



City of Colleyville City Council Agenda

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

Tuesday, February 5, 2019

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

CALL TO ORDER

- WS-1** Annual Police Department Report
- WS-2** Discussion of tree mitigation plan
- WS-3** Discussion of Spring Business Promotion Program
- WS-4** Discussion of the 86th Legislative Agenda
- WS-5** Discussion of the February 5, 2019, 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 case for Parcel 150

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 – Update from the City Manager regarding the vacant City Engineer position

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

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

INVOCATION: Pastor Lee Johnson, Bear Valley

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-19-4352

3. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

**Announcements of civic and charitable events
Presentation of calendar events and updates
Announcements of awards and recognition**

Presentation of Life Saving Awards to Colleyville Police Officers Rafael Cortes and Darren Smith - Police Chief Michael Miller and Mayor Richard Newton

4. CONSENT: READING AND PUBLIC HEARING - RESOLUTION R-19-4353

4a Approval of a monetary donation in the amount of \$5,000 to the Colleyville Citizen's Police Academy Alumni Association (CCPAAA), a not-for-profit organization, in recognition of the CCPAAA's contribution to the public safety and welfare of the citizens of Colleyville. The donation will be administered by the City Manager and paid from the Strategic Initiatives Fund for the public purpose of supporting the CCPAAA's continuous effort to enhance the public safety and welfare within the City.

5. DISCUSSION OF OLD BUSINESS

5a Discuss and consider the City Council's previous motion to approve Ordinance O-18-2056 that failed to pass during the December 4, 2018 City Council meeting

5b Discuss and consider further action concerning Ordinance O-18-2056 as a result of action taken by the City Council on item 5a above, including amending, approving, denying, and/or remanding Ordinance O-18-2056 back to the Planning and Zoning Commission for additional review and recommendation

6. ORDINANCE(S): SECOND READING AND PUBLIC HEARING**6a Ordinance O-19-2074**

Consideration of amendments to the Land Development Code, specifically Chapter 7 – Sign Regulations

6b Ordinance O-19-2075

Consideration of a zoning change from R-40 Single Family Residential district to R-20 Single Family Residential district on Lot C, McEwing Subdivision & 1B02A, 1B2, 1B3, and 1B4, Abstract 1154 in the R H McEwing Survey, located at 712-810 Lavaca Trail, Case ZC18-033

7. ORDINANCE(S): FIRST READING AND PUBLIC HEARING**7a Ordinance O-19-2076**

Consideration of a Special Use Permit for Food Packaging and Manufacturing on Lot 8R, Block 1, of the Colleyville Industrial Park, located at 1904 Industrial Boulevard, Suite 103, Case ZC18-036

7b Ordinance O-19-2077

Consideration of a Special Use Permit for Warehouse and Distribution Facilities on Lot 1R1A, Block 1, of the West Industrial Addition, located at 6705 Colleyville Boulevard, Case ZC18-037

8. CITIZEN COMMENTS/PRESENTATIONS REGARDING ITEMS NOT ON THE AGENDA**9. ACTION/RESOLUTION: DISCUSSION AND CONSIDERATION OF A RESOLUTION RATIFYING COUNCIL AGENDA ACTION FOR FEBRUARY 5, 2019 - READING AND PUBLIC HEARING - RESOLUTION R-19-4354****10. ADJOURNMENT**

I hereby certify this agenda was posted on City Hall bulletin boards Friday, February 1, 2019 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
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Agenda Number WS-1

Agenda Date 02/05/2019

Type Worksession

Department Police

Title

Annual Police Department Report

Explanation

This item provides an opportunity for Police Chief Michael Miller to provide the 2018 crime statistics and discuss reporting methodology.

Attachments

1. 2018 Annual Crime Report and Reporting Changes in 2019

2018 Annual Crime Report and Reporting Changes Required in 2019

Chief Michael C. Miller
Colleyville Police Department
February 5, 2019

2018 Annual Crime Report

What is Uniform Crime Report (UCR)

The objective of the UCR program is to produce reliable crime statistics for law enforcement administration, operation, and management.

This is accomplished through the recording and reporting of the eight (8) Crime Index Offenses (Part 1 Offenses):

- ☐ **Murder**
- ☐ **Rape**
- ☐ **Robbery**
- ☐ **Aggravated Assault**
- ☐ **Burglary**
- ☐ **Theft**
- ☐ **Auto Theft**
- ☐ **Arson**

2018 Annual Crime Report – Part 1 Crimes



Part 1 Crimes	2017	2018	Change
Murder	0	0	N/A
Rape	1	3	200%
Aggravated Assault	3	3	0%
Robbery	2	2	0%
Total Violent	6	8	33%
Burglaries			
Non-Residential	11	9	-18%
Residential	26	4	-85%
Thefts			
Burglary of Vehicle	34	61	79%
Other Theft	70	76	9%
Auto Theft	5	0	-100%
Arson	0	0	N/A
Total Property	146	150	3%
Total Part 1	152	158	4%



Change in Crime

4%

2018 Annual Crime Report – Part 2 Crimes



Summary of Uniform Crime Reporting Part 2 Offenses 2017 vs 2018

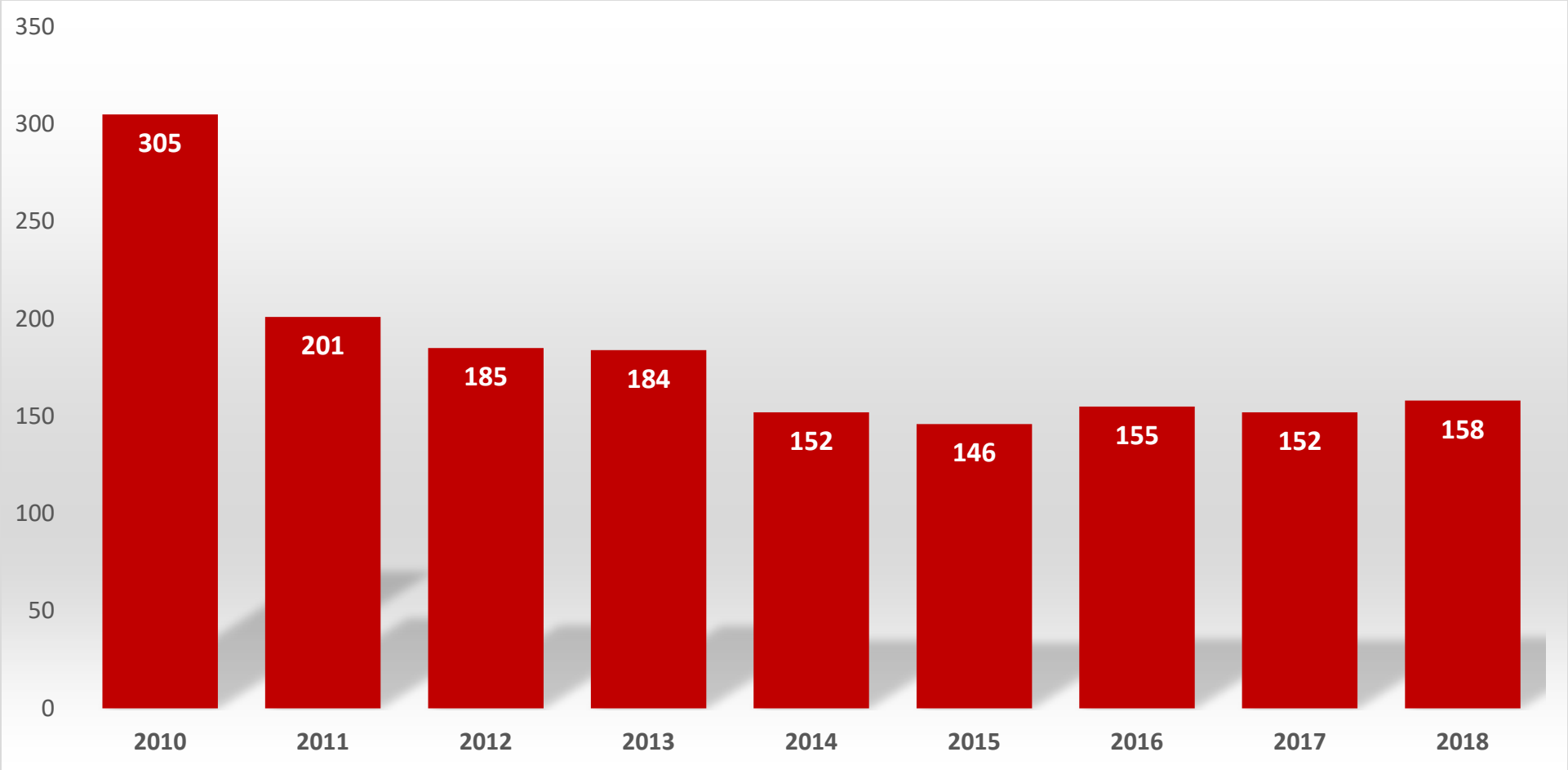


														2018	2017
Part-2 Crimes	Curfew & Loitering Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Disorderly Conduct	0	0	0	0	0	0	0	0	0	0	1	1	1	0
	Driving Under the Influence	11	6	2	8	14	10	7	7	10	4	7	10	96	113
	Drug Offenses (Possess - Sale/Mfg.)	4	5	4	9	6	4	3	1	10	8	5	4	63	68
	Embezzlement	0	1	0	0	0	1	1	0	0	0	1	0	4	6
	Forgery	1	6	0	0	2	2	3	1	1	1	0	1	18	11
	Fraud (Credit Card Abuse, Theft of Serv.)	7	10	11	4	9	5	2	5	8	8	6	8	83	121
	Gambling Offense	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Liquor Laws	1	0	0	0	0	0	1	1	0	0	1	1	5	7
	Offenses Against Family and Children	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Prostitution / Vice	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Public Intoxication	1	1	2	1	1	0	1	2	0	3	2	3	17	17
	Runaway	1	0	0	0	0	0	0	0	1	1	1	0	4	0
	Sex Offenses	0	1	0	1	0	0	0	0	1	1	0	0	4	4
	Simple Assault	2	0	2	0	2	1	1	1	4	2	5	1	21	23
	Stolen Property; Buy, Recv., Poss.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Vandalism	0	2	2	1	4	1	1	1	1	3	1	4	21	25
	Weapons	1	0	1	2	1	0	0	0	0	1	1	0	7	5
	All Other Offenses (except traffic)	6	9	8	14	7	12	12	8	10	13	9	11	119	143
Total 2018 Part-2 Crimes:		35	41	32	40	46	36	32	27	46	45	39	44	463	543
Total 2017 Part-2 Crimes:		43	46	40	42	51	35	48	53	37	48	45	55		

Change in Part 2's

-15%

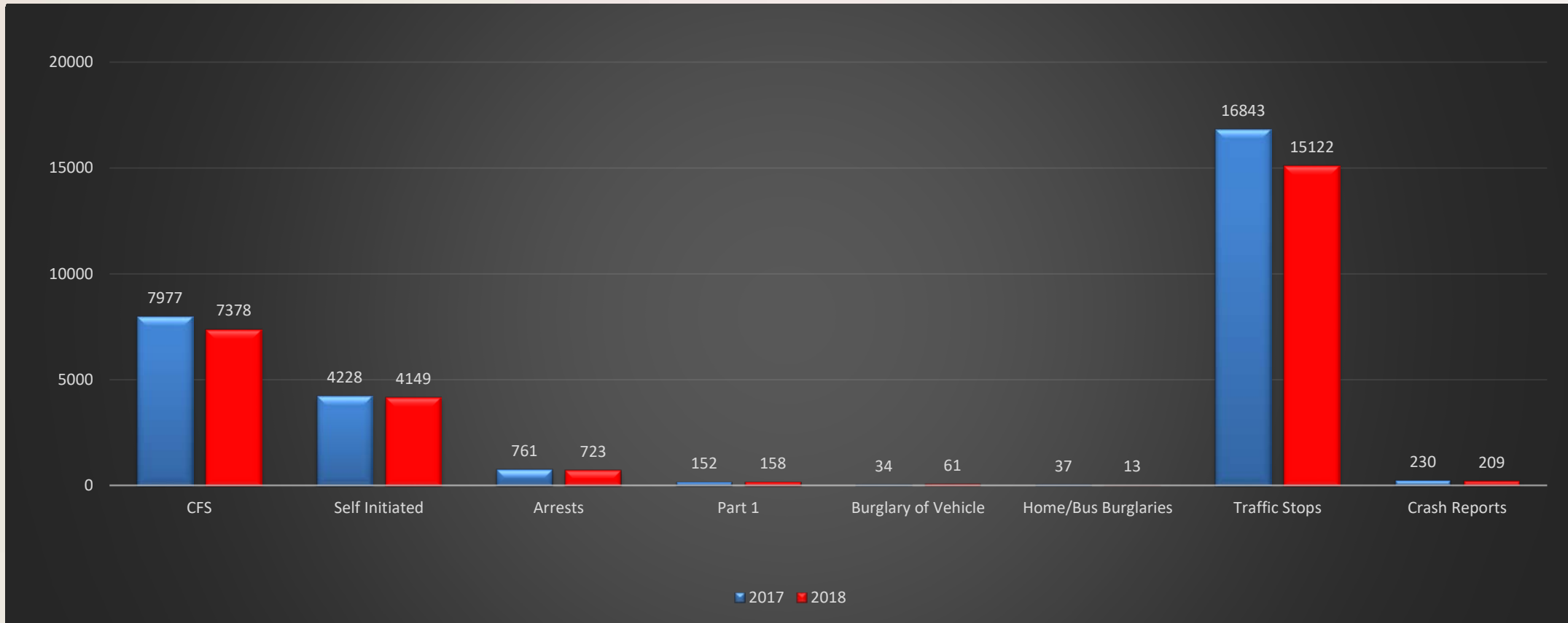
Crime Reduction Trend



COLLEYVILLE POLICE DEPARTMENT PATROL ACTIVITY 2018



- Calls for Service 7,977 to 7,378 - 8% Decrease
- Officer Initiated 4,228 to 4,149 - 2% Decrease
- Arrests 761 to 723 - 5% Decrease
- Part 1 Offenses 152 to 158 - 4% Increase
- Burglary of Vehicle 34 to 61 -80% Increase
- Home/Bus Burglaries 37 to 13- 65% Decrease
- Traffic Stops 16,843 to 15,122 - 10% Decrease
- Crash Reports 230 to 209 – 9% Decrease
- Conducted 28,595 Business, Home, & Park Checks





In 2018, Colleyville Police Department's Criminal Investigations Division received 698 new case assignments.

On average, 4 new cases were assigned per day, per detective.

Annual Clearance Rate

- 22% Part 1 Clearance
 - Violent – 88% Clearance
 - Property – 19% Clearance

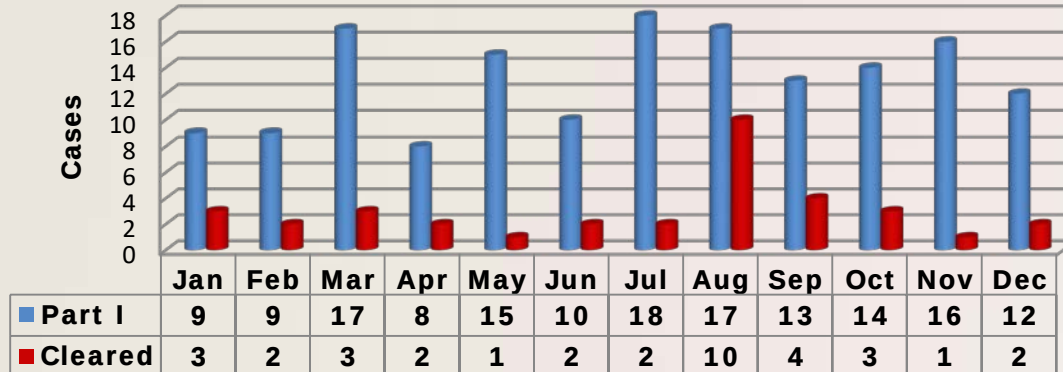
Other points of interest include:

- Submitted 1,998 Investigative Supplements
- 99% Three day victim contact
- 153 Hours - Crime Scene Investigation and Related Training
- 253 Hours of Firearms Instruction for Department, Academy and Citizen Police Academy
- Joined North Texas Financial Crimes Task Force (Secret Service)

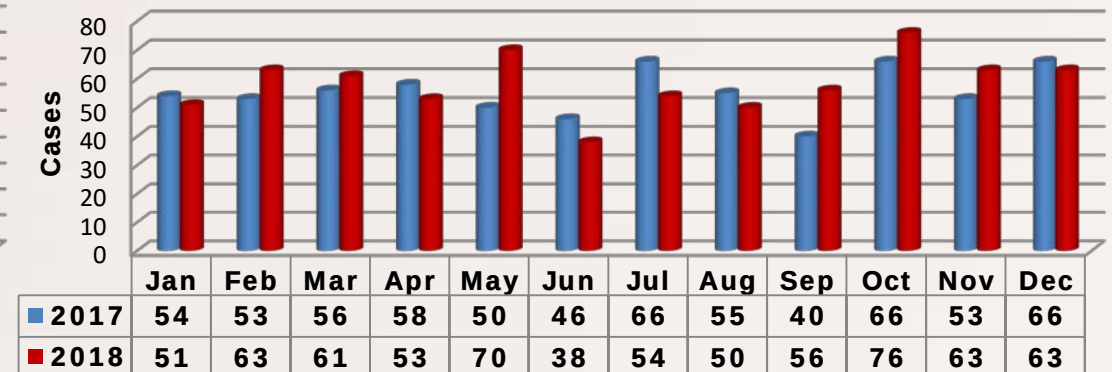
Extra Duties:

- Crossing Guard Administrator
- Firearms Instructor
- Child Abduction Response Team
- Citizen and Junior Police Academy
- Lock Box Program
- Sex Offender Registration and Management

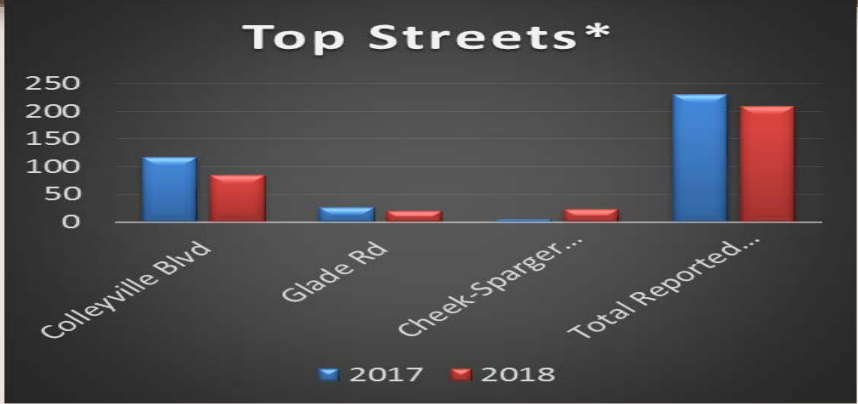
Twelve Month Part 1 History



2017 – 2018 Case Assignment Comparison

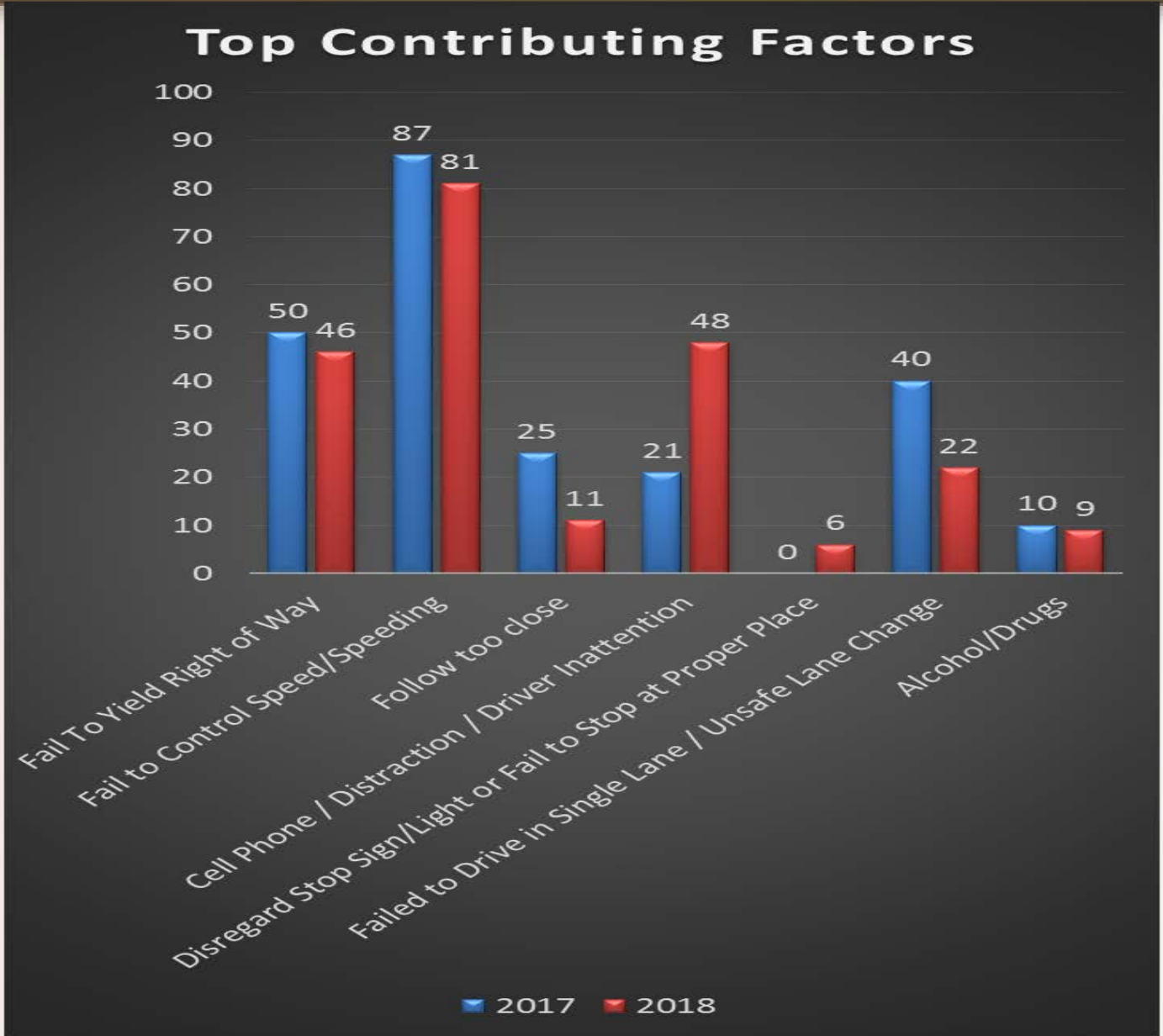


COLLEYVILLE POLICE DEPARTMENT 2018 YEAR-END CRASH COMPARISON



Crash Comparison	2017	2018	Change
Colleyville Blvd	116	85	27%
Glade Rd	26	20	23%
Cheek-Sparger	22	23	5%
All Roads	230	209	9%

Injury Comparison



Reporting Changes Required in 2019

Timeline for NIBRS Implementation



- September 1, 2019
 - State of Texas goal is for all state agencies to implement an incident based reporting system and begin sending NIBRS data to the state by this date.
- January 1, 2021
 - The Federal Bureau of Investigation (FBI) Uniform Crime Reporting (UCR) program will sunset Summary Reporting System (SRS) and transition to NIBRS only data collection by this date.

Uniform Crime Reporting (UCR) Program



- Nationwide voluntary reporting by law enforcement
- Established in 1929 under the jurisdiction of the FBI
- Designed as summary based reporting of the most serious crime within an incident = Summary Reporting System (SRS)
- Mission: Provide reliable national crime statistics and common language
- SRS remained unchanged for 60 years; complexity of crime steadily increased
- Late 1970's NIBRS conceived to meet need for more detailed crime reporting

- NIBRS = National Incident-Based Reporting System
- Standardizes the capture and reporting of more detailed data
 - Example: collects information about victims, offenders, property and arrests
- Provides for 52 offense classifications with up to 10 offenses per incident
- Provides a more comprehensive view of crime in the United States
- Helps give context to specific crime problems
- Provides greater analytic flexibility

Reporting Differences



UCR Summary	NIBRS
Collects 8 offense categories Part 1 offenses 1. Murder 2. Sex Assault 3. Robbery 4. Aggravated Assault 5. Burglary 6. Theft 7. Auto Theft 8. Arson	Collects more detailed offense information. 1. Victim 2. Offender 3. Property 4. Arrest information
Employs hierarchy rule	Does not employ hierarchy rule
Counts 1 offense per incident	Counts up to 10 offenses per incident
Utilizes paper forms	Utilizes electronic submissions

Collects limited data for 8 offenses and 20 additional crimes for which only arrests are reported

Collects data for 52 offenses, plus 10 additional offenses for which only arrests are reported

Hierarchy Rule

When more than one offense occurs within an incident, only the most serious crime contributes to the agency's monthly crime total

Example:

Individual confronts two people walking down the sidewalk. The suspect shoots and kills one of the victims and robs the other. In the course of getting away, the suspect steals an unoccupied car

UCR Summary	NIBRS
1 Murder	1 Murder, 1 Aggravated Robbery, and 1 Auto Theft

Potential Impact on Crime Numbers



- Approximately 90% of all incidents contain just one offense and 99% contain no more than 2 offenses
- Based on FBI research, the effects of NIBRS on Part 1 crimes is minimal
- Small increase is explained by the allowance of reporting of incidents with multiple offenses and the absence of the hierarchy rule

Our Current Status



- Our regional partners use a system called CRIMES for day-to-day operations and for reporting to Texas and the FBI
- CRIMES Challenges:
 - CRIMES was designed and is maintained by Sam Houston State University (not their core business).
 - Due to issues in getting accurate reporting from CRIMES, we keep a separate spreadsheet with all of our Part 1 crimes to ensure accuracy.
 - CRIMES says that our regional partners will transition to the NIBRS compliant version of the system in April although they have experienced issues in testing.
- Regional Partner Recommendations:
 - Explore alternative CAD/RMS systems/vendors
 - Explore grant funding opportunities

Questions and Discussion



City of Colleyville City Council Agenda Briefing

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Agenda Number WS-2

Agenda Date 02/05/2019

Type Presentation and Discussion

Department Parks and Recreation

Title

Discussion of tree mitigation plan

Strategic Plan

1.1 Actively involve and engage stakeholders

Explanation

In Spring 2017, the Fort Worth Transit Authority paid a mitigation fee of \$271,000 to the City of Colleyville due to the removal of trees along the railroad. Initially, these funds were to be used to install trees to provide a means for noise mitigation, for the residential area near the northeastern extent of the railroad near John McCain Road and State Highway 26. In addition to this area, other areas along the Cotton Belt Trail have been identified to utilize these funds for installation of additional trees and irrigation. Adding trees throughout the trail will increase the aesthetic appeal, as well as provide shade for trail users.

Attachments

1. Tree Mitigation Plan Presentation

Tree Mitigation Plan

City Council Worksession
February 5, 2019

History



- Spring 2017 – Tree Mitigation Agreement executed
 - \$271,000 paid by Fort Worth Transit Authority
- December 2017 – City Council Worksession discussion of options
 - Staff was directed to examine the option of providing a sound barrier
- A sound engineer provided a study in the area most impacted by the loss of trees (John McCain North)
 - Study findings were that a sound barrier is neither warranted nor cost effective
- Recommendation for the placement of trees along the affected residential areas
 - Bransford South
 - John McCain North
 - Cotton Belt Trail

Bransford South



- Develop Tree program that allows property owners to install trees in backyards
- Cost \$1,500 @ 14 homes = \$21k

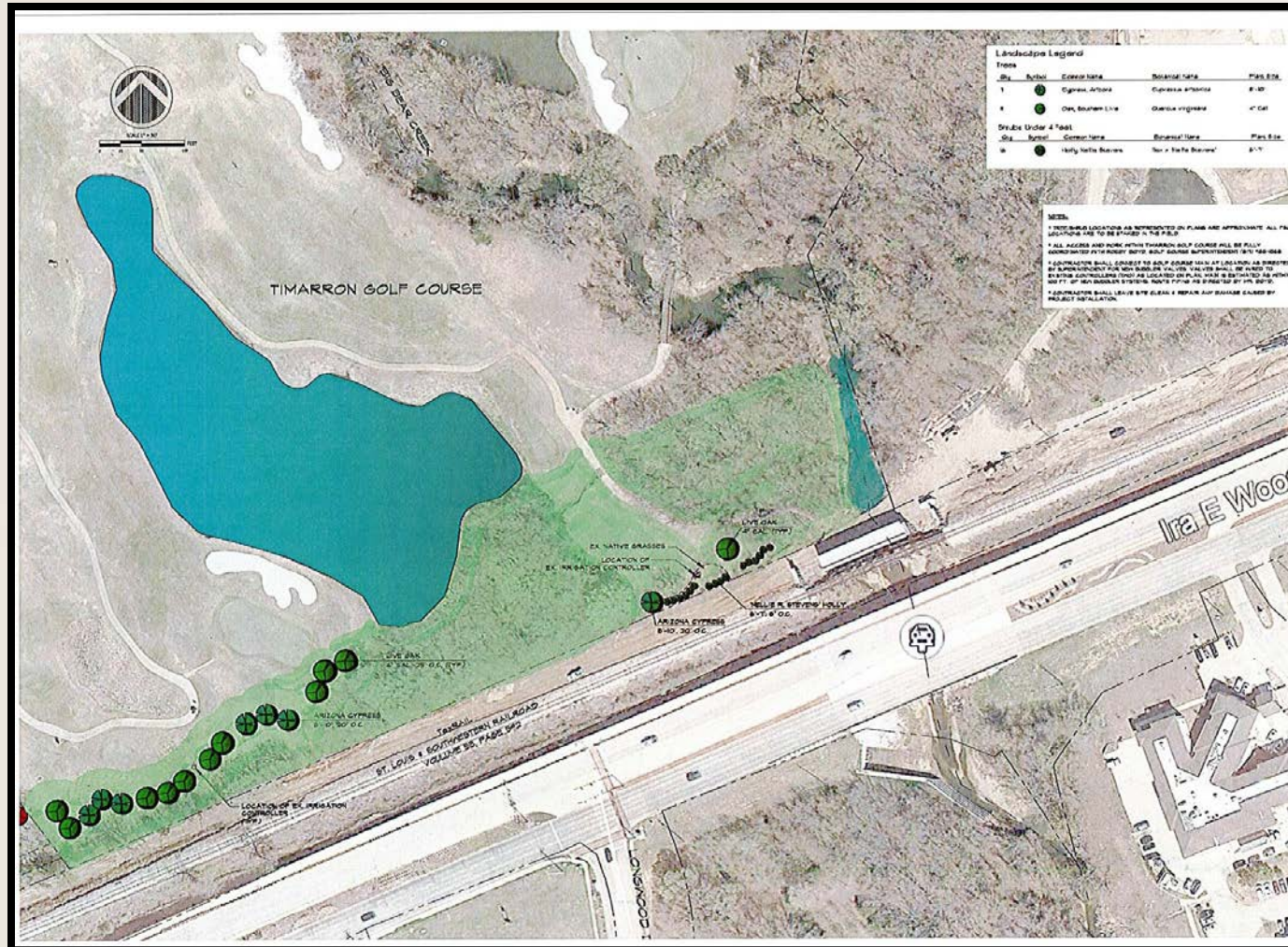


[illegible]

John McCain North



Tree placement on golf course property (\$45,000)



Cotton Belt Trail



Remaining funds will be used for tree placement along the Cotton Belt trail



L. D. Lockett between
Bettinger & Westcoat



L. D. Lockett & Bransford

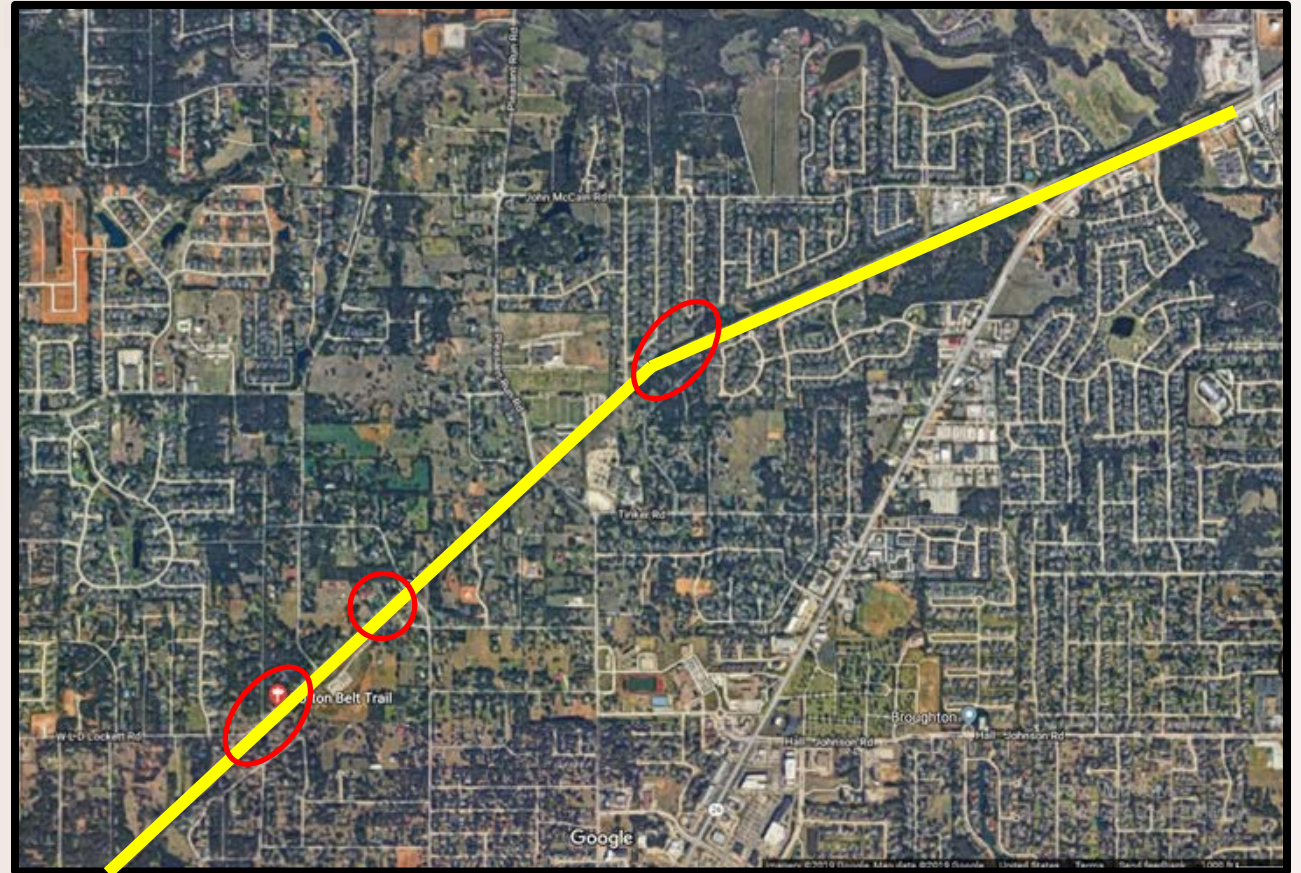


Shalimar Court & Cotton Belt Trail

Cotton Belt Trail



- Open stretches of land along the trail
- Areas that are accessible to water for irrigation
- The addition of trees will provide an aesthetic appeal as well as shade for trail users.



Tree Species

Variety of Native Trees will be used:

Large Trees

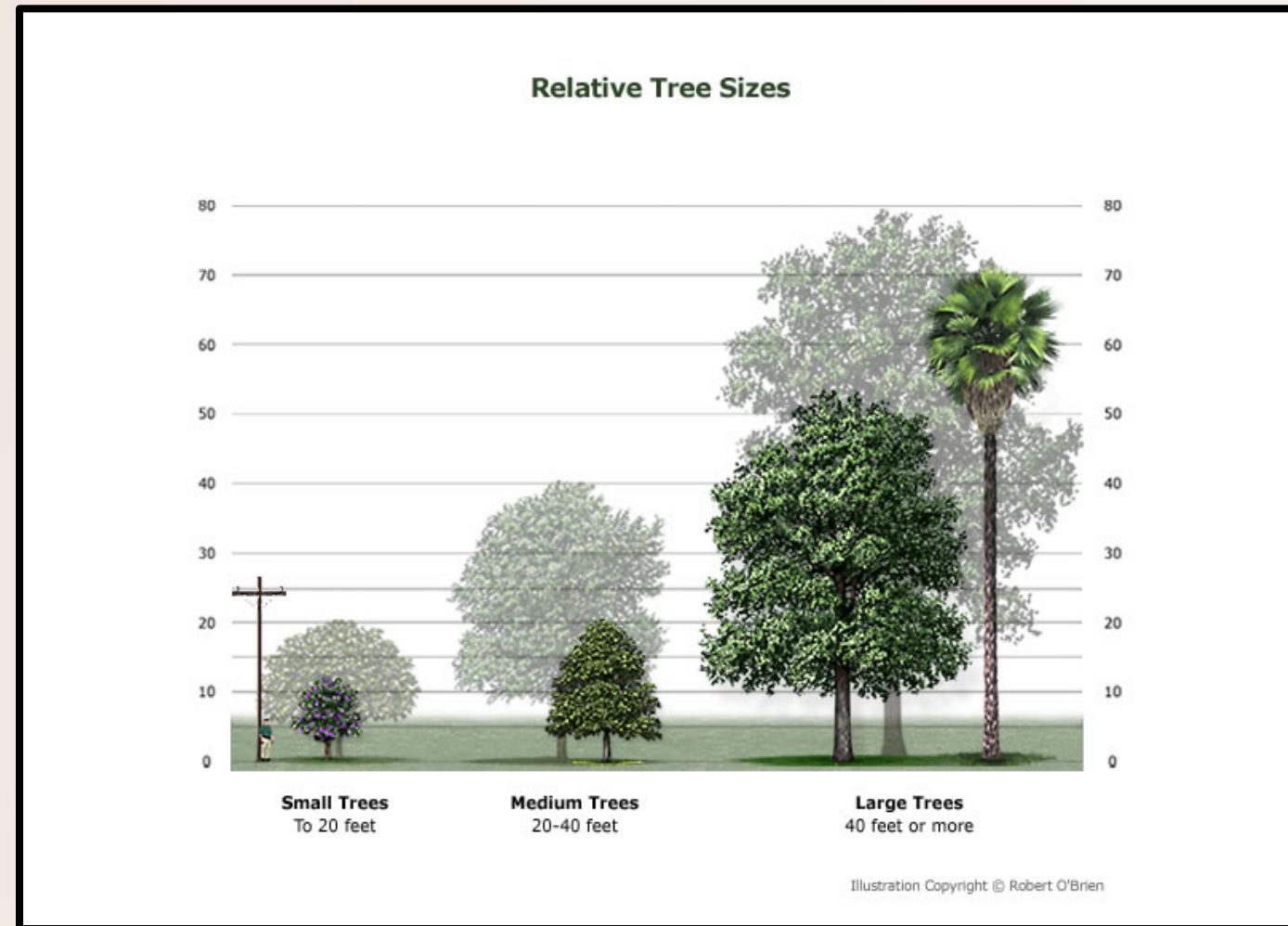
- Chinkapin Oak
- Live Oak

Medium Trees

- Eve's-Necklace
- Lacebark Elm
- Lacey Oak

Small Trees

- Vitex
- Waxmyrtle



Summary



Location	Cost	Number of Trees
Bransford South	\$21,000	TBD
John McCain North (HOA/City Property)	\$55,000	28 Trees 16 Shrubs (Hollies)
John McCain North (Golf Course)	\$45,000	18 Trees 16 Shrubs (Hollies)
LD Lockett (Cotton Belt Trail)	\$50,600	60 Trees
Shalimar Court (Cotton Belt Trail)	\$25,300	30 Trees
Total	\$196,900	136 Trees 32 Shrubs (Hollies)

Costs are to install and irrigate trees

Questions and Discussion



City of Colleyville City Council Agenda Briefing

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Agenda Number WS-3

Agenda Date 02/05/2019

Type Presentation and Discussion

Department City Manager

Title

Discussion of Spring Business Promotion Program

Strategic Plan

4.2 Encourage compatible commercial growth

Explanation

This agenda item provides for discussion of a business promotion program for Spring 2019. The program would be a continuation of the successful quarterly promotional programs introduced in 2018 to support Colleyville businesses.

Attachments

1. Spring Promotion Presentation

Spring Promotional Program Discussion

February 5, 2019

Receipt Race 2019



Back by popular demand...

The Colleyville Receipt Race!

(with a few improvements)

A poster for the Colleyville Receipt Race. It features a dark blue background with colorful balloons and a stack of receipts. The text is white and yellow. A large red "2018 PROM" watermark is diagonally across the poster.

**Colleyville
Receipt Race**

Help your school **WIN \$5,000**
simply by shopping in Colleyville.

The City of Colleyville and GCISD have partnered to
assist businesses affected by SH26 construction.

Shop anywhere in Colleyville throughout April and
turn your receipts into your school's PTA
(same as you do for Box Tops). It's that easy.

Prizes

The school that collects the most receipts (regardless of value)
will receive a donation to its PTA.

GRAND PRIZE	SECOND PRIZE	THIRD PRIZE
\$5,000	\$3,000	\$1,000

FOR MORE INFORMATION, VISIT COLLEYVILLE.COM
OR CALL 817-503-1111

CITY OF COLLEYVILLE TEXAS

Receipt Race 2019



- Program Details:
 - Schools compete to collect the most receipts from Colleyville businesses
 - Contest dates of March 1 – April 30, 2019
 - **NEW** - longer contest time
 - Receipts due to City by May 1, 2019
 - Donation (prizes) to School PTA
 - Grand Prize \$5,000 donation
 - Second Prize \$3,000 donation
 - Third Prize \$2,000 donation
 - **NEW** - any participating school PTA will receive a \$500 donation

Questions and Discussion



City of Colleyville City Council Agenda Briefing

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Agenda Number WS-4

Agenda Date 02/05/2019

Type Presentation and Discussion

Department City Manager

Title

Discussion of the 86th Legislative Agenda

Explanation

This item is provided for discussion of the legislative agenda.

Attachments

1. City priorities of 86th Legislative Agenda



State Legislative Priorities

86th Legislature

Municipal Powers

PRESERVE: Municipal authority to manage and maintain public rights-of-way, including the right to seek adequate compensation for their use.

Property Tax Reduction

SUPPORT: Reducing state cap on M&O revenue increases by city, county, and school districts.

SUPPORT: Local control by allowing taxing authorities to exceed state revenue cap with a majority vote of citizens.

SUPPORT: Any citizen approved tax increase above state cap having no restrictions on use.

Transparency / Ethics

SUPPORT: Uniform application of the public information and open meetings laws at every level of government including State legislative and executive branches.

SUPPORT: Legislation that simplifies the notice of tax rates to the public.

SUPPORT: Legislation that supports expansion of public notice requirements to allow for use of electronic, Internet, and/or social media.

Public School Funding

SUPPORT: Eliminating or at a minimum stopping the growth of Robin Hood recapture dollars from high-property value school districts.

SUPPORT: Modifying the Robin Hood parameters that define the high property value school districts to bring them into more realistic alignment with current property values. The current recapture system must be overhauled to allow the community to keep local tax dollars.

SUPPORT: An increase in statewide funding for public education to meet the needs of all student populations. For example providing additional funds to increase school Title 1 funding to better fund schools to

provide for the large influx of non-English speaking students and for socio-economically disadvantaged students.

SUPPORT: Providing taxpayers a transparent accounting of how property taxes collected for public education are allocated by state and local entities. In addition, the state should allow districts the ability to note on tax statements the amount being sent to the state as recapture.

Conservative Fiscal Management

SUPPORT: Eliminating the retroactive requirement if a City wishes to reinstate a COLA for their employees' TMRS benefit.

SUPPORT: The requirement for commercial property sales to be reported to appraisal districts to drive more equitable tax valuations.

SUPPORT: Legislation that would close the "dark box" loophole being used by some large retailers to artificially devalue commercial properties for tax purposes.

Economic Development

SUPPORT: Legislation that would continue, maintain, protect, and/or enhance the utilization of state and local funds for economic development including the Texas Enterprise Fund, Tax Increment Financing, and Chapter 380.

SUPPORT: Continuation of the Hotel Occupancy Tax (HOT) for tourism marketing.

Infrastructure

SUPPORT: Legislation that discontinues diversion of transportation revenue to non-transportation purposes.

Public Safety

SUPPORT: Legislation that provides grant funding and/or resources to protect local law enforcement officers and enhance their ability to serve.

Environment

SUPPORT: Legislation that improves access and funding available to expand or enhance Colleyville's existing parks and recreational opportunities.



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Agenda Number WS-5

Agenda Date 02/05/2019

Type Worksession

Department City Secretary

Title

Discussion of the February 5, 2019, City Council regular agenda items



City of Colleyville City Council Agenda Briefing

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Agenda Number 1

Agenda Date 02/05/2019

Type Executive Session

Department City Secretary

Title

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

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

- Glade Road eminent domain case for Parcel 150

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 – Update from the City Manager regarding the vacant City Engineer position

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

Attachments

RESOLUTION R-19-4352

**A RESOLUTION APPROVING COUNCIL ACTION
REGARDING EXECUTIVE SESSION ITEMS AT THE REGULAR
CITY COUNCIL MEETING OF FEBRUARY 5, 2019**

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

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

Sec. 1. THAT

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS ON THIS THE 5TH DAY OF FEBRUARY 2019.

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



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Agenda Number 3

Agenda Date 02/05/2019

Type Announcements, Proclamations, and Presentations

Department Police

Title

Presentation of Life Saving Awards to Colleyville Police Officers Rafael Cortes and Darren Smith - Police Chief Michael Miller and Mayor Richard Newton

Attachments

RESOLUTION R-19-4353

**A RESOLUTION APPROVING CITY COUNCIL ACTION UNDER
CONSENT ITEMS AT THE REGULAR CITY COUNCIL MEETING OF
FEBRUARY 5, 2019**

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 a monetary donation in the amount of \$5,000 to the Colleyville Citizen's Police Academy Alumni Association (CCPAAA), a not-for-profit organization, in recognition of the CCPAAA's contribution to the public safety and welfare of the citizens of Colleyville. The donation will be administered by the City Manager and paid from the Strategic Initiatives Fund for the public purpose of supporting the CCPAAA's continuous effort to enhance the public safety and welfare within the City.

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF _ AYES, _ NAYS ON THIS THE 5TH DAY OF FEBRUARY 2019.

Mayor Richard Newton _____
Place 1, Tammy Nakamura _____
Place 4, George Dodson _____
Place 6, Callie Rigney _____

Mayor Pro Tem Bobby Lindamood _____
Place 3, Kathy Wheat _____
Place 5, Chuck Kelley _____

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 4a

Agenda Date 02/05/2019

Number

Type Resolution

Department City Manager

Title

Approval of a monetary donation in the amount of \$5,000 to the Colleyville Citizen's Police Academy Alumni Association (CCPAAA), a not-for-profit organization, in recognition of the CCPAAA's contribution to the public safety and welfare of the citizens of Colleyville. The donation will be administered by the City Manager and paid from the Strategic Initiatives Fund for the public purpose of supporting the CCPAAA's continuous effort to enhance the public safety and welfare within the City.

Strategic Plan

5.4 Actively seek public/private partnerships

Explanation

Reading and Public Hearing

The Colleyville Citizens Police Academy Alumni Association (CCPAAA) members are a dedicated group of citizens who have completed the Colleyville Police Department (CPD) Citizen's Police Academy and continue to work to support the department through various partnerships. CCPAAA is a 501(c)3 organization and their purpose is to bring together graduates of the Citizen's Police Academy to enhance the relationship between the Alumni Association, the community and the Colleyville Police Department.

CCPAAA members assist in supporting the Citizen's Police Academy each year, work the many city-wide special events, and support the Police Department's annual awards ceremony. Those CCPAAA members who want to assist the Police Department in regular crime prevention efforts can join the Colleyville Citizens On Patrol (COP). This group of residents have completed the CPD Citizens Police Academy and attended additional training in order to volunteer their time to patrol the City. The COP volunteers act as an extra set of eyes on the street to assist police officers with crime prevention. COP members volunteered more than 888 hours patrolling the streets of Colleyville in 2018. While they take no enforcement action, the patrols are a clear deterrent and serve to further enhance the Police Department's efforts to ensure that the City of Colleyville maintains one of the lowest crime rates in Texas.

This agenda item provides for approval of a monetary donation in the amount of \$5,000 to the Colleyville Citizen's Police Academy Alumni Association, in recognition of the CCPAAA's contribution to the public safety and welfare of the citizens of Colleyville.

Financial Impact

The donation will be administered by the City Manager and paid from the Strategic Initiatives Fund for the public purpose of supporting the CCPAAA's continuous effort to enhance the public safety and welfare within the City.

Recommendation

Approve

Attachments



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5a

Agenda Date 02/05/2019

Number

Type Presentation and Discussion

Department City Council

Title

Discuss and consider the City Council's previous motion to approve Ordinance O-18-2056 that failed to pass during the December 4, 2018 City Council meeting



City of Colleyville City Council Agenda Briefing

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

Agenda Number 5b

Agenda Date 02/05/2019

Number

Type Presentation and Discussion

Department Community Development

Title

Discuss and consider further action concerning Ordinance O-18-2056 as a result of action taken by the City Council on item 5a above, including amending, approving, denying, and/or remanding Ordinance O-18-2056 back to the Planning and Zoning Commission for additional review and recommendation

Strategic Plan

There is no Strategic Plan connection for this item.

Explanation

ORDINANCE O-18-2056 - Consideration of a zoning change from the R-40 Single Family Residential zoning district and AG Agricultural zoning district to the PUD-R Planned Unit Development-Residential zoning district on Lot 1R1 and 1R2, Block 1, of the Bear Creek Plantation, located at 1312 John McCain Road and 7309 Holly Lane N, Case ZC18-019

The applicant has provided a revised development plan that has: reduced the total number of single-family residential lots by one (1); removed the pond along Holly Lane and maintained the area as an open space lot; and increased the size of the lots along Holly Lane to be minimum 30,000 square feet. In addition, the applicant has agreed to off-site drainage improvements for residents along Holly Lane and Hix Court.

Several residents who had previously registered opposition has since rescinded their opposition. With the removal of these oppositions, the percentage of opposition has been reduced to 11%, thus removing the super-majority vote requirement.

Second Reading and Public Hearing

This item was tabled to a date certain for the December 4, 2018 meeting.

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, 10 letters have been received in favor and 20 letters in opposition to the case. For some properties, multiple letters have been submitted. A response from the Tanglewood Estates neighborhood to the east has been received in support.

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. Revised Development Plan with Pond Lot
7. Preliminary Drainage Analysis
8. Perimeter Grading Concept Plan
9. Preliminary Utility Plan
10. Bear Creek 2050 Floodplain
11. Drainage Exhibit - Topo of Creek
12. Screening and Fencing Plan
13. Entry Plan
14. Easement Landscape Plan
15. Declaration of Covenants, Conditions and Restrictions
16. Submittal and Review Process
17. Architectural Plan
18. Landscape Plan
19. Notification Map
20. Notification List
21. Property Owner Notification
22. Letters of Opposition
23. Tanglewood Estates Response to Proposed Development
24. Tanglewood Agreement Letter
25. Updated Tanglewood Response Letter 10.28.18
26. Ordinance O-18-2056
27. 190125 Oak Alley -Development Plan
28. 190130 Oak Alley - Plat & Engineering Documents - combined
29. 190128 Open Space w Gazebo along Holly Lane rfs
30. 190130 Oak Alley - Drainage Bypass Exhibit
31. Change from Opposition to Support Combined

32. Draft Ord - Oak Alley - edits for 02.05.19

Aerial Map

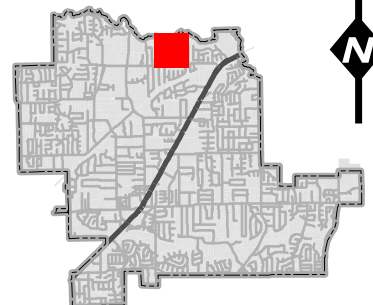


ZC18-019

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



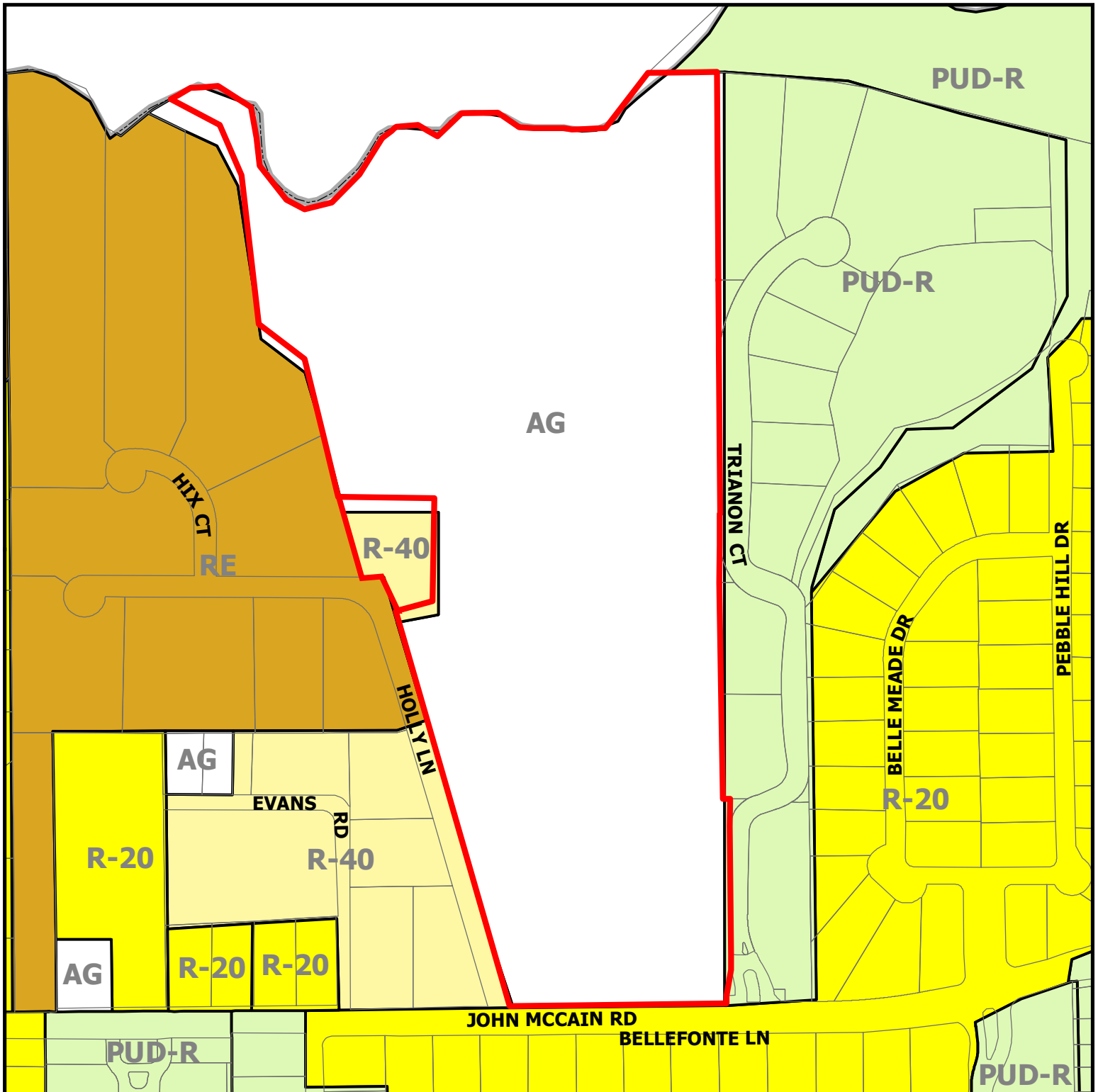
Subject Property



DISCLAIMER:

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Zoning Map

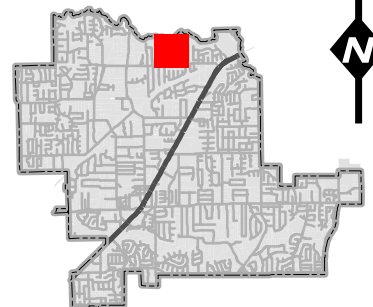


ZC18-019

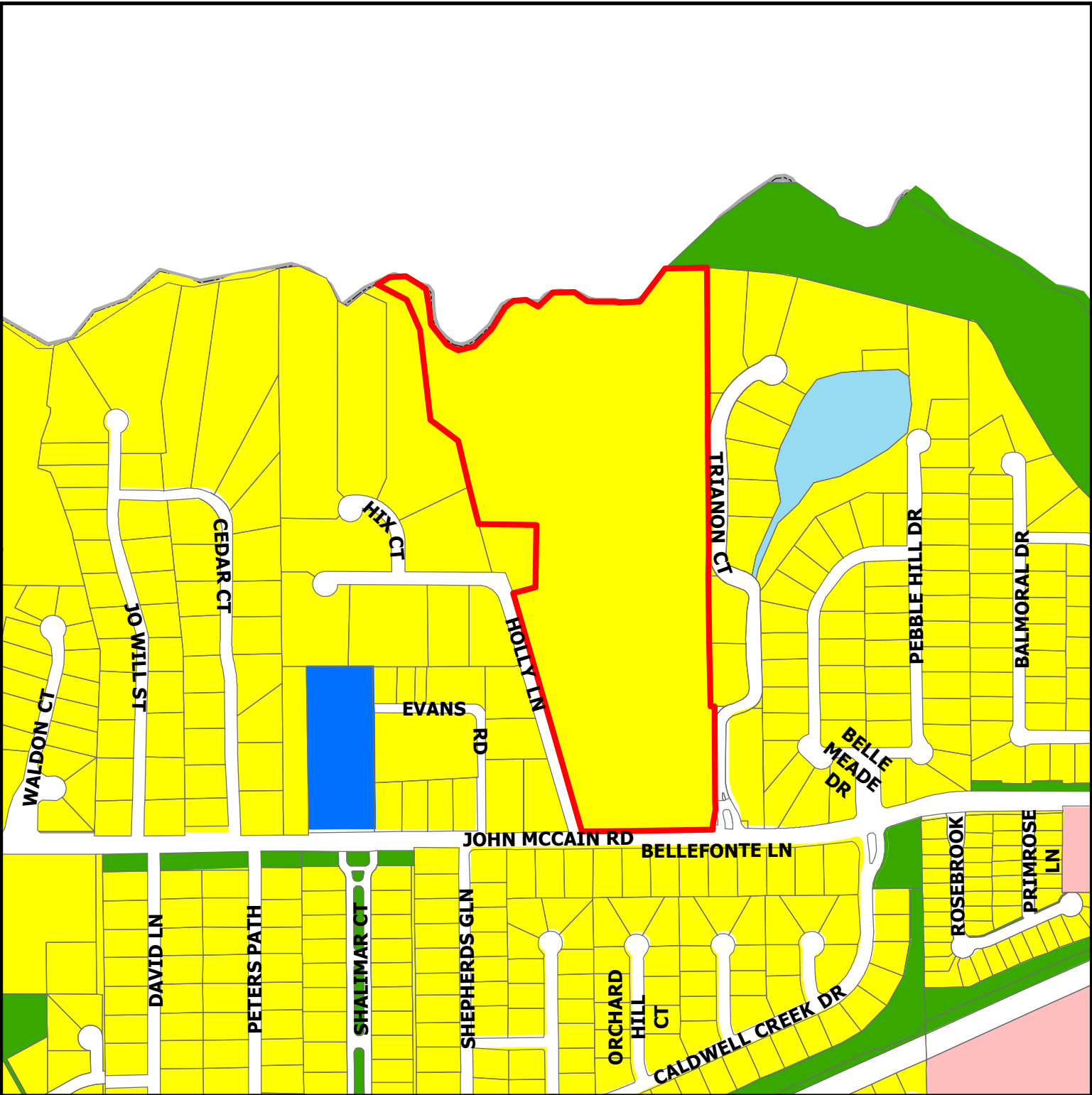
**1312 John McCain Road
and 7309 Holly Lane N**

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 Subject Property



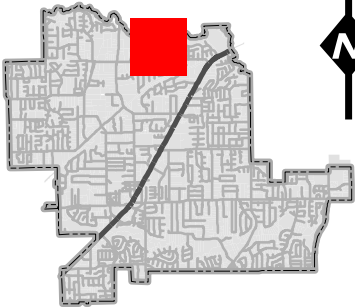
Future Land Use Map



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.

LINE TABLE		
LINE #	LENGTH	BEARING
L1	45.00"	N14°59'54"W
L2	1.94"	N89°26'57"E
L3	53.23"	N15°26'25"W
L4	52.32"	N89°07'37"W
L5	140.46"	N52°24'53"W
L6	134.15"	N23°18'22"W
L7	16.00"	N48°23'38"E
L8	66.00"	N65°00'00"E
L9	58.00"	N82°00'00"E
L10	49.00"	S82°00'00"E
L11	66.00"	S58°00'00"E
L12	31.00"	S37°00'00"E
L13	145.00"	S08°00'00"E
L14	64.00"	S12°00'00"E
L15	78.00"	S55°00'00"E
L16	56.00"	N85°00'00"E
L17	29.00"	N58°00'00"E
L18	96.00"	S66°00'00"E
L19	91.00"	S79°00'00"E
L20	63.00"	N87°00'00"E
L21	50.00"	N68°00'00"E

LINE TABLE		
LINE #	LENGTH	BEARING
L22	42.00"	N40°00'00"E
L23	83.00"	N52°00'00"E
L24	55.00"	N65°00'00"E
L25	153.00"	S88°46'16"E
L26	14.43"	N47°43'52"E
L27	40.71"	N02°41'56"E
L28	154.00"	N02°41'56"E
L29	151.00"	N02°41'56"E
L30	151.00"	N02°41'56"E
L31	151.00"	N02°41'56"E
L32	135.00"	N02°41'56"E
L33	125.00"	N02°41'56"E
L34	124.15"	N02°41'56"E
L35	117.00"	N02°41'56"E
L36	14.14"	N42°18'04"W
L37	154.89"	N87°18'04"W
L38	16.00"	S39°33'35"W
L39	154.91"	S87°18'04"E
L40	14.14"	N47°41'56"E
L41	170.00"	N02°41'56"E
L42	215.60"	N02°41'56"E
L43	15.92"	N34°32'04"W
L44	20.10"	S80°31'45"W
L45	108.22"	S80°31'45"W

LINE TABLE		
LINE #	LENGTH	BEARING
L59	40.63"	N80°31'45"E
L60	87.70"	N80°31'45"E
L61	39.58"	N76°25'15"E
L62	436.67"	N02°41'56"E
L63	8.49"	N02°41'56"E
L64	32.00"	S87°18'04"E
L65	159.18"	S02°41'56"W
L66	211.00"	S02°41'56"W
L67	75.65"	S02°41'56"W
L68	34.64"	S76°25'15"W
L69	16.00"	S39°33'35"W
L70	137.25"	S02°41'56"W
L71	120.00"	S02°41'56"W
L72	120.00"	S02°41'56"W
L73	122.50"	S02°41'56"W
L74	120.00"	S02°41'56"W
L75	122.50"	S02°41'56"W
L76	120.00"	S02°41'56"W
L77	120.00"	S02°41'56"W
L78	120.00"	S02°41'56"W
L79	120.00"	S02°41'56"W
L80	120.00"	S02°41'56"W
L81	120.00"	S02°41'56"W
L82	120.00"	S02°41'56"W
L83	120.00"	S02°41'56"W
L84	120.00"	S02°41'56"W
L85	120.00"	S02°41'56"W
L86	120.00"	S02°41'56"W
L87	120.00"	S02°41'56"W
L88	120.00"	S02°41'56"W
L89	120.00"	S02°41'56"W
L90	122.50"	S02°41'56"W
L91	120.75"	S02°41'56"W
L92	120.00"	S02°41'56"W
L93	120.00"	S02°41'56"W
L94	118.75"	S02°41'56"W
L95	172.60"	S02°41'56"W
L96	14.14"	S42°18'04"E

LINE TABLE		
LINE #	LENGTH	BEARING
L102	56.96"	N87°18'04"W
L103	14.14"	S47°41'56"W
L104	30.71"	S02°41'56"W
L107	14.31"	S44°08'25"E
L108	72.78"	N14°59'54"W
L109	181.44"	N14°59'54"W
L110	732.56"	N14°59'54"W
L111	45.00"	N14°59'54"W
L112	263.29"	N13°49'10"W
L115	243.08"	N13°49'10"W
L116	317.77"	S01°19'45"W
L117	207.40"	S01°04'25"W
L118	10.35"	N88°58'13"W
L119	10.16"	S01°00'28"W
L120	211.09"	S01°00'28"W
L121	189.48"	S01°00'28"W
L122	118.05"	S01°00'28"W
L123	120.05"	S01°00'28"W
L124	94.24"	S01°00'02"W
L125	15.00"	N89°03'18"W
L126	25.35"	S00°56'29"W

LINE TABLE		
LINE #	LENGTH	BEARING
L127	122.56"	S00°56'29"W
L128	120.81"	S00°56'29"W
L129	120.06"	S00°56'29"W
L130	120.06"	S00°56'29"W
L131	25.00"	N89°50'14"E
L132	120.05"	S00°56'29"W
L133	179.26"	S00°56'29"W
L134	163.51"	S00°56'29"W
L135	35.00"	S00°56'29"W
L136	30.00"	N87°18'04"W
L137	119.63"	S75°00'06"W
L138	144.25"	N87°18'04"W
L139	172.09"	N87°18'04"W
L140	182.69"	N87°18'04"W
L141	216.10"	N87°18'04"W
L143	268.54"	N87°18'04"W
L144	111.60"	S22°33'44"W
L145	101.54"	S22°33'44"W
L146	196.21"	N49°05'37"W
L147	179.78"	N02°41'56"E
L148	126.50"	N87°18'04"W

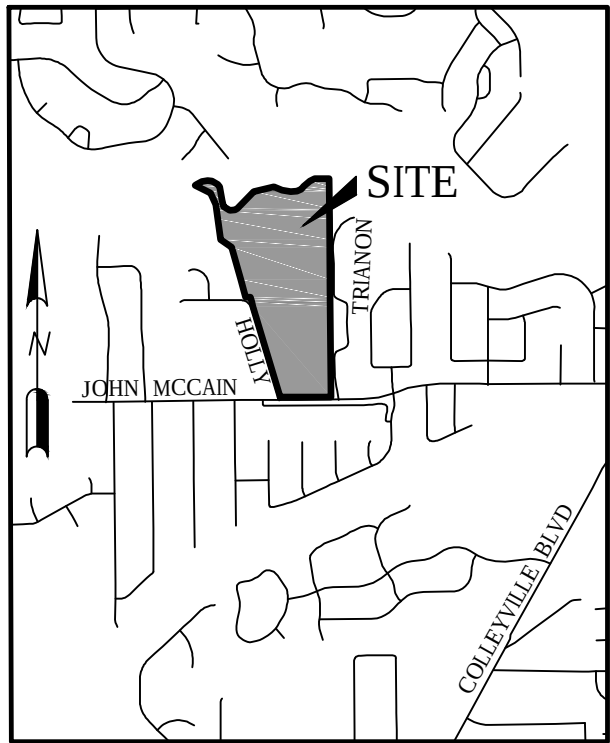
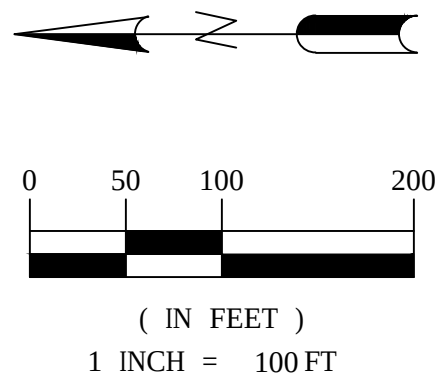
LINE TABLE		
LINE #	LENGTH	BEARING
L149	40.50"	N87°18'04"W
L150	84.80"	N87°18'04"W
L151	120.51"	N87°18'04"W
L152	244.31"	S02°41'56"W
L153	229.40"	S02°41'56"W
L154	128.69"	S03°04'59"E
L155	47.48"	S22°28'16"E
L156	62.30"	S36°02'11"W
L157	42.60"	S36°02'11"W
L158	30.00"	S71°43'27"W
L159	105.24"	S76°10'50"W
L160	65.95"	N36°39'22"W
L161	255.56"	N13°49'10"W
L162	223.94"	S83°15'44"W
L163	344.26"	N13°49'10"W
L165	355.13"	N13°49'10"W
L166	389.97"	N13°49'10"W
L167	136.00"	N76°10'50"E
L168	125.00"	N76°10'50"E
L169	125.00"	N76°10'50"E
L170	173.08"	N64°33'56"E

LINE TABLE		
LINE #	LENGTH	BEARING
L171	194.81"	S87°18'04"E
L172	158.83"	N87°18'04"W
L173	228.52"	N10°16'31"W
L174	30.00"	N49°46'53"W
L175	161.54"	N14°55'03"W
L176	30.00"	N18°07'30"E
L177	239.30"	N01°21'57"E
L178	103.28"	S88°25'14"E
L179	139.10"	S87°18'04"E
L180	145.33"	S87°18'04"E
L181	54.62"	S25°56'38"E
L182	163.79"	S87°18'04"E
L183	251.23"	S87°18'04"E
L184	254.78"	S87°18'04"E
L185	243.35"	S87°18'04"E
L186	247.11"	S87°18'04"E
L187	250.82"	S87°18'04"E
L188	254.50"	S87°18'04"E
L189	258.18"	S87°18'04"E
L190	191.14"	S87°18'04"E
L191	65.69"	S87°18'04"E

LINE TABLE		
LINE #	LENGTH	BEARING
L192	213.67"	N30°47'49"E
L193	181.62"	N79°21'53"E
L194	84.96"	S30°19'27"E
L195	156.88"	S88°26'55"E
L197	56.96"	S87°18'04"E
L198	31.01"	N13°49'10"W
L199	81.32"	S89°07'37"E
L200	382.98"	S14°59'54"E
L201	10.50"	S87°18'04"E
L202	63.79"	S87°18'04"E
C10	106.41"	477.33"
C11	9.48"	10.00"
C12	52.97"	50.00"
C13	65.28"	50.00"
C14	62.50"	50.00"
C15	71.12"	50.00"
C16	9.48"	10.00"
C17	37.80"	509.82"
C18	130.09"	529.56"
C19	86.64"	518.28"
C20	10.10"	9.98"

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CH BEARING
C1	33.98'	91.28'	21°19'45"	N17°22'06"E
C2	20.72'	50.00'	23°44'40"	N14°34'16"E
C3	9.48'	10.00'	54°19'51"	S65°32'01"W
C4	64.75'	50.00'	74°11'38"	S75°27'55"W
C5	95.43'	50.00'	109°21'01"	N12°45'45"W
C6	91.70'	50.00'	105°05'06"	S85°32'42"E
C7	7.37'	10.00'	42°12'54"	S54°06'36"E
C8	2.11'	10.00'	12°05'01"	S81°15'34"E
C9	118.26'	476.95'	14°12'25"	N79°29'17"W
C10	106.41'	477.33'	12°46'22"	S86°55'46"W
C11	9.48'	10.00'	54°18'53"	S53°22'18"W
C12	52.97'	50.00'	60°42'09"	S56°33'57"W
C13	65.28'	50.00'	74°48'26"	N55°40'46"W
C14	62.50'	50.00'	71°37'11"	N17°32'02"E
C15	71.12'	50.00'	81°30'00"	S85°54'22"E
C16	9.48'	10.00'	54°18'53"	S72°18'49"E
C17	37.80'	509.82'	4°14'53"	N82°35'30"E
C18	130.09'	529.56'	14°04'30"	S88°14'48"E
C19	86.64'	518.28'	9°34'43"	S76°25'12"E
C20	10.10'	9.98'	57°59'52"	N79°22'14"E

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CH BEARING
C21	84.08'	56.93'	84°37'06"	S87°19'10"E
C22	10.21'	9.98'	58°37'49"	S74°19'31"E
C23	32.17'	25.00'	73°43'19"	N39°33'36"E
C24	12.66'	10.00'	72°32'33"	N33°34'20"W
C25	5.59'	50.00'	6°24'28"	N66°38'22"W
C26	90.46'	50.00'	103°39'15"	N11°36'31"W
C27	45.80'	50.00'	52°28'49"	N66°27'32"E
C28	13.46'	50.00'	15°25'34"	S79°35'17"E
C29	65.08'	50.00'	74°34'20"	S34°35'17"E
C30	61.55'	50.00'	70°31'44"	S37°57'48"W
C31	12.31'	10.00'	70°31'44"	S37°57'48"W
C32	80.32'	75.00'	61°12'26"	S33°22'39"W
C34	24.52'	50.00'	28°05'52"	S73°15'08"E
C35	42.38'	50.00'	48°34'04"	S34°55'09"E
C36	61.36'	50.00'	70°18'40"	S24°31'13"W
C37	28.82'	50.00'	33°01'23"	S76°11'15"W
C38	23.58'	50.76'	26°37'24"	S10°36'46"E
C39	28.32'	90.00'	18°01'43"	S12°01'52"E
C41	16.19'	75.00'	12°21'53"	S70°14'19"W



PROPERTY DESCRIPTION

Being a tract of land out of the Hall-Medina Survey, Abstract No. 1037 and the H. R. Wall Survey, Abstract No. 1973, situated in the City of Colleyville, Tarrant County, Texas, and surveyed by Miller Surveying, Inc. of Hurst, Texas in June of 2017, said tract being all of Lot 1R1 and Lot 1R2, Block 1, Bear Creek Plantation, an addition to the City of Colleyville, Tarrant County, Texas according to the plat thereof recorded in Cabinet A, Slide 5622 of the Plat Records of Tarrant County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a 1/2 inch steel rod found for the southwest corner of said Lot 1R1, said rod being the intersection of the northerly right-of-way line of John McCain Road and the easterly right-of-way line of Holly Lane;

Thence North 14 degrees 59 minutes 54 seconds West with the westerly boundary line of said Lot 1R1 and with said easterly right-of-way line, passing at 986.79 a 5/8 inch steel rod with cap stamped "MSI RPLS 4224" found for the southwest corner of Lot 1R2 of said Block 1 and continuing with a total distance of 1031.79 feet to a 5/8 inch steel rod found;

Thence North 89 degrees 26 minutes 57 seconds East with the westerly boundary line of said Lot 1R2 and said easterly right-of-way line a distance of 1.94 feet to a 5/8 inch steel rod found;

Thence North 15 degrees 26 minutes 25 seconds West continuing with said westerly boundary line and said easterly right-of-way line a distance of 52.32 feet to a 1/2 inch "MILLER 5665" capped steel rod found;

Thence North 89 degrees 07 minutes 37 seconds West continuing with said westerly boundary line and said easterly right-of-way line a distance of 52.32 feet to a 1/2 inch "MILLER 5665" capped steel rod found for the southwest corner of said Lot 1R2;

Thence North 13 degrees 49 minutes 10 seconds West with the westerly boundary line of said Lot 1R2, passing at 1900.00 feet a 1/2 inch "MILLER 5665" capped steel rod found for the northwest corner of said Lot 1R2 and continuing with the westerly boundary line of said Lot 1R1 a total distance of 537.38 feet to a 1/2 inch "MILLER 5665" capped steel rod set for an angle point in said westerly boundary line;

Thence North 52 degrees 24 minutes 53 seconds West continuing with said westerly boundary line a distance of 140.46 feet to an angle point therein;

Thence North 06 degrees 44 minutes 16 seconds West continuing with said westerly boundary line a distance of 366.77 feet to an angle point therein;

Thence North 23 degrees 18 minutes 22 seconds West continuing with said westerly boundary line a distance of 134.15 feet;

Thence North 62 degrees 10 minutes 30 seconds West continuing with said westerly boundary line a distance of 175.21 feet to the northwest corner of said Lot 1R1 and being in Big Bear Creek;

Thence easterly with the northerly boundary line of said Lot 1R1 and with said creek along the following calls:

North 48 degrees 23 minutes 38 seconds East a distance of 16.00 feet;

North 65 degrees 00 minutes 00 seconds East a distance of 66.00 feet;

North 82 degrees 00 minutes 00 seconds East a distance of 58.00 feet;

South 82 degrees 00 minutes 00 seconds East a distance of 49.00 feet;

South 58 degrees 00 minutes 00 seconds East a distance of 66.00 feet;

South 37 degrees 00 minutes 00 seconds East a distance of 31.00 feet;

South 08 degrees 00 minutes 00 seconds East a distance of 145.00 feet;

South 12 degrees 00 minutes 00 seconds East a distance of 64.00 feet;

South 55 degrees 00 minutes 00 seconds East a distance of 78.00 feet;

North 85 degrees 00 minutes 00 seconds East a distance of 56.00 feet;

North 58 degrees 00 minutes 00 seconds East a distance of 29.00 feet;

North 46 degrees 00 minutes 00 seconds East a distance of 247.00 feet;

North 78 degrees 00 minutes 00 seconds East a distance of 213.00 feet;

South 66 degrees 00 minutes 00 seconds East a distance of 96.00 feet;

South 79 degrees 00 minutes 00 seconds East a distance of 91.00 feet;

North 87 degrees 00 minutes 00 seconds East a distance of 63.00 feet;

North 68 degrees 00 minutes 00 seconds East a distance of 50.00 feet;

North 40 degrees 00 minutes 00 seconds East a distance of 42.00 feet;

North 52 degrees 00 minutes 00 seconds East a distance of 83.00 feet;

North 65 degrees 00 minutes 00 seconds East a distance of 55.00 feet;

South 88 degrees 46 minutes 16 seconds East a distance of 153.00 feet to the northeast corner of said Lot 1R1;

Thence South 01 degrees 19 minutes 45 seconds West with the easterly boundary line of said Lot 1R1 a distance of 422.00 feet to a 5/8 inch steel rod found for an angle point therein;

Thence South 01 degrees 00 minutes 28 seconds West continuing with said easterly boundary line a distance of 835.92 feet to a brass monument found for an angle point therein;

Thence South 00 degrees 56 minutes 29 seconds West continuing with said easterly boundary line a distance of 1016.49 feet to a 1/2 inch steel rod found for the southeast corner of said Lot 1R1, said rod being in the northerly right-of-way line of John McCain Road;

Thence North 88 degrees 26 minutes 55 seconds West with the southerly boundary line of said Lot 1R1 and with said northerly right-of-way line a distance of 534.37 feet to the point of beginning and containing 43.536 acres of land, more or less.

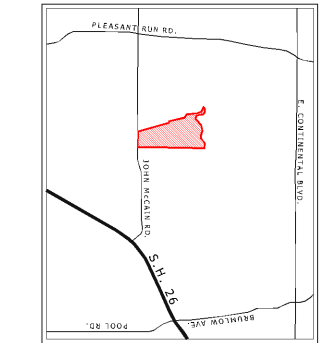
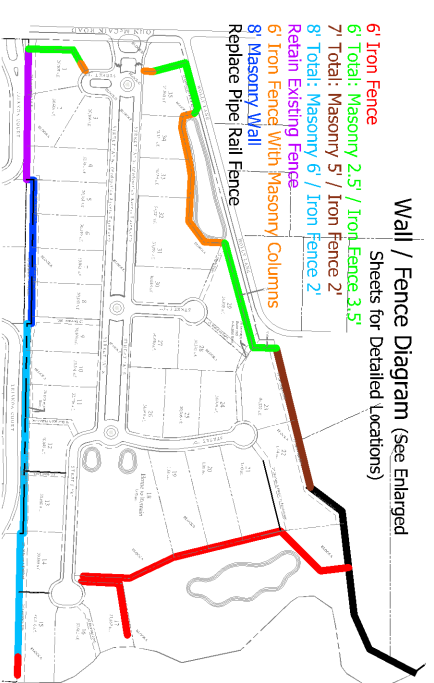
PLANNING AND ZONING COMMISSION APPROVAL

WHEREAS THE PLANNING AND ZONING COMMISSION OF THE CITY OF COLLEYVILLE, TEXAS VOTED AFFIRMATIVELY ON THIS _____ DAY OF _____, 20____, TO APPROVE THIS PLAT.

CHAIRMAN, PLANNING AND ZONING COMMISSION

ATTEST: SECRETARY, PLANNING AND ZONING COMMISSION

CITY COUNCIL APPROVAL



Site Data - Development Plan

Single Family Residential Lots	35
Common Areas	10

Residential Lots	63.96%	27.85 ac.
Open Space	13.08%	5.69 ac.
Open Space Floodway	12.56%	5.47 ac.
R.O.W.	10.40%	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	23,121 s.f.
Average Building Lot Area	34,658 s.f.
Common Areas	10
Existing Zoning	AG & R-40
Proposed Zoning	PUD-R

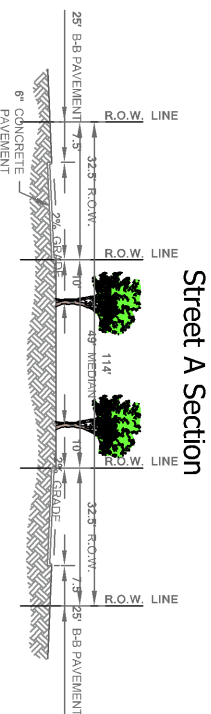
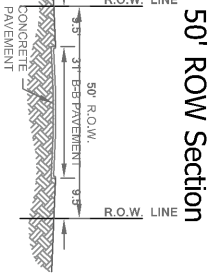
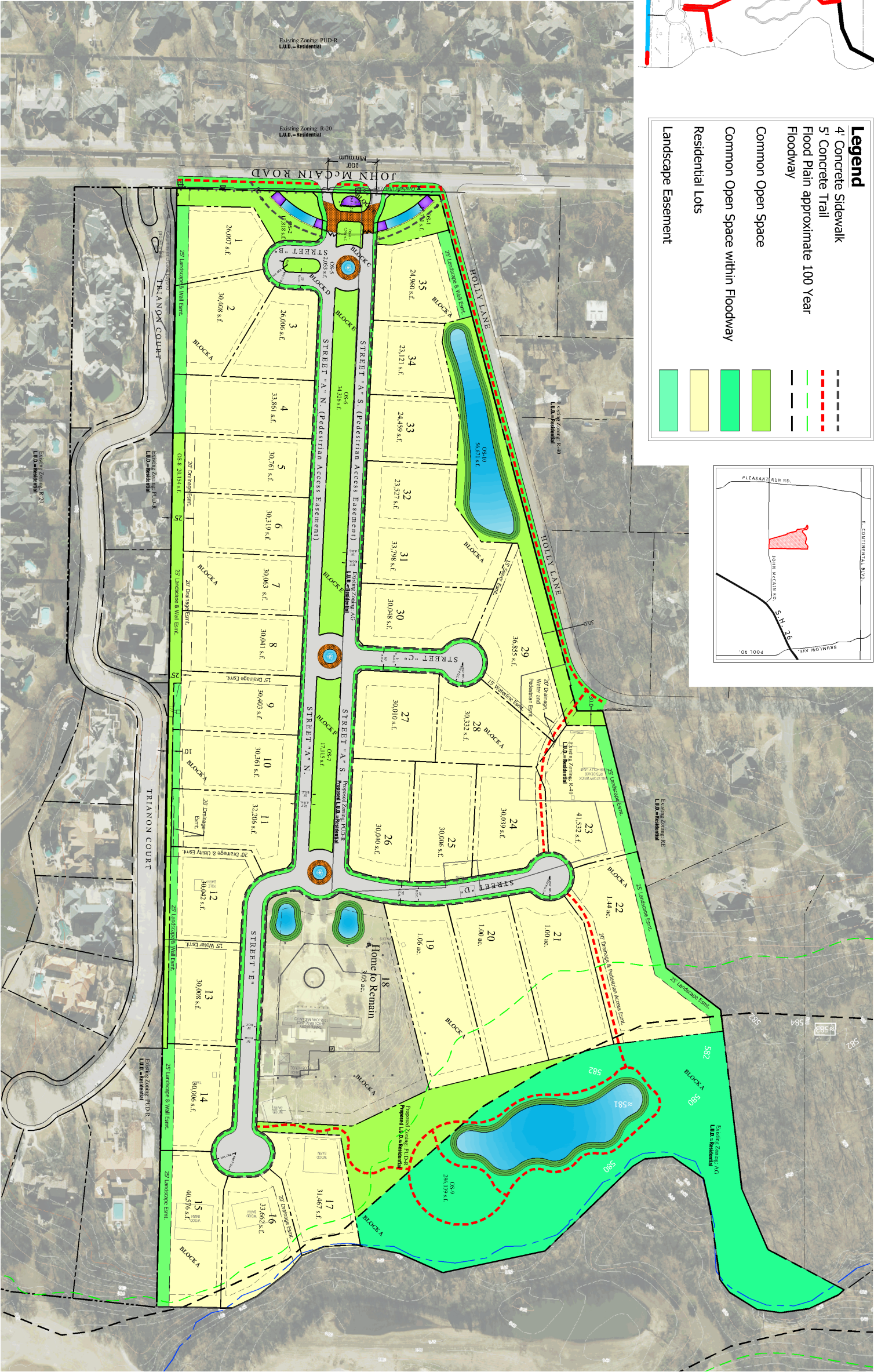
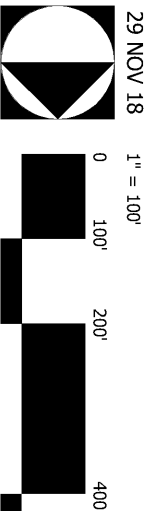
Owner:
Burk & Gloria Collins Trust
1312 John McCain Rd.
Colleyville, TX 76034

Surveyor:
Miller Surveying, Inc.
430 Mid Chies 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



Zoning Exhibit for
Zoning Change Request
From AG & R-40 to PUD-R
Case #ZC18-019

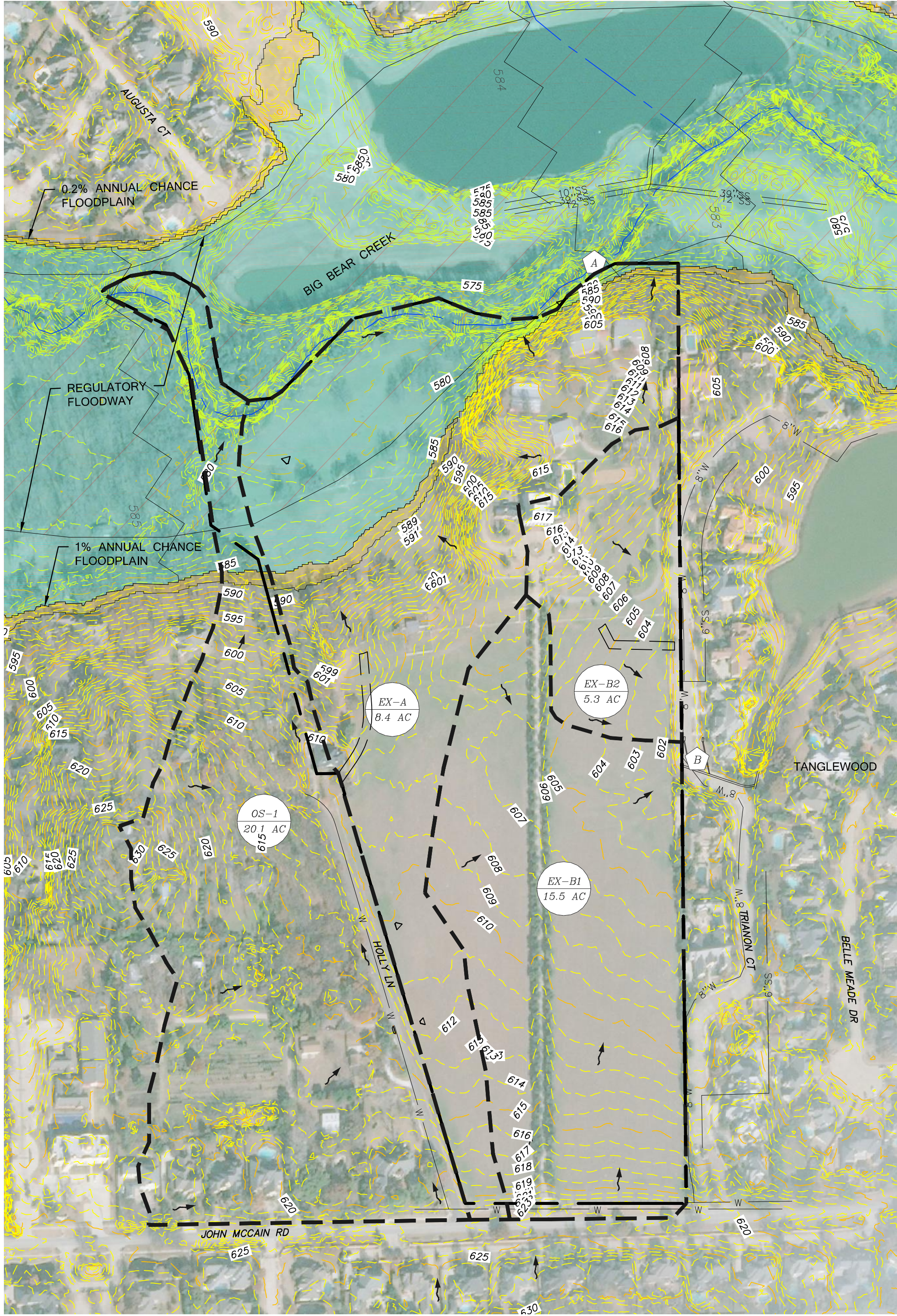
Development Plan

Oak Alley

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

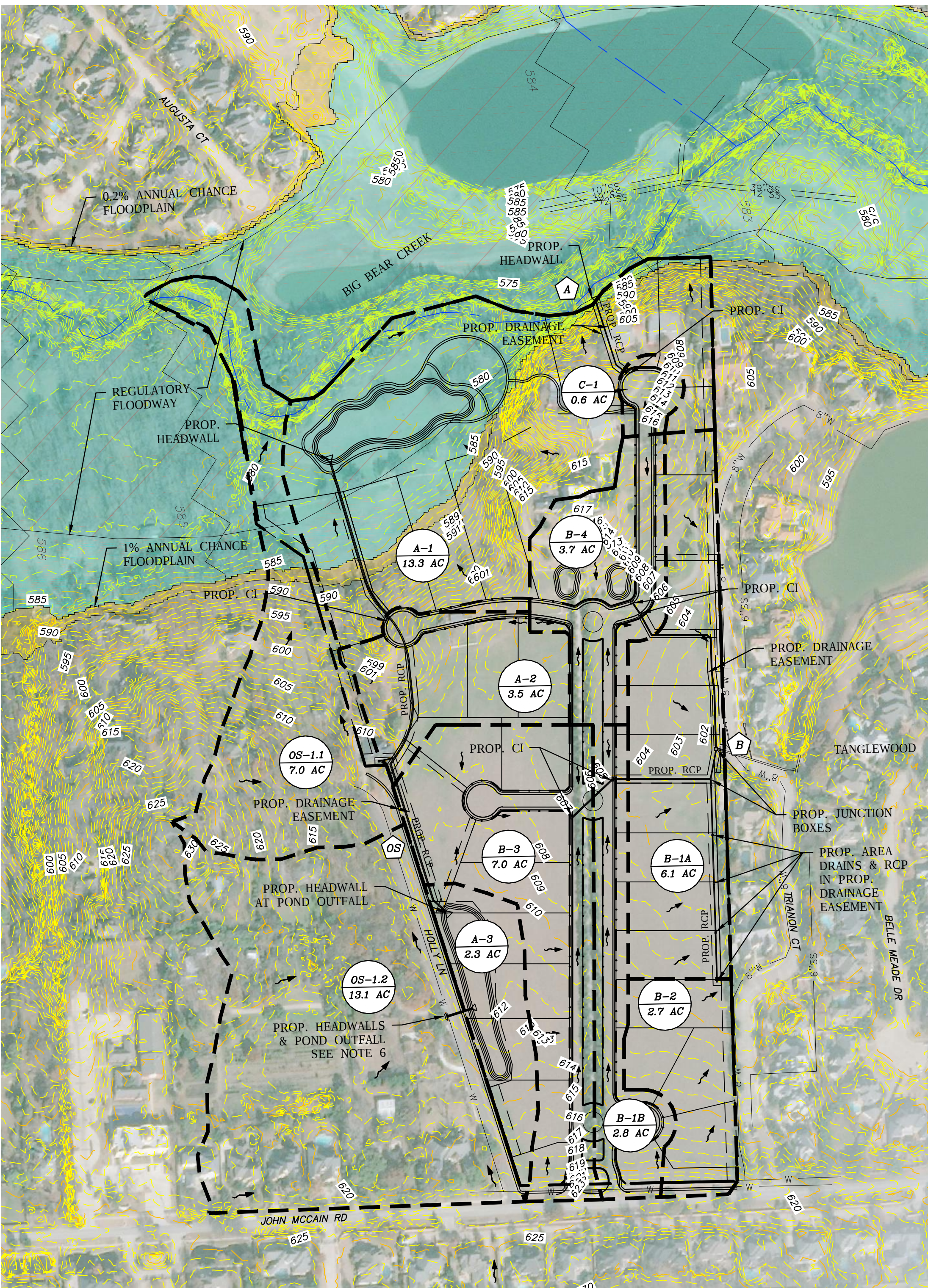
Colleyville, Tarrant County, Texas

EXISTING CONDITION



Rational Method Runoff Calculations - Existing Condition																		
DESIGN POINT	AREA DESIGNATION	AREA (ACRES)	RUNOFF COEFF	Tc (MIN)	I ₂ (IN/HR)	Q ₂ (CFS)	I ₅ (IN/HR)	Q ₅ (CFS)	I ₁₀ (IN/HR)	Q ₁₀ (CFS)	I ₁₅ (IN/HR)	Q ₁₅ (CFS)	I ₂₅ (IN/HR)	Q ₂₅ (CFS)	I ₅₀ (IN/HR)	Q ₅₀ (CFS)	I ₁₀₀ (IN/HR)	Q ₁₀₀ (CFS)
	OS-1	20.1	0.60	15	3.90	47.0	4.86	58.6	5.53	66.7	6.46	77.9	7.20	86.8	7.98	96.2		
	EX-A	21.1	0.30	21	3.25	20.6	4.13	26.1	4.71	29.8	5.54	35.1	6.19	39.2	6.89	43.6		
	EX-B1	15.5	0.30	15	3.90	18.1	4.86	22.6	5.53	25.7	6.46	30.0	7.20	33.5	7.98	37.1		
	EX-B2	5.3	0.30	15	3.90	6.2	4.86	7.7	5.53	8.8	6.46	10.3	7.20	11.4	7.98	12.7		
A	EX-A	21.1	0.30	21	3.25	20.6	4.13	26.1	4.71	29.8	5.54	35.1	6.19	39.2	6.89	43.6		
B	ALL B	20.8	0.30	15	3.90	24.3	4.86	30.3	5.53	34.5	6.46	40.3	7.20	44.9	7.98	49.8		

POST-PROJECT CONDITION



Rational Method Runoff Calculations - Post-Project Condition																		
DESIGN POINT	AREA DESIGNATION	AREA (ACRES)	RUNOFF COEFF	Tc (MIN)	I ₂ (IN/HR)	Q ₂ (CFS)	I ₅ (IN/HR)	Q ₅ (CFS)	I ₁₀ (IN/HR)	Q ₁₀ (CFS)	I ₁₅ (IN/HR)	Q ₁₅ (CFS)	I ₂₅ (IN/HR)	Q ₂₅ (CFS)	I ₅₀ (IN/HR)	Q ₅₀ (CFS)	I ₁₀₀ (IN/HR)	Q ₁₀₀ (CFS)
	OS-1.1	7.0	0.60	15	3.90	16.4	4.86	20.4	5.53	23.2	6.46	27.1	7.20	30.2	7.98	33.5		
	OS-1.2	13.1	0.60	15	3.90	30.7	4.86	38.2	5.53	43.5	6.46	50.8	7.20	56.6	7.98	62.7		
	A-1	13.3	0.60	15	3.90	31.1	4.86	38.8	5.53	44.1	6.46	51.6	7.20	57.5	7.98	63.7		
	A-2	3.5	0.60	15	3.90	8.2	4.86	10.2	5.53	11.6	6.46	13.6	7.20	15.1	7.98	16.8		
	A-3	2.3	0.60	15	3.90	5.4	4.86	6.7	5.53	7.6	6.46	8.9	7.20	9.9	7.98	11.0		
	B-1A	6.1	0.60	15	3.90	14.3	4.86	17.8	5.53	20.2	6.46	23.6	7.20	26.4	7.98	29.2		
	B-1B	2.8	0.60	15	3.90	6.6	4.86	8.2	5.53	9.3	6.46	10.9	7.20	12.1	7.98	13.4		
	B-2	2.7	0.60	15	3.90	6.3	4.86	7.9	5.53	9.0	6.46	10.5	7.20	11.7	7.98	12.9		
	B-3	7.0	0.60	15	3.90	16.4	4.86	20.4	5.53	23.2	6.46	27.1	7.20	30.2	7.98	33.5		
	B-4	3.7	0.60	15	3.90	8.7	4.86	10.8	5.53	12.3	6.46	14.3	7.20	16.0	7.98	17.7		
	C-1	0.6	0.60	15	3.90	1.4	4.86	1.7	5.53	2.0	6.46	2.3	7.20	2.6	7.98	2.9		
OS	OS-1.2	13.1	0.60	15	3.90	30.7	4.86	38.2	5.53	43.5	6.46	50.8	7.20	56.6	7.98	62.7		
A	ALL A	19.1	0.60	15	3.90	44.7	4.86	55.7	5.53	63.4	6.46	74.0	7.20	82.5	7.98	91.5		
B	ALL B	22.3	0.60	15	3.90	52.2	4.86	65.0	5.53	74.0	6.46	86.4	7.20	96.3	7.98	106.8		

OWNER:

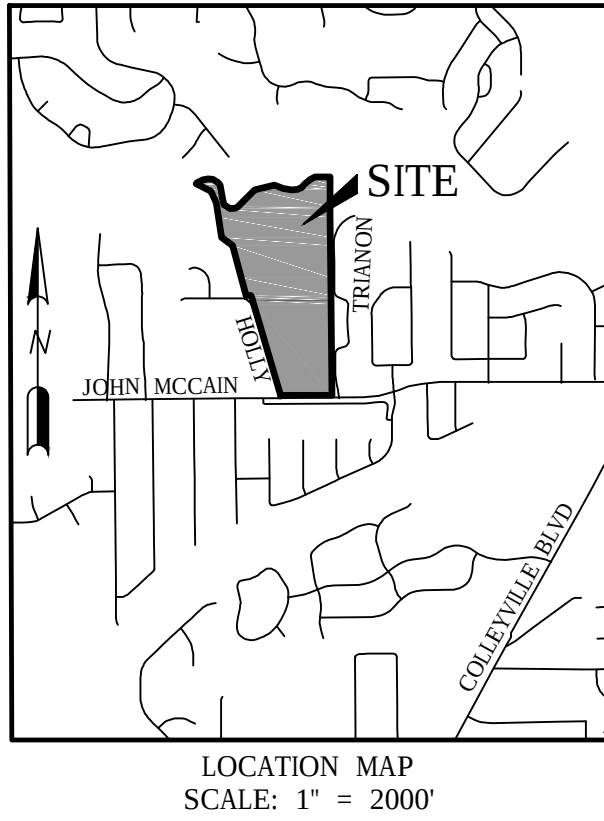
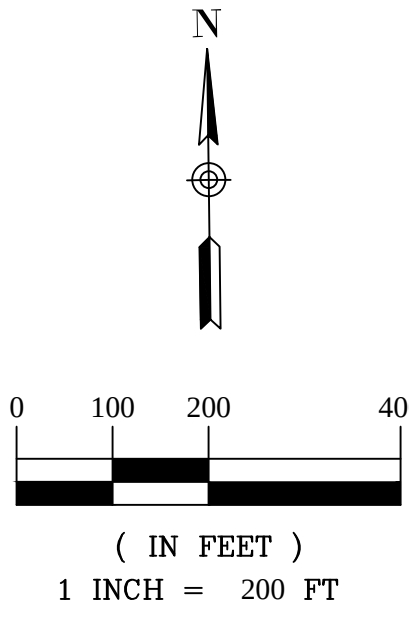
BURK & GLORIA COLLINS TRUST

ENGINEER:

DEOTTE, INC.
420 JOHNSON RD, SUITE 303
KELLER, TEXAS 76248
(817) 337-8899
CONTACT: CLAYTON REDINGER

APPLICANT:

SAGE GROUP, INC.
1130 N. CARROLL AVE., SUITE 200
SOUTHLAKE, TEXAS 76092
(817) 424-2626
CONTACT: CURTIS YOUNG



LEGEND

- DRAINAGE AREA LABEL
- FLOW ARROW
- DRAINAGE DIVIDE
- EXISTING CONTOUR MINOR
- EXISTING CONTOUR MAJOR
- DESIGN POINT

NOTES:

- PROPOSED GRADING IMPROVEMENTS WITHIN THE REGULATORY FLOODWAY OF BIG BEAR CREEK WILL LIKELY REQUIRE A CLOMR SUBMITTAL THROUGH FEMA AT A LATER DATE DETAILING HYDRAULIC IMPACT DUE TO DEVELOPMENT.
- ULTIMATE CONFIGURATION AND SIZING OF PROPOSED IMPROVEMENTS MAY CHANGE SLIGHTLY IN FINAL DESIGN.
- TOPOGRAPHY OBTAINED THROUGH TEXAS NATURAL RESOURCE INFORMATION SERVICE (TNRS), 2009, NAVD 88 VERTICAL DATUM.
- REF. TANGLEWOOD RECORD DRAWINGS (STAMPED 05-23-02) FOR DOWNSTREAM STORM DRAINAGE CAPACITY & CONFIGURATION.
- BIG BEAR CREEK SPECIAL FLOOD HAZARD AREA OBTAINED THROUGH TARRANT COUNTY GIS, REFERENCED TO NAD83 TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, US FEET.
- INLET LOCATION ON WEST SIDE OF HOLLY ROW TO BE COORDINATED WITH EXISTING PROPERTY OWNERS TO WEST. INLETS WILL BE DESIGNED TO PICK UP PORTION OF OS-1.2 DRAINING TO IT AND DIRECT WATER TO PROPOSED POND.

Time of Concentration or Travel Time Worksheet

Project: Oak Alley
By: DAC
Date: #####
Location: Colleyville, TX
Condition (Present/Proposed): **Current Conditions**

SHEET FLOW (Applicable to T_c only)

- SEGMENT ID
- Surface Description
 - Manning's Roughness Coefficient
 - Flow Length, L (total L <= 300ft)....(ft)
 - Two-yr 24 hr rainfall, P₂....(in)
 - Land Slope, s....(ft/ft)
 - T_c=(.007*(nL)^{0.8})/(P₂^{0.5}*s^{0.4})....(hr)
 - T_c=(.007*(nL)^{0.8})/(P₂^{0.5}*s^{0.4})....(min)

	OS-1	EX-A	EX-B1	EX-B2
Pavement	D. Grass	D. Grass	D. Grass	D. Grass
	0.011	0.240	0.240	0.240
	100	100	100	100
	4	4	4	4
	0.021	0.05	0.05	0.03
	0.02	0.15	0.15	0.18
	1.06	8.85	8.85	10.85

SHALLOW CONCENTRATED FLOW

- SEGMENT ID
- Surface description (paved or unpaved)
 - Flow Length, L....(ft)
 - Watercourse slope, s....(ft/ft)
 - Average velocity, V....(ft/sec)
 - T_p=L/(3600*V)....(hr)
 - T_p=L/(3600*V)....(min)

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

CHANNEL FLOW

- SEGMENT ID
- Cross section flow area, a....(ft²)
 - Wetted perimeter, P_w....(ft)
 - Hydraulic radius, r=a/P_w....(ft)
 - Channel slope, s....(ft/ft)
 - Manning's Roughness Coefficient, n
 - V = (1.49 * r^{2/3} * s^{1/2})/n....(ft/sec)
 - Flow length, L....(ft)
 - T_p=L/(3600*V)....(hr)
 - T_p=L/(3600*V)....(min)

	OS-1	EX-A	EX-B1	EX-B2
	4	4	4	4
	1760	2595	872	393
	0.12	0.18	0.06	0.03
	7.33	10.81	3.63	1.64

Watershed Area (ac.)

- Total Watershed or subareaT_c or T_c....(hr)
- Total Watershed or subareaT_c or T_c....(min)

	OS-1	EX-A	EX-B1	EX-B2
	0.16	0.35	0.23	0.23
	9.79	21.14	13.81	13.97

T_c ROUNDED (MIN 15 min.)

15	21	15	15
----	----	----	----

DEOTTE, INC.
CIVIL ENGINEERING | TUBE No. E-003116
420 Johnson Road, Suite 303 | Keller, Texas 76248
817-337-8899 (Office) 817-337-5131 (Fax)
PREPARED FOR: BURK & GLORIA COLLINS TRUST

PRELIMINARY DRAINAGE
ANALYSIS
OAK ALLEY
COLLEYVILLE, TEXAS

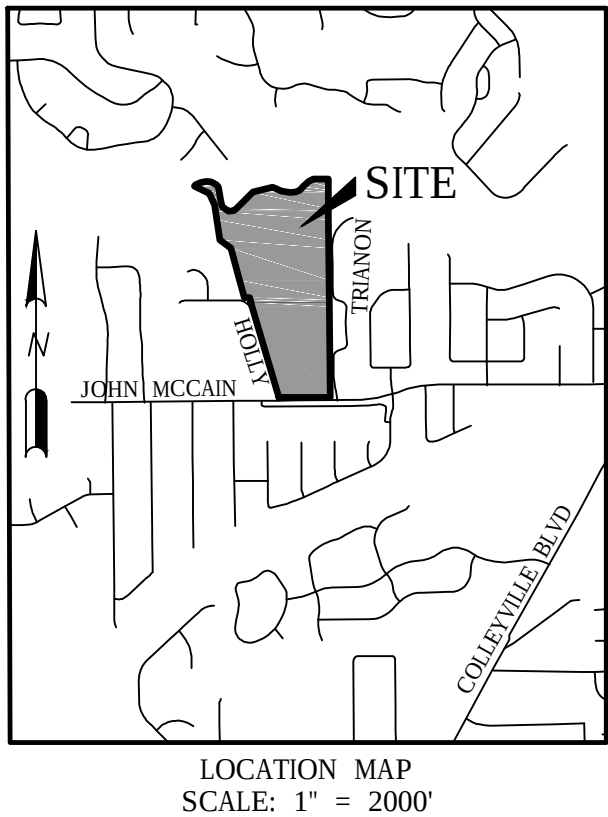
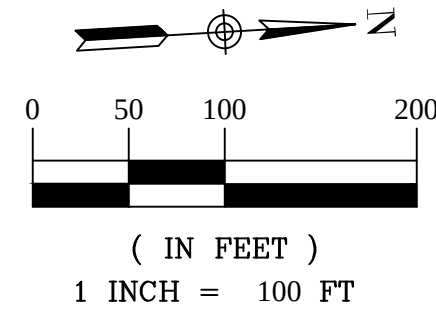
BENCHMARKS:

BM1
XXX
ELEV = XXX
BM2
XXX
ELEV = XXX

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AND IS NOT INTENDED FOR CONSTRUCTION,
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Redinger
Reg. No.: 97499
Firm No.: F-3116(TX)
Date: 10/19/2018

Printed by
dammathre
Oct 19, 2018 - 10:51am

DOI No. 201712100



OAK ALLEY GRADING CONCEPT

1. FINAL GRADING IS THE FIRST THING THAT STARTS IN THE FINAL DESIGN PROCESS AND IT IS THE LAST THING THAT 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 TRIANON 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 LETS 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 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.

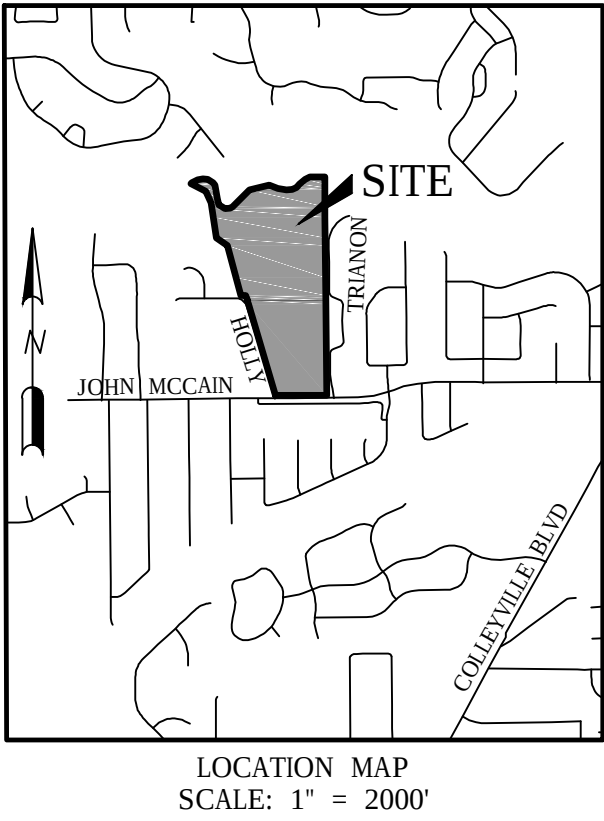
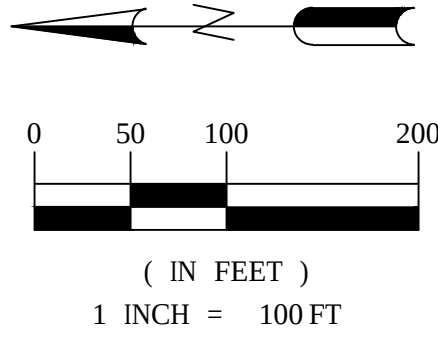
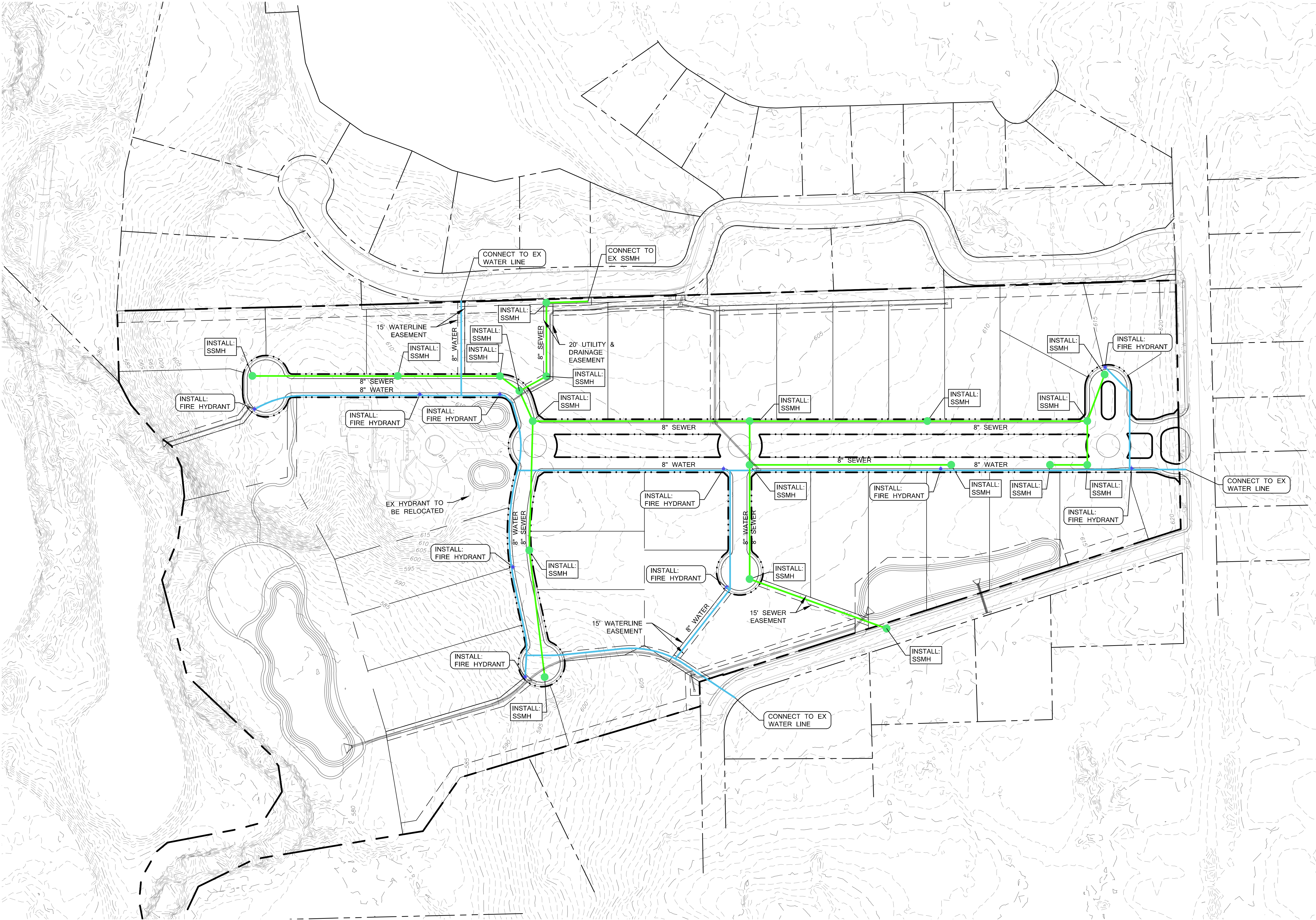
LOT 29 AND LOTS 31 THROUGH 34
THESE LOTS ARE EXPECTED TO BE CLOSE TO EXISTING GRADE AND NOT RETAINING WALLS ARE EXPECTED TO BE NEEDED FOR THIS LOTS. SMALLER WALLS (FOUR FEET OR LESS) MAY BE NEEDED AS AN ENHANCEMENT BUT NO SIGNIFICANT RETAINING WALLS WILL LIKELY BE NEEDED FOR GRADING.

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: 10/23/2018

OAK ALLEY				
PERIMETER GRADING CONCEPT PLAN				
COLLEYVILLE, TEXAS				
		420 Johnson Road, Suite 303 Keller, Texas 76248 Phone 817-337-8899 Fax 817-337-5133 WWW.DEOTTE.COM		
CIVIL ENGINEERING		FIRM REGISTRATION: # E-00316(TX)		PROJECT NO.: 201712100
DRAWN BY: DSM	SCALE: 1"=100'	DATE: 10/23/2018	SHEET: 1 OF 1	



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

DEOTTE, INC.
CIVIL ENGINEERING | TBPE No. F-003116
400 Johnson Road, Suite 300 | Keller, Texas 76248
817-337-8899 (Office) | 817-337-5131 (Fax)
PREPARED FOR: BURK & GLORIA COLLINS TRUST

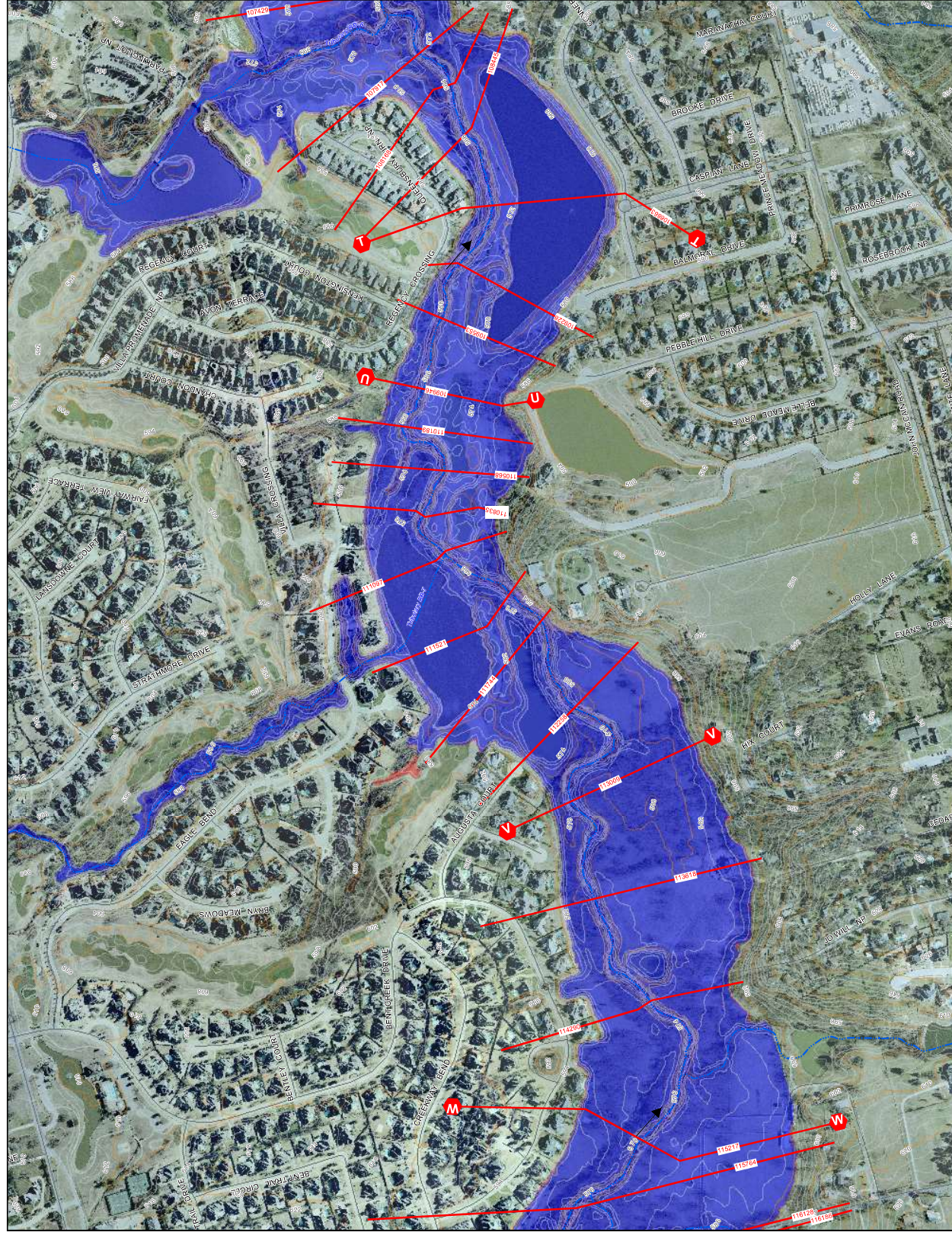
PRELIMINARY UTILITY PLAN
OAK ALLEY
COLLEYVILLE, TEXAS

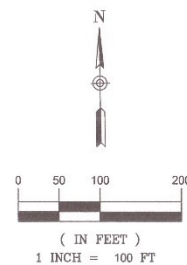
BENCHMARKS:

BM1	XXX	ELEV = XXX
BM2	XXX	ELEV = XXX

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Prepared by: T. Redinger
Reg. No.: 9749
Firm No.: F-3116(TX)
Date: 10/19/2018

Printed by: danmothe
Oct 19, 2018 - 10:50am



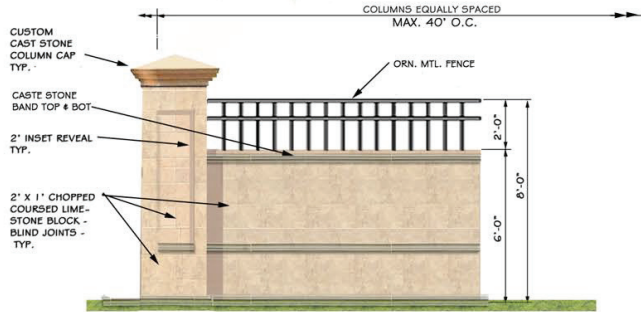


Oak Alley — Big Bear Creek Ponding

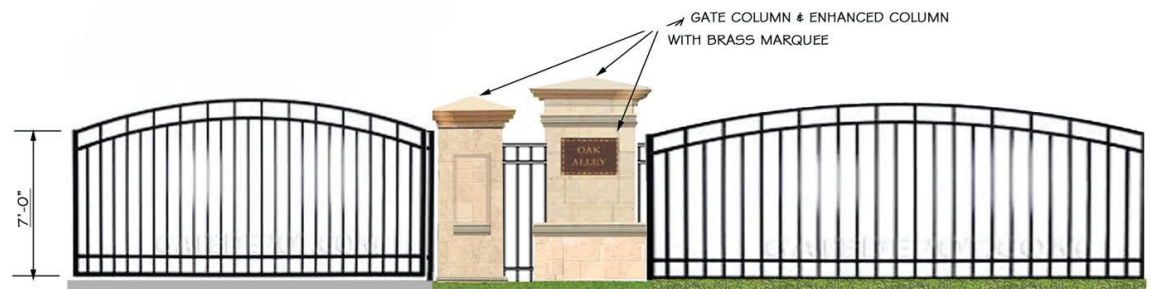
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BY: Clayton T. Redinger
Reg. No.: 97497
Firm No.: F-3116(TX)
Date: 10/15/2018

OAK ALLEY				
TOPO EXHIBIT				
COLLEYVILLE, TEXAS				
DEOTTE, INC.				
CIVIL ENGINEERING				
430 Johnson Road, Suite 301 Keller, Texas 76248 Phone 817-337-5115 Fax 817-337-8899 FIRM REGISTRATION # F-40016 (TX) WWW.DEOTTE.COM				
DRAWN BY: DSM	SCALE: 1"=100'	DATE: 10/15/2018	PROJECT NO.: 201712100	SHEET: 1 OF 1

Screening and Fencing Plan



A DECORATIVE SCREEN WALL



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



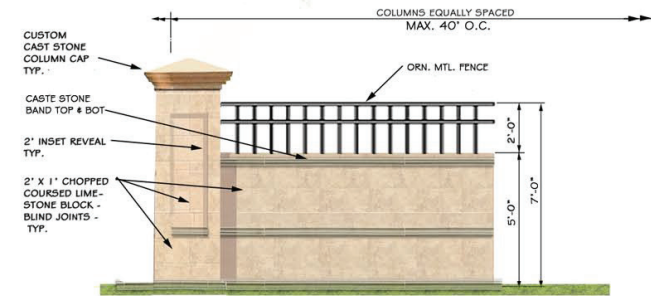
C ORNAMENTAL METAL FENCE WITH COLUMN TERMINUS



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

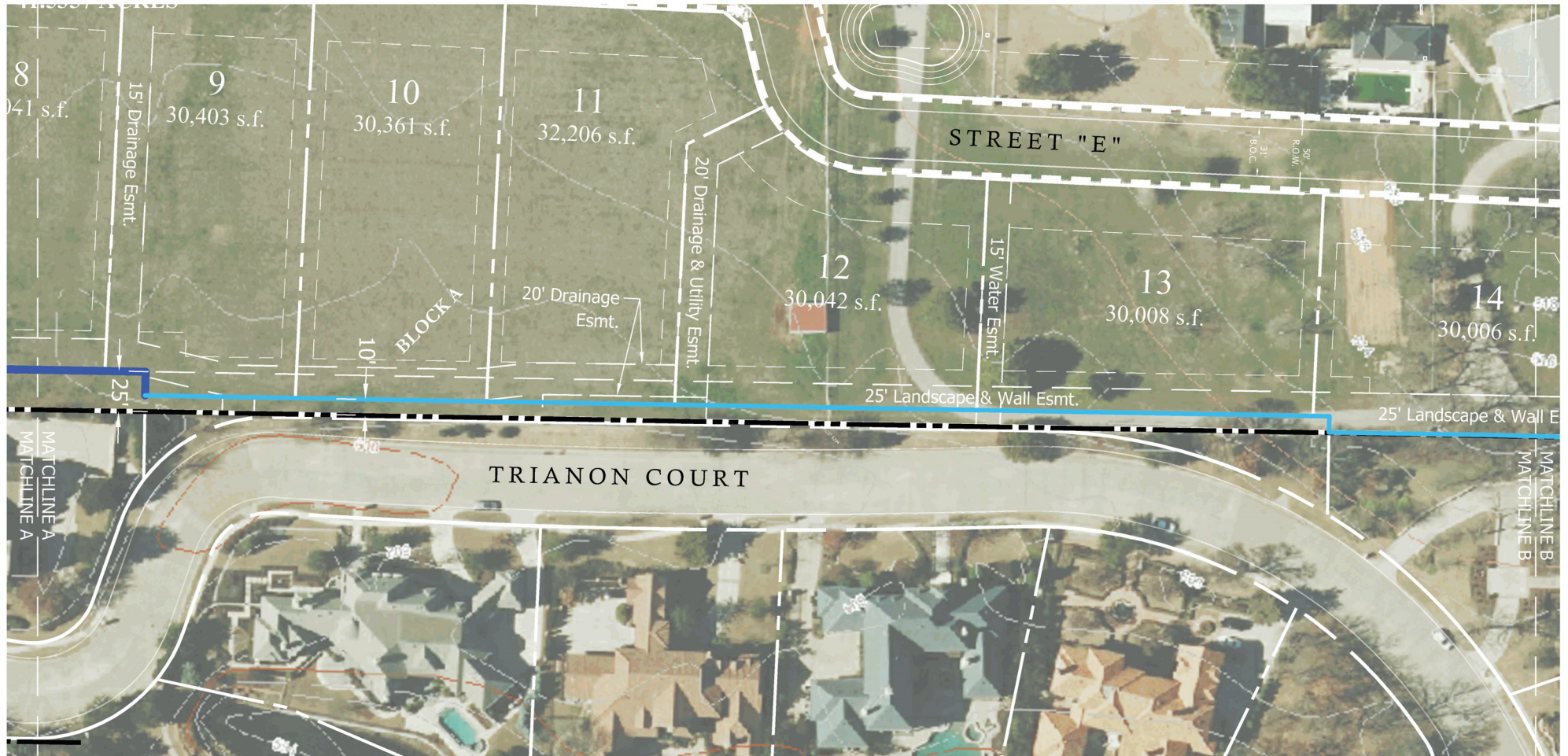
Colleyville, Tarrant County, Texas

21 SEPT 18

1" = 60'



Screening and Fencing Plan



Planner:



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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'



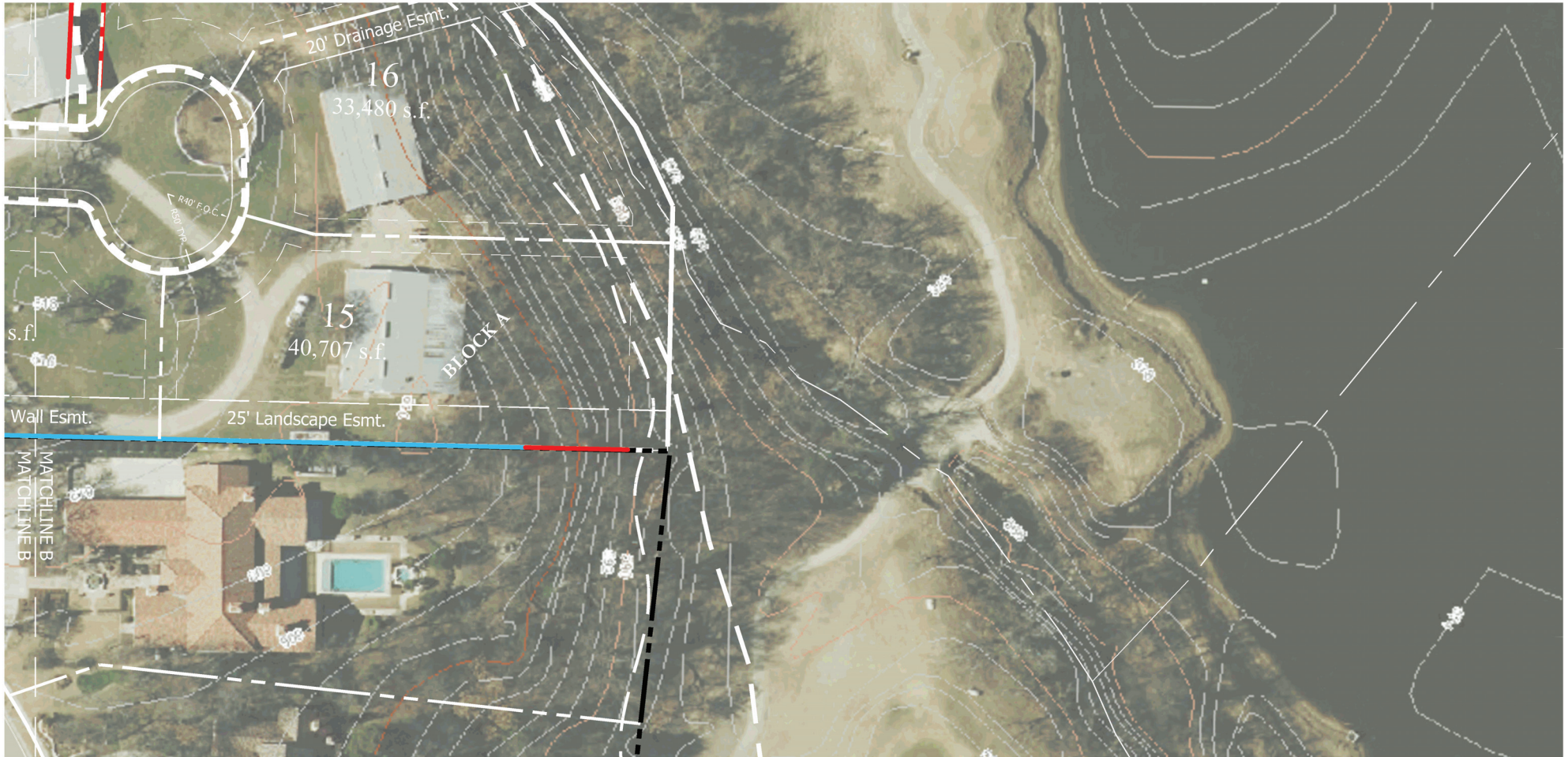
Eastern Boundary Detail (Sheet 2 of 3)

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

Oak Alley

Colleyville, Tarrant County, Texas

Screening and Fencing Plan



Planner:



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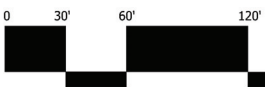
TYPE A - 8' Total: Masonry Wall 6' / Ornamental Metal Fence 2'

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

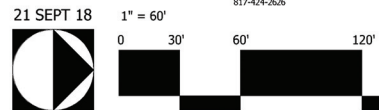
Screening and Fencing Plan



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



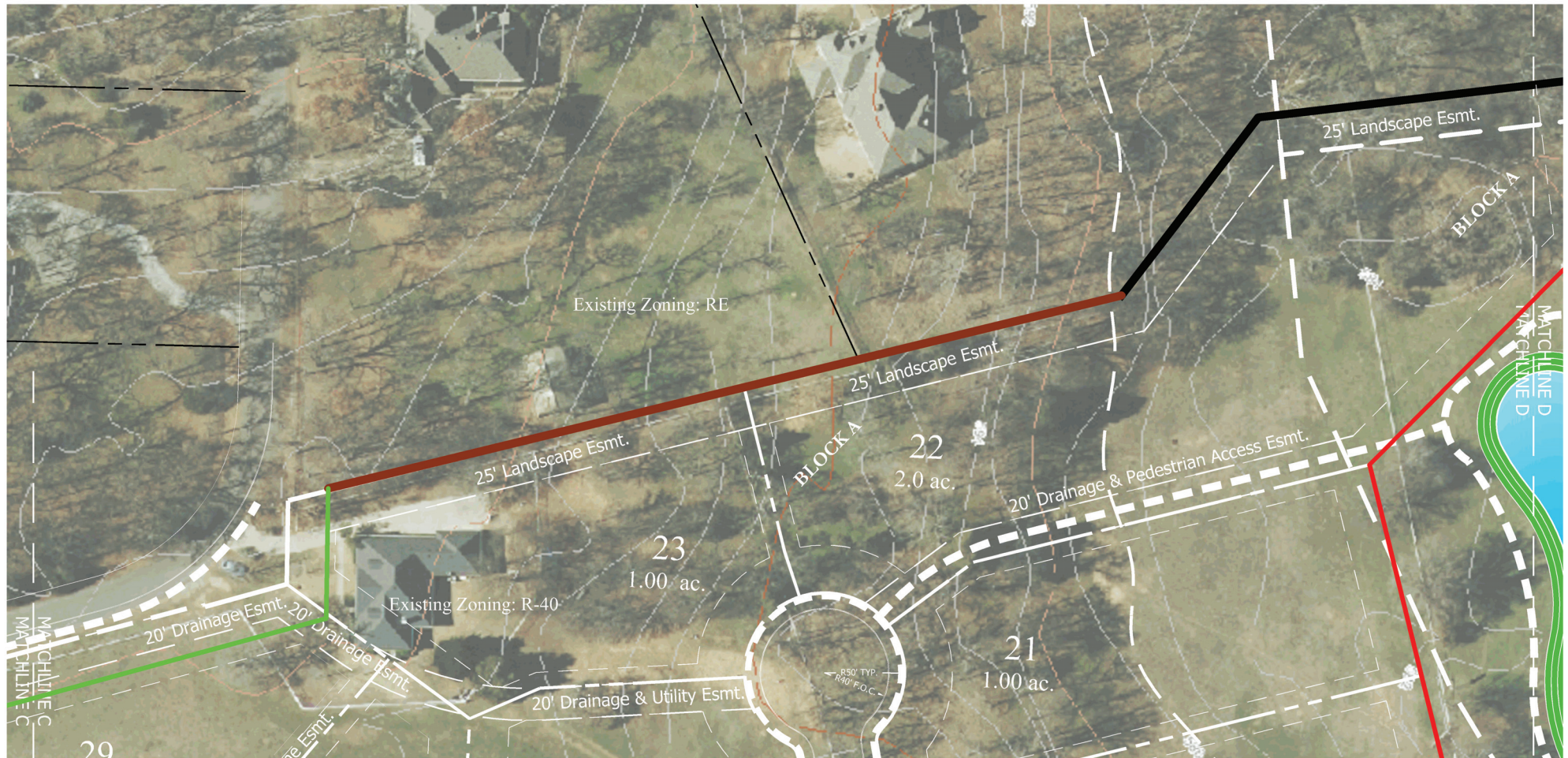
Western Boundary Detail (Sheet 1 of 3)

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

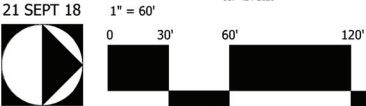
Oak Alley

Colleyville, Tarrant County, Texas

Screening and Fencing Plan



Planner:  SAGE GROUP, INC.
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Urban Design
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Landscape Architecture
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Replace Pipe Rail Fence

Western Boundary Detail (Sheet 3 of 3)

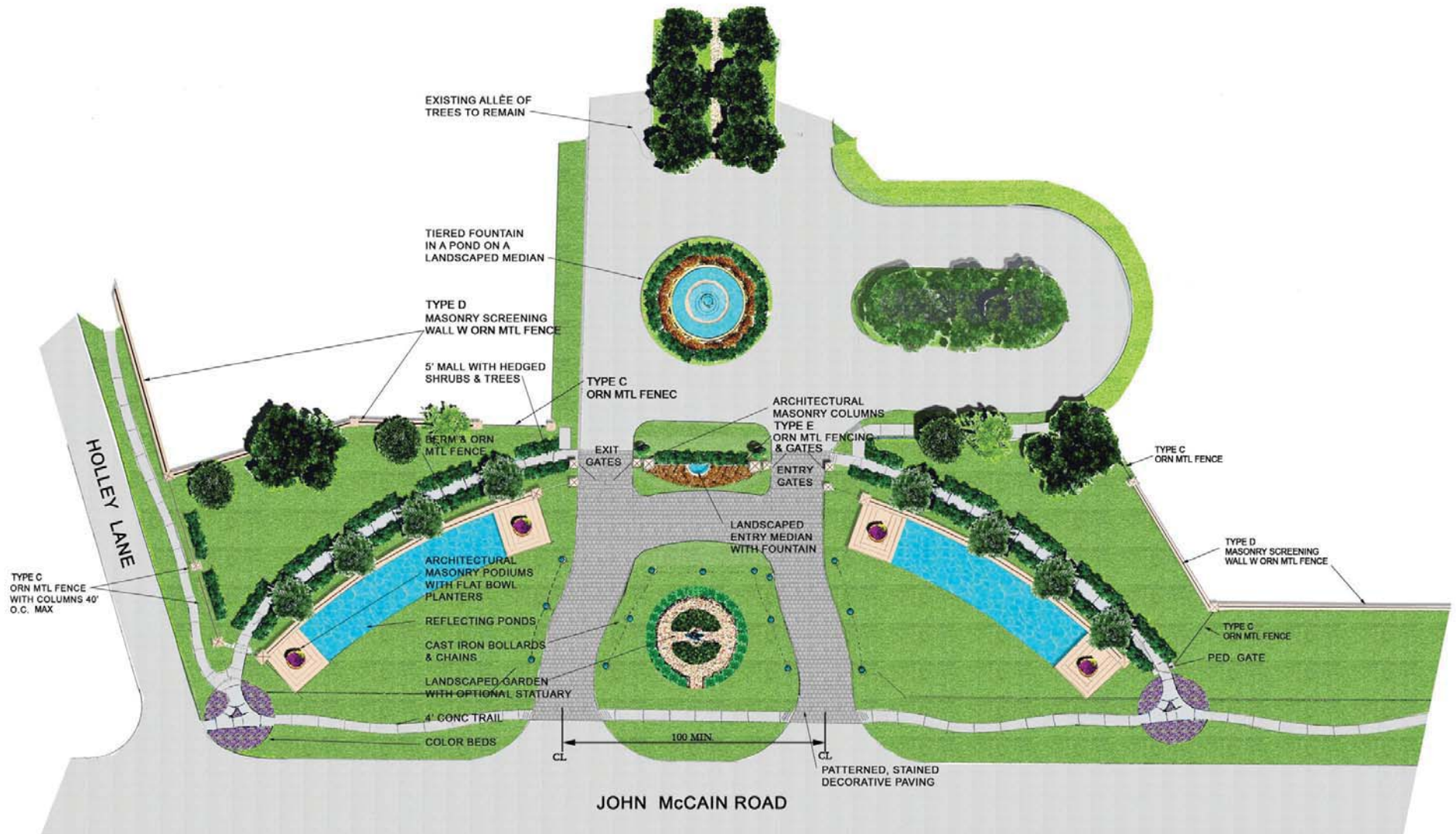
Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Case #ZC18-002

Oak Alley

Colleyville, Tarrant County, Texas

Entry Plan



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

THE ENTRY

OAK ALLEY

Entry Plan

STONE



PAVERS



INSPIRATION



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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

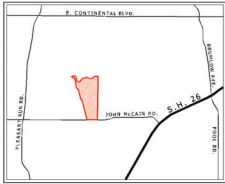


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Master Planning
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Landscape Architecture
1130 N. Carroll Ave., Ste 200
Southlake, Texas 76092
TEL: 817-424-2626

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

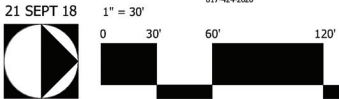
ORNAMENTAL TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Crape Myrtle <i>Lagerstroemia indica</i> 'Red Rocket'	30 Gal.	8' HT. / 6' SPREAD	container grown; matching growth
	Nellie R. Stevens Holly <i>Ilex x 'Nellie R. Stevens'</i>	30 Gal.	8' HT. / 6' SPREAD	container grown; matching growth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

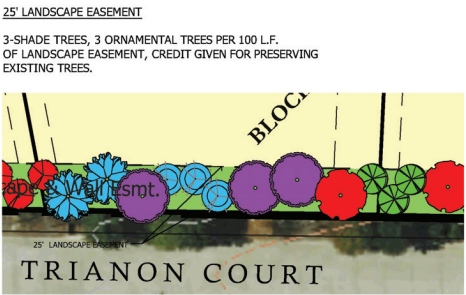
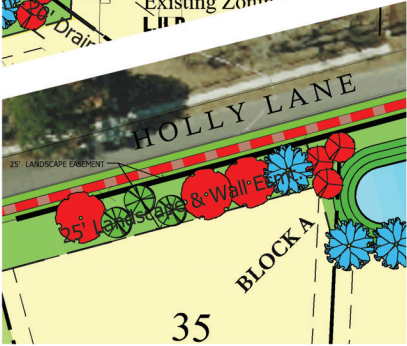
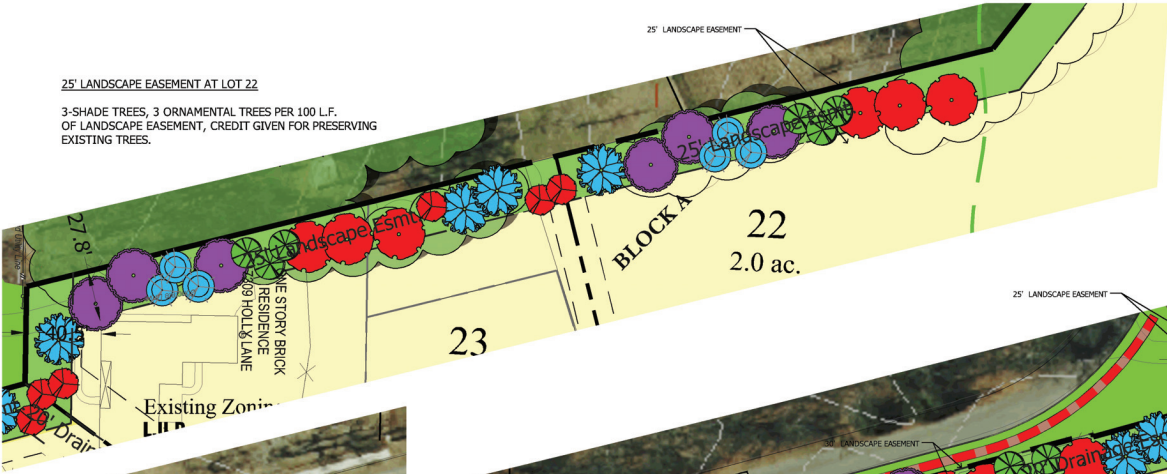
ORNAMENTAL TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Crape Myrtle <i>Lagerstroemia indica</i> 'Red Rocket'	30 Gal.	8' HT. / 6' SPREAD	container grown; matching growth
	Nellie R. Stevens Holly <i>Ilex x 'Nellie R. Stevens'</i>	30 Gal.	8' HT. / 6' SPREAD	container grown; matching growth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

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

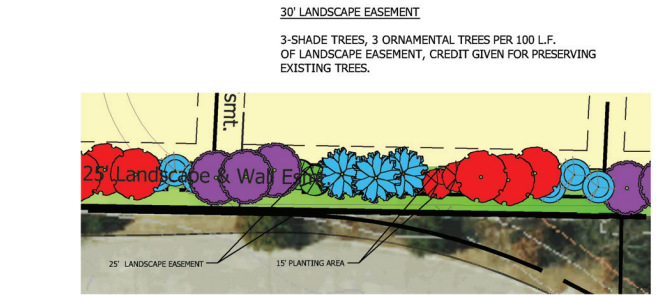


Landscape Easement Plantings

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.

“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, joinder 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-

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. Garage doors facing a public right-of-way or adjacent subdivisions shall be behind a visual screening such as a berm, landscaping, or wing wall and not visible from a public right-of-way or adjacent subdivisions. 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.

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.

(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) Clothes lines or the outside washing or drying of clothes 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.

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.

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.

(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.

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.

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 promptly replaced by either party if it becomes diseased or dies, allowing for appropriate seasonal considerations.

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.

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

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 for all primary and detached structures; placement of the built elements upon the lot; and landscaping in relation to the various parts of the proposed

improvements and in relation to improvements on other Lots in the Addition and in adjacent neighborhoods; 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.

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 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, subject to the requirements of the approved zoning for the project, 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. petition the city to allow for a change in 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 SWELLIING 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)

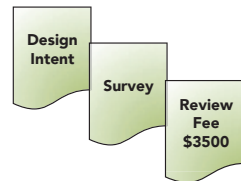
Exhibit D
(Oak Alley Construction Review Process)

Exhibit E
(Grading Plan)

Submittal and Review Process

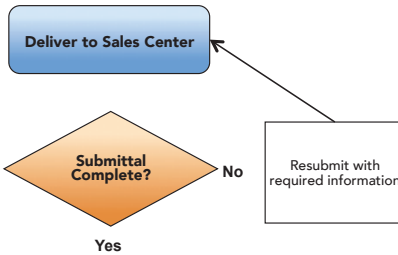
Oak Alley Submittal and Review Process

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

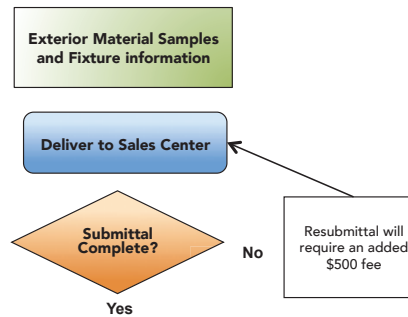
Final Review of Architectural Drawings and Preliminary Review of Landscape Design



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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Board Review Meeting:
Architect & Builder (Homeowner attendance optional)

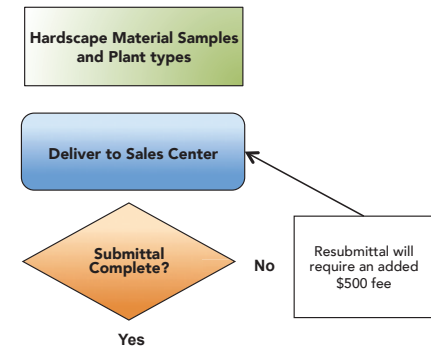
Receive Committee Final Submittal Comments

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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Board Review Meeting:
Builder & Landscape (Homeowner attendance optional)

Receive Committee Approval Letter

Architectural Plan

APPROVED ARCHITECTURAL MATERIALS AND DETAILS

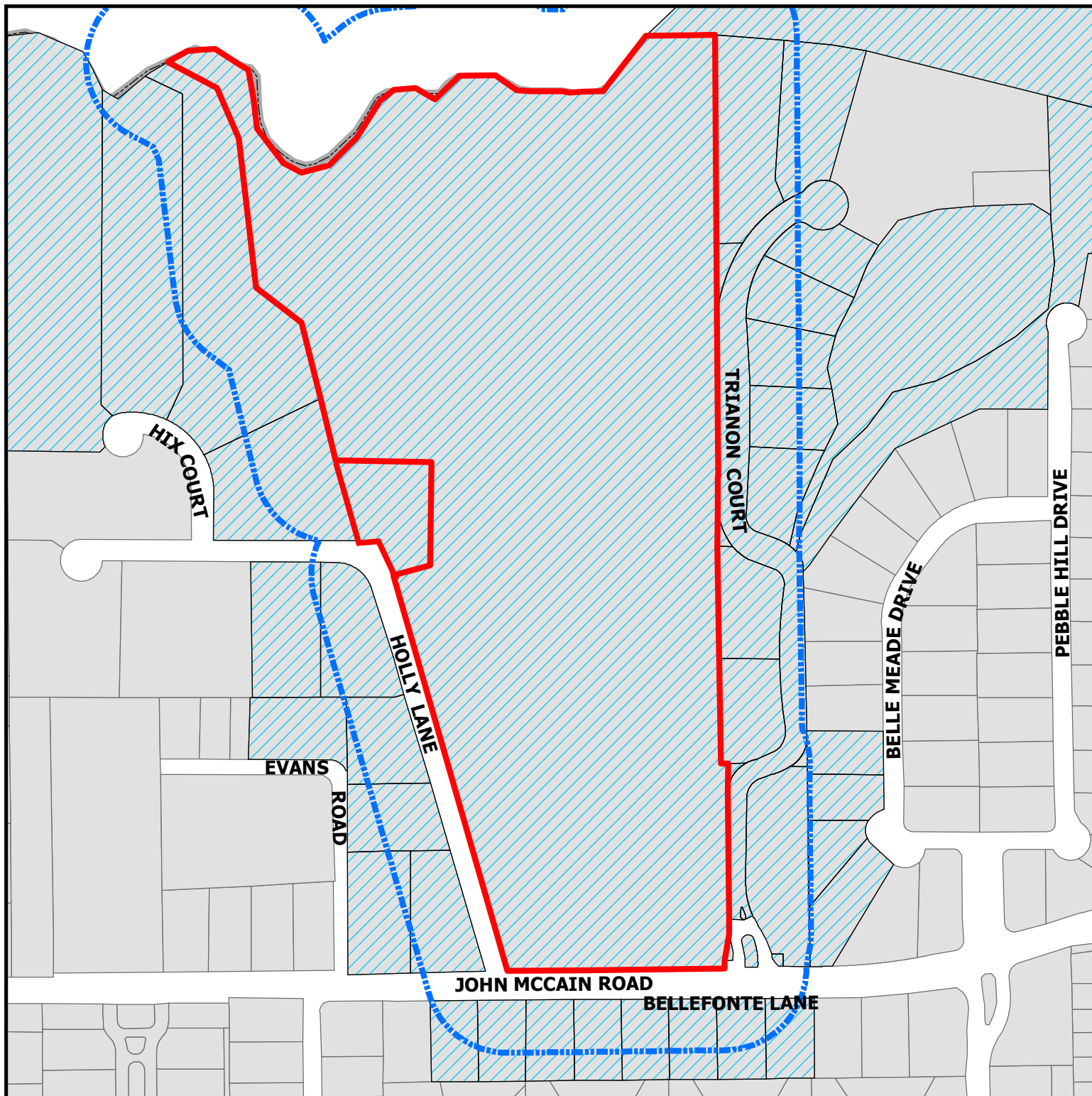
	ENGLISH	SPANISH REVIVAL	ITALIAN - SYMMETRICAL ONLY	TUSCAN	FRENCH	TEXAS REGIONAL VERNACULAR	PRAIRIE	ALL ARCHITECTURAL STYLES
WALL SURFACE	BRICK, STUCCO OR STONE. PROJECTED GABLES AND/OR DORMERS TO BE DECORATIVE HALF TIMBER AND/OR LIGHT COLORED STUCCO ON 2ND LEVEL. OPTIONAL PARAPETED GABLES.	STUCCO	STUCCO, 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.

Landscape Plan

OAK ALLEY APPROVED SOFTSCAPE

APPROVED LANDSCAPING													
SOFTSCAPE		TREES		SHRUBS		GRASSES		GROUND COVERS		VINES		PERENNIALS	
CATEGORY	CANOPY	ORNAMENTAL	LARGE	MED/SMALL									
MINIMUM SIZE	4" CAL/100 GAL	30 GAL	15-35 GAL	5-15 GAL		1-5 GAL	4" POTS	15 GAL					
TYPES	ACER SPECIES-MAPLE CARYA ILLINOENSIS-PECAN CARPA NIGRA-BLACK WALNUT GINKGO BILOBA-GINKGO (MALE ONLY) KOELUTERIA PANICULATA-GOLDEN RAIN TREE FRAXINUS ALBICANS-TEXAS ASH LIQUIDAMBAR STRYACELLA-SWEETGUM PISTACIA CHINENSIS-CHINESE PISTACHE PISTACIA TEXAN-TEXAS PISTACHE QUERCUS MACROCARPA-BURR OAK QUERCUS MUEHLBERGII-CHINKAPIIN OAK QUERCUS SHUMARDII-SHUMARD RED OAK QUERCUS VIRGINIANA-LIVE OAK TAXODIUM DISTICHUM-BALD CYPRESS ULMUS AMERICANA 'ATHENA'-ATHENA ELM ULMUS CRASSIFOLIA-CEAR ELM ULMUS PARVIFOLIA SEMPERVIRENS-LACEBARK ELM MAGNOLIA SPECIES-MAGNOLIA	ACER PALMATUM-JAPANESE MAPLE AESCULUS ARGUTA-TEXAS BUCKEYE ALTHEA BETULA NIGRA-RIVER BIRCH CEDRUS ATLANTICA-ATLAS BLUE CEDAR/WEeping CEDRUS DECODARA-DECODAR CEDAR CERIS CANADENSIS-WEeping REDBUD CERIS CANADENSIS 'FOREST PANSY'-FOREST PANSY REDBUD CERIS CANADENSIS 'MEXICANA'-MEXICAN REDBUD QUERCUS CANADENSIS 'OKLAHOMA'-OKLAHOMA REDBUD CERIS CANADENSIS 'TENDRIS'-TEXAS REDBUD CHLOPSIS LINEARIS-DESERT WILLOW CHITALPA TASHKENTENSIS-CHITALPA CORNUS DRUMMONDII-RODGUELEAF DOGWOOD CORNUS FLORIDA-DOGWOOD CUPRESSUS ARIZONICA-ARIZONA CYPRESS CUPRESSUSOCYPARIS LEYLANDII-LEYLAND CYPRESS ILEX X ATTENUATE 'FOSTER'-FOSTERS HOLLY ILEX ATTENTUTA-EAST PALATKA HOLLY ILEX CONAF-OAKLEAF HOLLY ILEX CORN-RBORN HOLLY ILEX CORNUTA 'NEEDLEPOINT'-NEEDLEPOINT HOLLY ILEX DECIDUA-POSSUMHAW HOLLY ILEX OPACA (X ATTENUATE) 'SAVANNAH'-SAVANNAH HOLLY ILEX VOMITORIA-YAUPON HOLLY ILEX VOMITORIA 'PENDULA'-WEeping YAUPON ILEX X 'NELLIE R STEVEN'-NELLIE R STEVENS HOLLY JUNIPERUS VIRGINIANA-EASTERN RED CEDAR LAGERSTROEMIA INDICA-CRAPE MYRTLE MAGNOLIA DECIDUOUS SPECIES MAGNOLIA 'LITTLE GEM'-DWARF SOUTHERN MAGNOLIA MALLUS SPECIES-CRABAPPLE MYRICA CERIFERA-WAX MYRTLE, TREE FORM PRUNUS CAROLINIANA-CHERRY LAUREL PRUNUS MEXICANA-MEXICAN PLUM SOPHORA AFFINIS-EVES NECKLACE SOPHORA SECUNDIFLORA-TEXAS MOUNTAIN LAUREL UNGUINARIA SPECIOSA-MEXICAN BUCKEYE VIBURNUM RUFIDULUM-RUSTY BLACKHAW VIBURNUM VITEA AGNUS-CASTUS-VITEA	ILEX CORNUTA 'BURFORDII'-BURFORD HOLLY JUNIPERUS SSP -JUNIPER SPECIES LOROPETALUM CHINESE-CHINESE FRINGE FLOWER MYRICA CERIFERA-WAX MYRTLE, SHRUB FORM PYRACANTHA SPECIES-FIRETHORN RHUS VIREN-EVERGREEN SUMAC	AZALEAS SPECIES-AZALEAS ASPIDISTRA-CAST IRON PLANT ABELIA GRANDIFLORA-ABELIA ARCLIA JAPONICA-JAPANESE AUCUBA BERBERIS THUNBERGII-REDLEAF BARBERRY BERBERIS SWASEYI-TEXAS BARBERRY BERBERIS SPECIES-BARBERRY BULBUS SPECIES-BOWWOOD CALLICARPA AMERICANA-AMERICAN BEAUTYBERRY CAMELLIA SASAGUUA-SASAGUUA CAMELLIA JAPONICA COTONEASTER SPECIES-COTONMASTER CLEYERA-SPECIES CEPHALOTHALUS YEW DISTYLIUM CINNAMOM GIRL ELONUMYUS ALATUS COMPACTA-DWARF BURNING BUSH EQUISETAM HYEMALE-HORSETAIL REED FATSIA JAPONICA-JAPANESE AKALIA FOXYSTHIA X INTERNEMEDIA-FOXYSTHIA GARDENIA-SPECIES HYDRANGEA-ENDLESS SUMMER, NANTUCKET, LIMELIGHT HESPERALOE PARVIFLORA-RED RUCCA HYDRANGEA QUERCIFOLIA-OAK LEAF HYDRANGEA ILEX CORNUTA 'BURFORDII NANA'-DWARF BURFORD HOLLY ILEX CORNUTA 'ROTUNDA'-ROTUNDA HOLLY ILEX VOMITORIA 'NANA'-DWARF YAUPON HOLLY ILEX CORNUTA 'CARISSA'-CARISSA HOLLY ILEX CRENATA 'SKYPENCIL'-SKYPENCIL HOLLY JUNIPERUS SPECIES-JUNIPER LOQUIAT COPPERTONE LAGERSTROEMIA INDICA 'NANA'-DWARF CRAPE MYRTLE LEUCOPHYLLUM FRUTESCENS-TEXAS SAGE LOROPETALUM CHINESE-DWARF VARIETIES MAHONIA SPECIES-MAHONIA MYRICA PUSILLA-DWARF WAX MYRTLE NANDINA DOMESTICA-HARBOR DWARF, GULF STREAM AND MOON BAY NADINA-FLIRT, OBSESSION PITTSOPORUM 'CREME DE MINT, TOBIRA 'WHEELERS DWARF' PODOCAROUS MACROPHYLLUS-JAPANESE YEW PITTSOPORUM TOBIRA-PITTSOPORUM ROSA BANKSIA-LADY BANKSIA ROSE RHAPHIOLEPIS INDICA-INDIAN HAWTHORN-SPECIES RHUS GLABRA-SMOOTH SUMAC ROSA SPECIES-ROSES, IMPROVED AND ALSO SHRUB FORM SALVIA GREGGII-AUTUMN SAGE SALVIA REGAL-MOUNTAIN SAGE SYMPHORCARPOS OBICULATUS-CORALBERRY SPIREA SPECIES-SPIREA TAXUS YEW-SPECIES VIBURNUM SPECIES-VIBERNUM YUCCA SPECIES-YUCCA	BOUETOLOUA CURTIPENDULA-SIDEOTS GRAMA CALAMAGROSTIS 'XARL' FORESTER- FEATHER REED GRASS CAREX SPECIES-SEDEGS ERAGROS CURVILA-WEeping LOVEGRASS FESTUCA SPECIES-BLUE FESCUE HELICTOTRICHON SEMPUERVIRENS-BLUE OATS MAUSCANTHUS SINENSIS-MANDAL GRASS VARIETIES MULLENBERGIA SPECIES-MULHY GRASS PANICUM-SWITCH GRASS PENNSTETUM SPECIES-FOUNTAIN GRASS SCHIZACHYRIUM SCOPARIUM-LITTLE BLUESTEM SORGHASTRIUM NUTANS-INDIAN GRASS STIPA SPECIES-FEATHER GRASS	AUGIA REPTANS-AUGIA EUONYMUS FORTUNEI 'COLORATUS'-PURPLE WINTER CREEPER HEDERA ALGERIENSIS-VARIAGATED ALGERIAN IVY HEDERA HELIX-ENGLISH IVY JUNIPERUS SPECIES-SPREADING JUNIPERS LINOPH SPECIES-UROPE OPHIOPOGON JAPONICUM OPHIOPOGON ROSEMARINUS 'LOCKWOOD DE FOREST'-ROSEMARY TRACHELOSPERMUM ASIATICUM-ASIAN JASMINE THYMUS-CREEPING SPECIES VINCA MAJOR-BIGLEAF PERIWINKLE VINCA MINOR-DWARF PERIWINKLE	AKEBIA QUINATA-CHOCOLATE VINE CAMPSIS RADICANS-TRUMPET VINE CLEMATIS ARMANDI-EVERGREEN CLEMATIS CLEMATIS JACKMANII-SPECIES FICUS PUMILA-FIG IVY GEISEMIUM SEMPERVIRENS-CAROLINA JESSAMINE HEDERA HELIX-ENGLISH IVY JUNIPERUS SPECIES-SPREADING JUNIPERS PARTHENOCCISSUS TRICUSPIDATA-BOSTON IVY TRACHELOSPERMUM ASIATICUM-ASIAN JASMINE TRACHELOSPERMUM JASMINOIDES-CONFEDERATE JASMINE WISTERIA SPECIES-WISTERIA	ARTEMISIA DWARF SPECIES PLATYCODON-BALLON FLOWER IBERIS-CANDYTUFT COLUMBINE ECHINACEA-CONEFLOWER COREOPSIS SPECIES HEMIDODICALIS-DARKLY DWARF SPECIES DIANELLA FLAX LILY JUNIPERUS GRATIANOPOLITANUS SPECIES FERN SPECIES GAURA GERMANDER PROSTRATA HELLEBORUS HEUCHERA HOSTA SPECIES DIETES BUCOLIC-AFRICAL IRIS LAVENDER SPECIES FARFUTIUM LAGULARIA-LEOPARD PLANT RUELLIA-DWARF MEXICAN PETUNIA PENSTEMON RUDECKIA SPECIES SALVIA SPECIES SANTOLINA SCABIOSA SELIUM SPECIES SCUTTELLARIA-SKULLCAP					
HARDSCAPE	RETAINING WALLS IF NOT CONNECTED TO THE RESIDENCE, MUST BE OF SAME MATERIALS AS OAK ALLEY PERIMETER WALLS *IF CONNECTED TO THE RESIDENCE, MUST BE OF SAME MASONRY MATERIALS AS THE RESIDENCE												

Notification Map

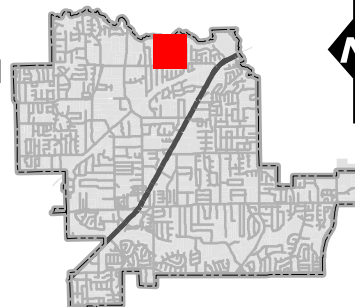


ZC18-019

1312 John McCain Road and 7309 Holly Lane N

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-  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:

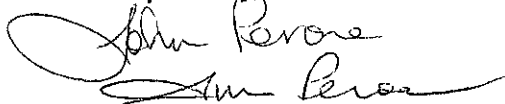
- Not a standard city sized street, as it is narrow in width.
- In order to facilitate two way traffic, any parking on the street has to be on the grass in the right of way. Therefore residents don't park on Holly Lane.
- Hazardous 70 degree curve near Foreman's house.
- No Outlet
- Children Playing

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,

Handwritten signatures of John and Susan Perone in black ink. The signature for John is on top and Susan is below it, both written in a cursive style.

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

Letter of Opposition

Araceli Botello

Subject: FW: Bear Creek Plantation

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

From: Wayne Rigney

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

To: Susan Mathisen <smathisencpa@gmail.com>

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

Subject: Bear Creek Plantation

I Wayne Rigney oppose the Bear Creek Plantation.

Below are some of my concerns!

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

We want water flow problems addressed! Not ignored!

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

Sent from my iPhone

Letter of Opposition

LETTER OF CONCERN TO:

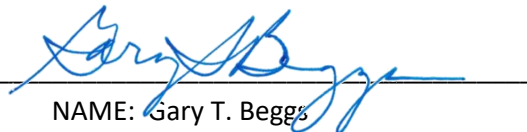
THE COMMUNITY DEVELOPMENT DEPARTMENT OF COLLEYVILLE (ZONING CASE # ZC18-019)
100 Main Street
Colleyville, Tx 76034

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

Re: ZONING CASE # ZC18-019

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

SIGNED: _____



NAME: Gary T. Beggs

ADDRESS: 7105 Peters Path

CITY/ZIP: Colleyville, TX 76034

DATE: July 5, 2018

Letter of Opposition

Araceli Botello

Subject: FW: Bear Creek Plantation

From: [Charlie](#)

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

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

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

Subject: RE: Bear Creek Plantation

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

Hopefully this will be in our best interest!

Charles Pearce

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

From: Wayne Rigney

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

To: Susan Mathisen

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

Subject: Bear Creek Plantation

I Wayne Rigney oppose the Bear Creek Plantation.

Below are some of my concerns!

1. Burk Collins personally told me the pond in the flood plain would be a retention pond for flooding. But in the P&Z meeting Curtis said it would be a wet pond. He is already changing what he told us.
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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.
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- I thought we were using comprehensive plan as a standard not mostly a plan!
7. His engineer Curtis has consistently talked down to us! And now all the things we were concerned with are categorically being ignored!

We want water flow problems addressed! Not ignored!

Thomas Wayne Rigney
7308 Hix Ct
Colleyville, TX 76034

Letter of Opposition

501 240 3561

Sent from my iPhone

Letter of Opposition

Araceli Botello

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

From: [Natalie Genco](#)

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

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

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

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

LETTER OF PROTEST FOR ZONING CASE # ZC18-019

TO: COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF COLLEYVILLE

100 Main Street

Colleyville, TX 76034

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

To whom it may concern:

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

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

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

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

CONCERNS:

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

Sincerely,

Natalie Genco

July 7, 2018

1104 John McCain Rd, COLLEYVILLE, TEXAS 76034

Letter of Opposition

Araceli Botello

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

From: Frank Genco

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

To: Ben Bryner <BBryner@colleyville.com>

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

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

LETTER OF PROTEST FOR ZONING CASE # ZC18-019

TO: COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF COLLEYVILLE

[100 Main Street](#)

[Colleyville, TX 76034](#)

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

To whom it may concern:

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

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

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

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

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

CONCERNS:

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

Letter of Opposition

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

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

Sincerely,

Frank Genco

July 8, 2018

1104 John McCain Rd, COLLEYVILLE, TEXAS 76034

Sent from my iPhone

Letter of Opposition

LETTER OF PROTEST FOR ZONING CASE # ZC18-019

TO: COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF COLLEYVILLE

100 Main Street

Colleyville, TX 76034

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

To whom it may concern:

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

CONCERNS:

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

Sincerely,

Richard Davidson

July 8, 2018

7304 Hix Ct., COLLEYVILLE, TEXAS 76034

Letter of Opposition

LETTER OF PROTEST FOR ZONING CASE # ZC18-019

TO: COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF COLLEYVILLE

100 Main Street

Colleyville, TX 76034

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

To whom it may concern:

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

CONCERNS:

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

SIGNED: Joyce Pearce

DATE: 7-8-18

NAME: Joyce Pearce

ADDRESS: 1312 Holly Ln.

COLLEYVILLE, TEXAS 76034

Letter of Opposition

LETTER OF PROTEST FOR ZONING CASE # ZC18-019

TO: COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF COLLEYVILLE

100 Main Street

Colleyville, TX 76034

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

To whom it may concern:

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

CONCERNS:

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

SIGNED: Charles Pearce

DATE: 7-8-18

NAME: Charles Pearce

ADDRESS: 7212 Holly Lane

COLLEYVILLE, TEXAS 76034

Letter of Opposition

LETTER OF PROTEST FOR ZONING CASE # ZC18-019

TO: COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF COLLEYVILLE

100 Main Street

Colleyville, TX 76034

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

To whom it may concern:

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

CONCERNS:

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

SIGNED:

Elise D. Pistor

DATE: 7-8-18

NAME:

ELISE DUELL PISTOR

ADDRESS:

7200 HOLLY LANE

COLLEYVILLE, TEXAS 76034

Letter of Opposition

LETTER OF PROTEST FOR ZONING CASE # ZC18-019

TO: COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF COLLEYVILLE

100 Main Street

Colleyville, TX 76034

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

To whom it may concern:

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

CONCERNS:

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

SIGNED: Donna Kautzman DATE: 7/9/2018

NAME: Donna Kautzman

ADDRESS: 1208 John McCain

COLLEYVILLE, TEXAS 76034

Letter of Opposition

LETTER OF PROTEST FOR ZONING CASE # ZC18-019

TO: COMMUNITY DEVELOPMENT DEPARTMENT

CITY OF COLLEYVILLE

100 Main Street

Colleyville, TX 76034

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

To whom it may concern:

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

CONCERNS:

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

SIGNED: _____

DATE: 7/8/2018

NAME: Kurt Kauffman

ADDRESS: 1208 John McCain Rd.

COLLEYVILLE, TEXAS 76034

Letter of Opposition

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

Date: 7-8-18

Attn: Planning and Zoning Commission Members

To Whom It May Concern:

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

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

Sincerely,

Kara JF
Signature

KARA FLEMING
Printed Name

7312 Hix Ct

Colleyville TX 76034
Address

Letter of Opposition

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

Date: 7/8/18

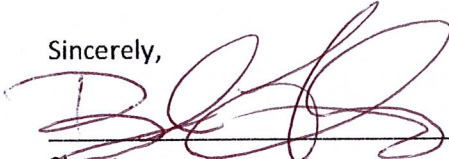
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Sincerely,


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:

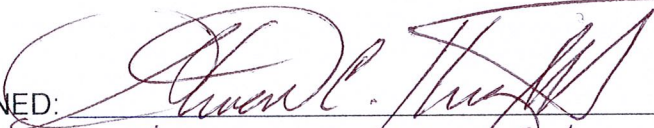
I, Steven C. Knight, oppose the rezoning for 1312 John McCain Road (Zoning Case # ZC18-019) from R-40 single family & AG Agricultural to PUD-R or any other zoning under RE & AG.

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,

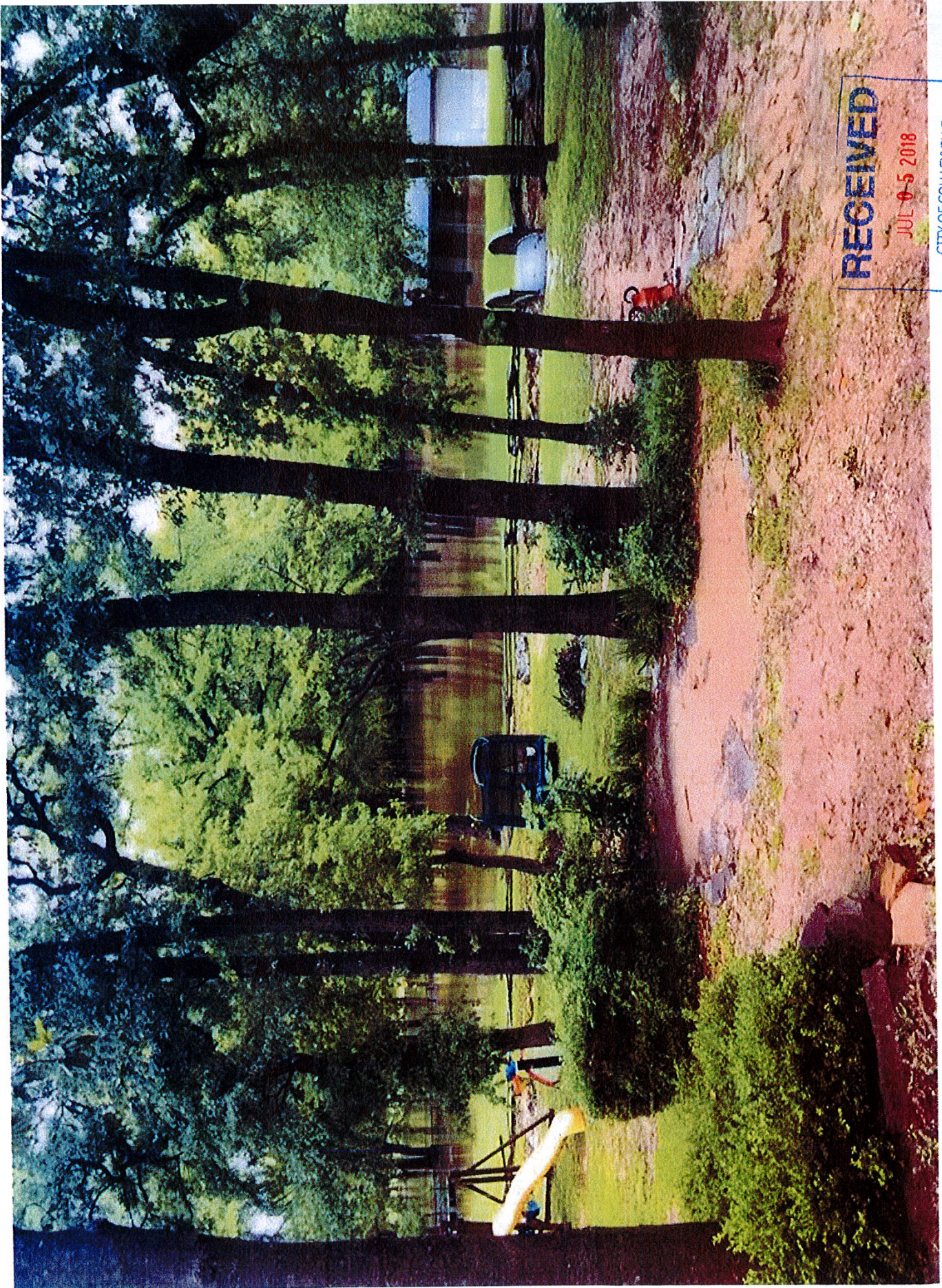

Burk Collins

Printed Name

Signature



Letter of Opposition



RECEIVED

JUL 05 2018

CITY OF COLLEYVILLE
BY COMMUNITY DEV. DEPT

Letter of Opposition



Letter of Opposition

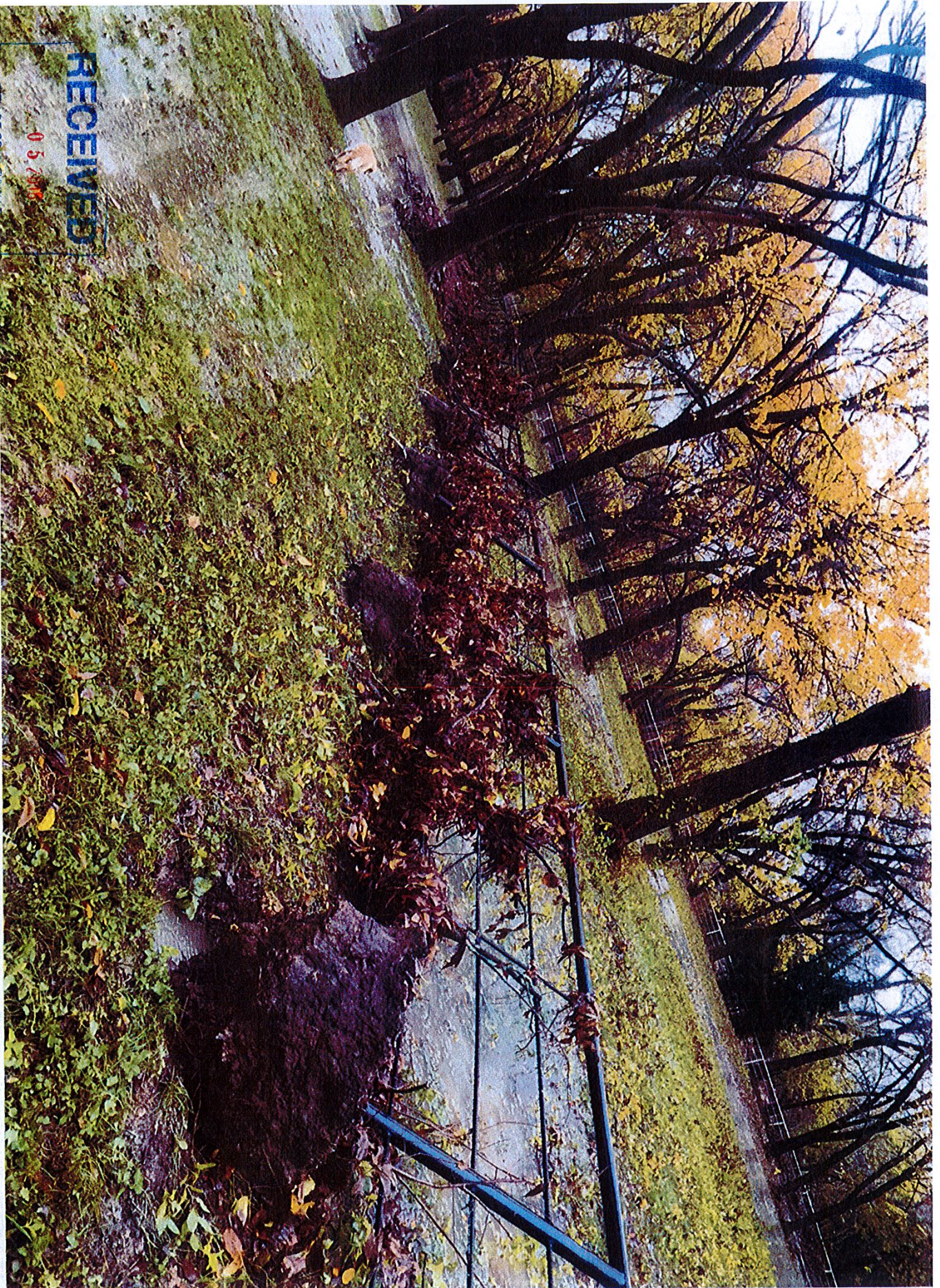


RECEIVED

JUL 05 2018

CITY OF CHICAGO

Letter of Opposition



RECEIVED

05/20/18

CITY OF COLLEEVILLE
BY COMMUNITY DEV. DEPT.

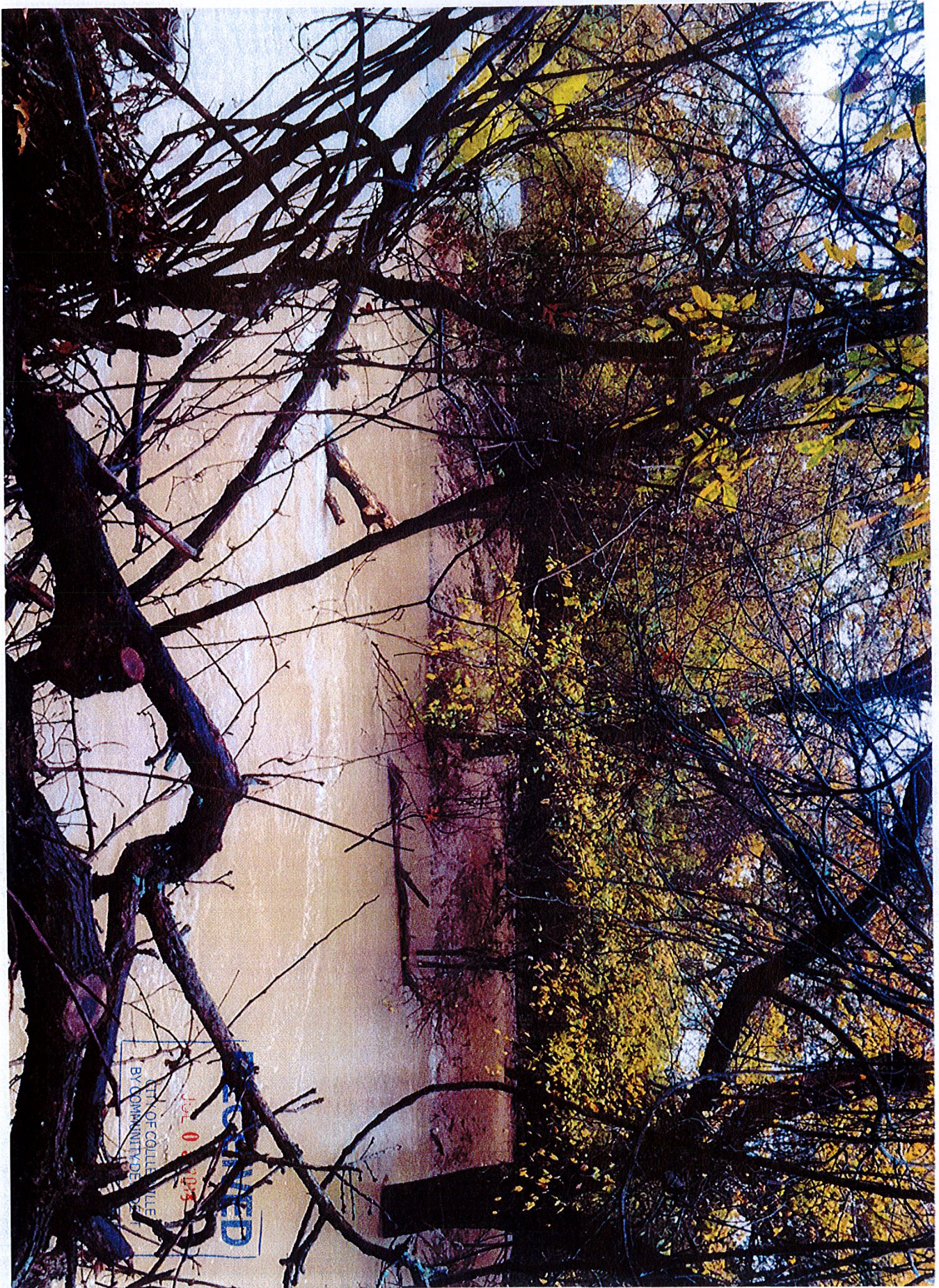
Letter of Opposition



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:

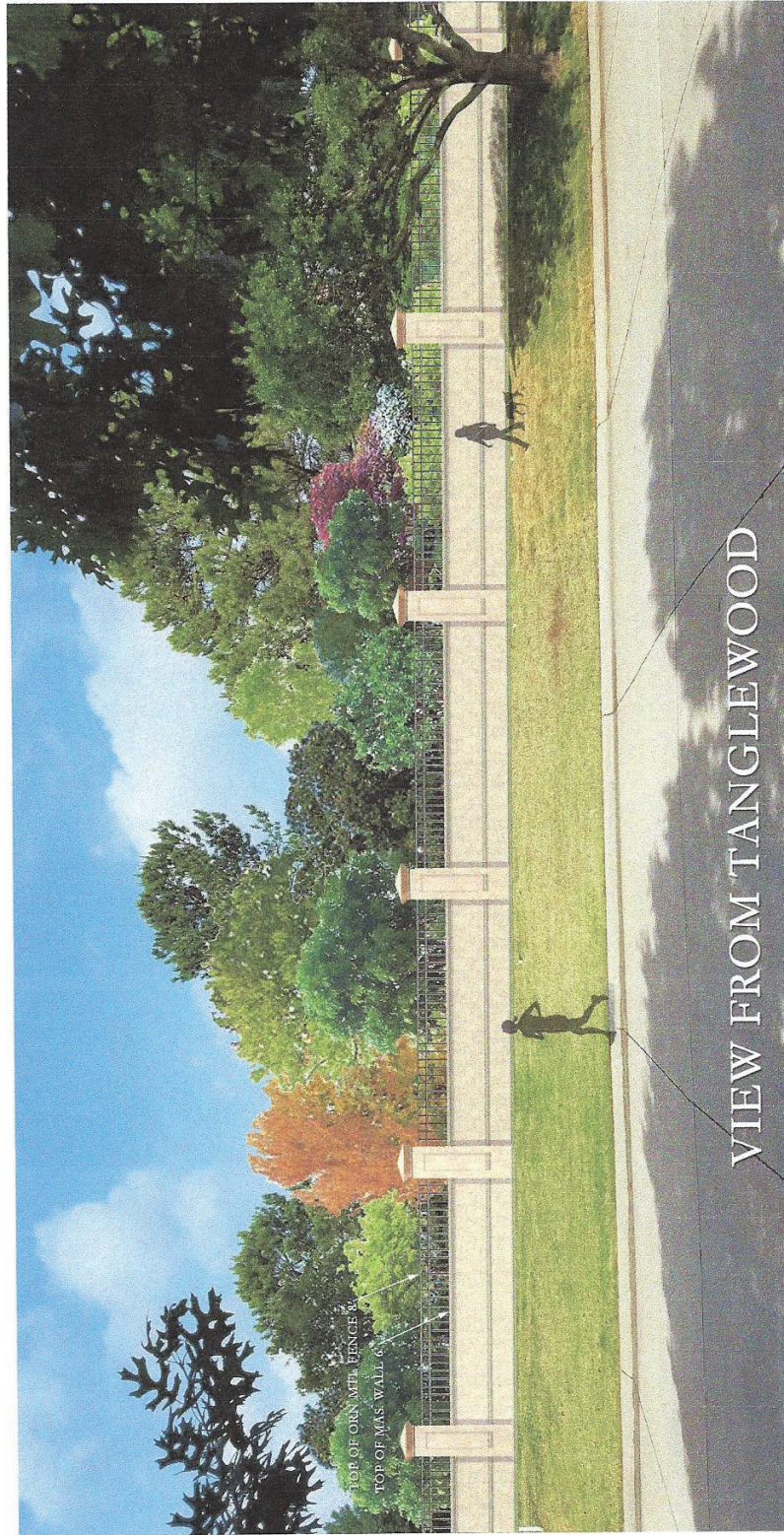
1. The wall along the boundary will be built by Oak Alley developers prior to any homes being built. The wall will be paid for and maintained in perpetuity by the Oak Alley HOA.
2. The portion of the landscape easement that will be on the Tanglewood side will be deeded as common area to the Tanglewood 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:
Sage Group, Inc.
430 Red Creek 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: 817-425-2626
Contact: Curtis Young

Planner:
SAGE GROUP, INC.
Master Planning
Landscape Architecture
Interior Architecture
1130 N. Carroll Ave., Suite 200
Southlake, Texas 76092
817-425-2626



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

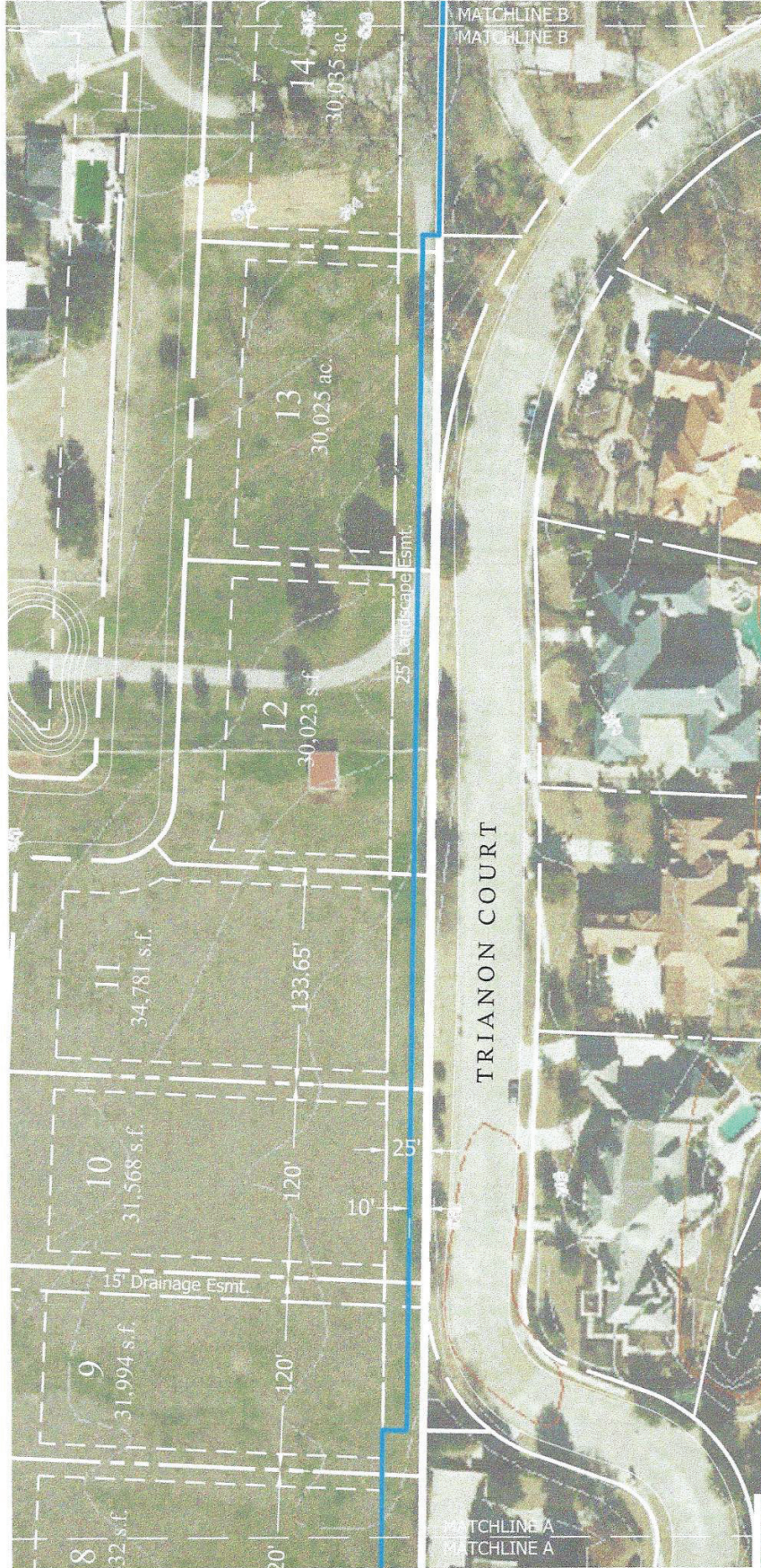
Oak Alley

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

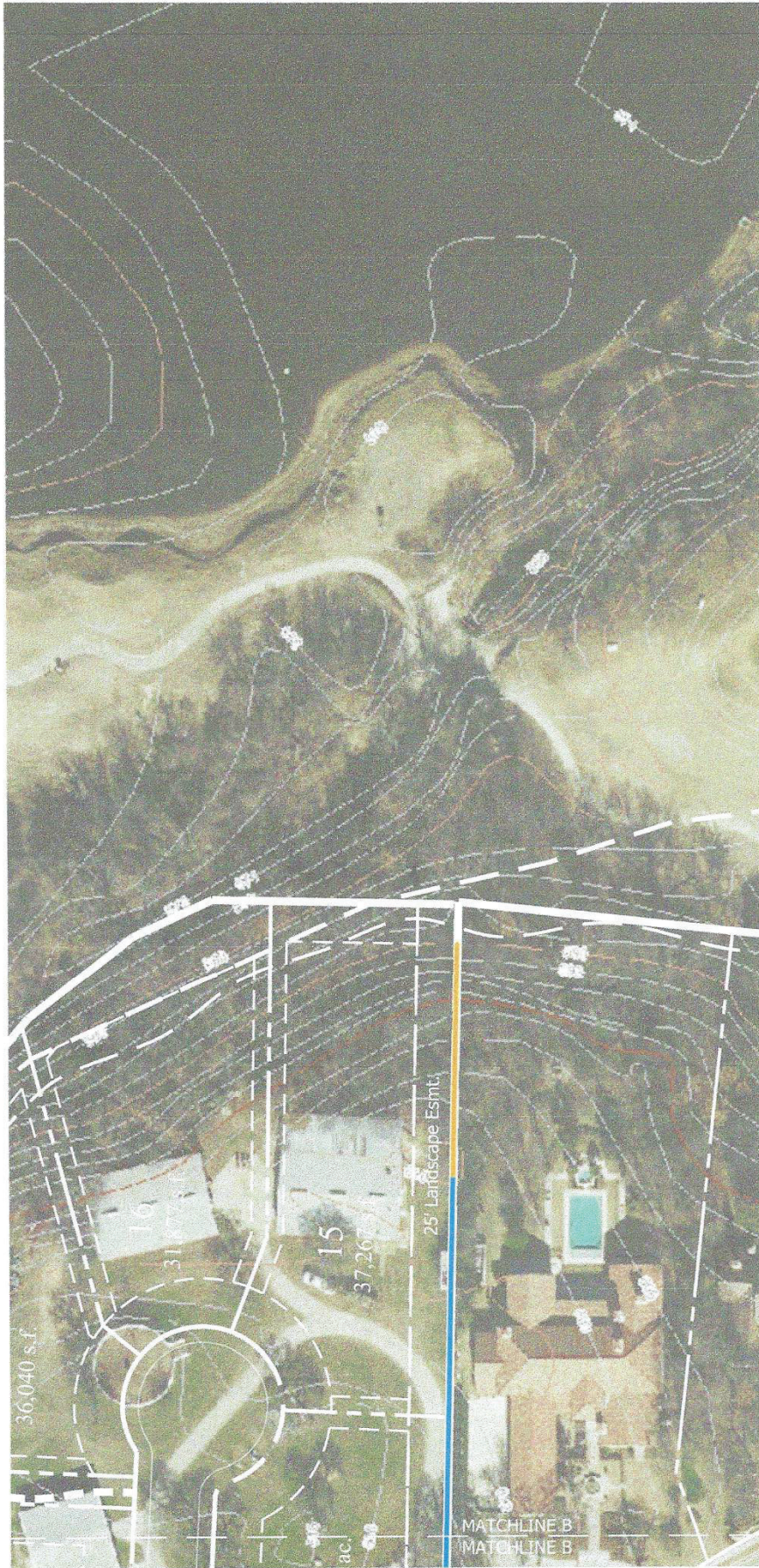
Oak Alley

Eastern Boundary Detail (Sheet 2 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'
Retain or Construct Iron Fence

Planner: SAGE GROUP, INC.
Water Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Central Ave., Ste. 200
Southfield, Texas 75082
311-44-1416



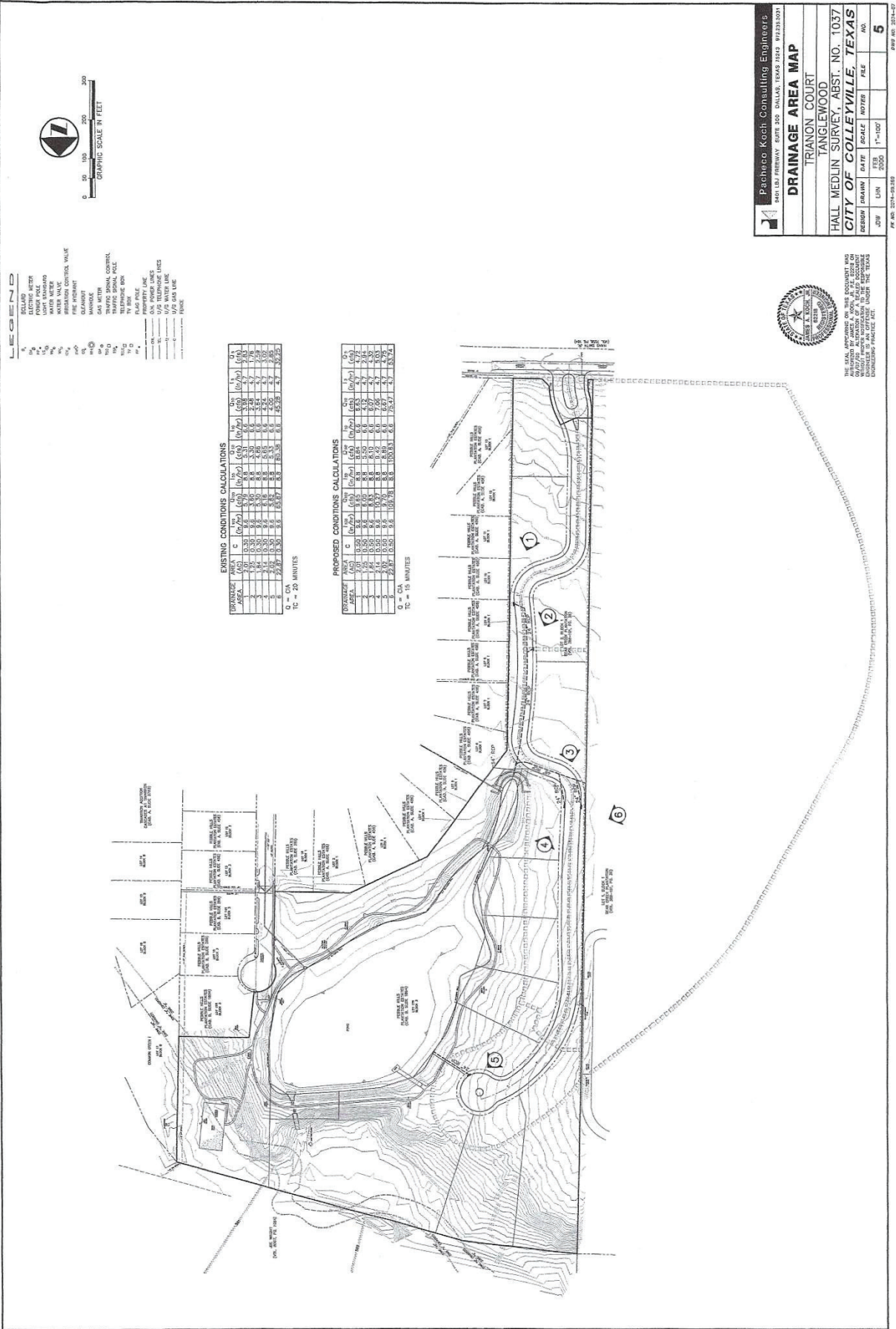
Case #ZC18-002

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 Huffman (By MSH)

Mary & Jerry Huffman, 7309 Trianon Ct

Jerry Huffman

Chuck & Connie Mady

Chuck & Connie Mady, 7301 Trianon Ct

Connie E Mady

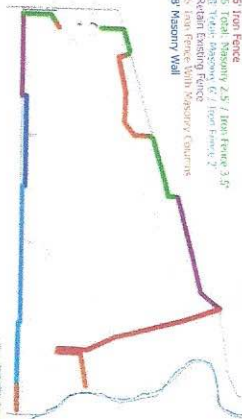
Michael Venemeyer & Andrea Holinga

Michael Venemeyer & Andrea Holinga, 7312 Trainon Ct.

Andrea Holinga

Wall / Fence Diagram (See Detailed Sheets for Detailed Locations)

- 6' Iron Fence
- 5' Concrete Sidewalk
- 5' Concrete Trail
- 5' Flood Plain approximate 100 Year Floodway
- 6' Iron Fence With Masonry Columns
- 8' Masonry Wall



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

- ### Legend
- 4' Concrete Sidewalk
 - 5' Concrete Trail
 - 5' Flood Plain approximate 100 Year Floodway
 - Common Open Space
 - Common Open Space within Floodway
 - Residential Lots
 - Landscape Easement



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, Texas 76092
817-424-2626



Development Plan

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

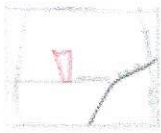
Exhibit A

Oak Alley

Case #ZC18-019

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

Colleyville, Tarrant County, Texas



Owner:
Bear Creek Plantation
11111 Bear Creek Road
Colleyville, TX 76034

Surveyor:
Hester Surveying, Inc.
2100 Star 1300, Suite 100
Austin, TX 78704
Tel: 512-331-1111

Engineer:
Carter, Inc.
1000 International Blvd., Suite 100
Dallas, TX 75208
Tel: 972-352-1111
Carter, Inc. - Dallas

Applicant:
Sage Group, Inc.
11111 Bear Creek Road, Suite 100
Colleyville, TX 76034
Tel: 817-411-1111
Contact: Carter, Inc.

Planter:

SAGE GROUP, INC.
11111 Bear Creek Road, Suite 100
Colleyville, TX 76034
Tel: 817-411-1111
Contact: Carter, Inc.



1" = 100'



Tree Locations

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

Zoning R
Zoning Change
From AG & B-401

Case #2C1

Oak All

Colleyville, Tarrant County



Planter:

SAGE GROUP, INC.
11111 Bear Creek Road, Suite 100
Colleyville, TX 76034
Tel: 817-411-1111
Contact: Carter, Inc.



1" = 100'



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

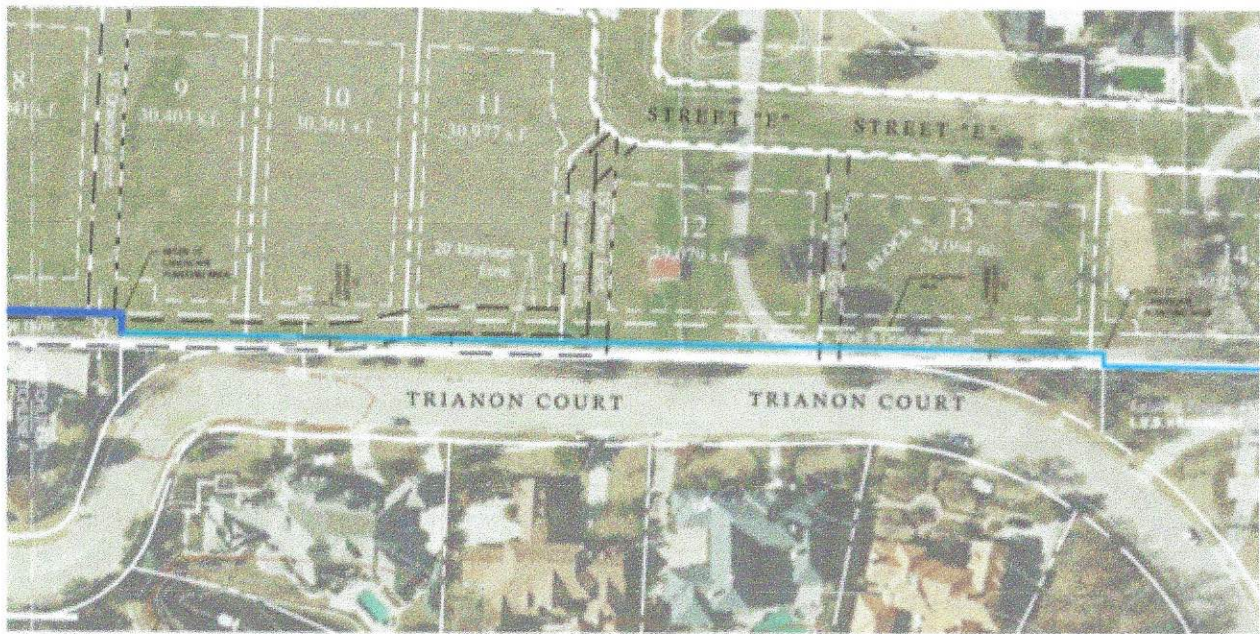
Eastern Boundary Detail (Sheet 1 of 3)

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

Case #2C18

Oak All

Colleyville, Tarrant County



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

Eastern Boundary Detail (Sheet 2 of 3)

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

Case #ZC18

Oak Alley

Colonyville, Tarrant County



↖ This one will have the solid wall going further in their revised plan

From: **Curtis Young** cyoung@sage-dfw.com 
Subject: Oak Alley- Zoning Submittal Exhibits #2 of 3
Date: June 22, 2018 at 2:43 PM
To: Burk Collins burk@burkcollinscompany.com
Cc: Huffman Mary maryshuffman@gmail.com, Gottfredson, Mark Mark.Gottfredson@Bain.com



All:

Please see attached the *second* batch of PDF copies of the re-submittal exhibits for Oak Alley. Because of file sizes, there will be 1 more email.

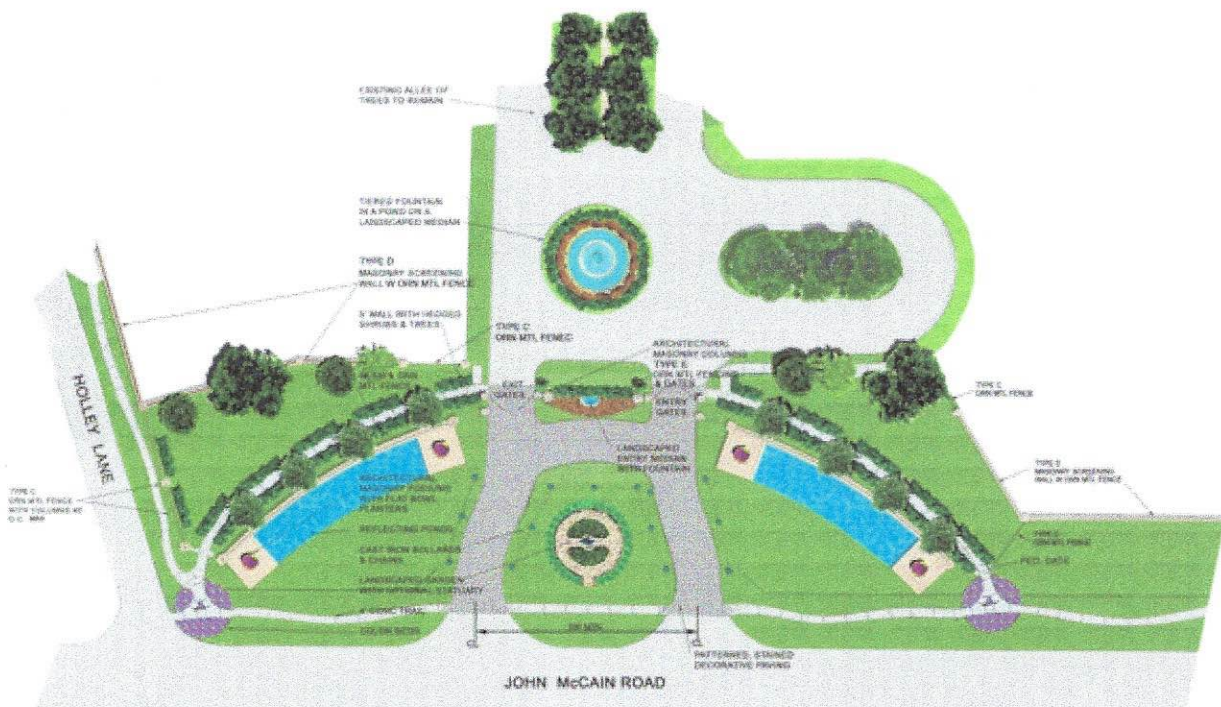
These reflect the agreements we've discussed.

Please let me know if you have any questions.

Thanks-

Curtis W. Young, AIA
Sage Group, Inc.
1130 N. Carroll Avenue, Suite 200
Southlake, Texas 76092
Tel: 817-424-2626 (Metro)
Fax: 817-424-2890
Cell: 817-909-0909

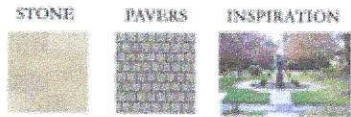
Email: cyoung@sage-dfw.com



SAGE GROUP, INC.
Curtis Young
AIA
Landscape Architect
1130 N. Carroll Ave., Suite 200
Southlake, Texas 76092
Tel: 817-424-2626

THE ENTRY

OAK ALLEY

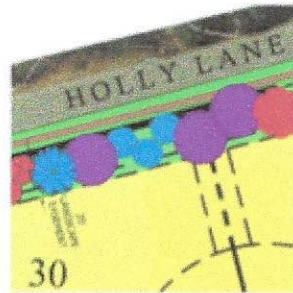


THE ENTRY

OAK ALLEY

Holly Lane / Western Boundary Landscape Easement - Landscape Specifications

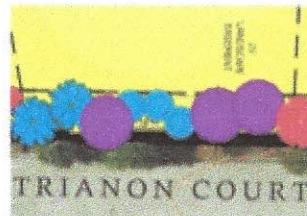
Color	Plant Name	Quantity	Size	Comments / Remarks
Red	Red Maple	10	12" x 12"	Plant in 10' x 10' area
Purple	Purple Hydrangea	10	12" x 12"	Plant in 10' x 10' area
Blue	Blue Hydrangea	10	12" x 12"	Plant in 10' x 10' area
Planting Notes				
Red	Red Maple	10	12" x 12"	Plant in 10' x 10' area
Purple	Purple Hydrangea	10	12" x 12"	Plant in 10' x 10' area
Blue	Blue Hydrangea	10	12" x 12"	Plant in 10' x 10' area



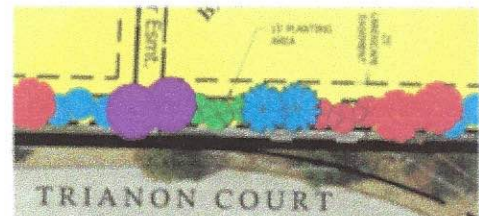
25' PLANTING EASEMENT
2' PLANTING EASEMENT
2' PLANTING EASEMENT
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2' PLANTING EASEMENT
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2' PLANTING EASEMENT
2' PLANTING EASEMENT
2' PLANTING EASEMENT

Eastern Boundary Landscape Easement - Landscape Specifications

Color	Plant Name	Quantity	Size	Comments / Remarks
Red	Red Maple	10	12" x 12"	Plant in 10' x 10' area
Purple	Purple Hydrangea	10	12" x 12"	Plant in 10' x 10' area
Blue	Blue Hydrangea	10	12" x 12"	Plant in 10' x 10' area
Planting Notes				
Red	Red Maple	10	12" x 12"	Plant in 10' x 10' area
Purple	Purple Hydrangea	10	12" x 12"	Plant in 10' x 10' area
Blue	Blue Hydrangea	10	12" x 12"	Plant in 10' x 10' area



25' PLANTING EASEMENT
2' PLANTING EASEMENT
2' PLANTING EASEMENT
2' PLANTING EASEMENT
2' PLANTING EASEMENT
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25' PLANTING EASEMENT
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2' PLANTING EASEMENT
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2' PLANTING EASEMENT

From: **Curtis Young** cyoung@sage-dfw.com 
Subject: Oak Alley- Zoning Submittal Exhibits #3 of 3
Date: June 22, 2018 at 2:45 PM
To: Burk Collins burk@burkcollinscompany.com
Cc: Gottfredson, Mark Mark.Gottfredson@Bain.com, Huffman Mary maryshuffman@gmail.com



Last one!

Please confirm you've received all three emails.

Thanks-

Curtis W. Young, AIA
Sage Group, Inc.
1130 N. Carroll Avenue, Suite 200
Southlake, Texas 76092
Tel: 817-424-2626 (Metro)
Fax: 817-424-2890
Cell: 817-909-0909

Email: cyoung@sage-dfw.com



Planner: 
SAGE GROUP, INC.
1130 N. Carroll Avenue, Suite 200
Southlake, Texas 76092
Tel: 817-424-2626 (Metro)
Fax: 817-424-2890
Cell: 817-909-0909

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



Western Boundary Detail

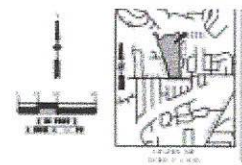
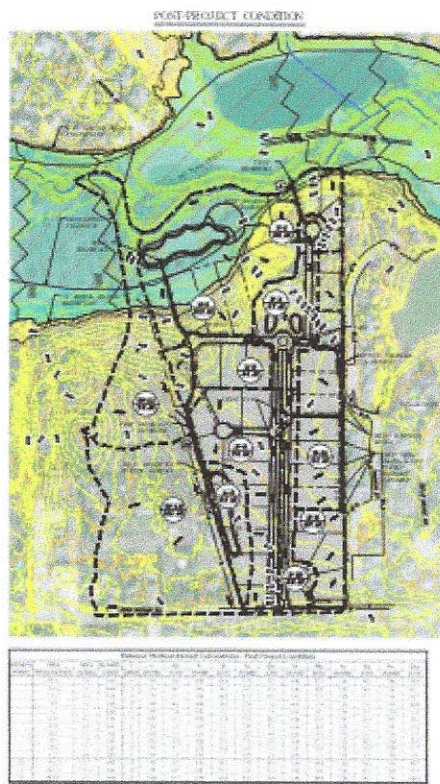
Oak Alley

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

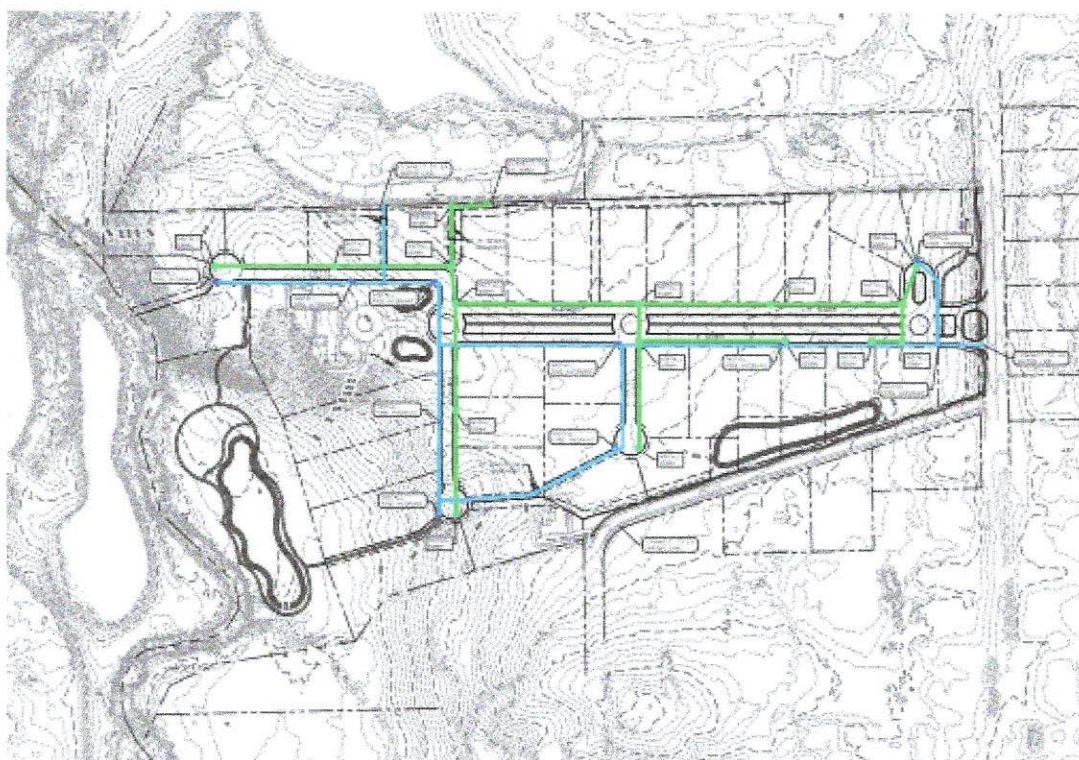
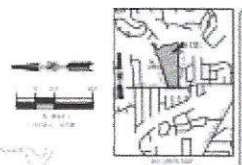
Colleyville, Tarrant County, Texas



180622 Oak
Alley-...s2.pdf

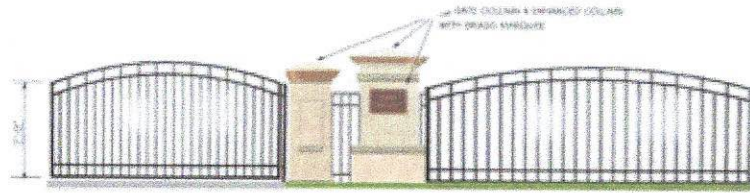


- [illegible]

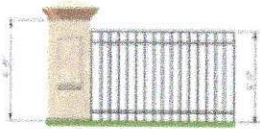
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A DECORATIVE SCREEN WALL



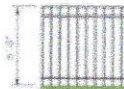
B ENTRY GATE MEDIAN ORNAMENTAL METAL FENCING
GATE & MEDIAN FENCING DESIGN T.B.D.



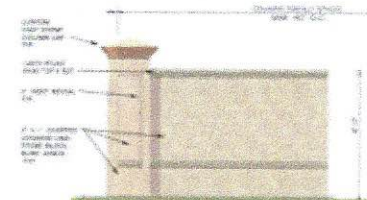
C ORNAMENTAL METAL FENCE
WITH COLUMN TERMINUS



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

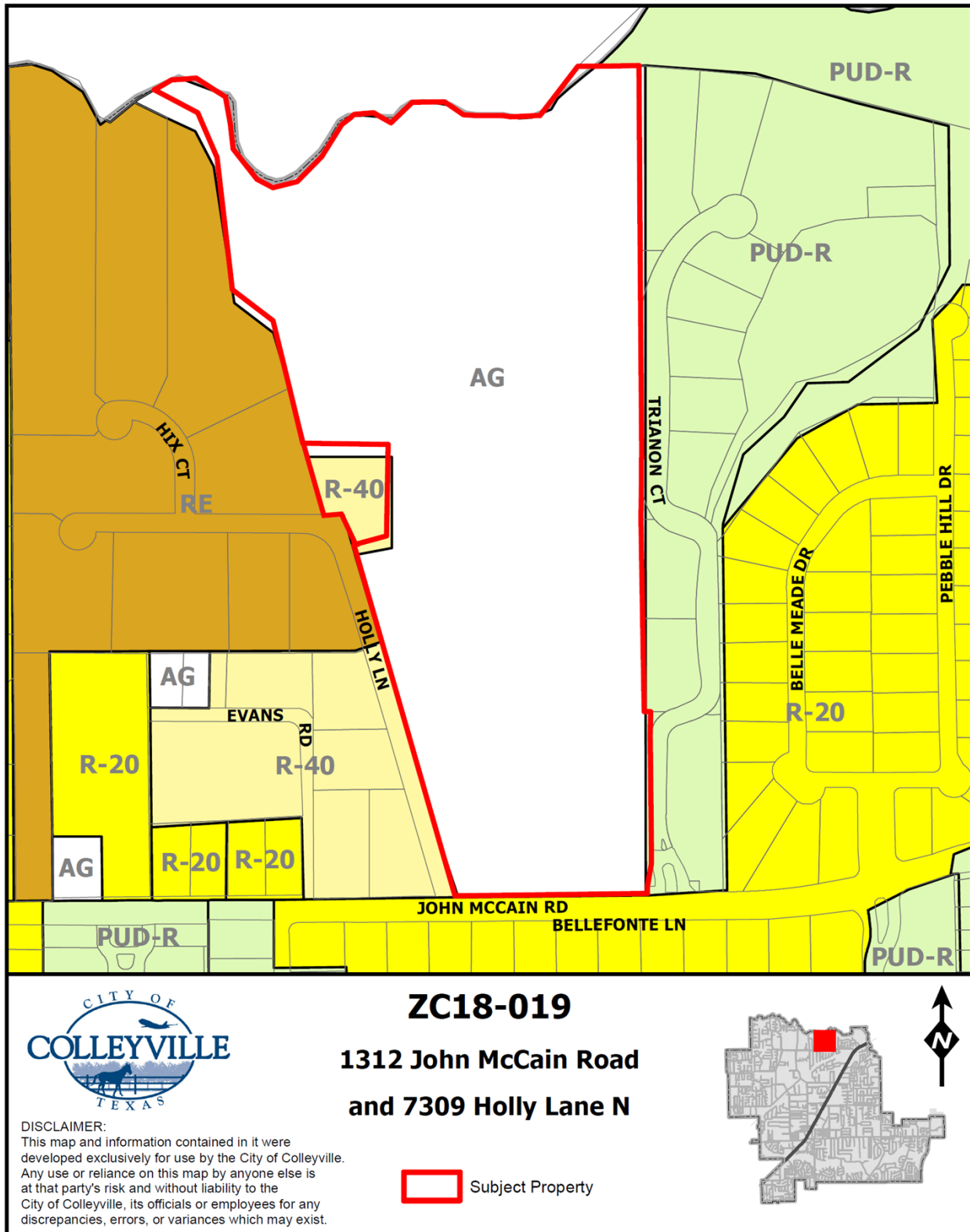


Exhibit “B” – Statement of Planning Objectives

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 widows allowed in the subdivision, only windows of higher quality and energy efficiency will be allowed. All windows will be insulated glass with a “low-e” specification.

Fencing: Wood fencing between lots is permitted. All front elevation fences, from the front of the house to the side property line, shall be open style fencing of decorative metal, and/or masonry. All lots backing to the Common Open Space shall be open style fencing of decorative metal, and/or Masonry.

Where lots back to existing residential lots with fences, the existing fence shall be kept, maintained or improved in coordination with each owner, as shown in the diagram on the Development Plan. Where open space lots border adjacent properties, either the existing fence will be maintained or improved, or a decorative masonry or metal fence will be installed, all in cooperation with the adjacent property owner.

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

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

Street Design Standards:

Right of Way:	Fifty feet (50’)
Travel Lane Width:	Thirty-one foot (31’), back of curb to back of curb
Turning Radii:	Fifteen feet (15’)

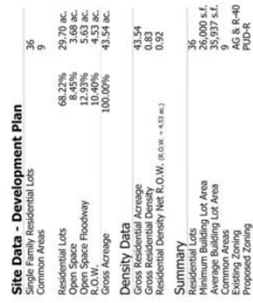
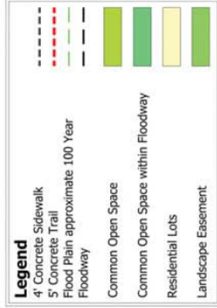
Open Space Standards:

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

Signage:

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

Colleyville, Tarrant County, Texas



Owner:
Bunk & Gloria Collins Trust
1312 John McCain Rd.
Colleyville, TX 76034

Surveyor:
Miller Surveying, Inc.
4300 Mid Cities Blvd.
Hurst, TX 76054
Tel: 817-577-1052

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

Applicant:

Planner:

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

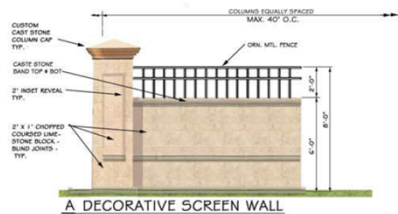
Development Plan

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



THE ENTRY

OAK ALLEY



A DECORATIVE SCREEN WALL



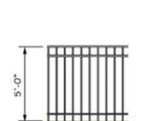
B ENTRY GATE MEDIAN ORNAMENTAL METAL FENCING
GATE & MEDIAN FENCING DESIGN T.B.D.



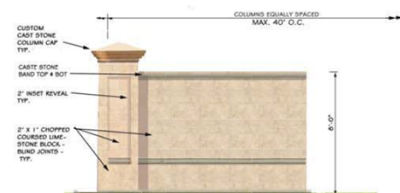
C ORNAMENTAL METAL FENCE
WITH COLUMN TERMINUS



D LOW STONE WALL WITH
ORNAMENTAL METAL FENCE



E ORNAMENTAL
METAL FENCE



F DECORATIVE SCREEN WALL

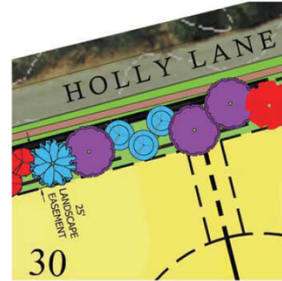


SCREENING WALLS & ORNAMENTAL FENCING EXHIBIT

OAK ALLEY

Holly Lane / Western Boundary Landscape Easement - Landscape Specifications

SHADE TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Live Oak	1	12" DBH	single trunk (over 10' x 10' x 10')
	Shrimp Apple	1	12" DBH	single trunk (over 10' x 10' x 10')
	Shrimp Apple	1	12" DBH	single trunk (over 10' x 10' x 10')
	Shrimp Apple	1	12" DBH	single trunk (over 10' x 10' x 10')
ORNAMENTAL TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Shrimp Apple	1	12" DBH	single trunk (over 10' x 10' x 10')
	Shrimp Apple	1	12" DBH	single trunk (over 10' x 10' x 10')
	Shrimp Apple	1	12" DBH	single trunk (over 10' x 10' x 10')
	Shrimp Apple	1	12" DBH	single trunk (over 10' x 10' x 10')



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' x 10' x 10')
	Shrimp Apple	1	12" DBH	single trunk (over 10' x 10' x 10')
	Shrimp Apple	1	12" DBH	single trunk (over 10' x 10' x 10')
	Shrimp Apple	1	12" DBH	single trunk (over 10' x 10' x 10')
ORNAMENTAL TREES				
SYMBOL	PLANT NAME	QUANTITY	SIZE	CONDITION / REMARKS
	Shrimp Apple	1	12" DBH	single trunk (over 10' x 10' x 10')
	Shrimp Apple	1	12" DBH	single trunk (over 10' x 10' x 10')
	Shrimp Apple	1	12" DBH	single trunk (over 10' x 10' x 10')
	Shrimp Apple	1	12" DBH	single trunk (over 10' x 10' x 10')



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'

Landscape Easement Plantings

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

Oak Alley

Colleyville, Tarrant County, Texas

STONE



PAVERS



INSPIRATION



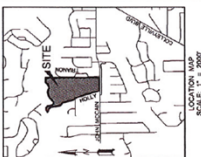
THE ENTRY

OAK ALLEY

BENCHMARKS

• 8238

DEOTTE, INC.

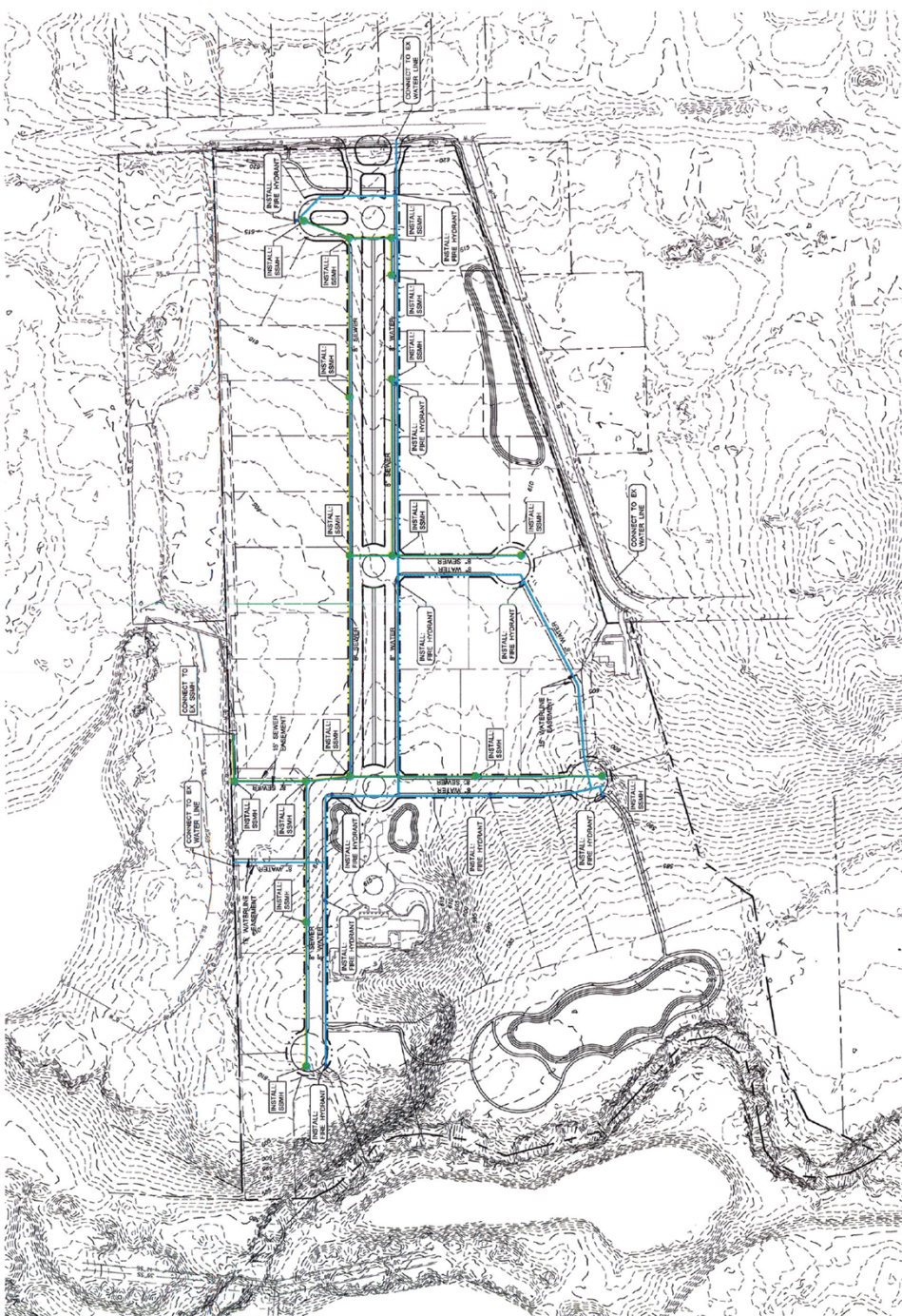


LOCATION MAP
SCALE: 1" = 3000'

LOCATION MAP
SCALE: 1" = 3000'

LEGEND

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



TANGLEWOOD ESTATES MAINTENANCE ASSOCIATION

October 28, 2018

Ben Bryner
City of Colleyville
100 Main Street
Colleyville, Texas 76034

Re: Oak Alley, 1312 John McCain Road, Rezoning Case No. ZC18-019

Dear Ben,

Please note that we are in support of the above referenced development.
The recent revisions made to both the PUD Zoning Ordinance and the CC&R's are
now in conformance with our Letter Agreement dated June 25, 2018.

Thank You,



Tanglewood Estates Maintenance Association
President

Date: October 29, 2018

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

Constance E Mady

Michael Venemeyer & Andrea Holinga

Michael Venemeyer & Andrea Holinga, 7312 Trainon Ct.

Andrea Holinga

ORDINANCE O-18-2056

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 43.54 ACRES ON LOTS 1R1 AND 1R2, BLOCK 1, BEAR CREEK PLANTATION ADDITION, LOCATED AT 1312 JOHN MCCAIN ROAD AND 7309 HOLLY LANE FROM THE AG AGRICULTURAL AND R-40 SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS TO THE PUD-R PLANNED UNIT DEVELOPMENT - RESIDENTIAL ZONING DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a rezoning under Case No. ZC18-019; and

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

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

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

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

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

by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made; 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 permanent perimeter wall/fencing shall be installed prior to home construction within the development and maintained in perpetuity by the Oak Alley HOA.
- 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.
- c. Preliminary Plat shall include measurement of buildable area and lot size for each lot within the development.
- d. Pedestrian access easements shall be provided to Holly Lane and John McCain and depicted on the Final Plat.

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
- c. The existing structure commonly known as the foreman's house (7309 Holly Lane) shall be demolished and removed within twenty-four (24) months of final plat approval.

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 minimum lot size for lots 1 and 3; 23,000 square feet minimum lot size for lots 32, 33, 34 and 35 (pond is to be conveyed to HOA and not calculated in lot size).

30,000 square feet for no more than 29 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, except where noted below and/or on the Development Plan
- g. Minimum House Size: 4,300 square feet
- h. Maximum Lot Coverage: 25 percent
- i. Lot 29 shall be limited to a single-story structure, and the rear setback shall be no less than 10' from Open Space Lot 10 (setback shall apply to all primary and accessory structures)

- j. Lots 31, 32, 33, 34, & 35 shall provide for a rear building setback from either Open Space Lot 10, or the the “wall and landscape easement” of no less than 15 feet (setback shall apply to all primary and accessory structures)
- k. Lots 4, 5, 6, 7, 8, 9, 10 & 11 shall provide for a rear building setback from the western boundary of the “landscape and wall easement” of no less than 50 feet (setback shall apply to all primary and accessory structures).
- l. Lots 12, 13 & 14 shall have no accessory structures in the rear yard, behind the primary house and/or garage.

5. OPEN SPACE

- a. This development shall provide not less than approximately 20% 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”.
- c. Landcaping easements along the east border of the development (Tanglewood) to be deeded to the Tanglewood Maintenance Association shall be conveyed and improved within 30 days of the Final Plat being recorded at the county. All green space improvements shall be installed immediately following wall/fence construction and shall be adequately irrigated and maintained to assure compliance with landscape plan.

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, plastic or chain-link fencing 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. Double fencing shall be prohibited.

- 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 or wood-clad 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.
- f. Wood, plastic, PVC, or chain-link type fences shall be prohibited.

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. An enhanced entry feature, as depicted in Exhibit "D" and hereto attached, shall be erected along the John McCain Road frontage and shall serve as the entryway to the development.
- h. The construction entrance(s) shall be on John McCain Road only. Access from Holly Lane shall be prohibited including the property commonly known as the foreman's house (7309 Holly Lane).
- 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. The north pond shall maintain at least 2 feet of storage capacity over the low water elevation design. All ponds shall be owned and 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.
- 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. Street lights, and the cost of electricity for the lights, shall be the responsibility of the HOA. Diverters/shields shall be installed on all street lights adjacent to perimeter homes.
- 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. The City reserves the right to revisit this PUD ordinance if the property is not final platted within 48 months of the date of Council approval.

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 Council;
 - 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 Council;
 - 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.
- 7) No boat, marine craft, hovercraft, recreational vehicle, pick-up camper, travel trailer, motor home, camper body or similar vehicle or equipment may be parked in public view for more than 24 consecutive hours within the development.
- 8) The HOA should make every effort to prevent unsightly structures or uses that can be visible from the neighbors outside the development.
- 9) Clothes lines or outside washing or drying of clothes shall be prohibited.
- 10) Garage doors should be of a side-load design or screened from street view and lots in adjacent neighborhoods.
- 11) Whenever possible, storage/shed buildings should be limited in height to avoid viewing by neighbors and subject to all building setback requirements.
- 12) Architectural design guidelines that include building rendering/evaluation illustrations.

- 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 4th day of December 2018.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 4th day of December 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
---	-------------------------

APPROVED AS TO FORM:

Whitt Wyatt
City Attorney

Exhibit "A" – Location and Zoning Map

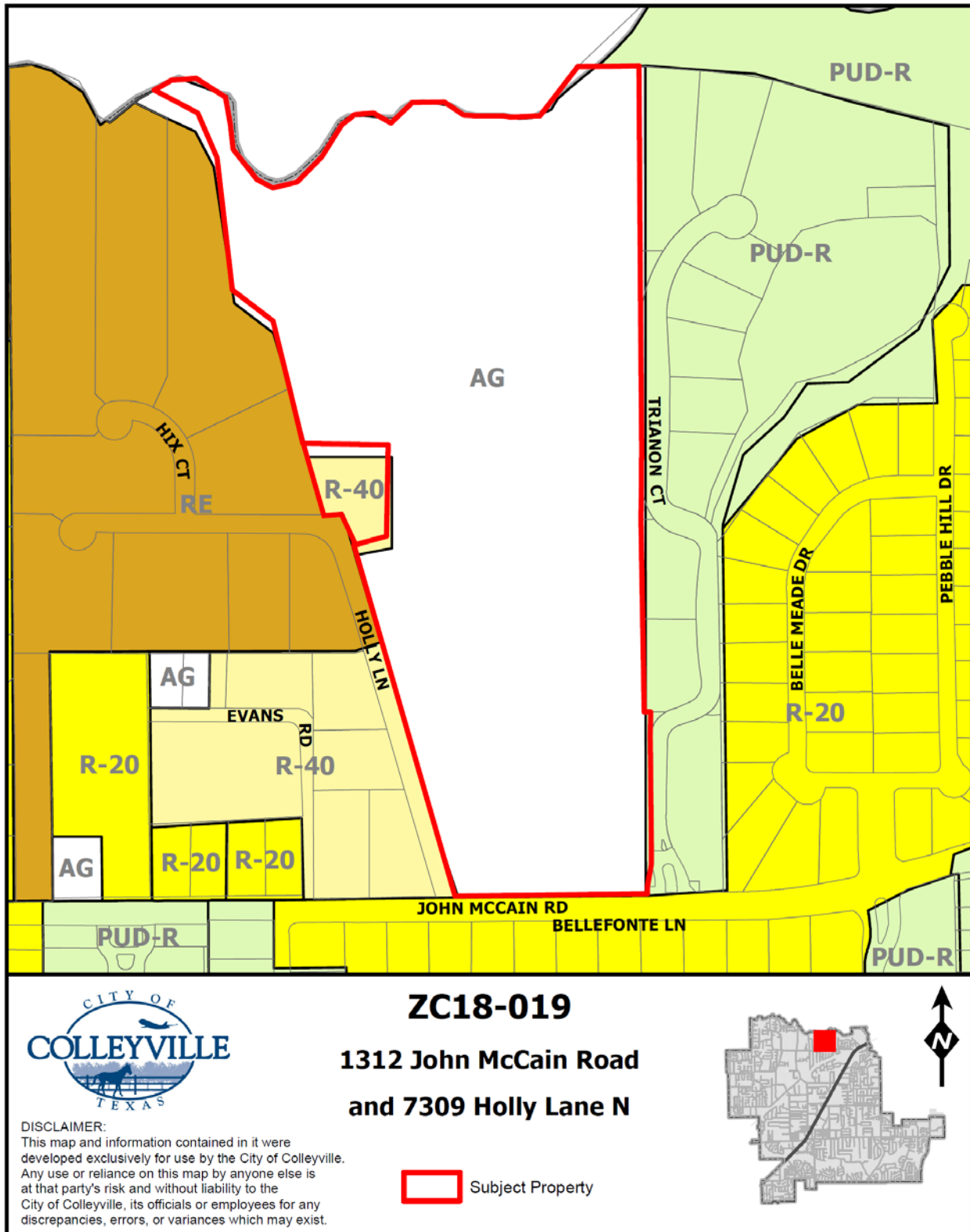


Exhibit “B” – Statement of Planning Objectives

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.

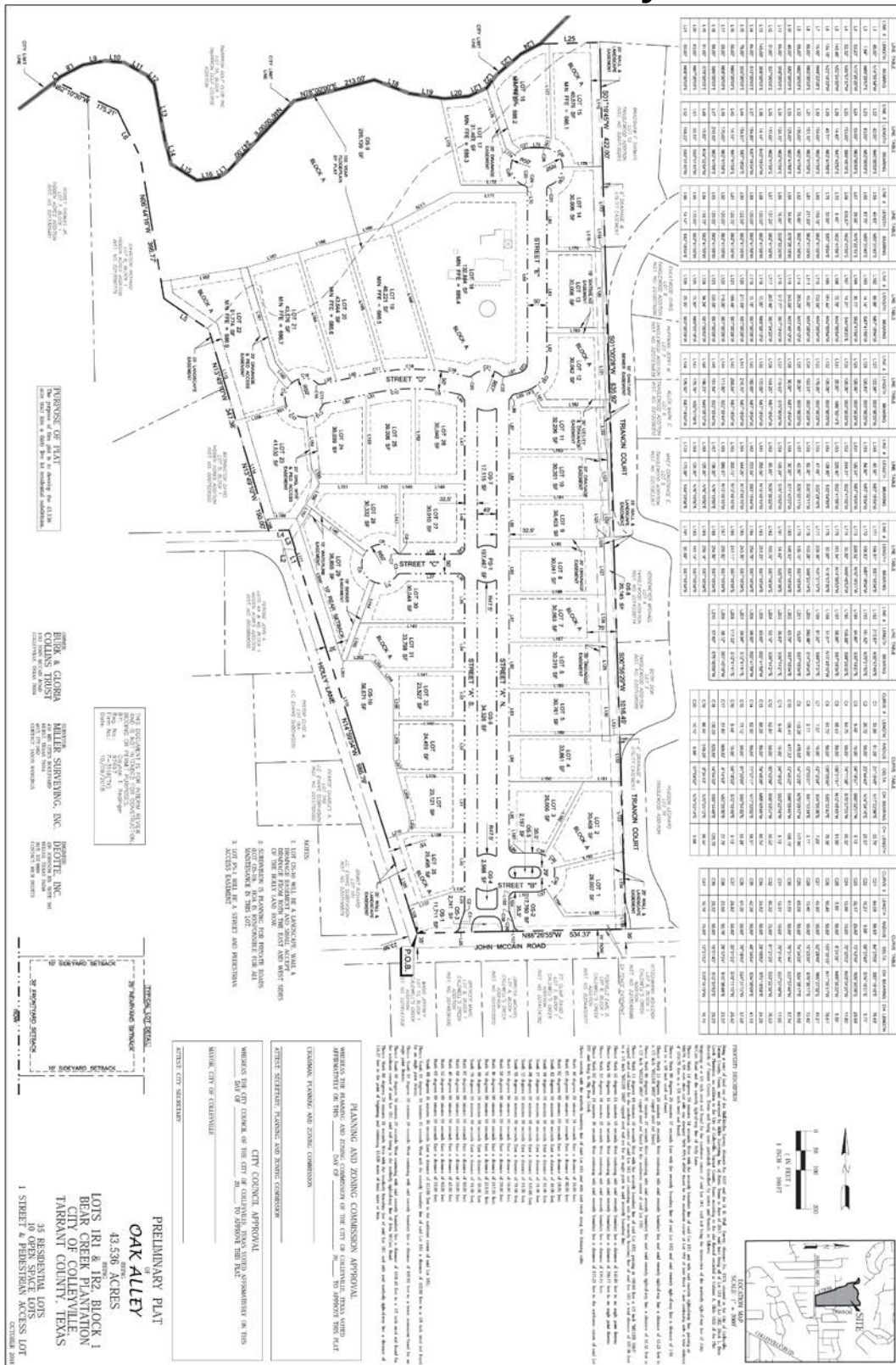
Street Design Standards:

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.
-----------------------	--

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

Exhibit "C" – Preliminary Plat





THE ENTRY

OAK ALLEY



A DECORATIVE SCREEN WALL



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



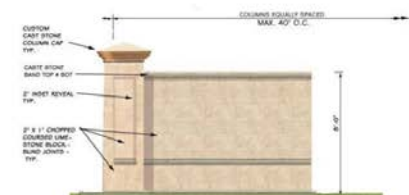
C ORNAMENTAL METAL FENCE
 WITH COLUMN TERMINUS



D LOW STONE WALL WITH
 ORNAMENTAL METAL FENCE



E ORNAMENTAL
 METAL FENCE



F DECORATIVE SCREEN WALL



SCREENING WALLS & ORNAMENTAL FENCING EXHIBIT

OAK ALLEY

STONE



PAVERS



INSPIRATION



SAGE GROUP, INC.
Master Planning
Site Design
Professional
Landscape Architecture
1120 N. Capital Ave., Ste 200
Birmingham, Texas 75007
TEL: 817-421-2626

THE ENTRY

OAK ALLEY



SAGE GROUP, INC.
Master Planning
Site Design
Professional
Landscape Architecture
1120 N. Capital Ave., Ste 200
Birmingham, Texas 75007
TEL: 817-421-2626

ELEVATION OF THE ENTRY

OAK ALLEY



Holly Lane / Western Boundary Landscape Easement - Landscape Specifications

SYMBOL	PLANT TYPE	QUANTITY	SIZE	CONC./COM. / 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"
●	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	CONC./COM. / 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"
●	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"

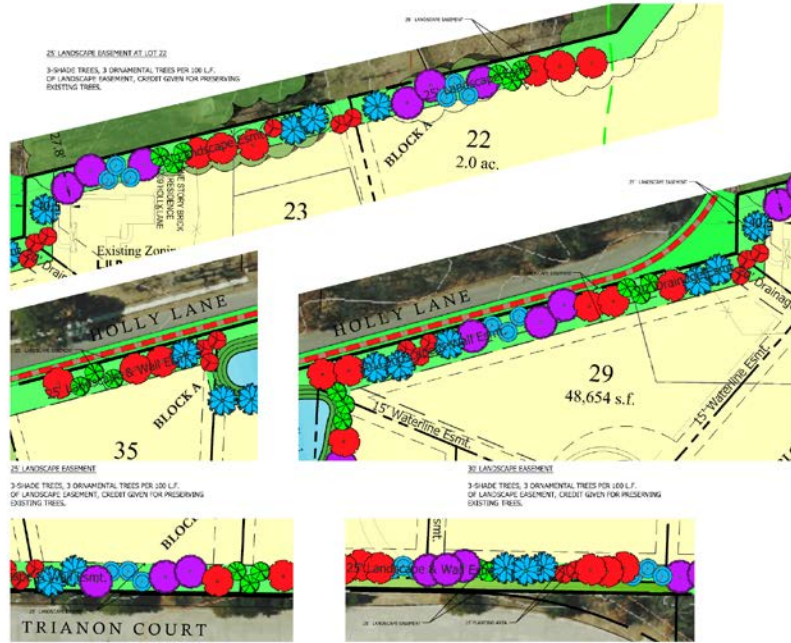
Planner:

SAGE GROUP, INC.
Landscape Architecture
10000 W. 10th Ave., Suite 100
Fort Worth, Texas 76132
(817) 551-1000



Landscape Easement Plantings

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

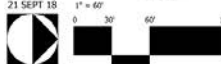


Oak Alley

Colleyville, Tarrant County, Texas



Planner: SAGE GROUP, INC.
 0000
 21 SEPT 18 1" = 60'



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

Eastern Boundry Detail (Sheet 1 of 3)

Case #ZC18-002

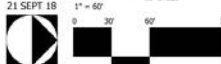
Oak Alley

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

Colleyville, Tarrant County, Texas



Planner: SAGE GROUP, INC.
 0000
 21 SEPT 18 1" = 60'



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

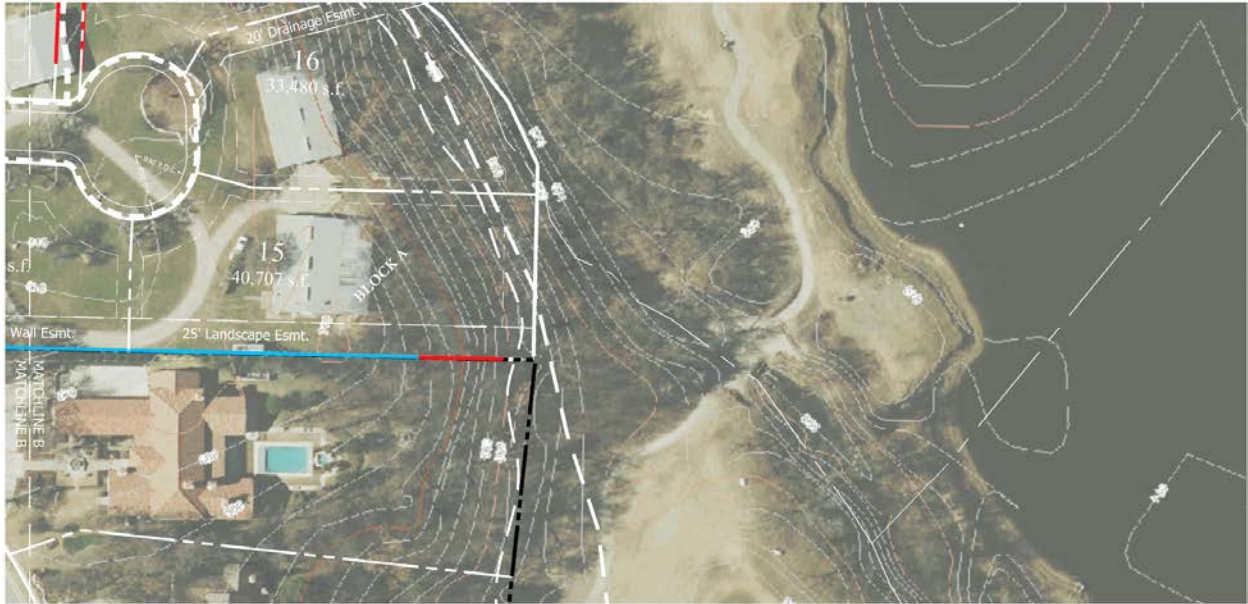
Eastern Boundry Detail (Sheet 2 of 3)

Case #ZC18-002

Oak Alley

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

Colleyville, Tarrant County, Texas



Planner: SAGE GROUP, INC.
Master Planning
Urban Design
Landscape Architecture
1120 N. G Street, Ste. 200
Ft. Worth, Texas 76102
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
1120 N. G Street, Ste. 200
Ft. Worth, Texas 76102
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

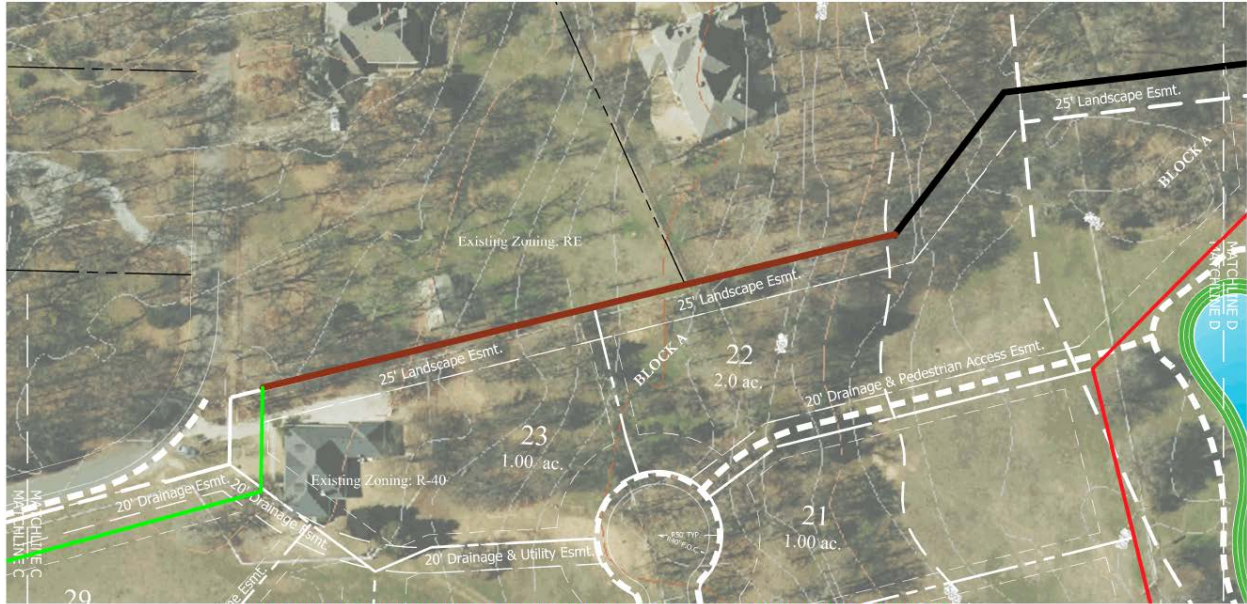
1" = 60'

Western Boundary Detail (Sheet 1 of 3)

Oak Alley

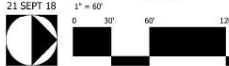
Bear Creek Plantation, Lot 1R1 Block 1 & Lot 1R2 Block 1

Colleyville, Tarrant County, Texas



Planner:  SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1200 N. Central Ave., Ste. 200
Ft. Worth, Texas 76102
817.424.5025

21 SEPT 18 1" = 60'



TYPE D - 6' Total: Masonry Wall 2.5' / Ornamental Metal Fence 3.5'
 TYPE A - 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 N. Central Ave., Ste. 200
Ft. Worth, Texas 76102
817.424.5025

21 SEPT 18 1" = 60'



Replace Pipe Rail Fence

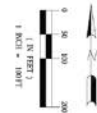
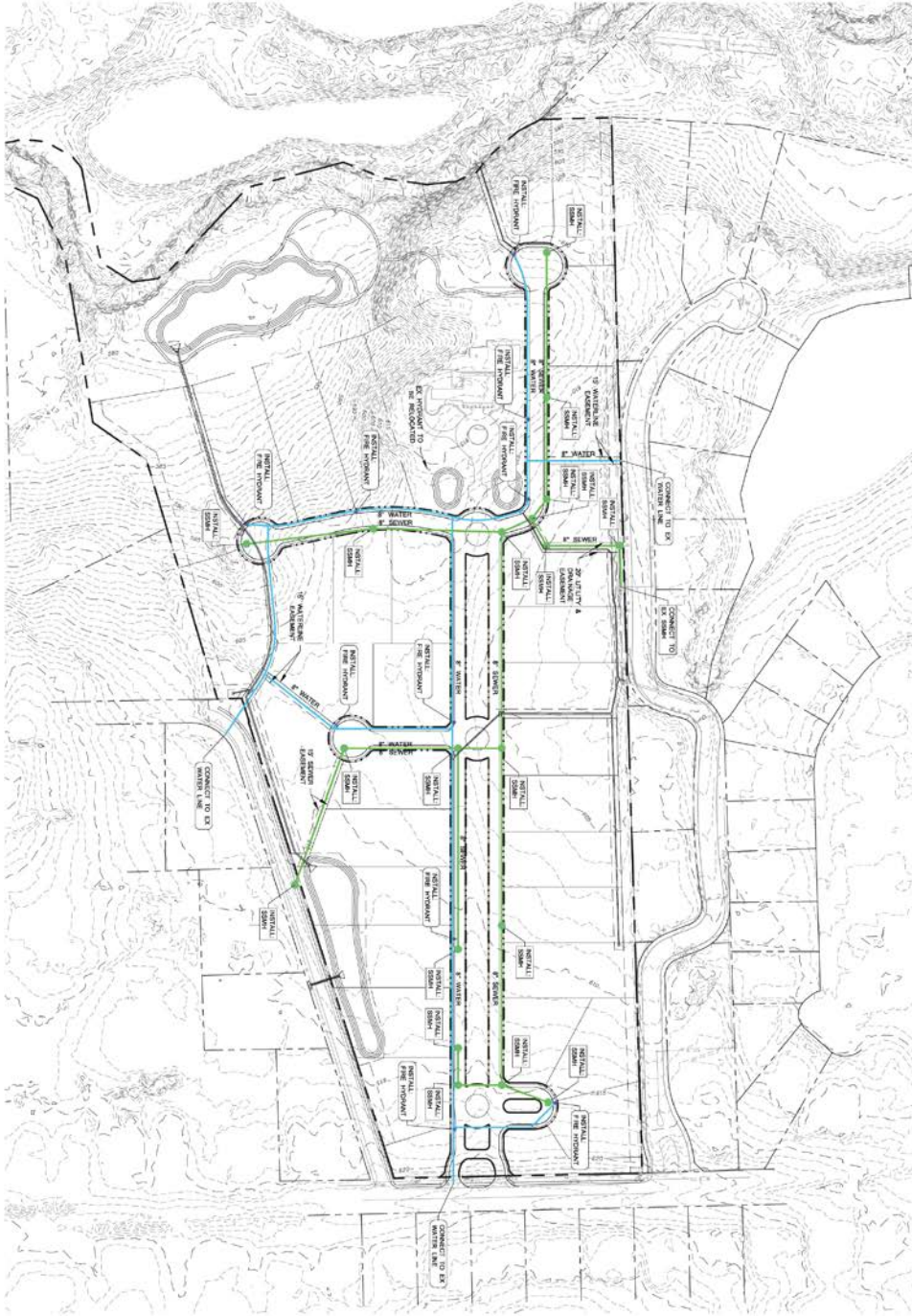
Western Boundary Detail (Sheet 3 of 3)

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

Case #ZC18-002

Oak Alley

Colleyville, Tarrant County, Texas



- LEGEND**
- 6" WATER LINE
 - 6" FIRE LINE
 - 6" SANITARY SEWER LINE
 - 15' SANITARY SEWER MANHOLE



3

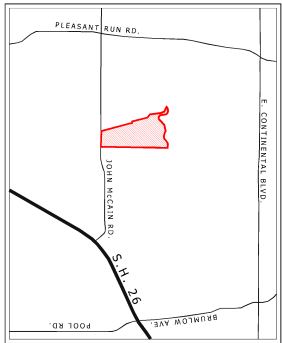
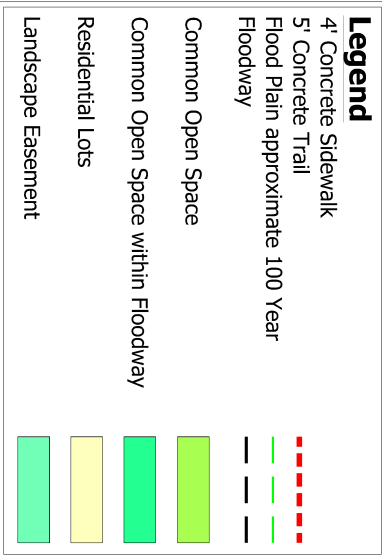
THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION. BEYOND OR FURTHER PROCEEDS. City of Colleyville, Texas. Project No. 2018-001. Date: 10/10/2018.

REVISIONS

NO.	DATE	DESCRIPTION
1	10/10/2018	PRELIMINARY UTILITY PLAN

PRELIMINARY UTILITY PLAN
OAK ALLEY
COLLEYVILLE, TEXAS

DEOTTE, INC.
 CIVIL ENGINEERING
 11111 AMY AVE. SUITE 100
 COLLEYVILLE, TEXAS 76034
 PHONE: (817) 551-1111
 FAX: (817) 551-1112
 WWW.DEOTTEINC.COM



Site Data - Development Plan	
Single Family Residential Lots	34
Common Areas	10
Residential Lots	65.76%
Open Space	11.28%
Open Space Floodway	12.62%
R.O.W.	10.34%
Gross Acreage	100.00%
Gross Acreage	43.54 ac.
Density Data	
Gross Residential Acreage	43.54
Gross Residential Density	0.78
Residential Density Net R.O.W. (R.O.W. = 4.40 ac.)	0.86
Summary	
Residential Lots	34
Minimum Building Lot Area	26,006 s.f.
Average Building Lot Area	36,699 s.f.
Common Areas	10
Existing Zoning	AG & R-40
Proposed Zoning	PUD-R

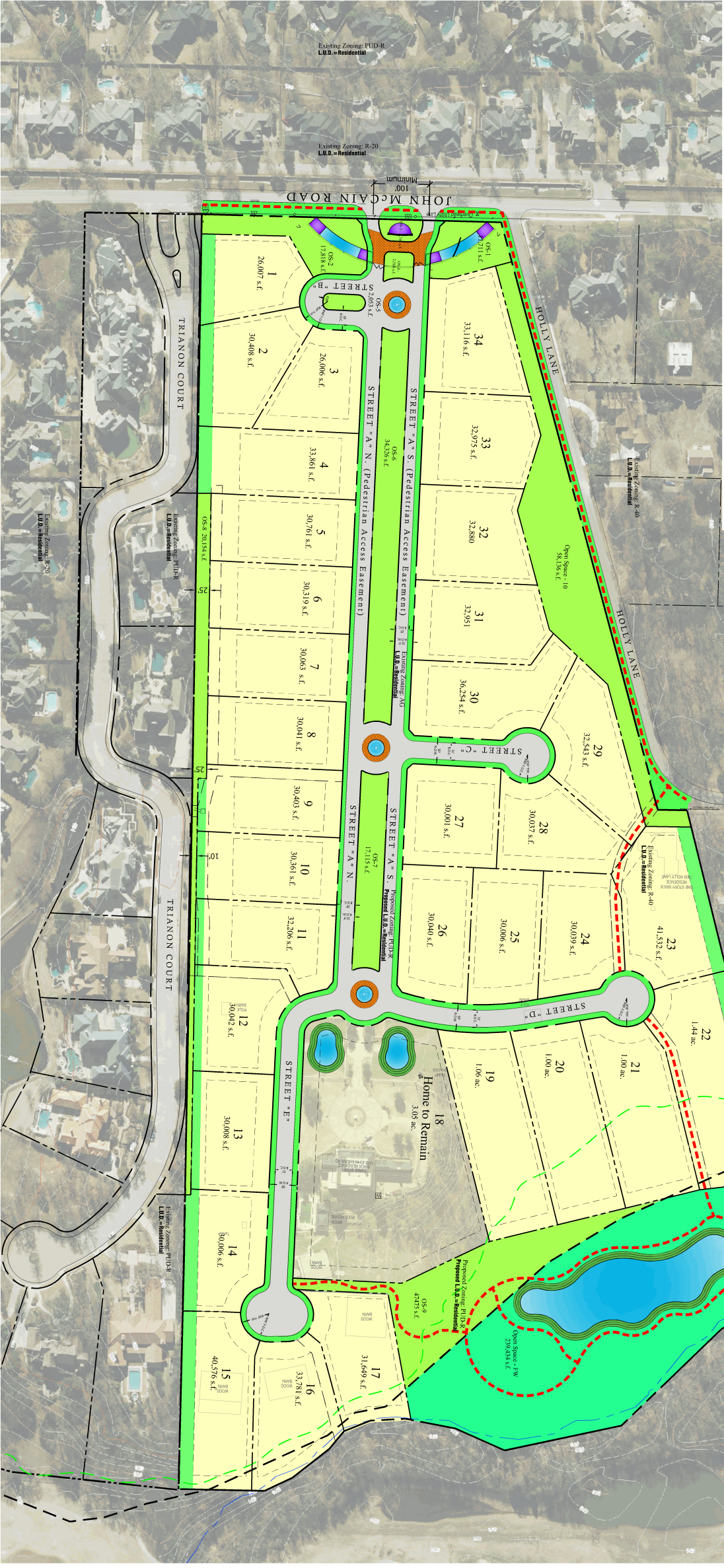
Owner:
Burk & Gloria Collins Trust
1312 John McCain Rd.
Colleyville, TX 76034

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

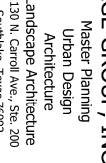
Planner:
SAGE GROUP, INC.
Master Planning
Urban Design
Architecture
Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
817-424-2626



25 JAN 19

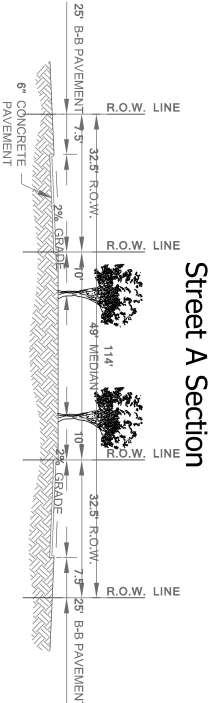
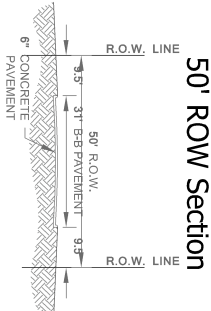
1" = 100'

0 100' 200' 400'



Development Plan

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



Zoning Exhibit for
Zoning Change Request
From AG & R-40 to PUD-R
Case #ZC18-019

Oak Alley

Colleyville, Tarrant County, Texas

LINE TABLE		
LINE #	LENGTH	BEARING
L1	45.00"	N14°59'54"W
L2	1.94"	N89°26'57"E
L3	53.23"	N15°26'25"W
L4	52.32"	N89°07'37"W
L5	140.46"	N52°24'53"W
L6	134.15"	N23°18'22"W
L7	16.00"	N48°23'38"E
L8	66.00"	N65°00'00"E
L9	58.00"	N82°00'00"E
L10	49.00"	S82°00'00"E
L11	66.00"	S58°00'00"E
L12	31.00"	S37°00'00"E
L13	145.00"	S08°00'00"E
L14	64.00"	S12°00'00"E
L15	78.00"	S55°00'00"E
L16	56.00"	N85°00'00"E
L17	29.00"	N58°00'00"E
L18	96.00"	S66°00'00"E
L19	91.00"	S79°00'00"E
L20	63.00"	N87°00'00"E
L21	50.00"	N68°00'00"E

LINE TABLE		
LINE #	LENGTH	BEARING
L22	42.00"	N40°00'00"E
L23	83.00"	N52°00'00"E
L24	55.00"	N65°00'00"E
L25	153.00"	S88°46'16"E
L26	14.43"	N47°43'52"E
L27	32.00"	S87°18'04"E
L28	40.71"	N02°41'56"E
L29	202.00"	N02°41'56"E
L30	165.58"	N02°41'56"E
L31	165.58"	N02°41'56"E
L32	170.59"	N02°41'56"E
L33	142.95"	N02°41'56"E
L34	125.13"	N02°41'56"E
L35	14.14"	N42°18'04"W
L36	154.89"	N87°18'04"W
L37	154.91"	S87°18'04"E
L38	125.13"	N02°41'56"E
L39	14.14"	N47°41'56"E
L40	170.00"	N02°41'56"E
L41	215.60"	N02°41'56"E
L42	15.92"	N34°32'04"W
L43	20.10"	S80°31'45"W
L44	108.22"	S80°31'45"W
L45	40.63"	N80°31'45"E

LINE TABLE		
LINE #	LENGTH	BEARING
L60	87.70"	N80°31'45"E
L61	39.58"	N76°25'15"E
L62	436.67"	N02°41'56"E
L63	8.49"	N02°41'56"E
L64	32.00"	S87°18'04"E
L65	159.18"	S02°41'56"W
L66	211.00"	S02°41'56"W
L67	75.65"	S02°41'56"W
L68	34.64"	S76°25'15"W
L69	16.00"	S39°33'36"W
L70	137.25"	S02°41'56"W
L71	120.00"	S02°41'56"W
L72	120.00"	S02°41'56"W
L73	120.00"	S02°41'56"W
L74	120.00"	S02°41'56"W
L75	120.00"	S02°41'56"W
L76	120.00"	S02°41'56"W
L77	120.00"	S02°41'56"W
L78	120.00"	S02°41'56"W
L79	120.00"	S02°41'56"W
L80	120.00"	S02°41'56"W
L81	120.00"	S02°41'56"W
L82	120.00"	S02°41'56"W
L83	120.00"	S02°41'56"W
L84	120.00"	S02°41'56"W
L85	120.00"	S02°41'56"W
L86	120.00"	S02°41'56"W
L87	120.00"	S02°41'56"W
L88	120.00"	S02°41'56"W
L89	120.00"	S02°41'56"W
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L175	120.00"	S02°41'56"W
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L200	120.00"	S02°41'56"W
L201	120.00"	S02°41'56"W
L202	120.00"	S02°41'56"W
L203	120.00"	S02°41'56"W
L204	120.00"	S02°41'56"W
L205	120.00"	S02°41'56"W
L206	120.00"	S02°41'56"W
L207	120.00"	S02°41'56"W
L208	120.00"	S02°41'56"W
L209	120.00"	S02°41'56"W
L210	120.00"	S02°41'56"W
L211	120.00"	S02°41'56"W

LINE TABLE		
LINE #	LENGTH	BEARING
L103	14.14"	S47°41'56"W
L104	30.71"	S02°41'56"W
L105	14.31"	S44°08'25"E
L106	72.78"	N14°59'54"W
L107	181.44"	N14°59'54"W
L108	732.56"	N14°59'54"W
L109	45.00"	N14°59'54"W
L110	263.29"	N13°49'10"W
L111	243.08"	N13°49'10"W
L112	317.77"	S01°19'45"W
L113	207.40"	S01°04'25"W
L114	10.35"	N88°58'13"W
L115	10.16"	S01°00'28"W
L116	211.09"	S01°00'28"W
L117	189.48"	S01°00'28"W
L118	118.05"	S01°00'28"W
L119	123.05"	S01°00'28"W
L120	94.24"	S01°00'02"W
L121	15.00"	N89°03'18"W
L122	25.35"	S00°56'29"W
L123	122.56"	S00°56'29"W
L124	120.81"	S00°56'29"W
L125	120.06"	S00°56'29"W
L126	120.06"	S00°56'29"W
L127	120.06"	S00°56'29"W
L128	120.06"	S00°56'29"W
L129	120.06"	S00°56'29"W
L130	120.06"	S00°56'29"W
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L201	120.06"	S00°56'29"W
L202	120.06"	S00°56'29"W
L203	120.06"	S00°56'29"W
L204	120.06"	S00°56'29"W
L205	120.06"	S00°56'29"W
L206	120.06"	S00°56'29"W
L207	120.06"	S00°56'29"W
L208	120.06"	S00°56'29"W
L209	120.06"	S00°56'29"W
L210	120.06"	S00°56'29"W
L211	120.06"	S00°56'29"W

LINE TABLE		
LINE #	LENGTH	BEARING
L128	120.81'	S00°56'29"W
L129	120.06'	S00°56'29"W
L130	120.06'	S00°56'29"W
L131	25.00'	N89°50'14"E
L132	120.05'	S00°56'29"W
L133	179.28'	S00°56'29"W
L134	163.51'	S00°56'29"W
L135	35.00'	S00°56'29"W
L136	30.00'	N87°18'04"W
L137	89.63'	S75°00'06"W
L138	188.53'	N87°18'04"W
L139	185.19'	N87°24'07"W
L140	216.95'	N87°24'07"W
L143	211.59'	N87°24'07"W
L144	147.69'	S26°44'24"W
L146	195.21'	N49°05'31"E
L147	179.78'	N02°41'56"E
L148	126.50'	N87°18'04"W
L149	40.50'	N87°18'04"W
L150	84.80'	N87°18'04"W
L151	120.51'	N87°18'04"W

This topographic map illustrates a property in Tanglewood, featuring several key elements:

- Floodplains:** The 0.2% Annual Chance Floodplain is shown in light blue, and the 1% Annual Chance Floodplain is shown in light green. A Regulatory Floodway is also indicated.
- Water Features:** Big Bear Creek flows through the upper portion of the map.
- Parcels and Easements:**
 - EX-A:** 8.4 AC, located near the center-left.
 - EX-B1:** 15.5 AC, located in the lower-center.
 - EX-B2:** 5.3 AC, located in the upper-right.
 - OS-1:** 20.1 AC, located in the lower-left.
- Infrastructure:**
 - John McCain Rd:** Runs along the bottom edge.
 - Holly Ln:** A narrow road running vertically through the center.
 - Augusta Ct:** Located in the upper-left corner.
 - Tanglewood:** The neighborhood name is visible on the right side.
 - Belle Meade Dr:** Located on the far right edge.
- Topography:** The map includes contour lines and spot elevations (e.g., 580, 590, 600, 610, 620) to show the terrain's elevation.
- Other Labels:** Various other labels include "REGULATORY FLOODWAY", "1% ANNUAL CHANCE FLOODPLAIN", "0.2% ANNUAL CHANCE FLOODPLAIN", and "TANGLEWOOD".

Rational Method Runoff Calculations - Existing Condition																
DESIGN POINT	AREA DESIGNATION	AREA (ACRES)	RUNOFF COEFF	Tc (MIN)	I ₂ (IN/HR)	Q ₂ (CFS)	I ₃ (IN/HR)	Q ₃ (CFS)	I ₁₀ (IN/HR)	Q ₁₀ (CFS)	I ₂₅ (IN/HR)	Q ₂₅ (CFS)	I ₅₀ (IN/HR)	Q ₅₀ (CFS)	I ₁₀₀ (IN/HR)	Q ₁₀₀ (CFS)
	OS-1	20.1	0.60	15	3.90	47.0	4.86	58.6	5.53	66.7	6.46	77.9	7.20	86.8	7.98	96.2
	EX-A	21.1	0.30	21	3.25	20.6	4.13	26.1	4.71	29.8	5.54	35.1	6.19	39.2	6.89	43.6
	EX-B1	15.5	0.30	15	3.90	18.1	4.86	22.6	5.53	25.7	6.46	30.0	7.20	33.5	7.98	37.1
	EX-B2	5.3	0.30	15	3.90	6.2	4.86	7.7	5.53	8.8	6.46	10.3	7.20	11.4	7.98	12.7
A	EX-A	21.1	0.30	21	3.25	20.6	4.13	26.1	4.71	29.8	5.54	35.1	6.19	39.2	6.89	43.6
B	ALL B	20.8	0.30	15	3.90	24.3	4.86	30.3	5.53	34.5	6.46	40.3	7.20	44.9	7.98	49.8

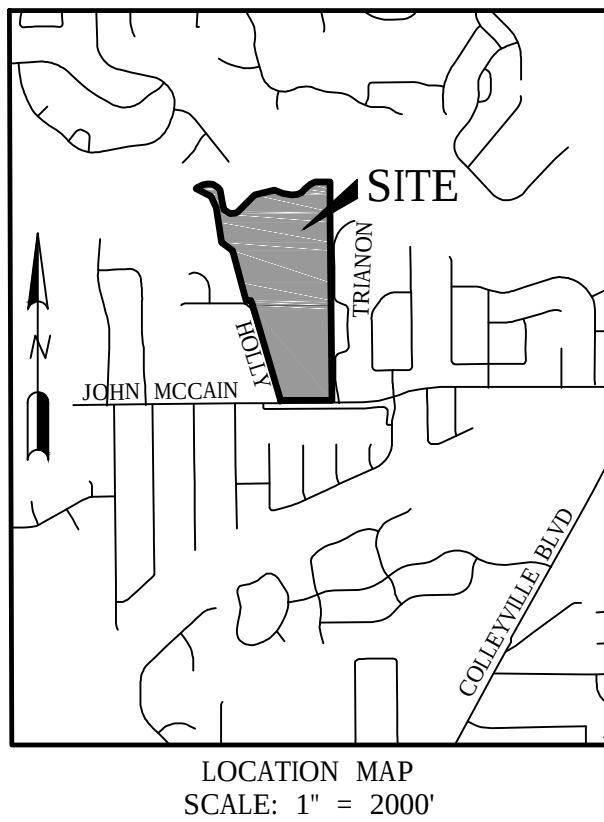
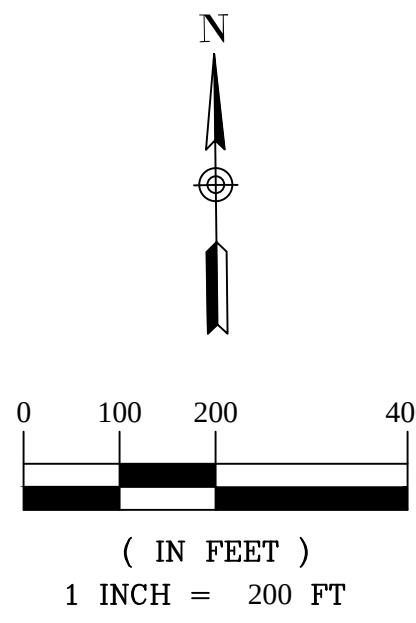
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Rational Method Runoff Calculations - Post-Project Condition																	
DESIGN POINT	AREA DESIGNATION	AREA (ACRES)	RUNOFF COEFF	T _c (MIN)	I ₂ (IN/HR)	Q ₂ (CFS)	I ₅ (IN/HR)	Q ₅ (CFS)	I ₁₀ (IN/HR)	Q ₁₀ (CFS)	I ₂₅ (IN/HR)	Q ₂₅ (CFS)	I ₅₀ (IN/HR)	Q ₅₀ (CFS)	I ₁₀₀ (IN/HR)	Q ₁₀₀ (CFS)	
	OS-1.1	7.0	0.60	15	3.90	16.4	4.86	20.4	5.53	23.2	6.46	27.1	7.20	30.2	7.98	33.5	
	OS-1.2	13.1	0.60	15	3.90	30.7	4.86	38.2	5.53	43.5	6.46	50.8	7.20	56.6	7.98	62.7	
	A-1	13.3	0.60	15	3.90	31.1	4.86	38.8	5.53	44.1	6.46	51.6	7.20	57.5	7.98	63.7	
	A-2	3.5	0.60	15	3.90	8.2	4.86	10.2	5.53	11.6	6.46	13.6	7.20	15.1	7.98	16.8	
	A-3	2.5	0.60	15	3.90	5.4	4.86	6.7	5.53	7.6	6.46	8.9	7.20	9.9	7.98	11.0	
	B-1A	6.1	0.60	15	3.90	14.3	4.86	17.8	5.53	20.2	6.46	23.6	7.20	26.4	7.98	29.2	
	B-1B	2.8	0.60	15	3.90	6.6	4.86	8.2	5.53	9.3	6.46	10.9	7.20	12.1	7.98	13.4	
	B-2	2.7	0.60	15	3.90	6.3	4.86	7.9	5.53	9.0	6.46	10.5	7.20	11.7	7.98	12.9	
	B-3	7.0	0.60	15	3.90	16.4	4.86	20.4	5.53	23.2	6.46	27.1	7.20	30.2	7.98	33.5	
	B-4	3.7	0.60	15	3.90	8.7	4.86	10.8	5.53	12.3	6.46	14.3	7.20	16.0	7.98	17.7	
	C-1	0.6	0.60	15	3.90	1.4	4.86	1.7	5.53	2.0	6.46	2.3	7.20	2.6	7.98	2.9	
	OS	OS-1.2	13.1	0.60	15	3.90	30.7	4.86	38.2	5.53	43.5	6.46	50.8	7.20	56.6	7.98	62.7
	A	ALL A	19.1	0.60	15	3.90	44.7	4.86	55.7	5.53	63.4	6.46	74.0	7.20	82.5	7.98	91.5
	B	ALL B	22.3	0.60	15	3.90	52.2	4.86	65.0	5.53	74.0	6.46	86.4	7.20	96.3	7.98	106.8

BURK & GLORIA COLLINS TRUST

DEOTTE, INC.
420 JOHNSON RD, SUITE 303
KELLER, TEXAS 76248
(817) 337-8899
CONTACT: CLAYTON REDINGER

SAGE GROUP, INC.
1130 N. CARROLL AVE., SUITE 200
SOUTHLAKE, TEXAS 76092
(817) 424-2626
CONTACT: CURTIS YOUNG



DRAINAGE AREA LABEL

FLOW ARROW

--- EXISTING CONTOUR MINOR

— 500 —

DESIGN POINT

NOTES:

1. PROPOSED GRADING IMPROVEMENTS WITHIN THE REGULATORY FLOODWAY OF BIG BEAR CREEK WILL LIKELY REQUIRE A CLOMR SUBMITTAL THROUGH FEMA AT A LATER DATE DETAILING HYDRAULIC IMPACT DUE TO DEVELOPMENT.
2. ULTIMATE CONFIGURATION AND SIZING OF PROPOSED IMPROVEMENTS MAY CHANGE SLIGHTLY IN FINAL DESIGN.
3. TOPOGRAPHY OBTAINED THROUGH TEXAS NATURAL RESOURCE INFORMATION SERVICE (TNRIS), 2009, NAVD 88 VERTICAL DATUM.
4. REF. TANGLEWOOD RECORD DRAINAGES (STAMPED 05-23-02) FOR DOWNSTREAM STORM DRAINAGE CAPACITY & CONFIGURATION.
5. BIG BEAR CREEK SPECIAL FLOOD HAZARD AREA OBTAINED THROUGH TARRANT COUNTY GIS, REFERENCED TO NAD83 TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, US FEET.
6. INLET LOCATION ON WEST SIDE OF HOLLY ROW TO BE COORDINATED WITH EXISTING PROPERTY OWNERS TO WEST. INLETS WILL BE DESIGNED TO PICK UP PORTION OF OS-1.2 DRAINING TO IT AND DIRECT WATER TO PROPOSED POND.

DEPARTMENT OF TRANSPORTATION

DEWILL, INC.
CIVIL ENGINEERING | TBPE No. F-003116
 420 Johnson Road, Suite 303 | Keller, Texas 76248
 817-337-8899 (Office) | 817-337-5133 (Fax)

PREPARED FOR: BURK & GLORIA COLLINS TRUST

PRELIMINARY DRAINAGE ANALYSIS OAK ALLEY COLLEYVILLE, TEXAS

BENCHMARKS:

BM1
XXX
ELEV = XXX

BM2
XXX
ELEV = XXX

△ _____

△ _____

△ _____

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)

Printed by
danmatherne
Jan 28, 2019 - 3:50pm

DOI No. 201712100

2

Time of Concentration or Travel Time Worksheet

Project: Oak Alley

By:

Location: Colleyville, TX

Condition (Present/Proposed): **Current Conditions**

SHEET FLOW (Applicable to T_c only)

SEGMENT ID

SEGMENT ID	OS-1	EX-A	EX-B1	EX-B2
1. Surface Description	Pavement	D. Grass	D. Grass	D. Grass
2. Manning's Roughness Coefficient	0.011	0.240	0.240	0.240
3. Flow Length, L (total L <= 300ft)...(ft)	100	100	100	100
4. Two-yr 24 hr rainfall, P ₂₄ ...(in)	4	4	4	4
5. Land Slope, S...(ft/ft)	0.021	0.05	0.05	0.03
6. T ₁ =(.007*(nL) ^{0.85})/(P ₂₄ ^{0.5} *S ^{0.4})...(hr)	0.021	0.15	0.15	0.18
7. T ₁ =(.007*(nL) ^{0.85})/(P ₂₄ ^{0.5} *S ^{0.4})...(min)	1.06	8.85	8.85	10.85

SHALLOW CONCENTRATED FLOW

SEGMENT ID

7. Surface description (paved or unpaved)	UNPAVED	UNPAVED	UNPAVED	UNPAVED
8. Flow Length, L...(ft)	200	200	200	200
9. Watercourse slope, s...(ft/ft)	0.022	0.02	0.024	0.02
10. Average velocity, V...(ft/sec)	2.4	2.25	2.5	2.25
11. T _r = L/(3600*V)...(hr)	0.02	0.02	0.02	0.02
11. T _r = L/(3600*V)...(min)	1.39	1.48	1.33	1.48

CHANNEL FLOW

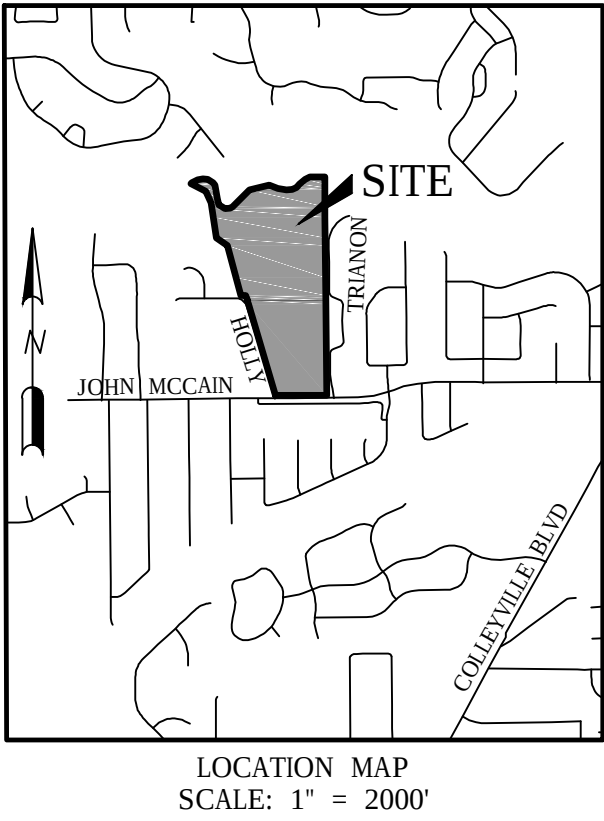
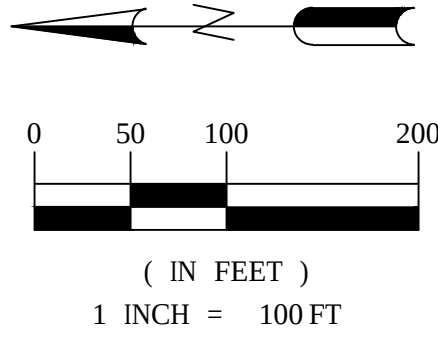
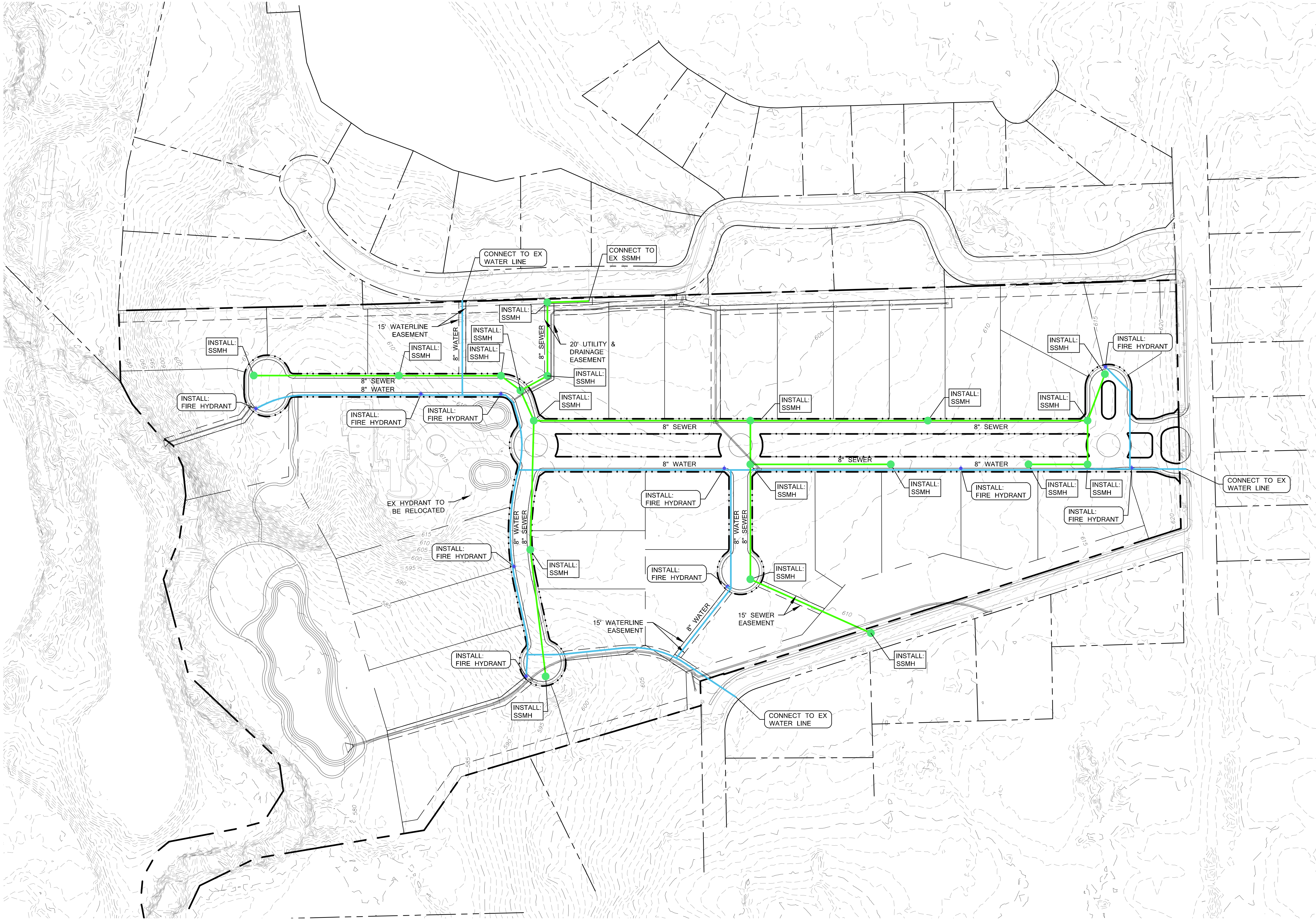
SEGMENT ID

12. Cross section flow area, $a...$ (ft ²)				
13. Wetted perimeter, $P_w...$ (ft)				
14. Hydraulic radius, $r_{sa}/P_w...$ (ft)				
15. Channel slope, $s...$ (ft/ft)				
16. Manning's Roughness Coefficient, n				
17. $V = (1.49 r^{2/3} s^{1/2})/n...$ (ft/sec)	4	4	4	4
18. Flow length, $L...$ (ft)	1760	2595	872	393
19. $T_r = L/(3600*V)...$ (hr)	0.12	0.18	0.06	0.03
19. $T_r = L/(3600*V)...$ (min)	7.33	10.81	3.63	1.64

Watershed Area (ac.)

20. Total Watershed or subarea _{T_c} or T ₁ ... (hr)	0.16	0.35	0.23	0.23
20. Total Watershed or subarea _{T_c} or T ₁ ... (min)	9.79	21.14	13.81	13.97
T _c ROUNDED (MIN 15 min.)	15	21	15	15

T_c ROUNDED (MIN 15 min.)



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

DEOTTE, INC.
CIVIL ENGINEERING | TUBE No. F-003116
400 Johnson Road, Suite 300 | Keller, Texas 76248
817-337-8889 (Office) | 817-337-5131 (Fax)
PREPARED FOR: BURK & GLORIA COLLINS TRUST

**PRELIMINARY UTILITY PLAN
OAK ALLEY
COLLEYVILLE, TEXAS**

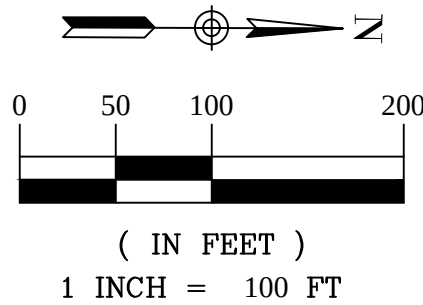
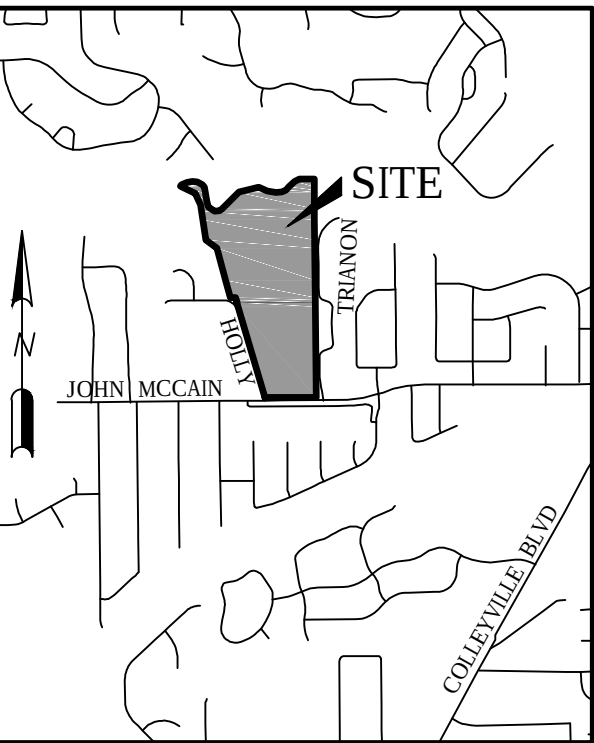
BENCHMARKS:

BM1	XXX	ELEV = XXX
BM2	XXX	ELEV = XXX

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AND IS NOT INTENDED FOR CONSTRUCTION,
BIDDING OR PERMIT PURPOSES.
Prepared by: T. Redinger
Reg. No.: 9749
Firm No.: F-3116(TX)
Date: 1/28/2019

Printed by:
donmathema
Jan 28, 2019 - 3:49pm

DOI No. 201712100



OAK ALLEY GRADING CONCEPT

1. FINAL GRADING IS THE FIRST THING THAT STARTS IN THE FINAL DESIGN PROCESS AND IT IS THE LAST THING THAT 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 TRIANON 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 LETS 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 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.

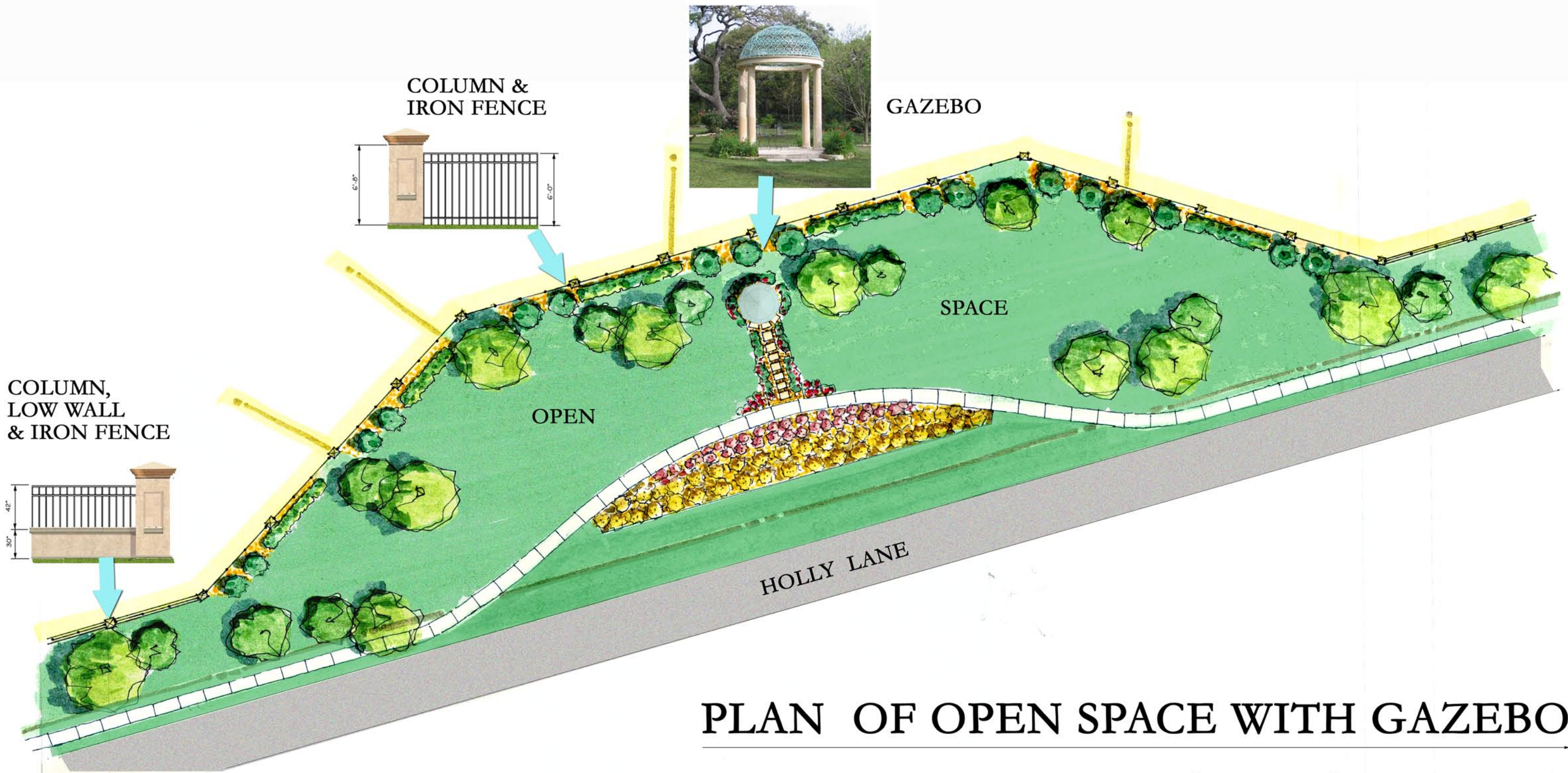
LOT 29 THROUGH 33
THESE LOTS ARE EXPECTED TO BE CLOSE TO EXISTING GRADE AND NOT RETAINING WALLS ARE EXPECTED TO BE NEEDED FOR THIS LOTS. SMALLER WALLS (FOUR FEET OR LESS) MAY BE NEEDED AS AN ENHANCEMENT BUT NO SIGNIFICANT RETAINING WALLS WILL LIKELY BE NEEDED FOR GRADING.

LOT 34
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.

FLOODPLAIN GRADING
GRADING TO ADJUST FLOODPLAIN INUNDATION CONDITION FROM MAIN CHANNEL.

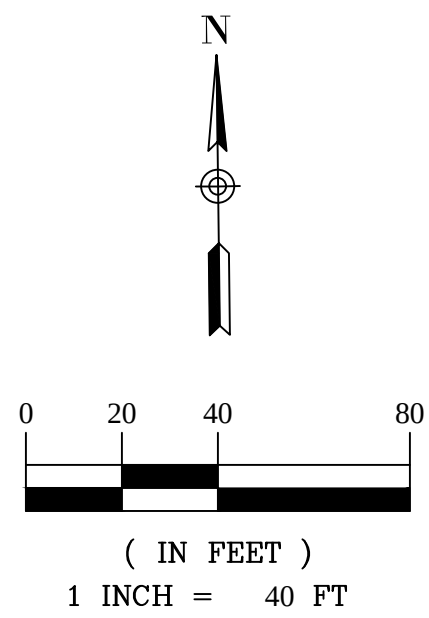
THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.
BY: Clayton T. Redinger
Reg. No.: 97497
Firm No.: F-3116(TX)
Date: 1/28/2019

OAK ALLEY				
PERIMETER GRADING CONCEPT PLAN				
COLLEYVILLE, TEXAS				
		420 Johnson Road, Suite 303 Keller, Texas 76248 Fax: 817-337-5133 Phone: 817-337-8899 WWW.DEOTTE.COM		
CIVIL ENGINEERING	FIRM REGISTRATION: # E-00316(TX)	DATE: 1/28/2019	PROJECT NO.: 201712100	SHEET: 1 OF 1



PLAN OF OPEN SPACE WITH GAZEBO

OAK ALLEY



NOTE:
THIS FILL AND GRADING SOLUTION WILL REDIRECT DRAINAGE TO THE EAST, THROUGH THE PROPOSED POND AND BLOCK THE EXISTING CREEK FLOW THROUGH THE CREEK BANK AT LOCATION A. THE FLOW WILL INSTEAD GO THROUGH THE POND AND DISCHARGE CLOSER TO LOCATION B.

SINCE THE WORK IS NOT EXPECTED TO ADVERSELY AFFECT THE WATER SURFACE OF THE FLOODPLAIN ELEVATIONS AND SINCE WORK IN POTENTIAL JURISDICTIONAL AREAS OF THE CORPS OF ENGINEERS IS EXPECTED TO BE MINIMAL AND BELOW CERTAIN PERMITTING THRESHOLDS, WE DO NOT FORESEE LIKELY REASONS THAT WILL PREVENT THIS WORK FROM BEING ACCOMPLISHED. ACCESS AND PERMISSION TO PERFORM MINOR FILLING ON THE DAVIDSON PROPERTY IN THE SHADED AREA SHOWN WILL BE REQUIRED TO COMPLETE THIS WORK

THIS DOCUMENT IS FOR INTERIM REVIEW AND IS NOT INTENDED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.
BY: Richard W. DeOtte
Reg. No.: 74232
Firm No.: F-3116(TX)
Date: 1/28/2019

OAK ALLEY				
DRAINAGE BYPASS EXHIBIT				
COLLEYVILLE, TEXAS				
 DEOTTE, INC. 420 Johnson Road, Suite 303, Keller, Texas 76248 CIVIL ENGINEERING FIRM REGISTRATION: # E-00116(TX) Phone 817-337-8899 Fax 817-337-5133 WWW.DEOTTE.COM				
DRAWN BY: DSM	SCALE: 1"=40'	DATE: 1/28/2019	PROJECT NO.: 201712100	SHEET: 1 OF 1

Araceli Botello

Subject: FW: Opposition Removal

From: dickyd17

Sent: Monday, January 21, 2019 1:50 PM

To: Jerry Duca <JDuca@colleyville.com>

Subject: Opposition Removal

I, Richard Davidson, residing at 7304 Hix Ct. will agree to remove my opposition granted that the Oak Alley development team adhere to the fixing of the drainage issue agreed upon by Mr. Rich Deott.

Sent from my T-Mobile 4G LTE Device

Araceli Botello

Subject: FW: Opposition to Oak Alley

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

From: Wayne Rigney

Sent: Friday, January 18, 2019 2:55 PM

To: Jerry Duca <JDuca@colleyville.com>

Cc: Bobby Lindamood <BLindamood@colleyville.com>

Subject: Opposition to Oak Alley

I would like to remove my opposition to oak alley!

Sent from my iPhone

LETTER OF CONCERN TO THE COMMUNITY DEVELOPMENT DEPARTMENT OF COLLEYVILLE

To whom it may concern:

We, Charles Pearce and Joyce Pearce, hereby drop our opposition for the rezoning for 1312 John McCain Road from R-40 single family & AG Agricultural to PUD-R. Joyce and I have an understanding that Richard Deotte and the development will have a wiliness to cooperate in improving the drainage problem that exist between the Pearce's and Pistor's properties from Evan's road where the Kaufman's property is located.

NAME: Charles and Joyce Pearce

ADDRESS: 7212 Holly Lane

CITY: Colleyville, Texas 76034

Ben Bryner

To: Richard Newton
Subject: RE: Proposed Oak Alley Development

From: Jgpistor-imap [[mailto:](#)]
Sent: Tuesday, December 4, 2018 4:55 PM
To: Richard Newton; Christine Loven
Subject: Proposed Oak Alley Development

To the Mayor and City Council of Colleyville,

Regarding the proposed rezoning for the development of Oak Alley in Colleyville.

Based upon the previously enumerated requests to and subsequent responses from Burk Collins concerning the proposed development, Elise and Jeff Pistor request that our opposition to the proposed development be removed.

Please note that this removal of our opposition does not mean we are in full agreement with the development. There is a great deal of concern surrounding transparency and honesty in the discussions up to this point and therefore, there is legitimate concern over how any associated problems arising from, or during, the proposed development will be addressed with the neighboring properties.

However, as an act of good faith, we will not to oppose the proposed development as long as all of the agreed to adjustments are incorporated into the city ordinances.

ORDINANCE O-18-2056

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 43.54 ACRES ON LOTS 1R1 AND 1R2, BLOCK 1, BEAR CREEK PLANTATION ADDITION, LOCATED AT 1312 JOHN MCCAIN ROAD AND 7309 HOLLY LANE FROM THE AG AGRICULTURAL AND R-40 SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS TO THE PUD-R PLANNED UNIT DEVELOPMENT - RESIDENTIAL ZONING DISTRICT; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a rezoning under Case No. ZC18-019; and

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

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

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

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

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

by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Colleyville is of the opinion that said change in zoning should be made; 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 ~~345~~ 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 permanent perimeter wall/fencing shall be installed prior to home construction within the development and maintained in perpetuity by the Oak Alley HOA.
- 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.
- c. Preliminary Plat shall include measurement of buildable area and lot size for each lot within the development.
- d. Pedestrian access easements shall be provided to Holly Lane and John McCain and depicted on the Final Plat.

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
- c. The existing structure commonly known as the foreman's house (7309 Holly Lane) shall be demolished and removed within twenty-four (24) months of final plat approval.

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 minimum lot size for lots 1 and 3; ~~23,000 square feet minimum lot size for lots 32, 33, 34 and 35 (pond is to be conveyed to HOA and not calculated in lot size).~~
30,000 square feet for no more than ~~3229~~ 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, except where noted below and/or on the Development Plan
- g. Minimum House Size: 4,300 square feet
- h. Maximum Lot Coverage: 25 percent
- i. Lot 29 shall be limited to a single-story structure, and the rear setback shall be no less than 10' from Open Space Lot 10 (setback shall apply to all primary and accessory structures)

- j. Lots 30~~1~~, 31~~2~~, 32~~3~~, 33~~4~~, & 34~~5~~ shall provide for a rear building setback from ~~either~~ Open Space Lot 10, ~~or the the "wall and landscape easement"~~ of no less than 10~~5~~ feet (setback shall apply to all primary and accessory structures)
- k. Lots 4, 5, 6, 7, 8, 9, 10 & 11 shall provide for a rear building setback from the western boundary of the "landscape and wall easement" of no less than 50 feet (setback shall apply to all primary and accessory structures).
- l. Lots 12, 13 & 14 shall have no accessory structures in the rear yard, behind the primary house and/or garage.

5. OPEN SPACE

- a. This development shall provide not less than approximately 20% 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".
- c. Landscaping easements along the east border of the development (Tanglewood) to be deeded to the Tanglewood Maintenance Association shall be conveyed and improved within 30 days of the Final Plat being recorded at the county. All green space improvements shall be installed immediately following wall/fence construction and shall be adequately irrigated and maintained to assure compliance with landscape plan.

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, plastic or chain-link fencing 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. Double fencing shall be prohibited.

- 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 or wood-clad 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.
- f. Wood, plastic, PVC, or chain-link type fences shall be prohibited.

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:
 - Right-Of-Way: Fifty feet (50')
 - Travel Lane Width: Thirty-one feet (31'), back of curb to back of curb
 - Turning Radii: Fifteen feet (15')

- 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. An enhanced entry feature, as depicted in Exhibit "D" and hereto attached, shall be erected along the John McCain Road frontage and shall serve as the entryway to the development.
- h. The construction entrance(s) shall be on John McCain Road only. Access from Holly Lane shall be prohibited including the property commonly known as the foreman's house (7309 Holly Lane).
- 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. The north pond shall maintain at least 2 feet of storage capacity over the low water elevation design. All ponds shall be owned and 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.
- l. Storm sewer installation and connection shall be made to drain the area west of Lot 33 (west of Holly Lane) into the new drainage system to be installed along Holly Lane~~detention pond traversing Lots 32, 33, and 34~~. Said pipe installation, sizing, and material shall be approved by the City Engineer.
- m. Street lights, and the cost of electricity for the lights, shall be the responsibility of the HOA. Diverters/shields shall be installed on all street lights adjacent to perimeter homes.
- 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.~~

- n. The City reserves the right to revisit this PUD ordinance if the property is not final platted within 48 months of the date of Council approval.
- o. The project will complete grading to bypass the current discharge location in the floodplain generally in conformance with the concept shown on the attached "Drainage Bypass Exhibit" dated 1/28/19.

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 Council;
 - 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

Council;

- 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.
- 7) No boat, marine craft, hovercraft, recreational vehicle, pick-up camper, travel trailer, motor home, camper body or similar vehicle or equipment may be parked in public view for more than 24 consecutive hours within the development.
- 8) The HOA should make every effort to prevent unsightly structures or uses that can be visible from the neighbors outside the development.
- 9) Clothes lines or outside washing or drying of clothes shall be prohibited.
- 10) Garage doors should be of a side-load design or screened from street view and lots in adjacent neighborhoods.

11) Whenever possible, storage/shed buildings should be limited in height to avoid viewing by neighbors and subject to all building setback requirements.

12) Architectural design guidelines that include building rendering/evaluation illustrations.

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 4th day of December 2018.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 4th day of December 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



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6a

Agenda Date 02/05/2019

Number Ordinance O-19-2074

Type Ordinance

Department Community Development

Title

Consideration of amendments to the Land Development Code, specifically Chapter 7 – Sign Regulations

Strategic Plan

4.3 Adopt best-practice planning and development processes

Explanation

Public Hearing and Second Reading

Staff will provide an update of the recommended changes which were discussed at the January 15, 2019 City Council Meeting.

Public Hearing and First Reading

The City Council had instructed staff to review and propose amendments to each chapter within the City's Land Development Code (LDC). City staff has already reviewed the attached chapters with the City Council at a recent worksession meeting. The process for adopting amendments to the LDC include formal review and recommendation by the Planning and Zoning Commission followed by formal review and approval by the City Council.

The attached chapters are a continuation of the formal adoption process. Any remaining chapters will be brought forward over the next several months until the entire Land Development Code has been reviewed.

Planning & Zoning Commission Recommendation: The Planning & Zoning Commission recommended approval as presented with modifications at their December 10, 2018 meeting by a vote of 6-0.

Financial Impact

There is no fiscal impact to the City of Colleyville for this item.

Recommendation

Approve

Attachments

1. Sign Code Summary of Major Changes
2. Ch. 07 Sign DRAFT Regulations

3. Ordinance - O-19-2074

Summary of Major Changes

Major Changes:

1. Electronic Message signs image, illumination, SUP request properties on Precinct Line and Hwy 26– pg. 7-3
2. Remove Commercial Driveway visibility triangles- pg. 7-5
3. Freestanding signs/Monument signs- reduce size from 112 s.f. to 78 s.f. and height from 8 ft. to 6 ½ ft. – pg. 7-6
4. Institutional signs- to match Freestanding/Monument signs and changeable reader board- pg. 7-7
5. Remove Off-Premises Institutional Signs- pg. 7-8
6. Multi-family Signs- add masonry requirement to sides- pg. 7-8
7. Major Shopping Center Landmark Signs- lower height and have center identification above business/tenant- pg. 7-10

Summary of Major Changes Continued

Major Changes:

- 8. Wall Signs- sign area measurement clarified- pg. 7-13**
- 9. Remove Missing Pet Signs- pg. 7-16**
- 10. Political Signs- reduce height, increase to 60 days prior to election, and remove allowance in public right-of-way- pg. 7-17**
- 11. Window Signs- allow not to obscure more than 25% of any individual window pane – pg. 7-20**
- 12. Temporary Community Special Event Signs- remove allowance in public right-of-way- pg. 7-22**
- 13. Remove Search Lights- pg. 7-24**
- 14. Portable Signs- clarify portable signs- pg. 7-25**

Chapter 7 Sign Regulations

Rev. 1002/0605/20142013

Section 7-100 Purpose of This Chapter

The purpose of this Chapter is to establish a comprehensive and balanced system of street graphics to facilitate an easy and pleasant communication between people and their environment and to avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. It is the intent of this Chapter to establish standards, which regulate the design, construction, location, height, size and maintenance of signs and sign structures by authorizing the use of street graphics, which are:

- A. Compatible with their surroundings;
- B. Appropriate to the activity that displays them;
- C. Expressive of the identity of individual activities and the community as a whole;

D. Consistent within the corridors of the city;

~~D~~E. Legible in the circumstances in which they are seen; and

~~E~~F. Protective of property values.

Section 7-105 Authorization for Adoption of This Chapter

The regulations contained in this Chapter have been adopted under the authority of the following:

- A. *Chapter 51 – General Powers of Municipalities of the Texas Local Government Code*, which authorize a municipality to adopt ordinances, rules, or police regulation that is for the good government, peace, or for the trade and commerce of the municipality.
- B. *The Home Rule Charter of the City of Colleyville*, which authorize the City Council to exercise all powers granted to municipalities by the Constitution or the laws of the State of Texas.

Section 7-110 Variances and Appeals

Any person seeking approval of a sign or sign structure inconsistent with this Chapter, may request a variance from, or appeal a decision of an administrative official to the Sign Board of Appeals using the procedures described in *Chapter 1 – General Provisions* of this Land Development Code.

Section 7-115 Definitions

The definitions for this Chapter are found in *Chapter 2 – Definitions* of this Land Development Code.

Section 7-120 Responsibility for Compliance

The permittee, owner, agent, person or persons having the beneficial use of the property, the owner of the

land or structure on which the sign is located, and the person in charge of erecting the sign are all subject to the provisions of this Chapter.

Section 7-125 Violations and Penalties

Any person, firm or corporation violating any provision of this Chapter shall be guilty of a misdemeanor and shall be subject to the penalty provision contained in *Chapter 1-General Provisions* of this Land Development Code.

Section 7-130 General Conditions Applicable to All Signs

The following general conditions shall be applicable to all signs, except where a provision contained elsewhere in this Chapter specifies a different requirement.

- A. Compliance Required – No person, firm or corporation shall erect a new sign, or alter an existing sign, or sign structure, unless said sign conforms to the provisions of this Chapter.
- B. Sign Area – No sign shall exceed the maximum area provided for in this Chapter. The sign area permitted in this Chapter shall apply to the maximum size of a single sign face, except where a provision allows an alternate method for calculating sign area. When the two faces of a sign are separated by an angle of twenty (20) degrees or more, the maximum sign area shall be the total of all non-parallel sign faces.
- C. On-Premises Requirement – All signs shall be located on the same premises where the product or merchandise being advertised is located, except where a specific provision in this Chapter provides for off-premises advertising.
- D. Maximum Height – No sign shall exceed the maximum height provided for in this Chapter. In determining the maximum height of a sign, no sign shall be located on a mound where the surrounding grade has been altered by more than eighteen (18") inches for purposes of artificially increasing the overall height of a sign above that allowed by the height regulations in this Chapter.
- E. Wind Pressure and Dead Load Requirements – All permanent signs shall be designed and constructed to withstand a wind pressure of not less than 35 pounds per square foot of area.
- F. Sign Contractor Registration – It shall be unlawful for any person, firm or corporation to engage in the business of erecting permanent signs in the city unless such person, firm or corporation is the holder of a valid registration with the City to perform such work. In extending the rights and privileges of such registration, the City of Colleyville makes no statement of the technical competency of those registered, and no manner of license is proffered.
- G. Engineering Requirements and Construction Standards – The construction of all signs shall comply with the structural requirements of the City of Colleyville Building Code. Where required by the enforcement administrative official, the construction plans shall be signed and sealed by a professional engineer registered in the State of Texas. Any electrical installations shall comply with the City of Colleyville Electrical Code. No unfinished metal shall be allowed on the exterior surface of a sign or sign support.
- H. Signs in Right-of-Way Prohibited – No sign shall be erected in, extend into or over, a public right-of-way, except where a provision in this Chapter allows such location, or with the approval by the City Council of a *Right-of-Way Encroachment Agreement*.
- I. Interference with Safety Provisions – No sign shall be erected in such a manner that any portion of its surface or supports will interfere with the free ingress or egress of any fire escape, exit, standpipe, or window, or obstruct any required ventilator or door stairway.

- J. Illumination – Illumination of a sign shall only be allowed where a provision contained in this Chapter allows illumination for a specific sign classification or construction type. No sign located in a residential zoning district shall be illuminated, except where illumination is provided by a provision in this Chapter. Such sign illumination shall not produce glare or direct illumination across the property lines of the premises. For electronic message signs, the maximum brightness shall not exceed 7,000 nits or its equivalent when measured from the sign's face at its maximum brightness during daylight hours and shall not exceed 1,000 nits or its equivalent when measured from the sign's face at its maximum brightness at night.
- K. Electronic Message Signs Along State Highways: ~~Electronic signs placed along state highways shall be allowed to change messages at a minimum of every ten (10-15) seconds. The display of time and/or temperature may change at an interval of every three (3) seconds. Only one electronic sign shall be allowed per property. These provisions shall only be considered for commercial and institutional signs that are located on properties adjacent to Precinct Line Road, State Highway 26, or State Highway 121. Properties adjacent to Precinct Line road and State Highway 26 may apply for a Special Use Permit to allow for an electronic message sign.~~
- L. Loss of Required Parking – No sign shall be constructed within the limits of a parking area that results in a reduction in the number of required parking spaces.
- M. Signs in Planned Unit Developments and property with a Special Use Permit – All signs shall comply with the regulations in this Chapter, unless an ordinance for a Planned Unit Development (PUD) or a Special Use Permit (SUP) contains a provision that authorizes a variation from the regulations in this Chapter.

Commented [BB1]: Deleted at 1st reading

Section 7-135 Permits, Fees and Inspections

- A. Permit Required – It shall be unlawful for any person to erect a new sign, relocate, enlarge or replace an existing sign, or sign face, regulated by this Chapter without first obtaining a permit from the Building Permit Office, except where an exemption is provided for in this Chapter. No permit shall be issued unless the proposed sign complies with the requirements of this Chapter.
- B. Permit Fee – Where a permit is required by this Chapter, no application for a sign permit shall be approved which is not accompanied by a permit fee in accordance with the applicable fee schedule. Said fee schedule shall be established by separate ordinance by the City Council. The ~~enforcement~~ **administrative** official shall not issue a sign permit to any person who has previously failed or refused to pay any fees or costs assessed against him under the provisions of this Chapter, until such fees are paid.
- C. Application for Sign Permit – Application for a sign permit shall be made in writing upon forms furnished by the ~~enforcement~~ **administrative** official. Such application shall contain sufficient information as determined by the ~~enforcement~~ **administrative** official, including plans of the proposed sign, whereby the ~~enforcement~~ **administrative** official may determine that the proposed sign is in conformance with the requirements of this Chapter.
- D. Permit Expiration – No sign permit shall be valid for more than 180 days from the date of issuance of the permit, except where a specific time period is provided elsewhere in this Chapter.
- E. Temporary Sign Permit – Where required by this Chapter, a sign permit for a temporary sign shall be valid only for the period specified by the ~~enforcement~~ **administrative** official. A temporary sign which has not been removed on or before the last day authorized by the sign permit shall be deemed a violation of this Chapter.
- F. Permit Revocable – The ~~enforcement~~ **administrative** official may suspend or revoke any sign permit issued in error or on the basis of incorrect or false information supplied, or whenever such permit was issued in violation of any provision of this Chapter. Any sign constructed that is the subject of a revoked permit shall be removed by the person in control of the sign or premises upon which the sign is located within ten (10) days of written notice of revocation. Notice of revocation shall be deemed to have been received when deposited in the mail, addressed to the owner of the premises, the owner of the sign,

and/or the tenant for whose benefit the sign is erected as listed on the permit application.

- G. Inspections – All signs shall be subject to inspection by the ~~enforcement~~ administrative official. The building official shall establish inspection procedures and provide copies of such procedures upon request.
- H. Investigation Fees – Whenever any work for which a permit is required by this Chapter has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected, whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee.

Section 7-140 Signs Exempt From These Regulations

The following signs or forms of advertising shall be exempt from the regulations contained in this Chapter:

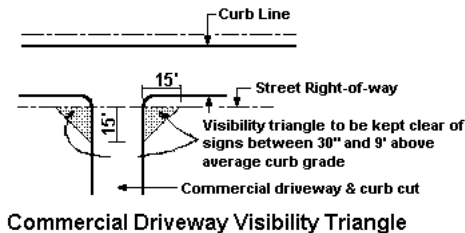
- A. Any sign erected by or under the authority of the City of Colleyville on property owned by the City of Colleyville.
- B. Street identification signs, public notices, and warning signs installed by any City, County, State or Federal agency.
- C. Residential nameplates or subdivision identification plaques attached to a perimeter screening wall not exceeding two (2) square feet in area.
- D. Historical markers placed by a city, county, state or national historical preservation organization.
- E. Official vehicle inspection station signs, holiday lights and decorations, or works of art.
- F. Signs located on-premises or inside a building and which are not displayed so as to be legible from a public street, including, but not limited to, such signs as credit card decals, hours of operation signs, emergency contact information, barber poles, etc.
- G. On-site traffic control signs on commercial properties, such as Stop, Yield, and similar traffic control signs containing no commercial message.
- H. "No Parking" or "Towing" signs authorized by City Ordinance.
- I. "No Dumping Allowed" signs posted to deter illegal dumping.
- J. Underground utility warning signs not exceeding one (1) square foot in size and similar safety signs.
- K. Signs on railway property, which references the operation of such railway.
- L. Security Warning, Neighborhood Watch or Crime Watch signs under two (2) square feet.
- M. Flags, emblems and insignia of any governmental body.
- N. Corporate flags displayed on a freestanding pole, which do not exceed 35 feet in height. The flag shall not exceed 32 square feet in area. The flagpole shall be setback a minimum of 20 feet from the front property line and 8 feet from the side property line.
- O. Drive-through menu boards not located in front of the building.
- P. Scoreboards, including the identification of donors.

Section 7-145 Permanent Freestanding Signs – General Conditions

- A. Permits – A permit shall be required prior to construction of any permanent freestanding sign, except where an exemption is provided for in these regulations. A permit shall not be required for the sole purpose of removal and replacement of an interchangeable panel for a sign structure designed for such purpose.
- B. Certificate of Occupancy Required – No permit for a permanent freestanding sign shall be approved, except where a business exists with a valid Certificate of Occupancy or where a Certificate of Occupancy has been submitted for the premises on which the sign is to be located.
- C. Construction Standards – The construction of all permanent freestanding signs shall comply with the structural requirements of the Colleyville building code. No permanent wood signs shall be allowed.
- D. Illumination – A permanent freestanding sign may be illuminated. All electrical facilities shall require separate electrical permits and shall be installed in accordance with the City of Colleyville electrical code. Lighting shall be installed so as to avoid any glare or reflection onto adjacent property, or create a traffic hazard on a public street. For electronic message signs, the maximum brightness shall not exceed 7,000 nits or its equivalent when measured from the sign's face at its maximum brightness during daylight hours and shall not exceed 1,000 nits or its equivalent when measured from the sign's face at its maximum brightness at night. When determined necessary by the ~~enforcement~~ administrative official, illuminated signs shall be shielded to minimize glare on residentially zoned property.
- E. Pedestrian Clearance – No permanent freestanding sign may project over a pedestrian walkway, unless there is a minimum of eight (8') feet of clearance provided from the bottom of the sign to the grade below the sign.
- F. Public Right-of-Way – No permanent freestanding sign shall project over or into a public right-of-way, except where a provision in this Chapter provides for a sign within a right-of-way or with the approval by the City Council of a *Right-of-Way Encroachment and Joint Use Agreement*. A sign may encroach over or into a public access easement that is located on private property, provided a minimum of eight (8') feet of clearance is provided over a walkway and a minimum of fourteen (14') feet of clearance is provided over a driving area.

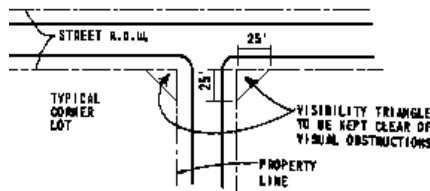
~~G. Commercial Driveway Visibility Triangles~~

~~No sign, including the pole of a sign, shall be erected or maintained in such a manner so as to obstruct or interfere with a clear line of sight for the drivers of approaching motor vehicles within a visibility triangle located on each side of a commercial driveway which intersects with a public street right-of-way or public access easement. The triangular area shall be formed by extending from the imaginary intersection point of the street right-of-way line with the edge of the driveway a distance of fifteen (15) feet and connecting these points with an imaginary line, thereby making a triangle. Within this triangle, vision shall be clear at elevations between thirty inches (30") and nine feet (9') above the average curb grade.~~



Commercial Driveway Visibility Triangle

~~HG. Street Intersection Visibility Triangles~~ – No sign shall be located or placed where it obstructs the vision of motor vehicle drivers approaching any street intersection. At all street intersections, clear vision shall be maintained across the lot for a distance of twenty-five (25') feet back from the property corner along both streets. Within this triangle, vision shall be clear at elevations between thirty inches (30") and nine feet (9')



above the average curb grade.

- H. Attachments to Freestanding Sign – No guys, braces, attachments, banners, flags, balloons, or other similar devices shall be attached to any permanent freestanding sign.

Section 7-150 Permanent Freestanding Signs – Sign Classifications & Regulations

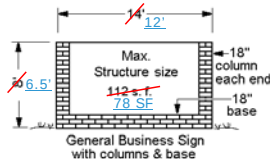
No permanent freestanding sign shall be constructed or displayed unless said sign is in conformance with the sign classifications and standards contained in this Section.

- A. General Business Signs – The purpose of a general business sign is to identify the name of a business, profession, service, product or activity conducted, sold or offered on the premises where the sign is located. A general business sign may provide advertising for a single or multi-tenant occupancy. All general business signs shall be subject to the following additional regulations:

1. *Construction Design:* All general business signs shall be designed and constructed as a monument sign as defined in this Land Development Code.
2. *Districts Permitted:* A general business sign shall be allowed only in zoning districts in accordance with Table 7-1.
3. *Maximum Number:* One general business sign shall be allowed for each 250 feet of street frontage, or portion thereof, for each lot. Where a building encompasses more than one lot, each lot shall qualify for a general business sign. If the site is a corner lot, each frontage shall be allowed additional signs using the same formula described in this paragraph. The sign(s) shall be located adjacent to and within the qualifying street frontage. Additional signs are not permitted by adding different street frontages to total more than 250 feet.
4. *Specifications:* The maximum area, height, spacing and setbacks of a general business sign shall conform to the specifications contained in Table 7-2, except where provided as follows:

- a. *Maximum Area:* One-hundred-and-twelveSeventy-Eight square feet (~~112-78~~ s.f.), overall structure size.

- b. *Base and Column Requirements:* At a minimum, a general business sign shall be constructed to include a base and columns as described below. Said base and columns shall be included in the calculation for determining the overall structure size for compliance with these regulations.



- i. *Base:* A general business sign shall be constructed with a base that extends the entire length of the face of the sign structure. Said base shall be a minimum of eighteen inches (18") in height and shall be constructed of brick, stone, or of a material similar to that of the primary building on the lot.
- ii. *Columns:* A general business sign shall be constructed with columns constructed on each end of the face of the sign structure. Said columns shall be a minimum of eighteen inches (18") in width as viewed from the front and side elevations and shall extend the entire height of the face of the sign structure. Said columns shall be constructed of brick, stone, or of a material similar to that of the primary building on the lot.
- iii. *Sign Face Offset Requirement:* The vertical plane of the advertising image area shall be internally offset (recessed) a minimum of two inches (2") from the vertical plane of the base and columns required above.

- c. *Maximum Height:* Eight-Six and one-half feet (~~8-6 ½~~).

- d. *Minimum Setback:* Eight feet (8') from an abutting street right-of-way. Thirty feet (30') from any side or rear property line adjacent to another property.
- e. *Minimum Thickness:* The advertising image area of a general business sign shall not be less than four and one-half inches (4-½") between vertical face planes.

- 5. ***Changeable Reader Board and Electronic Message Signs:*** A general business sign may include a changeable reader board or electronic message area, provided the combined gross surface area does not exceed the maximum allowable message area and provided that no more than fifty (50%) percent of the maximum allowable message area may be used as a changeable reader board or electronic message area. A permit is not required to change the message on a changeable reader board or electronic message sign. ~~For purpose of this regulation, a changeable reader board may include an electronic message area. Except for scrolling reader boards, all electronic message areas shall be allowed to change messages at a minimum of every thirty (30) seconds.~~

Commented [BB2]: Option #1: Eliminate this for General Business signs
Option #2: Limited to 24 inches in height (allows for 1 to 2 rows of text)
Option #3: Require approval of an SUP to allow

- 6. *Spacing:* Where a lot qualifies for an additional general business sign, a general business sign shall be a minimum of one hundred (100') feet from another general business sign situated on the same lot.
- 7. *Two Frontage Lots:* A lot that abuts two (2) or more street frontages shall be allowed a general business sign for each street frontage, provided minimum spacing requirements are in compliance.

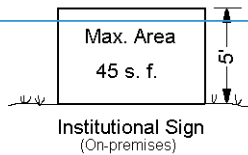
Commented [BB3]: Added by the P&Z Commission

B. Institutional Signs – These regulations provide for on-premises and off-premises institutional signs to assist the public with the location of these types of uses.

- 1. *On-Premises Institutional Sign:* The purpose of an on-premises institutional sign is to identify schools, churches, hospitals or similar public or quasi-public institutions. One on-premises institutional sign per street frontage shall be allowed on the premises where the institution is located and in accordance with Table 7-1. All on-premises institutional signs shall be constructed as a monument sign as defined in this Land Development Code. The maximum area, height, spacing, and setbacks of an on-premises institutional sign shall conform to the specifications contained in Table 7-2, ~~provided that an on-premises institutional sign located within a commercial zoning district may comply with the requirements of a general business sign.~~

- a. *Maximum Area:* ~~Forty-five~~ **Seventy-Eight square feet (4578 s.f.),** overall structure size.

- b. *Base and Column Requirements:* At a minimum, a general business sign shall be constructed to include a base and columns as described below. Said base and columns shall be included in the calculation for determining the overall structure size for compliance with these regulations.



Commented [BB4]: Match 'Freestanding Business Sign' regulations

- i. *Base:* A general business sign shall be constructed with a base that extends the entire length of the face of the sign structure. Said base shall be a minimum of eighteen inches (18") in height and shall be constructed of brick, stone, or of a material similar to that of the primary building on the lot.
- ii. *Columns:* A general business sign shall be constructed with columns constructed on each end of the face of the sign structure. Said columns shall be a minimum of eighteen inches (18") in width as viewed from the front and side elevations and shall extend the entire height of the face of the sign structure. Said columns shall be constructed of brick, stone, or of a material similar to that of the primary building on the lot.
- iii. *Sign Face Offset Requirement:* The vertical plane of the advertising image area shall be internally offset (recessed) a minimum of two inches (2") from the vertical plane of the base and columns required above.

a.c. Minimum Setback: Eight feet (8') from an abutting street right-of-way and thirty feet (30') from any side or rear property line adjacent to another property.

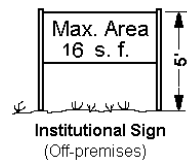
b.ed. Minimum Thickness: No on-premises institutional sign shall be less than four and one-half inches (4-½") between vertical face planes.

c.de. Changeable Reader Board and Electric Message Signs: An on-premises institutional sign may include a changeable reader board electronic message area, provided the combined gross surface area does not exceed the maximum allowable sign area and provided that no more than fifty (50%) percent of the maximum allowable sign area may be used as a changeable reader board or electronic message area. A permit is not required to change the message on a changeable reader board or electronic message sign. ~~For purpose of this regulation, a changeable reader board may include an electronic message area. Except for scrolling reader boards, all electronic message areas shall be allowed to change messages at a minimum of every thirty (30) seconds.~~

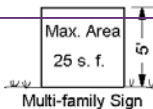
Commented [BB5]: Option #1: Limited to 24 inches in height (allows for 1 to 2 rows of text)
Option #2: Require approval of an SUP to allow

Commented [BB6]: Added by the P&Z Commission

2. Off-Premises Institutional Sign: The purpose of an off-premises institutional sign is to provide direction to a school, church, hospital or similar public or quasi-public institution. ~~An off-premises institutional signs may be placed on private property with the permission of the property owner. No more than two (2) off-premises institutional signs shall be allowed per institution. The signs shall not exceed sixteen (16) square feet in area nor exceed five (5') feet in height. An off-premises institutional sign is not required to be constructed as a permanent monument sign.~~



C. Multi-family Signs – The purpose of a multi-family sign is to identify the name of a multi-family residential development. All multi-family signs shall be constructed as a monument sign as defined in this Land Development Code and be constructed using the same standards as a General Business Sign, except for maximum area and height, which are established in this paragraph. One multi-family sign per street frontage shall be allowed in zoning districts in accordance with Table 7-1. The maximum area, height, spacing, setbacks of a multi-family sign shall conform to the specifications contained in Table 7-2 and the following additional requirements.



Commented [JR7]: Add masonry requirements to the sides of the sign, 18" column each end and 18" base.

1. Base and Column Requirements: At a minimum, a general business sign shall be constructed to include a base and columns as described below. Said base and columns shall be included in the calculation for determining the overall structure size for compliance with these regulations.

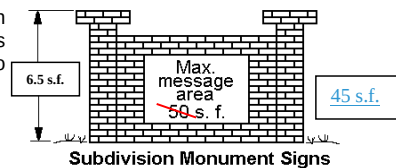
i. Base: A general business sign shall be constructed with a base that extends the entire length of the face of the sign structure. Said base shall be a minimum of eighteen inches (18") in height and shall be constructed of brick, stone, or of a material similar to that of the primary building on the lot.

ii. Columns: A general business sign shall be constructed with columns constructed on each end of the face of the sign structure. Said columns shall be a minimum of eighteen inches (18") in width as viewed from the front and side elevations and shall extend the entire height of the face of the sign structure. Said columns shall be constructed of brick, stone, or of a material similar to that of the primary building on the lot.

iii. Sign Face Offset Requirement: The vertical plane of the advertising image area shall be internally offset (recessed) a minimum of two inches (2") from the vertical plane of the base and columns required above.

1.2 Minimum Thickness: No multi-family sign shall be less than four and one-half inches (4-½") between vertical face planes.

D. Subdivision Monument Signs – The regulations for subdivision monument signs are intended to allow residential developments to have large grand-entrance structures at the main entrances to



a subdivision. All subdivision monument sign structures shall be constructed to avoid the creation of a sight visibility obstruction for vehicular traffic entering and exiting the subdivision. No more than two subdivision monument signs shall be allowed per subdivision entrance. No subdivision monument sign structure shall exceed ~~ten-six and one-half (10'6.5')~~ feet in height and the message area shall not exceed ~~fifty-forty-five (5045)~~ square feet. Subdivision monument signs shall be allowed in accordance with Table 7-1. Subdivision monument signs shall not be located within a public right-of-way, except with the approval by the City Council of a *Right-of-Way Joint Use Agreement*. The maximum area, height, spacing and setbacks of a subdivision monument sign shall conform to the specifications contained in Table 7-2.

- E. **Traffic Directional Signs** – The purpose of a traffic directional sign is to guide vehicular traffic into or out of an institutional use or commercial business by identifying a public entrance and exit for vehicular traffic. No more than two traffic directional signs per entrance or exit shall be allowed in accordance with Table 7-1, provided additional traffic directional signs shall be allowed when located behind the building set-back line. The maximum area and height of a traffic directional sign shall conform to the specifications contained in Table 7-2. No permit shall be required for a traffic directional sign, provided all such signs shall comply with the regulations contained in this section.



- F. **Directory Signs** – The purpose of a directory sign is to provide a listing of the occupants within a major multi-tenant shopping center and direct to the buildings in the development. All directory signs shall be constructed as a monument sign as defined in this Land Development Code. Directory signs shall be allowed in accordance with Table 7-1 and only for retail shopping centers that contain more than four (4) tenants and contain a minimum of 250,000 square feet of gross floor area. One (1) directory sign shall be permitted per street entrance with no more than 4 such signs permitted total per retail shopping center. The maximum area, height, spacing, and setbacks of a directory sign shall conform to the specifications contained in Table 7-2.

Section 7-155 Special Purpose Sign Districts & Regulations

The following special purpose sign districts are hereby created to provide additional signage provisions that due to special circumstances are not applicable to all locations within the city.

- A. **Freeway Overlay Zone** – The area situated within 250 feet from the right-of-way line of State Highway 121 shall be defined as the Freeway Overlay Zone for the purpose of this sign regulation.

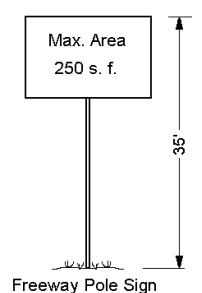
1. **Freeway Pole Signs:** The purpose of a freeway pole sign is to identify the name of a business, profession, service, product or activity conducted, sold or offered on the premises where the sign is located for businesses located adjacent to State Highway 121. Freeway pole signs shall be subject to the following regulations.

a. **Permit:** A permit shall be required for a Freeway Pole sign upon the review and approval of the City Council.

ab. **Districts Permitted:** A freeway pole sign shall be allowed in zoning districts in accordance with Table 7-1, but only for when the sign is situated within the freeway overlay zone.

bc. **Maximum Number:** No more than one freeway pole sign and one general business sign shall be allowed for each lot.

cd. **Specifications:** The maximum area, height, spacing and setback of a freeway pole sign shall conform to the specifications contained in Table 7-2.



de. **Changeable Reader Board:** A freeway pole sign may include a changeable reader board area, provided the combined gross surface area does not exceed the maximum allowable sign area.

Commented [BB8]: Option: Eliminate this for Freeway Pole signs

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~~and provided that no more than fifty (50%) percent of the maximum allowable sign area may be used as a changeable reader board area. A permit is not required to change the message on a changeable reader board. A changeable reader board may include an electronic message area.~~

B. Major Multi-Tenant Shopping Center Sign Areas – A Special Purpose Sign District for a Major Multi-Tenant Shopping Center may be approved by the City Council provided the following minimum requirements are met. A Major Multi-Tenant Shopping Center shall include retail shopping centers that contain more than four (4) tenants and contain a minimum of 100,000 square feet of gross floor area for the purpose of this sign regulation.

1. Major Shopping Center Landmark Signs: The purpose of a major shopping center landmark sign is to identify a major shopping center and the name of a business, profession, service, product or activity conducted, sold or offered within the major shopping center. A landmark sign shall mean a free standing four-sided sign that provides an effective area for multi-tenant advertisement and shall only be permitted within a major multi-tenant shopping center area as defined above.

a. Permit: A permit shall be required for a landmark sign upon the review and approval of the City Council.

b. Specifications: All landmark signs shall comply with the following minimum requirements:

i. Maximum Height: Thirty ~~five~~ feet (~~35'~~30').

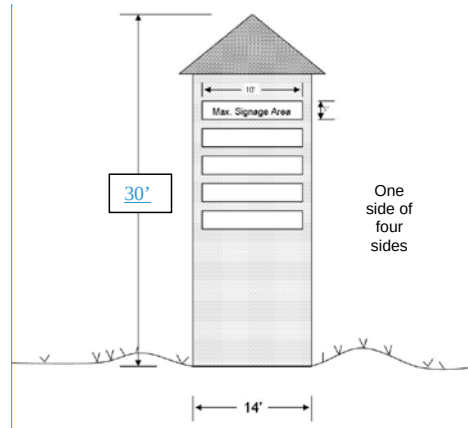
ii. Maximum Base Dimensions: Fourteen feet (14') by fourteen feet (14').

~~iii.~~ Maximum Effective Area of Signage: Five feet (5') in height and ten feet (10') width.

~~iii-iv.~~ Minimum Height of Effective Area of Signage: ~~12'~~Twelve feet (12') for center identification; ~~8'~~Eight feet (8') for other business/tenant identification

~~iv-v.~~ Architectural Features: Landmark signs shall be architecturally compatible to the principle building(s) on the property or overall architectural theme of a development. Decorative roof and wall design features, such as parapets, ridges, and eaves, etc. shall be incorporated into the design to provide visual interest. A flat roof line with no articulation is not permitted unless deemed by the Administrative Official to be compatible with the architecture of the development.

~~v-vi.~~ Signage: Signage for each tenant shall be uniform in size, color and method of construction.



Major Shopping Center Landmark Signs

Commented [BB10]: Exhibit needs to be updated to be more to scale

Section 7-160 Permanent Freestanding Signs – Allowable Districts

No permit for a permanent freestanding sign shall be issued nor shall a permanent freestanding sign be constructed or displayed unless said sign is situated in a district authorized by Table 7-1 below:

Table 7 - 1
Allowable Districts for Permanent Freestanding Signs

Sign Classification	Permit Required (Y or N)	Residential Districts								Commercial Districts						Special Districts		
		R15	R20	R30	R40	RE	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML	AG	PUD	
General Business Signs	Y									P	P	P	P	P	P		(1)	
Freeway Pole Signs	Y									S (2)	S (2)	S (2)	S (2)	S (2)	S (2)		S (2)	
Institutional Signs	Y	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Multi-family Signs	Y							P									(3)	
Subdivision Monument Signs	Y	P	P	P	P	P	P	P	P								P	
Traffic Directional Signs	N	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	P	P	P	P	P	P	P	(1)	
Directory Signs	Y												(5)	(5)			(5)	

Notes for Table 7-1:

- (1) Permitted where the PUD ordinance allows commercial uses
 (2) Permitted only in the Freeway Overlay Zone with approval of an SUP
 (3) Permitted where the PUD ordinance allows multi-family uses
 (4) Permitted for Institutional uses in the applicable districts
 (5) Permitted for retail shopping centers containing a minimum of 250,000 square feet of gross floor area.

Legend: **P** = Sign permitted in this district

(4#) = Sign permitted in this district
 per special footnote

Section 7-165 Permanent Freestanding Signs – Area, Height and Setback Requirements

No permit for a permanent freestanding sign shall be issued nor shall a permanent freestanding sign be constructed or displayed that exceeds the maximum area, height and minimum setback requirements contained in Table 7-2 below:

Table 7 - 2 Area, Height and Setback for Permanent Freestanding Signs						
Type of Sign	Maximum Sign Area	Maximum Sign Height	Minimum Front Property Line Setback (1)	Minimum Side Property Line Setback	Minimum Spacing B/T Next Free-Stand. Sign	Special Conditions
General Business Signs	112-78 s. f. (2)	8-6.5 ft. (2)	8 ft.	30 ft.	60 ft. (7)	1 per 250' street frontage
Freeway Pole Signs	250 s. f.	35 ft.	8 ft.	30 ft.	60 ft. (7)	1 per lot (3)
Institutional Signs (on-premises)	45-78 s. f. (4)	5-6.5 ft.	8 ft.	30 ft.	60 ft.	1 per street frontage
Institutional Signs (off-premises)	16 s. f.	5 ft.	none	none	none	Maximum of two signs
Multi-family Signs	25-52 s. f.	5-6.5 ft.	8 ft.	30 ft.	60 ft.	1 per street frontage
Subdivision Monument Signs	(8)50 s. f.	10-6.5 ft.	0 ft.	0 ft. (5)	n/a	Maximum 2 per entrance
Traffic Directional Signs (6)	6 s. f.	30 inches	0 ft.	0 ft.	0 ft.	2 per curb cut
Directory Signs	25 s. f.	6 ½ ft. (2)	150 ft.	N/A	N/A	1 per street entrance and no more than 4 signs per retail shopping center; Sign shall only be located along an internal drive or street within the development

Notes for Table 7-2:

(1) Any street frontage shall be considered a front property line

(2) Maximum structure size.

(3) Only permitted within 250 feet of Hwy. 121 right-of-way.

(4) ~~An on-premises Institutional Sign located in a non-residential zoning district may be constructed in accordance with the General Business Sign regulations for the applicable zoning district.~~

(5) Signs on a street island must be designed to permit appropriate driver visibility- joint use agreement required.

(6) Spacing requirements for Freestanding Signs are not applicable to Traffic Directional Signs.

(7) 100 feet between signs when signs are located on the same lot.

(8) ~~Maximum message area is 50 s.f.~~**Section 7-170 Permanent Attached Signs – General Conditions**

- A. Permit – A permit shall be required prior to construction of any permanent attached sign, except where an exemption is specifically provided for in these regulations.
- B. Certificate of Occupancy Required – No permit for a permanent attached sign shall be approved, except where a business exists with a valid certificate of occupancy or where a certificate of occupancy has been submitted for the premises on which the sign is to be located.
- C. Construction Standards – The construction of all permanent attached signs shall comply with the structural requirements of the Colleyville building code.
- D. Illumination – A permanent attached sign may be illuminated, however, illuminated attached signs on rear building facades are prohibited. All electrical facilities shall require separate electrical permits and shall be installed in accordance with the City of Colleyville electrical code. Lighting shall be installed so as to

avoid any glare or reflection onto adjacent property, or create a traffic hazard on a public street. When determined necessary by the **enforcement-administrative** official, illuminated signs shall be shielded to minimize glare on residentially zoned property.

- E. **Pedestrian Clearance** – No permanent attached sign may project over a pedestrian walkway, unless there is a minimum of eight (8') feet of clearance provided from the bottom of the sign to the grade below the sign.
- F. **Public Right-of-Way** – No permanent attached sign shall project over or into a public right-of-way, except where a provision in this Chapter provides for a sign within a right-of-way or with the approval by the City Council of a *Right-of-Way Encroachment and Joint Use Agreement*. A sign may encroach over or into a public access easement located on private property, provided a minimum of eight (8') feet of clearance is provided over a walkway and a minimum of fourteen (14') feet of clearance is provided over a driving area.

Section 7-175 Permanent Attached Signs – Classification and Regulations

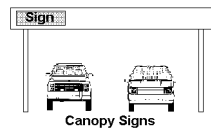
No permit for a permanent attached sign shall be issued nor shall a permanent attached sign be constructed or displayed unless said sign is in compliance with the sign classifications and standards contained in this Section and is situated in a district authorized by Table 7-3.

- A. **Awning Signs** – The purpose of an awning sign is to provide an advertising message on the face of an awning. An awning may extend across the entire width of a building or tenant space. An awning may extend above the apparent roof line of the building, provided the awning extends across seventy-five (75%) percent of the entire width of the building façade to which it is attached. An awning shall not exceed six (6') feet in height. Awnings shall only be allowed of a single color of a neutral tone (black, gray, white, tan, etc.), opaque, and of a high quality material.

The sign area on an awning shall not exceed 20% of the area of the awning and shall extend for no more than 50% of the length of the awning or ten feet (10'), whichever is more restrictive. A permit shall be required for an awning sign. Awning signs may be illuminated.

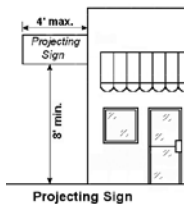


- B. **Canopy Signs** – A canopy sign shall be no greater in size than 20% of the face of the canopy of which it is a part or to which it is attached and shall not extend beyond the face of the canopy either vertically or horizontally. An illuminated strip may be incorporated into the canopy.



- C. **Projecting Signs** – The purpose of a projecting sign is to identify the name of a business, profession, service, product or activity conducted, sold or offered on the premises where the sign is located by providing an advertising message that is perpendicular to the wall of the building to which it is attached. A projecting sign shall be allowed in zoning districts in accordance with Table 7-3 and shall comply with the following additional regulations:

1. **Number of Signs:** One (1) projecting sign shall be allowed for each single tenant building or for each tenant in a multi-occupancy structure. However, no tenant storefront shall have a projecting sign in combination with a wall sign on the same building elevation.
2. **Maximum Area:** A projecting sign shall not exceed twenty (20) square feet. The plane of the message area shall not exceed eighteen (18") inches from the plane of the message area on the opposite side of the sign.
3. **Horizontal Projection:** A projecting sign shall not project more than four (4') feet from any wall facing and shall not be closer than two (2') feet from a curb line. A projecting sign shall not extend above the apparent roof line of the building.

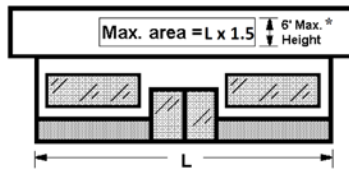


4. **Clearance:** Every projecting sign shall be a minimum of eight (8') feet above the grade over a walking area or fourteen (14') feet over a vehicular maneuvering area. Projection signs shall not project over any property line or right-of-way line.

5. **Illumination:** A projecting sign may be illuminated but shall not be internally illuminated.

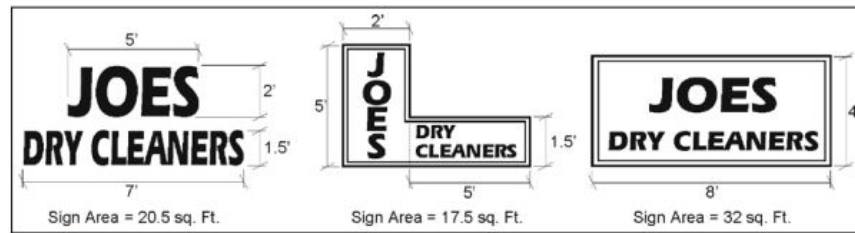
- D. **Wall Signs** - A wall sign shall only be allowed over the premises on which it advertises and may be illuminated; provided, illuminated wall signs on rear building facades are prohibited. Illumination shall allow for a solid color, no changing colors allowed. Wall signs shall comply with the following additional regulations:

1. **Maximum Area:** The total area of all wall signs on a single tenant building or occupancy space of a multi-tenant building shall not exceed the product of two-one and one-half (1 1/2) times the lineal width of the wall on which such signs are located. For purpose of this regulation, on multi-tenant buildings, the width of each lease space shall be used to calculate each sign width.



* See regulations for maximum letter height in Number 3 below

2. **Sign Area Measurement:** The measurement of sign area to determine compliance with the maximum sign area requirements shall be calculated by enclosing the extreme limits of all framing, emblem, logo, representation, writing, or other display within a single continuous perimeter composed of squares or rectangles with no more than eight lines (see exhibit below).

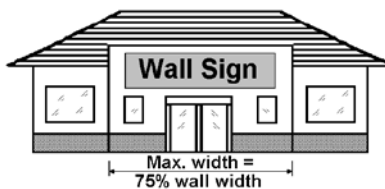


23. **Maximum Letter/Logo Height:** Ratio of letter height based on sign area and/or distance to front property line:

<50 sf or 50 ft from front property line = 24" max. letter/logo height
50 sf to 100 sf or 50 ft to 100 ft from front property line = 48" max.
>100 sf or 100 ft from front property line = 72" max.

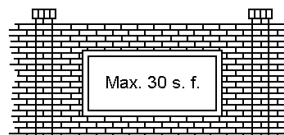
34. **Maximum Sign Height:** Six feet (6'), provided that no wall sign shall extend above the wall to which it is attached.

35. **Maximum Width:** Seventy-five percent (75%) of the width of the wall area to which it is attached. When more than one wall sign is used, the combination of the sign widths, when placed side by side, shall not exceed seventy-five (75%) of the width of the wall to which they are attached.



46. **Horizontal Projection:** No wall sign shall project from the vertical plane of the wall more than eighteen inches (18").

- E. **Subdivision Wall Signs or Plaques** - Subdivision wall signs or plaques shall not exceed thirty (30) square feet in area. Subdivision wall signs or plaques are limited to two per subdivision entryway and may be illuminated. A subdivision wall sign or plaque shall be attached to a fence or screening wall.



Subdivision Wall Plaque
 Page 1-27

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purposes of this regulation, the size of the graphic and sign text shall be used to measure sign size.

Section 7-180 Permanent Attached Signs – Allowable Districts

No permit for a permanent attached sign shall be issued nor shall a permanent attached sign be constructed or displayed unless said sign is situated in a district authorized by Table 7-3 below:

Table 7 - 3 Allowable Districts for Permanent Attached Signs																	
Sign Classification	Permit Required (Y or N)	Residential Districts								Commercial Districts					Special Districts		
		R15	R20	R30	R40	RE	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML	AG	PUD
Awning Signs	Y									P	P	P	P	P	P		(1)
Canopy Signs	Y									P	P	P	P	P	P		(1)
Projecting Signs	Y									P	P	P	P	P	P		(1)
Subdivision Wall Signs or Plaques	Y	P	P	P	P	P	P	P	P							P	P
Wall Signs	Y									P	P	P	P	P	P		(1)

Notes for Table 7-3:

(1) Permitted where the PUD ordinance allows commercial uses

Legend: **P** = Sign permitted in this district

(1#) = Sign permitted in this district
per special footnote

Section 7-185 Temporary Signs – General Conditions

- A. Permit – A permit approved by the ~~enforcement officer~~ **administrative official** prior to the construction or display of some classifications of temporary signs is required to determine compliance with these regulations and to establish the beginning and ending display periods.
- B. Certificate of Occupancy Required – No temporary sign shall be constructed or erected, except where a business exists with a valid certificate of occupancy or where a certificate of occupancy has been submitted for the premises on which the sign is to be located, unless a provision in this Section allows a sign to be displayed off-premises.
- C. Illumination – No temporary sign may be illuminated, except where a regulation provides for illumination. Lighting, where allowed, shall be installed so as to avoid any glare or reflection onto adjacent property, or create a traffic hazard on a public street. When determined necessary by the ~~enforcement~~ **administrative** official, illuminated signs shall be shielded to minimize glare on residentially zoned property.

Section 7-190 Temporary Business Signs – Classifications & Number Allowed

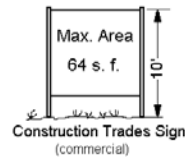
No permit for a temporary sign shall be issued nor shall a temporary sign be constructed or displayed unless said sign is in compliance with the sign classifications and standards contained in this Section and is situated in a district authorized by Table 7-3. Where a provision exempts certain classifications of temporary signs from the permit requirement, said temporary signs shall comply with all other provisions for temporary signs.

- A. Agricultural Signs – The purpose of an agricultural sign is to identify the temporary seasonal sales of produce, crops, animals or poultry that are produced or raised on the



farm or ranch on which the sign is placed. An agricultural sign may be displayed in zoning districts in accordance with Table 7-4. One agricultural sign shall be allowed per lot, parcel or tract of land, provided the property contains a minimum of one (1) acre. The maximum gross surface area of the sign shall be eight (8) square feet. Agricultural signs shall have a maximum height of four (4') feet.

- B. Construction Trades Signs – The purpose of a construction trades sign is to denote the architect, engineer, financial institution or building trades contractor involved in a construction project. Construction trades signs shall be regulated as either commercial or residential, which shall be allowed in accordance with Table 7-4. The maximum area, height, spacing and setbacks of a Construction Trades Sign shall conform to the specifications contained in Table 7-5.

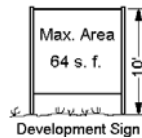


Construction trades signs shall not be erected until a building permit has been submitted for building construction and shall be removed upon completion of the construction project or occupancy of the structure, whichever is applicable. Construction trades signs shall not be illuminated. No permit or fee shall be required for a construction trades sign.



- C. Development Signs – The purpose of a development sign is to advertise a proposed residential subdivision or commercial project. A development sign shall be allowed in accordance with Table 7-4. A development sign shall not be illuminated. The maximum area, height, spacing and setbacks of a development sign shall conform to the specifications contained in Table 7-5. A permit shall be required for a development sign,

A development sign shall be removed when the project is 90% complete or within three years from start of construction, whichever is less. For the purpose of this provision, a subdivision shall be deemed 90% complete when 90% of the lots within the subdivision are sold.



- D. Garage Sale Signs – The purpose of a garage sale sign is to announce the sale of household possessions. Garage sale signs shall be allowed in any zoning district in accordance with Table 7-4. The maximum area, height, spacing and setbacks of a garage sale sign shall conform to the specifications contained in Table 7-5 and shall comply with the following additional regulations:

1. *Duration:* A garage sale sign shall not be posted more than twenty-four (24) hours prior to the beginning of the sale and shall be removed within twenty-four (24) hours following the end of the sale.
2. *Illumination:* A garage sale sign shall not be illuminated.
3. *Permit:* No permit or fee shall be required for any garage sale sign.



4. *Single-family residential on-premises:* One garage sale sign per street frontage shall be allowed, but only on the premises where the garage sale is being conducted and where there is an existing residential use.
5. *Neighborhood-wide garage sales:* Two garage sale signs per subdivision entrance shall be allowed for a neighborhood-wide garage sale sponsored by a homeowner's association (HOA). The garage sale sign may be off-premises from where the actual garage sale is conducted, but the sign shall be located on property, including a street right-of-way, that is within the limits of the homeowner's association. The HOA must be registered with the Colleyville Code Enforcement Department.



- E. Missing Pet Signs – The purpose of a missing pet sign is for the pet owner to alert the immediate area or neighborhood where the pet owner resides that a pet is lost or missing.

1. *Number of Signs:* There shall be no more than four (4) signs allowed per pet owner.

~~2.—Location of Signs:—Signs may be placed on the private property where the pet owner resides and within the following street rights-of-way: Rights-of-way at street intersections that are located within a 1,000-foot radius of the pet owner's residence.—No signs may be placed upon any telephone poles.~~

~~3.—Duration:—missing pet sign(s) may be posted for a period of not more than ten days.~~

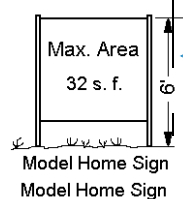
~~4.—Illumination:—A missing pet sign shall not be illuminated.~~

~~5.—Permit:—No permit or fee shall be required for any missing pet sign.~~

~~6.—Sign Dimensions and colors:—Signs shall be placed on the ground and shall not exceed four (4) feet in height and shall not exceed eight (8) square feet in area.—The background and/or primary color of the sign shall be white.~~

F. Home Occupation Signs — (refer to Chapter 3 of the Land Development Code regarding Home Occupations).

G. Model Home Signs — The purpose of a model home sign is to provide advertising of a typical completed residential dwelling. A model home sign shall be allowed in any residential zoning district in accordance with Table 7-4, provided the sign and the model home are located in the subdivision being developed. Model home signs are limited to one per premises. A model home sign permit may not exceed a period of 24 months, provided if the model home is sold prior to the expiration of the 24 month period, the sign shall be removed when the sale is completed. The maximum area, height, spacing and setbacks of a Model Home sign shall conform to the specifications contained in Table 7-5.



H. Political Signs — A political sign shall be allowed in any zoning district. No political sign shall be attached to any utility, light, or traffic signal pole. A political sign shall not be illuminated. Political signs shall be subject to the following additional regulations.

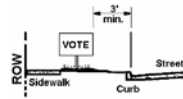
1. Political Signs on Publicly Owned Property — A political sign shall not be placed upon any publicly owned property including but not limited to City parks, City facilities, school district property, or state or federally owned property, except for the following:

- a. *Said political sign(s) shall be placed in the perimeter landscaped area on the subject property being used as a polling location in accordance with Texas Election Code Section 61.003 or 85.036;*
- b. *Said political sign(s) shall not exceed four (4) square feet in area;*
- c. *Said political(s) shall be attached to a metal stake, not to exceed a 9 gauge diameter, driven into the ground;*
- d. *Said political sign(s) shall not encroach upon any tree roots, irrigation lines, and any other underground vegetation, or structure;*
- e. *Said political sign(s) shall not extend over any sidewalk, street, or driveway;*
- f. *Said political sign(s) shall not be placed within 30 feet of an identical sign(s);*
- g. *Said political sign(s) may be placed beginning 48 hours prior to the first day of the early voting period, and must be removed within three (3) days after early voting of said election, unless the polling location for Election Day is held in the same location at early voting, then the signs shall be removed by 10:00 a.m. on the day following the election;*
- h. *For a location used for Election Day only, said political sign(s) shall be placed beginning at 6:00 p.m. the day before Election Day, and shall be removed by 10:00 a.m. on the day following the election.*

2. Political Signs on Private Property — A political sign situated on private property shall not exceed

thirty-two (32) square feet, nor exceed eight (8) feet in height, and ~~shall not be erected more than thirty-sixty (30-60) days prior to the official election and shall be removed within seven (7) days after said election.~~

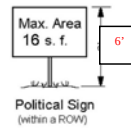
~~3. Political Signs within a public right-of-way—A political sign may be placed within the public right-of-way, provided no portion of the sign shall be closer than three (3) feet from the edge of the street pavement and further provided no part of the sign extends over any sidewalk. A political sign situated within a public right-of-way shall not exceed sixteen (16) square feet in area nor exceed six (6) feet in height.~~



~~a. A political sign shall not be erected within a public right-of-way more than thirty (30) days prior to the date of the official election and shall be removed within seven (7) days after said election.~~

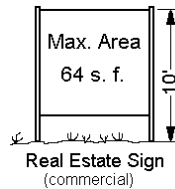
~~b. A political sign shall not be placed on any private property, or within public right-of-way adjacent to private property without the private property owner approval.~~

~~c. A political sign shall not be placed within a roadway median or block vehicular visibility.~~



43. No permit or fee shall be required for a political sign.

I. Real Estate Signs (Commercial) – The purpose of a commercial real estate sign is to advertise the sale, rental or lease of the premises on which said sign is located. A commercial real estate sign shall be allowed in accordance with Table 7-4. A commercial real estate sign shall not be illuminated. The maximum area and height of a commercial real estate sign shall conform to the requirements contained in Table 7-5. Commercial real estate signs shall be removed within seven (7) days following the completion of the sale, rental or lease of the premises. No permit or permit fee shall be required for a commercial real estate sign.



J. Real Estate Signs (Residential) – The purpose of a residential real estate sign is to advertise the sale, rental or lease of the premises on which said sign is located. A residential real estate sign shall not be illuminated. A residential real estate sign shall be allowed in a residential district in accordance with Table 7-4. The maximum area and height of a residential real estate sign shall conform to the requirements contained in Table 7-5. All signs shall be removed within seven (7) days following the completion of the sale, rental or lease of the premises. No permit of permit fee shall be required for a residential real estate sign.



K. Temporary Business Signs – The purpose of a temporary business sign is to provide advertising for specific periods of time to identify the name of a business, profession, service, product or activity conducted, sold or offered on the premises where the sign is located.

1. *Requirements:* Temporary business signs shall conform to the following additional regulations:

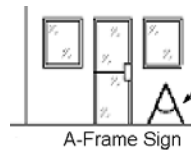
- Maximum number:* One per business occupancy holding a valid certificate of occupancy.
- Illumination:* None allowed.
- Permit Requirements:* A temporary business sign permit shall not be valid for more than 30 consecutive days and there shall be a thirty (30) day non-display period between permits. No more than three temporary business sign permits shall be issued per calendar year per business occupancy.
- Permit Fee:* A permit fee shall be charged for a temporary business sign. The permit fee shall be established by City Council.
- Districts Allowed:* Temporary business signs shall be allowed in zoning districts in accordance with Table 7-4.

2. **Types of Temporary Business Signs:** A business tenant may choose any one of the following types of sign structures:

- a. **Flexible Banner Signs:** Banners shall be kept in good repair and remain firmly anchored or secured to the face of the building or may be suspended below the apparent lower edge of an overhanging covered walkway, provided the banner is firmly secured to the columns supporting the building. A flexible banner sign may not be freestanding. A flexible banner sign shall not exceed fifty (50) square feet nor exceed six (6) feet in height.
- b. **A-Frame Signs:** The purpose of an A-frame sign is to provide temporary advertising during business hours of a commercial occupancy.

(1). **Maximum height and area shall conform to the following table:**

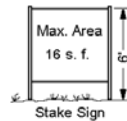
Maximum heights and areas of A-Frame Signs		
	Max. Area	Max. Height
Located on a sidewalk	8 s. f.	4 feet
Located in a yard	24 s. f.	6 feet



(2). **Time duration:** Only displayed during business hours.

(3). **Placement:** Only allowed on private property, but may be located on a public sidewalk, provided a width of four feet (4) shall remain free from intrusion.

- c. **Stake Signs:** A stake sign shall not exceed sixteen (16) square feet, nor exceed six (6) feet in height.



L. **Weekend Builder / Real Estate Open House Signs** – The purpose of Weekend Builder / Real Estate Open House Signs is to assist the general public by providing direction to available residential properties in Colleyville. Signs that advertise developments located outside the corporate limits of Colleyville shall be prohibited.

1. **Open House Sign Definition:** A means of advertising and marketing a property that is for sale. A period of time during which a builder, developer, or real estate agency markets the home by inviting buyers in for a public viewing to see the interior without making an appointment.
2. **Weekend builder / real estate open house signs** may be placed on private property or in the public right-of-way with the approval of the adjacent property owner, provided the advertiser has a valid annual permit required by these regulations. Signs placed within the public right-of-way shall be situated not more than five (5) feet from the right-of-way line and shall be no closer than three (3) feet from the edge of the sign to the edge of the street pavement. No weekend builder / real estate open house sign shall block vehicular visibility. Approval of an annual permit does not grant unlimited access or use of the public right-of-way, therefore, it shall be the responsibility of the builder, owner, or real estate agency to secure permission of the property owner for placement of the signs on private property or in the adjacent street right-of-way.



Open house signs shall not be posted within visibility triangles. No sign shall be located or placed where it obstructs the vision of motor vehicle drivers approaching any street intersection. At all street intersections, clear vision shall be maintained across the lot for a distance of twenty-five (25') feet back from the property corner along both streets. Within this triangle, vision shall be clear at elevations between thirty inches (30") and nine feet (9') above the average curb grade.

3. A builder, developer, or real estate agency must be registered with the City of Colleyville to qualify

and participate as a weekend advertiser or for open house signs. An annual permit is required for each builder, developer or real estate agency, which shall expire on December 31 each year. The permit fee shall be established by separate ordinance approved by the City Council.

Note: For purpose of this regulation a real estate agency shall be defined as the real estate broker or owner holding a franchised agency.

4. A weekend builder / real estate open house sign shall not exceed six (6) square feet in area and four (4) in height. No sign shall be placed on trees, utility poles, traffic control signs or within a street median or encroach over a sidewalk.
5. *Maximum number of Weekend Builder Signs:* The maximum number of signs displayed at any one time for a weekend builder shall not exceed twenty (20) signs for any subdivision.
6. *Maximum number of Real Estate Open House Signs:* The maximum number of signs displayed at any one time for a real estate agency shall not exceed twenty (20) signs, provided no more than two (2) signs shall be displayed within the right-of-way for any single residential property. One (1) on-site open house sign shall be located on the premises of the open house for property identification. The sign shall be in accordance with the open house sign maximum effective area specifications. The house shall be open for a public viewing to see the interior without making an appointment for the entire period during which open house signs advertise the property. Real estate open house signs shall be limited to directing traffic to an open house.

All open house signs shall include the open house address, open house date(s), and open house public viewing time(s). Open house viewing times shall refer to the availability of the public to view the interior of a home without making an appointment. The information shall be located on the advertising surface of the sign and shall not be attached to the pole of the sign.

7. Weekend builder signs may be exhibited from 12:00 noon on Friday till 12:00 noon on the following Monday. Open house signs may be exhibited only between the hours of 12:00 midnight Friday to 12:00 midnight on the following Sunday. A holiday falling on a Friday or a Monday will be considered as part of the weekend.

M. Window Signs - Window signs may be placed so as not to obscure more than 25% of the visible window area any individual window pane. Where multiple windows exist, fronting on the single elevation, the 75% visibility shall be maintained for the total window area on said elevation.

Commented [BB12]: Option: Eliminate allowance for Window Signs

N. Temporary Construction Entrance Signs – The enforcement-administrative official is hereby authorized to approve temporary signs to direct traffic to the entrance of a commercial business when the driveway that provides access to the business or the street immediately abutting the business is under construction.

O. Allowance for Signs Adjacent to Roadways Under Construction – Businesses adjacent to a major public roadway construction project scheduled for six months or more duration shall be eligible for prolonged temporary signage when roadway construction activities are commencing immediately adjacent to the business. The following conditions shall apply:

Commented [BB13]: There a desire to allow for special regulations regarding temporary business signs when adjacent to a roadway that is under construction.

- (1) Shall comply with Section 7-190.K Temporary Business Signs.
- (2) The *Permit Requirements* (Sec. 7-190.K.1.c) shall not apply for the duration of the construction of the roadway.

Section 7-195 Temporary Signs – Permitted Districts

No temporary sign shall be displayed unless said sign is situated in a district authorized by Table 7-4.

Table 7-4
Permitted Districts for Temporary Signs

Colleyville, Texas, Land Development Code

Sign Classification	Permit Required (Y or N)	Residential Districts								Commercial Districts						Special Districts	
		R15	R20	R30	R40	RE	RD	RMF	MH	CPO	CN	CC1	CC2	CC3	ML	AG	PUD
Agricultural Signs	N	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Community Special Event Signs	N	See Section 7-205															
Construction Trades Signs (Commercial)	N									P	P	P	P	P	P		(1)
Construction Trades Signs (Residential)	N	P	P	P	P	P	P	P	P							P	(2)
Development Signs	Y	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Garage Sale Signs (3)	N	P	P	P	P	P	P	P	P	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)
Missing Pet Signs	N	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Home Occupation Signs	N	See Home Occupations in Chapter 3 of the Land Development Code															
Model Home Signs	Y	P	P	P	P	P	P	P								P	(2)
Pole Banners	Y	See Section 7-205.E															
Political Signs	N	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(1)
Real Estate Sign (Commercial)	N									P	P	P	P	P	P		(2)
Real Estate Sign (Residential)	N	P	P	P	P	P	P	P	P							P	(1)
Temporary Business Signs	Y									P	P	P	P	P	P		(1)
Banner Signs	Y	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	P	P	P	P	P	P		(1)
A-Frame Signs	Y									P	P	P	P	P	P		(1)
Stake Signs	Y									P	P	P	P	P	P		(1)
Weekend Builder / RE Signs	Y	See Section 7-190.K															

Notes for Table 7-4:

- (1) Permitted where the PUD ordinance allows commercial uses. Legend **P** = Sign permitted in this district
 (2) Permitted where the PUD ordinance allows residential uses.
 (3) Property must contain a residential use. **(#)** = Sign permitted in this district
 (4) Where an Institutional use occupies the premises per footnote

Section 7-200 Temporary Signs – Area & Setback Requirements

All temporary signs shall be constructed in accordance with the requirements listed in Table 7-5:

Table 7-5 Maximum Area, Height and Setback of Temporary Signs					
Type of Sign	Max. Area	Max. Height	Front Property Line Setback	Side Property Line Setback	Special Conditions
Agricultural Signs	8 s. f.	4 ft.	none	none	one acre lot min.
Community Special Events Signs	See Section 7-205 for regulations				
Construction Trades Signs (Commercial)	64 s. f.	10 ft.	none	none	none
Construction Trades Signs (Residential)	8 s. f.	4 ft.	none	none	none
Development Signs	64 s. f.	10 ft.	none	none	none

Colleyville, Texas, Land Development Code

Garage Sale Signs (single-family residential)	8 s. f.	4 ft.	none	none	1 per frontage
Garage Sale Signs (neighborhood-wide)	32 s. f.	6 ft.	none	none	2 per subdivision entrance
Missing Pet Signs	8 s. f.	4 ft.	none	none	4 signs max. allowed on pet owner's property and in ROW at street intersections within 1,000 foot radius of pet's home
Model Home Signs	32 s.f.	6 ft.	none	none	24 months
Pole Banners	See Section 7-205.E for regulations				
Political Signs (on private property)	32 s. f.	8-6 ft.	none	none	none
Political Signs (within a public right-of-way)	16 s. f.	6 ft.	none	none	none
Real Estate Signs (Commercial)	64 s. f.	10 ft.	none	none	none
Real Estate Signs (Residential)	12 s. f.	6 ft.	none	none	none
Temporary Business Signs					
Banner Signs	50 s. f.	6 ft.	none	none	3 permits per calendar year / 30 days between permits / permits valid for 30 days
A-Frame Signs (Located in a yard)	24 s. f.	6 ft.	none	none	
A-Frame Signs (Located on a sidewalk)	8 s. f.	4 ft.	none	none	
Stake Signs	16 s. f.	6 ft.	none	none	
Weekend Builder / Real Estate Open House Sign	See Section 7-190.K for regulations				

Section 7-205 Temporary Community Special Event Signs

The purpose of this regulation is to provide temporary advertising for certain community special events sponsored by public and quasi-public agencies, churches and other religious institutions located within the corporate limits of the City of Colleyville. Signs shall be allowed in accordance with the following:

- A. Qualifying Entities – The following public and semi-public agencies, churches and other religious institutions located within the corporate limits of the City of Colleyville shall be permitted to have community special event signs in accordance with the provisions of this section.
1. City of Colleyville: Signs advertising an event conducted and sponsored by the City of Colleyville may be placed on any private property or in the public right-of-way adjacent to the private property with the approval of the adjacent property owner. Signs placed within the public right-of-way shall be situated not more than five (5) feet from the right-of-way line and shall not block vehicular visibility.
 2. Public and Semi-Public Schools: Signs advertising an event conducted and sponsored by a public or semi-public school may be placed on property owned by the public or semi-public school or within the adjacent right-of-way. Signs placed within the public right-of-way adjacent to property owned by the public or semi-public school shall be situated not more than five (5) feet from the right-of-way line and shall not block vehicular visibility.
 3. Colleyville Area Chamber of Commerce: Signs advertising the Colleyville Business Expo sponsored by the Colleyville Area Chamber of Commerce may be placed on any private property, or in the public right-of-way adjacent to the private property with the approval of the adjacent property owner. Signs placed within the public right-of-way shall be situated not more than five (5) feet from the right-of-way line and shall not block vehicular visibility.

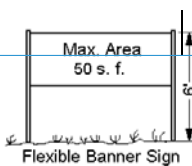
4. ~~Churches and Other Religious Institutions:~~ Signs advertising an event conducted and sponsored by a church or other religious institution located within the corporate limits of the City of Colleyville may be placed only on the premises where the event is located or within the public right-of-way adjacent to the premises where the event is located. Signs placed within the public right-of-way shall be situated not more than five (5) feet from the right-of-way line and shall not block vehicular visibility.

52. ~~Public and Semi-Public Schools, Colleyville Area Chamber of Commerce, Churches and Other Religious Institutions, and Non-Profit Civic Organizations Not Listed Above:~~ For the purpose of this section, a non-profit civic organization shall be a not-for-profit community organization that has as its primary objective charitable fundraising, community betterment or youth sports promotion and participation. Signs advertising an event conducted and sponsored by ~~a non-profit civic organization any of the above~~ may be placed on any private property ~~or in the public right-of-way adjacent to the private property~~ with the approval of the adjacent property owner. ~~Signs placed within the public right-of-way shall be situated not more than five (5) feet from the right-of-way line and shall not block vehicular visibility.~~ Sign dimensions shall be consistent with the provisions of Section "B(31) and (42)" below. Directional signs may be placed no sooner than 24 hours prior to the event and shall be removed no later than 24 hours after the conclusion of the event.

Commented [BB14]: Have all be regulated the same

B. Types and Maximum Area of Signs Allowed – The following types of community special event signs shall be allowed, provided the sign does not exceed the maximum area and height established below.

1. Flexible Banner Signs: Banners shall ~~only be allowed on the premises where the event is located. Banners shall~~ be kept in good repair and remain firmly anchored or secured to the face of the building or may be suspended below the apparent lower edge of an overhanging covered walkway, provided the banner is firmly secured to the columns supporting the building. A flexible banner sign may be freestanding. A flexible banner sign shall not exceed fifty (50) square feet nor exceed six (6) feet in height.



Commented [BB15]: Added for clarity. Can be removed if desired.

2. Stake Signs: Signs shall not exceed six (6) square feet in area nor exceed four (4) feet in height.

3. ~~Exceptions to Stake Sign Requirements for Non-Profit Civic Organizations:~~ Stake signs for non-profit civic organizations shall adhere to the stake sign location and size requirements for political signs found in Section 7-190(H)(1) and (2).

4. ~~Banner Sign Requirements for Non-Profit Civic Organizations:~~ There shall be no size restrictions for banner signs until June 30, 2012. Thereafter, banner sign dimensions shall conform to the requirements of Section B(1) above.



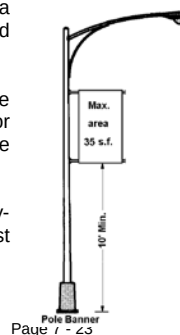
C. Time Duration – Signs for City of Colleyville sponsored events may be erected for any length of time. All other signs allowed under this section may be erected 21 days prior to the activity and shall be removed not later than the first business day after the event.

D. Pole Banner Signs

1. Pole Banners: The purpose of a pole banner sign is to provide advertising for a community event. Pole banners may be erected on utility and other designated poles within the public right-of-way subject to the following restrictions:

2. Permit: A permit is required from the building permit office and may only be issued to a non-profit organization for the purpose of advertising a function or event to which the general public is invited in Colleyville. Applications shall be considered on a first-come, first-served basis.

3. Permit Duration: No permit shall be approved for a period exceeding twenty-one (21) consecutive days. The pole banners shall be removed on the first business day after the last day of the event.



4. **Commercial Message:** A pole banner may only advertise the name, date, phone number and website of the community event. Any commercial message of a sponsor is limited to twenty-five percent (25%) of the sign area.
5. **Maximum area and height:** Thirty-five (35) square feet in area per pole and thirty-five feet (35') from the ground, provided the banner maintains a minimum of ten feet (10') of clearance between the bottom of the pole banner and the ground.

76. Location: Pole banners may be installed only on poles identified by the City that include the appropriate hardware for such installation.

- E. **Permit** – Other than events sponsored by the City of Colleyville or non-profit, community based organization listed on the City's website, a temporary sign permit shall be obtained prior to the placement of any signs allowed by this section.

Commented [BB16]: Added by the P&Z Commission

Section 7-210 Special Advertising Provisions

- A. **Grand Openings** – The purpose of the grand opening signage provision is to allow the enforcement administrative official to issue a permit to a new business, or to a business that has substantially remodeled, as defined herein, for the purpose of obtaining special advertisement signage for a temporary period. The following regulations apply to grand opening signage permits:

1. **Eligibility:** Upon issuance of a certificate of occupancy and within one year thereafter, a business shall be allowed to receive a grand opening sign permit when one of the following conditions applies:

- a. When a certificate of occupancy has been issued to the new business, or
- b. When a certificate of occupancy has been issued to an existing business, which has substantially remodeled and the cost of the renovation exceeds sixty (60) percent of the current value of the building, or lease-space, excluding the value of the land, according to the most recently approved tax roll.

2. **Allowable Signs:** Signs may include a combination of pennants, tethered or inflatable balloons, and one (1) temporary business sign. Non-traditional balloons/inflatables shall not be allowed. The height and area of such signs shall be limited to the applicable regulations for the sign classification. A temporary business sign may be placed off-premises with the permission of the property owner during the period of the grand opening sign permit. The permit holder shall be the responsible party for compliance with the grand opening sign permit regulations.

Commented [BB17]: Added by the P&Z Commission

3. **Permit:** A permit shall be required for a business to utilize the grand opening signage provisions. No permit fee shall be required for a grand opening sign permit. The use of a grand opening sign permit shall have no effect on the number of subsequent temporary sign permits that may be authorized for a business occupancy.

4. **Duration:** A grand opening sign permit shall be valid for a period not to exceed sixty-three (6030) consecutive calendar days

~~Exception: A permit for a search light shall be a separate permit and not be granted any rights authorized under the grand opening provisions of this Section.~~

- ~~B. **Search Lights** – A search light may be used as a sign in any non-residential zoning district. A search light shall be located a minimum of 50 feet from any public right-of-way and positioned so that all beams of light emitted have a minimum angle of 30 degrees from grade level. A search light may not generate light of an intensity in excess of 1,600 million foot candle power. No more than four beams of light may be projected from any premises. All search lights must be designed and maintained so as to prevent any light from being directed at any portion of a street or adjoining property. No light emitted shall be of such intensity to cause impairment of the vision of the driver of any vehicle upon a public right-of-way or private roadway. No search light may be operated between the hours of 11:00 P.M., and 7:00 A.M.~~

- ~~1. **Permit:** A permit shall be required to place a search light at a business location.~~

~~2.—Duration:—Permits for search lights shall be limited to periods of seven (7) consecutive days and permits shall be limited to one per premises for each 6-month period.~~

CB. Major Shopping Center Overlay Zone – The purpose of a major shopping center overlay zone is to reduce the overall number of signs situated along a public street by providing shared advertising privileges within a major development and by providing off-premises advertising alternatives for businesses located on lots which do not have frontage along a major public transportation thoroughfare. Developments which satisfy the criteria contained in this Section shall qualify for the sign provisions contained in this Section.

1. **General Qualification Criteria:** A commercial development which has a single or multi-occupancy building containing a minimum of one hundred thousand (100,000) square feet of floor area and situated on a single platted lot or on two or more contiguous platted lots shall qualify as a major shopping center. In addition to those lots which satisfy the general qualification criteria described in this paragraph, any adjacent or non-adjacent lots platted within the development that are platted under the same subdivision name shall also be eligible for the sign provisions contained in this Section.
2. **Shared and Off-Premises Signage Privileges:** A lot located within the limits of a major shopping center overlay zone may contain a sign that advertises a single or multi-tenant business occupancy located on another lot within the same major shopping center overlay zone, provided that the sign structure complies with the regulations applicable to the classification of sign constructed.

3. **Major Shopping Center Entry-Wall Signs and Plaques:** The purpose of a major shopping center entry-wall sign and plaque is to identify a major shopping center and the name of a business, profession, service, product or activity conducted, sold or offered within the major shopping center. Two sign structures shall be allowed per vehicular entrance and may be illuminated. The maximum height of the entry-wall structure shall not exceed five (5) feet. The maximum area of a sign plaque shall not exceed twelve (12) square feet. There shall be a minimum of three (3) feet spacing between sign plaques.



4. **Permit:** A permit shall be required for a Major Shopping Center Entry Wall Sign upon the review and approval of the City Council.

45. **Permit:** A permit shall be required for a major shopping center entry-wall sign.

Section 7-215 Prohibited Signs

The signs described in this Section shall be prohibited within the corporate limits of the City of Colleyville.

- A. **Off-Premises Signs** – Off premises signs, including billboards, are prohibited in the City of Colleyville, except where specifically allowed by these regulations.
- B. **Obscene Signs** – It shall be unlawful for any person to display upon any sign any obscene, indecent or immoral matter.
- C. **Portable Signs** – No person shall erect or allow to be displayed on the premises owned or controlled by him a portable sign. Portable signs shall include windsail style signs, flags, pennants, etc., with or without lettering. No person shall attach any sign to a trailer, or similar mobile structure, where the primary use of such structure is to provide a base for such sign or to constitute the sign itself. A temporary business sign allowed by these regulations in this chapter may be constructed on skids where there is no opportunity for the sign supports to be installed in the ground.

- D. Roof Sign – Signs mounted on roofs or above a parapet are not permitted.
- E. Painting, Marking, Attaching, Materials to Streets, Sidewalks, etc. – No person shall attach any sign, whether consisting of paper, plastic, or paint, or stencil or write any name, number (except house numbers), or otherwise mark on any sidewalk, curb, gutter, street, whether public or private, utility pole, public building, fence or structure except as allowed by the sign code.
- F. Attaching Signs to Fences or Utility Poles – No person shall attach a sign to a fence or a utility pole, except a small sign identifying the name of the fence company not discernable from the street.
- G. Moving-Animated and Flashing Signs – No person shall erect or allow to be displayed upon premises owned or controlled any ~~illuminated~~, animated, moving or flashing sign.
- ~~Exception: Only a sign, which has illumination that is turned on and off, changes in light intensity, color or copy, at a rate equivalent to, or no more often than once every five (5) minutes, is permitted. It is further provided that a sign, which uses illumination to provide time of day and/or temperature, only shall not constitute a flashing sign.~~
- H. Balloons and Inflatable Advertising – No person shall erect or allow to be displayed as a sign, any balloon, flag, pennant or other floating or inflatable advertising device anchored to the ground or to any other structure, except as allowed by a grand opening sign permit.
- I. Non-Combustible Material – Any sign with either direct or indirect illumination which is attached to the sign shall be constructed of non-combustible materials. Such signs shall be supported by non-combustible supports.
- J. Simulation of Traffic Control Signs – No sign shall obstruct the free and clear vision at any location, where as a result of the position, size, movement, shape, color, fashion, manner or intensity of illumination or any other characteristics, such sign may interfere with vehicular or pedestrian traffic. Nor shall any person erect or allow to be displayed upon premises owned or controlled by him any sign in such a manner as to interfere with, obstruct the view of or be confused with, any authorized traffic sign, signal, or device, including, without limitation, signs making use of the words "stop," "go," "look," "slow," "danger," or any other similar word, phrase, symbol or character, or employ any red, yellow, orange, green or other colored lamp or light in such a manner as to cause confusion or otherwise interfere with vehicular or pedestrian traffic.
- K. Non-Defined Signs – No person shall erect or allow to be displayed upon premises owned or controlled by him any sign that is not specifically allowed by this Chapter.

Section 7-220 Sign Maintenance

No person shall allow a sign located on a premises owned by him, or which he has control of, to display or contain any of the following defects or conditions:

- A. where the elements of the surface or background can be seen as viewed from the intended viewing distance to have portions of the finished material flaked, broken off, missing or otherwise not in harmony or consistency with the rest of the surface; or
- B. where the structural supports or frame members are visibly bent, broken, dented, deteriorated or torn; or
- C. where a panel is visibly cracked or in the case of wood and other similar products, splintered in such a way as to constitute unsightly or harmful conditions-, or
- D. the sign, or its elements are twisted leaning or at angles other than those at which it was originally erected; or
- E. where the message or wording can no longer be clearly read by a person with normal eyesight under normal viewing conditions; or

- F. where the sign or its elements are not in compliance with the requirements of any building, electrical, sign or other type of code construction standards adopted by the City of Colleyville.

Section 7-225 Enforcement

- A. Authority - The ~~enforcement~~-administrative official is hereby authorized and directed to enforce all the provisions of this Chapter.
- B. Right of Entry - Whenever necessary to make an inspection to enforce any of the provisions of this Chapter, the ~~enforcement~~-administrative official or his authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the ~~enforcement~~-administrative official by this Chapter, provided that if such building or premises is occupied, he shall first present proper credentials and request entry; and if such building or premises is unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the ~~enforcement~~-administrative official or his authorized representative shall have recourse to every remedy provided by law to secure entry.
- C. Removal of Certain Signs Upon Notice – When a sign is constructed or erected in violation of these regulations, the property owner and/or tenant shall be given notice to remove said sign or alter said sign so as to comply with the regulations contained in this Chapter. Notice shall require compliance with these regulations within not more than ten (10) days from the date notice is served. Notice may be hand delivered or deposited in the United States mail, addressed to the property owner at the address shown on the most current tax roll of the City, or the tenant as shown on the utility billing records of the City. If the owner cannot be found, or if the notice is refused, or if the notice is returned by the United States Postal Service, then the owner may be notified by posting notice on or near the front door of each building on the premises where the violation exists at least ten (10) days prior to further action or by posting notice on a placard attached to a stake driven into the ground on the premises where the violation exists at least ten (10) days prior to further action.
- EXCEPTION: Illegal Temporary Signs** – The ~~enforcement~~-administrative official is hereby authorized to remove without notice any illegal temporary signs placed on public property or within a right-of-away. Such signs shall be impounded and may be destroyed by the City.
- D. Dilapidated or Deteriorated Signs – Upon determination by the ~~enforcement~~-administrative official that a sign is in a dilapidated or deteriorated condition or declared unsafe, dangerous or poses a threat to the safety of the general public, the ~~enforcement~~-administrative official shall give notice of said determination to the owner of the property on which the sign is erected. Said notice shall specify a time period of not more than ten (10) days in which said dilapidated or deteriorated condition must be corrected.
1. Failure by the owner of the property to correct the dilapidated or deteriorated sign or remove the same within the time provided in the notice shall constitute a violation of this Chapter.
 2. When a property owner, agent, or tenant fails to abate a sign declared to be unsafe and dangerous within the time period allowed, the ~~enforcement~~-administrative official is hereby authorized to contract for such work to abate the unsafe or dangerous condition and charge the property owner for the costs of such abatement. If the actual charges to the City are not paid within thirty (30) days, the City shall file a lien against the property.
 3. A sign which has been substantially destroyed or dismantled for any purpose other than maintenance operations or for changing letters, symbols or other matters on the sign. The sign shall be deemed to be substantially destroyed or dismantled if the cost of repairing the sign is more than 60% of the cost of erecting a new sign of the same type at the same location.

Section 7-230 Nonconforming Signs

A sign which does not conform to the regulations prescribed in this Chapter and existed lawfully on the date of adoption of this Chapter, or amendment hereto, shall be declared a nonconforming sign and may exist in its present form. A nonconforming sign may be maintained, but shall not be altered, or moved unless a permit be issued pursuant to the provisions of this Chapter. The right to continue a nonconforming sign shall cease and such shall be removed whenever:

- A. A sign is altered, moved or relocated without a permit pursuant to the provisions of this Chapter.
Exception: A sign face of a nonconforming sign may be replaced, provided no alterations to the sign structure are made.
- B. A sign is destroyed and the cost to repair exceeds 60% of the replacement cost on the date of the damage.
- C. A sign leans such that an angle between the sign and the ground is 75 degrees or less.

Section 7-235 Amendments to This Chapter

Reserved for listing of amendments to this Chapter.

Ord. Number	Date	Subject
O-02-1321	01/15/2002	Community Special Event Signs
O-02-1353	08/07/2002	Grand Opening Signs
O-03-1428	11/18/2003	Revision of entire chapter
O-04-1456	04/06/2004	Political sign revisions
O-08-1657	02/05/2008	Landmark Signs
O-08-1684	07/01/2008	Prohibited Signs
O-08-1685	07/01/2008	Weekend Builder/Real Estate Open House Signs revisions
O-09-1719	06/02/2009	Electronic Sign Regulations revisions
O-10-1742	02/16/2010	Temporary Sign Revisions
O-14-1932	10/06/2014	Political Sign Revisions
O-19-2074	02/05/2019	Several amendments as part of a total LDC review

ORDINANCE O-19-2074

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING CHAPTER 5 – TREE PRESERVATION OF THE LAND DEVELOPMENT CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

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

WHEREAS, the City of Colleyville desires to amend Chapter 7 – Sign Regulations of the Land Development Code as part of a comprehensive review of the Land Development Code; and

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

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

- Sec. 1. THAT *Chapter 7 – Sign Regulations* of the Land Development Code are hereby amended to read as depicted in the attached Exhibit "A".
- Sec. 2. THAT any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Colleyville, and upon conviction shall be punishable by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense.
- Sec. 3. THAT if any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- Sec. 4. THAT in addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations

of this ordinance.

Sec. 5. THAT this ordinance shall take effect immediately from and after its passage.

Sec. 6. THAT all other provisions of the Land Development Code shall remain in full force and effect, except as amended herein.

AND IT IS SO ORDERED.

The first reading and public hearing being conducted on the 15th day of January 2019.

The second reading and public hearing being conducted on the 5th day of February 2019.

PASSED AND APPROVED BY A VOTE OF ____ AYES, ____ NAYS, AND ____ ABSTENTIONS ON THIS THE 5TH DAY OF FEBRUARY 2019.

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:

Whitt L. Wyatt
City Attorney

Exhibit “A”

{Chapter 7}



City of Colleyville City Council Agenda Briefing

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

Agenda Number 6b

Agenda Date 02/05/2019

Number Ordinance O-19-2075

Type Ordinance

Department Community Development

Title

Consideration of a zoning change from R-40 Single Family Residential district to R-20 Single Family Residential district on Lot C, McEwing Subdivision & 1B02A, 1B2, 1B3, and 1B4, Abstract 1154 in the R H McEwing Survey, located at 712-810 Lavaca Trail, Case ZC18-033

Strategic Plan

4.1 Protect Colleyville's semi-rural residential character

Explanation

Second Reading and Public Hearing

There were two speakers in support of this item at the January 22, 2019 City Council Meeting.

First Reading and Public Hearing

Keith Hamilton, the applicant, has submitted a request for a zoning change from the R-40 Single Family Residential district to the R-20 Single Family Residential district on Lot C, McEwing Subdivision & 1B02A, 1B2, 1B3, and 1B4, Abstract 1154, in the R H McEwing Survey, being approximately 17.32 acres. The purpose of the request is to allow for development of 25 new single-family residential lots and five open space lots.

At the City Council meeting on December 4, 2018, Council remanded the item back to the Planning and Zoning Commission to reconsider this case as PUD-R Planned Unit Development Residential with R-20 standards. Specifically, the purpose of the PUD-R zoning is so it includes recognition of the agreements between the neighboring Homeowners Associations and developer, to allow private streets, and to authorize 11.3% open space within the development.

Existing Conditions/Background: The subject property, 712-810 Lavaca Trail, resides on the north side of Lavaca Trail, across the street from an existing subdivision called Legacy Estates zoned R-20 Single Family Residential district. The property currently has R-40 zoning and remains undeveloped. The City's zoning map incorrectly shows these lots to be zoned R-20.

Proposed Zoning:

Request – The applicant requests to rezone the property from R-40 to R-20 for the creation of a single-family residential subdivision consisting of twenty-five (25) single-family residential lots and five (5) open space lots. The development covers a total of 17.32 acres.

The minimum standards for the R-20 zoning district are as follows:

Minimum Lot Size: 20,000 square feet

Minimum Lot Width: 100 feet

Minimum Lot Depth: 125 feet

Front Building Line: 30 feet

Side Building Line: 10 feet

Rear Building Line: 25 feet

Maximum Lot Coverage: 30 percent

Analysis: The requested rezoning allows the applicant to develop the lots in a manner complementary to the neighborhoods surrounding it.

The applicant had applied for a preliminary/final plat for the property due to the city's zoning map showing the zoning for these lots to be the R-20 zoning district. It has been discovered that these properties actually have R-40 zoning based on a Planning and Zoning Commission case from 2006, O-06-1600. A request to rezone the property from the R-40 district to the R-20 district was denied by the Planning and Zoning Commission. The applicant at that time did not appeal to City Council, therefore the zoning remains R-40. Starting in January of 2007, the official zoning map has shown the R-20 zoning on the property. This error has continued through present day.

The exhibit provided is the Preliminary/Final Plat exhibit, which will be scheduled with the Planning and Zoning Commission and City Council at a later date.

Timeline for Zoning: Many properties in and around these properties have been developed for a decade or more and were rezoned from R-40 to R-20.

1997 O-97-1058 Remington Park from AG, R-20, & R-40 to PUD-R

2001 O-01-1286 Rosewood Villas from PUD-C to PUD- R and CC-2

2006 O-06-1594 Lavaca Trail/Estates from AG and R-40 to R-20

2006 O-06-1599 Lavaca Parc from R-40 to R-20

2006 O-06-1597 Legacy Estates western lots from R-40 to R-20

2006 O-06-1594 Kays Court and Emmas Court from R-40 & AG to R-20

2006 O-06-1563 Villas of Colleyville from CC-2 to PUD-R

2007 O-07-1627 Villas of Colleyville from CC-2 to PUD-R

2014 O-14-1924 Legacy Estates eastern lots from R-40 to R-20

Surrounding Development: The properties to the south, across Lavaca Trail and west have R-20 zoning and have developed with single-family residential structures. Properties to the north and east have PUD-R zoning and have developed with single-family residential structures.

Comprehensive Plan: The City's comprehensive plan, *Destination Colleyville*, identifies the subject property for single-family residential development. The proposed PUD-R with R-20 standards does not conflict with any portion of the comprehensive 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. 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, 3 letters in opposition and 48 letters (to include petitions) in favor have been submitted. One property owner revised their letter to change from opposition to support.

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-20 zoning continues the R-20 zoning districts around the subject property and is similar to the development pattern already established.

Planning & Zoning Commission Recommendation: The Planning & Zoning Commission recommended approval of the R-20 zoning at their October 22, 2018 meeting by a vote of 7-0.

City Council Action: The City Council remanded the item back to the Planning & Zoning Commission to reconsider this case as PUD-R Planned Unit Development -

Residential zoning with R-20 standards. Specifically, the purpose of the PUD-R zoning is so it includes recognition of the agreements between the neighboring Homeowners Associations and the developer, to allow private streets, and to authorize 11.3% open space within the development.

Planning & Zoning Recommendation: The Planning & Zoning Commission recommended approval of the PUD-R zoning at their January 14, 2019 meeting by a vote of 7-0.

Financial Impact

There is no fiscal impact for the City of Colleyville

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Zoning Exhibit
5. Tree Preservation Plan
6. City Zoning Map 2006
7. City Zoning Map 2007
8. Planning and Zoning Commission Minutes 11.13.2006
9. City Council Agenda Briefing 12.05.2006
10. Photos Taken by Staff
11. Notification Map
12. Notification List
13. Property Owner Notification Letter
14. Letters of Opposition
15. Letters of Support
16. Ordinance O-19-2075

Aerial Map

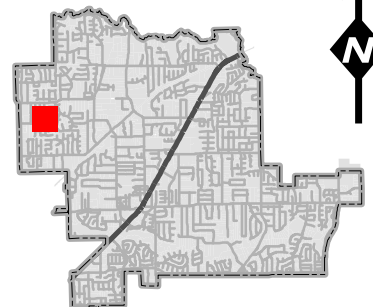


ZC18-033

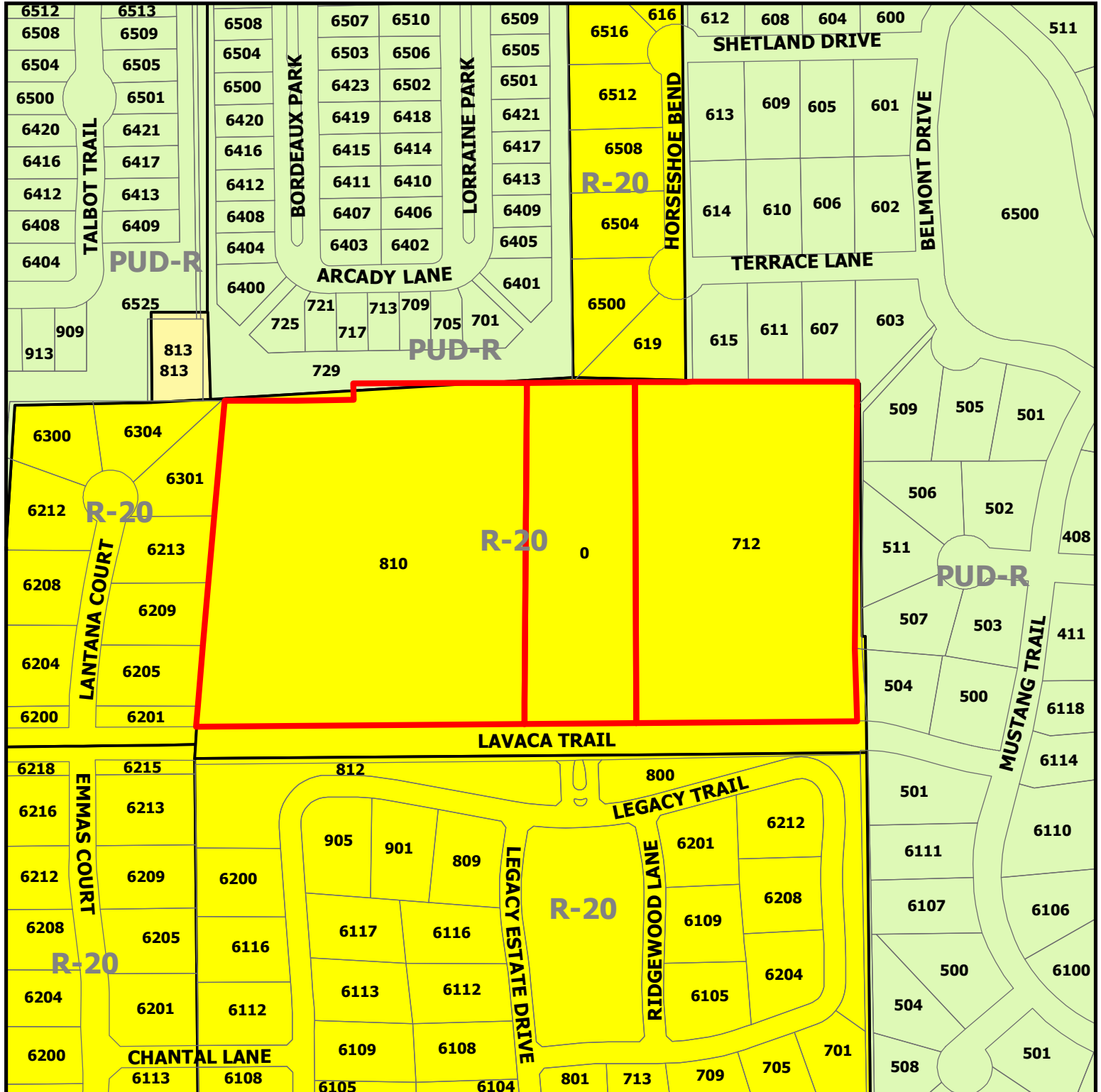
712 - 810 Lavaca Trail

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



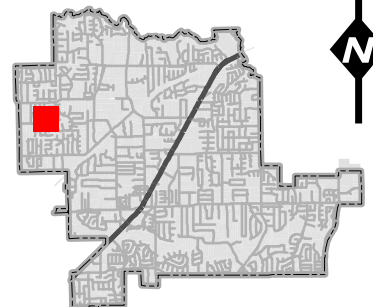
ZC18-033

712 - 810 Lavaca Trail

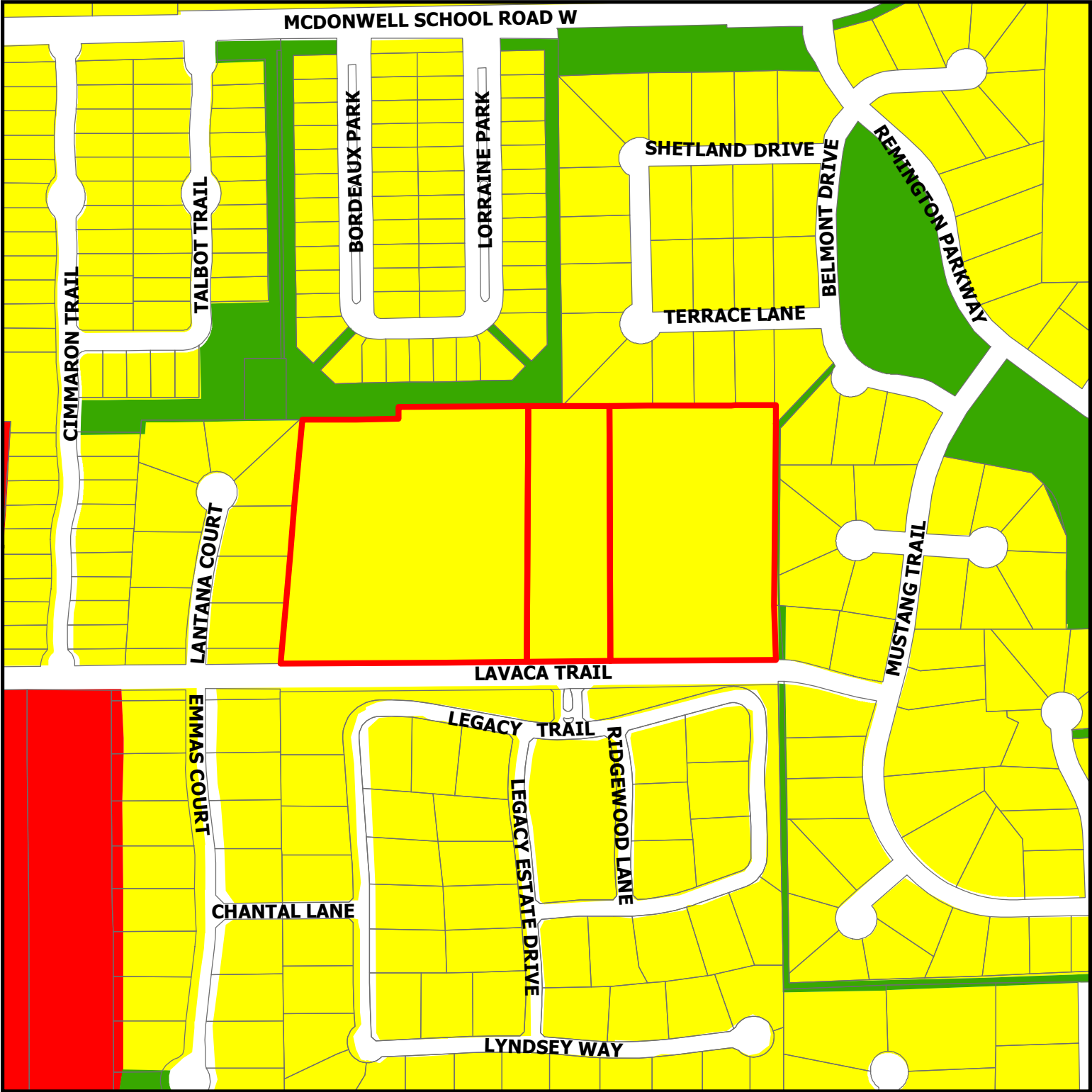
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Subject Property



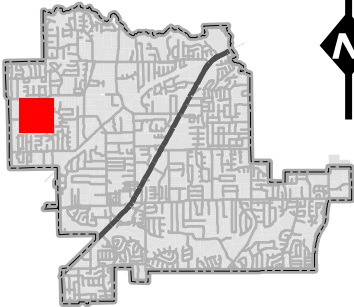
Future Land Use Map



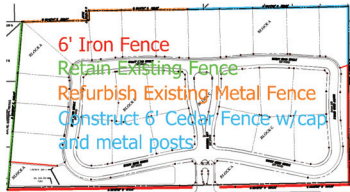
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ZC18-033
712 - 810 Lavaca Trail

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



Zoning Exhibit



Site Data Summary Chart

Single Family Residential Lots	25
Common Areas	5
Residential Lots	67.76% 11.74 ac.
Open Space	11.32% 1.96 ac.
R.O.W.	20.92% 3.62 ac.
Res. Gross Acreage	100.00% 17.32 ac.

Site Data

Gross Acreage	17.32 ac.
Gross Density	1.44

Lot Summary

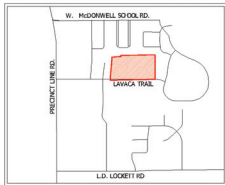
Residential Lots	25
Minimum Building Lot Area	20,000 s.f.
Average Building Lot Area	20,448 s.f.
Common Areas	5

L.U.D. / Zoning

Existing Zoning:	R-20 & R-40
Proposed Zoning:	R-20

Notes:

- Front Setbacks are 30'
- Rear Setbacks are 25'
- Side Setbacks are 10', corner side setbacks are 15'
- There will be no outside storage onsite
- Open space lots & landscape easements will be maintained by the Homeowners Association (HOA).



Owner:

Ralph Sells
2405 Southern Hills Court
Keller, TX 76248

Engineer:

Hamilton Duffy, P.C.
8241 Mid Cities Blvd., #100
North Richland Hills, TX 76182
Tel: 817-268-0408
Contact: Keith Hamilton

Applicant:

Hat Creek Development
P.O. Box 92747
Southlake, TX 76092
817-329-3111
Contact: Kosse Maykus



Planner:

SAGE GROUP, INC.

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

17 DEC 18



1" = 50'



Development Plan

Legend	
5' Concrete Sidewalk	-----
6' Concrete Trail	-----
Common Open Space	-----
Residential Lots	-----



The Legacy North

Colleyville, Tarrant County, Texas

Tree Preservation Plan



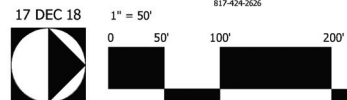
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Landscape Architecture
1130 N. Carroll Ave., Ste. 200
Southlake, Texas 76092
817-424-2626



Tree Location Plan

The Legacy North

Colleyville, Tarrant County, Texas

Tree Preservation Plan



Tree Preservation Notes

1. ALL TREES SHOWN ON THIS PLAN TO BE PRESERVED SHALL BE PROTECTED DURING CONSTRUCTION WITH TEMPORARY FENCING. TREE PROTECTION FENCES SHALL BE INSTALLED PRIOR TO THE COMMENCEMENT OF ANY SITE PREPARATION WORK (CLEARING, GRUBBING, OR GRADING). REFERENCE SHEET TP-01 FOR TREE PROTECTION DETAILS.
2. REFERENCE RELATED CIVIL ENGINEERING PLANS FOR EXACT LOCATION OF UNDERGROUND UTILITY LINES.
3. REFERENCE RELATED IRRIGATION PLANS FOR LOCATION OF UNDERGROUND IRRIGATION HEAD AND LINE LOCATIONS.
4. INDIVIDUAL LOT OWNERS/BUILDERS ARE REQUIRED TO SUBMIT A DETAILED LOT GRADING PLAN, SIGNED AND SEALED BY A TEXAS REGISTERED PE TO THE CITY ALONG WITH THEIR BUILDING PERMIT APPLICATIONS. SINGLE LOTS SHALL ACCOMMODATE THEIR OWN DRAINAGE.

Tree Legend

SYMBOL	DESCRIPTION
	EXISTING TREE TO REMAIN SIZE VARIES SELECTIVELY PRUNE APPROXIMATE LOCATION OF CRITICAL ROOT ZONE
	EXISTING TREE TO BE REMOVED DURING SUBDIVISION CONSTRUCTION SIZE VARIES
	EXISTING TREE TO BE REMOVED DURING HOME CONSTRUCTION SIZE VARIES
	TREE PROTECTION FENCING FOR SUBDIVISION CONSTRUCTION
	TREE PROTECTION FENCING FOR BUILDER CONSTRUCTION

Tree Summary For: Legacy North - Dec 17, 2018

Tree Canopy	%	#	Acres
Project Area		754,571	17.323
Tree Canopy Coverage	40.4%	304,613	6.993
Required Preservation of Tree Canopy	50%	382,897	8.696
Canopy of Exempt Trees		139,636	3.206
Maximum Credit for Preserving Canopy of Exempt Trees		69,818	1.603
Preserved Canopy of Exempt Trees		3,089	0.071
Preserved Canopy of Non-Exempt Trees		164,977	3.767
Provided Preservation of Tree Canopy	55%	168,066	3.816
Surplus Preservation of Tree Canopy		15,700	0.362
Tree Mitigation			
Required Tree Mitigation Planting		0	
Provided Tree Mitigation Planting		0	
Surplus Tree Mitigation Planting		0	
Required Tree Mitigation Payment	\$0.00		
Provided Tree Mitigation Payment	\$0.00		
Surplus Tree Mitigation Payment	\$0.00		



0 50' 100' 200'
1" = 50'-0"

Tree Preservation Plan PLAN

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

APPLICANT
 Hat Creek Development
 P.O. Box 92747
 Southlake, TX 76092
 Phone: 817-325-3111
 Contact: Kossie Nayles

THE LEGACY NORTH

COLLEYVILLE, TEXAS

Issued
 Oct 3, 2018
Revisions

SHEET

TP.01

Tree Preservation Plan

Project	Phase	Task	Start	End	Duration	Progress	Assignee	Status	Dependencies	Notes
Project A	Phase 1	Task A1.1	2023-01-01	2023-01-05	5	100%	John Doe	Completed		
		Task A1.2	2023-01-06	2023-01-10	5	100%	Jane Smith	Completed	Task A1.1	
		Task A1.3	2023-01-11	2023-01-15	5	100%	John Doe	Completed	Task A1.2	
		Task A1.4	2023-01-16	2023-01-20	5	100%	Jane Smith	Completed	Task A1.3	
		Task A1.5	2023-01-21	2023-01-25	5	100%	John Doe	Completed	Task A1.4	
		Task A1.6	2023-01-26	2023-01-30	5	100%	Jane Smith	Completed	Task A1.5	
		Task A1.7	2023-01-31	2023-02-04	5	100%	John Doe	Completed	Task A1.6	
		Task A1.8	2023-02-05	2023-02-09	5	100%	Jane Smith	Completed	Task A1.7	
		Task A1.9	2023-02-10	2023-02-14	5	100%	John Doe	Completed	Task A1.8	
		Task A1.10	2023-02-15	2023-02-19	5	100%	Jane Smith	Completed	Task A1.9	
Project B	Phase 2	Task B2.1	2023-02-20	2023-02-24	5	100%	John Doe	Completed		
		Task B2.2	2023-02-25	2023-03-01	6	100%	Jane Smith	Completed	Task B2.1	
		Task B2.3	2023-03-02	2023-03-06	5	100%	John Doe	Completed	Task B2.2	
		Task B2.4	2023-03-07	2023-03-11	5	100%	Jane Smith	Completed	Task B2.3	
		Task B2.5	2023-03-12	2023-03-16	5	100%	John Doe	Completed	Task B2.4	
		Task B2.6	2023-03-17	2023-03-21	5	100%	Jane Smith	Completed	Task B2.5	
		Task B2.7	2023-03-22	2023-03-26	5	100%	John Doe	Completed	Task B2.6	
		Task B2.8	2023-03-27	2023-04-01	5	100%	Jane Smith	Completed	Task B2.7	
		Task B2.9	2023-04-02	2023-04-06	5	100%	John Doe	Completed	Task B2.8	
		Task B2.10	2023-04-07	2023-04-11	5	100%	Jane Smith	Completed	Task B2.9	
Project C	Phase 3	Task C3.1	2023-04-12	2023-04-16	5	100%	John Doe	Completed		
		Task C3.2	2023-04-17	2023-04-21	5	100%	Jane Smith	Completed	Task C3.1	
		Task C3.3	2023-04-22	2023-04-26	5	100%	John Doe	Completed	Task C3.2	
		Task C3.4	2023-04-27	2023-05-01	5	100%	Jane Smith	Completed	Task C3.3	
		Task C3.5	2023-05-02	2023-05-06	5	100%	John Doe	Completed	Task C3.4	
		Task C3.6	2023-05-07	2023-05-11	5	100%	Jane Smith	Completed	Task C3.5	
		Task C3.7	2023-05-12	2023-05-16	5	100%	John Doe	Completed	Task C3.6	
		Task C3.8	2023-05-17	2023-05-21	5	100%	Jane Smith	Completed	Task C3.7	
		Task C3.9	2023-05-22	2023-05-26	5	100%	John Doe	Completed	Task C3.8	
		Task C3.10	2023-05-27	2023-05-31	5	100%	Jane Smith	Completed	Task C3.9	
Project D	Phase 4	Task D4.1	2023-06-01	2023-06-05	5	100%	John Doe	Completed		
		Task D4.2	2023-06-06	2023-06-10	5	100%	Jane Smith	Completed	Task D4.1	
		Task D4.3	2023-06-11	2023-06-15	5	100%	John Doe	Completed	Task D4.2	
		Task D4.4	2023-06-16	2023-06-20	5	100%	Jane Smith	Completed	Task D4.3	
		Task D4.5	2023-06-21	2023-06-25	5	100%	John Doe	Completed	Task D4.4	
		Task D4.6	2023-06-26	2023-06-30	5	100%	Jane Smith	Completed	Task D4.5	
		Task D4.7	2023-07-01	2023-07-05	5	100%	John Doe	Completed	Task D4.6	
		Task D4.8	2023-07-06	2023-07-10	5	100%	Jane Smith	Completed	Task D4.7	
		Task D4.9	2023-07-11	2023-07-15	5	100%	John Doe	Completed	Task D4.8	
		Task D4.10	2023-07-16	2023-07-20	5	100%	Jane Smith	Completed	Task D4.9	
Project E	Phase 5	Task E5.1	2023-07-21	2023-07-25	5	100%	John Doe	Completed		
		Task E5.2	2023-07-26	2023-07-30	5	100%	Jane Smith	Completed	Task E5.1	
		Task E5.3	2023-07-31	2023-08-04	5	100%	John Doe	Completed	Task E5.2	
		Task E5.4	2023-08-05	2023-08-09	5	100%	Jane Smith	Completed	Task E5.3	
		Task E5.5	2023-08-10	2023-08-14	5	100%	John Doe	Completed	Task E5.4	
		Task E5.6	2023-08-15	2023-08-19	5	100%	Jane Smith	Completed	Task E5.5	
		Task E5.7	2023-08-20	2023-08-24	5	100%	John Doe	Completed	Task E5.6	
		Task E5.8	2023-08-25	2023-08-29	5	100%	Jane Smith	Completed	Task E5.7	
		Task E5.9	2023-08-30	2023-09-03	5	100%	John Doe	Completed	Task E5.8	
		Task E5.10	2023-09-04	2023-09-08	5	100%	Jane Smith	Completed	Task E5.9	
Project F	Phase 6	Task F6.1	2023-09-09	2023-09-13	5	100%	John Doe	Completed		
		Task F6.2	2023-09-14	2023-09-18	5	100%	Jane Smith	Completed	Task F6.1	
		Task F6.3	2023-09-19	2023-09-23	5	100%	John Doe	Completed	Task F6.2	
		Task F6.4	2023-09-24	2023-09-28	5	100%	Jane Smith	Completed	Task F6.3	
		Task F6.5	2023-09-29	2023-10-03	5	100%	John Doe	Completed	Task F6.4	
		Task F6.6	2023-10-04	2023-10-08	5	100%	Jane Smith	Completed	Task F6.5	
		Task F6.7	2023-10-09	2023-10-13	5	100%	John Doe	Completed	Task F6.6	
		Task F6.8	2023-10-14	2023-10-18	5	100%	Jane Smith	Completed	Task F6.7	
		Task F6.9	2023-10-19	2023-10-23	5	100%	John Doe	Completed	Task F6.8	
		Task F6.10	2023-10-24	2023-10-28	5	100%	Jane Smith	Completed	Task F6.9	
Project G	Phase 7	Task G7.1	2023-10-29	2023-10-31	3	100%	John Doe	Completed		
		Task G7.2	2023-11-01	2023-11-03	3	100%	Jane Smith	Completed	Task G7.1	
		Task G7.3	2023-11-04	2023-11-06	3	100%	John Doe	Completed	Task G7.2	
		Task G7.4	2023-11-07	2023-11-09	3	100%	Jane Smith	Completed	Task G7.3	
		Task G7.5	2023-11-10	2023-11-12	3	100%	John Doe	Completed	Task G7.4	
		Task G7.6	2023-11-13	2023-11-15	3	100%	Jane Smith	Completed	Task G7.5	
		Task G7.7	2023-11-16	2023-11-18	3	100%	John Doe	Completed	Task G7.6	
		Task G7.8	2023-11-19	2023-11-21	3	100%	Jane Smith	Completed	Task G7.7	
		Task G7.9	2023-11-22	2023-11-24	3	100%	John Doe	Completed	Task G7.8	
		Task G7.10	2023-11-25	2023-11-27	3	100%	Jane Smith	Completed	Task G7.9	
Project H	Phase 8	Task H8.1	2023-11-28	2023-11-30	3	100%	John Doe	Completed		
		Task H8.2	2023-12-01	2023-12-03	3	100%	Jane Smith	Completed	Task H8.1	
		Task H8.3	2023-12-04	2023-12-06	3	100%	John Doe	Completed	Task H8.2	
		Task H8.4	2023-12-07	2023-12-09	3	100%	Jane Smith	Completed	Task H8.3	
		Task H8.5	2023-12-10	2023-12-12	3	100%	John Doe	Completed	Task H8.4	
		Task H8.6	2023-12-13	2023-12-15	3	100%	Jane Smith	Completed	Task H8.5	
		Task H8.7	2023-12-16	2023-12-18	3	100%	John Doe	Completed	Task H8.6	
		Task H8.8	2023-12-19	2023-12-21	3	100%	Jane Smith	Completed	Task H8.7	
		Task H8.9	2023-12-22	2023-12-24	3	100%	John Doe	Completed	Task H8.8	
		Task H8.10	2023-12-25	2023-12-27	3	100%	Jane Smith	Completed	Task H8.9	
Project I	Phase 9	Task I9.1	2023-12-28	2023-12-30	3	100%	John Doe	Completed		
		Task I9.2	2023-12-31	2024-01-02	3	100%	Jane Smith	Completed	Task I9.1	
		Task I9.3	2024-01-03	2024-01-05	3	100%	John Doe	Completed	Task I9.2	
		Task I9.4	2024-01-06	2024-01-08	3	100%	Jane Smith	Completed	Task I9.3	
		Task I9.5	2024-01-09	2024-01-11	3	100%	John Doe	Completed	Task I9.4	
		Task I9.6	2024-01-12	2024-01-14	3	100%	Jane Smith	Completed	Task I9.5	
		Task I9.7	2024-01-15	2024-01-17	3	100%	John Doe	Completed	Task I9.6	
		Task I9.8	2024-01-18	2024-01-20	3	100%	Jane Smith	Completed	Task I9.7	
		Task I9.9	2024-01-21	2024-01-23	3	100%	John Doe	Completed	Task I9.8	
		Task I9.10	2024-01-24	2024-01-26	3	100%	Jane Smith	Completed	Task I9.9	
Project J	Phase 10	Task J10.1	2024-01-27	2024-01-29	3	100%	John Doe	Completed		
		Task J10.2	2024-01-30	2024-01-31	2	100%	Jane Smith	Completed	Task J10.1	
		Task J10.3	2024-02-01	2024-02-03	3	100%	John Doe	Completed	Task J10.2	
		Task J10.4	2024-02-04	2024-02-06	3	100%	Jane Smith	Completed	Task J10.3	
		Task J10.5	2024-02-07	2024-02-09	3	100%	John Doe	Completed	Task J10.4	
		Task J10.6	2024-02-10	2024-02-12	3	100%	Jane Smith	Completed	Task J10.5	
		Task J10.7	2024-02-13	2024-02-15	3	100%	John Doe	Completed	Task J10.6	
		Task J10.8	2024-02-16	2024-02-18	3	100%	Jane Smith	Completed	Task J10.7	
		Task J10.9	2024-02-19	2024-02-21	3	100%	John Doe	Completed	Task J10.8	
		Task J10.10	2024-02-22	2024-02-24	3	100%	Jane Smith	Completed	Task J10.9	
Project K	Phase 11	Task K11.1	2024-02-25	2024-02-27	3	100%	John Doe	Completed		
		Task K11.2	2024-02-28	2024-02-29	2	100%	Jane Smith	Completed	Task K11.1	
		Task K11.3	2024-03-01	2024-03-03	3	100%	John Doe	Completed	Task K11.2	
		Task K11.4	2024-03-04	2024-03-06	3	100%	Jane Smith	Completed	Task K11.3	
		Task K11.5	2024-03-07	2024-03-09	3	100%	John Doe	Completed	Task K11.4	
		Task K11.6	2024-03-10	2024-03-12	3	100%	Jane Smith	Completed	Task K11.5	
		Task K11.7	2024-03-13	2024-03-15	3	100%	John Doe	Completed	Task K11.6	
		Task K11.8	2024-03-16	2024-03-18	3	100%	Jane Smith	Completed	Task K11.7	
		Task K11.9	2024-03-19	2024-03-21	3	100%	John Doe	Completed	Task K11.8	
		Task K11.10	2024-03-22	2024-03-24	3	100%	Jane Smith	Completed	Task K11.9	
Project L	Phase 12	Task L12.1	2024-03-25	2024-03-27	3	100%	John Doe	Completed		
		Task L12.2	2024-03-28	2024-03-30	3	100%	Jane Smith	Completed	Task L12.1	
		Task L12.3	2024-03-31	2024-04-02	3	100%	John Doe	Completed	Task L12.2	
		Task L12.4	2024-04-03	2024-04-05	3	100%	Jane Smith	Completed	Task L12.3	
		Task L12.5	2024-04-06	2024-04-08	3	100%	John Doe	Completed	Task L12.4	
		Task L12.6	2024-04-09	2024-04-11	3	100%	Jane Smith	Completed	Task L12.5	
		Task L12.7	2024-04-12	2024-04-14	3	100%	John Doe	Completed	Task L12.6	
		Task L12.8	2024-04-15	2024-04-17	3	100%	Jane Smith	Completed	Task L12.7	
		Task L12.9	2024-04-18	2024-04-20	3	100%	John Doe	Completed	Task L12.8	
		Task L12.10	2024-04-21	2024-04-23	3	100%	Jane Smith	Completed	Task L12.9	
Project M	Phase 13	Task M13.1	2024-04-24	2024-04-26	3	100%	John Doe	Completed		
		Task M13.2	2024-04-27	2024-04-29	3	100%	Jane Smith	Completed	Task M13.1	
		Task M13.3	2024-04-30	2024-05-02	3	100%	John Doe	Completed	Task M13.2	
		Task M13.4	2024-05-03	2024-05-05	3	100%	Jane Smith	Completed	Task M13.3	
		Task M13.5	2024-05-06	2024-05-08	3	100%	John Doe	Completed	Task M13.4	
		Task M13.6	2024-05-09	2024-05-11	3	100%	Jane Smith	Completed	Task M13.5	
		Task M13.7	2024-05-12	2024-05-14	3	100%	John Doe	Completed	Task M13.6	
		Task M13.8	2024-05-15	2024-05-17	3	100%	Jane Smith	Completed	Task M13.7	
		Task M13.9	2024-05-18	2024-05-20	3	100%	John Doe	Completed	Task M13.8	
		Task M13.10	2024-05-21	2024-05-23	3	100%	Jane Smith	Completed	Task M13.9	
Project N	Phase 14	Task N14.1	2024-05-24	2024-05-26	3	100%	John Doe	Completed		
		Task N14.2	2024-05-27	2024-05-29	3	100%	Jane Smith	Completed	Task N14.1	
		Task N14.3	2024-05-30	2024-05-31	2	100%	John Doe	Completed	Task N14.2	
		Task N14.4	2024-06-01	2024-06-03	3	100%	Jane Smith	Completed	Task N14.3	
		Task N14.5	2024-06-04	2024-06-06	3	100%	John Doe	Completed	Task N14.4	
		Task N14.6	2024-06-07	2024-06-09	3	100%	Jane Smith	Completed	Task N14.5	
		Task N14.7	2024-06-10	2024-06-12	3	100%	John Doe	Completed	Task N14.6	
		Task N14.8	2024-06-13	2024-06-15	3	100%	Jane Smith	Completed	Task N14.7	
		Task N14.9	2024-06-16	2024-06-18	3	100%	John Doe	Completed	Task N14.8	
		Task N14.10	2024-06-19	2024-06-21	3	100%	Jane Smith	Completed	Task N14.9	
Project O	Phase 15	Task O15.1	2024-06-22	2024-0						

Tree Survey

TREE LIST



APPLICANT
Hat Creek Development
P.O. Box 92747
Southlake, TX 76092
Phone: 817-329-3111
Contact: Kosse Maykus

THE LEGACY NORTH
COLLEYVILLE, TEXAS

Issued
Oct 3, 2018

Revisions

SHEET
TP.02

SHEET
TP.03

City Zoning Map 2006

Zoning

Legend

-  Schools
-  Parks
-  Municipal Locations
-  AG Agricultural
-  CC-1 Village Retail
-  CC-2 Shopping Center
-  CC-3 Highway Commercial
-  CN Neighborhood Commercial
-  CP0 Professional Office
-  ML Light Manufacturing
-  PUD-C Planned Unit Development, Commercial
-  PUD-R Planned Unit Development, Residential
-  R-10 Single Family Residential (10,000 sq. ft. min)
-  R-15 Single Family Residential (15,000 sq. ft. min)
-  R-20 Single Family Residential (20,000 sq. ft. min)
-  R-30 Single Family Residential (30,000 sq. ft. min)
-  R-40 Single Family Residential (40,000 sq. ft. min)
-  R-MF Multi-Family Residential
-  RD Two Family Residential
-  RE Single Family 'Estate' Residential



DISCLAIMER

This data has been compiled for The City of Colleyville. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.

0 1,000 2,000 4,000 6,000 8,000 Feet

Last update 10/1/06

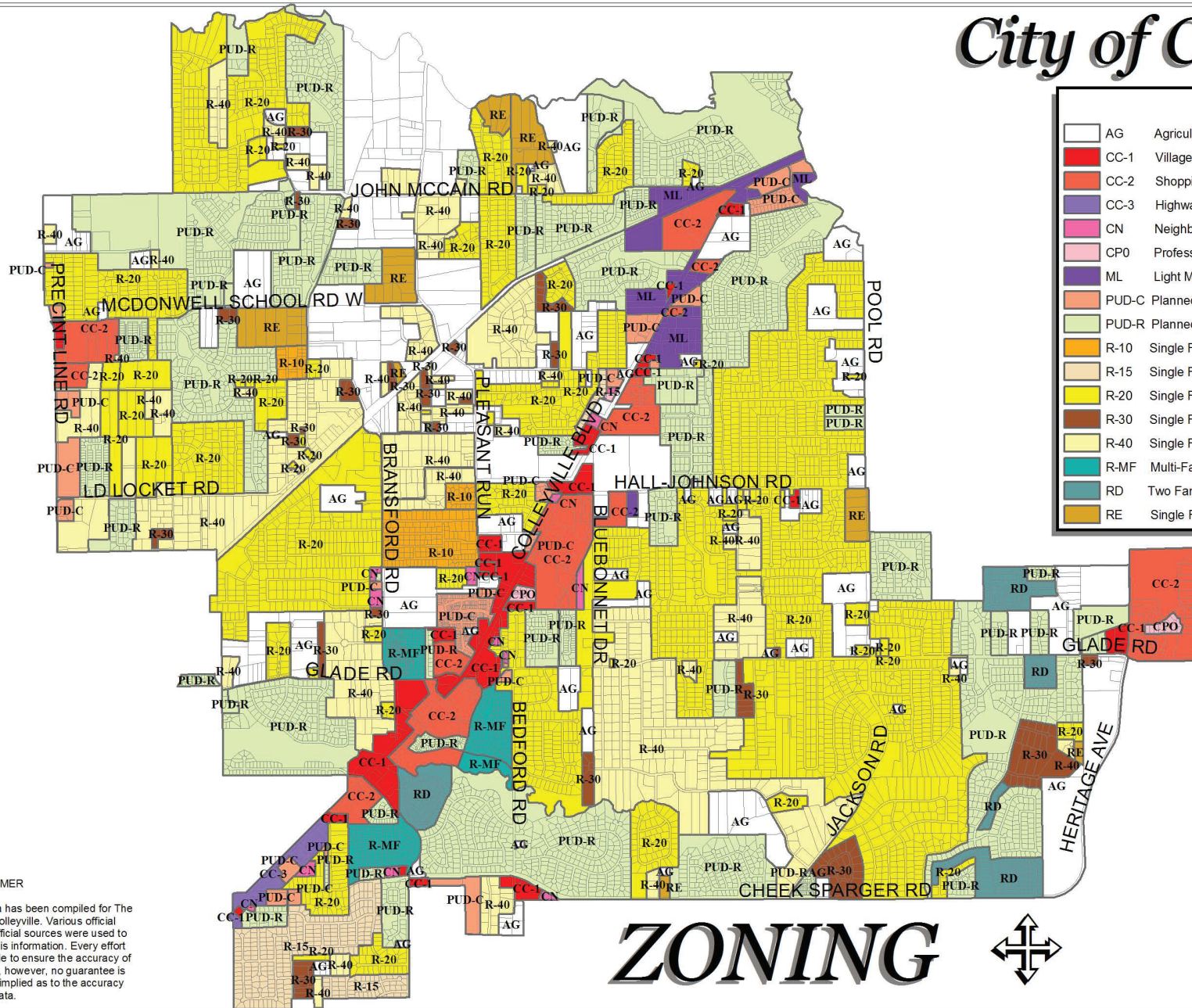


Geographic Information Systems

City Zoning Map 2007

City of Colleyville

Legend	
AG	Agricultural
CC-1	Village Retail
CC-2	Shopping Center
CC-3	Highway Commercial
CN	Neighborhood Commercial
CP0	Professional Office
ML	Light Manufacturing
PUD-C	Planned Unit Development, Commercial
PUD-R	Planned Unit Development, Residential
R-10	Single Family Residential (10,000 sq. ft. min)
R-15	Single Family Residential (15,000 sq. ft. min)
R-20	Single Family Residential (20,000 sq. ft. min)
R-30	Single Family Residential (30,000 sq. ft. min)
R-40	Single Family Residential (40,000 sq. ft. min)
R-MF	Multi-Family Residential
RD	Two Family Residential
RE	Single Family 'Estate' Residential



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City of Colleyville

Minutes - Final

Planning and Zoning Commission

100 Main Street
Colleyville, Texas 76034
(817) 503-1000
www.colleyville.com

Monday, November 13, 2006

7:00 PM

City Council Chambers

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

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

REVIEW OF REGULAR AGENDA ITEMS

**REGULAR MEETING
7:00 P.M.**

1. CALL TO ORDER

The Planning and Zoning Commission meeting of the City of Colleyville was called to order by Chairman Byerly on November 13, 2006 at 7:00 p.m.

2. ROLL CALL

Present: Commissioners Robert McCormick, Dave Dudziak, Scott Redfearn, Mary Taylor, David Phelps, Denis Duffy, Jeff Byerly

Staff Members: Barry LeBaron, Chris Fuller, Robert McKeown and Chad Barte

3. INVOCATION

The invocation was given by Commissioner Dudziak.

4. PLEDGE OF ALLEGIANCE

5. APPROVAL OF MINUTES

Commissioner Byerly stated City Attorney Michael Kallas needs to be placed throughout the minutes. The attorney's last name had been misspelled.

Commissioner Duffy stated the word codicil was misspelled in item number 11.

Commissioner Duffy moved to approve the minutes with corrections. Commissioner Dudziak seconded.

The motion carried by the following vote:

Aye: 7 - McCormick, Dudziak, Redfearn, Taylor, Phelps, Duffy, Byerly

6. CITIZEN COMMENTS REGARDING ITEMS NOT ON THE AGENDA

None

7. REGULAR AGENDA ITEMS

7a Consideration of appointments to the Park Land Dedication Committee

Barry LeBaron briefed the Commissioners regarding the Parkland Dedication Committee.

Commissioner Redfearn moved to appoint Commissioner Duffy to the Parkland Dedication Committee. Commissioner Dudziak seconded.

The motion carried by the following vote:

Aye: 7 - McCormick, Dudziak, Redfearn, Taylor, Phelps, Duffy, Byerly

8. PUBLIC HEARING AGENDA ITEMS

8a Case Z-06-026- PUBLIC HEARING - Request for a zoning change from R40-Single Family Residential to R20-Single Family Residential on 1.06 acres on Lot 5, Block 1 of the Alianne Estates located at 6214 Theresa Lane

Chris Fuller presented the case and briefed the Commissioners.

Commissioner Byerly opened the public hearing at 7:13 p.m.

Dean Larson, the applicant, came forward to present the case and brief the Commissioners regarding the rezoning request.

There being no one wishing to speak, the public hearing was closed at 7:15 p.m.

Commissioner Duffy moved to deny case Z-06-026. Commissioner Byerly seconded.

Commissioner Duffy disagreed with the rezoning request and stated this

will set the precedent for subdividing other R40 properties.

Commissioner Byerly concurred with Commissioner Duffy.

The motion carried by the following vote:

Aye: 7 - McCormick, Dudziak, Redfearn, Taylor, Phelps, Duffy, Byerly

8b

Approval of a Request for a Special Use Permit on 17 acres out of the R.N. McEwing Survey and the McEwing Addition located at 712-900 Lavaca Trail, Case Z-06-027

Chris Fuller presented the case and briefed the Commissioners.

Barry LeBaron briefed the Commissioners regarding a study being conducted concerning the traffic issues on Lavaca Trail and the surrounding area.

Commissioner Dudziak questioned staff if the Remington Park subdivision is served by the Liberty Elementary School in the Keller school district? Barry LeBaron replied the majority does not. Commissioner Redfearn stated some do go to that elementary school.

Commissioner Byerly opened the public hearing at 7:20 p.m.

Jeffrey Zimmerman, the applicant, came forward to present the case and brief the Commissioners.

Ron Shirley, 638 Castlrock, Southlake, stated he would like to see a conceptual plat or drainage study done before the rezoning request is approved. Other developers in this area have had to do so before rezoning their properties.

There being no one wishing to speak, the public hearing was closed at 7:30 p.m.

Commissioner Duffy made motion to separate the Special Use Permit (SUP) and rezoning as two separate issues. Commissioner Taylor seconded.

Commissioner Byerly questioned Mr. Zimmerman regarding if the R20 zoning would be acceptable without the SUP? Mr. Zimmerman stated he needs the SUP with the R20 zoning to allow for the grazing animals.

Commissioner Taylor questioned Mr. Zimmerman how many animals are there currently? Mr. Zimmerman replied six cattle and two calves.

Commissioner Phelps questioned Mr. Zimmerman for clarity the cattle are allowed now with the R40 zoning due to being "grandfathered" in? Mr. Zimmerman replied correct.

Commissioner Duffy moved to deny case Z-06-027. Commissioner Dudziak seconded.

Commissioner Duffy stated this commission needs to plan for the traffic and drainage before approving more homes in this area. He stated this area is not well planned. He suggested to deny this zoning case until a general overall study has been completed because Lavaca Trail needs to be improved.

Commissioner Taylor concurred with Commissioner Duffy.

Commissioner Phelps stated the history shows this rezoning would be reasonable, however, without having a drainage study or traffic study completed, it will not be a good decision to rezone. The timing for rezoning is premature for this property.

Commissioner Dudziak stated understanding why Mr. Zimmerman wants to rezone and thanked Mr. Zimmerman for keeping the rural feel for as long as he has.

Commissioner Byerly disagreed and stated understanding Mr. Zimmerman's issues. He stated a plat and a drainage study is not required for rezoning. He stated it is not necessary to see a preliminary plat for rezoning.

Commissioner McCormick questioned the Commissioners regarding why are we opposing what has been asked for in the past? Commissioner Taylor replied not opposing the actual R20 zoning, it is opposing it for all of the other reasons, the traffic and drainage for this area

Commissioner McCormick stated the roads will be built once the homes are built.

Commissioner Phelps stated it is not really the same without having a plat to look at in the beginning. If Mr. Zimmerman chose to keep the middle lot and sell the ones around him, then there would be two smaller R20 developments.

Commissioner Redfearn agreed with many concerns, the timing on this request is too soon. Over the next few months, the studies will be complete and will give further insight.

Commissioner Byerly questioned staff if the time limit is one year for this

applicant to come forward with the same rezoning request? Barry LeBaron replied the one year time frame only comes into affect if the council were to deny the zoning.

The motion carried by the following vote:

Aye: 5 - Dudziak, Redfearn, Taylor, Phelps, Duffy

Nay: 2 - McCormick, Byerly

Commissioner Byerly move to approve the Special Use Permit as provided in the code. Commissioner Taylor seconded.

Commissioner Duffy stated the Special Use Permit stays with the land, but if the land is subdivided, the Special Use Permit goes away. Both movers accepted.

The motion carried by the following vote:

Aye: 7 - McCormick, Dudziak, Redfearn, Taylor, Phelps, Duffy, Byerly

9. TABLED ITEMS

9a Case G-06-028- Consider amending the Planning and Zoning Commission's Rules of Procedure

Commissioner Duffy moved to remove case G-06-028 from the table. Commissioner Byerly seconded.

The motion carried by the following vote:

Aye: 6 - McCormick, Redfearn, Taylor, Phelps, Duffy, Byerly

Nay: 1 - Dudziak

Barry LeBaron briefed the Commissioners regarding this item.

Commissioner Redfearn moved to approve case G-06-028. Commissioner Phelps seconded.

The motion carried by the following vote:

Aye: 7 - McCormick, Dudziak, Redfearn, Taylor, Phelps, Duffy, Byerly

10. STAFF COMMENTS, REPORTS AND DISCUSSION ITEMS

Barry LeBaron thanked the Commissioners for being present at the workshop on November 2, 2006.

11. COMMISSIONERS' COMMENTS AND REPORTS

Commissioner Dudziak stated wanting to see the study for Lavaca Trail to help make better decisions.

Commissioner Byerly stated he wants the new procedures for the public hearing on the back of the speaker cards. Barry LeBaron replied we would do so.

Commissioner Byerly reminded everyone regarding the holidays, to bring calendars to the next meeting to make sure there is enough people to meet. Barry LeBaron stated the developers are busy as well.

12. ADJOURNMENT

There being no further business before the Planning and Zoning Commission, the meeting adjourned at 7:50 p.m. Approved by acclamation.

I hereby certify the above agenda was posted on the bulletin boards at City Hall on November 9, 2006 by 5:00 p.m.

Amy Shelley, Planning and Zoning Assistant

Minutes approved on November 27, 2006.



City of Colleyville

Agenda Briefing

100 Main Street
Colleyville, Texas 76034
(817) 503-1000
www.colleyville.com

File Number: O-06-1600

File Number: O-06-1600	File Type: Ordinance	Status: First Reading
Version: 1	Agenda Date: 12/05/2006	Controlling Body: City Council
Requester: Community Development Department	Agenda No.: 6a	Final Action:
File Name: Approval of a Request for a Special Use Permit on 17 acres out of the R.N. McEwing Survey and the McEwing Addition located at 712-900 Lavaca Trail, Case Z-06-027		
Attachments: Location and Zoning Map • List of Property Owners Notified • Zoning Exhibits • Ordinance O-06-1600		

History of Legislative File

Version:	Date:	Acting Body:	Action Text:
1	11/13/2006	Planning and Zoning Commission	
1	12/05/2006	City Council	

Title

Approval of a Request for a Special Use Permit on 17 acres out of the R.N. McEwing Survey and the McEwing Addition located at 712-900 Lavaca Trail, Case Z-06-027

Explanation

First Reading and Public Hearing

Jeffrey Zimmerman has submitted a request for consideration of a Special Use Permit (SUP) to allow grazing animals on 17 acres of land located on the north side of Lavaca Trail, approximately 275 feet west of Mustang Trail. The property is currently zoned R40-Single Family Residential.

The applicant originally submitted a request to rezone the property from the R40-Single Family Residential zoning district to the R20-Single Family Residential zoning district in conjunction with the SUP request. The Planning and Zoning Commission denied the R20 rezoning request and approved the SUP request. The applicant did not appeal the zoning request to City Council, therefore only the SUP request is being considered by the City Council. The Planning and Zoning Commission recommended approval of the SUP by a vote of 5-2.

Request. SUP to allow grazing animals on the property.

Location. The 17 acres is located at 712-900 Lavaca Trail.

Special Use Permit. The applicant is requesting approval of a SUP to allow grazing

animals on the property. Grazing animals are permitted by right within the AG-Agricultural and RE-Single Family Estate Residential zoning districts. The property is zoned R40 and the property owner indicated six cattle and three calves have existed on the property for many years.

Staff is recommending that a condition be placed within the ordinance stating that if the property is rezoned in the future, the SUP permitting the grazing of animals will become void. The proposed ordinance also contains a provision to limit the number of animals to the ratio permitted in Section 42 of the Colleyville Code of Ordinances, which allows one grazing animal per 15,000 square feet of land area. Using the formula permitted by the code, a total of 49 animals would be allowed on the 17 acre tract. The applicant is aware of the staff recommendations and has agreed to the conditions.

Surrounding Development Trends. The surrounding properties are primarily single family residential in nature. Properties to the north are zoned PUDR-Planned Unit Development Residential and R20-Single Family Residential and are developed as single family uses (Rosewood Villas and Remington Park). The properties to the west and south are zoned R20-Single Family Residential and are currently being developed for single family uses. The properties to the west are zoned PUDR-Planned Unit Development Residential and R20-Single Family Residential and are developed as single family uses (Remington Park).

Public Notification. Staff mailed notices to 36 adjacent property owners regarding this request. Notice was published in the *Fort Worth Star-Telegram* as required by state law and the Land Development Code. No correspondence has been received regarding this request.

Financial Impact

It has been determined that there is no financial impact.

Recommendation

Approval with the condition that the SUP becomes void upon any future rezoning of the property, which has been incorporated into the attached proposed ordinance. Staff is concerned that a future rezoning of the property without voiding the SUP provisions would allow all future properties within the 17 acres to have grazing animals and have possible adverse effects on the residents in the future of that neighborhood.

[illegible]

List of Property Owners Notified

Z-06-027

Zimmerman, Jeffrey K applicant 501 Lavaca Trl Colleyville, TX 76034	Zimmerman, Jeffrey K applicant 501 Lavaca Trl Colleyville, TX 76034	Zimmerman, Jeffrey K applicant 501 Lavaca Trl Colleyville, TX 76034
Zimmerman, Jeffrey K applicant 501 Lavaca Trl Colleyville, TX 76034	Anderson, Gregory L Etux Tina 509 Belmont Dr Colleyville, Tx 76034	Bouton, Terry L Etux Debra L 611 Terrace Ln Colleyville, TX 76034
Brown, Sean W 2700 Tibbets Dr Ste 350 Bedford, TX 76022	Chandler, Raman PO Box 611 Colleyville, TX 76034	Cochran, Jerry W Etux Anne M 511 Mustang Ct Colleyville, TX 76034
Crawford, Scott Etux Michelle 502 Mustang Ct Colleyville, TX 76034	Dacy, Carol Crowder Etvir Tim 6500 Horseshoe Bnd Colleyville, TX 76034	Gardner, Thomas J Etux Melinda 607 Terrace Ln Colleyville, TX 76034
Gary Panno Inc PO Box 715 Colleyville, TX 76034	Giacomini, Stephanie A 805 W Lavaca Trl Colleyville, TX 76034	Glasgow, William Etux Karen 6400 Bordeaux Park Colleyville, TX 76034
Gohr, Martin Etux Lorraine 809 Lavaca Tr Colleyville, TX 76034	Gtp Acquisition Partners II 1801 Clint Moore Rd Ste 215 Boca Raton, FL 33487	Invitation Park III Lp 215 W College St Grapevine, TX 76051
Lamberth, Geo A Etux Sharrian 503 Mustang Ct Colleyville, TX 76034	Larson, Charles Etux Marsha 615 Terrace Ln Colleyville, TX 76034	Ldds Communications Inc 500 Clinton Center Dr Clinton, MS 39056
Maner, Jolene C 506 Mustang Ct Colleyville, TX 76034	Martin, Stephen L Etux Nan C 813 W Lavaca Trl Colleyville, TX 76034	McIntosh, Doyle & Mary Fam Lp 8333 Thornhill Dr North Richland Hills, TX 76180
Michelsen, John J III 619 Terrace Ln Colleyville, TX 76034	Morrison, David J 603 Terrace Ln Colleyville, TX 76034	Myers, John R Etux Adrienne A 504 Lavaca Tr Colleyville, TX 76034
O'Hanlon, Kerry Lyn 709 Arcady Ln Colleyville, TX 76034	Ortiz, Maria T 505 Belmont Dr Colleyville, TX 76034	Pacilio, William J Etux Nancy 500 Lavaca Trl Colleyville, TX 76034

Peek, Edward Allen Etux Darcy
507 Mustang Ct
Colleyville, TX 76034

Pratt, Leonard E
711 W Lavaca Trl
Colleyville, TX 76034

Randall, Mark R
6111 Mustang Trl
Colleyville, TX 76034

Rem Park H A Inc
PO Box 343
Colleyville, TX 76034

Rogers, Patricia A
725 Arcady Ln
Colleyville, TX 76034

Royal Lepage Relocation Servic
1905 Harney St Ste 300
Omaha, NE 68102

Terry, Douglas L
717 Arcady Ln
Colleyville, TX 76034

Thompson, Harold D Etux
Sandra
6401 Lorraine Park
Colleyville, TX 76034

Westgate Villas Ltd
PO Box 611
Colleyville, TX 76034

Jeffrey K Zimmerman
501 Lavaca Trail
Colleyville, TX 76034

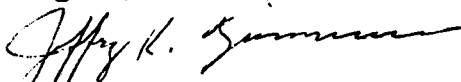
October 13, 2006

City of Colleyville
100 Main Street
Colleyville, TX 76034

Re: Zimmerman Ranch - Zoning Change from R40-R20 and Special Use Permit for
Grazing Animals

I am requesting a zoning change from R40 to R20 on my 17+ acres located on Lavaca Trail. I am requesting the zoning change in order to keep my land cohesive with the surrounding zoning. The special use permit (SUP) is needed for grazing animals so that I may continue to keep my cattle on this land.

Regards,


Jeffrey K. Zimmerman

Jeffrey K Zimmerman
501 Lavaca Trail
Colleyville, TX 76034

October 13, 2006

SPECIAL INSTRUCTIONS FOR BARRY LeBARON

Re: Zimmerman Ranch - Zoning Change from R40-R20 and Special Use Permit for
Grazing Animals

Barry,

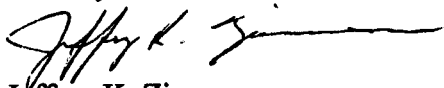
As discussed, I am applying for the single Ordinance that includes:

Section 1: R20 zoning

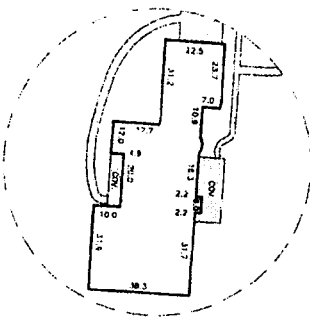
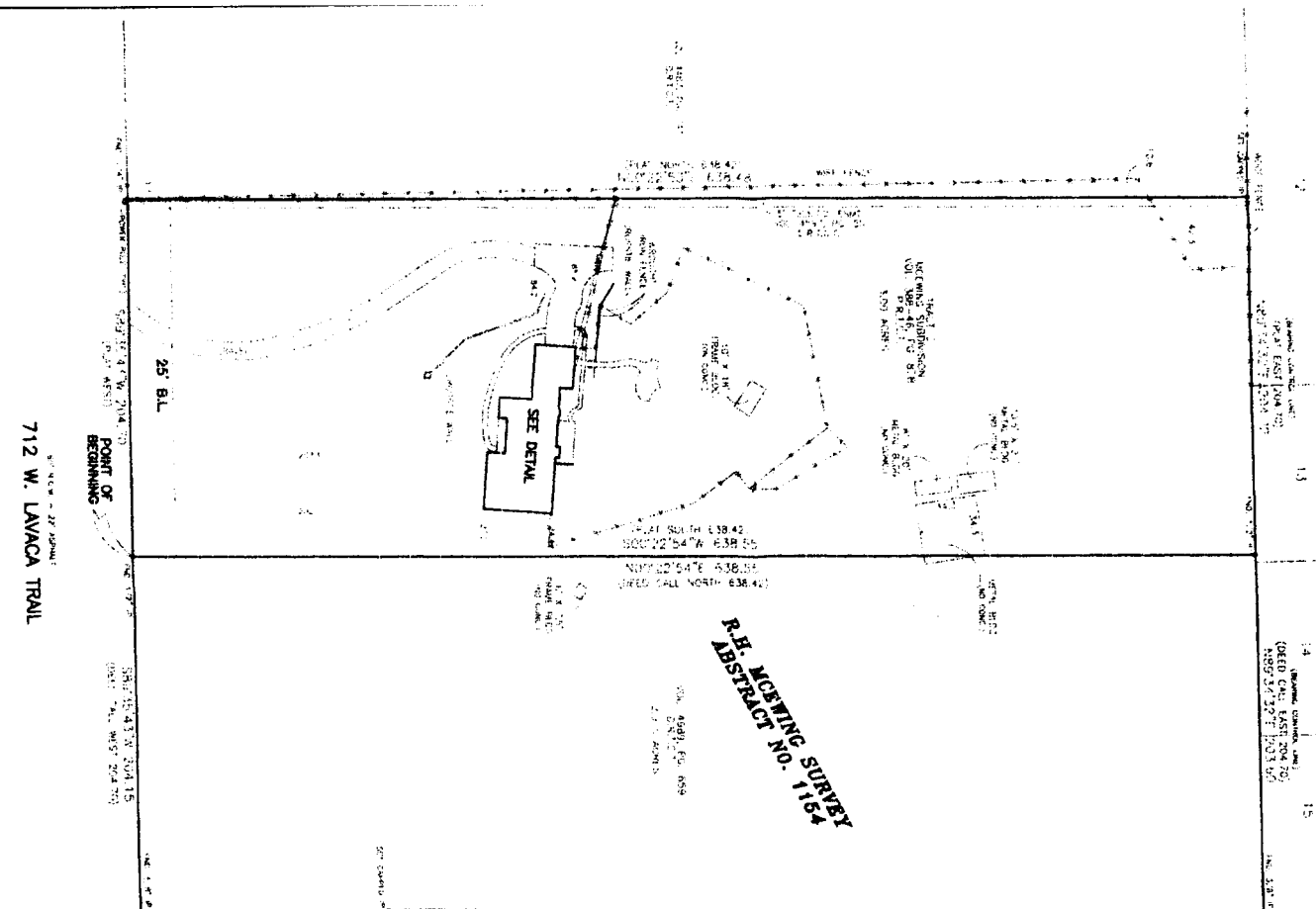
Section 2: SUP for grazing animals so that I may continue to keep livestock

We had determined that the SUP should expire if any portion of the property is platted or replatted, so we need wording in the SUP to reflect this.

Thank you,



Jeffrey K. Zimmerman
Ph: 817-427-4130
Mobile: 817-637-6677
Email: jzidi@aol.com



**DETAIL
ONE STORY
BRICK & FRAME
RESIDENCE**

[illegible]

ELEMENTS IN MOT EFFECT:
VOL. 256, PG. 159, D.I.C.T.
VOL. 327, PG. 25, D.I.C.T.
ELEMENT DOES EFFECT:
VOL. 3056, PG. 159, D.I.C.T. - RANGET ELEMENT

[illegible]

LOYD BRANSON SURVEYORS INC.

CHARLES H. MOORE, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
1028 NORTH SYLVANIA AVENUE
FT. WORTH, TEXAS 76114

DATE: 05-22-01



01-1172

**DETAIL
ONE STORY
BRICK & FRAME
RESIDENCE**

BEING TRACT C, McEWING SUBDIVISION, AN ADDITION TO THE CITY OF HURST, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 388-46, PAGE 878, PLAT RECORDS, TARRANT COUNTY, TEXAS,
AND

A TRACT OF LAND OUT OF THE R.H. McEWING SURVEY, ABSTRACT NO. 1154, TARRANT COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 4989, PAGE 659, DEED RECORDS, TARRANT COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON PIN FOUND IN THE NORTH LINE OF W. LAVACA TRAIL FOR THE SOUTHWEST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID TRACT C, McEWING SUBDIVISION AND BY DEED BEING LOCATED 1572.75 FEET SOUTH 0 DEGREES 30 MINUTES EAST AND 2487.15 FEET EAST FROM THE NORTHWEST CORNER OF SAID McEWING SURVEY;

THENCE NORTH 00 DEGREES 22 MINUTES 54 SECONDS EAST 638.55 FEET (DEED CALL NORTH 638.42 FEET) ALONG THE EAST LINE OF SAID TRACT C, McEWING SUBDIVISION TO A 1/2" IRON PIN FOUND IN THE SOUTH LINE OF BLOCK 1, REMINGTON PARK, PHASE TWO, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 4801, PLAT RECORDS, TARRANT COUNTY, TEXAS, FOR THE NORTHWEST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID TRACT C, McEWING SUBDIVISION;

THENCE NORTH 89 DEGREES 34 MINUTES 32 SECONDS EAST 203.60 FEET (DEED CALL EAST 204.70) ALONG THE SOUTH LINE OF SAID BLOCK 1, REMINGTON PARK, PHASE TWO TO A 3/8" IRON PIN FOUND FOR THE NORTHEAST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 15, SAID BLOCK 1, REMINGTON PARK, PHASE TWO;

THENCE SOUTH 00 DEGREES 32 MINUTES 58 SECONDS WEST 471.98 FEET (DEED CALL SOUTH) ALONG THE WEST LINE OF SAID BLOCK 1, REMINGTON PARK, PHASE TWO, TO A CAPPED IRON PIN SET FOR THE SOUTHWEST CORNER OF LOT 17, SAID BLOCK 1, REMINGTON PARK, PHASE TWO, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT A2, E.A. SMITH ADDITION, AN ADDITION IN TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 388-60, PAGE 31, PLAT RECORDS, TARRANT COUNTY, TEXAS;

THENCE SOUTH 00 DEGREES 17 MINUTES 03 SECONDS EAST 166.64 FEET (DEED CALL SOUTH) ALONG THE WEST LINE OF SAID LOT A2, E.A. SMITH ADDITION TO A 5/8" IRON PIN FOUND IN THE NORTH LINE OF W. LAVACA TRAIL FOR THE SOUTHEAST CORNER OF TRACT BEING DESCRIBED;

THENCE SOUTH 89 DEGREES 35 MINUTES 43 SECONDS WEST 204.15 FEET (DEED CALL WEST 204.70 FEET) ALONG THE NORTH LINE OF SAID W. LAVACA TRAIL TO THE POINT OF BEGINNING AND CONTAINING 2.975 ACRES OF LAND, MORE OR LESS

EASEMENTS DO NOT EFFECT:

VOL. 950, PG. 529, D.R.T.C.T.
VOL. 3271, PG. 25, D.R.T.C.T.

EASEMENT DOES EFFECT:

VOL. 3068, PG. 295, D.R.T.C.T.- BLANKET EASEMENT

VOL. 14747, PG. 325

LOT 12, BLOCK 1
INDUSTRIAL PARK
PHASE TWO
CAL A, EURE 440

N89°27'04"E 239.90

N00°27'09''W
35.11

S89°25'11"E 171.97

N89°43'27"E 240.45

N89°34'32"E 110.81

N05°36'17"E 803.36

**R.E. MEYING SURVEY
ABSTRACT NO. 1164**

DEED OF TRUST
VOL. 6897, PG. 564
D.R.T.C.T.
11.339 ACRES

S00°22'53"W 638.48

TRACT C
MEETING SUBMISSION
VOL. 368-46, PG. 878
P R I V A T E

89°58'33"W 817.50
60' R.O.B. ~ 2" ASPHALT
W. LAVACA TRAIL

POINT OF
ESTIMATING

ESSENTIAL DOES NOT EFFECT:
VOL. 3271, PG. 25, D.A.I.C.T.
VOL. 3008, PG. 244, D.A.I.C.T.

ESSENTIALS DO EFFECT:
VOL. 3048, PG. 285, D.A.I.C.T. - BLANKET ESSENTIAL
VOL. 850, PG. 329, D.A.I.C.T. - BLANKET ESSENTIAL

[illegible][illegible]

LOYD BRANSON SURVEYORS INC.

CHARLES B. HOOKS, JR

1028 NORTH SYLVANIA AVENUE
FT WORTH TEXAS 76114

(817) 834-3477

DATE: 09-24-01

① ROOM PAID
 ○ ROOM PAID
 Δ ROOM D/C AC STAGE
 □ CONCRETE WORK/PAINT
 — — — — — FLOOR
 — — — — — TELEPHONE LINE
 — — — — — CABLE TELEVISION
 — — — — — CONCRETE PAINTING
 — — — — — ASPHALT PAINTING



01-2775

1
PND. 1/3" P BEARS
S00'22'53" W 0.44

BEING A TRACT OF LAND OUT OF THE R.H. McEWING SURVEY, ABSTRACT NO. 1154, TARRANT COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 6897, PAGE 584, DEED RECORDS, TARRANT COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/4" IRON PIN FOUND IN THE NORTH LINE OF W. LAVACA TRAIL FOR THE SOUTHEAST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF TRACT C, McEWING SUBDIVISION, AN ADDITION TO THE CITY OF HURST, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 388-48, PAGE 878, PLAT RECORDS, TARRANT COUNTY, TEXAS, AND BY DEED BEING LOCATED 1572.75 FEET SOUTH 0 DEGREES 30 MINUTES EAST AND 1873.05 FEET EAST FROM THE NORTHWEST CORNER OF SAID R.H. McEWING SURVEY;

THENCE NORTH 89 DEGREES 58 MINUTES 33 SECONDS WEST 817.50 FEET ALONG THE NORTH LINE OF SAID W. LAVACA TRAIL TO A 5/8" IRON PIN FOUND FOR THE SOUTHWEST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF A TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 6742, PAGE 340, DEED RECORDS, TARRANT COUNTY, TEXAS;

THENCE NORTH 05 DEGREES 36 MINUTES 17 SECONDS EAST 983.38 FEET ALONG THE EAST LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 6742, PAGE 340 TO A 5/8" IRON PIN FOUND IN THE SOUTH LINE OF A TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325, DEED RECORDS, TARRANT COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 6742, PAGE 340 AND THE NORTHWEST CORNER OF TRACT BEING DESCRIBED;

THENCE NORTH 89 DEGREES 27 MINUTES 04 SECONDS EAST 239.90 FEET ALONG THE SOUTH LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 TO A 1/2" IRON PIN FOUND FOR AN INSIDE CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 AND CORNER OF TRACT BEING DESCRIBED;

THENCE NORTH 60 DEGREES 27 MINUTES 06 SECONDS WEST 35.11 FEET ALONG EAST LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 TO A 1/2" IRON PIN FOUND FOR AN INSIDE CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 AND CORNER OF TRACT BEING DESCRIBED;

THENCE SOUTH 89 DEGREES 25 MINUTES 11 SECONDS EAST 171.87 FEET ALONG THE SOUTH LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 TO A 3/8" IRON PIN FOUND FOR CORNER OF TRACT BEING DESCRIBED;

THENCE NORTH 89 DEGREES 43 MINUTES 27 SECONDS EAST 240.45 FEET AND CONTINUING ALONG THE SOUTH LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 TO A 1/2" IRON PIN FOUND FOR THE SOUTHEAST CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 AND THE SOUTHWEST CORNER OF LOT 12, BLOCK 1, REMINGTON PARK, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 4801, PLAT RECORDS, TARRANT COUNTY, TEXAS;

THENCE NORTH 89 DEGREES 34 MINUTES 32 SECONDS EAST 110.81 FEET ALONG THE SOUTH LINE OF SAID LOT 12, BLOCK 1, REMINGTON PARK TO THE NORTHEAST CORNER OF TRACT BEING DESCRIBED, FROM WHICH A 1/2" IRON PIN FOUND BEARS 0.44 FEET SOUTH 00 DEGREES 22 MINUTES 53 SECONDS WEST, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID TRACT C, McEWING SUBDIVISION;

THENCE SOUTH 00 DEGREES 22 MINUTES 53 SECONDS WEST 838.48 FEET ALONG THE WEST LINE OF SAID TRACT C, McEWING SUBDIVISION TO THE POINT OF BEGINNING AND CONTAINING 11.339 ACRES OF LAND, MORE OR LESS

5" T.E.S.CO. ESMT
VOL. 4597, PG. 55
D.R.T.C.T.

S00'22'53" W 638.48

TRACT C
McEWING SUBDIVISION
VOL. 388-48, PG. 878
P.R.T.C.T.

ORDINANCE O-06-1600

AN ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF COLLEYVILLE, TEXAS, AS HERETOFORE AMENDED; BY AMENDING THE OFFICIAL ZONING MAP BY AUTHORIZING A SPECIAL USE PERMIT TO ALLOW GRAZING ANIMALS ON 17 ACRES IN THE R.N. MCEWING SURVEY, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for rezoning under Case No. Z-06-027; 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, 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 authorizing a Special Use Permit to allow grazing animals on Tracts 1B4, 1B2, and 1B3 of the R. N. McEwing Survey, Abstract 1154 and Lot C, McEwing Subdivision, as depicted in the attached Exhibit "A" and described in the attached Exhibit "B" subject to the following conditions:
1. If the property is rezoned in the future, the SUP permitting grazing animals will be revoked.
 2. The number of animals shall be in conformance with Chapter 42 of the Colleyville Code of Ordinances.
- 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 _____ day of
_____ 2006.

The second reading and public hearing being conducted on the _____ day of
_____ 2006.

ATTEST:

CITY OF COLLEYVILLE

Cynthia Singleton, TRMC
City Secretary

David Kelly
Mayor

APPROVED AS TO FORM AND LEGALITY:

Matthew C. G. Boyle
City Attorney

EXHIBIT "A"

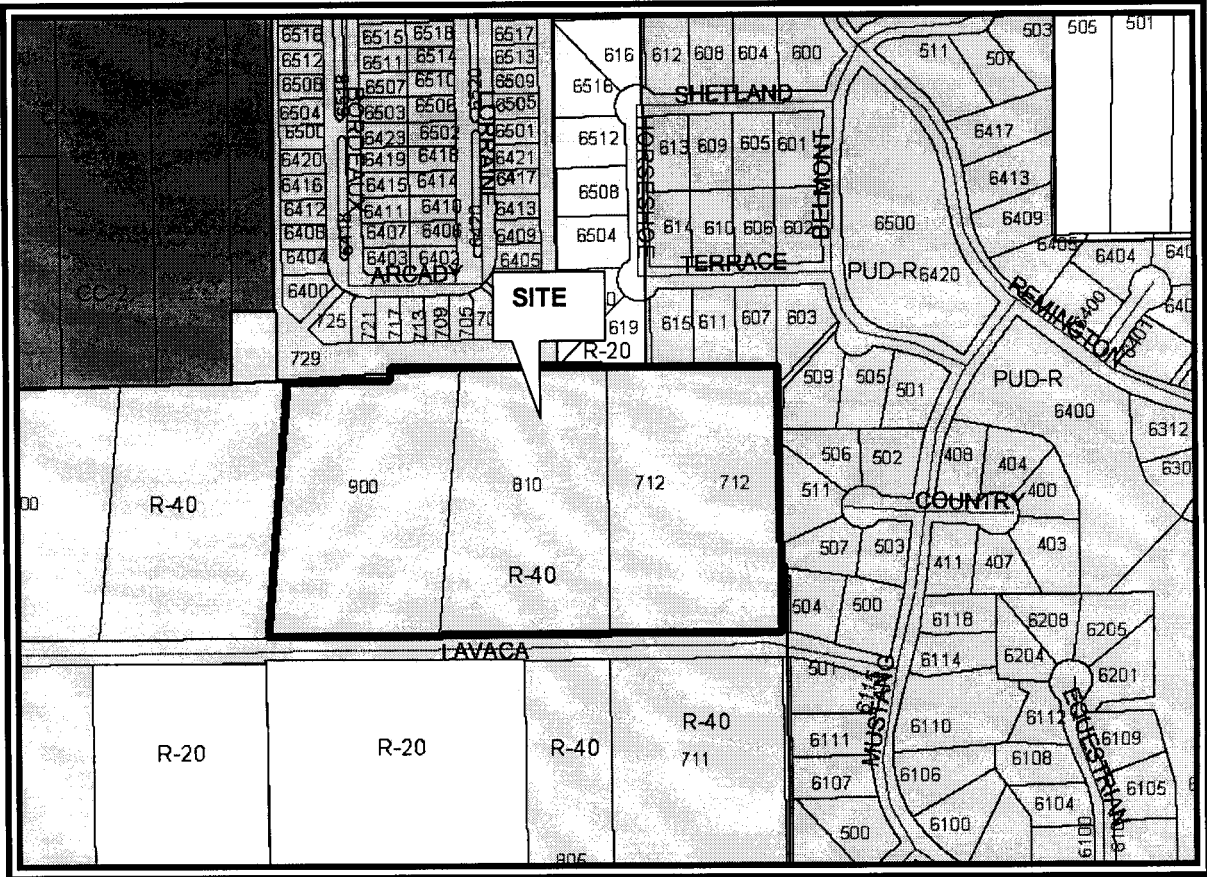


EXHIBIT "B"

BEING A TRACT OF LAND OUT OF THE R.H. McEWING SURVEY, ABSTRACT NO. 1154, TARRANT COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 6897, PAGE 584, DEED RECORDS, TARRANT COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/4" IRON PIN FOUND IN THE NORTH LINE OF W. LAVACA TRAIL FOR THE SOUTHEAST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF TRACT C, McEWING SUBDIVISION, AN ADDITION TO THE CITY OF HURST, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 388-46, PAGE 878, PLAT RECORDS, TARRANT COUNTY, TEXAS, AND BY DEED BEING LOCATED 1572.75 FEET SOUTH 0 DEGREES 30 MINUTES EAST AND 1873.05 FEET EAST FROM THE NORTHWEST CORNER OF SAID R.H. McEWING SURVEY;

THENCE NORTH 89 DEGREES 58 MINUTES 33 SECONDS WEST 817.50 FEET ALONG THE NORTH LINE OF SAID W. LAVACA TRAIL TO A 5/8" IRON PIN FOUND FOR THE SOUTHWEST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF A TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 6742, PAGE 340, DEED RECORDS, TARRANT COUNTY, TEXAS;

THENCE NORTH 05 DEGREES 36 MINUTES 17 SECONDS EAST 603.36 FEET ALONG THE EAST LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 6742, PAGE 340 TO A 5/8" IRON PIN FOUND IN THE SOUTH LINE OF A TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325, DEED RECORDS, TARRANT COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 6742, PAGE 340 AND THE NORTHWEST CORNER OF TRACT BEING DESCRIBED;

THENCE NORTH 89 DEGREES 27 MINUTES 04 SECONDS EAST 239.90 FEET ALONG THE SOUTH LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 TO A 1/2" IRON PIN FOUND FOR AN INSIDE CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 AND CORNER OF TRACT BEING DESCRIBED;

THENCE NORTH 00 DEGREES 27 MINUTES 09 SECONDS WEST 35.11 FEET ALONG EAST LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 TO A 1/2" IRON PIN FOUND FOR AN INSIDE CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 AND CORNER OF TRACT BEING DESCRIBED;

THENCE SOUTH 89 DEGREES 25 MINUTES 11 SECONDS EAST 171.97 FEET ALONG THE SOUTH LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 TO A 3/8" IRON PIN FOUND FOR CORNER OF TRACT BEING DESCRIBED;

THENCE NORTH 89 DEGREES 43 MINUTES 27 SECONDS EAST 240.45 FEET AND CONTINUING ALONG THE SOUTH LINE OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 TO A 1/2" IRON PIN FOUND FOR THE SOUTHEAST CORNER OF SAID TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 14747, PAGE 325 AND THE SOUTHWEST CORNER OF LOT 12, BLOCK 1, REMINGTON PARK, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 4801, PLAT RECORDS, TARRANT COUNTY, TEXAS;

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THENCE SOUTH 00 DEGREES 22 MINUTES 53 SECONDS WEST 638.48 FEET ALONG THE WEST LINE OF SAID TRACT C, McEWING SUBDIVISION TO THE POINT OF BEGINNING AND CONTAINING 11.339 ACRES OF LAND, MORE OR LESS

TRACT C
McEWING SUBDIVISION
VOL. 388-46, PG. 878
P.R.T.C.T.

BEING TRACT C, McEWING SUBDIVISION, AN ADDITION TO THE CITY OF HURST, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 388-46, PAGE 878, PLAT RECORDS, TARRANT COUNTY, TEXAS,

AND

A TRACT OF LAND OUT OF THE R.H. McEWING SURVEY, ABSTRACT NO. 1154, TARRANT COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 4989, PAGE 659, DEED RECORDS, TARRANT COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON PIN FOUND IN THE NORTH LINE OF W. LAVACA TRAIL FOR THE SOUTHWEST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID TRACT C, McEWING SUBDIVISION AND BY DEED BEING LOCATED 1572.75 FEET SOUTH 0 DEGREES 30 MINUTES EAST AND 2487.15 FEET EAST FROM THE NORTHWEST CORNER OF SAID McEWING SURVEY.

THENCE NORTH 00 DEGREES 22 MINUTES 54 SECONDS EAST 638.55 FEET (DEED CALL NORTH 638.42 FEET) ALONG THE EAST LINE OF SAID TRACT C, McEWING SUBDIVISION TO A 1/2" IRON PIN FOUND IN THE SOUTH LINE OF BLOCK 1, REMINGTON PARK, PHASE TWO, AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 4801, PLAT RECORDS, TARRANT COUNTY, TEXAS, FOR THE NORTHWEST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID TRACT C, McEWING SUBDIVISION.

THENCE NORTH 89 DEGREES 34 MINUTES 32 SECONDS EAST 203.60 FEET (DEED CALL EAST 204.70) ALONG THE SOUTH LINE OF SAID BLOCK 1, REMINGTON PARK, PHASE TWO TO A 3/8" IRON PIN FOUND FOR THE NORTHEAST CORNER OF TRACT BEING DESCRIBED, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 15, SAID BLOCK 1, REMINGTON PARK, PHASE TWO;

THENCE SOUTH 00 DEGREES 32 MINUTES 58 SECONDS WEST 471.95 FEET (DEED CALL SOUTH) ALONG THE WEST LINE OF SAID BLOCK 1, REMINGTON PARK, PHASE TWO, TO A CAPPED IRON PIN SET FOR THE SOUTHWEST CORNER OF LOT 17, SAID BLOCK 1, REMINGTON PARK, PHASE TWO, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT A2, E.A. SMITH ADDITION, AN ADDITION IN TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 388-60, PAGE 31, PLAT RECORDS, TARRANT COUNTY, TEXAS;

THENCE SOUTH 00 DEGREES 17 MINUTES 03 SECONDS EAST 166.64 FEET (DEED CALL SOUTH) ALONG THE WEST LINE OF SAID LOT A2, E.A. SMITH ADDITION TO A 5/8" IRON PIN FOUND IN THE NORTH LINE OF W. LAVACA TRAIL FOR THE SOUTHEAST CORNER OF TRACT BEING DESCRIBED;

THENCE SOUTH 89 DEGREES 35 MINUTES 43 SECONDS WEST 204.15 FEET (DEED CALL WEST 204.70 FEET) ALONG THE NORTH LINE OF SAID W. LAVACA TRAIL TO THE POINT OF BEGINNING AND CONTAINING 2.975 ACRES OF LAND, MORE OR LESS

Photos Taken by Staff



Photos Taken by Staff



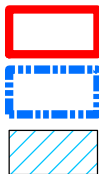
Notification Map



ZC18-033

712 - 810 Lavaca Trail

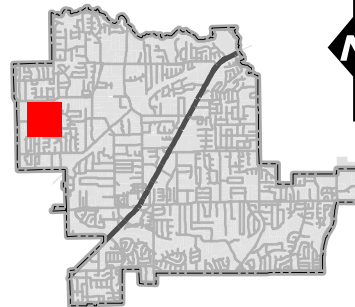
DISCLAIMER:
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Subject Property

500ft Buffer

Properties within 500ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
BROWN, SEAN W	720 INDUSTRIAL BLVD STE 400	GRAPEVINE, TX	76051	761 ARCADY LN
BROWN, DAVID S	608 TERRACE LN	COLLEVILLE, TX	76034	608 TERRACE LN
ARSEMENT, PRESTON	504 LAVACA TRL	COLLEVILLE, TX	76034	504 LAVACA TR
KING, ROBERT D	8413 LORRAINE	COLLEVILLE, TX	76034	8413 LORRAINE PK
LARSON, CHARLES	6605 CIMMARON TR	COLLEVILLE, TX	76034	6605 CIMMARON TR
APGAR FAMILY TRUST	6209 CIMMARON TR	COLLEVILLE, TX	76034	6209 CIMMARON TR
KIERKERING, KENNETH	810 TERRACE LN	COLLEVILLE, TX	76034	810 TERRACE LN
VILLAS OF COLLEVILLE HOA LLC	1108 W PIONEER PKWY	ARLINGTON, TX	76013	6205 CIMMARON TR
BOZYCKI, MICHAEL	408 COUNTRY PL	COLLEVILLE, TX	76034	408 COUNTRY PL
NEWTON, ERIC	6408 BORDEAUX PARK	COLLEVILLE, TX	76034	6408 BORDEAUX PK
MILLER, LOUIS	6404 TALBOT TRL	COLLEVILLE, TX	76034	6404 TALBOT TR
LAVACA PARC HOMEOWNERS ASSC	1540 KELLER PKWY STE 108-151	KELLER, TX	76248	6201 LANTANA CT
CHOPYAK, ROBERT A	8400 BORDEAUX PK	COLLEVILLE, TX	76034	8400 BORDEAUX PK
BRINNASAN, ALAGORY	6419 BORDEAUX PK	COLLEVILLE, TX	76034	6419 BORDEAUX PK
HOWE, RICHARD	917 TALBOT TRL	COLLEVILLE, TX	76034	917 TALBOT TR
JOAN Y ORTH FAMILY TRUST	813 TALBOT TR	COLLEVILLE, TX	76034	813 TALBOT TR
KNUNENBURG, COR	8402 LORRAINE PK	COLLEVILLE, TX	76034	8402 LORRAINE PK
LDOS COMMUNICATIONS INC	PO BOX 152206	IRVING, TX	75015	813 MCDONWELL SCHOOL RD W
NEWSOME, CHAD	609 SHETLAND DR	COLLEVILLE, TX	76034	609 SHETLAND DR
HAIL, STANLEY DEAN	6228 CIMMARON TR	COLLEVILLE, TX	76034	6228 CIMMARON TR
AWALT, TERRY	6221 CIMMARON TR	COLLEVILLE, TX	76034	6221 CIMMARON TR
NEAL, DAVID J	8417 TALBOT TR	COLLEVILLE, TX	76034	8417 TALBOT TR
WYCKERSHAM, SCOTT	6301 CIMMARON TR	COLLEVILLE, TX	76034	6301 CIMMARON TR
DYNEWORSKI, JOSH	6301 LANTANA CT	COLLEVILLE, TX	76034	6301 LANTANA CT
CRAWFORD, SCOTT	502 MUSTANG CT	COLLEVILLE, TX	76034	502 MUSTANG CT
THOMPSON, HAROLD D	8401 LORRAINE PK	COLLEVILLE, TX	76034	8401 LORRAINE PK
OMERTA COS II LP	2406 SOUTHERN HILLS CT	KELLER, TX	76248	810 LAVACA TR
VARLEY, JENIFFER	8411 BORDEAUX PK	COLLEVILLE, TX	76034	8411 BORDEAUX PK
MCPHERSON, BARBARA J	6226 CIMMARON TR	COLLEVILLE, TX	76034	6226 CIMMARON TR
STROTTMAYER, MARTIN	6213 CIMMARON TR	COLLEVILLE, TX	76034	6213 CIMMARON TR
LAVACA PARC HOMEOWNERS ASSC	1540 KELLER PKWY STE 108-151	KELLER, TX	76248	6200 LANTANA CT
PRAKASH, ANA	8213 LANTANA CT	COLLEVILLE, TX	76034	8213 LANTANA CT
COCHRAN, JERRY W	603 MUSTANG CT	COLLEVILLE, TX	76034	603 MUSTANG CT
LOZANO, ELSA	6404 BORDEAUX PK	COLLEVILLE, TX	76034	6404 BORDEAUX PK
HSU, LISAL W	6204 LANTANA CT	COLLEVILLE, TX	76034	6204 LANTANA CT
BROWN, SHARON E	7205 SMITHFIELD RD	NORTH RICHLAND HILLS, TX	76182	6007 BORDEAUX PK
YARRBROUGH, JOHN D	6118 MUSTANG TR	COLLEVILLE, TX	76034	6118 MUSTANG TR
WALTERS, WILLIAM	6512 HORSESHOE BND	COLLEVILLE, TX	76034	6512 HORSESHOE BEND
FONDREN, WILLIE A	6410 LORRAINE PK	COLLEVILLE, TX	76034	6410 LORRAINE PK
WILLIAMSON, DAVID	6403 BORDEAUX PK	COLLEVILLE, TX	76034	6403 BORDEAUX PK
SAGE, DESIREE	8418 LORRAINE PK	COLLEVILLE, TX	76034	8418 LORRAINE PK
MYERS, CHARLES	8418 TALBOT TR	COLLEVILLE, TX	76034	8418 TALBOT TR
SHAIKH, AFTAB SUNNY	6209 LANTANA CT	COLLEVILLE, TX	76034	6209 LANTANA CT
MANER, JOLENE C	506 MUSTANG CT	COLLEVILLE, TX	76034	506 MUSTANG CT
OMERTA COS II LP	2406 SOUTHERN HILLS CT	KELLER, TX	76248	812 LAVACA TR
REM PARK H A INC	PO BOX 343	COLLEVILLE, TX	76034	811 BELMONT DR
HALLETT, CHARLES E	6504 HORSESHOE BND	COLLEVILLE, TX	76034	6504 HORSESHOE BEND
YARACAGODA, YUANYA	601 SHETLAND DR	COLLEVILLE, TX	76034	601 SHETLAND DR
HOOPER, FRANK	6414 LORRAINE PK	COLLEVILLE, TX	76034	6414 LORRAINE PK
DESANTO, DAVID	6408 TALBOT TR	COLLEVILLE, TX	76034	6408 TALBOT TR
PEARSON, LANE D	6508 HORSESHOE BEND	COLLEVILLE, TX	76034	6508 HORSESHOE BEND
HAGGOD, ROCKY J	6416 BORDEAUX PK	COLLEVILLE, TX	76034	6416 BORDEAUX PK
LANIER, PAULA K	6412 BORDEAUX PK	COLLEVILLE, TX	76034	6412 BORDEAUX PK
PICK, EDWARD ALLEN	507 MUSTANG CT	COLLEVILLE, TX	76034	507 MUSTANG CT
SLICKER, ROBERT M	411 COUNTRY PL	COLLEVILLE, TX	76034	411 COUNTRY PL
PALMER, AUBRA W	6406 LORRAINE PK	COLLEVILLE, TX	76034	6406 LORRAINE PK
DAUPHREY, LARRY	961 TALBOT TR	COLLEVILLE, TX	76034	961 TALBOT TR
DAVIDSON, BRANDI RANEE	6108 MUSTANG TR	COLLEVILLE, TX	76034	6108 MUSTANG TR
GRANT, JAMES M	605 SHETLAND DR	COLLEVILLE, TX	76034	605 SHETLAND DR
PICKER, BRUCE A	813 SHETLAND DR	COLLEVILLE, TX	76034	813 SHETLAND DR
LDOS COMMUNICATIONS INC	PO BOX 152206	IRVING, TX	75015	813 MCDONWELL SCHOOL RD W
HUPP, DENNIS	603 TERRACE LN	COLLEVILLE, TX	76034	603 TERRACE LN
CURRANI, SABEEN	6304 LANTANA CT	COLLEVILLE, TX	76034	6304 LANTANA CT
BOLTON, TERRY L	811 TERRACE LN	COLLEVILLE, TX	76034	811 TERRACE LN
THOMASON, KENNETH	8413 TALBOT TRL	COLLEVILLE, TX	76034	8413 TALBOT TR
REM PARK H A INC	PO BOX 343	COLLEVILLE, TX	76034	609 REMINGTON PKWY
LANE, THOMAS M	6301 LANTANA CT	COLLEVILLE, TX	76034	6301 LANTANA CT
DURBIN, RICHARD G	725 ARCADY LN	COLLEVILLE, TX	76034	725 ARCADY LN
MOLSON, ALAN H	6205 CIMMARON TR	COLLEVILLE, TX	76034	6205 CIMMARON TR
ROULLIER, NORMAN	713 ARCADY LN	COLLEVILLE, TX	76034	713 ARCADY LN
MAKARY, MICHELA	6217 CIMMARON TR	COLLEVILLE, TX	76034	6217 CIMMARON TR
ROSEWOOD VILLAS HOA INC	PO BOX 463	COLLEVILLE, TX	76034	6409 TALBOT TR
GUERRA, ROBERT	602 TERRACE LN	COLLEVILLE, TX	76034	602 TERRACE LN
DARCY, DALE PAUL	6412 TALBOT TR	COLLEVILLE, TX	76034	6412 TALBOT TR
HOPKINS, DILLARD E	6208 LANTANA CT	COLLEVILLE, TX	76034	6208 LANTANA CT
GLAZE, LARRY	501 BELMONT DR	COLLEVILLE, TX	76034	501 BELMONT DR
LYNCH, LAURA C	909 TALBOT TR	COLLEVILLE, TX	76034	909 TALBOT TR
OMERTA COS II LP	2406 SOUTHERN HILLS CT	KELLER, TX	76248	LAVACA TR
DAVIS, JERRY D	6421 LORRAINE PK	COLLEVILLE, TX	76034	6421 LORRAINE PK
TARVER, RUSSELL	6205 LANTANA CT	COLLEVILLE, TX	76034	6205 LANTANA CT
ARMITAGE, DOUGLAS R	6405 LORRAINE PK	COLLEVILLE, TX	76034	6405 LORRAINE PK
LEAVERTON, OWEN M	6420 BORDEAUX PK	COLLEVILLE, TX	76034	6420 BORDEAUX PK
BOLTON, VICTOR	614 TERRACE LN	COLLEVILLE, TX	76034	614 TERRACE LN
ZUBIZARRETA, EMILIO	6110 MUSTANG TR	COLLEVILLE, TX	76034	6110 MUSTANG TR
BURTON, BARRY	618 TERRACE LN	COLLEVILLE, TX	76034	618 TERRACE LN
ROSEWOOD VILLAS HOA INC	PO BOX 463	COLLEVILLE, TX	76034	725 ARCADY LN
GRAY, RANDY K	6233 CIMMARON TR	COLLEVILLE, TX	76034	6233 CIMMARON TR
MCORE, ROBERT E	404 COUNTRY PL	COLLEVILLE, TX	76034	404 COUNTRY PL
LANDIS, ROBIN L	205 BELMONT DR	COLLEVILLE, TX	76034	205 BELMONT DR
LAMBERTH, GEORGE	503 MUSTANG CT	COLLEVILLE, TX	76034	503 MUSTANG CT
RINTALA, ROCKY L	865 TALBOT TR	COLLEVILLE, TX	76034	865 TALBOT TR
WRODEK, TODD	6500 HORSESHOE BEND	COLLEVILLE, TX	76034	6500 HORSESHOE BEND
DAVIES, JAMES	407 COUNTRY PL	COLLEVILLE, TX	76034	407 COUNTRY PL
VILLAS OF COLLEVILLE HOA LLC	1108 W PIONEER PKWY	ARLINGTON, TX	76013	6525 TALBOT TR
MULLERS, MELANIE	6415 BORDEAUX PK	COLLEVILLE, TX	76034	6415 BORDEAUX PK
REM PARK H A INC	PO BOX 343	COLLEVILLE, TX	76034	6400 REMINGTON PKWY
REM PARK H A INC	PO BOX 343	COLLEVILLE, TX	76034	6500 REMINGTON PKWY
SWEENEY, MATTHEW	6114 MUSTANG TR	COLLEVILLE, TX	76034	6114 MUSTANG TR
BRUCE & BRENDA HUCKINS TRUST	6212 LANTANA CT	COLLEVILLE, TX	76034	6212 LANTANA CT
EASTERLIN, L A	8421 TALBOT TR	COLLEVILLE, TX	76034	8421 TALBOT TR
ROSEWOOD VILLAS HOA INC	PO BOX 463	COLLEVILLE, TX	76034	6001 LORRAINE PK
COLLINS, JOHNNY C	619 TERRACE LN	COLLEVILLE, TX	76034	619 TERRACE LN
ANDERSON, GREGORY L	509 BELMONT DR	COLLEVILLE, TX	76034	509 BELMONT DR
DERGANG, CHRISTOPHER	709 ARCADY LN	COLLEVILLE, TX	76034	709 ARCADY LN
KLEIN, DONALD W	721 ARCADY LN	COLLEVILLE, TX	76034	721 ARCADY LN
CIRAGI, JAMES	717 ARCADY LN	COLLEVILLE, TX	76034	717 ARCADY LN
ROBERTS, KAREN	6409 LORRAINE PK	COLLEVILLE, TX	76034	6409 LORRAINE PK
GARRETT, COY E	709 ARCADY LN	COLLEVILLE, TX	76034	709 ARCADY LN
ROSEWOOD VILLAS HOA INC	PO BOX 463	COLLEVILLE, TX	76034	6418 BORDEAUX PK
EPLEY, H ROBERT	8417 LORRAINE PK	COLLEVILLE, TX	76034	8417 LORRAINE PK
GARNER, THOMAS J	607 TERRACE LN	COLLEVILLE, TX	76034	607 TERRACE LN
MALONE, TERRY	6409 TALBOT TR	COLLEVILLE, TX	76034	6409 TALBOT TR
PACKO, D WILLIAM J	500 LAVACA TR	COLLEVILLE, TX	76034	500 LAVACA TR
PHINNEY, JASON	6213 EMMAS CT	COLLEVILLE, TX	76034	6213 EMMAS CT
JAEZLOD, CORY B	6204 EMMAS CT	COLLEVILLE, TX	76034	6204 EMMAS CT
LT ESTATES HOA INC	215 W COLLEGE ST	GRAPEVINE, TX	76051	6215 EMMAS CT
CHANDLER, CHARLOTTE	6205 EMMAS CT	COLLEVILLE, TX	76034	6205 EMMAS CT
AJIBANI, VIVEK	6212 EMMAS CT	COLLEVILLE, TX	76034	6212 EMMAS CT
MOTIL, SALEM	6218 EMMAS CT	COLLEVILLE, TX	76034	6218 EMMAS CT
LT ESTATES HOA INC	215 W COLLEGE ST	GRAPEVINE, TX	76051	6218 EMMAS CT
HOGAN, EDWARD L	6201 EMMAS CT	COLLEVILLE, TX	76034	6201 EMMAS CT
RIFE, BRYAN D	6208 EMMAS CT	COLLEVILLE, TX	76034	6208 EMMAS CT
GEORGE, ANSH	6209 EMMAS CT	COLLEVILLE, TX	76034	6209 EMMAS CT
FEGAN, DENNIS J	1303 BELLEFONTE LN	COLLEVILLE, TX	76034	1013 LAVACA TR
RASMUSSEN, JASON	501 LAVACA TR	COLLEVILLE, TX	76034	501 LAVACA TR
MONUMENT CUSTOM BUILDERS LP	PO BOX 189	COLLEVILLE, TX	76034	8112 LEGACY TR
BILDERBACK, JAMES L	8105 RIDGEWOOD LN	COLLEVILLE, TX	76034	8105 RIDGEWOOD LN
TANEY, JOSEPH	901 LEGACY TR	COLLEVILLE, TX	76034	901 LEGACY TR
STAR, CHRISTOPHER	6201 RIDGEWOOD LN	COLLEVILLE, TX	76034	6201 RIDGEWOOD LN
LEGACY AT COLLEVILLE LLC THE	PO BOX 92747	SOUTHDAKE, TX	75092	812 LEGACY TR
LEGACY AT COLLEVILLE LLC THE	PO BOX 92747	SOUTHDAKE, TX	75092	806 LAGACY TR
TAYLOR, GREGORY	817 LEGACY TR	COLLEVILLE, TX	76034	817 LEGACY TR
PROVIDENTIAL LAND DEVELOPMENT	624 STONEGLEN DR	KELLER, TX	76248	6208 LEGACY TR
FORD, DOUGLAS	6200 LEGACY TR	COLLEVILLE, TX	76034	6200 LEGACY TR
PANDALL, MARK R	8111 MUSTANG TR	COLLEVILLE, TX	76034	8111 MUSTANG TR
ISELL, CHRISTOPHER M	504 LIBERTY CT	COLLEVILLE, TX	76034	504 LIBERTY CT
CARRIS, MICHAEL V	8116 LEGACY TR	COLLEVILLE, TX	76034	8116 LEGACY TR
ROSLAND, JAMES W	8107 MUSTANG TR	COLLEVILLE, TX	76034	8107 MUSTANG TR
RODRIGUEZ, JUAN	905 LEGACY TR	COLLEVILLE, TX	76034	905 LEGACY TR
O'NEILL LIVING TRUST	2806 EDGEWOOD LN	COLLEVILLE, TX	76034	8113 LEGACY TR
MCPHERSON, BRAD	14815 STORY LN	FRISCO, TX	75035	6204 LEGACY TR
STEWART, TERRACE	500 LIBERTY CT	COLLEVILLE, TX	76034	500 LIBERTY CT
CHUNG, KRAMER	809 LEGACY TR	COLLEVILLE, TX	76034	809 LEGACY TR
PHILLIP, ANDREW	831 N MILES CT	FORT WORTH, TX	76109	8109 RIDGEWOOD LN
PATRICK CUSTOM HOMES INC	2885 EXCHANGE BLVD STE 112	SOUTHDAKE, TX	75092	8112 LEGACY ESTATES DR
REM PARK H A INC	PO BOX 343	COLLEVILLE, TX	76034	6021 REMINGTON PKWY
PROVIDENTIAL LAND DEVELOPMENT	624 STONEGLEN DR	KELLER, TX	76248	8116 LEGACY ESTATES DR
REATA BROKERAGE SERVICES LLC	4323 GLOSTER RD	DALLAS, TX	75220	6212 LEGACY TR
CLAREMONT ADDITION	3528 DAVIS BLVD SUITE 134	NORTH RICHLAND HILLS, TX	76182	COURTESY NOTICE
LAVACA TRAIL ESTATES		COLLEVILLE, TX	76034	COURTESY NOTICE
REMINGTON PARK ADDITION	5781 KROGER DRIVE	KELLER, TX	76244	COURTESY NOTICE
ROSEWOOD VILLAS	P.O. BOX 463	COLLEVILLE, TX	76034	COURTESY NOTICE
VILLAS OF COLLEVILLE	9051 AIRPORT FREEWAY SUITE 460	NORTH RICHLAND HILLS, TX	76180	COURTESY NOTICE
KELLER SD	350 KELLER PKWY	KELLER, TX	76248	STATE REQUIRED
GRAPEVINE COLLEVILLE SD	3051 RALF WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
HAMILTON, KEITH	8241 MCDIES BLVD	NORTH RICHLAND HILLS, TX	76182	APPLICANT

Public hearing notices were mailed on December 28, 2016



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-033

Applicant: Keith Hamilton

Owner: Omerta Cos II LP

Location: 712 – 810 Lavaca Trail

Property Description: Lot C, McEwing Subdivision & 1B02A, 1B2, 1B3, and 1B4, Abstract 1154, in the R H McEwing Survey

Present Zoning: R-40 Single Family Residential

Request: Consideration of a zoning change from R-40 Single Family Residential district to PUD-R Planned Unit Development – Residential district. The purpose is to develop and subdivide the 3 properties into 25 single-family residential lots and 5 open space lots. The zoning map incorrectly shows the R-20 zoning on the property.

This item was remanded back to the Planning and Zoning Commission by the City Council at their December 4, 2018, meeting in order to convert the zoning to a PUD-R Planned Unit Development – Residential district. The original request was to rezone to the R-20 Single Family Residential district. The purpose of the PUD-R zoning is to allow for 11.3% open space, private streets and to ratify specific enhancements the developer has agreed to with adjacent subdivisions.

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, January 14, 2019 at 7:00 p.m.
City Council Meetings: Tuesday, January 22, 2019 & Tuesday, February 5, 2019 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/government/departments-a-l/community-development/active-development-cases>. For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Jacquelyn Reyff, Principal Planner
jreyff@colleyville.com

Letter of Opposition

Araceli Botello

Subject: FW: Proposed Development on Lavaca Trail

From: Nanette Love

Sent: Friday, October 5, 2018 12:38 PM

To: Ben Bryner <BBryner@colleyville.com>

Subject: Proposed Development on Lavaca Trail

Hi Ben! My name is Nanette Love, and I am a resident in Remington Park here in Colleyville.

I wanted to share what I am hearing regarding the new development on Lavaca Trail. From my understanding the property is currently zoned as R40, however, I am hearing the developer is more in line with developing as R20, which is a higher density development.

My main concern is that Lavaca Trail can not support the higher density plan from a pure traffic standpoint. We are already seeing more cut through traffic in Remington Park, and developing as R20 vs. R40 will only add to this and create even more congestion to the area.

Believe me, I am all for new construction in our beautiful city, but I am requesting that the city of Colleyville consider how this new development (and all new developments) will impact our existing neighborhood and maintaining the quality of the surrounding areas. I personally think developing with larger lots with less density is best for our city and this particular area.

Please feel free to give me a call, and thank you in advance for your taking the time to read this email.

Nanette Love
Realtor
Keller Williams Realty DFW
cell: 817.602.4101



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[Texas Real Estate Commission Consumer Protection Notice](#)

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Letter of Opposition

Araceli Botello

Subject: FW: Lavaca

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

From: Kristi

Sent: Friday, October 5, 2018 1:40 PM

To: Ben Bryner <BBryner@colleyville.com>

Cc: Kevin McIntosh

Subject: Lavaca

I heard you are considering making a home development on Lavaca across from The Legacy with smaller lots. I am a resident of The Legacy & just moved in. I would hate to think that beautiful property with amazing trees & green space is being torn down for homes without comparable lots to The Legacy. This was the initial plan according to what I read. I do not agree with this movement.

Kristi McIntosh

Sent from my iPhone

Letter of Opposition

Araceli Botello

Subject: FW: Development off LaVaca behind Remington Park

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

From: Tina Anderson

Sent: Friday, October 5, 2018 3:06 PM

To: Ben Bryner <BBryner@colleyville.com>

Subject: Development off LaVaca behind Remington Park

We strongly oppose the rezoning of the above referenced tract of land for higher density homes. Our neighborhood is already overrun with speeding pass thru traffic creating a safety hazard for our children. Additionally, during morning commute hours, it is already nearly impossible to exit RP at either the north or south entrances.

Tina And Greg Anderson

509 Belmont

Colleyville

Letter of Opposition

Araceli Botello

Subject: FW: Zoning Case: ZC18-033

Importance: High

From: Walt Mills

Sent: Monday, October 8, 2018 7:03 AM

To: Ben Bryner <BBryner@colleyville.com>

Cc:

Subject: Zoning Case: ZC18-033

Importance: High

Case: ZC18-033

Applicant: Keith Hamilton

Location 712-810 Lavaca Trail

I am strongly opposed to zoning this area to a lower density of R-20. Given the new development already in place and yet to be fully developed along with the vast amount of additional deep farm land along Lavaca Trail, increasing the density to R-20 will be a traffic disaster for businesses and our community. Currently, without a light at Precinct Line, the traffic patten will certainly be through Remington Park. This long term dramatic increase in traffic will be dangerous to our children and other pedestrians. Remington Park has a very long walking trail which often crosses the many streets in Remington Park. This trail connects to the Cotton Belt Trail, used by many residents in the adjoining neighborhoods as well as Remington Park residents. Scooter and bicycle users also enjoy the trails and streets of Remington Park and adding a high density development with the prospect of additional neighborhoods along Lavaca just doesn't make sense.

One might also argue that the notice was poorly worded to end with "the map incorrectly shows R-20 zoning on the property." Thus, burying the lead of high density homes. Moreover, many of the recipients reading the document do not understand the difference between R-20, R-30, R-40 or PUD.

Respectfully,

Walt Mills

404 Vintage Ct.

Remington Park HOA

Walt Mills

Photos By Walt

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☎ 817-271-0353



Letter of Opposition

Araceli Botello

Subject: FW: Zoning Case: ZC18-033- Additional Information

From: Walt Mills

Sent: Monday, October 8, 2018 7:29 AM

To: Ben Bryner <BBryner@colleyville.com>

Cc:

Subject: Zoning Case: ZC18-033- Additional Information

Case: ZC18-033

Applicant: Keith Hamilton

Location 712-810 Lavaca Trail

Refreshing my memory on R-20 property, I ran across the following description from the City of Colleyville Land Development Code, 2015. One could hardly describe 712-810 (West) Lavaca Trail as “inner urbanized” or anything near this definition or “adjacent to shopping facilities.” Nor does it appear to even the casual observer as “the inner area of the city.”

Section 3.12

Purpose and Intent – The purpose and intent of the R20 - Single-Family Residential District is to provide for compatible land, building, and structural uses primarily oriented to medium-low density residential purposes, open space uses, and selected community facility uses. The locational characteristics of this district are generally found in the inner urbanized developed areas of the city, adjacent to shopping facilities. Land uses in this district are normally connected to an approved public or private sewage collection and treatment system, rather than individual septic tanks and sub-surface drainage fields. Moderately low density detached single-family residential dwellings as exist in the inner area of the city comprise the principal elements of the district. It is further the intent to use this district and its regulations to accommodate and recognize the existence of small lot conventional single-family development, which presently exists in the city,

Respectfully,

Walt Mills

404 Vintage Ct.

Remington Park

Walt Mills

Photos By Walt

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☎ 817-271-0353



Letters of Support

Araceli Botello

Subject: FW: Letter of Support for Legacy North Planning and Zoning case ZC18-033

From: Michael Capps []

Sent: Wednesday, January 2, 2019 8:05 AM

To: Ben Bryner <BBryner@colleyville.com>

Cc:

Subject: Letter of Support for Legacy North Planning and Zoning case ZC18-033

Members of the Planning and Zoning Committee:

My name is Michael Capps, my wife and I live at [6116 Legacy Trl in Colleyville, TX](#). We purchased the home in the Legacy last year primarily due to the structure of the neighborhood, which included the common open space and the 1/2-acre home sites. We have previously owned homes on lots that were more in the acre size and found that we didn't connect as well with the neighbors because of the distance between our homes. We were also moving back from California where lot sizes were less than half the size offered in this subdivision with no open space or green belts and wanted something with a little room.

We looked at many subdivisions before making our choice and felt that Hat Creek Development created a superior neighborhood with enough space for individualized homes as well as many of the mature trees were retained. I have personally talked to Mr. Maykus and many of his staff members on many occasions and found them to be honest and forthright in their dealings. The quality of the neighborhood and the homes they build are unmatched. Our specific home was not built by Maykus, but the builders that are in the subdivision build quality, unique products that are unmatched in the area with the exception of one or two other subdivisions in Colleyville and unfortunately those are not in areas we would have considered purchasing due to negative factors outside the subdivision complex (i.e. proximity to water towers, highways, shopping centers).

My wife and I have worked in the mortgage banking industry for over 30 and know what creates positive and negative factors in an area. This area and developer hit all our positive marks in our search for what was right for us, including appropriate size lots, space and layout.

We urge you to vote in favor of the PUD-R Planned Unit Development - Residential District recommendation to allow Hat Creek Development to move forward with Legacy North. This plan will bring consistency with the other subdivisions on Lavaca Trail and the surrounding areas. Should you have any additional questions, please don't hesitate to contact me.

Sincerely,

Michael Capps

M: [972.567.2693](tel:972.567.2693)

Letters of Support

Araceli Botello

Subject: FW: Letter of Support for Legacy North Planning and Zoning case ZC18-033

From: BMCapps]

Sent: Wednesday, January 2, 2019 9:42 PM

To: Michael Capps

Cc: Ben Bryner <BBryner@colleyville.com>

Subject: Re: Letter of Support for Legacy North Planning and Zoning case ZC18-033

Please consider this my support of Legacy North. Brenda Capps
6116 Legacy Trail, Colleyville

Sent from my iPhone

On Jan 2, 2019, at 8:05 AM, Michael Capps <> wrote:

Members of the Planning and Zoning Committee:

My name is Michael Capps, my wife and I live at [6116 Legacy Trl in Colleyville, TX](#). We purchased the home in the Legacy last year primarily due to the structure of the neighborhood, which included the common open space and the 1/2-acre home sites. We have previously owned homes on lots that were more in the acre size and found that we didn't connect as well with the neighbors because of the distance between our homes. We were also moving back from California where lot sizes were less than half the size offered in this subdivision with no open space or green belts and wanted something with a little room.

We looked at many subdivisions before making our choice and felt that Hat Creek Development created a superior neighborhood with enough space for individualized homes as well as many of the mature trees were retained. I have personally talked to Mr. Maykus and many of his staff members on many occasions and found them to be honest and forthright in their dealings. The quality of the neighborhood and the homes they build are unmatched. Our specific home was not built by Maykus, but the builders that are in the subdivision build quality, unique products that are unmatched in the area with the exception of one or two other subdivisions in Colleyville and unfortunately those are not in areas we would have considered purchasing due to negative factors outside the subdivision complex (i.e. proximity to water towers, highways, shopping centers).

My wife and I have worked in the mortgage banking industry for over 30 and know what creates positive and negative factors in an area. This area and developer hit all our positive marks in our search for what was right for us, including appropriate size lots, space and layout.

We urge you to vote in favor of the PUD-R Planned Unit Development - Residential District recommendation to allow Hat Creek Development to move forward with Legacy North. This plan will bring consistency with the other subdivisions on Lavaca Trail and the surrounding areas. Should you have any additional questions, please don't hesitate to contact me.

Sincerely,

Michael Capps

M: [972.567.2693](tel:972.567.2693)

Letters of Support

Rosewood Villas Homeowners' Association Legacy North Development Committee

**P.O. Box 463
Colleyville, Texas 76034**

Planning and Zoning Commission
c/o Community Development Department
City of Colleyville
100 Main Street
Colleyville, Texas 76034

October 5, 2018

Re: Zoning Case Number ZC18-033 (712 -810 Lavaca Trail)

Dear Commissioners:

On September 11 we sent to City of Colleyville staff the attached documents in connection with the proposed development of the subject property. As you will note in reading these documents, we expressed several concerns with respect to the proposed Legacy North development and asked a question regarding the zoning of this property.

Although we would like you to be aware of our concerns with respect to the proposed Legacy North development, we have no objection to rezoning the subject property to R20. Kosse Maykus has created a beautiful neighborhood in the adjacent Legacy subdivision and we are pleased that he will be the developer of Legacy North.

Since the submission of our original letter, we have met and exchanged emails with Mr. Maykus regarding our most significant concern, the lack of a landscape buffer between Legacy North lots and Rosewood Villas' common recreation area in the original plat submitted by Mr. Maykus.

Based on that meeting, we believe that Mr. Maykus is willing to install such a buffer and is working with us in good faith to resolve this issue in a manner that will benefit both subdivisions.

Thank you.

We very much appreciate your time and consideration.

Very truly yours,

Rosewood Villas HOA Legacy North Development Committee

Note: Please use the following contact information for all communication with the HOA on this matter:

Email: _____ with a copy to _____

Telephone: Christopher Derganc (817) 437-1971

Letters of Support

Rosewood Villas Homeowners' Association

Attachment 1

12/05/2006 City Council Agenda Briefing re: Colleyville Ordinance 0-06-1600

Page 1

Rosewood Villas Homeowners' Association

Legacy North Development Committee

P.O. Box 463

Colleyville, Texas 76034

Ms. Jacquelyn Reyff, AICP
Principal Planner
City of Colleyville
100 Main Street
Colleyville, Texas 76034

Re: Proposed Legacy North Development

September 11, 2018

Dear Ms. Reyff:

We represent the Rosewood Villas HOA ("RWV"). We learned recently that Kosse Maykus has submitted to the City a preliminary plat for the "Legacy North" development, to be located along Lavaca Trail on Tracts 1B2, 1B2A and 1B4 of the RH Mc Ewing Survey and Lot C and A Tract 1B3 of the Mc Ewing Subdivision.

We have examined the preliminary plat and supporting documents and spoken with City staff regarding this proposed development, which will have a direct impact on our HOA. We thought it would be helpful to make you aware of our concerns with respect to this proposed development prior to the initial P&Z meeting.

Background

The Rosewood Villas HOA southern property line runs along a substantial portion of the proposed Legacy North's northern property line. The entire southern portion of our property consists of the HOA's only recreational area and includes our beautiful tree lined ponds and walking path. It is an area frequently used by residents and their guests for recreational walking and fishing in our stocked ponds. It is also the principal site for HOA functions. Listed below are the specific attributes of the recreational area we believe most relevant to the proposed development:

- A wrought iron fence runs along our entire southern property line.
- Our walking path is situated approximately 3 feet from this fence.
- There are several relatively mature trees immediately to the south of our property line that provide shade to our walking path and screen our common area.
- Our property is at grade with the Legacy North property at the eastern end but increases to 3 - 4 feet above grade along most of the property line.
- Our pond system partially overflows onto the proposed Legacy North property.

A central feature of our small-lot villas neighborhood, this recreational area is also a key selling feature of RWV. It enhances the value of all properties within RWV and is highlighted in virtually every sales listing. We hope that the new development will compliment this area, rather than detract from it.

Letters of Support

Rosewood Villas Homeowners' Association

Attachment 1

12/05/2006 City Council Agenda Briefing re: Colleyville Ordinance 0-06-1600

Page 2

Re: Proposed Legacy North Development

September 11, 2018

Page 2

Concerns with Proposed Legacy North Development

1. Lack of Landscape Buffer Between Legacy North and Rosewood Villas

Our principal concern is the lack of a landscape buffer between Legacy North and RWV.

The preliminary Legacy North plat shows lots placed directly along our southern property line. We believe such a placement will adversely impact the aesthetic beauty of our recreational area. It will also adversely impact the privacy and potentially the value of the Legacy North properties bordering this recreational area.

Leaving just the wrought iron fence in place will expose these properties to common area activities of another development, as well as to the backyards of the RWV homes lining the pond system. It will also fundamentally change the character of our recreational area.

Installing a wood or masonry wall directly against the existing RWV wrought iron fence seems to be not only inappropriate but will require the removal of several mature trees and destroy the aesthetic beauty of the RWV recreational area. In fact, we would not even be able to soften the impact of such a wall with landscaping due to the limited space between the existing fence and walking path.

Therefore, we would very much prefer that the developer add a landscape buffer along the north-south border of our properties.

This is the approach Mr. Maykus is proposing with respect to the Legacy North border with Remington Park (which also includes a walking path). It is also the approach used in the original Legacy development along the Remington Park border. We see no reason why our neighborhood should not be treated in a similar manner.

Furthermore, along the RWV eastern border with Remington Park, our developer included an approximately 30-foot common area buffer/drainage easement and, as an accommodation to Remington Park, agreed to limit all homes along this border to one story. On our western border with the Villas of Colleyville, both developers employed approximately 20-foot common area buffer zones, resulting in a substantial distance between the houses. Therefore, adding a similar buffer along our southern Property line is in keeping with the existing development and will protect homeowners of both Legacy North and RWV.

2. Drainage

The preliminary Legacy North plat reflects the removal of the existing pond on the subject property and channels all runoff water, including overflow from the RWV pond system, directly onto Lavaca Trail. We are concerned that this approach will lead to excessive runoff onto Lavaca Trail and urge the City to retain the existing or similar pond.

Furthermore, the existing pond/wetland area seems to have been in place for many years. Since at least the very early 2000s, when RWV was developed, this area has never been dry. It serves as a habitat for numerous species of birds, reptiles and mammals. We urge to City to take all appropriate action to protect and retain this valuable wetland area.

Letters of Support

Rosewood Villas Homeowners' Association

Attachment 1

12/05/2006 City Council Agenda Briefing re: Colleyville Ordinance 0-06-1600

Page 3

Re: Proposed Legacy North Development

September 11, 2018

Page 3

3. Tree Preservation

There is substantial tree canopy coverage on the eastern half of the Legacy North property. We assume you will require the developer to submit a tree preservation plan in compliance with Section 5 of the Colleyville Land Development Code and would appreciate the opportunity to review this plan when available. We would also like to note that the landscape buffer we are proposing would certainly help the developer in meeting the tree preservation requirement.

4. Density and Open Space

Although the original Legacy development set aside a significant portion of its land as open space, we see no similar open space or trail system in the preliminary plat for Legacy North. We assume you will address this issue in your review and would appreciate it if you would update us regarding its disposition. Again, the landscape buffer would also help the developer to meet any open space requirements.

5. Zoning Issue

Finally, the preliminary plat prepared by Mr. Maykus assumes the subject property is zoned R20, which is consistent with the current Colleyville zoning map. However, as the attached Agenda Briefing for City Council's consideration of Colleyville Ordinance 0-06-1600 on December 5, 2006 clearly indicates, the prior owner's application to rezone this property from R40 to R20 was denied by P&Z. It also indicates the applicant elected not to appeal this denial.

We are within the notification area for any such rezoning request and are unaware of a subsequent effort to rezone this property. Therefore, it is our belief that this property is, in fact, zoned R40. We would appreciate it if you would either confirm our understanding or provide us with documentation indicating a subsequent rezoning to R20.

Absent confirmation of a rezoning of this property to R20, we ask either that Mr. Maykus revise his plat to reflect the correct zoning of this property or the City take these parcels through the appropriate rezoning process.

Thank you. We very much appreciate your time and consideration on this matter.

Very truly yours,

Rosewood Villas HOA Committee on Legacy North Development

Please use the following contact information for all communication with the HOA:

Email: _____ with a copy to

Telephone: Christopher Derganc (817) 437-1971

Letters of Support

Rosewood Villas Homeowners' Association

Attachment 2

Letter to City Staff September 11, 2018

Page 1



City of Colleyville Agenda Briefing

100 Main Street
Colleyville, Texas 76034
(817) 503-1000
www.colleyville.com

File Number: O-06-1600

File Number: O-06-1600	File Type: Ordinance	Status: First Reading
Version: 1	Agenda Date: 12/05/2006	Controlling Body: City Council
Requester: Community Development Department	Agenda No.: 6a	Final Action:
File Name: Approval of a Request for a Special Use Permit on 17 acres out of the R.N. McEwing Survey and the McEwing Addition located at 712-900 Lavaca Trail, Case Z-06-027		
Attachments: Location and Zoning Map • List of Property Owners Notified • Zoning Exhibits • Ordinance O-06-1600		

History of Legislative File

Version:	Date:	Acting Body:	Action Text:
1	11/13/2006	Planning and Zoning Commission	
1	12/05/2006	City Council	

Title

Approval of a Request for a Special Use Permit on 17 acres out of the R.N. McEwing Survey and the McEwing Addition located at 712-900 Lavaca Trail, Case Z-06-027

Explanation

First Reading and Public Hearing

Jeffrey Zimmerman has submitted a request for consideration of a Special Use Permit (SUP) to allow grazing animals on 17 acres of land located on the north side of Lavaca Trail, approximately 275 feet west of Mustang Trail. The property is currently zoned R40-Single Family Residential.

The applicant originally submitted a request to rezone the property from the R40-Single Family Residential zoning district to the R20-Single Family Residential zoning district in conjunction with the SUP request. The Planning and Zoning Commission denied the R20 rezoning request and approved the SUP request. The applicant did not appeal the zoning request to City Council, therefore only the SUP request is being considered by the City Council. The Planning and Zoning Commission recommended approval of the SUP by a vote of 5-2.

Request. SUP to allow grazing animals on the property.

Location. The 17 acres is located at 712-900 Lavaca Trail.

Special Use Permit. The applicant is requesting approval of a SUP to allow grazing

Letters of Support

Araceli Botello

Subject: FW: Legacy North Planning and Zoning

From: Bryan Yelverton
Sent: Monday, October 8, 2018 3:23 PM
To: Ben Bryner <BBryner@colleyville.com>
Subject: Legacy North Planning and Zoning

Members of the Planning and Zoning Committee:

My name is Bryan Yelverton and I currently reside at 708 Lyndsey Way in Colleyville, Texas. I purchased this lot in 2016 in current development, The Legacy. I am in support of Hat Creek Development continuing to develop The Legacy North project which calls for 25 1/2 acre home sites. I feel that this proposal is in line with all surrounding neighborhoods in this area and will add value to all of the surrounding neighborhoods. I was about the 4th person to purchase a lot in early 2016 and I have seen the development grow at an amazing pace. There is a high demand for 1/2 acre home sites in this area.

They have done a wonderful job with our neighborhood and have been responsive to the concerns of both the residents and the builders. Maykus Custom Homes, Providential Custom Homes, and Larry Stewart Custom Homes build beautiful custom homes and I would like to see more of these quality homes in this area. The 25 1/2 acre lots to be developed is in line with our neighborhood and all of the surrounding neighborhoods in this area. As a homeowner, selfishly, I am interested in improving property values around my home. I feel that the planned Legacy North project will add great value to my home and the city of Colleyville by providing this area with quality custom homes.

Please do not hesitate to contact me if I can be of further assistance to the zoning committee.

Sincerely,

Bryan C. Yelverton, MD
US Anesthesia Partners
Arlington Division
(c) 972-523-0009

Letters of Support

Araceli Botello

Subject: FW: Legacy North Planning and Zoning

From: Matt Colby
Sent: Tuesday, October 9, 2018 7:32 AM
To: Ben Bryner <BBryner@colleyville.com>
Subject: Legacy North Planning and Zoning

Members of the Planning and Zoning Committee,

My name is Matthew Colby, and my family and I live at 700 Lyndsey Way in Colleyville, TX, in the Legacy development. We are in full support of the development of 25 ½ acre sites in the Legacy North project that Hat Creek Development is currently proposing.

As a property owner within and tax payer to the city of Colleyville, it is important to me that the integrity of our community is preserved by developing these sites with reputable custom builders like Maykus Custom Homes, Larry Stewart Custom Homes, and Providential Custom Homes. These builders hold themselves to a higher standard of excellence in all they do, and are deeply engrained in the communities where they build. The approval of the Legacy North Project's proposed 25 ½ acre home sites is in the best interest of the homeowners in the surrounding area, and ultimately that of the City of Colleyville.

If there is any way for me to further support the efforts of Hat Creek Development in The Legacy North project, please let me know. It is of great interest to the homeowners in our community that we see this project in the hands of those who have served us well in their efforts to protect the value of our homes and the integrity of the community in which we reside.

Best regards,

Matt Colby

MATT COLBY *Vice President*

214.838.5250 | DIRECT
713.870.4778 | MOBILE

1500 SOLANA BLVD., BLDG. 4, SUITE 4500
WESTLAKE, TEXAS 76262

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Letters of Support



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Letters of Support

Araceli Botello

Subject: FW: The Legacy North

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

From: Brad McPherson

Sent: Wednesday, October 10, 2018 8:49 AM

To: Ben Bryner <BBryner@colleyville.com>

Subject: The Legacy North

Good Morning Mr. Bryner,

I hope this finds you well. I am writing you this morning to show my support on the development of The Legacy North. I was not able to attend the meeting on Monday, but as a future resident of The Legacy...in 3 months, I would like to see a similar neighborhood with ½ acre lots, along with the same quality of homes/builders.

We purchased our lot in The Legacy in 2017 after searching Colleyville, Southlake and Westlake. We are moving from Frisco to be closer to family, but ultimately, one of our main goals was to build a custom home in an area surrounded by custom homes on ½ acre lots. The vibe is luxury homes with a country and secluded feeling..This was impossible to find in Frisco given most developments are production builders on 7000 sq. ft lots.

I have spoken with several neighbors across Lavaca along with my parents and their neighbors in Remington Park. There does not seem to be any pushback or negative feedback about the development of The Legacy North, based on my conversations. The common response I've heard is that the development group invest some money into the entrance, fences, etc., and maintain the grounds as long as they are overseeing the HOA.

I approve the development of The Legacy North and hope you and your team can support this future subdivision. Thank you for your time and consideration.

Thanks,
Brad

Brad McPherson
HealthMark Group
325 N. Saint Paul Street
Suite 1650
Dallas,TX 75201
Office (214) 764.9122
Mobile (214) 458.6629
Fax (800) 833.5935

Letters of Support

Araceli Botello

Subject: FW: Zoning Case Number ZC18-033 (712-810 Lavaca Trail)

From: Doug Wiseman
Sent: Sunday, October 21, 2018 8:23 PM
To: Ben Bryner <BBryner@colleyville.com>
Subject: Zoning Case Number ZC18-033 (712-810 Lavaca Trail)

Dear Commissioners:

Our names are Doug and Theresa Wiseman and we reside at 808 Lyndsey Way, in the Legacy. My husband and I searched for a long time for the perfect location to build our home after living in our previous home for 32 years in Bedford. We chose this subdivision and Colleyville because of the location, the walking trails, and surrounding subdivisions with similar lot sizes and pricing. While building our house we met many individuals walking through our gated community from the surrounding subdivision, creating a sense of community for us. When we purchased our land, we understood this land would someday be developed.

Maykus Customs Homes built our home and went beyond our expectations regarding their integrity and high standards. I am sure the developer will meet the expectations of the individuals in the surrounding subdivisions. We agree for Hatcreek Development to develop this land as R20 lots.

One concern on the video of the Planning and Zoning meeting on October 8, 2018 was the traffic going through Remington Park. It is very hard to enter Precinct Line Road at various times of the day. This is going to be a concern going forward because the lights are timed right now and once the commuter train starts running the lights won't be timed. Also, there is a new subdivision being developed across Precinct Line at Lavaca Trail in North Richland Hills. This will make it even more difficult to enter Precinct Line Road.

A traffic light needs to be considered in the future as the traffic flow continues to increase on Precinct Line Road. A light would decrease the traffic in the Remington Park.

Thank you for your consideration in this matter.

Theresa and Doug Wiseman

Sent from my iPad

Letters of Support

Araceli Botello

Subject: FW: Lavaca Trail Development

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

From: Sonia Bilderback

Sent: Sunday, October 21, 2018 9:08 PM

To: Ben Bryner <BBryner@colleyville.com>

Cc: Eason Maykus

Subject: Re: Lavaca Trail Development

Mr. Bryner,

We will be in attendance at the City Hall meeting, Monday, October 22nd in support of the proposed Maykus Development on Lavaca Trail. In keeping with all the requests from City leaders to support Colleyville, especially with Highway 26 construction, it seems only right to keep the development with home town folks rather than a National company. They are the ones that support the doctors, grocery stores and restaurants here locally.

We desire to have the development uniform like the one we live in across the street, The Legacy. The trees, walking paths that the Maykus Company propose are more in keeping with the country feel of Lavaca.

We have lived in this close area including Remington Park since 2006.

Thank you for your time and consideration.

Jimmy and Sonia Bilderback

The Legacy

6105 Ridgewood Lane

Colleyville 76034

Letters of Support

Araceli Botello

Subject: FW: Letters from Rosewood Villas Homeowners re: Zoning Case ZC18-033
Attachments: Zoning Case ZC18-033 Rosewood Villas Letters.pdf

From: Christopher Derganc
Sent: Friday, October 19, 2018 2:47 PM
To: Ben Bryner <BBryner@colleyville.com>
Cc: smathisencpa@gmail.com; 'Kosse Maykus' <> 'Rosewood Villas HOA' <>; Coy Garrett <>; 'DURBIN' <>
Subject: Letters from Rosewood Villas Homeowners re: Zoning Case ZC18-033

Mr. Bryner,

Attached to this email is a pdf containing scans of letters from Rosewood Villas homeowners in support of the proposed rezoning. We'll drop off the originals on Monday in order to give our remaining homeowners an opportunity to submit a letter.

Thank you.

Chris Derganc
Rosewood Villas HOA Committee on Legacy North Development

Letters of Support

Rosewood Villas Colleyville, Texas

Planning and Zoning Commission
c/o Community Development Department
City of Colleyville
100 Main Street
Colleyville, Texas 76034

October 15, 2018

Re: Zoning Case Number ZC18-033 (712 -810 Lavaca Trail)

Dear Commissioners:

We are homeowners in the Rosewood Villas subdivision, located directly north of the referenced property, and would like to express our support for the proposal to rezone this property to R20.

It seems to us that it would be unfair to the property owner not to grant this rezoning request, as there is R20 zoning directly to the south and east and the higher density PUD zoning directly to the north and west of this property.

A decision like this is can be difficult and is often based only on a conceptual drawing. However, in this case there is a full-scale example of what the proposed neighborhood will look like directly across the street. The original Legacy is a beautiful neighborhood and we are confident that Legacy North will be equally beautiful.

In addition, the proposed developer of this property, Kosse Maykus, is a local resident who has built homes in this area for more than 40 years - his livelihood is dependent on his reputation within the local community. We also understand that Mr. Maykus intends to use only local custom builders to build homes in Legacy North.

As you are aware, our homeowners' association has been actively engaged in negotiations with Mr. Maykus regarding an appropriate buffer between our properties. It is our understanding that Mr. Maykus has been open and professional in these discussions and is willing to address our concerns.

We are also very concerned that if you do not grant this rezoning proposal and Mr. Maykus is forced to abandon this development, a national production builder with lower standards and little investment in the local community may replace him. This would be the worst possible outcome both for Rosewood Villas and Colleyville.

Therefore, we again urge you to approve this rezoning request with Kosse Maykus as developer. This will ensure that a local developer will use local builders - who depend on their local reputations - to create a beautiful neighborhood making Colleyville even more desirable than it is now.

Thank you for your consideration.



Signatures

SEAN BROWN

Print Names

701 ARCADE LN. COLLEYVILLE, TX 76034

Address

Letters of Support

Rosewood Villas

Colleyville, Texas

Planning and Zoning Commission
c/o Community Development Department
City of Colleyville
100 Main Street
Colleyville, Texas 76034

October 15, 2018

Re: Zoning Case Number ZC18-033 (712 -810 Lavaca Trail)

Dear Commissioners:

We are homeowners in the Rosewood Villas subdivision, located directly north of the referenced property, and would like to express our support for the proposal to rezone this property to R20.

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A decision like this is can be difficult and is often based only on a conceptual drawing. However, in this case there is a full-scale example of what the proposed neighborhood will look like directly across the street. The original Legacy is a beautiful neighborhood and we are confident that Legacy North will be equally beautiful.

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Thank you for your consideration.

Melanie Mullens

Signatures

Melanie Mullens

Print Names

6415 Bordeaux Park

Address

Letters of Support

Rosewood Villas

Colleyville, Texas

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Signatures

ERIC NEWTON

Print Names

6408 BORDEAUX PARK

Address

Letters of Support

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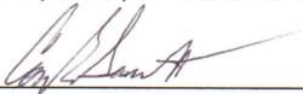
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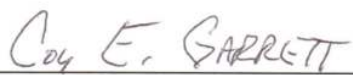
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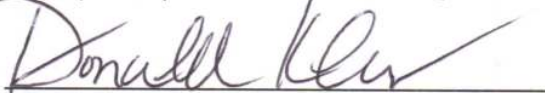
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Thank you for your consideration.



Signatures



DONALD KLEIN

Print Names

DEBORAH KLEIN

721 Arcady Ln., Colleyville, 76034

Address

Letters of Support

Rosewood Villas

Colleyville, Texas

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100 Main Street
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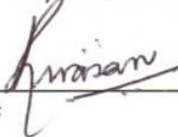
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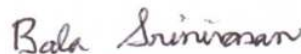
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Signatures

ALAGIRY SRINIVASAN

Print Names



Signatures

BALA SRINIVASAN

6419, Bordeaux Park, Colleyville, TX 76034

Address

Letters of Support

Rosewood Villas

Colleyville, Texas

Planning and Zoning Commission
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Thank you for your consideration.



Signatures

STEVEN M. WADE

Print Names



Sandra L Wade

6504 Bordeaux Park, Colleyville

Address

Letters of Support

Rosewood Villas Colleyville, Texas

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c/o Community Development Department
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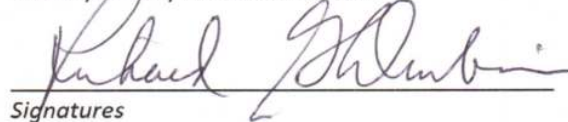
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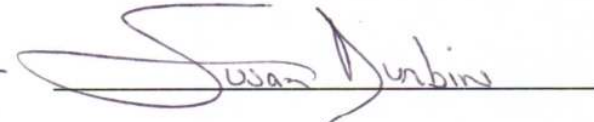
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Signatures



RICHARD DURBIN

Print Names

Susan Durbin

725 ARCADE LANE 725 ARCADE LN.

Address

Letters of Support

Rosewood Villas

Colleyville, Texas

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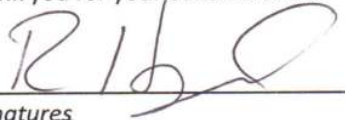
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Signatures

Print Names


Rocky Hagood


Karon Hagood

Address

6416 BORDEAUX PARK, Colleyville TX

Letters of Support

Rosewood Villas Colleyville, Texas

Planning and Zoning Commission
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Debbie Peppard
Signatures

Debbie Peppard
Print Names

6516 Bordeaux Park, Colleyville, TX 76034
Address

Letters of Support

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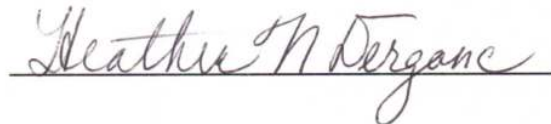
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Signatures



CHRISTOPHER DERGAN
Print Names

Heather N Derganc

705 ARCADE LN, COLLEYVILLE, TX 76034
Address

Letters of Support

Rosewood Villas Colleyville, Texas

Planning and Zoning Commission
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Kathleen M. Boone

Signatures

Kathleen M. Boone

Print Names

6423 Bordeaux Park

Address

Colleyville, TX 76034

Please approve this rezoning request!

Letters of Support

Rosewood Villas

Colleyville, Texas

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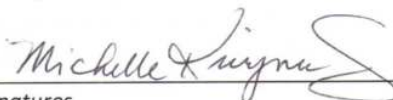
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Signatures



Print Names



Cor Krijnenburg



Address

Letters of Support

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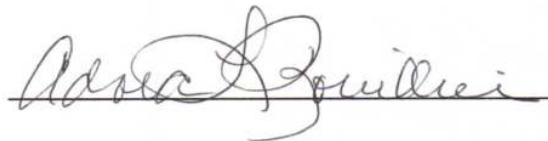
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Signatures



NORMAN ROUILLIER
Print Names

ADORA ROUILLIER

713 ARCADEY LANE, COLLEYVILLE TX 76034
Address

Letters of Support

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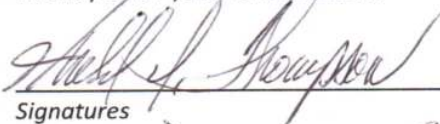
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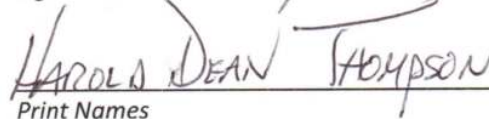
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Thank you for your consideration.



Signatures



Print Names

6401 Lorraine Paris 76034

Address

Letters of Support

Rosewood Villas

Colleyville, Texas

Planning and Zoning Commission
c/o Community Development Department
City of Colleyville
100 Main Street
Colleyville, Texas 76034

October 15, 2018

Re: Zoning Case Number ZC18-033 (712 -810 Lavaca Trail)

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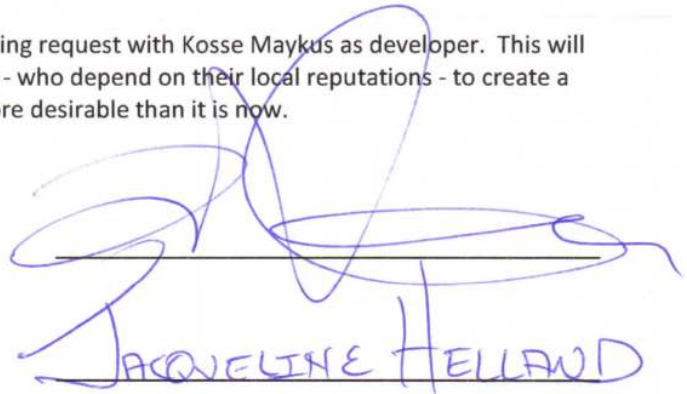
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Signatures

Jerome Helland

Print Names


JACQUELINE HELLAND

6509 Lorraine Park

Address

Letters of Support

Rosewood Villas

Colleyville, Texas

Planning and Zoning Commission
c/o Community Development Department
City of Colleyville
100 Main Street
Colleyville, Texas 76034

October 15, 2018

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Bob Larimore

Signatures

Ernie Larimore

Signatures

Bob Larimore

Print Names

Ernie Larimore

Print Names

6500 Bordeaux Park, Colleyville, TX 76034

Address

10-17-18

Letters of Support

Rosewood Villas

Colleyville, Texas

Planning and Zoning Commission
c/o Community Development Department
City of Colleyville
100 Main Street
Colleyville, Texas 76034

October 15, 2018

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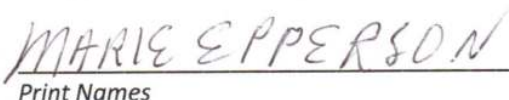
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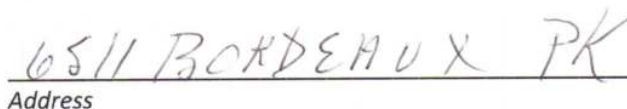
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Planning and Zoning Commission
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100 Main Street
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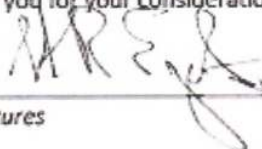
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Signatures

H. ROBERT EPLEY

Print Names

6417 LORRAINE PARK, COLLEYVILLE, TX 76034

Address

Letters of Support

Rosewood Villas

Colleyville, Texas

Planning and Zoning Commission
c/o Community Development Department
City of Colleyville
100 Main Street
Colleyville, Texas 76034

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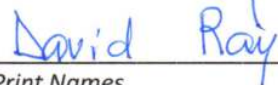
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Willie A. Fonder

Signatures

Willie A. Fonder

Print Names

6410 LORRAINE PARK - COLLEYVILLE, TX 76034

Address

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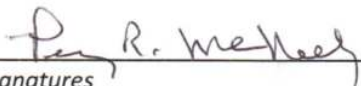
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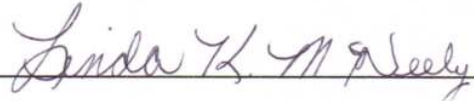
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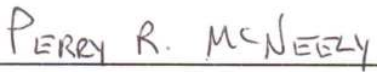
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Colleyville, Texas

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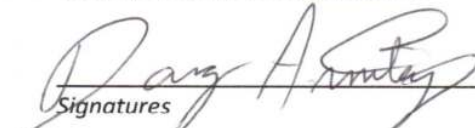
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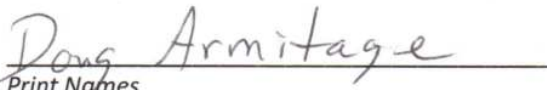
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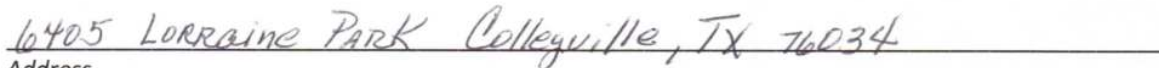
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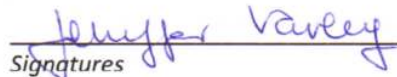
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Signatures

JENIFFER VARLEY

Print Names

641 Bordeaux Park Colleyville 76034

Address

Letters of Support

Rosewood Villas Colleyville, Texas

Planning and Zoning Commission
c/o Community Development Department
City of Colleyville
100 Main Street
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Signatures

Edward Fabien

Print Names



Signatures

Faerie Fabien

Print Names

6505 Lorraine Park Colleyville 76034

Address

Letters of Support

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Colleyville, Texas

Planning and Zoning Commission
c/o Community Development Department
City of Colleyville
100 Main Street
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Signatures



Robert Chopak

Print Names

Sandra Timma

6400 Bordeaux Park, Colleyville, TX 76034

Address

Letters of Support

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Colleyville, Texas

Planning and Zoning Commission
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In addition, the proposed developer of this property, Kosse Maykus, is a local resident who has built homes in this area for more than 40 years - his livelihood is dependent on his reputation within the local community. We also understand that Mr. Maykus intends to use only local custom builders to build homes in Legacy North.

As you are aware, our homeowners' association has been actively engaged in negotiations with Mr. Maykus regarding an appropriate buffer between our properties. It is our understanding that Mr. Maykus has been open and professional in these discussions and is willing to address our concerns.

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Therefore, we again urge you to approve this rezoning request with Kosse Maykus as developer. This will ensure that a local developer will use local builders - who depend on their local reputations - to create a beautiful neighborhood making Colleyville even more desirable than it is now.

Thank you for your consideration.



Signatures



PATRICK DOWNEY

Print Names

LINDA L. DOWNEY

6518 LORRAINE PARK - COLLEYVILLE, TX. 76034

Address

Letters of Support

Rosewood Villas

Colleyville, Texas

Planning and Zoning Commission
c/o Community Development Department
City of Colleyville
100 Main Street
Colleyville, Texas 76034

October 15, 2018

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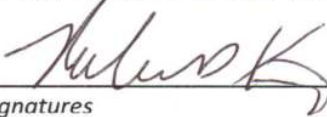
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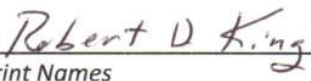
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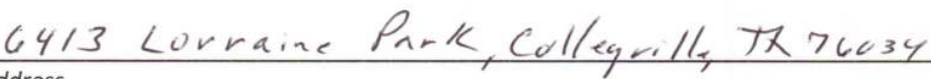
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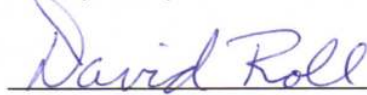
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Colleyville, Texas

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Signatures

Jim LaBounty
Print Names

Angela LaBounty
ANGELA LABOUNTY

Address

6507 BORDEAUX PARK, COLLEYVILLE, TX 76034

Letters of Support

Rosewood Villas

Colleyville, Texas

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c/o Community Development Department
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Thank you for your consideration.


Signatures



JERRY DON DAVIS
Print Names

Dean Davis

6421 LORRAINE PARK
Address

6421 Lorraine Park

Letters of Support

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Rosewood Villas Colleyville, Texas

Planning and Zoning Commission
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DocuSigned by:
Fran W. Hoover
E2383F2320FC4BA...
Signatures

DocuSigned by:
Fran W. Hoover
E2383F2320FC4BA...
Print Names

6414 Lorraine Park

Address

DocuSigned by:
E.L. Hoover
5D516405A9584CE...

DocuSigned by:
E.L. Hoover
5D516405A9584CE...

6414 Lorraine Park

10/16/2018

Letters of Support

Rosewood Villas Colleyville, Texas

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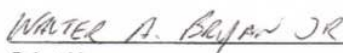
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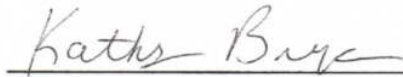
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Signatures

AUBRA PALMER

Print Names

406 LORRAINE PARK

Address



Signatures

JAYNE PALMER

Print Names

6406 LORRAINE PARK

Address

Letters of Support

Rosewood Villas

Colleyville, Texas

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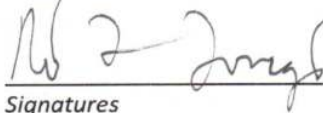
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Signatures



Robert Joseph Longoria

Print Names

Elsa Lozano

6404 Bordeaux Park

Address Colleyville, TX 76034

Letters of Support

Page 1 of 1

Rosewood Villas
Colleyville, Texas

Planning and Zoning Commission
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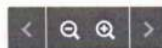
Print Names

Address

Laxman Bhatia

LAXMAN BHATIA

6505 BORDEAUX PK. Colleyville Tx.



Letters of Support

Christopher Derganc

From: Aubra Palmer <
Sent: Wednesday, October 17, 2018 8:34 PM
To: 'Christopher Derganc'
Subject: FW: Zoning Case Number ZC18-033 (712 -810 Lavaca Trail)

From my personal email address.

From: Aubra Palmer
Sent: Wednesday, October 17, 2018 12:09 PM
To: 'kimberlydraperholt@yahoo.com' <kimberlydraperholt@yahoo.com>; 'ckbeill@hotmail.com' <ckbeill@hotmail.com>; 'smathisencpa@gmail.com' <smathisencpa@gmail.com>; 'julie.waltens@yahoo.com' <julie.waltens@yahoo.com>; 'ryan.moore@ferguson.com' <ryan.moore@ferguson.com>; 'JElms@pape-dawson.com' <JElms@pape-dawson.com>; 'm.koch75@rocketmail.com' <m.koch75@rocketmail.com>
Cc: 'Board Communications' <
Subject: Zoning Case Number ZC18-033 (712 -810 Lavaca Trail)

Dear Commissioners:

My name is Aubra Palmer. My wife, Jayne, and I live at 6406 Lorraine Park in Colleyville in the Rosewood Villas addition. Our neighborhood is directly north of the planned "Legacy North" development. Our neighborhood will most likely be the neighborhood most impacted by the new development.

Jayne and I are fully in support of the proposed zoning change from R40 to R20. In fact, we don't really see it as a change but rather just the clean-up of mistakes in the old City map. We always believed it was zoned R20. Almost all other surrounding areas are R20 zoning, so it seems to really make good common sense.

The proposed developer, Mr. Maykus, has been a strong partner in our efforts to insist on the best possible development. His Legacy South, across Lavaca, is an excellent, well done neighborhood. We would love for that to be they type on neighborhood to our south.

I am also a Board Member of our Rosewood Villas HOA. Our Board fully supports the planned changes, as does the vast majority of our homeowners.

Thank you for your consideration to approve the change from R40 to R20.

**Aubra Palmer (cell) 817-271-9154
Jayne Palmer (home) 817-498-3777**

Letters of Support

Christopher Derganc

From: Board Communications < > on behalf of Rosewood Villas HOA < >
Sent: Wednesday, October 17, 2018 8:40 PM
To: DERGANC
Subject: FW: Zoning Case Number ZC18-033 (712 -810 Lavaca Trail)

From HOA Board mailbox. Note, I got email bounce back on both messages to 'ckbeill@hotmail.com'

From: Rosewood Villas HOA [
Sent: Wednesday, October 17, 2018 4:28 PM
To: 'Aubra Palmer'; 'kimberlydraperholt@yahoo.com'; 'ckbeill@hotmail.com'; 'smathisencpa@gmail.com'; 'julie.waltens@yahoo.com'; 'ryan.moore@ferguson.com'; 'JElms@pape-dawson.com'; 'm.koch75@rocketmail.com'
Cc: 'Board Mailbox'; BRYAN (; Fran Hoover ; LAXMAN & VICKI BHATIA ; Longoria (;
Subject: Zoning Case Number ZC18-033 (712 -810 Lavaca Trail)

P&Z Commissioners:

We are the Board members representing the Rosewood Villas HOA.

We fully support of the proposed zoning change from R40 to R20. We believe it to be the highest and best use of the property.

We have had three committee members who have worked with the proposed developer, Mr. Maykus. He has been a strong partner in those efforts to create the best possible development. His Legacy South, across Lavaca, is an excellent, well done neighborhood. We would love for that to be they type on neighborhood to our south.

Thank you for your consideration to approve the change from R40 to R20.

The Board of Rosewood Villas HOA

Robert Longoria
Aubra Palmer
Laxman Bhatia
Fran Hoover
Nap Bryan

Letters of Support

Araceli Botello

Subject: FW: Letter of Support for LEgacy North Planning and Zoning

From: Michael Capps

Sent: Monday, October 22, 2018 11:10 AM

To: Ben Bryner <BBryner@colleyville.com>

Cc:

Subject: Letter of Support for LEgacy North Planning and Zoning

Members of the Planning and Zoning Committee:

My name is Michael Capps, my wife and I live at [6116 Legacy Trl in Colleyville, TX](#). We purchased the home in the Legacy last year primarily due to the structure of the neighborhood, the open space and the 1/2-acre home sites. We have previously owned homes on lots that were more in the acre size and found that we didn't connect as well with the neighbors because of the distance between our homes. We were also moving back from California where lot sizes were less than half the size offered in this subdivision with no open space or green belts and wanted something with a little room.

We looked at many subdivisions before making our choice and felt that Hat Creek Development created a superior neighborhood with enough space for individualized homes as well as many of the mature trees were retained. I have personally talked to Mr. Maykus and many of his staff members on many occasions and found them to be honest and forthright in their dealings. The quality of the neighborhood and the homes they build are unmatched. Our specific home was not built by Maykus, but the builders that are in the subdivision build quality, unique products that are unmatched in the area with the exception of one or two other subdivisions in Colleyville and unfortunately those are not in areas we would have considered purchasing due to negative factors outside the subdivision complex (i.e. proximity to trains, water towers, highways, shopping centers).

My wife and I have worked in the mortgage banking industry for over 30 and know what creates positive and negative factors in an area. This area and developer hit all our positive marks in our search for what was right for us, including appropriate size lots, space and layout.

We urge you to vote in favor of the R-20 recommendation to allow Hat Creek Development to move forward with Legacy North. Should you have any additional questions, please don't hesitate to contact me.

Sincerely,

Michael Capps

M: [972.567.2693](tel:972.567.2693)

Letters of Support

Araceli Botello

Subject: FW: Zoning Case Number ZC18-033

From: Mark Lanier
Sent: Monday, October 22, 2018 12:03 PM
To: Araceli Botello <ABotello@colleyville.com>
Subject: Zoning Case Number ZC18-033

I talked to Jacquelyn a few minutes ago and she suggested I e-mail my comments to you to ensure they are included in the discussion and record for the P&Z Commission meeting tonight.

We have no objection on going from R-40 to R-20 zoning.

We have one comments/concerns, which I understand are traditionally addressed as the project moves into the platting phase. Regardless, we wanted it to be included in the public record.

1. A permanent or perpetual drainage easement needs to be included to address the rainfall drainage from Rosewood southbound, I believe there is a drainage easement in the current plat. We just want to make sure all rainwater drainage is adequately addressed and accommodated in the revised plat for the new development. My understanding is the City is having an Engineer review the drainage to ensure it is adequately addressed.

We reserve the right to modify or include additional comments and concerns in the event that Kosse Maykus does not proceed and sells the property to another developer.

Please don't hesitate to contact me at (817) 229-9619, if you have any questions or need additional clarification.

Mark & Paula Lanier
6412 Bordeaux Park
Colleyville TX, 76034
(817) 229-9619

Letters of Support

Rosewood Villas Colleyville, Texas

Planning and Zoning Commission
c/o Community Development Department
City of Colleyville
100 Main Street
Colleyville, Texas 76034

October 15, 2018

Re: Zoning Case Number ZC18-033 (712 -810 Lavaca Trail)

Dear Commissioners:

We are homeowners in the Rosewood Villas subdivision, located directly north of the referenced property, and would like to express our support for the proposal to rezone this property to R20.

It seems to us that it would be unfair to the property owner not to grant this rezoning request, as there is R20 zoning directly to the south and east and the higher density PUD zoning directly to the north and west of this property.

A decision like this is can be difficult and is often based only on a conceptual drawing. However, in this case there is a full-scale example of what the proposed neighborhood will look like directly across the street. The original Legacy is a beautiful neighborhood and we are confident that Legacy North will be equally beautiful.

In addition, the proposed developer of this property, Kosse Maykus, is a local resident who has built homes in this area for more than 40 years - his livelihood is dependent on his reputation within the local community. We also understand that Mr. Maykus intends to use only local custom builders to build homes in Legacy North.

As you are aware, our homeowners' association has been actively engaged in negotiations with Mr. Maykus regarding an appropriate buffer between our properties. It is our understanding that Mr. Maykus has been open and professional in these discussions and is willing to address our concerns.

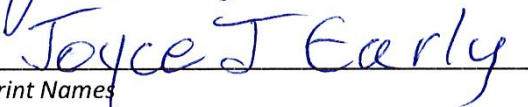
We are also very concerned that if you do not grant this rezoning proposal and Mr. Maykus is forced to abandon this development, a national production builder with lower standards and little investment in the local community may replace him. This would be the worst possible outcome both for Rosewood Villas and Colleyville.

Therefore, we again urge you to approve this rezoning request with Kosse Maykus as developer. This will ensure that a local developer will use local builders - who depend on their local reputations - to create a beautiful neighborhood making Colleyville even more desirable than it is now.

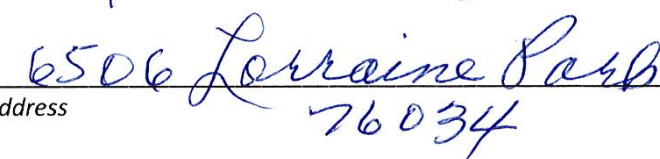
Thank you for your consideration.



Signatures



Print Names



Address

Letters of Support

November 14, 2018

Mayor Richard Newton and Honorable City Council Members
Colleyville City Hall
100 Main St.
Colleyville, Texas 76034

Re: ZC18-33

Dear Mayor and City Council Members,

The purpose of this letter is to lend support to ZC18-33 in which Hat Creek Development/Kosse Maykus is proposing to develop approximately 11 acres along Lavaca Trail. It is currently zoned R-40 and the request is to R-20.

My wife and I reside at 709 Arcady Lane, directly north and adjacent to the proposed development. We are homeowners, and through the Rosewood Villas HOA, have worked with Mr. Maykus on his development standards as they interact with Rosewood Villas Addition. We believe the agreed upon standards will enhance both his development, as well as protecting our existing common area and homesites, and will increase everyone's property values.

From a zoning standpoint, this is a classic case of an "infill zoning", which we believe to be entirely appropriate for this tract of land. The subject property is not abutting any undeveloped property and, therefore, will not require the extension of any city utilities. It already has adequate roads, water, sewer, etc. Additionally, I would be remiss if I did not mention that it is completely surrounded by developed properties that generally range from R-20 downward to small lot PUDs. It simply is not realistic to believe that R-40 is the correct zoning category, when it is surrounded by existing greater density and other completely built out properties.

The real estate market has changed in the past several years and there is now a much stronger market for the R-20 than there is for the R-40. An R-20 lot development will normally be built out more rapidly than R-40. As an adjacent resident, we absolutely want his development to be highly successful. We also want to see the least amount of disruption to the surrounding neighborhoods. The faster the developer can achieve "build out", the less interruptions we will experience. I feel that it is very important to the surrounding residents that Mr. Maykus be allowed to start as soon as possible.

Letters of Support

Mr. Maykus' development to the south of Lavaca Trail (The Legacy) is very well done and is developed on R-20 zoned property. Our neighborhood, Rosewood Villas, is a 53 homesite PUD that is comprised mainly of older, retired empty nesters that just enjoy the beauty, tranquility and safety that Colleyville so wonderfully provides. Our HOA Board of Directors has sent written support of this development, as Mr. Maykus has been very receptive to our comments. I think we can all agree that the land will eventually be sold and developed. As a homeowner and a member of the HOA, we prefer a custom home developer/builder rather than a big box tract home builder on R-40.

We will not be in attendance for the hearing on November 20 due to previous Thanksgiving plans. We do plan to be in attendance for the December 4th hearing. Please consider our comments and please call me at 817-269-9999(O) or 817-307-9990© should you have any questions, comments or concerns.

In conclusion, we would respectfully request your positive support of the subject zoning request.

Respectfully Submitted,

Tanis Garrett & Coy E. Garrett

Letters of Support

Araceli Botello

Subject: FW: Lavaca Trail Development

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

From: Sonia Bilderback

Sent: Monday, November 19, 2018 2:21 PM

To: Ben Bryner <BBryner@colleyville.com>

Cc: eason Maykus

Subject: Re: Lavaca Trail Development

Mr. Bryner,

We will be in attendance at the City Hall meeting, Tuesday, November 20th in support of the proposed Maykus Development on Lavaca Trail. In keeping with all the requests from City leaders to support Colleyville, especially with the Highway 26 construction, it seems only right to keep the development with home town folks rather than a National company. They are the ones that support the doctors, grocery stores, and restaurants here locally.

We desire to have the development uniform like the one we live in across the street, The Legacy. The trees, walking paths that the Maykus Company propose are more in keeping with the country feel of Lavaca.

We have lived in this close area including Remington Park since 2006.

Thank you for your time and consideration.

Jimmy and Sonia Bilderback

The Legacy

6105 Ridgewood Lane

Colleyville, Texas 76034

Letters of Support

Ben Bryner

To: Nanette Love
Subject: RE: Proposed Development on Lavaca Trail

From: Nanette Love [mailto:]
Sent: Wednesday, November 21, 2018 12:45 PM
To: Ben Bryner <BBryner@colleyville.com>
Subject: Re: Proposed Development on Lavaca Trail

Hi Ben,

As a follow up to our conversation this morning, I just wanted to reiterate that after attending the city council meeting this past October and learning more details from the developer on their plans on Lavaca Trail, I am more comfortable with the proposed plans.

My understanding is that they plan on doing a "mirror image" of how they developed The Legacy across the street.

However, with this being said, I also know that Remington Park residents/HOA have requested a meeting with the developer to address specific concerns that they want to make sure are addressed, which I also strongly agree with, such as making sure proper drainage is installed, traffic flow is addressed, etc.

As I shared with you this morning, many residents in Remington, including myself, still have concerns about the increased traffic this will cause for Remington Park, and the dangers this could pose for children, people walking, etc. The traffic has already increased as a result of the Legacy development and it is critical that the city work with the Remington Park neighborhood to address these issues.

Thank you, Ben, please call me with any questions.

Nanette Love
Realtor
Keller Williams Realty DFW
cell: 817.602.4101

WIRE FRAUD: During your representation by Keller Williams Realty you will NEVER be asked, via email, to wire or send funds to ANYONE, not even a title company. DO NOT COMPLY WITH EMAIL INSTRUCTIONS TO WIRE FUNDS!

On Fri, Oct 5, 2018 at 12:38 PM Nanette Love <> wrote:

Hi Ben! My name is Nanette Love, and I am a resident in Remington Park here in Colleyville.

I wanted to share what I am hearing regarding the new development on Lavaca Trail. From my understanding the property is currently zoned as R40, however, I am hearing the developer is more in line with developing as R20, which is a higher density development.

My main concern is that Lavaca Trail can not support the higher density plan from a pure traffic standpoint. We are already seeing more cut through traffic in Remington Park, and developing as R20 vs. R40 will only add to this and create even more congestion to the area.

Letters of Support

Believe me, I am all for new construction in our beautiful city, but I am requesting that the city of Colleyville consider how this new development (and all new developments) will impact our existing neighborhood and maintaining the quality of the surrounding areas. I personally think developing with larger lots with less density is best for our city and this particular area.

Please feel free to give me a call, and thank you in advance for your taking the time to read this email.

Nanette Love

Realtor

Keller Williams Realty DFW

cell: 817.602.4101

WIRE FRAUD: During your representation by Keller Williams Realty you will NEVER be asked, via email, to wire or send funds to ANYONE, not even a title company. DO NOT COMPLY WITH EMAIL INSTRUCTIONS TO WIRE FUNDS!

Letters of Support

Ben Bryner

Subject: RE: Lavaca Trail Development

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

From: Sonia Bilderback []

Sent: Tuesday, December 4, 2018 8:53 AM

To: Ben Bryner <BBryner@colleyville.com>

Cc: Eason Maykus < >

Subject: Lavaca Trail Development

Mr. Bryner,

We will be in attendance tonight at the City Council meeting in support of the Maykus Development on Lavaca Trail. We strongly feel it is in the best interest of the area to duplicate a similar development as the The Legacy.

We have enough castles in Colleyville. And this small country road nestled between other developments is not suitable for castles. Our generation takes offense to those opposing downsizing to half acre lots with million dollar homes.

Again, you want us to support Colleyville businesses, then we suggest you support local builders.

Thanks,

Sonia and Jimmy Bilderback

Letters of Support

Ben Bryner

Subject: RE: Letter of Support for Legacy North Agenda item for City Council meeting tonite
Dec 4 2018

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

From: Todd ford []

Sent: Tuesday, December 4, 2018 4:12 PM

To: Christine Loven <cloven@colleyville.com>

Cc: Ben Bryner <BBryner@colleyville.com>

Subject: Letter of Support for Legacy North Agenda item for City Council meeting tonite Dec 4 2018

December 4, 2018

Dear City Council Members,

I am writing this letter in support of the proposed zoning change request for the Legacy North development. I reside at 6200 Legacy Trail in the Legacy development and my home will be facing the proposed new development so I have a vested interest in the decision made this evening. My family has lived in Colleyville since 2013, and we were drawn here specifically for the community and the hometown feel that the neighborhoods and streets and semi-rural development across our beautiful city of Colleyville. We have lived in Thornbury and in Leyton Grove and have recently moved last year into the Legacy development.

I am writing this letter in favor of this proposed zoning change for many reasons and let me take this opportunity to point them out one at a time.

1. Colleyville has a master future land use plan and in that plan developments such as The Legacy were specifically designed to meet and exceed those exact goals. The current Legacy development on the south side of Lavaca Trail is a beautiful subdivision that makes use of the natural beauty of the land maintaining open park space and walking trails and an abundance of native trees just as Colleyville desires for its future neighborhoods as written in the city's goals on your own website, and with the new proposed Legacy development it is planned to mirror the existing Legacy project—how much easier could this decision be for the current council? The developer has been building homes and developments in Colleyville for over 40 years and as someone who has built two custom homes in Colleyville there is something to be said about using a local proven builder/developer who has the best interest of our city in mind.....that will simply not be the case if you deny this request and a national builder with no loyalty to this city or its citizens buys that land.

2. The R-40 zoning that is currently in place for this 17 acre tract is a remnant of a larger land use plan that at the time might have been the "best use of the land" however and most importantly that is no longer the case or the "best use" standard. All of the surrounding developments WERE R-40 many years ago but as those developments were rezoned to R-20, PUD-R and other similar zoning changes that left this as the only remaining property around the Lavaca corridor that wasn't rezoned. And it wasn't rezoned simply because the original owner in 2006 failed to bring any reasonable plan to the P&Z board at that time to give them reason to rezone like the surrounding neighborhoods. The P&Z at that time stated in their minutes if he would come back with specific plans and plat they could look at then they would most likely approve his request as they did in all the other surrounding developments. He simply never went back to ask. And in fact the city it appears has been mistakenly misrepresenting the zoning of this 17 acre tract for over 10

Letters of Support

years! In those 10 years no one has objected to the R-20 zoning depiction because quite frankly it made sense then and it makes sense now given all the surrounding neighborhoods that border this small island of property—the last undeveloped piece of land in this part of the city. The proposed Legacy North development will exceed the minimum standards of the R-20 zoning and each of you only need to look across the street Lavaca Trail to see EXACTLY what the city will be receiving by approving this zoning change request. Once again this is an easy decision with no risk to the council because you can see the finished product before it ever breaks ground because it has been duplicated in its mirror image right across the street.

3. Community support. Quite simply this might be the most important reason this proposal should pass tonite with your approval. All of the surrounding neighborhoods have overwhelmingly supported this proposal. The HOA of Remington Parc to the east, the HOA of Rosewood Villas to the north, the current Legacy property owners to the south and the owners of homes on Emmas Court to the southwest and Lantana Court to the west.....All of these citizens have overwhelmingly written letters of support or voiced their support in person at one of the two planning and zoning board meetings and the two council meeting including tonite. As council members I feel it is without question that one of your goals is to seek the input of the most affected citizens in a zoning change request, and I would venture a guess that not many zoning change requests come or will come before you with such resounding community support from the immediate and most impacted neighbors as this proposal has. Not only have the citizens come out to speak in favor of this plan but those that were initially opposed or had concerns with this plan have all met with the developer to discuss their concerns and to the best of my knowledge all concerns have been addressed and even those such as the Emmas Court HOA that initially opposed in P&Z are now SUPPORTING this zoning request. What better evidence does a council person need to support a zoning request than its own citizens? IN fact not only have the citizens supported this proposal but the city planning and zoning staff has recommended approval because this zoning request meets the overall desires and goals of the Colleyville future land use design plan and moreover by a UNANIMOUS decision the P&Z board voted 7-0 to approve this request without reservation.

It seems quite logical for the council to use their authority to approve this zoning request for the benefit of not only the citizens of the new LEGACY north but for all of those surrounding neighbors who have all voiced their approval in one way or another and the overall benefit of the city of Colleyville.

Just this past weekend thousands of people came to The Legacy south neighborhood to complete the Colleyville Women's Christmas Tour of Homes for charity! They chose The Legacy because of its natural beauty and the quality of homes being built by local proven custom home builders such as the Maykus developers. The citizens of Colleyville are asking you to do what we see as an easy choice to bring a high quality neighborhood to a final undeveloped piece of land in a mirror image of the existing Legacy development directly across Lavaca Trail. It will look beautiful and will complement the existing neighborhood and it will be everything the city of Colleyville envisions for the present and the future I can assure you.

Thank you for your time and your consideration in this matter.

Todd and Kayla Ford
6200 Legacy Trail
Colleyville, Texas

817-360-9570

Letters of Support

Ben Bryner

Subject: RE: Letter for city council meeting

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

From: Beka []

Sent: Tuesday, December 4, 2018 4:22 PM

To: Ben Bryner <BBryner@colleyville.com>

Cc: Eason Maykus <>

Subject: Letter for city council meeting

Dear City Council Members of Colleyville,

My name is Beka Philipp. My husband and I along with our three children; are in the process of building a house in the Legacy subdivision in Colleyville.

My husband and I moved to Texas nearly 10 years ago and both fell in love with the charm of Colleyville. We hoped that someday our family would be able to end up there.

We have been living in Heritage in Fort Worth for the last 7 yrs and have be ready to make a change and move. For the last three years we have driven around looking for lots that spoke to us, so that we could build a home someday and raise our children.

We stumbled upon the Legacy subdivision one day when they had just started to build homes. We FELL IN LOVE with the neighborhood! The trees in the entry, the security of a gate, the trails, the custom homes, the whole layout of the neighborhood. EVERYTHING! At that time we didn't feel quite ready to start building. So we went about our lives.

Well here we are a couple years later and we are building our home there.

Legacy's charm never left our hearts and we're so grateful we are going to live there!

With that being said, I also fell in love with Lavaca trail. That road, has been beautiful with the cow pasture and all the trees. I am sad to see it go, but know it will be developed. The only way I will be happy about that area being developed is if we get to add to Legacy and make another neighborhood that is just as beautiful. There is nothing I hate more than having these contractors come through and build their cookie cutter homes. The builders in Legacy are custom and build beautiful homes. They also know the importance of keeping the beauty of the trees in some areas, having the homes face the street and adding to the community by bringing in trails.

I hope that you will hear the voices of those of us that are already apart of the Legacy subdivision. And go with Maykus to be the developer of a new Legacy North Subdivision.

Sincerely,
Beka Philipp

Sent from my iPhone

Letters of Support

11/29/18

Dear City of Colleyville Council:

My wife, our young children, and I recently built a home in The Legacy off of Lavaca Trail in the city of Colleyville. We moved a few miles from Keller to move into this beautiful neighborhood because we needed some more space, were well familiar with the excellent school district (s), were aware of the quality and type of subdivision of The Legacy, and desired the excellent family community atmosphere of the city of Colleyville. If you have visited The Legacy, you will see what a great neighborhood we have. Each house is unique and custom built by very reputable builders. There is a walking trail with preserved green trees, and a pond with a fountain. The neighborhood is gated and quietly situated next to Remington Park. The entrance of our neighborhood is off Lavaca Trail, which is off of busy 7 lane Precinct Line Road. Our gate is critical for the safety of our children, spouses, and property. It is a detractor for heavy volume of vehicle traffic, which can occur off the busy thoroughfare.

We fully support the development of the piece of property to the north of The Legacy to be completed by Hat Creek Development as currently proposed. When we bought in The Legacy, we researched the city of Colleyville's land maps. We were fully aware that the property in question was zoned for ½ acre lots. Making a Legacy North with top of the line builders such as Providential Custom Homes, Maykus Custom Homes, and Larry Stewart Custom Homes will be an excellent addition to OUR community. We support this because we believe the property values will be maintained, which benefits our neighborhood, surrounding neighborhoods, the City of Colleyville, and the local school districts. This proposed neighborhood will maintain the highest standards of tree preservation, open space, walking trails, safety, and the aforementioned quality custom construction.

We have invested greatly in this community and plan to stay for years to come. We fully support the proposed gated development by Hat Creek Development of R20 lots across from The Legacy. We know the developers and the custom builders will maintain the highest quality that we demanded of our neighborhood as home owners and voting citizens of the City of Colleyville. If you need further information from us about our support, please do not hesitate to contact us. Thank you very much for your vote of support for this proposed subdivision by Hat Creek Development.

Sincerely,

Brian G. Webb, MD

Keely D. Webb, JD

705 Legacy Trail

Colleyville, TX 76034

Letters of Support

December 1, 2018

Dear City Council Members of Colleyville,

I would like to introduce my wife and myself to you. Our names are Chris and Donna Stark. Our primary residence address is 6201 Ridgewood Lane, Colleyville, TX 76034 in the Legacy subdivision. We purchased our home in late May 2017 and moved in in early July of the same year. My wife and I were former residents of Southlake Texas for more than 7 years.

Prior to moving to Colleyville, we had our home in North Arlington, TX for more than 14 years. What drew Donna and I to Colleyville was the unique and well-thought-out master community ("Legacy") that the Maykus' had developed. With the very large green belt areas within the neighborhood, well-constructed wide sidewalks for morning and evening walks with our pet, ½ acre lots and top-rated builders we knew this concept would protect our financial interest in our home along with the privacy of the gated community. I travel extensively. My wife loved the idea of the open gate during daylight hours for her deliveries to come freely while being able to meet and greet neighbors that come into this community from the surrounding areas to walk the pets, children and get in the morning runs. Yet, what really excited her was the thought of the closed gates in the evening for her security and comfort.

Our purpose for exiting Southlake was many. We had custom built our home on a 1.25-acre plot of land that was promised to us to be a community of top builders, high quality and high standards of construction. This pocket neighborhood was only made up of 28 one plus acre homes. We were the fourth house in that neighborhood. Next thing we knew the homes being constructed were by subpar builders with no regards to the neighbors, landscaping, architecture standards and any concerns to building a community that would enhance the value of the entire community and surroundings.

When we moved into the Legacy here in Colleyville, we were about the fifth or sixth home to be occupied. Today, out of the 38 plus lots located here in the Legacy subdivision, there has been about 28 homes built, occupied and/or under construction. The original developer of this community has done a spectacular job in sticking to his word about the quality, construction, approved builders and vendors and the residence within the community. I personally believe the philosophy behind one-acre plus tracks is garbage and can't stand up against time. What the Maykus', Hat Creek Development and other home owners have truly done in the Legacy is built a community that everyone is proud of and will become only stronger as the other residents move in.

When it was brought to my attention a few months back that there could be a "Legacy North" subdivision developed under the same ethics, guidelines, principals and standard as our subdivision I knew my home investment and location was PROTECTED and PERFECT. In fact, I have been telling several of my friends and neighbors from Southlake about this upcoming development and they can't wait to see it since they also experience what we did in the larger lots and promises that were never fulfilled.

The Starks FULLY SUPPORT the development of "THE LEGACY NORTH" subdivision as proposed to the City. We hope we can count on your vote as well to see this project get approved.

Sincerely,

The Starks

6201 Ridgewood Lane

Colleyville, TX 76034

Chris Cell: 817-247-3183

Chris email: Christopher.stark.sr@rewdbeemedia.com

Donna Stark

Letters of Support

Cell:817-538-3860

Email: donnasta620@gmail.com

ORDINANCE O-19-2075

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP OF THE CITY OF COLLEYVILLE, TEXAS, BY CHANGING THE ZONING ON 17.32 ACRES, BEING LOT C, MCEWING SUBDIVISION & 1B02A, 1B2, 1B3, AND 1B4, ABSTRACT 1154, IN THE R H MCEWING SURVEY, LOCATED AT 712 – 810 LAVACA TRAIL, FROM THE R-40 SINGLE FAMILY RESIDENTIAL DISTRICT TO THE PUD-R PLANNED UNIT DEVELOPMENT 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 a rezoning under Case No. ZC18-033; 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.

WHEREAS, The City Council acknowledges the existence of a binding letter of intent between the developer and the Lavaca Trail Estates HOA dated November 20, 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.

WHEREAS, The City Council acknowledges the existence of a binding letter of intent between the developer and the Remington Park Estates HOA dated November, 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.

WHEREAS, The City Council acknowledges the existence of a binding letter of intent between the developer and the Rosewood Villas HOA dated November, 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 17.32 Acres being Lot C, McEwing Subdivision & 1B02A, 1B2, 1B3, and 1B4, Abstract 1154, located

in the RH McEwing Survey, located at 712-820 Lavaca trail from The R-40 Single Family Residential zoning district to the PUD-R Planned Unit Development - Residential zoning district, as depicted in the attached Exhibit "A" and Exhibit "B", 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 twenty-five (25) detached dwelling units, constructed at a minimum density of 20,000 square feet per single family dwelling unit and five (5) open space lots.
- b. This property is subject to all the regulations of the R-20 Single Family Residential district 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 Zoning Exhibit, labeled as Exhibit "B", which shall not be considered the preliminary plat. The actual street and lot arrangement may differ slightly from that shown on Exhibit "B" to accommodate topographic, drainage, engineering design limitations or other conditions. Stormwater design enhancements that result in substantive alterations to the Exhibit "B" shall require approval of the City Council.
- 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.
- c. As part of the platting process, detailed drainage plans shall be submitted showing the existing run-off and the proposed detention for containing the increased run-off at full

development. The drainage shall not impact adjacent development.

- d. The development shall be required to provide public pedestrian access from Lavaca Trail.
- e. The development shall be of a similar quality to that of Phase 1 (south of Lavaca Trail). This shall apply to both home construction and subdivision entry features including fencing, landscaping, building materials, and other design elements.
- f. A certification note shall be provided on the Final Plat for signature by the Public Works Director to certify that the drainage has been installed correctly.

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 20,000 square feet.
- b. Minimum Lot Width 100 feet, except for cul-de-sac lots
- c. Minimum Lot Depth 125 feet.
- d. Front Building Line 30 feet.
- e. Side Building Line 10 feet.
- f. Rear Building Line 25 feet.
- g. Maximum Lot Coverage: 30 percent

5. OPEN SPACE

- a. This development shall provide 11.3% of common open space, which shall generally be configured as shown on Exhibit "B". All open space areas shall be landscaped and maintained by the Homeowner's Association.
- b. All amenities within the open space areas shall be maintained by the Homeowner's Association.

6. PRIVATE STREETS

- a. This development shall provide streets within the Legacy North subdivision to be private streets with restricted access (gated). The Home Owners Association shall be responsible for the financial cost of the street lights (purchase, electricity, and maintenance).

7. AGREEMENTS WITH NEIGHBORING PROPERTIES

- a. Attached as Exhibit "C" are the agreements with neighboring property regarding drainage, landscaping, fencing, etc.

- 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 22rd day of January 2019.

The second reading and public hearing being conducted on the 5th day of February 2019.

PASSED AND APPROVED by the City Council of the City of Colleyville, Texas, on this the 5th day of February 2019.

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

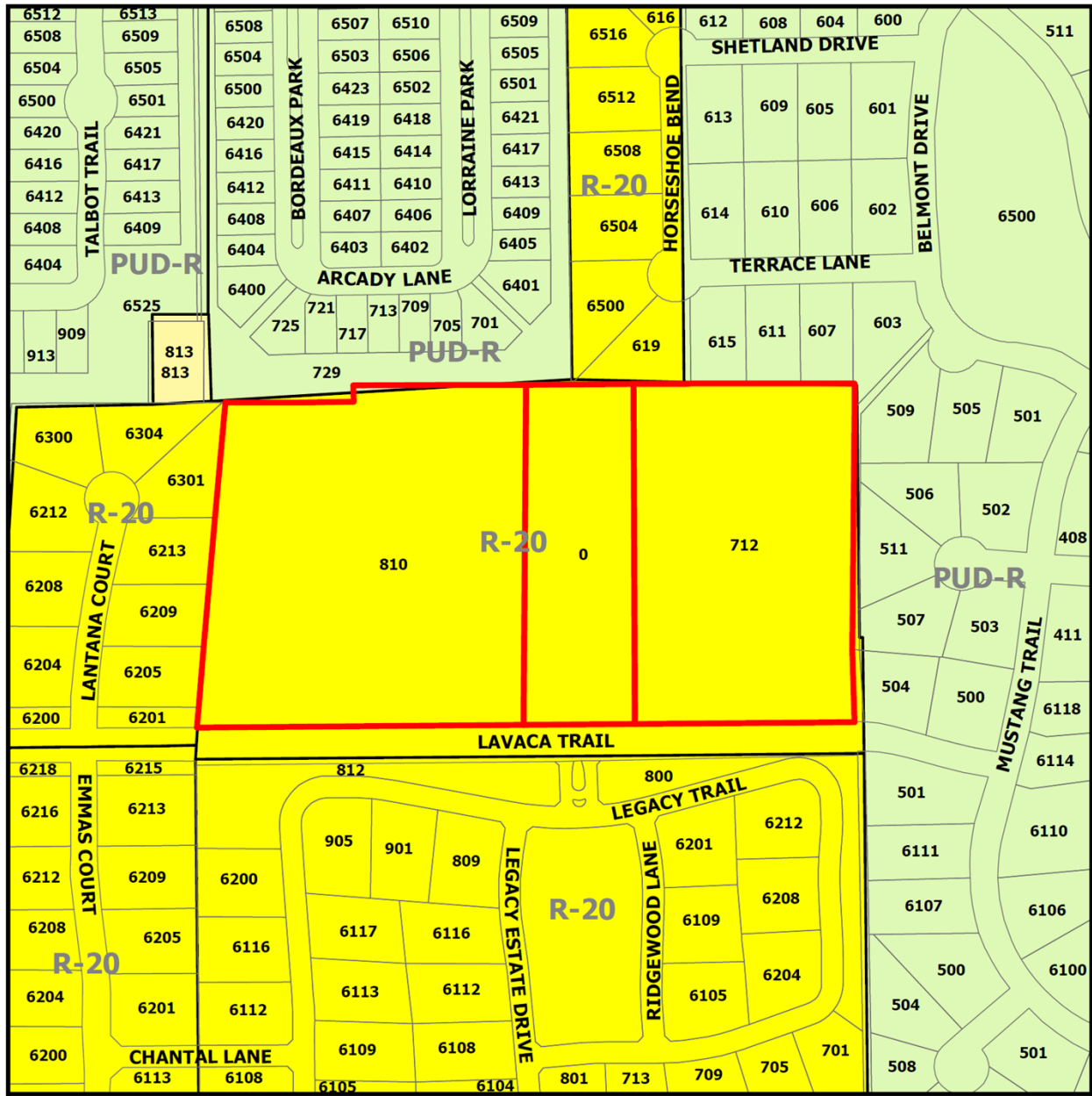
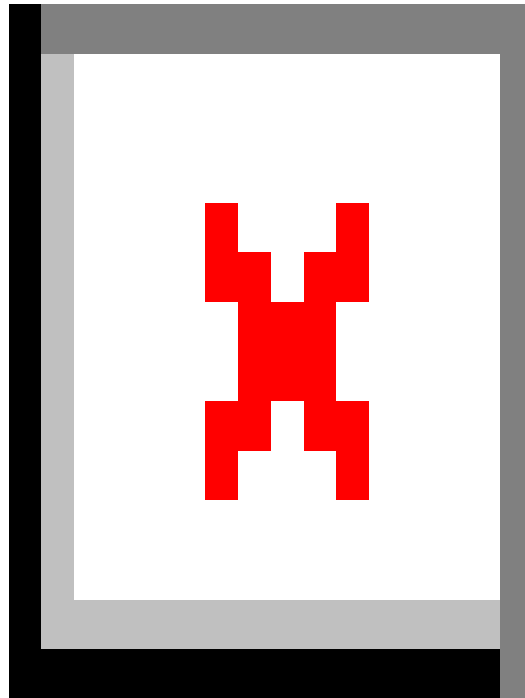


Exhibit “B” – Conceptual Zoning Exhibit



Attachment "C" – Neighborhood Agreements

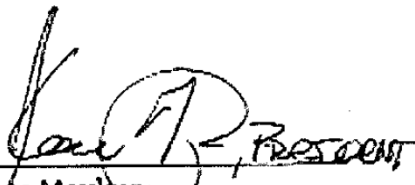
AGREEMENT BETWEEN

Hat Creek Development
And
Lavaca Trail Estates HOA (LTE)

JKH 20 elh
As of November XX, 2018, Hat Creek Development and Lavaca Trail Estates HOA agree to the following:

1) Hat Creek Development will require the current owners of Lots 1, 2, 3, Block B in The Legacy to install an 8' cedar fence at the rear (west side) lot line in place of and in the same lateral dimensions as fencing currently installed on the corresponding properties located in LTE Block 1, Lots 16, 17 and 18. This will be enforced by the Architectural Control Committee of The Legacy HOA. Enforcement of this Item 1 is not contingent upon any other approvals or agreements.

2) Hat Creek Development agrees to assist LTE financially by contributing \$17,942 toward the dredging of the pond located on Emmas Ct. This equals approximately 50% of the total estimated cost. A cashier's check in the amount of \$17,942 payable to Lavaca Trail Homeowners Association is due no later than 10 days after Hat Creek Development closes on the property or March 31, 2019, whichever is earlier. As part of this agreement, Hat Creek Development also agrees to allow the dredging company that LTE selects to deposit the silt from the pond located on Emmas Court onto the new North Legacy subdivision as it is being developed. Enforcement of this Item 2 is contingent upon Hat Creek Development receiving approval from the City of Colleyville for the North Legacy development.


Kossie Maykus
President
Hat Creek Development


Ed Hogan
President
Lavaca Trail HOA

The Legacy North

Agreement with Remington Park

FENCE:

- To be installed along the entire northern boundary of Legacy North adjoining Remington Park by the developer prior to the excavation of dirt
- To begin at the western edge of Remington Park Lot 11 (619 Terrace Lane) through the eastern edge of Lot 15, then wrap south through to the southern boundary of Lot 18 (509 Belmont Drive).
- Will be wood (cedar plank), capped on top, and 6' in height (similar to scope and style of Legacy Estate Neighborhood). All metal poles to also be capped.
- Exposed, capped metal posts to be utilized with post exposure facing Legacy North lots
- Stain of wood fence will be medium brown in color
- Tear down, removal and all costs associated with the existing fences on Remington Park properties from 603 to 619 Terrace Lane will be the sole responsibility of the developer of Legacy North and his chosen fence builder
- Chosen fence removal and installation company will proactively communicate with each impacted homeowner of Remington Park as follows:
 - Fence removal and installation will each be managed at a rate of approximately 1 property per day
 - Written communication at least two weeks prior to removal and installation of fence indicating the day of removal and installation and contact information
 - Chosen fence company representative will contact each homeowner reconfirming the date for fence removal/installation and contact information at least 5 days prior to removal and installation
- Fence along the east side of the Legacy North neighborhood beginning at the southern boundary of Lot 18 (509 Belmont Drive) will be a wrought iron fence with the same look, feel, and function as that currently installed on the east side of the Legacy Estates neighborhood

The Legacy North

Agreement with Remington Park

TREE PRESERVATION EASEMENT:

- Per observation, discussion, and proposal by the developer of Legacy North, we agree that the importance of tree preservation is necessary
- Tree Preservation Easement will be a minimum of 30' from the north side of Legacy North property line with no removal of currently identified trees unless otherwise dead
- Developer of Legacy North will deliver to Remington Park HOA the current tree preservation document as presented (or to be presented) to the City of Colleyville
- Legacy North future homeowners will be unable to build any vertical construction (attached or unattached structure) within the identified 30' Tree Preservation Easement / Building line but will be allowed to construct a pool no closer than 20' of the northern property line of Legacy North.
- Developer of Legacy North, prior to the City of Colleyville approval, will deliver a new plat with the newly accepted 30' easement
- The northern fence on Lot 10, Block A (Legacy North) will be allowed the same cedar fence (adjacent to Remington Park and the Rosewood Villas). The developer will attempt to gain permission to construct the same cedar fence that is on lots 11-14 for the balance of Lot 10, Block A
- Tree Preservation Easement agreement and associated components of the preservation will be memorialized in 3 ways:
 - Submitted in the Public Record through the City of Colleyville P&Z board
 - Added to the Deed & Restrictions and CC&R's of the Legacy North neighborhood
 - Recognized as an easement on the Legacy North plat

The Legacy North

Agreement with Remington Park

TRAIL INTERSECTION:

- Regarding the trail intersection of Remington Park and Lavaca Trail, we agree fully in working with the developer of Legacy North
- Potential solutions to protect the neighbors of Remington Park and those who have chosen to utilize the private trails, include but are not limited to:
 - Adding reflective stripes and/or rumble strips on the Lavaca Trail road to indicate the trail crossing
 - Adding reflective stripes on the Remington Park trail indicating the Lavaca Trail road
 - Signage on Lavaca Trail indicating the approaching trail and neighborhood
 - Removal of brush to allow for better visual line of sight
- Associated costs will be invoiced and paid by the developer of Legacy North
- Remington Park HOA and the developer of Legacy North will work together to gain appropriate needed approval by the City of Colleyville

The Legacy North

Agreement with Remington Park

DRAINAGE AND GRADING:

- The developer of the Legacy North neighborhood will provide engineering studies of the water flow/drainage of the neighborhood to the Remington Park HOA
- Developer will consult with Hamilton and Associates to verify the neighborhood's ability to develop Legacy North in a fashion water flow/drainage will flow away from all Remington Park homeowners

MISCELLANEOUS:

- Signage, similar to the sign used during the construction of The Legacy, will be placed on Lavaca Trail at the entrance into Remington Park prohibiting construction traffic
- Developer will create a construction traffic management plan outlining the routes available for the delivery of construction materials for the construction trade from Precinct Line to Lavaca Trail, and provide that plan to the Remington Park HOA
- Outdoor construction will be allowed from 7am-6pm daily

Agreement Between Rosewood Villas and Hat Creek Development
Regarding the Legacy North Development

1. Hat Creek Development will ensure that all existing trees on Legacy North ("LN") lots 6, 7, 8, 9 and 10 (based on the LN Plat dated September 12, 2018 and submitted to the City of Colleyville) within 20 feet of the common property line of Rosewood Villas HOA ("Rosewood Villas") Legacy North are preserved and will reflect this preservation in the LN plat and deed restrictions.

2. Hat Creek Development ("Hat Creek") will install approximately thirty (30) Live Oak trees parallel to the southern property line of Rosewood Villas.
 - a. The trees will be installed within 20 feet of the Rosewood Villas southern property line at approximately 20-foot intervals beginning at the Legacy North ("LN") western property line and extending eastward to the Rosewood Villas eastern property line (approximately the midpoint of lot 10).
 - b. The trees will be at least 4-inch caliper.
 - c. The trees will be planted as soon as practicable after installation of the Legacy North Roads and utilities.
 - d. The trees will be planted whether or not there is an existing tree at the specified interval, with the exception of a large native Pear tree on lot 9. In the event the Hat Creek landscaper determines that this Pear tree should be removed, or if this tree dies or is severely damaged prior to the occupancy of a home on this lot, Hat Creek will install a Live Oak tree (minimum 4-inch caliper) to replace it.
 - e. The Hat Creek landscaper will provide a warranty to ensure prompt replacement of any tree that dies or is severely damaged, for any reason, within a two-year period after planting with a comparable tree. In addition, Hat Creek will replace any trees damaged during home construction with a comparable tree, regardless of the elapsed time since planting.
 - f. Hat Creek will ensure that a deed restriction requiring ongoing maintenance of these trees and replacement of dead trees is included in the LN deed restrictions.

These specifications may be adjusted slightly by Hat Creek based on field conditions after a consultation with Rosewood Villas HOA.

3. Hat Creek will install a line of shrubs along the full length of the existing Rosewood Villas wrought iron fence running along its southern property line.
 - a. The shrubs will be planted to create a "hedge" to minimize the visual impact of the LN homes from Rosewood Villas and provide privacy for the LN homeowners.

Agreement Between Rosewood Villas and Hat Creek Development
Regarding the Legacy North Development

- b. The plant material used for this hedge will be selected jointly by Hat Creek and Rosewood Villas.
 - c. Hat Creek will modify the existing Rosewood Villas irrigation system along its southern property line to accommodate this "hedge".
 - i. The existing rotor heads will be relocated northward, beyond the hedge, to a point that will assure continued full coverage of the lawn areas now covered by these heads.
 - ii. A new drip irrigation line will be installed to irrigate the "hedge". This line will be installed as a separate zone on the appropriate Rosewood Villas controller to allow a separate watering schedule for the "hedge".
 - iii. Hat Creek will either employ the Rosewood Villas irrigation contractor, Jose Leon, to perform this work or obtain his approval with respect to the planned modifications prior to beginning any work.
 - d. The plant material to be used for the "hedge" will be selected by Hat Creek with the approval of Rosewood Villas.
 - e. The Hat Creek landscaper will provide a warranty to ensure prompt replacement of any plants within the "hedge" that die within a two-year period after planting with a comparable plant.
 - f. The Hat Creek irrigation contractor will provide Rosewood Villas with a full two-year parts and labor warranty to ensure proper operation of the modified irrigation system. Damage to the system beyond the control of the contractor, including but not limited to lawn mower damage, will not be included in the warranty.
 - g. The irrigation system and the hedge will be the property of Rosewood Villas. After the warranty period neither Hat Creek nor its landscaper will have responsibility for the hedge or the modified irrigation system.
4. Hat Creek will repair any existing rust or damage to the existing Rosewood Villas wrought iron fence running along its southern property line. After completion of these repairs Hat Creek will powder coat this fence in black. This work will be completed as soon as practicable and prior to installation of the "hedge". In addition, Hat Creek will install on the common property line on lot 10 of the proposed Legacy North plat (attached) an 8 foot cedar fence in the same fashion as the wooden fence to be constructed to the east along the Remington property line.

Agreement Between Rosewood Villas and Hat Creek Development
Regarding the Legacy North Development

5. Hat Creek will verify the location of the existing rock retaining wall running along the southern property line of Rosewood Villas and identify any encroachments. If any encroachments are identified, Hat Creek and Rosewood Villas will execute an agreement that will hold harmless the encroaching party and provide for the ongoing maintenance of this retaining wall.
6. As soon as practicable and prior to the start of construction activities, Hat Creek will install a temporary construction fence along the border of LN with Rosewood Villas to mitigate the flow of construction dust and debris onto Rosewood Villas' property. It is anticipated that this fence will be chain link with a fabric overlay.
7. Hat Creek will ensure that no fencing will be installed in an east-west direction on lots 6, 7, 8, 9 and 10 (based on the LN Plat dated September 12, 2018 and submitted to the City of Colleyville) within 20 feet of the northern property line of these lots, except for wrought iron fencing required to secure a swimming pool. This restriction will also be included in the LN deed restrictions, which will require HOA approval of any such fencing prior to installation.
8. Hat Creek will warrant that the existing Rosewood Villas drainage overflow onto LN lot 6 will be connected to the main street drainage system of LN and that this overflow will continue to operate as originally designed.
9. Hat Creek will provide Rosewood Villas with a final copy of all LN deed restrictions and will ensure that the specific deed restrictions noted in this Agreement are not alterable by the LN HOA.
10. Hat Creek will provide Rosewood Villas with a final copy of all LN deed restrictions and will ensure that the specific deed restrictions noted in this Agreement are not alterable by the LN HOA.
11. All provisions of this Agreement will be included in the LN Deed Restrictions and will be separately enforceable by the Rosewood Villas HOA. The LN Deed Restrictions will include a specific provision reflecting the enforcement rights of the Rosewood Villas HOA.
12. Hat Creek will file the LN Deed Restrictions at the initial closing of the LN property.

Agreement Between Rosewood Villas and Hat Creek Development
Regarding the Legacy North Development

13. Consideration

In consideration of the above commitments by Hat Creek, Rosewood Villas HOA agrees to fully and actively support Hat Creek's request to rezone the property located at 712 – 180 Lavaca Trail, Colleyville, TX (City of Colleyville Zoning Case ZC18-033).

14. Entire Agreement

This Agreement contains the entire agreement of the parties and there are no other promises or conditions in any contract or agreement whether oral or written concerning the subject matter of this Agreement. Any amendments must be in writing and signed by each party.

15. Severability

If any provision of this Agreement will be held to be invalid or unenforceable for any reason, the remaining provisions will continue to be valid and enforceable.

Kosse Maykus, President H Creek Development

Developer of the proposed Legacy North neighborhood

Rosewood Villas HOA



City of Colleyville City Council Agenda Briefing

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

Agenda Number 7a

Agenda Date 02/05/2019

Number Ordinance O-19-2076

Type Ordinance

Department Community Development

Title

Consideration of a Special Use Permit for Food Packaging and Manufacturing on Lot 8R, Block 1, of the Colleyville Industrial Park, located at 1904 Industrial Boulevard, Suite 103, Case ZC18-036

Strategic Plan

4.2 Encourage compatible commercial growth

Explanation

First Reading and Public Hearing

Jill Marks, the applicant, has submitted a request for a Special Use Permit (SUP) to allow a Food Packaging and Manufacturing business at 1904 Industrial Boulevard, Suite 103. The subject property is zoned ML-Light Manufacturing district. A Food Packaging and Manufacturing business is allowed in the ML-Light Manufacturing zoning district with the approval of an SUP.

Existing Conditions/Background: The subject property is currently known as the Colleyville Technical Center and is developed as an approximately 13,400 square foot commercial building with a mix of office, light manufacturing, and warehouse uses. Per the attached site plan and floor plan exhibits, the proposed business would occupy 1,500 square feet of lease space that is currently vacant.

Proposed Zoning Request: The applicant requests an SUP for Food Packaging and Manufacturing in the ML- Light Manufacturing zoning district.

The minimum standards for the ML zoning district are as follows:

Minimum Lot Size:	10,000 square feet
Minimum Lot Width:	100 feet
Minimum Lot Depth:	120 feet
Front Building Line:	40 feet
Side Building Line:	15 feet
Rear Building Line:	10 feet
Maximum Lot Coverage:	60 percent

Surrounding Development: The properties to the north, south and west all share

ML-Light Manufacturing zoning and are improved with commercial buildings. The properties to the east are zoned PUD-R Planned Unit Development- Residential and are improved with single family residential homes.

Proposed Business: Per the attached Statement of Planning Objectives the proposed name of the business is "Cookies, Crumbs, and Crust". The business currently has four employees and plans to relocate from Irving to Colleyville upon approval of the Special Use Permit request.

According to the Statement of Planning Objectives the business will manufacture, package, and ship specialty cookies, currently sold in Chip and Joanna's Magnolia Table and Silos Bakery, Neiman Marcus, and Central Market. Their other clients include; Nadamoo dairy free ice cream, Watermark Church, Bent Tree Church, and Southlake Carroll School District.

The applicant has indicated that only the baking of food will take place on the premises. The process primarily consists of mixing ingredients, baking, packaging, and shipping.

Ordinance – Chapter 3 (Land Use) of the Land Development Code identifies the purpose of a Special Use Permit as:

"The purpose of a Special Use Permit is to allow a use not normally allowed in a zoning district, which could be of benefit in a particular case to the general welfare, provided adequate development standards and special requirements are imposed to protect surrounding uses or to preserve the character of the neighborhood."

Analysis – The Special Use Permit request up for consideration is consistent with the land uses located on the subject property, and the governing zoning district. Based on the information provided by the applicant, the business appears to be a low intensity land use with few employees and standard hours of operation. Although residential adjacency exists to the east (Ross Downs Estates), the proposal does not appear to be of a nature anticipated to adversely impact the adjacent residential properties.

Hours of Operation: According to the applicant, the business will operate during the following hours:

- Monday – Friday: 7:00 am to 3:00 pm

Parking: The attached site plan identifies 43 parking spaces provided for 1904 Industrial Boulevard. The Land Development Code does not prescribe a specific number of parking spaces for the proposed land use. Rather, the Land Development Code requires that the number of parking spaces be defined in the approved ordinance for the Special Use Permit. Based on the limited number of employees and the nature of the business, staff recommends a parking ratio commensurate to a general office

land use. This requirement is one parking space per 300 square feet of gross floor area. Utilizing this ratio, five parking spaces will be required for the proposed. Sufficient parking exists on the site.

Comprehensive Plan: The City's comprehensive plan, Destination Colleyville, identifies the subject property for commercial development. The proposed SUP does not conflict with any portion of the comprehensive plan.

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 zoning change is generally consistent with the City's comprehensive plan. Additionally the request is consistent with the land uses located on the subject property and the governing zoning district. Staff recommends approval of the Special Use Permit.

Planning & Zoning Commission Recommendation: The Planning & Zoning Commission recommended approval at their January 14, 2019 meeting by a vote of 7-0.

Financial Impact

There is no fiscal impact to the City of Colleyville for this item.

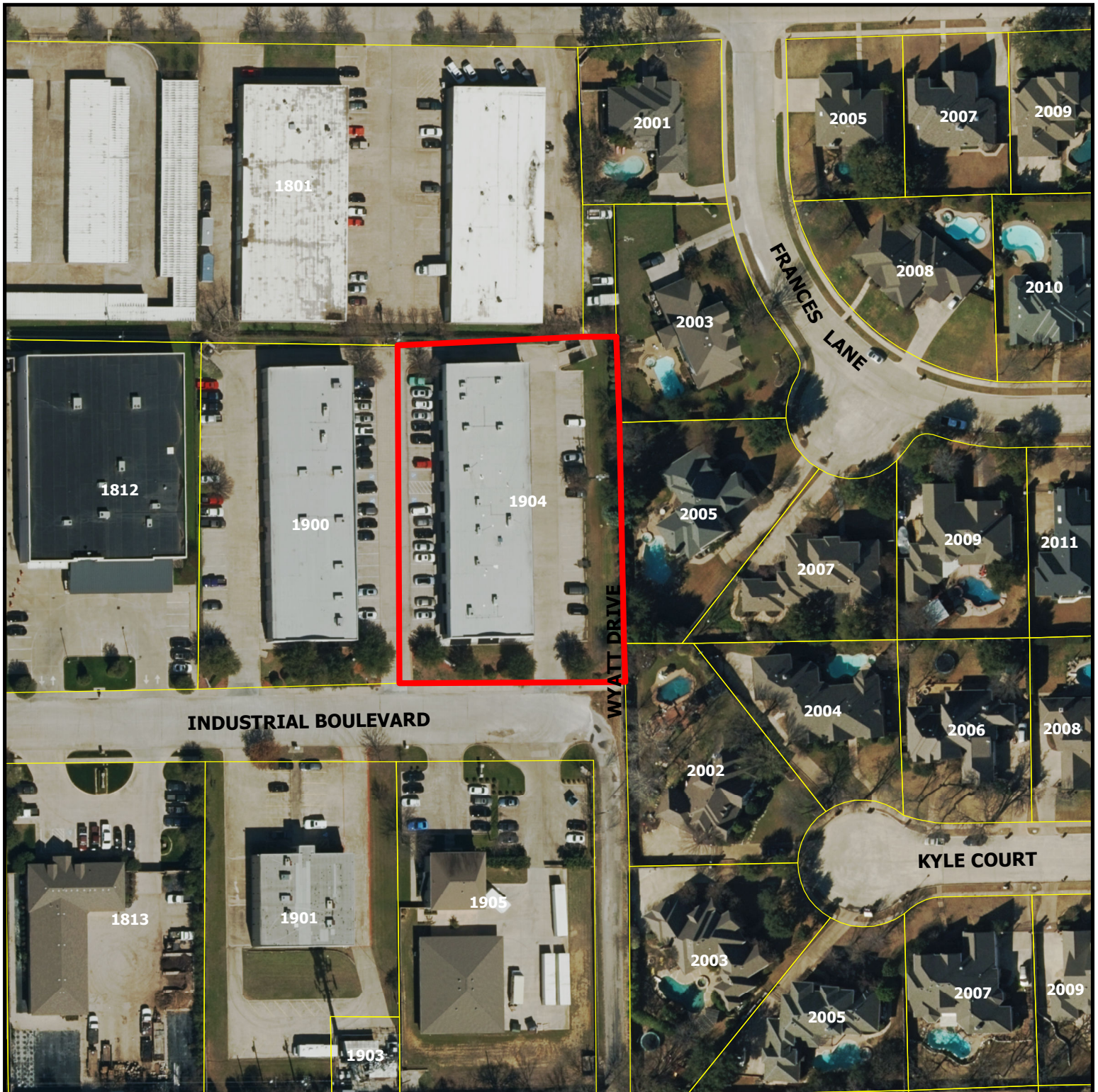
Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Site Plan
6. Notification Map
7. Notification List
8. Property Owner Notification Letter
9. Ordinance O-19-2076

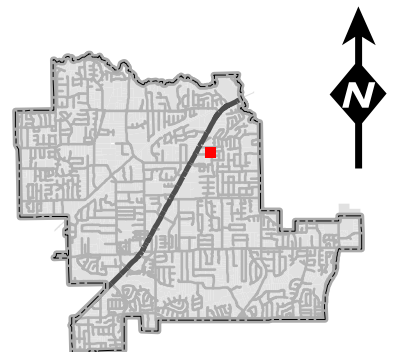
Aerial Map



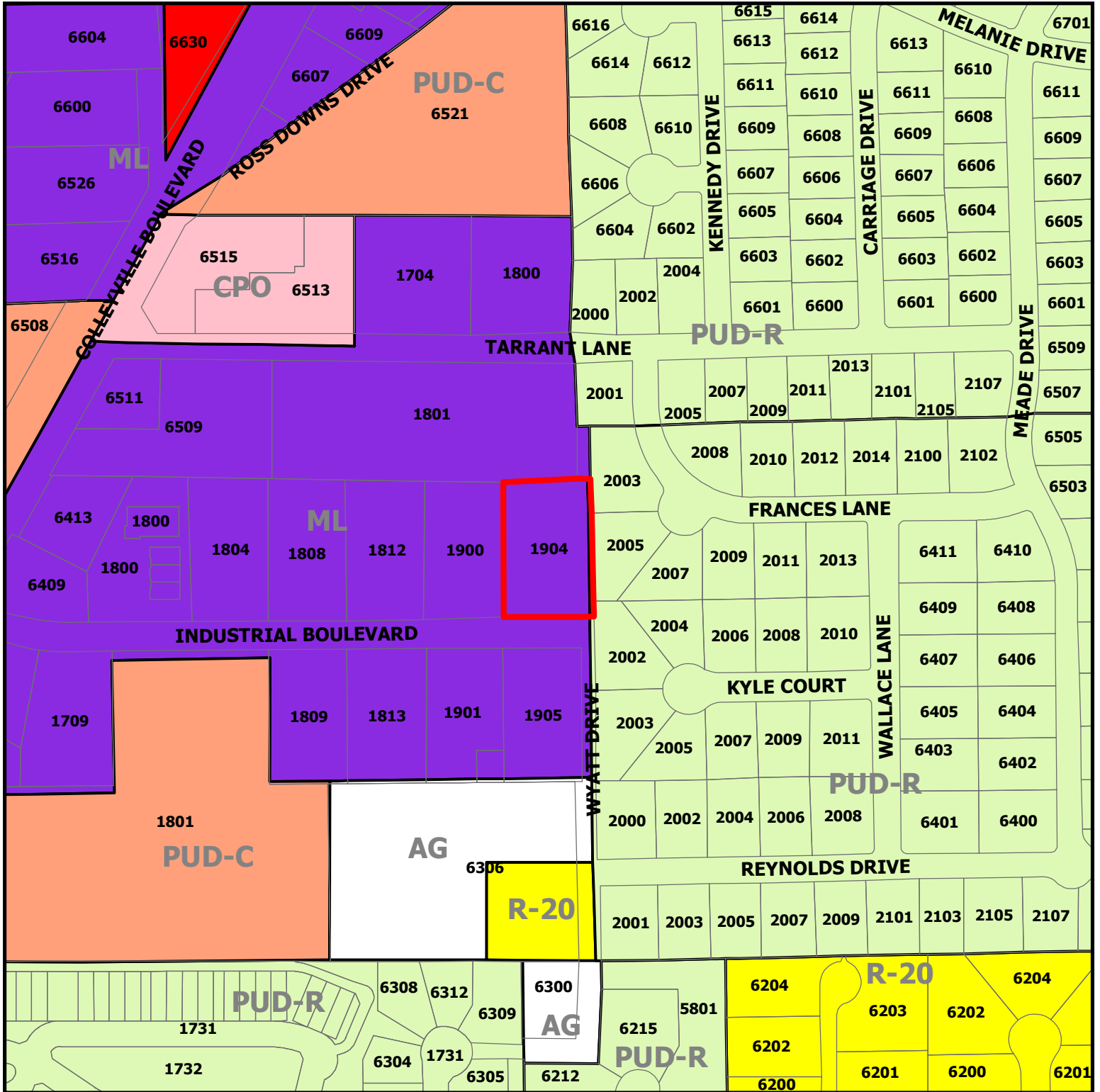
ZC18-036
1904 Industrial Blvd

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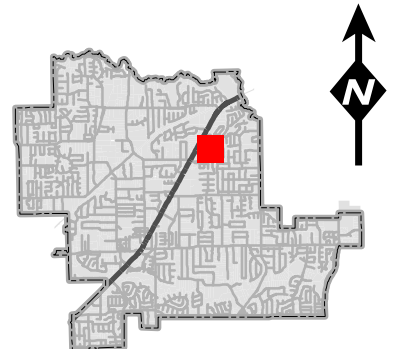
 Subject Property



Zoning Map



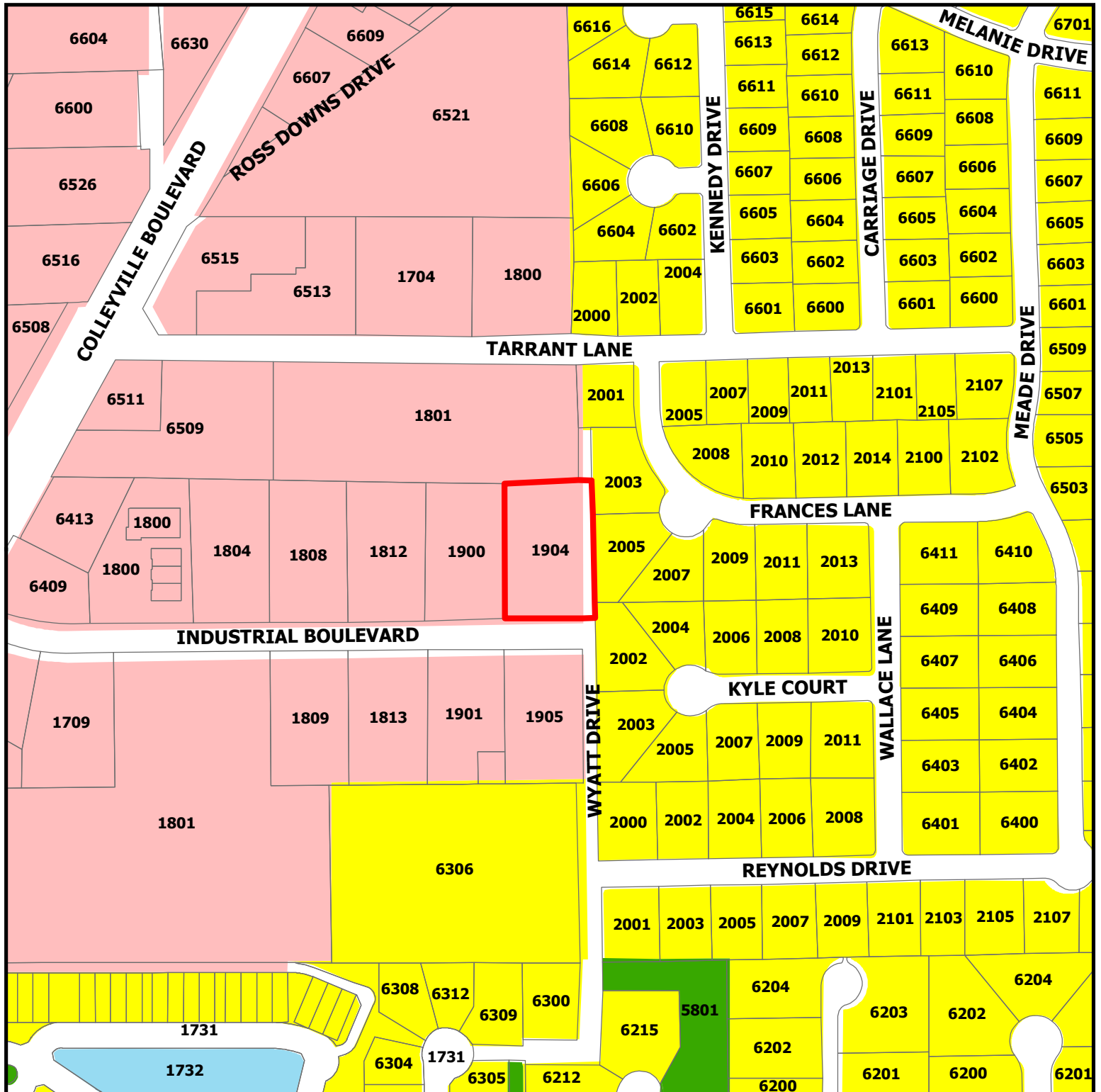
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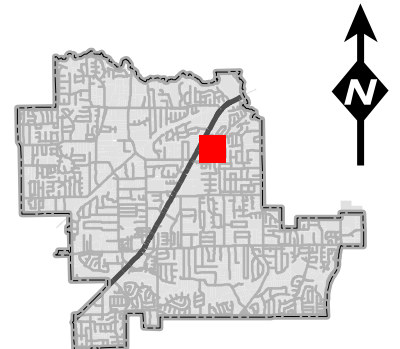
 Subject Property

Future Land Use Map



ZC18-036 1904 Industrial Blvd

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



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Statement of Planning Objectives



This is the written description of my business in a narrative format as requested. This is a supporting document for my application.

Cookies Crumbs and Crust is a small baking business that supplies retail stores with specialty baked goods.

- My clients include: Chip and Joanna's Magnolia Table and Silos Bakery, Neiman Marcus, Nadamoo dairy free ice cream, Central Market, Watermark Church, Bent Tree Church, Southlake Carroll school district and other retail establishment.
- My hours of operation is 7:00am - 3:00pm M-F, closed weekends.
- I have 2 bakers and 1 packager and one driver that picks up product during business hours.
- The boxes I use are 14 x 14 x 8. This can give you an idea of the size of the products. I will not be needing a forklift or anything big equipment to move my product.

My business is very similar to the previous tenant, Truelee foods. I will be basically doing the same type of production of natural specialty cookies. I might be a little smaller in volume than Truelee, but I am not sure. I am currently baking in Las Colinas, I have been with the Culinary Focus for 5 years. I need a larger kitchen and the walk in freezer is a perfect for my business. I live in Southlake and would love to get closer to my home. I have been written up in The Dallas Morning News, Southlake Style and 360West. I have no plans to have a retail/bakery set up. I am attaching a copy of my inspection report from the Texas Department of State Health. This was a surprise inspection.

I look forward to growing my business in Colleyville. I am very excited to have a larger facility which will allow for my growth. I am also a member of the WBCS (Women's Business Council-Southwest)

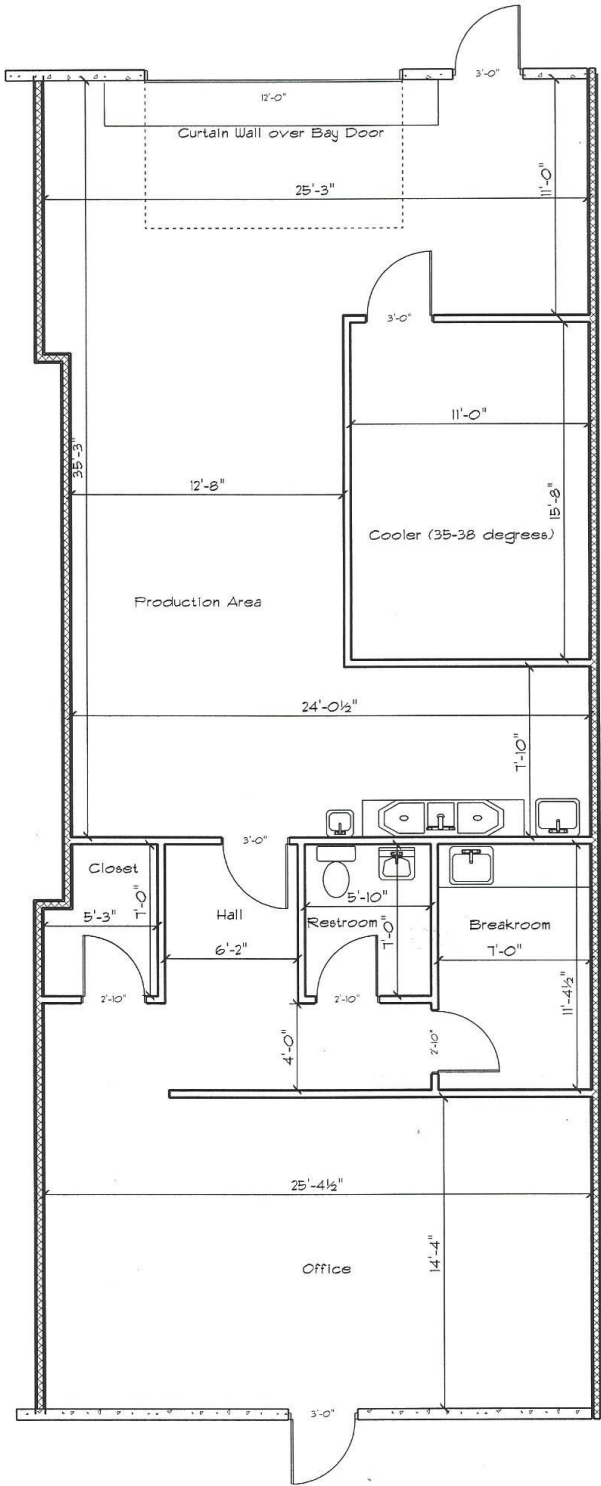
I was awarded by American Airlines first class flight desserts to Hong Kong. The project was canceled due to budget restrictions. One of my goals is to get my products with American Airlines for inflight food service.

Statement of Planning Objectives

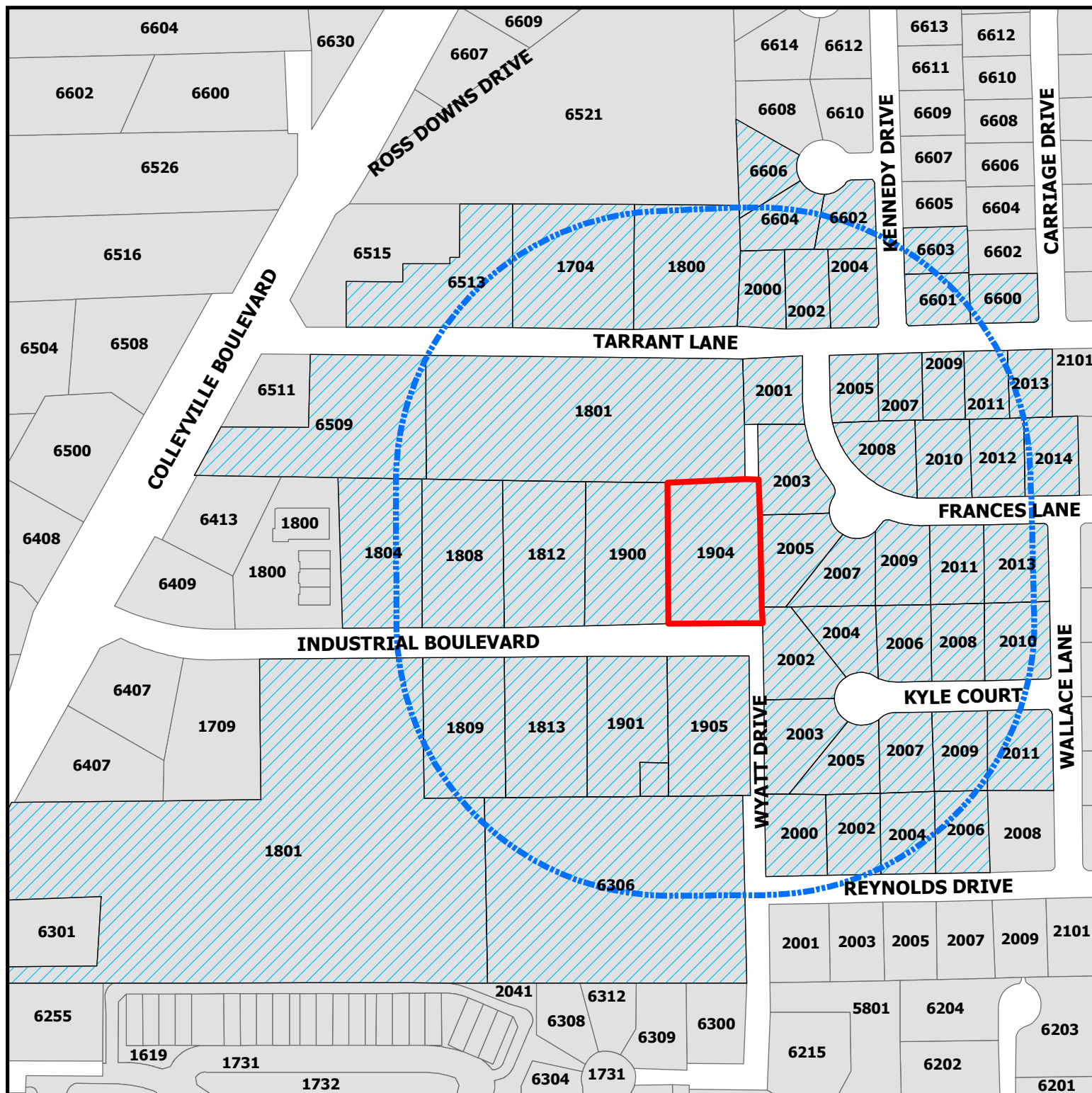
Please feel free to call me with any other questions you may have. Thank you, Jill Marks 817 703 9341

Site Plan

Colleyville Tech Center Ste 103



Notification Map



ZC18-036
1904 Industrial Blvd

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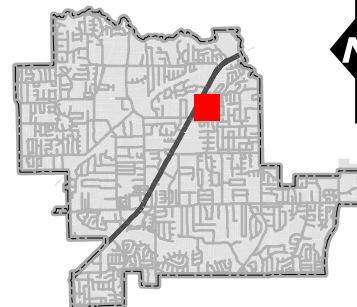
Subject Property



500ft Buffer



Properties within 500ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
HOVERSON PROPERTIES LLC	1808 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	1808 INDUSTRIAL BLVD
PRINCE, DOUG D	2003 KYLE CT	COLLEYVILLE, TX	76034	2003 KYLE CT
GORE, CHARLES E	27025 BIG BUFFALO RD	STOVER, MO	65078	1903 INDUSTRIAL BLVD
LAND, BRAD	6811 CURTIS RD	COLLEYVILLE, TX	76034	1813 INDUSTRIAL BLVD
WEDEMEYER, R J	2010 FRANCES DR	COLLEYVILLE, TX	76034	2010 FRANCES DR
MEDLENKA, CHRISTOPHER	4601 COLLEYVILLE BLVD STE 100	COLLEYVILLE, TX	76034	2006 KYLE CT
LINDLEY, SWIFT L	2002 KYLE CT	COLLEYVILLE, TX	76034	2002 KYLE CT
SAULS, HOWARD	2011 KYLE CT	COLLEYVILLE, TX	76034	2011 KYLE CT
GAJEWSKY, STEVE	2009 TARRANT LN	COLLEYVILLE, TX	76034	2009 TARRANT LN
WEILER, ERIC W	2011 FRANCES DR	COLLEYVILLE, TX	76034	2011 FRANCES DR
ALEXANDER, DAVID	2009 KYLE CT	COLLEYVILLE, TX	76034	2009 KYLE CT
BOONE, TERESA LEE JONES	2011 TARRANT LN	COLLEYVILLE, TX	76034	2011 TARRANT LN
LOFTIN, STACEY B	6306 WYATT DR	COLLEYVILLE, TX	76034	6306 WYATT DR
VIENNA CHANNELS REALTY LLC	1905 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	1905 INDUSTRIAL BLVD
BISHOP, LANCE G	2002 REYNOLDS DR	COLLEYVILLE, TX	76034	2002 REYNOLDS DR
COLLEYVILLE INDUSTRIAL CENTER	5605 TYLER ST	PEARLAND, TX	77581	1904 INDUSTRIAL BLVD
KIEFER, KAREN	6601 KENNEDY DR	COLLEYVILLE, TX	76034	6601 KENNEDY DR
CARMEN, MICHAEL	6603 KENNEDY DR	COLLEYVILLE, TX	76034	6603 KENNEDY DR
BOOKBINDER, ERIC B	6606 BAKER CT	COLLEYVILLE, TX	76034	6606 BAKER CT
BIGGERS, MICHAEL R	2004 TARRANT LN	COLLEYVILLE, TX	76034	2004 TARRANT LN
HORN, BILLY J	2604 FM 514	YANTIS, TX	75497	1809 INDUSTRIAL BLVD
SBJ RESCH FAMILY LTD	2900 E 7TH AVE STE 200	TAMPA, FL	33605	1800 TARRANT LN
PARKER REVOCABLE TRUST	2006 REYNOLDS DR	COLLEYVILLE, TX	76034	2006 REYNOLDS DR
JENKINS, P J	2010 KYLE CT	COLLEYVILLE, TX	76034	2010 KYLE CT
ECHOLS, BRENT K	2001 TARRANT LN	COLLEYVILLE, TX	76034	2001 TARRANT LN
PABON, EFREN A	6602 BAKER CT	COLLEYVILLE, TX	76034	6602 BAKER CT
MEDI-DYNE HEALTHCARE PRODUCTS	1812 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	1812 INDUSTRIAL BLVD
MENDIOLA, DAWN RENEE	6604 BAKER CT	COLLEYVILLE, TX	76034	6604 BAKER CT
LUERS FAMILY REVOCABLE TRUST	3509 WINDVIEW CT	GRAPEVINE, TX	76051	1901 INDUSTRIAL BLVD
GELLES, KEITH D	2008 KYLE CT	COLLEYVILLE, TX	76034	2008 KYLE CT
KIM, KEVIN K	2000 TARRANT LN	COLLEYVILLE, TX	76034	2000 TARRANT LN
TAREEN, KHURRAM A	2013 FRANCES DR	COLLEYVILLE, TX	76034	2013 FRANCES DR
GURLEY, JAY D	2014 FRANCES DR	COLLEYVILLE, TX	76034	2014 FRANCES DR
AMERICA'S STORAGE	4311 OAK LAWN AVE STE 360	DALLAS, TX	75219	1801 TARRANT LN
SPARKS SOUTHWEST INC	1804 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	1804 INDUSTRIAL BLVD
WALIZADEH, AL	2004 KYLE CT	COLLEYVILLE, TX	76034	2004 KYLE CT
LINZ, WILLIAM J	2005 FRANCES DR	COLLEYVILLE, TX	76034	2005 FRANCES DR
COLLEYVILLE INDUSTRIAL CENTER	5605 TYLER ST	PEARLAND, TX	77581	1900 INDUSTRIAL BLVD
HAGEN, WILLIAM R	2005 TARRANT LN	COLLEYVILLE, TX	76034	2005 TARRANT LN
NICKEL, DAVID M	2005 KYLE CT	COLLEYVILLE, TX	76034	2005 KYLE CT
MOAN, MICHAEL RAYMOND	2002 TARRANT LN	COLLEYVILLE, TX	76034	2002 TARRANT LN
PULLEY, THOMAS	2004 REYNOLDS DR	COLLEYVILLE, TX	76034	2004 REYNOLDS DR
HANCOCK, LUID T	2007 FRANCES DR	COLLEYVILLE, TX	76034	2007 FRANCES DR
GARRETT, BOBBY	6600 CARRIAGE DR	COLLEYVILLE, TX	76034	6600 CARRIAGE DR
GILLIAM, MARK D	2007 TARRANT LN	COLLEYVILLE, TX	76034	2007 TARRANT LN
DELLECASA FAMILY TRUST	2007 KYLE CT	COLLEYVILLE, TX	76034	2007 KYLE CT
AMERICA'S STORAGE	4311 OAK LAWN AVE STE 360	DALLAS, TX	75219	6509 COLLEYVILLE BLVD
HUCKINS, BRETT R	2013 TARRANT LN	COLLEYVILLE, TX	76034	2013 TARRANT LN
BALLARD, RONALD P	2012 FRANCES DR	COLLEYVILLE, TX	76034	2012 FRANCES DR
LOFTUS, DONNA M	2008 FRANCES DR	COLLEYVILLE, TX	76034	2008 FRANCES DR
ADDITIONAL SELF STORAGE LP	2964 LBJ FRWY STE 400	DALLAS, TX	75234	1801 INDUSTRIAL BLVD
NEIL, KEITH A	2000 REYNOLDS DR	COLLEYVILLE, TX	76034	2000 REYNOLDS DR
SCANLAND, JOHN J	2009 FRANCES DR	COLLEYVILLE, TX	76034	2009 FRANCES DR
CAMERON, DAVID A	2003 FRANCES DR	COLLEYVILLE, TX	76034	2003 FRANCES DR
AMERICA'S STORAGE	4311 OAK LAWN AVE STE 360	DALLAS, TX	75219	1704 TARRANT LN
6515 COLLEYVILLE LLC	6508 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6513 TARRANT LN
BROUGHTON	2557 SW GRAPEVINE PKWY SUITE 100	GRAPEVINE, TX	76051	COURTESY NOTICE
HIGHLAND MEADOWS ADDN	2101 HIGH GATE DRIVE	COLLEYVILLE, TX	76034	COURTESY NOTICE
ROSS DOWNS ESTATES	4113 GATEWAY DRIVE #100	COLLEYVILLE, TX	76034	COURTESY NOTICE
VILLAS AT OAK POINTE, THE	2555 SW GRAPEVINE PARKWAY SUITE 300	GRAPEVINE, TX	76051	COURTESY NOTICE
GRAPEVINE COLLEYVILLE ISD	3051 IRA E WOODS AVE	GRAPEVINE, TX	76051	STATE REQUIRED
MARKS, JILL	1255 SHADY OAKS DR	SOUTHLAKE, TX	76092	APPLICANT

Public hearing notices were mailed on December 28, 2018



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-036
Applicant: Jill Marks
Owner: Colleyville Industrial Center, LLC
Location: 1904 Industrial Boulevard
Property Description: Lot 8R, Block 1, of the Colleyville Industrial Park
Present Zoning: ML Light Manufacturing
Request: Consideration of a Special Use Permit for Food Packaging and Manufacturing. The purpose is to allow for food packaging and manufacturing under the name of Jill Marks, dba Cookies, Crumbs, and Crust.

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, January 14, 2019 at 7:00 p.m.
City Council Meetings: Tuesday, February 5, 2019 & Tuesday, February 19, 2019 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/government/departments-a-l/community-development/active-development-cases>. For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Jacquelyn Reyff
Principal Planner
jreyff@colleyville.com

ORDINANCE O-19-2076

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING ON LOT 8R, BLOCK 1, OF THE COLLEYVILLE INDUSTRIAL PARK, LOCATED AT 1904 INDUSTRIAL BOULEVARD, SUITE 103, BY AUTHORIZING A SPECIAL USE PERMIT FOR FOOD PACKAGING AND MANUFACTURING; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a special use permit for Food Packaging and Manufacturing under Case No. ZC18-036; 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 8R, Block 1, of the Colleyville Industrial Park, located at 1904 Industrial Boulevard, Suite 103, by authorizing a Special Use Permit for Food Packaging and Manufacturing, 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 "Exhibit "B" as shown on the Zoning Exhibit as attached.
- b. The hours of operation shall be Monday through Friday from 7:00 a.m. to 3:00 p.m.
- c. A minimum of 5 parking spaces shall be required for this use.
- d. 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.

e. 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 5th day of February 2019.

The second reading and public hearing being conducted on the 19th day of February 2019.

PASSED AND APPROVED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON THIS THE 19TH DAY OF FEBRUARY 2019.

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

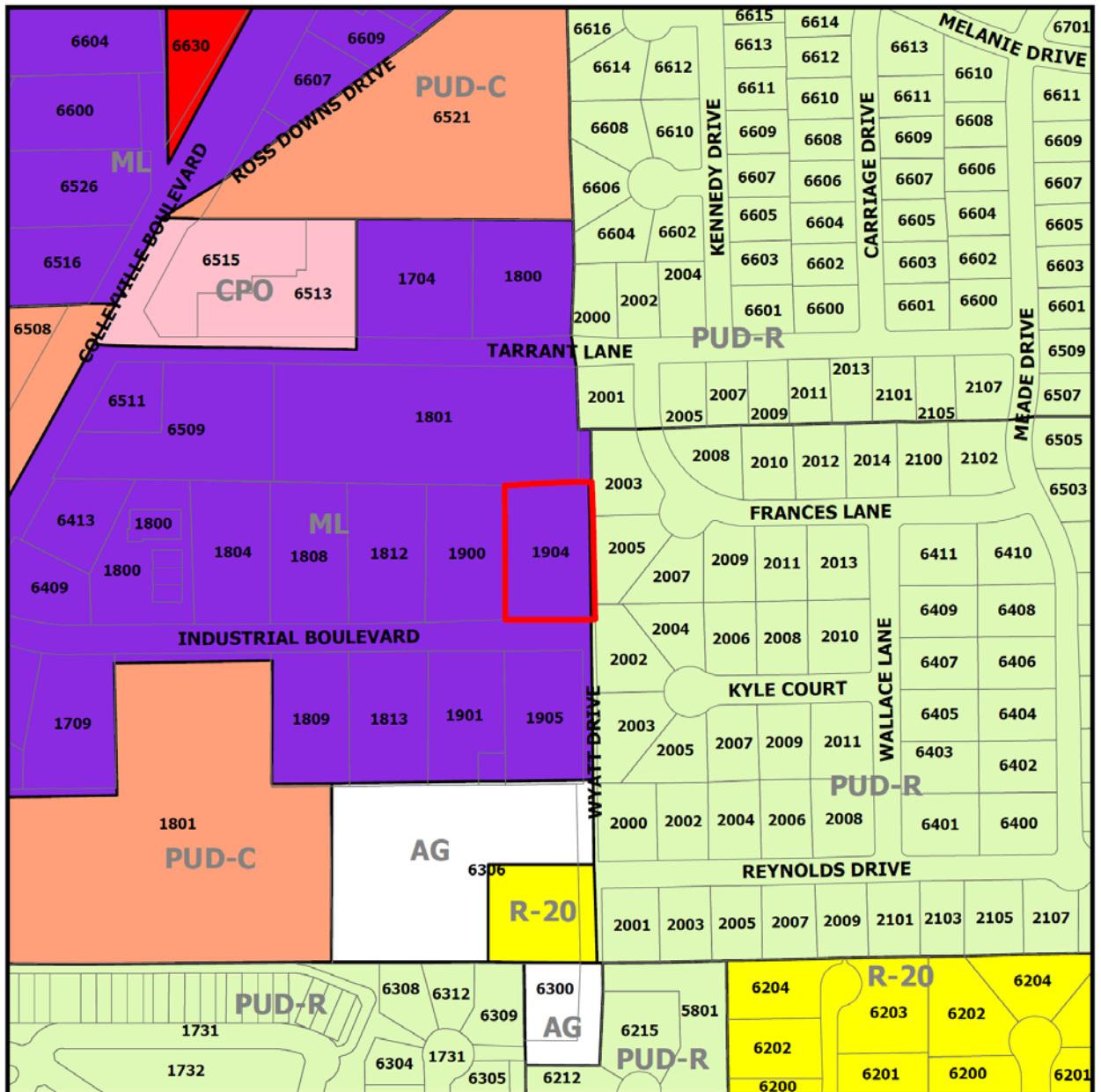
Christine Loven, TRMC
City Secretary

Richard Newton
Mayor

APPROVED AS TO FORM:

Whitt L. Wyatt
City Attorney

Exhibit "A" – Zoning Map



ZC18-036
1904 Industrial Blvd

DISCLAIMER:
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 Subject Property

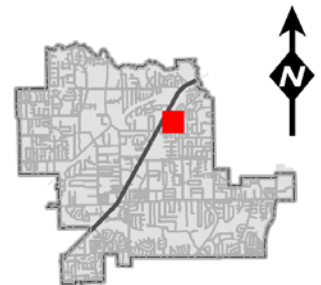


Exhibit “B” – Statement of Planning Objectives and Suite Floor Plan

Exhibit

Statement of Planning Objectives



This is the written description of my business in a narrative format as requested. This is a supporting document for my application.

Cookies Crumbs and Crust is a small baking business that supplies retail stores with specialty baked goods.

- My clients include: Chip and Joanna's Magnolia Table and Silos Bakery, Neiman Marcus, Nadamoo dairy free ice cream, Central Market, Watermark Church, Bent Tree Church, Southlake Carroll school district and other retail establishment.
- My hours of operation is 7:00am - 3:00pm M-F, closed weekends.
- I have 2 bakers and 1 packager and one driver that picks up product during business hours.
- The boxes I use are 14 x 14 x 8. This can give you an idea of the size of the products. I will not be needing a forklift or anything big equipment to move my product.

My business is very similar to the previous tenant, Truelee foods. I will be basically doing the same type of production of natural specialty cookies. I might be a little smaller in volume than Truelee, but I am not sure. I am currently baking in Las Colinas, I have been with the Culinary Focus for 5 years. I need a larger kitchen and the walk in freezer is a perfect for my business. I live in Southlake and would love to get closer to my home. I have been written up in The Dallas Morning News, Southlake Style and 360West. I have no plans to have a retail/bakery set up. I am attaching a copy of my inspection report from the Texas Department of State Health. This was a surprise inspection.

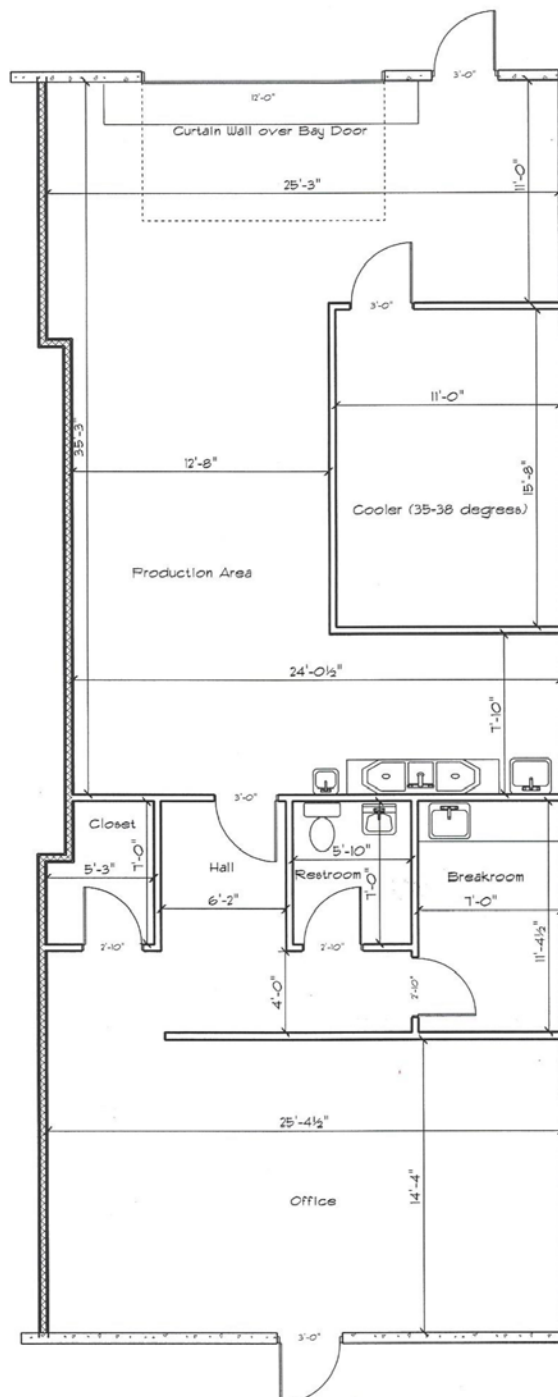
I look forward to growing my business in Colleyville. I am very excited to have a larger facility which will allow for my growth. I am also a member of the WBCS (Women's Business Council-Southwest)

I was awarded by American Airlines first class flight desserts to Hong Kong. The project was canceled due to budget restrictions. One of my goals is to get my products with American Airlines for inflight food service.

Statement of Planning Objectives

Please feel free to call me with any other questions you may have. Thank you, Jill Marks 817 703 9341

Colleyville Tech Center Ste 103





City of Colleyville City Council Agenda Briefing

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

Agenda Number 7b

Agenda Date 02/05/2019

Number Ordinance O-19-2077

Type Ordinance

Department Community Development

Title

Consideration of a Special Use Permit for Warehouse and Distribution Facilities on Lot 1R1A, Block 1, of the West Industrial Addition, located at 6705 Colleyville Boulevard, Case ZC18-037

Strategic Plan

4.2 Encourage compatible commercial growth

Explanation

First Reading and Public Hearing

Ramzi Gillespie, the applicant, has submitted a request for a Special Use Permit (SUP) to allow for Warehouse and Distribution Facilities at 6705 Colleyville Boulevard. The subject property is zoned ML Light Manufacturing district. A Warehouse and Distribution Facilities business is allowed in the ML Light Manufacturing zoning district with the approval of an SUP.

Existing Conditions/Background: The subject property is currently known as All Pro Glass and Mirror and is developed as an approximately 6,033 square foot commercial building. Per the attached site plan and exhibits, the proposed business would occupy 1,757 square feet of the building.

Proposed Zoning Request: The applicant requests an SUP for Warehouse and Distribution Facilities in the ML- Light Manufacturing zoning district.

The minimum standards for the ML zoning district are as follows:

Minimum Lot Size:	10,000 square feet
Minimum Lot Width:	100 feet
Minimum Lot Depth:	120 feet
Front Building Line:	40 feet
Side Building Line:	15 feet
Rear Building Line:	10 feet
Maximum Lot Coverage:	60 percent

Surrounding Development: The properties to the north, south, east and west all share ML-Light Manufacturing zoning and improved with commercial buildings.

Proposed Business: Per the attached Statement of Planning Objectives the proposed name of the business is "Auto Ricambi". The business currently has six employees and is operating a business next door at 6705 Colleyville Boulevard. The business is an auto parts and accessory mail order business and is the largest distributor of classic Fiat parts in the United States and second largest in the world.

The applicant desires to use a portion of the building for storage while allowing the remaining tenant, All Pro Glass, to remain in operation.

Ordinance – Chapter 3 (Land Use) of the Land Development Code identifies the purpose of a Special Use Permit as:

"The purpose of a Special Use Permit is to allow a use not normally allowed in a zoning district, which could be of benefit in a particular case to the general welfare, provided adequate development standards and special requirements are imposed to protect surrounding uses or to preserve the character of the neighborhood."

Analysis – The Special Use Permit request up for consideration is consistent with the land uses located on the subject property and the governing zoning district. Based on the information provided by the applicant, the business appears to be a low intensity land use with few employees. They desire to upgrade the façade and sites for both properties, 6705 and 6707 Colleyville Boulevard, which meets the intent of the Destination Colleyville Comprehensive plan. The applicant is concurrently working on approval of plans with the City's Economic Development staff for façade improvements.

Parking: The attached site plan identifies 10 parking spaces provided for 6705 Colleyville Boulevard. The Land Development Code does not prescribe a specific number of parking spaces for the proposed land use. Rather, the Land Development Code requires that the number of parking spaces be defined in the approved ordinance for the Special Use Permit. Based on the limited number of employees and the nature of the business, 10 spaces meet the needs of this business.

Comprehensive Plan: The City's comprehensive plan, Destination Colleyville, identifies the subject property for commercial development. The proposed SUP does not conflict with any portion of the comprehensive plan.

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 zoning change is generally consistent with the City's comprehensive plan. Additionally the request is consistent with the land uses

located on the subject property and the governing zoning district. Staff recommends approval of the Special Use Permit.

Planning and Zoning Commission Recommendation: The Planning and Zoning Commission recommended approval at their January 14, 2019 meeting with the addition that façade improvements shall be made and approved by the City Manager's Office and City Council by a vote of 7-0.

Financial Impact

There is no fiscal impact for the City of Colleyville for this item.

Recommendation

Approve

Attachments

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Statement of Planning Objectives
5. Zoning Exhibit
6. Photo Provided by Applicant
7. Building Elevations
8. Notification Map
9. Notification List
10. Property Owner Notification Letter
11. Ordinance O-19-2077

Aerial Map



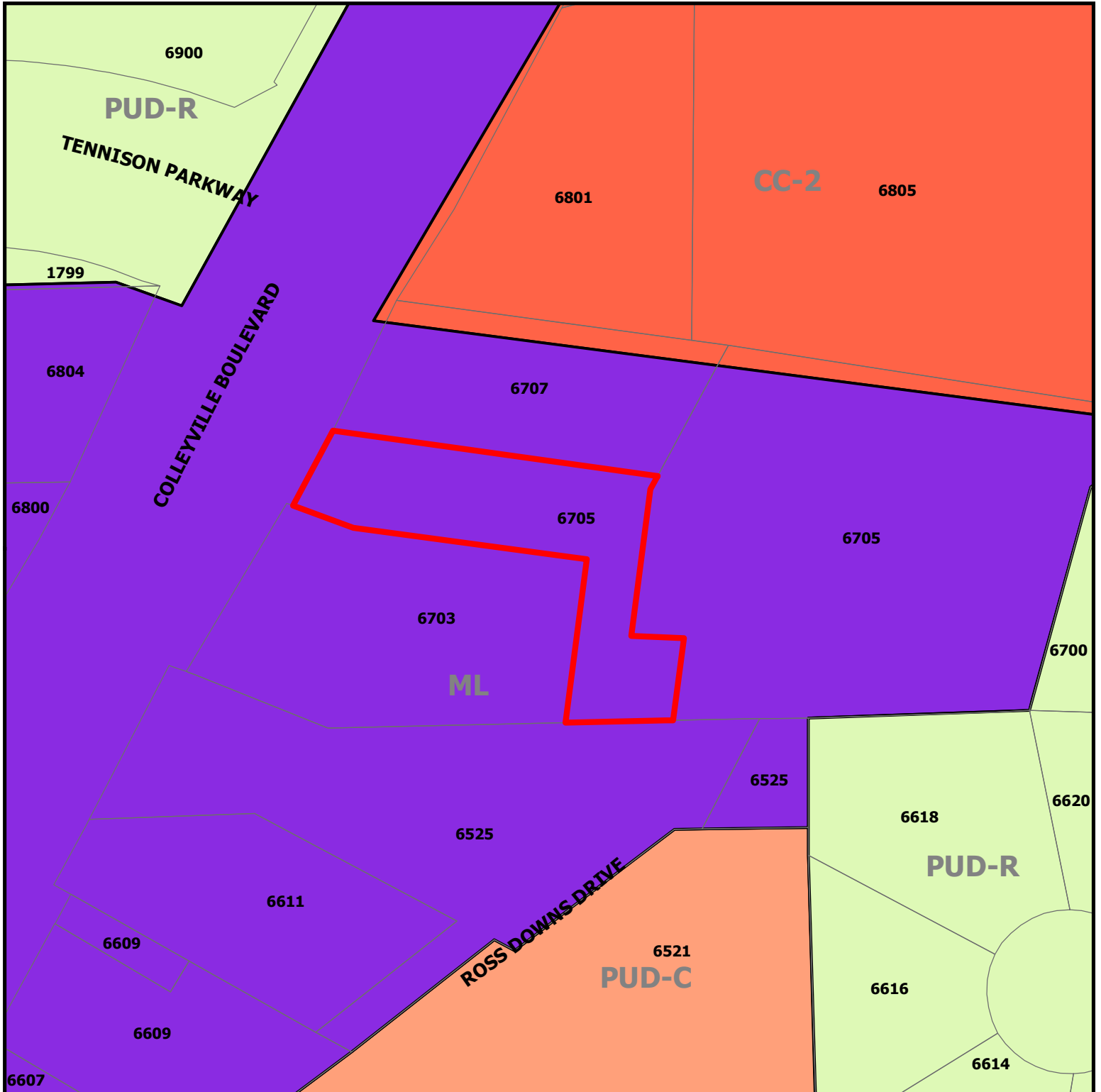
ZC18-037
6705 Colleyville Blvd

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 Subject Property



Zoning Map



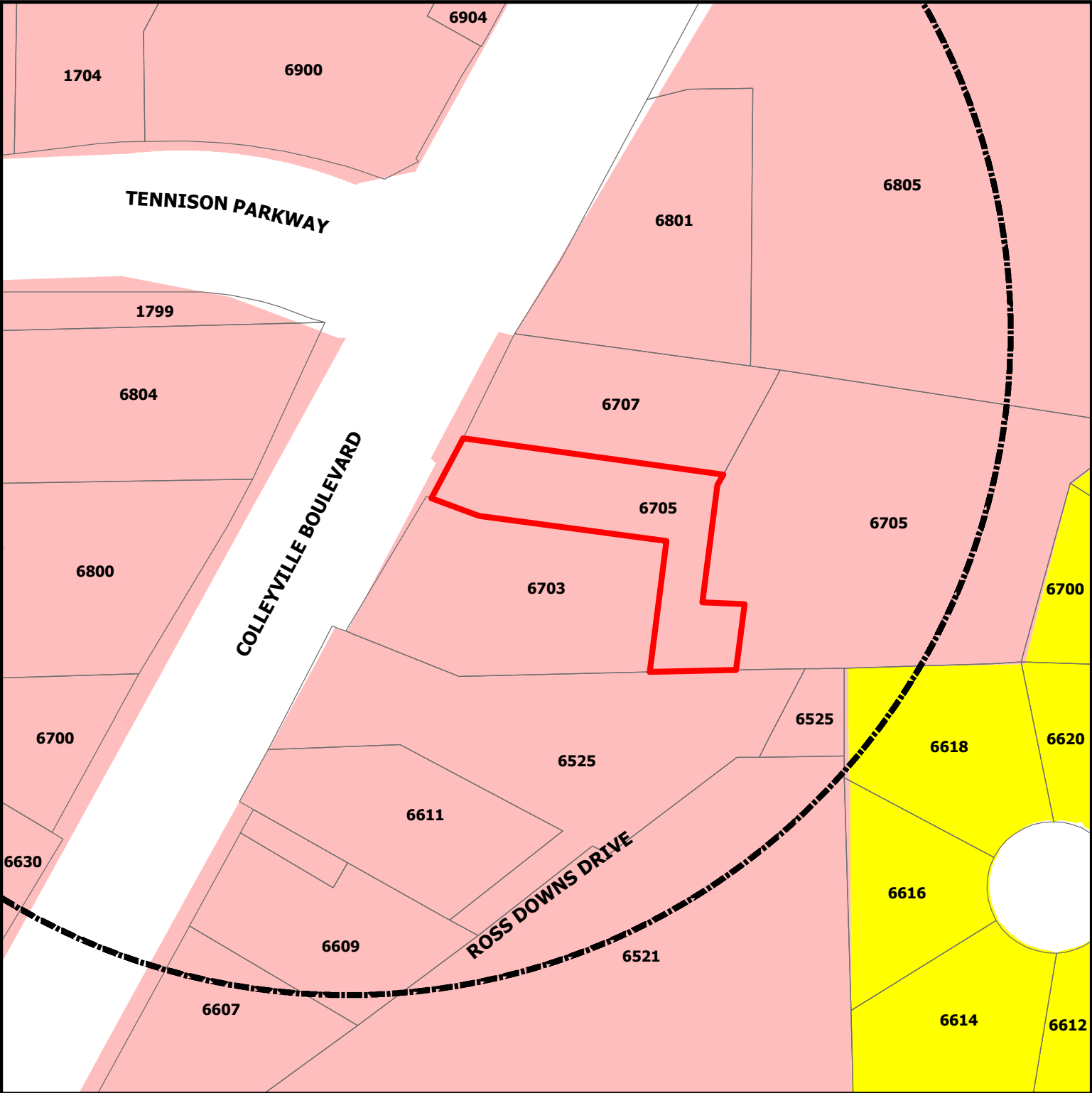
ZC18-037
6705 Colleyville Blvd

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 Subject Property



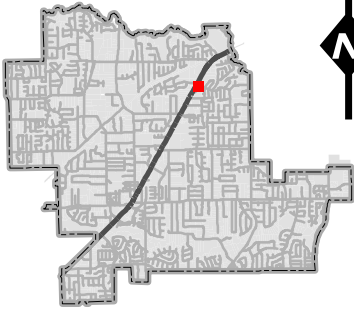
Future Land Use Map



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ZC18-037
6705 Colleyville Blvd

-  Subject Property
-  Sales Tax Preferred Intersection
-  Residential
-  Colleyville Blvd Corridor





November 27, 2018

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

**Re: Specific Use Permit Request – Auto Ricambi
6705 Colleyville Blvd.**

Statement of Planning Objectives

Our planning objectives associated with the property at 6705 Colleyville Blvd. are to achieve permission via a Specific Use Permit to operate an Auto Parts and Accessory Store / on-line sales Warehouse and Distribution Facility and a glass and mirror sales facility (Building Materials Sales). Our goal is to improve the appearance of this property located along Colleyville Blvd. by completing improvements to the façade of the existing building and introducing landscaping along the front of the structure. By virtue of the existing building already penetrating the front yard setback, we would like to obtain permission to install a new canopy with a new exterior wing wall thus improving the aesthetics of the one-story, concrete structure.



Statement of Planning Objectives

November 27, 2018

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

**Re: Specific Use Permit Request – Auto Ricambi
6705 Colleyville Blvd.**

Development Schedule

The construction of the proposed development regarding the property located at 6705 Colleyville Blvd. will commence when the SUP is approved and any necessary permits for the façade improvements are obtained. The target date for construction is March 2019 with completion in May 2019.

Statement of Planning Objectives



November 27, 2018

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

**Re: Specific Use Permit Request – Auto Ricambi
6705 Colleyville Blvd.**

Economic Development Information

ECONOMIC DEVELOPMENT INFORMATION			
The logo for Auto Ricambi features the company name in a bold, sans-serif font. The 'A' and 'R' are stylized, with the 'R' having a circular element around it. The entire logo is underlined.		6705 Colleyville Blvd.	
Total S.F. Of Building Area	Estimated Sales Per S.F.	Estimated Sales Per Year	Estimated Ad Valorum Taxes Per Year
6,033	\$15.75	\$95,000.00	

Statement of Planning Objectives



November 27, 2018

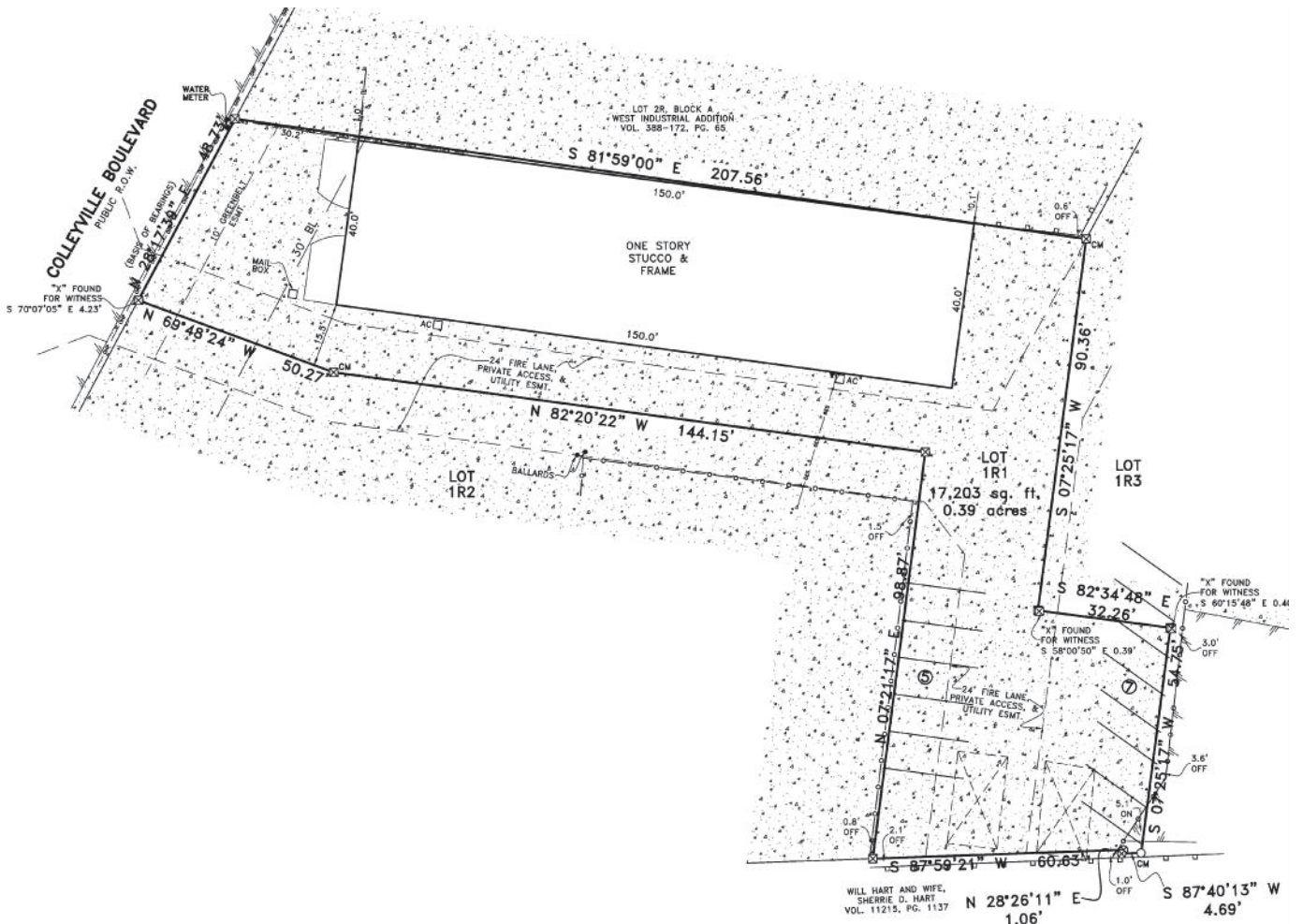
City of Colleyville
Community Development Services
100 Main Street
Colleyville, Texas 76034

**Re: Specific Use Permit Request – Auto Ricambi
6705 Colleyville Blvd.**

Legal Description

6705 Colleyville Boulevard:

Being Lot 1R1, Block 1, West Industrial Addition, an Addition to the City of Colleyville, Tarrant County, Texas, according to the Map or Plat recorded in Cabinet A, Slide 720, Plat Records of Tarrant County, Texas. Save and Except that portion of sold lot conveyed to the State of Texas by deed filed November 28, 2007, recorded in C.C. File No. D207422647, Real Property Records, Tarrant County, Texas.

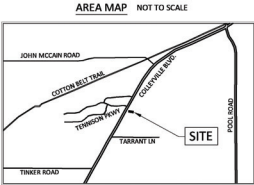


Zoning Exhibit

ZONING EXHIBIT FOR:



6705 COLLEYVILLE BOULEVARD
COLLEYVILLE, TEXAS 76034



APPLICANT

AUTO RICAMBI
RAMO GILLESPIE
6707 COLLEYVILLE BLVD.
COLLEYVILLE, TEXAS 76034
682-233-3428

OWNER

AUTO RICAMBI
RAMO GILLESPIE
6707 COLLEYVILLE BLVD.
COLLEYVILLE, TEXAS 76034
682-233-3428

LAND PLANNER

CALLAHAN & FREEMAN ARCHITECTS
FRANK CALLAHAN
PO BOX 15577
FORT WORTH, TEXAS 76119
817-478-1765

P.O. BOX 15577
FORT WORTH, TX 76119
817-478-1765
1105 E. KENNEDIAL HWY.
KENNEDIAL, TX 76060

CALLAHAN & FREEMAN
ARCHITECTS

ZONING EXHIBIT FOR:
AUTO RICAMBI BUILDING #2
6705 COLLEYVILLE BLVD.
COLLEYVILLE, TEXAS 76034

PRELIMINARY
NOT FOR CONSTRUCTION
ARCHITECT: CHARLES E. FREEMAN

DATE: 11/27/2018

REVISIONS:

12/14/18

DRAWN BY: SB

JOB NO.: 80006

SHEET NO.

1

1 OF 3 SHEETS



PARKING CALCULATIONS
1,707 S.F. OF STORAGE/WAREHOUSE
4,243 S.F. OF GLASS AND MIRROR SHOWROOM AND OFFICES
TOTAL EMPLOYEES: AUTO RICAMBI STORAGE/WAREHOUSE = 1
GLASS AND MIRROR = 3
TOTAL = 4 EMPLOYEES
PARKING PROVIDED = 11 SPACES

A. GROSS AREA: 0.39 ACRES (17,209 S.F.)
B. BUILDING AREA: 8,033 S.F. WHICH IS 35% OF
TOTAL PROPERTY AREA
C. PAVED SURFACES: 10,905 S.F. WHICH IS 63.4%
OF TOTAL PROPERTY AREA
D. OPEN SPACE: 265 S.F. WHICH IS 1.6% OF
TOTAL PROPERTY AREA

BEING LOT 181, BLOCK 1, WEST INDUSTRIAL ADDITION,
AN ADDITION TO THE CITY OF COLLEYVILLE, TARRANT
COUNTY, TEXAS, ACCORDING TO THE MAP OF PLAT
RECORDED IN CABINET A, SLIDE 720, PLAT RECORDS OF
TARRANT COUNTY, TEXAS.

SAVE AND EXCEPT THAT PORTION OF SAID LOT
CONVEYED TO THE STATE OF TEXAS BY DEED FILED
NOVEMBER 28, 2007, RECORDED IN C.C. FILE NO.
D207422647, REAL PROPERTY RECORDS, TARRANT
COUNTY, TEXAS.

SITE PLAN

SCALE: 1/16" = 1'-0"

0.39 ACRES



ZONING EXHIBIT FOR ZONING CHANGE
REQUEST FROM _____ TO _____

Photos Provided by Applicant



AUTARICAMBI

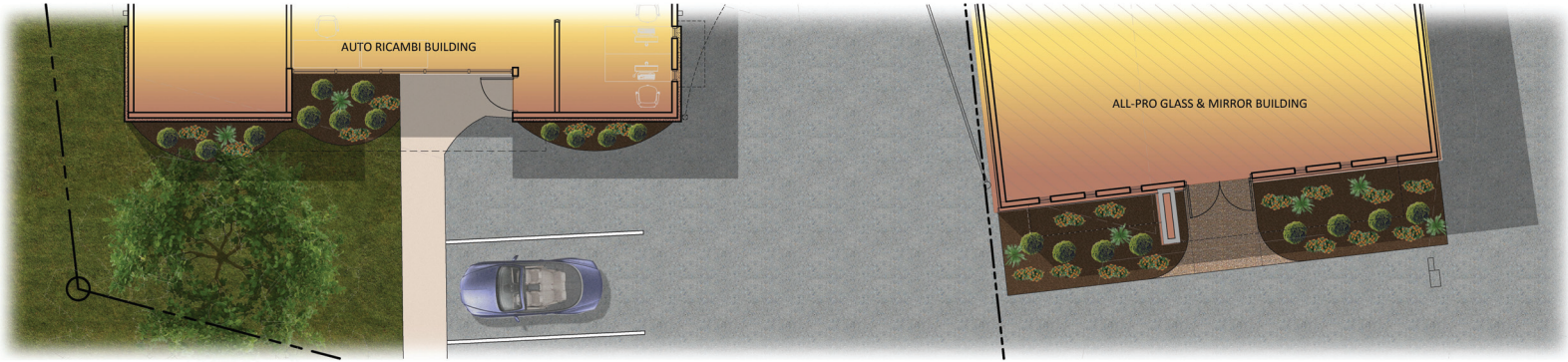
6705 COLLEYVILLE BLVD.
COLLEYVILLE, TX 76034

EXISTING CONDITIONS

Economic Development Exhibit
Nov. 27, 2018

CF
CALLAHAN & FREEMAN
ARCHITECTS

Building Elevations



PARTIAL SITE PLAN

SCALE: 3/16" = 1'-0"



EXISTING FRONT ELEVATION

SCALE: 3/16" = 1'-0"



- UPDATED FACADES MATERIALS
(TOTAL AREAS REPRESENT FRONT FACADES ONLY)
- PAINTED FINISH ON EXISTING CONCRETE PANELS - 395 SF
 - PAINTED FINISH ON EXISTING METAL COPING AND DOWNSPOUTS - 45 SF
 - HORIZONTAL WOOD COMPOSITE CLADDING - 75 SF
 - ALUMINUM COMPOSITE MATERIAL PANELS - 48 SF
 - ALUMINUM AWNINGS - 15 SF
 - MANUFACTURED STONE VENEER - 119 SF
 - MANUFACTURED STONE VENEER WATER TABLE - 11 SF



PROPOSED FRONT ELEVATION

SCALE: 3/16" = 1'-0"



P.O. BOX 1587
COLLEGE STATION, TX 77841
817.474.1700
dustin@cfarchitects.com

CF
ARCHITECTS

ZONING EXHIBIT FOR:
AUTO RICAMBI BUILDING #2
6705 COLLEVILLE BLVD,
COLLEGEVILLE, TEXAS 76034

PRELIMINARY
NOT FOR REGULATORY APPROVAL
DATE: 11/27/2018
ARCHITECT: CHARLES E. FREEMAN

DATE: 11/27/2018
REVISIONS:
12/14/18

DRAWN BY: SB
JOB NO.: 60308

SHEET NO.

2

2 OF 3 SHEETS

Building Elevations



PROPOSED FRONT ELEVATION



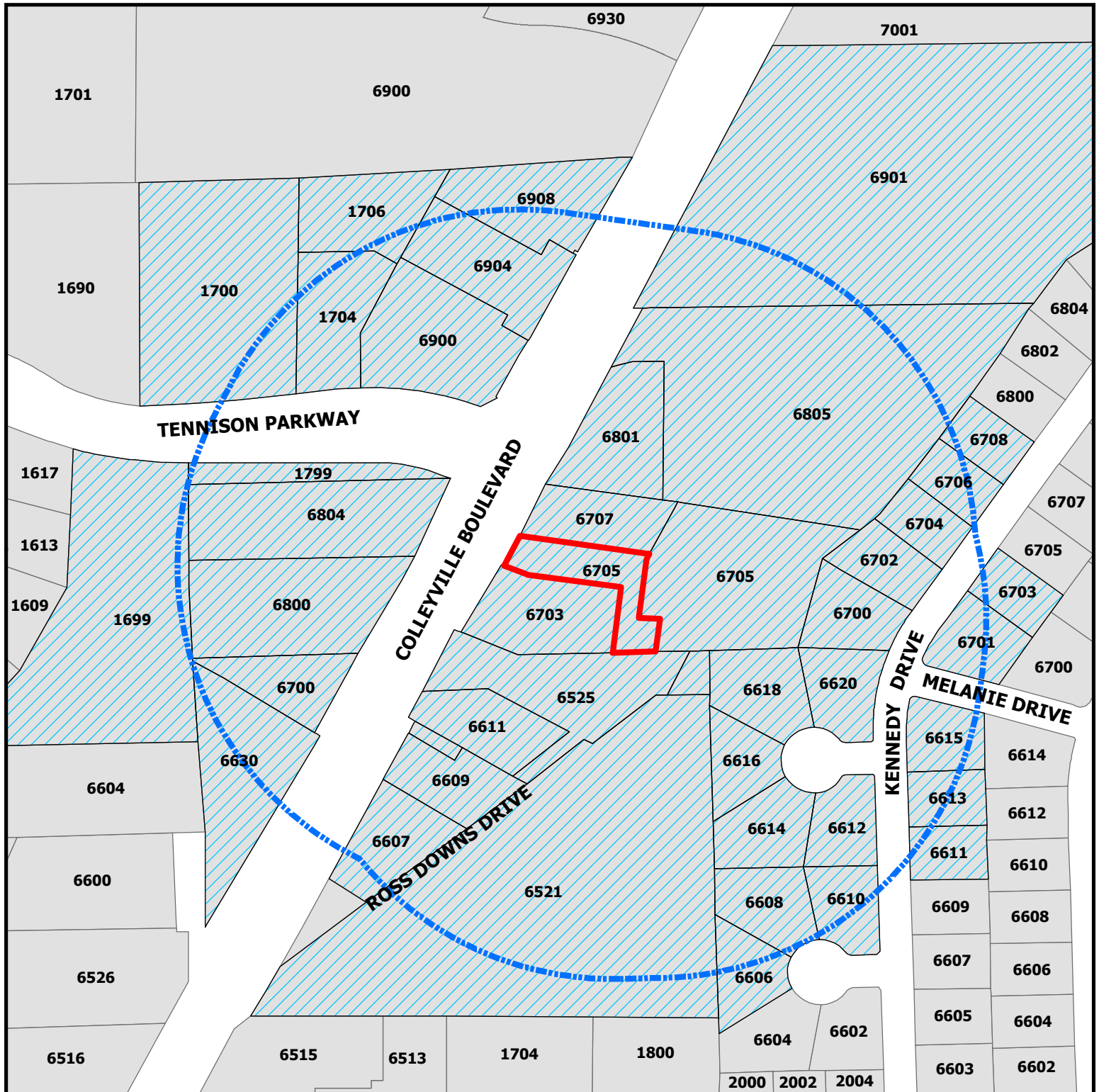
6705 COLLEYVILLE BLVD.
COLLEYVILLE, TX 76034

- UPDATED FACADES MATERIALS
(TOTAL AREAS REPRESENT FRONT FACADES ONLY)
- PAINTED FINISH ON EXISTING CONCRETE PANELS - 395 SF
 - PAINTED FINISH ON EXISTING METAL COPING AND DOWNSPOUTS - 45 SF
 - HORIZONTAL WOOD COMPOSITE CLADDING - 75 SF
 - ALUMINUM COMPOSITE MATERIAL PANELS - 48 SF
 - ALUMINUM AWNINGS - 15 SF
 - MANUFACTURED STONE VENEER - 118 SF
 - MANUFACTURED STONE VENEER WATER TABLE - 11 SF

12/14/18
Economic Development Exhibit
Nov. 27, 2018



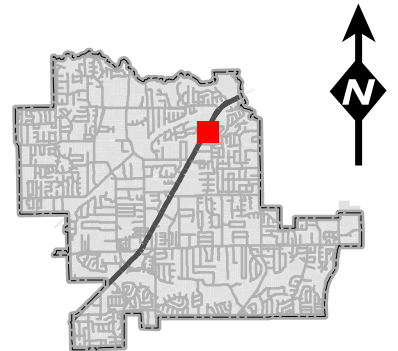
Notification Map



ZC18-037
6705 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
-  500ft Buffer
-  Properties within 500ft



Notification List

Owner Name	Owner Address	Owner City	Owner Zip	Situs Address
FILEWOOD, MARK A	6613 KENNEDY DR	COLLEYVILLE, TX	76034	6613 KENNEDY DR
STANUTZ, NICHOLAS E	6708 KENNEDY DR	COLLEYVILLE, TX	76034	6708 KENNEDY DR
HART, NEIL J	6703 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6703 COLLEYVILLE BLVD
SUN VALLEY PROPERTIES	5301 SUN VALLEY DR	FORT WORTH, TX	76119	6611 COLLEYVILLE BLVD
MCENTIRE, KENNETH G	PO BOX 224	COLLEYVILLE, TX	76034	6608 BAKER CT
COLLEYVILLE CREME DE LA CREME	8400 E PRENTICE AVE STE 1320	GREENWOOD VILLAGE, CO	80111	6801 COLLEYVILLE BLVD
RYAN, MICHAEL J	6702 KENNEDY DR	COLLEYVILLE, TX	76034	6702 KENNEDY DR
ANDERSON, GARY D	6618 MCMAKIN CT	COLLEYVILLE, TX	76034	6618 MCMAKIN CT
FERRIS, DARRELL K	6610 BAKER CT	COLLEYVILLE, TX	76034	6610 BAKER CT
SMITH, BYRON E	6611 KENNEDY DR	COLLEYVILLE, TX	76034	6611 KENNEDY DR
LARMON, PAUL W	6615 KENNEDY DR	COLLEYVILLE, TX	76034	6615 KENNEDY DR
MONTEERRA HOME OWNER'S ASSOC	6707 BRENTWOOD STR RD	FORT WORTH, TX	76112	1799 TENNISON PKWY
BOOKBINDER, ERIC B	6606 BAKER CT	COLLEYVILLE, TX	76034	6606 BAKER CT
FRANKS, JAY R	6706 KENNEDY DR	COLLEYVILLE, TX	76034	6706 KENNEDY DR
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
WILEY, PAUL	6620 MCMAKIN CT	COLLEYVILLE, TX	76034	6620 MCMAKIN CT
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
WILLIAMSON, KENNY	6704 KENNEDY DR	COLLEYVILLE, TX	76034	6704 KENNEDY DR
J&C SERVICE GROUP LLC	6521 COLLEYVILLE BLVD	COLLEYVILLE, TX	76034	6521 COLLEYVILLE BLVD
ATWELL, JEFFREY O	6701 KENNEDY DR	COLLEYVILLE, TX	76034	6701 KENNEDY DR
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
LFP PROPERTIES INC	7505 GLENVIEW DR STE 150	RICHLAND HILLS, TX	76180	1704 TENNISON PKWY
STEVENS, MICHAEL	6612 MCMAKIN CT	COLLEYVILLE, TX	76034	6612 MCMAKIN CT
COMBINED ENTERPRISES INC	1802 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	6607 COLLEYVILLE BLVD
HUBBARD, VANCE M	1812 INDUSTRIAL BLVD	COLLEYVILLE, TX	76034	6700 KENNEDY DR
FLOWERS, GREGG W	6614 MCMAKIN CT	COLLEYVILLE, TX	76034	6614 MCMAKIN CT
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 COLLISON LTD	6804 COLLYVILLE BLVD	COLLEYVILLE, TX	76034	6804 COLLEYVILLE BLVD
WILSON, KATHY	211 MEADOWLARK LN	DUNCANVILLE, TX	75137	6609 COLLEYVILLE BLVD
GRAHAM, JAS W	6616 MCMAKIN CT	COLLEYVILLE, TX	76034	6616 MCMAKIN CT
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
COTTEN, JANICE R S	6703 KENNEDY DR	COLLEYVILLE, TX	76034	6703 KENNEDY DR
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
GILLESPIE, RAMZI	3317 STONECREST DR	GRAPEVINE, TX	76051	APPLICANT

Public hearing notices were mailed on December 28, 2018



NOTICE OF PUBLIC HEARING

Zoning Case Number: ZC18-037
Applicant: Ramzi Gillespie
Owner: Ramzi Gillespie
Location: 6705 Colleyville Boulevard
Property Description: Lot 1R1A, Block 1, of the West Industrial Addition
Present Zoning: ML Light Manufacturing
Request: Consideration of a Special Use Permit for Warehouse and Distribution Facilities. The purpose is to allow for auto parts storage and mail order distribution under the name of Ramzi Gillespie, dba Auto Ricambi – All Pro Glass & Mirror.

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, January 14, 2019 at 7:00 p.m.
City Council Meetings: Tuesday, February 5, 2019 & Tuesday, February 19, 2019 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/government/departments-a-l/community-development/active-development-cases>. For additional information, please contact the Community Development Department at 817.503.1056. Please reference the zoning case number when requesting information.

Jacquelyn Reyff
Principal Planner
jreyff@colleyville.com

ORDINANCE O-19-2077

AMENDING THE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING ON LOT 1R1A, BLOCK 1, OF THE WEST INDUSTRIAL ADDITION, LOCATED AT 6705 COLLEYVILLE BOULEVARD, BY AUTHORIZING A SPECIAL USE PERMIT FOR WAREHOUSE AND DISTRIBUTION FACILITIES; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Colleyville has received an application for a special use permit for an auto repair shop under Case No. ZC18-037; 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 1R1A, Block 1, of the West Industrial addition, located at 6705 Colleyville Boulevard, by authorizing a Special Use Permit for Warehouse and Distribution Facilities, 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 "Exhibit "B" as shown on the Zoning Exhibit and "Exhibit C" as shown on the Elevations Exhibit as attached.
- b. No storage of parts or containers shall be allowed outside the building.
- c. Façade improvements shall be made prior to a Certificate of Occupancy for the proposed use being issued. The façade improvements shall be reviewed and approved by the City Manager's Office and the City Council.

- d. 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.
- e. All requirements of the Land Development Code shall be met, except where amended herein.
- f. Approval of this ordinance is contingent upon or come closer to the standards of the Land Development Code through façade material enhancements, landscaping, or a combination of both as referenced in Exhibits “B” and “C”.

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 5th day of February 2019.

The second reading and public hearing being conducted on the 19th day of February 2019.

PASSED AND APPROVED BY A VOTE OF ___ AYES, ___ NAYS, AND ___ ABSTENTIONS ON THIS THE 19TH DAY OF FEBRUARY 2019.

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	_____	

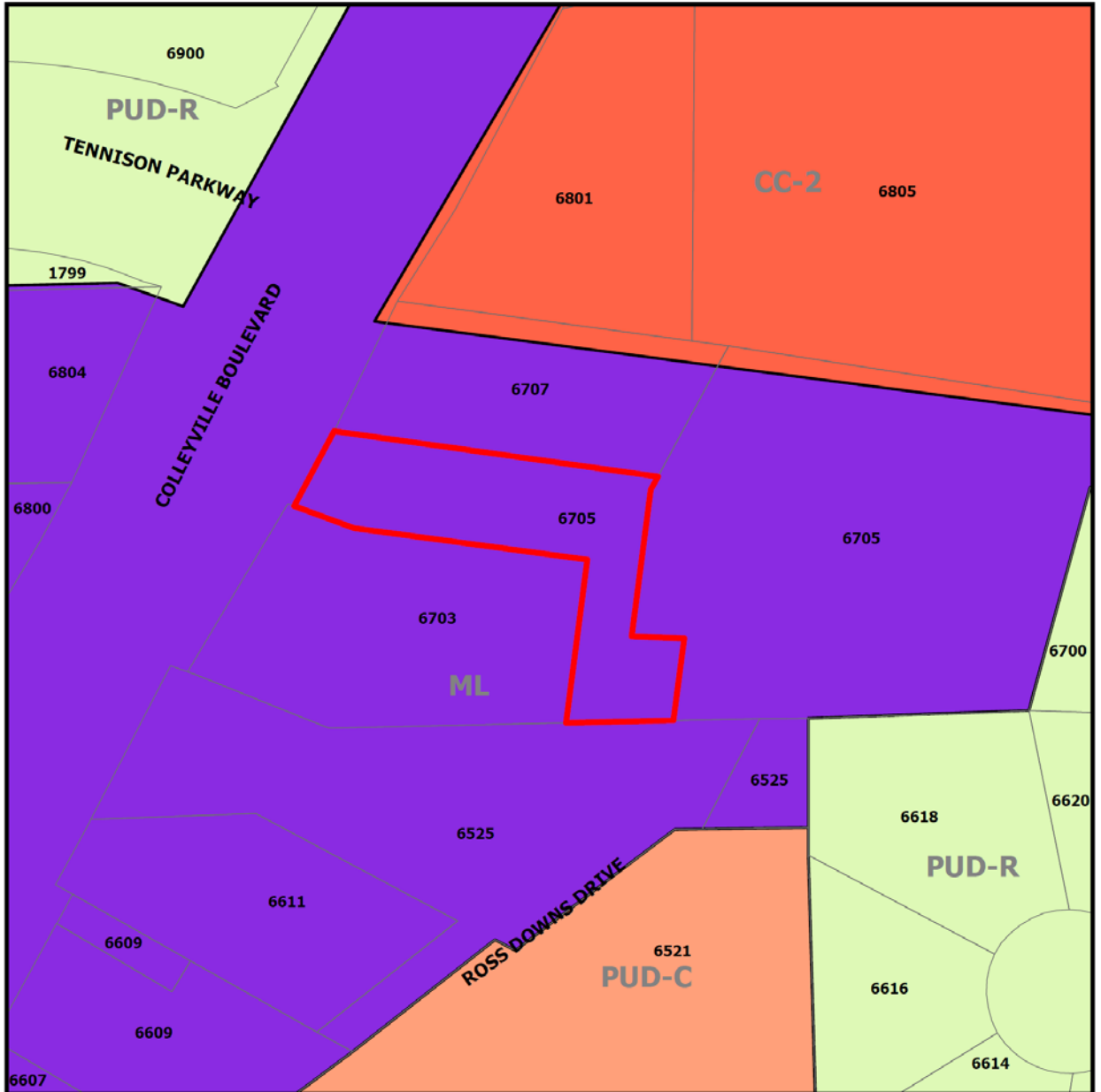
ATTEST: **CITY OF COLLEYVILLE**

Christine Loven, TRMC	Richard Newton
City Secretary	Mayor

APPROVED AS TO FORM:

Whitt L. Wyatt
City Attorney

Exhibit “A” – Zoning Map



ZC18-037
6705 Colleyville Blvd

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 Subject Property



Exhibit “B” – Statement of Planning Objectives and Zoning Exhibit



November 27, 2018

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

**Re: Specific Use Permit Request – Auto Ricambi
6705 Colleyville Blvd.**

Statement of Planning Objectives

Our planning objectives associated with the property at 6705 Colleyville Blvd. are to achieve permission via a Specific Use Permit to operate an Auto Parts and Accessory Store / on-line sales Warehouse and Distribution Facility and a glass and mirror sales facility (Building Materials Sales). Our goal is to improve the appearance of this property located along Colleyville Blvd. by completing improvements to the façade of the existing building and introducing landscaping along the front of the structure. By virtue of the existing building already penetrating the front yard setback, we would like to obtain permission to install a new canopy with a new exterior wing wall thus improving the aesthetics of the one-story, concrete structure.

ARCHITECTS
CATTALAN + FREEMAN

P.O. BOX 14057
FORT WORTH, TX 76115
817.451.1100
cattalan@cfarch.com
1800.424.4242/FREEMAN
1800.424.4242

ZONING EXHIBIT FOR:
AUTO RICA MBI BUILDING #2
6706 COLLEEVILLE BLVD.
COLLEEVILLE, TEXAS 76034

PRELIMINARY
NOT FOR REGULATION OR APPROVAL
PERMITTING OR CONSTRUCTION
ARCHITECT - CONSULTING ENGINEER

DATE: 11/02/2018
REVISION: A 12/14/18
DRAWN BY: SB
JOB NO.: 80068

1 OF 3 SHEETS

1

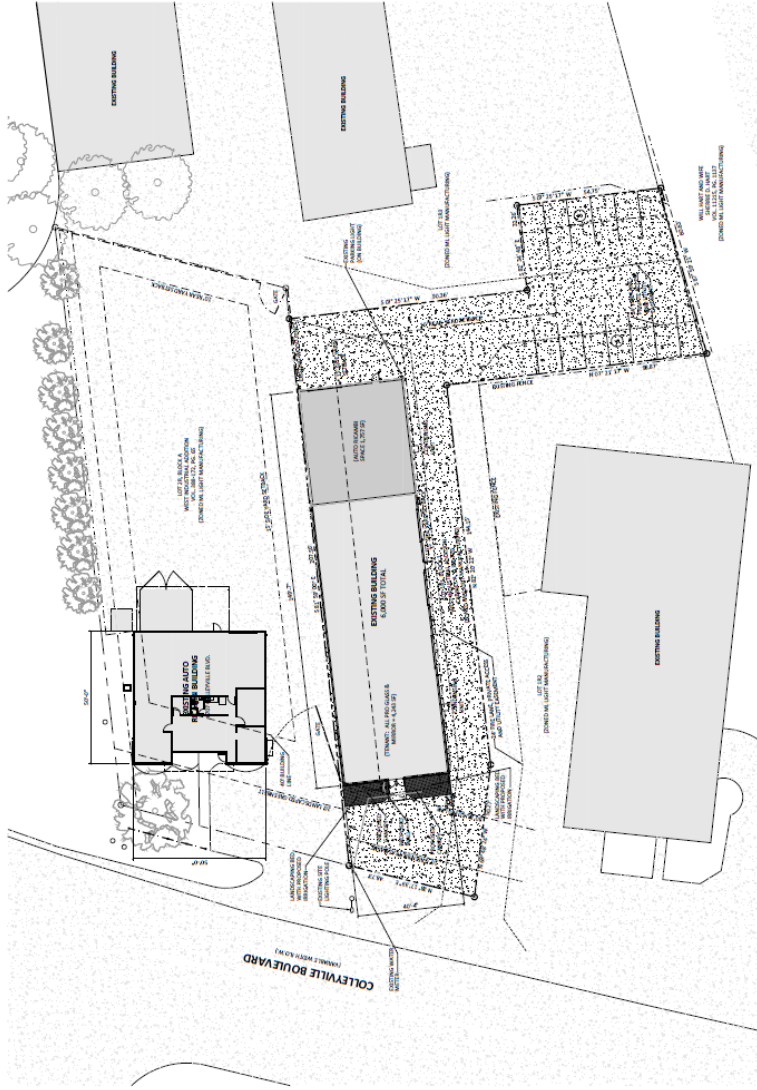
SHEET NO.

LAND PLANNER
CALLAHAN & FREEMAN ARCHITECTS
FRANK CALLAHAN
PO BOX 172777
FORT WORTH, TEXAS 76119
817.478.1795

OWNER
AUTO RENTALS
BANDS GILLESPIE
6307 COLLEYPVILLE BLVD.
COLLEYPVILLE, TEXAS 76034
682.233.3428

APPLICANT
AUTO REPAIR
RAMO GILBERT
6707 COLLETSVILLE BLVD.
COLLETSVILLE, TENNESSEE 38004
601.233.3628

The map shows a network of roads and a river. A main road runs diagonally from the top left to the bottom right. A smaller road branches off to the left, and another branches off to the right. A river, labeled 'TANIGUCHI RIVER', flows from the top right towards the bottom right. A box labeled 'SITE' is located on the main road, near the intersection with the road branching to the right. Other labels include 'TANIGUCHI RIVER' (twice), 'TANIGUCHI RIVER' (once), and 'TANIGUCHI RIVER' (once).



SITE PLAN
SCALE: 1/16" = 1'-0"

PARKING CALCULATIONS

1,207 S.F. OF STORAGE WAREHOUSE
4,240 S.F. OF GLASS AND MIRROR SHOWROOM AND OFFICES
TOTAL EMPLOYEES: AUTO REPAIR STORAGE WAREHOUSE = 4
GLASS AND MIRROR = 3
TOTAL = 4 EMPLOYEES

PARKING PROVIDED = 11 SPACES

- GROSS AREA: 0.38 ACRES (17,203 S.F.)
- BUILDING AREA: 6,033 S.F., WHICH IS 35% OF TOTAL PROPERTY AREA
- PAVED SURFACES: 10,806 S.F., WHICH IS 63.4% OF TOTAL PROPERTY AREA
- OPEN SPACE: 245 S.F., WHICH IS 1.4% OF TOTAL PROPERTY AREA

BEING LOT 181, BLOCK 1, WEST INDUSTRIAL ADDITION, AN ADDITION TO THE CITY OF COLLEVILLE, THARRANT COUNTY, TEXAS, ACCORDING TO THE MAP OF PLAT RECORDED IN GARRETT A, SLIDE 770, PLAT RECORDS OF THARRANT COUNTY, TEXAS.

SAVE AND EXCEPT THAT PORTION OF SAID LOT CONVERTED TO THE STATE OF TEXAS BY DEED FILED NOVEMBER 30, 2002, RECORDED IN C.C. REEL NO. 0024722542, REAL PROPERTY RECORDS, THARRANT COUNTY, TEXAS.

Attachment “C” –Elevations

J. F. ARCHITECTS
 1000 N. COLLEAVILLE BLVD
 COLLEAVILLE, TEXAS 78034
 PHONE: 817.234.1234
 FAX: 817.234.1235
 EMAIL: JF@JFARCHITECTS.COM
 WWW.JFARCHITECTS.COM

AUTO RICA MBI BUILDING #2

ZONING EXHIBIT FOR:

PRELIMINARY

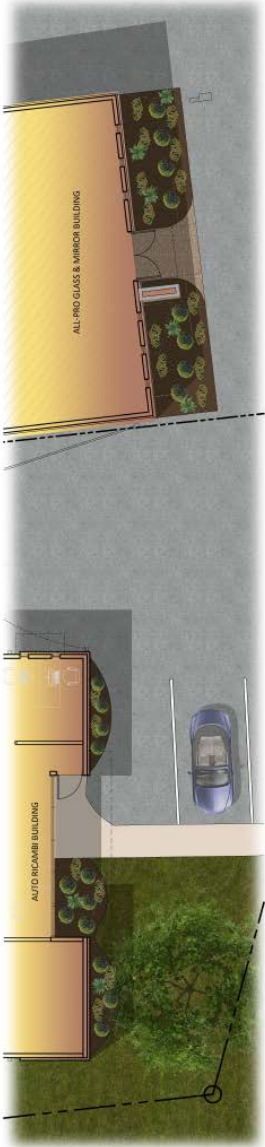
NOT FOR CONSTRUCTION
 NOT FOR PERMITTING
 NOT FOR RECORDING
 NOT FOR ARCHITECTURAL
 NOT FOR ENGINEERING
 NOT FOR LANDSCAPE ARCHITECTURE
 NOT FOR INTERIOR DESIGN
 NOT FOR FURNITURE
 NOT FOR LIGHTING
 NOT FOR AUDIO VISUAL
 NOT FOR SPECIALTIES

NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE.
 4. ALL DIMENSIONS ARE TO OUTLINE UNLESS NOTED OTHERWISE.
 5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE.
 6. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 7. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE.
 8. ALL DIMENSIONS ARE TO OUTLINE UNLESS NOTED OTHERWISE.
 9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE.
 10. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

2

2 OF 3 SHEETS



PARTIAL SITE PLAN
 SCALE: 3/16" = 1'-0"



EXISTING FRONT ELEVATION
 SCALE: 3/16" = 1'-0"



PROPOSED FRONT ELEVATION
 SCALE: 3/16" = 1'-0"

RESOLUTION R-19-4354

**A RESOLUTION APPROVING CITY COUNCIL ACTION
UNDER BUSINESS AT THE REGULAR CITY COUNCIL MEETING OF
FEBRUARY 5, 2019**

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 ON THIS THE 5TH DAY OF
FEBRUARY 2019.

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