



**CITY OF THE COLONY
CITY COUNCIL AGENDA
TUESDAY, MAY 5, 2026
6:30 PM**

TO ALL INTERESTED PERSONS

Notice is hereby given of a **REGULAR SESSION of the CITY COUNCIL** of the City of The Colony, Texas to be held at **6:30 PM** on **TUESDAY, MAY 5, 2026** at **CITY HALL, 6053 MAIN STREET**, at which time the following items will be addressed:

1.0 ROUTINE ANNOUNCEMENTS, RECOGNITIONS and PROCLAMATIONS

- 1.1 Call to Order
- 1.2 Invocation
- 1.3 Pledge of Allegiance to the United States Flag
- 1.4 Salute to the Texas Flag
- 1.5 Proclamation acknowledging May 3-9, 2026 as Municipal Clerks Week. (Mayor)
- 1.6 Proclamation acknowledging May 4-8, 2026 as Economic Development Week. (Mayor)
- 1.7 Proclamation acknowledging May 3-9, 2026 as National Corrections Officer Week. (Mayor)
- 1.8 Proclamation acknowledging the month of May as Mental Health Awareness Month. (Mayor)
- 1.9 Items of Community Interest
- 1.10 Receive presentation from Parks and Recreation regarding upcoming events and activities. (George)

2.0 CITIZEN INPUT

This portion of the meeting is to allow up to five (5) minutes per speaker with a maximum of thirty (30) minutes for items not posted on the current agenda. The council may not discuss these items, but may respond with factual data or policy information, or place the item on a future agenda. Those wishing to speak shall submit a Request Form to the City Secretary.

3.0 WORK SESSION

The Work Session is for the purpose of exchanging information regarding public business or policy. No action is taken on Work Session items. Citizen input will not be heard during this portion of the agenda.

- 3.1 Council to provide direction to staff regarding future agenda items. (Council)

4.0 CONSENT AGENDA

The Consent Agenda contains items which are routine in nature and will be acted upon in one motion. Items may be removed from this agenda for separate discussion by a Council member.

- 4.1 Consider approving City Council Regular Session meeting minutes from April 21, 2026. (Stewart)
- 4.2 Consider approving a resolution authorizing the City Manager to apply for the FY27 Motor Vehicle Crime Prevention Authority Grant through the Texas Department of Motor Vehicles in an amount not to exceed \$550,000.00. (Foxall)

5.0 REGULAR AGENDA ITEMS

- 5.1 CONTINUED: Conduct a public hearing, discuss and consider an ordinance regarding a zoning change from Planned Development 10 (PD-10) to Planned Development 31 (PD-31) to establish the conceptual layout and development standards for a mixed commercial development. The subject site contains approximately 71.72 acres and is located north of the northwest intersection of Plano Parkway and Windhaven Parkway within the Planned Development-10 (PD-10) zoning district. (Williams)

6.0 EXECUTIVE SESSION

- 6.1 Council shall convene into a closed executive session pursuant to Sections 551.072 and 551.087 of the Texas Government Code to deliberate regarding purchase, exchange, lease or value of real property and commercial or financial information the city has received from a business prospect(s), and to deliberate the offer of a financial or other incentive to a business prospect(s).
- 6.2 Council shall convene into a closed executive session pursuant to Section 551.071 of the Texas Government Code to receive legal advice or concerning pending or contemplated litigation or settlement offers - Blue Sky soccer training facilities.

7.0 EXECUTIVE SESSION ACTION

- 7.1 Any action as a result of executive session regarding purchase, exchange, lease or value of real property and commercial or financial information the city has received from a business prospect(s), and the offer of a financial or other incentive to a business prospect(s).
- 7.2 Any action as a result of executive session regarding legal advice or concerning pending or contemplated litigation or settlement offers - Blue Sky soccer training facilities.

EXECUTIVE SESSION NOTICE

Pursuant to the Texas Open Meeting Act, Government Code Chapter 551 one or more of the above items may be considered in executive session closed to the public, including but not limited to consultation with attorney pursuant to Texas Government Code Section 551.071 arising out of the attorney's ethical duty to advise the city concerning legal issues arising from an agenda item. Any decision held on such matter will be taken or conducted in open session following the conclusion of the executive session.

ADJOURNMENT

If you wish to address the City Council in person, you can do so by attending the meeting at City Hall. If you wish to have comments added to the council minutes about issues on the Agenda, you may submit those comments to the City Secretary Office via email or on the city website. Persons with disabilities who plan to attend this meeting who may need auxiliary aids such as interpreters for persons who are deaf or hearing impaired, readers or, large print are requested to contact the City Secretary's Office, at 972-624-3105 at least two (2) working days prior to the

meeting so that appropriate arrangements can be made.

CERTIFICATION

I hereby certify that above notice of meeting was posted outside the front door of City Hall by 5:00 p.m. on the 29th day of April 2026.

Tina Stewart

Tina Stewart, TRMC, CMC, City Secretary



CITY COUNCIL Agenda Item Report

Meeting Date: May 5, 2026

Submitted By: Ana Alvarado

Submitting Department: City Secretary

Item Type: Proclamation

Agenda Section: routine announcements, recognitions and proclamations

Suggested Action:

Proclamation acknowledging May 3-9, 2026 as Municipal Clerks Week. (Mayor)

Background:

Attachments:

[Professional Municipal Clerks Week Proclamation 2026.doc](#)

MAYORAL PROCLAMATION

***WHEREAS,** The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world; and*

***WHEREAS,** The Office of the Professional Municipal Clerk is the oldest among public servants; and*

***WHEREAS,** The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and*

***WHEREAS,** Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and*

***WHEREAS,** The Professional Municipal Clerk serves as the information center on functions of local government and community.*

***WHEREAS,** Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.*

***WHEREAS,** It is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.*

***NOW, THEREFORE, I,** Richard Boyer, Mayor of The City of The Colony, do recognize the week of **May 3 - May 9, 2026, as “Professional Municipal Clerks Week”,** and further extend appreciation to our Professional Municipal Clerk, **Tina Stewart** and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.*

SIGNED AND SEALED this 5th day of May 2026.

Richard Boyer, Mayor
City of The Colony, Texas

CITY COUNCIL Agenda Item Report

Meeting Date: May 5, 2026

Submitted By: Ana Alvarado

Submitting Department: Economic Development

Item Type: Proclamation

Agenda Section: routine announcements, recognitions and proclamations

Suggested Action:

Proclamation acknowledging May 4-8, 2026 as Economic Development Week. (Mayor)

Background:

Attachments:

[Proclamation 2026 Economic Development Week.docx](#)

Proclamation 2026 Economic Development Week

The Colony Economic Development Corporation

WHEREAS, more than 100,000 economic development and related professionals worldwide are committed to creating, retaining, and expanding top-tier opportunities that foster long-term, equitable community growth; and

WHEREAS, for generations, the economic development profession has strengthened economic prosperity, enhanced quality of life, and built robust tax bases; and

WHEREAS, The Colony Economic Development Corporation has been recognized for the 18th consecutive year as a recipient of the “Excellence in Economic Development” designation from the Texas Economic Development Council; and

WHEREAS, economic development professionals operate across diverse environments, including rural, suburban, and urban communities; local, state, provincial, and national governments; public-private partnerships; chambers of commerce; institutions of higher education; and similar organizations and associations; and

WHEREAS, economic development professionals serve as stewards of progress, connecting residents, business leaders, elected officials, industry executives, and educational institutions to advance job creation, community investment, infrastructure improvements, and long-term opportunity; and

WHEREAS, The Colony Economic Development Corporation has contributed to the continued strength and vitality of the City of The Colony within Denton County and of the State of Texas, by building on past achievements while shaping a resilient and prosperous future; and

WHEREAS, since 1926, the International Economic Development Council and its preceding organizations have advanced the profession globally, marking 100 years of leadership dedicated to fostering growth, innovation, inclusion, sustainability, and resilience in communities of all sizes;

***NOW, THEREFORE, BE IT RESOLVED,** that the City of The Colony recognizes the week of May 4 through May 8, 2026, as Economic Development Week, and reminds the City of The Colony the importance of this community celebration, which supports growing the commercial tax base, expanding career opportunities and improving quality of life in our vibrant city.*

SIGNED AND SEALED this 5th day of May 2026.

Richard Boyer, Mayor
City of The Colony, Texas

CITY COUNCIL Agenda Item Report

Meeting Date: May 5, 2026

Submitted By: Ana Alvarado

Submitting Department: Police

Item Type: Proclamation

Agenda Section: routine announcements, recognitions and proclamations

Suggested Action:

Proclamation acknowledging May 3-9, 2026 as National Corrections Officer Week. (Mayor)

Background:

This item is to provide City Council with a proclamation recognizing National Corrections Officer Week. The Mayor will present and read the proclamation honoring Police Detention Officer personnel and their role in serving the community.

Attachments:

[Proclamation 2026 National_Corrections_Officer_Week.docx](#)

MAYORAL PROCLAMATION
National Corrections Officer Week
May 3 – 9, 2026

WHEREAS, detention officers serve a critical role in the criminal justice system, maintaining the safety, security, and orderly operation of detention facilities while ensuring the care, custody, and control of incarcerated individuals; and

WHEREAS, the profession demands a high level of integrity, professionalism, and dedication, often under challenging and potentially dangerous conditions; and

WHEREAS, the work of detention officers is essential to the overall effectiveness of law enforcement and public safety operations, yet often goes unseen and underrecognized by the public; and

WHEREAS, National Corrections Officer Week was established in 1984 by President Ronald Reagan to honor the men and women who work in corrections and to recognize their significant contributions to public safety.

NOW, THEREFORE BE IT RESOLVED that the City Council of The Colony, Texas declares the week of May 3 - 9, 2026 to be National Corrections Officer Week in The Colony and encourages all citizens to recognize and honor their service.

SIGNED AND SEALED this 5th day of May 2026.

Richard Boyer, Mayor
City of The Colony, Texas

CITY COUNCIL Agenda Item Report

Meeting Date: May 5, 2026

Submitted By: Ana Alvarado

Submitting Department: City Secretary

Item Type: Proclamation

Agenda Section: routine announcements, recognitions and proclamations

Suggested Action:

Proclamation acknowledging the month of May as Mental Health Awareness Month. (Mayor)

Background:

Officer Carlos Henderson to accept the proclamation.

Attachments:

[Proclamation - Mental Health Awareness Month 2026.docx](#)

MAYORAL PROCLAMATION

WHEREAS, May is recognized nationally as Mental Health Awareness Month, a time to raise awareness about mental health issues and promote the importance of mental wellness; and

WHEREAS, mental health is essential to everyone's overall health and well-being, affecting how individuals think, feel, act, and relate to others; and

WHEREAS, one in five adults in the United States experiences mental health challenges in any given year, yet stigma and misinformation about mental health conditions still exist in our communities; and;

WHEREAS, the City of The Colony is committed to breaking the stigma surrounding mental health by promoting open conversations, providing resources, and supporting individuals in need of mental health services; and

WHEREAS, local organizations, advocates, and community members are working collectively to ensure that mental health resources are accessible and that everyone understands the importance of seeking help when needed; and

WHEREAS, mental health awareness encompasses understanding mental health conditions, recognizing signs and symptoms, and advocating for effective treatment and support; and

WHEREAS, the City of The Colony encourages all residents to take proactive steps in caring for their mental health, including practicing self-care, fostering supportive relationships, and participating in mental health programs and initiatives;

*NOW, THEREFORE, I Richard Boyer, Mayor of The Colony, Texas, do hereby proclaim the month of May 2026 as "**Mental Health Awareness Month**" in The Colony and urge all citizens to engage in activities that promote mental wellness, educate themselves and others about mental health, and work together to break the stigma.*

SIGNED AND SEALED this 5th day of May 2026.

**Richard Boyer, Mayor
City of The Colony, Texas**

CITY COUNCIL Agenda Item Report

Meeting Date: May 5, 2026

Submitted By: Ana Alvarado

Submitting Department: City Secretary

Item Type: Announcement

Agenda Section: routine announcements, recognitions and proclamations

Suggested Action:

Items of Community Interest

Background:

CITY COUNCIL Agenda Item Report

Meeting Date: May 5, 2026

Submitted By: Ana Alvarado

Submitting Department: Parks & Recreation

Item Type: Announcement

Agenda Section: routine announcements, recognitions and proclamations

Suggested Action:

Receive presentation from Parks and Recreation regarding upcoming events and activities. (George)

Background:

CITY COUNCIL Agenda Item Report

Meeting Date: May 5, 2026

Submitted By: Ana Alvarado

Submitting Department: City Secretary

Item Type: Discussion

Agenda Section: work session

Suggested Action:

Council to provide direction to staff regarding future agenda items. (Council)

Background:

CITY COUNCIL Agenda Item Report

Meeting Date: May 5, 2026

Submitted By: Ana Alvarado

Submitting Department: City Secretary

Item Type: Minutes

Agenda Section: consent agenda

Suggested Action:

Consider approving City Council Regular Session meeting minutes from April 21, 2026. (Stewart)

Background:

Attachments:

[April 21, 2026 Minutes.docx](#)

**MINUTES OF THE CITY COUNCIL REGULAR SESSION
HELD ON
APRIL 21, 2026**

The Regular Session of the City Council of the City of The Colony, Texas, was called to order at 6:32 p.m. on the 21st day of April 2026 at City Hall, 6053 Main Street, The Colony, Texas, with the following roll call:

Richard Boyer, Mayor	Present
Judy Ensweiler, Councilmember	Present
Robyn Holtz, Deputy Mayor Pro Tem	Present
Brian Wade, Councilmember	Present
Perry Schrag, Councilmember	Present
Joel Marks, Mayor Pro Tem	Present
Dan Rainey, Councilmember	Absent (Personal)

And with 6 council members present a quorum was established and the following items were addressed:

1.0 ROUTINE ANNOUNCEMENTS, RECOGNITIONS and PROCLAMATIONS

- 1.1 Call to Order
Mayor Richard Boyer called the meeting to order at 6:32 p.m.
- 1.2 Invocation
Pastor Mike Bishop with Lakeway Baptist Church delivered the invocation.
- 1.3 Pledge of Allegiance to the United States Flag
The Pledge of Allegiance to the United States Flag was recited.
- 1.4 Salute to the Texas Flag
The Salute to the Texas Flag was recited.
- 1.5 CASA of Denton County to receive Child Abuse Awareness Month Proclamation.
Mayor Richard Boyer proclaimed the month of April 2026 as "Child Abuse Prevention Month." On behalf of CASA of Denton County Bethany Hartung and Pattie Huestis accepted the proclamation.
- 1.6 Items of Community Interest
Mayor Richard Boyer announced the passing of former councilmember Mr. David Terre.
- 1.7 Receive presentation from the Library regarding upcoming events and activities.
Library Director Megan Charters provided upcoming events and activities to the council.
- 2.0 **CITIZEN INPUT**
None

¹ These items are strictly public service announcements. Expressions of thanks, congratulations or condolences; information regarding holiday schedules; honorary recognition of city officials, employees or other citizens; reminders about upcoming events sponsored by the City or other entity that are scheduled to be attended by a city official or city employee. No action will be taken and no direction will be given regarding these items.

3.0 WORK SESSION

- 3.1 Council to discuss setting date and location for 2026 City Council Retreat.
Assistant City Manager Tim Miller presented the item to council.

Council to email Mr. Miller their date preference.

- 3.2 Council to provide direction to staff regarding future agenda items.
None

4.0 CONSENT AGENDA

Motion to approve all items on the Consent Agenda- Judy Ensweiler, Councilmember; second by Brian Wade, Councilmember, motion carried with all ayes.

- 4.1 Consider approving City Council Regular Session meeting minutes from April 7, 2026.
- 4.2 Consider approving Council expenditures for January and February 2026.
- 4.3 Consider approving a resolution authorizing the City Manager to execute a two-year contract for Automatic License Plate Readers with Flock Group Inc. in the amount of \$126,000.00.

RESOLUTION NO. 2026-027

- 4.4 Consider approving a resolution authorizing the City Manager to award a Construction Services Contract in the amount of \$310,000.00 to Stoic Civil Construction Inc. for the Turner Street Stream Bank Stabilization Project.

RESOLUTION NO. 2026-028

- 4.5 Consider approving a resolution authorizing the City Manager to execute a contract with CI Pavement utilizing TIPS-USA Contract #230602-01 for the construction of a parking lot at the New Rec Center at 4431 Augusta Street in an amount not to exceed \$432,764.57.

RESOLUTION NO. 2026-029

- 4.6 Consider approving a resolution authorizing the City Manager to award a purchase to Musco Sports Lighting utilizing Buyboard Contract # 760-25 in the amount of \$103,073.50 for a 16:9 LED Screen to be funded by the Economic Development Corporation Fund.

RESOLUTION NO. 2026-030

- 4.7 Consider approving an ordinance amending the Code of Ordinances Chapter 6, Article I, Section 6-6(B) entitled "International Energy Conservation Code" by amending the local amendments by repealing Section C405.15, C405.15.1, C405.15.2, C405.15.3 and C405.15.4 concerning renewable energy systems.

ORDINANCE NO. 2026-2645

5.0 REGULAR AGENDA ITEMS

- 5.1 Conduct a public hearing, discuss and consider an ordinance regarding a zoning change from Planned Development 10 (PD-10) to Planned Development 31 (PD-31) to establish the conceptual layout and development standards for a mixed commercial development. The subject site contains approximately 71.72 acres and is located north of the northwest intersection of Plano Parkway and Windhaven Parkway within the Planned Development-10 (PD-10) zoning district.

Mayor Richard Boyer opened the public hearing at 6:47 p.m. and remains open until the item is considered at the next city council meeting.

Motion to table - Brian Wade, Councilmember; second by Judy Ensweiler, Councilmember, motion carried with all ayes.

- 5.2 Discuss and consider all matters incident and related to the issuance and sale of "City of The Colony, Texas, Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2026" Bonds; including the adoption of an ordinance authorizing the issuance of such certificates of obligation and resolving other matters incident and related thereto.

Assistant City Manager Tim Miller presented the proposed ordinance to council.

Jason Hughes with Hilltop Securities provided an overview.

Motion to approve - Brian Wade, Councilmember; second by Judy Ensweiler, Councilmember, motion carried with all ayes with the exception of Robyn Holtz, Deputy Mayor Pro Tem abstaining on the vote.

ORDINANCE NO. 2026-2646

Executive Session was convened at 7:01p.m.

6.0 EXECUTIVE SESSION

- 6.1 A. Council shall convene into a closed executive session pursuant to Sections 551.072 and 551.087 of the Texas Government Code to deliberate regarding purchase, exchange, lease or value of real property and commercial or financial information the city has received from a business prospect(s), and to deliberate the offer of a financial or other incentive to a business prospect(s).

Regular Session was reconvened at 7:32 p.m.

7.0 EXECUTIVE SESSION ACTION

- 7.1 A. Any action as a result of executive session regarding purchase, exchange, lease or value of real property and commercial or financial information the city has received from a business prospect(s), and the offer of a financial or other incentive to a business prospect(s).

No Action

ADJOURNMENT

With there being no further business to discuss, the meeting adjourned at 7:32 p.m.

APPROVED:

Richard Boyer, Mayor
City of The Colony, Texas

ATTEST:

Tina Stewart, TRMC, CMC, City Secretary

CITY COUNCIL Agenda Item Report

Meeting Date: May 5, 2026

Submitted By: Ana Alvarado

Submitting Department: Police

Item Type: Resolution

Agenda Section: consent agenda

Suggested Action:

Consider approving a resolution authorizing the City Manager to apply for the FY27 Motor Vehicle Crime Prevention Authority Grant through the Texas Department of Motor Vehicles in an amount not to exceed \$550,000.00. (Foxall)

Background:

In FY 2025-2026, the department was awarded funding through the Motor Vehicle Crime Prevention Authority (MVCPA) Grant to implement a Flock Drone as a First Responder (DFR) program. Although still in the early stages of deployment, the program has already proven to be a valuable tool in enhancing response capabilities, improving situational awareness, and supporting efforts to locate stolen vehicles and suspects. For the FY 2026-2027 grant cycle, the department is seeking authorization to apply for continued MVCPA funding to sustain and expand these efforts. The proposed application includes continued funding for the DFR program in the amount of \$300,000. Additionally, the department has successfully implemented catalytic converter etching initiatives using previously awarded grant funds, resulting in several well-attended and effective community events. Building on this success, the department will partner with the Northern Collin/Denton County Auto Theft Task Force to support mobile etching operations throughout the region. To facilitate this effort, the department is requesting funding for a mobile etching command trailer in the amount of \$226,702. Additional requested items include two catalytic converter etching laser systems totaling \$8,000, as well as \$3,700 for training and travel directly related to MVCPA program requirements. The total proposed program cost is \$538,402. Of that amount, MVCPA is expected to reimburse \$448,668, resulting in a net cost to the City of \$89,734. Staff recommends approval of the resolution authorizing the City Manager to apply for the FY 2026-2027 MVCPA Grant.

Attachments:

[FY2027 RFA Catalytic Converter Theft Prevention Grant
Res. 2026-xxx Motor Vehicle Crime Prevention Grant.docx](#)



Motor Vehicle Crime Prevention Authority

Fiscal Year 2027 Request for Applications – Catalytic Converter Theft Prevention Grant March 16, 2026

Notice of Request for Applications

The Motor Vehicle Crime Prevention Authority (MVCPA) has authorized the issuance of the Fiscal Year 2027 (FY 2027) Request for Applications (RFA). Senate Bill 224 provides that, “The money deposited to the credit of the general revenue fund for coordinated regulatory and law enforcement activities intended to detect and prevent catalytic converter theft in this state... may be appropriated to the Authority for the activities required by this section.” To implement SB 224, the MVCPA is providing Catalytic Converter Theft Prevention Grants to local law enforcement taskforces and agencies to combat Catalytic Converter Theft.

Eligible applicants may request funds for program operation by submission of an application consistent with the information, including the requirements and conditions stated in this RFA. This RFA is posted in the Texas Register for at least thirty (30) days prior to the due date for Applications.

All applications submitted will be for FY 2027. If **previously** awarded an FY 2026 Catalytic Converter Theft Prevention Grant, the MVCPA may provide a FY 2027 grant subject to availability of funding and grantee’s positive program performance.

Due Date

Grant Applications from eligible applicants must be completely submitted on-line at <https://MVCPA.tamu.edu> on or before **5:00 PM, May 8, 2026**. **First time applicants must establish an account and perform account setup steps prior to an application being able to be submitted.**

The required Resolution and any optional supporting documents must be scanned and submitted as attachments to the application at <https://MVCPA.tamu.edu> on or before **5:00 PM, May 8, 2026**.

Applicable Authority and Rules

Motor Vehicle Crime Prevention Authority grant programs are governed by the following statutes, rules, standards and guidelines:

- Texas Transportation Code Chapter 1006 (<https://statutes.capitol.texas.gov/Docs/TN/htm/TN.1006.htm>)
- Texas Administrative Code (TAC): Title 43; Part 3; Chapter 57 (https://texas-sos.appianportalsgov.com/rules-and-meetings?interface=SEARCH_TAC)
- Texas Grant Management Standards (TxGMS) as promulgated by the Texas Comptroller of Public Accounts (<https://comptroller.texas.gov/purchasing/grant-management/>)
- The current Motor Vehicle Crime Prevention Authority Grant Administrative Manual and any subsequent adopted grantee instruction manuals (https://www.txdmv.gov/sites/default/files/body-files/MVCPA_2025_Grant_Administrative_Manual.pdf)

This Request for Applications issued on March 16, 2026.

Eligible Applicants

Only Texas law enforcement agencies through their city or county are eligible to apply for the FY 2027 Catalytic Converter Theft Prevention Grant funding.

Application Category

New Grant – These are potentially annual grants subject to available legislative funding. A 20 % Cash Match is required for this application. Applicants meeting eligibility requirements may submit a new grant application to the priority established by the MVCPA in the FY 2027 RFA. New applicants shall email MVCPA at GrantsMVCPA@txdmv.gov from an official governmental agency email account to request an account and that access be established.

Grant Type

Reimbursement – This is a total program budget reimbursement grant. Applicants that are awarded grants will expend local (agency) funds and then will be reimbursed quarterly, subject to compliance with standard and special conditions as contained in the Statement of Grant Award (SGA), at the agreed rate for all allowable, reasonable, and necessary program costs incurred.

Grant Term

The FY 2027 grant cycle is a one (1) year funding cycle to begin on September 1, 2026, and end August 31, 2027. Subject to availability of funding and grantee's positive program performance, the MVCPA may provide a FY 2028 grant using the same on-line application systems and prorated budget values as originally submitted. No obligations or expenses may be incurred or made outside of the grant period(s).

Method of Application

Grant Applications from eligible applicants shall be completely submitted on-line at <https://MVCPA.tamu.edu> on or before 5:00 PM, May 8, 2026. All forms will be completed on-line. The Resolution and all supporting documents must be submitted as attachments.

Resolution Required

A Resolution (Order or Ordinance) by the applicant governing body is required to make application for these funds. The resolution shall provide that the governing body applies for the funds for the purpose provided in statute (SB 224 and this RFA) and agrees to return the grant funds in the event of loss or misuse and designate the officials that the governing body chooses as its agents to make uniform assurances and administer the grant if awarded.

Only the governing body that submits an application needs to adopt and submit a Resolution. Participating jurisdictions in multi-agency taskforces shall agree and commit to the grant through Interlocal Cooperation Contract or agreements as provided under Texas Local Government Code Chapter 362, Texas Government Code Chapter 791, and TxGMS.

In the event a governing body has delegated the application authority to a city manager, chief of police, sheriff or other official, then applicants must submit on-line a copy of the delegation order (documentation) along with the Resolution signed by the official. A sample Resolution is attached as Appendix A.

Program Category

To be eligible for consideration for funding, a law enforcement taskforce grant application must be designed to support one or more of the following MVCPA program categories (43 TAC §57.14):

Law Enforcement, Detection, and Apprehension - provide financial assistance to support law enforcement agencies for economic motor vehicle theft, including, but not limited to, theft of a catalytic converter attached to a motor vehicle, and fraud-related motor vehicle crime enforcement teams (referred to as taskforces). Taskforces will develop organized methods to combat economic motor vehicle theft, including, but not limited to, theft of a catalytic converter attached to a motor vehicle, burglary of a motor vehicle and fraud-related motor vehicle crime through the enforcement of law. This may include recovery of vehicles, clearance of cases, arrest of law violators, and disruption of organized motor vehicle crime. This category includes the development of uniform programs to prevent stolen motor vehicles and stolen catalytic converters from entering Mexico or being removed from Texas through outbound seaports.

Prosecution/Adjudication/Conviction - provide financial support for taskforces to work with prosecutors and the judiciary to implement programs designed to reduce the incidence of catalytic converter theft.

Prevention, Anti-Theft Devices and Automobile Registration - provide financial support for taskforces to work with organizations and communities to reduce the incidence of catalytic converter theft. The application shall demonstrate how financial support will assist motor vehicle owners to reduce catalytic converter theft.

Reduction of the Sale of Stolen Vehicles or Parts - provide financial support for taskforces to work with businesses, organizations, and communities to reduce the sale of catalytic converters. Applicants will develop organized methods to combat the sale of stolen catalytic converters using any of the following: vehicle identification number (VIN) inspections; inspections of motor vehicle part and component distribution enterprises; parts labeling and etching methods; and means to detect the fraudulent sale of stolen catalytic converters.

Educational Programs and Marketing - provide financial support for taskforces to work with individuals, businesses, organizations, and communities to assist motor vehicle owners in detecting and preventing catalytic converter theft. Develop and provide specialized training or education program(s) to the public on detecting and preventing catalytic converter theft, law enforcement on interdiction and prosecution, and government officials on detecting and preventing catalytic converter theft in this state.

Priority Funding

The MVCPA enabling statute provides that “The authority shall allocate grant funds primarily based on the number of motor vehicles stolen in, or the motor vehicle burglary or theft rate across, and the number of fraud-related motor vehicle crimes committed in the state rather than based on geographic distribution.” (Tex. Transp. Code §1006.151(c); SB 224). In addition, the following grant features will be given priority consideration in evaluating new grant applications:

Continuing Funded Programs in Compliance with MVCPA Grant Conditions - Applications that provide for the continuation of existing programs that currently meet the program and fiscal reporting conditions of the MVCPA grant program. Applicants must provide the ongoing need and their progress and impactful performance toward detecting and preventing catalytic converter theft. The applicant must describe the experience and qualifications of investigators used in the program and how utilization of grant inventory and resources for continued operation of these specialized investigative grant programs are useful for state and local governments.

Programs to Combat Organized Catalytic Converter Crime - Applications for detecting and preventing catalytic converter theft enforcement teams that introduce, increase, or expand efforts to detect and prevent theft of catalytic converters by organized crime.

Border and Port Security - Applications that provide specific initiatives to identify and prevent stolen catalytic converters from crossing the border with Mexico using automatic license plate readers, training of local state and federal personnel in the identification of stolen vehicles, and bridge and port inspections.

Use of Technology - Applications that incorporate automatic license plate reader programs, surveillance equipment, and other uses of technology to increase the number of stolen catalytic converters recovered and the number of persons arrested for catalytic converter crimes.

Theft of Parts from a Motor Vehicle - Applications that incorporate a reasonable, objective plan to combat and prevent the theft of catalytic converters.

Dedicated Prosecutors - Applications that incorporate a dedicated prosecutor to increase the priority of catalytic converter theft prosecutions and decrease the number of repeat offenders through successful and timely prosecution efforts.

Supporting Documents

Documents that provide evidence of local support or commitment from other officials or agencies for the application may be submitted following the same instructions as the Resolution. Interagency agreements shall be submitted prior to payments being authorized if an award is made. MVCPA recommends that interagency agreements be completed after award determinations are made to ensure correct amounts are reflected in those agreements. All interagency agreements must meet the conditions and elements required in the TxGMS.

Supplanting Prohibited

Grant funds provided by the Authority under this RFA shall not be used to supplant federal, state or local funds that otherwise would be available for the same purposes (43 Texas Administrative Code §57.9). Supplanting means the replacement of other funds with MVCPA grant funds. This shall include using existing resources already available to a program activity as cash match.

Cash Match Requirement

All applications for programs must provide at least a twenty (20%) percent cash match (Texas Administrative Code Title 43 §57.36). Multijurisdictional agencies must provide details for the method of cash match in intergovernmental agreements (Texas Government Code, Chapter 791). Cash match must meet the requirements provided in TxGMS.

Formulas to calculate cash match:

1. Total MVCPA grant funds requested multiplied by percentage of match required = Total Amount of Cash Match Required
2. Total Program Cost minus Total Cash Match Required = Total Authority Grant Request

NICB in Lieu of Cash - Applicants may enter into formal agreements with the National Insurance Crime Bureau (NICB) to work on grant funded activities. The amount of salary and other direct costs related to the work on grant activity provided by the NICB may be counted and reported as in lieu of cash match. Time certifications are required to be made by the employee for these positions as required by TXGMS. Applicants must meet the obligation expressed as cash match in the event NICB cannot meet its obligation.

In-Kind Match

Only include in-kind match if necessary for the local jurisdiction. In-kind match may be used to: 1) reflect the total level of jurisdictions' effort/costs to combat catalytic converter theft; 2) reflect how the grant program fits into jurisdictions'

operation; 3) effectively operate a single program with multiple funding streams; and/or 4) contributions from the applicant or third parties that are for grant funded activity. Costs in detail line items shall not be split between in-kind match and grant funding. For example, the entire salary of an officer shall be placed in one expense type rather than split between grant and in-kind.

Reporting and Webinar Attendance Requirements

Applicants that are awarded grants will be required to provide:

- **Quarterly Progress Reports** - The MVCPA requires the submission of quarterly progress reports to demonstrate progress toward meeting goals and activities provided in the grant application. These include: 1) Monthly progress toward meeting statutorily required performance measures; 2) Monthly progress recorded on the Goals, Strategies and Activities report; and 3) Quarterly Summary and Success section. Grantees designated as Border/Port Security grants are required to complete additional sections required by the Texas Legislature.
- **Quarterly Financial Reports** - Reports of actual expenses incurred are required to request funds. All expenditures must be in accordance with local policies and procedures and grant requirements. Grantees shall review all expenditures, ensure all applicable regulations are followed, and maintain documentation that is accurate and complete. All expenses must be supported by appropriate documentation.
- **Microsoft Teams Attendance: One grant representative** from the applicant agency is required to attend a monthly session via **Teams** that includes information on MVCPA grant administration. **One law enforcement officer** is also required to attend the monthly information sharing and networking sessions on law enforcement issues and other MVCPA issues critical to the successful operation of MVCPA taskforces.

Funding Requirements and Conditions

- a. State Funds Availability - All awards by the MVCPA are subject to availability of state funds.
- b. Right of Refusal - The Authority reserves the right to reject any or all of the applications submitted.
- c. Awards - Publishing the RFA does not legally obligate the Authority to fund any programs.
- d. Partial Funding - The Authority may choose to offer funds for all, or any portion of a program submitted in an application.
- e. Substitution - The Authority may offer alternative funding sources, special conditions, or alternative program elements in response to submitted Applications.
- f. Application Required - Registration for on-line access is required. The MVCPA is not responsible for applicants that cannot complete the registration and application process on time.
- g. No Alternative Application Submission - Paper applications and requests for funding are not accepted in lieu of the on-line grant application process.
- h. Review Criteria - Authority staff and any designated MVCPA Board member(s) will review each grant using subjective and objective tools and comparative analysis. The weight given to each section or combination of sections is at the sole discretion of the Authority.
- i. Questions and Clarification - During the review period, the applicant may be contacted by Authority staff to ask questions or to seek clarification regarding information provided in the application. Failure to promptly respond will not disqualify an applicant, but information that is submitted after the review period may not be considered.
- j. Final Selection - The Authority may select and award programs that best meet the statutory and legislative purposes of SB 224 and that reflect its current priorities. No appeal may be made regarding the Authority's decisions.
- k. Changes in Application - If an applicant proposes changes to be made in the program type or participation of jurisdictions after an award is determined, then the Authority will review the changes and may make modifications (including the amount) or cancel the award as deemed appropriate by the Authority.
- l. Delayed Start - An applicant that is awarded a grant and does not begin operations within 30 days of the

issuance of the Statement of Grant Award is considered terminated.

- m. Application instructions - the MVCPA will provide additional details and instructions in the on-line application system that are incorporated by reference as part of this RFA and which must be followed during the application and award process.
- n. Program Income - is defined in the TxGMS. Current grantees carrying forward program income to future years will follow the new rules established by the Texas Comptroller and MVCPA Grant Administrative Manual.
- o. TCOLE Certification Required - The Primary Law Enforcement Grantee must attest compliance with TCOLE licensing requirements for peace officers.

Selection Process:

Eligible applications will be reviewed. Grant award decisions by MVCPA are final and not subject to judicial review. Applications that do not meet the stated requirements of this RFA and that are not eligible for review will be notified within ten (10) working days after the due date.

Application Workshop

Potential applicants are **required** to attend the in person “Motor Vehicle Crime Prevention Authority Grant Application Workshop” which has been scheduled for: **April 8, 2026 from 8:00 AM - 5:00 PM** at:

Eilan Hotel & Spa
18603 La Cantera Terrace
San Antonio, Texas 78256
Phone #: 210-598-2900
Website: www.eilanhotel.com

The informational session will provide details on the grant Application process including grant eligibility requirements, completing the various Application sections, and the grant cycle timeline. At least one representative of the potential grant applicant should be present at this workshop.

Contact Person

William Diggs, MVCPA Director,
Texas Motor Vehicle Crime Prevention Authority 4000 Jackson Avenue
Austin, Texas 78731
(512) 465-1485
GrantsMVCPA@txdmv.gov

Issued in Austin, Texas on March 15, 2026, William Diggs, MVCPA Director

MVCPA Application Checklist

Each Applicant must:

- 1) Complete the on-line Application on or before **5:00 PM, May 8, 2026.**
- 2) Complete the Resolution with the city or county and attach with other supporting documents on or before **5:00 PM, May 8, 2026.**

Appendix A

Updated Sample Motor Vehicle Crime Prevention Authority Resolution

Applicants must use the language below to meet the minimum legal elements to execute an agreement with the MVCPA through the grant application process. Cities and counties not wanting to use the sample below must address all the legal elements contained herein.

2027 [Blank] City / County Resolution or Order or Ordinance

Motor Vehicle Crime Prevention Authority

2027 Blank City / County Resolution

Catalytic Converter Theft Prevention Grant Program

WHEREAS, under the provisions of the Texas Transportation Code Chapter 1006 and Texas Administrative Code Title 43; Part 3; Chapter 57, entities are eligible to receive grants from the Motor Vehicle Crime Prevention Authority to provide financial support to law enforcement taskforces and agencies for economic motor vehicle theft, including catalytic converter theft; and

WHEREAS, this grant program will assist this jurisdiction to combat catalytic converter theft; and

WHEREAS, [GOVERNMENTAL ENTITY] has agreed that in the event of loss or misuse of the grant funds, [GOVERNMENTAL ENTITY] agrees and assures that the grant funds will be returned in full to the Motor Vehicle Crime Prevention Authority.

NOW THEREFORE, BE IT RESOLVED and ordered that [TITLE], is designated as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Motor Vehicle Crime Prevention Authority Grant Program and all other necessary documents to accept said grant; and

BE IT FURTHER RESOLVED that [TITLE] is designated as the Program Director and [TITLE] is designated as the Financial Officer for this grant.

Adopted this _____ day of _____, 2026.

NAME:

TITLE: County Judge / Mayor / City Manager

CITY OF THE COLONY, TEXAS

RESOLUTION NO. 2026 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, AUTHORIZING THE CITY MANAGER TO APPLY FOR THE SB224 CATALYTIC CONVERTER GRANT THROUGH THE MOTOR VEHICLE CRIME PREVENTION AUTHORITY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, under the provisions of the Texas Transportation Code Chapter 1006 and Texas Administrative Code Title 43; Part 3; Chapter 57, entities are eligible to receive grants from the Motor Vehicle Crime Prevention Authority to provide financial support to law enforcement agencies for economic automobile theft enforcement teams and to combat motor vehicle burglary in the jurisdiction; and

WHEREAS, this grant program will assist this jurisdiction to combat catalytic converter theft; and

WHEREAS, The City of The Colony has agreed that in the event of loss or misuse of the grant funds, The City of The Colony agrees and assures that the grant funds will be returned in full to the Motor Vehicle Crime Prevention Authority.

NOW THEREFORE, BE IT RESOLVED and ordered that Phillip Foxall, Police Chief is designated as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Motor Vehicle Crime Prevention Authority Grant Program and all other necessary documents to accept said grant; and

BE IT FURTHER RESOLVED that Katlyn Wright is designated as the Program Director and Ryan Bredehoeft, Finance Director, is designated as the Financial Officer for this grant.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS THIS 5th DAY OF MAY 2026.

Richard Boyer, Mayor
City of The Colony, Texas

ATTEST:

Tina Stewart, TRMC, CMC City Secretary

APPROVED AS TO FORM:

Jeffrey L. Moore, City Attorney

CITY COUNCIL Agenda Item Report

Meeting Date: May 5, 2026

Submitted By: Ana Alvarado

Submitting Department: Planning

Item Type: Ordinance

Agenda Section: regular agenda items

Suggested Action:

CONTINUED: Conduct a public hearing, discuss and consider an ordinance regarding a zoning change from Planned Development 10 (PD-10) to Planned Development 31 (PD-31) to establish the conceptual layout and development standards for a mixed commercial development. The subject site contains approximately 71.72 acres and is located north of the northwest intersection of Plano Parkway and Windhaven Parkway within the Planned Development-10 (PD-10) zoning district. (Williams)

Background:

Please see the attached staff report, drawings, maps and illustrations for detailed land use site layout and staff recommendation

Attachments:

[PD26-0001 Colony Commerce Center CC Staff Report \(post to 5-5\).pdf](#)

[3-24-2026 PZ Minutes - DRAFT-final.docx](#)

[PD 10 combined.pdf](#)

[Ord._2026-xxxx_PD26-0001_Colony_Commerce_Center_Ordinance \(2\).docx](#)

[Colony Commerce Exhibit A.pdf](#)

[Project Narrative 2.6.26.docx](#)

CITY COUNCIL REPORT

AGENDA DATE: May 5, 2026 Continued from April 21, 2026

DEPARTMENT: Planning and Development Department

SUBJECT – PD26-0001, Colony Commerce Center Planned Development 31 (PD31)

Conduct a public hearing, discuss and consider an ordinance regarding a zoning change from Planned Development 10 (PD-10) to Planned Development 31 (PD-31) to establish the conceptual layout and development standards for a mixed commercial development. The subject site contains approximately 71.72 acres and is located north of the northwest intersection of Plano Parkway and Windhaven Parkway within the Planned Development-10 (PD-10) zoning district.

APPLICANT/OWNER

Owner:	Lonzar Delaware, Inc	Dallas, TX
Applicant:	Tyler Riek Hinds Industrial	Dallas, TX

EXISTING CONDITION OF PROPERTY

The subject site is currently an approximately 72-acre tract of undeveloped land.

ADJACENT ZONING AND LAND USE

North - Planned Development-22 (PD-22) Mixed Commercial and Warehouse
 South - Planned Development-22 (PD-22) Mixed Commercial and Warehouse
 East- Planned Development-25 Mixed Commercial
 West- City of Lewisville

BACKGROUND

The subject site was previously part of a larger nearly 400-acre area of land situated north of Windhaven Parkway and on either side of Plano Parkway. Originally zoned Agricultural upon annexation into the City, the subject site was rezoned from Agricultural zoning to Planned Development 10 in 1985; the original base zoning district for PD-10 was Business Park (BP) and Multi-Family (MF).

Portions of this acreage were combined with others (PD 10, PD 12, and PD 13) to create the Austin Ranch development (Planned Development-22). PD-10 as currently configured consists of the acreage (approximately 82 acres) not included in land dedicated to creating Austin Ranch.

The 72 acres of the subject site has remained undeveloped and has maintained agricultural characteristics since annexation.

The land use entitlements for Planned Development 10 (specifically the subject site) reflect remnants of previously planned mixed-use development. However, when portions of PD-10 were combined with PD 12 and PD 13, those entitlements no longer had the areal context to support development. An update or re-creation of the development and land use standards would be critical to development of the tract.

PROPOSED REQUEST

The applicants request amends the zoning on approximately 72 acres within the existing Planned Development-10 (PD-10). The request provides a conceptual plan and development standards to address permitted land uses within the development, the configuration of buildings, buffering, parking, landscaping and establish the phasing and timing of infrastructure and utilities. The proposed conceptual development plans reflect the overall development intents prior to the more detailed Site Plan review; Site Plan is required prior to any development commencement in whole or in part.

LAND USE ANALYSIS

The subject site is located in an area of the City that contains the mixed entertainment elements of Grandscape, office commercial and the mixed residential offerings of Austin Ranch. The City's Comprehensive Plan identifies this area as "Regional Mixed-Use Destination" and characterizes it as a place that

"Provides regional employment and shopping centers serving both residents of The Colony and a wider regional audience. They may include a rich mix of business, commercial, office, retail, entertainment, production, storage, hotel/hospitality, and higher-density residential uses.

And also

"These places are expected to contribute significantly to The Colony's tax base, job market, and community quality of life and thereby enhance the City's economic vitality."

The request is more consistent with the existing office warehouse development to the north and northeast, than the entertainment and retail associated with the Grandscape development. However, the proposed development fits within the context of the Comprehensive Plan's characterization of the site.

The applicant has provided a curated list of permitted land uses, and conceptual development standards intended to highlight compatibility with the surrounding area, and the goals and strategies of the future development of the City.

The following reflect the proposed development standards:

SECTION I **GENERAL PROVISIONS**

- 1. For the purpose of this ordinance, Exhibit A, the PD Concept Plan, shall indicate conceptual alignments of thoroughfares and the general, size, locations, and delineations of buildings, landscape and zoning areas within this Planned Development, subject to refinement during Site Plan review.*
- 2. Prior to the issuance of any building permit for the development of any Warehouse on any portion of the Property, a site plan as required by Section 10-664 of the Comprehensive Zoning Ordinance of the City of The Colony, Zoning Ordinance, Chapter 61 shall be*

submitted and approved by the City Council and made an exhibit to and a part of this ordinance and incorporated by reference herein for all purposes.

- 3. The acreage shown for each tract or parcel of land shall be subject to minor refinement and adjustments at the time of platting based on final placement and design of bounding thoroughfares and/or exact determination of buildable areas within each tract.*
- 4. Terms used in this ordinance shall have the same definitions as given in the Zoning Ordinance of the City of The Colony, Ordinance No. 61 unless otherwise defined herein.*
- 5. All streets and thoroughfares shown on the Concept Plan shall be designed and constructed in accordance with approved City of The Colony standards.*
- 6. All developments are subject to the approval of engineering plans in accordance with City of The Colony standards and specifications.*
- 7. Developers shall design and construct drainage infrastructures in accordance with federal, state and local regulations and dedicate the appropriate easements in accordance with City of The Colony standards.*

SECTION II
DEVELOPMENT STANDARDS

Except as otherwise provided herein, this Planned Development shall be subject to those development standards provided for the Business Park “BP” Zoning District as set forth in Section 10-2100 of the City of The Colony Comprehensive Zoning Ordinance, Chapter 61 of the City Code of Ordinances, as amended.

1. Permitted Uses

a. All uses permitted in the Business Park “BP” Zoning District classification are permitted within the Property, except for the following:

- | | |
|---|--|
| <i>– Art needlework</i> | <i>– Club, private; lodge or fraternal organization</i> |
| <i>– Bar, lounge or tavern</i> | <i>– Private club, eating place with beer, wine, or liquor</i> |
| <i>– Bus station and terminal</i> | <i>– Private club, with bar service</i> |
| <i>– Bus or truck parking garage</i> | <i>– Railroad terminal (passengers or freight)</i> |
| <i>– Club, private; lodge or fraternal organization</i> | <i>– Rectory</i> |
| <i>– Commercial radio/TV transmitting station</i> | <i>– Sewage pumping station</i> |
| <i>– Eating place with dancing or entertainment</i> | <i>– Swimming pool, private</i> |
| <i>– Electric substation</i> | <i>– Hand weaving</i> |
| <i>– Library, art gallery/museum</i> | <i>– Hotel (limited or full-service)</i> |
| <i>– Mortuary or funeral home</i> | <i>– Key shop</i> |
| <i>– Nursing home/convalescent home</i> | |

b. “Warehouse” use (including, without limitation, e-commerce logistics and distribution uses) and “Light Manufacturing, Fabrication and Assembly Processes” use (including, without limitation, the fabrication and assembly of technology parts and devices such as electronic components, circuit boards, microchips, computers and similar electronic devices) shall be permitted on the Property and shall be regulated by performance standards in accordance with Section 10-400 of the Zoning Ordinance as may be amended from time to time.

c. Accessory uses are permitted as set forth in the Zoning Ordinance including, but not limited to, coffee shops and cafeterias contained within warehouse, fitness centers, and other similar facilities.

d. Dumpsters serving buildings adjacent to Plano Parkway shall be screened from Plano Parkway in accordance with this paragraph. Screening shall consist of: (i) a wing wall

extending from the edge of the building as shown on the Concept Plan; (ii) the building being served by the dumpster; (iii) landscaping, (iv) a combination of these screening types; or (v) any other screening method approved by the Planning Director. Screening may be located at the edge of a building to screen a dumpster located anywhere along the building. Screening shall be a minimum of six (6) feet in height. Dumpsters serving buildings not adjacent to Plano Parkway are not required to be screened.

2. Floor Area Ratio

The overall cumulative Floor Area Ratio (“FAR”) for the entire Property, including detention areas, shall be a maximum of 1:1, subject to the following maximum cumulative FAR by type of use:

- Warehouse/Light Fabrication and Assembly: 0.55:1*
- Office: 1:1*

For purposes of calculating FAR, the entire property is considered a single development such that FAR shall be calculated as a ratio of the entire development and not calculated on a per-lot basis. As each building is developed, the developer shall provide updated FAR calculations providing total floor area developed to assure compliance with the maximum FAR. The location factor and adjusted FAR set forth in Section 10-2100(B) do not apply.

3. Landscaping

All landscaping shall comply with the City of The Colony Landscaping Ordinance, except as follows. The buffer yards along the street frontages shall be reduced to:

- Plano Parkway 20 ft.*

Each development site shall provide effective open space equal to ten (10) percent of the development site. Storm water detention ponds and retention ponds shall be included in open space calculations.

4. Fencing

Without limitation as to other permissible fence materials and types, fences constructed of black vinyl chain link are expressly permitted. Fences may not exceed a height of eight feet, six inches in any rear or side yard, or along any rear or side yard lot line. Fences in front yards abutting Plano Parkway may not exceed the height limitation set forth in Section 18-604(A) of the Zoning Ordinance. All other fences in front yards or along the front yard lot line may not exceed a height of eight feet, six inches.

5. Loading & Service Access

All service areas shall be located to the rear or sides of the buildings and shall not face Plano Parkway R.O.W. Loading and service areas visible from Plano Parkway shall be screened in the same manner as dumpsters in paragraph 1.e above.

6. Parking

a. Parking requirements shall comply with The Colony Code of Ordinances, Section 13 and the requirements set forth herein.

b. Reduction in the parking requirements may be permitted in accordance with a parking study approved by the Planning Director.

- c. *A maximum of four (4) single rows of parking are permitted between the primary building and the street.*
- d. *Parking is prohibited in required landscape buffers.*

7. Exterior Lighting

Exterior parking and loading areas shall be provided with adequate security lighting. Such lighting shall be either wall- or pole-mounted, with cut-off type luminaire (aimed downward), to minimize glare directed toward the streets or adjacent properties. All external lights shall be mounted not to exceed thirty (30) feet in height measured from grade.

8. Signage

All signage shall be in compliance with the City of The Colony sign ordinance as amended from time to time.

9. Traffic Impact Analysis

- a. *Exhibit _____, Traffic Impact Analysis (“TIA”), identifies the traffic-related effects of the proposed development within this Planned Development.*
- b. *As long as the development is in general compliance with the Concept Plan, an updated TIA is not required at the time of site plan review unless:*
 - i. *the uses of the buildings have changed from those reflected on the Concept Plan;*
or
 - ii. *the building areas are more than five percent (5%) greater than those shown on the Concept Plan.*

10. Compliance With City Code of Ordinances

Each individual site will be subject to plat and site plan review and approval to ensure compliance with all applicable ordinances and requirements of the City before a building permit is issued.

11. Concept Plan Flexibility

For the purpose of this ordinance, Exhibit A, the PD Concept Plan, shall indicate conceptual alignments of thoroughfares and the general, size, locations, and delineations of buildings, landscape and zoning areas within this Planned Development, subject to refinement during Site Plan review. The Concept Plan is intended to provide some flexibility and may be changed at the time of Site Plan review and approval to meet user needs and market demands for Office, Light Fabrication and Assembly Process, and Warehouse uses.

NOTIFICATION

A notice of public hearing was published in the local newspaper on April, 4, 2026 a minimum of fifteen 15 days prior to the public hearing. The Zoning Ordinance also requires notification of property owners located within 200 feet of the subject property a minimum of fifteen (15) days prior to the public hearing. Public Hearing notices were mailed on March 13, 2026 to adjacent property owners.

Letters of opposition were presented to the Planning Commission by adjacent property owner Henry Billingsley of Billingsley Company.; Bill Walker, P.E. and Henry Billingsley spoke in opposition to the request.

As of the drafting of this report, no letters of opposition have been submitted to the City Council.

DEVELOPMENT REVIEW COMMITTEE REVIEW

The Development Review Committee (DRC) recommends approval of the proposed Planned Development for a mixed commercial development.

PRIOR ACTION

On April 21st , The Colony's City Council postponed consideration of the request to the May 5th City Council meeting

On March 24th The Colony's Planning and Zoning Commission approved [4-3] the request of the zoning change from Planned Development 10 (PD-10) to Planned Development 31 (PD-31) to establish the conceptual layout and development standards for a mixed commercial development, with the following conditions:

1. Landscape buffer provided along Plano Parkway to be a minimum of 25 feet wide exclusive of any sidewalk/other hardscape. One three-inch caliper canopy tree, 12 feet in height, shall be provided for every 25 feet of street frontage. Three ornamental trees may be substituted for one canopy tree not to exceed 25% of the number of large canopy trees required in the Landscape buffer.
2. Applicant to provide a meandering sidewalk of similar width to existing sidewalks along Plano Parkway. Width and layout are to be reviewed and approved by Parks and Planning staff at Site Plan approval.
3. Detention may not be provided in the front yard. Retention ponds with water feature in the front yard may be approved by the City Manager or his designee but may not be within the required landscape buffer.
4. Applicant shall provide maximum opacity screening of the truck court, trailer parking and dumpsters from the public ROW with a masonry screening wall and/or living screen. Applicant shall provide a line-of-sight study at the time of Site Plan submission to be approved by the City Manager or his designee.
5. Allowable fencing materials are those shown in 10A-1200 Table 1 or wrought iron with living screen. Black vinyl chain link is not permitted.
6. Applicant shall provide maximum opacity screening between neighboring properties utilizing fencing/wall, a living screen or a combination thereof.

ATTACHMENTS

1. Location Map
2. Proposed Ordinance and exhibits

3. Planned Development-10 Ordinance
4. Draft minutes from March 24th Planning Commission meeting (uncertified)

**MINUTES
CITY OF THE COLONY
PLANNING AND ZONING COMMISSION
WEDNESDAY, MARCH 24, 2026**

After determining that a quorum was present, the Planning and Zoning Commission of the City of The Colony, Texas convened into Regular Session which was held on Tuesday, March 24, 2026 at 6:30 p.m. in the City Council Chambers located at City Hall, 6053 Main Street, The Colony, Texas, at which time the following items were addressed:

Board Members Present: Kirk Varga, Kenneth Flo, DeWayne Snider, Brenda Armour and Jeff Baran, Karen Hames and Robert Cox

Board Members Absent:

Staff Present: Isaac Williams, Planning Director; Melissa Devin, Planning Technician; Allisen Ducay, Planner; Ron Hartline, Engineering Director and Alan Lathrom, Attorney

1.0	<i>CALL REGULAR SESSION TO ORDER</i>
------------	---

Chair Hames called the regular session of the Planning and Zoning Commission meeting to order at 6:30 p.m.

2.0	<i>CITIZEN INPUT</i>
------------	-----------------------------

3.0	<i>CONSENT AGENDA</i>
------------	------------------------------

3.1	Consider the approval of the minutes of the March 10, 2026 Regular Session
-----	--

Chair Hames read Consent Agenda Item 3.1 into record.

Commissioner Armour made a motion to approve item 3.1, seconded by Commissioner Cox. The motion carried (7-0).

Chair Hames stated she would be moving the Discussion Items up because of the nature of the Public Hearing.

5.0	<i>DISCUSSION ITEMS</i>
------------	--------------------------------

5.1	<p><i>SP25-0007 - Martinizing Cleaners - Site Plan</i> Discuss and consider making a recommendation to City Council regarding the Site Plan application of "Martinizing Cleaners," an approximately 3,327 sq ft laundry and dry-cleaning franchise. The subject site contains approximately 0.44 acres (19,081 sq ft) and is located at 7447 Main Street within the General Retail Zoning District and the Gateway Overlay District.</p>
-----	--

5.2	<p><i>SPA25-0013 - MN8 Grandscape EV Service - Site Plan Amendment</i> Discuss and consider approval of the Site Plan Amendment application of "MN8 Energy" regarding the installation of Electric Vehicle Charging Stations (EVCS) at Lot 3R, Block A, Grandscape Addition Phase II. The subject site is located at 5800 Grandscape Blvd within the NFM-Grandscape Planned Development (PD-25)</p>
-----	---

Chair Hames read Discussion Item 5.1 into record.

Ms. Ducay presented the staff report.

Commissioner Cox asked about the second story of the building.

Ms. Ducay responded that the applicant would need to respond to that question.

Mary Herrera, the applicant of the case, stepped forward. She responded that the second story would be a small office for the property owners.

Commissioner Cox asked for further clarification on the use of the upstairs space.

Mrs. Herrera responded that the office space would not be leased and would only be used by the property owners.

Commissioner Baran asked if the parallel parking space shown on the plans was required.

Ms. Ducay responded that in order to meet the requirements, it was.

Commissioner Baran asked if a parking variance could be done for it because it seemed unnecessarily dangerous.

Ms. Ducay responded that the parking space was permitted in that location and it was the proper dimensions for the standard parking spaces. She further added that the location was selected to fit the drive-isle.

Chair Hames asked Ms. Ducay to show the parking space in question.

Commissioner Baran asked Mr. Williams [Planning Director] if he could make that a condition of approval or a recommendation.

Mr. Williams stepped forward and responded that any deviations from the parking code could be addressed via variance, which the Planning Commission did not have the authority to grant or it could be addressed with an SUP, which was not the request.

Commissioner Snider asked if the fire lane was sufficient to reach the back of the building.

Ms. Ducay responded in the affirmative and added that the fire department had also reviewed the plans and had no concerns.

Commissioner Snider made a motion to approve item 5.1, seconded by Commissioner Baran. The motion carried (7-0).

Chair Hames read Discussion Item 5.2 into record.

Ms. Ducay presented the staff report.

Commissioner Cox asked about the poles and whether they were lights.

Ms. Ducay responded that the poles were for the devices themselves but there were lights installed in them as well.

Commissioner Cox asked if that would also be driving the internet and connectivity for the devices.

Ms. Ducay responded that she would have to have the applicant address the specifics of the use of the devices.

Commissioner Cox stated that he wasn't concerned, just curious.

Commissioner Cox made a motion to approve item 5.2, seconded by Commissioner Flo. The motion carried (7-0).

4.0	<i>PUBLIC HEARING ITEMS</i>
4.1	<i>PD26-0001 – Colony Commerce Center Planned Development 31 (PD-31)</i> Conduct a public hearing, discuss and consider making a recommendation to City Council regarding a zoning change from Planned Development 10 (PD-10) to Planned Development 31 (PD-31) to establish the conceptual layout and development standards for a mixed commercial development. The subject site contains approximately 71.72 acres and is located north of the northwest intersection of Plano Parkway and Windhaven Parkway within the Planned Development-10 (PD-10) zoning district.

Chair Hames read Agenda item 4.1 into record.

Mr. Williams presented the staff report.

Commissioner Snider asked if a traffic study was required for the request.

Mr. Williams responded that staff has requested that the applicant take a look at the traffic in the area.

Commissioner Cox mentioned that this isn't just a zoning case, that it is also a building standards case. He asked about the land uses specific to the PD proposed versus what it was prior.

Mr. Williams responded that the PD being proposed would not allow of any multi-family use. He added that PD-10 did have some allowances for multi-family but the development standards would not really allow for the development of such use.

Commissioner Cox stated that he just wanted to be sure that land use and any entitlements were clear. He also added that he was concerned that we were not requiring screening on Plano Pkwy for any trash receptacles because that was the entrance to Grandscape, which is important to the City.

Mr. Williams clarified that the PD did include screening off Plano Pkwy.

Commissioner Cox reiterated that he believed it was important for that screening, especially when you got into industrial-type zones because of the different types of waste that could be produced.

Commissioner Baran stated that the proposed PD was the connective tissue for PD-22 and PD-25 and it was important that the landscaping and screening standard we hold in the City were consistent along Plano Pkwy.

Chair Hames opened public hearing at 6:58 pm.

Mr. Tyler Riek, the applicant of the project approached the mic.

Mr. Riek offered a presentation on the proposed project to the Commissioners.

Commissioner Cox asked Mr. Riek if he would be okay with the Planning and Zoning Commission requiring that all of the property, not just the PD, had the same screening standards as the rest of the City.

Mr. Riek responded in the affirmative.

Commissioner Cox asked if drone logistics were allowed in this land use.

Mr. Williams responded that drone usage is regulated by the FAA so we don't have a land use that would accommodate or prohibit such use so in theory, they would be allowed. He added that we did require an SUP (specific use permit) for the landing pads in case of such use.

Commissioner Cox added that he had no issue with it, he was just curious.

Commissioner Baran asked about the discussions with the surrounding property owners.

Mr. Riek replied that there is a mutual easement access for the driveway in question [N side].

Commissioner Baran asked if the conversation had been had with the neighbors.

Mr. Riek stated that they had not had a discussion specific to the driveway in question. He provided further clarification on the easements surrounding the property.

Commissioner Baran asked if they had a discussion with the owners of the Billingsley property regarding the screening.

Mr. Riek responded in the affirmative and added that it is already included in the plans that were submitted.

Commissioner Baran asked Mr. Riek if he'd be open to placing landscaping and a meandering sidewalk along Plano Pkwy.

Mr. Riek responded that he wasn't sure that there was a sidewalk currently there but he'd look into it.

Commissioner Baran asked about detention and whether it was needed on the property.

Mr. Riek replied that the site falls north to south and it's roughly 5 acres so from an engineering perspective that was the best location.

Commissioner Baran asked if it was a dry pond.

Mr. Riek responded in the affirmative.

Commissioner Baran asked if they had placed any thought in how they would landscape that area.

Mr. Riek replied that it would be sod or seed.

Commissioner Cox asked Mr. Willaims if the development standards would include what the typical landscaping requirements were.

Mr. Williams responded in the affirmative. He added that the concept of them are included, but if they had anything specific, they were requesting, they would add it at this time.

Commissioner Cox stated that he just wanted to be sure that it followed the development standards for our Gateway.

Mr. Williams responded that the location proposed does not fall into our Gateway Overlay District but that the PD would have its own development standards or be supplemented by the City Ordinances if the PD standards were silent.

Mr. Henry Billingley, a representative of the neighboring property, approached the mic. He described the history of the property and stated his opposition to the proposed development.

Mr. Bill Walker, a representative for the neighboring property, approached the mic. He stated that he was an engineer and that some of the details of the project made him nervous.

Mr. Dan Gallagher, a representative of the project proposed, approached the mic. He added that the detention and other engineering specifics were not relevant to the zoning request. He stated that the team had already conducted preliminary grading but had not yet submitted it to the City since the PD had to be approved first. He further added that him and his team had done much more work than they currently would for a zoning case and had conducted multiple studies to ensure they were prepared.

Chair Hames closed public hearing at 7:31pm.

Commissioner Baran made a motion to approve item 4.1 with the conditions stated below, seconded by Commissioner Snider. The motion carried (4-3).

- Landscape buffer provided along Plano Parkway to be a minimum of 25 feet wide exclusive of any sidewalk/other hardscape. One three-inch caliper canopy tree, 12 feet in height, shall be provided for every 25 feet of street frontage. Three ornamental trees may be substituted for one canopy tree not to exceed 25% of the number of large canopy trees required in the Landscape buffer.
- Applicant to provide a meandering sidewalk of similar width to existing sidewalks along Plano Parkway. Width and layout are to be reviewed and approved by Parks and Planning staff at Site Plan approval.
- Detention may not be provided in the front yard. Retention ponds with water feature in the front yard may be approved by the City Manager or his designee but may not be within the required landscape buffer.
- Applicant shall provide maximum opacity screening of the truck court, trailer parking and dumpsters from the public ROW with a masonry screening wall and/or living screen. Applicant shall provide a line-of-sight study at the time of Site Plan submission to be approved by the City Manager or his designee.
- Allowable fencing materials are those shown in 10A-1200 Table 1 or wrought iron with living screen. Black vinyl chain link is not permitted.
- Applicant shall provide maximum opacity screening between neighboring properties utilizing fencing/wall, a living screen or a combination thereof.

There being no further business to come before the Commission, Chair Hames adjourned the Regular Session of the Planning and Zoning Commission at 7:34pm.

Karen Hames, Chairman

Isaac Williams, Planning Director

ORDINANCE NO. 369

AN ORDINANCE OF THE CITY OF THE COLONY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF THE COLONY SO AS TO CHANGE THE PROPERTY DESCRIBED IN EXHIBIT "A" TO "PD" PLANNED DEVELOPMENT DISTRICT CLASSIFICATION; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of The Colony, and the City Council of the City of The Colony, in compliance with the laws of the State of Texas, and with the provisions of the Comprehensive Zoning Ordinance of the City of The Colony, have given the requisite notices by publication and otherwise and have held due hearings and afforded a full and fair hearing to all property owners generally and to persons interested and situated in the affected area and in the vicinity thereof, and after such hearings, the governing body of the City of The Colony is of the opinion that the zoning change should be granted; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS:

SECTION 1.

That the Comprehensive Zoning Ordinance of the City of The Colony, Texas, be, and the same is hereby, amended by amending the Zoning District Map of the City of The Colony so as to change the property described in Exhibit "A," attached hereto and made a part hereof for all purposes, to "PD" Planned Development District Classification.

SECTION 2.

That the property described in Exhibit "A" shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of The Colony, as amended herein by the granting of this change of zoning, subject to the following special conditions:

- A. No land shall be used and no building shall be erected or converted for any use other than "BP" Business Park District Classification uses and "MF-2" Multiple Family Dwelling District Classification uses with a maximum

density permitted of twenty-four (24) dwelling units per acre, provided that "MF-2" uses shall be set back not less than two hundred fifty (250) feet from Springcreek Parkway, Plano Parkway, and the projected east-west six-lane divided major thoroughfare planned for the property.

- B. That all lakes, flood plain areas, power line easements and common areas of the property designated for "MF-2" uses shall be included for purposes of density computations in determining the maximum permitted density of twenty-four (24) dwelling units per acre.
- C. Prior to the issuance of any building permit for the development of any portion of the property described herein, the Development Plan required by Section 10-664 of the Comprehensive Zoning Ordinance of the City of The Colony, Ordinance No. 61, as amended, shall be submitted and approved by the City Council and made an exhibit to and a part of this ordinance and incorporated by reference herein for all purposes.
- D. Unless otherwise set out specifically on the Development Plan required hereby, the regulations set out in Sections 10, 11, 12, 13, 14, 15, and 18 shall apply, as appropriate, to the areas of the property designated for "BP" Business Park District Classification uses or "MF-2" Multiple Family Dwelling District Classification uses.
- E. The Development Plan required hereby shall include the major thoroughfares shown on the Thoroughfare Plan attached hereto as Exhibit "B" and made a part hereof for all purposes. The exact location of such major thoroughfares has not been determined, but will be determined and located exactly on the Development Plan. The developer will be responsible for the construction of the major thoroughfares shown on Exhibit "B" in accordance with the Development Plan and in accordance with the standards and conditions of the City of The Colony as they exist at the time of development.

SECTION 3.

That all conditions and restrictions imposed in this ordinance and in the exhibits attached hereto and made a part hereof for all purposes, relative to the development of this Planned Development District, shall be complied with before a Certificate of

Occupancy is issued for the use of the portion of land being developed or any structure which is a part of this Planned Development District, and such conditions and restrictions shall not be construed as conditions precedent to the approval of the zoning granted herein, but shall be construed as conditions precedent to the granting of the Certificate of Occupancy.

SECTION 4.

That all ordinances of the City of The Colony in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of The Colony not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5.

Should any of the sections, paragraphs, sentences, clauses, or phrases of this ordinance be held or determined to be invalid or unconstitutional by a court of competence jurisdiction, such holding or determination shall not affect the remaining portions of this ordinance which are declared to be severable.

SECTION 6.

That any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Comprehensive Zoning Ordinance as amended hereby, or of the exhibits approved and attached as part of this ordinance, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of The Colony, Texas, shall be subject to a fine not to exceed the sum of One Thousand Dollars (\$1,000.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense.

SECTION 7.

This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of The Colony, Texas, on the

10th day of September, 1985.

APPROVED:


MAYOR

ATTEST:


CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

EXHIBIT "A"

BEING a tract of land situated in the Samuel B. Evans Survey, Abstract No. 387, David Andrews Survey, Abstract No. 18 and the Thomas A. West Survey, Abstract No. 1344 in Denton County, Texas and being more particularly described as follows:

COMMENCING a point in the North right-of-way line of F.M. Highway 544 (80 foot right-of-way), said point also being in the most westerly line of said Samuel B. Evans Survey;

THENCE N 01°55' W, along the above said westerly line of Samuel B. Evans Survey for a distance of 1364.0 feet to a point;

THENCE N 78°45' E, leaving said survey line for a distance of 157.0 feet to a point;

THENCE N 60°51' E, for a distance of 72.0 feet to a point;

THENCE N 72°48' E, for a distance of 390.0 feet to the POINT OF BEGINNING;

THENCE N 01°25' W, for a distance of 220.0 feet to a point;

THENCE N 22°17' E, for a distance of 95.0 feet to a point;

THENCE N 28°25' E, for a distance of 74.0 feet to a point;

THENCE N 60°40' E, for a distance fo 54.0 feet to a point;

THENCE N 76°19' E, for a distance of 149.0 feet to a point, said point being in the west line of the Samuel B. Evans Survey;

THENCE N 00°20' W, along the west line of said survey line a distance of 3883.0 feet to a point, said point also being the Northwesterly corner of the Samuel B. Evans Survey;

THENCE N 89°01' E, along the North line of said survey a distance of 475.0 feet to a point;

THENCE N 89°18' E, continuing along north survey line of the Samuel B. Evans, Survey and the David Andrews Survey for a distance of 2165.0 feet to a point;

THENCE N 00°31' W, for a distance of 1650.0 feet to a point;

THENCE S 89°45' W, for a distance of 1639.0 feet to a point;

THENCE N 00°02' W, for a distance of 1688.0 feet to a point, said point also being in the South line of The Colony city limit;

THENCE East along said South line of The Colony city limit for a distance of 4296.0 feet to a point also being the West line of The Colony city limit;

THENCE S 00°53' E, along the West line of said city limit line for a distance of 1669.0 feet to a point;

THENCE S 06°40' W, for a distance of 1646.0 feet to a point;

THENCE N 89°49' E, for a distance of 35.00 feet to a point;

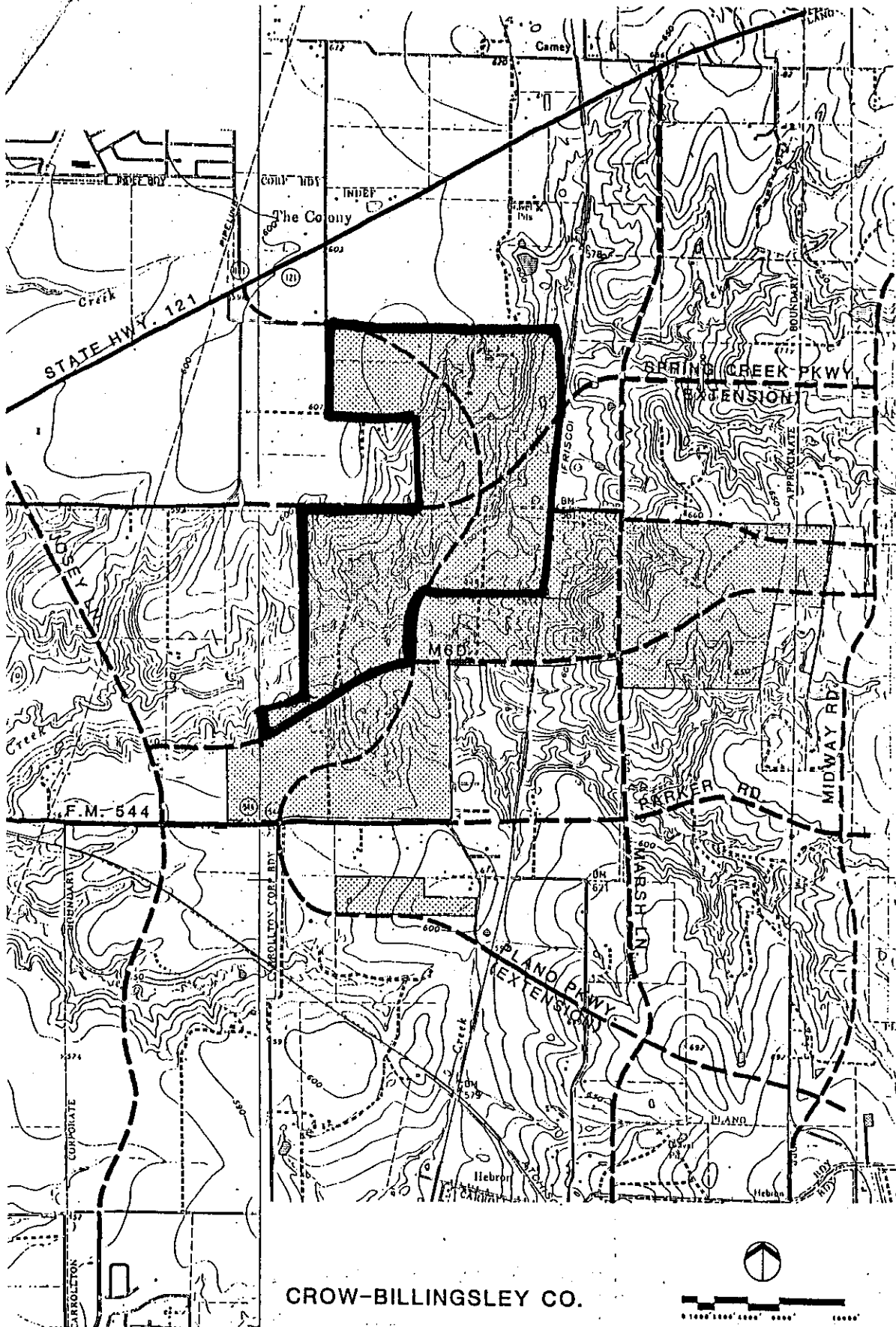
THENCE S 07°05' W, for a distance of 1700.0 feet to a point;

THENCE N 89°49' W, for a distance of 2100.0 feet to a point, said point also being the centerline of a future thoroughfare running North and South;

THENCE in a southwesterly direction along the centerline of said future thoroughfare along a curve to the left a distance of 1050.0 feet to a point, said point also being the centerline of a future thoroughfare;

THENCE in a southwesterly direction along the centerline of said future thoroughfare along a curve to the left and reverse curve to the right a distance of 2840.0 feet to the POINT OF BEGINNING and CONTAINING 59⁴ acres of land more or less.

EXHIBIT B



ORDINANCE NO. 382

AN ORDINANCE OF THE CITY OF THE COLONY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF THE COLONY SO AS TO CHANGE THE PROPERTY DESCRIBED IN EXHIBIT "A" TO "PD" PLANNED DEVELOPMENT DISTRICT CLASSIFICATION; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR AMENDMENT OF THE ZONING DISTRICT MAP; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of The Colony, and the City Council of the City of The Colony, in compliance with the laws of the State of Texas, and with the provisions of the Comprehensive Zoning Ordinance of the City of The Colony, have given the requisite notices by publication and otherwise and have held due hearings and afforded a full and fair hearing to all property owners generally and to persons interested and situated in the affected area and in the vicinity thereof, and after such hearings, the governing body of the City of The Colony is of the opinion that the zoning change should be granted; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS:

SECTION 1.

That the Comprehensive Zoning Ordinance of the City of The Colony, Texas, be, and the same is hereby, amended by amending the Zoning District Map of the City of The Colony so as to change the property described in Exhibit "A," attached hereto and made a part hereof for all purposes, to "PD" Planned Development District Classification.

SECTION 2.

That the property described in Exhibit "A" shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of The Colony, as amended herein by the granting of this change of zoning, subject to the following special conditions:

- A. No land shall be used and no building shall be erected or converted for any use other than "BP" Business Park District Classification uses and "MF-2" Multiple Family Dwelling District Classification uses with a maximum

density permitted of twenty-four (24) dwelling units per acre, provided that "MF-2" uses shall be set back not less than two hundred fifty (250) feet from Springcreek Parkway, Plano Parkway, and the projected east-west six-lane divided major thoroughfare planned for the property.

- B. That all lakes, flood plain areas, power line easements and common areas of the property designated for "MF-2" uses shall be included for purposes of density computations in determining the maximum permitted density of twenty-four (24) dwelling units per acre.
- C. Prior to the issuance of any building permit for the development of any portion of the property described herein, the Development Plan required by Section 10-664 of the Comprehensive Zoning Ordinance of the City of The Colony, Ordinance No. 61, as amended, shall be submitted and approved by the City Council and made an exhibit to and a part of this ordinance and incorporated by reference herein for all purposes.
- D. Unless otherwise set out specifically on the Development Plan required hereby, the regulations set out in Sections 10, 11, 12, 13, 14, 15, and 18 shall apply, as appropriate, to the areas of the property designated for "BP" Business Park District Classification uses or "MF-2" Multiple Family Dwelling District Classification uses.
- E. The Development Plan required hereby shall include the major thoroughfares shown on the Thoroughfare Plan attached hereto as Exhibit "B" and made a part hereof for all purposes. The exact location of such major thoroughfares has not been determined, but will be determined and located exactly on the Development Plan. The developer will be responsible for the construction of the major thoroughfares shown on Exhibit "B" in accordance with the Development Plan and in accordance with the standards and conditions of the City of The Colony as they exist at the time of development.

SECTION 3.

That all conditions and restrictions imposed in this ordinance and in the exhibits attached hereto and made a part hereof for all purposes, relative to the development of this Planned Development District, shall be complied with before a Certificate of

Occupancy is issued for the use of the portion of land being developed or any structure which is a part of this Planned Development District, and such conditions and restrictions shall not be construed as conditions precedent to the approval of the zoning granted herein, but shall be construed as conditions precedent to the granting of the Certificate of Occupancy.

SECTION 4.

That all ordinances of the City of The Colony in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of The Colony not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5.

Should any of the sections, paragraphs, sentences, clauses, or phrases of this ordinance be held or determined to be invalid or unconstitutional by a court of competence jurisdiction, such holding or determination shall not affect the remaining portions of this ordinance which are declared to be severable.

SECTION 6.

That any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Comprehensive Zoning Ordinance as amended hereby, or of the exhibits approved and attached as part of this ordinance, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of The Colony, Texas, shall be subject to a fine not to exceed the sum of One Thousand Dollars (\$1,000.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense.

SECTION 7.

This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of The Colony, Texas, on the 4th day of November, 1985.

APPROVED:


MAYOR

ATTEST:


CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

EXHIBIT "A"

BEING a tract of land situated in the Benjamin Schoonover Survey, Abstract No. 1208 in Denton County, Texas and being more particularly described as follows:

BEGINNING at a point in the North line of said Benjamin Schoonover Survey and the West right-of-way line of the St. Louis and San Francisco Railroad, said point also being in the center of a public road;

THENCE N 89°49' E, along the center of said public road for a distance of 1297.0 feet to a point;

THENCE S 00°01' W, for a distance of 234.0 feet to a point;

THENCE S 00°54' E, for a distance of 1010.0 feet to a point;

THENCE S 00°11' W, for a distance of 440.0 feet to a point;

THENCE N 89°49' W, for a distance of 1500.0 feet to a point in the West right-of-way line of said railroad;

THENCE N 07°05' E, along the West right-of-way of said railroad for a distance of 1700.0 feet to the POINT OF BEGINNING and CONTAINING 54.0 acres of land, SAVE AND EXCEPT a 10 foot wide strip of land to be retained by the City of Hebron, said strip of land lying southerly and westerly of the following:

BEGINNING at a point in the North line of said Benjamin Schoonover Survey and the West right-of-way line of the St. Louis and San Francisco Railroad said point also being in the center of a public road;

THENCE N 89°49' E, along the center of said public road for a distance of 1297.0 feet to a point;

THENCE S 00°01' W, for a distance of 234.0 feet to a point;

THENCE S 00°54' E, for a distance of 1010.0 feet to a point;

THENCE S 00°11' W, for a distance of 440.0 feet to a point, said strip continuing and lying Northerly of the following:

THENCE N 89°49' W, for a distance of 1500.0 feet to a point in the West right-of-way line of said railroad, and end of the 10 foot strip, CONTAINING 0.9 acres of land more or less.

CITY OF THE COLONY, TEXAS

ORDINANCE NO. 868

AN ORDINANCE OF THE CITY OF THE COLONY, TEXAS GRANTING A CHANGE IN ZONING ON A TRACT OF LAND LOCATED WITHIN THE CITY OF THE COLONY, TEXAS, AND MORE FULLY DESCRIBED HEREIN; AMENDING SECTION 2 OF ORDINANCE 369; AMENDING SECTION 2 OF ORDINANCE 382 RELATING TO MULTI-FAMILY RESIDENTIAL DEVELOPMENT, WITH THE SPECIFIC REQUIREMENTS CONTAINED IN THIS ORDINANCE; PROVIDING THAT THE DEVELOPMENT CONDITIONS SHALL BE CONDITIONS PRECEDENT TO THE GRANTING OF A CERTIFICATE OF OCCUPANCY; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PARTS OF THE COMPREHENSIVE ZONING ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; DETERMINING THAT THE PUBLIC INTEREST, MORALS AND GENERAL WELFARE DEMAND THE ZONING CHANGE AND AMENDMENT HEREIN MADE; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF ONE THOUSAND DOLLARS (\$1,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, application was made to amend the official Zoning District Map of the City of The Colony, Texas (the "City") by making application for the same with the Planning and Zoning Commission of the City of The Colony, Texas, as required by State statutes and the Zoning Ordinance of the City and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of the City of The Colony, Texas; and

WHEREAS, the City Council of the City of The Colony, Texas, at a public hearing called by the City Council did consider the following factors in making a determination as to whether the requested zoning should be granted or denied: safety of the motoring public and pedestrians; safety from fire hazards and measures for fire control; protection of property from flood or water damages, noise producing elements and glare of vehicular and stationary lights ad effect of such lights on the character of the neighborhood; location, lighting and types of signs and relation of signs to traffic control and adjacent property; street size and adequacy of width for traffic reasonably expected to be generated by the

proposed use; adequacy of parking as determined by requirements of this ordinance for off-street loading spaces, and protection of public health by surfacing on all parking areas to control dust; effect on the promotion of health and the general welfare; effect on light and air; the effect on the overcrowding of the land; the effect on the concentration of population; the effect on the transportation, water, sewerage, schools, parks and other facilities; and

WHEREAS, the City Council of the City of The Colony, Texas, at a public hearing called by the City Council of the City of The Colony, Texas, did consider the following factors in making a determination as to whether this requested zoning should be granted or denied; effect on the congestion of the streets, the fire hazards, panic and other dangers possibly present in the securing of safety from same, the effect on the promotion of health and the general welfare, effect on adequate light and air, the effect on the overcrowding of the land, the effect on the concentration of population, the effect on the transportation; water, sewerage, schools, parks and other public facilities; and

WHEREAS, the City Council of the City of The colony, Texas further considered among other things the character f the districts and their peculiar suitability for particular uses and the view to conserve the value of buildings, and to encourage the most appropriate use of land throughout the City; and

WHEREAS, the City Council of the City of The Colony, Texas, does find that there is a public necessity for the zoning change, that the public demands it, that the public interest clearly requires the amendment, that the zoning change does not unreasonably invade the rights of those who bought or improved property with reference to the classification which existed at the time their original investment was made; and

WHEREAS, the City Council of the City of The Colony, Texas, does find that the zoning lessens the congestion in the streets, helps secure safety from fire, panic and other dangers; promotes health and the general welfare; provides adequate light and air; prevents the overcrowding of land; avoids undue concentration of population; facilitates the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements; and

WHEREAS, the City Council of the City of The Colony, Texas has determined that there is a necessity and need for the change in zoning and has also found and determined that there has been a change in the condition of the property surrounding and in close proximity of the tract of land requested for a change since the tract of land was originally classified and therefore feels that the respective changes for the tract of land are needed, are called for, and are in the best interest of the public at large, the citizens of the City, and help promote the general health, safety and welfare of the community.

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

Section 1. That all of the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

Section 2. That Section 2 of ordinances 369 and 382 of the City of The Colony, Texas (the "City"), be and the same are hereby amended in the following particulars, and that all other sections, subsections, paragraphs, sentences, phrases and words of said Comprehensive Zoning Ordinance are not amended, but shall remain intact and are hereby verified, ratified, approved and affirmed:

A. ".....provided that for each tract developed with "MF-2" uses within two-hundred fifty (250) feet from Springcreek Parkway, Plano Parkway, and the projected east-west six-lane divided major thoroughfare planned for the property development of an equivalent area of the property described herein shall be limited to "BP" Business Park District classification uses other than "MF-2". In the event there has been no site plan approval or construction activity on the property, within 3 years from the approval date of this ordinance, the City Council reserves the right to call a public hearing for the purpose of reconsideration of the specific details of this section. Construction shall be defined as on-site ground breaking and excludes any major civil off-site improvements.

Section 3. That the City Manager of the City is hereby directed to correct the official zoning map of the City to reflect the herein change in zoning.

Section 4. That in all other respects of the tract or tracts of land herein-above described shall be subject to all applicable regulations contained in the Comprehensive Zoning Ordinance of the City and all other applicable and pertinent ordinances of the City.

Section 5. That the zoning regulations and districts as herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals and the general welfare of the community. They have been designed, with respect to both present conditions and the conditions reasonable anticipated to exist in the foreseeable future, to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; to provide adequate light and air; to prevent over-crowding of land, to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, drainage and surface water, parks and other public requirements, and to make adequate provisions for the normal business, commercial needs and development of the community. They have been made with reasonable consideration, among other things of the character of the district, and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

Section 6. This ordinance shall be cumulative of all other ordinances of the City affecting zoning and shall not repeal any of the provisions of said ordinances except in those instances where provisions of those ordinances are in direct conflict with the provisions of this ordinance.

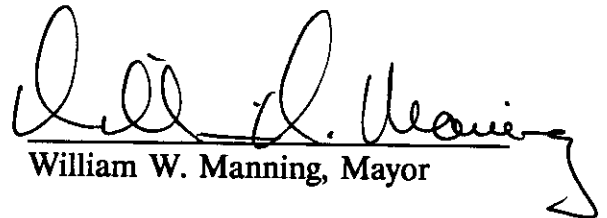
Section 7. If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstances is held invalid or

unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

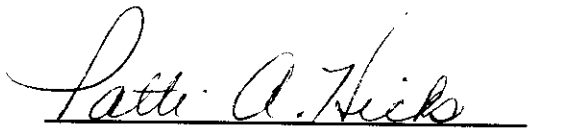
Section 8. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine in a sum not to exceed One Thousand Dollars (\$1,000.00) for each offense and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Section 9. The fact that the present zoning ordinance and regulations of the City are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its final passage and publication as provided by law, and it is accordingly so ordained.

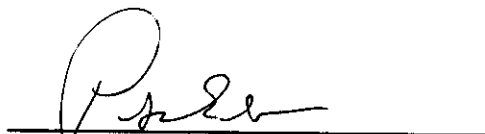
PASSED AND APPROVED by the City Council of the City of The Colony, Texas this the 5th day of December, 1994.


William W. Manning, Mayor

ATTEST:


Patti A. Hicks, TRMC, City Secretary

APPROVED AS TO FORM:


City Attorney

CITY OF THE COLONY, TEXAS

**ORDINANCE NO. 2026 - ____
COLONY COMMERCE CENTER PLANNED DEVELOPMENT NO. 31**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, AMENDING THE CODE OF ORDINANCES, APPENDIX A, COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF THE COLONY, TEXAS ON AN APPROXIMATE 71.72-ACRE TRACT OF LAND AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" WHICH IS ATTACHED HERETO AND INCORPORATED HERE FOR ALL PURPOSES, TO BE KNOWN AS COLONY COMMERCE CENTER PLANNED DEVELOPMENT DISTRICT; ESTABLISHING A MIXED COMMERCIAL CONCEPT PLAN AND DEVELOPMENT STANDARDS; PROVIDING A PENALTY OF A FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, after public notice and public hearing as required by law, the Planning and Zoning Commission for the City of The Colony, Texas, has recommended that the official zoning map of the City of The Colony, Texas, be amended to reflect that the zoning on an approximate 71.72-acre tract of land north of the northwest intersection of Plano Parkway and Windhaven Parkway, and more particularly described in *Exhibit A* of this Ordinance, which is attached hereto and is incorporated herein for all purposes, establishing a Mixed commercial concept plan and development standards in accordance with Planned Development 31 (PD-31, Ordinance No. 2026-xxxx; and

WHEREAS, the Planning and Zoning Commission of the City of The Colony, Texas, and the City Council of the City of The Colony, Texas, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council of the City of The Colony, Texas, is of the opinion and finds that said changes should be granted and that the Comprehensive Zoning Ordinance should be amended.

WHEREAS, this change of zoning is in accordance with the adopted Comprehensive Plan of the City of The Colony, as amended;

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

SECTION 1. FINDINGS INCORPORATED

That the findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. REZONE OF PROPERTY

That the Comprehensive Zoning Ordinance and Map of the City of The Colony, Texas, duly passed by the governing body of the City of The Colony, Texas, as heretofore amended, be and the same is hereby amended to grant a change in zoning on an approximate 71.72-acre tract of land north of the northwest intersection of Plano Parkway and Windhaven Parkway, and more particularly

described in *Exhibit A* of this Ordinance, which is attached hereto and is incorporated herein for all purposes, be changed from Planned Development 10 (PD-10) to Planned Development 31 (PD-31) establishing a mixed commercial concept plan and development standards, in accordance with Planned Development 31 (PD-31), Ordinance No. 2026-xxxx; and

SECTION 3. ENROLLMENT OF ORDINANCE

The City Secretary is directed to engross and enroll this Ordinance in the Code of Ordinances of the City of The Colony and to reflect this change of zoning on the official zoning map of the City of The Colony, Texas.

SECTION 4. PENALTY CLAUSE

Any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined a sum not to exceed \$2,000.00 for each offense, and each and every violation or day such violation shall continue or exist, shall be deemed a separate offense.

SECTION 5. SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 6. EFFECTIVE DATE

This Ordinance shall become effective immediately upon its passage and publication as required by law.

DULY PASSED by the City Council of the City of The Colony, Texas, this 5th day of May 2026.

APPROVED:

Richard Boyer, Mayor

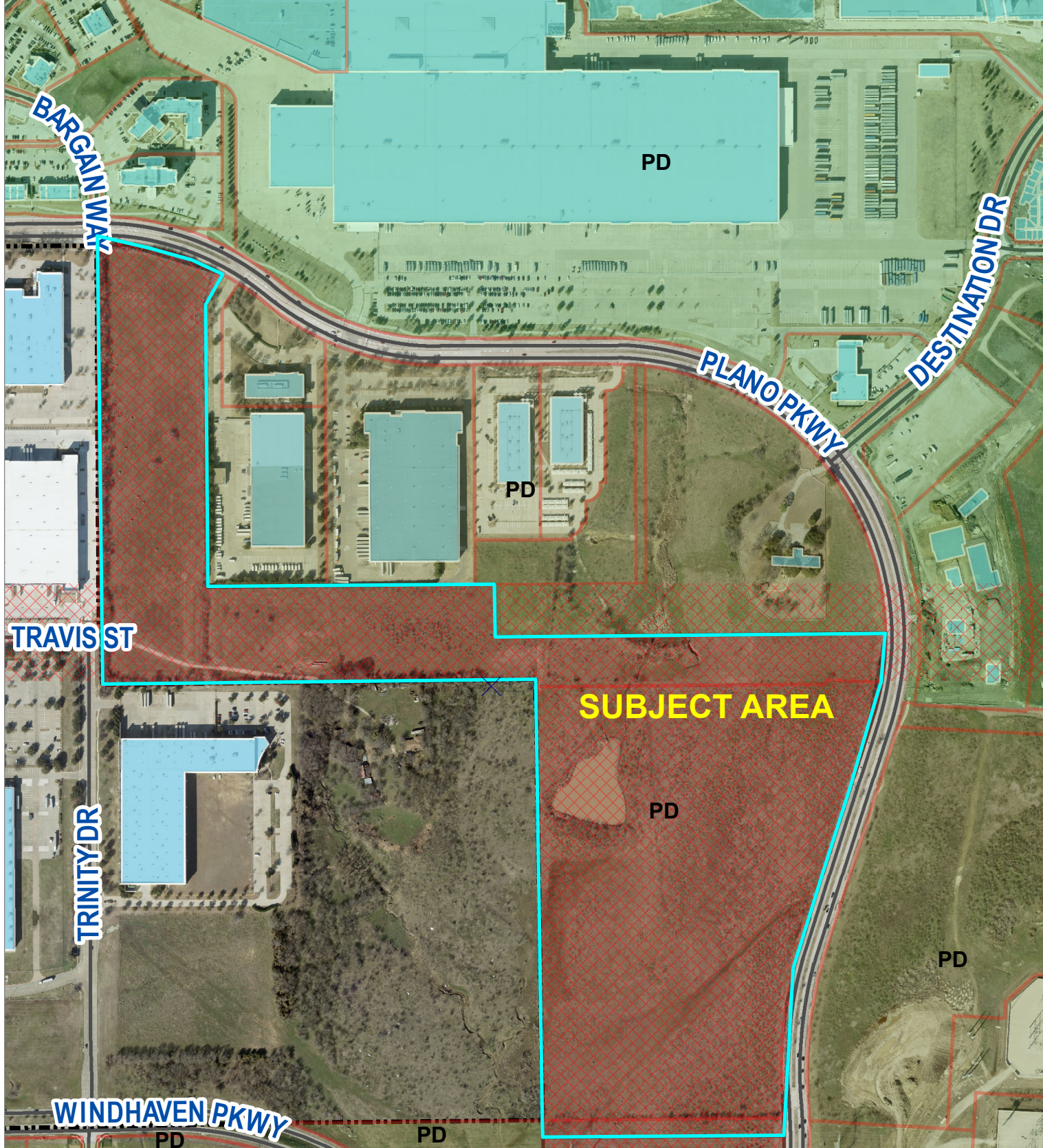
ATTEST:

Tina Stewart, TRMC, CMC, City Secretary

APPROVED AS TO FORM:

Jeffrey L. Moore, City Attorney

EXHIBIT “A”



Project No: PD26-0001 - COLONY COMMERCE CENTER

Project Name ■ PD10 ■ PD25

 Colony Commerce Center ■ PD22



This map was generated by GIS data provided by The Colony GIS Department. The City of The Colony does not guarantee the correctness or accuracy of any features on this map. These digital products are for illustration purposes only and are not suitable for site-specific decision making.

HINES COLONY – ZONING DESCRIPTION

BEING a tract of land situated in the T.A. West Survey, Abstract No. 1344, City of The Colony, Denton County, Texas; being a portion of a called 81.7201 acre tract of land described in the General Warranty Deed to Lonzar Delaware, Inc., recorded in Volume 4707, Page 868, Deed Records, Denton County, Texas and being more particularly described as follows:

BEGINNING at the north west corner of said 81.7201 acre tract and being in the south right-of-way line of Plano Parkway (a variable width right-of-way) and being the beginning of a non-tangent curve to the right with a radius of 950.00 feet, a central angle of 29°23'47", and a chord bearing and distance of South 75°41'13" East, 482.08 feet;

THENCE in a southeasterly direction with said south right-of-way line and with said non-tangent curve to the right, an arc distance of 487.41 feet to the northwest corner of Lot 1R-2, Block 1, of Pizza Inn Corporation Addition, an addition to the City of The Colony, according to the plat thereof recorded in Cabinet Y, Page 429, Plat Records, Denton County, Texas;

THENCE departing said south right-of-way line and with the west line of said Lot 1R-2 the following courses and distances:

South 29°00'29" West, a distance of 135.35 feet;

South 00°20'06" East, a distance of 1067.26 feet to the southwest corner of said Lot 1R-2;

THENCE North 89°26'20" East, with the south line of said Lot 1R-2, passing at a distance of a distance of 450.00 feet the southeast corner of said Lot 1R-2 and being the southwest corner of Lot 1, Block 1 of the Edward Don Addition, an addition to the City of The Colony, according to the plat thereof recorded in Cabinet W, Page 176, Plat Records, Denton County, Texas, continuing with the south line of said Edward Don Addition, passing at a distance of 1012.16 feet the south east corner of said Edward Don Addition, and being the southwest corner of Lot 1, Block A of Old Oak Pond Office Addition, an addition to the City of The Colony, Texas, according to the plat thereof recorded in Document No. 2015-270, Plat Records, Denton County, Texas, continuing with the south line of said Old Oak Pond Office Addition a total distance of 1086.10 feet to an angle point in the north line of said 81.7201 acre tract and being in the south line of the remainder of a called 53.30 acre tract of land described in the General Warranty Deed to Crow-Billingsley UMF Plano, Ltd., recorded in Volume 4707, Page 875, Deed Records, Denton County, Texas;

THENCE with the common line of said 81.7201 acre tract and said 53.30 acre tract, the following courses and distances:

South 00°50'18" East, a distance of 203.39 feet to a point for corner;

North 89°23'38" East, a distance of 1477.85 feet to the southeast corner of said 53.30 acre tract and being the easterly most northeast corner of said 81.7201 acre tract and being the west right-of-way line of said Plano Parkway and the beginning of a non-tangent curve to the right with a radius of 1030.00 feet, a central angle of 18°18'40", and a chord bearing and distance of South 08°44'17" West, 327.78 feet;

THENCE with said west right-of-way line of Plano Parkway, the following course said distances

In a southwesterly direction, with said non-tangent curve to the right, an arc distance of 329.18 feet to a point for corner;

South 17°53'37" West, a distance of 867.15 feet to a point at the beginning of a tangent curve to the left with a radius of 1650.00 feet, a central angle of 22°12'47", and a chord bearing and distance of South 06°47'13" West, 635.69 feet;

In a southwesterly direction, with said tangent curve to the left, an arc distance of 639.69 feet to a point at the beginning of a reverse curve to the right with a radius of 1950.00 feet, a central angle of 03°11'25", and a chord bearing and distance of South 02°43'28" East, 108.57 feet;

In a southeasterly direction, with said reverse curve to the right, an arc distance of 108.58 feet to the northeast corner of Lot 1, Block A of the Lonzar Addition, an addition to the City of The Colony, according to the plat thereof recorded in Document No. 2020-175, Plat Records, Denton County, Texas;

THENCE South 88°45'51" West, departing said west right-of-way line and with the north line of said Lonzar Additon, a distance of 913.94 feet to the northwest corner of said Lonzar Additon and being in the west line of said 81.7201 acre tract;

THENCE North 00°49'30" West, with said west line, passing at a distance of 65.37 feet the southeast corner of Lot 1R, Block C of Austin Ranch West, an addition to the City of The Colony, according to the plat thereof recorded in Cabinet X, Page 866, Plat Records Denton County, Texas, continuing with the east line of said Lot 1R, Block C, a total distance of 1733.11 feet to the northeast corner of said Lot 1R, Block C;

THENCE South 89°25'35" West, with the north line of said Lot 1R, Block C, passing at a distance of 899.30feet the northwest corner of said Lot 1R, Block C, and being the northeast corner of Lot 2, Block C, continuing with the north line of said Lot 2, Block C, a total distance of 1638.96 feet to the northeast corner of said Lot 2, Block C and being a west corner of said 81.7201 acre tract;

THENCE North 00°22'06" West, with the west line of said 81.7201 acre tract, a distance of 1673.98 feet to the **POINT OF BEGINNING** and containing 71.86 acres of land more or less.

PLANNED DEVELOPMENT DISTRICT NO. ____

SECTION I
GENERAL PROVISIONS

1. For the purpose of this ordinance, Exhibit A, the PD Concept Plan, shall indicate conceptual alignments of thoroughfares and the general, size, locations, and delineations of buildings, landscape and zoning areas within this Planned Development, subject to refinement during Site Plan review.
2. Prior to the issuance of any building permit for the development of any Warehouse on any portion of the Property, a site plan as required by Section 10-664 of the Comprehensive Zoning Ordinance of the City of The Colony, Zoning Ordinance, Chapter 61 shall be submitted and approved by the City Council and made an exhibit to and a part of this ordinance and incorporated by reference herein for all purposes.
3. The acreage shown for each tract or parcel of land shall be subject to minor refinement and adjustments at the time of platting based on final placement and design of bounding thoroughfares and/or exact determination of buildable areas within each tract.
4. Terms used in this ordinance shall have the same definitions as given in the Zoning Ordinance of the City of The Colony, Ordinance No. 61 unless otherwise defined herein.
5. All streets and thoroughfares shown on the Concept Plan shall be designed and constructed in accordance with approved City of The Colony standards.
6. All developments are subject to the approval of engineering plans in accordance with City of The Colony standards and specifications.
7. Developer shall design and construct drainage infrastructures in accordance with federal, state and local regulations and dedicate the appropriate easements in accordance with City of The Colony standards.

SECTION II

DEVELOPMENT STANDARDS

Except as otherwise provided herein, this Planned Development shall be subject to those development standards provided for the Business Park “BP” Zoning District as set forth in Section 10-2100 of the City of The Colony Comprehensive Zoning Ordinance, Chapter 61 of the City Code of Ordinances, as amended.

1. Permitted Uses

- a. All uses permitted in the Business Park “BP” Zoning District classification are permitted within the Property, except for the following:
 - Art needlework
 - Bar, lounge or tavern
 - Bus station and terminal
 - Bus or truck parking garage
 - Club, private; lodge or fraternal organization
 - Commercial radio/TV transmitting station
 - Eating place with dancing or entertainment
 - Electric substation
 - Library, art gallery/museum
 - Mortuary or funeral home
 - Nursing home/convalescent home
 - Club, private; lodge or fraternal organization
 - Private club, eating place with beer, wine, or liquor
 - Private club, with bar service
 - Railroad terminal (passengers or freight)
 - Rectory
 - Sewage pumping station
 - Swimming pool, private
 - Hand weaving
 - Hotel (limited or full-service)
 - Key shop

- b. “Warehouse” use (including, without limitation, e-commerce logistics and distribution uses) and “Light Manufacturing, Fabrication and Assembly Processes” use (including, without limitation, the fabrication and assembly of technology parts and devices such as electronic components, circuit boards, microchips, computers and similar electronic devices) shall be permitted on the

Property and shall be regulated by performance standards in accordance with Section 10-400 of the Zoning Ordinance as may be amended from time to time.

- c. Accessory uses are permitted as set forth in the Zoning Ordinance including, but not limited to, coffee shops and cafeterias contained within warehouse, fitness centers, and other similar facilities.
- d. Dumpsters serving buildings adjacent to Plano Parkway shall be screened from Plano Parkway in accordance with this paragraph. Screening shall consist of: (i) a wing wall extending from the edge of the building as shown on the Concept Plan; (ii) the building being served by the dumpster; (iii) landscaping, (iv) a combination of these screening types; or (v) any other screening method approved by the Planning Director. Screening may be located at the edge of a building to screen a dumpster located anywhere along the building. Screening shall be a minimum of six (6) feet in height. Dumpsters serving buildings not adjacent to Plano Parkway are not required to be screened.

2. Floor Area Ratio

The overall cumulative Floor Area Ratio (“FAR”) for the entire Property, including detention areas, shall be a maximum of 1:1, subject to the following maximum cumulative FAR by type of use:

- Warehouse/Light Fabrication and Assembly: 0.55:1
- Office: 1:1

For purposes of calculating FAR, the entire property is considered a single development such that FAR shall be calculated as a ratio of the entire development and not calculated on a per-lot basis. As each building is developed, the developer shall provide updated FAR calculations providing total floor area developed to assure compliance with the maximum FAR. The location factor and adjusted F.A.R. set forth in Section 10-2100(B) do not apply.

3. Landscaping

All landscaping shall comply with the City of The Colony Landscaping Ordinance, except as follows. The buffer yards along the street frontages shall be reduced to:

- Plano Parkway 20 ft.
- All other streets 5 ft.

Each development site shall provide effective open space equal to ten (10) percent of the development site. Storm water detention ponds and retention ponds shall be included in open space calculations.

4. Fencing

Without limitation as to other permissible fence materials and types, fences constructed of black vinyl chain link are expressly permitted. Fences may not exceed a height of eight feet, six inches in any rear or side yard, or along any rear or side yard lot line. Fences in front yards abutting Plano Parkway may not exceed the height limitation set forth in Section 18-604(A) of the Zoning Ordinance. All other fences in front yards or along the front yard lot line may not exceed a height of eight feet, six inches.

5. Loading & Service Access

All service areas shall be located to the rear or sides of the buildings and shall not face Plano Parkway R.O.W. Loading and service areas visible from Plano Parkway shall be screened in the same manner as dumpsters in paragraph 1.e above.

6. Parking

- a. Parking requirements shall comply with The Colony Code of Ordinances, Section 13 and the requirements set forth herein.
- b. Reduction in the parking requirements may be permitted in accordance with a parking study approved by the Planning Director.
- c. A maximum of four (4) single rows of parking are permitted between the primary building and the street.
- d. Parking is prohibited in required landscape buffers.

7. Exterior Lighting

Exterior parking and loading areas shall be provided with adequate security lighting. Such lighting shall be either wall- or pole-mounted, with cut-off type luminaire (aimed downward), to minimize glare directed toward the streets or adjacent properties. All external lights shall be mounted not to exceed thirty (30) feet in height measured from grade.

8. Signage

All signage shall be in compliance with the City of The Colony sign ordinance as amended from time to time.

9. Traffic Impact Analysis

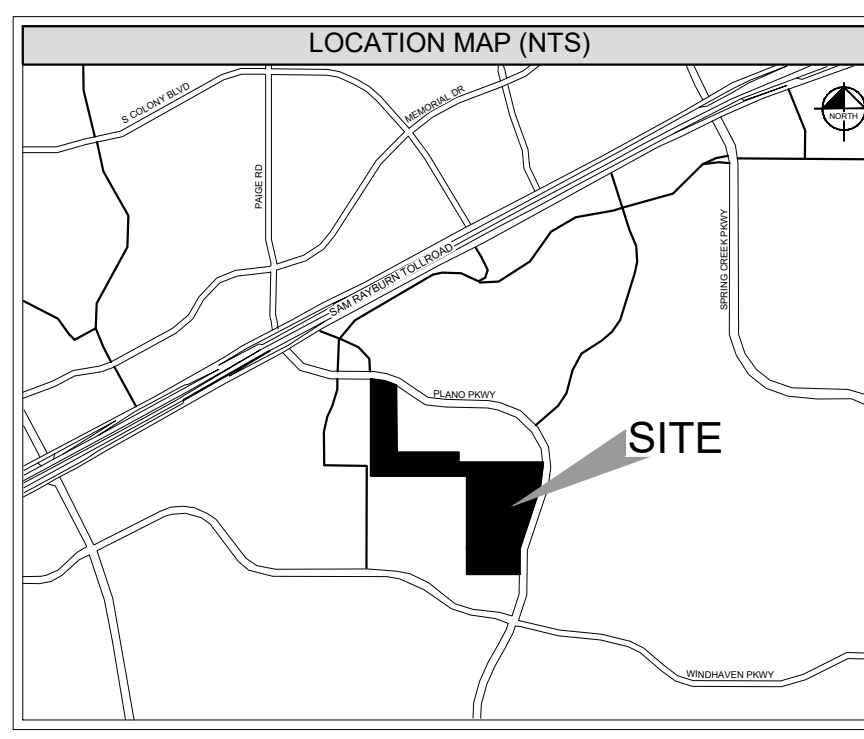
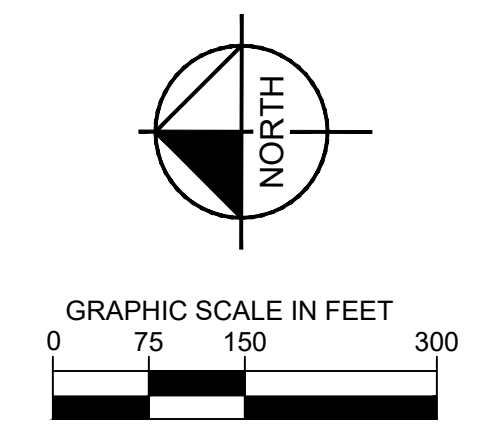
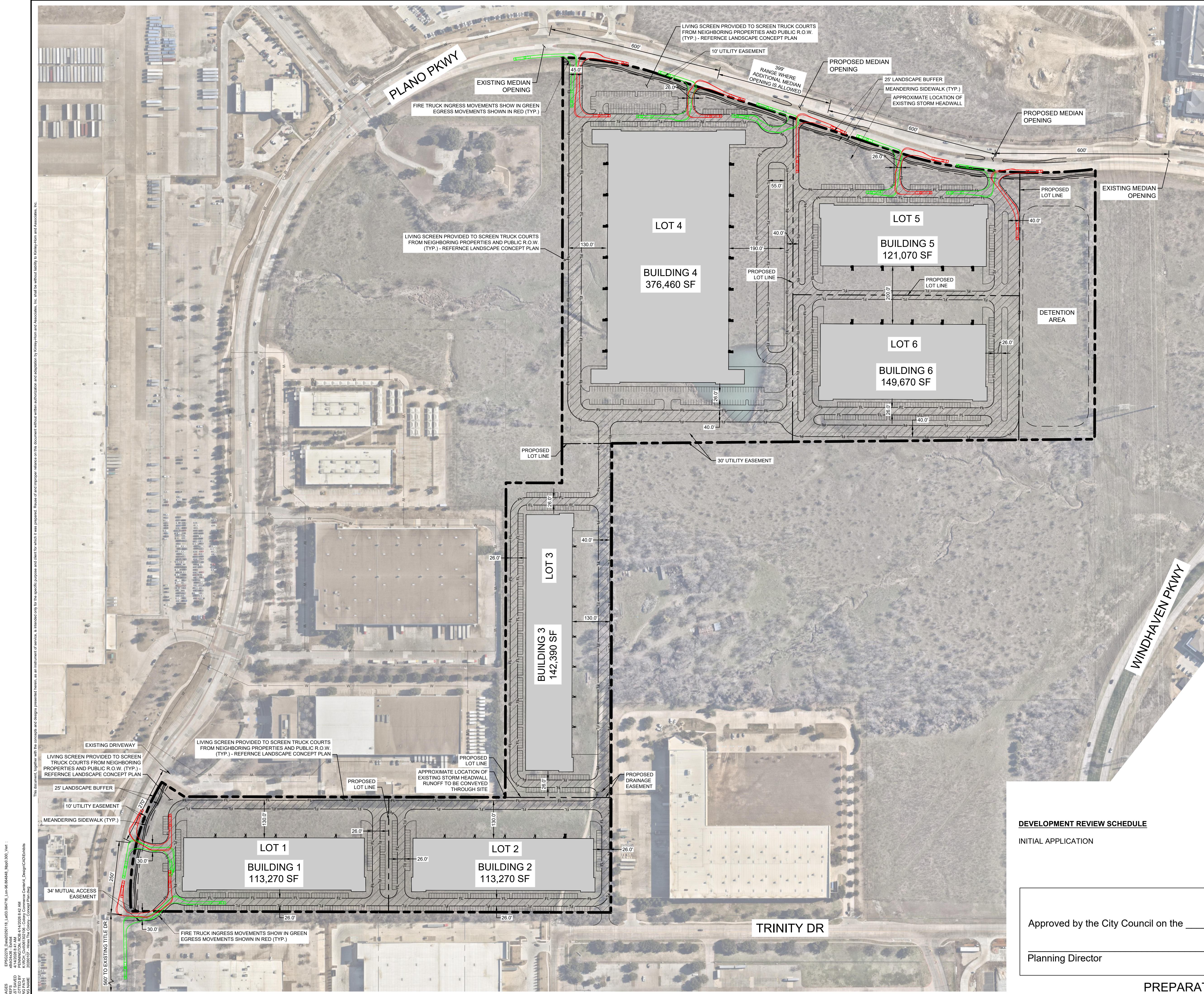
- a. Exhibit A , Traffic Impact Analysis (“TIA”), identifies the traffic-related effects of the proposed development within this Planned Development.
- b. As long as the development is in general compliance with the Concept Plan, an updated TIA is not required at the time of site plan review unless:
 - i. the uses of the buildings have changed from those reflected on the Concept Plan; or
 - ii. the building areas are more than five percent (5%) greater than those shown on the Concept Plan.

10. Compliance With City Code of Ordinances

Each individual site will be subject to plat and site plan review and approval to ensure compliance with all applicable ordinances and requirements of the City before a building permit is issued.

11. Concept Plan Flexibility

For the purpose of this ordinance, Exhibit A , the PD Concept Plan, shall indicate conceptual alignments of thoroughfares and the general, size, locations, and delineations of buildings, landscape and zoning areas within this Planned Development, subject to refinement during Site Plan review. The Concept Plan is intended to provide some flexibility and may be changed at the time of Site Plan review and approval to meet user needs and market demands for Office, Light Fabrication and Assembly Process, and Warehouse uses.



LEGEND	
PROPERTY LINE	---
EXISTING EASEMENT	---
EX. WATER	---
EX. SANITARY SEWER	---
PROPOSED FIRE LANE	---

SITE DATA TABLE		
PHYSICAL ADDRESS	3553 PLANO PARKWAY	
PROPERTY SIZE	71.863 AC 3,130,336 SF	
LOT 1 SIZE	9.062 AC 394,739 SF	
LOT 2 SIZE	8.073 AC 351,646 SF	
LOT 3 SIZE	10.741 AC 467,875 SF	
LOT 4 SIZE	23.846 AC 1,038,748 SF	
LOT 5 SIZE	10.014 AC 436,191 SF	
LOT 6 SIZE	10.127 AC 441,136 SF	
EXISTING LAND USE	VACANT	
PROPOSED LAND USE	INDUSTRIAL WAREHOUSE	
PROPERTY COVERAGE DATA		
BUILDING COVERAGE	32.46% ± 1,016,130 SF	
IMPERVIOUS AREA	80.56% ± 2,521,662 SF	
PERVIOUS AREA	18.15% ± 566,262 SF	
LOT COVERAGE DATA		
	FLOOR AREA RATIO	OPEN SPACE
LOT 1	28.7% (± 113,270 SF / 394,739 SF)	30.0% (± 118,402 SF / 394,739 SF)
LOT 2	32.2% (± 113,270 SF / 351,646 SF)	23.8% (± 83,780 SF / 351,646 SF)
LOT 3	30.4% (± 142,390 SF / 467,875 SF)	28.2% (± 136,773 SF / 467,875 SF)
LOT 4	36.2% (± 376,460 SF / 1,038,748 SF)	23.3% (± 241,725 SF / 1,038,748 SF)
LOT 5	27.8% (± 121,070 SF / 436,191 SF)	37.0% (± 161,533 SF / 436,191 SF)
LOT 6	33.9% (± 149,670 SF / 441,136 SF)	24.6% (± 108,685 SF / 441,136 SF)
PARKING SUMMARY		
WAREHOUSE	1 SPACE PER 2,500 SF FOR 0 - 100,000 SF	
PARKING RATIO:	20 SPACES + 1 SPACE PER 5,000 SF FOR > 100,000 SF	
	REQUIRED	PROVIDED
BUILDING 1 - 113,270 SF	63 SPACES	190 SPACES
BUILDING 2 - 113,270 SF	63 SPACES	182 SPACES
BUILDING 3 - 142,390 SF	69 SPACES	185 SPACES
BUILDING 4 - 376,460 SF	116 SPACES	274 SPACES
BUILDING 5 - 121,070 SF	65 SPACES	131 SPACES
BUILDING 6 - 149,670 SF	70 SPACES	155 SPACES

NOTES	
1.	ALL PARKING SPACE TO BE 9' X 18' UNLESS OTHERWISE NOTED.
2.	ALL REQUIRED FIRE LANE DRIVE AISLES TO BE MINIMUM 26-FOOT WIDE.
3.	ALL REQUIRED FIRE LANE TURNING RADII TO BE MINIMUM 20-FOOT.
4.	PROPOSED MEDIAN OPENINGS ON PLANO PKWY TO MEET CITY STANDARD MINIMUM SPACING REQUIREMENTS.
5.	TRUCK COURTS TO BE SCREENED FROM NEIGHBORING PROPERTIES AND PUBLIC RIGHT-OF-WAY BY LIVING SCREEN. REFERENCE LANDSCAPE CONCEPT PLAN.

DEVELOPMENT REVIEW SCHEDULE

INITIAL APPLICATION

INFORMATION WITHIN DOCUMENT

COLONY COMMERCE CENTER PD - SUBMITTAL

Approved by the City Council on the _____ day of _____ 20____

Planning Director

PREPARATION DATE: APRIL 13TH, 2026

No.	REVISIONS	DATE

Kimley & Horn
 2600 N CENTRAL EXPRESSWAY, SUITE 400
 FORT WORTH, TEXAS 76107
 PHONE: 817-770-1300 FAX: 817-770-2939-3820
 WWW.KIMLEY-HORN.COM TX F-928
 © 2026 KIMLEY-HORN AND ASSOCIATES, INC.

Kimley & Horn
 PRELIMINARY
 NOT FOR CONSTRUCTION PURPOSES
 DATE: APRIL 2026
 SCALE: AS SHOWN
 DESIGNED BY: REP
 DRAWN BY: REP
 CHECKED BY: DPG

KHA PROJECT: COLONY COMMERCE CENTER PREPARED FOR HINES
 THE COLONY, TEXAS

CONCEPT PLAN
 SHEET NUMBER: CP-1

EPK022701_DWG022011E_L043.044 PL 06 848484_Maps 300_Vet...
 LAST SAVED: 4/13/2026 8:41 AM
 DWG PATH: K:\KH\2026\02\01\043.044\043.044_Maps 300_Vet.dwg
 DWG NAME: 20260107_Hines The Colony - Concept Plan.dwg



LANDSCAPE ARCHITECT
STUDIO GREEN SPOT, INC.
1782 W. McDERMOTT DR.
ALLEN, TEXAS 75013
(469) 369-4449
CHRIS@STUDIOGREENSPOT.COM



04.14.2026

COLONY INDUSTRIAL
PLANO PARKWAY
THE COLONY, TEXAS

LANDSCAPE NOTES

- CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
- CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
- CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.
- CONTRACTOR TO PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
- ALL PLANTING BEDS AND LAWN AREAS TO BE SEPARATED BY STEEL EDGING. NO STEEL TO BE INSTALLED ADJACENT TO SIDEWALKS OR CURBS.
- ALL LANDSCAPE AREAS TO BE 100% IRRIGATED WITH AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM AND SHALL INCLUDE RAIN AND FREEZE SENSORS.
- ALL LAWN AREAS TO BE SOLID SOD BERMUDAGRASS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- DECOMPOSED GRANITE SHALL BE (3) THREE INCHES DEEP W/ FILTER FABRIC BETWEEN NATIVE SOIL AND GRANITE

GENERAL LAWN NOTES

- FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED ON CIVIL PLANS.
- ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
- ALL LAWN AREAS TO RECEIVE SOLID SOD SHALL BE LEFT IN A MAXIMUM OF 1" BELOW FINAL FINISH GRADE. CONTRACTOR TO COORDINATE OPERATIONS WITH ON-SITE CONSTRUCTION MANAGER.
- IMPORTED TOPSOIL SHALL BE NATURAL, FRIABLE SOIL FROM THE REGION, KNOWN AS BOTTOM AND SOIL, FREE FROM LUMPS, CLAY, TOXIC SUBSTANCES, ROOTS, DEBRIS, VEGETATION, STONES, CONTAINING NO SALT AND BLACK TO BROWN IN COLOR.
- ALL LAWN AREAS TO BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED, AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR ARCHITECT PRIOR TO INSTALLATION.
- ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLOUDS, STICKS, CONCRETE SPOILS, ETC. SHALL BE REMOVED PRIOR TO PLACING TOPSOIL AND ANY LAWN INSTALLATION
- CONTRACTOR SHALL PROVIDE (1") ONE INCH OF IMPORTED TOPSOIL ON ALL AREAS TO RECEIVE LAWN.

SOLID SOD NOTES

- FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL DESIRED GRADE IN PLANTING AREAS AND 1" BELOW FINAL GRADE IN TURF AREAS.
- ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
- ALL LAWN AREAS TO RECEIVE SOLID SOD SHALL BE LEFT IN A MAXIMUM OF 1" BELOW FINAL FINISH GRADE. CONTRACTOR TO COORDINATE OPERATIONS WITH ON-SITE CONSTRUCTION MANAGER.
- CONTRACTOR TO COORDINATE WITH ON-SITE CONSTRUCTION MANAGER FOR AVAILABILITY OF EXISTING TOPSOIL.
- PLANT SOD BY HAND TO COVER INDICATED AREA COMPLETELY. INSURE EDGES OF SOD ARE TOUCHING. TOP DRESS JOINTS BY HAND WITH TOPSOIL TO FILL VOIDS.
- ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE, FREE FROM UNNATURAL UNDULATIONS.
- WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.
- CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT LIMITED TO: MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
- CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF AN ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.
- IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, ALL SOD AREAS TO BE OVER SEEDED WITH WINTER RYEGRASS, AT A RATE OF (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.

ISSUE:

FOR APPROVAL 02.06.2026
CITY COMMENTS 02.23.2026
CITY COMMENTS 03.11.2026
CITY COMMENTS 04.14.2026

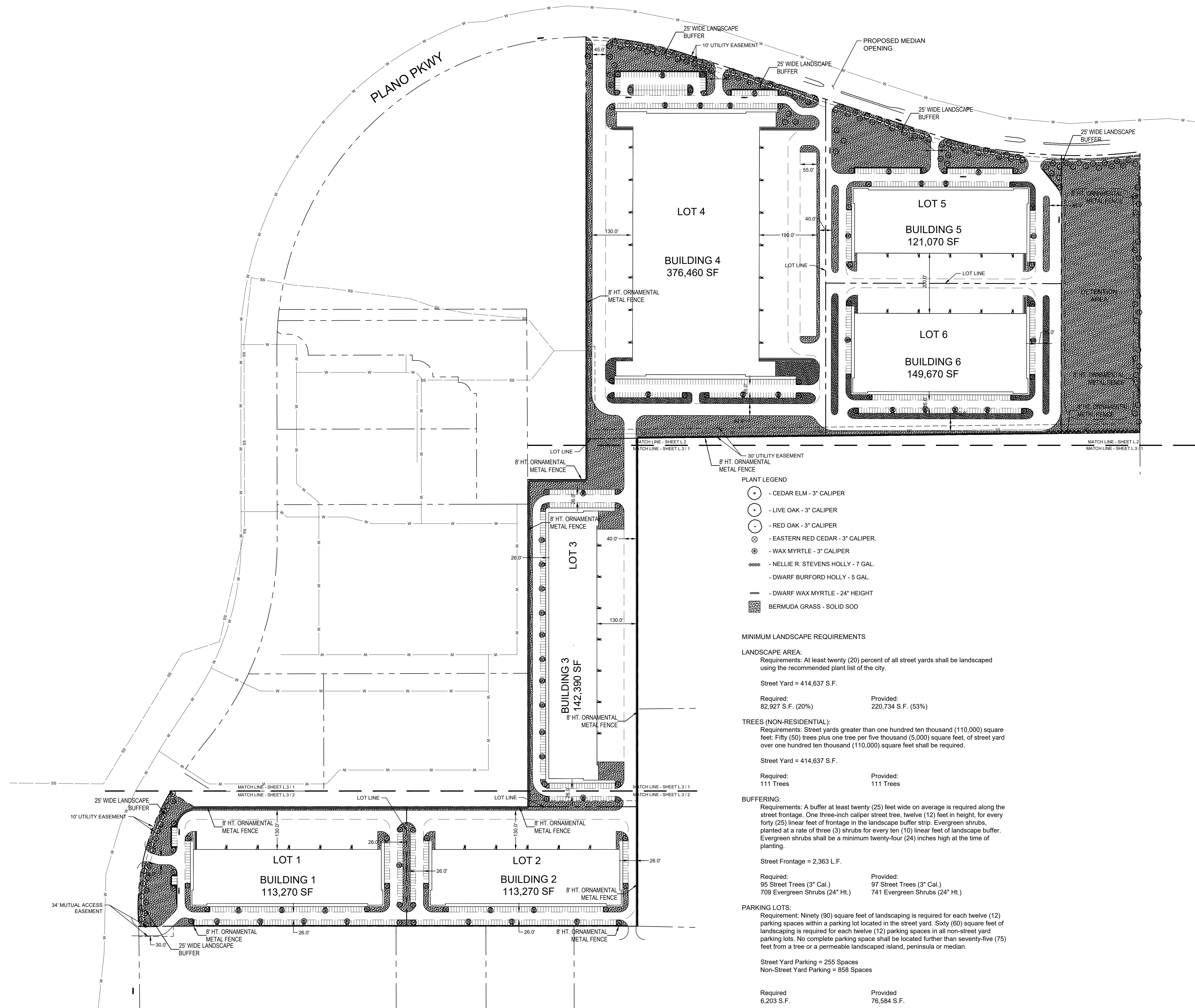
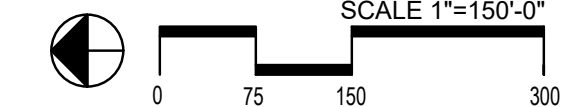
DATE:
04.14.2026

SHEET NAME:
OVERALL LANDSCAPE PLAN

SHEET NUMBER:

L.1

OVERALL LANDSCAPE PLAN
SCALE 1"=150'-0"



PLANT LEGEND

- - CEDAR ELM - 3" CALIPER
- - LIVE OAK - 3" CALIPER
- - RED OAK - 3" CALIPER
- ⊗ - EASTERN RED CEDAR - 3" CALIPER
- ⊗ - WAX MYRTLE - 3" CALIPER
- ⊗ - NELLIE R. STEVENS HOLLY - 7 GAL.
- ⊗ - DWARF BURFORD HOLLY - 5 GAL.
- ⊗ - DWARF WAX MYRTLE - 24" HEIGHT
- - BERMUDA GRASS - SOLID SOD

MINIMUM LANDSCAPE REQUIREMENTS

LANDSCAPE AREA:
Requirements: At least twenty (20) percent of all street yards shall be landscaped using the recommended plant list of the city.

Street Yard = 414,637 S.F.
Required: 82,927 S.F. (20%) Provided: 220,734 S.F. (53%)

TREES (NON-RESIDENTIAL):
Requirements: Street yards greater than one hundred ten thousand (110,000) square feet. Fifty (50) trees plus one tree per five thousand (5,000) square feet, of street yard over one hundred ten thousand (110,000) square feet shall be required.

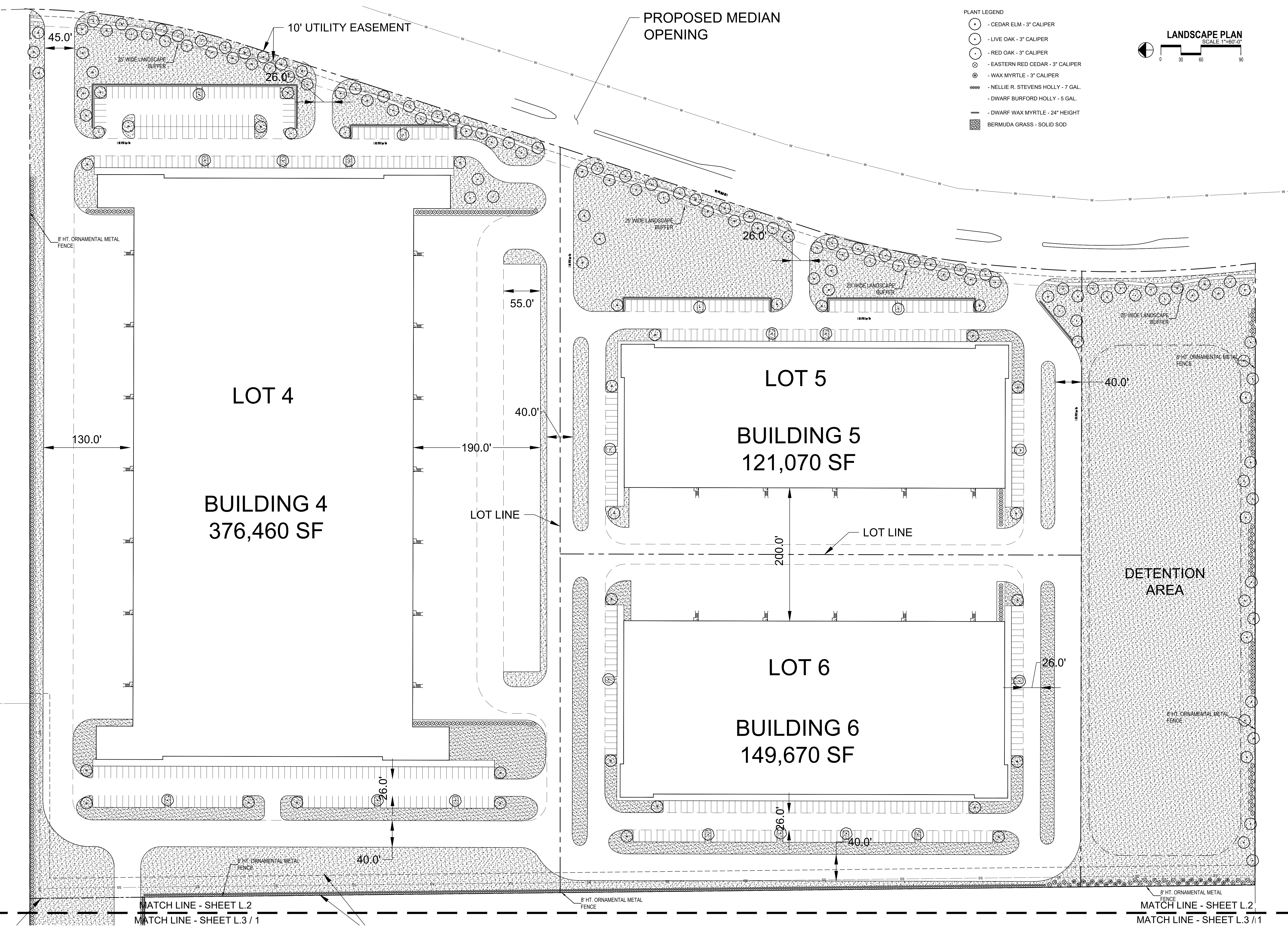
Street Yard = 414,637 S.F.
Required: 111 Trees Provided: 111 Trees

BUFFERING:
Requirements: A buffer at least twenty (25) feet wide on average is required along the street frontage. One three-inch caliper street tree, twelve (12) feet in height, for every forty (25) linear feet of frontage in the landscape buffer strip. Evergreen shrubs, planted at a rate of three (3) shrubs for every ten (10) linear feet of landscape buffer. Evergreen shrubs shall be a minimum twenty-four (24) inches high at the time of planting.

Street Frontage = 2,363 L.F.
Required: 95 Street Trees (3" Cal.) Provided: 97 Street Trees (3" Cal.)
709 Evergreen Shrubs (24" Ht.) 741 Evergreen Shrubs (24" Ht.)

PARKING LOTS:
Requirement: Ninety (90) square feet of landscaping is required for each twelve (12) parking spaces within a parking lot located in the street yard. Sixty (60) square feet of landscaping is required for each twelve (12) parking spaces in all non-street yard parking lots. No complete parking space shall be located further than seventy-five (75) feet from a tree or a permeable landscaped island, peninsula or median.

Street Yard Parking = 255 Spaces
Non-Street Yard Parking = 858 Spaces
Required: 6,203 S.F. Provided: 76,584 S.F.



- PLANT LEGEND
- - CEDAR ELM - 3" CALIPER
 - - LIVE OAK - 3" CALIPER
 - - RED OAK - 3" CALIPER
 - ⊗ - EASTERN RED CEDAR - 3" CALIPER
 - ⊗ - WAX MYRTLE - 3" CALIPER
 - ⊗ - NELLIE R. STEVENS HOLLY - 7 GAL.
 - ⊗ - DWARF BURFORD HOLLY - 5 GAL.
 - - DWARF WAX MYRTLE - 24" HEIGHT
 - - BERMUDA GRASS - SOLID SOD

LANDSCAPE PLAN
SCALE 1"=60'-0"

Studio Green Spot
LANDSCAPE ARCHITECT
STUDIO GREEN SPOT, INC.
1782 W. McDERMOTT DR.
ALLEN, TEXAS 75013
(469) 369-4448
CHRIS@STUDIOWEENSPOT.COM



COLONY INDUSTRIAL
PLANO PARKWAY
THE COLONY, TEXAS

ISSUE:
FOR APPROVAL 02.06.2026
CITY COMMENTS 02.23.2026
CITY COMMENTS 03.11.2026
CITY COMMENTS 04.14.2026

DATE:
04.14.2026

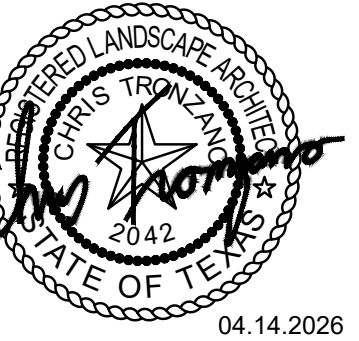
SHEET NAME:
LANDSCAPE PLAN

SHEET NUMBER:

L.2

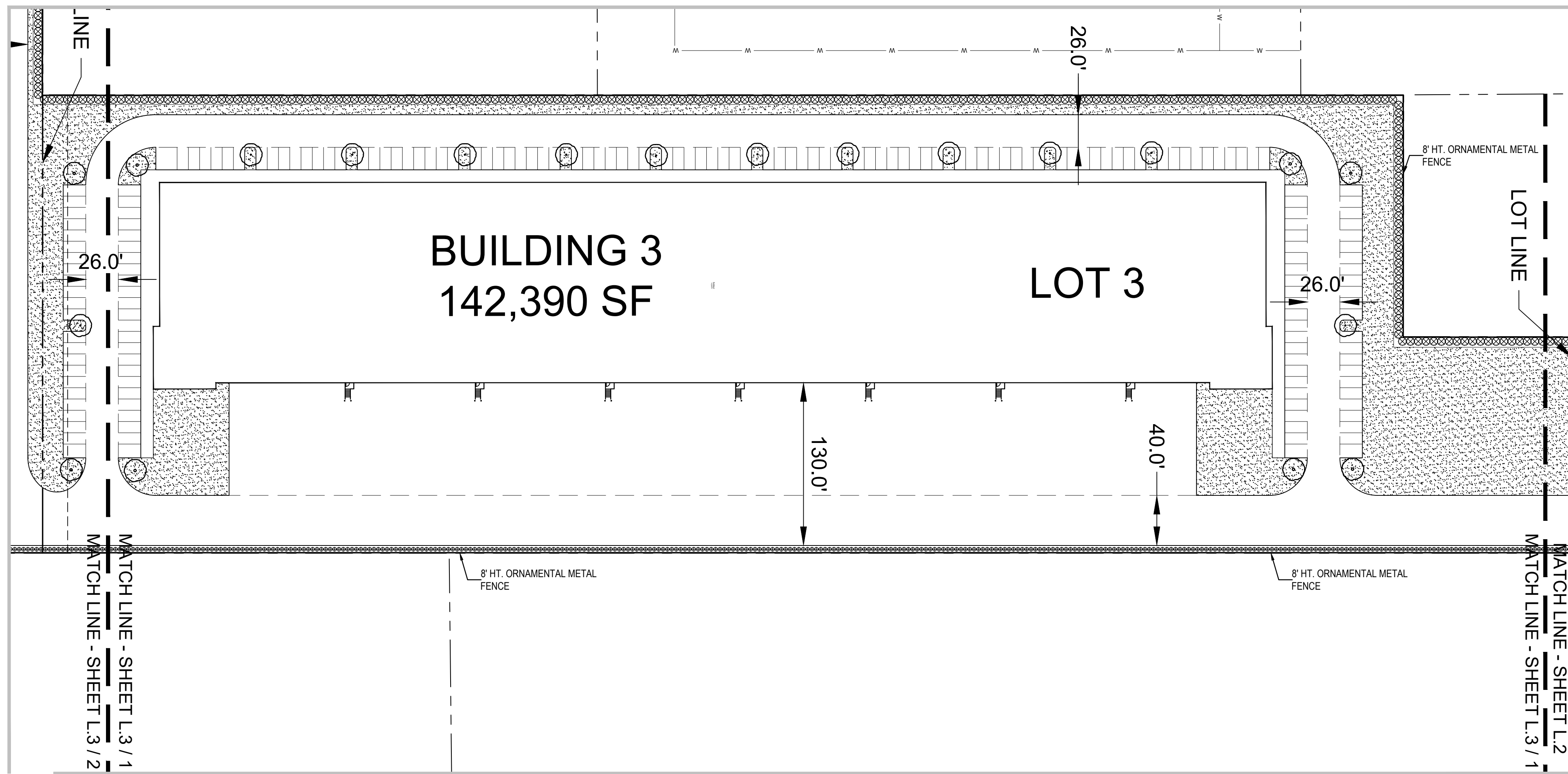


LANDSCAPE ARCHITECT
 STUDIO GREEN SPOT, INC.
 1782 W. McDERMOTT DR.
 ALLEN, TEXAS 75013
 (469) 369-4448
 CHRIS@STUDIOWGREENSPOT.COM



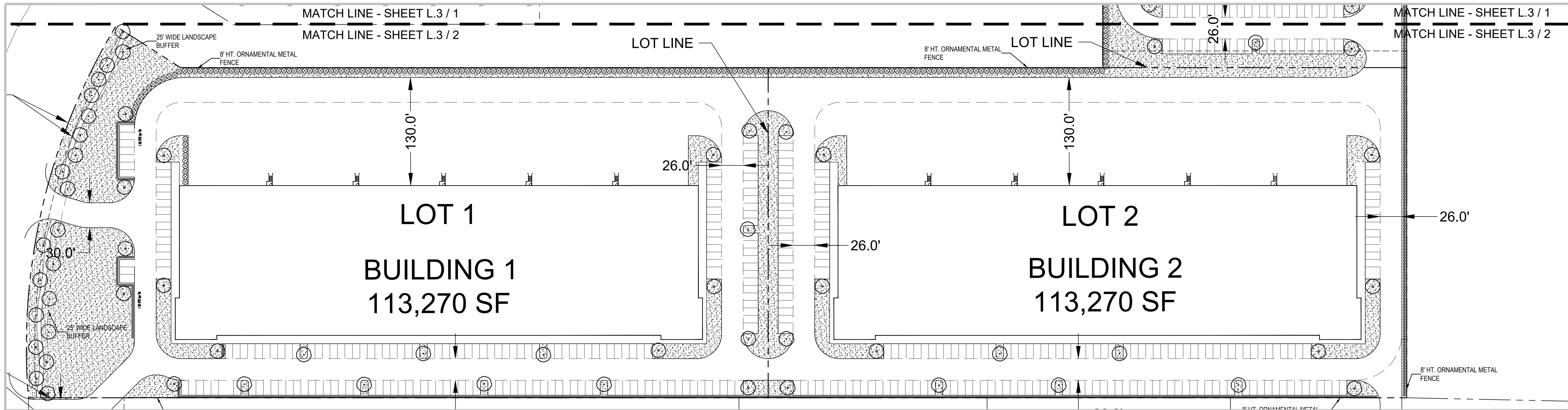
04.14.2026

COLONY INDUSTRIAL
 PLANO PARKWAY
 THE COLONY, TEXAS



1 - LANDSCAPE PLAN
 SCALE 1"=60'-0"

- PLANT LEGEND**
- CEDAR ELM - 3" CALIPER
 - LIVE OAK - 3" CALIPER
 - RED OAK - 3" CALIPER
 - EASTERN RED CEDAR - 3" CALIPER.
 - WAX MYRTLE - 3" CALIPER
 - NELLIE R. STEVENS HOLLY - 7 GAL.
 - DWARF BURFORD HOLLY - 5 GAL.
 - DWARF WAX MYRTLE - 24" HEIGHT
 - BERMUDA GRASS - SOLID SOD



2 - LANDSCAPE PLAN
 SCALE 1"=60'-0"

ISSUE:
 FOR APPROVAL 02.06.2026
 CITY COMMENTS 02.23.2026
 CITY COMMENTS 03.11.2026
 CITY COMMENTS 04.14.2026

DATE:
 04.14.2026

SHEET NAME:
 LANDSCAPE PLAN

SHEET NUMBER:

L.3

SECTION 02900 - LANDSCAPE

PART 1 - GENERAL

1.1 REFERENCED DOCUMENTS

Refer to bidding requirements, special provisions, and schedules for additional requirements.

1.2 DESCRIPTION OF WORK

Work included: Furnish all supervision, labor, materials, services, equipment and appliances required to complete the work covered in conjunction with the landscaping covered in these specifications and landscaping plans, including:

- Planting (trees, shrubs, and grass)
- Bed preparation and fertilization
- Notification of sources
- Water and Maintenance until final acceptance
- Guarantee

1.3 REFERENCE STANDARDS

- A. American Standard for Nursery Stock published by American Association of Nurserymen: 27 October 1980, Edition, by American National Standards Institute, Inc. (Z60.1) – plant material.
- B. American Joint Committee on Horticultural Nomenclature: 1942 Edition of Standardized Plant Names
- C. Texas Association of Nurserymen, Grades and Standards
- D. Horis Third, 1976 - Cornell University

1.4 NOTIFICATION OF SOURCES AND SUBMITTALS

- A. The Contractor shall, within ten (10) days following acceptance of bid, notify the Architect/Owner of the sources of plant materials and bed preparation required for the project.
- B. Samples: Provide representative quantities of sandy loam soil, mulch, bed mix material, gravel, and crushed stone. Samples shall be approved by Architect before use on project.
- C. Product Data: Submit complete product data and specifications on all other specified materials.
- D. Submit three representative samples of each variety of ornamental trees, shrubs, and groundcover plants for Architect's approval. When approved, tag, install, and maintain as representative samples for final installed plant materials.
- E. File Certificates of inspection of plant material by state, county, and federal authorities with Architect, if required.
- F. Soil Analysis: Provide sandy loam soil analysis if requested by the Architect.

JOB CONDITIONS

- A. General Contractor to complete the following punch list: Prior to Landscape Contractor initiating any portion of landscape installation, General Contractor shall leave planting bed areas three (3") inches below finish grade of sidewalks, drives and curbs as shown on the drawings. All lawn areas to receive solid sod shall be left one (1") inch below the finish grade of sidewalks, drives, and curbs. All construction debris shall be removed prior to Landscape Contractor beginning any work.
- B. General Contractor shall provide topsoil as described in Section 02200 - Earthwork.
- C. Storage of materials and equipment at the job site will be at the risk of the Landscape Contractor. The Owner cannot be held responsible for theft or damage.

1.6 MAINTENANCE AND GUARANTEE

- A. Maintenance:
 - The Landscape Contractor will be held responsible for the maintenance of all work from the time of planting until final acceptance by the Owner. No trees, shrubs, groundcover or grass will be accepted unless they show a healthy growth and satisfactory foliage conditions.
 - Maintenance shall include watering of trees and plants, cultivation, weeding, spraying, edging, pruning of trees, mowing of grass, cleaning up and all other work necessary of maintenance.
 - A written notice requesting final inspection and acceptance should be submitted to the Owner at least seven (7) days prior to completion. An on-site inspection by Owner and Landscape Contractor will be completed prior to written acceptance.
 - After final acceptance of installation, the Landscape Contractor will not be required to do any of the above listed work.
- B. Guarantee:
 - Trees shall be guaranteed for a twelve (12) month period after acceptance. Shrubs and groundcover shall be guaranteed for twelve (12) months. The Contractor shall replace all dead materials as soon as weather permits and upon notification of the Owner. Plants, including trees, which have partially died so that shape, size, or symmetry has been damaged, shall be considered subject to replacement. In such cases, the opinion of the Owner shall be final.
 - Plants used for replacement shall be of the same size and kind as those originally planted and shall be planted as originally specified. All work, including materials, labor and equipment used in replacements, shall carry a twelve (12) month guarantee. Any damage, including nuts in lawn or bed areas, incurred as a result of making replacements shall be immediately repaired.
 - At the direction of the Owner, plants may be replaced at the start of the next year's planting season. In such cases, dead plants shall be removed from the premises immediately.
 - When plant replacements are made, plants, soil mix, fertilizer and mulch are to be utilized as originally specified and inspected for full compliance with Contract requirements. All replacements are to be included under "Work" of this section.

1.7 QUALITY ASSURANCE

- A. General: Comply with applicable Federal, State, County and Local regulations governing landscape materials and work.
- B. Personnel: Employ only experienced personnel who are familiar with the required work. Provide full time supervision by a qualified foreman acceptable to Landscape Architect.
- C. Selection of Plant Material:
 - Make contact with suppliers immediately upon obtaining notice of contract acceptance to select and book materials. Develop a program of maintenance (pruning and fertilization) which will insure the purchased materials will meet and/or exceed project specifications.
 - Landscape Architect will provide a key identifying each tree location on site. Written verification will be required to document material selection, source and delivery schedules to site.
 - Owner and/or Architect shall inspect all plant materials when reasonable at place of growth for compliance with requirements for genus, species, cultivar/variety, size and quality.
 - Owner and/or Architect retains the right to further inspect all plant material upon arrival at the site and during installation for size and condition of root balls, limbs, branching habit, insects, injuries, and latent defects.
 - Owner and/or Architect may reject unsatisfactory or defective material at any time during the process of work. Remove rejected materials from the site immediately. Plants damaged in transit or at job site shall be rejected.

- 1. Make contact with suppliers immediately upon obtaining notice of contract acceptance to select and book materials. Develop a program of maintenance (pruning and fertilization) which will insure the purchased materials will meet and/or exceed project specifications.
- 2. Landscape Architect will provide a key identifying each tree location on site. Written verification will be required to document material selection, source and delivery schedules to site.
- 3. Owner and/or Architect shall inspect all plant materials when reasonable at place of growth for compliance with requirements for genus, species, cultivar/variety, size and quality.
- 4. Owner and/or Architect retains the right to further inspect all plant material upon arrival at the site and during installation for size and condition of root balls, limbs, branching habit, insects, injuries, and latent defects.
- 5. Owner and/or Architect may reject unsatisfactory or defective material at any time during the process of work. Remove rejected materials from the site immediately. Plants damaged in transit or at job site shall be rejected.

1.8 PRODUCT DELIVERY, STORAGE AND HANDLING

- A. Preparation:
 - Balled and Burlapped (B&B) Plants: Dig and prepare shipment in a manner that will not damage roots, branches, shape, and future development.
 - Container Grown Plants: Deliver plants in rigid container to hold ball shape and protect root mass.

A. Delivery:

- Deliver packaged materials in sealed containers showing weight, analysis and name of manufacturer. Protect materials from deterioration during delivery and while stored at site.
- Deliver only plant materials that can be planted in one day unless adequate storage and watering facilities are available on job site.
- Protect root balls by heeling in with sawdust or other approved moisture retaining material if not planted within 24 hours of delivery.
- Protect plants during delivery to prevent damage to root balls or desiccation of leaves. Keep plants moist at all times. Cover all materials during transport.
- Notify Architect of delivery schedule 72 hours in advance so plant material may be observed upon arrival at job site.
- Remove rejected plant material immediately from site.
- To avoid damage or stress, do not lift, move, adjust to plumb, or otherwise manipulate plants by trunk or stems.

PART 2 - PRODUCTS

2.1 PLANTS

- A. General: Well-formed No. 1 grade or better nursery grown stock. Listed plant heights are from tops of root balls to nominal tops of plants. Plant spread refers to nominal outer width of the plant, not to the outer leaf tips. Plants will be individually approved by the Architect and his decision as to their acceptability shall be final.
- B. Quantities: The drawings and specifications are complimentary. Anything called for on one and not the other is as binding as if shown and called for on both. The plant schedule is an aid to bidders only. Confirm all quantities on plan.
- C. Quality and size: Plant materials shall conform to the size given on the plan, and shall be healthy, symmetrical, well-shaped, full branched, and well rooted. The plants shall be free from injurious insects, diseases, injuries to the bark or roots, broken branches, objectionable disfigurements, insect eggs and larvae and are to be of specimen quality.
- D. Approval: All plant materials shall be subject to the approval of the Owner. All plants which are found unsuitable in growth, or in any unhealthy, badly shaped, or undersized condition, will be rejected by the Landscape Architect, either before or after planting, and shall be removed at the expense of the Landscape Contractor and replaced with acceptable plants as specified.
- E. Trees shall be healthy, full-branched, well-shaped and shall meet the trunk diameter and height requirements of the plant schedule. Balls shall be firm, neat, slightly tapered, and well wrapped in burlap. Any tree loose in the ball or with broken ball at time of planting will be rejected. Balls shall be ten (10") inches in diameter for each one (1") inch of trunk diameter. Measured six (6") inches above ball.

Nomenclature conforms to the customary nursery usage for clarification, the term "multi-trunk" defines a plant having three (3) or more trunks of nearly equal diameter.
- F. Pruning: All pruning of trees and shrubs, as directed by the Landscape Architect, shall be executed by the Landscape Contractor at no additional cost to the Owner.

2.2 SOIL PREPARATION MATERIALS

- A. Sandy Loam:
 - Friable, fertile, dark, loamy soil, free of clay lumps, subsoil, stones and other extraneous material and reasonably free of weeds and foreign grasses. Loam containing Dallasgrass or Nutgrass shall be rejected.
 - Physical properties as follows:
 - Clay – between 7-27 percent
 - Silt – between 15-25 percent
 - Sand – less than 52 percent
 - Organic matter shall be 3%-10% of total dry weight.
 - If requested, provide a certified soil analysis conducted by an approved soil testing laboratory verifying that sandy loam meets the above requirements.
- B. Organic Material: Compost with a mixture of 80% vegetative matter and 20% animal waste. Ingredients should be a mix of course and fine textured material.
- C. Premixed Bedding Soil as supplied by Vital Earth Resources, Gladewater, Texas; Professional Bedding Soil as supplied by Living Earth Technology, Dallas, Texas or Acid Gro Municipal Mix as supplied by Soil Building Systems, Dallas, Texas or approved equal.
- D. Sharp Sand: Sharp sand must be free of seeds, soil particles and weeds.
- E. Mulch: Double Shredded Hardwood Mulch, partially decomposed, dark brown. Living Earth Technologies or approved equal.
- F. Organic Fertilizer: Fertilaid, Sustane, or Green Sense or equal as recommended for required applications. Fertilizer shall be delivered to the site in original unopened containers, each bearing the manufacturer's guaranteed statement of analysis.

- A. Commercial Fertilizer: 10-20-10 or similar analysis. Nitrogen source to be a minimum 50% slow release organic Nitrogen (SCU or UF) with a minimum 8% sulphur and 4% iron, plus micronutrients.
- B. Peat: Commercial sphagnum peat moss or partially decomposed shredded pine bark or other approved organic material.

2.3 MISCELLANEOUS MATERIALS

- A. Steel Edging: Shall be Ryerson "Estate Curbing", 1/8" x 4" with stakes 4' on center.
- B. Staking Material for Shade Trees:
 - Post: Studded T-Post, #1 Armocon with anchor plate, 6'-0" length; paint green.
 - Wire: 12 gauge, single strand, galvanized wire.
 - Rubber hose: 2 ply, fiber reinforced hose, minimum 1/4 inch inside diameter. Color: Black.
- C. Gravel: Washed native pea gravel, graded 1 in. to 1-1/2 in.
- D. Filter Fabric: Mirafil 140N by Celanese Fibers Marketing Company, available at Lofland Co., (214) 631-5250 or approved equal.

PART 3 - EXECUTION

3.1 BED PREPARATION & FERTILIZATION

- A. Landscape Contractor to inspect all existing conditions and report any deficiencies to the Owner.
- B. All planting areas shall be conditioned as follows:
 - Prepare new planting beds by scraping away existing grass and weeds as necessary. Till existing soil to a depth of six (6") inches prior to placing compost and fertilizer. Apply fertilizer as per manufacturers recommendations. Add six (6") inches of compost and till into a depth of six (6") inches of the topsoil. Apply organic fertilizer such as Sustane or Green Sense at the rate of twenty (20) pounds per one thousand (1,000) square feet.
 - All planting areas shall receive a two (2") inch layer of specified mulch.
 - Backfill for tree pits shall be as follows: Use existing top soil on site (use imported topsoil as needed) free from large clumps, rocks, debris, caliche, subsoils, etc., placed in nine (9") inch layers and watered in thoroughly.
- C. Grass Areas:
 - Areas to be Solid Sod Bermudagrass: Blocks of sod should be laid joint to joint, (staggered joints) after fertilizing the ground first. Roll grass areas to achieve a smooth, even surface. The joints between the blocks of sod should be filled with topsoil where they are evidently gaped open, then watered thoroughly.
 - Areas to be Hydromulch Common Bermudagrass: Hydromulch with bermudagrass seed at a rate of two (2) pounds per one thousand (1,000) square feet. Use a 4' x 8' batter board against the bed areas.

3.2 INSTALLATION

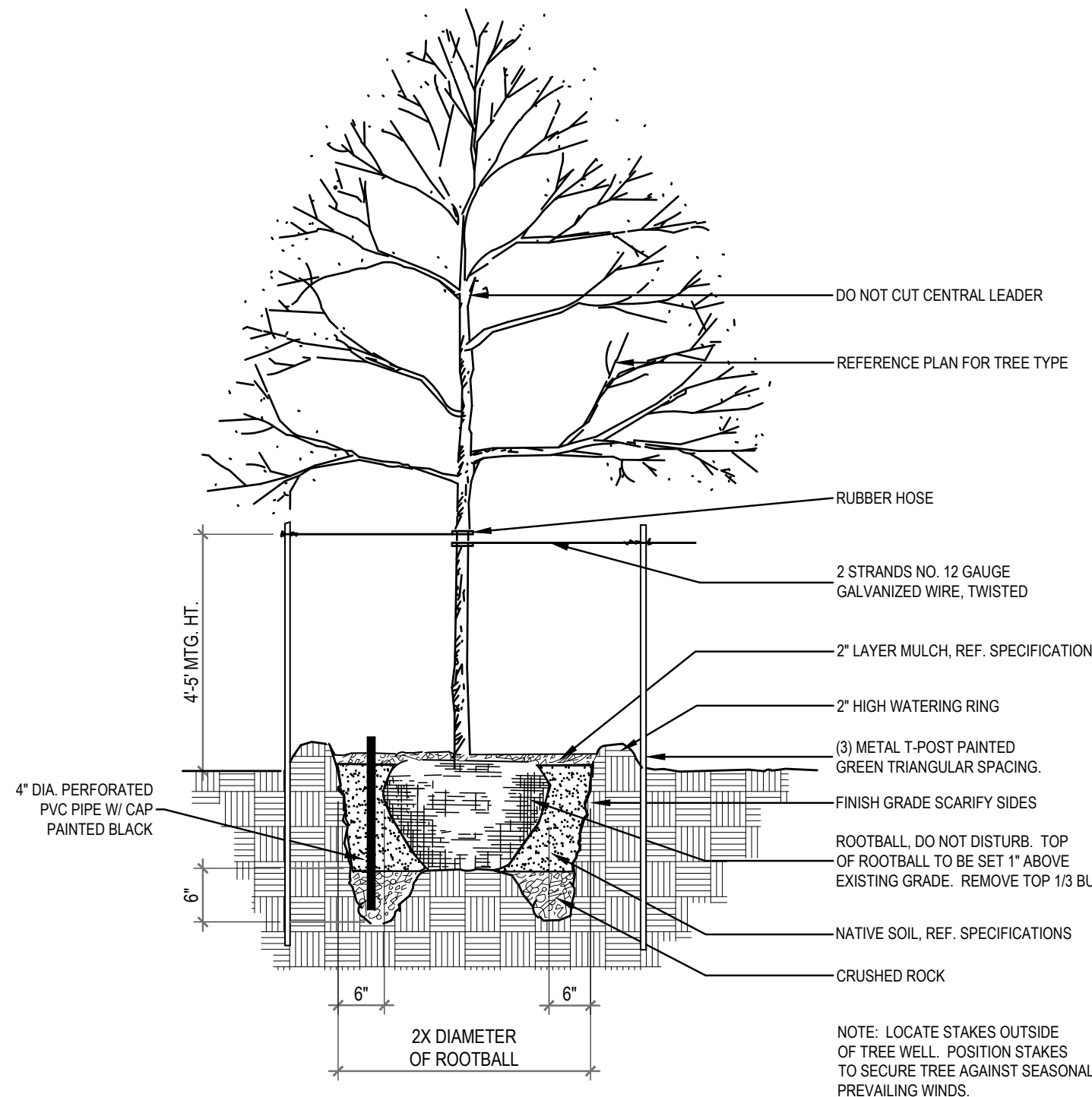
- A. Maintenance of plant materials shall begin immediately after each plant is delivered to the site and shall continue until all construction has been satisfactorily accomplished.
- B. Plant materials shall be delivered to the site only after the beds are prepared and area ready for planting. All shipments of nursery materials shall be thoroughly protected from the drying winds during transit. All plants which cannot be planted at once, after delivery to the site, shall be well protected against the possibility of drying by wind and sun. Balls of earth on B & B plants shall be kept covered with soil or other acceptable material. All plants remain the property of the Contractor until final acceptance.
- C. Position the trees and shrubs in their intended location as per plan.
- D. Notify the Landscape Architect for inspection and approval of all positioning of plant materials.
- E. Excavate pits with vertical sides and horizontal bottom. Tree pits shall be large enough to permit handling and planting without injury to balls of earth or roots and shall be of such depth that, when planted and settled, the crown of the plant shall bear the same relationship to the finish grade as it did to soil surface in original place of growth.

- F. Shrub and tree pits shall be no less than two (2') feet, twenty-four (24") inches, wider than the lateral dimension of earth ball and six (6") inches deeper than its vertical dimension. Remove and haul from site all rocks and stones over one (1") inch in diameter. Plants should be thoroughly moist before removing containers.
- G. Dig a wide, rough sided hole exactly the same depth as the height of the ball, especially at the surface of the ground. The sides of the hole should be rough and jagged, never slick or glazed.
- H. Percolation Test: Fill the hole with water. If the water level does not percolate within 24 hours, the tree needs to move to another location or have drainage added. Install a PVC stand pipe per tree planting detail as approved by the Landscape Architect.
- I. Backfill only with 5 parts existing soil or sandy loam and 1 part bed preparation. When the hole is dug in solid rock, topsoil from the same area should not be used. Carefully settle by watering to prevent air pockets. Remove the burlap from the top 1/3 of the ball, as well as all nylon, plastic string and wire mesh. Container trees will usually be pot bound, if so follow standard nursery practice of "root scoring".
- J. Do not wrap trees.
- K. Do not over prune.
- L. Mulch the top of the ball. Do not plant grass all the way to the trunk of the tree. Leave the area above the top of the ball and mulch with at least two (2") inches of specified mulch.
- M. All plant beds and trees to be mulched with a minimum settled thickness of two (2") inches over the entire bed or pit.
- N. Obstruction below ground: In the event that rock, or underground construction work or obstructions are encountered in any plant pit excavation work to be done under this section, alternate locations may be selected by the Owner. Where locations cannot be changed, the obstructions shall be removed to a depth of not less than three (3') feet below grade and no less than six (6") inches below the bottom of ball when plant is properly set at the required grade. The work of this section shall include the removal from the site of such rock or underground obstructions encountered at the cost of the Landscape Contractor.
- O. Trees and large shrubs shall be staked as site conditions require. Position stakes to secure tree against seasonal prevailing winds.
- P. Pruning and Mulching: Pruning shall be directed by the Architect and shall be pruned in accordance with standard horticultural practice following Fine Pruning, Class 1 pruning standards provided by National Arborist Association.
 - Dead wood or suckers and broken badly bruised branches shall be removed. General tipping of the branched is not permitted. Do not cut terminal branches.
 - Pruning shall be done with clean, sharp tools.
 - Immediately after planting operations are completed, all tree pits shall be covered with a layer of organic material two (2") inches in depth. This limit of the organic material for trees shall be the diameter of the plant pit.
- Q. Steel Curbing Installation:
 - Curbing shall be aligned as indicated on plans. Stake out limits of steel curbing and obtain Owners approval prior to installation.
 - All steel curbing shall be free of kinks and abrupt bends.
 - Top of curbing shall be 3/4" maximum height above grade.
 - Stakes are to be installed on the planting bed side of the curbing, as opposed to the grass side.
 - Do not install steel edging along sidewalks.
 - Cut steel edging at 45 degree angle where edging meets sidewalk.

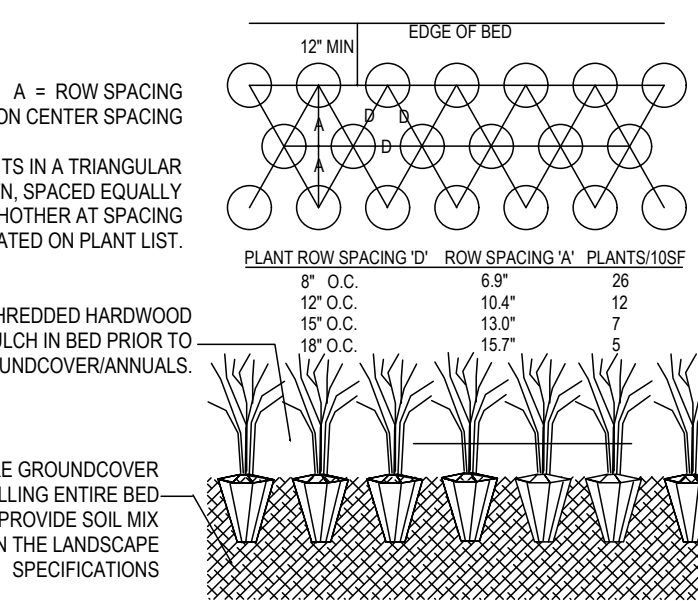
3.3 CLEANUP AND ACCEPTANCE

- A. Cleanup: During the work, the premises shall be kept neat and orderly at all times. Storage areas for all materials shall be so organized that they, too, are neat and orderly. All trash and debris shall be removed from the site as work progresses. Keep paved areas clean by sweeping or hosing at end of each days work.

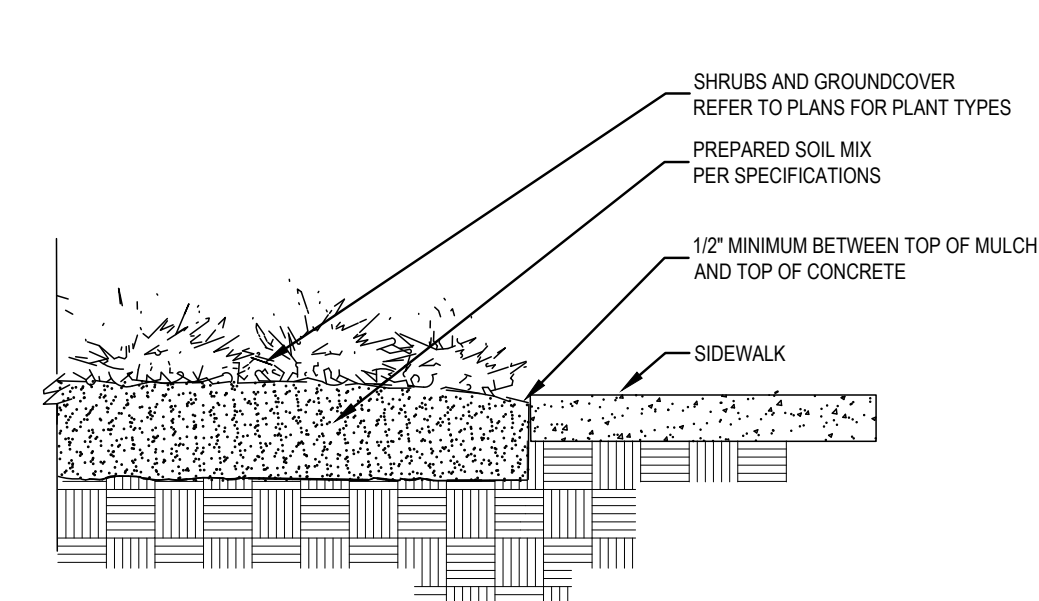
END OF SECTION



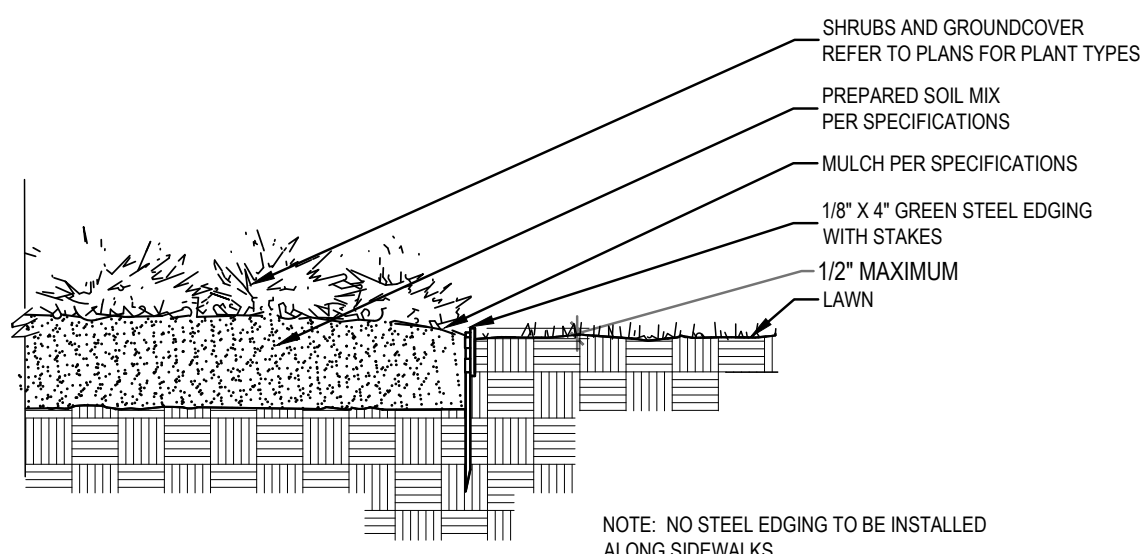
01 TREE PLANTING DETAIL NOT TO SCALE



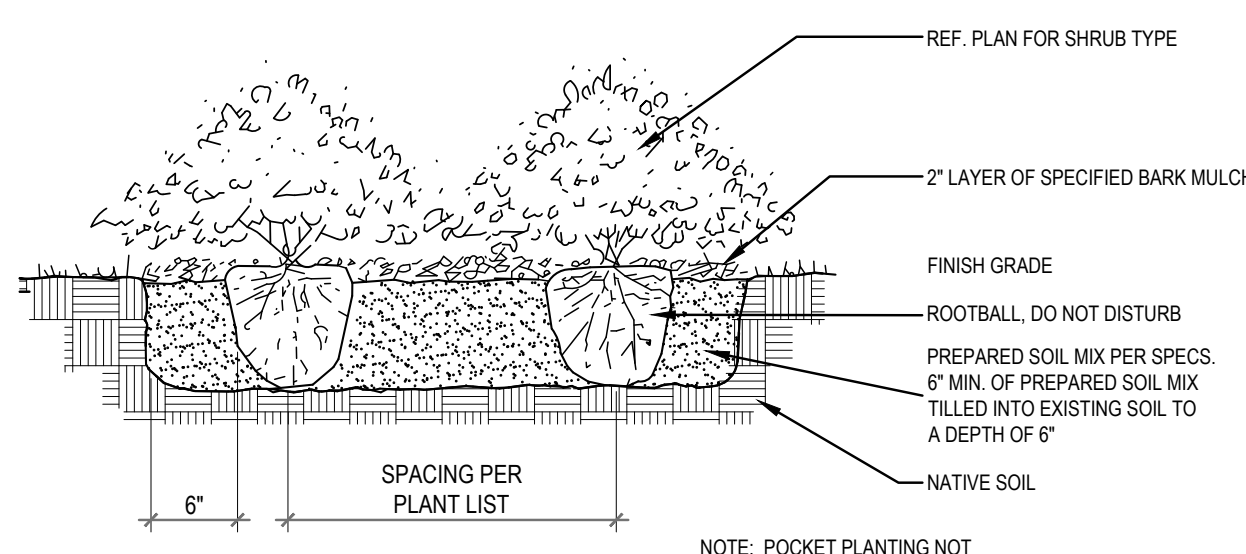
02 GROUNDCOVER PLANTING DETAIL NOT TO SCALE



03 SIDEWALK / MULCH DETAIL no steel along sidewalks NOT TO SCALE



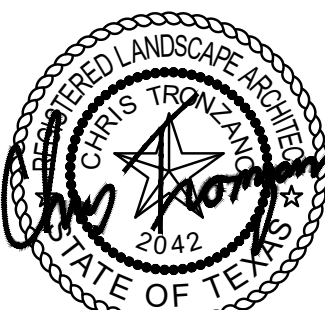
04 STEEL EDGING DETAIL NOT TO SCALE



05 SHRUB PLANTING DETAIL NOT TO SCALE



LANDSCAPE ARCHITECT
STUDIO GREEN SPOT, INC.
1782 W. MODERMOTT DR.
ALLEN, TEXAS 75013
(469) 369-4448
CHRIS@STUDIOGREENSPOT.COM



04.14.2026

COLONY INDUSTRIAL
PLANO PARKWAY
THE COLONY, TEXAS

ISSUE:
FOR APPROVAL 04.14.2026

DATE:
04.14.2026

SHEET NAME:
LANDSCAPE SPECIFICATIONS

SHEET NUMBER:

L.4







H

The applicant is requesting to rezone approximately 71.86 acres along Plano Parkway (the “Property”) to a new Planned Development District that will accommodate a mix of warehouse, office, and light industrial uses. Although the Property is near major mixed-use destinations such as Grandscape and Austin Ranch, it is physically and functionally oriented toward the existing commercial and warehouse development along Plano Parkway and the Sam Rayburn Tollway corridor.

The proposed zoning is intended to create an employment area that fits well with its surroundings rather than competing with nearby retail, residential, and entertainment uses. The project is expected to bring quality jobs, increase daytime population, and support nearby businesses. This approach is consistent with the City of The Colony’s Comprehensive Plan Strategy 6A, which encourages employment centers along major transportation corridors and identifies Plano Parkway as a leading business and employment corridor.

The Planned Development allows for a carefully selected set of permitted uses, focusing on modern logistics, light manufacturing, research and development, and corporate warehouse/office operations. More intense industrial activities are not permitted, helping to ensure compatibility with adjacent commercial and mixed-use districts. The selected uses are intended to attract high-quality tenants, promote skilled job creation, and remain a good long-term fit for the area.

The project will be built as a Class A flexible warehouse campus with approximately one million square feet across six buildings, designed as a unified, master-planned business park representing more than \$175 million in private investment within The Colony. The multi-building layout supports a diverse tenant mix—including regional distribution, e-commerce logistics, and light manufacturing—while maintaining architectural consistency and a unified campus character.

The design emphasizes a modern, high-quality business park featuring upgraded architectural standards, enhanced landscaping, strong internal connectivity, and strategically placed access points. The site plan prioritizes efficient traffic circulation, thoughtful building placement, and buffering that minimizes impacts to surrounding properties while ensuring safe and functional truck and employee access.

Overall, the project is expected to serve as a long-term economic asset for The Colony by generating substantial employment, contributing significant property and sales tax revenue, and requiring minimal public services.

CITY COUNCIL Agenda Item Report

Meeting Date: May 5, 2026

Submitted By: Ana Alvarado

Submitting Department: City Secretary

Item Type: Discussion

Agenda Section: executive session

Suggested Action:

Council shall convene into a closed executive session pursuant to Sections 551.072 and 551.087 of the Texas Government Code to deliberate regarding purchase, exchange, lease or value of real property and commercial or financial information the city has received from a business prospect(s), and to deliberate the offer of a financial or other incentive to a business prospect(s).

Background:

CITY COUNCIL Agenda Item Report

Meeting Date: May 5, 2026

Submitted By: Ana Alvarado

Submitting Department: City Secretary

Item Type: Discussion

Agenda Section: executive session

Suggested Action:

Council shall convene into a closed executive session pursuant to Section 551.071 of the Texas Government Code to receive legal advice or concerning pending or contemplated litigation or settlement offers - Blue Sky soccer training facilities.

Background:

CITY COUNCIL Agenda Item Report

Meeting Date: May 5, 2026

Submitted By: Ana Alvarado

Submitting Department: City Secretary

Item Type: Discussion

Agenda Section: executive session action

Suggested Action:

Any action as a result of executive session regarding purchase, exchange, lease or value of real property and commercial or financial information the city has received from a business prospect(s), and the offer of a financial or other incentive to a business prospect(s).

Background:

CITY COUNCIL Agenda Item Report

Meeting Date: May 5, 2026

Submitted By: Ana Alvarado

Submitting Department: City Secretary

Item Type: Discussion

Agenda Section: executive session action

Suggested Action:

Any action as a result of executive session regarding legal advice or concerning pending or contemplated litigation or settlement offers - Blue Sky soccer training facilities.

Background: