



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Meeting Agenda Planning and Zoning Commission

Wednesday, April 24, 2024

5:00 PM

Council Work Session Room
&
Council Chambers

WORK SESSION BEGINS AT 5:00 P.M. IN THE COUNCIL WORK SESSION ROOM

REGULAR MEETING BEGINS AT 6:30 P.M. IN THE COUNCIL CHAMBERS

REGISTRATION GUIDELINES FOR ADDRESSING THE PLANNING AND ZONING COMMISSION

Individuals may speak during a Planning and Zoning Commission meeting under one of the following categories:

Comments on Agenda Items:

Public comments can be given for any item considered by the Planning and Zoning Commission, EXCEPT work session reports or closed meetings. Individuals are only able to comment one time per agenda item and cannot use more than one method to comment on a single agenda item. Public comments are limited to three (3) minutes per citizen.

Public Hearing Items:

Individuals are limited to four (4) minutes per public hearing item.

Individuals may participate by using one of the following methods:

1. In Person for Regular or Consent Agenda Items:

To provide in-person comments regular or consent agenda items (excluding public hearing items), Individuals must be present at the meeting and submit a speaker card (available at the meeting location) to the Secretary prior to the item being called.

2. In Person for Public Hearing Items:

For public hearing items, speaker cards are encouraged but not required.

3. eComment:

The agenda is posted online at <https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>. Once the agenda is posted, a link to make virtual comments using the eComment module will be made available next to the meeting listing on the Upcoming Events Calendar. Using eComment, Individuals may indicate support or opposition and submit a brief comment about a specific agenda item. eComments may be submitted up until the start of the meeting at which time the ability to make an eComment will be closed. eComments will be sent directly to members of the Planning and Zoning Commission immediately upon submission and recorded by the Secretary into the Minutes of the Meeting.

After determining that a quorum is present, the Planning and Zoning Commission of the City of Denton, Texas will convene in a Work Session on Wednesday, April 24, 2024, at 5:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

WORK SESSION

1. Clarification of agenda items listed on the agenda for this meeting

This is an opportunity for Commissioners to ask questions of staff on the Consent and Regular Agenda items, which may include a full briefing on an item in the order it appears on the regular session agenda. Any such briefing will be repeated in regular session.

2. Work Session Reports

- A. [PZ24-074](#) Receive a report and hold a discussion regarding the Rayzor Ranch Overlay District.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)

REGULAR MEETING

After determining that a quorum is present, the Planning and Zoning Commission will convene in a Regular Meeting on Wednesday, April 24, 2024, at 6:30 p.m. in the City Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas at which time the following items will be considered:

1. PLEDGE OF ALLEGIANCE

- A. U.S. Flag
B. Texas Flag

“Honor the Texas Flag – I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES FOR:

- A. [PZ24-063](#) Consider approval of the April 10, 2024, Planning and Zoning meeting minutes.

Attachments: [April 10, 2024](#)

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [FP24-0010](#) Consider a request by Rob Myers with Kimley-Horn on behalf of MRLP Bick

Property LLC for a Final Plat of the Mayhill Multifamily Addition. The 23.9-acre site is generally located generally located on the west side of North Mayhill Road, approximately 250 feet north of Russell Newman Boulevard in the City of Denton, Denton County, Texas. (FP24-0010, Mayhill Multifamily, Julie Wyatt)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location](#)
[Exhibit 4 - LLC Members List](#)
[Exhibit 5 - Final Plat](#)
[Exhibit 6 - 1st Extension Request](#)

- B. [PP24-0002a](#) Consider a request by Kimley-Horn, on behalf of HR 3200, LP, for approval of a Preliminary Plat of Hunter Ranch Phase 1 Amenity Center. The approximately 7.967-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (PP24-0002a, Hunter Ranch Phase 1 Amenity Center, Cameron Robertson).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Preliminary Plat](#)

- C. [FP24-0011](#) Consider a request by the Foresite Group, LLC for approval of a Final Plat for Stella Hills. The approximately 48.7617-acre site is generally located on the south side of E. McKinney Street, at the intersection of E. McKinney Street and Laney Circle in the City of Denton, Denton County, Texas. (FP24-0011, Stella Hills, Angie Manglaris).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Final Plat](#)
[Exhibit 5 - Request for Extension](#)
[Exhibit 6 - LLC Members List](#)

- D. [FP24-0006d](#) Consider a request by JPI Real Estate Acquisitions, LLC for a Final Plat of the Jefferson Bonnie Brae Addition. The 31.51-acre site is generally located west of Bonnie Brae Road and approximately 150.19 feet south of Bronco Way in the City of Denton, Denton County, Texas. (FP24-0006d, Jefferson Bonnie Brae, Angie Manglaris).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Final Plat](#)
 [Exhibit 5 - Extension Request](#)
 [Exhibit 6 - LLC Members List](#)

- E. [FP24-0009a](#) Consider a request by Forestar (USA) Real Estate Group, Inc. for a Final Plat of Hickory Grove, Phase 2. The 58.638-acre site is generally located just north of West University Drive and west of Thomas J Eagan Road in City of Denton's ETJ Division 1, Denton County, Texas. (FP24-0009a, Hickory Grove 2, Mia Hines).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Final Plat](#)

- F. [V24-0001](#) Consider a subdivision variance request by CB Green Investments, LLC from the 2019 City of Denton Development Code, Section 8.3.2.E.3 regarding the length of a flagpole portion of a lot. The variance will allow for a flag drive that is 600 feet in length. The approximately 10-acre site is generally located on the West side of Hilltop Road, approximately 740 feet north of E. Hickory Hill Road, in Denton County, Texas, within the City of Denton Division 1 Extraterritorial Jurisdiction (ETJ). (V24-0001, Areloegbe World, Bryce Van Arsdale).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Variance Exhibit](#)
 [Exhibit 5 - LLC Members List](#)

4. PUBLIC HEARINGS

This notice authorizes the Planning and Zoning Commission to recommend and City Council to approve a different zoning district which is equivalent to or more restrictive than that which is requested by the applicant, as the different district may not have a maximum structure height, floor area ratio, or density that is higher than the one requested or be nonresidential when the request is for a residential use or vice versa. The different zoning district must be deemed consistent with the Comprehensive Plan and the Future Land Use Plan.

- A. [Z24-0003](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by Kimley-Horn on behalf of the property owner, Vandesmith Developers, LTD.to rezone approximately 1.52 acres from Suburban Corridor (SC) zoning district to Residential 6 (R6) zoning district. The subject site is generally located 266.11 feet east of Country Club Road and north of Hobson Lane in the City of Denton, Denton County, Texas. (Z24-0003, Vandesmith Tract Rezoning, Bryce Van Arsdale)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Applicant's Project Narrative](#)
[Exhibit 4 - Site Location Map](#)
[Exhibit 5 - Future Land Use Map](#)
[Exhibit 6 - Existing Zoning Map](#)
[Exhibit 7 - Proposed Zoning Map](#)
[Exhibit 8 - Financial Impact Analysis](#)
[Exhibit 9 - Table of Allowed Uses](#)
[Exhibit 10 - Notification Map and Responses](#)
[Exhibit 11 - Draft Ordinance](#)

- B. [S24-0001](#) Hold a public hearing and consider making a recommendation to City Council regarding a request for a Specific Use Permit (SUP) to allow for an Equipment Sales and Rental use on approximately 10 acres of land, generally located on the south side of US 380 approximately 3,800 feet west of Masch Branch Road in the City of Denton, Denton County, Texas (S24-0001, RDO Equipment, Ashley Ekstedt)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Future Land Use Map](#)
[Exhibit 5 - Zoning Map](#)
[Exhibit 6 - Applicant Project Narrative](#)
[Exhibit 7 - Proposed Site Plan](#)
[Exhibit 8 - Proposed Landscape Plan](#)
[Exhibit 9 - Proposed Building Elevations](#)
[Exhibit 10 - Fiscal Impact Summary](#)
[Exhibit 11 - Notification Map](#)
[Exhibit 12 - Draft Ordinance](#)
[Exhibit 13 - LLC Members List](#)

5. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. [PZ24-064](#) Hold a discussion regarding the Planning and Zoning Project Matrix.

Attachments: [Matrix 2024](#)

6. CONCLUDING ITEMS

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Planning & Zoning Commission or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

NOTE: The Planning and Zoning Commission reserves the right to adjourn into a Closed Meeting on any item on its Work Session or Regular Session agenda consistent with Chapter 551 of the Texas Government Code, as amended, including without limitation, Sections 551.071-551.086 of the Texas Open Meetings Act.

CERTIFICATE

I certify that the above notice of meeting was posted on the official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on April 19, 2024, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

OFFICE OF THE CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.



City of Denton

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215 E. McKinney St.
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Legislation Text

File #: PZ24-074, **Version:** 1

AGENDA CAPTION

Receive a report and hold a discussion regarding the Rayzor Ranch Overlay District.



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: April 24, 2024

SUBJECT

Receive a report and hold a discussion regarding the Rayzor Ranch Overlay District.

BACKGROUND

At this work session, Staff will present information regarding the history and purpose of the Rayzor Ranch Overlay District (RROD), which was first created in 2007 (Ordinance No. 2007-067). The RROD includes a total of 410 acres of land located on both sides of US Highway 380 between I-35 and Bonnie Brae Street. The RROD provides design criteria and development standards for the entire mixed-use development area using the 2002 Denton Development Code (2002 DDC) as a base.

Most of the current overlay standards for the RROD have been in place since 2010, but many areas, particularly within the southern portion of the overlay, did not have design standards adopted until 2016 or later. In total, the RROD has been amended over twenty times since adoption in 2007. In addition, the City adopted a new Denton Development Code in 2019 replacing the 2002 Denton Development Code which is used as a base for the RROD. The large number of amendments to the original RROD and the adoption of the new 2019 Denton Development Code (2019 DDC) have made the RROD challenging to interpret and implement.

This challenge was anticipated at the time of the 2019 DDC adoption, and a placeholder (Appendix A) was created within the DDC for the RROD standards with the intention of consolidating the standards and adopting them into the DDC at a future date. In addition to desiring and intending to make the RROD less challenging for staff to administer, by formally adopting the RROD into the DDC rather than being multiple individual ordinances, staff's goal is to also make the standards easier for landowners and developers to locate and use.

EXHIBITS

1. Agenda Information Sheet

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/
Planning Director

Prepared by:
Hayley Zagurski, AICP
Assistant Planning Director



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Legislation Text

File #: PZ24-063, **Version:** 1

AGENDA CAPTION

Consider approval of the April 10, 2024, Planning and Zoning meeting minutes.

MINUTES
PLANNING AND ZONING COMMISSSION
April 10, 2024

After determining that a quorum was present, the Planning and Zoning Commission of the City of Denton, Texas convened in a Work Session on Wednesday, April 10, 2024, at 5:34 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Desiree Padron, Eric Pruett, and Kimberly Thaggard

ABSENT: Commissioner Jordan Villarreal

WORK SESSION

1. In Person for Regular or Consent Agenda Items:

None

2. Clarification of agenda items listed on the agenda for this meeting.

The following items were not presented, and no discussion was had:

3.A (FP23-0023b)

The following items were presented, and no discussion was had:

4.A (FP24-0009), 4.B (FP24-0006c), and 4.C (PP24-0002)

The following item was postponed, and no discussion was had:

5.A (MPA24-0001)

The Work Session was adjourned at 5:37 p.m.

CLOSED MEETING.

1. The Planning and Zoning Commission convened into a Closed Meeting at 5:37 p.m. consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law, as follows:

A. PZ24-061 Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consult with City attorneys regarding the definition and land use regulations for donation boxes within the City of Denton, Texas, where public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton Planning and Zoning Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or otherwise compromise the City's legal position.

REGULAR MEETING

After determining that a quorum was present, the Planning and Zoning Commission of the City of Denton, Texas convened in a Regular Meeting on Wednesday, April 10, 2024, at 6:32 p.m. in the Council Chambers at City Hall, 215 E. McKinney, Denton, Texas.

PRESENT: Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Desiree Padron, Eric Pruett, and Kimberly Thaggard

ABSENT: Commissioner Jordan Villarreal

1. PLEDGE OF ALLEGIANCE

- A. U.S. Flag
- B. Texas Flag

2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES

- A. PZ24-056 Consider approval of the March 20, 2024, Capital Improvement Advisory Committee, and the March 20, 2024, Planning and Zoning meeting minutes.

Vice-Chair Smith moved to approve the March 20, 2024, Capital Improvement Advisory Committee, and the March 20, 2024, Planning and Zoning meeting minutes. Motion seconded by Commissioner Cole. Motion carried.

AYES (6): Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Desiree Padron, Eric Pruett, and Kimberly Thaggard

NAYS (0): None

ABSENT (1): Commissioner Jordan Villarreal

3. CONSENT AGENDA

- A. FP23-0023b Consider a request by Danny McCamish of Spiars Engineering, on behalf of Cyrene at Hickory Creek, LLC, for a Final Plat of Barrel Strap Residential. The approximately 14.1-acre site is generally located on the southwest corner of Hickory Creek Road and FM 2499 in the City of Denton, Denton County, Texas. (FP23-0023b, Barrel Strap Residential, Ashley Ekstedt).

Vice-Chair Smith moved to approve the Consent Agenda. Motion seconded by Commissioner Thaggard. Motion carried.

AYES (6): Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Desiree Padron, Eric Pruett, and Kimberly Thaggard

NAYS (0): None

ABSENT (1): Commissioner Jordan Villarreal

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. FP24-0009 Consider a request by Forestar (USA) Real Estate Group, Inc. for a Final Plat of Hickory Grove, Phase 2. The 58.822-acre site is generally located just north of West University Drive and west of Thomas J Eagan Road in City of Denton's ETJ Division 1, Denton County, Texas. (FP24-0009, Hickory Grove 2, Mia Hines). City staff presented the item. No discussion followed.

City staff presented the item. No discussion followed.

Vice-Chair Smith moved to approve the extension of the item to date certain of April 24, 2024. Motion seconded by Commissioner Thaggard. Motion carried.

AYES (6): Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Desiree Padron, Eric Pruett, and Kimberly Thaggard

NAYS (0): None

ABSENT (1): Commissioner Jordan Villarreal

- B. FP24-0006c Consider a request by JPI Real Estate Acquisitions, LLC for a Final Plat of the Jefferson Bonnie Brae Addition. The 31.51-acre site is generally located west of Bonnie Brae Road and approximately 150.19 feet south of Bronco Way in the City of Denton, Denton County, Texas. (FP24-0006c, Jefferson Bonnie Brae, Angie Manglaris).

City staff presented the item. No discussion followed.

Vice-Chair Smith moved to approve the extension of the item to date certain of April 24, 2024. Motion seconded by Commissioner Pruett. Motion carried.

AYES (6): Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Desiree Padron, Eric Pruett, and Kimberly Thaggard

NAYS (0): None

ABSENT (1): Commissioner Jordan Villarreal

- C. PP24-0002 Consider a request by Kimley-Horn, on behalf of HR 3200, LP, for approval of a Preliminary Plat of Hunter Ranch Phase 1 Amenity Center. The approximately 7.967-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (PP24-0002, Hunter Ranch Phase 1 Amenity Center, Cameron Robertson).

Commissioner Cole recused for this item.

City staff presented the item. No discussion followed.

Vice-Chair Smith moved to approve the extension of the item to date certain of April 24, 2024. Motion seconded by Commissioner Pruett. Motion carried.

AYES (5): Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Desiree Padron, Eric Pruett, and Kimberly Thaggard

NAYS (0): None

ABSENT (1): Commissioner Jordan Villarreal

ABSTAINED (1): Commissioner Jason Cole

5. PUBLIC HEARINGS

- A. MPA24-0001 Hold a public hearing and consider making a recommendation to City Council regarding city-initiated Comprehensive Plan Amendment to modify the Thoroughfare Plan and Thoroughfare Map of the Mobility Plan. Amendments include, but are not limited to, an extension of East Windsor Drive across State Loop 288, the addition of a new Major Collector functional classification, and minor alignment changes for connectivity between Highway 380 and Loop 288 for consistency with current TxDOT plans. The proposal is generally located at the current terminus of East Windsor Drive, approximately 700 feet west of State Loop 288, south of Kings Row, and extending approximately 4,800 feet toward the east, connecting to Cooper Creek Drive in the City of Denton, Denton County, Texas. **THIS ITEM HAS BEEN POSTPONED UNTIL THE MAY 15, 2024 PLANNING AND ZONING COMMISSION MEETING.** (MPA24-0001, East Windsor Extension, Julie Wyatt)

No discussion or action was had.

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. PZ24-057: Staff provided updates regarding the matrix, City Council outcomes, and area plans. No items were added to the matrix.

7. CONCLUDING ITEMS

With no further business, the meeting was adjourned at 6:41 p.m.

X

Margie Ellis, Planning and Zoning Commission Chair

Date

X

Cathy Welborn, Administrative Assistant III

Date

Minutes approved on: _____



City of Denton

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215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: FP24-0010, **Version:** 1

AGENDA CAPTION

Consider a request by Rob Myers with Kimley-Horn on behalf of MRLP Bick Property LLC for a Final Plat of the Mayhill Multifamily Addition. The 23.9-acre site is generally located generally located on the west side of North Mayhill Road, approximately 250 feet north of Russell Newman Boulevard in the City of Denton, Denton County, Texas. (FP24-0010, Mayhill Multifamily, Julie Wyatt)



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AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: April 24, 2024

SUBJECT

Consider a request by Rob Myers with Kimley-Horn on behalf of MRLP Bick Property LLC for a Final Plat of the Mayhill Multifamily Addition. The 23.9-acre site is generally located on the west side of North Mayhill Road, approximately 250 feet north of Russell Newman Boulevard in the City of Denton, Denton County, Texas. (FP24-0010, Mayhill Multifamily, Julie Wyatt)

BACKGROUND

The purpose of the Final Plat is to create one lot with right-of-way dedication and required easements for a multifamily development. In order to develop the proposed multifamily use, three applications were submitted and approved in 2023: Comprehensive Plan Amendment (CA23-0001), rezoning request from Light Industrial (LI) to Residential 7 (R7) District (Z23-0006), and Specific Use Permit (S23-0003). The proposed plat is consistent with the current R7 District zoning and approved Specific Use Permit, which included a site plan showing the general layout of the buildings and access for the development.

It should be noted that the applicant has opted to omit the Preliminary Plat step in accordance with Denton Development Code 2.6.3B.1.

A full analysis of the criteria for approval is provided as Exhibit 2.

Date application filed:	March 26, 2024
Planning and Zoning Meeting:	April 24 2024
Days in review:	29 Days

This application is being considered under Texas Local Government Code (TX LGC) 212.009, which was updated as of September 1, 2023 with the passage of House Bill 3699. Since this plat application was submitted after September 1, 2023 the changes to LGC Chapter 212 are applicable. The applicant has requested a 30-day extension to allow for additional time to work through staff's comments on the plat and additional review (Exhibit 6). In accordance with TX LGC Section 212.009 the extension cannot exceed 30 days and could be granted to a date certain of May 15, 2024. Based upon recent updates to Section 212.009, the applicant may request additional 30-day extensions in the future if they are determined to be necessary.

OPTIONS

1. Approve 1st Extension
2. Approve as submitted
3. Deny with reasons

RECOMMENDATION

Staff recommends denial of this plat as does not meet the established criteria for approval. However, staff has no objection to the requested 30-day extension to a date certain of May 15, 2024. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
2002	City Council	Citywide rezoning from Agriculture District to Employment Center Industrial (EC-I) District	Approved
2019	City Council	Zoning Transition from EC-I District to Light Industrial (LI) District	Approved
August 9, 2023	Planning and Zoning Commission	Comprehensive Plan Amendment (CA23-0001)	Recommended Approval
August 9, 2023	Planning and Zoning Commission	Rezoning from LI District to R7 District (Z23-0006)	Recommended Approval
August 9, 2023	Planning and Zoning Commission	Specific Use Permit for multifamily dwellings (S23-0003)	Recommended Approval
August 15, 2023	City Council	Comprehensive Plan Amendment (CA23-0001), Rezoning (Z23-0006), SUP (S23-0003)	Approved

PUBLIC OUTREACH

No public outreach is required for final plats.

DEVELOPER ENGAGEMENT DISCLOSURES

No developer contact disclosures have been provided to staff from members of this body as of the issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. LLC Members List
5. Final Plat
6. 1st Extension Request

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/

Planning Director

Prepared by:
Julie Wyatt, AICP
Principal Planner

Planning Staff Analysis

FP24-0010/ Mayhill Multifamily

City Council District #2

Planning & Zoning Commission

REQUEST:

Final Plat for one multifamily lot.

APPLICANT:

Rob Myers with Kimley-Horn on behalf of MRLP Bick Property LLC

RECOMMENDATION:

Staff recommends denial of this plat as it doesn't meet the established approval criteria for Final Plats, as shown in the following table:

Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below. Findings: <div><p>All applications shall include all required information requested by the Director to demonstrate compliance with City codes per DDC Section 2.4.4B. In order for the Final Plat to meet all general review criteria established by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B and as detailed in Approval Criteria 4a and 10 the following corrections are required:</p><p>PLN1. Add surveyor name, company name, address, and phone number FPC 2.4</p><p>PLN2. Add project number FP24-0010 FPC 2.2</p><p>PLN3. Add all line types to the Legend FPC 2.12</p><p>PLN4. Verify that metes and bounds description is correct. FPC 5.2</p><p>Eng 1. Provide bearings to reflect what is implied in legal. Is this segment want to be 936.84' - 657.24' = 279.60'. Make drawing consistent with legal. FPC 5.2</p><p>Eng 2. Depict all overhead electric distribution and transmission line clearance zones intersecting or adjacent to the property. (FPC 2.19)</p><p>Eng 3. For new water and wastewater easements refer to DDC Section 7.6.7 and the Water & Wastewater Criteria Manual Sections 3 and 5.4.2-3. (FPC 3.8) TYP.</p><p>Eng 4. For new Electric Easements, refer to DDC Section 7.13.6 and Denton Municipal Electric standards. (FPC 3.11)</p></div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
	<p>Eng 5. Does this southern leg of the plat bearings be 279.60'? See Sheet 1 comment 1.6). Please revise drawing and legal appropriately. FPC 5.2</p> <p>Eng 6. Provide a copy of a copy of a current title policy or title survey for the subject property. Provided Alta Survey recognizes MRLP RN LAND, L.L.C listed on the Development Application. The Development Application does not recognize the MRLP BICK PROPERTY, L.L.C. listed on the ALTA. Please revise the development application and the owner's authorization to reflect that the "MRLP BICK PROPERTY, L.L.C. is under the listed owner's authority to submit this application. (FPC 1.5)</p> <p>Eng 7. Provide a copy of the City of Denton's Owner Authorization Form. (FPC 1.2) Names on the Owner Authorization form and the names provided on the Development application do not match. Please resubmit the Development application and the Owner's Authorization letter so that the two clearly match and are consistent.</p> <p>Eng 8. For new drainage, detention, and/or floodplain easements refer DDC Section 7.5.3.I, J, and N and the Stormwater Design Criteria Manual Section 3.3.5 and 3.9. (FPC 3.7)</p> <p>Eng 9. Provide a copy of the computer-generated closure report for the metes and bounds description. (FPC 5.2)</p> <p>Eng 10. Include specific dedication language for access, utility, and/or floodway/plain and drainage and/or detention easements. Restrictions of easements shall be described on the final plat and approved by the City. (FPC 6.2 and DDC 7.5.3.N)</p> <p>Eng 11. Provide monumentation certification. FPC 5.2</p> <p>Eng 12. Revise Owner's dedication statement to include ROW and easement dedications and other land rights so as to create no conflicts or issues for staff or other public interests. FPC 5.7</p> <p>Eng 13. Add the following note to the plat: COD STANDARD DRAINAGE COMMENT/STATEMENT: RIGHTS OF COUNTY/CITY. The City and County, including their agents and employees, have the right of immediate access to the Common Areas at all times, if necessary, for the welfare or protection of the public, to enforce City/County ordinances, or to improve the appearance of or to preserve public property, public easements, or public rights of way. If the Association fails to maintain the Common Areas to a standard acceptable to the County or City, the County or City may give the Association a written demand for maintenance. If the Association fails or refuses to perform the maintenance within a reasonable period of time after receiving the County's/City's written demand (at least 90 days), the County or City may maintain the Common Areas at the expense of the Association after giving written notice of its intent to do so to the Association. The County or City may give its notices and demands to any officer, director, or agent of the Association, or alternatively, to each owner of a Lot as shown on the County's tax rolls. To fund the County's or City's cost of maintaining the Common Areas, the County or City may levy assessments against the lots and owners in the same manner as if the Association levied a special assessment. The rights of the County or City under this Section are in addition to other rights and remedies provided by law. FPC 5.9</p>			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
b. The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9. Findings: <div>The Final Plat does not meet all review criteria, as detailed in Approval Criterion 2, 4a, 7, and 10 below.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5-2.9 controls. Findings: <div></div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Prior Approvals				
a. The proposed development shall be consistent with the terms and conditions of any prior land use approval, plan, development agreement, or plat approval that is in effect and not proposed to be changed. This includes an approved phasing plan for development and installation of public improvements and amenities. Findings: <div>The proposed development is consistent with R7 District and approved SUP S23-0006. Prior to Final Plat approval, Civil Engineering Plans CEP24-0015 must be approved.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans. Findings: <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings: <div></div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p>b. May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in Comprehensive Plan. Findings:</p> <div data-bbox="253 300 1040 401" style="border: 1px solid black; height: 48px; width: 485px;"></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Compliance with this DDC			
<p>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified. Findings:</p> <div data-bbox="253 573 1109 747" style="border: 1px solid black; padding: 5px;"> DME 1- Please dedicate public utility easements on final plat per uploaded V1 DME markups (Denton Development Code Subchapter 7.13.6) </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings:</p> <div data-bbox="253 884 1068 1010" style="border: 1px solid black; padding: 5px;"> The subject submittal is a Final Plat, and it was reviewed based on the checklist and requirements for a final plat. </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Compliance with Other Applicable Regulations			
<p>a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations. Findings:</p> <div data-bbox="253 1318 1040 1446" style="border: 1px solid black; padding: 5px;"> The proposed development compiles with all applicable regulations, standards, and requirements. </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Consistent with Interlocal and Development Agreements			
<p>a. The proposed development shall be consistent with any adopted interlocal and applicable development agreements, and comply with the terms and conditions of any such agreements incorporated by reference into this DDC. Findings:</p> <div data-bbox="253 1688 1040 1866" style="border: 1px solid black; height: 85px; width: 485px;"></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
7. Minimizes Adverse Environmental Impacts				
<p>a. The proposed development should be designed to minimize negative environmental impacts, and should not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, scenic resources, wildlife habitat, soils, and native vegetation.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 10px;"> <p>The following is needed to ensure the proposal will not cause significant adverse impacts:</p> <p>Please include the note, "A Tree Survey and Preservation Plan will be required to proceed with Building Permits on the subject site. Minimum Tree Preservation requirements of the Denton Development Code Section 7.7.4. must be met prior to the release of any permits."</p> <p>In accordance with DDC Sections 7.4.4.C, 2.8.4, and the note on the site plan, this project has not demonstrated compliance with DDC Section 7.4</p> </div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Minimizes Adverse Impacts on Surrounding Property				
<p>a. The proposed development should not cause significant adverse impacts on surrounding properties. The results of the citizen participation process may be appropriately considered under this section.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 10px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Minimizes Adverse Fiscal Impacts				
<p>a. The proposed development should not result in significant adverse fiscal impacts on the city.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 10px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
10. Compliance with Utility, Service, and Improvement Standards			
<p>a. As applicable, the proposed development shall comply with federal, state, county, service district, city and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards.</p> <p>Findings:</p> <div> <p>The proposed Final Plat is not compliant with all City regulations, as noted in the Outstanding Engineering Comments listed at the end of this document and the following:</p> <p>TP 1. NOT SATISFIED Add "by this plat" to ROW dedication label.</p> <p>TP 2. NOT SATISFIED Add dimension for the distance from centerline to edge of proposed ROW dedication for the section of Mayhill that includes the right-turn lane.</p> <p>TP 3. NOT SATISFIED Add centerline to legend as a unique line type</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Provides Adequate Road Systems			
<p>a. Adequate road capacity shall exist to serve the uses permitted under the proposed development, and the proposed uses shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services.</p> <p>Findings:</p> <div> <p>There is adequate road capacity to accommodate the proposed use.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities			
<p>a. Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, roads, domestic water, sewer, schools, public safety, fire protection, utilities, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.</p> <p>Findings:</p> <div> <p>Current capacity can accommodate the proposed development.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
13. Rational Phasing Plan			
<p>a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required for that phase, and may not defer those improvements to subsequent phases.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; min-height: 50px;"> <p>The proposed project does not include phasing</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

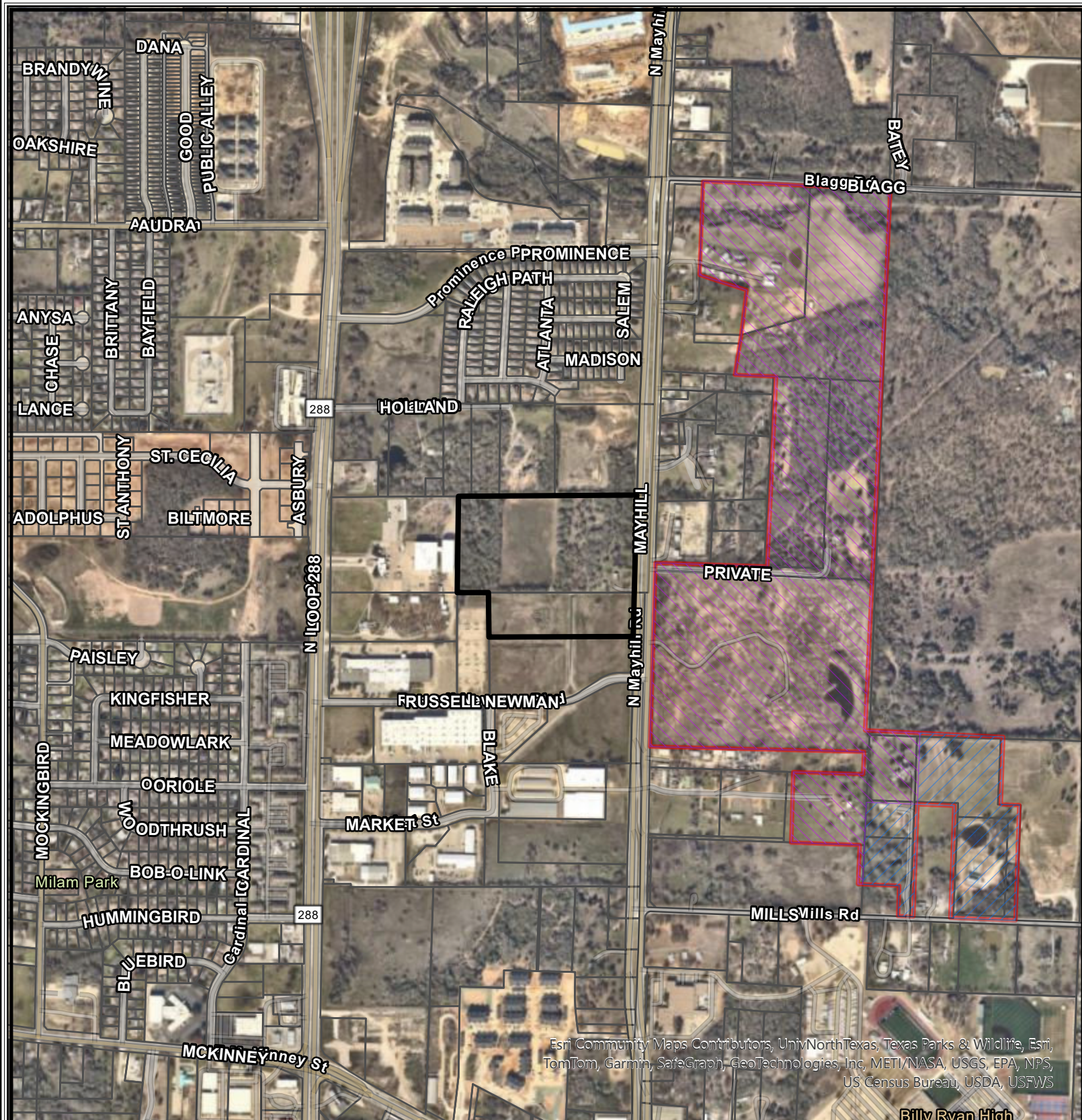
Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)	Applicability		
	Met	Not Met	N/A
14. Whether the final plat conforms to the preliminary plat, including any conditions of approval.			
<p>Findings:</p> <div style="border: 1px solid black; padding: 5px; min-height: 40px;"> <p>The applicant has opted to omit the Preliminary Plat step in accordance with Denton Development Code 2.6.3B.1.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. Whether the development will substantially comply with all requirements of this DDC.			
<p>Findings:</p> <div style="border: 1px solid black; padding: 5px; min-height: 60px;"> <p>The development substantially complies with all applicable requirements.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Whether the development will comply with the applicable technical standards and specifications adopted by the City.			
<p>Findings:</p> <div style="border: 1px solid black; padding: 5px; min-height: 40px;"> <p>The proposed development complies with applicable technical standards and specifications.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Outstanding Engineering Comments:

- Eng 1. All utility easements shall be a minimum of 16 feet, unless special circumstances warrant additional or reduced easements which can be approved by the City Engineer, in consultation with the Directors of Water and Wastewater Utilities. The general criteria to define minimum easement widths are listed in Table 7.B: Minimum Easement Widths of the DDC. (DDC 7.6.7.A) Provide evidence of approval by City Engineer and Directors of Water and Wastewater Utilities.
- Eng 2. Proposed public water or sewer mains intended to be aligned alongside yards shall be contained with dedicated open space lots, with overlapping public utility easements, and there shall be a note on the plat stating that these lots shall be owned and maintained by the property owner's association. (DDC 7.6.7.C)
- Eng 3. Label all easements, including existing or proposed. Proposed offsite easements by separate instrument should be labeled as such. If existing, provide recording information. (DDC 8.4.4 and FPC 4.2)
- Eng 4. Provide note on plat that private improvements cannot encroach onto existing public or private easements. (BEP)
- Eng 5. A drainage or floodplain easement shall be dedicated as a single lot to the city, a homeowner's association, or other legal entity as allowed by DDC subsection 7.5.3. (DDC 7.5.3.I.2.a.ii)

Eng 6. Adequate floodplain and drainage easements shall be required that give the city the right but not the obligation to maintain and construct drainage facilities if, in the city's sole opinion, the maintenance entity is not properly maintaining the stream or drainage way. (DDC 7.5.3.I.2.a.vii)

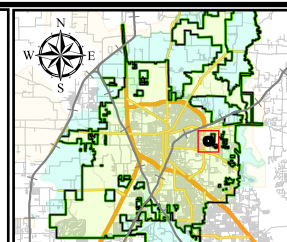
FP24-0010 Site Location



Esri Community Maps Contributors, UnivNorthTexas, Texas Parks & Wildlife, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Billy Ryan High

- Roads
- ▭ Parcels
- ▭ COD
- ▭ ETJ
- ▭ ETJ 2
- ▭ NAA 8/1/20
- ▭ NAA 8/1/40



0 260 520 1,040 Feet



Filing Number:

802317300

Original Date of Filing:

October 22, 2015

Formation Date:

N/A

Tax ID:

32058645048

Duration:

Perpetual

Name:

MRLP Bick Property, L.L.C.

Address:

Entity Type:

Domestic Limited Liability Company (LLC)

Entity Status:

In existence

FEIN:

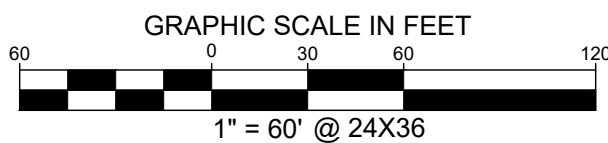
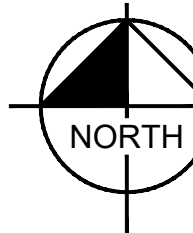
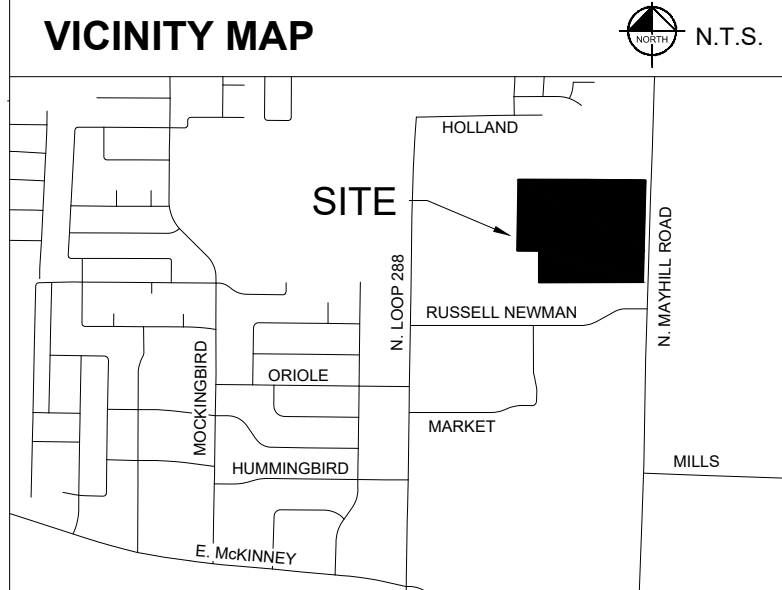
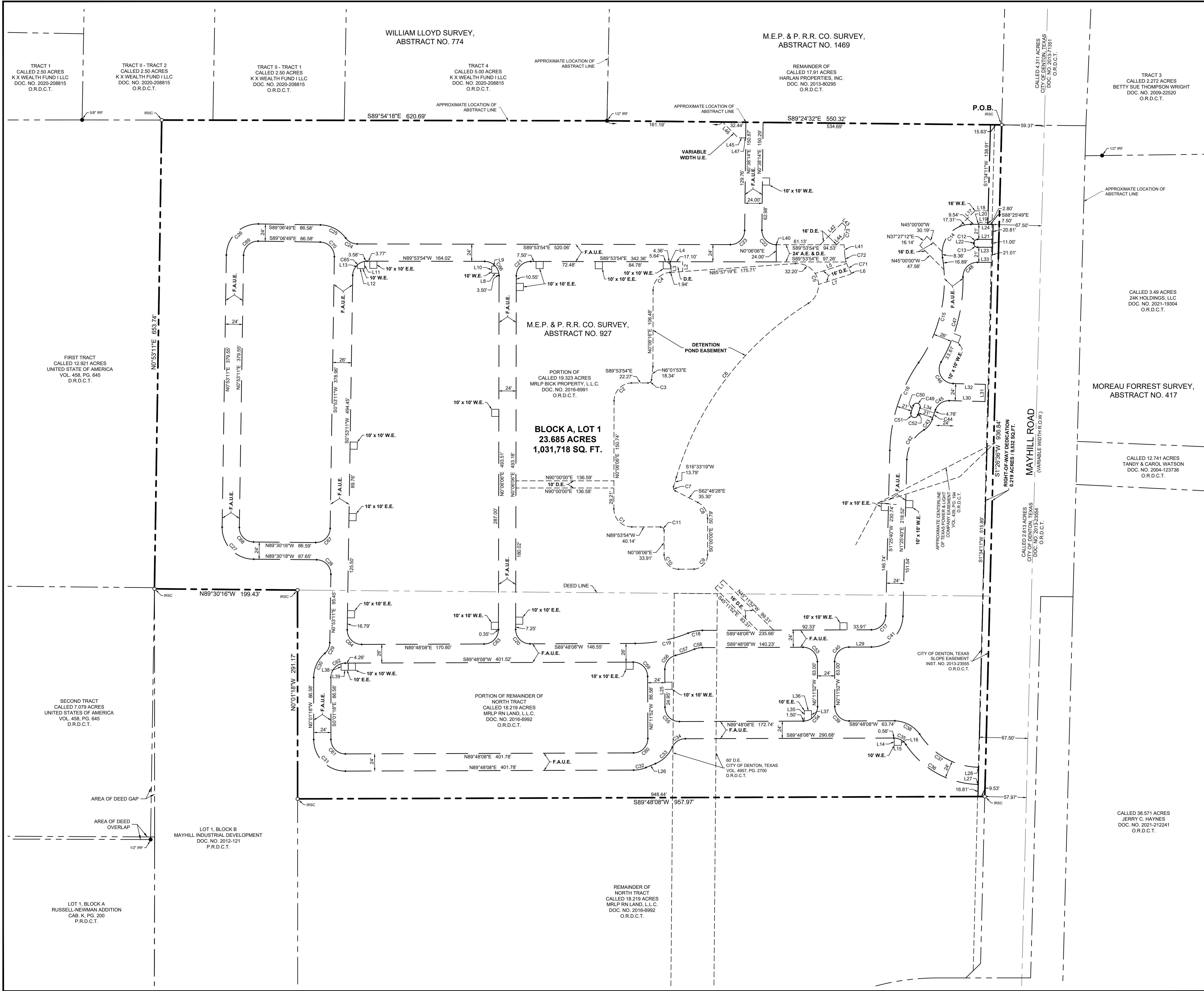
REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES
<div> <div>Last Update</div> <div>October 26, 2022</div> </div>	<div> <div>Name</div> <div>FRANK N MARTINO Jr</div> </div>	<div> <div>Title</div> <div>MANAGER</div> </div>	<div> <div>Address</div> <div></div> </div>	

Order

Return to Search

Instructions:

To place an order for additional information about a filing press the 'Order' button.



LEGEND	
D.R.D.C.T.	DEED RECORDS, DENTON COUNTY, TEXAS
O.R.D.C.T.	OFFICIAL RECORDS, DENTON COUNTY, TEXAS
P.R.D.C.T.	PLAT RECORDS, DENTON COUNTY, TEXAS
CMF	CONCRETE MONUMENT FOUND
CMS	CONCRETE MONUMENT SET
IPF	IRON PIPE FOUND
IRF	IRON ROD FOUND
IRFC	IRON ROD WITH CAP FOUND
IRSC	IRON ROD WITH "KHA" CAP SET
MMF	MAG NAIL FOUND
MNS	MAG NAIL SET
XF	"X" CUT FOUND
XS	"X" CUT SET
A.E.	ACCESS EASEMENT
A.U.E.	ACCESS & UTILITY EASEMENT
B.L.	BUILDING LINE
C.E.	COSERV EASEMENT
D.E.	DRAINAGE EASEMENT
D.D.E.	DRAINAGE & DETENTION EASEMENT
F.A.U.E.	FIRELANE, ACCESS & UTILITY EASEMENT
F.E.	FIRELANE EASEMENT
FFE MIN	MINIMUM FINISHED FLOOR ELEV.
H.B.T.E.	HIKE & BIKE TRAIL EASEMENT
HOA	HOMEOWNER'S ASSOCIATION
OF	OPEN FENCE REQUIRED
P.I.E.	PRIVATE IRRIGATION EASEMENT
P.W.M.E.	PRIVATE WALL MAINTENANCE EASEMENT
S.E.	STREET EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
S.U.E.	SIDEWALK & UTILITY EASEMENT
S.W.E.	SIDEWALK EASEMENT
U.E.	UTILITY EASEMENT
W.E.	WATER EASEMENT
	STREET NAME CHANGE

SEE SHEET 2 FOR LINE/CURVE
TABLES & GENERAL NOTES

FINAL PLAT MAYHILL MULTIFAMILY

BLOCK A, LOT 1

23.904 ACRES OUT OF THE MEMPHIS, EL PASO & PACIFIC
RAILROAD COMPANY SURVEY, ABSTRACT NO. 927
CITY OF DENTON, DENTON COUNTY, TEXAS
PREPARED: March 21, 2024
CITY PROJECT # _____

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	JMH	KHA	March 2024	063248000	1 OF 2

FILED:

OWNER:
MRLP Bick Property, LLC &
MRLP RN Land, LLC
4922 Christi Lane
Aubrey, Texas 76227
Phone:
Contact:

ENGINEER:
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Phone: 972-335-3580
Fax: 972-335-3779
Contact: Rob Myers, P.E.

PRELIMINARY

THIS DOCUMENT SHALL
NOT BE RECORDED FOR
ANY PURPOSE AND
SHALL NOT BE USED OR
VIEWED OR RELIED
UPON AS A FINAL
SURVEY DOCUMENT

OWNERS' CERTIFICATE

STATE OF TEXAS
COUNTY OF DENTON
CITY OF DENTON

WHEREAS MRLP Bick Property, L.L.C. AND MRLP RN Land, L.L.C., are the owners of a tract of land situated in the M.E.P. & P. R.R. CO. Survey, Abstract No. 927, Denton County, Texas, and being a portion of the remainder of a called 19.323 acre tract of land described in a deed to MRLP Bick Property, L.L.C., as recorded in Document No. 2016-6991 of the Official Records of Denton County, Texas, and being a portion of the remainder of a called 18.219 acre tract of land described as North Tract in a deed to MRLP RN Land, L.L.C., as recorded in Document No. 2016-6992 of the Official Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of a called 2.613 acre tract of land described in a deed to City of Denton, Texas, as recorded in Document No. 2013-23554 of the Official Records of Denton County, Texas, common to the southwest corner of a called 4.311 acre tract of land described in a deed to City of Denton, Texas, as recorded in Document No. 2013-71351 of the Official Records of Denton County, Texas, and the southeast corner of a called 17.91 acre tract of land described in a deed to Harlan Properties, Inc., as recorded in Document No. 2013-80295 of the Official Records of Denton County, Texas, being on the westerly right-of-way line of Mayhill Road, a variable width right-of-way, and on the northerly line of said 19.323 acre tract;

THENCE South 01°26'36" West, departing the northerly line of said 19.323 acre tract, along the westerly line of said 2.613 acre tract and the westerly right-of-way line of said Mayhill Road, passing at a distance of 657.24 feet the southerly line of said 19.323 acre tract and the northerly line of said 18.219 acre tract, and continuing along the same course, for a total distance of 936.84 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE South 89°48'08" West, departing the westerly line of said 2.613 acre tract and the westerly right-of-way line of said Mayhill Road, and crossing said 18.219 acre tract, a distance of 957.97 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner on the easterly line of Lot 1, Block B of Lot 1, Block A and Lot 1, Block B, Mayhill Industrial Development, according to the plat thereof recorded in Document No. 2012-121 of the Plat Records of Denton County, Texas;

THENCE North 00°01'18" West, along the easterly line of said Lot 1, Block B, a distance of 291.17 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northeast corner of said Lot 1, Block B, being on the northerly line of said 18.219 acre tract and the southerly line of said 19.323 acre tract;

THENCE North 89°30'16" West, along the northerly line of said 18.219 acre tract, the northerly line of said Lot 1, Block B and the southerly line of said 19.323 acre tract, a distance of 199.43 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said 19.323 acre tract, common to the northwest corner of said Lot 1, Block B, being on the easterly line of a called 7.079 acre tract of land described as Second Tract in a deed to United States of America, as recorded in Volume 458, Page 645 of the Deed Records of Denton County, Texas;

THENCE North 00°53'11" East, along the westerly line of said 19.323 acre tract, the easterly line of said Second Tract and the easterly line of a called 12.921 acre tract of land described as First Tract in said deed recorded in Volume 458, Page 645 of the Deed Records of Denton County, Texas, a distance of 653.74 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said 19.323 acre tract, common to the northeast corner of said First Tract, being on the southerly line of a called 2.50 acre tract of land described as Tract II - Tract 2 in a deed to K X Wealth Fund I LLC, as recorded in Document No. 2020-208815 of the Official Records of Denton County, Texas;

THENCE South 89°54'18" East, along the northerly line of said 19.323 acre tract, the southerly line of said Tract II - Tract 2, and the southerly lines of a called 2.50 acre tract of land described as Tract II - Tract 1 and a called 5.00 acre tract of land described as Tract 4 in said deed recorded in Document No. 2020-208815 of the Official Records of Denton County, Texas, a distance of 620.69 feet to a 1/2 inch iron rod found for the southeast corner of said Tract 4, common to the southwest corner of aforesaid 17.91 acre tract;

THENCE South 89°24'32" East, continuing along the northerly line of said 19.323 acre tract and along the southerly line of said 17.91 acre tract, a distance of 550.32 feet to the **POINT OF BEGINNING** and containing 23.904 acres (1,041,249 square feet) of land, more or less.

OWNER'S DEDICATION

STATE OF TEXAS
COUNTY OF DENTON

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, MRLP Bick Property, L.L.C. AND MRLP RN Land, L.L.C., do hereby adopt this plat designating the herein described property as **MAYHILL MULTIFAMILY**, an addition in Denton County, Texas, and do hereby dedicate to the public use forever, the streets, alleys, and easements for drainage and utilities shown thereon.

Any public utility shall have the right to remove and keep removed all or part of any building, fence, trees, shrubs or other growths or improvements which in any way endangers or interferes with the construction, maintenance, or efficiency of its respective systems on any of these easement strips, and any public utility shall, at all times, have the right of ingress and egress to and from and upon the said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time procuring permission of anyone.

WITNESS MY HAND, this _____ day of _____, 20__.

BY: MRLP Bick Property, L.L.C.

TITLE

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the _____ day of _____, 20__.

Notary Public, State of Texas

My Commission Expires: _____

BY: MRLP RN Land, L.L.C.

TITLE

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the _____ day of _____, 20__.

Notary Public, State of Texas

My Commission Expires: _____

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, Sylviana Gunawan, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision regulations of the City of Denton, Texas.

Sylviana Gunawan
Registered Professional Land Surveyor No. 6461
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, Texas 75034
Phone 972-335-3580

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Sylviana Gunawan, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 20__.

Notary Public, State of Texas

My Commission Expires: _____

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

APPROVED BY THE PLANNING & ZONING COMMISSION

ON THIS THE _____ DAY OF _____, 20__

CHAIRPERSON, PLANNING AND ZONING COMMISSION

CITY SECRETARY

FINAL PLAT
MAYHILL MULTIFAMILY

BLOCK A, LOT 1

23.904 ACRES OUT OF THE MEMPHIS, EL PASO & PACIFIC
RAILROAD COMPANY SURVEY, ABSTRACT NO. 927
CITY OF DENTON, DENTON COUNTY, TEXAS

PREPARED: March 21, 2024
CITY PROJECT # _____

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034

Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	JMH	KHA	March 2024	063248000	2 OF 2

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

OWNER:
MRLP Bick Property, LLC &
MRLP RN Land, LLC
4922 Christi Lane
Aubrey, Texas 76227
Phone:
Contact :

ENGINEER:
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Phone: 972-335-3580
Fax: 972-335-3779
Contact : Rob Myers, P.E.

NOTES:

- All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.99984939269.
- All property corners are 5/8" iron rods with plastic caps stamped "KHA", unless otherwise noted.
- Selling a portion of this addition by metes and bounds is a violation of City ordinance and state laws and is subject to fines and withholding of utilities and building permits.
- THE CITY OF DENTON HAS ADOPTED THE NATIONAL ELECTRICAL SAFETY CODE (THE "CODE"). THE CODE GENERALLY PROHIBITS STRUCTURES WITHIN 17.5 FEET ON EITHER SIDE OF THE CENTER LINE OF OVERHEAD DISTRIBUTION LINES AND WITHIN 37.5 FEET ON EITHER SIDE OF THE CENTERLINE OF OVERHEAD TRANSMISSION LINES. IN SOME INSTANCES THE CODE REQUIRES GREATER CLEARANCES. BUILDING PERMITS WILL NOT BE ISSUED FOR STRUCTURES WITHIN THESE CLEARANCE AREAS. CONTACT THE BUILDING OFFICIAL WITH SPECIFIC QUESTIONS.
- Water and wastewater service will be provided by the City of Denton.
- The purpose of this plat is create 1 lot and easements necessary for development.
- This plat is hereby adopted by the owner and approved by the City of Denton (called "City") subject to the following conditions that shall be binding upon the owners, their heirs, grantees, and successors. The Detention Pond Easement within the limits of this addition shall remain open at all times and will be maintained in a safe and sanitary condition by the owners of the lot or lots that are traversed by or adjacent to the Detention Pond Easement. The City will not be responsible for the maintenance and operation of said easement or for any damage to private property or person that results from conditions in the easement, or for the control of erosion. No obstruction to the natural flow of storm water run-off shall be permitted by construction of any type of building, fence or any other structure within the Detention Pond Easement, as herein above defined, unless approved by the City. The owners shall keep the Detention Pond easement clear and free of debris, silt, and any substance that would result in unsanitary conditions or obstruct the flow of water. The City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance by the owners to alleviate any undesirable conditions that may occur. Furthermore, the City shall have the right, but not the obligation, to enter upon the above-described Detention Pond easement to remove any obstruction to the flow of water, after giving the owners written notice of such obstruction and owners fail to remove such obstruction. Should the City of Denton be compelled to remove any obstruction to the flow of water, after giving the owners written notice of such obstruction and owners fail to remove such obstruction, the City of Denton shall be reimbursed by the owners for reasonable costs for labor, materials, and equipment for each instance. The natural drainage through the Detention Pond Easement is subject to storm water overflow and natural bank erosion to an extent that cannot be definitely defined. The City shall not be held liable for any damages of any nature resulting from the occurrence of these natural phenomena or resulting from the failure of any structure or structures, within the easement or otherwise.

FLOOD STATEMENT:

According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48121C0380G, for Denton County, Texas and incorporated areas, dated 04/18/2011 this property is located within Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain". If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

LINE TABLE			LINE TABLE			CURVE TABLE					CURVE TABLE				
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	NO.	DELTA	RADIUS	CHORD
L1	S44°48'08"W	16.00'	L41	S04°00'38"E	12.65'	C1	90°00'00"	25.00'	39.27'	S44°53'54"E	35.36'	C41	88°22'28"	44.00'	67.87'
L2	S00°06'06"W	13.70'	L42	S45°03'05"W	43.38'	C2	90°00'00"	25.00'	39.27'	S45°06'06"W	35.36'	C42	57°13'55"	50.00'	49.94'
L3	S00°06'06"W	9.40'	L43	N44°56'55"W	7.24'	C3	84°04'12"	5.00'	7.34'	N48°03'59"E	6.70'	C43	42°05'58"	26.00'	19.10'
L4	S44°53'54"E	7.72'	L44	N45°03'05"E	14.93'	C4	85°51'03"	25.00'	37.46'	S43°01'48"W	34.05'	C44	4°37'42"	172.00'	13.89'
L5	N72°22'54"E	46.03'	L45	N89°24'32"W	9.59'	C5	151°56'26"	30.00'	79.56'	N18°04'28"W	58.21'	C45	70°14'20"	20.00'	24.52'
L6	S35°49'17"W	2.23'	L46	N44°24'32"W	30.91'	C6	41°21'55"	431.05'	311.20'	S37°12'48"W	304.49'	C46	118°43'59"	20.00'	41.45'
L7	S72°22'54"W	46.69'	L47	S53°35'33"W	1.23'	C7	79°19'47"	5.00'	6.92'	S23°06'35"E	6.38'	C47	31°25'41"	226.00'	123.97'
L8	N89°50'28"W	10.00'				C8	62°46'28"	25.00'	27.39'	N31°23'14"W	26.04'	C48	91°22'08"	20.00'	31.89'
L9	S89°50'28"E	5.07'				C9	89°41'09"	20.00'	31.31'	N44°50'34"E	28.21'	C49	180°00'00"	5.00'	15.71'
L10	N00°09'32"E	10.00'				C10	90°24'57"	20.00'	31.56'	S45°06'23"E	28.39'	C50	3°02'38"	203.00'	10.79'
L11	S00°09'32"W	10.00'				C11	90°00'00"	5.00'	7.85'	N44°53'54"W	7.07'	C51	180°00'00"	5.00'	15.71'
L12	N89°50'28"W	10.00'				C12	90°00'00"	5.00'	7.85'	S45°06'06"W	7.07'	C52	3°02'38"	193.00'	10.25'
L13	N00°09'32"E	5.00'				C13	90°00'00"	5.00'	7.85'	S44°53'54"E	7.07'	C53	90°00'00"	20.00'	31.42'
L14	S00°11'52"E	10.23'				C14	99°19'20"	40.00'	69.34'	S40°26'25"W	60.98'	C54	90°00'00"	20.00'	31.42'
L15	N89°48'08"E	10.00'				C15	44°05'18"	200.00'	153.90'	N12°49'24"E	150.13'	C55	90°00'00"	20.00'	31.42'
L16	N00°11'52"W	7.22'				C16	33°28'24"	224.00'	130.73'	S18°08'52"W	128.89'	C56	75°28'38"	20.00'	28.35'
L17	N45°06'06"E	31.80'				C17	88°22'28"	20.00'	30.85'	N45°36'54"E	27.88'	C57	7°07'33"	224.00'	27.86'
L18	S89°53'54"E	18.29'				C18	21°38'51"	54.00'	20.40'	S78°58'40"W	20.28'	C58	21°38'56"	30.00'	11.34'
L19	S89°53'54"E	11.25'				C19	21°38'55"	200.00'	75.57'	N78°58'40"E	75.12'	C59	90°00'00"	20.00'	31.42'
L20	N45°06'06"E	3.96'				C20	90°17'57"	20.00'	31.52'	S45°02'53"E	28.36'	C60	90°00'00"	20.00'	31.42'
L21	N89°53'54"W	21.32'				C21	90°00'00"	20.00'	31.42'	S45°06'06"W	28.28'	C61	90°10'34"	20.00'	31.48'
L22	S00°06'06"W	1.00'				C22	90°32'09"	20.00'	31.60'	S44°37'50"E	28.42'	C62	89°49'26"	20.00'	31.35'
L23	S89°53'54"E	21.04'				C23	90°39'19"	19.79'	31.32'	N45°22'10"E	28.15'	C63	89°42'03"	20.00'	31.31'
L24	N89°53'54"W	23.52'				C24	54°06'35"	20.00'	18.89'	S62°50'43"E	18.19'	C64	91°05'03"	20.00'	31.79'
L25	S00°11'52"E	52.88'				C25	53°17'43"	44.02'	40.95'	N62°27'10"W	39.49'	C65	89°12'55"	20.00'	31.14'
L26	S67°30'24"W	15.50'				C26	90°00'30"	44.00'	69.12'	S45°53'11"W	62.23'	C66	90°00'00"	20.00'	31.42'
L27	N88°33'27"W	0.48'				C27	91°01'50"	44.01'	69.92'	S44°37'56"E	62.79'	C67	89°36'33"	20.00'	31.28'
L28	N88°33'27"W	0.47'				C28	90°23'27"	20.00'	31.55'	N44°18'33"W	28.38'	C68	90°23'27"	20.00'	31.55'
L29	N89°48'08"E	31.43'				C29	48°40'03"	20.00'	16.99'	N25°13'13"E	16.48'	C69	90°00'00"	20.00'	31.42'
L30	S88°34'20"E	50.00'				C30	49°34'32"	44.00'	38.07'	S24°45'58"W	36.89'	C70	90°00'00"	20.00'	31.42'
L31	N01°25'40"E	24.00'				C31	90°10'34"	44.00'	69.25'	S45°06'35"E	62.32'	C71	13°04'02"	65.25'	14.88'
L32	N88°34'20"W	45.05'				C32	23°02'08"	44.00'	17.69'	N78°17'04"E	17.57'	C72	13°13'10"	47.28'	10.91'
L33	S89°53'54"E	20.57'				C33	43°34'08"	44.00'	33.46'	N45°43'21"E	32.68'	C73	17°31'05"	50.04'	15.30'
L34	S70°23'44"E	21.00'				C34	65°51'51"	20.00'	22.99'	S56°52'12"W	21.75'				
L35	S00°11'52"E	14.50'				C35	56°50'17"	20.00'	19.84'	N61°46'43"W	19.04'				
L36	S89°48'08"W	10.00'				C36	55°11'51"	124.00'	119.46'	S60°57'31"E	114.89'				
L37	N00°11'52"W	10.92'				C37	56°04'34"	100.00'	97.87'	S60°31'10"E	94.01'				
L38	S00°11'52"E	9.16'				C38	51°51'15"	44.00'	39.82'	N61°46'44"W	38.48'				
L39	N89°48'08"E	10.00'				C39	90°00'00"	20.00'	31.42'	S45°11'52"E	28.28'				
L40	S89°53'54"E	0.12'				C40	90°00'00"	20.00'	31.42'	S44°48'08"W	28.28'				



April 15, 2024

Ms. Julie Wyatt
Department of Development Services – Principal Planner
City of Denton
401 N. Elm Street
Denton, TX 76201

**Re: *FP24-0010; Mayhill Road Multifamily – 30 Day Extension Request
Denton, Texas***

Dear Ms. Wyatt:

This letter was created to request a 30 day extension for the following project:

- FP24-0010; Mayhill Road Multifamily.

Please contact me at 972-731-3580 or rob.myers@kimley-horn.com should you have any questions or need any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rob Myers".

Rob Myers, P.E.
Associate



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: PP24-0002a, **Version:** 1

AGENDA CAPTION

Consider a request by Kimley-Horn, on behalf of HR 3200, LP, for approval of a Preliminary Plat of Hunter Ranch Phase 1 Amenity Center. The approximately 7.967-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (PP24-0002a, Hunter Ranch Phase 1 Amenity Center, Cameron Robertson).



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: April 24, 2024

SUBJECT

Consider a request by Kimley-Horn, on behalf of HR 3200, LP, for approval of a Preliminary Plat of Hunter Ranch Phase 1 Amenity Center. The approximately 7.967-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (PP24-0002a, Hunter Ranch Phase 1 Amenity Center, Cameron Robertson).

BACKGROUND

The purpose of this Preliminary Plat is to establish an amenity center for Hunter Ranch Phase 1. This phase also includes the construction of approximately 747 single family lots and 36 HOA lots on 239.514 acres.

The subject property is presently vacant and zoned Master Planned Communities (MPC) - Mixed-Use Neighborhood (MN). As part of the MPC, a Preliminary Plat is required prior to the review and approval of a Final Plat.

Date Application Filed:	March 12, 2024
Planning & Zoning Commission Meeting:	April 10, 2024
Days in Review:	29 Days
Extension Approved:	April 10, 2024
Resubmittal Date:	April 11, 2024
Planning & Zoning Commission Meeting:	April 24, 2024
Days in Review:	13 Days

This application is being considered under TX LGC 212.009.

OPTIONS

1. Approve as submitted
2. Deny with reasons

RECOMMENDATION

Staff recommends approval of this plat as it does meet the established criteria for approval. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
April 7, 2020	City Council	Approval of Ordinance No. MPC19-0002c	Approved

April 10, 2024	Planning and Zoning Commission	Preliminary Plat (PP24-0002)	Extension Approved
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PUBLIC OUTREACH

No public outreach is required for preliminary plats.

DEVELOPER ENGAGEMENT DISCLOSURES

No developer contact disclosures have been provided to staff from members of this body as of the issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Preliminary Plat

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/
Planning Director

Prepared by:
Cameron Robertson, AICP
Historic Preservation Officer/
Principal Planner

Staff Analysis

PP24-0002a / Hunter Ranch Phase #1 Amenity Center

City Council District #4

Planning & Zoning Commission

REQUEST:

Preliminary Plat for an approximately 7.967-acre tract.

APPLICANT:

Kimley-Horn on behalf of HR 3200, LP.

RECOMMENDATION:

Staff recommends approval, as the proposed Preliminary Plat meets the established approval criteria, as shown in the following table:

Preliminary Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below. Findings: <div>The Preliminary Plat meets all review criteria, including the items as required by the Preliminary Plat Checklist (PPC) authorized per the Hunter Ranch Master Planned Communities (MPC) Section 2.4.4B.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9. Findings: <div>The Preliminary Plat meets all review criteria.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5-2.9 controls. Findings: <div></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Prior Approvals			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<p>a. The proposed development shall be consistent with the terms and conditions of any prior land use approval, plan, development agreement, or plat approval that is in effect and not proposed to be changed. This includes an approved phasing plan for development and installation of public improvements and amenities.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>The proposed Preliminary Plat is consistent with Ordinance No. MPC19-0002c, which was approved by the Denton City Council on April 7, 2020.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Denton Plan 2040's Future Land Use Map designates the subject property as Master Planned Community. The proposed use is consistent with the designation.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>a. The decision-making authority shall weigh competing plan goals, policies, and strategies</p> <p>Findings:</p> <div style="border: 1px solid black; height: 30px; margin-top: 10px;"></div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Compliance with this DDC				
<p>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>The Preliminary Plat is consistent with Ordinance No. MPC19-0002c, which was approved by the Denton City Council on April 7, 2020.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>The proposed Preliminary Plat provides sufficient detail for review.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

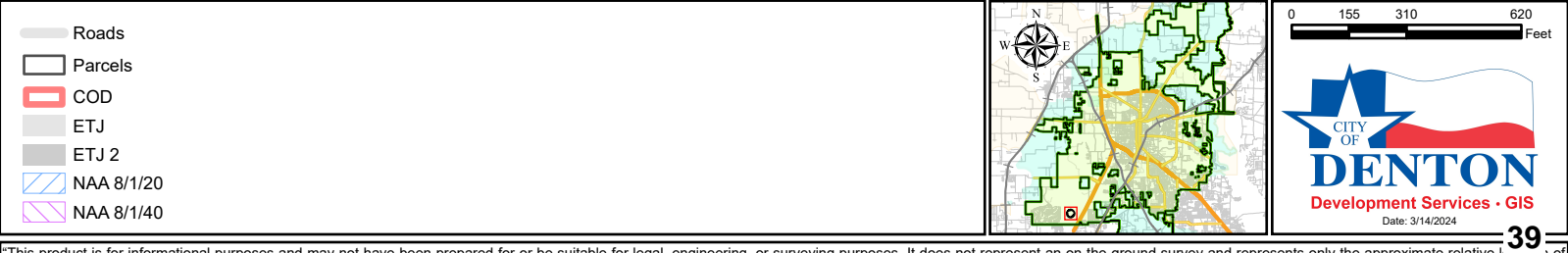
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
5. Compliance with Other Applicable Regulations				
<p>a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> The Preliminary Plat meets the requirements. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Consistent with Interlocal and Development Agreements				
<p>a. The proposed development shall be consistent with any adopted interlocal and applicable development agreements and comply with the terms and conditions of any such agreements incorporated by reference into this DDC.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> The proposed Preliminary Plat is consistent with Ordinance No. MPC19-0002c, which was approved by the Denton City Council on April 7, 2020, and the with the associated project agreements. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Minimizes Adverse Environmental Impacts				
<p>a. The proposed development should be designed to minimize negative environmental impacts and should not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, scenic resources, wildlife habitat, soils, and native vegetation.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable. However, the applicant has demonstrated compliance with ESA regulations. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Minimizes Adverse Impacts on Surrounding Property				
<p>a. The proposed development should not cause significant adverse impacts on surrounding properties. The results of the citizen participation process may be appropriately considered under this section.</p> <p>Findings:</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p>				
9. Minimizes Adverse Fiscal Impacts				
<p>a. The proposed development should not result in significant adverse fiscal impacts on the city.</p> <p>Findings:</p> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Compliance with Utility, Service, and Improvement Standards				
<p>a. As applicable, the proposed development shall comply with federal, state, county, service district, city and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards.</p> <p>Findings:</p> <p>The proposed Preliminary Plat is compliant with all City regulations.</p>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Provides Adequate Road Systems				
<p>a. Adequate road capacity shall exist to serve the uses permitted under the proposed development, and the proposed uses shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services.</p> <p>Findings:</p>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities				
<p>a. Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, roads, domestic water, sewer, schools, public safety, fire protection, utilities, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.</p> <p>Findings:</p> <p>Adequate public service capacity exists to serve the proposed development.</p>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

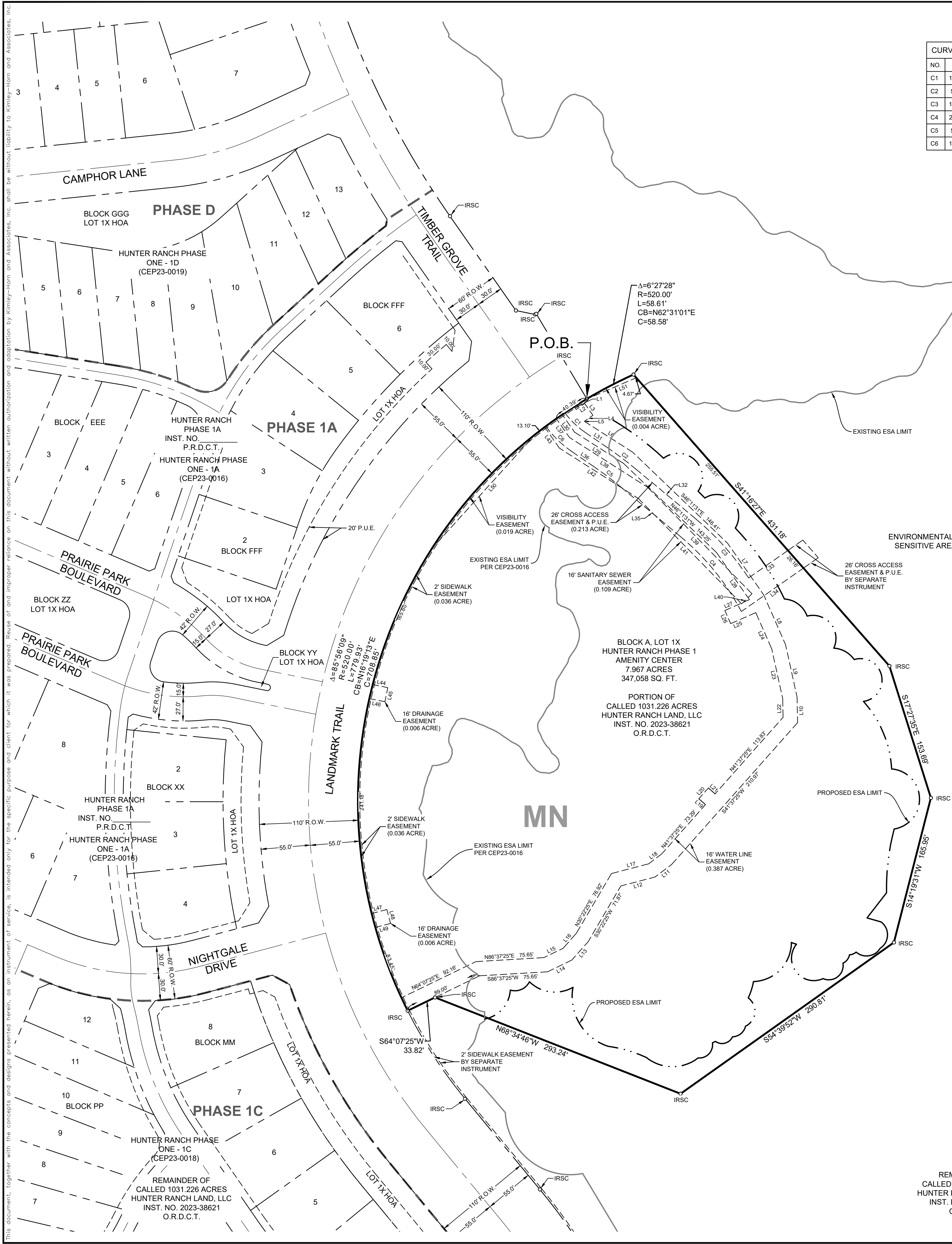
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
13. Rational Phasing Plan				
<p>a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required for that phase, and may not defer those improvements to subsequent phases.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>The proposed development will include multiple phases as approved in the MPC ordinance. However, this is the first phase of the proposed development, so no subsequent phases have been completed.</p> </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Preliminary Plat Review Applicability Criteria (DDC Section 2.6.e.D)		Applicability		
		Met	Not Met	N/A
<p>14. Provides a layout of lots, roads, driveways, utilities, drainage, and other public facilities and services designed to minimize the amount of disturbance to sensitive natural areas or other community resources.</p> <p>Findings:</p> <div style="border: 1px solid black; height: 30px; margin-top: 5px;"></div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>15. Provides evidence of public water and sewer system connections.</p> <p>Findings:</p> <div style="border: 1px solid black; height: 30px; margin-top: 5px;"></div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>16. Identifies and adequately mitigates known natural hazard areas.</p> <p>Findings:</p> <div style="border: 1px solid black; height: 30px; margin-top: 5px;"></div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>17. Proposes reasonable project phasing in terms of infrastructure capacity.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>The proposed Preliminary Plat is Phase 1 of the Hunter Ranch Master Planned Community. All proposed infrastructure will be constructed to support Phase 1.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PP24-0002
Site Location



PLATTED BY KANE, KAYN, K.F.R. SURVEY 06326937 HUNTER RANCH AMENITY CENTER PRELIM PLAT.DWG
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This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



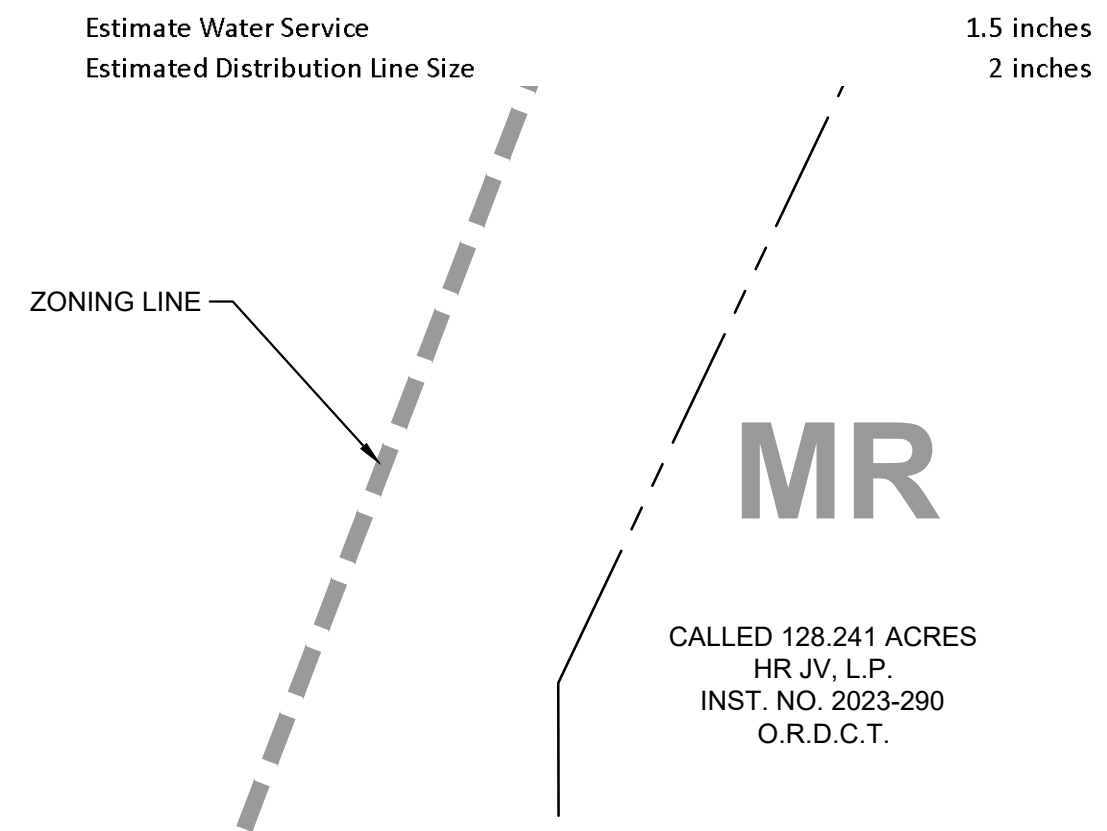
CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	19°14'12"	94.00'	31.56'	S45°59'26"E	31.41'
C2	5°20'09"	426.00'	39.67'	N52°56'27"W	39.66'
C3	16°50'08"	302.06'	88.76'	N41°51'18"W	88.44'
C4	22°23'28"	276.06'	107.89'	N39°04'38"W	107.20'
C5	5°20'09"	400.00'	37.25'	N52°56'27"W	37.24'
C6	19°27'48"	120.00'	40.76'	S45°52'37"E	40.57'

LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	S34°56'31"E	3.84'	L27	N66°18'29"E	29.88'
L2	N55°03'29"E	11.44'	L28	N34°56'31"W	63.75'
L3	S34°56'31"E	16.00'	L29	N57°26'31"W	64.73'
L4	S55°03'29"W	11.44'	L30	N34°56'31"W	23.87'
L5	S34°56'31"E	0.42'	L31	N55°36'31"W	29.92'
L6	S57°26'31"E	63.12'	L32	N50°16'22"W	86.25'
L7	S34°56'31"E	70.33'	L33	S55°03'29"W	53.32'
L8	S23°41'31"E	60.00'	L34	S55°03'29"W	84.20'
L9	S12°26'31"E	59.61'	L35	N50°16'22"W	86.25'
L10	S01°11'31"E	28.72'	L36	N55°36'31"W	29.92'
L11	S52°52'25"W	23.04'	L37	S34°56'31"E	25.58'
L12	S75°22'25"W	39.28'	L38	S57°28'00"E	102.90'
L13	S41°37'25"W	27.18'	L39	S44°25'56"E	165.79'
L14	S64°07'25"W	30.04'	L40	S45°34'04"W	16.00'
L15	N64°07'25"E	23.67'	L41	N44°25'56"W	163.96'
L16	N41°37'25"E	22.42'	L42	N57°28'00"W	104.26'
L17	N75°22'25"E	42.72'	L43	N34°56'31"W	28.46'
L18	N52°52'25"E	18.28'	L44	N78°30'31"W	17.16'
L19	N48°22'35"W	9.91'	L45	N11°29'29"E	16.00'
L20	N41°37'25"E	16.00'	L46	S78°30'31"E	17.73'
L21	S48°22'35"E	9.91'	L47	S75°11'31"W	17.44'
L22	N01°11'31"W	20.87'	L48	N14°48'29"W	16.00'
L23	N12°26'31"W	56.46'	L49	N75°11'31"E	17.44'
L24	N23°41'31"W	44.20'	L50	S42°08'42"W	171.39'
L25	S66°18'29"W	30.55'	L51	N66°38'24"E	61.63'
L26	N23°41'31"W	16.00'			

REMAINDER OF
CALLED 1031.226 ACRES
HUNTER RANCH LAND, LLC
INST. NO. 2023-38621
O.R.D.C.T.

ELIZANO PIZANO SURVEY
ABSTRACT NO. 994

Quantity		Fixture	Load Values, in Total Water Supply Fixture Units (Each)	Total Fixture Units
10	Water Closet (Public; Flush Valve)		10.0	100
2	Urinal (Public; 3/4-inch Flush Valve)		5.0	10
6	Lavatory (Public)		2.0	12
2	Kitchen Sink (Hotel, Resaurant)		4.0	8
1	Service Sink		3.0	3
4	Shower Head (Public)		2.0	8
4	Hose Bibb		2.5	10
Total Fixture Units				151



REMAINDER OF
CALLED 1031.226 ACRES
HUNTER RANCH LAND, LLC
INST. NO. 2023-38621
O.R.D.C.T.

CALLED 128.241 ACRES
HR JV, L.P.
INST. NO. 2023-290
O.R.D.C.T.

UPLAND ESA IMPACT (AREA A)	
Total Area Upland ESA Area A	134.3 Ac.
Area to be Removed with Ph 1 Development Impact Area	6.0 Ac.
Area to be Removed with Amenity Center Development Impact Area	5.8 Ac.
Remaining ESA Area A	122.5 Ac.
Percent Remaining ESA Area A	91.2%
Required Remaining ESA Area A	41.0%

LINE TYPE LEGEND	
---	BOUNDARY LINE
---	ADJACENT PROPERTY LINE
---	EASEMENT LINE
---	CENTERLINE OF ROAD
---	ONE- OVERHEAD UTILITY LINE
---	BOUNDARY SUB-DISTRICT
---	PHASE LINE
---	EXISTING ESA LIMIT
---	PROPOSED ESA LIMIT

LEGEND	
IRSC	5/8" IRON ROD W/ "KHA" CAP SET
IRFC	IRON ROD WITH CAP FOUND
IRP	IRON ROD FOUND
P.O.C.	POINT OF COMMENCING
P.O.B.	POINT OF BEGINNING
BL	BUILDING LINE
F.B.L.	FRONT BUILDING LINE
D.E.	DRAINAGE EASEMENT
HOA	HOMEOWNERS ASSOCIATION
VOL.	VOLUME
PG.	PAGE
INST.	INSTRUMENT
O.R.D.C.T.	OFFICIAL RECORDS, DENTON COUNTY, TEXAS
P.R.D.C.T.	PLAT RECORDS, DENTON COUNTY, TEXAS
P.U.E.	PUBLIC UTILITY EASEMENT
S.W.E.	SIDEWALK EASEMENT
L.S.E.	LANDSCAPE EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
M.B.	MARKER BORN
GUY	GUY ANCHOR
U.P.	UTILITY POLE
P.C.S.	PROPERTY CORNER SYMBOL
ESA	ENVIRONMENTALLY SENSITIVE AREA
---	AREA TO BE REMOVED FROM UPLAND ESA

- NOTES:**
- All property corners are 5/8" iron rods with plastic caps stamped "KHA" set, unless otherwise noted.
 - All bearings shown are based on grid north of the Texas Coordinate System of 1983 using the City of Denton control monumentation. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.99984939269.
 - According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48121C0365G, for Denton County, Texas and incorporated areas, dated April 18, 2011, this property is located within Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain". If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
 - Internal Easements are subject to change (Access, water, sewer, storm, etc.) to be determined with Final Plat and Construction Plans.
 - Selling a portion of this addition by metes and bounds is a violation of City ordinance and state laws and is subject to fines and withholding of utilities and building permits.
 - The City of Denton has adopted the National Electrical Safety Code (The "CODE"). The code generally prohibits structures within 17.5 feet, on either side of the center line of overhead distribution lines and within 37.5 feet on either side of the centerline of overhead transmission lines. In some instances the code requires greater clearances. Building permits will not be issued for structures within these clearance areas. Contact the building official with specific questions.
 - Site will be served through the City of Denton water and sewer.
 - There is a total of 1980.1 inches dbh of protected trees to be preserved on the site. Future land disturbing activity shall not impact and/or damage trees marked for Preservation on the Tree Preservation Plan (TPP23-0061). No permits for construction activity shall be issued for this property until required tree protection measures per Section 7.7.4.D. of the Development Code of the City of Denton are in place.
 - Access to property shall be provided to the City of Denton staff to conduct necessary inspections.
 - Regional Trails (10' wide) and Community Trails (6' wide) per the Park plan shall be within Public Access Easements. Locations to be determined with final design.
 - There are no active or proposed gas wells within 1000' of the boundary of this site.
 - Access and utility service for this plat are dependent on Hunter Ranch Phase 1A. Final plat for Hunter Ranch Phase 1A must be recorded prior to a final plat for this project.
 - A tree Survey and Preservation Plan will be required to proceed with Building Permits on the subject site. Minimum Tree Preservation requirements of the Denton Development Code Section 7.7.4 must be met prior to the release of any permits.
 - Discharge from any detention pond outfall or storm drain may require an offsite drainage easement to accommodate the flow. If an offsite drainage easement is required, a study shall be made of the off-site property to determine the size of the drainage easement to accommodate the flow.
 - Acceptance of the drainage features identified on the Preliminary Plat are subject to change during the final plat process and do not constitute subsequent approval of same. The City reserves the right to require additional data or studies to ensure compliance with City of Denton Subdivision and Land regulations, Stormwater Design Criteria Material and Comprehensive Master Drainage Plan.

IMPORTANT NOTICE:
THE CITY OF DENTON HAS ADOPTED THE NATIONAL ELECTRICAL SAFETY CODE (THE "CODE"). THE CODE GENERALLY PROHIBITS STRUCTURES WITHIN 17.5 FEET ON EITHER SIDE OF THE CENTER LINE OF OVERHEAD DISTRIBUTION LINES AND WITHIN 37.5 FEET ON EITHER SIDE OF THE CENTERLINE OF OVERHEAD TRANSMISSION LINES. IN SOME INSTANCES THE CODE REQUIRES GREATER CLEARANCES. BUILDING PERMITS WILL NOT BE ISSUED FOR STRUCTURES WITHIN THESE CLEARANCE AREAS. CONTACT THE BUILDING OFFICIAL WITH SPECIFIC QUESTIONS.

Hunter Ranch Phase 1 Amenity Center
Preliminary Wastewater Demand Calculations
(Subject to Change with Final Design)

Quantity	Fixture	Daily Wastewater Flow (Gal. Per Person)	Total Fixture Units
250	Day Users (Approx 1/3 Phase 1 Lots)	5	1250 GPD
Average Daily Flow			1250 GPD
Peaking Factor		4.0	5000 GPD

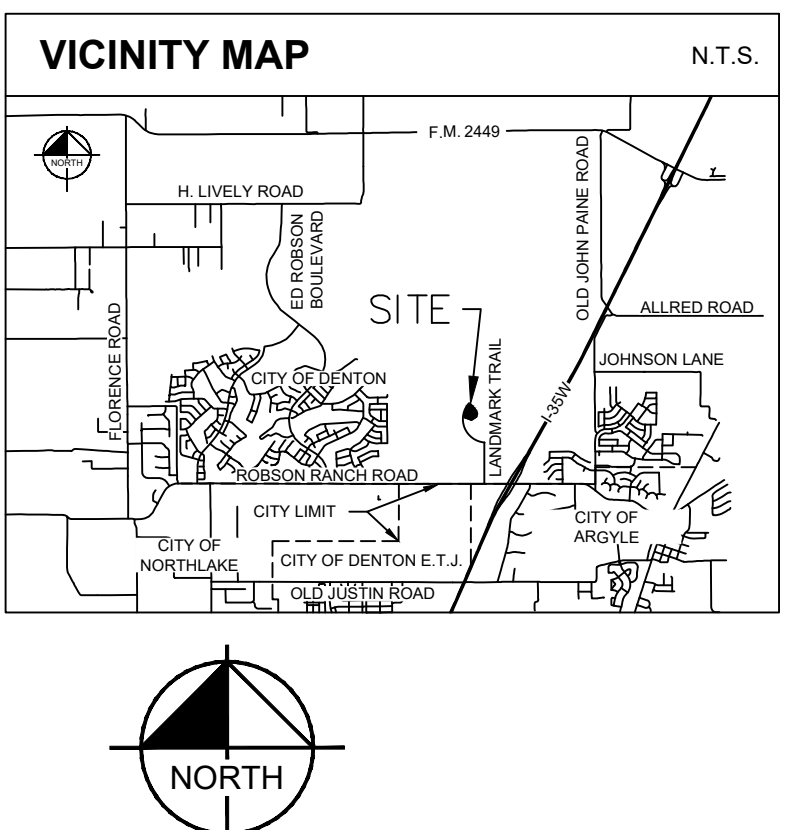
CITY PROJECT NUMBER: PP24-0002

PRELIMINARY PLAT
FOR
**HUNTER RANCH PHASE 1
AMENITY CENTER**
1 AMENITY CENTER LOT
BLOCK A, LOT 1X AMENITY CENTER
BEING 7.967 ACRES
OUT OF THE ELIZANO PIZANO SURVEY, ABSTRACT #994
DEED RECORDED AS DOCUMENT 2023-38621, PROPERTY RECORDS,
DENTON COUNTY, TEXAS
CITY OF DENTON, DENTON COUNTY, TEXAS

OWNER & DEVELOPER:
Hunter Ranch Land, LLC
3000 Turtle Creek Blvd
Dallas, TX 75219
TEL: 972-201-2932
Contact: BRIAN CARLOCK

ENGINEER/SURVEYOR:
Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, TX 75034
Tel: (972) 335-3580
Contact: KEVIN J. KANE, P.E.

DESIGNED	DRAWN	CHECKED	SCALE	DATE	KH PROJECT NO.	1 of 2
MB	JCC	AJF	AS SHOWN	APRIL 2024	06326937	



PLATTED BY KANE, KEVIN
DRAWN BY KJR, KIRK J.
LAST SAVED: 4/8/2024 4:17 PM
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OWNERS CERTIFICATE

STATE OF TEXAS §
COUNTY OF DENTON §

WHERE AS HUNTER RANCH LAND, LLC, is the rightful owner of the following tract of land:

BEING a tract of land situated in the Elizano Pizano Survey, Abstract No. 994, City of Denton, Denton County, Texas, and being a portion of a called 1,031.226 acre tract of land described in a deed to Hunter Ranch Land, LLC, recorded in Instrument No. 2023-38621 of the Official Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with plastic cap stamped "KHA" set for an easterly corner of Hunter Ranch Phase 1A, an addition to the City of Denton, Denton County, Texas according to the Final Plat thereof recorded in Instrument No. _____ of the Plat Records of Denton County, Texas, same being at the southeast end of the northerly terminus of Landmark Trail, a 110-foot right-of-way as dedicated in said Hunter Ranch Phase 1A, same also being at the beginning of a non-tangent curve to the right with a radius of 520.00 feet, a central angle of 06°27'28", and a chord bearing and distance of North 62°31'01" East, 58.58 feet;

THENCE in a northeasterly direction, departing the northerly terminus of said Landmark Trail and crossing said 1,031.226 acre tract, with said non-tangent curve to the right, an arc distance of 58.61 feet to a point for corner;

THENCE continuing across said 1,031.226 acre tract, the following courses and distances:

- South 41°16'27" East, a distance of 431.18 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 17°27'35" East, a distance of 153.69 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 14°19'31" West, a distance of 165.95 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 54°39'52" West, a distance of 290.81 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 68°34'46" West, a distance of 293.24 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 64°07'25" West, a distance of 33.82 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner on the easterly line of said Hunter Ranch Phase 1A, same being on the easterly right-of-way line of said Landmark Trail, same also being at the beginning of a non-tangent curve to the right with a radius of 520.00 feet, a central angle of 85°56'09", and a chord bearing and distance of North 16°19'13" East, 708.85 feet;

THENCE in a northeasterly direction, continuing along the easterly line of said Hunter Ranch Phase 1A and the easterly right-of-way line of said Landmark Trail, with said non-tangent curve to the right, an arc distance of 779.93 feet to a point for corner; to the POINT OF BEGINNING and containing 7.967 acre (347,058 square feet) of land, more or less.

OWNER'S DEDICATION

STATE OF TEXAS §
COUNTY OF DENTON §

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, HUNTER RANCH LAND, LLC, does hereby adopt this plat designating the herein described property as HUNTER RANCH, PHASE 1 AMENITY CENTER, an addition in Denton County, Texas, and does hereby dedicate to the public use forever, the streets, alleys, and easements for drainage and utilities shown thereon.

Any public utility shall have the right to remove and keep removed all or part of any building, fence, trees, shrubs or other growths or improvements which in any way endangers or interferes with the construction, maintenance, or efficiency of its respective systems on any of these easement strips, and any public utility shall, at all times, have the right of ingress and egress to and from and upon the said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time procuring permission of anyone.

WITNESS MY HAND, this _____ day of _____, 2024.

BY: HUNTER RANCH LAND, LLC
a Texas limited liability company

TITLE

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the _____ day of _____, 20__.

Notary Public, State of Texas

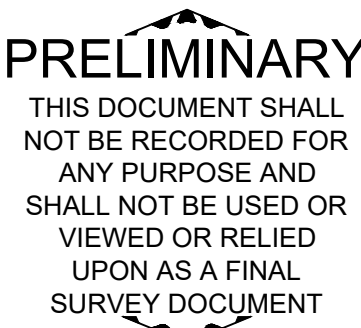
My Commission Expires: _____

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, Daniel R. Arthur, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision regulations of the City of Denton, Texas.

Daniel R. Arthur
Registered Professional Land Surveyor No. 5933
Kimley-Horn and Associates, Inc.
400 North Oklahoma Drive, Suite 105
Celina, Texas 75009
Phone 469-501-2172



STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Daniel R. Arthur, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 20__.

Notary Public, State of Texas

My Commission Expires: _____

APPROVED BY THE PLANNING & ZONING COMMISSION

ON THIS THE _____ DAY OF _____, 20__

CHAIRPERSON, PLANNING AND ZONING COMMISSION

CITY SECRETARY

CITY PROJECT NUMBER: PP24-0002

PRELIMINARY PLAT FOR HUNTER RANCH PHASE 1 AMENITY CENTER 1 AMENITY CENTER LOT BLOCK A, LOT 1X AMENITY CENTER BEING 7.967 ACRES OUT OF THE ELIZANO PIZANO SURVEY, ABSTRACT #994 DEED RECORDED AS DOCUMENT 2023-38621, PROPERTY RECORDS, DENTON COUNTY, TEXAS CITY OF DENTON, DENTON COUNTY, TEXAS							
OWNER & DEVELOPER: Hunter Ranch Land, LLC 3000 Turtle Creek Blvd Dallas, TX 75219 TEL: 972-201-2932 Contact: BRIAN CARLOCK					ENGINEER/SURVEYOR: Kimley»Horn 6160 Warren Parkway, Suite 210 Frisco, TX 75034 Tel: (972) 335-3580 Contact: KEVIN J. KANE, P.E.		
DESIGNED	DRAWN	CHECKED	SCALE	DATE	KH PROJECT NO.		2 of 2
MB	JCC	AJF	AS SHOWN	APRIL 2024	063226937		



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: FP24-0011, **Version:** 1

AGENDA CAPTION

Consider a request by the Foresite Group, LLC for approval of a Final Plat for Stella Hills. The approximately 48.7617-acre site is generally located on the south side of E. McKinney Street, at the intersection of E. McKinney Street and Laney Circle in the City of Denton, Denton County, Texas. (FP24-0011, Stella Hills, Angie Manglaris).



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: April 24, 2024

SUBJECT

Consider a request by the Foresite Group, LLC for approval of a Final Plat for Stella Hills. The approximately 48.7617-acre site is generally located on the south side of E. McKinney Street, at the intersection of E. McKinney Street and Laney Circle in the City of Denton, Denton County, Texas. (FP24-0011, Stella Hills, Angie Manglaris).

BACKGROUND

The purpose of this Final Plat is to establish 177 single-family lots, 3 open space lots, and associated right-of-way and easement dedication for the development of a single-family residential neighborhood. The subject property is zoned Residential 6 (R6).

A full analysis of the criteria for approval is provided as Exhibit 2.

Date Application Filed:	March 26, 2024
Planning and Zoning Commission Meeting:	April 24, 2024
Days Under Review:	29 Days

This is the **first extension request** for this item.

This application is being considered under Texas Local Government Code (TX LGC) 212.009, which was updated as of September 1, 2023, with the passage of House Bill 3699. The applicant has requested a 30-day extension to allow for time to work through staff's comments on the plat and allow for additional review (Exhibit 5). This extension could be granted to May 15, 2024. Based upon recent updates to Section 212.009, the applicant may request additional 30-day extensions in the future if they are determined to be necessary.

OPTIONS

1. Approve as Submitted
2. Approve Extension Request
3. Deny with Reasons

RECOMMENDATION

Staff recommends denial of this plat as it does not meet the established criteria for approval; however, staff has no objection to the requested extension (Exhibit 5) which could be granted to a date certain of May 15, 2024. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
October 1, 2019	City Council	New Zoning Code and City-wide zoning district transition to RR, R4, and MN District	Approval
October 12, 2022	Planning and Zoning Commission	Zoning change from RR, R4 and MN to R6	Recommend Approval
October 18, 2022	City Council	Zoning change from RR, R4 and MN to R6	Approval
March 15, 2023	Planning and Zoning Commission	Preliminary Plat 30-day Extension Request	Approval
August 23, 2023	Planning and Zoning Commission	Preliminary Plat	Approval

PUBLIC OUTREACH

No public outreach is required for preliminary plats.

DEVELOPER ENGAGEMENT DISCLOSURES

No developer contact disclosures have been provided to staff from members of this body as of the issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Final Plat
5. Request for Extension
6. LLC Members List

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/
Planning Director

Prepared by:
Angie Manglaris, AICP
Development Review Manager

Planning Staff Analysis

FP24-0011 / Stella Hills Addition

City Council District #1

Planning & Zoning Commission

REQUEST:

Final plat for approximately 48.7617 acres of land.

APPLICANT:

Sean Faulkner of Foresite Group, LLC

RECOMMENDATION:

Staff recommends denial of this Final Plat as it does not meet the established approval criteria.

Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below. Findings: <div><p>The Final Plat does not meet all review criteria, as detailed in the following items as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B:</p><ol style="list-style-type: none">1. Add City-assigned project number (FP24-0011) to all submittal documents. (FPC).2. Checklist notates several required items as “N/A” that are required. Specifically, the gas well section. Revise and resubmit. (FPC Checklist 1.4)3. Provide a copy of the current title policy (FPC 1.5).4. Add phone number for owner/developer (FP Checklist 2.4).5. Include all line types and abbreviations used on face of plans in the legend (FPC 2.12).6. Label type and size of boundary monuments and label as found or set for all property corners, points of intersection, and points of curvature/tangency. (FPC 2.13).7. Depict all overhead electric lines (FPC 2.19).8. Show, label, and dimension all existing and proposed easements. (FPC 3.6).9. Provide a copy of the computer-generated metes and bounds reports (FPC 5.2).</div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)			Compliance		
			Met	Not Met	N/A
	10. Identify recording information for all existing easements (FPC 3.6). 11. Verify dates in surveyor certificate are accurate. Revise where needed. (FPC 5.7) 12. Display the location of the centerline of creeks and drainage ways tied to dimensions in feet and hundredths of feet with bearings and angles. No unplatted remainder will be allowed between property boundaries and centerlines of creeks. (FPC 3.14) 13. Include specific dedication language for access, utility, and/or floodway/plain and drainage and/or detention easements (FPC 6.2) 14. Provide gas well disclosures as required by DDC 8.3.5 (FP Checklist 6.6.b) 15. Label minimum finish floor elevation for each pad site on any lot adjacent to (and within 200 feet of) a floodplain. (FPC 3.10) 16. Use Park Dedication language as provided in Final Plat Checklist 6.5. 17. Limit dedication and plat notes to those applicable to the plat. 6.2).				
b. The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9. Findings: <div> The Final Plat does not meet all review criteria in Section 2.6.4 as described below: 1. Civil Engineering Plan approval is required prior to recommending approval of the Final Plat. </div>			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5-2.9 controls. Findings: <div>There is no conflict.</div>			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Prior Approvals					
a. The proposed development shall be consistent with the terms and conditions of any prior land use approval, plan, development agreement, or plat approval that is in effect and not proposed to be changed. This includes an approved phasing plan for development and installation of public improvements and amenities. Findings: <div>There are no prior approvals.</div>			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

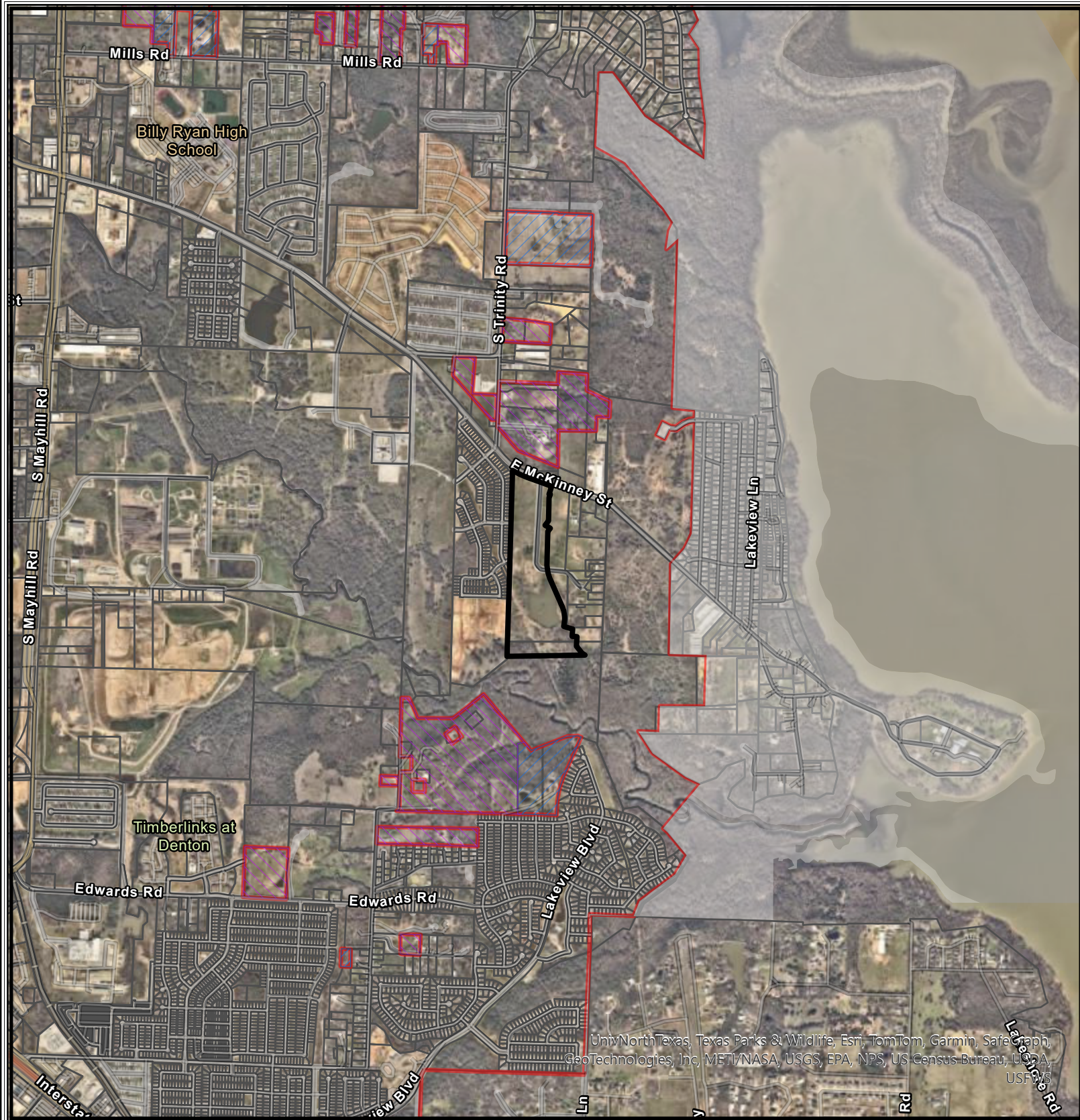
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans. Findings: <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings: <div>There are no competing plan goals, policies, and strategies for this site.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in Comprehensive Plan. Findings: <div>The overall goals of the Comprehensive Plan are met with the proposed Final Plat.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Compliance with this DDC				
a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified. Findings: <div>All applications shall include all required information requested by the Director to demonstrate compliance with City codes per DDC Section 2.4.4B. As detailed herein, the proposed Final Plat does not comply with this criterion.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div>As detailed herein, additional detail regarding some of the easements is required.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Compliance with Other Applicable Regulations				
a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<p>includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The proposed Final Plat complies with all other applicable city regulations.</p> </div>				
6. Consistent with Interlocal and Development Agreements				
<p>a. The proposed development shall be consistent with any adopted interlocal and applicable development agreements, and comply with the terms and conditions of any such agreements incorporated by reference into this DDC.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>No interlocal or development agreements are applicable to this project.</p> </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Minimizes Adverse Environmental Impacts				
<p>a. The proposed development should be designed to minimize negative environmental impacts, and should not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, scenic resources, wildlife habitat, soils, and native vegetation.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Minimizes Adverse Impacts on Surrounding Property				
<p>a. The proposed development should not cause significant adverse impacts on surrounding properties. The results of the citizen participation process may be appropriately considered under this section.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Minimizes Adverse Fiscal Impacts				
<p>a. The proposed development should not result in significant adverse fiscal impacts on the city.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
10. Compliance with Utility, Service, and Improvement Standards				
<p>a. As applicable, the proposed development shall comply with federal, state, county, service district, city and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards.</p> <p>Findings:</p> <div>The proposed Final Plat does not comply with all City regulations as described herein.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Provides Adequate Road Systems				
<p>a. Adequate road capacity shall exist to serve the uses permitted under the proposed development, and the proposed uses shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services.</p> <p>Findings:</p> <div>Adequate road capacity exists external to the site.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities				
<p>a. Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, roads, domestic water, sewer, schools, public safety, fire protection, utilities, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.</p> <p>Findings:</p> <div>There are adequate facilities to serve the development.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Rational Phasing Plan				
<p>a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required for that phase, and may not defer those improvements to subsequent phases.</p> <p>Findings:</p> <div>The Final Plat includes all required improvements for Phase 1 of the development.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

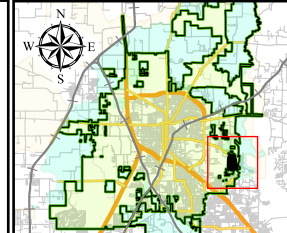
Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)		Applicability		
		Met	Not Met	N/A
13. Whether the final plat conforms to the preliminary plat, including any conditions of approval. Findings: <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, preliminary plats are no longer required. A preliminary plat was not prepared for this project.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. Whether the development will substantially comply with all requirements of this DDC. Findings: <div> <p>This Final Plat does not meet all review criteria, as detailed in the following items as required by the Denton Development Code:</p> <ol style="list-style-type: none"> 1. Include a plat note regarding required inches of DBH of tree preservation, including all language required by DDC 7.7.4.E.7. 2. All new electrical easements are required to be designed in accordance with DDC Sections 7.13.6. 3. Utilities in a development shall be provided in street rights-of-way except for special circumstances approved by the City Engineer, in consultation with the Directors of Water and Wastewater Utilities. (DDC 7.6.7) 4. Proposed public water or sewer mains intended to be aligned alongside yards shall be contained with dedicated open space lots, with overlapping public utility easements, and there shall be a note on the plat stating that these lots shall be owned and maintained by the property owner's association. (DDC 7.6.7C). </div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. Whether the development will comply with the applicable technical standards and specifications adopted by the City. Findings: <div>The Final Plat does not comply with all applicable technical standards and specifications as detailed herein.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

FP24-0011 Site Location



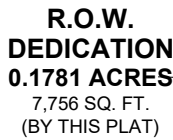
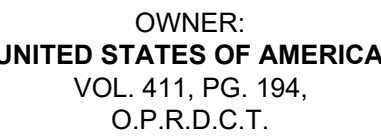
Univ North Texas, Texas Parks & Wildlife, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

- Roads
- Parcels
- COD
- ETJ
- ETJ 2
- NAA 8/1/20
- NAA 8/1/40



0 500 1,000 2,000
Feet



3

A

F2
USACOE
FLOWAGE ESMT
(537 CONTOUR)

RIPARIAN BUFFE

LOTS 6-10, BLOCK A ARE LOCATED WITHIN 1,000 FEET OF AN EXISTING DRILLING AND PRODUCTION SITE. NEW WELLS MAY BE DRILLED AND FRACTURE STIMULATED ON THE DRILLING AND PRODUCTION SITE, AND THE EXISTING WELLS MAY BE RE-DRILLED AND/OR RE-FRACTURE STIMULATED IN THE FUTURE.

ATTN: FRANK SU

ATTN: SEAN FAULKNER, P.E.



STELLA HILLS
PHASE 1

SHEET 1 OF 2

* OWNER'S CERTIFICATION *

STATE OF TEXAS §

COUNTY OF DENTON §

WHEREAS MICHAEL G. LANEY and DAVID H. LANEY, TRUSTEE OF THE DAVID H. LANEY TRUST, are the sole owners of a 48.7617 acre tract of land located in the Gideon Walker Survey, Abstract No. 1330, City of Denton, Denton County, Texas, said 48.7617 acre tract of land being all of a called 7.83 acre tract of land identified as "Tract-1" and a portion of a called 51.53 acre tract of land identified as "Tract-2", conveyed to DAVID H. LANEY, TRUSTEE OF THE DAVID H. LANEY TRUST, and as beneficiary of THE ESTATE OF BETTY CURRY LANEY, Cause No. IE-99-290, as filed in the Denton County Probate Court, Denton County, Texas, by special warranty deed recorded in Denton County Clerk's Instrument Number (D.C.C.I. NO.) 2002-141489, Official Public Records, Denton County, Texas (O.P.R.D.C.T.), said 48.7617 acre tract also being a portion of a called 2.50 acre tract of land identified as "Tract-8" conveyed to DAVID HART LANEY, TRUSTEE OF THE DAVID HART LANEY TRUST, by special warranty deed recorded in D.C.C.I. NO. 2010-65312, O.P.R.D.C.T., said 48.7617 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a "X" cut found in concrete at the northwest property corner of the said 7.83 acre tract, same being the most easterly northeast corner of Townsend Green Phase 1, being an Addition to the said City and State, according to the plat thereof filed for record in D.C.C.I. NO. 2020-410, O.P.R.D.C.T., said beginning point also being on the existing southwest right-of-way line of McKinney Street, being a variable width public right-of-way, said beginning point also having a NAD83 Texas North Central Zone (4202) Grid coordinate of N:7,121,430.74 and E:2,408,934.89;

THENCE along the northerly property lines of the said 7.83 acre tract and the 51.53 acre tract, and along the said southwest right-of-way line of McKinney Street the following courses and distances;

South 62°13'30" East, 137.55 feet to a 1/2" iron rod found;

South 67°26'15" East, 128.27 feet to a 1/2" iron rod with a red illegible cap found;

South 70°01'55" East, 232.42 feet to a 1/2" iron rod with a yellow illegible cap found at the northeast property corner of the said 7.83 acre tract, same being the most northerly northwest property corner of the said 51.53 acre tract;

South 70°06'50" East, 83.66 feet to a 5/8" iron rod with cap stamped "SPOONER 5922" set (hereinafter referred to as an iron rod set);

South 70°54'41" East, 100.95 feet to an iron rod set;

THENCE departing the said northerly property lines and the said existing right-of-way line, over and across the said 51.53 acre tract and the said 2.50 acre tract the following courses and distances:

South 19°21'40" West, a distance of 135.04 feet to an iron rod set;

South 70°38'20" East, a distance of 21.17 feet to an iron rod set;

South 19°21'40" West, a distance of 55.00 feet to an iron rod set;

South 01°40'13" West, a distance of 371.35 feet to an iron rod set;

South 36°33'48" West, a distance of 87.45 feet to an iron rod set at the beginning of a non-tangent curve to the right having a radius of 432.50 feet;

Along said curve to the right, an arc length of 84.33 feet, and across a chord which bears South 59°01'20" East, a chord length of 84.19 feet to an iron rod set;

South 53°26'12" East, a distance of 11.30 feet to an iron rod set;

South 36°33'48" West, a distance of 65.00 feet to an iron rod set;

South 01°40'30" West, a distance of 543.01 feet to an iron rod set;

South 08°39'17" East, a distance of 121.27 feet to an iron rod set;

South 17°56'10" East, a distance of 86.08 feet to an iron rod set;

South 23°35'50" East, a distance of 517.46 feet to an iron rod set;

South 19°29'42" East, a distance of 57.24 feet to an iron rod set;

South 09°05'52" East, a distance of 99.25 feet to an iron rod set;

South 00°26'07" West, a distance of 44.24 feet to an iron rod set;

South 04°49'54" West, a distance of 56.83 feet to an iron rod set;

South 11°44'31" West, a distance of 55.00 feet to an iron rod set at the beginning of a non-tangent curve to the right having a radius of 222.50 feet;

Along said curve to the right, an arc length of 53.55 feet, and across a chord which bears South 71°21'46" East, a chord length of 53.42 feet to an iron rod set at the beginning of a curve to the left having a radius of 277.50 feet;

Along said curve to the left, an arc length of 98.19 feet, and across a chord which bears South 74°36'18" East, a chord length of 97.68 feet to an iron rod set;

South 03°40'24" West, a distance of 120.11 feet to an iron rod set;

South 86°19'36" East, a distance of 78.50 feet to an iron rod set;

South 03°40'24" West, a distance of 153.53 feet to an iron rod set;

South 39°17'16" East, a distance of 143.21 feet to an iron rod set;

South 55°06'57" East, a distance of 57.08 feet to an iron rod set on the common property line of the said 51.53 acre tract and that certain tract of land conveyed to United States of America, by deed thereof filed for record in Volume 411, Page 194, O.P.R.D.C.T., from which a Corps of Engineers Monument with a cap stamped "P249W" found at an interior northwest property corner of the said United States of America tract bears North 89°08'34" East, a distance of 229.09 feet;

THENCE South 89°08'34" West, along the said common property line, a distance of 1,254.32 feet to a Corps of Engineers monument with a cap stamped "P248W" found at the southwest property corner of the said 51.53 acre tract, same being a northwest property corner of the said United States of America tract, said monument found being on the east property line of that certain tract of land conveyed to Pulte Homes of Texas, L.P., by deed thereof filed for record in D.C.C.I. NO. 2019-73001, O.P.R.D.C.T.;

THENCE North 01°40'14" East, along the west property line of the said 51.53 acre tract, in part along the said east property line of the Pulte Homes of Texas, L.P. tract, and in part along the east line of said Townsend Green Phase 1, at a distance of 2,226.80 feet passing a 1/2 inch iron rod found at a northwest property corner of the said 51.53 acre tract, same being the southwest property corner of the said 7.83 acre tract, and continuing along the west property line of the said 7.83 acre tract and the said east line of Townsend Green Phase 1, in all a total distance of 2,994.22 feet to the POINT OF BEGINNING, containing 48.7617 acres (2,124,060 square feet) of land more or less.

NOW, THEREFORE KNOWN BY ALL MEN THESE PRESENTS:

THAT, I, _____, a duly authorized agent for _____ hereby certify that _____ is the owner of Stella Hills, and do accept this as its plan for subdividing into lots and blocks and do hereby dedicate to the public forever the streets and easement shown hereon.

_____(duly authorized agent) Date

STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the _____ day of _____, 2024.

Notary Public, State of Texas

STATE OF TEXAS §

COUNTY OF TARRANT §

THAT, I, Eric S. Spooner, a Registered Professional Land Surveyor, in the State of Texas, do hereby certify that this plat was prepared from an actual survey on the ground of the property and that all block monuments and corners were placed under my personal supervision, and in accordance with the platting regulations of the City of Denton.

Surveyed on the ground during the month of June, 2024.

Eric S. Spooner, R.P.L.S. Date
Texas Registration No. 5922

STATE OF TEXAS §

COUNTY OF TARRANT §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared ERIC S. SPOONER, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the _____ day of _____, 2024.

Notary Public, State of Texas

* GENERAL NOTES *

- The bearings and distances shown hereon are referenced to the Texas Coordinate System of 1983, Texas North Central Zone 4202, and are based on the North American Datum of 1983, 2011 Adjustment. All areas shown hereon are calculated based on surface measurements.
- This plat was prepared with the benefit of a Title Commitment prepared by a title company. The easements shown hereon are the only easements known by Spooner & Associates and does not imply that any other easements, covenants, restrictions, or other matters of record do not affect the subject property. No other research was performed by Spooner & Associates, Inc
- According to the Flood Insurance Rate Map published by the Federal Emergency Management Agency, Department of Homeland Security and by graphic plotting only, the subject property appears to be located in Zone "X" (areas determined to be outside the 0.2 % annual chance floodplain), Special Flood Hazard Zone "AE" (base flood elevations determined) and Flood Area Zone "X" (Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% chance flood) as shown on Map No. 48121C0385G; map revised April 18, 2011, for Denton County and incorporated areas. This flood statement does not imply that the property and/or structures located in Zone "X", Special Flood Hazard Zone "AE", and Flood Area Zone "X" will be free from flooding or flood damage. This flood statement shall not create liability on the part of the Surveyor.
- All property corners are monumented with a 5/8 inch iron rod with a cap stamped "SPOONER 5922" unless shown otherwise hereon.
- Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State Law and is subject to fines and withholding of utilities and building permits.
- The minimum finished floor elevation shall be provided when a building permit application is submitted. The minimum finished floor elevations shall be based on the current FEMA data.
- The City of Denton has adopted the National Electric Safety Code (The "Code"). The code general prohibits structures within 17.5 feet on either side of the centerline of overhead distribution lines and within 37.5 feet on either side of the centerline of overhead transmission lines. In some instances, the code requires greater clearances. Building permits will not be issued of structures within these clearance areas. Contact the Building Official with specific questions. Such clearance provisions shall be included in the design and construction when real property is developed or altered. Such clearance areas shall be recorded by the property developer or by the record owner on subdivision plats; or shall be evidenced by written instrument, duly recorded in the Public Records of Denton County, Texas. Unobstructed and adequate space shall be provided for all clearance areas in such way that will allow the ingress and egress for utility-related personnel and equipment to perform operations, maintenance and replacement of electrical supply and communication lines. Maintenance of clearance areas and/or easements shown on this plat are the responsibility of the individual property owners and do not constitute acceptance of same for maintenance purposes by the City of Denton.
- Taps made to existing waterlines or relocation of Fire Hydrants shall be done by the City of Denton at the expense of the Contractor. Contact Kent Conkline with the Water Department at 940-349-7167.
- Water and Wastewater service for this subdivision to be provided by City of Denton.
- Prior to final plat approval, developer to provide signed encroachment agreement with Atmos Energy for gas line crossing.
- Discharge from any detention pond outfall or storm drain outfall may require an offsite drainage easement to accommodate the flow. If an offsite drainage easement is required, a study shall be made of the off-site property to determine the size of the drainage easement to accommodate the flow.
- Lots 19X, 26X, and 43X, Block C dedicated to the City of Denton as Park Land Dedication Lots.
- The purpose of this Final Plat is to create 178 single family lots and 3 public open space lots, and to dedicate right-of-way and easements necessary for development.

AREA TABLE - BLOCK A				AREA TABLE - BLOCK C				AREA TABLE - BLOCK D			
LOT	SQ. FT.	ACRES		LOT	SQ. FT.	ACRES		LOT	SQ. FT.	ACRES	
1	9,255	0.2125		1	8,410	0.1931		1	7,818	0.1795	
2	6,083	0.1396		2	6,754	0.1551		2	6,230	0.1430	
3	6,244	0.1433		3	7,078	0.1625		3	6,335	0.1454	
4	6,207	0.1425		4	7,595	0.1744		4	6,335	0.1454	
5	10,205	0.2343		5	7,818	0.1795		5	6,335	0.1454	
6	26,836	0.6161		6	7,225	0.1659		6	6,335	0.1454	
7	11,645	0.2673		7	6,801	0.1561		7	6,335	0.1454	
8	6,644	0.1525		8	6,566	0.1507		8	6,335	0.1454	
9	6,451	0.1481		9	6,221	0.1428		9	9,977	0.2290	
10	6,223	0.1429		10	6,108	0.1402		10	9,173	0.2106	
11	6,208	0.1425		11	6,108	0.1402		11	6,260	0.1437	
12	6,208	0.1425		12	6,108	0.1402		12	6,260	0.1437	
13	6,208	0.1425		13	6,108	0.1402		13	6,260	0.1437	
14	6,208	0.1425		14	6,108	0.1402		14	6,260	0.1437	
15	6,208	0.1425		15	6,108	0.1402		15	6,260	0.1437	
16	6,208	0.1425		16	6,108	0.1402		16	6,260	0.1437	
17	8,998	0.2066		17	6,108	0.1402		17	11,541	0.2649	

AREA TABLE - BLOCK B			
LOT	SQ. FT.	ACRES	
1	8,998	0.2066	
2	6,087	0.1397	
3	6,087	0.1397	
4	6,087	0.1397	
5	6,087	0.1397	
6	6,087	0.1397	
7	6,087	0.1397	
8	6,087	0.1397	
9	10,028	0.2302	

AREA TABLE - BLOCK E			
LOT	SQ. FT.	ACRES	
1	9,092	0.2087	
2	6,162	0.1415	
3	6,162	0.1415	
4	6,162	0.1415	
5	6,162	0.1415	
6	6,162	0.1415	
7	6,162	0.1415	
8	6,162	0.1415	
9	9,154	0.2101	
10	8,867	0.2036	
11	6,012	0.1380	
12	6,012	0.1380	
13	6,012	0.1380	
14	6,012	0.1380	
15	6,012	0.1380	
16	6,012	0.1380	
17	6,012	0.1380	
18	8,835	0.2028	

AREA TABLE - BLOCK F			
LOT	SQ. FT.	ACRES	
1	9,196	0.2111	
2	6,440	0.1479	
3	6,423	0.1474	
4	6,401	0.1469	
5	6,381	0.1465	
6	6,364	0.1461	
7	6,342	0.1456	
8	6,037	0.1386	
9	6,000	0.1377	
10	6,000	0.1377	
11	6,000	0.1377	
12	6,000	0.1377	
13	6,000	0.1377	
14	6,000	0.1377	
15	6,000	0.1377	
16	6,000	0.1377	
17	6,000	0.1377	

AREA TABLE - BLOCK G			
LOT	SQ. FT.	ACRES	
1	7,831	0.1798	
2	6,496	0.1491	

AREA TABLE - BLOCK H			
LOT	SQ. FT.	ACRES	
1	8,409	0.1930	
2	6,375	0.1463	
3	6,375	0.1463	
4	6,375	0.1463	
5	6,375	0.1463	
6	6,375	0.1463	
7	6,375	0.1463	
8	9,284	0.2131	

AREA TABLE - BLOCK J			
LOT	SQ. FT.	ACRES	
38	8,210	0.1885	
39	6,019	0.1382	
40	6,639	0.1524	
41	8,757	0.1551	
42	6,860	0.1575	
43	6,755	0.1551	
44	6,274	0.1440	
45	6,147	0.1411	
46	6,147	0.1411	
47	6,147	0.1411	
48	6,148	0.1411	
49	6,148	0.1411	
50	6,148	0.1411	
51	6,148	0.1411	
52	6,148	0.1411	
53	6,149	0.1412	
54	9,214	0.2115	

AREA TABLE - BLOCK M			
LOT	SQ. FT.	ACRES	
1	7,449	0.1710	
2	6,108	0.1402	
3	6,416	0.1473	
4	6,416	0.1473	
5	6,416	0.1473	
6	6,416	0.1473	
7	6,696	0.1537	
8	7,648	0.1756	
9	7,617	0.1749	
10	9,157	0.2102	

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S62°13'30"E	137.55'
L2	S67°26'15"E	128.27'
L3	S70°01'55"E	232.42'
L4	S70°06'50"E	83.66'
L5	S70°54'41"E	100.95'
L6	S19°21'40"W	135.04'
L7	S70°38'20"E	21.17'
L8	S19°21'40"W	55.00'
L9	S36°33'48"W	87.45'
L10	S53°26'12"E	11.30'
L11	S36°33'48"W	65.00'
L12	S08°39'17"E	121.27'
L13	S17°56'10"E	86.08'
L14	S19°29'42"E	57.24'
L15	S09°05'52"E	99.25'
L16	S00°26'07"W	44.24'
L17	S04°49'54"W	56.83'
L18	S11°44'31"W	55.00'
L19	S03°40'24"W	120.11'
L20	S86°19'36"E	78.50'
L21	S03°40'24"W	153.53'
L22	S39°17'16"E	143.21'
L23	S55°06'57"E	57.08'
L24	S64°44'03"W	21.25'
L25	S19°50'33"W	104.66'
L26	S25°23'54"E	14.08'
L27	S70°38'20"E	102.19'
L28	N70°38'20"W	119.04'
L29	S59°37'18"W	12.92'
L30	S36°23'04"E	23.62'
L31	S54°51'55"W	17.97'
L32	S23°35'50"E	113.29'
L33	S68°35'50"E	14.14'
L34	N66°24'10"E	110.00'
L35	S66°24'10"W	110.00'
L36	S21°24'10"W	14.14'
L37	S03°40'24"W	50.14'
L38	S41°19'36"E	14.14'



1999 Bryan Street, Suite 890

Dallas, Texas 75201

o | 214.939.7123

f | 888.765.8135

w | www.foresitegroup.net

D/B/A Foresite Consulting Group of Texas, LLC

April 15, 2024

VIA EMAIL

City of Denton
Department of Development Services
Attn: Angie Manglaris
401 N. Elm Street
Denton, Tx 76201
angela.manglaris@cityofdenton.com

RE: FP24-0011 (Stella Hills)

Dear Angie:

We hereby request a 30 day extension on FP24-0011 in order to address comments.

Thank you for your time and consideration.

Sincerely,
FORESITE GROUP, LLC

A handwritten signature in black ink that reads "Sean Faulkner". The signature is written in a cursive, flowing style.

Sean Faulkner, PE
Senior Project Manager


TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	801309700	Entity Type:	Foreign Limited Liability Company (LLC)
Original Date of Filing:	August 23, 2010	Entity Status:	In existence
Formation Date:	N/A		
Tax ID:	32042483373	FEIN:	383672020
Name:	Foresite Group, LLC		
Address:	3740 Davinci Ct., Ste. 100 Peachtree Corners, GA 30092 USA		
Fictitious Name:	Foresite Consulting Group of Texas, LLC		
Jurisdiction:	GA, USA		
Foreign Formation Date:	January 24, 2003		

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES	INITIAL ADDRESS
Name Registered Agents Inc.		Address 5900 Balcones Drive Suite 100 Austin, TX 78731 USA			Inactive Date	

Instructions:

 To place an order for additional information about a filing press the 'Order' button.



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: FP24-0006d, **Version:** 1

AGENDA CAPTION

Consider a request by JPI Real Estate Acquisitions, LLC for a Final Plat of the Jefferson Bonnie Brae Addition. The 31.51-acre site is generally located west of Bonnie Brae Road and approximately 150.19 feet south of Bronco Way in the City of Denton, Denton County, Texas. (FP24-0006d, Jefferson Bonnie Brae, Angie Manglaris).



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: April 24, 2024

SUBJECT

Consider a request by JPI Real Estate Acquisitions, LLC for a Final Plat of the Jefferson Bonnie Brae Addition. The 31.51-acre site is generally located west of Bonnie Brae Road and approximately 150.19 feet south of Bronco Way in the City of Denton, Denton County, Texas. (FP24-0006d, Jefferson Bonnie Brae, Angie Manglaris).

BACKGROUND

The purpose of this Final Plat is to create one lot and dedicate associated easements and right-of-way for the development of multifamily residential. The subject property is zoned Mixed-Use Neighborhood (MN).

Date Application Filed:	January 30, 2024
Planning & Zoning Commission Meeting:	February 28, 2024
Days in Review:	29 Days
Date Application Filed:	February 29, 2024
Planning & Zoning Commission Meeting:	March 20, 2024
Days in Review:	20 Days
Date Application Filed:	March 19, 2024
Planning and Zoning Commission Meeting:	April 10, 2024
Days in Review:	22 Days
Date Extension Granted:	April 10, 2024
Planning and Zoning Commission Meeting:	April 24, 2024
Days in review:	14 Days

This is the **fourth extension request** for this item.

This application is being considered under Texas Local Government Code (TX LGC) 212.009, which was updated as of September 1, 2023, with the passage of House Bill 3699. The applicant has requested an additional 30-day extension to allow for time to work through staff's comments on the plat and allow for additional review (Exhibit 5). Based upon recent updates to Section 212.009, the applicant may request additional 30-day extensions in the future if they are determined to be necessary.

OPTIONS

1. Approve as submitted
2. Approve 4th Extension Request
3. Deny with reasons

RECOMMENDATION

Staff recommends denial of this plat as it does not meet the established criteria for approval; however, staff has no objection to the requested extension (Exhibit 5) which could be granted to a date certain of May 15, 2024. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
1965	City Council	Annexation	Approved
1969	City Council	Citywide rezoning to Agricultural	Approved
2002	City Council	Citywide rezoning from Agriculture to Neighborhood Residential Mixed Use (NRMU)	Approved
October 1, 2019	City Council	Citywide Rezoning from NRMU to Mixed-Used Neighborhood (MN)	Approved
February 28, 2024	Planning and Zoning Commission	Final Plat 30-day Extension Request	Approved
March 20, 2024	Planning and Zoning Commission	Final Plat 30-day Extension Request	Approved
April 10, 2024	Planning and Zoning Commission	Final Plat 30-day Extension Request	Approved

PUBLIC OUTREACH

No public outreach is required for final plats.

DEVELOPER ENGAGEMENT DISCLOSURES

No developer contact disclosures have been provided to staff from members of this body as of the issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Final Plat
5. Request for Extension
6. LLC Members List

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/
Planning Director

Prepared by:
Angie Manglaris, AICP
Development Review Manager

Planning Staff Analysis

FP24-0006d / Jefferson Bonnie Brae Addition

City Council District #3

Planning & Zoning Commission

REQUEST:

Final plat for approximately 31.51 acres of land.

APPLICANT:

Kimley-Horn & Associates, on behalf of JPI Real Estate Acquisitions, LLC.

RECOMMENDATION:

Staff recommends denial of this Final Plat as it does not meet the established approval criteria.

Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below. Findings: <div>The Final Plat meets all review criteria, as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9. Findings: <div>The Final Plat does not meet all review criteria in Section 2.6.4 as described below: 1. Civil Engineering Plan approval is required prior to recommending approval of the Final Plat.</div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5-2.9 controls.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
Findings: <div>There is no conflict.</div>				
2. Prior Approvals				
a. The proposed development shall be consistent with the terms and conditions of any prior land use approval, plan, development agreement, or plat approval that is in effect and not proposed to be changed. This includes an approved phasing plan for development and installation of public improvements and amenities. Findings: <div>There are no prior approvals.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans. Findings: <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings: <div>There are no competing plan goals, policies, and strategies for this site.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in Comprehensive Plan. Findings: <div>The overall goals of the Comprehensive Plan are met with the proposed Final Plat.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Compliance with this DDC				
a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified. Findings: <div>As detailed herein, the proposed Final Plat complies with this criterion.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div>The subject submittal is a Final Plat, and it was reviewed based on the checklist and requirements for a final plat.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Compliance with Other Applicable Regulations				
a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations. Findings: <div>The Final Plat complies with all applicable city regulations as well as all other applicable regulations, standards, requirements, and/or plans of the federal and state governments.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Consistent with Interlocal and Development Agreements				
a. The proposed development shall be consistent with any adopted interlocal and applicable development agreements, and comply with the terms and conditions of any such agreements incorporated by reference into this DDC. Findings: <div>No interlocal or development agreements are applicable to this project.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Minimizes Adverse Environmental Impacts				
a. The proposed development should be designed to minimize negative environmental impacts, and should not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, scenic resources, wildlife habitat, soils, and native vegetation. Findings: <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Minimizes Adverse Impacts on Surrounding Property				

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
a. The proposed development should not cause significant adverse impacts on surrounding properties. The results of the citizen participation process may be appropriately considered under this section. Findings: <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Minimizes Adverse Fiscal Impacts				
a. The proposed development should not result in significant adverse fiscal impacts on the city. Findings: <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Compliance with Utility, Service, and Improvement Standards				
a. As applicable, the proposed development shall comply with federal, state, county, service district, city and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards. Findings: <div>The proposed Final Plat complies with all City regulations as described herein.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Provides Adequate Road Systems				
a. Adequate road capacity shall exist to serve the uses permitted under the proposed development, and the proposed uses shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services. Findings: <div>Adequate road capacity exists external to the site.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities				
a. Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, roads, domestic water, sewer, schools, public safety, fire protection, utilities, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
Findings: <div>There are adequate facilities to serve the development.</div>				
12. Rational Phasing Plan				
a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required for that phase, and may not defer those improvements to subsequent phases. Findings: <div>No phasing is proposed for this plat.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)		Applicability		
		Met	Not Met	N/A
13. Whether the final plat conforms to the preliminary plat, including any conditions of approval. Findings: <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, preliminary plats are no longer required. A preliminary plat was not prepared for this project.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. Whether the development will substantially comply with all requirements of this DDC. Findings: <div>This Final Plat does not meet all review criteria, as detailed in criteria 1b above as required by the Denton Development Code.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. Whether the development will comply with the applicable technical standards and specifications adopted by the City. Findings: <div>The Final Plat complies with all applicable technical standards and specifications as detailed herein.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FP24-0006 Site Location

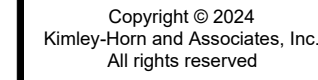


Legend

- Roads
- Site Location
- Parcels
- COD
- ETJ
- ETJ 2
- NAA 8/1/20
- NAA 8/1/40

0 305 610 1,220 Feet

CITY OF DENTON
Development Services • GIS
Date: 2/19/2024



OWNERS CERTIFICATE

STATE OF TEXAS §
COUNTY OF DENTON §

WHEREAS, Smith 37, LLC, John L. Smith and Dorothy Elaine Smith (Trustees), Michael and Laree Smith, and Wallace B. Duke, are the owners of a 31.5091 acre (1,372,538 square foot) tract of land situated in the Nathan Wade Survey, Abstract No. 1407, Denton County, Texas, and described in deeds recorded in Instrument Nos. 2012-104468, 2013-62126, 2003-190972, 2002-95801, Official Public Records, Denton County, Texas, and in Volume 588, Page 599, Deed Records, Denton County, Texas, and being all of Lot 1, Block 1, John Smith Addition, an addition to the City of Denton according to the plat recorded in Cabinet D, Page 288, Plat Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with cap stamped "PJB SURVEYING" found at the northwest corner of a called 30.672 acre tract of land described in the said deed recorded in Instrument No. 2013-62126, and being an interior corner of Lot 1, Block A, Bonnie Brae High School Addition, an addition to the city of Denton according to the plat recorded in Instrument No. 2020-113, said Official Public Records;

THENCE South 89°43'54" East, along the northernmost south line of said Lot 1, Block A, Bonnie Brae High School Addition, at a distance of 896.92 feet passing a 5/8-inch iron rod with cap stamped "Gorronдона & Associates" found at the northernmost southeast corner of said Lot 1, from which a 5/8-inch iron rod with cap stamped "TNP" found bears North 37°03'06" West, a distance of 0.50 feet, and at a distance of 963.10 passing a 5/8-inch iron rod with cap stamped "TNP" and continuing in all a total distance of 990.65 feet to a 60D nail found for corner in the approximate centerline of Bonnie Brae Street, a variable width public right-of-way, being at the northeast corner of the said called 30.672 acre tract from which a mag nail found bears North 10°01'06" West, a distance of 0.07 feet;

THENCE South 00°26'28" West, along the east line of the said called 30.672 acre tract, and along the said approximate centerline, a distance of 252.63 feet to a point for corner, being the northeast corner of a called 0.327 acre tract of land described in the Judgement to the City of Denton recorded in Instrument No. 2022-163479, said Official Public Records, from which a 60D nail found bears South 89°36'57" East, a distance of 2.36 feet;

THENCE North 89°36'57" West, departing the said east line, along the north line of the said called 0.327 acre tract, a distance of 94.65 feet to a 5/8-inch iron rod with cap stamped "Gorronдона & Associates" found for the northwest corner of the said called 0.327 acre tract, from which a 5/8-inch iron rod with cap stamped "TNP" found bears South 30°48'30" East, a distance of 0.04 feet;

THENCE South 00°38'55" West, along the west line of the said called 0.327 acre tract, at a distance of 150.00 feet passing the northwest corner of a called 0.361 acre tract of land described in Deed to the City of Denton recorded in Instrument No. 2021-126517, said Official Public Records, and continuing along the west line of the said called 0.361 acre tract a total distance of 156.16 feet to a 5/8-inch iron rod with cap stamped "KHA" set for corner;

THENCE South 03°56'51" West, continuing along the said west line, a distance of 152.13 feet to a 5/8-inch iron rod with cap stamped "GORRONDONA & ASSOCIATESS" found for corner in the north line of said Lot 1;

THENCE South 89°36'56" East, along the said north line, a distance of 104.52 feet to a 5/8-inch iron rod with cap stamped "KHA" set for corner in the aforementioned approximate centerline of Bonnie Brae Street, and being in the aforementioned east line of a called 30.672 acre tract;

THENCE South 00°26'28" West, along the said approximate centerline, and the said east line, a distance of 893.10 feet to a 5/8-inch iron rod with cap stamped "KHA" set for corner, being the easternmost southeast corner of that certain tract of land described in the said deed recorded in Instrument No. 2012-104468;

THENCE North 89°17'56" West, departing the said approximate centerline, along a south line of that said certain tract of land described in the deed recorded in Instrument No. 2012-104468, a distance of 29.63 feet to a steel fence post found for corner, being the southeast corner of a called 0.274 acre tract described in Special Warranty Deed to the City of Denton recorded in Instrument No. 2022-146245, said Official Public Records;

THENCE North 00°09'12" East, along the east line of the said called 0.274 acre tract, a distance of 150.55 feet to a steel fence post found for corner, being the northeast corner of the said called 0.274 acre tract;

THENCE North 89°22'09" West, along the north line of the said called 0.274 acre tract, at a distance of 78.54 passing a 5/8-inch iron rod with cap stamped "GORRONDONA & ASSOCIATES" found for the northwest corner of the said called 0.274 acre tract, and continuing along the north line of that certain tract of land described in General Warranty Deed with Vendor's Lien to Adam Kunzman recorded in Volume 2913, Page 1027, said Deed Records, in all a total distance of 221.81 feet to steel fence post found for corner, being the northwest corner of the said Adam Kunzman tract;

THENCE South 00°35'11" West, along the west line of the said Adam Kunzman tract, a distance of 150.09 feet to a steel fence post found for corner, being the southwest corner of the said Adam Kunzman tract, and being in the north line of a called 4.979 acre tract of land described in General Warranty Deed with Vendor's Lien to R. Eric Fullerton and spouse, Maria R. Fullerton recorded in Instrument No. 1995-8696, said Official Public Records;

THENCE North 89°15'30" West, along the said north line, a distance of 676.92 feet to a 1/2-inch iron rod found for corner, being at northwest corner of the said called 4.979 acre tract, and being a northeast corner of aforementioned Lot 1, Block A, Bonnie Brae High School Addition, an addition to the city of Denton according to the plat recorded in Instrument No. 2020-113, said Official Public Records;

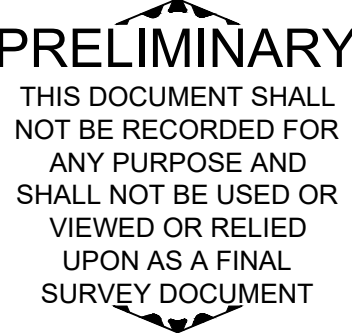
THENCE North 88°42'27" West, along a north line of said Lot 1, a distance of 61.02 feet to a 1/2-inch iron rod found for corner, being an interior corner of said Lot 1;

THENCE North 00°26'07" East, along the east line of said Lot 1, a distance of 1,444.95 feet to the **POINT OF BEGINNING** and containing 1,372,538 square feet or 31.5091 acres of land, more or less.

SURVEYOR'S CERTIFICATION

That I, Joshua D. Wargo, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision regulations of the City of Denton, Texas.

Joshua D. Wargo
Registered Professional Land Surveyor No. 6391
Kimley-Horn and Associates, Inc.
801 Cherry Street, Unit 11, Suite 1300
Fort Worth, Texas 76102
Ph. 817-335-6511
josh.wargo@kimley-horn.com



STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, on this day personally appeared Joshua D. Wargo, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of ____, 2024.

Notary Public in and for the State of Texas

OWNER'S DEDICATION

STATE OF TEXAS §
COUNTY OF DENTON §

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, SMITH 37, LLC, JOHN L. SMITH AND DOROTHY ELAINE SMITH (TRUSTEES), MICHAEL AND LAREE SMITH, AND WALLACE B. DUKE, does hereby adopt this plat designating the herein described property as **LOT 1, BLOCK 1, JEFFERSON BONNIE BRAE**, an addition to the City of Denton, Denton County, Texas, and does hereby dedicate to the public use forever the streets, alleys, and rights-of-way shown thereon, and does hereby reserve the easement strips shown on this plat for the mutual use and accommodations of all public utilities desiring to or using same. Any public utility shall have the right to remove and keep removed all or part of any building, fence, trees, shrubs or other growths or improvements which in any way endangers or interferes with the construction, maintenance, or efficiency of its respective systems on any of these easement strips, and any public utility shall, at all times, have the right of ingress and egress to and from and upon the said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time procuring permission of anyone.

This plat is hereby adopted by the owner and approved by the City of Denton (called -City-) subject to the following conditions that shall be binding upon the owners, their heirs, grantees, and successors. The Drainage Easement within the limits of this addition, shall remain open at all times and will be maintained in a safe and sanitary condition by the owners of the lot or lots that are traversed by or adjacent to the Drainage Easement. The City will not be responsible for the maintenance and operation of said easement or for any damage to private property or person that results from conditions in the easement, or for the control of erosion. No obstruction to the natural flow of storm water run-off shall be permitted by construction of any type of building, fence or any other structure within the Drainage Easement, as herein above defined, unless approved by the City. The owners shall keep the drainage and detention easement clear and free of debris, silt, and any substance that would result in unsanitary conditions or obstruct the flow of water. And, the City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance by the owners to alleviate any undesirable conditions that may occur. Furthermore, the City shall have the right, but not the obligation, to enter upon the above-described drainage and detention easement to remove any obstruction to the flow of water, after giving the owners written notice of such obstruction and owners fail to remove such obstruction. Should the City of Denton be compelled to remove any obstruction to the flow of water, after giving the owners written notice of such obstruction and owners fail to remove such obstruction, the City of Denton shall be reimbursed by the owners reasonable costs for labor, materials, and equipment for each instance. The natural drainage through the Drainage Easement is subject to storm water overflow and natural bank erosion to an extent that cannot be definitely defined. The City shall not be held liable for any damages of any nature resulting from the occurrence of these natural phenomena or resulting from the failure of any structure or structures, within the easement or otherwise.

WITNESS MY HAND, this ____ day of ____, 2024.

BY: **SMITH 37, LLC**

By: _____
Name
Title

BY: **JOHN L. SMITH AND DOROTHY ELAINE SMITH (TRUSTEES)**

By: _____
Name
Title

BY: **MICHAEL AND LAREE SMITH**

By: _____
Name
Title

BY: **WALLACE B. DUKE**

By: _____
Name
Title

STATE OF TEXAS §
COUNTY OF ____ §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of ____, 2024.

Notary Public in and for the State of Texas

STATE OF TEXAS §
COUNTY OF ____ §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of ____, 2024.

Notary Public in and for the State of Texas

STATE OF TEXAS §
COUNTY OF ____ §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of ____, 2024.

Notary Public in and for the State of Texas

STATE OF TEXAS §
COUNTY OF ____ §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of ____, 2024.

Notary Public in and for the State of Texas

NOTES:

- The bearing system for this survey is based on the Texas Coordinate System of 1983, North Central Zone 4202 based on observations made on February 13, 2023. Coordinates have been scaled to surface values using a surface adjustment factor of 1.00015063.
- All lot corners are 5/8-inch iron rods set with cap stamped "KHA" unless stated otherwise.
- Private improvements cannot encroach onto existing public easements.
- The purpose of this plat is to create one (1) lot.
- Water and sewer services will be provided through the City of Denton.
- According to Map No. 48121C0360G, dated April 18, 2011 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Denton County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, this property is not within a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
- Prior to acceptance of any public drainage facilities, all easements within which the facilities are located shall be cleared of all buildings, structures, fences or other obstacles that would interfere with access to the easements.
- Gas wells and production equipment are located on Lot 1. There is a possibility that new wells may be drilled and fracture stimulated on the drilling and production site, as well as the possibility that gas wells on the drilling and production site may be re-drilled and/or re-frature stimulated in the future.
- Discharge from any detention pond outfall or storm drain outfall may require an offsite drainage easement to accommodate the flow. If an offsite drainage easement is required, a study shall made of the off-site property to determine the size of the drainage easement to accommodate the flow.
- The Drainage easement within the limits of this addition, shall be maintained in a safe and sanitary condition by the owner, as applicable. The city will not be responsible for the maintenance and operation of said easement or for any damage to private property or person that results from conditions in the easement or to the control of erosion, No obstruction to the natural flow of storm water run-off shall be permitted by construction of any type of building, fence or any other structure within the drainage easement, unless approved by the city. The owner shall keep the drainage easement clear and free of debris, silt, and any substance that would result in unnecessary conditions of obstruct the flow of water. The city shall have the right to ingress and egress for the purpose of inspection and supervision of maintenance by the owner to alleviate any undesirable condition that may occur.
- The City and County, including their agents and employees, have the right of immediate access to the Common Areas at all times, if necessary, for the welfare or protection of the public, to enforce City/County ordinances, or to improve the appearance of or to preserve public property, public easements, or public rights of way. If the Association fails to maintain the Common Areas to a standard acceptable to the County or City, the County or City may give the Association a written demand for maintenance. If the Association fails or refuses to perform the maintenance within a reasonable period of time after receiving the County's/City's written demand (at least 90 days), the County or City may maintain the Common Areas at the expense of the Association after giving written notice of its intent to do so to the Association. The County or City may give its notices and demands to any officer, director, or agent of the Association, or alternatively, to each owner of a Lot as shown on the County's tax rolls. To fund the County's or City's cost of maintaining the Common Areas, the County or City may levy assessments against the lots and owners in the same manner as if the Association levied a special assessment. The rights of the County or City under this Section are in addition to other rights and remedies provided by law.
- A Tree Survey and Preservation Plan will be required to proceed with Building Permits on the subject site. Minimum Tree Preservation requirements of the Denton Developmental Code Section 7.7.4. must be met prior to the release of any permits.

LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	N89°36'57"W	94.65'	L24	N00°26'07"E	287.02'	L47	N89°33'53"W	215.13'	L70	S89°33'53"E	81.24'
L2	S00°38'55"W	156.16'	L25	N89°33'53"W	99.18'	L48	N89°33'53"W	16.06'	L71	N00°26'07"E	71.02'
L3	S03°56'51"W	152.13'	L26	N89°33'53"W	80.00'	L49	S00°26'07"W	17.00'	L72	S74°26'29"E	236.58'
L4	S89°36'56"E	104.52'	L27	S00°26'07"W	234.02'	L50	S89°33'53"E	15.99'	L73	S00°26'07"W	109.96'
L5	N89°17'56"W	29.63'	L28	S89°33'53"E	80.00'	L51	N06°09'25"E	68.48'	L74	S89°33'53"E	348.36'
L6	N88°42'27"W	61.02'	L29	N00°26'07"E	234.02'	L52	N09°27'32"W	37.46'	L75	N89°33'53"W	26.00'
L7	N89°33'53"W	321.43'	L30	N89°33'53"W	65.56'	L53	N89°33'53"W	25.05'	L76	N00°26'07"E	26.00'
L8	S00°26'07"W	218.41'	L31	S00°26'07"W	134.08'	L54	S00°26'07"W	11.50'	L77	S00°26'07"W	26.00'
L9	N89°33'53"W	65.56'	L32	N89°33'53"W	268.13'	L55	S00°26'07"W	5.50'	L78	N00°26'07"E	26.00'
L10	N00°26'07"E	226.92'	L33	S00°26'07"W	51.50'	L56	S89°33'53"E	16.00'	L79	S00°26'07"W	26.00'
L11	N89°33'53"W	324.13'	L34	S89°33'53"E	459.00'	L57	N00°26'07"E	5.42'	L80	S00°26'07"W	26.00'
L12	S00°26'07"W	221.00'	L35	N00°26'07"E	11.66'	L58	N89°33'53"W	350.27'	L81	S00°26'07"W	26.00'
L13	S89°33'53"E	271.13'	L36	N59°33'53"W	56.93'	L59	S00°26'07"W	120.90'	L82	N00°00'00"E	26.00'
L14	S00°26'07"W	54.00'	L37	N00°26'07"E	103.97'	L60	N74°26'29"W	236.58'	L83	N89°15'16"W	5.97'
L15	N89°33'53"W	268.13'	L38	S89°33'53"E	215.13'	L61	N00°26'07"E	91.17'	L84	N00°44'44"E	41.04'
L16	S00°26'07"W	346.03'	L39	N89°33'53"W	215.13'	L62	N89°33'53"W	160.73'	L85	N00°43'27"E	90.81'
L17	S89°33'53"E	571.00'	L40	N89°33'53"W	459.00'	L63	S00°26'07"W	65.84'	L86	N03°56'51"E	20.76'
L18	N00°26'07"E	143.48'	L41	S00°26'07"W	13.53'	L64	S45°50'35"E	12.88'	L87	S86°03'09"E	6.00'
L19	S89°33'53"E	168.31'	L42	S89°33'53"E	459.00'	L65	S44°09'25"W	36.33'	L88	N89°21'05"W	6.00'
L20	N89°33'53"W	190.30'	L43	N00°26'07"E	13.53'	L66	S45°50'35"E	25.00'	L89	N00°38'55"E	106.79'
L21	N59°33'53"W	81.35'	L44	S00°26'07"W	112.00'	L67	N44°09'25"E	36.33'	L90	S89°21'05"E	6.00'
L22	N00°26'07"E	32.36'	L45	S89°33'53"E	215.13'	L68	S45°50'35"E	49.08'			
L23	S89°33'53"E	133.00'	L46	N00°26'07"E	112.00'	L69	S00°26'07"W	40.00'			

CURVE TABLE						CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	18°40'21"	20.00'	6.52'	S81°05'57"W	6.49'	C23	90°00'00"	30.00'	47.12'	S44°33'53"E	42.43'
C2	90°00'00"	30.00'	47.12'	S45°26'07"W	42.43'	C24	90°00'00"	30.00'	47.12'	N45°26'07"E	42.43'
C3	90°00'00"	30.00'	47.12'	N44°33'53"W	42.43'	C25	60°00'01"	30.00'	31.42'	N29°33'53"W	30.00'
C4	90°00'00"	3.00'	4.71'	S45°26'07"W	4.24'	C26	60°00'00"	56.00'	58.64'	N29°33'53"W	56.00'
C5	90°00'00"	30.00'	47.12'	S44°33'53"E	42.43'	C27	180°00'00"	30.00'	94.25'	S00°26'07"W	60.00'
C6	90°00'00"	30.00'	47.12'	S45°26'07"W	42.43'	C28	180°00'00"	30.00'	94.25'	N00°26'07"E	60.00'
C7	90°00'00"	3.00'	4.71'	S45°26'07"W	4.24'	C29	90°00'00"	30.00'	47.12'	S44°33'53"E	42.43'
C8	90°00'00"	30.00'	47.12'	N45°26'07"E	42.43'	C30	90°00'00"	30.00'	47.12'	N45°26'07"E	42.43'
C9	30°00'00"	30.00'	15.71'	N74°33'53"W	15.53'	C31	90°00'00"	30.00'	47.12'	N44°33'53"W	42.43'
C10	60°00'00"	30.00'	31.42'	N29°33'53"W	30.00'	C32	90°00'00"	30.00'	47.12'	S45°26'07"W	42.43'
C11	90°00'00"	30.00'	47.12'	N45°26'07"E	42.43'	C33	90°00'00"	30.00'	47.12'	S45°26'07"W	42.43'
C12	90°00'00"	3.00'	4.71'	N45°26'07"E	4.24'	C34	90°00'00"	30.00'	47.12'	S44°33'53"E	42.43'
C13	90°00'00"	30.00'	47.12'	N45°26'07"E	42.43'	C35	90°00'00"	30.00'	47.12'	N45°26'07"E	42.43'
C14	19°06'13"	20.00'	6.67'	S80°00'46"E	6.64'	C36	90°00'00"	30.00'	47.12'	N44°33'53"W	42.43'
C15	90°00'00"	30.00'	47.12'	N44°33'53"W	42.43'	C37	90°00'00"	40.00'	62.83'	S45°26'07"W	56.57'
C16	90°00'00"	30.00'	47.12'	S45°26'07"W	42.43'	C38	90°00'00"	40.00'	62.83'	N44°33'53"W	56.57'
C17	90°00'00"	30.00'	47.12'	S44°33'53"E	42.43'	C39	90°00'00"	40.00'	62.83'	S45°26'07"W	56.57'
C18	90°00'00"	30.00'	47.12'	N45°26'07"E	42.43'	C40	49°55'44"	40.50'	35.29'	S20°44'00"E	34.18'
C19	90°00'00"	30.00'	47.12'	N44°33'53"W	42.43'	C41	46°16'42"	14.00'	11.31'	S22°42'14"E	11.00'
C20	90°00'00"	30.00'	47.12'	S45°26'07"W	42.43'	C42	90°00'00"	40.00'	62.83'	S44°33'53"E	56.57'
C21	90°00'00"	3.00'	4.71'	S45°26'07"W	4.24'	C43	90°00'00"	40.00'	62.83'	N45°26'07"E	56.57'
C22	90°00'00"	30.00'	47.12'	S45°26'07"W	42.43'	C44	90°00'00"	40.00'	62.83'	S44°33'53"E	56.57'



April 16, 2024

Laurie Lewis
Department of Development Services
401 N. Elm Street,
Denton, Texas 76201

RE: *Project Number: FP24-0006*
Project Name: JPI Bonnie Brae

This letter is being sent to formally request a 30-day extension for the JPI Bonnie Brae – Final Plat (FP24-0006).

Sincerely,

A handwritten signature in black ink, appearing to read 'BPF', with a long horizontal flourish extending to the right.

Brock Pfister, P.E.
Kimley-Horn and Associates

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:
Original Date of Filing:
Formation Date:
Tax ID:
Duration:

801208260
December 21, 2009
N/A
32040881057
Perpetual

Entity Type:
Entity Status:

FEIN:

Domestic Limited Liability Company (LLC)
In existence

Name:
Address:

JPI Real Estate Acquisition, LLC
P.O. BOX 619091
DALLAS, TX 75261-9091 USA

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES	INITIAL ADDRESS
Name		Address			Inactive Date	
C T Corporation System		1999 Bryan St., Ste. 900 Dallas, TX 75201-3136 USA				

Order

Return to Search

Instructions:
● To place an order for additional information about a filing press the 'Order' button.



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: FP24-0009a, **Version:** 1

AGENDA CAPTION

Consider a request by Forestar (USA) Real Estate Group, Inc. for a Final Plat of Hickory Grove, Phase 2. The 58.638-acre site is generally located just north of West University Drive and west of Thomas J Eagan Road in City of Denton's ETJ Division 1, Denton County, Texas. (FP24-0009a, Hickory Grove 2, Mia Hines).



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: April 24, 2024

SUBJECT

Consider a request by Forestar (USA) Real Estate Group, Inc. for a Final Plat of Hickory Grove, Phase 2. The 58.638-acre site is generally located just north of West University Drive and west of Thomas J Eagan Road in City of Denton's ETJ Division 1, Denton County, Texas. (FP24-0009a, Hickory Grove 2, Mia Hines).

BACKGROUND

The purpose of this Final Plat is to facilitate the development of 141 single-family residential lots and eight lots to be owed and maintained by the Hickory Grove HOA. The property is located within the Legends Ranch Municipal Utility District (MUD), and the full development originally proposed six phases for the construction of the single-family residential lots. This proposed Final Plat is for the third phase of this development. Construction plans are currently under review for Phases 1A and 1B.

The approved Preliminary Plat included a total of 1,516 single-family residential lots, one amenity center lot, one multi-family lot, 48 lots to be owned and maintained by the Hickory Grove HOA, and a variety of other lots to be utilized for park space, commercial development, and utilities. Although Preliminary Plats are not typically allowed within the ETJ, as part of the City Council's consent to the creation of the MUD, a development agreement was entered into that included provisions allowing for the MUD developers to submit a preliminary plat to phase the development.

Date Application Filed:	March 12, 2024
Planning & Zoning Commission Meeting:	April 10, 2024
Days in Review:	30 Days
Date Extension Granted:	April 10, 2024
Days in Review:	15 Days

This application is being considered under Texas Local Government Code (TX LGC) 212.009, which was updated as of September 1, 2023 with the passage of House Bill 3699. The applicant has previously been granted a 30-day extension to allow for additional time to work through staff's comments on the plat and additional review. Based upon recent updates to Section 212.009, the applicant may request additional 30-day extensions in the future if they are determined to be necessary. As of the writing of this report, an additional extension request has not been submitted.

OPTIONS

1. Approve as submitted
2. Deny with reasons

RECOMMENDATION

Staff recommends denial of this plat as it does not meet the established criteria for approval. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
June 28, 2022	City Council	Legends Ranch MUD consent and development agreement	Approved
August 10, 2022	Planning & Zoning Commission	Legends Ranch Preliminary Plat (PP22-0017)	Extension approved
October 26, 2022	Planning & Zoning Commission	Legends Ranch Preliminary Plat (PP22-0017)	Approved
April 10, 2024	Planning & Zoning Commission	Hickory Grove Phase 2 Final Plat (FP24-0009)	Extension approved

PUBLIC OUTREACH

No public outreach is required for final plats.

DEVELOPER ENGAGEMENT DISCLOSURES

No developer contact disclosures have been provided to staff from members of this body as of the issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Final Plat

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/
Planning Director

Prepared by:
Mia Hines, AICP
Senior Planner

Planning Staff Analysis

FP24-0009a / Hickory Grove 1B

Planning & Zoning Commission

REQUEST:

Final plat for an approximately 58.638-acre site

APPLICANT:

Kimley Horn & Associates on behalf of Forestar (USA) Real Estate Group, Inc.

RECOMMENDATION:

Staff recommends denial of this Final Plat as it does not meet the established approval criteria.

Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
<p>a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.</p> <p>Findings:</p> <div><p>The Final Plat does not meet all review criteria, as detailed in the following items as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B:</p><ol style="list-style-type: none">1. Include the city assigned project number “FP24-0009” in the title block (FPC2.2)2. Update the legend to include all abbreviations, graphic symbols, and line types used (add P.O.C, ROW, lot lines, and center lines, remove building line from legend and plat graphic) (FPC 2.12)3. Label type and size of boundary monuments and label as found or set for all property corners, points of intersection and points of curvature/tangency. Provide basic monumentation in order to determine location of public improvements (FPC 2.13)4. Clarify line and curve data labels (FPC 3.2)5. For new drainage, detention, and/or floodplain easements refer DDC Section 7.5.3.I, J, and N and the Stormwater Design Criteria Manual Section 3.3.5 and 3.9 (FPC 3.7)6. For new water and wastewater easements refer to DDC Section 7.6.7 and the Water & Wastewater Criteria Manual Sections 3 and 5.4.2-3 (FPC 3.8)7. Label minimum finish floor elevation for each pad site on any lot adjacent to (and within 200 feet of) a floodplain. (FPC 3.10)</div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
	<p>The Final Plat does not meet all review criteria, as detailed in the following items as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B:</p> <ol style="list-style-type: none"> 8. Show floodplain limits. Note the current effective Flood Insurance Rate Map and any map changes (LOMR, CLOMR, etc.) Show, label, and dimension drainage and floodway easements (FPC 3.12) 9. Display the location of the centerline of creeks and drainage ways tied to dimensions in feet and hundredths of feet with bearings and angles (FPC 3.14) 10. Label the exact location, dimension, and centerline of existing public ROW intersecting or contiguous with its boundary or forming such boundary. Display the center line of proposed ROW with dimension from centerline to the edge of proposed ROW (FPC 3.15) 11. Label existing and proposed street names, indicate street name breaks with a diamond shape (FPC 3.16) 12. Label adjacent properties. For platted properties, display lot lines and label subdivision name, lot and block designation, and plat recording information for each lot (FPC 4.1) 13. Label all easements, including existing or proposed. Proposed offsite easements by separate instrument should be labeled as such. If existing, provide recording information. Please contact City of Denton Real Estate department for information about recording offsite easements by separate instrument (FPC 4.2) 14. Label and name all existing public street and alley ROW including dimensions on adjacent properties (4.3) 15. Provide a copy of the computer-generated closure report for the metes and bounds (FPC 5.2) 16. Provide the purpose of the plat in a plat note (FPC 5.8) 17. Limit plat notes to those applicable to the plat type submitted (FPC 5.9) 18. Provide specific language for private streets for private street subdivisions, privately owner facilities, water quality easements or specific encroachment and maintenance easements (FPC 6.1) 19. Include specific dedication language for access, utility, and/or floodway/plain and drainage and/or detention easements. Restrictions of easements shall be described on the final plat and approved by the City (FPC 6.2) 			
<p>b. The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>The Final Plat does not meet the review criteria of DDC Section 2.6.4D as described below.</p> </div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
c. If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5-2.9 controls. Findings: <div style="border: 1px solid black; padding: 5px; min-height: 20px;">There is no conflict.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Prior Approvals				
a. The proposed development shall be consistent with the terms and conditions of any prior land use approval, plan, development agreement, or plat approval that is in effect and not proposed to be changed. This includes an approved phasing plan for development and installation of public improvements and amenities. Findings: <div style="border: 1px solid black; padding: 5px; min-height: 40px;">The final plat is consistent with the Preliminary Plat. Since the approval of the Preliminary Plat, the applicant has submitted a revised phasing plan. The proposed final plat is consistent with the revised phasing plan.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans. Findings: <div style="border: 1px solid black; padding: 5px; min-height: 40px;">Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings: <div style="border: 1px solid black; padding: 5px; min-height: 20px;">There are no competing plan goals, policies, and strategies for this site.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in Comprehensive Plan. Findings: <div style="border: 1px solid black; padding: 5px; min-height: 20px;">The overall goals of the Comprehensive Plan are met with the proposed Final Plat.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
4. Compliance with this DDC				
a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
Findings: All applications shall include all required information requested by the Director to demonstrate compliance with City codes per DDC Section 2.4.4B. Per the Development Agreement, the subject property is subject to those portions of the DDC typically applicable to the City's Division 1 ETJ as well as development and subdivision regulations contained in Section 3.4, Subchapter 7, and Subchapter 8 of the Denton Development Code. The proposed Final Plat does not comply with the following applicable DDC requirements: <ol style="list-style-type: none"> Side lot lines shall be at right angles or radial to street lines, except where other terrain makes such design impractical (DDC 8.3.2) For single-family residential subdivisions where more than 50% of the lots are less than one-half acre in size, dedication of the stream or drainage way shall be made to the city or to an approved homeowner association (DDC 7.5.3) A drainage or floodplain easement shall be dedicated as a single lot to the city, a homeowner's association, or other legal entity as allowed by the DDC (DDC 7.5.3) Adequate floodplain and drainage easements shall be required that give the city the right but not the obligation to maintain and construct drainage facilities if, in the city's sole opinion, the maintenance entity is not properly maintaining the stream or drainage way (DDC 7.5.3) Streams and drainage ways may be retained as part of a nonresidential lot, and it shall be the property owner's responsibility to maintain this area as set forth by easement, except as otherwise provided. A maintenance easement shall be granted to the city and shall grant the right but not the obligation to maintain and construct drainage facilities if the stream or drainage way is not being properly maintained. The maintenance entity's by-laws and covenants filed of record shall provide for ongoing maintenance. The easement shall authorize a lien against individual abutting lots in favor of the city to secure the payment to the city for any expenses incurred by the city in the event of default or to secure payment for any expenses incurred if the maintenance entity is not properly maintaining the stream or drainage way (DDC 7.5.3) 				
b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: The Final Plat was submitted at an adequate level of detail.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Compliance with Other Applicable Regulations				
a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

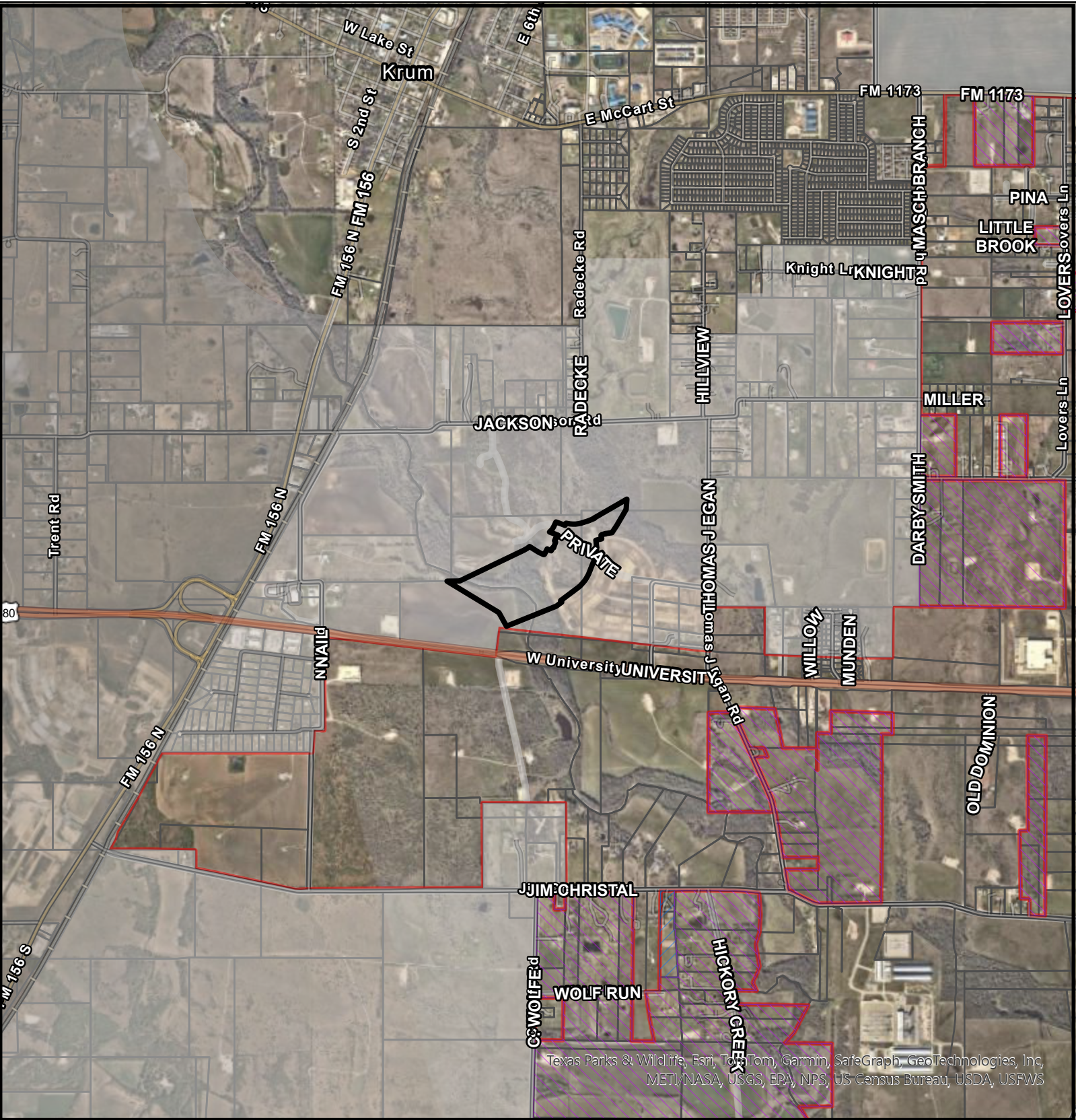
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<p>includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>The Final Plat complies with all other applicable city regulations.</p> </div>				
6. Consistent with Interlocal and Development Agreements				
<p>a. The proposed development shall be consistent with any adopted interlocal and applicable development agreements, and comply with the terms and conditions of any such agreements incorporated by reference into this DDC.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>As described herein, the proposed development is not fully compliant with the development agreement adopted for this Municipal Utility District. The Final Plat does not comply with all applicable DDC standards as required by the agreement.</p> </div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Minimizes Adverse Environmental Impacts				
<p>a. The proposed development should be designed to minimize negative environmental impacts, and should not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, scenic resources, wildlife habitat, soils, and native vegetation.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Minimizes Adverse Impacts on Surrounding Property				
<p>a. The proposed development should not cause significant adverse impacts on surrounding properties. The results of the citizen participation process may be appropriately considered under this section.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Minimizes Adverse Fiscal Impacts				
<p>a. The proposed development should not result in significant adverse fiscal impacts on the city.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
Findings: <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>				
10. Compliance with Utility, Service, and Improvement Standards				
a. As applicable, the proposed development shall comply with federal, state, county, service district, city and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards. Findings: <div>The proposed Final Plat is compliant with all applicable regulations.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Provides Adequate Road Systems				
a. Adequate road capacity shall exist to serve the uses permitted under the proposed development, and the proposed uses shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services. Findings: <div>The Final Plat is compliant with this criterion.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities				
a. Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, roads, domestic water, sewer, schools, public safety, fire protection, utilities, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties. Findings: <div>There are adequate facilities to serve the development. Civil engineering plans are under review to ensure adequate infrastructure improvements and extensions.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Rational Phasing Plan				
a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required for that phase, and may not defer those improvements to subsequent phases.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
Findings: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> The proposed Final Plat is consistent with the revised phasing plat approved with the Preliminary Plat. </div>			

Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)	Applicability		
	Met	Not Met	N/A
14. Whether the final plat conforms to the preliminary plat, including any conditions of approval. Findings: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> The final plat is consistent with the Preliminary Plat. Since the approval of the Preliminary Plat, the applicant has submitted a revised phasing plan. The proposed final plat is consistent with the revised phasing plan. </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Whether the development will substantially comply with all requirements of this DDC. Findings: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> The Final Plat complies with the applicable requirements of the Denton Development Code. </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Whether the development will comply with the applicable technical standards and specifications adopted by the City. Findings: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> The Final Plat complies with the applicable technical standards and specifications adopted by the City. </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FP24-0009 Site Location

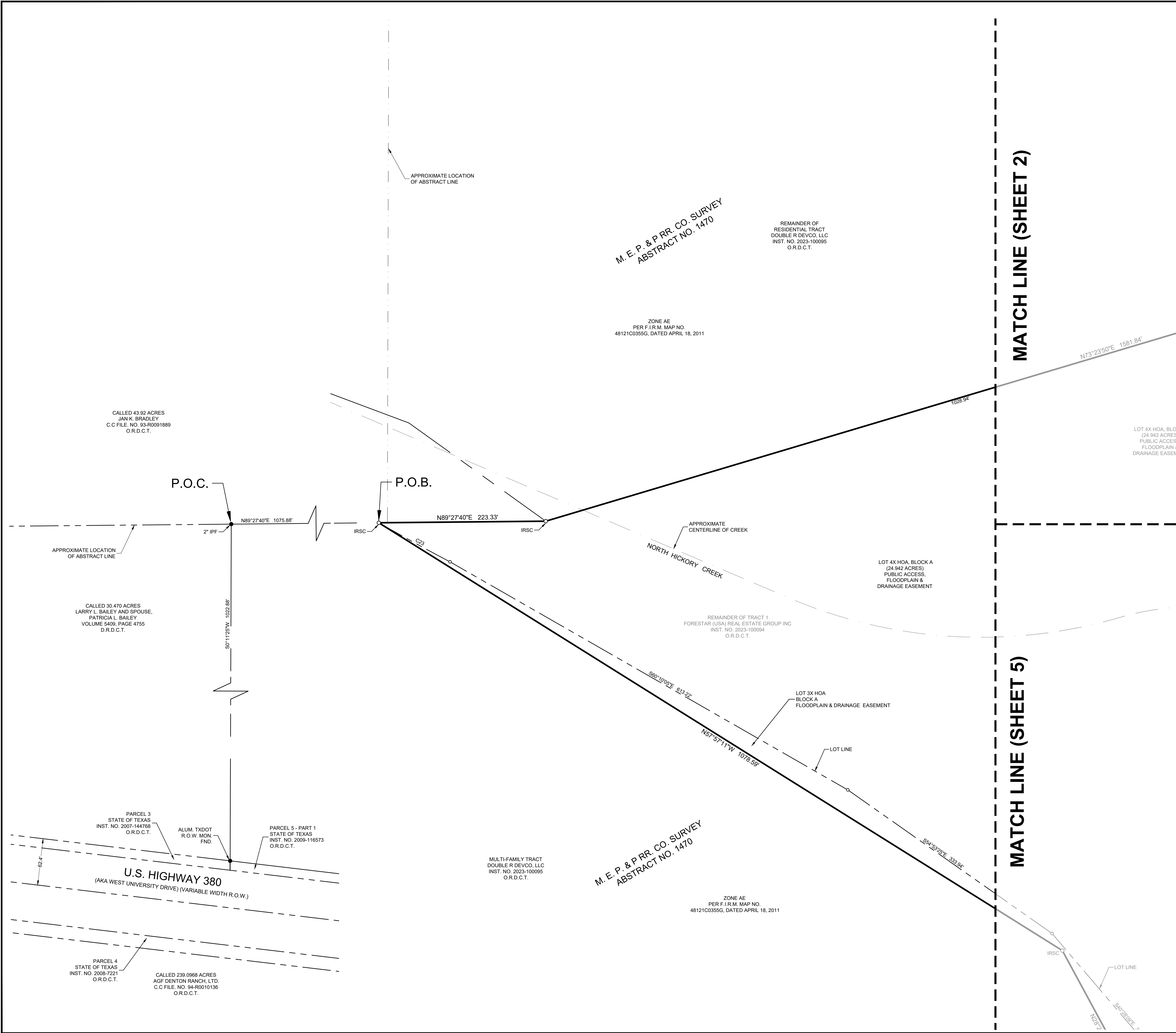


Texas Parks & Wildlife, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

- Roads
- Parcels
- COD
- ETJ
- ETJ 2
- NAA 8/1/20
- NAA 8/1/40

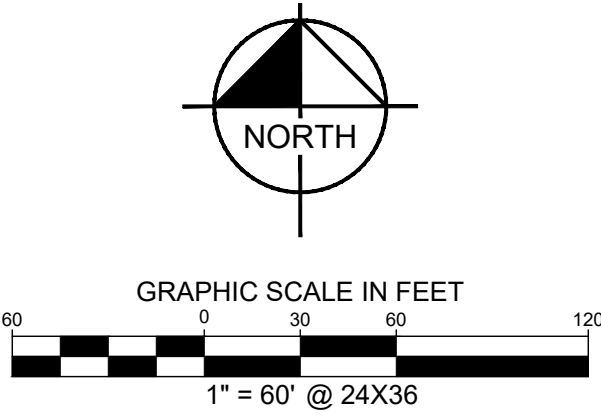
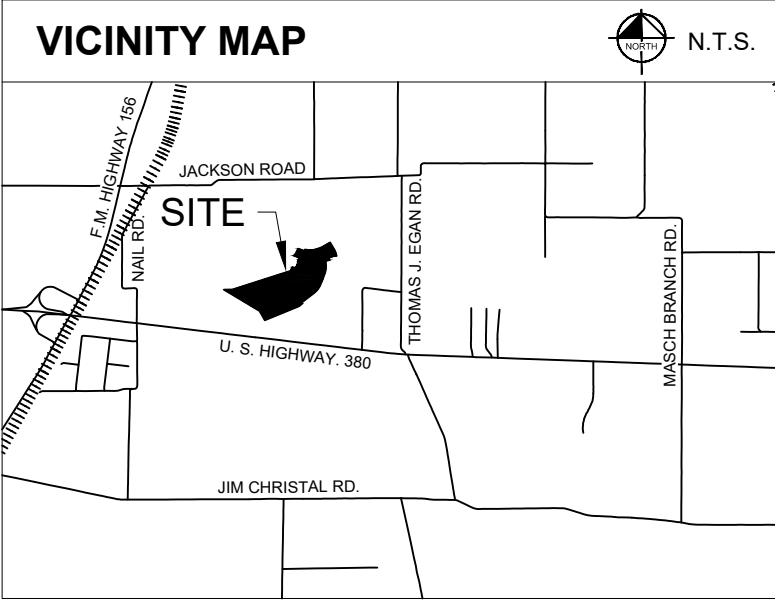
Date: 3/14/2024

"This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative property boundaries. Although every effort was made to ensure the accuracy of this data, no such guarantee is given or implied. Utilization of this map indicates the understanding that there is no guarantee to the accuracy of this data."

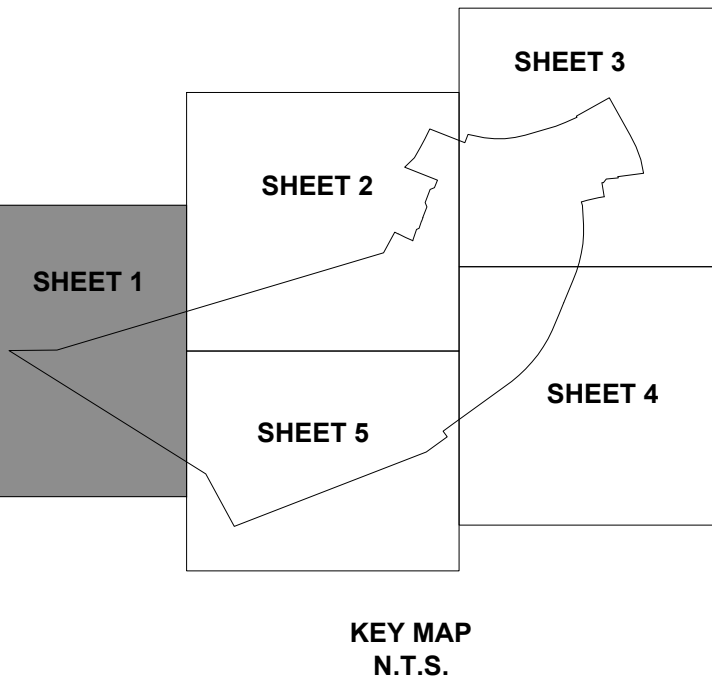


LINE TYPE LEGEND	
	BOUNDARY LINE
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	EASEMENT LINE
	CENTERLINE OF ROAD
	OVERHEAD UTILITY LINE
	CENTERLINE OF CREEK
	ABSTRACT LINE
	LOT LINE

LEGEND	
IRSC	5/8" IRON ROD W/ "KHA" CAP SET
IRFC	IRON ROD WITH CAP FOUND
IRP	IRON ROD FOUND
P.O.C.	POINT OF COMMENCING
P.O.B.	POINT OF BEGINNING
D.E.	DRAINAGE EASEMENT
HOA	HOMESOWNERS ASSOCIATION
VOL.	VOLUME
PG.	PAGE
INST.	INSTRUMENT
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D.R.D.C.T.	DEED RECORDS, DENTON COUNTY, TEXAS
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W.E.	WATER EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
V.E.	VISIBILITY EASEMENT
→	GUY ANCHOR
⊥	UTILITY POLE
○ W	PROPERTY CORNER SYMBOL
○ W	RIGHT-OF-WAY



SEE SHEET 6 FOR LINE & CURVE TABLES & LOT AREA TABLE

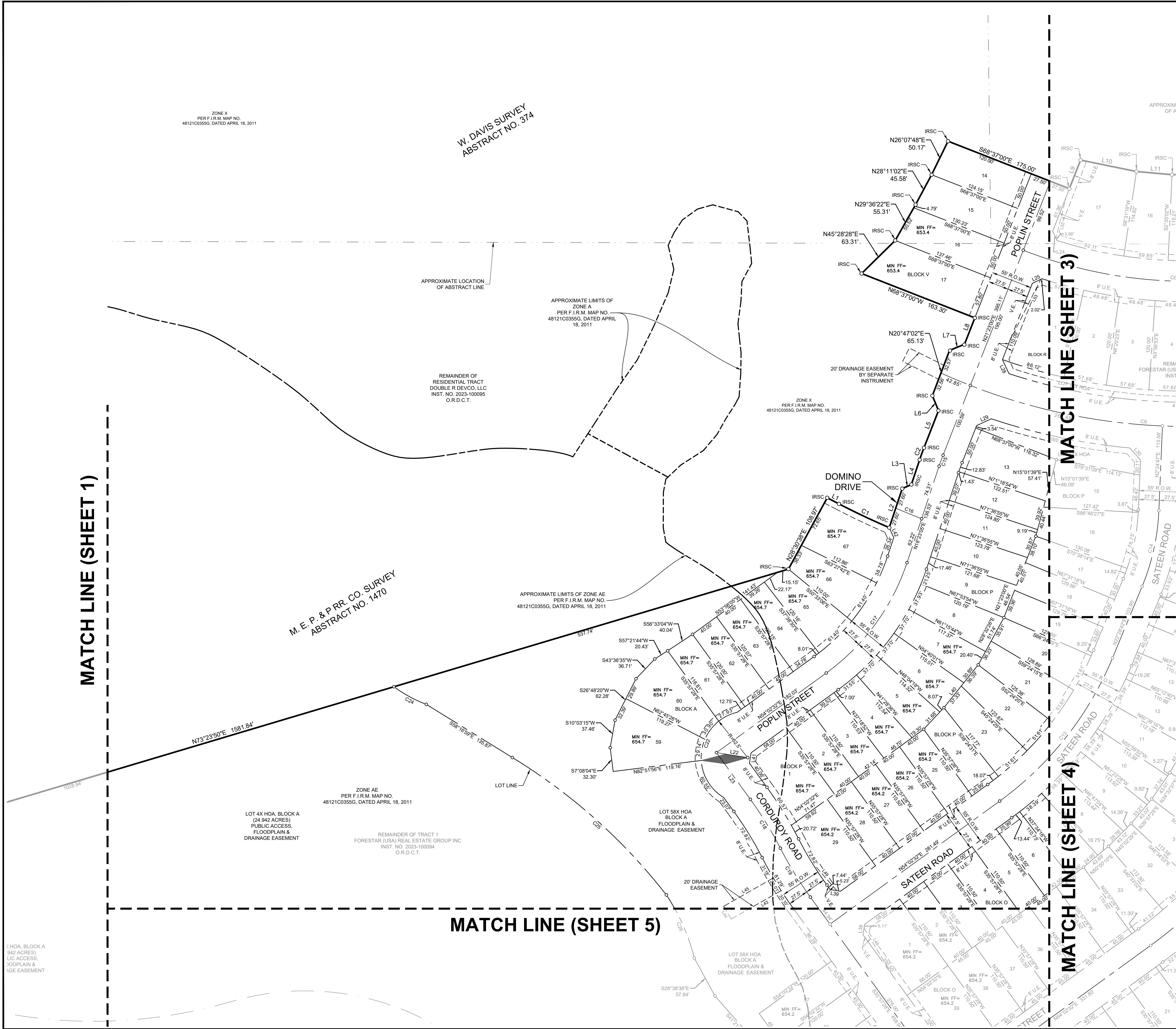


FINAL PLAT
HICKORY GROVE, PHASE 2
BLOCK A, LOTS 3X, 4X, 49-57, 58X & 59-67; BLOCK M, LOTS 16-29;
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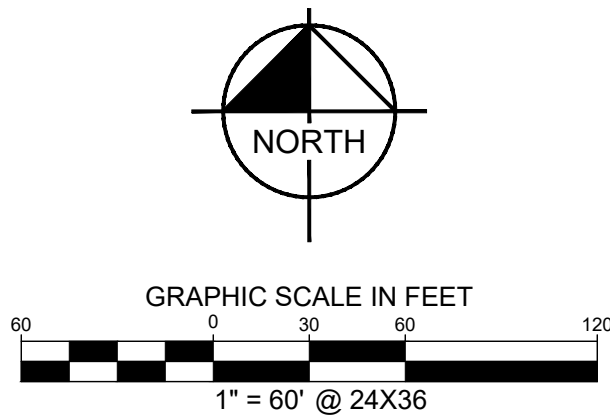
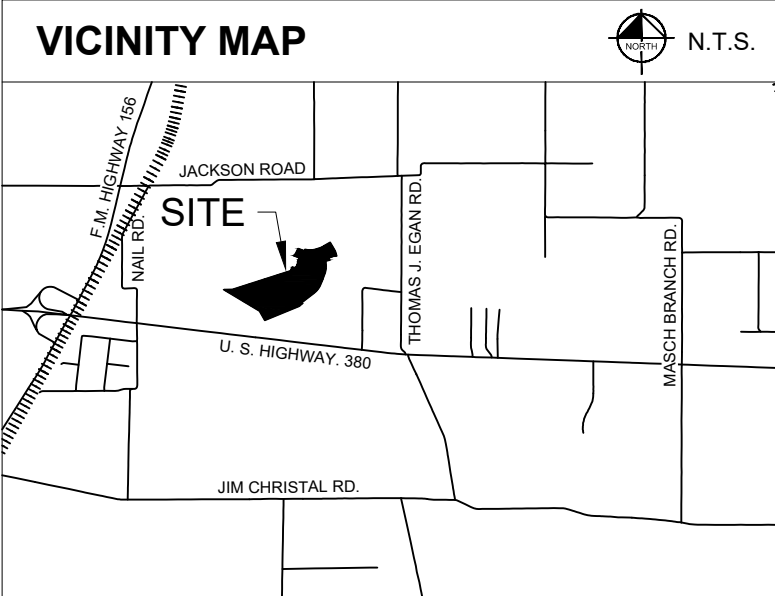
141 RESIDENTIAL LOTS
8 HOA LOTS

52.638 ACRES
OUT OF THE
THOMAS EAGAN SURVEY, ABSTRACT NO. 406, M.E.P. & P. RR. CO.
SURVEY ABSTRACT NO. 1470; WILLIAM DAVIS SURVEY, ABSTRACT NO.
374 & THOMAS POLK SURVEY, ABSTRACT NO. 998
CITY OF DENTON E.T.J., DENTON COUNTY, TEXAS
CITY PROJECT #FP24-0009
APRIL 2024

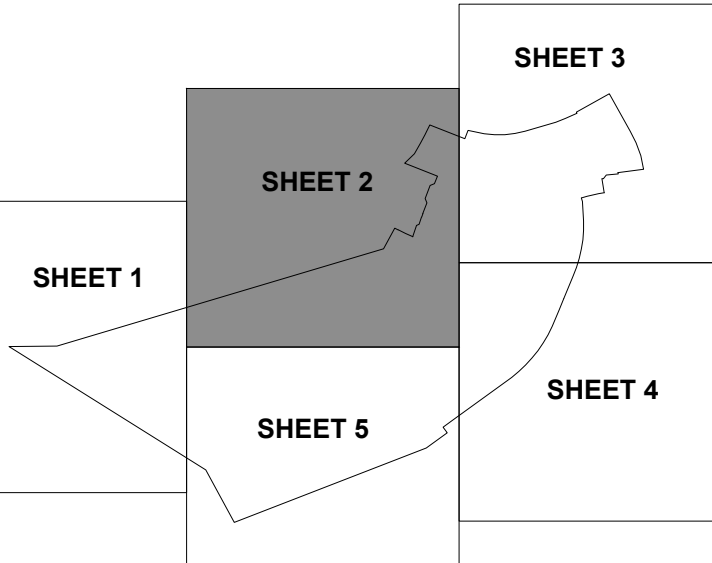
Kimley»Horn					
6160 Warren Parkway, Suite 210 Frisco, Texas 75034 Tel. No. (972) 335-3580 Fax No. (972) 335-3779					
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	JCC	KHA	APRIL 2024	068517166	1 OF 7
OWNER: Forestar (USA) Real Estate Group, Inc. 2221 E. Lamar Blvd., Suite 790 Arlington, TX 76006			APPLICANT: Kimley-Horn & Associates, Inc. 6160 Warren Pkwy, Suite 210 Frisco, TX 75034 Ph: (469) 576-1056 Contact: Thomas L. Fletcher, P.E.		
SURVEYOR: Kimley-Horn and Associates, Inc. 6160 Warren Pkwy, Suite 210 Frisco, TX 75034 Ph: (972) 335-3580 Contact: Michael Marx, RPLS					



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Kimley»Horn

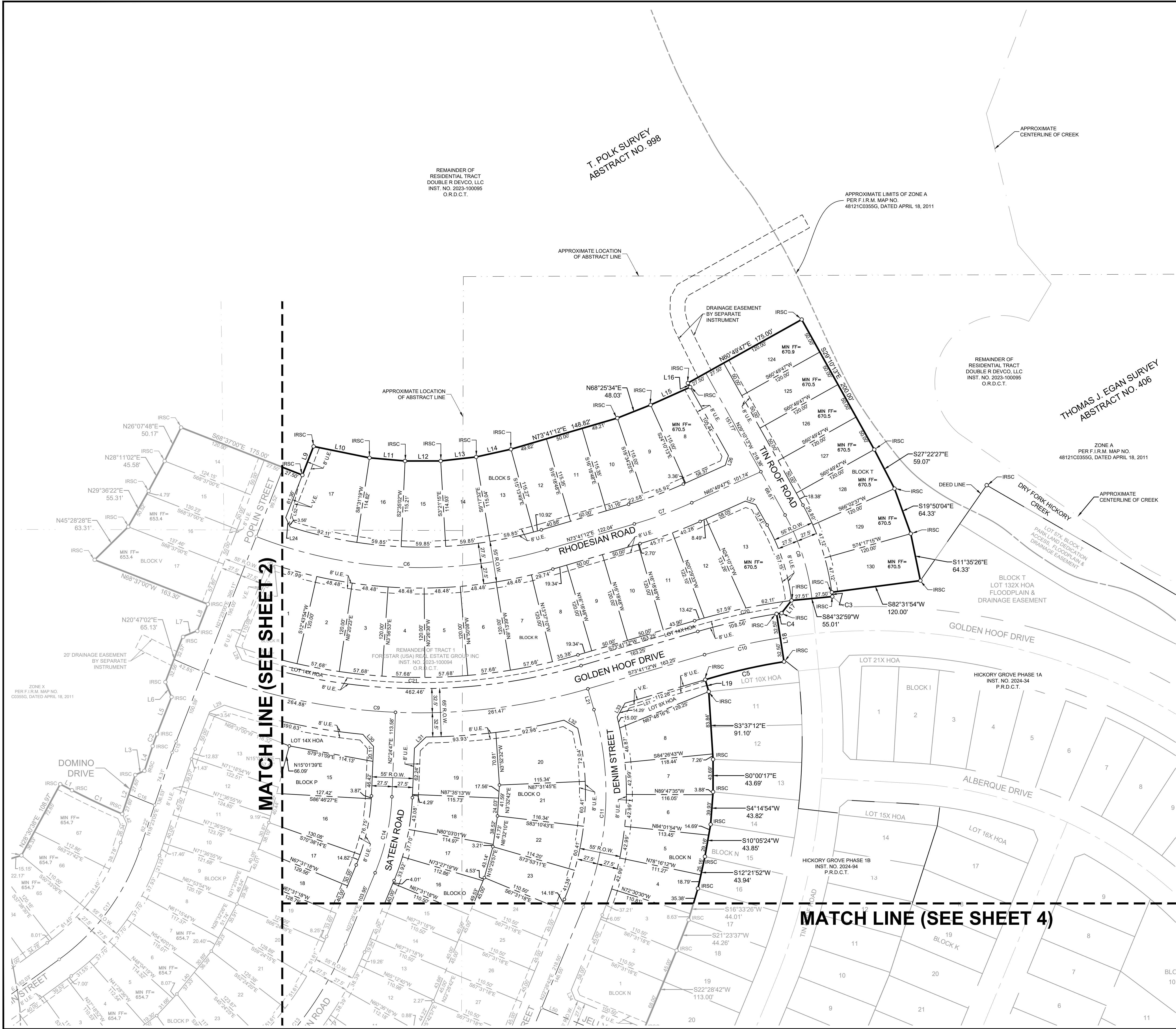
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	JCC	KHA	APRIL 2024	068517166	2 OF 7

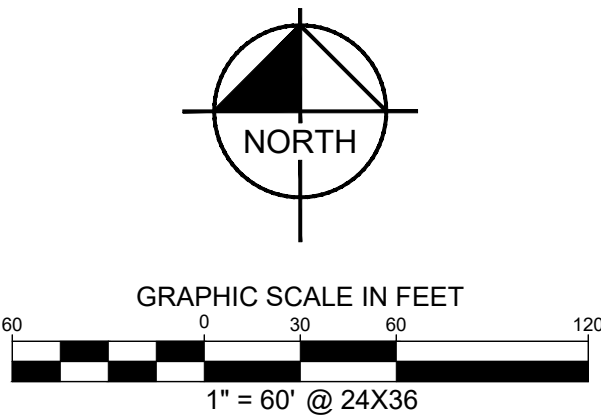
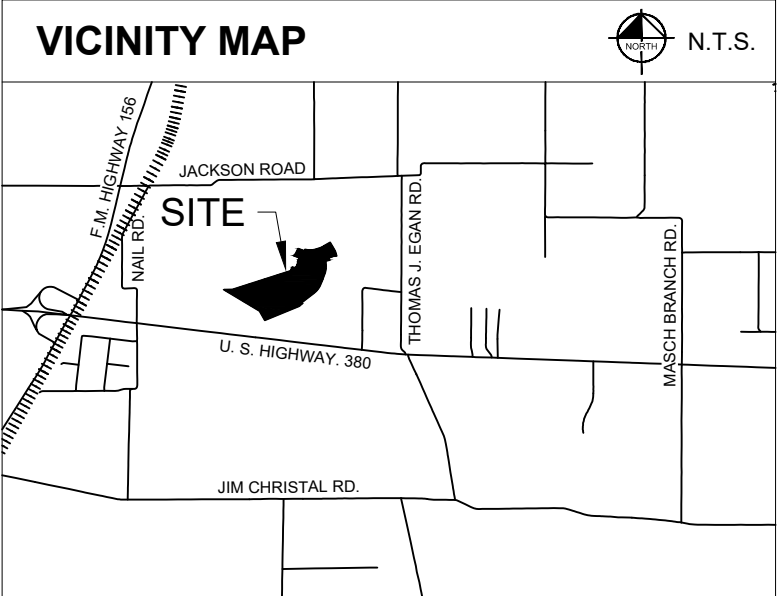
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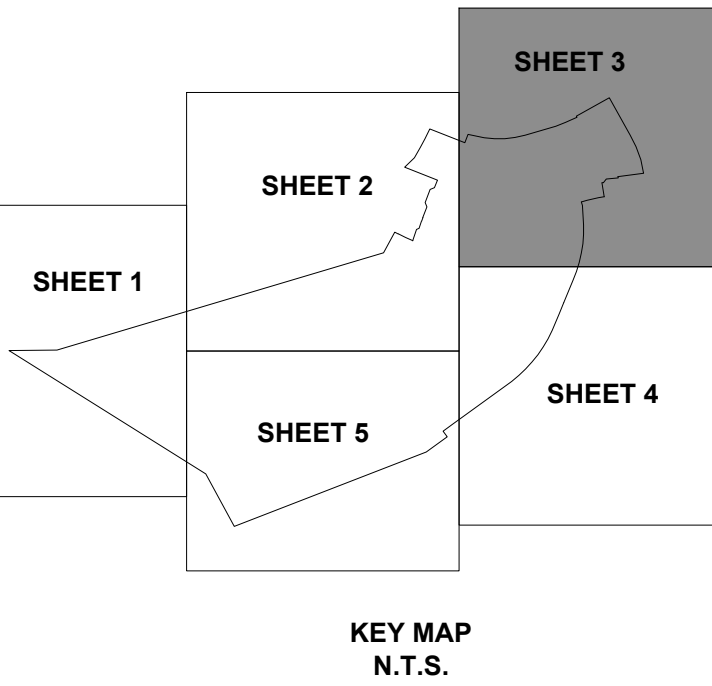
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OWNER:

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Arlington, TX 76006

APPLICANT:

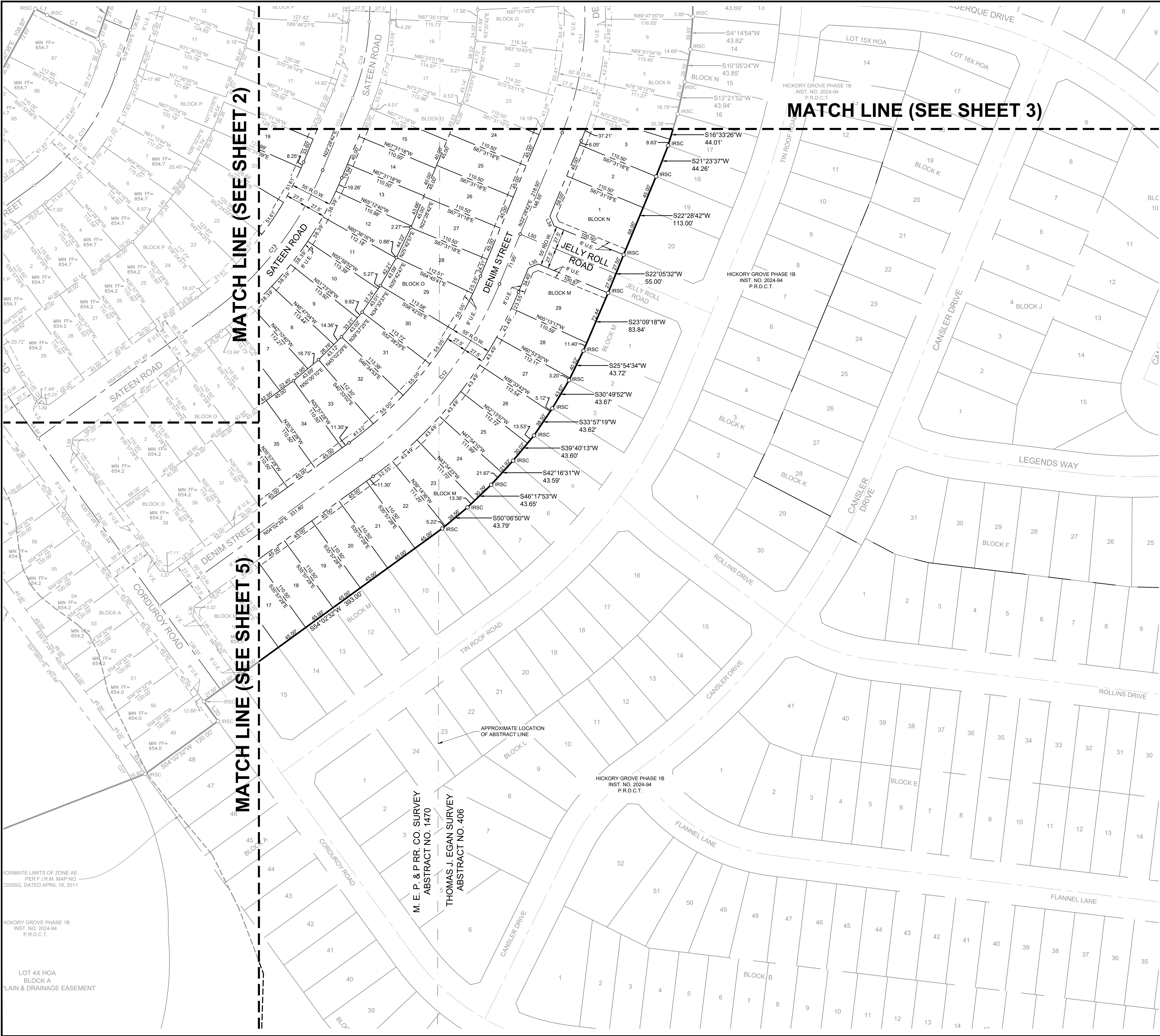
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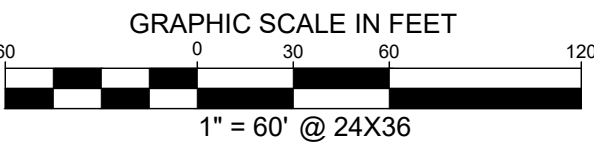
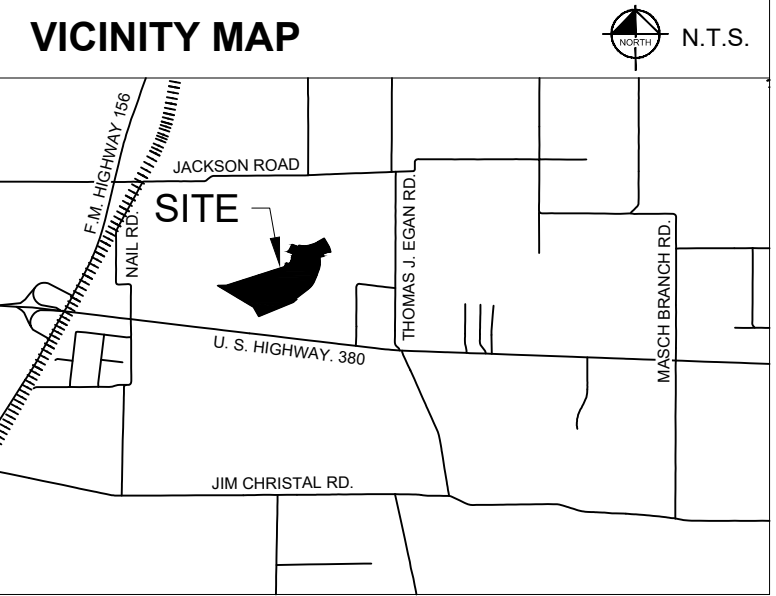
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MATCH LINE (SEE SHEET 4)

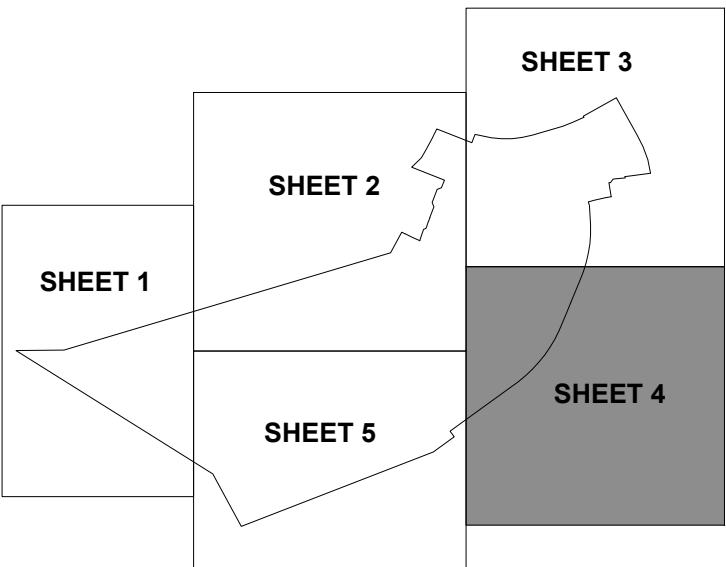
MATCH LINE (SEE SHEET 2)



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KEY MAP
N.T.S.

FINAL PLAT HICKORY GROVE, PHASE 2

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OWNER:

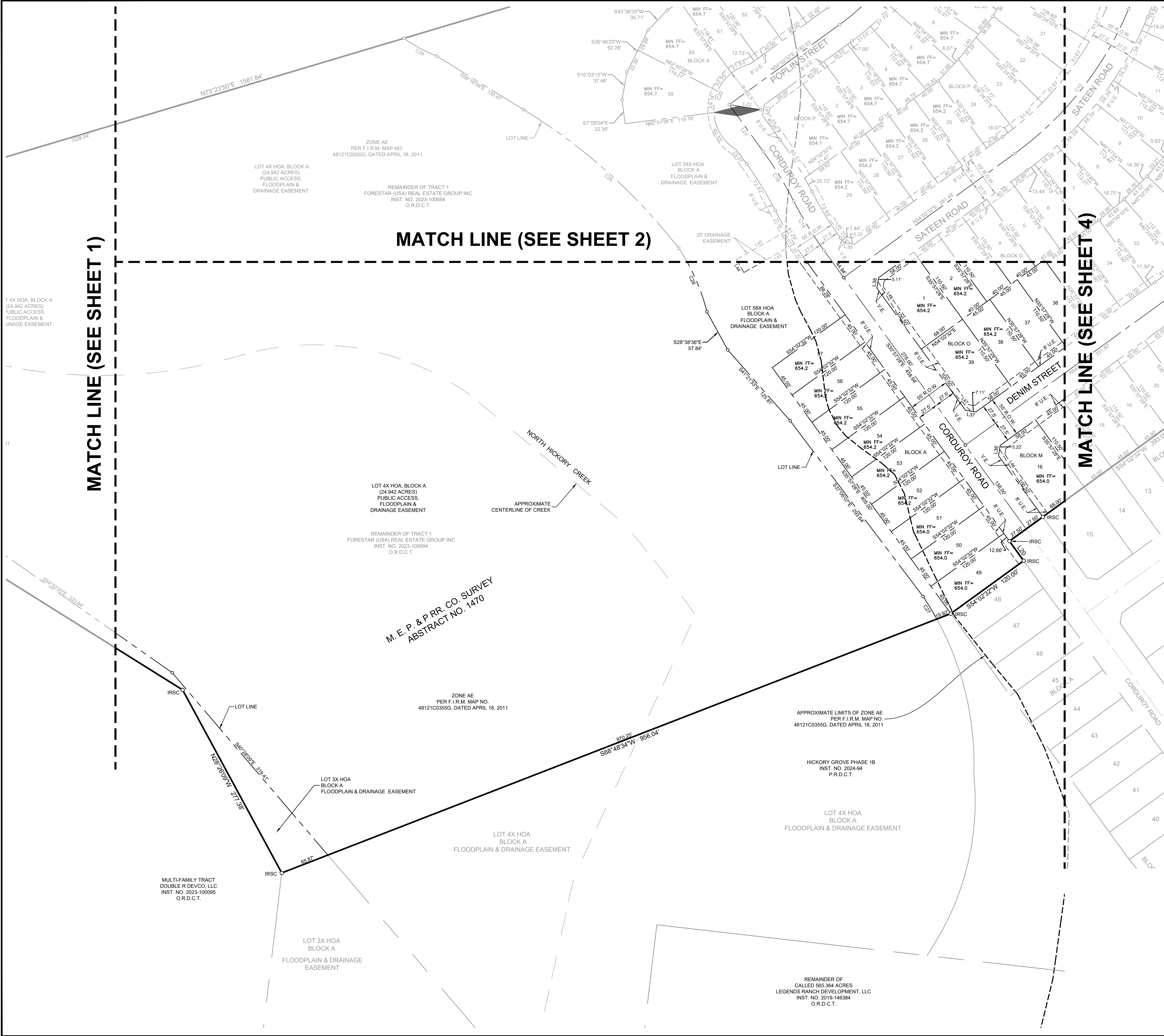
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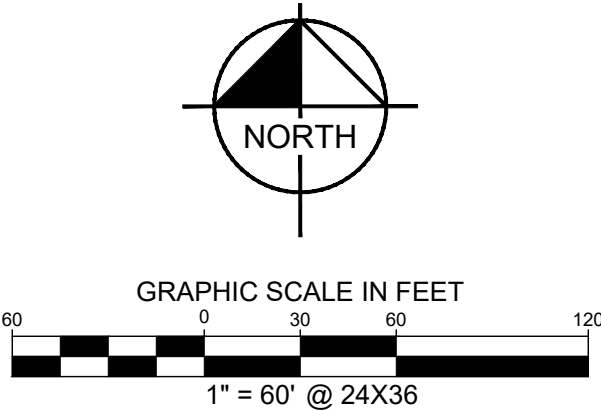
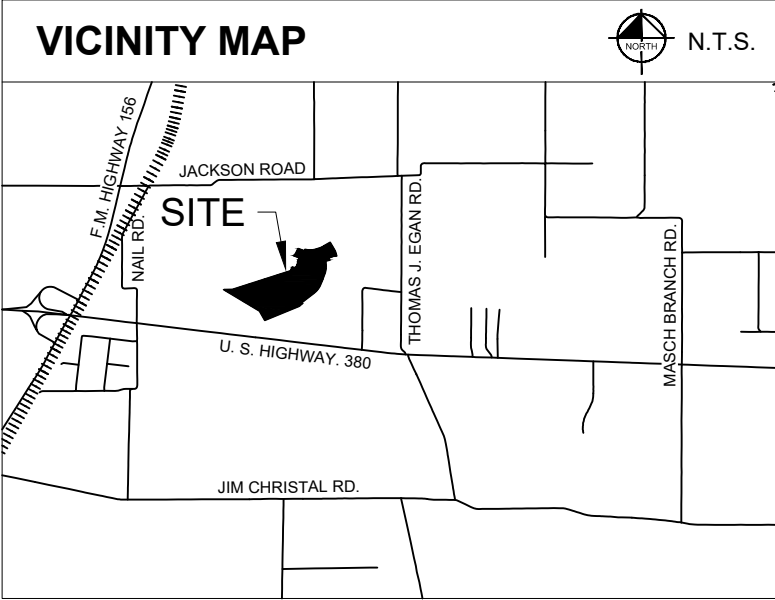
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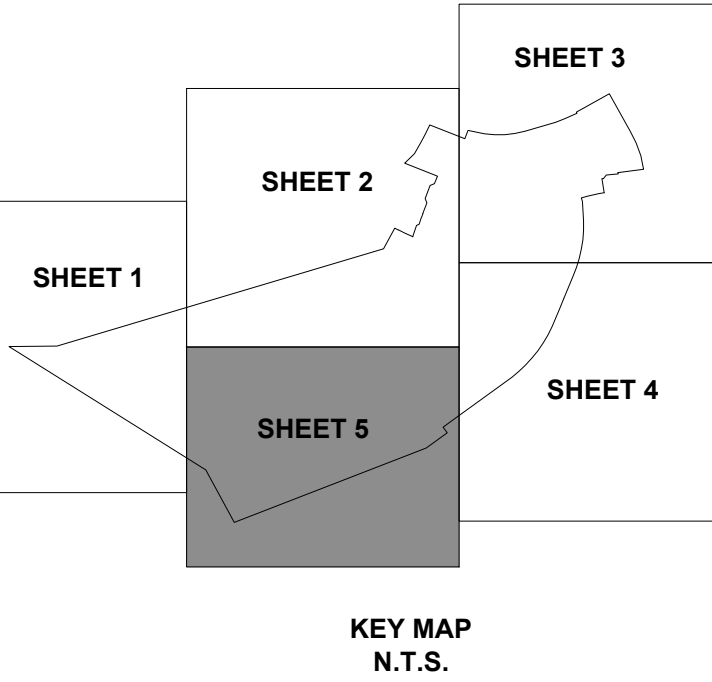
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	STREET NAME CHANGE
U.E.	UTILITY EASEMENT
S.W.E.	SIDEWALK EASEMENT
W.E.	WATER EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
V.E.	VEHICLE EASEMENT
→	UTILITY POLE
○	PROPERTY CORNER SYMBOL
○ W.	RIGHT-OF-WAY



SEE SHEET 6 FOR LINE & CURVE TABLES & LOT AREA TABLE



FINAL PLAT
HICKORY GROVE, PHASE 2

BLOCK A, LOTS 3X, 4X, 49-57, 58X & 59-67; BLOCK M, LOTS 16-29;
BLOCK N, LOTS 1-8 & 9X; BLOCK O, LOTS 1-39;
BLOCK P, LOTS 1-13, 14X & 15-29; BLOCK R, LOTS 1-13 & 14X;
BLOCK S, LOTS 8-17; BLOCK T, LOTS 124-130;
BLOCK V, LOTS 14-17

141 RESIDENTIAL LOTS
8 HOA LOTS

52.638 ACRES
OUT OF THE
THOMAS EAGAN SURVEY, ABSTRACT NO. 406, M.E.P. & P. RR. CO.
SURVEY ABSTRACT NO. 1470; WILLIAM DAVIS SURVEY, ABSTRACT NO.
374 & THOMAS POLK SURVEY, ABSTRACT NO. 998
CITY OF DENTON E.T.J., DENTON COUNTY, TEXAS
CITY PROJECT #FP24-0009
APRIL 2024

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822

Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	JCC	KHA	APRIL 2024	068517166	5 OF 7

OWNER:
Forestar (USA) Real Estate Group, Inc.
2221 E. Lamar Blvd., Suite 790
Arlington, TX 76006

APPLICANT:
Kimley-Horn & Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (469) 576-1056
Contact: Thomas L. Fletcher, P.E.

SURVEYOR:
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (972) 335-3580
Contact: Michael Marx, RPLS

LOT TABLE			LOT TABLE			LOT TABLE			LOT TABLE			LOT TABLE			LOT TABLE		
LOT NO.	ACRES	SQ. FT.	LOT NO.	ACRES	SQ. FT.	LOT NO.	ACRES	SQ. FT.	LOT NO.	ACRES	SQ. FT.	LOT NO.	ACRES	SQ. FT.	LOT NO.	ACRES	SQ. FT.
BLOCK A LOT 3X HOA	0.649	28,279	BLOCK M LOT 20	0.114	4,972	BLOCK O LOT 7	0.110	4,784	BLOCK P LOT 18	0.119	5,167	BLOCK R LOT 14X HOA	0.259	11,288			
BLOCK A LOT 4X HOA	23.355	1,017,326	BLOCK M LOT 21	0.114	4,972	BLOCK O LOT 8	0.111	4,852	BLOCK P LOT 19	0.120	5,214	BLOCK S LOT 8	0.166	7,234			
BLOCK A LOT 49	0.124	5,400	BLOCK M LOT 22	0.120	5,209	BLOCK O LOT 9	0.112	4,890	BLOCK P LOT 20	0.129	5,634	BLOCK S LOT 9	0.142	6,192			
BLOCK A LOT 50	0.124	5,400	BLOCK M LOT 23	0.122	5,318	BLOCK O LOT 10	0.112	4,885	BLOCK P LOT 21	0.128	5,587	BLOCK S LOT 10	0.136	5,935			
BLOCK A LOT 51	0.124	5,400	BLOCK M LOT 24	0.123	5,343	BLOCK O LOT 11	0.111	4,836	BLOCK P LOT 22	0.126	5,496	BLOCK S LOT 11	0.132	5,768			
BLOCK A LOT 52	0.124	5,400	BLOCK M LOT 25	0.123	5,361	BLOCK O LOT 12	0.110	4,774	BLOCK P LOT 23	0.123	5,358	BLOCK S LOT 12	0.134	5,849			
BLOCK A LOT 53	0.124	5,400	BLOCK M LOT 26	0.124	5,386	BLOCK O LOT 13	0.105	4,581	BLOCK P LOT 24	0.109	4,755	BLOCK S LOT 13	0.143	6,225			
BLOCK A LOT 54	0.124	5,400	BLOCK M LOT 27	0.123	5,358	BLOCK O LOT 14	0.101	4,420	BLOCK P LOT 25	0.101	4,420	BLOCK S LOT 14	0.143	6,217			
BLOCK A LOT 55	0.124	5,400	BLOCK M LOT 28	0.122	5,305	BLOCK O LOT 15	0.101	4,420	BLOCK P LOT 26	0.101	4,420	BLOCK S LOT 15	0.143	6,221			
BLOCK A LOT 56	0.124	5,400	BLOCK M LOT 29	0.177	7,710	BLOCK O LOT 16	0.112	4,859	BLOCK P LOT 27	0.101	4,420	BLOCK S LOT 16	0.143	6,218			
BLOCK A LOT 57	0.124	5,400	BLOCK N LOT 1	0.171	7,464	BLOCK O LOT 17	0.116	5,038	BLOCK P LOT 28	0.101	4,420	BLOCK S LOT 17	0.234	10,188			
BLOCK A LOT 58X HOA	2.515	109,566	BLOCK N LOT 2	0.114	4,972	BLOCK O LOT 18	0.145	6,334	BLOCK P LOT 29	0.165	7,184	BLOCK T LOT 124	0.138	6,000			
BLOCK A LOT 59	0.182	7,914	BLOCK N LOT 3	0.122	5,314	BLOCK O LOT 19	0.209	9,111	BLOCK P LOT 5	0.116	5,050	BLOCK T LOT 125	0.138	6,000			
BLOCK A LOT 60	0.161	7,011	BLOCK N LOT 4	0.124	5,393	BLOCK O LOT 20	0.199	8,680	BLOCK P LOT 6	0.116	5,068	BLOCK T LOT 126	0.138	6,000			
BLOCK A LOT 61	0.109	4,739	BLOCK N LOT 5	0.125	5,455	BLOCK O LOT 21	0.136	5,933	BLOCK P LOT 7	0.119	5,188	BLOCK T LOT 127	0.138	6,000			
BLOCK A LOT 62	0.110	4,801	BLOCK N LOT 6	0.129	5,600	BLOCK O LOT 22	0.136	5,910	BLOCK P LOT 8	0.122	5,296	BLOCK T LOT 128	0.147	6,407			
BLOCK A LOT 63	0.110	4,804	BLOCK N LOT 7	0.131	5,724	BLOCK O LOT 23	0.128	5,560	BLOCK P LOT 9	0.118	5,142	BLOCK T LOT 129	0.152	6,641			
BLOCK A LOT 64	0.113	4,931	BLOCK N LOT 8	0.181	7,886	BLOCK O LOT 24	0.114	4,972	BLOCK P LOT 10	0.113	4,909	BLOCK T LOT 130	0.152	6,641			
BLOCK A LOT 65	0.130	5,656	BLOCK N LOT 9X HOA	0.066	2,865	BLOCK O LOT 25	0.114	4,972	BLOCK P LOT 11	0.115	4,988	BLOCK V LOT 14	0.140	6,104			
BLOCK A LOT 66	0.126	5,468	BLOCK O LOT 1	0.171	7,464	BLOCK O LOT 26	0.114	4,973	BLOCK P LOT 12	0.114	4,969	BLOCK V LOT 15	0.146	6,357			
BLOCK A LOT 67	0.181	7,865	BLOCK O LOT 2	0.101	4,420	BLOCK O LOT 27	0.114	4,973	BLOCK P LOT 13	0.165	7,172	BLOCK V LOT 16	0.154	6,692			
BLOCK M LOT 16	0.171	7,464	BLOCK O LOT 3	0.101	4,420	BLOCK O LOT 28	0.120	5,236	BLOCK P LOT 14X HOA	0.135	5,887	BLOCK V LOT 17	0.200	8,692			
BLOCK M LOT 17	0.114	4,972	BLOCK O LOT 4	0.101	4,420	BLOCK O LOT 29	0.128	5,564	BLOCK P LOT 15	0.160	6,963	BOUNDARY	52.638	2,292,904			
BLOCK M LOT 18	0.114	4,972	BLOCK O LOT 5	0.101	4,420	BLOCK O LOT 30	0.128	5,590	BLOCK P LOT 16	0.174	7,585	ROW DEDICATION	7.006	305,167			
BLOCK M LOT 19	0.114	4,972	BLOCK O LOT 6	0.104	4,531	BLOCK O LOT 31	0.128	5,586	BLOCK P LOT 17	0.124	5,409						

LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	S62°37'10"E	17.76'	L31	N46°12'29"E	21.65'
L2	N18°23'19"E	55.20'	L32	S59°35'01"E	21.48'
L3	N65°46'03"E	13.54'	L33	S29°25'08"W	21.48'
L4	N18°23'05"E	35.02'	L34	S22°31'18"E	14.14'
L5	N21°23'00"E	53.54'	L35	N67°28'42"E	14.14'
L6	N22°24'42"W	21.65'	L36	S09°02'32"W	14.14'
L7	N67°41'23"E	21.67'	L37	N80°57'28"W	14.14'
L8	N21°23'00"E	38.04'	L38	S09°02'32"W	14.14'
L9	N21°23'00"E	41.29'	L39	S80°57'28"E	14.14'
L10	S78°28'30"E	76.62'	L40	N38°42'54"E	42.82'
L11	S84°54'33"E	47.91'	L41	N09°02'32"E	14.14'
L12	N89°56'34"E	47.90'	L42	S24°21'41"E	14.69'
L13	N83°33'23"E	47.91'	L43	S60°18'08"W	77.48'
L14	N77°27'39"E	47.90'	L44	N29°41'52"W	20.00'
L15	N65°49'47"E	58.31'	L45	N60°18'08"E	76.82'
L16	N29°10'13"W	6.32'	L46	S31°01'50"E	73.48'
L17	S38°13'59"W	21.61'	L47	N43°01'11"W	40.43'
L18	S08°50'31"E	65.00'	L48	S31°00'56"E	74.13'
L19	S16°18'48"E	16.72'	L49	N41°02'16"W	52.97'
L20	S35°57'28"E	32.34'	L50	S67°31'18"E	138.19'
L21	N16°18'48"W	29.09'	L51	N71°59'23"E	117.48'
L22	N80°57'28"W	42.43'	L52	N13°53'58"E	56.92'
L23	S35°57'28"E	77.56'	L53	S26°45'07"W	92.01'
L24	S25°14'34"E	13.76'			
L25	N64°55'17"E	14.52'			
L26	N18°19'47"E	13.51'			
L27	S71°40'13"E	14.75'			
L28	S24°55'22"E	20.72'			
L29	N65°10'43"E	21.65'			
L30	S41°22'55"E	21.65'			

CURVE TABLE				
NO	DELTA	RADIUS	LENGTH	CHORD BEARING
C1	4°12'24"	1018.00'	74.74'	S64°43'22"E
C2	2°59'55"	327.50'	17.14'	N19°53'03"E
C3	1°01'42"	327.50'	5.88'	S06°57'15"E
C4	0°27'59"	832.50'	6.78'	S61°23'28"W
C5	8°00'30"	776.73'	108.57'	S77°07'49"W
C6	37°41'49"	605.00'	398.05'	S87°27'54"E
C7	7°51'25"	600.00'	82.28'	N69°45'29"E
C8	22°38'22"	300.00'	118.54'	N17°51'02"W
C9	40°45'56"	800.00'	569.20'	S85°55'50"E
C10	7°28'17"	800.00'	104.32'	S77°25'20"W
C11	38°47'30"	400.00'	270.82'	N03°04'57"E
C12	31°33'50"	548.00'	301.89'	N38°15'37"E
C13	31°33'50"	450.00'	247.90'	N38°15'37"E
C14	20°03'55"	300.00'	105.06'	N12°28'44"E
C15	2°59'55"	300.00'	15.70'	S19°53'03"W
C16	2°10'20"	990.50'	37.55'	S67°46'45"E
C17	35°39'27"	300.00'	186.70'	N36°12'49"E
C18	8°49'47"	500.00'	77.05'	N31°32'34"W
C19	8°49'47"	500.00'	77.05'	S31°32'34"E
C20	8°59'59"	847.50'	133.12'	S78°11'11"W
C21	35°36'09"	752.50'	467.59'	S88°30'44"E
C22	136°08'52"	62.50'	148.51'	S09°02'32"W
C23	1°56'16"	3213.98'	108.70'	S61°13'53"E
C24	15°40'27"	181.52'	49.66'	S61°27'26"E
C25	20°44'29"	769.71'	278.64'	N48°16'02"W
C26	19°33'23"	273.54'	93.36'	N23°51'46"W
C27	5°02'59"	399.37'	35.20'	N31°22'02"W

FINAL PLAT
HICKORY GROVE, PHASE 2
BLOCK A, LOTS 3X, 4X, 49-57, 58X & 59-67; BLOCK M, LOTS 16-29;
BLOCK N, LOTS 1-8 & 9X; BLOCK O, LOTS 1-39;
BLOCK P, LOTS 1-13, 14X & 15-29; BLOCK R, LOTS 1-13 & 14X;
BLOCK S, LOTS 8-17; BLOCK T, LOTS 124-130;
BLOCK V, LOTS 14-17

141 RESIDENTIAL LOTS
8 HOA LOTS

52.638 ACRES
OUT OF THE
THOMAS EAGAN SURVEY, ABSTRACT NO. 406, M.E.P. & P. RR. CO.
SURVEY ABSTRACT NO. 1470; WILLIAM DAVIS SURVEY, ABSTRACT NO. 998
374 & THOMAS POLK SURVEY, ABSTRACT NO. 998
CITY OF DENTON E.T.J., DENTON COUNTY, TEXAS
CITY PROJECT #FP24-0009
APRIL 2024

Kimley»Horn					
6160 Warren Parkway, Suite 210 Frisco, Texas 75034			Tel. No. (972) 335-3580 FIRM # 10193822 Fax No. (972) 335-3779		
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JCC	KHA	APRIL 2024	068517166	6 OF 7
OWNER: Forestar (USA) Real Estate Group, Inc. 2221 E. Lamar Blvd., Suite 790 Arlington, TX 76006					
APPLICANT: Kimley-Horn & Associates, Inc. 6160 Warren Pkwy, Suite 210 Frisco, TX 75034 Ph: (469) 576-1056 Contact: Thomas L. Fletcher, P.E.					
SURVEYOR: Kimley-Horn and Associates, Inc. 6160 Warren Pkwy, Suite 210 Frisco, TX 75034 Ph: (972) 335-3580 Contact: Michael Marx, RPLS					

OWNERS' CERTIFICATE

STATE OF TEXAS §
COUNTY OF DENTON §
CITY OF DENTON §

WHEREAS FORESTAR (USA) REAL ESTATE GROUP INC., is the sole owner of a tract of land situated in the M.E.P. & P. RR. CO. Survey, Abstract No. 1470, the Thomas J. Egan Survey, Abstract No. 406, the Thomas Polk Survey, Abstract No. 998 and the William Davis Survey, Abstract No. 374, City of Denton E.T.J., Denton County, Texas, and being a portion of a tract of land described as Tract 1 in a deed to Forestar (USA) Real estate Group, Inc., recorded in Instrument No. 2023-100094 of the Official Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at a 2 inch iron pipe found on the southerly line of a called 43.92 acre tract of land described in a Special Warranty Deed with Vendor's Lien to Jan K. Bradley, recorded in County Clerk's File No. 93-R0091889 of the Official Records of Denton County, Texas, for the northeast corner of a called 30.470 acre tract of land described in a Warranty Deed with Vendor's Lien to Larry L. Bailey and spouse, Patricia L. Bailey, recorded in Volume 5409, Page 4755 of the Deed Records of Denton County, Texas, and the northwest corner of a tract of land described as Multi-Family Tract in a deed to Double R Devco, LLC, recorded in Instrument No. 2023-100095 of the Official Records of Denton County, Texas;

THENCE North 89°27'40" East, along the southerly line of said 43.92 acre tract and along the northerly line of said Multi-Family Tract, a distance of 1,075.88 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northernmost northeast corner of said Multi-Family Tract, common to the westernmost northwest corner of said Tract 1 and being the POINT OF BEGINNING of the herein described tract of land;

THENCE North 89°27'40" East, continuing along the southerly line of said 43.92 acre tract and along the northerly line of said Tract 1, a distance of 223.33 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southeast corner of said 43.92 acre tract, common to the southernmost corner of a tract of land described as Residential Tract in a deed to Double R Devco, recorded in Instrument No. 2023-100095 of the Official Records of Denton County, Texas, same being an angle point in the northerly line of said Tract 1;

THENCE along the common line of said Residential Tract and said Tract 1, the following courses and distances:

- North 73°23'00" East, a distance of 1,581.84 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 28°30'38" East, a distance of 108.97 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 62°37'10" East, a distance of 17.76 feet to a 5/8 inch the beginning of a tangent curve to the left with a radius of 1,018.00 feet, a central angle of 04°12'24", and a chord bearing and distance of South 64°43'22" East, 74.72 feet;
- In a southeasterly direction, with said tangent curve to the left, an arc distance of 74.74 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 18°23'19" East, a distance of 55.20 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 65°46'03" East, a distance of 13.54 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 18°23'05" East, a distance of 35.02 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the right with a radius of 327.50 feet, a central angle of 02°59'55", and a chord bearing and distance of North 19°53'03" East, 17.14 feet;
- In a northeasterly direction, with said tangent curve to the right, an arc distance of 17.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 21°23'00" East, a distance of 53.54 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 22°24'42" West, a distance of 21.65 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 20°47'02" East, a distance of 65.13 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 67°41'23" East, a distance of 21.67 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 21°23'00" East, a distance of 38.04 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 68°37'00" West, a distance of 163.30 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 45°28'28" East, a distance of 63.31 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 29°36'22" East, a distance of 55.31 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 28°11'02" East, a distance of 45.58 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 26°07'48" East, a distance of 50.17 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 68°37'00" East, a distance of 175.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 21°23'00" East, a distance of 41.29 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 78°28'30" East, a distance of 76.62 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 84°54'33" East, a distance of 47.91 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 89°56'34" East, a distance of 47.90 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 83°33'23" East, a distance of 47.91 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 77°27'39" East, a distance of 47.90 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 73°41'12" East, a distance of 148.82 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 68°25'34" East, a distance of 48.03 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 65°49'47" East, a distance of 58.31 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 29°10'13" West, a distance of 6.32 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 60°49'47" East, a distance of 175.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 29°10'13" East, a distance of 200.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 22°22'27" East, a distance of 59.07 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 19°50'04" East, a distance of 64.33 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 11°35'26" East, a distance of 64.33 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner in the northerly line of Hickory Grove Phase 1A, an addition to the City of Denton, Denton County, Texas according to the Final Plat thereof recorded in Instrument No. 2024-34 of the Plat Records of Denton County, Texas, same being a common angle point in the northerly line of said Tract 1 and the southerly line of said Residential Tract;

THENCE along the northerly line of said Hickory Grove Phase 1A, the following courses and distances:

- South 82°31'54" West, a distance of 120.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the right with a radius of 327.50 feet, a central angle of 01°01'42", and a chord bearing and distance of South 06°57'15" East, 5.88 feet;
- In a southeasterly direction, with said non-tangent curve to the right, an arc distance of 5.88 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 84°32'59" West, a distance of 55.01 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 38°13'59" West, a distance of 21.61 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the left with a radius of 832.50 feet, a central angle of 00°27'59", and a chord bearing and distance of South 81°23'28" West, 6.78 feet;
- In a southwesterly direction, with said non-tangent curve to the left, an arc distance of 6.78 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 08°50'31" East, a distance of 65.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for a northwest corner of said Hickory Grove Phase 1A, same being on the northerly line of Hickory Grove Phase 1B, an addition to the City of Denton, Denton County, Texas according to the Final Plat thereof recorded in Instrument No. _____ of the Plat Records of Denton County, Texas, same also being at the beginning of a non-tangent curve to the left with a radius of 776.73 feet, a central angle of 08°00'30", and a chord bearing and distance of South 77°07'49" West, 108.48 feet;

THENCE in a southwesterly direction, along the northerly line of said Hickory Grove Phase 1B, with said non-tangent curve to the left, an arc distance of 108.57 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Hickory Grove Phase 1B;

THENCE along the westerly line of said Hickory Grove Phase 1B, the following courses and distances:

- South 16°18'48" East, a distance of 16.72 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 03°37'12" East, a distance of 91.10 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 00°00'17" East, a distance of 43.69 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 04°14'54" West, a distance of 43.82 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 10°05'24" West, a distance of 43.85 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 12°21'52" West, a distance of 43.94 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 16°33'26" West, a distance of 44.01 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 21°23'37" West, a distance of 44.26 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 22°28'42" West, a distance of 113.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 22°05'32" West, a distance of 55.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 23°09'18" West, a distance of 83.84 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 25°54'34" West, a distance of 43.72 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 30°49'52" West, a distance of 43.67 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 33°57'19" West, a distance of 43.62 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 39°40'13" West, a distance of 43.60 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 42°16'31" West, a distance of 43.59 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 46°17'53" West, a distance of 43.65 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 50°06'50" West, a distance of 43.79 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 54°02'32" West, a distance of 393.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 35°57'28" East, a distance of 32.34 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 54°02'32" West, a distance of 120.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 68°48'34" West, a distance of 956.04 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the westernmost northwest corner of said Hickory Grove Phase 1B, common to the easternmost northeast corner of aforementioned Multi-Family Tract, same being on the westerly line of said Tract 1;

THENCE North 28°26'09" West, along the common line of said Multi-Family Tract and said Tract 1, a distance of 277.38 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE North 57°57'11" West, continuing along the common line of said Multi-Family Tract and said Tract 1, a distance of 1,078.59 feet to the POINT OF BEGINNING and containing 52.638 acres (2,292,904 square feet) of land, more or less.

OWNER'S DEDICATION

STATE OF TEXAS §
COUNTY OF DENTON §

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, Forestar (USA) Real Estate Group Inc., does hereby adopt this plat designating the herein described property as HICKORY GROVE, PHASE 2, an addition in Denton County, Texas, and do hereby dedicate to the public use forever, the right-of-ways, the streets, alleys, and easements for drainage and utilities shown thereon.

Any public utility shall have the right to remove and keep removed all or part of any building, fence, trees, shrubs or other growths or improvements which in any way endangers or interferes with the construction, maintenance, or efficiency of its respective systems on any of these easement strips, and any public utility shall, at all times, have the right of ingress and egress to and from and upon the said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time procuring permission of anyone.

FLOODWAY, DRAINAGE AND DETENTION EASEMENTS

This plat is hereby adopted by the owner and approved by the City of Denton (called "City") subject to the following conditions that shall be binding upon the owners, their heirs, grantees, and successors. The Drainage and Detention Easement within the limits of this addition shall remain open at all times and will be maintained in a safe and sanitary condition by the owners of the lot or lots that are traversed by or adjacent the Drainage and Detention Easement. The City will not be responsible for the maintenance and operation of said easement or for any damage to private property or person that results from conditions in the easement, or for the control of erosion. No obstruction to the natural flow of storm water run-off shall be permitted by construction of any type of building, fence, or any other structure within the Drainage and Detention Easement, as herein above defined, unless approved by the City. The owners shall keep the Drainage and Detention Easement clear and free of debris, silt, and any substance that would result in unsanitary conditions or obstruct the flow of water. The City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance by the owners to alleviate any undesirable conditions that may occur. Furthermore, the City shall have the right, but not the obligation, to enter upon the above-described Drainage and Detention Easement to remove any obstruction to the flow of water, after giving the owners written notice of such obstruction and owners fail to remove such obstruction. Should the City of Denton be compelled to remove any obstruction to the flow of water, after giving written notice of such obstruction and owners fail to remove such obstruction, the City of Denton shall be reimbursed by the owners for reasonable costs for labor, materials, and equipment for each instance. The natural drainage through the Drainage and Detention easement is subject to storm water overflow and natural bank erosion to an extent that cannot be definitely defined. The City shall not be held liable for any damages of any damages of any nature resulting from the occurrence of these natural phenomena or resulting from the failure of any structure or structures, within the easement or otherwise.

WITNESS MY HAND, this _____ day of _____, 2024.

BY: **Forestar (USA) Real Estate Group Inc.**
a Delaware corporation

TITLE

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the _____ day of _____, 20____.

Notary Public, State of Texas

My Commission Expires: _____

GENERAL NOTES:

- All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone 4202, using the City of Denton control monumentation. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.999849393.
- Selling a portion of this addition by metes and bounds is a violation of City ordinance and state laws and is subject to fines and withholding of utilities and building permits.
- All corners are 5/8-inch iron rods with a red plastic cap stamped "KHA" set, unless otherwise noted
- According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48121C0355G, for Denton County, Texas and incorporated areas, dated April 18, 2011, this property is located within:

Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain"

Zone A defined as "Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood (No Base Flood Elevations determined)"

One LOMR (Letter of Map Revision), Case No. 13-06-3803P, effective July 28, 2014 was observed which encompasses of the subject property.
- IMPORTANT NOTICE: THE CITY OF DENTON HAS ADOPTED THE NATIONAL ELECTRICAL SAFETY CODE (THE "CODE"), THE CODE GENERALLY PROHIBITS STRUCTURES WITHIN 17.5 FEET ON EITHER SIDE OF THE CENTER LINE OF OVERHEAD DISTRIBUTION LINES AND WITHIN 37.5 FEET ON EITHER SIDE OF THE CENTERLINE OF OVERHEAD TRANSMISSION LINES. IN SOME INSTANCES THE CODE REQUIRES GREATER CLEARANCES. BUILDING PERMITS WILL NOT BE ISSUED FOR STRUCTURES WITHIN THESE CLEARANCE AREAS. CONTACT THE BUILDING OFFICIAL WITH SPECIFIC QUESTIONS.
- All lots labeled "HOA" are to be owned and maintained by the Homeowner's Association. (Block A, LOTS 3X, 4X, & 58X; BLOCK N, LOT 9X; BLOCK P, LOT 14X; BLOCK R, LOT 14X; BLOCK T, LOTS 132X&57X)
- Lot 4X HOA, Block A and Lot 57X HOA, Block T are dedicated to the City of Denton as Public Access Easements for use by the public for the purpose of walking, running, hiking, biking, or traversing over, upon and across, and otherwise using recreational trails on the areas clearly marked for public trails, and for use by City of Denton for the purpose of location, placement, relocation, construction, operation, enlargement, maintenance, alteration, repair, rebuilding, removal, public use, and patrol of clearly marked public recreational trail facilities, public trail materials, and related appurtenances, equipment, and signage.
- Floodplain Easement within the limits of this addition shall remain open at all times and will be maintained in a safe and sanitary condition by the owners of the lot or lots that are traversed by or adjacent to the Floodplain Easement. The City will not be responsible for the maintenance and operation of said easement or for any damage to private property or person that results from conditions in the easement, or for the control of erosion. No obstruction to the natural flow of storm water run-off shall be permitted by construction of any type of building, fence or any other structure within the Floodplain Easement, as herein above defined, unless approved by the City. The owners shall keep the Floodplain Easement clear and free of debris, silt, and any substance that would result in unsanitary conditions or obstruct the flow of water. The City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance by the owners to alleviate any undesirable conditions that may occur. Furthermore, the City shall have the right, but not the obligation, to enter upon the above described Floodplain Easement to remove any obstruction to the flow of water, after giving the owners written notice of such obstruction and owners fail to remove such obstruction. Should the City of Denton be compelled to remove any obstruction to the flow of water, after giving the owners written notice of such obstruction and owners fail to remove such obstruction, the City of Denton shall be reimbursed by the owners for reasonable costs for labor, materials, and equipment for each instance. The natural drainage through the Floodplain Easement is subject to storm water overflow and natural bank erosion to an extent that cannot be definitely defined. The City shall not be held liable for any damages to any nature resulting from the occurrence of these natural phenomena or resulting from the failure of any structure or structures, within the easement or otherwise.
- The site will be served through City of Denton water/ sewer.
- Private improvements cannot encroach into existing public or private easements.
- Vertical Datum of Finish Floor is NAVD 88.
- The purpose of this plat is to create 149 lots.

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, Michael B. Marx, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision regulations of the City of Denton, Texas.

Michael B. Marx
Registered Professional Land Surveyor No. 5181
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, Texas 75034
Phone 972-335-3580

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Michael B. Marx, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2024.

Notary Public, State of Texas

My Commission Expires: _____

APPROVED BY THE PLANNING & ZONING COMMISSION

ON THIS THE _____ DAY OF _____, 20____

CHAIRPERSON, PLANNING AND ZONING COMMISSION

CITY SECRETARY

FINAL PLAT

HICKORY GROVE, PHASE 2

BLOCK A, LOTS 3X, 4X, 49-57, 58X & 59-67; BLOCK M, LOTS 16-29;
BLOCK N, LOTS 1-8 & 9X; BLOCK O, LOTS 1-39;
BLOCK P, LOTS 1-13, 14X & 15-29; BLOCK R, LOTS 1-13 & 14X;
BLOCK S, LOTS 8-17; BLOCK T, LOTS 124-130;
BLOCK V, LOTS 14-17

141 RESIDENTIAL LOTS
8 HOA LOTS

52.638 ACRES

OUT OF THE

THOMAS EAGAN SURVEY, ABSTRACT NO. 406, M.E.P. & P. RR. CO.
SURVEY ABSTRACT NO. 1470; WILLIAM DAVIS SURVEY, ABSTRACT NO.

374 & THOMAS POLK SURVEY, ABSTRACT NO. 998
CITY OF DENTON E.T.J., DENTON COUNTY, TEXAS

CITY PROJECT #FP24-0009
APRIL 2024

Kimley»Horn					
6160 Warren Parkway, Suite 210 Frisco, Texas 75034			Tel. No. (972) 335-3580 Fax No. (972) 335-3779		
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JCC	KHA	APRIL 2024	068517166	7 OF 7
OWNER: Forestar (USA) Real Estate Group, Inc. 2221 E. Lamar Blvd., Suite 790 Arlington, TX 76006					
APPLICANT: Kimley-Horn & Associates, Inc. 6160 Warren Pkwy, Suite 210 Frisco, TX 75034 Ph: (469) 576-1056 Contact: Thomas L. Fletcher, P.E.					
SURVEYOR: Kimley-Horn and Associates, Inc. 6160 Warren Pkwy, Suite 210 Frisco, TX 75034 Ph: (972) 335-3580 Contact: Michael Marx, RPLS					



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: V24-0001, Version: 1

AGENDA CAPTION

Consider a subdivision variance request by CB Green Investments, LLC from the 2019 City of Denton Development Code, Section 8.3.2.E.3 regarding the length of a flagpole portion of a lot. The variance will allow for a flag drive that is 600 feet in length. The approximately 10-acre site is generally located on the West side of Hilltop Road, approximately 740 feet north of E. Hickory Hill Road, in Denton County, Texas, within the City of Denton Division 1 Extraterritorial Jurisdiction (ETJ). (V24-0001, Areloegbe World, Bryce Van Arsdale).



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: Cassey Ogden

DATE: April 24, 2024

SUBJECT

Consider a subdivision variance request by CB Green Investments, LLC from the 2019 City of Denton Development Code, Section 8.3.2.E.3 regarding the length of a flagpole portion of a lot. The variance will allow for a flag drive that is 600 feet in length. The approximately 10-acre site is generally located on the West side of Hilltop Road, approximately 740 feet north of E. Hickory Hill Road, in Denton County, Texas, within the City of Denton Division 1 Extraterritorial Jurisdiction (ETJ). (V24-0001, Areloegbe World, Bryce Van Arsdale).

BACKGROUND

CBB Green Investments, LLC, property owners, are requesting a variance from Section 8.3.2.E.3 of the Denton Development Code, which states: "The length of the flagpole portion of the lot shall not exceed 300 feet and shall comply with all other standards and measurements of this DDC and other regulating agencies." The subject property is comprised of approximately 10 acres currently platted as a single lot and located in the southern portion of the City's ETJ off of Hilltop Road.

The requested variance is not associated with a plat as the applicant would like to acquire approval of this variance prior to applying for a replat of the property. Should the variance request be approved, the applicant intends to apply for a replat to subdivide the subject property into two lots, separating an existing church (located on proposed Lot 1R-1) from property that is currently used for the storage of recreational vehicles. Exhibit 4 shows the proposed lot configuration if the site is able to be replatted, with the flag pole portion called out in red. The applicant has configured the property in a manner which allows for access to the proposed Lot 1R-2 from Hilltop Drive via a flag drive. The property is bordered to the north and west by rural single-family land uses and to the south by industrial uses. The proposed layout of the lot meets all dimensional access requirements as set out in the DDC.

As part of the City of Denton's Division 1 Extraterritorial Jurisdiction the subject property is not subject to zoning regulations but is required to comply with DDC Subchapter 8, Subdivisions, which is applicable to land subdivision and platting. The proposed flagpole portion of the subject property takes access from Hilltop Road and is 75 feet wide. The lot configuration proposes a flagpole length of approximately 600 feet. DDC 8.3.2.E.3. requires the flagpole portion not exceed 300 feet and requires that the length is able to meet all requirements of regulating agencies.

Pursuant to DDC Section 2.8.7.B., the applicant has requested a variance from DDC Sections 8.3.2.E.3 as described above due to the conditions on the property.

A full Staff Analysis is provided in Exhibit 2.

OPTIONS

1. Approve as submitted.
2. Approve subject to conditions.
3. Deny with reasons.

RECOMMENDATION

Staff recommends approval of this request as it meets the established requirements.

PUBLIC OUTREACH:

Public outreach is not required for this variance request.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

No prior action/review has been done by Council, a Board, or a Commission related to this variance request.

DEVELOPER ENGAGEMENT

No developer contact and/or meeting disclosures have been provided to staff as of the issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Variance Exhibit
5. LLC Members List

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/
Planning Director

Prepared by:
Bryce Van Arsdale
Assistant Planner

Planning Staff Analysis

V24-0001/Areloegbe World

Planning & Zoning Commission

REQUEST:

CB Green Investments, LLC from the 2019 City of Denton Development Code, Section 8.3.2.E.3 regarding the length of a flagpole portion of a lot. Specifically, the variance, if approved, will allow for a flag drive that is 600 feet in length.

SITE DATA:

The purpose of the proposed variance is to facilitate the replat of an approximately 10-acre lot generally located on the West side of Hilltop Road, approximately 740 feet north of E. Hickory Hill Road, in Denton County, Texas, within the City of Denton Division 1 Extraterritorial Jurisdiction (ETJ). The property is bordered to the west and north by rural single-family land uses and to the south by general office and outdoor recreational vehicle storage uses. The subject property is developed with a variety of structures and uses that include a church and recreational vehicle storage.

The proposed lot configuration would reconfigure the existing parcel boundaries to create an approximately 6.35-acre flag lot with a flag-pole length of approximately 600 feet and a flag-pole width of 75 feet. The flagpole portion would provide direct access onto Hilltop Road for the proposed lot. The remainder of the subject property would be an approximately 3.8222-acre lot and include the exiting church onsite. See Exhibit 4 for proposed lot configuration.

CONSIDERATIONS:

The City of Denton Development Code Section 2.8.7.B. states that any property owner seeking relief from standards contained within specific sections of Subchapters 7 and 8 as identified in 2.8.7.B. may request a subdivision variance from strict application of the Code when said variance would meet approval criteria specified in DDC 2.8.7.D. Subdivision variances are considered hardship variances and may be appropriate based on a finding that either unreasonable hardship or difficulties would result from strict compliance with the subdivision regulations, or the purposes of the regulations may be served to a greater extent by an alternative proposal. Furthermore, a subdivision variance may be approved so that substantial justice is done and the public interest is secured so long as the variance would not nullify the intent and purpose of the City's subdivision regulations.

The Planning and Zoning Commission shall review and determine the appropriateness of the proposed subdivision variance request based on the following criteria (DDC 2.8.7.D):

1. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;

If approved, the requested variance to allow for the increase in the maximum allowable length of the flagpole portion of a flag-lot is not anticipated to be detrimental to public safety. The proposed flagpole portion is 75 feet wide. The City of Denton Fire Department has reviewed and approved this variance.

2. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the subdivision regulations is carried out;

The proposed development would create a regularly shaped layout and lot design. Due to the significant depth of the property compared to its limited width (approximately 1,287 feet deep and 370 feet wide), as well as the existing church layout, it would be difficult to subdivide it in a way that would give all lots equal frontage on Hilltop Road. Therefore, staff has worked with the applicant to find the most amicable path forward to create the two lots desired. The manner in which this area has been divided and developed over time has created the unique lot configuration in the immediate area. The proposed lot meets the general character of the surrounding area.

3. The subdivision variance will not in any manner vary the provisions of the Comprehensive Plan, the Development Code, and the Denton Mobility Plan, except that those documents may be amended in the manner prescribed by law; and

If approved, the increase in the allowed length of the flagpole portion of the lot will not introduce design standards that are incompatible with the goals of the comprehensive plan or the DDC. The proposed variance would facilitate the subdivision of the property into two lots which are of a typical size in the rural areas within the City's ETJ. The proposed variance does not vary the provisions of the Denton 2040 Comprehensive Plan, the Denton Development Code, or the Mobility Plan except for the single standard described herein, which is eligible for variance as described in Section 2.8.7 of the DDC.

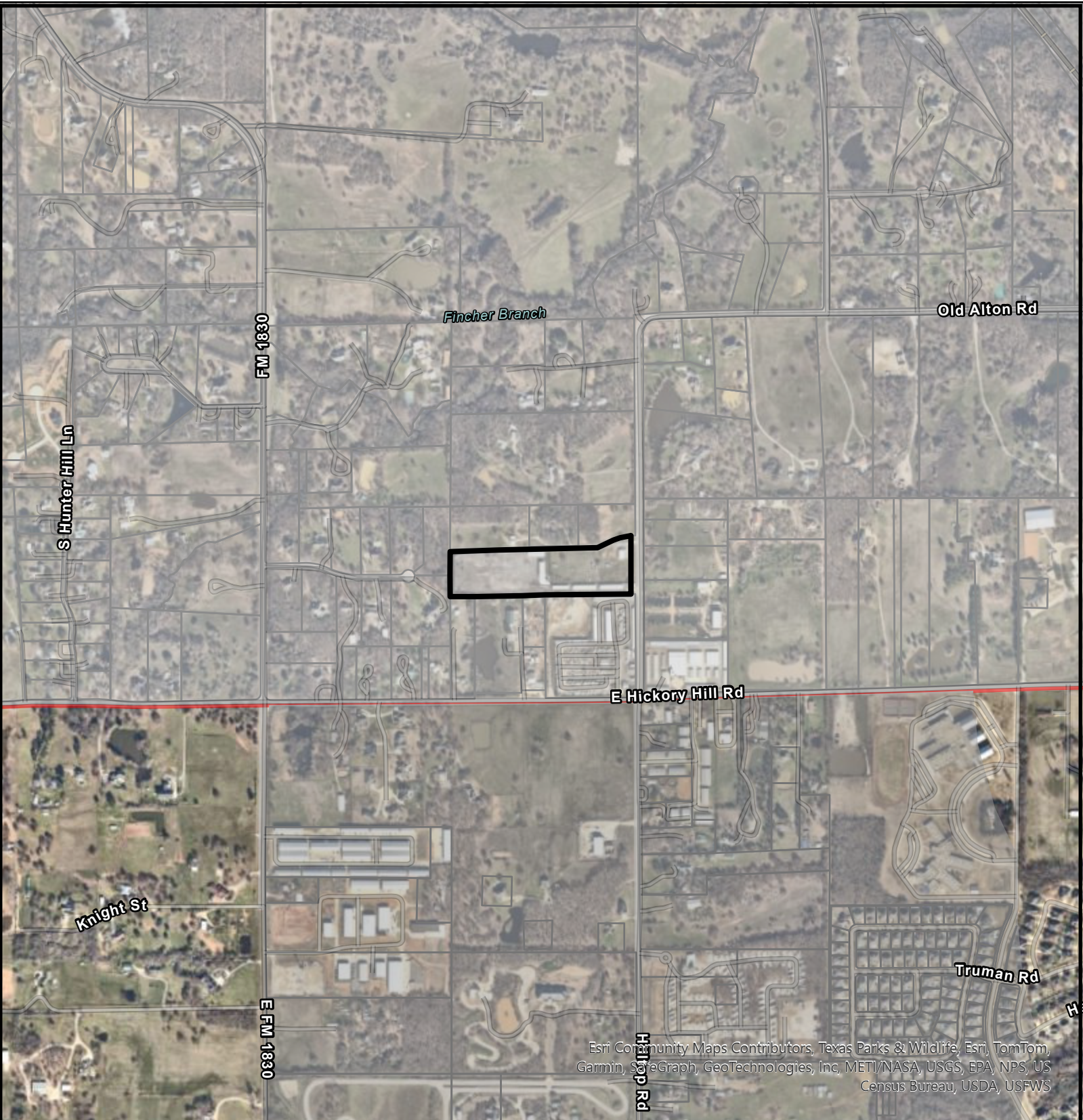
4. The special or peculiar conditions upon which the request is based did not result from or were not created by the act or commission of the owner or any prior owner, subsequent to the date of creation of the requirement from which a subdivision variance is sought.

The conditions associated with the configuration of the subject property and its sole access to Hilltop Road were not created by the owner after the date of the adoption of the subject regulations. While the parent tract is very deep and narrow, the proposed lots' shape is of a regular nature and meets all criteria as determined by DDC Subchapter 8, Subdivisions.

STAFF RECOMMENDATION:

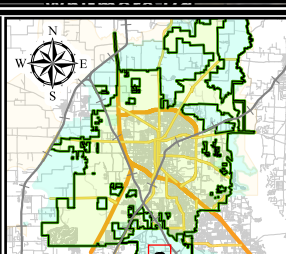
Staff recommends approval of the request as it is compatible with the surrounding property, is consistent with the overall goals and objectives of the subdivision requirements of the Denton Development Code, and meets the criteria for approval prescribed in Section 2.8.7 of the DDC.

V24-0001 Site Location



Esri Community Maps Contributors, Texas Parks & Wildlife, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

- Roads
- Parcels
- COD
- ETJ
- ETJ 2
- NAA 8/1/20
- NAA 8/1/40

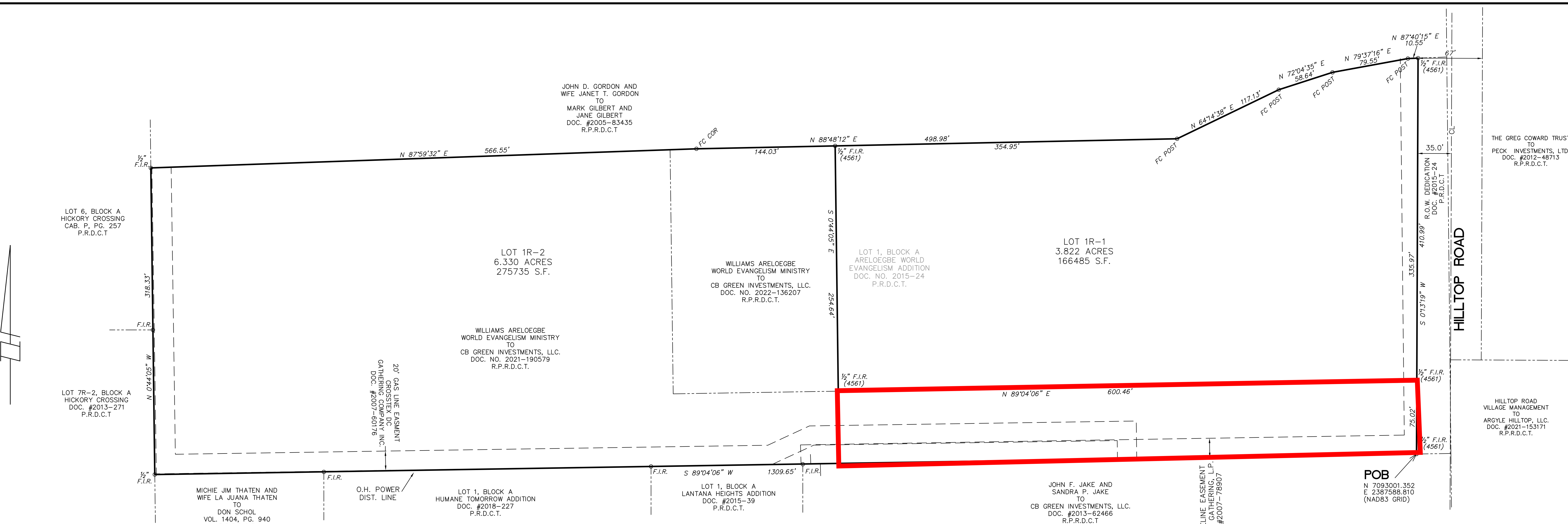


0 280 560 1,120
Feet

CITY OF DENTON
Development Services • GIS
Date: 4/17/2024

92
1 of 1

"This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Although every effort was made to ensure the accuracy of this data, no such guarantee is given or implied. Utilization of this map indicates the understanding that there is no guarantee to the accuracy of this data."



LEGEND
B.L. = BUILDING LINE
D.E. = DRAINAGE EASEMENT
F.I.R. = FOUND IRON ROD
S.I.R. = SET CAPPED 1/2" RPLS 4561 IRON ROD
P.U.E. = PUBLIC UTILITY EASEMENT
R.P.R.D.C.T. = REAL PROPERTY RECORDS DENTON COUNTY TEXAS
P.R.D.C.T. = PLAT RECORDS DENTON COUNTY TEXAS
POB = PLACE OF BEGINNING
R.O.W. = RIGHT OF WAY
C.E. = CLERK'S FILE
R = RADIUS
L = LENGTH
CD = CHORD DISTANCE
CB = CHORD BEARING
Δ = DELTA
CL = CENTERLINE OF ROAD
----- = PROPERTY LINE
----- = CENTER LINE OF ROAD
----- = EASEMENT LINE
----- = TRACT LINE

OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS
COUNTY OF DENTON;
WHEREAS WE, Williams Areloegbe World Evangelism Ministries and CB Green Investments are the owners of that certain lot, tract, or parcel of land situated in the S. Wofford Survey Abstract Number 1372 in Denton County, Texas, being all of Lot 1, Block A, Areloegbe World Evangelism Addition, an addition to Denton County, Texas according to the plat thereof recorded under Document Number 2015-24, Plat Records, Denton County, Texas and being more particularly described as follows:

BEGINNING at a capped 1/2" iron rod marked 4561 found for corner in the west line of Hilltop Road, a public roadway, and in the north of that certain tract of land conveyed by deed from John F. Jake and Sandra P. Jake to CB Green Investments, LLC recorded under Document Number 2013-62466, Real Property Records, Denton County, Texas;

THENCE S 89° 04' 06" W, 1309.65 feet with said north line of said CB Green Investments tract and with the north line of Lot 1, Block A, Lantana Heights Addition, an addition to Denton County, Texas according to the plat thereof recorded under Document Number 2015-39, Plat Records, Denton County, Texas and with the north line of Lot 1, Block A, Humane Tomorrow Addition, an addition to Denton County, Texas according to the plat thereof recorded under Document Number 2018-227, Plat Records, Denton County, Texas and with the north line of that certain tract of land conveyed by deed from Michie Jim Thaten and wife, La Juana Thaten to Don Schol recorded in Volume 1404, Page 940, Real Property Records, Denton County, Texas to a 1/2" iron rod found for corner in the east line of Lot 7R-2, Block A of Hickory Crossing, an addition to Denton County, Texas according to the plat thereof recorded under Document Number 2013-271, Plat Records, Denton County, Texas;

THENCE N 00° 44' 05" W, 318.33 feet with the east line of said Hickory Crossing to a 1/2" iron rod found for corner, said point being the southwest corner of that certain tract of land conveyed by deed from John D. Gordon and wife, Janet T. Gordon to Mark Gilbert and Jane Gilbert recorded under Document Number 2005-83435, Real Property Records, Denton County, Texas;

THENCE N 87° 59' 32" E, 566.55 feet with the south line of said Gilbert to a fence corner for corner;

THENCE N 88° 48' 12" E, 498.98 feet with said south line of said Gilbert tract to a fence corner for corner;
THENCE N 64° 14' 38" E, 117.13 feet with said south line of said Gilbert tract to a fence corner for corner;

THENCE N 72° 04' 35" E, 58.64 feet with said south line of said Gilbert tract to a fence corner for corner;

THENCE N 79° 37' 16" E, 79.55 feet with said south line of said Gilbert tract to a fence corner for corner;

THENCE N 87° 40' 15" E, 10.55 feet with said south line of said Gilbert tract to a 1/2" iron rod found for corner in said west line of said Hilltop Road;

THENCE S 01° 13' 19" W, 410.99 feet with said west line of said Hilltop Road to the PLACE OF BEGINNING and containing 10.152 acres or 442220 square feet of land.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS THAT WE the aforesaid do hereby adopt this plat designating the herein above tract as LOTS 1R-1 AND 1R-2, BLOCK A, WILLIAMS ARELOEGBE WORLD EVANGELISM ADDITION, BEING A REPLAT OF LOT 1, BLOCK A, WILLIAMS ARELOEGBE WORLD EVANGELISM ADDITION an addition to Denton County, Texas, and do hereby dedicate to the public use forever all utility easements, drainage easements, and streets as shown hereon. All and any public utilities shall have the full right to remove and keep removed all growths which may endanger or interfere with the construction, maintenance, or efficiency of its respective system on the utility easement for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at anytime of procuring the permission of anyone.

WITNESS MY HAND this ____ day of ____, 2024

Osahontueme Williams Areloegbe

STATE OF TEXAS
COUNTY OF DENTON:
This instrument was acknowledged before me on ____, 2024 by Osahontueme Williams Areloegbe

NOTARY PUBLIC
STATE OF TEXAS

WITNESS MY HAND this ____ day of ____, 2024

Mike Green, Authorized Representative

STATE OF TEXAS
COUNTY OF DENTON:
This instrument was acknowledged before me on ____, 2024 by Mike Green.

NOTARY PUBLIC
STATE OF TEXAS

CERTIFICATE OF APPROVAL

Approved this ____ day of ____, A. D. 2024
By the Director of Development Services

Director of Development Services
ATTESTED

City Secretary

CERTIFICATE OF SURVEYOR

I, the undersigned, a registered professional land surveyor in the State of Texas, do hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground. The monuments shown hereon are found as noted or placed with 1/2" capped iron rods marked RPLS 4561 in accordance with the ordinances of the City of Denton, Denton County, Texas.

Jerald D. Yensan
Registered Professional Land Surveyor No. 4561

- NOTES:
- The purpose of this replat is to divide a previously platted lot into two lots.
 - The City of Denton has adopted the National Electric Safety Code (The "CODE"). The CODE generally prohibits structures within 17.5 feet on either side of the centerline of overhead distribution lines and within 37.5 feet on either side of the centerline of overhead transmission lines. In some instances the CODE requires greater clearances. Building permits will not be issued for structures within these clearance areas. Contact the building official with specific questions.
 - Any gas, petroleum, or similar common carrier easements located within the boundary of the property are shown hereon.
 - No portion of subject property lies within a special flood hazard area according to the FLOOD INSURANCE RATE MAP for Denton County and Incorporated Area, Map Number 48121C0510G, dated April 18, 2011 (Subject property lies in Zone X).
 - Private improvements shall not encroach into existing public easements.
 - Water service is provided by Cross Timbers Water Supply Corporation.
 - Sewer service is provided by existing onsite sanitary sewer facilities.
 - Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983, as determined from GPS observations.
 - The city reserves the right to specify a new or revised minimum finished floor elevation at the time of issuance of a building permit if new or more accurate information, as determined by the Floodplain Administrator, warrants the change. This minimum finish floor elevation shall apply to the building foundation, including basements, and electrical and mechanical equipment. Minimum lot and habitable space for lots within the 100-year base flood, abutting the 100-year base flood, or within 200 feet of the 100-year base flood shall be established as follows:
 - For lots adjacent to a stream without Base Flood Elevations (BFE's) identified on the official FEMA Flood Insurance Rate Maps, any habitable structure shall have a finished floor elevation at least 18 inches above the 100-year base flood elevation based on fully developed conditions. This shall apply to all rivers or streams regardless of whether the 100-year floodplain is shown on the FEMA map.
 - For lots adjacent to a stream with Base Flood Elevations (BFE's) identified on the official FEMA Flood Insurance Rate Maps any habitable structure shall have a finished floor elevation at least 18 inches above the 100-year base flood elevation based on fully developed conditions, or at least 30 inches above the FEMA Base Flood Elevation.

OWNER/DEVELOPER
CB GREEN INVETMENTS, LLC
175 CANYON OAKS
ARGYLE, TX 76226
(972) 670-3040

OWNER/DEVELOPER
WILLIAMS ARELOEGBE
WORLD EVANGELISM
P.O. BOX 2272
DENTON, TX 76202
(817) 349-8875

SURVEYOR
LANDMARK SURVEYORS
4238 I-35 N
DENTON, TEXAS 76207
(940) 382-4016

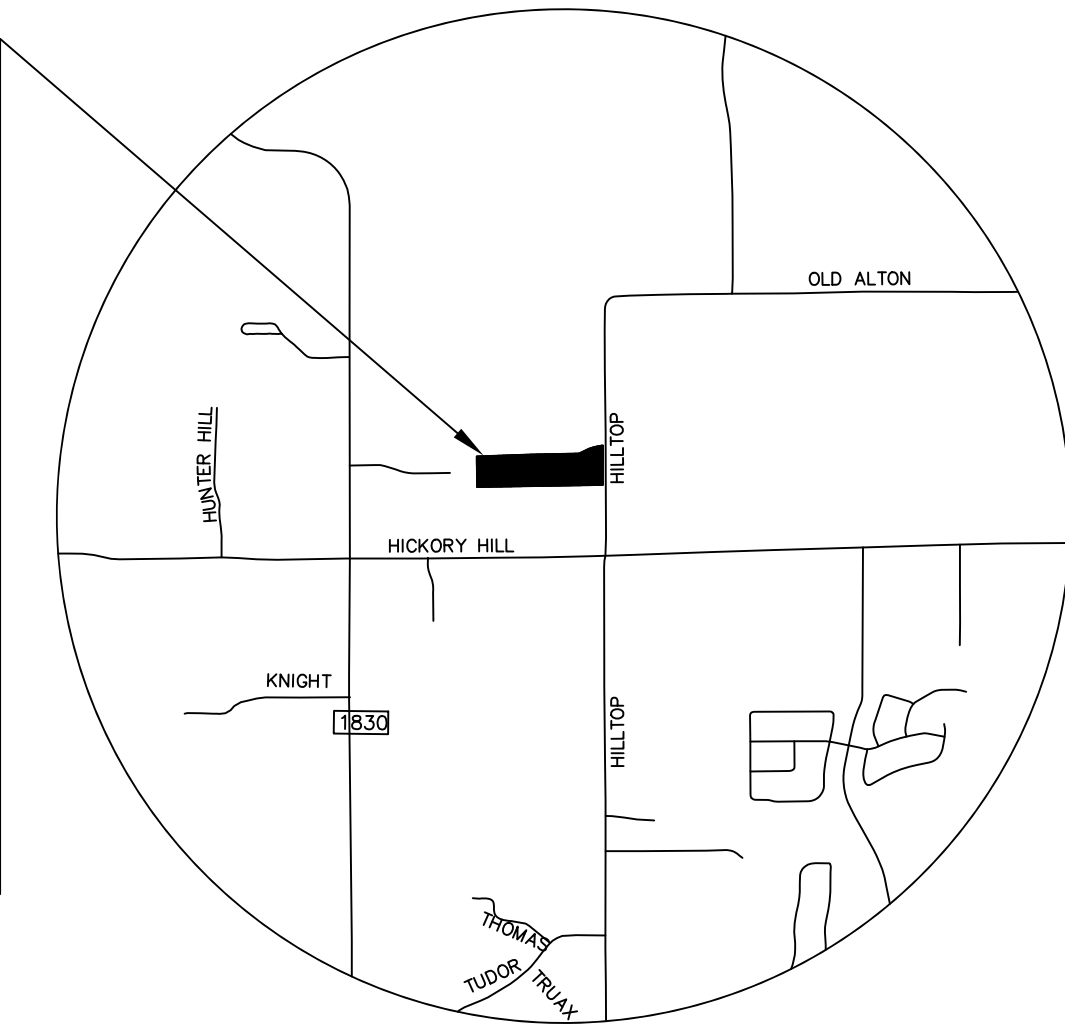
FR24-00



FINAL PLAT
LOTS 1R-1 AND 1R-2, BLOCK A OF
ARELOEGBE WORLD EVANGELISM ADDITION
BEING A REPLAT OF LOT 1, BLOCK A OF
ARELOEGBE WORLD EVANGELISM ADDITION
BEING 10.152 ACRES (442220 S.F.) ACRES IN THE
S. WOFFORD SURVEY A-1372
CITY OF DENTON ETJ, DENTON COUNTY, TEXAS

LANDMARK
SURVEYORS, L.L.C.
TX FIRM REGISTRATION NO. 10098600
4238 I-35 NORTH
DENTON, TEXAS 76207
(940) 382-4016
FAX (940) 387-9784
DRAWN BY: BTH SCALE: 1"=50' DATE: 17 NOVEMBER, 2023 JOB NO: 216087

PROJECT LOCATION



VICINITY MAP
SCALE 1" = 2000'

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	706385022	Entity Type:	Domestic Limited Liability Company (LLC)
Original Date of Filing:	February 25, 2000	Entity Status:	In existence
Formation Date:	N/A		
Tax ID:	17528693942	FEIN:	
Duration:	Perpetual		
Name:	CB GREEN INVESTMENTS, L.L.C.		
Address:	175 CANYON OAKS DR Argyle, TX 76226 USA		

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES	INITIAL ADDRESS
Name		Address			Inactive Date	
G Michael Green		175 CANYON OAKS DRIVE Argyle, TX 76226 USA				

Instructions:
● To place an order for additional information about a filing press the 'Order' button.



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: Z24-0003, Version: 1

AGENDA CAPTION

Hold a public hearing and consider making a recommendation to City Council regarding a request by Kimley-Horn on behalf of the property owner, Vandessmith Developers, LTD.to rezone approximately 1.52 acres from Suburban Corridor (SC) zoning district to Residential 6 (R6) zoning district. The subject site is generally located 266.11 feet east of Country Club Road and north of Hobson Lane in the City of Denton, Denton County, Texas. (Z24-0003, Vandessmith Tract Rezoning, Bryce Van Arsdale)



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: April 24, 2024

SUBJECT

Hold a public hearing and consider making a recommendation to City Council regarding a request by Kimley-Horn on behalf of the property owner, Vandesmith Developers, LTD. to rezone approximately 1.52 acres from Suburban Corridor (SC) zoning district to Residential 6 (R6) zoning district. The subject site is generally located 266.11 feet east of Country Club Road and north of Hobson Lane in the City of Denton, Denton County, Texas. (Z24-0003, Vandesmith Tract Rezoning, Bryce Van Arsdale)

BACKGROUND

The applicant, Thomas Fletcher, of Kimley-Horn has applied to rezone approximately 1.52 acres from Suburban Corridor (SC) Zoning District to Residential-6 (R6) Zoning District. The site is currently vacant.

The subject property was annexed into the City in 1960 along with several other properties in this area of the City. Following annexation, the zoning of the property transitioned to Neighborhood Residential Mixed-Use with the adoption of the 2002 Development Code. In 2017, the subject property was rezoned to Community Mixed Use-General (CM-G) with the intent to facilitate commercial development on the subject property and neighboring property to the west, which was also rezoned to CM-G District in 2017. In 2019 the zoning of the property transitioned to Suburban Corridor (SC) with the adoption of the 2019 Denton Development Code. Although plans have been submitted for a commercial (self-service storage) use to be developed on the western adjacent property, the subject property has not been included in any commercial development plans.

According to the applicant, the intent of this zoning change request is to align the zoning of subject property with the existing Residential 6 (R6) zoning immediately the east of the site, and under the same ownership, totaling approximately 18.02 acres of land.

The surrounding properties to the north and east are zoned Residential 6 and currently undeveloped. Hobson Lane and developed single-family residential (zoned Residential 2) are situated to the south of the subject property. West of the subject property is existing Suburban Corridor zoning, which is currently vacant; however, civil engineering plans and building permits are under review for a storage facility.

A full Staff Analysis is provided in Exhibit 2.

OPTIONS

1. Recommend approval
2. Recommend denial
3. Postpone Item

RECOMMENDATION

Staff recommends approval of the rezoning of approximately 1.52 acres from Suburban Corridor (SC) zoning district to a Residential 6 (R6) zoning district as it complies with the criteria in Section 2.4.5.E of the Denton Development Code for approval of all applications, and Section 2.7.2.D of the DDC for approval of a Zoning Map Amendment (Rezoning).

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
October 31, 1960	City Council	Annexation into City Limits	Approved
1969	City Council	Citywide Rezoning to Agriculture District (A)	Approved
2002	City Council	Citywide Rezoning to Neighborhood Residential Mixed-Use (NRMU)	Approved
April 26, 2017	Planning and Zoning Commission	Rezoning to Community Mixed Use-General (CM-G)	Recommend Approval
June 6, 2017	City Council	Rezoning to Community Mixed Use-General (CM-G)	Approved
April 10, 2019	Planning and Zoning Commission	Citywide Rezoning; subject property transition to Suburban Corridor (SC)	Recommend Approval
September 17, 2019 (effective October 2019)	City Council	Citywide Rezoning subject property transition to Suburban Corridor (SC)	Approved

PUBLIC OUTREACH:

The following public outreach efforts were done to meet legal notice requirements and to seek feedback from adjacent property owners and residents:

- On April 3, 2024 a total of eight (8) notices were mailed out to property owners within 200 feet of the subject property, and nineteen (19) postcards were mailed out to current residents within 500 feet of the subject property. As of the writing of this report, staff has received two (2) responses in favor of the request.
- A notice was published on the City's website on April 4, 2024.
- A notice was published in the Denton Record Chronicle on April 7, 2024.
- One sign was posted on the subject property on April 5, 2024.
- The applicant did not conduct a neighborhood meeting but did reach out to neighboring property owners individually.

DEVELOPER ENGAGEMENT DISCLOSURES

No developer contact disclosures have been provided to staff from members of this body as of the issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Applicant's Project Narrative
4. Site Location Map
5. Future Land Use Map
6. Existing Zoning Map
7. Proposed Zoning Map
8. Financial Impact Analysis
9. Table of Allowed Uses
10. Notification Map and Responses
11. Draft Ordinance

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/
Planning Director

Prepared by:
Bryce Van Arsdale
Assistant Planner

Planning Staff Analysis

Z24-0003 / Vandesmith Rezoning SC to R6

City Council District #3

REQUEST:

Rezoning of approximately 1.52 acres from Suburban Corridor (SC) Zoning District to a Residential 6 (R6) Zoning District.

STAFF RECOMMENDATION:

Staff recommends **approval** of the rezoning of approximately 1.52 acres from Suburban Corridor (SC) Zoning District to a Residential 6 (R6) Zoning District as it complies with the criteria in Section 2.4.5.E of the Denton Development Code for approval of all applications, and Section 2.7.2.D of the Denton Development Code for approval of a Zoning Map Amendment (Rezoning).

SITE DATA:

The subject property was annexed into the City in 1960 along with several other properties in this area of the City. Following annexation, the zoning of the property transitioned to Neighborhood Residential Mixed-Use with the adoption of the 2002 Development Code. In 2017, the property was rezoned to Community Mixed Use-General (CM-G). In 2019 the zoning of the property transitioned to Suburban Corridor (SC) with the adoption of the 2019 Denton Development Code.

The property owner, Vandesmith Developers, LTD, acquired the property in 2017, and has submitted a zoning change request to align the zoning of the subject property with existing Residential 6 (R6) zoning immediately to the east under the same ownership. The proposed use of the property is single-family residential. The R6 zoning district permits a variety of housing types by right (single-family detached, townhome, duplex, triplex, fourplex), and several types of commercial uses by right and with the approval of a Specific Use Permit. See Exhibit 8 for the complete table of allowed uses.

The subject property is situated approximately 266.11 feet east of the intersection of Fort Worth Drive and Hobson Lane. Per the City's 2022 Mobility Plan, Fort Worth Drive is classified as a Primary Arterial, and Hobson Lane is classified as a Secondary Arterial. The property is undeveloped at this time and has approximately 218 feet of frontage on Hobson Lane.



SURROUNDING ZONING AND USES:

Northwest: Zoning: Suburban Corridor (SC) Use: Single-Family Residential	North: Zoning: Residential 6 (R6) Use: Undeveloped Land	Northeast: Zoning: Residential 6 (R6) Use: Undeveloped Land
West: Zoning: Suburban Corridor (SC) Use: Undeveloped Land; plans under review for Self-Service Storage	SUBJECT PROPERTY	East: Zoning: Residential 6 (R6) Use: Undeveloped Land
Southwest: Zoning: Mixed-Use Neighborhood (MN) Use: General Office and Hobson Lane	South: Zoning: Residential 2 (R2) Use: Single-Family Residential and Hobson Lane	Southeast: Zoning: Residential 2 (R2) Use: Single-Family Residential and Hobson Lane

CONSIDERATIONS:

A. Section 2.4.5.E of the DDC provides approval criteria applicable to all applications.

1. General Criteria

- a. *Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.*

The review criteria were applied as required.

- b. *The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9.*

Section 2.7.2.D of the DDC applies to this rezoning request. An analysis of this request per those criteria can be found below in Consideration B.

- c. *If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5 through 2.9 controls.*

There are no conflicts between the general criteria and the criteria specific for zoning requests.

2. *Prior Approvals*

On October 31, 1960, the subject property was annexed into the city. Additionally, in 2017, City Council approved the rezoning of the property from Neighborhood Residential Mixed-Use to Community Mixed Use-General. There were no terms and conditions associated with these past approvals, and there have been no additional approvals.

3. *Consistent with the Comprehensive Plan and Other Applicable Plans*

The decision-making authority:

- a. *Shall weigh competing goals, policies, and strategies.*
There are no competing goals, policies, or strategies associated with this proposal.
- b. *May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in the Comprehensive Plan.*

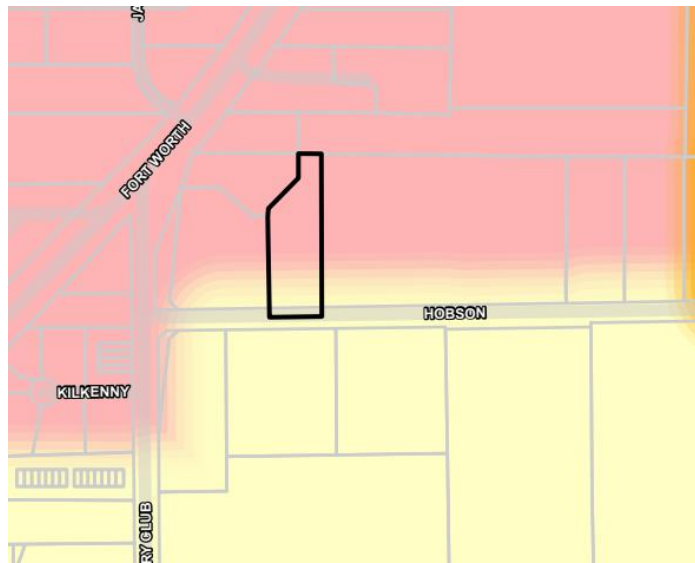
COMPREHENSIVE PLAN

The Denton 2040 Plan acknowledges that “A compact development pattern which includes expanded areas of mixed use, a broad array of housing and retail choices responding to changing demographics and market preferences, and re-investment and infill in underutilized areas of the city” is critical to smart growth. The proposed rezoning request is situated in close proximity to Fort Worth Drive and could provide for additional housing and/or commercial uses along a corridor which provides access to employment and retail opportunities and is consistent with the following land use goal:

LU-1: Grow Compactly: Achieve sound, sustainable growth in compact development patterns with balanced land uses planned in coordination with transportation and infrastructure systems.

Furthermore, the rezoning request is consistent with Action Item 2.2.2: Revise zoning districts for consistency with future land use designations as further detailed below.

Future Land Use



Per the 2040 Comprehensive Plan Future Land Use Map, the subject property is designated as a transitional area between Low Residential and Community Mixed-Use (see image and provided as Exhibit 5). The description for the Future Land Use designations are provided below.

Low Residential includes the city's predominantly single-family neighborhoods, with lot sizes ranging from one acre or more in rural fringe areas up to five units per acre gross density throughout many of the city's suburban subdivisions. Dwellings in this land use district are generally one to two stories with private driveways and open space, consisting of privately-maintained tree canopy and front, back and side yards. Building and driveway orientation, the locations of private garages, building material, and the presence of sidewalks vary by neighborhood and the era of neighborhood development. Generally, these types of single-family neighborhoods are developed as distinct subdivisions that are linked by internal circulation systems with limited access to local and connector roads. This category may also include land uses that support residential neighborhoods, such as appropriately scaled commercial at arterial and collector street corners, and appropriately scaled public and quasi-public uses, such as religious and educational institutions.

Community Mixed-Use is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complementary. This land use applies to existing and future commercial areas in the city, where redevelopment to mixed-use is desirable. The intent is to encourage infill and redevelopment for a more diverse and attractive mix of uses over time. Examples include residential units over commercial uses or a wider array of economically viable uses to replace obsolete uses such as former car sales lots and vacated big box stores. Such areas also may represent opportunities for higher density and mixed housing types, without impacting, nearby single-family neighborhoods. Future development in Community Mixed Use areas will complement and embrace existing, viable uses, and raise the standard of design to increase their economic viability, accommodate greater connectivity and mobility options, and create a sense of place to serve the local community.

The R6 Zoning District is consistent with the goals, policies, and actions of the Comprehensive Plan and with both Future Land Use Designations of Low Residential and Community Mixed-Use. The R6 Zoning district allows for a variety of housing types by right, as well as allows for several neighborhood-serving commercial uses by right or with a Specific Use Permit. The R6 District therefore serves as a suitable transition between the more intensive commercial uses expected along Fort Worth Drive and the less intensive residential uses present and anticipated further to the east along Hobson Lane.

4. *Compliance with this DDC*

- a. *The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.*

The proposed rezoning would facilitate the development of the subject site in accordance with the DDC's standards.

Future development on this site will require compliance with all applicable development standards in the DDC, including, but not limited to, minimum lot size and dimensions, building coverage, access, parking, tree preservation, landscaping, screening, and buffering.

- b. *Compliance with these standards is applied at the level of detail required for the subject submittal.*

Rezoning to one of the DDC's established districts does not typically include a full review of all development standards within the DDC. If the proposed rezoning to a R6 Zoning District is approved, a detailed development review will accompany all required future development applications such as a Specific Use Permit or zoning compliance plan, platting, engineering, tree preservation, and building permit submittals.

5. *Compliance with Other Applicable Regulations*

If the proposed rezoning to a R6 Zoning District is approved, any future development of the site would consist of a detailed review of the proposed development to ensure compliance with all other applicable regulations.

6. *Consistent with Interlocal and Development Agreements*

There are no interlocal or development agreements for the subject property.

7. *Minimizes Adverse Environmental Impacts*

There are no environmentally sensitive areas (ESA) on the subject property. Any development of the subject property would be subject to the City's standards for tree preservation, stormwater, and landscaping to ensure environmental impacts are minimized.

8. *Minimizes Adverse Impacts on surrounding Property*

The proposed rezoning is consistent with the surrounding residential zoning and development patterns in the area. The subject property is adjacent to existing R6 Zoning to the east and north and Suburban Corridor zoning situated to the west of the subject property.

The proposed rezoning would allow for the development of a variety of residential land uses or smaller-scale commercial uses that would be complimentary to existing development in the area. Development of the site would require conformance with design standards within the DDC to minimize adverse impacts on surrounding properties. Additionally, if this zoning change is approved the owners have indicated an intent to incorporate the subject property into their development plans for the adjacent land also zoned R6, so the scale and nature of the development would be consistent.

9. *Minimizes Adverse Fiscal Impacts*

Staff used the Fiscal Impact Tool to analyze the proposal. The entire 18-acre site owned by Vandesmith Developers, LTD was considered for this analysis. Assumptions were used to generate the overall projected General Fund revenues and expenses, including property tax payments, sales tax capture, roadway maintenance costs, utility usage, solid waste costs, public safety costs, and neighborhood service costs. The Fiscal Impact Summary indicates that the proposal would result in a net \$6,543,900 gain to the General Fund over a 40-year project duration.

10. *Compliance with Utility, Service, and Improvement Standards*

This proposed rezoning will not affect utilities, services, or improvements. When the site is developed, the development will be reviewed to ensure compliance with all utility, service, and improvement standards.

11. *Provides Adequate Road Systems*

The subject property is situated approximately 266.11 feet east of the intersection of Fort Worth Drive, a Primary Arterial, and Hobson Lane, a Secondary Arterial. When the site is developed, a Trip Generation Study will be required as specified by the Transportation Criteria Manual. Additional information, such as a Traffic Impact Analysis, may be required based upon the findings of the Trip Generation Study.

12. *Provides Adequate Public Services and Facilities*

This proposed rezoning is not anticipated to negatively impact public services and facilities. When the site is developed, the new development must comply with all applicable standards to ensure adequate public services and facilities are available.

13. *Rational Phasing Plan*

There is no phasing plan associated with the zoning change request.

B. Section 2.7.2.D of the DDC states that an application for a rezoning may be approved based on the following conditions:

- a. *The proposed rezoning is consistent with the Comprehensive Plan.*

As discussed in 3.b above, the R6 Zoning District is consistent with the goals, policies, and actions of the Comprehensive Plan and with the Future Land Use Designations of Low Residential and Community Mixed-Use.

- b. *The proposed rezoning is consistent with relevant Small Area Plan(s).*

There is no small area plan approved for this site.

- c. *The proposed rezoning is consistent with the purpose statement of the proposed zoning district, as provided in Subchapter 3, Zoning Districts.*

Pursuant to Section 3.2.6A of the Denton Development Code:

The R6 district is intended to accommodate a variety of housing types on lots designed to encourage walking to neighborhood-serving retail and other amenities such as parks and school facilities. This zoning district will ensure existing neighborhood character is maintained while also serving as a transition area between established single-family neighborhoods and mixed-use neighborhoods, commercial areas, and key corridors.

The proposed R6 Zoning District in this location is consistent with the purpose statement. Given its location, the property is situated in an area suitable for the R6 Zoning District given the potential commercial development that will occur along the Fort Worth Drive corridor and proximity to South Lakes Park.

- d. *There have been or will be significant changes in the area to warrant a zoning change.*

In the last 5 years, the area generally adjacent to the intersection of Fort Worth Drive and Hobson Lane has not seen development that significantly changes the development pattern.; the area has developed in a manner consistent with the Future Land Use Plan (see Aerial maps below). As properties within this corridor continue to develop, the proposed rezoning would facilitate compatible development and be consistent with the intent that this area should develop as predominantly residential uses with supporting neighborhood-serving commercial opportunities near and along Fort Worth Drive.



- e. *The intensity of development in the new zoning district is not expected to create significantly adverse impacts to surrounding properties or the neighborhood.*

The subject property is situated near the northeast intersection of Fort Worth Drive and Hobson Lane. As detailed above, this corridor has not experienced significant growth in the last five years. The Residential 6 Zoning District is consistent with the overall development pattern within the area and would not introduce new land uses which are incompatible to adjacent properties nor expected to create adverse impacts.

- f. *Public facilities and services are available to adequately serve the subject property while maintaining adequate level of service to existing development.*

Roadway Impact Fees

Roadway impact fees, paid at the time of development, are determined using a proportionality calculation based on the proposed uses and projected vehicle trips.

These fees will be assessed based on plans submitted and are used to make roadway system improvements related to the Mobility Plan.

Water and Wastewater

When the site is developed, it will be reviewed to ensure compliance with all utility, service, and improvement standards for extension and connection to City utilities. Additionally, water and wastewater tap, and impact fees will be based upon the intensity of the development and are required to be paid during permitting.

Schools

Per the DISD Facility Planning Criteria, each single-family residence will contribute 0.50 students to the school system (.23 elementary students, .12 middle school students, .15 high school students) and multifamily developments generate .23 students per apartment unit (.12 elementary students, .05 middle school students, .06 high school students). The proposed rezoning allows for the development of 2.5 single family lots, totaling 1.25 students to be added to the nearby schools from the subject property, which would be part of a larger residential development.

Nearest Fire Station

The subject property is approximately 1.74 miles from Fire Station #6 (3232 Teasley Lane), within the eight minute or less response time boundary.

- g. There was an error in establishing the current zoning district.*

There was not an error in establishing the current zoning district. When the 2019 City-wide zoning transition occurred, the property transition to the zoning designation of Suburban Corridor. The adjacent property under the same ownership is zoned R6, ensuring that R6 is an appropriate zoning designation for this site.

Zoning Change Project Narrative

Vandesmith Developers, LTD. Tract

Z24-0003

Project Description/Summary:

Location:

The Vandesmith Developers, LTD. Tract is located near the northeast corner of US 377 and Hobson Lane. This tract has approximately 886-feet of frontage on Hobson Lane along its southern boundary. The overall tract is 18.02-acres.

Purpose/Project Description:

To change the zoning of a small portion of the tract from SC to R6 which is consistent with the zoning on the remainders of the tract and develop the property in a manner that is sustainable, compatible, and marketable with surrounding existing uses and current market forces. Proposed development would be a single-family residential subdivision with connections to Hobson Lane.

Site History:

The land is currently unplatted. A portion of the parcel contains the approved City of Denton project for Storage 365. There are no known past land development applications or permits on the portion of the parcel that is being changed to R6 zoning.

Surrounding Property Use:

Property is bounded on the north and east by the R6 zoning district, on the west by the SC zoning district, and on the south across Hobson Lane by the R2 zoning district.

Existing and Proposed Land Use:

Existing Zoning: SC (approximately 1.34-acres) and R6 (approximately 16.68-acres)

Proposed Zoning: R6

Existing Plat(s): No Plats exist for the property.

Acreage: The tract is 18.02-acres with 1.34-acres included in the proposed zoning change application.

Land Characteristics: The tract has minimal trees scattered throughout with fence row trees along several of the boundary lines. There is approximately 22' of fall across the property from the north

to the southeast/southcentral. There are no structures located on the site. FEMA maps show that a small portion of the property is located within the FEMA Zone A 100-year floodplain. Per City maps, the portion of the tract within FEMA floodplain is also located within an ESA.

For the 1.34-acres within the zoning change request, there are only a few trees. There is approximately 12-feet of fall from west to east. There are no structures, FEMA floodplain, or City ESA.

Existing Uses: This tract is currently undeveloped and has minimal trees scattered throughout with fence row trees along several of the boundary lines.

Proposed Uses: Approximately sixty to sixty-five (60-65) single family residential lots are being proposed for the overall tract.

For the 1.34-acres within the zoning change request, there are approximately six (6) single family residential lots. A portion of three (3) of these lots are also located within the area of the tract that is already zoned R6.

For the overall development, a downstream assessment, CLOMR, ESA assessment, and alternate ESA plan are anticipated. The proposed development would have two points of connection to Hobson Lane and would include internal open spaces for residents. At this time it is assumed the City will not desire public park land dedication due to the small size of the proposed development, and therefore all open space and amenities that are provided to serve the community will be privately owned and maintained by a mandatory homeowner's association (HOA).

Phasing and Proposed Access: At this time, it is assumed that the proposed development will be constructed as one phase. Primary access and secondary access will be from Hobson Lane.

Existing Utilities: Utilities in the form of City water, sanitary sewer and electric exist to the property. City water is located along Hobson Lane. City sewer is in the southeast portion of the tract and continues south across Hobson Lane.

Proposed Utilities: Water will be provided by connections with the existing 16-inch line located in Hobson Lane. The internal water lines will create a looped system for the proposed development.

Sewer will be provided by connecting to the sewer stub manhole in the southeast portion of the tract.

Existing Topography and Drainage: The property falls from the north to the south, through the middle of the site towards an existing culvert at the southern property line in Hobson Lane right of way. There is approximately 22' of fall across the property from the north to the southeast/southcentral. The existing slopes are moderate to steep, will require retaining walls, and are suited for the proposed project.

Proposed Topography (Grading) and Drainage: Onsite cut-fill is proposed in order to grade the site for single-family uses. The proposed grades will conform generally to existing slopes and patterns, and extensive cuts and fills are not anticipated. The proposed hydrology will be paved or covered consistent with uses and intensity of development within the R6 zoning district. Drainage systems will be enclosed conduits out-falling into proposed detention ponds located in open spaces and then out-falling to the existing storm sewer systems. A CLOMR and LOMR will be required to determine Base Flood Elevations and construct the proposed development.

Public Benefit:

The following benefits are provided by this development to the public through the use of the R6 Zoning District:

- Proposed uses limited to single-family detached and accessory and temporary uses allowed within R6;
- The Storage 365 Denton project left a remaining SC zoning area that is being proposed for rezoning to R6 with this application. Without the rezoning, the remaining SC zoning area is not large enough for a feasible development.

Community Amenities:

There will be open spaces and neighborhood sidewalks and trails typical to single family residential.

Proposed Mitigation Measures for Nuisance Abatement:

Control of noise, odor, fumes, dust, and lighting, and sufficient landscaping and screening created by the development will be accomplished with required, and if necessary, enhanced techniques and methods to be determined at the time of platting and design. Nuisances, if any, are not anticipated to be exacerbated or significantly different from the existing zoning as a result of the proposed zoning change.

Consistency with the requirements of the Denton Development Code (DDC):

It is anticipated that the proposed uses and development on the tract will be consistent with and in accordance with all requirements of the DDC.

Impact of the Proposed Change On:

- a. **The Goals and Objectives of The Denton Plan:** The proposed zone change will adhere to the goals and objectives of The Denton Plan by matching the Future Land Use Element, and by preserving worthy natural resources and features. No negative impacts to the goals and objectives of the Denton Plan will be realized due to; the relatively minor change in the proposed zoning and the compatibility with existing zoning and uses; the relatively limited

area of change; and opportunity for the area to evolve and adjust over time in response to market forces. Furthermore, The Denton Plan encourages a mix of housing and this proposed development would provide transition from the NR-6 to the east to the NR-2 to the west.

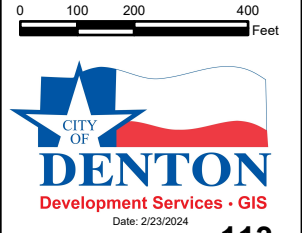
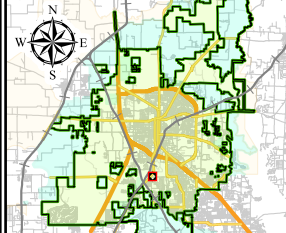
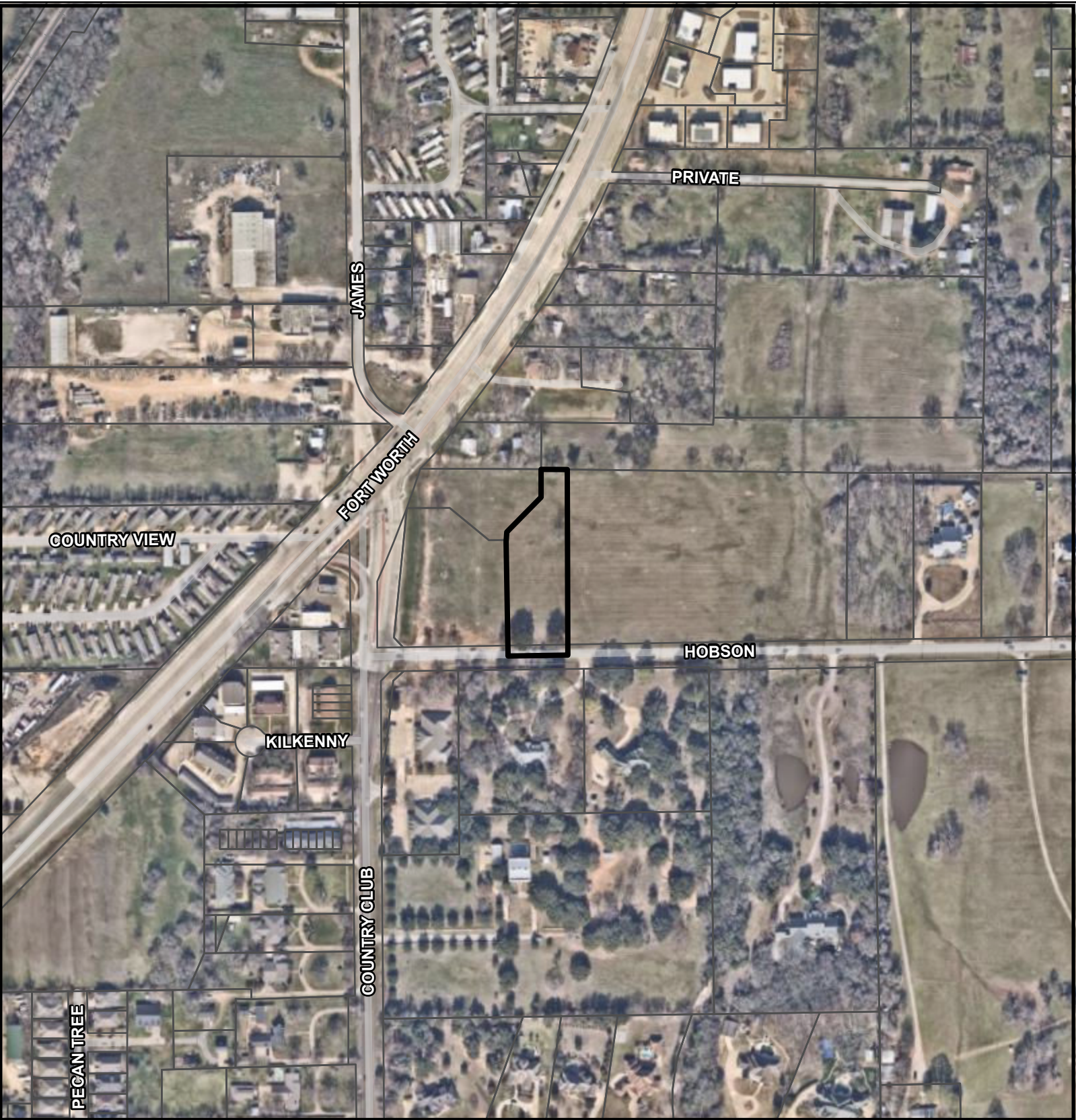
- b. The Future Land Use Element of The Denton Plan: The proposed zone change matches the Future Land Use Element of The Denton Plan.
- c. The Balance of Land Uses in the City: The balance of Land Uses in the City will not be altered as a result of the proposed zone change. The number of single-family residential units that can potentially be developed will increase slightly. However, because of the relatively limited area of change, and minor change in allowed density compared to the existing zoning, the increase is negligible and not measurable in the context of The Denton Plan.
- d. Adequate Public Facility Elements of The Denton Plan and How the Change Will Effect the Provision of Services Anticipated in The Denton Plan: Because of the relatively limited area of change, and minor change in allowed density compared to the existing zoning, the proposed zoning change will have a negligible impact on the services provided by the City, DME, the D.I.S.D., and other services anticipated in The Denton Plan.

Further Evaluation of the Proposed Zoning Change Under the Following Factors:

- a. *The existing land use pattern surrounding the property and the possible impact on existing or future development or uses are in accordance with existing regulations:* The surrounding mix of uses is compatible with the proposed use on the tract. Furthermore, the change of zoning does not materially alter, compound, diminish, or exacerbate any perceived adjacency issues that might already be present with the existing zoning.
- b. *The possible creation of an isolated district unrelated to adjacent and nearby districts:* This will not occur as the proposed zoning is compatible with the surrounding uses. Furthermore, the proposed development would be in a similar layout and lot size as the surrounding residential developments.
- c. *The population density in order to facilitate the adequate provision of transportation, water, sewer, schools, parks, public convenience, and other public requirements:* The area of proposed change is not large enough, and the change in allowed density will not increase the population enough, to create negative impacts on the provision of services related to population. Development will generate impact fees for the City for services provided.

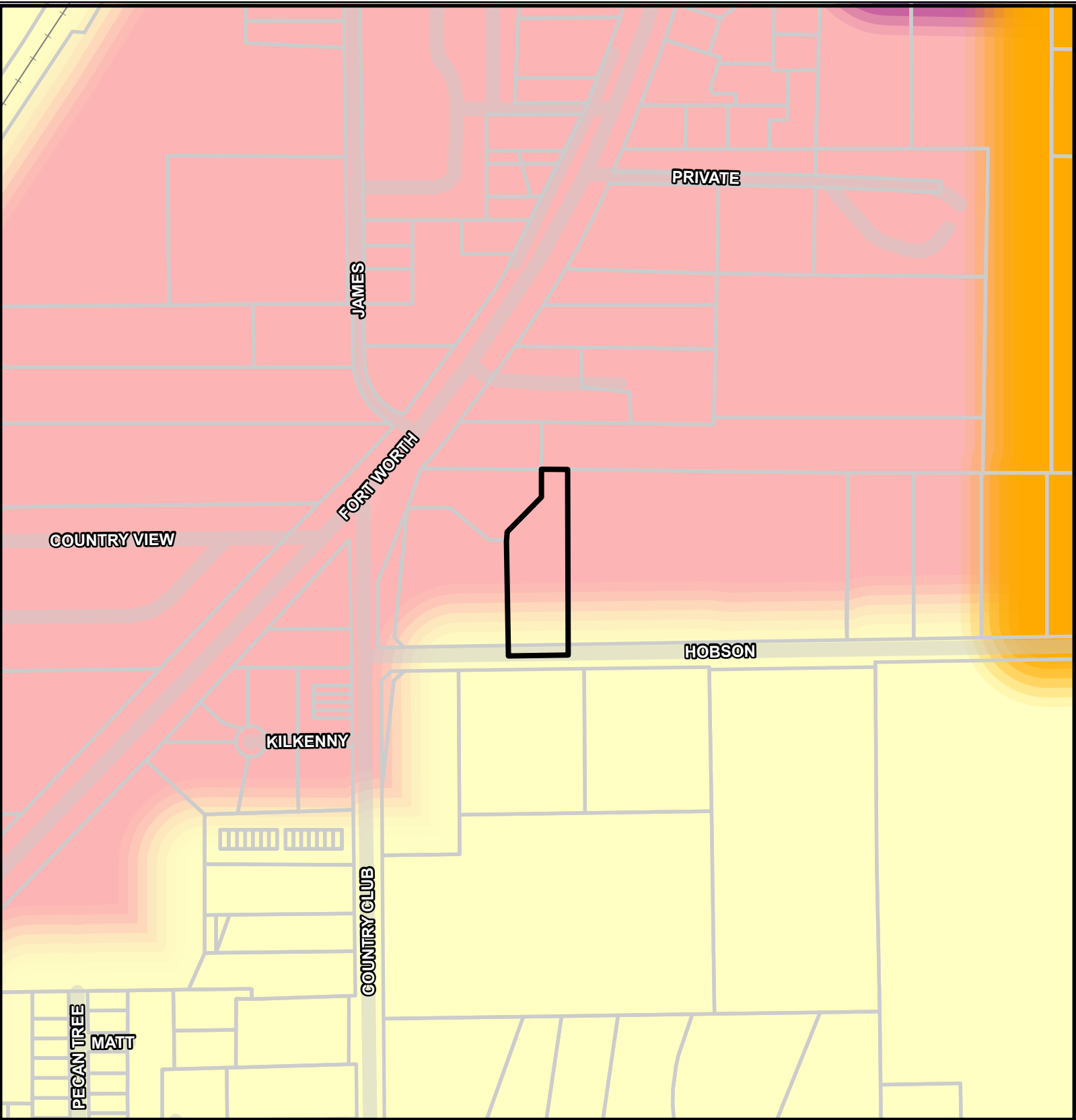
- d. *The cost to the city and other governmental entities in providing, improving, increasing, or maintaining public utilities, schools, streets and other public safety measures:* The area of proposed change is not large enough, and will not increase the population enough, to create negative impacts on the provision of services related to population. Development will generate additional tax revenue for the City services provided.
- e. *The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity:* Proposed single-family homes will plant street trees, front yard tree and a rear yard tree. Layout will provide connectivity with adjacent open spaces.
- f. *Whether there are substantial reasons why the property cannot be used in accordance with existing zoning or that proposed by the Future Land Use Map:* The proposed zone change is in general conformance with the future land use plan and surrounding uses. The proposed density of around 3.4 units per acre is slightly less than the 4 units per acre supported by low density residential but is compatible with the surrounding uses and densities. The change from SC to R6 allows for less intense uses than a commercial zoning district. The requested zone change is compatible with surrounding and adjacent uses.

Z24-0003 Site Location



Z24-0003

1-Future Land Use Map

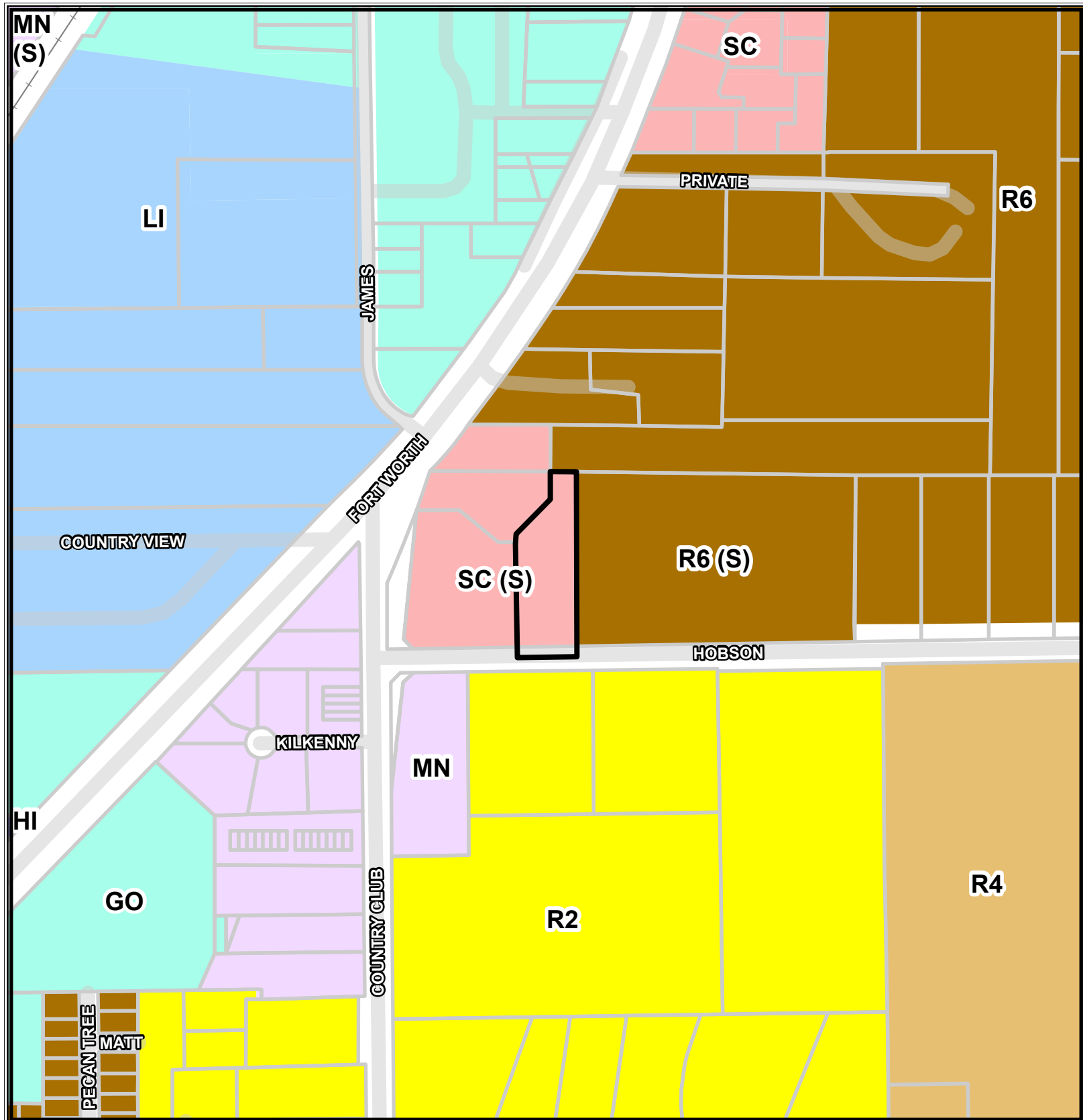


<ul style="list-style-type: none"> Roads Site Location Parcels 	<ul style="list-style-type: none"> Moderate Residential Master Planned Community Downtown Denton Downtown Compatibility Area Regional Mixed Use Community Mixed Use Neighborhood Mixed Use Neighborhood / University Compatibility Area 	<ul style="list-style-type: none"> Business Innovation Commercial Light Industrial Industrial Commerce Government / Institutional Parks / Open Space Business Center 		<p>0 100 200 400 Feet</p> <p>DENTON Development Services • GIS Date: 2/23/2024</p>
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"This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative property boundaries. Although every effort was made to ensure the accuracy of this data, no such guarantee is given or implied. Utilization of this map indicates the understanding that there is no guarantee to the accuracy of this data."

Z24-0003

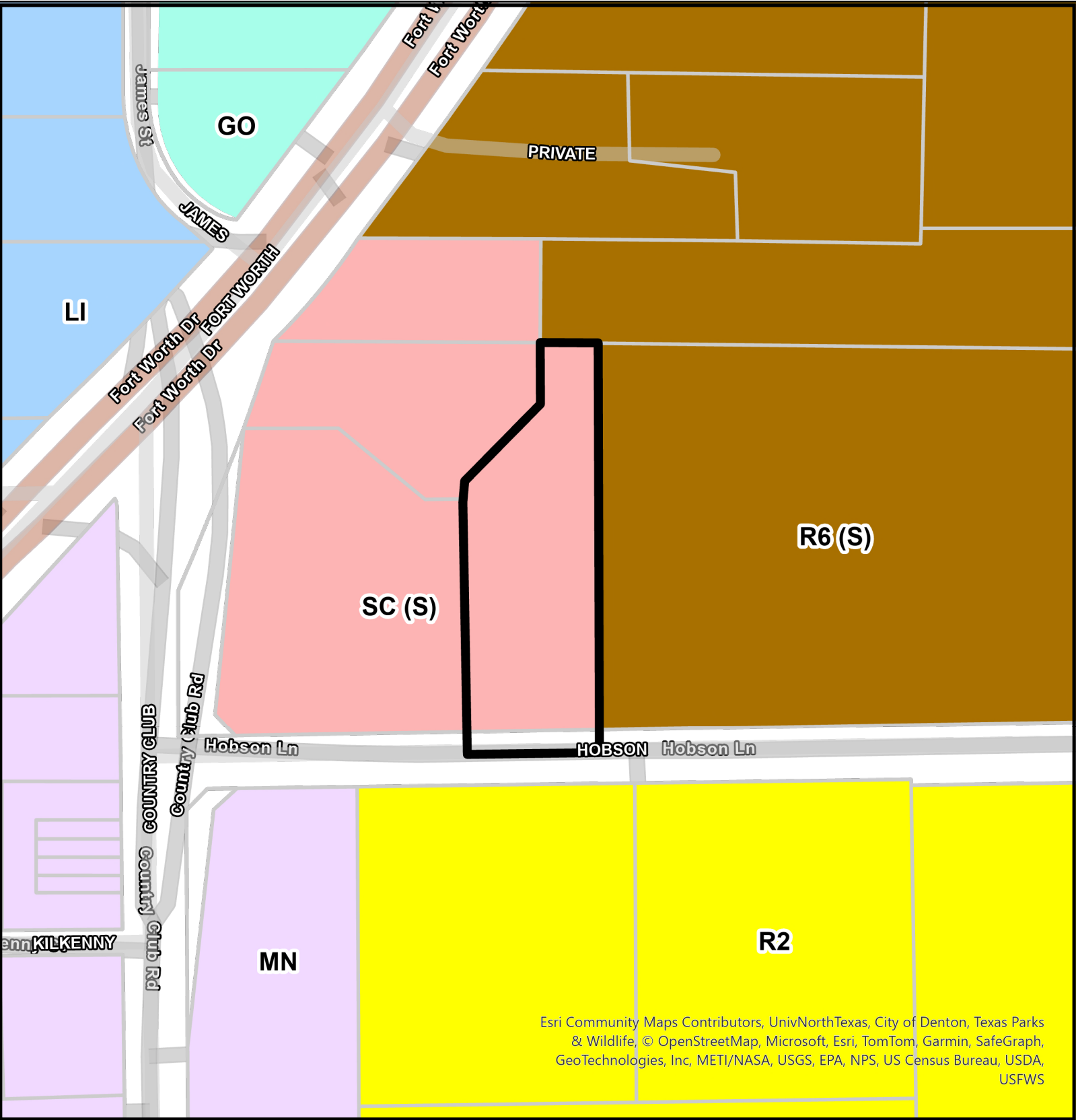
Current Zoning Map



Roads Roads Site Location Parcels Current Zoning RR - Residential Rural R1 - Residential R2 - Residential R3 - Residential	R4 - Residential R6 - Residential R7 - Residential MN - Mixed-Use Neighborhood MD - Mixed-Use Downtown Core MR - Mixed-Use Regional HC - Highway Corridor SC - Suburban Corridor	GO - General Office LI - Light Industrial HI - Heavy Industrial PF - Public Facilities PD - Planned Development MPC OVERLAY	 CITY OF DENTON Development Services • GIS Date: 2/23/2024
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Z24-0003 Proposed Zoning Map



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<ul style="list-style-type: none"> Roads Parcels 	<ul style="list-style-type: none"> R6 - Residential R7 - Residential MN - Mixed-Use Neighborhood MD - Mixed-Use Downtown Core MR - Mixed-Use Regional HC - Highway Corridor SC - Suburban Corridor GO - General Office 	<ul style="list-style-type: none"> LI - Light Industrial HI - Heavy Industrial PF - Public Facilities PD - Planned Development MPC OVERLAY 			
Current Zoning <ul style="list-style-type: none"> RR - Residential Rural R1 - Residential R2 - Residential R3 - Residential R4 - Residential 	<ul style="list-style-type: none"> LI - Light Industrial HI - Heavy Industrial PF - Public Facilities PD - Planned Development MPC OVERLAY 				

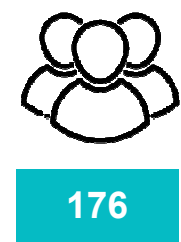
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FISCAL SUMMARY

GENERAL FUND IMPACTS

Revenues	40 Year Total
AD VALOREM TAXES	\$10,452,800
RETAIL SALES TAX	
Direct Project Retail Sales Tax Revenue	\$0
Net New Resident + New Commuters Retail Sales Tax Revenue	\$1,269,800
OTHER TAXES (Mixed Beverage)	\$0
LICENSE & PERMITS	
Zoning Fees	\$16,500
Building Permits	\$131,600
Certificate of Occupancy	\$0
Beer & Wine Permits	\$0
SERVICE FEES	
Restaurant Inspections	\$0
Grocery Store Inspections	\$0
Swimming Pool Inspections	\$300
Electrical Inspections	\$0
Plumbing Inspections	\$0
Development Fees	\$37,100
Plan Review Fees	\$34,200
Expenses	40 Year Total
Neighborhood	(\$1,692,400)
Public Safety	(\$4,077,000)
Transportation	(\$228,700)
Admin & Community Services	(\$1,737,000)
OTHER FUND REVENUES	
TOURISM & CONVENTION SALES TAX	\$0
ENTERPRISE UTILITY FUNDS	
Electric Charge	\$6,230,700
Water Charge	
Wastewater Charge	\$1,479,900
Drainage Charge	\$303,600
Solidwaste Charge	\$1,317,200
WATER IMPACT FEE	\$235,300
WASTEWATER IMPACT FEE	\$154,000
TOTAL ROADWAY IMPACT FEE	\$67,000
TOTAL PARKS LAND DEDICATION & DEV. TRUST	\$18,000
TREE MITIGATION	\$0
ROADWAY MAINTENANCE	
ROADWAY MAINTENANCE	\$2,336,565

New Residents From Residential



New Workers From Non-Residential *



* Calculations based on new commuters not total new workers in order to not double count with new residents

General Fund Impact Summary

General Fund - Total Revenue

\$11,942,400

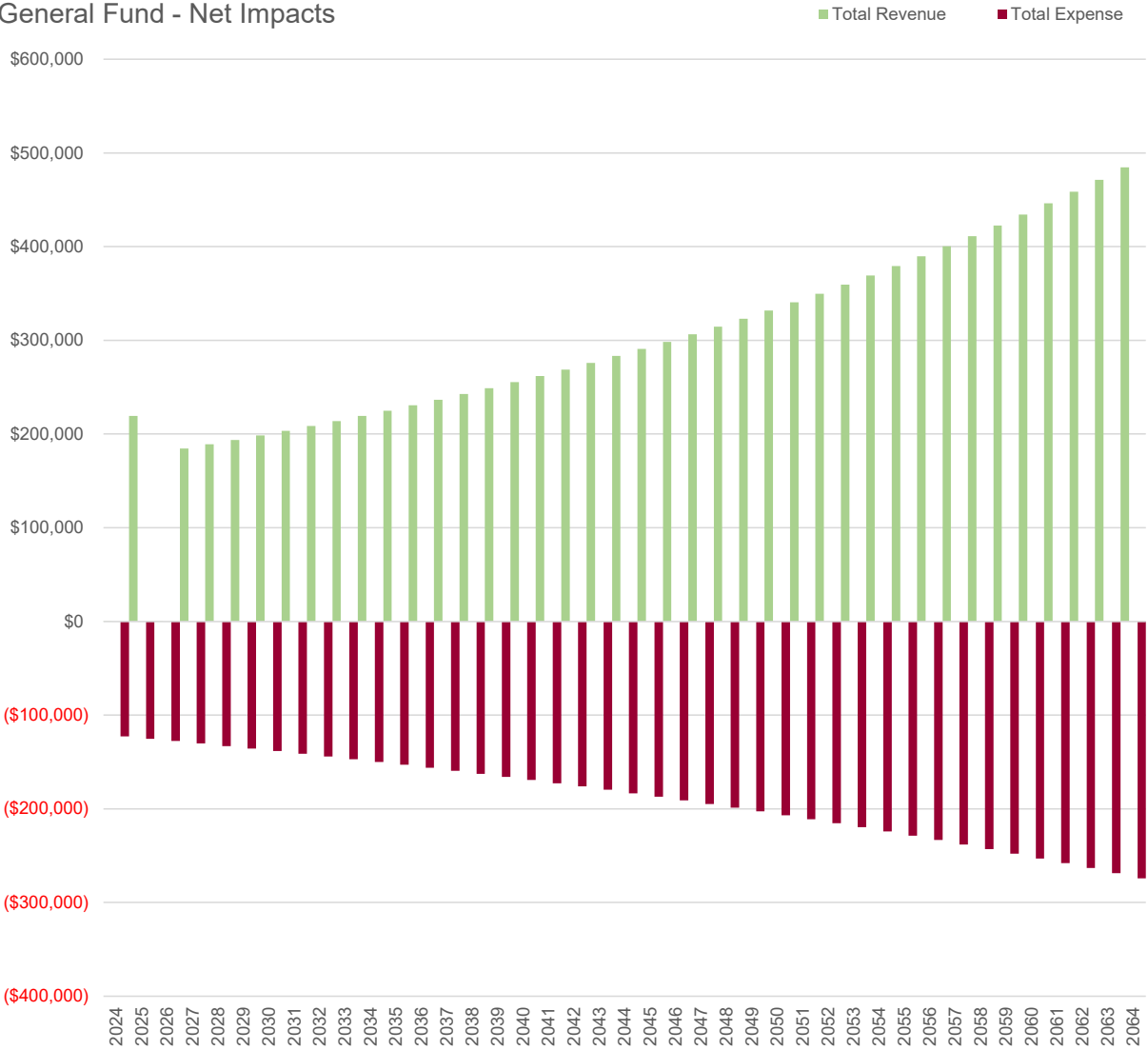
General Fund - Total Expenses

-\$5,398,500

General Fund - Net Impact

\$6,543,900

General Fund - Net Impacts



5.2.3 Table of Allowed Uses.

Table 5.2-A: Table of Allowed Uses																	
P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply																	
	Residential							Mixed-Use			Corridor		Other Nonresidential				Use-Specific Standards
	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	
Residential Uses																	
Household Living																	
Single-Family Detached Dwelling	P+	P+	P+	P+	P+	P+	P+	P+									5.3.3A
Townhome					S+	P+	P+	P+	P+	P+							5.3.3B
Duplex					S+	P+	P+	P+	P+	P+							5.3.3C
Triplex						P+	P+	P+	P+	P+							5.3.3C
Fourplex						P+	P+	P+	P+	P+							5.3.3C
Multifamily Dwelling							S+	P+	P+	P+	S+	S+	S+				5.3.3D
Tiny Home Development	Subject to approval of a planned development (PD); see 5.3.3E																
Work/Live Dwelling	P+						P+	P+	P+	P+	P+	S+	S+				5.3.3F
Manufactured Home Development (HUD Code)						S+	S+										5.3.3G
Group Living																	
Chapter House							S	S								P	
Community Home	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+							5.3.3I
Dormitory							S	S	P								
Elderly Housing						S+	S+	P+	P+	P+	S+	S+					5.3.3H
Group Home	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+							5.3.3J
Public, Institutional, Religious, and Civic Uses																	
Community and Cultural Facilities																	
Airport, City-Owned																P	
Cemetery, City-Owned																P	
Club or Lodge	P	S	S	S	S	S	S+	P+	P	P+	P	P	P	P+	P+		5.3.4A
Community Service	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Day Care, Adult or Child	P	S	S	S	S	S	P	P	P	P	P	P	P	P+			5.3.4B
Funeral and Internment Facility									S	S	P	P	P	P			
Homeless Shelter	S+						S+	S+	S+	S+						P+	5.3.4C
Landfill, City-Owned																P	
Park, Playground, Open Space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Religious Assembly	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.3.4D
Educational Facilities																	
Business or Trade School								P+	P+	P+	P+	P	P	P	P		5.3.4E
College or University									P	P			P				
School, Private	P	S	S	S	S	S	S	P	P	P	P	P	P			P	

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School, Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Healthcare Facilities																		
Hospital Services										P+	P+	P	P					5.3.4F
Medical Clinic								S+	S+	P+	P+	P	P	P				5.3.4G
Medical Office							P+	P+	P+	P+	P+	P	P	P				5.3.4H
Commercial Uses																		
Agricultural and Animal Uses																		
General Agriculture	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.3.5A
Commercial Stable	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.3.5B
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Kennel	P+	S+	S+									P+	P+	S+	P+	P+		5.3.5C
Urban Farm	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Veterinary Clinic	P	S	S					P	P+	P	P	P	P	P	P			5.3.5D
Recreation and Entertainment																		
Amenity Center	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Indoor Recreation Facility	P							P	P	P	P	P	P	P				
Outdoor Recreation Facility	P	P	P	P	P	P	P	S	S	S	P	P	P	P				
RV Park	S+		S+	S+	S+	S+	S+								S+	P+		5.3.5E
Food and Beverage Services																		
Bar, Tavern, or Lounge								S+	P	P	P	P	P	P				5.3.5F
Mobile Food Court								S+	S+	S+	S+	S+	S+	S+	S+			5.3.5G
Private Club	P+							P+	P+	P+	P+			P+	P+			5.3.5H
Restaurant								P+	P	P	P	P	P	P				5.3.5I
Restaurant, with Drive-Through								S+	S+	P+	P+	P+	P+	P+				5.3.5J
Office, Business, and Professional Services																		
Administrative, Professional, and Government Office				S+	S+	S+	P+	P+	P+	P	P	P	P	P	P	P		5.3.5K
Bank or Financial Institution							S+	P+	P+	P	P	P	P	P				5.3.5L
Musician Studio								P+	P+	P+	P+	P+	P+	P+	P+			5.3.5M
Credit Access Business								S+	P+	P	P	P	P	P				5.3.5N
Printing, Copying, and Publishing Establishment								S	P	P	P	P	P	P	P			
Personal Services																		
Laundry Facility, Industrial												S	S	P	P			
Laundry Facility, Self-Service							S+	P+	P+	P+	P	P	P	P	P			5.3.5O
Personal Service, General								P	P	P	P	P	P	P				
Tattoo and Body Piercing Parlor								P+	P+	P+	P+	P+						5.3.5P
Retail Sales																		

Building Materials and Supply Store											S	P		P	P		
General Retail Unless Otherwise Specified, Less than 5,000 Square Feet							S+	P	P	P	P	P	P	P	P	P	5.3.5Q
General Retail Unless Otherwise Specified, Between 5,000 Square Feet and 15,000 Square Feet								P	P	P	P	P	P	P	P		
General Retail Unless Otherwise Specified, More than 15,000 Square Feet								S	S	P	P	P	P	P+	P+		5.3.5R
Smoke Shop									P	P	P	P					
Lodging Facilities																	
Bed and Breakfast	P+					S+	S+	S+	P+	P+	P+	P+					5.3.5S
Boarding or Rooming House								S	P	P	P						
Hotel								P	P	P	P	P	P	P			
Motel										P	P	P	P	P			
Short-Term Rental	P+	P+	P+	P+	P+	P+	P+	P+									5.3.5T
Vehicles and Equipment																	
Auto Wash										P	P	P	P	P	P		
Automotive Fuel Sales								S+	S+	P+	P+	P+	P+	P+	P+		5.3.5U
Automotive Repair Shop, Major										P+	P+	P+	S+	P+	P+		5.3.5V
Automotive Repair Shop, Minor								S+		P+	P+	P+	P+	P+	P+		5.3.5W
Automotive Sales or Leasing												P					
Automotive Wrecking Service, Impound Lot, Junkyard, and Salvage Yard														S+	P+		5.3.5X
Equipment Sales and Rental												S+		S+	P+		5.3.5Y
Parking Lot as a Principal Use									P	P	P	P	P	P	P		
Travel Plaza												P		P	P		
Adult Entertainment Establishments																	
Sexually Oriented Business															S+		5.3.5Z
Industrial Uses																	
Data Center																	
Data Center, Modular														S+	S+	S+	5.3.6I

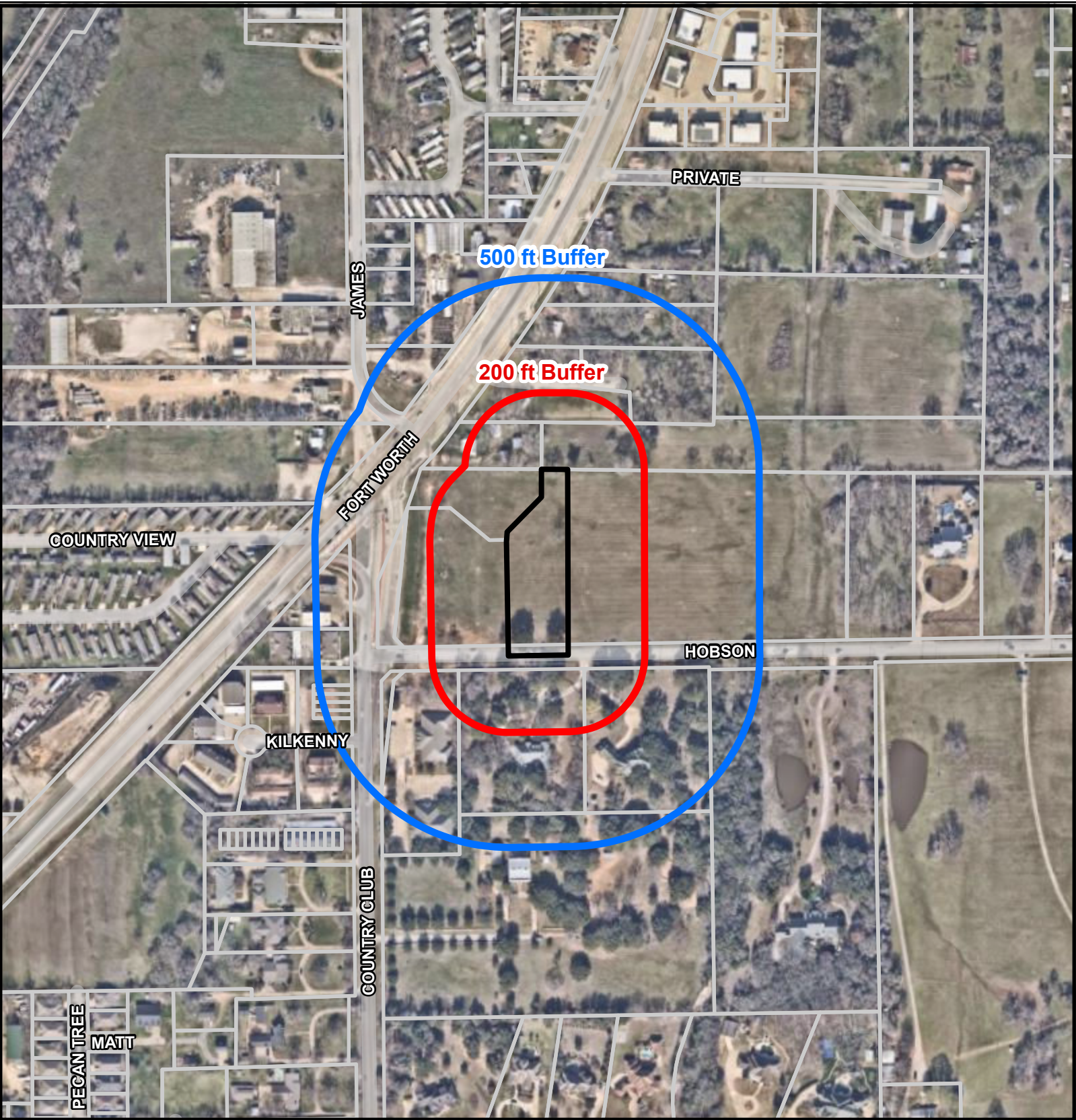
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Data Center, Warehouse											S+	S+	S+	P+	P+	P+	P+	5.3.6J
Manufacturing and Processing																		
Craft Alcohol Production								S	P+	P+	P+	P	P	P	P			5.3.6A
Feedlot, Slaughterhouse, or Packaging Plant	S															S		
Food Processing, Less than 2,500 Square Feet								P+	P+	P+	P+	P+	P+	P+	P+			5.3.6B
Food Processing, More than 2,500 Square Feet								S+	S+	P+	P+	P+	P+	P+	P+			5.3.6C
Gas Well	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+		Subchapter 6: Gas Wells
Manufacturing, Artisan								P+	P+	P	P	P	P	P	P			5.3.6D
Manufacturing, Low-Impact									S+	P+	P+	P+	P+	P	P			5.3.6E
Manufacturing, Medium-Impact													S	S	P			
Manufacturing, High-Impact																S		
Commercial Incinerator, Transfer Station																S		
Storage and Warehousing																		
Outdoor Storage															S+	S+	S+	5.3.6F
Self-Service Storage								S+	S+	S+	P+	S+	P+	P+	P+			5.3.6G
Storage of Hazardous Materials																S		
Warehouse and Wholesale Facility											S+	S+	P	P	P	P		5.3.6H
Public and Semi-Public Utility Uses																		
Basic Utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Power Stations, Electric Substations, Interchanges, and Switch Stations	P+							P+	P+	P+	P+	P+	P+	P+	P+	P+		5.3.7A
Solar Collector as Principal Use	S+												S+	S+	S+	P+		5.3.7B
Wind Energy Conversion System (WECS)																S+	S+	5.3.7C
Wireless Telecommunications	See Section 5.6: Wireless Telecommunications Facilities																	
Accessory Uses																		
Accessory Dwelling Unit	P+	P+	P+	P+	P+	P+	P+	P+										5.4.4A
Donation Box																		5.4.4B
Home Occupation	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+							5.4.4C

Outdoor Storage, Accessory												P+	P+	P+	P+	P+	5.4.4D
Sale of Produce and Plants Raised on Premises	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.4.4E
Solar Collector, (Ground- or Building-Mounted)	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.4.4F
Wind Energy Conversion System (WECS), Small (Ground-Mounted)	P+	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+	P+	P+	P+	5.4.4G
Wind Energy Conversion System (WECS), Small (Building-Mounted)	P+	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+	P+	P+	P+	0
Temporary Uses																	
Temporary Storage Containers and Other Portable Storage Units	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.5.6A
Concrete or Asphalt Batching Plant, Temporary	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.5.6B
Farmer's Market or Open Air Market								P+	P+	P+	P+	P+	P+	P+	P+	P+	5.5.4
Field or Construction Office	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.5.6C
Seasonal Sales								P+	P+	P+	P+	P+	P+	P+	P+		5.5.4
Special Event								P+	P+	P+	P+	P+	P+	P+	P+	P+	5.5.4
Portable Wireless Telecommunications Facility	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.5.4

Z24-0003
Notification Map



- | | |
|---------------|------------|
| Site Location | ETJ |
| Roads | ETJ 2 |
| Parcels | NAA 8/1/20 |
| COD | NAA 8/1/40 |

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Development Services
401 N. Elm St., Denton, TX 76201 • (940) 349-8600

Response Form

Project Number Z24-0003

Bonnie Brae Rezoning SC to R6

In order for your opinion to be counted, please complete and mail this form to:

City of Denton Development Services
Attn: Angie Manglaris, Project Manager
401 N. Elm St.
Denton, TX 76201

You may also email to angie.manglaris@cityofdenton.com or call (940) 349-8381. Please note any responses are subject to public information requests including the information provided below.

Project Number: Z24-0003

Meeting Date: April 24, 2024

Please circle one:

☒ In favor of request

☐ Opposed to request

Comments:

Signature: Richard Smith

Printed Name: RICHARD SMITH

Street Address: 721 W HOBSON

City, State and Zip Code: DENTON TX 76205

Phone Number: 940-368-1069

Email Address: RICHARDESMTIH1@GMAIL.COM

Physical Address of Property within 200 Feet: 721 W HOBSON



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401 N. Elm St., Denton, TX 76201 • (940) 349-8600

Response Form

Project Number Z24-0003

Bonnie Brae Rezoning SC to R6

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Project Number: Z24-0003

Meeting Date: April 24, 2024

Please circle one:

☒ In favor of request ☐ Opposed to request

Comments:

Signature:

Printed Name:

Chris Price

Street Address:

2921 / 2925 Country Club Rd.

City, State and Zip Code:

Denton TX 76210

Phone Number:

972 554 8111

Email Address:

cprice1@airmail.net

Physical Address of Property within 200 Feet:

2921 / 2923 Country Club Rd.

05-Apr-2024 10:11
14SPB7338272347 ±24.68m
118° SE
700-760 W Hobson Ln
M



Notice of Public Hearing

Project Number: Z24-0003

Project Name:
VANDERSMITH TRACT

Request: SC to R6

For more information:
www.cityofdenton.com/public-meetings
CALL: (940) 349-8541



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, REGARDING A CHANGE IN THE ZONING DISTRICT AND USE CLASSIFICATION FROM SUBURBAN CORRIDOR (SC) DISTRICT TO RESIDENTIAL 6 (R6) DISTRICT ON APPROXIMATELY 1.52 ACRES OF LAND GENERALLY LOCATED 266.11' EAST OF COUNTRY CLUB ROAD AND LOCATED NORTH OF HOBSON LANE IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. (Z24-0003)

WHEREAS, Vandersmith Developers, LTD., property owner, requested to rezone approximately 1.52 acres of land from Suburban Corridor (SC) District to Residential 6 (R6) District, legally described in Exhibit "A", attached hereto and incorporated herein by reference (hereinafter, the "Property"); and

WHEREAS, on April 24, 2024, the Planning and Zoning Commission, 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 full and fair hearings to all property owners interested in this regard, and have recommended approval (0-0) of the request; and

WHEREAS, on May 21, 2024, the City Council likewise conducted a public hearing as required by law, and finds that the request meets and complies with all substantive and procedural standards set forth in Section 2.7.2 of the Denton Development Code, and is consistent with the Denton 2040 Comprehensive Plan and the Denton Development Code; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Denton, in considering the application for establishing a zoning district change for the Property, have determined that the proposed use is in the best interest of the health, safety, morals, and general welfare of the City of Denton, and accordingly, the City Council of the City of Denton is of the opinion and finds that said zoning change is in the public interest and should be granted as set forth herein; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this ordinance are incorporated herein by reference and found to be true.

SECTION 2. The zoning district and use classification for the Property is hereby changed to Residential 6 District.

SECTION 3. The City's official zoning map is hereby amended to show the established zoning district and use classification.

SECTION 4. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall not affect the validity of the provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 5. Any person, firm, partnership or corporation violating any provision of this ordinance shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by fine in a sum not exceeding \$2,000.00 for each offense. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense.

SECTION 6. In compliance with Section 2.09(c) of the Denton Charter, this ordinance shall become effective fourteen (14) days from the date of its passage, and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record-Chronicle, a daily newspaper published in the City of Denton, Texas, within ten (10) days of the date of its passage.

The motion to approve this ordinance was made by _____ and seconded by _____, the ordinance was passed and approved by the following vote [____ - ____]:

	Aye	Nay	Abstain	Absent
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Paul Meltzer, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Chris Watts, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the _____ day of _____, 2024.

GERARD HUDSPETH, MAYOR

ATTEST:
JESUS SALAZAR, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____

Exhibit A
Legal Description

BEING a tract of land situated in the William Daniel Survey, Abstract No. 378, City of Denton, Denton County, Texas, and being part of a called 27.32 acre tract of land described in the Special warranty Deed to RCH Development, LLC recorded in Document No. 2017-54442, Official Records of Denton County, Texas, and a portion of Hobson Lane (a variable width right-of-way) and being more particularly described as follows:

BEGINNING at the northernmost northwest corner of said 27.32 acre tract and at the northeast corner of a called 1.0025 acre tract of land described in the Special Warranty Deed to RCH Development, LLC recorded in Document No. 2017-56075, Official Records of Denton County, Texas, at the southeast corner of a called 1.736 acre tract of land described in the Special Warranty Deed to CST Stations Texas LLC, recorded in Document No. 2017-54513, Official Records of Denton County, Texas, and at the southwest corner of a called 9.58 acre tract of land described in the Special Warranty Deed to Vandensmith Partners Ltd., recorded in Document No. 2017-54443, Official Records of Denton County, Texas;

THENCE South 89°39'44" East, with the south line of said 9.58 acre tract, a distance of 68.52 feet to a point for corner;

THENCE South 00°10'30" East, over and across said 27.32 acre tract, and Hobson Lane (a variable width right-of-way), a distance of 484.29 feet to a point for corner in Hobson Lane;

THENCE South 89°13'36" West, along Hobson Lane, a distance of 156.10 feet to a point for corner;

THENCE North 01°00'54" West, over and across said Hobson Lane and said 27.32 acre tract, a distance of 298.05 feet to a point for corner;

THENCE North 04°50'20" East, continuing over and across said 27.32 acre tract and along the east line of said 1.0025 acre tract, a distance of 25.38 feet to a point for corner;

THENCE continuing along said east line of the 1.0025 acre tract, the following courses and distances:

North 44°33'55" East, a distance of 127.57 feet to a point for corner;

North 00°13'47" West, a distance of 72.62 feet to the **POINT OF BEGINNING** and containing 66,295 square feet or a gross 1.5219 acres of land with 0.1882 acres within public right-of-way resulting in a net area of 1.3397 acres.



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: S24-0001, Version: 1

AGENDA CAPTION

Hold a public hearing and consider making a recommendation to City Council regarding a request for a Specific Use Permit (SUP) to allow for an Equipment Sales and Rental use on approximately 10 acres of land, generally located on the south side of US 380 approximately 3,800 feet west of Masch Branch Road in the City of Denton, Denton County, Texas (S24-0001, RDO Equipment, Ashley Ekstedt)



AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: April 24, 2024

SUBJECT

Hold a public hearing and consider making a recommendation to City Council regarding a request for a Specific Use Permit (SUP) to allow for an Equipment Sales and Rental use on approximately 10 acres of land, generally located on the south side of US 380 approximately 3,800 feet west of Masch Branch Road in the City of Denton, Denton County, Texas (S24-0001, RDO Equipment, Ashley Ekstedt)

BACKGROUND

Consider a request by Aimee Bissett with 97 Land Company, representing the property owner, Henry Property Development, LLC, for a Specific Use Permit (SUP) to allow for an Equipment Sales and Rental use. The subject property is zoned Light Industrial (LI).

This proposed development, a John Deere commercial business, will consist of an Equipment Sales and Rental use. In the LI Zoning District, Warehouses are a permitted use, and the Equipment Sales and Rental use is allowed with an approved Specific Use Permit.

The subject property is an approximately 10-acre site located on the south side of US 380, approximately 3,800 feet west of Masch Branch Road. The western portion of the site is encumbered by a variety of easements, primarily associated with overhead utilities, thus making the property difficult to develop. The proposed development will consist of a 28,000 square foot building, of which 13,000 SF will be Equipment Sales and Rental, which includes retail, sales offices, and product displays, and 15,000 SF will be accessory uses such as storage and warehousing and servicing of equipment. Equipment to be sold and displayed on site includes John Deere tractors and similar equipment. The portion of the site along US 380 will include outdoor equipment display along the right-of-way, and additional equipment storage is located adjacent to the building (west and east sides of building) and to the rear of the site that will be screened from the right-of-way by a six-foot tall wood fence located more interior to the site. A six-foot wrought iron fence is proposed along the right-of-way in order to enclose the equipment sales area. The Denton Development Code distinguishes between outdoor display, which relates to items for immediate sale lease, and outdoor storage of items that are not intended for immediate sale or lease (i.e. equipment awaiting maintenance), and storage areas are required to be opaquely screened. The Site Plan provided as Exhibit 7 shows the proposed location of the display and storage areas as well as the sales building and parking areas.

Staff Analysis is provided as Exhibit 2.

OPTIONS

1. Recommend approval as submitted
2. Recommend approval subject to conditions
3. Recommend denial

4. Postpone consideration

RECOMMENDATION

Staff recommends **approval** of the SUP request with the following conditions:

1. Development of the site shall substantially comply with the attached Site Plan and Landscape Plan. Administrative approval of changes that do not increase the size of the designated equipment rental display and storage areas, change the number of parking spaces, decrease the buffer and screening requirements, or result in a decrease of more than 5 percent in the landscape area for the whole site may be administratively approved, if such changes are permissible per the Denton Development Code. All other changes shall require a Specific Use Permit amendment in accordance with the Denton Development Code.
2. Notwithstanding the limited administrative approvals authorized in condition 1, the City reserves the right to require approval by ordinance of any amendments or alterations to the SUP, the attached site plan, and the attached landscape plan, including those referenced in condition 1. The attached site plan and landscape plan are incorporated as requirements of the SUP.
3. An encroachment agreement must be obtained prior to the approval of the Civil Engineering Plans for all encroachments into the private easements located on the property. Failure to obtain an encroachment agreement will require approval of an amendment to the SUP by ordinance.
4. Improvements within the TxDOT roadway require approval by TxDOT. If the modified traffic impact analysis (TIA) submitted to TxDOT requires minor alterations to relocate the cross-access connection, relocate the proposed driveway along US 380, relocate parking spaces impacted by the driveway relocation, or modify the median opening and turn lanes, or any other changes required by TxDOT, these changes may be approved by City staff, provided that the final configuration of the driveway and cross-access complies with the Texas Department of Transportation (TxDOT) requirements as well as all elements of the DDC. All other changes to site access shall require a Specific Use Permit amendment in accordance with the Denton Development Code.
5. Construction of the pavement within the cross-access easement is required when the adjacent property to the east develops.
6. The zoning map shall reflect the Specific Use Permit on the property consistent with the DDC.
7. Minor alterations to the building elevations may be approved by City staff, provided that the final project complies with Denton Development Code Subsection 7.10.5D, Building Mass and Form.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

February 28, 2024	Planning & Zoning Commission	Rezoning of property from Rural Residential (RR) to Light Industrial (LI)	Recommended Approval
March 19, 2024	City Council	Rezoning of property from Rural Residential (RR) to Light Industrial (LI)	Approved

PUBLIC OUTREACH:

To comply with the public hearing notice requirements, the following were completed:

- On April 5, 2024 - 11 notices were sent to property owners within 200 feet of the subject property. As of the writing of this report, staff has not received any written responses.
- On April 5, 2024 - 1 courtesy notice was sent to physical addresses within 500 feet of the subject property.
- A notice was published on the City's website on April 5, 2024.
- A notice was published in the Denton Record Chronicle on April 7, 2024.
- The applicant sent out neighborhood meeting invitations to a virtual meeting on January 18, 2024 to addresses within 500 feet of the subject property. No RSVP's were received, and the neighborhood meeting was not held.
- One sign was posted on the property on April 11, 2024.

DEVELOPER ENGAGEMENT DISCLOSURES

No developer contact and/or meeting disclosures have been provided to staff as of the issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Future Land Use Map
5. Zoning Map
6. Applicant Project Narrative
7. Proposed Site Plan
8. Proposed Landscape Plan
9. Proposed Building Elevations
10. Fiscal Impact Summary
11. Notification Map
12. Draft Ordinance
13. LLC Members List

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/
Planning Director

Prepared by:
Ashley Ekstedt
Associate Planner

Planning Staff Analysis

S24-0001 / RDO Equipment

City Council District 3

REQUEST:

Specific Use Permit (SUP) to allow for an Equipment Sales and Rental use on approximately 10 acres of land. The subject property is zoned Light Industrial (LI). The Equipment Sales and Rental use is an allowed use with an approved Specific Use Permit.

OWNER:

Henry Property Development, LLC

APPLICANT:

Aimee Bissett with 97 Land Company

STAFF RECOMMENDATION:

Staff recommends **approval** of the SUP request with the following conditions:

1. Development of the site shall substantially comply with the attached Site Plan and Landscape Plan. Administrative approval of changes that do not increase the size of the designated equipment rental display and storage areas, change the number of parking spaces, decrease the buffer and screening requirements, or result in a decrease of more than 5 percent in the landscape area for the whole site may be administratively approved, if such changes are permissible per the Denton Development Code. All other changes shall require a Specific Use Permit amendment in accordance with the Denton Development Code.
2. Notwithstanding the limited administrative approvals authorized in condition 1, the City reserves the right to require approval by ordinance of any amendments or alterations to the SUP, the attached site plan, and the attached landscape plan, including those referenced in condition 1. The attached site plan and landscape plan are incorporated as requirements of the SUP.
3. An encroachment agreement must be obtained prior to the approval of the Civil Engineering Plans for all encroachments into the private easements located on the property. Failure to obtain an encroachment agreement will require approval of an amendment to the SUP by ordinance.
4. Improvements within the TxDOT roadway require approval by TxDOT. If the modified traffic impact analysis (TIA) submitted to TxDOT requires minor alterations to relocate the cross-access connection, relocate the proposed driveway along US 380, relocate parking spaces impacted by the driveway relocation, or modify the median opening and turn lanes, or any other changes required by TxDOT, these changes may be approved by City staff, provided that the final configuration of the driveway and cross-access complies with the Texas Department of Transportation (TxDOT) requirements as well as all elements of the DDC. All other changes to site access shall require a Specific Use Permit amendment in accordance with the Denton Development Code.
5. Construction of the pavement within the cross-access easement is required when the adjacent property to the east develops.

6. The zoning map shall reflect the Specific Use Permit on the property consistent with the DDC.
7. Minor alterations to the building elevations may be approved by City staff, provided that the final project complies with Denton Development Code Subsection 7.10.5D, Building Mass and Form.

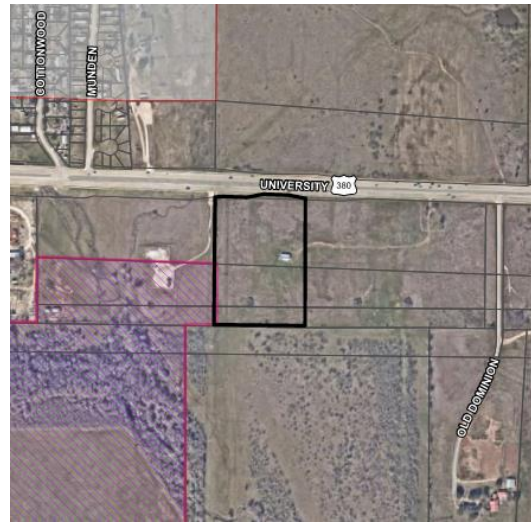
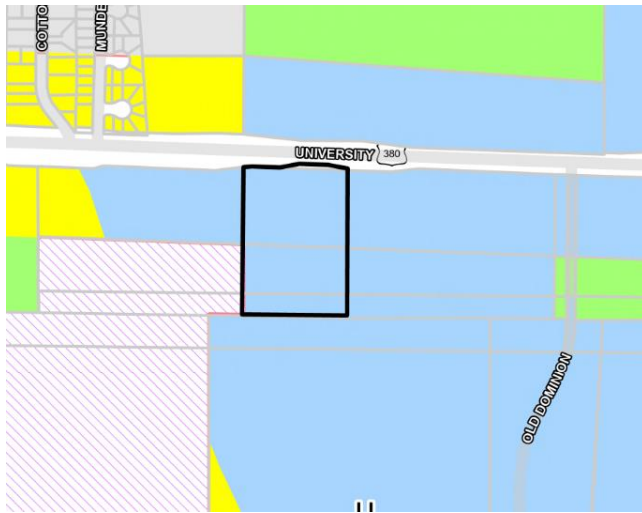
SITE DATA:

The subject property, an approximate 10-acre site, is currently undeveloped except for one agricultural structure located on site (see inset maps below and maps provided as Exhibits 3 and 5). The western portion of the site is encumbered by a variety of easements, primarily associated with overhead utilities, thus making the property difficult to develop. A portion of the property was recently zoned Light Industrial. There is no FEMA floodplain or floodway located on the property. There are no designated Environmentally Sensitive Areas (ESAs) on the property.

The subject property has approximately 545 feet of frontage on US 380. US 380 is a freeway on the current Mobility Plan and is maintained by the Texas Department of Transportation (TxDOT). Access in and out of the site will be through one driveway located on US 380, which is subject to the approval of a TxDOT permit as noted in the recommended conditions. See Exhibit 7 – Proposed Site Plan.

SURROUNDING ZONING AND LAND USES:

Northwest: <ul style="list-style-type: none"> • Zoning: Residential 2 (R2) • Use: US 380 and Residential 	North: <ul style="list-style-type: none"> • Zoning: Light Industrial District • Uses: Undeveloped Land and Agriculture 	Northeast: <ul style="list-style-type: none"> • Zoning: Light Industrial District • Use: Undeveloped Land
West: <ul style="list-style-type: none"> • Zoning: ETJ/Non-Annexation Agreement (NAA) • Use: Gas Well 	SUBJECT PROPERTY	East: <ul style="list-style-type: none"> • Zoning: Light Industrial District • Use: Undeveloped Land
Southwest: <ul style="list-style-type: none"> • Zoning: ETJ/Non-Annexation Agreement • Use: Undeveloped Land 	South: <ul style="list-style-type: none"> • Zoning: Light Industrial District • Use: Undeveloped Land and gas well 	Southeast: <ul style="list-style-type: none"> • Zoning: Light Industrial District • Use: Undeveloped land, rural residential use, and gas well



CONSIDERATIONS:

A. Section 2.4.5E of the Denton Development Code (DDC) provides approval criteria applicable to all applications.

1. *General Criteria*

a. *Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.*

The general criteria have been applied.

b. *The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9.*

Section 2.5.2D of the DDC applies to Specific Use Permit (SUP) requests. An analysis of this request per those criteria can be found below in Consideration B.

c. *If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5 through 2.9 controls.*

There are no conflicts between the general criteria and the criteria specific for Specific Use Permit requests.

2. *Prior Approvals*

The proposed Specific Use Permit is consistent with the March 2024 rezoning from Rural Residential (RR) to Light Industrial (LI) zoning.

3. *Consistent with the Comprehensive Plan and Other Applicable Plans*

The decision-making authority:

a. *Shall weigh competing goals, policies, and strategies.*

The proposed Specific Use Permit is consistent with the goals, policies, and actions of the Comprehensive Plan and with the Future Land Use Designations of Light Industrial

and Industrial Commerce (see inset map below and in Exhibit 4), including the goals and actions listed below:

GOAL FEV-2: Improve the City's job-to-worker ratio by increasing the number of jobs available to the resident workforce and local graduates.

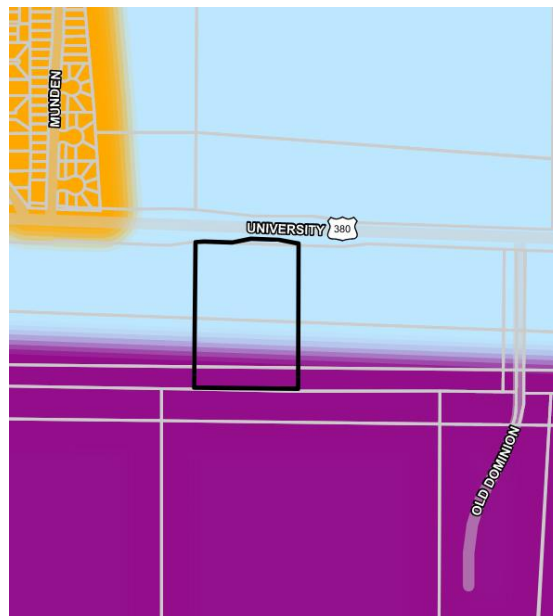
GOAL FEV-5: Design a fiscally advantageous land use pattern paired with fiscally responsible infrastructure management and investment.

Action 3.1.1: Ensure adequate land for future economic growth, particularly in the non-residential future land use categories, including a sufficient buffer zone to adjacent protected land uses.

The applicant's requested use is consistent with the overall goals of the Denton 2040 Comprehensive Plan to provide for a robust and diverse economy and increase jobs within Denton by bringing a new commercial business to Denton that would also support area agricultural uses with the types of equipment sold and rented. Additionally, given the surrounding zoning pattern and the proximity of more intensive uses such as gas well drilling and production sites, the potential for any nuisance or compatibility issues to arise from this use are limited and proper screening for outdoor storage areas is proposed, which aligns with Action 3.1.1 cited above. The proposed use is less intense than other uses that are permitted by right in Light Industrial zoning, such as warehousing and self-storage, and this use would serve as a buffer between the existing single-family neighborhood located to the northeast of the subject site, on the north side of US 380, and future development of the existing Light Industrial zoning to the east of the subject site.

- b. *May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in the Comprehensive Plan.*

The use and scale of the proposed Equipment Sales and Rental use conforms to the Future Land Use Element of the Denton 2040 Comprehensive Plan.



Per the Future Land Use Map in the Denton 2040 Comprehensive Plan, the subject property is designated as Light Industrial and Industrial Commerce (see image above and provided as Exhibit 5). The description for the Future Land Use designations are provided below:

The Light Industrial designation is intended for tracts of land that are appropriate for light industrial activity. Primary uses include light manufacturing, assembling, and warehousing and distribution, and include associated supporting uses, such as offices, retail, and restaurants. Light Industrial areas should have adequate access to infrastructure, including the transportation network. It is important in future development that transitions to adjacent sensitive land uses are considered.

Industrial Commerce applies to areas where the predominant uses include both light and heavy industrial uses, such as moderate to heavy manufacturing, assembly, fabrication, and wholesaling. Distribution warehouses may be included in this designation if used to replace underutilized and heavy industrial uses, or if ultimately reused to house future industrial development. This designation is located primarily west of I-35W near the Denton Municipal Airport. It is important in future development that transitions to adjacent sensitive land uses are considered.

The proposed John Deere commercial business consists of Equipment Sales and Rental and use, which includes accessory uses such as outdoor display, storage, and servicing for equipment. The uses contribute to the mix of uses in the area and will increase the City's economic vitality as envisioned by the Denton 2040 Comprehensive Plan.

The sale of farm equipment is considered as an Equipment Sales and Rental use per the definition of the use in the Denton Development Code. See definition below:

Equipment Sales and Rental

An establishment engaged in the display, sale, and rental of equipment, tools, supplies, machinery or other equipment used for building construction, manufacturing, farming or agriculture. This use includes the sale of farm-specific vehicles such as tractors, tillers, farm trailers, back hoes, graders, boom lifts, and front-end loaders, but not including car or truck rentals.

The Equipment Sales and Rental Use is consistent with the Light Industrial Future Land Use designation which includes supporting uses such as retail, especially due to the more intensive nature of the equipment being sold. Industrial Commerce applies to both light and heavy and industrial uses, which would include the warehouse accessory use proposed on the subject site. Furthermore, the existing Light Industrial zoning that allows warehouse uses, it is appropriate to consider allowing the equipment sales and rental component associated with this business. As was noted in the AIS, the DDC does distinguish between the outdoor display of item immediately intended for sale and the outdoor storage of items not intended for immediate sale, and thus the reason for the opaque wooden fence interior to the site to screen storage areas from public view.

4. *Compliance with this DDC*

- a. *The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.*

If the subject Specific Use Permit request is approved, all subsequent development on this site will comply with applicable standards in the DDC, including, but not limited to, minimum lot size and dimensions, building coverage, access, parking, tree preservation, and landscaping.

- b. *Compliance with these standards is applied at the level of detail required for the subject submittal.*

The proposed site plan and landscape plan were reviewed to ensure compliance with the Denton Development Code. If the proposed Specific Use Permit request is approved, prior to development, a detailed plan review will accompany all required civil engineering plans, final plat, and building permit submittals. As noted below, the applicant did seek administrative deviations from certain code requirements, as allowed for in the DDC.

Parking

The total parking required for the proposed development is 31 parking spaces. Twenty-six (26) spaces for the Equipment Sales and Rental use and five (5) spaces for the accessory warehouse and storage space. However, during the site plan review process the applicant requested to provide 35 parking spaces, which is 4 parking spaces over the required parking. Per DDC 7.9.6C.4, a development may provide up to 125% of the minimum parking (38 spaces) if the parking spaces provided above the minimum required parking spaces are designed to iSWM standards. The applicant will demonstrate compliance with this requirement for treating the stormwater associated with the 4 additional parking spaces with their Civil Engineering Plans.

Landscaping

The applicant also submitted an Alternative Landscape Plan. The purpose of the Alternative Landscape Plan is to deviate from the requirements of 7.7.7: Street Tree Requirements of the Denton Development Code. The Section requires the elements listed in the table below.

Street trees shall be located within the street right-of-way or within 10 feet of the street right-of-way.
At least one street tree is required for every 30 feet of street frontage.
Street trees are not required to be regularly spaced at 30-foot intervals; however, street trees shall not be planted further apart than 50-foot intervals and not closer than 25 feet apart.

The applicant requested alternate locations and spacing for the street trees due to the easements that encumber the site as well as the desire to have the equipment that will be on display visible from the right-of-way. As an alternative, the street trees are located outside several large easements that are located on the western portion of the site, outside of the TxDOT right-of-way that does not permit street trees, and outside of the 20' utility easement along the TxDOT frontage. Ornamental trees have been clustered to provide the required number of street trees in a smaller area due to the site constraints.

The applicant also requested to deviate from the landscape buffer requirements. A minimum 20 points, minimum 10-foot width landscape buffer is required between this developing commercial use (Equipment Sales and Rental) and the adjacent industrial use (Gas Well) to the west. Due to the existing easements that span the entirety of the

western property line, the applicant has proposed a coated chain link fence along the western portion of the property in place of a wood or masonry fence due to the ease of removal if the easement holder needed to access the easement. The applicant has also planted large canopy trees along the entirety of the eastern property line, as opposed to the western property line as would have been required.

Pursuant to Section 7.7.3C Alternative Landscaping of the Denton Development Code, the Director may approve alternative landscape plans that do not meet the specific requirements stated in Section 7.7 Landscaping, Screening, Buffering, and Fences, when the Director determines that the alternatives meet the criteria listed in Section 7.73C.2 Alternative Landscape Plan Approval Criteria. After review of a submitted Alternative Landscape Plan, staff has determined that the information and assumptions used in the plan meets the approval criteria listed in Section 7.73C.2 Alternative Landscape Plan Approval Criteria and has approved the applicant's proposed Alternative Landscape Plan, which is provided as Exhibit 8.

Access

The applicant also submitted requests to vary from transportation related criteria. DDC 8.3.2C.1.c.ii requires two full points of vehicular access for developments on lots 20,000 square feet or larger. The subject site is a large lot, exceeding 20,000 square feet, but only has approximately 500 feet of frontage on US 380, which would not be appropriate for the required two access points directly from US 380. The proposed development is expected to generate low daily trips and the applicant proposing to construct a right-turn lane on US 380 pending TXDOT's approval. If another access drive connection to US 380 were to be added for this site to meet the DDC's requirement, it could potentially interfere with future access to other developments on adjacent properties due to the required driveway spacing. A cross access and public access easement is shown on the proposed plan, and when the property to the east develops, a second point of access will be provided through the cross-access connection.

Pursuant to 8.3.2C.1.d, the requirement for two full points of access in Subsection 8.3.2C.1.c.ii may be waived when it is shown to the satisfaction of the City Engineer that two points of vehicular access are deemed unattainable on the basis of: topography; the presence of natural drainage features or Environmentally Sensitive Areas; adjacent site improvements making it unattainable to provide second access; or vehicular or pedestrian safety factors. After review of the submitted variance request, staff has approved the variance request as an interim condition for this development in order to preserve future drive connections that maintain appropriate drive spacing intervals for when adjacent properties develop in the interest of traffic safety, yet allowing the site to have two-points of access in the future via the cross-access easement.

DDC 7.8.10A requires all non-residential development to be designed to allow cross-access to adjacent properties. The applicant has requested a variance (in accordance with DDC 7.8.10.B) to construct the cross-access pavement connection at a later date due to the topography of the subject site in relation to the neighboring site. The driveway, if constructed at this time, would need to be in excess of 12% grade. The cross-access easement is being provided with this development, and the future cross-access drive will be constructed when the adjacent site develops, and the two properties can coordinate to install the cross-access connection with a slope that meets the DDC requirements for grading. Staff has approved the variance request provided that the cross-access easement is provided at the time of development.

5. *Compliance with Other Applicable Regulations*

This proposed request complies with all other applicable regulations.

6. *Consistent with Interlocal and Development Agreements*

There are no interlocal or development agreements for the subject site.

7. *Minimizes Adverse Environmental Impacts*

There is no FEMA floodplain or floodway located on the property. There are no designated Environmentally Sensitive Areas (ESAs) on the property. All developments shall comply with applicable standards in the DDC, Criteria Manual, Municipal Code of Ordinances, and other state and federal standards. Development of the site will require a full review of all site conditions. Additionally, the applicant has provided a letter from an arborist stating that there are no protected trees on site, so the site is in compliance with the DDC's tree preservation standards.

8. *Minimizes Adverse Impacts on surrounding Property*

The proposed Equipment Sales and Rental use will not have any adverse impact on surrounding property. The existing land use pattern in the surrounding area is a mix of undeveloped land and industrial uses. The Equipment Sales and Rental use is appropriately incorporated into the overall design of the site and is compatible with this land use pattern.

During the final platting and civil engineering process, the precise requirements for public infrastructure improvements, including water, sewer, and drainage will be determined.

9. *Minimizes Adverse Fiscal Impacts*

The proposed Equipment Sales and Rental use will not have an adverse fiscal impact. A Fiscal Impact Summary has been completed and it provided in Exhibit 9. This summary report indicates that the commercial use would have a positive net impact on the City's General Fund.

10. *Compliance with Utility, Service, and Improvement Standards*

Water is available along US 380, and sewer is available to the southwest of the subject site. A full review of their capacity level and the plans for extension of these utility lines will be conducted as part of the Civil Engineering Plan review prior to final platting.

No negative drainage impact is permitted onto adjacent properties upon development. Detention requirements will be assessed as part of the Civil Engineering Plan review prior to final platting. Drainage facilities required on site will need to comply with the DDC prior to any building permit being issued.

11. *Provides Adequate Road Systems*

The subject property has approximately 550 feet of frontage on US 380. US 380 (University Drive) is an existing freeway on the current Mobility Plan. Access in and out of the site will be through one driveway located on US 380. See Exhibit 7 – Proposed Site Plan. Additionally, any work within the TxDOT right-of-way will require approval of a TxDOT permit.

12. *Provides Adequate Public Services and Facilities*

The proposed Equipment Sales and Rental use will not affect public services and facilities within the area.

13. *Rational Phasing Plan*

The project does not have a phasing plan.

- B. Section 2.5.2D of the DDC states that in reviewing a proposed SUP, the Planning and Zoning Commission and City Council shall consider the general approval criteria in Subsection 2.4.5E and whether:

1. *The specific use proposed is compatible with the surrounding area;*

The proposed Equipment Sales and Rental use is compatible with the surrounding area. The existing land use pattern in the surrounding area is a mix of undeveloped land and industrial uses (gas wells).

2. *The specific use proposed has negative impacts on future development of the area; and*

The proposed Equipment Sales and Rental use is anticipated to have no negative impacts on future development of the area. The development of this property would improve the area by building on an undeveloped property along a major corridor in the city.

3. *Any impacts associated with access, traffic, emergency services, utilities, parking, refuse areas, noise, glare, and odor have been adequately mitigated.*

The proposed site plan and landscape plan depict that the development would be in conformance with the requirements of the DDC (as allowed to be administratively modified) in terms of parking and landscaping as described in criterion A.4.b above.

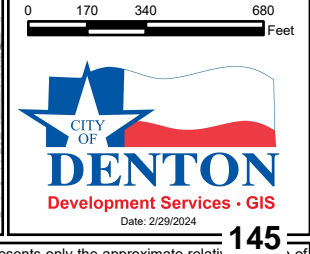
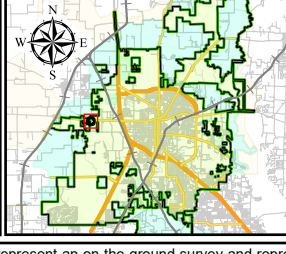
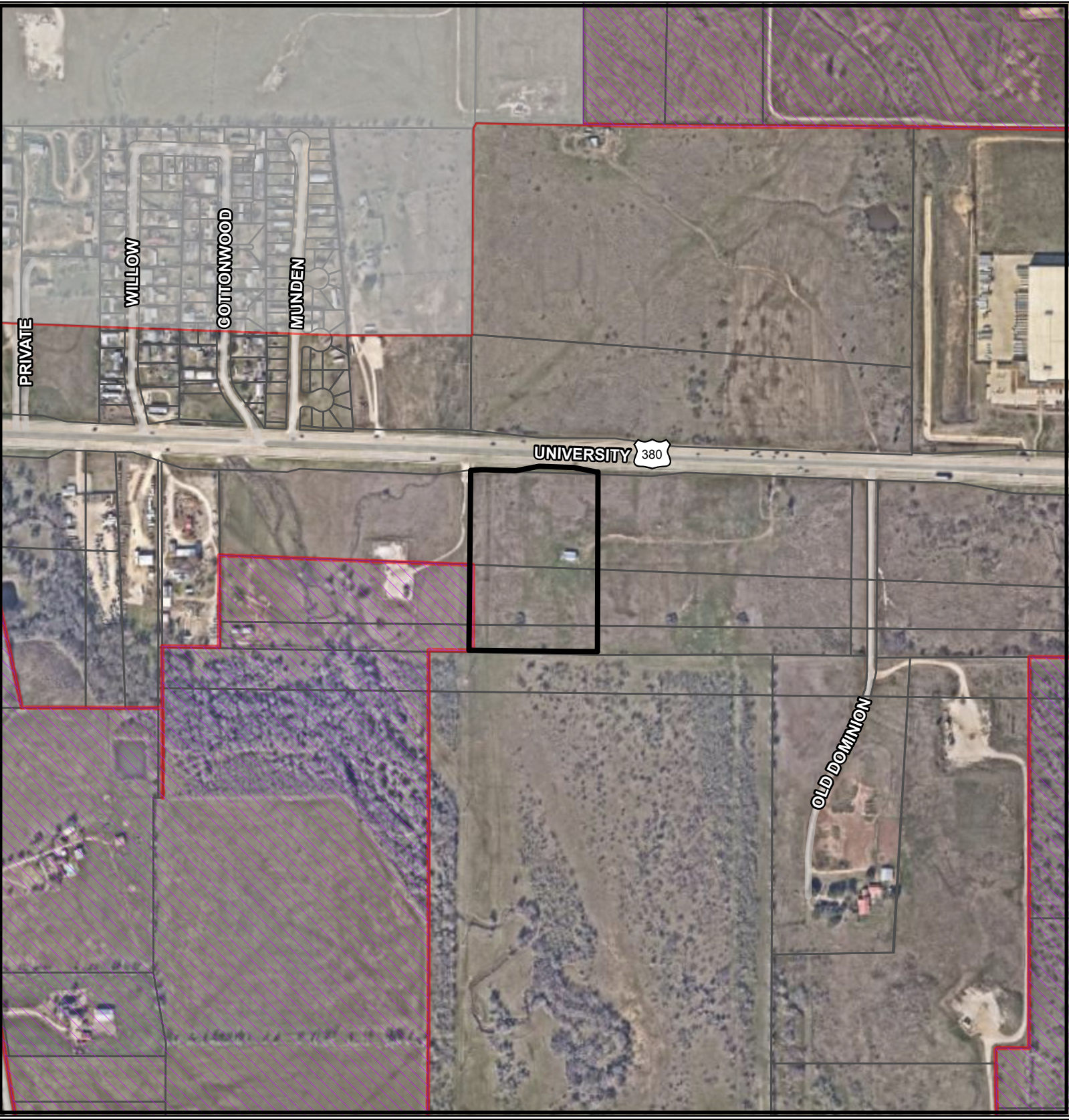
After construction, the proposed use is not anticipated to generate offensive odors, fumes, dust, noise, or vibrations.

Water and sewer lines are available in the vicinity of the subject site. A full review of the plans for extension of these utility lines will be conducted as part of the Civil Engineering Plan review prior to final platting.

No negative drainage impact is permitted onto adjacent properties upon development. Detention requirements will be assessed as part of the Civil Engineering Plan review prior to final platting. Drainage facilities required on site will need to comply with the DDC prior to any building permit being issued.

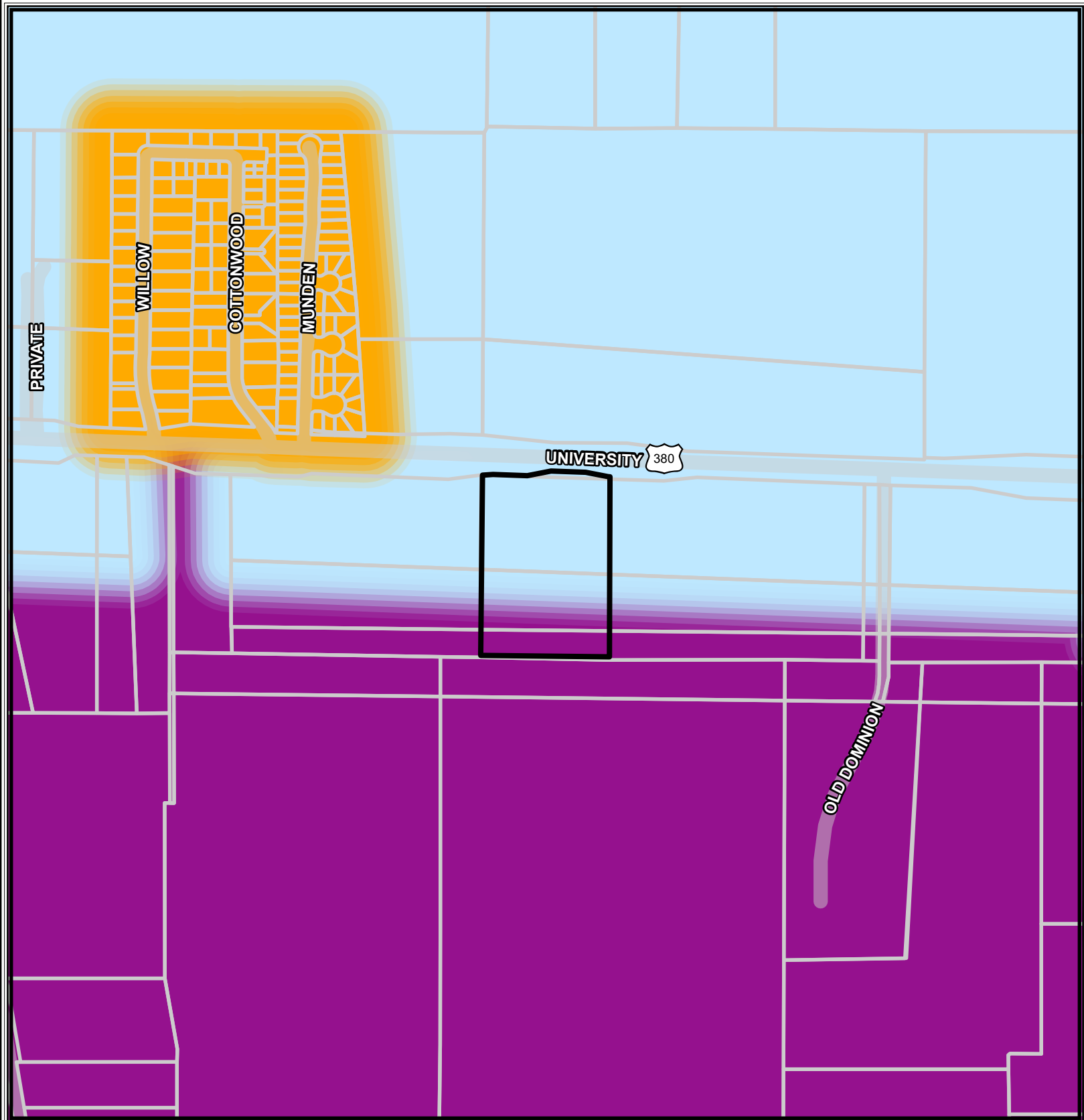
During the final platting and Civil Engineering Review process, the precise requirements for public infrastructure improvements, including water, sewer, and drainage, will be determined.

S24-0001 Site Location



S24-0001

1-Future Land Use Map



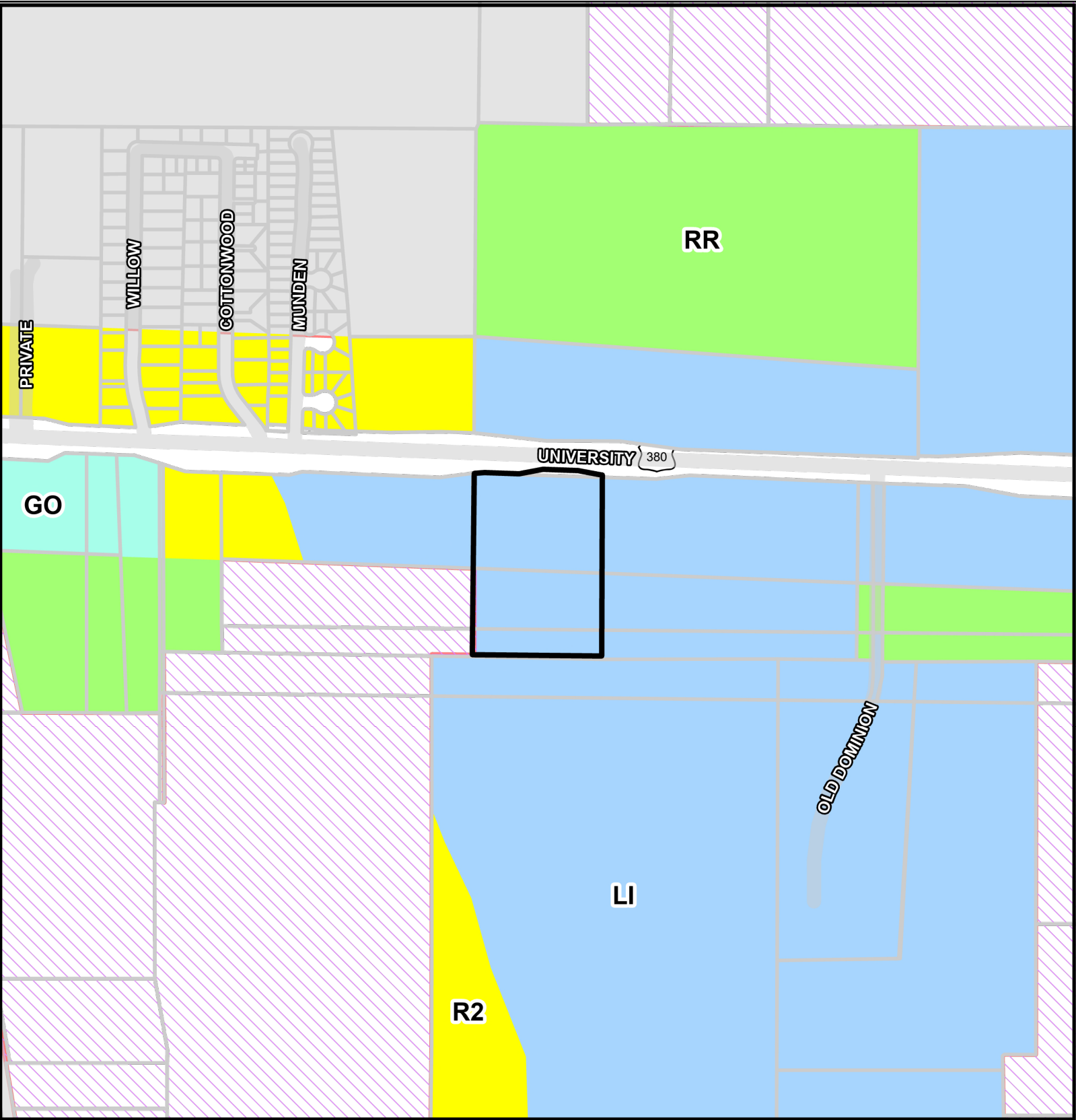
<ul style="list-style-type: none"> Roads Site Location Parcels 	<ul style="list-style-type: none"> Moderate Residential Master Planned Community Downtown Denton Downtown Compatibility Area Regional Mixed Use Community Mixed Use Neighborhood Mixed Use Neighborhood / University Compatibility Area 	<ul style="list-style-type: none"> Business Innovation Commercial Light Industrial Industrial Commerce Government / Institutional Parks / Open Space Business Center 			
Future Land Use Designation <ul style="list-style-type: none"> Agriculture Rural Areas Low Residential 	<ul style="list-style-type: none"> Business Innovation Commercial Light Industrial Industrial Commerce Government / Institutional Parks / Open Space Business Center 				

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative property boundaries. Although every effort was made to ensure the accuracy of this data, no such guarantee is given or implied. Utilization of this map indicates the understanding that there is no guarantee to the accuracy of this data.

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 1 of 1

S24-0001

Current Zoning Map



<ul style="list-style-type: none"> Roads Site Location Parcels Current Zoning RR - Residential Rural R1 - Residential R2 - Residential R3 - Residential 	<ul style="list-style-type: none"> R4 - Residential R6 - Residential R7 - Residential MN - Mixed-Use Neighborhood MD - Mixed-Use Downtown Core MR - Mixed-Use Regional HC - Highway Corridor SC - Suburban Corridor 	<ul style="list-style-type: none"> GO - General Office LI - Light Industrial HI - Heavy Industrial PF - Public Facilities PD - Planned Development MPC OVERLAY 			
--	---	---	--	--	--

S24-0001

RDO Equipment Sales and Rental

8.1 – Project Description/Summary

The proposed specific use permit is a request for 10 acres of Light Industrial property located on the south side of US-380 approximately 3,000 feet west of Masch Branch Rd. to facilitate the development of equipment sales and rental use with a warehouse on 10 acres as shown on the attached Zoning Location Map. The lot is currently unplatted and will be final platted with this development. The existing site is an undeveloped lot and drains from east to west towards the existing off-site floodplain. There is no existing FEMA Floodplain on-site. The site is surrounded by existing undeveloped ag properties that are currently zoned LI.

The proposed development includes approximately 28,000 SF building as shown on the Specific Use Permit Site Plan. Approximately 13,000 SF are Equipment Sales and Rental, and 15,000 SF are warehouse. The site includes 35 parking spaces (2 of which will be ADA accessible) and 2 bicycle spaces.

8.2 - Site History (past land development applications, platting, etc.)

The lot was previously split zoned as RR and LI. A zoning change project was applied for as Z23-0014 for straight LI zoning that was approved by the planning department on 1-25-24, P&Z 2-28-24, and City Council 3-19-2024.

8.3 – Surrounding property uses

The property is adjoined to the north, west, and south by light industrial zoning, and the future land use plan designates this area as a mix of Light Industrial and Industrial Commerce.

8.4 - Existing Site Conditions: Topography; hydrology; existing land uses; existing circulation (vehicle and pedestrian); existing open space, recreation and preservation areas; and existing infrastructure and utilities (Potable Water, Wastewater, Storm water, Solid Waste, Electric)

The proposed development is consistent with the terms and conditions of any prior land use approval, plan, development agreement, or plat approval that is in effect and not proposed to be changed. This includes an approved phasing plan for development and installation of public improvements and amenities. The project proposes one driveway connection to US-380 with a proposed right and left turn lane into the site. It is understood that this will require a subdivision variance but will limit driveway connections to US-380 with a proposed median opening. Pedestrian site access will be provided with sidewalk connections to the sidewalk along US-380. There is a future 12" waterline to be installed by CEP22-0069 along the north side of US-380. There is an existing 21" sanitary sewer line southwest of the property that this project will be connecting via an off-site 16' public utility easement. The proposed domestic, irrigation and sewer services will connect to these public lines that are adequately sized for this development. Kimley-Horn provided a noted on the SUP Site Plan that either a) a proposed detention pond will be provided as seen showing less than or equal to the existing flow released from the site or b) a future Downstream Assessment will be reviewed and approved warranting be no adverse stormwater impacts downstream, in lieu of a detention pond. This will be detailed and shown within the Drainage Area Maps on the Civil Engineering Plans. The proposed solid waste is

located on-site in accordance with the City of Denton Solid Waste requirements that is screened from view from the public right-of-way.

The proposed development should be designed to minimize negative environmental impacts and should not cause significant adverse impacts on the natural environment.

The proposed development should not cause significant adverse impacts on surrounding properties.

The proposed development should not result in significant adverse fiscal impacts on the city.

8.5 - Describe how the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with The Denton Plan and federal, state, or local law.

The proposed development required a Zoning Change to LI and received it. Now it requires an SUP is working within the legal framework for approval and make sure criteria are met.

There is no prior land use approval, plan, development agreement or plat on this property.

A zoning change to light industrial is appropriate in this area and consistent with the surrounding zoning pattern and Future Land Use Plan and was approved. The next step is the approval of the Specific Use Permit. The property is adjoined to the north, west, and south by light industrial zoning, and *the future land use plan designates this area as a mix of Light Industrial and Industrial Commerce.*

This property is not impacted by any interlocal or development agreements to the best of our knowledge. In such case that it is, all terms and conditions will be complied with.

The proposed development will require a Specific Use Permit and will comply with all applicable standards of the DDC.

8.6 - Describe how the adequate capacity of infrastructure can and will be provided to and through the subject property.

The proposed development includes approximately 28,000 SF building as shown on the Specific Use Permit Site Plan. Approximately 13,000 SF are Equipment Sales and Rental, and 15,000 SF are warehouse. The site includes 35 parking spaces (2 of which will be ADA accessible) and 2 bicycle spaces. The project proposes one driveway connection to US-380 with a proposed right and left turn lane into the site. It is understood that this will require a subdivision variance but will limit driveway connections to US-380 with a proposed median opening. Pedestrian site access will be provided with sidewalk connections to the sidewalk along US-380. There is a future 12" waterline to be installed by CEP22-0069 along the north side of US-380. There is an existing 21" sanitary sewer line southwest of the property that this project will be connecting via an off-site 16' public utility easement. The proposed domestic, irrigation and sewer services will connect to these public lines that are adequately sized for this development. Kimley-Horn provided a note on the SUP Site Plan that either a) a proposed detention pond will be provided as seen showing less than or equal to the existing flow released from the site or b) a future Downstream Assessment will be reviewed and approved warranting be no adverse stormwater impacts downstream, in lieu of a detention pond. This will be detailed and shown within the Drainage Area Maps on the Civil Engineering Plans. The proposed solid waste is located on-site in accordance with the City of Denton Solid Waste requirements that is screened from view from the public right-of-way.

8.7 - Describe how the proposed Specific Use Permit request meets the General Criteria for approval in DDC Section 2.4.5E, and the Specific Criteria for approval in Section 2.5.2.D of the DDC

There is no prior land use approval, plan, development agreement or plat on this property. This property is not impacted by any interlocal or development agreements to the best of our knowledge. In such case that it is, all terms and conditions will be complied with. The proposed development will generate property tax revenue, business personal property tax revenue, and jobs for the City creating a positive fiscal impact. The proposed development will comply with all regulatory requirements and construction specifications.

9.1- The specific use proposed is compatible with the surrounding area

A Specific Use Permit is appropriate in this area and consistent with the surrounding Light Industrial zoning pattern and Future Land Use Plan. The property is adjoined to the north, west, and south by light industrial zoning, and the future land use plan designates this area as a mix of Light Industrial and Industrial Commerce.

9.2- The specific use proposed has minimal impacts on future development of the area; Criteria for Approval

A Specific Use Permit will insure any impacts are mitigated. However, there is no presence of floodplain, jurisdictional waters, or environmentally sensitive areas onsite. The proposed development will not cause adverse impacts to surrounding properties. Any impacts would be mitigated through the Specific Use Permit process.

9.3 The specific use proposed meets all other standards of this DDC and all other applicable city codes

The proposed development will comply with all applicable standards of the DDC.

9.4 - Any impacts associated with access, traffic, emergency services, utilities, parking, refuse areas, noise, glare, and odor have been adequately mitigated.

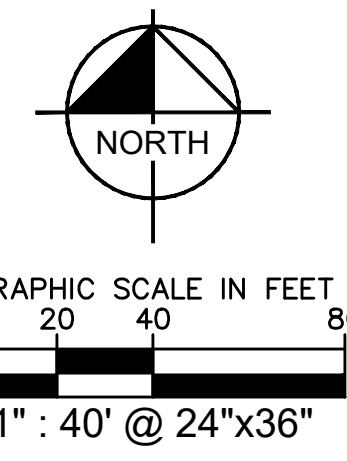
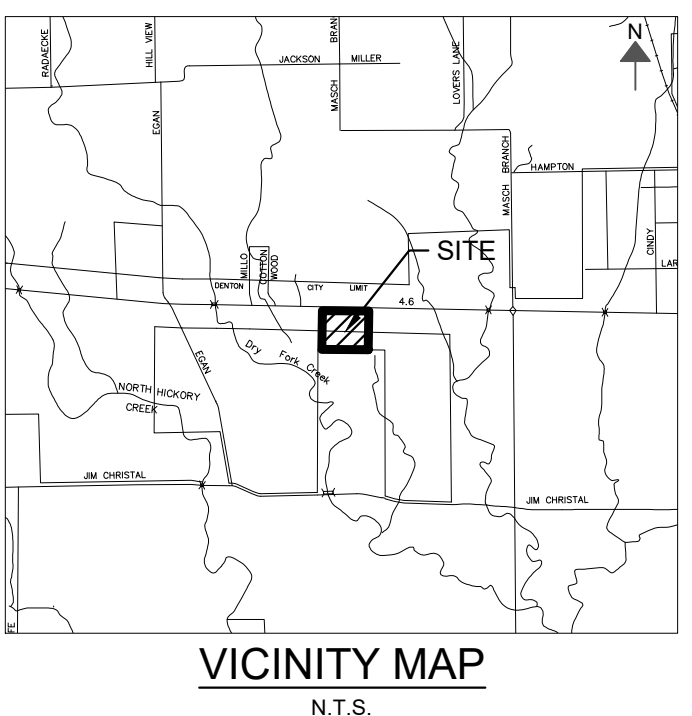
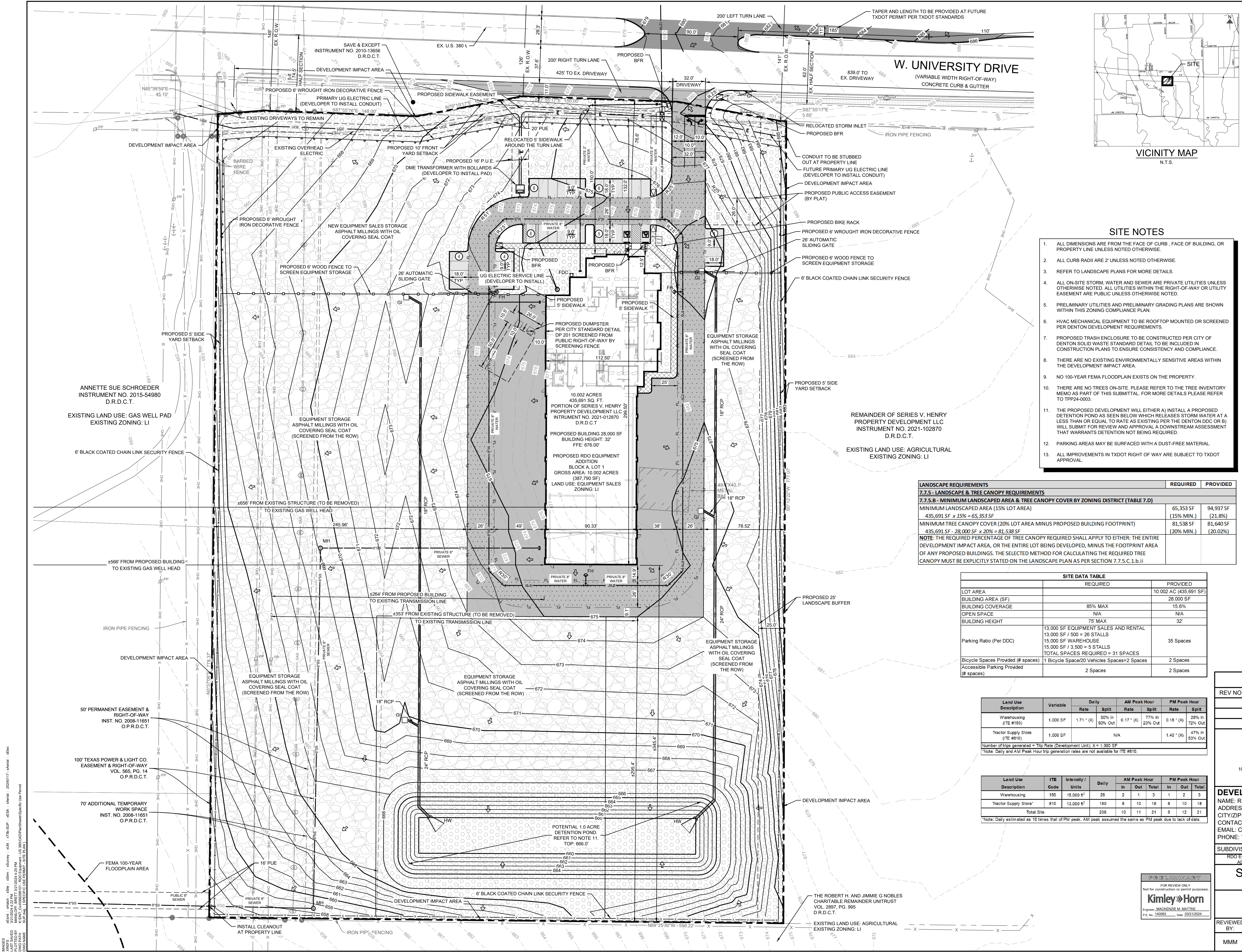
The proposed development will not cause adverse impacts to surrounding properties. Any impacts would be mitigated through the Specific Use Permit process.

9.5 - The use is in conformance with the Comprehensive Plan and any other applicable adopted plans; and

An equipment sales and rental facility is consistent with the purpose statement of Light Industrial.

9.6 - The use adversely impacts the health, safety, and welfare of the inhabitants of the area and the City of Denton.

This use does **NOT** adversely impact the health, safety, and welfare of inhabitants of the area and the City of Denton



LEGEND

---	PROPERTY LINE
---	ADJACENT PROPERTY LINE
---	PROPOSED EASEMENT
---	EXISTING EASEMENT
---	PROPOSED PAVEMENT
---	EXISTING CONCRETE PAVEMENT
---	PROPOSED GRAVEL PAVEMENT
---	EXISTING GRAVEL PAVEMENT
---	PROPOSED SANITARY SEWER LINE
---	EXISTING SANITARY SEWER LINE
---	PROPOSED WATER MAIN LINE
---	EXISTING WATER MAIN LINE
---	PROPOSED OVERHEAD ELECTRIC
---	EXISTING OVERHEAD ELECTRIC
---	PROPOSED UNDERGROUND ELECTRIC
---	EXISTING GAS LINE
---	PROPOSED WOOD DECORATIVE FENCE
---	PROPOSED OPAQUE OR WROUGHT IRON FENCE
---	EXISTING FENCE
---	PROPOSED BLACK COATED CHAIN LINK SECURITY FENCE
---	EXISTING FENCE
---	DEVELOPMENT IMPACT AREA
---	EXISTING FLOODPLAIN ESA
---	FULLY DEVELOPED FLOODPLAIN
---	EROSION SETBACK FLOODPLAIN
---	EXISTING POND EDGE
---	PROPOSED FIRE LANE (CONCRETE PAVEMENT)
---	HEAVY DUTY CONCRETE PAVEMENT
---	LIGHT DUTY CONCRETE PAVEMENT (PARKING AREAS)
---	SIDEWALK PAVEMENT
---	EXISTING SIDEWALK PAVEMENT
---	LANDSCAPE AREA - SEE LANDSCAPE PLAN
---	ASPHALT MILLINGS WITH OIL COVERING SEAL COAT (STORAGE PARKING)
---	SIDEWALK PAVEMENT - DIFFERENTIATED BY CHANGE IN MATERIAL AT FIRELANE CROSSING
⊕	PROPOSED FIRE HYDRANT (FH)
⊕	EXISTING FIRE HYDRANT (EX. FH)
⊕	PROPOSED WATER METER (WM)
⊕	PROPOSED IRRIGATION METER (IM)
⊕	EXISTING WATER METER (EX. WM)
⊕	PROPOSED FIRE DEPARTMENT CONNECTION (FDC)
⊕	PROPOSED SANITARY SEWER MANHOLE (MH)
⊕	EXISTING SANITARY SEWER MANHOLE (EX. MH)
⊕	NUMBER OF PARKING SPACES PER ROW
⊕	EXISTING POWER POLE
⊕	EXISTING SIGN
⊕	EXISTING GAS MARKER
⊕	OFFICIAL PUBLIC RECORD DENTON COUNTY, TEXAS
⊕	DEED RECORDS DENTON COUNTY, TEXAS
⊕	P.U.E.
⊕	PUBLIC UTILITY EASEMENT
⊕	D.E.
⊕	DRAINAGE EASEMENT
⊕	DRAINAGE ARROW
⊕	PROPOSED BIKE RACK

SITE NOTES

- ALL DIMENSIONS ARE FROM THE FACE OF CURB, FACE OF BUILDING, OR PROPERTY LINE UNLESS NOTED OTHERWISE.
- ALL CURB RADII ARE 2' UNLESS NOTED OTHERWISE.
- REFER TO LANDSCAPE PLANS FOR MORE DETAILS.
- ALL ON-SITE STORM, WATER AND SEWER ARE PRIVATE UTILITIES UNLESS OTHERWISE NOTED. ALL UTILITIES WITHIN THE RIGHT-OF-WAY OR UTILITY EASEMENT ARE PUBLIC UNLESS OTHERWISE NOTED.
- PRELIMINARY UTILITIES AND PRELIMINARY GRADING PLANS ARE SHOWN WITHIN THIS ZONING COMPLIANCE PLAN.
- HVAC MECHANICAL EQUIPMENT TO BE ROOFTOP MOUNTED OR SCREENED PER DENTON DEVELOPMENT REQUIREMENTS.
- PROPOSED TRASH ENCLOSURE TO BE CONSTRUCTED PER CITY OF DENTON SOLID WASTE STANDARD DETAIL. TO BE INCLUDED IN CONSTRUCTION PLANS TO ENSURE CONSISTENCY AND COMPLIANCE.
- THERE ARE NO EXISTING ENVIRONMENTALLY SENSITIVE AREAS WITHIN THE DEVELOPMENT IMPACT AREA.
- NO 100-YEAR FEMA FLOODPLAIN EXISTS ON THE PROPERTY.
- THERE ARE NO TREES ON-SITE. PLEASE REFER TO THE TREE INVENTORY MEMO AS PART OF THIS SUBMITTAL. FOR MORE DETAILS PLEASE REFER TO TYP24-0003.
- THE PROPOSED DEVELOPMENT WILL EITHER A) INSTALL A PROPOSED DETENTION POND AS SEEN BELOW WHICH RELEASES STORM WATER AT A LESS THAN OR EQUAL TO RATE AS EXISTING PER THE DENTON DOC OR B) WILL SUBMIT FOR REVIEW AND APPROVAL A DOWNSIDE ASSESSMENT THAT WARRANTS DETENTION NOT BEING REQUIRED.
- PARKING AREAS MAY BE SURFACED WITH A DUST-FREE MATERIAL.
- ALL IMPROVEMENTS IN TXDOT RIGHT OF WAY ARE SUBJECT TO TXDOT APPROVAL.

LANDSCAPE REQUIREMENTS	REQUIRED	PROVIDED
7.7.5 - LANDSCAPE & TREE CANOPY REQUIREMENTS		
7.7.5.B - MINIMUM LANDSCAPED AREA & TREE CANOPY COVER BY ZONING DISTRICT (TABLE 7.D)		
MINIMUM LANDSCAPED AREA (15% LOT AREA)	65,353 SF (15% MIN.)	94,937 SF (21.8%)
435,691 SF x 15% = 65,353 SF		
MINIMUM TREE CANOPY COVER (20% LOT AREA MINUS PROPOSED BUILDING FOOTPRINT)	81,538 SF (20% MIN.)	81,640 SF (20.02%)
435,691 SF - 28,000 SF x 20% = 81,538 SF		
NOTE: THE REQUIRED PERCENTAGE OF TREE CANOPY COVERED SHALL APPLY TO EITHER: THE ENTIRE DEVELOPMENT IMPACT AREA, OR THE ENTIRE LOT BEING DEVELOPED, MINUS THE FOOTPRINT AREA OF ANY PROPOSED BUILDINGS. THE SELECTED METHOD FOR CALCULATING THE REQUIRED TREE CANOPY MUST BE EXPLICITLY STATED ON THE LANDSCAPE PLAN AS PER SECTION 7.7.5.C.1.b.ii		

SITE DATA TABLE		
REQUIRED	PROVIDED	
LOT AREA	10,002 AC (435,691 SF)	
BUILDING AREA (SF)	28,000 SF	
BUILDING COVERAGE	85% MAX	15.6%
OPEN SPACE	N/A	N/A
BUILDING HEIGHT	75' MAX	32'
Parking Ratio (Per DDC)	13,000 SF EQUIPMENT SALES AND RENTAL 13,000 SF / 500 = 26 STALLS 15,000 SF WAREHOUSE 15,000 SF / 3,500 = 5 STALLS TOTAL SPACES REQUIRED = 31 SPACES	35 Spaces
Bicycle Spaces Provided (# spaces)	1 Bicycle Space/20 Vehicles Spaces=2 Spaces	2 Spaces
Accessible Parking Provided (# spaces)	2 Spaces	2 Spaces

Land Use Description	Variable	Daily Rate	Daily Split	AM Peak Hour Rate	AM Peak Hour Split	PM Peak Hour Rate	PM Peak Hour Split
Warehousing (ITE #150)	1,000 SF	1.71 * (X)	50% In 50% Out	0.17 * (X)	77% In 23% Out	0.18 * (X)	26% In 74% Out
Tractor Supply Store (ITE #810)	1,000 SF	N/A				1.40 * (X)	47% In 53% Out
Number of trips generated = Trip Rate (Development Unit) x X = 1,000 SF *Note: Daily and AM Peak Hour trip generation rates are not available for ITE #810.							

Land Use Description	ITE Code	Intensity / Units	Daily	AM Peak Hour In	AM Peak Hour Out	PM Peak Hour In	PM Peak Hour Out	Total
Warehousing	150	15,000 ft ²	25	2	1	3	1	2
Tractor Supply Store	810	13,000 ft ²	180	8	10	18	8	10
Total Site			205	10	11	21	9	12
*Note: Daily estimated as 10 times that of PM peak. AM peak assumed the same as PM peak due to lack of data.								



REVISIONS

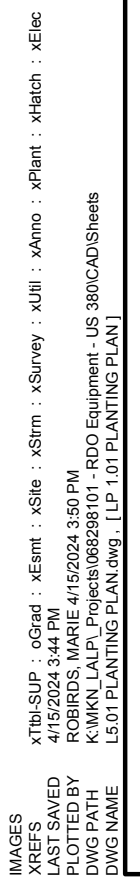
REV NO.	DATE	DESCRIPTION	BY



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CONTACT: MACK MATTKE, P.E. EMAIL: MACK.MATTKE@KIMLEY-HORN.COM
PHONE: 940-636-0176

DEVELOPER:
NAME: R.D. OFFUTT COMPANY
ADDRESS: 225 BROADWAY NORTH
CITY/ZIP: FARGO, ND 58102
CONTACT: CHRIS SCHMITZ
EMAIL: CSCHMITZ@RDOFFUTT.COM
PHONE: 701-237-7348

SUBDIVISION NAME	BLOCK & LOT	EXISTING ZONING	PROPOSED LAND USE		
RDO EQUIPMENT ADDITION	BLOCK A, LOT 1	LI (LIGHT INDUSTRIAL)	EQUIPMENT SALES		
SPECIFIC USE PERMIT - SITE PLAN					
S24-0001 (RDO EQUIPMENT ADDITION, BLOCK A, LOT 1)					
RDO EQUIPMENT - US 380					
10.002 A.C. (387,790 SF), COMPRISED OF 1 UNPLATTED TRACT. LOCATED IN THE CITY OF DENTON					
REVIEWED BY:	DRAWN BY:	DATE	FILE	PROJECT NUMBER	SHEET
MMM	AM	03/21/2024		068294800	1 OF 1



CITY OF DENTON LANDSCAPE CODE CALCULATIONS			
A. & TREE CANOPY REQUIREMENTS		LI	
GT FOOTPRINT (SQFT)	10,002 AC / 435, 691 SF		
IMPACT AREA (SQFT)	28,000 SF		
REEF TREES	9.941 AC / 433,029 SF		
REEF TREES	18 REEF TREES		
REQUIREMENTS	REQUIRED	PROVIDED	
A. & TREE CANOPY REQUIREMENTS			
LANDSCAPED AREA & TREE CANOPY COVER BY ZONING DISTRICT (TABLE 7.D)			
DISCAGED AREA (15% LOT AREA)	65,353 SF	97,039 SF	
CANOPY COVER (20% LOT AREA MINUS PROPOSED BUILDING FOOTPRINT)	155,581 SF	(22.3%)	
28,000 SF \times 20% = 56,358 SF	81,538 SF	81,640 SF	
REQUIRED PERCENTAGE OF TREE CANOPY REQUIRED SHALL APPLY TO EITHER: THE ENTIRE IMPACT AREA, OR THE ENTIRE LOT BEING DEVELOPED, MINUS THE FOOTPRINT AREA USED BUILDINGS. THE SELECTED METHOD FOR CALCULATING THE REQUIRED TREE BE EXPLICITLY STATED ON THE LANDSCAPE PLAN AS PER SECTION 7.7.5.C.1.b.ii	(20% MIN.)	(20.02%)	
APPROPRIATE PLANTING MATERIALS			
PLANTING SHALL BE FROM THE APPROVED LANDSCAPE PLANT LIST IN THE SITE DESIGN PLAN.	90% MIN.	100%	
TREES ARE PLANTED, NO MORE SPECIES OF TREE MAY EXCEED 30% OF THE TOTAL NEW SITE. (80 PROPOSED TREES \times 3 = 24 TREES)	30% MAX. (24 TREES)	YES	
THE TREES PLANTED MUST BE NATIVE, INDIGENOUS, OR ADAPTED, AS INDICATED ON THE LANDSCAPE PLANT LIST. (80 TREES \times 5 = 400 TREES)	50% MIN. (40 TREES)	78% (62 TREES)	
CANOPY AREA POINT SYSTEM (TABLE 7.E) - 30 POINTS MINIMUM			
HT-OF-WAY ELEMENTS (MINIMUM 2 UNLESS NO FRONT PARKING, THEN 1)			
REDWOOD HEDGE	5 POINTS		
NOT HIGH CONTINUOUS EVERGREEN HEDGE	YES	YES	
WALL	5 POINTS		
NOT HIGH CONTINUOUS WALL MADE OF WROUGHT IRON.	YES	YES	
CRINKLING LOT LANDSCAPING ELEMENTS (MINIMUM 2)			
DISCAGED ISLANDS	5 POINTS		
DISCAGED ISLANDS WITH AN AREA OF AT LEAST 9' \times 38' CONTAINING AT LEAST ONE TREE PLACED EVENLY AT AN AVERAGE OF ONE FOR EVERY TEN SPACES (OR EOF)	2 TREES	2 TREES	
ISLANDS WITH AN AREA OF AT LEAST 9' \times 38' CONTAINING AT LEAST ONE LARGE CANOPY TREE	10 POINTS	10 TREES	
REEF SITE LANDSCAPING ELEMENTS			
ERANT SPECIES	5 POINTS		
PLANTS PROPOSED ARE DROUGHT-TOLERANT AS INDICATED IN THE APPROVED ANTI LIST	75% MIN.	100%	
MINIMUM	5 POINTS		
TREE MEETS OR EXCEEDS FOUR CALIPER INCHES AT THE TIME OF PLANTING	YES	YES	
	30 POINTS	30 POINTS	
TREE REQUIREMENTS			
ONE TREE STREET TREE IS REQUIRED FOR EVERY 30 FEET OF STREET FRONTAGE			
TYPE DRIVE (U.S. HIGHWAY 380) (55.4' / 30.0' = 18 TREES)	18 TREES	18 TREES	
OR REDUCED AND LABELED: USE TO site constraints.			
Trees shown as ornaments due to site constraints. Street trees are clustered for visibility on W. University Drive. Reference Alternative Landscape Narrative.			

NOTE: REFERENCE ALTERNATE LANDSCAPE NARRATIVE FOR BUFFER REQUIREMENTS

NOTE: NO SOD PLACED WITHIN BUFFER PER CITY ORDINANCE.

Kimley»»Horn

DEVELOPER:

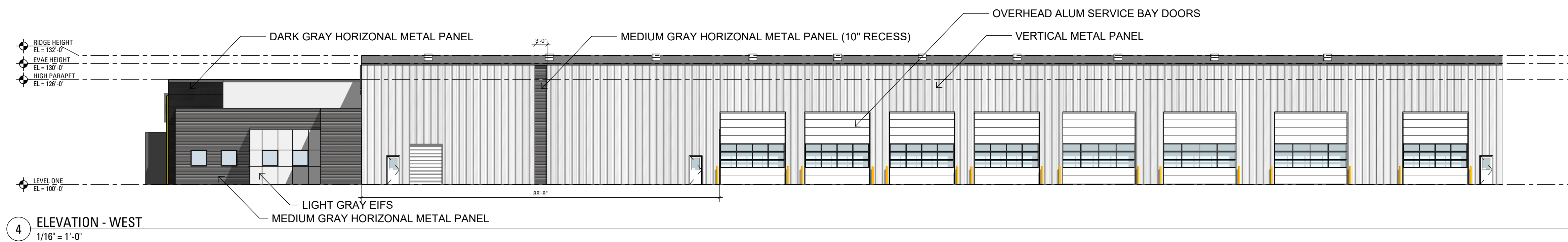
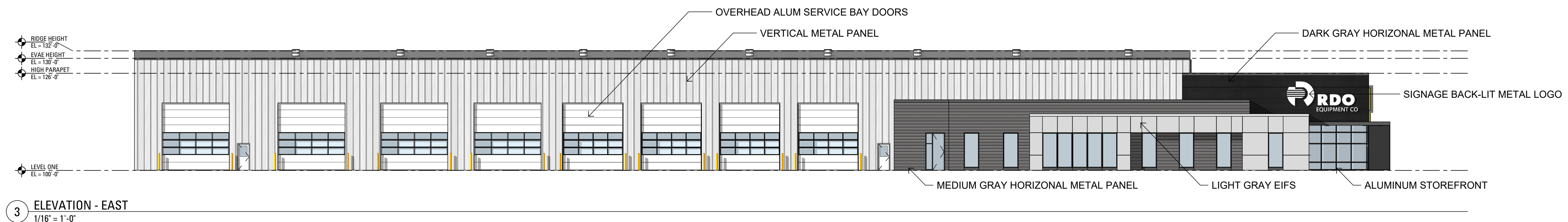
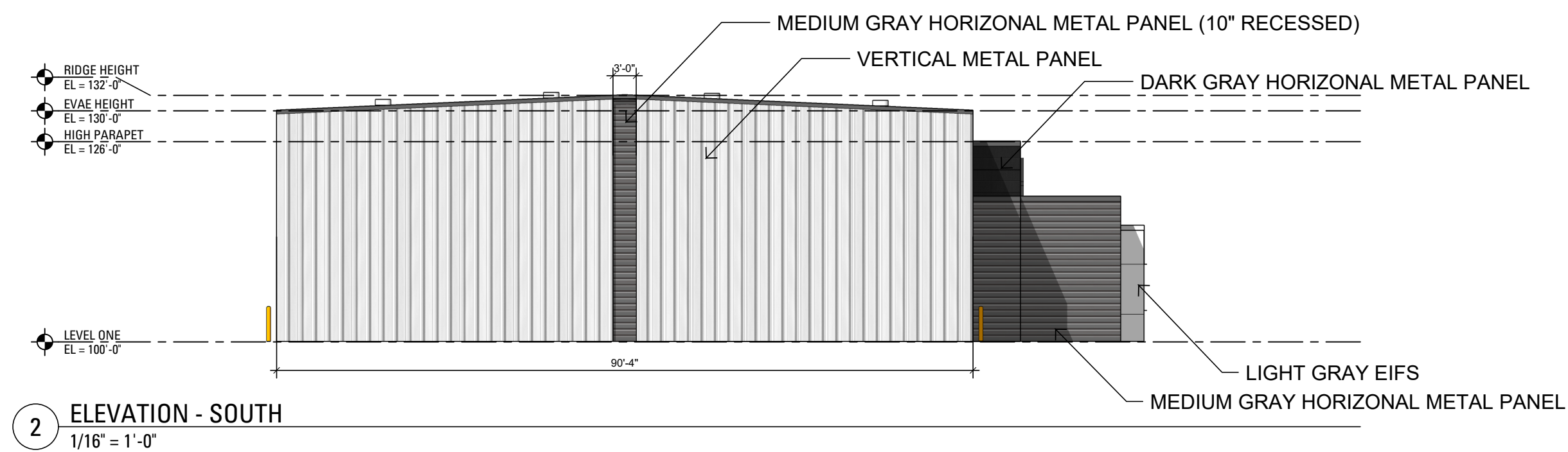
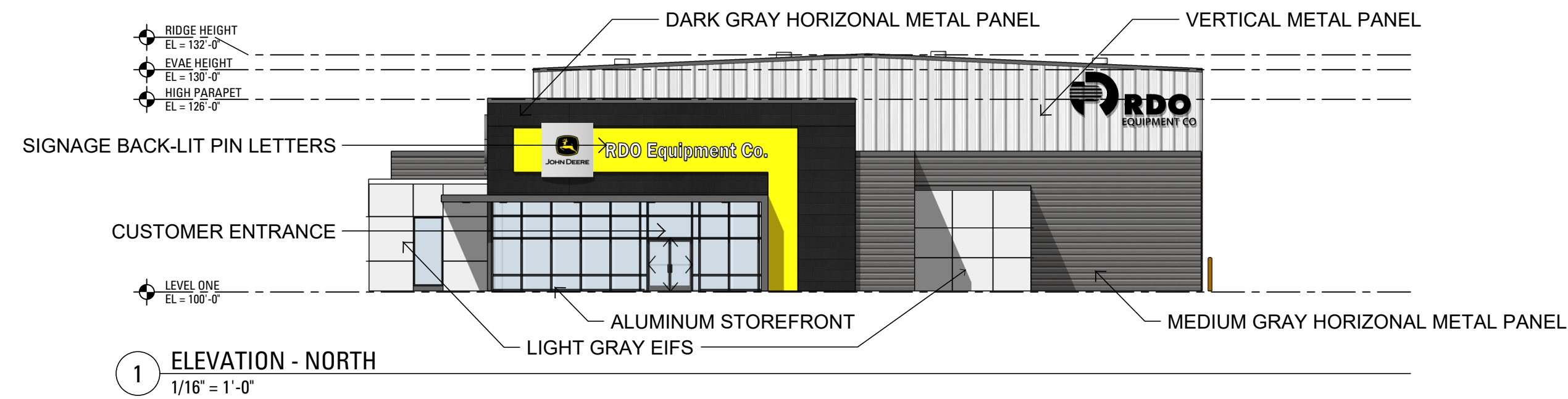
SUBDIVISION NAME	BLOCK & LOT	EXISTING ZONING	PROPOSED LAND USE
RDO EQUIPMENT ADDITION	BLOCK A, LOT 1	LI (LIGHT INDUSTRIAL)	EQUIPMENT SALES

RDO EQUIPMENT - US 380

PRELIMINARY
FOR REVIEW ONLY
Not for construction or permit purposes.

Kimley»Horn

P.L.A. MARIE E. ROBRIDS
L.A. No. 3389 Date 4/15/2024





FISCAL SUMMARY

CITY OF DENTON

GENERAL FUND IMPACTS

Revenues 40 Year Total

AD VALOREM TAXES \$2,332,100

RETAIL SALES TAX

Direct Project Retail Sales Tax Revenue \$0
Net New Resident + New Commuters Retail Sales Tax Revenue \$41,600

OTHER TAXES (Mixed Beverage) \$0

LICENSE & PERMITS

Zoning Fees \$17,200
Building Permits \$7,200
Certificate of Occupancy \$0
Beer & Wine Permits \$0

SERVICE FEES

Restaurant Inspections \$0
Grocery Store Inspections \$0
Swimming Pool Inspections \$0
Electrical Inspections \$0
Plumbing Inspections \$0
Development Fees \$26,400
Plan Review Fees \$6,300

Expenses 40 Year Total

Neighborhood (\$198,100)
Public Safety (\$442,600)
Transportation (\$26,800)
Admin & Community Services (\$203,300)

OTHER FUND REVENUES

TOURISM & CONVENTION SALES TAX \$0

ENTERPRISE UTILITY FUNDS

Electric Charge \$20,838,800
Water Charge \$526,700
Wastewater Charge \$527,800
Drainage Charge \$234,200
Solidwaste Charge \$1,703,500

WATER IMPACT FEE \$62,600

WASTEWATER IMPACT FEE \$39,000

TOTAL ROADWAY IMPACT FEE \$8,100

TOTAL PARKS LAND DEDICATION & DEV. TRUST \$0

TREE MITIGATION \$0

ROADWAY MAINTENANCE

ROADWAY MAINTENANCE \$0

New Residents From Residential



0

New Workers From Non-Residential *



28

* Calculations based on new commuters not total new workers in order to not double count with new residents

General Fund Impact Summary

General Fund - Total Revenue

\$2,430,900

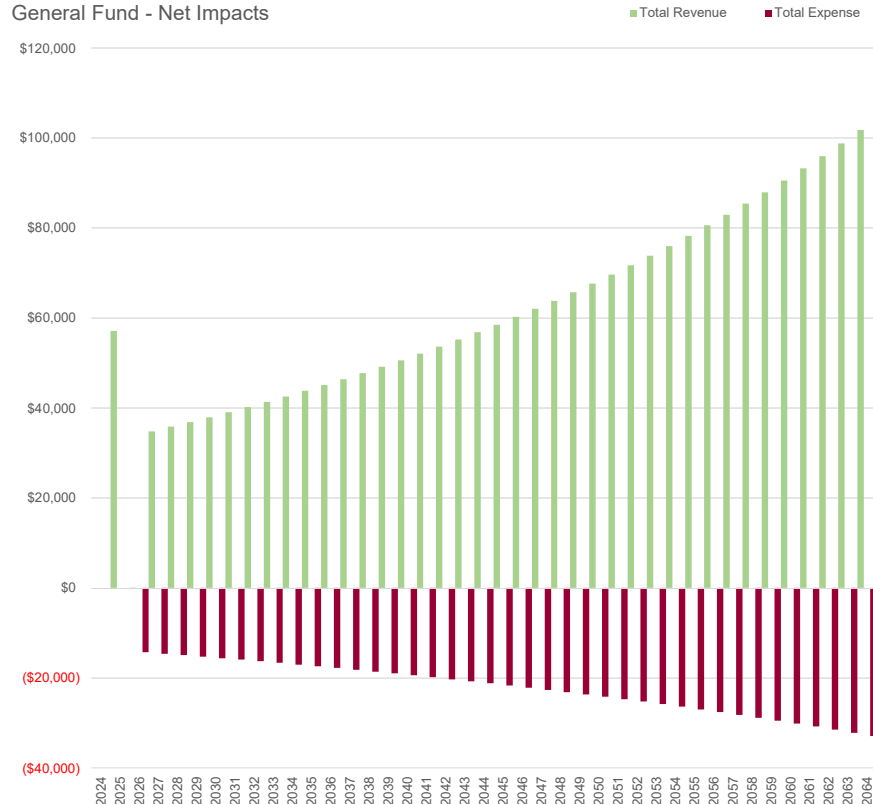
General Fund - Total Expenses

-\$870,800

General Fund - Net Impact

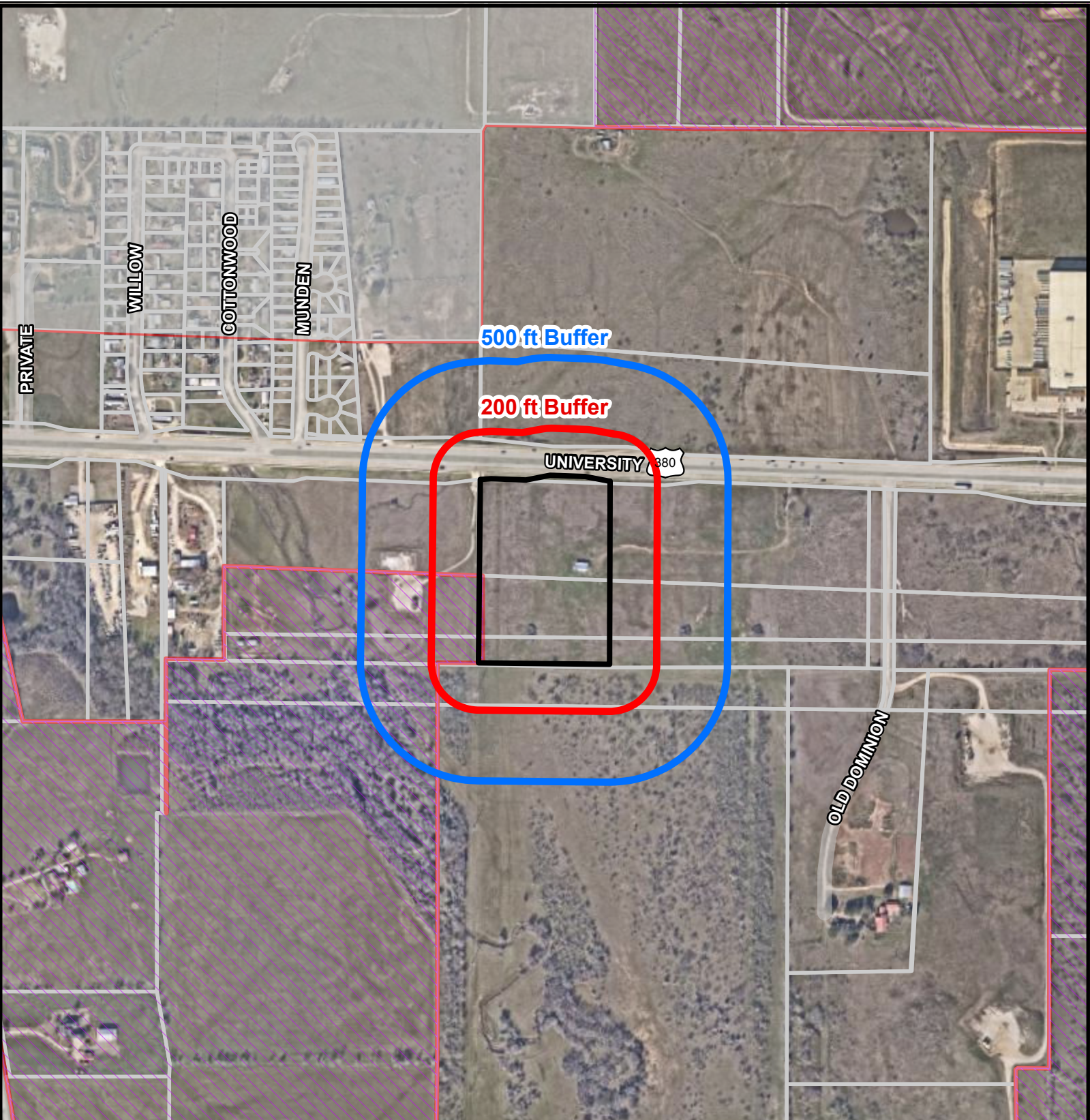
\$1,560,100

General Fund - Net Impacts

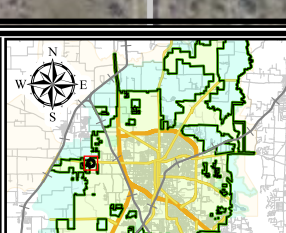


S24-0001

Notification Map



	Site Location		ETJ
	Roads		ETJ 2
	Parcels		NAA 8/1/20
	COD		NAA 8/1/40



CITY OF DENTON
Development Services • GIS
Date: 2/29/2024

"This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative property boundaries. Although every effort was made to ensure the accuracy of this data, no such guarantee is given or implied. Utilization of this map indicates the understanding that there is no guarantee to the accuracy of this data."

**PUBLIC HEARING NOTIFICATION SIGN
AFFIDAVIT OF SIGN POSTING**

Project No. S24-0001

Date of Planning and Zoning Commission Meeting: April 24, 2024

I hereby certify that I have posted or caused to be posted Public Hearing Notification sign(s) on the property subject to Project Name/Number S24-0001, located at 1041 W University/US-380

Said sign(s) have been obtained through a sign contractor of choice and meet the specifications as stated in the City of Denton Public Hearing Sign Criteria Sheet.

Posting of said signs was accomplished on April 11th, 20 24. Said signs have been posted in a manner which provides an unobstructed view and which allows clear reading from the public right(s) of way along W University/US-380. Said signs will be maintained on the property throughout the entire public hearing process and will be removed within three (3) calendar days subsequent to the final decision by the approving body.

I further certify that this affidavit was filed with the Planning Department of the City of Denton within the time provisions specified in the City of Denton Public Hearing Sign Criteria Sheet.

Executed this the 11 day of April, 20 24.

Sarah Lollar
Signature of Applicant or Authorized Representative for Project No. S24-0001


Sarah Lollar
Printed Name of Applicant or Authorized Representative for Project No. S24-0001

STATE OF TEXAS COUNTY OF Denton BEFORE ME, a Notary Public, on this 11 day personally appeared Sarah Lollar (printed owner's name) the above signed, who, under oath, stated the following:

"I hereby certify that I am the owner, for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 11 day of April, 20 24.

Mindy Ramsey
Notary Signature


(seal)

PLEASE NOTE: Failure to post the notification sign(s) on the property by the close of business (5 pm) on the tenth (10th) day prior to the first public hearing shall result in the postponement of consideration by the Board or Commission.

STAFF USE ONLY:

Date/Time submitted: _____ Verified by: _____



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS REGARDING A REQUEST FOR A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR AN EQUIPMENT SALES AND RENTAL USE ON APPROXIMATELY 10 ACRES OF LAND, GENERALLY LOCATED ON THE SOUTH SIDE OF US 380, APPROXIMATELY 3,800 FEET WEST OF MASCH BRANCH ROAD, IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE. (S24-0001a)

WHEREAS, Aimee Bissett with 97 Land Company, representing the property owner Henry Property Development, LLC has applied for a new Specific Use Permit (“SUP”) to allow for an Equipment Sales and Rental use on an approximately 10-acre site, within the Light Industrial (LI) zoning district and use classification, as described in **Exhibit “A”** (hereinafter, “the Property”); and

WHEREAS, on April 24, 2024, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, having given the requisite notices by publication and otherwise, and having afforded full and fair hearings and to all property owners interested in this regard, has recommended ____ [____ - ____] of the requested SUP, subject to conditions; and

WHEREAS, on May 21, 2024, the City Council likewise conducted a public hearing as required by law to consider the SUP request. Upon consideration, the City Council hereby finds that the request is consistent with the Denton Plan and federal, state, and local law, and that the Applicant has agreed to comply with all provisions of the Denton Development Code (“DDC”), and has further agreed to comply with the additional restrictions and conditions set forth herein; and

WHEREAS, the City Council has determined that it will be beneficial to Denton and its citizens to grant the SUP; that such grant will not be detrimental to the public welfare, safety, or health; that proposed permit, as conditioned below, satisfies criteria set forth in Sections 2.4.5E and 2.5.2D of the Denton Development Code; and that the SUP should be granted; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this ordinance are incorporated herein by reference and found to be true.

SECTION 2. The SUP to allow the Equipment Sales and Rental use on the Property as shown on the site plan and landscape plan attached and incorporated herein as **Exhibit “B” and Exhibit “C,”** is hereby approved, with the following conditions:

1. Development of the site shall substantially comply with the attached Site Plan and Landscape Plan. Administrative approval of changes that do not increase the size of the designated equipment rental display and storage areas, change the number of parking

spaces, decrease the buffer and screening requirements, or result in a decrease of more than 5 percent in the landscape area for the whole site may be administratively approved, if such changes are permissible per the Denton Development Code. All other changes shall require a Specific Use Permit amendment in accordance with the Denton Development Code.

2. Notwithstanding the limited administrative approvals authorized in condition 1, the City reserves the right to require approval by ordinance of any amendments or alterations to the SUP, the attached site plan, and the attached landscape plan, including those referenced in condition 1. The attached site plan and landscape plan are incorporated as requirements of the SUP.
3. An encroachment agreement must be obtained prior to the approval of the Civil Engineering Plans for all encroachments into the private easements located on the property. Failure to obtain an encroachment agreement will require approval of an amendment to the SUP by ordinance.
4. Improvements within the TxDOT roadway require approval by TxDOT. If the modified traffic impact analysis (TIA) submitted to TxDOT requires minor alterations to relocate the cross-access connection, relocate the proposed driveway along US 380, relocate parking spaces impacted by the driveway relocation, or modify the median opening and turn lanes, or any other changes required by TxDOT, these changes may be approved by City staff, provided that the final configuration of the driveway and cross-access complies with the Texas Department of Transportation (TxDOT) requirements as well as all elements of the DDC. All other changes to site access shall require a Specific Use Permit amendment in accordance with the Denton Development Code.
5. Construction of the pavement within the cross-access easement is required when the adjacent property to the east develops.
6. The zoning map shall reflect the Specific Use Permit on the property consistent with the DDC.
7. Minor alterations to the building elevations may be approved by City staff, provided that the final project complies with Denton Development Code Subsection 7.10.5D, Building Mass and Form.

SECTION 4. Failure to Comply. Except as otherwise stated above, all terms of the SUP shall be complied with prior to issuance of a Certificate of Occupancy. Failure to comply with any term or condition of the Ordinance will result in the SUP being declared null and void, and of no force and effect. The SUP is issued to the entity named above runs with the land and is assignable and transferable to subsequent owners of the Property.

SECTION 5. SUP Regulations. Upon notice to the property owner and a hearing before the City Council, a SUP may be revoked or modified if: 1. There is one or more of the conditions imposed by this Ordinance that has not been met or has been violated on the Property; or 2. The

SUP was obtained or extended by fraud or deception; or 3. As otherwise permitted by law and/or permitted by the Denton Development Code.

SECTION 6. Unlawful use. It shall be unlawful for any person, firm, entity, or corporation to make use of the above-referenced Property in some manner other than as authorized by the Denton's Codes of Ordinances and this Ordinance.

SECTION 7. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall affect the validity of the provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 9. Penalty. Any person, firm, entity or corporation violating any provision of this ordinance shall, upon conviction, be fined a sum not exceeding \$2,000.00 for each violation. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense. The penal provisions imposed under this Ordinance shall not preclude Denton from filing suit to enjoin the violation and it retains all legal rights and remedies available to it under local, state and federal law.

SECTION 10. In compliance with Section 2.09(c) of the Denton Charter, this ordinance shall become effective fourteen (14) days from the date of its passage, and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record-Chronicle, a daily newspaper published in the City of Denton, Texas, within ten (10) days of the date of its passage.

The motion to approve this ordinance was made by _____ and seconded by _____, the ordinance was passed and approved by the following vote [____ - ____]:

	Aye	Nay	Abstain	Absent
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Paul Meltzer, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Chris Watts, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the _____ day of _____, 2024.

GERARD HUDSPETH, MAYOR

ATTEST:
JESUS SALAZAR, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____

DRAFT

EXHIBIT A

Legal Description

BEING all that certain tract or parcel of land situated in the S. Huizar Survey, Abstract No. 514 and the G.H. Barb Survey, Abstract No. 208, Denton County, Texas, being a portion of a called 29.85 acres of land described in Special Warranty Deed to Series V, Henrey Property Development LLC, recorded under Instrument Number 2021-102870, Deed Records, Denton County, Texas (D.R.D.C.T.), and being more particularly described by the following metes and bounds description:

COMMENCING at a capped 5/8 inch iron rod stamped "TXDOT" found for corner in the most southerly Right-of-Way line of W. University Drive (variable width Right-of-Way), same being in the most northwesterly corner of Crow-Billingsley Denton GHB, LTD, recorded under Instrument Number 2023-40765, Deed Records, Denton County, Texas (D.R.D.C.T.), also being in the most northeasterly corner of the remainder of Servies V, Henry Property Development LLC, recorded under Instrument Number 2021-102870, Deed Records, Denton County, Texas (D.R.D.C.T.);

THENCE in a westerly direction along said W. University Drive and over, across, and upon said remainder of Series V tract the following three (3) courses and distance:

North 87 degrees 53 minutes 48 seconds West, a distance of 807.83 feet to an aluminum monument found for corner in the most northeasterly corner of Save & Except recorded under Instrument Number 2010-13656, Deed Records, Denton County, Texas (D.R.D.C.T.);

South 83 degrees 32 minutes 53 seconds West, a distance of 101.12 feet to an aluminum monument found for corner;

North 87 degrees 55 minutes 17 seconds West, a distance of 194.35 feet to a capped 5/8 inch iron rod stamped "TRAVERSE LS PROP COR" set for corner in the most northeasterly corner of said portion of Series V tract, same being the most northwesterly corner of said remainder of Servies V tract, also being in the most southerly line of said Save and Except tract and being THE POINT OF BEGINNING;

THENCE South 00 degrees 12 minutes 22 seconds West, in a southerly direction along the common line between the most easterly line of said portion of Series V tract and the most westerly line of said remainder of Series V tract, a distance of 777.07 feet to a capped 5/8 inch iron rod stamped "TRAVERSE LS PROP COR" set for corner in the most southwesterly corner of said remainder of Series V tract, same being the most southeasterly corner of said portion of Series V tract, also being a point in the most northerly line of The Robert H. and Jimmie G Nobles Charitable Remainder unitrust, recorded under Volume 2897, Page 995, Deed Records, Denton County, Texas (D.R.D.C.T.);

THENCE North 89 degrees 25 minutes 30 seconds West, in a westerly direction along the common line between the most northerly line of said The Robert and Jimmie Nobles tract and the most southerly line of said portion of Series V tract, a distance of 556.22 feet to a capped 5/8 inch iron rod stamped "TRAVERSE LS PROP COR" set for corner in the most southwesterly corner of said portion of Series V tract, same being a point in the most northerly line of said The Robert and Jimmie Nobles tract, also being in the most southeasterly corner of Annette Sue Schroeder, recorded under Instrument Number 2015-54980, , Deed Records, Denton County, Texas (D.R.D.C.T.);

THENCE North 00 degrees 37 minutes 06 seconds East, in a northerly direction along the common line between the most easterly line of said Annete Schroeder tract and the most westerly line of said portion of

Series V tract, a distance of 778.37 feet to a aluminum monument found for corner in the most northwesterly corner of said portion of Series V tract, same being in the most northeasterly corner of said Annette Schroeder tract, also being in the most southwesterly corner of said Save and Except;

THENCE in an easterly direction over, across, and upon said portion of Series V tract and Save and Except tract the following six (6) courses and distances;

North 85 degrees 39 minutes 59 seconds East, a distance of 45.10 feet to an aluminum moment found for corner;

South 87 degrees 55 minutes 16 seconds East, a distance of 148.00 feet to a capped 5/8 inch iron rod stamped "TRAVERSE LS PROP COR" set for corner;

North 79 degrees 19 minutes 17 seconds East, a distance of 104.58 feet to a capped 5/8 inch iron rod stamped "TRAVERSE LS PROP COR" set for corner;

South 87 degrees 55 minutes 17 seconds East, a distance of 150.00 feet to a capped 5/8 inch iron rod stamped "TRAVERSE LS PROP COR" set for corner;

South 79 degrees 23 minutes 26 seconds East, a distance of 101.12 feet to a capped 5/8 inch iron rod stamped "TRAVERSE LS PROP COR" set for corner;

South 87 degrees 55 minutes 17 seconds East, a distance of 5.65 feet to THE POINT OF BEGINNING and containing 10.002 acres (435,691 square feet) of land, more or less.

EXHIBIT B

Site Plan

EXHIBIT C

Landscape Plan

DRAFT

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:

804006817

Original Date of Filing:

April 6, 2021

Formation Date:

N/A

Tax ID:

32078596015

Duration:

Perpetual

Name:

Henry Property Development LLC

Address:

900 PARKER SQ STE 250
Flower Mound, TX 75028-7440 USA

Entity Type:

Domestic Limited Liability Company (LLC)

Entity Status:

In existence

FEIN:

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES	INITIAL ADDRESS
Last Update	Name	Title	Address			
June 29, 2023	David Henry	Manager	900 Parker Sq Ste 250 Flower Mound, TX 75028 USA			
June 29, 2023	David Henry	DIRECTOR	900 Parker Sq Ste 250 Flower Mound, TX 75028 USA			

Order

Return to Search

Instructions:

 To place an order for additional information about a filing press the 'Order' button.



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: PZ24-064, **Version:** 1

AGENDA CAPTION

Hold a discussion regarding the Planning and Zoning Project Matrix.

2024
Planning and Zoning Commission Requests for Information
Meeting Dates

Request		Request Date	Status
Discussion related to removing minimum parking requirements from the DDC.	Villarreal	9/14/2022	This item is on hold given the pending city-wide parking study; City Council to provide subsequent direction at a future date.
Discussion related to potential developments on the western side of the City and in the ETJ.	Pruett	3/1/2023	Work session discussion at a future date.
Discussion related to impacts of subdividing commercial lots and potential for tree preservation loss.	Ellis	11/15/2023	Work session tentatively scheduled for June 2024.
Discussion related to the requirements for neighborhood amenities, including the amount and triggers for required parking.	Smith	12/13/2023	Work session tentatively scheduled for May 2024.
Discussion related to P&Z reconsideration process and proposed ordinance amendment.	Staff	4/24/2024	Work session discussion tentatively scheduled for Summer 2024.
Ongoing Items		Request Date	Status
Request for additional detail regarding the results of TIAs on future projects.	Smith	10/12/2022	Information regarding TIAs will be provided in the analysis of future projects.
Request to include the number of extension requests associated with a plat application within the agenda information summary (AIS).	Villarreal	12/13/2023	Information regarding the number of extension requests associated with a plat application will be provided for future projects.

Annual Updates		Request Date	Status
Provide annual updates related to progress on implementing the Denton 2040 Comprehensive Plan Action Items	Smith	3/9/2022	<p>Ongoing</p> <p>2023 update provided on June 14, 2023.</p> <p>Future discussion will be scheduled for after Envisio Software implementation for tracking action items; tentatively scheduled for June 2024.</p>

4/17/2024

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