



City of Colleyville City Council Agenda

City Hall
100 Main Street
Colleyville, Texas 76034
817.503.1000
www.colleyville.com

Tuesday, August 21, 2018

**WORKSESSION
5:00 PM
EXECUTIVE CONFERENCE ROOM
THIRD FLOOR**

CALL TO ORDER

- WS-1** SH26 Median and Rights of Way Conceptual Design Options
WS-2 Rezoning of City Property at Longwood
WS-3 Discussion of the August 21, 2018, City Council regular agenda items

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

Section 551.071 - Legal - Consultation with attorney on legal issues raised by items on the agenda

Section 551.071 - Legal - Consultation with attorney regarding contemplated and/or pending litigation, including:

- Glade Road eminent domain cases for Parcels 150 and 159

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

- Glade Road Project Phases 1B and 2
- Acquisition of real property along SH2

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

**REGULAR MEETING
7:30 P.M.
CITY COUNCIL CHAMBERS**

**INVOCATION: Pastor Kyle Bauman, Bear Valley Church
PLEDGE OF ALLEGIANCE: City Attorney Whitt Wyatt**

-
- 2. EXECUTIVE SESSION READING AND PUBLIC HEARING: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - RESOLUTION R-18-4297**
- 3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS**
Announcements of civic and charitable events
Presentation of calendar events and updates
Announcements of awards and recognition
- Proclamations in recognition of Colleyville First Responders - Crystal Alexander, Dispatcher; Firefighters/Paramedics Robert Creamier and Matt Olson; and Police Officer John Arenz - Mayor Richard Newton
- In recognition of the Featured Business of the Month - Pediatric Dentistry of Colleyville - 4109 Brown Trail, Suite 102, Dr. Tuong (David) Ta - Mayor Richard Newton and Assistant City Manager Mark Wood
- 4. CONSENT: READING AND PUBLIC HEARING- RESOLUTION R-18-4298**
- 4a** Approval of the minutes of the regular City Council meeting of August 7, 2018
- 4b** Approval to extend an ongoing annual agreement with Autobahn Motor Cars to sponsor the loan of a vehicle to the Colleyville Police Department for the expressed use of the Colleyville Heritage High School Resource Officer
- 4c** Approval of an engineering services agreement with Freese and Nichols, Inc., in an amount not to exceed \$319,754 for the design of the Cheek-Sparger Road Improvements Project, and authorizing the City Manager to execute the agreement
- 5. ITEMS NOT FOR CITY COUNCIL ACTION**
Monthly Financial Report - July, 2018
- 6. ORDINANCE(S): SECOND READING AND PUBLIC HEARING**
- 6a Ordinance O-18-2056**
Consideration of a zoning change from the R-40 Single Family Residential zoning district and AG Agricultural zoning district to the PUD-R Planned Unit Development-Residential zoning district on Lot 1R1 and 1R2, Block 1, of the Bear Creek Plantation, located at 1312 John McCain Road and 7309 Holly Lane N, Case ZC18-019

7. ORDINANCE(S): FIRST READING AND PUBLIC HEARING**7a Ordinance O-18-2057**

Consideration of amendments to the Land Development Code, specifically Chapter 6 – Commercial Design Standards, Chapter 8 – Plat Review Procedures, and Chapter 9 – Subdivision Design & Public Facilities

8. TABLED: ORDINANCE(S) READING AND PUBLIC HEARING**8a Ordinance O-18-2053**

Consideration of amendments to the Land Development Code, specifically Chapter 1 – General Provisions and Chapter 4 – Landscaping and Buffering

9. TABLED: RESOLUTION(S) READING AND PUBLIC HEARING**9a Resolution R-18-4294**

Consideration of a final plat for Lots 1, 2, and 3X, Block 1, Old Grove Addition, Phase II, located at 105 and 103 John McCain Road and 7189 Cast Iron Forest Trail, Case PC17-004

10. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA**11. REPORTS**

Library Board Minutes - June 11, 2018

12. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR August 21, 2018 - READING AND PUBLIC HEARING - RESOLUTION R-18-4299**13. ADJOURNMENT**

I hereby certify this agenda was posted on City Hall bulletin boards Thursday, August 16, 2018 by 5:00 p.m.

Christine Loven, TRMC
City Secretary

A quorum of any Colleyville board, commission, or committee may be present at this meeting.

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

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



City of Colleyville City Council Agenda Briefing

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

Agenda Number WS-1

Agenda Date 08/21/2018

Type Worksession

Department Parks and Recreation

Title

SH26 Median and Rights of Way Conceptual Design Options

Strategic Plan

5.1 Create and sustain an identifiable Colleyville brand

Explanation

This agenda item provides for a presentation and discussion of conceptual design options for SH26 medians and rights of way (ROW). As TxDOT is in the process of reconstructing the roadway, the City of Colleyville identified the medians, ROW, streetlights, and other corridor elements as important opportunities to enhance the quality beyond what was included in TxDOT's plans. To that end, the City engaged MESA to develop designs for landscape and hardscape, enabling the City's primary commercial corridor to be more reflective of the quality found throughout Colleyville.

This discussion will be the first in the process, to be followed by public input opportunities and discussions of more refined design elements based on the feedback received from the City Council and the community. The attached agenda provides an outline of the presentation that will be provided by MESA and will include an assessment of the corridor, three design options considered for the base-level concept, and various optional enhancement options. The optional enhancement options are intended to serve as a menu from which different elements can be selected for inclusion in the project based on their relative priority and value vs. cost of each.

Attachments

1. MESA presentation agenda
2. MESA Presentation

[2 MIN.]

Introduction

- Team Introductions
- Mission Statement & Goals
- Design Process Update
- Evolution of Project Boundary

[2 MIN.]

Summary of Assessments

- Summary of Inventory & Analysis
- Key Takeaways
 - Identity of Highway 26
 - R.O.W. vs Perceived Corridor
 - Visibility Triangles
 - Overhead Utility Lines
 - Other Constraints and Considerations

[1 MIN.]

Framework and Programming

- Design Zones

[5 MIN.]

Corridor Design Concepts - Transition Zone

- Corridor Design – Concept 1 - Fragment
- Corridor Design – Concept 2 - Rhythmic
- Corridor Design – Concept 3 - Ribbon - Recommended

[5 MIN.]

Design Zones with Ribbon Concept Applied

- Downtown Core
- Creekside Gateway (Little Bear Creek)
- Southern Entry (Located at Cheek-Sparger Road)
- Pastoral Gateway

[15 MIN.]

Design Opportunities (Areas Within Project)

- Median Nosing
- Enhanced Landscape and Paving
- Increase Tree Caliper
- Site Walls and Lighting
- Sidewalk Location and Design
- Retaining Walls/Headwalls
- Appurtenance Enhancements
- TXDOT Railing Enhancements
- Pedestrian Light Poles and Roadway Lighting
- Landscape/Feature Lighting

[5 MIN.]

Additional Considerations (Areas Outside Project)

- Corridor Extended Areas
 - Enhanced Intersection Street Paving
 - Expanded Pastoral Gateway
 - Expanded Creekside Gateway
 - Colleyville Downtown Gateway
 - Southern Entry (Cheek-Sparger Rd.)
- Beautification Incentive Opportunities
 - Additional Tree Canopy
 - Business Signage and Wayfinding Environmental Graphics

[20 MIN]

Budget Prioritization

[5 MIN.]

Comments & Feedback

- Design Prioritization
- Budget
- Schedule

TOTAL:
= 60 MIN.

COLLEYVILLE BOULEVARD

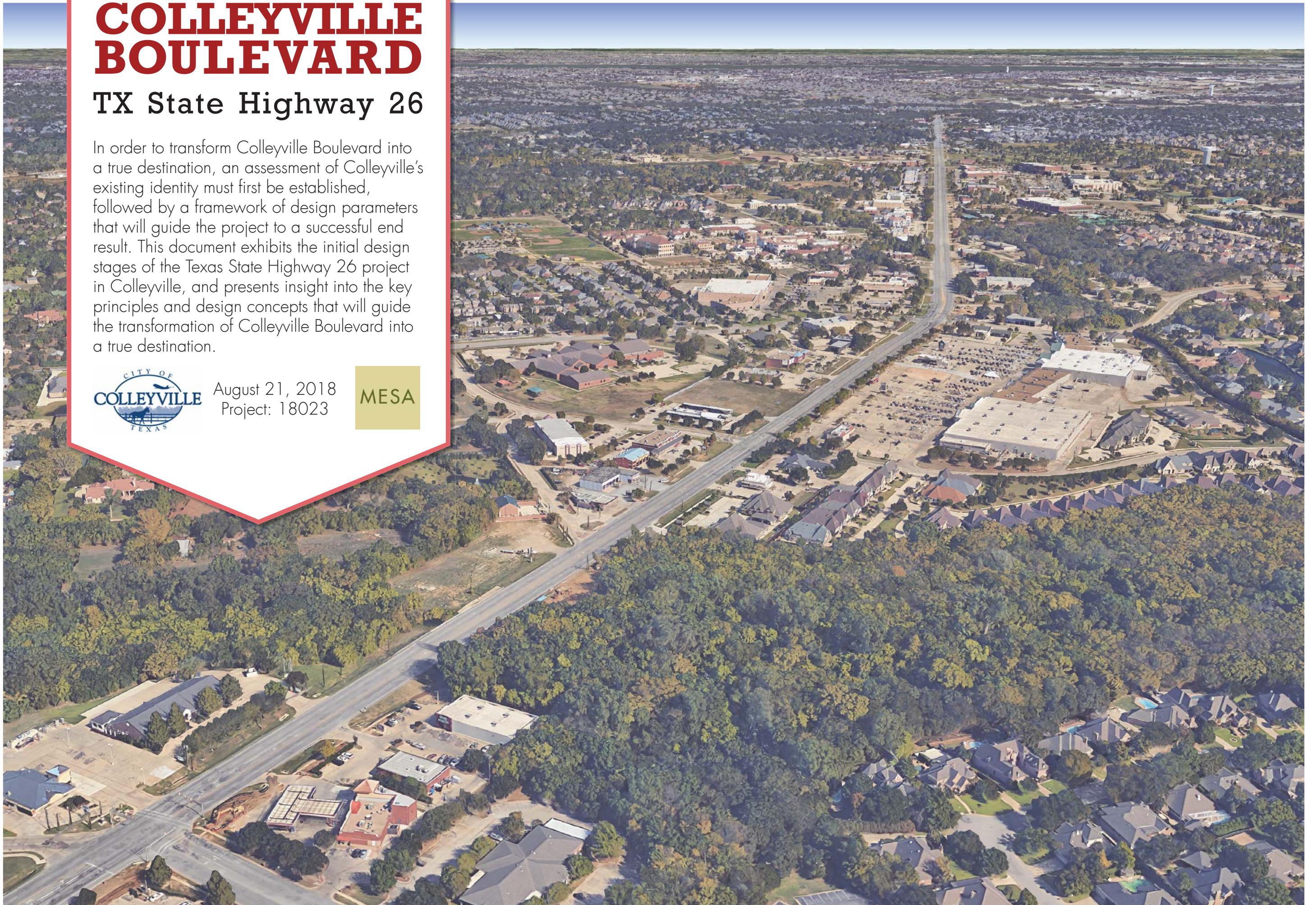
TX State Highway 26

In order to transform Colleyville Boulevard into a true destination, an assessment of Colleyville's existing identity must first be established, followed by a framework of design parameters that will guide the project to a successful end result. This document exhibits the initial design stages of the Texas State Highway 26 project in Colleyville, and presents insight into the key principles and design concepts that will guide the transformation of Colleyville Boulevard into a true destination.



August 21, 2018
Project: 18023

MESA



An aerial photograph of a suburban neighborhood, showing a mix of residential houses, green trees, and a paved road. The image is slightly faded to serve as a background for the text.

AGENDA

Introduction

Summary of Assessments

Framework & Programming

Design Concepts

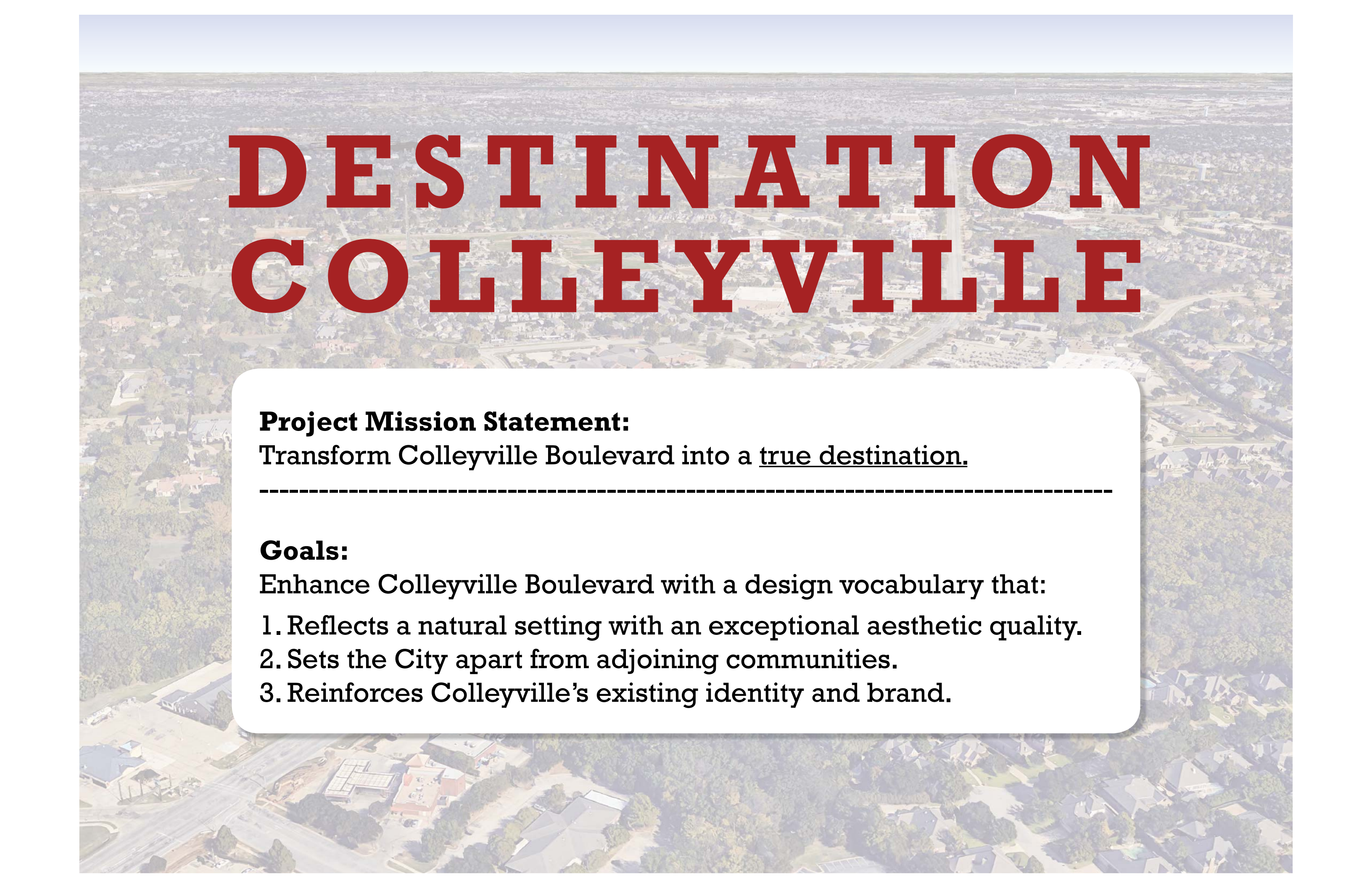
Additional Considerations

Cost Projection

Comments & Feedback

GOALS FOR TODAY

- Initial Feedback on Design
- Prioritization of Budget
- Critical Path
 - TXDot Critical Design Elements



DESTINATION COLLEYVILLE

Project Mission Statement:

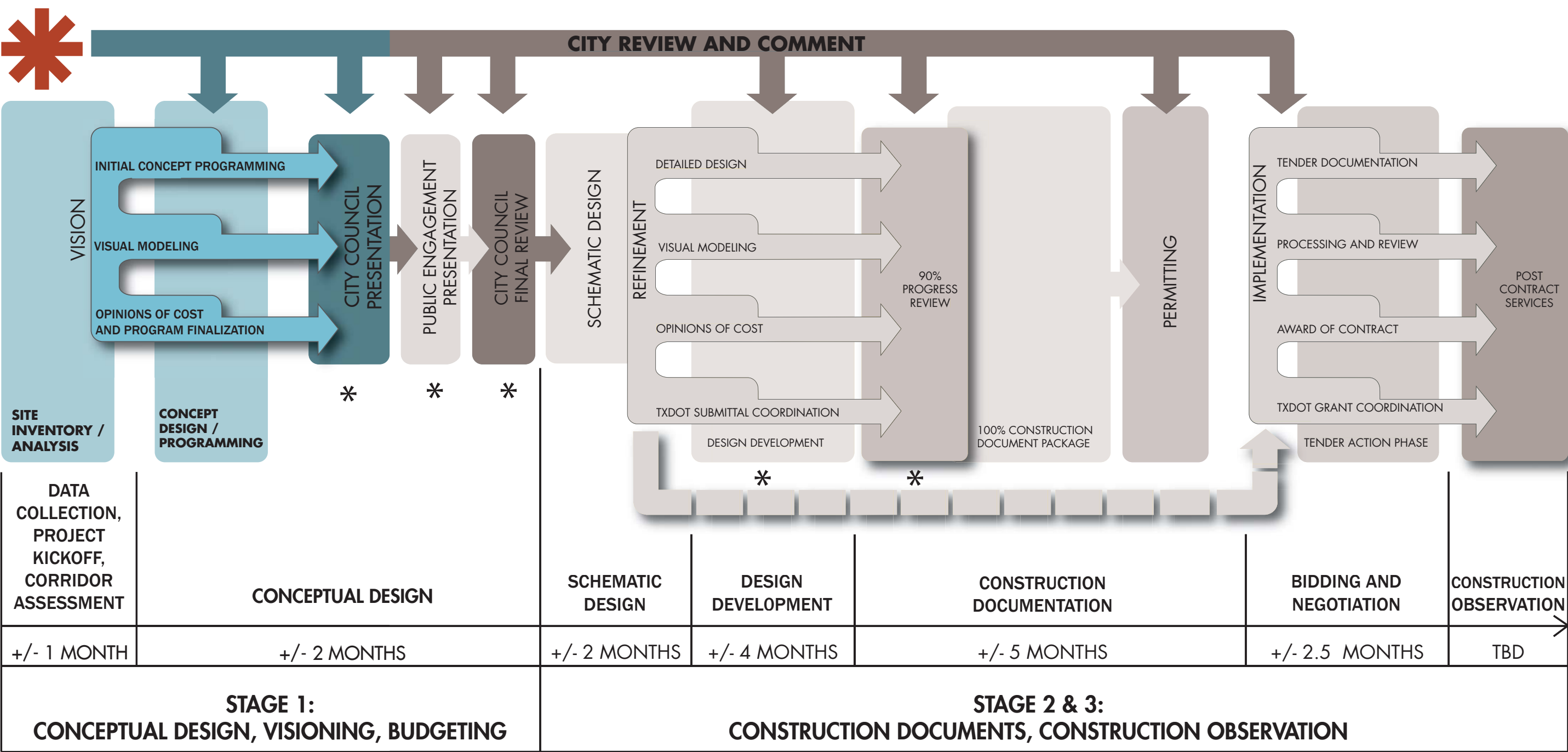
Transform Colleyville Boulevard into a true destination.

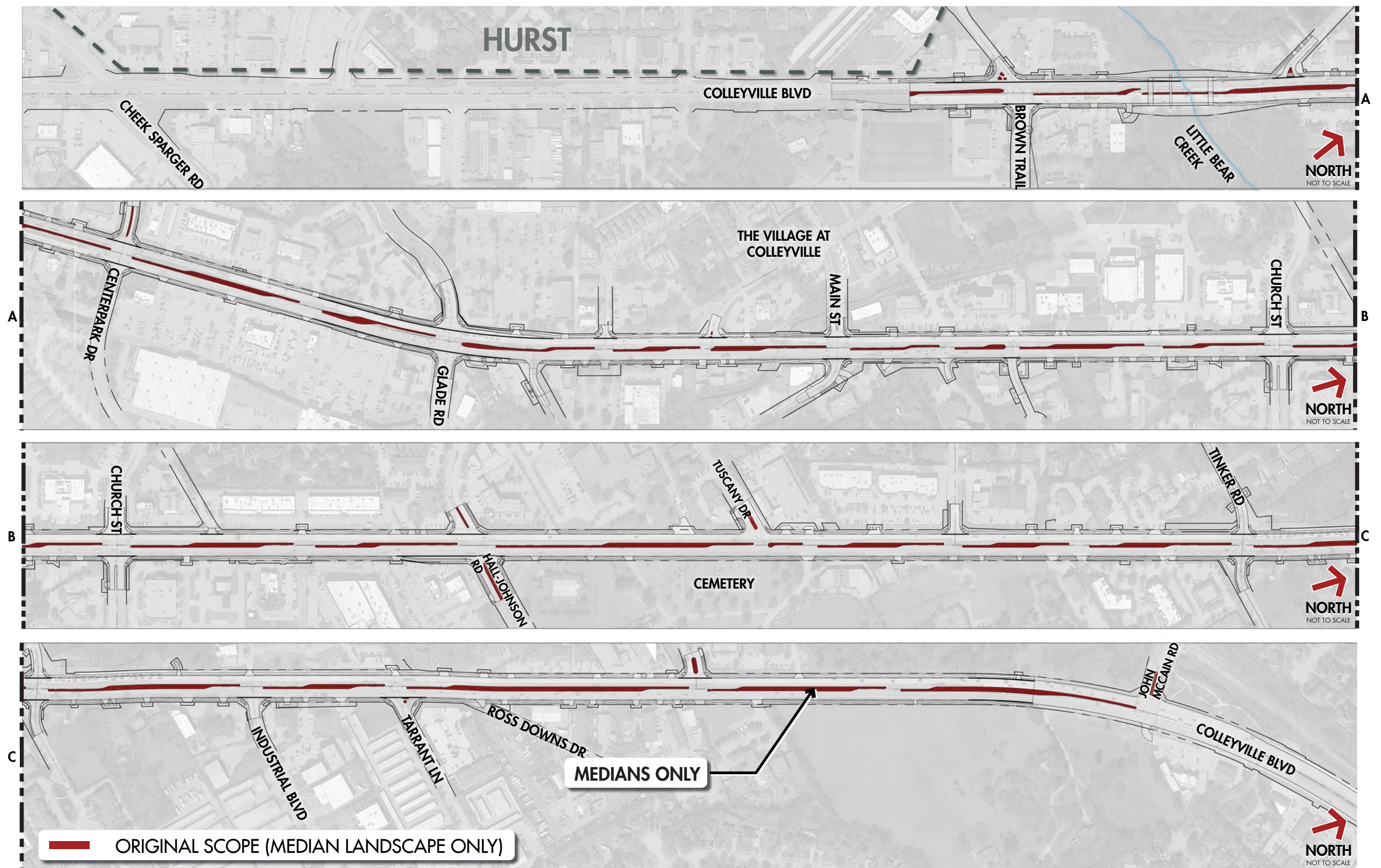
Goals:

Enhance Colleyville Boulevard with a design vocabulary that:

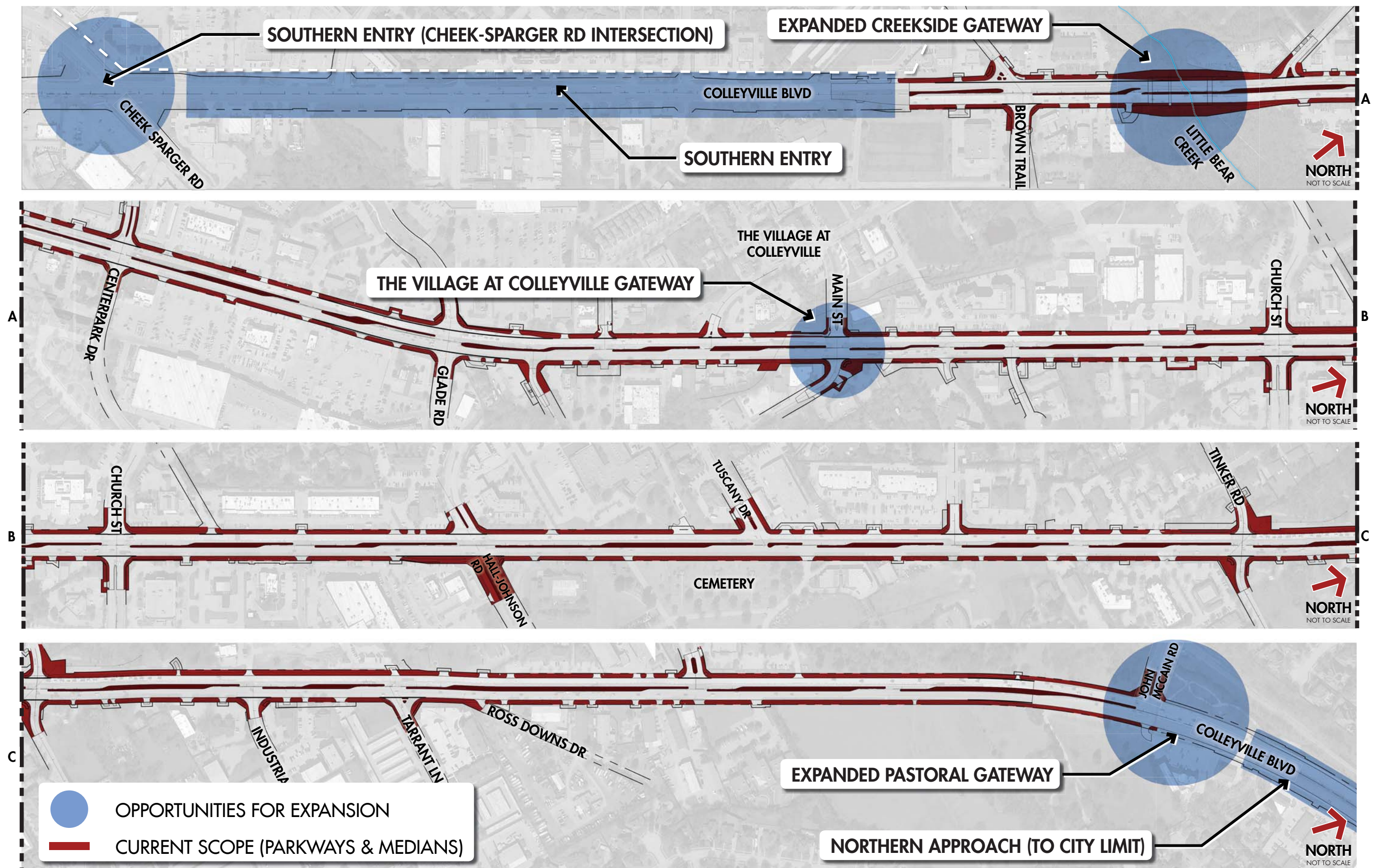
1. Reflects a natural setting with an exceptional aesthetic quality.
2. Sets the City apart from adjoining communities.
3. Reinforces Colleyville's existing identity and brand.

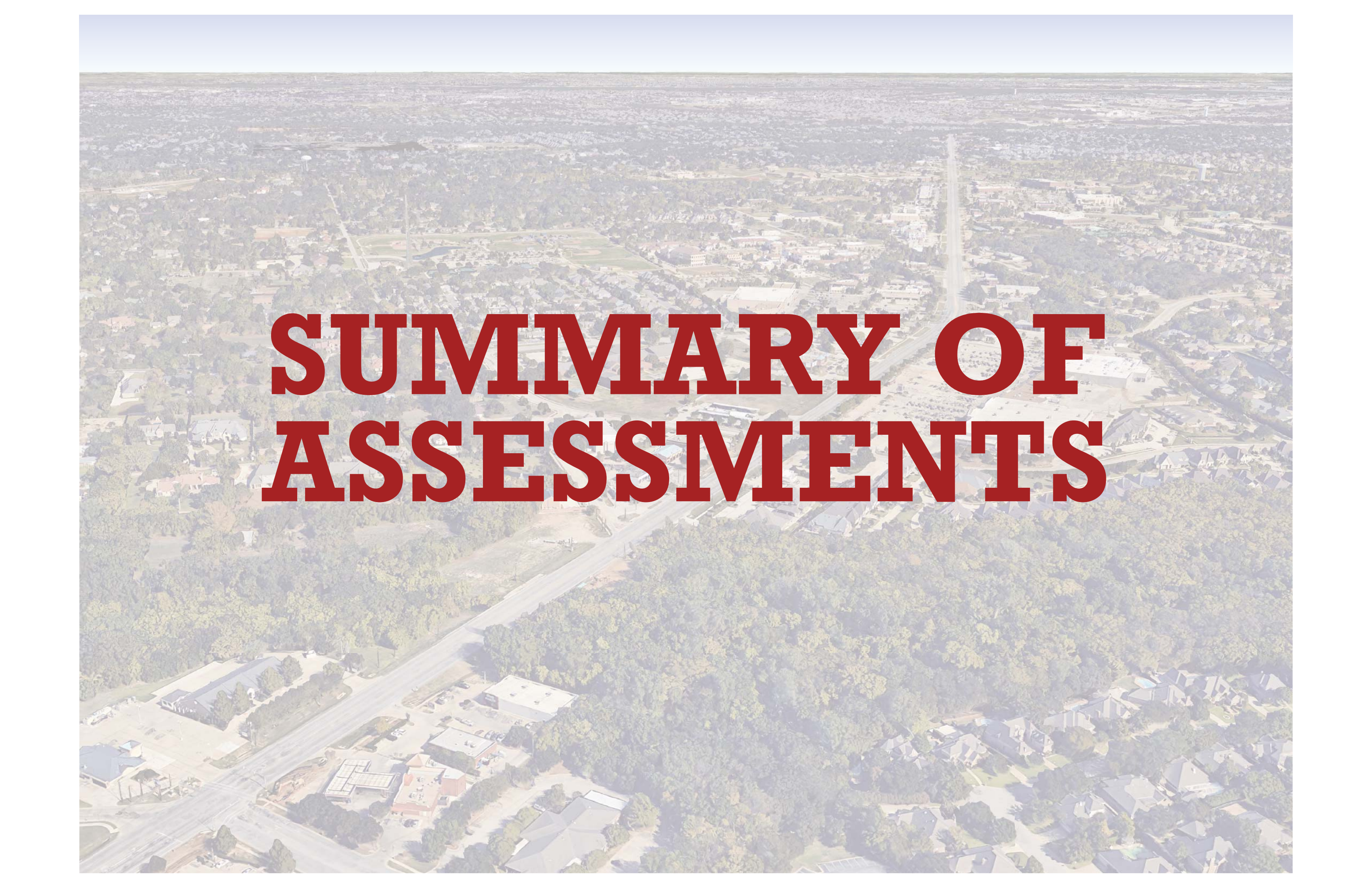
PROJECT WORK STREAM:



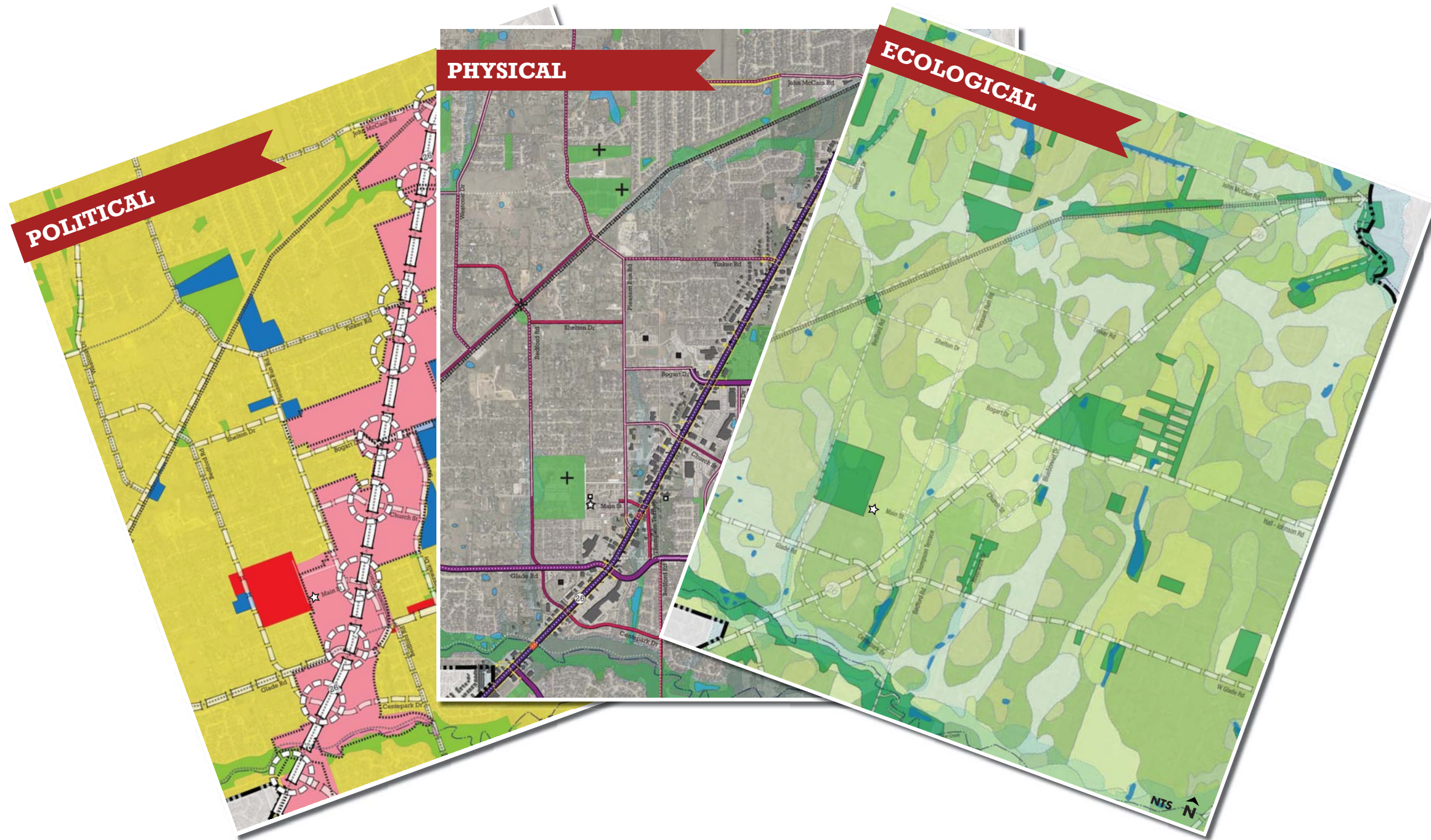






An aerial photograph of a suburban neighborhood. The image shows a mix of residential houses, some with swimming pools, and large green trees. A multi-lane road runs diagonally through the scene. In the background, there are more houses and a few commercial buildings. The sky is clear and blue.

SUMMARY OF ASSESSMENTS



Political

- Future Land Use
- Existing Land Use
- City Limits
- Tax Intersections
- Public vs Private Land

Physical

- Building Infrastructure
- Street Signage
- Vehicular Circulation
- Pedestrian Circulation
- Public Facilities
- Vertical Road Alignment
- Parking Elevations
- Utilities

Ecological

- Hydrology
- Geology
- Soil
- Tree Canopy
- Parks & Open Space
- Topography

GRAPEVINE TX-26



CHARACTERISTICS

- Open/Undeveloped
- Turf Parkway
- Overhead Utilities
- Stamped Concrete
- Brick Pattern
- Curvilinear Landscape Pattern
- Typical TxDot Details

COLLEYVILLE TX-26



CHARACTERISTICS

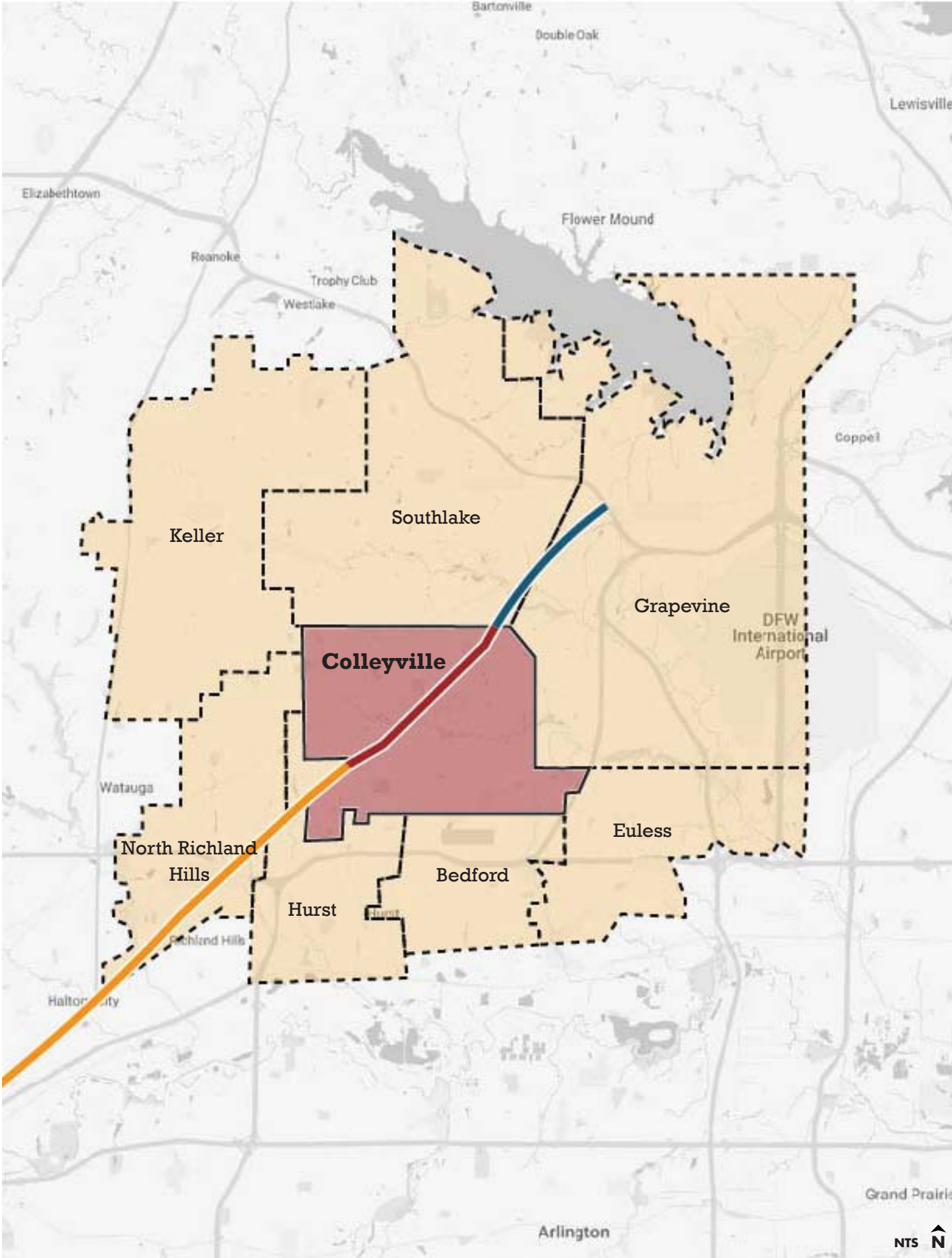
- Business/Developed
- Turf Parkway
- Overhead Utilities
- Stamped Concrete
- Brick Pattern
- Typical TxDot Details

HURST TX-26



CHARACTERISTICS

- Business/Developed
- Turf Parkway
- Overhead Utilities
- Stamped Concrete
- Brick Pattern
- Typical TxDot Details



**COLLEYVILLE
BOULEVARD**

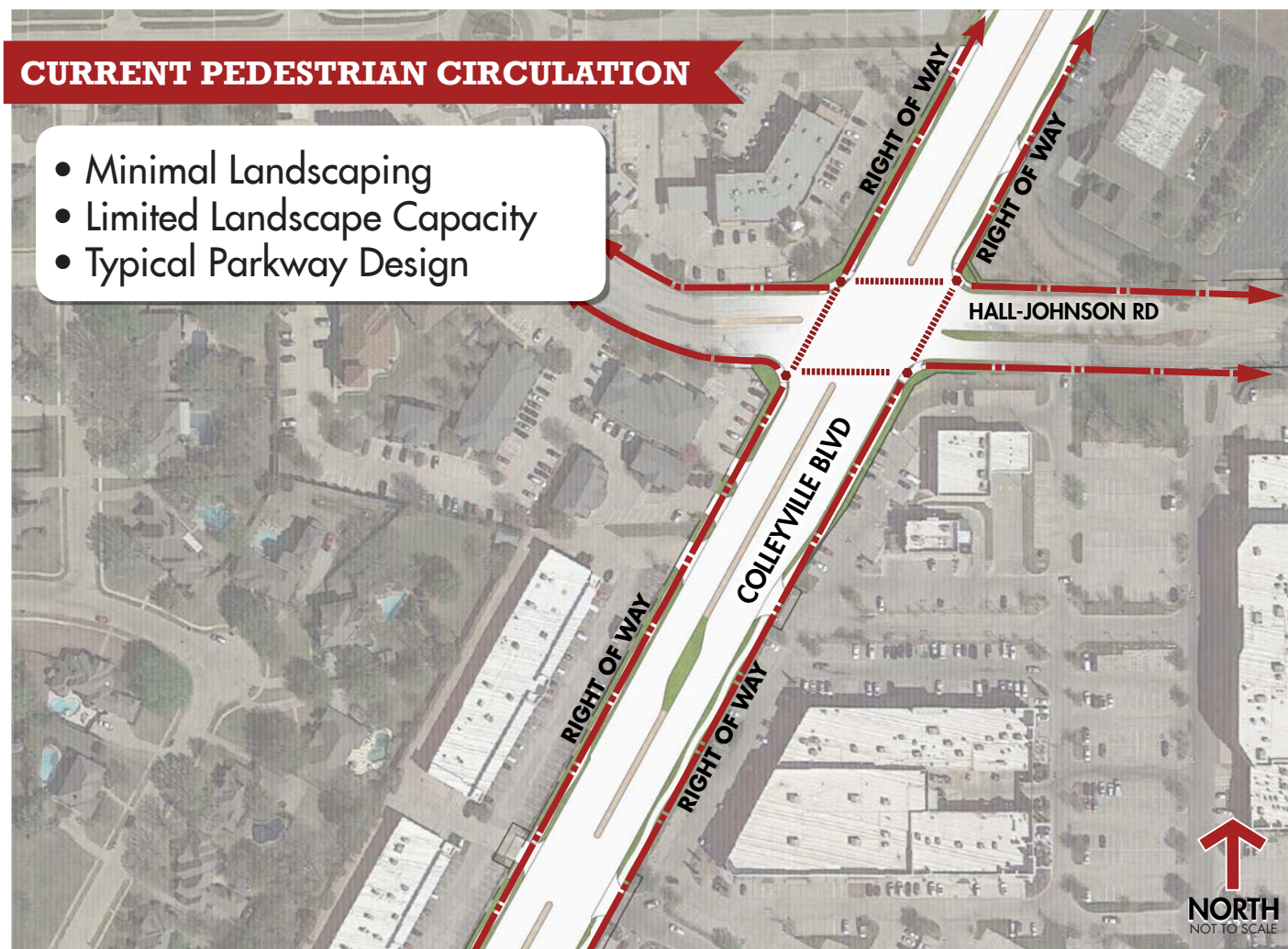
Identity of Highway 26
KEY DESIGN INFLUENCES

August 21, 2018
Project: 18023



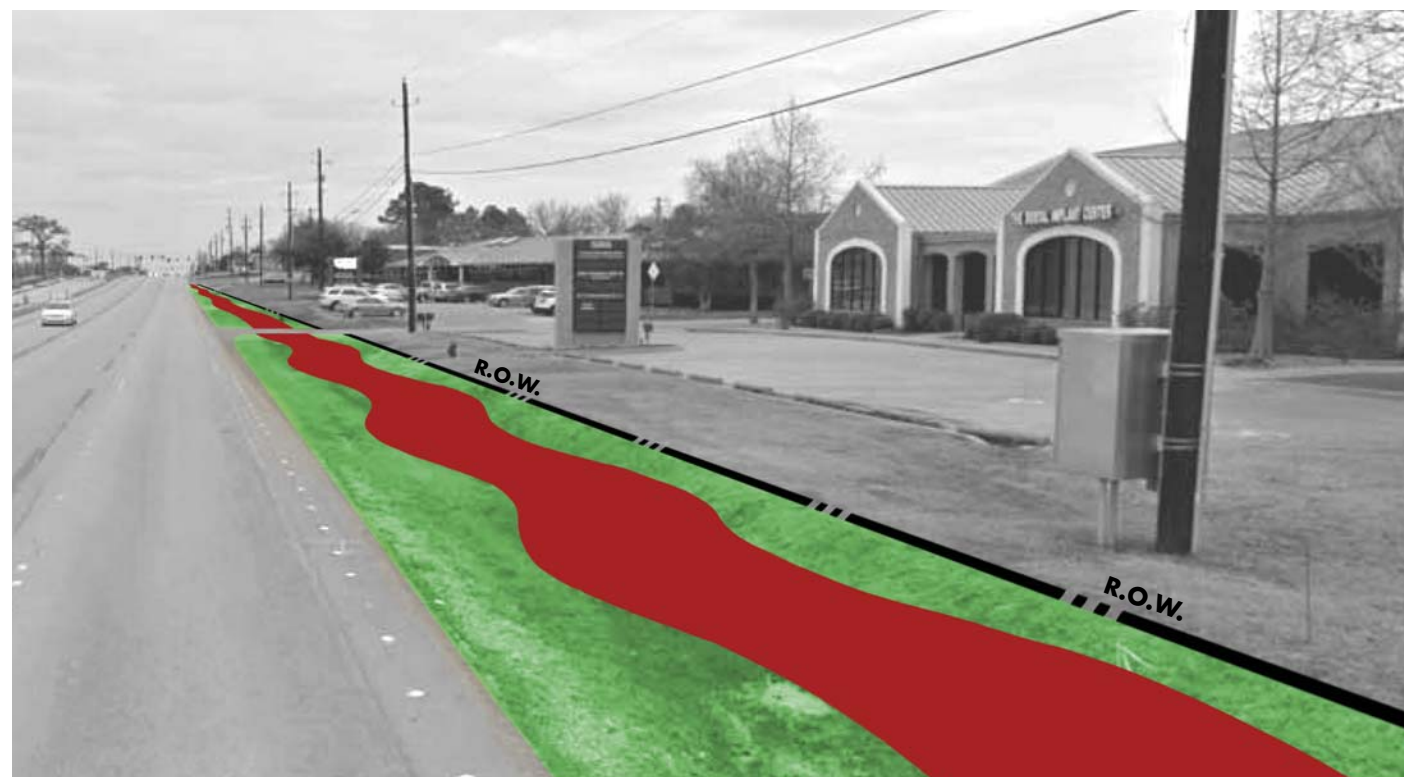
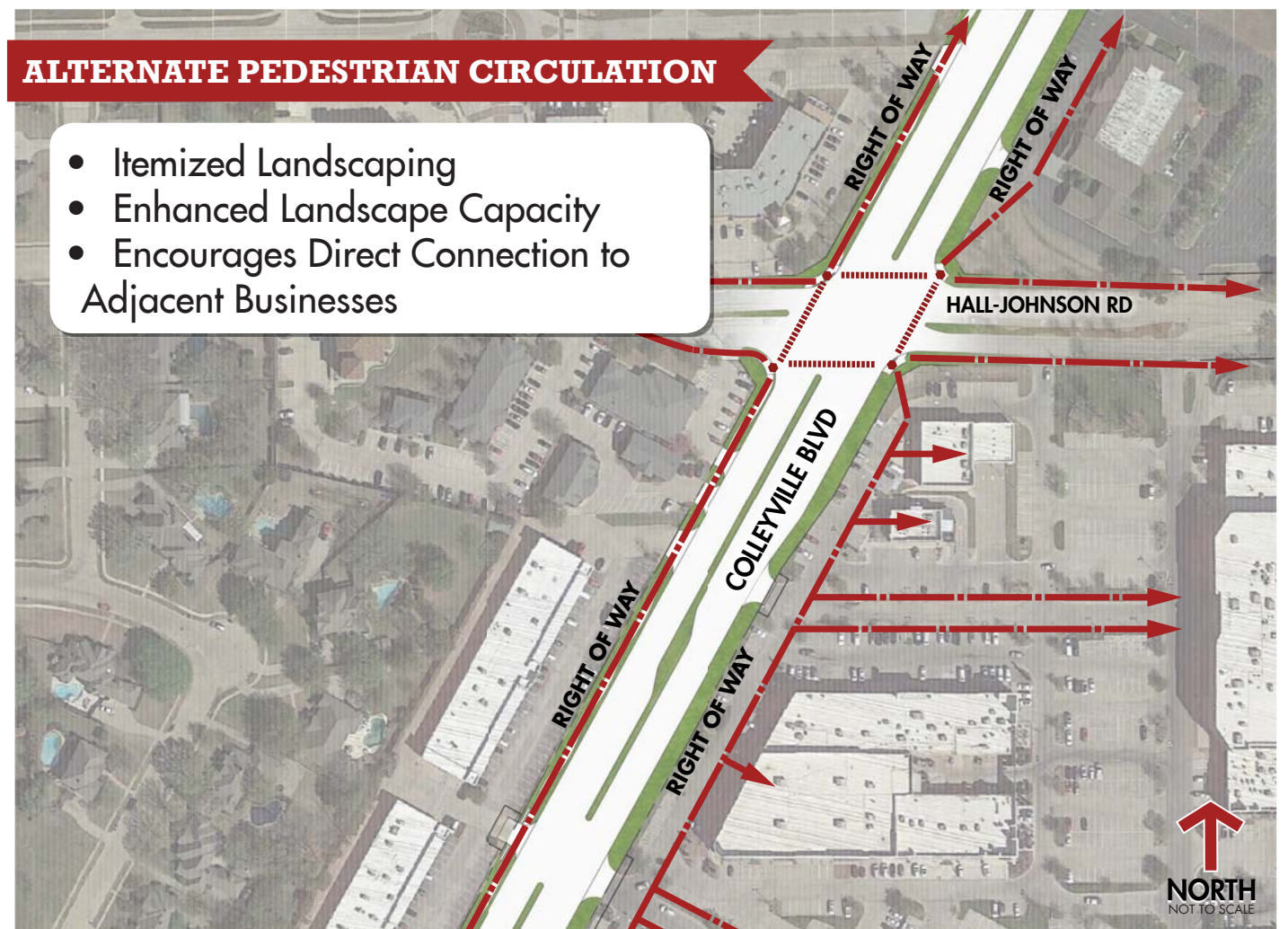
CURRENT PEDESTRIAN CIRCULATION

- Minimal Landscaping
- Limited Landscape Capacity
- Typical Parkway Design



ALTERNATE PEDESTRIAN CIRCULATION

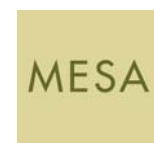
- Itemized Landscaping
- Enhanced Landscape Capacity
- Encourages Direct Connection to Adjacent Businesses

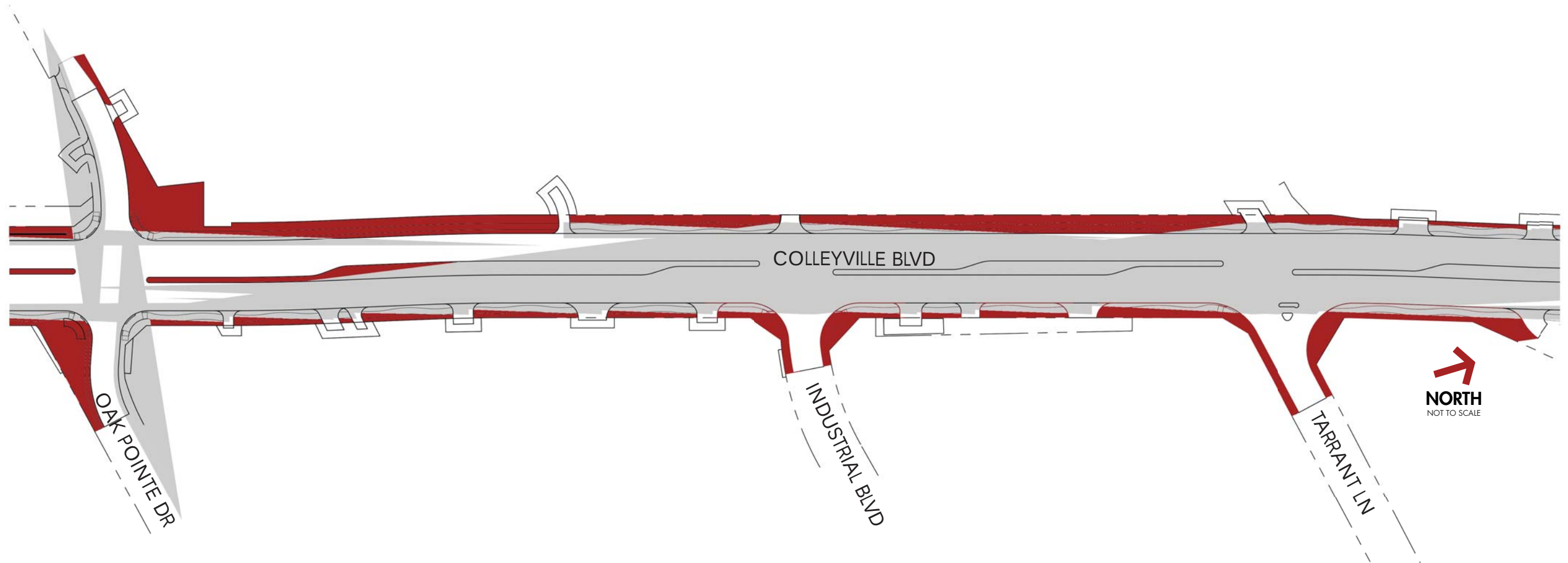


**COLLEYVILLE
BOULEVARD**

Right of Way vs Perceived Corridor
KEY DESIGN INFLUENCES

August 21, 2018
Project: 18023





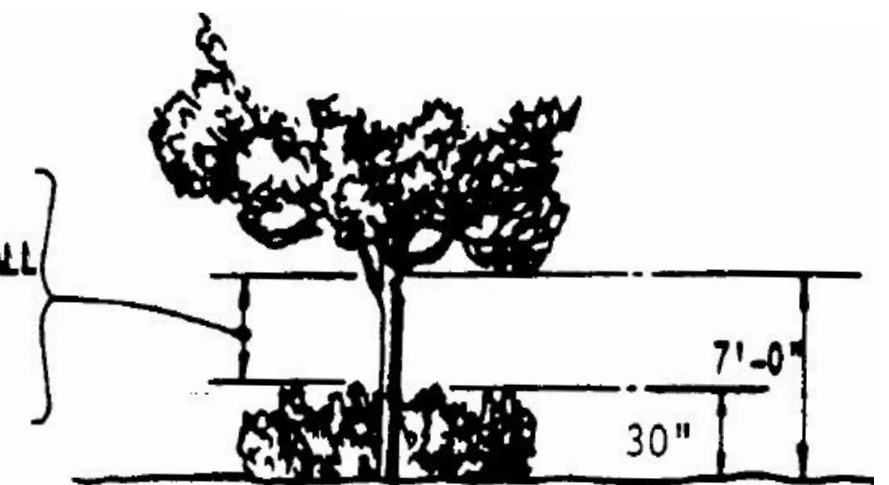
VISIBILITY RESTRICTIONS

Requirements:

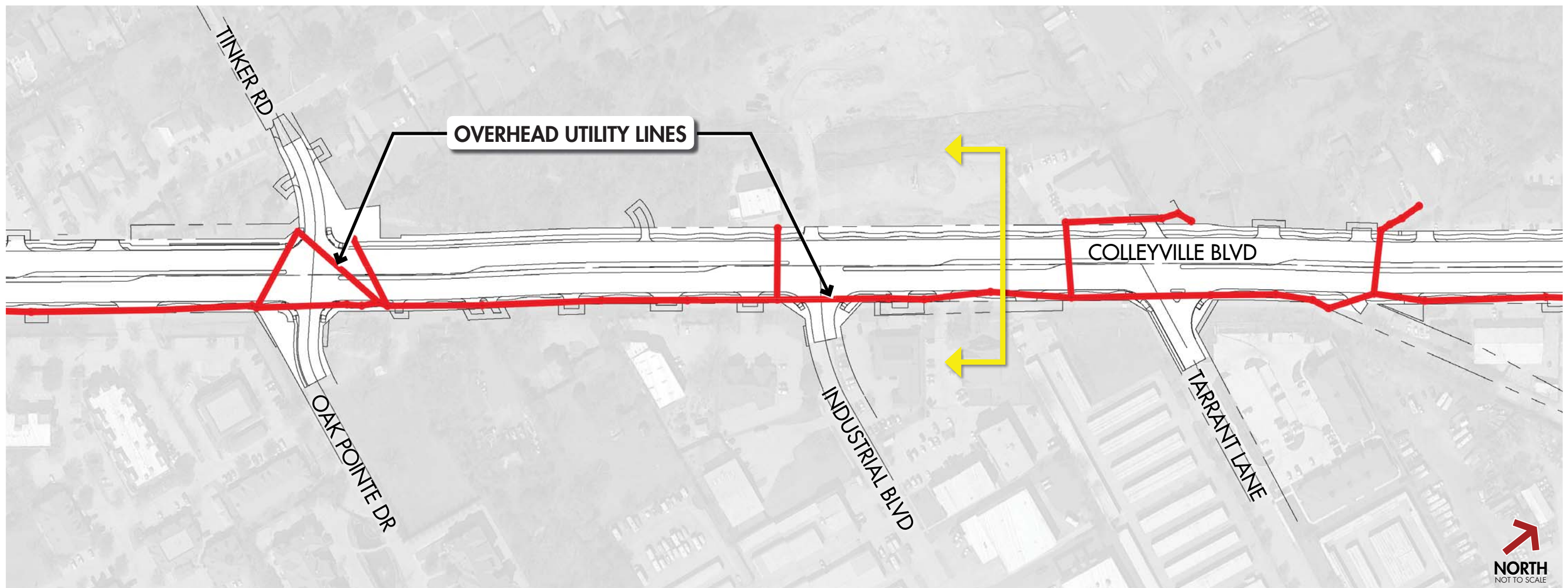
Any fence, wall, hedge, shrubbery, etc., higher than thirty (30) inches above ground level at the property line, except single trees having single trunks, which are pruned to a height of seven (7) feet above ground level.

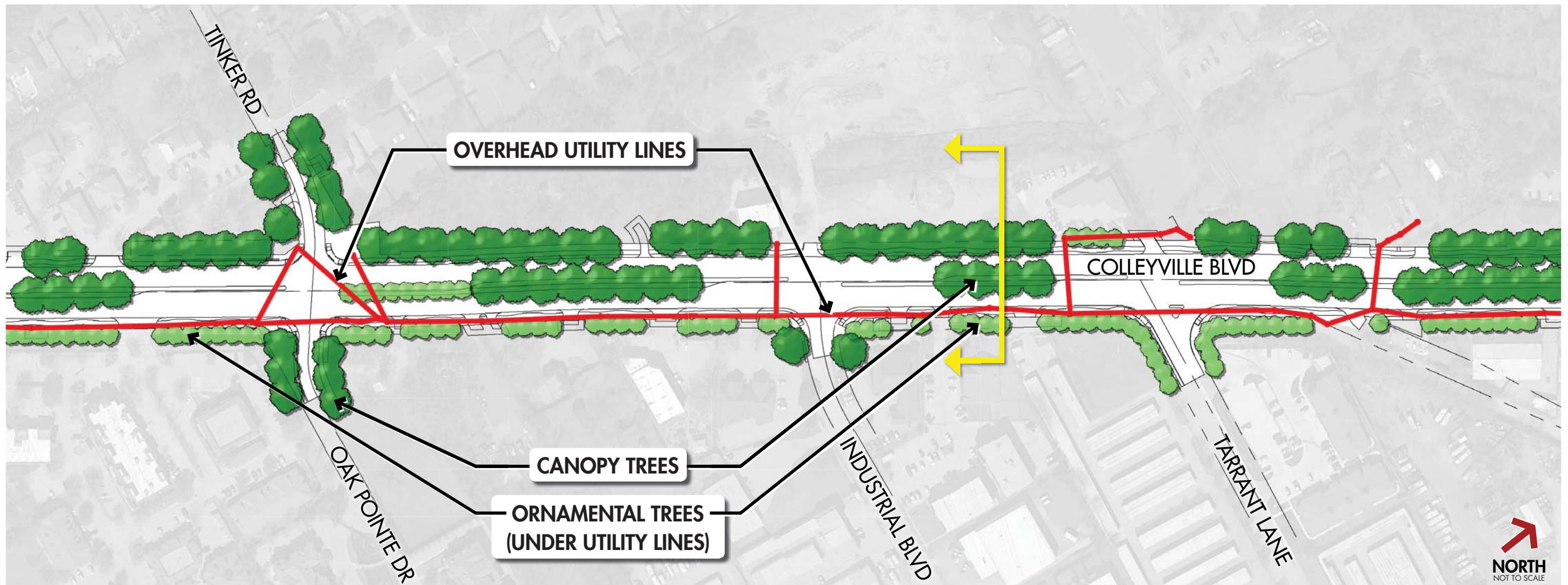
AREAS NOT AFFECTED BY VISIBILITY RESTRICTIONS

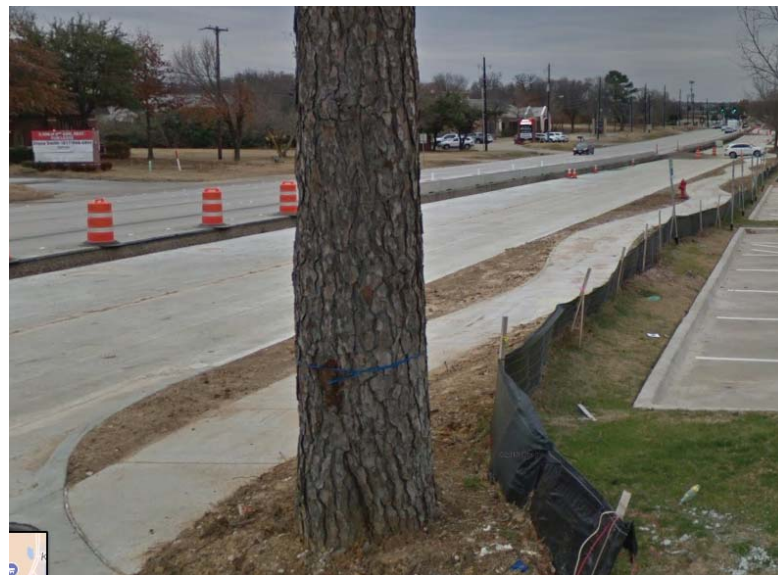
THIS AREA MUST BE
KEPT CLEAR AND SHALL
NOT BE ALLOWED TO
OBSTRUCT THE VIEW
OF MOTORIST



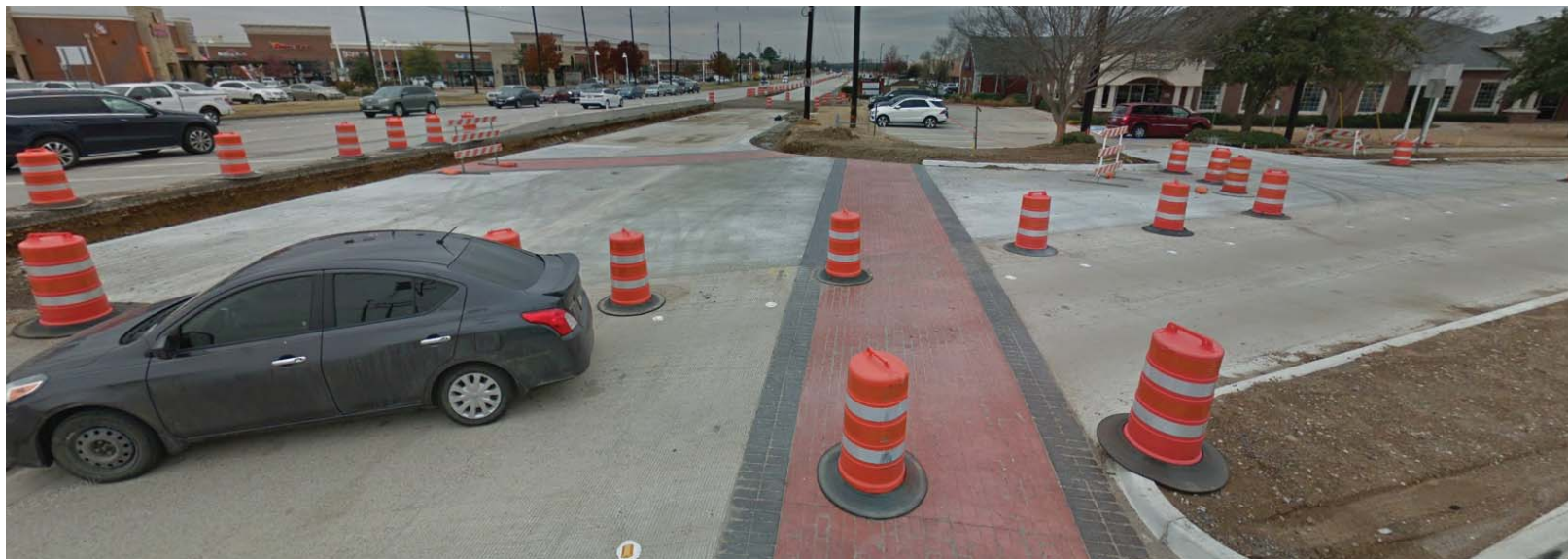
Source: Colleyville Land Development Code
Chapter 3 - Page 59



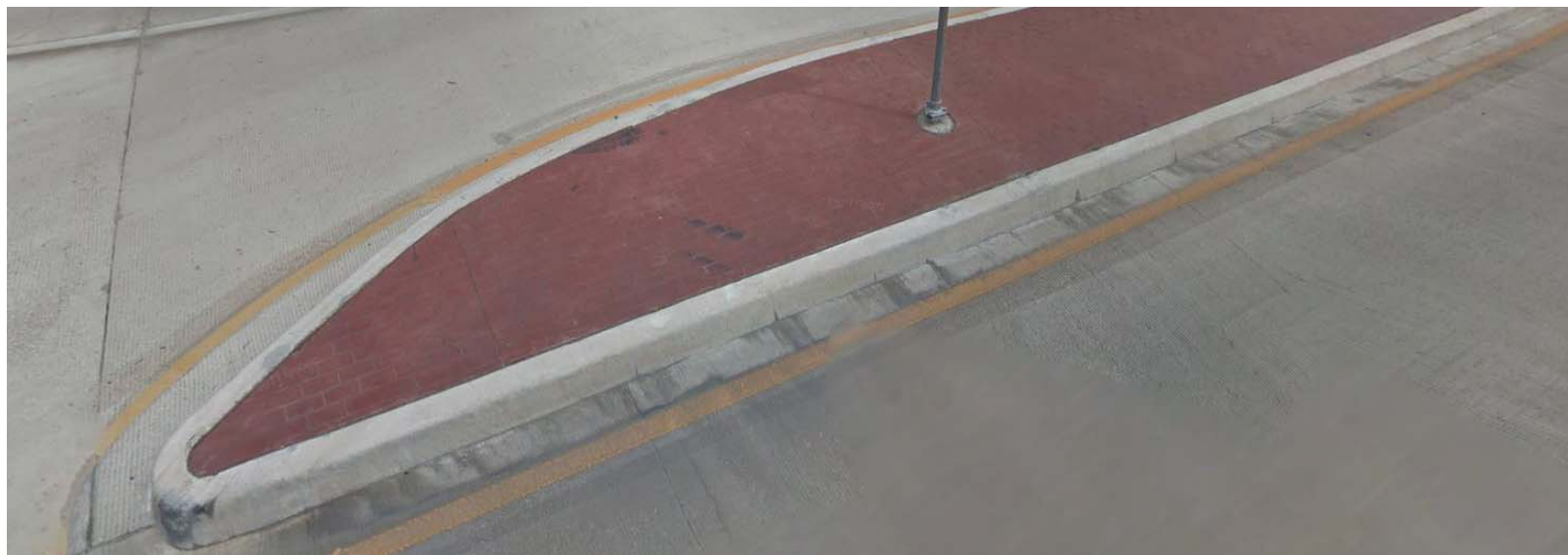




SIDEWALK DESIGN



CROSSWALKS & INTERSECTIONS



MEDIAN NOSINGS



VISIBILITY SENSITIVITIES & RETAIL SIGNAGE



LIGHT POLES & FURNISHINGS



UTILITY BOXES & EQUIPMENT



BRIDGES, HEADWALLS, & DRAINAGE STRUCTURES



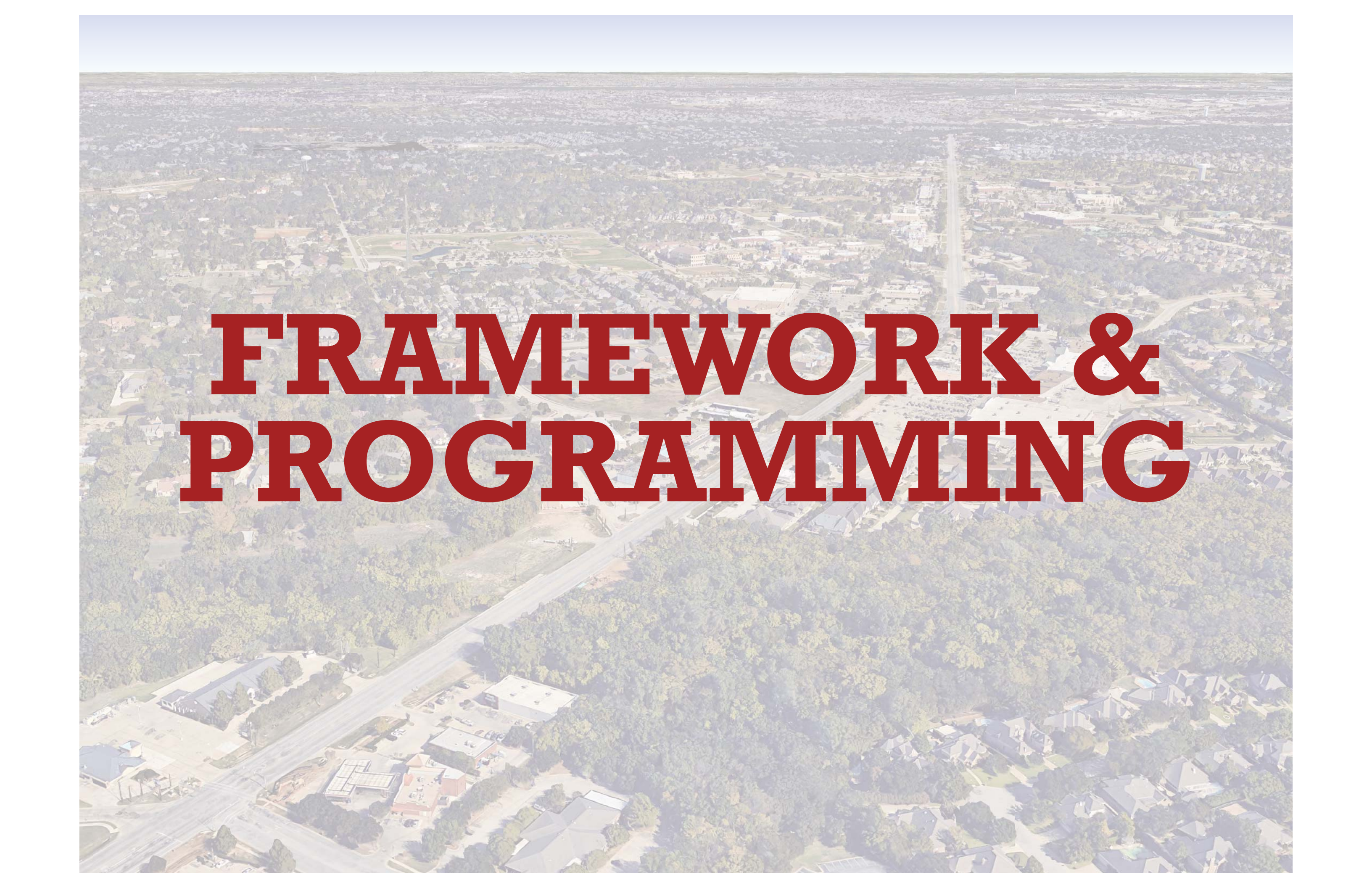
MAINTENANCE CONSIDERATIONS



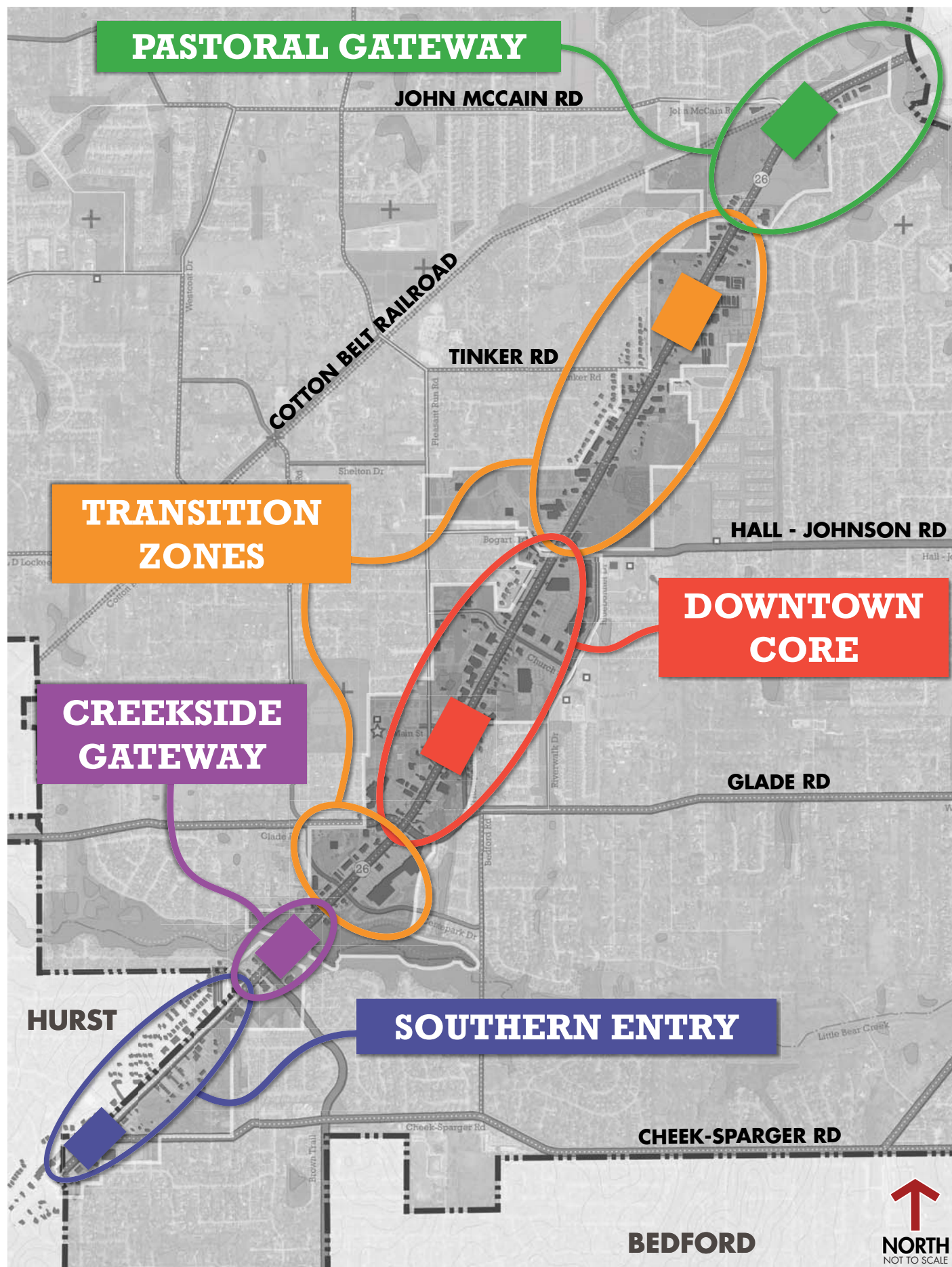
RETAINING WALLS



RAILINGS

An aerial photograph of a suburban neighborhood. The image shows a mix of residential houses, green trees, and a network of roads. In the foreground, there's a large, dense cluster of trees. To the left, a road runs diagonally. Various houses and commercial buildings are scattered throughout the landscape. The sky is clear and blue.

FRAMEWORK & PROGRAMMING



CONCEPT DESIGN ZONES

PASTORAL GATEWAY

- CITY LIMIT TO TENNISON PARKWAY
- TRANSITION FROM GRAPEVINE
- SENSE OF ARRIVAL
- FUNCTIONAL ARCHITECTURAL AESTHETIC
- SEASONAL ACCENTS
- BORROWED LANDSCAPE
- OPEN PRAIRIE FEEL
- GRASSLAND MOSAIC PLANTINGS
- CONCEPTS SHOWN AT JOHN MCCAIN RD

TRANSITION ZONES

- TENNISON PARKWAY TO HALL-JOHNSON RD
- NARROW VISIBILITY
- SCREEN SURFACE PARKING
- ARCHITECTURAL AND LANDSCAPE BUFFERS
- VIEWS DIRECTED TOWARD DOWNTOWN
- NATURAL PLANTING FORMS
- BROADENING VISIBILITY
- TRANSITION INTO DOWNTOWN
- VEHICLE ORIENTED
- CONCEPTS SHOWN AT INDUSTRIAL BLVD

DOWNTOWN CORE

- HALL-JOHNSON RD TO GLADE RD
- VIEWS DIRECTED TO PEDESTRIAN FEATURES
- FORMAL LANDSCAPE FORMS
- SEASONAL ACCENT PLANTINGS
- PEDESTRIAN TRAIL CONNECTIONS
- ARCHITECTURAL ACCENT FEATURES
- STRONG RETAIL PRESENCE
- PEDESTRIAN ORIENTED
- CONCEPTS SHOWN AT MAIN ST

CREEKSIDE GATEWAY

- GLADE ROAD TO BROWN TRAIL
- ARCHITECTURAL GATEWAY MONUMENT
- NATURAL LANDSCAPE FEATURES
- SEASONAL ACCENTS
- SIMPLE, FUNCTIONAL AESTHETIC
- RIPARIAN LANDSCAPE PLANTINGS
- NATURAL STONE ACCENTS
- CONCEPTS SHOWN AT LITTLE BEAR CREEK

SOUTHERN ENTRY

- BROWN TRAIL TO CHEEK-SPARGER RD
- NARROW VISIBILITY
- SCREEN SURFACE PARKING
- LANDSCAPE SCREENING
- ARCHITECTURAL AND LANDSCAPE BUFFERS
- VIEWS DIRECTED TOWARD CREEKSIDE GATEWAY FEATURE
- NATURAL LANDSCAPE FORMS
- CONCEPT SHOWN AT CHEEK-SPARGER RD

CORRIDOR DESIGN CONCEPTS

FRAGMENT



RHYTHMIC



RIBBON





FRAGMENT

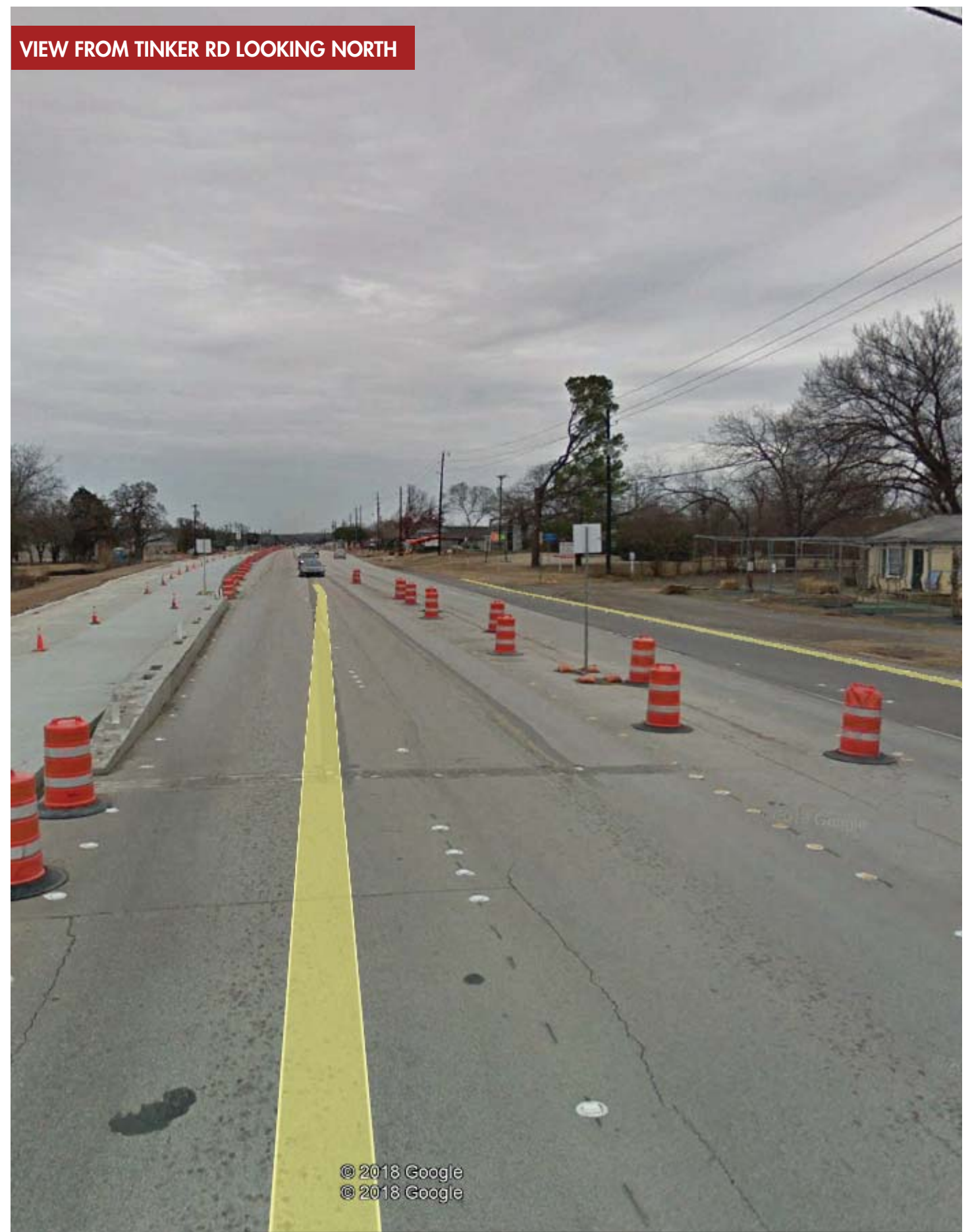
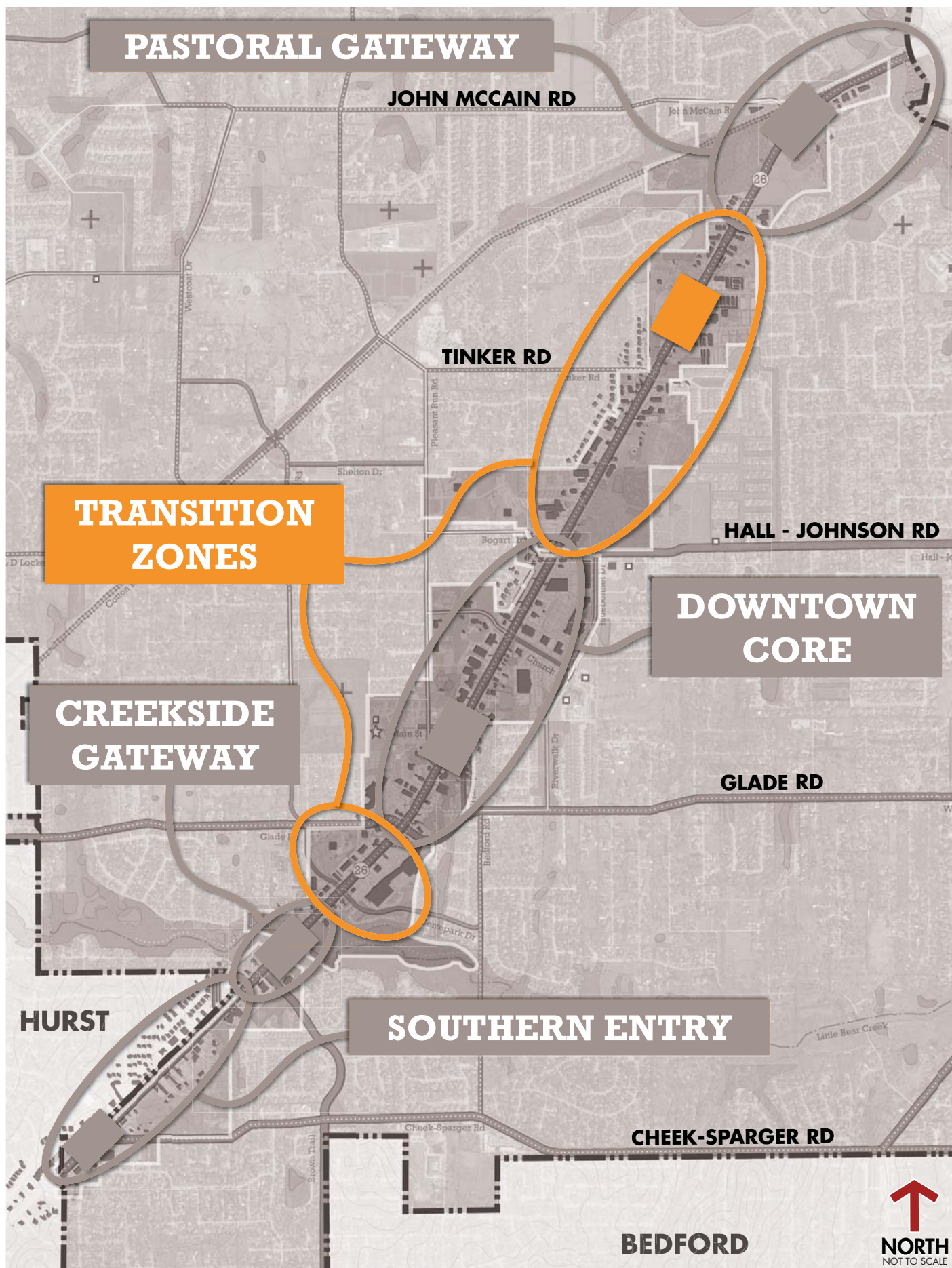
A hand-drawn black outline of an irregular, elongated shape with a pointed left end and a small notch on the right side, resembling a fragment or a piece of a larger whole.

RHYTHMIC

A hand-drawn black outline of a horizontal shape composed of three rectangular blocks of varying lengths connected together, creating a rhythmic pattern.

RIBBON

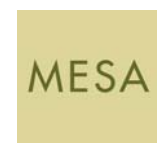
A hand-drawn black outline of a long, thin, slightly curved shape, resembling a ribbon or a strip of material.



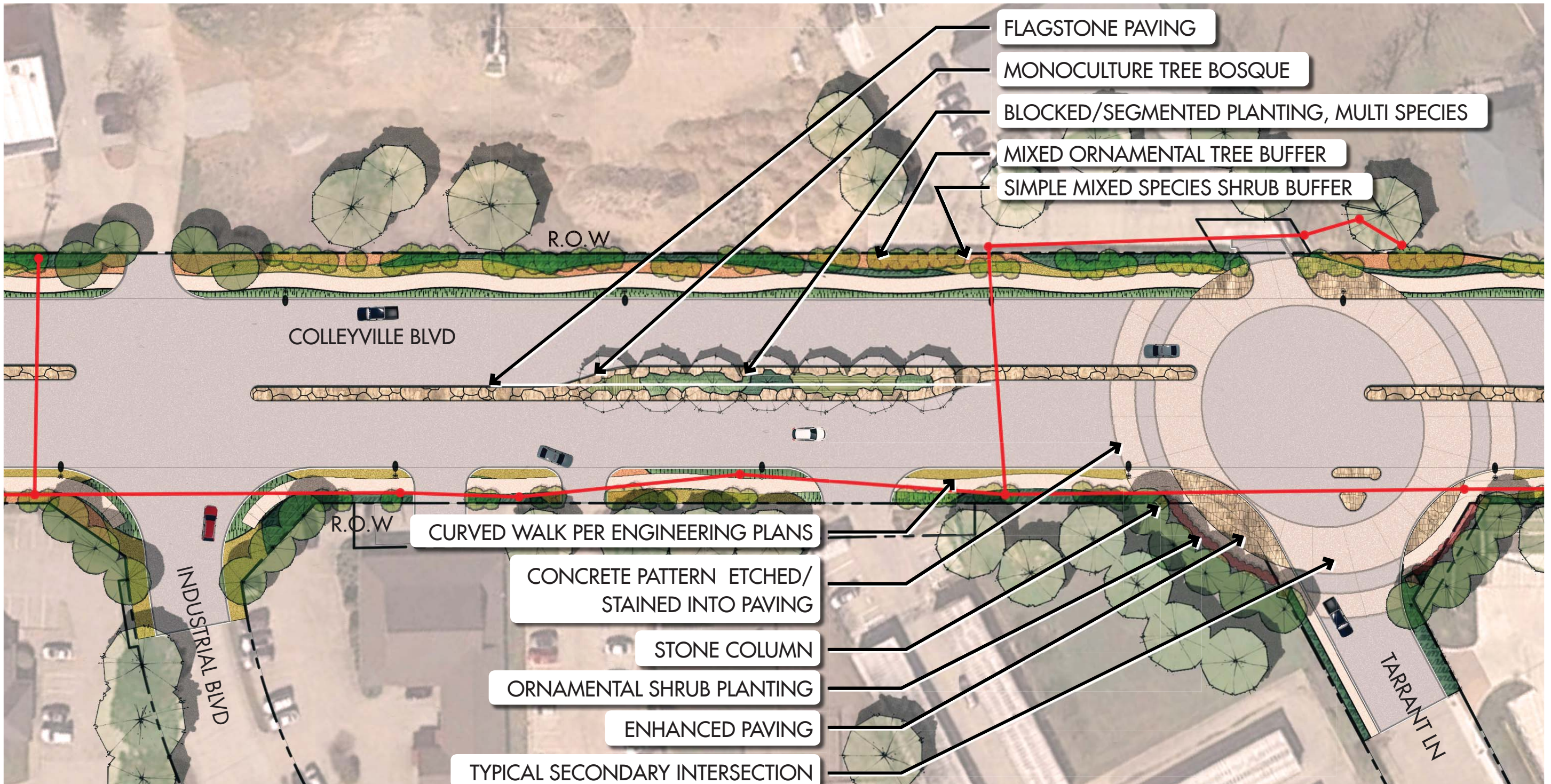
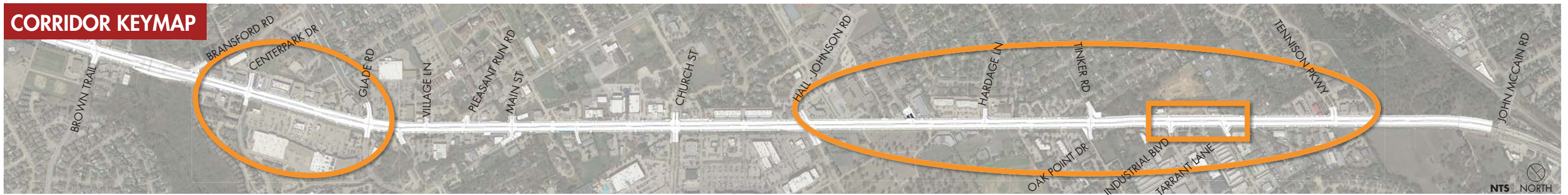
**COLLEYVILLE
BOULEVARD**

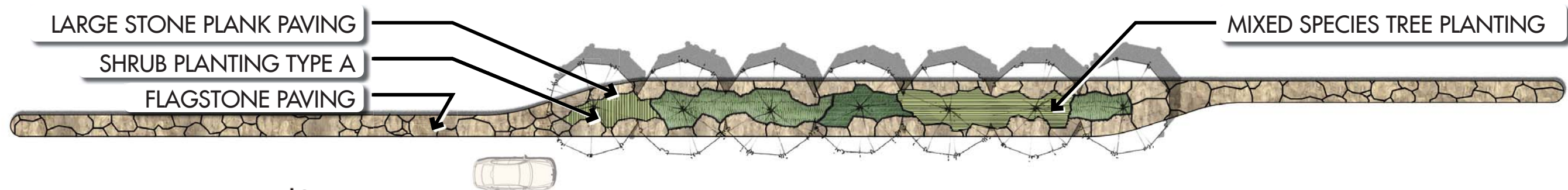
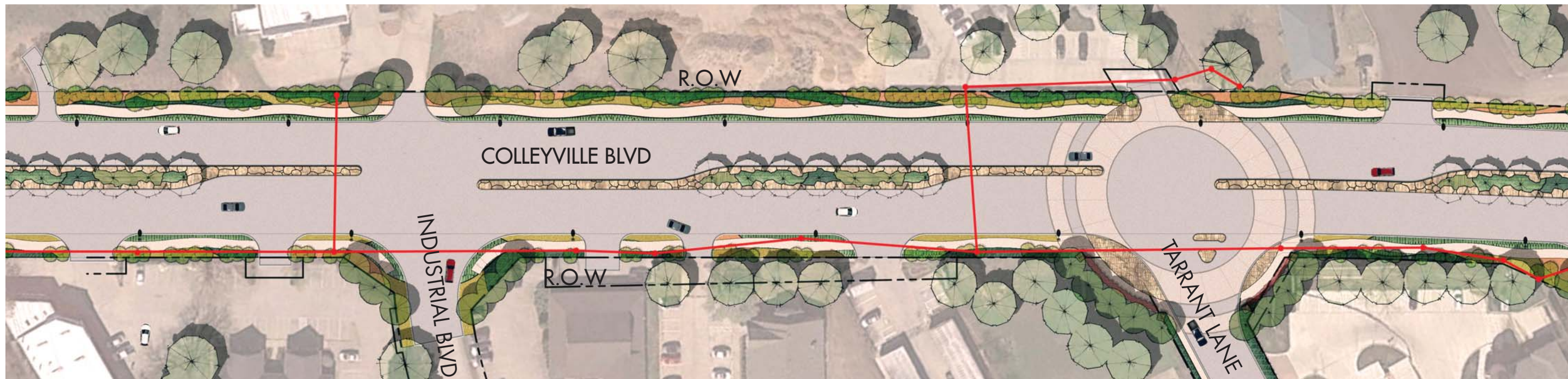
Existing Condition
TRANSITION ZONE

August 21, 2018
Project: 18023



CORRIDOR KEYMAP



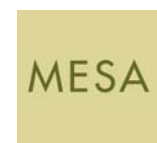




**COLLEYVILLE
BOULEVARD**

Fragment Concept
TRANSITION ZONE

August 21, 2018
Project: 18023





FRAGMENT



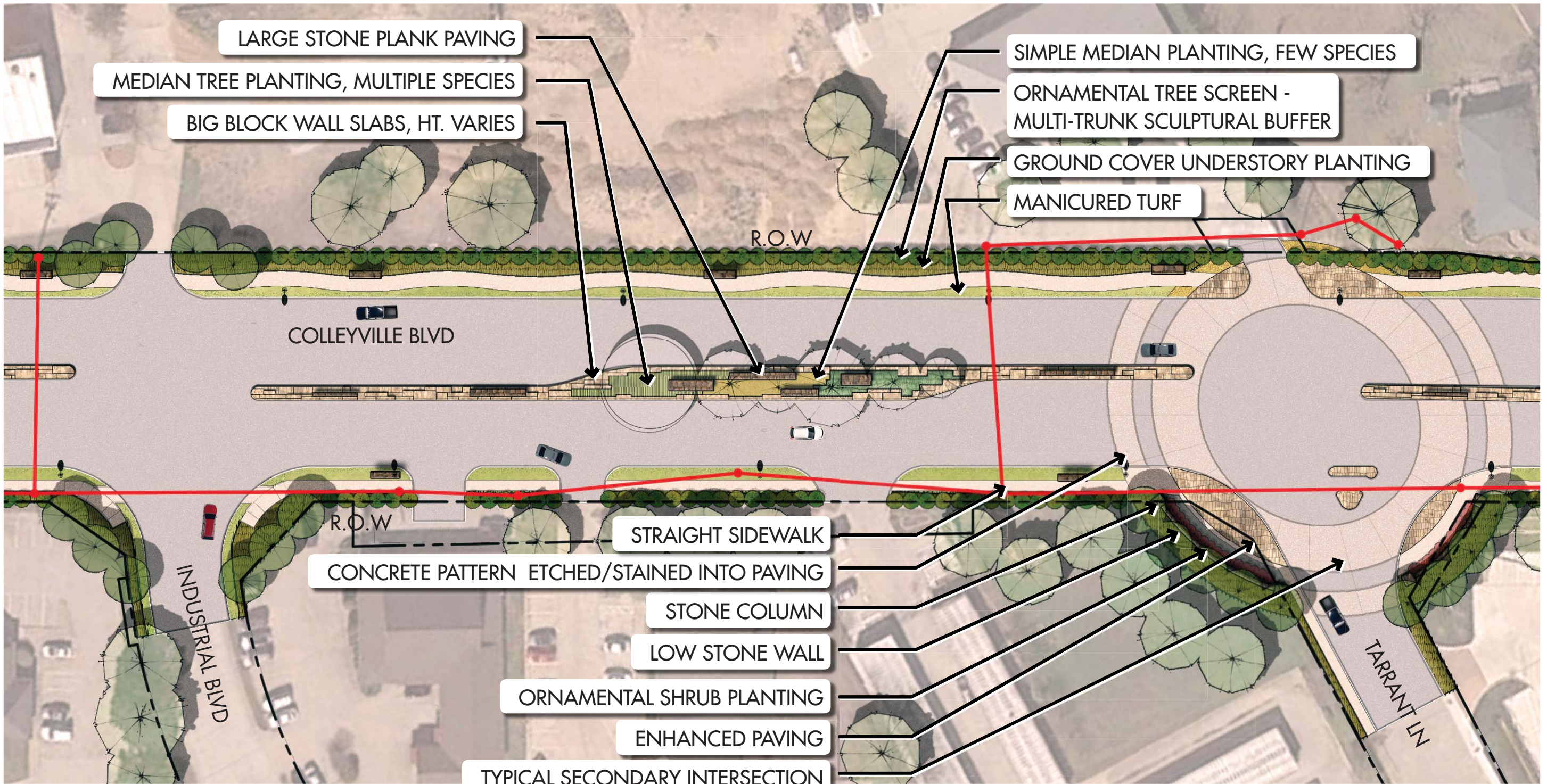
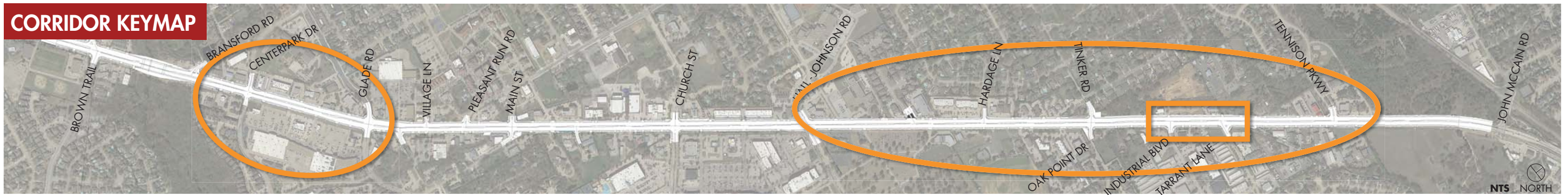
RHYTHMIC

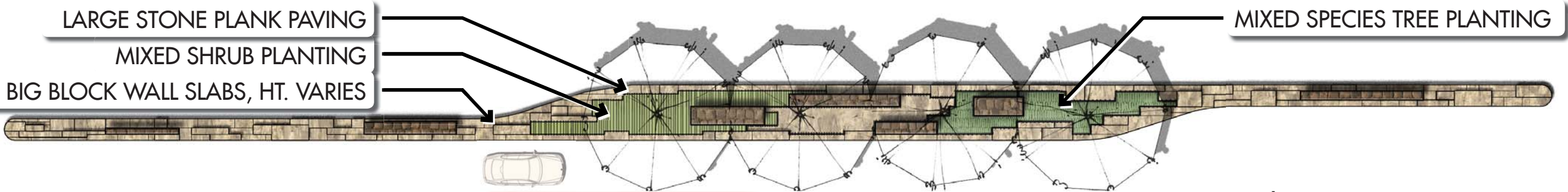
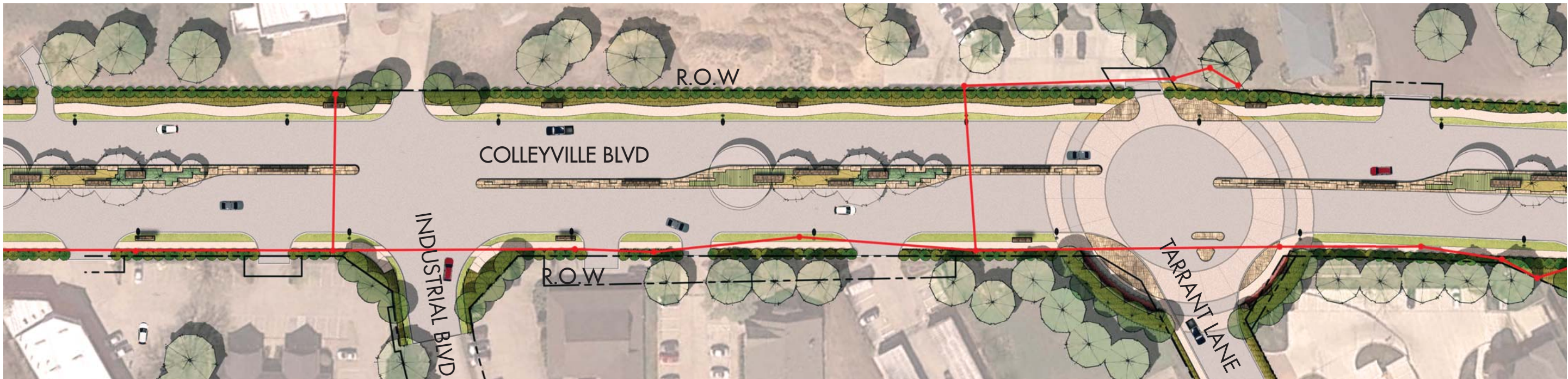


RIBBON



CORRIDOR KEYMAP





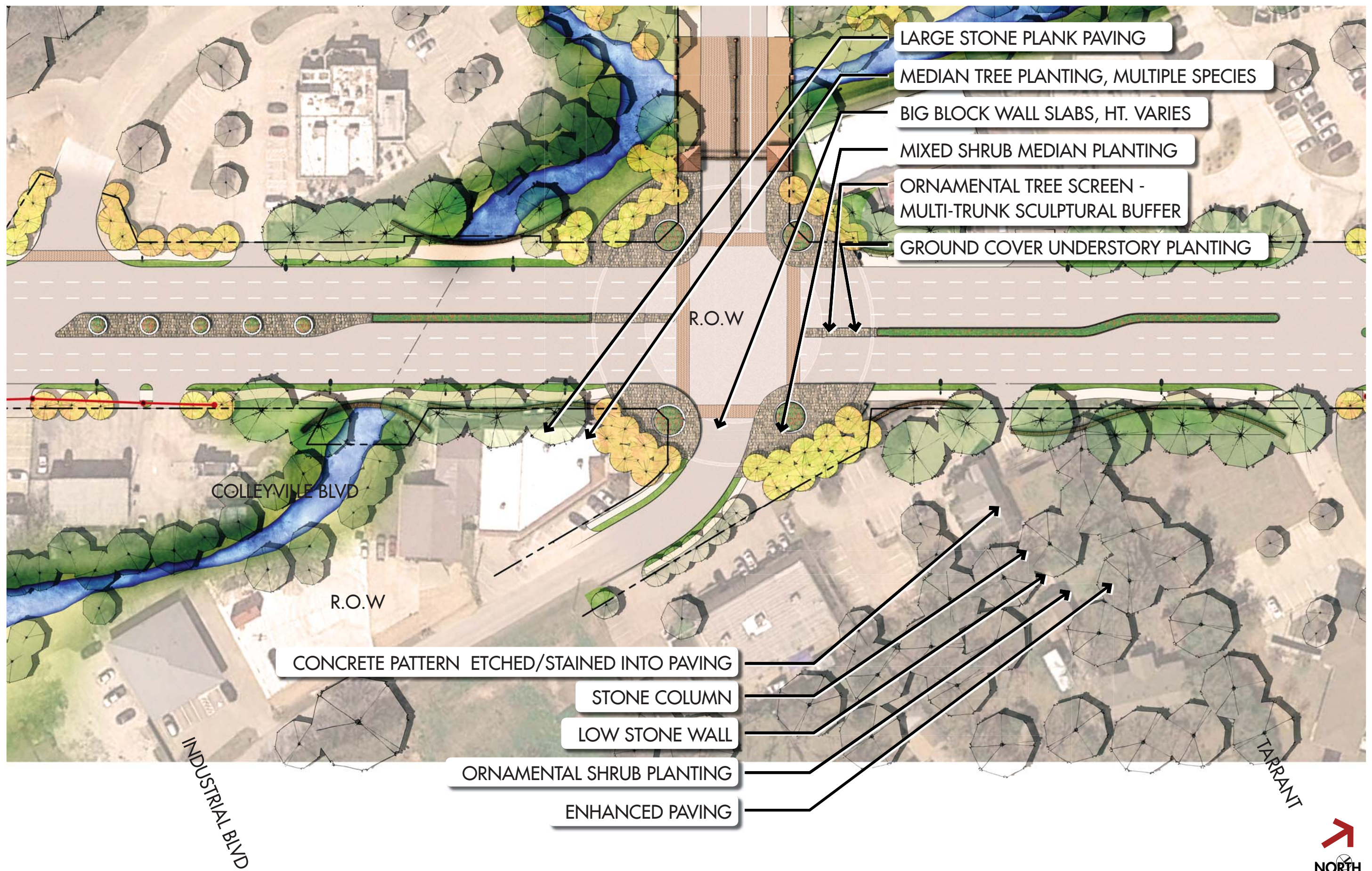
**COLLEYVILLE
BOULEVARD**

Rhythmic Concept - Section
TRANSITION ZONE

August 21, 2018
Project: 18023









FRAGMENT

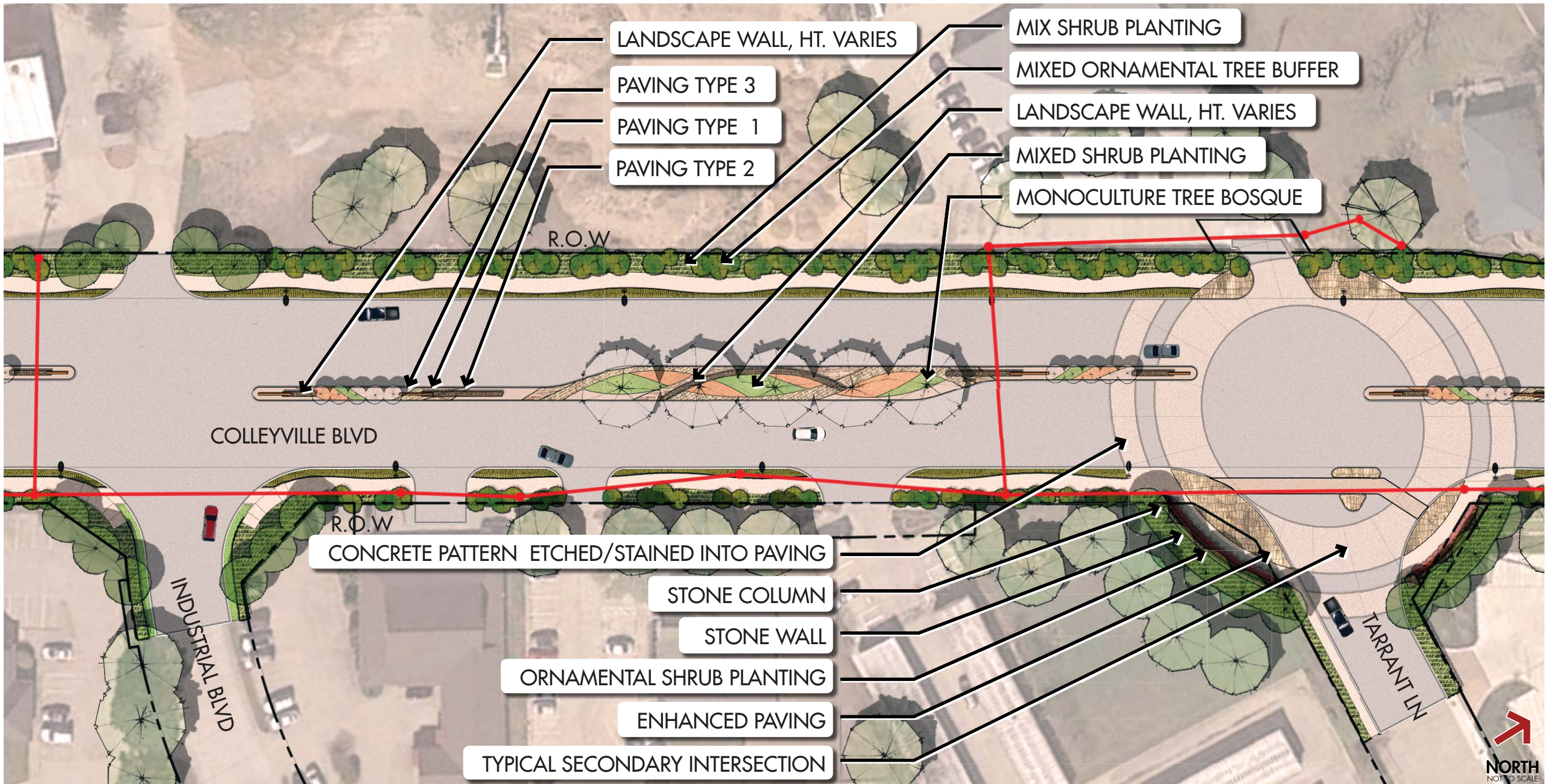


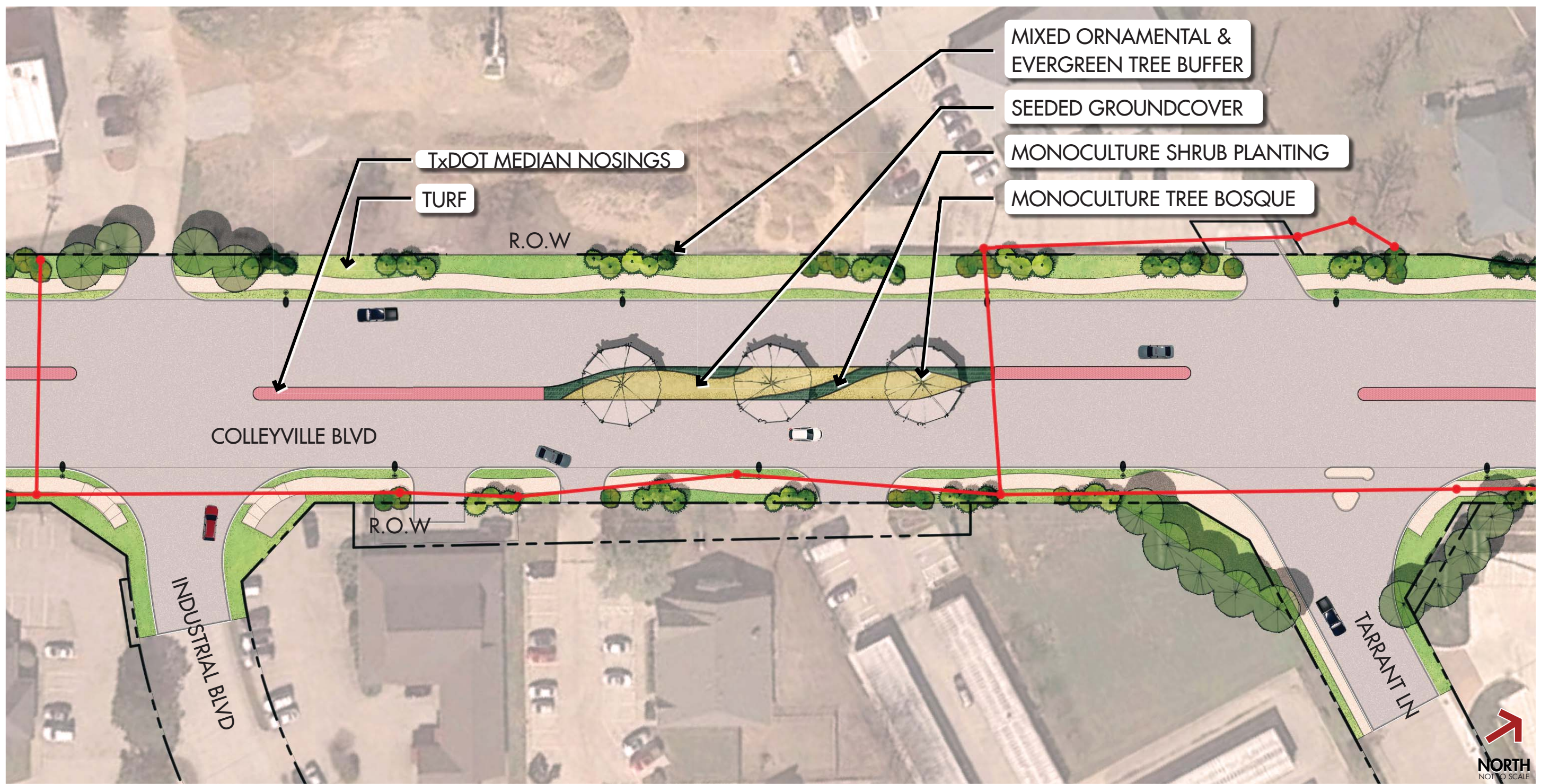
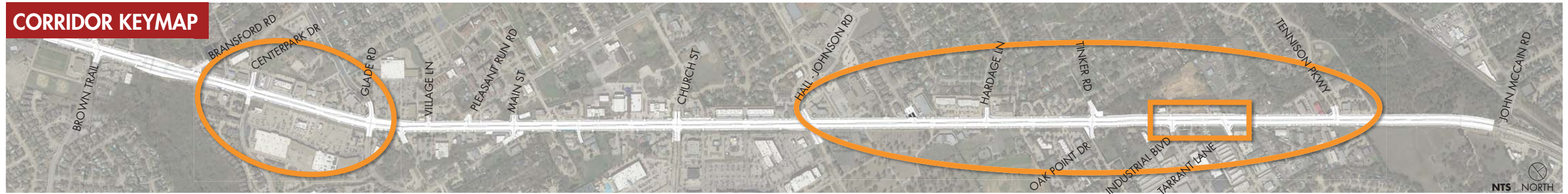
RHYTHMIC

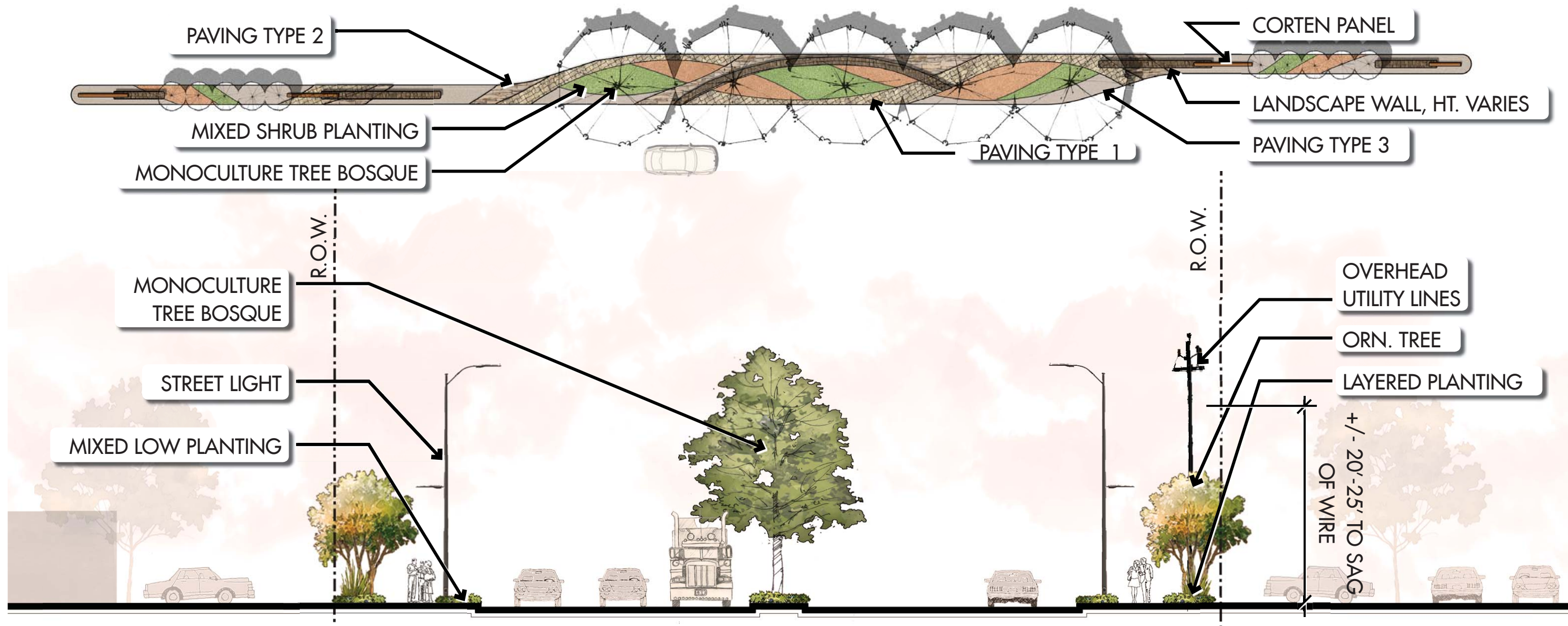
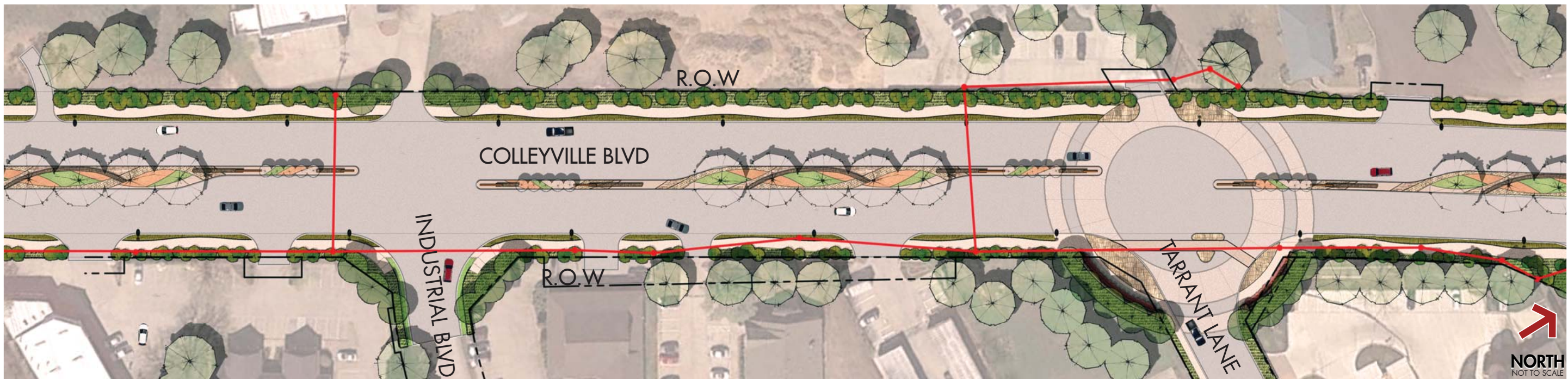


RIBBON





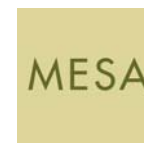




**COLLEYVILLE
BOULEVARD**

Ribbon Concept - Section
TRANSITION ZONE

August 21, 2018
Project: 18023



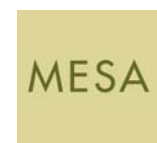




**COLLEYVILLE
BOULEVARD**

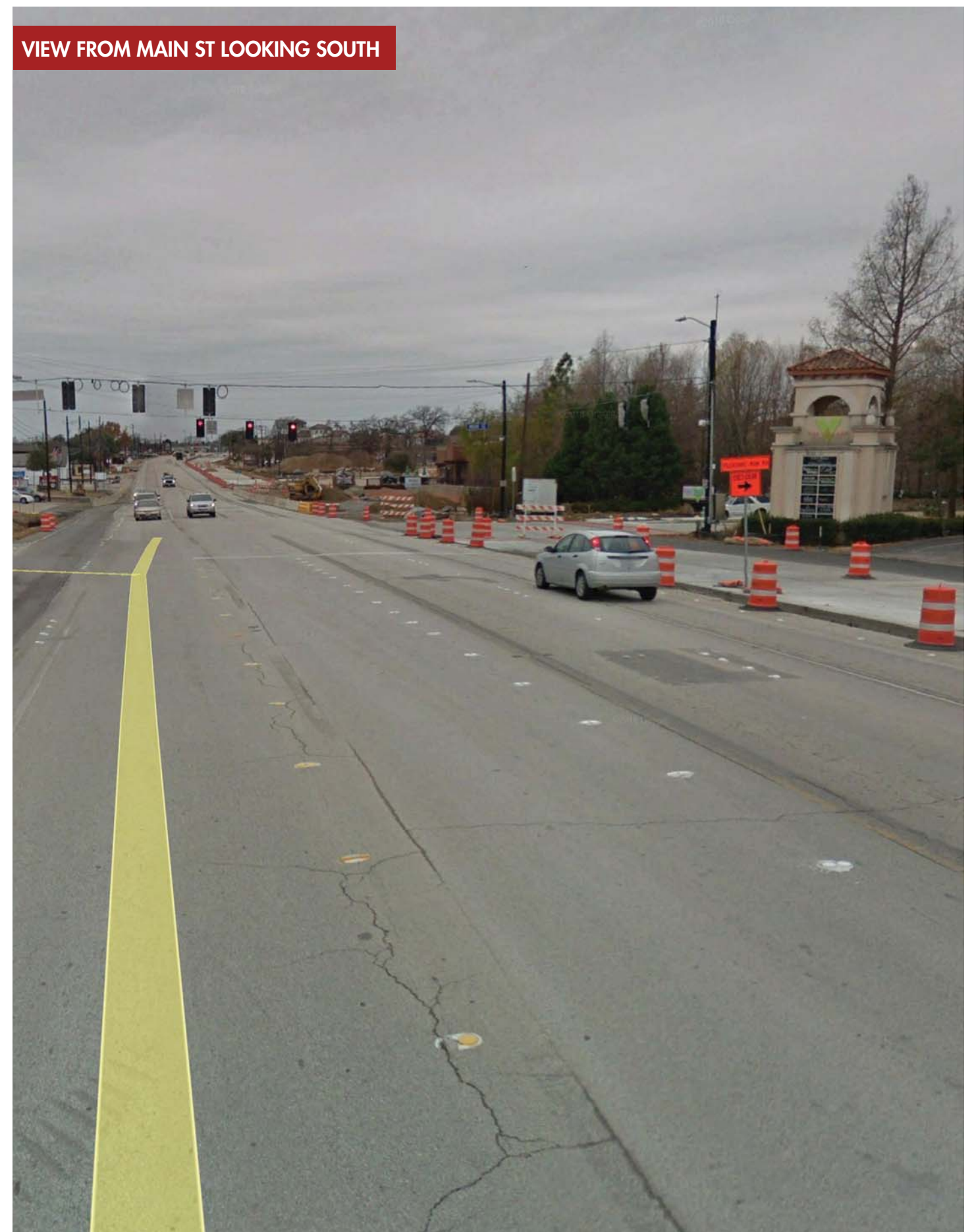
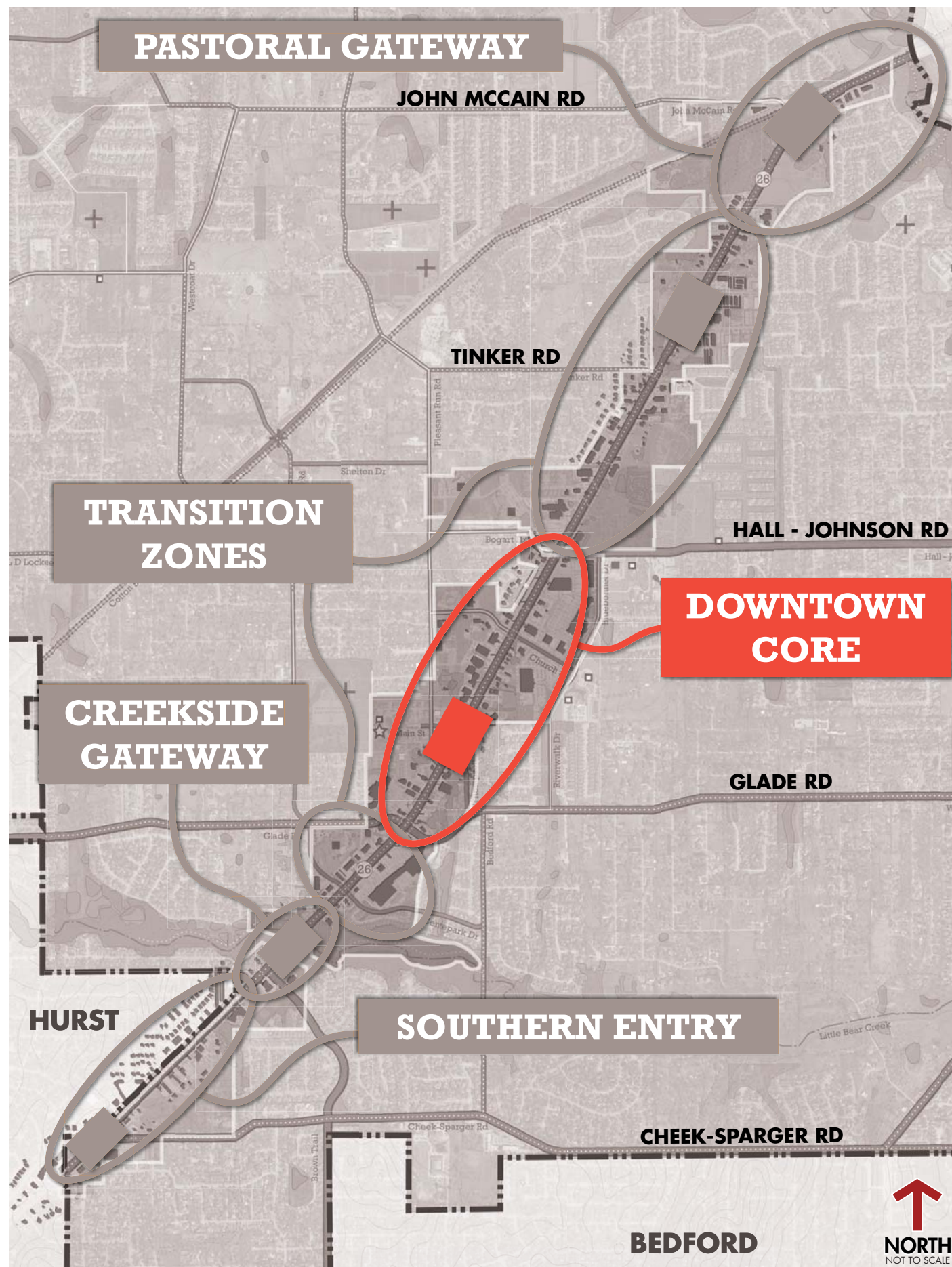
Ribbon Concept (Base Design)
TRANSITION ZONE

August 21, 2018
Project: 18023

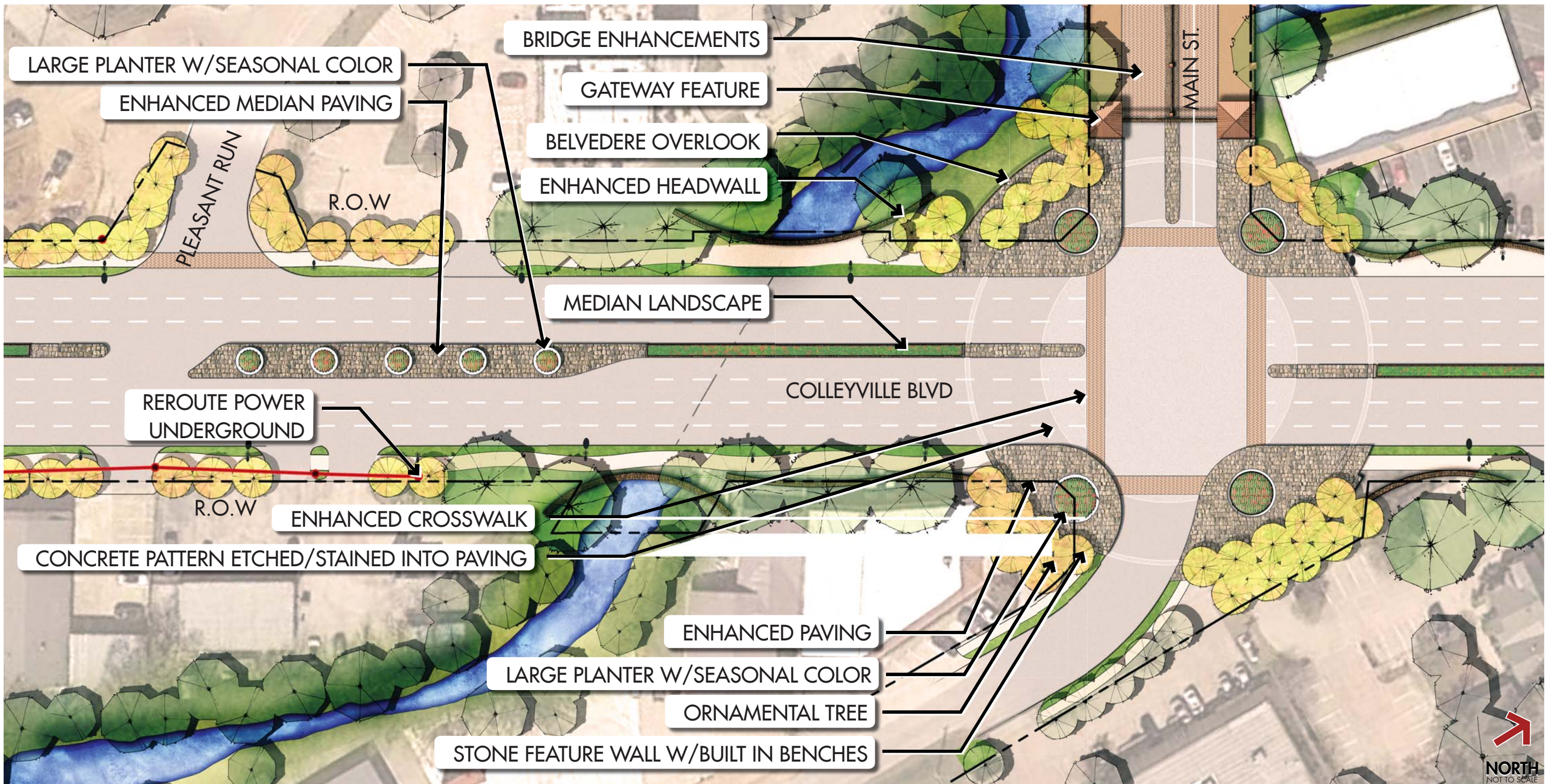
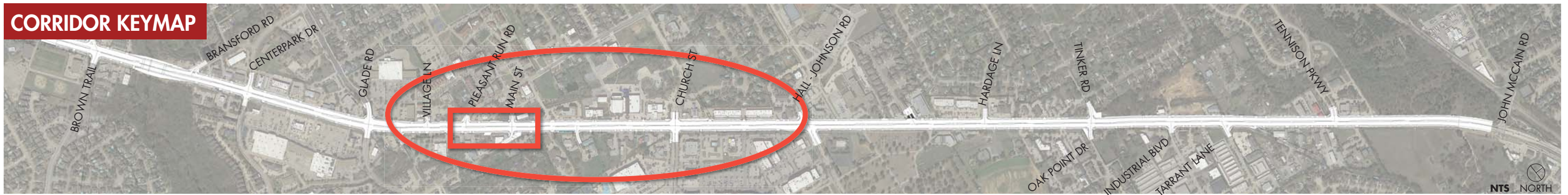


An aerial photograph of a suburban landscape. A wide, multi-lane road runs diagonally from the bottom left towards the center. To the right of the road is a large, dense area of green trees. To the left of the road are several commercial buildings, including a large white warehouse-like structure and a smaller building with a blue roof. The background shows a vast expanse of residential housing with many small houses and trees, stretching to the horizon under a clear blue sky.

DESIGN ZONES WITH RIBBON CONCEPT



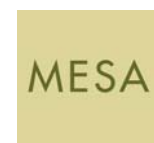
CORRIDOR KEYMAP

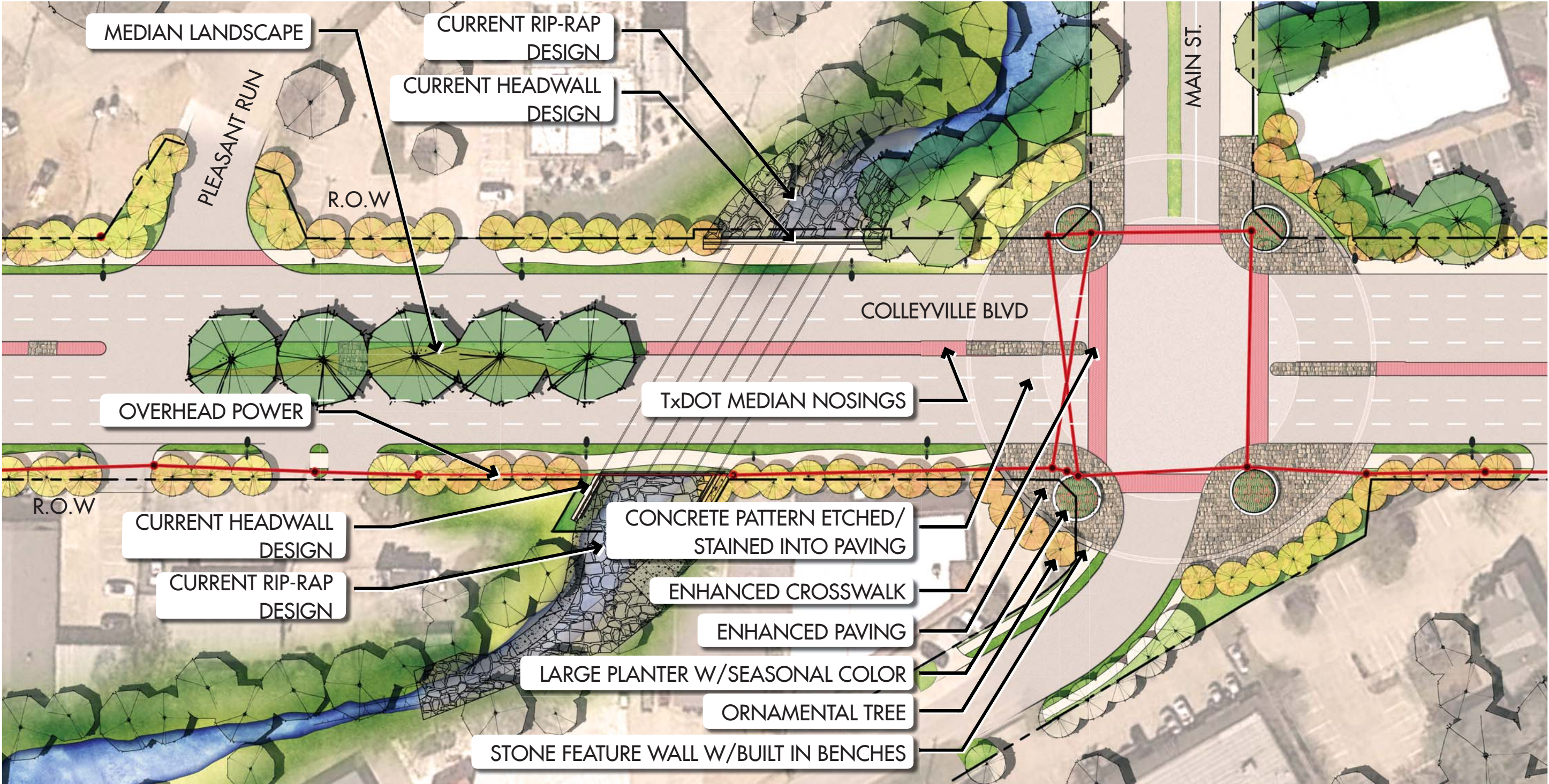
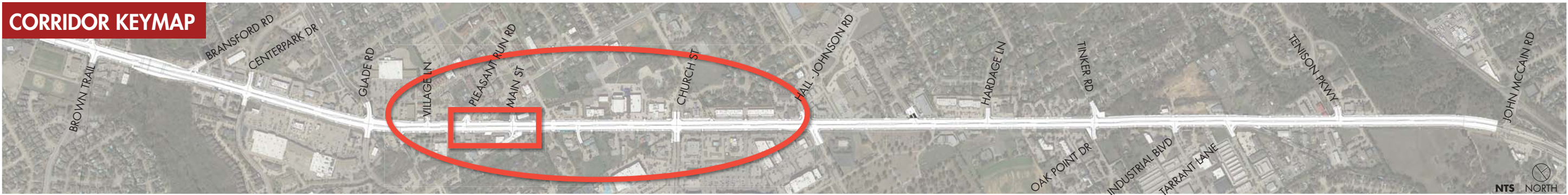


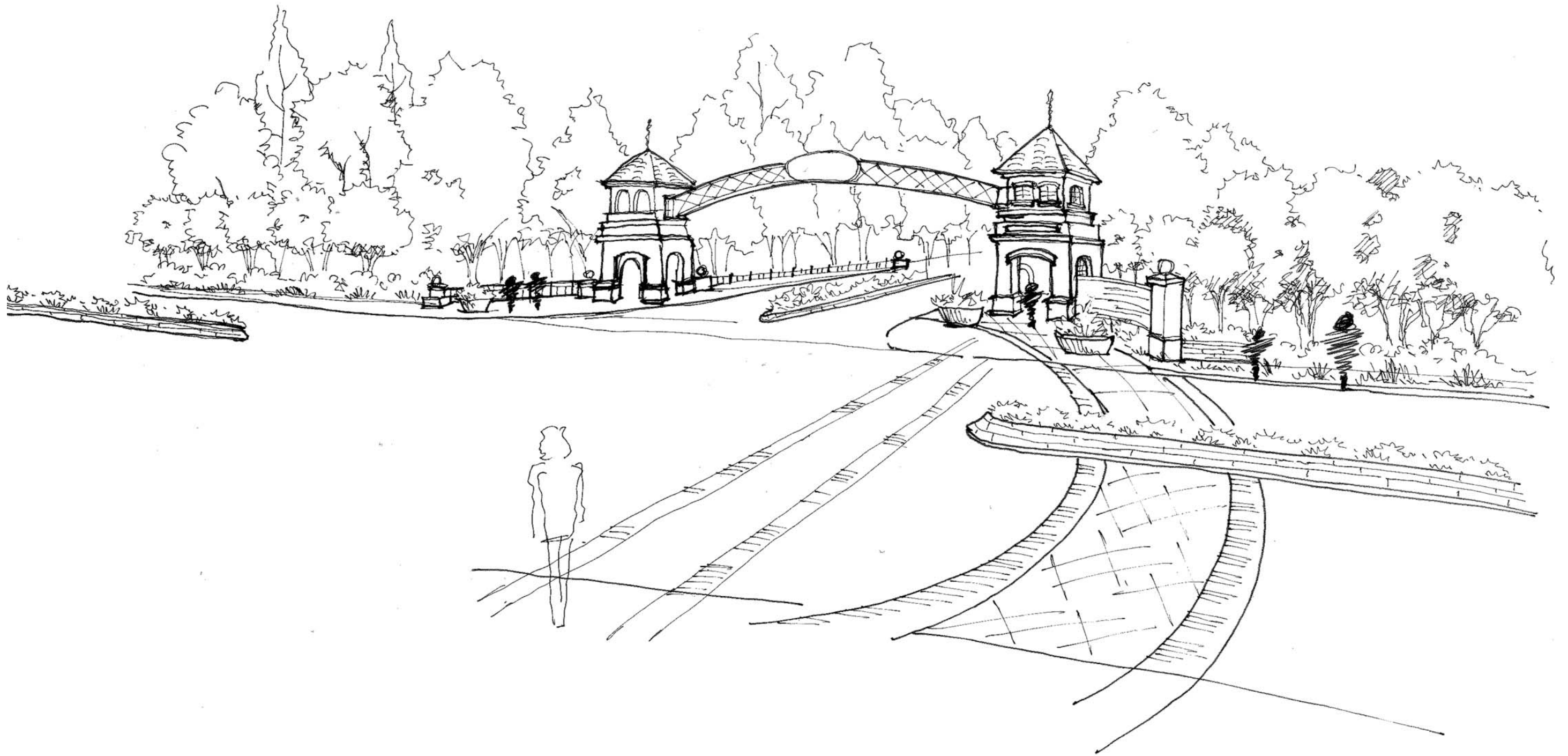
**COLLEYVILLE
BOULEVARD**

Ribbon Concept - Plan (Base Plus Options)
DOWNTOWN CORE

August 21, 2018
Project: 18023



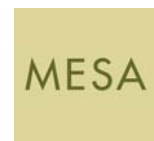




COLLEYVILLE
BOULEVARD

Colleyville Downtown Gateway
DOWNTOWN CORE

August 21, 2018
Project: 18023

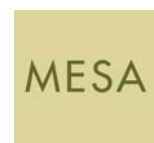


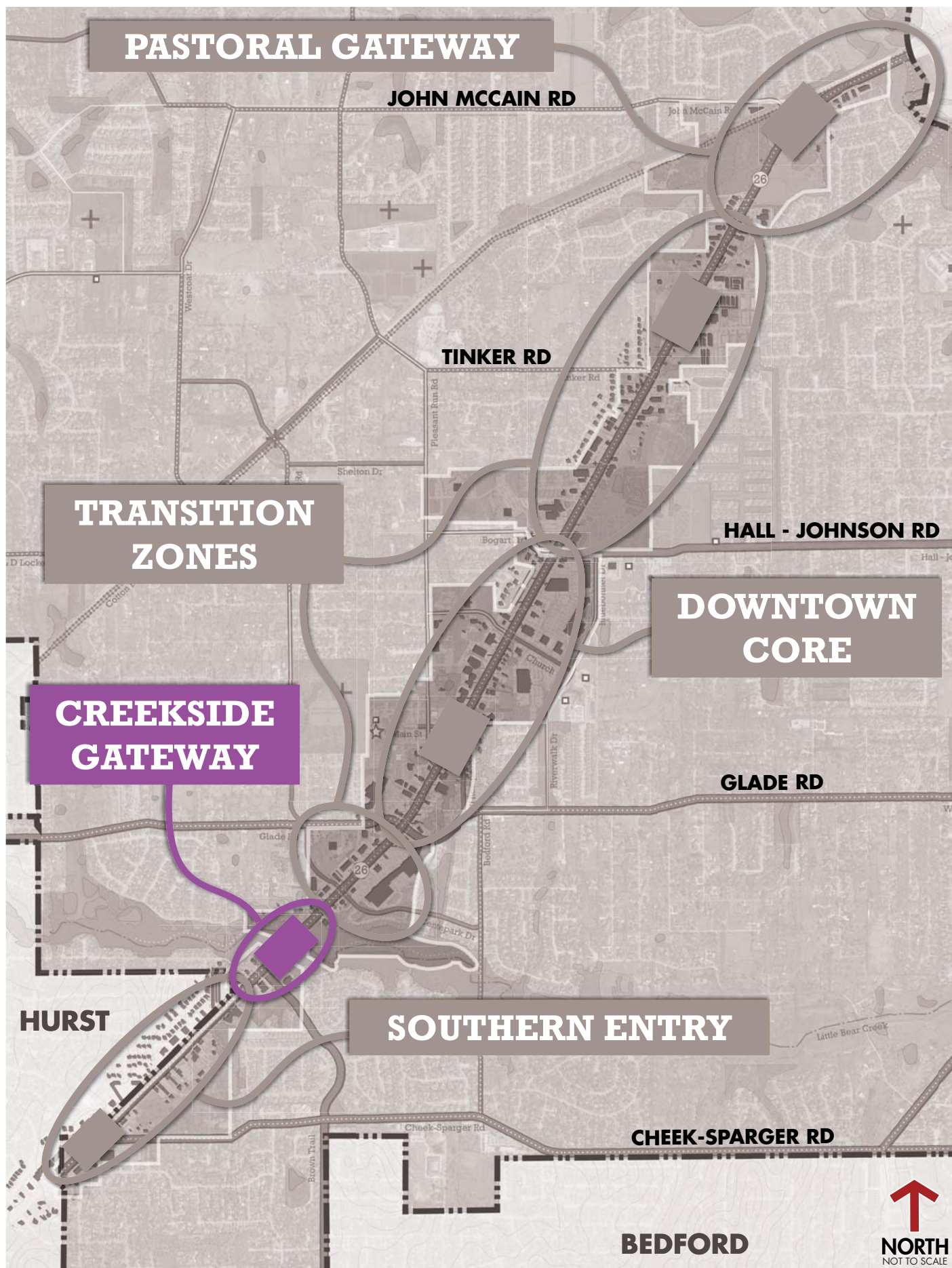


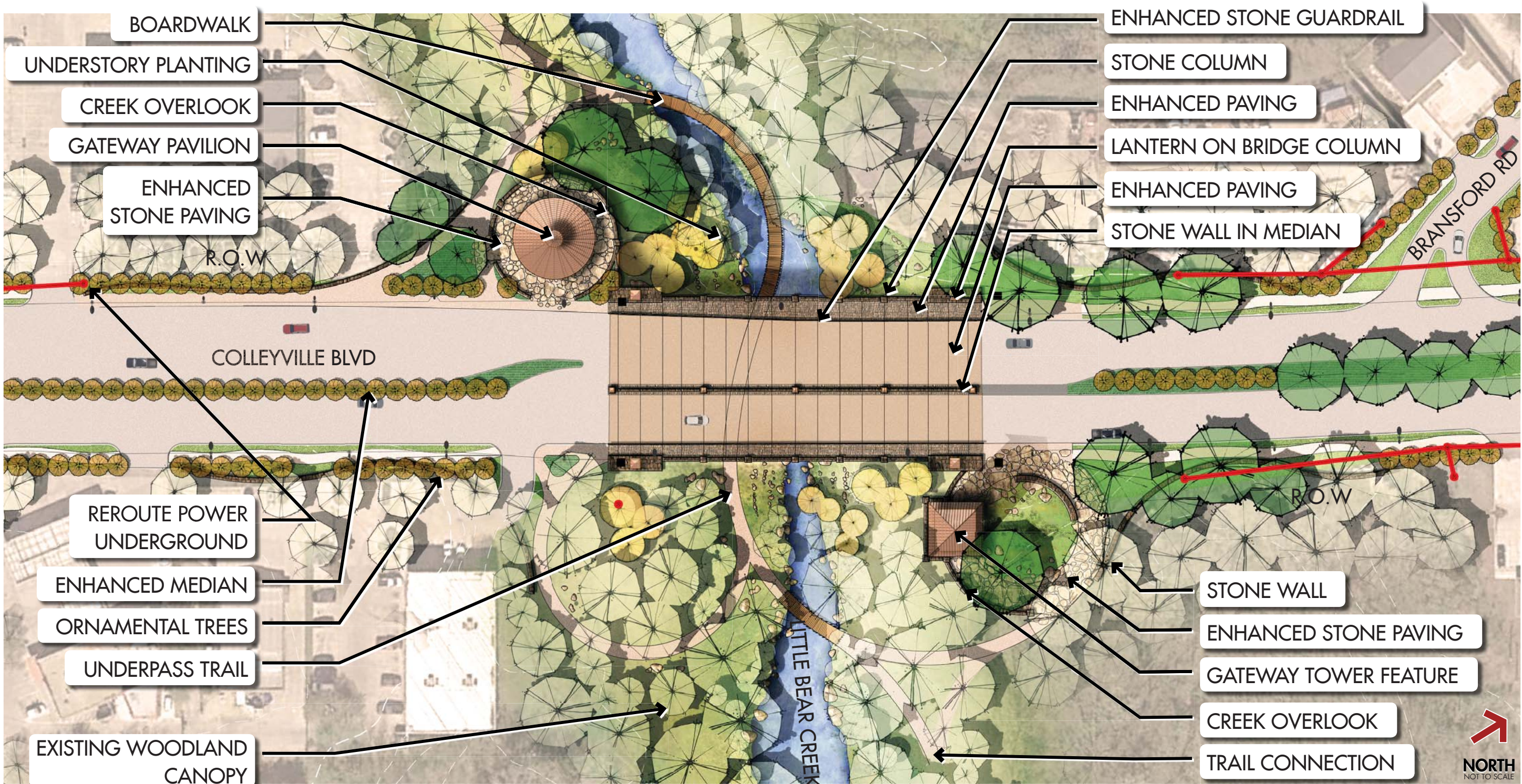
**COLLEYVILLE
BOULEVARD**

Colleyville Downtown Gateway
DOWNTOWN CORE

August 21, 2018
Project: 18023







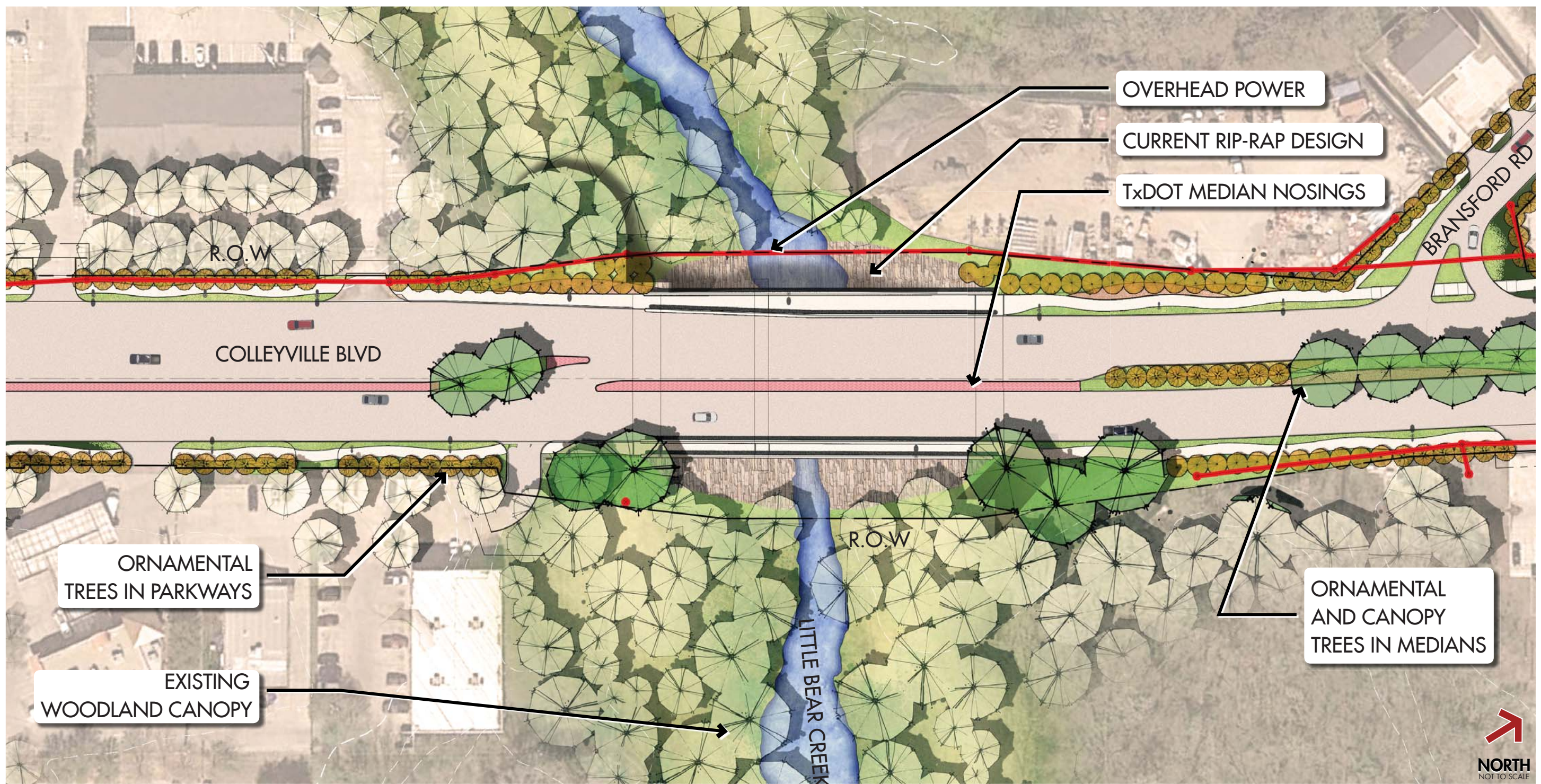
COLLEYVILLE BOULEVARD

Ribbon Concept - Plan (Base Plus Options)

CREEKSIDE (SOUTH) GATEWAY

August 21, 2018
Project: 18023



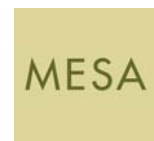


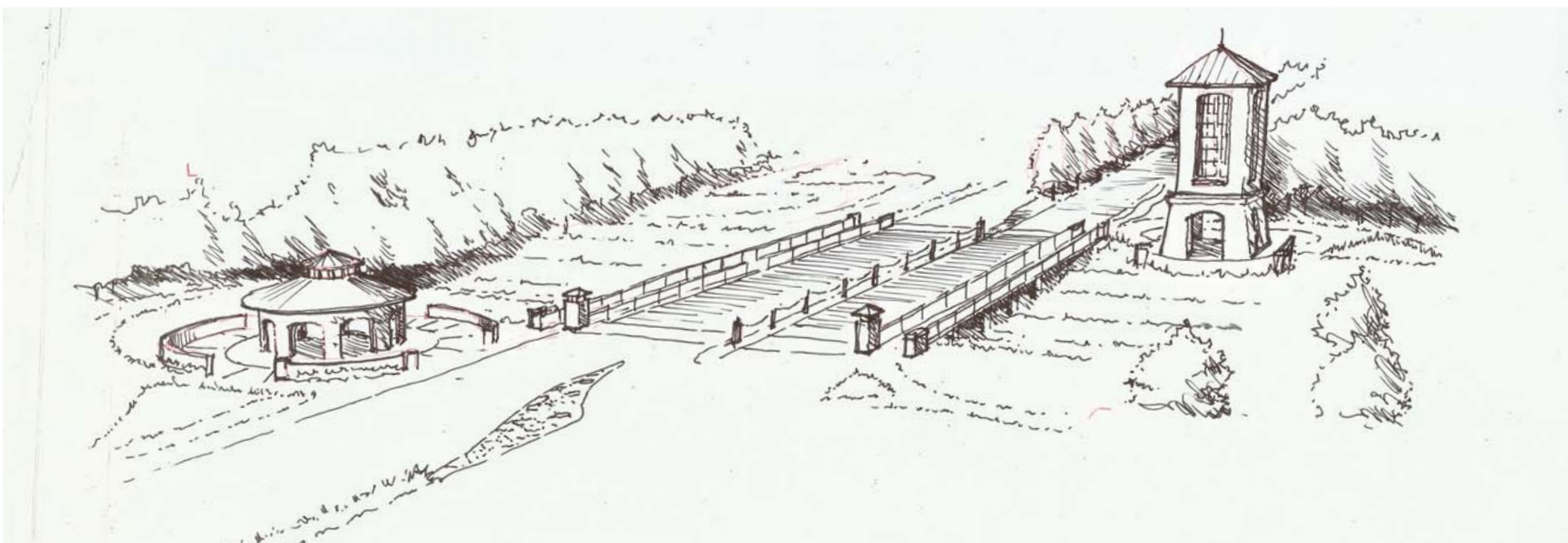
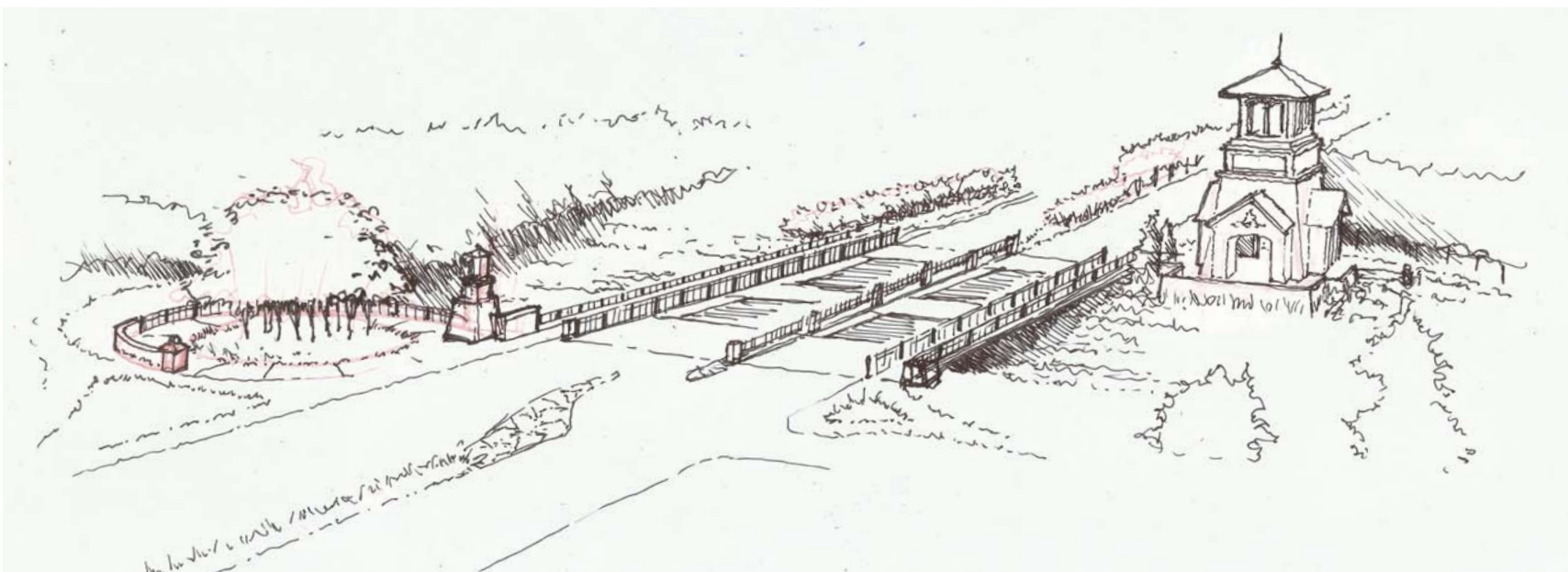
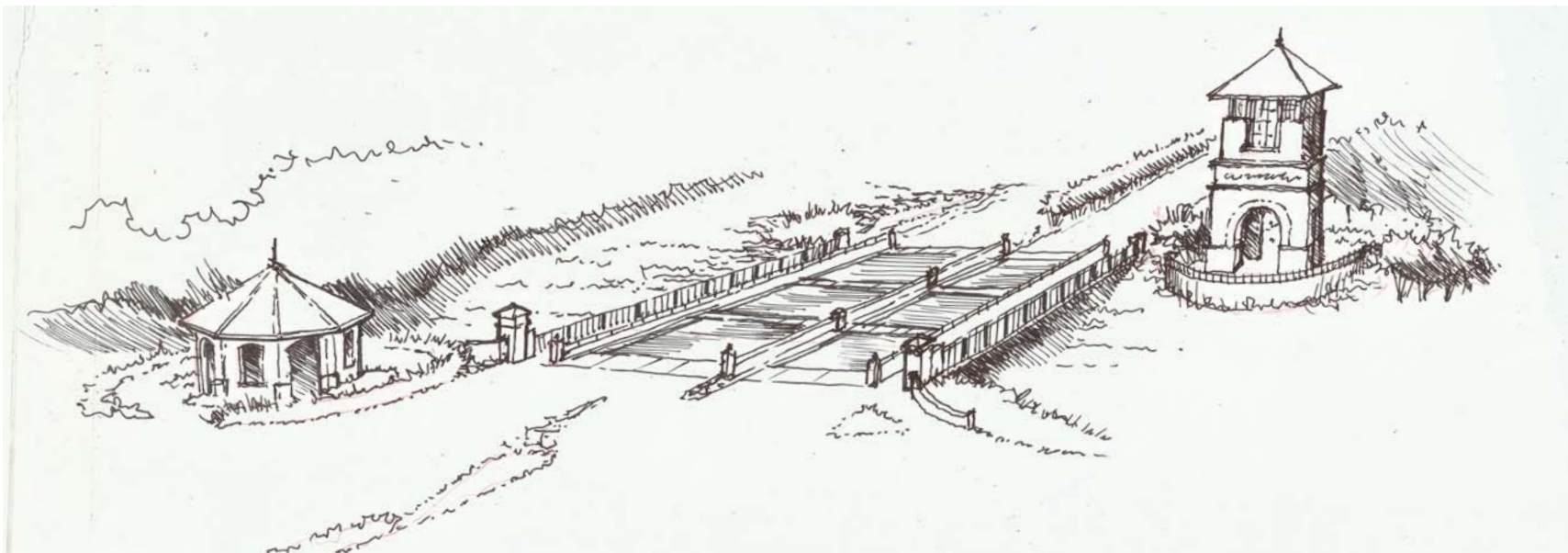


COLLEYVILLE BOULEVARD

Ribbon Concept
CREEKSIDE (SOUTH) GATEWAY

August 21, 2018
Project: 18023

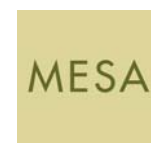


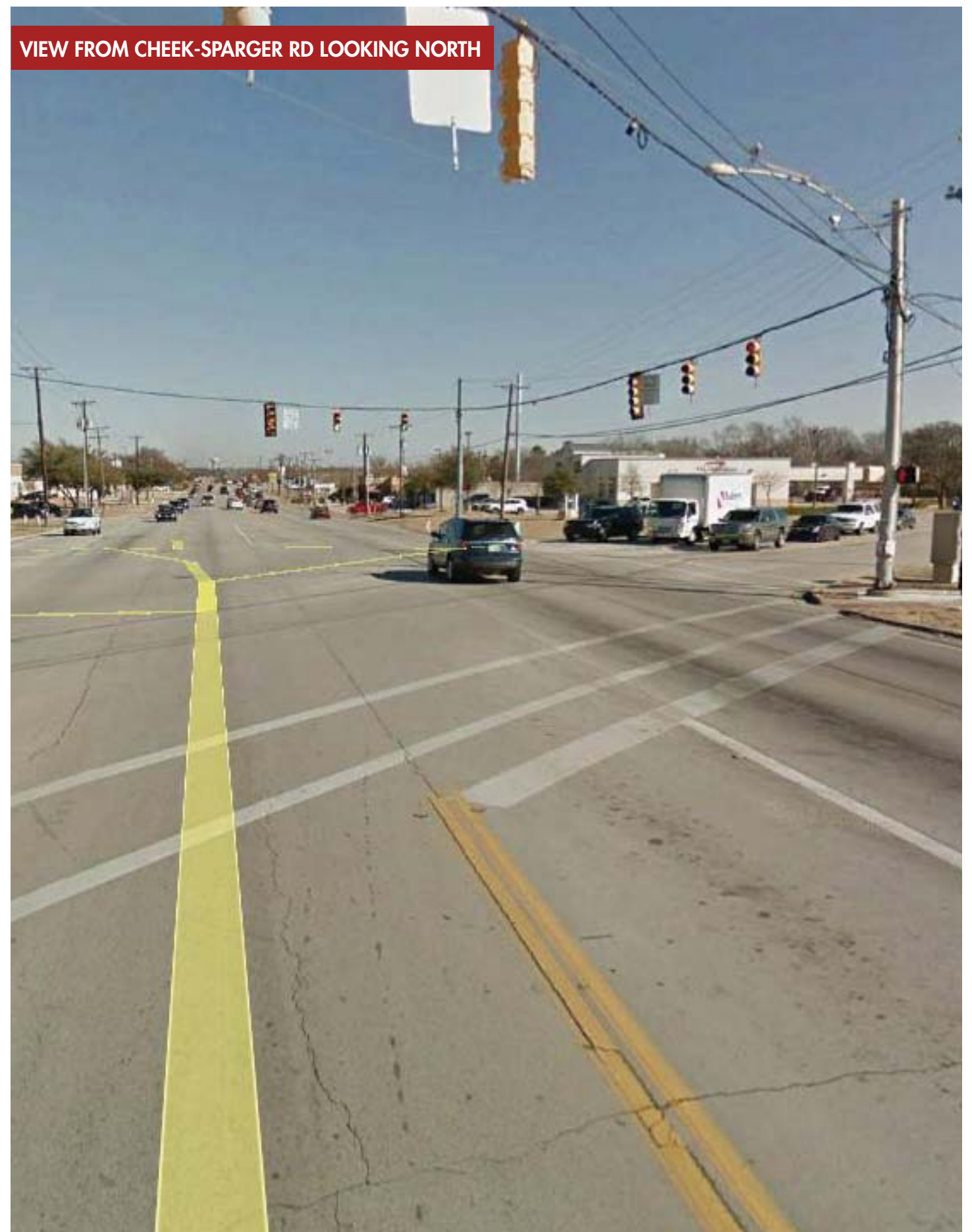
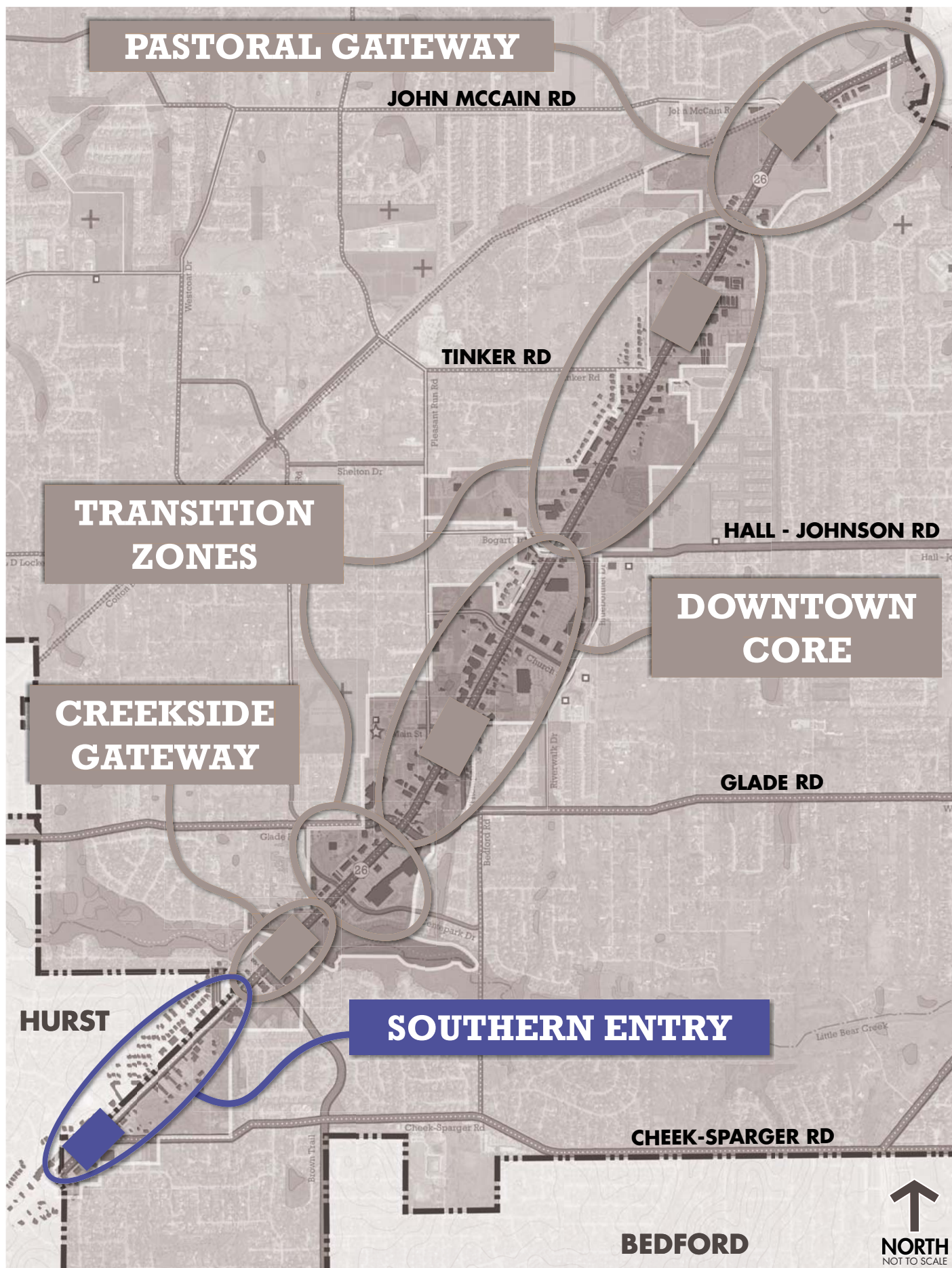


**COLLEYVILLE
BOULEVARD**

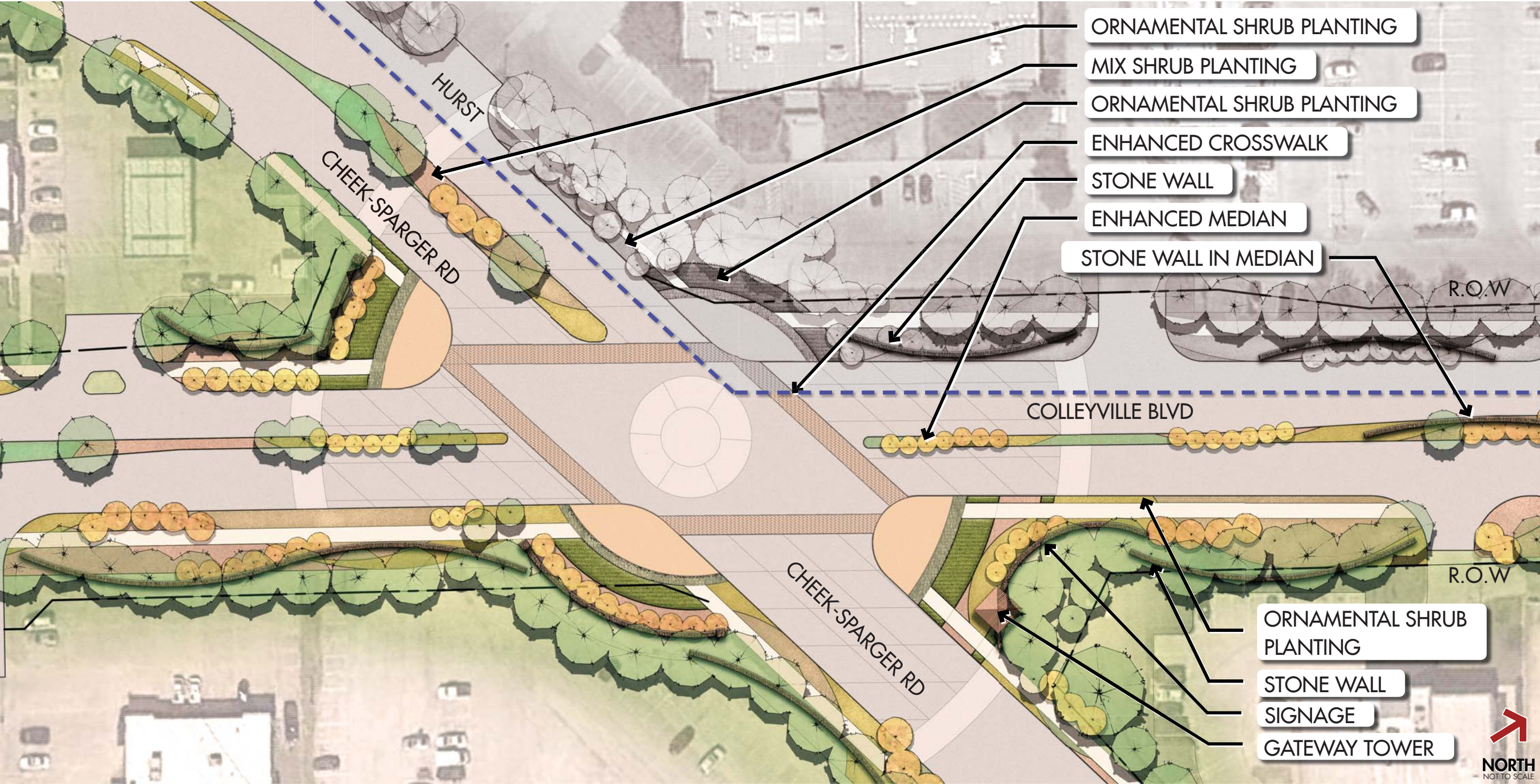
Vertical Gateway Opportunities
CREEKSIDE (SOUTH) GATEWAY

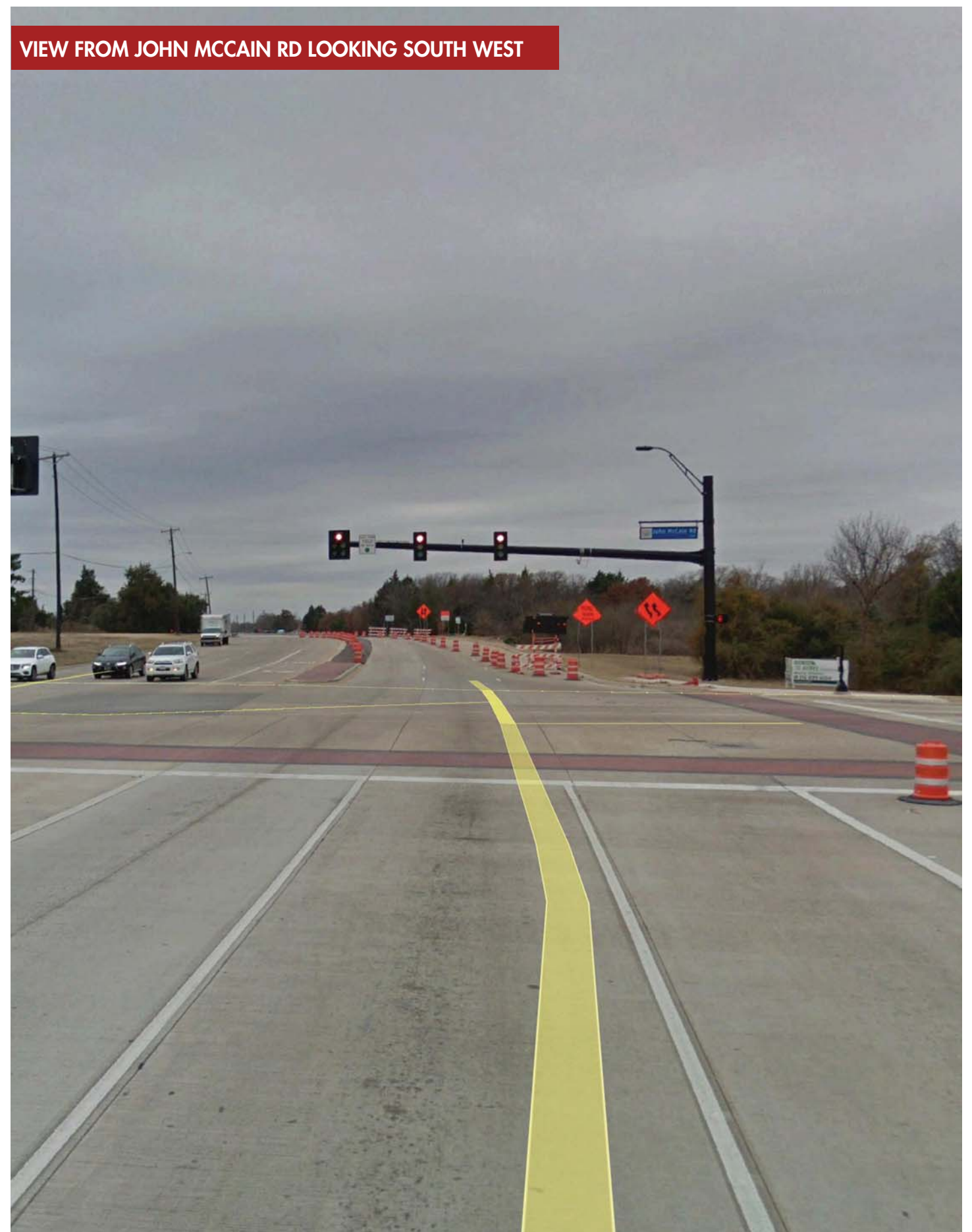
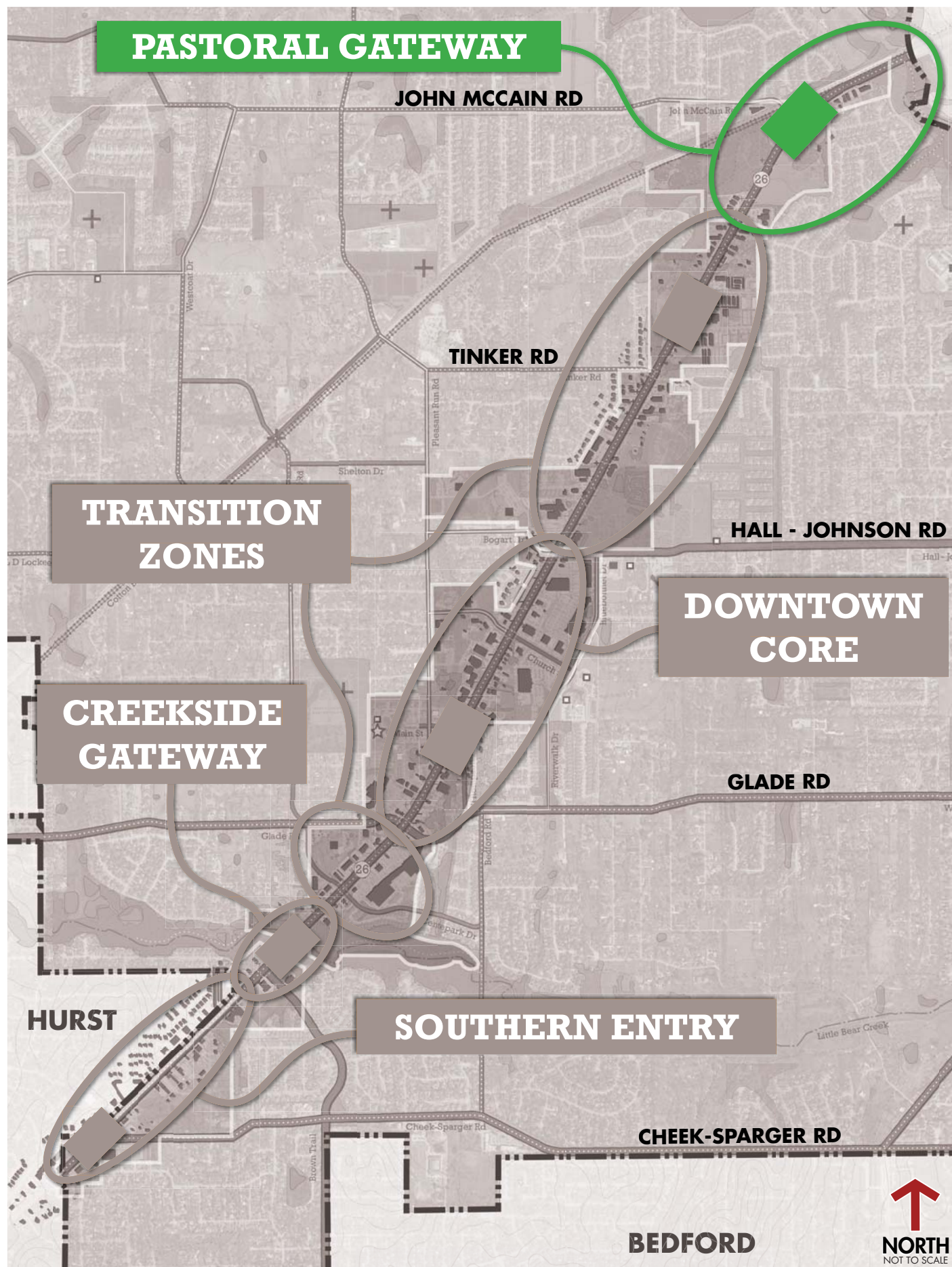
August 21, 2018
Project: 18023





CORRIDOR KEYMAP

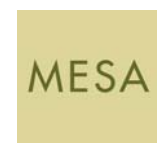


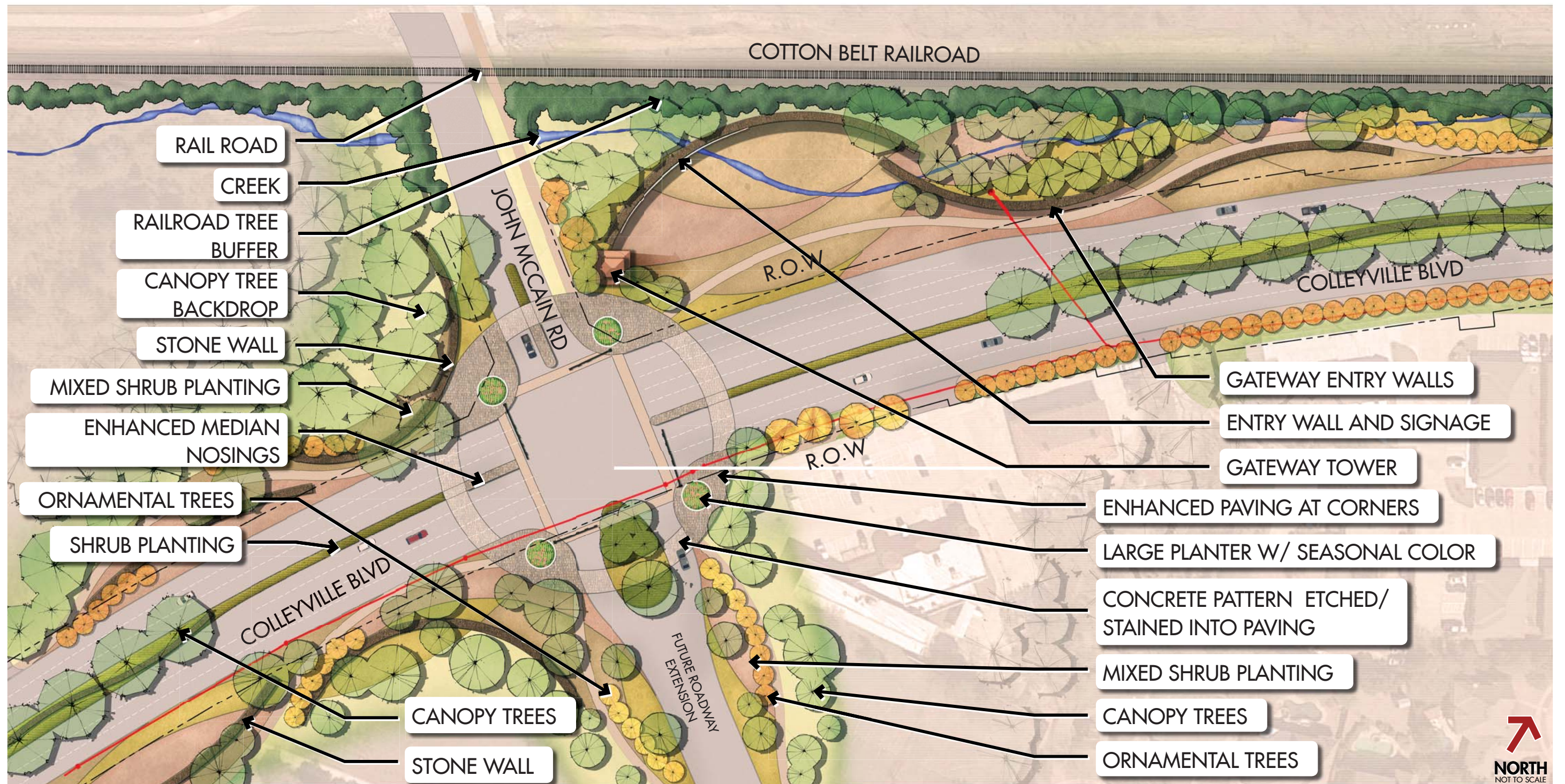


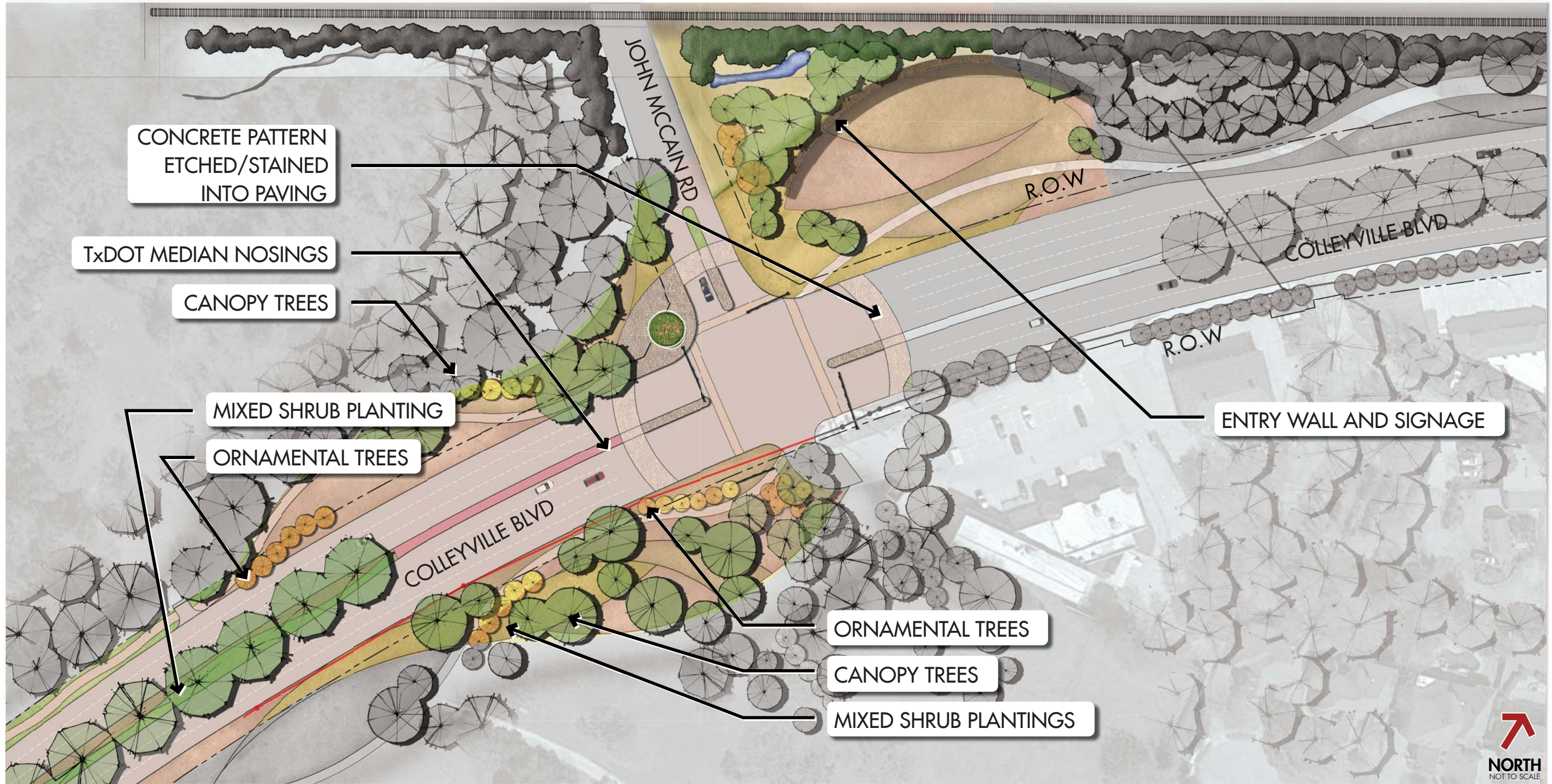
**COLLEYVILLE
BOULEVARD**

Existing Condition
PASTORAL (NORTH) GATEWAY

August 21, 2018
Project: 18023





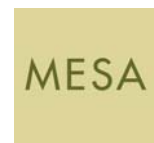


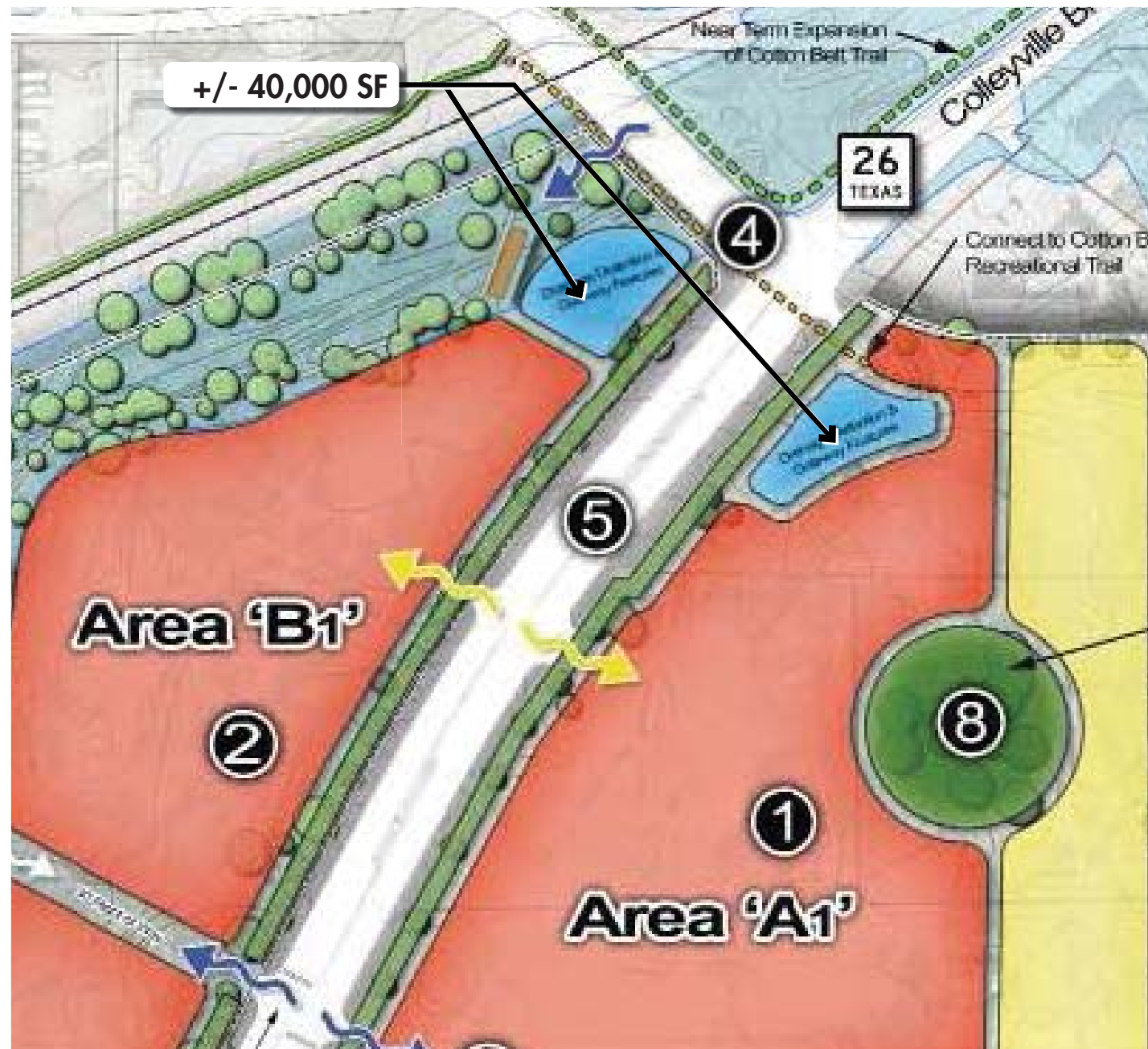


COLLEYVILLE BOULEVARD

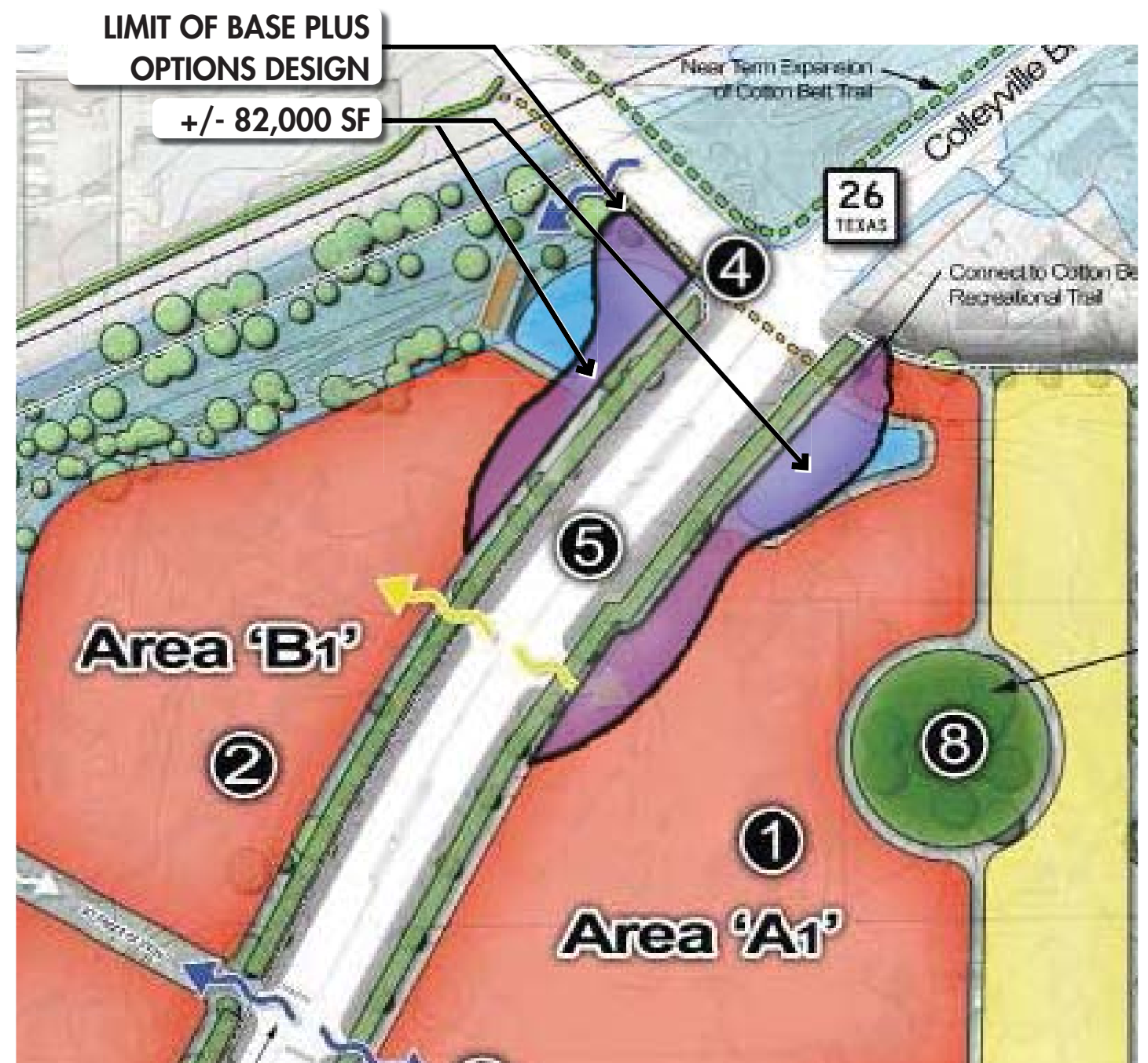
Ribbon Concept- (Base Plus Options)

August 21, 2018
Project: 18023



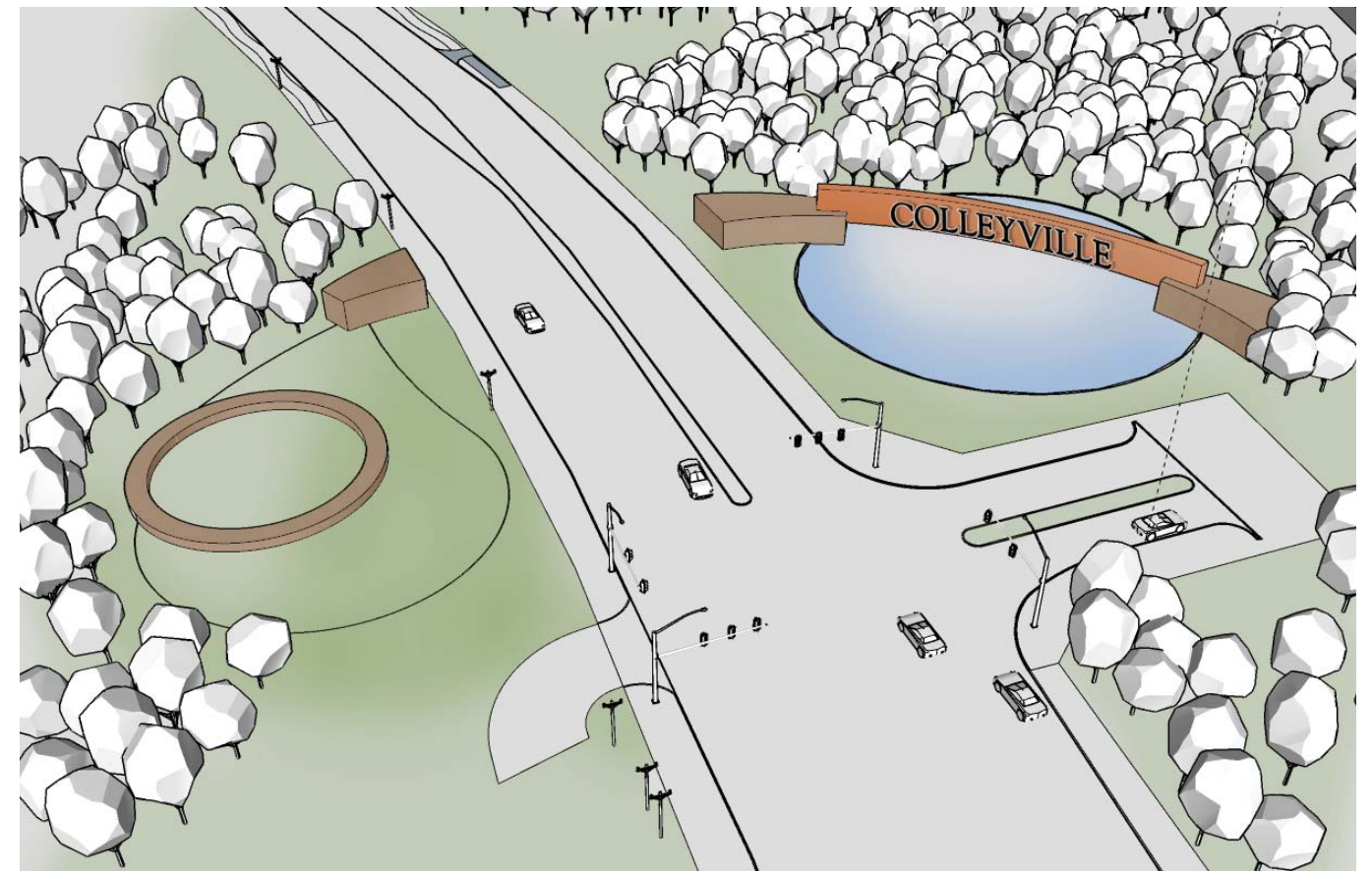


2015 Comp. Plan

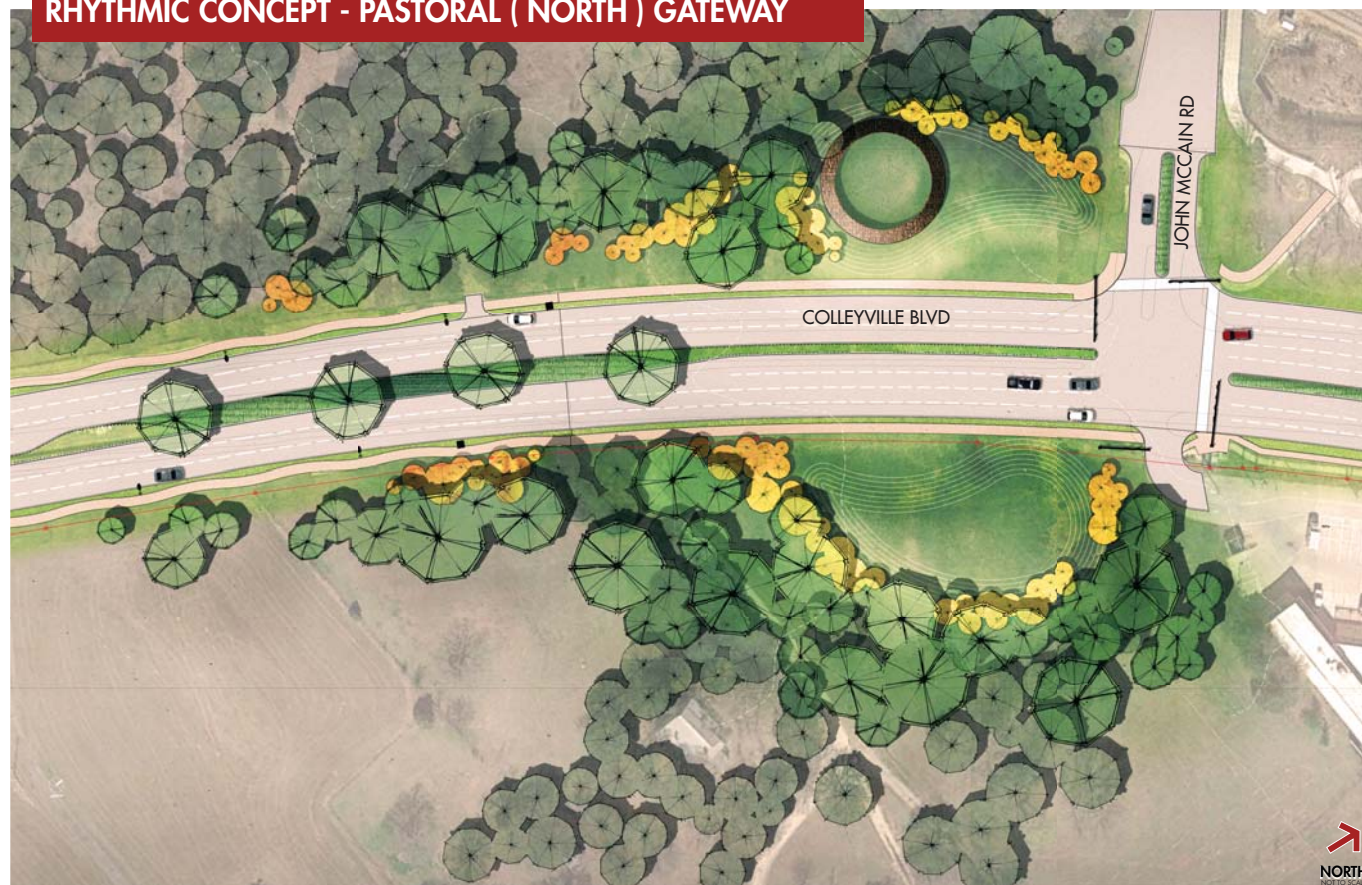


Ribbon Gateway Overlay

FRAGMENT CONCEPT - PASTORAL (NORTH) GATEWAY



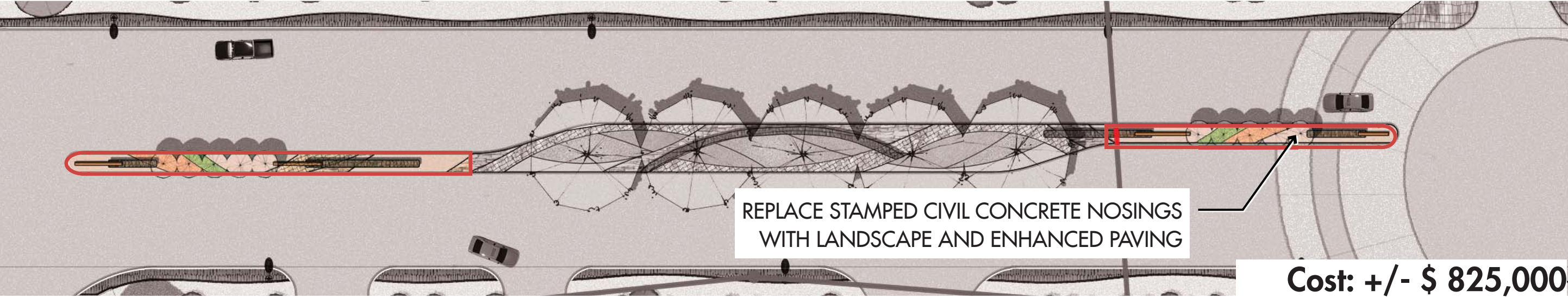
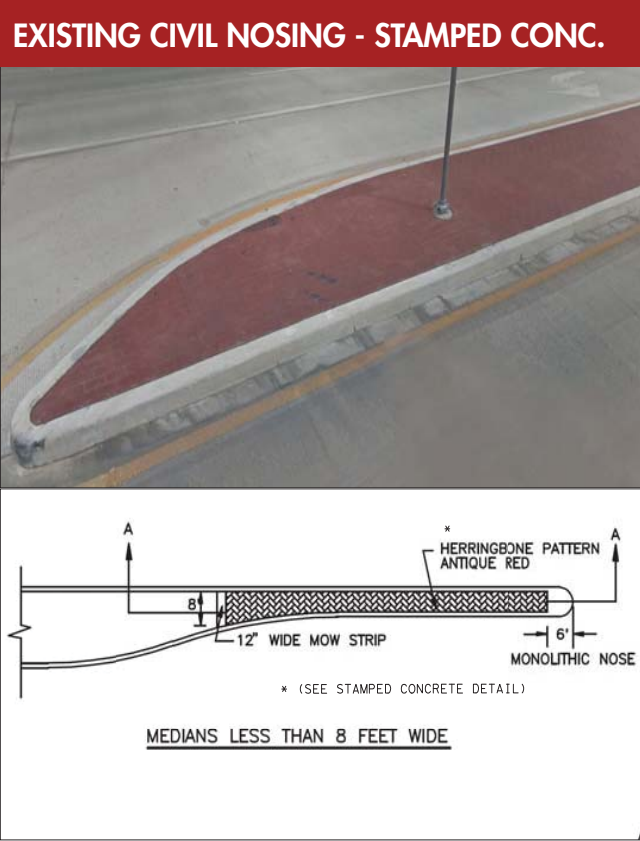
RHYTHMIC CONCEPT - PASTORAL (NORTH) GATEWAY

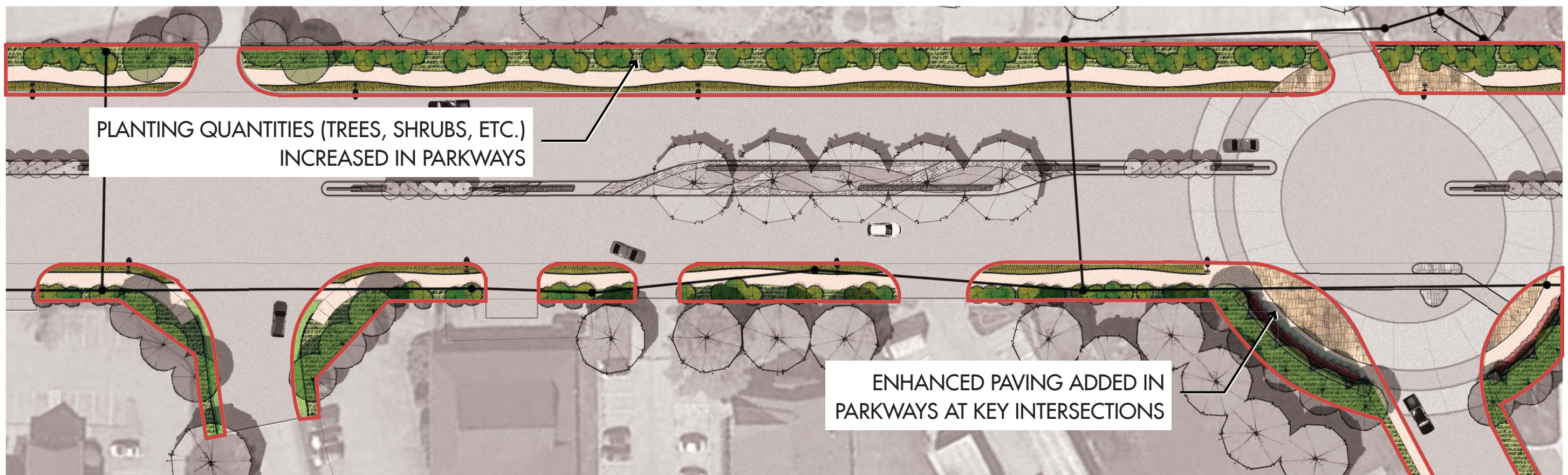


An aerial photograph of a suburban neighborhood. The image shows a mix of residential houses, green trees, and a network of roads. In the foreground, there's a large, dense cluster of trees. To the left, a road runs diagonally. Various houses and commercial buildings are scattered throughout the landscape. The sky is clear and blue.

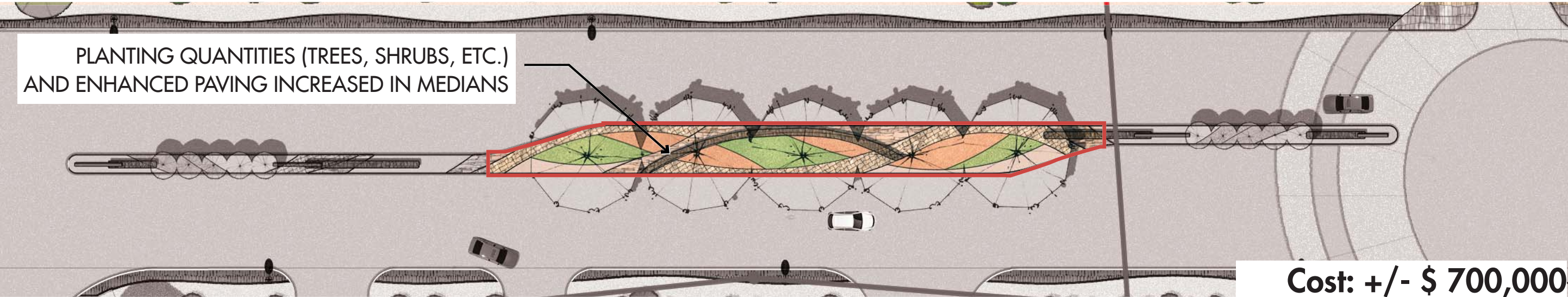
DESIGN OPPORTUNITIES

Areas Within Project





Cost: +/- \$ 1,150,000



Cost: +/- \$ 700,000



MEDIANS ONLY

- UPGRADE FROM 4" TO 6"
- UPGRADE FROM 6" TO 8"

4" PRINCETON AMERICAN ELM



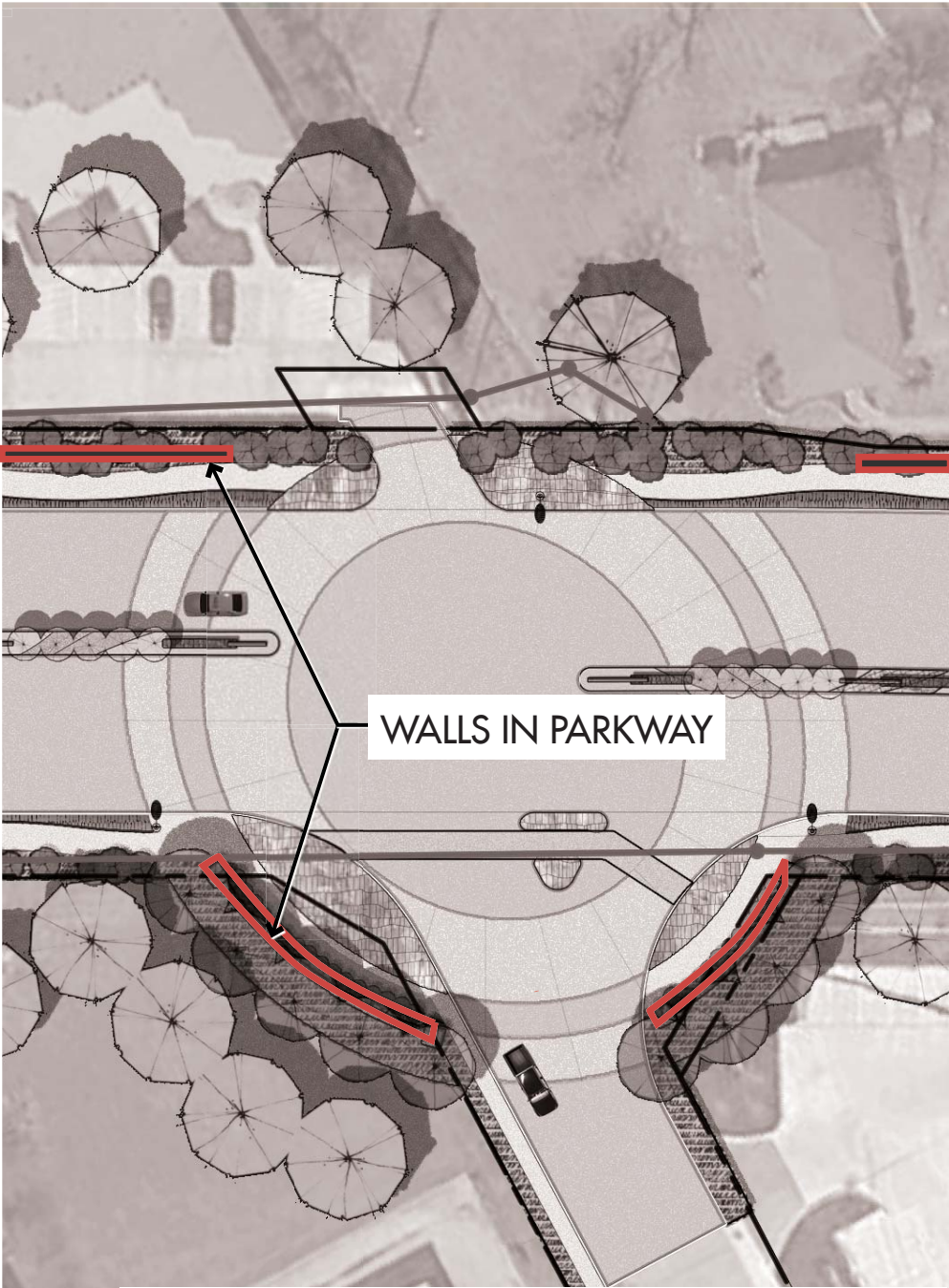
6" PRINCETON AMERICAN ELM



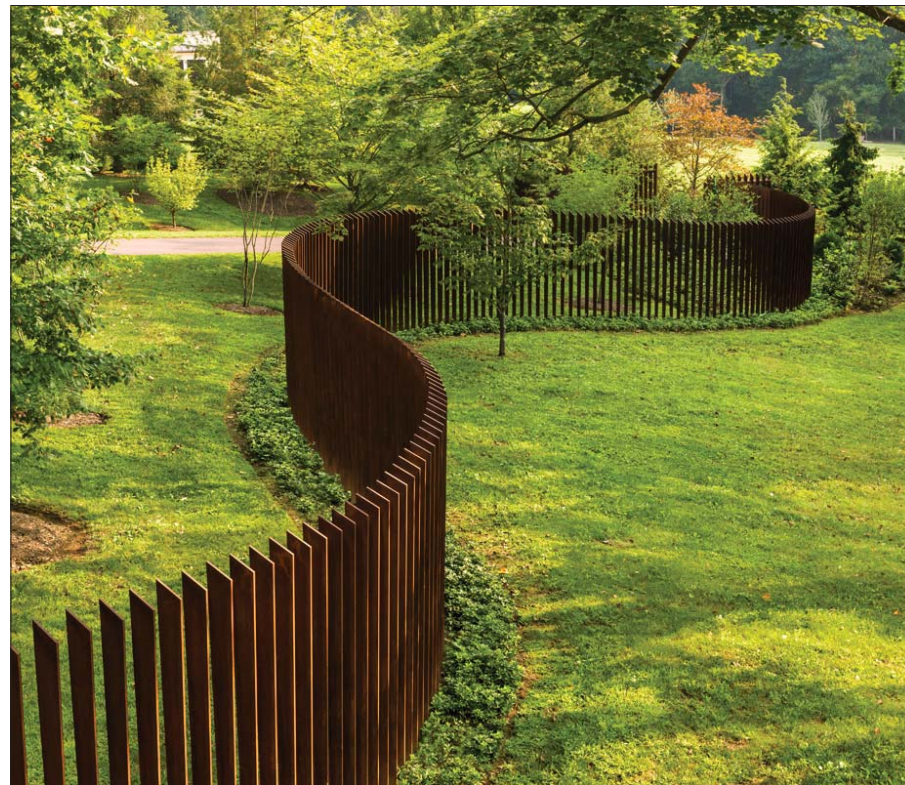
8" PRINCETON AMERICAN ELM



CORRIDOR KEY MAP

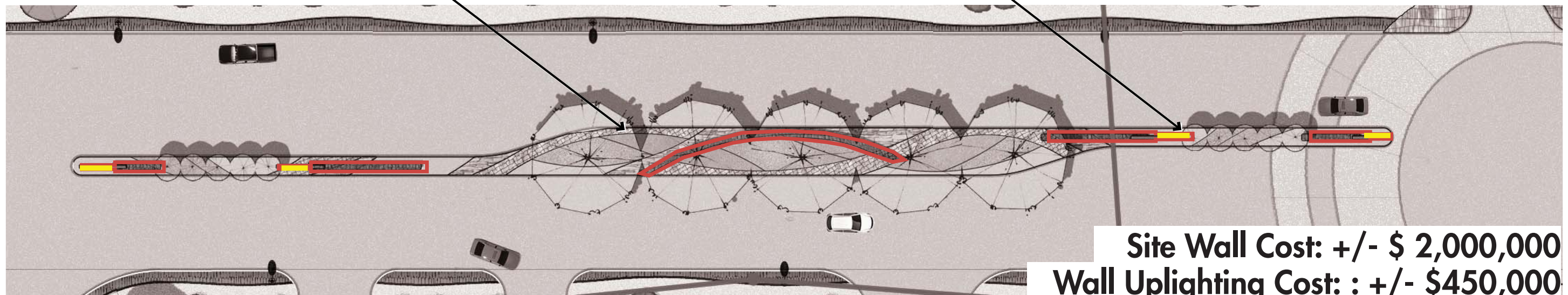


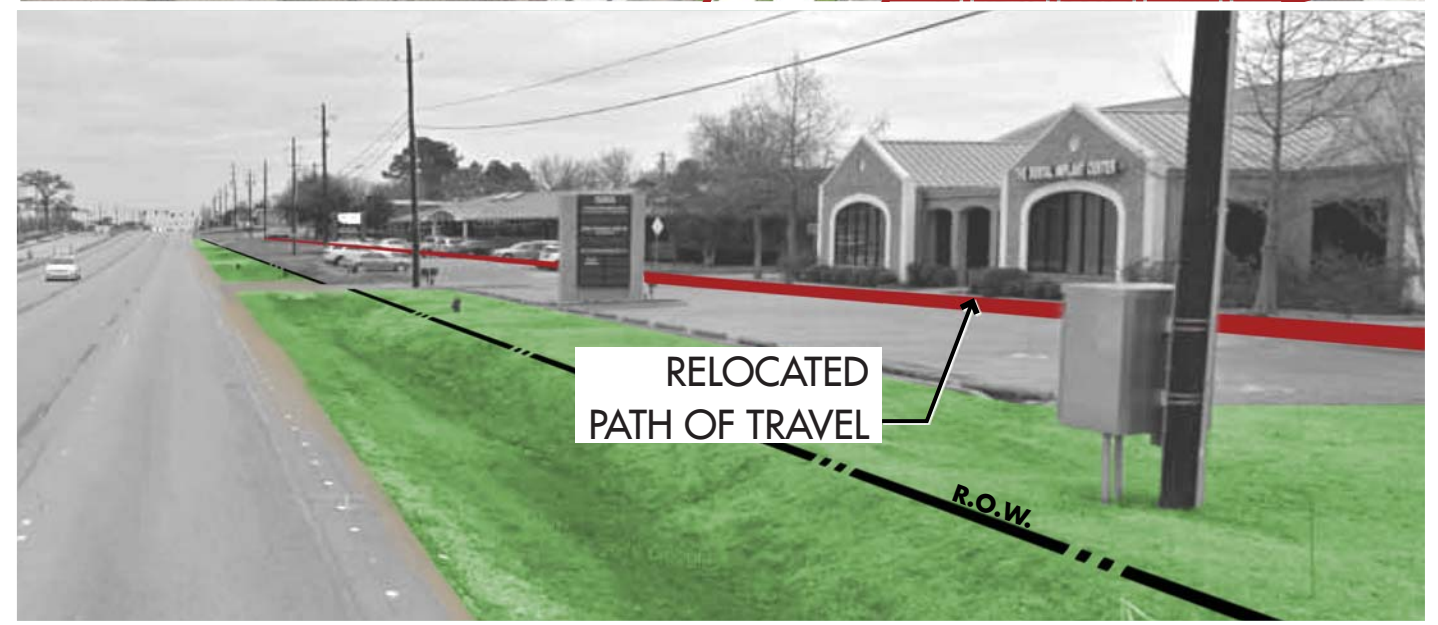
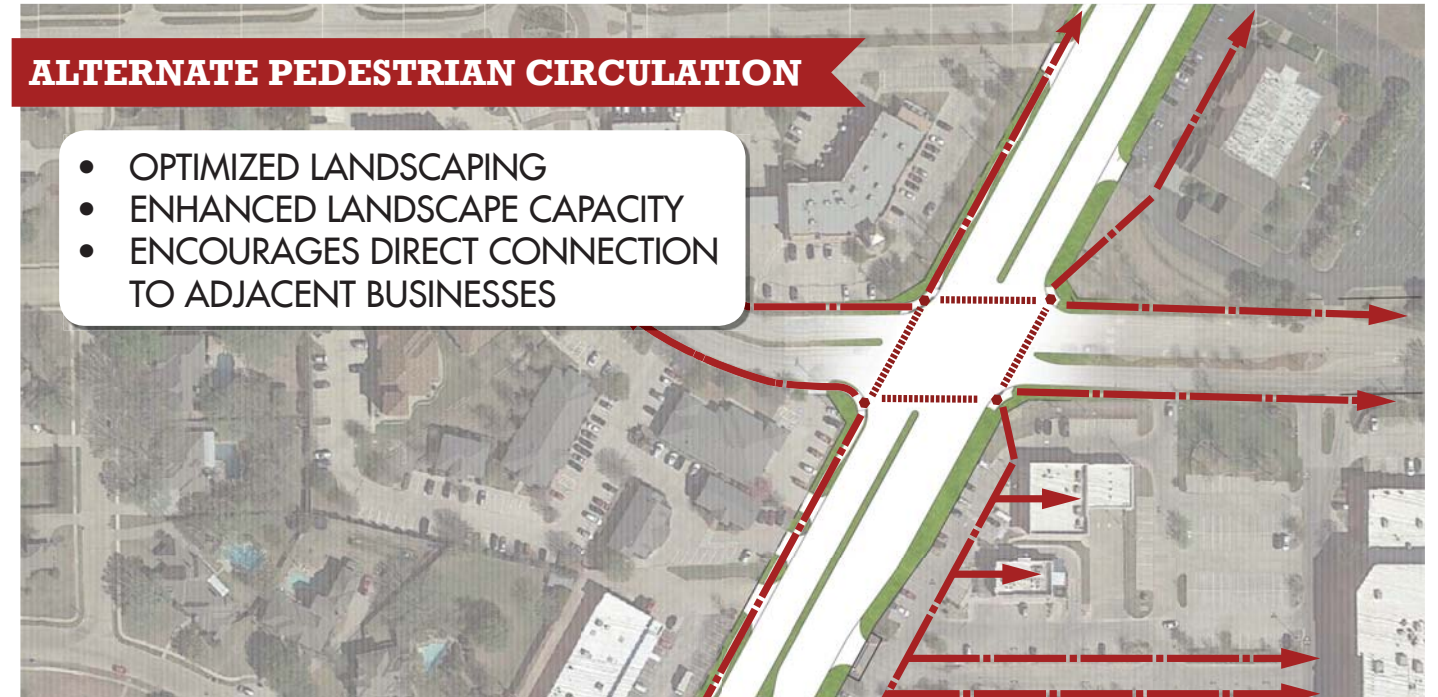
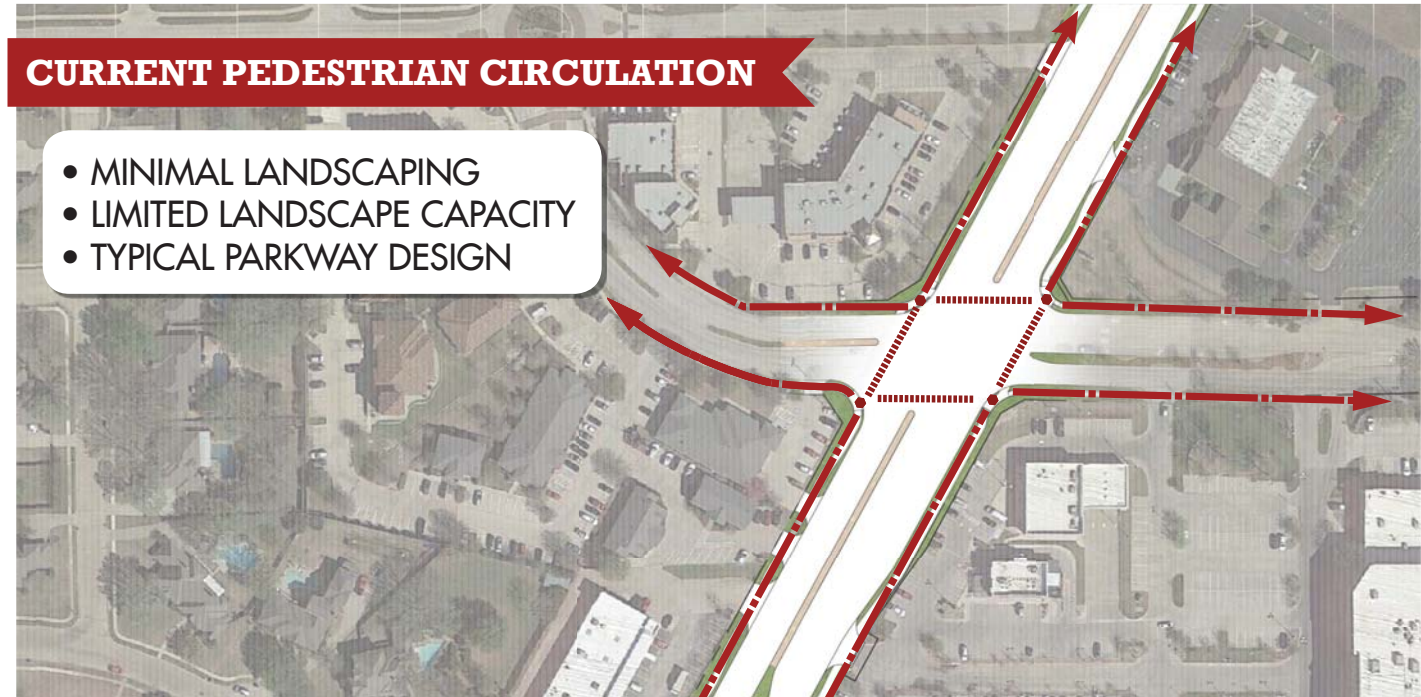
Site Wall Cost: +/- \$ 2,300,000
Wall Uplighting Cost: : +/- \$500,000



STONE WALLS

CORTEN PANELS





Potential Savings on Sidewalk Cost: +/- \$ **(275,000)**
 Additional Landscape Cost: +/- \$ **225,000**



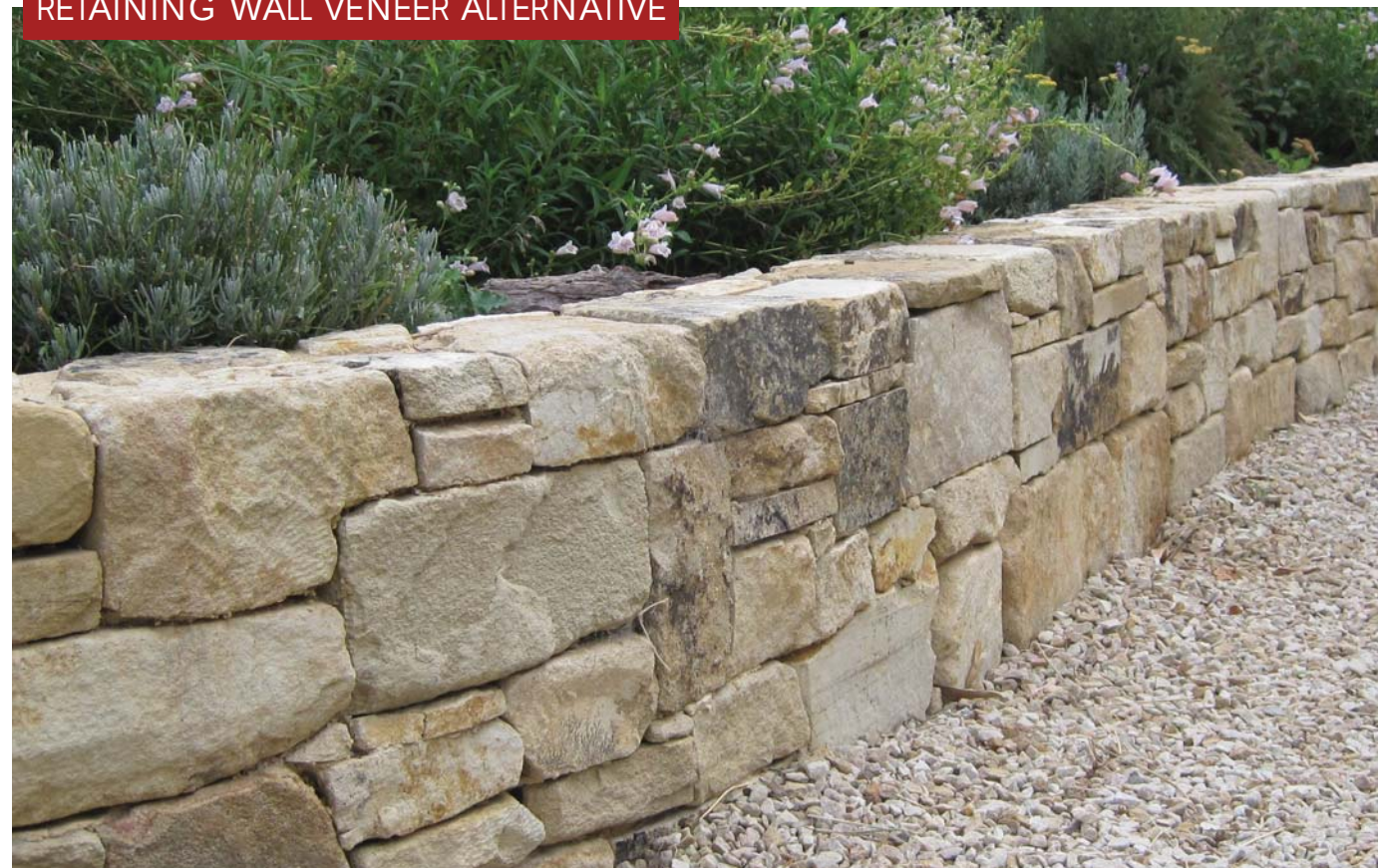
EXISTING CIVIL SPEC. - FORM LINER RETAINING WALL (BEDFORD RD)



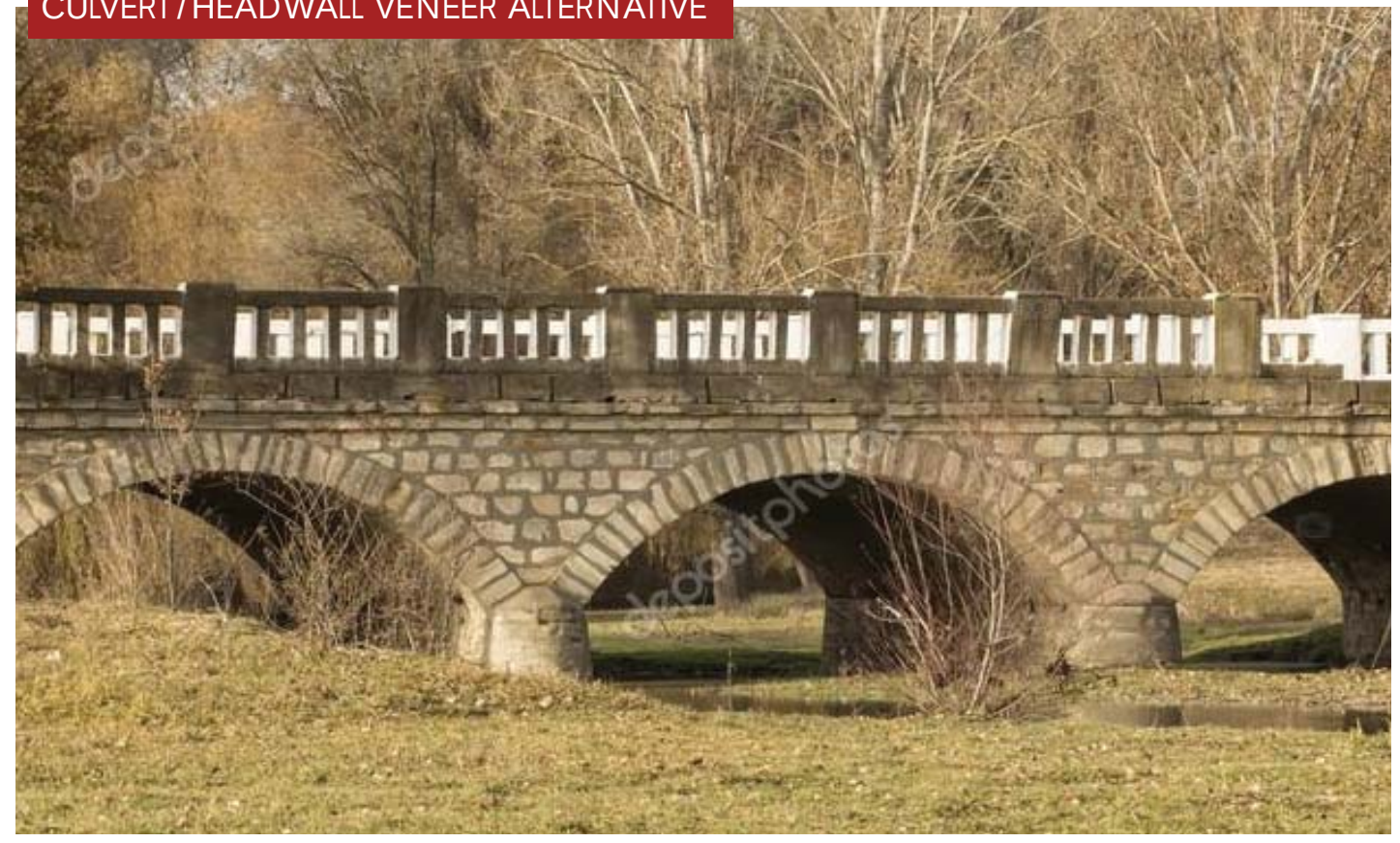
TYPICAL CONCRETE CULVERT / HEADWALL



RETAINING WALL VENEER ALTERNATIVE



CULVERT / HEADWALL VENEER ALTERNATIVE

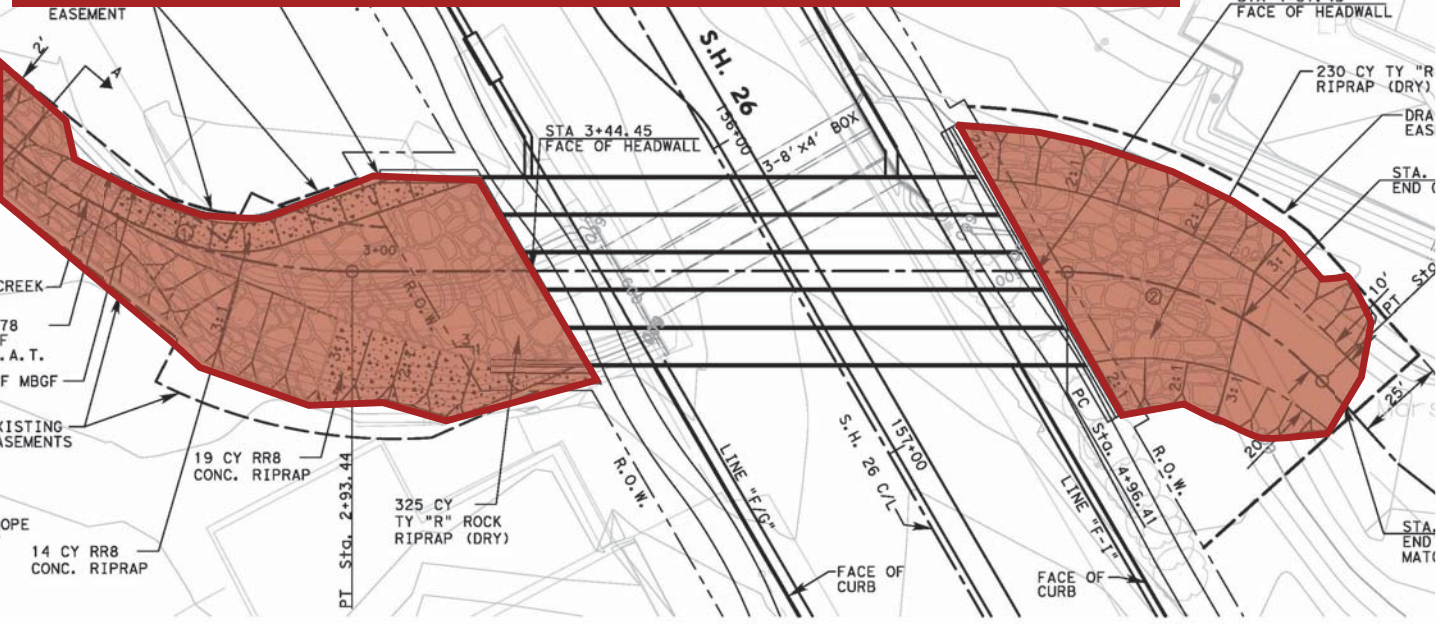


Cost: +/- \$ 500,000



UTILITY BOX LOCATION
DRAINAGE STRUCTURE

CIVIL DRAINAGE STRUCTURE - RIP RAP AND CONCRETE EMBANKMENT



CURRENT RIP RAP DESIGN



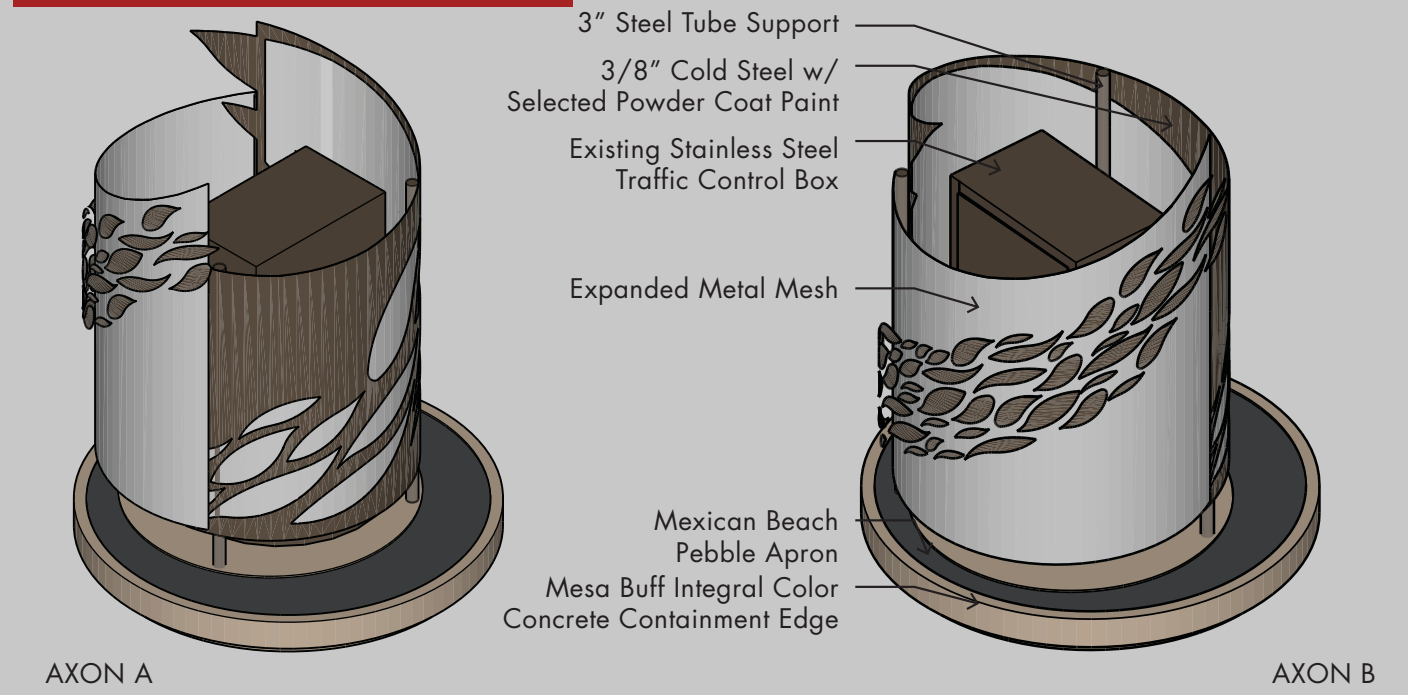
POTENTIAL VARIATION



EXISTING VISUAL EXPOSURE OF UTILITY BOXES AND OTHER VISUAL CLUTTER



DECORATIVE UTILITY ENCLOSURE



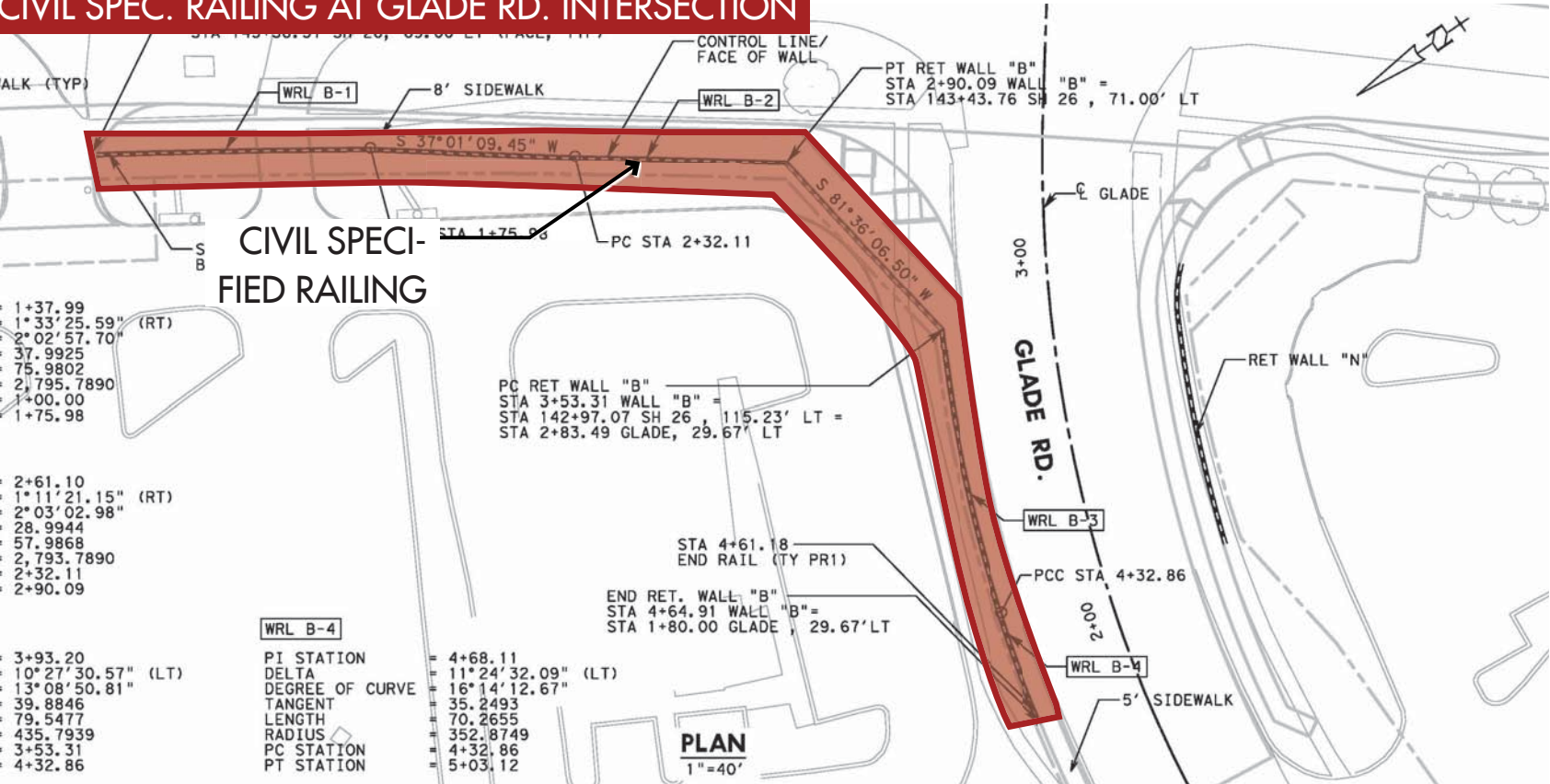
Cost: +/- \$ 410,000

CORRIDOR KEY MAP



ENHANCED RAILING

CIVIL SPEC. RAILING AT GLADE RD. INTERSECTION



DECORATIVE IRON RAILING ALTERNATIVE



DECORATIVE IRON RAILING ALTERNATIVE



Cost: +/- \$ 230,000

COLLEYVILLE
BOULEVARD

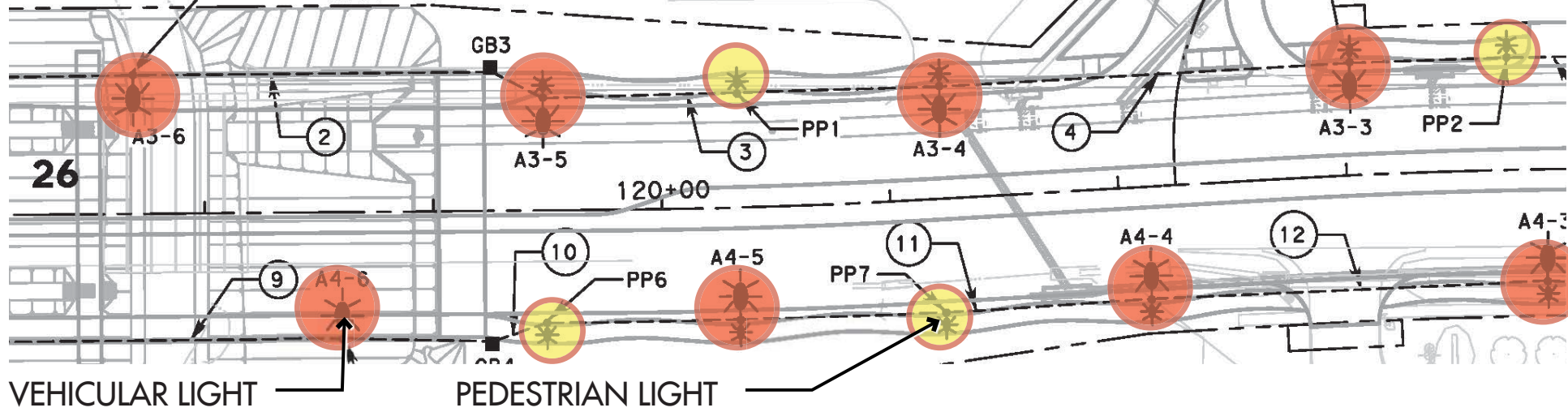
TXDOT Rail Enhancements
DESIGN OPPORTUNITIES



CURRENT SPEC: COBRA HEAD VEHICULAR LIGHT POLE



CIVIL LIGHTING PLAN



CURRENT SPEC: COBRA HEAD PEDESTRIAN LIGHT POLE



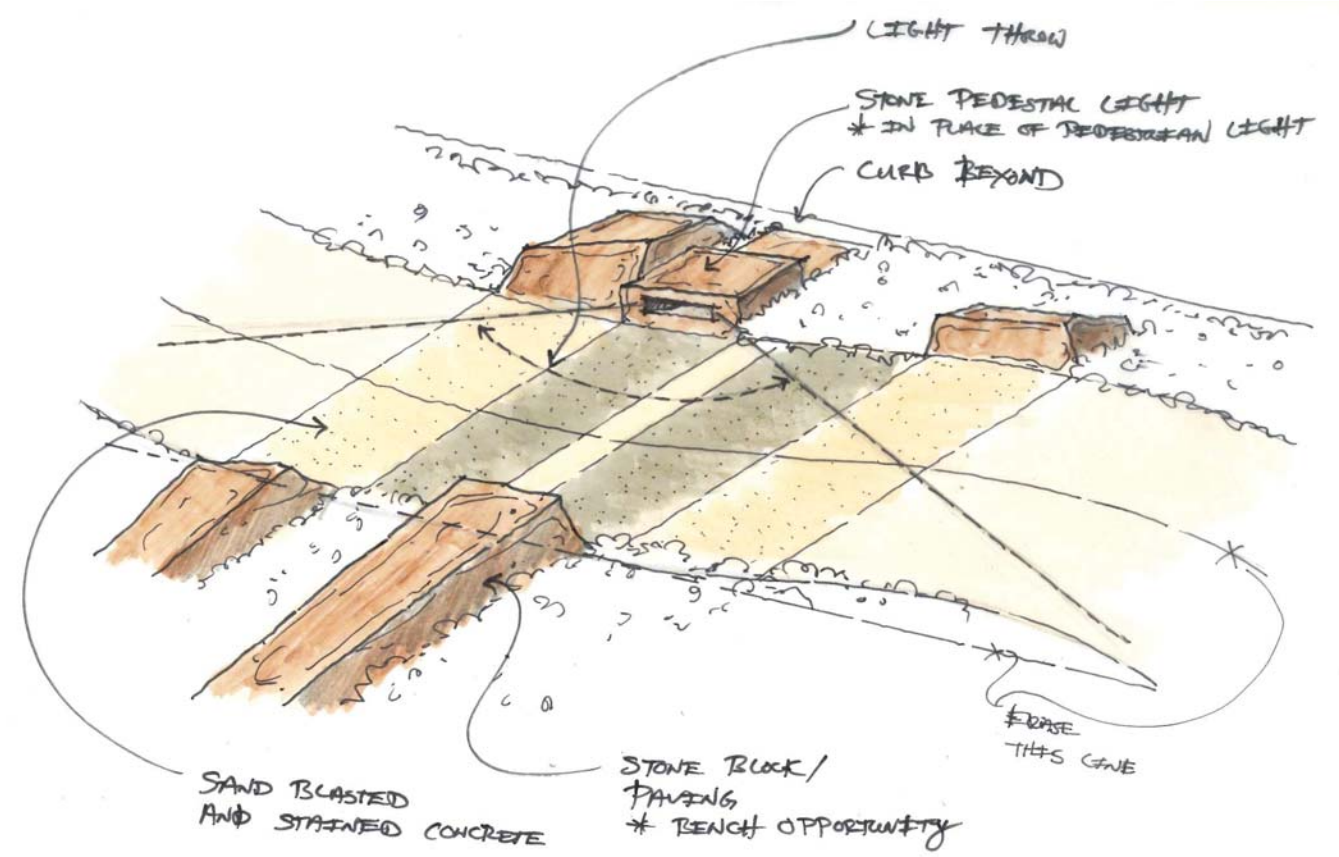
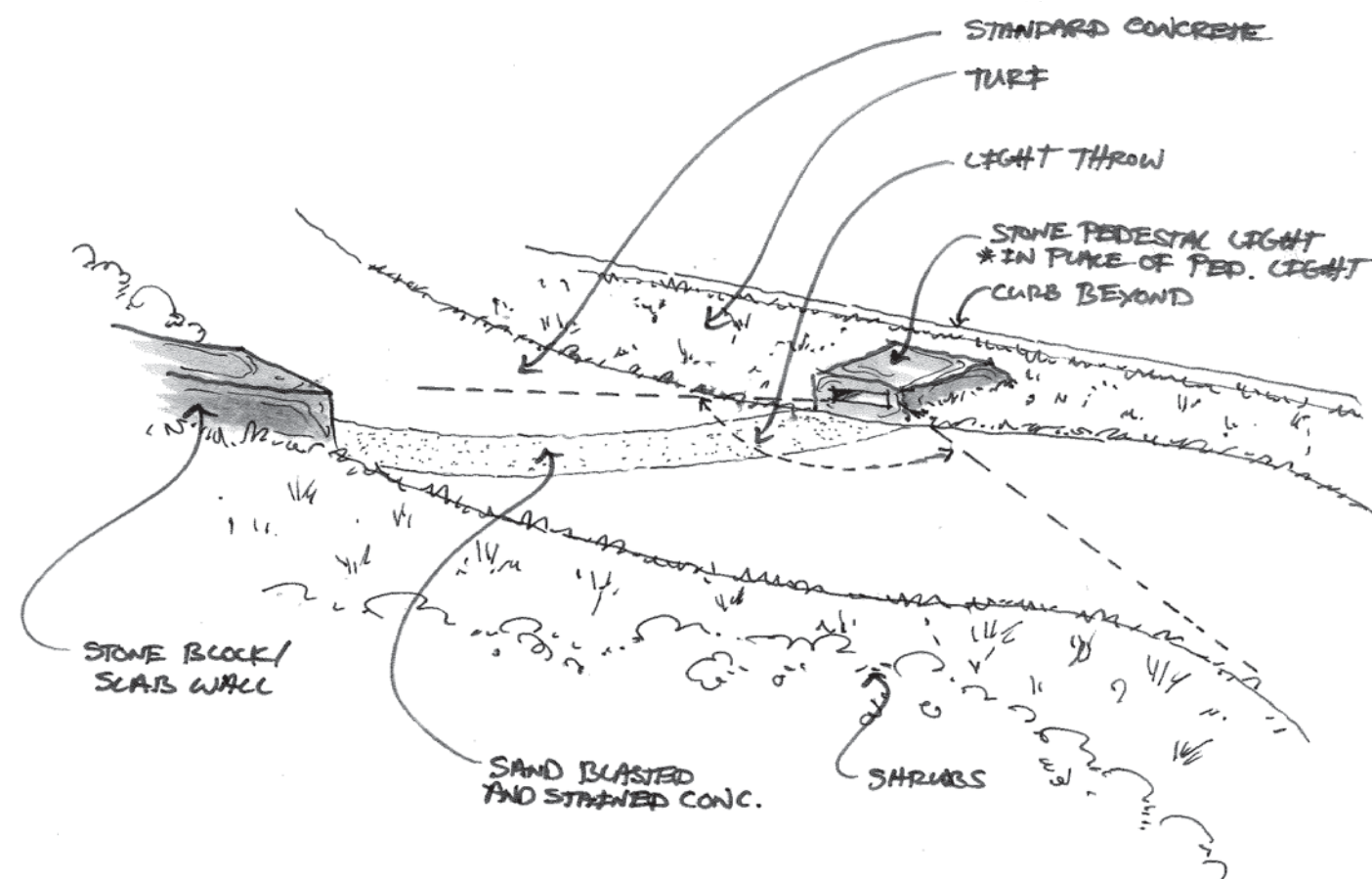
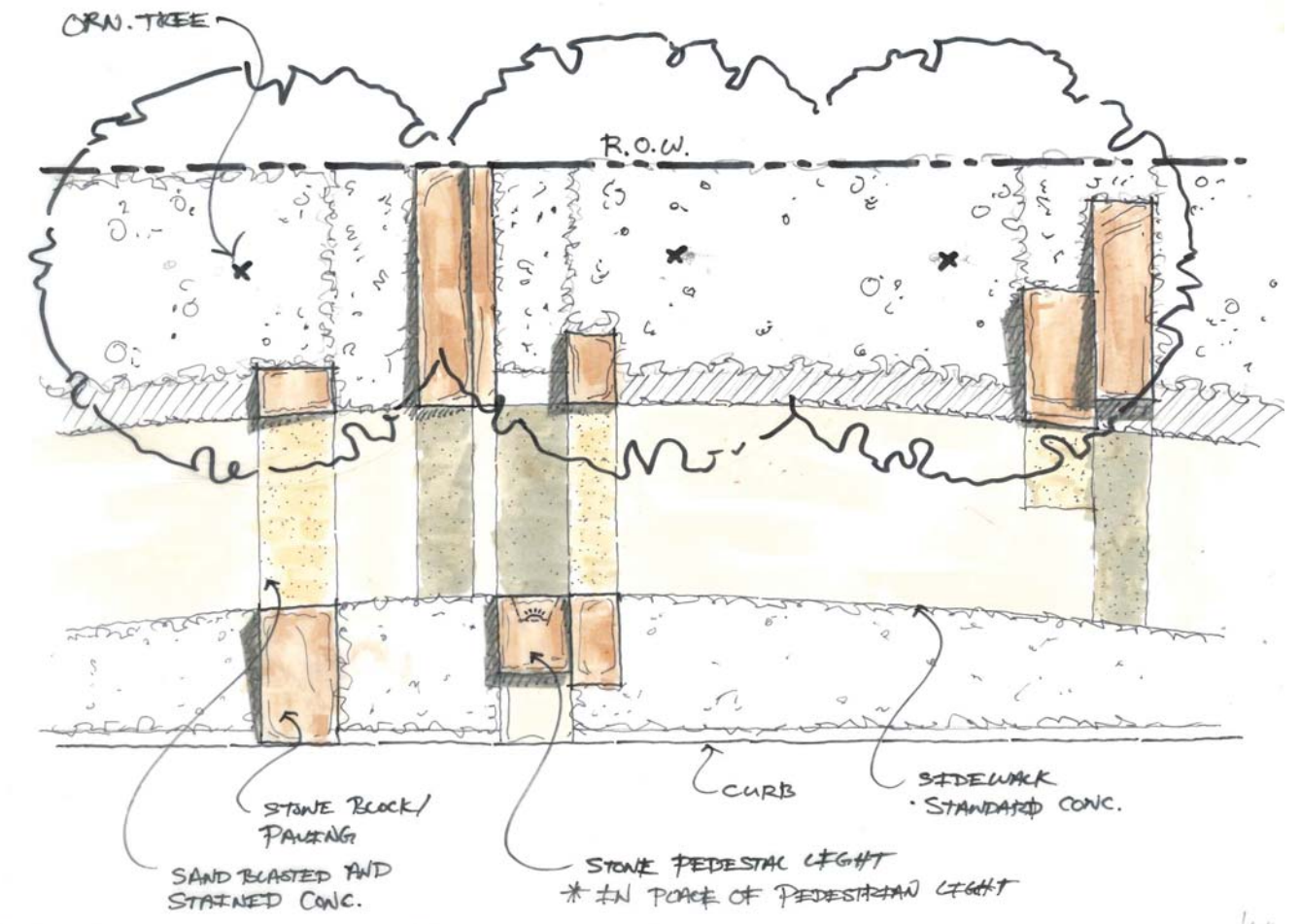
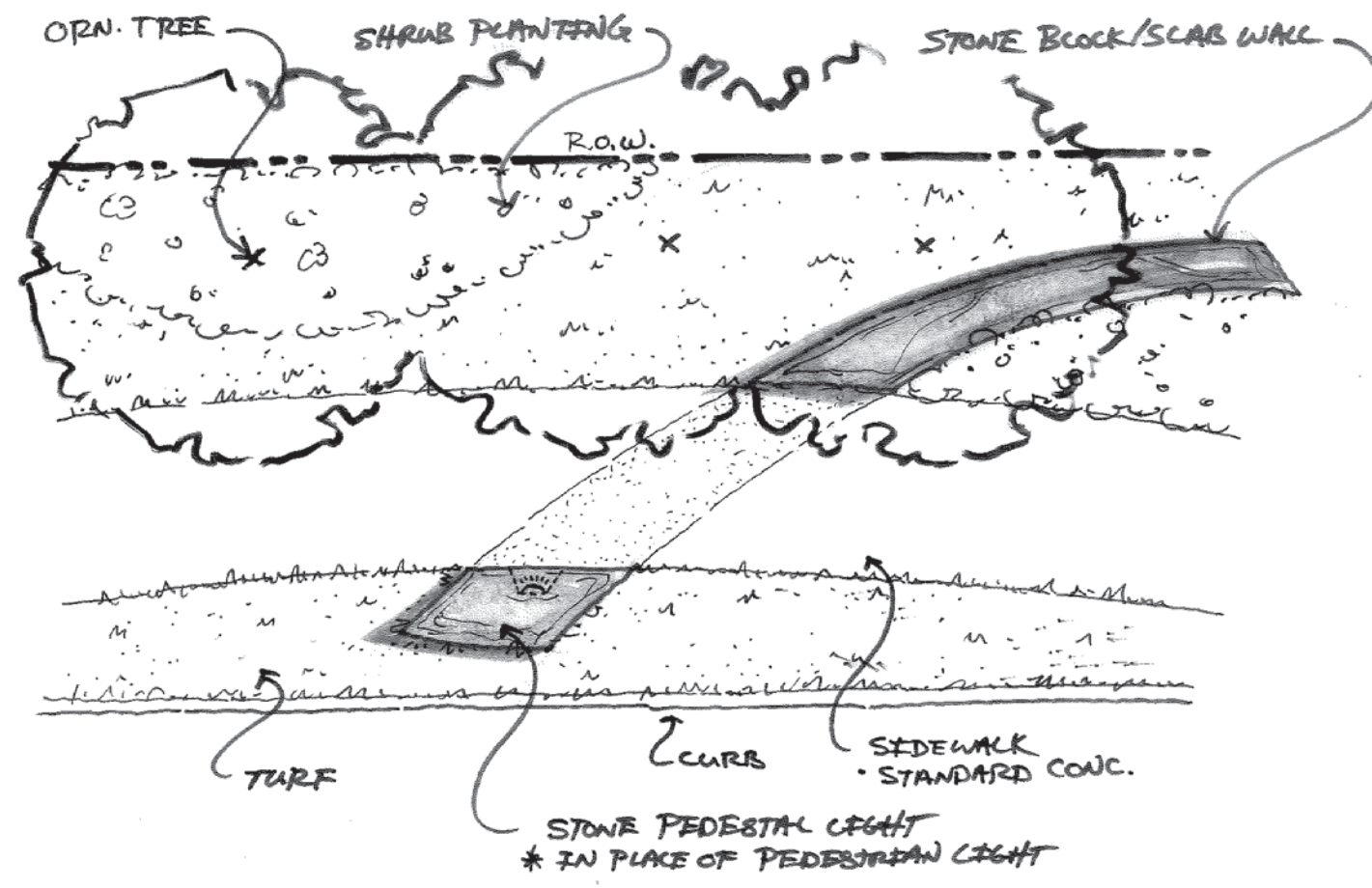
Cost: +/- \$ 2,450,000
 Remove Pedestrian Lights - Savings = +/- \$880,000

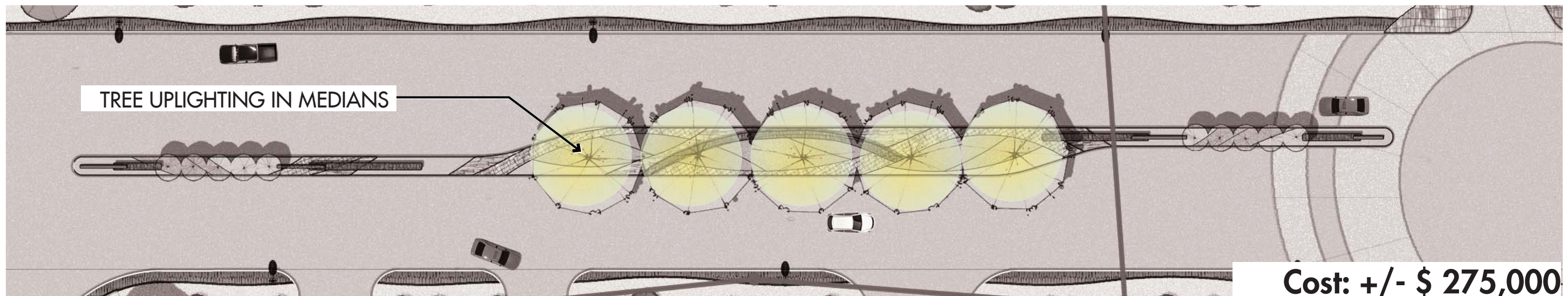
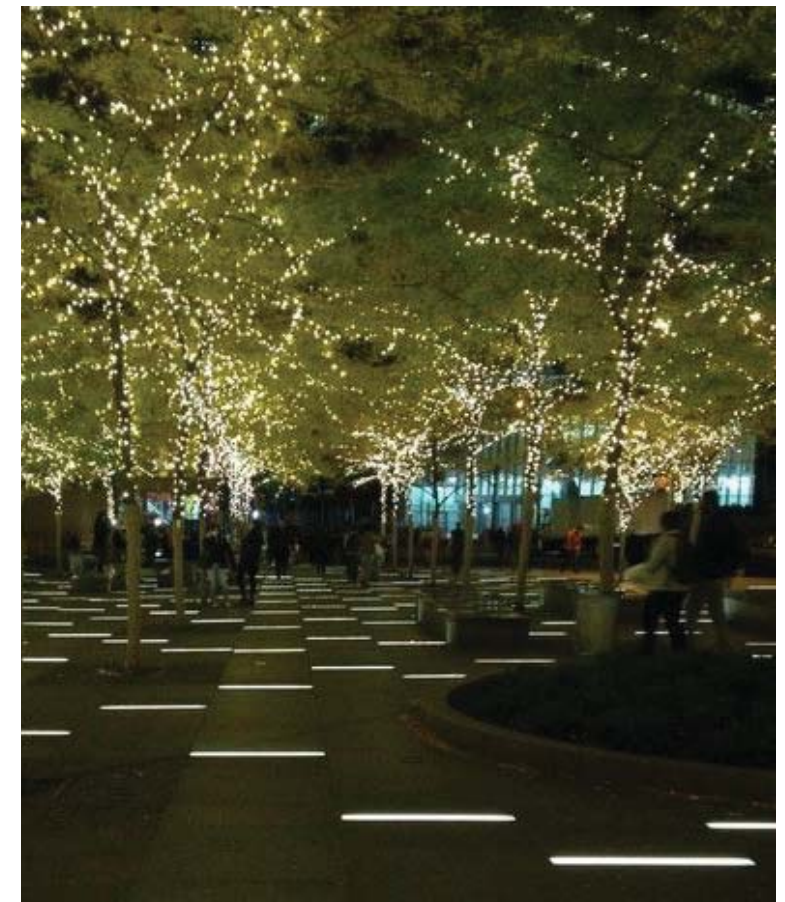
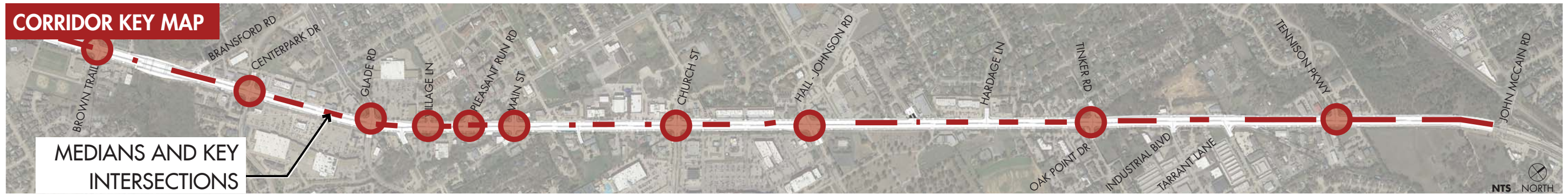
CORRIDOR WITH PEDESTRIAN & VEHICULAR LIGHTING



CORRIDOR WITH VEHICULAR LIGHTING ONLY



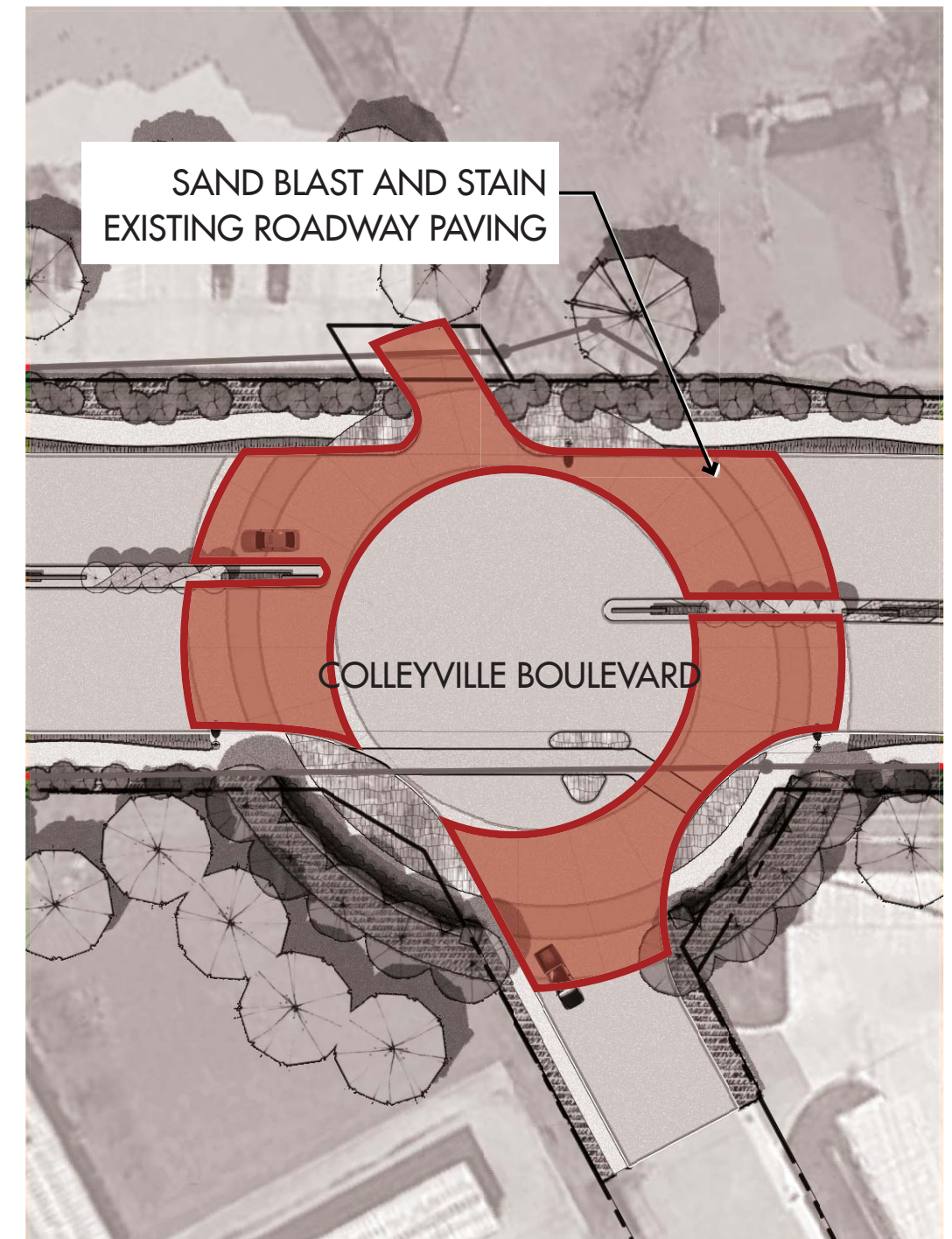
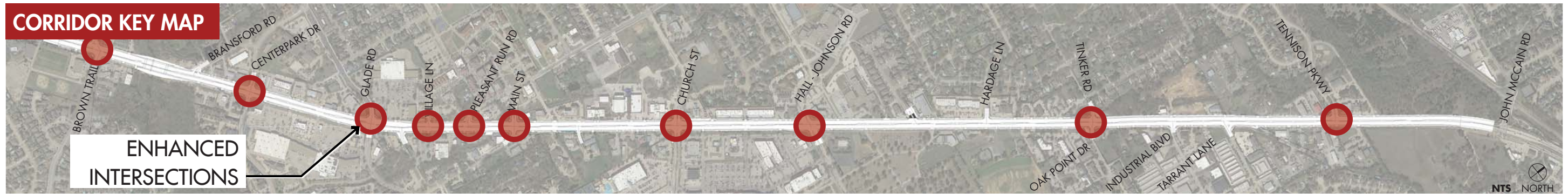




An aerial photograph of a suburban neighborhood. The image shows a mix of residential houses with varying roof colors, green trees, and a few commercial buildings. A road runs diagonally from the bottom left towards the center. The overall scene is a typical suburban landscape.

ADDITIONAL CONSIDERATIONS

Areas Outside Project

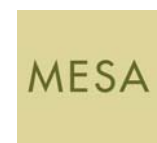


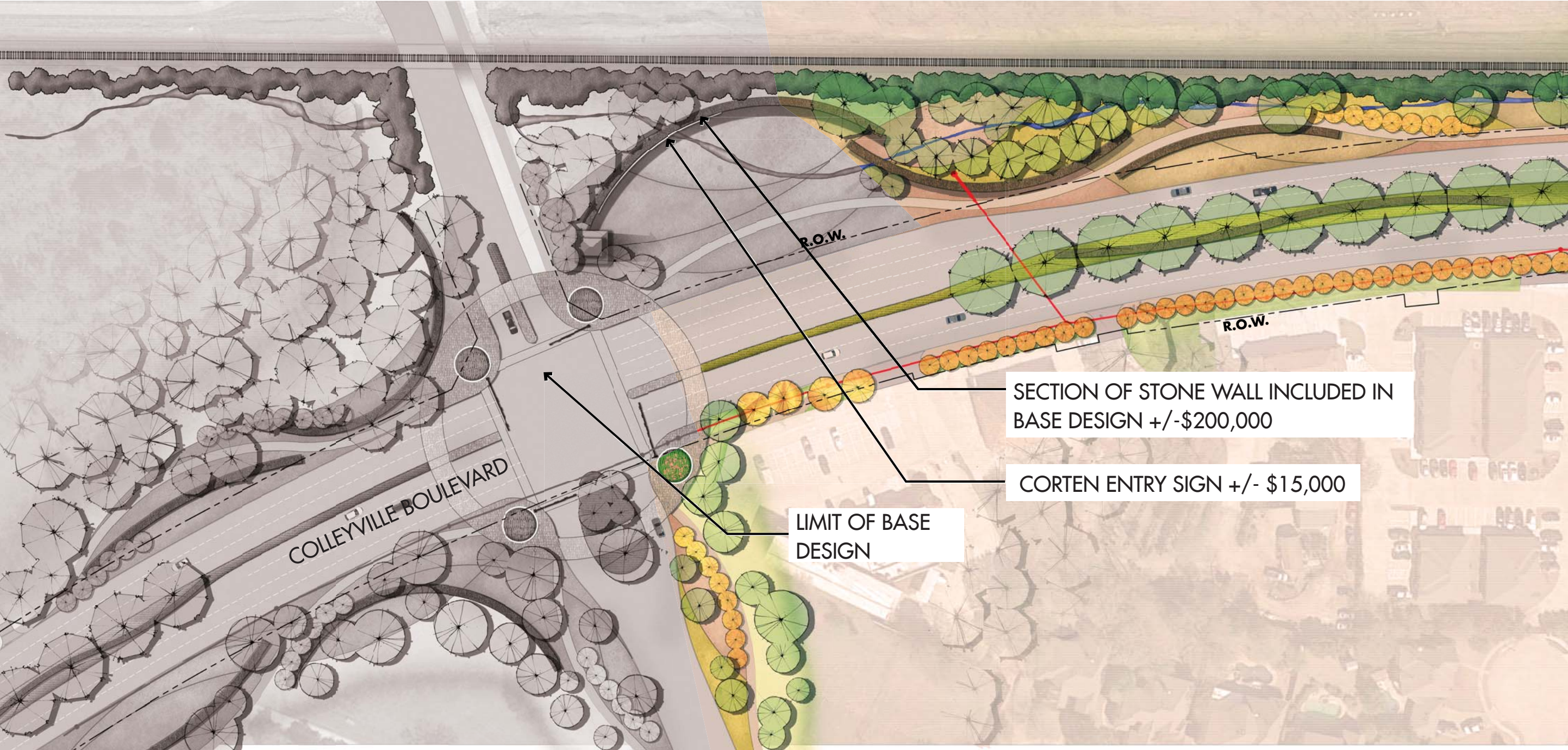
Cost: +/- \$ 120,000

**COLLEYVILLE
BOULEVARD**

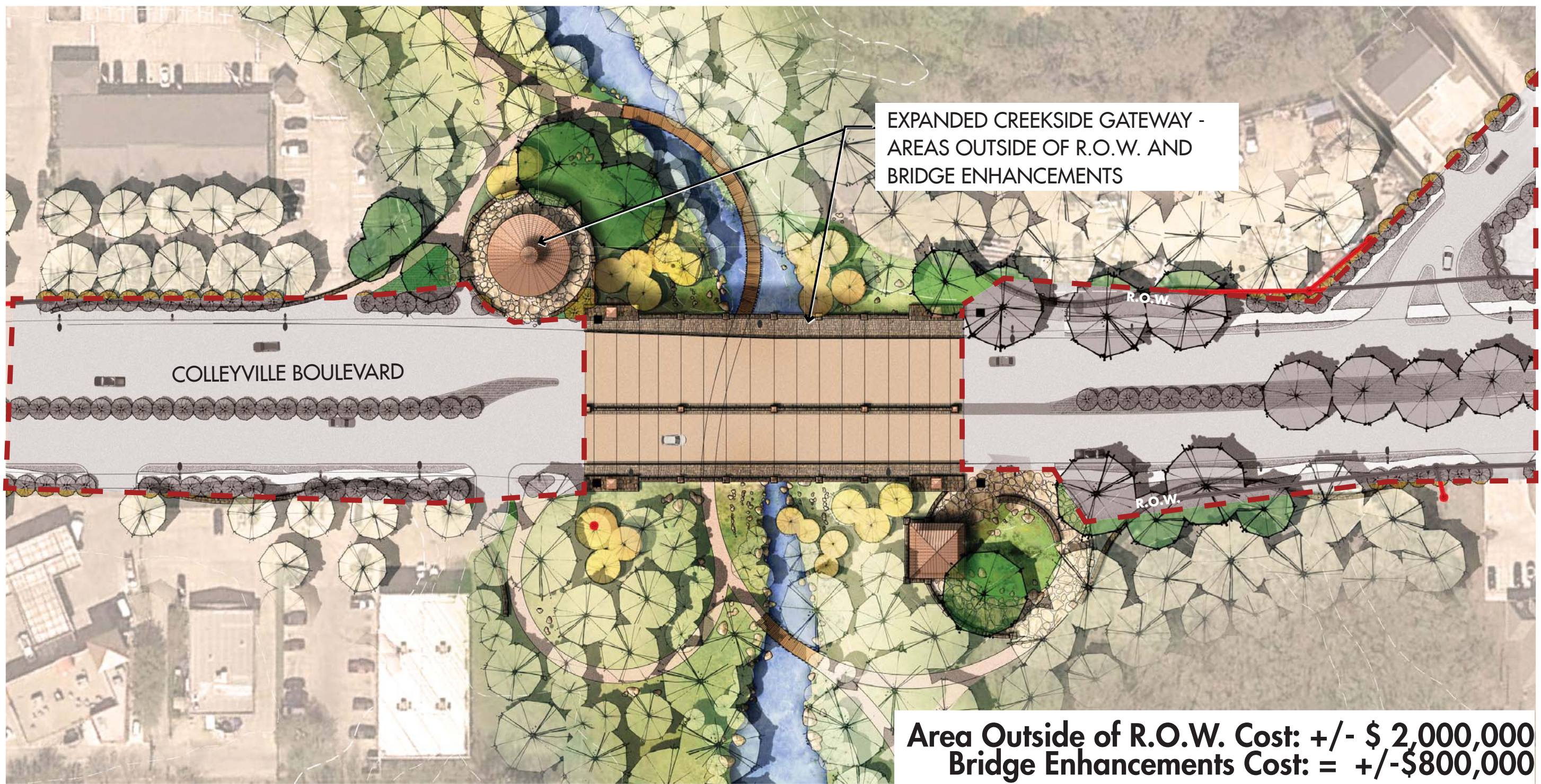
Enhanced Intersection Street Paving
DESIGN OPPORTUNITIES

August 21, 2018
Project: 18023



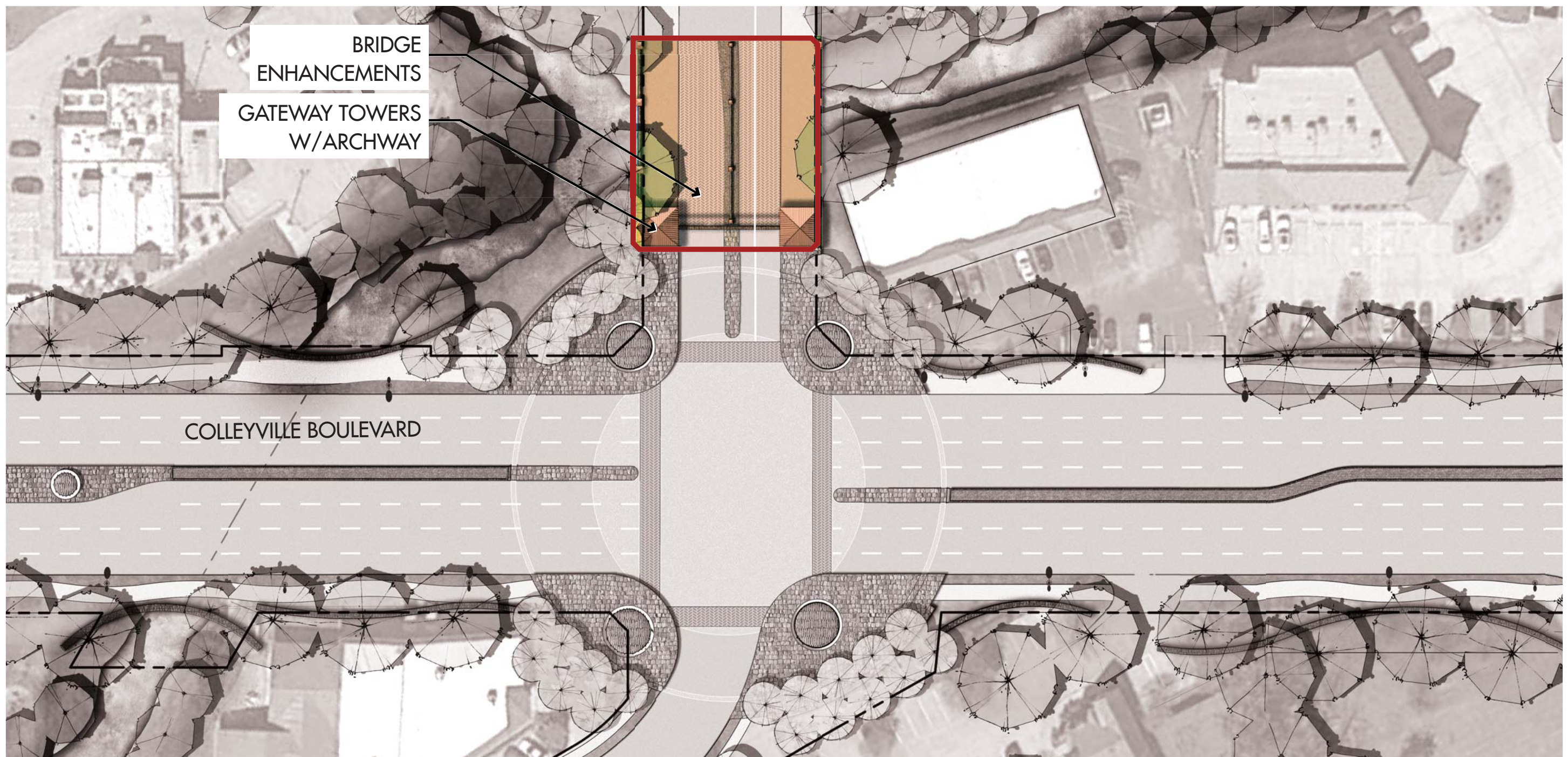


Cost: +/- \$ 2,800,000



Area Outside of R.O.W. Cost: +/- \$ 2,000,000
Bridge Enhancements Cost: = +/- \$800,000

CORRIDOR KEY MAP



Cost: +/- \$ 650,000

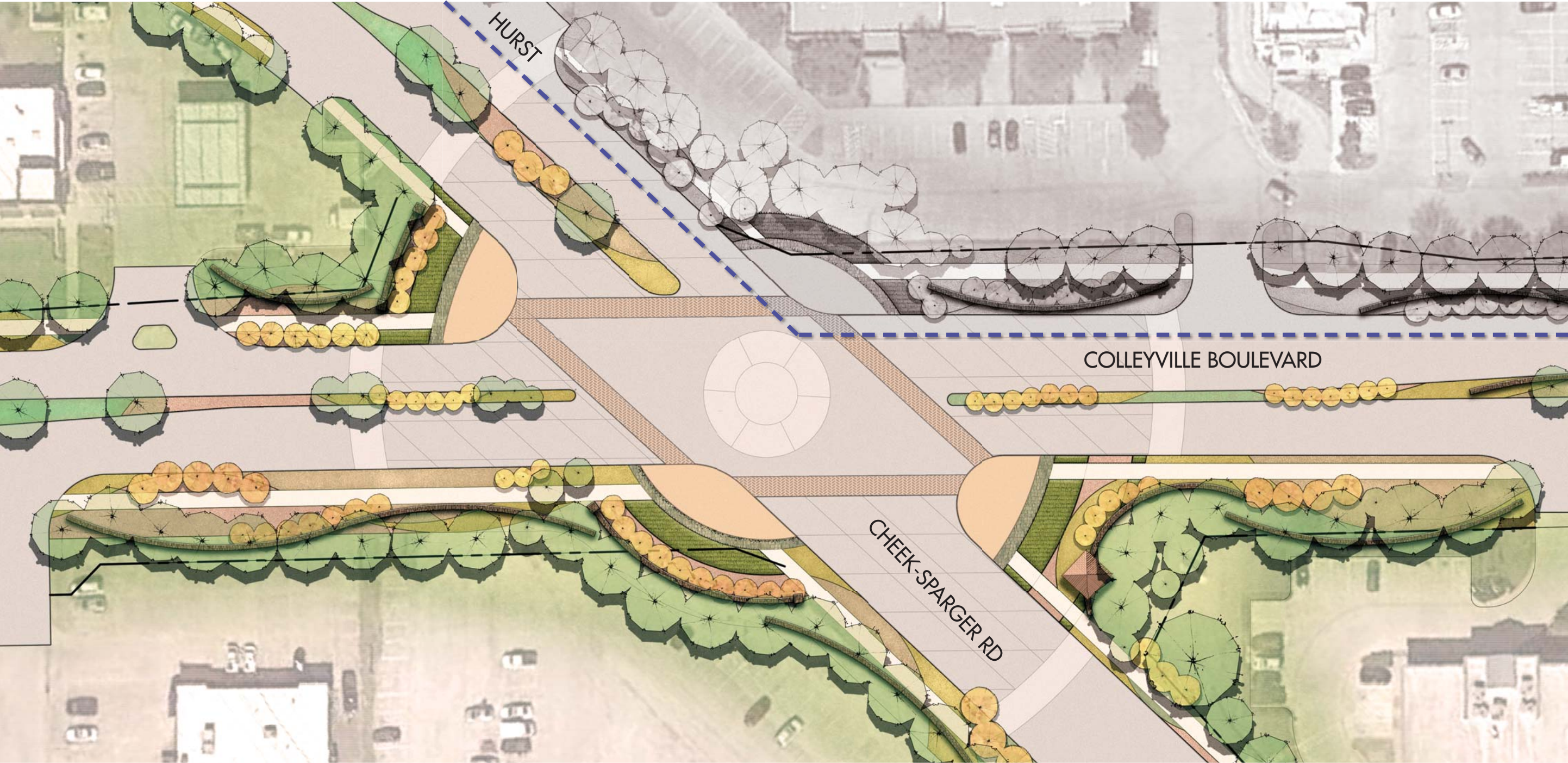
**COLLEYVILLE
BOULEVARD**

Colleyville Downtown Gateway
DESIGN OPPORTUNITIES

August 21, 2018
Project: 18023



CORRIDOR KEY MAP



Cost: +/- \$ 1,700,000

**COLLEYVILLE
BOULEVARD**

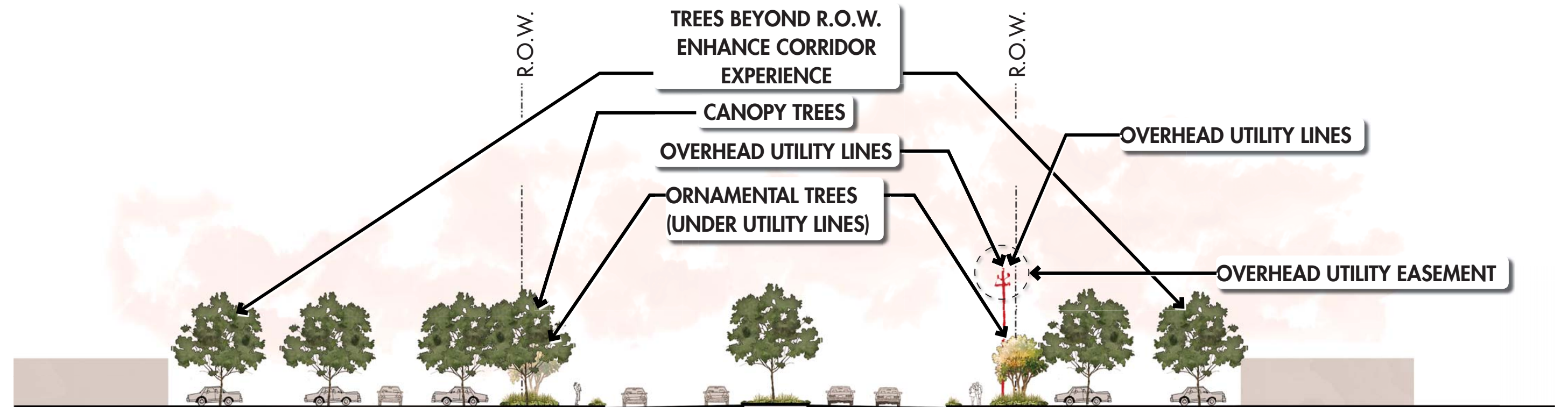
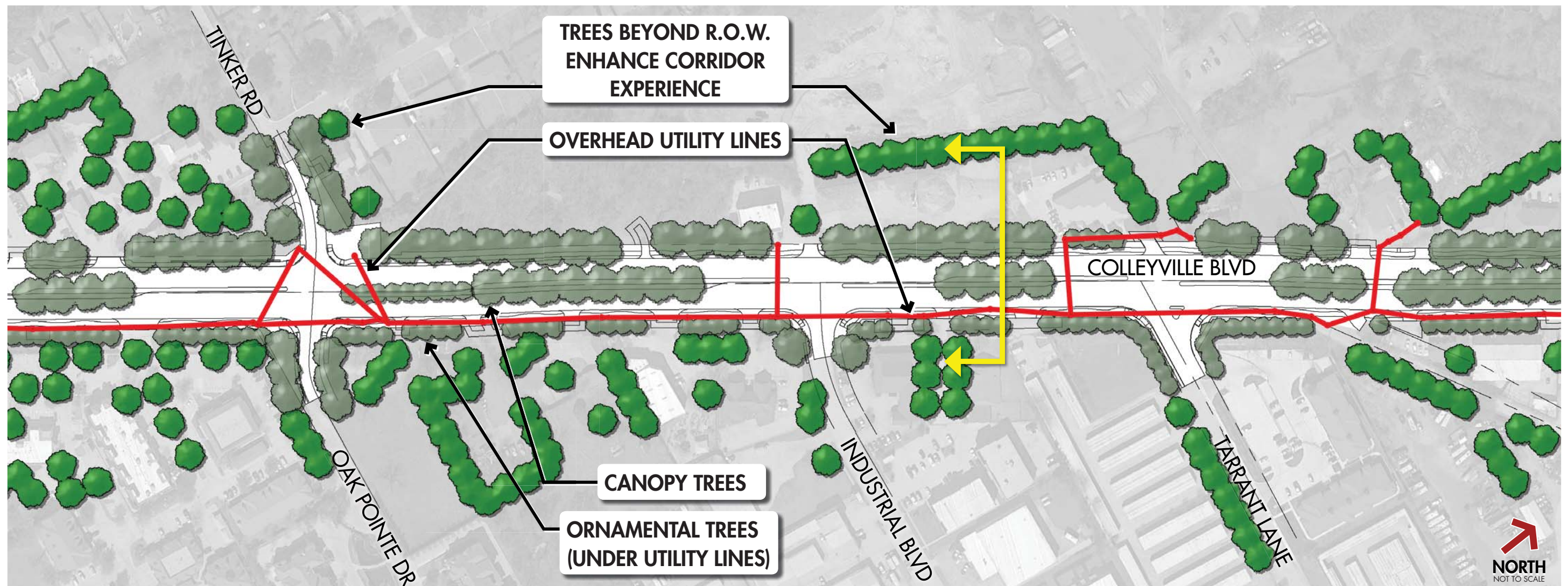
Southern Entry (Cheek-Sparger Rd.)
DESIGN OPPORTUNITIES

August 21, 2018
Project: 18023

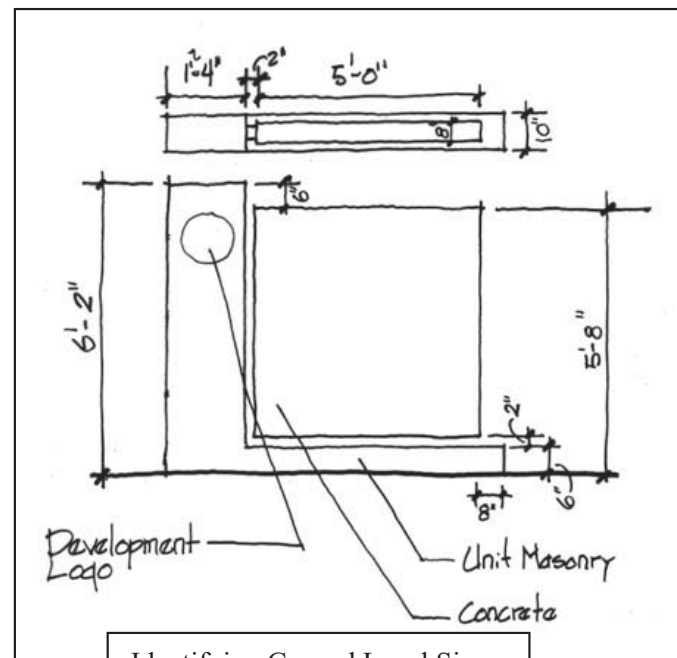


An aerial photograph of a suburban neighborhood. The image shows a mix of residential houses, some with swimming pools, and large green trees. A multi-lane road runs diagonally through the scene. In the background, there are more houses and a clear blue sky. The overall tone is bright and sunny.

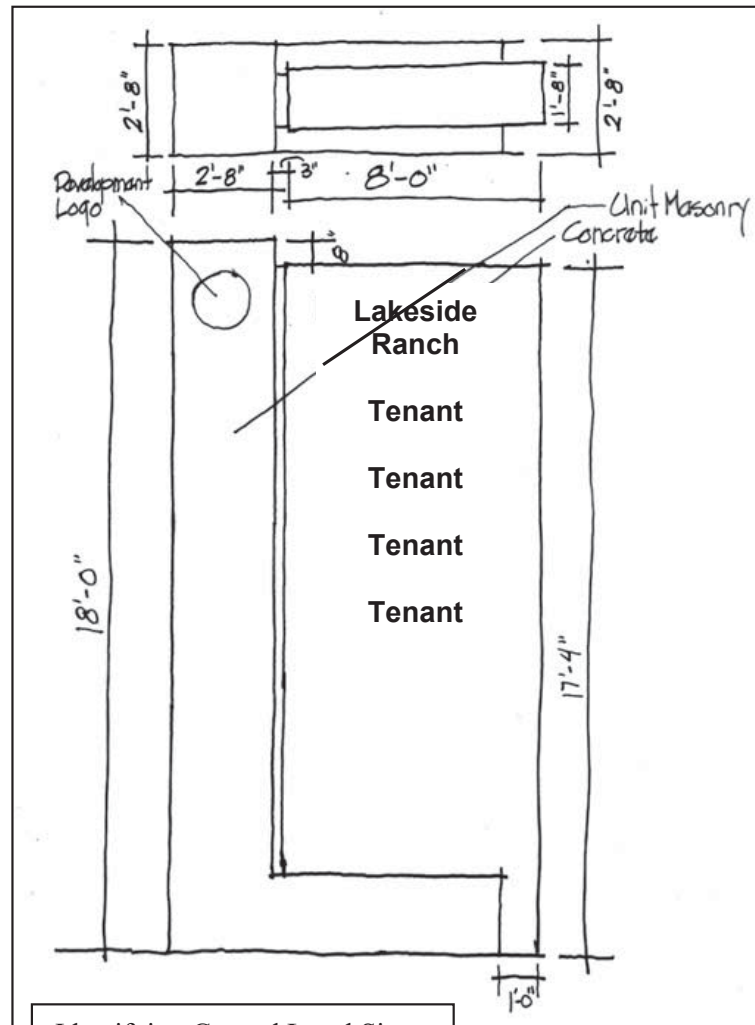
BEAUTIFICATION INCENTIVE OPPORTUNITIES



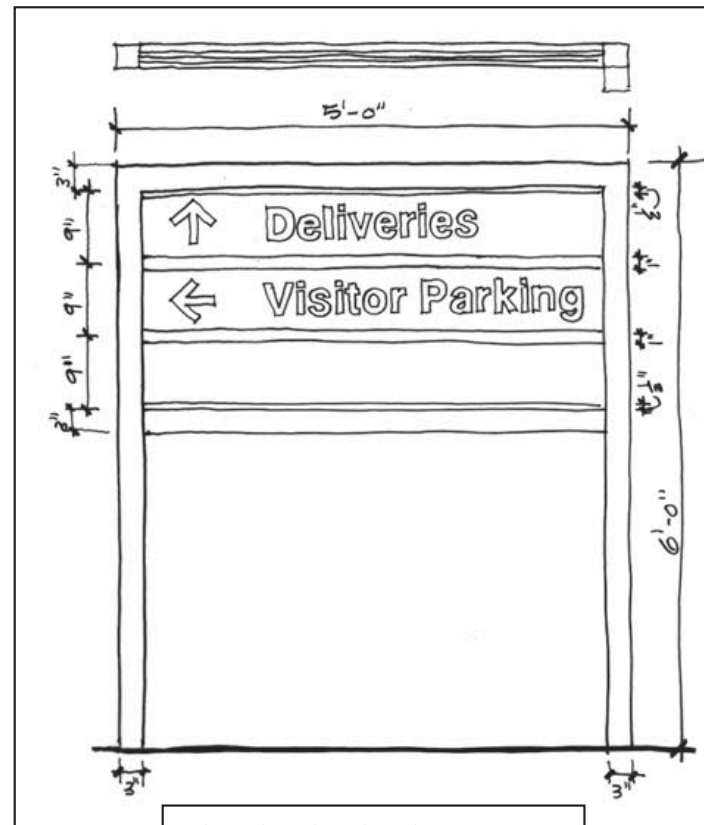
EXISTING CONDITION



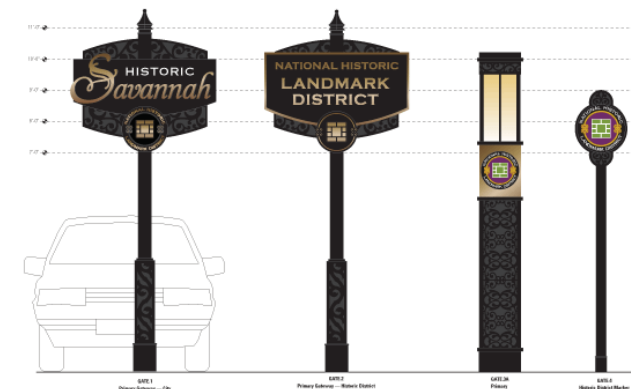
Identifying Ground Level Signs
(Single Tenant)



Identifying Ground Level Signs
(Multi Tenant)



Site Directional and
Information Sign





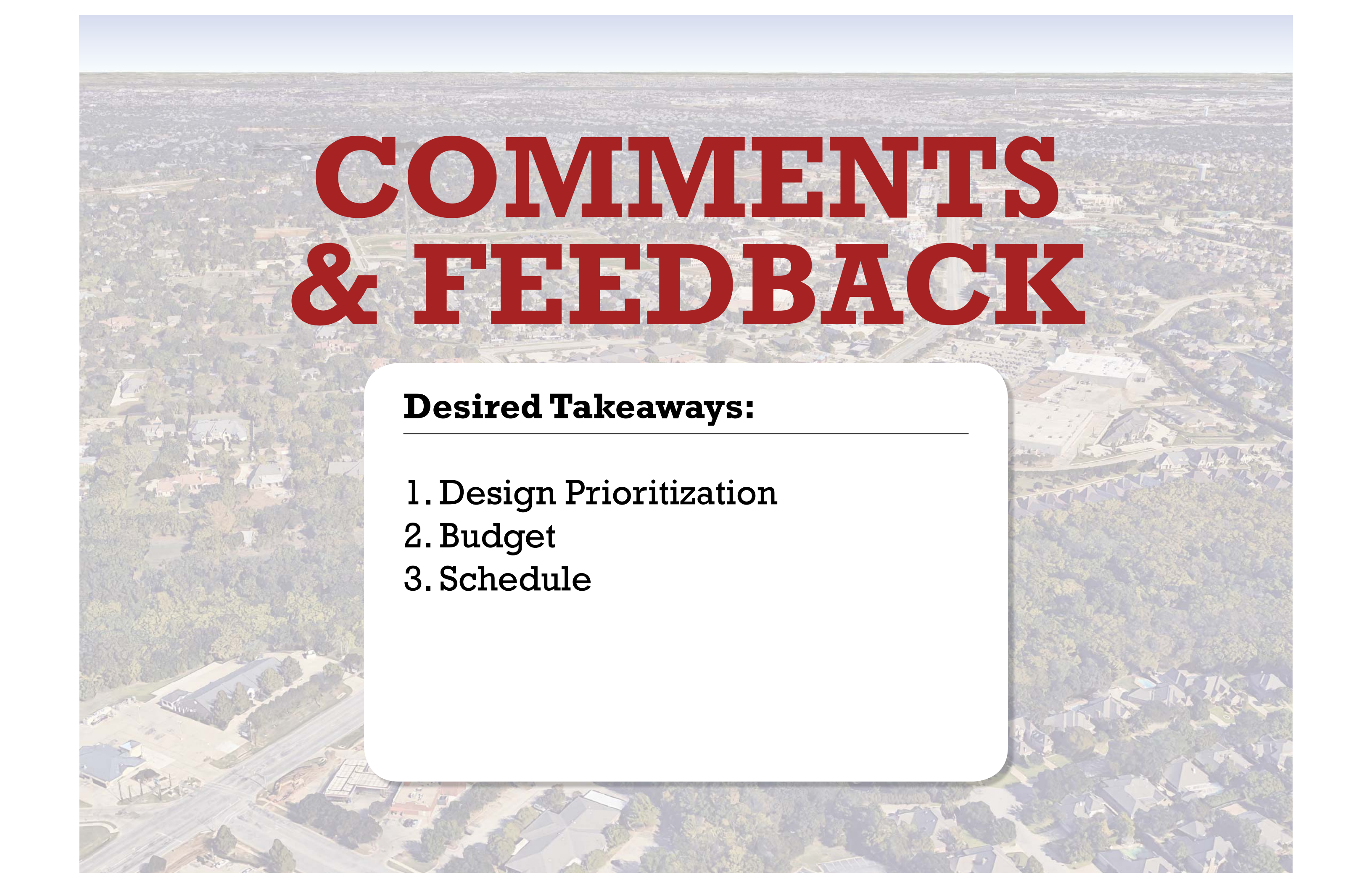
BUDGET PRIORITIZATION

	BASE DESIGN	
ZONE AREA	*MEDIAN	MEDIANS + PARKWAYS
PASTORAL (NORTH) GATEWAY	\$156,982	\$824,832
TRANSITION ZONE	\$282,936	\$808,385
DOWNTOWN CORE	\$179,480	\$854,108
CREEKSIDE GATEWAY (INSIDE R.O.W.)	\$103,522	\$406,200
SOUTHERN ENTRY	\$0	\$0
Grand Total (Includes 20% for Soft Costs and Contingencies)	\$722,920	\$2,893,524
*YEARLY MAINTENANCE ALLOWANCE		\$180,000

ZONE AREA	DESIGN OPPORTUNITIES (AREAS WITHIN CORRIDOR)									
	MEDIAN NOSINGS	ENHANCED LANDSCAPE AND PAVING - MEDIANS	SITE WALLS AND WALL LIGHTING - MEDIANS	ENHANCED LANDSCAPE AND PAVING - PARKWAYS	*INCREASED TREE CALIPER - MEDIANS ONLY	VENERING OF EXISTING RETAINING WALL/HEADWALL	SITE WALLS AND WALL LIGHTING - PARKWAYS	TXDOT RAIL ENHANCEMENTS	LANDSCAPE/FEATURE LIGHTING	UTILITY BOX AND DRAINAGE INFRASTRUCTURE ENHANCEMENTS
PASTORAL (NORTH) GATEWAY	\$25,380	\$87,827	\$158,999	\$423,528	\$18,060	\$0	\$571,080	\$0	\$40,133	\$48,000
TRANSITION ZONE	\$303,285	\$310,243	\$850,402	\$335,239	\$61,183	\$111,762	\$776,686	\$33,174	\$135,962	\$150,498
DOWNTOWN CORE	\$418,874	\$205,402	\$870,080	\$308,956	\$28,788	\$348,372	\$1,225,779	\$172,596	\$63,973	\$139,776
CREEKSIDE GATEWAY (INSIDE R.O.W.)	\$75,635	\$91,555	\$574,859	\$82,388	\$16,481	\$42,228	\$220,741	\$24,852	\$36,624	\$72,000
SOUTHERN ENTRY										
Grand Total (Includes 20% for Soft Costs and Contingencies)	\$823,173	\$695,026	\$2,454,340	\$1,150,111	\$124,512	\$502,362	\$2,794,286	\$230,622	\$276,693	\$410,274
*YEARLY MAINTENANCE ALLOWANCE	+/- \$30,000 to \$50,000 in addition to base (Allowance based on increased shrub and ground cover)									

ZONE AREA	*SIDEWALK REMOVAL (ASSUMES SAVINGS ON SIDEWALK)		*SIDEWALK REMOVAL (ASSUMES NO SAVINGS ON SIDEWALK)	CONVERT OVERHEAD ELECTRICAL LINES TO UNDERGROUND (Portions of Downtown Core and Creekside Gateway only)	*TXDOT ROADWAY LIGHTING (INCLUDES PED. AND VEH.)
	EAST SIDE SIDEWALK				
PASTORAL (NORTH) GATEWAY	-\$41,968	\$21,602			\$89,549
TRANSITION ZONE	-\$185,473	\$160,709			\$1,295,654
DOWNTOWN CORE	\$0	\$0	\$1,144,800		\$857,251
CREEKSIDE GATEWAY (INSIDE R.O.W.)	-\$48,020	\$41,608	\$950,400		\$185,779
SOUTHERN ENTRY					
Grand Total (Includes 20% for Soft Costs and Contingencies)	-\$275,460	\$223,919	\$2,095,200		\$2,428,234

ZONE AREA	DESIGN OPPORTUNITIES (CORRIDOR EXTENDED AREAS)						
	ENHANCED INTERSECTION STREET PAVING	NORTHERN APPROACH	EXPANDED PASTORAL GATEWAY (NORTH OF JOHN MCCAIN RD.)	EXPANDED CREEKSIDE GATEWAY (OUTSIDE OF R.O.W.)	COLLEYVILLE DOWNTOWN GATEWAY (DOWNTOWN CORE)	SOUTHERN TRANSITION ZONE	SOUTHERN GATEWAY (CHEEK-SPARGER RD. INTERSECTION)
PASTORAL (NORTH) GATEWAY	Included in Base Bid	\$986,400	\$2,824,166				
TRANSITION ZONE	\$24,767						
DOWNTOWN CORE	\$74,896				\$655,800		
CREEKSIDE GATEWAY (INSIDE R.O.W.)	\$16,686			\$2,770,041		\$1,633,478	
SOUTHERN ENTRY							\$1,653,229
Grand Total (Includes 20% for Soft Costs and Contingencies)	\$116,348	\$986,400	\$2,824,166	\$2,770,041	\$655,800	\$1,633,478	\$1,653,229

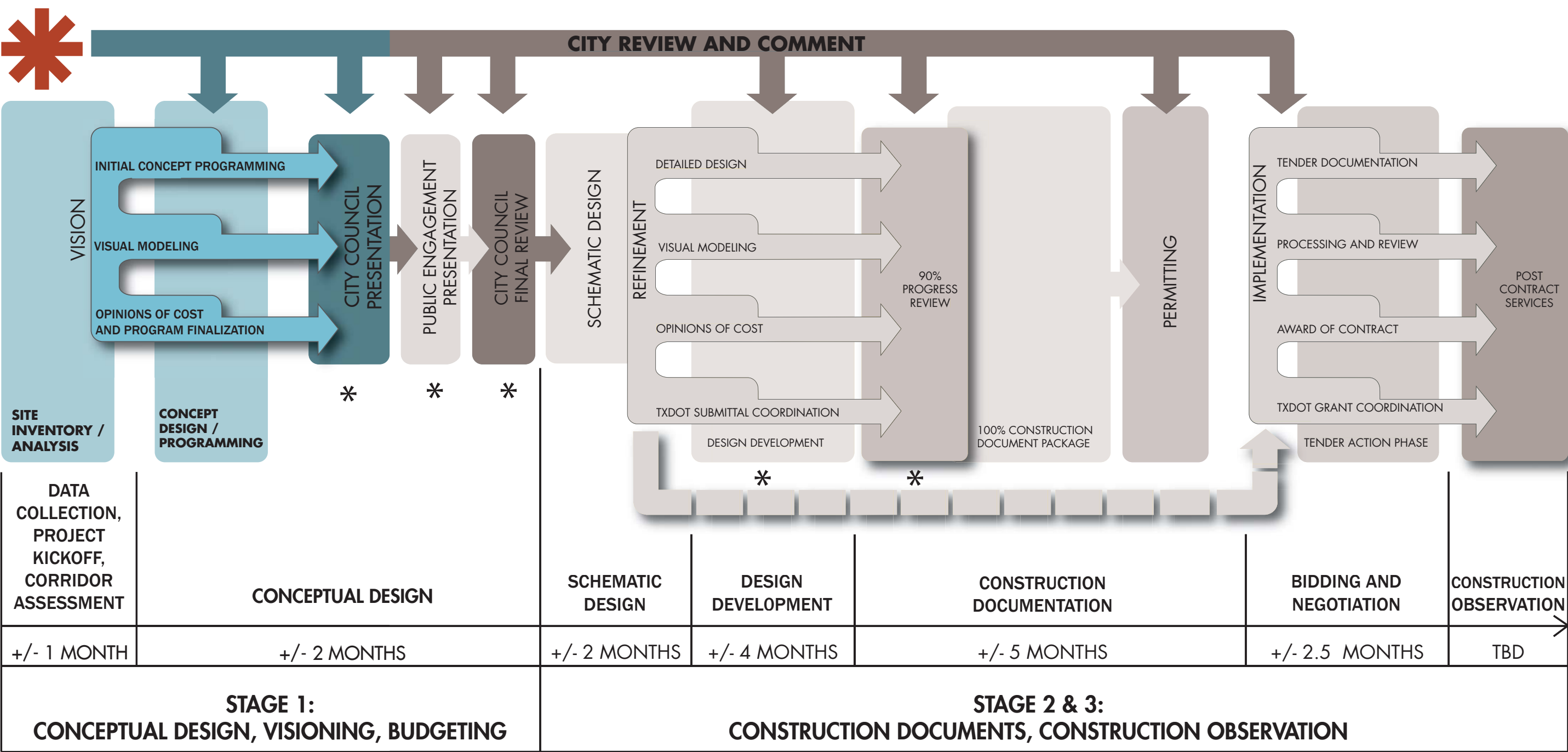


COMMENTS & FEEDBACK

Desired Takeaways:

1. Design Prioritization
2. Budget
3. Schedule

PROJECT WORK STREAM:



* OPPORTUNITY FOR PUBLIC REVIEW/INPUT



City of Colleyville City Council Agenda Briefing

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

Agenda Number WS-2

Agenda Date 08/21/2018

Type Worksession

Department Community Development

Title

Rezoning of City property at Longwood

Strategic Plan

2.4 Demonstrate stewardship of public resources

Explanation

The property at 7201 Colleyville Boulevard is located at the southeast corner of Colleyville Boulevard and Longwood Drive extending south along Longwood Drive. It is currently owned by the City of Colleyville and zoned PUD-C Planned Unit Development – Commercial & ML Light Manufacturing district. Because of this zoning, the property has had interest over the years from developers. However, the property is designated on the Future Land Use Map for Parks/Open Space. Additionally, the existing PUD-C identifies the permitted use on the property for park use. Finally, the property has been designated by the City as park property.

Staff is recommending the City initiate a zoning change for the property. This will eliminate the confusion on what uses are appropriate for the property and will hopefully deter future inquiries regarding development of the property. Staff recommends the AG Agricultural zoning district for the property.

If the City Council wishes to initiate the process, the zoning will adhere to the following procedure:

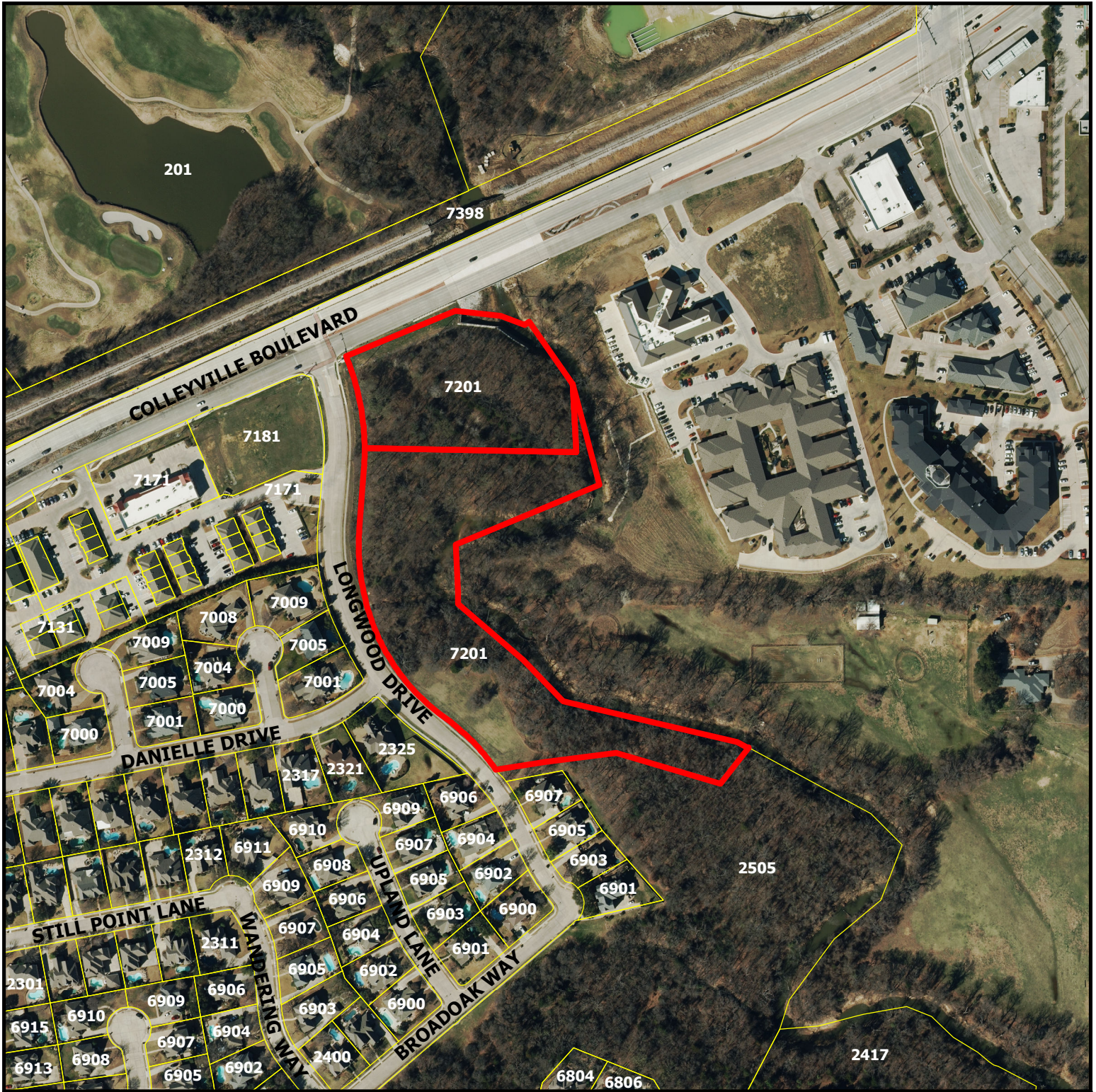
1. Review and recommendation by City staff
2. Notice published in the *Fort Worth Star-Telegram*
3. Notice letters sent to adjacent property owners
4. Public hearing and recommendation by the Planning & Zoning Commission
5. 1st Reading and public hearing by the City Council
6. 2nd Reading, public hearing, and decision by the City Council

The entire process will take approximately four months from beginning to end. If approved, the City's Zoning Map will be updated to reflect the new zoning district.

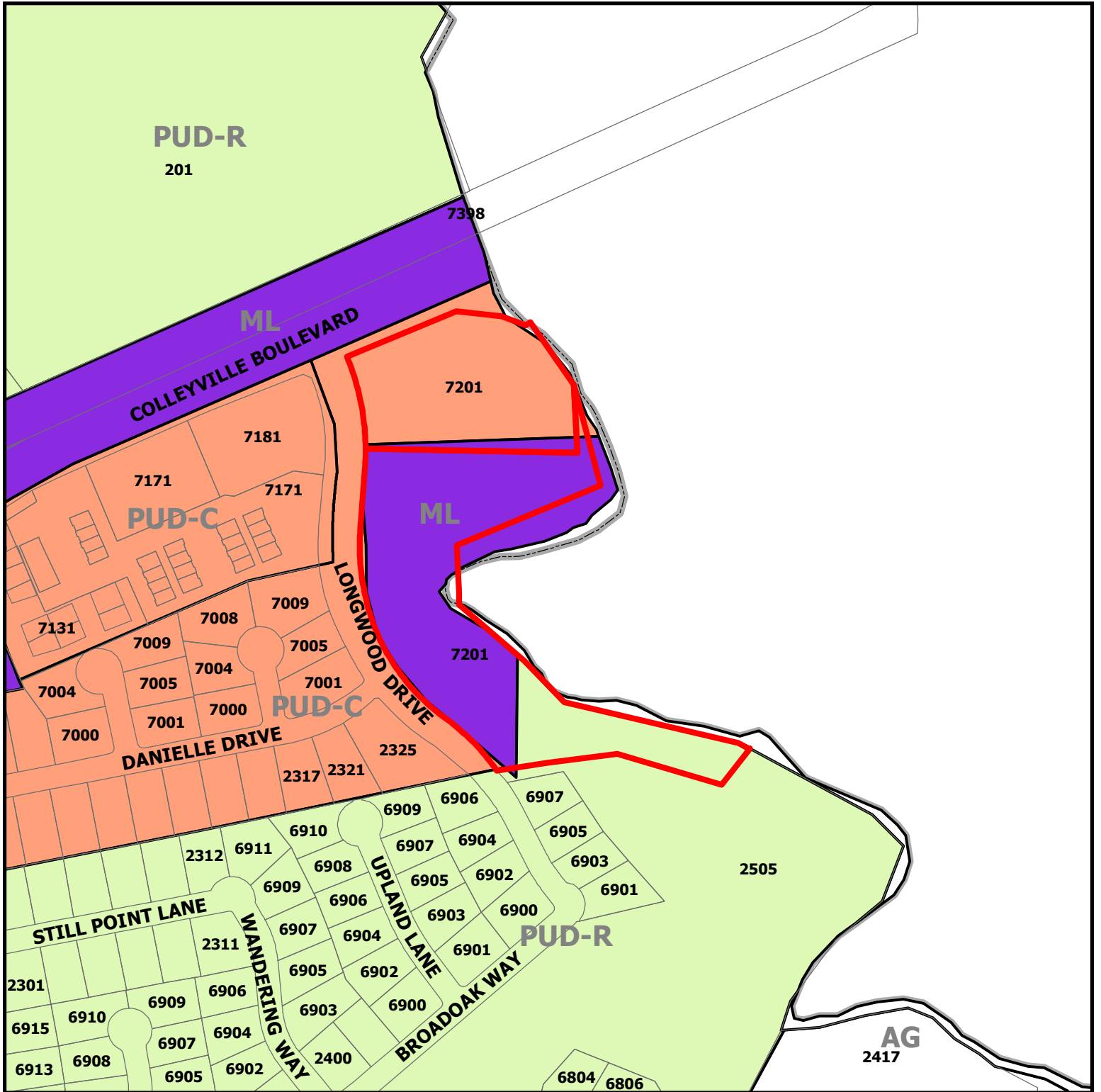
Attachments

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

Aerial Map



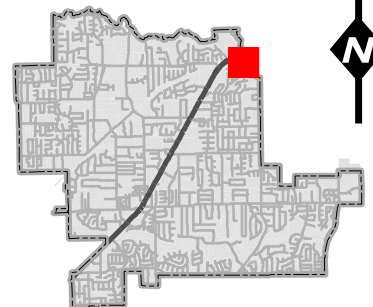
Zoning Map



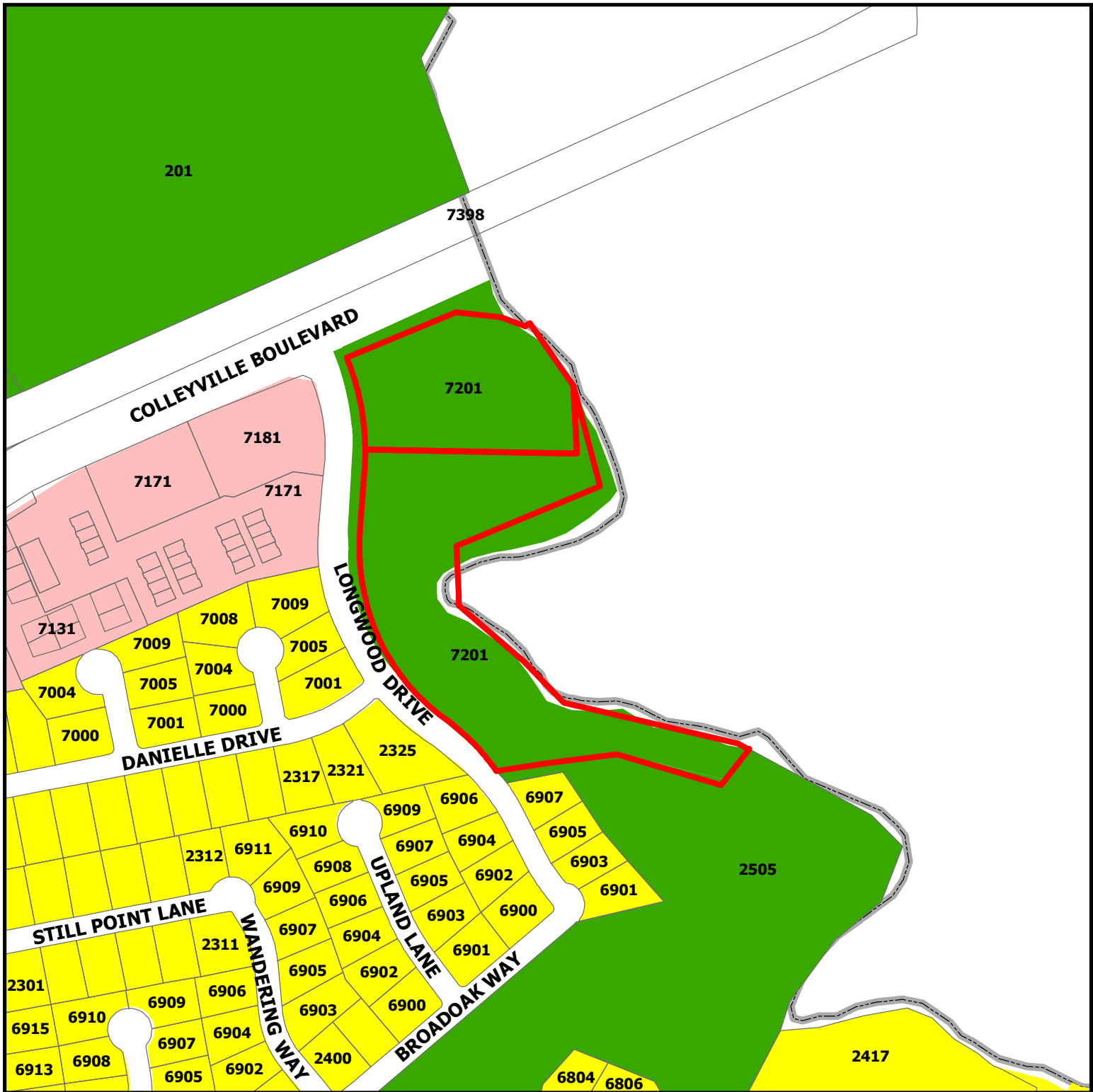
ZC18-000
7201 Colleyville Blvd

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

 Subject Property



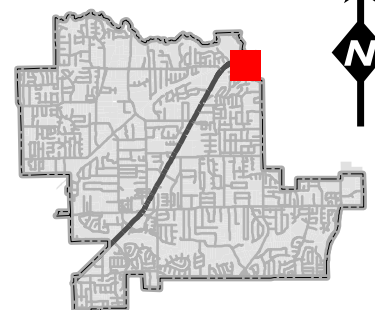
Future Land Use Map



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ZC18-000
7201 Colleyville Blvd

-  Subject Property
 -  Residential
 -  Colleyville Blvd Corridor
 -  Open Space; Parks





City of Colleyville City Council Agenda Briefing

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

Agenda Number WS-3

Agenda Date 08/21/2018

Type Worksession

Department City Secretary

Title

Discussion of the August 21, 2018, City Council regular agenda items



City of Colleyville City Council Agenda Briefing

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

Agenda Number 1

Agenda Date 08/21/2018

Type Executive Session

Department City Secretary

Title

Section 551.071 - Legal - Consultation with attorney on legal issues raised by items on the agenda

Section 551.071 - Legal - Consultation with attorney regarding contemplated and/or pending litigation, including:

- Glade Road eminent domain cases for Parcels 150 and 159

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

- Glade Road Project Phases 1B and 2
- Acquisition of real property along SH2

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

Attachments

RESOLUTION R-18-4297

**A RESOLUTION APPROVING COUNCIL ACTION
REGARDING EXECUTIVE SESSION ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF AUGUST 21, 2018**

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

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

Sec. 1. THAT

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS AND _ ABSTENTIONS ON THIS THE 21ST DAY OF AUGUST 2018.

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

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor



City of Colleyville City Council Agenda Briefing

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

Agenda Number 3

Agenda Date 08/21/2018

Type Announcements, Proclamations, and Presentations

Department City Manager

Title

Proclamations in recognition of Colleyville First Responders - Crystal Alexander, Dispatcher; Firefighters/Paramedics Robert Creamier and Matt Olson; and Police Officer John Arenz - Mayor Richard Newton

In recognition of the Featured Business of the Month - Pediatric Dentistry of Colleyville - 4109 Brown Trail, Suite 102, Dr. Tuong (David) Ta - Mayor Richard Newton and Assistant City Manager Mark Wood

Attachments

1. Proclamation in recognition of first responders

Proclamation

CITY OF Colleyville, Texas

WHEREAS: the first responders of the Colleyville Fire and Police Departments are committed to obtaining education, training, and experience which allows them to respond to crisis and distress; and

WHEREAS, Colleyville resident Tom Smith had suffered a cardiac event and wife Jamie Smith called 9-1-1; and

WHEREAS, Dispatcher Crystal Alexander received the call, dispatched paramedics and police, and for five minutes, instructed Jamie on how to administer CPR and kept her calm; and

WHEREAS, it is estimated Tom was nine minutes into the cardiac event when Colleyville Firefighters/Paramedics Robert Creamier and Matt Olson arrived. The paramedics utilized the Lucas device, a machine which delivers consistent and uninterrupted chest compressions, so they could intubate and administer several rounds of cardiac medication to save Tom's life and provide medical transport to the hospital; and

WHEREAS, while the paramedics were aiding Tom, Police Officer John Arenz, provided comfort by praying with the family; and

WHEREAS, Tom and Jamie believe it is a miracle Tom survived and know they were covered in prayer; and both wish to recognize and thank Crystal, Robert, Matt, and John.

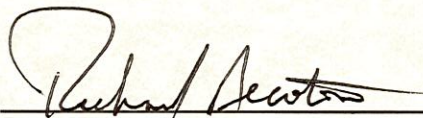
NOW, THEREFORE, I, RICHARD NEWTON, MAYOR OF THE CITY OF COLLEYVILLE, TEXAS, on behalf of the Colleyville City Council and citizens of Colleyville, commend our first responders:

**CRYSTAL ALEXANDER
ROBERT CREAMIER
MATT OLSON
JOHN ARENZ**

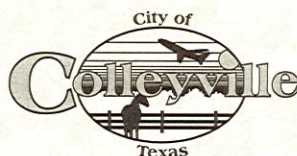
and extend our appreciation for their commitment and dedication to the safety and well-being of our citizens.

IN WITNESS WHEREOF, I do hereby set my hand and seal of the City of Colleyville, Texas, affixed this 21st day of August 2018.





Mayor



RESOLUTION R-18-4298
A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER
CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF
AUGUST 21, 2018

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

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

- Sec. 1. THAT the agenda decisions approved by City Council action under Consent Items as follows are hereby adopted:
- a. Approval of the minutes of the regular City Council meeting of August 7, 2018
 - b. Approval to extend an ongoing annual agreement with Autobahn Motor Cars to sponsor the loan of a vehicle to the Colleyville Police Department for the expressed use of the Colleyville Heritage High School Resource Officer
 - c. Approval of an engineering services agreement with Freese and Nichols, Inc., in an amount not to exceed \$319,754 for the design of the Cheek-Sparger Road Improvements Project, and authorizing the City Manager to execute the agreement

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF __ AYES, __ NAYS AND __ ABSTENTIONS ON THIS THE 21ST DAY OF AUGUST 2018.

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

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor



City of Colleyville City Council Minutes - Draft

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

Tuesday, August 7, 2018

Council Chambers

Mayor Richard Newton called the Colleyville City Council Worksession to order on Tuesday, August 7, 2018, at 5:00 p.m. Mayor Newton introduced new staff members Erin Spicer, Community Relations Specialist and Ray Silva-Reyes, Public Works Director.

ROLL CALL: Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood, and Councilmembers Kathy Wheat, George Dodson, Chuck Kelley and Callie Rigney.

ABSENT: Councilmember Tammy Nakamura

ALSO PRESENT: City Manager Jerry Ducay, Assistant City Manager Mark Wood, Assistant City Manager Adrienne Lothery, Police Chief Michael Miller, Fire Chief Brian Riley, Community Development Director Ben Bryner, Public Works Director Ray Silva-Reyes, Library and Special Events Director Mary Rodne, Colleyville Center Manager Leslie Hill, Parks and Recreation Director Lisa Escobedo, Community Relations Specialist Erin Spicer, City Attorney Nicole Corr, and City Secretary Christine Loven.

WS-1 Presentation of the 2018 certified tax roll

Assistant City Manager Adrienne Lothery stated due to state law requirements the certified tax roll is listed separately. She noted the City contracts with GCISD for tax collection and the certified tax roll is based on the certified value as reported by Tarrant Appraisal District.

WS-2 Presentation and discussion of the FY 2019 proposed budget

Assistant City Manager Adrienne Lothery presented this item, noting City Council has reviewed and provided direction throughout the budget process and the proposed budget is the culmination of months of work by staff and City Council. The highlights of the budget included:

- Proposal of the effective tax which is simply explained as budgeting the same amount of General Fund tax revenue in FY2019 as in FY2018. Since property values have gone up on average 7.7%, then the tax rate must be reduced by that amount to accomplish an effective tax rate.
- Absorption of the 7% increase in health insurance so that city employees do not have to pay that increase.

- Creating a Health Reimbursement Account and funding it with \$1,500 per employee. This in effect reduces the deductible each employee must pay for their health insurance.
- Increasing the employee compensation ranges to adjust for CPI and providing for a merit pool of 3.5%.
- Reducing the Water and Wastewater base rates and including the difference into the CIP contribution keeping the base operating cost to residents has 1" or less water lines the same as last year. Passing through the volumetric water rates from TRA which are increasing, but the city has no control over those rates.

Manager Lothery quickly reviewed all funds and year one of the several five year plans. She noted consideration of the proposed tax rate is on the agenda this evening, stating ~~this is~~ the resolution is not adopting the tax rate, but simply notifying of the Council's intent to pass the effective tax rate.

Manager Lothery concluded by reviewing the calendar dates the budget and tax adoption ordinances will come before the City Council.

WS-3 Discussion and update on the Southern Gateway Corridor Study

Assistant City Manager Mark Wood highlighted the history of the study and introduced Greg Last with EDP Best Practices, who conducted the study.

Mr. Last reviewed the study results and recommendations and answered questions of the City Council.

Mayor Newton stated City Council will schedule a worksession to review the recommendations and establish a strategy for moving forward.

WS-4 Discussion of updates to Chapter 1 of the Land Development Code

Mayor Newton stated he and Councilmember Dodson have met with staff and reviewed their recommendations, however, there was not sufficient time to bring them before the City Council tonight. Mayor Newton believes this item will move forward at the August 21, 2018 City Council meeting.

WS-5 Discussion and selection of dates for three City Council Worksessions

City Council established the following dates for Worksessions:

City Council Priority Setting Follow-up – September 28 at 6:30 p.m.

Land Development Code, Chapter 5 – September 6 at 5:30 p.m.

Land Development Code, Chapter 7 – October 4 at 5:30 p.m.

WS-6 Discussion of the Cheek-Sparger Road Reconstruction Project

Assistant City Manager Mark Wood presented this item noting the proposed improvements to Cheek-Sparger Road were safety based and the scope is from Brown Trail to San Saba. The City has been awarded a grant through TxDOT for \$2,000,000 and the City's anticipated costs are approximately \$563,540.

There was general discussion regarding anticipated costs, engineering design, and grant requirements. Manager Wood stated he anticipates bringing a contract for engineering services with Freese and Nichols forward at the next meeting.

WS-7 Discussion of the August 7, 2018, City Council regular agenda items

Mayor Newton stated he is going to give full latitude for review and citizen's comments on agenda item 6a, will bring the tax rate resolution to the top of resolutions, and noted he had provided edits to the minutes which he would like considered with the motion.

There was no further discussion and Mayor Newton adjourned the worksession at 6:31 p.m.

Mayor Newton called the Executive Session to order at 6:31 p.m. and called the roll.

ROLL CALL: Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood, and Councilmembers Kathy Wheat, George Dodson, Chuck Kelley and Callie Rigney.

ABSENT: Councilmember Tammy Nakamura

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

Section 551.071 - Legal - Consultation with attorney on legal issues raised by items on the agenda

Section 551.071 - Legal - Consultation with attorney regarding contemplated and/or pending litigation, including:

- Glade Road eminent domain cases for Parcels 150 and 159

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

- Glade Road Project Phases 1B and 2
- Acquisition of real property along SH26

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

Mayor Newton explained the Executive Session had been called in accordance with the Texas Government Code, Chapter 551, Subchapter D, Section 551.071, Legal, Section 551.072, Real Estate, and Section 551.087, Economic Development. He further explained there would be no decisions made or action taken during this time. Executive Session was adjourned at 6:59 p.m.

The regular meeting of the Colleyville City Council was called to order by Mayor Newton at 7:30 p.m. Mayor Newton introduced City Attorney Nicole Corr and recognized former Colleyville Mayor Ed McKnight was attending this evening's meeting.

ROLL CALL: Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood, and Councilmembers Kathy Wheat, George Dodson, Chuck Kelley and Callie Rigney.

ABSENT: Councilmember Tammy Nakamura

INVOCATION: Pastor Mike Dawson, First United Methodist Church

PLEDGE OF ALLEGIANCE: City Attorney Nicole Corr

2. EXECUTIVE SESSION READING AND PUBLIC HEARING: CONSIDER AND TAKE ANY ACTION(S) NECESSARY RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION - RESOLUTION R-18-4288

Mayor Newton read Resolution R-18-4288 in its entirety.

Mayor Newton stated this resolution is for right-of-way for the Glade Road project and noted there are still a few parcels needed.

Mayor Newton opened the public hearing at 7:39 p.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 7:40 p.m.

Mayor Pro Tem Lindamood made a motion to approve Resolution R-18-4288, and Councilmember Wheat seconded the motion.

The motion to approve carried with the following vote:

Aye: 6 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood and Councilmembers Kathy Wheat, George Dodson, Chuck Kelley and Callie Rigney.

Absent: 1 – Councilmember Tammy Nakamura

EXECUTIVE SESSION READING AND PUBLIC HEARING: RESOLUTION R-18-4288-1

Mayor Newton read Resolution R-18-4288-1 in its entirety.

Mayor Newton stated this resolution is also for right-of-way for the Glade Road project.

Mayor Newton opened the public hearing at 7:42 p.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 7:42 p.m.

Councilmember Wheat made a motion to approve Resolution R-18-4288-1, and Councilmember Dodson seconded the motion.

The motion to approve carried with the following vote:

Aye: 6 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood and Councilmembers Kathy Wheat, George Dodson, Chuck Kelley and Callie Rigney.

Absent: 1 – Councilmember Tammy Nakamura

3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

Announcements of civic and charitable events

Presentation of calendar events and updates

Announcements of awards and recognition

City Manager Jerry Ducay introduced the new Public Works Director Ray Silva-Reyes and the new Community Relations Specialist Erin Spicer. Both gave a brief history of their work careers and thanked the City Council and City Manager for the opportunity.

Mayor Newton stated the Council has adopted a very conservative fiscal policy strategy. It is to keep general fund expenditures the same year over year if possible and to pay off City debt and not borrow any additional funds by paying cash for everything. There is a resolution on this agenda establishing the intent to adopt an effective tax rate for FY2019 which reflects the very conservative fiscal policy. Mayor Newton noted while the Council has reduced the tax rate for the last two years, this proposed tax rate for FY2019 will be an effective tax rate which is extremely hard to do. Mayor Newton stated property values are increasing, which

is good and healthy, but the effective tax rate will offset the eight-percent increase in property value, by taking in the same amount of ad valorem tax revenue collected last year. He commended Council and staff for their work. He said this budget and tax rate reflects what is exceptional about this community and staff. Mayor Newton stated he is receiving requests from other cities to have him discuss with them how they can achieve the same success. He also stated the effective tax rate and this budget still provides for the City to absorb increased health costs and funding of an HRA for employees.

Mayor Newton stated residents will receive a letter from the Mayor in their next water bill which provides an update on the City and noted the timing for providing the update was to coincide with the one year anniversary of City Manager Jerry Ducay's hiring. Mayor Newton stated the theme is exceptionalism and he hopes the public will see this is the same way.

Mayor Pro Tem Lindamood stated the fire department attended training on Down Syndrome and the police department is working on an internal plan for the first days of school. Mayor Pro Tem Lindamood thanked both departments for being proactive.

Mayor Newton stated Police Chief Miller, City Manager Ducay, and Assistant City Manager Lothery met with GCISD Superintendent Dr. Ryan to discuss plans and strategies for school safety and it was a productive meeting. Discussion was centered on three core strategies and he will draft a letter to Dr. Ryan summarizing the meeting which will explain the meeting content and intent.

Councilmember Wheat announced the library reconfiguration project is underway and it is anticipated the project will be completed late October. She noted new technology areas will be added and the plan allows for minimal impact to patrons.

Councilmember Dodson reminded everyone the Farmers Market will be open from 9:00 a.m. to 1:00 p.m. on Saturdays to accommodate the heat.

Councilmember Kelley recognized Matt and Rachel Koch for assisting GRACE with the Feed our Kids program and stated this has become a personal mission for the Kochs, and thanked them for their tireless dedication.

4. CONSENT: READING AND PUBLIC HEARING- RESOLUTION R-18-4289

4a Approval of the minutes of the regular City Council meeting of July 17, 2018

4b Approval of the minutes of the City Council Worksession of July 19, 2018

4c Approval of a janitorial services contract with Oriental Building Services, Inc. in an amount not to exceed \$134,041, and authorizing the City

Manager to execute the contract, subject to the approval of funding in the Fiscal Year 2019 (FY 2019) budget

- 4d** Approval to purchase a 14-passenger shuttle bus in the amount of \$55,922 from Creative Bus Sales, an approved vendor through the HGAC Purchasing Program, and authorizing the City Manager to execute the purchase agreement

Mayor Newton read Resolution R-18-4289 in its entirety.

City Manager Jerry Ducay presented item 4c and reviewed the cost analysis of contractor service versus in-house staff. He also presented item 4d, stating the current van has been in service since 2009.

There were no questions or discussion by City Council and Mayor Newton opened the public hearing at 8:00 p.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 8:00 p.m.

Councilmember Dodson made a motion to approve Resolution R-18-4289, accepting the Mayor's edits to the July 17, 2018 City Council Meeting Minutes, and Councilmember Rigney seconded the motion.

The motion to approve carried with the following vote:

Aye: 6 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood and Councilmembers Kathy Wheat, George Dodson, Chuck Kelley and Callie Rigney.

Absent: 1 – Councilmember Tammy Nakamura

5. ORDINANCE(S): SECOND READING AND PUBLIC HEARING

5a Ordinance O-18-2054

Approval of a third amendment to the regional municipal court judge agreement providing for the reappointment of Sara Jane Del Carmen as the municipal court judge and Tiffany Duong as an associate municipal court judge

Mayor Newton read the caption of Ordinance O-18-2054.

Assistant City Manager Adrienne Lothery presented this item.

Mayor Pro Tem Lindamood stated he serves on the committee which reviews the judge and he feels we are all very fortunate to have her as a judge.

Mayor Newton noted Judge Del Carmen has driven many efficiencies within the court and noted she pays the expenses of the associate judge and other expenses from her salary.

Mayor Newton opened the public hearing at 8:05 p.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 8:05 p.m.

Councilmember Wheat made a motion to approve Ordinance O-18-2054, and Councilmember Kelley seconded the motion.

The motion to approve carried with the following vote:

Aye: 6 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood and Councilmembers Kathy Wheat, George Dodson, Chuck Kelley and Callie Rigney.

Absent: 1 – Councilmember Tammy Nakamura

5b Ordinance O-18-2055

Approval of the Fiscal Year 2019 Colleyville Crime Control and Prevention District budget

Mayor Newton read the caption of Ordinance O-18-2055.

Police Chief Michael Miller presented this item and gave a review of the CCCPD History. There were no changes from the previous briefing, and City Council did not have any questions.

Mayor Newton opened the public hearing at 8:12 p.m. Kathy Hadley, 204 North Timberline, spoke regarding Colleyville having always been a safe community because of the quality of the residents. Mrs. Hadley stated Colleyville residents rise to any occasion, they volunteer, and are always courteous and nice.

There were no others present wishing to speak and Mayor Newton closed the public hearing at 8:14 p.m.

Mayor Newton thanked Mrs. Hadley for her comments and said he believes the greatest strength of the community are the people who live here and they are outstanding citizens.

Councilmember Dodson made a motion to approve Ordinance O-18-2055, and Councilmember Rigney seconded the motion.

The motion to approve carried with the following vote:

Aye: 6 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood and Councilmembers Kathy Wheat, George Dodson, Chuck Kelley and Callie Rigney.

Absent: 1 – Councilmember Tammy Nakamura

6. ORDINANCE(S): FIRST READING AND PUBLIC HEARING

6a Ordinance O-18-2056

Consideration of a zoning change from the R-40 Single Family Residential zoning district and AG Agricultural zoning district to the PUD-R Planned Unit Development-Residential zoning district on Lot 1R1 and 1R2, Block 1, of the Bear Creek Plantation, located at 1312 John McCain Road and 7309 Holly Lane N, Case ZC18-019

The discussion of this item continued four hours and 18 minutes. During this time Mayor Newton recessed the meeting at 9:54 p.m., reconvened at 10:06 p.m., took a vote to continue the meeting beyond midnight at 11:52 p.m., and recessed the meeting Wednesday, August 8, at 12:29 a.m. and reconvened at 12:34 a.m.

Mayor Newton stated this is the first reading therefore, no action will be taken tonight as all ordinances must have two public hearings. He noted the purpose of tonight is to talk a lot about the case, learn about all the information and issues and address them as we move forward. Mayor Newton explained staff will make a presentation, the applicant will provide a briefing and then Council will ask any and all questions, and then he will open the public hearing. This is to allow everyone to hear the information and then be able to discuss it. Mayor Newton said this is a very large zoning request tonight and we will take all the time needed. He stated Bear Creek is an “iconic” place in Colleyville and Mr. Collins is a longtime resident. Mayor Newton stated he is aware there has been a lot of discussion between Mr. Collins and neighbors and he has asked the City Manager to help him record the items which need to be addressed and the intent is to hear everyone and resolve all issues.

Mayor Newton explained this is a planned-unit development residential ordinance, and noted usually there is straight zoning in a category such as R-20, 30, 40, and approval of a plat however, in this case it is a PUD. Mayor Newton stated this PUD is different because a lot of detail is going to be factored into the ordinance, and all concerns, whatever those are, will be built into this ordinance in detail. Mayor Newton stated a plat will be associated with this ordinance, or we will not do it because many of the considerations of the discussions have a lot to do with lot layout and that is what the plat provides for. Mayor Newton stated he was trying to address questions and concerns prior to beginning as he is aware it is very difficult to understand all the questions and concerns.

Mayor Newton read the caption of Ordinance O-18-2056.

Community Development Director Ben Bryner presented this item, giving a complete history of the project and reviewed the super majority requirements. Director Bryner's presentation was approximately 50 minutes in length and very detailed and covered the entire development and the Land Development Code and proposed ordinance requirements.

There was discussion regarding requirements of preliminary plats. The Council also discussed the view of the pond, phasing of the project, the landscape, the development's entry, HOA requirements, flood area, fencing, trees, lot sizes, the development plan, zoning, and the proposal of being a gated community.

Burt Collins, 312 John McCain Road, the applicant, Randy White, 806 Cleburne Court, Southlake, and Curtis Young, of Sage Group Inc., 8003 Jefferson Circle, gave a very detailed presentation, approximately one hour in length, providing a history of the project, meetings and negotiations with neighbors, reviewed the redesigns and recapped the requests of neighbors.

Mayor Newton opened the public hearing at 10:08 p.m. The following citizens provided an opposition presentation and spoke in the order recorded.

Jeff Pistor, 7200 Holly Lane; John Perone, 1216 Holly Lane; Ed Palluth, 1212 Holly Lane; Charles Pearce, 7212 Holly Lane; Donna Kauffman, 1208 John McCain Road; Kara Fleming, 7312 Hix Court; and Bryan Fleming, 7312 Hix Court.

Each speaker had a specific portion of the presentation to discuss and the presentation was provided to City Council. The concerns addressed included: increasing the minimum lot size, adjust lot layout so only one rooftop can be viewed from Holly Lane, provide a larger buffer or screening, incorporate a landscape easement, route drainage and reduce pond detention size, add additional walls and fences, bury utilities, lighting, provide for sewer and water taps, limit road access from Oak Alley to Holly Lane, traffic, and construction work hours.

The following did not wish to speak, but filed a speaker card in opposition: Elise Pistor, 7200 Holly Lane; Susan Perone, 1216 Holly Lane; Joan Palluth, 1212 Holly Lane; Joyce Pearce, 7212 Holly Lane; Kurt Kauffman, 1208 John McCain Road.

Wayne Rigney, 7308 Hix Court, spoke in opposition with concerns for density and consistency.

Natalie Genco, 1104 John McCain Road, spoke in opposition with concerns for density, owners tax rate and property value.

Kathy Hadley, 204 Timberline North spoke in opposition with concerns for density and preserving the larger lots and neighborhoods in Colleyville.

Frank Genco, 1104 John McCain Road, spoke in opposition with concerns for zoning and building lot size.

There were no others wishing to speak and Mayor Newton closed the public hearing at 10:59 p.m.

Rich Deotte, of Deotte Engineering, 420 Johnson Road, Keller, resumed the developer's detailed presentation to discuss drainage and erosion.

There was further discussion regarding zoning changes, the Land Development Code, drainage, street inlets, overflow, fencing, the pond, HOA, entry way, roof pitch, architectural control committee, depth of the well, sales, and marketing.

Mayor Newton stated there were many items to be addressed and he will make a table of all items to discuss with the developer, but provided a short list as follows: use of easement, sewer lines, zoning, wells, viable ponds, lot sizes, HOA covenants and deed restrictions, fencing, access to trails. Mayor Newton also stated the applicant will need to provide a grading plan and elevations.

Mr. Young asked Mayor Newton if his expectation is this information be brought forward at the next meeting. Mayor Newton responded he would encourage everyone to take their time and be thorough before returning for the second public hearing and vote. If necessary this item can be tabled at the next council meeting to provide additional time to complete all documents required.

This was a first reading, therefore City Council did not take any action.

6b WITHDRAWN

Consideration of a zoning change from the AG Agricultural zoning district to the CC-1 Village Retail zoning district and a Special Use Permit (SUP) for Cemeteries or Mausoleums on Tract 2B & 2B02, Abstract 180, in the J L Byas Survey, located at 5713 Colleyville Boulevard, Case ZC18-001 - WITHDRAWN BY APPLICANT - JULY 25, 2018

Mayor Newton stated this item was withdrawn by the applicant on July 25, 2018.

7. TABLED: ORDINANCE(S) READING AND PUBLIC HEARING

7a Ordinance O-18-2053

Consideration of amendments to the Land Development Code, specifically Chapter 1 – General Provisions and Chapter 4 – Landscaping and Buffering

Mayor Newton stated an update was provided to the City Council during the Worksession, however he recommends this item should remain tabled.

8. RESOLUTION(S): READING AND PUBLIC HEARING**8f Resolution R-18-4295**

Approval of a proposal to set the ad valorem tax rate for Fiscal Year 2019 at \$0.3208 per hundred dollars of valuation

Mayor Newton stated he was moving this resolution to the beginning as the hour was late. Mayor Newton read Resolution R-18-4295 in its entirety.

Assistant City Manager Adrienne Lothery presented this item and briefed the City Council and stated the proposed tax rate is the effective tax rate.

Mayor Newton asked Manager Lothery to explain what an effective tax rate is.

Manager Lothery stated an effective tax rate allows the City to collect the same amount of revenue this year as was collected last year on the properties that exist in both years, so it is a proportion. She explained, in this case, the property values have gone up, but the City has reduced the tax rate, so revenue collected in each year is equal.

Mayor Newton asked Manager Lothery if establishing an effective tax rate is easy. She replied it is not and she and the Mayor are not aware of any other cities who have accomplished this so we are very proud of this. Manager Lothery noted the Council identified this as a goal last year so we were able to work to save over \$1 million in a thoughtful, strategic, and organic way.

Mayor Newton asked Manager Lothery to identify some areas of the budget which will be provided for, even with the \$1 million savings. Manager Lothery responded the budget allows for the absorption of health insurance increases, funds a merit pool, HRA plan, covers operating costs and provides \$1.5 million to capital projects.

Mayor Newton noted we are not in austerity mode, we are getting everything done we wanted to do and taking care of employees and he feels the staff and Council have done an outstanding job.

Councilmember Dodson stated this is a great year for sure and everyone is very proud of what this staff has done and reminded everyone two plus years ago the Council adopted utility billing rate changes which have also been successful.

Mayor Newton opened the public hearing at 12:41 a.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 12:42 a.m.

Councilmember Kelley made a motion to approve Resolution R-18-4295 and Mayor Pro Tem Lindamood seconded the motion.

The motion to approve carried with the following vote:

Aye: 6 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood and Councilmembers Kathy Wheat, George Dodson, Chuck Kelley and Callie Rigney.

Absent: 1 – Councilmember Tammy Nakamura

8a Resolution R-18-4290

Appointment of a Contracting Party Representative, Alternate Contracting Party Representative, and Operating Emergency Contact to represent the City of Colleyville at the Trinity River Authority's Tarrant County Water Supply Project Customer City meetings

Mayor Newton read Resolution R-18-4290 in its entirety.

Mayor Newton stated this resolution was self-explanatory and allows for City Council to appoint new staff members Public Works Director Ray Silva-Reyes and Operations Manager Daryl Uptmore, and reappoint CFO Shereen Gendy to the Trinity River Authority's Tarrant County Water Supply Project Customer City meetings.

Mayor Newton opened the public hearing at 12:44 a.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 12:44 a.m.

Councilmember Wheat made a motion to approve Resolution R-18-4290 and Councilmember Dodson seconded the motion.

The motion to approve carried with the following vote:

Aye: 6 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood and Councilmembers Kathy Wheat, George Dodson, Chuck Kelley and Callie Rigney.

Absent: 1 – Councilmember Tammy Nakamura

8b Resolution R-18-4291

Appointment of a Contracting Party Representative, Alternate Contracting Party Representative, and Operating Emergency Contact to the Advisory Committee of the Trinity River Authority's Central Regional Wastewater System

Mayor Newton read Resolution R-18-4291 in its entirety.

Mayor Newton stated this resolution is the partner resolution to the previous. There were no questions and Mayor Newton opened the public hearing at 12:46 a.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 12:46 a.m.

Councilmember Dodson made a motion to approve Resolution R-18-4291 and Councilmember Rigney seconded the motion.

The motion to approve carried with the following vote:

Aye: 6 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood and Councilmembers Kathy Wheat, George Dodson, Chuck Kelley and Callie Rigney.

Absent: 1 – Councilmember Tammy Nakamura

8c Resolution R-18-4292

Consideration of a replat for Lot 21R, Block 2, of the Jewell Estates Addition, located at 1104 Tinker Road, Case PC18-006

Mayor Newton read Resolution R-18-4292 in its entirety.

Community Development Director Ben Bryner presented this item and briefed the City Council.

Councilmember Dodson asked staff if the drive is needed by the residents. Director Bryner responded there are easements in place which require the drive to stay open.

Mayor Newton asked staff if the City has right-of-way. Director Bryner replied yes.

There were no other questions regarding this item and Mayor Newton opened the public hearing at 12:53 a.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 12:53 a.m.

Councilmember Dodson made a motion to approve Resolution R-18-4292 and Councilmember Kelley seconded the motion.

The motion to approve carried with the following vote:

Aye: 6 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood and Councilmembers Kathy Wheat, George Dodson, Chuck Kelley and Callie Rigney.

Absent: 1 – Councilmember Tammy Nakamura

8d Resolution R-18-4293

Consideration of a Minor Plat for Tract 6B03 & 6B3A, Abstract 328, in the Simon Cotrail Survey, located at 1713 Glade Road, Case PC18-007

Mayor Newton read Resolution R-18-4293 in its entirety.

Community Development Director Ben Bryner presented this item and briefed the City Council. There were no questions from City Council and Mayor Newton stated the request made sense.

Mayor Newton opened the public hearing at 12:59 a.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 12:59 a.m.

Councilmember Wheat made a motion to approve Resolution R-18-4293 and Mayor Pro Tem Lindamood seconded the motion.

The motion to approve carried with the following vote:

Aye: 6 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood and Councilmembers Kathy Wheat, George Dodson, Chuck Kelley and Callie Rigney.

Absent: 1 – Councilmember Tammy Nakamura

8e Resolution R-18-4294

Consideration of a final plat for Lots 1, 2, and 3X, Block 1, Old Grove Addition, Phase II, located at 105 and 103 John McCain Road and 7189 Cast Iron Forest Trail, Case PC17-004

Mayor Newton read Resolution R-18-4294 in its entirety.

Community Development Director Ben Bryner presented this item and briefed the City Council.

There was discussion regarding the right-of-way to be abandoned, the trail connection, and open space.

City Manager Ducay asked if there was contention with the homeowner. Director Bryner replied yes, and asked if the applicant could come forward to answer further questions.

Mike Boswell, 2555 SW Grapevine parkway, Suite 100, Grapevine, Director of Land Development for Toll Brothers, the applicant, presented this item and briefed the City Council.

Mayor Newton asked Mr. Boswell why there was a 13 page opposition letter from the Freitag's. Mr. Boswell responded, they are not part of the HOA, but they had built a home on the lot next to the retention facility, but do not want any retention near them.

Mr. Boswell provided the history of working with the residents, and the specific studies and processes which have been considered.

Mr. Boswell provided letters of written response for the record which were provided to Brandon and Elizabeth Battles, 101 John McCain Road, Mark and Jennifer Johnson, 203 Colden Court, and Susan Rau and Dick Freitag, 7105 Cast Iron Forest Trail, which outlined the effect of the request for each of those properties.

Councilmember Wheat asked what the Council is considering. Mr. Boswell responded they are seeking to reduce the size of the retention pond, which has been approved by staff and is a combination of a pipe system, yard inlet, and detention.

There was discussion regarding the depth of the pond, tree preservation, grading, homes which are not part of the HOA, water flow, maintenance, and ownership of the pipe.

Tom Stauch, Toll Brothers, spoke regarding the staff approved plan. Mayor Newton stated there has been too many concerns raised and asked if it would be problematic to postpone a decision until next meeting.

Mr. Boswell noted it can be tabled, but he would like some guidance regarding what is at issue and be directed on the resolution. Mayor Newton said he recommends discussion with staff and he wants the opportunity to address the points in the 13-page opposition letter.

Mayor Newton opened the public hearing at 2:05 a.m. There was no one present wishing to speak and Mayor Newton closed the public hearing at 2:06 a.m.

Councilmember Wheat made a motion to table Resolution R-18-4294 and Councilmember Rigney seconded the motion.

The motion to table carried with the following vote:

Aye: 6 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood and Councilmembers Kathy Wheat, George Dodson, Chuck Kelley and Callie Rigney.

Absent: 1 – Councilmember Tammy Nakamura

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

There was no one present wishing to speak.

10. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR AUGUST 7, 2018 - READING AND PUBLIC HEARING - RESOLUTION R-18-4296

This resolution was not needed.

11. ADJOURNMENT

There being no further business before the City Council, Mayor Newton adjourned the City Council meeting at 2:06 a.m., Wednesday, August 8, 2018.

APPROVED BY A VOTE OF _ AYES, _ NAYS, AND _ ABSTENTIONS ON THIS THE 21ST DAY OF AUGUST 2018.

Minutes taken and prepared by:

*Christine Loven, TRMC
City Secretary*



City of Colleyville City Council Agenda Briefing

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

Agenda Number 4b

Agenda Date 08/21/2018

Number Resolution R-18-4298

Type Resolution

Department Police

Title

Approval to extend an ongoing annual agreement with Autobahn Motor Cars to sponsor the loan of a vehicle to the Colleyville Police Department for the expressed use of the Colleyville Heritage High School Resource Officer

Strategic Plan

5.4 Actively seek public/private partnerships-effective service solutions

Explanation

Reading and Public Hearing

The Colleyville Police Department requests the extension of the attached ongoing agreement with Autobahn Motor Cars that allows the dealership to provide a vehicle to the Colleyville Police Department for the expressed use by the School Resource Officer assigned to Colleyville Heritage High School. The sponsorship program began in 2004 as a way for Autobahn Motor Cars to enter into a community partnership that benefits the City of Colleyville, Colleyville Police Department, and the Grapevine-Colleyville Independent School District. The annual sponsorship of the vehicle begins and ends in conjunction with the Grapevine-Colleyville Independent School District academic calendar year.

The attached agreement allows the Colleyville Police Department the ability to place the Police Department's markings on the vehicle to clearly identify it as a Colleyville Police Department vehicle. In addition, the vehicle will be marked with decals that state "provided by Autobahn Motor Cars". The agreement allows the vehicle to be used at all school related functions, as well as City of Colleyville or Colleyville Police Department sponsored events. Autobahn will retain ownership of the vehicle and Colleyville will provide insurance coverage for the vehicle and a certificate of insurance to Autobahn.

Financial Impact

The Colleyville Police Department is responsible for the fuel, markings, and insurance costs related to the vehicle. All other maintenance related costs will be the responsibility of Autobahn Motor Cars. The City of Colleyville is required to list the vehicle for insurance coverage through Texas Municipal League.

Recommendation

Approve

Attachments

1. Autobahn Loan Agreement Presentation
2. Autobahn-Colleyville 2018 Loan Agreement



Autobahn-Colleyville Loan Vehicle Agreement

Autobahn-Colleyville Loan Vehicle Agreement



- The Sponsorship Program began in 2004
- Autobahn Motor Cars wanted to enter into a community partnership to benefit the City of Colleyville, Colleyville Police Department and the Grapevine-Colleyville School District
- Autobahn donates a vehicle each year to be used by the School Resource Officer assigned to Colleyville Heritage High School
- The Police Department is allowed to place departmental markings on the vehicle
- All other maintenance related costs, with the exception of fuel is the responsibility of Autobahn
- Vehicle is returned to Autobahn at the end of school year

Agreement for Loan Vehicle

Participants:

Autobahn Motor Cars (Autobahn)
and
City of Colleyville, Texas (Colleyville)

Vehicle Make	Volkswagen
Model	2018 Atlas V6 SE
VIN	1V2CR2CA5JC575177
Mileage @ Delivery	10
Value of Vehicle	\$36,860.00

The following details include conditions with which a vehicle is loaned to the City of Colleyville by Autobahn Motor Cars.

- Autobahn agrees to furnish the above vehicle to the City of Colleyville Police Department for the primary use of the Colleyville Heritage High School Resource Officer (SRO).
- Autobahn will retain ownership of the above vehicle and Colleyville will provide insurance coverage for the vehicle and a certificate of insurance to Autobahn.
- Autobahn being the rightful owner of the above vehicle reserves the right to withdraw the loan of the vehicle with four weeks advance notice if this action is necessary. Colleyville reserves the right to return the vehicle prior to the end of the loan agreement with four weeks advanced notice if this action is necessary.
- Colleyville will place decals on the vehicle in order to create the appearance of a Police Unit. All decals will be removed by Colleyville prior to return to Autobahn. The only Police equipment installed in the vehicle will be temporarily added and not require permanent mounting brackets or drilling holes on any part of the vehicle's exterior or interior. In addition to parking the vehicle at the High School on school days, the vehicle will also be used during school sponsored activities and local community functions.
- The vehicle will have two decals indication "provided by Autobahn Motor Cars" with one placed at the top of the windshield with not less than 2" letters and one on the lower part of the rear window with not less than 4" letters.
- The vehicle will be loaned to Colleyville for a term that would include the Colleyville Heritage school year or other term preferred by Autobahn.
- All other maintenance related costs, with the exception of fuel will be the responsibility of Autobahn.

This agreement is entered into on the _____ day of _____, 20____

John Chase, CEO
Autobahn Motor Cars

Richard Newton, Mayor
City of Colleyville



City of Colleyville City Council Agenda Briefing

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

Agenda Number 4c

Agenda Date 08/21/2018

Number Resolution R-18-4298

Type Presentation and Discussion

Department Engineering

Title

Approval of an engineering services agreement with Freese and Nichols, Inc., in an amount not to exceed \$319,754 for the design of the Cheek-Sparger Road Improvements Project, and authorizing the City Manager to execute the agreement

Strategic Plan

3.1 Upgrade the condition of major roads and neighborhood streets

3.4 Thoroughly plan for future capital investments and associated costs

Explanation

Reading and Public Hearing

In September of 2017, City Council approved the 2018 Capital Improvement Program by Resolution R-17-4175, which included the design of the Cheek-Sparger Road Improvements Project. The construction of the improvements are included in the proposed 2019 – 2023 Capital Improvement Plan scheduled for adoption later this year.

The Cheek-Sparger Road reconstruction improvements extend from SH26 to Brown Trail. This project was awarded funding as part of TxDOT's Highway Safety Improvement Program (HSIP) and will therefore follow TxDOT design review with construction administered by TxDOT. Construction costs associated with the project will be allocated based on 90% Federal funding and 10% Local Government funding. The estimated construction cost is \$2,085,395 with the City portion being approximately \$208,540.

Improvements from San Bar Lane to Oakbriar Lane are proposed to consist of full reconstruction and widening of the existing roadway. The new section will be an asphalt roadway and include the addition of shoulders, curbs and gutters, sidewalks, replacement of driveway approaches, striping installation, guardrail replacement, replacement of water and sewer facilities in conflict with construction, and extension or replacement of an existing box culvert.

Improvements from SH26 to San Bar Lane and Oakbriar Lane to Brown Trail will consist of a mill and overlay rehabilitation.

The City recently completed a Request for Qualifications process for professional engineering services. This process resulted in a total of 53 submittals from various professional engineering firms. Based on a review of the 53 submitted Statements of

Qualifications as well as an interview with the firm, staff is recommending the use of Freese and Nichols, Inc., for this project. If approved, Freese and Nichols, Inc. will design the road reconstruction improvements for the reconstruction of Cheek-Sparger Road and prepare the engineering drawings for construction of this project.

The cost breakdown for the design of the Cheek-Sparger Road Improvements Project is as follows:

	COST	TOTAL
Basic Services (Lump Sum)		
Design Phase	\$184,622.00	
Construction Phase	\$20,936.00	
Basic Services Lump Sum Subtotal		\$205,558.00
Special Services (Lump Sum)		
Hydraulic Study	\$22,630.00	
Survey	\$15,922.00	
Environmental	\$34,370.00	
Geotechnical	\$23,108.00	
TDLR Registration, Review & Inspection	\$2,300.00	
Special Services Lump Sum Subtotal	\$98,330.00	
Special Services (Not-to-Exceed)		
Public Involvement	\$15,866.00	
Special Services Not-to-Exceed Subtotal	\$15,866.00	
Total Special Services		\$114,196.00
Overall Fee		\$319,754.00

Financial Impact

Funding for the professional services agreement for the Cheek-Sparger Road Reconstruction project is available in the Tax Increment Financing District.

Form 1295 - Acknowledged by City

Recommendation

Approve

Attachments

1. Presentation
2. Professional Services Agreement
3. Resolution R-17-4175
4. CIQ Form
5. Form 1295

Cheek-Sparger Road (San Bar Lane to Oakbriar Lane) Presentation and Discussion

City Council
August 21, 2018

4c. Cheek-Sparger (San Bar to Oakbriar)



This item seeks approval of an engineering services agreement with Freese and Nichols, Inc., in an amount not to exceed \$319,754 for the design of the Cheek-Sparger Road Improvements Project, and authorizing the city manager to execute the agreement



4c. Cheek-Sparger (San Bar to Oakbriar)



Looking east at San Bar



Looking west at Oakbriar



Facing west at curve



4c. Cheek-Sparger (San Bar to Oakbriar)

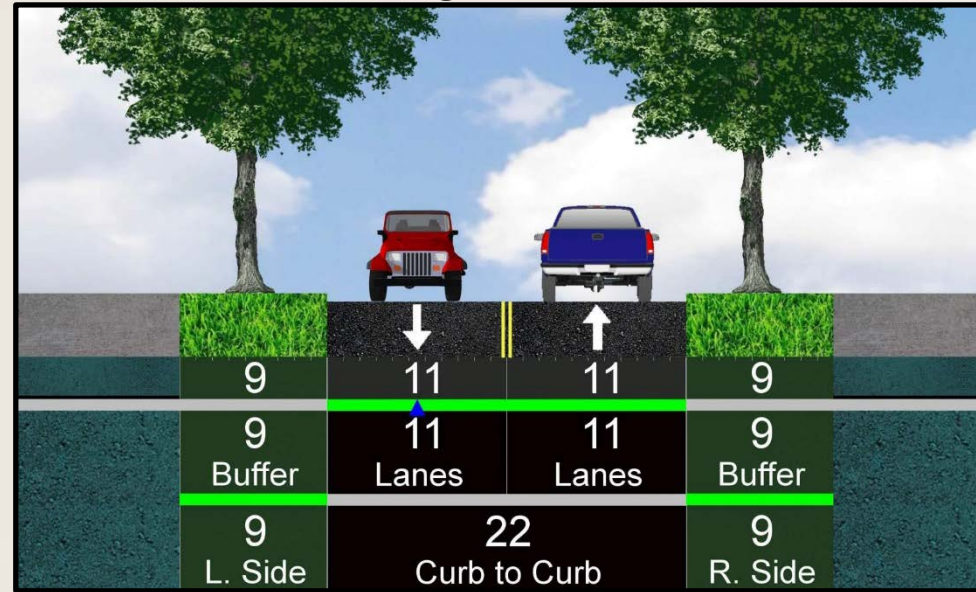


Project Information

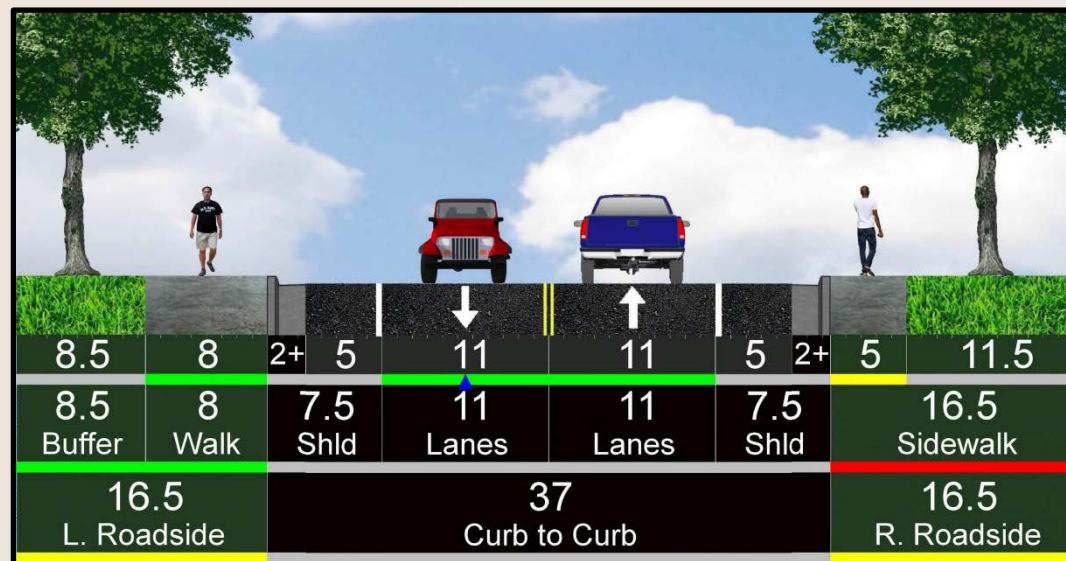
- Full reconstruction and widening of Cheek-Sparger from San Bar to Oakbriar Lane
- Awarded funding based upon a grant application for TxDOT's Highway Safety Improvement Program (HSIP)
- Design to begin fall 2018
- Construction in 2019
- HSIP requires TxDOT design review and construction administration
- Certain improvements required as condition of the grant (shoulders, curb and gutter, guardrail replacement, etc.)

4c. Cheek-Sparger (San Bar to Oakbriar)

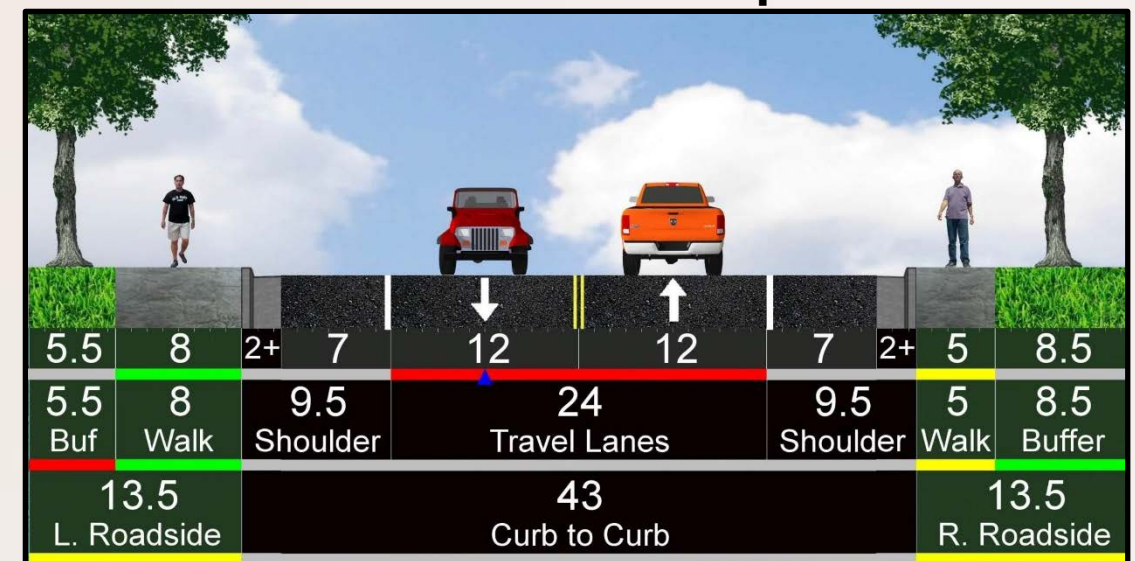
Existing Conditions



HSIP Minimum Section



HSIP Proposed Section



4c. Cheek-Sparger (San Bar to Oakbriar)



Costs – Design 100 % Local Participation

- Staff worked with Freese and Nichols to reduce design cost below \$320,000 (originally \$485,000)

	COST	TOTAL
Basic Services (Lump Sum)		
Design Phase	\$184,622.00	
Construction Phase	\$20,936.00	
Basic Services Lump Sum Subtotal		\$205,558.00
Special Services (Lump Sum)		
Hydraulic Study	\$22,630.00	
Survey	\$15,922.00	
Environmental	\$34,370.00	
Geotechnical	\$23,108.00	
TDLR Registration, Review & Inspection	\$2,300.00	
Special Services Lump Sum Subtotal	\$98,330.00	
Special Services (Not-to-Exceed)		
Public Involvement	\$15,866.00	
Special Services Not-to-Exceed Subtotal	\$15,866.00	
Total Special Services		\$114,196.00
Overall Fee		\$319,754.00

4c. Cheek-Sparger (San Bar to Oakbriar)



HSIP funding is 90% Federal and
10% Local Participation for Construction

	Federal Participation	*State Participation	Local Participation
Construction 90/10 \$2,085,395 (estimate)	\$1,876,855		\$208,540
Design			\$319,754
Other items (estimate)		\$334,666	\$35,000
TOTAL	\$1,876,855	\$334,666	\$563,294

*State participation costs were originally assigned to Local Participation until staff inquired and TxDOT realized the error

Questions and Discussion

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B. To the extent reasonably necessary for Professional to perform the services under this Agreement, Professional shall be authorized to engage the services of any agents, assistants, persons, or corporations that Professional may deem proper to aid or assist in the performance of

the services under this Agreement with the prior written approval of City. The cost of such personnel and assistance shall be a reimbursable expense to Professional only if authorized in writing in advance by City.

C. Professional shall furnish and pay for all labor, tools, materials, equipment, supplies, transportation and management necessary to perform all services set forth in the Scope of Services.

Section 4. Payment

A. City agrees to pay Professional for all services authorized in writing and properly performed by Professional in accordance with the Payment Schedule set forth in Exhibit "B," attached hereto and incorporated herein by reference, subject to additions or deletions for changes or extras agreed upon in writing. All fees paid to Professional, by City, shall be based on invoices submitted by Professional for work performed monthly by City, less any previous payments, and shall be paid within 30 days of receipt of invoice by City.

B. City reserves the right to delay, without penalty, any partial payment when, in the opinion of City, Professional has not made satisfactory progress on the design of this Project based on the Scope of Services.

C. The total fee for Professional's services in connection with the Project shall be as specified in Exhibit "A", which shall not exceed \$319,754.00. City may deduct from any amounts due or to become due to Professional any sum or sums owing by Professional to City. In the event of any breach by Professional of any provision or obligation of this Agreement, or in the event of the assertion by other parties of any claim or lien against City, or City's premises, arising out of Professional's performance of this Agreement, City shall have the right to retain out of any payments due or to become due to Professional an amount sufficient to completely protect City from any and all loss, damage or expense therefrom, until the breach, claim or lien has been satisfactorily remedied or adjusted by Professional.

Section 5. Responsibilities

A. Professional shall be responsible for the professional quality, technical accuracy, and the coordination of all designs, drawings, specifications, plans and other services furnished by Professional under this Agreement. Professional shall, without additional compensation, correct or revise any errors or deficiencies in the design, drawings, specifications, plans and other services.

B. Neither City's review, approval or acceptance of, nor payment for any of the services required under this Agreement, shall be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement, and Professional shall be and remain liable to City in accordance with applicable law for all damages to City caused by Professional's negligent performance of any of the services furnished under this Agreement.

C. The rights and remedies of City under this Agreement are as provided by law.

Section 6. Time for Performance

A. Professional shall perform all services as provided for under this Agreement in a proper, efficient, timely, and professional manner in accordance with City's requirements.

B. In the event Professional's performance of this Agreement is delayed or interfered with by acts of the City or others, Professional may request an extension of time for the performance of same as hereinafter provided, Professional shall not be entitled to any increase in fee or price, or to damages or additional compensation as a consequence of such delays.

C. No allowance of any extension of time, for any cause whatever, shall be claimed or made to Professional, unless Professional shall have made written request upon City for such extension within forty-eight (48) hours after the cause for such extension occurred, and unless City and Professional have agreed in writing upon the allowance of additional time to be made.

Section 7. Documents

A. All surveys, studies, proposals, applications, drawings, plans, specifications and other documents, including those in electronic form, prepared by Professional and its consultants, subcontractors, agents, representatives, and/or employees in connection with this Agreement ("Project Documents") are intended for the use and benefit of City. Professional and its consultants, subcontractors, agents, representatives, and/or employees shall be deemed the authors of their respective part of the Project Documents. Notwithstanding, upon payment by City as required by this Agreement, City shall own, have, keep and retain all rights, title and interest in and to all Project Documents, including all ownership, common law, statutory, and other reserved rights, including copyrights (except copyrights held by the Professional) in and to all Project Documents, whether in draft form or final form, which are produced at City's request and in furtherance of this Agreement. City shall have full authority to authorize contractor(s), subcontractors, sub-subcontractors, City consultants, and material or equipment suppliers to reproduce applicable portions of the Project Documents to and for use in their execution of the work or for any other purpose. All materials and reports prepared by Professional in connection with this Agreement are "works for hire" and shall be the property of City upon payment of Professional as provided in this Agreement. City shall have the right to publish, disclose, distribute and otherwise use Project Documents in accordance with the Engineering Practice Act of the State of Texas (Texas Occupation Code, Chapter 1001, as amended) and/or Texas Occupations Code, Chapter 1051, as amended. Professional shall, upon completion of the services and full payment for Professional's services by the City, or earlier termination and appropriate compensation as provided by this Agreement, provide City with reproductions of all materials, reports, and exhibits prepared by Professional pursuant to this Agreement in a TIFF, JPEG or PDF format, and a DXF format in current version of AutoCAD with NAD-83 coordinate format of all such instruments of service to the City.

B. All instruments of service (including plans, specifications, drawings, reports, designs, computations, computer programs, estimates, surveys, other data or work items, etc.) prepared under this Agreement shall be submitted for approval of City. All instruments of service shall be professionally sealed as may be required by law or by City.

C. Acceptance and approval of the Project Documents by City shall not constitute nor be deemed a release of the responsibility and liability of Professional, its employees, associates, agents and consultants for the accuracy or competency of their designs, working drawings and specifications, or other documents and work; nor shall such approval be deemed to be an assumption of such responsibility by City for any defect in the designs, working drawings and specifications, or other documents prepared by Professional, its employees, contractor, agents and consultants

Section 8. Termination

A. City may suspend or terminate this Agreement for cause or without cause at any time by giving written notice to Professional. In the event suspension or termination is without cause, payment to Professional, in accordance with the terms of this Agreement, will be made on the basis of services reasonably determined by City to be satisfactorily performed to the date of suspension or termination. Such payment will be due upon delivery of all instruments of service to City.

B. Should City require a modification of this Agreement with Professional, and in the event City and Professional fail to agree upon a modification to this Agreement, City shall have the option of terminating this Agreement and Professional's services hereunder at no additional cost other than the payment to Professional, in accordance with the terms of this Agreement, for the services reasonably determined by City to be properly performed by Professional prior to such termination date.

C. Termination for Force Majeure. To the extent either Party of this agreement shall be wholly or partially prevented from the performance of the term specified, or of any obligation or duty placed on such party by reason of or through work strikes, stoppage of labor, riot, fire, flood, acts of war, insurrection, court judgment, act of God, or other specific cause reasonably beyond the parties control and not attributable to its malfeasance, neglect or nonfeasance. In such event, the time for performance of such obligation or duty shall be suspended until such disability to perform is removed.

Section 9. Insurance

A. Professional shall during the term hereof maintain in full force and effect the following insurance:

- (i) A commercial general liability policy of insurance for bodily injury, death and property damage insuring against all claims, demands or actions relating to the Professional's performance of services pursuant to this Agreement with a minimum combined single limit of not less than \$1,000,000.00 per occurrence for injury to persons (including death), and for property damage;
- (ii) An automobile liability insurance policy covering any vehicles owned and/or operated by Professional, its officers, agents, and employees, and used in the performance of this Agreement with policy limits of not less than \$500,000.00

combined single limit and aggregate for bodily injury and property damage;

- (iii) Statutory Worker's Compensation Insurance at the statutory limits and Employers' Liability covering all of Professional's employees involved in the provision of services under this Agreement with policy limit of not less than \$500,000.00; and
- (iv) Professional Liability covering negligent acts, errors and omissions in the performance of professional services with policy limit of not less than \$1,000,000.00 per claim and \$1,000,000.00 in the aggregate.

B. All insurance and certificate(s) of insurance shall contain the following provisions:

- (i) Name the City, its officers, and employees as additional insureds as to all applicable coverage (not including the Workers Compensation Insurance and Professional Liability);
- (ii) Provide for at least thirty (30) days prior written notice to the City for cancellation or non-renewal of the insurance or reduction in coverage limits; and
- (iii) Provide for a waiver of subrogation against the City for injuries, including death, property damage, or any other loss to the extent the same is covered by the proceeds of insurance (not including the Professional Liability Insurance).

C. All insurance companies providing the required insurance shall be authorized to transact business in Texas and rated at least "A" by AM Best or other equivalent rating service.

D. A certificate of insurance evidencing the required insurance and all endorsements shall be delivered to City prior to commencement of services

Section 12. Indemnification

CITY SHALL NOT BE LIABLE FOR ANY LOSS, DAMAGE, OR INJURY OF ANY KIND OR CHARACTER TO ANY PERSON OR PROPERTY ARISING FROM THE SERVICES OF PROFESSIONAL PURSUANT TO THIS AGREEMENT. PROFESSIONAL HEREBY WAIVES ALL CLAIMS AGAINST CITY, ITS OFFICERS, AGENTS AND EMPLOYEES (COLLECTIVELY REFERRED TO IN THIS SECTION AS "CITY INDEMNITEES") FOR DAMAGE TO ANY PROPERTY OR INJURY TO, OR DEATH OF, ANY PERSON ARISING AT ANY TIME AND FROM ANY CAUSE OTHER THAN THE NEGLIGENCE OR WILLFUL MISCONDUCT OF THE CITY INDEMNITEES. PROFESSIONAL AGREES TO INDEMNIFY AND SAVE HARMLESS THE CITY INDEMNITEES FROM AND AGAINST ANY AND ALL LIABILITIES, DAMAGES, CLAIMS, SUITS, COSTS (INCLUDING COURT COSTS, REASONABLE ATTORNEYS' FEES AND COSTS OF INVESTIGATION) AND ACTIONS OF ANY KIND BY REASON OF INJURY TO OR DEATH OF ANY PERSON OR DAMAGE TO OR LOSS OF PROPERTY TO THE EXTENT CAUSED BY THE NEGLIGENT PERFORMANCE OF SERVICES UNDER THIS AGREEMENT OR BY REASON OF ANY NEGLIGENT ACT OR OMISSION ON THE PART OF PROFESSIONAL, ITS OFFICERS,

DIRECTORS, SERVANTS, EMPLOYEES, REPRESENTATIVES, CONSULTANTS, LICENSEES, SUCCESSORS OR PERMITTED ASSIGNS (EXCEPT WHEN SUCH LIABILITY, CLAIMS, SUITS, COSTS, INJURIES, DEATHS OR DAMAGES ARISE FROM OR ARE ATTRIBUTED TO NEGLIGENCE OF A CITY INDEMNITEE, IN WHOLE OR IN PART, IN WHICH CASE PROFESSIONAL SHALL INDEMNIFY THE CITY INDEMNITEE ONLY TO THE EXTENT OR PROPORTION OF NEGLIGENCE ATTRIBUTED TO PROFESSIONAL, ITS OFFICERS, AGENTS, OR EMPLOYEES AS DETERMINED BY A COURT OR OTHER FORUM OF COMPETENT JURISDICTION). PROFESSIONAL'S OBLIGATIONS UNDER THIS SECTION SHALL NOT BE LIMITED TO THE LIMITS OF COVERAGE OF INSURANCE MAINTAINED OR REQUIRED TO BE MAINTAINED BY PROFESSIONAL UNDER THIS AGREEMENT. THIS PROVISION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.

Section 13. Assignment

Professional shall not assign or sublet this Agreement, or any part thereof, without the prior written consent of City.

Section 14. Applicable Laws

Professional shall comply with all Federal, State, County and Municipal laws, ordinances, regulations, safety orders, resolutions and building codes relating or applicable to services to be performed under this Agreement. The laws of the State of Texas shall govern this Agreement; and venue for any action concerning this Agreement shall be in the State District Court of Denton County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of said court.

Section 15. Default of Professional

In the event, Professional fails to comply or becomes disabled and unable to comply with the provisions of this Agreement as to the quality or character of the service or time of performance, and the failure is not corrected within ten (10) days after written notice by City to Professional, City may, at its sole discretion without prejudice to any other right or remedy:

A. Terminate this Agreement and be relieved of the payment of any further consideration to Professional except for all work determined by City to be satisfactorily completed prior to termination. Payment for work satisfactorily completed shall be for actual costs, including reasonable salaries and travel expenses of Professional to and from meetings called by City at which Professional is required to attend, but shall not include any loss of profit of Professional. In the event of such termination, City may proceed to complete the services in any manner deemed proper by City, either by the use of its own forces or by re-subletting to others.

B. City may, without terminating this Agreement or taking over the services, furnish the necessary materials, equipment, supplies and/or help necessary to remedy the situation, at the expense of Professional.

Section 16. Adjustments in Services

No claims for extra services, additional services or changes in the services will be made by Professional without a written agreement with City prior to the performance of such services.

Section 17. Execution becomes Effective

This Agreement will be effective on the date when signed by authorized representatives of Professional and City ("the Effective Date").

Section 18. Agreement Amendments

This Agreement contains the entire understanding of the Parties with respect to the subject matter hereof and there are no oral understandings, statements or stipulations bearing upon the meaning or effect of this Agreement which have not been incorporated herein. This Agreement may only be modified, amended, supplemented or waived by a written instrument executed by the Parties except as may be otherwise provided therein.

Section 19. Severability

In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

Section 20. Independent Contractor

It is understood and agreed by and between the Parties that Professional in satisfying the conditions of this Agreement, is acting independently, and that City assumes no responsibility or liabilities to any third party in connection with Professional's actions. All services to be performed by Professional pursuant to this Agreement shall be in the capacity of an independent contractor, and not as an agent or employee of City. Professional shall supervise the performance of its services and shall be entitled to control the manner and means by which its services are to be performed, subject to the terms of this Agreement. There is no intended third party beneficiary to this Agreement.

Section 21. Right-Of-Access

City will obtain and/or furnish right-of-access on any project site for Professional to perform any required studies, surveys, tests or other necessary investigations in relation to the Scope of Services. Professional will take reasonable precautions to minimize damage to the personal or real property in the performance of such surveys, tests, studies and investigations.

Section 22. Notice

Any notice required or permitted to be delivered hereunder may be sent by first class mail, overnight courier or by confirmed telefax or facsimile to the address specified below, or to such

other party or address as either party may designate in writing, and shall be deemed received three (3) days after delivery set forth herein:

If to City: City Manager
City of Colleyville
100 Main Street
Colleyville, Texas 76034

With copy to: Whitt L. Wyatt
Nichols, Jackson, Dillard, Hager & Smith, L.L.P.
500 North Akard, Suite 1800
Dallas, Texas 75201

If to Professional: Chris Bosco, PE
4055 International Plaza, Ste 200
Fort Worth, TX 76109

Section 23. Counterparts

This Agreement may be executed by the Parties in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one and the same instrument. Each counterpart may consist of any number of copies hereof each signed by less than all, but together signed by all of the Parties.

Section 24. Exhibits

The exhibits attached hereto are incorporated herein and made a part hereof for all purposes.

Section 25. Survival of Obligations.

Any of the representations and obligations of the Parties, as well as any rights and benefits of the Parties pertaining to a period of time following the termination of this Agreement shall survive termination.

Section 26. Authorization

Each Party represents that it has full capacity and authority to grant all rights and assume all obligations granted and assumed under this Agreement.

Section 27. Successors and Assigns

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

Section 28. Recitals

The recitals to this Agreement are incorporated herein.

Section 29. Audits and Records

Professional agrees that during the term hereof the City and its representatives may, during normal business hours and as often as deemed necessary, inspect, audit, examine and reproduce any and all of Professional's records relating to the services provided pursuant to this Agreement for a period of one year following the date of completion of services as determined by the City or date of termination if sooner.

Section 30. Conflicts of Interests

Professional represents that no official or employee of the City has any direct or indirect pecuniary interest in this Agreement.

Section 31. Hazardous Materials

Professional shall report the presence and location of any hazardous materials it notices or which an engineer of similar skill and experience should have noticed to the City.

(Signature page to follow)

EXECUTED in duplicate originals this the _____ day of _____, 2018.

CITY OF COLLEYVILLE, TEXAS

By:

Jerry Ducay, City Manager

ATTEST:

Christine Loven, City Secretary

APPROVED AS TO FORM:

Whitt L. Wyatt, City Attorney
(8-14-18:87934)

EXECUTED in duplicate originals this the _____ day of _____, 2018.

Freese and Nichols, Inc.

By:

Name:

Title:

APPROVED by resolution _____ this _____ day of _____, 2018.

EXHIBIT "A"
SCOPE OF SERVICES

Exhibit A
To the City of Colleyville and Freese and Nichols, Inc.
Professional Services Agreement
Scope of Services

ARTICLE I

PROJECT UNDERSTANDING:

The City of Colleyville intends to perform improvements to Cheek-Sparger Road from San Bar Lane to Oak Briar Lane. This project was awarded funding as part of TxDOT's Highway Safety Improvement Program (HSIP) and will therefore follow TxDOT design review and will have construction administered by TxDOT. Improvements are proposed to consist of full reconstruction and widening of the existing roadway. The new section will be an asphalt roadway and include addition of shoulders and curb and gutter, replacement of driveway approaches, striping installation, guardrail replacement, replacement of water and sewer facilities in conflict with construction, and extension or replacement of existing box culvert. Right-of-way purchase is not anticipated for this widening section based on platting information available. During this construction, temporary pavement will be installed to provide two-way traffic for most of the duration.

BASIC SERVICES: Professional shall render the following professional services in connection with the development of the Project:

A. DESIGN PHASE: Professional shall provide professional services in this phase as follows:

1. General

a. Project administration

- i. Provide monthly status reports during design along with invoice describing services performed during the billing period. During design, this is the only documentation necessary for funding reimbursement. As construction will be administered by TxDOT, no contractor documentation will be required during construction phase. Status reports during construction will only be submitted with an invoice.
- ii. In addition to communication with City regarding the project, Professional will be in direct communication with TxDOT (Copying city on e-mails) regarding TxDOT required submittals and protocols.
- iii. Attend design kickoff meetings with City and TxDOT.
- iv. Progress meetings will be held at the conceptual and 30% submittal. Meetings at 60, 90 and Final may also be held at City and/or TxDOT's request.
- v. Up to an additional four (4) other general design coordination meetings as required are included in this Scope of Services.

b. Data collection

- i. Obtain as-built drawings from City regarding existing roadway and utility features.
- ii. Attend preliminary site visit to review project site elements and constraints

c. Prepare concept layout to show anticipated alignment with tree impacts. City will review and provide direction prior to proceeding onto 30% design. Any alignment/layout changes beyond this point may be considered additional services.

d. Prepare drawing review submittals at 30%, 60%, 90% and Final drawings. Interim design submittals shall generally include:

- i. 30% - plan layout of required elements and preliminary roadway profile, preliminary traffic control phasing, and listing of standard details.
 - ii. 60% - All major plan and profile elements and traffic control plans, inclusion of standard details.
 - iii. 90% - inclusion of detailed design elements and project specific details.
 - e. Furnish City, when requested, the engineering data necessary for applications for routine permits required by local, state and federal authorities. Preparation of applications and supporting documents for government grants or for planning advances is an Additional Service.
 - f. Submit drawings, specifications, and Construction Contract Documents to the applicable federal and state agency(s) for approval, where required.
 - g. Furnish such information necessary to utility companies whose facilities may be affected, or services may be required for the Project. Attend up to 12 coordination meetings with the utility companies as requested by the City.
 - h. Prepare revised opinion of probable construction cost.
 - i. Prepare project quantities following TxDOT standard specifications of the improvements to be constructed. Prepare special specifications for City utility items. Bid proposal manual will be prepared by TxDOT as required by HSIP program.
 - j. Furnish City one (1) 22x34 set of drawings and .pdf copy marked "Preliminary" for approval by City at each interim submittal. Upon final approval by City, Professional will provide City a .pdf copy of "Final" drawings.
2. Roadway Design
- a. Prepare design plans in accordance with TxDOT standards to include the following elements:
 - i. Cover sheet
 - ii. Index of sheets
 - iii. General Notes
 - iv. Typical Sections
 - v. Construction Phase Narrative
 - vi. Traffic Control Plan (assumed that existing traffic signals will be operational during construction without requiring plan adjustment)
 - vii. Horizontal Alignment Data
 - viii. Removal Layout
 - ix. Paving Plan Layout
 - x. Roadway plan and profile sheets
 - xi. Intersection grading layouts (if required)
 - xii. Driveway profiles
 - xiii. Minor retaining walls ("minor" is defined as walls meeting TxDOT and manufacturer guideline which do not require global stability analysis)
 - xiv. Drainage Area Map
 - xv. Hydraulic/Hydrologic calculations for street system and cross culvert
 - xvi. Storm drain plan and profile layout
 - xvii. 1 cross-culvert extension or replacement plan and profile layout
 - xviii. Existing Utility Layout (plan view layout only, subsurface utility exploration not included)

- xix. Proposed Utility Layout to include:
 - a) Plan layout in-kind replacement of existing waterlines within paving limits under 8" diameter and appurtenance grade adjustments (if required).
 - b) Conduit and foundation layout for street lighting (this scope assumes that City will be responsible for coordinating service and installation of poles and fixtures with local electric provider under a separate agreement)
 - c) Special specification to be prepared to supplement TxDOT standards for roadway construction with City of Colleyville standards for utility construction. (no other special specifications are anticipated with this scope)
 - xx. Pavement marking layout (assumes existing signage layout does not require modification)
 - xxi. Erosion control plan sheet preparation
 - xxii. Minor landscaping/hardscaping elements to include shrubs, grasses, benches, and/or other readily available products not requiring a project specific design near the new sidewalk or adjacent to the roadway (if requested by City)
 - xxiii. TxDOT standard details to be used exclusively (project specific details may be an additional service)
 - xxiv. Cross Sections (provide as not for construction data per TxDOT typical protocol)
- B. BID OR NEGOTIATION PHASE. Upon completion of the design services and approval of "Final" drawings and specifications by City and TxDOT, Professional will proceed with the performance of services in this phase as follows:
1. Assist City and TxDOT by responding to questions and interpreting bid documents. Prepare addenda to the bid documents if necessary.
 2. At City request, Professional will assist in the opening, tabulating, and analyzing the bids received. Review the qualification information provided by the apparent low bidder to determine if, based on the information available, they appear to be qualified to construct the project. Recommend award of contracts or other actions as appropriate.
 3. Assist the City and TxDOT by attending a pre-bid conference for the construction projects and coordinating responses with City and TxDOT. Response to the pre-bid conference will be in the form of addenda issued after the conference.
- C. CONSTRUCTION PHASE: Upon completion of the bid or negotiation phase services, Professional will proceed with the performance of construction phase services as described below. Professional will endeavor to protect City in providing these services however, it is understood that Professional does not guarantee the Contractor's performance, nor is Professional responsible for supervision of the Contractor's operation and employees. Professional shall not be responsible for the means, methods, techniques, sequences or procedures of construction selected by the Contractor, or any safety precautions and programs relating in any way to the condition of the premises, the work of the Contractor or any Subcontractor. Professional shall not be responsible for the acts or omissions of any person (except its own employees or agents) at the Project site or otherwise performing any of the work of the Project.

These services are based on the use of Professional's standard General Conditions for construction projects. Modifications to these services required by use of other general conditions or contract administration procedures are an additional service. If general conditions other than Professional standards are used, the City agrees to include provisions in the construction contract documents that will require the construction contractor to include Professional and their subconsultants on this project to be listed as an additional insured on contractor's insurance policies.

The construction of this Project is assumed to last approximately 12 months and to be TxDOT lead and administered. Professional will provide support to City and TxDOT as appropriate but TxDOT will take the primary construction administration role on this project.

1. Assist City and TxDOT by attending a pre-construction conference(s) with the Contractor(s), review construction schedules prepared by the Contractor(s) pursuant to the requirements of the construction contract and prepare a proposed estimate of monthly cash requirements of the Project from information provided by the Construction Contractor.
2. Make up to twelve (12) visits appropriate to the stage of construction to the site at up to a weekly basis (as distinguished from the continuous services of a Resident Project Representative) to observe the progress and the quality of work and to attempt to determine in general if the work is proceeding in accordance with the Construction Contract Documents. These visits also include regular progress meetings at the frequency as identified by TxDOT. In this effort Professional will endeavor to protect the City against defects and deficiencies in the work of Contractors and will report any observed deficiencies to City. Visits to the site in excess of the specified number are an additional service.
3. Notify TxDOT of contractor's non-conforming work observed on site visits. Review quality related documents provided by the contractor such as test reports or other documentation required by the Construction contract documents.
4. Interpret the drawings and specifications for City, TxDOT and Contractor(s). Investigations, analyses, and studies requested by the Contractor(s) and approved by City, for substitutions of equipment and/or materials or deviations from the drawings and specifications is an additional service.
5. If requested, assist TxDOT in negotiations with the contractor on behalf of the City to determine the cost and time impacts of these changes. Review change order documentation for approved changes for execution by the City. Documentation of field orders, where cost to City is not impacted, will also be prepared. Investigations, analyses, studies or design for substitutions of equipment or materials, corrections of defective or deficient work of the contractor or other deviations from the construction contract documents requested by the contractor and approved by the City are an additional service. Substitutions of materials or equipment or design modifications requested by the City are an additional service.
6. Receive and evaluate notices of contractor claims and make recommendations to the City on the merit and value of the claim on the basis of information submitted by the contractor or available in project documentation. Endeavor to negotiate a settlement value with the Contractor on behalf of the City if appropriate. Providing these services to review or evaluate construction contractor(s) claim(s), supported by causes not within the control of Professional are an additional service.
7. Conduct, in company with City's representative, a final review of the Project for conformance with the design concept of the Project and general compliance with the Construction Contract Documents. Prepare a list of deficiencies to be corrected by the contractor before recommendation of final payment. Assist the City in obtaining legal releases, permits, warranties, spare parts, and keys from the contractor. Review and comment on the certificate of completion and the recommendation for final payment to the Contractor(s). Visiting the site to review completed work in excess of two trips are an additional service.
8. Revise the construction drawings in accordance with the information furnished by construction Contractor(s) reflecting changes in the Project made during construction. One (1) PDF of "Record Drawings" shall be provided by Professional to City.

SPECIAL SERVICES: Professional shall render the following professional services in connection with the development of the Project:

A. HYDRAULIC STUDY OF UNNAMED TRIBUTARY TO LITTLE BEAR CREEK

FNI will create a hydrologic and hydraulic drainage model of the unnamed tributary crossing Cheek-Sparger Road within the project limits. The purpose of the model is to size cross drainage improvements utilizing the City's criteria. The model limits are from just upstream of SH-26 to just upstream of Cheek-Sparger Road.

1. Data Collection
 - a. Collect LIDAR data from TNRIS for use to model the topography outside of the surveyed areas.
2. Existing Conditions Model
 - a. Delineate contributing drainage areas based on City provided topography.
 - b. Develop hydrology parameters based on existing and developed land use conditions using City criteria and the iSWM Technical Manual. The SCS Curve Number and SCS Unit Hydrograph methods will be used unless otherwise agreed upon. Drainage areas will be routed by lag method.
 - c. Develop synthetic rainfall for the 2-, 5-, 10-, 25-, 50-, and 100-year events.
 - d. Develop a digital elevation model of the study area comprised of LIDAR and the design survey.
 - e. Delineate hydraulic cross sections through the model limits
 - f. Develop an existing conditions HEC-RAS model for the study area based on typical engineering practices and the iSWM Technical Manual..
3. Proposed Conditions Model
 - a. Develop a model scenario with the proposed road project.
 - b. Determine a proposed crossing to meet design criteria. The expected criteria is to pass a 100-year fully developed event and cause no increase in water surface elevations for the 100-year existing conditions discharge.
4. Technical Report
 - a. Prepare technical report documenting the methodology and results of the analysis. The report will be in a format appropriate for submittal to TXDOT to satisfy hydraulic review requirements.
 - b. The report will include numerical model results and exhibits demonstrating discharge rates and inundation areas along the length of the modelled area.
 - c. Two (2) copies of the final report will be furnished

B. Survey

1. Professional (or its designee for all survey items) shall establish project control at 500-foot intervals throughout the project area using Global Positioning System (GPS) methodology. Horizontal values will be based on the Texas State Plane Coordinate System, North American Datum of 1983, CORS96, North Central Zone (4202) and scaled to surface by using the surface adjustment factor for the Texas Department of Transportation (TxDOT) - Fort Worth District (1.00012). The vertical values will be established by a closed level circuit and tied into the City of Colleyville benchmark system and TxDOT control monuments.
2. Research current property owners and obtain copies of subdivision plats, ownership deeds, and existing easements within the project area.
3. Locate existing property corners and right-of-way comers to establish property lines and street rights-of-way.
4. Design survey of 90-foot width, centered on the proposed alignment, of Cheek Sparger Road from San Bar Lane to approximately 100 feet east of Oakbriar Lane (2,130 linear feet). The design survey will include pavement edges, curb and gutter, driveways, culverts fences and gates, signs, mailboxes, tops and toes

of slopes, spot elevations, trees six (6) inches and greater, surface locations of utilities and flowline elevations of sanitary and storm sewer manholes where accessible, and other surface features.

5. Survey the locations of curb and gutter, and pavement from San Bar Lane to State Highway 26 (Colleyville Boulevard) and from 100 feet east of Oakbriar Lane to Brown Trail.

C. Environmental

1. Technical Reports and Scoping Documents

Professional (or its designee for all environmental scope items) will prepare a *Draft Scope Development Tool* and *Preliminary Scoping for CEs Worksheet* in accordance with the TxDOT Fort Worth District guidelines and policy. TxDOT's Scoping Development Tool would be completed to determine which technical reports would be required for the proposed project.

Environmental technical reports shall include appropriate National Environmental Policy Act (NEPA) or federal regulatory language in addition to the purpose and methodology used in delivering the service. Technical reports shall include sufficient information to determine the significance of impacts and are listed below. A technical report shall be prepared to address:

1. Historic Resources Project Coordination Request
2. Archeology Resources Background Study
3. Biological Resources Evaluation Form and Tier I Site Assessment Form
4. Water Resources / 303 (d) Waters Table
5. Hazardous Materials Initial Site Assessment

Technical Report Assumptions:

This scope assumes the following:

- The proposed project may be Environmentally Cleared as a C-list or D-list Categorical Exclusion. If the project is elevated to an Environmental Assessment (EA) an additional scope and fee may be required.
- The proposed project would not include more than a minor amount of new right-of-way (not to exceed more than 6 acres per linear mile, or 30 acres (whichever is greater) within the project limits).
- The proposed project would have impacts to waters of the U.S. (unnamed tributary to Little Bear Creek) and these impacts may be authorized by the USACE through use of NWP-14 without a Pre-Construction Notification.
- A NWP Pre-Construction Notification, Individual Permit, Section 408 of the Clean Water Act authorization, or Section 10 of the Rivers and Harbors Act authorization would not be needed for the proposed project.
- The proposed project would not result in an adverse effect to a historic property or State Archeological Landmark under the National Historic Presentation Act. Therefore, a historic resources survey report is not required.
- An Archeological survey (including trench excavations) would not be required as the project area is entirely within previously disturbed areas or unsuitable soil types for deep archeological resources to be present.
- Federally-listed threatened and endangered species and their habitat are not located within the proposed project area. This scope does not include presence/absence surveys or coordination with the USFWS.
- The proposed project would require a detour or a road/ramp closure but would not result in major traffic disruptions.

- The proposed project would not result in an encroachment of a floodplain.
- The proposed project is in accordance with federal guidelines in 40 CFR 93.126 and is exempt from an air conformity determination.
- The proposed project would not result in any impacts to Section 4(f), Section 6(f) resources, TPWD Chapter 26, or Natural Resource Code Chapter 183 resources. Therefore, an indirect and cumulative impacts analysis is not required.
- The proposed project would not result in any residential or commercial displacements and would not result in permanent adverse community impacts. Therefore, a community impacts analysis is not required.
- The proposed project is not located on new location, would not substantially alter either the horizontal or vertical alignment, and would not increase the number of through-traffic lanes or auxiliary lanes. Therefore, a traffic noise analysis is not required.

2. Public Involvement for Environmental

Professional would attend and staff one public meeting (or meeting with affected property owners, MAPOS) for the proposed project. Public Meeting/MAPOS handout materials, including: environmental figures, exhibits, and a Public Meeting/MAPOS Summary Report would be prepared by Professional. It is assumed in this scope that additional requirements (i.e. advertisements, venue location fee, and notices to affected property owners) are to be provided by the City. If requested, Professional may provide these ancillary services under a separate agreement. Although not anticipated, this scope of services does not include additional public meetings/public hearings which may be requested by TXDOT.

3. Categorical Exclusion (CE) Content and Format

The CE documentation shall meet the requirements of 23 CFR 771.117, and TAC, Title 43, Part 1, Chapter 2. The CE content shall be in sufficient detail to meet regulatory requirements for legal sufficiency.

The CE documentation shall be concise and shall incorporate by reference the detailed environmental studies.

The CE shall be delivered to the State via e-mail in both appropriate Microsoft Office formats. Professional shall consult with the State to identify electronic formats acceptable to the State. The State reserves the unlimited right to revise the electronic copy of the CE. The State reserves the unlimited right to produce paper copies of the CE. The following contents are to be provided in the CE:

- a. A detailed Project Description including a discussion of the scope of the Transportation Activity (Existing and Proposed Facility, ROW, Utilities and Transportation Planning Consistency and Fiscal Constraint).
- b. The Executive Summary shall summarize any social, economic, environmental impacts, appropriate mitigation measures, commitments, and address known and foreseeable public and agency concerns.
- c. A project location map, project area photographs, existing and proposed roadway and bridge typical sections and plan and profile sheet(s).
- d. Correspondence with regulatory agencies.

4. Deliverables

- Draft and Final *Scope Development Tool*
- Draft and Final *Preliminary Scoping for CEs Worksheet*

- Draft CE documentation (Draft Environmental Technical Reports) for State District review
- Revised CE documentation (Final Environmental Technical Reports)
- Public Meeting/MAPOS Summary Report

D. Geotechnical – Per TxDOT requirements, a pavement design report will be prepared for the project. The scope associated with this task includes:

1. Task 1 – Field Exploration

- a. Select and mark four (4) boring locations along the existing roadway. City of Colleyville personnel will be contacted for assistance in selecting boring locations clear from both underground and overhead utilities. Texas 811 will be contacted to locate existing underground utilities prior to the field exploration.
- b. Due to lack of site access by the drilling operation off the existing roadway, the borings will be drilled through the existing pavement. This will require the closure of one traffic lane directing traffic around the drilling operation. The lane closure will include sign boards, traffic attenuators, warning signs, and flagmen to direct the traffic. The cost of the traffic control is included in this proposal. The traffic control plan will be submitted to the City for approval.
- c. Subcontract with a geotechnical drilling contractor to drill a total of four (4) borings to a depth of 20 feet. Samples will be collected intermittently using continuous flight auger and either split-spoon or tube samplers. Rock and rock-like materials will be in-situ using a TxDOT Cone Penetration Test, as appropriate for the material. At completion, the boreholes will be backfilled and the pavement surface patched.
- d. Provide an Engineer or Geologist experienced in logging borings to direct the drilling and log the borings. Visual classification of the subsurface stratigraphy shall be provided per the Unified Soil Classification System (USCS).

2. Task 2 – Laboratory Testing

- a. Testing shall be performed on samples obtained from the borings to determine soil classification and pertinent engineering properties of the subsurface materials. Professional will select samples for laboratory testing, assign tests, and review the test results. Testing will be performed by a geotechnical testing subcontractor.
- b. Laboratory tests will be assigned based on the specific subsurface materials encountered during exploration. Test type and quantity may vary, but are expected to include:
- c. Classification tests (liquid and plastic limits and percent passing the no. 200 sieve or gradation)
- d. Moisture content
- e. Dry unit weight
- f. Unconfined compressive strength
- g. One-dimensional swell (restrained)
- h. Soluble sulfate content

3. Task 3 – Engineering Analysis

- a. Prepare a technical memorandum summary report of the geotechnical investigation to include:
- b. Appendix with the boring locations, boring logs, laboratory test results, and a key to the symbols used.
- c. Discussion of subsurface conditions and soil properties indicated by the field and laboratory work.
- d. Pavement thickness calculations will be made. Professional's traffic engineers will provide the design traffic volumes.
- e. Recommendations for treating the pavement subgrade soils.
- f. Support of the proposed culvert will be discussed.
- g. Should the borings reveal subsurface conditions that will impact the roadway or construction such as shallow groundwater, soft soil zones, highly expansive clay, etc., these items will be discussed.

- E. TDLR – Plan review, project registration and post construction inspection.
- F. Public Involvement/Outreach
 - 1. Prepare up to four (4) quarterly status reports during design to be mailed out to area residents. City to assist in mailing list and Professional will distribute to people identified.
 - 2. Attend up to eight (8) coordination meetings with property owners as requested by City.
 - 3. Attend one (1) additional council meeting to provide update regarding the project.
 - 4. Conduct one (1) pre-construction public meeting to discuss the final proposed improvements with the area residents.

ARTICLE II

ADDITIONAL SERVICES: Additional Services to be performed by Professional, if authorized by City, which are not included in the above described basic services, are described as follows:

- A. Additional hydrologic or hydraulic analysis detail beyond the scope outlined in Article I. This includes any downstream assessment or existing conditions analysis of the parallel road drainage.
- B. Field layouts or the furnishing of construction line and grade surveys.
- C. GIS mapping services or assistance with these services.
- D. Making revisions to drawings, specifications or other documents when such revisions are 1) not consistent with approvals or instructions previously given by City or 2) due to other causes not solely within the control of Professional.
- E. Providing consultation concerning the replacement of any Work damaged by fire or other cause during the construction and providing services as may be required in connection with the replacement of such Work.
- F. Preparing applications and supporting documents for government grants, loans, or planning advances and providing data for detailed applications.
- G. Providing shop, mill, field or laboratory inspection of materials and equipment. Observe factory tests of equipment at any site remote to the project or observing tests required as a result of equipment failing the initial test.
- H. Preparing data and reports for assistance to City in preparation for hearings before regulatory agencies, courts, arbitration panels or any mediator, giving testimony, personally or by deposition, and preparations therefore before any regulatory agency, court, arbitration panel or mediator.
- I. Furnishing the services of a Resident Project Representative to act as City's on-site representative during the Construction Phase. TxDOT will function as the Resident Project Representative will act in order to provide more extensive representation at the Project site during the Construction Phase. Through more extensive on-site observations of the work in progress and field checks of materials and equipment by the Resident Project Representative and assistants, Professional shall endeavor to provide further protection for City against defects and deficiencies in the work.
- J. Preparation of Conformed or "As Bid" plans and specifications for use during the construction phase. These documents shall involve the incorporation of addenda items into the Contract Documents through

modification of the electronic files and reprinting of the plans and specifications inclusive of the incorporated changes.

- K. Assisting City in preparing for, or appearing at litigation, mediation, arbitration, dispute review boards, or other legal and/or administrative proceedings in the defense or prosecution of claims disputes with Contractor(s).
- L. Performing investigations, studies and analyses of substitutions of equipment and/or materials or deviations from the drawings and specifications.
- M. Assisting City in the defense or prosecution of litigation in connection with or in addition to those services contemplated by this Agreement. Such services, if any, shall be furnished by Professional on a fee basis negotiated by the respective parties outside of and in addition to this Agreement.
- N. Performing investigations, studies, and analysis of work proposed by construction contractors to correct defective work.
- O. Design, contract modifications, studies or analysis required to comply with local, State, Federal or other regulatory agencies that become effective after the date of this agreement.
- P. Services required to resolve bid protests or to rebid the projects for any reason.
- Q. Visits to the site in excess of the number of trips included in Article I for periodic site visits, coordination meetings, or contract completion activities.
- R. Any services required as a result of default of the contractor(s) or the failure, for any reason, of the contractor(s) to complete the work within the contract time.
- S. Providing services after the completion of the construction phase not specifically listed in Article I.
- T. Providing basic or additional services on an accelerated time schedule. The scope of this service include cost for overtime wages of employees and consultants, inefficiencies in work sequence and plotting or reproduction costs directly attributable to an accelerated time schedule directed by the City.
- U. Providing services made necessary because of unforeseen, concealed, or differing site conditions or due to the presence of hazardous substances in any form.
- V. Providing services to review or evaluate construction contractor(s) claim(s), provided said claims are supported by causes not within the control of Professional.
- W. Providing value engineering studies or reviews of cost savings proposed by construction contractors after bids have been submitted.
- X. Preparing statements for invoicing or other documentation for billing other than for the standard invoice for services attached to this professional services agreement.
- Y. Provide follow-up professional services during Contractor's warranty period.
- Z. Bid and Construction Phase: As TxDOT will be letting the project, Professional's representation during construction phase will be limited. The following list and any other item during construction not explicitly stated in this agreement may be an additional service:
 - 1. Issuing notice for bids

2. Providing hard copy plan sets for contractors or plan rooms
3. Maintaining plan holder information and communicating addenda to plan holders
4. Periodic construction status reports
5. Logging and tracking submittals
6. Pay estimate review
7. Coordination of testing labs
8. Review of TxDOT standard shop drawings (ex. mix designs) and test reports (ex. Density tests)

ARTICLE III

TIME OF COMPLETION: Professional is authorized to commence work on the Project upon execution of this Agreement and agrees to complete the services in accordance with the agreed project schedule.

If Professional's services are delayed through no fault of Professional, Professional shall be entitled to adjust contract schedule consistent with the number of days of delay, subject to prior notification and City approval. These delays may include but are not limited to delays in City or regulatory reviews, delays on the flow of information to be provided to Professional, governmental approvals, etc. These delays may result in an adjustment to compensation as outlined in this Agreement.

ARTICLE IV

RESPONSIBILITIES OF CITY: City shall perform the following in a timely manner so as not to delay the services of Professional:

- A. City recognizes and expects that certain Change Orders may be required. Unless noted otherwise, the City shall budget a minimum of 5% for new construction and a minimum of 10% for construction that includes refurbishing existing structures.

Further, City recognizes and expects that certain Change Orders may be required to be issued as the result in whole or part of imprecision, incompleteness, errors, omission, ambiguities, or inconsistencies in the Drawings, Specifications, and other design documentation furnished by Professional or in the other professional services performed or furnished by Professional under this Agreement ("Covered Change Orders"). Accordingly, City agrees to pay for Change Orders and otherwise to make no claim directly or indirectly against Professional on the basis of professional negligence, breach of contract, or otherwise with respect to the costs of approved Covered Change Orders unless the aggregate costs of all such approved Covered Change Orders exceed 2% for new construction and 4% for reconstruction. Any responsibility of Professional for the costs of Covered Change Orders in excess of such percentage will be determined on the basis of applicable contractual obligations and professional liability standards. For purposes of this paragraph, the cost of Covered Change Orders will not include:

- any costs that City would have incurred if the Covered Change Order work had been included originally in the Contract Documents and without any other error or omission of Engineer related thereto,
- Any costs that are due to unforeseen site conditions, or
- Any costs that are due to changes made by the City.
- Any costs that are due to the Contractor

Nothing in this provision creates a presumption that, or changes the professional liability standard for determining if, Professional is liable for the cost of Covered Change Orders in excess of the percent of Construction Cost stated above or for any other Change Order. Wherever used in this document, the term Professional includes Professional's officers, directors, partners, employees, agents, and Professional Consultants.

- B. Designate in writing a person to act as City's representative with respect to the services to be rendered under this Agreement. Such person shall have contract authority to transmit instructions, receive information, interpret and define City's policies and decisions with respect to Professional's services for the Project.
- C. Provide all criteria and full information as to City's requirements for the Project, including design objectives and constraints, space, capacity and performance requirements, flexibility and expandability, and any budgetary limitations; and furnish copies of all design and construction standards which City will require to be included in the drawings and specifications.
- D. Assist Professional by placing at Professional's disposal all available information pertinent to the Project including previous reports and any other data relative to design or construction of the Project.
- E. Arrange for access to and make all provisions for Professional to enter upon public and private property as required for Professional to perform services under this Agreement.
- F. Examine all studies, reports, sketches, drawings, specifications, proposals and other documents presented by Professional, obtain advice of an attorney, insurance counselor and other consultants as City deems appropriate for such examination and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of Professional.
- G. Furnish approvals and permits from all governmental authorities having jurisdiction over the Project and such approvals and consents from others as may be necessary for completion of the Project.
- H. City shall make or arrange to have made all subsurface investigations, including but not limited to test pits, soil resistivity surveys, and other subsurface explorations not otherwise included in this agreement. City shall also make or arrange to have made the interpretations of data and reports resulting from such investigations. All costs associated with such investigations shall be paid by City.
- I. Provide such accounting, independent cost estimating and insurance counseling services as may be required for the Project, such legal services as City may require or Professional may reasonably request with regard to legal issues pertaining to the Project including any that may be raised by Contractor(s), such auditing service as City may require to ascertain how or for what purpose any Contractor has used the moneys paid under the construction contract, and such inspection services as City may require to ascertain that Contractor(s) are complying with any law, rule, regulation, ordinance, code or order applicable to their furnishing and performing the work.
- J. Attend the pre-bid conference, bid opening, preconstruction conferences, construction progress and other job-related meetings and substantial completion inspections and final payment inspections.
- K. Give prompt written notice to Professional whenever City observes or otherwise becomes aware of any development that affects the scope or timing of Professional's services, or any defect or nonconformance of the work of any Contractor.
- L. Services by the City for ROW Acquisition
 - 1. Provide available criteria and full information as to the City's requirements for the project;
 - 2. Assist the Provider by placing at its disposal all available data pertinent to the project;
 - 3. Examine documents submitted by the Provider and render a decision pertaining thereto promptly, to avoid unreasonable delay in the progress of the Provider's services; and

4. The Project Manager for the City shall appoint, in writing, a representative that the Provider shall be entitled to rely upon regarding decisions made by the City.
 5. City shall pay all title company invoices directly which will include fees for title commitments, title policies and all other fees related to the closing with the title company.
- M. Furnish, or direct Professional to provide, Additional Services as stipulated in Exhibit A, Article II of this Agreement or other services as required.
- N. Bear all costs incident to compliance with the requirements of this Article IV.

ARTICLE V

DESIGNATED REPRESENTATIVES: Professional and City designate the following representatives:

City's Designated Representative

Ray Silva-Reyes, CFM

1601 Main Street

Colleyville, TX 766034

(817) 503-1096

Professional's Designated Representative

Alex Garcia, P.E., PTOE

4055 International Plaza, Suite 200

Fort Worth, TX 76109

(817) 735-7321

Professional's Accounting Representative

Stephanie Kirchstein

4055 International Plaza, Suite 200

Fort Worth, TX 76109

(214) 217-2212

EXHIBIT "B"
COMPENSATION

COMPENSATION

Compensation to Professional for the Basic Services described in Exhibit A shall be the lump sum of Two Hundred Five Thousand Five Hundred Fifty Eight Dollars and No Cents (\$205,558). Compensation to Professional for Special Services in Exhibit A shall be the lump sum of Ninety Eight Thousand Three Hundred Thirty Dollars and No Cents (\$98,330) and a not to exceed fee of Fifteen Thousand Eight-Hundred Sixty-Six Dollars (\$15,866). If Professional sees the Scope of Services changing so that Additional Services are needed, including but not limited to those services described as Additional Services in Exhibit A, Professional will notify City for City's approval before proceeding. Additional Services shall be computed based on the Schedule of Charges.

Schedule of Charges:

<u>Position</u>	<u>Rate</u>
Professional - 1	113
Professional - 2	137
Professional - 3	156
Professional - 4	178
Professional - 5	209
Professional - 6	240
Construction Manager - 1	91
Construction Manager - 2	117
Construction Manager - 3	138
Construction Manager - 4	173
CAD Technician/Designer - 1	96
CAD Technician/Designer - 2	126
CAD Technician/Designer - 3	153
Corporate Project Support - 1	92
Corporate Project Support - 2	111
Corporate Project Support - 3	148
Intern/ Coop	57
Senior Advisor	175

Rates for In-House Services

Technology Charge

\$8.50 per hour

Travel

Standard IRS Rates

Bulk Printing and Reproduction

	<u>B&W</u>	<u>Color</u>
Small Format (per copy)	\$0.10	\$0.25
Large Format (per sq. ft.)		
Bond	\$0.25	\$0.75
Glossy / Mylar	\$0.75	\$1.25
Vinyl / Adhesive	\$1.50	\$2.00
Mounting (per sq. ft.)	\$2.00	
Binding (per binding)	\$0.25	

OTHER DIRECT EXPENSES:

Other direct expenses are reimbursed at actual cost times a multiplier of 1.15. They include outside printing and reproduction expense, communication expense, travel, transportation and subsistence away from the Professional's office and other miscellaneous expenses directly related to the work, including costs of laboratory analysis, test, and other work required to be done by independent persons other than staff members. For Resident Representative services performed by non-FNI employees and CAD services performed in-house by non-FNI employees where Professional provides workspace and equipment to perform such services, these services will be billed at cost times a multiplier of 2.0. This markup approximates the cost to Professional if an Professional's employee was performing the same or similar services.

These rates will be adjusted annually in February.

2022015

Fee Summary Break Down

Basic Services (Lump Sum)	Cost
Design Phase	\$ 184,622.00
Construction Phase	\$ 20,936.00
Basic Services Lump Sum Subtotal	\$ 205,558.00
Special Services (Lump Sum)	Cost
Hydraulic Study	\$ 22,630.00
Survey	\$ 15,922.00
Environmental	\$ 34,370.00
Geotechnical	\$ 23,108.00
TDLR Registration, Review & Inspection	\$ 2,300.00
Special Services Lump Sum Subtotal	\$ 98,330.00
Special Services (Not-to-Exceed)	Cost
Public Involvement	\$ 15,866.00
Special Services Not-to-Exceed Subtotal	\$ 15,866.00
Total Special Services	\$ 114,196.00
Overall Fee	\$ 319,754.00

RESOLUTION R-17-4175

**A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER
CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF
SEPTEMBER 19, 2017**

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

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

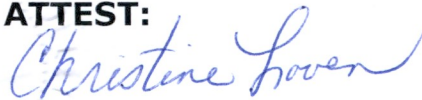
- Sec. 1. THAT the agenda decisions approved by City Council action under Consent Items as follows are hereby adopted:
- a. Approval of the minutes of the regular City Council meeting of September 5, 2017
 - b. Adoption of the Fiscal year 2018 to 2022 Capital Improvement Program (CIP)
 - c. Approval of authorized broker / dealers for investment purchases
 - d. Approval of the annual review and updates to the City of Colleyville Investment Policy
 - e. Approval of an extension to the Interlocal Agreement with Tarrant County for the rehabilitation of Bedford Road to the Little Bear Creek bridge, and authorize the city manager to execute the agreement

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF 6 AYES, 0 NAYS, AND 0 ABSTENTIONS ON
THIS THE 19TH DAY OF SEPTEMBER 2017.

Mayor Richard Newton	<u>AYE</u>	Mayor Pro Tem Bobby Lindamood	<u>AYE</u>
Place 1, Tammy Nakamura	<u>AYE</u>	Place 3, Kathy Wheat	<u>AYE</u>
Place 4, George Dodson	<u>ABSENT</u>	Place 5, Nancy Coplen	<u>AYE</u>
Place 6, Mike Taylor	<u>AYE</u>		

ATTEST:



Christine Loven, TRMC
Assistant City Secretary

CITY OF COLLEYVILLE



Richard Newton
Mayor

	Total Project Cost	Capital Projects Fund	CEDC (Parks, Trails & Libraries)	County Funding	Crime Control and Prevention District	Drainage Fund	FHA/TxDOT	Perimeter Street Fees	Impact Fees - Area II (West of 26)	TIF	Utility Capital Projects Fund	Water Impact Fees								
Estimated 9/30/17 Available Balances	\$	2,589,366	\$	-	\$	-	\$	987,581	\$	1,510,515	\$	2,024,564	\$	19,000,000	\$	1,835,184	\$	2,238,827		
(+) Estimated Transfer from Operating Fund (draw down amount above 90 day reserve)	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	3,165,000	\$	-		
(+) Year-end surplus/draw down	\$	1,900,000	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	800,000	\$	-		
(+) FY18 Budgeted Contribution	\$	1,500,000	\$	859,470	\$	-	\$	-	\$	-	\$	4,000,000	\$	170,000	\$	-	\$	-		
Estimated 10/1/17 Available Balances	\$	5,989,366	\$	859,470	N/A	\$	-	\$	987,581	N/A	\$	1,510,515	\$	2,024,564	\$	23,000,000	\$	5,970,184	\$	2,238,827

2018

Bransford Water Tank Rehabilitation - DESIGN	\$80,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$80,000.00	\$0.00							
Central Fire Station Repairs	\$147,322.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$147,322.00	\$0.00	\$0.00							
Cheek-Sparger Road (San Bar to Brown Trail) - DESIGN & ROW	\$399,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$399,000.00	\$0.00	\$0.00							
Fire Station 2 Repairs	\$67,300.00	\$67,300.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00							
Folding Doors- Fire Station #3	\$115,000.00	\$115,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00							
Glade Road (Phase 2 - Manning to Pool) - CONSTRUCTION	\$5,484,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$342,897.00	\$0.00	\$4,724,103.00	\$0.00	\$417,000.00								
Library Renovations	\$459,470.00	\$0.00	\$459,470.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00							
Kimzey Park Pond Dredging	\$170,000.00	\$0.00	\$170,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00							
L. D. Lockett Rehab. (Westcoat Dr to Pleasant Run) - CONSTRUCTION	\$220,000.00	\$220,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00							
L.D. Lockett Park Drainage Improvements	\$130,000.00	\$0.00	\$130,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00							
McDonwell School Rd and Westcoat Dr Roundabout - CONSTRUCTION	\$1,400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,400,000.00	\$0.00	\$0.00	\$0.00	\$0.00							
McDonwell School Rd Westcoat Dr Roundabout - ROW ACQUISITION	\$250,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$250,000.00	\$0.00	\$0.00							
Montclair Rehab. (Hall Johnson to Glade Rd) - County Proj. - CONSTRUCTION	\$550,000.00	\$330,000.00	\$0.00	\$220,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00							
Pleasant Run Rehab. (John McCain to North City Limits) - CONSTRUCTION	\$450,000.00	\$450,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00							
Roberts Road - CONSTRUCTION	\$2,100,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,100,000.00	\$0.00	\$0.00							
Streetlighting for Pedestrian Crosswalks - CONSTRUCTION	\$50,000.00	\$50,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00							
Supervisory Control and Data Acquisition (SCADA) Replacement	\$250,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$250,000.00	\$0.00							
Water Project 10: Apple Valley/Rustic Oaks/Bills Lane Water Lines and Road Rehabilitation on Black Drive	\$935,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$935,000.00	\$0.00							
Water Project 8: Install Pressure Relief and Flow Control Valves - CONSTRUCTION	\$348,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$348,000.00	\$0.00							
Webb House Repairs	\$100,000.00	\$0.00	\$100,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00							
WW Project 3 (Completion): Replacement of 6" and 8" Pipelines on Manning Drive and in the Vicinity of I	\$300,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$300,000.00	\$0.00							
	\$14,005,092.00	\$1,232,300.00	\$859,470.00	\$220,000.00	\$0.00	\$0.00	\$0.00	\$342,897.00	\$1,400,000.00	\$7,620,425.00	\$1,913,000.00	\$417,000.00								
(+) Year-end surplus/draw down	\$	600,000	\$	-	\$	-	\$	-	\$	-	\$	500,000	\$	192,000						
(+) FY19 Budgeted Contribution	\$	1,500,000	\$	150,000	\$	-	\$	-	\$	-	\$	4,100,000	\$	-						
Estimated 10/1/18 Available Balances	\$	6,857,066	\$	150,000	N/A	\$	-	\$	987,581	N/A	\$	1,167,618	\$	624,564	\$	19,479,575	\$	4,727,184	\$	2,013,827

2019

Bransford Rehab. - County Project (Glade to LD Lockett) - CONSTRUCTION	\$706,000.00	\$423,600.00	\$0.00	\$282,400.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Bransford Water Tank Rehabilitation - CONSTRUCTION	\$500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$500,000.00	\$0.00
Cheek-Sparger Road (San Bar to Brown Trail) - CONSTRUCTION	\$2,085,395.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,660,395.00	\$0.00	\$0.00	\$425,000.00	\$0.00	\$0.00
City Hall/Library - HVAC Replacement	\$327,600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$327,600.00	\$0.00	\$0.00
Flood Gates Upgrade	\$425,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$425,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Replacement of Palladium Windows	\$150,000.00	\$0.00	\$150,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
SH-26 Lighting	\$2,500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,500,000.00	\$0.00	\$0.00
Water Project 11: Tinker Road Water Lines - DESIGN	\$123,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$123,000.00	\$0.00
Water Project 5: Upsize and Replace Water Lines in Brighton Oaks Subdivision and Rehab. Streets - CONS	\$2,550,000.00	\$650,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,900,000.00
WW Project 5: Quails Path and Chestnut Bend Sewer Line Replacement - DESIGN	\$91,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$91,000.00	\$0.00
	\$9,457,995.00	\$1,073,600.00	\$150,000.00	\$282,400.00	\$0.00	\$425,000.00	\$1,660,395.00	\$0.00	\$0.00	\$0.00	\$3,252,600.00	\$714,000.00	\$1,900,000.00

	Total Project Cost	Capital Projects Fund	CEDC (Parks, Trails & Libraries)	County Funding	Crime Control and Prevention District	Drainage Fund	FHA/TxDOT	Perimeter Street Fees	Impact Fees - Area II (West of 26)	TIF	Utility Capital Projects Fund	Water Impact Fees								
(+) Year-end surplus/draw down	\$	600,000	\$	-	\$	-	\$	245,976	\$	-	\$	-	\$	500,000	\$	192,000				
(+) FY20 Budgeted Contribution	\$	1,500,000	\$	-	\$	167,200	\$	-	\$	-	\$	4,200,000	\$	170,000	\$	-				
Estimated 10/1/19 Available Balances	\$	7,883,466	\$	-	N/A	\$	167,200	\$	808,557	N/A	\$	1,167,618	\$	624,564	\$	20,426,975	\$	4,683,184	\$	305,827
2020																				
County Project (TBD) - CONSTRUCTION	\$800,000.00	\$400,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Justice Center - Metal Roof Coating	\$167,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$167,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Water Project 11 (Partial): Tinker Road Water Lines - CONSTRUCTION	\$1,110,000.00	\$450,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$660,000.00	\$0.00	\$0.00
Water Project 12 (Partial): Woodbriar Estate Water Lines Replacement - DESIGN	\$70,020.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$70,020.00	\$0.00	\$0.00
Water Project 6: Upsize and Replace Water Lines in Woodbriar Estates and Quail Crest Subdivisions - DE	\$145,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$145,000.00	\$0.00	\$0.00
WW Project 1: Replace Sewer Lines in Woodbriar Estates and Quail Crest Subdivisions - DESIGN	\$361,700.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$361,700.00	\$0.00	\$0.00
WW Project 5: Quails Path and Chestnut Bend Sewer Line Replacement and Road Rehabilitation - CONS	\$829,000.00	\$110,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$719,000.00	\$0.00	\$0.00
	\$3,482,920.00	\$960,000.00	\$0.00	\$400,000.00	\$167,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,955,720.00	\$0.00	\$0.00
(+) Year-end surplus/draw down	\$	600,000	\$	-	\$	-	\$	225,173	\$	-	\$	-	\$	-	\$	-	\$	500,000	\$	192,000
(+) FY21 Budgeted Contribution	\$	1,500,000	\$	-	\$	325,052	\$	-	\$	-	\$	4,300,000	\$	170,000	\$	-	\$	170,000	\$	-
Estimated 10/1/20 Available Balances	\$	9,023,466	\$	-	N/A	\$	325,052	\$	1,033,730	N/A	\$	1,167,618	\$	624,564	\$	24,726,975	\$	3,397,464	\$	497,827
2021																				
City Hall - Flooring Rehab	\$87,808.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$87,808.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
County Project (TBD) - CONSTRUCTION	\$800,000.00	\$400,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Justice Center - Carpet and VCT Tile	\$88,052.00	\$0.00	\$0.00	\$0.00	\$0.00	\$88,052.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Justice Center - HVAC Replacement	\$237,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$237,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Pleasant Run Road Bridge at Big Bear (White Chapel Bridge) - CONSTRUCTION	\$1,200,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,200,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Water Project 12/Partial Woodbriar Estate Water Lines Replacement - CONSTRUCTION	\$433,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$433,000.00	\$0.00	\$0.00
Water Project 3: New Elevated Water Storage Tank & Distribution Lines - DESIGN	\$545,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$545,000.00	\$0.00
Water Project 6: Upsize and Replace Water Lines in Woodbriar Estates and Quail Crest Subdivisions - COI	\$745,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$745,000.00	\$0.00	\$0.00
Woodbriar, Quail Crest Estates Rehab. (Companion to Water Proj. #6 and 12/Portion and Wastewater Pr	\$2,768,000.00	\$2,768,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
WW Project 1: Replace Sewer Lines in Woodbriar Estates and Quail Crest Subdivisions - CONSTRUCTION	\$1,900,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,900,000.00	\$0.00	\$0.00
	\$8,803,860.00	\$3,168,000.00	\$0.00	\$400,000.00	\$325,052.00	\$1,200,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$87,808.00	\$3,078,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$545,000.00	\$0.00	\$0.00
(+) Year-end surplus/draw down	\$	600,000	\$	-	\$	-	\$	213,809	\$	-	\$	-	\$	-	\$	-	\$	500,000	\$	192,000
(+) FY22 Budgeted Contribution	\$	1,500,000	\$	-	\$	-	\$	-	\$	-	\$	4,400,000	\$	170,000	\$	-	\$	170,000	\$	-
Estimated 10/1/21 Available Balances	\$	7,955,466	\$	-	N/A	\$	-	\$	47,539	N/A	\$	1,167,618	\$	624,564	\$	29,039,167	\$	989,464	\$	144,827
2022																				
County Project (TBD) - CONSTRUCTION	\$800,000.00	\$400,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Library - Flooring Rehab	\$95,210.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$95,210.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Water Project 3: New Elevated Water Storage Tank and Distribution Lines - CONSTRUCTION	\$4,500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,500,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	\$5,395,210.00	\$400,000.00	\$0.00	\$400,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,595,210.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
(+) Year-end surplus/draw down	\$	600,000	\$	-	\$	-	\$	324,519	\$	-	\$	-	\$	-	\$	-	\$	500,000	\$	192,000
(+) FY23 Budgeted Contribution	\$	1,500,000	\$	-	\$	-	\$	-	\$	-	\$	4,500,000	\$	-	\$	-	\$	-	\$	-
Estimated 10/1/22 Available Balances	\$	9,655,466	\$	-	N/A	\$	-	\$	372,058	N/A	\$	1,167,618	\$	624,564	\$	28,943,957	\$	1,489,464	\$	336,827

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

8/16/2018

1 Name of vendor who has a business relationship with local governmental entity.

N/A

2 ☐ Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

N/A

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes

☒ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes

☒ No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

N/A

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7 
Signature of vendor doing business with the governmental entity

August 14, 2018

Date

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

- (a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

- (2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed;

or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

- (a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

- (a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

- (1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

- (2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY
CERTIFICATION OF FILING****1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**

Freese and Nichols, Inc.
Fort Worth, TX United States

Certificate Number:
2018-391860

Date Filed:
08/14/2018

Date Acknowledged:
08/16/2018

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Colleyville

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

Cheek Sparger Road
Engineering Services

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Pence, Bob	Fort Worth, TX United States	X	
	Cole, Scott	Fort Worth, TX United States	X	
	Coltharp, Brian	Fort Worth, TX United States	X	
	Gooch, Tom	Fort Worth, TX United States	X	
	Johnson, Kevin	Dallas, TX United States	X	
	Milrany, Cindy	Fort Worth, TX United States	X	
	Nichols, Mike	Fort Worth, TX United States	X	
	Taylor, Jeff	Houston, TX United States	X	
	Wolfhope, John	Austin, TX United States	X	

5 Check only if there is NO Interested Party.☐**6 UNSWORN DECLARATION**

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)

Signature of authorized agent of contracting business entity
(Declarant)

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY
CERTIFICATION OF FILING****1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**

Freese and Nichols, Inc.
Fort Worth, TX United States

Certificate Number:
2018-391860

Date Filed:
08/14/2018

Date Acknowledged:

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Colleyville

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

Cheek Sparger Road
Engineering Services

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Pence, Bob	Fort Worth, TX United States	X	
	Cole, Scott	Fort Worth, TX United States	X	
	Coltharp, Brian	Fort Worth, TX United States	X	
	Gooch, Tom	Fort Worth, TX United States	X	
	Johnson, Kevin	Dallas, TX United States	X	
	Milrany, Cindy	Fort Worth, TX United States	X	
	Nichols, Mike	Fort Worth, TX United States	X	
	Taylor, Jeff	Houston, TX United States	X	
	Wolfhope, John	Austin, TX United States	X	

5 Check only if there is NO Interested Party.

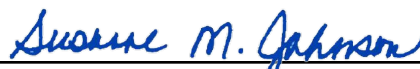
☐**6 UNSWORN DECLARATION**

My name is Susanne M. Johnson, and my date of birth is March 3, 1955.

My address is 4055 International Plaza, Suite 200, Fort Worth, TX, 76109, US.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Tarrant County, State of Texas, on the 14th day of August, 20 18.
(month) (year)



Signature of authorized agent of contracting business entity
(Declarant)



City of Colleyville City Council Agenda Briefing

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

Agenda Number
Type Report
Department Finance

Agenda Date 08/21/2018

Number 5a

Title

Monthly Financial Report - July, 2018

Strategic Plan

- 1.3 Assure convenient access to public information
- 1.4 Communicate thoroughly and strategically
- 2.4 Demonstrate stewardship of public resources

Explanation

General Fund

As of July 31, 2018, the General fund earned \$22,693,620 in revenues and incurred \$17,787,274 in expenditures.

Ad Valorem taxes, franchise fees and sales taxes account for more than 84% of the General fund's budgeted revenues.

- **Ad Valorem Taxes:**

The city collected \$14,591,348 out of the \$14,322,575 budgeted for ad valorem taxes, including penalty and interest. The reported revenue is 6.89% above the revenue reported for the same period last year.

- **Franchise Fees Revenue:**

The city collected \$2,017,409 out of the \$2,070,000 budgeted for franchise fees. The reported revenue is 4.38% above the revenue reported for the same period last year.

- **Sales Tax Revenue:**

The city collected \$2,645,240 out of the \$3,800,000 budgeted sales tax revenue. The reported revenue is 3.74% above the revenue reported for the same period last year. The reported amount represents the Mixed Beverage Taxes and the sales taxes received to date.

Utility Fund

As of July 31, 2018, the utility fund earned \$12,699,189 in revenues and incurred \$9,669,765 in expenditures.

Water and wastewater sales account for more than 98% of the utility fund's budgeted revenues.

- **Water Sales:**

The city earned \$8,790,693 out of the \$11,195,957 budgeted for water sales. The reported revenue is 5.6% above the revenue reported for the same period last year.

- **Wastewater Sales:**

The city earned \$3,571,469 out of the \$4,024,060 budgeted for wastewater sales. The reported revenue is 11.11% above the revenue reported for the same period last year.

Debt Service Fund

As of July 31, 2018, the Debt service fund collected \$1,982,134 out of the budgeted revenues and transfers from other funds of \$1,854,412 and expended \$1,902,247 out of the budgeted expenditures of \$1,979,412.

Drainage Fees Fund

As of July 31, 2018, the Drainage fees fund spent \$567,747 out of its \$1,481,362 expense budget and earned \$853,375 in revenues which is 88.72% of the budgeted revenue of \$961,880.

Attachments

1. July 2018 Monthly Financial Report
2. July 2018 Monthly Financial Report Presentation

City of Colleyville
General Fund Monthly Financial Report
As of 07/31/2018 - End of 83.33% of the Fiscal Year

GENERAL FUND		ACTIVITY FY 2018 YTD AS OF 7/31/2018	PERCENT OF BUDGET USED
SUMMARY	FY 2018 BUDGET		
Revenues	23,934,566	22,693,620	94.82%
Expenditures	23,694,811	17,787,274	75.07%
Revenues over expenditures	\$239,755	\$4,906,346	

GENERAL FUND		RECEIVED FY 2018 YTD AS OF 7/31/2018	PERCENT OF BUDGET RECEIVED	AVERAGE ACTUAL YTD BALANCE AS A PERCENT OF YEAR END BAL	RECEIVED FY 2017 YTD AS OF 7/31/2017	PERCENT CHANGE OVER PRIOR YEAR
REVENUE SOURCE	FY 2018 BUDGET					
Current Taxes	14,242,575	14,457,469	101.51%	99.27%	\$13,572,105	6.52%
Delinquent Taxes	25,000	66,765	267.06%	81.75%	17,916	272.66%
Penalty & Interest	55,000	67,114	122.03%	82.35%	60,482	10.96%
TOTAL AD VALOREM TAXES	14,322,575	14,591,348	101.88%	99.14%	13,650,503	6.89%
Oncor Electric	885,000	890,388	100.61%	100.00%	889,222	0.13%
Tri-County Electric	100,000	105,858	105.86%	100.00%	101,311	4.49%
Atmos Gas	325,000	401,952	123.68%	100.00%	334,570	20.14%
AT&T	60,000	42,271	70.45%	75.66%	46,931	-9.93%
Verizon/Others	65,000	55,590	85.52%	76.94%	58,124	-4.36%
Refuse/Recycling	160,000	149,372	93.36%	82.21%	141,216	5.78%
Cable TV	475,000	371,979	78.31%	78.65%	361,345	2.94%
TOTAL FRANCHISE TAXES	2,070,000	2,017,409	97.46%	92.25%	1,932,719	4.38%
Sales Tax	3,700,000	2,531,075	68.41%	63.45%	2,432,497	4.05%
Mixed Beverage Tax	100,000	114,165	114.17%	100.00%	117,315	-2.68%
TOTAL SALES TAXES	3,800,000	2,645,240	69.61%	64.53%	2,549,812	3.74%
Building	625,000	698,310	111.73%	84.96%	559,353	24.84%
Plumbing	72,000	54,849	76.18%	83.40%	48,453	13.20%
Mechanical	48,000	43,103	89.80%	82.84%	40,933	5.30%
Electrical	51,000	59,515	116.70%	82.68%	48,078	23.79%
City License	26,000	41,900	161.15%	87.10%	50,500	-17.03%
Building Plan Review Fee	88,000	86,374	98.15%	82.87%	86,472	-0.11%
New Business	7,400	5,600	75.68%	81.83%	6,210	-9.82%
Sign Permit	8,000	6,535	81.69%	83.69%	8,285	-21.12%
Fence Permit	15,000	13,701	91.34%	81.56%	15,576	-12.04%
Fire Permits	8,000	7,120	89.00%	84.73%	9,915	-28.19%
Irrigation Permit	20,000	12,237	61.19%	83.16%	20,418	-40.07%
TOTAL LICENSES & PERMITS	968,400	1,029,243	106.28%	84.31%	894,193	15.10%

GENERAL FUND - CONTINUED		RECEIVED		AVERAGE ACTUAL	RECEIVED	
REVENUE SOURCE	FY 2018 BUDGET	FY 2018 YTD AS OF 7/31/2018	PERCENT OF BUDGET RECEIVED	YTD BALANCE AS A PERCENT OF YEAR END BAL	FY 2017 YTD AS OF 7/31/2017	PERCENT CHANGE OVER PRIOR YEAR
Court Fines	850,000	540,274	63.56%	80.80%	\$637,438	-15.24%
Alarm Fees	53,000	45,266	85.41%	76.47%	44,112	2.62%
Library Fines	17,460	16,754	95.96%	81.94%	17,774	-5.74%
TOTAL FINES	920,460	602,294	65.43%	80.52%	699,324	-13.87%
Re-zoning	9,000	13,087	145.42%	79.29%	9,474	38.14%
Plat Fee/Site Plan/Landscaping Plan Fee	8,200	9,073	110.64%	79.85%	9,238	-1.79%
Board of Adjustment	2,000	1,725	86.25%	76.13%	3,200	-46.09%
Sale of Material	100	268	267.95%	98.60%	21	1175.95%
Weed Mowing	7,000	2,920	41.71%	94.40%	13,778	-78.81%
Ambulance	320,000	296,054	92.52%	84.42%	258,726	14.43%
Recreation Program	193,500	252,953	130.72%	73.67%	183,845	37.59%
Credit Card Fee Revenue	-	12,313	0.00%			0.00%
Non-Resident Fee Parks	40,000	43,355	108.39%	99.53%	44,240	-2.00%
Field Use Charge	21,500	21,930	102.00%	100.00%	22,585	-2.90%
Engineering & Inspection	20,000	4,826	24.13%	99.65%	59,800	-91.93%
Material Testing	10,000	2,823	28.23%	100.00%	16,774	-83.17%
Colleyville Center Rental	240,000	151,272	63.03%	83.52%	193,267	-21.73%
Lot Drainage Insp Fee	15,000	18,375	122.50%	84.58%	15,250	20.49%
Transfer from Utility Fund	196,920	196,920	100.00%		-	0.00%
Transfer from TIF	210,377	210,377	100.00%		-	0.00%
TOTAL CHARGES FOR SERVICE	1,293,597	1,238,271	95.72%	92.21%	830,198	49.15%
SRO Officer Reimb	98,996	98,996	100.00%	100.00%	\$98,996	0.00%
Keller Court	260,538	195,404	75.00%	75.00%	179,601	8.80%
TOTAL INTERGOVERNMENTAL	359,534	294,400	81.88%	82.16%	278,597	5.67%
Sale of Surplus Property	5,000	34,396	687.93%	81.36%	-	0.00%
Interest Income	45,000	54,279	120.62%	57.00%	41,800	29.86%
Miscellaneous	60,000	53,369	88.95%	91.05%	68,307	-21.87%
Antenna Lease	90,000	91,521	101.69%	86.88%	88,819	3.04%
Grant Proceeds	-	41,850	0.00%		-	0.00%
TOTAL MISCELLANEOUS	200,000	275,415	137.71%	76.35%	198,926	38.45%
TOTAL GENERAL FUND REVENUES	23,934,566	22,693,620	94.82%	86.27%	21,034,272	7.89%

	FY 2018 BUDGET	THROUGH 7/31/2018	THROUGH 7/31/2017	TOTAL INCREASE (DECREASE)	PERCENT INCREASE (DECREASE)
RESIDENTIAL BLDG PERMITS	115	151	118	33	27.97%
COMMERCIAL BLDG PERMITS	7	0	1	(1)	-100.00%
CITATIONS ISSUED	10,500	5,754	6,301	(547)	-8.68%

GENERAL FUND EXPENDITURES		EXPENDED	PERCENT	PERCENT OF	EXPENDED
	FY 2018 BUDGET	THROUGH 7/31/2018	OF BUDGET EXPENDED	FISCAL YEAR COMPLETE	FY 2017 YTD AS OF 7/31/2017
Personnel services	15,048,648	11,507,870	76.47%	83.33%	11,169,469
Contractual Services	5,341,951	3,777,475	70.71%	83.33%	3,617,591
Supplies	1,275,506	479,707	37.61%	83.33%	703,724
Capital Outlay	14,000	7,516	53.69%	83.33%	41,947
Transfer to other fund	2,014,706	2,014,706	100.00%	83.33%	2,853,706
TOTAL EXPENDITURES	23,694,811	17,787,274	75.07%	83.33%	18,386,438

City of Colleyville
Utility Fund Monthly Financial Report
As of 07/31/2018 - End of 83.33% of the Fiscal Year

UTILITY FUND		ACTIVITY	
	FY 2018	FY 2017 YTD	PERCENT
SUMMARY	BUDGET	AS OF	OF BUDGET
		7/31/2018	USED
Revenues	15,540,017	12,699,189	81.72%
Expenditures	15,526,542	9,669,765	62.28%
Revenues over expenditures	\$13,475	3,029,424	

UTILITY FUND		RECEIVED	PERCENT	AVERAGE ACTUAL	RECEIVED	EXPENDED
REVENUE SOURCE	FY 2018	AS OF	OF BUDGET	YTD BALANCE	AS OF	CHANGE OVER
	BUDGET	7/31/2018	RECEIVED	AS A PERCENT OF	7/31/2017	PRIOR YEAR
				YEAR END BAL		
Water Sales	11,195,957	8,790,693	78.52%	69.12%	8,324,151	5.60%
Sewer Sales	4,024,060	3,571,469	88.75%	83.15%	3,214,324	11.11%
Sewer Installation	15,000	14,400	96.00%	84.31%	12,200	18.03%
Water Installation	42,000	39,130	93.17%	84.79%	29,860	31.04%
Engineering Charges	5,000	11,542	230.84%	95.12%	24,071	-52.05%
Penalties	200,000	167,939	83.97%	78.88%	183,865	-8.66%
Sale of Material	-	7,008	0.00%	99.09%	3,137	123.39%
Miscellaneous	13,000	17,719	136.30%	75.96%	34,017	-47.91%
TOTAL OPERATING INCOME	15,495,017	12,619,900	81.44%	72.93%	11,825,625	6.72%
Sale of Surplus Property	-	8,418	0.00%	100.00%	-	0.00%
Interest Income	45,000	70,870	157.49%	61.95%	50,363	40.72%
TOTAL NON-OPERATING INCOME	45,000	79,288	176.20%	73.75%	50,363	57.43%
TOTAL INCOME	15,540,017	12,699,189	81.72%	73.03%	11,875,988	6.93%

	THROUGH	THROUGH	TOTAL	PERCENT
	7/31/2018	7/31/2017	INCREASE	INCREASE
			(DECREASE)	(DECREASE)
GALLONS OF WATER SOLD	1,858,740,700	1,718,744,400	139,996,300	8.15%
NUMBER OF WATER CUSTOMERS	10,134	9,954	180	1.81%

UTILITY FUND EXPENSES		EXPENDED	PERCENT	PERCENT OF	BUDGET	EXPENDED
	FY 2018	THROUGH	OF BUDGET	FISCAL YEAR	REMAINING	FY 2017 YTD
	BUDGET	7/31/2018	EXPENDED	COMPLETE		AS OF
						7/31/2017
Personnel Services	1,983,307	1,491,006	75.18%	83.33%	492,301	1,293,942
Contractual services*	12,717,635	7,565,290	59.49%	83.33%	5,152,345	7,916,172
Supplies	245,969	123,102	50.05%	83.33%	122,867	135,468
Debt Service	157,325	156,913	99.74%	83.33%	413	357,250
Capital Outlay	100,000	11,148	11.15%	83.33%	88,852	20,993
Transfers to other funds**	322,306	322,306	100.00%	83.33%	-	7,034,262
TOTAL EXPENSES	15,526,542	9,669,765	62.28%	83.33%	5,856,777	16,758,087

Notes: Budgeted transfers of \$322,306 as follows: \$44,286 for an internal loan for vector truck; \$81,100 for Vehicle and Equipment Replacement Fund; \$196,920 for 12.4% payment to General Fund for internal service personnel.

* Includes \$1,713,953 in settle up refunds from TRA (\$1,688,008 for water and \$25,945 for sewer)

City of Colleyville
Debt Service Fund Monthly Financial Report
As of 07/31/2018 - End of 83.33% of the Fiscal Year

DEBT SERVICE FUND		ACTIVITY	
	FY 2018	FY 2017 YTD	PERCENT
SUMMARY	BUDGET	AS OF	OF BUDGET
		7/31/2018	USED
Revenues	1,854,412	1,982,134	106.89%
Expenditures	1,979,412	1,902,247	96.10%
Revenues over expenditures	(125,000)	79,887	
Budgeted use of fund balance	125,000		
Revenues & use of fund balance over expenditures	-	79,887	

DEBT SERVICE FUND		RECEIVED		AVERAGE ACTUAL	RECEIVED	
	FY 2018	FY 2018 YTD	PERCENT	YTD BALANCE	FY 2017 YTD	PERCENT
REVENUE SOURCE	BUDGET	AS OF	OF BUDGET	AS A PERCENT OF	AS OF	CHANGE OVER
		7/31/2018	RECEIVED	YEAR END BAL	7/31/2017	PRIOR YEAR
Current taxes	683,367	815,932	119.40%	99.25%	726,104	12.37%
Delinquent taxes	5,000	5,114	102.29%	80.54%	1,236	313.79%
Penalty & interest	5,000	4,614	92.28%	83.34%	3,468	33.05%
Interest Income	5,000	428	8.55%	77.86%	6,741	-93.66%
TOTAL AD VALOREM TAX & INTEREST	698,367	826,088	118.29%	99.00%	737,550	12.00%
Transfer from CCPD	501,845	501,846	100.00%	100.00%	503,862	-0.40%
Transfer from TIF*	654,200	654,200	100.00%	100.00%	-	0.00%
TOTAL TRANSFERS	1,156,045	1,156,046	100.00%	100.00%	503,862	129.44%
Use of Fund Balance	125,000	-	0.00%	0.00%	-	0.00%
Bond proceeds & Premium	-	-	0.00%	0.00%	-	0.00%
TOTAL REVENUE & USE OF FUND BAL	1,979,412	1,982,134	100.14%	99.36%	1,241,412	59.67%

DEBT SERVICE FUND		EXPENDED		PERCENT OF		EXPENDED
	FY 2018	THROUGH	PERCENT	FISCAL YEAR	BUDGET	FY 2017 YTD
	BUDGET	7/31/2018	OF BUDGET	COMPLETE	REMAINING	AS OF
			EXPENDED			7/31/2017
Bond & Interest Payments	1,639,088	1,559,435	95.14%	83.33%	79,653	1,534,708
Leases (Fire Engine & Ambulance)	340,324	342,812	100.73%	83.33%	(2,488)	335,654
TOTAL EXPENSES	1,979,412	1,902,247	96.10%	83.33%	77,165	1,870,363

*Transfer takes place at the balance sheet level for the principal portion of the debt without affecting the income statement accounts.

City of Colleyville
Drainage Fee Fund Monthly Financial Report
As of 07/31/2018 - End of 83.33% of the Fiscal Year

DRAINAGE FEE FUND		ACTIVITY	
	FY 2017	FY 2017 YTD	PERCENT
SUMMARY	BUDGET	AS OF	OF BUDGET
		7/31/2018	USED
Revenues	961,880	853,375	88.72%
Expenditures	1,481,362	567,747	38.33%
Revenues over expenditures	(519,482)	285,628	
Budgeted use of fund balance	519,482		
Revenues & use of fund balance over expenditures	-	285,628	

DRAINAGE FEE FUND		RECEIVED		AVERAGE ACTUAL	RECEIVED	
	FY 2018	FY 2018 YTD	PERCENT	YTD BALANCE	FY 2017 YTD	PERCENT
REVENUE SOURCE	BUDGET	AS OF	OF BUDGET	AS A PERCENT OF	AS OF	CHANGE OVER
		7/31/2018	RECEIVED	YEAR END BAL	7/31/2017	PRIOR YEAR
Drainage Revenues	950,880	822,455	86.49%	83.18%	808,053	1.78%
Other revenues (Interest, penalty,...)	11,000	30,919	281.09%	77.13%	8,121	280.75%
TOTAL REVENUES	961,880	853,375	88.72%	83.09%	816,174	4.56%

DRAINAGE FEE FUND		EXPENDED	PERCENT	PERCENT OF		EXPENDED
	FY 2018	THROUGH	OF BUDGET	FISCAL YEAR	BUDGET	FY 2017 YTD
	BUDGET	7/31/2018	EXPENDED	COMPLETE	REMAINING	AS OF
						7/31/2017
Personnel Services	424,005	329,166	77.63%	83.33%	94,839	285,766
Contractual Services	134,826	63,193	46.87%	83.33%	71,633	61,865
Supplies	47,957	34,529	72.00%	83.33%	13,428	15,060
Debt Service	124,574	121,827	97.79%	83.33%	2,747	125,008
Transfers to other funds	750,000	19,032	2.54%	83.33%	730,969	19,032
TOTAL EXPENSES	1,481,362	567,747	38.33%	83.33%	913,615	506,731



Agenda Item - Reports

Monthly Financial Report July 2018

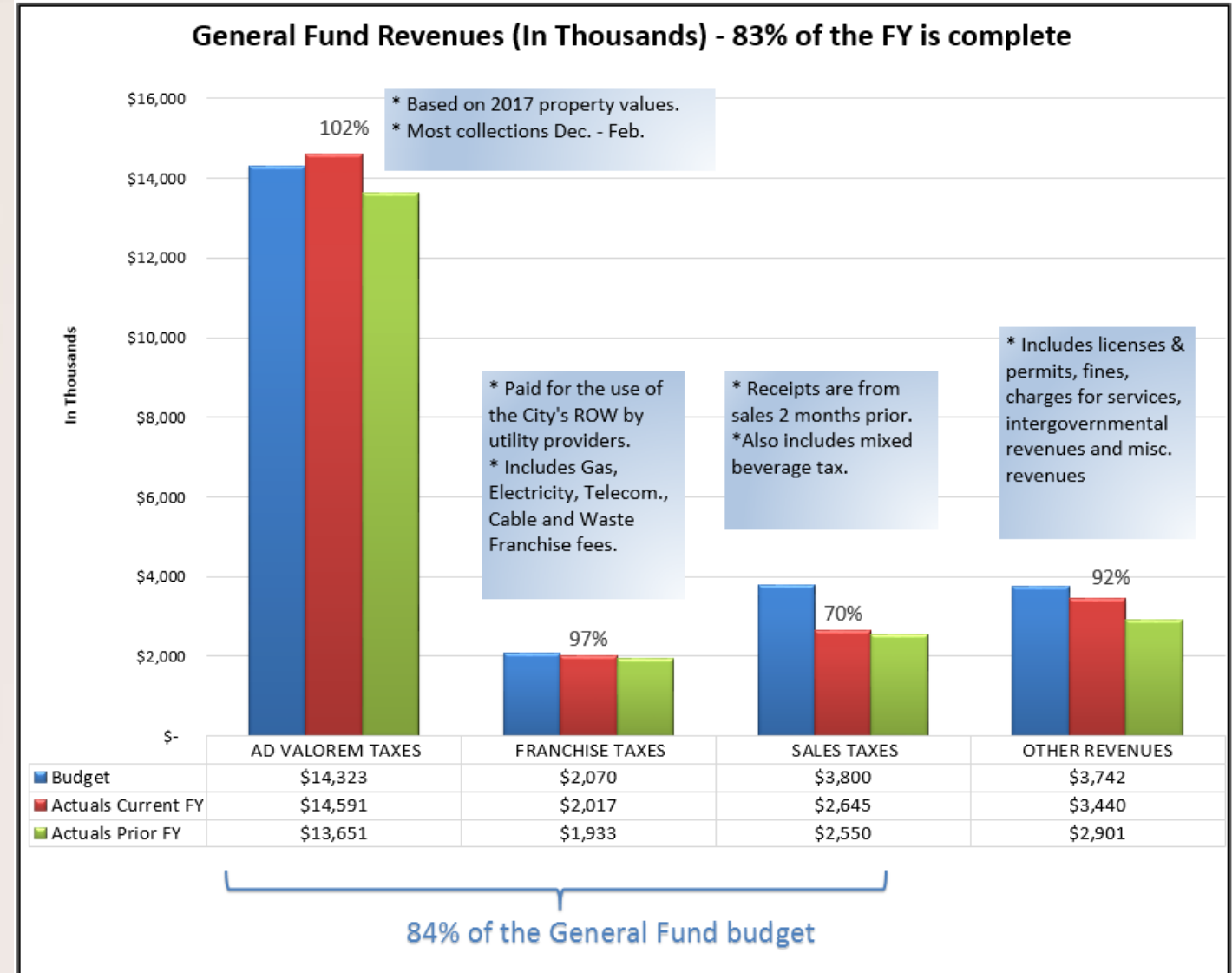
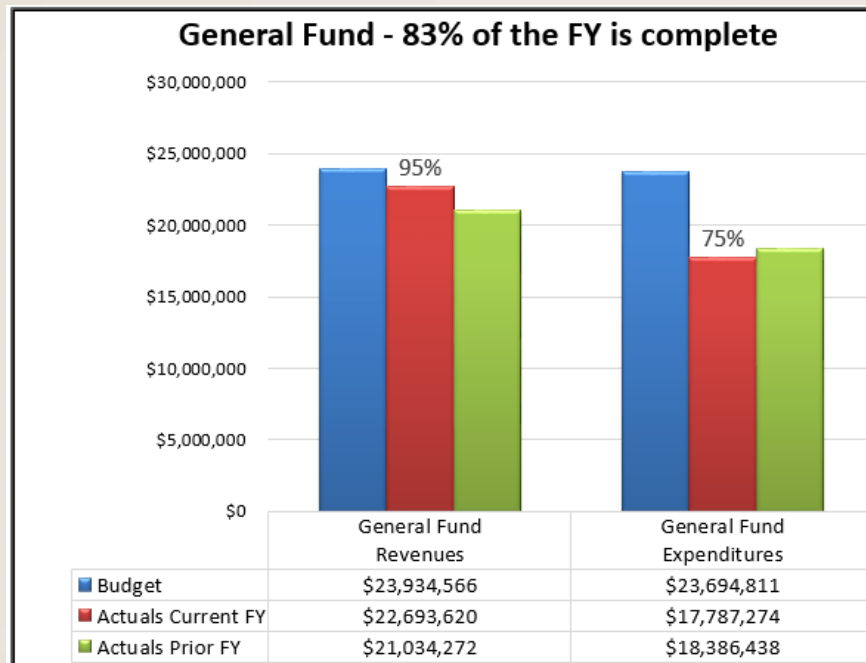
City Council Meeting
August 21, 2018

General Fund



Highlights:

- Total revenues: Up 7.89%
 - 1 cent sales tax: Up 3.74%
 - Ambulance revenues: Up 14.43%
 - Recreation program revenues: Up 37.59%
 - Licenses & permits revenues: Up 15.10%
- Expenditures on track with budget

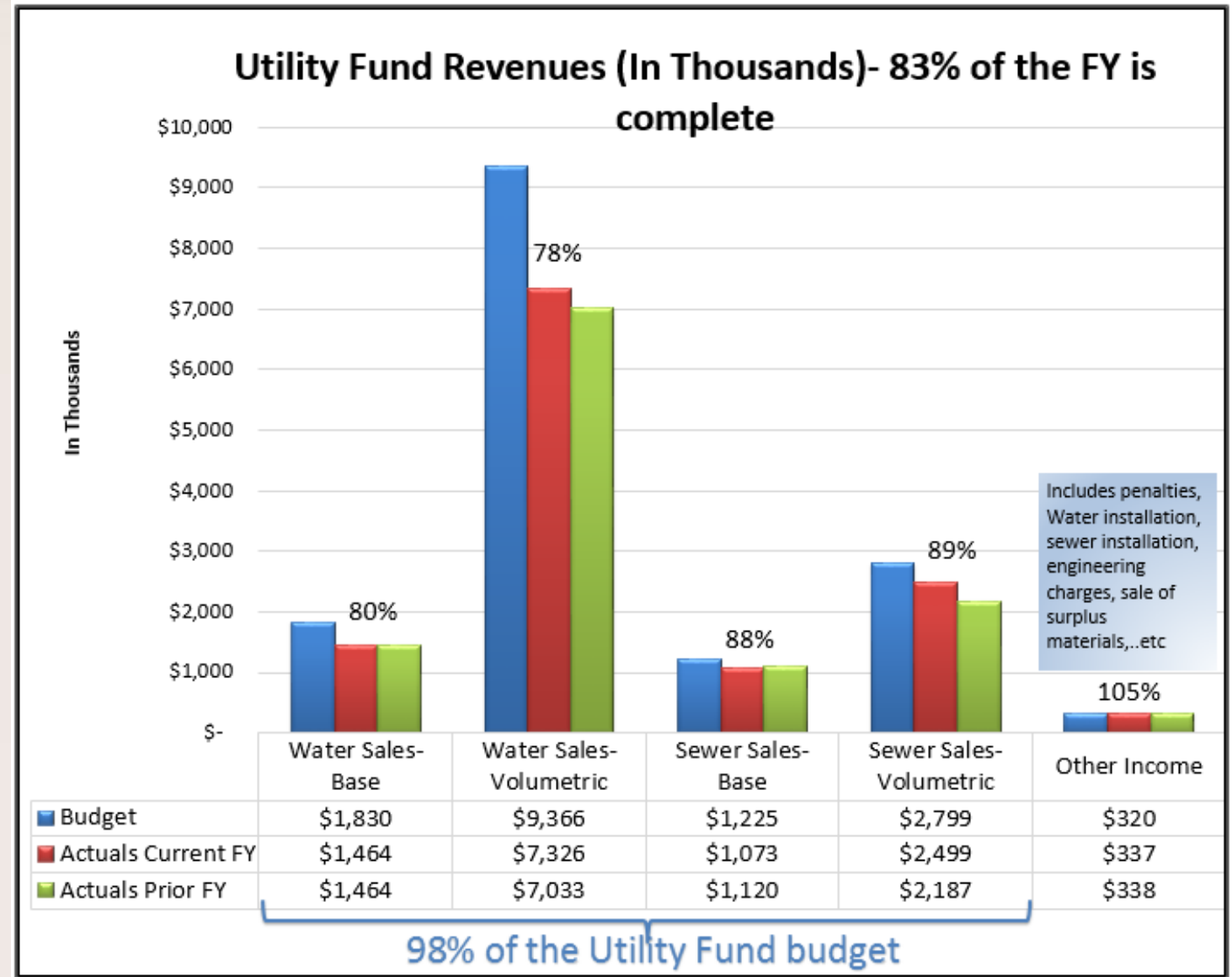
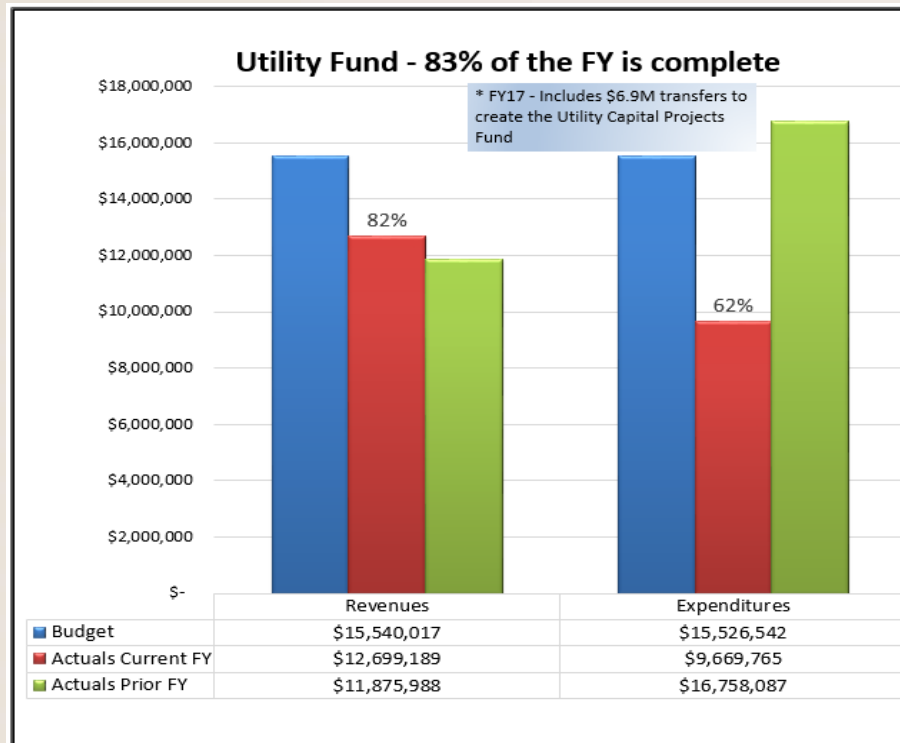


Utility Fund



Highlights:

- Total revenues: Up 6.93%
- Number of customers: Up 1.81%
- 2017 TRA true up received: \$1.7M
- Revenues are tracking as expected → summer irrigation drives more costs and revenue than non-peak months

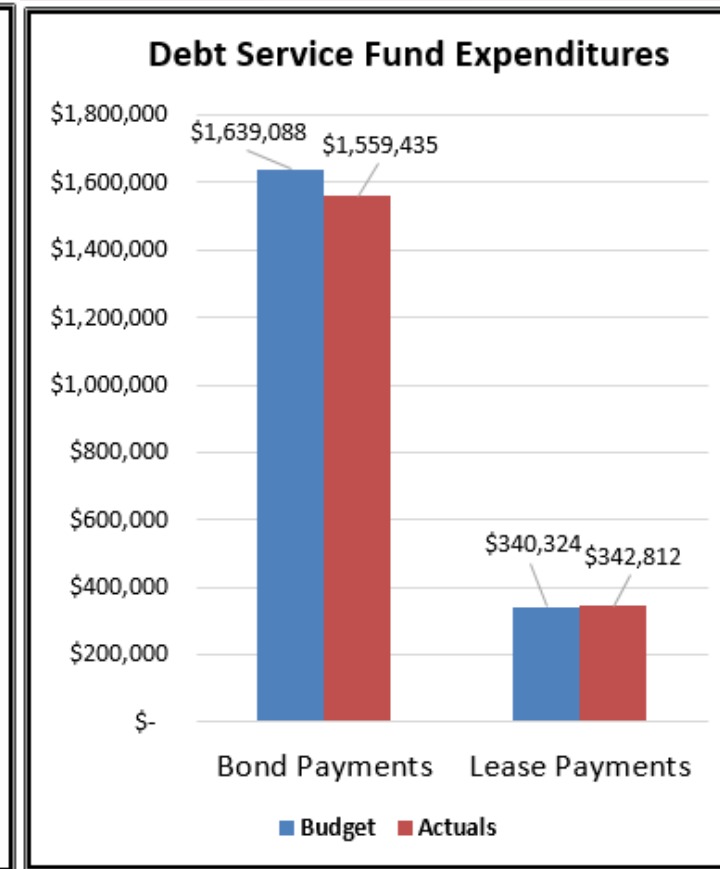
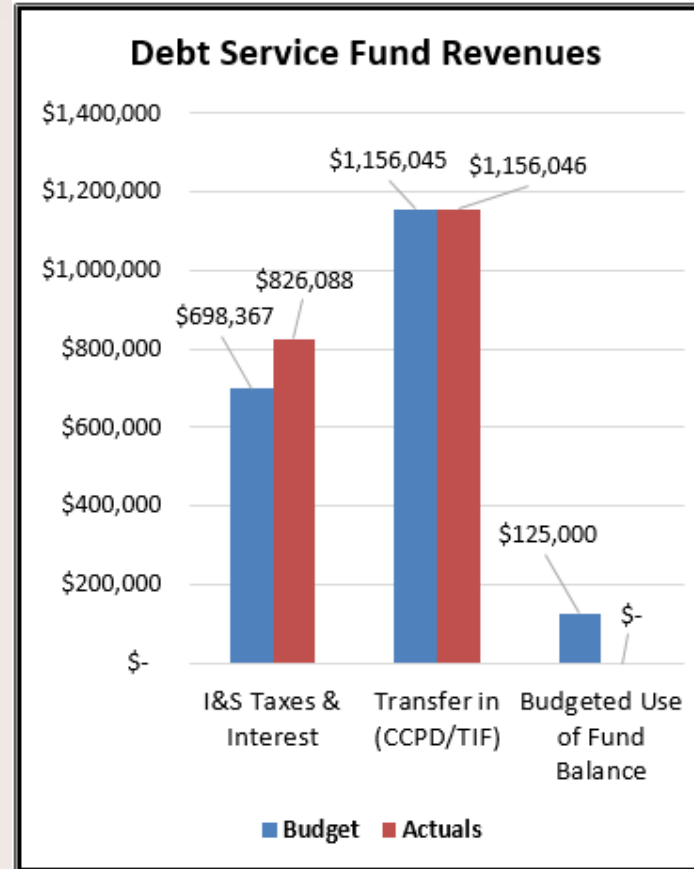
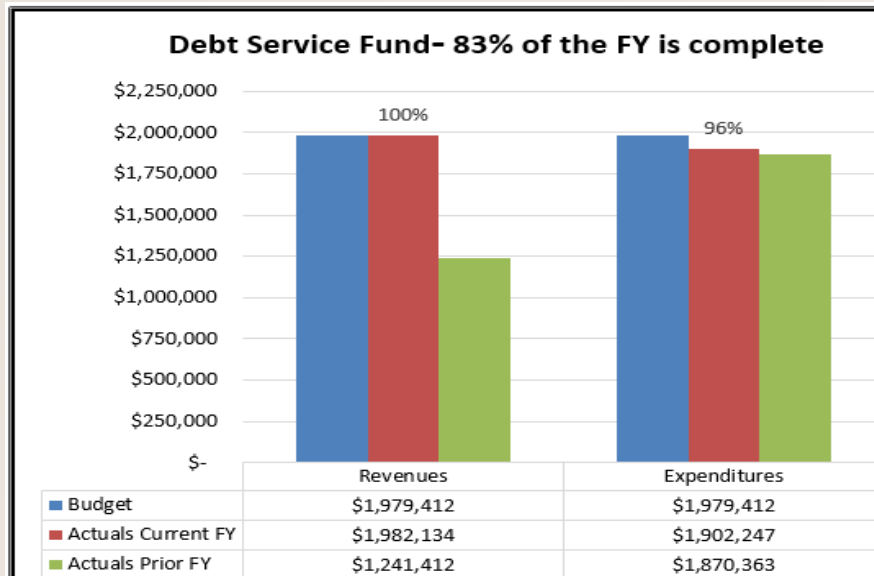


Debt Service Fund



Highlights:

- YTD revenues are \$79,887 over expenditures
- Budgeted use of Fund Balance likely not necessary
- Bond payments:
 - February principal & interest payment made
 - August interest payment remaining
- Lease-purchase payments:
 - Fire engine payment made
 - Ambulance payment made

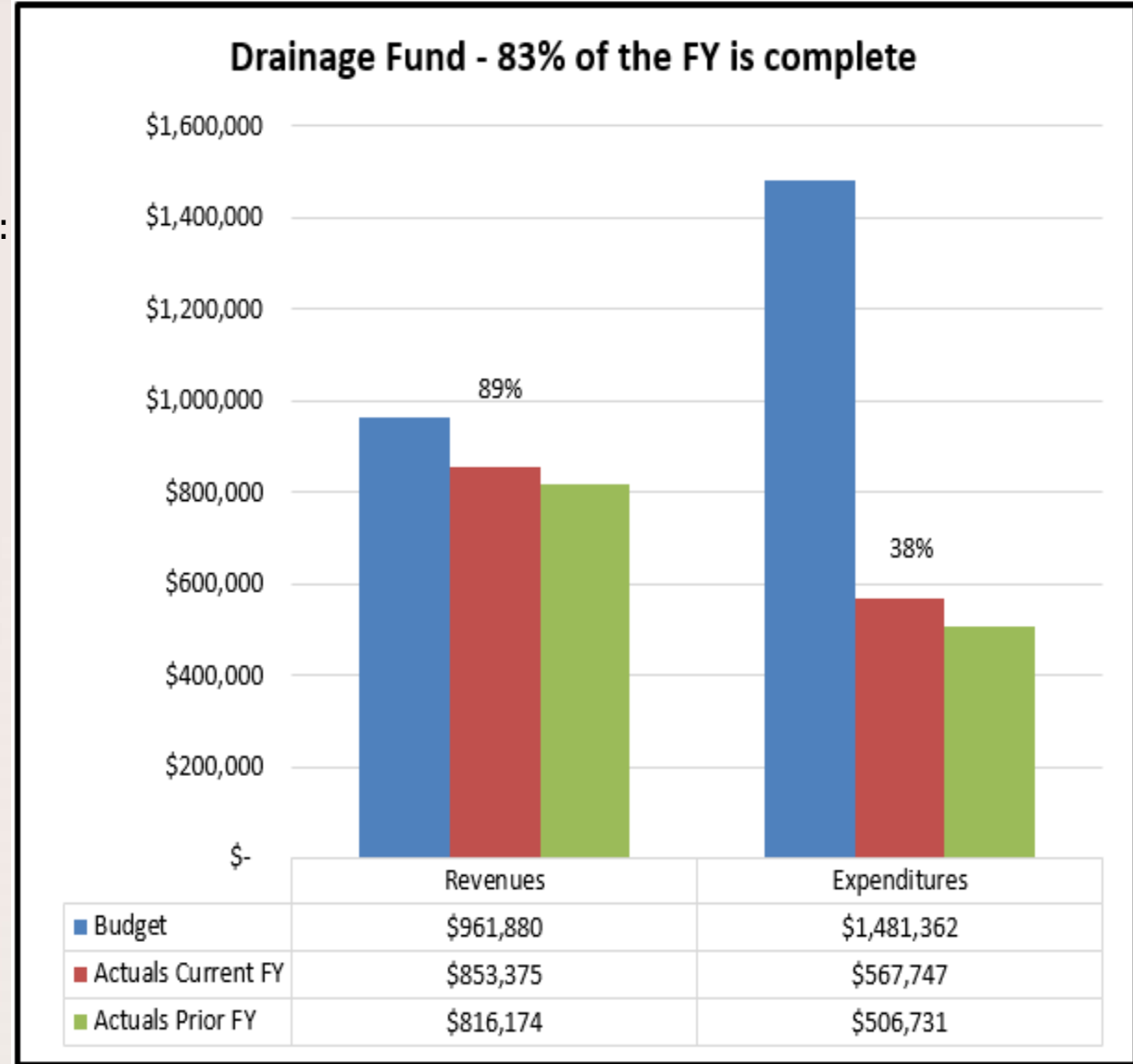
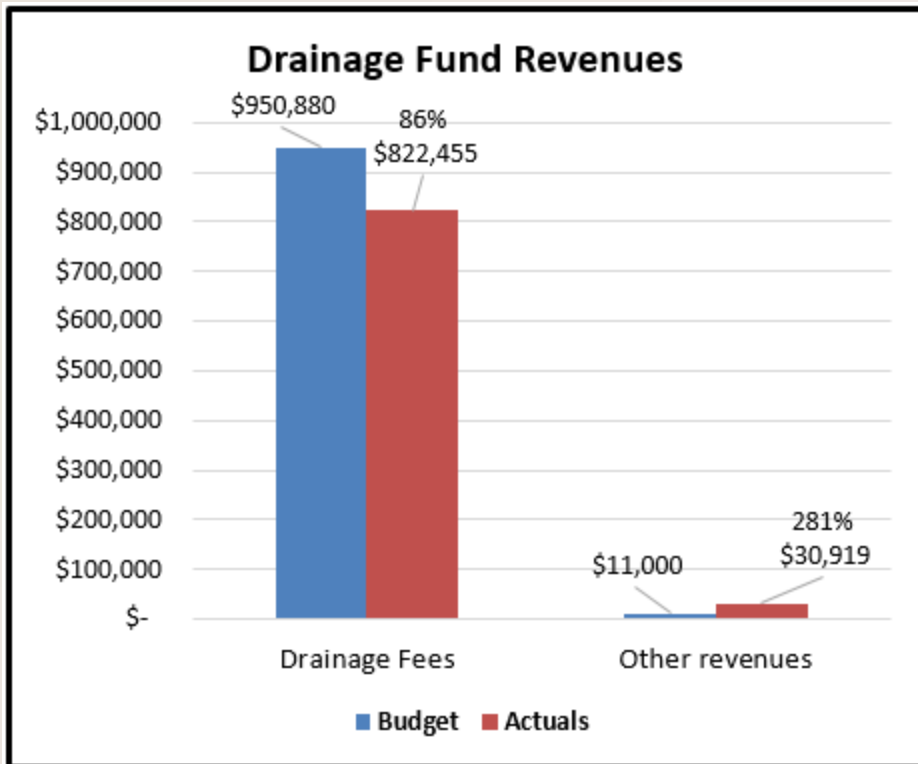


Drainage Fund



Highlights:

- YTD revenues are \$285,628 over expenditures
- Drainage fee revenues: Up 1.78%
- Expenditures YTD are low due to remaining major expenses:
 - \$500,000 Drainage Master Plan
 - \$250,000 Street sweeper replacement





City of Colleyville City Council Agenda Briefing

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

Agenda Number 6a

Agenda Date 08/21/2018

Number Ordinance O-18-2056

Type Ordinance

Department Community Development

Title

Consideration of a zoning change from the R-40 Single Family Residential zoning district and AG Agricultural zoning district to the PUD-R Planned Unit Development-Residential zoning district on Lot 1R1 and 1R2, Block 1, of the Bear Creek Plantation, located at 1312 John McCain Road and 7309 Holly Lane N, Case ZC18-019

Strategic Plan

There is no Strategic Plan connection for this item.

Explanation

Second Reading and Public Hearing

There were several residents who spoke during the public hearing who expressed concerns about lot density, traffic, fencing and screening, drainage, grading, and zoning.

First Reading and Public Hearing

The applicant provided revised plans on August 1, 2018 reflecting changes from both recommendations by the Planning & Zoning Commission and desires of the adjacent property owners. The plans are attached together as a single document.

No change of zoning where exists a protest against such change, signed by the owners of twenty (20) percent or more of either the area of lots or land included in such proposed change, or lots or land immediately adjoining same and extending two hundred (200) feet therefrom, filed with the City Secretary, shall be passed except by a favorable vote of three-fourths (3/4) of all members of the City Council. The calculated percentage of opposition equals 20.56 percent.

Curtis Young, the applicant, has submitted a request to rezone Lots 1R1 and 1R2, Block 1, of the Bear Creek Plantation, being approximately 43.54 acres, and zoned AG Agricultural & R-40 Single Family Residential districts. The purpose of the request is to rezone to the PUD-R Planned Unit Development – Residential district to allow for single-family residential development of 36 lots and 9 common area/open space lots.

Existing Conditions/Background: The subject property, 1312 John McCain Road, resides on the north side of John McCain Road and extends north to Big Bear Creek. The portion of the property with Agriculture zoning currently maintains a single

residence. The portion of the property with R-40 zoning also maintains a single residence. Many local residents will recognize the property by its long, tree-lined drive.

Proposed Zoning:

Request – The applicant requests to create a single-family residential subdivision. The proposed development consists of 36 lots, ranging from 26,000 square feet (0.597 acres) to 1.31 acres in area, and a large amount of open space (approximately 21% of the project area). The project will also preserve the tree lined drive by converting it into a median area along the primary street through the neighborhood. The applicant also states that through the proposed PUD and development restrictions the home values should average approximately \$2.5 million dollars per lot.

The applicant proposes the following development standards for the PUD-R subdivision:

Minimum Lot Area:	26,000 square feet
Minimum Lot Width:	100 feet, except 67 feet for cul-de-sac lots
Front Setback:	30 feet
Side Setback:	10 feet
Street Facing Side Setback:	20 feet, except "key" lots
Rear Setback:	25 feet
Minimum House Size:	3,500 square feet for a single-story home; 4,000 square feet for a two-story home

Additional regulations are proposed pertaining to screening, architectural features, landscaping, and street design.

Analysis: The requested PUD-R zoning would establish a single-family residential neighborhood similar in character to surrounding neighborhoods. The design of the neighborhood allows for the preservation of a large amount of open space which a standard zoning classification would not likely achieve. It also preserves the well-known double row of oak trees lining both sides of the existing drive. While some of the lot sizes vary more widely than many existing neighborhoods, they maintain a comparable average lot size and create a density below the target density stated in the Comprehensive Plan of 1.8 units per net acre, with the open space included in the calculation.

Surrounding Development: All of the surrounding properties have developed with single-family residential uses and maintain a variety of zoning classifications including R-20, R-30, R-40, AG, and various PUD-R districts. Big Bear Creek borders the subject property to the north, which is also the city limit line with the City of Southlake.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for single-family residential development. The proposed

PUD-R ordinance does not conflict with any portion of the comprehensive plan. The plan does also identify the preservation of the character of existing neighborhoods as a priority objective.

Drainage Analysis: Citizens have expressed and staff is aware of concerns with the existing drainage system in the vicinity. The Developer has provided a preliminary drainage analysis which indicates that the storm drain system in Tanglewood Estates was designed and built to accommodate the developed watershed. Additionally, the proposed drainage plan is to not fully detain post-developed runoff rates to existing runoff rates for the development. Staff has additional concerns and have made the developer aware of those, however they have indicated they want to address these concerns after the zoning process and during the Preliminary Plat process. The final drainage system of the development must meet all requirements of the Land Development Code.

Public Notification: Staff mailed notices to all property owners within 200 feet as well as any Homeowners Associations within 500 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code. To date, a response from the Tanglewood Estates neighborhood to the east has been received and 1 letter in opposition to the case.

Staff Recommendation: The proposed PUD-R ordinance offers a good opportunity to ensure orderly and complementary development to the existing adjacent residential development and in the area. Staff recommends approval of the requested PUD zoning.

Planning & Zoning Commission Recommendation: The Planning & Zoning Commission recommended approval of the zoning change request at their July 9, 2018 meeting by a vote of 5-0 with the following conditions: 1) requiring a minimum house size square footage of 4,000 square feet; 2) requiring that the existing fencing north of Holly Lane be replaced; 3) requiring a maximum lot coverage of 25 percent; 4) requiring that the main street have a minimum street pavement width of 24 feet and requiring a fire suppression system for all home within the subdivision; 5) requiring the construction entrance to be on John McCain only, access from Holly Lane shall be prohibited; and 6) requiring construction methods to ensure that the proposed ponds hold water.

Financial Impact

There is no financial impact to the City.

Recommendation

Approve

Attachments

1. Request to Table
2. Aerial Map
3. Zoning Map
4. Future Land Use Map
5. Revised Exhibits Received 8.1.2018
6. Perimeter Grading Concept Plan
7. Dimensional Control Plan
8. Entry Plan
9. Screening and Fencing Plan
10. Notification Map
11. Notification List
12. Property Owner Notification
13. Letters of Opposition
14. Tanglewood Estates Response to Proposed Development
15. Tanglewood Agreement Letter
16. Ordinance O-18-2056

Ben Bryner

To: Curtis Young
Subject: RE: Oak Alley- Zoning Case #ZC18-019

From: Curtis Young [mailto:]
Sent: Wednesday, August 15, 2018 5:31 PM
To: Ben Bryner <BBryner@colleyville.com>
Cc: Burk Collins < >
Subject: Oak Alley- Zoning Case #ZC18-019

Ben,
As we've discussed, we are working hard to reach out to our neighbors, especially those who have expressed their opposition, and are moving toward what is hopefully a mutually agreed upon solution to their primary concerns. We aren't there yet, but making progress, in a very cooperative fashion.

Therefore, in order to give us all enough time to consider everything, and then to revise the exhibits (should we strike a compromise), we would like to request to table the second reading now scheduled for next Tuesday, until the September 4th City Council meeting.

Let me know if you need anything else from me.

Thanks-

Curtis W. Young, AIA
Sage Group, Inc.
1130 N. Carroll Avenue, Suite 200
Southlake, Texas 76092
Tel: 817-424-2626 (Metro)
Fax: 817-424-2890

Aerial Map

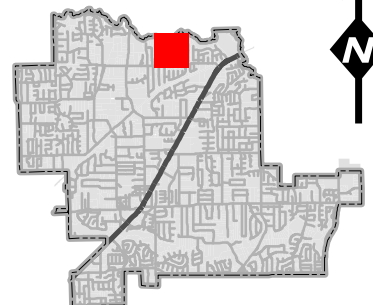


ZC18-019

**1312 John McCain Road
and 7309 Holly Lane N**

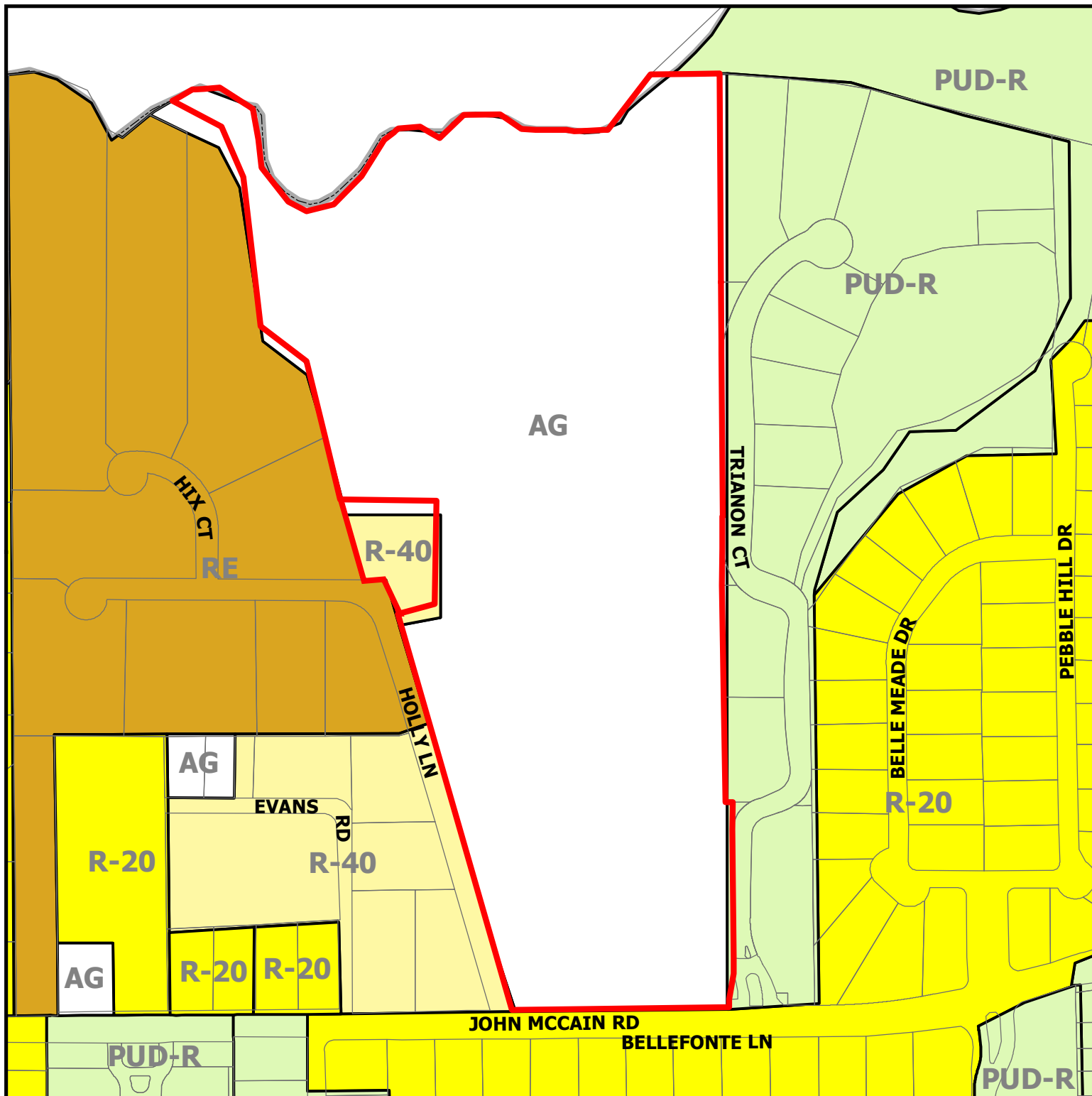


Subject Property



DISCLAIMER:
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Zoning Map

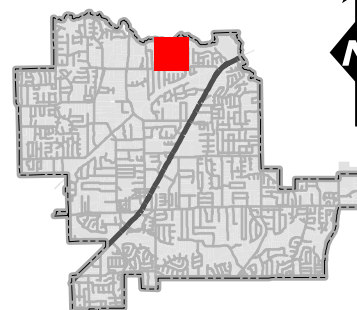


ZC18-019

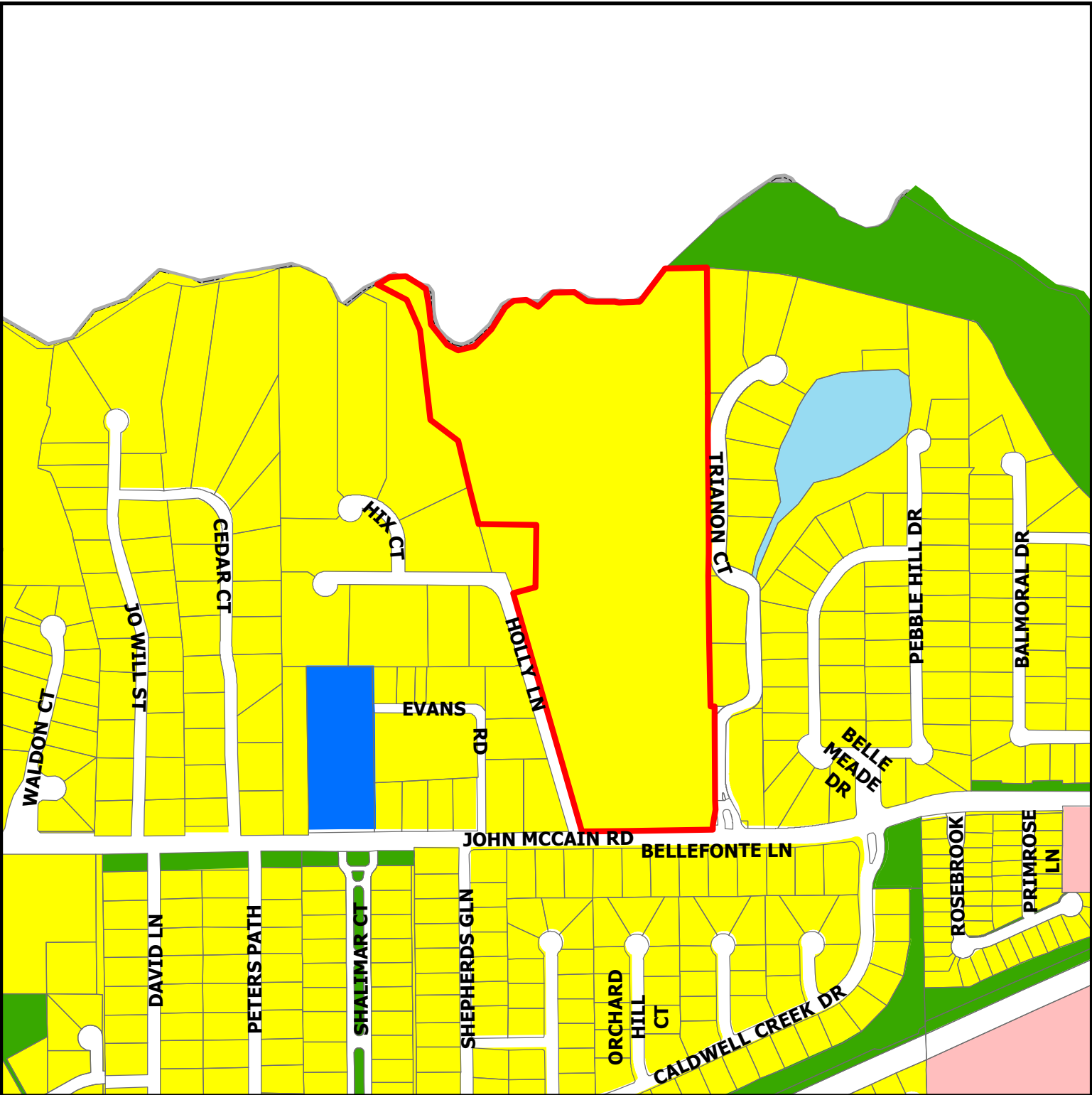
**1312 John McCain Road
and 7309 Holly Lane N**

DISCLAIMER:
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 Subject Property



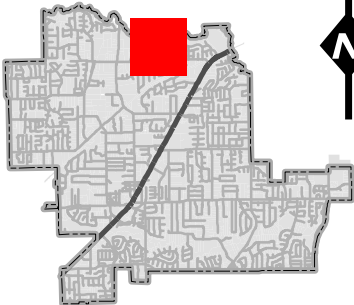
Future Land Use Map



ZC18-019

**1312 John McCain Road
and 7309 Holly Lane N**

 Subject Property



DISCLAIMER:
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Oak Alley

Colleyville, Texas

Zoning Narrative –1 August 2018

Burk Collins & Co. LTD, Developer

Sage Group, Inc., Land Planner

Statement of Planning Objectives

Oak Alley is a proposed residential neighborhood to be developed by Burk Collins & Co, LTD, under the PUD-R Residential District regulations for residential development in the City of Colleyville. The 43.54 acre property is located on the north side of John McCain Road, just east of Holly Lane (adjacent to the Hidden Acres Addition) and west of, and adjacent to, the Tanglewood Estates gated neighborhood. The property is currently zoned R-40 and AG. The intent here is to rezone the entire property to PUD-R, unifying the property into one cohesive, master planned residential development of the highest quality.

There are currently two occupied single-family homes on the two platted properties that make up this proposal. The main home will be worked into the plan; most of the remaining structures will be removed.

The surrounding area is, for the most part, fully developed with a combination of PUD-R lots ranging from 15,000 s.f. lots, 30,000 s.f. lots, as well as acre plus sized lots. There are existing subdivisions bordering the subject tract on the entire western, eastern and southern boundaries. The northern boundary is Bear Creek, and is the city limit line. Across the creek is the Timarron Golf Course, and the City of Southlake.

The proposed plan, primarily consisting of 30,000 s.f. lots (average of about 36,000 s.f.), and has a range of lot sizes from 26,000 sf minimum, up to several acre plus lots (and one 3.3 acre lot for the existing large home) and open space, would fit in well with the neighborhood, as well as be consistent with the city's Future Land Use Plan.

Quality and compatibility with the adjacent residential, as well as the rest of Colleyville is essential, and we have designed this proposal with those goals in mind.

The residences planned for Oak Alley will be very upscale, with selling prices estimated to start at around \$2.0 million. The development will center upon, and feature, the existing double row of Live Oaks, installed some years ago by the property owner along either side of the drive, the defining feature of the property. This will continue to enhance the vista toward the "plantation house" at the far end by placing a boulevard (divided) road along either side of it. An expanded greenbelt setback will be dedicated along the John McCain frontage, and will be fully landscaped, as will the other open space areas within the project. Open Space will make up over 21% of the project area.

Oak Alley will be proposed as a gated community with private streets. A double road, divided entry from John McCain Road, positioned to line up with and take advantage of the central double row of Live Oaks, will provide a distinctive and quality main entry. This

Revised Exhibits Received 8/1/2018

divided road will serve as a loop road through the development, with the two entries from John McCain meeting the minimum 100' centerline spacing for two points of emergency access. We propose to build the normal Colleyville street section of 31' (back of curb to back of curb), in a 50' R.O.W., throughout the project, except for the main divided central entry road.

There will be a requirement of at least two street trees for every residential lot to be installed by the home builders, adjacent to the street rights of way, unless there are already existing trees there that are saved. We have worked extensively, in conjunction with our neighbors to the east and west, to provide landscape buffers between the existing homes and the future home sites within Oak Alley. All perimeter boundaries will have 25', fully landscaped buffer easements, as shown on the Development Plan.

The existing and fully developed storm drainage has been carefully analyzed, and will be designed to meet all city regulations and not adversely affect any neighboring properties. There will be a pond constructed along the Holly Lane frontage- in a landscaped setting, which will double as a storm detention facility, to the extent it is necessary.

To encourage pedestrian activity in the neighborhood, sidewalks will be built along the front of each lot, and a connection will be made to the large greenbelt area along Bear Creek, and an amenity for the residents.

The scale and orientation of the development has been designed to have an inviting visual flow with the existing neighborhoods and surrounding uses. The design criteria of the homes will create high quality designed homes in keeping with both the immediate neighborhood and Colleyville as a whole.

Development Schedule

Oak Alley will most likely be developed in two phases with first phase development commencing upon the successful completion of the zoning and platting and the subsequent approval of the final plat and engineering plans. Construction of homes is anticipated to start immediately upon completion of the subdivision's infrastructure.

Economic Development Information

Oak Alley will have a total of thirty six (36) homes, each with an estimated average value upon completion of \$2,500,000, resulting in an overall tax base of over \$90,000,000. At the current tax rate of 2.339023%, the total taxes generated from the development are projected to be \$2,105,120, with over \$300,000 generated directly for the City at buildout.

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Development Standards

Permitted Land Use:	Single Family Residential Detached
Minimum House Size:	4,000 square feet.
Minimum Lot Area:	26,000 s.f. (Average about 36,000 s.f.)
Minimum Lot Width:	One Hundred feet (100') measured at the building setback line, except pie-shaped cul-de-sac lots 1 and 2, in which case the minimum shall be sixty seven feet (67') at the building setback line.
Front Yard Setbacks:	Thirty feet (30') back of the property line
Rear Yard Setbacks:	Twenty Five feet (25')
Side Yard Setbacks:	Ten feet (10').
Street-facing Side Yard:	Side yard setbacks on the street side of a corner lot, fronting on another street, shall be 20', except for "key" lots which shall match the front setback of adjacent lots, as shown on the Development Plan.
Street Standards:	The streets within Oak Alley are proposed to be private streets with restricted access (gated). All undivided sections will be built to the standard street section of 31' b/b paving, in a 50' Private Street ROW. Street "A" (southbound and northbound), is a divided road, intended to preserve the double row of Live Oaks in the median, with paving in each direction of 25'b/b, in separate 32.5' Private Street ROW's.
Minimum Roof Pitch:	Minimum of a 10:12 roof pitch, unless architecturally required to vary, based on home style.
Garage Standard:	Minimum of a three car garage with wood-like, architecturally enhanced doors.
Masonry Requirement:	One hundred percent (100%) brick, stone or real stucco masonry. No EIFS or artificial stucco material shall be permitted in the subdivision.

Revised Exhibits Received 8/1/2018

Additional Elevation Requirements: All plans will be reviewed by the Oak Alley Architectural Review Committee, and will comply with a set of Design Guidelines which will be developed to assure structures and site features of the highest quality. Elevations will have a hierarchy of plate dominance featuring custom front doors and entrances; balanced architectural features and interests with natural tones for paint and exterior finishes. The elevations on all “four sides” shall be addressed in the design to present a finished appearance. Roofing will match the architectural style. Slate, tile or standing seam metal are examples. Each elevation should add interest to the entire streetscape.

Windows: No aluminum windows allowed in the subdivision, only windows of higher quality and energy efficiency will be allowed. All windows will be insulated glass with a “low-e” specification.

Fencing: Wood fencing between lots is not permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lots backing to the Common Open Space shall be open style fencing of decorative metal, and/or Masonry.

Where lots back to existing residential lots with fences, the existing fence shall be kept, maintained or improved in coordination with each owner, as shown in the diagram on the Development Plan and associated detailed diagrams. Where open space lots border adjacent properties, either the existing fence will be maintained or improved, or a decorative masonry or metal fence will be installed, all in cooperation with the adjacent property owner, according to the detailed plans submitted with zoning. All perimeter walls and fences shall be installed prior to any vertical home construction.

Streetscape Standards: Minimum of two (2) three-inch (3”) caliper trees per front yard, unless quality existing trees are present and saved. Fully landscaped and sprinklered front and rear yard within sixty days of completing a house.

Open Space Maintenance: The open space lots within the subdivision shall be maintained in a consistent, uniform manner by the Oak Alley Homeowners Association through dues collected from the individual homeowners. Membership in the Homeowner’s Association is mandatory.

Revised Exhibits Received 8/1/2018

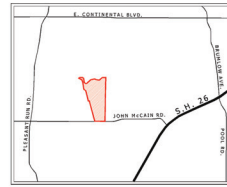
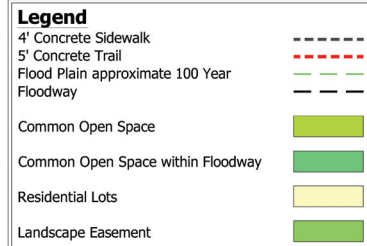
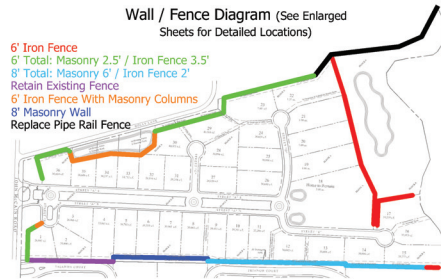
Street Design Standards:

Right of Way:	Fifty feet (50') (Undivided), Thirty Two, one half feet (32.5') (each side of divided entry road)
Travel Lane Width:	Thirty-one feet (31'), back of curb to back of curb (undivided) Twenty-three feet (23'), back of curb to back of curb (divided)
Turning Radii:	Fifteen feet (15')

Open Space Standards: Except for the natural tree preservation areas, the Common Open Space shall be fully landscaped and irrigated with a combination of trees and shrubbery pursuant to an approved landscape plan. The Common Open Space shall be owned, operated and maintained by Oak Alley Homeowners Association which shall have a mandatory membership of all homeowners and shall collect dues in amounts satisfactory to maintain the Common Open Space. The Association shall have fine and lien rights as permitted by law to enforce compliance with the rules of the association.

Signage: A monument sign identifying the subdivision shall be built at the gated entry from John McCain Road.

Revised Exhibits Received 8/1/2018



Site Data - Development Plan

Single Family Residential Lots	36
Common Areas	9
Residential Lots	68.44%
Open Space	8.34%
Open Space Floodway	12.93%
R.O.W.	10.29%
Gross Acreage	100.00%
	29.80 ac.
	3.63 ac.
	5.63 ac.
	4.48 ac.
	43.54 ac.

Density Data

Gross Residential Acreage	43.54
Gross Residential Density	0.83
Residential Density Net R.O.W. (R.O.W. = 4.48 ac.)	0.92

Summary

Residential Lots	36
Minimum Building Lot Area	26,000 s.f.
Average Building Lot Area	36,058 s.f.
Common Areas	9
Existing Zoning	AG & R-40
Proposed Zoning	PUD-R

Owner:

Burk & Gloria Collins Trust
1312 John McCain Rd.
Colleyville, TX 76034

Surveyor:

Miller Surveying, Inc.
430 Mid Cities Blvd.
Hurst, TX 76054
Tel: 817-577-1052

Engineer:

Deotte, Inc.
420 Johnson Rd., Suite 303
Keller, TX 76248
Tel: 817-337-8899
Contact: Clayton Redinger

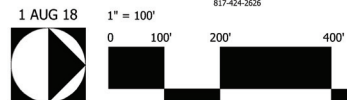
Applicant:

Sage Group, Inc.
1130 N. Carroll Ave., Suite 200
Southlake, TX 76092
Tel: 817-424-2626
Contact: Curtis Young

Planner:

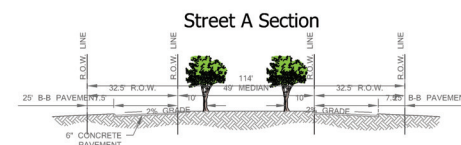
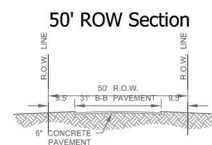
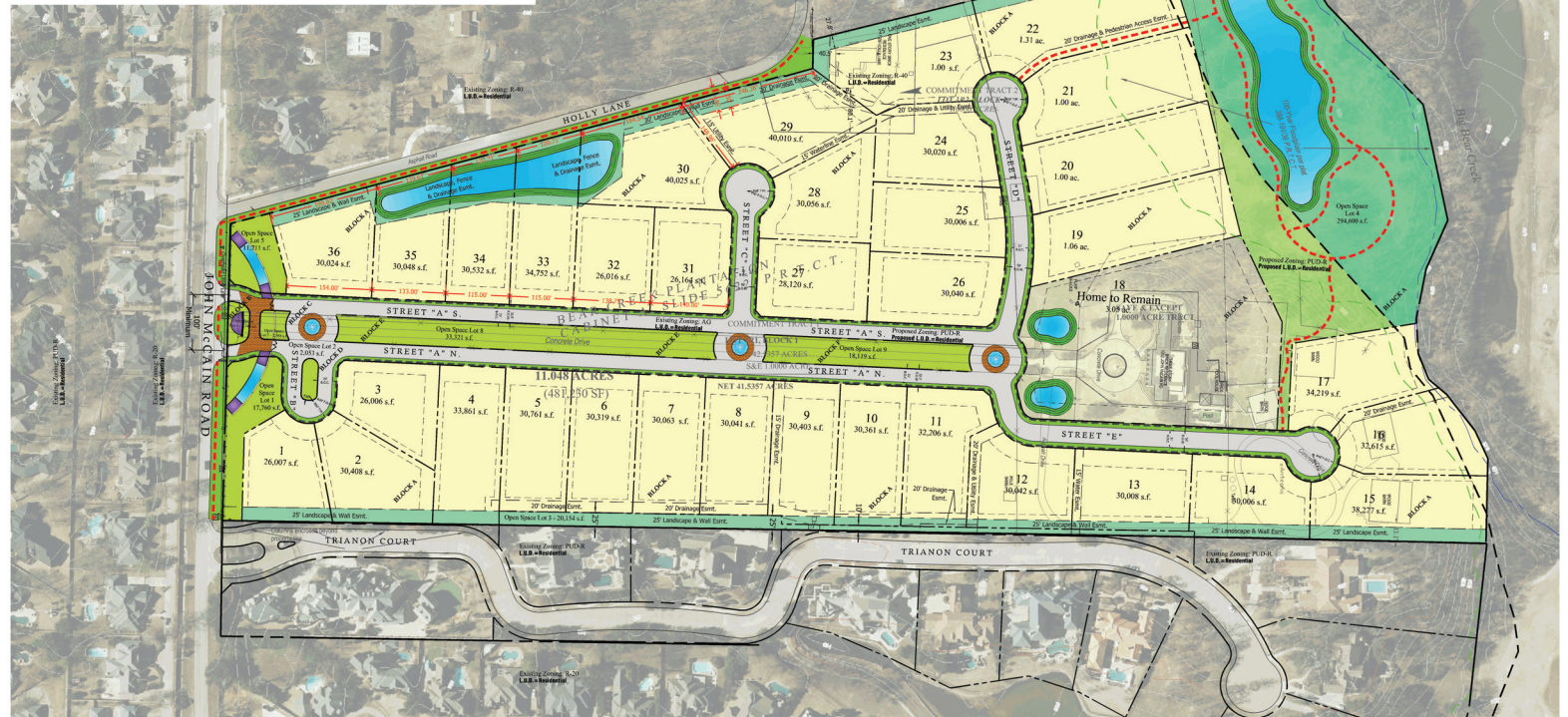
SAGE GROUP, INC.

Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
817-424-2626



Development Plan

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1



Zoning Exhibit for
Zoning Change Request
from AG & R-40 to PUD-R

Case #ZC18-019

Oak Alley

Colleyville, Tarrant County, Texas



TYPE C - 6' Ornamental Metal Fence WITH Masonry Columns
 TYPE D - 6' Total: Masonry Wall 2.5' / Ornamental Metal Fence 3.5'
 TYPE F - 8' Masonry Wall
 Retain Existing Wall / Fence

Eastern Boundry Detail (Sheet 1 of 3)

Case #ZC18-002

Oak Alley

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleyville, Tarrant County, Texas

Planner:



SAGE GROUP, INC.
 Master Planning
 Urban Design
 Architecture
 Landscape Architecture
 1130 N. Carroll Ave., Ste. 200
 Southlake, Texas 76092
 817-424-2626

1 AUG 18

1" = 60'





Planner:



SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
817-424-2626

TYPE A - 8' Total: Masonry Wall 6' / Ornamental Metal Fence 2'
TYPE F - 8' Masonry Wall

Case #ZC18-002



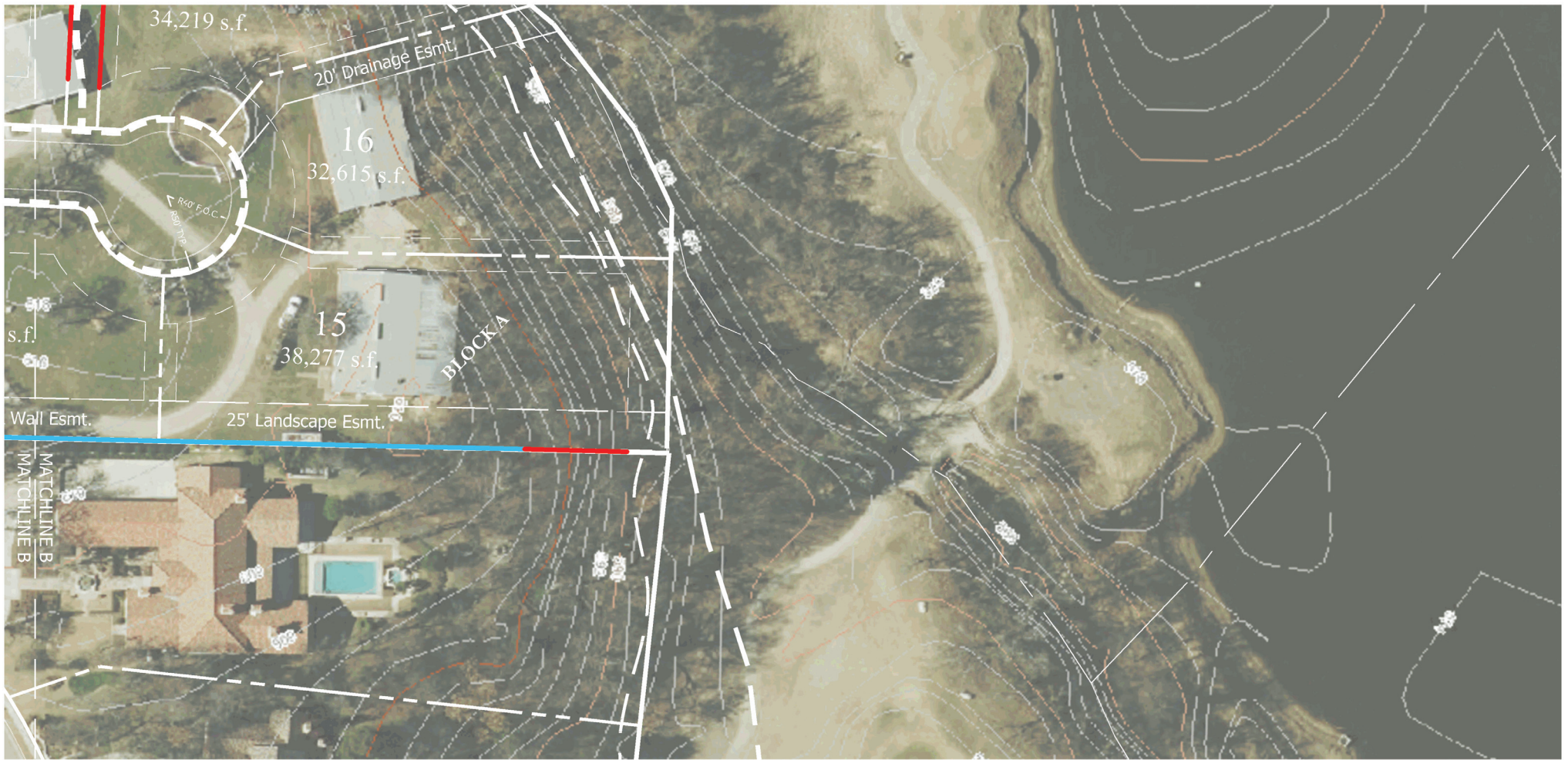
Eastern Boundary Detail (Sheet 2 of 3)

Oak Alley

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleyville, Tarrant County, Texas

Revised Exhibits Received 8/1/2018



Planner:



SAGE GROUP, INC.

Master Planning

Urban Design
Architecture

Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
817-424-2626

817-424-2626

1 AUG 18

$$1'' = 60'$$

0 3

114



10

TYPE A - 8' Total: Masonry Wall 6' / Ornamental Metal Fence 2'

TYPE E - 6' Ornamental Metal Fence

Case #ZC18-002

Oak Alley

Eastern Boundary Detail (Sheet 3 of 3)

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleyville, Tarrant County, Texas



Planner:



SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
817-424-2626

TYPE D - 6' Total: Masonry Wall 2.5' / Ornamental Metal Fence 3.5'

TYPE C - 6' Ornamental Metal Fence with Masonry Columns

Case #ZC18-002

1 AUG 18

1" = 60'



Western Boundary Detail (Sheet 1 of 3)

Oak Alley

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleyville, Tarrant County, Texas



Planner:



SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
817-424-2626

1 AUG 18



1" = 60'



TYPE D - 6' Total: Masonry Wall 2.5' / Ornamental Metal Fence 3.5'
Replace Pipe Rail Fence
6' Iron Fence

Western Boundary Detail (Sheet 2 of 3)

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Case #ZC18-002

Oak Alley

Colleyville, Tarrant County, Texas



Planner:



SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
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817-424-2626

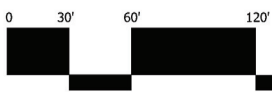
Replace Pipe Rail Fence

Case #ZC18-002

1 AUG 18



1" = 60'



Western Boundary Detail (Sheet 3 of 3)

Oak Alley

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleyville, Tarrant County, Texas

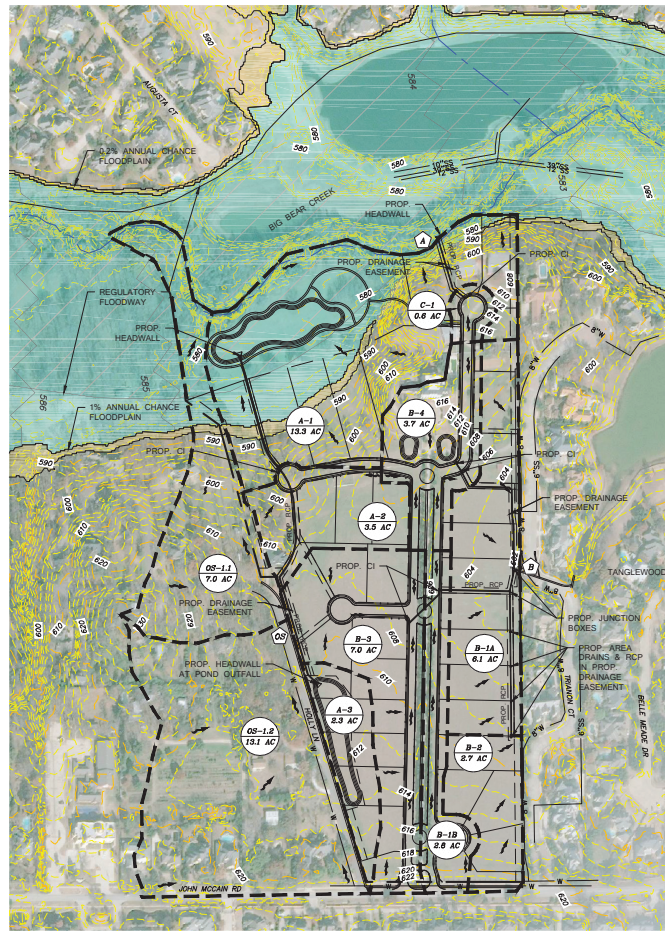
Revised Exhibits Received 8/1/2018

EXISTING CONDITION



Rational Method Runoff Calculations - Existing Condition														
DESIGN POINT	AREA DESIGNATION	AREA (ACRES)	RUNOFF COEFF	Tc (MIN)	I ₂ (IN/HR)	Q ₁ (CFS)	I ₁ (IN/HR)	Q ₂ (CFS)	I ₀ (IN/HR)	Q ₃ (CFS)	I ₂ (IN/HR)	Q ₄ (CFS)	I ₀ (IN/HR)	Q ₅ (CFS)
OS-1	OS-1	20.1	0.60	15	3.90	47.0	4.86	58.6	5.53	66.7	6.46	77.9	7.20	86.8
EX-A	EX-A	21.1	0.30	21	3.25	20.6	4.13	26.1	4.71	29.8	5.54	35.1	6.19	42.6
EX-B1	EX-B1	15.5	0.30	15	3.90	18.1	4.86	22.6	5.53	25.7	6.46	30.0	7.20	35.5
EX-B2	EX-B2	5.3	0.30	15	3.90	6.2	4.86	7.7	5.53	8.8	6.46	10.3	7.20	11.4
A	EX-A	21.1	0.30	21	3.25	20.6	4.13	26.1	4.71	29.8	5.54	35.1	6.19	42.6
B	ALL B	20.8	0.30	15	3.90	24.3	4.86	30.3	5.53	34.5	6.46	40.3	7.20	44.9

POST-PROJECT CONDITION



Rational Method Runoff Calculations - Post-Project Condition														
DESIGN POINT	AREA DESIGNATION	AREA (ACRES)	RUNOFF COEFF	Tc (MIN)	I ₂ (IN/HR)	Q ₁ (CFS)	I ₁ (IN/HR)	Q ₂ (CFS)	I ₀ (IN/HR)	Q ₃ (CFS)	I ₂ (IN/HR)	Q ₄ (CFS)	I ₀ (IN/HR)	Q ₅ (CFS)
OS-1	OS-1	20.1	0.60	15	3.90	47.0	4.86	58.6	5.53	66.7	6.46	77.9	7.20	86.8
EX-A	EX-A	21.1	0.30	21	3.25	20.6	4.13	26.1	4.71	29.8	5.54	35.1	6.19	42.6
EX-B1	EX-B1	15.5	0.30	15	3.90	18.1	4.86	22.6	5.53	25.7	6.46	30.0	7.20	35.5
EX-B2	EX-B2	5.3	0.30	15	3.90	6.2	4.86	7.7	5.53	8.8	6.46	10.3	7.20	11.4
A	EX-A	21.1	0.30	21	3.25	20.6	4.13	26.1	4.71	29.8	5.54	35.1	6.19	42.6
B	ALL B	20.8	0.30	15	3.90	24.3	4.86	30.3	5.53	34.5	6.46	40.3	7.20	44.9

OWNER:

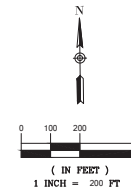
BURK & GLORIA COLLINS TRUST

ENGINEER:

DEOTTE, INC.
420 JOHNSON RD, SUITE 303
KELLER, TEXAS 76248
(817) 337-8889
CONTACT: CLAYTON REDINGER

APPLICANT:

SAGE GROUP, INC.
1130 N. CARROLL AVE., SUITE 200
SOUTHLAKE, TEXAS 76088
(817) 424-2626
CONTACT: CURTIS YOUNG



LEGEND

- A-1** **XX.X AC**
DRAINAGE AREA LABEL
- FLOW ARROW
- DRAINAGE DIVIDE
- EXISTING CONTOUR MINOR
- EXISTING CONTOUR MAJOR
- A**
DESIGN POINT

NOTES:

- PROPOSED GRADING IMPROVEMENTS WITHIN THE REGULATORY FLOODWAY OF BIG BEAR CREEK WILL LIKELY REQUIRE A CLOMR SUBMITTAL THROUGH FEMA AT A LATER DATE. DETAILING HYDRAULIC IMPACT DUE TO DEVELOPMENT.
- ULTIMATE CONFIGURATION AND SIZING OF PROPOSED IMPROVEMENTS MAY CHANGE SLIGHTLY IN FINAL DESIGN.
- TOPOGRAPHY OBTAINED THROUGH TEXAS NATURAL RESOURCE INFORMATION SERVICE (THRS), 2008, NAVD 88 VERTICAL DATUM.
- REF. TANGLEWOOD RECORD DRAWINGS (STAMPED 05-23-02) FOR DOWNSTREAM STORM DRAINAGE CAPACITY & CONFIGURATION.
- BIG BEAR CREEK SPECIAL FLOOD HAZARD AREA OBTAINED THROUGH TARRANT COUNTY GIS.

Time of Concentration or Travel Time Worksheet

Project: Oak Alley
By: DAC
Date: 8/1/2018
Location: Coleville, TX
Condition (Present/Proposed): **Current Conditions**

SHEET FLOW (Applicable to T_c only)

- Surface description
- Manning's Roughness Coefficient
- Flow length, L (total L <= 300ft) - (ft)
- Two-yr 24 hr rainfall, P₂ - (in)
- Land slope, S_l - (ft/ft)
- T_c = (0.00149L^{0.77} / (P₂^{0.484} S_l^{0.165})) - (hr)
- T_c = (0.00749L^{0.77} / (P₂^{0.484} S_l^{0.165})) - (min)

OS-1	EX-A	EX-B1	EX-B2
Pavement [D] Grass [D] Grass [D] Grass [D]			
0.011	0.240	0.240	0.240
100	100	100	100
4	4	4	4
0.021	0.05	0.05	0.05
0.02	0.15	0.15	0.15
1.06	8.85	8.85	10.85

SHALLOW CONCENTRATED FLOW

- Surface description (paved or unpaved)
- Flow length, L - (ft)
- Watercourse slope, S_w - (ft/ft)
- Average velocity, V_a - (ft/sec)
- T_c = L / (3600V_a) - (hr)
- T_c = L / (3600V_a) - (min)

OS-1	EX-A	EX-B1	EX-B2
UNPAVED [D] UNPAVED [D] UNPAVED [D] UNPAVED [D]			
200	200	200	200
0.022	0.02	0.024	0.02
2.4	2.25	2.5	2.25
0.02	0.02	0.02	0.02
1.39	1.48	1.33	1.48

CHANNEL FLOW

- Cross section flow area, a_c - (ft²)
- Wetted perimeter, P_w - (ft)
- Hydraulic radius, r_h = a_c / P_w - (ft)
- Channel slope, S_c - (ft/ft)
- Manning's Roughness Coefficient, n
- V = (1.49 / n) (r_h^{2/3} S_c^{1/2}) - (ft/sec)
- Flow length, L - (ft)
- T_c = L / (3600V_a) - (hr)
- T_c = L / (3600V_a) - (min)

OS-1	EX-A	EX-B1	EX-B2

Watershed Area (ac)

Total Watershed or subarea T _c or T _c - (hr)	0.16	0.35	0.23	0.23
Total Watershed or subarea T _c or T _c - (min)	9.79	21.14	13.81	13.97
T _c ROUNDED (MIN 15 min.)	15	21	15	15

DEOTTE, INC.
CIVIL ENGINEERING & SURVEYING
1000 W. 10TH STREET, SUITE 100
KELLER, TEXAS 76248
PREPARED FOR: BURK & GLORIA COLLINS TRUST

PRELIMINARY DRAINAGE
AREA MAP
OAK ALLEY
COLLEVILLE, TX

BENCHMARKS:

BM1
XXX
ELEV = XXX
BM2
XXX
ELEV = XXX

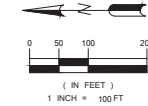
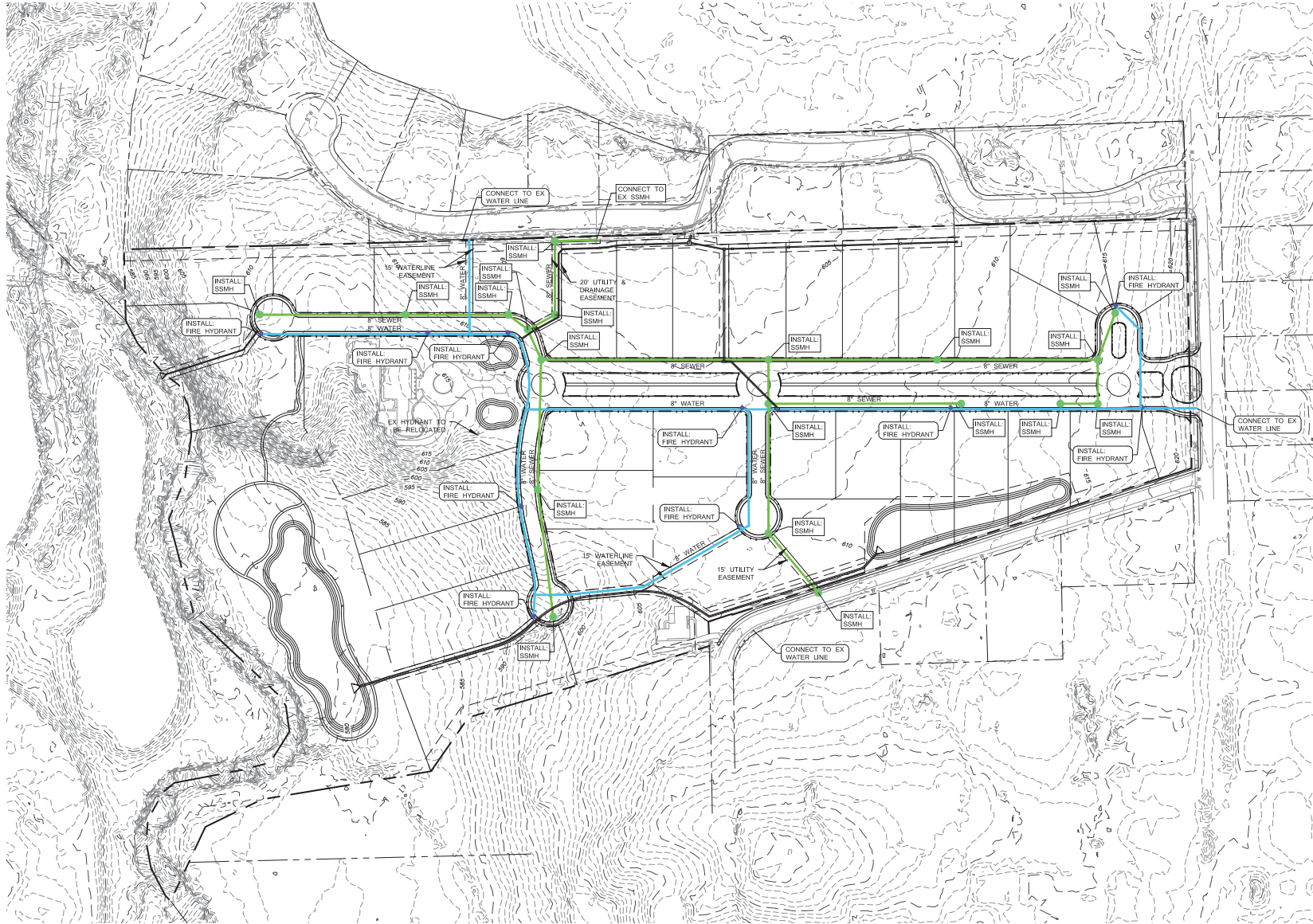
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Rev. No.:
P-2016(X)
Date:
8/1/2018

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Aug 01, 2018 - 10:28am

DOI No: 201712100

Revised Exhibits Received 8/1/2018



- LEGEND**
- 8" WATER LINE
 - FIRE HYDRANT
 - 8" SANITARY SEWER LINE
 - SANITARY SEWER MANHOLE



PRELIMINARY UTILITY PLAN OAK ALLEY COLLETTA, TX

BENCHMARKS:

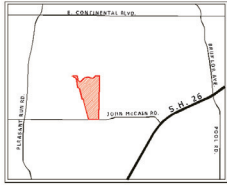
B11	XXX	XXX
B12	XXX	XXX
B13	XXX	XXX
B14	XXX	XXX

THIS DOCUMENT IS FOR INTERIM REVIEW
AND IS NOT INTENDED FOR CONSTRUCTION.
BY: [Signature]
FOR: [Signature]
Form No.: P-316(TX)
Date: 8/01/2018

Printed by: dmm/ghm
Aug 01, 2018 - 10:51am

DOI No. 201712100

Revised Exhibits Received 8/1/2018



Owner:

Burk & Gloria Collins Trust
1312 John McCain Rd.
Colleyville, TX 76034

Surveyor:

Miller Surveying, Inc.
430 Mid Cities Blvd.
Hurst, TX 76054
Tel: 817-577-1052

Engineer:

Deotte, Inc.
420 Johnson Rd., Suite 303
Keller, TX 76248
Tel: 817-337-8899
Contact: Clayton Redinger

Applicant:

Sage Group, Inc.
1130 N. Carroll Ave., Suite 200
Southlake, TX 76092
Tel: 817-424-2626
Contact: Curtis Young

Planner:

SAGE GROUP, INC.

Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
817-424-2626

1 AUG 18



1" = 100'



Tree Locations

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

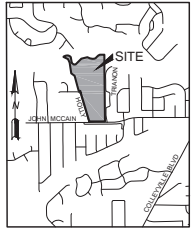
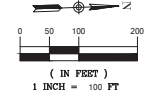
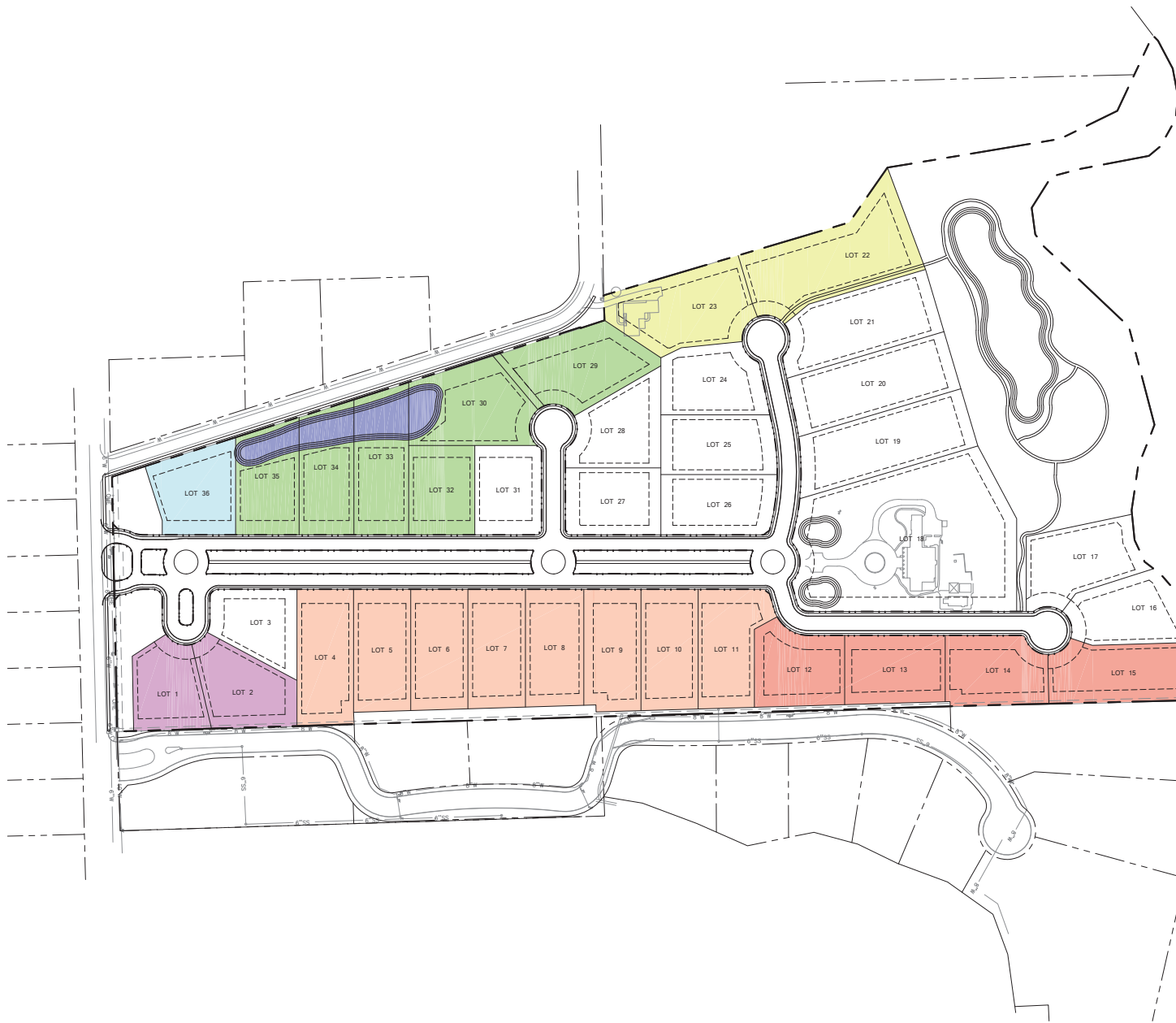
Zoning Exhibit for
Zoning Change Request
From AG & R-40 to PUD-R

Case #ZC18-019

Oak Alley

Colleyville, Tarrant County, Texas

Perimeter Grading Concept Plan



OAK ALLEY GRADING CONCEPT

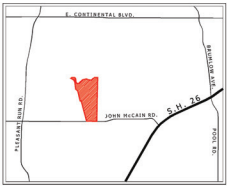
1. FINAL GRADING IS THE FIRST THING THAT STARTS IN THE FINAL DESIGN PROCESS AND IT IS THE LAST THING THE FINISHES IN OUR DESIGN PROCESS BECAUSE MANY THINGS AFFECT THOSE GRADES THAT ARE NOT KNOWN YET. FINAL GRADING WILL DEPEND ON FINAL FIELD TOPOGRAPHIC SURVEY AND TREE SURVEY WHICH HAS NOT BEEN COMPLETED.
2. FACTORS THAT AFFECT FINAL GRADES WILL INCLUDE TREE PROTECTION, DRAINAGE, LOT AESTHETICS VERY IMPORTANT FOR CUSTOM HOME BUILDERS), ACCESSIBILITY, HANDICAP ACCESSIBILITY, SEWER ACCESS, FLOODPLAIN ELEVATIONS, POSITIVE DRAINAGE OVERFLOW AND MINIMUM SLOPES ON LOTS TO ASSURE PROPER LOT DRAINAGE.
3. MAJOR CONSTRAINTS IMPACTING GRADING ON THIS SITE INCLUDE THE PERIMETER ROADS, EXISTING ADJACENT PROPERTIES AND THE DOUBLE ROW OF OAK TREES WHICH WILL REMAIN AND AT WHICH THE GRADE CANNOT BE SIGNIFICANTLY ALTERED. THIS CONCEPT FOCUSES ON THE PERIMETER LOTS AND PRESENTS CRITERIA THAT CAN BE ACHIEVED FOR EACH LOT WITH FINAL DESIGN.

- LOTS 1 AND 2**
THESE LOTS ARE EXPECTED TO HAVE PAD GRADES BETWEEN THE EXISTING ELEVATIONS ON THE LOT. DRAINAGE WILL BE DIRECTED TO TRANCON COURT AND TO A STORM DRAIN THAT RECEIVES FLOW AND TAKES IT DIRECTLY TO THE NORTH. SMALL RETAINING WALLS (4 FEET OR LESS) ARE NOT EXPECTED BUT MAY BE REQUIRED. NO LARGE RETAINING WALLS (GREATER THAN FOUR FEET) WILL BE NEEDED.
- LOTS 4 THROUGH 11**
THESE LOTS ARE EXPECTED TO HAVE LOT PAD ELEVATIONS WITHIN THE EXISTING GRADES ON EACH LOT. CUSTOM BUILDERS WILL HAVE TO LOCATE THE PAD ON THE LOT TO DETERMINE GRADING. THESE LOTS ARE EXPECTED TO HAVE PADS CLOSER TO THE ROADWAY SO THE GRADING ANYWHERE NEAR THE EAST PROPERTY LINE IS NOT EXPECTED. RETAINING WALLS ARE NOT EXPECTED TO BE NEEDED NEAR THE EAST END OF THE LOTS.
- LOTS 12 THROUGH 15**
THESE LOTS ARE EXPECTED TO HAVE LOT PAD ELEVATIONS WITHIN THE EXISTING GRADES ON EACH LOT. CUSTOM BUILDERS WILL HAVE TO LOCATE THE PAD ON THE LOT TO DETERMINE GRADING, BUT THESE LOTS ARE NOT AS DEEP AS LOTS 4 THROUGH 11. THESE LOTS ARE EXPECTED TO HAVE PADS CLOSER TO THE ROADWAY SO THE GRADING NEAR THE EAST SIDE OF THE LOT NEAR TANGLEWOOD IS EXPECTED TO BE MINIMAL. NO LARGE RETAINING WALLS (GREATER THAN FOUR FEET IN HEIGHT) ARE EXPECTED. IT IS POSSIBLE THAT SMALLER RETAINING WALLS (FOUR FEET OR LESS) MAY BE NEEDED.
- LOTS 22 AND 23**
THE TOPOGRAPHY ON THESE LOTS IS NATURALLY ABOUT 10%. PAD ELEVATIONS ARE EXPECTED TO BE WITHIN THE LOT GRADES BUT SOME RETAINING WALLS ARE EXPECTED TO BE NEEDED. SMALL WALLS (FOUR FEET OR LESS) SEEM LIKELY BUT SOME LARGER WALLS (GREATER THAN FOUR FEET) MAY BE NEEDED. LOT 23 ALREADY HAS A HOUSE ON IT THAT IS EXPECTED TO BE TORN DOWN SO IT'S POSSIBLE THAT NO RETAINING WALLS AT ALL WILL BE LIKELY ON THIS LOT.
- LOTS 29 THROUGH 30 AND LOTS 32 THROUGH 35**
THESE LOTS ARE EXPECTED TO BE CLOSE TO EXISTING GRADE AND NOT RETAINING WALLS ARE EXPECTED TO BE NEEDED FOR THIS LOTS. SMALLER WALLS (FOUR FEET OR LESS) MAY BE NEEDED AS AN ENHANCEMENT BUT NO SIGNIFICANT RETAINING WALLS WILL LIKELY BE NEEDED FOR GRADING.
- LOT 36**
THE PAD ON THIS LOT IS EXPECTED TO BE WITHIN EXISTING PAD GRADES. A RETAINING WALL IS UNLIKELY BUT MAY BE NEEDED ALONG THE SOUTH SIDE OF THE LOT TO ADJUST FOR THE STEEPER GRADE COMING DOWN FROM THE ENTRY FEATURE ALONG JOHN MCCAIN. OTHER RETAINING WALLS ARE NOT EXPECTED TO BE NEEDED AT THIS TIME.
- THE HOLLY POND**
THE WATER SURFACE OF THE HOLLY POND IS EXPECTED TO BE ABOUT THREE FEET BELOW EXISTING GRADE. THE SIDE SLOPES ABOVE THE WATER SURFACE WILL BE 4:1. THE SLOPES BELOW THE WATER SURFACE WILL BE DETERMINED TO ACHIEVE AS MUCH DEPTH AS POSSIBLE BUT THE MAXIMUM SLOPE WILL BE ACCORDING TO THE SOILS RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER. RETAINING WALLS MAY BE USED TO ENHANCE AESTHETICS OR TO IMPROVE THE POND DESIGN AND DEPTH.

THIS DOCUMENT IS FOR INTERIM REVIEW
AND IS NOT INTENDED FOR CONSTRUCTION,
BIDDING OR PERMIT PURPOSES.
BY: Clayton T. Redinger
Reg. No.: 97497
Firm No.: F-3116(TX)
Date: 8/10/2018

OAK ALLEY				
PERIMETER GRADING CONCEPT PLAN				
COLLEYVILLE, TEXAS				
DEOTTE, INC.		CIVIL ENGINEERING FIRM REGISTRATION # F-000101 (TX) 1000 Johnson Road, Suite 100 Colleyville, Texas 76034 Phone: 817-357-5133 Fax: 817-357-5891 WWW.DEOTTE.COM		
DRAWN BY: DMH	SCALE: 1"=100'	DATE: 8/10/2018	PROJECT NO: 201712200	SHEET: 1 OF 1

Dimensional Control Plan



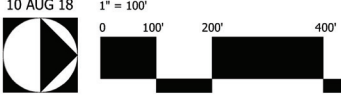
Owner:
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Tel: 817-337-8899
Contact: Clayton Redinger

Applicant:
Sage Group, Inc.
1130 N. Carroll Ave., Suite 200
Southlake, TX 76092
Tel: 817-424-2626
Contact: Curtis Young

Planner: SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
817-424-2626



Zoning Exhibit for
Zoning Change Request
From AG & R-40 to PUD-R

Case #ZC18-019

Oak Alley

Dimensional Control Plan

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleyville, Tarrant County, Texas

Entry Plan



SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste 200
Southlake, Texas 76092
TEL: 917-424-2020

THE ENTRY

OAK ALLEY

Entry Plan

STONE



PAVERS



INSPIRATION



SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste 200
Southlake, Texas 76092
TEL: 817-424-2606

THE ENTRY

OAK ALLEY

Entry Elevations

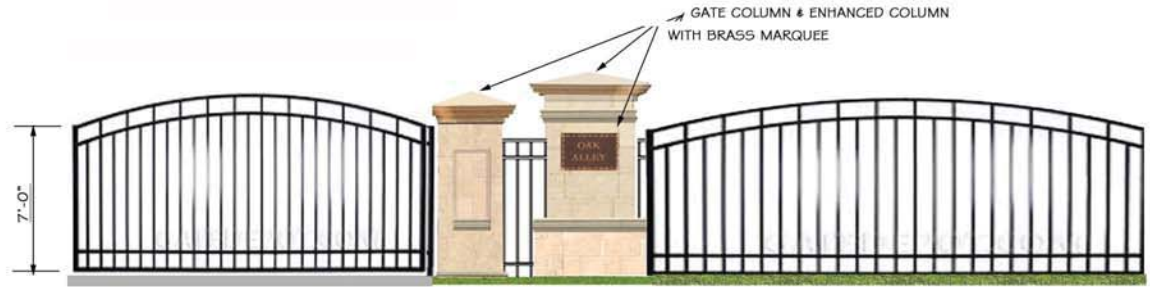
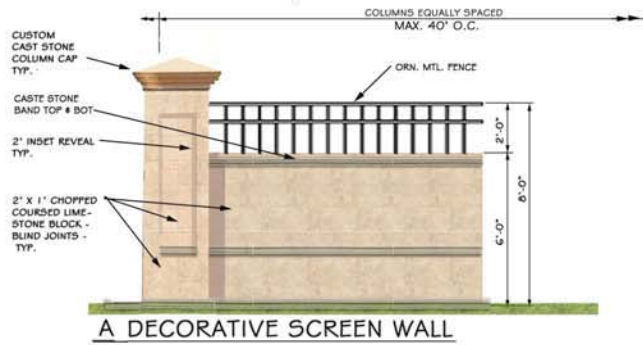


SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste 200
Southlake, Texas 76092
TEL: 817-424-2626

ELEVATION OF THE ENTRY

OAK ALLEY

Screening and Fencing Plan



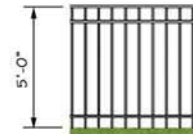
B ENTRY GATE MEDIAN ORNAMENTAL METAL FENCING
GATE & MEDIAN FENCING DESIGN T.B.D.



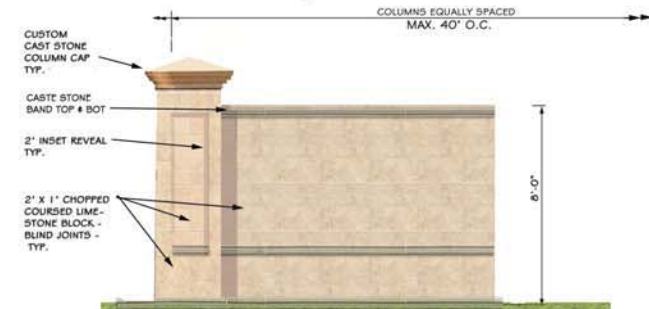
C ORNAMENTAL METAL FENCE
WITH COLUMN TERMINUS



D LOW STONE WALL WITH
ORNAMENTAL METAL FENCE



E ORNAMENTAL
METAL FENCE



F DECORATIVE SCREEN WALL



SAGE GROUP, INC.
Polar Planning
Urban Design
Landscape Architecture
1101 N. Grand Ave., Ste 200
Southlake, Texas 76092
TEL: 817-424-9526

SCREENING WALLS & ORNAMENTAL FENCING EXHIBIT

OAK ALLEY

This aerial map illustrates a residential development layout. The map features several streets: HOLLY LANE running diagonally across the upper portion, and a cul-de-sac labeled STREET "C" and STREET "D". The development is divided into BLOCK A and BLOCK B. Individual lots are numbered and their areas are specified in square feet (s.f.) and acres (ac.).

Lot Details:

- Lot 36:** 30,012 s.f.
- Lot 35:** 30,014 s.f.
- Lot 34:** 30,504 s.f.
- Lot 33:** 34,713 s.f.
- Lot 32:** 30,026 s.f.
- Lot 31:** 30,047 s.f.
- Lot 30:** 30,007 s.f. (Contains a blue-shaded area labeled "Landscape & Drainage Easement")
- Lot 29:** 30,020 s.f.
- Lot 28:** 30,597 s.f.
- Lot 27:** 30,000 s.f.
- Lot 26:** 30,055 s.f.
- Lot 25:** 30,048 s.f.
- Lot 24:** 30,092 s.f.
- Lot 23:** 41,838 s.f.
- Lot 22:** 1.31 ac.
- Lot 21:** 1.00 ac.
- Lot 20:** 1.05 ac.
- Lot 19:** 1.16 ac.
- Lot 18:** 1.00 ac.

Other Features:

- Existing Zoning:** R-40, L.U.D. = Residential.
- COMMITMENT TRACT 2:** 1.6000 ACRES.
- STREET "C" and STREET "D":** Labeled as 27T.C.T. and 27T.D.T. respectively.
- Other Labels:** "CREEK PLANTATION", "SLIDE", "Home to Remain", "SAVE & ENJOY".



22 JUNE 18

0 1

0 1

[illegible][illegible]

Retain Existing Wall / Fence

Western Boundary Detail

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Oak Alley

Colleyville, Tarrant County, Texas

Screening and Fencing Plan



Planner:



SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
817-424-2626

TYPE C - 6' Ornamental Metal Fence WITH Masonry Columns
TYPE D - 6' Total: Masonry Wall 2.5' / Ornamental Metal Fence 3.5'
TYPE F - 8' Masonry Wall
Retain Existing Wall / Fence

Case #ZC18-002

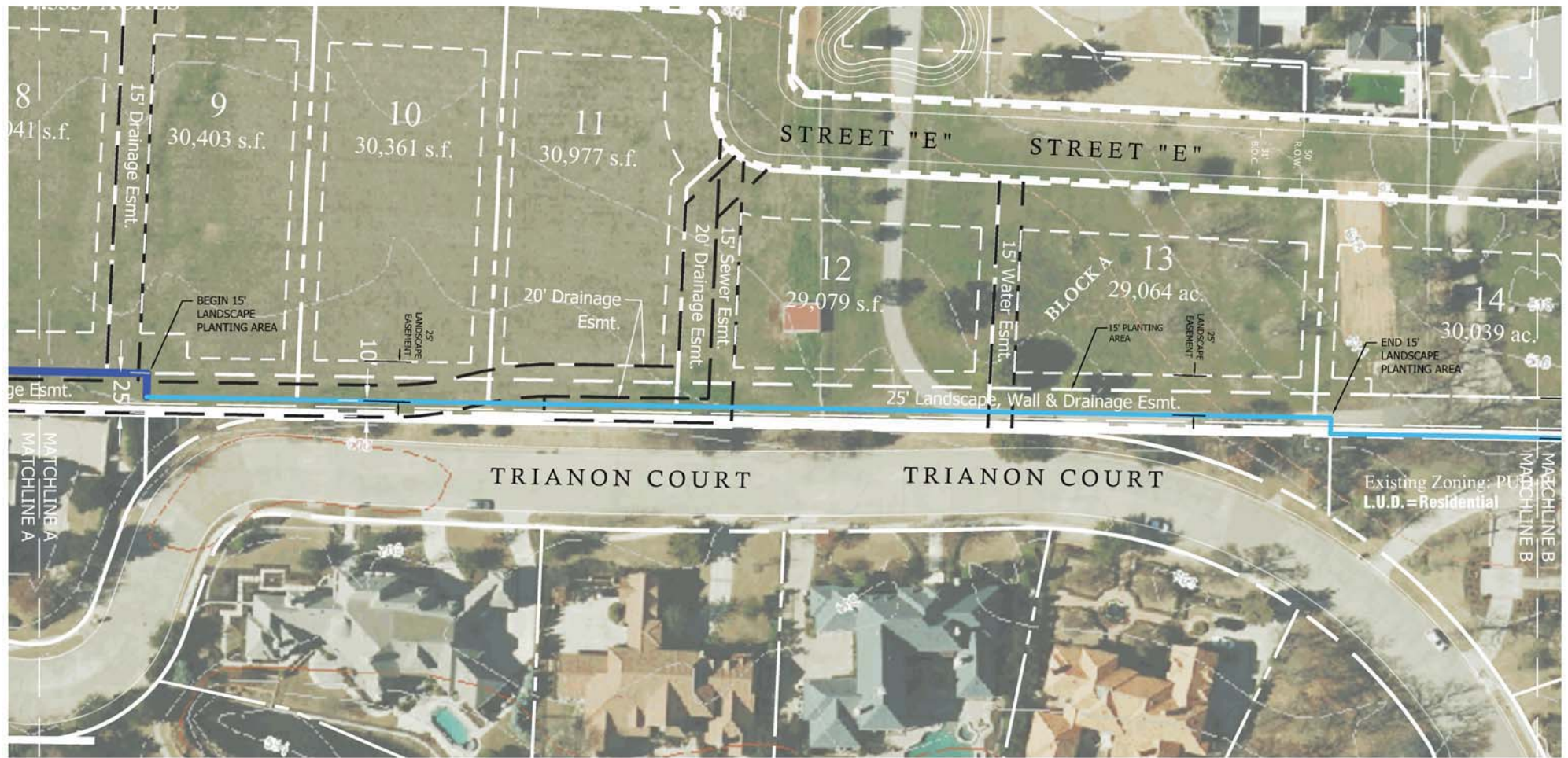
Eastern Boundary Detail (Sheet 1 of 3)

Oak Alley

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleyville, Tarrant County, Texas

Screening and Fencing Plan



Planner:



SAGE GROUP, INC.
Master Planning
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TYPE A - 8' Total: Masonry Wall 6' / Ornamental Metal Fence 2'
TYPE F - 8' Masonry Wall

Case #ZC18-002

22 JUNE 18

 $1'' = 60'$  $1'' = 60'$

0

11

[illegible]

114

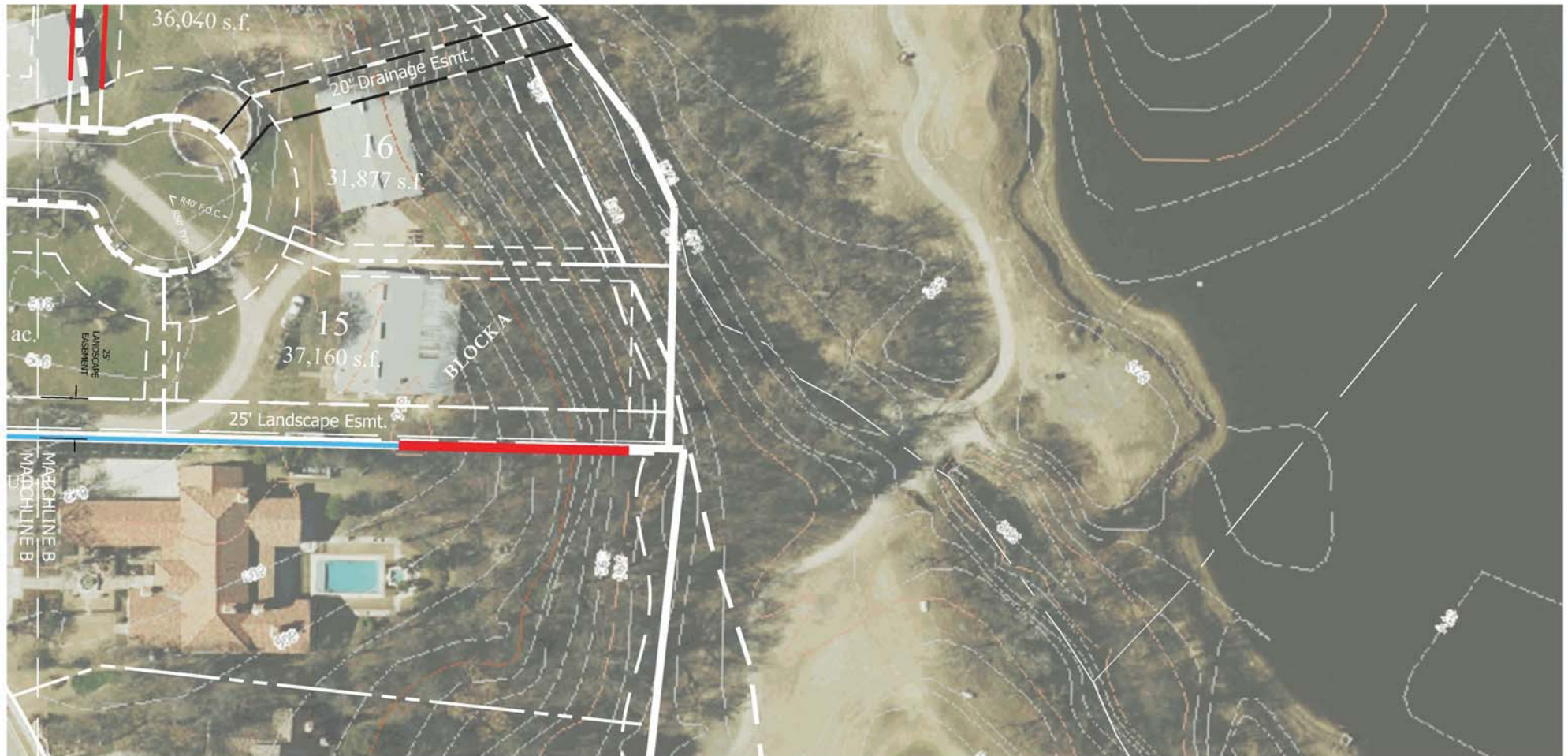
Eastern Boundary Detail (Sheet 2 of 3)

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Oak Alley

Colleyville, Tarrant County, Texas

Screening and Fencing Plan



Planner:



SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
817-424-2626

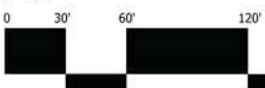
TYPE A - 8' Total: Masonry Wall 6' / Ornamental Metal Fence 2'

TYPE E - 6' Ornamental Metal Fence

Case #ZC18-002

22 JUNE 18

1" = 60'



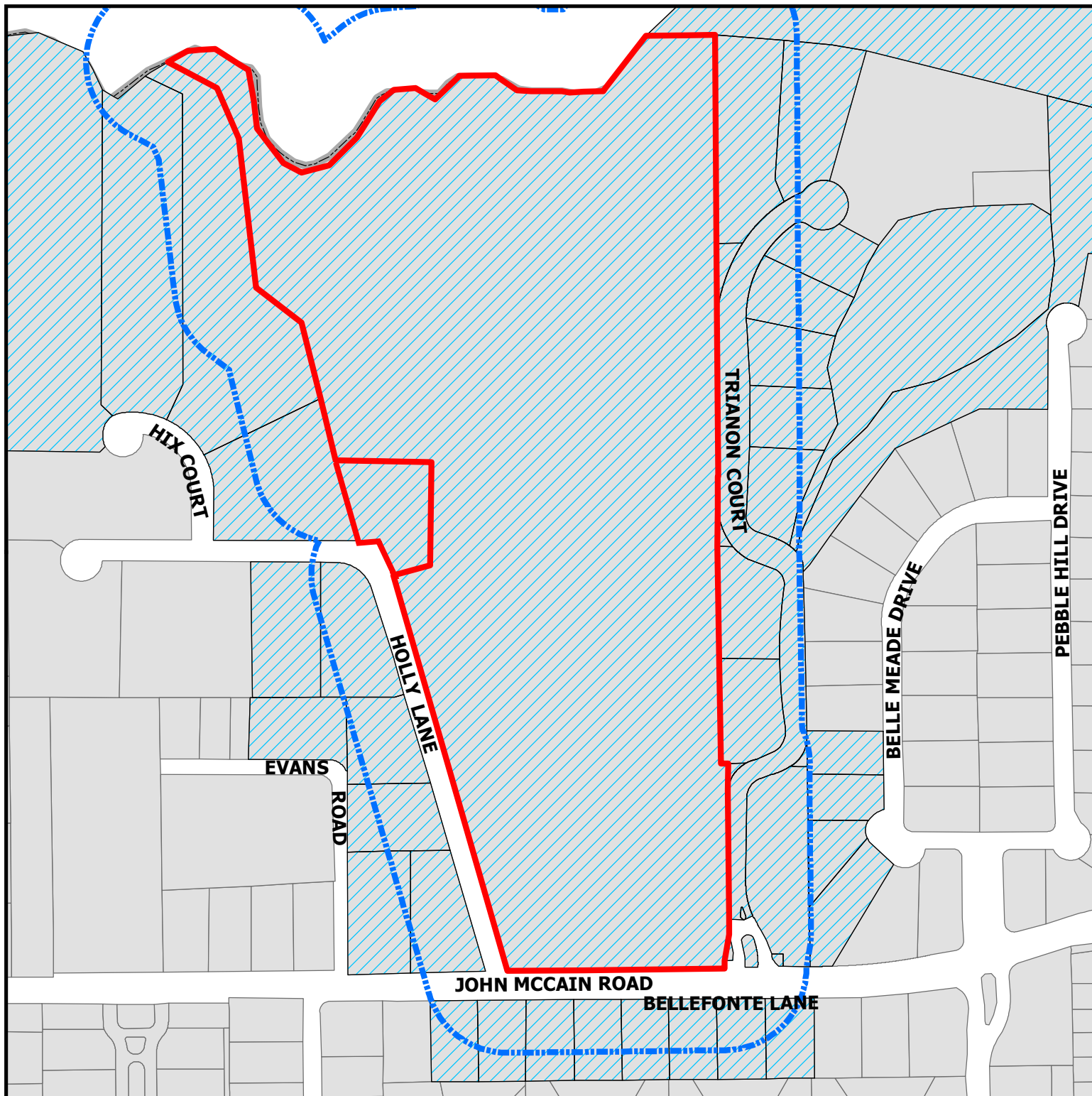
Eastern Boundary Detail (Sheet 3 of 3)

Oak Alley

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleyville, Tarrant County, Texas

Notification Map

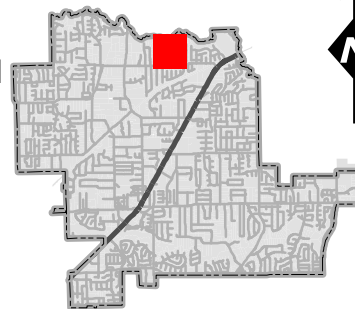


ZC18-019

1312 John McCain Road and 7309 Holly Lane N

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

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



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
MOON, KENNETH W	1305 BELLEFONTE LN	COLLEYVILLE, TX	76034	1305 BELLEFONTE LN
COLE, HENRY TR	7206 BELLE MEADE DR	COLLEYVILLE, TX	76034	7206 BELLE MEADE DR
PEARCE, CHARLES A	7212 HOLLY LN	COLLEYVILLE, TX	76034	7212 HOLLY LN N
BRADEN, KENNETH A	1307 BELLEFONTE LN	COLLEYVILLE, TX	76034	1307 BELLEFONTE LN
ALLEN, MARK C	7305 TRIANON CT	COLLEYVILLE, TX	76034	7305 TRIANON CT
BRUNKEN, JOHN	7204 BELLE MEADE DR	COLLEYVILLE, TX	76034	7204 BELLE MEADE DR
TANGLEWOOD ESTATES HOA	7321 TRIANON CT	COLLEYVILLE, TX	76034	7107 TRIANON CT
FONVILLE, EARL R	1403 BELLEFONTE LN	COLLEYVILLE, TX	76034	1403 BELLEFONTE LN
HEFLIN, JUD	1407 BELLEFONTE LN	COLLEYVILLE, TX	76034	1407 BELLEFONTE LN
TANGLEWOOD ESTATES HOA	7321 TRIANON CT	COLLEYVILLE, TX	76034	7101 JOHN MCCAIN RD
HUFFMAN, JERRY M	7309 TRIANON CT	COLLEYVILLE, TX	76034	7309 TRIANON CT
TANGLEWOOD ESTATES MAINTENANCE	7321 TRIANON CT	COLLEYVILLE, TX	76034	7300 TRIANON CT
DAVIDSON, RICHARD	7304 HIX CT	COLLEYVILLE, TX	76034	7304 HIX CT
FLEMING, BRYAN A	7312 HIX CT	COLLEYVILLE, TX	76034	7312 HIX CT
PERONE, JOHN A	1216 HOLLY LN	COLLEYVILLE, TX	76034	1216 HOLLY LN N
ST CLAIR, DAVID J	1401 BELLEFONTE LN	COLLEYVILLE, TX	76034	1401 BELLEFONTE LN
TANGLEWOOD ESTATES MAINTENANCE	7321 TRIANON CT	COLLEYVILLE, TX	76034	7215 TRIANON CT
TANGLEWOOD ESTATES MAINTENANCE	7321 TRIANON CT	COLLEYVILLE, TX	76034	7217 TRIANON CT
MADY, CONSTANCE E	7301 TRIANON CT	COLLEYVILLE, TX	76034	7301 TRIANON CT
BOTIK, DON	7208 TRIANON CT	COLLEYVILLE, TX	76034	7208 TRIANON CT
SPENCER, MARC	1309 BELLEFONTE LN	COLLEYVILLE, TX	76034	1309 BELLEFONTE LN
COLLINS, BURK	1840 NORWOOD PLZ STE 101	HURST, TX	76054	7309 HOLLY LN N
VENNEMEYER, MICHAEL	7212 TRIANON CT	COLLEYVILLE, TX	76034	7212 TRIANON CT
NOWOTNIK, DAVID	1405 BELLEFONTE LN	COLLEYVILLE, TX	76034	1405 BELLEFONTE LN
PISTOR, ELISE A	7200 HOLLY LN	COLLEYVILLE, TX	76034	7200 HOLLY LN N
RIGNEY, THOMAS	7308 HIX CT	COLLEYVILLE, TX	76034	7308 HIX CT
PERONE, JOHN A	1216 HOLLY LN	COLLEYVILLE, TX	76034	1220 HOLLY LN N
COLLINS, BURK	1840 NORWOOD PLZ STE 101	HURST, TX	76054	1312 JOHN MCCAIN RD
TANGLEWOOD ESTATES MAINT ASSOC	7321 TRIANON CT	COLLEYVILLE, TX	76034	7105 JOHN MCCAIN RD
JEANES, FREDRIC M	7200 BELLE MEADE DR	COLLEYVILLE, TX	76034	7200 BELLE MEADE DR
TANGLEWOOD ESTATES HOA	7321 TRIANON CT	COLLEYVILLE, TX	76034	7103 TRIANON CT
URRUTIA, MICHAEL	1311 BELLEFONTE LN	COLLEYVILLE, TX	76034	1311 BELLEFONTE LN
GRANT, RICHARD	1304 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	1304 JOHN MCCAIN RD
ST MARY'S COPTIC ORTHODOX CHUR	1110 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	1300 JOHN MCCAIN RD
TANGLEWOOD ESTATES HOA	7321 TRIANON CT	COLLEYVILLE, TX	76034	7109 TRIANON CT
FONNER, ALAN D	7320 TRIANON CT	COLLEYVILLE, TX	76034	7320 TRIANON CT
GOTTFREDSON, MARK ALAN	7321 TRIANON CT	COLLEYVILLE, TX	76034	7317 TRIANON CT
WASHINGTON, DAVID	7300 HIX CT	COLLEYVILLE, TX	76034	7300 HIX CT
SMITH, NANCY BURSCH	7202 BELLE MEADE DR	COLLEYVILLE, TX	76034	7202 BELLE MEADE DR
KAUFFMAN, KURT H	1208 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	7150 EVANS RD
TIMARRON GOLF CLUB INC	3030 L B J FWY STE 600	DALLAS, TX	75234	201 E CONTINENTAL BLVD
CHEATWOOD, CHRIS	7313 TRIANON CT	COLLEYVILLE, TX	76034	7313 TRIANON CT
BRADSHAW, F THOMAS	7316 TRIANON CT	COLLEYVILLE, TX	76034	7316 TRIANON CT
HUDSON, LEONARD	7201 TRIANON CT	COLLEYVILLE, TX	76034	7201 TRIANON CT
CALDWELL'S CREEK ADDITION	P.O. BOX 682	COLLEYVILLE, TX	76034	COURTESY NOTICE
PEBBLE HILL PLANTATION ESTATES	P.O. BOX 911	COLLEYVILLE, TX	76034	COURTESY NOTICE
CARROLL ISD	2400 NORTH CARROLL AVE	SOUTHLAKE, TX	76092	STATE REQUIRED
GRAPEVINE COLLEYVILLE ISD	3051 IRA E. WOODS AVENUE	GRAPEVINE, TX	76051	STATE REQUIRED
YOUNG, CURTIS	1130 N. CARROLL AVE, SUITE 200	SOUTHLAKE, TX	76092	APPLICANT

Public hearing notices were mailed June 22, 2018 by Araceli Botello



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-019
Applicant: Curtis Young
Owner: Burk and Gloria Collins
Location: 1312 John McCain Road and 7309 Holly Lane N
Property Description: Lots 1R1 & 1R2, Block 1, of the Bear Creek Plantation
Present Zoning: R-40 Single Family Residential District and AG Agricultural
Request: Consideration of a zoning change from the R-40 Single Family Residential zoning district and AG Agricultural zoning district to the PUD-R Planned Unit Development-Residential zoning district. The purpose is to allow for the development of 36 single-family residential lots and 9 open space lots.

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

Planning and Zoning Commission Meeting: Monday, July 9, 2018 at 7:00 p.m.
City Council Meetings: Tuesday, August 7, 2018 & Tuesday, August 21, 2018 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

This notice has been sent to all owners of real property within 200 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 200 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

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

**Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034**

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

The application is on file for public examination in the Community Development Department at 100 Main Street, Colleyville, Texas. A brief project description can be found online on the Active Development Case map: <https://www.colleyville.com/government/departments-a-l/community-development/active-development-cases>. For additional information, please contact the Community Development Department at 817.503.1052. Please reference the zoning case number when requesting information.

Ben Bryner
Community Development Director
bbryner@colleyville.com

John & Susan Perone
1216 Holly Lane
Colleyville, TX 76034
July 1, 2018

Planning & Zoning Commission
City of Colleyville
100 Main Street
Colleyville, TX 76034

Dear Planning and Zoning Commission Board Members:

We reside at 1216 Holly Lane immediately to the West within 200 feet of the Oak Alley proposed development.

We are writing in response to the Notice of Public Hearing for Zoning case # ZC18-019. After review of the materials enclosed in the Notice as well as materials previously submitted to the City of Colleyville Community Development Department, without modification, we are opposed to the proposal.

Our objections to the rezoning request include but are not limited to the following areas of concern:

- Lot sizes are not compatible and the proposal fails to protect the integrity of the adjacent neighborhood.
- The use of Holly Lane as a construction entry point, construction thoroughfare, or construction parking, staging would be unacceptable and would present a safety hazard.

The first reason for our lingering concerns is that the **Lot sizes** in the proposed Oak Alley development are not compatible with the adjacent Hidden Acres neighborhood. Specifically the Hidden Acres homes, many of which are within the 200 ft, on Holly Lane and Hix Court are zoned Residential Estate (RE) and as a result, the plan fails to protect the integrity of the neighborhood.

We realize that the rezoning request is for a PUD-R so to be specific our objection is that most of the lots are R-30 equivalent size lots with two immediately adjacent to our property which is zoned RE.

Furthermore, as the same property owners at 1216 Holly Lane for the last 25 years, approximately 18 years ago, I, John Perone, participated at the Rezoning Hearing when Bear Creek Plantation owner, Mr. Burk Collins requested and was approved to Rezone a parcel of the Bear Creek Plantation for his Foreman's house which is located on Holly Lane.

We believe Mr. Collins established a R-40 equivalent size precedent when he wisely chose to rezone that parcel as R-40 Single Family Residential in order to be more compatible with the immediate neighborhood which included Hidden Acres RE homes as well as the two remaining R-40 homes on Holly Lane at that time.

The second reason for our lingering concerns pertains to potential construction traffic activity on Holly Lane with related safety issues.

We haven't seen any PUD-R contractual language that addresses this issue so we want to bring this to your attention.

We **strongly object** to the use of Holly Lane as a construction entry point, construction thoroughfare, or construction / contractor parking or staging area.

Considering the magnitude of the Oak Alley development, if any of the above mentioned were to occur, it would severely compromise the integrity and safety of our neighborhood with a major impact for years to come.

Holly Lane characteristics as follows:

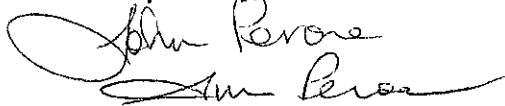
- Not a standard city sized street, as it is narrow in width.
- In order to facilitate two way traffic, any parking on the street has to be on the grass in the right of way. Therefore residents don't park on Holly Lane.
- Hazardous 70 degree curve near Foreman's house.
- No Outlet
- Children Playing

We want to thank you for your attention to our concerns and objections to the Oak Alley zoning change request.

It is our hopeful expectation that City Officials will preserve the Colleyville Comprehensive Plan, adhere to the Land Use Code, and facilitate citizen input.

Thank you for serving our community.

Respectfully,



John & Susan Perone
1216 Holly Lane
Colleyville, TX 76034
(H) 817-421-3057

Letter of Opposition

Araceli Botello

Subject: FW: Bear Creek Plantation

-----Original Message-----

From: Wayne Rigney

Sent: Thursday, July 5, 2018 10:20 AM

To: Susan Mathisen <smathisencpa@gmail.com>

Cc: JElms@pape-dawson.com; ckbevill@hotmail.com; m.kich@rocketmail.com; veronica@sellsdfw.com; slv4105@gmail.com; rayallee@aol.com

Subject: Bear Creek Plantation

I Wayne Rigney oppose the Bear Creek Plantation.

Below are some of my concerns!

1. Burk Collins personally told me the pond in the flood plain would be a retention pond for flooding. But in the P&Z meeting Curtis said it would be a wet pond. He is already changing what he told us.
 2. He has made numerous water flow modifications for the Tanglewood Estates subdivision and NONE for us.
 3. We have multiple flooding problems and he is exacerbating them building in the flood plain and the ditch next to Holly Lane will only direct more water flow back to us. And the amenity Lake was again supposed to be a retention pond to help with flooding.
 4. Our property at the back is directly next to his. He wants to leave the current fence which is being held up by numerous pieces of wood. From Holly lane turn to the floodplain it means there is no barrier into our yards plus it's a ranch fence.
 5. He said he has addressed all our concerns! Not true we have numerous times Addressed flooding problems.
 6. Ben Bryner in the P&Z meeting " for the most part it complies with our standards and desires"
- I thought we were using comprehensive plan as a standard not mostly a plan!
7. His engineer Curtis has consistently talked down to us! And now all the things we were concerned with are categorically being ignored!

We want water flow problems addressed! Not ignored!

Thomas Wayne Rigney
7308 Hix Ct
Colleyville, TX 76034
501 240 3561

Sent from my iPhone

Letter of Opposition

LETTER OF CONCERN TO:

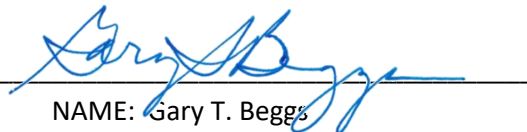
THE COMMUNITY DEVELOPMENT DEPARTMENT OF COLLEYVILLE (ZONING CASE # ZC18-019)
100 Main Street
Colleyville, Tx 76034

Office: 817-503-1050 E-Mail: bbryner@colleyville.com

Re: ZONING CASE # ZC18-019

I, Gary T. Beggs, oppose the rezoning for 1312 John McCain Road from R-40 single family & AG Agricultural to PUD-R.

SIGNED: _____



NAME: Gary T. Beggs

ADDRESS: 7105 Peters Path

CITY/ZIP: Colleyville, TX 76034

DATE: July 5, 2018

Letter of Opposition

Araceli Botello

Subject: FW: Bear Creek Plantation

From: [Charlie](#)

Sent: Thursday, July 5, 2018 1:36 PM

To: ['Wayne Rigney'](#); ['Susan Mathisen'](#)

Cc: JElms@pape-dawson.com; ckbevill@hotmail.com; m.kich@rocketmail.com; veronica@sellsdfw.com; slv4105@gmail.com; rayallee@aol.com

Subject: RE: Bear Creek Plantation

Basically other than all the concerns, I feel like I do not want to be responsible for making a decision that may be in our worst interest. Therefore I will oppose the project and put the responsibility on a high majority vote of the City Council by creating a Super Majority vote if possible.

Hopefully this will be in our best interest!

Charles Pearce

-----Original Message-----

From: Wayne Rigney

Sent: Thursday, July 05, 2018 10:20 AM

To: Susan Mathisen

Cc: JElms@pape-dawson.com; ckbevill@hotmail.com; m.kich@rocketmail.com; veronica@sellsdfw.com; slv4105@gmail.com; rayallee@aol.com

Subject: Bear Creek Plantation

I Wayne Rigney oppose the Bear Creek Plantation.

Below are some of my concerns!

1. Burk Collins personally told me the pond in the flood plain would be a retention pond for flooding. But in the P&Z meeting Curtis said it would be a wet pond. He is already changing what he told us.
 2. He has made numerous water flow modifications for the Tanglewood Estates subdivision and NONE for us.
 3. We have multiple flooding problems and he is exacerbating them building in the flood plain and the ditch next to Holly Lane will only direct more water flow back to us. And the amenity Lake was again supposed to be a retention pond to help with flooding.
 4. Our property at the back is directly next to his. He wants to leave the current fence which is being held up by numerous pieces of wood. From Holly lane turn to the floodplain it means there is no barrier into our yards plus it's a ranch fence.
 5. He said he has addressed all our concerns! Not true we have numerous times Addressed flooding problems.
 6. Ben Bryner in the P&Z meeting " for the most part it complies with our standards and desires"
- I thought we were using comprehensive plan as a standard not mostly a plan!
7. His engineer Curtis has consistently talked down to us! And now all the things we were concerned with are categorically being ignored!

We want water flow problems addressed! Not ignored!

Thomas Wayne Rigney
7308 Hix Ct
Colleyville, TX 76034

Letter of Opposition

501 240 3561

Sent from my iPhone

Letter of Opposition

Araceli Botello

Subject: FW: Letter of Protest - Regarding Rezoning of Bear Creek Plantation

From: [Natalie Genco](#)

Sent: Saturday, July 7, 2018 2:19 PM

To: bbryner@colleyville.com; [Susan](#); rayallee@aol.com; slv4105@gmail.com; veronica@sellsdfw.com; m.koch75@rocketmail.com; Claudia Bevil; JEIms@pape-dawson.com

Cc: [Richard Newton](#); tnakamura@colleyville.com; [Bobby Lindamood](#); gdodson@colleyville.com; kwheat@colleyville.com; ckelley@colleyville.com; crigney@colleyville.com; [Frank Genco](#); [Charlie](#)

Subject: Letter of Protest - Regarding Rezoning of Bear Creek Plantation

LETTER OF PROTEST FOR ZONING CASE # ZC18-019

TO: COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF COLLEYVILLE

100 Main Street

Colleyville, TX 76034

Office: 817-503-1050 E-Mail: bbryner@colleyville.com

To whom it may concern:

I, Natalie Genco, oppose the rezoning for 1312 John McCain Road (Zoning Case # ZC18-019) from R-40 single family & AG Agricultural to PUD-R or any other zoning.

This property should be left AG as this zoning is what neighbors bought next to. It is grossly unfair as an infringement on neighbors' rights and others in our city to change zoning on this property to anything other than how it is zoned currently.

It is a property owners right to develop their property with the zoning he purchased it with. It is NOT anyone's right to have their property rezoned. We have zoning rules in place to protect neighbors who buy near a property.

Please keep our neighborhood low density by keeping zoning on this property as it is.

CONCERNS:

1. Adding unnecessary traffic congestion to already congested John McCain. My neighbors and I can barely get out of our driveways as things are now.
2. Water drainage issues.
3. Open spaces in our city need to be protected and not developed for the personal profit of one person and to the detriment of all neighbors.
4. This rezoning request is not in harmony with surrounding neighborhoods. The request far exceeds development density on three sides of this property. To the west is Hidden Acres with properties that are 2-6 acres. To the east is Tanglewood with properties averaging 2 acres and to the north is flood plain with a golf course beyond.
5. The main reason people give for moving to Colleyville is our "rural feel". Changing zoning and developing one of our last AG pieces of land greatly diminishes this rural feel and lowers the quality of life for all Colleyville residents for the personal profit of one person. This tragedy should not be allowed to happen. Please protect our neighborhood and our city.

Sincerely,

Natalie Genco

July 7, 2018

1104 John McCain Rd, COLLEYVILLE, TEXAS 76034

Letter of Opposition

Araceli Botello

Subject: FW: Protest - Regarding Rezoning of Bear Creek Plantation #ZC18-019

From: Frank Genco

Sent: Sunday, July 8, 2018 12:16 PM

To: Ben Bryner <BBryner@colleyville.com>

Cc: Susan <smathisencpa@gmail.com>; rayallee@aol.com; slv4105@gmail.com; veronica@sellsdfw.com; m.koch75@rocketmail.com; Claudia Bevill <ckbevill@hotmail.com>; JElms@pape-dawson.com; Richard Newton <RNewton@colleyville.com>; Tammy Nakamura <TNakamura@colleyville.com>; Bobby Lindamood <BLindamood@colleyville.com>; George Dodson <GDodson@colleyville.com>; Kathy Wheat <KWheat@colleyville.com>; Chuck Kelley <CKelley@colleyville.com>; Callie Rigney <CRigney@colleyville.com>; Charlie <charles.pearce@verizon.net>

Subject: Protest - Regarding Rezoning of Bear Creek Plantation #ZC18-019

LETTER OF PROTEST FOR ZONING CASE # ZC18-019

TO: COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF COLLEYVILLE

[100 Main Street](#)

[Colleyville, TX 76034](#)

Office: [817-503-1050](tel:817-503-1050) **E-Mail:** bbryner@colleyville.com

To whom it may concern:

I, Frank Genco, oppose the rezoning for [1312 John McCain Road](#) (Zoning Case # ZC18-019) from R-40 single family & AG Agricultural to PUD-R or any other zoning.

This property should be left AG as this zoning is what neighbors bought next to. It is grossly unfair as an infringement on neighbors' rights and others in our city to change zoning on this property to anything other than how it is zoned currently.

It is a property owners right to develop their property with the zoning he purchased it with. It is NOT anyone's right to have their property rezoned. We have zoning rules in place to protect neighbors who buy near a property.

Zoning defines a property owner's rights. Rezoning is an infringement on neighbors' rights.

Please keep our neighborhood low density by keeping zoning on this property as it is.

CONCERNS:

1. Adding unnecessary traffic congestion to already congested John McCain. My neighbors and I can barely get out of our driveways as things are now.
2. Water drainage issues.
3. Open spaces in our city need to be protected and not developed for the personal profit of one person and to the detriment of all neighbors.
4. This rezoning request is not in harmony with surrounding neighborhoods. The request far exceeds development density on three sides of this property. To the west is Hidden Acres with properties that are

Letter of Opposition

2-6 acres. To the east is Tanglewood with properties averaging 2 acres and to the north is flood plain with a golf course beyond.

5. The main reason people give for moving to Colleyville is our "rural feel". Changing zoning and developing one of our last AG pieces of land greatly diminishes this rural feel and lowers the quality of life for all Colleyville residents for the personal profit of one person. This tragedy should not be allowed to happen. Please protect our neighborhood and our city.

Sincerely,

Frank Genco

July 8, 2018

1104 John McCain Rd, COLLEYVILLE, TEXAS 76034

Sent from my iPhone

Letter of Opposition

LETTER OF PROTEST FOR ZONING CASE # ZC18-019

TO: COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF COLLEYVILLE

100 Main Street

Colleyville, TX 76034

Office: 817-503-1050 E-Mail: bbryner@colleyville.com

To whom it may concern:

I, Richard B. Davidson, oppose the rezoning for 1312 John McCain Road (Zoning Case # ZC18-019) from R-40 single family & AG Agricultural to PUD-R or any other zoning under RE & AG.

CONCERNS:

- (1) Water drainage issues along the West side of the running along Holly Ln. and continuing through my backyard causing larger erosion issues and possible flooding based on the current grading plan.
- (2) The so called "retention pond" and its true purpose. If this pond is turned into a constantly full recreation pond then there will be almost certain flooding issues along my floodplain.
- (3) No intentions to build a masonry wall or privacy fence along the west side of the proposed Oak Alley to help prevent against any potential drainage issues and also help protect the privacy of my land against new neighbors direct view as well as those walking around the proposed Oak Alley walking paths in the back of the neighborhood.

Sincerely,

Richard Davidson

July 8, 2018

7304 Hix Ct., COLLEYVILLE, TEXAS 76034

Letter of Opposition

LETTER OF PROTEST FOR ZONING CASE # ZC18-019

TO: COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF COLLEYVILLE

100 Main Street

Colleyville, TX 76034

Office: 817-503-1050 E-Mail: bbryner@colleyville.com

To whom it may concern:

I, Joyce Pearce, oppose the rezoning for 1312 John McCain Road (Zoning Case # ZC18-019) from R-40 single family & AG Agricultural to PUD-R or any other zoning.

CONCERNS:

- (1) Adding traffic congestion to John McCain.
- (2) Water drainage from west of Holly Lane east to Bear Creek Plantation needs to be addressed for backup problems from the west and throughout the development.
- (3) Lot sizes are too small according to Colleyville 2035 Comprehensive Plan Chapter 6, Northwest Colleyville-Neighborhood Area 6.
- (4) It would be an infringement on our rights to rezone 1312 John McCain to a higher density than the adjoining neighbors.

SIGNED: Joyce Pearce

DATE: 7-8-18

NAME: Joyce Pearce

ADDRESS: 1312 Holly Ln.

COLLEYVILLE, TEXAS 76034

Letter of Opposition

LETTER OF PROTEST FOR ZONING CASE # ZC18-019

TO: COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF COLLEYVILLE

100 Main Street

Colleyville, TX 76034

Office: 817-503-1050 E-Mail: bbryner@colleyville.com

To whom it may concern:

I, Charles Pearce, oppose the rezoning for 1312 John McCain Road (Zoning Case # ZC18-019) from R-40 single family & AG Agricultural to PUD-R or any other zoning.

CONCERNS:

- (1) Adding traffic congestion to John McCain.
- (2) Water drainage from west of Holly Lane east to Bear Creek Plantation needs to be addressed for backup problems from the west and throughout the development.
- (3) Lot sizes are too small according to Colleyville 2035 Comprehensive Plan Chapter 6, Northwest Colleyville-Neighborhood Area 6.
- (4) It would be an infringement on our rights to rezone 1312 John McCain to a higher density than the adjoining neighbors.

SIGNED: Charles Pearce

DATE: 7-8-18

NAME: Charles Pearce

ADDRESS: 7212 Holly Lane

COLLEYVILLE, TEXAS 76034

Letter of Opposition

LETTER OF PROTEST FOR ZONING CASE # ZC18-019

TO: COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF COLLEYVILLE

100 Main Street

Colleyville, TX 76034

Office: 817-503-1050 E-Mail: bbryner@colleyville.com

To whom it may concern:

I, ELISE D. PISTOR, oppose the rezoning for 1312 John McCain Road (Zoning Case # ZC18-019) from R-40 single family & AG Agricultural to PUD-R or any other zoning under RE & AG.

CONCERNS:

- (1) Adding traffic congestion to John McCain.
- (2) Water drainage from west of Holly Lane east to Bear Creek Plantation needs to be addressed for backup problems from the west and throughout the development.
- (3) Lot sizes are too small according to Colleyville 2035 Comprehensive Plan Chapter 6, Northwest Colleyville-Neighborhood Area 6.

SIGNED:

Elise D. Pistor

DATE: 7-8-18

NAME:

ELISE DUELL PISTOR

ADDRESS:

7200 HOLLY LANE

COLLEYVILLE, TEXAS 76034

Letter of Opposition

LETTER OF PROTEST FOR ZONING CASE # ZC18-019

TO: COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF COLLEYVILLE

100 Main Street

Colleyville, TX 76034

Office: 817-503-1050 E-Mail: bbryner@colleyville.com

To whom it may concern:

I, Donna Kautzman, oppose the rezoning for 1312 John McCain Road (Zoning Case # ZC18-019) from R-40 single family & AG Agricultural to PUD-R or any other zoning under RE & AG.

CONCERNS:

- (1) Too High Density, takes away from
Quality of life, larger Estates
- (2) Drainage Along Holly, including Holly
Sidewalks, fencing, has left, the
western homeowners w/ lesser developed street, drainage
fencing
- (3) _____

SIGNED: Donna Kautzman

DATE: 7/9/2018

NAME: Donna Kautzman

ADDRESS: 1208 John McCain

COLLEYVILLE, TEXAS 76034

Letter of Opposition

LETTER OF PROTEST FOR ZONING CASE # ZC18-019

TO: COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF COLLEYVILLE

100 Main Street

Colleyville, TX 76034

Office: 817-503-1050 E-Mail: bbryner@colleyville.com

To whom it may concern:

I, Kurt Kauffman, oppose the rezoning for 1312 John McCain Road (Zoning Case # ZC18-019) from R-40 single family & AG Agricultural to PUD-R or any other zoning under RE & AG.

CONCERNS:

- (1) Lot sizes are too small according to Colleyville 2035 Comprehensive Plan Chapter 6, N W Colleyville - Neighborhood Area 6.
- (2) "Concern for the 'Small Pond' / Properties along Holly Lane - Where will the overflow go?"
- (3) "Fence" / Hedges should be same as by Holly Lane as Tanglewood Side -

SIGNED: _____

DATE: 7/8/2018

NAME: Kurt Kauffman

ADDRESS: 1208 John McCain Rd.

COLLEYVILLE, TEXAS 76034

Letter of Opposition

Community Development Department
City of Colleyville
100 Main Street
Colleyville, Texas 76034

Date: 7-8-18

Attn: Planning and Zoning Commission Members

To Whom It May Concern:

I am writing in response to the Notice of Public Hearing for Zoning Case Number ZC18-019. After review of the materials enclosed in the Notice as well as materials previously submitted to the Planning and Zoning Commission, I hereby object to the proposed development plan and request for zoning change (the "Plan"). My objections to the proposed development (the "Development") include, but are not limited to, the following areas of concern:

- The lot sizes in the Development are not compatible with the properties in the adjacent neighborhoods and, as a result, the Plan fails to protect the integrity of those neighborhoods;
- The proposed density of the Development is not in keeping with the Colleyville 2035 Comprehensive Plan Chapter 6, Northwest Colleyville-Neighborhood Area 6;
- The Plan has inconsistent and inadequate border enclosures and landscape buffers, including a water collection area outside the perimeter of the proposed fencing along the western edge; and
- The Plan poses a risk of damage to surrounding properties due to (i) the disruption of existing water flow conditions (ii) reduced absorption of surface water resulting from the construction of a densely populated development, and (iii) a water collection area that may overflow onto Holly Lane.

Sincerely,

Kara JF
Signature

KARA FLEMING
Printed Name

7312 Hix Ct

Colleyville TX 76034
Address

Letter of Opposition

Community Development Department
City of Colleyville
100 Main Street
Colleyville, Texas 76034

Date: 7/8/18

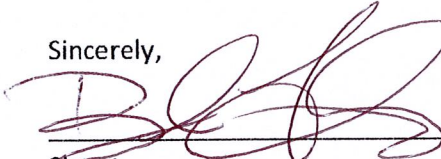
Attn: Planning and Zoning Commission Members

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- The Plan has inconsistent and inadequate border enclosures and landscape buffers, including a water collection area outside the perimeter of the proposed fencing along the western edge; and
- The Plan poses a risk of damage to surrounding properties due to (i) the disruption of existing water flow conditions (ii) reduced absorption of surface water resulting from the construction of a densely populated development, and (iii) a water collection area that may overflow onto Holly Lane.

Sincerely,


Signature

BRYAN A FLEMING
Printed Name

7312 Hix Ct

Colleyville, TX 76034

Address

Letter of Opposition

LETTER OF PROTEST FOR ZONING CASE # ZC18-019

TO: COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF COLLEYVILLE

100 Main Street

Colleyville, TX 76034

Office: 817-503-1050 E-Mail: bbryner@colleyville.com

To whom it may concern:

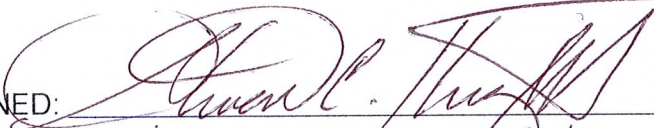
I, Steven C. Knight, oppose the rezoning for 1312 John McCain Road (Zoning Case # ZC18-019) from R-40 single family & AG Agricultural to PUD-R or any other zoning under RE & AG.

CONCERNS:

(1) When many fellow citizen is affected by questionable density issues, I am also affected. I could be next.

(2)

(3)

SIGNED:  DATE: 7-8-18

NAME: Steven C. Knight

ADDRESS: 3917 Felps Court

COLLEYVILLE, TEXAS 76034

Letter of Opposition

April 11, 2018

Dear Neighbor,

This letter shall confirm our conversation.

Attached is our latest plan (37 lots) for the Oak Alley Development. We've made the changes that most have asked for, plus we have increased the size of the lake on Holly Lane. We have also added additional landscaping and closed the exit on Holly Lane. All lots are now 30,000 square feet and up.

I am asking for your support of our development. Your signature below will confirm that you support the zoning of the attached site plan. Thank you.

Sincerely,

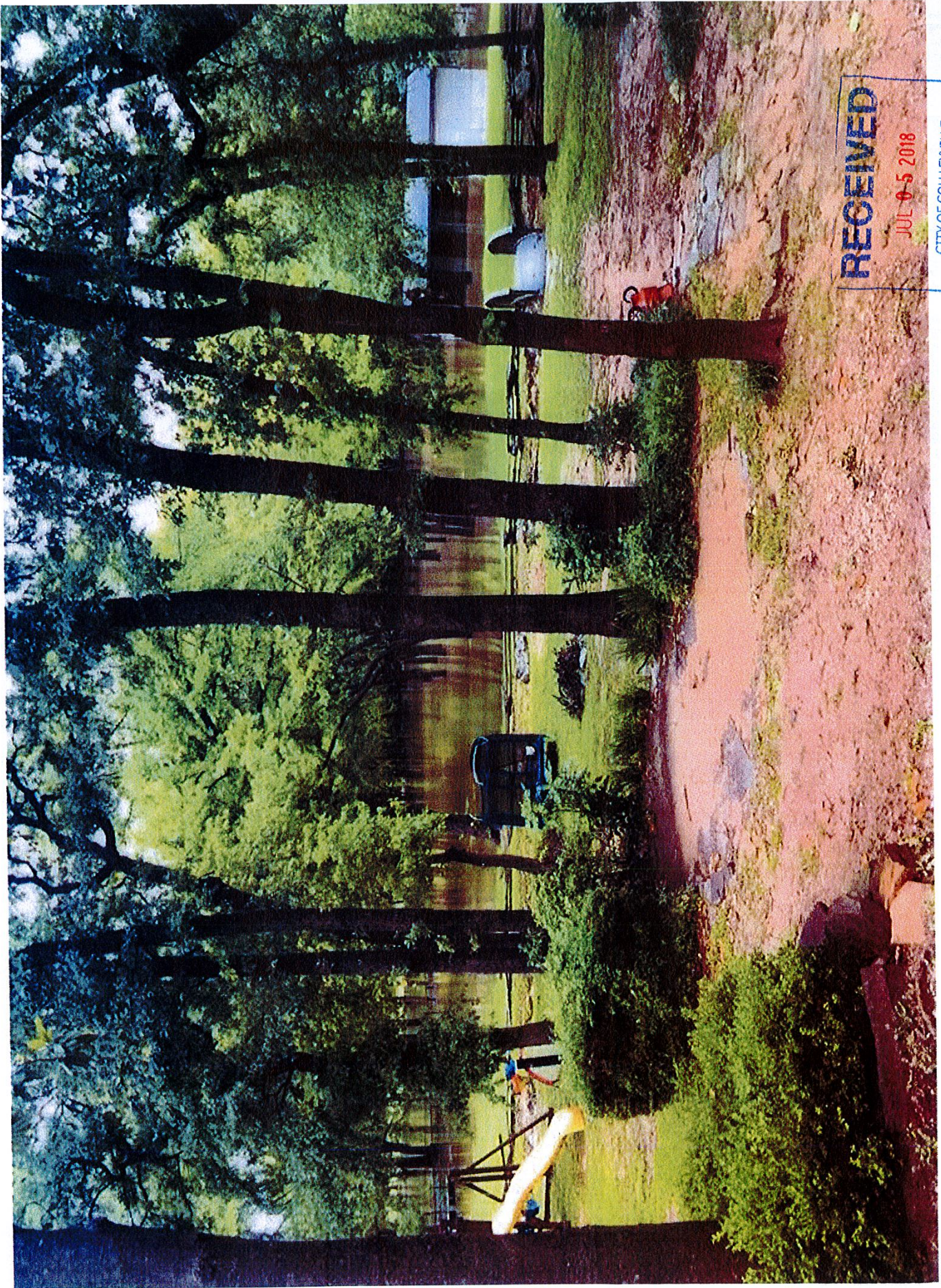

Burk Collins

Printed Name

Signature



Letter of Opposition



RECEIVED

JUL 05 2018

CITY OF COLLEEVILLE
BY COMMUNITY DEV. DEPT

Letter of Opposition



Letter of Opposition

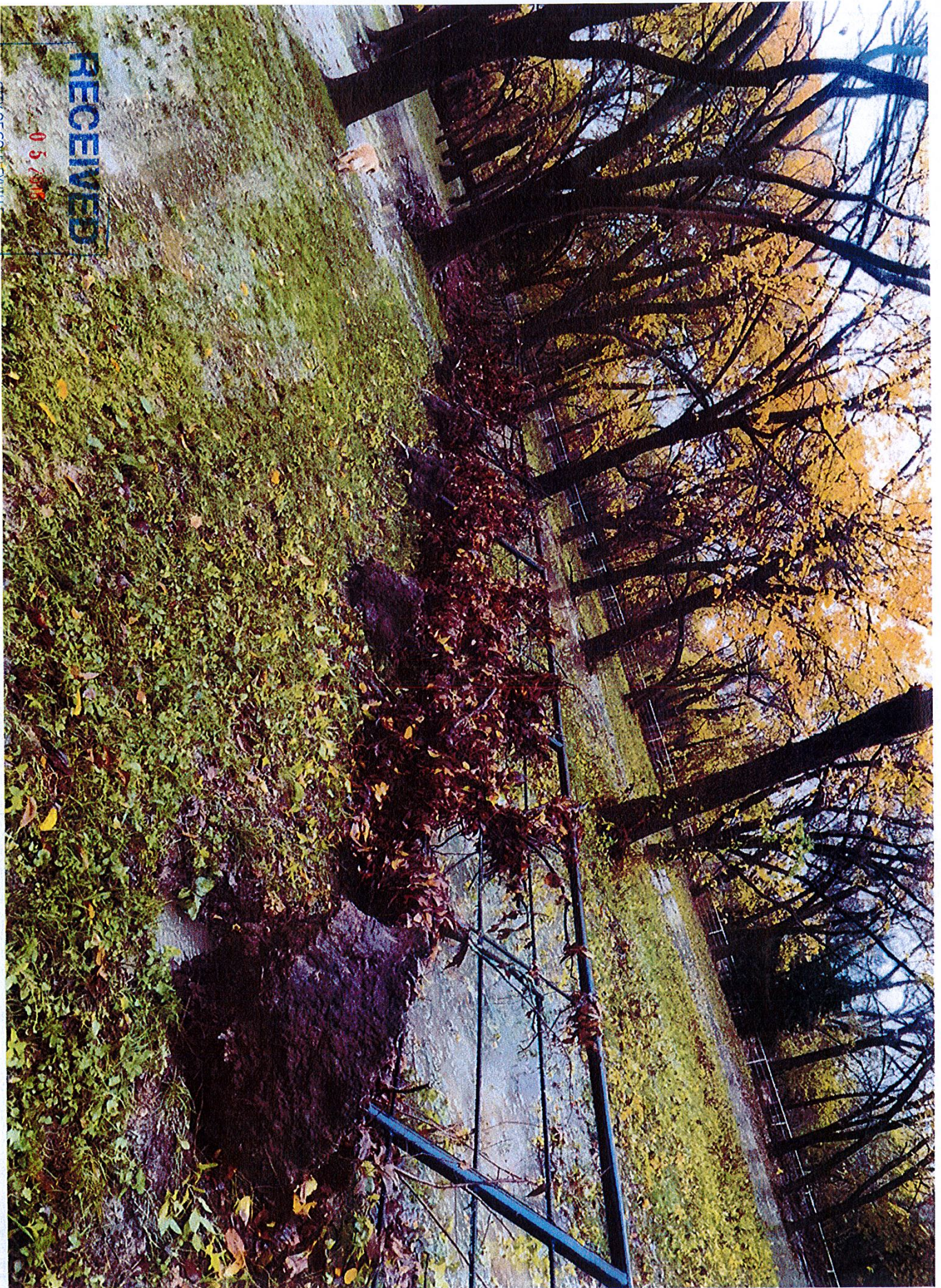


RECEIVED

JUL 05 2018

CITY OF CHICAGO

Letter of Opposition



RECEIVED

05/20/16

CITY OF COLLEEVILLE
BY COMMUNITY DEV. DEPT.

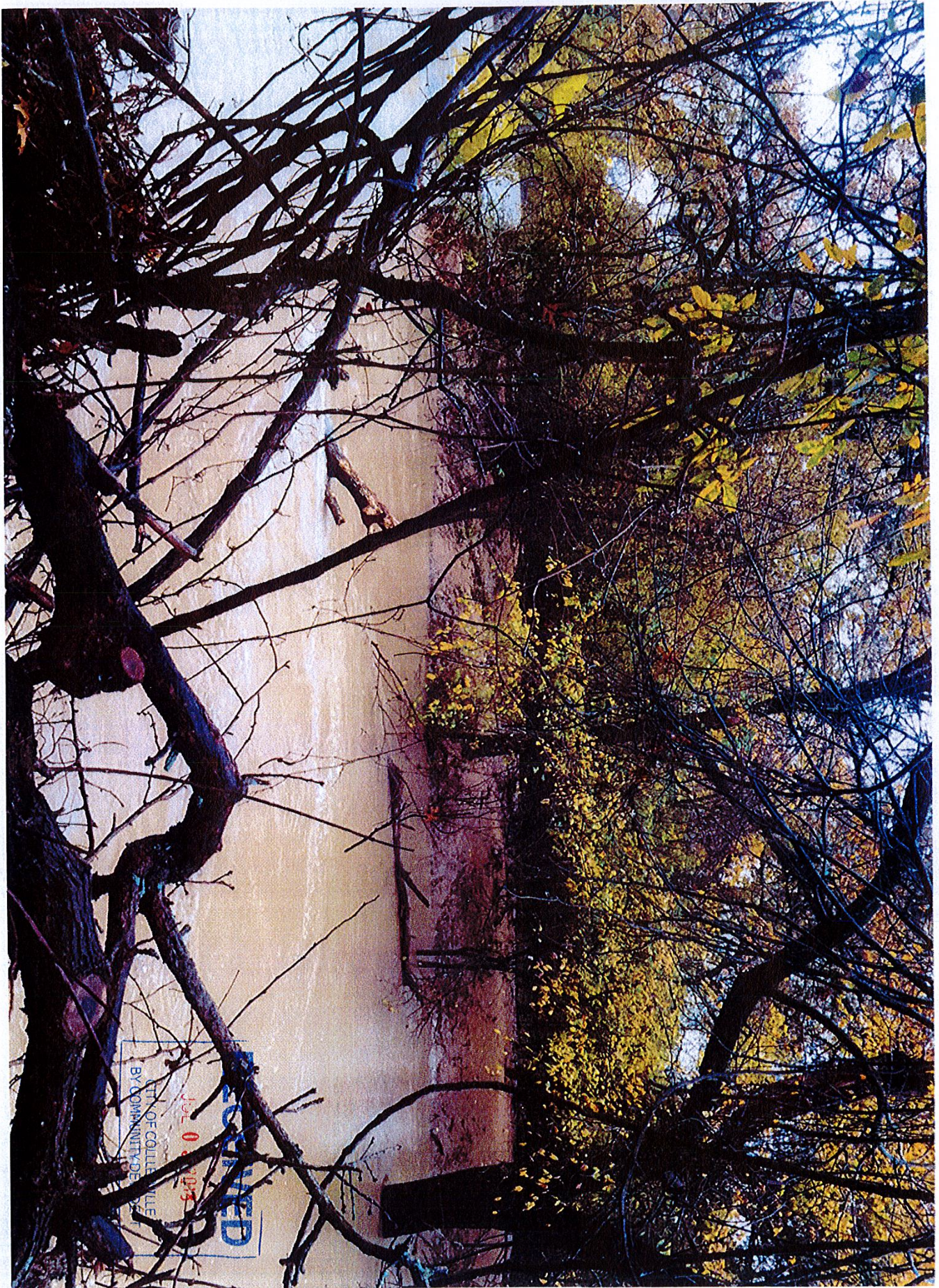
Letter of Opposition



Letter of Opposition



Letter of Opposition



Letter of Opposition



RECEIVED

JUL 20 03 2013

CITY OF COLLEEVILLE
CLERK OF COLLEEVILLE
BY COMMUNITY DEV DEPT

Letter of Opposition



RECEIVED

JUL 05 2018

CITY OF COLLEVILLE
BY COMMUNITY DEV. DEPT

Letter of Opposition

Araceli Botello

Subject: FW: 1312 John McCain Rd New Project

From: Issam Bou-Hamdan

Sent: Monday, July 9, 2018 9:42 AM

To: Ben Bryner <BBryner@colleyville.com>

Subject: 1312 John McCain Rd New Project

We oppose building smaller lots on or near the John McCain Rd area. As it is we are witnessing unbearable traffic daily on John McCain and this kind of project it will only increase traffic and noise.

Thank You,

Issam Bou-Hamdan
6804 Shalimar Ct
Colleyville, TX 76034

Sent from [Mail](#) for Windows 10

Letter of Opposition

LETTER OF CONCERN TO:

THE COMMUNITY DEVELOPMENT DEPARTMENT OF COLLEYVILLE (ZONING
CASE # ZC18-019)

100 Main Street

Colleyville, Tx 76034

Office: 817-503-1050 E-Mail: bbryner@colleyville.com

To whom it may concern on: ZONING CASE # ZC18-019

I, Coral L. Nauter, oppose the rezoning for 1312 John
McCain Road from R-40 single family & AG Agricultural to PUD-R.

SIGNED: Coral L. Nauter DATE: 7/9/18

NAME: Coral L. Nauter

ADDRESS: 801 Beverly Dr.

CITY/ZIP: Colleyville, TX 76034

Letter of Opposition

Araceli Botello

Subject: FW: Notice of Public Hearing Case ZC18-002

From: Edward Palluth

Sent: Thursday, July 5, 2018 12:13 PM

To: rayallee@aol.com; slv4105@gmail.com; veronica@sellsdfw.com; m.koch75@rocketmail.com; JEIms@pape-dawson.com; ckbevill@hotmail.com; smathisencpa@gmail.com

Subject: Re: Notice of Public Hearing Case ZC18-002

July 5, 2018

Community Development Department

City of Colleyville

100 Main Street

Colleyville, Texas 76034

Planning and Zoning Commission Member:

After thoroughly reviewing the materials submitted to the Commission regarding Zoning Case Number ZC18-002, we cannot support the plans as submitted by the development company. Our primary objections to the proposed development include, but are not limited to, the following areas of concern:

- The proposed lot sizes compromise the integrity of the adjacent properties. Both developments east and west of the proposed development average approx. 2 acres while the new development averages well under one acre with the majority of the properties under .7 acre. The plan fails to protect the integrity of the adjacent neighborhoods;
- The planned density further exacerbates traffic and safety issues on John McCain;

We would like to point out some debatable points in *The Statement of Objectives* submitted by the developer. The developer states that the adjacent east and west properties would be unified by the PUD-R rezoning. The average lots sizes of the east and west adjacent properties are approximately 2 acres while the proposed development would have 25% of the properties smaller than 2/3 acre..

Five of the properties are plotted at 30.0k sq ft, however when you take out the drainage easement these properties all fall below 30.0k sq ft.. Increasing the total number of homes under 30.0 sq ft to 9 (25% of the proposed development)

The developer suggests that average starting price for ALL homes would be \$2,000,000.00.. We searched the DFW area real estate sites and found over 80 properties over \$2,000,000.00 for sale in Tarrant County, of those only one had a lot size of less than one acre.. A more likely target price based on this proposal would be 1/3 to 1/2 of what the developer suggests. This would obviously compromise the integrity of the adjacent property values, in addition, greatly reducing the the suggested property tax contribution to the City of Colleyville...

While we are opposed to the plan as submitted, we are not against the residential development of this property.

Please advise if you have any questions or would rather this be sent via mail..

Thank you for your service to the community and consideration,

Joan & Ed Palluth

Letter of Opposition

1212 Holly Lane
Colleyville, Texas 76034

On Mar 20, 2018, at 3:16 PM, Edward Palluth <

> wrote:

March 20, 2018

Community Development Department
City of Colleyville
100 Main Street
Colleyville, Texas 76034

Planning and Zoning Commission Member:

I am writing in response to the Notice of Public Hearing for Zoning Case Number ZC18-002. After review of the materials enclosed in the Notice as well as materials previously submitted to the Planning and Zoning Commission, I hereby object to the proposed development plan and request for zoning change. My objections to the proposed development include, but are not limited to, the following areas of concern:

- The lot sizes in the development are not consistent with the properties in the adjacent neighborhoods and, as a result, the plan fails to protect the integrity of those neighborhoods;
- The planned density further exacerbates traffic and safety issues on John McCain;
- The planned street exiting to Holly Lane will create unsafe conditions for residing on Holly Lane and Hidden Acres neighborhood.

Please advise if you would rather this be sent via mail..

Thank you for your service to the community and consideration,

Ed Palluth
1212 Holly Lane
Colleyville, Texas 76034

Letter of Opposition

Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034

Date: July 9, 2018

Attn: Planning and Zoning Commission Members

To Whom It May Concern:

I am writing in response to the Notice of Public Hearing for Zoning Case Number ZC18-019. After review of the materials enclosed in the Notice as well as materials previously submitted to the Planning and Zoning Commission, I hereby object to the proposed development plan and request for zoning change (the "Plan"). My objections to the proposed development (the "Development") include, but are not limited to, the following areas of concern:

- The lot sizes in the Development are not compatible with the properties in the adjacent neighborhoods and, as a result, the Plan fails to protect the integrity of those neighborhoods;
- The proposed density of the Development is not in keeping with the Colleyville 2035 Comprehensive Plan Chapter 6, Northwest Colleyville-Neighborhood Area 6;
- The Plan has inconsistent and inadequate border enclosures and landscape buffers, including a water collection area outside the perimeter of the proposed fencing along the western edge; and
- The Plan poses a risk of damage to surrounding properties due to (i) the disruption of existing water flow conditions, (ii) reduced absorption of surface water resulting from the construction of a densely populated development, and (iii) a water collection area that may overflow onto Holly Lane.

Sincerely,

Elise Duell Pistor
(Signature)

ELISE DUELL PISTOR
Printed Name

7200 HOLLY LANE
COLLEYVILLE, TX 76034
Address

Letter of Opposition

Community Development Department
City of Colleyville
100 Main Street
Colleyville, TX 76034

Date: July 9, 2018

Attn: Planning and Zoning Commission Members

To Whom It May Concern:

I am writing in response to the Notice of Public Hearing for Zoning Case Number ZC18-019. After review of the materials enclosed in the Notice as well as materials previously submitted to the Planning and Zoning Commission, I hereby object to the proposed development plan and request for zoning change (the "Plan"). My objections to the proposed development (the "Development") include, but are not limited to, the following areas of concern:

- The lot sizes in the Development are not compatible with the properties in the adjacent neighborhoods and, as a result, the Plan fails to protect the integrity of those neighborhoods;
- The proposed density of the Development is not in keeping with the Colleyville 2035 Comprehensive Plan Chapter 6, Northwest Colleyville-Neighborhood Area 6;
- The Plan has inconsistent and inadequate border enclosures and landscape buffers, including a water collection area outside the perimeter of the proposed fencing along the western edge; and
- The Plan poses a risk of damage to surrounding properties due to (i) the disruption of existing water flow conditions, (ii) reduced absorption of surface water resulting from the construction of a densely populated development, and (iii) a water collection area that may overflow onto Holly Lane.

Sincerely,

Signature

Jeff Pistor

Printed Name

7200 Holly Ln
Colleyville, TX 76034

Address

Letter of Opposition

LETTER OF CONCERN TO:

THE COMMUNITY DEVELOPMENT DEPARTMENT OF COLLEYVILLE (ZONING
CASE # ZC18-019)

100 Main Street

Colleyville, Tx 76034

Office: 817-503-1050 E-Mail: bbryner@colleyville.com

To whom it may concern on: ZONING CASE # ZC18-019

I, Michael Newton, oppose the rezoning for 1312 John
McCain Road from R-40 single family & AG Agricultural to PUD-R.

SIGNED: 

DATE: 7/9/18

NAME: Michael Newton

ADDRESS: 801 Beverly Dr.

CITY/ZIP: Colleyville, TX 76034

Letter of Opposition

Araceli Botello

Subject: FW: 1312 John McCain

From: Robbie
Sent: Monday, July 9, 2018 11:27 AM
To: Ben Bryner <BBryner@colleyville.com>
Subject: 1312 John McCain

Mr. Bryner, I would like to express my concerns and oppose to this new housing project at 1312 John McCain. I believe at this time this development would case major traffic jams on John McClain street and noise issues in this neighborhood.

My home address is 7208 Jo Will Street.

Robbie Sebren Burns
Legend Asset Management
2415 Avenue J, Suite III
Arlington, TX 76006
P 817.640.3040 ext 101
F 817.701.0523



Letter of Opposition

Araceli Botello

Subject: FW: Please do not rezone 1312 John McCain Rd.

From: Jody Larson

Sent: Monday, July 9, 2018 11:52 AM

To: Ben Bryner <BBryner@colleyville.com>

Subject: Please do not rezone 1312 John McCain Rd.

I would like to add my opinion about the rezoning of the property at 1312 John McCain. I do not agree with it because of these reasons:

I do not want the extra traffic that the building of the homes will bring to the neighborhood; the extra traffic of the construction vehicles, the 18 wheelers, construction trucks, etc.

Not only will there be extra traffic with the construction, there will be extra traffic with the new tenants. John McCain has already taken a beating with the detoured traffic during the Pleasant Run/Tinker Rd. construction.

We have greatly enjoyed seeing the longhorns the owners previously had and while we know that the next owners will likely not do the same, building out that property will make us just another neighborhood. Splitting it up into two or three homes would be good but as many as they are proposing? No thank you! We love the rural feel of this area while being in the middle of the city. We love it here and would hate to see that aesthetic go away!

Thank you for "listening".

Sincerely,
Jody Larson
7308 Jo Will
Colleyville.

Letter of Opposition

LETTER OF CONCERN TO:

THE COMMUNITY DEVELOPMENT DEPARTMENT OF COLLEYVILLE (ZONING CASE # ZC18-019)

100 Main Street

Colleyville, Tx 76034

Office: 817-503-1050 E-Mail: bbryner@colleyville.com

To whom it may concern on: ZONING CASE # ZC18-019

I, _____, oppose the rezoning for 1312 John McCain Road from R-40 single family & AG Agricultural to PUD-R.

SIGNED: _____

DATE: _____

NAME: _____

ADDRESS: _____

CITY/ZIP: _____

Signature
DATE: *7/5/18*
NAME: *SANIR/Khalil*
ADDRESS: *1809 Thames TRAIL*
CITY/ZIP: *Colleyville, TX 76034*

Letter of Opposition

LETTER OF CONCERN TO:

THE COMMUNITY DEVELOPMENT DEPARTMENT OF COLLEYVILLE (ZONING CASE # ZC18-019)

100 Main Street

Colleyville, Tx 76034

Office: 817-503-1050 E-Mail: bbryner@colleyville.com

To whom it may concern on: ZONING CASE # ZC18-019

I, Manal Khalil, oppose the rezoning for 1312 John McCain Road from R-40 single family & AG Agricultural to PUD-R.

SIGNED: Manal Khalil DATE: 7/5/18

NAME: Manal Khalil

ADDRESS: 1809 Thames Trail

CITY/ZIP: Colleyville, TX 76034

Letter of Opposition

• LETTER OF CONCERN TO:

THE COMMUNITY DEVELOPMENT DEPARTMENT OF COLLEYVILLE (ZONING CASE # ZC18-019)

100 Main Street

Colleyville, Tx 76034

Office: 817-503-1050 E-Mail: bbryner@colleyville.com

To whom it may concern on: ZONING CASE # ZC18-019

I, Mark Khalil, oppose the rezoning for 1312 John McCain Road from
R-40 single family & AG Agricultural to PUD-R.

SIGNED: Mark Khalil DATE: 7/6/18

NAME: Mark Khalil

ADDRESS: 1809 Thames Trail

CITY/ZIP: Colleyville, TX 76034

Letter of Opposition

LETTER OF CONCERN TO:

THE COMMUNITY DEVELOPMENT DEPARTMENT OF COLLEYVILLE (ZONING CASE # ZC18-019)

100 Main Street

Colleyville, Tx 76034

Office: 817-503-1050 E-Mail: bbryner@colleyville.com

To whom it may concern on: ZONING CASE # ZC18-019

I, Angela Khalil, oppose the rezoning for 1312 John McCain Road from R-40 single family & AG Agricultural to PUD-R.

SIGNED: Angela Khalil DATE: 7/5/18

NAME: Angela Khalil

ADDRESS: 1809 Thames Trail

CITY/ZIP: Colleyville, TX 76034

Tanglewood Estates Response to the Proposed Development

June 1, 2018

To: Colleyville Planning and Zoning Commission and City Council
Burk Collins and Curtis Young

From: Tanglewood Estates Maintenance Association

We have had many meetings with Burk Collins, and Curtis Young of Sage Associates who have developed the plat concepts for the proposed development, Oak Alley. We would much prefer a plan that doesn't have all of their homes backing up to the fronts of our homes, which we believe would be possible without the constraints of retaining the plantation home and the ability to relocate the entry oaks. However, if the agreements outlined below are **included in the zoning filings and approval and strictly enforced and non-changeable**, we can be supportive of the development plan submitted.

This letter and list of agreements, with attachments, is designed to lay out, in layman's terms our understanding of the agreement which must be formalized in the zoning filings and approvals and which we expect any developer of the property currently being referred to as Oak Alley to honor.

The plan we understand has been filed is shown as "Attachment A" which is a 36 lot concept with a 25 foot landscape easement on the east side. If any changes in the plat plan are made, we reserve the right to change our support or lack thereof for the plan and the associated agreements.

Attachments B, C, and D show the detail of how the wall will be configured along the East side. Beginning at the Botik property (behind lot #5), a wall will attach to the existing wall that is 6' of stone masonry (examples, shown as Exhibit E, F, and G are of Texas limestone, and expected finish is not smooth), and 2 feet of wrought iron. As the wall passes the Botik and Venemeyer properties (behind lots 5 - 9), the wall will follow the west boundary of the landscape easement. In other words, the landscape easement will be on the Tanglewood side of the wall. (Attachment B) Once reaching the end of the Venemeyer property line (after lot 9), the wall will move over so that 15' of the 25' will be on the Oak Alley side of the wall, and 10' will be on the Tanglewood side of the wall (Attachment C). The wall will continue in that manner until reaching the boundary of the Bradshaw property where the wall will move to the boundary of Tanglewood and Oak Alley and extend until the steep slope which leads into Bear Creek where it will then become an iron fence to the end of the property (exact location to be determined and marked) (Attachment D). All property on the Tanglewood side of the wall will be considered landscape easement to be deeded to Tanglewood HOA.

Both parties also have the following agreements:

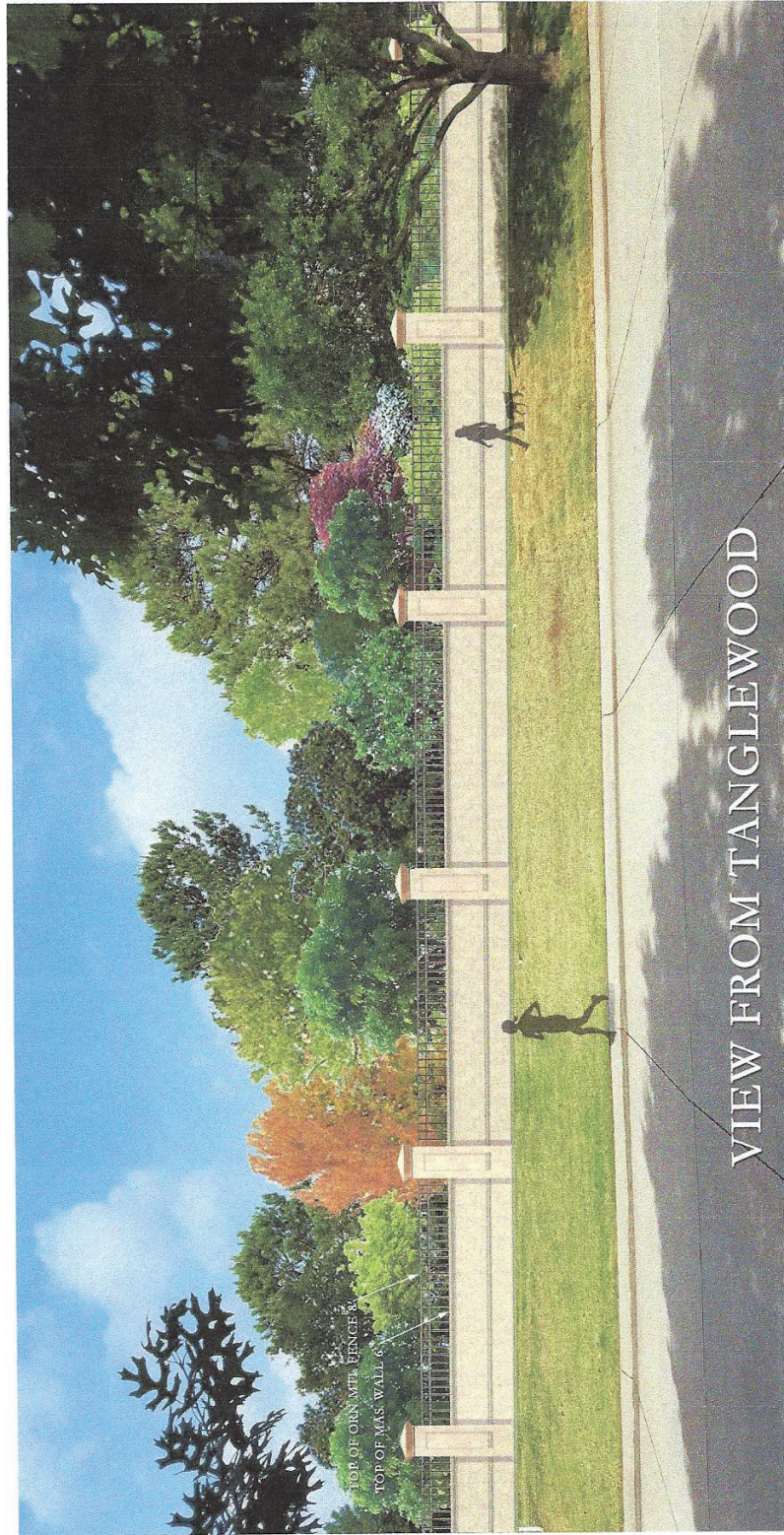
1. The wall along the boundary will be built by Oak Alley developers prior to any homes being built. The wall will be paid for and maintained in perpetuity by the Oak Alley HOA.
2. The portion of the landscape easement that will be on the Tanglewood side will be deeded as common area to the Tanglewood Maintenance Association (Tanglewood Maintenance Association will in turn deed the section in the yards of the Botiks and Venemeyers to them to plant and care for). This deeding shall be legally binding and

Tanglewood Estates Response to the Proposed Development

executed within 30 days of zoning change that has the above-mentioned plat attached to it.

3. The landscape easement (including the areas on both sides of the wall) will be graded and prepared for easy planting (for example, on part of the easement there is currently a hard top road that will be removed and the land graded so that no other work is required to plant and landscape the area). This shall occur prior to the wall installation, which will be before any homes being built.
4. An agreed upon (by Tanglewood Homeowner's Association) specific landscape plan for planting the landscape easement on the Oak Alley side of the wall **must be included in the plat submission to the city for zoning approval** for Oak Alley that will specify tree and shrub plant specimens, caliper and size, and spacing. This will include the area behind lots 1, 2 & 4 near the front of the development as well as behind lots 9 - 15.
5. The green space plantings on the Oak Alley side will take place immediately after the wall is installed, prior to construction of homes and will be irrigated with temporary irrigation. Replacements of any plant materials that die or seem to be failing will be made in a timely manner based on the next seasonal opportunity to replace.
6. CC&R's will specify that homeowners who have these green space plantings in their yards will be required to maintain such plantings and not remove them and also replace any that die or are failing in a timely manner based on the next seasonal opportunity to replace.
7. The CC&R's for Oak Alley will be similar to those for Quail Hollow in Westlake, TX and will require the highest architectural standards for the home, including the same architectural standards for the front, side and rear of each of the homes and must be included specifically in the plans for zoning approval and must be reviewed by and approved by Tanglewood Maintenance Association.
8. An engineering drainage study will be done by the city and Oak Alley developers will abide by recommendations of the study, conforming to the City Master Plan and Texas Water Code. Oak Alley agrees that they will not cause any impact to water runoff into the Tanglewood Estates HOA pond which increases the volume or velocity of water or potentially causes the pond to flood or be overwhelmed in handling the water during heavy rains. If such an impact is expected or occurs, Oak Alley developers agree to make necessary changes to the output area of the Tanglewood HOA pond to allow faster exit of the water from the pond. Precautions and provisions should be made to assure the lake depth remains the same as its current state and Oak Alley developers commit to remediate if any significant silt enters the pond during the construction process. Please see attachment of original drainage study for reference.

Tanglewood Estates Response to the Proposed Development



OAK ALLEY

SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Schaumburg, IL 60196
TEL: 817-484-5026



Tanglewood Estates Response to the Proposed Development

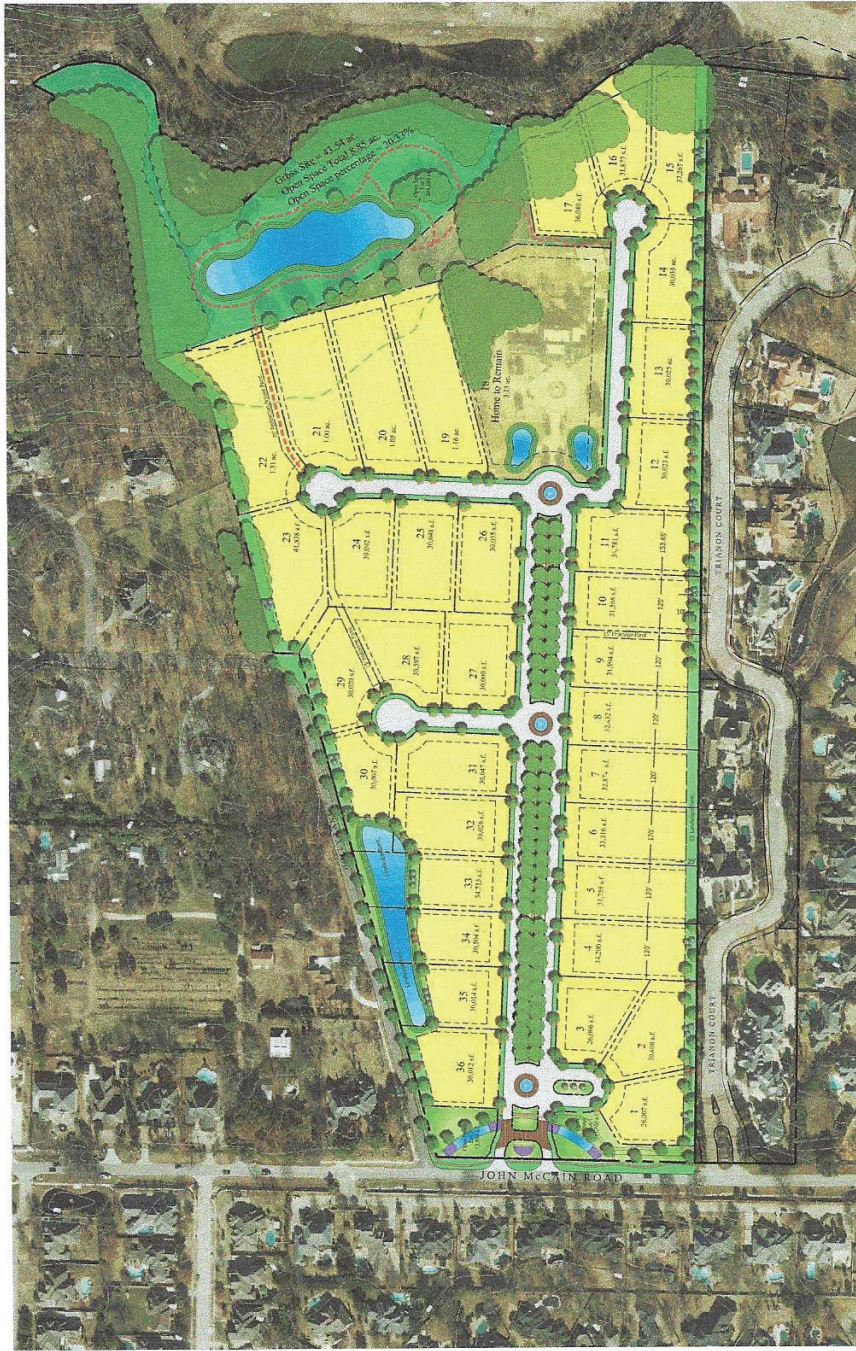


**OAK ALLEY - BRUHN SMOOTH SPLIT
FACE LIMESTONE, COURSED
RUNNING BOND, CUT JOINT**

 **SAGE GROUP, INC.**
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste 200
Southlake, Texas 76092
TEL: 817-424-2626

Tanglewood Estates Response to the Proposed Development

Site Data - Development Plan
Single Family Residential Lots : 36



Owner:
Buck & Gloria Collins Trust
1312 John McCain Rd.
Colleyville, TX 76034

Surveyor:
Buck & Gloria Collins Trust
430 Red Circle Blvd.
Hurst, TX 76054
Tel: 817-577-1052

Engineer:
Dodge, Inc.
420 Johnson Rd., Suite 303
Keller, TX 76248
Tel: 817-337-8899
Contact: Clayton Redinger

Applicant:
Sage Group, Inc.
1130 N. Carroll Ave., Suite 200
Southlake, TX 76092
Tel: 817-424-2626
Contact: Curtis Young

Planner:
SAGE GROUP, INC.

Master Planning
Landscape Architecture
Urban Design
1130 N. Carroll Ave., Suite 200
Southlake, Texas 76092
817-424-2626



Concept Plan

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Zoning Exhibit for
Zoning Change Request
From AG & R-40 to PUD-R

Case #ZC18-002

Oak Alley

Colleyville, Tarrant County, Texas

Tanglewood Estates Response to the Proposed Development



6' Total: Masonry Wall 2.5' / Iron Fence 3.5'
 8' Total: Masonry Wall 6' / Iron Fence 2'
 Retain Existing Wall / Fence

Planner: SAGE GROUP, INC.
 Master Planning
 Landscape Architecture
 1114 N. Main Street, Suite 200
 Fort Worth, Texas 76102
 817-424-2625



Case #ZC18-002

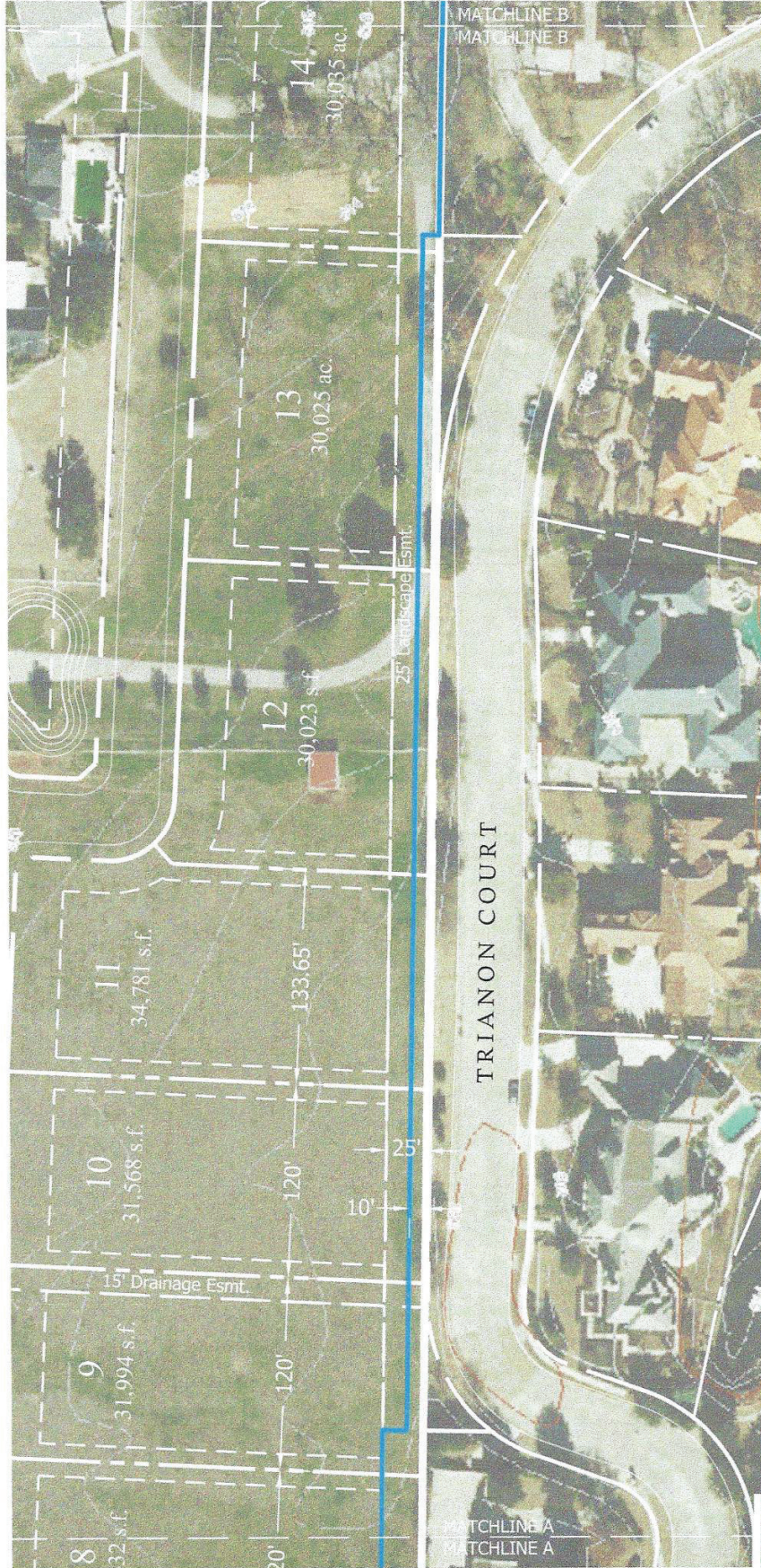
Oak Alley

Colleyville, Tarrant County, Texas

Eastern Boundary Detail (Sheet 1 of 3)

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Tanglewood Estates Response to the Proposed Development



8' Total: Masonry Wall 6' / Iron Fence 2'

Planner: SAGE GROUP, INC.
17 MAY 18
1" = 60'



Case #ZC18-002

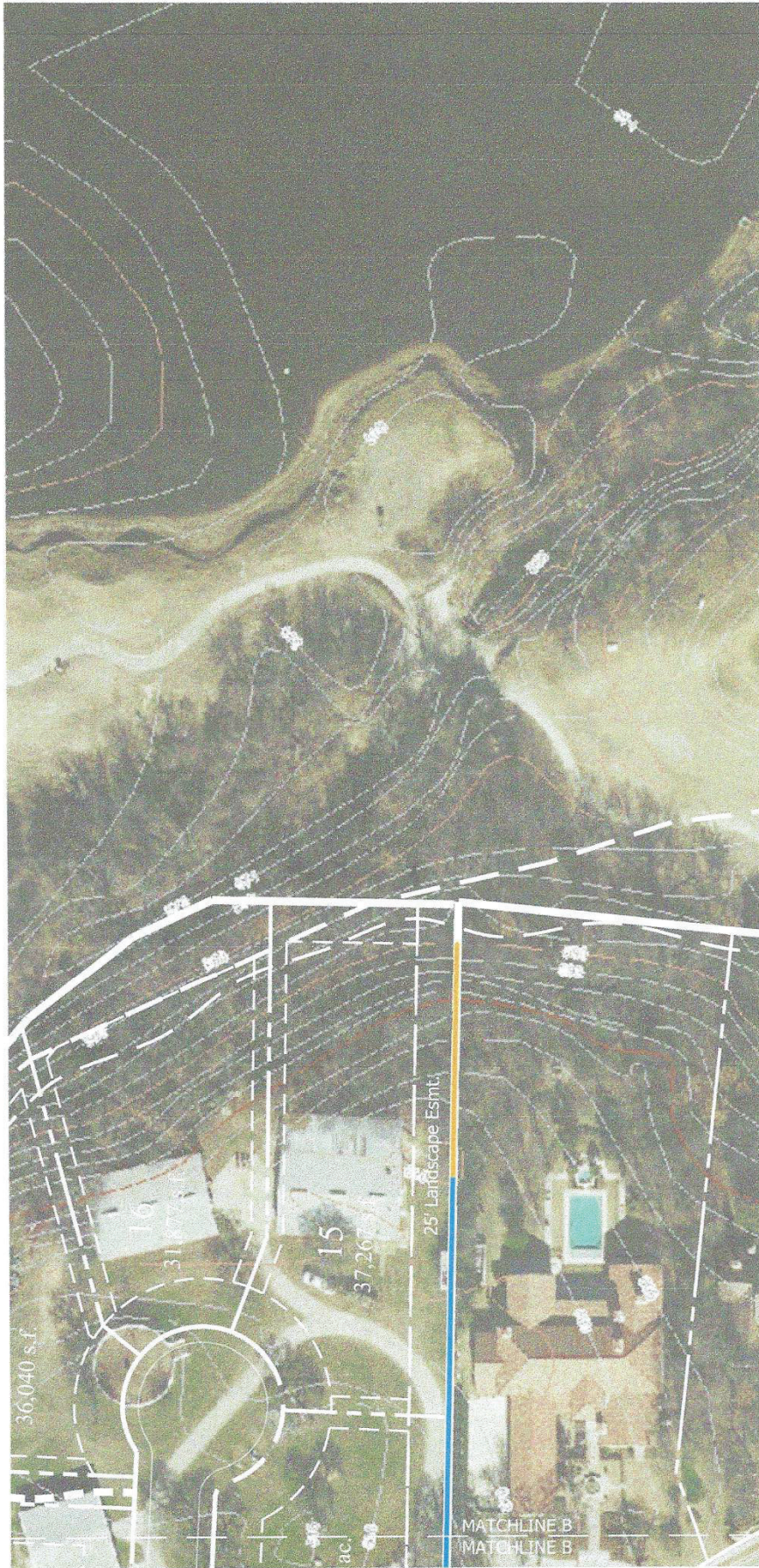
Oak Alley

Colleyville, Tarrant County, Texas

Eastern Boundary Detail (Sheet 2 of 3)

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Tanglewood Estates Response to the Proposed Development



8' Total: Masonry Wall 6' / Iron Fence 2'
Retain or Construct Iron Fence

Planner: SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Central Ave., Ste. 200
Southfield, Texas 75082
311-444-1416



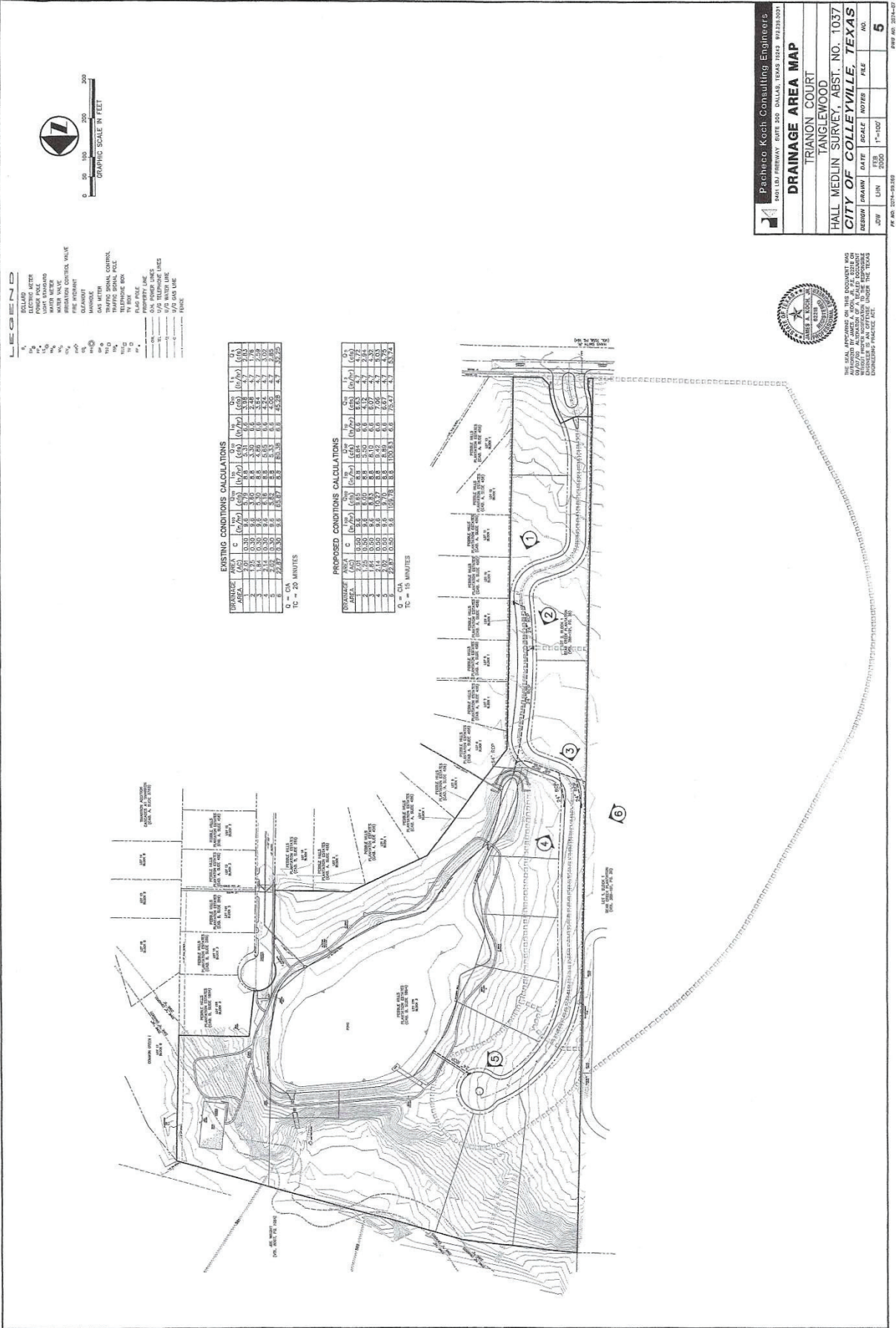
Case #ZC18-002

Oak Alley

Colleyville, Tarrant County, Texas

Eastern Boundary Detail (Sheet 3 of 3)

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1



OAK ALLEY, LLC

Binding Letter of Intent

June 27, 2018

Re: Oak Alley Development
1840 Norwood Plaza, Suite 101
Hurst, TX 76054

This letter sets forth the basic binding Letter of Intent, to which Oak Alley, LLC is willing to enter into with Tanglewood Estates Maintenance Association, subject to the full approval and acceptance by Oak Alley of the Zoning approved by the City of Colleyville for the Oak Alley Development plans submitted by the Sage Group, Inc.

Development:

Oak Alley
1840 Norwood Plaza, Suite 101
Hurst, TX 76054

with copy to

Steve Thornton, Condon Thornton Sladek PLLC,
8080 Park Lane, Suite 700, Dallas, TX 75231

Project:

Oak Alley Development
Located at, 1312 John McCain Road,
Colleyville, TX 76034

DEMISED PREMISES:

All Land East of the Oak Alley dividing wall along the East Boundary of Oak Alley Development, as outlined in Sage Group's Oak Alley Plan submitted to the City of Colleyville for zoning approval.

TO BE DEEDED:

Deeding of subject properties will be deeded upon final platting; at no cost to the Tanglewood Estates Maintenance Association.

OAK ALLEY, LLC

CONSTRUCTION

Oak Alley Obligation

Oak Alley will construct the Oak Alley Subdivision based on the plans submitted by the Sage Group on June 22nd to Mary Huffman, Mark Gottfredson, and to the City of Colleyville.

Tanglewood Estates Association Obligation

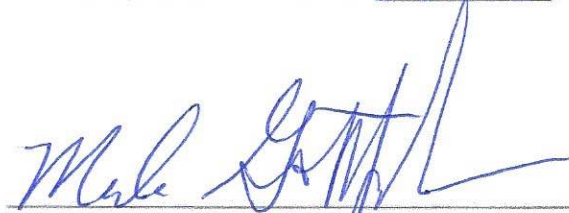
As an agreement for Oak Alley to construct all walls, landscaping and deeds of land on the East side of the wall dividing Oak Alley and Tanglewood Estates; the Tanglewood Estates Association will agree to submit the attached letter supporting the Oak Alley Development.

Very truly yours,



Oak Alley LLC

Date: 6-27-18



Tanglewood Estates Maintenance Association,

Manager

President

Date: 7/2/18

OAK ALLEY AND TANGLEWOOD ESTATES MAINTENANCE ASSOCIATION AGREEMENT

June 25, 2018

This letter is to confirm the agreement between Burk Collins, as owner of the property to be known as "Oak Alley" and the Tanglewood Estates Maintenance Association, concerning the zoning request currently under consideration for the property by the City of Colleyville. The plans and documents for the request have been prepared by Curtis Young of the Sage Group and are to be considered a part of this agreement. Based on the content of those plans, and the agreements outlined below, included in the zoning filings and approval, and strictly enforced by the city, we can be supportive of the development plan submitted. The Tanglewood Estates Maintenance Association will agree to send a letter to the Zoning Board and the City Council simply stating that they support the Oak Alley development.

This letter and list of agreements, with attachments, is designed to lay out, in layman's terms our understanding of the agreement which must be formalized in the zoning filings and approvals and which we expect any developer of the property currently being referred to as Oak Alley to honor.

The plan we understand has been filed is shown as "Attachment A" which is a 36-lot concept with a 25-foot landscape easement on the east side. If any changes in the zoning "Development Plan" are made, we reserve the right to change our support or lack thereof for the plan and the associated agreements. In such event that Tanglewood Estates Maintenance Association withdraws their support then this agreement shall become null and void.

Attachments B, C, and D show the detail of how the wall will be configured along the east side. Beginning at the Botik property (behind lot #5), a wall will attach to the existing wall that is 8' of stone masonry with no iron on top (examples, shown as Exhibit E, F, and G are of Texas limestone, and expected finish is not smooth). As the wall passes the Botik and Venemeyer properties (behind lots 5 - 9), the wall will follow the west boundary of the landscape easement. In other words, the landscape easement will be on the Tanglewood side of the wall. (Attachment B) Once reaching the end of the Venemeyer property line (after lot 9), the wall will move over so that 15' of the 25' will be on the Oak Alley side of the wall, and 10' will be on the Tanglewood side of the wall (Attachment C). The wall will become 6' masonry with 2' iron on top. Upon reaching the boundary of the Bradshaw property, it will remain 6' masonry plus 2' iron and move to the boundary of Tanglewood and Oak Alley and extend until the steep slope which leads into Bear Creek where it will then become an iron fence to the end of the property (exact location to be determined and marked) (Attachment D). All property on the Tanglewood side of the wall will be considered landscape easement to be deeded to Tanglewood HOA.

Both parties also have the following agreements:

1. Oak Alley developers agree to build the wall along the boundary prior to any homes being built. The wall will be paid for and maintained in perpetuity by the Oak Alley HOA.
2. The portion of the landscape easement that will be on the Tanglewood side will be deeded as common area to the Tanglewood Maintenance Association (Tanglewood Maintenance Association will in turn deed the section in the yards of the Botiks and Venemeyers to them to plant and care for). This deeding shall be legally binding and executed within 30 days

of final plat approval, consistent with the above-mentioned zoning plan. Oak Alley will sign a binding Letter Of Intent to deed this portion of the landscaping easement to Tanglewood HOA subject to a final zoning approval and final plat approval as outlined in the plan.

3. The landscape easement on the Oak Alley side of the wall will be graded and prepared for easy planting (for example, on part of the easement there is currently a hard-top road that will be removed and the land graded so that no other work is required to plant and landscape the area). This shall occur prior to the wall installation, which will be before any homes being built.
4. A landscape plan for planting the landscape easement on the Oak Alley side of the wall which adequately address the issue of green space buffer screening for Tanglewood, as per our discussions with Curtis, will be submitted to the city as part of the zoning request.
5. The green space plantings will take place immediately (allowing for appropriate seasonal considerations) after the wall is installed, prior to construction of homes and will be irrigated with temporary irrigation. Replacements of any plant materials that die or seem to be failing will be made in a timely manner based on the next seasonal opportunity to replace.
6. CC&R's will specify that homeowners who have these green space plantings in their yards will be required to maintain such plantings and not remove them and also replace any that die or are failing in a timely manner based on the next seasonal opportunity to replace.
7. The CC&R's for Oak Alley will be similar to those for Quail Hollow in Westlake, TX and will require the highest architectural standards for the home, including the same architectural standards for the front, side and rear of each of the homes. The standards should be higher than those of Tanglewood HOA and will include such provisions as no wood fencing on any property.
8. An engineering drainage study will be done or approved by the city and Oak Alley developers will abide by recommendations of the study, conforming to the City Master Plan and Texas Water Code. Oak Alley agrees that they will not cause any adverse impact (as defined by Fort Worth's iSWMM manual) to water runoff into the Tanglewood Estates HOA pond which increases the volume or velocity of water or potentially causes the pond to flood or be overwhelmed in handling the water during heavy rains. If such an impact to the limits within iSWMM is expected or occurs, Oak Alley developers agree to make necessary changes to the output area of the Tanglewood HOA pond to allow faster exit of the water from the pond. (Tanglewood agrees to allow sufficient access for data collection and construction of said improvements.) Precautions and provisions should be made to assure the lake depth remains the same as its current state and Oak Alley developers commit to remediate if any significant silt enters the pond during the construction process. Please see attachment of original drainage study for reference.

Signatures:



Oak Alley, LLC, Burk Collins, 1312 John McCain Rd



Mark & Josie Allen, 7305 Trianon Ct

Don Botin

Don & Barbara Botik, 7208 Trianon Ct

Barbara Botik

Tom Bradshaw

Tom & Barbara Bradshaw, 7316 Trianon Ct

Barbara Bradshaw

Chris J. Cheatwood

Chris & Cathy Cheatwood, 7213 Trianon Ct.

Catherine C. Cheatwood

Alan & Cheryl Forner

Alan & Cheryl Forner, 7320 Trainon Ct.

Cheryl Forner

Leonard & April Hudson

Leonard & April Hudson, 7201 Trianon Ct.

April Hudson

Mark & Christine Gottfredson

Mark & Christine Gottfredson 7321 Trianon Ct.

Christine Gottfredson

Mary & Jerry Hoffman (by MSH)

Mary & Jerry Hoffman, 7309 Trianon Ct

Jerry Hoffman

Chuck & Connie Mady

Chuck & Connie Mady, 7301 Trianon Ct

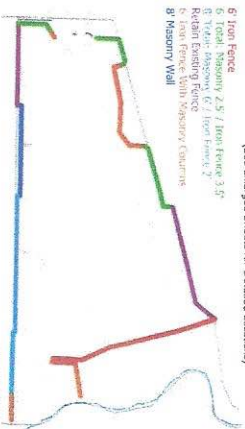
Connie E Mady

Michael Venemeyer & Andrea Holinga

Michael Venemeyer & Andrea Holinga, 7312 Trainon Ct.

Andrea Holinga

Wall / Fence Diagram
(See Enlarged Sheets for Detailed Locations)



- Legend**
- 4' Concrete Sidewalk
 - 5' Concrete Trail
 - Flood Plain approximate 100 Year Floodway
 - Common Open Space
 - Common Open Space within Floodway
 - Residential Lots
 - Landscape Easement



Site Data - Development Plan

Single Family Residential Lots	36
Common Acres	9
Residential Lots	68.22%
Open Space	29.70 ac.
Open Space Floodway	8.45%
R.O.W.	2.68 ac.
Gross Acreage	10.40%
Density Data	43.54 ac.
Gross Residential Density	0.32
Residential Density Net R.O.W. (R.O.W. - 13%)	0.32
Summary	
Residential Lots	36
Minimum Building Lot Area	26,000 s.f.
Average Building Lot Area	35,937 s.f.
Existing Zoning	AG & R-40
Proposed Zoning	PUD-R



Owner:
Berk & Co's Co. LLC
1312 Joan McCain Rd.
Colleyville, TX 76034

Surveyor:
Niles Surveying, Inc.
430 Mid Cities Blvd.
Hurst, TX 76054
Tel: 817-577-1052

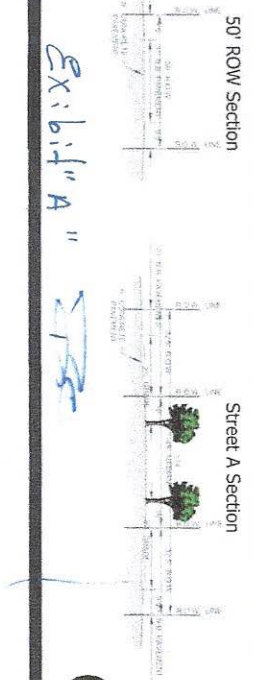
Engineer:
Deotte, Inc.
420 Johnson Rd., Suite 303
Keller, TX 76248
Tel: 817-337-8688
Contact: Clayton Redinger

Applicant:
Sage Group, Inc.
1130 N. Carroll Ave., Suite 200
Southlake, TX 76092
Tel: 817-424-2626
Contact: Curtis Young

Planner:
SAGE GROUP, INC.
1130 N. Carroll Ave., Suite 200
Southlake, TX 76092
Tel: 817-424-2626



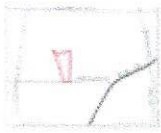
Development Plan



Oak Alley

Colleyville, Tarrant County, Texas

Zoning Exhibit for
Zoning Change Request
From AG & R-40 to PUD-R
Case #ZC18-019



Owner:
Bear Creek Plantation
11111 Bear Creek Road
Colleyville, TX 76034

Surveyor:
Hester Surveying, Inc.
2100 Star 12th Street
Austin, TX 78704
Tel: 512-338-1232

Engineer:
Carter, Inc.
1000 International Center Blvd.
Austin, TX 78704
Tel: 512-338-1232
Carter, Inc. is a member of the
Carter Group, Inc.

Applicant:
Sage Group, Inc.
11111 Bear Creek Road, Suite 100
Colleyville, TX 76034
Tel: 512-338-1232
Contact: Carter, Inc.

Planter:

SAGE GROUP, INC.
11111 Bear Creek Road, Suite 100
Colleyville, TX 76034
Tel: 512-338-1232
Contact: Carter, Inc.



1" = 100'



Tree Locations

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Zoning R
Zoning Change
From AG & B-401

Case #2C1

Oak All

Colleyville, Tarrant County



Planter:

SAGE GROUP, INC.
11111 Bear Creek Road, Suite 100
Colleyville, TX 76034
Tel: 512-338-1232
Contact: Carter, Inc.



1" = 100'



TYPE C - 6' Ornamental Metal Fence WITH Masonry Columns
TYPE D - 6' Total: Masonry Wall 2.5' / Ornamental Metal Fence 3.5'
TYPE F - 8' Masonry Wall
Retain Existing Wall / Fence

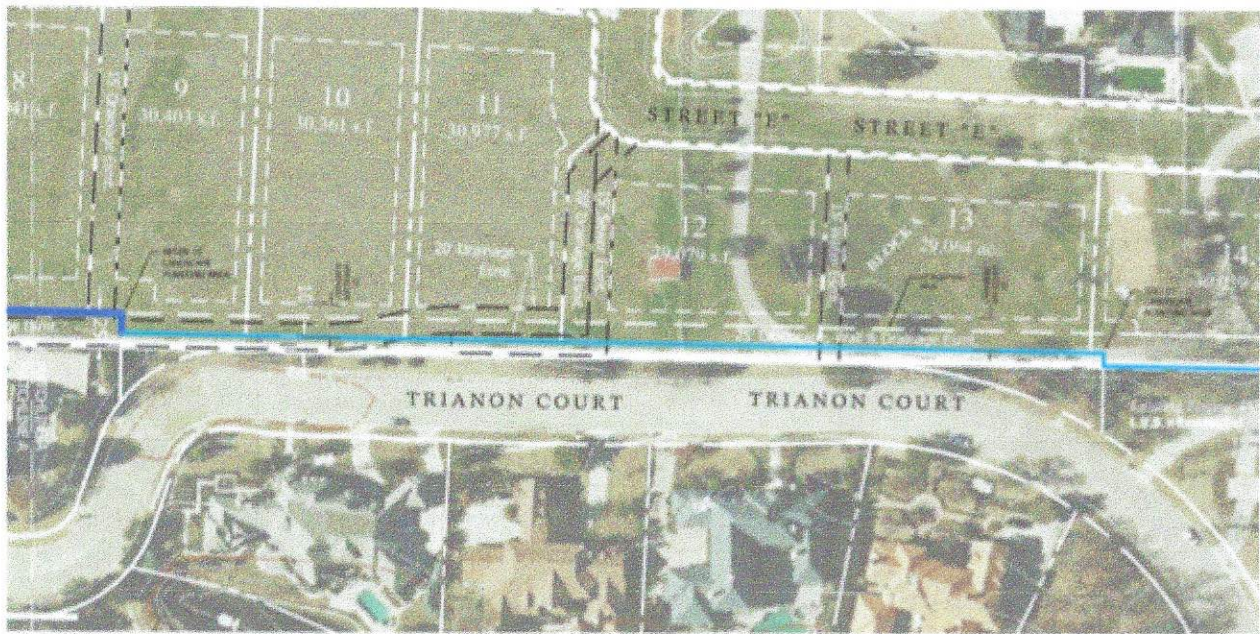
Eastern Boundary Detail (Sheet 1 of 3)

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Case #2C18

Oak All

Colleyville, Tarrant County



TYPE A - 8' Total: Masonry Wall 6' / Ornamental Metal Fence 2'
 TYPE F - 8' Masonry Wall

Case #ZC18

Eastern Boundary Detail (Sheet 2 of 3)

Oak Alley

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colonyville, Tarrant County



↖ This one will have the solid wall going further in their revised plan

From: **Curtis Young** cyoung@sage-dfw.com 
Subject: Oak Alley- Zoning Submittal Exhibits #2 of 3
Date: June 22, 2018 at 2:43 PM
To: Burk Collins burk@burkcollinscompany.com
Cc: Huffman Mary maryshuffman@gmail.com, Gottfredson, Mark Mark.Gottfredson@Bain.com



All:

Please see attached the *second* batch of PDF copies of the re-submittal exhibits for Oak Alley. Because of file sizes, there will be 1 more email.

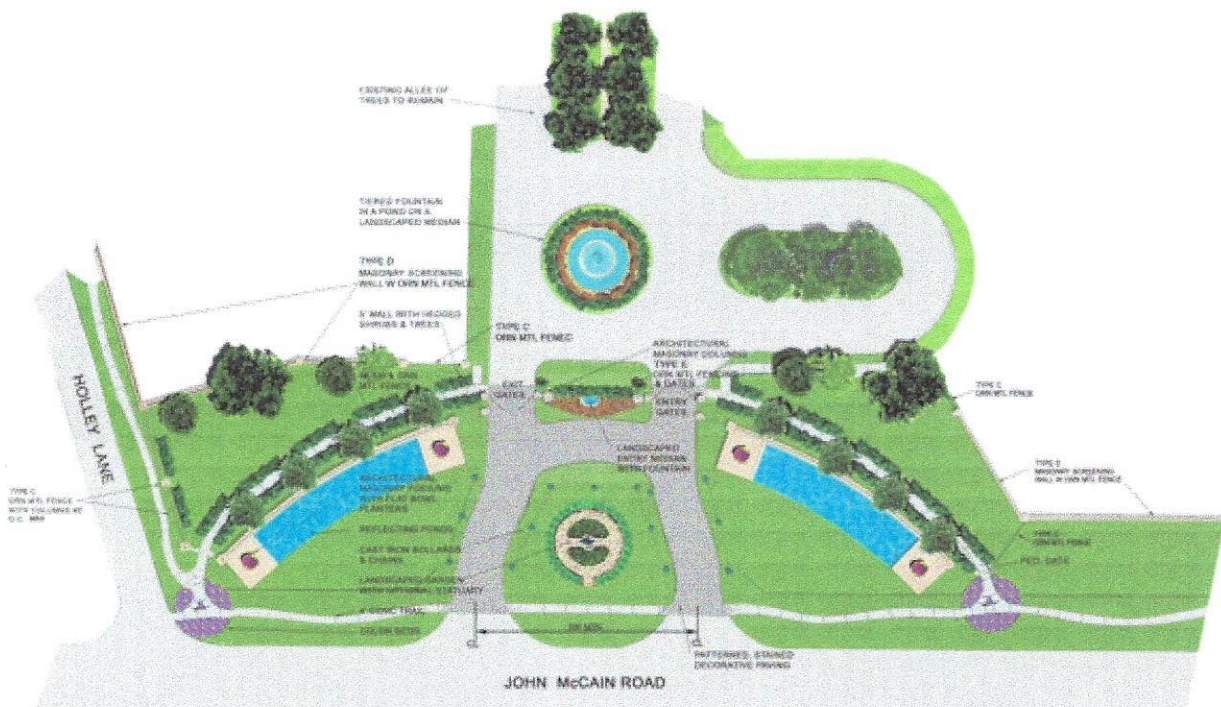
These reflect the agreements we've discussed.

Please let me know if you have any questions.

Thanks-

Curtis W. Young, AIA
Sage Group, Inc.
1130 N. Carroll Avenue, Suite 200
Southlake, Texas 76092
Tel: 817-424-2626 (Metro)
Fax: 817-424-2890
Cell: 817-909-0909

Email: cyoung@sage-dfw.com



SAGE GROUP, INC.
Curtis Young
AIA
Landscape Architect
1130 N. Carroll Ave., Suite 200
Southlake, Texas 76092
Tel: 817-424-2626

THE ENTRY

OAK ALLEY

From: **Curtis Young** cyoung@sage-dfw.com 
Subject: Oak Alley- Zoning Submittal Exhibits #3 of 3
Date: June 22, 2018 at 2:45 PM
To: Burk Collins burk@burkcollinscompany.com
Cc: Gottfredson, Mark Mark.Gottfredson@Bain.com, Huffman Mary maryshuffman@gmail.com



Last one!

Please confirm you've received all three emails.

Thanks-

Curtis W. Young, AIA
Sage Group, Inc.
1130 N. Carroll Avenue, Suite 200
Southlake, Texas 76092
Tel: 817-424-2626 (Metro)
Fax: 817-424-2890
Cell: 817-909-0909

Email: cyoung@sage-dfw.com



Planner: 
SAGE GROUP, INC.
1130 N. Carroll Avenue, Suite 200
Southlake, Texas 76092
Tel: 817-424-2626 (Metro)
Fax: 817-424-2890
Cell: 817-909-0909

TYPE D - 6' Total: Masonry Wall 2.5' / Ornamental Metal Fence 3.5'
TYPE C - 6' Ornamental Metal Fence with Masonry Columns
Retain Existing Wall / Fence



Western Boundary Detail

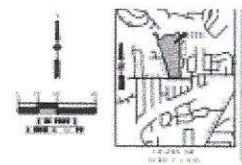
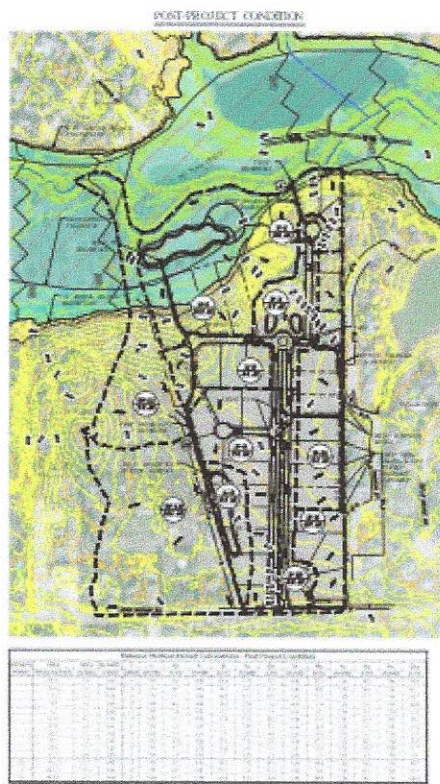
Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Oak Alley

Colleyville, Tarrant County, Texas



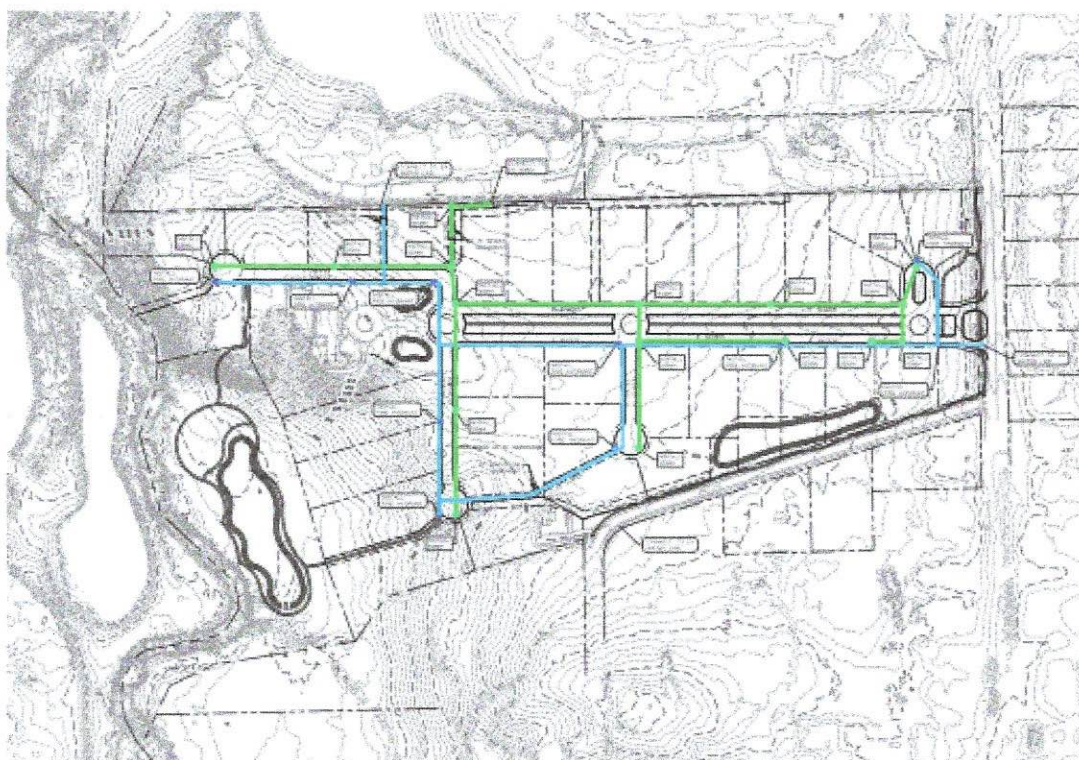
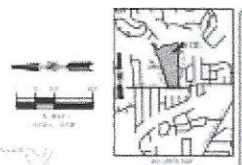
180622 Oak
Alley-...s2.pdf



1. 通过计算得出该项目的净现值(或内部收益率)大于零,即可认为该项目的投资是可行的。如果净现值(或内部收益率)等于零,说明该项目的投资刚好可行;如果净现值(或内部收益率)小于零,说明该项目的投资是不可行的。因此,净现值(或内部收益率)是判断项目可行性的一个重要指标。
2. 净现值(或内部收益率)的计算公式为:

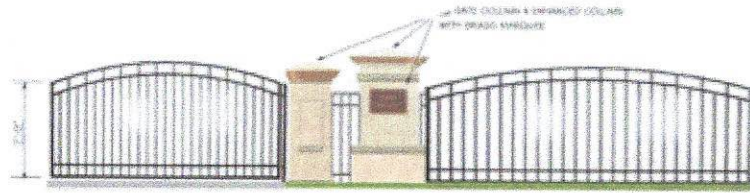
$$NPV = \sum_{t=0}^n \frac{C_t}{(1+r)^t}$$
 其中, NPV 为净现值; C_t 为第 t 期的现金流量; r 为折现率; n 为项目的寿命期。
3. 内部收益率(IRR)是指使项目的净现值等于零的折现率。其计算公式为:

$$NPV = \sum_{t=0}^n \frac{C_t}{(1+IRR)^t} = 0$$
 内部收益率的计算通常采用试错法或插值法。
4. 净现值(或内部收益率)的计算需要考虑项目的初始投资、运营成本和收益、以及折现率等因素。
5. 净现值(或内部收益率)的计算结果可以用于比较不同项目的投资可行性。通常,净现值(或内部收益率)越高,项目的投资可行性越强。
6. 净现值(或内部收益率)的计算结果还可以用于评估项目的风险。通常,净现值(或内部收益率)越低,项目的风险越大。

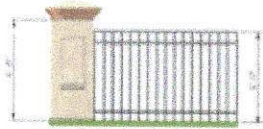
[illegible]



A DECORATIVE SCREEN WALL



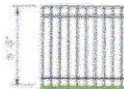
B ENTRY GATE MEDIAN ORNAMENTAL METAL FENCING
GATE & MEDIAN FENCING DESIGN T.B.D.



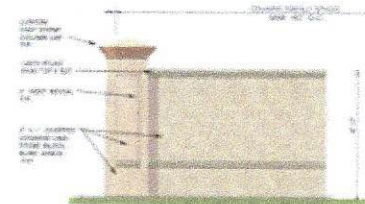
C ORNAMENTAL METAL FENCE
WITH COLUMN TERMINUS



D LOW STONE WALL WITH
ORNAMENTAL METAL FENCE



E ORNAMENTAL
METAL FENCE



F DECORATIVE SCREEN WALL

SCREENING WALLS

ORDINANCE O-18-xxxx

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 43.54 ACRES ON LOTS 1R1 AND 1R2, BLOCK 1, BEAR CREEK PLANTATION ADDITION, LOCATED AT 1312 JOHN MCCAIN ROAD AND 7309 HOLLY LANE FROM THE AG AGRICULTURAL AND R-40 SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS 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 a rezoning under Case No. ZC18-019; and

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

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

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

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

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

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 43.54 acres on Lots 1R1 and 1R2, Block 1, Bear Creek Plantation Addition, located at 1312 John McCain Road and 7309 Holly Lane from the AG Agricultural and R-40 Single Family Residential zoning districts to the PUD-R Planned Unit Development – Residential zoning district, as depicted in the attached Exhibit "A" and Exhibit "C", and as described in Exhibit "B".
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUD-R is for a single-family residential development of detached dwelling units.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. CONCEPTUAL PLAN AND PLATTING

- a. The street layout and arrangement of lots of the subdivision shall be generally consistent with the Conceptual Site Plan, labeled as Exhibit "C", which shall not

be considered the preliminary plat. The actual street and lot arrangement may differ from that shown on Exhibit "C" to accommodate topographic, drainage, engineering design limitations or other conditions.

- b. The developer shall submit and receive approval from the City a Preliminary and Final Plat in accordance with the requirements of the Land Development Code prior to development of this PUD-R.

3. PERMITTED USES

- a. Single-family residences, detached
- b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Single-family detached residential lot requirements and setbacks shall comply with the following provisions:

- a. Minimum Lot Size: 26,000 square feet
- b. Minimum Lot Width: 100 feet, except for cul-de-sac lots which shall be a minimum of 67 feet wide, measured at the building setback line
- c. Front Yard Setback: 30 feet
- d. Side Yard Setback: 10 feet
- e. Street Side Setback: 20 feet
- f. Rear Yard Setback: 25 feet
- g. Minimum House Size: 3,500 square feet for a single-story home; 4,000 square feet for a two-story home.

5. OPEN SPACE

- a. This development shall provide not less than approximately 21% common open space, which shall generally be configured as shown in Exhibit "C". All open space areas shall be landscaped and maintained by the Homeowner's Association as described in Exhibit "B".
- b. All amenities within the open space areas shall be maintained by the Homeowner's Association.

6. SCREENING

- a. Perimeter fencing and screening shall be in compliance with the Wall/Fence Diagram included and shown on the Conceptual Site Plan and associated exhibits, labeled as Exhibit "C".
- b. Wood fencing between lots is permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry.
- c. All lots backing to the Common Open Space lots shall be open style fencing of decorative metal, and/or masonry.

7. ARCHITECTURAL FEATURES

- a. Masonry Requirement – 100% brick, stone or real stucco masonry. No EIFS or artificial stucco material shall be permitted in the subdivision.
- b. Garage Standard – Minimum of a three car garage with wood-like, architecturally enhanced doors.
- d. Minimum Roof Pitch – Minimum of a 10:12 roof pitch unless architecturally required to vary, based on home style.
- e. Windows – No aluminum windows allowed in the subdivision, only windows of higher quality and every efficiency will be allowed. All windows will be insulated glass with a "low-e" specification.

8. OTHER

- a. A minimum of two (2) three-inch caliper trees shall be planted within the front yard of each lot by the homebuilder upon construction of a new home, unless quality existing trees are present and saved.
- b. Within 60 days of the certificate of occupancy being issued, all lots must be fully landscaped and irrigated, both front and rear yards.
- c. Street Design Standards:
 - o Right-Of-Way: Fifty feet (50')
 - o Travel Lane Width: Thirty-one feet (31'), back of curb to back of curb

- Turning Radii: Fifteen feet (15')
 - d. Street "A" (southbound and northbound), is a divided road, intended to preserve the double row of Live Oaks in the median, with paving in each direction of 23' b/b, in separate 42' Private Street ROW's.
 - e. All residences within the subdivision shall contain automatic fire-sprinkler systems.
- Sec. 5. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 9. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 7th day of August 2018.

The second reading and public hearing being conducted on the 21st day of August 2018.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 21st day of August 2018.

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

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt Wyatt
City Attorney

Exhibit "A" – Location and Zoning Map

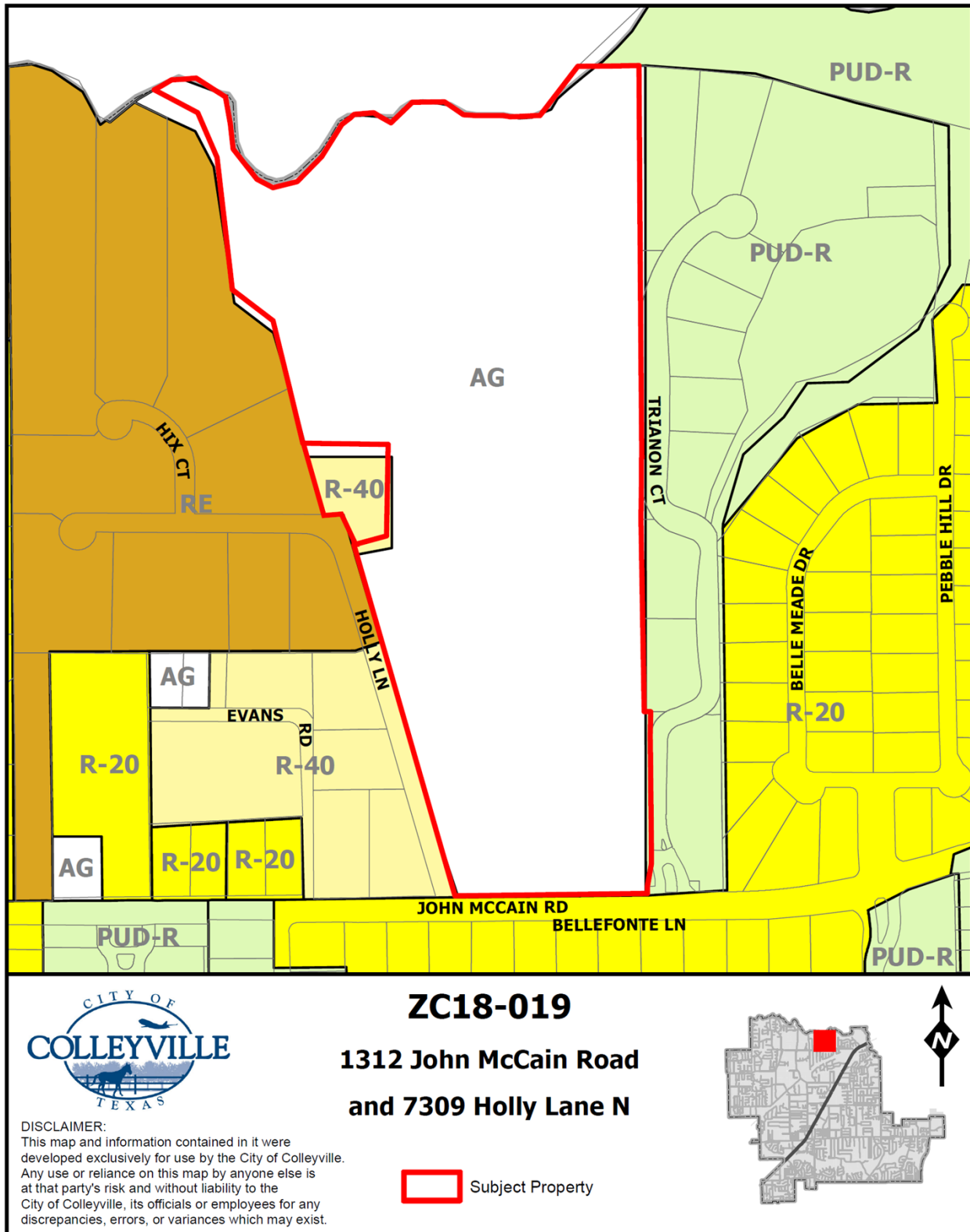


Exhibit “B” – Statement of Planning Objectives

Oak Alley

Colleyville, Texas

Zoning Narrative –23 May 2018

Burk Collins & Co. LTD, Developer

Sage Group, Inc., Land Planner

Statement of Planning Objectives

Oak Alley is a proposed residential neighborhood to be developed by Burk Collins & Co, LTD, under the PUD-R Residential District regulations for residential development in the City of Colleyville. The 43.54 acre property is located on the north side of John McCain Road, just east of Holly Lane and west of, and adjacent to, the Tanglewood gated neighborhood. The property is currently zoned R-40 and AG. The intent here is to rezone the entire property to PUD-R, unifying the property into one cohesive, master planned residential development of the highest quality.

There are currently two occupied single-family homes on the two platted properties that make up this proposal, both of which will be worked into the plan; most of the remaining structures will be removed.

The surrounding area is, for the most part, fully developed with a combination of PUD-R lots ranging from 15,000 s.f. and half acre lots, 30,000 s.f. lots, as well as acre plus sized lots. There are existing subdivisions bordering the subject tract on the entire western, eastern and southern boundaries. The northern boundary is Bear Creek, and is the city limit line. Across the creek is the Timarron Golf Course, and the City of Southlake.

The proposed plan, primarily consisting of 30,000 s.f. lots, has a range of lot sizes from 26,000 sf minimum, up to several acre plus lots (and one 3.3 acre lot for the existing large home) and open space, would fit in well with the neighborhood, as well as be consistent with the city’s Future Land Use Plan.

Quality and compatibility with the adjacent residential, as well as the rest of Colleyville is essential, and we have designed this proposal with those goals in mind.

The residences planned for Oak Alley will be very upscale, with selling prices estimated to start at around \$2.0 million. The development will center upon, and feature, the existing double row of Live Oaks, installed some years ago by the property owner along either side of the drive, the defining feature of the property. This will continue to enhance the vista toward the “plantation house” at the far end by placing a boulevard (divided) road along either side of it. An expanded greenbelt setback will be dedicated along the John McCain frontage, and will be fully landscaped, as will the other open space areas within the project. Open Space will make up over 21% of the project area.

Oak Alley will be proposed as a gated community with private streets. A double road, divided entry from John McCain Road, positioned to line up with and take advantage of the central double row of Live Oaks, will provide a distinctive and quality main entry. This divided road will serve as a loop road through the development, with the two entries from

John McCain meeting the minimum 100' centerline spacing for two points of emergency access. We propose to build the normal Colleyville street section of 31' (back of curb to back of curb), in a 50' R.O.W., throughout the project, except for the main divided central entry road.

There will be a requirement of at least two street trees for every residential lot to be installed by the home builders, adjacent to the street rights of way, unless there are already existing trees there that are saved. We have worked extensively, in conjunction with our neighbors to the east and west, to provide landscape buffers between the existing homes and the future home sites within Oak Alley. All perimeter boundaries will have 25', fully landscaped buffer easements, as shown on the Development Plan.

The existing and fully developed storm drainage has been carefully analyzed, and will be designed to meet all city regulations and not adversely affect any neighboring properties. There will be a pond constructed along the Holly Lane frontage- in a landscaped setting, which will double as a storm detention facility, to the extent it is necessary.

To encourage pedestrian activity in the neighborhood, sidewalks will be built along the front of each lot, and a connection will be made to the large greenbelt area along Bear Creek, and an amenity for the residents.

The scale and orientation of the development has been designed to have an inviting visual flow with the existing neighborhoods and surrounding uses. The design criteria of the homes will create high quality designed homes in keeping with both the immediate neighborhood and Colleyville as a whole.

Development Schedule

Oak Alley will most likely be developed in two phases with first phase development commencing upon the successful completion of the zoning and platting and the subsequent approval of the final plat and engineering plans. Construction of homes is anticipated to start immediately upon completion of the subdivision's infrastructure.

Economic Development Information

Oak Alley will have a total of thirty six (36) homes, each with an estimated average value upon completion of \$2,500,000, resulting in an overall tax base of over \$90,000,000. At the current tax rate of 2.339023%, the total taxes generated from the development are projected to be \$2,105,120, with over \$300,000 generated directly for the City at buildout.

Development Standards

Permitted Land Use:	Single Family Residential Detached
Minimum House Size:	3,500 square feet for a single story home, 4,000 square feet for a two story home
Minimum Lot Area:	26,000 s.f. (Average over 35,000 s.f.)
Minimum Lot Width:	One Hundred feet (100') measured at the building setback line, except pie-shaped cul-de-sac lots 1 and 2, in which case the minimum shall be sixty seven feet (67') at the building setback line.
Front Yard Setbacks:	Thirty feet (30') back of the property line
Rear Yard Setbacks:	Twenty Five feet (25')
Side Yard Setbacks:	Ten feet (10').
Street-facing Side Yard:	Side yard setbacks on the street side of a corner lot, fronting on another street, shall be 20', except for "key" lots which shall match the front setback of adjacent lots, as shown on the Development Plan.
Street Standards:	The streets within Oak Alley are proposed to be private streets with restricted access (gated). All undivided sections will be built to the standard street section of 31' b/b paving, in a 50' Private Street ROW. Street "A" (southbound and northbound), is a divided road, intended to preserve the double row of Live Oaks in the median, with paving in each direction of 23'b/b, in separate 42' Private Street ROW's.
Minimum Roof Pitch:	Minimum of a 10:12 roof pitch, unless architecturally required to vary, based on home style.
Garage Standard:	Minimum of a three car garage with wood-like, architecturally enhanced doors.
Masonry Requirement:	One hundred percent (100%) brick, stone or real stucco masonry. No EIFS or artificial stucco material shall be permitted in the subdivision.

Additional Elevation Requirements: All plans will be reviewed by the Oak Alley Architectural Review Committee, and will comply with a set of Design Guidelines which will be developed to assure structures and site features of the highest quality. Elevations will have a hierarchy of plate dominance featuring custom front doors and entrances; balanced architectural features and interests with natural tones for paint and exterior finishes. The elevations on all “four sides” shall be addressed in the design to present a finished appearance. Roofing will match the architectural style, and at a minimum, be either 50 lb. Architectural Dimensional shingles, slate, tile or standing seam metal. Each elevation should add interest to the entire streetscape.

Windows: No aluminum windows allowed in the subdivision, only windows of higher quality and energy efficiency will be allowed. All windows will be insulated glass with a “low-e” specification.

Fencing: Wood fencing between lots is permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lots backing to the Common Open Space shall be open style fencing of decorative metal, and/or Masonry.

Where lots back to existing residential lots with fences, the existing fence shall be kept, maintained or improved in coordination with each owner, as shown in the diagram on the Development Plan. Where open space lots border adjacent properties, either the existing fence will be maintained or improved, or a decorative masonry or metal fence will be installed, all in cooperation with the adjacent property owner.

Streetscape Standards: Minimum of two (2) three-inch (3”) caliper trees per front yard, unless quality existing trees are present and saved. Fully landscaped and sprinklered front and rear yard within sixty days of completing a house.

Open Space Maintenance: The open space lots within the subdivision shall be maintained in a consistent, uniform manner by the Oak Alley Homeowners Association through dues collected from the individual homeowners. Membership in the Homeowner’s Association is mandatory.

Street Design Standards:

Right of Way:	Fifty feet (50')
Travel Lane Width:	Thirty-one foot (31'), back of curb to back of curb
Turning Radii:	Fifteen feet (15')

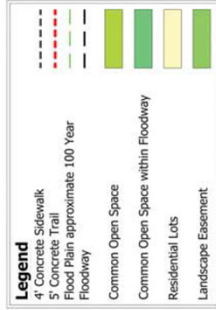
Open Space Standards:

Except for the natural tree preservation areas, the Common Open Space shall be fully landscaped and irrigated with a combination of trees and shrubbery pursuant to an approved landscape plan. The Common Open Space shall be owned, operated and maintained by Oak Alley Homeowners Association which shall have a mandatory membership of all homeowners and shall collect dues in amounts satisfactory to maintain the Common Open Space. The Association shall have fine and lien rights as permitted by law to enforce compliance with the rules of the association.

Signage:

A monument sign identifying the subdivision shall be built at the gated entry from John McCain Road.

Exhibit "C" – Conceptual Zoning Exhibit



Site Data - Development Plan

Single Family Residential Lots	36
Common Areas	9
Residential Lots	29.70 ac.
Common Areas	2.50 ac.
Open Space Floodway	12.93%
R.O.W.	4.53 ac.
Gross Acreage	10.00%
Density Data	43.54
Residential Density	0.83
Residential Density Net R.O.W. (R.O.W. = 4.53 ac.)	0.92
Summary	
Residential Lots	36
Minimum Building Lot Area	36,000 s.f.
Minimum Building Lot Area	36,000 s.f.
Common Areas	9
Existing Zoning	AG & R-40
Proposed Zoning	PUD-N

Owner:
Berk & Gloria Collins Trust
1312 John McCain Rd.
Colleyville, TX 76034

Surveyor:
Miller Surveying, Inc.
430 Mid Cities Blvd.
Hurst, TX 76054
Tel: 817-577-1052

Engineer:
Dorazio, Inc.
430 Johnson Rd., Suite 303
Keller, TX 76248
Tel: 817-577-1052

Applicant:
Sage Group, Inc.
11111 West Loop, Suite 200
Southlake, TX 76092
Tel: 817-424-2626
Contact: Curtis Young

Planner:
SAGE GROUP, INC.
Master Planning
Urban Design
Landscape Architecture
11111 West Loop, Suite 200
Southlake, Texas 76092
Tel: 817-424-2626



22 JUNE 18 1" = 100'

Zoning Exhibit for
Zoning Change Request
From AG & R-40 to PUD-R
Case #ZC18-019

Oak Alley

Colleyville, Tarrant County, Texas



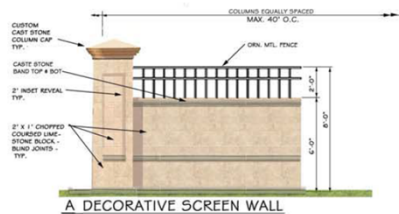
Development Plan

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1



THE ENTRY

OAK ALLEY



A DECORATIVE SCREEN WALL



B ENTRY GATE MEDIAN ORNAMENTAL METAL FENCING
GATE & MEDIAN FENCING DESIGN T.B.D.



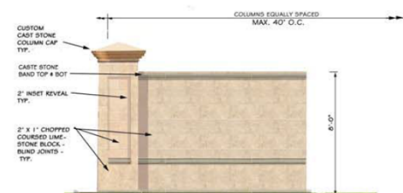
C ORNAMENTAL METAL FENCE
WITH COLUMN TERMINUS



D LOW STONE WALL WITH
ORNAMENTAL METAL FENCE



E ORNAMENTAL
METAL FENCE



F DECORATIVE SCREEN WALL

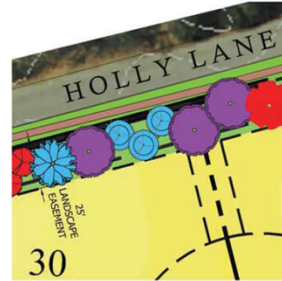


SCREENING WALLS & ORNAMENTAL FENCING EXHIBIT

OAK ALLEY

Holly Lane / Western Boundary Landscape Easement - Landscape Specifications

SHADE TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Live Oak	1	12" DBH	single trunk (over 10' to 15' H), matching growth
	Shrimp Plant	1	12" DBH	single trunk (over 10' to 15' H), matching growth
	Shrimp Plant	1	12" DBH	single trunk (over 10' to 15' H), matching growth
	Shrimp Plant	1	12" DBH	single trunk (over 10' to 15' H), matching growth
ORNAMENTAL TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Shrimp Plant	1	12" DBH	single trunk (over 10' to 15' H), matching growth
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	Shrimp Plant	1	12" DBH	single trunk (over 10' to 15' H), matching growth
	Shrimp Plant	1	12" DBH	single trunk (over 10' to 15' H), matching growth



25' LANDSCAPE EASEMENT
3 SHADE TREES, 3 ORNAMENTAL TREES PER 100 L.F. OF LANDSCAPE EASEMENT, CREDIT GIVEN FOR PRESERVING EXISTING TREES.

Eastern Boundary Landscape Easement - Landscape Specifications

SHADE TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Live Oak	1	12" DBH	single trunk (over 10' to 15' H), matching growth
	Shrimp Plant	1	12" DBH	single trunk (over 10' to 15' H), matching growth
	Shrimp Plant	1	12" DBH	single trunk (over 10' to 15' H), matching growth
	Shrimp Plant	1	12" DBH	single trunk (over 10' to 15' H), matching growth
ORNAMENTAL TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Shrimp Plant	1	12" DBH	single trunk (over 10' to 15' H), matching growth
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	Shrimp Plant	1	12" DBH	single trunk (over 10' to 15' H), matching growth



25' LANDSCAPE EASEMENT
3 SHADE TREES, 3 ORNAMENTAL TREES PER 100 L.F. OF LANDSCAPE EASEMENT



25' LANDSCAPE EASEMENT
(15' PLANTING AREA)
2 SHADE, 3 ORNAMENTAL TREES PER 100 L.F. OF LANDSCAPE EASEMENT



22 JUNE 18

1" = 20'

0 20' 50' 100'

Landscape Easement Plantings

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Oak Alley

Colleyville, Tarrant County, Texas

STONE



PAVERS



INSPIRATION



THE ENTRY

OAK ALLEY

DOE No. 2017111001

Project No. 17-0001

Date: 5/23/2018
Drawn By: J. L. HARRIS
Checked By: J. L. HARRIS
Reviewed By: J. L. HARRIS
Project No. 17-0001
Project Name: OAK ALLEY
Project Location: COLLEYVILLE, TX
Project Description: PRELIMINARY UTILITY PLAN
Project Status: NOT FOR CONSTRUCTION

DESCRIPTION

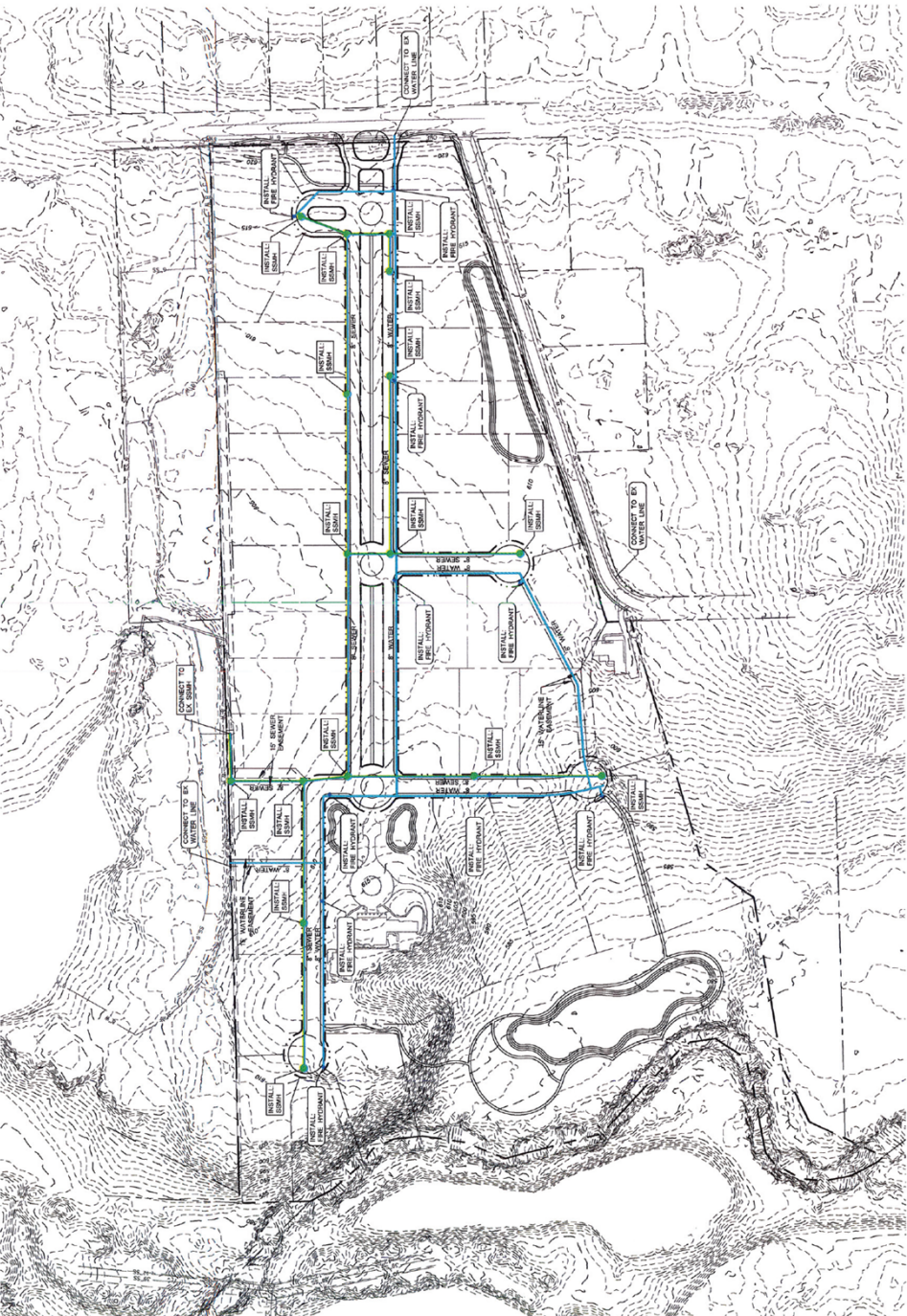
1. 10" WATER LINE
2. 8" WATER LINE
3. 6" WATER LINE
4. 4" WATER LINE
5. 3" WATER LINE
6. 2" WATER LINE
7. 1" WATER LINE
8. 1/2" WATER LINE
9. 1/4" WATER LINE
10. 1/8" WATER LINE

PRELIMINARY UTILITY PLAN
OAK ALLEY
COLLEYVILLE, TX

DEOTTE, INC.
10000 W. 100TH AVE., SUITE 100
OVERLAND PARK, KS 66213
TEL: 913.241.1000
WWW.DEOTTE.COM



- LEGEND
- 10" WATER LINE
 - 8" WATER LINE
 - 6" WATER LINE
 - 4" WATER LINE
 - 3" WATER LINE
 - 2" WATER LINE
 - 1" WATER LINE
 - 1/2" WATER LINE
 - 1/4" WATER LINE
 - 1/8" WATER LINE



ORDINANCE O-18-2056

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 43.54 ACRES ON LOTS 1R1 AND 1R2, BLOCK 1, BEAR CREEK PLANTATION ADDITION, LOCATED AT 1312 JOHN MCCAIN ROAD AND 7309 HOLLY LANE FROM THE AG AGRICULTURAL AND R-40 SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS 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 a rezoning under Case No. ZC18-019; and

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

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

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

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

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

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 43.54 acres on Lots 1R1 and 1R2, Block 1, Bear Creek Plantation Addition, located at 1312 John McCain Road and 7309 Holly Lane from the AG Agricultural and R-40 Single Family Residential zoning districts to the PUD-R Planned Unit Development – Residential zoning district, as depicted in the attached Exhibit "A" and Exhibit "C", and as described in Exhibit "B".
- Sec. 3. THAT the Official Zoning Map of the City of Colleyville be amended to incorporate the zoning change approved herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. The purpose of this PUD-R is for a single-family residential development of detached dwelling units.
- b. This property is subject to all the regulations contained in the Colleyville Land Development Code, except where amended by this Ordinance.

2. CONCEPTUAL PLAN AND PLATTING

- a. The street layout and arrangement of lots of the subdivision shall be generally consistent with the Conceptual Site Plan, labeled as Exhibit "C", which shall not

be considered the preliminary plat. The actual street and lot arrangement may differ from that shown on Exhibit "C" to accommodate topographic, drainage, engineering design limitations or other conditions.

- b. The developer shall submit and receive approval from the City a Preliminary and Final Plat in accordance with the requirements of the Land Development Code prior to development of this PUD-R.

3. PERMITTED USES

- a. Single-family residences, detached
- b. Common open space areas

4. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

Single-family detached residential lot requirements and setbacks shall comply with the following provisions:

- a. Minimum Lot Size: 26,000 square feet
- b. Minimum Lot Width: 100 feet, except for cul-de-sac lots which shall be a minimum of 67 feet wide, measured at the building setback line
- c. Front Yard Setback: 30 feet
- d. Side Yard Setback: 10 feet
- e. Street Side Setback: 20 feet
- f. Rear Yard Setback: 25 feet
- g. Minimum House Size: ~~3,500 square feet for a single-story home;~~ 4,000 square feet for a two-story home.
- h. Maximum Lot Coverage: 25 percent

5. OPEN SPACE

- a. This development shall provide not less than approximately 21% common open space, which shall generally be configured as shown in Exhibit "C". All open space areas shall be landscaped and maintained by the Homeowner's Association as described in Exhibit "B".
- b. All amenities within the open space areas shall be

maintained by the Homeowner's Association.

6. SCREENING

- a. Perimeter fencing and screening shall be in compliance with the Wall/Fence Diagram included and shown on the Conceptual Site Plan and associated exhibits, labeled as Exhibit "C".
- b. Wood fencing between lots is permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry.
- c. All lots backing to the Common Open Space lots shall be open style fencing of decorative metal, and/or masonry.

7. ARCHITECTURAL FEATURES

- a. Masonry Requirement – 100% brick, stone or real stucco masonry. No EIFS or artificial stucco material shall be permitted in the subdivision.
- b. Garage Standard – Minimum of a three car garage with wood-like, architecturally enhanced doors.
- d. Minimum Roof Pitch – Minimum of a 10:12 roof pitch unless architecturally required to vary, based on home style.
- e. Windows – No aluminum windows allowed in the subdivision, only windows of higher quality and every efficiency will be allowed. All windows will be insulated glass with a "low-e" specification.

8. OTHER

- a. A minimum of two (2) three-inch caliper trees shall be planted within the front yard of each lot by the homebuilder upon construction of a new home, unless quality existing trees are present and saved.
- b. Within 60 days of the certificate of occupancy being issued, all lots must be fully landscaped and irrigated, both front and rear yards.
- c. Street Design Standards:
 - Right-Of-Way: Fifty feet (50')
 - Travel Lane Width: Thirty-one feet (31'), back of

curb to back of curb

- Turning Radii: Fifteen feet (15')

- d. Street "A" (southbound and northbound), is a divided road, intended to preserve the double row of Live Oaks in the median, with paving in each direction of 23'^{24'} b/b, in separate 42' Private Street ROW's.
- e. All residences within the subdivision shall contain automatic fire-sprinkler systems.
- f. The construction entrance shall be on John McCain Road only. Access from Holly Lane shall be prohibited.
- g. Appropriate construction methods shall be utilized to ensure that the ponds shown on the plan hold water.

- Sec. 5. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 6. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 7. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 8. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 9. THAT it has been found that there has been a change in conditions in the above described property, it is now necessary that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare, and requires that this ordinance shall take

effect immediately from and after its passage.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 7th day of August 2018.

The second reading and public hearing being conducted on the 21st day of August 2018.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 21st day of August 2018.

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

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt L. Wyatt
City Attorney

Exhibit "A" – Location and Zoning Map

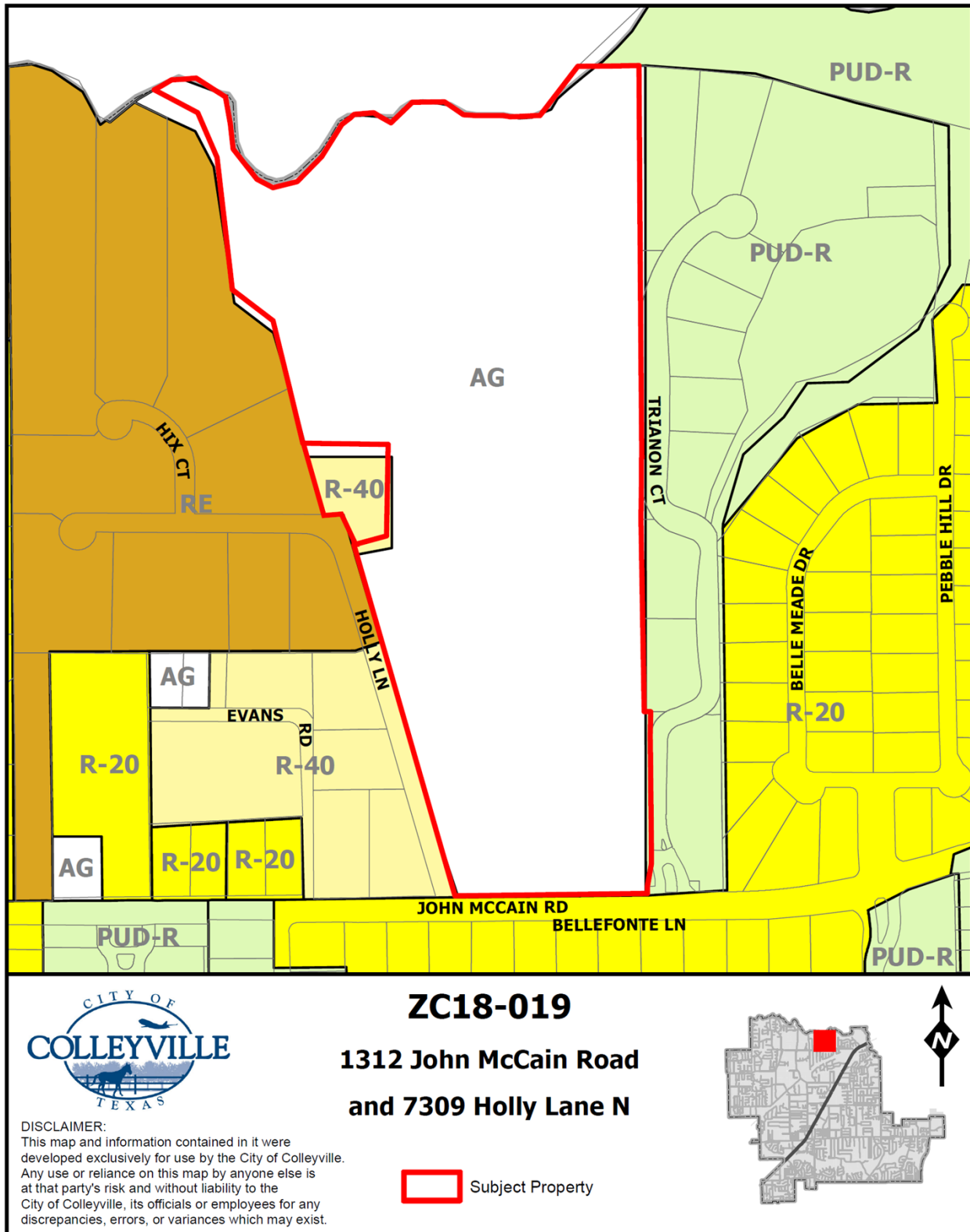


Exhibit “B” – Statement of Planning Objectives

Oak Alley

Colleyville, Texas

Zoning Narrative –23 May 2018

Burk Collins & Co. LTD, Developer

Sage Group, Inc., Land Planner

Statement of Planning Objectives

Oak Alley is a proposed residential neighborhood to be developed by Burk Collins & Co, LTD, under the PUD-R Residential District regulations for residential development in the City of Colleyville. The 43.54 acre property is located on the north side of John McCain Road, just east of Holly Lane and west of, and adjacent to, the Tanglewood gated neighborhood. The property is currently zoned R-40 and AG. The intent here is to rezone the entire property to PUD-R, unifying the property into one cohesive, master planned residential development of the highest quality.

There are currently two occupied single-family homes on the two platted properties that make up this proposal, both of which will be worked into the plan; most of the remaining structures will be removed.

The surrounding area is, for the most part, fully developed with a combination of PUD-R lots ranging from 15,000 s.f. and half acre lots, 30,000 s.f. lots, as well as acre plus sized lots. There are existing subdivisions bordering the subject tract on the entire western, eastern and southern boundaries. The northern boundary is Bear Creek, and is the city limit line. Across the creek is the Timarron Golf Course, and the City of Southlake.

The proposed plan, primarily consisting of 30,000 s.f. lots, has a range of lot sizes from 26,000 sf minimum, up to several acre plus lots (and one 3.3 acre lot for the existing large home) and open space, would fit in well with the neighborhood, as well as be consistent with the city’s Future Land Use Plan.

Quality and compatibility with the adjacent residential, as well as the rest of Colleyville is essential, and we have designed this proposal with those goals in mind.

The residences planned for Oak Alley will be very upscale, with selling prices estimated to start at around \$2.0 million. The development will center upon, and feature, the existing double row of Live Oaks, installed some years ago by the property owner along either side of the drive, the defining feature of the property. This will continue to enhance the vista toward the “plantation house” at the far end by placing a boulevard (divided) road along either side of it. An expanded greenbelt setback will be dedicated along the John McCain frontage, and will be fully landscaped, as will the other open space areas within the project. Open Space will make up over 21% of the project area.

Oak Alley will be proposed as a gated community with private streets. A double road, divided entry from John McCain Road, positioned to line up with and take advantage of the central double row of Live Oaks, will provide a distinctive and quality main entry. This divided road will serve as a loop road through the development, with the two entries from

John McCain meeting the minimum 100' centerline spacing for two points of emergency access. We propose to build the normal Colleyville street section of 31' (back of curb to back of curb), in a 50' R.O.W., throughout the project, except for the main divided central entry road.

There will be a requirement of at least two street trees for every residential lot to be installed by the home builders, adjacent to the street rights of way, unless there are already existing trees there that are saved. We have worked extensively, in conjunction with our neighbors to the east and west, to provide landscape buffers between the existing homes and the future home sites within Oak Alley. All perimeter boundaries will have 25', fully landscaped buffer easements, as shown on the Development Plan.

The existing and fully developed storm drainage has been carefully analyzed, and will be designed to meet all city regulations and not adversely affect any neighboring properties. There will be a pond constructed along the Holly Lane frontage- in a landscaped setting, which will double as a storm detention facility, to the extent it is necessary.

To encourage pedestrian activity in the neighborhood, sidewalks will be built along the front of each lot, and a connection will be made to the large greenbelt area along Bear Creek, and an amenity for the residents.

The scale and orientation of the development has been designed to have an inviting visual flow with the existing neighborhoods and surrounding uses. The design criteria of the homes will create high quality designed homes in keeping with both the immediate neighborhood and Colleyville as a whole.

Development Schedule

Oak Alley will most likely be developed in two phases with first phase development commencing upon the successful completion of the zoning and platting and the subsequent approval of the final plat and engineering plans. Construction of homes is anticipated to start immediately upon completion of the subdivision's infrastructure.

Economic Development Information

Oak Alley will have a total of thirty six (36) homes, each with an estimated average value upon completion of \$2,500,000, resulting in an overall tax base of over \$90,000,000. At the current tax rate of 2.339023%, the total taxes generated from the development are projected to be \$2,105,120, with over \$300,000 generated directly for the City at buildout.

Development Standards

Permitted Land Use:	Single Family Residential Detached
Minimum House Size:	3,500 square feet for a single story home, 4,000 square feet for a two story home
Minimum Lot Area:	26,000 s.f. (Average over 35,000 s.f.)
Minimum Lot Width:	One Hundred feet (100') measured at the building setback line, except pie-shaped cul-de-sac lots 1 and 2, in which case the minimum shall be sixty seven feet (67') at the building setback line.
Front Yard Setbacks:	Thirty feet (30') back of the property line
Rear Yard Setbacks:	Twenty Five feet (25')
Side Yard Setbacks:	Ten feet (10').
Street-facing Side Yard:	Side yard setbacks on the street side of a corner lot, fronting on another street, shall be 20', except for "key" lots which shall match the front setback of adjacent lots, as shown on the Development Plan.
Street Standards:	The streets within Oak Alley are proposed to be private streets with restricted access (gated). All undivided sections will be built to the standard street section of 31' b/b paving, in a 50' Private Street ROW. Street "A" (southbound and northbound), is a divided road, intended to preserve the double row of Live Oaks in the median, with paving in each direction of 23'b/b, in separate 42' Private Street ROW's.
Minimum Roof Pitch:	Minimum of a 10:12 roof pitch, unless architecturally required to vary, based on home style.
Garage Standard:	Minimum of a three car garage with wood-like, architecturally enhanced doors.
Masonry Requirement:	One hundred percent (100%) brick, stone or real stucco masonry. No EIFS or artificial stucco material shall be permitted in the subdivision.

Additional Elevation Requirements: All plans will be reviewed by the Oak Alley Architectural Review Committee, and will comply with a set of Design Guidelines which will be developed to assure structures and site features of the highest quality. Elevations will have a hierarchy of plate dominance featuring custom front doors and entrances; balanced architectural features and interests with natural tones for paint and exterior finishes. The elevations on all “four sides” shall be addressed in the design to present a finished appearance. Roofing will match the architectural style, and at a minimum, be either 50 lb. Architectural Dimensional shingles, slate, tile or standing seam metal. Each elevation should add interest to the entire streetscape.

Windows: No aluminum widows allowed in the subdivision, only windows of higher quality and energy efficiency will be allowed. All windows will be insulated glass with a “low-e” specification.

Fencing: Wood fencing between lots is permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lots backing to the Common Open Space shall be open style fencing of decorative metal, and/or Masonry.

Where lots back to existing residential lots with fences, the existing fence shall be kept, maintained or improved in coordination with each owner, as shown in the diagram on the Development Plan. Where open space lots border adjacent properties, either the existing fence will be maintained or improved, or a decorative masonry or metal fence will be installed, all in cooperation with the adjacent property owner.

Streetscape Standards: Minimum of two (2) three-inch (3”) caliper trees per front yard, unless quality existing trees are present and saved. Fully landscaped and sprinklered front and rear yard within sixty days of completing a house.

Open Space Maintenance: The open space lots within the subdivision shall be maintained in a consistent, uniform manner by the Oak Alley Homeowners Association through dues collected from the individual homeowners. Membership in the Homeowner’s Association is mandatory.

Street Design Standards:

Right of Way:	Fifty feet (50’)
Travel Lane Width:	Thirty-one foot (31’), back of curb to back of curb
Turning Radii:	Fifteen feet (15’)

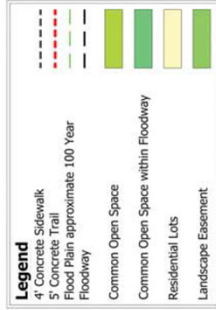
Open Space Standards:

Except for the natural tree preservation areas, the Common Open Space shall be fully landscaped and irrigated with a combination of trees and shrubbery pursuant to an approved landscape plan. The Common Open Space shall be owned, operated and maintained by Oak Alley Homeowners Association which shall have a mandatory membership of all homeowners and shall collect dues in amounts satisfactory to maintain the Common Open Space. The Association shall have fine and lien rights as permitted by law to enforce compliance with the rules of the association.

Signage:

A monument sign identifying the subdivision shall be built at the gated entry from John McCain Road.

Exhibit "C" – Conceptual Zoning Exhibit



Site Data - Development Plan

Single Family Residential Lots	36
Common Areas	9
Residential Lots	29.70 ac.
Common Areas	2.50 ac.
Open Space Floodway	12.93%
R.O.W.	4.53 ac.
Gross Acreage	10.00%
Density Data	43.54
Minimum Building Footprint	0.83
Gross Residential Density	0.92
Residential Density Net R.O.W. (R.O.W. = 4.53 ac.)	
Summary	
Residential Lots	36
Minimum Building Lot Area	36,000 s.f.
Minimum Building Footprint	36,000 s.f.
Common Areas	9
Existing Zoning	AG & R-40
Proposed Zoning	PUD-N

Owner:
Berk & Gloria Collins Trust
1312 John McCain Rd.
Colleyville, TX 76034

Surveyor:
Miller Surveying, Inc.
430 Mid Cities Blvd.
Hurst, TX 76054
Tel: 817-577-1052

Engineer:
Dorazio, Inc.
430 Johnson Rd., Suite 303
Keller, TX 76248
Tel: 817-577-1052

Applicant:
Sage Group, Inc.
11111 West Loop, Suite 200
Southlake, TX 76092
Tel: 817-424-2626
Contact: Curtis Young

Planner:
SAGE GROUP, INC.
Master Planning
Urban Design
Landscape Architecture
11111 West Loop, Suite 200
Southlake, Texas 76092
Tel: 817-424-2626



Development Plan

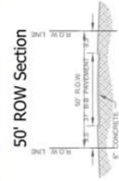
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Zoning Exhibit for
Zoning Change Request
From AG & R-40 to PUD-R

Case #ZC18-019

Oak Alley

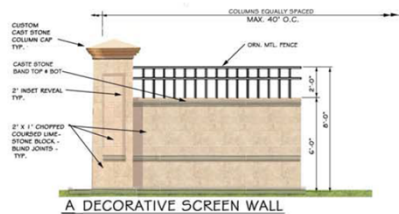
Colleyville, Tarrant County, Texas





THE ENTRY

OAK ALLEY



A DECORATIVE SCREEN WALL



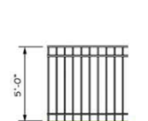
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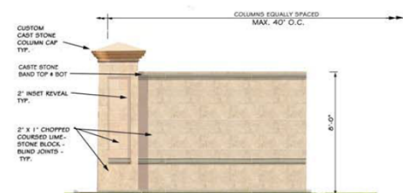
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E ORNAMENTAL
METAL FENCE



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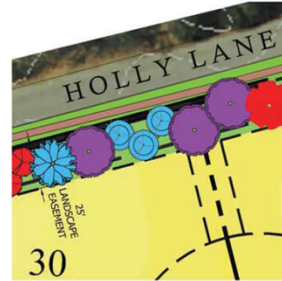


SCREENING WALLS & ORNAMENTAL FENCING EXHIBIT

OAK ALLEY

Holly Lane / Western Boundary Landscape Easement - Landscape Specifications

SHADE TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Live Oak	1	12" DBH	single trunk, clear 8' to 10' B.M., matching growth
	Shrimp Apple	1	12" DBH	single trunk, clear 8' to 10' B.M., matching growth
	Shrimp Apple	1	12" DBH	single trunk, clear 8' to 10' B.M., matching growth
	Shrimp Apple	1	12" DBH	single trunk, clear 8' to 10' B.M., matching growth
ORNAMENTAL TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Shrimp Apple	30	12" DBH	single trunk, clear 8' to 10' B.M., matching growth
	Shrimp Apple	30	12" DBH	single trunk, clear 8' to 10' B.M., matching growth
	Shrimp Apple	30	12" DBH	single trunk, clear 8' to 10' B.M., matching growth
	Shrimp Apple	30	12" DBH	single trunk, clear 8' to 10' B.M., matching growth



25' LANDSCAPE EASEMENT
3 SHADE TREES, 3 ORNAMENTAL TREES PER 100 L.F. OF LANDSCAPE EASEMENT, CREDIT GIVEN FOR PRESERVING EXISTING TREES.

Eastern Boundary Landscape Easement - Landscape Specifications

SHADE TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Live Oak	1	12" DBH	single trunk, clear 8' to 10' B.M., matching growth
	Shrimp Apple	1	12" DBH	single trunk, clear 8' to 10' B.M., matching growth
	Shrimp Apple	1	12" DBH	single trunk, clear 8' to 10' B.M., matching growth
	Shrimp Apple	1	12" DBH	single trunk, clear 8' to 10' B.M., matching growth
ORNAMENTAL TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Shrimp Apple	30	12" DBH	single trunk, clear 8' to 10' B.M., matching growth
	Shrimp Apple	30	12" DBH	single trunk, clear 8' to 10' B.M., matching growth
	Shrimp Apple	30	12" DBH	single trunk, clear 8' to 10' B.M., matching growth
	Shrimp Apple	30	12" DBH	single trunk, clear 8' to 10' B.M., matching growth



25' LANDSCAPE EASEMENT
3 SHADE TREES, 3 ORNAMENTAL TREES PER 100 L.F. OF LANDSCAPE EASEMENT



25' LANDSCAPE EASEMENT
(15' PLANTING AREA)
2 SHADE, 3 ORNAMENTAL TREES PER 100 L.F. OF LANDSCAPE EASEMENT



22 JUNE 18

1" = 20'

0 20' 50' 100'

Landscape Easement Plantings

Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Oak Alley

Colleyville, Tarrant County, Texas

STONE



PAVERS



INSPIRATION



THE ENTRY

OAK ALLEY

DOE No. 201711101

DATE: 5/23/2018

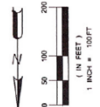
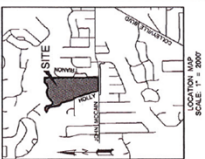
THIS DOCUMENT IS FOR REVIEW AND
NOT FOR CONSTRUCTION
AND NOT BE USED FOR CONSTRUCTION
UNLESS OTHERWISE NOTED
BY THE ENGINEER
DATE: 5/23/2018
BY: [Signature]
FOR: [Signature]
PROJECT: [Signature]

REVISIONS

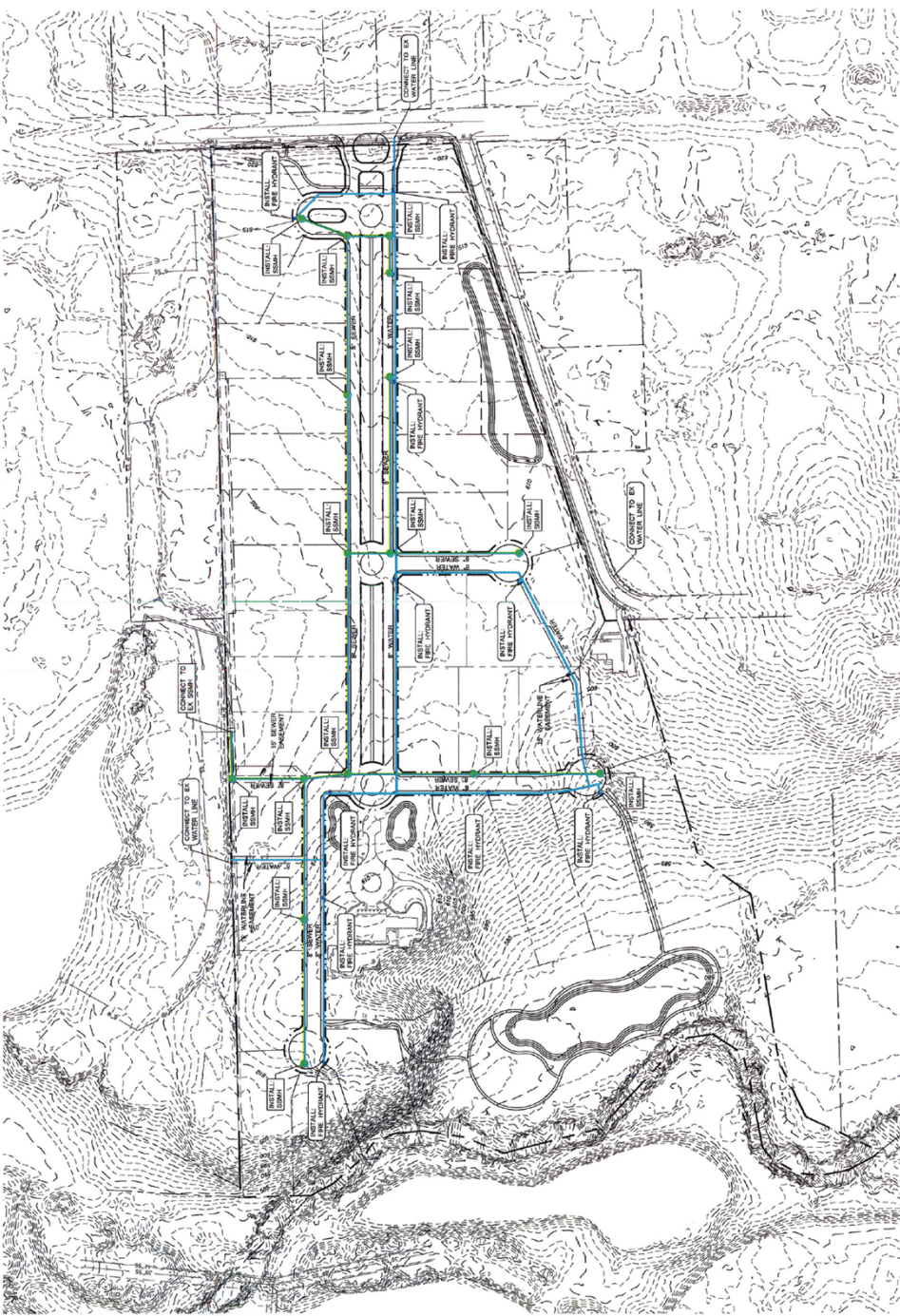
NO. 1
DATE 5/23/2018
BY [Signature]
FOR [Signature]

PRELIMINARY UTILITY PLAN
OAK ALLEY
COLLEYVILLE, TX

DEOTTE, INC.
10000 W. 100TH AVE., SUITE 100
OVERLAND PARK, KS 66213
TEL: 913.241.1000
WWW.DEOTTE.COM



- LEGEND
- 8" WATER LINE
 - FIRE HYDRANT
 - SEWER MAIN
 - SEWER BRANCH
 - SEWER MANHOLE





City of Colleyville City Council Agenda Briefing

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

Agenda Number 7a

Agenda Date 08/21/2018

Number Ordinance O-18-2057

Type Ordinance

Department Community Development

Title

Consideration of amendments to the Land Development Code, specifically Chapter 6 – Commercial Design Standards, Chapter 8 - Plat Review Procedures, and Chapter 9 - Subdivision Design & Public Facilities

Strategic Plan

4.3 Adopt best-practice planning and development processes

Explanation

First Reading and Public Hearing

The City Council had instructed staff to review and propose amendments to each chapter within the City's Land Development Code (LDC). City staff has already reviewed the attached chapters with the City Council at their recent worksession meetings. The process for adopting amendments to the LDC include formal review and recommendation by the Planning and Zoning Commission followed by formal review and approval by the City Council.

The attached chapters are the beginning of the formal adoption process. The remaining chapters will be brought forward over the next several months until the entire Land Development Code has been reviewed.

Planning & Zoning Commission Recommendation: The Planning & Zoning Commission recommended approval of the amendments with modifications at their July 23, 2018 meeting by a vote of 4-0.

Financial Impact

There is no financial impact.

Recommendation

Approve

Attachments

1. Ch. 06 Commercial Design Standards - Redline v3 (08.13.18)
2. Ch. 08 Plat Review Procedures - Redline v2 (06.28.18)
3. Ch. 09 Subdivision Design & Public Facilities - Redline v2 (6.28.18)
4. Ordinance O-18-2057

Chapter 6 Commercial Design Standards

Amended 12/13/2011

Section 6.1 Purpose of This Chapter

The purpose of this Chapter is to establish rules and regulations for development of commercial and institutional properties and for the exterior design and exterior building materials of commercial and institutional buildings in all zoning districts.

Section 6.2 Authorization for Adoption of This Chapter

The regulations contained in this Chapter have been adopted under the authority of the following:

1. *Chapter 51 – General Powers of Municipalities of the Texas Local Government Code*, which authorizes a municipality to adopt ordinances, rules, or police regulations that are for the good government, peace, or the trade and commerce of the municipality.
2. *Chapter 211 – Municipal Zoning Authority of the Texas Local Government Code*, which authorizes a municipality to divide a municipality into districts and, within each district, regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, other structures, or land.
3. *The Home Rule Charter of the City of Colleyville*, which authorizes the City Council to exercise all powers granted to municipalities by the Constitution or the laws of the State of Texas.

Section 6.3 Definitions

Definitions applicable to this Chapter may be found in *Chapter 2 – Definitions* of this Land Development Code.

Section 6.4 Building Design Standards

1. Applicability: For any new commercial and institutional buildings, or additions or alterations exceeding 50% of the building improvement value based on the current certified tax roll, the following standards apply. For institutional buildings, if no relevant appraisal data exists on the certified tax roll, the building improvement value shall be obtained through an independent third party appraiser, paid by the building permit applicant, and provided to the City.
2. Facade Articulation - All commercial buildings shall have facades which comply with the following requirements:
 - a. Horizontal Articulation – No building façade visible from a public street or parking area shall extend horizontally greater than three (3) times the height of the wall without having an off-set of not less than fifteen (15%) percent of the wall's height as shown on the attached Exhibit "A", and such off-set shall continue for a minimum distance equal to at least twenty-five (25%) percent of the length of the longest adjacent plane.
 - b. Vertical Articulation – No building façade visible from a public street or parking area shall extend horizontally for a distance greater than three (3) times the height of the wall unless the wall contains at least one of the following features and every front building façade shall have no less than two of the following features:

Commented [BB1]: These standards taken from the Large Commercial Building standards found in Chapter 3.

- (1) Parapets which change the roof line. The parapet height shall be a minimum of fifteen (15%) percent of the wall's height, and such height change shall continue for a minimum distance equal to at least twenty-five (25%) percent of the length of the longest adjacent plane.
- (2) Overhanging eaves, extending no less than three (3) feet past the supporting walls.
- (3) Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one (1) foot of vertical rise for every three (3) feet of horizontal run and less than or equal to one (1) foot of vertical rise for every one (1) foot of horizontal run.
- (4) Three or more roof slope planes.
- (5) A covered walkway along a minimum of fifty (50%) percent of the front façade length.
3. Side and Rear Facade Features – Side and rear building facades, which are not visible from a public street or parking area, shall include a minimum of three architectural changes, such as: (1) a changing plane not less than five (5) feet in width and eighteen (18) inches in depth, (2) a surface material change of not more than thirty (30) feet in length, as measured horizontally, or (3) a combination of these elements.

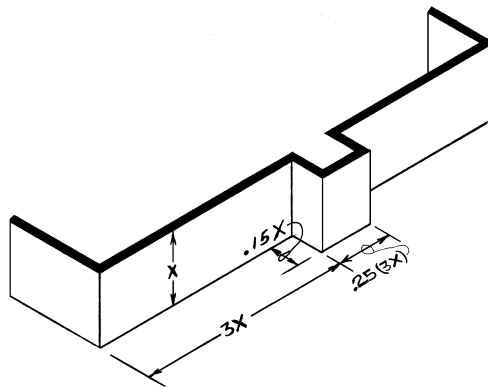


Exhibit "A"
Façade Articulation

6.4. REQUIREMENTS

For any new commercial and institutional buildings or, additions, or alterations exceeding 50% of the building improvement value based on the current certified tax roll, it shall be the duty of the administrative official responsible for review of site plans to calculate the design score for all commercial and institutional buildings as part of the building permit and site planning process. For institutional buildings, if no relevant appraisal data exists on the certified tax roll, the building improvement value shall be obtained through an independent third party appraiser, paid by the building permit applicant and provided to the City. Paragraphs A through G are the basis for the design calculation to meet the requirements of the design standards. The provided worksheet shall be attached to all commercial and institutional building plan submissions for review. The final design will be evaluated by the staff on a pass/fail basis.

Commented [BB2]: The calculations for building score are very complicated and very hard to understand.

Commercial/Institutional Building Design Factors Work Sheet

A. – Façade Articulation Variables (10 total possible points – See Figure 1 and 2 below)

1. L = Length in feet of building perimeter visible from the street. _____ ft.

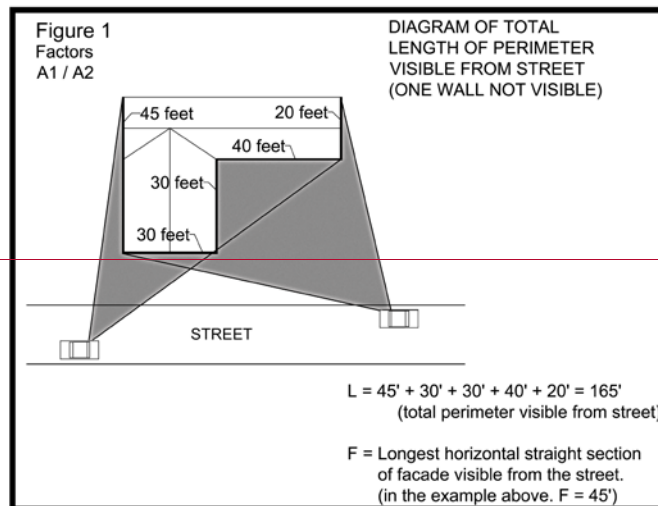
2. F = Length of the longest horizontal straight section of the exterior façade visible from the street. _____ ft.

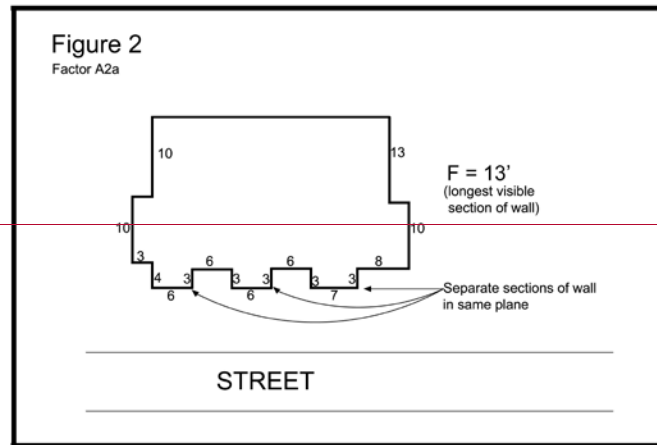
In order to determine that any two horizontal straight sections of wall in the same plane are separate walls:

- a. There shall be an intervening physical separation of space or other wall sections which separate the two subject walls by not less than three feet.
- b. The average offset distance of the intervening space and/or wall section shall be not less than one foot from the subject plane.
- c. The total perimeter beam length of the intervening space and/or wall section shall not be less than five feet.
- d. Materials used within the intervening separation may not be identical to materials used in more than one of the two same plane test sections.
- e. Any two or more same-plane wall sections which do not meet all of the requirements of Paragraphs a, b and c above shall be determined to be part of one complete wall section.

3. A = Articulation ratio or L/F = _____

4. Ka = Articulation Score = $A \times 2$ = _____ (Sum)





B. Vertical Departure Variables (10 total possible points — See Figure 3 below)

1. **P** = Total surface area of a projection of all surfaces visible from the street and which are relative to the four vertical planes of an imaginary cube which would enclose the building. _____ s.f.

2. **R** = Total surface area of a projection of all sloping or vertical surfaces visible from the street of the building relative to the four vertical planes of an imaginary cube which would enclose the building. _____ s.f.

For the purpose of the calculation of "R";

a. Buildings with principal wall sections which are generally rectangular must be aligned so that principal wall sections are parallel to a face of the test cube.

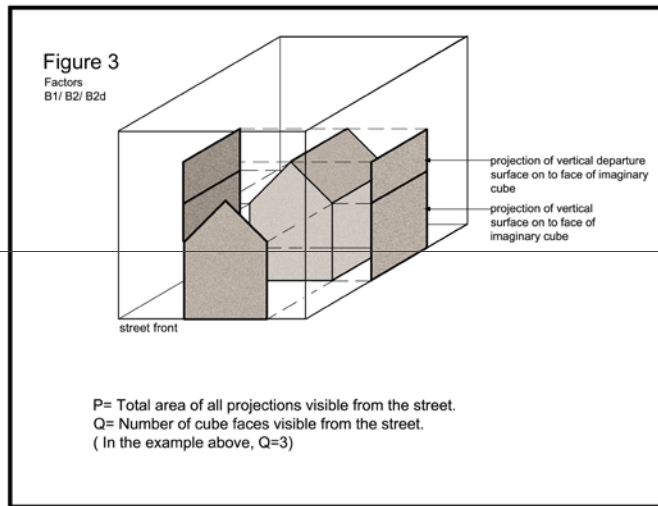
b. Only those surfaces which slope at an angle of not less than 15 degrees nor more than 75 degrees from the vertical plane may be included in this area calculation.

c. Circular, convex or concave regular surfaces which are offset at the central point of the curve by not less than one foot from the vertical surface and have a central angle of not less than 60 degrees may also be included.

d. **Q** = Number of test cube vertical surface projections (1,2,3 or 4) visible from the street. _____

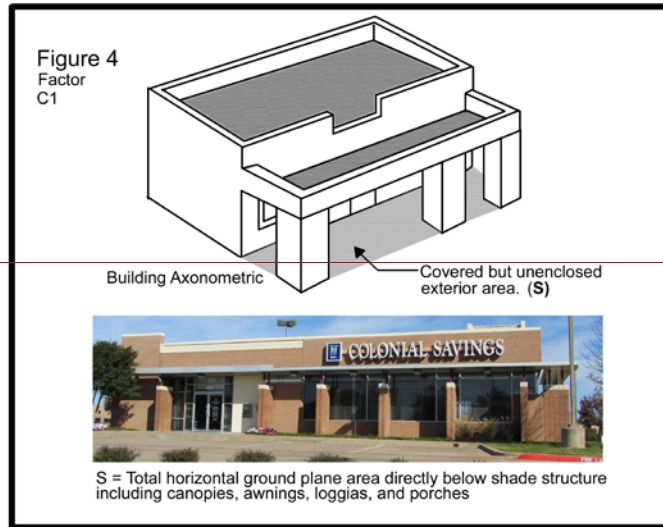
3. **V** = Vertical departure ratio or $R/P =$ _____

4. **Kv** = Vertical Departure Score = $10 \times V =$ _____ (Sum)



C. ~~Shade Coverage Variables (10 total possible points – See Figure 4 below)~~

1. ~~S = Total covered but unenclosed structural exterior area attached to the building as measured in square feet on a horizontal plane. _____ s.f.~~
 - a. ~~The floor area of covered exterior balconies may be included. Attached canopies, porches, verandas, and other shade oriented structural design features may also be included.~~
 - b. ~~The area under detached canopies shall be excluded.~~
2. ~~G = Total area of the interior ground floor of the building. _____ s.f.~~
3. ~~C = Shade coverage ratio or S/G = _____~~
4. ~~Kc = Shade Score = 100 x C = _____ (Sum)~~



D. Horizontal and Diagonal Roof Planes Variables (10 total possible points— See Figure 5 below)

1. ~~F = "F" as previously calculated in Paragraph A(2) above. _____~~
~~5% of F = _____~~

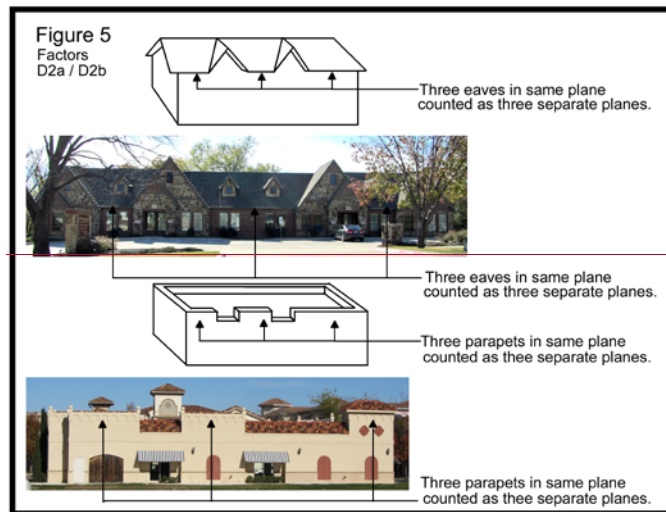
2. ~~E = Total visible horizontal and diagonal eave planes, ridge planes and/or parapet top planes on the building. _____~~

~~For the purpose of this paragraph:~~

- ~~a. Two eaves in the same horizontal plane but which are separated by not less than 5 percent of "F" shall be considered separate planes.~~
- ~~b. Two parapets in the same horizontal plane but which are separated by not less than 5 percent of "F" shall be considered separate planes.~~
- ~~c. A parapet with a wall length of less than 5 percent of "F" shall be considered a crenellation and shall not be counted as a parapet.~~
- ~~d. For every five crenellations, regardless of elevation, one equivalent plane may be added to the calculation of total planes. In like manner, one crenellation shall equal 0.2 horizontal / diagonal planes.~~
- ~~e. For an eave, canopy or mansard which overhangs the vertical surface of the building by not less than 18 inches, one plane shall be counted for the outer edge of the eave and one plane shall be counted at the intersection of the eave and the wall.~~

- f. ~~One plane shall be counted for each diagonal ridge or edge of a sloped roof and, if the edge is also an eave which overhangs the wall by not less than eighteen (18") inches it shall be counted as two planes.~~
- g. ~~For mansards which wrap around a building corner, planes shall not be counted as separate unless there are actual changes in elevation.~~
- h. ~~Two parapet tops which intersect at 90 degrees in the same horizontal plane shall be counted as separate planes.~~
3. ~~Q = Total # of surfaces visible from the street as identified in Paragraph B(2)(d) above.~~

4. ~~H = Horizontal / Diagonal Planes Ratio or E/Q = _____ (Sum)~~



E. Fenestration Variables (10 total possible points)

1. ~~W = Total number of windows, doors, and other openings into the structure through which light may pass. _____~~

~~For the purpose of this paragraph each opening must be framed on the sides, top and/or bottom by structural building materials with a surface area equal in the aggregate to not less than 50 percent of the surface area of the opening.~~

2. ~~Q = As previously calculated in Paragraph B(2)(d) above. _____~~
3. ~~N = Fenestration Ratio = W/Q = _____ (Sum)~~

F. Total Design Score: ~~Add all sum scores above to reach a total design score. The submission will be evaluated by the reviewer and a score provided. The reviewer will review as part of your submission your scoring provided based upon your design submission.~~

G. Minimum Design Score Requirement: Notwithstanding any variance per Section 6.6 below, the minimum design score for all commercial and institutional buildings constructed as provided for by this chapter shall be 30 in all zoning districts, except that the design score may require a higher or lower value as a condition of a Special Use Permit or Planned Unit Development zoning district as authorized by the City Council.

Zone—	CN	CPO	CC1	CC2	CC3	ML
Score—	30	30	30	30	30	30

Section 6.5 Exterior Building Color and Material Requirements

1. Exterior Surface Materials – A minimum of ninety (90%) percent of each exterior wall surfaces, excluding door and window openings, shall be constructed of clay-fired brick, native stone, cast stone, or a combination of these materials. Tilt - up concrete construction is permitted, provided the exterior surface is covered with clay-fired brick, native stone, cast stone, or a combination of these materials. Stucco and EIFS (Exterior Installation Finished System) are permitted for not more than ten (10%) percent of the exterior surface. Concrete block, split-faced block or cinder-block shall not be acceptable. Proposals for surface materials with similar durability and appearance of clay-fired brick, native stone, or cast stone may be considered. Materials: The exterior walls of all commercial and institutional buildings constructed as provided for in this chapter shall be composed of 100% percent masonry, glass, or other equivalent material. However, building accents such as wood, EIFS, Hardie Plank or decorative metal trim are permitted such they do not exceed 15 percent of the total exterior wall surface area. Mixing of more than one type of masonry material for exterior walls is encouraged. For the purposes of this chapter, approved non-glass, masonry materials may include brick, finished concrete, stone (natural and man-made), and cementitious stucco. Unfinished concrete masonry unit products such as cinder block or tilt-wall sections are permitted but must have an architecturally finished surface such as split-face, rusticated, natural stone, etc.
2. Exterior Surface Colors – The exterior surfaces shall be of a natural finish, provided the colors are, subtle, or neutral colors. Trim and accent areas may be painted and feature brighter colors, including primary colors, but not more than ten (10%) percent of the wall surface area. High intensity or fluorescent colors are prohibited. Color: Primary exterior wall colors shall contain natural colors that reflect the natural environment of the cross-timbers prairie including soils and vegetation. Fluorescent colors are prohibited. Building elevations showing the proposed exterior wall color shall be submitted with the site plan application at the time of new construction as provided for by this chapter. Any applicant for a building that does not meet the requirement of this section as determined by the Community Development Director may request a variance to the Director's interpretation per Section 6.6 below.
 - a. For commercial and institutional buildings that exist as of the passage of this section, upon the repainting and/or alteration of any structure, the paint and material color shall comply with section 2 above.
3. Exposed Columns – Exposed structural support columns shall be constructed of, or clad in, the same material as the principal structure. Architecturally significant columns (e.g. fluted, etc.) may be permitted.

Commented [BB3]: Taken from the Large Commercial Building standards in Chapter 3

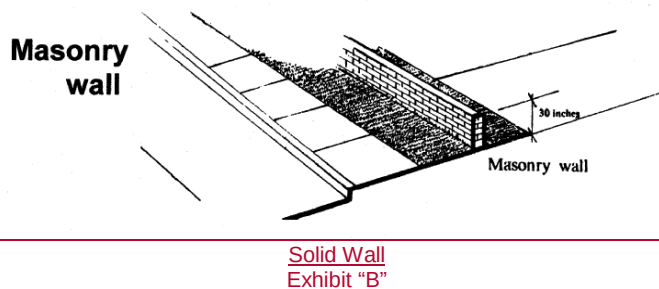
Commented [BB4]: Corrected reference due to new sections

Section 6.6 Additional Development Regulations

1. Low Solid Wall: A solid wall constructed of clay-fired brick, native stone, cast stone, or a combination of these materials, not less than thirty (30) inches in height as shown on the attached Exhibit "B" shall be provided where parking is provided adjacent to a street right-of-way. Said wall shall be constructed generally parallel to and twenty (20) feet from the street right-of-way.

Commented [BB5]: Taken from the Large Commercial Building standards in Chapter 3

2. Delivery / Loading Spaces – All delivery and loading spaces shall be screened from public view from a street right-of-way or an adjacent residential property by an eight (8) foot to ten (10) foot tall solid screening wall constructed of like material to the building. Additional evergreen planting materials shall be provided so that no more than two-thirds of the surface area of the solid screening wall is visible from the street or residential property. The live (evergreen) plant screening shall consist of shrubs, a minimum of three (3) feet in height when planted, and which can be expected to reach six (6) feet or greater in height within three (3) years of planting. Shrubs shall be spaced so that there shall be no gap greater than four (4) feet between mature plant materials. No delivery or loading area shall be operated between the hours of 11:00 p.m. and 6:00 a.m. Parking of delivery vehicles shall not exceed 48 hours duration.
3. Outdoor Display Areas – Outside display of merchandise shall not be allowed unless allowed by a Special Use Permit (SUP) approved by the City Council, provided that it shall be limited to an area within eight (8) feet of the front wall of the primary building and further provided that emergency pedestrian access to the building is not blocked. When allowed by SUP, no merchandise shall be displayed between the hours of 11:00 p. m. and 6:00 a. m.
- For purpose of this regulation, the front wall shall be the front containment wall of the structure and not the front of an overhanging walkway cover.
4. Outside Storage and Sales Areas – There shall be no outside storage or outside sales areas of landscaping materials, plants or general merchandise, except for an outside display area, as provided in the above paragraph. For purpose of this regulation, nothing shall prohibit the sale or display of landscaping materials, plants or general merchandise located behind an enclosed solid screening wall constructed of like materials to the building, provided merchandise is not visible above the top of the screening wall.
5. Cart Storage – All shopping cart storage areas shall be contained within the primary building. Temporary shopping cart parking within parking areas shall be allowed, provided the temporary enclosures shall be ornate and appropriately designed and that the carts are removed to within the primary building on a frequent basis.



Section 6.7 Non-Residential Outdoor Lighting Requirements

Commented [BB6]: New proposed Outdoor Lighting Standards

A. Purpose

Efficient and effective outdoor night lighting benefits everyone and enhances the City's nighttime character. New lighting technologies have produced lights that are extremely powerful, and these types of lights may be improperly installed so that they create problems of excessive glare and light trespass that reduce residents' privacy. Excessive glare can be annoying or hazardous and may cause safety problems. There is a need for lighting requirements that recognize the benefits of efficient and effective outdoor lighting and provides clear guidelines for its installation so as to

help maintain and complement the City's character and which strives to provide linkage between the built and natural environment and acknowledges and sustains the unique nature of the City's corporate-commercial, suburban and rural lifestyles. Appropriately regulated, and properly installed, outdoor lighting will contribute to the safety and welfare of the residents of the City.

B. Objectives

Outdoor lighting for nonresidential uses and multifamily uses has the following objectives:

1. It is intended to reduce the problems created by improperly designed and installed outdoor lighting in those areas zoned for nonresidential uses and multifamily uses;
2. It is intended to eliminate problems of glare and minimize light trespass by establishing regulations which limit the area that certain types of outdoor lighting fixtures can illuminate and by limiting the total allowable illumination of lots located in the town;
3. All lighting installed in nonresidential uses and multifamily uses should be designed with the idea of being a good neighbor, thereby eliminating or reducing unnecessary direct light from shining onto abutting properties or streets;
4. It is the declared purpose of this subdivision that nonconforming luminaries be eliminated and be required to conform to the regulations of this subdivision within a reasonable time.

C. Applicability

1. New fixtures or additional lighting. This subdivision shall apply to all installations of new fixtures or additional lighting to any new or existing nonresidential or multifamily use or structure.
2. Nonconforming Lighting. Luminaries installed prior to the adoption of the ordinance from which this subdivision is derived shall immediately be re-aimed or shielded such that the fixture no longer creates a nuisance as defined in section xx. Shielding may be accomplished by louvers, baffles, visors, or shields placed on the luminaries, or any other method whereby the light therefrom does not constitute a nuisance as defined in section xx
3. Exemptions:
 - (a) Street lighting installed by a governmental agency for public benefit on public rights-of-way; or
 - (b) Public outdoor recreational sport fields and sport courts complex.

D. Enforcement

The enforcement of the rules and the provisions of this subdivision shall be by the Administrative Official, or his duly appointed representative.

E. Measurement

1. Metering Equipment. Lighting levels shall be measured in footcandles with a direct-reading, portable light meter.
2. Method of footcandle measurement. The meter sensor shall be not more than six inches above ground level in a horizontal position. The reading shall be taken only after the cell has been exposed long enough to provide a constant reading.

F. Prohibited Lighting

The following lighting is prohibited. No owner or occupant of land shall permit any of the following conditions to exist:

1. An unshielded light source, including bare bulbs, above 15 watts, except for temporary seasonal lighting;
2. The operation of searchlights, strobes, or pulsating lights;
3. The use of low pressure sodium bulbs as a light source;

4. The use of a partial cutoff light source;
5. The use of a drop lens;
6. Luminaires located within the compatibility buffer between dissimilar uses;
7. Any luminaire that produces a disability glare;
8. Any light or combination of lighting that creates a nuisance as defined in section xx;
9. Any lighting installed to illuminate an unimproved surface or private outdoor recreational activities that exceeds requirements set forth in this statute without an approved variance, as set forth in this statute.

G. Height for light pole standards

Maximum height for light pole standards shall be as follows:

1. In parking areas containing zero to 150 parking spaces, maximum height of lighting pole standards shall not exceed 25 feet.
2. In parking areas containing 151 or more parking spaces, maximum height of lighting pole standards shall not exceed 35 feet.

H. Building mounted lighting

All building mounted luminaires exceeding 15 watts shall be directed down with a full cutoff fixture.

I. Floodlighting

1. Luminaires used for floodlighting shall not direct the luminance above the facade of the object being lighted.
2. Spotlights and floodlights mounted overhead on poles or building walls and used for area lighting, including but not limited to residential areas, shall be installed so that the fixture is full cutoff as defined herein, with no light above 90 degree nadir.

J. Building Entry Points

At all building entry points average projected footcandle readings as determined by the point method photometrics shall not exceed a measurement of five footcandles.

K. Canopy lighting

All canopy lighting shall be fully recessed fixtures with full cutoff lens and shall not exceed 45 footcandles at any point under the canopy.

L. Spacing

1. In parking areas containing zero to 150 parking spaces, minimum spacing of lighting pole standards shall be no less than two times the height of the standard.
2. In parking areas containing 151 or more parking spaces, minimum spacing of lighting pole standards shall be no less than four times the height of the light standard, a ratio of 4 to 1.

M. Parking area lighting

Parking area lighting shall not exceed a measurement of 15 footcandles at any point in the parking area. The average projected footcandle reading as determined by the point method photometrics shall not exceed two footcandles.

N. Residential Adjacency

Where properties with a residential use or zoning, other than Agricultural, are adjacent to a commercial site, the maximum lighting intensity shall not exceed 0.5 footcandles.

Q. Penalty

1. Any person violating any provision of this section shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine as provided in section 1-13. A separate offense shall be deemed committed of each day during or on which a violation or failure to comply occurs or continues to occur.
2. A footcandle reading, as performed in accordance with section 98-1124, in excess of those amounts defined as a nuisance in section 74-3, shall be prima facie evidence of a violation of this subdivision.

O. Variance

1. A variance as to the height restriction may be permitted by the town council for the replacement of luminaires installed prior to the adoption of the ordinance from which this subdivision is derived if such luminaires are damaged, destroyed, or otherwise become inoperable.
2. A variance is permissible for such replacement luminaires only in those situations where more than one luminaire existed prior to the adoption of the ordinance from which this subdivision is derived. The town council may grant a variance, upon application by the property owner or his designee, if the town council determines that the replacement of a damaged, destroyed, or otherwise inoperable luminaire with a luminaire conforming to the height requirement set forth in this subdivision would:
 - (a) Create a nuisance as defined in section 74-3; or
 - (b) Be aesthetically inconsistent with the remaining luminaires in determining whether a replacement luminaire would be aesthetically inconsistent, the City Council may consider the following factors:
 - The location of the replacement luminaire on the subject property;
 - The type of construction material of the replacement luminaire;
 - The location of the subject property; and
 - The outdoor lighting used on adjacent and surrounding property.
3. Notwithstanding these provisions, under no circumstances may the replacement luminaire exceed 35 feet in height.

Q. Architectural lighting of buildings and structures

For spotlights and floodlights mounted at or near ground level and used to light a building wall, sign, or other structure, the axis of illumination shall be adjusted to minimize the amount of light escaping above, below, and to the side of the illuminated object.

R. Architectural lighting of landscaping

Landscape lighting installed for nonresidential uses and multifamily uses shall be installed according to the following:

1. Any lighting that is to be placed in the canopy of a tree shall be directed in a downward position to simulate natural light received by the area.
2. The fixture shall be shielded so that all of the light is directed downward and shall not be directed toward the tree, to reduce light intrusion.
3. All proposed lighting that is to be placed in a tree shall be affixed to the trunk or branch through the use of an adjustable bracketing system that will allow for the continued growth of the tree.

4. The mounting height of landscape lighting shall not exceed 25 feet.

5. No lighting shall be bolted, nailed, or glued to the trunk or any appendages of the tree, and such unauthorized attachment will be treated as a violation of chapter 94, Vegetation, of the town's Code of Ordinances.

Section 6.6 ~~6.8~~ Variances; Architectural Review Commission **City Council**

A. A person may request a variance from a requirement contained in *Chapter 6 – Commercial Design Standards* by filing said request with the administrative official. A request for a variance shall be accompanied by a non-refundable application fee. A request for a variance shall be referred for consideration to the Architectural Review Commission (ARC) for a recommendation to the City Council. The variance procedure shall proceed as follows:

1. Submit a variance application and pay applicable fee. No action shall be taken on any application submitted to the ARC until all applicable fees have been paid in full. No refund of any application fee shall be made after the request has been advertised and scheduled for consideration by the Commission and City Council.
2. Not later than 30 days from date of the application, a quorum of the Architectural Review Commission (ARC) shall convene a meeting to review the variance request;
3. Public Hearing and Written Notification – No action to approve or deny any application shall be taken until the Commission has held a public hearing and received comment, and only after written notice of the public hearing of the date, time and place where the variance request is to be considered has been sent to the owners of real property lying within two-five hundred (200500) feet of the property and all Home Owner's Associations (HOA's) lying within one thousand (1,000) feet of the property where the application is being considered. Such notice shall be given to each property owner as listed on the last approved tax roll not less than ten-fifteen (1015) days before the date set for hearing by depositing letters properly addressed and postage paid in the United States Post Office
4. Appeal to Final Action by City Council – The decision-recommendation by the ARC shall be final forwarded to the City Council for final decision at the next available agenda for consideration by the City Council. unless the applicant submits a written notice of appeal within ten (10) days from the date of the action by the Commission. The administrative official shall re-notify all property owners lying within two hundred (200) feet of the area being considered and place the applicant's appeal request on the next available agenda for consideration by the City Council.

Commented [EW7]: Re-number section

Commented [BB8]: Per Council direction, City Council to be final approval/denial

Commented [BB9]: To reflect the new notification requirement

Commented [BB10]: Standard policy today

Section 6.7 ~~6.9~~ Amendments to This Chapter

Reserved for listing of amendments to this Chapter.

Ord. Number	Date	Subject
O-11-1818	12/13/2011	Amendments to design standards; addition of exterior material and color requirements; amendments to variance procedures and addition of architectural review committee

Commented [EW11]: Re-number section

Chapter 8

Plat Review Procedures

Section 8 – 100 Purpose of This Chapter

The purpose of this Chapter is to establish regulations which describe the process for the review and approval of subdivision plats, but more specifically to:

- A. provide for the safe, orderly, and healthful development of the area within the city and within the area surrounding the city and to promote the health, safety, and general welfare of the community;
- B. encourage the orderly development of the city through appropriate growth management techniques assuring the timing and sequencing of development, promoting in-fill development in existing neighborhoods and nonresidential areas with adequate public facilities, to assure proper urban form and open space separation of urban areas;
- C. encourage appropriate protection to environmentally sensitive areas;
- D. ensure that public facilities and services are available; and
- E. establish procedures for the review and approval of subdivision plats.

Section 8 – 105 Authorization for Adoption of This Chapter

The regulations contained in this Chapter have been adopted under the authority of the following:

- A. *Chapter 212 – Municipal Regulation of Subdivisions and Property Development of the Texas Local Government Code*, which authorizes a municipality to adopt rules governing plats and subdivisions of land within the municipality's jurisdiction.
- B. *Chapter 51 – General Powers of Municipalities of the Texas Local Government Code*, which authorizes a municipality to adopt ordinances, rules, or police regulations that are for the good government, peace, or the trade and commerce of the municipality.
- C. *The Home Rule Charter of the City of Colleyville*, which authorizes the City Council to exercise all powers granted to municipalities by the Constitution and laws of the State of Texas.

Section 8 – 110 Variances and Appeals

Any person seeking approval of a development as required by this Land Development Code may request a variance from a requirement contained in this Chapter, or appeal a decision of an Administrative Official by submitting a request using the procedures described in *Chapter 1 – General Provisions* of this Land Development Code.

Section 8 – 115 Definitions

Definitions applicable to this Chapter may be found in *Chapter 2 – Definitions* of this Land Development Code.

Section 8 – 120 Plat Approval Required

It shall be unlawful for a person, firm or corporation owning a tract of land located within the corporate limits of the City of Colleyville, Texas, or extraterritorial jurisdiction, to hereafter divide the same tract of land into two or more parts, to lay out a subdivision, to lay out a building lot, or to lay out a street, alley, square, park, or other parts of the tract intended to be dedicated to public use, or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts for purpose of development without having a plat of the subdivision prepared and approved in accordance with this Chapter. A division of a tract includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method for purpose of development. A division of land under these regulations does not include a division of land into parts greater than five acres, where each part has access and no public improvement is being dedicated. The provisions of this Chapter shall apply to any development which is intended as a single lot, tract or parcel where a primary structure will be located. Furthermore, the following shall be applicable to all subdivisions of land:

- A. It shall be the policy of the City of Colleyville to consider the subdivision of land and the subsequent development of the subdivided land as subject to the control of the City pursuant to the Colleyville Comprehensive Plan for the orderly, planned, efficient, and economical development of the City.
- B. The City has no obligation to extend water or sewer service to any lot, tract or parcel or land sold or created in violation of this Chapter.
- C. All plats and subdivisions shall conform to the rules and regulations set forth herein.
- D. This Chapter is not intended to repeal, abrogate, or impair any existing plans or ordinances. However, where the provisions of this Chapter and other ordinances or plans conflict or overlap, the most restrictive provisions thereof shall apply.
- E. The provisions contained in this Chapter, shall be considered as the minimum requirements for review and approval of a subdivision plat.

Section 8 – 125 Plat Required for Building Permit

No building permit shall be approved for any lot, tract or parcel of land unless and until a plat has been approved in accordance with this Land Development Code, except as provided as follows:

- A. Residential Structures - A building permit for an addition to, or renovation of, an existing residential structure may be issued on an un-platted lot, provided the expansion does not exceed twenty-five (25%) percent of the square footage of the existing structure and the value of such proposed construction, including the cumulative value of any proposed and all previously permitted building permits on the primary structure, does not exceed fifty (50%) percent of the value of the existing structure, excluding the value of the land, as shown on the most current tax roll. Building permits as used herein do not include electrical, plumbing or similar non-construction activities.
- B. Non-residential Structures - A building permit for an addition to, or renovation of, an existing non-residential structure may be issued on an un-platted lot, provided the value of such proposed construction, including the cumulative value of any proposed and all previously permitted building permits on the primary structure, does not exceed fifty (50%) percent of the value of the existing structure, excluding the value of the land, as shown on the most current tax roll. Building permits as used herein do not include electrical, plumbing or similar non-construction activities.
- C. Platting Exemption for Certain Accessory Buildings - A building permit for an accessory structure may be issued on an un-platted lot in the Agricultural District.
- D. Public Facilities Available - No building permit for a primary building will be issued until all public facilities have been installed and have been approved and accepted by the City or provision, acceptable to the City, has been made by the developer for such public facilities.

Commented [BB1]: An expansion over 25% of the existing square footage will trigger the need for platting

Section 8 – 130 Approval Authority Over Subdivision Plats

- A. Approval of Plats Required –The approving body for all subdivision plats shall be in accordance with the following table:

Approving Body Responsible for Approving Plats			
Classification of Plat	Staff	P&Z	Council
Combination Preliminary/Final Plat	no	yes	yes
Preliminary Plats	no	yes	yes
Final Plats	no	yes	yes
Minor Plats	yes	no *	no*
Replat	no	yes	yes
Amending Plats	yes	no *	no*

* The Planning and Zoning Commission and City Council shall have the authority to approve a Minor Plat and an Amending Plat which has not been approved by City Staff.

- B. Preliminary, Final or Combination Preliminary/Final Plat Approval by the Planning and Zoning Commission and City Council - The Planning and Zoning Commission shall approve or disapprove a Preliminary, Final or Combination Preliminary/Final Plat. In addition to the requirement of approval by the Planning and Zoning Commission, the City Council shall also be required to approve these plats. In the event of any discrepancy between a plat as approved by the Planning and Zoning Commission and the City Council, the plat approved by the City Council shall prevail.
- C. Replat Approval by the Planning and Zoning Commission and City Council - The Planning and Zoning Commission shall approve or disapprove a Replat. In addition to the requirement of approval by the Planning and Zoning Commission, the City Council shall also be required to approve replats. In the event of any discrepancy between a plat as approved by the Planning and Zoning Commission and the City Council, the plat approved by the City Council shall prevail.
- D. Minor Plat Approval by Staff – The Community Development Director shall be authorized to approve a Minor Plat, as defined by this Land Development Code provided said plat conforms to the requirements and specifications of this Land Development Code, without the additional approval of the Planning and Zoning Commission and City Council. If the application includes a request for a waiver or modification of a platting regulation, the Planning and Zoning Commission shall approve or disapprove the request. In addition to the requirement of approval by the Planning and Zoning Commission, the City Council shall also be required to approve the request. In the event of any discrepancy between a plat as approved by the Planning and Zoning Commission and the City Council, the plat approved by the City Council shall prevail. The Community Development Director may not disapprove a Minor Plat, but shall refer any Minor Plat which he/she refuses to approve to the Planning and Zoning Commission within thirty (30) days after the date the plat is filed.
- E. Amending Plat Approval by Staff – The Community Development Director shall be authorized to approve an Amending Plat as defined by the Local Government Code, provided said plat conforms to the requirements and specifications of this Land Development Code. If the application includes a request for a waiver from the subdivision requirements, the Planning and Zoning Commission shall approve or disapprove the request. In addition to the requirement of approval by the Planning and Zoning Commission, the City Council shall also be required to approve the request. In the event of any discrepancy between a plat as approved by the Planning and Zoning Commission and the City Council, the plat approved by the City Council shall prevail. The Community Development Director may not disapprove an Amending Plat, but shall refer any Amending Plat which he/she refuses to approve to the Planning and Zoning Commission

within thirty (30) days after the date the plat is filed.

- F. ~~Appeal Procedure~~ – ~~A subdivision plat that has been denied by the Planning and Zoning Commission may be appealed to the City Council for consideration at the next available public meeting. In the event of any discrepancy between a plat as approved by the Planning and Zoning Commission and the City Council, the plat approved by the City Council shall prevail.~~

Commented [BB2]: Not needed as plats are approved by the City Council

Section 8 – 135 Procedure for Approval of Subdivisions

- A. Time Period for Taking Action – The approving body shall approve or disapprove a subdivision application within thirty (30) days after the date the subdivision application is filed as provided in this Chapter. A subdivision application is considered approved if the approving body fails to act on a plat within the prescribed period. Provided however, that the subdivider may request a deferral of action on the subdivision application, thereby waiving the thirty day time period for action by the approving body, provided said request is submitted in writing.
- B. Additional Time Period for City Council Approval – Where City Council action is required or requested on a subdivision application as provided in this Chapter, the action shall be taken no later than thirty (30) days after the date the subdivision application was considered by the Planning and Zoning Commission. A subdivision is considered approved if the City Council fails to act on a plat within the prescribed period. Provided however, that the subdivider may request a deferral of action on the subdivision application, thereby waiving the thirty day time period for action by the City Council, provided said request is submitted in writing.
- C. Certificate of Compliance – In cases where the City fails to act on a subdivision application within the thirty day time period, the Community Development Director, upon written request, shall issue a certificate of compliance stating the date the subdivision was filed and that the City failed to act on the subdivision application within the specified time.
- D. Authorization to Sign Plats – The approval of a plat by the approving body, shall constitute authority for the, Community Development Director or, the Chairman and Secretary of the Planning and Zoning Commission and/or the Mayor and City Secretary, to execute said plat, and shall constitute approval for recording in the County Clerk's Office of Tarrant County.
- E. Modification of Conditions – Where the approving body finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve modifications of conditions to these platting regulations so that substantial justice may be done and the public interest secured. Such a finding by the City shall not have the effect of nullifying the intent and purpose of these platting regulations.
- F. Completeness Determination – Every subdivision plat application shall be subject to a determination of completeness by the Administrative Official as provided for in this Section.
1. No later than the tenth business day from the date the application is received, the Administrative Official shall make a written determination that all documents required by the Land Development Code for a subdivision plat submittal have been received.
 2. The applicant shall be provided written notice of any deficient documents no later than ten (10) business days from the date the application is received. The determination shall specify the documents or other information needed to complete the application and shall state the date the application will expire if the documents or other information are not provided. For purposes of this Section, the applicant shall be deemed to have been notified if the City has mailed a copy of the determination as provided herein.
 3. The processing of an application by any City official or employee prior to the time the application is determined to be complete shall not be binding on the City as the official acceptance of the application for filing.
 4. A determination of completeness by the Administrative Official shall not constitute a determination of compliance with the substantive requirements of the Land Development Code.
- G. Expiration of Application – If a subdivision plat application is not completed on or before the 45th day after the application is received by the Administrative Official for processing, the application will be deemed to

have expired. Thereafter, a new subdivision plat application must be submitted, including payment of the applicable application fee. The City shall retain any fee paid for reviewing the original application for completeness.

- H. Incompleteness as Grounds for Denial – No subdivision plat application shall be scheduled for action by an approving body unless it is determined that the application is complete and all required items, studies and documents have been submitted to and received by the City, unless the applicant has provided a written request for a waiver or modification of said requirement. An incomplete subdivision application shall be grounds for denial or revocation of the application. No vesting right shall accrue from the filing of an application that has expired pursuant to this Section, or from the filing of a complete application that is subsequently denied.
- I. Official Plat Submittal Date – The date from which the statutory period requiring approval or disapproval of a subdivision plat application shall commence on the date the Administrative Official responsible for processing subdivision plat applications has determined the application to be complete and marked said date on the application and has scheduled said application for action by the approving body.
- J. Development Review Committee – The City Manager shall designate a Development Review Committee (DRC) which shall be an advisory committee to the City Council and Planning and Zoning Commission and have responsibility for providing comments and recommendations on subdivision applications. In addition, the Development Review Committee shall submit comments and recommendations on vacation of public rights-of-way or easements and site plan reviews required by this Code. The Administrative Official responsible for subdivision review shall coordinate the actions of the Development Review Committee.
- K. DRC Review – Copies of subdivision plat applications shall be distributed to the Development Review Committee (DRC) members for technical review. The DRC shall provide written comments and recommendations on the proposed development to the Administrative Official.

The Administrative Official responsible for subdivision review shall compile a report of the written comments received from the DRC and provide a copy of said report to the subdivider within five (5) working days following the day of receipt of all staff comments. The subdivider shall submit revised copies of the subdivision application, which incorporates and fully satisfies the comments of the DRC or provide written response as to why such modification is not proposed.

- L. Consistency with Master Plans – No subdivision plat shall be approved which is not consistent with the Colleyville Master Plan, the Parks Development Plan, and trail systems plans of the City.
- M. Compliance with Zoning – No subdivision plat shall be approved that is not consistent with the existing zoning regulations applicable to the property being platted, unless a rezoning application is pending that will provide consistency with the proposed development.
- N. Public Facilities – No subdivision application shall be approved by the City unless the Director of Public Works has reviewed the construction plans for the proposed public improvements and has determined that the public facilities will be adequate to support and service the area of the proposed subdivision. To expedite the review process, the Director of Public Works may accept a written offer by the developer as satisfactory evidence that public improvement requirements of the Land Development Code will be satisfied. The Director of Public Works may require the applicant to submit sufficient information and data to demonstrate that the existing public facilities are adequate to serve the proposed subdivision. Public facilities and services to be examined for adequacy shall include drainage facilities, roads, sewage, and water systems. Public facilities shall be designed and constructed in accordance with the requirements contained in this Land Development Code. Said proposed public improvements shall conform to and be properly related to the Colleyville Master Plan and all applicable capital improvement plans, including but not limited to the following:
1. Master Thoroughfare Plan – All subdivisions shall be designed to coordinate with the right-of-way widths and street patterns shown on the Master Thoroughfare Plan.
 2. Water System – All lots shall be served by a public water system capable of providing water for health and emergency purposes, including adequate fire protection. Proposed water system improvements

shall be consistent with the Master Water System Plan.

3. Wastewater Collection System - All lots shall be served by an approved means of wastewater collection and treatment. Proposed sewer system improvements shall be consistent with the Master Wastewater Collection System Plan.
 4. Storm Water Management - The Director of Public Works may require the use of control methods such as retention or detention, and/or the construction of offsite drainage improvements to mitigate the impacts of the proposed developments. Any proposed drainage system improvements shall be consistent with the Master Storm Water Management Plan.
- O. Records Maintenance – The Administrative Official responsible for subdivision review shall maintain a record of each application submitted under this Chapter, and the action taken on the application.
- P. Dedication Offers – All streets, drainage ways, parks, and other rights-of-way or public easements shown within a subdivision plat and intended for public use shall be offered for dedication as part of the approval of a plat. Upon approval of the subdivision application by the City, the offers shall be deemed dedicated and available for acceptance by the City in accordance with the requirements of this Section.
1. Whenever a subdivision proposes the dedication of land for public use and the City finds that such land is not required or is not suitable for public use, the approving body shall either deny the subdivision application or require the rearrangement of lots to include such land.
 2. The approval of a subdivision plat by the City is not considered an acceptance of any dedication and does not impose on the City any duty regarding the maintenance or improvement of any dedicated parts until the City Council makes an actual appropriation of the dedicated parts by entry, use, or improvement.
 3. Disapproval of a plat shall be deemed a refusal by the City to accept the offered dedications shown thereon.
- Q. Nuisance Ordinances and Outstanding Liens – No subdivision plat shall be placed on the agenda for action by an approving body in which the Code Enforcement Officer has issued notice to the owner of the property being subdivided that the property being considered for development is in violation of a public nuisance ordinance of the City of Colleyville and the violation has not been abated prior to the subdivision application date. No subdivision plat shall be placed on the agenda for action by an approving body that has an outstanding delinquent lien payable to the City of Colleyville.
- R. Frontage on Public Access Required – Every lot shall have frontage on a public street right-of-way. Said frontage shall not be less than eighty percent (80%) of the minimum required lot width established for the zoning district. In non-residential areas, access to a lot with a public access easement that is acceptable by the City as meeting the minimum requirements to provide public ingress and egress and for adequate emergency vehicle access may be allowed in lieu of a public street right-of-way.
- S. Plats Straddling or Adjacent to Municipal Boundaries – Where access to a proposed subdivision is required across land in an adjacent city, the Administrative Official shall coordinate the review of the plat with the adjacent city and the approving body shall require written approval from the adjacent city.
- T. Official City Map – The Administrative Official responsible for subdivision review shall maintain an Official City Map, which shall indicate all subdivisions, lots and street rights-of-way. Subdivision plats hereafter approved shall be placed on the Official Map in a timely order and include the names of all streets and street suffix classifications. Where street name inconsistencies exist, from one subdivision to another, the Administrative Official shall place on the Official City Map the generally accepted street name, its proper spelling, and suffix classification. The Administrative Official responsible for subdivision review shall assign street address ranges for each block and coordinate these with the Office of the Fire Marshal and other emergency service providers.
- U. Enforcement of Chapter – In addition to any other remedy provided by law, the City and its officers shall have the right to enjoin any violation of this Chapter by injunction issued by a court of competent jurisdiction.

Section 8 – 140 Preliminary Plats

- A. Preliminary Plat Classification – Submittal of a Preliminary Plat is the first of a two-step process for approval of a subdivision plat. The Preliminary Plat procedure shall be used when the property proposed for development is not platted as defined in this Chapter, does not qualify as a minor plat, and will be platted in more than one phase. The purpose of the Preliminary Plat procedure is to allow a subdivider to submit an abbreviated subdivision proposal for approval to determine the feasibility of developing a parcel of land before proceeding to the final platting process where the development will involve more than one phase of construction.
- B. Platting all Land in Common Ownership – The Preliminary Plat shall include all contiguous holdings of the owner, including land in “common ownership” as defined in this Chapter, with an indication of the portion which is proposed for subdivision.
- C. Preliminary Plat Phasing – The Preliminary Plat shall clearly indicate the parcels of land to be included in the phasing. Subsequently, Final Plats shall generally comply with the phasing lines indicated on the Preliminary Plat. Significant departure from the phase lines indicated on the Preliminary Plat shall require an amendment to the Preliminary Plat prior to further final platting of property.
- D. Effect of Approval – Upon approval of the Preliminary Plat, a copy of the approved Preliminary Plat shall be signed by the Administrative Official and kept for public record. Said approved Preliminary Plat shall reflect any and all revisions to the original submitted Preliminary Plat as was directed by the Planning and Zoning Commission and/or City Council which were made a condition of approval. Approval of the Preliminary Plat shall not constitute final acceptance or approval of the subdivision nor shall the approval of the Preliminary Plat confer any vesting rights in the arrangement of lots, streets and other features on the Final Plat. Approval of the Preliminary Plat shall constitute authority to proceed with the Final Plat process as described in this Chapter.
- E. Expiration of Approval – Approval of a Preliminary Plat shall expire after twelve (12) months from the date of approval, unless a Final Plat is submitted for all or part of the area that has received Preliminary Plat approval. The approving body may approve a time extension upon written request from the developer or may waive the twelve month termination period when the Final Plat is determined to be consistent with the approved Preliminary Plat and no additional standards have been adopted by the City.
- F. Re-submittal of Preliminary Plat – When a Preliminary Plat is disapproved, the subdivider, at any time thereafter, may submit a new design for approval, following the same procedures as required for the original application, including the payment of application fees.
- G. Preliminary Plat Exhibits – The subdivider shall file an application for approval of a Preliminary Plat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:
1. Preliminary Plat Application – The application shall be on forms furnished by the Administrative Official. If the applicant is not the official owner of record, written authorization from the property owner is required.
 2. Preliminary Plat Drawing – The plat drawing shall contain the information listed in *Section 8 - 180 Required Plat Information*, where applicable.
 3. Preliminary Drainage Information – The subdivider shall submit a Preliminary Drainage Analysis to determine the need for drainage facilities, unless the Director of Public Works has determined that a Preliminary Drainage Analysis is not necessary at time of platting. The Preliminary Drainage Analysis shall be prepared in accordance with the drainage analysis requirements contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code.
 4. Preliminary Utility Plan – The subdivider shall submit preliminary construction drawings which shall indicate the general location and approximate sizes of all existing and proposed public utilities, unless

the Director of Public Works has determined that no public utility improvements are necessary. The size of all proposed water and sewer lines shall be determined using the design criteria contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code.

5. Preliminary Topographic/Grading Plan – The subdivider shall submit a plan showing the existing topography of the property proposed for development in contours of not less than two (2) feet, together with any proposed grade elevations, if different from existing elevations.

Commented [BB3]: Requested by the City Council, applied to all types of plats

6. Tree Survey – Where a subdivision plat indicates a proposed public street, the subdivider shall submit a tree survey or an aerial photograph indicating the general coverage of trees.

67. Nuisance Compliance Certification – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances and outstanding liens payable to the City of Colleyville.

78. Fees – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official.

- H. Grading Site Prior to Final Approval – Following Preliminary Plat approval, the developer may apply for an earthwork permit and upon approval of said permit may commence construction to the grades and elevations required by the Preliminary Plat.

Section 8 – 145 Final Plats

- A. Final Plat Classification – Approval of a Final Plat is the second step in the process for approval of a subdivision plat. The Final Plat procedure shall be used when the property proposed for development has been previously approved as a Preliminary Plat, was not submitted as a Combination Preliminary/Final Plat and conforms to the requirements of this Chapter. The purpose of the Final Plat procedure is to allow a subdivider to submit for approval all the documents necessary to fully develop the subdivision.

- B. Final Plat Prerequisites – Unless exempt from the requirements of Preliminary Plat approval, no Final Plat shall be placed on the agenda for action by the approving body until a Preliminary Plat of a subdivision has been previously approved in accordance with this Chapter. Upon approval of a Preliminary Plat, a subdivider may file an application for approval of a Final Plat. The Final Plat shall conform to the Preliminary Plat as approved and incorporate any and all changes, modifications, corrections and conditions imposed by the prior approval. A Final Plat will not be presented to the approving body for consideration, which fails to incorporate the recommendations of the Preliminary Plat approval.

- C. Final Plat Exhibits – The subdivider shall file an application for approval of a Final Plat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:

1. Final Plat Application – The application shall be on forms furnished by the Administrative Official responsible for subdivision review. If the applicant is not the official owner of record, written authorization from the property owner is required.
2. Final Plat Drawing – The plat drawing shall contain the information contained in *Section 8 - 180 Required Plat Information* of this Land Development Code.
3. Drainage Information – The subdivider ~~should discuss with the Director of Public Works the need to~~ shall submit a Preliminary Drainage Analysis or a Drainage Study. When drainage facilities and related improvements are required, the applicant shall submit a Drainage Study with supporting documentation which shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code.
4. Construction Drawings – When the proposed development requires the construction of public improvements, the applicant shall submit construction plans with the Final Plat. The construction drawings shall conform to the technical specifications contained in *Chapter 14 – Engineering Design*

Commented [BB4]: Required for all plats

Standards of this Land Development Code and shall be prepared and sealed by a Registered Professional Engineer, licensed to practice in the State of Texas.

5. Preliminary Topographic/Grading Plan – The subdivider shall submit a plan showing the existing topography of the property proposed for development in contours of not less than two (2) feet, together with any proposed grade elevations, if different from existing elevations.
6. Tree Survey – Where a subdivision plat indicates a proposed public street, the subdivider shall submit a tree survey or an aerial photograph indicating the general coverage of trees. These documents are not necessary if they have been submitted with the Preliminary Plat.
67. Nuisance Compliance Certification – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances and outstanding liens payable to the City of Colleyville.
78. Fees – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official.

Section 8 – 150 Combination Preliminary/Final Plat

- A. Combination Preliminary/Final Plat Classification – Approval of a Combination Preliminary/Final Plat may occur when a plat is submitted that involves more than four lots and will include a new street but will not be phased but, instead, will be developed in a single phase. The purpose of the Combination Preliminary/Final Plat procedure is to allow a subdivider to submit for approval all the documents necessary to fully develop the subdivision in a single application.
- B. Combination Preliminary/Final Plat Exhibits – The subdivider shall file an application for approval of a Combination Preliminary/Final Plat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:
 1. Combination Preliminary/Final Plat Application – The application shall be on forms furnished by the Administrative Official responsible for subdivision review. If the applicant is not the official owner of record, written authorization from the property owner is required.
 2. Plat Drawing – The plat drawing shall contain the information contained in *Section 8 - 180 Required Plat Information* of this Land Development Code.
 3. Drainage Information – The subdivider ~~should discuss with the Director of Public Works the need to~~ shall submit a Preliminary Drainage Analysis or a Drainage Study. When drainage facilities and related improvements are required, the applicant shall submit a Drainage Study with supporting documentation which shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code.
 4. Construction Drawings – When the proposed development requires the construction of public improvements, the applicant shall submit construction plans with the Combination Preliminary/Final Plat. The construction drawings shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code and shall be prepared and sealed by a Registered Professional Engineer, licensed to practice in the State of Texas.
 5. Preliminary Topographic/Grading Plan – The subdivider shall submit a plan showing the existing topography of the property proposed for development in contours of not less than two (2) feet, together with any proposed grade elevations, if different from existing elevations.
 6. Tree Survey – Where a subdivision plat indicates a proposed public street, the subdivider shall submit a tree survey or an aerial photograph indicating the general coverage of trees.

~~67.~~ *Nuisance Compliance Certification* – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances and outstanding liens payable to the City of Colleyville.

~~78.~~ *Fees* – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official. The fee for a Combination Preliminary/Final Plat shall be the same as the fee for a Final Plat.

Section 8 – 155 Minor Plats

A. *Minor Plats*: A Minor Plat submittal shall be used when the property proposed for development is not platted, contains four (4) or fewer lots and will not create a new street. A Minor Plat is intended to allow a subdivider to combine the Preliminary and Final Plat procedures and thereby expedite the review and approval of a small subdivision where no new public street is created. Where applicable, the Minor Plat submittal shall contain the same exhibits as a Final Plat submittal.

B. *Minor Plat Exhibits* – The subdivider shall file an application for approval of a Minor Plat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:

1. *Minor Plat Application* – The application shall be on forms furnished by the Administrative Official responsible for subdivision review. If the applicant is not the official owner of record, written authorization from the property owner is required.

2. *Plat Drawing* – The plat drawing shall contain the information contained in *Section 8 – 180 Required Plat Information* of this Land Development Code.

3. *Drainage Information* – The subdivider ~~should discuss with the Director of Public Works the need to~~ shall submit a Preliminary Drainage Analysis or a Drainage Study. When drainage facilities and related improvements are required, the applicant shall submit a Drainage Study with supporting documentation which shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code.

4. *Construction Drawings* – When the proposed development requires the construction of public improvements, the applicant shall submit construction plans with the Minor Plat. The construction drawings shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code and shall be prepared and sealed by a Registered Professional Engineer, licensed to practice in the State of Texas.

5. ~~*Preliminary Topographic/Grading Plan* – The subdivider shall submit a plan showing the existing topography of the property proposed for development in contours of not less than two (2) feet, together with any proposed grade elevations, if different from existing elevations.~~

~~6.~~ *Tree Survey* – Where a subdivision plat indicates a proposed public street, the subdivider shall submit a tree survey or an aerial photograph indicating the general coverage of trees.

~~67.~~ *Nuisance Compliance Certification* – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances and outstanding liens payable to the City of Colleyville.

~~78.~~ *Fees* – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official.

Section 8 – 160 Replats

A. *Replats*: A Replat submittal shall be used when a previously platted property is proposed for redevelopment. A Replat may include an additional parcel of un-platted property when the size of the un-platted portion

does not dictate the submittal of a Preliminary Plat. The Administrative Official responsible for subdivision review shall review each Replat application and determine whether or not the size of the un-platted portion of the proposed development warrants the submittal of a Preliminary Plat. Where applicable, the Replat submittal shall contain the same exhibits as a Final Plat submittal.

B. *Additional Criteria for Replats:* The following additional criteria for approval shall apply in the re-subdivision of an existing plat, without vacating the immediate previous plat:

1. A public hearing shall be required on the Replat at which interested parties and citizens have an opportunity to be heard.
2. If any of the proposed area to be re-subdivided or re-platted, within the immediate preceding five years, was limited by any interim or permanent zoning classification to residential use for not more than two residential units per lot, or if any lot in the immediate previous subdivision was limited by deed restriction to residential use for not more than two residential units per lot, notice of the public hearing shall be given in advance in the following manner:
 - a. Publication at least 15 days before the date of the hearing in a newspaper of general circulation in the City.
 - b. A written notice of the public hearing shall be forwarded no less than fifteen (15) days prior to the day of the hearing to the owners (as the ownership appears on the last approved ad valorem tax roll) of all lots in the immediate preceding plat that are within 200 feet of the lots to be re-platted. The notice may be served by depositing it properly addressed and postage paid, in the United States post office.
3. If the proposed replat requires a waiver of a requirement and is protested in accordance with this section, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the Planning and Zoning Commission and/or City Council. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the Planning and Zoning Commission and City Council prior to the closing of the public hearing. In computing the percentage of land area, the area of streets and alleys shall be included.

C. Compliance with paragraphs (a) & (b) is not required for approval of a replat or a portion of a prior plat if the area to be re-platted was designated or reserved for other than single or duplex family residential use by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.

D. Replat Exhibits – The subdivider shall file an application for approval of a replat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:

1. *Replat Application* – The application shall be on forms furnished by the Administrative Official responsible for subdivision review. If the applicant is not the official owner of record, written authorization from the property owner is required.
2. *Plat Drawing* – The plat drawing shall contain the information contained in *Section 8 - 180 Required Plat Information* of this Land Development Code.
3. *Drainage Information* – The subdivider ~~should discuss with the Director of Public Works the need to~~ *shall* submit a Preliminary Drainage Analysis or a Drainage Study. When drainage facilities and related improvements are required, the applicant shall submit a Drainage Study with supporting documentation which shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code.
4. *Construction Drawings* – When the proposed development requires the construction of public improvements, the applicant shall submit construction plans with the Minor Plat. The construction

drawings shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code and shall be prepared and sealed by a Registered Professional Engineer, licensed to practice in the State of Texas.

5. Preliminary Topographic/Grading Plan – The subdivider shall submit a plan showing the existing topography of the property proposed for development in contours of not less than two (2) feet, together with any proposed grade elevations, if different from existing elevations.

6. Tree Survey – Where a subdivision plat indicates a proposed public street, the subdivider shall submit a tree survey or an aerial photograph indicating the general coverage of trees.

67. Nuisance Compliance Certification – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances and outstanding liens payable to the City of Colleyville.

7. Fees – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official.

Section 8 - 165 Amending Plats

- A. Amending Plat Classification – The Amending Plat procedure shall be used when making a minor change to an existing subdivision. These changes must not be substantive, nor create any new lots. Notice, public hearing, and the approval of other lot owners is not required for the approval of an Amending Plat.

- B. Amending Plat Procedures – The City is authorized to approve an Amending Plat which is signed by the property owners, and which is for one (1) or more of the purposes set forth in this Section, and such approval shall not require notice, hearing or approval of other lot owners. Amending Plats in accordance with the provisions of this Section shall be approved if the sole purpose of the Amending Plat is to:

1. Correct an error in any course or distance shown on the prior plat;
2. Add any course or distance that was omitted on the prior plat;
3. Correct an error in the description of the real property shown on the prior plat;
4. Indicate monuments set after death, disability or retirement from practice of the surveyor charged with the responsibilities for setting monuments;
5. Show the proper location or character of any monument which has been changed in location or character or which originally was shown at the wrong location or incorrectly as to its character on the prior plat;
6. Correct any other type of scrivener or clerical error or omission as previously approved by the City; such errors and omissions may include, but are not limited to, numbers, acreage, street names and identification of adjacent recorded plats;
7. Correct an error in courses and distances of lot lines between two adjacent lots where both lot owners join in the application for plat amendment, and neither lot is abolished; provided that such amendment does not attempt to remove recorded covenants or restrictions and does not have a material adverse effect on the property rights of the other owners in the plat;
8. Relocate a lot line in order to cure an inadvertent encroachment of a building or improvement on a lot line or on an easement;
9. Relocate one or more lot lines between one or more adjacent lots where the owner or owners of all such lots join in the application for the plat amendment, provided that such amendment does not:
 - a. Attempt to remove recorded covenants or restrictions; or

- b. Increase the number of lots; or
 - c. Remove or otherwise abandon any easement or right-of-way.
10. To make necessary changes to the preceding plat to create six or fewer lots in the subdivision or part of the subdivision covered by the preceding plat if;
- a. the changes do not affect applicable zoning and other regulations of the municipality;
 - b. the changes do not attempt to amend or remove any covenants or restrictions; and
 - c. the area covered by the changes is located in an area that the municipal planning commission or other appropriate governing body of the municipality has approved, after a public hearing, as a residential improvement area; or
11. To replat one or more lots fronting on an existing street if:
- a. the owners of those lots join in the application for amending the plat;
 - b. the amendment does not attempt to remove recorded covenants or restrictions;
 - c. the amendment does not create or require creation of a new street or make necessary the extension of municipal facilities.
- C. Amending Plat Exhibits – The subdivider shall file an application for approval of an Amending Plat with the Administrative Official responsible for subdivision review, which shall contain the following exhibits to be considered complete:
- 1. *Amending Plat Application* – The application shall be on forms furnished by the Administrative Official responsible for subdivision review. If the applicant is not the official owner of record, written authorization from the property owner is required.
 - 2. *Amending Plat Drawing* – The plat drawing shall contain the information contained in *Section 8 - 165 Required Plat Information* of this Land Development Code, where applicable.
 - 3. *Drainage Information* – As determined by the Director of Public Works, the developer shall submit a Preliminary Drainage Analysis or a Drainage Study. When drainage facilities and related improvements are required, the applicant shall submit a Drainage Study with supporting documentation which shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code
 - 4. *Construction Drawings* – When the proposed development requires the construction of public improvements, the applicant shall submit construction plans with the plat. The construction drawings shall conform to the technical specifications contained in *Chapter 14 – Engineering Design Standards* of this Land Development Code and shall be prepared and sealed by a Registered Professional Engineer, licensed to practice in the State of Texas.
 - 5. *Preliminary Topographic/Grading Plan* – As determined by the Director of Public Works, the subdivider shall submit a plan showing the existing topography of the property proposed for development in contours of not less than two (2) feet, together with any proposed grade elevations, if different from existing elevations.
 - 6. *Nuisance Compliance Certification* – The Code Enforcement Officer shall provide certification indicating the status of the property regarding public nuisances.
 - 67. *Fees* – The applicant shall pay the applicable plat application fee when the application is submitted to the Administrative Official.

Section 8 - 170 Official Plat Recording

- A. Required Filing Documents – No subdivision plat shall be filed of record with the Tarrant County Clerk's Office unless the following are complete:
1. The plat has been drawn on mylar reproducible film or other permanent material, contains all required signatures, including the signature of the Planning and Zoning Commission Chairman, and/or the Mayor, or City staff, as applicable; and
 2. All applicable fees have been received.
- B. Construction Prior to Official Filing – No construction of public improvements shall be allowed and no permits for building construction shall be approved until the subdivision plat has been filed of record with the Tarrant County Clerk's Office.
- C. Maximum Approval Period – The approval of a subdivision plat shall expire one-hundred and eighty (180) days from the date of approval by the approving body, unless the subdivision plat has been filed of record with as provided in this Section.
- D. Re-approval Required – No subdivision plat shall be filed of record with the Tarrant County Clerk's Office where the approval time period has expired, unless the approving body has approved a re-submittal of the plat application and payment of plat application fee.

Section 8 - 175 Vacation of Plats

A plat may be vacated by the owners of the land covered by the plat at any time before a lot in the plat is sold. If lots have been sold, the plat or any part of the plat may be vacated upon the application of all the owners of lots in the plat and with the approval of the City obtained in the manner prescribed ~~for the original plat~~ [by this chapter](#).

Section 8 - 180 Required Plat Information

The applicant requesting subdivision plat approval shall submit the required number of copies of a plat drawing as determined by the Administrative Official and which complies with this Section.

1. All plat drawings shall contain the following information where applicable:
 - a. *Owner / Subdivider* - The names and addresses of the subdivider and the current owner of record.
 - b. *Surveyor Name* - The name, address and telephone number of the surveyor responsible for the plat which shall contain the seal of a Texas Registered Professional Land Surveyor.
 - c. *Subdivision Name* - If the land to be platted is situated within or adjacent to an existing subdivision, that plat may take the name of the existing subdivision, subject to the approval of the City. The name of the proposed subdivision shall be clearly shown with large letters and shall not be a duplication of any existing subdivision name, whether by spelling or pronunciation, or similar to any other subdivision within the City. The plat drawing shall indicate whether the plat is a Preliminary Plat, Final Plat, Replat, or Amending Plat.
 - d. *Location Map* - A location map showing the tract by reference to streets or highways.
 - e. *Date* - The date the plat was prepared.
 - f. *Scale & North Arrow* - The plat shall be prepared at a numerical scale no greater than one (1) inch equals one hundred (100) feet unless approved by the Administrative Official responsible for subdivision review. A graphic scale symbol shall be placed on the drawing with a north arrow indicating the approximate true north.

- g. *Subdivision Boundary Lines* - The subdivision boundary lines shall be shown in heavy lines so as to provide a differentiation with the internal features of the area being proposed for platting. The location and dimensions of all boundary lines of the property shall be expressed to the nearest hundredth foot.
- h. *Metes and Bounds Description* - A written metes and bounds description of the property shall be shown on the plat and be capable of reproducing such lines upon the ground with a closure error of less than 1:25,000. The legal description shall include reference to an original survey, subdivision corner, or the Texas Coordinate System of 1983, North Central Zone. The legal description shall include the acreage of the total area of the proposed subdivision and be consistent with the subdivision boundary. The legal description shall contain information to show the last instrument conveying title to each parcel of property involved in the proposed subdivision, giving grantor, grantee, date, and land records reference.
- i. *Adjacent Properties* - All property lines, streets and easements on lands immediately adjacent to and contiguous with the perimeter of the proposed subdivision and extending one hundred (100) feet shall be shown with the names of the owners as shown on the most current Tax Assessor's files; if the adjacent properties are platted, the names of adjoining subdivisions and the names of adjoining streets are to be shown.
- j. *Street Rights-of-Way* - The width of all public street rights-of-way shall be shown on the plat. The general location and width shall be consistent with the Master Thoroughfare Plan. Dimensions shall be shown for all curves. The distance from the centerline of any existing roadway of a boundary street to the proposed subdivision shall be shown to determine the adequacy of right-of-way along the route and to determine if additional right-of-way is necessary to accommodate the proposed street.
- k. *Permanent Structures* - The location and general outline of any existing permanent structures with sufficient dimensions to determine building line encroachments. Any permanent structures which encroach any building set-back lines that will remain after completion of the development shall be shown on the drawing with appropriate dimensions.
- l. *Building Set-back Lines* - Front building set-back lines shall be indicated by dashed lines on all lots in accordance with the requirements of the applicable zoning district. Side yard building set-back lines shall be indicated by dashed lines on the side yards of lots with side street frontage. Additional building set-back may be required by the City. Existing building set-back lines on adjacent properties shall be shown, where applicable.
- m. *City Limit Lines* - The general location of the city limit boundaries of the City of Colleyville and any adjacent city shall be shown on the plat and referenced per city maps, only.
- n. *Easements* - The location and dimension of all existing or proposed easements shall be shown on the plat drawing indicating whether such easement is for any specific purpose. General easements for the use of public utilities of not less than seven and one-half (7.5') feet in width shall be provided along each side of all rear property lines. If necessary for the extension of water or sewer mains, storm drainage or other utilities, easements of greater width shall be required along lot lines or across large lots. In all cases, easements shall connect with easements already established on adjoining properties or extend to connect with a public right-of-way. No lot shall be shown with an easement which prevents proper development and full utilization of the lot as a suitable building site for the intended zoning district.
- o. *Lot and Block Numbering* - All lots and blocks shall be consecutively numbered, or lettered in alphabetical order. The blocks in subdivisions bearing the same name shall be numbered or lettered consecutively through the several sections or phases. Lettering for blocks shall be larger and bolder than lot numbers or circled to make identification clear. Any lot or block which is planned as an 'out-parcel' shall be numbered and designated on the plat with notation regarding any development restrictions.
- p. *Sheet Size* - Map sheets shall be of such size as are acceptable for filing in the Tarrant County Clerk's Office, and shall not exceed twenty-four by thirty-six (24"x 36") inches, but may be eighteen by twenty-four (18" x 24") inches, with a binding margin of not less than one and one-half inches on the left side

of the sheets. Sheets shall be numbered in sequence if more than one (1) sheet is used and an index sheet provided with match lines.

- q. *Plat Notes and Conditions* - When appropriate, the plat shall contain a listing of any Plat Notes and Plat Conditions in a readily identifiable location with each note numbered consecutively.
- r. *Public Use Areas* - The location and dimensions of all property proposed to be set aside for public use or common reservation shall be shown on the plat drawing, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation.
- s. *Street Names* - All street names shall be shown on the plat. New street names shall be sufficiently different in sound and in spelling from other street names in the city to avoid confusion. The continuation of an existing street shall bear the same name.
- t. *Phasing of Plats* - For Preliminary plats, the plat drawing shall indicate any phasing of the proposed subdivision. Thereafter, plats of subsequent phases shall conform to the approved overall layout and phasing, unless a revised Preliminary Plat is submitted and approved in accordance with this Chapter. However, a subsequent reduction of a phase may be considered provided that it conforms to the original street arrangement.
- u. *Lot Dimensions* - The approximate dimensions of all lots shall be shown on a Preliminary Plat and the exact dimension shown on all other plats with accuracy to one-hundredth's of one foot. The dimensions shall be sufficient to verify compliance with the minimum requirements of the applicable zoning district.
- v. *Flood Plain Features* - The location of the 100-year flood limits, if applicable, shall be shown on the plat and contained within a drainage easement. If the subdivision, or a portion thereof, is located in the 100 year flood-prone area, the developer will be required to comply with the Flood Damage Prevention Ordinance.
- w. *Irregular Side Lot Lines* - Side lot lines which are not perpendicular to the street right-of-way shall be indicated with bearing and distance.
- x. *Lot Areas* - The area for each lot expressed in square feet shall be shown on the plat.
- y. *Survey Notes* - The Final Plat shall be accompanied by one (1) set of surveyor's closure notes for the boundary of the subdivision. The notes shall be referenced in the same manner as the plat.
- z. *Certification Blocks* - All plats shall contain the appropriate certification blocks which shall be similar to those shown.

Planning and Zoning Commission Approval

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

Chairman, Planning and Zoning Commission

Attest: Secretary, Planning and Zoning Commission

City Council Approval

Whereas the City Council of the City of Colleyville, Texas voted affirmatively on this _____ day of _____, 20__, to approve of this Plat.

Mayor, City of Colleyville

Attest: City Secretary

Staff Approval Authority

This amending or minor plat is approved in accordance with Section 212.0065 of the Texas Local Government Code and the City of Colleyville Subdivision Regulations

Date

Community Development Director

Surveyor's Certification

KNOW ALL MEN BY THESE PRESENTS:

That I, _____, a Registered Professional Land Surveyor licensed in the State of Texas, do hereby certify that this Plat is true and correct and was prepared from an actual survey made under my supervision on the ground. Further, this survey conforms to the general rules of procedures and practices of the most current Professional Land Surveying Practices Act.

Signature

Date

(Affix Seal)

Dedication Certificate

WHEREAS, (owners name), are the owners of a tract of land situated in the (name) Survey, Abstract N. (#), Tarrant County, Texas, and being out of a (#) acre tract conveyed to them by (deed reference), and being more particularly described as follows:

(metes and bounds description)

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

That We, (names), Owners, do hereby adopt this plat designating the hereinbefore described property as (subdivision name), and addition to the City of Colleyville, Tarrant County, Texas, and do hereby dedicate fee simple to the public use forever all streets, rights-of-way, and alleys shown thereon, and do hereby reserve the easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use or using the same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Colleyville, Texas.

Witness our hands this _____ day of _____, 20_____.

Owners Name

STATE OF TEXAS }
COUNTY OF TARRANT }

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

Given under my hand and seal of office this _____ day of _____, 20_____.

Notary Public in and for Tarrant County

(affix seal)

My printed name

My commission expires:

Section 8 – 185 Easement and Right-of-Way Encroachments

(Ord. O-01-1280 / 08/08/01)

No building permit shall be issued for any structure that encroaches into or over a public drainage and/or utility easement or public right-of-way, unless an easement encroachment and joint use agreement has been approved in accordance with the procedures contained in this Section.

1. The applicant must submit a written application on forms furnished by the City, together with the appropriate filing fee, stating the reason for the proposed encroachment. Said application must contain the signature of the property owner or legal agent of the property owner where the encroachment is proposed or of the property that is adjacent to the right-of-way where the encroachment and joint use is proposed.

2. The applicant must provide a metes and bounds description indicating the exact location of the encroachment and a plot plan showing the nature of the improvements proposed within the encroachment area.
3. The application must include written documentation signed by all public utility companies, including the City of Colleyville Public Works Department, indicating their consent to the encroachment and joint use of the easement or right-of-way. All public utility companies must approve the encroachment request before any consideration is given by the City of Colleyville.
4. No notification of adjacent properties is required unless the City Manager, or designated official, determines that the encroachment or joint use has a direct impact on the adjacent properties.
5. An application requesting an easement encroachment may be approved by the City Manager or other designated official. Applications requesting a right-of-way encroachment require approval by the City Council.
6. Upon approval of the request, documents shall be filed in the Tarrant County Deed Records.
7. The application fee shall be set by separate ordinance approved by the City Council.

Section 8 – 190 Amendments to This Chapter

Reserved for listing of amendments to this Chapter.

Ord. Number	Date	Subject
O-00-1261	12/19/00	Incomplete Submittals / DRC Review
O-01-1280	08/08/01	Easement & right-of-way encroachments
O-06-1566	02/21/06	Comprehensive Chapter Revisions
O-14-1906	01/21/2014	Revisions to Approval Authority and Plat Classifications
O-17-2004	01/17/2017	Revisions to Approval Authority

Chapter 9

Subdivision Design & Public Facilities

Rev. 08/15/2017

Section 9.1 Purpose of This Chapter

The purpose of this Chapter is to establish design guidelines necessary for proper layout of a subdivision and to establish the public improvement requirements for the development of a subdivision, but more specifically to:

1. ensure that public facilities and services are available to all subdivisions in the City; and
2. establish reasonable standards of design for public facilities.

Section 9.2 Authorization for Adoption of This Chapter

The regulations contained in this Chapter have been adopted under the following authority:

1. *Chapter 212 – Municipal Regulation of Subdivisions and Property Development of the Texas Local Government Code*, which authorizes a municipality to adopt rules governing plats and subdivisions of land within the municipality's jurisdiction.
2. *Chapter 51 – General Powers of Municipalities of the Texas Local Government Code*, which authorizes a municipality to adopt ordinances, rules, or police regulations that are for the good government, peace, or the trade and commerce of the municipality.
3. *The Home Rule Charter of the City of Colleyville*, which authorizes the City Council to exercise all powers granted to municipalities by the Constitution or the laws of the State of Texas.

Section 9.3 Variances and Appeals

Any person seeking approval of a development as required by this Land Development Code may request a waiver from a requirement contained in this Chapter, or appeal a decision of an Administrative Official by submitting a request using the procedures described in *Chapter 1 – General Provisions* of this Land Development Code.

Section 9.4 Definitions

Definitions applicable to this Chapter may be found in *Chapter 2 – Definitions* of this Land Development Code.

Section 9.5 Subdivision Design Guidelines

Every subdivision plat shall be reviewed for conformance with the design guidelines contained in this Land Development Code. The City recognizes that suitability characteristics vary from site to site and when approving a subdivision plat the following guidelines shall be used for interpretation, application and enforcement of the design guidelines contained in this Land Development Code:

1. It is the intention of these subdivision design guidelines to encourage new and creative ways to develop subdivisions. Developers and city officials are encouraged to utilize new and innovative ways to improve safety, economy, tax yield, maintenance cost, response time, drainage, vehicular access, and pedestrian passage.

2. Whenever a developer can demonstrate an alternative method of meeting the requirements of this Land Development Code, it shall be incumbent upon the city staff, the Planning and Zoning Commission, and the City Council to review the proposed variations and approve, approve with modifications, or disapprove the proposed alternatives as appropriate for the conditions.

Section 9.6 Blocks

- A. General Design – Blocks should have sufficient depth to provide for two (2) tiers of lots of appropriate depths, except that blocks adjacent to major streets, railroads or waterways shall have only one tier of lots.
- B. Block Lengths & Widths – Residential and industrial blocks generally shall be no longer than sixteen hundred (1,600) feet and business blocks no longer than one thousand (1,000) feet. Where long blocks in the vicinity of a school, park or shopping center are proposed, the City Council may require a public walkway near the middle of long blocks or opposite a street that terminates between the streets at the ends of the block.

Section 9.7 Lots

- A. Lot Arrangement – Lots shall be arranged to provide access to lots from approved streets and to avoid foreseeable difficulties due to topography and natural physical features inherent to the property.
- B. Lot Area and Dimensions – Lot area and dimensions shall be consistent with the minimum requirements of the applicable zoning district and the following:
 1. Special Lot Width Requirement - The width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than eighty (80) percent of the required lot width. In the case of lots on the turning circle of a cul-de-sac, the width may be less than eighty (80) percent of the required lot width.
 2. The City may approve a plat which contains a lot that does not meet the minimum requirements when special conditions exist.
- C. Frontage on Public Access Required – All lots shall have frontage on a public street, except a non-residential lot may be approved when the proposed public access has been determined by City to be adequate to meet the intent of this requirement. The lot line common to the street right-of-way line shall be the front line; except that a lot may have more than one lot line common to a street right-of-way line.
- D. Access from Major Thoroughfares
 1. Residential Lots - No residential lot shall front on or derive access directly from an existing or proposed collector street, or larger, as shown on the Master Thoroughfare Plan, except where the proposed subdivision meets all the following criteria:
 - a. Where the only street frontage which may be provided to the residential lot is from a collector street due to the shape, topography, or other physical condition of the property;
 - b. The Director of Public Works or designee has provided favorable recommendation; and.
 - c. Where the residential lot is designed and dimensioned to permit loop driveways or on-site turnaround facilities so that vehicles head into the collector street.
 2. Non-residential Lots – Non-residential lots which have frontage onto or derive access directly from an existing or proposed collector street, or larger, as shown on the Master Thoroughfare Plan, shall have driveway locations which comply with the spacing requirements established elsewhere in Chapter 14 – Engineering Design Standards of this Land Development Code.

- E. Buildable Area – Every lot shall contain a buildable area that is adequate in size for the proposed development. The buildable area shall be situated out of the 100 year flood plain.
- F. Flag Lots Prohibited – It is the policy of the City to prohibit the creation of flag lots unnecessarily, and to discourage the creation of any lot which, by virtue of its relatively great depth in relation to its width, is likely to facilitate future requests for re-subdivision to create a flag lot.
- G. Building Lines – Front building lines shall be shown on all lots in the subdivision. Building lines shall be shown along each street-facing of corner lots and through-lots. The building line shall be consistent with the requirements of the applicable zoning district, however, the City may approve a building line which differs from the zoning requirements when special conditions exist.
- H. Side Lot Lines – Where possible, all side lot lines shall be at right angles to straight street lines and radial to curved street lines.
- I. Lot Drainage and Grading
1. Grading and drainage of all lots shall be designed in a manner which will allow one lot to drain across an adjacent lot and into a permanent structure, such as a concrete flume, lined channel, or proper inlet to an adequate drainage facility, or to a street right-of-way. If an approved drainage structure is not present, it will be required of the developer to construct the necessary facilities. (O-00-1261 / 12-19-00)
 2. Sheet flow techniques shall be used for lot to lot drainage where possible. (O-00-1261 / 12-19-00)
 3. Single lots shall accommodate their own drainage into an approved structure where topographic elevations allow this to occur. (O-00-1261 / 12-19-00)
 4. For lots that an approved engineered grading plan does not exist, the developer of the site shall submit a grading plan prepared by a licensed Professional Engineer.

Section 9.8 Waterbodies and Water Courses

If a tract being subdivided contains a water body, or portion thereof, lot lines shall be drawn so as to distribute the entire ownership of the water body among the adjacent lots. The City may approve an alternate plan provided the ownership of and responsibility for maintenance of the water body is so placed that it will not become a City responsibility. Where a watercourse separates the buildable area of a lot from the street by which it has access, provision shall be made for installation of a culvert or other structure, of design approved by the City. Any lot which includes a water body and contains a building site, shall contain a buildable area that is not less than the minimum buildable area for the applicable zoning district.

Section 9.9 Street Names

The developer shall submit all existing and proposed street names on any proposed subdivision plat. New street names shall be sufficiently different in sound and in spelling from other road names in the city so as to not cause confusion to the general public or for emergency response. A road which is, or planned, as a continuation of an existing road shall bear the same name.

Section 9.10 Reserve Strips and Common Areas

The creation of reserve strips shall not be permitted adjacent to a proposed street or to adjacent property in such a manner as to deny access from adjacent property to the street. No common areas shall be allowed in a subdivision except where notation has been placed on the plat to prohibit development on the common area.

Section 9.11 Double Frontage Lots

Double frontage ~~and reversed frontage~~ lots shall be avoided except where necessary to provide separation of residential development from a collector street or to overcome specific disadvantages of topography and orientation. The City ~~may~~ shall require that a notation be placed on the plat to limit the facing of main structures or to limit driveway access from a collector street ~~or arterial street as shown on the Master Thoroughfare Plan~~.

Commented [BB1]: Clarification to the language

Section 9.12 General Infrastructure Policy

(03-03-09 / 0-09-1712)

- A. General Requirement – The developer of a subdivision shall install all water, sewer, street, sidewalk and drainage improvements, and any other facilities required by this Land Development Code, which are necessary for the proper development of the subdivision. The design, construction and inspection of any public facilities shall be a cost to the developer, unless the City has entered into an agreement for cost sharing. All such facilities shall be designed and constructed in accordance with the criteria contained in this Land Development Code and be in conformance with the general layout of the City of Colleyville Master Land Use Plan and Capital Improvements Plan. The public facility requirement of this section shall be applicable to the upgrading of any existing facilities which do not meet current standards.
- B. Apportionment of Infrastructure Costs – As a condition of the approval of a development, the developer's portion of the costs may not exceed the amount required for infrastructure improvements that are roughly proportionate to the projected impact of the proposed development, as determined by a professional engineer, licensed in the State of Texas, and who is retained by the City of Colleyville.
1. In making the rough proportionality determination, consideration shall be given to the availability of adequate and minimum levels of public facilities and accessibility to the site for delivery of emergency services.
 2. The professional engineer making the proportionality determination may rely on categorical findings from comparable public improvement projects for establishing a cost basis. The basis used for determining estimated costs shall be revised annually on July 1 by the Colleyville Engineering Department.
 3. A developer who disputes the determination by said professional engineer may appeal to the City Council and present testimony and evidence in support of the appeal. The appeal shall be written and filed with the City Secretary within ten (10) days after the date action taken by the Planning and Zoning Commission on the development proposal. The developer shall not be required to waive the right to appeal as a condition of approval of the development project.
- C. Optional Escrow Provision – Where, in the opinion of the City, construction of a required public improvement should be deferred to a future date, the developer shall place in escrow with the City via Letter of Credit or cash, an amount equal to the estimated cost of the improvements, as determined by the the Director of Public Works or designee. The Planning and Zoning Commission or City Council may consider an alternate arrangement when appropriate. Any escrow related to the construction of sidewalks shall adhere to the requirements set forth in Section F.
- D. City Participation in Over-Sizing – Where over-sizing of a public improvement is required by the Comprehensive Master Plan, Thoroughfare Plan, Water or Sewer Capital Improvements Plan or other planning document adopted by the City, City participation shall be in accordance with the provisions of any applicable Impact Fee Ordinance or City-Developer Agreement, which has been approved by the City Council.
- E. Public Easements – All public improvements shall be constructed within easements or rights-of-way that have been dedicated for public use. The width of an easement or right-of-way shall be in accordance with the specifications contained elsewhere in this Land Development Code.
- F. Escrow Policy for Sidewalks

1. Request for Escrow

Whenever these regulations require a property owner to construct a sidewalk for a dwelling unit, the property owner may petition the City for deposit of an escrowed amount, as established in this Section, in lieu of the required construction of a sidewalk. The Director of Public Works or designee shall determine whether the escrow is reasonable in lieu of the obligation to construct the improvement. If an escrow request is denied, then the applicant may appeal that denial to the City Council if a written request for appeal is received by the Director of Public Works or designee within ten (10) days of the denial.

2. Deposit with the City

Whenever the City agrees to accept escrow deposits in lieu of construction by the owner of the property under these regulations, the property owner or developer shall deposit an amount equal to his share of the costs of design and construction in escrow with the City. This amount shall be paid prior to release of construction plans by the Director of Public Works. The obligations and responsibilities of the property owner shall become those of the property owner's transferees, heirs, successors, and assigns; and the liability therefore shall be joint and several.

3. Determination of Escrow Amount

The amount of the escrow shall be determined by using the average of the comparable bids awarded by the City in the preceding six (6) months for sidewalk design and construction or, if none exist, then current market value of the design and construction of a sidewalk in the City, to be determined by the Director of Public Works. The determination shall be based on reasonable current market value made as of the time the escrow is due.

4. ~~Use of Escrow Funds~~

Six (6) Sidewalk Districts are hereby established throughout the City. These districts shall share the same boundaries as the six (6) neighborhoods depicted on the Neighborhood Boundary Map in the 2004 – 2025 Colleyville Plan. The Sidewalk Districts are established so that sidewalk escrow funds will be expended within sufficient proximity to the dwelling unit that deposited the sidewalk escrow fee so as to reasonably benefit that dwelling unit. Funds escrowed pursuant to this Land Development Code shall be expended on design and construction of sidewalks located at any place within the same Sidewalk District as the dwelling unit depositing the sidewalk escrow fee.

Commented [BB2]: To be updated in near future

5. ~~Existing Escrow Funds~~

- ~~i. All funds currently escrowed in lieu of sidewalk construction before the effective date of this Ordinance are subject to expenditure under this Ordinance unless a written objection is filed by the owner of the lot for which the funds are escrowed, with the Director of Community Development within thirty (30) days after notice of this Ordinance is received. Notice of this Ordinance shall be sent to the current owner of the lot for which the funds are escrowed at the address listed in the most recent tax rolls of the City. If the person receiving notice under this subsection is not the current owner, then they must immediately notify the City of the person who purchased the property and provide the City with the address of that person.~~
- ~~ii. If an objection is filed pursuant to the previous subsection, the Director of Community Development shall decide, within thirty (30) days, if the circumstances involving the particular lot and surrounding Sidewalk District reasonably require a return of the escrowed funds. The owner of the lot may appeal the decision of the Director of Community Development by filing a written objection, explaining the owner's argument and requesting for a hearing before the City Council, with the City Secretary not later than ten (10) days after the Director of Community Development's decision. After hearing the lot owner's objections, City Council may either refund the escrowed money or deny the refund and order the funds to be used for future sidewalk construction on that lot or in that sidewalk district.~~

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~~iii. This Ordinance shall apply to any and all funds paid into the sidewalk escrow fund in lieu of sidewalk construction after the effective date of this Ordinance.~~

Section 9.13 Water System Requirements

- A. Water Lines – The developer of a subdivision shall be required to install, at no cost to the City, a water distribution system adequate for domestic supply and for fire protection needs which serves each lot. The water system shall be connected to the municipal water system and be designed, sized and constructed in accordance with the city design standards and specifications contained in this Land Development Code.
- B. Fire Hydrants – The developer of a subdivision shall be required to install, at no cost to the City, a sufficient number of fire hydrants to provide fire protection to every lot in the subdivision. All structures in residential areas shall have fire hydrants within 500 feet and a 600-foot hose-lay. All structures in commercial areas shall have fire hydrants within 300 feet and a 500-foot hose-lay. The design and construction of the fire hydrant system shall be in accordance with the city design standards and specifications contained in this Land Development Code. The layout of the fire hydrant coverage shall be approved by the Fire Marshal and be in accordance with the standards of the Texas State Board of Insurance requirements. (O-00-1261 / 12-19-00)

Section 9.14 Sewage System Requirements

- A. Sewage Collection Lines – The developer of a subdivision shall be required to install, at no cost to the City, a sewage collection system adequate which shall serve each lot. The sewage collection system shall be connected to the municipal sewage system and be designed, sized and constructed in accordance with the city design standards and specifications contained in this Land Development Code.
- B. Private Sewage Treatment Systems – Private sewage treatment systems, including septic tanks, shall be prohibited except where approved by the Director of Public Works or designee and the Tarrant County Health Department.

Section 9.15 Storm Water Facility Requirements

- A. Drainage Improvement Requirements – The developer shall provide for the design of storm water management in the proposed subdivision and shall be required to furnish, install, construct, or extend, at his own expense, all storm sewers and drainage structure facilities necessary for the proper development of the subdivision. Storm water facilities shall conform to the storm water drainage master plan and shall be designed in accordance with the design standards and specifications contained in this Land Development Code. Alternate earthen channels may be approved when in accordance with the criteria established in *Chapter 14 – Engineering Design Standards*.
- B. Drainage Easements – All public drainage facilities shall be constructed within a public drainage easement or drainage right-of-way as required by the City. The following statement of restriction shall be placed in the dedication instrument of the subdivision plat:

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

- C. Development of Flood Plain – Land within the 100-year flood plain shall be subject to the Colleyville Flood Plain Ordinance. Any land which in the natural state is subject to a 100-year flood or which cannot be properly drained shall not be subdivided, re-subdivided, or developed until receipt of evidence that the

construction of specific improvements proposed by the developer can be expected to yield a usable building site. Thereafter, the Planning and Zoning Commission and City Council may recommend approval of the plat. However, construction upon such land shall be prohibited until the specific improvements have been planned and construction completed.

D. Floodway Easements

1. Floodway easements shall be provided along natural drainage-ways and lakes reservations. Floodway easements shall encompass all areas beneath the water surface elevation of the base flood, plus such additional width as may be required to provide ingress and egress to allow maintenance of the banks and for the protection of adjacent property, as determined and required by the Director of Public Works or designee.
2. The following statement of restrictions shall be placed in the dedication instrument of the subdivision plat:

Floodway Easement Restriction: No construction shall be allowed within a floodway easement without the written approval of the City of Colleyville, and then only after detailed engineering plans and studies show that no flooding will result.

E. Off-Site Drainage – The following provisions shall be applicable to off-site drainage of new subdivisions:

1. The developer shall accept and be responsible for all runoff from properties upstream of the proposed development. The proposed improvements shall be designed for fully developed conditions.
2. Where a drainage study indicates that additional runoff from the developing property will overload downstream drainage facilities and result in hazardous conditions, the City may withhold approval of the development until appropriate provisions have been made. These provisions shall include any drainage design or construction plans necessary to accommodate the off-site drainage problem.

Section 9.16 Street Improvement Requirements

A. General Requirement – The developer shall construct, at his expense, street facilities necessary for the proper development of the subdivision. The street system shall provide access to every lot in the subdivision and be designed and constructed in accordance with the criteria contained in this Land Development Code.

B. Improvements to Existing Unimproved Streets and Utilities – This section is applicable to a proposed development situated adjacent to an existing street or municipal utility, which does not meet the standards contained in the Land Development Code. (O-06-1562 / 02-07-06)

1. Improvements Required – If a proposed subdivision is situated adjacent to an existing street or municipal utility, which does not meet the standards contained in this Land Development Code, the developer shall bear the cost for constructing the infrastructure improvements required by this Land Development Code in accordance with the General Infrastructure Policy contained elsewhere in the Land Development Code.

For the purpose of this regulation, the calculation used for estimating the reconstruction costs for an unimproved street shall include all street paving, curb and gutter, sidewalks, hike and bike trails, water and sewer utilities, and drainage improvements. The improvements shall be sized in accordance with the most recently approved Master Thoroughfare Plan or Capital Improvements Plan, which is applicable.

2. Escrow – The Administrative Official may recommend approval of a subdivision plat to the Approving Body conditioned upon the deposit in escrow, via Letter of Credit or cash, of the estimated costs of the

adjacent unimproved street and utility improvements in-lieu of the actual construction of said facilities. Any escrow, without interest, shall be applied against any assessment for improvements levied on such property, but shall not be deemed to release such property from liability for any future costs assessed which exceed the escrow.

3. **One and Two Lot Residential Subdivisions** – If a proposed residential subdivision contains only one or two lots and the developer does not own any contiguous property, in lieu of actual construction, the developer shall pay the applicable perimeter street costs in accordance with the General Infrastructure Policy contained elsewhere in this Land Development Code for the initial one hundred feet of street frontage. The applicable perimeter street costs shall be reduced 0.2% per linear foot of frontage in excess of one hundred feet, not to exceed fifty percent of the applicable additional street frontage.

Exemption: A lot platted under this Section that contains an existing single-family dwelling at the time a subdivision plat application is filed with the City and the lot is situated within a zoning district that allows single-family residential uses, said lot shall have an automatic exemption from the perimeter street costs, provided that existing perimeter street facilities are sufficient to assure the safe, effective and orderly movement of traffic in and about the subdivision and utility services are adequate to serve the development. The following notation shall be placed on the plat: *"Any future divisions of these lots will require full compliance with the unimproved street requirements applicable at the time of any subsequent re-platting."*

Section 9.17 Street Design Criteria

- A. **Street Functional Classification** – All streets shall be designed in accordance with the functional classification shown on the most recent version of the Master Thoroughfare Plan and the following:

Functional Classification of Streets	
Street Classification	Functions - Uses
Local	Carries traffic from residential and commercial areas to collector streets and interconnects individual sites. Local streets carry light traffic volumes and trips are of a short duration.
Collector Major Minor	Carries traffic from local streets to arterial streets. Uses served would include medium and high density residential, limited commercial facilities, elementary schools, some small offices and as direct access within industrial parks. Collector streets also carry heavy traffic to major commercial and industrial facilities from arterial streets. Uses would include office parks, industrial parks, and community level commercial facilities.
Arterial Major Minor	The main function of an arterial is to carry traffic from one urban area to another. The arterial streets serve the major activity centers of urbanized areas. An arterial street is used for longer urban trips and carries a high portion of the total traffic with a minimum of mileage.

- B. **Street Design**

1. **In-General** – Streets shall be designed with due regard to topography, with due consideration of the abutting uses, and the anticipated destination of traffic and traffic volumes at full development of the neighborhood. Where necessary to prevent traffic congestion and to ease the movement of vehicles to and from principal traffic generators, additional right-of-way width or other special design shall be provided. Where topographical conditions make other treatment necessary to secure the best overall design, these standards may be modified by the Director of Public Works or designee..
2. **Street Continuity** – The street layout shall provide for the continuation of the collector street system as shown on the Master Thoroughfare Plan. Streets shall provide connection to streets in adjacent subdivisions, but local streets shall be designed so as to discourage use by through traffic and to require the minimum number of streets necessary for convenient and safe access to property.

3. *Curvilinear Streets Encouraged* - The developer is encouraged to consider curvilinear, cul-de-sac, and loop street designs where such use would result in a more functional layout and not necessarily adhere to a rigid rectangular street pattern.
4. *Right-of-way Widths* - Every subdivision plat shall dedicate sufficient right-of-way to comply with the requirements of the Master Thoroughfare Plan. The right-of-way widths shall be designed for the intended use and anticipated traffic volume at optimum development of the area served. Additional right-of-way may be required at street intersections and to provide for left and right turn lanes at high-volume intersections.
5. *Cul-de-sac Lengths* - No street shall be designed as a permanent dead-end street, but shall be designed to incorporate a cul-de-sac which complies with this Section. (O-00-1261 / 12-19-00)
 - a. *Diameter* - A cul-de-sac street shall be provided at the closed end with a minimum property line right-of-way diameter of one hundred feet, and a pavement turn-around with a minimum outside diameter of eighty feet (80'). (O-00-1261 / 12-19-00)
 - b. *Length* - No cul-de-sac street shall exceed six hundred feet (600') in length, unless additional right-of-way width and additional pavement width are provided as required in this Section. Furthermore, no cul-de-sac street shall exceed the maximum length of one thousand two hundred feet (1,200'). For purpose of this regulation, cul-de-sac length shall be measured along the centerline of the cul-de-sac from the intersecting street right-of-way line to the center point of the cul-de-sac. (O-00-1261 / 12-19-00)
 - c. *Width* - A cul-de-sac street shall have a minimum right-of-way width of fifty feet (50') and a minimum pavement width of thirty-one feet (31'), back-to-back of curb. However, a cul-de-sac street which exceeds six hundred feet (600') in length shall have a minimum right-of-way width of fifty-six feet (56') and minimum pavement width of thirty-six feet (36'), back-to-back of curb. (O-00-1261 / 12-19-00)
 - d. *Maximum Number of Lots* - The maximum number of single-family lots served on a cul-de-sac street shall be as shown in the following table: (O-00-1261 / 12-19-00)

Maximum SF Residences Served on Cul-de-sac	
District	Max. Number of Lots Served
AG	5
RE	5
R-40	10
R-30	10
R-20	12
R-15	12
PUD-R	12

- e. *Temporary Turn-Around* - A temporary turn-around is required when a street is temporarily dead-ended and is longer than one hundred and fifty (150) feet, as measured from the intersecting street right-of-way line. The temporary turn-around shall be within a temporary easement and constructed of asphalt or concrete. (O-00-1261 / 12-19-00)
6. *Temporary Dead-End Streets* - Temporary dead-end streets shall have provision for future extension of the street and utilities and, if a temporary cul-de-sac is utilized, a reversionary right to the land abutting the turnaround for excess right-of-way shall be provided.
7. *Stub-outs for Future Extensions* - Permanent dead-end roads shall not be allowed. The street layout shall be extended to the tract boundary to provide for future access into adjoining tracts to assure adequate neighborhood circulation, unless 1) prevented by topography or other physical conditions, or 2) unless, the Planning and Zoning Commission-City Council determines that the extension is neither

not necessary for future development of adjacent tracts. In general, these extensions should be not more than one thousand (1,000) feet apart.

8. **Pavement Required** - All street surfaces within or abutting the proposed subdivision shall be paved, with curbs and gutters installed, and constructed in accordance with the standards and specifications contained elsewhere in this Land Development Code.
9. **Frontage Access Road** - Where a subdivision abuts or contains an existing or proposed collector street or railroad right-of-way or abuts a commercial or industrial land use, the City may require a frontage street approximately parallel to and on each side of such right-of-way to separate through and local traffic, or reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with rear service alleys, or equivalent treatment as may be necessary for adequate protection of residential properties.
10. **Half Streets** - Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations, and where the ~~Planning and Zoning Commission~~ **City Council** finds it will be practicable to require the dedication of the other half when the adjoining land is subdivided, the other half of the street shall be platted within such tract.
11. **Number of Subdivision Entryways** – Every subdivision shall be designed to provide sufficient access into the development to accommodate anticipated traffic demands and to provide for emergency public services using the criteria contained in this Section. *(O-01-1280 / 08-08-01)*
 - a. Where a proposed subdivision, or cul-de-sac street, contains more than twelve (12) lots, the development shall provide for two entryways as follows:
 - i. The development shall provide one street entryway and one emergency access easement. The emergency access easement shall be located on an adjacent or opposite side of the subdivision from the main entryway. The widths of the right-of-way and driving surfaces of the street entryway and the emergency access easement shall be in accordance with the standards contained elsewhere in this Land Development Code, or
 - ii. The development shall provide two street entryways separated not less than one-hundred feet between the centerlines of the driving surfaces. The widths of the right-of-way and driving surfaces of the two entryways shall be in accordance with the standards contained elsewhere in this Land Development Code, or
 - iii. The development shall provide a divided entryway and one emergency access easement. The driving surfaces of the divided entryway shall be separated by a median not less than ten (10) feet in width and provide for one-way traffic. The widths of the right-of-way and driving surfaces of the divided entryway shall be in accordance with the standards contained elsewhere in this Land Development Code. The emergency access easement shall be located on an adjacent or opposite side of the subdivision from the main entryway and be constructed in accordance with the standards contained elsewhere in this Land Development Code.
 - b. If it is physically impractical or otherwise impossible to provide two entryways or to incorporate an emergency access easement into the development in accordance with the above stated requirements, the following alternative may be considered by the approving body:
 - i. A single pavement width of forty-one (41) feet shall be constructed. Said pavement shall extend back from the intersecting street right-of-way a minimum distance of one-hundred (100') feet. All residences within the subdivision shall contain automatic fire-sprinkler systems.
 - c. If it is physically impractical or otherwise impossible to comply with the above-stated requirements, an alternative design may be submitted to the City Council for consideration. The approving body

may approve the alternate design if it finds that the above-stated requirements can not be satisfied and that all efforts have been made by the developer to comply with said requirements.

12. **Reverse Curves** - Between reverse curves there shall be a tangent section of centerline not less than one hundred feet (100') long.

C. **Intersections**

1. Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new streets at an angle of less than seventy-five (75) degrees shall not be acceptable.
2. Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersections on the opposite side of such street. Not more than two (2) streets shall intersect at any one point unless specifically approved by the City.
3. Street jogs with centerline offsets of less than one hundred thirty-five (135) feet shall not be permitted.
4. Local streets intersecting a collector street or larger shall have a tangent section of centerline at least fifty (50) feet in length measured from the right-of-way line of the collector street; however, no such tangent is required when the minor street curve has a centerline radius greater than four hundred (400) feet with the center located on the collector street right-of-way line.
5. At local street intersections, the property line corner shall be rounded by an arc having a radius of twelve (12) feet. This radius shall be increased when the smallest angle of intersection is less than eighty (80) degrees. At intersections of streets with major and collector streets the property line corners shall be rounded by an arc having a radius of twenty-five (25) feet. The Director of Public Works or designee may approve comparable cut-offs or cords in place of rounded corners.
6. Where practical, spacing of intersections along collector streets shall be at least 500 feet apart.

- D. **Alleys** – Alleys shall be provided in commercial and industrial districts and at the rear of multifamily residential building sites for adequate circulation. Where approved by the Fire Marshal, an emergency access easement not less than twenty-four feet (24') in width shall be provided for emergency vehicle access in lieu of any alley. Alleys should intersect streets at right angles or radially to curved streets where sharp changes in alignment cannot be avoided. Property line corners shall be cut off fifteen feet (15') on each side to permit safe vehicular movement. Dead-end alleys shall be prohibited except where prior development of land adjoining the subdivision permits no other reasonable design; under such circumstances alleys shall be provided with turnaround or back-around facilities at the dead-end adequate to permit clear maneuvering of sanitation trucks, utility service vehicles and emergency vehicles. Alleys shall be not less than the following widths:

1. Twenty feet (20') where residential building sites are provided on both sides;
2. Twenty-two feet (22') wherever residential development abuts commercial or industrial areas;
3. Twenty-four feet (24') where commercial or industrial development abuts on both sides.

Section 9.18 Easements

- A. **Easements** – Easements for drainage and utility construction, service, and maintenance shall be provided in locations approved by the City and affected utilities according to the following standards:

1. Easement for the use of public utilities of not less than seven and one-half (7.5') feet in width shall be provided on each lot and extend along the entire length of the rear property line. Easements shall connect with easements already established on adjoining properties or extend to connect with a public right-of-way. No lot shall be shown with an easement which prevents proper development and full utilization of the lot as a suitable building site for the intended zoning district.

2. For lots of more than two hundred (200) feet deep, the utility easement shall be not less than sixteen (16) feet wide.
3. The width of any drainage easement shall be determined by the Director of Public Works or designee or in accordance with the need for drainage improvements established by any drainage study.
4. All utility easements shall be dedicated as utility and/or drainage easements.
5. When an easement is granted for public purposes as a separate instrument, the following statement of restrictions shall be placed in dedication instrument:

Utility Easements

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

- B. Easements Adjacent to State Highways – When a proposed water or sewer line or drainage facility will be placed adjacent to a public road maintained by the Texas Department of Transportation, a separate specific use easement shall be provided for each utility or drainage facility.
- C. Emergency Access Easements – Emergency access easements shall have a clear unobstructed width to accommodate a pavement section of not less than twenty-four (24) feet in width. The emergency access easement shall connect at each end to a dedicated public street or shall have a suitable size turnaround at the dead-end, and appropriate turning space at inside corners to permit free movement of emergency vehicles. An emergency access easement may be used as a driveway to gain access to parking or loading spaces, but shall not be used for parking. All emergency access gates shall provide for an opening of not less than twenty four (24) feet wide by fourteen (14) feet in height and include a locking and opening mechanism acceptable to the Fire Department. (03-20-07 / O-07-1613)
- D. Mutual Access Easements (O-02-1336 / 04-16-02)
 1. *Purpose* – The purpose of this requirement is to provide public access to adjacent properties by reducing the number of driveway cuts and potential traffic accidents on adjacent streets.
 2. *Applicability* – This Section shall be applicable to properties abutting and that may derive access from a Collector Street or Arterial Street as shown on the Master Thoroughfare Plan.
 3. *Requirement* – The City shall require the dedication of a mutual access easement to provide cross access to adjacent properties or shared use of a driveway to conform with the minimum driveway standards contained in Chapter 14 of this Land Development Code.
 4. *Easement Dimensions* – Easements for shared driveway shall be 16 feet in width and 35 feet in length, but may vary given the shape of the particular tract. Easements extending across the entire width of the property shall not be less than 24 feet in width.

Section 9.19 Private Utilities

- A. Newly Installed Utilities Required to be Underground (O-17-2015 / 08-15-17)
 1. All newly installed gas, electric, telephone utilities, street lighting, cable television, and fiber lines shall be underground except where conditions do not warrant underground installations and as approved by the City Council.

2. All electric, telephone, cable, and fiber utilities shall be placed in the rear easement. Mechanical equipment, transformers, and other visible installations will not be permitted in the front yards of any lots.
3. All support equipment (transformers, amplifiers, switching devices, etc.) necessary for underground installations shall be pad mounted or placed underground. Nothing in this section shall restrict or prohibit the placement, erection, or construction of street lighting poles or standards above ground, provided all lines and wires used to provide such lighting are placed underground.
4. All above ground equipment shall be screened from public view, in such a manner that the ground equipment cannot be seen from a public right-of-way. Said screening shall be completed at the time of installation by the utility company and/or developer.
5. Where existing overhead service or lateral/distribution utilities lines are located within the land proposed for development and the lines must be relocated to accommodate the development, the developer is responsible for relocation and placement of the lines underground.
6. All new service lines shall be placed underground.
7. Overhead services will not be permitted to cross public rights-of-way. All such crossings of a right-of-way will be required to be completed by methods as approved by the city.
8. Temporary construction service may be provided by overhead electric lines and facilities without obtaining a variance or exception, provided that when the underground utility service to any portion of a subdivision is completed, such overhead electric lines and facilities are promptly removed.

Section 9.20 Traffic Impact Analysis

When a proposed subdivision plat is estimated to generate more than 1,000 vehicle trips per day, a traffic impact analysis shall be required with the earliest submittal of a plat application. The traffic impact analysis shall be prepared in accordance with the requirements of the Director of Public Works or designee. The purpose of the traffic impact analysis is to determine the need for traffic mitigation measures which may include, but are not limited to, dedication of additional right-of-way, construction of turning lanes, or construction of traffic control facilities. This requirement may be waived when a traffic impact analysis was submitted at the time the current zoning was adopted and the traffic impact analysis is less than one year old. Any mitigating measures required shall be the responsibility of the developer, unless a cost-sharing agreement is approved by the City.

Section 9.21 Sidewalks

A. General Sidewalk Requirement

1. Sidewalks shall be constructed prior to completion of any primary structure for all lots that: (1) are required as part of a Planned Unit Development or Special Use Permit; or, (2) front on a new street dedicated in conjunction with a subdivision plan; or, (3) front on an existing City Street. Other than properties zoned as Planned Unit Developments or containing Special Use Permits with specific sidewalk provisions, sidewalks shall be required to be constructed prior to the final inspection. Any variance to the sidewalk construction requirements described above shall be considered by the City Council.
2. The sidewalks shall be constructed adjacent to and within the public street right-of-way and include curb ramps where applicable. Where no public right-of-way exists, the sidewalk shall be located within a public access easement that provides accommodation of the future street right-of-way dedication. When a subdivision is proposed with a masonry or other permanent perimeter screening wall adjacent to a street, the sidewalk shall be constructed by the developer at the same time as the screening wall. All sidewalks shall conform to the standards and specifications contained in this Land Development Code.

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3. When circumstances exist wherein it is not practical to construct a sidewalk, the developer may be afforded the opportunity to escrow funds in an amount sufficient to pay for the construction of a sidewalk at some future date.
4. The issuance of a building permit is contingent on the written commitment of the applicant to construct a sidewalk or pay the required escrow amount.

B. Trails System Sidewalks – When a proposed sidewalk coincides with the general location of a future sidewalk shown in the most recently approved Colleyville Trails System Plan, the sidewalk shall be constructed in accordance with the design standards for a trails system sidewalk. The standards and specifications for a trails system sidewalk are contained elsewhere in this Land Development Code. The developer shall be required to provide additional street right-of-way dedication or a public access easement of sufficient width to accommodate the trails system sidewalk. Where the trails system sidewalk will be located at the rear or to the side of a lot, such as within a green-belt or similar open space, the developer shall provide sufficient right-of-way or public access easement to accommodate the sidewalk.

Section 9.22 Street Lighting

A. General Requirements – The developer shall be required to install, at no cost to the City, a street lighting system at all street intersections, at the end of all cul-de-sac streets, and at additional locations in accordance with the criteria contained elsewhere in *Chapter 14 – Engineering Design Standards* of this Land Development Code. All City Lighting shall be consistent with standard light pole ONCOR Texas Style Pole D with Luminaire F with a Finial Band. Any variance from this standard requires written approval from the Director of Public Works or designee.

Section 9.23 Amendments to This Chapter

Ord. Number	Date	Subject
O-00-1261	12/19/00	Cul-de sac street lengths
O-00-1261	12/19/00	Lot Drainage and Grading
O-00-1261	12/19/00	Fire Hydrants
O-00-1261	12/19/00	Divided Entryways
O-00-1280	08/08/01	Number of Subdivision Entryways
O-00-1214	12/18/01	Existing Unimproved Street Requirements
O-02-1336	04/16/02	Mutual Access Easements
O-06-1562	02/07/06	General Infrastructure Policy
O-07-1613	03/20/07	Emergency Access Gates
O-09-1712	03/03/09	Amendment to sidewalk regulations – Sections 9.12 and 9.19
O-12-1860	01/08/13	Amendment to sidewalk regulations adding appeal process to the City Council from the P&Z
O-14-1907	02/18/14	Amendment to Sidewalk Regulations & General Update
O-17-2015	08/15/17	Underground Utility Requirement

ORDINANCE O-18-2057

AMENDING CHAPTER 6 – COMMERCIAL DESIGN STANDARDS, CHAPTER 8 – PLAT REVIEW PROCEDURES AND CHAPTER 9 – SUBDIVISION DESIGN & PUBLIC FACILITIES OF THE LAND DEVELOPMENT CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

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

WHEREAS, the City of Colleyville desires to amend Chapter 6 – Commercial Design Standards, Chapter 8 – Plat Review Procedures and Chapter 9 – Subdivision Design & Public Facilities of the Land Development Code as part of a comprehensive review of the Land Development Code; and

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

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

- Sec. 1. THAT *Chapter 6 – Commercial Design Standards, Chapter 8 – Plat Review Procedures and Chapter 9 – Subdivision Design & Public Facilities* of the Land Development Code are hereby amended to read as depicted in the attached Exhibits "A", "B" & "C".
- Sec. 2. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 3. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

- Sec. 4. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 5. THAT this ordinance shall take effect immediately from and after its passage.
- Sec. 6. THAT all other provisions of the Land Development Code shall remain in full force and effect, except as amended herein.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 21st day of August 2018.

The second reading and public hearing being conducted on the 4th day of September 2018.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 4TH DAY OF SEPTEMBER 2018.

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

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt L. Wyatt
City Attorney

Exhibit “A”

{Chapter 6}

Exhibit “B”

{Chapter 8}

Exhibit “C”

{Chapter 9}



City of Colleyville City Council Agenda Briefing

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

Agenda Number 8a

Agenda Date 08/21/2018

Number Ordinance O-18-2053

Type Ordinance

Department Community Development

Title

Consideration of amendments to the Land Development Code, specifically Chapter 1 – General Provisions and Chapter 4 – Landscaping and Buffering

Strategic Plan

4.3 Adopt best-practice planning and development processes

Explanation

Second Reading and Public Hearing

This item remained tabled at the August 7, 2018 City Council Meeting.

This item was tabled at the July 17, 2018 City Council Meeting.

At the July 2, 2018 City Council Meeting, there was extensive discussion regarding the notification boundaries, the Land Development Code and Building Codes, and the scope and authority of the Zoning Board of Adjustment.

First Reading and Public Hearing

The City Council had instructed staff to review and propose amendments to each chapter within the City's Land Development Code (LDC). City staff has already reviewed the attached chapters with the City Council at their recent worksession meetings. The process for adopting amendments to the LDC include formal review and recommendation by the Planning and Zoning Commission followed by formal review and approval by the City Council.

The attached chapters are the beginning of the formal adoption process. The remaining chapters will be brought forward over the next several months until the entire Land Development Code has been reviewed.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval of the amendments with modifications at their June 11, 2018 meeting by a vote of 5-0.

Financial Impact

There is no fiscal impact for this item.

Recommendation

Approve

Attachments

1. Attachment "A" - Ch. 01 General Provisions - Redline v6 (08.13.18)
2. Attachment "B" - Ch. 04 Landscaping and Buffering - Redline v3 (06.22.18)
3. Ordinance - O-18-2053 Amendments to Chapter 1 & Chapter 4

Chapter 1

General Provisions

Rev. 05/04/2010

Section 1.1 Title

This document shall be known and may be cited as the Land Development Code of the City of Colleyville, Texas.

Section 1.2 Applicability

The provisions of this Land Development Code shall apply to all lots, parcels of land, rights-of-way, buildings and structures located within the Corporate Limits of the City of Colleyville.

Section 1.3 Authorization for Adoption of This Land Development Code

The regulations contained in the various chapters of this Land Development Code have been adopted upon approval of an ordinance, after public hearing, by the City Council of the City of Colleyville in accordance with the authority described within each chapter and the following:

1. *Chapter 51 – General Powers of Municipalities of the Texas Local Government Code*, which authorizes a municipality to adopt ordinances, rules, or police regulations that are for the good government, peace, or the trade and commerce of the municipality; and.
2. *The Home Rule Charter of the City of Colleyville*, which authorizes the City Council to exercise all powers granted to municipalities by the Constitution or the laws of the State of Texas.

Section 1.4 Purpose of the Land Development Code

The purpose of this Land Development Code is to promote the health, safety, and general welfare of the community and to:

1. combine zoning, subdivision and other regulations into a single document that can be used for development of property and public facilities in Colleyville, Texas;
2. establish reasonable standards of design and procedures for subdivisions in order to further the orderly layout and use of land, and to ensure proper legal descriptions of subdivided land;
3. provide that the cost of improvements which primarily benefit the tract of land being developed be borne by the owners or developers of the tract and that the cost of improvements which primarily benefit the entire community be borne by the community as a whole; and
4. avoid overlapping, conflicting or inconsistent regulations found in land use control systems consisting of separate zoning, subdivision, and other ordinances.

Section 1.5 Purpose of This Chapter

The purpose of this Chapter is to:

1. establish rules, regulations and procedures for the administration of this Land Development Code and to establish the process for amending this Code;

2. establish regulations which describe the process for considering waivers, variances and appeals regarding this Land Development Code; and
3. establish specific boards and commissions responsible for considering requests for a waiver or variance from a regulation or to hear an appeal of a decision of an Administrative Official authorized to enforce and administer this Land Development Code.

Section 1.6 Administration and Enforcement

The provisions of the Land Development Code shall be administered, interpreted and enforced by the City Manager, his designee, or by the administrator designated within this Code.

Section 1.7 Fees

The schedule of fees and charges associated with application filing, processing, plan review, or any other fee required by provisions of this Land Development Code, shall be established by the City Council. Furthermore, until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal authorized by this Land Development Code. Fees required by this Land Development Code shall not be refundable, except where a specific provision provides for refunding.

Section 1.8 Compliance Required

All land, buildings, structures or appurtenances thereon located within the City which are hereafter occupied, used, erected, altered or converted shall be used, placed and erected in conformance with the regulations prescribed herein. In their interpretation and application, the provisions of these regulations shall be construed to be the minimum requirements for the promotion of the public health, safety, convenience, comfort, morals and general welfare. Land used in meeting the requirements of this Land Development Code with respect to a particular use or building shall not be used to meet the requirements for any other use or building. No approval, authorization to proceed, or issuance of any certificate or permit shall be construed as an approval of a violation of the provisions of this document or of other ordinances of the City of Colleyville. Certificates presuming to give authority to violate or cancel the provisions of this document or of other ordinances of the jurisdiction shall be void.

Section 1.9 Certificate of Occupancy Required

1.9.A CERTIFICATE REQUIRED PRIOR TO OCCUPANCY

No building, or portion thereof, or parcel of land shall be occupied or used until a certificate of occupancy has been issued by the City. Furthermore, no non-residential building, or portion thereof, or parcel of land shall change in use or occupancy until a certificate of occupancy has been issued by the City. A current certificate of occupancy is required on all land, buildings, or portions thereof except non-habitable accessory buildings. Failure to comply with this provision may result in the issuance of a citation and/or constitute basis for denial of or disconnection from City utilities or to require a franchised utility company to do likewise.

1.9.B CONNECTION TO UTILITIES

No connection to the City utility systems shall be allowed unless and until a certificate of occupancy has been issued by the City Inspector. However, temporary connection of utilities for a specified duration may be authorized by the City Inspector for the purpose of clean up, construction or other such purposes.

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	See Section 1.13	N/A	See Section 1.16	N/A	N/A
Chapter 4 – Landscaping & Buffering	N/A See Section 4.4	N/A See Section 4.4	N/A	N/A	See Section 4.6 N/A
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 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 Master Thoroughfare Plan. The City Council may approved, 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.

C. The City Council shall have the authority to take action relative to the continuance or discontinuance of a nonconforming use. The City Council has jurisdiction to:

1. Initiate on its motion or cause presented by interested property owners an action to bring about the discontinuance of a nonconforming use in accordance with the following:
 - a. Require the discontinuance of a nonconforming use under any plan whereby full value of the structure can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this ordinance.
2. Permit the change of occupancy of a nonconforming use to another nonconforming use in accordance with the provisions of Chapter 3 – Land Use of this Land Development Code.
3. Permit the enlargement of a nonconforming use in accordance with the provisions of Chapter 3 Land Use of this Land Development Code.
4. Permit the reconstruction of a nonconforming structure or building on the lot or tract occupied by such building, provided such reconstruction does not, in the judgment of the Board, prevent the return of such property to a conforming use or increase the nonconformity of a nonconforming structure and provided that such actions conform to the non-conforming provisions of Chapter 3 – Land Use of this Land Development Code.

B-D. Major Variances: Permit such variance of the front yard, side yard, rear yard, lot width, lot depth, coverage, minimum sidewalk or setback standards, or visibility obstruction regulations where the literal enforcement of the provisions of this ordinance would result in an unnecessary hardship, and where such variance is necessary to permit a specific parcel of land which differs from other parcels of land in the same district by being of such restricted area, shape or slope that it cannot be developed in a manner commensurate with the development permitted upon other parcels of land in the same district. A modification of the standards established by this ordinance shall not be granted to relieve a self-created or personal hardship, nor for financial reason only, nor shall such modification be granted to permit any person a privilege in developing a parcel of land not permitted by this ordinance to other parcels of land in the district. A deviation greater than ten percent (10%) of a regulation shall be considered a major variance request.

Commented [BB1]: Move jurisdiction from ZBA and give to City Council

Commented [BB2]: Major variances (over 10% deviation) to be heard by City Council.

Section 1.14 Waivers and Appeals – Planning and Zoning Commission

Where specifically provided for in this Land Development Code, the Planning and Zoning Commission shall have the authority to consider a waiver or to hear and decide an appeal from an administrative decision on a regulation. The Planning and Zoning Commission 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.

Section 1.15 Waivers and Appeals – Sign Board of Appeals

Note: Section 1.15 replaced in its entirety. (Ord. O-03-1414 / 09-02-2003)

- A. Creation of Sign Board of Appeals – There is hereby created a Sign Board of Appeals consisting of five (5) members and two (2) alternate members, each to be appointed by the Council for a two year term, or until a successor is appointed. Three members of the Board and one (1) alternate member shall be selected in even numbered years and two members and one (1) alternate member in odd numbered years. In the event of a vacancy, the Council shall appoint a member to serve for the unexpired term. Alternate Board members shall serve in the absence of regular members. The Sign Board of Appeals shall consist of the same members and officers as the Zoning Board of Adjustment.

- B. Authority of the Sign Board of Appeals – The Sign Board of Appeals shall have the authority to hear and decide on requests for a variance from the requirements contained in *Chapter 7 – Sign Regulations* of this Land Development Code. The Sign Board of Appeals shall also have the authority to hear and decide an appeal of an administrative decision on a regulation contained in *Chapter 7 – Sign Regulations* of this Land Development Code. The authority established under this paragraph shall be applicable to a definition contained in *Chapter 2 – Definitions* of this Land Development Code required for the administration and enforcement of the provisions of *Chapter 7 – Sign Regulations*.
- C. Quorum and Organization – Four members of the Sign Board of Appeals shall constitute a quorum. In the event of the absence of the Chairman and Vice-Chairman, the four members constituting the quorum shall elect for that meeting a member to preside as Acting Chairman and to assume all duties of the Chairman.
- D. Meetings, Hearings and Rules of Procedures – The Board shall adopt rules of procedure for the conduct of its meetings. Meetings shall be held at the call of the Chairman or at such times as the Board may determine. All meetings and hearings shall be open to the public and shall be conducted in accordance with the procedure set forth in these regulations and the rules of procedure adopted by the Sign Board of Appeals. Such rules of procedure may be amended by the Sign Board of Appeals membership. The minutes of the meetings shall be recorded, showing the vote of each member upon the question, and shall be made a matter of public record. The concurring vote of four members of the Board shall be necessary to render a decision on any matter before the Board. The Sign Board of Appeals shall meet monthly, provided there has been an appeal or request for variance filed with the Building Administrative Official on or before the last date to receive applications prior to the scheduled meeting date. The Building-Administrative Official shall publish a calendar establishing such final application dates.
- E. Variance – A person may request a variance from a requirement contained in *Chapter 7 – Sign Regulations* by filing said request with the building official Administrative Official. A request for a variance shall be accompanied by a non-refundable filing fee. The filing fee shall be established by separate ordinance by the City Council. A request for variance shall be referred for consideration to the Sign Board of Appeals. In considering a request for a variance, the Sign Board of Appeals shall consider, among other things, the degree of variance, the reason for the variance requested, the location of the variance request, the duration of the requested variance, the effect on public safety, the protection of neighborhood property, the degree of hardship or injustice involved, and the effects of the variance on the general plan of regulation of signs within the City.
- F. Fees – No action shall be taken on any application submitted to the Sign Board of Appeals until all applicable fees have been paid in full. No refund of any application fee shall be made after the request has been advertised and scheduled for consideration by the Board.
- G. Public Hearing and Written Notification – No action to approve or deny any application shall be taken until the Board has held a public hearing and received comment, and only after written notice of the public hearing of the date, time and place where the variance request is to be considered has been sent to the owners of real property lying within ~~two hundred five hundred (200500)~~ feet of the property and all Home Owner's Associations (HOA's) lying within one thousand (1,000) feet of the property where the application is being considered. Such notice shall be given to each property owner as listed on the last approved tax roll not less than fifteen (15) days before the date set for hearing by depositing letters properly addressed and postage paid in the United States Post Office.
- H. Appeal to City Council – The decision by the Sign Board of Appeals shall be final, unless the applicant submits a written notice of appeal within ten (10) days from the date of the action by the Board. The enforcement official shall re-notify all property owners lying within ~~two hundred five hundred (500) feet of the property and all Home Owner's Associations (HOA's) lying within one thousand (1,000) feet of the property (200) feet of the area~~ being considered and place the applicant's appeal request on the next available agenda for consideration by the City Council.

Commented [EW3]: Provision should not list a specific position

Commented [EW4]: Provision should not list a specific position

Commented [BB5]: Increased for more notification coverage; several locations in this chapter

Commented [BB6]: Increased for more notification coverage; several locations in this chapter

Section 1.16 Variances & Appeals – Zoning Board of Adjustment

The Zoning Board of Adjustment shall have the authority to consider requests for a variance of a zoning regulation or to hear an appeal from an administrative decision on a regulation in *Chapter 3 – Land Use Regulations*; *Chapter 4 – Landscaping and Buffering*; and *Chapter 6 – Building Design (except for requests regarding tree mitigation requests which are considered by the Planning and Zoning Commission)*. The Zoning Board of Adjustment shall additionally have the authority to consider requests for an interpretation of any regulation or definition contained in this Land Development Code. The rules and procedures contained in this section shall be applicable to such request.

Commented [BB7]: Authority for Chapter 6 is the P&Z Commission

1.16.A. A ZONING BOARD OF ADJUSTMENT ESTABLISHED

A Zoning Board of Adjustment is hereby established, which shall consist of five (5) members and two (2) alternates, each to be appointed for a two (2) year alternate term by the City Council. All vacancies occurring on the Zoning Board of Adjustment shall be filled by appointment by the City Council. Each year after a new term begins members shall elect a Chairman and Vice-Chairman, a new term beginning at the first meeting in October. Members of the Zoning Board of Adjustment may be removed from office by the City Council for cause upon written charges and after a public hearing. Vacancies shall be filled by resolution of the City Council for the unexpired term of the member affected. The City Council shall appoint two (2) alternate Board members to serve in the absence of regular members.

1.16.B. B PROCEEDINGS

The Zoning Board of Adjustment shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this ordinance. Meetings shall be held at the call of the Chairman or Vice-Chairman and at such other times as the Board may determine. The Chairman, or in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

Said Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be made a matter of public record and be immediately filed in the office of the City and maintained by the person acting as City Secretary.

1.16.C. C HEARINGS; APPEALS; NOTICE

Appeals to the Zoning Board of Adjustment concerning interpretation or administration of a regulation may be taken by any person aggrieved or by any officer, agency, department or commission of the governing body of the City affected by any decision of the Administrative Official. Such appeals shall be taken within a reasonable time, not to exceed fifteen (15) days or such lesser period as may be provided by the rules of the Board, by filing with the Administrative Official on behalf of the Zoning Board of Adjustment a notice of appeal specifying the grounds thereof. The Administrative Official shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.

The Board shall fix a reasonable time for the hearing of an appeal, give public notice thereof as well as written notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by an agent or attorney.

1.16.D. STAY OF PROCEEDINGS

An appeal stays all proceedings in furtherance of the action appealed from, unless the Administrative Official from whom the appeal is taken certifies to the Zoning Board of Adjustment after the notice of appeal is filed with him the official that, by reason of facts stated in the certificate, a stay would, in his the official's opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a court of record on application, on notice to the Administrative Official from whom the appeal is taken, and on due cause shown.

1.16.E. JURISDICTION OF ZBA

When in its judgment the public convenience and welfare will be substantially served, the Zoning Board of Adjustment may issue appropriate orders to the Administrative Official to guard against future error; and to promulgate appropriate procedures in addition to that under which the Administrative Official already operates. When the appropriate use of the neighboring property will not be substantially or permanently injured, the Zoning Board of Adjustment may in specific cases, after public notice and public hearing, (subject to appropriate conditions and safeguards and in accordance with Section 211.009, Local Government Code, V.T.C.A.), authorize the following appeals and variances ~~and special exceptions to the regulations herein established and take action relative to the continuance or discontinuance of a nonconforming use.~~ Thus, the Zoning Board of Adjustment has jurisdiction to:

1. Hear and decide appeals where it is alleged there is error on any order, requirement, decision or determination made by the Administrative Official in the enforcement of this code.
2. Interpret the intent of the Zoning District Map where uncertainty exists because the physical features, on the ground vary from those on the Zoning District Map and none of the rules set forth in *Chapter 3 – Land Use, Section 3.5.C - "Rules For Interpretation of District Boundaries"* apply.
3. ~~Approve the use of a lot or lots in a residential district contiguous to (even if separated by a street or alley) an apartment, office, retail, commercial or industrial district for off-street parking of passenger vehicles subject to such standards and safeguards as are appropriate for the protection of adjacent residential uses.~~
4. ~~Initiate on its motion or cause presented by interested property owners an action to bring about the discontinuance of a nonconforming use in accordance with the following:~~
 - a. ~~Require the discontinuance of a nonconforming use under any plan whereby full value of the structure can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this ordinance.~~
5. ~~Permit the change of occupancy of a nonconforming use to another nonconforming use in accordance with the provisions of Chapter 3 – Land Use of this Land Development Code.~~
6. ~~Permit the enlargement of a nonconforming use in accordance with the provisions of Chapter 3 Land Use of this Land Development Code.~~
7. ~~Permit the reconstruction of a nonconforming structure or building on the lot or tract occupied by such building, provided such reconstruction does not, in the judgment of the Board, prevent the return of such property to a conforming use or increase the nonconformity of a nonconforming structure and provided that such actions conform to the non-conforming provisions of Chapter 3 – Land Use of this Land Development Code.~~
8. ~~Require the vacation and demolition of a nonconforming structure, which is deemed to be obsolete, dilapidated or substandard.~~
9. ~~Vary the provisions and conditions required for the development of off-street parking facilities when such variations are found to be in the interest of the area and necessary to secure reasonable parking use of a specific parcel of land.~~
10. Minor Variances: Permit such variance of the front yard, side yard, rear yard, lot width, lot depth, coverage, minimum sidewalk or setback standards, ~~off-street parking or off-street loading~~ or visibility obstruction regulations where the literal enforcement of the provisions of this ordinance would result in an unnecessary hardship, and where such variance is necessary to permit a specific parcel of land which differs from other parcels of land in the same district by being of such restricted area, shape or slope that it cannot be developed in a manner commensurate with the development permitted upon other parcels of land in the same district. A modification of the standards established by this ordinance shall not be granted to relieve a self-created or personal hardship, nor for financial reason only, nor shall such modification be granted to permit any person a privilege in developing a parcel of land not permitted by this ordinance to other parcels

Commented [BB8]: Proposal is to modify the "Schedule of Permitted Principal Uses" in Chapter 3 to require a Special Use Permit in all districts.

Commented [BB9]: Have this decision be made by the City Council. Moved to Section 1.13

Commented [BB10]: Moved to Section 1.13

Commented [BB11]: Same as comment for #5

Commented [BB12]: Same as comment for #5

Commented [BB13]: Delete, not appropriate for ZBA. Other procedures are available.

Commented [BB14]: Proposal is to move to "Parking Requirements" section in Chapter 3 with approval of SUP.

Commented [BB15]: Minor variances (up to 10% deviation) to be heard by ZBA. Major variances (over 10% deviation) to be heard by City Council.

of land in the district. A deviation up to ten percent (10%) of a regulation shall be considered a minor variance request.

11. ~~Permit such variances of fence heights when in the opinion of the Board such fence will not adversely affect neighboring property.~~

1.16.F SPECIAL EXCEPTIONS; CONDITIONS GOVERNING APPLICATIONS; PROCEDURES

A special exception shall not be granted by the Board of Adjustment unless and until:

1. ~~A written application for a special exception is submitted indicating the section of this ordinance under which the special exception is sought and stating the grounds on which it is required.~~
2. ~~Notice shall be given at least fifteen (15) days in advance of public hearing. The owner of the property for which special exception is sought or his agent shall be notified by certified mail. Notice of such hearings shall be posted at the City Hall; and one time in the official publication of the City, stating the time, place and nature of such hearing, at least fifteen (15) days prior to the public hearing. All property owners within two hundred (200) feet of the property shall be notified by mail not less than fifteen (15) days prior to the date of the public hearing.~~
3. ~~The public hearing shall be held. Any party may appear in person, or by an agent or attorney.~~
4. ~~The Zoning Board of Adjustment shall make a finding that it is empowered to grant the special exception, and that the granting of the special exception will not adversely affect the public interest.~~
5. ~~In granting a special exception, the Zoning Board of Adjustment may also prescribe a time limit for which the special exception may continue. Failure to comply with this requirement stipulated by the Board shall void the special exception permit issued.~~
6. ~~Violation of any reasonable provisions, conditions and safeguards that are made a part of the terms under which the special exception permit granted shall be deemed in violation of this ordinance and punishable under the penalty section of this Land Development Code.~~

1.16.G VARIANCES; CONDITIONS GOVERNING APPLICATIONS; PROCEDURES

The Zoning Board of Adjustment may authorize upon appeal in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship. A variance from the terms of this ordinance shall not be granted by the Zoning Board of Adjustment unless and until:

1. A written application for a variance is submitted demonstrating:
 - a. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
 - b. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance;
 - c. That the special conditions and circumstances do not result from the actions of the applicant;
 - d. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district;
 - e. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

Commented [BB16]: Proposal is to move to "Fences, Free Standing Walls, and Screening Materials" section in Chapter 3 with approval of SUP.

Commented [BB17]: No Special Exceptions authorized by the LDC

2. Notice shall be given at least fifteen (15) days in advance of public hearing. The owner of the property for which requested variance is sought or his agent shall be notified by certified mail. Notice of such hearings shall be posted at the City Hall; and one time in the official publication of the City, stating the time, place and nature of such hearing, at least fifteen (15) days prior to the public hearing. All property owners within ~~two hundred five hundred (500) feet of the property~~ and all Home Owner's Associations (HOA's) lying within one thousand (1,000) feet of the property ~~(200) feet of the property~~ shall be notified by mail not less than fifteen (15) days prior to the date of the public hearing.
3. The public hearing shall be held. Any party may appear in person, or by an agent or by attorney.
4. The Zoning Board of Adjustment shall make findings that the applicant has met the requirements of paragraph 1 above.
5. The Zoning Board of Adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.
6. The Zoning Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

In granting any variance, the Zoning Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance and punishable under the penalty section of this Land Development Code.

Under no circumstances shall the Zoning Board of Adjustment grant a variance to allow a use not otherwise permissible under this section in the district involved, or any use expressly or by implication prohibited by the terms of this ordinance in said district.

Commented [BB18]: Increased for more notification coverage; several locations in this chapter

1.16.H DECISION OF ZONING BOARD OF ADJUSTMENT

The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Administrative Official, or to decide in favor of the applicant on any matter upon which it is required to pass under this Land Development Code, or to effect any variation in the application of this ordinance.

1.16.I APPEAL PROCEDURES - ZBA

1. Any person or persons, or any board, taxpayer, department, commission or agency of the City aggrieved by any decision of the Zoning Board of Adjustment may seek review by a court of record of such decision, and under the time limit specified in Section 211.011, Local Government Code, V.T.C.A. If no appeal has been taken from the Zoning Board of Adjustment ruling within the time limit specified under the above mentioned Article, the Board's ruling shall be final.
2. It is the intent of this ordinance that all questions of interpretation and enforcement shall be first presented to the Administrative Official, and that such questions shall be presented to the Zoning Board of Adjustment only on appeal from the decision of the Administrative Official, and that recourse from the decisions of the Zoning Board of Adjustment shall be to the courts as provided by law.
3. It is further the intent of this ordinance that the duties of the City Council in connection with this section shall not include hearing and deciding questions of interpretation and enforcement that may arise. Under this ordinance the City Council shall have only the duties of considering and adopting or rejecting proposed amendments, or the repeal of this ordinance, as provided by law.

4. Conditions: The [Zoning Board of Adjustment](#) or City Council, as may apply, is empowered to impose upon any variance or special exception any condition reasonably necessary to protect the public interest and community welfare.

Section 1.17 Reserved

Section 1.18 Amending the Land Development Code

The regulations and restrictions imposed by this Land Development Code and the districts and boundaries created by the Official Zoning Map may be amended from time to time using the procedures provided in this section.

1.18.A AMENDING A SUBDIVISION PLAT REGULATION

A subdivision plat regulation as contained in Chapters 8, 9, 10, 11, 12, 14 & 15 of this Land Development Code, may be amended upon adoption of an ordinance approved by the City Council after public hearing. Notice of said public hearing to be given in a newspaper having general circulation in the city not less than ten ~~fifteen~~ ~~(1015)~~ days prior to the hearing. The City Council may request the recommendation of the Planning and Zoning Commission on any proposed amendment to a plat regulation. Said amendment shall be additionally subject to the standard rules, regulations and procedural requirements established in *Chapter 212 – Local Government Code* and *Article VI – Charter of the City of Colleyville*.

Commented [BB19]: Current practice is 15 days

1.18.B AMENDING A ZONING REGULATION OR THE OFFICIAL ZONING MAP

The City Council may from time to time amend, supplement, change, modify or repeal the regulations and restrictions imposed in *Chapter 1 – General Provisions*; *Chapter 2 – Definitions*; or *Chapter 3 – Land Use*, of this Land Development Code, and the districts and boundaries described on the Official Zoning Map, using the procedures described in this section. Such amendment shall additionally be subject to the rules and procedures in *Chapter 211 – Local Government Code*, and *Article VI of the Charter of the City of Colleyville*.

1. Zoning Regulation Amendments – Any person or corporation may petition the City Council for a change or amendment to the provisions of these regulations; or the Planning and Zoning Commission or City Council may, on its own motion, initiate study and proposal for changes or amendments to a zoning regulation in the public interest.
2. Zoning District Boundary Changes – Any person or corporation having a proprietary interest in a parcel of land may request a change in zoning on such property; or the Planning and Zoning Commission or City Council may, on its own motion, initiate proceedings to consider a change in zoning on a parcel of land. All requests for a change in zoning shall be submitted, together with the required fee, to the Administrative Official, which officer shall cause notices to be sent and the request placed on the Planning and Zoning Commission agenda. Only one application for a zoning change will be considered at any one time on a parcel of land. No additional rezoning application on a parcel of land will be considered until final action of any pending application has been completed, subject to the time limits imposed elsewhere in these regulations.
3. Fees – Until all applicable fees, charges, expenses and delinquent city, county, and school taxes have been paid in full, no action shall be taken on any zoning application. No refund of any application fee shall be made after the request has been scheduled for consideration by the Commission.
4. Commission Public Hearing and Written Notification - Before making report of an application for a planned development, special use permit, or proposed amendment to a zoning regulation or zoning district boundary, the Planning and Zoning Commission shall hold a public hearing and receive comment in accordance with the following:

- a. No less than ~~ten~~ fifteen (15) days notice of the time, place and nature of the public hearing shall be published in publication having general circulation in the city of Colleyville.
 - b. When a proposed change affects a specific tract of land, written notice of the public hearing shall be sent to all owners of real property lying within ~~two hundred five hundred (500) feet of the property and all Home Owner's Associations (HOA's) lying within one thousand (1,000) feet of the property~~ (200) feet of the area being considered. Such notice to be given to each property owner as listed on the last approved tax roll not less than ~~ten~~ fifteen (15) days before the day set for hearing by depositing letters properly addressed and postage paid in the United States Post Office. The applicant will be sent notice by certified mail. The land area within 200 feet of the proposed request shall be used to calculate whether a protest against the request would require a super-majority vote of the City Council to approve the request.
 - i. Alcohol and Package Store SUP Requests – When a rezoning application includes a provision for a Special Use Permit for the sale of alcoholic beverages or a package store, the written notification of the public hearing stated in the preceding paragraph shall be sent to all owners of real property lying within five hundred (500) feet of the area being considered. The land area within 200 feet of the proposed Special Use Permit shall be used to calculate whether a protest against the request would require a super-majority vote of the City Council to approve the Special Use Permit. (Ord. O-03-1399 / 04-15-2003).
5. Sign Posting - The Administrative Official is directed to cause a sign to be placed upon the property clearly visible to passersby, which states that the property is the subject of a rezoning application (or words of like intent). The sign shall be posted at least ten (10) days prior to the hearing and shall remain posted until the hearing. Failure to perform this particular notice provision shall, however, in no way prevent the Planning and Zoning Commission from hearing the application and disposing of the issues involved on the hearing date.
 6. Report of Commission – After a public hearing, the Planning and Zoning Commission shall vote on the proposal and report its recommendation to the City Council. The proposal, as recommended by the Commission, shall be placed on the next available City Council agenda, provided proper notice has been given.
 - a. Amended Proposals: The Planning and Zoning Commission may consider a request from the applicant to amend the proposal without additional notification of adjacent property owners, provided that the amended request is determined by the Commission as being more restrictive than the initial request and the boundary or content of the amended request is not expanded.
 - b. Notice of Appeal: Denial of the proposal by the Planning and Zoning Commission shall be final, unless the applicant submits a written notice of appeal within ten (10) days from the date of the action by the Commission. The Administrative Official shall re-notify all property owners lying within ~~five hundred (500) feet of the property and all Home Owner's Associations (HOA's) lying within one thousand (1,000) feet of the property~~ two hundred (200) feet of the area being considered and place the applicant's rezoning request on the next available agenda for consideration by the City Council.
 - c. Failure to Act Provision: Failure by the Commission to act on an amendment within sixty (60) days of the first date of public hearing shall be considered a recommendation for denial of the amendment.
 7. City Council Public Hearing and Newspaper Notice - A zoning regulation or a zoning district boundary may be amended by the City Council upon adoption of an ordinance, but no amendment shall be made without public hearing before the City Council. No less than fifteen (15) days notice of the time, place and nature of such hearing shall be published in publication having general circulation in the City of Colleyville. No amendment to a regulation or to a district

Commented [BB20]: Current practice is 15 days; same as ZBA notice

Commented [BB21]: Increased for more notification coverage; several locations in this chapter

Commented [BB22]: Current practice is 15 days; same as ZBA notice

Commented [BB23]: Similar practice as outlined for Alcohol & Package Store SUP Requests in the paragraph below.

Commented [BB24]: Increased for more notification coverage; several locations in this chapter

boundary shall be considered by the City Council until a report of the proposed amendment has been made by the Planning and Zoning Commission. Unless denied by the Planning and Zoning Commission, every rezoning request receiving final approval of the Commission shall be forwarded to the City Council for consideration, unless the applicant has requested the proposal be withdrawn. The City Council may refer any amended rezoning request back to the Planning and Zoning Commission for further study and recommendation.

8. Special City Council Voting Requirements - No change of which the Planning and Zoning Commission has recommended denial or in case of a protest against such change, signed by the owners of twenty (20) percent or more of either the area of lots or land included in such proposed change, or lots or land immediately adjoining same and extending two hundred (200) feet therefrom, filed with the City Secretary, shall be passed except by a favorable vote of three-fourths (3/4) of all members of the City Council. In computing the percentage of land area, the area of streets and alleys shall be included in the computation.
9. Withdrawal - Any proposal or application that is withdrawn by the applicant before a vote is considered by the City Council shall not be subject to the time limit for submittal of a new application.
10. Time Limit for Re-submittal - No one shall request a zoning change on the same parcel of property more often than once every twelve (12) months. However, a request for a change of zoning of a parcel of property to a different zoning classification than that previously requested may be filed as frequently as desired.
11. Submittal Requirements for Zoning District Change - Every petition for a zoning district change shall be accompanied by supporting documents of the area petitioned for a zone change. In general the petitioners shall submit a drawing and supporting documents as follows:

- a. ~~Scale - No smaller than 1/4" = 100'~~
- b. ~~Zoning and use of adjacent property~~
- c. ~~Vicinity Map - showing location of the land within the community~~
- d. ~~Physical features - The location of existing streets, water courses, railroads, etc., on and adjacent to the subject property~~
- e. ~~100-year flood plain limits within the subject property~~
- f. ~~Legal description (metes and bounds) of the total site area proposed for rezoning, development, or special use permit to be included on the Zoning Exhibit and submitted on a separate letter or legal size single page.~~

Concept Plan - The Concept Plan, which may be conceptual and general in nature, but in sufficient detail appropriate for the type of development being proposed and shall at a minimum include the following items, where applicable:

- a. Proposed layout, indicating the approximate size and dimensions of all residential lots
- b. Proposed land uses and building locations
- c. Landscaping, lighting, fencing and screening of common areas
- d. General locations of existing tree clusters
- e. Location and construction type of perimeter fencing
- f. Design of ingress and egress with description of any special pavement treatments
- g. Location and description of subdivision signs and landscaping at entrance areas
- h. Street names on all proposed streets
- i. Drainage Analysis - The applicant shall submit a Preliminary Drainage Analysis to determine the need for drainage facilities. The Preliminary Drainage Analysis shall be

Commented [BB25]: New regulation for Concept Plan & Preliminary Drainage Study requirement

prepared in accordance with drainage analysis requirements contained in Chapter 14 – Engineering Design Standards of the Land Development Code.

- i. For properties with significant slope, cross section exhibits shall be required showing the impact of the proposed development with adjacent properties.

Exception: A change of zoning application may be submitted and approved without a Concept Plan if the scale of the request does not justify preparation of the plan.

Commented [BB26]: Added per Council direction

g. Preliminary drainage study.

12. **Special Application Requirements** - Site Plan and Supporting Documents Required - Every petition for a zoning district change to R-D, R-MF, MH, C-PO, CN, C-C and M-L and all Special Use Permit requests shall additionally be accompanied by a site plan and supporting documents of the area petitioned for a zone change. The purpose of the site plan is to illustrate the logical arrangement of the elements on the land and to show relationships of elements to each other.

The petitioner is encouraged to meet with the appropriate city staff member in an informal work session to ascertain the exact extent of plans and documents required, if any, prior to the City initiating the advertisement for public hearing on the petition. The Administrative Official may waive the site plan requirement altogether when appropriate.

Commented [BB27]: In rare situations a site plan may not be warranted based on the limited scale of the zoning request

The general type and extent of site plans and supporting documents which may be required of the petitioner include, but are not necessarily limited to:

- a. Site Plan, meeting all of the requirements of a "Preliminary Plat" Section 3.31.D Site Plan Approval Required as described in the City's subdivision regulations Land Use chapter, except that topographic and drainage map information provisions may be waived by the reviewing body when the inclusion of such data would not materially contribute to the necessary evaluation of the project petition. Additional site plan drawing information which the reviewing body may require include:
 1. Existing and proposed zoning district classifications and boundaries;
 2. General outline of extensive tree cover areas;
 3. Drainage ways and 100-year flood plain limits;
 4. Proposed treatment for screening the perimeter of the land embraced by the petition, including screening of internal separations of land use where required;
 5. Proposed internal non-vehicular circulation linkages, such as: pedestrian paths and hike trails; bike trails; and equestrian bridle paths, where applicable, including their interrelationships with vehicular circulation systems and proposed handling of points of conflict;
 6. A graphic illustration showing the location of proposed buildings, driveways and all physical elements and a tabular summary schedule indicating:
 - a) The gross acreage and percent of each type of zoning category proposed;
 - b) The gross acreage and percent of each type of land use proposed, with streets and open space categories listed separately, and residential uses further stratified as to type, i.e., single family, two-family, multifamily, townhouse, etc., including the total gross project acreage;
 - c) The gross residential density of each type of residential land use proposed, expressed in dwelling units per acre; and based on net residential land use plus one-half of any abutting street, only;

- d) The quantitative number of dwelling units proposed for each residential dwelling type, i.e., single family, two-family, etc.;
 - e) Proposed maximum lot coverage by building types (i.e., one-family, multifamily, commercial, office, industrial, etc.) expressed in terms of percent or floor area ratio of the lot or site.
- b. Architectural Drawings, such as elevations, concept sketches or renderings depicting building types and other significant proposed improvements including the treatment and use of open spaces, etc., where the submission of such drawings would more clearly portray the nature and character of the applicant's land use and development proposals.
- c. Written Documents, in narrative form on 8-1/2" X 11" sheets, including:
- 1. Statement(s) on planning objectives to be achieved in the land use/development proposal, including a narrative description of the character of the proposed development and rationale behind the assumptions and choices made by the applicant, including use and ownership of open spaces, etc.
 - 2. Legal description of the total site area proposed for rezoning, development or special use permit.
 - 3. A development schedule, if any, indicating the approximate date(s) when construction of the proposed development, and subsequent stages or phases can be expected to begin and be completed, to the best of the applicant's knowledge and belief.
 - 4. A statement as to the present and proposed ownership of the site or parcels thereof embraced by the application.
 - 5. Statement(s) as to how and when the applicant proposes to provide water and sewer to the development.
 - 6. Signature(s) and title(s) of the applicant(s) and preparer(s) of the written documents certifying the information presented in all of the plans and supporting documents reflect a reasonably accurate portrayal of the general nature, character and feasibility of the applicant's proposals. All signatures will be dated.
13. **Traffic Impact Analysis** - When a proposed development is projected to generate more than 1000 vehicle trips per day, a traffic impact analysis shall be required with the rezoning request. The traffic impact analysis shall be prepared in accordance with the requirements of the Director of Public Services. The purpose of the traffic impact analysis is to determine the need for traffic mitigation measures which may include, but are not limited to, dedication of additional right-of-way, construction of turning lanes, or construction of traffic control facilities.

1.18.C RESERVED

1.18.D AMENDING ALL OTHER REGULATIONS

A regulation contained in any of the other Chapters of this Land Development Code that have not been previously mentioned may be amended upon adoption of an ordinance approved by the City Council after public hearing. Notice of said public hearing to be given in a newspaper having general circulation in the city not less than ten ~~fifteen~~ ~~(15)~~ days prior to the hearing. The City Council may request the recommendation of the Planning and Zoning Commission on any proposed amendment. Amendments shall be additionally subject to the standard rules, regulations and procedural requirements established in Chapter 51 – Local Government Code and Article VI of the Charter of the City of Colleyville.

Commented [BB28]: Current practice is 15 days

Section 1.19 Violations and Penalties

Any person, firm or corporation violating any of the provisions of this Land Development Code shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed two thousand dollars (\$2,000.00), unless a lesser fine is provided for in the section of the Code so violated. Each and every day such violation continues shall constitute a separate offense and shall be punishable as such.

The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, engineer, planner, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

Section 1.20 Relationship to Other Laws and Restrictions

It is not intended by this Land Development Code to interfere with or abrogate or annul any other resolution or rule, regulation or permit, previously adopted or issued or which shall be adopted or issued, not in conflict with any of the provisions contained herein; nor is it intended by this Land Development Code to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided, however, that where this Land Development Code imposes a greater restriction upon land, buildings, or structures than is imposed by other ordinances, covenants, restrictions or agreements, then the provisions of this Code shall govern. If other ordinances are more strict than this Code, then the more strict provisions shall prevail.

Section 1.21 Repeal of Conflicting Ordinances

All ordinances or parts of ordinances in conflict herewith are repealed to the extent of the conflict only.

Section 1.22 Severability Clause

It is hereby declared to be the intention of the City Council of the City of Colleyville, that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph, or section of this Code shall be declared unconstitutional, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Code since the same would have been enacted by the City Council without the incorporation in this Code of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 1.23 Amendments to This Chapter

Reserved for listing of amendments to this Chapter.

Ord. Number	Date	Subject
O-03-1399	04/15/2003	500 foot notification for alcohol SUP requests
O-03-1414	09/02/2003	Sign Board of Appeals authority
O-10-1750	05-04-2010	Addition of Package Store SUP Requirements
O-17-2006	02/21/2017	Council approval for certain Mutual Access Easements

Chapter 4 Landscaping and Buffering

Rev. July 15, 2003

Section 4.1 Purpose of This Chapter

The purpose of this Chapter is to establish rules and regulations for the minimum placement of landscaping materials in certain zoning districts.

Section 4.2 Authorization for Adoption of This Chapter

The regulations contained in this Chapter have been adopted under the authority of *Chapter 51 – General Powers of Municipalities of the Texas Local Government Code*, which authorizes a municipality to adopt ordinances, rules, or police regulations that are for the good government, peace, or the trade and commerce of the municipality. This Chapter is also adopted under the authority of the *Home Rule Charter of the City of Colleyville*, which authorizes the City Council to exercise all powers granted to municipalities by the Constitution or the laws of the State of Texas.

Section 4.3 Applicability of This Chapter

The provisions of this Chapter shall be applicable as follows:

1. For all new construction; or,
2. When an existing building is proposed for remodeling, alteration, addition, or expansion, and the proposed construction value exceeds fifty (50%) percent of the current appraised value of the existing structures, excluding the value of the land; or,
3. When an existing building is proposed for an addition that will increase the square footage of the existing building by twenty (20%) percent or greater; or,
4. As a requirement of the approval of a Special Use Permit or Planned Unit Development.
5. For purpose of this regulation, the value shall be that shown on the most recent tax roll of the Tarrant Appraisal District.

Section 4.4 Variances and Appeals

Any person seeking approval of a development as required by this Land Development Code may request a variance from a requirement contained in this Chapter, or appeal a decision of an Administrative Official by submitting a request using the procedures described in Chapter 1 of this Land Development Code to the Administrative Official. The City Council, after review and recommendation by the Planning and Zoning Commission, 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.

Commented [BB1]: Currently the ZBA; proposing authority to the P&Z Commission and Council.

Section 4.5 Definitions

Definitions applicable to this Chapter may be found in *Chapter 2 – Definitions* of this Land Development

Code.

Section 4.6 Required Landscaping

For zoning districts "CPO, CN, CC1, CC2, CC3, ML, PUD-C, PUD-I" and institutional uses including churches, schools and governmental facilities ~~in any district~~.

Commented [BB2]: Clarification to applicability

1. Intent - The intent of this ordinance is that landscaping shall not be limited to only the application of turf or grass, but landscaping shall include the coordinated planting (or retention) of grass, shrubs, ground cover, flowering plants, and trees and the grading or moving of earth to form a visually aesthetic and pleasing environment. The review of all site plans will consider the applicant's efforts in coordinating a variety of plant materials with the physical features of the property.
2. Landscaping Completed Prior to Issuance of Certificate of Occupancy - All landscaping shall be installed prior to the issuance of a Certificate of Occupancy. A permanent Certificate of Occupancy will be issued only when it is determined by the building official that all landscaping has been installed in accordance with the approved landscape plan. If it is determined, by the Building Official that planting of live material is hindered by adverse weather conditions, a temporary Certificate of Occupancy may be issued for a period up to three months.
3. Required Landscape Mixture - Twenty percent (20%) of the total land area in any proposed development shall be landscaped. At least fifty percent (50%) of the total landscaped area shall be located in the street yard(s) (Exhibit "4-A"). In order to insure for a variety of plant materials the following minimum requirements for grass, shrubs, and trees shall be provided:
 - a. All ground surfaces not used for buildings, sidewalks, roadways or other impermeable surfaces shall be covered with live grass, turf, shrubbery, trees, ground cover, flowering plants or appropriate mulching.
 - b. Shrubs: Shrubs shall be provided such that one 18" in height plant or five (5) gallon plant shall be planted on-site for each five (5) ~~linear~~ linear feet of public street rights-of-way located adjacent to the property.
 - c. Trees: Landscaping shall include the retention or planting of one (1) three (3) inch caliper tree per each forty (40) feet of street frontage on collector streets, or larger, as shown on the Master Thoroughfare Plan, which shall be included in the twenty (20) percent required landscaping. These trees are to be planted ~~on~~ along the street frontage.
 - d. Landscape Plans Required: Prior to the issuance of a building permit for any non-residential use, a Landscape Plan shall be submitted, as an element of the required site plan, to the City Manager or his appointed designee. The City Manager or his appointed designee, which may be either a staff member or other official body of the City, shall review such plans and shall approve same if the plans are in accordance with the criteria of these regulations. If the plans are not in accordance, they shall be disapproved and shall be accompanied by a written statement setting forth the changes necessary for compliance.
 - e. Content of Landscaping Plans: Landscaping Plans shall be prepared by a Texas Licensed landscape architect. Landscape Plans shall contain the following information:
 1. Minimum scale of one inch equals 40 feet except as approved by the City Manager or his approved designee;
 2. Location of all trees to be preserved;
 3. Location of all plants and landscaping material to be used including paving, benches, screens, fountains, statues, or other landscape features;
 4. Species of all plant material to be used;
 5. Size of all plant material to be used;
 6. Quantity and spacing of plant material where appropriate;
 7. A general layout and description of irrigation, sprinkler or water systems, including placement

- of water sources as designed by a licensed irrigator;
 8. Description of maintenance provisions for the Landscape Plan;
 9. All Landscape Plans to be sealed by a Texas Licensed Landscape Architect;
 10. Provide planting and irrigation specifications as part of the Landscape Plan;
 11. Provide name and address of the owner, location of the subject property, surrounding zoning, utility lines, water mains and easements, public or private streets and drives;
 12. Provide a general grading and drainage plan.
- f. Description of Planting Material: Landscape plant material may be selected from the following list, however the applicant may use other plant material not listed if it is determined to be an appropriate and functional element of the landscape plan.

1. Over-story Trees (Range from 30 to 60 feet)

Common Name	Botanical Name
Bald Cypress	<i>Taxodium distichum</i>
Cedar Elm	<i>Ulmus crassifolia</i>
Lacebark Elm	<i>Ulmus parvifolia</i>
Pecan	<i>Carya illinoensis</i>
Chinese Pistache	<i>Pistacia chinensis</i>
Bur Oak	<i>Quercus macrocarpa</i>
Red Oak	<i>Quercus shumardii</i>
Sweet Gum	<i>Liquidambar styraciflua</i>
Green Ash	<i>Fraxinus pennsylvanica</i>
Live Oak	<i>Quercus virginiana</i>

Common Name	Botanical Name
Western soapberry	<i>Sapindus drummondii</i>
Post Oak	<i>Quercus stellata</i>
Black Jack Oak	<i>Quercus marilandica</i>
Eastern Red Cedar	<i>Juniperus virginiana</i>
Southern magnolia	<i>Magnolia grandiflora</i>
Slash pine	<i>Pinus elliotii</i>
Japanese black pine	<i>Pinus thunbergii</i>
Austrian pine	<i>Pinus nigra</i>
Afghan pine	<i>Pinus eldarica</i>

2. Accent Trees (Range from 10 to 20 feet)

Common Name	Botanical Name
Redbud	<i>Cercis canadensis</i>
Crape myrtle	<i>Lagerstroemia indica</i>
Yaupon holly	<i>Ilex vomitoria</i>
Bradford pear	<i>Pyrus calleryana</i>
Texas sophora	<i>Sophora affinis</i>
Wild plum	<i>Prunus americana</i>

Common Name	Botanical Name
Crab apple	<i>Malus angustifolia</i>
Deciduous holly	<i>Illex decidua</i>
Flameleaf sumac	<i>Rhus copallina</i>
Cherry-laurel	<i>Prunus caroliniana</i>
Chase tree	<i>Vitex angustifolia</i>

3. Shrubs (Range from 3 to 5 feet)

Common Name	Botanical Name
Dwarf crape myrtle	<i>Lagerstroemia indica nana</i>
Dwarf Bradford holly	<i>Illex cornuta 'brfordii Nana'</i>
Dwarf Chinese holly	<i>Illex cornuta 'rotunda'</i>
Dwarf yaupon holly	<i>Illex vomitoria 'nana'</i>
Fraser's photinia	<i>Photinia Fraseri</i>
Purple sage	<i>Leucophyllum frutescens</i>

Common Name	Botanical Name
Purple leaf Japanese barberry	<i>Berberis thunbergii 'atropurpurea'</i>
Pampas grass	<i>Cortaderia selloana</i>
Nandina	<i>Nandina domestica</i>
Juniper	<i>Juniperus chinensis spp</i>
Fountain grass	<i>Pennisetum spp</i>

4. Ground Cover (Ranges from 18 inches)

Common Name	Botanical Name
Juniper supp.	<i>Juniperus horizontalis</i> or <i>procumbens</i>
Periwinkle	<i>Vinca major</i>
Monkey Grass	<i>Liriope muscaria</i> spp
Asian jasmine	<i>Trachelospermum asiaticum</i>
Confederate Star Jasmine	<i>Trachelospermum jasminoides</i>
Monkey grass	<i>OP hipogon</i>

5. Vines

Common Name	Botanical Name
Coral honeysuckle	<i>Lonicera sempervirens</i>
Carolina yellow jasmine	<i>Gelsemium semper</i>
Lady banksia rose	<i>Rosa banksiae</i>
Cross vine	<i>Bignonia capreolata</i>
Sweet autumn clematis	<i>Clematis paniculata</i>
Virginia creeper	<i>Parthenocissus quinquefolia</i>
Boston ivy	<i>Parthenocissus tricuspidata</i>

6. Perennial and Annual Flowers

Common Name	Botanical Name
Chrysanthemum	<i>Chrysanthemum</i> spp
Canna	<i>Canna generalis</i>
Copper leaf	<i>Acalypha Wilkesiana</i>
Periwinkle	<i>Catharanthus roseus</i>
Iris	<i>Iris</i> supp.
Lantana	<i>Lantana Camera</i>
Daffodil	<i>Narcissus Jonquil,</i> <i>Tazetta, & King Alfred</i>

Common Name	Botanical Name
Petunia	<i>Petunia hybrida</i>
Marigold	<i>Tagetes</i> spp
Tulip	<i>Tulipa</i> spp
Zinnia	<i>Zinnia</i> spp
Caladium	<i>Caladium hortulanum</i> <i>'candidum' 'pink beauty'</i>
Moss rose or portulaca	<i>Portulaca grandiflora</i>
Wild Flowers	

- g. Landscaping Credit: Landscape credits may be applied to the overall landscape requirement, as indicated in Section ~~4.54.6.3~~ *Required Landscape Mixture*. However, in no instance shall the credits reduce the total amount of landscaping on a lot to less than fifteen (15) percent of the total land area. Credits will only be allowed if they are maintained as a permanent element of the landscape plan. Credits may be obtained as follows:

1. For each two (2) square foot of area that is landscaped in the public street right-of-way, one (1) square foot of landscape credit will be applied to the overall landscaping requirement.
2. For each one (1) square foot of area that is landscaped with flowering seasonal color, two (2) square foot of landscape credit will be applied to the overall landscaping requirement.
3. Over and above the required shrub planting, for each newly planted shrub 18" in height or contained in a five (5) gallon container, which is maintained in a living and growing condition, fifteen (15) square feet of landscape credit will be applied to the overall landscape requirement.

Commented [BB3]: Corrected cross-reference

4. Over and above the required tree planting, for each newly planted or existing tree of at least three (3) inches in trunk diameter, measured twelve (12) inches above grade, which is maintained in a living and growing condition, one hundred (100) square feet of landscape credit will be applied to the overall landscape requirement. Planting of two (2) ornamental trees of eight (8) feet in height shall receive the same landscape credit as one (1) three (3) inch caliper tree.
5. Over and above the required tree planting, for each newly planted or existing tree of at least six (6) inches in trunk diameter, measured twelve (12) inches above grade, which is maintained in a living and growing condition, two hundred fifty (250) square feet of landscape credit will be applied to the overall landscape requirement. Each additional one (1) inch diameter of tree over twelve (12) inches shall receive twenty (20) square feet of landscape credit.
- h. Maintenance of Landscaping: All landscaping maintenance shall be the responsibility of the property owner. The following minimum standards shall be required:
 1. All landscaping shall be permanently maintained and shall have an underground irrigation system installed by a licensed irrigator and must meet all applicable requirements of the City.
 2. Irrigation systems may be buried on public street rights-of-way. The City or any franchised utility will not be responsible for damage to any landscaping material or equipment while performing repairs of maintenance to its system. However, landscaped right-of-ways shall be irrigated;
 3. Landscaped areas shall be kept free of trash, litter, weeds and other such material or plants not a part of the landscaping;
 4. All plant materials shall be maintained in a healthy and growing condition as is appropriate for the season of the year; ~~and~~
 5. Plant materials which die shall be replaced with plant material of similar variety and size within a six (6) month period; ~~and~~
 6. The maintenance requirement contained in this section shall be applicable regardless of the tenant occupancy status of any buildings on the property. (Ord. O-03-1408 / 07/15/03)
- i. Landscaping of Parking Lots: it is the intent of this section to encourage design and construction of parking areas in a manner whereby areas within the parking lot are landscaped as well as areas considered unusable for parking or maneuvering space. The following minimum requirements shall be observed:
 1. Parking lots shall contain a minimum of one hundred forty (140) square feet of landscaped island per each eighteen (18) contiguous parking spaces required. This landscape island is to include one (1) three (3) inch caliper tree. ~~In any case, no parking space shall be located further than ninety (90) feet to a tree within a landscaped island.~~
 2. Landscaped islands shall be irrigated by an underground system as indicated in Paragraph h - Maintenance of Landscaping. Irrigation of all landscaped areas adjacent to any parking and/or driving surfaces shall be accomplished such that a minimum amount of water is applied to parking and/or driving surfaces.
 3. All shrubbery, flowering plants, and trees planted in parking lot islands or adjacent to parking lots shall be set back three (3) feet from any curb and that provides for "head-in" automobile parking (Exhibit "4-B").

Commented [BB4]: Recommendation of the P&Z Commission

4. Landscape material in parking lots shall include shrubs and trees or a combination thereof, which in turn may be planted with a combination of grass, ground cover, and/or flowering plants.
5. All landscaping within the parking lot shall be located within a landscape island or module, delineated from the surrounding paved area by a curb or barrier, constructed of masonry or concrete, of not less than six (6) inches in height around the perimeter of the island or module.
6. ~~For new trees at the time of planting, At at least three-fourths (3/4) of the tree drip line area must be in permeable area (See Exhibit "4-C").~~
7. For larger existing trees located in the parking area, which are being retained and incorporated into the landscape plan, an appropriate aeration system or an alternative method of protecting the tree must be provided and detailed in the landscape plan.
- j. ~~Landscaping Adjacent to Residential Districts: For any development in "C-PO", "CN", "CC1", "CC2", "CC3", "ML", "PUD-C", "PUD-I" and institutional uses including churches, schools, and governmental facilities (which includes all zoning) except residential districts and "AG" used for residential and pure agricultural uses, zoning districts which abut districts zoned residential or mobile home there shall be a minimum twenty (20) foot wide green belt of "live plant material of the evergreen variety" which is expected to grow to six (6) feet height in two (2) years, a minimum of three (3) feet in height at the time of installation and planted on six (6) foot centers, for the entire distance along which the development abuts the residential district. Where a fire lane is required, the green belt may be reduced to five (5) feet (Exhibit "4-CD").~~ Exception: When adjacent to institutional uses in residential districts and "AG" used for residential and pure agricultural uses.
- k. Landscaping Adjacent to Colleyville Boulevard: For any development which abuts Colleyville Boulevard there shall be a minimum twenty (20) foot wide landscaped green belt of "live plant material", exclusive of access drives. On corner lots, the twenty feet (20') wide landscaping green belt will wrap around to the depth of the property. This area may be planted with trees and shrubs required at the front of the site noted elsewhere in this Chapter. Landscape planting shall not be erected or installed in such a manner as to interfere with traffic view or impose a safety hazard. (O-01-1295 / 08/21/01)
- l. Special Permits, Appeals, Exceptions: Any person aggrieved by this ordinance may appeal its effect to the ~~Zoning Board of Adjustment~~ City Council per Section 4.4 of this chapter on the basis of hardship.
- m. Existing Non-Conforming Uses and/or Structures: All uses that are in existence at the time of this Landscape ordinance, which do not meet the requirements provided herein, will be considered as being nonconforming to these landscape requirements. These nonconforming uses/structures will be subject to the non-conforming provisions of *Chapter 3 – Land Use* of this Land Development Code, unless otherwise provided for in this Section. A variance to landscaping requirements may be granted, regardless of areas of noncompliance, upon completion of the following:
 1. Provide the City Manager or his appointed designee with a landscape plan prepared by the landscape architect for review and approval.
 2. Said landscape plan will illustrate a plan to landscape area as available, provide for irrigation, and provide for completing the plan.
 3. The installation of landscaping as indicated by the landscape plan is completed and approved by the city manager or his appointed designee.

Commented [BB5]: Recommendation of the P&Z Commission

Commented [BB6]: Reworded paragraph to clarify intent

Commented [BB7]: Give authority to P&Z Commission and City Council

Section 4.7 Amendments to This Chapter

Reserved for listing of amendments to this Chapter.

Ord. Number	Date	Subject
O-01-1295	08/21/01	Landscaping adjacent to Colleyville Boulevard
O-03-1408	07/15/03	Maintenance regarding building vacancy

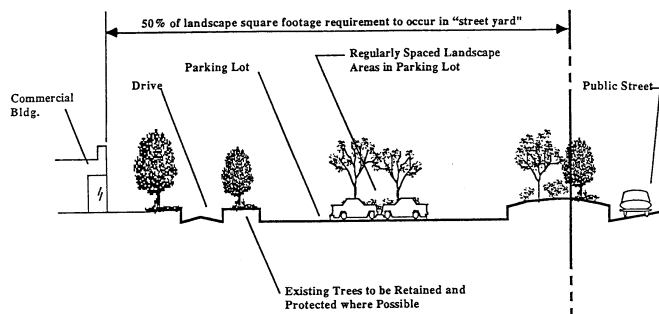


Exhibit "4-A" - Street Yard Landscaping Requirements

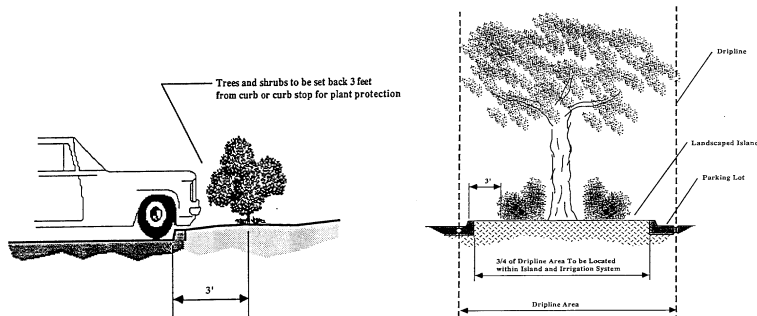


Exhibit "4-B"
Landscape Requirement for Head-in Parking

Exhibit "4-C"
Description of Dripline

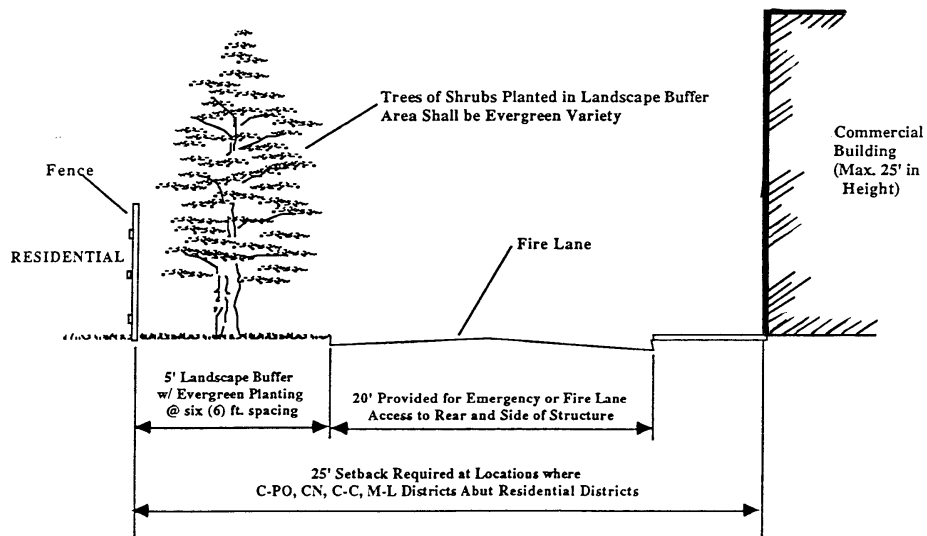


Exhibit "4-D"
Rear and Side Landscape Buffer Requirements
With Fire Lane Provided

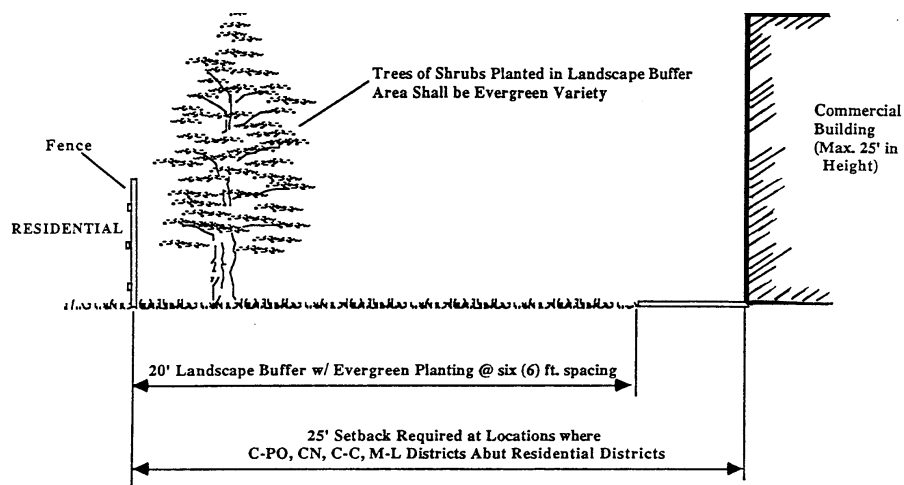


Exhibit "4-E"
Rear and Side Landscape Buffer Requirement
Without Fire Lane Provided

ORDINANCE O-18-2053

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING CHAPTER 1 – GENERAL PROVISIONS AND CHAPTER 4 – LANDSCAPING AND BUFFERING OF THE LAND DEVELOPMENT CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

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

WHEREAS, the City of Colleyville desires to amend Chapter 1 – General Provisions and Chapter 4 – Landscaping and Buffering of the Land Development Code as part of a comprehensive review of the Land Development Code; and

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

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

- Sec. 1. THAT *Chapter 1 – General Provisions and Chapter 4 – Landscaping and Buffering* of the Land Development Code are hereby amended to read as depicted in the attached Exhibits “A” & “B”.
- Sec. 2. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 3. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 4. THAT in addition to and accumulative of all other penalties, the City

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

Sec. 5. THAT this ordinance shall take effect immediately from and after its passage.

Sec. 6. THAT all other provisions of the Land Development Code shall remain in full force and effect, except as amended herein.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 2nd day of July 2018.

The second reading and public hearing being conducted on the 21st day of August 2018.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 21ST DAY OF AUGUST 2018.

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

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt L. Wyatt
City Attorney

Exhibit “A”

{Chapter 1}

Exhibit “B”

{Chapter 4}



City of Colleyville City Council Agenda Briefing

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

Agenda Number 9a

Agenda Date 08/21/2018

Number Resolution R-18-4294

Type Resolution

Department Community Development

Title

Consideration of a final plat for Lots 1, 2, and 3X, Block 1, Old Grove Addition, Phase II, located at 105 and 103 John McCain Road and 7189 Cast Iron Forest Trail, Case PC17-004

Strategic Plan

There is no Strategic Plan connection for this item.

Explanation

This item was tabled at the August 7, 2018 City Council Meeting.

Reading and Public Hearing

Kevin Kessler, the applicant, requests approval of a final plat for Lots 1, 2, and 3X, Block 1, Old Grove Addition on approximately 2.20 acres, located at 105 and 103 John McCain Road and 7189 Cast Iron Forest Trail. The applicant proposes to combine and redevelop 2 lots, an old right-of-way area, and an open space lot into 2 single-family residential lots and an open space lot. The old right-of-way area will be abandoned as part of the plat.

Existing Conditions/Background: The subject property is currently zoned PUD-R Planned Unit Development – Residential district and is a combination of Lots 1 & 2, Block 1, Neidholt Addition, and old right-of-way area, and Lot 2X, Block E, Old Grove Addition. The property is generally located east of Cast Iron Forest Trail and southwest of John McCain Road as it turns north. The property is currently undeveloped. The plat up for consideration proposes to combine and redevelop the property for future residential development on 2 lots and an open space lot.

Lot Dimensions and Setbacks:

Per Ordinances O-04-1475, Lot Requirements and Setbacks, the PUD zoning regulations require the following standards:

Minimum Lot Area: 13,000 square feet
Average Lot Area: 16,000 square feet
Minimum Lot Width: 90 feet
Minimum Lot Depth: 120 feet
Minimum Front Yard Setback: 25 feet

Minimum Side Yard Setbacks: 10 feet
Minimum Rear Yard Setback: 25 feet

As submitted, the proposed plat meets all of the requirements of the PUD-R zoning and the Land Development Code.

Surrounding Development: The properties to the north, south, and west are zoned PUD-R Planned Unit Development – Residential district and primarily developed with single family homes. The property to the east is zoned R-30 Single Family Residential district and developed with a single family home. There is a large retention/detention pond adjacent to the south.

Analysis: The property is located at the northeast side of the Old Grove neighborhood. The PUD-R zoning approved in 2004 originally planned for 4 lots. The proposal has reduced the lot number to 2 lots for single-family residential development.

The proposed Final Plat also includes a small open space lot adjacent to an existing Emergency Access Easement and drive lane.

Finally, an old right-of-way area is currently unused with no improvements existing. The approval of the Final Plat will include the abandonment of the right-of-way and the area incorporated into the lot area of the proposed area of Lot 1.

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

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

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

Public Notification: Staff mailed notices to all property owners within 200 feet of the subject property on Friday, March 23, 2018. Notice was published in the Fort Worth Star-Telegram as required by State law and the Land Development Code on Saturday, March 24, 2018. To date, one correspondence in opposition has been received for this item.

Staff Recommendation: The proposed Final Plat meets the requirements of the Land

Development Code, staff recommends approval.

Planning & Zoning Commission Recommendation: The Planning & Zoning Commission recommended approval at their July 9, 2018 meeting by a vote of 5-0.

Financial Impact

There is no financial impact to the City.

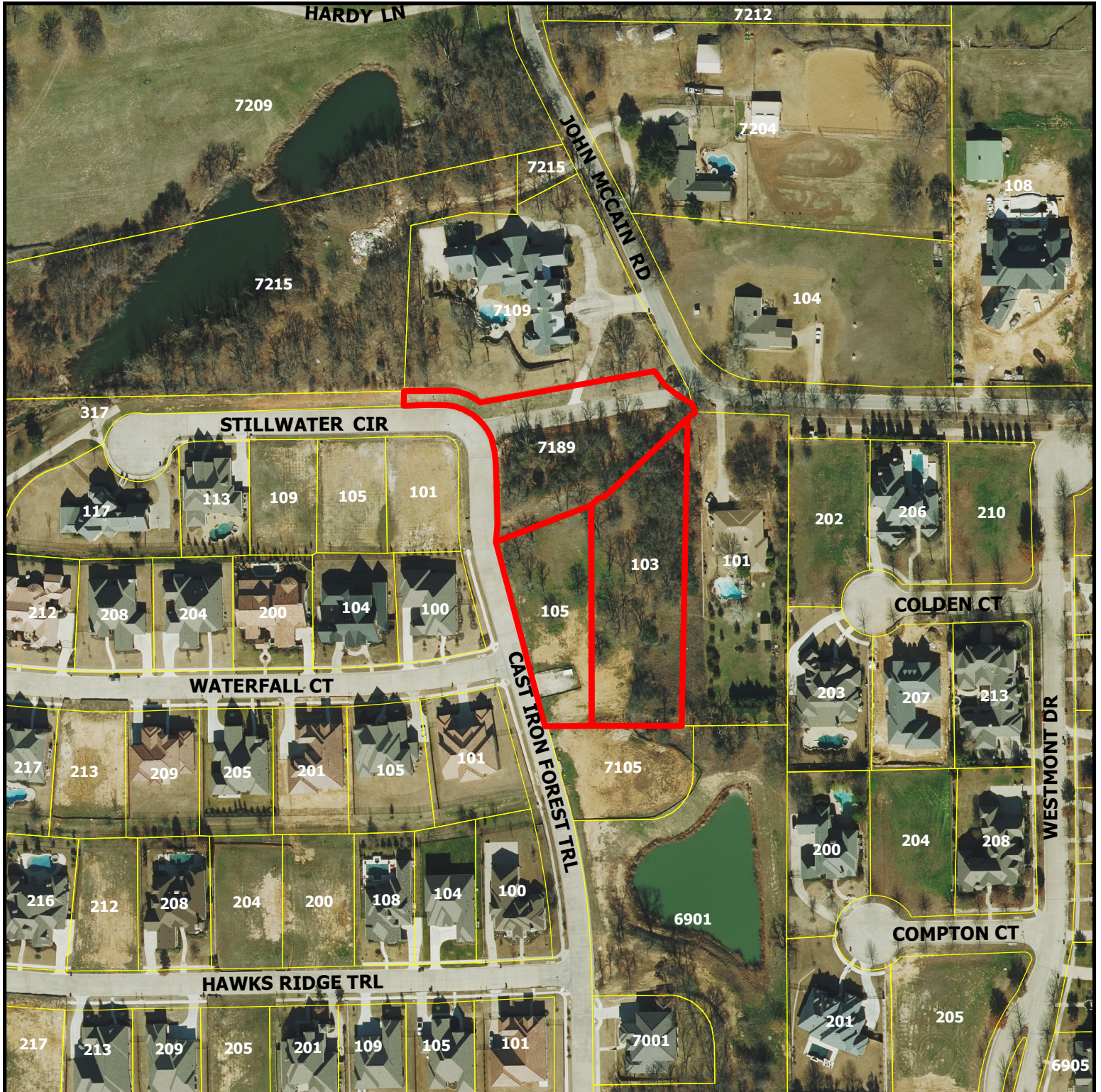
Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Plat Exhibit
5. Ordinance O-04-1475
6. Notification Map
7. Notification List
8. Property Owner Notification Letter
9. Letter of Opposition
10. Resolution R-18-4294

Aerial Map

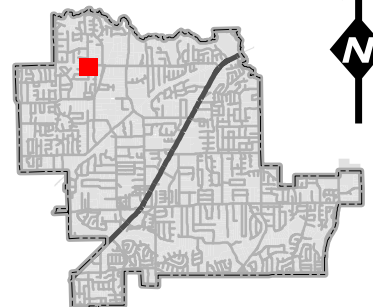


PC17-004

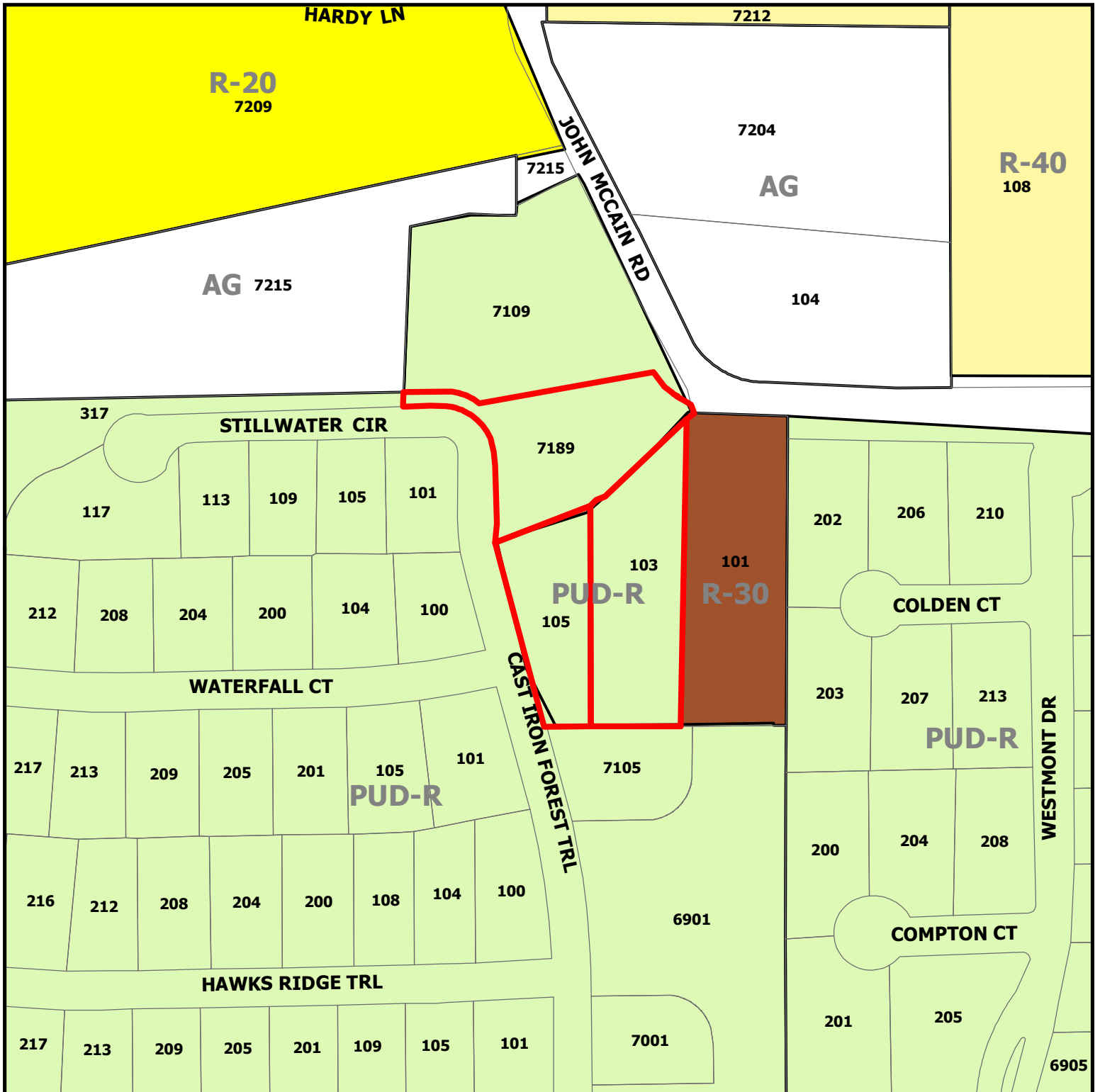
**105 & 103 John McCain Rd and
7189 Cast Iron Forest Trl**

DISCLAIMER:
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 Subject Property



Zoning Map

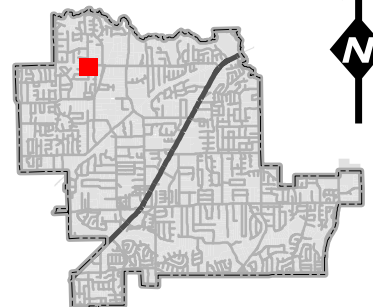


PC17-004

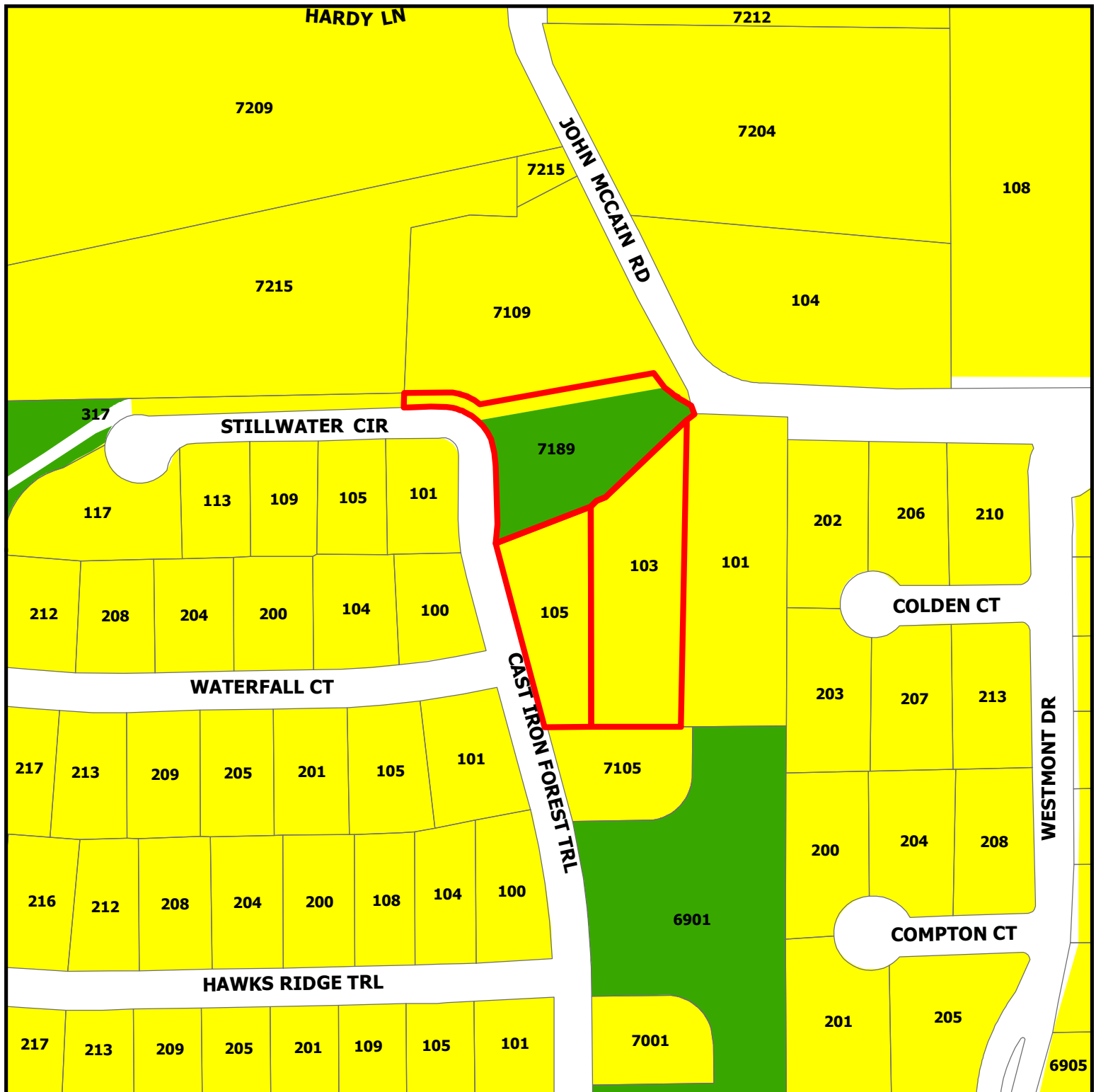
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 Subject Property



Future Land Use Map



PC17-004

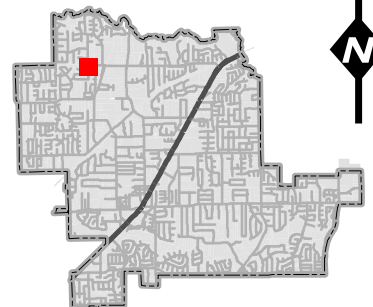
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DISCLAIMER:

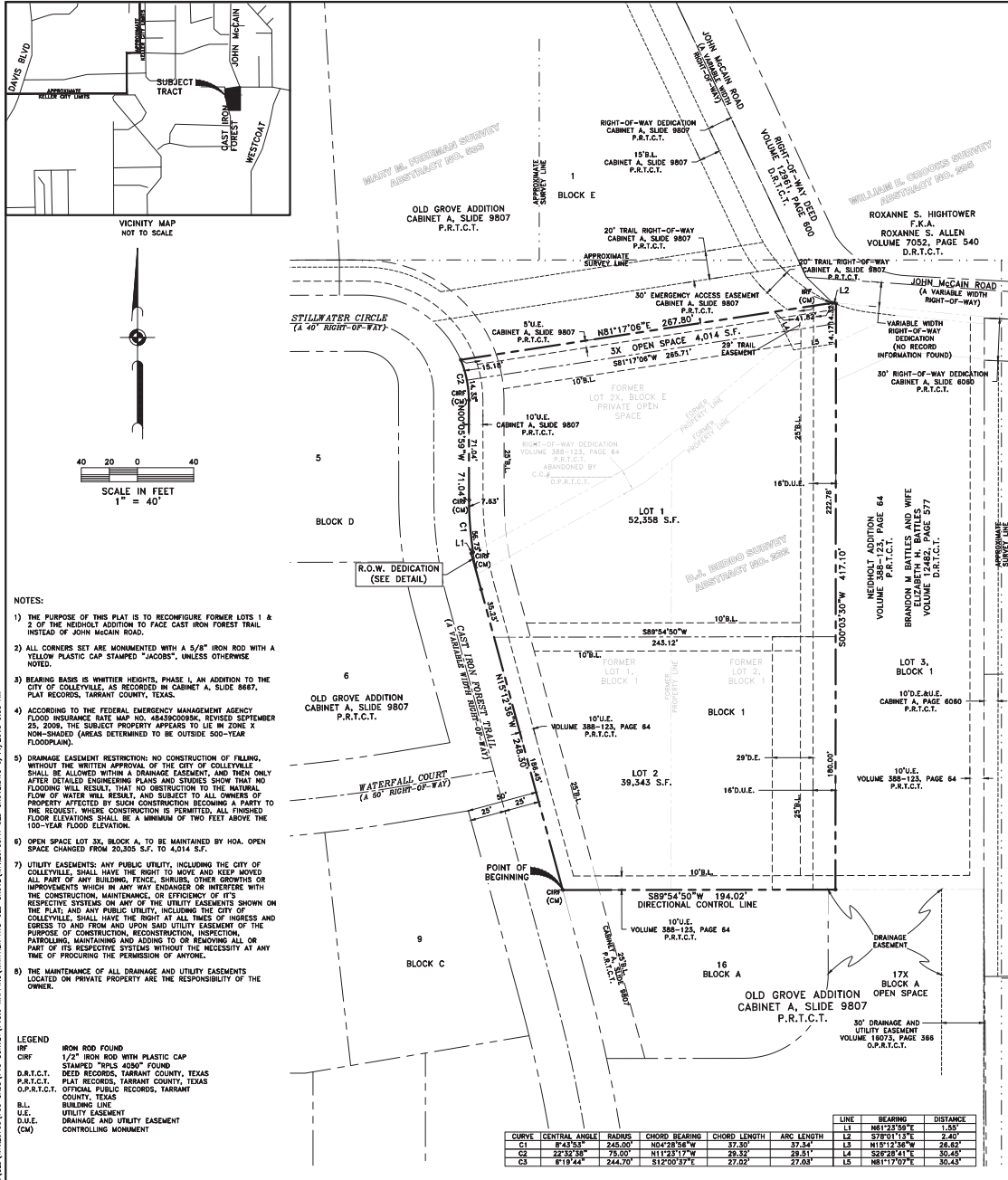
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Subject Property



Plat Exhibit



OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF TARRANT

WHEREAS TOLL DALLAS TX, LLC IS THE SOLE OWNER OF A 2.198 ACRE TRACT OF LAND SITUATED IN THE D.J. BEDDO SURVEY, ABSTRACT NO. 232, CITY OF COLLEYSVILLE, TARRANT COUNTY, TEXAS, AND BEING ALL OF LOTS 1, AND 2, BLOCK 1 OF THE NEIDHOLT ADDITION, AN ADDITION TO THE CITY OF COLLEYSVILLE, AS RECORDED IN CABINET A, SLIDE 9807, PLAT RECORDS, TARRANT COUNTY, TEXAS, AND BEING ALL OF LOT 2X, BLOCK E OF THE OLD GROVE ADDITION, AN ADDITION TO THE CITY OF COLLEYSVILLE, AS RECORDED IN CABINET A, SLIDE 9807, PLAT RECORDS, TARRANT COUNTY, TEXAS, SAID 2.198 ACRE TRACT WITH REFERENCE BEARING BASIS BEING WHITTIER HEIGHTS, PHASE I, AN ADDITION TO THE CITY OF COLLEYSVILLE, AS RECORDED IN CABINET A, SLIDE 9807, PLAT RECORDS, TARRANT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "RPLS 4050" FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 1; AND THE COMMON NORTHWEST CORNER OF LOT 16, BLOCK A OF SAID OLD GROVE ADDITION, SAID POINT BEING ON THE NORTHWEST CORNER OF CAST IRON FOREST TRAIL, A VARIABLE WIDTH RIGHT-OF-WAY, AS RECORDED IN CABINET A, SLIDE 9807, PLAT RECORDS, TARRANT COUNTY, TEXAS;

THENCE, ALONG THE SOUTHWEST LINE OF SAID NEIDHOLT ADDITION AND SAID NORTHEAST RIGHT-OF-WAY LINE OF SAID CAST IRON FOREST TRAIL, THE FOLLOWING COURSES AND DISTANCES:

NORTH 15 DEGREES 12 MINUTES 36 SECONDS WEST, A DISTANCE OF 248.30 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "JACOBS" SET FOR THE NORTHWEST CORNER OF SAID NEIDHOLT ADDITION;

NORTH 61 DEGREES 25 MINUTES 59 SECONDS EAST, ALONG THE NORTH LINE OF SAID NEIDHOLT ADDITION, A DISTANCE OF 1.25 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "RPLS 4050" FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 2X, BLOCK E; SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 08 DEGREES 38 MINUTES 53 SECONDS, A RADIUS OF 248.00 FEET, AND A LONG CHORD THAT BEARS NORTH 54 DEGREES 28 MINUTES 56 SECONDS WEST A DISTANCE OF 37.30 FEET;

THENCE, ALONG THE WEST LINE OF SAID LOT 2X, AND CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE OF CAST IRON FOREST TRAIL, THE FOLLOWING COURSES AND DISTANCES:

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 37.34 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "RPLS 4050" FOUND FOR CORNER;

NORTH 00 DEGREES 05 MINUTES 59 SECONDS WEST, A DISTANCE OF 71.04 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "RPLS 4050" FOUND FOR CORNER, AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 22 DEGREES 32 MINUTES 38 SECONDS, A RADIUS OF 75.00 FEET, AND A LONG CHORD THAT BEARS NORTH 11 DEGREES 23 MINUTES 17 SECONDS WEST A DISTANCE OF 29.32 FEET;

ALONG SAID NON-TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 29.31 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "JACOBS" SET FOR THE NORTHEAST CORNER OF SAID LOT 2X, AND THE COMMON SOUTHWEST CORNER OF LOT 1, BLOCK E OF SAID OLD GROVE ADDITION;

THENCE, NORTH 81 DEGREES 17 MINUTES 06 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 2X, AND THE COMMON SOUTH LINE OF SAID LOT 1, BLOCK E, A DISTANCE OF 267.80 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK E; SAID POINT BEING ON THE SOUTH LINE OF A RIGHT-OF-WAY DEDICATION FOR JOHN MCCAIN ROAD, A VARIABLE WIDTH RIGHT-OF-WAY;

THENCE, SOUTH 79 DEGREES 01 MINUTE 13 SECONDS EAST, CONTINUING ALONG THE NORTH LINE OF SAID LOT 2X, AND THE COMMON SOUTH LINE OF SAID LOT 1, BLOCK E, A DISTANCE OF 2.40 FEET TO A 1/2" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "JACOBS" SET FOR THE NORTHEAST CORNER OF SAID LOT 2X, THE COMMON NORTHEAST CORNER OF AFORESAID LOT 2, BLOCK 1, AND THE COMMON NORTHWEST CORNER OF AFORESAID LOT 3, BLOCK 1;

THENCE, SOUTH 40 DEGREES 03 MINUTES 30 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 2, AND THE COMMON WEST LINE OF SAID LOT 3, A DISTANCE OF 417.10 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "JACOBS" SET FOR THE SOUTHWEST CORNER OF SAID LOT 2, AND THE COMMON SOUTHWEST CORNER OF SAID LOT 3, SAID POINT BEING ON THE NORTH LINE OF LOT 17X, BLOCK A OF AFORESAID OLD GROVE ADDITION;

THENCE, SOUTH 88 DEGREES 54 MINUTES 50 SECONDS WEST, ALONG THE SOUTH LINES OF SAID LOTS 2 AND 1X, AND THE COMMON NORTH LINES OF SAID LOT 17X, AND AFORESAID LOT 18, BLOCK A, A DISTANCE OF 194.02 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 2.198 ACRES OR 95,729 SQUARE FEET OF LAND.

NOW THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:

THAT WE, TOLL DALLAS TX LLC, OWNERS, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREINBEFORE DESCRIBED PROPERTY AS, OLD GROVE ADDITION, PHASE II, AN ADDITION TO THE CITY OF COLLEYSVILLE, TARRANT COUNTY, TEXAS, AND DO HEREBY DEDICATE THE SAME TO THE PUBLIC USE FOREVER ALL STREETS, RIGHTS-OF-WAY, AND ALLEYS SHOWN THEREON, AND DO HEREBY RESERVE THE EASEMENTS SHOWN ON THIS PLAT FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME. ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS IN WHICH ANY PUBLIC UTILITY SHALL HAVE THE RIGHT OF EGRESS AND ACCESS TO AND FROM AND UPON SAID UTILITY EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING AND PATROLLING, WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE, THE RIGHT TO ATTACH AND SEAL TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF COLLEYSVILLE, TEXAS.

WITNESS MY HAND THIS _____ DAY OF _____, 2018.

TOLL DALLAS TX LLC

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THE _____ DAY OF _____, 2018.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY PRINTED NAME: _____

MY COMMISSION EXPIRES: _____

SURVEYORS CERTIFICATE

THAT I, MICHAEL J. BATUP, A REGISTERED PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION AND ORIGIN.

FURTHER, THIS SURVEY CONFORMS TO THE GENERAL RULES OF PROCEDURES AND PRACTICES OF THE MOST CURRENT PROFESSIONAL LAND SURVEYING PRACTICE ACT.

FOR REVIEW AND COMMENT ONLY.

MICHAEL J. BATUP
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4574

DATE _____

OWNER/DEVELOPER: TOLL DALLAS TX LLC
2557 GRAPEVINE PARKWAY
Suite 100, GRAPEVINE, TX 76051
Phone: 817-329-8770
Fax: 817-488-2496

ENGINEER/SURVEYOR: JACOBS
1999 BRYAN STREET, SUITE 1200
DALLAS, TEXAS 75201-3136
PHONE 214-638-0145 FAX 214-638-0447
TOLL FREE 1-800-300-3000

PLANNING AND ZONING COMMISSION APPROVAL

WHEREAS, THE PLANNING AND ZONING COMMISSION OF THE CITY OF COLLEYSVILLE, TEXAS VOTED AFFIRMATIVELY ON THIS _____ DAY OF _____, 2017, TO APPROVE THIS PLAT.

CHAIRMAN, PLANNING AND ZONING COMMISSION _____

ATTEST: SECRETARY, PLANNING AND ZONING COMMISSION _____

CITY COUNCIL APPROVAL

WHEREAS THE CITY COUNCIL OF THE CITY OF COLLEYSVILLE, TEXAS VOTED AFFIRMATIVELY ON THIS _____ DAY OF _____, 2017, TO APPROVE THIS PLAT.

MAYOR, CITY OF COLLEYSVILLE _____

ATTEST: CITY SECRETARY _____

A
FINAL PLAT
OF
OLD GROVE ADDITION,
PHASE II
BEING A REPLAT OF ALL
LOTS 1, AND 2, BLOCK 1
OF THE NEIDHOLT ADDITION
VOLUME 388-123, PAGE 64
P.R.T.C.T.
AND BEING A REPLAT OF ALL
LOT 2X, BLOCK E & RIGHT OF WAY
OF THE OLD GROVE ADDITION
CABINET A, SLIDE 9807
P.R.T.C.T.
OUT OF THE D.J. BEDDO SURVEY, ABSTRACT NO. 232
CITY OF COLLEYSVILLE, TARRANT COUNTY, TEXAS
2.198 ACRES (GROSS & NET) \ 3 LOTS
2 RESIDENTIAL LOTS (LOTS 1-5, BLOCK 1)
1 OPEN SPACE LOT (LOT 3X, BLOCK 1) &
1 RIGHT-OF-WAY DEDICATION
(CAST IRON FOREST TRAIL)

CURVE	CENTRAL ANGLE	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	8°49'53"	245.00'	N64°28'56"W	37.30'	37.34'
C2	22°33'58"	75.00'	N11°23'17"E	29.32'	37.31'
C3	8°18'44"	244.70'	S12°00'37"E	27.02'	27.03'

LINE	BEARING	DISTANCE
L1	N81°12'06"E	267.80'
L2	S79°01'13"E	2.40'
L3	N15°12'36"W	28.82'
L4	S66°24'11"E	30.45'
L5	N81°17'02"E	30.43'

NOTES:

- THE PURPOSE OF THIS PLAT IS TO RECONFIGURE FORMER LOTS 1 & 2 OF THE NEIDHOLT ADDITION TO FACE CAST IRON FOREST TRAIL INSTEAD OF JOHN MCCAIN ROAD.
- ALL CORNERS SET ARE MONUMENTED WITH A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "JACOBS", UNLESS OTHERWISE NOTED.
- BEARING BASIS IS WHITTIER HEIGHTS, PHASE I, AN ADDITION TO THE CITY OF COLLEYSVILLE, AS RECORDED IN CABINET A, SLIDE 9807, PLAT RECORDS, TARRANT COUNTY, TEXAS.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NO. 484900080R, REVISED SEPTEMBER 25, 2009, THE SUBJECT PROPERTY APPEARS TO LIE IN ZONE X NON-SHADED (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN).
- DRAINAGE EASEMENT RESTRICTION: NO CONSTRUCTION OF FILLING, WITHOUT THE WRITTEN APPROVAL OF THE CITY OF COLLEYSVILLE, SHALL BE ALLOWED WITHIN A DRAINAGE EASEMENT, AND THEN ONLY AFTER DETAILED ENGINEERING PLANS AND STUDIES SHOW THAT NO FLOODING WILL RESULT, THAT NO OBSTRUCTION TO THE NATURAL FLOW OF WATER WILL RESULT, AND SUBJECT TO ALL OWNERS OF PROPERTY AFFECTED BY SUCH CONSTRUCTION BECOMING A PARTY TO THE RESOLVE. WHERE CONSTRUCTION IS PERMITTED, ALL FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF TWO FEET ABOVE THE 100-YEAR FLOOD ELEVATION.
- OPEN SPACE LOT 3X, BLOCK A, TO BE MAINTAINED BY HOA. OPEN SPACE CHANGED FROM 20,000 S.F. TO 4,014 S.F.
- UTILITY EASEMENTS: ANY PUBLIC UTILITY, INCLUDING THE CITY OF COLLEYSVILLE, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL PART OF ANY BUILDING, FENCE, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THE UTILITY EASEMENTS SHOWN ON THIS PLAT, AND SAID PUBLIC UTILITY, INCLUDING THE CITY OF COLLEYSVILLE, SHALL HAVE THE RIGHT AT ALL TIMES OF INGRESS AND EGRESS TO AND FROM UPON SAID UTILITY EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND TENDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.
- THE MAINTENANCE OF ALL DRAINAGE AND UTILITY EASEMENTS LOCATED ON PRIVATE PROPERTY ARE THE RESPONSIBILITY OF THE OWNER.

LEGEND

IRF 1/2" IRON ROD WITH PLASTIC CAP STAMPED "RPLS 4050" FOUND

D.R.T.C.T. DEED RECORDS, TARRANT COUNTY, TEXAS

P.R.T.C.T. PLAT RECORDS, TARRANT COUNTY, TEXAS

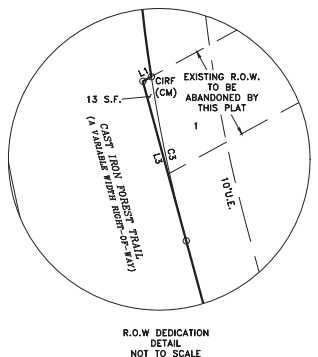
O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS

B.L. BUILDING LINE

U.E. UTILITY EASEMENT

D.U.E. DRAINAGE AND UTILITY EASEMENT

(CM) CONTROLLING MONUMENT



ALLEN WILSON 000 CAD 0715 SURVEYVILLE MAPS WITNESS WRITTEN HFS-00 GROSS WFLP009-00 GROWING 6/11/2018 8:58 AM

ORDINANCE O-04-1475

AN ORDINANCE AMENDING CHAPTER 3, LAND USE OF THE LAND DEVELOPMENT CODE OF THE CITY OF COLLEYVILLE, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING OF LOTS 1 AND 2, BLOCK 1, NEIDHOLT ADDITION, FROM THE R30 SINGLE FAMILY RESIDENTIAL DISTRICT TO THE PUD-R PLANNED UNIT DEVELOPMENT RESIDENTIAL DISTRICT; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; AUTHORIZING PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application for a zoning change was filed by Old Grove Limited Partnership on July 6, 2004, under Case No. Z-04-026; and

WHEREAS, the City of Colleyville has complied with the notification requirements of the Texas Local Government Code and the Colleyville Land Development Code; and

WHEREAS, the Planning and Zoning Commission has held a public hearing and made a recommendation on the proposed zoning amendment; and

WHEREAS, the City Council has determined that the proposed zoning amendment is in the best interests of the City of Colleyville.

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

Sec. 1. THAT the Master Plan, the Land Development Code of the City of Colleyville, Texas, and the Official Zoning Map are hereby amended insofar as they relate to certain land located in Colleyville, Texas, as shown on the Zoning Map attached as Exhibit "A", and described by metes and bounds description attached as Exhibit "B", by changing the zoning of said property from the R30 Single Family Residential district to the PUD-R Planned Unit Development Residential district, as shown on the attached Exhibit "C", including any other conditions and restrictions imposed and approved by the City Council, which are incorporated herein.

Sec. 2. THAT the PUD-R shall be subject to the following conditions:

1. GENERAL

- a. The purpose of the PUD-R area is for single-family residential development.

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

2. PERMITTED USES

- a. Single family residences, detached
- b. Open space

3. RESIDENTIAL LOT REQUIREMENTS AND SETBACKS

- a. Residential lot requirements and setbacks shall comply with the following provisions:

(1) Minimum Lot Size	13,000 square feet
(2) Minimum Lot Width	90 feet
(3) Minimum Lot Depth	120 feet
(4) Front Building Line	25 feet
(5) Side Building Line	10 feet
(6) Rear Building Line	25 feet

- b. The average lot size 16,000 square feet and shall be calculated over the combined acreage of Whittier Heights Phase I, Old Grove Phase I, Whittier Heights Phase II, and Old Grove Phase II.

4. OPEN SPACE

- a. The PUD-R area shall provide a minimum of twenty percent (20%) of the residential project area as common open space for the leisure and recreational use of the development's residents. The open space shall be calculated over the combined acreage of Whittier Heights Phase I, Old Grove Phase I, Whittier Heights Phase II, and Old Grove Phase II. The open space shall comply with the provisions contained in the Land Development Code.
- b. The common open space may be utilized for storm water detention purposes.

5. CONCEPTUAL SITE PLANS AND PLATTING

- a. The residential lot layout of the PUD-R area shall be generally consistent with the conceptual site plan attached as Exhibit "C", which shall be considered the preliminary plat. The actual street and lot arrangement may differ from that shown on Exhibit "C" to accommodate physical, topographic, drainage or other conditions.

- b. Prior to the issuance of any development permits on the subject property and as a condition to the development of the subject property, the developer shall obtain approval of a final plat of the property in accordance with the procedures and requirements of the Colleyville Land Development Code. In approving the final plat, the approving body shall exercise reasonable discretion with respect to changes from the Preliminary Plat in roadway design, lot sizes, lot shape, building line, setback lines, open space and all other aspects of the plat.
- c. The average residential density is permitted to be 1.8 dwelling units per acre over the combined acreage of Whittier Heights Phase I, Old Grove Phase I, Whittier Heights Phase II, and Old Grove Phase II.

6. STREETS AND SIDEWALKS

- a. Each homebuilder shall construct sidewalks along lot frontages. All sidewalks shall be constructed in accordance with the requirements of the Colleyville Land Development Code.

7. OTHER

- a. This development shall be subject to all impact fees as of the date of approval of the final plat.
- b. No water or sewer extensions are required to be made to adjacent property.
- c. The provisions of the Colleyville Pathways plan shall be incorporated in the project. Pathways shall be designated on the preliminary plan and final plat in a dedicated public right-of-way. Pathways shall be constructed by the developer.

- Sec. 3. THAT any person, firm, or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined a sum not to exceed Two Thousand Dollars (\$2,000.00). Each and every day such violation continues shall constitute a separate offense and shall be punishable as such.
- Sec. 4. THAT the Land Development Code of the City of Colleyville, Texas, shall remain in full force and effect, except where amended by this ordinance.
- Sec. 5. THAT the City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

Sec. 6. THAT this ordinance shall become effective immediately upon publication.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 17th day of August 2004.

The second reading and public hearing being conducted on the 7th day of September 2004.

ATTEST:



Cynthia Singleton, TRMC
City Secretary

CITY OF COLLEYVILLE:



Joe Hocutt
Mayor

APPROVED AS TO FORM AND LEGALITY:



Ross T. Foster
City Attorney

The map displays a residential area with various zoning districts. A large area is labeled 'SITE' with a callout pointing to a specific location. The map includes labels for zoning districts such as PUD-R, AG, R-30, and RE. The map also shows streets like Westmont Ave, Westmont Rd, and Westmont Ct. The map is oriented with North at the top.

EXHIBIT B – METES AND BOUNDS DESCRIPTION

BEING a tract of land in the D.J. Beddo Survey, Abstract No. 232, situated in the City of Colleyville, Tarrant County, Texas and being all of Lot 1 and Lot 1, Block 1, of the final plat of Lots 1, 2, & 3, Block 1, Neidholt Addition, an addition to the City of Colleyville, Tarrant County, Texas as recorded in Volume 388-123, Page 64, Plat Records, Tarrant County, Texas (PRTCT), and being a portion of an unnamed right-of-way dedication as set out by aforesaid plat, and being a portion of that tract of land as described in deed to Old Grove Limited Partnership, recorded in Volume 1469, Page 37, Deed Records, Tarrant County, Texas, and being more particularly described as follows:

COMMENCING at a ½-inch rebar found at the southeast corner of Lot 3, Block 1, the said final plat of Lots 1, 2, & 3, Block 1, Neidholt Addition, being an angle point in the west line of Westmont, an addition to the City of Colleyville, Tarrant County, Texas, as recorded in Cabinet A, Slide 6060, PRTCT, being the most easterly northeast corner of said Old Grove tract;

THENCE South 89 degrees 54 minutes 50 seconds West, departing the west line of said Westmont, along the south line of said Neidholt Addition and a reentrant line of said Old Grove tract, a distance of 105.60 feet to southwest corner of said Lot 3 and the southeast corner of said Lot 2, being the POINT OF BEGINNING of the herein described tract of land;

THENCE South 89 degrees 54 minutes 50 seconds West, continuing along the south line of said Neidholt Addition and a reentrant line of said Old Grove tract, at a distance of 116.83 feet passing a 5/8 inch rebar found, said point being 0.25 feet to the south of line, at a distance of 194.00 feet passing a ½ inch rebar capped set at the southwest corner of said Neidholt Addition and a reentrant corner of said Old Grove tract, thereafter traversing said Old Grove tract, continuing a total distance of 199.18 feet to a ½ inch rebar capped set at the southwest corner of the herein described tract of land;

THENCE traversing said Old Grove tract, as follows:

North 15 degrees 12 minutes 36 seconds West, a distance of 220.16 feet to a ½ inch rebar capped set at the point of curvature of a circular curve to the right, having a radius of 250.00 feet;

Northwesterly, along said curve, having a central angle of 15 degrees 05 minutes 37 seconds, an arc distance of 65.86 feet and a chord that bears North 07 degrees 39 minutes 47 seconds West, 65.6 feet to a ½ inch rebar capped set;

North 89 degrees 53 minutes 01 seconds East, non tangent to said curve, a distance of 5.00 feet to a ½ inch rebar capped set;

North 00 degrees 06 minutes 59 seconds West, a distance of 71.04 feet to a ½ inch rebar capped set at the point of curvature of a circular curve to the left having a radius of 75.00 feet;

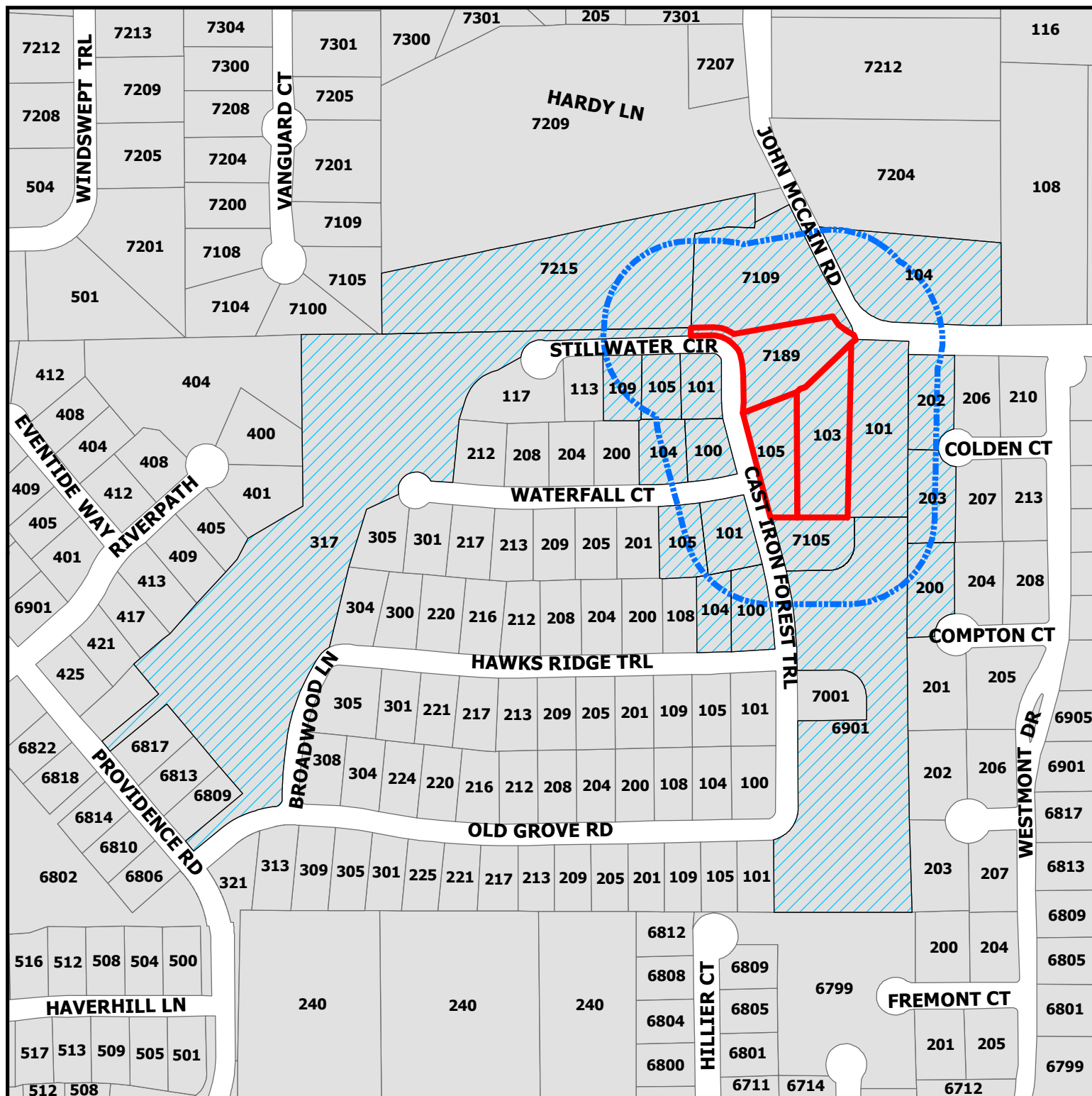
Northwesterly, along said curve, having a central angle of 22 degrees 32 minutes 37 seconds, an arc distance of 29.51 feet and a chord that bears North 11 degrees 23 minutes 17 seconds West, 29.32 feet to a ½ inch rebar capped set at the northwest corner of the herein described tract;

North 81 degrees 17 minutes 06 seconds East, non tangent to said curve, a distance of 267.80 feet to a ½ inch rebar found in the southwesterly line of John McCain Road (County Road No. 3036, variable width right-of-way), from which a 3/8 inch rebar found bears South 76 degrees 32 minutes 02 seconds West, 6.00 feet;

THENCE South 78 degrees 29 minutes 15 seconds East, along the southwesterly line of said John McCain Road, a distance of 2.40 feet to the northeast corner of the herein described tract;

THENCE South 00 degrees 30 minutes 30 seconds West, departing the southwesterly line of said John McCain Road, at a distance of 27.55 feet passing the northwest corner of said Lot 3 and the northeast corner of said Lot 2, continuing along the west line of said Lot 3 and the east line of said Lot 2, a total distance of 417.12 feet to the POINT OF BEGINNING and containing 97,138 square feet or 2.230 acres of land, more or less.

Notification Map



DISCLAIMER:

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

PC17-004

105 & 103 John McCain Rd and 7189 Cast Iron Forest Trl



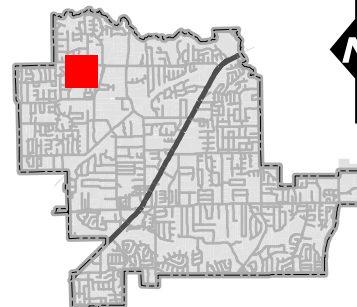
Subject Property



200ft Buffer



Properties within 200ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
JOHNSON, MARK	203 COLDEN CT	COLLEYVILLE, TX	76034	203 COLDEN CT
BATTLES, BRANDON	101 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	101 JOHN MCCAIN RD
TOLL DALLAS TX LLC	250 GIBRALTAR RD	HORSHAM, PA	19044	105 STILLWATER CIR
ALLEN, LEROY	101 STILLWATER CIR	COLLEYVILLE, TX	76034	101 STILLWATER CIR
TOLL DALLAS TX LLC	250 GIBRALTAR RD	HORSHAM, PA	19044	105 JOHN MCCAIN RD
FREIG, JOSE	104 HAWKS RIDGE TRL	COLLEYVILLE, TX	76034	104 HAWKS RIDGE TR
BOLTON, JONATHON	202 COLDEN CT	COLLEYVILLE, TX	76034	202 COLDEN CT
HA, THANH THUC	100 HAWKS RIDGE TR	COLLEYVILLE, TX	76034	100 HAWKS RIDGE TR
LAW, JAMES	109 STILLWATER CIR	COLLEYVILLE, TX	76034	109 STILLWATER CIR
RAU, SUSAN	7105 CAST IRON FOREST TRL	COLLEYVILLE, TX	76034	7105 CAST IRON FOREST TR
TOLL DALLAS TX LLC	250 GIBRALTAR RD	HORSHAM, PA	19044	103 JOHN MCCAIN RD
ALLEN, CARL E	200 COMPTON CT	COLLEYVILLE, TX	76034	200 COMPTON CT
KELLY, JOHN	105 WATERFALL CT	COLLEYVILLE, TX	76034	105 WATERFALL CT
CLARK, EDWARD D	104 WATERFALL CT	COLLEYVILLE, TX	76034	104 WATERFALL CT
TOLL DALLAS TX LLC	250 GIBRALTAR RD	HORSHAM, PA	19044	7189 CAST IRON FOREST TR
HIGHTOWER, ROXANNE S	104 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	104 JOHN MCCAIN RD
ETTA, ANITA B	101 WATERFALL CT	COLLEYVILLE, TX	76034	101 WATERFALL CT
OLD GROVE MAINTENENCE ASSN	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	6901 CAST IRON FOREST TR
RIACH, STEVEN E	7109 JOHN MCCAIN RD	COLLEYVILLE, TX	76034	7109 JOHN MCCAIN RD
DAWSON, WESLEY	406 PECAN DR	IRVING, TX	75061	7215 JOHN MCCAIN RD
WESTMAN, GARY A	2812 COTSWOLD CT	KELLER, TX	76248	100 WATERFALL CT
OLD GROVE MAINTENENCE ASSN	1800 PRESTON PARK BLVD STE 101	PLANO, TX	75093	317 OLD GROVE RD
OLD GROVE ADDITION	P.O. Box 1481	COLLEYVILLE, TX	76034	COURTESY NOTICE
WESTMONT ADDITION	5751 KROGER DRIVE	KELLER, TX	76244	COURTESY NOTICE
KELLER ISD	350 KELLER PARKWAY	KELLER, TX	76248	STATE REQUIRED
GRAPEVINE-COLLEYVILLE ISD	3051 IRA E. WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
KESSLER, KEVIN	1999 BRYAN STREET, SUITE 1200	DALLAS, TX	75201	APPLICANT



NOTICE OF PUBLIC HEARING

Zoning Case Number: PC17-004

Owner: Toll Dallas TX LLC

Applicant: Kevin Kessler

Location: 105 & 103 John McCain and 7189 Cast Iron Forest Trail

Property Description: Lots 1 and 2, Block 1, of the Neidholt Addition, Lot 2X, Block E, of the Old Grove Addition, and existing dedicated Right of Way

Present Zoning: PUD-R Planned Unit Development Residential District

Request: Consideration of a Final Plat for Lots 1, 2, and 3X, Block 1, Old Grove Addition, Phase II, located at 105 & 103 John McCain Road and 7189 Cast Iron Forest Trail. The purpose of the plat is to combine the 3 properties into 2 Single Family Residential lots and 1 open space lot.

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

Planning and Zoning Commission Meeting: Monday, April 9, 2018 at 7:00 p.m.
City Council Meeting: Tuesday, May 1, 2018 at 7:30 p.m.
3rd floor of City Hall, 100 Main Street, Colleyville, Texas

This notice has been sent to all owners of real property within 200 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 500 feet. Action by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request.

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

Felix Landry
Principal Planner
flandry@colleyville.com

City of Colleyville Planning & Zoning Commission Meeting

June 11, 2018

Case #PC17-004, Consideration of a Final Plan for Lots 1, 2 and 3X, Block 1, Old Grove Addition, Phase II, located at 105 & 103 John McCain Road and 7189 Cast Iron Forest Trail

Memo of Objection, Submitted to the P&Z Commission by:

Susan E. Rau & Richard Freitag, Residents at 7105 Cast Iron Forest Trail, Colleyville TX 76034

TO: City of Colleyville TX, Planning & Zoning Commission Members

PLACE 1: CHAIR: Susan Mathisen

PLACE 2: Raymond Allee

PLACE 3: VICE CHAIR: Sam van Bever

PLACE 4: Veronica Baughman

PLACE 5: Charles Kelley

PLACE 6: Claudia Bevill

PLACE 7: Jason Elms



CC: Colleyville City Staff

Ben Bryner: Community Development Director & City Planner

Caleb Tandy: ISA Certified Arborist, (TX-37410A), Urban Forester

Taylor Schauwecker, P.E., Development Engineer

Introduction

We first became aware of this case when we received a notice of the proposal to re-plat the above referenced properties was sent to homeowners within a 200' radius of the property in question in advance of the first public meeting on the matter on May 14, 2018. The Planning & Zoning (P & Z) Commission decided to table the matter until June 11, 2018. The Commission's decision was made after hearing from those sponsoring the proposal (primarily Toll Brothers and Jacob Engineering) and affected homeowners present at the meeting. Each and all of the homeowners at the May 14th meeting spoke to express their objection to the plan as presented and to ask follow-up questions. The Commission members encouraged Toll Brothers and those objecting to the proposal to meet and discuss possible alternatives prior to the June 11, 2018 meeting.

After the P & Z Commission meeting, Toll Brothers met with each of the objecting parties individually and, later, with the three homeowners most significantly impacted in a group meeting (Battles, Johnsons and Rau/Freitag). We are not aware of any follow-up discussions that Toll Brothers may have had with the Old Grove HOA. The homeowner meetings were cordial, informative and there was candid debate about the drainage alternatives and the number and size of the proposed building lots and the positioning of homes and drainage on the re-platted lots.

Toll Brothers outlined the history and evolution of the matter, including the overall development plan and, more specifically, the drainage options for the property in question.

- One of the more important historical facts is that, according to Toll Brothers, Jacob Engineering and the City of Colleyville, when the Old Grove sub-division was laid out and permitted (c. 2004), for unspecified reasons, some but not all of the Neidholt Addition properties bordered by Stillwater Circle, Cast Iron Forest Trail and by John McCain Road were not included in the Old Grove Phase 1 sub-division plat, grading or drainage plans and the approval of these plans by the City of Colleyville.

- However, the Rau-Freitag property, the large retention pond next to us, one additional home and green space on Cast Iron Forest Trail were, in fact, included in Old Grove Phase 1. It is our understanding that most or all of these properties were, at one time, also part of the Neidholt Addition.
- As a result of the inclusion of some Neidholt Addition properties in Old Grove Phase 1, the drainage system for our property, the other existing home on Cast Iron Forest Trail, and a few properties in the Westmont sub-division currently drain into the large retention pond on Cast Iron Forest Trail via underground pipes and sewers. The specifics of these drainage systems and the associated grading and water flows are clearly shown on the City plans previously approved for Old Grove Phase 1 and the Westmont sub-divisions.
- As a point of fact, today, the Old Grove Phase 1 storm water management and sewer system and the Westmont sub-division storm water management and sewer facilities previously approved by the City **DO NOT** include the properties that are now the subject of this case.

After the May 14 Commission meeting when it became obvious that homeowners had not seen the drainage proposals, Rau/Freitag reached out to the City Engineer for the drainage proposals submitted by Jacob Engineering on behalf of Toll Brothers. We also requested and received from the City Planner and the City Engineer, approved plats, grading and drainage plans for the large retention pond and for the Old Grove Phase 1 and the Whittier Heights sub-divisions and the affected area within the Westmont sub-division. We shared these documents with the Battles and the Johnsons. Each of the Battles and the Johnsons also requested and were provided with the grading and drainage plans for their respective properties.

As the P & Z Commission prepares for its June meeting, where the matter of case #PC17-004 will be discussed, the Commission members should confirm that their briefing package does include the full plans supporting this case, including but not limited to the drainage proposal. The homeowners have reached out to Toll Brothers recently, but we have not received an answer or any new documents. Accordingly, Exhibit A is, to the best of our knowledge, the latest drainage plan submitted by Toll Brothers and Jacob Engineering.

IF THE COMMISSION MEMBERS HAVE NOT YET SEEN OR STUDIED THE DRAINAGE PROPOSAL AND ANY REVISED PLAT PLANS FROM TOLL BROTHERS, WE RESPECTIVELY ASK THAT CASE #PC17-004 BE TABLED UNTIL SUCH TIME AS THE MEMBERS AND AFFECTED HOMEOWNERS HAVE RECEIVED AND BEEN BRIEFED ON ANY REVISIONS.

Rau/Freitag Objections

Despite the various meetings and conversations that each and all of the homeowners have had with Toll Brothers since the May P & Z Commission, as of today's meeting (6/11/18) there is still no consensus as to the best way forward. Each of the three homeowners may have slightly different reasons for opposing the case now before the Commission (#PC17-004). Each of the Battles, the Johnsons and Old Grove Maintenance Association (HOA) will likely voice their concerns at or prior to the June 11th meeting. It is also possible that other interested parties may appear before the Commission to support or object to the proposal.

To be clear, the objections below and the accompanying exhibits focus solely on the objections of Susan Rau and Richard Freitag as homeowners on Cast Iron Forest Trail. As a starting point, we acknowledge the facts as summarized in the Introduction. We also understand from our conversations with the City Planner and with the City Engineer, that routing storm water from Old Grove Phase 2 (the new lots) was not envisioned when the large retention pond was engineered for Old Grove Phase 1; similarly, the approved Westmont sub-division did not include the new lots in their approved plans.

We also acknowledge that we've known since we purchased our home in 2015-2016, that the property next to us would be re-platted and homes built on it. **OUR CONCERNS ARE SPECIFICALLY ABOUT THE TYPE OF DRAINAGE BEING PROPOSED AND ITS POTENTIAL NEGATIVE IMPACT ON THE HEALTH AND WELL-BEING OF OUR FAMILY AND OUR NEIGHBORS.**

Summarizing our objections:

- The plan submitted for the drainage aspect of the re-plat proposes a dry detention pond and system that is atypical and not consistent with any other home in Old Grove.
- Dry detention ponds can pose significant risks to human and wildlife health, well-being and safety.
- Dry detention ponds need care and expertise, which we believe is a burdensome and onerous responsibility for a single homeowner. At least five (5) other property owners will be impacted by the design and maintenance of the drainage system and these homeowners will have limited if any control over the drainage system and its maintenance.
- The facts as provided to us, our research, and the discussions to date lead us to question whether the P & Z Commission members may have unintentionally failed to fully consider the important public health and safety considerations of a dry detention pond and in this case, the uneven application of the City regulations if this dry detention pond were to be approved.

To ensure a full hearing on the matter of case #PC17-004, please consider the following:

1. According to Toll Brothers, the city of Colleyville opposes "Option A", the prevailing approach to storm water management in the area. We have been told numerous times that the City objects because of the number of trees that might be dislodged.
 - **WE ASK THAT THE COMMISSION COMMENT AND CLARIFY WHETHER OR NOT TOLL BROTHERS HAS CORRECTLY CHARACTERIZED THE CITY'S POSITION ON THIS IMPORTANT MATTER. SPECIFICALLY, WAS "OPTION A" PRESENTED TO THE CITY AND, IF IT WAS, WHAT WAS THE CITY'S GUIDANCE?**
 - In our discussions with Toll Brothers, their senior representatives reviewed Toll's original development and drainage plans ("Option A"), wherein the property in question would be turned to face Cast Iron Forest Trail and several building lots would be permitted. To accommodate storm water, Toll would lay large drainage pipe at the rear of each lot; this would be buried and retaining walls would be constructed along the property line of the Battles residence.
 - **ACCORDING TO TOLL BROTHERS, THE CITY REJECTED "OPTION A" CITING ITS TREE PRESERVATION POLICY. THIS CAUSED TOLL AND JACOB ENGINEERING TO PROPOSE A VERY DIFFERENT APPROACH TO DRAINAGE THAN THE PREVAILING APPROACH USED WITHIN OLD GROVE AND MOST OF THE NEWER PROPERTIES IN THE AREA. THE PROPOSAL INCLUDES A LARGE ABOVE GROUND "DRY DETENTION POND" WITH A LARGE DRAINAGE FIELD.** The sizable field is directly adjacent to our property and runs along a large area of the Battles' property.
 - If this is the position of the City, we find it surprising and concerning. Our experience and research is that the City has been decidedly reasonable in striking a balance between preservation, commercial enterprise and the public good. **It is our view that "Option A" with perhaps some revisions or variations would represent a better and more effective approach.**
2. Toll Brothers is proposing "Option B" and "Option C". Both options use a large dry detention pond. The only difference, as we understand it, is whether the storm water would flow across the Battles property ("Option B", requiring easements) or through the Old Grove HOA property ("Option C" which may or may not require easements).
 - Both options would require excavation and possible expansion of the Westmont storm water management and sewer system alongside the Johnson's property. Both options appear to run contrary

to the City's Tree Preservation goals insofar as the dry drainage pond approach would destroy green space and trees, taking out the mature root systems that helps with drainage today and the natural wildlife in that area. Exhibit B shows the area that would be destroyed in order to accommodate the dry detention pond.

- **WE FULLY UNDERSTAND AND APPRECIATE THAT THERE WOULD BE DESTRUCTION SHOULD "OPTION A" BE APPROVED, BUT "OPTIONS B OR C" COULD POTENTIALLY BE EVEN MORE DESTRUCTIVE. WITH CAREFUL PLANNING, DESTRUCTION COULD BE MINIMIZED BY TWEAKING "OPTION A". IMPORTANTLY, BY APPROVING "OPTION A" PUBLIC HEALTH AND SAFETY CAN BE BETTER ASSURED WHILE SUPPORTING THE CITY'S PRESERVATION GOALS.**
 - Another point for the Commission members to consider is that within the current green space, there are nesting hawks, whose chicks we've seen grow up and take up permanent residence in this welcoming habitat. There are also nesting bluebirds, cardinals, blue jays, tree frogs, owls, some of which are listed on the Texas registry as "protected". All this would be destroyed if the dry detention pond is installed.
3. The dry detention drainage plan, as proposed, will take up a large section of the area shown as building Lot 2 on the Toll Brother plans. Although this lot is proposed to be slightly over one acre, it is neither rural nor urban and is instead, a fairly typical suburban building lot, albeit with a fairly sharp drop off at the rear, similar to our lot. **OUR RESEARCH SHOWS THAT MORE TYPICALLY, THIS TYPE OF ABOVE GROUND, GRAVITY FED DRAINAGE DETENTION POND IS SEEN ON LARGER ACREAGE OR IN AREAS WITH FEWER CITY-PROVIDED STORM WATER MANAGEMENT OPTIONS.**
- Even within the City of Colleyville, such dry ponds are more typically located on a common area or dedicated space, NOT on a suburban building lot under the sole management of a private homeowner. See Exhibit C, which was provided by the City Engineer as a few examples of current dry detention ponds.
4. Having worked with the City on our own drainage system, we are very surprised that Colleyville would approve the re-plat and associated dry detention pond approach. It should be noted that this approach is 180° away from the approach that Colleyville required us to take when we submitted our plans to build a pool and extensive landscaping in late 2016. Colleyville required that we plumb and pipe 30+ drains toward and into the large retention pond on Cast Iron Forest Trail. We were not permitted to use French drains, gravity fed or dry detention pond solutions. Although the City's requirements cost us in excess of \$100,000, we complied with the City's request believing that doing so was in the public good.
- **AS THE COMMISSION CONSIDERS THE RE-PLAT PROPOSAL AND THE COMMENTS AND OBJECTIONS FROM THE VARIOUS INTERESTED PARTIES, WE ASK THAT CONSIDERATION BE GIVEN TO ACHIEVING PARITY IN THE APPLICATION OF THE CITY'S CODES AND CONSTRUCTION GUIDELINES.**
5. **THE CARE AND MAINTENANCE OF THE PROPOSED DRY DETENTION POND IS OVERLY BURDENSOME AND REQUIRES KNOWLEDGE, COLLABORATION AND COMMON GOALS BETWEEN THE OWNERS OF THE DRY DETENTION POND AND THOSE NEIGHBORS IMPACTED BY THIS DRAINAGE. THIS IS IMPRACTICAL AND PRESUPPOSES THAT ORDINARY HOMEOWNERS HAVE THE ENGINEERING EXPERTISE AND EXPERIENCE TO MAINTAIN ALL ASPECTS OF THE DRY DETENTION POND GOING FORWARD IN TIME.**
- Looking at the schematics provided by Toll Brothers, it appears that at least five (5) properties would need to be involved with the maintenance of the proposed dry detention pond. The large dry well drainage easement on the new Lot 2 abuts our property, the Battles property and the new Lot 1 as shown on the Toll Brothers re-plat submission. To link up to the Westmont storm sewer, the drainage system would also impact the Johnsons' property and possibly the Old Grove HOA common area.
 - We know that the City of Colleyville is acutely aware of and supportive of the need to effectively manage storm water and drainage. The City recognizes the responsibilities of homeowners and neighborhood associations in waste water management. Exhibit D shows highlighted sections from

the City's report from a working session in December 2016, wherein the City outlined its responsibilities and those of homeowners as it relates to dry detention ponds.

6. **AS THE CITY AND THE COMMISSION HAVE POINTED OUT ON MANY OCCASIONS, STORM WATER MANAGEMENT, TREE AND GREEN SPACE PRESERVATION AND ENVIRONMENTAL CONCERNS MUST ALL BE CONSIDERED TO ENSURE THAT THERE ARE NO NEGATIVE CONSEQUENCES FOR PUBLIC HEALTH AND THE COMMON GOOD. HOWEVER, WE SUBMIT:**

- The dry detention pond and associated drainage and re-plat in case #PC17-004 poses undue risks to public health and runs contrary to the public good.
- We are also in a unique health issue position insofar as Susan Rau has serious neurological and autoimmune health issues. These came on somewhat suddenly in late 2015. These health issues have caused us to be very careful to eliminate all herbicides, pesticides, insecticides and fertilizers from our property. Our active system of storm water and pool drainage ensures that we have zero standing water. We operate a series of insect vacuums throughout the property to minimize flying or crawling insect species.
- If all this sounds like a lot of work to go through, frankly it is! Like most people, Susan never expected to get sick and having to deal with the disease and managing our environment has been a lot to handle. That said, Susan is grateful to be doing reasonably well and we are pleased to say that our efforts have also benefitted our neighbors by keeping the environment clean and healthy for all.

7. As the Commission considers the re-plat and dry detention pond, we believe it is critical to also consider the very real health issues inherent in such drainage systems. Specifically, **DRY DETENTION PONDS DIRECT STORM RUNOFF ABOVE GROUND. STORM WATER CARRIES WITH IT HERBICIDES, PESTICIDES, FERTILIZER RESIDUE ETC. WATER THAT STANDS FOR EVEN A SHORT PERIOD OF TIME CAN BREED INSECTS, WATER BORNE ILLNESS AND PROVIDE A BREEDING GROUND FOR HARMFUL MOLD, BACTERIA, ALGAE, ETC.**

- Exhibit E outlines some of the more concerning health issues associated with dry detention ponds.
- Having lived on acreage in a rural area of New Jersey prior to moving to Texas in late 2015, we are very familiar with dry detention ponds and know they can work well, IF the homeowner and any professionals hired by the homeowner routinely clear debris, treat wastewater, inspect the wells and otherwise stay on top of the detention pond's construction and maintenance. We had several of these dry ponds on our New Jersey property and we know from experience that effort and expense is required to keep them working properly and in top shape.
- Toll Brothers asked us specifically why we'd object to the dry detention pond when we have a wet retention pond abutting our property on the other side. Our response is simple: there are major differences-There are many turtles and fish in the detention pond that help keep mosquitos and dangerous insects to a minimum and we have some *control* over the large retention pond. The City of Colleyville also inspects the large retention pond regularly and treats the water for mosquitos and other potentially dangerous insects. The Old Grove HOA mows and trims and inspects the pond weekly. We augment the HOA's maintenance (at our own expense) by removing weeds, clearing the pond egress, planting and maintaining vegetation to fosters clean water and otherwise care for the pond and its ecosystem.
- **THE DRY DETENTION POND AS PROPOSED HAS NO GOVERNMENT OR HOA OVERSIGHT, NO TESTING, SUPERVISION OR INSPECTION. NEITHER WE NOR ANY OF OUR NEIGHBORS CAN STEP IN TO CLEAN OUT OR OTHERWISE MAINTAIN THE DRY DETENTION POND.** Yes, we could probably file a complaint with the Old Grove HOA or with the City of Colleyville. This would be time consuming, potentially expensive and decidedly un-neighborly. Given Susan's health situation, this is just too much of a risk to bear.

To summarize, we have been very happy in our new home and satisfied with the construction done by Toll Brothers. Great care was taken by Toll Brothers and a lot of time and effort by us in the design and layout of the property and the home. Having gone through the effort and expense to manage our property and drainage and

having worked with the City of Colleyville and the Old Grove HOA to maintain the large retention pond in good working condition, the prospect of an unregulated drainage detention pond abutting our property on the opposite side is very concerning to us.

Regarding the proposal now before the Commission (case #PC17-004), we question whether the City staff and P & Z Commission members have, in fact, been provided with all the detail and information necessary to rule on this proposal, hence the detail and facts presented by us in this presentation.

We support our local government and look to you to make a decision that is fair, reasonable and importantly, in the public good. Thank you for your careful consideration of this matter.

Susan Rau Freitag

Richard Freitag



EXHIBIT B

Exhibit B above is a current aerial photo of the side and rear of proposed Lot 2. The wooded area outlined in white would be destroyed by Toll Brothers in order to build a dry detention pond. The area outlined in yellow and above is part of an area that would be partially destroyed depending on the exact location of drainage pipes to be constructed.

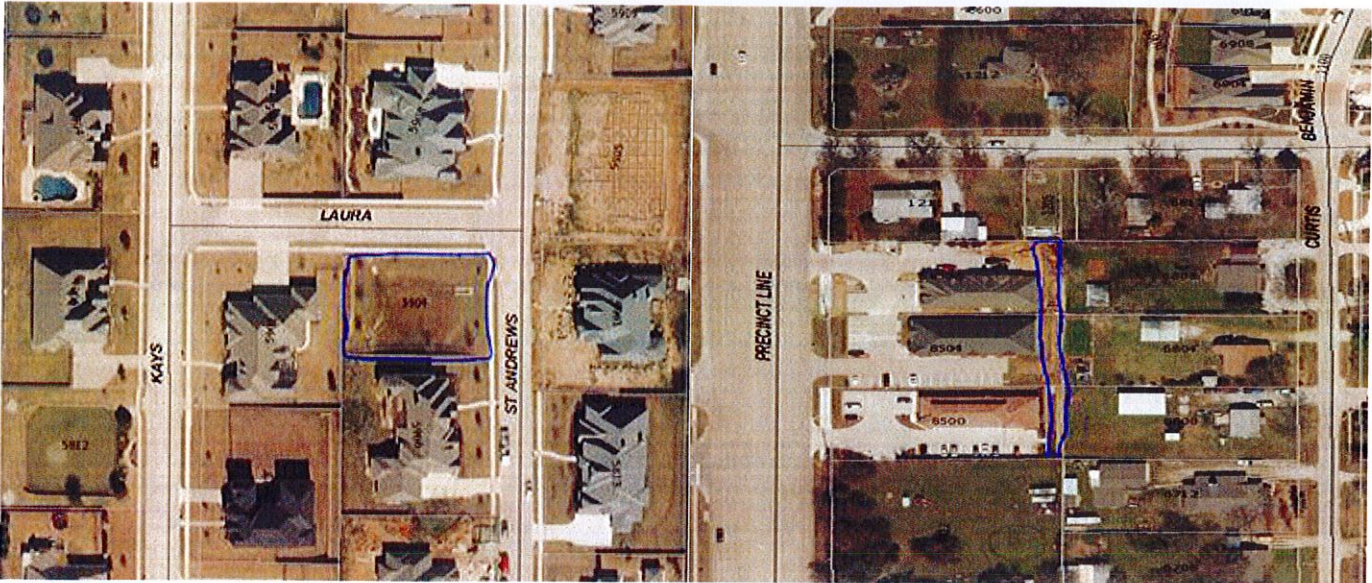
Exhibit C

Examples of Dry Detention Ponds Permitted by Colleyville*

None of the examples are located on a residential lot owned by an individual homeowner

5904 St Andrews Court – St. Andrews Addition

8500-8508 Precinct Line – Fairway Addition (Commercial)



The Legacy Subdivision – Next to 705 Lyndsey Way
(Access this new subdivision off of Lavaca Trail)

*Selected dry detention pond examples provided by Colleyville City Engineer via email dated 5/28/18

Exhibit D

City of Colleyville Drainage Work Session* December 12, 2016

City Responsibilities

- Maintain storm drainage facilities in the public rights-of-way or easements
- Maintain a storm drainage master plan for improvements to drainage systems within the City of Colleyville
- Design and construct flood control and storm water drainage improvement projects
- Implement activities to improve storm water quality in accordance with the Texas Municipal Separate Storm Sewer System (MS4) program, regulated by the Texas Commission on Environmental Quality (TCEQ)

Property Owners Responsibilities

- **Keep ditches and drainage channels within neighborhoods and around properties clear of brush, debris, trash, and other blockages.**
- **Maintain swales and ditches, including roadside ditches by keeping grass mowed.**
- Keep driveway culverts in good repair and free of leaves or other blockages.
- **Neighborhoods with storm water detention ponds are responsible for pond maintenance to ensure the system is functioning as originally designed and constructed. HOW DOES THE NEIGHBORHOOD DO THIS WHEN THE DETENTION POND IS ON PRIVATE PROPERTY?**
- **Keep drainage easements clear of blockages.**
- **To not change drainage patterns on private property so they adversely affect public right of way or neighboring property.**
- **Clear leaves and trash away from storm water inlet grates to reduce street flooding.**

*Excerpts from City of Colleyville TX public records; City Council Work Session dated 12/12/16. Emphasis added

Exhibit E

SAFETY OF DETENTION AND RETENTION PONDS

By Jonathan E. Jones, James Guo, Ben Urbonas, Rachel Pittinger Jonathan Jones, P.E., is CEO of Wright Water Engineers Inc. in Denver, CO. James Guo, Ph.D., P.E., is a professor in the University of Colorado's Civil Engineering Department. Ben Urbonas, P.E., is manager of the Master Planning Program for the Urban Drainage & Flood Control District in Denver, CO. Rachel Pittinger is a project engineer with Wright Water Engineers in Denver.

Introduction

Urban storm water retention and detention ponds are widely used in the United States. Retention ponds, also commonly called wet ponds, refer to facilities that maintain a permanent pool, while **detention ponds, often called dry ponds, contain water only in the aftermath of runoff events. Although retention and detention ponds can be effective for storm water management and flood control, they can also pose risks to public health, safety, and welfare.** Urban storm drainage system planners, designers, facility owners, maintenance staff, and municipalities, including their elected officials and governing bodies, must be aware of such risks and insist on the use of recommended techniques to minimize them. Licensed professional engineers should be especially concerned about the risks that their designs may pose and be knowledgeable of design approaches that reduce such risks, given that their paramount responsibility as licensed professionals is to protect public health, safety, and welfare.

The purposes of this article are to

- review safety hazards that can be associated with retention/detention ponds;
- discuss techniques that can be used to reduce the risk of such hazards; and
- review representative pond safety recommendations and guidance from municipalities, state and federal governments, professional societies, and the general storm water literature.

Although the focus of the article is on wet and dry ponds, many of the issues and recommendations presented here apply to other storm water facilities, such as best management practices (BMPs), long underground pipes, and culverts (see the discussion of this topic later in the article).

Unsafe conditions can occur under both dry and wet weather conditions. These range from readily apparent problems such as outlet pipes that are open (unprotected with trash/safety racks) to less obvious concerns such as outflow pipes that are subject to overwhelming hydrostatic forces due to high headwater depths. A complicating factor is that children are often attracted to storm water facilities, and this poses special design challenges and risks.

For instance, **the authors are aware of a case where a dry pond in an office park had a rapid rise, and a child playing in the pond was apparently knocked down by jet flows from an inlet pipe, tumbled by vortex flows, and ultimately dragged into an unprotected outlet pipe by suction forces. These forces were not visible (apparent) when the water depth in the pond covered the pipe entrances and outlet.** Although it is not feasible to anticipate every public safety risk, many scenarios are foreseeable and can be accounted for during design.

Pond safety issues that do not involve drowning must also be considered. For example, embankment slopes that are too steep can be hazardous to the public and maintenance staff (such as those operating lawnmowers). Another example is high wingwalls or other vertical structures.

In the past few years, a serious public health concern that has emerged is related to ponds that create mosquito-breeding habitat due to shallow and stagnant standing water, thus increasing the risk of West Nile virus to the adjacent community.

Specific Safety Deficiencies

The authors have observed the following safety deficiencies in storage facilities:

- Outlets are open and unprotected, they lack trash/safety racks, the racks have openings large enough to pose a danger to the public, and/or the racks are too close to the outlet to provide sufficiently slow flow velocities that will not impinge a person against them.
- Adjacent land uses are incompatible with storage facilities and few, if any, steps have been taken to minimize obvious risks. For example, a nursery school playground without a fence was observed immediately next to a retention pond that had a high concrete wall along one side without a suitable railing.
- The public is effectively invited to spend time near storage facilities because they are located in parks, along bike trails, next to playgrounds, etc., yet the designers fail to recognize that frequent use will occur, and public safety has clearly not been a specific design objective.
- Education of community residents, office and industrial park employees, users of multipurpose recreational facilities, etc., regarding pond hazards is not provided. Signs warning the public of rapidly rising floodwaters and associated danger are not posted.
- Sideslopes of the facility are excessively steep or vertical without suitable safety rails. As a result, it would be very difficult for someone to get out of the pond when water levels are rising.
- Sideslopes within the pond's permanent pool are too steep, and/or ponds lack "safety benches" around their perimeter.
- Pond inflow and outflow pipes are directly across from and in close proximity to one another. In this case, a person can be knocked over by the impulse forces (momentum) of inflows and then sucked into and/or pinned against the outlet structure.

• Pond depths increase very rapidly, and inflow/outflow pipes are quickly inundated and not visible.

- Hydraulic structures are designed and constructed in a manner that makes them hazardous. For example, steel bars on grates are not beveled, rounded, or covered, but have sharp ends. Bolts have jagged, exposed ends. Gaps between steel bars and concrete walls are too wide. Railings either are not used where they should be or are improperly designed.
- Ponds have a "hard edge" appearance, such as a block or cobblestone vertical wall, immediately adjacent to the water surface drop into a pond that has steep sideslopes, so a person who falls in cannot get out without having to swim.
- A variety of problems with spillways have been observed. For example, spillways are undersized. Dams and embankments are not designed to withstand overtopping forces during floods larger than they were designed to detain, despite the presence of homes and businesses in the "dam break" floodplain downstream. This is often the result of designers assessing embankment behavior for the design event, such as the 50-year storm or the 100-year storm, but failing to recognize that larger events can and do occur, and that the consequences of such events have to be considered.

• Inadequate maintenance and monitoring occur, thus leaving the facilities unable to function as designed or intended. For example, when pond outlet structures are fully or partially blocked with debris, the risk of embankment overtopping and failure increases. Orifices in riser pipes that are used to gradually "bleed down" a water-quality design storm typically have small diameters, which leaves them vulnerable to plugging by trash, debris, sediment, algae, etc., unless frequently inspected and maintained. This can lead to prolonged pooling of shallow, stagnant water, which sets the stage for mosquitoes and, potentially, West Nile virus.

• Other drainage facilities adjacent to the pond (designed at the same time as the pond) are unsafe, such as channels, drop structures, energy dissipaters, and culverts. The key to reducing the observations described above is careful consideration of risks in the design phase, coupled with regular inspection and maintenance of the pond to ensure that the facility is functioning as intended and that unforeseen hazards have not been created.

*Emphasis added

RESOLUTION R-18-4294

**A RESOLUTION APPROVING A FINAL PLAT FOR LOTS 1, 2, AND 3X,
BLOCK 1, OF THE OLD GROVE ADDITION, PHASE II**

WHEREAS, the Planning and Zoning Commission recommended approval of the Final Plat for Lots 1, 2, & 3X, Block 1, of the Old Grove Addition, Phase II on July 9, 2018.

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

Sec. 1. THAT the Final Plat for Lots 1, 2, & 3X, Block 1, of the Old Grove Addition, Phase II on approximately 2.20 acres, attached as Exhibit "A" - Plat Exhibit, is hereby approved.

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS
THE 21ST DAY OF AUGUST 2018.

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

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor



City of Colleyville City Council Agenda Briefing

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

Agenda Number 11

Agenda Date 08/21/2018

Type Report

Department Finance

Title

Library Board Minutes - June 11, 2018

Attachments

1. Library Board Minutes - June 11, 2018



City of Colleyville

Colleyville Library Board

MINUTES

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

Monday, June 11, 2018
6:00 p.m.

Colleyville Public Library
110 Main Street

1. CALL TO ORDER

Vice-Chair Seanna Billinger called the meeting of the Colleyville Library Board to order at 6:12 p.m.

Present Board members: Vice-Chair Seanna Billinger, Kay Newton, Gary McPherson, Pat Jones, Merry Graves, Cecilia Sublette, Ex-Officio Joan Roberts; City Staff: Library Director Mary Rodne, Library Community Events Coordinator Kristi Isbell

Absent Board members: Molly Skinner, Billie Tuttle, Mike Sexton

2. APPROVAL OF MINUTES

April 9, 2018

A motion was made by Pat Jones and seconded by Kay Newton to approve the April 9, 2018 minutes, as amended with a correction to the Board's June meeting date. The motion was approved unanimously.

3. REGULAR AGENDA ITEMS

3a Overview of the 2018 Summer Reading Program

Mary Rodne stated that about 650 people attended the Summer Reading Kick-Off Party and 315 children were registered in classes with 77 children on waitlist because all classes were full. Rodne explained that the reading program registration was pacing faster than in 2017 with 998 children, 52 adults, and 25 teens registered as of June 11. Rodne described the new Sweet Treats at the Library feature in which a Colleyville business is onsite, following the Tuesday/Thursday performer program, to sell treats such as frozen yogurt, snow cones, and ice cream scoops. Rodne described another new feature of the program that incentivized patrons to find the dinosaur (Summer Reading Program dinosaur decal) in a supporting Colleyville business, promote on their Instagram account, and then be entered into a gift card drawing.

3b Update on the Library Spatial Reconfiguration Project

Director Rodne reported that the bid process began for the construction aspect of the Library Spatial Reconfiguration Project (Project) on May 27 and, as of June 11, there were six contractors who expressed interest in the Project. Rodne stated the bid opening was set for June 14. Rodne further explained that the furniture bid process

began on June 10 and the bid opening was set for June 26. Rodne stated that the accepted and approved bids would be presented to City Council on July 2 and Library Board members were invited to attend that meeting. Rodne reminded the Board that there would be some disruption in service because of parking spots used for staging and a brief Library closure for carpet installation.

3c Discussion of Items for Future Agendas

Discussion ensued regarding theme ideas for future Summer Reading Programs. Rodne stated that an outer space theme was being considered for 2019, in correlation to the 50th anniversary of the moon landing. Cecilia Sublette contributed ideas that included a beach theme, kitchen science/cooking theme, and weather theme.

The next regularly scheduled meeting was tentatively set for Monday, August 13, 2018.

4. REPORTS

4a Librarian's Report

A. Monthly Statistics:

Director Rodne provided an overview of the statistics for the months of April and May 2018.

B. Donations:

Rodne stated that there were no donations received in April and a total of \$5,283.73 were received in May 2018. The Library received \$5,000.00 from the Colleyville Woman's Club for the purchase of STEM kits; \$83.73 from Better World Books through the Friends of the Colleyville Public Library; \$100.00 from Stephen and Molly Skinner for the Summer Reading Program; and, \$100.00 from the Colleyville Garden Club for the purchase of gardening materials.

C. Programs:

Rodne reiterated the successful beginning of the Summer Reading Program and added that the new coffee program has been popular with patrons. Rodne explained that Library staff were also involved in the City's outdoor movie program, Movies in the Village, with the next event date on Thursday, June 14.

4b Friends of the Colleyville Public Library Report

Joan Roberts detailed the Friends' work to find buyers, sort, and solicit payment for the Library's withdrawn books. Roberts stated that the Friends' annual meeting would be held on Thursday, June 14, and would include the election of officers.

4c Colleyville Public Library Foundation

Pat Jones reminded Board members of the Foundation's participation in the Amazon Smile program and that bookmarks would be located throughout the Library with

information. Jones described the City's recent social media publicity celebrating the Glaser Family Foundation's 15 years of generous support of the Library's Summer Reading Program.

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

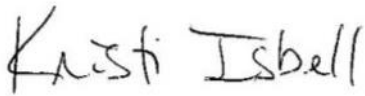
There were no citizen comments/presentations regarding items not on the agenda.

6. ADJOURNMENT

A motion was made by Joan Roberts and seconded by Kay Newton to adjourn the meeting of the Colleyville Library Board at 6:43 p.m. The motion was approved unanimously.

*APPROVED BY A VOTE OF **6** AYES, **0** NAYS, AND **0** ABSTENTIONS ON THIS THE 13TH DAY OF AUGUST, 2018.*

Minutes taken and prepared by:



*Kristi Isbell,
Library Community Events Coordinator*

RESOLUTION R-18-4299

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER BUSINESS AT THE REGULAR CITY COUNCIL MEETING OF
AUGUST 21, 2018**

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

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

a. THAT

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS AND _ ABSTENTIONS ON THIS
THE 21ST DAY OF AUGUST 2018.

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

ATTEST:

CITY OF COLLEYVILLE

Christine Loven, TRMC
City Secretary

Richard Newton
Mayor