



Christopher Anderson &lt;christopher.anderson@acresdevelopment.com&gt;

---

**Re: Trails at Bear Creek - Neighborhood Zoom Follow Up; P & Z Commission Meeting Date; and, Petition**

---

**Christopher Anderson** <christopher.anderson@acresdevelopment.com>

Tue, Nov 3, 2020 at 11:58 AM

To: Peter Przybyla &lt;bylapart@gmail.com&gt;

Cc: David / Britney DeJesus <britney.hillard6@gmail.com>, chris irving <csirenovationsllc7663@gmail.com>, Welcome to Our world <ashley.irving15@gmail.com>, Jay / Alicia Miller <jay.miller@rmdc-usa.com>, Alicia Miller <alicialmiller11@gmail.com>, Kristina Cabral <Ackc20@aol.com>, DJ / Rachel Ponder <dponder1220@gmail.com>, DJ / Rachel Ponder <rachelsponder@gmail.com>, Lisa Paul <lisapaul462@gmail.com>, Eric Paul <s.ericpaul@gmail.com>, jenndelaine <jenndelaine@southlakeeyeassociates.com>, kloeye@southlakeeyeassociates.com, Simon Parkinson <simon@simonparkinson.net>, Vanessa Parkinson <vanessa@vanessaparkinson.net>, Lori Si <lorikay777@yahoo.com>, eric.simonson@outlook.com, Kevin Markham <kmarkham22@gmail.com>, "Markham, Paige (BHTI)" <pmarkham@bellflight.com>, Gary & Christine <gnncan@sbcglobal.net>, Rex Anderson <rexa@acresinc.com>

Good morning,

As a follow up to Peter's email and since our most recent Zoom video conference, we have engaged our landscape architect and City Staff in additional dialogue about the plant materials to be contained within the "enhanced landscape area" along the existing +/- 6' tall screen wall on the south property line of the commercial tract. We propose installing [Nellie R Stevens](#) (or similar style trees/bushes) as a hedge row. The fast growing Holly style trees will, at maturity, provide additional natural screening well above the height of the existing fence. Moreover, this style of plant maintains a green appearance year round. We will continue to work with City Staff and the Trails at Bear Creek Community to mitigate concerns as much as possible related to the Trailhead at Bear Creek restaurant project, especially along both the south and eastern boundaries (including the access gate(s)). Please find below general information related to the Nellie R Stevens tree and some sample images.

## Growth Rate and Mature Height



Single Nellie Stevens Holly bush.

Nellie Stevens Hollies are fast-growing trees, which are **frequently planted in rows between 5 and 6 feet apart to create a dense hedge or privacy screen.** When planted in this way, Nellie Stevens Hollies typically reach a height between 15 and 25 feet. When planted individually, this Holly Tree is likely to reach even taller heights, between 25 and 35 feet. Regardless of its proximity to others in the species, Nellie Stevens Hollies are considered fast-growing trees, and they can grow as much as 3 feet a year. This is much higher than other trees, which can grow as little as 6 inches in a given growing season. For this reason, Nellie Stevens Hollies are valued as privacy screens, as they can quickly provide the privacy for which homeowners are searching.



As Peter mentioned, we have prepared [an online petition for your review and input, which provides you with a method of expressing your support, opposition, or neutrality related to the requested variances/project](#). We wanted to provide you with a forum for expressing your views and make doing so as simple as possible, thus many input fields are check boxes. We have also provided an optional "Comments" field should you care to elaborate

11/3/2020

ACRES Mail - Re: Trails at Bear Creek - Neighborhood Zoom Follow Up; P & Z Commission Meeting Date; and, Petition

on your view. Finally, although the "Name" and "Address" fields are mandatory to assist City Staff with identification, the "Telephone Number" and "Email Address" fields are optional.

Upon your review, please do not hesitate to contact me at your convenience with any questions.

Sincerely,

Christopher Anderson  
ACRES Development Corporation  
PO Box 826  
Addison, Texas 75001  
469-241-1222 Office  
317-502-5133 Mobile



The information contained in this email is not an offer to buy, sell or transfer securities, real or other property. This communication is not to be construed or constructed so as to create or amend any contract, written or otherwise. The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, re-transmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

The information contained herein was obtained from sources believed reliable; however, Anderson Commercial Real Estate Services, Inc. (ACRES, Inc.), ACRES Development Corporation, and ACRES Funding Corporation, make no guarantees, warranties or representations, expressed or implied, as to the completeness or accuracy thereof. The information contained herein is submitted subject to errors, omissions, change of price or conditions, prior to sale or lease, prior sale or withdrawal without notice.

On Mon, Nov 2, 2020 at 10:30 PM Peter Przybyla <bylapart@gmail.com> wrote:

Neighbors,

This note is in regards to the proposed new restaurant development located at the Driscoll Place intersection of Rufe Snow.

As a follow up to past presentations, the City of Keller is planning to review and vote on two requested build variances. There is a virtual meeting schedule for 11/10 @ 7 PM. I have received a City invite letter regarding the Notice of Public Hearing.

Additional information regarding this event is included below. Acres Development has provided an On-Line Petition format for submitting your views on the proposed facility.

Also, included is information for attending the Public Hearing event. All are welcome to attend virtually.

Questions, please advise  
Thanks  
Pete Przybyla (817) 658.1800

----- Forwarded message -----

From: **Christopher Anderson** <christopher.anderson@acresdevelopment.com>  
Date: Mon, Nov 2, 2020 at 1:32 PM  
Subject: Fwd: Trails at Bear Creek - Neighborhood Zoom Follow Up; P & Z Commission Meeting Date; and, Petition  
To: Peter Przybyla <bylapart@gmail.com>  
Cc: Kevin Markham <kmarkham22@gmail.com>, Gary & Christine <gnncan@sbcglobal.net>

Peter,

Per our conversation this afternoon, please find below the email I sent last Thursday morning, which contains [a link to an online petition providing property owners a method of expressing their view \(in favor, opposed, or neutral\)](#) on the requested zoning variances. During our conversation, you mentioned receiving notice from The City of Keller regarding the upcoming hearing. Below is a link to the City's website regarding the public hearing process.

<https://www.cityofkeller.com/doing-business/planning-zoning/public-hearing-process>

Upon your review, please do not hesitate to contact me with any questions or to discuss this in greater detail.

Sincerely,

Christopher Anderson  
ACRES Development Corporation  
PO Box 826  
Addison, Texas 75001

469-241-1222 Office  
317-502-5133 Mobile



The information contained in this email is not an offer to buy, sell or transfer securities, real or other property. **This communication is not to be construed or constructed so as to create or amend any contract, written or otherwise.** The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, re-transmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

The information contained herein was obtained from sources believed reliable; however, Anderson Commercial Real Estate Services, Inc. (ACRES, Inc.), ACRES Development Corporation, and ACRES Funding Corporation, make no guarantees, warranties or representations, expressed or implied, as to the completeness or accuracy thereof. The information contained herein is submitted subject to errors, omissions, change of price or conditions, prior to sale or lease, prior sale or withdrawal without notice.

----- Forwarded message -----

From: **Christopher Anderson** <[christopher.anderson@acresdevelopment.com](mailto:christopher.anderson@acresdevelopment.com)>

Date: Thu, Oct 29, 2020 at 7:30 AM

Subject: Trails at Bear Creek - Neighborhood Zoom Follow Up; P & Z Commission Meeting Date; and, Petition

To: Peter Przybyla <[bylapart@gmail.com](mailto:bylapart@gmail.com)>

Cc: Kevin Markham <[kmarkham22@gmail.com](mailto:kmarkham22@gmail.com)>, Gary & Christine <[gnncan@sbcglobal.net](mailto:gnncan@sbcglobal.net)>

Peter, Gary, and Kevin,

Thank you for arranging and participating in the Zoom Meeting last evening regarding the Trailhead at Bear Creek restaurant project. At one juncture, we had approximately 18 attendees. My technical Zoom skills notwithstanding, I hope the presentation was beneficial to most, if not all, participants. Peter, I greatly appreciate the input you provided near the end of tonight's meeting. Over the last couple of weeks with your (HOA Board's) assistance, we have presented the Trailhead project on three occasions. Between our presentations and the Q & A sessions that followed, each meeting lasted approximately 1.5 hours and provided us with valuable feedback and some concerns regarding several aspects of the project. Ownership is willing to consider as many reasonable requests as possible related to the project's design, subject to City Regulations, City Staff Approval, and budgetary constraints.

Given some of the feedback we received prior to this evening, it is likely our PD Amendment Application (requested variances) will face some level of remonstrance, as is often the case with projects of this scope and nature. However, I respectfully request support from you and your neighbors, should you and/or they deem the project and said variance requests worthy of such support. In that effort, I have prepared a Google Form so members of the Trails at Bear Creek Community can express their opinion (whether Pro, Con, or Neutral) on the project. Input fields with a red asterisk are required while other fields are optional. Submitting an entry per the form contained in the link below will in no way limit residents from speaking out for or against the variance request to the Planning & Zoning Commission, but will provide everyone with a fairly simple method of expressing his/her opinion. **The Trailhead at Bear Creek PD Amendment Application will be before the The Planning & Zoning Commission (Virtual Meeting) on November 10th at 6:30pm.**

Below is an excerpt from the referenced Form, which should take very little time to complete.

Response \*

☐ In favor of request

☐ Neutral to Request

☐ Opposed to request

Comments (Optional)

Your answer

First and Last Name \*

Your answer

Street Number \*

Your answer

Street Name \*

Your answer

**[Please Click Here To Submit a Response Form](#)**

Upon your review, please do not hesitate to contact me with any questions. I look forward to speaking with you again soon.

Sincerely,

Christopher Anderson  
ACRES Development Corporation  
PO Box 826  
Addison, Texas 75001  
469-241-1222 Office  
317-502-5133 Mobile



The information contained in this email is not an offer to buy, sell or transfer securities, real or other property. This communication is not to be construed or constructed so as to create or amend any contract, written or otherwise. The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, re-transmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

The information contained herein was obtained from sources believed reliable; however, Anderson Commercial Real Estate Services, Inc. (ACRES, Inc.), ACRES Development Corporation, and ACRES Funding Corporation, make no guarantees, warranties or representations, expressed or implied, as to the completeness or accuracy thereof. The information contained herein is submitted subject to errors, omissions, change of price or conditions, prior to sale or lease, prior sale or withdrawal without notice.

11/3/2020

ACRES Mail - Re: Trails at Bear Creek - Neighborhood Zoom Follow Up; P & Z Commission Meeting Date; and, Petition

|



Christopher Anderson &lt;christopher.anderson@acresdevelopment.com&gt;

## Fwd: Updated invitation: Trailhead at Bear Creek - Restaurant Project Zoom Present... @ Wed Oct 28, 2020 6:30pm - 7:30pm (CDT) (bylapart@gmail.com)

Peter Przybyla &lt;bylapart@gmail.com&gt;

Thu, Oct 22, 2020 at 9:23 PM

To: AARON WINDHAM <aaron.windham@bbva.com>, Kristina Cabral <ackc20@aol.com>, Alex / Patty Kwain <alex.kwain@gmail.com>, alex@aldersoncpas.com, Alicia Whitehead <aliciaannwhitehead@gmail.com>, Alicia Miller <alicialmiller11@gmail.com>, amaya yabar <amayita27@hotmail.com>, Anu Shah <anurshah@gmail.com>, Welcome to Our world <ashley.iring15@gmail.com>, Beckie Paquin <beckie\_paquin@yahoo.com>, Sarah Atchison <bo\_barah@hotmail.com>, Britney Hilliard <britney.hilliard6@gmail.com>, Peter Przybyla <bylapart@gmail.com>, chris iring <csirenovationsllc7663@gmail.com>, Delwynn Sherrill <delwynn.sherrill@gmail.com>, DJ / Rachel Ponder <dponder1220@gmail.com>, Diana Tow <dstow@mac.com>, eric.simonson@outlook.com, Gloria Lopez <glorialopez5@gmail.com>, GERALD TOW <gmtrx90@mac.com>, Gary & Christine <gnncan@sbcglobal.net>, Gregory DeCaigny <gregdecaigny@gmail.com>, Hank Benedetti <hank\_benedetti@yahoo.com>, Jay / Alicia Miller <jay.miller@rndc-usa.com>, brenda waite <jbwaite4261@sbcglobal.net>, Jose Chow <jchowdds@gmail.com>, John Fetter <jdfetter@comcast.net>, John / Debbie Fetter <jefetter18@gmail.com>, jenndelaine <jenndelaine@southlakeeyeassociates.com>, Jill Price Homes Keller Real Estate <jill.m.price@gmail.com>, Kent Engebretson <kentengebretson@gmail.com>, kloeye@southlakeeyeassociates.com, Kevin Markham <kmarkham22@gmail.com>, Lara Chow <laralynn21@yahoo.com>, Mark / Julie Lashley <lashley.julie@gmail.com>, Lisa Benedetti <lisa\_benedetti@icloud.com>, Lisa Paul <lisapaul462@gmail.com>, Lori Si <lorikay777@yahoo.com>, Sweetie Lucy <lucybyla@gmail.com>, Miguel / Gloria Lopez <mntreal73@reagan.com>, olivialderson@gmail.com, Paige Peters <paige4322@yahoo.com>, Alex / Patty Kwain <pattykwain@gmail.com>, DJ / Rachel Ponder <rachelsponder@gmail.com>, RAFAEL VELEZ <rafael.velez@grupobimbo.com>, Raju Shah <rajugshah@gmail.com>, Rebecca Engebretson <rebeccaengebretson@gmail.com>, Rachel Bailey <rwbailey22@gmail.com>, Ryan Kerekes <ryan.j.kerekes@gmail.com>, Ryann Kerekes <ryann.kerekes@gmail.com>, Eric Paul <s.ericpaul@gmail.com>, Sean Price <sean.p.price@gmail.com>, Shirlee Butler <shirleebutler55@gmail.com>, George Bailey <signingbailey@hotmail.com>, Simon Parkinson <simon@simonparkinson.net>, Sonny / Alicia Whitehead <sonny.whitehead@gmail.com>, Tag / Brenda Ridings <storkbrenda@hotmail.com>, Tag / Brenda Ridings <tag\_ridings@yahoo.com>, Vanessa Parkinson <vanessa@vanessaparkinson.net>

Cc: Christopher Anderson &lt;christopher.anderson@acresdevelopment.com&gt;

Neighbors,

Information forwarded in this notification invites you to attend, virtually, the next Restaurant Introduction Plan to our maturing community.

There is a summary of discussed topics from the Immediate Impact session conducted on Tuesday 10/20/20.

Also included, are numerous options for "signing in" to the scheduled event on **Wednesday, 10/28/20 @ 6:30 PM**.

Acres Development Corporation will present a full detailed review of the proposed restaurant to be located at Rufe Snow and Driscoll Place.

At the conclusion of the presentation, the event will open for questions and comments.

### 10/20/20 Immediate Impact Meeting Summary Information

Thanks again for your efforts and participation in the above referenced video conference. Below is a summary of the topics discussed during our video conference Tuesday evening. If I have omitted anything, please let me know.

Following each topic, I have provided a brief summary (some issues are controlled by City of Keller ordinances and/or development regulations for "C" Commercial).

Topics of discussion from October 20th Zoom Video Conference:

1. Project Vision - Dual purpose facility to service both customers seeking a nicer dining experience (main level) and a more casual experience (lower level).
2. Variance Requests - Both requests described in detail
3. Site Plans - compared and contrasted with approximately 37 mature trees saved via the requested variance
4. Parking Spaces - Why are so many spaces required? City of Keller regulations
5. Build Elsewhere - We were asked to work with the City of Keller to identify one of the myriad "sites available around the city" and swap land parcels and build elsewhere. Essentially, a view was expressed to have nothing constructed on the property. Unfortunately, this is not a desirable proposal. The site is zoned for sit-down restaurant use, which was established simultaneously with the platting of Trails at Bear Creek neighborhood.

Moreover, ownership already holds title to the commercial tract, is currently investing significant sums in pre-development studies and design, and is excited about the project.

6. Alternative Parking - Can spaces be reduced if lots across the creek are used? Yes, but the project is required to maintain minimum parking as established by the City of Keller.
7. Visibility/Privacy - Are the backyards of adjacent properties visible from the facility? No
8. Building Height - 34' 3" above finished first floor elevation
9. First Floor Elevation - approximately 678', which is lower than adjacent properties on Myrtle Court.
10. Restaurant Windows - Visibility into neighboring properties, which should not be a concern
11. Occupied Floors (No upper occupied floors) - Visibility issue
12. Dumpster Location - Noise and Odor concern. The City of Keller ordinance requires dumpsters and service areas to not be visible from thoroughfares (Rufe Snow Drive)
13. Trash and Delivery Trucks - Restriction on Hours (Noise), if possible
14. Restaurant Hours - Restrictions, if possible
15. Lighting Concern - Pollution from building, parking lot, and drives (Driscoll Place). Can the project incorporate in the planning angled lighting fixtures and/or diffusers to prevent, as much as possible, light flooding into neighboring properties? Ownership will work with City Staff and neighbors to address this issue.
16. Noise Ordinance (Decibel Levels) - City of Keller Ordinance
17. Noxious Odor Food and/or Dumpster - City of Keller Ordinance
18. Existing Screen Wall Stability - Concern was expressed regarding the structural integrity of the existing screen wall if/when we install parking within the landscape buffer and during construction of the project.
19. Parking Area Within Landscape Buffer - Will a small retaining wall be required at the head of the spaces (between remaining 10' Buffer Yard and the parking spaces)? Will be determined during Civil Design. If required, such a header wall will likely be only a few feet in height and will be located 10' from the existing screen wall. Kevin Markham believes he has the structural design drawings for the existing wall.
20. 10' Buffer Yard - What, if anything, will be installed in the remaining buffer yard if the variance is granted? This will be an enhanced landscape area and will be more fully detailed during landscape design.
21. Restaurants - Who will be the tenants and what type of operation will occupy the project? No tenants have been signed onto the project. Although we have a detailed conceptual plan, we will not be able to sign leases with tenants
22. Bar Service - Will be a component restaurant operation(s)
23. BBQ Restaurants - Neighbors prefer a restriction on BBQ restaurants due to ongoing smells from BBQ pits
24. Cul-de-sac Parking - A concern was expressed about non-neighborhood guests parking on the cul-de-sac and walking to the restaurant.
25. Existing Gate - Encroaches on Commercial Property
26. Screen Wall to be constructed on Eastern Property Boundary - Can a masonry wall be installed from just south of the stand of trees to the SEC of the commercial property with a solid movable gate across Driscoll Place and a wrought iron fence installed through the stand of trees. Ownership will work with City Staff and neighbors to address this issue.
27. Connecting Commercial Project sidewalk to the existing sidewalk, which terminates at the cul-de-sac
28. Installing a walk through gate with combination code thus allowing residents of Trails at Bear Creek to access the restaurant (Ownership would like to install items #26-27, but this is subject to HOA approval/agreement)
29. Modern Architectural Design - A concern was expressed about whether the modern design fits the site. The project will incorporate wood and stone elements on the exterior to blend the modern design into the natural beauty of the site.
30. Project Maintenance/Care - Concern was expressed about long term maintenance of the facility, because restaurants do sometimes fail. Ownership will ultimately be responsible for the ongoing maintenance and upkeep of the investment/facility.
31. Ownership - Will the project be held long term? At this time, ownership is committed to the project and a longer term holding period. However, like all investments, especially those of this magnitude, ownership reserves the right to sell assets at any time to achieve targeted returns.

We look forward to our next meeting on October 28th and continuing to work with you and all homeowners in the Trails at Bear Creek on items of concern related to the development. We will consider the concerns/requests against City of Keller requirements and the financial impact upon the project in an effort to incorporate as many reasonable requests as possible into the design. Upon your review, please do not hesitate to contact me at your convenience to discuss this in greater detail.

Sincerely,

Christopher Anderson  
ACRES Development Corporation  
PO Box 826  
Addison, Texas 75001  
469-241-1222 Office  
317-502-5133 Mobile



----- Forwarded message -----

From: <[christopher.anderson@acresdevelopment.com](mailto:christopher.anderson@acresdevelopment.com)>

Date: Thu, Oct 22, 2020 at 12:54 PM

Subject: Updated invitation: Trailhead at Bear Creek - Restaurant Project Zoom Present... @ Wed Oct 28, 2020 6:30pm - 7:30pm (CDT) ([bylapart@gmail.com](mailto:bylapart@gmail.com))

To: <[bylapart@gmail.com](mailto:bylapart@gmail.com)>

**This event has been changed.**

## Trailhead at Bear Creek - Restaurant Project Zoom Presentation

When Wed Oct 28, 2020 6:30pm – 7:30pm Central Time - Chicago

[more details »](#)

Calendar [bylapart@gmail.com](mailto:bylapart@gmail.com)

Who (Guest list has been hidden at organizer's request)

Topic: Trailhead at Bear Creek - Restaurant Project Presentation

Time: Oct 28, 2020 06:30 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81843331627?pwd=SjNRRUd0a1lWRTdPOEcvcXcwcEQ2Zz09>

Meeting ID: 818 4333 1627

Passcode: 773132

One tap mobile

+13462487799,,81843331627#,,,,,0#,,773132# US (Houston)

+16699006833,,81843331627#,,,,,0#,,773132# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

Meeting ID: 818 4333 1627

Passcode: 773132

Going ([bylapart@gmail.com](mailto:bylapart@gmail.com))? **Yes** - **Maybe** - **No** [more options »](#)

Invitation from [Google Calendar](#)

You are receiving this email at the account [bylapart@gmail.com](mailto:bylapart@gmail.com) because you are subscribed for updated invitations on calendar [bylapart@gmail.com](mailto:bylapart@gmail.com).

To stop receiving these emails, please log in to <https://www.google.com/calendar/> and change your notification settings for this calendar.

Forwarding this invitation could allow any recipient to send a response to the organizer and be added to the guest list, or invite others regardless of their own invitation status, or to modify your RSVP. [Learn More](#).

**invite.ics**  
3K





Christopher Anderson &lt;christopher.anderson@acresdevelopment.com&gt;

## Trails at Bear Creek October 20th Zoom Video Conference - Summary of Discussion Topics

Christopher Anderson &lt;christopher.anderson@acresdevelopment.com&gt;

Thu, Oct 22, 2020 at 12:47 PM

To: Peter Przybyla &lt;bylapart@gmail.com&gt;, Kevin Markham &lt;kmarkham22@gmail.com&gt;, Gary &amp; Christine &lt;gnncan@sbcglobal.net&gt;

Cc: Rex Anderson &lt;rexa@acresinc.com&gt;

Gentlemen,

Thanks again for your efforts and participation in the above referenced video conference. Below is a summary of the topics discussed during our video conference Tuesday evening. If I have omitted anything, please let me know. Following each topic, I have provided a brief summary (some issues are controlled by City of Keller ordinances and/or development regulations for "C" Commercial).

Topics of discussion from October 20th Zoom Video Conference:

1. Project Vision - Dual purpose facility to service both customers seeking a nicer dining experience (main level) and a more casual experience (lower level).
2. Variance Requests - Both requests described in detail
3. Site Plans - compared and contrasted with approximately 37 mature trees saved via the requested variance
4. Parking Spaces - Why are so many spaces required? City of Keller regulations
5. Build Elsewhere - We were asked to work with the City of Keller to identify one of the myriad "sites available around the city" and swap land parcels and build elsewhere. Essentially, a view was expressed to have nothing constructed on the property. Unfortunately, this is not a desirable proposal. The site is zoned for sit-down restaurant use, which was established simultaneously with the platting of Trails at Bear Creek neighborhood. Moreover, ownership already holds title to the commercial tract, is currently investing significant sums in pre-development studies and design, and is excited about the project.
6. Alternative Parking - Can spaces be reduced if lots across the creek are used? Yes, but the project is required to maintain minimum parking as established by the City of Keller.
7. Visibility/Privacy - Are the backyards of adjacent properties visible from the facility? No
8. Building Height - 34' 3" above finished first floor elevation
9. First Floor Elevation - approximately 678', which is lower than adjacent properties on Myrtle Court.
10. Restaurant Windows - Visibility into neighboring properties, which should not be a concern
11. Occupied Floors (No upper occupied floors) - Visibility issue
12. Dumpster Location - Noise and Odor concern. The City of Keller ordinance requires dumpsters and service areas to not be visible from thoroughfares (Rufe Snow Drive)
13. Trash and Delivery Trucks - Restriction on Hours (Noise), if possible
14. Restaurant Hours - Restrictions, if possible
15. Lighting Concern - Pollution from building, parking lot, and drives (Driscoll Place). Can the project incorporate in the planning angled lighting fixtures and/or diffusers to prevent, as much as possible, light flooding into neighboring properties? Ownership will work with City Staff and neighbors to address this issue.
16. Noise Ordinance (Decibel Levels) - City of Keller Ordinance
17. Noxious Odor Food and/or Dumpster - City of Keller Ordinance
18. Existing Screen Wall Stability - Concern was expressed regarding the structural integrity of the existing screen wall if/when we install parking within the landscape buffer and during construction of the project.
19. Parking Area Within Landscape Buffer - Will a small retaining wall be required at the head of the spaces (between remaining 10' Buffer Yard and the parking spaces)? Will be determined during Civil Design. If required, such a header wall will likely be only a few feet in height and will be located 10' from the existing screen wall. Kevin Markham believes he has the structural design drawings for the existing wall.
20. 10' Buffer Yard - What, if anything, will be installed in the remaining buffer yard if the variance is granted? This will be an enhanced landscape area and will be more fully detailed during landscape design.
21. Restaurants - Who will be the tenants and what type of operation will occupy the project? No tenants have been signed onto the project. Although we have a detailed conceptual plan, we will not be able to sign leases with tenants
22. Bar Service - Will be a component restaurant operation(s)
23. BBQ Restaurants - Neighbors prefer a restriction on BBQ restaurants due to ongoing smells from BBQ pits

24. Cul-de-sac Parking - A concern was expressed about non-neighborhood guests parking on the cul-de-sac and walking to the restaurant.
25. Existing Gate - Encroaches on Commercial Property
26. Screen Wall to be constructed on Eastern Property Boundary - Can a masonry wall be installed from just south of the stand of trees to the SEC of the commercial property with a solid movable gate across Driscoll Place and a wrought iron fence installed through the stand of trees. Ownership will work with City Staff and neighbors to address this issue.
27. Connecting Commercial Project sidewalk to the existing sidewalk, which terminates at the cul-de-sac
28. Installing a walk through gate with combination code thus allowing residents of Trails at Bear Creek to access the restaurant (Ownership would like to install items #26-27, but this is subject to HOA approval/agreement)
29. Modern Architectural Design - A concern was expressed about whether the modern design fits the site. The project will incorporate wood and stone elements on the exterior to blend the modern design into the natural beauty of the site.
30. Project Maintenance/Care - Concern was expressed about long term maintenance of the facility, because restaurants do sometimes fail. Ownership will ultimately be responsible for the ongoing maintenance and upkeep of the investment/facility.
31. Ownership - Will the project be held long term? At this time, ownership is committed to the project and a longer term holding period. However, like all investments, especially those of this magnitude, ownership reserves the right to sell assets at any time to achieve targeted returns.

We look forward to our next meeting on October 28th and continuing to work with you and all homeowners in the Trails at Bear Creek on items of concern related to the development. We will consider the concerns/requests against City of Keller requirements and the financial impact upon the project in an effort to incorporate as many reasonable requests as possible into the design. Upon your review, please do not hesitate to contact me at your convenience to discuss this in greater detail.

Sincerely,

Christopher Anderson  
ACRES Development Corporation  
PO Box 826  
Addison, Texas 75001  
469-241-1222 Office  
317-502-5133 Mobile



The information contained in this email is not an offer to buy, sell or transfer securities, real or other property. This communication is not to be construed or constructed so as to create or amend any contract, written or otherwise. The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, re-transmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

The information contained herein was obtained from sources believed reliable; however, Anderson Commercial Real Estate Services, Inc. (ACRES, Inc.), ACRES Development Corporation, and ACRES Funding Corporation, make no guarantees, warranties or representations, expressed or implied, as to the completeness or accuracy thereof. The information contained herein is submitted subject to errors, omissions, change of price or conditions, prior to sale or lease, prior sale or withdrawal without notice.



Christopher Anderson <christopher.anderson@acresdevelopment.com>

---

## Commercial Property Development, New Restaurant on Driscoll Place

---

**Peter Przybyla** <bylapart@gmail.com>

Sun, Oct 18, 2020 at 10:09 PM

To: jenndelaine <jenndelaine@southlakeeyeassociates.com>, Welcome to Our world <ashley.irving15@gmail.com>, chris irving <csirenovationsllc7663@gmail.com>, Jay / Alicia Miller <jay.miller@rndc-usa.com>, Alicia Miller <alicialmiller11@gmail.com>, Simon Parkinson <simon@simonparkinson.net>, Vanessa Parkinson <vanessa@vanessaparkinson.net>, Kristina Cabral <ackc20@aol.com>, kloeye@southlakeeyeassociates.com, Kevin Markham <kmarkham22@gmail.com>, Gary & Christine <gnncan@sbcglobal.net>  
Cc: Christopher Anderson <christopher.anderson@acresdevelopment.com>

### Immediate Neighbors:

Recently our neighborhood organization was notified that the commercial property at the end of Driscoll Place was sold to a property developer company..

Plans are to build a multi-layer restuarant complex that will service the hiking trails and local fine dining.

The developer has extended an invitation to the immediate neighbors for a plan review of the proposed facility..

Their thought is to build a facility that services their needs and enhances our development.

If you are available, there will be a video conference to explain the build proposal and features.

Date & Time, Computer "sign-on" link are listed below.

Topic Trailhead at Bear Creek Re taurant Project Video Conference

Time: Oct 20, 2020 06:30 PM Centrcommunityal Time (US and Canada)

### Join Zoom Meeting

<http://u02web.zoom.us/j/83224701951?pwd=ZjBUYk5WVW5ZFpkOE8rU09IT2Q3Zz09>

Meeting ID: 832 2470 1951

Passcode: 535575

Hope you can attend.

If not, there will be an additional review later in the week for the entire community.

Que tion and comment are welcome

Pete Przybyla (817) 658-1800



Christopher Anderson <[christopher.anderson@acresdevelopment.com](mailto:christopher.anderson@acresdevelopment.com)>

---

## Fwd: Trailhead at Bear Creek - Video Conference For Adjacent Neighbors (Limited Attendance)

---

Christopher Anderson <[christopher.anderson@acresdevelopment.com](mailto:christopher.anderson@acresdevelopment.com)>

Sat, Oct 17, 2020 at 6:22 PM

To: Peter Przybyla <[bylapart@gmail.com](mailto:bylapart@gmail.com)>

Peter, per your text request earlier today, please find contained in the email below the invitation to Trailhead at Bear Creek Zoom video conference scheduled for October 20th at 6:30pm. Please feel free to forward or copy and paste the invitation to the appropriate parties.

Please let me know if you have any questions.

Sincerely,

Christopher Anderson, President  
ACRES Development Corporation  
P.O. Box 826  
Addison, Texas 75001  
317-502-5133 (M)  
469-241-1222 (O)

The information contained in this email is not an offer to buy, sell or transfer securities, real or other property. This communication is not to be construed or constructed so as to create or amend any contract, written or otherwise. The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, re-transmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited.

If you received this in error, please contact the sender and delete the material from any computer. The information contained herein was obtained from sources believed reliable; however, Anderson Commercial Real Estate Services, Inc. (ACRES, Inc.), ACRES Development Corporation, and ACRES Funding Corporation, make no guarantees, warranties or representations, expressed or implied, as to the completeness or accuracy thereof. The information contained herein is submitted subject to errors, omissions, change of price or conditions, prior to sale or lease, prior sale or withdrawal without notice.

----- Forwarded message -----

From: **Christopher Anderson** <[christopher.anderson@acresdevelopment.com](mailto:christopher.anderson@acresdevelopment.com)>

Date: Sat, Oct 10, 2020, 12:36 PM

Subject: Trailhead at Bear Creek - Video Conference For Adjacent Neighbors (Limited Attendance)

To: Gary & Christine <[gnncan@sbcglobal.net](mailto:gnncan@sbcglobal.net)>, Kevin Markham <[kmarkham22@gmail.com](mailto:kmarkham22@gmail.com)>, bylapart <[bylapart@gmail.com](mailto:bylapart@gmail.com)>

Cc: Rex Anderson <[rexa@acresinc.com](mailto:rexa@acresinc.com)>

Gentlemen,

Thank you again for taking the time to meet with us via Zoom this morning to discuss the Trailhead at Bear Creek Project. It was great meeting you! We appreciate you taking time on a Saturday morning (thanks again for your flexibility in moving the meeting to today) to meet with us about the project. We value your input and consideration on the proposed development.

Below is the invitation for the meeting on the 20th. I scheduled the video conference for 6:30pm, but can adjust the time as needed to accommodate attendees. Please let me know if you would prefer a later start time.

Topic: Trailhead at Bear Creek - Restaurant Project Video Conference

Time: Oct 20, 2020 06:30 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83224701951?pwd=ZjBUYk5WVW5XZFpkOE8rU09IT2Q3Zz09>

Meeting ID: 832 2470 1951

Passcode: 535575

Please do not hesitate to contact me at your convenience with any questions or to discuss this in more detail.

Sincerely,

Christopher Anderson  
ACRES Development Corporation  
PO Box 826  
Addison, Texas 75001  
469-241-1222 Office  
317-502-5133 Mobile



The information contained in this email is not an offer to buy, sell or transfer securities, real or other property. **This communication is not to be construed or constructed so as to create or amend any contract, written or otherwise.** The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, re-transmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

The information contained herein was obtained from sources believed reliable; however, Anderson Commercial Real Estate Services, Inc. (ACRES, Inc.), ACRES Development Corporation, and ACRES Funding Corporation, make no guarantees, warranties or representations, expressed or implied, as to the completeness or accuracy thereof. The information contained herein is submitted subject to errors, omissions, change of price or conditions, prior to sale or lease, prior sale or withdrawal without notice.



Christopher Anderson <[christopher.anderson@acresdevelopment.com](mailto:christopher.anderson@acresdevelopment.com)>

---

## Re: Trailhead at Bear Creek - Video Conference For Adjacent Neighbors (Limited Attendance)

---

Gary & Christine <[gnnncan@sbcglobal.net](mailto:gnnncan@sbcglobal.net)>

Sat, Oct 10, 2020 at 1:45 PM

Reply-To: Gary & Christine <[gnnncan@sbcglobal.net](mailto:gnnncan@sbcglobal.net)>

To: Kevin Markham <[kmarkham22@gmail.com](mailto:kmarkham22@gmail.com)>, bylapart <[bylapart@gmail.com](mailto:bylapart@gmail.com)>, Christopher Anderson <[christopher.anderson@acresdevelopment.com](mailto:christopher.anderson@acresdevelopment.com)>

Cc: Rex Anderson <[rexa@acresinc.com](mailto:rexa@acresinc.com)>

Christopher,

Thank you for your time and providing all the information.

We have our annual HOA meeting on Oct. 15th. We decided to tell all the residents, at a high level, about the project. Also we will tell them at that time that a few people, most adjacent to the proposed project, will be invited to a meeting on Oct. 20th and all of the residents on the 28th. We think if we invite people now it will go crazy in the neighborhood.

Thanks again for your professional briefing and meeting .

Regards,

Gary Nesta

On Saturday, October 10, 2020, 12:38:58 PM CDT, Christopher Anderson <[christopher.anderson@acresdevelopment.com](mailto:christopher.anderson@acresdevelopment.com)> wrote:

Gentlemen,

Thank you again for taking the time to meet with us via Zoom this morning to discuss the Trailhead at Bear Creek Project. It was great meeting you! We appreciate you taking time on a Saturday morning (thanks again for your flexibility in moving the meeting to today) to meet with us about the project. We value your input and consideration on the proposed development.

Below is the invitation for the meeting on the 20th. I scheduled the video conference for 6:30pm, but can adjust the time as needed to accommodate attendees. Please let me know if you would prefer a later start time.

Topic: Trailhead at Bear Creek - Restaurant Project Video Conference

Time: Oct 20, 2020 06:30 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83224701951?pwd=ZjBUYk5WVW5XZFpkOE8rU09IT2Q3Zz09>

Meeting ID: 832 2470 1951

Passcode: 535575

Please do not hesitate to contact me at your convenience with any questions or to discuss this in more detail.

Sincerely,

Christopher Anderson  
ACRES Development Corporation  
PO Box 826  
Addison, Texas 75001

11/3/2020

ACRES Mail - Re: Trailhead at Bear Creek - Video Conference For Adjacent Neighbors (Limited Attendance)

469-241-1222 Office  
317-502-5133 Mobile



The information contained in this email is not an offer to buy, sell or transfer securities, real or other property. **This communication is not to be construed or constructed so as to create or amend any contract, written or otherwise.** The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, re-transmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

The information contained herein was obtained from sources believed reliable; however, Anderson Commercial Real Estate Services, Inc. (ACRES, Inc.), ACRES Development Corporation, and ACRES Funding Corporation, make no guarantees, warranties or representations, expressed or implied, as to the completeness or accuracy thereof. The information contained herein is submitted subject to errors, omissions, change of price or conditions, prior to sale or lease, prior sale or withdrawal without notice.



Christopher Anderson <christopher.anderson@acresdevelopment.com>

---

## Trailhead at Bear Creek - Site Plan and Model Images

---

**Christopher Anderson** <christopher.anderson@acresdevelopment.com>

Wed, Oct 7, 2020 at 6:23 PM

To: Gary & Christine <gnncan@sbcglobal.net>, Kevin Markham <kmarkham22@gmail.com>, bylapart <bylapart@gmail.com>, Beckie Paquin <beckie\_paquin@yahoo.com>

Cc: Rex Anderson <rexa@acresinc.com>

Bcc:

Good evening,

Per your request please find attached a pdf file containing a site plan and model images for the Trailhead at Bear Creek Project, which I look forward to discussing with you in greater detail during Saturday morning's video conference.

Although I sent a calendar invitation to everyone moments ago, please find below for your convenience the video conference details:

Topic: Trailhead at Bear Creek - Zoom Video Conference

Time: Oct 10, 2020 10:30 AM Central Time (US and Canada)

### Join Zoom Meeting Via the following:

<https://us02web.zoom.us/j/85455795198?pwd=SXFjVmZuVXh2UitmcXhvYmp1ZGIldz09>

Meeting ID: 854 5579 5198

Passcode: 444624

If you have not used Zoom previously, then I recommend downloading the App to your preferred device(s) and testing the audio components prior to the meeting. I look forward to seeing you all Saturday at 10:30am. Please do not hesitate to contact me at your convenience with any questions.

Sincerely,

Christopher Anderson  
ACRES Development Corporation  
PO Box 826  
Addison, Texas 75001  
469-241-1222 Office  
317-502-5133 Mobile



The information contained in this email is not an offer to buy, sell or transfer securities, real or other property. This communication is not to be construed or constructed so as to create or amend any contract, written or otherwise. The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, re-transmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

The information contained herein was obtained from sources believed reliable; however, Anderson Commercial Real Estate Services, Inc. (ACRES, Inc.), ACRES Development Corporation, and ACRES Funding Corporation, make no guarantees, warranties or representations, expressed or implied, as to the completeness or accuracy thereof. The information contained herein is submitted subject to errors, omissions, change of price or conditions, prior to sale or lease, prior sale or withdrawal without notice.



**Trailhead at Bear Creek - Site Plan & Model Images.pdf**

1878K