



City of Colleyville City Council Agenda

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

Tuesday, October 16, 2018

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

CALL TO ORDER

- WS-1** Discussion of water and wastewater services provided by Trinity River Authority
- WS-2** Discussion of the Tarrant County 9-1-1 lease of facilities at the Colleyville Justice Center
- WS-3** Discussion and update regarding a zoning change request at 712-810 Lavaca Trail, Case ZC18-033
- WS-4** Discussion of the October 16, 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 SH26

Section 551.074 – Personnel – Deliberate the appointment, employment, evaluations, and duties of the Fire Chief

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 Josh Anderson, Colleyville Presbyterian

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-18-4317

3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

Announcements of civic and charitable events

Presentation of calendar events and updates

Announcements of awards and recognition

In recognition of Mike and LeeAnn Sexton for allowing police and fire services to train on their property - Mayor Richard Newton, Police Chief Michael Miller, Fire Chief Brian Riley

Presentation of a donation to the Colleyville Public Library for the Library Spatial Reconfiguration Project from the Colleyville Public Library Foundation and the Friends of the Colleyville Public Library in the amount of \$40,000 - by the Colleyville Public Library Foundation, Pat Jones, President and the Friends of the Colleyville Public Library, Kay Newton, President

Presentation of the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for the Fiscal Year 2018 Comprehensive Annual Financial Report (CAFR) & Award of Financial Reporting Achievement (AFRA) - Mayor Richard Newton and CFO Shereen Gendy

Presentation of the Government Finance Officers Association (GFOA) Popular Annual Financial Reporting Award - Mayor Richard Newton and CFO Shereen Gendy

In recognition of the Featured Business of the Month - Furniture Consignment Gallery, 6000 Colleyville Boulevard, Suite 120, Robin Vander Stoep, owner - Mayor Richard Newton and Assistant City Manager Mark Wood

4. CONSENT: READING AND PUBLIC HEARING-RESOLUTION R-18-4318

- 4a** Approval of the minutes of the regular City Council meeting of October 1, 2018
- 4b** Approval of the minutes of the City Council Worksession of October 4, 2018
- 4c** Approval of a bid award to Infosend, Inc., for printing and mailing of utility bills and inserts
- 4d** Approval of the sale of property, seized items, found items, obsolete and non-serviceable equipment, and vehicles
- 4e** Approval to purchase a 2019 Chevrolet Tahoe fire command vehicle from Siddons-Martin Emergency Group, an approved vendor through the BuyBoard purchasing program, in an amount not to exceed \$75,309.00, and authorize the City Manager to execute the contract
- 4f** Approval to purchase four Chevrolet Tahoe patrol vehicles, from Caldwell Country Chevrolet, in an amount not to exceed \$126,880, bid through the State of Texas Cooperative Purchasing Program, and authorize the City Manager to execute all purchasing documents
- 4g** Approval to purchase two Police Harley FLHTP Electra Glide motorcycles from Texas Harley, and authorize the City Manager to execute all purchasing documents

5. ITEMS NOT FOR CITY COUNCIL ACTION

- 5a** Monthly Financial Report - September 30, 2018

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

6a Ordinance O-18-2062

Consideration of a zoning change from ML Light Manufacturing district to PUD-C Planned Unit Development - Commercial district on Lot 1, Block 1, of the Chandler Addition, located at 1701 John McCain Road, Case ZC18-025

7. ORDINANCE(S): FIRST READING AND PUBLIC HEARING**7a Ordinance O-18-2063**

Consideration of a Special Use Permit for an Automotive Repair Shop on Lot 1A, Block 1, of the Highway 26 Industrial, located at 6804 Colleyville Boulevard, Case ZC18-020

7b Ordinance O-18-2064

Consideration of a zoning change from AG Agricultural district to R-30 Single Family Residential district on Tracts 2A01 & 2A02, Abstract 1543, in the George W Teeter Survey, located at 1309 Glade Road, Case ZC18-023

8. TABLED: ORDINANCE(S) READING AND PUBLIC HEARING**8a 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

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. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR OCTOBER 16, 2018 - READING AND PUBLIC HEARING - RESOLUTION R-18-4319****12. ADJOURNMENT**

I hereby certify this agenda was posted on City Hall bulletin boards Friday, October 12, 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
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Agenda Number WS-1

Agenda Date 10/16/2018

Type Worksession

Department Finance

Title

Discussion of water and wastewater services provided by Trinity River Authority

Strategic Plan

2.4 Demonstrate stewardship of public resources

Explanation

Trinity River Authority of Texas (TRA) Regional Manager Fiona Allen will discuss the water and wastewater services provided by TRA and answer questions of the City Council.

Attachments

1. TRA Presentation

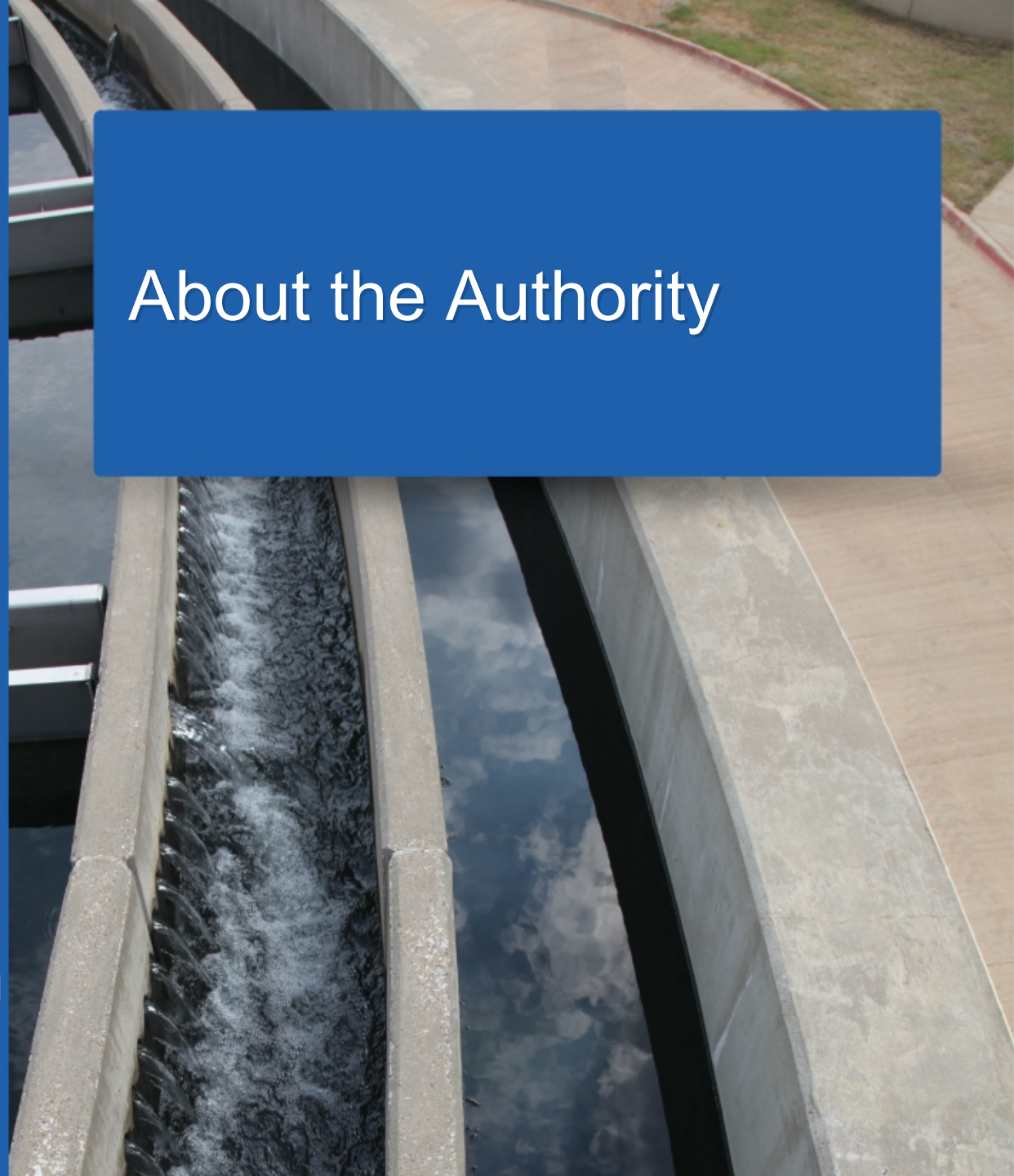


Trinity River Authority of Texas
Enriching the Trinity basin as a resource for Texans

City of Colleyville Water and Wastewater Treatment Services October 2018

Wastewater Treatment • Water Treatment • Water Storage • Lake Livingston • Recreation

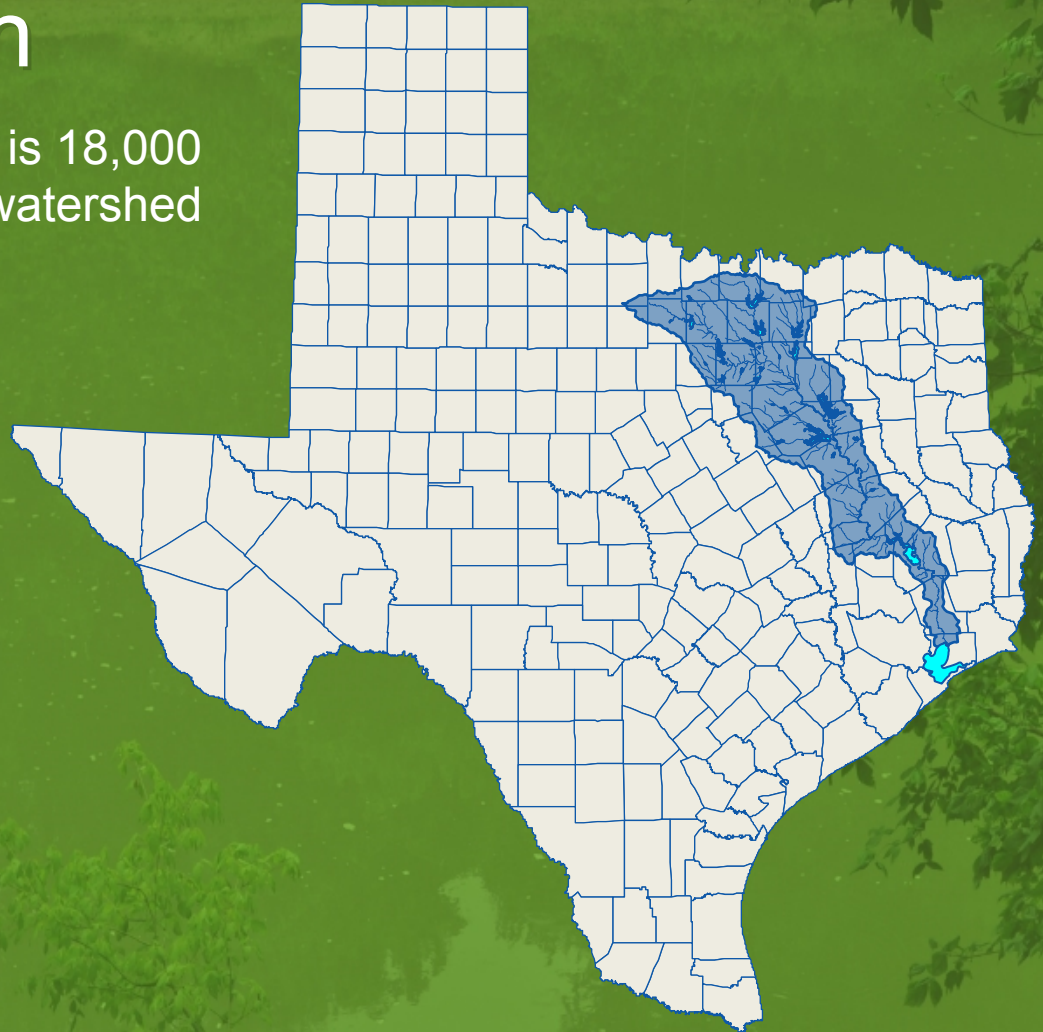




About the Authority

Trinity River Basin

- The Trinity River is 18,000 square miles of watershed



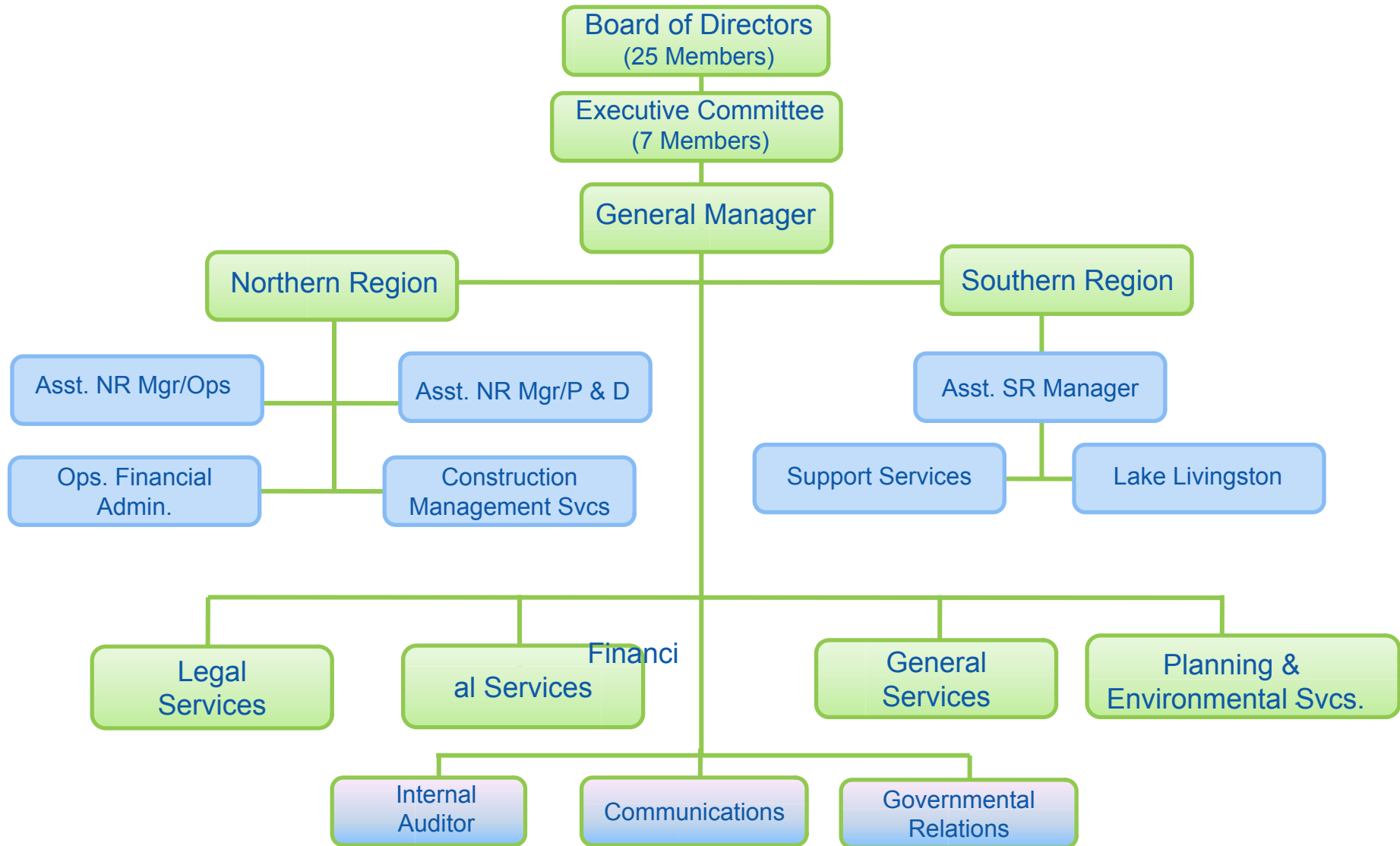
TRA Quick Facts

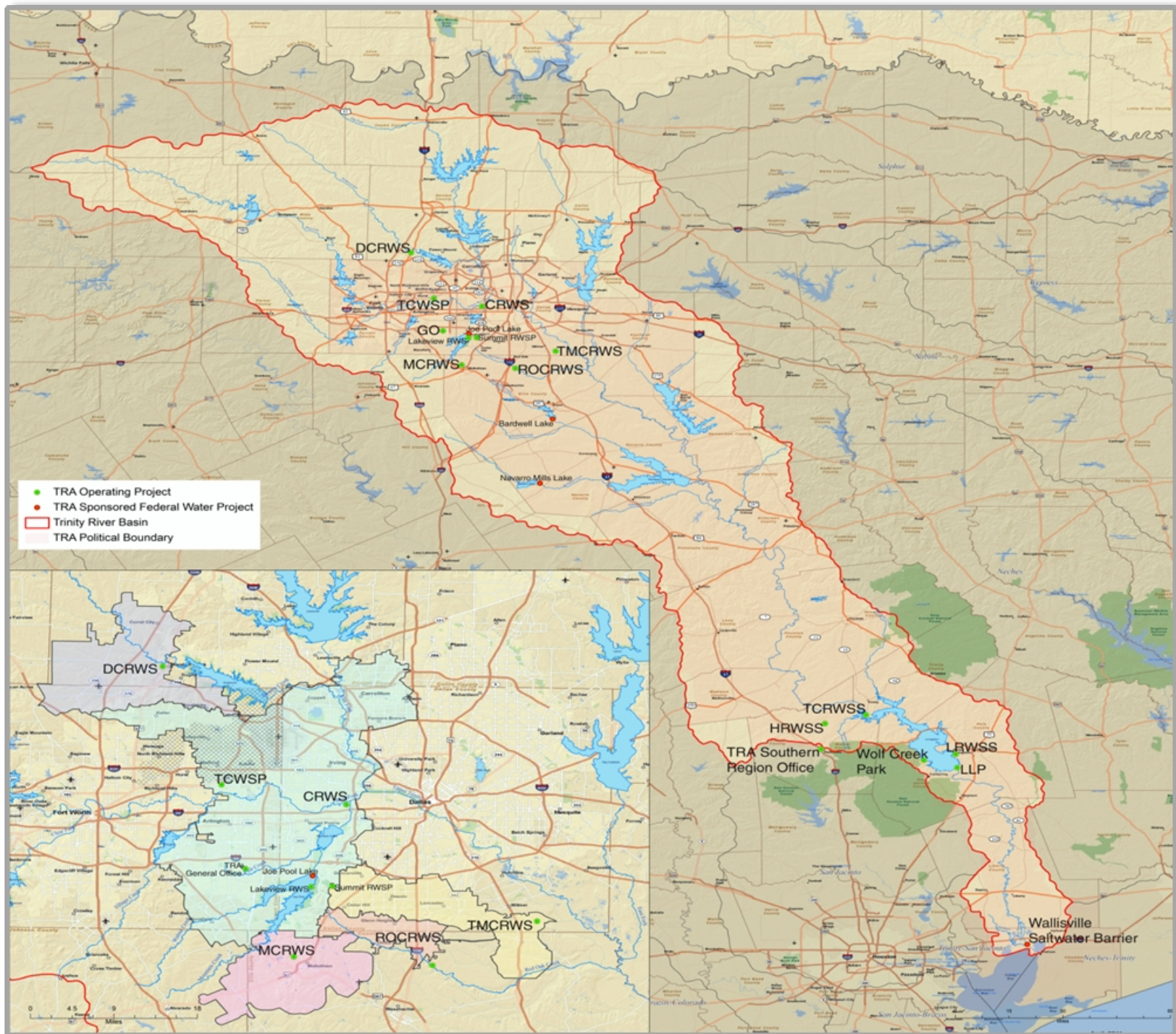
- Created by state legislature in 1955
- Considered a special-purpose district
- Wholesale provider of water & wastewater treatment services in Texas
- Specialize in development and operation of multi-participant regional facilities
- Sponsor federal water projects



Trinity River Authority of Texas

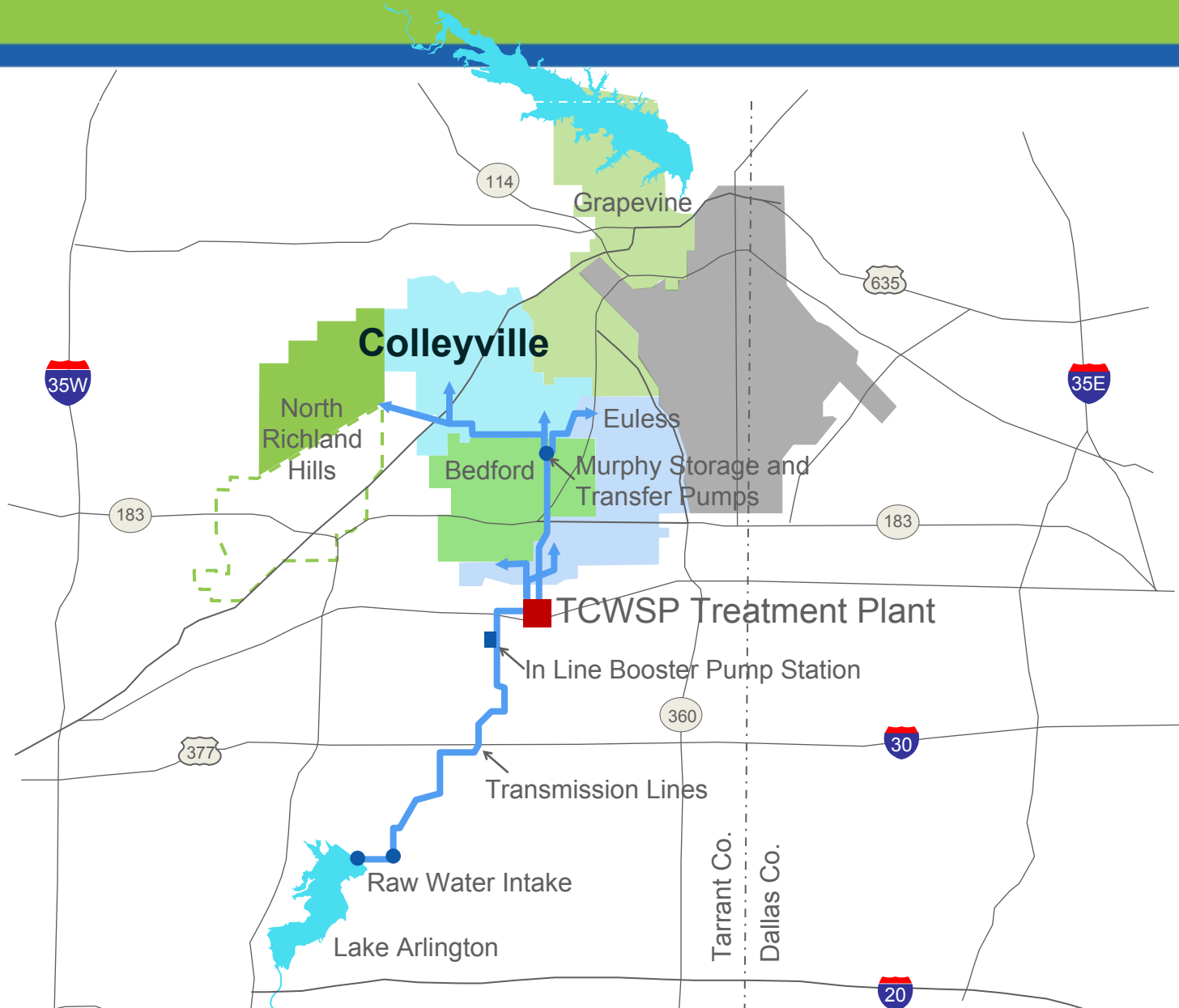
Management Organization







Tarrant County Water Supply Project



Tarrant County Water Supply Project

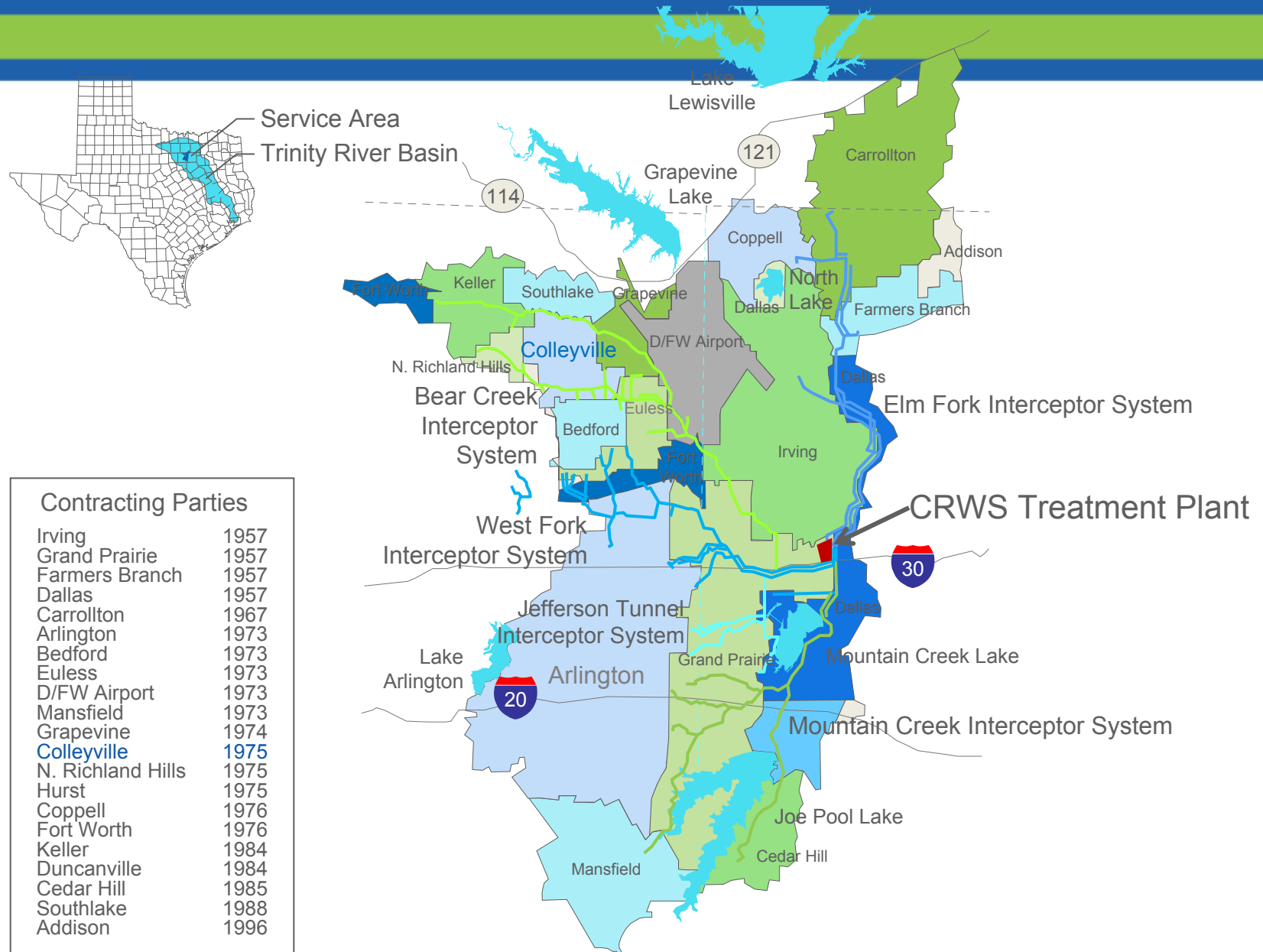




Wastewater Treatment Facilities

- **Central Regional Wastewater System**
- Ten Mile Creek Regional Wastewater System
- Denton Creek Regional Wastewater System
- Red Oak Creek Regional Wastewater System
- Mountain Creek Regional Wastewater System
- Walker Calloway Outfall Branches

Central Regional Wastewater System



Central Regional Wastewater System



Projected Costs and Rates





Budgeting for TRA Services

- Each System is budgeted separately
 - Operations & Maintenance
 - Personnel
 - Materials
 - Equipment
 - Debt Service Budget
 - Capital Improvements
 - Regulatory
 - Rehabilitation
 - Capacity/New construction



Budgeting for TRA Services

- Each Contracting Party provides their estimated consumption/flows to TRA
- The recommended budget is presented to Advisory Committees
 - Each contracting party is a member of the committee
 - Each contracting party gets one vote
 - Advisory Committee recommendations are provided to the TRA Board of Directors for their consideration of the TRA budget

How is Wastewater Payment determined?

- Contracting parties budget based on their estimated contribution to the system
 - City flow estimate = 1.0 MGD
 - Total system flows estimate = 5.0 MGD
 - City's share = 20% of budget
- Billed at 1/12 per month of the budgeted amount
 - Mid year adjustment if necessary
 - City actual flow = 1.5 MGD
 - Total system flow = 4.5 MGD
 - City's budget = 33.33% of the budget

How is Water Payment determined?

- Budgeted similar to wastewater
- Water usage based on metered flow delivered to connection point
 - Monthly consumption billing based on budgeted rate
 - Debt service based on monthly calculation



End of Year Settle Up

- TRA is required to zero out all operating budgets
- Evaluate all flows
- Audit year end actual expenditures
- Determine if funds are needed or must be returned
 - If there is an overpayment – refund given
 - If there is an underpayment – bill sent



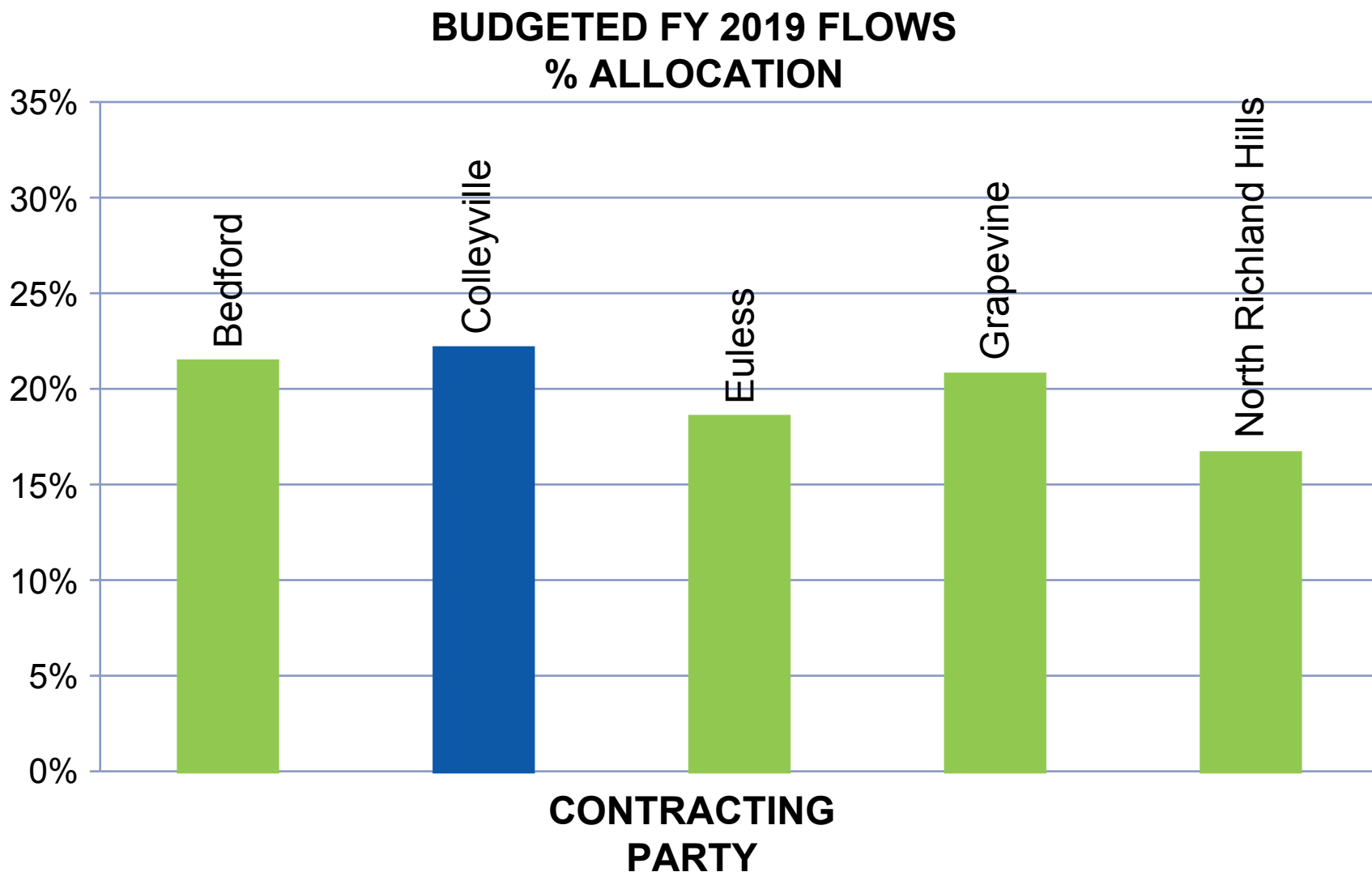
Tarrant County Water Supply Project FY 2019 Budget



TCWSP FY 2019 Anticipated Expenditures Compared to Current FY 2018

Budget Category	FY 2018 Budgeted Expenditures	FY 2019 Budgeted Expenditures	\$ Change	% Change
Salaries & benefits	\$2,337,713	\$2,448,921	\$111,208	4.76%
Supplies	\$2,066,138	\$2,425,508	\$359,370	17.39%
Other services & charges	\$19,490,054	\$19,136,084	-\$353,970	-1.82%
Capital outlays	\$0	\$0	\$0	0.00%
Transfers & miscellaneous	\$11,000	\$11,000	\$0	0.00%
Debt service	\$13,042,226	\$13,277,646	\$235,420	1.81%
Total	\$36,947,131	\$37,299,159	\$352,028	0.95%

FY 2019 Flow Allocation By Contracting Party Based on 28.783 MGD



TCWSP Comparison of Unit Costs 2019 Proposed vs. 2018 Budgeted

	Cost/1,000 Gallons	
	Proposed FY 2019	Budgeted FY 2018
Net cost to contracting parties	\$ 3.613	\$ 3.359

- Cost is based on total revenue requirement divided by total flow in 1000's of gallons.
- Debt billed at 1/12th
- O&M billed based on actual flow and settled up at end of fiscal year

Impact of Flow Projections on Rate

- Contracting Parties projecting lower flows
 - Budget FY 2019 – 28.783 MGD
 - Projected FY19 (in FY18) – 30.421 MGD*

FY 2019 Revenue Requirement = \$37,958,993

$\$37,958,993 / 365 * 1000 * \mathbf{28.783} = \$3.613/\text{Kgal}$

$\$37,958,993 / 365 * 1000 * \mathbf{30.421} = \$3.419/\text{Kgal}$

*Projection equaled FY18 budgeted flows

Projected Future Cost of Service

FLOWS BASED ON HISTORICAL DATA AND TRENDS

Fiscal Year Ending Nov. 30	Projected Flow in MGD	Cost Per 1,000 GAL
2019	28.783	\$3.613
2020	29.071	\$3.903
2021	29.362	\$4.303
2022	29.655	\$4.636
2023	29.952	\$4.875



Trinity River Authority of Texas
Enriching the Trinity basin as a resource for Texans

Central Regional Wastewater System

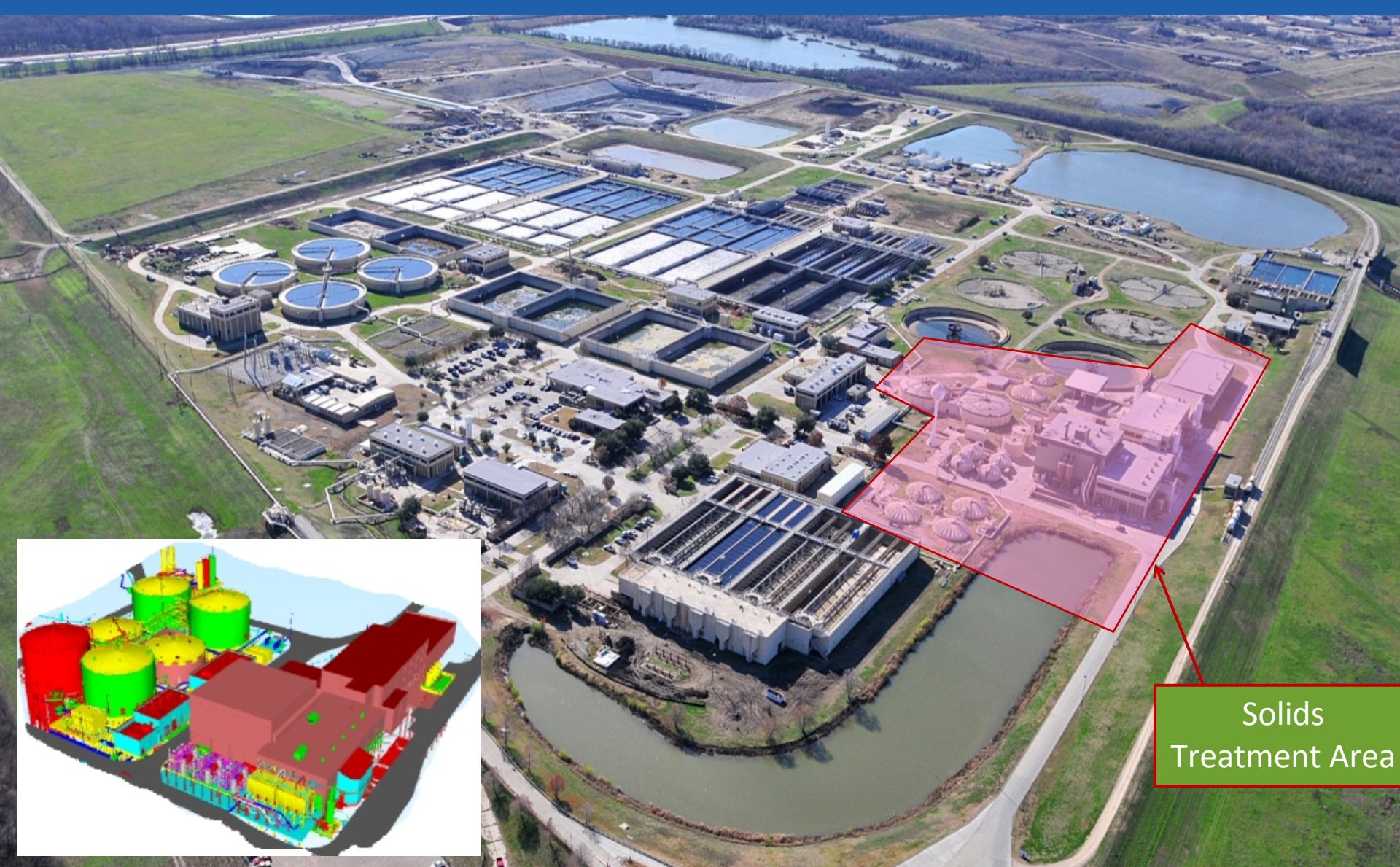
Wastewater Treatment • Water Treatment • Water Storage • Lake Livingston • Recreation



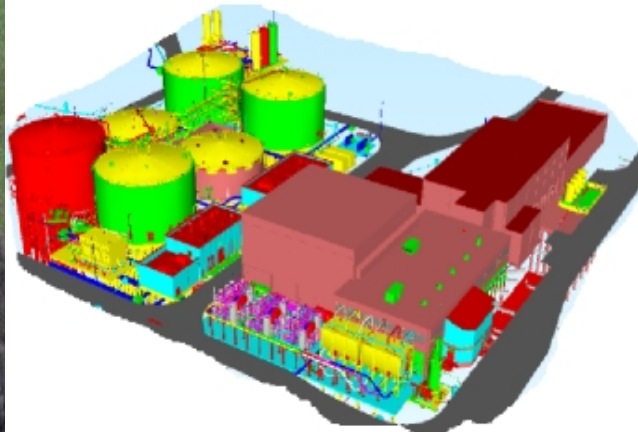
Solids Management Improvements



CRWS Solids Management Improvements



Solids
Treatment Area





Solids Management Goals

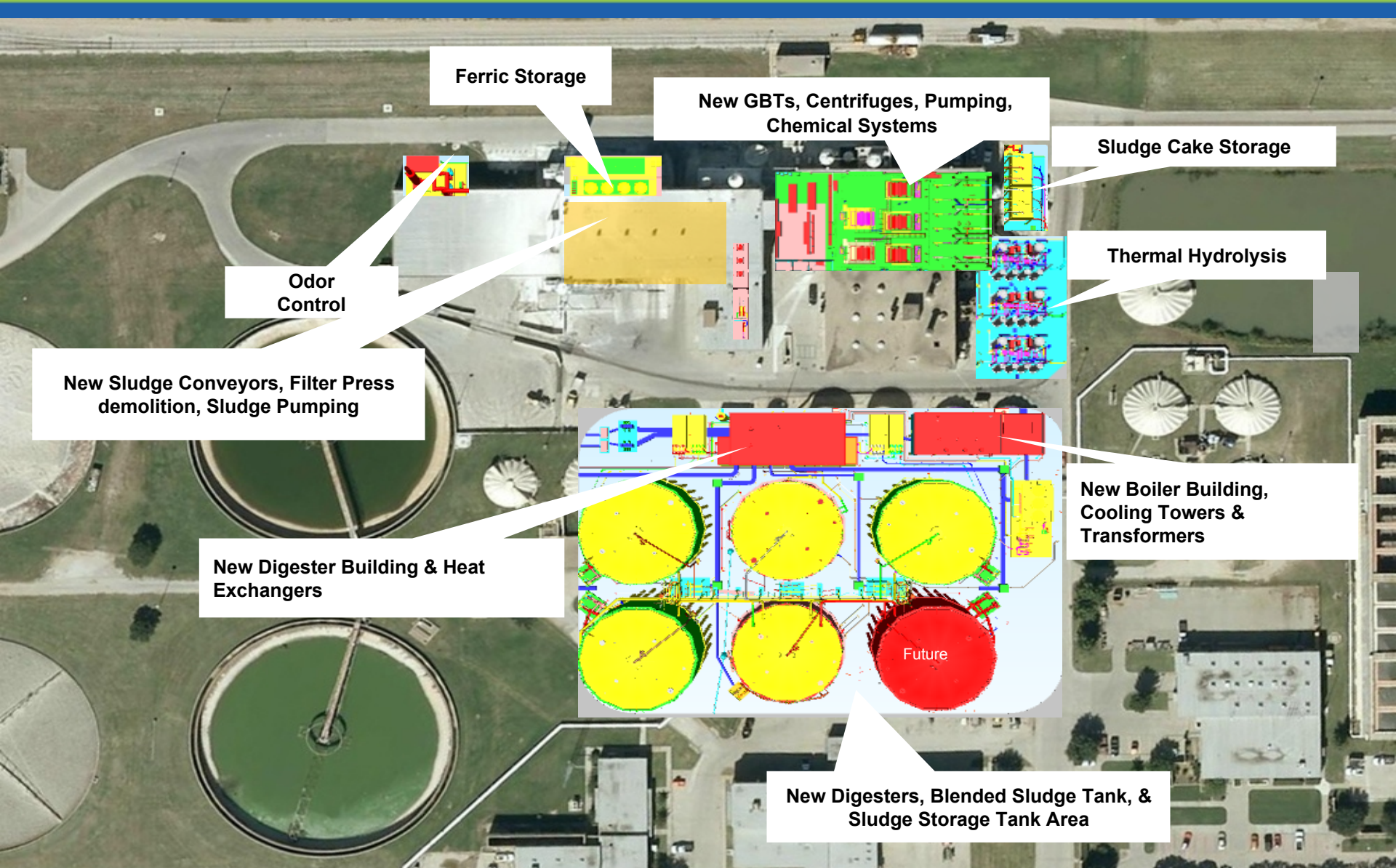
- Produce Class A biosolids
- Minimize volume of biosolids
- Ensure redundancy and reliability
- Optimize use of existing structures
- Leverage potential markets for biosolids
- Maximize resource recovery

Why THP for TRA?

- Overall lowest life cycle cost
- Minimize volume of biosolids leaving the plant
- Minimize digester volume to build
- Produce Class A biosolids
- Optimize use of existing structures
- Leverage potential markets for biosolids in future
- Potential for resource recovery



Phase II Improvements



CRWS Plant Solids Facilities



Phase II Progress – Pump Station 15



Phase III-B Progress



← Feb. 2016

June 2018



Construction activities began
Feb. 2016

Phase III-A completed May 2017

Phase III-B NTP: Aug. 1, 2017



Digester Pier Installation



Digested Sludge Storage Tank Cover Installation



PDT Building Floor Installation

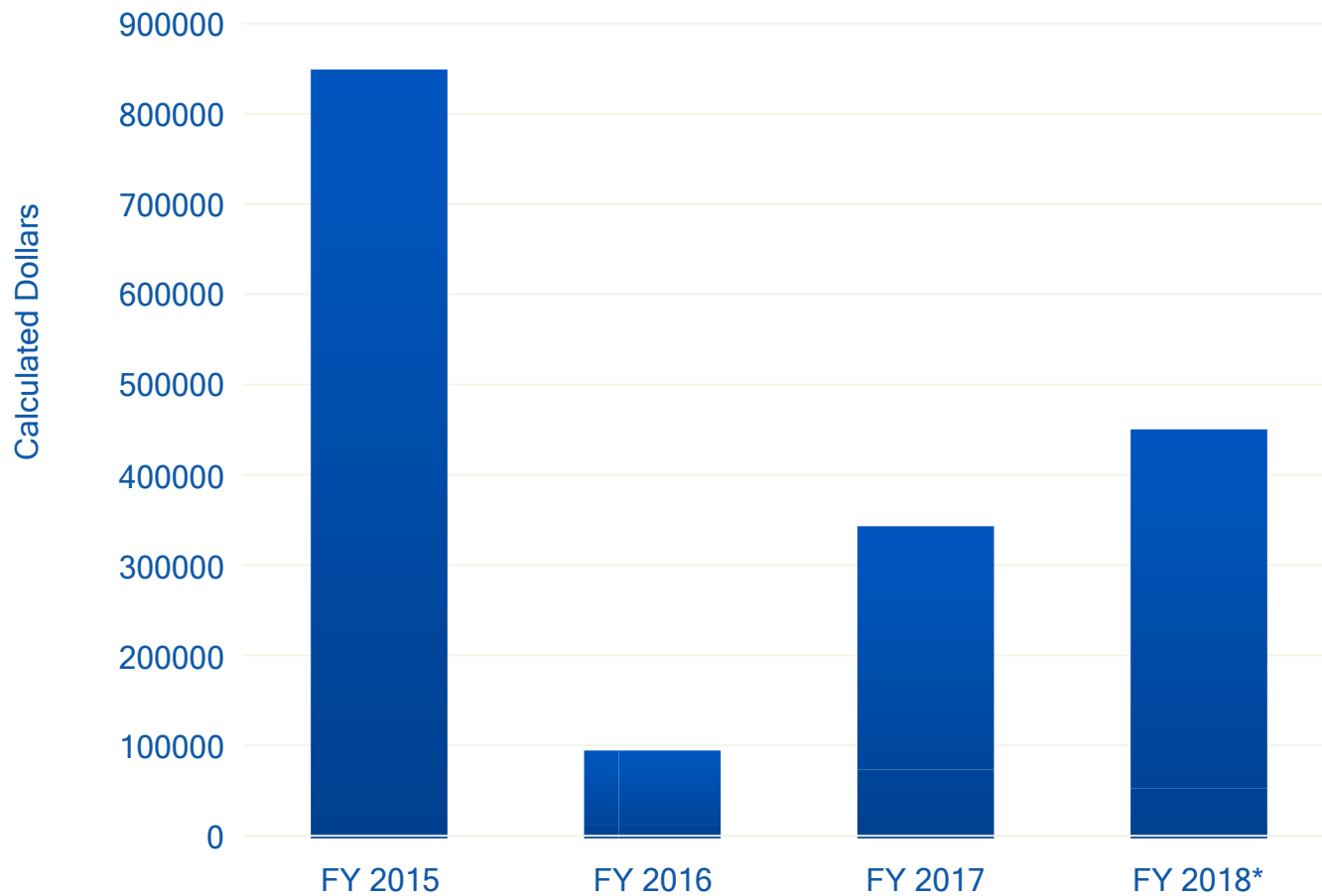


CBSDFW CHANNEL 11 WIPES STORY

Aired Wednesday, February 7, 2018



Non Dispersibles Maintenance Cost



* 2018 will include remainder of Andritz screen repairs



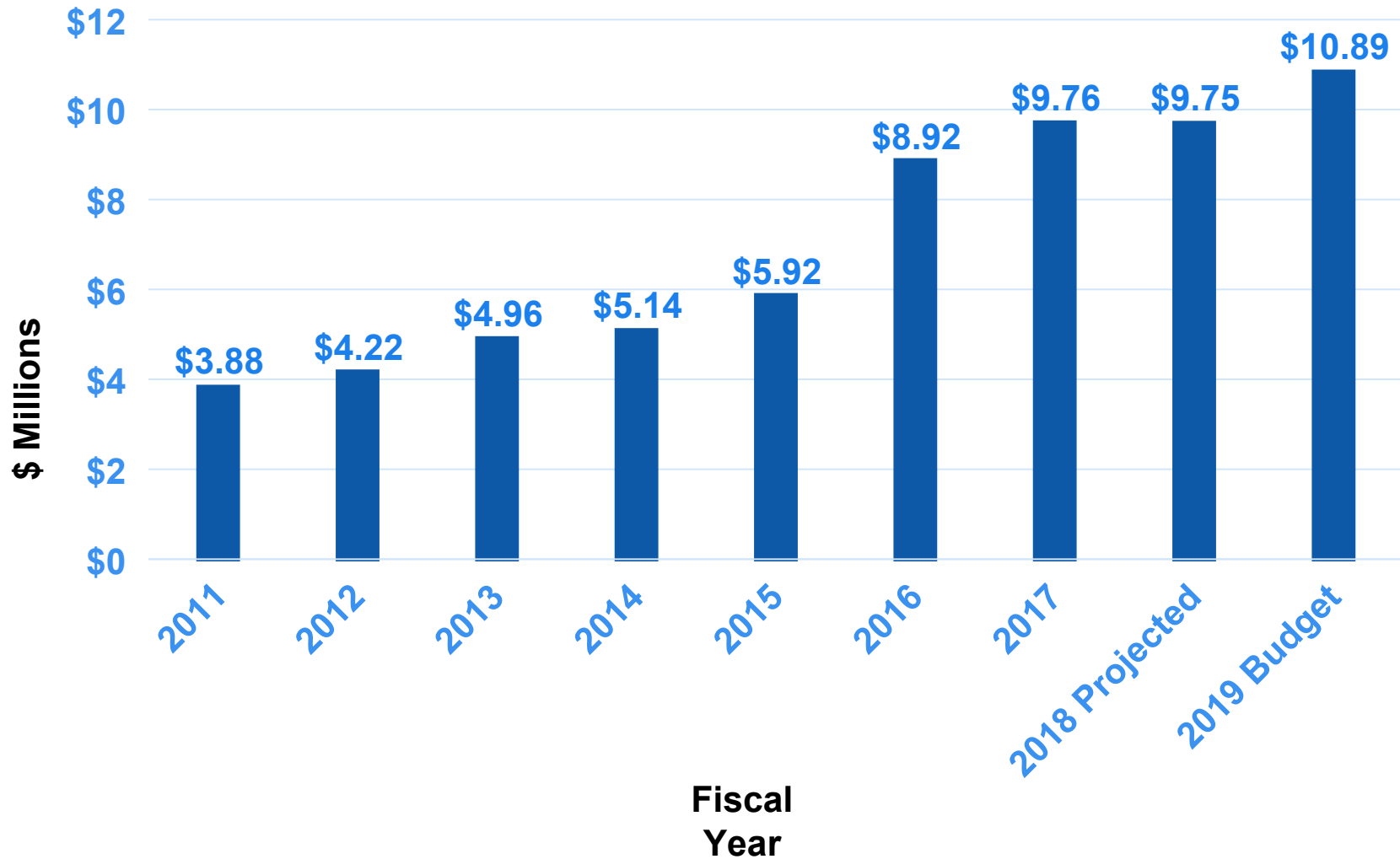
Central Regional Wastewater System Proposed FY 2019 Budget



FY 2019 Anticipated Expenditures Compared to Current FY 2018

Budget Categories	2018 Budgeted Expenditures	FY 2019 Budgeted Expenditures	\$ Change	% Change
Salaries & Benefits	\$13,284,820	\$13,798,992	\$514,172	3.87%
Supplies	\$7,695,257	\$7,333,067	-\$362,190	-4.71%
Other services & charges	\$30,456,445	\$32,809,616	\$2,353,171	7.73%
Capital outlays	\$338,839	\$327,290	-\$11,549	-3.41%
Transfers & miscellaneous	\$159,750	\$159,750	\$0	0.00%
Debt service	\$84,173,736	\$96,648,100	\$12,474,364	14.82%
Total	\$136,108,847	\$151,076,815	\$14,967,968	11.00%

Biosolids Disposal Expense History



Projected Future Cost of Service Flows Based on Historical Data & Trends

FISCAL YEAR ENDING NOV. 30	PROJECTED FLOW (MGD)	COST PER 1,000 GALLONS
2019	136.615	\$2.988
2020	136.000	\$3.350
2021	136.000	\$3.577
2022	136.000	\$3.725
2023	136.000	\$3.864



Trinity River Authority of Texas
Enriching the Trinity basin as a resource for Texans

Questions?
Fiona M. Allen, P.E.
Regional Manager

www.trinityra.org

Wastewater Treatment • Water Treatment • Water Storage • Lake Livingston • Recreation





City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
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Agenda Number WS-2

Agenda Date 10/16/2018

Type Worksession

Department Police

Title

Discussion of the Tarrant County 9-1-1 lease of facilities at the Colleyville Justice Center

Strategic Plan

- 2.1 Provide responsive, efficient city services
- 2.4 Demonstrate stewardship of public resources

Explanation

Police Chief Michael Miller and representatives of Tarrant County will provide a presentation and answer City Council questions.

Attachments

1. Tarrant County 9-1-1 presentation

WHEN SECONDS COUNT

DIAL **9-1-1**



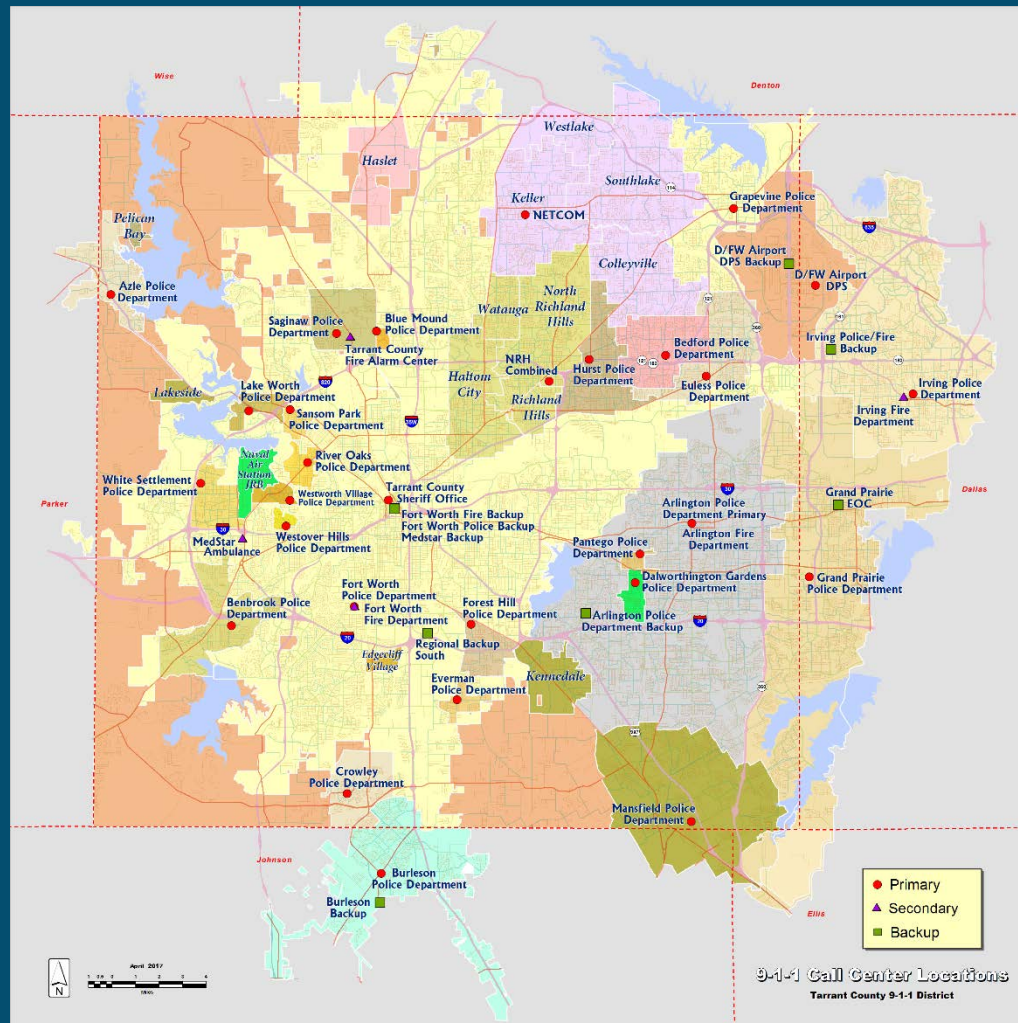
TARRANT COUNTY 9-1-1 DISTRICT ©

COLLEYVILLE AND TC9-1-1 LEASE AGREEMENT

TARRANT COUNTY 9-1-1 ORIGIN, MISSION AND PURPOSE

- Tarrant County 9-1-1 District was created based on Texas legislation in 1985 – Emergency Telephone Number Act
- Section 772.302, Texas Health and Safety Code: “To establish the number 9-1-1 as the primary emergency telephone number for use by certain local governments in this state and to encourage units of local governments and combinations of those units of local government to develop and improve emergency communication procedures and facilities in a manner that will make possible the quick response to any person calling the telephone number 9-1-1 seeking police, fire, medical, rescue and other emergency services.”
- Mission: The Tarrant County 9-1-1 District will continuously provide reliable, accurate, responsive, and effective emergency communication networks and services to our member jurisdictions ensuring the protection of life and property for citizens in our community

TARRANT COUNTY 9-1-1 JURISDICTION



TARRANT COUNTY 9-1-1 DATA

- 41 Member entities
- 41 Public Safety Answering Points (PSAPs)
- 2.29 million citizens
- 1,100 square miles
- 1 million 9-1-1 customer ALI records
- 5,400 9-1-1 calls per day (average)
- 86% 9-1-1 wireless calls

TARRANT COUNTY 9-1-1 PLANS FOR REGIONAL BACKUP CENTERS

- Large 9-1-1 call centers (over 150,000 9-1-1 calls annually) have a dedicated backup facility
- Mid-sized and Smaller 9-1-1 call centers had to rely on neighboring agencies to take 9-1-1 calls
- Requests from many 9-1-1 centers for an alternate solution were received
- 2006 TC9-1-1 began developing a plan for creation of an environment to allow for multi-jurisdictional 9-1-1 usage
- 2007 Prototype facility was acquired and in 2008 proof of concept successfully completed
- 2009 began search for 2 other facilities to support regional backup locations for 9-1-1 call centers and data centers
- Locations identified and planning discussion commenced

COLLEYVILLE COMBINED SERVICES

- 2010 – City of Colleyville joined with Keller and Southlake to create a solution for more efficient management of services for the cities
- TC9-1-1 was engaged to manage the transition of 9-1-1 to Keller (NETCOM)
- Colleyville dispatch and jail services moved to Keller leaving unique space that couldn't easily be used for other purposes
- Colleyville Chief Dye and TC9-1-1 Director Petrey initiated discussions of mutually beneficial arrangements of these empty areas
- An agreement was achieved for Colleyville to lease TC9-1-1 space within the Police Department's dispatch and jail area.

LEASE AGREEMENT DETAILS

Lease Agreement date effective October 1, 2010:

- Approximately 2500 square foot lease space
 - All dispatch area and roughly half of the jail area
- Agreement designed to coincide with Interlocal Agreement for Combined Public Safety Services between Colleyville and Keller
- Initial duration of 6 years with extension option of 2 successive 5 year terms
- TC9-1-1 to make a one-time payment of \$20,000 for use of existing furniture and consoles
- Annual rate for space - \$15,000
- Agreed use as a regional backup site for the Tarrant County 9-1-1 District

RECONFIGURATION OF LEASE AREA

- 2011

- Construction

- Walled of portion of jail area in booking
 - Modification of prisoner arraignment area
 - Removal of cabinets from fingerprinting area
 - Modification of jail cells for equipment use
 - Addition of doorway between dispatch and jail
 - Installation of UPS units, AC units, grounding
 - Dual entrance for TC9-1-1 fiber connectivity

- 2012

- Furniture addition

- Re-carpeting of dispatch area and new dispatch rooms

IMAGES OF CURRENT CENTER



IMAGES OF CURRENT CENTER



IMAGES OF CURRENT CENTER



CONVERSION TO A REGIONAL BACKUP CENTER

- TC9-1-1 costs associated with construction, furniture and readiness:
 - Roughly \$500,000
- Request from NETCOM to use Colleyville Regional Backup site as backup location for 9-1-1 call center – 2013 and 2018
- Request from Grapevine to use Colleyville Regional Backup site as backup location for 9-1-1 call center – 2014 and 2018
- 9-1-1 system installation and readiness – 2017-18

QUESTIONS?

WHEN SECONDS COUNT

DIAL **9-1-1**



TARRANT COUNTY 9-1-1 DISTRICT ©



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
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Agenda Number WS-3

Agenda Date 10/16/2018

Type Worksession

Department Community Development

Title

Discussion and update regarding a zoning change request at 712-810 Lavaca Trail, Case ZC18-033

Explanation

Community Development Director Ben Bryner will provide information a zoning change request at 712-810 Lavaca Trail per Case ZC18-033.

Attachments



City of Colleyville City Council Agenda Briefing

City Hall
100 Main Street
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Agenda Number WS-4

Agenda Date 10/16/2018

Type Worksession

Department City Secretary

Title

Discussion of the October 16, 2018, City Council regular agenda items



City of Colleyville City Council Agenda Briefing

City Hall
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Agenda Number 1

Agenda Date 10/16/2018

Type Executive Session

Department City Secretary

Title

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

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Section 551.074 - Personnel - Deliberate the appointment, employment, evaluations, and duties of the Fire Chief

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,

RESOLUTION R-18-4317

**A RESOLUTION APPROVING COUNCIL ACTION
REGARDING EXECUTIVE SESSION ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF OCTOBER 16, 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 16TH DAY OF OCTOBER 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
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Agenda Number 3

Agenda Date 10/16/2018

Type Announcements, Proclamations, and Presentations

Department City Manager

Title

In recognition of Mike and LeeAnn Sexton for allowing police and fire services to train on their property - Mayor Richard Newton, Police Chief Michael Miller, Fire Chief Brian Riley

Presentation of a donation to the Colleyville Public Library for the Library Spatial Reconfiguration Project from the Colleyville Public Library Foundation and the Friends of the Colleyville Public Library in the amount of \$40,000 - by the Colleyville Public Library Foundation, Pat Jones, President and the Friends of the Colleyville Public Library, Kay Newton, President

Presentation of the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for the Fiscal Year 2018 Comprehensive Annual Financial Report (CAFR) & Award of Financial Reporting Achievement (AFRA) - Mayor Richard Newton and CFO Shereen Gendy

Presentation of the Government Finance Officers Association (GFOA) Popular Annual Financial Reporting Award - Mayor Richard Newton and CFO Shereen Gendy

In recognition of the Featured Business of the Month - Furniture Consignment Gallery, 6000 Colleyville Boulevard, Suite 120, Robin Vander Stoep, owner - Mayor Richard Newton and Assistant City Manager Mark Wood

Attachments

1. CAFR Award

RESOLUTION R-18-4318
A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER CONSENT
ITEMS AT THE REGULAR CITY COUNCIL MEETING OF
OCTOBER 16, 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 October 1, 2018
 - b. Approval of the minutes of the City Council Worksession of October 4, 2018
 - c. Approval of a bid award to Infosend, Inc., for printing and mailing of utility bills and inserts
 - d. Approval of the sale of property, seized items, found items, obsolete and nonserviceable equipment, and vehicles
 - e. Approval to purchase a 2019 Chevrolet Tahoe fire command vehicle from Siddons-Martin Emergency Group, an approved vendor through the BuyBoard purchasing program, in an amount not to exceed \$75,309.00, and authorize the City Manager to execute the contract
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 - g. Approval to purchase two Police Harley FLHTP Electra Glide motorcycles from Texas Harley, and authorize the City Manager to execute all purchasing documents

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS AND 0 ABSTENTIONS ON THIS
THE 16TH DAY OF OCTOBER 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

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www.colleyville.com

Monday, October 1, 2018

Mayor Richard Newton called the Colleyville City Council Worksession to order on Monday, October 1, 2018, at 5:30 p.m.

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

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

WS-1 Discussion of the Roberts Road Rehabilitation Project

Public Works Director Ray Silva-Reyes presented this item and answered questions of the City Council.

There was general discussion of right-of-way requirements for each option, cost of each option, material to be used, maintenance, location, curbs and gutter, drainage, and sidewalks.

Mayor and Council directed staff to prepare cost and right-of-way estimates for Option 1 and Option 3 and bring the data back to City Council for review.

WS-2 Discussion of work hours for road rehabilitation projects

There was a technical malfunction of recording equipment from 6:00 p.m. to 6:06 p.m., at which time, the worksession was recessed.

Public Works Director Ray Silva-Reyes presented this item, asking City Council to consider allowing an amendment to the bidding documents and ordinances to provide for the ability to consider night-time road work. City Council agreed to allow the amendments so the bids could include night time work, however, if night time work is going to be conducted, the City Council would provide criteria and communication regarding same.

WS-3 Discussion of musical acts and branding for Red, White, & Sousa 2019

Library and Special Events Director Mary Rodne presented this item and briefed the City Council. Director Rodne provided information on cost for the 2018 event and reviewed a listing of possible entertainment. City Council discussed the theme of the event and will compile a list of their top five choices and forward same to Director Rodne.

WS-4 Update on the Q4P program

Assistant City Manager Mark Wood presented this item and briefed the City Council. Manager Wood noted the Q3P closed September 30 and had a return rate of approximately 12-percent. The Q4P will be another opportunity for an advertising grant and will require a charitable contribution and the use of #colleyvillegives.

WS-5 Discussion of the October 1, 2018, City Council regular agenda items

Mayor Newton stated the Oak Grove item will remain on the table and noted the changes to the minutes as provided and asked the motion include accepting the changes.

Mayor Newton adjourned the worksession at 6:30 p.m.

Mayor Newton called the Executive Session to order at 6:30 p.m. and called the roll.

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

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 551.074 – Personnel – Deliberate the appointment, employment, evaluations, and duties of the Fire Chief

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

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, Section 551.074 – Personnel, 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 6:50 p.m.

The regular meeting of the Colleyville City Council was called to order by Mayor Newton at 7:31 p.m.

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

INVOCATION: Pastor Ricky Texada, Colleyville Covenant 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-18-4314

This resolution was not needed.

3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS
Announcements of civic and charitable events
Presentation of calendar events and updates
Announcements of awards and recognition

The Mayor and City Council made the following announcements:

Mayor Pro Tem Lindamood stated our Fire Department "A shift" recently saved two lives in response to patients in cardiac arrest and two families have been given the gift of life by our exceptional response team. It goes without saying that we are proud of those who serve as first responders in Colleyville. They are literally changing the lives of our residents on a daily basis. Lifesaving team members on the Sept. 10 save: Daniel Torti, Lance Lindley, Jason Fisch, and Martin Mendoza. Lifesaving team members on the September 13 save: Daniel Torti, Kyle Franco,

Scott Gill, Brian Wallace, Jason Fisch, and Tim Folden. Mayor Pro Tem Lindamood said he is super proud of our paramedics and he is the son-in-law of a firefighter.

Mayor Newton stated he has been in contact with Paul Ballard, CEO of the Fort Worth Transportation Authority (FWTA), regarding the train horns being sounded even at the quad gates. Mr. Ballard stated the FWTA has been testing the new trains and the railroad crossing systems to demonstrate they comply with all federal regulations in order to receive Federal Railroad Administration (FRA) certification. Until the certification is completed, federal regulations require that all trains blow their whistle at the railroad crossing. Mr. Ballard apologized that the certifications were not yet complete, but has assured us that FWTA was doing everything in their power to comply with the FRA's regulations and speed up the certifications. Mr. Ballard is anticipating completion by the end of October at which time the whistles will stop. However, everyone should know that Federal regulations allow the train engineer to blow a whistle anytime the engineer feels there is a safety concern. However, this should be rare.

Councilmember Nakamura noted October September 28 was National Good Neighbor Day, and City staff Ray Silva-Reyes and Erin Spicer visited a resident on Belle Meade Drive who had previously called to complain about construction related traffic on John McCain. The resident was upset because she had ice cream in the car that melted while she was stuck in traffic. Ray and Erin visited the resident with a pie and ice cream on Friday to express our apology for the inconvenience she suffered. The ice cream was of course "Rocky Road" (pun intended). The resident was appreciative and the traffic delays abated with detour routes.

Councilmember Wheat announced upcoming City events: Movies in the Village: *Coco* was rescheduled to Friday, October 5. National Night Out, Tuesday, October 2, 6 p.m., outside City Hall, will be a great night out with the community and an opportunity to meet the men and women who keep Colleyville safe. Festivities include games, bounce houses, and activities for the whole family. Old Tyme Steak Cookoff, Saturday, October 13, 10 a.m. Colleyville Center, 5301 Riverwalk Drive will benefit Special Olympics Texas. Come out for a day of bounce houses, raffles, and more.

Councilmember Dodson announced the *Colleyville E-NEWS*, distributed via email every Friday, has a new look and is intended to provide more information in a social media format. Another great effort brought forth by Erin Spicer, Community Relations Specialist. Councilmember Dodson encouraged residents to sign up for *E-NEWS* on the city website or call Erin at 817-503-1113.

Councilmember Rigney announced the contractor has begun base repair on John McCain and some traffic congestion along the roadway has occurred. She noted the contractor is limited to working between 9 a.m. and 3 p.m. but there are still

delays resulting from flagger-administered construction areas. To correct this concern the City has detoured traffic during specific construction activity.

Councilmember Kelley stated all of the rain has hampered the removal of the stockpile of sediment at Kimzey Pond. We hope to have the dirt removed and the park restored in the next few weeks, assuming it stops raining. Councilmember Kelley reminded everyone to enjoy the Farmers Market, noting there are new vendors and some wonderful new events for children.

Mayor Newton congratulated the Grapevine-Colleyville Independent School District Board of Directors for being chosen as the 2018 Outstanding School Board by the Texas Association of School Administrators and Dr. Robin Ryan for being named Region 11 Superintendent of the Year by the Texas Association of School Boards.

Mayor Newton thanked the Friends of the Colleyville Nature Center for the great pictures of wildlife they take at our park and share through social media. Mayor Newton said he, and the City Council received an excellent calendar from the Friends of the Colleyville Nature Center and he is very thankful and appreciative of their work.

4. CONSENT: READING AND PUBLIC HEARING- RESOLUTION R-18-4315

4a Approval of the minutes of the regular City Council meeting of September 18, 2018

4b Approval of an Interlocal Agreement with Tarrant County for the rehabilitation of Cheek-Sparger Road, McDonwell School Road, Bransford Road, White Drive, Curtis Road, and Herbert Road, and authorizing the City Manager to execute the agreement

Mayor Newton read Resolution R-18-4315 in its entirety.

Public Works Director Ray Silva-Reyes presented item 4b and noted the Tarrant County Commissioners Court would sign the agreement next week and Tarrant County is ready to mobilize and move forward.

Mayor Newton stated he appreciates the relationship with Tarrant County and Tarrant County's partnership provides significant savings to Colleyville and they perform good work.

Councilmember Dodson asked if this contract was for the top work only. Director Silva-Reyes stated this is a mill and overlay with an additional asphalt layer, which will extend the life of the rehabilitation. Mayor Newton opened the public hearing at 7:51 p.m.

Kathy Hadley, 204 N. Timberline, spoke in opposition of item 4b, stating Cheek-Sparger Road was formed from trails created by horses when that was the mode of transportation and expressed concerns for traffic speed, tree removal, Colleyville's character, and a lack of notification to citizens. Mrs. Hadley also expressed the same concerns regarding Bransford Road.

Ray and Sabre Mathis, 219 Cheek-Sparger Road, spoke in opposition of item 4b with concerns for Cheek-Sparger Road being widened, tree removal, vehicle speeds, noise, and a lack of notification to the residents.

There were no others present wishing to speak and Mayor Newton closed the public hearing at 8:03 p.m.

Mayor Newton clarified item 4b for Mrs. Hadley and Mr. and Mrs. Mathis by explaining item 4b was for maintenance on a section of Cheek-Sparger that will not involve any redesign or road expansion. It will simply improve what is there today. Mayor Newton stated he believed the confusion is due to the approval of the Local Project Advance Funding Agreement for the Highway Safety Improvement Program (HSIP) for the reconstruction of Cheek-Sparger Road from San Bar Lane to Oak Briar Lane, which was on the September 18, 2018 agenda, and which is a separate project. That project has not been started, and before it does there will be plenty of notification and discussion with citizens. Mayor Newton reviewed the map exhibit to demonstrate both of the projects.

Councilmember Dodson stated the engineering plans for the reconstruction project will address all of the items noted, trees, curbs, speed, and sidewalks.

Mayor Pro Tem Lindamood noted City Council is sensitive to the issues discussed and are currently looking at the design of Cheek-Sparger Road, and there will be many opportunities for public input.

Councilmember Nakamura made a motion to approve Resolution R-18-4315, with the corrections to the minutes of September 18, 2018 as presented, and Councilmember Kelley seconded the motion.

The motion to approve carried with the following vote:

Aye: 7 – Mayor Richard Newton, Mayor Pro Tem Bobby Lindamood and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, Chuck Kelley and Callie Rigney.

5. ORDINANCE(S): FIRST READING AND PUBLIC HEARING**5a Ordinance O-18-2062**

Consideration of a zoning change from ML Light Manufacturing district to PUD-C Planned Unit Development - Commercial district on Lot 1, Block 1, of the Chandler Addition, located at 1701 John McCain Road, Case ZC18-025

Mayor Newton read the caption of Ordinance O-18-2062.

Community Development Director Ben Bryner presented this item.

Debra Perryman, 806 Caroline Lane, Southlake, the applicant, answered questions of the City Council.

Mayor Newton asked Ms. Perryman why some of the ML uses were left in the PUD-C request. Ms. Perryman stated the property nearby is currently ML and after consulting with staff, she felt it would be better to come in with a full plan which would maximize the zoning if the adjoining lots were combined, and not have to come back to Council multiple times.

There was general discussion regarding what is currently allowed in the standards. Councilmember Dodson stated he felt the uses were extremely broad and does not seem appropriate.

Following discussion, Mayor Newton advised the City Council will be reviewing the uses individually and list their concerns and City Council and staff will work with the applicant to address the concerns prior to the next reading. Ms. Perryman agreed and noted her building has a shared drive and she is willing to work through the concerns.

Mayor Newton opened the public hearing at 8:31 p.m.

Kathleen Hennessey, 5013 Stonebridge Drive, encouraged City Council to consider limiting the research and development allowed.

There were no others present wishing to speak and Mayor Newton closed the public hearing at 8:33 p.m.

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

6. TABLED: RESOLUTION(S) READING AND PUBLIC HEARING**6a 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

This resolution remained tabled.

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

Kathleen Hennessey, 5013 Stonebridge Drive, spoke regarding the 2017 Drinking Water Quality Report and expressed concerns of where the samples were taken, public awareness, and requested an explanation of where the lead is coming from. City Manager Jerry Ducay stated staff will visit anytime to explain the report and stated samples are not taken inside homes from the tap and explained Colleyville has a sealed water system.

Kathy Hadley, 204 North Timberline, stated Colleyville is blessed with a great City Council. She stated the country atmosphere, curved roads, and trees are part of what residents enjoy and encouraged the Council to preserve Colleyville.

8. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR MONDAY, OCTOBER 1, 2018 - READING AND PUBLIC HEARING - RESOLUTION R-18-4316

This resolution was not needed.

9. ADJOURNMENT

There being no further business before the City Council, Mayor Newton adjourned the City Council meeting at 8:40 p.m.

APPROVED BY A VOTE OF _ AYES, _ NAYS, AND _ ABSTENTIONS ON THIS THE 16TH DAY OF OCTOBER 2018.

Minutes taken and prepared by:

*Christine Loven, TRMC
City Secretary*



City of Colleyville City Council Worksession Minutes

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

Thursday, October 4, 2018
5:30 p.m.

Executive Conference Room
Third Floor – City Hall

Mayor Pro Tem Lindamood called the Colleyville City Council Worksession to order on October 4, 2018, at 5:33 p.m.

ROLL CALL: Mayor Pro Tem Bobby Lindamood, and Councilmembers Tammy Nakamura, Kathy Wheat, George Dodson, and Callie Rigney.

ABSENT: Mayor Richard Newton, Councilmember Chuck Kelley

ALSO PRESENT: City Manager Jerry Ducay, Assistant City Manager Adrienne Lothery, Assistant City Manager Mark Wood, Community Development Director Ben Bryner, Principal Planner Jackie Reyleff, City Secretary Christine Loven and City Attorney Whitt Wyatt.

2. PRESENTATION AND DISCUSSION

2a Discussion and review of Chapter 7 of the Land Development Code

During the worksession, there was a technical malfunction of the recording equipment at approximately 6:15 p.m. and discussion was suspended until 6:22 p.m.

Mayor Pro Tem Lindamood stated the purpose of this worksession was to review Chapter 7 of the Land Development Code item by item.

Community Development Director Ben Bryner presented the staff, City Council, and City Attorney recommendations and each item was discussed and reviewed by City Council.

Director Bryner will incorporate all recommendations into the draft document which will be presented to the Planning and Zoning Commission for review and comment, before being brought before the City Council for final adoption.

There was discussion regarding electronic message signs, the number of messages allowed, the hours which day and night lighting could be used and SUP requirements, size of signs, channel lighting, color allowances, letter heights, size and timeframe for which political signs can be placed, and window signs.

Mayor Pro Tem Lindamood thanked Director Bryner and his staff for the work they have done and continue to do in updating the entire Land Development Code. As

noted before, an update of this significance is usually performed by a consultant and takes many hours and thousands of dollars to complete.

3. ADJOURNMENT

There being no further business before the City Council, Mayor Pro Tem Lindamood adjourned the worksession at 7:31 p.m.

APPROVED BY A VOTE OF _ AYES, 0 NAYS, AND 0 ABSTENTIONS ON THIS THE 16TH DAY OF OCTOBER 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 4c

Agenda Date 10/16/2018

Number Resolution R-18-4318

Type Resolution

Department Finance

Title

Approval of a bid award to Infosend, Inc., for printing and mailing of utility bills and inserts

Strategic Plan

2.1 Provide responsive, efficient city services

Explanation

Reading and Public Hearing

The City of Colleyville outsources the printing and mailing of utility bills and inserts (*Colleyville Communicator*) for approximately 10,500 bills per month, in a two-cycle billing, which equals approximately 126,000 bills annually.

The City published a request for proposal for the printing and mailing of utility bills and inserts in the Star Telegram on September 9th and September 16th.

Staff interviewed two vendors and recommends that a one year contract with the option to renew for four additional years for printing and mailing of utility bills and inserts be awarded to Infosend, Inc. The proposal award is based on price, municipal references, the proposer's ability to perform and to interface with the City's existing utility billing software.

Financial Impact

Funding is available in the utility billing fund as approved in the Fiscal Year 2019 budget.

Recommendation

Approve

Attachments

1. Infosend Presentation
2. Infosend Contract

Utility Billing Statement and Insert Print and Mail Services

City Council Meeting
October 16, 2018

Request for Proposal (RFP)



- September 9** **First RFP notice** published on the City's website and the Star Telegram. E-mail notifications sent to vendors serving the surrounding cities and two minority businesses as required by law.
- September 16** **Second RFP notice** published in the Star Telegram
- September 20** **Pre-proposal conference** to answer the vendor's questions. Minutes were recorded and e-mailed to vendors.
- September 24** Deadline to submit proposals
- September 24** **Public opening** of proposals
- October 1** Vendor **interviews & reference checks**
- October 5** **Selected vendor, Infosend Inc., notified**
- November 1** Beginning of the 12 week **implementation** process

Selection Criteria



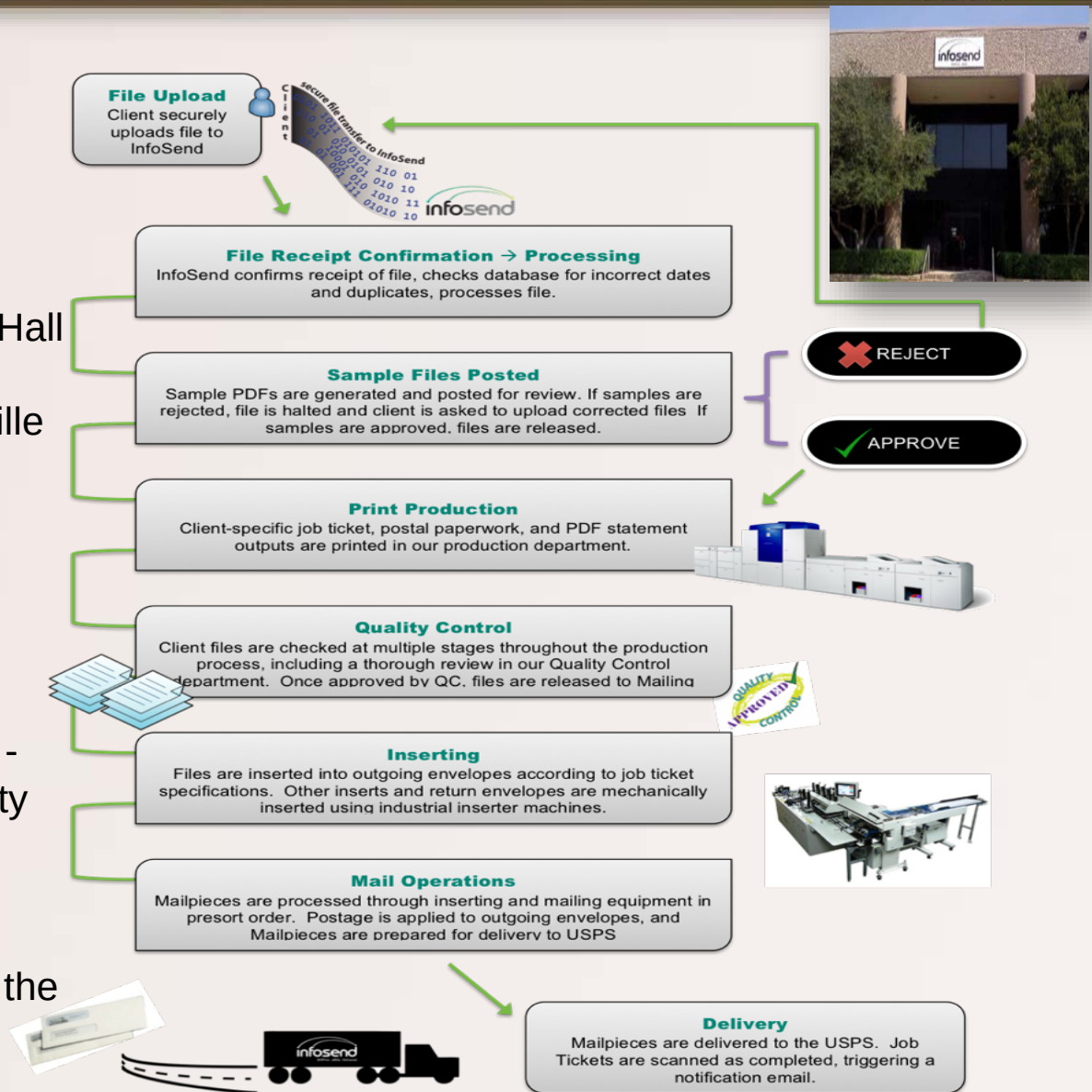
- Methodology and work plan
- Completeness of proposal submitted
- Information obtained from references
- Total project cost
- Understanding of the project
- Interview
- Direct experience and qualifications of project team and vendor

Staff recommends that a one year contract with the option to renew for four additional years for printing and mailing of utility bills and inserts be awarded to Infosend, Inc.

About InfoSend



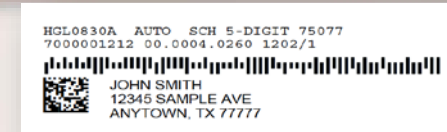
- 22 year history of providing Customer Communication Management to municipalities and utilities nationwide
- Client Retention is over 98.5%
- Production facility in Carrollton, 20 mile from Colleyville City Hall
- The City's dedicated account manager is one of our Colleyville residents!
- No subcontractors
- Cloud Based Disaster Recovery Enhancements
- Secure Web Portal for Utility Billing and Insert Management - Automated job tracking and reporting gives Colleyville's Utility Billing department full visibility into InfoSend's production timelines.
- Rates that will save the City \$16,500 per year (compared to the current vendor).



Infosend's Secure Web Portal



Print Image Archive and Mail Tracking - With Mail Tracking, the USPS data is provided via the IMb Tracing™ service, where all qualified mail with an Intelligent Mail Barcode that is scanned at a sort facility is logged with a date and time stamp and the last USPS ZipCode. This data provides insight into the estimated delivery time frame of mail to the customer.



Name	Account Number	Job Code	Received Date	SPCL	Amount	Mailed	Last USPS Update	Last USPS ZipCode	Save	View
A & R TEXAS PROPERTIES LLC	132200120 - 105293	MSQMSQ180912B	2018-09-12		53.39	2018-09-13 09:35:34	2018-09-15 09:35:34	75007		
ABBOTT WILLIAM	133623100 - 169707	MSQMSQ180912B	2018-09-12		149.38	2018-09-13 09:39:07	2018-09-15 09:39:07	75150		
ABDALLA JEAN	137401580 - 171661	MSQMSQ180912B	2018-09-12		82.70	2018-09-13 11:44:07	2018-09-15 11:44:07	75150		
ABDALLA RIAD	137404960 - 171791	MSQMSQ180912B	2018-09-12		74.35	2018-09-13 12:46:32	2018-09-15 12:46:32	75150		



Message Manager Tool- Message Manager custom-built web-based application that allows the city to control the messages that print on output. The City can schedule the messages months or even years in advance, as well as set criteria to assign unique messages to different types of customers, or even to individual accounts. A PDF preview displays the message in the actual font that will be used.

No character count limitations!

Multiple message areas

Intelligent targeted Messaging



Marketing through Utility Billing- Selective inserting, envelope sniping (messaging), postcard mailings, self-mailers, water quality reports, ...etc

Brush and Bulky Just got Greener!

THE CITY OF TUCSON ENVIRONMENTAL SERVICES DEPARTMENT WILL BE CHANGING ITS METHOD OF PROVIDING NOTIFICATION FOR THE BRUSH AND BULKY PICKUP SERVICE.

The City is keeping its promise to reduce its carbon footprint and waste by replacing paper door hangers with the Recycle Coach app and website that allows for more effective direct communication. Recycle Coach is our choice for digital outreach because it provides more effective, accessible, and economical notification services. Notifications on the app can be tailored to the user: messages are specifically targeted according to service dates, and various access points and settings allow for customized notifications.

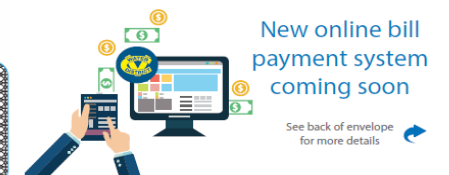
Using **Recycle Coach** is simple.

- 1 Download the FREE APP recyclecoach
- 2 Enter in your city, address and then set notifications/reminders
- 3 All the information you need, while making Tucson greener!



To learn more call 520.791.3171 or visit us at tucsonaz.gov/esd

9/16



New online bill payment system coming soon

See back of envelope for more details

PROFESSIONAL SERVICES AGREEMENT

Utility Billing Services

This Professional Services Agreement (“Agreement”) is made by and between the City of Colleyville (“City”), and Info Send, Inc. (“Professional”) (each a “Party” and collectively the “Parties”), acting by and through their respective authorized representatives.

RECITALS

WHEREAS, City desires Professional to perform certain work and services set forth in Section 1, Scope of Services and

WHEREAS, Professional has expressed a willingness to perform said work and services, hereinafter referred to only as "services", specified in said Scope of Services, and enumerated under Section 1, of this Agreement;

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

Section 1. Scope of Services

Upon issuance of a written Notice to Proceed by City, Professional agrees to provide to City the professional utility billing services, including without limitation, data processing, printing, folding, inserting, sorting and mailing for residential and commercial utility billing accounts (“Project”) as set forth in the Scope of Services attached hereto and incorporated herein by reference as Exhibit “A” (the “Scope of Services”).

Section 2. Term of Agreement

A. The term of this Agreement shall begin on the Effective Date and shall run for an initial term of one (1) year, which shall automatically renew for four (4) successive one (1) year renewal terms, unless sooner terminated as provided in Section 8, below. The City may, with or without cause, provide Professional written notice of its intent not to renew this Agreement not later than sixty (60) days prior the expiration of the current term.

Section 3. Professional Obligations

A. Professional shall devote such time as reasonably necessary for the satisfactory performance of the work under this Agreement. Should City require additional services not included under this Agreement, Professional shall make reasonable effort to provide such additional services in accordance with the fee schedules set forth in Exhibit “B”, attached hereto and incorporated herein by reference, and within the time schedule prescribed by City; and without decreasing the effectiveness of the performance of services required under this Agreement.

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. Unless expressly provided otherwise in Exhibit "B", 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 fee schedules 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 (*see* Exhibit "B-1" and "B-2"). All fees paid to Professional, by City, shall be based on invoices submitted by Professional for services performed monthly by Professional, less any previous payments, and shall be paid within 30 days of receipt and acceptance of invoice by City.

B. The compensation to Professional during the term of this agreement shall be as specified in the fee schedules set forth in Exhibit "B". In the event Professional determines it necessary to apply an annual increase to the fees or pricing described in Exhibit "B", such increase shall not exceed the amount of the then current national consumer price index (CPI) rate as set forth by the Bureau of Labor Statistics. 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 processes, procedures, specifications, plans and other services furnished by Professional under this Agreement. Professional shall, without additional compensation, correct or revise any errors or deficiencies in these 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 direct

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 but 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 twenty-four (24) 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. City Data

A. All reports, proposals, computer programs, computer applications, electronic data, source code, plans or specifications (whether physical or electronic), and other information, maintained in any form, prepared by Professional, its consultants, subcontractors, agents, representatives, and/or employees for use in connection with this Agreement for the use and benefit of City ("City Data") shall be the property of the City. Professional and its consultants, subcontractors, agents, representatives, and/or employees shall be deemed the authors of their respective part of the City Data. 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 City Data, including all ownership, common law, statutory, and other reserved rights, including copyrights (but excluding intellectual property rights presently owned by Professional) in and to all City Data, 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 City Data to and for use in their execution of the services or for any other purpose.

B. All instruments of service (including reports, plans, specifications, drawings, reports, designs, computations, computer programs, computer code, software, source code, estimates, surveys, other data or work items, etc.) prepared under this Agreement shall be submitted for approval of City.

C. Acceptance and approval of the City Data 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 work; nor shall such approval be deemed to be an assumption of such responsibility by City for any defect in the City Data prepared by Professional, its employees, contractor, agents and consultants.

Section 8. Termination

A. City may suspend this Agreement for cause or without cause at any time by giving written notice to Professional. City may terminate this Agreement for cause or without cause at any time by giving thirty (30) days 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. Unless otherwise agreed by the Parties, Professional shall during the term hereof maintain in full force and effect the following minimum insurance policies:

- (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; and

- (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.

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 Tarrant 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 reasonable 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:	Jerry Ducay, City Manager City of Colleyville 1000 Colleyville Road Colleyville, Texas 75077
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:	Info Send, Inc Attn: Robert Crawford, Territory Sales Manager 4240 E. La Palma Ave. Anaheim, California 92807

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. Confidentiality.

All information and data relating to City's business submitted by City to Professional under this Agreement shall be treated as confidential by Professional and shall not, unless otherwise required by law, be disclosed to any third party by Professional without City's written consent. Professional shall promptly notify City should Professional be served with a summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, requests for admission, or other discovery request or court order from any third party regarding this Agreement and/or the services performed under this Agreement. Professional takes great care in both data security and human resource security. Professional has a Human Resources policy that requires all new employees to pass a background check performed by an outside company. All new employees must pass a drug-screening test as well. These practices will remain in place for the duration of the Agreement.

Signature page to follow

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

CITY OF COLLEYVILLE, TEXAS

By: _____
Jerry Ducay, Ph.D., City Manager

APPROVED AS TO FORM:

By: _____
Whitt L. Wyatt, City Attorney
(10.11.18.v2.3042:103273)

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

INFO SEND, INC.

By: _____
Robert Crawford, Territory Sales Manager

EXHIBIT “A”

SCOPE OF SERVICES

City (hereinafter “Client”) will select one or more of InfoSend’s Primary Services from the list below by checking the box next to the Primary Service name. Any Primary Services not selected prior to the execution of this Agreement can be added at a later date via an Agreement Amendment. Optional Service Features can be turned on or off at any time without incurring a termination fee when turned off.

- ☐ Data Processing, Printing and Mailing Service (“DPPM Service”): During the term of this Agreement, InfoSend will provide data processing, printing and mailing services. The Service consists of processing data, printing documents, mail preparation, applying postage (where applicable) and sending via the United States Postal Service. Document types include but are not limited to bills, postcards and letters.
- InfoSend will provide eBusiness services (the “eBusiness Services”). During the term of this Agreement InfoSend can provide eBusiness Services. These services can include presenting bills online and/or accepting payment transaction information to facilitate ACH and/or credit card payments.

Section 1. Scope of DPPM Service:

Data Transfer and Processing

- Client to transmit data to InfoSend in an agreed upon format. Should Client make changes to data file format after initial setup is complete it agrees to pay for the professional services required to accommodate the new file format. See Exhibit B-2 – Professional Services for information on initial setup and ongoing programming changes.
- A File Transfer Report will be emailed to the Client representatives who have opted-in to this email. A copy of this report is also available to download from the InfoSend website.
- Client will have access to an online Job Tracking application that shows the progress of each file as it is processed and becomes a batch of documents to be printed and mailed. Client can see both the original input file name and the InfoSend-assigned “Job Code”.
- InfoSend will process the mailing addresses and perform the following functions:
 - Apply CASS-certified address validation
 - Comply with USPS requirements to obtain pre-sort automation rates
 - InfoSend will stay current with all USPS regulations required to mail presorted first class mail
- InfoSend will provide proofs of the final print-ready PDF files to Client to be reviewed and approved before printing begins (if requested).

Document Printing and Mailing

- Batches are printed by InfoSend using a high-speed production process onto the agreed upon forms.
- Printed documents are put through a quality control process and then released to the mailing department to be inserted into outgoing envelope. The return envelope and any applicable inserts are included as well.
- After a batch of mail is completed in InfoSend’s system it will be marked as such in the online Job Tracker and a Process Confirmation Report will be emailed to the Client representatives who have opted-in to this email. A copy of this report is also available to download from the InfoSend website.

EXHIBIT B

PAYMENT SCHEDULE

Exhibit B-1

InfoSend Cost Schedules

Section 1. Price Escalations to InfoSend Fees

InfoSend Fees may be adjusted once every twelve (12) months to account for reasonable increases in the actual cost of materials, labor, and other overhead costs. InfoSend reserves the right to increase InfoSend Fees on an annual basis (starting with the first anniversary of the Agreement date). The Client will be notified, in writing, at least 30 days prior to such price increase. An amendment to this Agreement will not be required if the Fees are adjusted under this section, provided no other terms or conditions of the Agreement have changed. Postage fees can change at any time per USPS regulations and do not require an Agreement amendment.

In addition to this, if Client uses the Printing and Mailing Service, it accepts that InfoSend reserves the right to pass on any extraordinarily high increases to the cost of forms or envelopes at any time. The Client will be notified, in writing, at least 30 days prior to such price increase.

Section 2. DPPM Fees:

Client understands that print and mail production costs vary based on volume. The following InfoSend Fees are based on the estimated monthly volumes listed below. Should Client's actual continuous volume be less than 70% of the volume estimates Client has provided to InfoSend (listed below) then InfoSend reserves the right to invalidate the Fees listed in this Agreement. Should this rare situation arise then InfoSend will notify Client immediately and negotiate with Client in good faith to pass on any increased production costs to Client.

The cost schedules on the following pages do not include any applicable initial setup fees, please see Exhibit B-2 – Professional Services for initial setup fee and ongoing Professional Services Fees pricing.

- Cost schedules to follow -

Statement Base Cost & Materials

Statement processing – including Data Processing –
8.5 x 11 24 # paper stock with perforated coupon

Simplex 2-color laser printing statement (blue & black ink), \$ 0.060 Per Sheet

10 Window Envelopes (mailing bills & inserts) \$ 0.016 Per Envelope

9 Return Window Envelope (payments mailed) \$ 0.014 Per Envelope

Folding, Inserting and delivery to USPS \$ _____ Included in above

CMYK (full color) statement printing includes everything above \$ Add 0.01 Per Sheet

Colleyville Communicator-Inserts

Full Color double sided

8.5 x 11 60 # Gloss Bond Paper (94 brightness)

Fold to 8.5 x 3.67, Inserting and Mailing \$ 0.086 Per Sheet

Postage – Per Mail Piece Cost of postage, based on
10,000 or more 5-digit zip code

\$ 0.375 for qualified pieces
(Subject to any USPS rate changes)

Cost for each additional statement page \$ 0.060 Per Sheet

Initial CPL Set Up

(Custom Program Logic)

\$ Waived – Part of implementation

NCOA address corrected/updated per each item

\$ 0.25 Per Occurrence

Optional Print Image Archiving pricing

\$ Waived for 3 month retention

Additional Costs to Base Cost:

Large Flat Outgoing 9x12 Envelope per each
(used for multiple page statements that do not fit in the #10 envelope) \$ 0.17 Per Envelope

Large Flat 9 x 12 Mail piece Surcharge per each \$ 0.25 Per Item

Cost to Change CPL (custom program logic) \$ 125.00 PER HOUR

(Example: stop suppressions so all invoices are printed & mailed for the month;

Suppression are reinstated at a later date for no additional cost)

Note: InfoSend does not bill for **changes** that require under 1 Professional Services Hour. The Account Manager reviews the request internally and defines a scope with the assistance of the InfoSend IT programmer assigned to the project. Once a scope is determined, InfoSend will present the client with a Statement of Work (SOW), which will include the Professional Services hours (PS) and timeline to delivery. InfoSend's **change** request delivery times vary based on the scope.

Cost for Suppression of Inserts and Envelopes in Auto Draft Accounts
and email customers \$ No Fee to suppress

E-mail – E-billing \$ 0.07 Per Email

E-mail – E-billing transaction with attachment \$ 0.008 Per E-Insert

(We assume this is an e-attachment of any inserts to the above priced Email. Add for total Email cost)

Additional Programming Changes Hourly Rate \$ 125.00 PER HOUR

Graphics Programming Changes Hourly Rate \$ 95.00 Per Hour

Additional full color insert and Fee - full sized 8.5x11 \$ 0.008 insertion fee Per Sheet

a. Single-Sided \$ 0.072

a. Double-Sided \$ 0.078

Note: Per the pre-bid meeting, we are also supplying the following price points. All of these Additional Insert production costs are assuming the use of standard 24# paper. There is a minimum order quantity of 10,000 for these prices.

Full Color Buck Slip (1/3 page)

a. Single Sided \$ 0.0522

b. Double Sided \$ 0.056

Grayscale Buck Slip (1/3 page)

a. Single Sided \$ 0.0255

b. Double Sided \$ 0.0284

Grayscale full sized 8.5x11

a. Single Sided \$ 0.041

b. Double Sided \$ 0.056

Additional Costs:

Annual License Fee \$ 0.00 Cost Per Year

Monthly Email Support Fees \$ 25.00 Cost Per Month

Email Set up Fees \$ Waived

Print Image Archive \$ 0.009 Cost per Item

Indicate Number of month's retention 12

Note: Optional retention periods and fees available on request.

Section 2.1. Custom Forms/Envelopes

If Client has selected the Printing and Mailing Service and at any time requests that InfoSend Fees include the cost of custom Client-specific materials (either in this Agreement or since its execution), then Client understands and accepts that these materials will be purchased in bulk to achieve the lowest possible per-unit cost. Client agrees to purchase any remaining supplies of requested custom materials (normally forms or envelopes) if Client stops using InfoSend's Service for any reason. Client agrees to purchase the remaining supply of custom forms/envelopes upon Client's request to change the custom forms/envelopes before the supply has been depleted.

Section 2.2. USPS Postage Rates

Postage rates are determined by the United States Postal Service. All postage rate changes are determined directly by USPS and are independent of any InfoSend service or materials fees. In no event shall any change in the postage rates affect the InfoSend service or materials fees. The Client will be invoiced the amount of excess for overweight and foreign mail.

Section 2.3. Postage Deposit

InfoSend purchases the postage needed to mail Client documents on the day of mailing. The postage charges are later invoiced to Client based on the Client's payment terms. InfoSend requires Client to submit a postage deposit prior to the first mailing to facilitate the payment terms. This amount will remain in deposit for the duration of the Agreement. Upon Agreement expiration or termination Client must pay in full any outstanding invoices from InfoSend for payables created under this Agreement; the postage deposit will be refunded within fifteen (15) days of the date that the last open invoice is paid.

The postage deposit is subject to an annual review and may be adjusted to account for changes to Client average mailing volume or changes to USPS postage rates. There will be no more than one adjustment requested per year, if at all.

The postage deposit amount is calculated by multiplying the estimated number mail pieces per month by the current 5-Digit pre-sorted first class postage rate. The postage deposit amount due for your account is:

10,500 mail pieces per month x \$0.378 x 2 = \$7,938.00

- End of Cost Schedules -

Exhibit B-2

Professional Services Fee Schedule

Section 1. Price Escalations to InfoSend Professional Services Fees

InfoSend Professional Services Fees may be subject to adjustment once every twelve (12) months to account for reasonable increases to the cost of providing these services. InfoSend reserves the right to increase Professional Services Fees on an annual basis, starting with the first anniversary of the Agreement date, if needed. The Client will be notified, in writing, at least 30 days prior to such price increase. An amendment to this Agreement will not be required if the Fees are adjusted under this section, provided no other terms or conditions of the Agreement have changed.

Section 2. Definition of Professional Services

InfoSend Professional Services are the technical services that are required to perform the initial setup of the InfoSend Primary Services described in Exhibit A and the technical services required to make changes to these Primary Services after the initial setup is complete. Once any Primary Service is live and operational Professional Services will not be required unless Client requests a change or makes changes to its data file format or business rules which necessitates a change to InfoSend's system configuration or programming. Examples of InfoSend Professional Services:

- Project requirements gathering and analysis hours
- Project management and/or consulting hours
- Software development and system configuration hours related to the processing of Client's data
- Software development and system configuration hours related to document design, web portal setup, business rule configuration, or any other applicable technical services
- Application testing and deployment hours

Section 3. Professional Services Fee and Process for Approval and Payment of Fee

The current Professional Services Fee is \$125.00 per hour.

Anytime a project will incur billable Professional Services hours Client will be informed before work begins. InfoSend and Client will execute a Statement of Work for project that Client wants InfoSend to undertake. The payment terms for the project depend on the size and scope of the project. The Statement of Work can include payment terms that are different than the terms listed in this Agreement for InfoSend Fees, otherwise these terms will apply and the project fees will be invoiced upon project completion. Small projects that incur less than five (5) hours of Professional Services can be initiated without a Statement of Work if Client accepts and executes a Programming Quote for this work.

All projects that will take more than five (5) hours of Professional Services work will require both parties execute a formal Statement of Work. Depending on the nature of the work required InfoSend will provide one of the following quotation methods:

- Fixed Quote – a fixed project cost will be set. InfoSend may elect to waive this cost in some circumstances. Client understands and accepts that it must accept the terms and conditions of the Statement of Work for the project and that changes made to the project requirements, data file structure, etc. after the Statement of Work and any amendments to it have been finalized will require Client to pay for these changes on a Time and Materials basis. Client will be notified immediately if this scenario happens and given an option to keep the original project specifications to keep the fixed quote in place.
- Time and Materials quote – should it not be possible to provide a fixed quote due to the nature of a Client's requested project then InfoSend will provide an estimated number of hours to complete the

project and bill the hours on a Time and Materials basis. The Statement of Work will include the terms and conditions for these project types and Client will be invoiced weekly for the hours spent on the project.

Section 4. Initial Setup Cost: InfoSend Primary Services

The initial setup cost for the InfoSend Primary Services (DPPM) selected in Exhibit A are listed below. These costs have been provided using a Fixed Quote process, explained in Section 3 above. Client understands and agrees to these terms and to the project-specific terms and conditions that will be provided in the Statement of Work that will be created to capture Client's specific requirements and data types.

- DPPM initial setup project scope is outlined on following page -

Data Processing and Document Creation Initial Setup Fee This applies to the following services, unless client provides pre-rendered PDF files: DPPM Service	
Project Fixed Initial Setup Cost:	See Above
Project Summary: This project will be completed to process Client's input data files and create the output to be used for the print or online delivery channel.	
Project Details: A requirements gathering process will be initiated to build the Statement of Work required to begin programming and system configuration. During the requirements gathering process for a raw data implementation, InfoSend and the Client will discuss: • Client's custom data (if applicable). When custom data is provided by the Client a "field mapping" or "field description" document is required before project implementation can begin. This document is an absolute requirement; programming cannot be based on assumptions and all fields must be defined before programming can begin. • Document design. Client must sign-off on a document design "mockup" before programming can begin. The mockup is a visual representation of how the document will look after Client's custom data is processed by InfoSend's system. During the requirements gathering process for an xPDF implementation, InfoSend and the Client will discuss: • Client's PDF data • Materials • 2-color printing design and implementation	
Project Schedule: Project is estimated to take 10-12 weeks to complete for a raw data implementation or 6-12 weeks for an xPDF implementation. The Statement of Work will contain all client deliverables and responsibilities. Both parties agree to dedicate adequate resources to the project to complete it in the shortest amount of time possible. Should Client make changes to the data file after programming has begun it must pay Professional Services Fees, on a Time and Materials basis, to cover the programming changes required to accept the new data. Should the document design be changed after the final mockup is accepted and signed off on by the Client then Professional Services Fees will apply, on a Time and Materials basis, to cover the cost of making these changes. Changes to the Client data file, document design, or other key specifics collected and finalized during the requirements gathering process will impact the project completion date. Changes made after the Client has executed the Statement of Work and any follow up documents can cause delays to the project completion.	
Project Cost has been Subsidized: InfoSend's internal cost to complete the project is higher than the cost quoted to Client at the top of this table. InfoSend has subsidized by factoring in years of Fees as it is confident that its quality of service will make Client want to stay with InfoSend for years beyond the Initial Term of this Agreement. Should Client cancel the project or terminate the Agreement at its convenience less than one (1) year from the Agreement date then it must compensate InfoSend for the actual costs incurred up to a total of \$3,000.00 (including any Initial Setup Cost already paid) to cover the Initial Setup cost.	

Initial and Ongoing Service Fees:

One-Time Implementation Fee

Include all phases of the project prior to the production phase:
Initial programming, set up, Testing, and implementation

\$ _____ **Waived**



City of Colleyville City Council Agenda Briefing

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

Agenda Number 4d

Agenda Date 10/16/2018

Number Resolution R-18-4318

Type Resolution

Department Public Works

Title

Approval of the sale of property, seized items, found items, obsolete and non-serviceable equipment, and vehicles

Strategic Plan

2.4 Demonstrate stewardship of public resources

Explanation

Reading and Public Hearing

The City's purchasing manual requires the City Council to authorize the disposal of salvage items and obsolete, non-serviceable vehicles and equipment before property can be removed from inventory and disposed of by public auction or other approved means.

The attached Sale/Disposal List provides an itemized equipment and vehicles list of items which should not be reassigned or re-purposed, and have been replaced due to age, and/or mileage, and are no longer serviceable; abandoned/found property, for which owners were not located, or property seized by the Colleyville Police Department. Items with an asterisk have been previously authorized for disposal by attached Resolution R-18-4228.

In May 2010, City Council approved attached Resolution R-10-3230, which authorized a professional services agreement with Rene Bates Auctioneers of McKinney, Texas, to conduct City auctions in an online format. Rene Bates has performed multiple auctions in the past six years for the City of Colleyville, with little to no issues. Rene Bates charges a fee of 7.5 percent of the gross auction sales for their services.

The five year history of proceeds from the auctions are as follows:

Year	Proceeds
2013	\$112,290.83
2014	\$ 18,512.51
2015	\$ 39,228.52
2016	\$106,109.05
2017	\$ 49,195.84

Financial Impact

The financial impact of the auction will be determined by the gross proceeds of the auction less a 7.5 percent fee charged by the auctioneer.

Form 1295 - Acknowledged by City

Recommendation

Approve

Attachments

1. 2018 Sale & Disposal List
2. R-18-4228 (Sweeper)
3. R-10-3230
4. 1295 Form Certified

City of Colleyville
October 2018 Sale/Disposal List

Library Department				
Item #	Qty.	Item Description	Model	Serial/VIN
LB-1	2	Seth Thomas Atomic Clock		
LB-2	1	A-Z 21 Pocket File Folders		
LB-3	1	Black Zippered CD Holder		
LB-4	2	Black Index Card Boxes		
LB-5	1	Box Index Card Dividers		
LB-6	1	Clear Plastic File Holder		
LB-7	1	Blue Plastic Pencil Holder		
LB-8	4	Black Plastic Magnetic File Holders		
LB-9	2	Small Black Calendar Holders		
LB-10	2	Large Black Calendar Holders		
LB-11	4	24" Stick American Flag		
LB-12	3	24" Red, White, Blue Bunting		
LB-13	10	Red, White, Blue Bandanas (Flag)		
LB-14	1	Scrap Red, White, Blue Fabric		
LB-15	2	12" Red, White, Blue Bunting		
LB-16	2	Plastic Patriotic Hats		
LB-17	2	Large Outdoor Red, White, Blue Bows		
LB-18	3	Red, White, Blue Ribbon Rolls		
LB-19	1	Fabric Christmas Tree		
LB-20	1	Green Water Bottle		
LB-21	3	Silver Charger Plates		
LB-22	12	Train Christmas Ornaments		
LB-23	54	Snowflake Christmas Ornaments		
LB-24	72	Gingerbread Christmas Ornaments		
LB-25	1	Pig Mascot Costume- Adult Size.		
LB-26	50	Uline Boxes - 4x4x16		
LB-27	14	Youth VHS Tapes		
LB-28	2	Brown Stripe Plush Chairs		
LB-29	4	Green Plush Chairs		
LB-30	6	Study Workstations - Carrels ONLY		
LB-31	4	Study Workstations - Carrels ONLY		
LB-32	1	Department 56 Snow Village -Redeemer Chapel 1988		
LB-33	1	Nienkamper Table with Acrylic Divider		

LB-34	1	Table with Decorative Scroll		
LB-35	7	Assorted Dinosaur Footprint Clings		
LB-36	20	Red, White, Blue Star Lights		
LB-37	1	Adult Snorkel, Fins, Mask		
LB-38	2	Tan Plush Chairs		
LB-39	1	Nemo Bubble Blaster		
LB-40	1	Sustainable Earth Ink Cartridge, Model #SEB13XR		
LB-41	1	Imaginarian Train Table with one drawer		
LB-42	1	Pop-Up Tent		
LB-44	6	Assorted Foam Storybook Characters with Stands		
LB-45	1	Kidcraft Train Table with 2 sliding drawers		
LB-46	1	Wood Barn		
LB-47	1	Assorted Playhouse Furniture and Figurines		
LB-48	1	Magnetic Alphabet Pieces		
LB-49	1	Assorted Train Accessories-includes Thomas & generic wooden track, motorized track		
LB-50	2	boxes assorted colors file folders		
LB-51	1	Thomas the Train Rug		
LB-52	10	Large and Small Magazine Holders		
Fire				
FS-1	1	Lincoln Welder, 12HP Gas, Hours 45, Motor misses	1978	5522616
FS-2	1	Toshiba 32 inch TV unknow if it works	1996	
FS-3	1	Cloth Covered Couch		
FS-4	1	EVO Treadmill Parts Only		
FS-5	1	CM Trailer with Generator and A/C Gen need carb needs tires		
FS-6	2	3 inch fire hose may have holes or damaged cuplings		
FS-7	5	1.75 inch fire hose may have holes or damage cuplings		
FS-8	1	5 inch hose no cupling may have holes		
FS-9	1	4 inch hose may have holes or damage cuplings		
FS-10	4	4 drawer file cabnets		
Colleyville Center				
CC-1	17	36" Rounds Tables 29" Tall		
CC-2	1	Projector Screen		
CC-3	1	Floor Burnisher		
CC-4	16	Banquet Chairs		
Municipal Court				
CMC-1	1	4 drawer Hon vertical putty filing cabinet		
CMC-2	1	5 Rolling plastic filing carts		

Police				
PD-1	Lot of 1	LOT of L-3 In car mobile video systems. OT contains Flashback 1 DVR (QTY1), Flashback 2 DVRs (QTY 4) Flashback 3 DVRs (QTY 8), 12 Radar interfaces, 13 monitors, 10 front cameras w/zoom, 2 motorcycle "Bullet" cameras, 9 IR back seat cameras, 6 Crash sensors with battery backup, 2 Voice Link X transmitters, 4 Voice link Plus transmitters, 10 Power supplies to charging cradles (New in box), 19 Car cradles for VLP, 2 Car cradles for VLP X, 32 Complete sets of Voice link plus transmitters, desk charging cradle and power supply, 75 corded microphones for VLP, Misc. cables, keys, brackets, ram mounts included. All items removed from service in Feb 2018. All systems were working at time of removal. Some cables are provided. SOLD AS IS not warranties or guarantees		
PD-2	1	Intoxilyzer 5000EN Manufacture date: 10/04 Last date of operation: 5/14 Automatic fail indicated possdibly due to bad filters.		68-013086
PD-3	1	Genesis-VP Directional radar with battery charger. Unit works but battery will not hold charge. Sold AS IS no warranty or gurantee		
PD-4	1	Genesis-VP Directional radar with battery charger. Unit works but battery will not hold charge. Sold AS IS no warranty or gurantee		
PD-5	2	Two (2) Microfilm machines. Micro Design one works, Bell-Howell does not		
Police Evidence				
PDE-1	1	Coleman Pop Up Chair		
PDE-2	6	T-Posts for Signs 6 qty.		
PDE-3	1	Syma Drone W/HD Camera. Missing Remote Control. Missing Micro Card.		
PDE-4	1	Orange Backpack		
PDE-5	1	Baseball & Baseball Weight		
PDE-6	1	Apple Watch		
PDE-7	1	Liz Claiborne Braclets		
PDE-8	1	Pearls: Local jeweleer advised the pearls to be authentic.		
PDE-9	1	Floral Pillow		
PDE-10	1	Suitcase APT.9 Brand		
PDE-11	1	Black Suitcase		
PDE-12	1	Assorted Jewelry		
PDE-13	1	Bolt Cutters 14"		
PDE-14	1	Bolt Cutters 24"		
PDE-15	1	Bolt Cutters 35"		
PDE-16	1	Metal Crowbar		
PDE-17	1	Jewelry Box		

Public Works - Water Division				
PW-1	1	Stihl TS 700 Quick Cut Saw with 14" blade. Carrier broken. Operational condition unknown.		
PW-2	1	Homelite MP88 Multi-Purpose Saw. Operational condition unknown.		
PW-3	1	Q RAE Plus Air Monitor. Multi-gas. 2 monitors in case. With charger, hoses, and calibration tabs.		
PW-4	1	Q RAE Plus Air Monitor. Multi-gas. 1 monitor in a broken case (will not latch). With hose and filter replacements.		
PW-5	1	Desk and chair. 5-drawer desk with lock/key. 5 feet long. Metal drawers. Black computer chair.		
PW-6	2	Desk and chair. 3-drawer desk. 6 feet long. Metal drawers. Brown office chair.		
PW-7	1	Desk. Wooden. 2-drawers. 6 feet long.		
PW-8	1	Countertop cabinet. 4 drawers. 8 1/2' long. Wood grain with stone-grey countertop.		
PW-9	1	Armoire cabinet. 7' x 4'. Wooden.		
PW-10	38	Padded partitions, desktops, 6 under-desk file cabinets. (3 of them with 3 drawers, 3 of them with 2 drawers). Desktops mount on top of the file cabinets. 16 partition pieces. 12 vanilla-color desk pieces. 4 grey desk pieces. (legs).		
PW-11	10	1 Round table and 9 chairs. Grey plastic 65" top.		
PW-12	10	1 Round table and 9 chairs. Grey plastic 65" top.		
PW-13	10	1 Round table and 9 chairs. Grey plastic 65" top.		
PW-14	10	1 Round table and 9 chairs. Grey plastic 65" top.		
PW-15	10	1 Round table and 9 chairs. Grey plastic 65" top.		
PW-16	1	HVAC equipment. Trane XT80. Operational condition unknown.		
PW-17	1	HVAC equipment. Trane XR13. 3 1/2' tall. Operational condition unknown.	4TTR3060D1000AA	
PW-18	1	HVAC equipment. Trane XR13. 2 1/2' tall. Operational condition unknown.	4TTR3060D1000AA	
PW-19	1	Trane Heat Pump Operational condition unknown.	4TXCC049BC35CAA	
PW-20	1	Trane Heat Pump Operational condition unknown.	4TXCC049BC35CAA	
PW-21	1	HVAC equipment. Trane XR80 Operational condition unknown.		
PW-22	2	Drip pans for AC unit.		
PW-23	1	BIG Christmas tree with a 21' steel pole (2" diameter). Accompanying for pole.		
PW-24	1	Overhead cabinet, 4' long with 3' fluorescent light. Grey metal.		
Public Works - Sign Shop				
SS-1	1	Vinyl Express Cutting Plotter	GRC1352	COUL000019
Public Works - Fleet Services				
FS-1	1	Coats tire balancer and adapters	850	507302254
*FS-601	1	2009 Elgin GeoVac Street Sweeper	GeoVac	JNAPC81L49AF75096

**Items have been approved for sale at an earlier council meeting.*

Resolution R-18-4228

RESOLUTION R-18-4228

A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 6, 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 January 16, 2018
- b. Approval to purchase a replacement vacuum street sweeper in the amount of \$255,925.00, from Johnston North America, an approved vendor through the HoustonGalveston Area Council Cooperative Purchasing Program; approving the disposal of the unit being replaced, and authorizing the city manager to execute the purchase and disposal agreements upon receipt and acceptance of the vehicle
- c. Approval of a professional services agreement with Freese and Nichols to develop three conceptual design options and a final conceptual design for the Village Plaza project in an amount not to exceed \$42,947 and authorizing the city manager to execute the agreement

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF 1 AYES, 0 NAYS AND 0 ABSTENTIONS ON THIS
THE 6TH DAY OF FEBRUARY 2018.

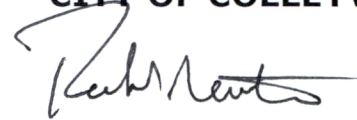
Mayor Richard Newton	<u>Aye</u>	Mayor Pro Tem Bobby Lindamood	<u>Aye</u>
Place 1, Tammy Nakamura	<u>Aye</u>	Place 3, Kathy Wheat	<u>Aye</u>
Place 4, George Dodson	<u>Aye</u>	Place 5, Nancy Coplen	<u>Aye</u>
Place 6, Mike Taylor	<u>Aye</u>		

ATTEST:



Christine Loven, TRMC
City Secretary

CITY OF COLLEYVILLE



Richard Newton
Mayor

RESOLUTION R-10-3230

**A RESOLUTION APPROVING COUNCIL ACTION
UNDER CONSENT ITEMS AT THE REGULAR CITY
COUNCIL MEETING OF MAY 18, 2010**

WHEREAS, 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 Council action under Consent Items as follows are hereby adopted:

- a. Approval of the minutes of the regular City Council meeting of May 4, 2010
- b. Approval of a professional services agreement with Rene Bates Auctioneers for auction services, and authorize the City Manager to sign the agreement
- c. Acceptance of a grant award, in the amount of \$53,550, from the Department of Homeland Security Assistance to Firefighters Grant Program, for the purchase of exhaust removal equipment for all fire apparatus
- d. Approval of a donation of \$14,000 from the Colleyville Soccer Association for Pleasant Run Park signage

AND IT IS SO RESOLVED.

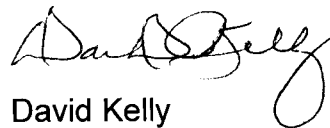
APPROVED BY A VOTE OF 7 AYES, 0 NAYS AND 0 ABSTENTIONS
ON THIS THE 18th DAY OF May 2010.

ATTEST:



Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor



City of Colleyville

Agenda Briefing

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

File Number: **File Type:** Resolution **Status:** Consent Agenda
Version: 1 **Agenda Date:** 05/18/2010 **Controlling Body:** City Council
Requester: Fire Department **Agenda No.:** 8b **Final Action:**
File Name: Approval of a professional services agreement with Rene Bates Auctioneers, for auction services, and authorize the City Manager to sign the agreement
Attachments: Professional Services Agreement - Contract For Online Auctioneering Services.pdf

History of Legislative File

Version:	Date:	Acting Body:	Action Text:
1	05/18/2010	City Council	

Title

Approval of a professional services agreement with Rene Bates Auctioneers, for auction services, and authorize the City Manager to sign the agreement

Explanation

Reading and Public Hearing

Periodically, outdated or retired City equipment is accumulated and by law must be disposed of through a public auction process. In the past, staff has utilized an auction clearing house in Keller, which required all equipment be moved to a designated location for the auction and then picked up if it did not sell. Staff is recommending an agreement with Rene Bates Auctioneers to move City auctions to an online format that will provide a greater sales base for used equipment and a minimal commitment of staff time to conduct City auctions. Under this agreement, staff will provide information and photographs of all equipment to Rene Bates who will conduct a two week online auction, collect all payments, issue receipts, arrange for equipment pick up, and provide payment via wire transfer directly to the City's depository. This process will improve the efficiency of City auctions and provide greater exposure of available items for sale. In addition, the online auctioneer charges 7.5% of the net proceeds as compared to 10% charged by the previous auctioneer.

Financial Impact

The service fee charged for each auction is 7.5% of the net proceeds from the auction. Proceeds from the last three auctions, net of auctioneer fees, are as follows:

February 12, 2004 - \$11,599.74
December 15, 2005 - \$24,503.00
January 15, 2009 - \$30,064.52

Recommendation

Approval

PROFESSIONAL SERVICES AGREEMENT/CONTRACT FOR ONLINE AUCTIONEERING SERVICES

Rene' Bates Auctioneers, Inc. (hereinafter referred to as RBAI) proposes to conduct Online Auctions for the City of Colleyville, Texas on an as needed basis under the following terms and conditions:

Rene' Bates Auctioneers, Inc.'s Responsibilities:

1. Conduct online auctions for the City of Colleyville, Texas at their request.
2. Set starting prices for each online auction item or coordinate with your designee to set starting prices for each online auction item, if so desired.
3. Post all online auction information on www.renebates.com.
4. Conduct and monitor auction items for approximately two weeks prior to the closing date of each online auction conducted.
5. Advertise your online auction, as necessary, through our normal channels such as, but not limited to, newspapers, trade journals and print brochures.
6. Generate and send a minimum of two email blast notices to our entire database when your auction has been posted.
7. Invoice all successful bidders once your auction has closed.
8. Collect all auction proceeds including any applicable sales tax from successful bidder.
9. Generate paid receipts to buyer with a copy to your approved distribution list.
10. Balance all auction payments received with actual sales results.
11. Remit all monies, less commission and sales tax, to the City of Colleyville, Texas via wire transfer to the City's designated account no later than end of business on the 10th business day following the close of the auction.
12. Remit all sales tax collected to the State of Texas.
13. Maintain all documentation for exemptions, resale certificates and export certifications for sales tax for the State of Texas.
14. Maintain records of all your auctions.

The City of Colleyville, Texas' Responsibilities:

1. Provide list of all items to be sold and gather information on all auction items and take digital photographs of each auction item and send to RBAI.
2. Have contact person (Fleet Manager or designee) complete Vehicle Information Sheet on all vehicles and heavy equipment and forward to RBAI.
3. Conduct onsite viewing of all auction items before the closing of each online auction for bidders to come and physically inspect auction items.
4. Contact local news media for Public Service Announcement informing bidders of upcoming online auction and handle all legal advertising as required by the City of Colleyville, Texas. Provide link from your website to www.renebates.com to direct potential buyers to your auction.

5. Transfer all titles to successful buyers after the City of Colleyville, Texas has received an electronic "PAID" receipt from Rene' Bates Auctioneers, Inc.
6. Oversee removal and checkout of all paid auction items.

Rene' Bates Auctioneers, Inc. proposes to conduct Online Auctions for the City of Colleyville, Texas for 7.5% of all fleet vehicles and heavy equipment and 7.5% of all miscellaneous items. These auctions will be conducted on an as needed basis for the City of Colleyville, Texas.

Sheryl Bates, President
Rene' Bates Auctioneers, Inc.

Date:

By:
City of Colleyville, Texas

Date:



**RENÉ BATES
AUCTIONEERS, INC.**

4660 CR 1006 • McKinney, Texas 75071-6614 • 972/548-9636 • Fax: (972) 542-5495
www.renebates.com

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

Certificate Number:
2018-407674

Date Filed:
09/25/2018

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Rene' Bates Auctioneers, Inc.
McKinney, TX United States

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, Texas

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.

102218
Auctioneer Services

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.



6 UNSWORN DECLARATION

My name is Sheryl Bates, and my date of birth is 7-30-61.

My address is 4660 County Road 1006, McKinney, Tx, 75071, Collin
(street) (city) (state) (zip code) (country)

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

Executed in Collin County, State of Tx, on the 25 day of Sept, 20 18.
(month) (year)

Sheryl Bates
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 4e

Agenda Date 10/16/2018

Number Resolution R-18-4318

Type Resolution

Department Fire

Title

Approval to purchase a 2019 Chevrolet Tahoe fire command vehicle from Siddons-Martin Emergency Group, an approved vendor through the BuyBoard purchasing program, in an amount not to exceed \$75,309.00, and authorize the City Manager to execute the contract

Strategic Plan

2.1 Provide responsive, efficient city services

Explanation

Reading and Public Hearing

The Colleyville Fire Department seeks approval to order a 2019 Chevrolet Tahoe equipped with incident command capabilities, to replace the 2013 Chevrolet Suburban command vehicle at a total cost of \$75,309.00.

The command vehicle is utilized daily by the Battalion Chiefs, as both a response vehicle and an incident command post, for large and/or complex incidents. The anticipated service life of this vehicle is five to seven years as a front-line response vehicle and five to seven years as a reserve vehicle. The total price of the vehicle and equipment is \$75,309. Of this amount, the vehicle is \$34,280.73, and the equipment including command console, lighting, radios, lettering, and installation of all items is \$41,028.27.

In order to receive the most beneficial pricing for the vehicle, staff reviewed multiple available cooperative purchasing agreements. By utilizing this approach to compare multiple sources for the purchase of new equipment, the City is able to take advantage of the best identified pricing. The three lowest bids are attached to this briefing, FarrWest and daco did not add the vehicle cost of \$34,280.73 to their quotes and FarrWest verbally asked the radio cost of \$7,876.80 be added to the quote.

The recommended vendor is Siddons-Martin Emergency Group, although they are \$318 higher than the lowest bidder FarrWest. The City has positive, professional experience with Siddons-Martin, having purchased fire trucks and an ambulance from the group and Siddons-Martin currently holds the service contracts for the department's emergency vehicles.

If approved, the vehicle will be acquired using capital replacement funds approved in

the Fiscal Year 2019 (FY 2019) General Fund budget. Once the new command vehicle is delivered, the current command vehicle which is a 2013 Chevrolet Suburban, with 29,386 miles, will replace the 2005 Ford Expedition, with 81,307 miles, which is currently the Fire Marshal's vehicle and will be sold at the next auction. The Vehicle Replacement Policy guidelines call for replacement at 10 years of age and/or 100,000 miles of use.

Financial Impact

This vehicle purchase and equipment is part of the City's vehicle replacement program and it will be made utilizing capital equipment replacement funds approved in the FY 2019 budget.

Recommendation

Approve

Attachments

1. Command vehicle quotes



Siddons-Martin Emergency Group
1364 E Richey Rd
Houston TX USA 77073
Phone #:(281) 219-1920
Fax #: (281) 219-2560

Estimate #: 2404908

Tag Number:

Date and Time In: 8/13/2018 - 8:10 AM

Date and Time Out: 8/13/2018 - 8:10 AM

Promised Date - Time: 8/13/2018 - 8:10 AM

Cashed Out Date:



Remit To: PO Box 610101 Dallas Tx, 75261-0101

Service Advisor: (A07Z) Brandon Truesdale

Colleyville, City of
100 Main Street
Colleyville TX 76034

1002849 Home: (817) 503-1010 Cell: (817) 526-0397 Work: (817) 503-1400

Veh Info: 19 CHEVY TAHOE RED

Serial Numbers: 1GNLCD

EVS1364

In-Srv:
Color Ex:RED

Miles/Hrs In:

Out:

Plate #:

Int:

Comments

NO PO # REQUIRED

Repair	VIN	Second VIN	Mech #	Type
Description				Qty
1	1GNLCD	EVS1364		Wholesale
PARTS AND LABOR				
CAUSE: 2019 Chevy Tahoe PPV-Red-BUYBOARD				
...	2019 Chevy Tahoe PPV-Red			1.00
GB2SP3R	LEGACY 55 R/W			1.00
STPKT93	WHELEN TAHOE 2015 LIGHTBAR STRAP KIT tahoe			1.00
CCSRNT4A	CARBIDE SIREN SYSTEM W/ T/A			1.00
CCSRN4DA	WC EXTERNAL AMPLIFIER			1.00
SA315P	SA315P SPEAKER, BLACK PLASTIC			2.00
SAK1	SA-315 MOUNT KIT UNIVERSAL			1.00
CANEM16	CANTROL EXPANSION MODULE 16 OUTPUT			1.00
HOWLER	LOW FREQUENCY TONE SIREN SYS.			1.00
...	MULTI-MODE OPTICOM--GPS AND EMITTER			1.00
...	IR EMITTER ON DASH			1.00
38737	Push Bumper - Center Section Only			1.00
I2SMD	SURFACE MT DUO ION RED/WHITE			4.00
...	ON PUSH BUMPER--WIRE INDEPENDENT			1.00
SSFPOS16	SOLID STATE HEADLIGHT FLASHER			1.00
TCRB45	TRACER MTG KIT CHEVY TAHOE			2.00
TCRHD5	TRACER DUO 5-LAMP HOUSING			2.00
TCRLRC	TRACER DUO LIGHthead RED/WHT			10.00
...	TRACERS TO MATCH SPEC			1.00
AVC22DD	DUAL AVENGER II DUO RW/RW CORD			2.00
...	REAR CARGO WINDOWS--1 PER SIDE			1.00
RPWT45	ION REAR PILLAR WC TRIO TAHOE			1.00
...	OUTER EDGE--PILLARS---MATCH SPEC			1.00
OEWT45	ION OUTER EDGE WC TRIO TAHOE			1.00
...	OUTER EDGE--UPPER--MATCH SPEC			1.00
I2D	DUO LINEAR ION RED/WHITE BLK			2.00
IONBKT1	ION LICENSE PLATE BKT HORIZ.			1.00
TLI2K	ION T-SERIES LINEAR DUP R/A			4.00
...	ON HATCH--2 FACING REAR--2 FACING SIDES			1.00
091-11-12	KUSSMAUHL DUAL AUTO CHARGER			1.00
091-55-20-120	SUPER AUTO EJECT COVER			1.00
...	DUAL HEAD MOTOROLA APX6500			2.00



Siddons-Martin Emergency Group
1364 E Richey Rd
Houston TX USA 77073
Phone #:(281) 219-1920
Fax #:(281) 219-2560

Estimate #: 2404908

Tag Number:

Date and Time In: 8/13/2018 - 8:10 AM

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Cashed Out Date:



Remit To: PO Box 610101 Dallas Tx, 75261-0101

Service Advisor: (A07Z) Brandon Truesdale

Colleyville, City of
100 Main Street
Colleyville TX 76034

1002849 Home: (817) 503-1010 Cell: (817) 526-0397 Work: (817) 503-1400

Veh Info: 19 CHEVY TAHOE RED

Serial Numbers: 1GNLCD

EVS1364

In-Srv: Miles/Hrs In: Out: Plate #:
Color Ex:RED Int:

Comments

NO PO # REQUIRED

C-VS-0812-TAH-1	20" Vehicle Specific Console	1.00
C-CUP2-I	CON,ACSY,CUPHLDR,IM,4MS,DUAL,	1.00
425-6064	Motorola, Bearcat (Uniden) 3" Faceplate	2.00
C-ARM-105	CON,ACSY,ARM,SDMT,LPD,FLP,H-ADJT,	1.00
...	CONSOLE--MATCH SPEC	1.00
C-DMM-2014	Dash Mount Bracket Kit 15-18 Chevy Tahoe	1.00
PKG-DS-APP-142	Docking Station and Protective Case Package iPad	1.00
...	DASH MOUNT BRACKET AND DOCK FOR IPAD	1.00
...	ROCKLAND CUSTOM CABINET TO MATCH SPEC	1.00
TINT	5% TINT ON REAR--35% ON FRONT WINDOWS	1.00
INSTALLKIT	WIRE, LOOM, FUSES, BREAKERS RELAYS, HEAT S	1.00
FRT	FREIGHT	1.00
DELIVERY	DELIVERY TO CUSTOMER	1.00



Siddons-Martin Emergency Group
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Cashed Out Date:



Remit To: PO Box 610101 Dallas Tx, 75261-0101

Service Advisor: (A07Z) Brandon Truesdale

There will be a 30% restocking fee charged for all returned items based upon the sales price of the item. All Special Order items are ineligible for returns. Special order items include, but are not limited to, any customer driven specification of the item requested or ordered at the direct request of customer.

Ext Price:	\$75,309.00
Sales Tax:	\$0.00
Total:	\$75,309.00
- Deductible:	\$0.00
- Deposits:	\$0.00
Amount Due:	\$75,309.00
Amt Tendered:	\$0.00
Chg Returned:	\$0.00

We (the Customer) are responsible for all costs and expenses listed on this invoice. I, the undersigned, am authorized to agree, on behalf of the owner of the vehicle, to pay all outstanding charges in accordance with the terms and conditions agreed between us and the Company. Unless otherwise stated, all invoices are due and payable 30 days from the date of invoice. We have granted the Company, its employees, and agents permission to operate the vehicle on any streets as necessary for testing, inspection, or other services requested. We are responsible for insuring the vehicle at all times. We release the Company for any loss, damage, or theft of any items left in the vehicle for any reason. All parts and labor on this invoice are warranted for purpose and fitness for 90 days from the date of the invoice. In order to recover against any warranty, we agree to return the vehicle to the Company for all warranty repairs. Failure to return the vehicle cancels all warranties provided. All other warranties are expressly disclaimed by Company. This estimate/quote is only valid for 30 days. Acknowledged and Received by: _____

There will be a 30% restocking fee charged for all returned items based upon the sales price of the item. All Special Order items are ineligible for returns. Special order items include, but are not limited to, any customer driven specification of the item requested or ordered at the direct request of customer.

**FARRWEST**

Estimate

Date	Estimate #
8/28/2018	7741

108 Commercial Place
Schertz, TX 78154

Ph: 210-566-1857
Fax 210-566-1897

sales@farrwestenv.com

CITY OF COLLEYVILLE
ACCOUNTS PAYABLE
5290 COLLEYVILLE BLVD.
COLLEYVILLE, TX 76034

P.O. No.	Rep	Project/Event
	SCH	2019 TAHOE

Item	Description	Qty	Cost	Total
HOWLER	WHELEN HOWLER LOW-FREQUENCY TONE SIREN SYSTEM	1	622.87	622.87
51-03-1106	KUSSMAUL AUTOCHARGE 1000 SUPER KIT W/ SUPER 20 AUTO EJECT	1	850.00	850.00
WINDOW TINTING	WINDOW TINTING - 35% FRONT WINDOWS - 5% REAR WINDOWS	1	325.00	325.00
PB5715HDL001	PROGARD HD PUSH BUMPER WITH TWO WHELEN ION DOU RED AND WHITE	1	775.25	775.25
SSFOSI6	WHELEN SOLID STATE HEADLIGHT FLASHER	1	88.27	88.27
SA315P	WHELEN 100w SIREN SPEAKER, BLK PLASTIC	2	253.46	506.92
SAK1	WHELEN SA-315 MOUNT KIT UNIVERSAL	2	33.85	67.70
HOWLER	WHELEN HOWLER LOW-FREQUENCY TONE SIREN SYSTEM		551.95	551.95
HWLRB25	WHELEN HOWLER MTG BKTS F&R 17 TAHOE	1	0.00	0.00
TCRHD5	WHELEN TRACER DUO 5-LAMP HOUSING	2	959.47	1,918.94
TCRL--	WHELEN TRACER DUO LIGHTHEAD RED BLUE AMBER AND/OR WHITE	10	0.00	0.00
TCRB45	WHELEN TRACER MTG KIT CHEVY TAHOE	2	39.60	79.20
I321	WHELEN LIBERTY II TRIO WC 54" RBW	1	5,310.03	5,310.03
CCSRNT4F	WHELEN CARBIDE SRN SYS W/ROTARY KNOB	1	1,440.52	1,440.52

Subtotal**Sales Tax (0.0%)****Total**

Phone #	Fax #
210-566-1857	210-566-1897

Web Site
www.farrwestenv.com

**FARRWEST****Estimate**

Date	Estimate #
8/28/2018	7741

**108 Commercial Place
Schertz, TX 78154**

Ph: 210-566-1857
Fax 210-566-1897

sales@farrwestenv.com

CITY OF COLLEYVILLE
ACCOUNTS PAYABLE
5290 COLLEYVILLE BLVD.
COLLEYVILLE, TX 76034

P.O. No.	Rep	Project/Event
	SCH	2019 TAHOE

Item	Description	Qty	Cost	Total
CANCTL7	WHELEN CENCOM CARBIDE 3 SECTION CONTROL HEAD	1	0.00	0.00
AVC21RC	WHELEN DUAL AVENGER II SOLO RED/CLEAR	2	293.70	587.40
RPWT45	WHELEN ION REAR PILLAR WC TRIO TAHOE	1	1,484.17	1,484.17
OEI3RCAX	WHELEN OUTER EDGE TRIO LIGHTHEAD WITH SMOKED LENS	12	8.66	103.92
OEWT45	WHELEN OUTER EDGE SIX LAMP TWO PIECE FOR CHEVY TAHOE	1	1,360.42	1,360.42
TLI2D	WHELEN ION T-SERIES LINEAR DUO RED AND WHEN	4	129.52	518.08
IONBKT1	WHELEN ION LICENSE PLATE BRACKET - HORIZ	1	27.89	27.89
I2D	WHELEN DUO LINEAR ION RED AND WHITE	2	160.77	321.54
795H	WHELEN GTT 795H LED EMITTER	1	1,467.67	1,467.67
CC5K2	WHELEN CENCOM CARBIDE INSTALL KIT FOR TAHOE	1	0.00	0.00
CANEM16	WHELEN 16 OUTPUT EXPANSION MODULE FOR CARBIDE ONLY	1	183.74	183.74
PKG-DS-APP-142	HAVIS DOCKING STATION AND PROTECTIVE CASE PACKAGE FOR IP	1	317.90	317.90
C-DMM-2014	HAVIS DASH MOUNT BRACKET KIT FOR 2014 - 2018 CHEVY TAHOE	1	252.21	252.21
C-VS-0812-TAH-1	HAVIS 20" CONSOLE 15-17 TAHOE	1	398.12	398.12
C-CUP2-I	HAVIS INTERNAL CUP HOLDERS	1	32.60	32.60

Subtotal**Sales Tax (0.0%)****Total**

Phone #	Fax #
210-566-1857	210-566-1897

Web Site
www.farrwestenv.com

**FARRWEST**

Estimate

Date	Estimate #
8/28/2018	7741

108 Commercial Place
Schertz, TX 78154

Ph: 210-566-1857
Fax 210-566-1897

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CITY OF COLLEYVILLE
ACCOUNTS PAYABLE
5290 COLLEYVILLE BLVD.
COLLEYVILLE, TX 76034

P.O. No.	Rep	Project/Event
	SCH	2019 TAHOE

Item	Description	Qty	Cost	Total
C-ARM-105	HAVIS SIDE MOUNTED FLIP UP ARMREST	1	126.13	126.13
INSTALLATION SUPPLIES	SHOP SUPPLIES- ANTENNAS, CUSTOM BRACKETS, WIRING, SWITCHES, MOUNTS	1	250.00	250.00
VEHICLE INSTALLATION ...	Labor Hours	1	3,600.00	3,600.00
z100	ROCKLAND GC-5 CUSTOM WITH PLATFORM FOR 2018 TAHOE	1	8,945.05	8,945.05
SHIPPING/DELIVERY	SHIPPING OF THE ROCKLAND CUSTOM COMMAND CENTER	1	320.00	320.00

Subtotal \$32,833.49

Sales Tax (0.0%) \$0.00

Total \$32,833.49

+ vehicle 34,280.73
+ radios 7,896.86

74,991.02

Phone #	Fax #
210-566-1857	210-566-1897

Web Site
www.farrwestenv.com



LOCATIONS

201 AVENUE R – LUBBOCK, TX 79415
6000 HUDDLESTON ST. – FORT WORTH, TX 76137

DACO FIRE EQUIPMENT FIRE APPARATUS PROPOSAL

DATE: September 13, 2018

This proposal has been prepared for:

COLLEYVILLE FIRE DEPT

We hereby propose to furnish to you, subject to proper execution of the attached agreement by you and by a representative of this Company in Fort Worth, Texas the following Rosenbauer built in accordance with the attached specifications:

MODEL AND DESCRIPTION

UP FIT 2019 TAHOE COMMAND AS PER SPECIFICATIONS

BID PRICE

\$ 48,267.00

+ vehicle

34,280.73

82,547.73



City of Colleyville City Council Agenda Briefing

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

Agenda Number 4f

Agenda Date 10/16/2018

Number Resolution R-18-4318

Type Resolution

Department Police

Title

Approval to purchase four Chevrolet Tahoe patrol vehicles, from Caldwell Country Chevrolet, in an amount not to exceed \$126,880, bid through the State of Texas Cooperative Purchasing Program, and authorize the City Manager to execute all purchasing documents

Strategic Plan

2.1 Provide responsive, efficient city services

Explanation

Reading and Public Hearing

In Fiscal Year 2019 (FY 2019), the Police Department will be purchasing (4) 2019 Chevrolet Tahoe PPV marked police units.

In Fiscal Year 2019 (FY 2019), four of the Police Chevrolet Tahoe's will cost \$31,620 each, plus a single \$400 Buy Board fee, (\$100 per vehicle); the cost to outfit each patrol vehicle, is \$15,171, for a total cost of \$46,891 per vehicle. The equipment for the marked vehicles will include police radio and computer installation, emergency warning equipment, graphics, and other law enforcement and safety related items.

Staff recommends the purchase of these Chevrolet Tahoe patrol vehicles from Caldwell Country Chevrolet, an approved vendor, through the Cooperative Purchasing Program with the State of Texas. It should be noted the department also reached out to other purchasing cooperatives and vendors to ensure the best price. The price quoted in this request is less than the amount paid last year for the base vehicle, and the vehicles meet the specifications for the 2019 Chevrolet Tahoe patrol vehicle.

Financial Impact

Funds in the amount of \$206,600, for the four police patrol vehicles and associated equipment, are allocated in the Fiscal Year 2019 Colleyville Crime Control and Prevention District budget.

Recommendation

Approve

Attachments

1. Caldwell Country Quote

QUOTE# 001

CONTRACT PRICING WORKSHEET

End User: CITY OF COLLEYVILLE		Contractor: CALDWELL COUNTRY			
Contact Name: CHUCK TINSMAN		CALDWELL COUNTRY			
Email: CTINSMAN@CI.COLLEYVILLE.TX.US		Prepared By: Averyt Knapp			
Phone #: 817-503-1223 / 498-3755		Email: aknapp@caldwellcountry.com			
Fax #:		Phone #: 800-299-7283 or 979-567-6116			
Location City: COLLEYVILLE, TX		Fax #: 979-567-0853			
Date Prepared: SEPTEMBER 4, 2018		Address: P. O. Box 27, Caldwell, TX 77836			
Contract Number: BUY BOARD #521-16		Tax ID # 14-1856872			
Product Description: 2019 CHEVROLET TAHOE PPV CC15706					
A Base Price & Options:			\$31,620		
B Published Options					
Code	Description	Cost	Code	Description	Cost
	LH SPOTLIGHT, PPV, 5.3LV8, 6-SPD AUTOMATIC, AMFM- MYLINK W/BLEETOOTH, AIR CONDITION FRONT/REAR, TILT, CRUISE, POWER SEAT, POWER WINDOWS, POWER LOCKS, POWER MIRRORS, CLOTH BUCKET SEATS/VINYL REAR BENCH, FULL RUBBER FLOOR, DEEP TINT GLASS, RUNNING BOARDS, KEYLESS ENTRY, FULL SIZE SPARE TIRE, REAR VISION CAMERA, OEM TRAILER TOW PACKAGE, SINGLE KEYS FLEET 6E2 SYSTEM, FOUR KEYS TOTAL, CONTENT THEFT ALARM DISABLE, 6N5 WINDOW INOP, 6N6 DOOR LOCK AND HANDLE INOP, MAINTENANCE DELETE	INCL			
	GM WARRANTY 5YR/100,000 POWERTRAIN @ N/C	INCL		CALDWELL COUNTRY	
				PO BOX 27	
				CALDWELL, TEXAS 77836	
Subtotal B					INCL
C Unpublished Options					

Code	Description	Cost	Code	Description	Cost
Subtotal C					
D Other Price Adjustments (Installation, Delivery, Etc...)					
Subtotal D					INCL
E Unit Cost Before Fee & Non-Equipment Charges (A+B+C+D)					\$31,620
Quantity Ordered					4
X					
Subtotal E					\$126,480
F Non-Equipment Charges (Trade-In, Warranty, Etc...)					
BUY BOARD					\$400
G. Color of Vehicle: BLACK					
H. Total Purchase Price (E+F)					\$126,880
Estimated Delivery Date:				Q4-2018	



City of Colleyville City Council Agenda Briefing

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

Agenda Number 4g

Agenda Date 10/16/2018

Number Resolution R-18-4318

Type Resolution

Department City Secretary

Title

Approval to purchase two Police Harley FLHTP Electra Glide motorcycles from Texas Harley, and authorize the City Manager to execute all purchasing documents

Strategic Plan

2.1 Provide responsive, efficient city services

Explanation

Reading and Public Hearing

In Fiscal Year 2019 (FY 2019), the Police Department will be replacing the following marked police motorcycles: (2) 2016 Harley FLHTP, Units 1151 and 1152. Under the fleet management plan enacted in 2013, police patrol motorcycles will normally be replaced every third year, due to the extensive use and mileage they accrue.

In Fiscal Year 2019 (FY 2019), the Police Harley FLHTP Electra Glide cost is \$16,611.74 each; plus \$4,024.50 to outfit each motorcycle, for a total cost of \$20,636.24 per motorcycle. All equipment will be removed from the previous motorcycle and re-installed on the new motorcycle. Staff recommends the purchase of these Harley FLHTP motorcycles from Texas Harley in Bedford Texas. Three bids were received and Texas Harley was the lowest priced vendor.

Financial Impact

Funds in the amount of \$44,000, for the police patrol motorcycles and associated equipment, are allocated in the Fiscal Year 2019 Colleyville Crime Control and Prevention District budget.

Recommendation

Approve

Attachments

1. Texas Harley Quote

From: [Moore, Jerry](#)
To: [Chuck Tinsman](#)
Subject: FLHTP Bid
Date: Tuesday, September 18, 2018 3:21:34 PM

1. 2019 FLHTP Electra Glide (Black): \$16,611.74

- Includes all parts/labor installation of saddlebag guards

2. 2019 FLHTP Electra Glide (Black): \$16,611.74

- Includes all parts/labor installation of saddlebag guards

Total for both bikes: \$33,223.48

Jerry Moore

Internet Director - Texas Harley-Davidson / Roughneck HD / Lumberjack HD / Texarkana HD / Texoma HD

817-267-2646 - office extension 1101

817-313-6192 - cell (call or text any time!)

* Unless conveyed otherwise in this email transmission, any price quote on a Motorcycle in this email does NOT include State and/or local sales tax, registration and titling fees, dealer freight/prep, or dealer-added options, if any. Motorcycle subject to prior sale. Not all buyers may qualify. This offer may not be combined with other offers, including, but not limited to, retail value for trade-in, financing incentives or performance upgrades.

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817.267.2646 phone | 817.283.1650 fax

TexasHarley.com



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5a

Agenda Date 10/16/2018

Number

Type Report

Department Finance

Title

Monthly Financial Report - September 30, 2018

Explanation

The FY18 Monthly Financial Report for September reflects year-to-date revenues and expenses through the end of September, however, the amounts reflected will not be final until all year-end entries and adjustments have been made and reviewed by the auditors.

General Fund

As of September 30, 2018, the General fund earned \$24,140,911 in revenues and incurred \$21,872,694 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 \$14,667,864 out of the \$14,322,575 budgeted for ad valorem taxes, including penalty and interest. The reported revenue is 6.68% above the revenue reported for the same period last year.

Franchise Fees Revenue:

The city collected \$2,148,428 out of the \$2,070,000 budgeted for franchise fees. The reported revenue is 2.02% above the revenue reported for the same period last year.

Sales Tax Revenue:

The city collected \$3,337,744 out of the \$3,800,000 budgeted sales tax revenue. The reported revenue is 13.71% below the revenue reported for the same period last year. The decline is a timing difference since the City did not receive the sales taxes accrued for the last two months' of the fiscal year. The reported amount represents the Mixed Beverage Taxes and the sales taxes received to date.

Utility Fund

As of September 30, 2018, the utility fund earned \$16,392,237 in revenues and

incurred \$13,279,776 in expenditures.

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

Water Sales:

The city earned \$11,644,989 out of the \$11,195,957 budgeted for water sales. The reported revenue is 6.26% above the revenue reported for the same period last year.

Wastewater Sales:

The city earned \$4,332,974 out of the \$4,024,060 budgeted for wastewater sales. The reported revenue is 11.79% above the revenue reported for the same period last year.

Debt Service Fund

As of September 30, 2018, the Debt service fund collected \$1,986,608 out of the budgeted revenues and transfers from other funds of \$1,854,412 and expended \$1,982,150 out of the budgeted expenditures of \$1,979,412.

Drainage Fees Fund

As of September 30, 2018, the Drainage fees fund spent \$965,700 out of its \$1,481,362 expense budget and earned \$1,035,730 in revenues which is 107.68% of the budgeted revenue of \$961,880.

5a - ITEMS NOT FOR COUNCIL ACTION



Monthly Financial Report September 2018

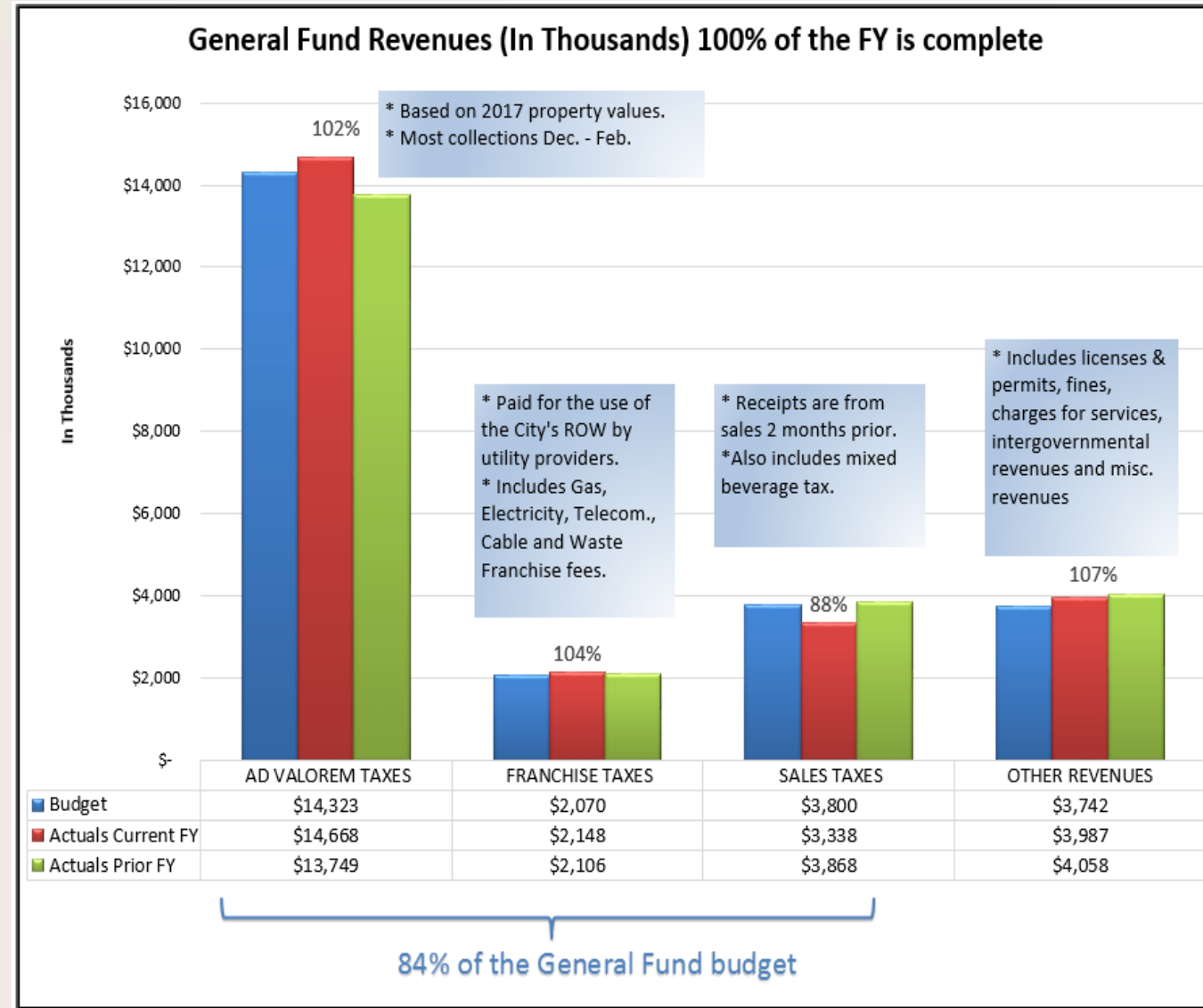
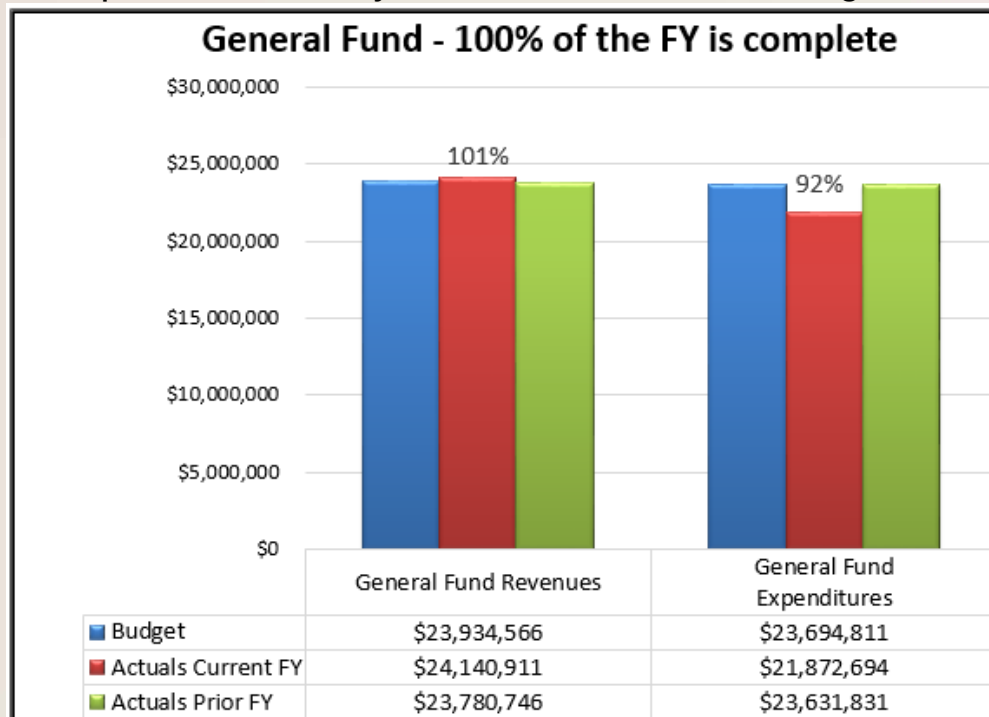
City Council Meeting
October 16, 2018

General Fund



Highlights:

- Total revenues: Up 1.51%
 - 1 cent sales tax: 2 months remaining
 - Ambulance revenues: Up 14.57%
 - Recreation program revenues: Up 32.13%
 - Licenses & permits revenues: Up 15.71%
- Expenditures: Payroll & accruals remaining

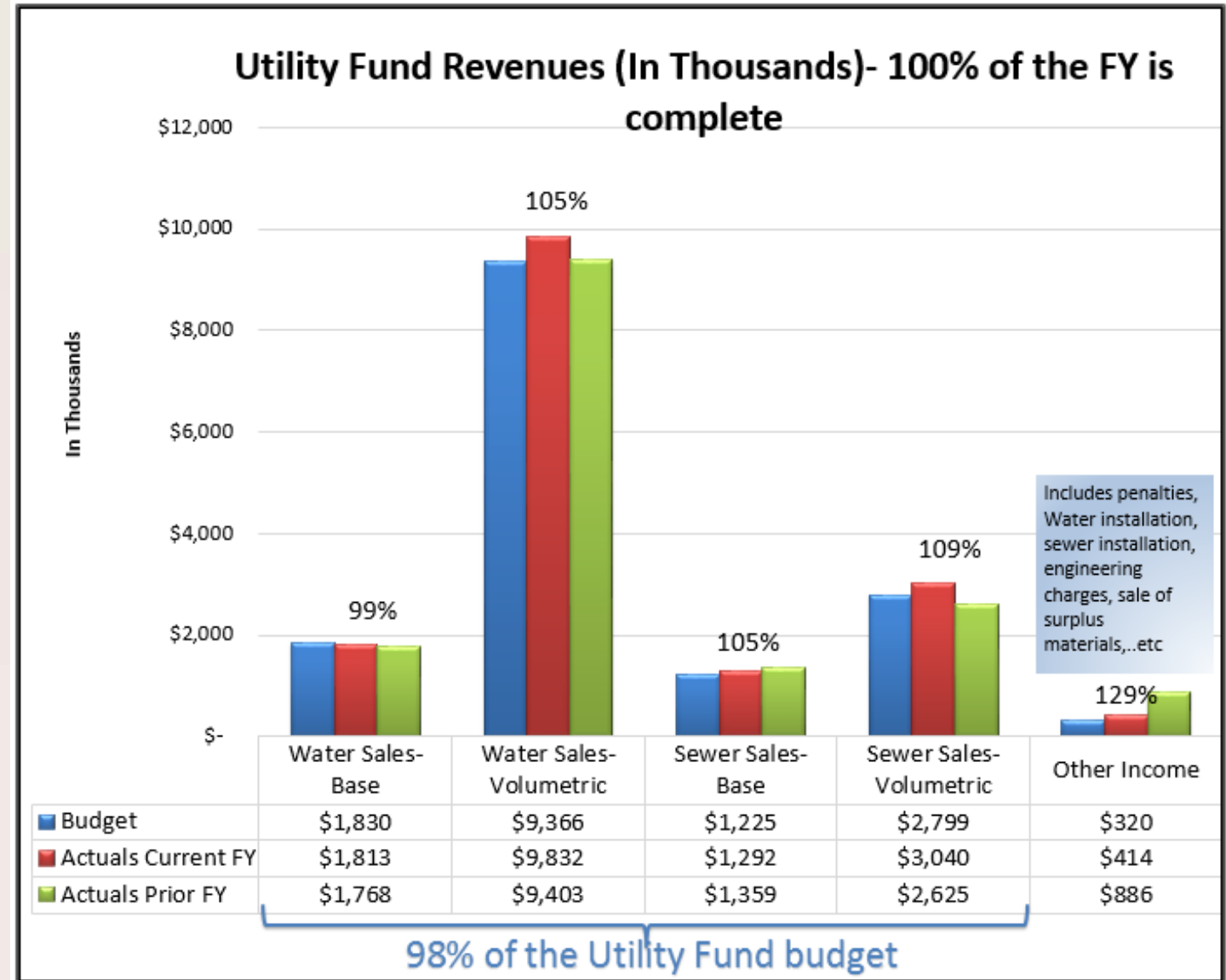
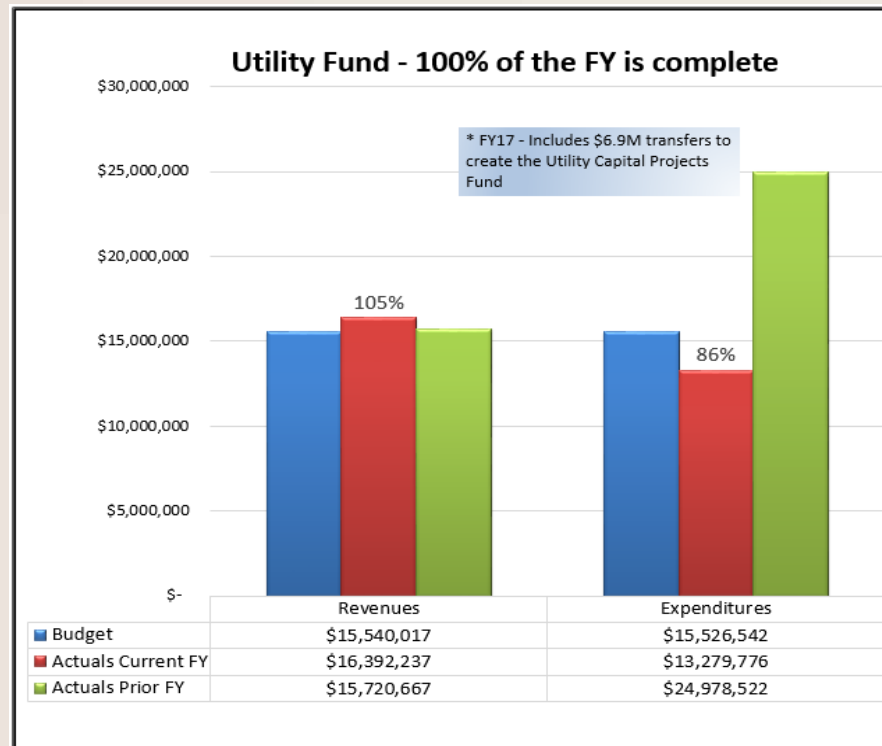


Utility Fund



Highlights:

- Total revenues: Up 4.27%
- Water Usage: Up 10.32%
- Number of customers: Up 1.91%
- 2017 TRA true up received: \$1.7M (↓ Expenses)
- Expenditures: Payroll & TRA accruals remaining

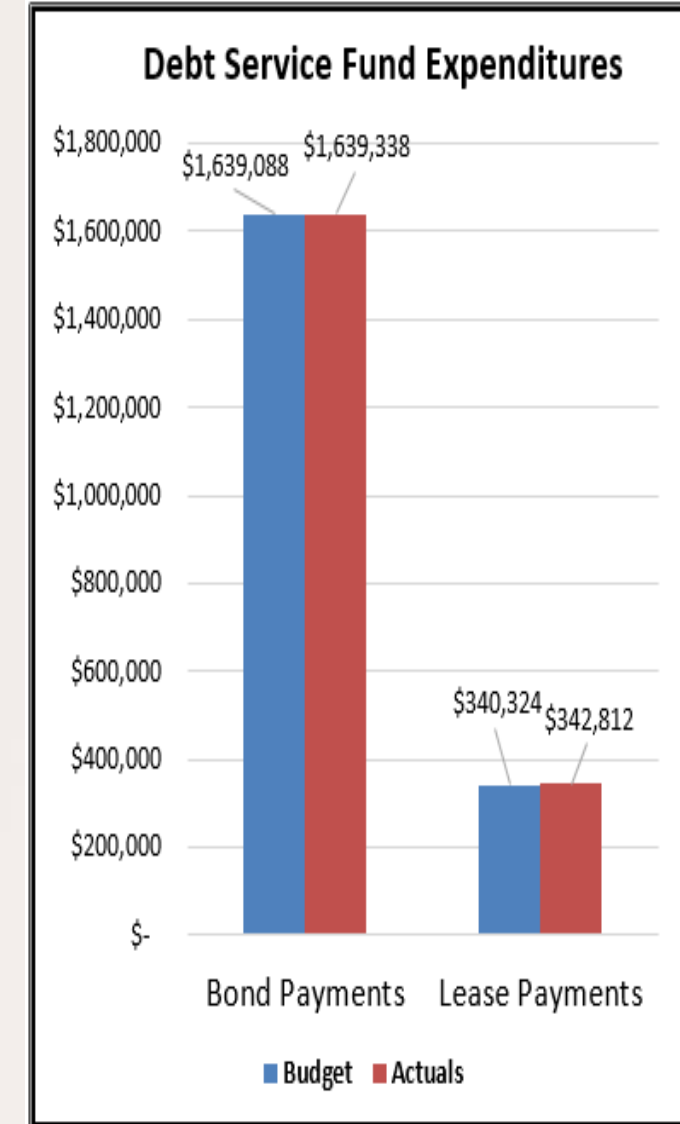
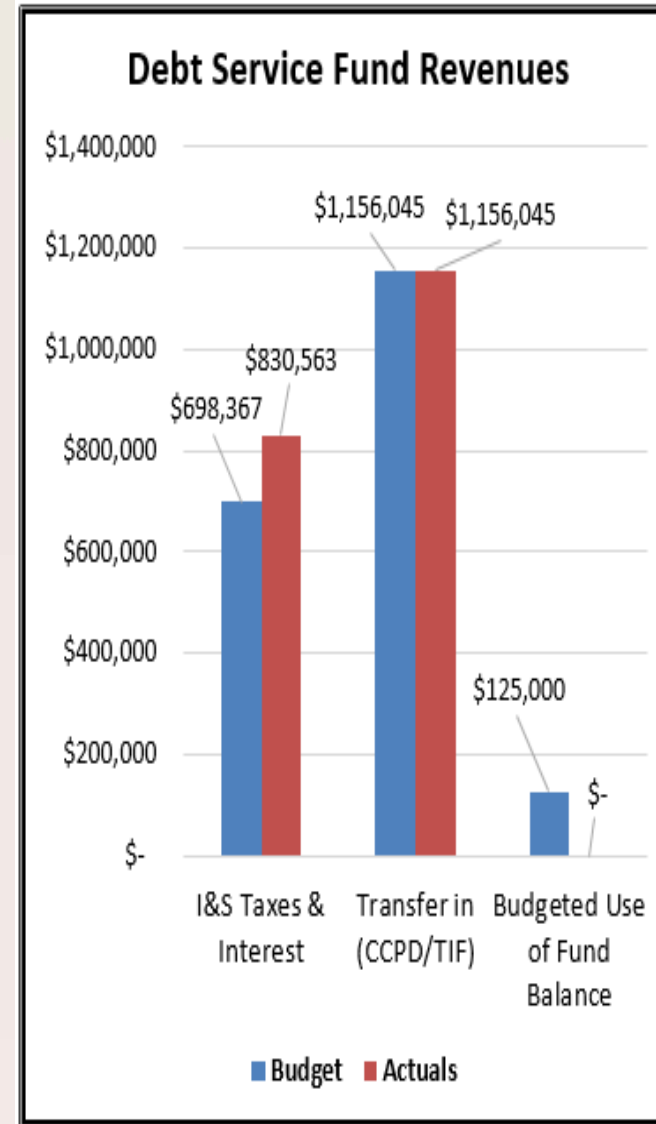
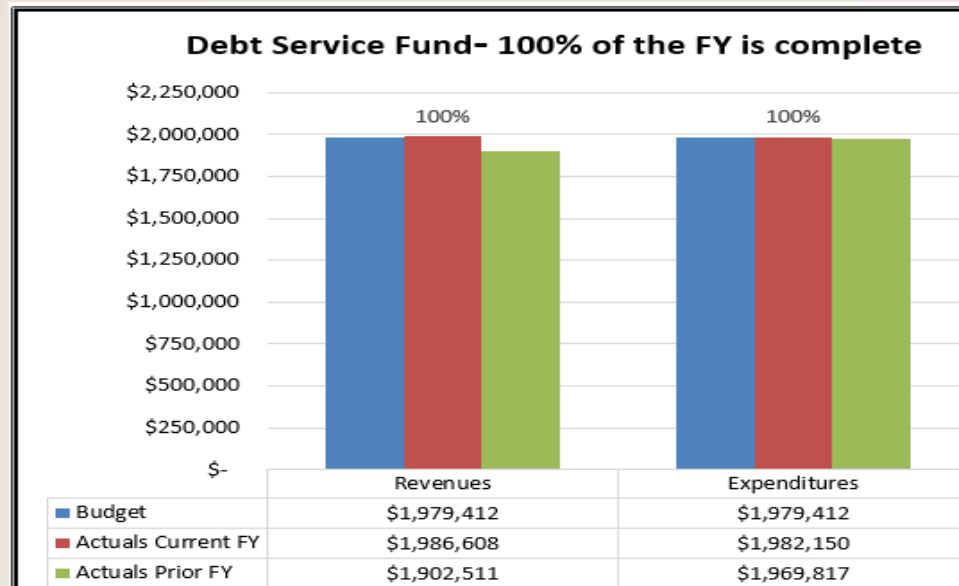


Debt Service Fund



Highlights:

- YTD revenues are \$4,458 over expenditures
- Budgeted use of Fund Balance are not necessary
- Bond payments:
 - February principal & interest payment made
 - August interest payment made
- Lease-purchase payments:
 - Fire engine payment made
 - Ambulance payment made

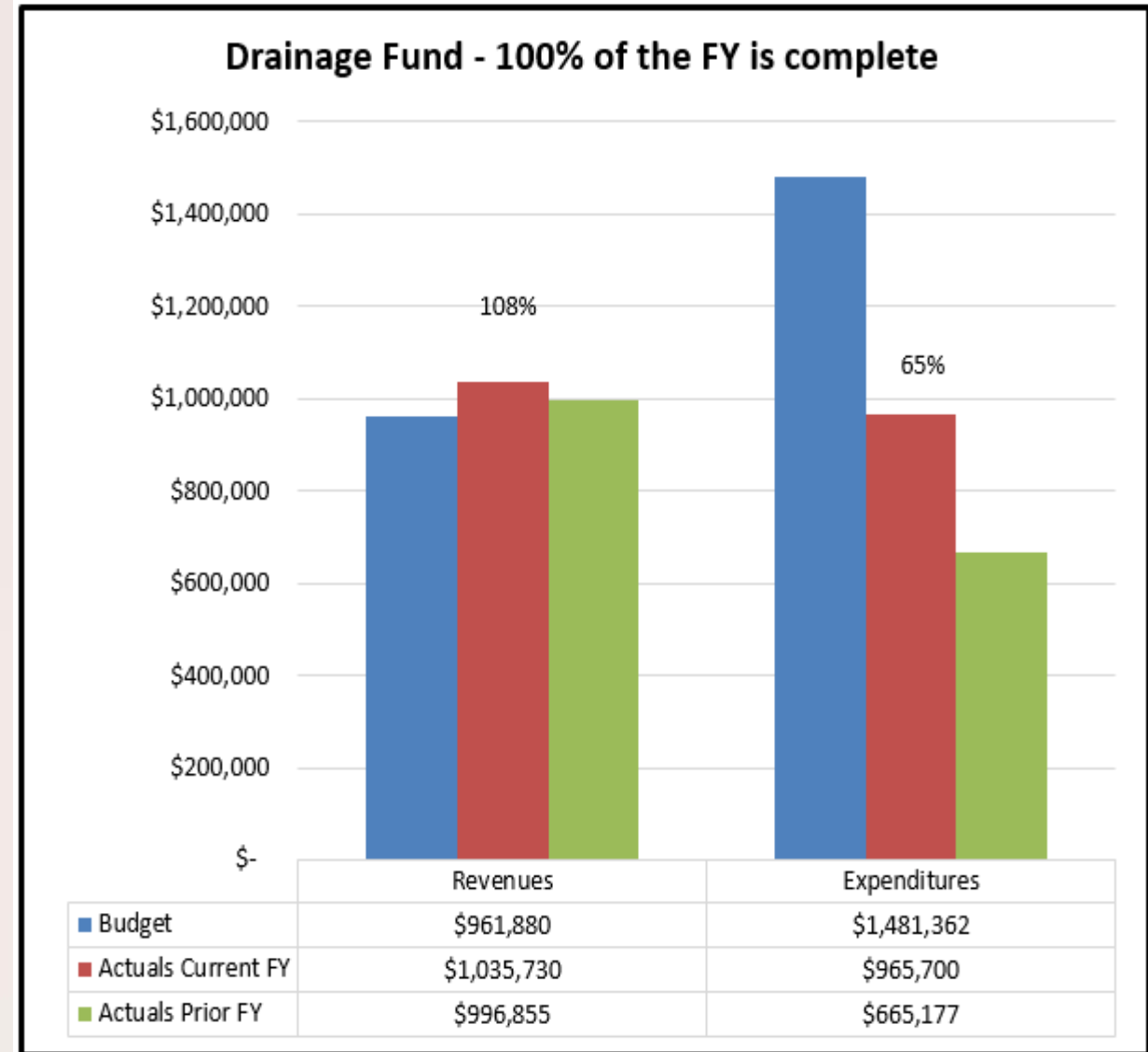
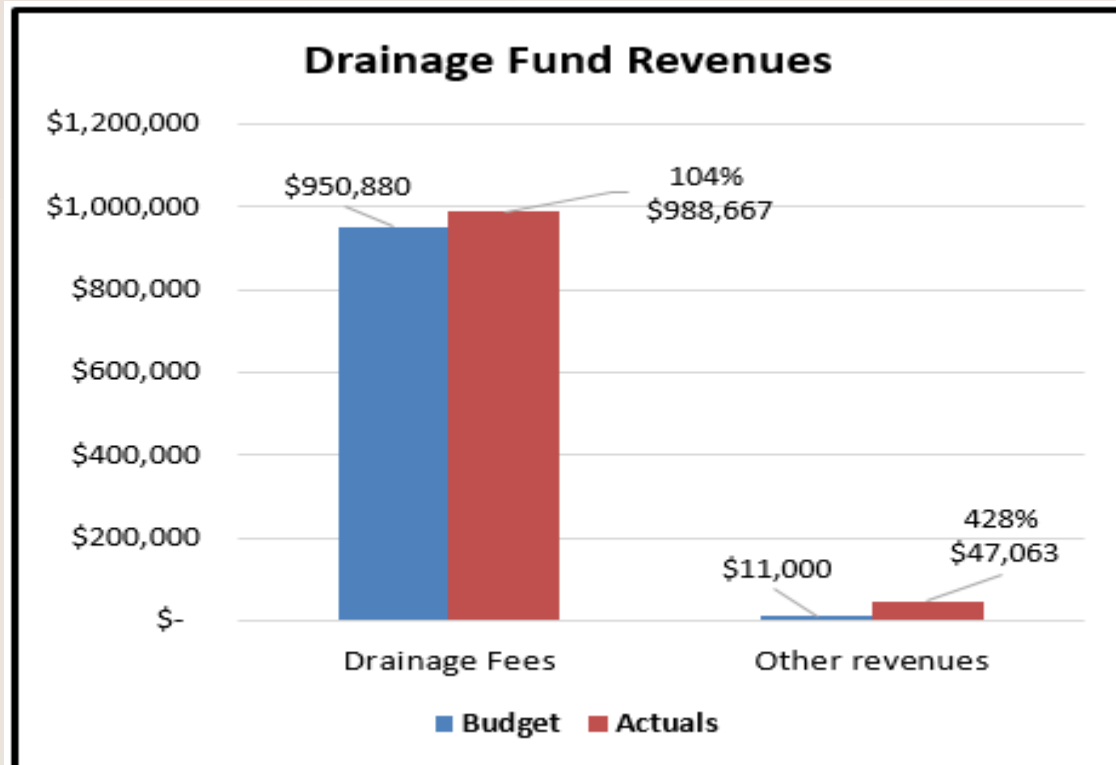


Drainage Fund



Highlights:

- YTD revenues are \$70,030 over expenditures
- Drainage fee revenues: Up 3.90%
- Expenditures YTD are low compared to budget due to remaining major expenses related to the Drainage Master Plan (\$0.5M)



City of Colleyville
General Fund Monthly Financial Report
As of 9/30/2018 - End of 100% of the Fiscal Year as of 10/8/18

GENERAL FUND		ACTIVITY	
	FY 2018	FY 2018 YTD	PERCENT
SUMMARY	BUDGET	AS OF	OF BUDGET
		9/30/2018	USED
Revenues	23,934,566	24,140,911	100.86%
Expenditures	23,694,811	21,872,694	92.31%
Revenues over expenditures	\$239,755	\$2,268,217	

GENERAL 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
		9/30/2018	RECEIVED	YEAR END BAL	9/30/2017	PRIOR YEAR
Current Taxes	14,242,575	14,525,198	101.98%	100.00%	\$13,658,699	6.34%
Delinquent Taxes	25,000	67,868	271.47%	100.00%	19,923	240.66%
Penalty & Interest	55,000	74,798	136.00%	100.00%	70,366	6.30%
TOTAL AD VALOREM TAXES	14,322,575	14,667,864	102.41%	100.00%	13,748,988	6.68%
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	55,509	92.52%	100.00%	61,776	-10.14%
Verizon/Others	65,000	73,191	112.60%	100.00%	75,934	-3.61%
Refuse/Recycling	160,000	165,850	103.66%	100.00%	166,942	-0.65%
Cable TV	475,000	455,680	95.93%	100.00%	476,126	-4.29%
TOTAL FRANCHISE TAXES	2,070,000	2,148,428	103.79%	100.00%	2,105,881	2.02%
Sales Tax	3,700,000	3,223,579	87.12%	100.00%	3,750,749	-14.06%
Mixed Beverage Tax	100,000	114,165	114.17%	100.00%	117,315	-2.69%
TOTAL SALES TAXES	3,800,000	3,337,744	87.84%	100.00%	3,868,064	-13.71%
Building	625,000	813,754	130.20%	100.00%	658,435	23.59%
Plumbing	72,000	65,539	91.03%	100.00%	56,650	15.69%
Mechanical	48,000	50,508	105.23%	100.00%	48,752	3.60%
Electrical	51,000	70,533	138.30%	100.00%	56,905	23.95%
City License	26,000	50,700	195.00%	100.00%	59,200	-14.36%
Building Plan Review Fee	88,000	108,373	123.15%	100.00%	101,051	7.25%
New Business	7,400	7,200	97.30%	100.00%	7,110	1.27%
Sign Permit	8,000	8,010	100.13%	100.00%	9,260	-13.50%
Fence Permit	15,000	15,951	106.34%	100.00%	17,826	-10.52%
Fire Permits	8,000	9,565	119.56%	100.00%	11,700	-18.25%
Irrigation Permit	20,000	14,487	72.44%	100.00%	22,784	-36.41%
TOTAL LICENSES & PERMITS	968,400	1,214,620	125.43%	100.00%	1,049,673	15.71%

GENERAL FUND - CONTINUED		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
		9/30/2018	RECEIVED	YEAR END BAL	9/30/2017	PRIOR YEAR
Court Fines	850,000	658,263	77.44%	100.00%	\$760,448	-13.44%
Alarm Fees	53,000	56,906	107.37%	100.00%	58,481	-2.69%
Library Fines	17,460	19,825	113.54%	100.00%	21,656	-8.46%
TOTAL FINES	920,460	734,993	79.85%	100.00%	840,585	-12.56%
Plat Fee/Site Plan/Landscaping Plan Fee	8,200	12,603	153.69%	100.00%	9,988	26.18%
Re-zoning	9,000	13,725	152.51%	100.00%	10,734	27.87%
Board of Adjustment	2,000	2,150	107.50%	100.00%	3,200	-32.81%
Sale of Material	100	380	380.30%	100.00%	56	579.11%
Weed Mowing	7,000	2,920	41.71%	100.00%	15,108	-80.67%
Ambulance	320,000	363,118	113.47%	100.00%	316,938	14.57%
Recreation Program	193,500	305,574	157.92%	100.00%	231,267	32.13%
Credit Card Fee Revenue	-	16,433	0.00%	100.00%	39,133	-58.01%
Transfers from Other Funds		8,133	0.00%	100.00%	-	0.00%
Engineering & Inspection	20,000	4,826	24.13%	100.00%	59,800	-91.93%
Material Testing	10,000	3,292	32.92%	100.00%	16,774	-80.38%
Lot Drainage Insp Fee	15,000	20,875	139.17%	100.00%	17,500	19.29%
Field Use Charge	21,500	21,930	102.00%	100.00%	22,585	-2.90%
Colleyville Center Rental	240,000	172,024	71.68%	100.00%	230,612	-25.41%
Non-Resident Fee Parks	40,000	43,355	108.39%	100.00%	44,240	-2.00%
Transfer from Utility Fund	196,920	196,920	100.00%	100.00%	-	0.00%
Transfer from TIF	210,377	210,377	100.00%	100.00%	-	0.00%
TOTAL CHARGES FOR SERVICE	1,293,597	1,398,634	108.12%	100.00%	1,017,935	37.40%
Keller Court	260,538	195,404	75.00%	100.00%	239,468	-18.40%
SRO Officer Reimb	98,996	98,996	100.00%	100.00%	\$98,996	0.00%
TOTAL INTERGOVERNMENTAL	359,534	294,400	81.88%	100.00%	338,464	-13.02%
Sale of Surplus Property	5,000	34,396	687.93%	100.00%	17,000	102.33%
Interest Income	45,000	109,976	244.39%	100.00%	73,161	50.32%
Miscellaneous	60,000	65,825	109.71%	100.00%	80,599	-18.33%
Antenna Lease	90,000	99,462	110.51%	100.00%	98,859	0.61%
Grant Proceeds	-	34,570	0.00%	100.00%	463	7362.91%
Other Financing Sources	-	-	0.00%	100.00%	541,073	-100.00%
TOTAL MISCELLANEOUS	200,000	344,229	172.11%	100.00%	811,156	-57.56%
TOTAL GENERAL FUND REVENUES	23,934,566	24,140,911	100.86%	100.00%	23,780,746	1.51%

	FY 2018	THROUGH	THROUGH	TOTAL	PERCENT
	BUDGET	9/30/2018	9/30/2017	INCREASE	INCREASE
				(DECREASE)	(DECREASE)
RESIDENTIAL BLDG PERMITS	115	169	136	33	24.26%
COMMERCIAL BLDG PERMITS	7	2	2	0	0.00%
CITATIONS ISSUED	10,500	6,718	7,441	(723)	-9.72%

GENERAL FUND EXPENDITURES		EXPENDED	PERCENT	PERCENT OF	BUDGET	EXPENDED
	FY 2018	THROUGH	OF BUDGET	FISCAL YEAR	REMAINING	FY 2017 YTD
	BUDGET	9/30/2018	EXPENDED	COMPLETE		AS OF
						9/30/2017
Personnel services	15,048,648	14,251,354	94.70%	100.00%	797,294	14,117,125
Contractual Services	5,341,951	4,763,528	89.17%	100.00%	578,423	4,602,411
Supplies	1,275,506	725,774	56.90%	100.00%	549,732	895,457
Capital Outlay	14,000	117,332	838.09%	100.00%	(103,332)	581,120
Transfer to other fund	2,014,706	2,014,706	100.00%	100.00%	-	3,435,718
TOTAL EXPENDITURES	23,694,811	21,872,694	92.31%	100.00%	1,822,117	23,631,831

City of Colleyville
Utility Fund Monthly Financial Report
As of 9/30/2018 - End of 100% of the Fiscal Year as of 10/8/18

UTILITY FUND		ACTIVITY	
	FY 2018	FY 2017 YTD	PERCENT
SUMMARY	BUDGET	AS OF	OF BUDGET
		9/30/2018	USED
Revenues	15,540,017	16,392,237	105.48%
Expenditures	15,526,542	13,279,776	85.53%
Revenues over expenditures	13,475	3,112,461	

UTILITY FUND		RECEIVED	PERCENT	AVERAGE ACTUAL	RECEIVED	EXPENDED
	FY 2018	AS OF	OF BUDGET	YTD BALANCE	AS OF	CHANGE OVER
REVENUE SOURCE	BUDGET	9/30/2018	RECEIVED	AS A PERCENT OF	9/30/2017	PRIOR YEAR
Water Sales	11,195,957	11,644,989	104.01%	100.00%	10,958,905	6.26%
Sewer Sales	4,024,060	4,332,974	107.68%	100.00%	3,876,154	11.79%
Sewer Installation	15,000	16,600	110.67%	100.00%	14,000	18.57%
Water Installation	42,000	43,710	104.07%	100.00%	38,940	12.25%
Engineering Charges	5,000	13,882	277.64%	100.00%	24,071	-42.33%
Penalties	200,000	219,598	109.80%	100.00%	212,343	3.42%
Sale of Material	-	7,008	0.00%	100.00%	3,697	89.54%
Miscellaneous	13,000	19,723	151.71%	100.00%	523,096	-96.23%
TOTAL OPERATING INCOME	15,495,017	16,298,483	105.19%	100.00%	15,651,206	4.14%
Sale of Surplus Property	-	8,418	0.00%	100.00%	-	0.00%
Interest Income	45,000	85,336	189.64%	100.00%	69,461	22.85%
TOTAL NON-OPERATING INCOME	45,000	93,754	208.34%	100.00%	69,461	34.97%
TOTAL INCOME	15,540,017	16,392,237	105.48%	100.00%	15,720,667	4.27%

	THROUGH	THROUGH	TOTAL	PERCENT
	9/30/2018	9/30/2017	INCREASE	INCREASE
			(DECREASE)	(DECREASE)
GALLONS OF WATER SOLD	2,524,355,800	2,288,180,700	236,175,100	10.32%
NUMBER OF WATER CUSTOMERS	10,178	9,987	191	1.91%

UTILITY FUND EXPENSES		EXPENDED	PERCENT	PERCENT OF		EXPENDED
	FY 2018	THROUGH	OF BUDGET	FISCAL YEAR	BUDGET	FY 2017 YTD
	BUDGET	9/30/2018	EXPENDED	COMPLETE	REMAINING	AS OF
						9/30/2017
Personnel Services	1,983,307	1,868,412	94.21%	100.00%	114,895	1,833,304
Contractual services*	12,717,635	10,580,544	83.20%	100.00%	2,137,091	10,713,358
Supplies	245,969	248,651	101.09%	100.00%	(2,682)	135,547
Debt Service	157,325	171,908	109.27%	100.00%	(14,583)	2,097,051
Capital Outlay	100,000	87,955	87.96%	100.00%	12,045	-
Transfers to other funds**	322,306	322,306	100.00%	100.00%	0	10,199,262
TOTAL EXPENSES	15,526,542	13,279,776	85.53%	100.00%	2,246,766	24,978,522

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 9/30/2018 - End of 100% of the Fiscal Year as of 10/8/18

DEBT SERVICE FUND		ACTIVITY	
	FY 2018	FY 2017 YTD	PERCENT
SUMMARY	BUDGET	AS OF	OF BUDGET
		9/30/2018	USED
Revenues	1,854,412	1,986,608	107.13%
Expenditures	1,979,412	1,982,150	100.14%
Revenues over expenditures	(125,000)	4,458	
Budgeted use of fund balance	125,000		
Revenues & use of fund balance over expenditures	-	4,458	

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
		9/30/2018	RECEIVED	YEAR END BAL	9/30/2017	PRIOR YEAR
Current taxes	683,367	819,754	119.96%	100.00%	730,737	12.18%
Delinquent taxes	5,000	5,186	103.72%	100.00%	1,316	294.13%
Penalty & interest	5,000	5,054	101.07%	100.00%	4,000	26.34%
Interest Income	5,000	569	11.38%	100.00%	6,815	-91.65%
TOTAL AD VALOREM TAX & INTEREST	698,367	830,563	118.93%	100.00%	742,868	11.80%
Transfer from CCPD	501,845	501,845	100.00%	100.00%	503,862	-0.40%
Transfer from TIF*	654,200	654,200	100.00%	100.00%	655,781	-0.24%
TOTAL TRANSFERS	1,156,045	1,156,045	100.00%	100.00%	1,159,643	-0.31%
Use of Fund Balance	125,000	-	0.00%	100.00%	-	0.00%
Bond proceeds & Premium	-	-	0.00%	100.00%	-	0.00%
TOTAL REVENUE & USE OF FUND BAL	1,979,412	1,986,608	100.36%	100.00%	1,902,511	4.42%

DEBT SERVICE FUND		EXPENDED	PERCENT	PERCENT OF		EXPENDED
	FY 2018	THROUGH	OF BUDGET	FISCAL YEAR	BUDGET	FY 2017 YTD
	BUDGET	9/30/2018	EXPENDED	COMPLETE	REMAINING	AS OF
						9/30/2017
Bond & Interest Payments	1,639,088	1,639,338	100.00%	100.00%	(250)	1,634,163
Leases (Fire Engine & Ambulance)	340,324	342,812	100.00%	100.00%	(2,488)	335,654
TOTAL EXPENSES	1,979,412	1,982,150	100.00%	100.00%	(2,738)	1,969,817

*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 9/30/2018 - End of 100% of the Fiscal Year as of 10/8/18

DRAINAGE FEE FUND		ACTIVITY	
	FY 2018	FY 2018 YTD	PERCENT
SUMMARY	BUDGET	AS OF	OF BUDGET
		9/30/2018	USED
Revenues	961,880	1,035,730	107.68%
Expenditures	1,481,362	965,700	65.19%
Revenues over expenditures	(519,482)	70,030	
Budgeted use of fund balance	519,482		
Revenues & use of fund balance over expenditures	-	70,030	

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
		9/30/2018	RECEIVED	YEAR END BAL	9/30/2017	PRIOR YEAR
Drainage Revenues	950,880	988,667	103.97%	100.00%	972,082	1.71%
Other revenues (Interest, penalty,..)	11,000	47,063	427.85%	100.00%	24,773	89.98%
TOTAL REVENUES	961,880	1,035,730	107.68%	100.00%	996,855	3.90%

DRAINAGE FEE FUND		EXPENDED	PERCENT	PERCENT OF		EXPENDED
	FY 2018	THROUGH	OF BUDGET	FISCAL YEAR	BUDGET	FY 2017 YTD
	BUDGET	9/30/2018	EXPENDED	COMPLETE	REMAINING	AS OF
						9/30/2017
Personnel Services	424,005	421,495	99.41%	100.00%	2,510	395,232
Contractual Services	134,826	90,697	67.27%	100.00%	44,129	79,059
Supplies	47,957	51,290	106.95%	100.00%	(3,333)	22,468
Debt Service	124,574	124,592	100.01%	100.00%	(18)	149,387
Capital Outlay	-	255,925		100.00%	(255,925)	-
Transfers to other funds	750,000	21,702	2.89%	100.00%	728,299	19,032
TOTAL EXPENSES	1,481,362	965,700	65.19%	100.00%	515,662	665,177



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6a

Agenda Date 10/16/2018

Number Ordinance O-18-2062

Type Ordinance

Department Community Development

Title

Consideration of a zoning change from ML Light Manufacturing district to PUD-C Planned Unit Development - Commercial district on Lot 1, Block 1, of the Chandler Addition, located at 1701 John McCain Road, Case ZC18-025

Strategic Plan

4.2 Encourage compatible commercial growth

Explanation

Second Reading and Public Hearing

The City Council asked for a revised Schedule of Permitted Principal Uses chart. The applicant will be presenting the chart at the meeting.

First Reading and Public Hearing

Peggy Finley, the applicant, has submitted a request for a rezoning from ML Light Manufacturing to the PUD-C Planned Unit Development – Commercial district in order to allow for a mix of uses on the property. The applicant is proposing additional uses (general and medical office) and the removal of undesirable uses that are currently allowed.

Existing Conditions/Background: The subject property is zoned ML and generally located on the south side of John McCain Road, west of the intersection with Colleyville Boulevard. The subject property is a developed, platted lot, built in 1998, and is currently operating as Enhanced Voice Processing.

Proposed Zoning:

Request – The applicant requests to rezone the property currently zoned ML Light Manufacturing to PUD-C Planned Unit Development – Commercial with the intent to have greater flexibility in the types of land uses permitted for the existing building. The ML zoning, the current zoning of the property, does not allow for office and medical office uses. There are other uses that are currently allowed that are proposed to be removed to ensure compatibility with the surrounding properties.

Analysis: The requested PUD-C zoning would allow for office and medical uses as well as a few other uses that are currently not allowed. The modification in uses is intended to create a transitional zoning from the existing adjacent residential uses to the

existing ML zoning further east. There are no changes proposed at this time to the overall building or site, rather, just a change in allowable uses.

Existing ML uses, which are allowed under the current zoning and could be considered more intense uses of the property, are proposed to be removed as part of this request. They include uses such as: car wash auto / self-serve; auto lube shops; and welding or machine shops.

This proposed PUD-C is an attempt to establish a combination of allowable land uses which would be typically found in the CPO Professional Office zoning district while also allowing for the continuation of appropriate ML uses, e.g. Office Showroom.

Approval of the zoning change should not adversely impact surrounding uses or the character of the neighborhood because the uses being proposed are less intense than currently allowed in the ML zoning district.

Surrounding Properties: The surrounding properties are primarily developed as light manufacturing and single family residential uses. The properties to the south and west are zoned PUD-R and developed with single family residential homes. The property to the east is zoned ML Light Manufacturing and is undeveloped. The property to the north is zoned PUD-R and developed with single family residential homes.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, designates the subject property for commercial development as part of the Colleyville Boulevard commercial corridor. The use of the property to include general and medical office use complies with the plan.

Public Notification: Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1,000 feet of the subject property regarding this request. The ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code. To date, no correspondence has been received.

Staff Recommendation: Staff recommends approval of the PUD-C zoning to allow for revised uses at this location. The use of the property in this manner should not adversely impact surrounding uses.

Planning & Zoning Commission Recommendation: The Planning & Zoning Commission recommended approval with changes to 10 uses requiring a Special Use Permit at their September 10, 2018 meeting by a vote of 4-0.

Financial Impact

There is no fiscal impact for the City

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Schedule of Proposed Uses
6. Zoning Exhibit
7. Building Elevations
8. Notification Map
9. Notification List
10. Property Owner Notification
11. Ordinance O-18-2062

Aerial Map



ZC18-025

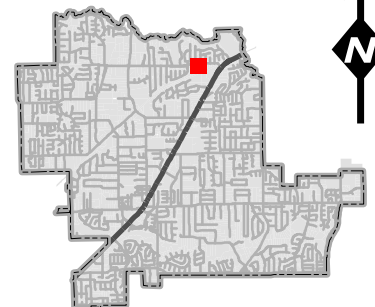
1701 John McCain Road

DISCLAIMER:

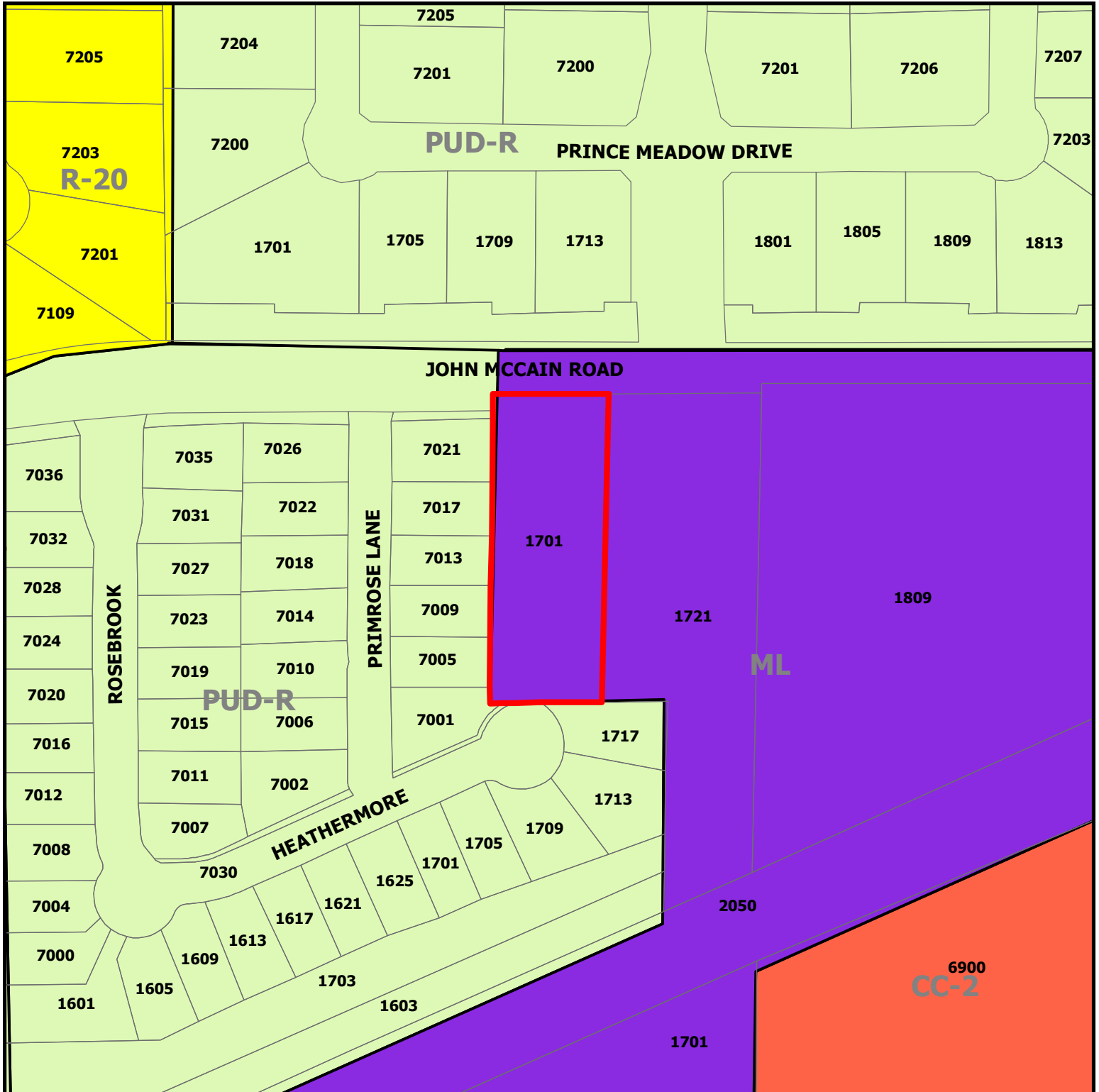
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Subject Property



Zoning Map

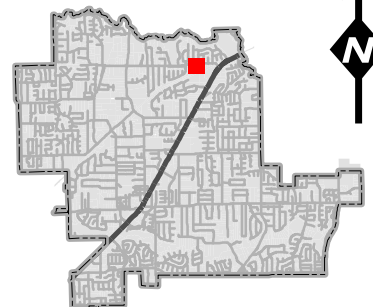


ZC18-025

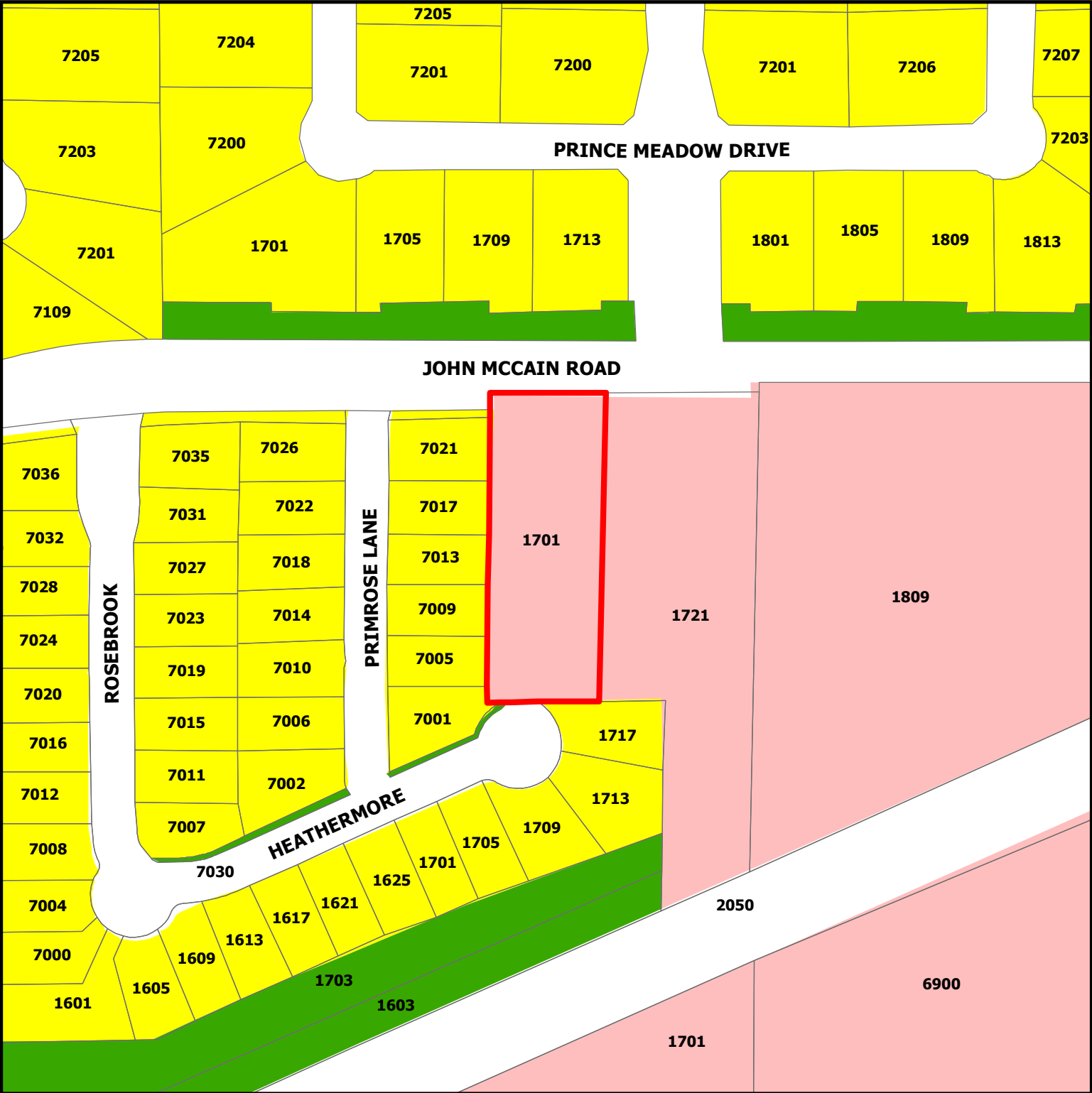
1701 John McCain Road

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 Subject Property



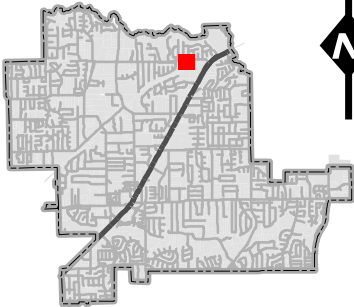
Future Land Use Map



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ZC18-025 1701 John McCain Road

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



Statement of Planning Objectives

COMMUNITY DEVELOPMENT SERVICES APPLICATION

Planned Unit Development (PUD-C) Rezoning Request

Property: 1701 John McCain Road

Zoning Change Request from ML to PUD-C

Applicant / Property Owner:
EVP Realty, LLC
and business entity Enhanced Voice Processing (EVP)
occupies the Property.

Statement of Planning Objectives

STATEMENT OF PLANNING OBJECTIVES

Applicant is submitting the request for rezoning to PUD-C to provide greater flexibility for this property that can only be accomplished with a combination zoning districts provided with a PUD. Requested rezoning will eliminate some existing permitted uses within ML that are not as desirable (example: automotive related, pawn shops, etc.) and encourage more efficient and aesthetically desirable uses with combined zoning districts based on the size, location, existing improvements, etc. of the Property. Additionally, there are existing permitted uses in the ML zoning that the Applicant is offering to strike in consideration of the PUD-C approval to include CPO permitted uses for the property.

Due to the design and existing structure of the building, it is highly suited for office and medical related uses included in CPO zoning category and not permitted in ML. The property is adjacent to existing residential. The PUD-C zoning modification would create a transitional zoning from Residential to PUD-C (which would include CPO permitted uses and modified ML permitted uses for transitional purposes) and then ML zoning to the east.

This property additionally has an abundance of trees/landscaping and green open space and the likely highest and best use would be an office or medical related use. Consequently, Applicant is requesting modification to zoning to accommodate those revised permitted uses.

Applicant is not requesting change to the General Development Standards set forth in the Land Development Code.

DEVELOPMENT SCHEDULE

Existing improvements – commercial building. No subsequent stages or phases are expected to begin at this time.

PROPOSED OWNERSHIP

No change in ownership. Current Ownership is EVP Realty, LLC. (real estate holding company). Occupied by Enhance Voice Processing (EVP).

Statement of Planning Objectives

UTILITY PROVISIONS

Existing improvements – no modifications to the existing public utilities are required.

ECONOMIC DEVELOPMENT INFORMATION

No increased economic impact anticipated at this time. Existing use is primarily office/showroom.

TRAFFIC IMPACT ANALYSIS

Not required. Existing development does not generate significant trips per day and no proposed uses with PUD-C permitted uses would generated the required 1,000+ vehicle trips per day, as determined by the Director of Public Services for this 1 acre parcel with an existing 5,100 sf commercial building.

Statement of Planning Objectives

ZONING EXHIBIT:

Applicant and Owner of Record Information

APPLICANT / OWNER OF RECORD:

EVP Realty, LLC
Peggy Finley

Ownership Address:
1701 John McCain Road
Colleyville, Texas 76034

Notice Address:
806 Caroline Lane
Southlake, Texas 76092

Schedule of Proposed Uses

PUD - Rezoning Application							
Property Address:	1701 John McCain Road, Colleyville						
PUD-C / Requested Permitted Uses							
CPO All standard Uses plus Modified ML Uses							
Table 3.24.B - - Schedule of Permitted Principal Uses							
Land Use Classification	Non-Residential Districts						Proposed
	CPO	CN	CC1	CC2	CC3	ML	PUD-C
ACCESSORY USES							
Servants or Caretakers Qtrs.						S	S
UTILITY USES							
Elect. Substations	S	S	S	S	S	S	S
Pub Utl Supply/Storage Yards	S	S	S	S	S	S	S
Solid Waste Disposal Sites						S	S
Telecommunications Towers	S	S	S	S	S	S	S
Water Pumping Station	S	S	S	S	S	S	S
Wind Driven Generators	S	S	S	S	S	S	S
Public and Institutional Uses							
College or Universities	S	S	S	S	S	S	S
Community Ctr/Rec. Centers	P	P	P	P	P	P	P
Govt. Bldg, Offices/Facilities	P	P	P	P	P	P	P
Fire, Police Stations	P	P	P	P	P	P	P
Golf Course-Public Owned	P	P	P	P	P	P	P
Govt. Maintenance Facilities	P	P	P	P	P	P	P
Libraries	P	P	P	P	P	P	P
Museums	P	P	P	P	P	P	P
Post Office	P	P	P	P	P	P	P
Parks and Open Space Areas	P	P	P	P	P	P	P
Public Maint./Storage Bldgs.	S	S	S	S	S	S	S
Private School Elementary-Secondary	S	S	S	S	S	S	S
Private School -High School	S	S	S	S	S	S	S

Schedule of Proposed Uses

Table 3.24.B - - Schedule of Permitted Principal Uses							
Land Use Classification	Non-Residential Districts						Proposed
	CPO	CN	CC1	CC2	CC3	ML	PUD-C
Public and Institutional Uses (Cont.)							
Public School-Elementary-Secondary	P	P	P	P	P	P	P
Public School-High School	P	P	P	P	P	P	P
Religious Institutions	P	P	P	P	P	P	P
Office Uses							
Accountant's Office	P	P	P	P	P		P
Advertising Agencies	P	P	P	P	P		P
Attorney Offices	P	P	P	P	P		P
Chiropractic Clinics	P		P	P	P		P
Emergency Clinic (24 hrs)			S	P	P		
Engineering, Architect's and Surveyor's Offices	P	P	P	P	P		P
General Business offices not listed elsewhere	P	P	P	P	P		P
Insurance Agencies	P	P	P	P	P		P
Management and Public Relations Services Offices	P	P	P	P	P		P
Optometrist Offices	P		P	P	P		P
Psychologist Offices	P	P	P	P	P		P
Physician's or Dentist's Office	P		P	P			P
Real Estate Agency Offices	P	P	P	P	P		P
Security Broker Offices	P	P	P	P	P		P
Telemarketing Offices			P	P	P		P
Title Abstract Offices	P	P	P	P	P		P
Trade or Business Schools			S	S	S	P	P
Travel Agency/Airline Ticket Offices.	P	P	P	P	P		P

Schedule of Proposed Uses

Table 3.24.B - - Schedule of Permitted Principal Uses							
Land Use Classification	Non-Residential Districts						Proposed
	CPO	CN	CC1	CC2	CC3	ML	PUD-C
Retail and Service Uses							
Alcoholic Beverage Sales-Beer and Wine only- Off Premise Consumption			S	S	S		
Alcoholic Beverage Sales-on Premise Consumption			S	S	S		
Package Store Sales-Off Premise Consumption			S	S	S		
Alcohol/Drug Treatment Ctr.	S	S	S	S	S	S	
Antique Stores			P	P			
Apparel/Accessory Store			P	P			
Arts/Crafts/Hobby Shops			P	P			
Bakery Stores			P	P			
Banks/Cr.Unions/Financial Institutions		P	P	P			
Barber/Beauty Shops/Day Spa		P	P	P			
Bicycle Shops			P	P			P
Books/Stationary/Greeting Card Shops			P	P	P		
Camera or Music Stores			P	P			
Carnivals and Circuses			S	S			
Cemeteries or Mausoleums	S	S	S	S	S	S	
Charitable Donation Station			S	S	S		
Civic/Social/Fraternal Org.	S	S	P	P			S
Convenience Store W/Gas			S	S	S	S	
Copy Centers/Print Shops	S	S	P	P	P	P	P
Dance Studio/Martial Arts	S	S	P	P			P
Day Care Center	S	S	S	S	S		S
Department Store			P	P			
Dry Cleaners Pick-up Stations		S	P	P			

Schedule of Proposed Uses

Table 3.24.B - - Schedule of Permitted Principal Uses							
Land Use Classification	Non-Residential Districts						Proposed
	CPO	CN	CC1	CC2	CC3	ML	PUD-C
Retail and Service Uses (Cont.)							
Dry Clean(up to 5K/on-site-			P	P			
Equip. Rental/Leasing Stores					S	P	P S
Florist Shops		P	P	P			
Food Catering				P	P		P
Funeral Homes			S	S	S		P S
Furniture/Appliance Stores			P	P	P		
Grocery Stores			P	P			
Hardware/elect/plumbing w/o outside display		P	P	P	P		P
Hardware/elect/plumbing with outside display				S	P	P	
Hospitals			S	S	S		
Hotels and Motels				P	P		
Interior Decoration Stores	P	P	P	P			P
Jewelry Stores		P	P	P			
Locksmiths		S	S	P	P		P
Mailing and Shipping Stores		P	P	P	P		P
Meat or Fish Market			P	P	P		
Nurseries/Greenhouse with outside display				S	P	P	P S
Pawn Shops						P	
Pet Stores			P	P			
Pharmacy		S	P	P	P		
Photography Studios	P	P	P	P	P	P	P
Purchasing and/or resale of precious metals incl jewelry, gemstones gold, silver and platinum and not licensed as a Pawn Shop by St of TX			S	S	S		P

Schedule of Proposed Uses

Table 3.24.B - - Schedule of Permitted Principal Uses							
Land Use Classification	Non-Residential Districts						Proposed
	CPO	CN	CC1	CC2	CC3	ML	PUD-C
Retail and Service Uses (Cont.)							
Restaurants/Café/Cafeterias			P	P	P		
Restaurants w/drive-in/Drive-thru service				P	P		
Second Hand Good Shop			S	S	S		
Self-Service Laundry		S	S	S	S		
Shoe Repair Shops		P	P	P	P		
Tailor and Alterations Shops		P	P	P	P		
Vet Clinic w/indoor Kennels				P	P	P	P
Vet Clinic w/outdoor Kennel				S	P	P	
Video Rental/Sales Store			P	P	P		
Wedding Chapels			S	S	S		
Recreational and Entertainment Uses							
Adult Entertainment Estab.	See Section 22-5 Code of Ordinances						
Amusement Ctr (indoors)			S	S			
Archery/Firearms Ranges					S	S	
Billiard Parlors			S	S			
Commercial Rec. (outdoors)		S	S	S	S	S	
Fitness Center			P	P	P		P
Golf Course Privately Owned	P	P	P	P	P	P	
Golf Driving Range			P	P			
Miniature Golf Course			P	P			
Roller/Ice Skating Rinks				S	S		
Theaters			P	P			

Schedule of Proposed Uses

Table 3.24.B - - Schedule of Permitted Principal Uses							
Land Use Classification	Non-Residential Districts						Proposed
	CPO	CN	CC1	CC2	CC3	ML	PUD-C
Automotive and transportation Uses							
Airport/Heliports	S	S	S	S	S	S	
Auto Alarm/Stereo/Window Tinting Stores				P	P	P	
Auto Lube Shops				S	P	P	
Auto/Motor Vehicle Sales				S	S	S	
Auto Parts/Accessory Stores			P	P	P		
Auto/Truck/Trailer Rental					S	S	
Auto Upholstery Shops					P	P	
Auto Parking Lots/Garage- (Freestanding)	S	S	S	S	S	S	
Auto Repair Shop				S	S	S	
Boat/Watercraft Sales/Svc				S	S	S	
Bus/Passenger Train Station			S	S	S	S	
Car Wash Auto/Self Serve					S	P	
Commuter Transit Station			S	S	S	S	
Gasoline Service Stations					S	S	
LPG/CNG Dispensing Station					S	S	
Motorcycle Sale/Service					S	S	
Paint and Body Shops					S	S	
Park and Ride Facilities			S	S	S	S	
RR or Motor Freight Terminal				S	S	S	
Rec Vehicle Sales/Service					S	S	
Tire and Battery Stores				S	S	S	
Truck/Heavy Equip Sales/Svc					S	S	
Vehicle Storage Yards/Facilt-			S	S	S	S	

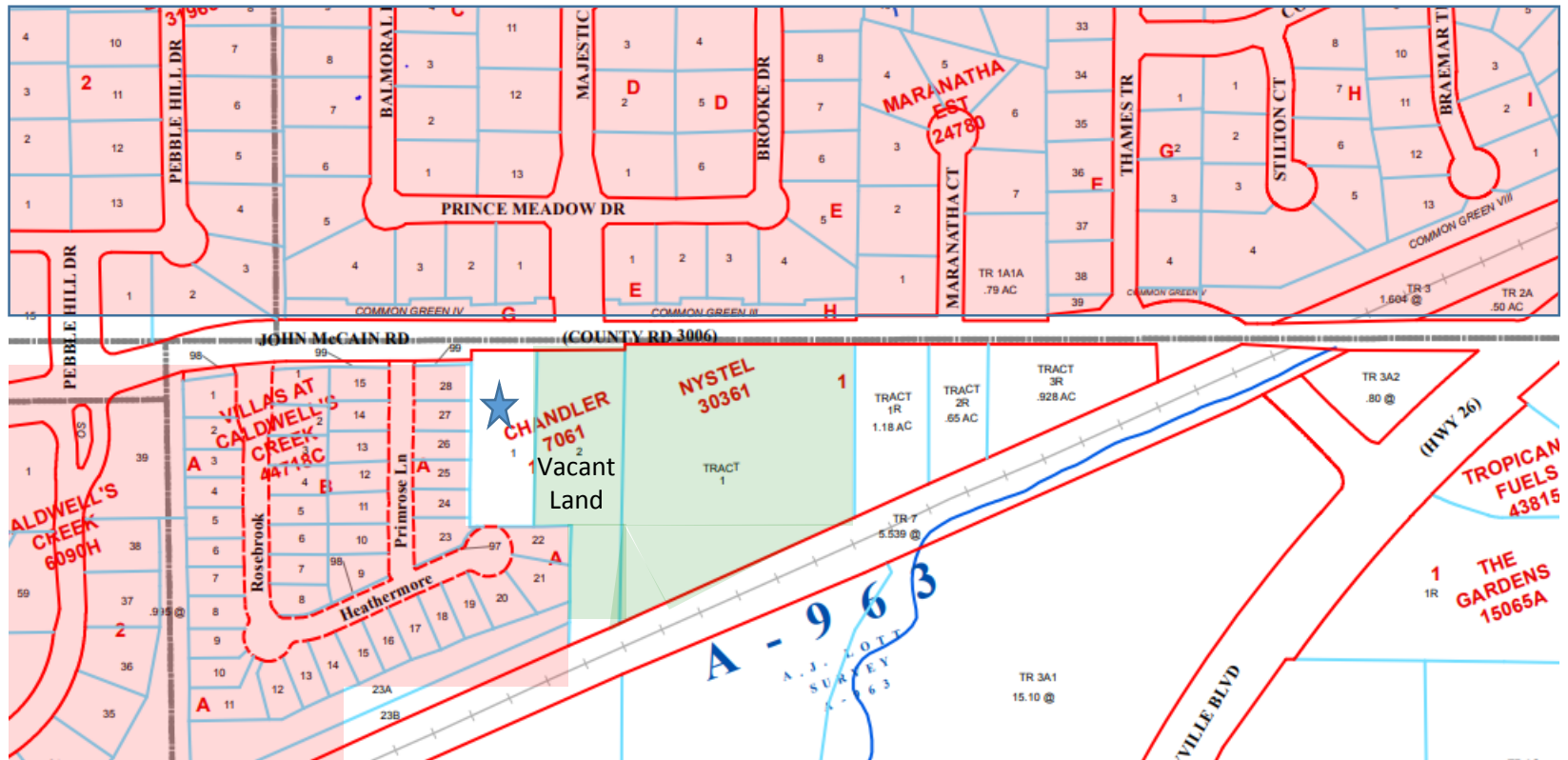
Schedule of Proposed Uses

Table 3.24.B - - Schedule of Permitted Principal Uses							
Land Use Classification	Non-Residential Districts						Proposed
	CPO	CN	CC1	CC2	CC3	ML	PUD-C
Heavy Commercial, Industrial & Manufacturing Uses							
Asphalt or Concrete Batching	S	S	S	S	S	S	
Appliance Repair Shops					S	S	S
Bldg Material Sale w/o Storage					S	P	P
Commercial Laundry					S	S	
Contractor Office w/Storage Yard					S	S	S
Contractor Office w/o Storage Yard					P	P	P
Elec. Assembly/Manufact.						P	P S
Exterminator Shop					S	S	S
Food Pkg and Manufacturing						S	S
Furniture/Cabinet Manufact.						P	P S
Office Showroom						P	P
Oil/Gas Extraction	S	S	S	S	S	S	S
Plum/HVAC/Elec Trade Shop					P	P	P S
Print/Publishing Commercial						P	P S
Research/Development Labs						P	P
Scientific Instrument Assem/Manufacturing						P	P S
Self Stg (mini-warehouse)						S	
Upholstery/Furniture Repair					P	P	P S
Warehouse/Dist Facilities						S	S
Wood, Paper, Leather Prdcts						P	P S
Manuf not listed elsewhere						S	S
Welding or Machine Shop						P	

ZONING EXHIBIT:
Adjacent Properties
Aerial

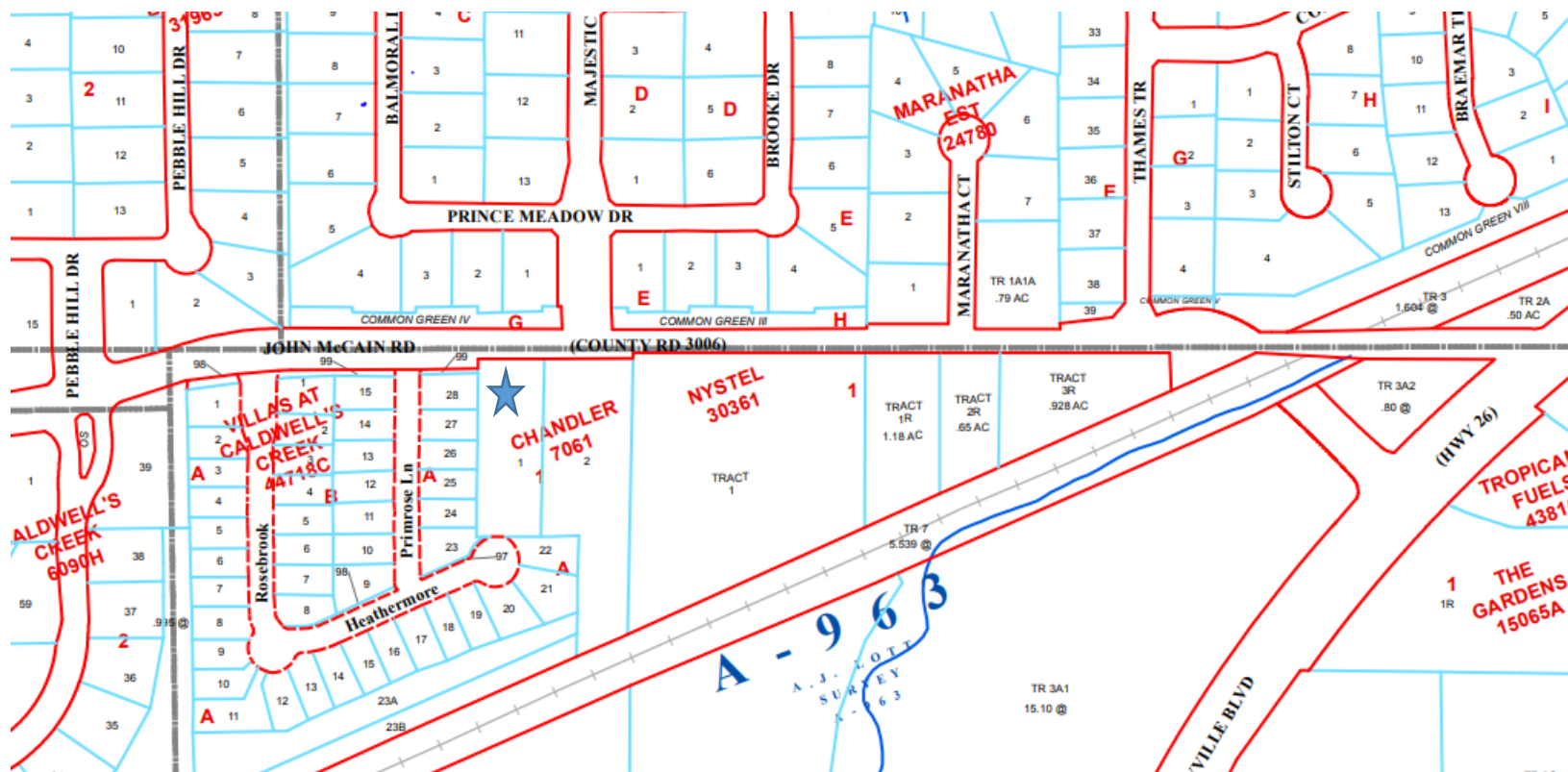


ZONING EXHIBIT: Adjacent Properties Use/Zoning

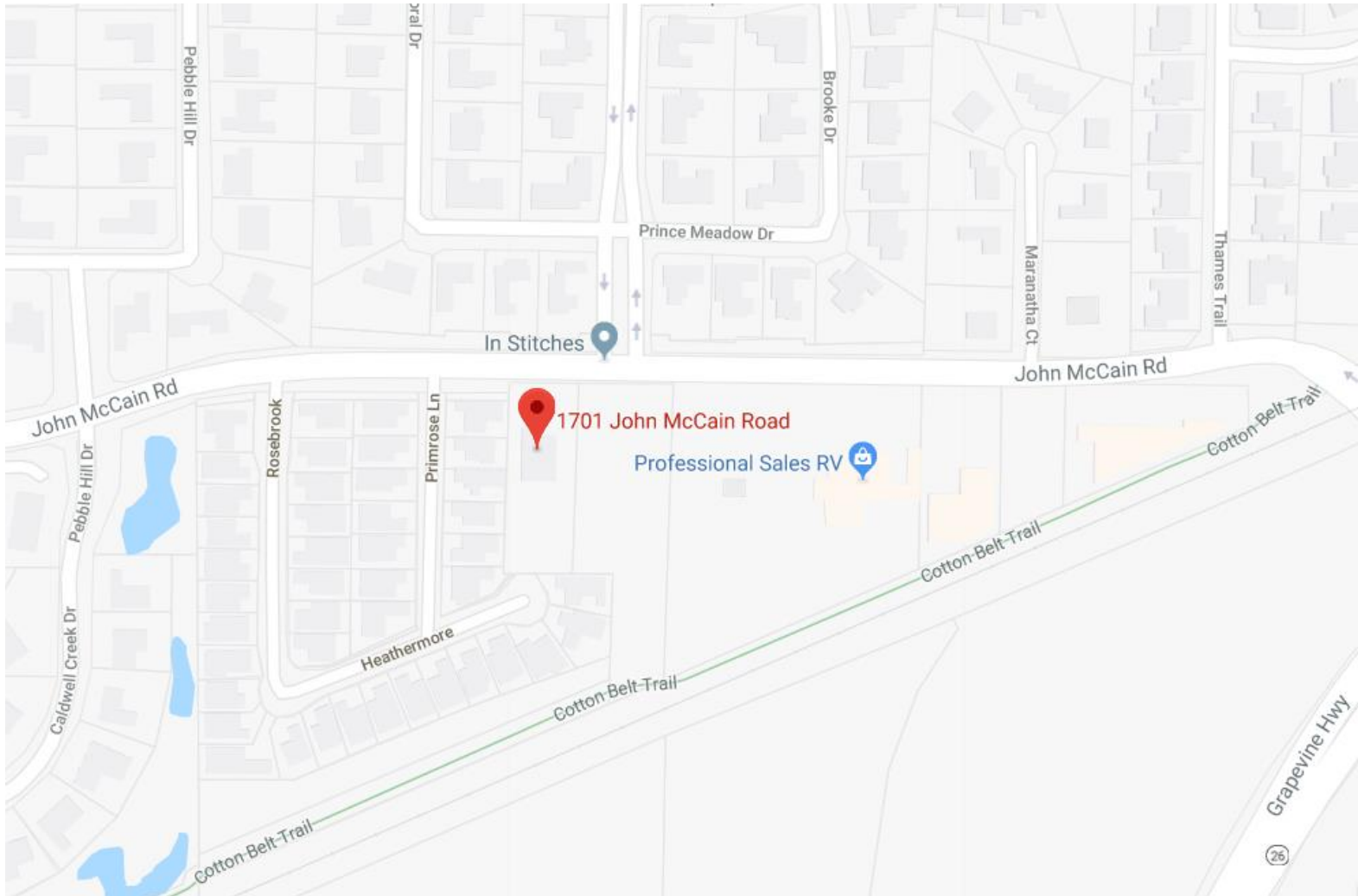


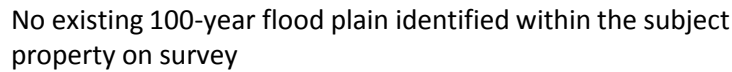
- Residential Zoning / Uses
- ML / Industrial Zoning / Uses

ZONING EXHIBIT: Vicinity Map



ZONING EXHIBIT: Vicinity Map





ZONING EXHIBIT: Legal Description & Gross Area Table

LEGAL DESCRIPTION:

Lot 1, Block 1, Chandler Addition, an addition to the City of Colleyville, Tarrant County, Texas, according to the Map/Plat recorded in Cabinet A, Slide 3975, Map/Plat Records, Tarrant County, Texas

GROSS AREA TABLE:

Gross Area (acreage or square feet) of the property for zoning Change:

43,231 square feet / approx. 1 acre

Gross area and floor area of existing building and its percentage of the total property area:

5,100 sf (Source: Tarrant Appraisal District)

11.8% of total property area

Gross area of streets, sidewalks and other paved surfaces and its percentage of the total property area:

Existing improvements

21,000 sf (estimation of existing paved sidewalks, parking, patio

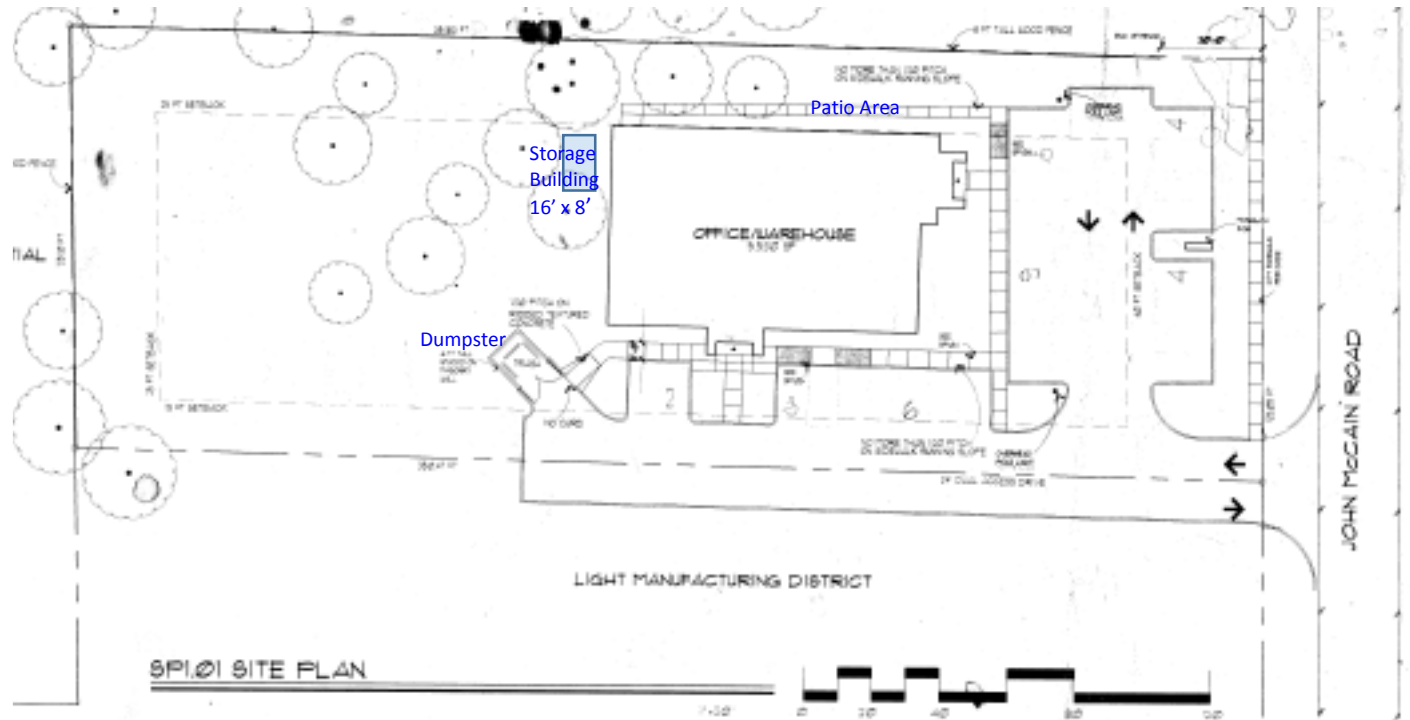
Gross area of open space and its percentage of the total property area:

Existing improvements

17,000 sf (estimation of existing open/green space)

40% of total property area (approximate calculation – significant open green space, trees, landscaping areas as shown on the survey and site plan.

ZONING EXHIBIT:
Site Plan
Existing Improvements



ZONING EXHIBIT:
Aerial
Existing Improvements



Existing Improvements visible:
Parking / Drive Lane
Building Rooftop view
Monument sign
Tree Coverage

Building Elevations

ZONING EXHIBIT: Existing Building Elevations



North Building Elevation

Secondary building
entrance fronting John
McCain Road.

East Building Elevation
Primary building entrance
and drive

Plus adjacent vacant land



Building Elevations

ZONING EXHIBIT: Existing Building Elevations



Primary Drive Area
(NOTE: Shared access with adjacent vacant parcel.)

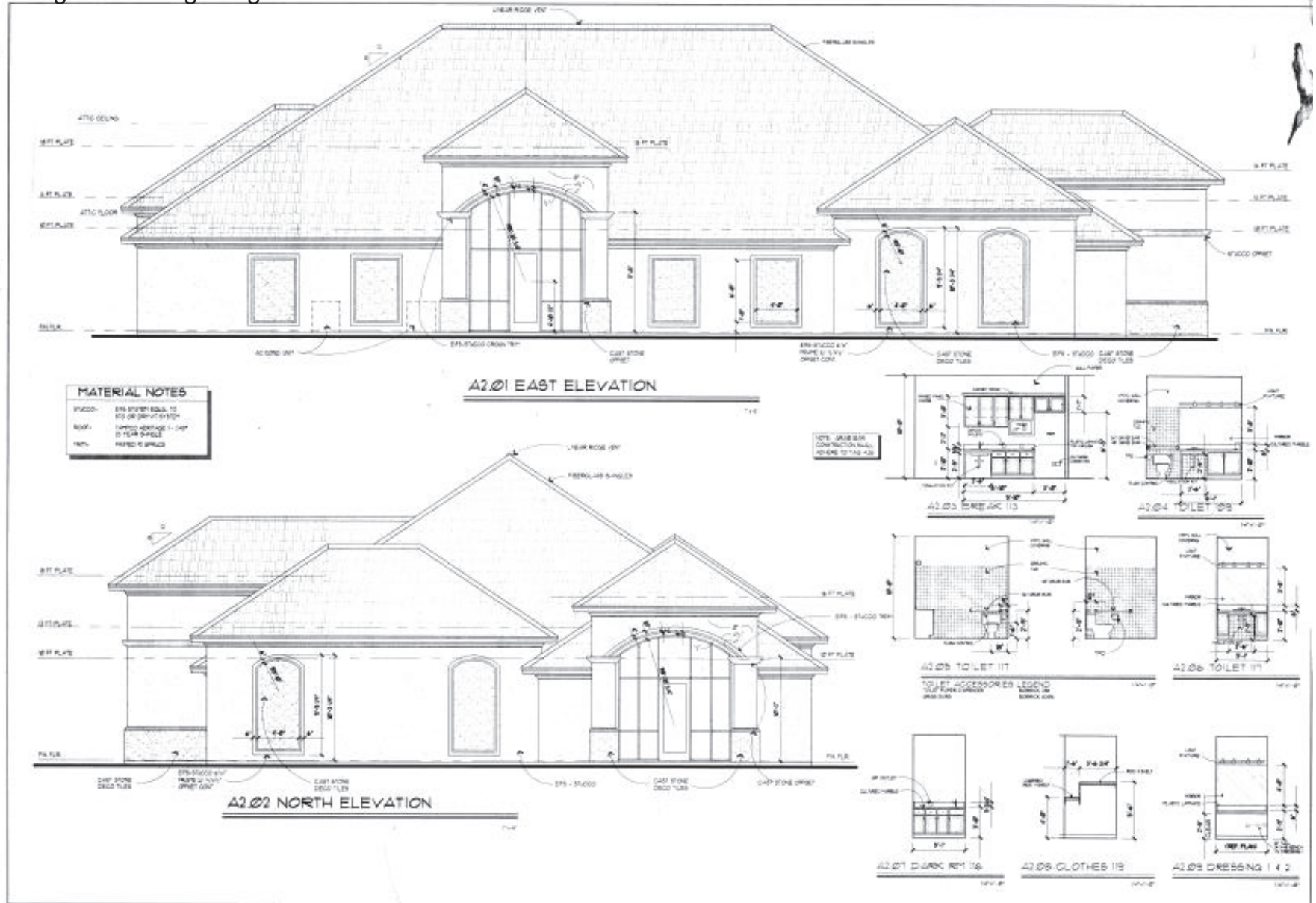
Building Elevations

ZONING EXHIBIT:

Existing Building Elevations

Original Building Design reference information.

Year of Construction: 1998



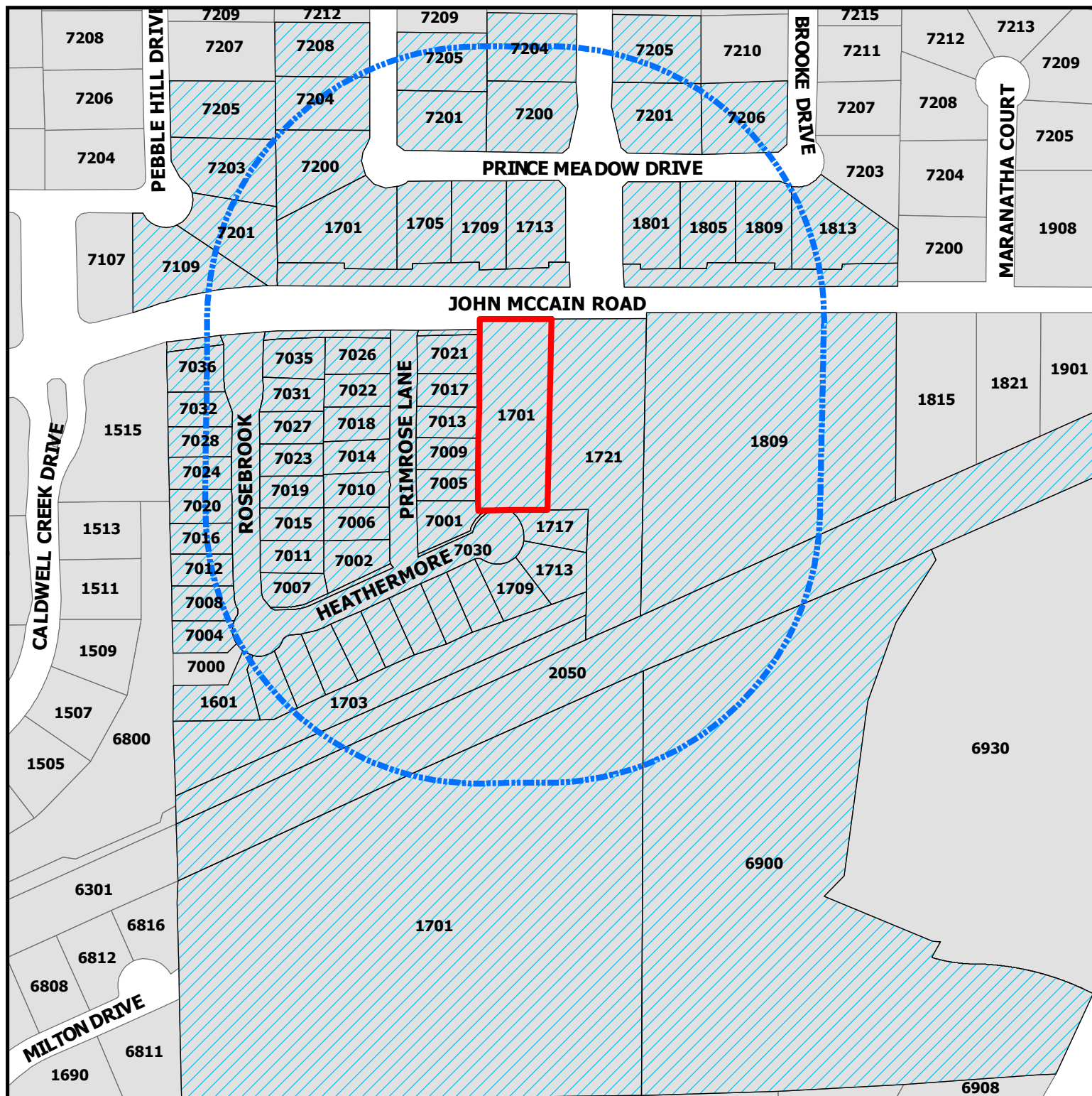
Building Elevations

ZONING EXHIBIT:

Existing Building Elevations



Notification Map



ZC18-025
1701 John McCain Road



Subject Property



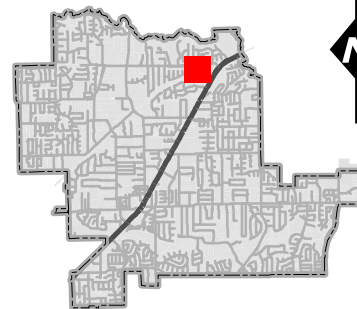
500ft Buffer



Properties within 500ft

DISCLAIMER:

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Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
YEARGIN LIVING TRUST	7015 ROSEBROOK	COLLEYVILLE, TX	76034	7015 ROSEBROOK
BIRGELAITIS, DANIEL	7010 PRIMROSE LN	COLLEYVILLE, TX	76034	7010 PRIMROSE LN
BOONE, ROBERT G	7019 ROSEBROOK	COLLEYVILLE, TX	76034	7019 ROSEBROOK
WOLTER, WILLIAM	1713 PRINCE MEADOW DR	COLLEYVILLE, TX	76034	1713 PRINCE MEADOW DR
WOOD, GAYLE S	7020 ROSEBROOK	COLLEYVILLE, TX	76034	7020 ROSEBROOK
PHILLIPS, RAMON D	7024 ROSEBROOK	COLLEYVILLE, TX	76034	7024 ROSEBROOK
CAPELLO, MELISSA A	7023 ROSEBROOK	COLLEYVILLE, TX	76034	7023 ROSEBROOK
WARD, JAMES D	1605 HEATHERMORE	COLLEYVILLE, TX	76034	1605 HEATHERMORE
EVP REALTY LLC	806 CAROLINE LN	SOUTHLAKE, TX	76092	1701 JOHN MCCAIN RD
BORKOWSKI, R E	7027 ROSEBROOK	COLLEYVILLE, TX	76034	7027 ROSEBROOK
EVANS, STEVE	7002 PRIMROSE LN	COLLEYVILLE, TX	76034	7002 PRIMROSE LN
ALEX MICHAEL MCCLURE GS-TRUST	1613 HEATHERMORE	COLLEYVILLE, TX	76034	1613 HEATHERMORE
AKSAMIT, PAUL V	7036 ROSEBROOK	COLLEYVILLE, TX	76034	7036 ROSEBROOK
MILLER, DEBBIE	7014 PRIMROSE LN	COLLEYVILLE, TX	76034	7014 PRIMROSE LN
WHITE, HOWARD R	7013 PRIMROSE LN	COLLEYVILLE, TX	76034	7013 PRIMROSE LN
JAMIESON, JENNIFER D	7005 PRIMROSE LN	COLLEYVILLE, TX	76034	7005 PRIMROSE LN
SELLERS, FRANK DAVID BUD	2520 K AVE STE 700-287	PLANO, TX	75074	7004 ROSEBROOK
SAWYERS, NORMA ANN	1617 HEATHERMORE	COLLEYVILLE, TX	76034	1617 HEATHERMORE
PURGETT, THOMAS J	7201 MAJESTIC MNR	COLLEYVILLE, TX	76034	7201 MAJESTIC MNR
LILLEY, GENE T	1717 HEATHERMORE	COLLEYVILLE, TX	76034	1717 HEATHERMORE
TOTAL E&P USA REAL ESTATE LLC	PO BOX 17180	FORT WORTH, TX	76102	1701 JOHN MCCAIN RD
CASTILLO, ROGER	7011 ROSEBROOK	COLLEYVILLE, TX	76034	7011 ROSEBROOK
OLSON, STEVEN	7203 PEBBLE HILL DR	COLLEYVILLE, TX	76034	7203 PEBBLE HILL DR
ADLER, ERIC K	7205 BALMORAL DR	COLLEYVILLE, TX	76034	7205 BALMORAL DR
RADCLIFFE, LAWRENCE	7018 PRIMROSE LN	COLLEYVILLE, TX	76034	7018 PRIMROSE LN
DECKER, SCOTT	7032 ROSEBROOK	COLLEYVILLE, TX	76034	7032 ROSEBROOK
SIPPLE, GEOFFREY R	7008 ROSEBROOK	COLLEYVILLE, TX	76034	7008 ROSEBROOK
MCCORMICK, BRIAN W	7035 ROSEBROOK	COLLEYVILLE, TX	76034	7035 ROSEBROOK
SPAHR, AARON C	7201 BALMORAL DR	COLLEYVILLE, TX	76034	7201 BALMORAL DR
ELDRIDGE, MICHELLE	1625 HEATHERMORE	COLLEYVILLE, TX	76034	1625 HEATHERMORE
CORDER, MARK	7009 PRIMROSE LN	COLLEYVILLE, TX	76034	7009 PRIMROSE LN
WARNER, BURDETTE LEE	1621 HEATHERMORE	COLLEYVILLE, TX	76034	1621 HEATHERMORE
MAYO, ROBERT D	1709 PRINCE MEADOW DR	COLLEYVILLE, TX	76034	1709 PRINCE MEADOW DR
KOUZES, STEPHEN	1713 HEATHERMORE	COLLEYVILLE, TX	76034	1713 HEATHERMORE
GRIFFITH, ADRON N	7007 ROSEBROOK	COLLEYVILLE, TX	76034	7007 ROSEBROOK
MURRAY, MICHAEL J	1705 PRINCE MEADOW DR	COLLEYVILLE, TX	76034	1705 PRINCE MEADOW DR
PANNO, RALPH	7026 PRIMROSE LN	COLLEYVILLE, TX	76034	7026 PRIMROSE LN
CIKOTA, LEON D	1805 PRINCE MEADOW DR	COLLEYVILLE, TX	76034	1805 PRINCE MEADOW DR
GALE, JANICE SHEILA	7021 PRIMROSE LN	COLLEYVILLE, TX	76034	7021 PRIMROSE LN
OTANO, ANDRES H	7206 BROOKE DR	COLLEYVILLE, TX	76034	7206 BROOKE DR
VILLAS AT CALDWELL CREEK HOA	PO BOX 293	COLLEYVILLE, TX	76034	7030 PRIMROSE LN
WROBLE, MICHAEL J	7204 BALMORAL DR	COLLEYVILLE, TX	76034	7204 BALMORAL DR
PATEL, KETAN V	1701 PRINCE MEADOW DR	COLLEYVILLE, TX	76034	1701 PRINCE MEADOW DR
GRACE PROPERTIES DFW LLC	4843 COLLEYVILLE BLVD STE 251-	COLLEYVILLE, TX	76034	7200 MAJESTIC MNR
TOTAL E&P USA REAL ESTATE LLC	PO BOX 17180	FORT WORTH, TX	76102	6900 COLLEYVILLE BLVD
TENNERLY, PATRICIA A	1701 HEATHERMORE	COLLEYVILLE, TX	76034	1701 HEATHERMORE
BALSER, ROGER H	7205 MAJESTIC MNR	COLLEYVILLE, TX	76034	7205 MAJESTIC MNR
KANE, MICHAEL B	1705 HEATHERMORE	COLLEYVILLE, TX	76034	1705 HEATHERMORE
AVARY, CODY	7200 BALMORAL DR	COLLEYVILLE, TX	76034	7200 BALMORAL DR
GAMMON, ROBERT J	PO BOX 794	COLLEYVILLE, TX	76034	7205 PEBBLE HILL DR
ROSCHMANN, PETER	7208 BALMORAL DR	COLLEYVILLE, TX	76034	7208 BALMORAL DR
JUETTEN, CHRISTOPHER M	7204 MAJESTIC MNR	COLLEYVILLE, TX	76034	7204 MAJESTIC MNR
SCHULTZ, ERIC	1801 PRINCE MEADOW DR	COLLEYVILLE, TX	76034	1801 PRINCE MEADOW DR
WEBER, GLENN C	7028 ROSEBROOK	COLLEYVILLE, TX	76034	7028 ROSEBROOK
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	1603 HEATHERMORE
SEIFERT, NELDA E	2849 VOLTERRA WAY	KELLER, TX	76248	7012 ROSEBROOK
ANDERSON, JOE S	1601 HEATHERMORE	COLLEYVILLE, TX	76034	1601 HEATHERMORE
DRAUTZ, EUGENE D	7006 PRIMROSE LN	COLLEYVILLE, TX	76034	7006 PRIMROSE LN
MACAULAY, ANDREW	7022 PRIMROSE LN	COLLEYVILLE, TX	76034	7022 PRIMROSE LN
NORTHEAST PROPERTIES INC	PO BOX 611	COLLEYVILLE, TX	76034	1721 JOHN MCCAIN RD
WINTERBERG, FERRIS	7017 PRIMROSE LN	COLLEYVILLE, TX	76034	7017 PRIMROSE LN
VILLAS AT CALDWELL CREEK HOA	PO BOX 293	COLLEYVILLE, TX	76034	7027 PRIMROSE LN
NELSON, ARNOLD E	5800 HUNTER TR	COLLEYVILLE, TX	76034	1809 JOHN MCCAIN RD
FINDLEY, DAVID V	7016 ROSEBROOK	COLLEYVILLE, TX	76034	7016 ROSEBROOK
VILLAS AT CALDWELL CREEK HOA	PO BOX 293	COLLEYVILLE, TX	76034	1620 HEATHERMORE
ANDERSON, DAVID	1813 PRINCE MEADOW DR	COLLEYVILLE, TX	76034	1813 PRINCE MEADOW DR
BYERLY, JEFFREY S	7109 PEBBLE HILL DR	COLLEYVILLE, TX	76034	7109 PEBBLE HILL DR
MARTENS, ROBERT E	7031 ROSEBROOK	COLLEYVILLE, TX	76034	7031 ROSEBROOK
VILLAS AT CALDWELL CREEK HOA	PO BOX 293	COLLEYVILLE, TX	76034	1700 HEATHERMORE
VILLAS AT CALDWELL CREEK HOA	PO BOX 293	COLLEYVILLE, TX	76034	7040 ROSEBROOK
HUGHES, CHARLES	1809 PRINCE MEADOW DR	COLLEYVILLE, TX	76034	1809 PRINCE MEADOW DR
STAGGS, GARY M	1709 HEATHERMORE	COLLEYVILLE, TX	76034	1709 HEATHERMORE
LANKFORD, CHARLES	7001 PRIMROSE LN	COLLEYVILLE, TX	76034	7001 PRIMROSE LN
PRUITT, DENNIS P	1609 HEATHERMORE	COLLEYVILLE, TX	76034	1609 HEATHERMORE
REGIONAL RAIL ROW CO	PO BOX 660163	DALLAS, TX	75266	2050 JOHN MCCAIN RD
BROUSSARD, JAMES C	7201 PEBBLE HILL DR	COLLEYVILLE, TX	76034	7201 PEBBLE HILL DR
VILLAS AT CALDWELL CREEK HOA	PO BOX 293	COLLEYVILLE, TX	76034	1703 HEATHERMORE
RAMAN CHANDLER PROPERTIES	PO BOX 611	COLLEYVILLE, TX	76034	7030 ROSEBROOK
PEBBLE HILL PLANTATION ESTATES	P.O. Box 911	COLLEYVILLE, TX	76034	COURTESY NOTICE
TIMARRON-CASCADES AT TIMARRON	700 Wentwood Drive	SOUTHLAKE, TX	76092	COURTESY NOTICE
VILLAS AT CALDWELLS CREEK, THE	P.O. Box 293	COLLEYVILLE, TX	76034	COURTESY NOTICE
CALDWELL'S CREEK ADDITION	P.O. Box 682	COLLEYVILLE, TX	76034	COURTESY NOTICE
MONTERRA ADDITION	6811 Milton Dr	COLLEYVILLE, TX	76034	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
FINDLEY, PEGGY	806 CAROLINE LN	SOUTHLAKE, TX	76092	APPLICANT

Public hearing notices were mailed on August 24, 2018 by Araceli Botello



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-025
Applicant: Peggy Finley
Owner: EVP Realty, LLC
Location: 1701 John McCain Road
Property Description: Lot 1, Block 1, of the Chandler Addition
Present Zoning: ML Light Manufacturing
Request: Consideration of a zoning change from ML Light Manufacturing district to PUD-C Planned Unit Development - Commercial district. The purpose is to allow for the additional uses of general office and medical office in the existing building.

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, September 10, 2018 at 7:00 p.m.
City Council Meetings: Tuesday, October 1, 2018 & Tuesday, October 16, 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 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

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

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

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/zoning.html>. For additional information, please contact the Community Development Department at 817.503.1052. Please reference the zoning case number when requesting information.

Ben Bryner
Director of Community Development
bbryner@colleyville.com

ORDINANCE O-18-2062

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING ON 0.9924 ACRES ON LOT 1, BLOCK 1, OF THE CHANDLER ADDITION, LOCATED AT 1701 JOHN MCCAIN ROAD FROM THE ML LIGHT MANUFACTURING ZONING DISTRICT TO THE PUD-C PLANNED UNIT DEVELOPMENT COMMERCIAL 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. ZC18-025; 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 0.9924 acres on Lot 1, Block 1, of the Chandler Addition, located at 1701 John McCain Road from the ML Light Manufacturing zoning district to the PUD-C Planned Unit Development Commercial 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-C is to allow the use of general office and medical office in the existing building.
- b. This development shall be generally consistent with the Statement of Planning Objectives, Exhibit "B".
- c. The proposed development is subject to all the regulations contained in the Land Development Code, except as amended by this Ordinance.

2. Schedule of Proposed Uses

- a. The development shall be generally consistent with the schedule of proposed uses, Exhibit "C".

- 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 1st day of October 2018.

The second reading and public hearing being conducted on the 16th day of October 2018.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 16TH DAY OF OCTOBER 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	_____		

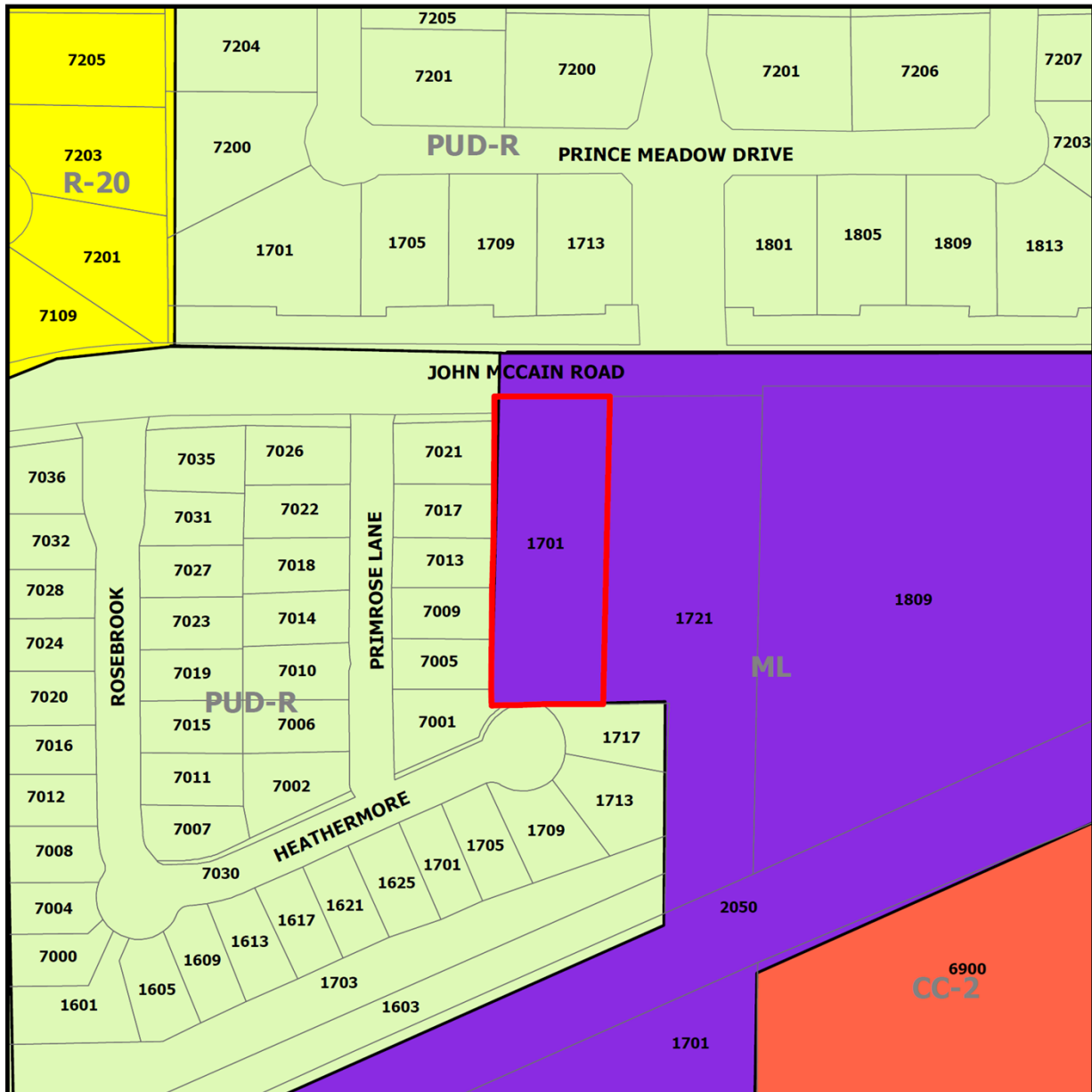
ATTEST:	CITY OF COLLEYVILLE
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Christine Loven, TRMC City Secretary	Richard Newton Mayor
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APPROVED AS TO FORM AND LEGALITY:

Whitt Wyatt
City Attorney

Exhibit "A" – Location and Zoning Map



ZC18-025

1701 John McCain Road

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 Subject Property

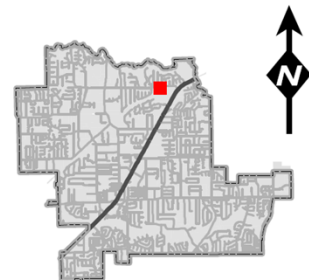


Exhibit “B” – Statement of Planning Objectives

Statement of Planning Objectives

COMMUNITY DEVELOPMENT SERVICES APPLICATION

Planned Unit Development (PUD-C) Rezoning Request

Property: 1701 John McCain Road

Zoning Change Request from ML to PUD-C

Applicant / Property Owner:
EVP Realty, LLC
and business entity Enhanced Voice Processing (EVP)
occupies the Property.

Statement of Planning Objectives

STATEMENT OF PLANNING OBJECTIVES

Applicant is submitting the request for rezoning to PUD-C to provide greater flexibility for this property that can only be accomplished with a combination zoning districts provided with a PUD. Requested rezoning will eliminate some existing permitted uses within ML that are not as desirable (example: automotive related, pawn shops, etc.) and encourage more efficient and aesthetically desirable uses with combined zoning districts based on the size, location, existing improvements, etc. of the Property. Additionally, there are existing permitted uses in the ML zoning that the Applicant is offering to strike in consideration of the PUD-C approval to include CPO permitted uses for the property.

Due to the design and existing structure of the building, it is highly suited for office and medical related uses included in CPO zoning category and not permitted in ML. The property is adjacent to existing residential. The PUD-C zoning modification would create a transitional zoning from Residential to PUD-C (which would include CPO permitted uses and modified ML permitted uses for transitional purposes) and then ML zoning to the east.

This property additionally has an abundance of trees/landscaping and green open space and the likely highest and best use would be an office or medical related use. Consequently, Applicant is requesting modification to zoning to accommodate those revised permitted uses.

Applicant is not requesting change to the General Development Standards set forth in the Land Development Code.

DEVELOPMENT SCHEDULE

Existing improvements – commercial building. No subsequent stages or phases are expected to begin at this time.

PROPOSED OWNERSHIP

No change in ownership. Current Ownership is EVP Realty, LLC. (real estate holding company). Occupied by Enhance Voice Processing (EVP).

Statement of Planning Objectives

UTILITY PROVISIONS

Existing improvements – no modifications to the existing public utilities are required.

ECONOMIC DEVELOPMENT INFORMATION

No increased economic impact anticipated at this time. Existing use is primarily office/showroom.

TRAFFIC IMPACT ANALYSIS

Not required. Existing development does not generate significant trips per day and no proposed uses with PUD-C permitted uses would generated the required 1,000+ vehicle trips per day, as determined by the Director of Public Services for this 1 acre parcel with an existing 5,100 sf commercial building.

Exhibit "C" – Schedule of Proposed Uses

PUD - Rezoning Application							
Property Address:	1701 John McCain Road, Colleyville						
PUD-C / Requested Permitted Uses							
CPO All standard Uses plus Modified ML Uses							
Table 3.24.B - - Schedule of Permitted Principal Uses							
Land Use Classification	Non-Residential Districts						Proposed
	CPO	CN	CC1	CC2	CC3	ML	PUD-C
ACCESSORY USES							
Servants or Caretakers Qtrs.						S	S
UTILITY USES							
Elect. Substations	S	S	S	S	S	S	S
Pub Utl Supply/Storage Yards	S	S	S	S	S	S	S
Solid Waste Disposal Sites						S	S
Telecommunications Towers	S	S	S	S	S	S	S
Water Pumping Station	S	S	S	S	S	S	S
Wind Driven Generators	S	S	S	S	S	S	S
Public and Institutional Uses							
College or Universities	S	S	S	S	S	S	S
Community Ctr/Rec. Centers	P	P	P	P	P	P	P
Govt. Bldg, Offices/Facilities	P	P	P	P	P	P	P
Fire, Police Stations	P	P	P	P	P	P	P
Golf Course-Public Owned	P	P	P	P	P	P	P
Govt. Maintenance Facilities	P	P	P	P	P	P	P
Libraries	P	P	P	P	P	P	P
Museums	P	P	P	P	P	P	P
Post Office	P	P	P	P	P	P	P
Parks and Open Space Areas	P	P	P	P	P	P	P
Public Maint./Storage Bldgs.	S	S	S	S	S	S	S
Private School Elementary-Secondary	S	S	S	S	S	S	S
Private School -High School	S	S	S	S	S	S	S

Table 3.24.B - - Schedule of Permitted Principal Uses							
Land Use Classification	Non-Residential Districts						Proposed
	CPO	CN	CC1	CC2	CC3	ML	PUD-C
Public and Institutional Uses (Cont.)							
Public School-Elementary-Secondary	P	P	P	P	P	P	P
Public School-High School	P	P	P	P	P	P	P
Religious Institutions	P	P	P	P	P	P	P
Office Uses							
Accountant's Office	P	P	P	P	P		P
Advertising Agencies	P	P	P	P	P		P
Attorney Offices	P	P	P	P	P		P
Chiropractic Clinics	P		P	P	P		P
Emergency Clinic (24 hrs)			S	P	P		
Engineering, Architect's and Surveyor's Offices	P	P	P	P	P		P
General Business offices not listed elsewhere	P	P	P	P	P		P
Insurance Agencies	P	P	P	P	P		P
Management and Public Relations Services Offices	P	P	P	P	P		P
Optometrist Offices	P		P	P	P		P
Psychologist Offices	P	P	P	P	P		P
Physician's or Dentist's Office	P		P	P			P
Real Estate Agency Offices	P	P	P	P	P		P
Security Broker Offices	P	P	P	P	P		P
Telemarketing Offices			P	P	P		P
Title Abstract Offices	P	P	P	P	P		P
Trade or Business Schools			S	S	S	P	P
Travel Agency/Airline Ticket Offices.	P	P	P	P	P		P

Table 3.24.B - - Schedule of Permitted Principal Uses							
Land Use Classification	Non-Residential Districts						Proposed
	CPO	CN	CC1	CC2	CC3	ML	PUD-C
Retail and Service Uses							
Alcoholic Beverage Sales-Beer and Wine only- Off Premise Consumption			S	S	S		
Alcoholic Beverage Sales-on Premise Consumption			S	S	S		
Package Store Sales-Off Premise Consumption			S	S	S		
Alcohol/Drug Treatment Ctr.	S	S	S	S	S	S	
Antique Stores			P	P			
Apparel/Accessory Store			P	P			
Arts/Crafts/Hobby Shops			P	P			
Bakery Stores			P	P			
Banks/Cr.Unions/Financial Institutions		P	P	P			
Barber/Beauty Shops/Day Spa		P	P	P			
Bicycle Shops			P	P			P
Books/Stationary/Greeting Card Shops			P	P	P		
Camera or Music Stores			P	P			
Carnivals and Circuses			S	S			
Cemeteries or Mausoleums	S	S	S	S	S	S	
Charitable Donation Station			S	S	S		
Civic/Social/Fraternal Org.	S	S	P	P			S
Convenience Store W/Gas			S	S	S	S	
Copy Centers/Print Shops	S	S	P	P	P	P	P
Dance Studio/Martial Arts	S	S	P	P			P
Day Care Center	S	S	S	S	S		S
Department Store			P	P			
Dry Cleaners Pick-up Stations		S	P	P			

Table 3.24.B - - Schedule of Permitted Principal Uses							
Land Use Classification	Non-Residential Districts						Proposed
	CPO	CN	CC1	CC2	CC3	ML	PUD-C
Retail and Service Uses (Cont.)							
Dry Clean(up to 5K/on site-			P	P			
Equip. Rental/Leasing Stores					S	P	P S
Florist Shops		P	P	P			
Food Catering				P	P		P
Funeral Homes			S	S	S		P S
Furniture/Appliance Stores			P	P	P		
Grocery Stores			P	P			
Hardware/elect/plumbing w/o outside display		P	P	P	P		P
Hardware/elect/plumbing with outside display				S	P	P	
Hospitals			S	S	S		
Hotels and Motels				P	P		
Interior Decoration Stores	P	P	P	P			P
Jewelry Stores		P	P	P			
Locksmiths		S	S	P	P		P
Mailing and Shipping Stores		P	P	P	P		P
Meat or Fish Market			P	P	P		
Nurseries/Greenhouse with outside display				S	P	P	P S
Pawn Shops						P	
Pet Stores			P	P			
Pharmacy		S	P	P	P		
Photography Studios	P	P	P	P	P	P	P
Purchasing and/or resale of precious metals incl jewelry, gemstones gold, silver and platinum and not licensed as a Pawn Shop by St of TX			S	S	S		P

Table 3.24.B - - Schedule of Permitted Principal Uses							
Land Use Classification	Non-Residential Districts						Proposed
	CPO	CN	CC1	CC2	CC3	ML	PUD-C
Automotive and transportation Uses							
Airport/Heliports	S	S	S	S	S	S	
Auto Alarm/Stereo/Window Tinting Stores				P	P	P	
Auto Lube Shops				S	P	P	
Auto/Motor Vehicle Sales				S	S	S	
Auto Parts/Accessory Stores			P	P	P		
Auto/Truck/Trailer Rental					S	S	
Auto Upholstery Shops					P	P	
Auto Parking Lots/Garage- (Freestanding)	S	S	S	S	S	S	
Auto Repair Shop				S	S	S	
Boat/Watercraft Sales/Svc				S	S	S	
Bus/Passenger Train Station			S	S	S	S	
Car Wash Auto/Self-Serve					S	P	
Commuter Transit Station			S	S	S	S	
Gasoline Service Stations					S	S	
LPG/CNG Dispensing Station					S	S	
Motorcycle Sale/Service					S	S	
Paint and Body Shops					S	S	
Park and Ride Facilities			S	S	S	S	
RR or Motor Freight Terminal				S	S	S	
Ree Vehicle Sales/Service					S	S	
Tire and Battery Stores				S	S	S	
Truck/Heavy Equip Sales/Svc					S	S	
Vehicle Storage Yards/Facilt-			S	S	S	S	

Table 3.24.B - - Schedule of Permitted Principal Uses							
Land Use Classification	Non-Residential Districts						Proposed
	CPO	CN	CC1	CC2	CC3	ML	PUD-C
Heavy Commercial, Industrial & Manufacturing Uses							
Asphalt or Concrete Batching	S	S	S	S	S	S	
Appliance Repair Shops					S	S	S
Bldg Material Sale w/o Storage					S	P	P
Commercial Laundry					S	S	
Contractor Office w/Storage Yard					S	S	S
Contractor Office w/o Storage Yard					P	P	P
Elec. Assembly/Manufact.						P	P S
Exterminator Shop					S	S	S
Food Pkg and Manufacturing						S	S
Furniture/Cabinet Manufact.						P	P S
Office Showroom						P	P
Oil/Gas Extraction	S	S	S	S	S	S	S
Plum/HVAC/Elec Trade Shop					P	P	P S
Print/Publishing Commercial						P	P S
Research/Development Labs						P	P
Scientific Instrument Assem/Manufacturing						P	P S
Self Stg (mini warehouse)						S	
Upholstery/Furniture Repair					P	P	P S
Warehouse/Dist Facilities						S	S
Wood, Paper, Leather Prdcts						P	P S
Manuf not listed elsewhere						S	S
Welding or Machine Shop						P	



City of Colleyville City Council Agenda Briefing

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

Agenda Number 7a

Agenda Date 10/16/2018

Number Ordinance O-18-2063

Type Ordinance

Department Community Development

Title

Consideration of a Special Use Permit for an Automotive Repair Shop on Lot 1A, Block 1, of the Highway 26 Industrial, located at 6804 Colleyville Boulevard, Case ZC18-020

Strategic Plan

4.2 Encourage compatible commercial growth

Explanation

First Reading and Public Hearing

Jerry DeFeo, the applicant, has submitted a request for a Special Use Permit (SUP) for an Automotive Repair Shop on Lot 1A, Block 1, of the Highway 26 Industrial addition, being approximately 0.95 acres, and zoned ML Light Manufacturing district. The purpose is to allow for automotive repair services at the business under the name of Colleyville JHCC LLC, dba Joe Hudson's Collision Center.

Existing Conditions/Background: The subject property, at 6804 Colleyville Boulevard, has ML Light Manufacturing and is located on the southwest corner of Tension Parkway and Colleyville Boulevard. The subject property is currently operating as Lone Star Collision.

Proposed Special Use Permit:

Request – The applicant is requesting approval of an SUP to allow for Joe Hudson's Collision Center to operate an automotive repair shop. Conditions were placed on the use with approval of the previous SUP, which include:

1. This Special Use Permit shall apply only to Building B, as shown on the attached Zoning Exhibit.
2. The hours of operation shall be Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturday 8:00 a.m. to noon.
3. Overnight parking of vehicles shall be allowed outside the building, provided that the vehicles are parked to the rear of Building B, as shown on the attached Zoning Exhibit. Vehicles such as boats, recreational vehicles and trailers shall not be parked or stored in the outside parking area.
4. All vehicles waiting for repair shall be parked to the rear of the building.
5. No storage of parts or containers shall be allowed outside the building.
6. All repair work shall be done inside the building.
7. Work shall not be performed on any vehicle larger than a 2-ton pickup truck.

8. No vehicles for sale shall be parked in front of the building adjacent to Colleyville Boulevard.
9. This Special Use Permit shall automatically expire upon the abandonment of the business, change in use, a change in ownership or upon the expiration or termination of the Certificate of Occupancy.
10. All requirements of the Land Development Code shall be met, except where amended herein.

Analysis: The requested SUP is required by the Land Development Code with City Council approval for approval of an Auto Repair Shop at this location due to a change of ownership. The applicant intends to use the location in the same capacity as it is currently being utilized. They are not requesting any changes to the current conditions on site, just a change in the ownership of the business.

Surrounding Development: The property to the north across Tennison Parkway is zoned PUD-R district and is developed as office commercial, the property to the south is zoned ML Light Manufacturing and developed as auto sales, the property to the west is zoned PUD-R and is undeveloped, and the property to the east is Colleyville Boulevard.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property as part of the 'Colleyville Boulevard Corridor' and is designated as a 'sales tax preferred' intersection.

Public Notification: Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1000 feet of the subject property regarding this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code. To date, no correspondence has been received.

Staff Recommendation: The proposed Special Use Permit (SUP) would authorize the continuation of an auto repair shop with a new operator. This use is compliant for the preference for uses that generate sales tax revenue for the city. The proposed business is consistent with the nearby uses in the ML Light Manufacturing District and should not adversely impact surrounding uses. Staff recommends approval of the proposed SUP for an auto repair shop and maintaining the existing SUP conditions and including them with this SUP.

Planning & Zoning Commission Recommendation: The Planning & Zoning Commission recommended approval contingent that the applicant provide a plan for the walls visible to Colleyville Boulevard to meet or come closer to material requirements through façade improvements, landscaping, or a combination at their September 10, 2018 meeting by a vote of 4-0.

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. Statement of Planning Objectives
5. Zoning Exhibit
6. SUP Ordinance (O-10-1752)
7. Notification Map
8. Notification List
9. Property Owner Notification
10. Ordinance O-18-2063

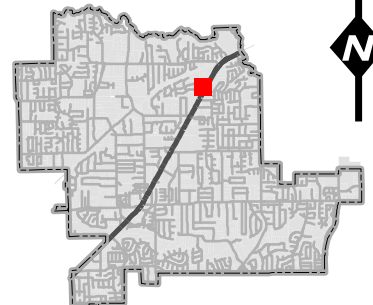
Aerial Map



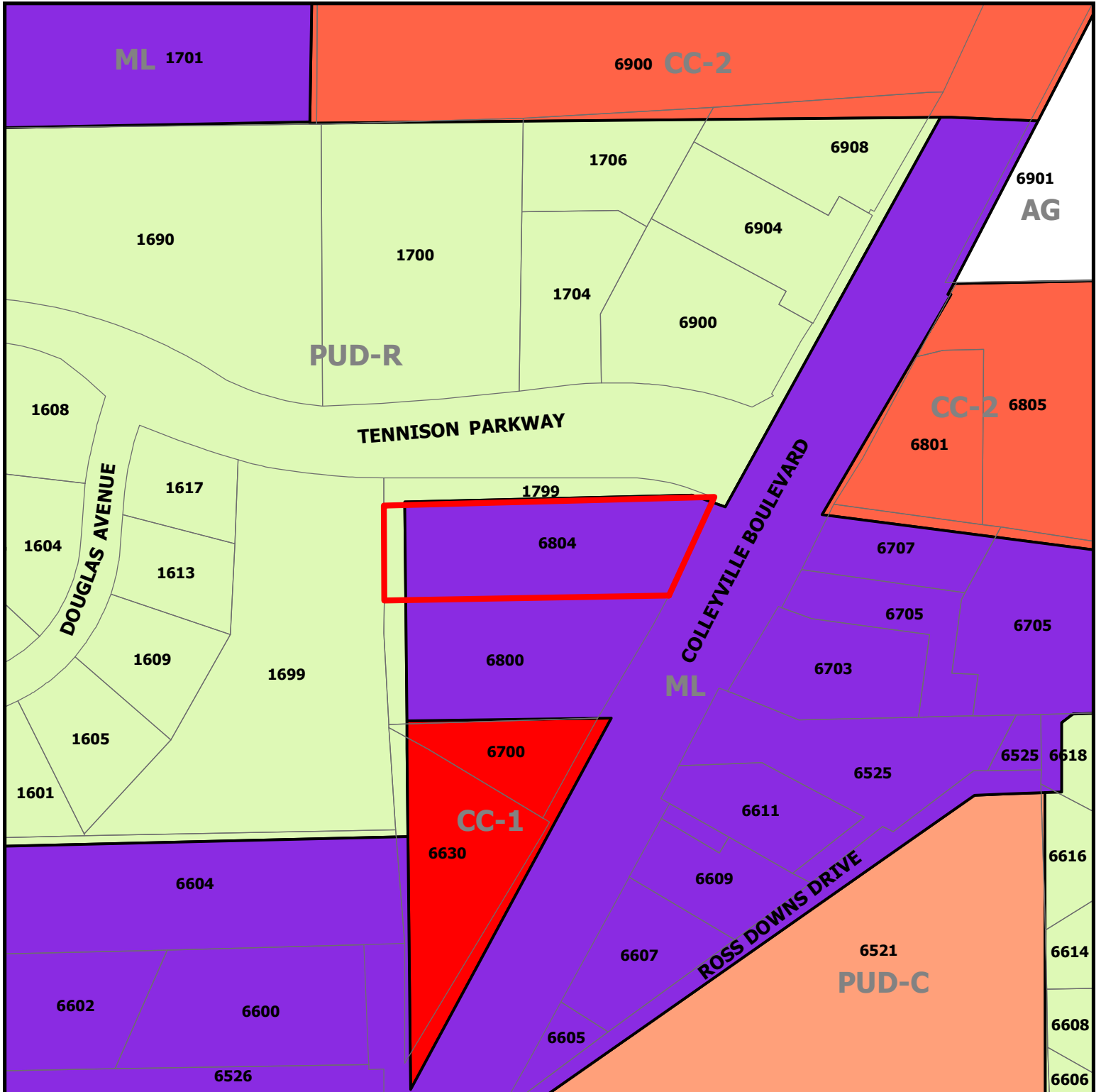
ZC18-020
6804 Colleyville Blvd

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

 Subject Property

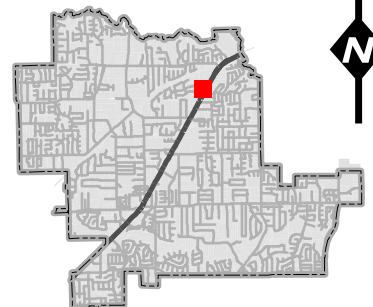


Zoning Map



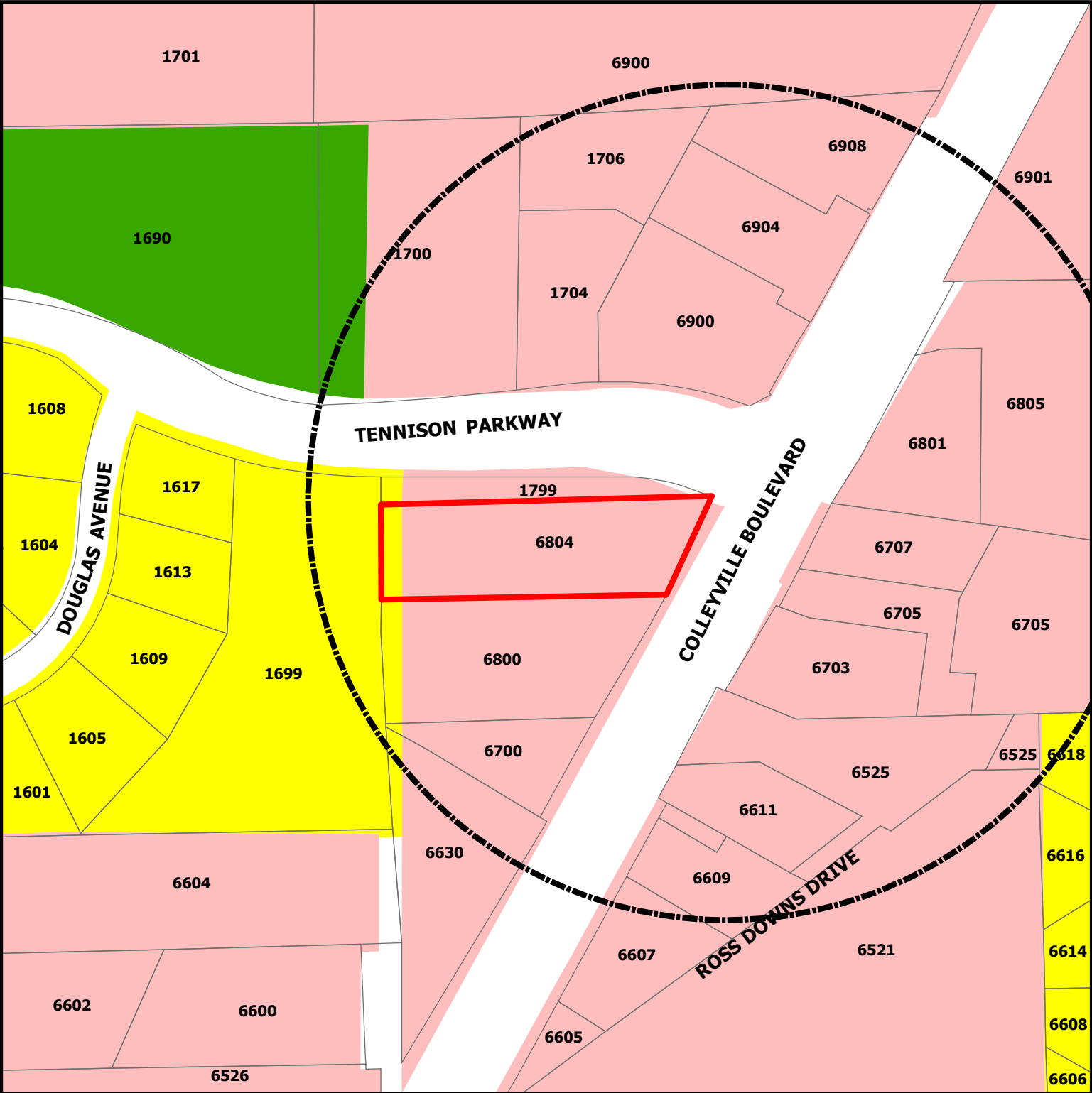
ZC18-020
6804 Colleyville Blvd

 Subject Property



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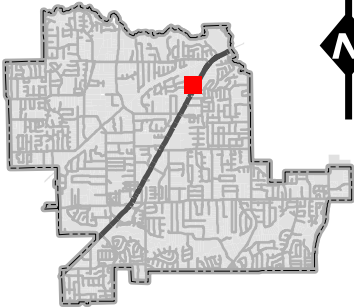
Future Land Use Map



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ZC18-020 6804 Colleyville Blvd

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



Statement of Planning Objectives

6804 COLLEYVILLE BOULEVARD

STATEMENT OF PLANNING OBJECTIVES

This Property is currently an Automotive Collision Center working under a SUP that was issued to Danny LaPier dba Lone Star Collision. Mr LaPier is wishing to retire and sell his Family owned business to Colleyville JHCC LLC, which will operate as Joe Hudson's Collision Centers; a National Collision Center Chain with a very strong presence in Texas. Based on Colleyville Ordinance, Colleyville JHCC LLC will have to have a SUP in their name in order to operate as an Automotive Collision Center in this location. The current Zoning is ML, Light Manufacturing. The purpose of operating as Joe Hudson's Collision Center is it is a National Branding which offers an established reputation, and Nation-Wide Warranty Service. However, the SUP would be in the name of the Owner, Colleyville JHCC LLC.

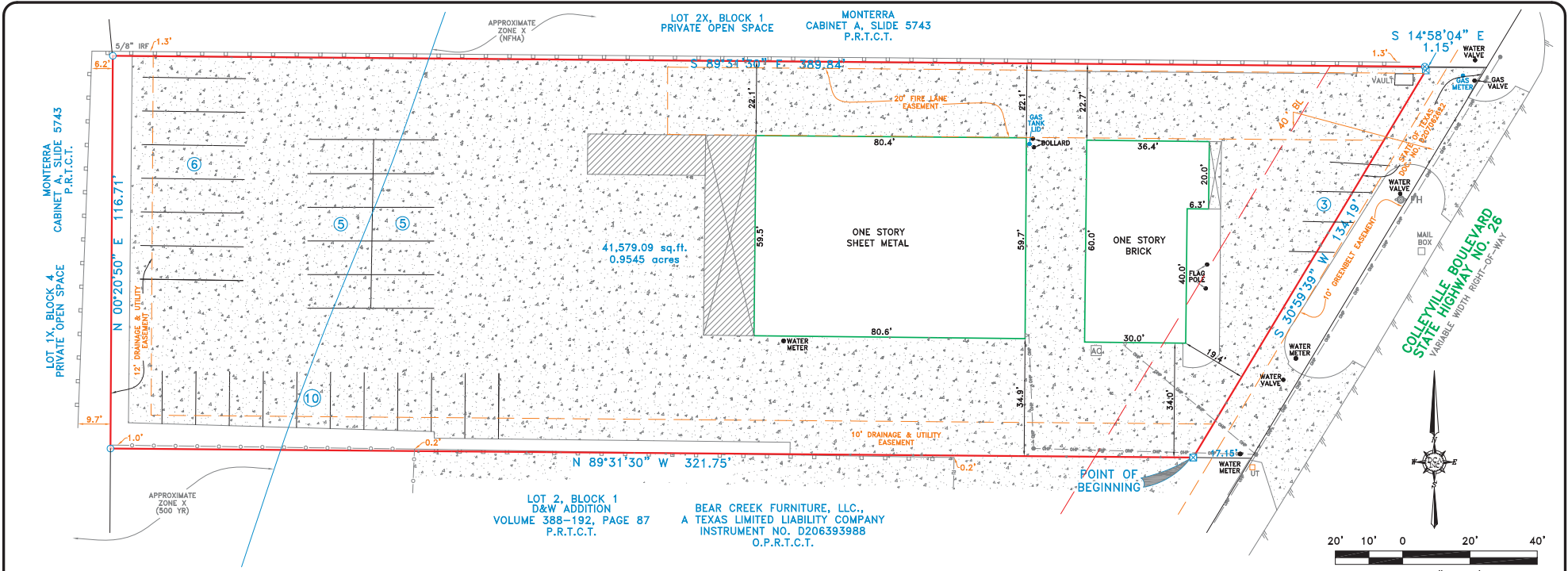
The Schedule for opening as Colleyville JHCC LLC dba Joe Hudson's Collision Center would be ASAP after gaining the SUP and Title Co closing.

The existing center is located on 0.95 Acres, and is comprised of Two Buildings; a very attractive Brick w/Standing Seam Metal Roof Office of approximately 2000 sq ft, and a highly functional Metal Building of approximately 4800 sq ft situated directly behind the Office; being not visible from the street when looking straight on.

The existing Annual Sales is in the \$2,000,000 range. The anticipated Annual Sales using proven updated techniques and national buying power is between \$3.5 and \$4,000,000. The City of Colleyville should see a Two-fold increase in Sales Tax Revenue in this Location.

The anticipated Traffic Count is about 50 to 60 Cars per day, being only about 25 Cars per day more than now. This should be no problem for SH 26.

Zoning Exhibit



PROPERTY DESCRIPTION

BEING all that certain lot, tract or parcel of land situated in the Absalom J. Loft Survey, Abstract No. 963, and being part of Lot 1, Block 1, of Highway 26 Industrial Addition, an addition to the City of Colleyville, Texas, according to the map thereof recorded in Volume A, Page 152, of the Plat Records of Tarrant County, Texas, some being part of a tract of land conveyed to H.B. Jung by deed recorded in Instrument No. D206020581 of the Deed Records of Tarrant County, Texas, and being more particularly described by the metes and bounds as follows;

BEGINNING at a "X" found in the northwest right-of-way line of Colleyville Boulevard (State Highway No. 26) (variable width right-of-way) and in the north line of Lot 2, Block 1 of D&W Addition an addition to the City of Colleyville, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-192, Page 87 of the Plat Records of Tarrant County, Texas, same being the southeast corner of herein described tract;

THENCE North 89 degrees 31 minutes 30 seconds West along the north line of said Lot 2, Block 1 of D&W Addition a distance of 321.75 feet to a 1/2 inch iron rod found in the east line of Lot 1X, Block 4, Private Open Space, of Monterra, an addition to the City of Colleyville, Tarrant County, Texas, according to the plat thereof recorded in Cabinet A, Slide 5743 of the Plat Records of Tarrant County, Texas, same being the southwest corner of herein described tract;

THENCE North 00 degrees 20 minutes 50 seconds East along the east line of said Lot 1X, Block 4 of Monterra a distance of 116.71 feet to a 5/8 inch iron rod found at the southwest corner of said Lot 2X, Block 1 of Monterra, same being the northwest corner of herein described tract;

THENCE South 89 degrees 31 minutes 30 seconds East along the south line of said Lot 2X, Block 4 of Monterra a distance of 389.84 feet to a 1/2 inch iron rod set with yellow plastic cap stamped DCA INC. in the southwest right-of-way line of said Colleyville Boulevard, same being the northeast corner of herein described tract;

THENCE South 14 degrees 58 minutes 04 seconds East along the southwest right-of-way line of said Colleyville Boulevard a distance of 1.15 feet to a "X" found, for corner;

THENCE South 30 degrees 59 minutes 39 seconds West along the southwest right-of-way line of said Colleyville Boulevard a distance of 134.19 feet to the POINT OF BEGINNING and containing 41,579.09 square feet or 0.9545 acres of land.

SURVEYOR'S CERTIFICATE

This survey is made relying on information provided by (REUNION TITLE) in connection with the transaction described in GF# (07R29849). The undersigned Registered Professional Land Surveyor (Bryan Connally) hereby certifies to (DANNY LAPIER, REUNION TITLE AND FIRST AMERICAN TITLE INSURANCE COMPANY) that, (a) this plat of survey and the property description set forth herein were prepared from an actual on-the-ground survey of the real property (6804 COLLEYVILLE BOULEVARD) described in (INSTRUMENT NO. D206020581), and shown hereon; (b) such survey was conducted by the Surveyor, or under his direction; (c) all monuments shown hereon actually existed on the date of the survey, and the location, size and type of material thereof are correctly shown; (d) except as shown hereon there are no observable protrusions on to the Property or observable protrusions there from, there are no observable discrepancies, conflicts, shortages in area or boundary line conflicts; (e) the size, location and type of improvements, are shown hereon, and all are located within the boundaries of the Property and setback from the Property lines the distances indicated; (f) the distance from the nearest intersection street or road is as shown; (g) the Property has apparent access to and from a public roadway; (h) recorded easements listed herein have been labeled and platted hereon; (i) the boundaries, dimensions and other details shown hereon are shown to the appropriate accuracy standards of the State of Texas; (j) the Property is not located in a 100 Year Flood Plain, however, does lie in a 500 Year Flood Plain, as defined by the U. S. Department of Housing and Urban Development (Flood Insurance Rate Map No. 48439C0195 H) pursuant to the Flood Disaster Protection Act of 1973.

The surveyor expressly understands and agrees that (DANNY LAPIER, REUNION TITLE AND FIRST AMERICAN TITLE INSURANCE COMPANY) are entitled to rely on this survey as having been performed to the appropriate standards of the current (1999 Edition) Texas Society of Professional Surveyors Standards and Specifications for a Texas Land Title Survey as set forth by the Texas Board of Professional Land Surveying.

Use of this survey by any other parties and/or for other purposes shall be at user's own risk and any loss resulting from other use shall not be the responsibility of the undersigned.

Executed this 22ND day of OCTOBER, 2007

Bryan Connally
Bryan Connally
Registered Professional Land Surveyor No. 5513

NOTE: BEARINGS ARE BASED ON RECORDED PLAT AND ALL EASEMENTS ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.
SUBJECT TO LACK OF ACCESS TO ROAD ADJUTING PROPERTY RECORDED IN COUNTY CLERK'S FILE NO. D027062822, REAL PROPERTY RECORDS, TARRANT COUNTY, TEXAS.

NOTE: According to the F.I.R.M. in Map No. 48439C0195 H, this property does lie in Zone X, and DOES NOT lie within the 100 year flood zone, EXCEPT AS SHOWN where does lie in 500 year flood zone.

ACCEPTED BY: _____ SIGNATURE _____ DATE _____ SIGNATURE _____ DATE _____

REVISIONS		
DATE	BY	NOTES

LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET
- 1" IRON PIPE FOUND
- FENCE POST CORNER
- "X" FOUND / SET
- UNDERGROUND ELECTRIC
- OVERHEAD ELECTRIC
- ASPHALT PAVING
- GRAVEL/ROCK ROAD OR DRIVE

- POWER POLE
- BRICK COLUMN
- A/C - AIR CONDITIONING
- FIRE HYDRANT
- DES - DES
- OSP - OSP

- CHAIN LINK FENCE
- WOOD FENCE
- 0.5" WIDE TYPICAL
- IRON FENCE
- PIPE FENCE
- COVERED PORCH/DECK OR CARPORT
- OVERHEAD ELECTRIC SERVICE
- OVERHEAD POWER LINE
- CONCRETE PAVING

DOUG CONNALLY & ASSOC., INC.
11545 PAGEMILL RD., SUITE #200
DALLAS, TEXAS 75243
PHONE:(214) 349-9485
FAX:(214) 349-2216
www.dcadfw.com

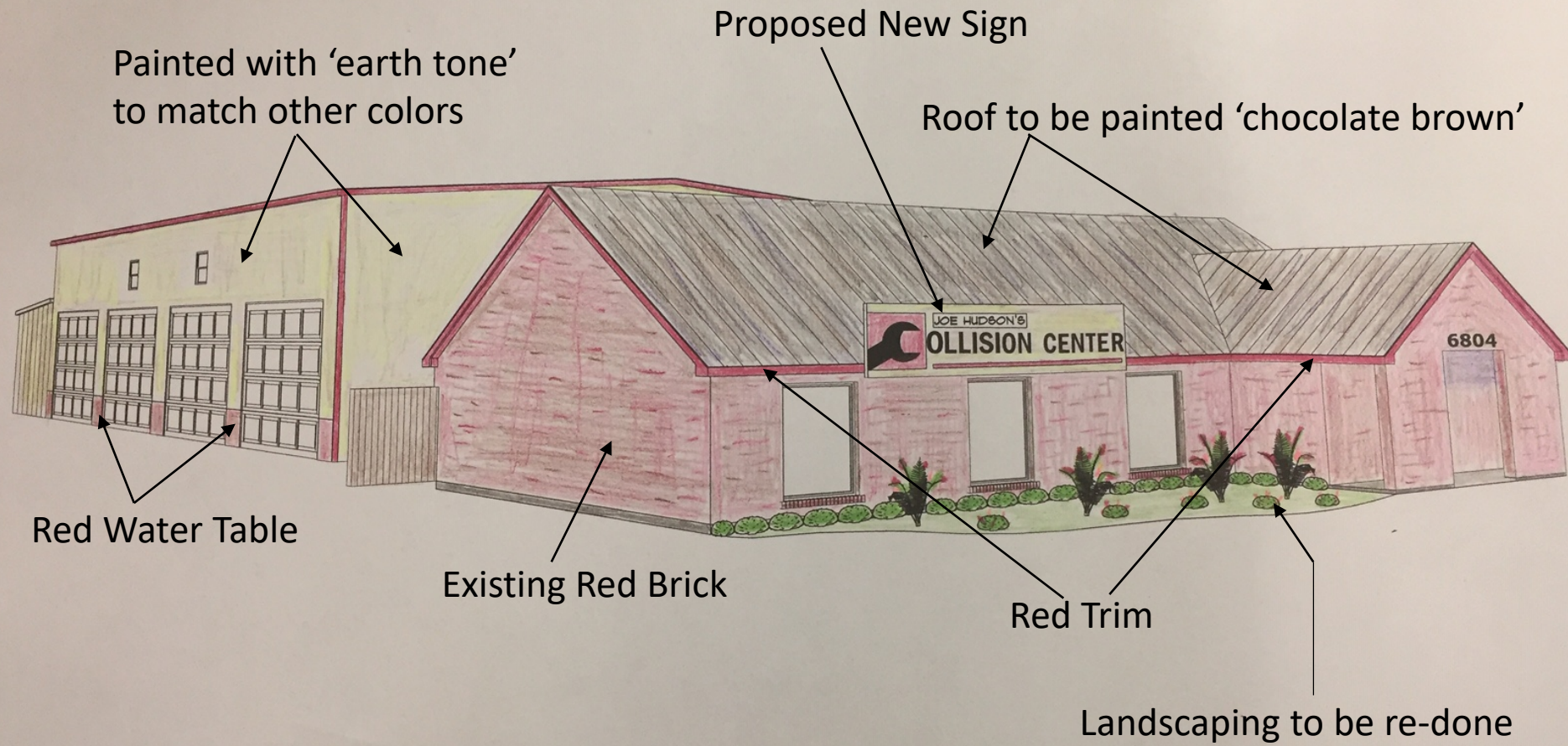
SCALE	DATE	JOB NO.	G.F. NO.	DRAWN
1"=20'	10-22-07	0706726-1	07R29849	LP

TEXAS LAND TITLE SURVEY

PART OF LOT 1, BLOCK 1 OF HIGHWAY 26 INDUSTRIAL ADDITION

CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS

6804 COLLEYVILLE BOULEVARD



ORDINANCE O-10-1752

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF COLLEYVILLE, TEXAS, BY AUTHORIZING A SPECIAL USE PERMIT FOR AN AUTO REPAIR SHOP ON LOT 1, BLOCK 1, HIGHWAY 26 INDUSTRIAL ADDITION; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case No. ZC10-007; 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 to, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Colleyville and the City of Colleyville City Council, in compliance with the Charter of the City of Colleyville, and State Law with reference to changes to zoning classifications under the Zoning Ordinance Regulations and Zoning Map, having given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in

the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made.

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning of approximately 2.0 acres on Lot 1, Block 1, Highway 26 Industrial Addition, depicted on the attached Exhibit "A" and Exhibit "B".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. This Special Use Permit shall apply only to Building B, as shown on the Zoning Exhibit attached as Exhibit "B".
- b. The hours of operation shall be Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturday 8:00 a.m. to noon.
- c. Overnight parking of vehicles shall be allowed outside the building, provided that the vehicles are parked to the rear of Building B, as shown on the attached Exhibit "B". Vehicles such as boats, recreational vehicles and trailers shall not be parked or stored in the outside parking area.
- d. All vehicles waiting for repair shall be parked to the rear of the building.
- e. No storage of parts or containers shall be allowed outside the building.
- f. All repair work shall be done inside the building.
- g. Work shall not be performed on any vehicle larger than a 2-ton pickup truck.
- h. No vehicles for sale shall be parked in front of the building adjacent to Colleyville Boulevard.

- i. This Special Use Permit shall automatically expire upon the abandonment of the business, change in the use, a change in ownership or upon the expiration or termination of the Certificate of Occupancy.
- j. All requirements of the Land Development Code shall be met, except where amended herein.

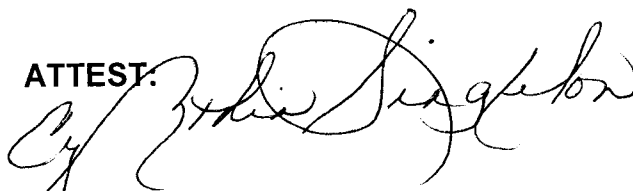
- Sec. 5. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 6. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 7. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.
- Sec. 8. THAT 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 1st day of June 2010.

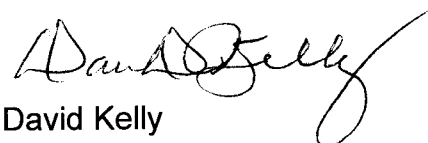
The second reading and public hearing being conducted on the 15th day of June 2010.

ATTEST:



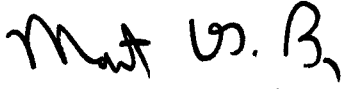
Cynthia Singleton, TRMC, CMC
City Secretary

CITY OF COLLEYVILLE



David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in black ink, appearing to read "Matt C. G. Boyle". The signature is written in a cursive, somewhat stylized font.

Matthew C. G. Boyle
City Attorney

Exhibit "A" - Location and Zoning Map

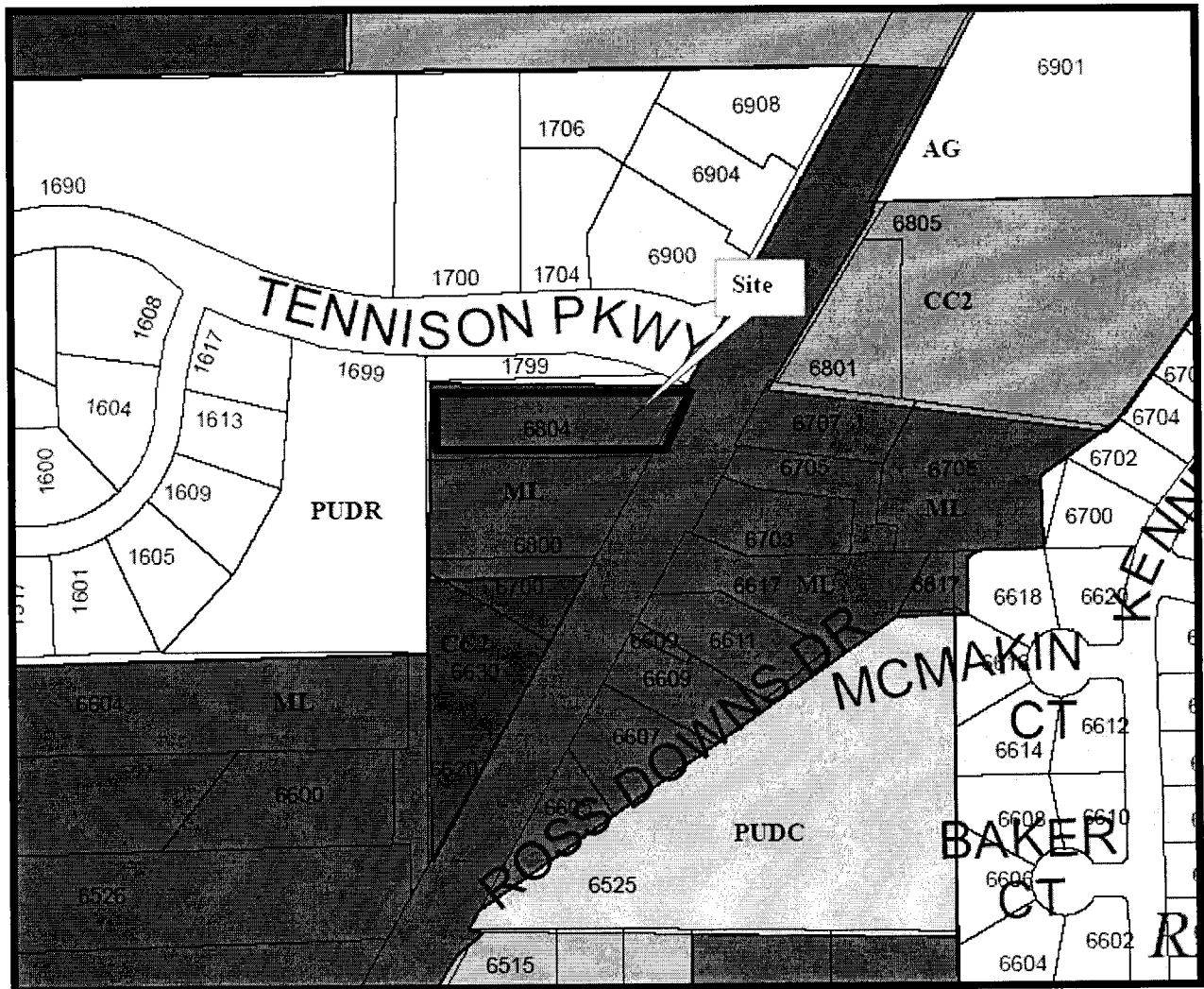
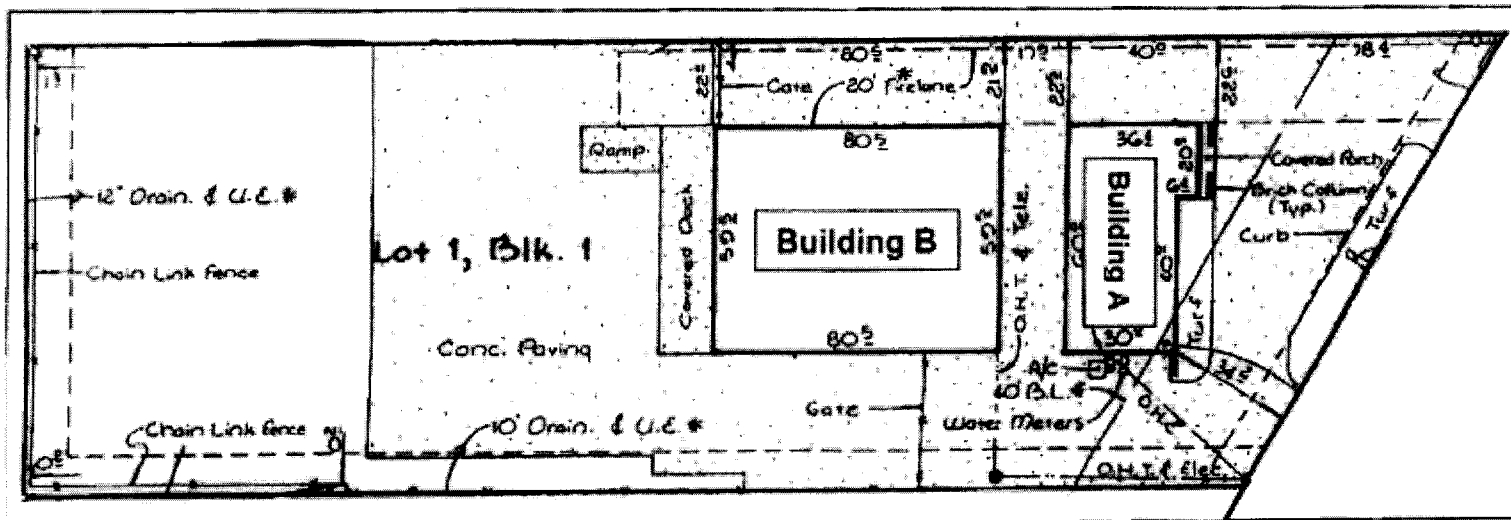
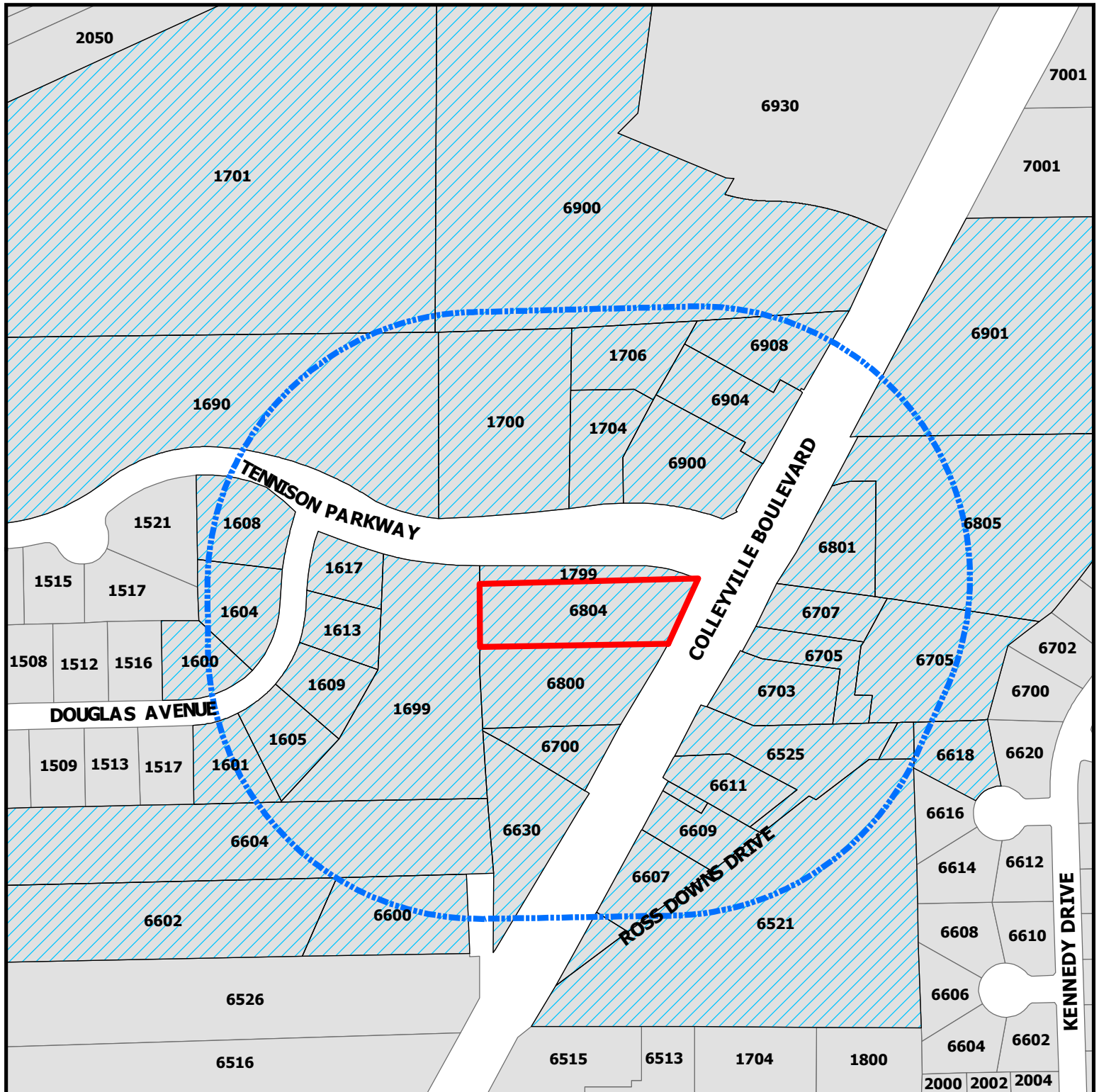


Exhibit “B” – Site Plan



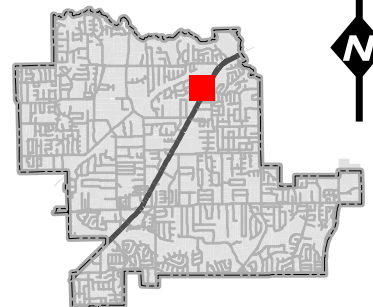
Notification Map



ZC18-020
6804 Colleyville Blvd

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



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
HART, NEIL J	6703 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6703 COLLEYVILLE BLVD
MANGROLA, NIMESH P	1605 DOUGLAS AVE	COLLEYVILLE, TX	76034	1605 DOUGLAS AVE
ARROYO NORTE LTD	6516 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6600 COLLEYVILLE BLVD
SUN VALLEY PROPERTIES	5301 SUN VALLEY DR	FORT WORTH, TX	76119	6611 COLLEYVILLE BLVD
COLLEYVILLE CREME DE LA CREME	8400 E PRENTICE AVE STE 1320	GREENWOOD VILLAGE, CO	80111	6801 COLLEYVILLE BLVD
CAIRNS, CRAIG	1617 DOUGLAS AVE	COLLEYVILLE, TX	76034	1617 DOUGLAS AVE
ANDERSON, GARY D	6618 MCMAKIN CT	COLLEYVILLE, TX	76034	6618 MCMAKIN CT
REYNOLDS, LESLIE	6604 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6604 COLLEYVILLE BLVD
MONTEERRA HOME OWNER'S ASSOC	6707 BRENTWOOD STR RD	FORT WORTH, TX	76112	1799 TENNISON PKWY
JOHNSON, STEVEN	1613 DOUGLAS AVE	COLLEYVILLE, TX	76034	1613 DOUGLAS AVE
TOTAL E&P USA REAL ESTATE LLC	PO BOX 17180	FORT WORTH, TX	76102	1701 JOHN MCCAIN RD
SELECT ROOFING LLC	6605 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6605 COLLEYVILLE BLVD
3 J GREEN LIMITED PARTNERSHIP	6620 COLLEYVILLE BLVD STE 100	COLLEYVILLE, TX	76034	6630 COLLEYVILLE BLVD
SHELTER E320 LLC	1700 TENNISON PKWY # 100	COLLEYVILLE, TX	76034	1700 TENNISON PKWY
MONTEERRA HOME OWNER'S ASSOC	6707 BRENTWOOD STR RD	FORT WORTH, TX	76112	1699 TENNISON PKWY
WILSON, KATHY	211 MEADOWLARK LN	DUNCANVILLE, TX	75137	6609 COLLEYVILLE BLVD
LANI PROPERTIES LLC	3317 STONECREST DR	GRAPEVINE, TX	76051	6707 COLLEYVILLE BLVD
HART, NEIL	1600 GLADE RD	COLLEYVILLE, TX	76034	6525 COLLEYVILLE BLVD
KIMRADDE LLC	3131 ROLLING HILL LN	GRAPEVINE, TX	76051	6908 COLLEYVILLE BLVD
HART, NEIL	1600 GLADE RD	COLLEYVILLE, TX	76034	6525 COLLEYVILLE BLVD
LANI PROPERTIES LLC	3317 STONECREST DR	GRAPEVINE, TX	76051	6705 COLLEYVILLE BLVD
VASHISTH, SURESH C	1604 DOUGLAS AVE	COLLEYVILLE, TX	76034	1604 DOUGLAS AVE
J&C SERVICE GROUP LLC	6521 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6521 COLLEYVILLE BLVD
STRATEGY REAL ESTATE HOLDING	1817 LAKESHORE CT	MCKINNEY, TX	75070	6800 COLLEYVILLE BLVD
RADDE GROUP LLC	6700 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6700 COLLEYVILLE BLVD
LFP PROPERTIES INC	7505 GLENVIEW DR STE 150	RICHLAND HILLS, TX	76180	1706 TENNISON PKWY
TOTAL E&P USA REAL ESTATE LLC	PO BOX 17180	FORT WORTH, TX	76102	6900 COLLEYVILLE BLVD
LFP PROPERTIES INC	7505 GLENVIEW DR STE 150	RICHLAND HILLS, TX	76180	1704 TENNISON PKWY
COMBINED ENTERPRISES INC	1802 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	6607 COLLEYVILLE BLVD
MEGELLAS, CAROLE M	1600 DOUGLAS AVE	COLLEYVILLE, TX	76034	1600 DOUGLAS AVE
STANLEY, CALLI	1609 DOUGLAS AVE	COLLEYVILLE, TX	76034	1609 DOUGLAS AVE
CTAJ LTD	6904 COLLYVILLE BLVD	COLLEYVILLE, TX	76034	6904 COLLEYVILLE BLVD
FELLER-DAVIS ENTERPRISES LLC	3300 SPRING VALLEY DR	BEDFORD, TX	76021	6900 COLLEYVILLE BLVD
LONE STAR COLLISION LTD	6804 COLLYVILLE BLVD	COLLEYVILLE, TX	76034	6804 COLLEYVILLE BLVD
WILSON, KATHY	211 MEADOWLARK LN	DUNCANVILLE, TX	75137	6609 COLLEYVILLE BLVD
DENTON, SARA A	1601 DOUGLAS AVE	COLLEYVILLE, TX	76034	1601 DOUGLAS AVE
MONTEERRA HOME OWNER'S ASSO	6707 BRENTWOOD STAIR RD	FORT WORTH, TX	76112	1690 TENNISON PKWY
TX14 COLLEYVILLE LLC	1521 WESTBRANCH DR STE 100	MC LEAN, VA	22102	6805 COLLEYVILLE BLVD
DANCO PROPERTIES LLC	6804 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6705 COLLEYVILLE BLVD
GROESBECK, GARY	1608 DOUGLAS AVE	COLLEYVILLE, TX	76034	1608 DOUGLAS AVE
TRES ROSAS LTD	6516 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6602 COLLEYVILLE BLVD
DIETRICH, CHARLOTTE	7001 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6901 COLLEYVILLE BLVD
MONTEERRA ADDITION	6811 Milton Dr	COLLEYVILLE, TX	76034	COURTESY NOTICE
ROSS DOWNS ESTATES	4113 Gateway Drive #100	COLLEYVILLE, TX	76034	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
DEFEO, JERRY	646 E. I-30	GARLAND, TX	75043	APPLICANT

Public hearing notices were mailed August 24, 2018 by Araceli Botello



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-020
Owner: Danny Lapier
Applicant: Jerry DeFeo
Location: 6804 Colleyville Boulevard
Property Description: Lot 1A, Block 1, of the Highway 26 Industrial
Present Zoning: ML Light Manufacturing
Request: Consideration of a Special Use Permit for an Automotive Repair Shop. Specifically the purpose of the request is to allow for the existing business, Lone Star Collision, to have a change in ownership to Joe Hudson's Collision Centers with no alterations to the existing facilities.

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, September 10, 2018 at 7:00 p.m.
City Council Meeting: Tuesday, October 1, 2018 & Tuesday, October 16, 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 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

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

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

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/zoning.html>. For additional information, please contact the Community Development Department at 817.503.1052. Please reference the zoning case number when requesting information.

Ben Bryner
Director of Community Development
bbryner@colleyville.com

ORDINANCE O-18-2063

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING ON LOT 1A, BLOCK 1, HIGHWAY 26 INDUSTRIAL ADDITION, LOCATED AT 6804 COLLEYVILLE BOULEVARD, BY AUTHORIZING A SPECIAL USE PERMIT FOR AN AUTO REPAIR SHOP; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for on-premise consumption of alcohol under Case No. ZC18-020; and

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

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

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

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

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

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on Lot 1A, Block 1, of the Highway 26 Industrial addition, located at 6804 Colleyville Boulevard, by authorizing a Special Use Permit for an Auto Repair Shop, as depicted on Exhibit "A" and Exhibit "B".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT the above described tract of land shall be subject to the following conditions:

1. GENERAL

- a. This Special Use Permit shall apply only to Building B, as shown on the Zoning Exhibit attached as Exhibit "B".
- b. The hours of operation shall be Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturday 8:00 a.m. to noon.
- c. Overnight parking of vehicles shall be allowed outside the building, provided that the vehicles are parked to the rear of Building B, as shown on the attached Exhibit "B". Vehicles such as boats, recreational vehicles and trailers shall not be parked or stored in the outside parking area.
- d. All vehicles waiting for repair shall be parked to the rear of

the building.

- e. No storage of parts or containers shall be allowed outside the building.
- f. All repair work shall be done inside the building.
- g. Work shall not be performed on any vehicle larger than a 2-ton pickup truck.
- h. No vehicles for sale shall be parked in front of the building adjacent to Colleyville Boulevard.
- i. This Special Use Permit shall automatically expire upon the abandonment of the business, change in the use, a change in ownership or upon the expiration or termination of the Certificate of Occupancy.
- j. All requirements of the Land Development Code shall be met, except where amended herein.

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

Sec. 6. THAT 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 16th day of October 2018.

The second reading and public hearing being conducted on the 5th day of November 2018.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 5TH DAY OF NOVEMBER 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

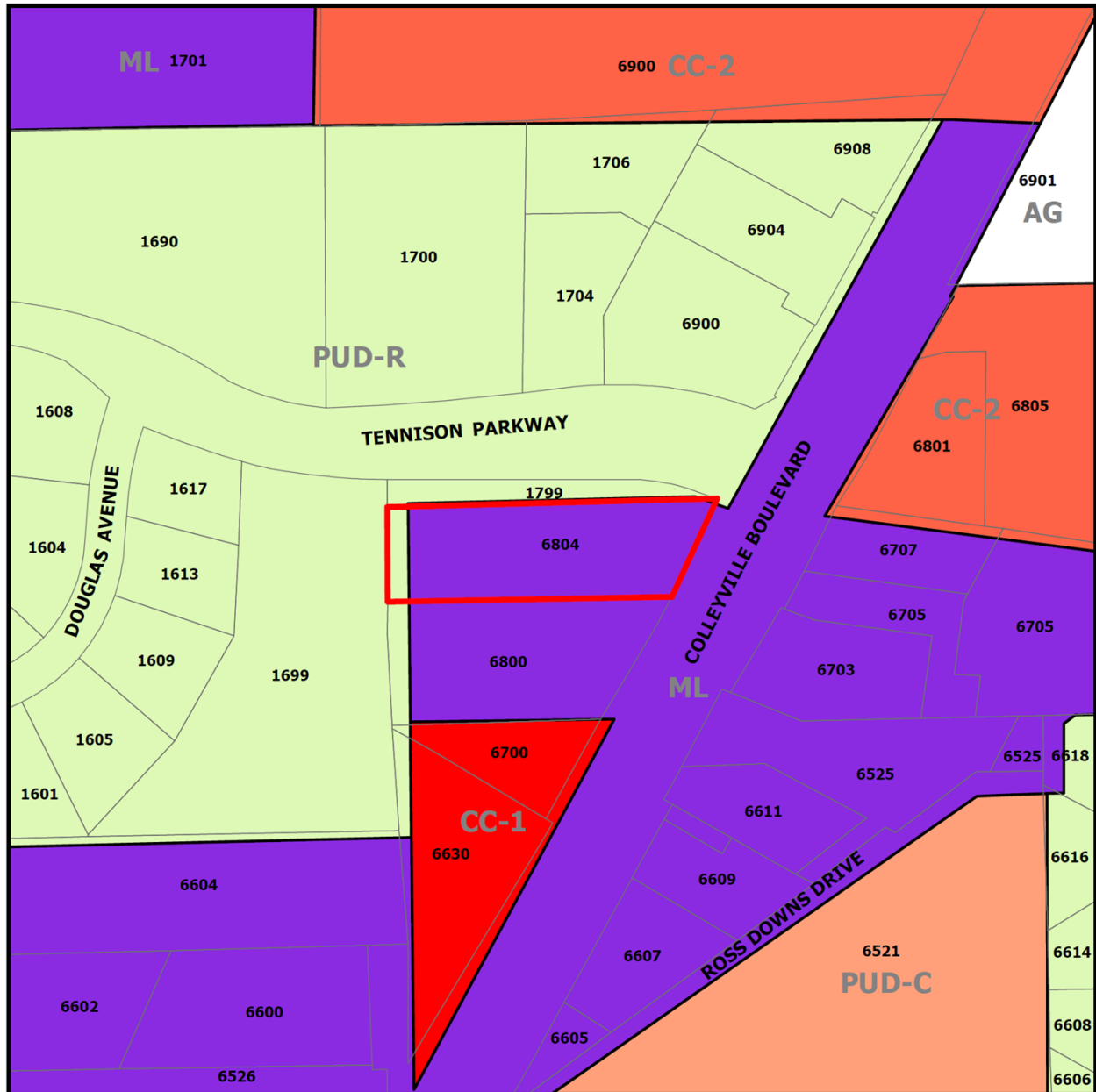
Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM AND LEGALITY:

Whitt Wyatt
City Attorney

Exhibit "A" – Zoning Map



ZC18-020

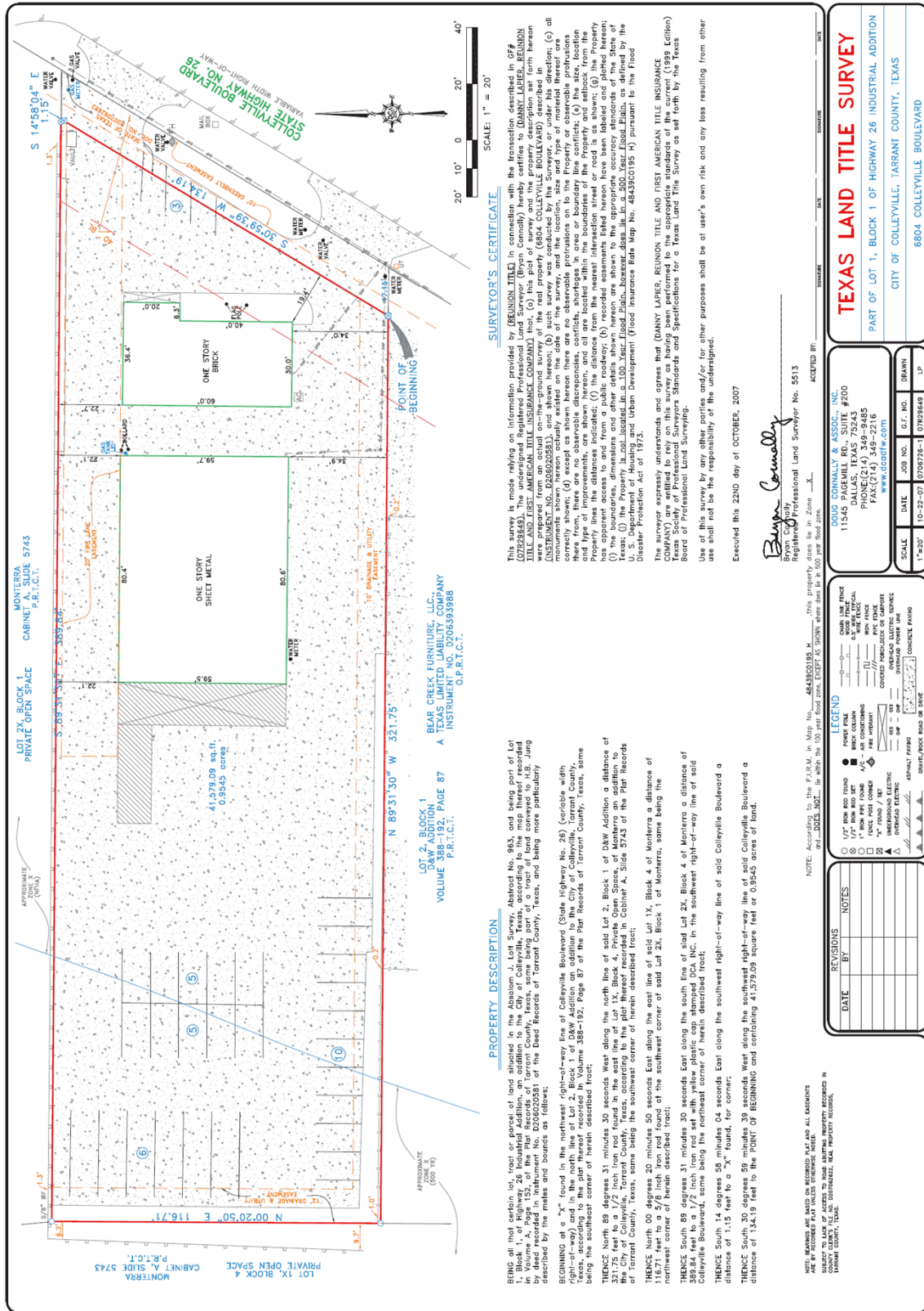
6804 Colleyville Blvd

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 Subject Property



Exhibit "B" – Zoning Exhibit





City of Colleyville City Council Agenda Briefing

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

Agenda Number 7b

Agenda Date 10/16/2018

Number Ordinance O-18-2064

Type Ordinance

Department Community Development

Title

Consideration of a zoning change from AG Agricultural district to R-30 Single Family Residential district on Tracts 2A01 & 2A02, Abstract 1543, in the George W Teeter Survey, located at 1309 Glade Road, Case ZC18-023

Strategic Plan

There is no Strategic Plan connection for this item.

Explanation

First Reading and Public Hearing

Rome Barnes, the applicant, has submitted a request for a zoning change from the AG Agricultural to the R-30 Single Family Residential district on Tracts 2A01 & 2A02, Abstract 1543, in the George W Teeter Survey, being approximately 4.369 acres. The purpose of the request is to allow for development of 5 new single-family residential lots.

Existing Conditions/Background: The subject property, 1309 Glade Road, resides on the south side of Glade Road and the east side of Carmel Place, across from the existing subdivision called Carmel Place zoned Planned Unit Development – Residential (PUD-R). The property currently has Agricultural (AG) zoning and remains undeveloped except for a single house on the property which is planned to be removed.

Proposed Zoning:

Request – The applicant requests to create a single-family residential subdivision consisting of five (5) lots, ranging from 32,615 square feet to 44,334 square feet. The two large one acre lots fronting Glade Road have lot widths under the required 125 feet. Therefore, a lot width waiver is being requested with the associated plat. All lots will meet the required minimum front yard setback of thirty-five (35) feet, side yard setbacks of ten (10) feet, and rear yard setback of twenty-five (25) feet with a maximum building height of thirty-five (35) feet.

Overall, this would result in a development covering a total of 4.3968 acres with 5 residential lots, achieving a density of 1.14 units per acre which is below the R-30 residential density requirement of 1.45 dwellings per acre.

The minimum standards for the R-30 zoning district are as follows:

Minimum Lot Size:	30,000 square feet
Minimum Lot Width:	125 feet
Minimum Lot Depth:	125 feet
Front Building Line:	35 feet
Side Building Line:	10 feet
Rear Building Line:	25 feet
Maximum Lot Coverage:	25 percent

The five (5) lots will have the following minimum lot areas:

Lot 1:	44,334 square feet
Lot 2:	44,031 square feet
Lot 3:	32,667 square feet
Lot 4:	32,615 square feet
Lot 5:	32,632 square feet

If zoning is approved, the applicant anticipates home construction to begin in late 2018 with the average home size to be 5,200 square feet with an approximate price point of \$950,000.

Analysis: The requested rezoning allows the applicant to develop the lots in a manner complementary to the approved PUD-R on the west side of Carmel Place while also being compatible with the neighborhood surrounding it.

All homes are required to have fire sprinklers regardless of square footage due to the limited size of Glade Road, which could impede the fire department's ability to fight a potential fire, and the length of Carmel Place.

Surrounding Development: The properties to the south, east and west (adjacent to Carmel Place) have R-20 zoning and have developed with single-family residential structures. Properties across Glade Road to the north have PUD-R zoning and have developed with single-family residential structures. Lots directly across the Carmel Place have an existing PUD-R which the applicant proposes to compliment with their project's design.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for single-family residential development. The proposed R-30 does not conflict with any portion of the comprehensive plan. The proposed R-30 facilitates the maximum desired residential density of 1.45 units per net acre.

Public Notification: Staff mailed notices to all property owners within 500 feet as well as any Homeowners Associations within 1000 feet of the subject property regarding

this request. Grapevine-Colleyville ISD, where the subject property is located, was notified per State law. Notice was published in the *Fort Worth Star-Telegram* as required by State law and the Land Development Code. To date, no correspondence has been received.

Staff Recommendation: Staff recommends approval for the applicant's request based on the following findings:

1. The proposed zoning meets the intent of the residential designation assigned in the Destination Colleyville comprehensive plan.
2. The R-30 zoning complements the zoning districts surrounding the subject property.

Planning & Zoning Commission Recommendation: The Planning & Zoning Commission recommended approval of the R-30 zoning at their September 10, 2018 meeting by a vote of 4-0. A Preliminary Plat was also recommended for approval with the recommendation to re-orient the lots to face Carmel Place. The Preliminary Plat item will be placed on the same meeting as the 2nd reading of the zoning.

Financial Impact

There is no financial impact to the City.

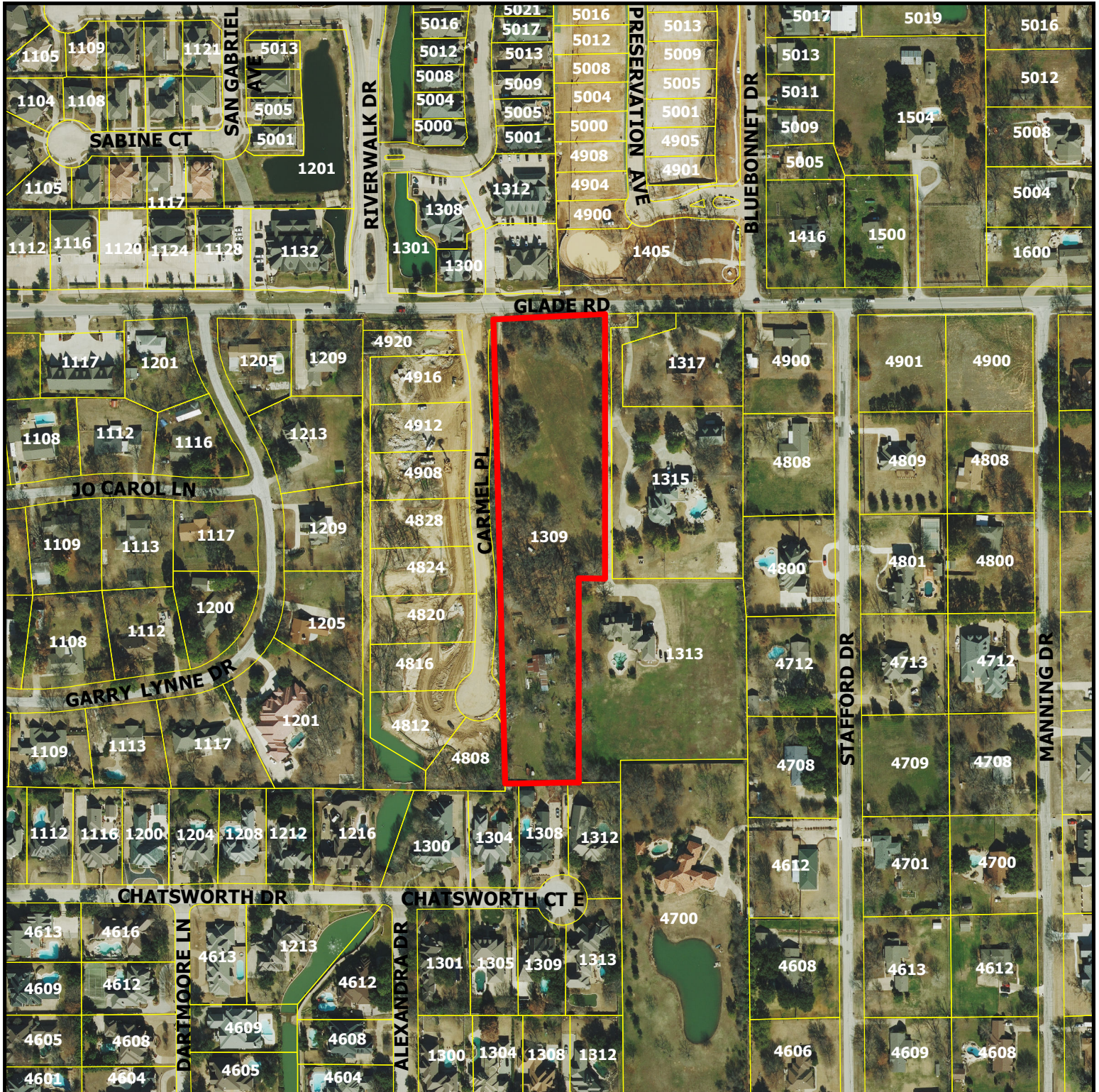
Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Zoning Exhibit
6. Updated Layout per P&Z Recommendation
7. Notification Map
8. Notification List
9. Property Owner Notification
10. Ordinance O-18-2064

Aerial Map



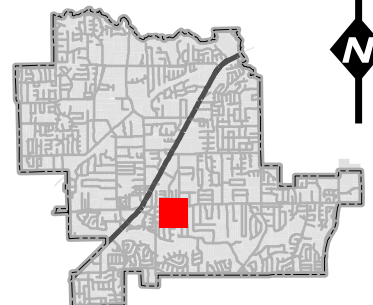
ZC18-023

1309 Glade Road

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Subject Property



Zoning Map

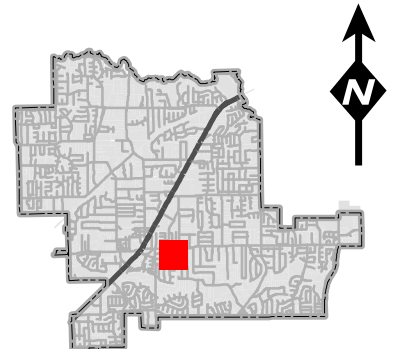


ZC18-023

1309 Glade Road

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 Subject Property



Future Land Use Map



DISCLAIMER:

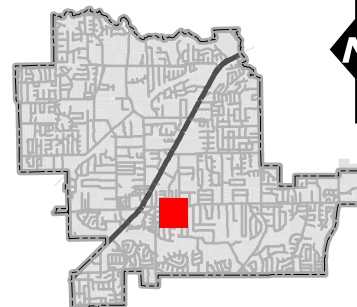
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ZC18-023

1309 Glade Road



Subject Property



Statement of Planning Objectives

ZONING APPLICATION NARRATIVE

CARMEL PLACE ESTATES EAST

1309 GLADE ROAD, COLLEYVILLE, TX 76034

STATEMENT OF PLANNING OBJECTIVES

Centurion Acquisitions, LLC is requesting rezoning of a 4.3968-acre site (191,524 square feet) located at 1309 Glade Road abutting the eastern portion of Carmel Place within the City of Colleyville, from **AG-Agriculture** to **R30-Single Family Residential District (R30)**. The rezoning objective is to create five residential lots meeting or exceeding the R30 minimum lot size. The abutting residential area is zoned R20 and PUD-R; however, at the request of the City, Carmel Place Estates East rezoning request is being submitted under the R30 zoning district.

- The residential density will be 1.14 dwellings per acre, well below the R30 residential density of 1.45 dwellings per acre.
- The R30 minimum residential lot size is 30,000 square feet; the five residential lots will have the following minimum lot area:
 - Lot 1 – 44,334 square feet
 - Lot 2 – 44,031 square feet
 - Lot 3 – 32,667 square feet
 - Lot 4 – 32,615 square feet
 - Lot 5 – 32,632 square feet
- The R30 required minimum lot width is 125 feet; three of the lots meet and exceed the minimum lot width; however, the two large 1-acre lots fronting Glade Road have lot widths of 116 feet, 9 feet shy of the required minimum lot width (would meet minimum 100-foot lot width required by the adjacent R20 zoning district). **A lot width waiver is being requested for these two lots.**
- All lots will meet the required minimum front yard setback of 35 feet, side yard setback of 10 feet, and rear yard setback of 25 feet and the required maximum building height of 35 feet.

Statement of Planning Objectives

DEVELOPMENT SCHEDULE

It is anticipated that home construction will begin on the five residential lots sometime in late 2018.

Once a building permit is issued, time for completion is estimated from 10-12 months.

ECONOMIC DEVELOPMENT INFORMATION

The average home size is anticipated to be around 5200 square feet at a price point of \$950,000. Using Tarrant County Appraisal District's tax estimator, the City of Colleyville's ad valorem tax rate of .33834 for a home valued at \$950,000 would generate \$3,214 in City taxes and another \$13,269 (tax rate of 1.39670) in taxes to support the City's school system, the Grapevine/Colleyville Independent School District. Five homes built at this price point would generate \$16,070 in ad valorem taxes for the City and \$66,345 for the City's school system. This is an estimate and could change based on specific criteria considered by the Tax Assessor's office.

TRAFFIC IMPACT ANALYSIS

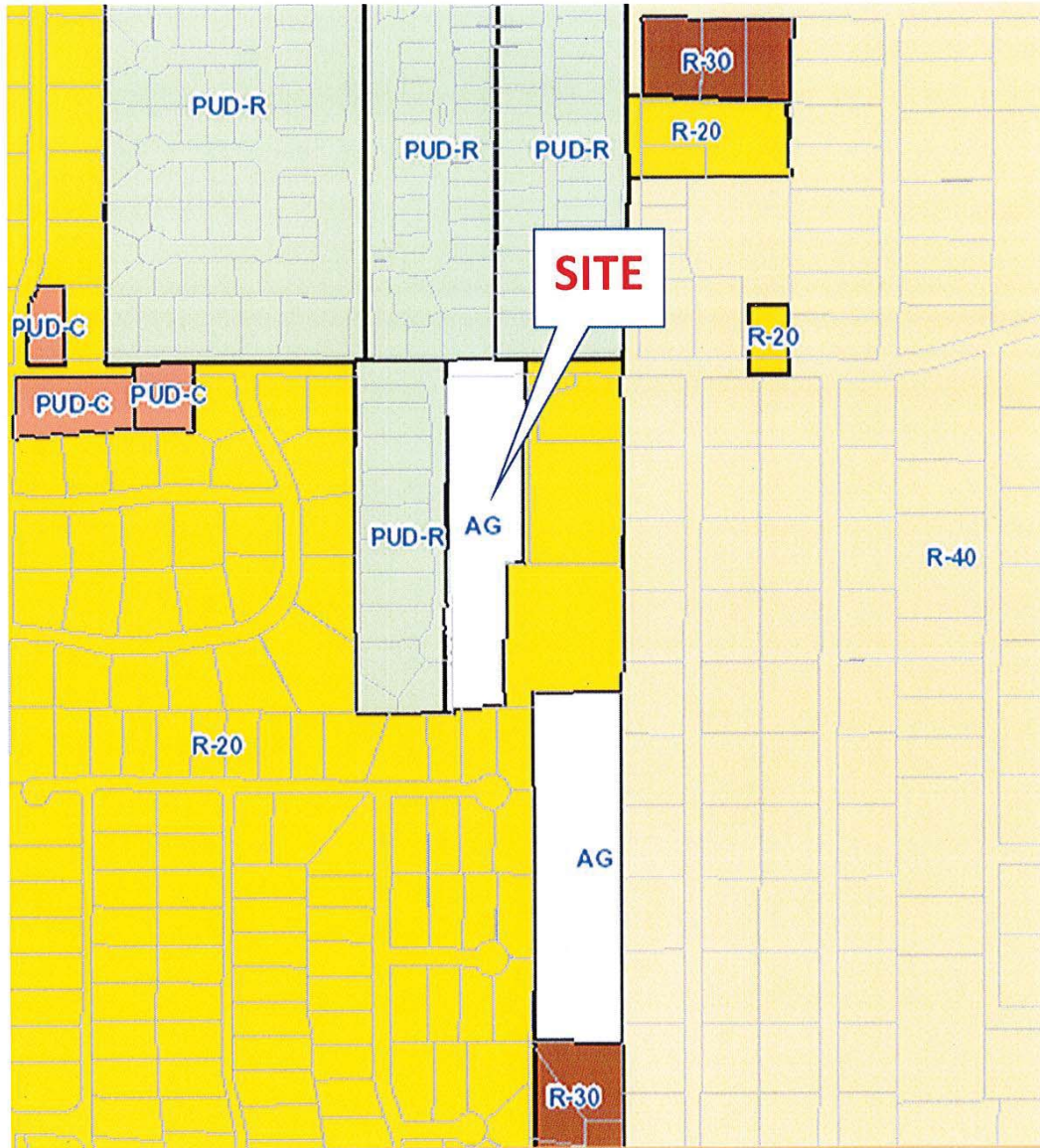
A Traffic Impact Analysis is not required since only five homes are proposed which would fall below the projected generation rate of 1000 vehicle trips per day.

DRAINAGE ANALYSIS

A drainage analysis completed for Carmel Place Estates by Thomas Hoover Engineering, LLC dated 6-23-14 is submitted with the Zoning Application. Carmel Place Estates East land area is included in the drainage area of Carmel Place Estates, thus issues related to drainage impacts have already been assessed. Specific lot drainage for the five lots in Carmel Place Estates East will be a part of the engineering plans and will be consistent with the already submitted drainage analysis.

Statement of Planning Objectives

EXHIBIT A – LOCATION AND ZONING MAP



Statement of Planning Objectives

EXHIBIT B – LEGAL DESCRIPTION

Being a tract of land out of George W. Teeter Survey, Abstract No. 1543 and situated in the City of Colleyville, Tarrant County, Texas, and surveyed by Miller Surveying, Inc. of Hurst, Texas in November 2017, said tract being a portion of the same tract of land described in the deed to Robert Gene Hubbard et ux, Peggy Hubbard recorded in Volume 4069, Page 406 in the Deed Records of Tarrant County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a 5/8 inch steel rod found in the southerly right-of-way line of Glade Road (Co. Rd. 3036), said rod being in the northerly boundary line of "Tract No. 1" of said Hubbard Deed and also being the most northerly northwest corner of Lot 1, Block 1, Greener Acres, an addition to the City of Colleyville, Texas according to the plat thereof recorded in Cabinet A, Slide 4936 of the Plat Records of said County;

Thence South 00 degrees 14 minutes 15 seconds East with the westerly boundary line of said Lot 1 a distance of 553.09 feet to a 1/2 inch "MILLER 5665" capped steel rod set for an inner corner thereof;

Thence South 89 degrees 25 minutes 35 seconds West continuing with said westerly boundary line a distance of 58.10 feet to a 1/2 inch steel rod found for an outer point thereof;

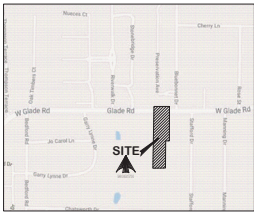
Thence South 00 degrees 12 minutes 14 seconds West continuing with said westerly boundary line a distance of 415.82 feet to a 1/2 inch steel rod found for the southwest corner of said Lot 1, said rod being in the northerly boundary line of Block 1, The Lakes of Somerset, an addition to the City of Colleyville, Texas according to the plat thereof recorded in Cabinet A, Slide 312 of said plat records;

Thence North 89 degrees 46 minutes 39 seconds West with said northerly boundary line a distance of 151.92 feet to a point in a fence post found in the easterly boundary line of Carmel Place Estates, an addition to the City of Colleyville, Texas according to the plat thereof recorded as Instrument No. D217142798 of the Official Public Records of said County;

Thence North 01 degrees 25 minutes 38 seconds West with said easterly boundary line a distance of 985.17 feet to a cross in concrete set for the northwest corner of said Tract 1, said cross being in said southerly right-of-way line;

Thence North 89 degrees 53 minutes 54 seconds East with the northerly boundary line of said Tract 1 and with said southerly right-of-way line a distance of 233.33 feet to the point of beginning and containing 4.3968 acres of land, more or less.

Zoning Exhibit



VICINITY MAP
NOT TO SCALE

Zoning Exhibit - Carmel Place Estates East

1309 Glade Road, Colleyville, TX. 76034

Overall Parcel Gross Area	4.3968 Acres - 191,524 SF
Existing Buildings	Dwelling and out Buildings - all to be removed
Existing Zoning	AG
Street Area Proposed	Not applicable
Sidewalks Proposed	Not applicable
Open Space SF and percent	Not applicable
Proposed Dwelling Lots	5
Proposed Dwellings	1.14 dwellings per acre
Proposed Dwelling Type	Single Family Residential

Metes & Bounds

Tract 1 - 4.3968 ACRES

Being a tract of land out of George W. Teeter Survey, Abstract No. 1543 and situated in the City of Colleyville, Tarrant County, Texas, and surveyed by Miller Surveying, Inc. of Hurst, Texas in November 2017, said tract being a portion of the same tract of land described in the deed to Robert Gene Hubbard et al, Peggy Hubbard recorded in Volume 4069, Page 406 in the Deed Records of Tarrant County, Texas and being more particularly described by metes and bounds as follows:

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Thence North 89 degrees 53 minutes 54 seconds East with the northerly boundary line of said Tract 1 and with said southerly right-of-way line a distance of 233.33 feet to the point of beginning and containing 4.3968 acres of land, more or less.

PROPERTY OWNER

CENTURION ACQUISITIONS, LLC
1800 Valley View Lane
Suite 300
Farmers Branch, TX 75234
817.584.5982
Contact: Rome Barnes

ENGINEER

ION DESIGN GROUP, LLC F-6701
7075 Twin Hills Ave
Suite 350
Dallas, TX 75231
214.370.3470 Ph
Contact: Bryan Klein

SURVEYOR

MILLER SURVEYING, INC.
430 Mid Cities Blvd.
Hurst, TX 76054
817.577.1050 Ph
817.577.0972 Fx
Contact: Jason Rawlings

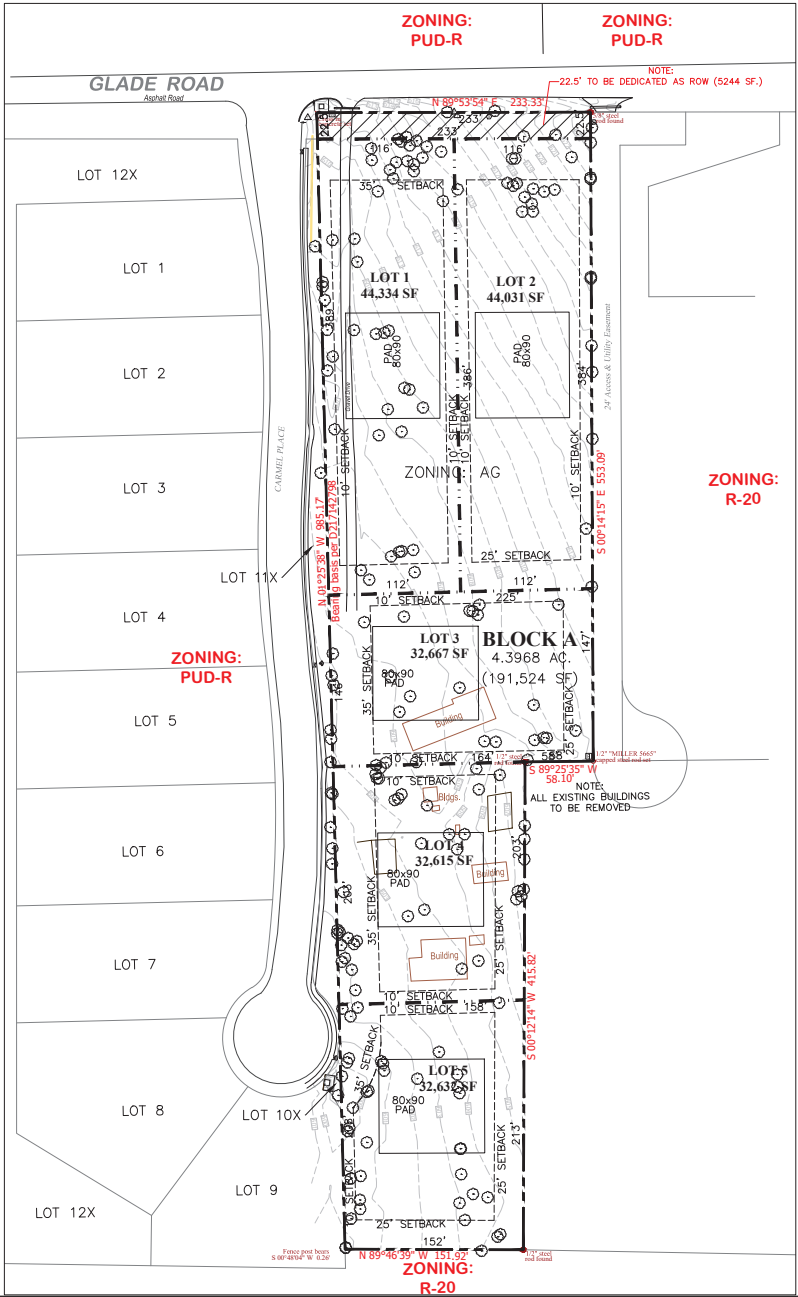
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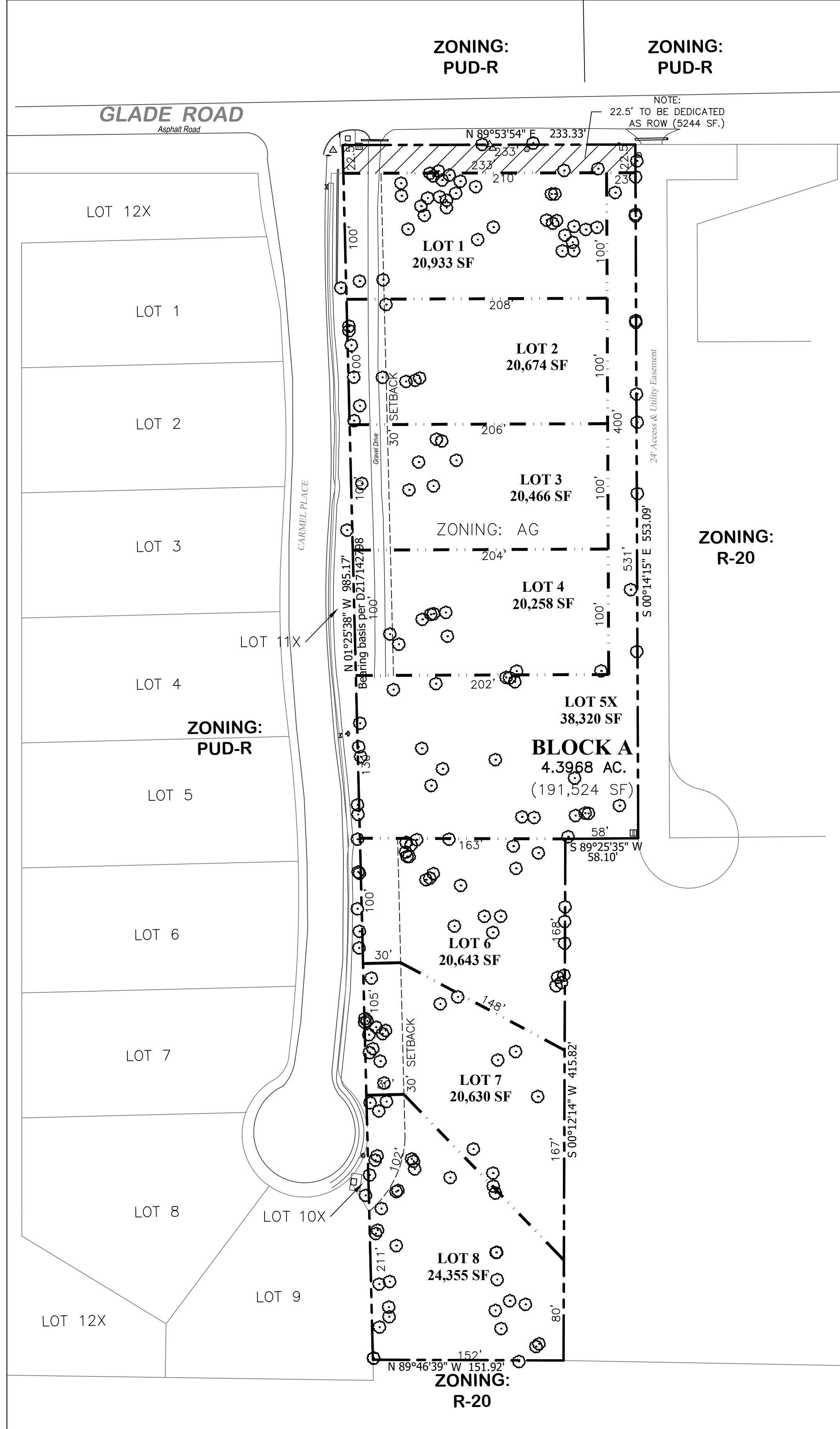
Ion Design Group

7075 Twin Hills Ave
Suite 350
Dallas, Texas 75231
Firm TX F6701
214.370.3470 Ph

Scale: 1" = 50'



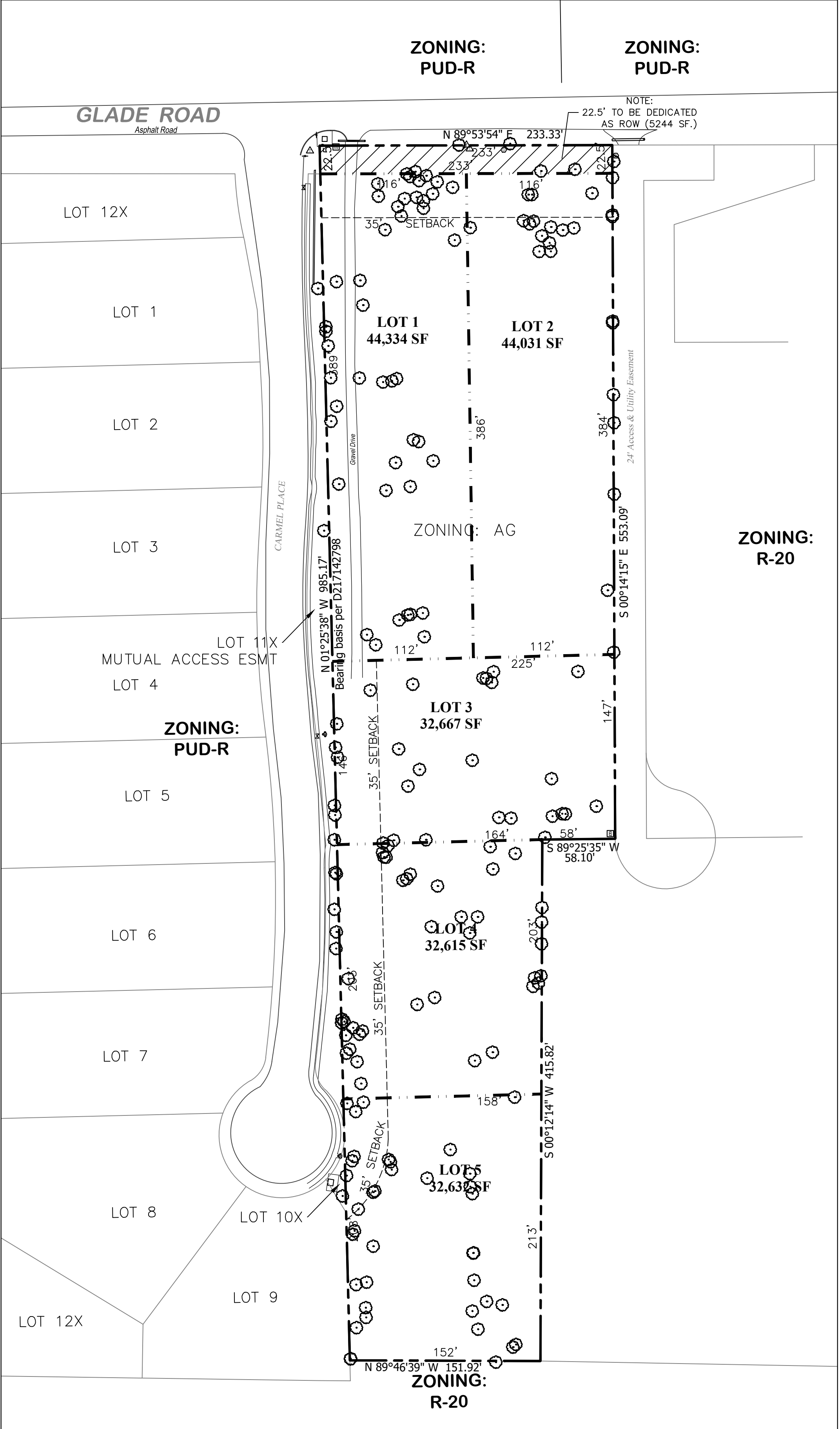
Original Zoning Case



NOTES

1. Zoning not approved.

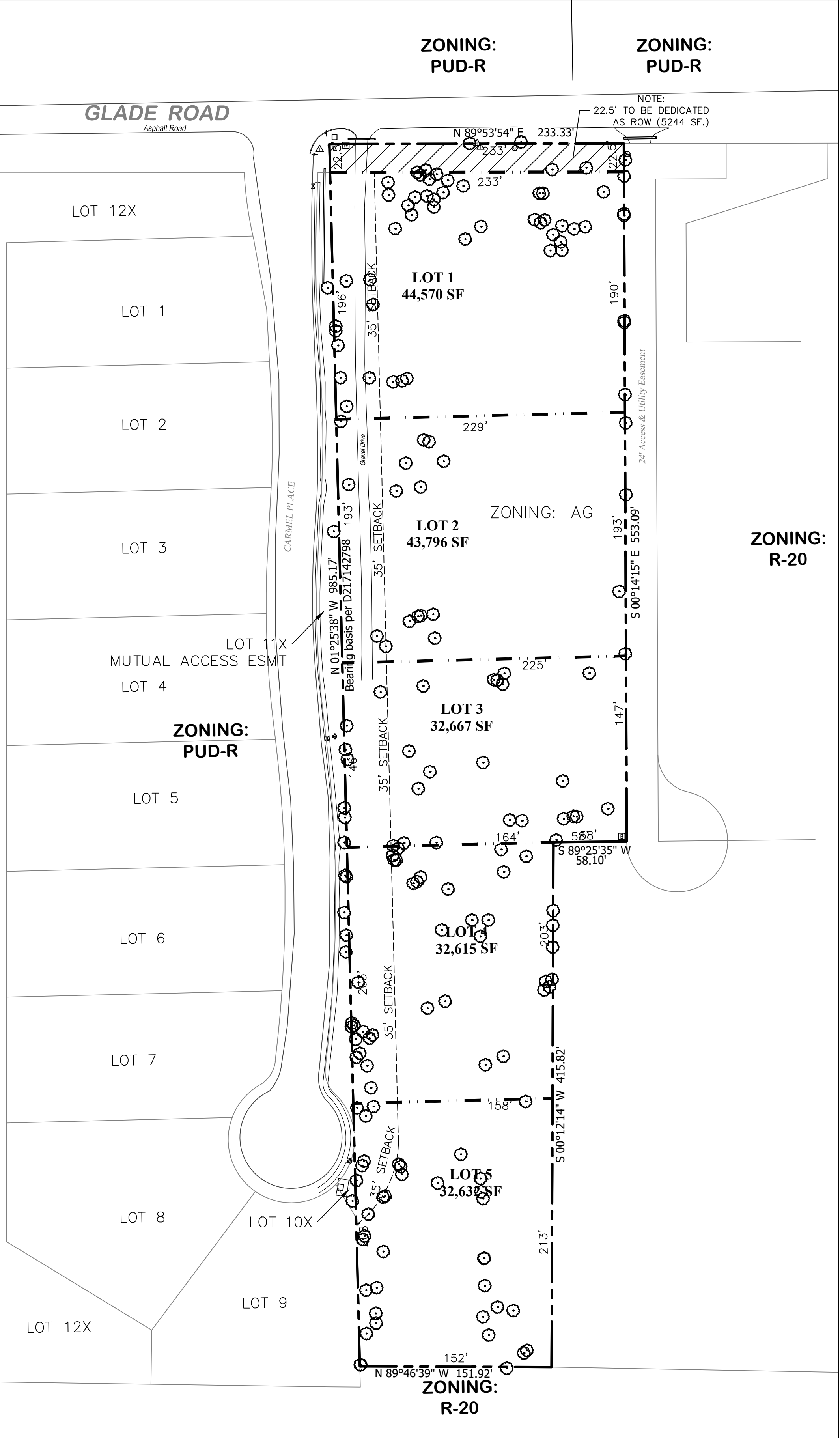
Present Zoning Application



NOTES

1. Needs lot width waiver for Lots 1 & 2.

Alternate Layout

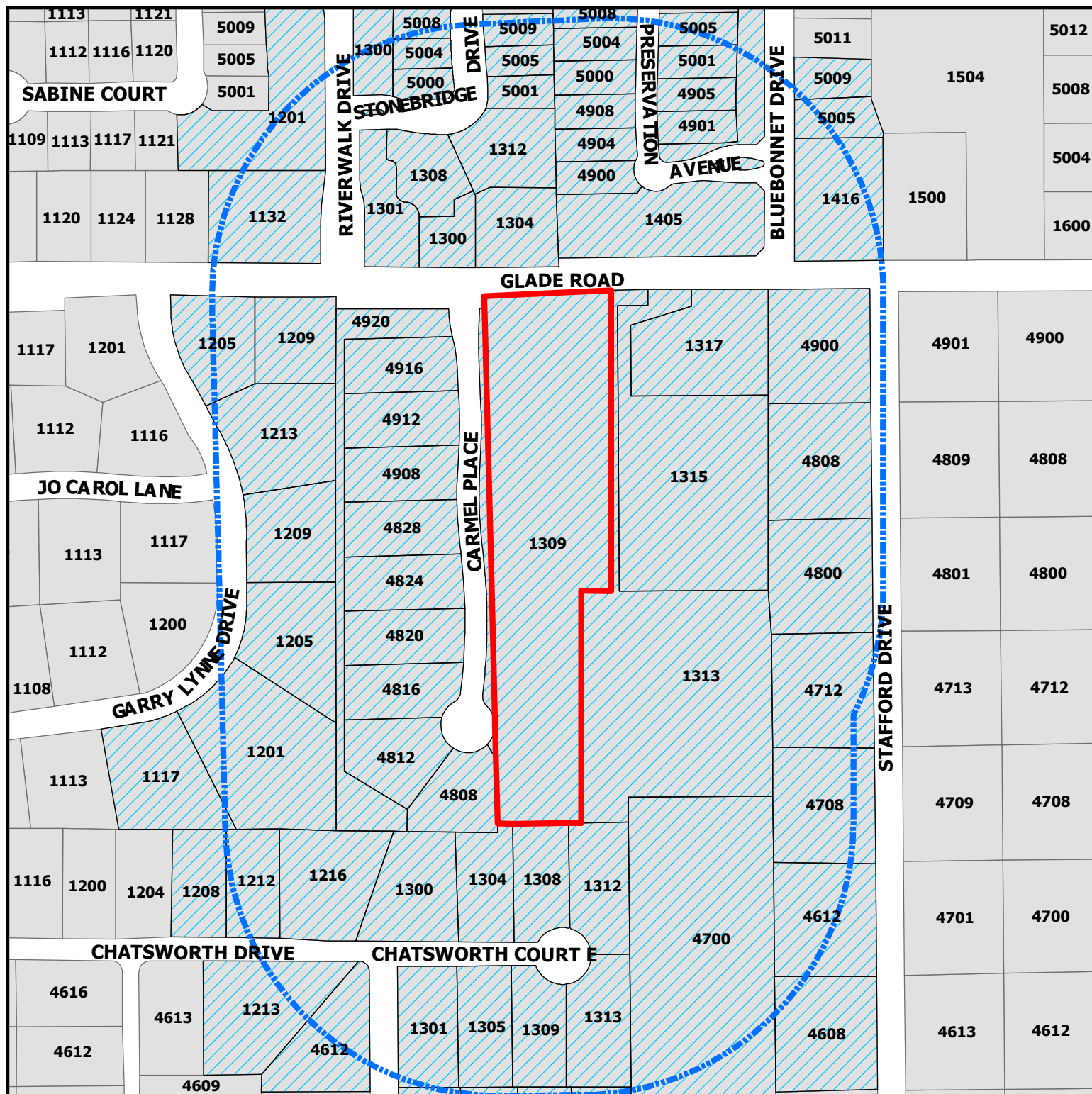


NOTES

1. Needs allowance to front Lots 1 & 2 to Carmel Place.
2. Needs allowance to accept Carmel Place at existing width.

10.01.2018

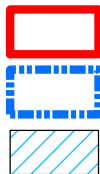
Notification Map



ZC18-023
1309 Glade Road

DISCLAIMER:

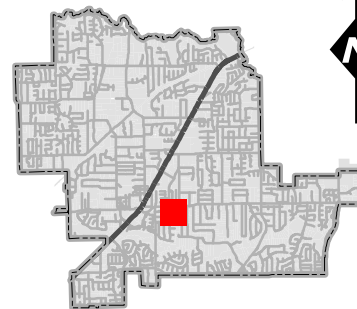
This map and information contained in it were developed exclusively for use by the City of Colleyville. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of Colleyville, its officials or employees for any discrepancies, errors, or variances which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



Subject Property

500ft Buffer

Properties within 500ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	1416 GLADE RD
RIETZ, BARRY	5005 PRESERVATION AVE	COLLEYVILLE, TX	76034	5005 PRESERVATION AVE
FREE, DEBRA J	5005 STONEBRIDGE DR	COLLEYVILLE, TX	76034	5005 STONEBRIDGE DR
ASHRAF, AKBER	5000 PRESERVATION AVE	COLLEYVILLE, TX	76034	5000 PRESERVATION AVE
ARCLAND INVESTMENTS LLC	1300 GLADE RD	COLLEYVILLE, TX	76034	1300 GLADE RD
WINSWORTH, LLOYD A	4900 STAFFORD DR	COLLEYVILLE, TX	76034	4900 STAFFORD DR
MAUNEY, KEITH	1216 CHATSWORTH DR	COLLEYVILLE, TX	76034	1216 CHATSWORTH DR
CALAIS INVESTMENTS I LTD	430 N CARROLL AVE #120	SOUTHLAKE, TX	76092	4916 CARMEL PL
BAXI, MAYUR	1300 ASHFORD CT	COLLEYVILLE, TX	76034	1300 ASHFORD CT
BOYTON, KELLEY	1304 ASHFORD CT	COLLEYVILLE, TX	76034	1304 ASHFORD CT
DEYOUNG, ADAM	1312 ASHFORD CT	COLLEYVILLE, TX	76034	1312 ASHFORD CT
GROSS, ANNA	4904 PRESERVATION AVE	COLLEYVILLE, TX	76034	4904 PRESERVATION AVE
NEWTON, CURTIS	PO BOX 1336	COLLEYVILLE, TX	76034	4905 PRESERVATION AVE
SMITH, DENIS J	1308 CHATSWORTH CT E	COLLEYVILLE, TX	76034	1308 CHATSWORTH CT E
CALAIS INVESTMENTS I LTD	430 N CARROLL AVE #120	SOUTHLAKE, TX	76092	4908 CARMEL PL
CALAIS INVESTMENTS I LTD	430 N CARROLL AVE #120	SOUTHLAKE, TX	76092	4816 CARMEL PL
CALAIS INVESTMENTS I LTD	430 N CARROLL AVE #120	SOUTHLAKE, TX	76092	4828 CARMEL PL
GLENN, MICHAEL	4901 PRESERVATION AVE	COLLEYVILLE, TX	76034	4901 PRESERVATION AVE
KING FISHER LTD	1132 GLADE RD	COLLEYVILLE, TX	76034	1132 GLADE RD
WILLIAMS, JAMES P	4700 STAFFORD DR	COLLEYVILLE, TX	76034	4700 STAFFORD DR
CASILIO LIVING TRUST	4808 STAFFORD DR	COLLEYVILLE, TX	76034	4808 STAFFORD DR
LOGAN, EMORY M	1313 GLADE RD	COLLEYVILLE, TX	76034	1313 GLADE RD
COLLEYVILLE, CITY OF	100 MAIN ST	COLLEYVILLE, TX	76034	1209 GLADE RD
CADG CARMEL PLACE LLC	1800 VALLEY VIEW LN STE 300	FARMERS BRNCH, TX	75234	4804 CARMEL PL
HAUTANEN, OSMO A	1304 CHATSWORTH CT E	COLLEYVILLE, TX	76034	1304 CHATSWORTH CT E
EMLER LIVING TRUST	1300 CHATSWORTH CT E	COLLEYVILLE, TX	76034	1300 CHATSWORTH CT E
LEONARD TRUSTEE, IRENE	5004 PRESERVATION AVE	COLLEYVILLE, TX	76034	5004 PRESERVATION AVE
HARMS, STEWART	5009 STONEBRIDGE DR	COLLEYVILLE, TX	76034	5009 STONEBRIDGE DR
MEZANAZI, MICHAEL	4612 ALEXANDRA DR	COLLEYVILLE, TX	76034	4612 ALEXANDRA DR
HICKSON, HEATHER J	1315 GLADE RD	COLLEYVILLE, TX	76034	1317 GLADE RD
THE BRIDGES @ RIVERWALK HOA	PO BOX 1183	COLLEYVILLE, TX	76034	1304 STONEBRIDGE DR
BONNIE STANFIELD TRUST	1001 TUCKER ST	MC KINNEY, TX	75069	5009 BLUEBONNET DR
HUBBARD, ROBERT GENE	PO BOX 575	ALBA, TX	75410	1309 GLADE RD
DILL, ALLEN	5001 STONEBRIDGE DR	COLLEYVILLE, TX	76034	5001 STONEBRIDGE DR
FRANKLIN, BRENT	2800 HIGHLAND PARK CT	COLLEYVILLE, TX	76034	4912 CARMEL PL
PRESERVATION HOA INC	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	1405 BLUEBONNET DR
CALAIS INVESTMENTS I LTD	430 N CARROLL AVE #120	SOUTHLAKE, TX	76092	4808 CARMEL PL
BONNIE STANFIELD TRUST	209 W 2ND ST # 377	FORT WORTH, TX	76102	5005 BLUEBONNET DR
LASATER, JANICE N	4900 PRESERVATION AVE	COLLEYVILLE, TX	76034	4900 PRESERVATION AVE
XING, YIHAN	5008 PRESERVATION AVE	COLLEYVILLE, TX	76034	5008 PRESERVATION AVE
MAHAN, ROY	4712 STAFFORD DR	COLLEYVILLE, TX	76034	4712 STAFFORD DR
GALLAGHER, ROBERT W	1301 CHATSWORTH CT E	COLLEYVILLE, TX	76034	1301 CHATSWORTH CT E
SCOTT, DONALD R	1213 CHATSWORTH DR	COLLEYVILLE, TX	76034	1213 CHATSWORTH DR
STEPHENSON, MARK	5001 PRESERVATION AVE	COLLEYVILLE, TX	76034	5001 PRESERVATION AVE
BURGDORF, JEFF	4608 STAFFORD DR	COLLEYVILLE, TX	76034	4608 STAFFORD DR
IDOL INVESTMENTS LLC	1304 GLADE RD	COLLEYVILLE, TX	76034	1304 GLADE RD
HICKSON, STEVEN A	1315 GLADE RD	COLLEYVILLE, TX	76034	1315 GLADE RD
SNYDER, JOHN	1701 ROYAL LN #1202	DALLAS, TX	75229	4812 CARMEL PL
				1301 STONEBRIDGE DR
HASLER MARK R & MARY K HASLER	5000 STONEBRIDGE DR	COLLEYVILLE, TX	76034	5000 STONEBRIDGE DR
DUNHAM, MICHAEL G	4800 STAFFORD DR	COLLEYVILLE, TX	76034	4800 STAFFORD DR
GRISIO, TERANCE R	3505 MEADOWLARK LN	COLLEYVILLE, TX	76034	1205 GLADE RD
PRESERVATION HOA INC	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	1400 BLUEBONNET DR
GROOM, DOROTHY DEE	4708 STAFFORD DR	COLLEYVILLE, TX	76034	4708 STAFFORD DR
NORTON, BOB	5004 STONEBRIDGE DR	COLLEYVILLE, TX	76034	5004 STONEBRIDGE DR
CADG CARMEL PLACE LLC	1800 VALLEY VIEW LN STE 300	FARMERS BRNCH, TX	75234	4800 CARMEL PL
THE BRIDGES @ RIVERWALK HOA	PO BOX 1183	COLLEYVILLE, TX	76034	1300 STONEBRIDGE DR
PRESERVATION HOA INC	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	1408 BLUEBONNET DR
CHELIND LLC	1312 GLADE RD	COLLEYVILLE, TX	76034	1312 GLADE RD
RIVERWALK OWNERS ASSN	PO BOX 260997	PLANO, TX	75026	1201 RIVERWALK CT
COOLEY, JAMES W	1305 CHATSWORTH CT E	COLLEYVILLE, TX	76034	1305 CHATSWORTH CT E
PRICE, GARY W	5008 STONEBRIDGE DR	COLLEYVILLE, TX	76034	5008 STONEBRIDGE DR
MCKEE, WILLIAM	4908 PRESERVATION AVE	COLLEYVILLE, TX	76034	4908 PRESERVATION AVE
PRESERVATION HOA INC	101 CLARIDEN RANCH RD	SOUTHLAKE, TX	76092	1404 BLUEBONNET DR
ROSEN, VINCENT F	1313 CHATSWORTH CT E	COLLEYVILLE, TX	76034	1313 CHATSWORTH CT E
STUCKEMAN, WILLIAM	1309 CHATSWORTH CT E	COLLEYVILLE, TX	76034	1309 CHATSWORTH CT E
QAMAR, ASIA	2428 MACLAY AVE	BRONX, NY	10461	1205 GARRY LYNNE DR
HSV RETREAT LLC	5013 PRESERVATION AVE	COLLEYVILLE, TX	76034	1308 GLADE RD
ROACH, ALISHA	1312 CHATSWORTH CT E	COLLEYVILLE, TX	76034	1312 CHATSWORTH CT E
RODGERS, CONRAD B	1213 GARRY LYNNE DR	COLLEYVILLE, TX	76034	1213 GARRY LYNNE DR
HEWITT, SHARA	1308 ASHFORD CT	COLLEYVILLE, TX	76034	1308 ASHFORD CT
				4920 CARMEL PL
CALAIS INVESTMENTS I LTD	430 N CARROLL AVE #120	SOUTHLAKE, TX	76092	4820 CARMEL PL
CALAIS INVESTMENTS I LTD	430 N CARROLL AVE #120	SOUTHLAKE, TX	76092	4824 CARMEL PL
THOMPSON, DAVID S	4612 STAFFORD DR	COLLEYVILLE, TX	76034	4612 STAFFORD DR
WHITTEN, HAROLD	1209 GARRY LYNNE DR	COLLEYVILLE, TX	76034	1209 GARRY LYNNE DR
VALENTINE, NICHOLAS	1208 CHATSWORTH DR	COLLEYVILLE, TX	76034	1208 CHATSWORTH DR
SWINDELL, MITCHELL	1212 CHATSWORTH DR	COLLEYVILLE, TX	76034	1212 CHATSWORTH DR
NEAL, JANIS CAROL TR	1117 GARRY LYNNE DR	COLLEYVILLE, TX	76034	1117 GARRY LYNNE DR
GRAY, DOUGLAS M	1201 GARRY LYNNE DR	COLLEYVILLE, TX	76034	1201 GARRY LYNNE DR
BRIDGES AT RIVERWALK ADDITION	P.O. Box 1183	COLLEYVILLE, TX	76034	COURTESY NOTICE
LAKES OF SOMERSET, THE	1104 Chatsworth Court West	COLLEYVILLE, TX	76034	COURTESY NOTICE
RIVERWALK AT COLLEYVILLE	P.O. Box 1031	COLLEYVILLE, TX	76034	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
BARNES, ROME	1800 VALLEY VIEW LN STE 300	FARMERS BRNCH, TX	75234	APPLICANT

Public hearing notices were mailed on August 24, 2018 by Araceli Botello



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-023
Applicant: Rome Barnes
Owner: CADG Carmel Place, LLC
Location: 1309 Glade Road
Property Description: Tract 2A01 & 2A02, Abstract 1543, in the George W Teeter Survey
Present Zoning: AG Agricultural
Request: Consideration of a zoning change from the AG Agricultural district to the R-30 Single Family Residential district. The purpose is to allow for development of 5 new single-family residential 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, September 10, 2018 at 7:00 p.m.
City Council Meetings: Tuesday, October 1, 2018 & Tuesday, October 16, 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 500 feet of the request as such ownership appears on the last approved tax roll and all homeowners associations within 1000 feet. Approval by the Planning and Zoning Commission serves as a recommendation to the City Council and is not a final action on the request. Denial of the proposal by the Commission is final, unless the applicant submits a written notice of appeal within 10 days from the date of action by the Commission. If appealed, the request will be placed on the next available City Council agenda as listed above. Rezoning requests, zoning amendments and conditions recommended by the Commission for approval by the City Council may be more restrictive than those described in this notice.

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

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

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/zoning.html>. For additional information, please contact the Community Development Department at 817.503.1052. Please reference the zoning case number when requesting information.

Ben Bryner
Director of Community Development
bbryner@colleyville.com

ORDINANCE O-18-2064

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 4.369 ACRES, BEING TRACTS 2A01 AND 2A02, ABSTRACT 1543, IN THE GEORGE W TEETER SURVEY, LOCATED AT 1309 GLADE ROAD, FROM THE AG AGRICULTURAL DISTRICT TO THE R-30 SINGLE FAMILY RESIDENTIAL DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case ZC18-023; and

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

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

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

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

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

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

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

- Sec. 1. THAT all the foregoing premises and findings are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.
- Sec. 2. THAT the Comprehensive Zoning Ordinance of the City of Colleyville, Texas, be, and the same is hereby amended by changing the zoning on 4.369 acres, being Tracts 2A01 and 2A02, Abstract 1543, in the George W Teeter Survey, located at 1309 Glade Road, from the AG Agricultural district to the R-30 Single Family Residential district, as depicted in the attached Exhibit "A" and Exhibit "B".
- Sec. 3. THAT the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Colleyville as heretofore amended, and as amended herein.
- Sec. 4. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 5. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 6. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all

violations of this ordinance.

Sec. 7. THAT 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 16th day of October 2018.

The second reading and public hearing being conducted on the 5th day of November 2018.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 5TH DAY OF NOVEMBER 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"- Zoning Map



ZC18-023

1309 Glade Road

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 Subject Property

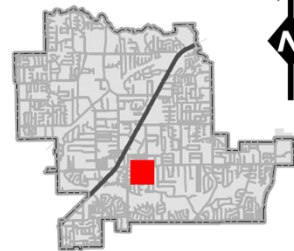


Exhibit "B"- Metes & Bounds Description

Tract 1 – 4.3968 ACRES

Being a tract of land out of George W. Teeter Survey, Abstract No. 1543 and situated in the City of Colleyville, Tarrant County, Texas, and surveyed by Miller Surveying, Inc. of Hurst, Texas in November 2017, said tract being a portion of the same tract of land described in the deed to Robert Gene Hubbard et ux, Peggy Hubbard recorded in Volume 4069, Page 406 in the Deed Records of Tarrant County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a 5/8 inch steel rod found in the southerly right-of-way line of Glade Road (Co. Rd. 3036), said rod being in the northerly boundary line of "Tract No. 1" of said Hubbard Deed and also being the most northerly northwest corner of Lot 1, Block 1, Greener Acres, an addition to the City of Colleyville, Texas according to the plat thereof recorded in Cabinet A, Slide 4936 of the Plat Records of said County;

Thence South 00 degrees 14 minutes 15 seconds East with the westerly boundary line of said Lot 1 a distance of 553.09 feet to a 1/2 inch "MILLER 5665" capped steel rod set for an inner corner thereof;

Thence South 89 degrees 25 minutes 35 seconds West continuing with said westerly boundary line a distance of 58.10 feet to a 1/2 inch steel rod found for an outer point thereof;

Thence South 00 degrees 12 minutes 14 seconds West continuing with said westerly boundary line a distance of 415.82 feet to a 1/2 inch steel rod found for the southwest corner of said Lot 1, said rod being in the northerly boundary line of Block 1, The Lakes of Somerset, an addition to the City of Colleyville, Texas according to the plat thereof recorded in Cabinet A, Slide 312 of said plat records;

Thence North 89 degrees 46 minutes 39 seconds West with said northerly boundary line a distance of 151.92 feet to a point in a fence post found in the easterly boundary line of Carmel Place Estates, an addition to the City of Colleyville, Texas according to the plat thereof recorded as Instrument No. D217142798 of the Official Public Records of said County;

Thence North 01 degrees 25 minutes 38 seconds West with said easterly boundary line a distance of 985.17 feet to a cross in concrete set for the northwest corner of said Tract 1, said cross being in said southerly right-of-way line;

Thence North 89 degrees 53 minutes 54 seconds East with the northerly boundary line of said Tract 1 and with said southerly right-of-way line a distance of 233.33 feet to the point of beginning and containing 4.3968 acres of land, more or less.



City of Colleyville City Council Agenda Briefing

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

Agenda Number 8a

Agenda Date 10/16/2018

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. Several modifications have been made to the request. All plans and documents have been updated and attached.

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. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Preliminary Plat
6. Development Plan
7. Perimeter Grading Concept Plan
8. Preliminary Utility Plan
9. Screening and Fencing Plan
10. Entry Plan
11. Easement Landscape Plan
12. Declaration of Covenants, Conditions and Restrictions
13. Submittal and Review Process
14. Architectural Plan
15. Landscape Plan
16. Notification Map
17. Notification List
18. Property Owner Notification
19. Letters of Opposition
20. Tanglewood Estates Response to Proposed Development
21. Tanglewood Agreement Letter
22. Ordinance O-18-2056

Aerial Map

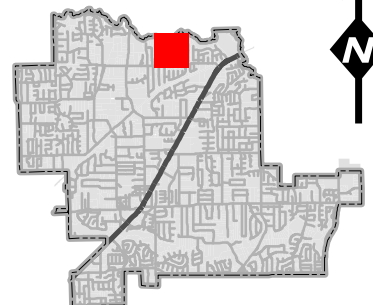


ZC18-019

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

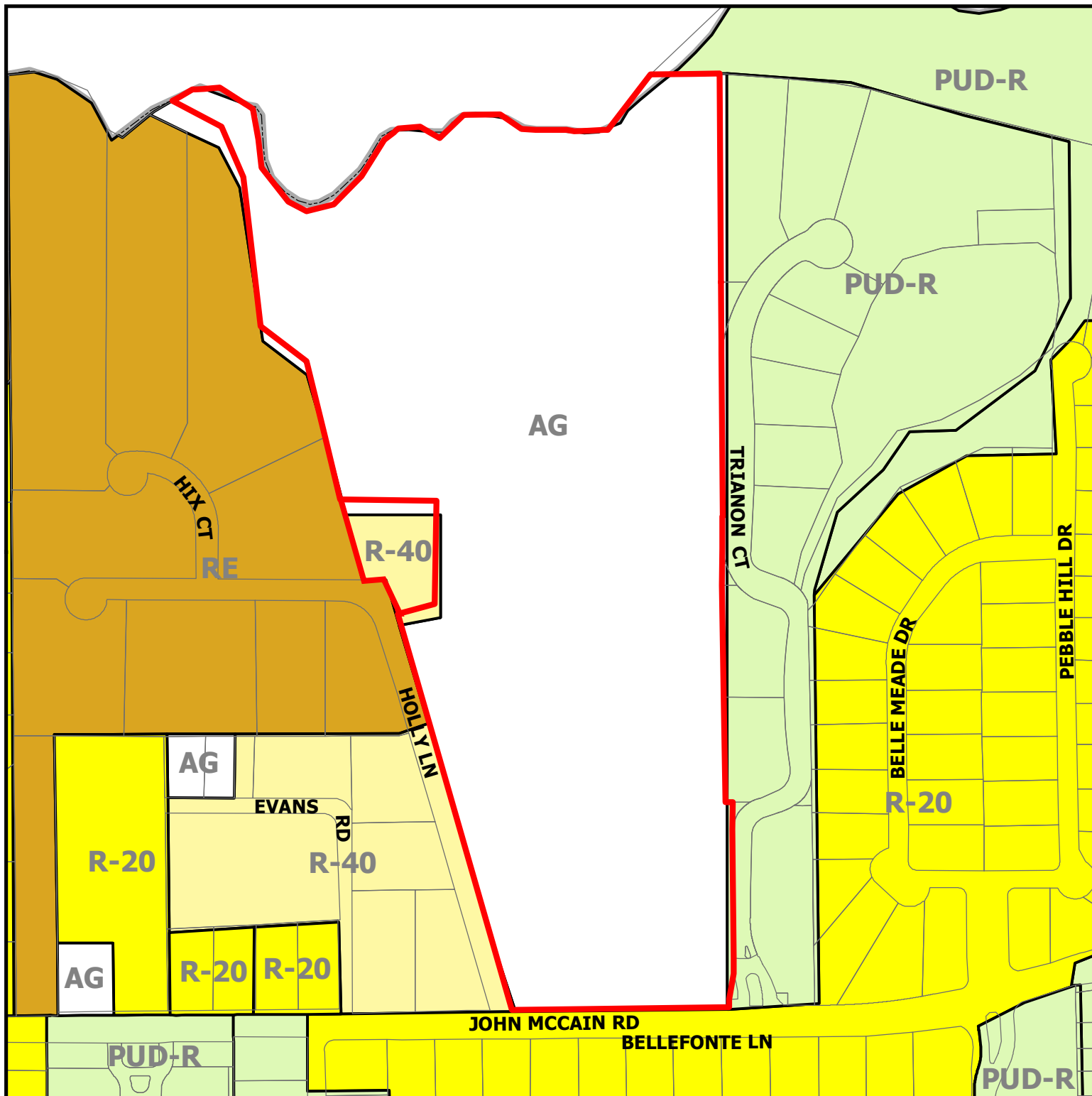


Subject Property



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Zoning Map

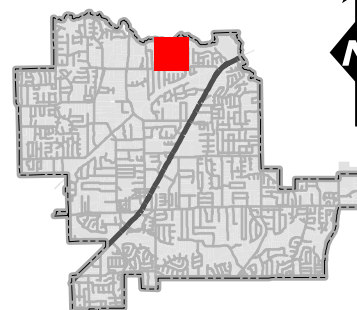


ZC18-019

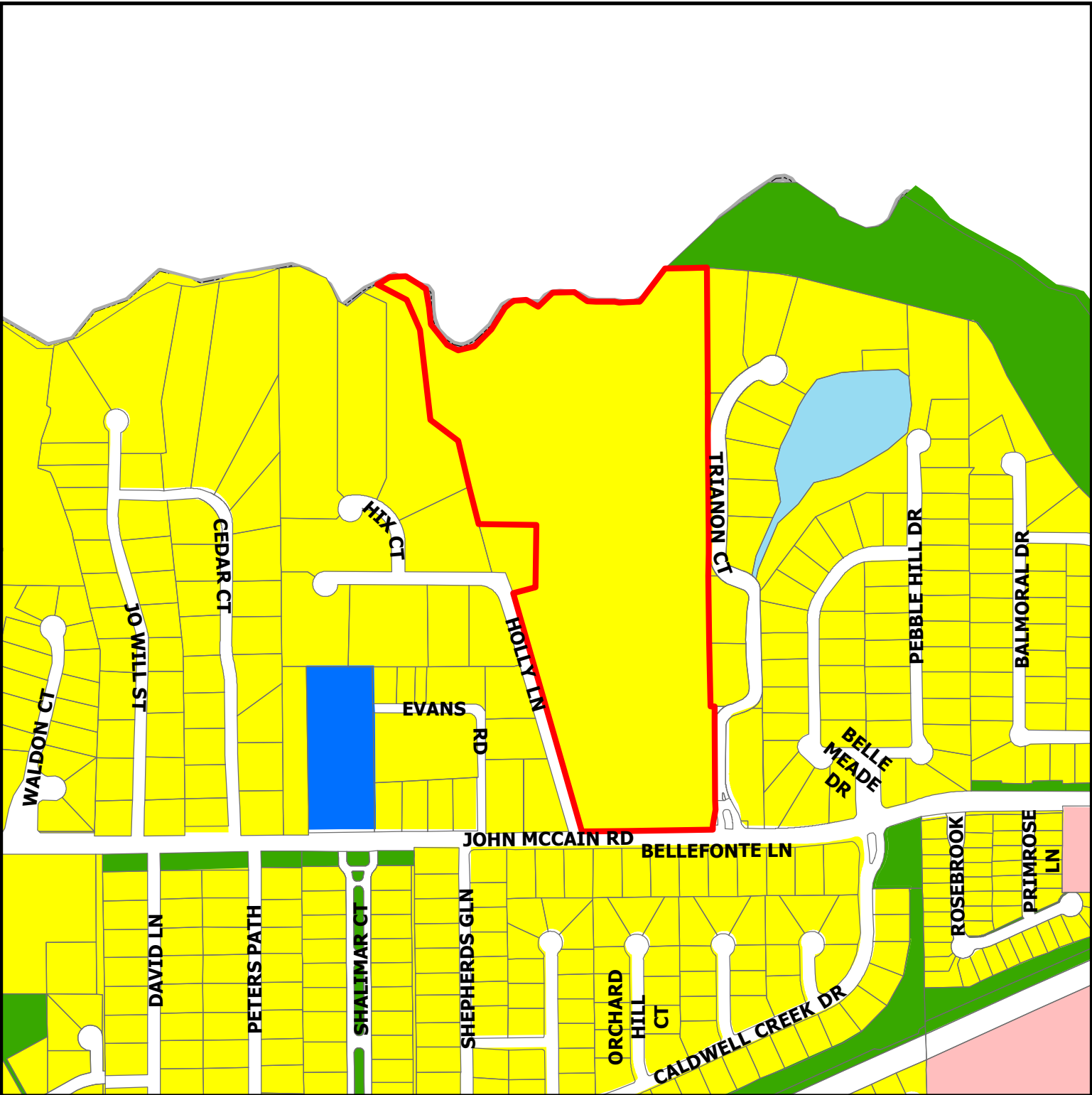
**1312 John McCain Road
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 Subject Property



Future Land Use Map



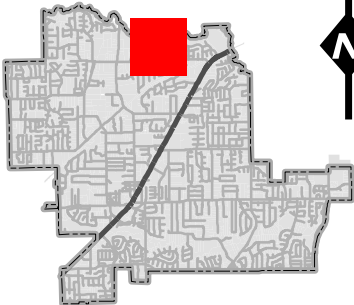
ZC18-019

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

 Subject Property



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Statement of Planning Objectives

Oak Alley

Colleyville, Texas

Zoning Narrative –8 Oct. 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 38,000 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 19% 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

Statement of Planning Objectives

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 one phase, with 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 five (35) homes, each with an estimated average value upon completion of \$2,570,000, 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.

Statement of Planning Objectives

Development Standards

Permitted Land Use:	Single Family Residential Detached
Minimum House Size:	4,300 square feet.
Minimum Lot Area:	26,000 s.f. (Average about 38,000 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 24'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:	The dominant exterior vertical wall area of each structure, exclusive of doors and windows, shall be masonry (brick, stone, or stucco over CMU block) or other material solely determined by the Committee. No more than 20% of the exterior vertical wall to be authentic lath and stucco application over wood framing. Dryvit systems or Styrofoam products are not acceptable. The exterior of chimney flues shall be of masonry material acceptable to the Committee. Installation of all types of exterior items and

Statement of Planning Objectives

surfaces such as address numbers or external ornamentation, lights, mail chutes, mailboxes, roofing materials and exterior paint or stain, shall be subject to the approval of the Committee as to size, design, materials color, manufacturer and location.

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

Statement of Planning Objectives

homeowners. Membership in the Homeowner’s Association is mandatory.

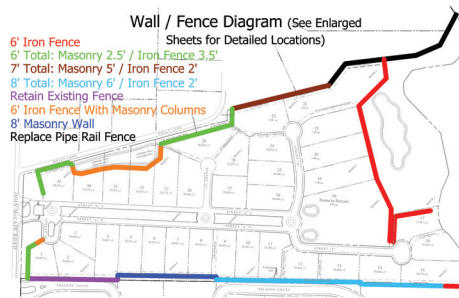
Street Design Standards:

- 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-four feet (24'), 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.

Development Plan



Legend

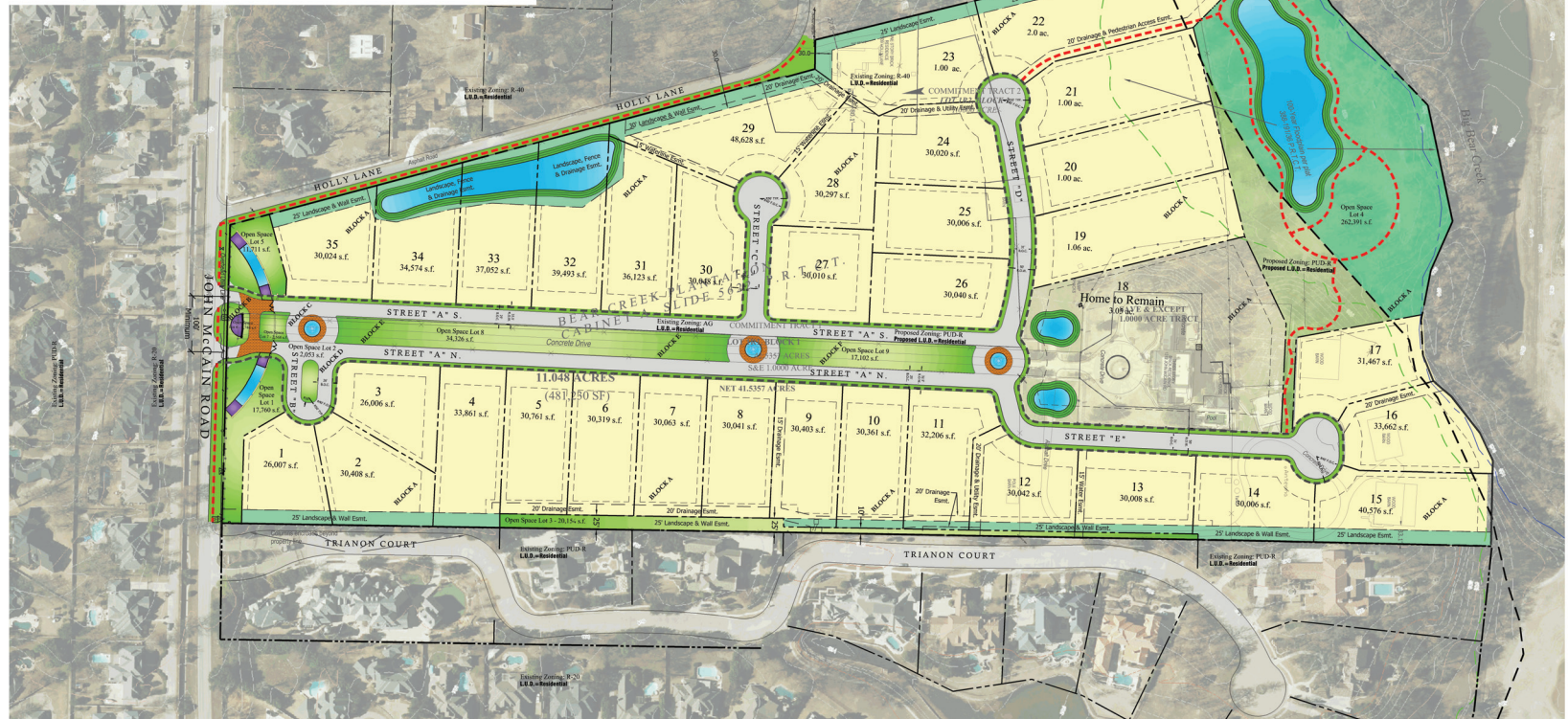
- 4' Concrete Sidewalk
5' Concrete Trail
Flood Plain approximate 100 Year
Floodway

- Common Open Space

- Common Open Space within Floodway

- Residential Lots

- Landscape Easement



Site Data - Development Plan

Single Family Residential Lots	35
Common Areas	9

Residential Lots	70.03%	30.52 ac.
Open Space	8.34%	3.56 ac.
Open Space Floodway	11.36%	4.93 ac.
R.O.W.	10.27%	4.53 ac.
Gross Acreage	100.00%	43.54 ac.

Density Data

Gross Residential Acreage	43.54
Gross Residential Density	0.80
Residential Density Net R.O.W. (R.O.W. = 4.47 ac.)	0.92

Summary

Residential Lots	35
Minimum Building Lot Area	26,000 s.f.
Average Building Lot Area	37,988 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

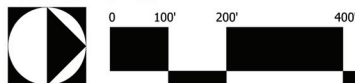
Applicant:

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

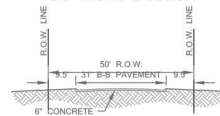
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$$1'' = 100'$$


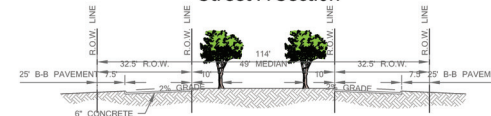
Development Plan

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

50' ROW Section



Street A Section



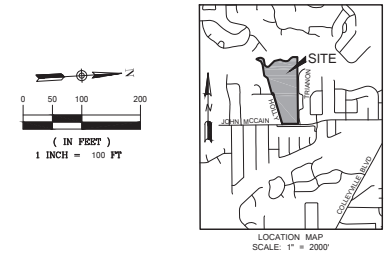
Zoning Exhibit for
Zoning Change Request
From AG & R-40 to PUD-R

Case #ZC18-019

Oak Alley

Colleyville, Tarrant County, Texas

Perimeter Grading Concept Plan



OAK ALLEY GRADING CONCEPT

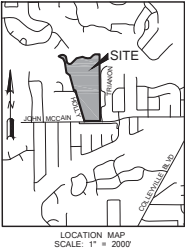
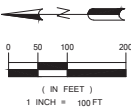
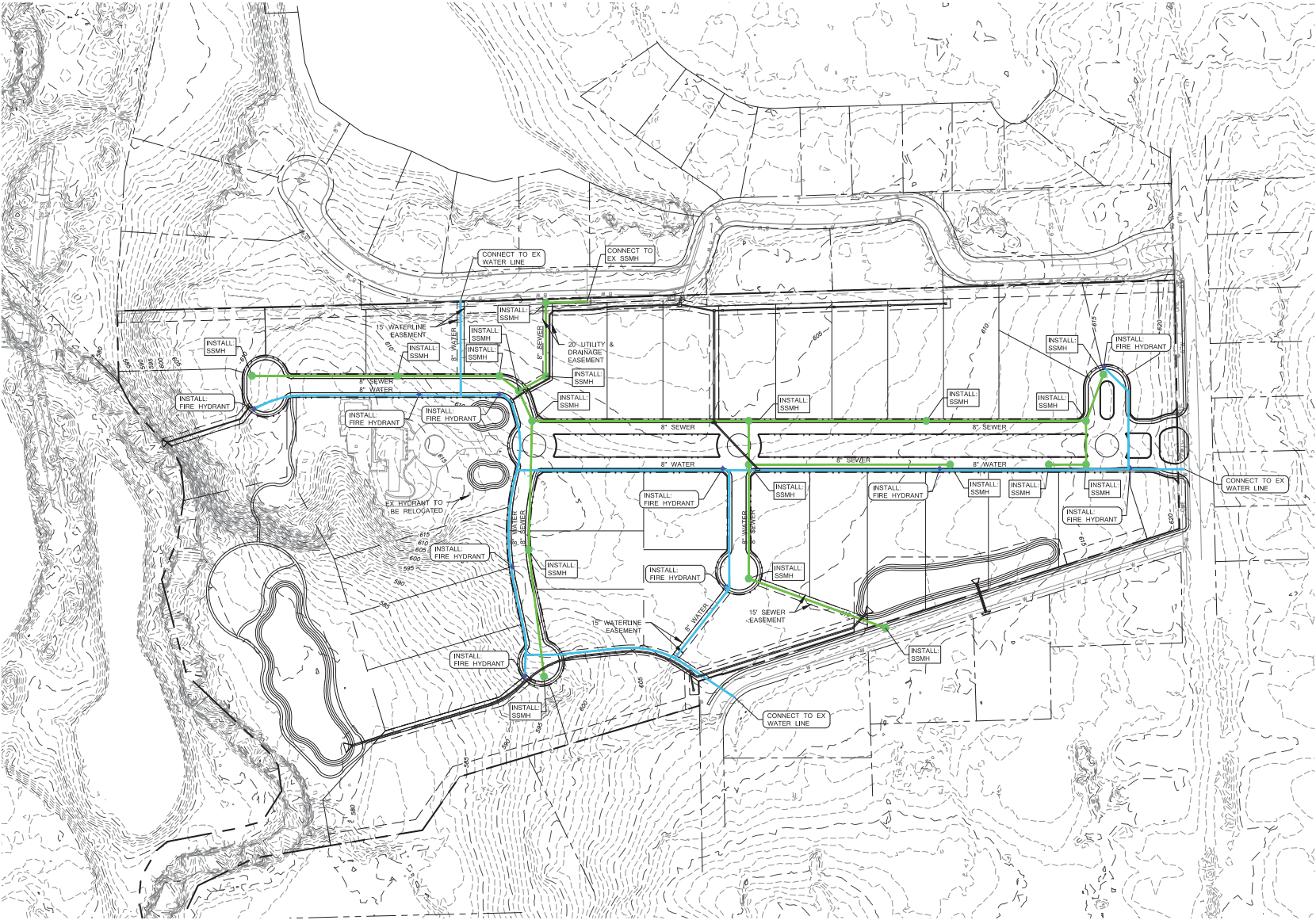
1. FINAL GRADING IS THE FIRST THING THAT STARTS IN THE FINAL DESIGN PROCESS AND IT IS THE LAST THING THE FINISHES IN OUR DESIGN PROCESS BECAUSE MANY THINGS AFFECT THOSE GRADES THAT ARE NOT KNOWN YET. FINAL GRADING WILL DEPEND ON FINAL FIELD TOPOGRAPHIC SURVEY AND TREE SURVEY WHICH HAS NOT BEEN COMPLETED.
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.
- LOT 29 AND LOTS 31 THROUGH 34**
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 35**
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: 10/09/2018

OAK ALLEY PERIMETER GRADING CONCEPT PLAN COLLEYVILLE, TEXAS				
CIVIL ENGINEERING	PRIN. REGISTRATION #	100101070	10/09/2018	10/09/2018
SCALE	1"=100'	DATE	10/09/2018	PROJECT NO.
DRAWN BY	DMF	SCALE	1"=100'	SHEET
				1 OF 1

Preliminary Utility Plan



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

DEOTTE, INC.
CIVIL & ENVIRONMENTAL ENGINEERS, P.C.
10000 N. Loop West, Suite 1000
Houston, Texas 77040
PREPARED FOR: BURN & GORDON COLLEGE TRUST

PRELIMINARY UTILITY PLAN
OAK ALLEY
COLLEYVILLE, TEXAS

BENCHMARKS:

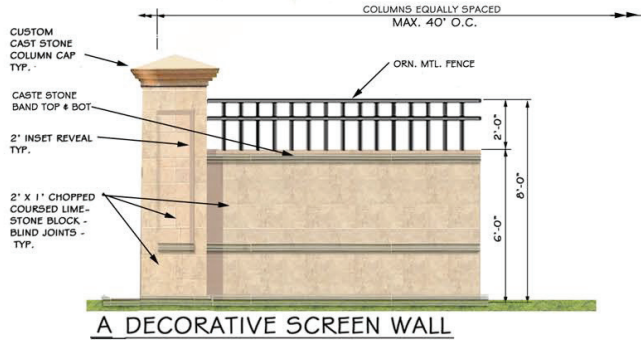
BM1	XXX	XXX
ELEV	-	XXX
BM2	XXX	XXX
ELEV	-	XXX

THIS DOCUMENT IS FOR INTERIM REVIEW
AND IS NOT INTENDED FOR CONSTRUCTION.
BY: [Signature] DATE: 10/09/2018
FOR: [Signature] DATE: 10/09/2018

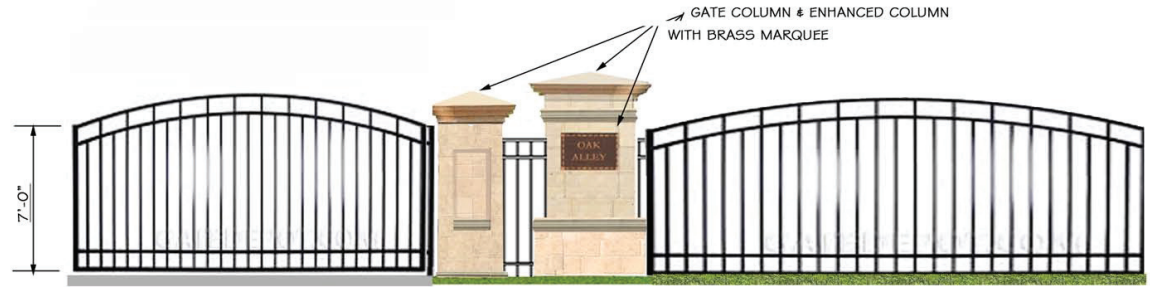
Printed by: dnm/theresa
Oct. 09, 2018 - 12:01pm

DOI No. 201712100

Screening and Fencing Plan



A DECORATIVE SCREEN WALL



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



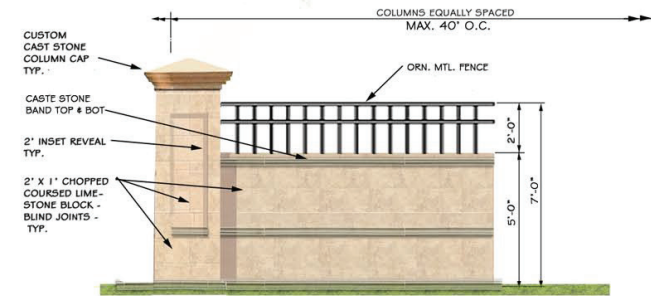
C ORNAMENTAL METAL FENCE
WITH COLUMN TERMINUS



D LOW STONE WALL WITH
ORNAMENTAL METAL FENCE



E ORNAMENTAL METAL FENCE



F DECORATIVE SCREEN WALL

SCREENING WALLS & ORNAMENTAL FENCING EXHIBIT

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

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

21 SEPT 18

1" = 60'



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 F - 8' Masonry Wall

Case #ZC18-002

21 SEPT 18



1" = 60'



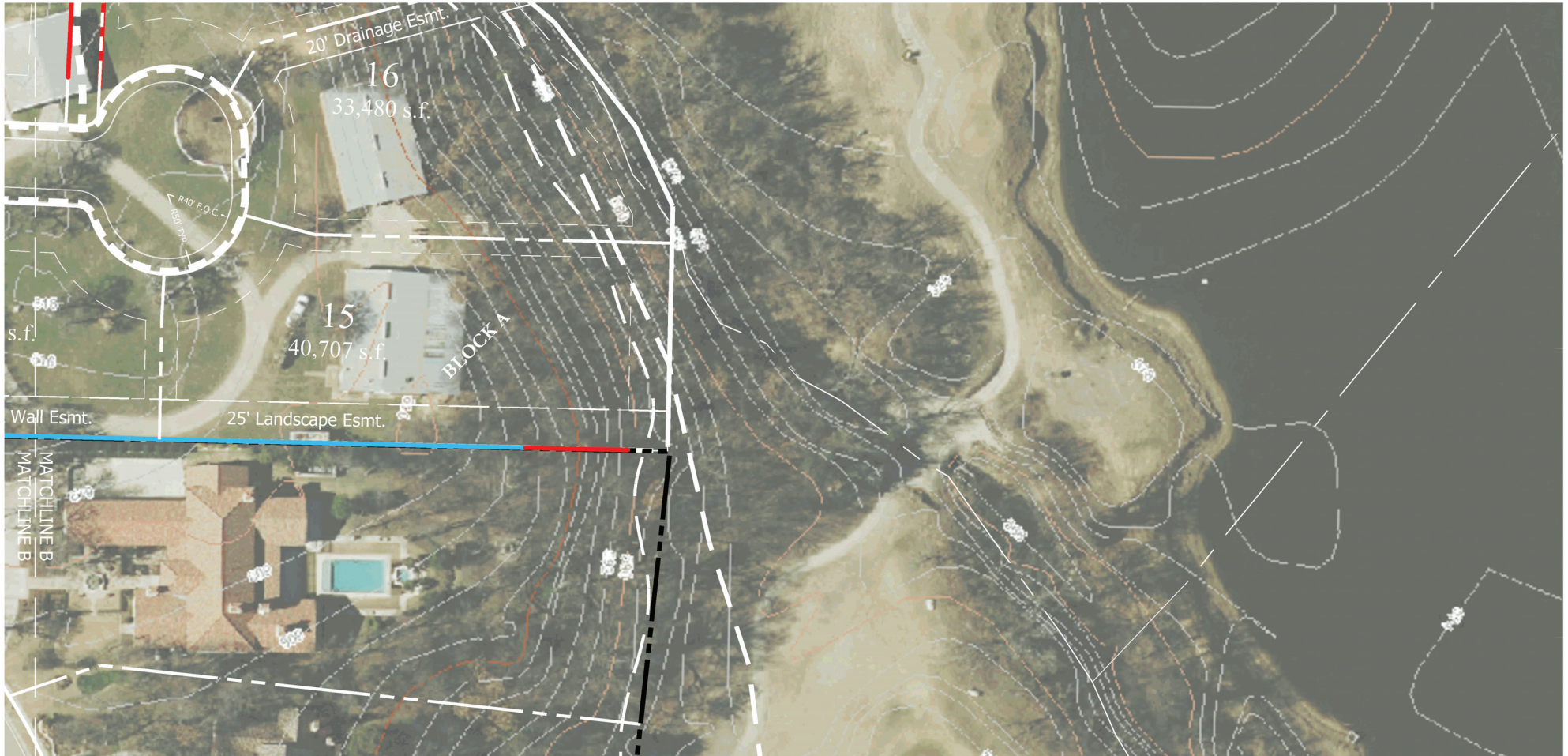
Eastern Boundary Detail (Sheet 2 of 3)

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
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
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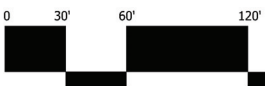
TYPE A - 8' Total: Masonry Wall 6' / Ornamental Metal Fence 2'

TYPE E - 6' Ornamental Metal Fence

Case #ZC18-002

21 SEPT 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

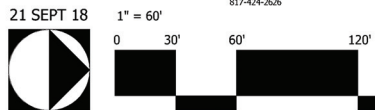
Screening and Fencing Plan



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

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

Case #ZC18-002



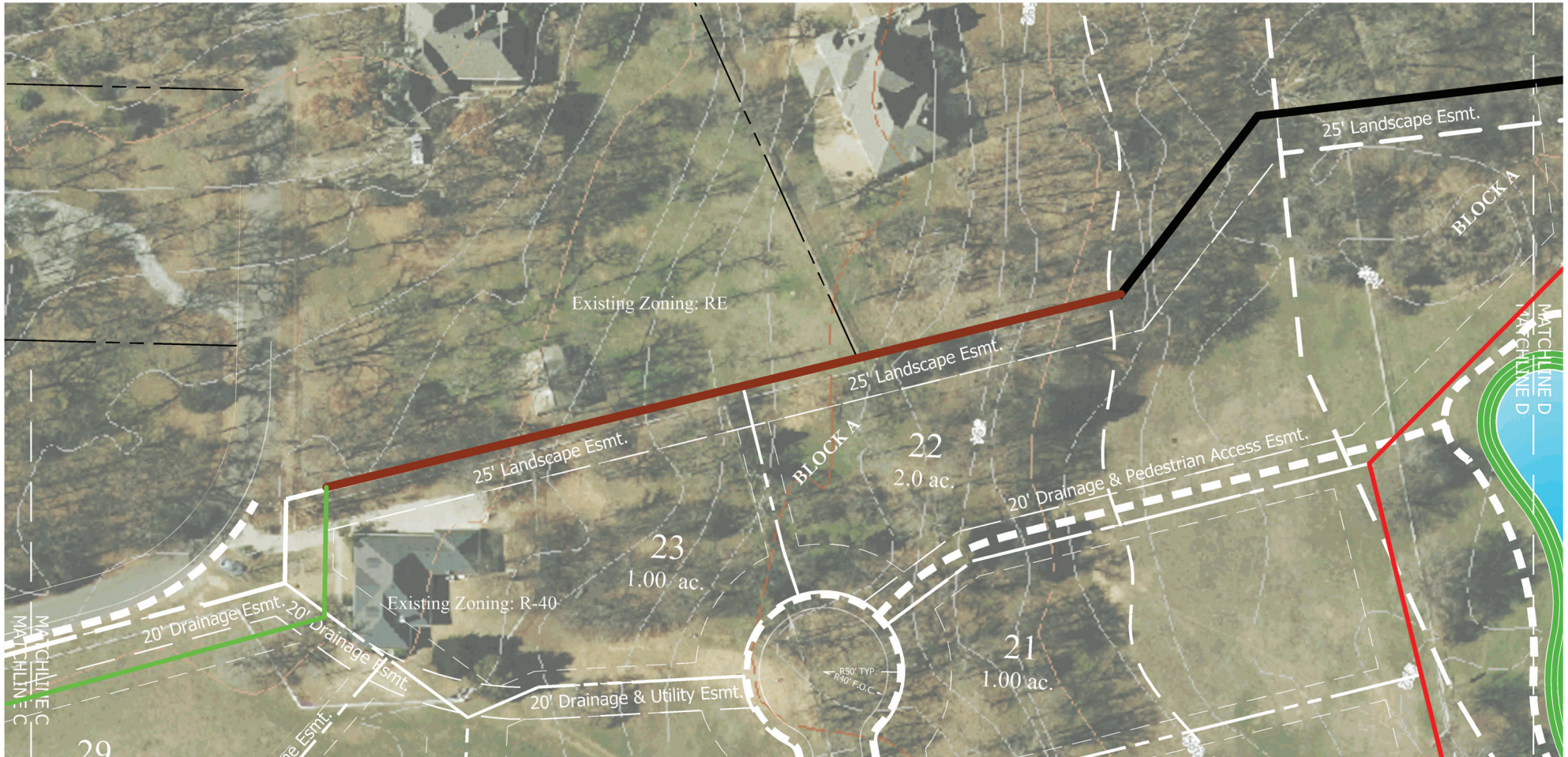
Western Boundary Detail (Sheet 1 of 3)

Oak Alley

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

Colleyville, Tarrant County, Texas

Screening and Fencing Plan



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

TYPE F - 7' Total: Masonry Wall 5' / Ornamental Metal Fence 2'

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

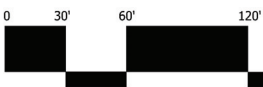
Planner:



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

21 SEPT 18

1" = 60'



Case #ZC18-002

Oak Alley

Colleyville, Tarrant County, Texas

Screening and Fencing Plan



Planner:



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Landscape Architecture
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817-424-2626

Replace Pipe Rail Fence

Case #ZC18-002

21 SEPT 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

Entry Plan



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Master Planning
Urban Design
Architecture
Landscape Architecture
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Southlake, Texas 76092
TEL: 917-424-2020

THE ENTRY

OAK ALLEY

Entry Plan

STONE



PAVERS



INSPIRATION



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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

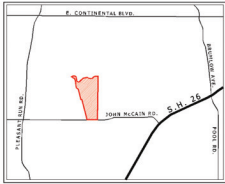


SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste 200
Southlake, Texas 76092
TEL: 817-424-2626

ELEVATION OF THE ENTRY

OAK ALLEY

Easement Landscape Plan



Holly Lane / Western Boundary Landscape Easement - Landscape Specifications

SHADE TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Live Oak <i>Quercus virginiana</i>	3"	14'-16' HT. / 10'-12' SPREAD	single trunk clear to 6'; b & b; matching growth
	Red Oak <i>Quercus shumardii</i>	3"	14'-16' HT. / 10'-12' SPREAD	single trunk clear to 6'; b & b; matching growth
	Cedar Elm <i>Ulmus crassifolia</i>	3"	14'-16' HT. / 10'-12' SPREAD	single trunk clear to 6'; b & b; matching growth

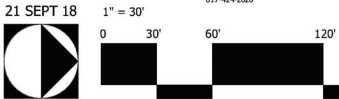
ORNAMENTAL TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Crape Myrtle <i>Lagerstroemia indica</i> 'Red Rocket'	30 Gal.	8' HT. / 6' SPREAD	container grown; matching growth
	Nellie R. Stevens Holly <i>Ilex x 'Nellie R. Stevens'</i>	30 Gal.	8' HT. / 6' SPREAD	container grown; matching growth
	Charlie Tree <i>Viburnum acer-castus</i>	30 Gal.	8' HT. / 6' SPREAD	container grown; matching growth

Eastern Boundary Landscape Easement - Landscape Specifications

SHADE TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Live Oak <i>Quercus virginiana</i>	3"	14'-16' HT. / 10'-12' SPREAD	single trunk clear to 6'; b & b; matching growth
	Red Oak <i>Quercus shumardii</i>	3"	14'-16' HT. / 10'-12' SPREAD	single trunk clear to 6'; b & b; matching growth
	Cedar Elm <i>Ulmus crassifolia</i>	3"	14'-16' HT. / 10'-12' SPREAD	single trunk clear to 6'; b & b; matching growth

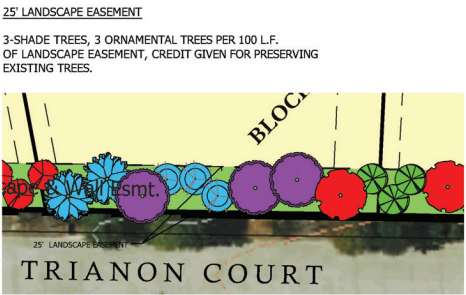
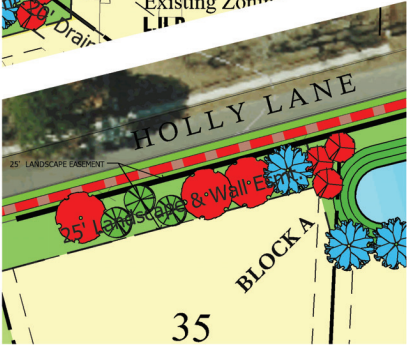
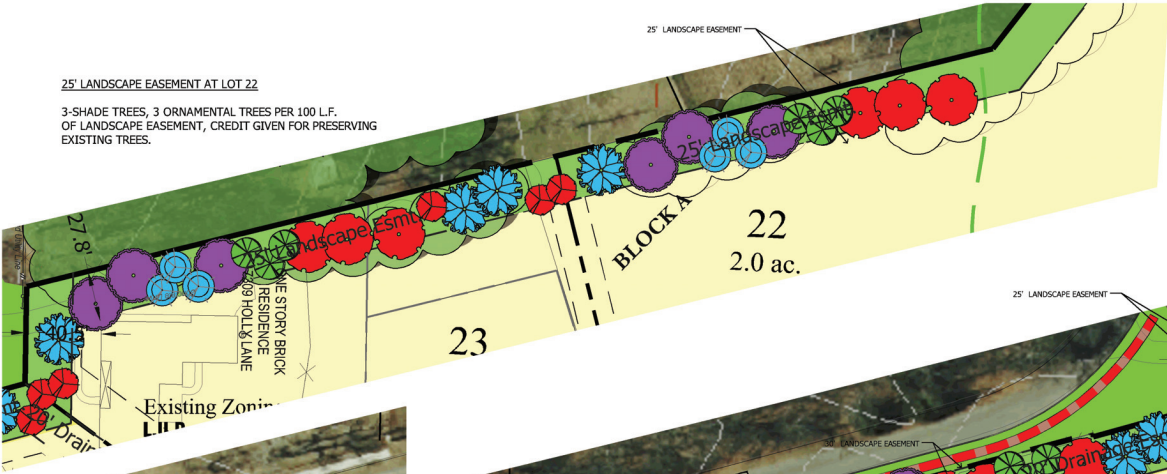
ORNAMENTAL TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Crape Myrtle <i>Lagerstroemia indica</i> 'Red Rocket'	30 Gal.	8' HT. / 6' SPREAD	container grown; matching growth
	Nellie R. Stevens Holly <i>Ilex x 'Nellie R. Stevens'</i>	30 Gal.	8' HT. / 6' SPREAD	container grown; matching growth
	Charlie Tree <i>Viburnum acer-castus</i>	30 Gal.	8' HT. / 6' SPREAD	container grown; matching growth

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

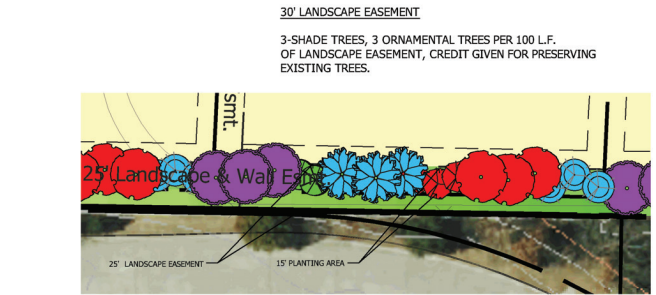
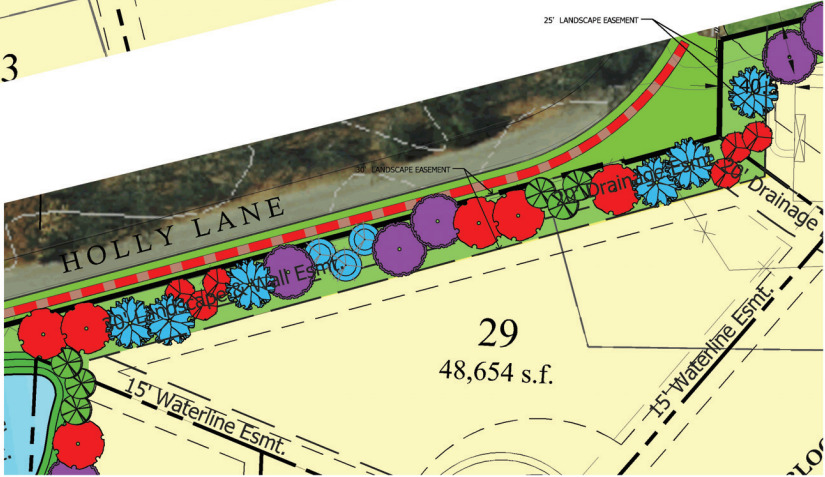


Landscape Easement Plantings

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



25' LANDSCAPE EASEMENT
3 SHADE TREES, 3 ORNAMENTAL TREES PER 100 L.F. OF LANDSCAPE EASEMENT



25' LANDSCAPE EASEMENT
(15' PLANTING AREA)
3 SHADE, 3 ORNAMENTAL TREES PER 100 L.F. OF LANDSCAPE EASEMENT

Oak Alley

Colleyville, Tarrant County, Texas

**DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR OAK ALLEY**

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TARRANT §

DEVELOPER, LLC, a Texas limited liability company; OAK ALLEY HOA, INC. a Texas corporation (all, "Declarant") is the owner of all that certain land described in EXHIBIT "A", attached hereto and incorporated herein for all purposes (the "Property").

Declarant hereby declares that the Property shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions, which are for the purpose of establishing a general scheme for the development of all of the lots in the Property, and which shall run with the land and be binding on all property or any part thereof, and shall inure to the benefit and binding upon of each owner thereof, and his heirs, administrators, successors and assigns.

DEFINITIONS

The following words when used in this Declaration or any amendment or supplement hereto (unless the context shall otherwise clearly indicate or prohibit) shall have the following meanings:

“Addition” shall mean Oak Alley subdivision as depicted in Exhibit A hereof.

“Assessment” shall mean any of the assessments described Article IV hereof.

"Association" shall mean and refer to Oak Alley Homeowners Association, Inc., a Texas non-profit corporation, which after its formation, but subject to the provisions of this Declaration, shall have the power, duty and responsibility of maintaining and administering the Common Area, collecting the Assessments and charges hereinafter prescribed, and the right of administering and enforcing this Declaration.

“Board” shall mean the Board of Directors of the Association.

“Builder” shall mean an Owner who is primarily engaged in the business of homebuilding and is building Residences on one or more Lots.

“City” shall mean the city of Colleyville.

"Common Area" shall mean and refer to the following: (a) easements for lighting and landscaping in the entryway, as more particularly described herein, (b) an easement for a masonry wall and/or fence as more particularly described herein, (c) ponds and water features, and (d) any other property hereafter conveyed to the Association as Common Area that shall be maintained by the Association.

Deleted:
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“Committee” shall have the meaning described in section 6.1 hereof.

“County” shall mean Tarrant County, Texas.

"Declarant" shall mean and refer to the entities named in the first paragraph above and their successors and assigns (if any). No person or entity purchasing one or more Lots from Declarant in the ordinary course of business shall be considered a “Declarant”.

“Development Period” shall mean the period beginning on the date of recording of this Declaration and expiring twenty (20) years thereafter unless previously waived in writing by Declarant; during the Development Period, the Declarant reserves the right to facilitate the development, construction and marketing of the Property and the right to direct the size, shape, and composition of the Property pursuant to section 209.002 (4-a) of the Texas Property Code.

“First Mortgagee” shall mean the holder, insurer, or guarantor of a purchase money mortgage secured by a recorded first deed of trust lien against a Lot, or any renewal, modification or refinancing thereof.

"Lot" shall mean and refer to any plot or tract of land shown upon the Plat, as amended from time to time, which is designated as a lot therein by a number and which is or will be improved with a Residence. If any Common Area may be platted as separate lots in the Plat, same shall be excluded from the definition of "Lot" as used herein. "Adjoining Lot" shall mean and refer to a Lot which is immediately adjacent to any other Lot as shown on the Plat. Any reference herein to the visibility of an item from any Adjoining Lot shall mean the visibility of such item from the ground level of the structure located on the Adjoining Lot and not the second story of a two-story dwelling located thereon.

"Member" shall mean and refer to each Owner of a Lot.

"Owner" shall mean and refer to each and every person or business entity who or which is a record owner of a fee or undivided fee interest in any Lot; however, the word "Owner" shall not include person(s) or entity(ies) who hold a bona fide lien or interest in a Lot as security for the performance of an obligation.

“Plat” shall mean that certain Final Plat of Oak Alley, a plat recorded as Instrument No _____, Real Property Records, Tarrant County, Texas.

"Property" shall mean and refer to the Property described in EXHIBIT "A", and any additions thereto which are subject to this Declaration or any amendment or supplement hereto, prepared and filed of record pursuant to the provisions hereof.

“Residence” shall mean any dwelling constructed on a Lot.

“Streets” shall mean those streets shown on the Plat.

ARTICLE I

MEMBERSHIP AND VOTING RIGHTS

Section 1.1. Membership. Every Owner of a Lot shall automatically be a Member of the Association for so long as he is an Owner.

Section 1.2. Voting Rights. The Association shall have three classes of Members:

CLASS A: Class A Members shall be all Members other than Class B and Class C Members. Class A Members shall be entitled to one (1) vote for each Lot in which they hold the interest required for membership. When more than one person holds such interest or interests in any Lot, all such persons shall be Members, and the vote for such Lot shall be exercised as they, among themselves, determine, but in no event shall more than one (1) vote be cast with respect to any such Lot.

CLASS B: Class B Members shall be any Builders. Class B Members shall be entitled to two (2) votes for each Lot owned. The Class B membership shall cease when a Residence is conveyed to a third party who is not a Builder.

CLASS C: The Class C Member shall be the Declarant. The Class C Member shall be entitled to ten (10) votes for each Lot which it owns; this membership Class shall expire upon the conveyance to a Class B member and/ or third parties of all Lots owned by Declarant.

Section 1.3. Quorum, Notice and Voting Requirements. The quorum, notice and voting requirements of and pertaining to the Association are set forth within the Bylaws of the Association as same may be amended from time to time.

ARTICLE II

GENERAL POWERS OF THE BOARD OF DIRECTORS

Section 2.1. General Powers. The affairs of the Association shall be conducted by its Board. The Board shall be selected in accordance with the Certificate of Formation of the Association (attached hereto as EXHIBIT "B") and Bylaws of the Association (attached hereto as EXHIBIT "C"). The Board, for the benefit of the Common Area and the Owners, shall have the following rights:

- (a) To provide for the care of and preservation of the Common Area and the furnishing and upkeep of any desired fixtures, personal property and landscaping in the Common Area, and to maintain any drainage pipes in Common Area or in easements conveyed to the Association;
- (b) To maintain the Common Area, including care for the grass, shrubs, flowers, and trees;

(c) To provide for any private trash and garbage collection service and security arrangements, at its discretion;

(d) To pay for taxes, insurance and utilities (including without limitation, electricity, gas, water and sewer charges) which pertain to the Common Area only;

(e) To hire the services of a person or firm (including Declarant and any affiliates of Declarant) to manage the Association or any separate portion thereof, and to maintain the Common Area, to the extent deemed advisable by the Board, and the services of such other personnel as the Board shall determine to be necessary or proper for the operation of the Association, whether such personnel are employed directly by the Board or by a manager designated by the Board;

(f) To contract for legal and accounting services;

(g) To obtain and purchase any other materials, supplies, furniture, labor, services, maintenance, repairs, and structural alteration which the Board is required to obtain or pay for pursuant to the terms of this Declaration or which in its opinion shall be necessary or proper for the operation or protection of the Association or for the enforcement of this Declaration;

(h) To execute all declarations of ownership for tax assessment purposes with regard to any of the Common Area;

(i) To enter into agreements or contracts with companies and taxing authorities with respect to: (i) taxes on the Common Area; (ii) insurance coverage (if any) on Common Area, and (iii) utility installation, consumption and service matters;

(j) To borrow funds to pay costs of operations and improvements, secured by assignment or pledge of income, if the Board sees fit, or secured by such assets of the Association as deemed appropriate by the lender and the Board;

(k) To enter into contracts, maintain one or more bank accounts, and, generally, to have all the powers necessary or incidental to the operation and management of the Association;

(l) To protect or defend the Common Area from loss or damage by suit or otherwise, to sue or defend in any court of law on behalf of the Association and to provide adequate reserves for repairs and replacements;

(m) To make reasonable rules and regulations for the Common Area and to amend them from time to time;

(n) To make available to each Owner, within one hundred twenty (120) days after the end of each fiscal year, an annual report;

(o) To adjust the amount, collect, and use any insurance proceeds to repair damage or replace lost property;

(p) To enforce the provisions of this Declaration and any rules made hereunder and to assess, institute foreclosure, fine, enjoin and/or seek damages from any Owner for violation of such of provisions or rules; provided, that the Board may exercise discretion in deciding to enforce the provisions of this Declaration and said rules, so long as it does not act in an arbitrary or capricious manner.

(q) To do such other acts as are contemplated by or are appropriate to this Declaration and the Certificate of Formation and Bylaws of the Association.

Section 2.2. Board Powers, Exclusive. The Board, acting through any Officer of the Association, shall have the exclusive right to contract for all goods, services, and insurance, and the exclusive right and obligation to perform the functions of the Board, except as otherwise provided herein. In the event or if for any reason the Board is not deemed authorized to act for and on behalf of the Association and the Members, then Declarant may exercise its power and authority described herein to act for and on behalf of the Association and the Members, and the Association shall reimburse Declarant for any and all reasonable expenses incurred in so acting.

Section 2.3. Contracts With Owners. The Board, on behalf of the Association, shall have full power and authority to contract with any Owner (including without limitation, Declarant) for the performance, on behalf of the Association, of services which the Board is otherwise required to perform pursuant to the terms hereof, such contracts to be upon such terms and conditions and for such consideration as the Board may deem proper, advisable and in the best interest of the Association.

Section 2.4. Liability Limitations. Neither any Member, the Board, any Director, nor any Officer of the Association shall be personally liable for debts contracted for, or otherwise incurred by the Association, or for a tort of another Member or the Association, whether such other Member was acting on behalf of the Association or otherwise. Neither Declarant, the Association, nor their Directors, officers, agents, or employees shall be liable for any incidental or consequential damages for failure to inspect any premises, improvements or portion thereof or for failure to repair or maintain the same.

Section 2.5. Reserve Funds. The Board may establish reserve funds which may be maintained and accounted for separately from other funds maintained for annual operating expenses.

Section 2.6. Restrictions on Contracts. Neither Declarant nor the Association may directly or indirectly enter into any management agreement or any other contract on behalf of the Association which extends beyond the expiration of the Development Period. The Association may, however, following such date, enter into new management agreements or other contracts in accordance with this Declaration.

ARTICLE III

PROPERTY RIGHTS IN THE COMMON AREA

Section 3.1. Members' Easement of Enjoyment. Subject to the provisions contained herein, the Association shall have and is hereby granted, transferred and conveyed a non-exclusive right and easement in and to the Common Area. The use of the Common Area by any Member, licensee, or guest of either, shall be at their own risk.

Section 3.2. Easements to the Common Area. The Declarant hereby reserves for the benefit of the Association and transfers to the Association an easement as "Common Area" over the landscaped common area of the Addition. The Declarant shall have the right and option (without the joinder and consent of any person or entity, save and except any consent, joiner or approval required by any governmental authority) to redesign, reconfigure, alter, improve, landscape and maintain the Common Area, provided that Declarant fully and timely complies with any and all requirements of any governmental authorities.

Section 3.3. Extent of Members' Easement. The rights and easements created hereby shall be subject to the following:

- (a) The right of the Association to prescribe reasonable regulations and policies governing the Common Area;
- (b) All matters recorded in the Real Property Records of the County, to the extent that same affect the Common Area as of the date of the recording of this Declaration, and such further easements, restrictions and exceptions as the Declarant or the Association may grant to other parties;
- (c) The right of the Association to enter into and execute contracts with any party (including, without limitation, Declarant) for the purpose of providing maintenance or such other materials or services consistent with the purposes of the Association.

Section 3.4. Declarant's and Association's Responsibilities for Common Area.

- (a) All initial improvements to the Common Area shall be performed by Declarant at its sole cost and expense prior to the conveyance of the Common Area to the Association. Such initial improvements shall include the grading and planting of any landscaping on the Common Area, and any other improvements on the Common Area, in Declarant's discretion.
- (b) Upon completion of the improvements described in (a) above, the Association shall cause the Common Area to be maintained, including, but not limited to, maintaining landscaping, payment of taxes on and insurance premiums, if any, for Common Area, the cost of replacing and repairing improvements to the Common Area, and paying the cost of labor, services, materials, and equipment (including the cost of renting same, if any) related to the Common Area and the improvements therein.

ARTICLE IV

COVENANTS FOR ASSESSMENTS

Section 4.1. Assessments. Each Owner of a Lot by acceptance of a deed therefor, whether or not it shall be so expressed in such deed, is deemed, as a part of the purchase money consideration for such deed and conveyance, to covenant and agree to pay to the Association (or to an independent entity or agency which may be designated by the Association to receive such monies):

(a) Regular Assessments (herein so called) for the costs of (i) promoting the health, recreation, safety and welfare of the Owners; (ii) improving and maintaining any Common Area and any improvements thereon; (iii) maintaining the landscaping and wall in the Common Area; (iv) paying taxes on the Common Area and insurance in connection with the Common Area and the repair, replacement and additions thereto; (v) paying for utility services to the Common Area; (vi) trash and garbage collection and security arrangements as may be determined necessary and appropriate by the Association from time to time; (vii) paying the cost of labor, equipment (including the expense of leasing any equipment) and materials required for, and the management and supervision of, the Common Area; (viii) carrying out the rights and duties of the Board as set forth herein, (ix) carrying out the various matters set forth or envisioned in this Declaration or in any amendment or supplement hereto, and in the Certificate of Formation and Bylaws of the Association; and (x) for any matter or thing required by any governmental authorities in connection with any zoning, subdivision, or platting of the Property;

(b) Special Assessments (herein so called) for capital improvements or unusual or emergency matters;

(c) Special Individual Assessments (herein so called) levied against individual Owners for (i) extra costs for maintenance and repairs caused by the willful or negligent acts of the individual Owner and/or his guests, contractors, and agents, and not caused by ordinary wear and tear or (ii) fines levied against individual Owners for violations of rules and regulations pertaining to the Association or the Common Area or (iii) costs to correct violations of this Declaration, including costs to maintain a Lot or improvements on any Lot because the Owner thereof failed to do so. Fines levied against individual Owners for violation of these Covenants, Conditions and Restrictions shall be assessed at a twenty dollar (\$20) a day fine after the owner has been given written notice and five (5) business days to cure the violation.

(d) Clean Up Assessments (herein so called) levied against lots owned Class A or Class B owners to reimburse the Association for the cost of removing trash, debris, and garbage from, and otherwise to mitigate any damage to, the streets, Lots and Common Areas within the Addition due to construction activity. All cleanup assessments shall be assessed ratably against all lots owned by Class A and Class B members.

Section 4.2. Creation of Lien. The Regular, Special and Special Individual Assessments, together with such late charges, interest and costs of collection thereof, as hereinafter provided, shall be a charge on the land and shall be a continuing lien upon each Lot against which each such Assessment is made. Declarant and the Association hereby reserve a vendor's lien in favor of the

Association against each Lot to secure the payment of any Assessment which may be levied against such Lot pursuant to the terms hereof, and the expenses incurred in connection with the enforcement thereof, including, without limitation, interest at the maximum rate permitted by law, costs, and reasonable legal fees. Such lien may be enforced by non-judicial or judicial foreclosure and the amounts secured thereby shall be the obligation of and chargeable to the Owner of the Lot against which such amounts accrue. Such lien shall be and is subordinate and inferior only to the following: (i) assessments, liens and charges in favor of the State of Texas and any political subdivision thereof for taxes past due and unpaid on the Lot; and (ii) amounts due under any first lien deed of trust duly recorded prior to the recordation of any Assessment lien as provided herein.

Section 4.3. Assessment Lien.

(a) All Assessments against a Lot but unpaid, including interest thereon at the maximum rate permitted by law from the date such Assessments are due until said Assessments are paid (subject to the limitation that the interest contracted for, charged or received pursuant to this Declaration may not exceed the maximum permitted by applicable law) shall constitute a lien on such Lot superior to all other liens and encumbrances, except as provided in section 4.2. Declarant or the Board or its duly appointed agent, may (but shall not be required to) prepare a written notice setting forth the amount of such unpaid indebtedness, the name of Owner and a description of the Lot. Such notice shall be signed by Declarant or the Board or its duly appointed agent and may be recorded in the office of the County Clerk of the County. Such lien may be enforced by the foreclosure of it upon the Lot to which it pertains or the Board or its duly appointed agent by judicial or non-judicial means. In any such proceeding, the Owner shall be required to pay the costs, expenses and legal fees incurred in connection with filing the lien, and in the event of any foreclosure proceeding, all additional costs, expenses and legal fees incurred in connection with any such foreclosure proceeding. Declarant or the Board or its duly appointed agent shall have the power to bid on the Lot at foreclosure or other legal sale and to acquire and hold, lease, mortgage, convey or otherwise deal with the same. Any mortgagee holding a lien on the Lot may pay, but shall not be required to pay, any unpaid Assessments owing with respect to the Lot and the Association may contact any mortgagee regarding any unpaid Assessment. All liens for Assessments hereunder shall be inferior to the lien held by a First Mortgagee such that foreclosure of any First Mortgagee's lien extinguishes the Association's claim against the Lot which is subject to said First Mortgagee's lien for unpaid Assessments that accrued prior to the date of foreclosure, but shall not extinguish the Association's claim against the Owner of such Lot and does not extinguish the Association's right to assess such Lot for Assessments after the foreclosure. Any action taken pursuant to this Section 4.3 shall only be taken after Declarant or the Association, as the case may be, first complies with Chapter 209 of the Texas Property Code, as same may be amended and in effect at the time of such action;

(b) The amount of the Assessments assessed against the Lot shall also be a personal obligation or indebtedness of the Owner thereof at the time the Assessments are made. Suit to recover a money judgment for unpaid Assessments shall be maintainable without foreclosing or waiving the lien securing same;

(c) Owner, by acceptance of the deed to the Property, hereby expressly vests in Declarant, the Association or its agents the right and power to bring all actions against Owner personally for the collection of such charges as a debt, and to enforce the aforesaid liens by all

methods available for the enforcement of such liens. No Owner may waive or otherwise escape liability for the Assessments provided herein by non-use of the Common Area or by abandonment of his Lot;

(d) If any Assessment remains unpaid at the expiration of thirty (30) calendar days from and after the due date established by the Declarant and/or the Board, a late charge may be assessed, if permitted by applicable law, against the Owner for each month that any portion of an Assessment remains unpaid. The late charge shall be in the amount of One Hundred and No/100 U.S. Dollars (\$100.00) for all Class A Members, and Fifty Dollars and No/100 U.S. Dollars (\$50.00) for all Class B Members. A reasonable service charge in an amount established by the Board may be charged for each check that is returned because of insufficient funds. The amounts of late charges and service charges may be adjusted, from time to time, by the Board consistent with any changes in the amounts of Regular or Special Assessments; provided, however, that the amount of any late charge assessed against Class B Members shall be fifty percent (50%) of the amount of the late charge assessed against Class A Members. Any such late charges and service charges shall be secured by the same lien that secures Assessments.

(e) No Assessments shall be levied against any public street.

Section 4.4. Basis and Amount of Regular Maintenance Assessments.

(a) Until and unless otherwise determined by the Board, the initial maximum Regular Assessment shall be Eighty and No/100 U.S. Dollars (\$80.00) per Lot per week.

(b) The Board may establish the maximum annual Regular Assessment for each Lot, provided that the maximum annual Regular Assessment may not be increased more than thirty percent (30%) above the maximum annual Regular Assessment for the previous year unless otherwise approved by a majority of the total votes of the Members.

Section 4.5. Special Assessments for Capital Improvements. In addition to the Regular Assessments authorized above, the Association may levy in any fiscal year a Special Assessment applicable to that year only, provided that any such Special Assessment shall have the affirmative approval of a simple majority of the total votes of the Members.

Section 4.6. Uniform Rate of Annual and Special Assessment. Both Regular and Special Assessments must be fixed at a uniform rate for all Lots owned by Members of the same Class. Each Lot owned by a Class A Member shall be charged with one hundred percent (100%) of the established per Lot Assessment; each Lot owned by a Class B Member shall be charged with fifty percent (50%) of the established per Lot Assessment (at the time of this Declaration, such fifty percent (50%) would amount to \$40.00 per week); and Lots owned by Declarant shall not be charged with any portion of any Regular or Special Assessment. Any Regular Assessment owed by a Class B Member will be paid once per calendar quarter, by the end of such quarter. Declarant may, however, pay any shortfall in Assessments necessary to pay for the expenses shown in any budget adopted by the Board.

Section 4.7. Date of Commencement of Assessments and Due Dates. The Board may prescribe from time to time that the Regular Assessments are to be collected on an annual, semi-

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annual, quarterly or monthly basis, and accordingly, the Declarant and/or the Board shall prescribe the appropriate due dates. All Regular Assessments shall be collected in advance. The due date or dates (if it is to be paid in installments) of any other Assessments shall be fixed in the respective resolution authorizing such Assessment, including the due date of the Assessment.

Section 4.8. Duties of the Board With Respect to Assessments.

(a) In the event of a revision to the amount or rate of the Regular Assessment, or establishment of a Special Assessment or Special Individual Assessment, the Board shall fix the amount of the Assessment, and the applicable due dates for each Assessment, at least sixty (60) days in advance of such due date or period, and the Board shall, at that time, prepare a roster of the Lots and Assessments applicable thereto which shall be kept in the office of the Declarant and/or the Association.

(b) Written notice of the Assessment shall thereupon be delivered or mailed to every Owner subject thereto.

(c) The Association shall furnish to any Owner liable for any Assessment a certificate in writing in accordance with Section 207.003 of the Texas Property Code, as amended. Such certificate shall be conclusive evidence of payment of any Assessment therein stated to have been paid. A reasonable charge may be made by the Association for the issuance of such certificate.

ARTICLE V

CONSTRUCTION OF IMPROVEMENTS AND USE OF LOTS

Section 5.1. Residential Use. All Lots shall be used for single-family residential purposes only. No building shall be erected, altered, placed or permitted to remain on any Lot other than one (1) detached single-family residence per Lot and a private garage as provided below, except as permitted by the Committee (defined below in Section 6.1 of this Declaration). Except as permitted by the Committee, the residence may not exceed the maximum height and/or lot coverage percentage allowed by the City.

Section 5.2. Single-Family Use. Each Residence constructed on a Lot may be occupied by only one family consisting of persons related by blood, adoption or marriage or no more than two unrelated persons living and cooking together as a single housekeeping unit together with any household servants.

Section 5.3. Car Garage Required. Each Residence constructed on a Lot shall have a garage suitable for parking not less than three (3) nor more than six (6) standard size automobiles, which garage conforms in design and materials with the main structure and there shall be one (1) door for each space for front facing garages. Front facing garage doors shall be behind a visual screening such as a berm, landscaping, or wing wall and not visible from a public right-of-way. All garage doors shall be recessed twelve (12") inches into the opening. Unless approved otherwise by the Committee, up to two (2) garage spaces shall have a vehicular access door or opening which faces any public right-of-way but they must be located a minimum of forty (40')

feet behind the front setback and forty (40') feet behind the side setback for corner lots. Garage doors shall be closed at all times except to allow the entry and exit of vehicles and persons and except when cleaning of or storing in the garage is occurring. All driveways must be accessed from the front of the lot unless otherwise approved by the Committee. All driveways and driveway aprons or parking aprons must be kept free of any storage of vehicles or other material and must be kept clean of any dirt, debris, or stain. For purposes of this Section, "storage" shall mean the parking or placing of any object or material for more than one day, except for temporary guests that shall stay for now more than ten (10) consecutive days. All garage doors shall be wood or clad with wood. The use of wood-like materials is prohibited and garage doors with the primary material of metal, vinyl, or glass are prohibited.

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Section 5.4. Restrictions on Resubdivision. None of the Lots shall be subdivided into smaller lots. None of the lots shall be platted into larger lots without the prior written consent of the Committee.

Section 5.5. Driveways. All driveways on a Lot shall be surfaced with concrete or similar substance approved by the Committee. No driveways shall be asphalt.

Section 5.6. Uses Specifically Prohibited.

(a) Except children's playhouses and sports equipment, with the exception of one basketball goal, dog houses, greenhouses, and gazebos, which may be placed on a Lot only in places which are not visible from, or are screened in a manner approved by the Committee from, areas of public open space and right-of-way, and except for buildings of storage of lawn maintenance equipment which shall be built of materials and be of architectural character compatible with the design of the original building, no temporary structure, shop, trailer or mobile home of any kind or any improvement of a temporary character is permitted on any lot. However, with the prior approval of the Committee, one temporary structure shall be permitted to allow the Declarant to coordinate and promote activities directly or indirectly associated with lot and house sales in the Addition, and other temporary structures for the use of Declarant or the Association are permitted with Committee approval. No building material of any kind or character shall be placed or stored upon the Property until the Owner thereof is ready to commence construction of improvements, and then such material shall be placed within the property lines of the Lot upon which the improvements are to be erected.

(b) No boat, marine craft, hovercraft, aircraft, recreational vehicle, pick-up camper, travel trailer, motor home, camper body or similar vehicle or equipment may be parked for more than one day within the Addition, unless completely concealed in an enclosed structure. No such vehicle or equipment shall be used as a residence or office temporarily or permanently. This restriction shall not apply to any vehicle, machinery or equipment temporarily parked and in use for the construction, maintenance or repair of a Residence in the immediate vicinity.

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(c) No Owner shall permit trucks with tonnage in excess of one ton to park overnight on any Street adjacent to a Lot except those used by a Builder during the construction of improvements.

(d) No vehicle of any size, which transports flammable or explosive cargo, may be kept on the Property or any adjoining Street at any time.

(e) No oil drilling, oil development operation, oil refining, quarrying or mining operations of any kind shall be permitted on the Property, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any part of the Property. No derrick or other structure designed for use in quarrying for oil or natural gas shall be erected, maintained or permitted on the Property.

(f) No animals, livestock or poultry of any kind shall be raised, bred or kept on the Property except that dogs, cats or other household pets may be kept for the purpose of providing companionship for an Owner. Animals are not to be raised, bred or kept for commercial purposes or for food. It is the purpose of these provisions to restrict the use of the Property so that no person shall quarter on any Lot cows, horses, bees, hogs, sheep, goats, guinea fowls, ducks, chickens, turkeys, skunks, llamas, badgers or other similar animals, and no dangerous, normally wild, animals whatsoever. It is the pet owner's responsibility to keep the Property clean and free of his or her pet's debris and to conform with all City Ordinances and Regulations affecting animals within the City. All pets must be properly tagged for identification. The Board shall have the right to adopt, amend, and repeal rules regulating types, sizes, and behavior of animals kept within the Property.

(g) No Lot or other part of the Property shall be used as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or other disposal of such shall be kept in clean and sanitary condition. Materials incident to construction of improvements may be stored on Lots during construction so long as construction progresses without undue delay. Nothing herein shall prohibit a compost area for only vegetation on a Lot provided that same is not visible from a Street, is not more than twenty square feet in area, and is subject to rules established by the Board from time to time that do not conflict with Section 202.007 of the Texas Property Code, as amended.

(h) No individual water supply system shall be permitted on the Property, except as may be approved by the Committee for irrigation; provided, an Owner may install rain barrel(s) so long as any such rain barrels are not visible from any Street.

(i) No individual sewage disposal systems shall be permitted on the Property.

(j) No garage, garage house or other out-building (except for sales offices and construction trailers during the construction period) shall be occupied by any Owner, tenant or other person prior to the erection of a Residence.

(k) No air-conditioning apparatus shall be installed on the ground in front of a Residence and must be located behind fencing unless approved otherwise by Committee. No air-conditioning apparatus shall be attached to any front wall or window of a Residence, or in any second floor window or wall. No evaporative cooler shall be installed on the front wall or window of a Residence. All utility meters, outdoor equipment, air-conditioning compressors, air-conditioning and heating units, sprinkler and other control devices, junction boxes, and

similar items must be visually screened from rights-of-way and from adjoining lots in a manner approved by the Committee and must be located in areas acceptable to the Committee.

(l) It is the intent of the Committee to insure that antennas, discs, dishes or other similar equipment do not detract from the overall appearance of the neighborhood as they are considered unsightly. No antennas, discs, dishes, or other equipment for sending or receiving sound or video messages shall be permitted in this Addition except antennas for AM or FM radio reception and for UHF and VHF television reception and satellite antennas of size specifically allowed by federal law. All antennas shall be located inside the attic of the main residential structure or otherwise in locations approved by the Committee. No use shall be made of any lot or structure thereon for any other type of radio or television or similar broadcasting system.

(m) No Lot or improvement thereon shall be used for business, professional, commercial or manufacturing purposes of any kind, except that an Owner may use a home office for incidental office use. No activity, whether for profit or not, shall be conducted which is not related to single-family residential purposes. No noxious or offensive activity shall be undertaken within the Property, nor shall anything be done which is or may become an annoyance or nuisance to the neighborhood. No exterior spotlighting shall be permitted which creates a nuisance for adjacent homeowners and only Committee approved dark sky lighting shall be allowed on the exterior of the home.

(n) No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between three (3) and six (6) feet above the roadway shall be placed or permitted to remain on any corner Lot within the triangular area formed by the Street right-of-way lines and a line connecting them at points ten (10) feet from the intersection of the street right-of-way lines. The same sight-line limitations shall apply on any Lot within ten (10) feet from the intersection of a Street right-of-way line with the edge of a private driveway pavement. No tree shall be permitted to remain within such distance of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

(o) Except for children's playhouses and sports equipment, doghouses, greenhouses, gazebos and buildings for storage of lawn maintenance equipment, no building previously constructed elsewhere shall be moved onto any Lot, it being the intention that only new construction be placed and erected thereon. All such improvements and their locations on a lot require Committee approval. Children's play equipment such as sandboxes, temporary swimming pool having a depth of less than 24 inches, playhouses and tents shall not require approval of the Committee provided that such equipment is not more than six (6) feet high, in good repair (including painting), and every reasonable effort has been made to screen or shield such equipment from view. Equipment higher than six (6) feet shall require committee approval as to design, location, color, material, screening, and use. Any addition, exterior alteration, or change to an existing building shall be compatible with the design character of the original building. Any new detached structure shall be compatible in materials and design with other structures on the lot, as determined by the Committee.

(p) No structures, planting or materials shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, which may change

the direction of flow within drainage channels or which may obstruct or retard the flow of water through drainage channels or easements.

(q) Unless approved otherwise by the Committee, no sign of any kind shall be displayed to the public view on any Lot except (i) one (1) professional sign of not more than five (5) square feet in size offering a Lot for sale, (ii) Committee approved uniform signs provided by the Committee used by a builder and design team to advertise property during the construction and sales period, (iii) “spirit” signs regarding school children, and (iv) political signs not more than five (5) square feet in size advocating the election of one or more political candidates or ballot item, provided that same may not be erected more than ninety (90) days in advance of the election to which they pertain and shall be removed within ten (10) days after the election. All permitted signs shall be ground-mounted and not more than three feet (3’) high. No sign of any kind or character that maligns or disparages Declarant, any Builder of a Residence within the Property, or the Property itself, or protests or complains of Declarant, any such Builder, or the Property, or the construction practices by Declarant or any such Builder, shall be displayed on any Lot or elsewhere within the Property, and any internet or electronic publication of any such complaint or protest shall be immediately removed from publication by the author thereof upon notice from Declarant. Further, no Owner may use the internet, publications or other print or broadcast media to malign or disparage the Property, the Declarant or any such Builder, it being acknowledged that any such public action creates controversy that diminishes the value of the Property and the Residences within it. Declarant or its agents shall have the right to remove any sign, billboard or other advertising structure that does not comply with the above, and in so doing shall not be subject to any liability for trespass or any other liability in connection with such removal. Nothing herein shall prohibit the erection of traffic directional signs or streets signs. No sign may be erected within the Common Area without the prior written consent of the Association.

(r) The drying of clothes in view of any Street is prohibited. The owners and occupants of any lots at the intersections of streets or adjacent to parks, common open space or other facilities where the rear yard is visible to public view shall construct a suitable enclosure to screen from public view the equipment which is incident to normal residences, such as clothes drying equipment, yard equipment and storage piles.

(s) Except within fireplaces in or attached to a Residence, or firepits as part of the permanent hardscaping design, and except for outdoor cooking, no outdoor burning of anything shall be permitted anywhere within the Addition without approval of the Committee.

(t) No carport shall be permitted on a lot.

(u) No abandoned, derelict or inoperative vehicles may be stored or located on any lot unless approved by the Committee and stored in the garage at all times with the garage door closed.

(v) No retaining walls visible from any public right-of-way or easement shall be permitted without the prior written approval of the Committee. Under no circumstances shall wooden retaining walls be permitted without the approval of the Committee. Materials used in retaining walls must be complementary to materials used in construction of the home on the lot when attached to a structure, as determined by the Committee. All aspects of retaining walls

must receive Committee approval. Retaining wall not connected to a structure will be of matching material used in the Addition perimeter walls.

Section 5.7. Minimum Floor Area. The total air-conditioned living area of a Residence built on a Lot, as measured to the outside of exterior walls but exclusive of open porches, garages, patios and detached accessory buildings, shall be not less than four thousand three hundred (4,300) square feet. The first story of two-story houses must contain at least two thousand three hundred (2,300) square feet, unless approved otherwise by the Committee. Lot 29 shall be limited to a single-story structure.

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Section 5.8. Structure Materials: Exterior Items and Surfaces. Unless approved by the Committee, the dominant exterior vertical wall area of each structure, exclusive of doors and windows, shall be masonry (brick, stone, or stucco over CMU block) or other material solely determined by the Committee. No more than 20% of the exterior vertical wall to be authentic lath and stucco application over wood framing. Dryvit systems or Styrofoam products are not acceptable. The exterior of chimney flues shall be of masonry material acceptable to the Committee. Installation of all types of exterior items and surfaces such as address numbers or external ornamentation, lights, mail chutes, mailboxes, roofing materials and exterior paint or stain, shall be subject to the approval of the Committee as to size, design, materials color, manufacturer and location. Roofing material of each home shall be that specifically approved by the Committee for that home and consist of slate, flat tile, barrel tile, standing seam metal, or copper. The use of composition shingles or wood shingles is prohibited. Windows must be wood clad, steel or bronze and submitted for review of Committee approval. Window mullions that are appropriate for the selected architectural style are required and shall be approved by the Committee.

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Section 5.9. Side Line and Front Line Setback Restrictions. Except as otherwise approved by the Committee, no structure shall be located on any Lot nearer to the front Lot line or nearer to the side Street line than the minimum building set back lines shown on the Plat or required by any applicable governmental authority.

Section 5.10. Waiver of Setback Requirement. With the prior written approval of the Committee, any structure may be located further back or closer to any property line of a lot than provided above, where, in the opinion of the Committee, the proposed location of the structure will not substantially detract from the appearance and value of the lot and will not substantially detract from the appearance of the adjoining lots. The Committee may require that any structure be located further back or closer to any property line than provided above or on the Plat.

Section 5.11. Fences and Walls.

(a) Any fence or wall shall (i) comply with City requirements, including those regarding height, location and materials; (ii) not extend nearer to the front street than five (5') feet behind the front of the house without the prior approval of the Committee; (iii) be constructed according to architectural design, materials, finish and methods, including site installation, approved by the Committee; (iv) be constructed so that the sides containing the structural supports are not visible from any public right-of-way unless approved by the Committee; (v) be not less than six (6') feet in height or more than eight (8') feet in height as measured from existing ground

level unless approved by the Committee; (vi) for any fence on the side of a corner lot adjacent to a street, be behind the setback line of such lot, unless otherwise approved by the Committee; on corner lots, special, more restrictive fencing requirements may be imposed by the Committee on the lot side facing the street; (vii) be finished strictly as approved by the Committee. Fences may be privately installed but must be constructed to professional levels of quality approved by the Committee. The design, specifications and contractors for building fences may be specified by the Committee.

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(b) As to corner lots, any fence visible from a public right-of-way shall be uniform fence of a design, material and color and in the specific location to be determined by the Committee for each lot, which shall generally include but not be limited to the following: (i) the location between the structure and the side street property line of such fence; (ii) how close the fence may be built to the street the lot fronts on; (iii) whether a formal foundation planting along the outside of the fence is required; (iv) whether such fence shall be constructed of metal and masonry or similar material, have metal posts, and masonry columns constructed of a material required by the Committee; (v) the height of such fence; and (vi) other design criteria of such fence.

(c) The Committee may require that some or all retaining walls in the Addition be constructed of a uniform color, material and/or design for walls attached to a structure.

(d) The use of double fencing shall be prohibited. ▼ The screening for such a fence shall be landscaping. Wood, plastic and chain link fences are prohibited.

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Section 5.12 Sidewalks. All sidewalks shall, at a minimum, conform to City specifications and regulations. The Committee may impose more restrictive standards than those required by the City.

Section 5.13 Mailboxes and Address Plaques. Mailboxes, mailbox stanchions, and address plaques shall be constructed in accordance with material, color and design standards approved by the Committee, made by contractors specified by the Committee, and placed only in locations approved by the Committee. Mailboxes, mailbox stanchions, and address plaques may not be constructed or installed without prior written consent of the Committee. Each Lot shall have one Committee-approved standard mailbox unless one mailbox is prohibited by the United States Postal Service, in which case, a common mail facility shall be created.

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Section 5.14 Commencement of Construction. Each residence constructed on each lot, and any other improvements thereto, shall be commenced within six (6) months after conveyance of the lot by Declarant and completed with due diligence but only after approval by the Committee of the plans and specifications prepared in connection with such construction.

Section 5.15. Utilities. Except as to special street lighting or other aerial facilities which may be required by the City or which may be required by the franchise of any utility company or which may be installed by Declarant pursuant to its development plan, no aerial utility facilities of any type (except meters, risers, service pedestals, transformers and other surface installations necessary to maintain or operate appropriate underground facilities) shall be erected or installed in the Addition whether upon individual lots, easements, streets or rights-of-way of any type, either by the utility company or any other person or entity, including, but not limited to, any person

owning or acquiring any part of the Addition, and all utility service facilities (including, but not limited to, water, sewer, gas, electricity and telephone) shall be buried underground unless otherwise required by a public utility or unless said aerial utilities are approved by the Committee.

Section 5.16. Fire Suppression System. All residences in the subdivision shall be required to have fire suppression system regardless of size or location.

Section 5.17. Perimeter Landscaping Maintenance and Replacement. Any landscaping in the perimeter landscape easements, as required by the City for zoning approval, shall not be removed by the homeowners or the Association, and shall be replaced by either party if it becomes diseased or dies.

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ARTICLE VI

ARCHITECTURAL CONTROL

Section 6.1. Appointment. Declarant shall designate and appoint an Architectural Control Committee (herein called the "Committee") composed of three (3) individuals, each generally familiar with residential and community development design matters and knowledgeable about Declarant's concern for a high level of taste, design, materials, construction, and landscaping standards in the Addition. The Committee shall be the sole determinant to promote and ensure a high level of taste, design, quality, harmony and conformity throughout the Property consistent with this Declaration. The initial Committee shall be the initial Directors of the Association.

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Section 6.2. Successors. Until the end of the Development Period, in the event of the death, resignation or removal by Declarant of any member of the Committee, the Declarant shall have full authority to designate and appoint a successor. No member of the Committee shall be entitled to receive compensation for, or be liable for claims, causes of action or damages arising out of, services performed pursuant to this Declaration. After expiration of the Development Period, the Board shall appoint the Committee and shall determine the term length and rotation for Committee members.

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Section 6.3. Authority. No structure, fence, wall, landscaping (including tree removal, exterior lighting, sculptures, statues, fountains, and other outdoor art, and outdoor recreational equipment), lot grading, flatwork (sidewalks, driveways, porches), or other improvements shall be commenced, erected, placed, maintained or altered on any Lot, nor shall any exterior painting of, exterior addition to, or alteration of, such items or the color, material or texture of any exterior of same, be made until all plans and specifications for same and a plot plan have been submitted to and approved in writing by a majority of the members of the Committee as to:

- (i) Proper facing of main elevation with respect to the Streets and side elevation for corner lots;
- (ii) conformity and harmony of the external design, color, type and appearance of exterior surfaces and landscaping in relation to the various parts of the proposed improvements and in relation to improvements on other Lots in the Addition; and

- (iii) location with respect to topography and finished grade elevation and effect of location and use on Adjoining Lots, improvements and drainage arrangements; and
- (iv) the other standards set forth within this Declaration (and any amendments hereto) or matters in which the Committee had been vested with the authority to render a final interpretation and decision.

The Committee is authorized and empowered, but not obligated, to consider, review and approve any and all aspects of construction and landscaping which may, in the reasonable opinion of the Committee, adversely or positively affect the living enjoyment of one or more lot owners or the general value of lots in the Addition. In considering the harmony of external design between existing structures and the proposed building being erected, placed or altered, the Committee shall consider only the general appearance of the proposed building as that can be determined from front, rear and side elevations on submitted plans. No member of the Committee shall be liable for any decision made by the Committee in good faith.

Section 6.4. Procedure for Approval. Final plans and specifications and landscaping plans shall be submitted in triplicate to the Committee along with a nonrefundable submittal fee of three thousand five hundred dollars (\$3,500.00). The plans and specifications shall show the nature, kind, shape, height, color, materials and location of all structures, landscaping and improvements, and such other information as may be required by the Committee. The documents shall specify any requested variance from the setback lines, garage location or any other requirement set forth in this Declaration. Any incomplete submittals will require a resubmittal fee. The Committee will require the submission of samples of proposed construction materials. At such time as the plans and specifications meet the approval of the Committee, two complete set of plans and specifications will be retained by the Committee and the other complete set of plans shall be marked "Approved", signed by a member of the Committee and returned to the Owner or his designated representative. No verbal approval by any member of the Committee shall be binding on the Committee. If disapproved by the Committee, one set of such plans and specifications shall be returned marked "Disapproved" and shall be accompanied by a reasonable statement of the reasons for disapproval, which statement shall be signed by a member of the Committee. Any modification of the approved set of plans and specifications must again be submitted to the Committee for its approval. A resubmittal fee may be required, at the Committee's discretion. The Committee's approval or disapproval, as required herein, shall be in writing. If the Committee fails to approve or disapprove such plans and specifications within thirty (30) days after the date of all required plans and specifications, written approval of the matters submitted shall not be required and compliance with this Article shall be deemed to have been completed. In case of a dispute about whether the Committee responded within such time period, the person submitting the plan shall have the burden of establishing when and if the Committee received the plans. The Committee's receipt of the plans, specifications and samples may be established by a signed certified mail receipt or by other receipt signed by a Committee representative. Approval of plans by any governmental authority shall not obviate the need to obtain the approval by the Committee hereunder.

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Section 6.5. Standards. The Committee shall have sole discretion with respect to taste, design and all standards specified herein. One objective of the Committee is to prevent unusual, radical, curious, odd, bizarre, peculiar or irregular structures, materials, colors or appearances from

being built in the Addition and to promote excellence in architecture, materials, construction and landscaping. For this purpose, the materials, construction, and landscaping, including but not limited to, that chimney flues be covered with brick or masonry, that chimney caps be approved by the Committee, that non-chimney roof ventilation be hidden from view from rights-of-way and common areas, that specific types of divided light windows be used, restricting the placement of skylights, solar heating panels, and prefabricated fireplace boxes, chimney flues and caps, requiring certain types of front and side window treatments (shutters, etc.) complementary to the architecture of the house, requiring windows to be recessed a minimum of 4" into the wall and generally requiring that plans submitted for approval meet or exceed the standards of the existing improvements on neighboring lots. The Committee may from time to time publish and promulgate architecture, materials, construction, and landscape standards and requirements from improvements in Oak Alley ("The Oak Alley Standards"), which shall carry forward the spirit and intention of this Declaration and of Declarant with respect to improvements in Oak Alley. The Oak Alley Standards shall include Approved Architectural Materials, Approved Landscaping, and the Submittal and Review Process. Committee approvals and requirements may be based all or in part upon these Standards. ALL IMPROVEMENTS MUST STRICTLY ADHERE TO COMMITTEE APPROVALS AND BE BUILT STRICTLY IN OBSERVANCE OF SCALE OF APPROVED DRAWINGS.

Section 6.6. Construction Review. The Committee shall review and approve in writing, construction for the following: (i) foundation pre-pour; (ii) mock wall matching approved materials; (iii) framing review matches approved design; (iv) installed exterior material review matches approved design; and, (v) installed landscape. In the event that i, iii, or iv is not approved on the initial inspection, the Committee may charge a fee of \$200 an hour for additional follow up reviews. See attached Exhibit "D" for additional detail on the Oak Alley Construction Review Process.

ARTICLE VII

SPECIAL FENCING AND LANDSCAPING AND GRADING PLAN

Section 7.1. Fences, Grading Plan, Walls and Sprinkler Systems. After the recording of this document, Declarant, and the Association if it has been formed according to this Declaration, shall have the right to erect, install, maintain, repair and/or replace fences, walls and/or sprinkler systems within those portions of any lot which are located outside the building, setback or sight lines, including all public right-of-way and easements located on or contiguous to any lot, as established by the Plat, this document or any governmental entity (being referred to herein as the "Restricted Area"). Any fence, wall or sprinkler system shall be the property of the owner of the lot on which such fence, wall or sprinkler system is erected or installed, subject to the easements and rights of Declarant and the Association set forth in this document. No fence, wall or sprinkler system shall be erected or installed in the Restricted Area by the owner thereof without the prior written consent of Declarant, the Committee and the Association.

Section 7.2. Landscaping. Except for landscaping by Declarant, no landscaping may be installed without the prior written approval by the Committee of a landscape plan showing the proposed landscape design, plant and other materials, irrigation layout and other details, and describing bed preparation, planting details, fencing, edging, exterior lighting, and other matters required by the Committee. Declarant or the Association shall have the right to grade, plant and/or

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landscape and maintain, repair, replace and/or change such grading, planting and landscaping on any portion of the Restricted Area. In the event Declarant does not landscape the Restricted Area, the owner thereof may plat grass and, with the prior written consent of Declarant, may landscape and plant trees and shrubs in the Restricted Area. Each lot on which a structure is constructed shall have landscaping, including, but not limited to, shrubs, flowers, trees, ground cover and grass, of a sufficient quality, quantity and design to be compatible with landscaping on adjoining lots and the neighborhood setting intended for the Addition. Landscaping of a lot, which must include a sprinkler system for the front yard (and on corner lots, sprinkler systems for sideyards visible from any public right-of-way), shall be completed within thirty (30) days after the date on which the house receives a Certificate of Occupancy from the City. All sprinkler systems shall have a rain sensor so that the sprinklers shut off in the event of rain. Lot owner shall use reasonable efforts to preserve, keep and maintain the landscaping in a healthy and attractive condition. No wooden retaining walls shall be permitted. The Committee may require the owner of any lot to plant and maintain as many as four (4) trees and possibly more for corner lots, and approved by Committee as to location and type of tree. Any such tree(s) shall, if required by the Committee, be replaced by the lot owner if said tree(s) does not survive. The Committee will limit tree, shrubbery, ground cover, grass, edging, flowers, and other materials for use in front and sideyard landscaping to those items which it lists from time to time in the Oak Alley Standards of the Addition. Tree type may be selected by the Committee.

Section 7.3 Easement. The Declarant, the Association and the Committee each shall have, and hereby reserve, the right and easement to enter upon the Restricted Area for the purpose of exercising the discretionary rights set forth in this Declaration.

Section 7.4 Maintenance by Individual Lot Owner. In the event the Declarant, the Association or the Committee does not maintain or repair any fences, walls, grading, planting or landscaping erected, installed or situated within the Restricted Area of any lot, then the owner of such lot shall, at their expense, perform such maintenance and repair work as is necessary to maintain such fences, walls, grading, planting and landscaping in good and neat condition and appearance; provided, however, that the lot owner shall give the Committee and the Association ten (10) business days' written notice before doing any maintenance other than mowing, edging, and trimming. So long as the Restricted Area and any fences, walls, grading, planting and landscaping thereon are being reasonably maintained and repaired by the Committee and the Association, the owner of such lot shall not perform any maintenance or repair work within such Restricted Area without the prior written consent of the Committee and the Association.

Section 7.5 The Committee's Discretion. Notwithstanding any provisions herein to the contrary, neither Declarant, the Association, nor the Committee shall ever be obligated to erect, install, maintain, repair or replace any fences, walls, sprinkler systems, grading, planting or landscaping on any lots.

Section 7.6 Grading Plan. Unless otherwise approved by the Committee, the owner of each lot shall strictly adhere to the lot grading plan attached hereto as Exhibit "E" (the "Grading Plan") and shall have an affirmative obligation to maintain the Grading Plan in all respects. The owner hereby covenants and agrees to strictly adhere to the following obligations:

(a) The owner of each lot shall maintain drainage flows as shown on the Grading Plan and keep properly graded any channel or swale (i) which is located on the lot prior to the conveyance of the lot to the lot owner or (ii) required for compliance with the Grading Plan. The owner of each lot shall keep any such channel or swale free and clear at all times of debris and keep grass therein mowed to a height not to exceed two inches;

(b) The owner of each lot shall build any side or rear lot line fence approved by the Committee that extends across a channel or swale so that no more than 50% of the swale width is closed by fence material. For purposes of this section, "channel width" and "swale width" shall be defined as that cross-section triangular area which is formed by the walls of the fifty percent (50%) or more of the swale or channel width shall be left open, as required by the Engineering Department of the City of Colleyville and the Committee. This specification can be achieved by alternating fence slats with open gaps where the fence protrudes into the channel width or swale width.

ARTICLE VIII

GENERAL PROVISIONS

Section 8.1. Registration with the Association. Each and every Owner shall have an affirmative duty and obligation to provide, within fifteen (15) days after such Owner acquires one or more Lots, and thereafter revise and update, within fifteen (15) days after a material change has occurred, various items of information to the Association such as: (a) the full name, address and email address of the Owner; (b) the full name of each individual family member who resides within the Residence of the Owner; (c) the business address, occupation and telephone numbers of each Owner; (d) the description and license plate number of each automobile owned or used by Owner and brought within the Property; and (e) such other information as may be reasonably requested from time to time by the Association.

Section 8.2. Activation. At or before the earlier of the expiration of the Development Period, or the election of a Board of Directors by the Members other than the Class C Member, Declarant shall transfer control to the Association over any utilities related to the Common Area.

Section 8.3. Easements. Easements areas for the installation and maintenance of utilities, landscape and drainage facilities are reserved as shown on the Plat. Easements are also reserved for the installation, operation, maintenance and ownership of utility service lines from the property lines to the Residences. Declarant reserves the right to make changes in and additions to the above easements for the purpose of most efficiently and economically installing improvements.

Section 8.4. Recorded Plat. All dedications, limitations, restrictions and reservations shown on the Plat are incorporated herein and shall be construed as being adopted in each contract, deed or conveyance executed or to be executed by Declarant, conveying Lots in the Property, whether specifically referred to therein or not.

Section 8.5. Lot Maintenance. The Owner and occupant of each Lot shall maintain the yard on his Lot in a sanitary and attractive manner and shall edge the street curbs that run along the property line. Grass, weeds and vegetation on each Lot must be kept mowed at regular intervals so as to maintain the property in a neat and attractive manner. No vegetables shall be grown in any

yard that faces a street. No Owners shall permit weeds or grass to grow to a height of greater than six inches (6") upon his Lot. In addition, each Owner shall maintain the area between his Lot and the adjoining Street in a neat and attractive manner. Notwithstanding the foregoing, no Owner shall be required to maintain the landscaping or masonry wall located within the Common Area.

Section 8.6. Maintenance of Improvements. Subject to the provisions contained herein, each Owner shall maintain the exterior of all buildings, fences, walls and other improvements on his Lot in good condition and repair, and shall replace worn and rotten parts, and shall regularly repaint all painted surfaces and shall not permit the roofs, rain gutters, down spouts, exterior walls, windows, doors, walks, driveways, parking areas or other exterior portions of the improvements to deteriorate in an unattractive manner.

Section 8.7. Mortgages. No breach of the covenants, conditions and restrictions contained herein shall in any way defeat or render invalid the lien of any mortgage or deed of trust. These covenants, conditions and restrictions shall survive any foreclosure, trustee's sale or otherwise, and be binding upon any person acquiring any Lot by reason of any foreclosure, trustee's sale or otherwise. With respect to any First Mortgagee of which the Association has received written notice, the Association shall, in the event of any breach hereof by the Owner of the property covered by such lien, give such mortgagee or holder written notice of the breach and thirty (30) days time to cure. In dealing with the Association, a First Mortgagee may be represented by a servicer or agent. An action to terminate this Declaration must be approved by the First Mortgagees holding mortgages on two-thirds of the Lots. A First Mortgagee may inspect the books and records of the Association upon written notice to the Association. A First Mortgagee may prepare an audited financial statement of the Association's books and records at its own expense. If this Declaration or applicable law ever requires the consent of mortgagees for an act, amendment or other decision, then the approval of a mortgagee shall be conclusively presumed if the mortgagee fails to respond within sixty (60) days after receiving the Association's written request for approval.

Section 8.8. Development Period. During the Development Period, Declarant reserves all rights and privileges described in section 209.002 (4-a) of the Texas Property Code, including, specifically, the right to:

- a. add or withdraw real estate from the purview of this Declaration and the Association;
- b. amend the Declaration acting alone;
- c. appoint the Board of Directors;
- d. appoint the members of the Committee;
- e. use one or more Lots for model home(s), and consent to the use of Lots by other Builders as model home(s), which may include offices and storage areas;
- f. install, and permit Builders to install, signs, lighting, decorative items and other promotional items on the Lots and to have and sponsor marketing events at the Lots;

g. change Lot size or configuration and revise any plat of any Lots;

h. resolve any conflicts within this Declaration or between this Declaration and any other documents attached hereto.

All decisions regarding any of the foregoing may be made by Declarant at its discretion.

Declarant may voluntarily terminate the Development Period at any time by signing and acknowledging a notice so stating that is recorded in the Real Property Records of the County. The Development Period shall continue even if Declarant no longer owns any portion of the Property.

Section 8.9. Term. The foregoing covenants and restrictions shall run with and bind the land and shall remain in full force and effect for a term of twenty (20) years after this Declaration is recorded. They shall be automatically extended for successive periods of ten (10) years unless terminated by an instrument approved by a majority of the votes of the Owners in writing and recorded in the deed records of the county where the Property is situated.

Section 8.10. Severability. If any condition, covenant or restriction herein contained shall be invalid, which invalidity shall not be presumed until the same is determined by the judgment or order of a court of competent jurisdiction, such invalidity shall in no way affect any other condition, covenant or restriction, each of which shall remain in full force and effect.

Section 8.11. Binding Effect. Each of the conditions, covenants, restrictions and agreements herein contained is made for the mutual benefit of, and is binding upon, each and every person acquiring any part of the Property, it being understood that such conditions, covenants, restrictions and agreements are not for the benefit of the owner of any land except land in the Property. This instrument, when executed, shall be filed of record in the deed records of the Tarrant County, Texas, so that each and every Owner is on notice of the conditions, covenants, restrictions and agreements herein contained.

Section 8.12. Enforcement. The Owner of any Lot shall have the right to have each and all of the foregoing restrictions, conditions and covenants faithfully carried out and imposed upon every other Lot. So long as the Association shall remain in existence, each Owner grants to the Association the right to enforce the performance of all terms and conditions in this Declaration, by injunction or other appropriate remedy, at law or in equity. Should the Association or any Owner employ counsel to enforce or defend any of the restrictions, conditions and covenants herein contained, the prevailing party in any litigation shall be entitled to receive from the losing party all costs incurred in such enforcement or defense, including reasonable attorneys' fees. Failure by the Association, or any Owner, including Declarant, to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter. Any decision to enforce this Declaration by the Board shall be at the Board's discretion, it being acknowledged that the Board may choose not to pursue enforcement for any of a variety of reasons, including, but not limited to, lack of materiality of the violation, the cost of enforcement, inconsistency with applicable law, etc. If an Owner fails to maintain his Lot in accordance with Sections 6.5 and 6.6, then the Association may do so and the costs thereof shall be a Special Individual Assessment.

Section 8.13. Other Authorities. If other authorities, such as Tarrant County or any city having jurisdiction over the Property, impose more demanding, expensive or restrictive requirements than those set forth herein, the requirements of such authorities shall be complied with. Said authorities' imposition of lesser requirements than those set forth herein shall not supersede or diminish the requirements herein.

Section 8.14. Addresses. Any notices or correspondence to an Owner shall be sent to the street address of the Lot or email address of the Owner. Any notice or correspondence to the Association or Committee shall be addressed to the address shown beneath the signature of Declarant below or to such other address as is specified by the Association or Committee pursuant to an instrument recorded in the Real Property Records of the County.

Section 8.15. Amendments. This Declaration may be amended with the consent of sixty-seven percent (67%) or more of the outstanding votes of the Association. For any such amendment by the Owners, the Board shall prescribe a method for soliciting votes of the Owners that gives each Owner the exact wording of the proposed amendment and the opportunity to vote for or against same. If the proposed amendment is passed, then a written document describing this Declaration, the amendment, and referencing the Property shall be signed and acknowledged by an officer of the Association and duly recorded in the real property records of the County. For a period of five years after the recording of this document, Declarant and/or the Association, if it has been formed, shall give the City notice of any Amendments to this Declaration.

Section 8.16. Assignment. Declarant may assign its rights and obligations under this Declaration to any party which assumes such rights and obligations in writing. To be effective, such an assignment must be signed by Declarant and such assignee, with signatures acknowledged, and recorded in the real property records of the Tarrant County, Texas.

Section 8.17 Statute Reference. Any reference to any statute in this Declaration shall be to the statute so named, as same may be subsequently amended and/or restated.

Section 8.18 Soil Movement. Each Owner acknowledges that the failure or excessive movement of any foundation of any Residence within the Property can result in the diminished value and desirability of the entire Property. Each Owner agrees and understands that the maintenance of the moisture content and the soils on each Lot is necessary to preserve the structural integrity of each Residence built within the Property. Each Owner also acknowledges that the long-term value and desirability of the Property is contingent upon each Owner maintaining its Residence so that no structural failure or excessive soil movement occurs within such Owner's Lot.

EACH OWNER IS HEREBY NOTIFIED THAT THE SOIL COMPOSITION IN NORTH TEXAS IN GENERAL AND THE PROPERTY IN PARTICULAR AND THE CONDITION OF THE LOTS MAY RESULT IN THE SWELLING AND/OR CONTRACTION OF THE SOIL IN AND AROUND THE LOT IF THE OWNER OF THE LOT DOES NOT EXERCISE THE PROPER CARE AND MAINTENANCE OF THE SOIL NECESSARY TO PREVENT SOIL MOVEMENT.

If the Owner fails to exercise the necessary precautions, then damage, settlement, movement or upheaval to the foundation and structural failure may occur. Owners are highly encouraged to install and maintain proper irrigation around their Residence or take such other measures to ensure even, proportional, and prudent watering around the foundation of their Residence.

By each Owner's acceptance of a deed to any Lot, each Owner, on behalf of itself and its representatives, successors and assigns, hereby acknowledges that Declarant and any Builder in the Property shall not be liable for, and Owner shall assume all risk and consequences of, any damage, settlement, movement or upheaval to the foundation, structural failure, or any damage to any other part of their Residence caused by such Owner's failure to exercise proper care and maintenance of the soil necessary to prevent soil movement, and hereby releases and forever discharges, all Builders of Residences within the Property and Declarant and their respective shareholders, members, officers, directors, partners, employees, agents, representatives, affiliates, attorneys, successors and assigns, of and from any and all claim for the relief and causes of actions, liabilities, damages and claims whatsoever, known or unknown, direct or indirect, arising from or relating to Owner's failure to exercise proper care and maintenance of the soil required to prevent soil movement, including but not limited to, any damage caused by or related in any fashion to the failure or improper or uneven watering of the Lot, planting of improper vegetation near the foundation or any action by any Owner that affects the drainage of any Lot.

EXECUTED AS OF THE _____ DAY OF _____, 2018.

Declarant Company, LLC

By: _____

Name

Its: Manager

STATE OF TEXAS)

COUNTY OF _____)

THIS INSTRUMENT was acknowledged before me on _____, 2018, Declarant Name, Manager of Declarant Company, LLC, a Texas limited liability company, on behalf of said company.

Notary Public, State of Texas

Exhibit A
(Legal Description of the Property)

Exhibit B
(Certificate of Formation of the Association)

Exhibit C
(Bylaws of the Association)

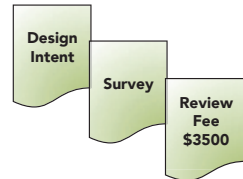
Exhibit D
(Oak Alley Construction Review Process)

Exhibit E
(Grading Plan)

Submittal and Review Process

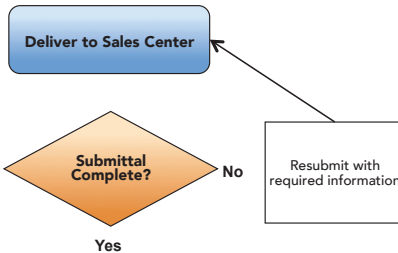
Oak Alley Submittal and Review Process

Preliminary Review of Architectural Drawings



Architectural Drawings:
Three sets 30 x 42
Digital PDFs

Preliminary Submittal: Survey, Review Fee, Schematic Front Elev, Floor Plans / Roof Plan and Site Plan @ 1/8" scale



Board Review Meeting:
Architect & Builder (Homeowner attendance optional)

Receive Committee Prelim. Submittal Comments

Final Review of Architectural Drawings and Preliminary Review of Landscape Design



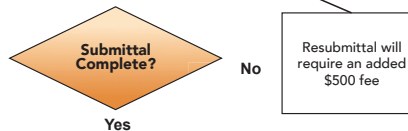
Architectural Drawings:
Three sets 30 x 42
Digital PDFs

Architecture Model: Physical or Digital

Final Submittal: Site Plan, Grading Plan, Elevations, Floor Plan, Roof w penetrations, Ext Details (incl. Window J/H/S, Eaves & Soffits, Gable Returns, Cast Stone profiles) Landscape Prelim Plan & Eng. Foundation @ 1/8" Scale	Samples: Masonry/Stucco, Roof, Gutter, Trim material. Front Entry Door and Window manufacturer and type / color
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Deliver to Sales Center



Board Review Meeting:
Architect & Builder (Homeowner attendance optional)

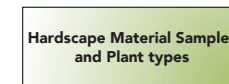
Receive Committee Final Submittal Comments

Final Review of Landscape Design

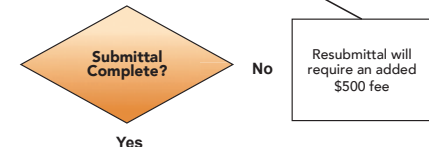


Hardscape & Softscape Drawings:
Three sets 30 x 42
Digital PDFs

Final Landscape: Drainage Affidavit, Hardscape and Landscape plan	Samples: Hardscape materials, finish, color, fence materials, finish and color
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Deliver to Sales Center



Board Review Meeting:
Builder & Landscape (Homeowner attendance optional)

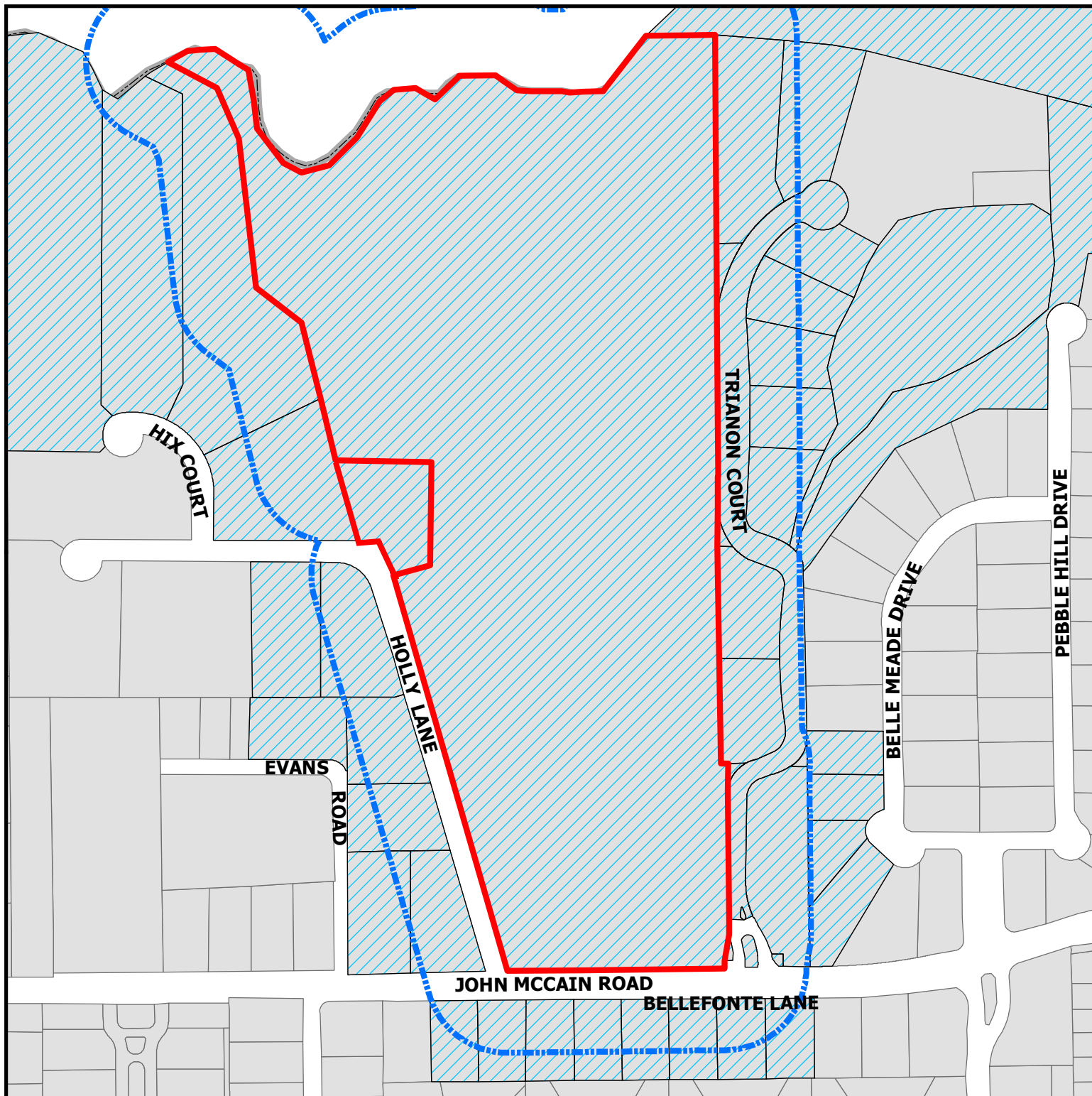
Receive Committee Approval Letter

Architectural Plan

APPROVED ARCHITECTURAL MATERIALS AND DETAILS

	ENGLISH	SPANISH REVIVAL	ITALIAN - SYMMETRICAL ONLY	TUSCAN	FRENCH	TEXAS REGIONAL VERNACULAR	PRAIRIE	ALL ARCHITECTURAL STYLES
WALL SURFACE	BRICK, STUCCO OR STONE. PROJECTED GABLES AND/OR DORMERS TO BE DECORATIVE HALF TIMBER AND/OR LIGHT COLORED STUCCO ON 2ND LEVEL. OPTIONAL PARAPETED GABLES.	STUCCO	STUCCO, PAINTED OR LIGHT-COLORED UNIFORM BRICK OR CUT STONE. IF BRICK IS USED, MASONRY JOINTS SHOULD BE FLUSH.	PREDOMINATELY ROUGH STONE, WITH STUCCO AND/OR BRICK ACCENTS	STUCCO, BRICK, CUT STONE OR ROUGH STONE, SOMETIMES WITH DECORATIVE HALF-TIMBERING.	PREDOMINATELY CUT AND/OR ROUGH LIMESTONE WITH STUCCO ACCENTS. COR-TEN WILL NOT BE AN ACCEPTED MATERIAL.	BRICK, STUCCO OR CUT STONE. HORIZONTAL BANDING AND PATTERNS IN WALL MATERIALS. RECESSED HORIZONTAL MASONRY JOINTS. UPPER HALF OF SECOND FLOOR INSET WITH CONTRASTING MATERIAL.	ALL STUCCO TO BE APPLIED OVER CMU (UNLESS ON THE UPPER FLOOR). MANUFACTURED STONE PROHIBITED.
ROOF	GABLED WITH SLATE OR FLAT TILE, MINIMUM 10:12 ROOF PITCH IN PUBLIC VIEW. ACCENT ROOFING MATERIAL TO BE COPPER.	GABLED WITH BARREL TILE EARTH-TONED ROOF WITH MISSION OR S-CURVE TILES, NO GRAY OR BLACK COLORS, MINIMUM 4:12 TO MAXIMUM 7:12 ROOF PITCH IN PUBLIC VIEW.	HIPPED WITH BARREL TILE EARTH-TONED ROOF WITH MISSION OR S-CURVE TILES, NO GRAY OR BLACK COLORS, MINIMUM 4:12 TO MAXIMUM 7:12 ROOF PITCH IN PUBLIC VIEW	GABLED WITH BARREL TILE EARTH-TONED ROOF WITH MISSION OR S-CURVE TILES, NO GRAY OR BLACK COLORS, MINIMUM 4:12 TO MAXIMUM 7:12 ROOF PITCH IN PUBLIC VIEW	HIPPED WITH SLATE OR FLAT TILE, MINIMUM 12:12 ROOF PITCH IN PUBLIC VIEW. ACCENT ROOFING MATERIAL TO BE COPPER. EAVES FLARED UPWARD AT ROOF/WALL JUNCTIONS.	GABLED STANDING SEAM METAL ROOF. MAXIMUM 7:12 PITCH. DARK COLORS TO BE SUBMITTED FOR REVIEW. BOARD APPROVAL. REFLECTIVE OR GALVANIZED COLORS WILL NOT BE ACCEPTED.	HIPPED WITH SLATE OR FLAT TILE ROOF. MINIMUM 4:12 TO MAXIMUM 6:12 ROOF PITCH IN PUBLIC VIEW	
WINDOWS, DOORS AND SURROUNDS	SOLID WOOD PROMINENT DOORS. TALL NARROW WINDOWS, DIAMOND-SHAPED LEADED GLASS FOR ACCENT WINDOWS, OR ORIEL WINDOWS. SURROUNDS TO BE CAST STONE, CUT STONE OR HEAVY TIMBER.	DRAMATICALLY CARVED PROMINENT WOOD DOORS. SURROUNDS TO BE CAST STONE, CUT STONE, DECORATIVE TILE OR HEAVY TIMBER. IF NO SURROUND IS USED, WINDOWS OR DOORS MUST BE DEEP SET AT A MINIMUM OF 6". PROMINENT WINDOW(S) WILL TYPICALLY BE ARCHED. WROUGHT IRON GRILLS ON ACCENT WINDOWS.	DECORATIVE METAL OR DRAMATICALLY CARVED PROMINENT WOOD DOORS. SURROUNDS TO BE CUT STONE OR CAST STONE WITH OR WITHOUT PEDIMENTS. SMALLER WINDOWS ON UPPER FLOOR.	PANELED PROMINENT WOOD DOORS. HEAVY TIMBER LINTELS, ROUGH STONE SURROUNDS OR BRICK SURROUNDS. DEEP SET (AT LEAST 12") WINDOWS AND DOORS ARE ENCOURAGED AS ACCENTS. WROUGHT IRON GRILLS ON ACCENT WINDOWS.	WOOD PLANK, WOOD PANELED OR DECORATIVE METAL PROMINENT DOOR. ASYMMETRICAL OR INFORMAL STYLES WILL HAVE HEAVY TIMBER LINTELS, CUT STONE OR ROUGH STONE LINTELS AND/OR SILLS. SYMMETRICAL OR FORMAL STYLES WILL HAVE CUT STONE OR CAST STONE SURROUNDS.	STEEL, GLASS AND/OR WOOD PROMINENT DOORS. LARGE GROUPINGS OF RECTANGULAR WINDOWS. HEAVY TIMBER LINTELS, ROUGH STONE SURROUNDS OR STUCCO SURROUNDS WITHIN A STUCCO WALL. DEEP SET (AT LEAST 12") WINDOWS AND DOORS ARE ENCOURAGED AS ACCENTS. CLERESTORY WINDOWS ENCOURAGED.	WOOD DOORS WITH GLASS AND/OR WOOD PANELS FOR PROMINENT DOORS. HORIZONTAL BANDING OF RIBBON WINDOWS. USE OF PATTERNED STAINED OR LEADED PANES FOR ACCENT WINDOWS IS ENCOURAGED. WOOD SURROUNDS WILL MATCH WINDOWS, AND ARE CONNECTED TO HORIZONTAL BANDING IN THE WALL MATERIALS.	SECONDARY DOORS TO MATCH WINDOWS, WINDOWS MUST BE WOOD-CLAD. STEEL OR BRONZE WINDOWS TO BE SUBMITTED FOR REVIEW. BOARD APPROVAL. WINDOW MULLIONS REQUIRED, APPROPRIATE FOR THE ARCHITECTURAL STYLE. GARAGE DOORS TO BE RECESSED 12".
GUTTERS	COPPER OR PAINTED STEEL HALF ROUND GUTTERS AND ROUND DOWNSPOUTS	COPPER HALF ROUND GUTTERS AND ROUND DOWNSPOUTS	COPPER HALF ROUND GUTTERS AND ROUND DOWNSPOUTS	COPPER HALF ROUND GUTTERS AND ROUND DOWNSPOUTS	COPPER HALF ROUND GUTTERS AND ROUND DOWNSPOUTS	PAINTED STEEL HALF ROUND GUTTERS (TO MATCH ROOF COLOR) AND ROUND DOWNSPOUTS	COPPER OR PAINTED STEEL HALF ROUND GUTTERS AND ROUND DOWNSPOUTS	
BALCONIES, TOWERS AND PORCHES	BALCONY DETAILS TO BE CUT STONE OR CAST STONE. BALCONIES ONLY ON REAR ELEVATION OR UPON REVIEW BOARD APPROVAL.	BALCONY DETAILS AND BALUSTRADES TO BE TURNED OR CARVED WOOD, STUCCO, ROOF TILE OR WROUGHT IRON. ONE ROUND, SQUARE OR POLYGONAL TOWER WILL BE ALLOWED, AND MUST BE PLACED ON AN INSIDE CORNER OF THE FRONT ELEVATION.	BALCONY DETAILS AND BALUSTRADES TO BE WROUGHT IRON, CUT STONE OR CAST STONE.	BALCONY DETAILS TO BE HEAVY TIMBER AND BALUSTRADES TO BE WROUGHT IRON, OR A STUCCO HALF WALL.	BALCONY DETAILS MAY BE IRON, CUT STONE OR CAST STONE. FRONT PORCHES ARE PROPORTIONATELY SMALL. ONE ROUND TOWER (TURRET) WILL BE ALLOWED ON ASYMMETRICAL STYLES, AND MUST BE PLACED ON AN INSIDE CORNER OF THE FRONT ELEVATION WITH A CONICAL ROOF.	PORCHES TO BE A PROMINENT FEATURE. COLUMNS TO BE WOOD, METAL OR STONE.	ONE STORY PORCHES TO BE A PROMINENT FEATURE. PORCH COLUMNS ARE MASSIVE SOLID MASONRY OR STUCCO (MATCHING WALL MATERIAL). PLINTHS COMMONLY AT CORNERS OF PORCHES.	
SOFFITS, CHIMNEYS & MISC. DETAILS	SOFFIT OVERHANG WILL VARY, WITH A MINIMUM OVERHANG OF 18", WITH FINISH GRADE WOOD EAVES. SEMI-HEXAGONAL ONE AND TWO STORY BAY WINDOWS. ACCEPTABLE DORMERS INCLUDE: SHED, GABLED, HIPPED AND EYEBROW. MASSIVE CHIMNEYS ON A PROMINENT ELEVATION, WITH CLAY CHIMNEY POTS.	SOFFITS TO BE A MAXIMUM OVERHANG OF 6", TO BE ROOF TILE, STUCCO OR CAST STONE EAVES. ELABORATELY CARVED SEMI-HEXAGONAL ONE STORY BAY WINDOW. SHAPED WING WALLS. STUCCO OR TILE DECORATIVE GABLE VENTS. ELABORATE CHIMNEY TOPS WITH STUCCO OR TILE ROOFS.	SOFFITS TO BE A MINIMUM OVERHANG OF 18", WITH TONGUE AND GROOVE FINISH GRADE WOOD EAVES. WOOD BRACKETS OR CORBELS AT EAVES. CUT STONE OR CAST STONE QUOINS OR CLASSICAL COLUMNS. CHIMNEYS TO BE RECTANGULAR.	SOFFITS TO BE A MINIMUM OVERHANG OF 18", TO HAVE EXPOSED WOOD RAFTER TAILS OR BRACKETS, WITH TONGUE AND GROOVE FINISH GRADE WOOD EAVES. AT GABLE RAKE, MINIMAL OVERHANG WITH BARREL TILE EDGE. OPERABLE PANELED OR SLATTED WOOD SHUTTERS. STUCCO OR TILE DECORATIVE GABLE VENTS. CHIMNEYS MAY BE CANTED OR SQUARED. CHIMNEY TOPS WITH STUCCO OR TILE ROOFS.	SOFFITS TO HAVE A MAXIMUM OVERHANG OF 12". STUCCO, CUT STONE OR CAST STONE SOFFITS (FOR FORMAL STYLES ONLY) OR FINISH GRADE WOOD EAVES FOR INFORMAL STYLES. CUT STONE OR CAST STONE QUOINS OR CLASSICAL COLUMNS. MASSIVE CHIMNEYS ON A PROMINENT ELEVATION, WITH CLAY CHIMNEY POTS. ACCEPTABLE DORMERS INCLUDE: ARCHED, SHED, HIPPED AND EYEBROW. OPERABLE PANELED WOOD OR SLATTED WOOD SHUTTERS.	SOFFITS TO HAVE EXPOSED WOOD RAFTER TAILS OR BRACKETS, WITH TONGUE AND GROOVE FINISH GRADE WOOD EAVES. SOFFITS WILL BE A MINIMUM OVERHANG OF 12". OPERABLE SLATTED WOOD SHUTTERS. HEAVY TIMBER WOOD TRUSSES OR BEAMS. WIDE, SIMPLE STONE CHIMNEY.	SOFFITS TO HAVE STUCCO OR TONGUE AND GROOVE FINISH GRADE WOOD EAVES, WITH MINIMUM OVERHANG OF 30". (BAY WINDOWS MAY REQUIRE LESS OVERHANG.) WIDE, SIMPLE STONE CHIMNEY. CONTRASTING WOOD TRIM. INTEGRATED PLANTER BOXES OR FLATTENED, ROUND URNS AT TOP PLINTHS. NO DORMERS ARE APPROPRIATE FOR THIS ARCHITECTURAL STYLE. CAST STONE OR CUT STONE CAPS ON PLINTHS, PORCHES, CHIMNEYS AND ALIGNED WITH SILLS.	
ARCH SHAPES	ELLIPTICAL, HALF ROUND OR TUDOR	ELLIPTICAL, HALF ROUND OR PARABOLIC	ELLIPTICAL OR HALF ROUND	ELLIPTICAL OR HALF ROUND	ELLIPTICAL OR SEGMENTED. HALF ROUND AT ENTRY AS AN OPTION.	NONE	HALF ROUND AT ENTRY ONLY.	
MAILBOXES								STREETSCAPE OXFORD BRASS MAILBOX IS SPECIFIED FOR ALL HOMES
DRIVEWAYS								DRIVEWAY MATERIAL TO BE TEXTURED CONCRETE, PRECAST CONCRETE PAVERS, BRICK OR STONE. ASPHALT MATERIAL IS PROHIBITED. MOTOR COURTS WITHIN THE FRONT 1/2 OF THE PROPERTY TO HAVE A MINIMUM 20' SETBACK FROM THE STREET CURB, AND MAXIMUM OF 40' WIDE PAVED AREA. DRIVEWAYS TO BE A MINIMUM OF 12' WIDE, AND A MAXIMUM OF 16' WIDE.
HARDSCAPING	PATIO SURFACES TO BE BRICK OR STONE.	PATIO SURFACES TO BE TERRA COTTA, BRICK OR STONE.	PATIO SURFACES TO BE TERRA COTTA, BRICK OR CUT STONE.	PATIO SURFACES TO BE TERRA COTTA, BRICK OR ROUGH STONE.	PATIO SURFACES TO BE BRICK OR STONE.	PATIO SURFACES TO BE TEXTURED CONCRETE OR STONE.	PATIO SURFACES CAN BE BRICK, TEXTURED CONCRETE OR STONE.	ATTACHED RETAINING WALLS TO MATCH PREDOMINANT HOUSE MATERIAL. UNATTACHED RETAINING WALLS TO MATCH THE OAK ALLEY BOUNDARY FENCE. GATES TO BE DECORATIVE METAL IN MATTE BLACK OR BRONZE FINISHES, AND/OR HEAVY WOOD MEMBERS, STAINED OR PAINTED TO MATCH HOUSE COLOR PALETTE.

Notification Map

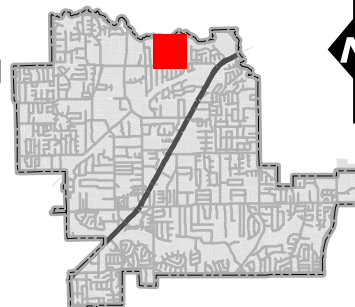


ZC18-019

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:

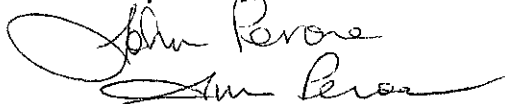
- Not a standard city sized street, as it is narrow in width.
- In order to facilitate two way traffic, any parking on the street has to be on the grass in the right of way. Therefore residents don't park on Holly Lane.
- Hazardous 70 degree curve near Foreman's house.
- No Outlet
- Children Playing

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.

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 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.
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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](#); JElms@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: Kurt Kauffman

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

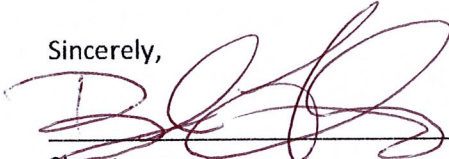
Attn: Planning and Zoning Commission Members

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

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:

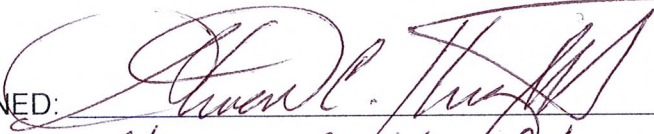
I, Steven C. Knight, oppose the rezoning for 1312 John McCain Road (Zoning Case # ZC18-019) from R-40 single family & AG Agricultural to PUD-R or any other zoning under RE & AG.

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,

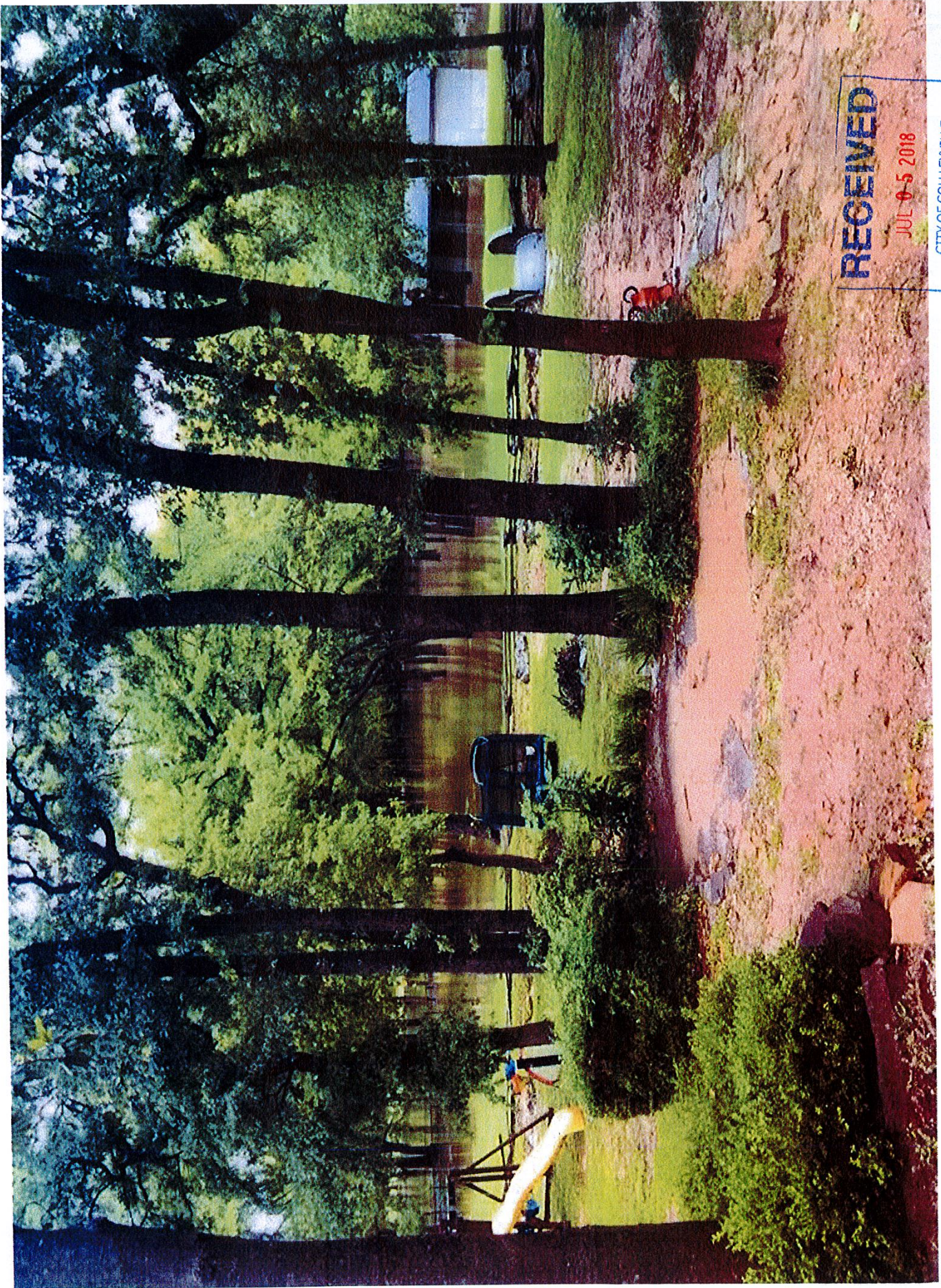

Burk Collins

Printed Name

Signature



Letter of Opposition



RECEIVED

JUL 05 2018

CITY OF COLLEEVILLE
BY COMMUNITY DEV. DEPT

Letter of Opposition



Letter of Opposition

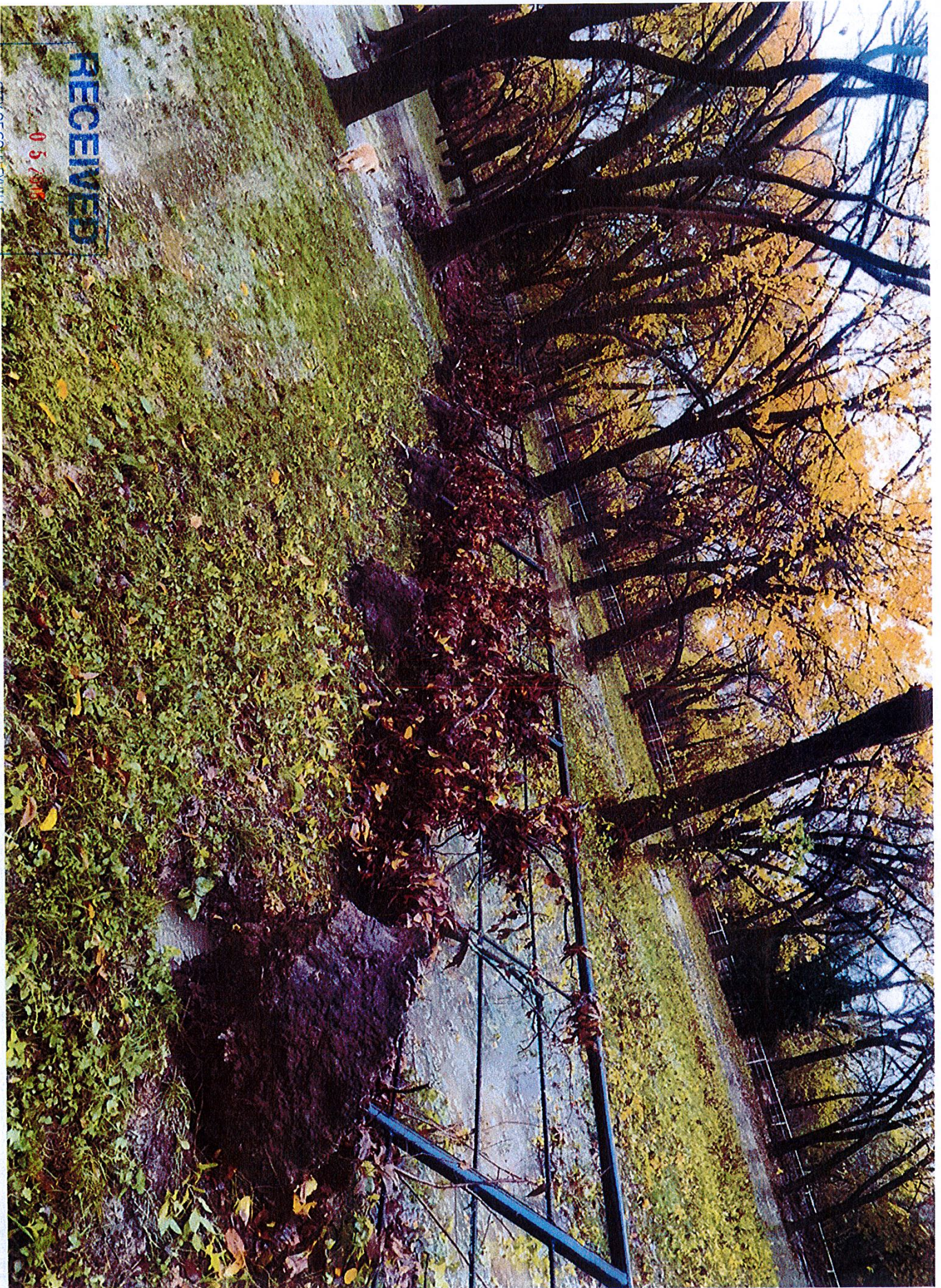


RECEIVED

JUL 05 2018

CITY OF CHICAGO

Letter of Opposition



RECEIVED

05/20/16

CITY OF COLLEEVILLE
BY COMMUNITY DEV. DEPT.

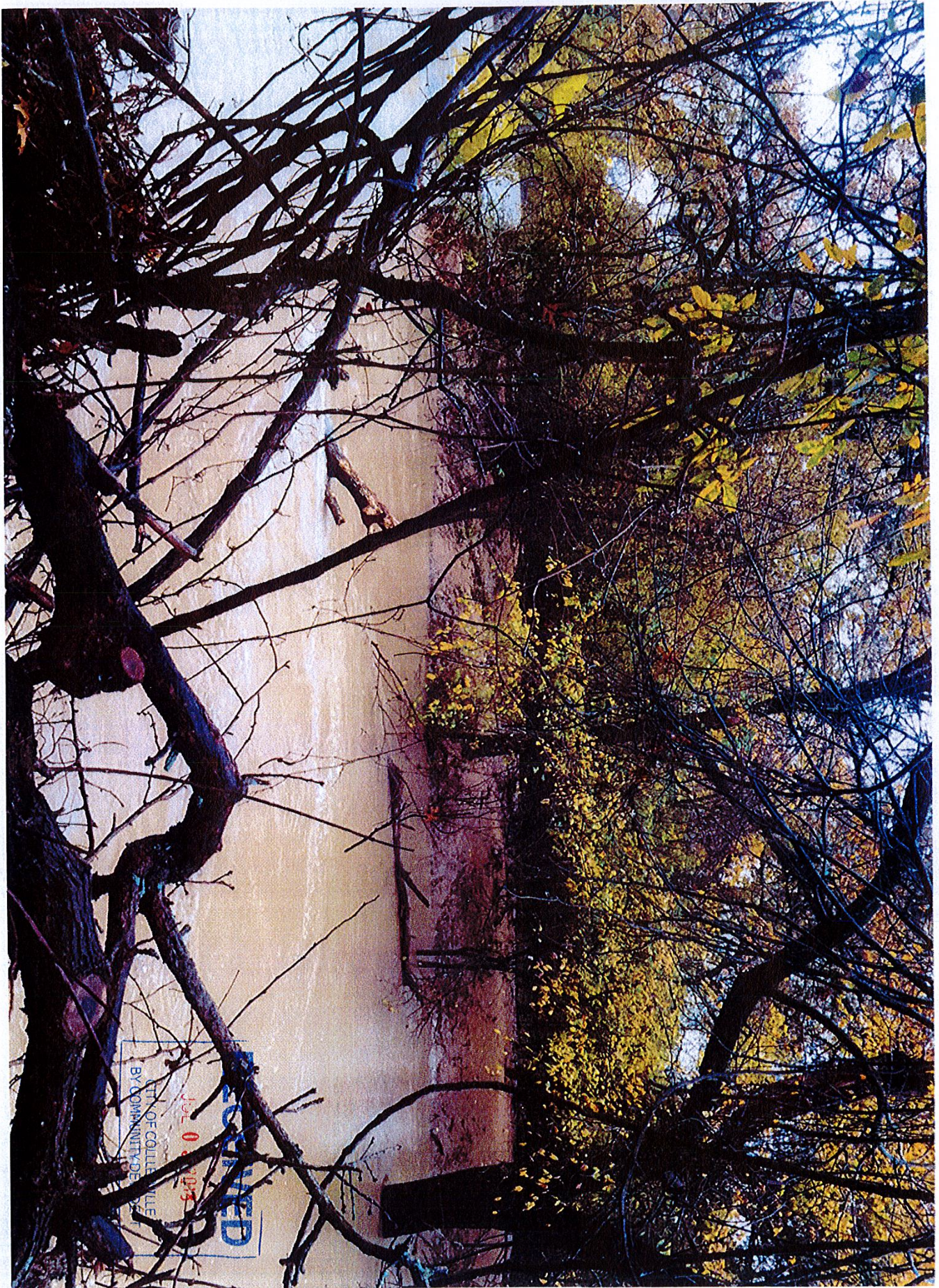
Letter of Opposition



Letter of Opposition



Letter of Opposition



Letter of Opposition



RECEIVED

JUL 20 03 2013

CITY OF COLLEGEVILLE
BY COMMUNITY DEV. DEPT.
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:

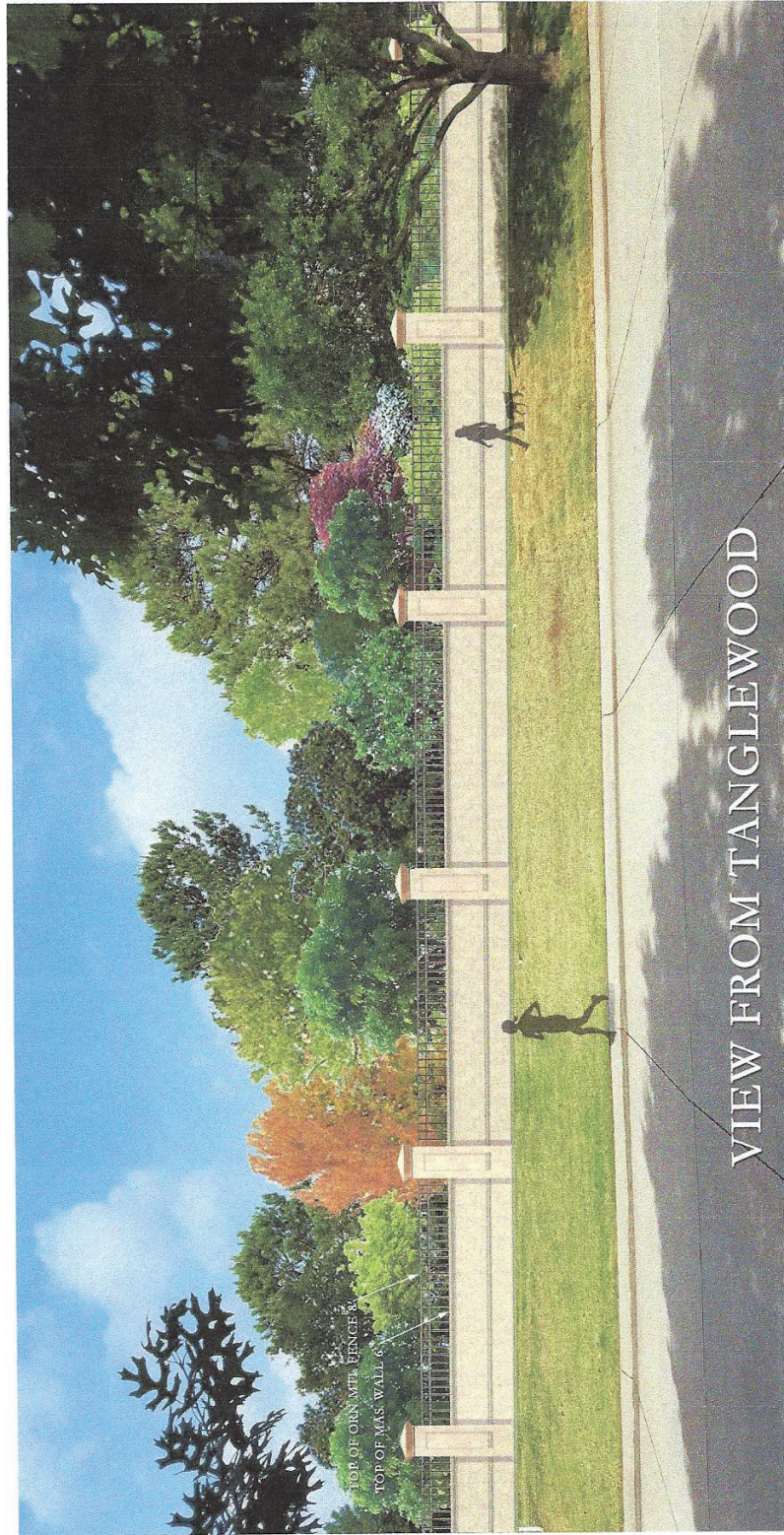
1. The wall along the boundary will be built by Oak Alley developers prior to any homes being built. The wall will be paid for and maintained in perpetuity by the Oak Alley HOA.
2. The portion of the landscape easement that will be on the Tanglewood side will be deeded as common area to the Tanglewood 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

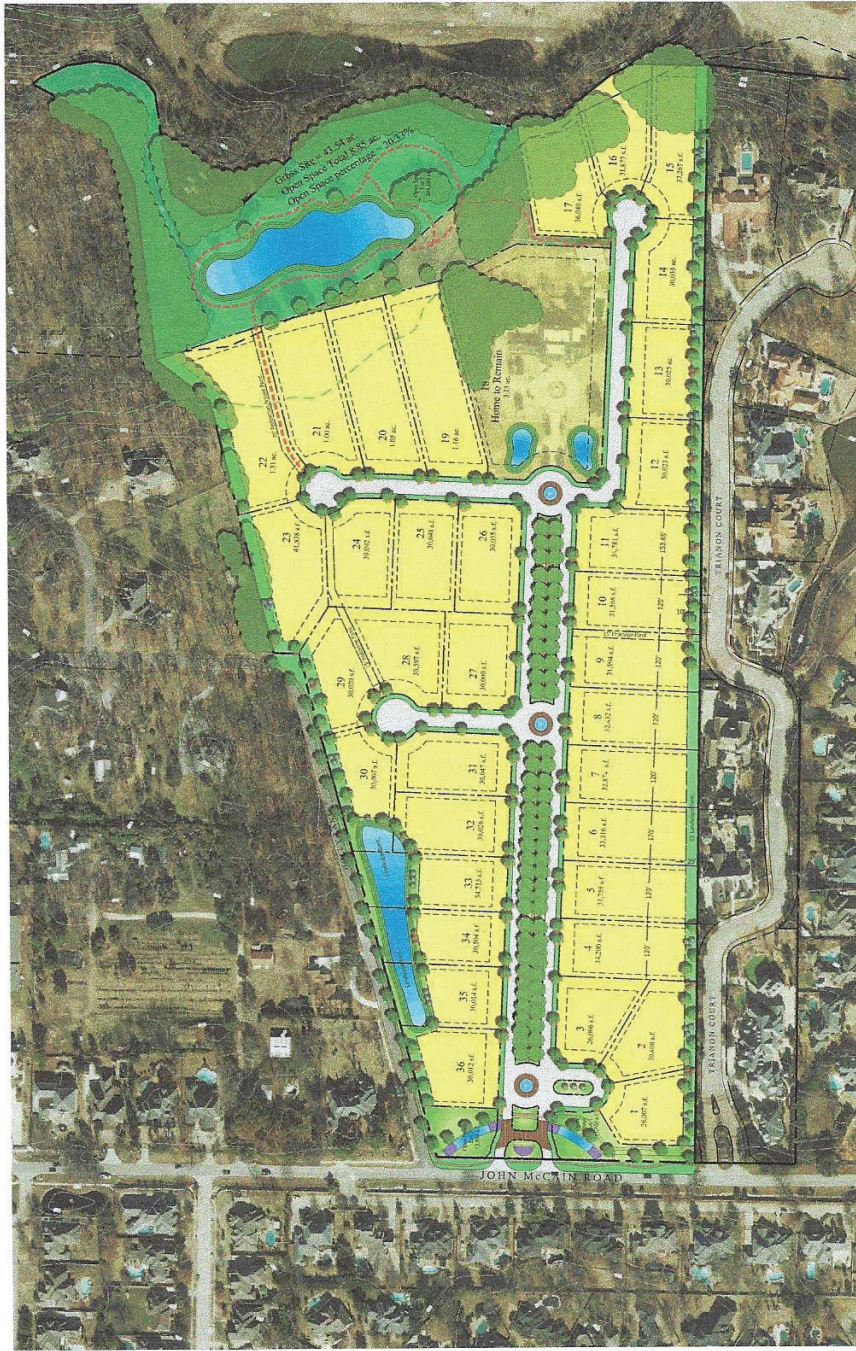


**OAK ALLEY - BRUHN SMOOTH SPLIT
FACE LIMESTONE, COURSED
RUNNING BOND, CUT JOINT**

 **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
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 W. 14th Street, Suite 200
 Fort Worth, Texas 76102
 817-424-2625



Case #ZC18-002

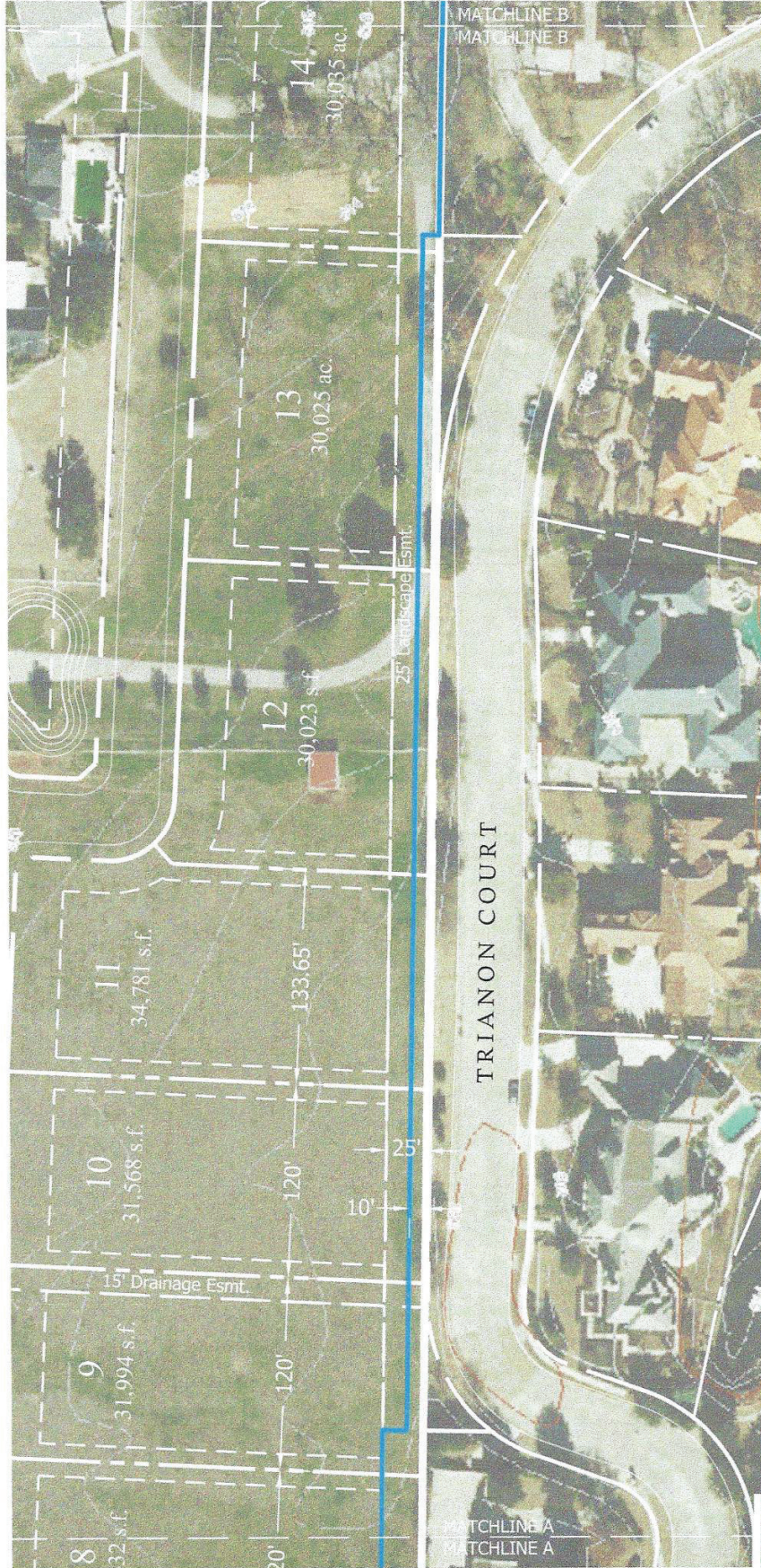
Oak Alley

Eastern Boundary Detail (Sheet 1 of 3)

Colleyville, Tarrant County, Texas

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

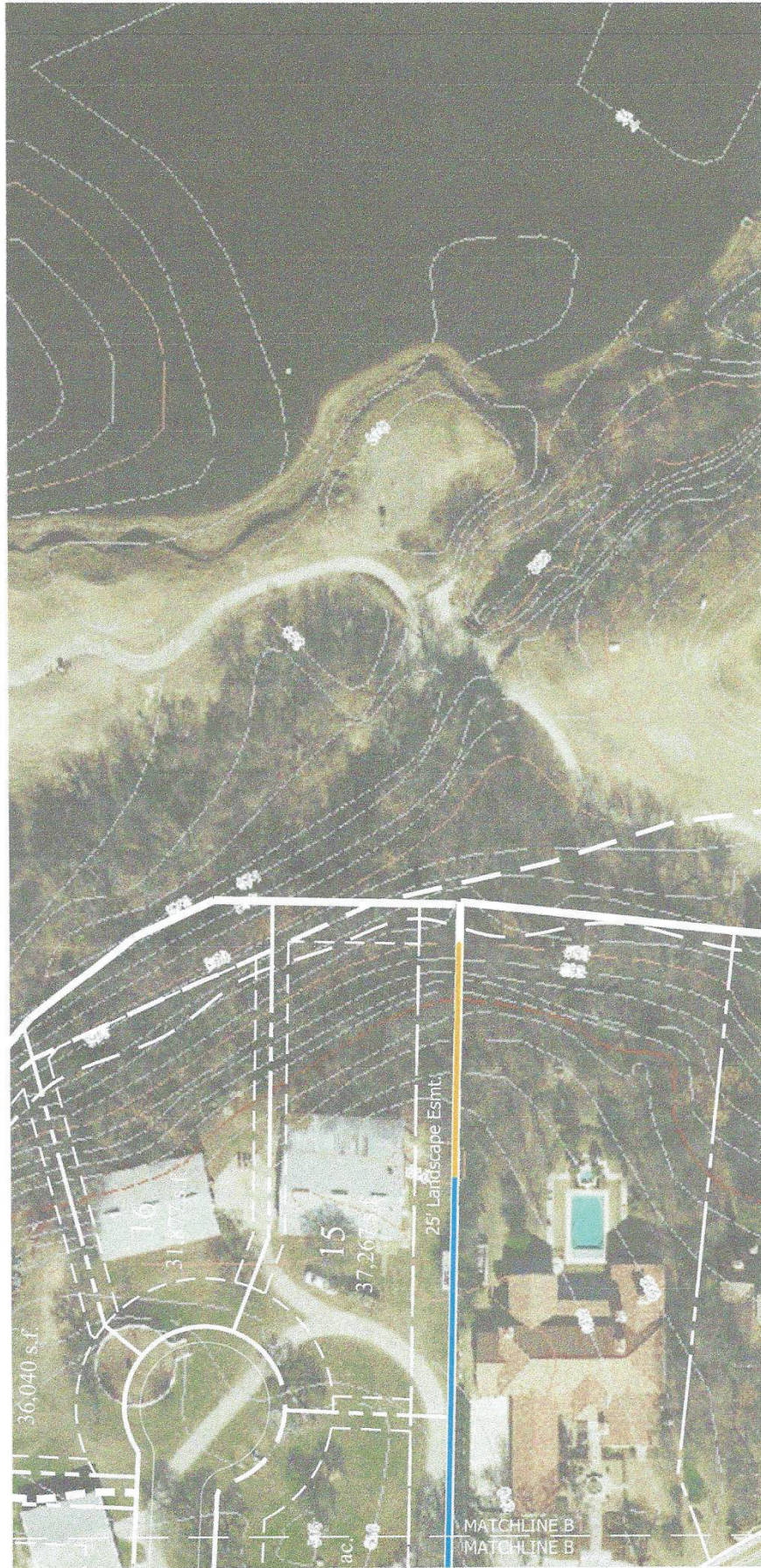
Oak Alley

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
311-44-1416



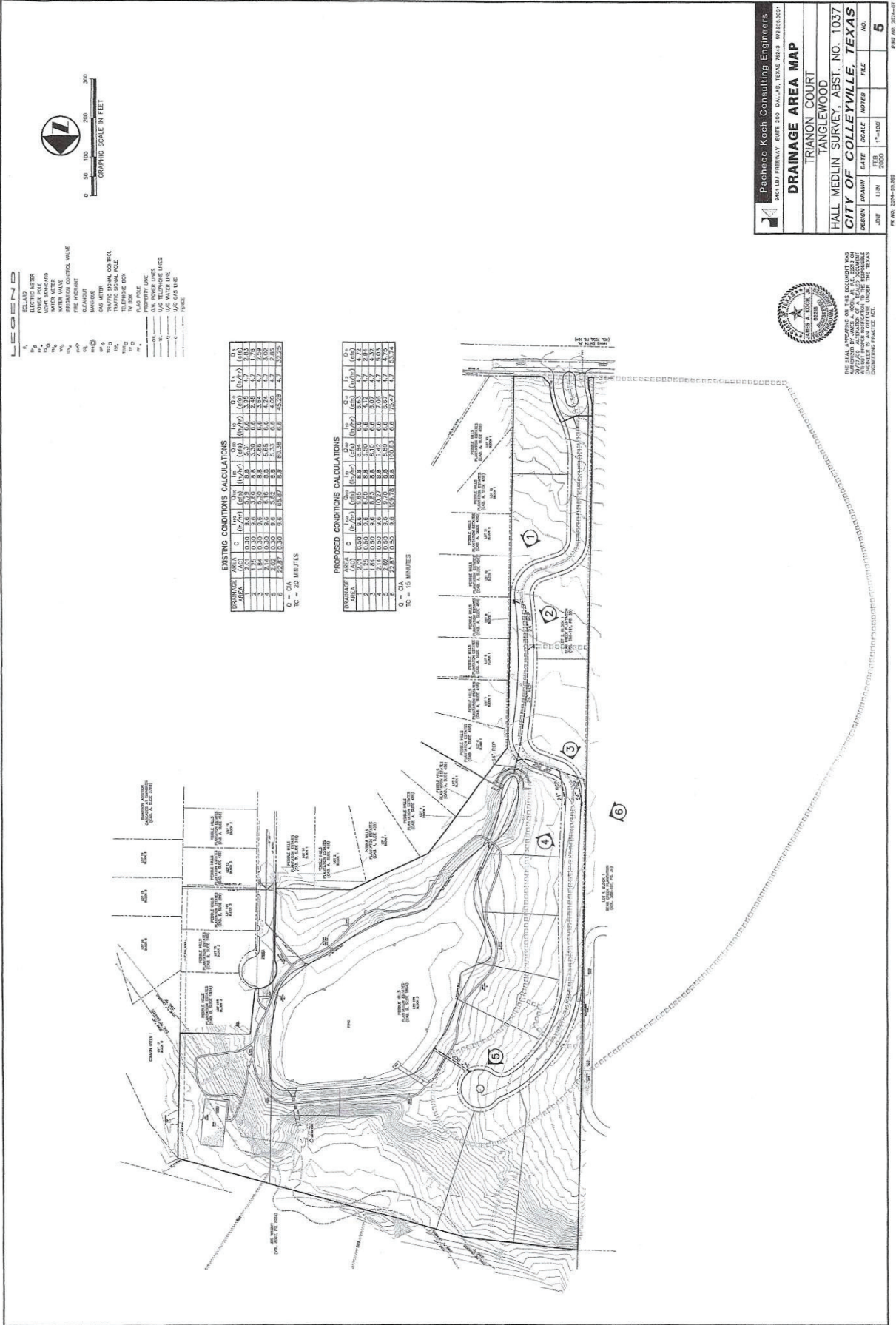
Case #ZC18-002

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

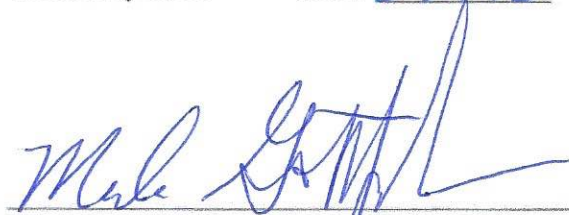
As an agreement for Oak Alley to construct all walls, landscaping and deeds of land on the East side of the wall dividing Oak Alley and Tanglewood Estates; the Tanglewood Estates Association will agree to submit the attached letter supporting the Oak Alley Development.

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

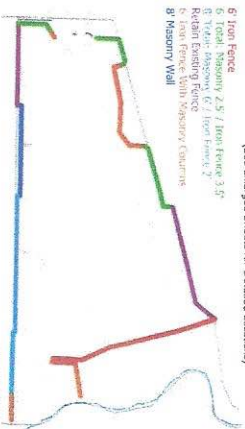
Connie E Mady

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 Coils Trust
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

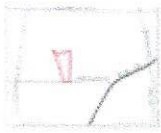
Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Exhibit A

Oak Alley

Zoning Exhibit for
Zoning Change Request
From AG & R-40 to PUD-R
Case #ZC18-019

Colleyville, Tarrant County, Texas



Owner:
Bear Creek Plantation
11111 Bear Creek Road
Colleyville, TX 76034

Surveyor:
H&H Surveying, Inc.
2100 Star 1300, Suite 100
Arlington, TX 76010
Tel: 817-551-1111

Engineer:
Carter, Inc.
1000 International Blvd., Suite 100
Dallas, TX 75240
Tel: 972-352-1111
Carter, Inc. is a member of the
Carter Group, Inc.

Applicant:
Sage Group, Inc.
11111 Bear Creek Road, Suite 100
Colleyville, TX 76034
Tel: 817-551-1111
Carter, Inc. is a member of the
Carter Group, Inc.

Planner:
SAGE GROUP, INC.
11111 Bear Creek Road, Suite 100
Colleyville, TX 76034
Tel: 817-551-1111
Carter, Inc. is a member of the
Carter Group, Inc.

Zoning R
Zoning Change
From AG & B-401

Case #2C1



Tree Locations

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

Oak All

Colleyville, Tarrant County



Planner:
SAGE GROUP, INC.
11111 Bear Creek Road, Suite 100
Colleyville, TX 76034
Tel: 817-551-1111
Carter, Inc. is a member of the
Carter Group, Inc.

Applicant:
Sage Group, Inc.
11111 Bear Creek Road, Suite 100
Colleyville, TX 76034
Tel: 817-551-1111
Carter, Inc. is a member of the
Carter Group, Inc.



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

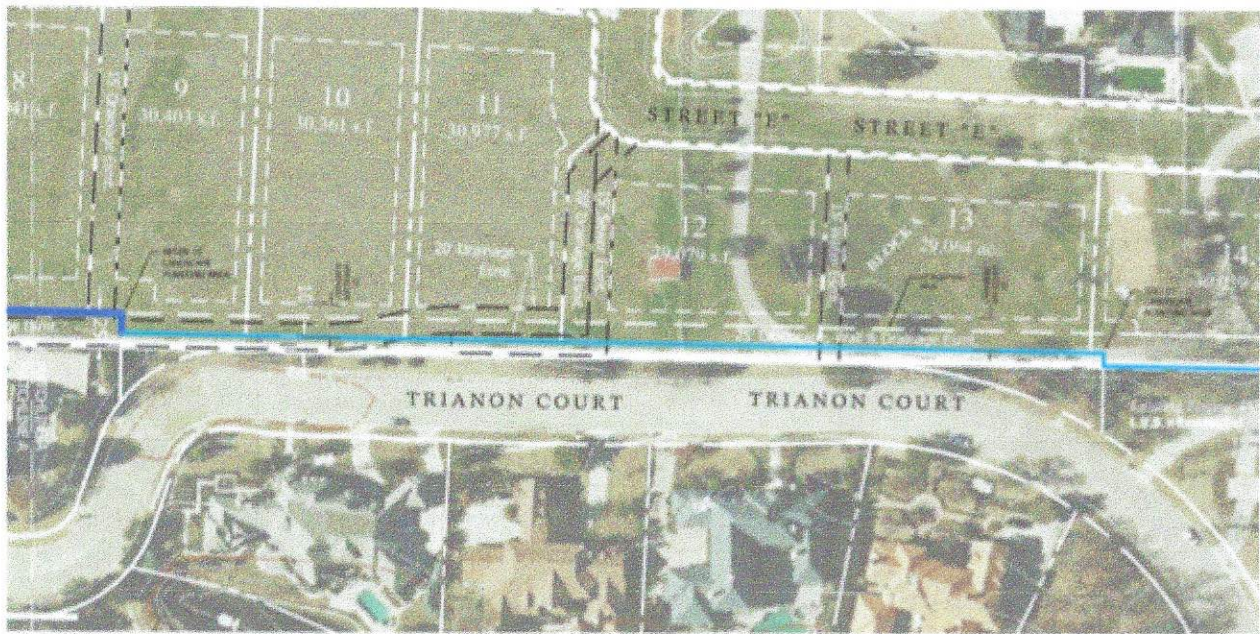
Eastern Boundary Detail (Sheet 1 of 3)

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.

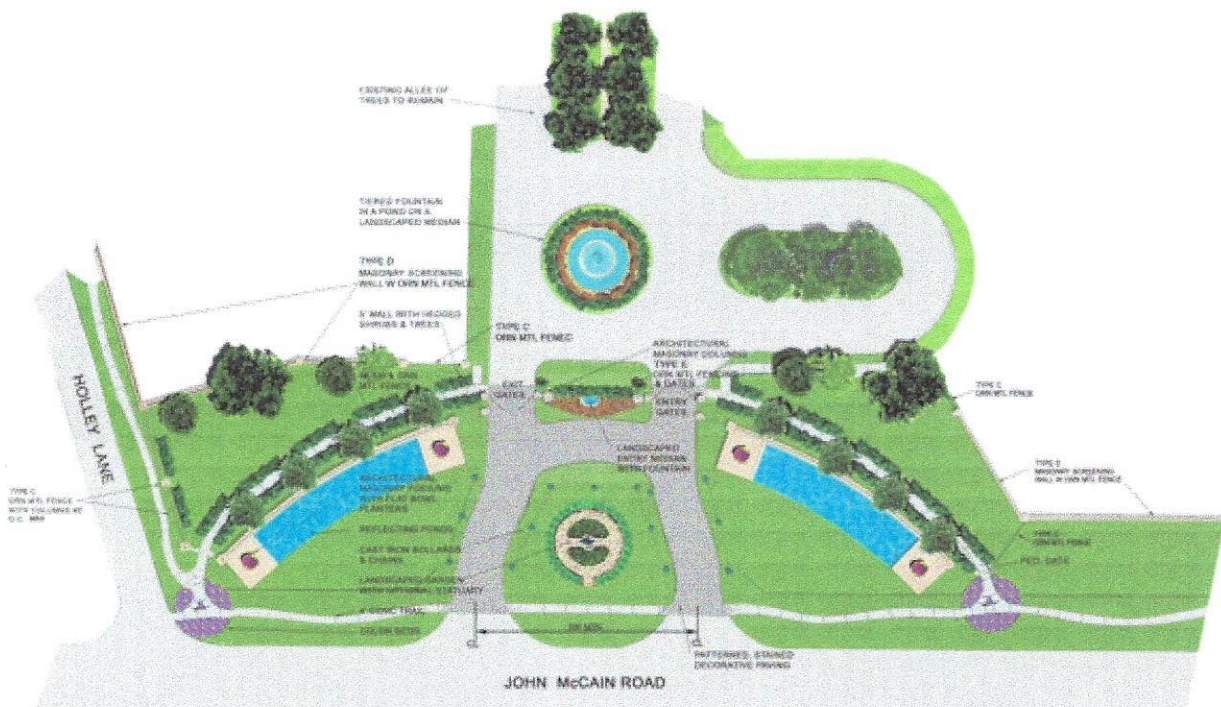
These reflect the agreements we've discussed.

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 W. 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



Huffman Mary

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.
180622 OAK ALLEY
180622 OAK ALLEY
180622 OAK ALLEY
180622 OAK ALLEY



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

Oak Alley

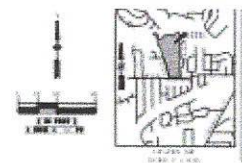
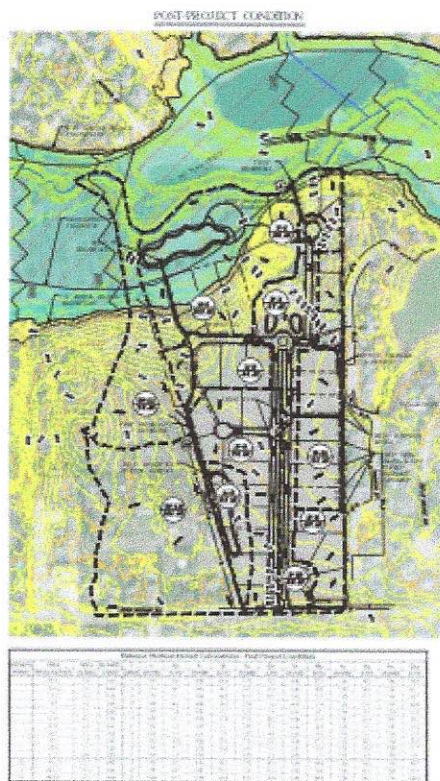
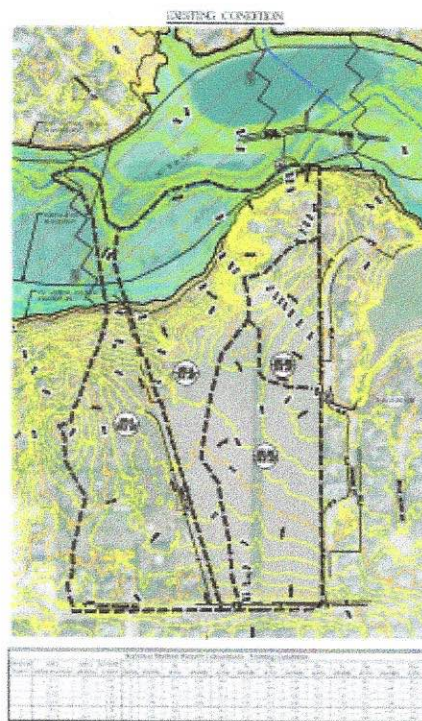
Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleyville, Tarrant County, Texas



180622 Oak
Alley-...s2.pdf





- NOTES**
1. EXISTING ROAD RIGHT-OF-WAY (ROW) IS SHOWN BY DASHED LINE. PROPOSED ROAD ROW IS SHOWN BY SOLID LINE.
 2. EXISTING WATER BODY IS SHOWN BY BLUE HATCH. PROPOSED WATER BODY IS SHOWN BY GREEN HATCH.
 3. EXISTING BUILDING IS SHOWN BY BLACK HATCH. PROPOSED BUILDING IS SHOWN BY RED HATCH.
 4. EXISTING UTILITY IS SHOWN BY DASHED LINE WITH CIRCLES. PROPOSED UTILITY IS SHOWN BY SOLID LINE WITH CIRCLES.
 5. EXISTING ELEVATION IS SHOWN BY BROWN NUMBER. PROPOSED ELEVATION IS SHOWN BY GREEN NUMBER.

EXISTING ROAD DATA

ROAD NAME	TYPE	WIDTH (FT)	LENGTH (FT)	AREA (SQ FT)
MAIN ROAD	ASPHALT	20	1000	2000
BRANCH ROAD	GRAVEL	10	500	500
DRIVEWAY	ASPHALT	10	100	100

PROPOSED ROAD DATA

ROAD NAME	TYPE	WIDTH (FT)	LENGTH (FT)	AREA (SQ FT)
MAIN ROAD	ASPHALT	20	1000	2000
BRANCH ROAD	GRAVEL	10	500	500
DRIVEWAY	ASPHALT	10	100	100

EXISTING WATER BODY DATA

WATER BODY NAME	TYPE	AREA (SQ FT)
Lake	NATURAL	10000
Pond	ARTIFICIAL	5000

PROPOSED WATER BODY DATA

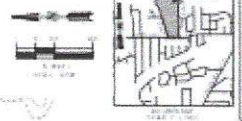
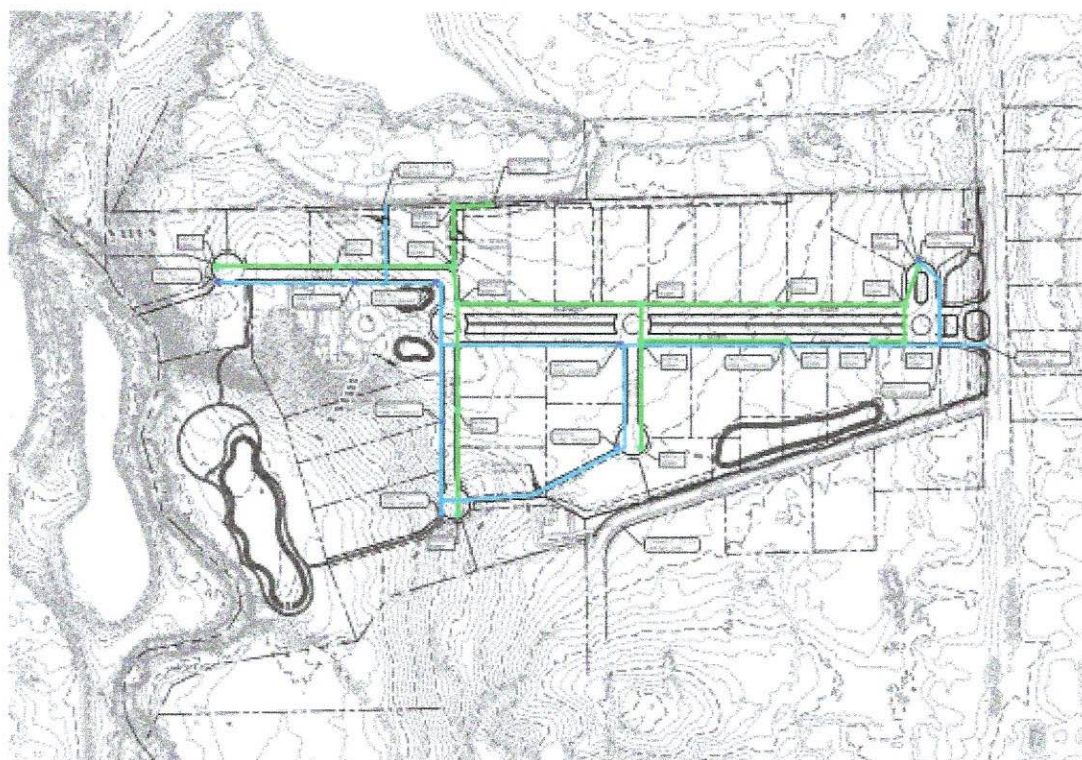
WATER BODY NAME	TYPE	AREA (SQ FT)
Lake	NATURAL	10000
Pond	ARTIFICIAL	5000

EXISTING BUILDING DATA

BUILDING NAME	TYPE	AREA (SQ FT)
House	RESIDENTIAL	1000
Garage	RESIDENTIAL	500

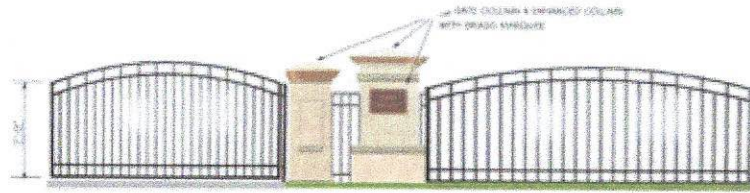
PROPOSED BUILDING DATA

BUILDING NAME	TYPE	AREA (SQ FT)
House	RESIDENTIAL	1000
Garage	RESIDENTIAL	500

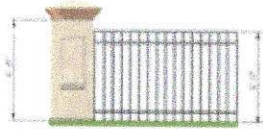




A DECORATIVE SCREEN WALL



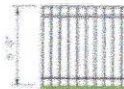
B ENTRY GATE MEDIAN ORNAMENTAL METAL FENCING
GATE & MEDIAN FENCING DESIGN T.B.D.



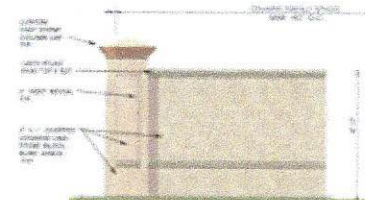
C ORNAMENTAL METAL FENCE
WITH COLUMN TERMINUS



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

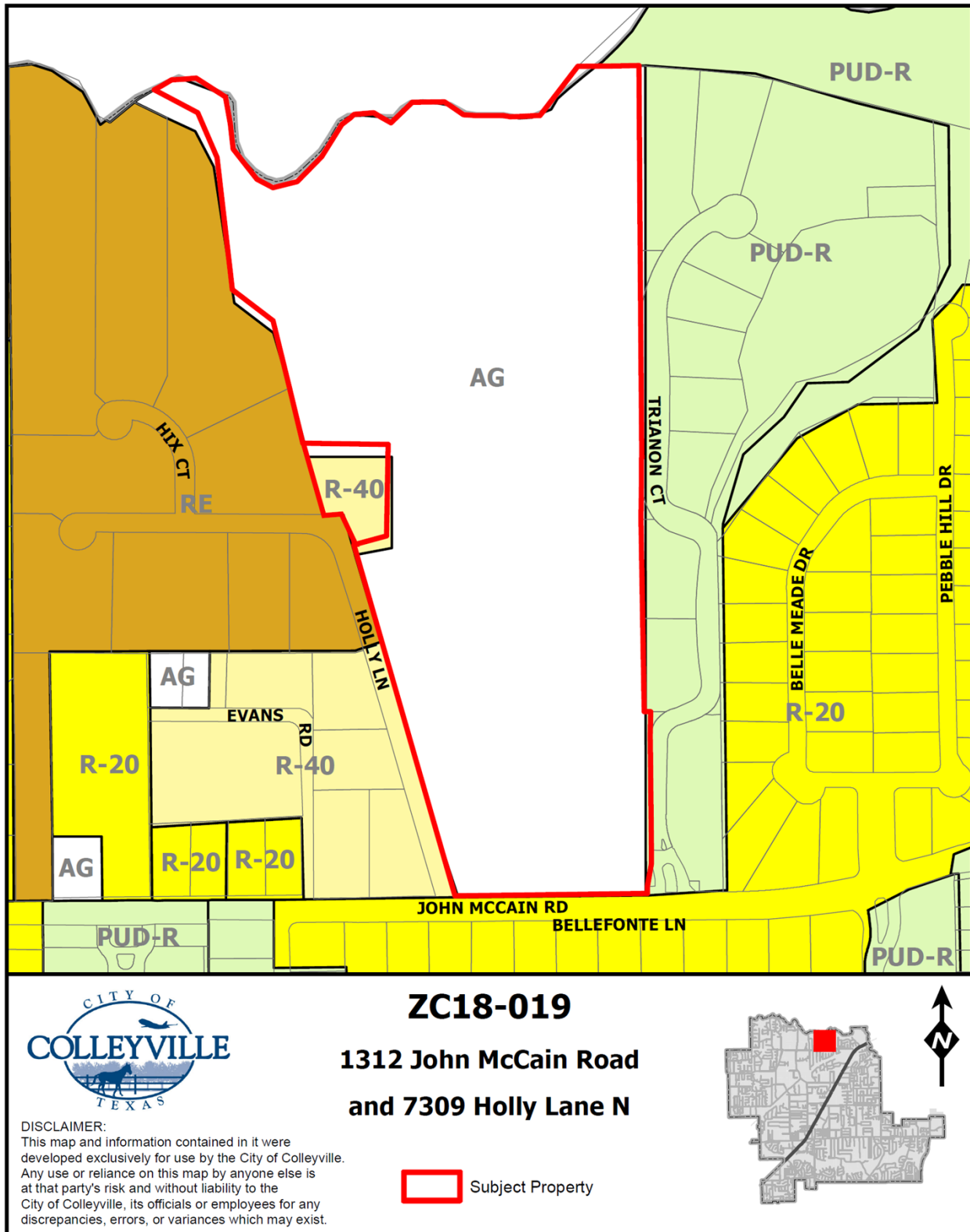


Exhibit “B” – Statement of Planning Objectives

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’)

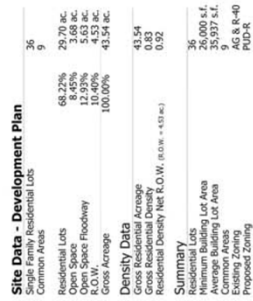
Open Space Standards:

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.

Colleyville, Tarrant County, Texas



Planner:

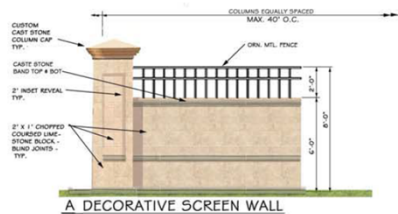
 **SAGE GROUP, INC.**
Master Planning
Urban Design
Architecture
Landscape Architecture
11310 N. Central Ave., Ste. 200
Southlake, Texas 76092
817-454-2626

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



THE ENTRY

OAK ALLEY



A DECORATIVE SCREEN WALL



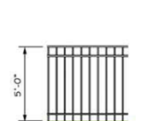
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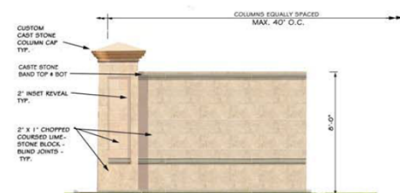
C ORNAMENTAL METAL FENCE
WITH COLUMN TERMINUS



D LOW STONE WALL WITH
ORNAMENTAL METAL FENCE



E ORNAMENTAL
METAL FENCE



F DECORATIVE SCREEN WALL

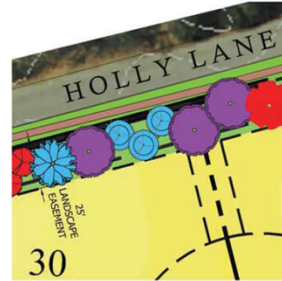


SCREENING WALLS & ORNAMENTAL FENCING EXHIBIT

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' H), 10' DBH, existing growth
	Live Oak	1	12" DBH	single trunk (over 10' H), 10' DBH, existing growth
	Live Oak	1	12" DBH	single trunk (over 10' H), 10' DBH, existing growth
ORNAMENTAL TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Orange Mistle	30	12" DBH	single trunk (over 10' H), 10' DBH, existing growth
	Orange Mistle	30	12" DBH	single trunk (over 10' H), 10' DBH, existing growth
	Orange Mistle	30	12" DBH	single trunk (over 10' H), 10' DBH, existing 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' H), 10' DBH, existing growth
	Live Oak	1	12" DBH	single trunk (over 10' H), 10' DBH, existing growth
	Live Oak	1	12" DBH	single trunk (over 10' H), 10' DBH, existing growth
ORNAMENTAL TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Orange Mistle	30	12" DBH	single trunk (over 10' H), 10' DBH, existing growth
	Orange Mistle	30	12" DBH	single trunk (over 10' H), 10' DBH, existing growth
	Orange Mistle	30	12" DBH	single trunk (over 10' H), 10' DBH, existing 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

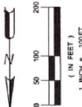
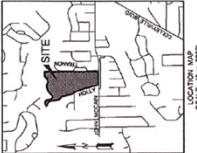
Date: 5/23/2018
Drawn By: J. L. Hester
Checked By: J. L. Hester
Reviewed By: J. L. Hester
Project No. 17-0001
Project Name: OAK ALLEY
Project Location: COLLEYVILLE, TX
Project Description: PRELIMINARY UTILITY PLAN
Project Status: NOT FOR CONSTRUCTION

DESCRIPTION

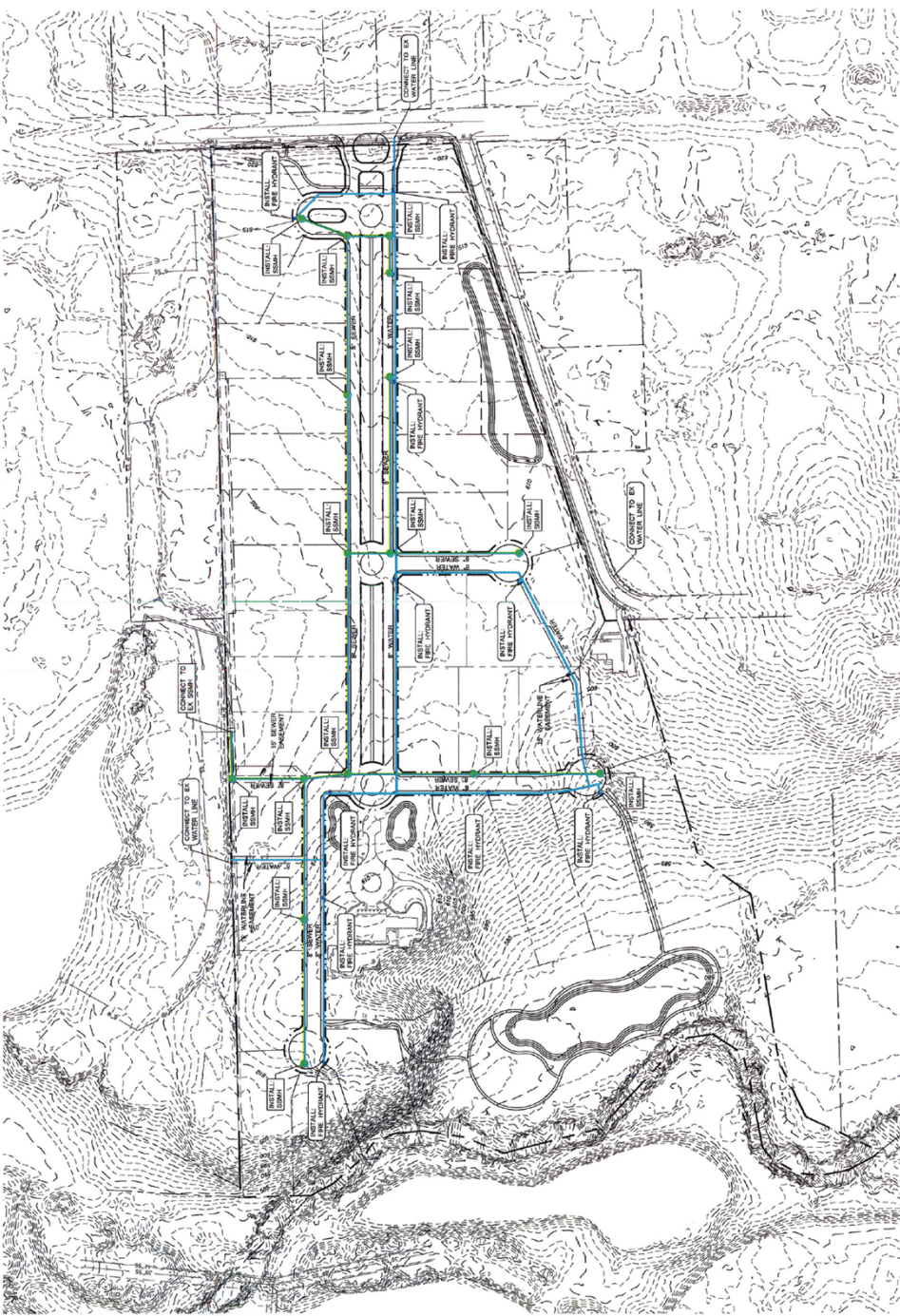
1" = 400'
2" = 800'
3" = 1200'

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



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;

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; and

WHEREAS, The City Council acknowledges the existence of a binding letter of intent between the developer and the Tanglewood HOA dated June 27, 2018 (LOI) containing certain mutual covenants between these two parties related to the development of the property described herein and that said parties intend on performing the covenants contained therein, provided said performance does not expressly conflict with applicable law or this ordinance.

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 no more than 35 single-family 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.
- c. Temporary fencing shall be installed during development construction.
- d. All perimeter wall/fencing shall be installed prior to home construction within the development.
- e. No development-related access shall come from Holly Lane and all construction related activity shall be prohibited within the public ROW along Holly Lane, including without limitation, the operation, parking, and storing of construction equipment or vehicles.

2. CONCEPTUAL PLAN AND PLATTING

- a. The street layout and arrangement of lots of the subdivision shall be generally consistent with the Preliminary Plat and Development Plan, labeled as Exhibit "C" & "D" respectively. The actual street and lot arrangement presented as a Final Plat may differ from that shown on Exhibit "C" to accommodate topographic, drainage, engineering design limitations, or other conditions. However, the Final Plat shall not differ in the number of lots allowed or any of the specific conditions provided herein.
- b. The developer shall submit and receive approval from the City a Preliminary Plat 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, and accessory uses/structures per regulations of the R-30 zoning district, except where amended herein.
- 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 for no more than 2 residential lots within the development.
30,000 square feet for no more than 33 residential lots.
- b. 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
- c. Front Yard Setback: 30 feet
- d. Side Yard Setback: 10 feet
- e. Street Side Setback: 20 feet, except for "key" lots which shall match the front setback of adjacent lots, as shown on the Development Plan
- f. Rear Yard Setback: 25 feet
- g. Minimum House Size: 4,300 square feet
- h. Maximum Lot Coverage: 25 percent

5. OPEN SPACE

- a. This development shall provide not less than approximately 19% common open space, which shall generally be configured as shown in Exhibit "D". 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. A landscape and pond maintenance plan shall be provided in conformance with the Declaration of Covenants, Conditions, and Restrictions as required by this PUD-R and the Perimeter Fencing Exhibits as attached in Exhibit "D".

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 "D".
- b. 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.
- 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 – 80% masonry (brick, stone, or stucco over CMU) shall be required on all structures. No EIFS or artificial stucco material (Dryvit systems or Styrofoam products) 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 and with approval of the HOA's Architectural Review Committee.
- e. Windows – No aluminum windows allowed in the subdivision, only windows of higher quality and 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 final inspection/certificate of occupancy being issued for the primary residential structure, all lots must be fully landscaped and irrigated, both front and rear yards.

- c. The streets within Oak Alley are proposed to be private streets with restricted access (gated).
- d. 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
 - o Turning Radii: Fifteen feet (15')
- e. 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.
- f. All residences within the subdivision shall contain automatic fire-sprinkler systems.
- g. A monument sign identifying the subdivision shall be built at the gated entry from John McCain Road.
- h. The construction entrance(s) shall be on John McCain Road only. Access from Holly Lane shall be prohibited.
- i. Appropriate construction methods shall be utilized to ensure that the ponds are able to hold the volumes of water contemplated in the final design plans and retain the water in the manner in which the ponds are designed. All ponds shall be maintained in an appropriate manner by the Oak Alley HOA.
- j. A water main loop shall be connected to the existing water main on Holly Lane between Lot 23 and Lot 29. Said pipe installation, sizing, and material shall be approved by the City Engineer.
- k. Pedestrian access to the north pond walking trail shall be provided via public easement from Holly Lane. Sidewalks shall be installed along the east side of Holly Lane at a size of no less than 4 feet in width and along the north side of John McCain Road at a size no less than 5 feet in width.
- l. Storm sewer installation and connection shall be made to drain the area west of Lot 33 (west of Holly Lane) into the new detention pond traversing Lots 32, 33, and 34. Said

pipe installation, sizing, and material shall be approved by the City Engineer.

- m. Diverters/shields shall be installed on all street lights adjacent to perimeter homes. All residential lighting shall be limited so as to prevent glare and illumination beyond the private property line.
- n. The proposed pond along Holly Lane shall be constructed at an adequate depth to assure a high level of water quality, shall have a deep well available for make-up water, and shall be maintained in an appropriate manner by the Oak Alley HOA.
- o. Street lights in private road developments shall be owned, operated, and funded exclusively by the HOA.

9. HOA DOCUMENTS

- a. At a minimum, the agreements, covenants and restrictions establishing and creating the homeowners' association required herein (CCRs) shall contain and/or provide for the following:
 - 1) The initial term of the agreement, covenants and restrictions establishing and creating the homeowners' association shall be for a period of not less than 25 years and, if not established to be perpetual, shall automatically renew for successive periods of not less than 10 years thereafter;
 - 2) The homeowners' association may not be dissolved without the prior written consent of the City;
 - 3) Provisions acceptable to the City to ensure the continuous and perpetual use, operation, maintenance and/or supervision of all facilities, structures, improvements, systems, open space or common areas that are the responsibility of the homeowners' association and to establish a reserve fund for such purposes;
 - 4) Provisions prohibiting the amendment of any portion of the homeowners' association's agreements, covenants or restrictions pertaining to the use, operation, maintenance and/or supervision of any facilities,

structures, improvements, systems, area or grounds that are the responsibility of the homeowners' association without the prior written consent of the City;

- 5) The right and ability of the City or its lawful agents, after due notice to the homeowners' association, to remove any landscape systems, features or elements that cease to be maintained by the homeowners' association; to perform the responsibilities of the homeowners' association and its board of directors if the homeowners' association fails to do so in compliance with any provisions of the agreements, covenants or restrictions of the homeowners' association, or of any applicable City ordinances or regulations; to assess the homeowners' association for all costs incurred by the City in performing said responsibilities if the homeowners' association fails to do so; and/or to avail itself of any other enforcement actions available to the City pursuant to state law or City ordinances or regulations; and
- 6) Provisions indemnifying and holding the City harmless from any and all costs, expenses, suits, demands, liabilities or damages including attorney's fees and costs of suit, incurred or resulting from the City's removal of any landscape systems, features or elements that cease to be maintained by the homeowners' association or from the City's performance of the aforementioned operation, maintenance or supervision responsibilities of the homeowners' association due to the homeowners' association's failure to perform said responsibilities.

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 16th day of October 2018.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 16th day of October 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

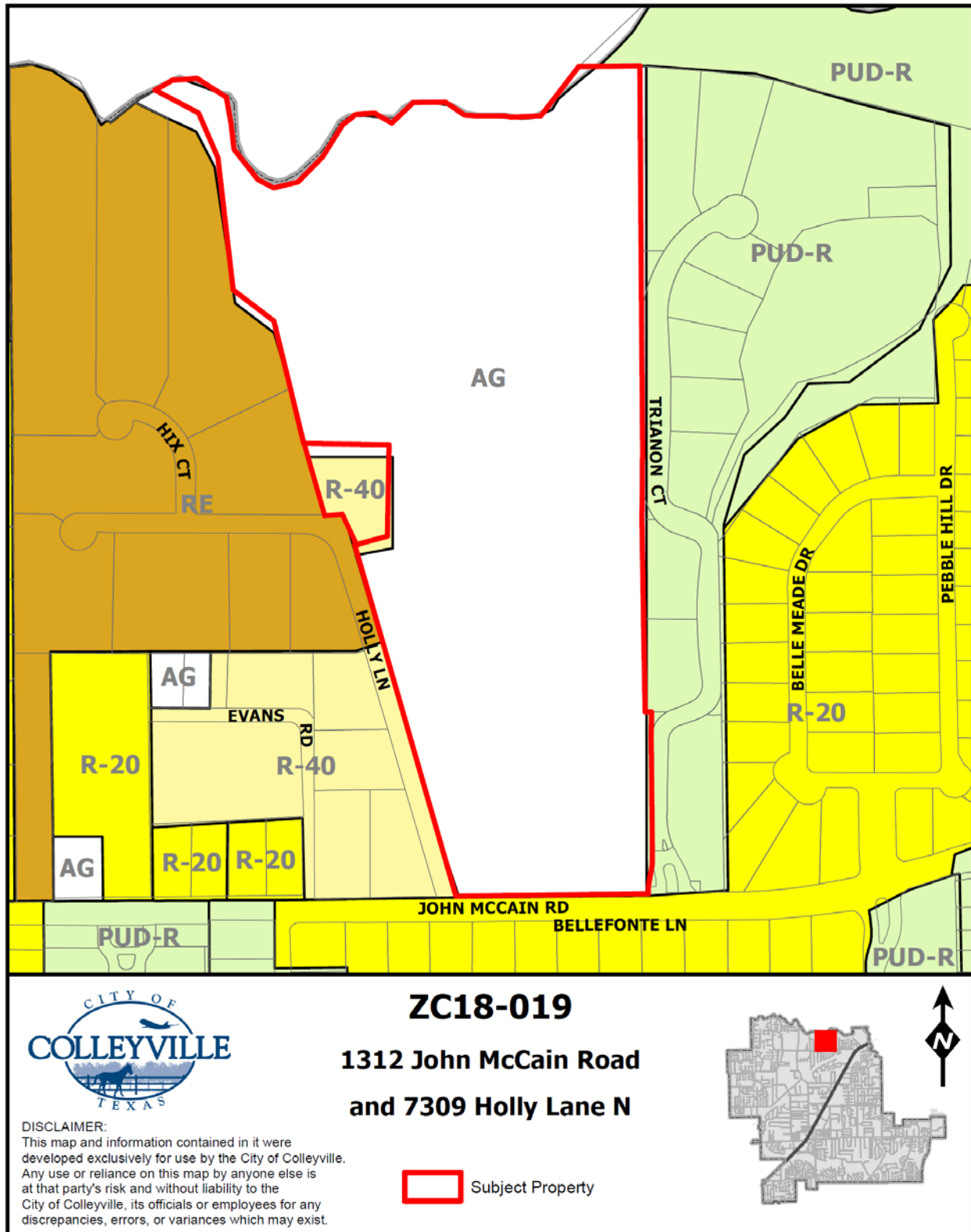


Exhibit “B” – Statement of Planning Objectives

Oak Alley

Colleyville, Texas

Zoning Narrative –8 Oct. 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 38,000 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 19% 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 one phase, with 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 five (35) homes, each with an estimated average value upon completion of \$2,570,000, 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:	4,300 square feet.
Minimum Lot Area:	26,000 s.f. (Average about 38,000 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 24'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:	The dominant exterior vertical wall area of each structure, exclusive of doors and windows, shall be masonry (brick, stone, or stucco over CMU block) or other material solely determined by the Committee. No more than 20% of the exterior vertical wall to be authentic lath and stucco application over wood framing. Dryvit systems or Styrofoam products are not acceptable. The exterior of chimney flues shall be of masonry material acceptable to the Committee. Installation of all types of exterior items and

surfaces such as address numbers or external ornamentation, lights, mail chutes, mailboxes, roofing materials and exterior paint or stain, shall be subject to the approval of the Committee as to size, design, materials color, manufacturer and location.

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.

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-four feet (24'), 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.
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Signage:	A monument sign identifying the subdivision shall be built at the gated entry from John McCain Road.
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[illegible]

Oak Alley

Case #ZC18-019

Colleyville, Tarrant County, Texas

[illegible]

9 OCT 19 10 58 AM '66

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.



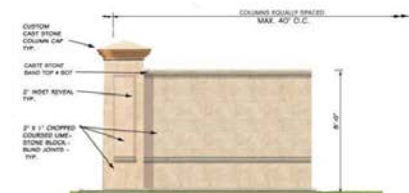
C ORNAMENTAL METAL FENCE
 WITH COLUMN TERMINUS



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

SYMBOL	PLANT TYPE	QUANTITY	SIZE	CONSTRUCTION / REMARKS
●	Shade Tree	1	12" x 12" x 12" x 12"	Shade tree, 12" x 12" x 12" x 12"
●	Shade Tree	1	12" x 12" x 12" x 12"	Shade tree, 12" x 12" x 12" x 12"
●	Shade Tree	1	12" x 12" x 12" x 12"	Shade tree, 12" x 12" x 12" x 12"
●	Shade Tree	1	12" x 12" x 12" x 12"	Shade tree, 12" x 12" x 12" x 12"
●	Shade Tree	1	12" x 12" x 12" x 12"	Shade tree, 12" x 12" x 12" x 12"

Eastern Boundary Landscape Easement - Landscape Specifications

SYMBOL	PLANT TYPE	QUANTITY	SIZE	CONSTRUCTION / REMARKS
●	Shade Tree	1	12" x 12" x 12" x 12"	Shade tree, 12" x 12" x 12" x 12"
●	Shade Tree	1	12" x 12" x 12" x 12"	Shade tree, 12" x 12" x 12" x 12"
●	Shade Tree	1	12" x 12" x 12" x 12"	Shade tree, 12" x 12" x 12" x 12"
●	Shade Tree	1	12" x 12" x 12" x 12"	Shade tree, 12" x 12" x 12" x 12"
●	Shade Tree	1	12" x 12" x 12" x 12"	Shade tree, 12" x 12" x 12" x 12"

Planner:



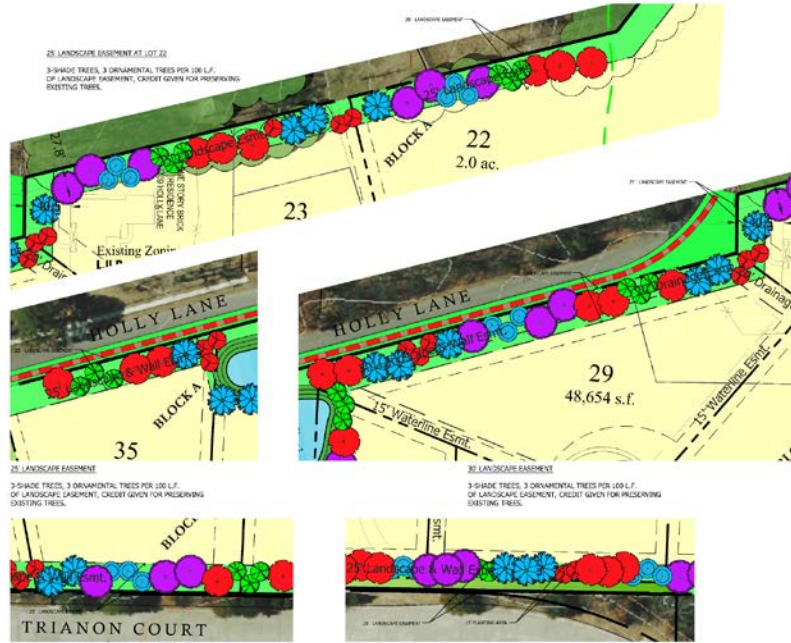
SAGE GROUP, INC.
Master Planning
Urban Design
Landscape Architecture
1100 N. Central Ave., Ste 200
Ft. Worth, Texas 76102
(817) 424-2626

Landscape Easement Plantings

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

Oak Alley

Colleyville, Tarrant County, Texas



STONE



PAVERS



INSPIRATION

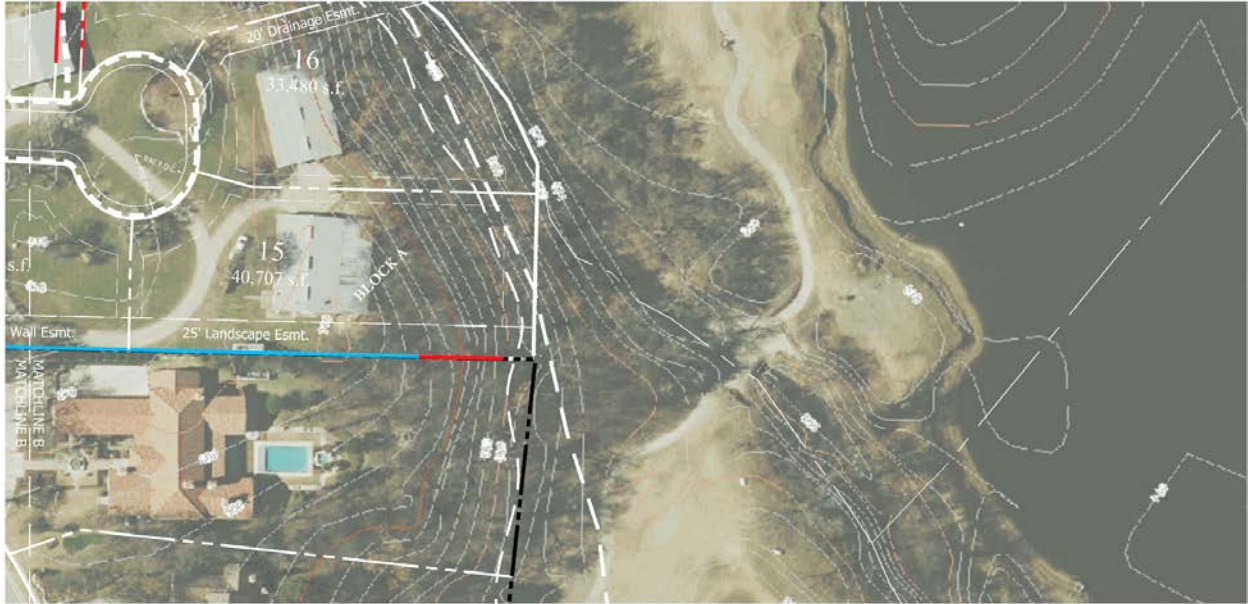


SAGE GROUP, INC.
Master Planning
Urban Design
Landscape Architecture
1100 N. Central Ave., Ste 200
Ft. Worth, Texas 76102
(817) 424-2626

THE ENTRY

OAK ALLEY





Planner: SAGE GROUP, INC.
Master Planning
Urban Design
Landscape Architecture
11215 Central Exp., Ste. 200
Dallas, Texas 75242
817-424-3026

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

Case #ZC18-002



21 SEPT 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



Planner: SAGE GROUP, INC.
Master Planning
Urban Design
Landscape Architecture
11215 Central Exp., Ste. 200
Dallas, Texas 75242
817-424-3026

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



21 SEPT 18

1" = 60'

Western Boundary Detail (Sheet 1 of 3)

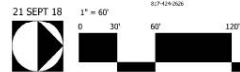
Oak Alley

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
1200 W. Central Expy., Ste. 200
Ft. Worth, Texas 76102
817.424.5026



TYPE D - 6' Total: Masonry Wall 2.5' / Ornamental Metal Fence 3.5'
TYPE F - 7' Total: Masonry Wall 5' / Ornamental Metal Fence 2'
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

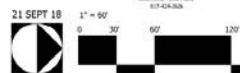
Case #ZC18-002

Oak Alley

Colleyville, Tarrant County, Texas



Planner:  SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1200 W. Central Expy., Ste. 200
Ft. Worth, Texas 76102
817.424.5026



Replace Pipe Rail Fence

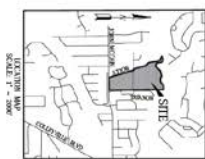
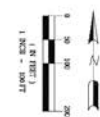
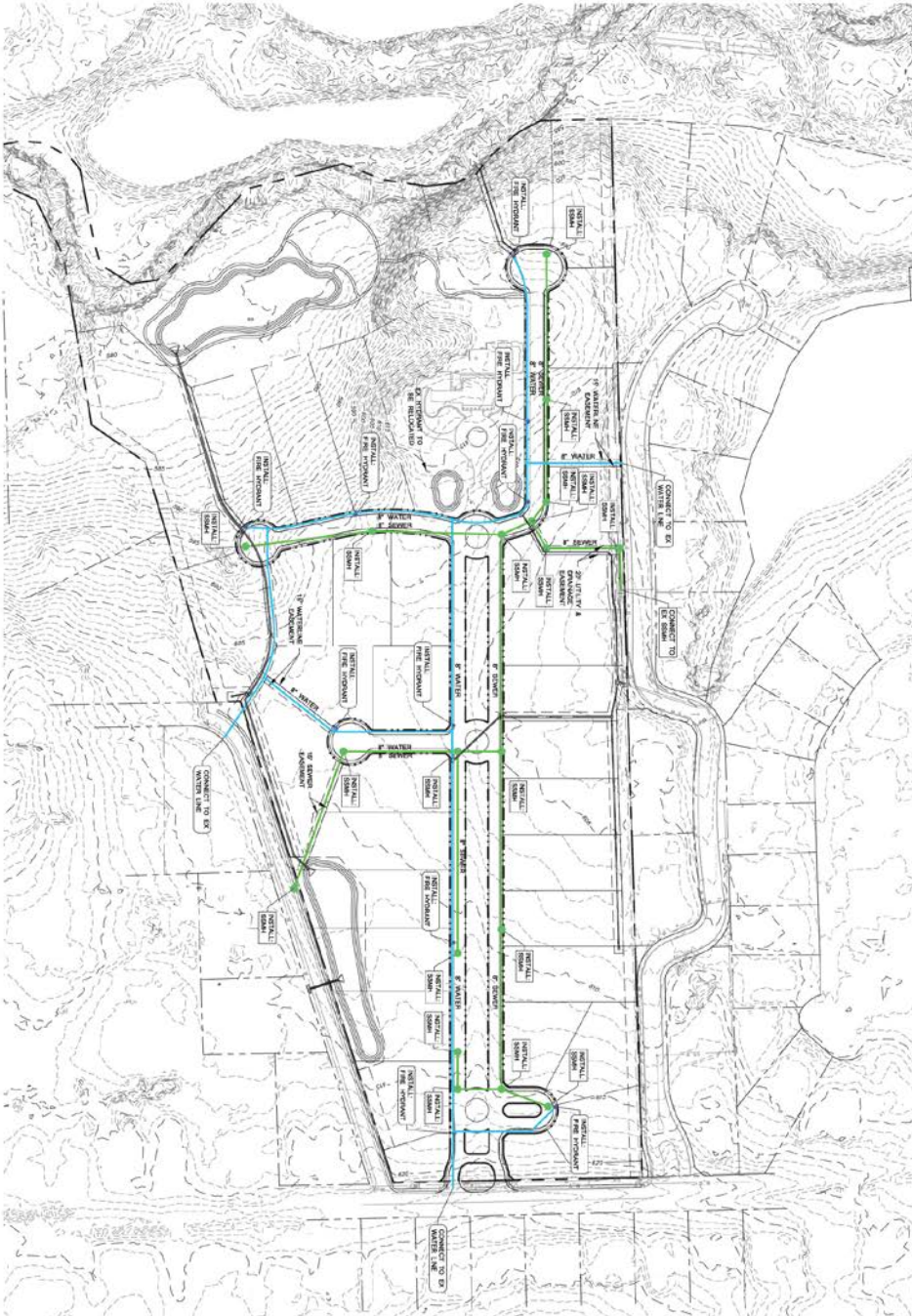
Western Boundary Detail (Sheet 3 of 3)

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

Case #ZC18-002

Oak Alley

Colleyville, Tarrant County, Texas



- LEGEND**
- 1" WATER LINE
 - 8" SEWER LINE
 - 12" SEWER LINE
 - 18" STORM LINE
 - 24" STORM LINE
 - WATER VALVE
 - SEWER VALVE
 - STORM VALVE
 - FIRE HYDRANT
 - CATCH BASIN
 - PUMP STATION
 - FLOW METER

PRELIMINARY UTILITY PLAN
OAK ALLEY
COLLEYVILLE, TEXAS

DEOTTE, INC.
 10111 W. 101ST STREET, SUITE 100
 OVERLAND PARK, KS 66213
 TEL: 913.241.1111 FAX: 913.241.1112
 WWW.DEOTTE.COM

REVISIONS

NO.	DATE	DESCRIPTION
1	01/10/2018	ISSUED FOR PERMIT REVIEW
2	01/10/2018	ISSUED FOR PERMIT REVIEW
3	01/10/2018	ISSUED FOR PERMIT REVIEW

THIS DOCUMENT IS FOR PERMIT REVIEW ONLY AND IS NOT INTENDED FOR CONSTRUCTION. NO PART OF THIS DOCUMENT SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM DEOTTE, INC.

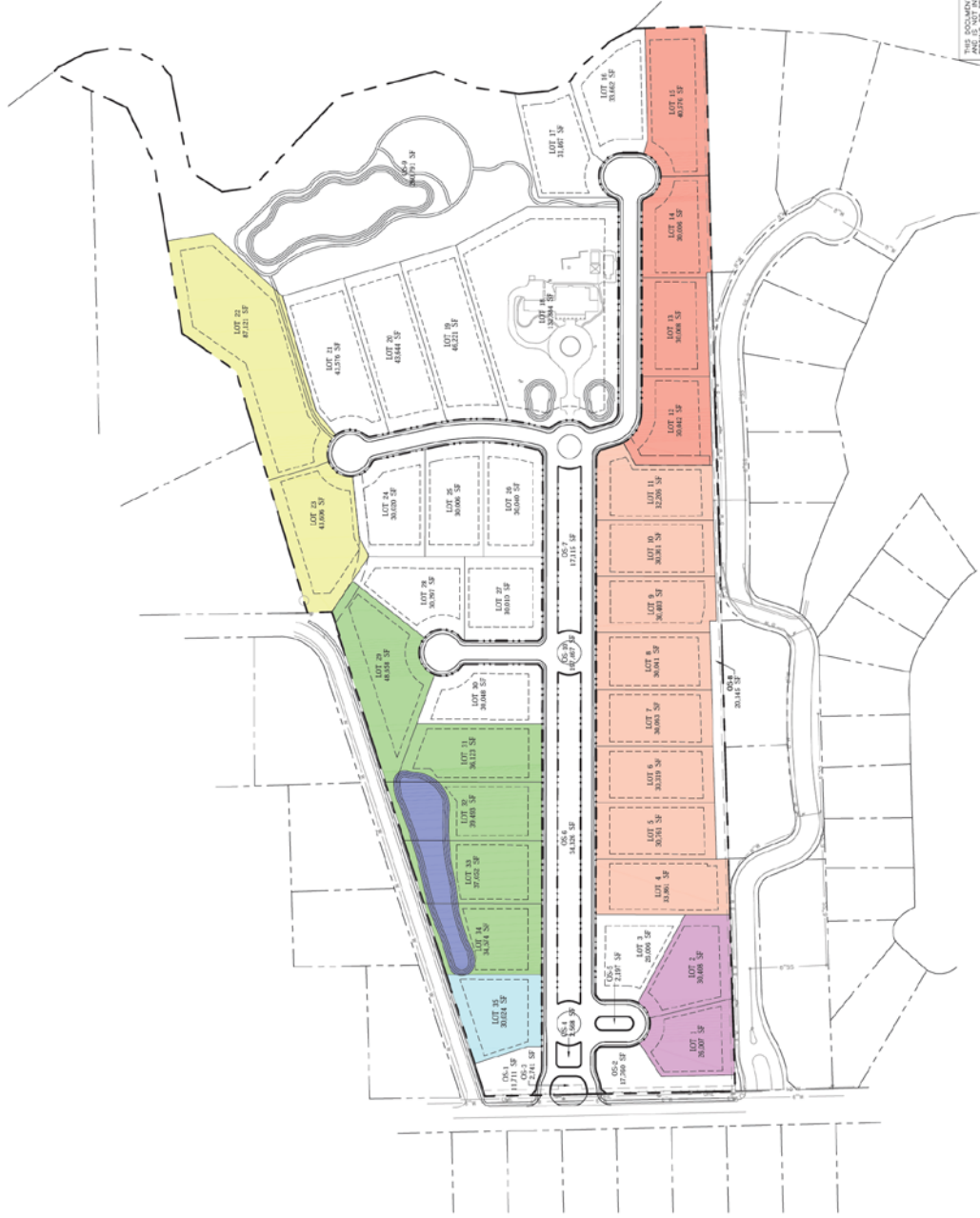
DATE: 01/10/2018
 TIME: 10:00 AM
 PROJECT: OAK ALLEY
 SHEET: 3 OF 3



OAK ALLEY GRADING CONCEPT

- 1. FINAL GRADING IS THE FIRST THING THAT STARTS IN THE FINAL DESIGN PROCESSING AND IS THE LAST THING THAT FINISHES IN THE DESIGN PROCESSING. IT IS THE MOST IMPORTANT PART OF THE DESIGN PROCESSING AND THE MOST IMPORTANT PART OF THE DESIGN PROCESSING.
- 2. FACTORS THAT AFFECT FINAL GRADING WILL INCLUDE TREE PROTECTION, FLOOD DAMAGE, OVERHEAD AND UNDERGROUND UTILITIES, AND THE LOCATION OF THE LOT.
- 3. A MAJOR CONSTRAINTS IN GRADING OF THIS SITE INCLUDE THE PERMITTER REQUIREMENTS, ADJACENT PROPERTIES, AND THE LOCATION OF THE LOT.
- 4. THIS CONCEPT FOCUSES ON THE PERMITTER, LOTS AND PRESENTS OPTIONS THAT CAN BE ACHIEVED FOR EACH LOT WITH FINAL DESIGN.

- LOTS 1 AND 2**
THESE LOTS ARE EXPECTED TO HAVE FAD GRADING BETWEEN THE EXISTING PERMITS AND THE FINAL DESIGN PROCESSING. THE GRADING WILL BE DONE BY THE PERMITTER AND THE GRADING WILL BE DONE BY THE PERMITTER.
- LOTS 3 THROUGH 11**
THESE LOTS ARE EXPECTED TO HAVE FAD GRADING BETWEEN THE EXISTING PERMITS AND THE FINAL DESIGN PROCESSING. THE GRADING WILL BE DONE BY THE PERMITTER AND THE GRADING WILL BE DONE BY THE PERMITTER.
- LOTS 12 THROUGH 15**
THESE LOTS ARE EXPECTED TO HAVE FAD GRADING BETWEEN THE EXISTING PERMITS AND THE FINAL DESIGN PROCESSING. THE GRADING WILL BE DONE BY THE PERMITTER AND THE GRADING WILL BE DONE BY THE PERMITTER.
- LOTS 16 AND 17**
THESE LOTS ARE EXPECTED TO HAVE FAD GRADING BETWEEN THE EXISTING PERMITS AND THE FINAL DESIGN PROCESSING. THE GRADING WILL BE DONE BY THE PERMITTER AND THE GRADING WILL BE DONE BY THE PERMITTER.
- LOTS 18 AND 19**
THESE LOTS ARE EXPECTED TO HAVE FAD GRADING BETWEEN THE EXISTING PERMITS AND THE FINAL DESIGN PROCESSING. THE GRADING WILL BE DONE BY THE PERMITTER AND THE GRADING WILL BE DONE BY THE PERMITTER.
- LOTS 20 AND 21**
THESE LOTS ARE EXPECTED TO HAVE FAD GRADING BETWEEN THE EXISTING PERMITS AND THE FINAL DESIGN PROCESSING. THE GRADING WILL BE DONE BY THE PERMITTER AND THE GRADING WILL BE DONE BY THE PERMITTER.
- LOTS 22 AND 23**
THESE LOTS ARE EXPECTED TO HAVE FAD GRADING BETWEEN THE EXISTING PERMITS AND THE FINAL DESIGN PROCESSING. THE GRADING WILL BE DONE BY THE PERMITTER AND THE GRADING WILL BE DONE BY THE PERMITTER.
- LOTS 24 AND 25**
THESE LOTS ARE EXPECTED TO HAVE FAD GRADING BETWEEN THE EXISTING PERMITS AND THE FINAL DESIGN PROCESSING. THE GRADING WILL BE DONE BY THE PERMITTER AND THE GRADING WILL BE DONE BY THE PERMITTER.
- LOTS 26 AND 27**
THESE LOTS ARE EXPECTED TO HAVE FAD GRADING BETWEEN THE EXISTING PERMITS AND THE FINAL DESIGN PROCESSING. THE GRADING WILL BE DONE BY THE PERMITTER AND THE GRADING WILL BE DONE BY THE PERMITTER.
- LOTS 28 AND 29**
THESE LOTS ARE EXPECTED TO HAVE FAD GRADING BETWEEN THE EXISTING PERMITS AND THE FINAL DESIGN PROCESSING. THE GRADING WILL BE DONE BY THE PERMITTER AND THE GRADING WILL BE DONE BY THE PERMITTER.
- LOTS 30 AND 31**
THESE LOTS ARE EXPECTED TO HAVE FAD GRADING BETWEEN THE EXISTING PERMITS AND THE FINAL DESIGN PROCESSING. THE GRADING WILL BE DONE BY THE PERMITTER AND THE GRADING WILL BE DONE BY THE PERMITTER.
- LOTS 32 AND 33**
THESE LOTS ARE EXPECTED TO HAVE FAD GRADING BETWEEN THE EXISTING PERMITS AND THE FINAL DESIGN PROCESSING. THE GRADING WILL BE DONE BY THE PERMITTER AND THE GRADING WILL BE DONE BY THE PERMITTER.
- LOTS 34 AND 35**
THESE LOTS ARE EXPECTED TO HAVE FAD GRADING BETWEEN THE EXISTING PERMITS AND THE FINAL DESIGN PROCESSING. THE GRADING WILL BE DONE BY THE PERMITTER AND THE GRADING WILL BE DONE BY THE PERMITTER.
- THE HOLLY POND**
THESE LOTS ARE EXPECTED TO HAVE FAD GRADING BETWEEN THE EXISTING PERMITS AND THE FINAL DESIGN PROCESSING. THE GRADING WILL BE DONE BY THE PERMITTER AND THE GRADING WILL BE DONE BY THE PERMITTER.



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DATE: 10/07/2016

OAK ALLEY
PERIMETER GRADING CONCEPT PLAN
COLLETTVILLE, TEXAS
DEOTTE, INC.
10000 N. HIGHWAY 100, SUITE 100
COLLETTVILLE, TEXAS 76927
PHONE: 817.231.9100
FAX: 817.231.9101
WWW.DEOTTE.COM



City of Colleyville City Council Agenda Briefing

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

Agenda Number 9a

Agenda Date 10/16/2018

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 remained tabled at the October 1, 2018 City Council meeting.

This item remained tabled at the September 18, 2018 City Council meeting.

This item remained tabled at the September 4, 2018 City Council meeting.

This item remained tabled at the August 21, 2018 City Council meeting.

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, three correspondences in opposition have 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.

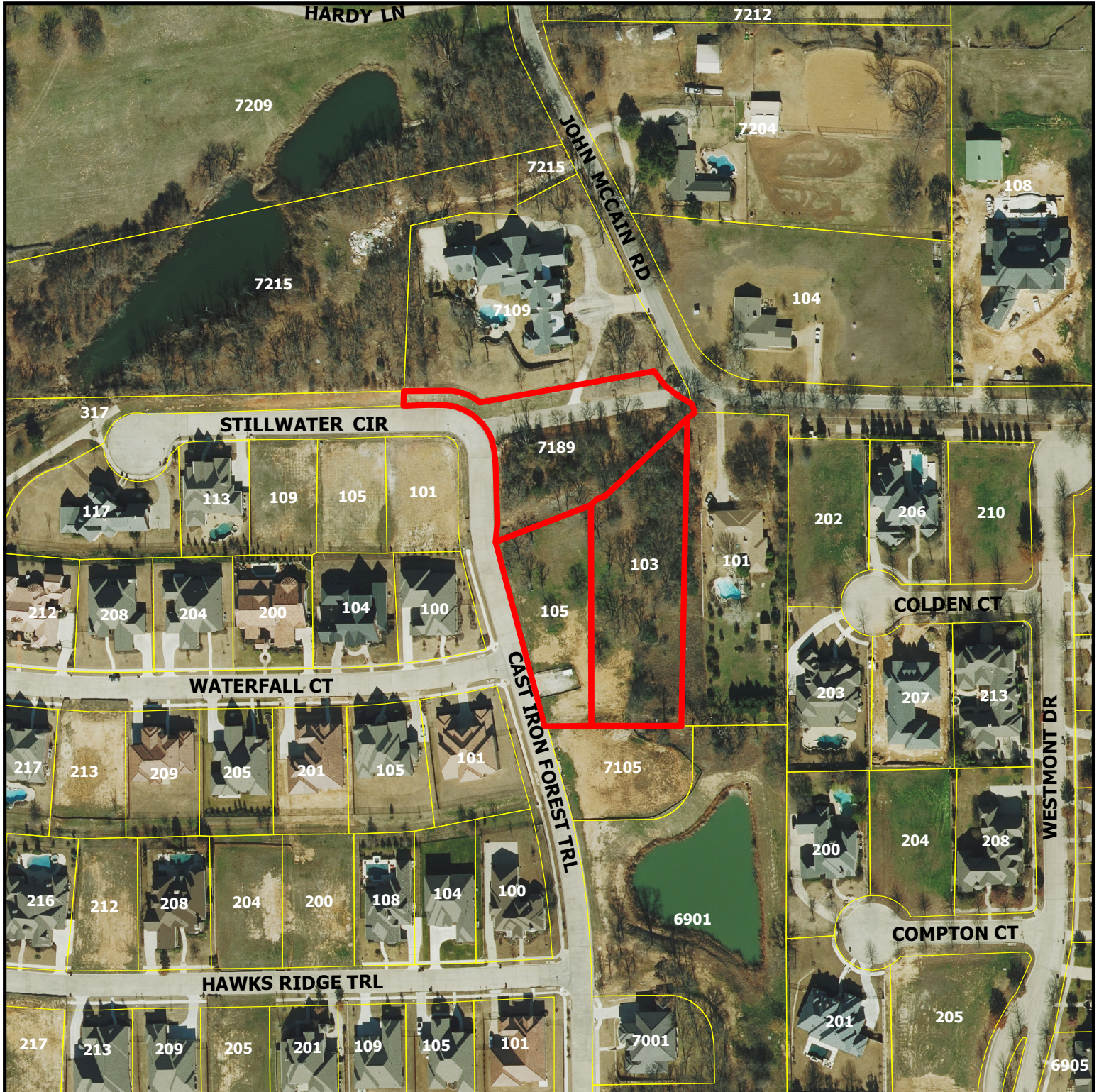
Recommendation

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. Letters of Opposition
10. Resolution R-18-4294

Aerial Map

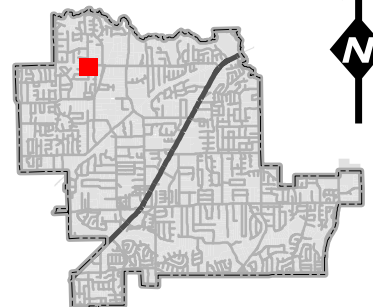


PC17-004

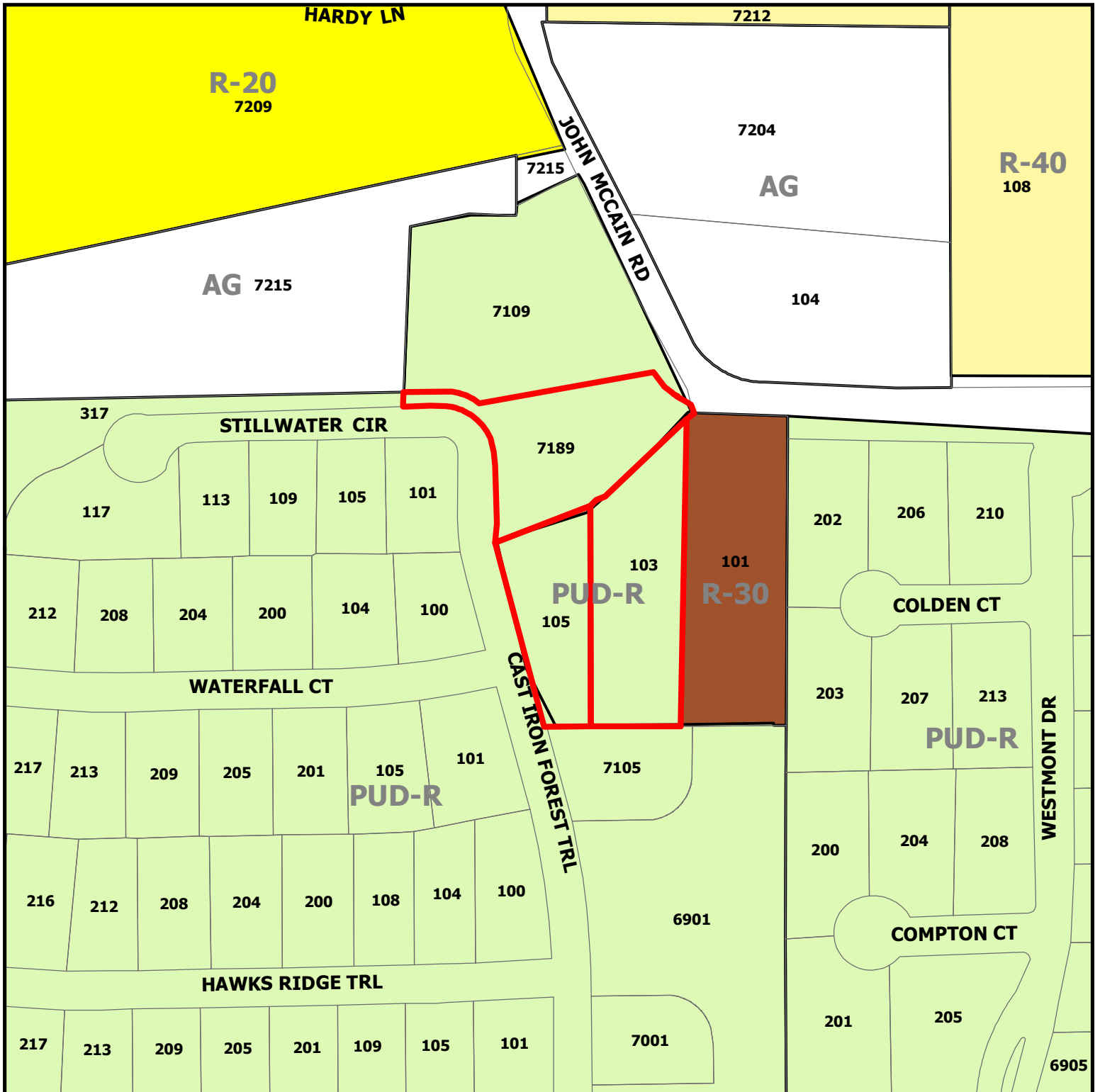
**105 & 103 John McCain Rd and
7189 Cast Iron Forest Trl**

DISCLAIMER:
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 Subject Property



Zoning Map



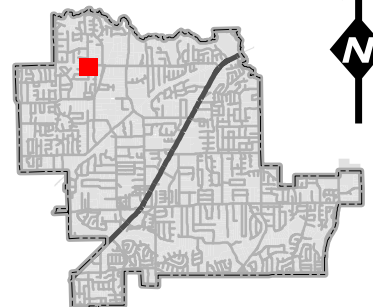
PC17-004

**105 & 103 John McCain Rd and
7189 Cast Iron Forest Trl**

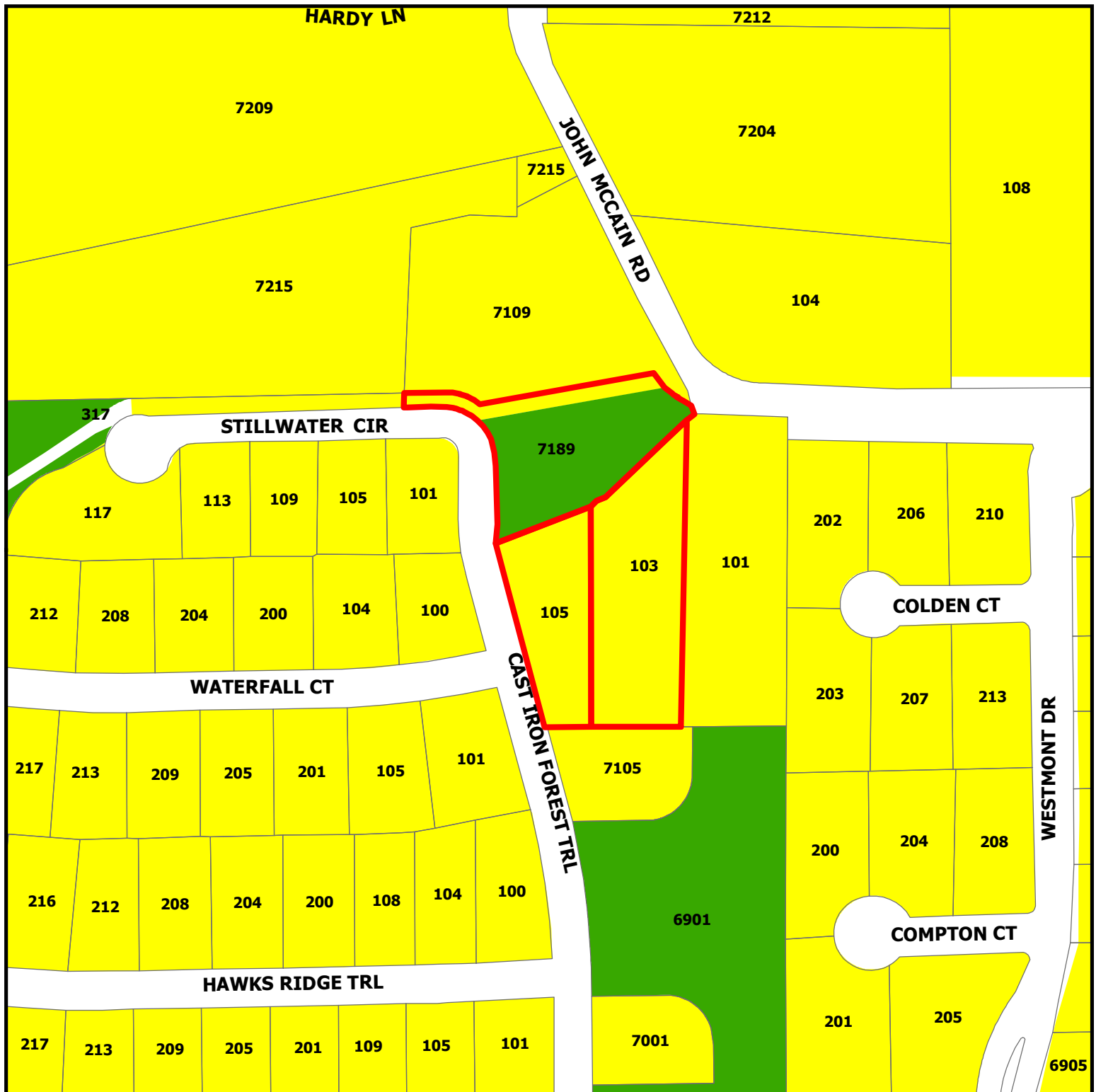


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 Subject Property



Future Land Use Map

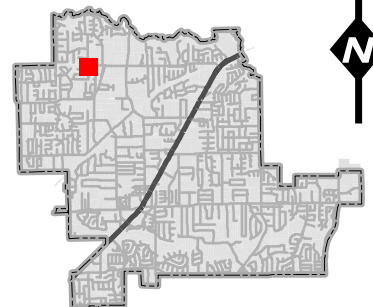


PC17-004

**105 & 103 John McCain Rd and
7189 Cast Iron Forest Trl**



Subject Property



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OLD GROVE ADDITION, PHASE II



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

EXHIBIT A – ZONING MAP

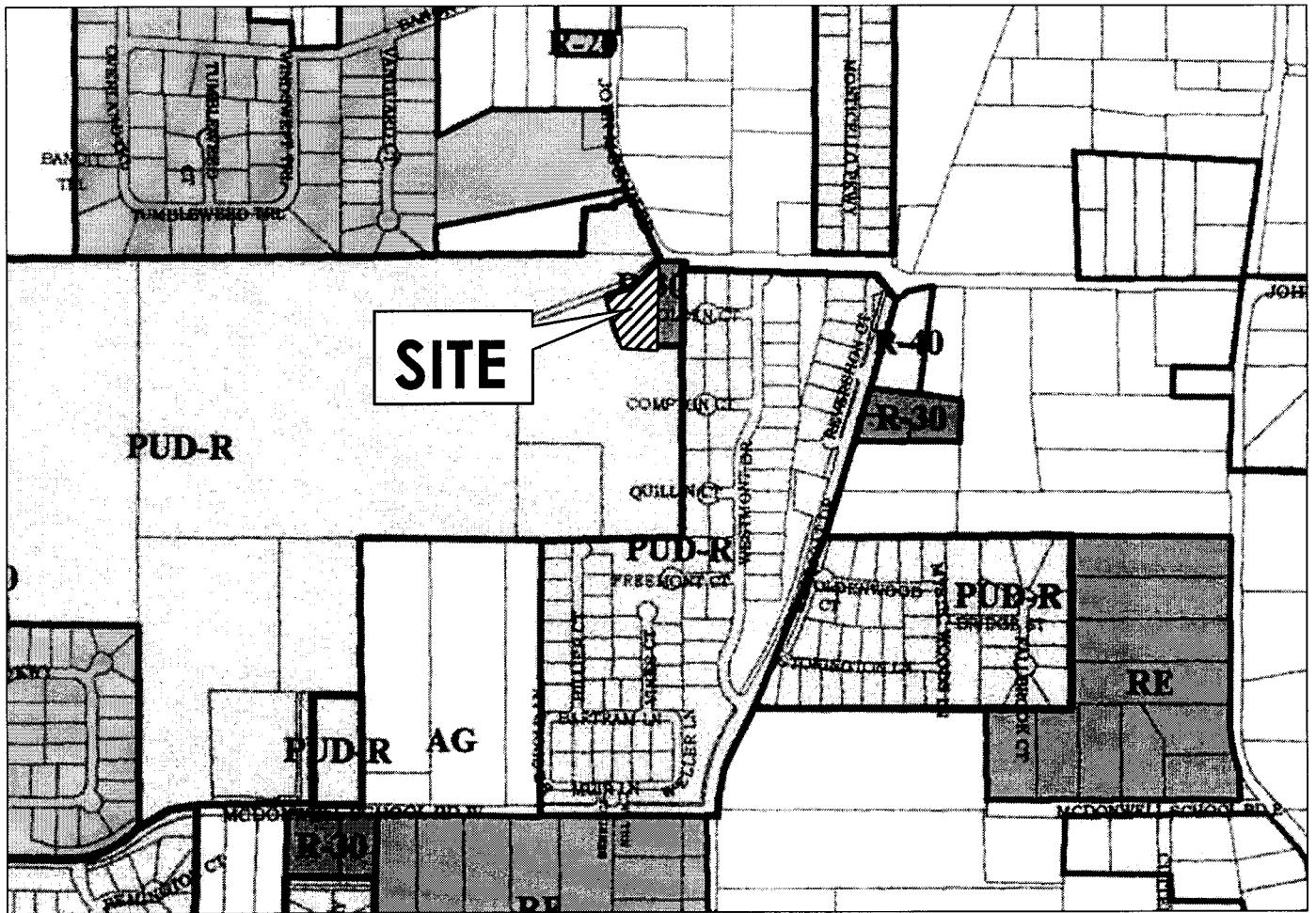


EXHIBIT B – METES AND BOUNDS DESCRIPTION

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;

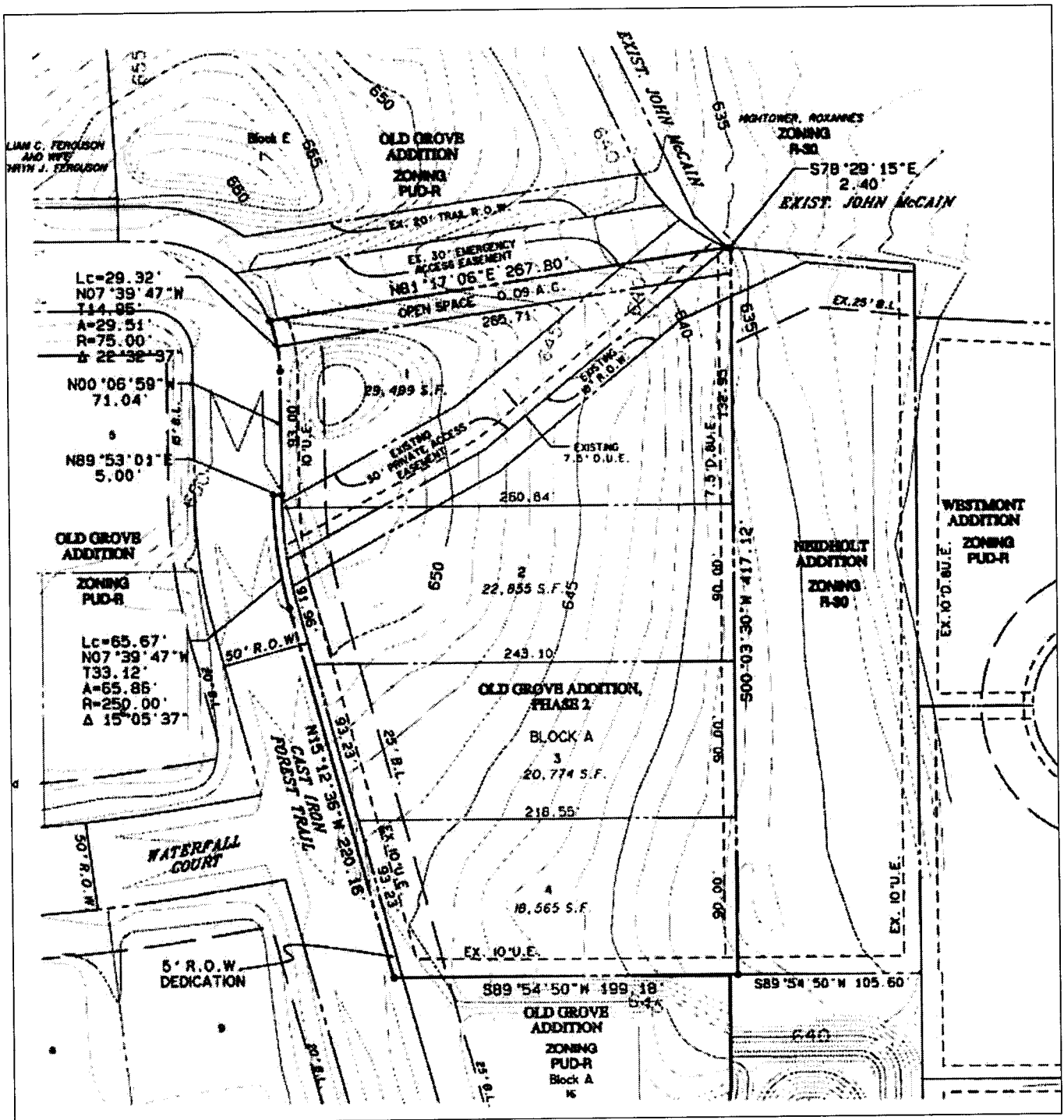
Northwesterly, along said curve, having a central angle of 22 degrees 32 minutes 37 seconds, an arc distance of 29.51 feet and a chord that bears North 11 degrees 23 minutes 17 seconds West, 29.32 feet to a ½ inch rebar capped set at the northwest corner of the herein described tract;

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.

EXHIBIT C –CONCEPTUAL SITE PLAN



Notification Map



PC17-004

105 & 103 John McCain Rd and 7189 Cast Iron Forest Trl



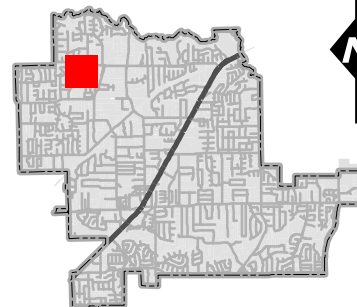
Subject Property



200ft Buffer



Properties within 200ft



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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 GIBALTAR RD	HORSHAM, PA	19044	105 STILLWATER CIR
ALLEN, LEROY	101 STILLWATER CIR	COLLEYVILLE, TX	76034	101 STILLWATER CIR
TOLL DALLAS TX LLC	250 GIBALTAR 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 GIBALTAR 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 GIBALTAR 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

Opposition to Final Plat for Lots 1, 2 and 3X, Block 1, Old Grove Addition, Phase II

Jennifer Johnson [REDACTED]

T Kathy

o **Wheat** kwheat@colleyville.com, **rnewton** rnewton@colleyville.com, **blindamood** blindamood@colleyville.com, **tnakamura** tnakamura@colleyville.com, **gdodson** gdodson@colleyville.com, **ckelley** ckelley@colleyville.com, **crigney** crigney@colleyville.com

CMark ICE: Johnson [REDACTED] **Susan Rau/ Psa** [REDACTED], **Richard**
c Freitag [REDACTED] **Beth Battles** [REDACTED]

All,

My husband, Mark and I have spoken at two of the P&Z meetings, voicing our opposition to the Toll Brothers plans for the two lots on Cast Iron Forest Trail in the Old Grove subdivision. We will be out of town during the next City Council meeting, so wanted to send in our written opposition.

We are very concerned about the proposed dry retention pond and the risk to the health of neighboring homeowners and their property if the dry retention pond is not maintained. We are all at the mercy of the homeowner to maintain the pond, with no recourse if they do not. The drainpipe for this pond will be 18" wide, in the retaining wall at the back of the property, and needs to be left open to ensure correct water flow. If the homeowner has small children, or pets, this will be a safety issue, and we are very concerned they will put fencing over the hole to keep their pets/children safe.

Our second opposition to this plan is that there are large oak trees along both the HOA easement (East/West) (below left photo), and a 100 year old Post Oak in our backyard (below right photo) within the easement (North/South) and planned drainage area that will have roots damaged when the drainage pipes are installed. During the 5 years we have owned our house, we have spent over \$2,000 treating our Post Oak, as it was very sick when we bought the lot. I don't think it can survive having a good portion of its' root structure damaged.

Lastly, and I mentioned this when I spoke at the P&Z meeting in July, Toll Brothers as not been a good partner to your citizens during this process. On two separate occasions Greg Powell with Toll Brothers told my husband and I that they had no obligation to us during this process, because they were allowed to use the easement. Other representatives from Toll Brothers have since indicated that they will replace our fence, substantial bushes along the fence line, and a portion of our driveway; however given how we were initially treated, we are very concerned to what extent our property will be restored.

Thank you for your consideration.

Jennifer and Mark Johnson
203 Colden Court
Colleyville TX 76034

Opposition to Final Plat for Lots 1, 2 and 3X, Block 1, Old Grove Addition, Phase II

Beth Battles

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Crauprofit

Jennifer Johnson

Dear Mayor Newton and Members of the City Council,

My husband, Brandon, and I live at 101 John McCain Rd., the property adjacent to the proposed final plat of two lots in Old Grove. We want to voice our opposition to the replat proposal because we are opposed to the proposed drainage plan. These two lots slope towards our property.

We have had drainage problems across our property since Old Grove was constructed. Our lot was initially one lot in the three-lot Neidholdt subdivision. The other two lots were owned by single family, sold to David Bagwell, and replatted into Old Grove. Against our vehement opposition, the Council at the time approved the replatting, based in some measure on some verbal promises from David Bagwell of fencing along our western property line, a gate in the front, and enhanced landscaping. None of that, of course, came to be.

We learned only recently that when Old Grove was approved by the council, the land in question never had final plat approval, so no drainage plan was considered by the city. It is clearly very difficult to find a solution to appropriate drainage for these lots. Since the rest of Old Grove has been developed, the drainage for these two lots must be retrofitted into the design, and we are skeptical of the proposed solution.

We share the concern of our neighbors about the health and maintenance issues of the proposed dry detention pond and to the significant tree damage that will result in completing this drainage plan. Trees will be removed and damaged in constructing the drainage pipe across the easement of Old Grove that runs behind (on the south edge) of our proper (top picture below). Our neighbors, the Johnsons, reference a Post Oak on their property that we saved when the sewer line was constructed by allowing David Bagwell to put the manhole on the southeast corner of our property. It would be a shame to save the tree only to lose it now. If the development is approved, existing old oak trees on the property are at risk due to residential over-watering of landscapes.

We did have discussions with Toll Brothers about possible solutions to mitigate the tree loss and damage by running a drainage easement across our property, but ultimately felt that such an easement would limit our own use of our lot as well that of future owners.

We hope that you will oppose this plan. The area in question is a lovely, wild place that would best serve the citizens living in and around Old Grove to remain as a park or wild space.

Thank you for your consideration,

Beth and Brandon Battles
101 John McCain Rd.
Colleyville, TX 76034

Opposition to Final Plat for Lots 1, 2 and 3X, Block 1, Old Grove Addition, Phase II

Susan Rau

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C Ben Bryner bbryner@colleyville.com rauprofit
Johnson j Beth Battles

Jennifer
Richard Freitag

Dear Mayor Newton & Colleyville City Council Members:

My husband, Dick Freitag and I live at 7105 Cast Iron Forest Trail in Colleyville. Our home was built by Toll Brothers and we closed in July 2016. Dick and I were unable to attend the Council's meeting on August 7. I was at Mayo Clinic in Minnesota, where I am undergoing treatment.

Dick and I reviewed the video of the Council's meeting. Given the very long meeting and very full agenda, the Council noted that the members had not reviewed our Memo of Opposition in the Council packet. We previously submitted the same memo to the P&Z Committee; the salient points of which we addressed orally at two P&Z meetings.

This email attempts to summarize the points raised in our previously submitted Memo of Opposition. **By copy of this email, we are asking Ben Bryner to ensure that our email and the emails sent to the City Council by our neighbors Beth & Brandon Battles and Jennifer and Mark Johnson are included in the Council's Agenda packet for the August 21 meeting. To expedite the process, the three emails are attached in PDF format.**

We share the concerns of our neighbors and the Old Grove and Westmont communities about the re-plat being proposed by Toll Brothers. Despite several productive meetings with the Toll Brothers representatives and follow up discussions, our opposition is primarily related to the proposed drainage and grading plan. In addition, we oppose the building pad site on the land immediately adjacent to our property insofar as the pad is very close to the minimal easement, which is in contrast to other pad sites in the area.

Summarizing our opposition to the plans submitted by Toll Brothers to the City staff and City Council:

1. In turning the lots to face Cast Iron Forest Trail, Toll Brothers is proposing to handle storm water run-off by way of a "dry" detention pond. The stated reason for this approach is that the large existing retention pond on Cast Iron Forest Trail cannot handle the storm water from the two building lots that would result from the proposed re-plat.
 1. The detention pond would abut our property and run alongside the Battles and Johnson's properties. This is an inappropriate solution in a suburban development insofar as this would be the ONLY lot in Old Grove with a detention pond on private property. Thus, unlike the large retention pond, there would be no City or HOA oversight.
 2. The construction of the drainage field and pipes will eliminate large oak trees, spruce trees, tree roots on several properties, resulting in potential damage or death of these large mature trees. Nesting wildlife including Harper's and Red-tail hawks, owls, bluebirds, blue jays, cardinals, finches and bees will be displaced.

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2. A careful review of the approved drainage plans for Old Grove and for Westmont shows that the lots in question plus the lot with the Battles home were not included in the approved plans for either subdivision.
 1. But, the fact that these lots were not included does not mean that the retention pond cannot handle the water from the new lots. It simply means that the lots (currently facing John McCain) were omitted from the plans submitted by David Bagwell and then adopted by Toll Brothers.
 2. Clearly the developers anticipated building on these lots but why and how they were omitted from the submission to the City and the resulting approved drainage plans may never be fully understood.
3. The story that the large existing pond cannot handle more storm water has been repeated so often that Toll Brothers represents this as fact. This assertion is just that--an assertion. We ask the City Council to require a full feasibility study with the goal of determining how the existing retention pond can be modified to handle the runoff from these two new lots.
 1. Yes, the study may be expensive and, yes, the work that may need to be done on the large existing retention pond may be considerable and expensive, but the solution being proposed by Toll Brothers is overly complex, destroys significant vegetation, displaces nesting wildlife and places the burden of maintenance on a single homeowner within a subdivision, which is contrary to the City's best practices.
 2. Toll has already built intakes from Stillwater Court such that some of the infrastructure might be used to add these new lots if/when the large retention pond is reconfigured to take more water.
4. Toll Brothers and City staff have pointed out, correctly, that the natural flow of water runs down and across the backyard of the Battles property, but this should not be construed to mean that the only way to handle the flow is through a dry detention pond.
 1. Our lot, prior to being developed, also drained downhill and roughly in the direction of the rear of the Battles property and along the edge of the Johnson property in the general direction of the Westmont storm sewer.
 2. When we built and installed a pool and landscaping, the City required us to reroute the runoff so as to have it drain into the large retention pond (in other words, contrary to the natural flow).
 3. We were required to "plumb" as opposed to a dry detention pond or French drains. Having lived for many years in a rural area where we had numerous dry detention ponds on our property we were acutely aware of the maintenance required and knew that this type of solution, while certainly cheaper, is inappropriate for a subdivision lot.
 4. Although the drainage solution cost us in excess of \$100,000, it was the right solution. We simply ask that the City Council vote to apply the same standards to the lots next to us.
5. In recent years, Colleyville has seldom approved a dry detention pond on a small lot within a subdivision. Such detention ponds have usually been approved when constructed on the common areas of a subdivision. This is for good reason. Within common areas, the burden of maintenance and restrictions on access that might pose a threat to public health becomes the responsibility of the HOA with oversight from the City; this is the way the large existing retention pond is handled today.
 1. A casual drive around Colleyville readily shows that even when a well designed dry detention pond is used on large or rural residential lots outside of a subdivision, there can be significant health and safety risks when the homeowner fails to properly maintain the pond.

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2. Even an untrained observer can see examples within Colleyville and surrounding towns of "dry" detention ponds where the egress is blocked with tree roots, grass clippings or other debris, where standing water and muck are readily visible and provide a breeding ground for mosquitoes and where the safety of children and pets is threatened.

Regarding the health and safety risks of a dry detention pond, at its last meeting the Council asked why we purchased a lot next to a large retention pond but now are objecting to the proposed dry detention pond directly adjacent to our property. Simply put, the extent of my health issues was not yet apparent. Once we became aware of my illness, we could not back out of the purchase and had to devise plans to ensure that our property is shielded from storm water, lawn and garden chemicals (fertilizers, pesticides, insecticides, weed killers etc.) and insects, including but not limited to mosquitoes. In addition to the extensive drainage work we've done, we have also installed synthetic turf in some areas and an extensive vacuum system to rid the property of all flying insects.

Yes, we may be somewhat more aware of the health and safety risks of the drainage plan being proposed by Toll Brothers, but this is driven by direct experience with such detention ponds and only tangentially by current health issues. For all the reasons outlined here and the details in our Memo of Opposition shared with the P&Z Committee and the City Council previously, we oppose the Toll Brothers request for a re-plat of the lots in its current form.

Unless or until the solutions being offered are reconsidered and replaced by a below ground drainage solution, we cannot in good conscience allow this proposal to go forward without asking that our City government and its elected officials consider our objections and those raised by our neighbors. We ask for a fair hearing on the matter and rely on the wisdom of our City Council to reject the proposal in its current form. With additional work, we hope that a solution can be found that is fair to all.

Susan E. Rau & Richard Freitag
7105 Cast Iron Forest Trail
Colleyville TX 76034

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 18TH 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
Assistant City Secretary

Richard Newton
Mayor

RESOLUTION R-18-4319

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER BUSINESS AT THE REGULAR CITY COUNCIL MEETING OF
OCTOBER 16, 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 16TH DAY OF OCTOBER 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