conformance with additional



Placeholder Image- to be updated

Exhibit "A"

CONNECTING NEIGHBORHOODS

One way to connect neighborhoods can be to reduce using cul-de-sacs and increase the street connections.



connectivity standards which could be incorporated into the City's subdivision regulations. Concerns about cut-through traffic can be alleviated through appropriate design of new residential streets for low speed traffic and traffic calming measures on existing residential streets.

For vehicles, it is important to create multiple entries between a neighborhood and the City's thoroughfare system. This reduces congestion at intersections and along the entire thoroughfare system by dispersing vehicles among multiple access points. This could also include reducing the use of cul-de-sac streets and increasing the number of internal connected streets. Although given Colleyville's development context, there may be few remaining opportunities to create new strategic connections to help overall traffic circulation.

At a minimum, it will be important to create a strong internal sidewalk system to connect to all internal (e.g., neighborhood pools and schools) and external (e.g., off-site trails, commercial areas, etc.) destinations. This may include the creation of internal greenway trails and pedestrian access easements through connecting cul-de-sacs and the middle of long blocks.

■ Action 6-7: Encourage the construction of local gateways and signs that promote unique neighborhood identity that is tied to Colleyville's heritage and/or a "country feel."

Gateways help define entrances and provide a sense of place to a neighborhood. Many existing neighborhoods include attractive gateway entrance features. The City can review its sign regulations to ensure that there is enough flexibility to allow for creative design of gateway entrance monuments that add to the character of



The entrance to Pebble Hill Plantation Estates is an example of a well-designed neighborhood entrance.

the city's neighborhoods. In addition, the City can encourage the construction of unique gateway entrances for all new neighborhoods. Such gateways and signs should be coordinated with landscaping, fencing, and other streetscape elements within the neighborhood.

Large and mature trees add to the quality of Colleyville's neighborhoods. Trees generally improve the appearance of a neighborhood and tree-lined streets are often highly valued by residents once the trees have matured. Trees and the tree canopies provide residents a break from the hot Texas sun and provide walkers and joggers a pleasant environment to enjoy. Landscaping should also be promoted as a means to improve the appearance of neighborhoods. Opportunities to landscape can occur along roadways and at entrances into neighborhoods.

Exhibit "A"

Policy: Ensure tree canopies and quality landscaping are created and maintained.

- **Action 6-8: Consider amending the existing tree preservation ordinance to ensure the existing tree canopy is preserved.**

Colleyville's country charm is exemplified by its large open spaces, mature trees, and rustic ranch fences. If the existing tree canopy is removed and lots are clear-cut for development, then the look and feel that many residents value is destroyed. The existing tree preservation ordinance should be reviewed and revised, if necessary, to ensure the community's tree preservation desires.

- **Action 6-9: Consider expanding the free tree planting program to encourage residents to plant trees.**

In order to encourage tree planting, Colleyville could expand the existing Arbor Day program where residents obtain free trees. The expanded annual event could have hundreds of new trees planted on residential lots every year and the combined effect over a decade could have a substantial impact on creating a greater tree canopy for Colleyville.

- **Action 6-10: Consider standards for ensuring that quality landscaping is created and maintained.**

New developments should provide landscaping along major roadways and at the entrances into neighborhoods.

Exhibit "A"

A Vision for Parks

As part of the development of the 2011 Parks, Recreation, and Open Space Master Plan, a mission was identified to provide one of the highest quality parks, recreation, and open space systems in the DFW Metroplex by creating opportunities where people can “escape and enjoy an enriching environment.” Through the public engagement process, a new vision was created for the future of the parks and recreation system (see at right).

To help implement this vision, a series of goals were developed and adopted by the Parks and Recreation Advisory Board and City Council. These include:

- Provide parks and trails within easy and convenient access to households in Colleyville.
- Provide leisure opportunities for all ages, specifically targeting young adults to baby boomers (who are historically underserved in terms of recreation facilities and programming).
- Support the development of a healthy community by providing facilities and programs that lead to choices for healthy living.
- Aim to be comprehensive and financially sustainable while encouraging collaboration.
- Market Colleyville as a destination known, in part, for its unique parks and leisure programs, while also marketing to current users and residents.
- Reflect and support the city’s objective to become the environmental leader in Tarrant County.

Needs Assessment

While the existing parks, recreation, and open space system was rated as excellent, a plan of action for the future is necessary to ensure the system continues to excel long into the future. This is particularly important as the city nears its population estimate of ~~27,943~~ 27,518 persons by 2035 (see Chapter 2, *Colleyville Context*, regarding the historical and projected population of the city).

Colleyville is unique in that the majority of park acreage in the city is made up of private parks and open spaces (over 301 acres as compared to approximately 225 public park acres). In most cities in the DFW Metroplex, park and recreation areas are predominantly comprised of public parks. ~~Therefore, the acreage for private parks and open spaces is included in the level of service (LOS) analysis of this plan because of its significant contribution to the overall public-private park system in the city.~~

Colleyville’s current LOS and future LOS were calculated using the historical population counts from the 2010 U.S. Census, combined with recommended National Recreation and Park Association (NRPA) standards that have been tailored to the city’s unique situation (see Table 7.1, *Current and Projected Parkland LOS*, on the next page). These numbers differ slightly than what was indicated in the 2011 Parks, Recreation, and Open Space Master Plan because of a larger projected maximum population (see Chapter 2, *Colleyville Context*, regarding the historical and projected population of the city) and more accurate 2010 Census Data. Additionally, private parks are an amenity to the City, however only parks available to the general community should be considered in the overall computation of LOS.

“Colleyville has a renowned system of parks, recreation, open space, and trails that creates a true sense of ‘home’ within the city of Colleyville.”

Source: Vision from the 2011 Parks, Recreation, and Open Space Master Plan

Exhibit "A"

Today, the city's LOS for overall public parks is 9.88 acres per 1,000 people. This is less than the per capita acreage recommended by the National Recreation and Parks Administration (NRPA), which the city compares itself against for national benchmarking. In order to meet the NRPA LOS standard for public parks for the current population, the city would need to add approximately 32 additional acres of public parkland. In order to meet the NRPA LOS standard for public parks for the projected population, the city would have to add approximately 90 to 98 acres of new public parkland. ~~When factoring in the city's private parks and open space lands, the city has more than enough acreage to meet the minimum LOS standard for the~~

~~current population and would still be near the top of the range for the projected population.~~

Park Service Area Deficits

In addition to determining current and future park acreage needs based on the city's population, it is also important to ensure that the park and recreation system is well distributed and accessible for most users. Typically, neighborhood parks serve an area of about one-quarter mile to one-half mile (which equates to about a five to 10 minute walk), while community parks serve an area of about one mile (which equates to about a five minute drive).

Table 7.1. Current and Projected Parkland LOS

Park Category	Existing Acreage (2015)	NRPA Standard	Level of Service (LOS) (22,807 population) ¹	Projected 2035 LOS (27,943 27,518 population) ²
Public Parks	225.24	11.25 - 20.50 acres / 1,000	9.88 acres / 1,000	8.06 8.19 acres / 1,000
Neighborhood Parks	41.66	1 - 2 acres / 1,000	1.83 acres / 1,000	1.49 1.51 acres / 1,000
Community Parks	101.10	5 - 8 acres / 1,000	4.43 acres / 1,000	3.62 3.67 acres / 1,000
Other Parks	82.48	Variable	3.62 acres / 1,000	2.95 3.00 acres / 1,000
Private Parks and Open Space	301.70	None	13.23 acres / 1,000	10.80 acres / 1,000
Grand Total	526.94	11.25 - 20.5 acres / 1,000	23.10 acres / 1,000	18.86 acres / 1,000
Table Notes: ¹ The current population of 22,807 people is derived from the 2010 Census Bureau. ² The projected population of 27,943 27,518 people is derived using the population estimates set out in Chapter 2, Colleyville Context.				

Exhibit "A"

■ Action 7-12: Update the Master Drainage Plan to continue to ensure the city is adequately protected.

The City's Master Drainage Plan should be updated to develop a higher level of detail than what was provided in the 1992 plan. This Master Drainage Plan would provide the City with the tools necessary to identify the most critical flood-prone locations, potential solutions, and the costs for necessary drainage projects.

Depending on the recommendations identified in the Master Drainage Plan, the City should identify available funding sources to implement to make the improvements to the city's drainage system in addition to evaluating the City's current utility fee structure.

Policy: Proactively support efforts to promote green initiatives for fiscal resilience.

Colleyville should explore opportunities to promote more environmentally friendly and green initiatives that are also fiscally beneficial to both the City and residents.

■ Action 7-13: Work with regional water supply entities to ensure that Colleyville's drought contingency planning is proactive and innovative.

Ensure that the City continues to monitor and maintain a strong water supply, and that efficient and effective water conservation techniques are used where appropriate.

■ Action 7-14: Explore Low Impact Development (LID) solutions for commercial, residential, and public infrastructure projects.

~~The City should explore LID solutions as an opportunity to implement storm water management and water quality management strategies over that can have a significant impact on this sub watershed and also provide quality of life and aesthetic benefits while saving costs. The City should evaluate the benefits of adopting and participating in North Central Texas Council of Governments' (NCTCOG's) integrated Stormwater Management (iSWM) program which is intended to help area cities achieve their goals of water quality protection, streambank protection, and flood mitigation, while also helping communities meet their construction and post-construction obligations under state stormwater permits.~~ Low Impact Development, as defined by the Low Impact Development Center, "is a comprehensive land planning and engineering design approach with a goal of maintaining and enhancing the pre-development hydrologic regime of urban and developing watersheds."

The EPA states LID is an "approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible."

LID employs principles such as:

- Conserve natural areas wherever possible.

Exhibit "A"

- [Minimize the development impact on hydrology.](#)
- [Maintain runoff rate and duration from the site.](#)
- [Implement pollution prevention, proper maintenance and public education programs.](#)
- [Emphasize the use of on-site natural drainage features.](#)
- [Maintain or enhance the site's hydrologic characteristics after development, and](#)
- [Reduce overall imperviousness.](#)

■ **Action 7-15: Promote green building and energy efficiency as part of public and private development.**

As part of a growing trend to reduce the environmental impact of development, the City should support efforts in both public and private sector development that incorporate green building practices and/or energy efficiency. This could include an assessment of the City's Land Development Code to remove impediments and/or add incentives for green building practices. Examples of green building practices that should be considered include low impact development (which utilizes the site's natural resources as part of the overall stormwater management program), rainwater capture, xeriscaping, and pervious pavement, among others.

■ **Action 7.16: Consider establishing an Urban Forestry Program to preserve and enhance the urban tree canopy in the city.**

Tree canopy within Colleyville is an important component of the city's overall character and is one attribute that sets the city apart from other areas within the DFW Metroplex. As the city continues toward developing the limited number of remaining lots and revitalizing and redeveloping existing lots, it is important to have a strategy in place to protect what makes the city what it is today. An urban forest provides a number of economic, environmental, and social benefits to a city. Economic benefits include attracting tourists and businesses, increasing property value, and reducing the amount of energy needed for development. Environmental benefits include providing food and habitat for wildlife, absorbing carbon dioxide, reducing the heat island effect, and reducing sedimentation in streams. Social benefits include adding character and promoting a sense of pride in a community as well as increased privacy. Due to the significant amount of benefits provided, the City should consider establishing an Urban Forestry Program to protect this significant asset to the community. This could include an initial assessment of city parks, followed by an assessment of all City-owned property. A subsequent phase could include the eventual preparation of an Urban Forestry Master Plan, which is a roadmap to effectively and proactively manage and grow the city's urban tree canopy.

Exhibit "A"

Residential Density

~~The maximum density of each residential project should be a net density of 1.8 dwelling units per gross acre.~~ Destination Colleyville proposes to maintain the residential density policies of the 2004 Colleyville Plan. 1.8 dwelling units per acre, therefore each residential project shall have a minimum lot size of 20,000 square feet and no more than 2 dwelling units per acre. The 2004 Colleyville Plan states:

“One of the fundamental principles associated with the City’s zoning authority, as granted by the State, is the ability to regulate population density through the adoption of zoning regulations. By establishing a variety of zoning districts, and each district with a different minimum lot size, municipalities are able to control the number of dwelling units that can be built in a particular area. Controlling the overall density has far-reaching public interests and ultimately has an effect on transportation, parks, schools and other public facilities.

Colleyville is noted for its large-lot subdivisions and for its large homes with generous front and side yards. Additionally, many older single family homes located along the major collector street network have been demolished and the properties rebuilt into estate type settings. The redevelopment of these estate properties has helped to keep the overall residential density quite low and promotes the rural atmosphere that Colleyville citizens enjoy.

In Colleyville, the 1998 Comprehensive Plan established a city-wide residential density benchmark of 1.8 dwelling units per net acre. This standard approximates the density achieved by the R20, Single Family Residential District, which calls for a minimum lot size of 20,000 square feet. The intent of this lower residential density standard is to maintain the rural character and ensure a higher quality of residential development that makes Colleyville unique.”

The 2004 Colleyville Plan further states that “Developments with densities higher than 1.8 dwelling units per acre would be

acceptable, according to the 1998 Mater Plan guideline, but only in those areas deemed to be consistent with sound land use planning principles, such as for those transitional areas situated between commercial uses and less dense residential developments, or near major street intersections. Higher density development may also be appropriate for smaller parcels that make less dense development economically difficult or on sites with unique topographical features. Since the future land use plan of Colleyville, prepared in 1998, utilized the 1.8 dwelling unit per acre guideline and the community has embraced this as a suitable development density, there is no need to deviate from this standard.”

~~Each residential project should have be a maximum net density of 1.8 dwelling units per acre, but “variances” could be allowed in certain and specific situations. Variances to the net density of 1.8 dwelling units per gross acre maximum could be allowed for the following:~~

~~The project is located within a transitional area. (Note: These transitional areas are contained within the Colleyville Blvd. Corridor.)~~

~~» Between commercial and residential uses (existing or Future Land Use Map-designated);~~

~~OR~~

~~■ The project is located on a property with unique topography:~~

- ~~» Restricted access options;~~
- ~~» Significant floodplain or drainage considerations;~~
- ~~» Property shape that necessitates deviations from standard development; or~~
- ~~» Native tree stand(s);~~

Exhibit "A"

COMPATIBILITY CONSIDERATIONS



1. Landscape buffers:

- Preserve existing trees that separate the proposed use from the existing use when possible.
- Preference for landscape screening and open fencing to contribute to residential character.
- New trees planted where proposed use is adjacent to existing use for beautification and screening.

2. Form:

- As residential square footage to lot area ratio increases, open space(s) and buffering provided should also increase.

3. Traffic Impacts:

- Connections to existing neighborhoods should be provided with sensitivity to the existing homes.
- Impact to roadways and intersections in the vicinity should be mitigated where possible.

TRANSITIONAL AREAS

A key topic during the comprehensive plan drafting process was the need for guidance related to proposals for transitional developments, especially as it concerns developments proposed with lots smaller than 20,000 square feet. Although residential developments with large lots are very common in Colleyville and are still being proposed for new construction, as the city approaches build-out, many new residential neighborhoods have come under the Planned Unit Development - Residential (PUD-R) zoning district. PUD-Rs provide some level of variation with respect to lot sizes and development standards while giving the City more control over the development character, treatment of transitions, and overall quality of the development.

A transitional area is a piece of land that may be appropriate for residential development with lots smaller than 20,000 square feet. These areas serve as gradual changes in intensity from commercial or institutional uses to lower density residential uses (lots 20,000 square feet or larger). Proposals requesting variances to the net 1.8 dwelling units per gross acre requirement should address each compatibility consideration listed here. These developments are restricted to areas within the Colleyville Blvd. Corridor.

There are instances when an existing land use will be different from the land use designated on the Future Land Use Map or instances when the existing land use will be different than the zoning on a property. For example, there could be a residential home on a property zoned for commercial uses and also designated on the Future Land Use Map for commercial uses. In these instances, a proposal can provide a phased approach whereby screening and/or landscaping provided could be adjusted along the common boundary once the residential property was redeveloped with commercial uses (ex. wooden screening fence with shrubs then gets removed to provide cross access between commercial parcels).

Exhibit "A"

Residential

This land use category is predominantly comprised of single-family detached residential dwellings. The preference for new residential areas is that they preserve rural character along John McCain Road, Westcoat Drive, Pleasant Run Road, Bransford Road, and similar roadways, and that they incorporate landscaping and tree preservation features to retain the natural quality of new residential areas in the city. Residential areas typically include:

LAND USE TYPES

- Detached residential
- Parks, trails, and open space

DESIRED DEVELOPMENT CHARACTERISTICS

- Predominantly single family residences on lots over 20,000 square feet with natural landscaping, a rural appeal, and significant private open space.
- Overall aesthetic is country charm, exemplified by large open spaces, mature trees, and rustic ranch fences in some areas of the city – especially along rural roadway corridors such as Westcoat Drive, Pleasant Run Road, and Bransford Road.
- High-quality development with attractive entrance areas and amenities (e.g., internal walking trails).
- Appropriate transitions (e.g., one-story offices) between residential and non-residential areas.
- [Open space adjacent to roads to create feeling of openness.](#)

Figure 8.3. Illustrative Residential Uses



Exhibit "A"

Colleyville Boulevard Corridor

This land use category is to promote the transformation of Colleyville Boulevard into a vibrant and economically strong “town center” for the City. While still readily accessible via the automobile, more compact and walkable development types will create a distinct sense of place. The Colleyville Boulevard Corridor includes:

LAND USE TYPES

- Retail, service, and entertainment
- Office
- Public and institutional uses
- Flexible innovation uses (e.g., research, office-warehouse, etc.)
- [Residential](#)

DESIRED DEVELOPMENT CHARACTERISTICS

- Architecture and site characteristics that are distinct, attractive, and have a pedestrian-friendly urban form.
- Able to accommodate a high degree of automobile activity, but parking is not the predominant visual feature from adjacent streets.
- Significant connectivity through cross/mutual access easements and multi-modal options (biking and walking).
- Design encourages a high degree of pedestrian activity, oftentimes during both the day and night.
- Institutional functions may require multiple buildings, arranged in a campus-like setting.
- Building facades are articulated, have significant window areas, and often include porticos or awnings to provide shade for pedestrians.
- Multistory buildings are encouraged to add a greater variety of destinations and uses in close, walkable proximity. This in turn leads to an increased vibrancy for the area and more available commercial development square footage.
- [As a goal, the single most important beautification project will be the relocation of overhead utility lines.](#)

Figure 8.7. Illustrative Colleyville Boulevard Corridor Development Types



Exhibit "A"

COLLEYVILLE BOULEVARD CORRIDOR LAND USE AREAS

The Colleyville Boulevard corridor has unique land use areas with distinct character and land use characteristics. The areas serve as the basis for specific policies and actions related to each area. The four areas are described below:

- Northern Gateway: Offers a unique opportunity for new development on relatively undeveloped property as a new mixed commercial node, highlighting this northern entry point into the city along the Corridor.
- Upper Sector: Offers a unique opportunity to create an eclectic Corridor node with a mixture of newer buildings with older buildings that can take advantage of the City's façade improvement grant program and evolve over time into a more attractive and cohesive section of the Corridor with a mixture of retail, office, and service uses.
- Central Sector: Has the most potential to become a true center of activity within the city by tying the major commercial and entertainment centers along the Corridor with a focus on creating a more walkable street context.
- Southern Gateway: An opportunity to create a more memorable entry point to the city and elevate the quality of the existing development with a focused, long-term redevelopment strategy.

Actions related to each Colleyville Boulevard Corridor area are contained in Chapter 9, and a detailed discussion of each area is contained in the Appendices.

TRANSITIONAL AREAS

~~The transitional areas are intended to provide a buffer within the Colleyville Blvd. Corridor between the non-residential uses and the residential uses located outside of the corridor. It is intended that these transitional areas can be either residential uses, which may include residential uses on lots smaller than 20,000 square feet, or nonresidential uses. The nonresidential uses should be designed to buffer the neighboring residential uses from the effects of nonresidential uses, such as light and noise.~~

Exhibit "A"

- **Northern Gateway** (Bear Creek to Tension Parkway)
- **Upper Sector** (Tension Parkway to Hall-Johnson Road)
- **Central Sector** (Hall-Johnson Road to Brown Trail)
- **Southern Gateway** (Brown Trail to Cheek-Sparger Road/Mid-Cities Boulevard)

The development context along the Corridor is a mix of older auto service, industrial development mixed in with newer office, professional services, and retail buildings towards the northern sectors of the corridor. The Central Sector has the highest concentration of newer retail developments, many of which have been built or significantly redeveloped over the past 15 years. The lower or southernmost portion of the Corridor also has smaller and aging auto-service and strip retail buildings. Generally, there are very few vacant or undeveloped properties, but a large agglomeration of vacant properties is located in the northern section of the Corridor (see Map 9.2, *Colleyville Boulevard Corridor and Sectors*).

The Corridor is mostly auto-oriented, with buildings set back from the roadway and parking located in front of the buildings between the roadway and the buildings. Most of the corridor also lacks sidewalks and safe places to walk. Shoulders, if any, are very narrow with swales immediately adjacent to them. Most of the Corridor also has overhead utility lines and poles that add to the visual clutter. (see Figure 9.1. *Character of Existing Development along the Colleyville Boulevard Corridor*.)

Although it is clear when traveling down Colleyville Boulevard that it is a center for activity and commerce, there are no clear signs that the Corridor is Colleyville's

main destination or that it is specifically in Colleyville either. There is a patchwork of architectural styles and materials, some properties lacking landscaping while others provide abundant and tasteful landscaping. There are no distinguishing features that indicate when one has entered or left the city other than two Colleyville monument signs. ~~Appendix A provides more detailed discussion about the existing land use context and development character in the different sectors of the Corridor. The proposed actions on the following pages are designed to improve the Corridor.~~

Figure 9.1. Character of existing development along the Colleyville Boulevard Corridor



Exhibit "A"

Transitional Areas:

The transitional areas are intended to provide a buffer within the Colleyville Blvd. Corridor between the nonresidential uses and the residential uses located outside of the corridor. It is intended that these transitional areas can be either residential uses, which may include residential uses on lots smaller than 20,000 square feet, or nonresidential uses. The nonresidential uses should be designed to buffer the neighboring residential uses from the effects of nonresidential uses, such as light and noise.

- Ensure Colleyville Blvd. Corridor uses respect and are compatible with single-family uses outside of the corridor.
 - » Residential uses on lots smaller than 20,000 square feet are a suitable buffer within the corridor.
 - * Residential use should be single family detached uses.
 - * Residential uses should reflect the character and design of Colleyville's existing single family detached neighborhoods.
 - » Nonresidential uses should be required to have building and site design elements to lessen their impacts on residential use outside the corridor.
 - * Building Design Elements:
 - Loading docks and overhead doors: A screening wall should be required.
 - Lighting: Fully shielded lights should be required to limit glare.
 - Roof mounted equipment: Must be screened by a parapet wall or some other device or design.
 - Building materials: Building shall be finished with the same type of materials and in the same percentage used on the front façade.
 - Building height: Limit building heights to protect residential uses.
 - * Site Design Elements:
 - Buffer yard: Require a 30-foot buffer yard with two rows of shade trees.
 - Lighting: Fully cutoff lights should be required and light poles should be limited to 10 feet in height.
 - Parking: Headlight screening, such as a row of shrubs, shall be installed to prevent vehicle headlights from projecting onto adjacent residential properties.
 - Dumpsters: Shall be placed adjacent to the building and in no case shall be placed within 20 feet of a residential property line.

Exhibit "A"

Figure 9.4a. Neighborhood Compatibility Design Elements

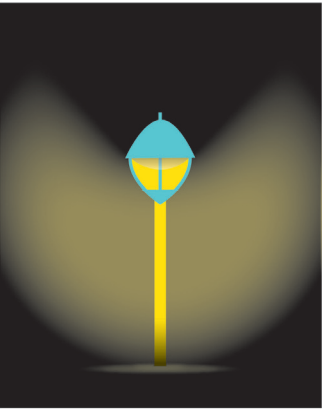


Building and site design elements should lessen the impacts on the surrounding residential properties.

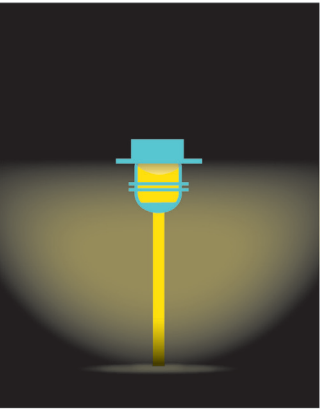




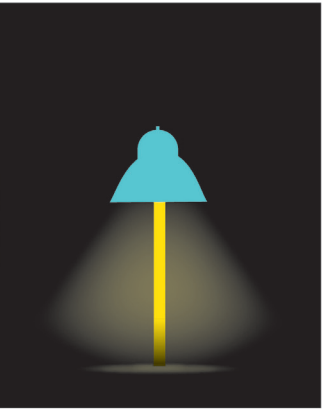
NONCUTOFF



SEMICUTOFF



CUTOFF



FULL CUTOFF

Exhibit "A"

desired standards and framework for converting each of the Colleyville Boulevard Corridor Sectors into more walkable and memorable zones.

Table 10.1. Overarching Zoning Recommendations

Land Use Designation	Recommended Zoning Tool	Recommended Implementation Priority
Residential	■ Maintain maximum <u>net</u> density target of 1.8 dwelling units per <u>gross</u> acre. ■ Revise the PUD-R development standards to establish rural frontage standards along certain key roadways such as John McCain Road, Pleasant Run Road, Bransford Road, and Westcoat Drive. ■ Revise PUD-R standards to require appropriate transitions and quality open space. More specifically, establish design and performance criteria for open space to maximize value creation, tree preservation, preservation of rural frontage along key roadways, etc. ■ <u>Proactively rezone to bring the existing zoning districts R-10, R-15, R-MF, and RD into agreement with the existing development pattern, which is R-20 or greater.</u> ■ <u>Revise the LDC to require an accompanying conceptual plan with straight zoning requests (non-PUD) to ensure new developments are built in substantial compliance to the approved conceptual plan.</u> ■ <u>Add additional regulations for floodplains.</u> ■ <u>Implement neighborhood consistency standards through PUD-R or overlay zoning.</u>	City Initiated
Commercial	■ Streamline all commercial design standards into one section of the LDC. ■ Include all elements of building and site design in the same section. ■ Create corresponding public realm and streetscape standards to complement the private realm standards. ■ Revise PUD standards to address appropriate design context for mixing of residential and commercial uses in the same PUD. ■ <u>Add additional regulations for floodplains.</u>	City Initiated
Colleyville Boulevard Corridor	■ Create an integrated regulatory tool (through a Corridor Zoning District or similar tool) to achieve a mix of commercial uses, appropriate transitions and buffers, and desired character that is tailored to the four different sections of the Boulevard as described in the vision -- the Northern Gateway, Upper Sector, Central Sector, and Southern Gateway (see Table 10.2, <i>Proposed Colleyville Boulevard Corridor Regulatory Framework</i> for more detail). ■ Establish appropriate urban design standards associated with each sector including building design, site design and orientation, mix of use, signage, and civic/open space standards with pedestrian-oriented design elements, specifically in the Central Sector. ■ Establish public and private street design standards that are consistent with the different sectors and vision for the Corridor. ■ <u>Add additional regulations for floodplains.</u>	City Initiated

Exhibit "A"

Table 10.3. Implementation Priorities, Responsibilities, and Time Frames (cont'd)

Action No.	Recommended Action	Potential Time frame
Housing & Neighborhoods		
Action 6.1	Consider overlays for established neighborhoods.	Short-term
Action 6.2	Provide mechanisms for context-sensitive residential redevelopment.	Short-term to Mid-term
Action 6.2A	Consider PUD-R or overlay zoning to implement consistency standards for new neighborhoods.	Short-term
Action 6.3	Continue to focus on neighborhood park and recreation improvements to positively contribute to neighborhood vitality.	Short-term to Mid-term
Action 6.4	Improve neighborhood connectivity to the Colleyville Boulevard Corridor and key destinations.	Short-term to Mid-term, where feasible
Action 6.5	Encourage new neighborhood design that creates defined centers, edges, common spaces, and entries.	Short-term
Action 6.6	Require new neighborhoods to be connected where appropriate.	Short-term to Long-term
Action 6.7	Encourage the construction of local gateways and signs that promote unique neighborhood identity that is tied to Colleyville's heritage and/or a "country feel."	Short-term to Mid-term
Action 6.8	Consider amending the existing tree preservation ordinance to ensure the existing tree canopy is preserved.	Short-term
Action 6.9	Consider expanding the free tree planting program to encourage residents to plant trees.	Short-term
Action 6.10	Consider standards for ensuring that quality landscaping is created and maintained.	Short-term
City Services & Facilities		
Action 7.1	Update the long-range plan for the Colleyville Public Library.	Short-term to Mid-term
Action 7.2	Update the Parks, Recreation, and Open Space Master Plan as needed.	Short-term to Mid-term
Action 7.3	Evaluate options to upgrade the Colleyville Senior Center to continue to serve senior residents of the City.	Short-term to Mid-term
Action 7.4	Evaluate options to improve the Colleyville Center so that it can continue to meet citizen needs as well as attract additional usage and visitation.	Short-term to Mid-term
Action 7.5	Continue to ensure Police, EMS, and Fire Department equipment and facilities continue to meet the current and future public safety needs of the Colleyville community.	Ongoing
Action 7.6	Continue to ensure that firefighter, EMS personnel, and police officer training is adequate to respond to emergency situations.	Ongoing
Action 7.7	Continue to ensure that Fire, Police, and EMS Departments staffing needs are maintained adequately to address changes in growth and current levels of service.	Ongoing
Action 7.8	Maintain a proactive approach to the use of technology to improve public safety in Colleyville.	Ongoing