



City of Denton

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

Meeting Agenda Planning and Zoning Commission

Wednesday, March 29, 2023

5:30 PM

Council Work Session Room
&
Council Chambers

WORK SESSION BEGINS AT 5:30 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.

4. By Phone:

Individuals may register to provide comments by phone. Instructions and a link to register to comment by phone will be available at www.cityofdenton.com/publicmeetings until noon of the meeting date. Residents will submit contact information using the link provided and receive further instructions via email on how to join the meeting by phone and provide comments.

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, March 29, 2023, at 5:30 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. Citizen Comments on Consent Agenda Items**

This section of the agenda allows citizens to speak on any item listed on the Consent Agenda prior to its consideration. Each speaker will be given a total of three (3) minutes to address any item(s). Any person who wishes to address the Planning and Zoning Commission regarding these items may do so by utilizing the "By Phone" registration process as referenced under the REGISTRATION GUIDELINES FOR ADDRESSING THE PLANNING AND ZONING COMMISSION detailed at the beginning of this agenda. Registration is required prior to the time the Planning and Zoning Commission considers this item. Registrants may call in and remain on hold or receive a call back at the time the Work Session is called to Order and are encouraged to ensure they remain accessible to accept the call.

2. 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.

3. Work Session Reports

- A. [PZ23-072](#) Receive a report and hold a discussion regarding regulations and procedures related to public hearing notification.

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, March 29, 2023, at 6:30 p.m. in the City Council Chambers at City Hall, 215 E. McKinney 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. [PZ23-030](#) Consider the approval of the March 15, 2023, Planning and Zoning meeting minutes.

Attachments: [March 15, 2023](#)

3. CONSENT AGENDA

Staff recommends approval of the following items because they meet the requirements of the Denton Development Code. Approval of the Consent Agenda includes staff recommendations for approvals and authorizes staff to proceed. The Planning and Zoning Commission has reviewed the applications and has had an opportunity to raise questions regarding the items prior to consideration.

- A. [PP23-0004b](#) Consider a request by Pisces Denton Logistics Center, LP for approval of a Preliminary Plat of the Denton Logistics Center Addition. The 22.452-acre site is generally located on the south side of FM 1173, just east of the Gulf, Colorado and Santa Fe Railroad, in the City of Denton, Denton County, Texas. (PP23-0004b, Denton Logistics Center Addition, Cameron Robertson)

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

- B. [FR23-0004](#) Consider a request by Tyler Rank of Eagle Surveying for a Final Replat of Lynch Farms, Lots 1R and 2R, Block A. The approximately 10.4-acre site is generally located on the west side of Green Valley Circle, approximately 480 feet south of Warschun Road in the City of Denton, Denton County, Texas. (FR23-0004, Lynch Farms, Ashley Ekstedt).

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

- C. [FP23-0002a](#) Consider a request by A&A Denton Properties, LP for a Final Plat of the M-380 Addition. The 17.525-acre site is generally located at the northwest corner of West University Drive (US-380) and Masch Branch Road in the City of Denton, Denton County, Texas. (FP23-0002a, M-380 Addition, Mia Hines).

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

- D. [PP22-0028a](#) Consider a request by Linken Real Estate, LP, for a Preliminary Plat of Oak Vista Addition, Phase 1. The 21.802-acre site is generally located west Lane Street and Mockingbird Lane and north of the terminus of Trailhead Lane, in the City of Denton, Denton County, Texas. (PP22-0028, Oak Vista Addition, Erin Stanley).

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

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [PP23-0007](#) Consider a request by Peter Christensen of Weir and Associates, on behalf of Haven at Denton, LLC, for a Preliminary Plat of Cottages at Denton Addition, Lot 1, Block 1. The approximately 1.8-acre site is generally located on the east side of Johnson Street, approximately 130 feet south of Collins Street, in the City of Denton, Denton County, Texas. (PP23-0007, Cottages at Denton, Ashley Ekstedt).

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

- B. [PP23-0003](#) Consider a request by Kimley-Horn, on behalf of Velocis Denton South JV, LP and Earl Edwards, for a Preliminary Plat of the Mayhill 380 Business Park Addition. The approximately 19.508-acre site is generally located on the southwest corner of East University Drive and Mayhill Road in the City of Denton, Denton County, Texas. (PP23-0003, Mayhill 380 Business Park Addition, Cameron Robertson).

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

- C. [FR23-0003](#) Consider a request by LJA Engineering, Inc. for approval of a Final Replat of Glenwood Meadows Phase II. The 10.285-acre site is generally located at the southwest intersection of Ridgehurst Lane and Bonnie Brae Street in the City of Denton, Denton County, Texas. (FR23-0003, Glenwood Meadows Phase II, Angie Manglaris).

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

- D. [MP22-0032b](#) Consider a request by 2500 Panhandle LLC, for a Final Plat for Lots 1R3, 1R4, and 1R5, Block C, of Rayzor Ranch East. The approximately 2.907-acre site is generally located at the southwest corner of the intersection of Linden Drive and North Bonnie

Brae Street, in the City of Denton, Denton County, Texas. (MP22-0032b, Rayzor Ranch East, Mia Hines).

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

5. 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. [PD21-0007b](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by Aimee Bisset, 97 Land Company, LLC., on behalf of the owner, Tony Riley, to rezone approximately 20.92 acres from a Suburban Corridor (SC) District to a Planned Development Mixed-Use Neighborhood (PD-MN) District. The site is generally located at the northeast corner of Loop 288 and FM 428, in the City of Denton, Denton County, Texas. THE APPLICANT HAS REQUESTED TO POSTPONE THIS ITEM TO A DATE CERTAIN OF APRIL 12, 2023. (PD21-0007, Sherman Drive Mixed Use, Angie Manglaris).

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

- B. [PD22-0010c](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by Denton West Joint Venture for a zoning change from a Planned Development - Mixed-Use Neighborhood (PD-MN) District to an Overlay Planned Development (PD-SC) District. The 12.770-acre site is generally located at the northwest and southwest corner of Teasley Lane (F.M. 2181) and Hunters Creek Road in the City of Denton, Denton County, Texas. (PD22-0010c, Denton West Joint Venture, Mia Hines).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Zoning Map](#)
 [Exhibit 5 - Future Land Use Map](#)
 [Exhibit 6 - PD Development Standards](#)
 [Exhibit 7 - District Comparison](#)
 [Exhibit 8 - Notification Map and Responses](#)
 [Exhibit 9 - Draft Ordinance](#)
 [Exhibit 10 - Developer Engagement Disclosure](#)

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. [PZ23-025](#) Hold a discussion regarding the Planning and Zoning Project Matrix.

Attachments: [Matrix 2023](#)

7. 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 March 24, 2023, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

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

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

Legislation Text

File #: PZ23-072, Version: 1

AGENDA CAPTION

Receive a report and hold a discussion regarding regulations and procedures related to public hearing notification.



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: March 29, 2023

SUBJECT

Receive a report and hold a discussion regarding regulations and procedures related to public hearing notification.

BACKGROUND

On March 15, 2023, staff presented information related to public hearing notification requirements and procedures as part of the ongoing bootcamp training sessions. During the work session, the Commission discussed potential issues associated with expanding public notification to the City's extraterritorial jurisdiction. The purpose of this agenda item is to provide additional time to explore the topic further, including follow up regarding feedback on the City's website and questions related to notification of properties outside of the City limits.

EXHIBITS

1. Agenda Information Sheet
2. Presentation

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

Prepared by:
Julie Wyatt
Principal Planner



City of Denton

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

Legislation Text

File #: PZ23-030, Version: 1

AGENDA CAPTION

Consider the approval of the March 15, 2023, Planning and Zoning meeting minutes.

MINUTES
PLANNING AND ZONING COMMISSION
March 15, 2023

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, March 15, 2023, at 5:00 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: Ronnie Anderson, Jason Cole, Jordan Villarreal, Eric Pruett, and Donald McDade

ABSENT: None

WORK SESSION

1. Citizen Comments on Consent Agenda Items

None

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

The following items were presented, and a discussion followed:

4.B (ZCP22-0064), 4.F (PP22-0031b), 5.B (PD21-0007)

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

4.A (FP23-0005), 4.C (PP22-0021b), 4.E (PP23-0006)

The following item was postponed:

5.A (Z23-0004)

The following item was withdrawn:

4D. (PP23-0001)

3. Work Session Reports

PZ23-062 Receive a report and hold a discussion regarding regulations and procedures related to public hearing notification.

Staff presented the report to the Commission and a discussion followed.

The Work Session was adjourned at 6:01p.m.

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, March 15, 2023, at 6:33 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, Jordan Villarreal, Ronnie Anderson, Eric Pruett, and Donald McDade

ABSENT: None

1. PLEDGE OF ALLEGIANCE

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

2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES

PZ23-029 Consider the approval of the March 1, 2023, Planning and Zoning meeting minutes.

Vice-Chair Smith moved to approve the March 1, 2023, Planning and Zoning meeting minutes. Motion seconded by Commissioner Cole. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, Villarreal, and McDade
NAYS (0): None

3. CONSENT AGENDA

- A. FP23-0003a Consider a request by Kaz Surveying, on behalf of Monk Watson Investments, LLC, for a Final Plat of Watson Addition, Lots 1-12, Block A. The approximately 15.98-acre site is generally located north of Hunter Hill Court, approximately 1,500 feet north of the intersection of Hunter Hill Court and East Hickory Hill Road in the Extraterritorial Jurisdiction of the City of Denton, Denton County, Texas. (FP23-0003a, Watson Addition, Ashley Ekstedt).

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

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, Villarreal, and McDade
NAYS (0): None

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. FP23-0005 Consider a request by Beall Denton Partners LP, for a Final Plat of Northpointe, Phases 7 & 8. The 18.109-acre site is generally located South of Loop 288 and North of Beall Street in the Northpointe Subdivision in the City of Denton, Denton County, Texas. (FP23-0005, Northpointe Phases 7 & 8, Erin Stanley).

City staff presented the item. No discussion followed.

Commissioner Villarreal moved to approve the extension of the item to a date certain of April 12, 2023. Motion seconded by Commissioner Pruett. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, Villarreal, and McDade

NAYS (0): None

- B. ZCP22-0064 Consider a request by RR Town Center Associates, LLC for approval of a revised Site Plan for a retail center within the Rayzor Ranch Overlay District, South RR-2 and RR-1 subareas, located on Lot 10R-3, Block A of Rayzor Ranch Town Center. The approximately 28.75-acre subject site is generally located at the southeast corner of IH-35 and West University Drive (US-380) in the City of Denton, Denton County, Texas. (ZCP22-0064, Rayzor Ranch Town Center, Mia Hines).

City staff presented the item. No discussion followed.

Citizen comments will be listed on Exhibit A.

Vice-Chair Smith moved to approve the item as presented. Motion seconded by Commissioner Anderson. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, Villarreal, and McDade

NAYS (0): None

- C. PP22-0021b Consider a request by McKinney Mayhill Partners LLC for approval of a Preliminary Plat for Forest Crossing Phase 2 Addition. The approximately 22.050-acre site is generally located on the west side of Mayhill Road, approximately 1,067 feet north of East McKinney Street in the City of Denton, Denton County, Texas. (PP22-0021b, Forest Crossing Phase 2 Addition, Julie Wyatt)

City staff presented the item. No discussion followed.

Commissioner Villarreal moved to deny the item. Motion seconded by Commissioner McDade. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, Villarreal, and McDade
NAYS (0): None

- D. PP23-0001a Consider a request by Denton Independent School District for a Preliminary Plat of the Riney Road Elementary School Addition. The 15.135-acre site is generally located on the south side of Riney Road, approximately 560 feet east of Bonnie Brae Street, in the City of Denton, Denton County, Texas. (PP23-0001a, Riney Elementary, Julie Wyatt)

This item was withdrawn, and no action was taken.

- E. PP23-0006 Consider a request by Quick N Clean TX-04, LLC for a Preliminary Plat of the Quick N Clean Addition. The 2.10-acre site is generally located at the northeast corner of the intersection of McKinney Street and Loop 288, in the City of Denton, Denton County, Texas. (PP23-0006, Quick N Clean Addition, Julie Wyatt)

City staff presented the item. No discussion followed.

Commissioner Villarreal moved to approve the extension of the item to a date certain of April 12, 2023. Motion seconded by Commissioner Cole. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, Villarreal, and McDade
NAYS (0): None

- F. PP22-0031b Consider a request by the Foresite Group, LLC for approval of a Preliminary Plat for Stella Hills. The approximately 84.8917-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. (PP22-0031b, Stella Hills, Angie Manglaris).

City staff presented the item. A discussion followed.

Commissioner Anderson moved to approve the extension of the item to a date certain of April 12, 2023. Motion seconded by Commissioner Villarreal. Motion carried.

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, Villarreal, and McDade
NAYS (0): None

5. PUBLIC HEARINGS

- A. Z23-0004 Hold a public hearing and consider making a recommendation to City Council regarding a City-initiated a zoning change from Residential 3 (R3) to a Residential 6 (R6) District. The approximately 6.52-acre site is generally located on the north side of Hercules Lane, approximately 270 feet west of the intersection of Hercules Lane and Stuart Road, in the City of Denton, Denton County, Texas. STAFF IS REQUESTING TO POSTPONE THIS ITEM TO A DATE CERTAIN OF APRIL 12, 2023. (Z23-0004, Camelot Street, Julie Wyatt)

Chair Ellis opened the public hearing.

Staff provided an overview of the request. No discussion followed.

Vice-Chair Smith moved to postpone the item to a date certain of April 12, 2023. Motion seconded by Commissioner Cole. Motion carried (7-0).

AYES (7): Chair Ellis, Vice-Chair Smith, and Commissioners: Villarreal, Anderson, Cole, Pruett, and McDade

NAYS (0): None

- B. PD21-0007 Hold a public hearing and consider making a recommendation to City Council regarding a request by applicant, Aimee Bissett, 97 Land Company, LLC., to rezone approximately 20.92 acres from Suburban Corridor (SC) District to Planned Development Mixed-Use Neighborhood (PD-MN) District. The site is generally located at the northeast corner of Loop 288 and FM 428, in the City of Denton, Denton County, Texas. (PD21-0007, Sherman Drive Mixed Use, Angie Manglaris).

Chair Ellis opened the public hearing.

City staff presented the item. A discussion followed.

Citizen comments will be listed on Exhibit A.

Discussion between the commission and staff continued.

Vice-Chair Smith moved to postpone to a date certain of March 29, 2023. Motion seconded by Commissioner Cole. Motion carried.

AYES (6): Chair Ellis, Vice-Chair Smith, and Commissioners: Anderson, Cole, Pruett, and McDade

NAYS (1): Commissioners: Villarreal

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

PZ23-022: Staff provided updates regarding matrix City Council and future meetings, and there was a discussion on the matrix.

7. CONCLUDING ITEMS

With no further business, the meeting was adjourned at 7:38 p.m.

X_____

Margie Ellis, Planning and Zoning Commission Chair

_____ Date

X_____

Cathy Welborn, Administrative Assistant III

_____ Date

March 15, 2023 Planning and Zoning Meeting - EXHIBIT A					
Speaker Commentaries/ Registration - Online, E-mail, In-Person, and Phone					
Name	Address	Agenda Item	Position	Method	Comments
Amiee Bissett (Applicant)	109 N Elm, Denton, Texas 76201	PD21-0007	Support	In person	Requested the item to be postponed until March 29, 2023. Provided clarification to the Commissions questions and concerns.
Amiee Bissett (Applicant)	109 N Elm, Denton, Texas 76201	ZCP22-0064	Support	In person	Stated she was there if the Commission had any questions.
Ann Woodbridge	3596 Hartlee Field Road, Denton 76208	PD21-0007	Opposed	In person	Did not speak
Anthony Spinelli	5408 Pagewood Drive, Denton 76208	PD21-0007	Opposed	In person	Did not speak
Brett Steward	Not Provided	PD21-0007	Opposed	Online	The proposed density is much too high for that location to change the zoning to PD-MN. Traffic at that intersection during rush hours is already very high. I understand there are 2 driveways proposed in that very short section between Loop 288 and Hartlee Field Road on Sherman Drive. That will make this section very dangerous for motorists, pedestrians and bicyclists.
Bridget Marshall	3539 Pine Trail, Denton 76208	PD21-0007	Opposed	In person	She strongly believes that an apartment complex development at this location with such abusus intersection will create a serious traffic safety hazard and endanger lives. This PD should be denied due to the many traffic safety issues.
Bud Vokoun	3909 Grant Pkwy Denton, TX 76208	PD21-0007	Opposed	Online	This only benefits the pocket of the developer.
Caleb McGuire	3574 Pine Trl	PD21-0007	Opposed	Online	Recommend denial of zoning change. Current zoning of SC has been and remains appropriate for the intersection.
Carolyn Barnes	5504 Woodland Hills Denton TX 76208	PD21-0007	Opposed	Online	This item should be denied or at least delayed pending a new traffic study that reflects the current traffic conditions in this area. This study is from 2021, when 1) traffic was lower due to Covid, 2) there were no traffic lights at the Loop 288/Sherman Drive intersection and 3) the two DISD learning centers were not fully operational. It also doesn't include Stark Farms, Stuart Ridge or Agave Ranch traffic. A new study - weekday rush hour, school release times - is needed.
Carolyn Smith	4224 Hartlee Field Rd, Denton 76208	PD21-0007	Opposed	Online	Proposed rezoning will result in significant, unacceptable, and dangerous increase in traffic. The TIA was based on inaccurate traffic counts taken during COVID and without regard to build out of other nearby developments already in process.
Ellen Wall	2696 Hartlee Court, Denton TX 76208	PD21-0007	Opposed	Online	This request to rezone should be denied for many reasons. The current zoning is appropriate for this area. A high-density PD-MN would only add to the traffic congestion that already exists. The previous traffic study was completed while many people were still working from home. A delay with a new study should be conducted. There are also issues with the proposed driveways. One being in a very hazardous area, on a blind hill. One being proposed under the current TxDOT regulations.
Harnihal Brar	3010 E Sherman	PD21-0007	Opposed	In person	Owner of 7-Eleven, stated there are a lot of cyclist. Even children from the near by apartments. But this development will be a traffic hazard.

Ian Moore	2004 Chandler Dr	PD21-0007	Opposed	Online	As this section of road becomes more heavily developed it lacks the infrastructure to handle bicycle and pedestrian traffic. When looking at these plans it looks as if there is a narrowing of a shoulder that already has been narrowed in several locations creating unsafe use for cyclists and pedestrians. Please do not allow the continued development without allowing additional bicycle and pedestrian infrastructure to be added.
Isobel Spinelli	5408 Pagewood Drive, Denton 76208	PD21-0007	Opposed	In person	Did not speak
Jacquelyn Thames	3912 Deer Forest Dr	PD21-0007	Opposed	Online	The zoning at this location should remain Suburban Corridor. A PD is not appropriate for this high traffic intersection. High density, multi-family units will create dangerous traffic hazards at the location of 2 heavy traffic, high speed roads (Loop 288 and Sherman Drive/FM 428). The City and P&Z should not be using PD zoning changes to circumvent the long-term zoning plans produced and codified by its citizens. Suburban Corridor is appropriate for this intersection.
Mary Arndt	3375 Hartlee Field Road, Denton 76208	PD21-0007	Opposed	In person	Did not speak
Ned Woodbridge	3596 Hartlee Field Road, Denton 76208	PD21-0007	Opposed	In person	The bicyclist community is a very big consideration think about and providing for bike travel so that it doesn't conflict with turning off and turning on of cars. The whole bike and pedestrian interface needs to be thought about carefully and should be considered.
Reid Ferring	4572 Coyote Point, Denton 76208	PD21-0007	Opposed	In person	Stated if you live in this are you just don't believe that you can add 3600 car trips a day to the intersection at Loop 288 and Sherman Drive. Stated the development going is effecting the residents that live in the back of the developments and they will be miserable down the road.
Stephen Arndt	3375 Hartlee Field Road, Denton 76208	PD21-0007	Opposed	In person	Did not speak
Trey Rozelle	2408 Twin Post Road, Denton 76208	PD21-0007	Opposed	In person	Biggest concern is with the traffic plan and bicycles. A lot of bicycles head north on Sherman Drive to get out of town and go ride in the country. With the purposed traffic pattern is not going to work for cyclist.
Trey Rozelle	2408 Twin Post Rd	PD21-0007	Opposed	Online	Countless cyclists ride the shoulder of 428. The proposed traffic pattern promotes the use of the shoulder as a turn lane, drivers use the shoulder to accelerate/decelerate and compete with bicycles. The expectation or assertion that cyclists will turn into the apartments or compete with traffic on Sherman Rd. is unacceptable. The ideal bicycle infrastructure here is a buffered or protected bike lane that is not impacted by drivers, giving cyclists a place to be. Please reconsider.



City of Denton

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

Legislation Text

File #: PP23-0004b, **Version:** 1

AGENDA CAPTION

Consider a request by Pisces Denton Logistics Center, LP for approval of a Preliminary Plat of the Denton Logistics Center Addition. The 22.452-acre site is generally located on the south side of FM 1173, just east of the Gulf, Colorado and Santa Fe Railroad, in the City of Denton, Denton County, Texas. (PP23-0004b, Denton Logistics Center Addition, 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: March 29, 2023

SUBJECT

Consider a request by Pisces Denton Logistics Center, LP for approval of a Preliminary Plat of the Denton Logistics Center Addition. The 22.452-acre site is generally located on the south side of FM 1173, just east of the Gulf, Colorado and Santa Fe Railroad, in the City of Denton, Denton County, Texas. (PP23-0004b, Denton Logistics Center Addition, Cameron Robertson)

BACKGROUND

The purpose of this Preliminary Plat is to establish one lot with easements and associated right-of-way reservation for the development of a new warehouse and wholesale facility. The subject property is zoned Light Industrial (LI) District, which permits the use.

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

Date Application Filed:	January 31, 2023
Planning and Zoning Meeting:	March 1, 2023
Days in Review:	29 Days
Date Extension Approved:	March 1, 2023
Date Application Resubmitted:	March 2, 2023
Days in Review:	27 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 the Preliminary Plat as it meets the established criteria for approval. See Exhibit 2 for detailed reasons for the 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	Approved

		transition to Mixed-Use Regional (MR) District	
July 14, 2021	Planning and Zoning Commission	Rezoning from MR District to LI District (Z20-0005)	Recommended Approval (5-1)
August 3, 2021	City Council	Rezoning from MR District to LI District (Z20-0005)	Approved (7-0)
March 1, 2023	Planning and Zoning Commission	Preliminary Plat (PP23-0004)	Extension Approved (7-0)

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
Principal Planner

Planning Staff Analysis

PP23-0004b/ Denton Logistics Center Addition

City Council District #3

Planning & Zoning Commission

REQUEST:
 Consider approval of a Preliminary Plat for an approximately 22.452-acre site.

APPLICANT:
 Mack Mattke with Kimley-Horn on behalf of owners Pisces Denton Logistics Center, 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 general review criteria.</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. 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 the additional Approval 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>There is no conflict between the general criteria for approval and the specific review criteria in Sections 2.5 through 2.9.</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 Preliminary Plat is consistent with the zoning of the site.</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>The Denton 2040 Comprehensive Plan designates the subject property as Light Industrial. The proposed use is consistent with the designation.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings: <div>There are no competing plan goals, policies, or strategies.</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></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
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 style="border: 1px solid black; padding: 5px; margin-top: 5px;">The proposed development complies with all applicable standards in the DDC.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">The subject submittal is a Preliminary Plat, and it was reviewed based on the checklist and requirements for a Preliminary 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 style="border: 1px solid black; padding: 5px; margin-top: 5px;">The Preliminary Plat complies with all other regulations.</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 style="border: 1px solid black; padding: 5px; margin-top: 5px;"></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 style="border: 1px solid black; padding: 5px; margin-top: 5px;">The proposed development is not expected to create negative environmental impacts.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

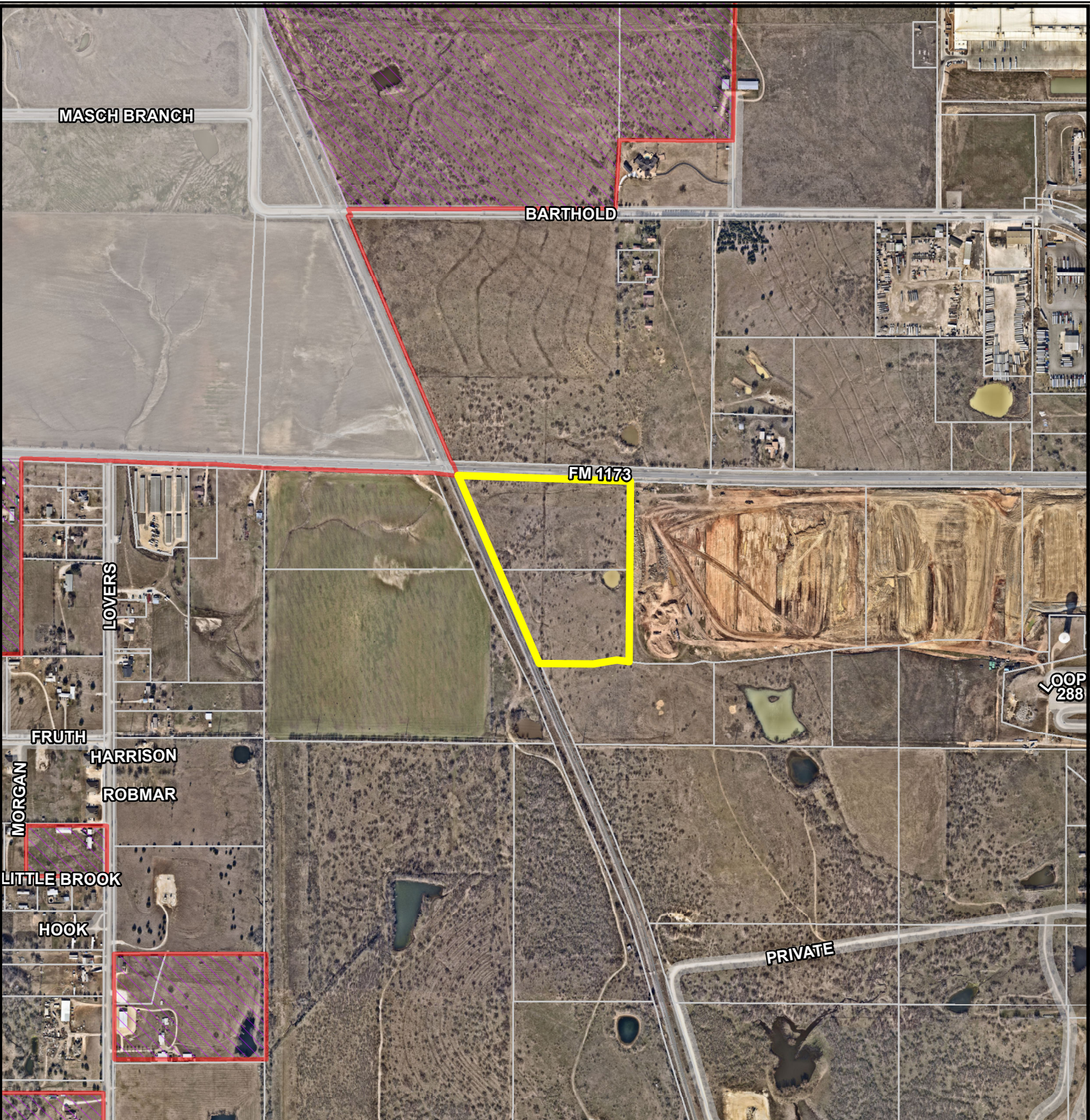
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
8. Minimizes Adverse Impacts on Surrounding Property				
<p>a. The proposed development should not cause significant adverse impacts on surrounding properties. The results of the citizen participation process may be appropriately considered under this section.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The Preliminary Plat is not expected to cause significant adverse impacts.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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>The proposed development is not expected to result in adverse fiscal impacts on the City.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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> <div style="border: 1px solid black; padding: 5px;"> <p>The proposed Preliminary Plat complies with all City and other regulatory authority standards.</p> </div>		<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> <div style="border: 1px solid black; padding: 5px;"> <p>Adequate road capacity to serve the site is available via FM 1173.</p> <p>The site is designed to ensure safe ingress and egress onto the site and provide for adequate access to all lots for fire, public safety, and EMS.</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
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>Current capacity can accommodate the proposed development. A Preliminary Lift Station Analysis was completed by the applicant in February of 2023.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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>The proposed project does not include phasing.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

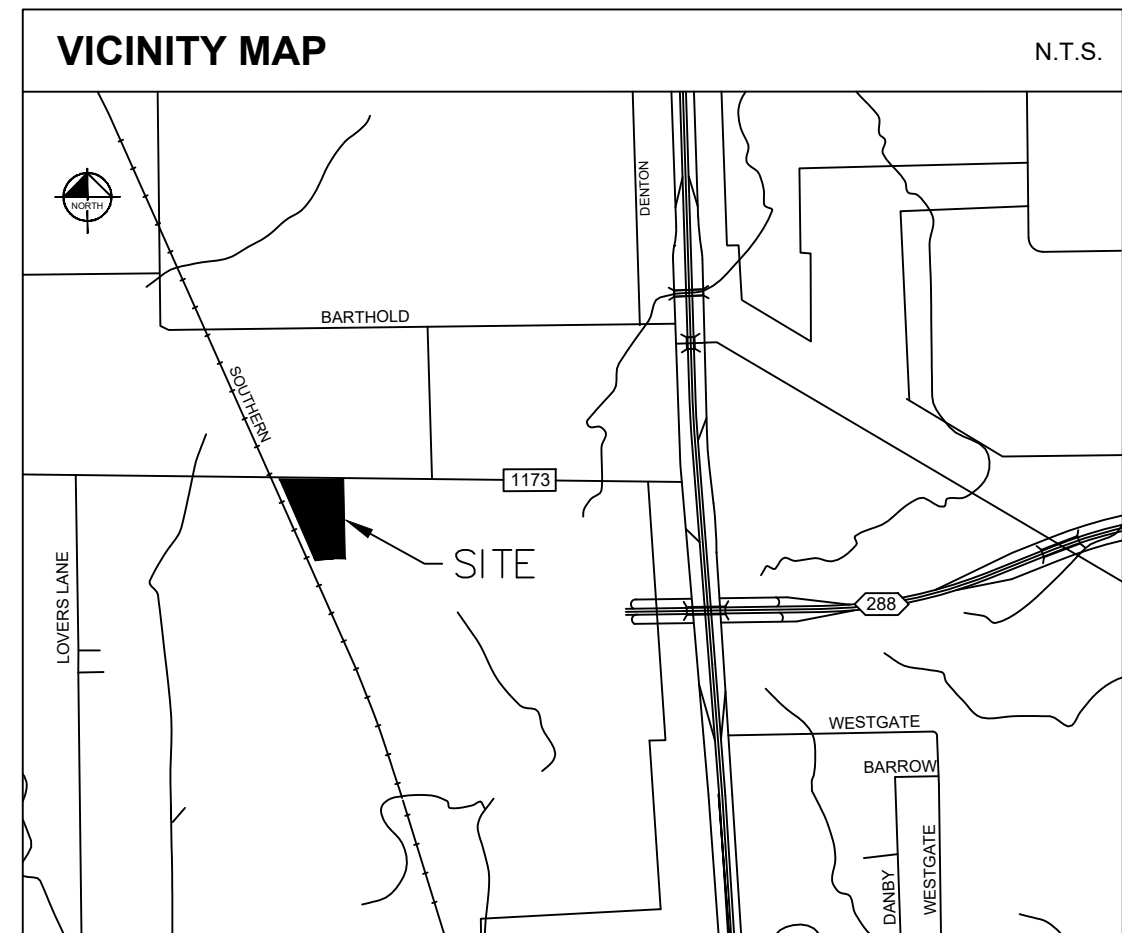
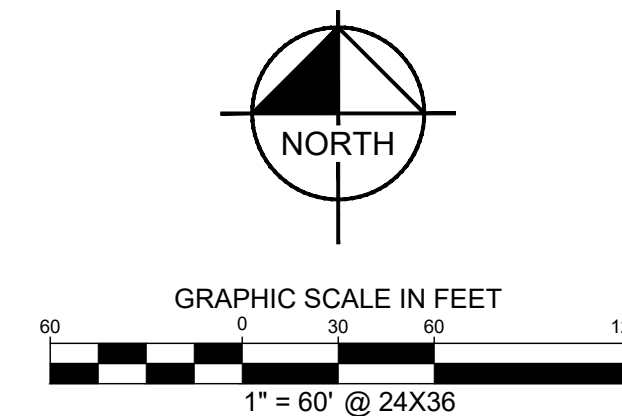
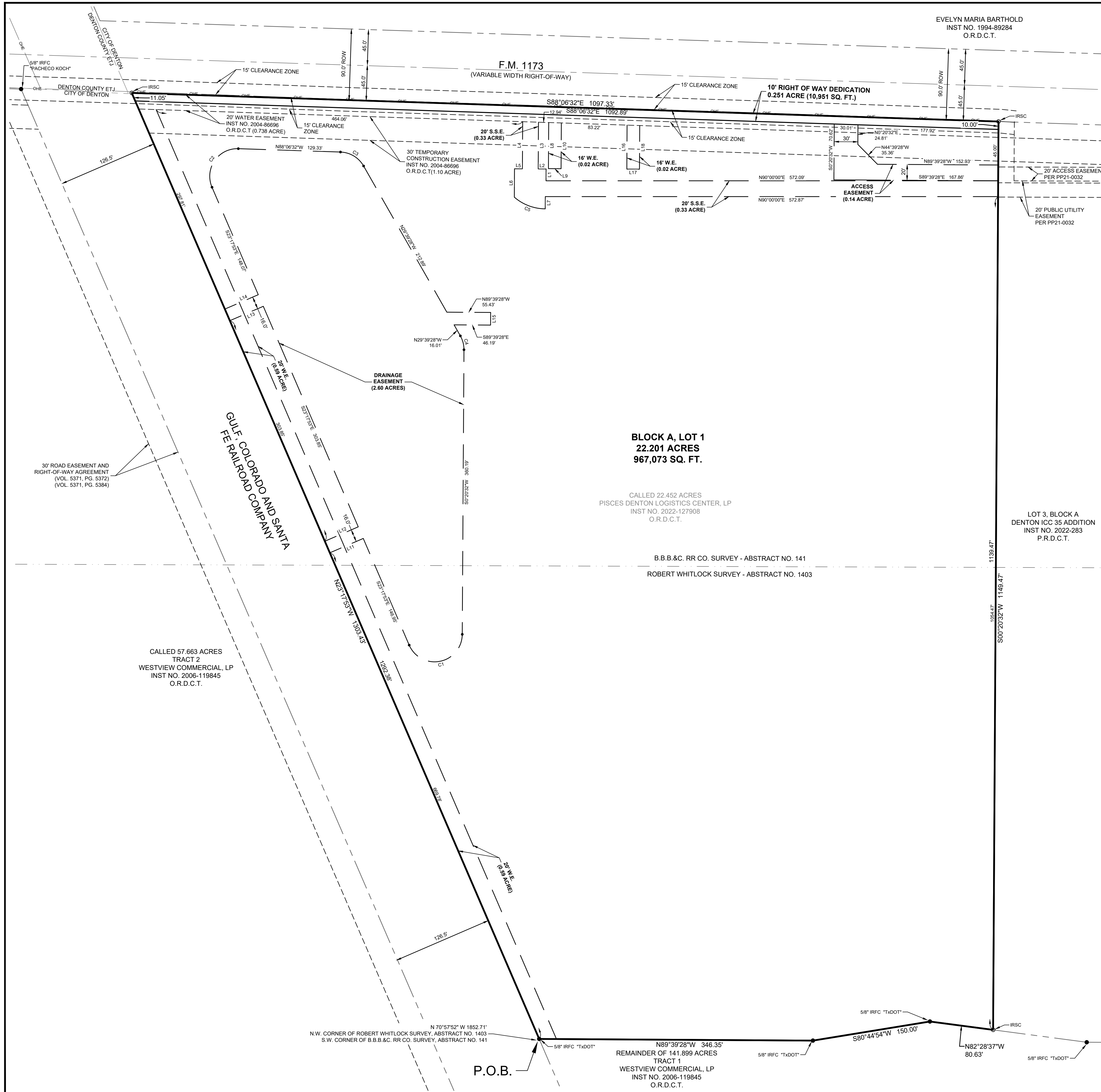
Preliminary Plat Review Applicability Criteria (DDC Section 2.6.3.D)		Applicability		
		Met	Not Met	N/A
14. Whether the preliminary plat provides a layout of lots, roads, driveways, utilities, drainage, and other public facilities and services designed to minimize the amount of disturbance to sensitive natural areas or other community resources.				
<p>Findings:</p> <div>The preliminary plat reflects the required services to serve this development and limits disturbances to community resources.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Whether the preliminary plat provides evidence of public water and sewer system connections.				
<p>Findings:</p> <div>Adjacent water and wastewater are available for connection and extension through the development.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Preliminary Plat Review Applicability Criteria (DDC Section 2.6.3.D)	Applicability		
	Met	Not Met	N/A
<p>16. Whether the preliminary plat identifies and adequately mitigates known natural hazard areas.</p> <p>Findings:</p> <div data-bbox="204 300 992 415" style="border: 1px solid black; padding: 5px;"> <p>The subject property does not contain any know natural hazard areas.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>17. Whether the preliminary plat proposes reasonable project phasing in terms of infrastructure capacity.</p> <p>Findings:</p> <div data-bbox="204 588 992 718" style="border: 1px solid black; padding: 5px;"> <p>The proposed project does not include phasing.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

PP23-0004
Site Location



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



LINE TABLE		
NO.	BEARING	LENGTH
L1	S00°20'32"W	15.00'
L2	S89°39'28"E	10.00'
L3	S00°20'32"W	59.11'
L4	S00°20'32"W	59.65'
L5	N89°39'28"W	10.00'
L6	N00°20'32"W	35.90'
L7	N00°20'32"E	15.49'
L8	S00°20'32"E	58.33'
L9	S89°39'28"E	16.00'
L10	N00°20'32"E	57.90'
L11	N66°45'20"W	46.00'
L12	N66°45'20"E	46.00'
L13	S66°45'20"W	46.00'
L14	N66°45'20"E	46.00'
L15	S00°20'32"W	16.00'
L16	S00°20'32"W	55.65'
L17	S89°39'28"E	16.00'
L18	N00°20'32"E	55.22'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	156°21'35"	35.00'	95.51'	N78°31'20"E	68.52'
C2	115°11'21"	35.00'	70.37'	S34°17'48"W	59.10'
C3	58°27'04"	35.00'	35.71'	N58°53'00"W	34.18'
C4	30°00'00"	35.00'	18.33'	N14°39'28"W	18.12'
C5	40°49'18"	60.00'	42.75'	S69°14'48"E	41.85'

LINE TYPE LEGEND	
	BOUNDARY LINE
	ADJACENT PROPERTY LINE
	EXISTING EASEMENT LINE
	PROPOSED EASEMENT LINE
	OVERHEAD POWER LINE
	BUILDING LINE
	CENTERLINE

LEGEND

IRSC	58" IRON ROD W/ "WAX" CAP SET
IRFC	IRON ROD WITH CAP FOUND
IRF	IRON ROD FOUND
AD	ALUMINUM DISK FOUND
MC	MONUMENT FOUND
FCF	FENCE CORNER POST FOUND

P.O.B	POINT OF BEGINNING
B.L	BURNING LINE
D.E	DRAINAGE EASEMENT
P.U.E	PUBLIC UTILITY EASEMENT
U.E	UTILITY EASEMENT
W.E	WATER EASEMENT
S.S.E.S	SANITARY SEWER EASEMENT
R.O.W	RIGHT OF WAY

CAB	CABINET
VOL	VOLUME
PG	PAGE
INST	INSTRUMENT
D.O.C.T	DEED RECORDS
	DENTON COUNTY, TEXAS
P.R.D.C.T	PLAT RECORDS,
	DENTON COUNTY, TEXAS
O.R.D.C.T	OFFICIAL RECORDS,
	DENTON COUNTY, TEXAS

SEE NOTES ON SHEET 2

PRELIMINARY PLAT
**DENTON LOGISTICS
CENTER ADDITION**
LOT 1, BLOCK A

22.452 ACRES SITUATED IN THE
B.B.B. & C. RR. CO. SURVEY, ABSTRACT NO. 114
ROBERT WHITLOCK SURVEY, ABSTRACT NO. 1403
CITY OF DENTON, DENTON COUNTY, TEXAS
CITY OF DENTON PROJECT NO. PP23-0004

SURVEYOR:	Kimley»»Horn			
	6160 Warren Parkway, Suite 210 Frisco, Texas 75034		Tel. No. (972) 335-3580 FIRM # 10193822	
<u>Scale</u>	<u>Drawn by</u>	<u>Checked by</u>	<u>Date</u>	<u>Project No.</u>
1" = 60'	CDS	KHA	MAR. 2023	067806220
				SHEET 1 OF 2

APPLICANT:
Kimley-Horn and Associates, Inc.
100 W. Oak Street, Suite 203
Denton, TX 76201
Ph: 940-536-0175
Contact: Mack Mattke, P. E.

OWNER:
Pisces Denton Logistics Center, LP
1180 Peachtree St, Suite 3380
Atlanta, Ga 30309
Ph: 214-393-5069
Contact: Jason Bengert

PRELIMINARY
THIS DOCUMENT SHALL NOT BE
RECORDED FOR ANY PURPOSE

OWNERS CERTIFICATE

STATE OF TEXAS §
COUNTY OF DENTON §

WHERE AS PISCES DENTON LOGISTICS CENTER, LP, is the rightful owner of a tract of land situated in the B.B.B.& C. RR. Co. Survey, Abstract No. 141, City of Denton, Denton County, Texas and the Robert Whitlock Survey, Abstract No. 1403, City of Denton, Denton County, Texas, and being part all of a called 22.452 acre (978,024 square feet) tract of land described in deed to Pisces Denton Logistics Center, LP, as recorded in Instrument No. 2022-127908, 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 "TxDOT" found for the southwest corner of said 22.452 acre tract, same being on the easterly right of way line of the Gulf, Colorado and Santa Fe Railroad Company Railroad, a 126.5-foot wide right-of-way;

THENCE North 23°17'53" West, along the westerly line of said 22.452 acre tract and the easterly right of way line of said Gulf, Colorado and Santa Fe Railroad Company Railroad, a distance of 1,303.43 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said 22.452 acre tract, same being at the intersection of said east right of way line of Gulf, Colorado and Santa Fe Railroad Company Railroad and the southerly right of way line of Farm to Market Highway 1173, a variable width right of way;

THENCE South 88°06'32" East, departing the easterly right of way line of said Gulf, Colorado and Santa Fe Railroad Company Railroad and along the northerly line of said 22.452 acre tract and the southerly right of way line of said Farm to Market Highway 1173, a distance of 1,097.33 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northeast corner of said 22.452 acre tract, common to the northeast corner of Lot 3, Block A, as recorded in Denton ICC 35 Addition, according to the plat thereof recorded in Instrument No. 2022-283, of the Plat Records of Denton County, Texas;

THENCE South 00°20'32" West, departing the southerly right of way line of said Farm to Market Hight 1173, and along the easterly line of said 22.452 acre tract and the westerly line of said Lot 3 Block A, a distance of 1,149.47 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southeast corner of said 22.452 acre tract, common to the southwest corner of said Lot 3, Block A;

THENCE departing the easterly line of said 22.452 acre tract and the westerly line of said lot 3, Block A, and along the southerly line of said 22.452 acre tract, the following:

North 82°28'37" West, a distance of 80.63 feet to a 5/8 inch iron rod with plastic cap stamped "TxDOT" found for corner;

South 80°44'54" West, a distance of 150.00 feet to a 5/8 inch iron rod with plastic cap stamped "TxDOT" found for corner;

North 89°39'28" West, a distance of 346.35 feet to the POINT OF BEGINNING and containing 22.452 acres (978.024 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, PISCES DENTON LOGISTICS CENTER, LP., does hereby adopt this plat designating the herein described property as DENTON LOGISTICS CENTER ADDITION, an addition to Denton County, Texas, and does hereby dedicate to the public use forever the streets and alleys 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.

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

BY: PISCES DENTON LOGISTICS CENTER, LP, a Texas limited partnership

By: Westglen Management, LLC, a Texas limited liability company
its General Partner

By: _____
Signature

By: _____
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/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 _____, 2023.

Notary Public, State of Texas

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 corners are 5/8" iron rods set with a plastic cap stamped "KHA" unless otherwise noted.
- NOTICE: 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.
- Water and/or sewer service will be provided through the City of Denton
- Property owner is responsible for the maintenance and improvements located within the Drainage Access Easement.
- Based upon the preliminary tree preservation plan under review with ZCP22-0050, a minimum of 39.7 dbh (inches) of heritage and quality trees must be preserved in order to meet the minimum 30% preservation requirement in Lot 1, Block A DENTON LOGISTICS CENTER ADDITION. Final preservation and mitigation amounts will be finalized with the civil engineering plans for this development and noted on the final plat.
- 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.
- 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, Drainage Criteria and Comprehensive Master Drainage Plan.
- Denton Logistics Center Addition Block A, Lot 1 will be served by proposed lift station. Easements, access and right-of-way dedication (as necessary) will be finalized during Civil Engineering Plans and Final Plat.
- Conditional approval of Water Utilities is based on easement for a lift station, its access, and any other water utility infrastructure to be determined and finalized during the Civil Engineering Plan process and reflected on the Final Plat.

FLOOD STATEMENT:

According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48121C0215G, 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.

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

STATE OF TEXAS §
COUNTY OF DENTON §

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 _____, 20____.

Notary Public, State of Texas

APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF DENTON

ON THIS THE _____ DAY OF _____, 2023

CHAIRPERSON, PLANNING AND ZONING COMMISSION,
CITY OF DENTON, TEXAS

ATTESTED

CITY SECRETARY,
CITY OF DENTON, TEXAS

SEE NOTES ON SHEET 2

PRELIMINARY PLAT
DENTON LOGISTICS
CENTER ADDITION
LOT 1, BLOCK A

22.452 ACRES SITUATED IN THE
B.B.B. & C. RR. CO. SURVEY, ABSTRACT NO. 114
ROBERT WHITLOCK SURVEY, ABSTRACT NO. 1403
CITY OF DENTON, DENTON COUNTY, TEXAS
CITY OF DENTON PROJECT NO. PP23-0004

SURVEYOR:

6160 Warren Parkway, Suite 210
Frisco, Texas 75034

Tel. No. (972) 335-3580
FIRM # 10193822

Scale	Drawn by	Checked by	Date	Project No.	SHEET
N/A	CDS	KHA	MAR. 2023	067806220	2 OF 2

APPLICANT:
Kimley-Horn and Associates, Inc.
100 W. Oak Street, Suite 203
Denton, TX 76201
Ph: 940-536-0175
Contact: Mack Mattke, P. E.

OWNER:
Pisces Denton Logistics Center, LP
1180 Peachtree St, Suite 3380
Atlanta, Ga 30309
Ph: 214-393-5069
Contact: Jason Bengert

PRELIMINARY
THIS DOCUMENT SHALL NOT BE
RECORDED FOR ANY PURPOSE

Land Uses	Amount	Units	ITE Code	Daily One-Way Trips	AM Peak Hour One-Way Trips			PM Peak Hour One-Way Trips		
					IN	OUT	TOTAL	IN	OUT	TOTAL
Warehousing (Brookfield FM 1173)	270	1,000 SF	150	461	35	11	46	14	35	49
Internal Capture Trips:				0	0	0	0	0	0	0
External Trips:				461	35	11	46	14	35	49
Warehousing (Brookfield FM 1173) Pass-By Trips:				0	0	0	0	0	0	0
Warehousing (Brookfield FM 1173) Net New External Trips:				461	35	11	46	14	35	49



City of Denton

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

Legislation Text

File #: FR23-0004, **Version:** 1

AGENDA CAPTION

Consider a request by Tyler Rank of Eagle Surveying for a Final Replat of Lynch Farms, Lots 1R and 2R, Block A. The approximately 10.4-acre site is generally located on the west side of Green Valley Circle, approximately 480 feet south of Warschun Road in the City of Denton, Denton County, Texas. (FR23-0004, Lynch Farms, Ashley Ekstedt).



City of Denton

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AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: March 29, 2023

SUBJECT

Consider a request by Tyler Rank of Eagle Surveying for a Final Replat of Lynch Farms, Lots 1R and 2R, Block A. The approximately 10.4-acre site is generally located on the west side of Green Valley Circle, approximately 480 feet south of Warschun Road in the City of Denton, Denton County, Texas. (FR23-0004, Lynch Farms, Ashley Ekstedt).

BACKGROUND

The purpose of this Final Replat is to adjust the lot lines between two residential lots to facilitate the completion of the construction of a single-family dwelling. The subject property is zoned Rural Residential (RR).

Date Application Filed:	February 28, 2023
Planning & Zoning Commission Meeting:	March 29, 2023
Days in Review:	29 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
2005	City Council	Annexation	Involuntary Annexation for approximately 5,800 acres of land
April 23, 2019	City Council	New Zoning Code and City-wide zoning district transition	Transition from RD-5X District to RR District

PUBLIC OUTREACH

Public outreach is not required for Final Replats.

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 Replat

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

Prepared by:
Ashley Ekstedt
Assistant Planner

Planning Staff Analysis

FR23-0004/ Lynch Farms

City Council District #2

Planning & Zoning Commission

REQUEST:

Final Replat for an approximately 10.4-acre tract.

APPLICANT:

Tyler Rank of Eagle Surveying

RECOMMENDATION:

Staff recommends approval because the proposed Final Replat meets the established approval criteria, 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>The Final Replat meets all general review criteria.</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 Replat does meet 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>There is no conflict.</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
2. Prior Approvals				
<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></div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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>Denton 2040 Comprehensive Plan's Future Land Use Map designates the subject property as Rural Areas. The proposed use is consistent with the designation.</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>There are no competing plan goals, policies, and strategies for this site.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<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.</p> <p>Findings:</p> <div></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>The Final Replat complies with all applicable standards in the DDC.</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>The subject submittal is a Final Replat, and it was reviewed based on the established checklist and requirements.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Compliance with Other Applicable Regulations				

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<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: 5px;"> <p>The Final Replat complies with all other regulations.</p> </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: 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; margin-top: 5px;"> <p>There is floodplain on this property and the single-family homes are constructed outside of the floodplain.</p> </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> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>This Final Replat is not expected to cause any significant adverse impacts on surrounding properties.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

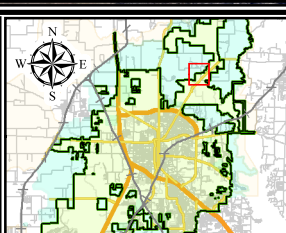
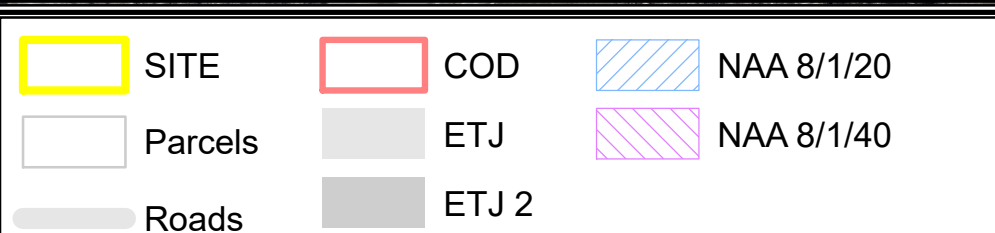
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
Findings: <div>This development is not expected to result in significant adverse fiscal impacts on the city.</div>				
10. Compliance with Utility, Service, and Improvement Standards				
a. As applicable, 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 Final Replat is compliant with all City 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>There is adequate road capacity to accommodate the proposed use.</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>This development is served by Bolivar Water Supply Corporation and On-Site Sewage Facilities.</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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

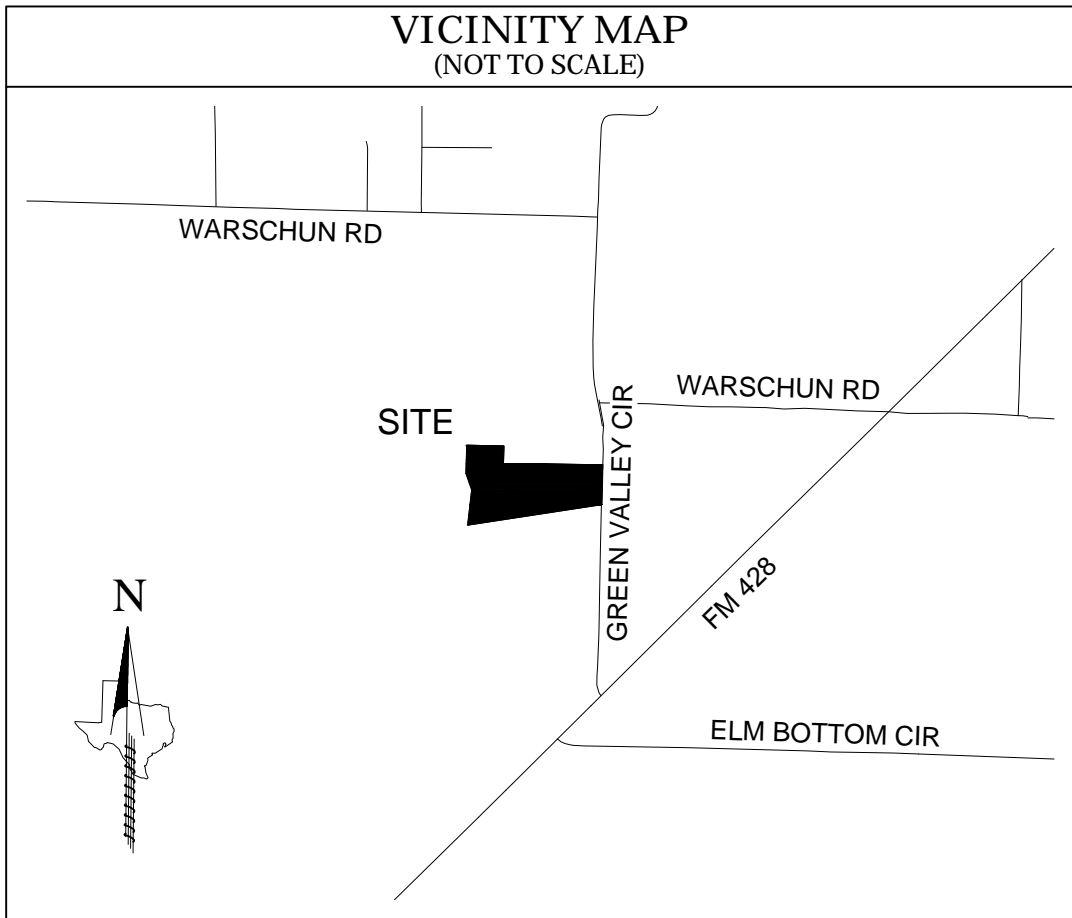
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
Findings: <div>No phasing is proposed for this plat.</div>			

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>This final plat is a replat of a previously approved Minor Plat. A preliminary plat is not required for replats.</div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. Whether the development will substantially comply with all requirements of this DDC. Findings: <div>This Final Plat conforms to all of the requirements of the DDC.</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>The proposed development will comply with all applicable standards and specifications adopted by the city which are applicable to a Final Plat.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

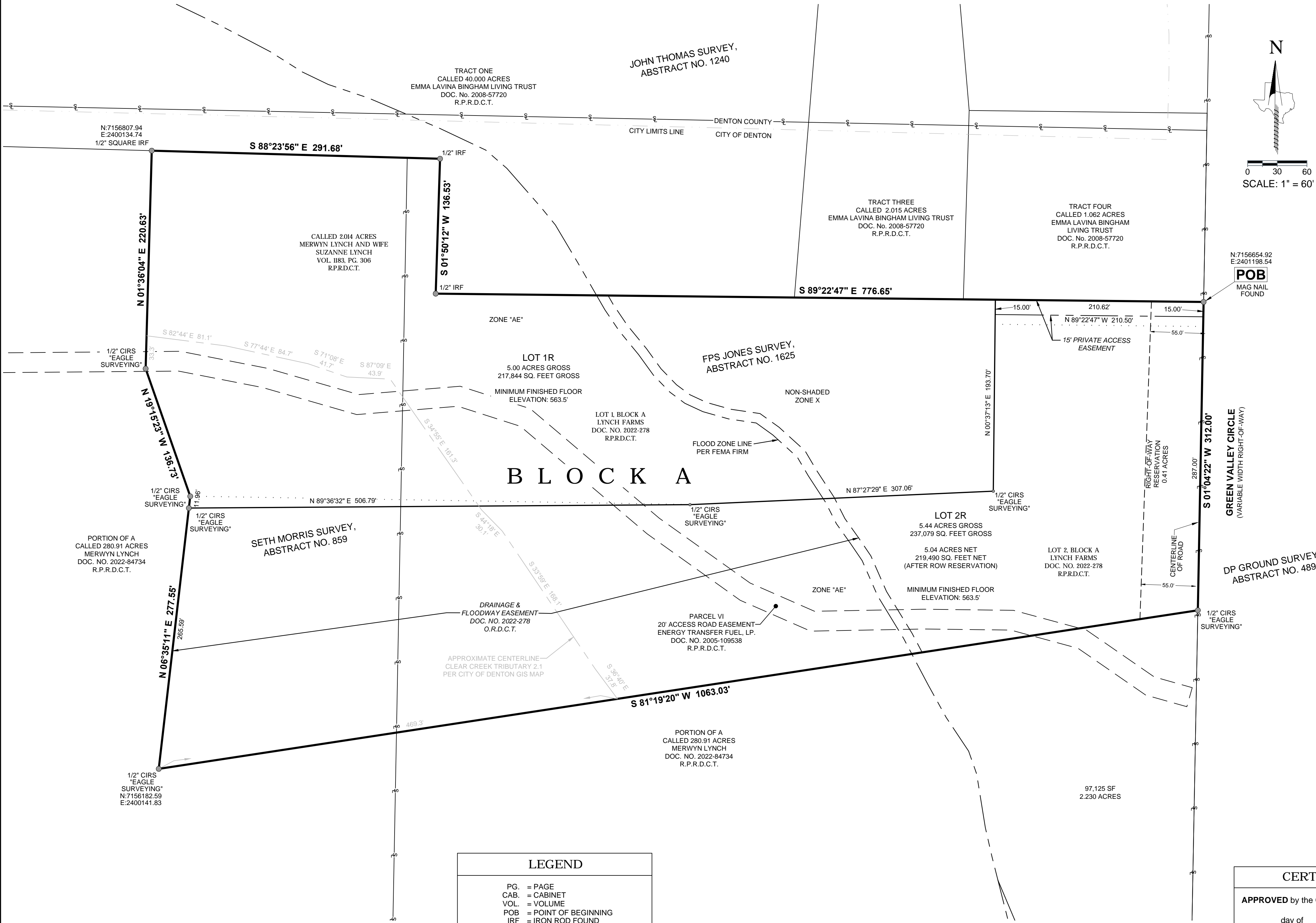
FR23-0004

Site Location





- GENERAL NOTES
- The purpose of this plat is to adjust lot lines between two existing lots and add an access easement.
 - This property is located in "Non-Shaded Zone X" and "Zone AE" according to the F.E.M.A. Flood Insurance Rate Map dated April 18, 2011, as shown on Map Number 48121C0240G.
 - The bearings and grid coordinates shown on this plat are based on GPS observations utilizing the AllTerra RTK Network - North American Datum of 1983 (Adjustment Realization 2011, Texas North Central Zone 4202).
 - 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/or withholding of utilities and building permits.
 - 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 transmission lines. In some instances, the code requires greater clearances. Building permits will not be issues for structures within these clearance areas. Contact the building official with specific questions.
 - Private improvements cannot encroach onto existing public or private easements. On site sewage facilities shall not be located inside publicly dedicated easements.
 - There is a total of 211.1 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 accompanying Preservation Plan.No permits for construction activity shall be issued for this property until the required tree protection measures per Section 7.7.4.D of the Development Code of the City of Denton are in place. Preserved trees are located on:
Lot 2R, Block A - 18 inches of heritage trees
Lot 2R, Block A - 46.2 inches of quality trees
Lot 2R, Block A - 146.9 inches of secondary trees
 - Minimum Finished Floor Elevations shown hereon are determined from Base Flood Elevations provided by the City of Denton GIS map. Prior to construction, it is recommended to have Minimum Finished Floor Elevations confirmed by a Professional Engineer.
 - Water service to be provided by Bolivar Water Supply Corporation. Sanitary Sewer to be handled by private On Site Sewage Facilities.
 - The City of Denton has the right, but no the obligation, to maintain and construct drainage facilities if, in the city's sole opinion, the maintenance entity is no properly maintaining the stream or drainage way.



Project	1806.013-11	 <div>EAGLE SURVEYING, LLC 222 S. Elm Street, Suite: 200 Denton, TX 76201 (940) 222-3009 TX Firm #10194177</div>
Date	02/24/2023	
Drafter	TAR/EN	

LEGEND	
PG.	= PAGE
CAB.	= CABINET
VOL.	= VOLUME
POB	= POINT OF BEGINNING
IRF	= IRON ROD FOUND
CIRF	= CAPPED IRON ROD FOUND
CIRS	= CAPPED IRON ROD SET
DOC. NO.	= DOCUMENT NUMBER
R.P.R.D.C.T.	= REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS
---	= BOUNDARY LINE
---	= ORIGINAL LOT/TRACT LINE
---	= ADJOINING PROPERTY LINE
---	= EASEMENT LINE
---	= CENTERLINE OF ROAD
---	= SURVEY/ABSTRACT LINE

OWNER
Merwyn Lynch
Suzanne Lynch
5437 Green Valley Circle
Aubrey, TX 76201
(940) 391-1648

SURVEYOR
Eagle Surveying, LLC
Contact: Tyler Rank
222 S. Elm Street, Suite 200
Denton, TX 76201
(940) 222-3009

CERTIFICATE OF APPROVAL
APPROVED by the City of Denton Planning and Zoning Commission on this _____ day of _____, 2023.
Chairperson _____
ATTEST: _____
City Secretary _____

OWNER'S CERTIFICATE & DEDICATION

STATE OF TEXAS §
COUNTY OF DENTON §

WHEREAS, **MERWYN LYNCH**, and **SUZANNE LYNCH** are the owners of a 10.44 acre tract of land out of the Seth Morris Survey, Abstract Number 859 and the FPS Jones Survey, Abstract Number 1625, situated in the City of Denton, Denton County, Texas, being all of Lots 1-2, Block A, Lynch Farms, an addition to the the City of Denton, Denton County, Texas according to the plat recorded in Document Number 2022-278 of the Real Property Records of Denton County, Texas, being all of a called 2.014 acre tract of land conveyed to Merwyn Lynch and Suzanne Lynch by warranty deed of record in Volume 1183, Page 306 of the Real Property Records of Denton County, Texas, being all of a called 1.387 acre tract of land conveyed by Warranty Deed of record in Volume 1702, Page 175 of said Real Property Records, a portion of a called 280.91 acre tract of land conveyed to Merwyn Lynch by Correction Warranty Deed of Reformation of record in Document Number 2022-84734 of said Real Property Records and being more particularly described by metes and bounds as follows:

BEGINNING, at a MAG nail found in Green Valley Circle, being the Southeast corner of a called Tract Four - 1.062 acre tract of land conveyed to Emma Lavina Bingham Living Trust by deed of record in Document Number 2008-57720 of said Real Property Records, being the common Northeast corner of said Lot 1;

THENCE, S01°04'22"W, along said Green Valley Circle, being the common East lines of said Lots 1-2, a distance of 312.00 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set for the Southeast corner of said Lot 2;

THENCE, S81°19'20"W, along the south line of said Lot 2, a distance of 1063.03 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set for the Southwest corner of said Lot 2;

THENCE, N06°35'11"E, along the west line of said Lot 2, a distance of 277.55 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set, being the northwest corner of said Lot 2 and the southwest corner of said Lot 1;

THENCE, along the west line of said Lot 2, the following two (2) courses and distances:
1. N19°15'23"W, a distance of 136.73 feet to a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set;
2. N01°36'04"E, a distance of 220.63 feet to a 1/2 square iron rod found in the South line of a called Tract One - 40.000 acre tract of land conveyed to Emma Lavina Bingham Living Trust by said deed of record in Document Number 2008-57720, being the northwest corner of Lot 1;

THENCE, along the South line of said Tract One, the South line of a called Tract Three - 2.015 acre tract of land conveyed to Emma Lavina Bingham Living Trust by said deed of record in Document Number 2008-57720, and the South line of said Tract 4, being the common North line of said Lot 1, the following three (3) courses and distances:

- S88°23'56"E, a distance of 291.68 feet to a 1/2" iron rod found
- S01°50'12"W, a distance of 136.53 feet to a 1/2" iron rod found;
- S89°22'47"E, a distance of 776.65 feet to the **POINT OF BEGINNING** and containing an area of 10.44 Acres, or (454,922 Square Feet) of land, more or less.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, **MERWYN LYNCH**, and **SUZANNE LYNCH**, do hereby adopt this plat, designating herein described property as **LYNCH FARMS, LOTS 1R & 2R, BLOCK A**, an addition to the City of Denton, Denton County, Texas, and doherby dedicate, in fee simple, to public use forever all right-of-way reservations thereon shown for the purpose and consideration therein expressed. No structures, fences, or trees shall be constructed or placed upon, over, or across the easements as shown. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Denton's use thereof. The City of Denton and public utility entities shall have the right to remove all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Denton and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone

OWNER: **MERWYN LYNCH**

BY: _____ Date _____

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared **MERWYN LYNCH**, 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 purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this _____ day of _____, 2023.

Notary Public in and for the State of Texas

OWNER: **SUZANNE LYNCH**

BY: _____ Date _____

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared **SUZANNE LYNCH**, 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 purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this _____ day of _____, 2023.

Notary Public in and for the State of Texas

CERTIFICATE OF SURVEYOR

STATE OF TEXAS §
COUNTY OF DENTON §

I, **MATTHEW RAABE**, Registered Professional Land Surveyor, do hereby certify that this plat was prepared from an actual survey made on the ground and that the monuments shown hereon were found or placed with 1/2-inch iron rods with green plastic caps stamped "EAGLE SURVEYING" under my direction and supervision in accordance with the current provisions of the Texas Administrative Code and the Ordinances of the City of Denton, Denton County, Texas.

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

Matthew Raabe, R.P.L.S. #6402 _____ Date _____

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared **MATTHEW RAABE**, 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 purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this _____ day of _____, 2023

Notary Public in and for the State of Texas

FINAL PLAT
LYNCH FARMS
LOTS 1R-2R, BLOCK A

BEING A REPLAT OF LOTS 1 & 2, BLOCK A LYNCH FARMS AS RECORDED IN DOCUMENT NO. 2022-278, P.R.D.C.T.
BEING 10.44 ACRES OF LAND OUT OF THE SETH MORRIS SURVEY, ABSTRACT NO. 859 AND THE FPS JONES SURVEY, ABSTRACT NO. 1625 CITY OF DENTON, DENTON COUNTY, TEXAS

PREPARED ON: FEBRUARY 23, 2023

CITY PROJECT NO: FR23-0004



City of Denton

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

Legislation Text

File #: FP23-0002a, **Version:** 1

AGENDA CAPTION

Consider a request by A&A Denton Properties, LP for a Final Plat of the M-380 Addition. The 17.525-acre site is generally located at the northwest corner of West University Drive (US-380) and Masch Branch Road in the City of Denton, Denton County, Texas. (FP23-0002a, M-380 Addition, 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: March 29, 2023

SUBJECT

Consider a request by A&A Denton Properties, LP for a Final Plat of the M-380 Addition. The 17.525-acre site is generally located at the northwest corner of West University Drive (US-380) and Masch Branch Road in the City of Denton, Denton County, Texas. (FP23-0002a, M-380 Addition, Mia Hines).

BACKGROUND

The purpose of the Final Plat is to create and develop 4 commercial lots and dedicate associated right-of-way and easements for the development of 4 warehouse and industrial shell buildings. The subject property is zoned Light Industrial (LI).

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

Date Application Filed:	January 17, 2023
Planning and Zoning Meeting:	February 15, 2023
Days in Review:	29 Days
Date Application Withdrawn:	February 15, 2023
Date Application Resubmitted:	March 7, 2023
Planning and Zoning Meeting:	March 29, 2023
Days in Review:	22 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 final plat as it meets the established criteria for approval. See Exhibit 2 for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
April 10, 2022	Planning & Zoning Commission	City-Wide Rezoning (DCA18-0009)	Recommended Approval

April 23, 2022	City Council	City-Wide Rezoning (DCA18-0009)	Approved
December 14, 2022	Planning & Zoning Commission	Preliminary Plat (PP22-0024)	Approved

PUBLIC OUTREACH

No public outreach is required for a Final Plat.

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
Associate Planner

Planning Staff Analysis

FP23-0002a/ M-380 Addition

City Council District #3

Planning & Zoning Commission

REQUEST:

Final Plat for an approximately 17.525-acre tract.

APPLICANT:

Alex Camunez with Pacheco Koch on behalf of owners A&A Denton Properties, LP.

RECOMMENDATION:

Staff recommends denial of this plat as it fails to meet the 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>The Final Plat meets all review criteria.</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 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>There is no conflict between the general review criteria and the specific review criteria.</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	<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>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;"> <p>The proposed Final Plat is consistent with the approved Preliminary Plat (PP22-0024). However, the civil engineering plans are still under review as of the time of this report and must be approved prior to plat approval per DDC Section 2.6.4C.2.</p> </div>				
<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;"> <p>The Comprehensive Plan designates the subject property as Light Industrial. 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; padding: 5px;"> <p>There are no competing plan goals, policies, and strategies concerning the proposed Final Plat.</p> </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<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.</p> <p>Findings:</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></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;"> <p>The Final Plat complies with all other applicable standards in the DDC.</p> </div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

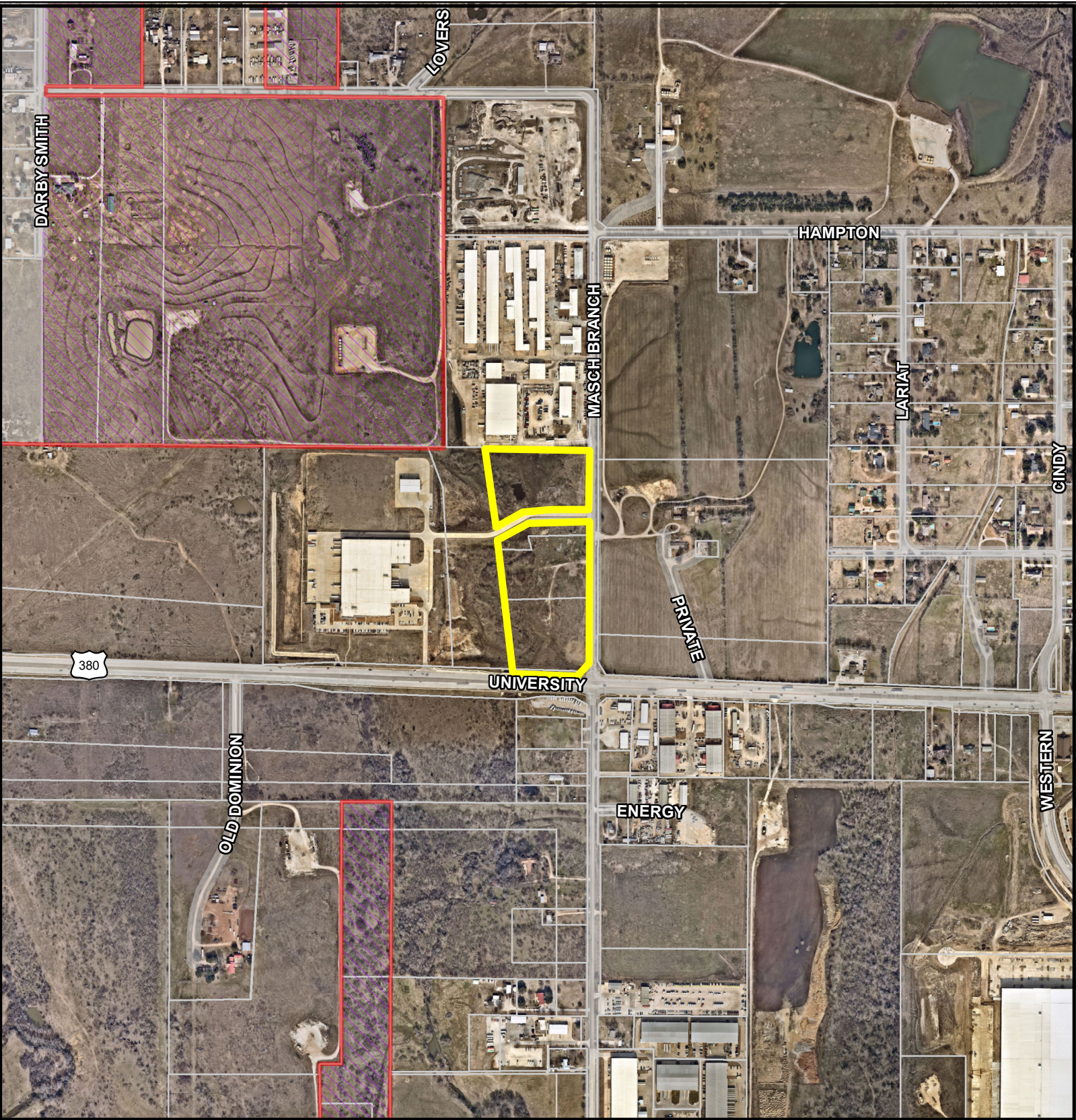
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div>The subject submittal is a final plat, and it was reviewed based on the checklist 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 other regulations.</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></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>The proposed development is not anticipated to cause adverse impacts on the natural environment.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Minimizes Adverse Impacts on Surrounding Property				
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>The Final Plat is not expected to cause significant adverse impacts.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Minimizes Adverse Fiscal Impacts				






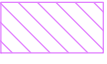
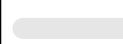

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
a. The proposed development should not result in significant adverse fiscal impacts on the city. Findings: <div>The development is not expected to result in significant adverse fiscal impacts.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 Final Plat complies with all standards and specifications.</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>There is adequate road capacity to accommodate the proposed use.</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>Current capacity can accommodate the proposed development.</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 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 phasing plan associated with the proposed development.</div>				

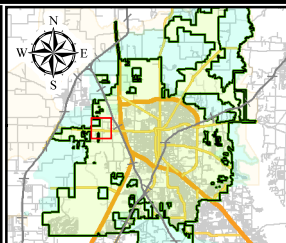
Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)		Applicability		
		Met	Not Met	N/A
14. Whether the final plat conforms to the preliminary plat, including any conditions of approval. Findings: <div>The Final Plat conforms to the Preliminary Plat. There were no conditions of approval for the Preliminary Plat.</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>The proposed development will comply with all requirements of the DDC.</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>The proposed development will comply with the applicable technical standards and specifications adopted by the City.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

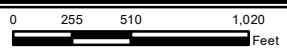
FP23-0002 Site Location




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



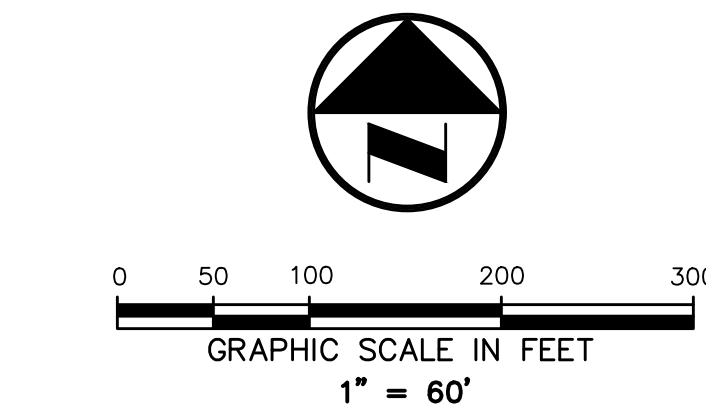






CITY OF DENTON
Development Services • GIS
Date: 1/30/2023

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.



VICINITY MAP
(NOT TO SCALE)

30-FOOT ACCESS
& UTILITY EASEMENT
(BY THIS PLAT)

LOT 4, BLOCK A
2.758 NET ACRES
(120,143 SF)

MINIMUM FINISH
FLOOR ELEV: 660.00

S 89°56'12" E 28.50'

N 00°03'48" E 60.00'

N 89°56'12" W 7.00'

160.62'

356.21'

S 00°03'48" W 930.87'

S 00°03'48" W 60.00'

S 00°03'48" W 147.92'

147.92'

RIGHT-OF-WAY
DEDICATION
(0.507 ACRES/22,081 SF)
(BY THIS PLAT)

VARIABLE WIDTH
UTILITY EASEMENT
(BY THIS PLAT)

N 00°03'48" E

S 00°03'48" W

N 00°03'48" E 5.26'

S 41°42'55" W 70.82'
(DEED: 70.92')

N 43°39'08" W 7.96'


S 87°53'47" E 442.44'

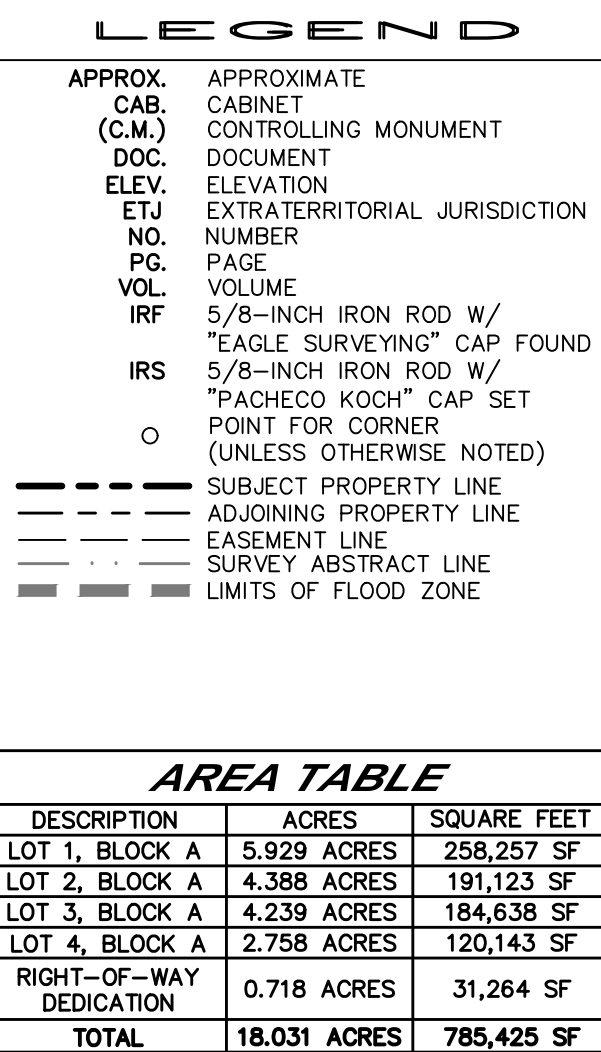
N 87°53'47" W 437.00'

DETAIL


LINE TABLE								
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	S 00°03'48" W	20.00'	L20	N 00°03'48" E	20.00'	L39	N 36°08'40" E	59.25'
L2	N 89°56'12" W	16.00'	L21	S 89°56'12" E	15.00'	L40	N 17°01'25" E	65.10'
L3	N 00°03'48" E	20.00'	L22	S 00°03'48" W	20.00'	L41	N 45°09'05" W	124.66'
L4	N 27°24'30" E	21.99'	L23	S 89°56'12" E	10.00'	L42	N 66°56'57" W	63.40'
L5	S 89°27'56" E	28.03'	L24	S 00°03'48" W	16.00'	L43	N 55°52'28" E	24.31'
L6	N 27°24'30" E	40.87'	L25	N 89°56'12" W	10.00'	L44	N 22°04'30" W	71.46'
L7	N 89°56'17" W	25.78'	L26	N 89°56'12" W	10.00'	L45	N 54°51'58" W	4.78'
L8	S 00°03'48" W	36.25'	L27	N 00°03'48" E	16.00'	L46	S 79°35'25" E	17.06'
L9	S 89°27'56" E	8.00'	L28	S 89°56'12" E	10.00'	L47	N 64°41'52" E	131.95'
L10	S 00°03'48" W	44.18'	L29	S 40°19'01" W	49.10'	L48	N 50°48'13" E	87.91'
L11	N 89°56'12" W	35.09'	L30	N 00°03'48" E	22.73'	L49	N 04°35'53" E	59.98'
L12	S 89°56'12" E	45.09'	L31	N 89°56'12" W	4.00'	L50	N 82°23'37" W	36.15'
L13	N 89°56'12" W	10.00'	L32	N 00°03'48" E	20.00'	L51	S 75°13'13" W	87.96'
L14	N 00°03'48" E	16.00'	L33	S 89°56'12" E	16.00'	L52	N 62°04'12" W	90.33'
L15	S 89°56'12" E	10.00'	L34	S 00°03'48" W	20.00'	L53	N 45°11'51" E	83.84'
L16	S 89°27'56" E	23.39'	L35	N 89°56'12" W	4.00'	L54	N 13°03'57" W	74.70'
L17	S 00°03'48" W	20.00'	L36	S 00°03'48" W	23.02'	L55	N 11°35'57" E	48.06'
L18	N 89°56'12" W	16.00'	L37	N 33°59'33" E	25.62'	L56	N 23°31'58" W	90.69'
L19	N 00°03'48" E	20.00'	L38	N 50°00'17" E	55.35'	L57	S 71°12'45" W	50.37'

The site plan shows a rectangular property with several easements and dimensions. The dimensions are as follows: 7.00' (top left), 10.00' (top right), 16.00' (right side), 16.00' (bottom right), 16.00' (bottom left), and 16.00' (left side). The easements are labeled as follows: L4, L5, L6, L7, L8, L9, L10, L11, L12, L13, L14, L15, L16, L17, L18, L19, L20, L21, L22, L23, L24, L25, L26, L27, L28, L29, L30, L31, L32, L33, L34, L35, L36, L37, L38, L39, L40, L41, L42, L43, L44, L45, L46, L47, L48, L49, L50, L51, L52, L53, L54, L55, L56, L57, L58, L59, L60, L61, L62, L63, L64, L65, L66, L67, L68, L69, L70, L71, L72, L73, L74, L75, L76, L77, L78, L79, L80, L81, L82, L83, L84, L85, L86, L87, L88, L89, L90, L91, L92, L93, L94, L95, L96, L97, L98, L99, L100, L101, L102, L103, L104, L105, L106, L107, L108, L109, L110, L111, L112, L113, L114, L115, L116, L117, L118, L119, L120, L121, L122, L123, L124, L125, L126, L127, L128, L129, L130, L131, L132, L133, L134, L135, L136, L137, L138, L139, L140, L141, L142, L143, L144, L145, L146, L147, L148, L149, L150, L151, L152, L153, L154, L155, L156, L157, L158, L159, L160, L161, L162, L163, L164, L165, L166, L167, L168, L169, L170, L171, L172, L173, L174, L175, L176, L177, L178, L179, L180, L181, L182, L183, L184, L185, L186, L187, L188, L189, L190, L191, L192, L193, L194, L195, L196, L197, L198, L199, L200, L201, L202, L203, L204, L205, L206, L207, L208, L209, L210, L211, L212, L213, L214, L215, L216, L217, L218, L219, L220, L221, L222, L223, L224, L225, L226, L227, L228, L229, L230, L231, L232, L233, L234, L235, L236, L237, L238, L239, L240, L241, L242, L243, L244, L245, L246, L247, L248, L249, L250, L251, L252, L253, L254, L255, L256, L257, L258, L259, L260, L261, L262, L263, L264, L265, L266, L267, L268, L269, L270, L271, L272, L273, L274, L275, L276, L277, L278, L279, L280, L281, L282, L283, L284, L285, L286, L287, L288, L289, L290, L291, L292, L293, L294, L295, L296, L297, L298, L299, L300, L301, L302, L303, L304, L305, L306, L307, L308, L309, L310, L311, L312, L313, L314, L315, L316, L317, L318, L319, L320, L321, L322, L323, L324, L325, L326, L327, L328, L329, L330, L331, L332, L333, L334, L335, L336, L337, L338, L339, L340, L341, L342, L343, L344, L345, L346, L347, L348, L349, L350, L351, L352, L353, L354, L355, L356, L357, L358, L359, L360, L361, L362, L363, L364, L365, L366, L367, L368, L369, L370, L371, L372, L373, L374, L375, L376, L377, L378, L379, L380, L381, L382, L383, L384, L385, L386, L387, L388, L389, L390, L391, L392, L393, L394, L395, L396, L397, L398, L399, L400, L401, L402, L403, L404, L405, L406, L407, L408, L409, L410, L411, L412, L413, L414, L415, L416, L417, L418, L419, L420, L421, L422, L423, L424, L425, L426, L427, L428, L429, L430, L431, L432, L433, L434, L435, L436, L437, L438, L439, L440, L441, L442, L443, L444, L445, L446, L447, L448, L449, L450, L451, L452, L453, L454, L455, L456, L457, L458, L459, L460, L461, L462, L463, L464, L465, L466, L467, L468, L469, L470, L471, L472, L473, L474, L475, L476, L477, L478, L479, L480, L481, L482, L483, L484, L485, L486, L487, L488, L489, L490, L491, L492, L493, L494, L495, L496, L497, L498, L499, L500, L501, L502, L503, L504, L505, L506, L507, L508, L509, L510, L511, L512, L513, L514, L515, L516, L517, L518, L519, L520, L521, L522, L523, L524, L525, L526, L527, L528, L529, L530, L531, L532, L533, L534, L535, L536, L537, L538, L539, L540, L541, L542, L543, L544, L545, L546, L547, L548, L549, L550, L551, L552, L553, L554, L555, L556, L557, L558, L559, L560, L561, L562, L563, L564, L565, L566, L567, L568, L569, L570, L571, L572, L573, L574, L575, L576, L577, L578, L579, L580, L581, L582, L583, L584, L585, L586, L587, L588, L589, L590, L591, L592, L593, L594, L595, L596, L597, L598, L599, L600, L601, L602, L603, L604, L605, L606, L607, L608, L609, L610, L611, L612, L613, L614, L615, L616, L617, L618, L619, L620, L621, L622, L623, L624, L625, L626, L627, L628, L629, L630, L631, L632, L633, L634, L635, L636, L637, L638, L639, L640, L641, L642, L643, L644, L645, L646, L647, L648, L649, L650, L651, L652, L653, L654, L655, L656, L657, L658, L659, L660, L661, L662, L663, L664, L665, L666, L667, L668, L669, L670, L671, L672, L673, L674, L675, L676, L677, L678, L679, L680, L681, L682, L683, L684, L685, L686, L687, L688, L689, L690, L691, L692, L693, L694, L695, L696, L697, L698, L699, L700, L701, L702, L703, L704, L705, L706, L707, L708, L709, L710, L711, L712, L713, L714, L715, L716, L717, L718, L719, L720, L721, L722, L723, L724, L725, L726, L727, L728, L729, L730, L731, L732, L733, L734, L735, L736, L737, L738, L739, L740, L741, L742, L743, L744, L745, L746, L747, L748, L749, L750, L751, L752, L753, L754, L755, L756, L757, L758, L759, L760, L761, L762, L763, L764, L765, L766, L767, L768, L769, L770, L771, L772, L773, L774, L775, L776, L777, L778, L779, L780, L781, L782, L783, L784, L785, L786, L787, L788, L789, L790, L791, L792, L793, L794, L795, L796, L797, L798, L799, L800, L801, L802, L803, L804, L805, L806, L807, L808, L809, L810, L811, L812, L813, L814, L815, L816, L817, L818, L819

 Pacheco Koch a Westwood company		7557 RAMBLER ROAD SUITE 1400 DALLAS, TX 75231 972.235.3031	
DRAWN BY JAN/JNC	CHECKED BY AUBH/LJC	SCALE 1" = 60'	JOB NUMBER 5361-20-310



<i>LINE</i>	<i>BEARING</i>	<i>LENGTH</i>	<i>LINE</i>	<i>BEARING</i>	<i>LENGTH</i>	<i>LINE</i>	<i>BEARING</i>	<i>LENGTH</i>
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 Pacheco Koch a Westwood company		7557 RAMBLER ROAD SUITE 1400 DALLAS, TX 75231 972.235.3031	
DRAWN BY JAN/JMC	CHECKED BY MWW/JEC	SCALE 1"=60'	DATE MARCH 2023
			JOB NUMBER 5361-22.342

TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-10008000

MMWR 2023, 12-26 PM
K:\DWG-53\5361-22-342\DWG\SURVEY CJD 2018\5361-22-342P2P

OWNER'S CERTIFICATE

STATE OF TEXAS

COUNTY OF DENTON

TRACT 1

WHEREAS, BOX 380 INDUSTRIAL, LLC is the owner of a 6.140 acre (267,440 square foot) tract of land situated in the Seferino A. Huizar Survey, Abstract No. 514, Denton County, Texas; said tract being part of that certain tract of land described as "TRACT 1" in Warranty Deed to BOX 380 INDUSTRIAL, LLC recorded in Document No. 2022-141186 of the Official Records of Denton County, Texas; said 6.140 acre (267,440 square foot) tract being more particularly described as follows:

BEGINNING, at a 5/8-inch iron rod with "EAGLE SURVEYING" cap found (controlling monument) for corner in the west right-of-way line of Masch Branch Road (a variable width public right-of-way), said point being the easternmost northeast corner of Lot 2, Block A, Fisher 59 Addition, an addition to the City of Denton, Texas according to the plat recorded in Document No. 2021-283 of said Official Records (as originally platted), an angle point in the said west line of Masch Branch Road and the southeast corner of said "TRACT 1" tract;

THENCE, departing the said west line of Masch Branch Road,along the southernmost north line of said Lot 2, Block A and the south line of said "TRACT 1" tract the following three (3) calls;

North 89 degrees, 43 minutes, 57 seconds West, a distance of 349.21 feet to a 5/8-inch iron rod with "EAGLE SURVEYING" cap found (controlling monument) for corner; said point being the beginning of a tangent curve to the left;

In a southwesterly direction, along said curve to the left, having a central angle of 29 degrees, 42 minutes, 03 seconds, a radius of 150.00 feet, a chord bearing and distance of South 75 degrees, 25 minutes, 02 seconds West, 76.89 feet, an arc distance of 77.76 feet to a 5/8-inch iron rod with "EAGLE SURVEYING" cap found (controlling monument) for corner at the end of said curve;

South 60 degrees, 34 minutes, 00 seconds West, a distance of 197.38 feet to a 5/8-inch iron rod with "EAGLE SURVEYING" cap found (controlling monument) for corner; said point being the beginning of a tangent curve to the right;

In a southwesterly direction, along said curve to the right, having a central angle of 08 degrees, 13 minutes, 37 seconds, a radius of 50.00 feet, a chord bearing and distance of South 64 degrees, 40 minutes, 49 seconds West, 7.17 feet, an arc distance of 7.18 feet to a 5/8-inch iron rod with "EAGLE SURVEYING" cap found (controlling monument) at the end of said curve; said point being an ell corner of said Lot 2, Block A and the southwest corner of said "TRACT 1" tract;

THENCE, North 07 degrees, 19 minutes, 57 seconds West, along the northernmost east line of Lot 2, Block A, and the west line of said "TRACT 1" tract, a distance of 520.84 feet to a 5/8-inch iron rod with "EAGLE SURVEYING" cap found (controlling monument) for corner in the south line of Lot 2, Page 230, Marriott Gardens Addition, an addition to the City of Denton, Texas according to the plat recorded in Cabinet N, Block 1 in the Plat Records of Denton County, Texas, said point being the northernmost northeast corner of said Lot 2, Block A and the northwest corner of said "TRACT 1" tract;

THENCE, South 89 degrees, 27 minutes, 56 seconds East, along said south line of Lot 2, Block 1 and the north line of said "TRACT 1" tract, at a distance of 651.95 feet passing the southeast corner of said Lot 2, Block 1 and an angle point in the said west line of Masch Branch Road, continuing along an offset in said west line of Masch Branch Road, in all a total distance of 668.95 feet to a 5/8-inch iron rod with "5199" cap found (controlling monument) for corner; said point being the northeast corner of said "TRACT 1" tract;

THENCE, South 00 degrees, 03 minutes, 48 seconds West, along the said west line of Masch Branch Road and the east line of said "TRACT 1" tract, a distance of 392.55 feet to the POINT OF BEGINNING;

CONTAINING, 267,440 square feet or 6.140 acres of land, more or less.

TRACT 2

WHEREAS, BOX 380 INDUSTRIAL, LLC is the owner of a 11.891 acre (517,985 square foot) tract of land situated in the Seferino A. Huizar Survey, Abstract No. 514, Denton County, Texas; said tract being part of that certain tract of land described as "Tract Two" in Warranty Deed to A & A DENTON PROPERTIES LIMITED PARTNERSHIP, recorded in Document No. 2022-141186 of the Official Records of Denton County, Texas; said 11.891 acre (517,985 square foot) tract being more particularly described as follows:

BEGINNING, at a 5/8-inch iron rod with "EAGLE SURVEYING" cap found (controlling monument) for corner in the west right-of-way line of Masch Branch Road (a variable width public right-of-way); said point being the easternmost southeast corner (as originally platted) of Lot 2, Block A, Fisher 59 Addition, an addition to the City of Denton, Texas according to the plat recorded in Document No. 2021-283, in said Official Records, the northeast corner of said "TRACT 2" tract and an angle point in the said west line of Masch Branch Road;

THENCE, South 00 degrees, 03 minutes, 48 seconds West, along said west line of Masch Branch Road and the said east line of "TRACT 2" tract, a distance of 930.87 feet to a 5/8-inch iron rod found (controlling monument) for corner; said point being the northeast end of a right-of-way corner clip at the intersection of said west line of Masch Branch Road and the north right-of-way line of W. University Drive (also known as US Highway 380, a variable width right-of-way) and a southeast corner of said "TRACT 2" tract;

THENCE, South 41 degrees, 42 minutes, 55 seconds West, departing the said west line of Masch Branch Road and along the southeast line of said "TRACT 2" tract and said corner clip, a distance of 70.82 feet to a 5/8-inch iron rod with "EAGLE SURVEYING" cap found (controlling monument) for corner in the said north line of W. University Drive; said point being the southernmost southeast corner of said "TRACT 2" tract and at the southwest end of said corner clip;

THENCE, North 87 degrees, 53 minutes, 47 seconds West, departing the said corner clip and along said north line of W. University Drive and the south line of said "TRACT 2" tract, a distance of 437.00 feet to a 5/8-inch iron rod with "EAGLE SURVEYING" cap found (controlling monument) for corner; said point being the southernmost southeast corner of said Lot 2, Block A and the southwest corner of said "TRACT 2" tract;

THENCE, North 07 degrees, 19 minutes, 57 seconds West, departing the said north line of W. University Drive, along the southernmost east line of said Lot 2, Block A and the west line of said "TRACT 2" tract, a distance of 856.60 feet to a 5/8-inch iron rod with "EAGLE SURVEYING" cap found (controlling monument) corner; said point being the beginning of a non-tangent curve to the left;

THENCE, along the northernmost south line of said Lot 2, Block A and the north line of said "TRACT 2" tract, the following five (5) calls:

In a northeasterly direction, along a southeast line of said Lot 2, Block A and said curve to the left, having a central angle of 15 degrees, 50 minutes, 37 seconds, a radius of 110.00 feet, a chord bearing and distance of North 68 degrees, 29 minutes, 19 seconds East, 30.32 feet, an arc distance of 30.42 feet to a 5/8-inch iron rod with "EAGLE SURVEYING" cap found (controlling monument) for corner at the end of said curve;

North 60 degrees, 34 minutes, 00 seconds East, continuing along a southeast line of said Lot 2, Block A, a distance of 197.38 feet to a 5/8-inch iron rod with "EAGLE SURVEYING" cap found (controlling monument) for corner; said point being the beginning of a tangent curve to the right;

In a northeasterly direction, continuing along a southeast line of said Lot 2, Block A and along said curve to the right, having a central angle of 29 degrees, 42 minutes, 03 seconds, a radius of 90.00 feet, a chord bearing and distance of North 75 degrees, 25 minutes, 02 seconds East, 46.13 feet, an arc distance of 46.65 feet to a 5/8-inch iron rod with "EAGLE SURVEYING" cap found (controlling monument) for corner at the end of said curve;

South 89 degrees, 43 minutes, 57 seconds East, along a south line of said Lot 2, Block A, at a distance of 313.54 feet passing the northernmost southeast corner of said Lot 2, Block A (post right-of-way dedication) and an angle point in said west line of Masch Branch Road, then continuing along an offset in said west line of Masch Branch Road in all a total distance of 349.43 feet to the POINT OF BEGINNING;

CONTAINING, 517,985 square feet or 11.891 acres of land, more or less.

SURVEYOR'S CERTIFICATE

STATE OF TEXAS

COUNTY OF DENTON

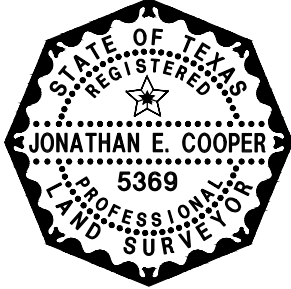
KNOW ALL MEN BY THESE PRESENTS:

THAT, I, Jonathan E. Cooper, do hereby certify that I prepared this plat from an actual survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of Denton, Texas.

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. RELEASED 3/23/23.

Jonathan E. Cooper
Registered Professional Land Surveyor
No. 5369



STATE OF TEXAS

COUNTY OF DENTON

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Jonathan E. Cooper, known to me to be the same 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, and in the capacity therein stated.

Given under my hand and seal of office this ____ day of _____, 2023.

Notary Public in and for the State of Texas

My commission expires: _____

OWNER'S DEDICATION

STATE OF TEXAS

COUNTY OF DENTON

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That BOX 380 Industrial, LLC, does hereby adopt this plat designating the hereon above described property as **M-380 ADDITION, LOTS 1, 2, 3 AND 4, BLOCK A**, an addition to the City of Denton, Texas and does hereby dedicate to the City of Denton in fee simple forever the streets, alleys and storm water management areas shown thereon. The easements shown thereon are hereby dedicated and reserved for the purposes as indicated. The utility, access, GPS monuments and fire lane easements shall be open to the public and private utilities for each particular use. The maintenance of paving on the utility, access and fire lane easements is the responsibility of the property owner. No buildings or other improvements, including fences, shall be permitted in an erosion hazard easement. No buildings or other improvements or growths, except fences, vegetation, driveways, and sidewalks less than 6 feet in width shall be constructed or placed upon, over or across the easements as shown except as permitted by City Ordinances. No improvements that may obstruct the flow of water may be constructed or placed in drainage easements. Any public utility shall have the right to remove and keep removed all or parts of the encroachments allowed above which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from and upon the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance and service required or ordinarily performed by that utility.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Denton, Texas.

BOX 380 INDUSTRIAL, LLC, a Delaware limited liability company

By: Box 380 Partners, LLC, a Texas limited liability company, its managing member

By: Box IG Partners, LLC, a Texas limited liability company, its manager

By: Todd Marchesani
Title: President

STATE OF TEXAS

COUNTY OF DENTON

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Indiana, on this day personally appeared Todd Marchesani, known to me to be the same 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, and in the capacity therein stated.

Given under my hand and seal of office this ____day of _____, 2023.

Notary Public in and for the State of Texas

My commission expires: _____

SURVEYOR/ENGINEER
PACHECO KOCH, LLC A WESTWOOD COMPANY
7557 RAMBLER ROAD,SUITE 1400
DALLAS, TEXAS 75231
PH: (972) 235-3031
CONTACT: JONATHAN E. COOPER

OWNER/DEVELOPER
BOX 380 INDUSTRIAL, LLC
921 EAST WAGGONMAN
FORT WORTH, TEXAS
PH: (972) 897-2060
CONTACT: TODD MARCHESANI

TX REG. ENGINEERING FIRM F-469
TX REG. SURVEYING FIRM LS-1000800

NOTES

- Bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (2011), Texas North Central Zone 4202. Distances reported have been scaled by applying the Denton County TxDOT surface adjustment factor of 1.000150630.
- Subject property is shown on the National Flood Insurance Program Flood Insurance Rate Map for Denton County, Texas and Incorporated Areas, Map No. 48121C0355G, Community-Panel No. 480194-0355, Effective Date: April 18, 2011. The location of the said floodzones is based on said map, is approximate and is not located on the ground. Relevant zones are defined on said map as follows:

Zone "AE" - (Shaded) - Special Flood Hazard Areas (SFHAs) Regulatory Floodway.

Zone "AE" - Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% annual chance flood: Base flood elevations determined.

Zone "X" - Other Areas: Area of minimal flood hazard.
- Square footage totals shown hereon or referenced herein are based on mathematical closures and do not necessarily represent the positional accuracy of the boundary monuments.
- The word "certify" or "certificate" as shown and used hereon means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.
- This survey does not provide a determination or opinion concerning the location or existence of wetlands, faultlines, toxic or hazardous waste areas, subsidence, subsurface and environmental conditions or geological issues. No statement is made concerning the suitability of the subject tract for any intended use, purpose or development.
- The distances shown hereon for adjoining and adjacent properties have been compiled from recorded plats and deeds, and do not necessarily represent field verified or monumented distances.
- Important Notice: The City of Denton (CoD) has adopted the National Electrical Safety Code generally prohibits structures within 17.5 feet of either side of the center line of overhead distribution lines (CoD Development Code 7.13.5) 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 building official with specific questions.
- The purpose of this plat is to create four platted lots from two undeveloped tracts of land.
- 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 to 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 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 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 nature resulting from the occurrence of these natural phenomena or resulting from the failure of any structure or structures, within the easement or otherwise.
- Discharge from any detention pond outfall or storm drain outfall may require an offsite drainage easement to accommodate the flow. If an offset 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 addition data or studies to ensure compliance with City of Denton Subdivision and Land Regulations, Stormwater Design Criteria Manual and Comprehensive Master Drainage Plan.
- Water and/or sewer will be provided through the City of Denton, Texas.
- There was no observed evidence of any protected trees on the subject property at the time of the survey.

CERTIFICATE OF APPROVAL:

APPROVED THIS ____ DAY OF _____, 2023

BY THE PLANNING AND ZONING COMMISSION
OF THE CITY OF DENTON, TEXAS.


CHAIRPERSON, PLANNING AND ZONING COMMISSION

CITY SECRETARY

SHEET 3 OF 3
FINAL PLAT
**LOTS 1, 2, 3 AND 4
BLOCK A
M-380 ADDITION**

PART OF "TRACT 1" AND "TRACT 2"
A & A DENTON PROPERTIES LIMITED PARTNERSHIP
LOCATED IN THE CITY OF DENTON, TEXAS
AND BEING OUT OF THE
SEFERINO A. HUIZAR SURVEY, ABSTRACT NO. 514,
DENTON COUNTY, TEXAS
17.525 ACRES - 763,389 SF

CITY PROJECT NO. FP23-0002

 Pacheco Koch a Westwood company		7557 RAMBLER ROAD SUITE 1400 DALLAS, TX 75231 972.235.3031	
DRAWN BY JAN/JMC	CHECKED BY MWW/JEC	SCALE 1"=60'	JOB NUMBER 5361-22-342

FINAL PLAT - LOTS 1, 2, 3 AND 4, BLOCK A, M-380 ADDITION



City of Denton

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

Legislation Text

File #: PP22-0028a, **Version:** 1

AGENDA CAPTION

Consider a request by Linken Real Estate, LP, for a Preliminary Plat of Oak Vista Addition, Phase 1. The 21.802-acre site is generally located west Lane Street and Mockingbird Lane and north of the terminus of Trailhead Lane, in the City of Denton, Denton County, Texas. (PP22-0028, Oak Vista Addition, Erin Stanley).



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: March 29, 2023

SUBJECT

Consider a request by Linken Real Estate, LP, for a Preliminary Plat of Oak Vista Addition, Phase 1. The 21.802-acre site is generally located west Lane Street and Mockingbird Lane and north of the terminus of Trailhead Lane, in the City of Denton, Denton County, Texas. (PP22-0028, Oak Vista Addition, Erin Stanley).

BACKGROUND

The purpose of this Preliminary Plat is to establish the Phasing, easements, right-of-way dedication, and lot boundaries for a duplex development. The Preliminary Plat includes two phases: Phase One includes 64 duplex lots and four open space lots; Phase Two includes one 5.8-acre lot zoned Residential 4 (R4) District.

Property in Phase One was recently rezoned from Planned Development Residential 7 (PD-R7) to Residential 6 (R6) District without conditions. This project will meet all standards of Residential 6 (R6) District.

Date Application Filed:	November 15, 2022
Planning & Zoning Commission Meeting:	December 14, 2022
Days in Review:	29 Days
Extension Approved:	December 14, 2022
Resubmittal Date:	December 13, 2022
Withdrawn:	December 22, 2022
Days in Review:	9 Days
Resubmittal Date:	December 27, 2022
Withdrawn:	January 12, 2023
Days in Review:	16 Days
Resubmittal Date:	January 31, 2023
Withdrawn:	February 22, 2023
Days in Review:	22 Days
Resubmittal Date:	February 28, 2023
Planning & Zoning Commission Meeting:	March 29, 2023
Days in Review:	29 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 Preliminary Plat as it meets all the established criteria for approval. See Exhibit 2 for detailed reasons for the recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
2002	City Council	Citywide Rezoning	Rezoning from Agriculture to Neighborhood Residential (NR-4) District
December 4, 2018	City Council	Rezoning from NR-4 to Neighborhood Residential Mixed Use 12 (NRMU-12) with overlay conditions	Approved
October 1, 2019	City Council	New Zoning Code and City-wide zoning district transition to PD-R7	Approved
December 6, 2022	City Council	Rezoning from PD-R7 District to straight R6 District (Z22-0016b)	Approved
December 14, 2022	Planning and Zoning Commission	Preliminary Plat (PP22-0028)	Extension Approved

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:
Erin Stanley
Assistant Planner

Planning Staff Analysis

PP22-0028 / Oak Vista Addition

City Council District #1

Planning & Zoning Commission

REQUEST:

Preliminary Plat for an approximately 21.802-acre tract.

APPLICANT:

ZPS Engineers on behalf of Linken Real Estate, 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 general Review Criteria.</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 the additional Approval 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>There is no conflict.</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>The Preliminary Plat is consistent with the zoning designations of R6 and R4 District.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>3. Consistent with Comprehensive Plan and Other Applicable Plans</p> <p>The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</p> <p>Findings:</p> <div>The applicant proposes a Preliminary Plat and development consistent with the Denton 2040 Comprehensive Plan's Future Land Use designation of Moderate Residential.</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>There are no competing plan goals, policies, and strategies for this site.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<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.</p> <p>Findings:</p> <div>The overall goals of the Comprehensive Plan are met with the proposed Preliminary Plat.</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>The proposed development complies with all applicable standards of the DDC.</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>The Preliminary Plat was submitted at an adequate level of detail for review.</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>The Preliminary Plat complies with all other regulations.</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>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				
<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>Phase 1 of the proposed development will not impact the adjacent ESA. With the development of Phase 2, Dutchess Drive must be extended as a Mobility Plan roadway. Although this extension will impact the ESA, roadways identified on the City Mobility Plan are exempt from ESA regulations, as long as the disturbed areas are restored to minimize erosion and promote the recovery of the ESA. (DDC Section 7.4).</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> <div>The proposed development is not expected to cause significant adverse impacts on surrounding properties.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Minimizes Adverse Fiscal Impacts				

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<p>a. The proposed development should not result in significant adverse fiscal impacts on the city. Findings:</p> <div>The proposed development is not expected to have significant adverse fiscal impacts on the City.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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. Findings:</p> <div>The proposed preliminary plat is compliant with all regulations.</div>		<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. Findings:</p> <div>There is adequate road capacity to accommodate the proposed use.</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. Findings:</p> <div>Current capacity can accommodate the proposed development.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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. Findings:</p> <div>The applicant has provided a rational Phasing Plan.</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
14. Whether the preliminary plat 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. Findings: <div>The Preliminary Plat reflects the required services to serve this development and limits disturbances to community resources.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Whether the preliminary plat provides evidence of public water and sewer system connections. Findings: <div>Adjacent water and wastewater are available for connection and extension through the development.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Whether the preliminary plat identifies and adequately mitigates known natural hazard areas. Findings: <div>The subject property does not contain any known natural hazard areas.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Whether the preliminary plat proposes reasonable project phasing in terms of infrastructure capacity. Findings: <div>A reasonable project phasing plan is provided.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PP22-0028
Site Location



NOW, therefore, know all men by these presents:

That, _____, being the sole owner do hereby adopt this plat designated herein as Oak Vista, an addition to the City of Denton, Denton County, Texas. The easements shown hereon are hereby reserved for the purposes as indicated. All streets, and right-of-ways, are hereby dedicated in fee simple to the utility and fire lane easements (streets, alleys, and common areas) shall be open to the public, fire, and police units, garbage and rubbish collection agencies, and all public and private utilities for each particular use. No buildings, trees, shrubs, or other improvements or growths shall be constructed, reconstructed, or placed upon, over or across the utility easements as shown. Said utility easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use same. All and any public utility shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on the utility easements and all public utilities shall at all times have the full right of ingress and egress to and from and upon the said utility easements for the purpose of construction, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. Any public utility shall have the right of ingress and egress to private property for the purposes of reading meters and any maintenance and service required or ordinarily performed by that utility. This plat, approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Denton.

WITNESS MY HAND at Denton, Denton County, Texas, this the _____ day of _____, 2023.

Owner: Linken Real Estate, LP

By: _____

(Authorized Representative)

STATE OF TEXAS §

COUNTY OF DENTON §

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 purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____ day of _____, 2023.

Notary Public, State of Texas

Benchmarks

Reference Benchmark:

City of Denton GPS Monument 2010 – Set rebar w/cap flush located on the West side of Trinity Road, on a retaining wall. From Hwy 380, go South 1.8 miles. From Hwy 426, go North 0.85 miles. 0.1 miles North of Old Trinity Church. Elev.=588.74'

Benchmarks Set:

TBM #1 – Box cut on top of curb located at the center of an inlet on the North curb line of Duchess Drive 100' West of the centerline of Trailhead Lane. Elev.=594.76'

TBM #2 – Box cut on top of curb located at the center of an inlet on the North curb line of Duchess Drive 65' West of the centerline of South Mockingbird Lane. Elev.=591.65'

This is to Certify that I, _____, a Registered Professional Land Surveyor of the State of Texas, have surveyed the above described property on the ground, and that all lot corners, angle points, and points of curve shall be set after construction and will be 1/2" iron rods capped and stamped "_____", Irons that are damaged, disturbed, or not so marked are not original

This preliminary plat shall not be filed for any purpose.

_____ R.P.L.S.
Texas Registration No. _____

The subject property is not graphically depicted in the 100-year flood zone A, AE, AH, AO, AR, A99, V, VE, or X (other flood areas), according to the Federal Emergency Management Agency Flood Insurance Rate Map of Denton County, Texas and Incorporated areas, Map No. 48121C0380 G revised April 18, 2011. The property being located in Zone X (Areas determined to be outside the 0.2% annual chance flood plain), according to said map.

STATE OF TEXAS §

COUNTY OF DENTON §

WHEREAS, Linken Real Estate, LP., is the sole owner of the 21.802 acres, (949,674 sq. ft.), of land located in the M. Yoacham Survey, Abstract No. 1442, Denton County, Texas, being the tract of land described in the deed to Linken Real Estate, LP. recorded in Instrument No. 2010–16100, and 2012–133042 Deed Records, Denton County, Texas. Said 21.802 acres of land being more particularly described as follows:

BEGINNING at a 5/8" iron rod found at the northwest corner of said Linken Real Estate, LP tract recorded in Instrument No. 2010–16100, being the southwest corner of Lot 1, Block A, Majestic on McKinney, an addition to the City of Denton, Denton County, Texas, recorded in County Clerk's Instrument No. 2016–2050, Deed Records, Denton County, Texas and in an east line of a tract of land described in the deed to Terrano Realty, Inc., recorded in County Clerk's Instrument No. 2017–4412, Deed Records, Denton County, Texas;

THENCE S88°16'01"E, along the north line of said Linken Real Estate, LP tract recorded in Instrument No. 2010–16100 and the south line of said Lot 1, a distance of 720.50 feet to a 1"iron pipe found at the northeast corner of said Linken Real Estate, LP tract recorded in Instrument No. 2010–16100, being the northwest corner of said Linken Real Estate, LP tract recorded in Instrument No. 2012–133042, the southeast corner of said Lot 1, and the southwest corner of Lot 1, Block 1, McKinney Baptist Church Addition, an addition to the City of Denton, Denton County, Texas, recorded in Cabinet F, Slide 208, Plat Records, Denton County, Texas;

THENCE along the north, east, and south lines of said Linken Real Estate, LP tract recorded in Instrument No. 2012–133042 as follows:

S88°11'01"E, along the south line of said McKinney Baptist Church Addition, a distance of 571.36 feet to a 1/2" iron rod found at the southeast corner of said McKinney Baptist Church Addition;

S88°15'41"E, along the south line of the remainder of a tract of land described in the deed to Gracepointe Church of Denton, Inc., recorded in County Clerk's Instrument No. 2012–24817, Deed Records, Denton County, Texas, a distance of 203.74 feet to a 60d nail found at the northeast corner of said Linken Real Estate, LP tract recorded in Instrument No. 2012–133042;

S01°02'31"W, a distance of 338.43 feet to a 1/2" iron rod stamped "Beasley RPLS 6066" set;

THENCE S88°11'40"E, a distance of 124.35 feet to a 1/2" iron rod stamped "Beasley RPLS 6066" set;

THENCE N45°23'18"E, a distance of 19.33 feet to a 1/2" iron rod stamped "Beasley RPLS 6066" set;

THENCE N01°07'55"W, a distance of 14.15 feet to a 1/2" iron rod stamped "Beasley RPLS 6066" set;

THENCE N88°52'05"E, a distance of 69.00 feet to a 1/2" iron rod stamped "Beasley RPLS 6066" set;

THENCE S01°07'55"E, a distance of 93.96 feet to a 1/2" iron rod stamped "Beasley RPLS 6066" set in the west line of Lot 2, Block A, Knollwood Villas, an addition to the City of Denton, Denton County, Texas, recorded in Cabinet U, Slide 902, Plat Records, Denton County, Texas from which a 5/8" iron rod stamped "RPLS 5199" found at an angle point in the west line of said Lot 2 bears N44°22'34"E 160.93 feet;

THENCE S44°22'34"W, along the west line of said Lot 2, a distance of 10.09 feet to a 1/2" iron rod stamped "Beasley RPLS 6066" set at the north corner of a right-of-way dedication shown on said plat of Knollwood Villas and at the most northerly northeast corner of a right-of-way dedication recorded in Volume 5167, Page 3076, Deed Records, Denton County, Texas;

THENCE S88°58'03"W, along the north line said right-of-way dedication recorded in Volume 5167, Page 3076, a distance of 59.93 feet to a 1/2" iron rod stamped "Beasley RPLS 6066" set at the northwest corner of said right-of-way dedication recorded in Volume 5167, Page 3076;

THENCE S01°07'55"E, along the west line of said right-of-way dedication recorded in Volume 5167, Page 3076, a distance of 114.94 feet to a 1/2" iron rod stamped "Beasley RPLS 6066" set at the northeast corner of Lot 7, Block B, said Longhorn Cove;

THENCE S89°11'25"W, along the north line of said Longhorn Cove, a distance of 147.45 feet to a 1/2" iron rod found at the southeast corner of said Linken Real Estate, LP tract recorded in Instrument No. 2012–133042, being in the north line of Longhorn Cove, an addition to the City of Denton, Denton County, Texas, recorded in County Clerk's Instrument No. 2009–186, Deed Records, Denton County, Texas;

THENCE S89°11'25"W, along the north line of said Longhorn Cove, a distance of 779.47 feet to a 1/2" iron rod found at the southwest corner of said Linken Real Estate, LP tract recorded in Instrument No. 2012–133042, being the northwest corner of said Longhorn Cove, and in the east line of said Linken Real Estate, LP tract recorded in Instrument No. 2010–16100;

THENCE S01°47'46"W, along the east line of said Linken Real Estate, LP tract recorded in Instrument No. 2010–16100 and the west line of said Longhorn Cove, a distance of 305.53 feet to a point;

THENCE N89°37'43"W, a distance of 218.81 feet to a point;

THENCE N20°01'05"W, a distance of 174.05 feet to a point;

THENCE N42°19'43"W, a distance of 46.00 feet to a point;

THENCE N53°43'34"W, a distance of 171.09 feet to a point;

THENCE N64°08'02"W, a distance of 64.08 feet to a point;

THENCE N60°36'17"W, a distance of 29.82 feet to a point;

THENCE N55°14'32"W, a distance of 55.04 feet to a point;

THENCE N28°59'15"W, a distance of 44.70 feet to a point;

THENCE N07°46'34"W, a distance of 37.22 feet to a point;

THENCE N88°43'09"W, a distance of 103.30 feet to a point in the west line of said Linken Real Estate, LP tract recorded in Instrument No. 2010–16100 and in an east line of said Terrano Realty, Inc. tract;

THENCE N01°16'51"E, along the west line of said Linken Real Estate, LP tract recorded in Instrument No. 2010–16100 and an east line of said Terrano Realty, Inc. tract, a distance of 442.59 feet to the point of beginning, containing 21.802 acres of land.

The bearings recited hereon are oriented to NAD83 Texas North Central Zone.

NOTE:

1. LOT OWNERS MUST BE NOTIFIED BY THE SELLING AGENT/DEVELOPER THAT TREES RECEIVING PRESERVATION EXIST ON THEIR LOT.
2. THERE IS A TOTAL OF 2,265 INCHES DBH OF PROTECTED TREES ON THE SITE. FUTURE LAND DISTURBING ACTIVITIES SHALL NOT IMPACT AND/OR DAMAGE TREES MARKED FOR PRESERVATION ON THE ACCOMPANY PRESERVATION PLAN. NO PERMIT FOR CONSTRUCTION ACTIVITY SHALL BE ISSUED FOR THIS PROPERTY UNTIL REQUIRED TREE PROTECTION MEASURE PER SECTION 7.7.4.D OF THE DEVELOPMENT CODE OF THE CITY OF DENTON ARE IN PLACE. PRESERVED TREES ARE LOCATED ON:

PRESERVED TREES ARE LOCATED:		
LOT	BLOCK	BREAST HEIGHT (DBH) (IN)
1A	A	144
1	A	103
2	A	24
3	A	45
4	A	24
5	A	20
6	A	58
7	A	19
8	A	25
23	A	10
26	A	248
28	A	30
29	A	40
1	B	101
2	B	74
3	B	138
4	B	88
5	B	28
6	B	108
7	B	140
8	B	176
13	C	622
	TOTAL	2265

Line Table		
Line #	Length	Direction
L1	105.21'	N00° 47' 49.14"W
L2	81.02'	S01° 46' 41.59"W
L4	6.83'	N36° 06' 17.84"E
L5	14.14'	N46° 46' 41.59"E
L6	14.14'	N43° 13' 18.41"W
L7	18.77'	N21° 57' 18.78"E
L8	17.45'	N62° 31' 37.87"E
L9	17.45'	S58° 58' 14.69"E
L10	17.45'	S27° 28' 22.13"E
L11	17.45'	N03° 58' 55.97"E
L12	17.45'	S54° 31' 11.46"E
L13	13.95'	N01° 24' 53.27"W
L14	14.14'	S43° 13' 18.41"E
L15	14.14'	N46° 46' 41.59"E
L16	14.14'	N43° 13' 18.41"W
L17	14.14'	S46° 46' 41.59"W
L18	15.24'	N82° 36' 28.00"E
L19	69.06'	S21° 28' 47.66"E
L20	90.44'	S60° 11' 56.95"W
L22	3.86'	S88° 12' 12.94"E

Line Table		
Line #	Length	Direction
L23	55.97'	N00° 47' 49.14"W
L24	30.82'	S52° 04' 59.04"W
L25	46.66'	N01° 46' 41.59"E
L26	47.24'	N01° 46' 41.59"E
L28	13.32'	N88° 13' 18.41"W
L29	29.12'	N01° 46' 41.59"E
L30	21.74'	S44° 40' 28.10"E

Line Table		
Line #	Length	Direction
L121	124.53'	N02° 34' 16.79"E
L122	107.20'	N01° 36' 34.23"W
L123	37.22'	N08° 54' 53.74"W
L124	67.11'	N19° 01' 08.10"W
L125	80.38'	N16° 19' 18.74"W
L126	34.99'	N08° 04' 27.03"W
L127	85.23'	S35° 40' 14.42"E
L128	57.21'	N25° 13' 02.61"W

TABLE FOR C/L CREEK.

CITY NOTES:

1. 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 THE CLEARANCE AREAS. CONTACT THE BUILDING OFFICIAL WITH SPECIFIC QUESTIONS.
2. TAPS MADE TO EXISTING WATERLINES OR RELOCATION OF FIRE HYDRANT SHALL BE DONE BY THE CITY OF DENTON AT THE EXPENSE OF THE CONTRACTOR EXPENSE.
3. TAPS MADE TO EXISTING SEWER LINES SHALL BE DONE BY THE CITY OF DENTON AT THE EXPENSE OF THE CONTRACTOR EXPENSE.
4. TEMPORARY ENTRY FOR CITY INSPECTORS FOR THE PURPOSE OF INSPECTING THE CONSTRUCTION OF PUBLIC IMPROVEMENTS IS ALLOWED.
5. 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.
6. 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 REQUIRED ADDITIONAL DATA OR STUDIES TO ENSURE COMPLIANCE WITH CITY OF DENTON SUBDIVISION AND LAND REGULATIONS, DRAINAGE DESIGN CRITERIA AND COMPREHENSIVE MASTER DRAINAGE PLAN.

Line Table		
Line #	Length	Direction
L200	80.00'	S88° 16' 01.00"E
L201	228.94'	S01° 03' 51.00"W
L202	105.20'	S15° 53' 44.93"E
L203	72.19'	S13° 44' 23.93"E
L204	69.90'	S25° 27' 59.93"E
L205	69.90'	S44° 12' 15.93"E
L206	69.90'	S62° 13' 44.93"E
L207	69.90'	S61° 16' 18.93"E
L208	69.90'	S51° 49' 26.93"E
L209	69.90'	S42° 22' 35.93"E
L210	69.90'	S32° 55' 43.93"E
L211	69.90'	S23° 34' 00.93"E
L212	264.86'	S21° 10' 32.58"E
L213	86.42'	N88° 56' 56.58"W
L214	242.22'	N21° 10' 32.58"W
L215	33.19'	N20° 48' 09.09"W
L216	49.89'	N30° 24' 19.09"W
L217	52.40'	N42° 13' 59.09"W
L218	50.67'	N53° 38' 49.09"W
L219	52.64'	N61° 41' 02.09"W

TABLE FOR EX DRAINAGE EASEMENT.

Line Table		
Line #	Length	Direction
L220	48.84'	N68° 56' 18.09"W
L221	46.30'	N65° 52' 48.09"W
L222	49.05'	N54° 51' 57.09"W
L223	49.56'	N43° 28' 27.09"W
L224	35.23'	N33° 40' 55.09"W
L225	42.25'	N24° 12' 03.09"W
L226	36.96'	N12° 01' 14.09"W
L227	51.01'	N04° 04' 23.09"W
L228	60.51'	N09° 46' 54.09"W
L229	45.40'	N26° 30' 00.09"W
L230	44.27'	N25° 17' 16.09"W
L231	255.46'	N01° 16' 51.23"E

TABLE FOR EX DRAINAGE EASEMENT.

SHEET 2 OF 2

PROJECT NO. PP 22–0028

**Preliminary Plat
of Oak Vista Addition
Lots 1 thru 32, Block A, Lots 1 thru 9, Block B,
and Lots 1 thru 26, Block C
Being 64 Residential Lots at Zoning R6,
2 Open Space Lots being
Being Lot 26 Block A, and Lot 13 Block C,
and 2 Common Area Lots being Lot 1A Block A, and Lot 9 Block B
Being 21.802 Acres, (949,674 sq.ft.) of Land Located in the
M. Yoacham Survey
Abstract No. 2010–16100, and 2012–133042
City of Denton
Denton County, Texas**
Prepared March 20, 2023.



City of Denton

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

Legislation Text

File #: PP23-0007, **Version:** 1

AGENDA CAPTION

Consider a request by Peter Christensen of Weir and Associates, on behalf of Haven at Denton, LLC, for a Preliminary Plat of Cottages at Denton Addition, Lot 1, Block 1. The approximately 1.8-acre site is generally located on the east side of Johnson Street, approximately 130 feet south of Collins Street, in the City of Denton, Denton County, Texas. (PP23-0007, Cottages at Denton, Ashley Ekstedt).



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: March 29, 2023

SUBJECT

Consider a request by Peter Christensen of Weir and Associates, on behalf of Haven at Denton, LLC, for a Preliminary Plat of Cottages at Denton Addition, Lot 1, Block 1. The approximately 1.8-acre site is generally located on the east side of Johnson Street, approximately 130 feet south of Collins Street, in the City of Denton, Denton County, Texas. (PP23-0007, Cottages at Denton, Ashley Ekstedt).

BACKGROUND

The purpose of this Preliminary Plat is to establish one multifamily lot, dedicate right-of-way, and dedicate easements. The subject property is intended to be developed in one phase and is zoned Mixed-Use Neighborhood (MN).

The full analysis of the criteria for approval is provided in Exhibit 2.

Date Application Filed:	February 28, 2023
Planning & Zoning Commission Meeting:	March 29, 2023
Days in Review:	29 Days

This application is being considered under TX LGC 212.009. 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 5). In accordance with Texas Local Government Code Section 212.009 the extension cannot exceed 30 days and could be granted to a date certain of April 26, 2023.

OPTIONS

1. Approve requested extension
2. Approve as submitted
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 April 26, 2023. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

There has been no prior action related to this request.

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
5. Extension Request
6. LLC Members List

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

Prepared by:
Ashley Ekstedt
Assistant Planner

Planning Staff Analysis

PP23-0007 / Cottages at Denton Addition

City Council District #2

Planning & Zoning Commission

REQUEST:

Preliminary Plat for an approximately 1.8-acre site

APPLICANT:

Peter Christensen of Weir and Associates, on behalf of Haven at Denton, LLC

RECOMMENDATION:

Staff recommends denial of this Preliminary Plat as it does not meet the established approval criteria, as shown in the following table. However, Staff has no objection to the requested extension, which could be granted to a date certain of April 26, 2023.

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: The Preliminary Plat does not meet all review criteria, as detailed in Approval Criteria 4 and 10 below and the following items as required by the Preliminary Plat Checklist (PPC) authorized per Denton Development Code Section 2.4.4B: <ol style="list-style-type: none">1. Label access easement. (Checklist 3.1)2. Add project number (PP23-0007) to title block. (Checklist 2.2)3. Clarify the difference between the subject tract boundary line and the existing subject tract boundary line. Use a unique line type for each. (Checklist 2.10)4. Depict all overhead electric line clearance zones adjacent to the property. (Checklist 3.14)5. Provide a preliminary Tree Survey and Preservation/Replacement Plan in PDF format. Refer to the Tree Survey and Preservation/Replacement Plan Checklists for requirements. (DDC Section 7.7.4.E) (Checklist 7.1)	<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
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 complies with all applicable standards of DDC Section 2.6 as detailed in the Criteria below.</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>There is no conflict.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Prior Approvals				
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 preliminary plat is consistent with the zoning.</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>The applicant proposes a preliminary plat and development consistent with both the site's existing zoning classification of Mixed-Use Neighborhood (MN) and the Denton 2040 Comprehensive Plan's future land use designation of Community Mixed Use.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a. 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"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
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>The overall goals of the Comprehensive Plan are met with the proposed preliminary plat.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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> <p>All applications shall include all required information requested by the Director to demonstrate compliance with City codes per DDC Section 2.4.4.B. The proposed preliminary plat does not comply with this criterion. The following considerations must be met to demonstrate compliance of this application:</p> <p>TC1.1. Please modify tree note. Compliance has not been achieved according to the tree preservation plans submitted in ZCP23-0009 and TPP23-0005. A sample will be provided below after code language is stated.</p> <p>Per DDC 7.7.4.E.7.: “A notation must be placed on the preliminary plat, final plat, site plan, and building permit identifying the dbh of trees to be preserved and the location of the lots that contain preserved trees. The notation shall limit any future unauthorized land disturbing activity or construction that would impact and/or damage the tree(s) preserved.”</p> </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>The subject submittal is a Preliminary Plat, and it was reviewed based on the established checklist and requirements.</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 Preliminary Plat complies with all other regulations.</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
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>The proposed development is not expected to create adverse environmental impacts.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Minimizes Adverse Impacts on Surrounding Property				
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>The proposed development is not expected to cause significant adverse impacts on surrounding properties.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Minimizes Adverse Fiscal Impacts				
a. The proposed development should not result in significant adverse fiscal impacts on the city. Findings: <div>The proposed development is not expected to have significant adverse fiscal impacts on the City.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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:		<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>All applications shall include all required information requested by the Director to demonstrate compliance with City codes per DDC Section 2.4.4B and DME Electric Service Standards. The proposed preliminary plat is not compliant with all City regulations, as noted below and in the Outstanding Engineering Comments listed at the end of this document.</p> <p><u>ENGINEERING</u></p> <p>Due to the volume, Outstanding Engineering Comments are listed at the end of this document.</p>				
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>Current capacity can accommodate the proposed development.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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>No phasing is proposed for this plat.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Preliminary Plat Review Applicability Criteria (DDC Section 2.6.3.D)		Applicability		
		Met	Not Met	N/A

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
14. Whether the preliminary plat 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. Findings: <div>The Preliminary Plat reflects the required services to serve this development and limits disturbances to community resources.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Whether the preliminary plat provides evidence of public water and sewer system connections. Findings: <div>The Preliminary Plat provides evidence of public water and sewer system connections.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Whether the preliminary plat identifies and adequately mitigates known natural hazard areas. Findings: <div>The subject property does not contain any known natural hazard areas.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Whether the preliminary plat proposes reasonable project phasing in terms of infrastructure capacity. Findings: <div>No phasing plan is proposed.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

OUTSTANDING ENGINEERING COMMENTS

Preliminary Plat:

1. Include relevant zoning information in the project narrative as well as surrounding property uses. (PPC 1.6)
2. Provide the city assigned project number (PP23-0007) in the title block. The plat information should include gross acreage. (PPC 2.2)
3. The legend provided should include all abbreviations used such as O.R.D.C.T, P.R.D.C.T., etc. (PPC 2.10)
4. 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. (PPC 2.11)
5. Provide the dimension for the West property boundary from the 5/8" rod to the 1/2" rod. Add the bearing and distance for the North property line or include the distance from the 1/2" rod to the 5/8" rod along Johnson Street. (PPC 3.2)
6. Provide additional dimensions from the road centerline to the existing and proposed ROW boundaries. Due to the varying dimensions of the existing ROW, it is not clear what the distance is in different areas. (PPC 3.8 and PPC 4.5)
7. Provide a copy of the computer-generated closure report for the metes and bounds description. (PPC 5.2)
8. Include temporary entry easements (or notes) to allow city staff to enter the property to conduct necessary inspections. (PPC 6.2)
9. Show and label all existing driveways, and other significant structures and indicate whether they are to remain or be removed from the site. (BEP)

Preliminary Engineering Drawings

Preliminary Utility Plan

1. Show and label the location of the proposed storm sewer outfall system as it is not clear in the utility sheet or drainage sheets. (DDC Section 8.4.2 and PPC 8.1)
2. Provide water and sewer demand/loading calculations consistent with the Water and Wastewater Design Criteria Manual. (W/WWDCM 3.3 and 4.2/BEP)
3. Clarify the easements shown as public or private. Avoid placing easements around private utility lines. Easements are necessary at the point of connection to main public utility lines, or around taps and meters, but should not extend onto the site unless the utility line will cross into multiple lots within the development. From previous submittals, water easements were shown around the two water meters and backflow preventers at the property line. This is not being shown in the plat. Whenever possible, sub-metering should be used so that only a single easement around a main meter at the property line of the development is necessary. (BEP)
4. Provide labels for all utility and storm water infrastructure designating proposed lines as private or public. (BEP)

Existing and Proposed Drainage Area Maps

REVIEW OF EX AND PROPOSED DRAINAGE AREA MAPS DOES NOT IMPLY APPROVAL OF DETENTION, STORM SEWER OR OTHER CALCULATIONS. REVIEW IS CONFINED TO DRAINAGE MAPS ONLY. REVIEW OF DETENTION, STORM SEWER AND OTHER RELATED CALCULATIONS WILL BE PROVIDED IN CEP REVIEW.

1. Shown and label all existing and proposed drainage system improvements in the proposed drainage area map sheets. It is not clear where proposed and existing drainage systems are located. (DDC Section 7.5, DDC Section 8.3.2.B, and PPC 9.1)
2. Provide additional flow arrows in the existing and proposed drainage area map sheets showing flows from the offsite drainage areas. (DDC Section 7.5, DDC Section 8.3.2.B, and PPC 9.3)
3. Identify any changes to existing drainage features. It is not clear if the drainage system shown along Johnson Street is proposed or existing. (DDC Section 7.5, DDC Section 8.3.2.B, and PPC 9.4)

4. Provide additional information in the existing and proposed drainage area calculation tables, see below: (DDC Section 7.5, DDC Section 8.3.2.B, and PPC 9.5):
 - a. Pre and Post Development DAMs should show the concentration/discharge point,
 - b. Clearly identify the weighted runoff coefficients in the tables provided,
 - c. Provide a summation/total area in acres and a summation/total for Q100 (cfs).
5. Provide the required size for drainage easements. The proposed drainage easement shows appears to be 15'. The minimum easement width is 16' for storm sewer lines up to 36". (SWDCM Section 3.9 and SWDCM Section 3.9.B.2.a)
6. Structures, eaves and overhangs, fences, storage sheds, decks, pools, landscaping or other aboveground man-made improvements shall not be permitted in drainage easements. Provide clarity on the utility plan sheet as it appears there are several water appurtenances and power poles inside of the proposed drainage & detention easement. (DDC 7.5.3.N.5)
7. Drainage easements for private detention basins should be 10 feet. The City would need to be provided access to the private detention basin in the event that maintenance would need to be completed from maintenance failure by the owners. Operation and Maintenance documentation will need to be provided for the private detention basin. (BEP)
8. Add the following note to the preliminary plat:
 - a. 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. (BEP/City Standard Note)

OTHER

Access, Circulation, Pedestrian and Bike Improvements

1. Show, label, and dimension the location of existing and proposed driveways onto surrounding streets located within the development, adjacent to the development, and within 200 feet of the boundary of the development. (See Table 2.2.1.1 Driveway Dimensions, Table 2.2.2.1 Minimum Drive Approach Spacing and Table 2.2.2.2 Minimum Drive Approach Spacing at Intersections and meet dimensions and minimum as applicable) (BEP and TDCM)
2. Dimension Corner Clearance (driveway spacing to/from public roads). Driveway corner clearance is measured between the ROW line of the intersecting street and the nearest edge of the drive approach, not including the drive approach radius. Move to meet minimum drive approach spacing, as applicable, per code requirements. (DDC 7.8.9.E and TDCM Table 2.2.2.2.)
3. Show and dimension driveway width and return radii per TDCM Table 2.2.1.1.
4. Show and dimension Driveway Throat Length (Stacking). Meet requirements of TDCM Table 2.2.3.1. Throat length is measured between the first parking space or drive aisle and the property line. (TDCM Table 2.2.3.1.)
5. Show and dimension existing pavement width, sidewalk width (if existing) and label existing curb and gutter of adjacent and abutting streets. For any proposed development that is adjacent to an affected perimeter street where the pavement width is less than 22 feet in width, the development will be required to widen the street to at least 25 feet in width (with a 2-inch minimum Type C asphaltic overlay for asphalt pavements) with appropriate transitions to the existing pavement. (TDCM 1.8.2.2.1). This shall be noted and shown on plat. If pavement width is less than 22 feet and OCI (Overall Condition Index) is below 40 and the street is not scheduled to be reconstructed by City's current CIP, reconstruction of perimeter street to current City standards is required. Plat shall indicate the construction of 25-foot pavement width and curb and gutter with appropriate transitions to existing pavement. (TDCM 1.8.2.2.2)
6. Show and label proposed 5-foot-wide sidewalk required to be constructed with this development along Johnson Street frontage. (TDCM 1.3.1 and DDC Section 7.8.11.C.1.b)
7. Provide pedestrian access, with a minimum width of 5 feet, from the public sidewalk to all proposed buildings. Indicate accessible route on plans, as applicable. (DDC 7.8.11.)
8. Perimeter paving improvements are required to be constructed adjacent to the property which is final platted. (DDC 7.8.7.B.2.a)


9. Dimension driveway-to-driveway spacing (which is measured between the closest edges of each drive approach, not including the radius). Revise driveway locations, as applicable, to meet the required code. (DDC 7.8.9.F and TDCM Table 2.2.2.1.)
10. Provide pedestrian access, with a minimum width of 5 feet, from the public sidewalk to all proposed buildings. Indicate accessible route on plans, as applicable. (DDC 7.8.11 and ADA 206.2.1)
11. All development shall provide an on-site system of pedestrian walkways with a minimum width of five feet designed to provide direct access and connections to and between the following (DDC 7.8.11.D.1):
 - a. The primary entrance or entrances to each building, including pad site buildings;
 - b. Any sidewalks, walkways, or multi-use paths on adjacent properties that extend to the boundaries shared with the development. Interconnected walkways should be designed with similar and/or complementary details, colors, finishes, etc.;
 - c. Any parking areas intended to serve the development;
 - d. Any sidewalk system along the perimeter streets adjacent to the development;
 - e. Any public transit station areas, transit stops, park and ride facilities, or other transit facilities on site or along an adjacent street.
 - f. Any adjacent residential neighborhoods (planned or existing) if sidewalk stubs are planned or existing; and,
 - g. Any adjacent or on-site public park, trail system, open space, greenway, or other public or civic use or amenity.
12. Required on-site pedestrian walkways shall (DDC 7.8.11.D.2):
 - a. Be a minimum of five feet in width;
 - b. Be distinguishable from areas used by vehicles using one or more of the following techniques: Changing paving material, patterns, and/or paving color, but not including the painting of the paving material; Changing paving height; Decorative bollards; Raised median walkways with landscaped buffers;
 - c. Have adequate lighting for security and safety; Be conveniently and centrally located on the subject property;
 - d. Be ADA accessible; and
 - e. Not include barriers that limit pedestrian access between the subject property and adjacent properties.


Solid Waste

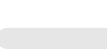
1. Show Solid Waste enclosure locations and size. Per Section 7.12.3 of the DDC, all non-residential developments are required to provide container enclosures for both solid waste and recycling storage facilities. (For purposes of these solid waste requirements, "nonresidential development" includes any attached residential dwellings of five or more dwelling units) (DDC 7.12.3.A)
2. Solid waste containers shall be located off the street in centralized locations, to the rear of buildings served by each container, and shall be screened with devices made of masonry or wood. (DDC 4.6.6.B.1)
3. Multiple enclosures (and compactors) are required for multifamily residential units based on number of units. See Solid Waste Criteria Manual starting at page 3 for size and number of enclosures required. (SWRCM Table A)
4. A dual enclosure is required to be a minimum 26-ft in width by 10.5-ft in depth. (SWRCM 3.B)
5. Provide minimum front load enclosure walls at least 6 foot high, or as tall as required to conceal container. (SWRCM 4.B)
6. Provide minimum 8-foot-high compactor enclosure walls or as tall as required to conceal the compactor and the mechanical equipment. (SWRCM 4.B)
7. Relocate container enclosure outside of fire lane, public right-of-way, public utility easement, and/or sidewalk area. (SWRCM 5.B)

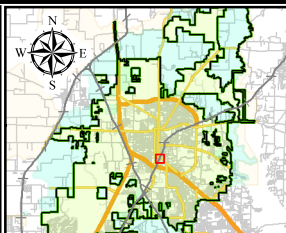
PP23-0007
Site Location

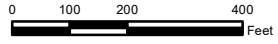


 SITE


 Parcels

 Roads

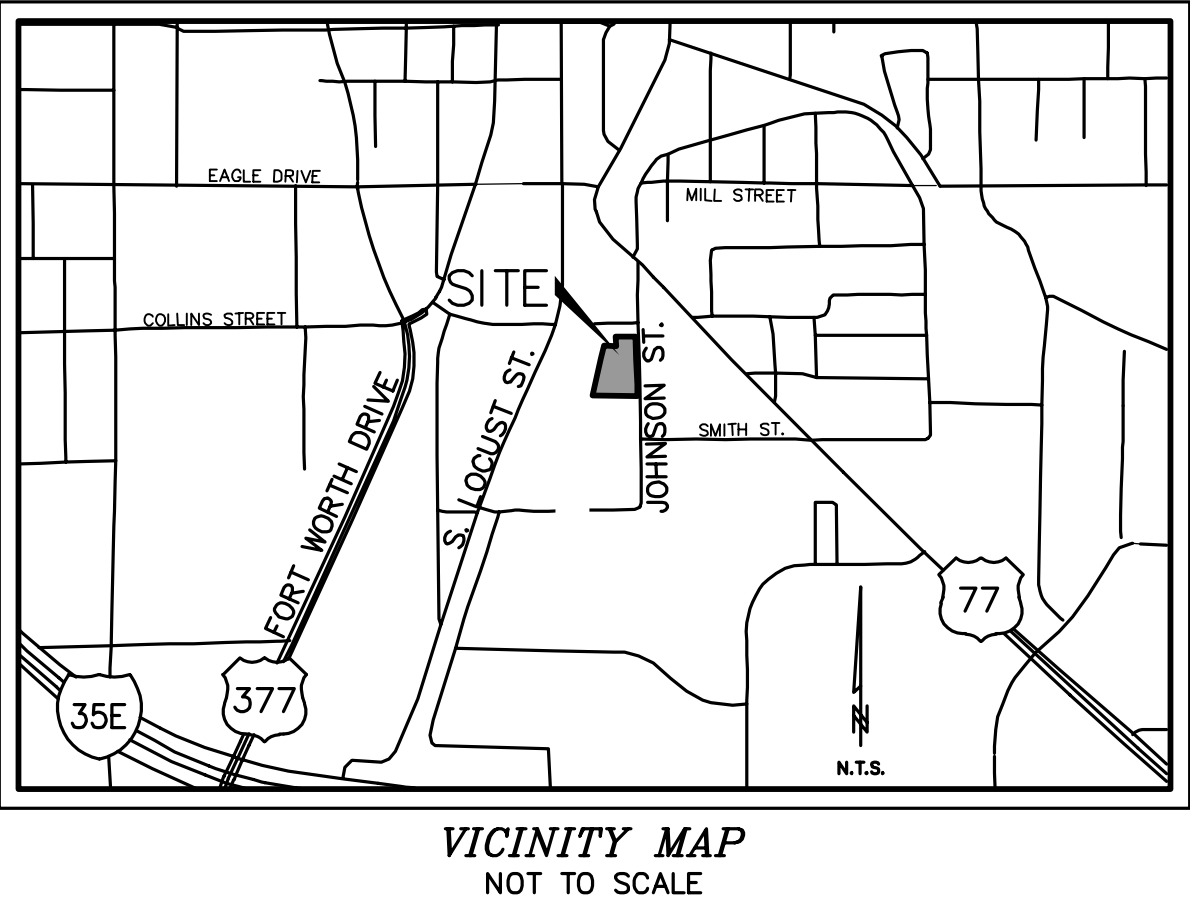
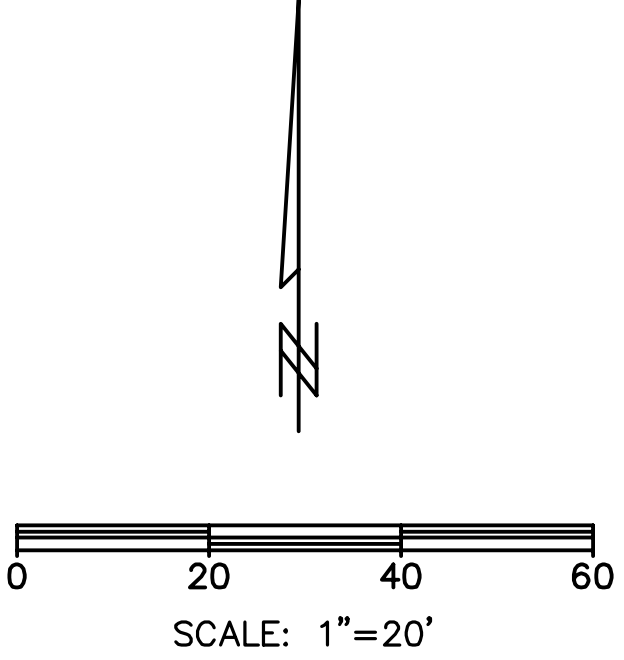
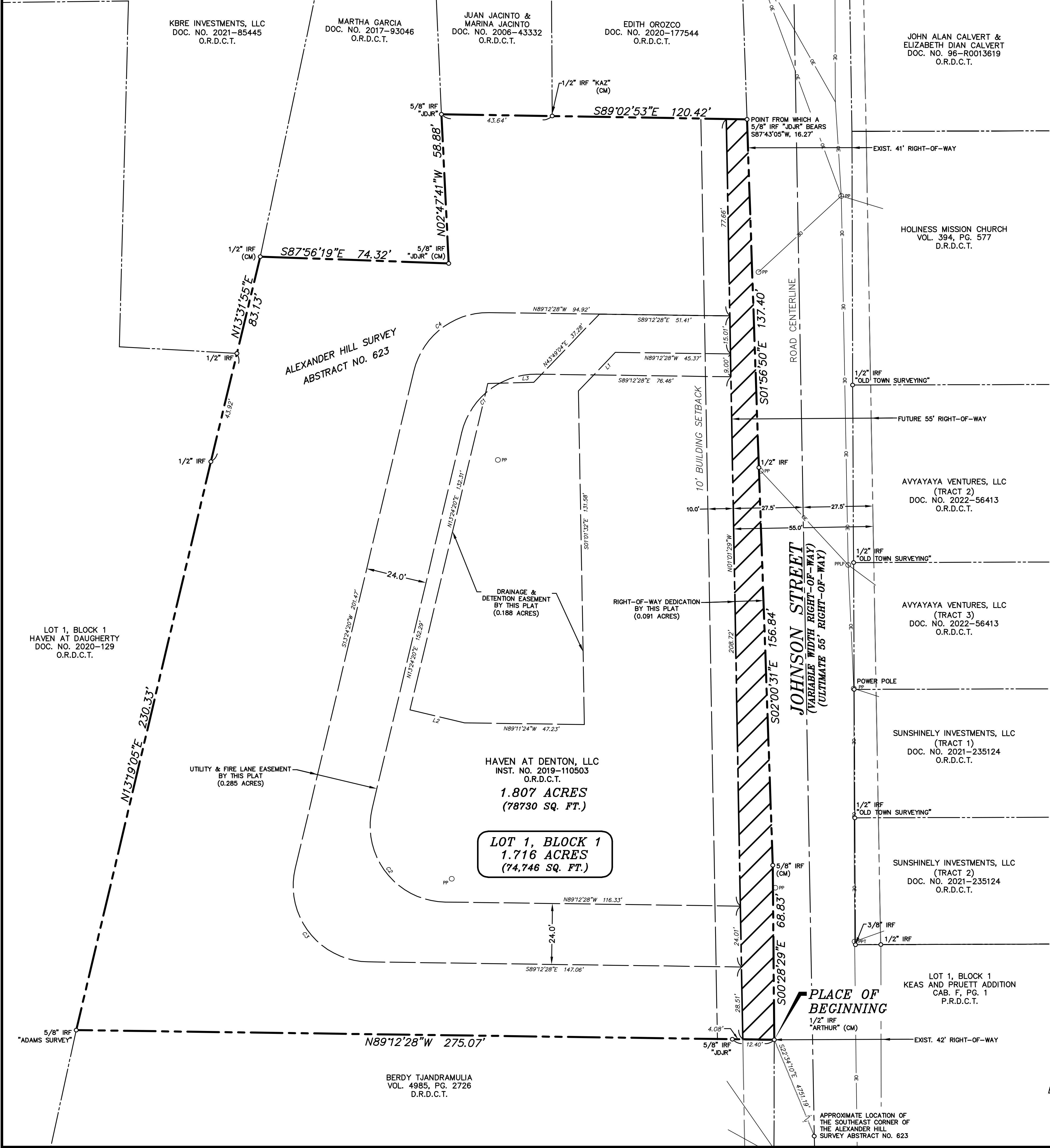




0 100 200 400
Feet



CITY OF DENTON
Development Services • GIS
Date: 3/9/2023



EASEMENT LINE TABLE		
LINE	BEARING	DIST
L1	S43°49'04"W	21.02'
L2	N78°35'40"W	22.10'
L3	N88°39'37"E	18.14'

EASEMENT CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	BEARING	DIST.
C1	40.52'	30.00'	77°23'12"	N52°05'56"E	37.51'
C2	53.73'	30.00'	102°36'48"	N37°54'04"W	46.83'
C3	53.73'	30.00'	102°36'48"	S37°54'04"E	46.83'
C4	40.52'	30.00'	77°23'12"	S52°05'56"W	37.51'

* LEGEND *	
(CM)	CONTROLLING MONUMENT
IRF	IRON ROD FOUND
IRS	IRON ROD SET
PP	POWER POLE
PPLP	POWER POLE W/ LIGHT POLE
PPT	POWER POLE W/ TRANSFORMER
---	PROPOSED EASEMENT LINE
---	EXISTING BOUNDARY LINE
---	SUBJECT TRACT BOUNDARY LINE
---	EXISTING SUBJECT TRACT BOUNDARY LINE
---	PROPOSED RIGHT-OF-WAY LINE
---	ROAD CENTERLINE
---	BOUNDARY SETBACK LINE
---	OVERHEAD ELECTRIC

* NOTES *

1. WATER AND SEWER SERVICE WILL BE PROVIDED BY THE CITY OF DENTON THROUGH EXISTING PUBLIC WATER AND SEWER LINES LOCATED IN JOHNSON STREET.

PRELIMINARY
FOR REVIEW PURPOSES ONLY
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 / DEVELOPER
HAVEN AT DENTON, LLC
1118 JOHNSON STREET
DENTON, TEXAS 76205
CONTACT: RICHARD OWEN
EMAIL: ROWEN@ASCENDANTDEVCO.COM
PH: (713) 600-9393

ENGINEER / SURVEYOR
WER & ASSOCIATES, INC.
2201 E. LAMAR BLVD., SUITE 200E
ARLINGTON, TEXAS 76006
CONTACT: PETER K. CHRISTENSEN, P.E.
EMAIL: PETERC@WERASSOCIATES.COM
PH: (817) 467-7700
FAX: (817) 467-7713

PRELIMINARY PLAT
LOT 1, BLOCK 1
COTTAGES AT DENTON
ADDITION
A SUBDIVISION OF 1.807 ACRES
OUT OF THE ALEXANDER HILL SURVEY
ABSTRACT No. 623, CITY OF DENTON
DENTON COUNTY, TEXAS
DATE OF PREPARATION:
FEBRUARY 28, 2023
PP23-XXXX

PREPARED BY:
WIA WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817) 467-7700
Texas Firm Registration No. F-2776 www.WierAssociates.com
Texas Board of Professional Land Surveying Registration No. 10033900

OWNER'S CERTIFICATE

BEING A TRACT OF LAND LOCATED IN THE ALEXANDER HILL SURVEY, ABSTRACT NUMBER 623, DENTON COUNTY, TEXAS, BEING ALL OF A TRACT OF LAND DESCRIBED IN A DEED TO HAVEN AT DENTON, LLC, RECORDED IN DOCUMENT NUMBER 2019-110503, OFFICIAL RECORDS, DENTON COUNTY, TEXAS (O.R.D.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT 1/2 INCH IRON ROD FOUND WITH A CAP STAMPED "ARTHUR" IN THE WEST RIGHT-OF-WAY LINE OF JOHNSON STREET (VARIABLE WIDTH RIGHT-OF-WAY), SAID IRON ROD ALSO BEING THE SOUTHEAST CORNER OF SAID HAVEN AT DENTON TRACT AND THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO BERDY TJANDRAMULIA, RECORDED IN VOLUME 4985, PAGE 2726, DEED RECORDS, DENTON COUNTY, TEXAS;

THENCE N 89°12'28" W, ALONG THE SOUTH LINE OF SAID HAVEN AT DENTON TRACT AND THE NORTH LINE OF SAID BERDY TJANDRAMULIA TRACT, A DISTANCE OF 275.07 FEET TO A 5/8 IRON ROD FOUND WITH A CAP STAMPED "ADAMS SURVEY" IN THE EAST LINE OF LOT 1, BLOCK 1, HAVEN AT DAUGHERTY, AN ADDITION TO THE CITY OF DENTON, TEXAS, ACCORDING TO THE PLAT RECORDED IN DOCUMENT NUMBER 2020-129, O.R.D.C.T., SAID IRON ROD ALSO BEING THE NORTHWEST CORNER OF THE SAID BERDY TJANDRAMULIA TRACT AND THE SOUTHWEST CORNER OF SAID HAVEN AT DENTON TRACT;

THENCE N 13°19'05" E, ALONG THE WEST LINE OF SAID HAVEN AT DENTON TRACT AND THE EAST LINE OF SAID LOT 1, AT A DISTANCE OF 186.41 FEET, PASSING A 1/2 INCH IRON ROD FOUND, CONTINUING IN ALL FOR A TOTAL DISTANCE OF 230.33 FEET TO A 1/2 INCH IRON ROD FOUND, BEING THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO KBRE INVESTMENTS, LLC, RECORDED IN DOCUMENT NUMBER 2021-85445, O.R.D.C.T. AND ALSO BEING THE MOST EASTERLY NORTHEAST CORNER OF SAID LOT 1;

THENCE N 13°31'55" E, CONTINUING ALONG THE WEST LINE OF SAID HAVEN AT DENTON TRACT AND THE EAST LINE OF SAID KBRE INVESTMENTS TRACT, A DISTANCE OF 83.13 FEET TO 1/2 INCH IRON ROD FOUND, BEING THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO MARTHA GARCIA, RECORDED IN DOCUMENT NUMBER 2017-93046, O.R.D.C.T. AND ALSO BEING THE MOST WESTERLY NORTHWEST CORNER OF SAID HAVEN AT DENTON TRACT;

THENCE S 87°56'19" E, ALONG THE SOUTH LINE OF SAID MARTHA GARCIA TRACT AND A NORTH LINE OF SAID HAVEN AT DENTON TRACT, A DISTANCE OF 74.32 FEET TO A 5/8 INCH IRON ROD FOUND WITH A CAP STAMPED "DJUR"; BEING AN ELL CORNER OF SAID HAVEN AT DENTON TRACT AND THE SOUTHEAST CORNER OF THE SAID MARTHA GARCIA TRACT;

THENCE N 02°47'41" W, ALONG THE EAST LINE OF SAID MARTHA GARCIA TRACT AND A WEST LINE OF SAID HAVEN AT DENTON TRACT, A DISTANCE OF 58.88 FEET TO A 5/8 INCH IRON ROD FOUND WITH A CAP STAMPED "DJUR"; BEING THE MOST NORTHERLY NORTHWEST CORNER OF SAID HAVEN AT DENTON TRACT AND THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO JUAN JACINTO & MARINA JACINTO, RECORDED IN DOCUMENT NUMBER 2006-43332, O.R.D.C.T.;

THENCE S 89°02'53" E, ALONG THE NORTH LINE OF SAID HAVEN AT DENTON TRACT AND THE SOUTH LINE OF SAID JUAN JACINTO & MARINA JACINTO TRACT, AT A DISTANCE OF 43.64 FEET, PASSING A 1/2 INCH IRON ROD FOUND WITH A CAP STAMPED "KAZ"; BEING THE SOUTHEAST CORNER OF THE SAID JUAN JACINTO & MARINA JACINTO TRACT AND THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN A DEED TO EDITH OROZCO, RECORDED IN DOCUMENT NUMBER 2020-177544, O.R.D.C.T., CONTINUING ALONG THE NORTH LINE OF SAID HAVEN AT DENTON TRACT AND THE SOUTH LINE OF SAID OROZCO TRACT IN ALL FOR A TOTAL DISTANCE OF 120.42 FEET TO A POINT, BEING THE NORTHEAST CORNER OF SAID HAVEN AT DENTON TRACT, IN THE WEST RIGHT-OF-WAY LINE OF SAID JOHNSON STREET AND FROM WHICH A 5/8 INCH IRON ROD FOUND WITH A CAP STAMPED "DJUR" BEARS S 87°43'05"W, 16.27 FEET;

THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID JOHNSON STREET AND THE EAST LINE OF SAID HAVEN AT DENTON TRACT AS FOLLOWED:

- (1) S 01°56'50" E, A DISTANCE OF 137.40 FEET TO A 1/2 INCH IRON ROD FOUND;
- (2) S 02°00'31" E, A DISTANCE OF 156.84 FEET TO A 5/8 INCH IRON ROD FOUND;
- (3) S 00°28'29" E, A DISTANCE OF 68.83 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.807 ACRES (78,730 SQUARE FEET) OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS,

THAT, HAVEN AT DENTON LLC DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS LOT 1, BLOCK 1, COTTAGES AT DENTON ADDITION, AN ADDITION TO THE CITY OF DENTON, DENTON COUNTY, TEXAS, AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS AND ALLEYS 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 ANY PART OF ITS RESPECTIVE SYSTEM WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION OF ANYONE.

WITNESS MY HAND AT DENTON, DENTON COUNTY, TEXAS, THIS THE _____ DAY OF _____, 20____.

HAVEN AT DENTON, LLC

OWNER _____

TITLE: _____

STATE OF _____
COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN _____ AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED _____, 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

COMMISSION EXPIRES: _____

SURVEYOR'S STATEMENT

THAT I, GREGG A.E. MADSEN, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL SURVEY OF LAND, AND THAT THE CORNER MONUMENTS SHOWN THEREON SHALL BE PROPERLY MARKED ON THE GROUND, AND THAT THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MADE BY ME OR UNDER MY DIRECTION AND SUPERVISION AND IS IN ACCORDANCE WITH THE PLATTING RULES AND REGULATIONS OF THE CITY OF DENTON, TEXAS.

"THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF GREGG A.E. MADSEN, RPLS. NO. 5798 ON February 28, 2023. IT IS NOT TO BE USED FOR RECORDING, CONSTRUCTION, BIDDING, OR PERMIT PURPOSES. THIS DOCUMENT IS NOT TO BE RELIED UPON AS A COMPLETE SURVEY AND SHALL NOT BE RECORDED."

GREGG A. E. MADSEN
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS No. 5798

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN _____ AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED GREGG A. E. MADSEN, 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 _____, 2023.

NOTARY PUBLIC, STATE OF TEXAS

COMMISSION EXPIRES: _____

NOTES:

1. 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.

2. THIS PLAT DOES NOT REMOVE OR AMEND ANY COVENANTS OR RESTRICTIONS.

3. PROPERTY OWNERS ARE RESPONSIBLE FOR THE MAINTENANCE OF THE FACILITIES LOCATED WITHIN THE ACCESS EASEMENT.

4. ACCORDING TO SURVEYOR'S INTERPRETATION OF INFORMATION SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) "FLOOD INSURANCE RATE MAP" (FIRM), MAP No. 48121C0360G, MAP REVISED APRIL 18, 2011, ALL OF THE SUBJECT TRACT LIES WITHIN ZONE "X" (UNSHADED), DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FEDERAL INSURANCE ADMINISTRATION, OR THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS BEING "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

5. THE MINIMUM FINISHED FLOOR ELEVATIONS FOR LOT 1, BLOCK 1, COTTAGES AT DENTON ADDITION IS 660.50 FEET. THE MINIMUM FINISHED FLOOR ELEVATIONS SHALL BE BASED ON THE CURRENT FEMA DATA. THE MINIMUM FINISHED FLOOR ELEVATIONS SHALL BE STATED AS MEAN SEA LEVEL RATHER THAN RELATIVE BASED ON NAVD 1988 DATUM.

6. ALL BEARINGS AND COORDINATES SHOWN HEREON ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD OF 1983, AS DERIVED BY FIELD OBSERVATIONS UTILIZING THE RTK NETWORK ADMINISTRATED BY ALLTERRA CENTRAL, INC.

7. A TOTAL OF 100 "DIAMETER BREAST HEIGHT" (DBH) INCHES ARE BEING PRESERVED ON LOT 1, LIMITING ANY FUTURE UNAUTHORIZED LAND DISTURBING ACTIVITY OR CONSTRUCTION THAT WOULD IMPACT AND/OR DAMAGE THE TREE(S) SHOWN AS PRESERVED.

8. THE CITY OF DENTON WILL PROVIDE WATER AND SEWER SERVICES TO THE PROPERTY.

9. 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 MANUAL AND COMPREHENSIVE MASTER DRAINAGE PLAN. (BEP)

10. THE PROPERTY OWNERS WILL BE RESPONSIBLE FOR MAINTAINING THE DRAINAGE, DETENTION & ACCESS EASEMENTS. THE PROPERTY OWNERS SHALL KEEP SAID DRAINAGE & DETENTION EASEMENTS CLEAN AND FREE OF DEBRIS, SILT, HIGH WEEDS, AND ANY SUBSTANCE WHICH WOULD RESULT IN UNSANITARY OR UNDESIRABLE CONDITIONS. THE CITY OF DENTON AND COUNTY OF DENTON SHALL HAVE THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSE OF INSPECTING AND SUPERVISING MAINTENANCE WORK DONE BY THE PROPERTY OWNERS. SAID DRAINAGE & DETENTION EASEMENTS, AS IN THE CASE OF ALL DRAINAGE EASEMENTS, ARE SUBJECT TO STORMWATER OVERFLOW AND EROSION TO AN EXTENT WHICH CANNOT BE SPECIFICALLY DEFINED. THE CITY OF DENTON AND COUNTY OF DENTON SHALL NOT BE HELD LIABLE FOR ANY DAMAGES RESULTING FROM THE OCCURRENCE OF THESE NATURAL PHENOMENA OR THE FAILURE OF ANY FACILITIES WITHIN SAID DRAINAGE EASEMENT. FURTHER, THE CITY OF DENTON AND COUNTY OF DENTON WILL NOT BE RESPONSIBLE FOR EROSION CONTROL OR ANY DAMAGE TO PRIVATE PROPERTIES OR PERSONS RESULTING FROM THE FLOW OF WATER WITHIN SAID DRAINAGE & DETENTION EASEMENTS AND PROPERTIES.

PRELIMINARY PLAT
LOT 1, BLOCK 1
COTTAGES AT DENTON
ADDITION

A SUBDIVISION OF 1.807 ACRES
OUT OF THE ALEXANDER HILL SURVEY
ABSTRACT No. 623, CITY OF DENTON
DENTON COUNTY, TEXAS

DATE OF PREPARATION:
FEBRUARY 28, 2023
PP23-XXXX

OWNER / DEVELOPER
HAVEN AT DENTON, LLC
1118 JOHNSON STREET
DENTON, TEXAS 76205
CONTACT: RICHARD OWEN
EMAIL: ROWEN@ASCENDANTDEVCO.COM
PH: (713) 600-9393

ENGINEER / SURVEYOR
WER & ASSOCIATES, INC.
2201 E. LAMAR BLVD., SUITE 200E
ARLINGTON, TEXAS 76006
CONTACT: PETER K. CHRISTENSEN, P.E.
EMAIL: PETERC@WERASSOCIATES.COM
PH: (817) 467-7700
FAX: (817) 467-7713

PREPARED BY:
W&A WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
2201 E. LAMAR BLVD., SUITE 200E ARLINGTON, TEXAS 76006 METRO (817) 467-7700
Texas Firm Registration No. F-2776 www.WierAssociates.com
Texas Board of Professional Land Surveying Registration No. 10033900



WIER & ASSOCIATES, INC.

ENGINEERS
SURVEYORS
LAND PLANNERS

March 20, 2023

City of Denton
Department of Development Services
041 N. Elm Street
Denton, TX 76201

PRINCIPALS
JOHN P. WIER, P.E., R.P.L.S.
ULYS LANE III, P.E., R.P.L.S., CFM
CARLO SILVESTRI, P.E.
GREGG MADSEN, R.P.L.S.
RANDALL S. EARDLEY, P.E.

SENIOR ASSOCIATES
PHILIP L. GRAHAM, P.E.
PRIYA AGHARYA, P.E.

ASSOCIATES
TOBY W. RODGERS
CASEY D. YORK

Project Number: PP23-0007

Project Name: Preliminary Plat, Cottages at Denton Addition, Lot 1, Block 1

We respectfully request a 30-day extension for the Preliminary Plat application for PP23-0007, Cottages at Denton Addition, Lot 1, Block 1.

If you have any questions or comments, please feel free to contact me at 817-467-7700 or PeterC@WierAssociates.com.

Sincerely,

Peter K. Christensen, PE
Team Leader
Wier & Associates, Inc.
Texas Firm Registration No. F-2776

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY


Filing Number:	803312819	Entity Type:	Domestic Limited Liability Company (LLC)
Original Date of Filing:	May 8, 2019	Entity Status:	In existence
Formation Date:	N/A	FEIN:	
Tax ID:	32070662203		
Duration:	Perpetual		
Name:	Haven at Denton GP LLC		
Address:	3800 SOUTHWEST FWY STE 302 HOUSTON, TX 77027-7587 USA		

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES	INITIAL ADDRESS
Name	Address				Inactive Date	
David Kulkarni	3800 Southwest Freeway, Suite 302 Houston, TX 77027 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 #: PP23-0003, **Version:** 1

AGENDA CAPTION

Consider a request by Kimley-Horn, on behalf of Velocis Denton South JV, LP and Earl Edwards, for a Preliminary Plat of the Mayhill 380 Business Park Addition. The approximately 19.508-acre site is generally located on the southwest corner of East University Drive and Mayhill Road in the City of Denton, Denton County, Texas. (PP23-0003, Mayhill 380 Business Park Addition, 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: March 29, 2023

SUBJECT

Consider a request by Kimley-Horn, on behalf of Velocis Denton South JV, LP and Earl Edwards, for a Preliminary Plat of the Mayhill 380 Business Park Addition. The approximately 19.508-acre site is generally located on the southwest corner of East University Drive and Mayhill Road in the City of Denton, Denton County, Texas. (PP23-0003, Mayhill 380 Business Park Addition, Cameron Robertson).

BACKGROUND

The purpose of this Preliminary Plat is to establish one industrial lot. The subject property is generally vacant with a single-family dwelling located along Mayhill Road and zoned Light Industrial (LI). The subject property is intended to be developed in one phase and is approximately 19.508 acres.

A version of this preliminary plat, PP22-0015b, was originally approved on August 10, 2022 for an approximately 18.661-acre site. However, since August 2022 the applicant has purchased a neighboring property, adding an additional 0.847 acres to the site.

Date Application Filed:	March 2, 2023
Planning & Zoning Commission Meeting:	March 29, 2022
Days in Review:	27 Days

This application is being considered under TX LGC 212.009. The applicant has requested a one-time 30-day extension to allow for additional time to address staff's comments (Exhibit 5) as permitted by TX LGC 212.009(b-2). An approved extension would bring this item back to the Planning and Zoning Commission for consideration on April 26, 2022.

OPTIONS

1. Approve requested extension
2. Approve as submitted
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) to the April 26, 2022 Planning and Zoning Commission meeting. 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 Light Industrial (LI) District	Approved
July 13, 2022	Planning and Zoning Commission	Preliminary Plat (PP22-0015)	Extension Approved (7-0)
August 10, 2022	Planning and Zoning Commission	Preliminary Plat (PP22-0015b)	Recommended Approval (5-0)

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
5. Extension Request

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

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

Staff Analysis

PP23-0003 / Mayhill 380 Business Park Addition

City Council District #2

Planning & Zoning Commission

REQUEST:

Preliminary Plat for an approximately 19.508-acre tract.

APPLICANT:

Kimley-Horn on behalf of Velocis Denton South JV, LP and Earl Edwards.

RECOMMENDATION:

Staff recommends denial, as the proposed Preliminary Plat fails to meet 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><p>The Preliminary Plat does not meet all review criteria, as detailed in Approval Criteria 3, 4a, 11a, 12a, 14, and 15 below and the following items as required by the Preliminary Plat Checklist (PPC) authorized per Denton Development Code Section 2.4.4B:</p><ol style="list-style-type: none">1. Provide the phone number for the owner Earl Edwards on the plat sheets. (PPC 2.5)2. Provide the curve data information for the east property line between the ½ inch IRFC “Pacheco Koch” to ½ inch IRF between the CB = S 06°32’08” W to S 10°17’06” W along Mayhill Road. (PPC 2.8, PPC 2.9, and PPC 3.2)3. Revise the call out labels for the monuments for the ends of the N 82°12’42” E 159.59 feet and S 3°21’33” W 74.55 feet to match the legal description or the legal description should be revised. (PPC 2.11 and PPC 3.2)4. Provide a note on the preliminary plat sheets that the water and wastewater will be provided by City of Denton. (DDC 8.4.10-11 and PPC 2.13)5. Extend the proposed 20-foot PUE along North Mayhill Road north of the proposed north driveway approach on the Preliminary Sheet 1 and the utility plan sheet. (PPC 3.4 and PPC 4.4)</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>6. Dimension the proposed easement along the jog along North Mayhill Road (S 3°21'33" W 74.55 feet) to indicate the width easement on the property. The proposed public sanitary should be within a 16-foot easement if not in a public ROW. Since the proposed sanitary sewer is proposed on the property line there should be approximately 8-foot easement on the property to provide adequate access to the City for any maintenance on the Preliminary Sheet 1 and the utility plan sheets. (PPC 3.4 and PPC 4.4)</p> <p>7. Add a call out label for the northern water easement size on the Preliminary Plat sheet shown on the Utility Plan sheet for the proposed building 1 and building 2. (PPC 3.4 and PPC 4.4)</p> <p>8. Revise the proposed 16-foot drainage easement to 20 foot or 25 feet per Section 3.9.B.2.a table on the Preliminary Plat, Utility Plan sheets, and Post Drainage Area Map. (SWDCM Section 3.9.B.2.a Table Easement Requirements for Closed Drainage Systems)</p> <p>9. Add the to the Flood Statement the LOMR number shown on the FEMA website for site development. (PPC 3.6)</p>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<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> <p>The Preliminary Plat does not meet Approval Criteria 3, 4a, 11a, 12a, 14 and 15 as detailed below.</p>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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.</p> <p>Findings:</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Prior Approvals				
<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>		<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>Denton Plan 2040's Future Land Use Map designates the subject property as Community Mixed Use. The proposed development is not consistent with the Denton Plan 2040's Future Land Use Map; however, the property is currently zoned Light Industrial, which the proposed use for the property is allowed.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>
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>Denton Plan 2040's Future Land Use Map designates the subject property as Community Mixed Use. The proposed development is not consistent with the Denton Plan 2040's Future Land Use Map; however, the property is currently zoned Light Industrial, which the proposed use for the property is allowed.</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
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> In order for the proposed Preliminary Plat to meet the criteria, the following corrections are required: <ol style="list-style-type: none"> Provide two flow arrows for the OS-2 area as it is unclear if that the one drainage flow arrow is for the small area that is a part of the EDA-1 area on the Existing Drainage Area Map and then on the Proposed Drainage Area Map. (BEP) </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
	<ol style="list-style-type: none"> 2. Indicate how the area north of the proposed parking lot for Building 1 will drainage. Indicate how this area drain into the parking lot and inlets or to the culvert north of the building 1 on the Proposed Drainage Area Map sheet. (BEP) 3. The total acreage on both Existing and Proposed Drainage Area Maps are not totaling up correctly, revise. (DDC Section 7.5, DDC Section 8.3.2.B and PPC 9.5) 4. The proposed flow to Mayhill Road does not total to 118.8 cfs, revise on the Proposed Drainage Area Map sheet. (DDC Section 7.5, DDC Section 8.3.2.B and PPC 9.5) 5. Remove the frequency factor column on both Drainage Area Maps as this factor is used only for conveyance, shown within the storm water calculations. (iSWM Hydraulic page HO-8) 6. Revise the basin number to reflect the EDA-1, EDA-2, and EDA-3 areas in the Time of Concentration & Lag Timetable on the Existing Drainage Area Map sheet. (BEP) 7. Dimension the existing drainage State of Texas drainage easement on the Post Drainage Area Maps. (BEP) 8. INFORMATION: Restrictions of easements shall be described on the final plat and approved by the City. (DDC 7.5.3.N.3) 	<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>The proposed Preliminary Plat provides sufficient detail for review.</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 Preliminary Plat meets the requirements.</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.		<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 style="border: 1px solid black; height: 50px; width: 100%;"></div>				

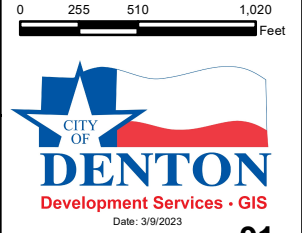
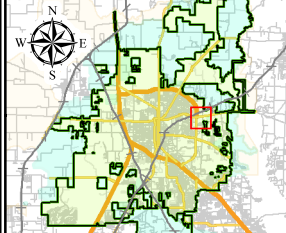
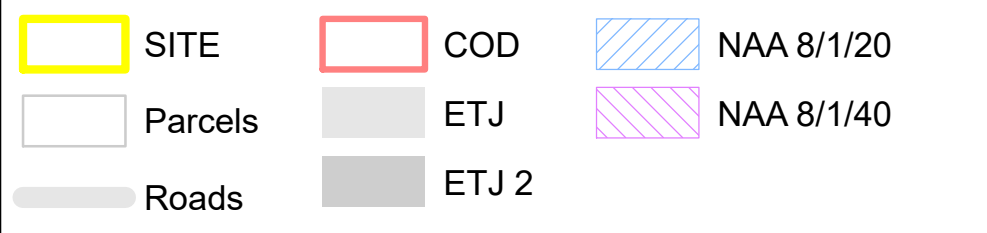
7. Minimizes Adverse Environmental Impacts				
a. The proposed development should be designed to minimize negative environmental impacts and should not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, scenic resources, wildlife habitat, soils, and native vegetation. Findings: <div style="border: 1px solid black; padding: 5px;"> The proposed Preliminary Plat is designed to minimize negative environmental impacts and should not cause significant adverse impacts on the natural environment. </div>		☒	☐	☐
8. Minimizes Adverse Impacts on Surrounding Property				
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 style="border: 1px solid black; padding: 5px;"> This development is not expected to result in significant adverse impacts on the surrounding properties. </div>		☒	☐	☐
9. Minimizes Adverse Fiscal Impacts				
a. The proposed development should not result in significant adverse fiscal impacts on the city. Findings: <div style="border: 1px solid black; padding: 5px;"> This development is not expected to result in significant adverse fiscal impacts on the city. </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:		☐	☒	☐

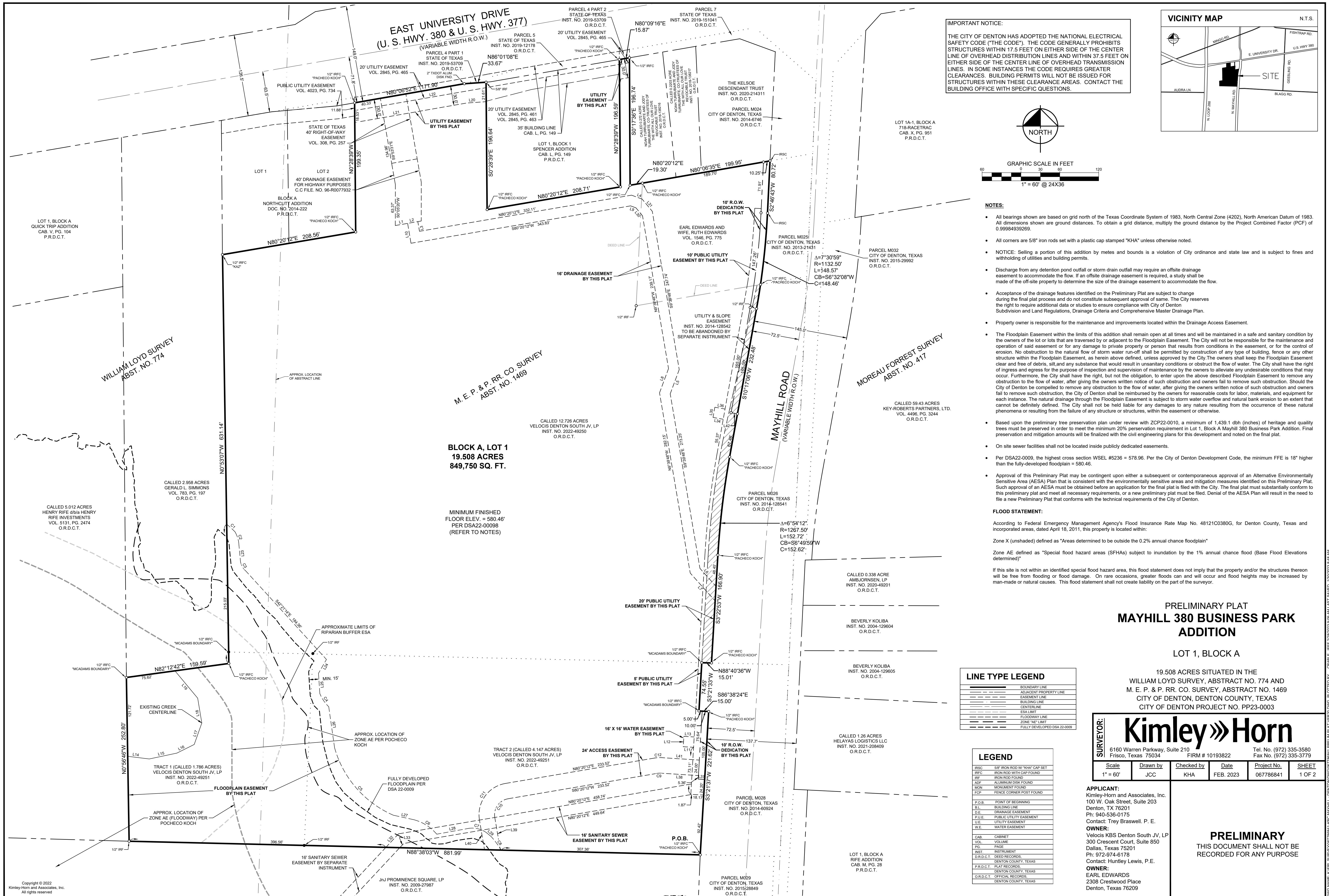
	<p>In order for the proposed Preliminary Plat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> 1. Revise the existing 12-inch waterline to 16 inches per the City of Denton Interactive GIS Map along US Highway 380 (East University Drive) on the Utility Plan sheet. (PPC 8.1) 2. It appears that the 10-foot ROW Dedication arrow is not clearly pointing the dedication area on the Utility Plan sheet, revise. (BEP) 3. The proposed 10-inch sanitary sewer within the property along Mayhill Road should have a minimum of 16 feet easement over the mainline. However, the preliminary plat sheet indicates a 10-foot public utility easement by this plat and a 10 foot ROW dedication by this plat. Mayhill Road appears to be at the ultimate ROW of 135 feet, revise the proposed 10-foot ROW dedication shown on the preliminary plat sheet and on the Utility Plan sheet. See Comment 6 in preliminary plat section above. (PPC 8.1) 4. The Utility Plan sheet indicates that there is a proposed 20-foot PUE along Mayhill Road and this should be shown on the Preliminary Plat sheet in lieu of the 10-foot easement and 10 feet ROW dedication, revise. (BEP) 5. There appears to be two lateral storm sewer pipes are shown on the Utility Plan to north of proposed Building 1 that are not connected to an inlet. Indicate if these two lateral pipes are to be connected to inlets or remove them. (BEP) 6. The note on the Utility plan sheet indicated that the development cannot be gravity sewered onsite; however, the utility plan sheet shows the connection to the sanitary sewer offsite which would indicate the site being gravity sewered. Revise the note. (DDC Section 8.4.11 and PPC 8.2) 7. Provide the water and sewer demand/loading calculations consistent with the Water and Wastewater Design Criteria Manual on the Utility Plan sheets. (W/WWDCM 3.3 and 4.2/BEP) 8. Provide a cleanout at the easement line for all proposed sanitary sewer service lines on the Utility Plan. Single-way cleanouts shall be provided on laterals at the public easement or Right-of-Way. Double way cleanouts are not allowed. See Drawings S403 and S404 of Sheet 5 of the City Standard Details. (W/WWDCM 4.8) 9. Provide a minimum 30-foot PUE for easements with both water and sewer up to 20 inches in the same easement. (DDC 7.6.7) 10. INFORMATION: All trees, fences and retaining walls, signs, and underground foundations or any parts of structures shall not encroach into public utility, water or sewer easements. (DDC Section 7.6.7.I.) 			
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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 data-bbox="253 365 1154 474"> <p>The Preliminary Plat does not meet Approval Criteria 4a and 10a, and 12a as detailed below.</p> </div>	<input type="checkbox"/>	<input checked="" 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 data-bbox="253 848 1154 1635"> <p>In order for the proposed Preliminary Plat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> 1. Revise the minimum proposed right turn lanes' taper and storage lengths from 100 feet to 200 feet along Mayhill Road (primary arterial road) shown on the Utility Plan sheet. (TDCM Table 1.4.3.1) 2. Provide an additional 15-foot of ROW for each turn lane bay per TDCM Table 1.4.3.1 footnote 6 on the Utility Plan sheet along Mayhill Road. See Comment 6 in preliminary plat section and Comment 3 in utility plan section above. (TDCM Table 1.4.3.1) 3. Dimension the width of each right turn lane on the Utility Plan sheet. (TDCM Table 1.4.3.1 and BEP) 4. Revise the driveway approach radii for the middle driveway approach and the south driveway approach to the maximum 25 feet on the Utility Plan sheets. If to remain 30 feet provide an AutoTurn exhibit for both entrances to confirm the additional 5 feet for the driveway approaches radii. (TDCM Table 2.2.1.1) 5. For the existing median within Mayhill Road provide the eastside boundary on the Utility Plan sheets as it appears nonexistent. Show the traffic lanes along US Highway 380 (East University Drive) and Mayhill Road. (BEP) </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 data-bbox="253 1911 1162 1976"> <p>No phasing is proposed.</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
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. Findings: <div>The Preliminary Plat does not meet Approval Criteria 3, 4a, 11a, 12a, 14, and 15 as detailed above.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. Provides evidence of public water and sewer system connections. Findings: <div></div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Identifies and adequately mitigates known natural hazard areas. Findings: <div></div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Proposes reasonable project phasing in terms of infrastructure capacity. Findings: <div>The proposed Preliminary Plat provides does not include phasing.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

PP23-0003 Site Location





OWNERS CERTIFICATE

STATE OF TEXAS §

COUNTY OF DENTON §

WHERE AS VELOCIS DENTON SOUTH JV, LP, is the rightful owner of a tract of land situated in the William Loyd Survey, Abstract No. 774 and the M. E. P. & P. RR. Company Survey, Abstract No. 1469, City of Denton, Denton County, Texas, and being all of a called 12,726-acre tract of land, described in a General Warranty Deed to Velocis Denton South JV, LP, as recorded in Instrument No. 2022-49250, all of a called Tract 1 (1,786-acres), all of a called Tract 2 (4,147-acres), described in a General Warranty Deed to Velocis Denton South JV, LP, as recorded in Instrument No. 2022-49251, both of the Official Records of Denton County, Texas, and all of a tract of land, described in a deed to Earl Edwards and wife, Ruth Edwards, as recorded in Volume 1546, Page 775 of the Official Records of Denton County, Texas and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with a plastic cap, stamped "PACHECO KOCH" found for the southeast corner of said Tract 2 (4,147-acres), same being on the northerly line of that tract of land, described in a deed to JnJ Prominence Square, LP, s recorded in Instrument No. 2009-27987 of the Official Records of Denton County, Texas, same also being on the westerly right of way line of Mayhill Road, a variable width right of way;

THENCE North 88°38'03" West, departing the westerly right of way line of said Mayhill Road, along the northerly line of said JnJ Prominence Square, LPtract, the southerly line of said Tract 2 (4,147-acres), passing a 1/2-inch iron rod found for the south common corner of said Tract 2 (4,147-acres) and aforesaid Tract 1 (1,786-acres), continuing along the southerly line of said Tract 1 (1,786-acres), a total distance of 681.99 feet to a 1/2-inch iron rod found for the southwest corner of said Tract 1 (1,786-acres);

THENCE North 00°56'46" West, along an easterly line of said JnJ Prominence Square, LPtract and the westerly line of said Tract 1 (1,786-acres), a distance of 252.80 feet to a 5/8-inch iron rod with a plastic cap, stamped "MCADAMS BOUNDARY" found for the westerly, northwest corner of said Tract 1 (1,786-acres), same being the southwest corner of a called 2,958-acre tract of land, described in a deed to Gerald L. Simons, as recorded in Volume 783, Page 197 of the Official Records of Denton County, Texas;

THENCE North 82°12'42" East, along a northerly line of said Tract 1 (1,786-acres) and the southerly line of said 2,958-acre tract, a distance of 159.59 feet to a 1/2-inch iron rod with a plastic cap, stamped "PACHECO KOCH" found for the southeast corner of said 2,958-acre tract;

THENCE North 00°53'07" West, along the easterly line of said 2,958-acre tract, the westerly line of said Tract 1 (1,786-acres), passing a 5/8-inch iron rod with a plastic cap, stamped "MCADAMS BOUNDARY" found for the northerly, northwest corner of said Tract 1 (1,786-acres) and the southwest corner of aforesaid 12,726-acre tract, continuing along the westerly line of said 12,726-acre tract, for a total distance of 631.14 feet to a 1/2-inch iron rod with a plastic cap, stamped "KAZ" found for the westerly, northwest corner of said 12,726-acre tract, same being the southwest corner of Lot 1, Block A of Northcutt Addition, an addition to the City of Denton, according to the Final Plat, recorded in Document No. 2014-222 of the Plat Records of Denton County, Texas;

THENCE North 80°20'12" East, along a northerly line of said 12,726-acre tract, the southerly line of said Lot 1, Block A and the southerly line of Lot 2, Block A of said Northcutt Addition, a distance of 208.56 feet to a 1/2-inch iron rod with a plastic cap, stamped "PACHECO KOCH" found for the southeast corner of said Lot 2;

THENCE North 00°28'39" West, along the easterly line of said Lot 2 and a westerly line of said 12,726-acre tract, a distance of 199.35 feet to a 1/2-inch iron rod with a plastic cap, stamped "PACHECO KOCH" found for the northerly, northwest corner of said 12,726-acre tract, same being on the southerly right of way line of East University Drive (U. S. Highway 380 and U. S. Highway 377), a variable width right of way;

THENCE North 80°06'52" East, along the northerly line of said 12,726-acre tract and the southerly right of way line of said East University Drive (U. S. Highway 380 and U. S. Highway 377), a distance of 171.90 feet to a TXDOT aluminum right of way disk found for an angle point;

THENCE North 86°01'08" East, continuing along the northerly line of said 12,726-acre tract and the southerly right of way line of said East University Drive (U. S. Highway 380 and U. S. Highway 377), a distance of 33.67 feet to a 5/8-inch iron rod found for a northeast corner of said 12,726-acre tract, same being on the westerly line of Lot 1, Block 1 of Spencer Addition, an addition to the City of Denton, according to the Final Plat, recorded in Cabinet L, Page 149 of the Plat Records of Denton County, Texas;

THENCE South 00°28'39" East, departing the southerly right of way line of said East University Drive (U. S. Highway 380 and U. S. Highway 377), along the common line of said 12,726-acre tract and said Lot 1, Block 1, a distance of 196.64 feet to a 1/2-inch iron rod with a plastic cap, stamped "PACHECO KOCH" found for the southwest corner of said Lot 1;

THENCE North 80°20'12" East, along the common line of said 12,726-acre tract and said Lot 1, Block 1, a distance of 208.71 feet to a 1/2-inch iron rod with a plastic cap, stamped "PACHECO KOCH" found for the southeast corner of said Lot 1;

THENCE North 00°28'39" West, along the common line of said 12,726-acre tract and said Lot 1, Block 1, a distance of 196.59 feet to a 1/2-inch iron rod with a plastic cap, stamped "PACHECO KOCH" found for a northwesterly corner of said 12,726-acre tract, same being the southerly right of way line of said East University Drive (U. S. Highway 380 and U. S. Highway 377);

THENCE North 80°09'16" East, along the northerly line of said 12,726-acre tract and the southerly right of way line of said East University Drive (U. S. Highway 380 and U. S. Highway 377), a distance of 15.67 feet to a 1/2-inch iron rod found for the northerly, northeast corner of said 12,726-acre tract, same being on the westerly line of a called 0.272-acre tract of land, described in a deed to The With All Our Love Revocable Trust, as recorded in Instrument No. 2018-138216 of the Official Records of Denton County, Texas;

THENCE South 00°17'36" East, departing the southerly right of way line of said East University Drive (U. S. Highway 380 and U. S. Highway 377), along the common line of said 12,726-acre tract and said 0.272-acre tract, a distance of 196.74 feet to a 1/2-inch iron rod with a plastic cap found for the southwest corner of said 0.272-acre tract;

THENCE North 80°20'12" East, along the common line of said 12,726-acre tract and said 0.272-acre tract, a distance of 19.30 feet to a 1/2-inch iron rod with a plastic cap, stamped "PACHECO KOCH" found for a northeast corner of said 12,726-acre tract, same being the northwest corner of said Edwards tract;

THENCE North 80°06'35" East, along the northerly line of said Edwards tract, the southerly line of said 0.272-acre tract, the southerly line of a called 0.2203-acre tract of land, described in a deed to Noah Turribiarte and Jody Turribiarte, Co-Trustees of The With All Our Love Revocable Trust, as recorded in Instrument No. 2018-138217 of the Official Records of Denton County, Texas, and along the southerly line of a tract of land described in a deed to The Kelseo Descendant Trust, recorded in Instrument No. 2000-2143 of the Official Records of Denton County, Texas, a distance of 199.95 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set on the northerly line of said Edwards tract, same being on the southerly line of said Kelseo tract, same also being on the westerly right-of-way line of said Mayhill Road;

THENCE South 02°46'43" West, along the westerly right of way line of said Mayhill Road, a distance of 80.72 feet to a 5/8-inch iron rod with a red plastic cap, stamped "KHA" set for the beginning of a non-tangent curve to the right with a radius of 1,132.50 feet, a central angle of 07°30'59", and a chord bearing and distance of South 06°32'08" West, 148.46 feet;

THENCE in a southerly direction, continuing along the westerly right of way line of said Mayhill Road and along the easterly line of said 12,726-acre, with said non-tangent curve to the right, an arc distance of 148.57 feet to a 1/2-inch iron rod found for the end of said curve;

THENCE South 10°17'06" West, continuing along the easterly line of said 12,726-acre tract and the westerly right of way line of said Mayhill Road, a distance of 232.48 feet to a 1/2-inch iron rod with a plastic cap, stamped "PACHECO KOCH" found for the beginning of a tangent curve to the left with a radius of 1,267.50 feet, a central angle of 06°54'12", and a chord bearing and distance of South 06°49'59" West, 152.62 feet;

THENCE in a southerly direction, continuing along the easterly line of said 12,726-acre tract and the westerly right of way line of said Mayhill Road, with said tangent curve to the left, an arc distance of 152.72 feet to a 1/2-inch iron rod with a plastic cap, stamped "PACHECO KOCH" found for the end of said curve;

THENCE South 03°22'53" West, continuing along the easterly line of said 12,726-acre tract and the westerly right of way line of said Mayhill Road, a distance of 166.90 feet to a 1/2-inch iron rod with a plastic cap, stamped "PACHECO KOCH" found for the southeast corner of said 12,726-acre tract;

THENCE North 88°40'36" West, along the southerly line of said 12,726-acre tract and the westerly right of way line of said Mayhill Road, a distance of 15.01 feet to a 5/8-inch iron rod with a plastic cap, stamped "MCADAMS BOUNDARY" found for the northeast corner of aforesaid Tract 2 (4,147-acres);

THENCE South 03°21'33" West, along the easterly line of said Tract 2 (4,147-acres) and the westerly right of way line of said Mayhill Road, a distance of 74.55 feet to a 5/8-inch iron rod with a plastic cap, stamped "MCADAMS BOUNDARY" found for corner;

THENCE South 86°38'24" East, continuing along the easterly line of said Tract 2 (4,147-acres) and the westerly right of way line of said Mayhill Road, a distance of 15.00 feet to a 1/2-inch iron rod with a plastic cap, stamped "PACHECO KOCH" found for corner;

THENCE South 03°21'37" West, continuing along the easterly line of said Tract 2 (4,147-acres) and the westerly right of way line of said Mayhill Road, a distance of 221.62 feet to the POINT OF BEGINNING and containing 19,508 acres (849,750 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, VELOCIS DENTON SOUTH JV, LP AND EARL EDWARDS, do hereby adopt this plat designating the herein described property as **MAYHILL 380 BUSINESS PARK ADDITION**, an addition to Denton County, Texas, and do hereby dedicate to the public use forever the streets and alleys shown thereon, and do 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.

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

By: VELOCIS DENTON SOUTH JV, LP, a Delaware limited partnership

By: Velocis Industrial Denton North JV GP, LLC,
a Delaware limited liability company

By: _____
Signature

By: _____
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/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 _____, 2023.

Notary Public, State of Texas

By: DONALD EUGENE EDWARDS, INDEPENDENT EXECUTOR of the ESTATE OF EARL I. EDWARDS, DECEASED

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/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 _____, 2023.

Notary Public, State of Texas

LINE TABLE			LINE TABLE			CURVE TABLE					
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
L1	N80°05'58"E	19.32'	L23	S05°19'46"E	25.26'	C1	6°14'34"	159.52'	17.38'	N47°31'14"W	17.37'
L2	N80°05'58"E	16.00'	L24	S29°56'10"W	24.67'	C2	27°32'20"	45.17'	21.71'	N16°36'17"W	21.50'
L3	S09°39'48"E	15.18'	L25	S03°45'31"E	31.25'	C3	40°26'51"	25.06'	17.66'	S29°32'16"E	17.33'
L4	S69°39'48"E	17.42'	L26	S08°07'28"E	64.14'	C4	23°37'07"	60.18'	24.81'	S33°59'14"E	24.63'
L5	S20°20'12"W	40.00'	L27	S77°38'46"E	33.13'	C5	50°43'14"	161.10'	142.61'	S41°06'05"E	138.00'
L6	S41°49'45"E	37.29'	L28	N79°41'59"E	50.92'	C6	34°02'27"	70.22'	41.72'	N57°23'29"W	41.11'
L7	N41°49'45"W	57.78'	L29	S50°13'31"E	9.52'	C7	43°18'42"	37.56'	28.39'	N75°29'46"W	27.72'
L8	N20°20'12"E	40.00'	L30	S39°39'48"E	15.97'	C8	10°59'14"	134.04'	25.70'	N36°27'43"W	25.66'
L9	N69°39'48"W	8.85'	L31	S39°39'48"E	24.55'	C9	13°19'13"	25.00'	5.81'	S86°59'48"W	5.80'
L10	N09°39'48"W	31.11'	L32	N43°02'51"E	28.50'	C10	90°00'00"	25.00'	39.27'	S35°20'12"W	35.36'
L11	N86°38'24"W	16.00'	L33	N43°02'51"E	8.86'	C11	90°00'00"	49.00'	76.97'	S35°20'12"W	69.30'
L12	N03°21'36"E	16.00'	L34	N79°50'52"W	16.00'	C12	13°19'13"	49.00'	11.39'	S86°59'48"W	11.37'
L13	S86°38'24"E	16.00'	L35	N10°09'08"E	16.00'						
L14	S83°02'00"E	33.50'	L36	S79°50'52"E	16.00'						
L15	N78°03'16"E	43.60'	L37	N86°38'23"W	10.00'						
L16	N63°32'03"E	29.91'	L38	N86°20'35"W	58.04'						
L17	N19°27'34"E	35.18'	L39	S09°39'48"E	51.08'						
L18	N09°28'11"W	38.83'	L40	N09°39'48"W	46.40'						
L19	N39°46'40"W	54.89'	L41	S86°20'35"E	57.92'						
L20	N86°01'08"E	30.29'	L42	S79°42'54"E	10.00'						
L21	N80°06'52"E	175.32'									
L22	N80°08'14"E	205.96'									

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

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 _____, 20____.

Notary Public, State of Texas

APPROVED BY THE PLANNING AND ZONING COMMISSION

ON THIS THE _____ DAY OF _____, 2023

PLANNING AND ZONING CHAIRPERSON

CITY SECRETARY

PRELIMINARY PLAT
MAYHILL 380 BUSINESS PARK
ADDITION

LOT 1, BLOCK A

19.508 ACRES SITUATED IN THE
WILLIAM LOYD SURVEY, ABSTRACT NO. 774 AND
M. E. P. & P. RR. CO. SURVEY, ABSTRACT NO. 1469
CITY OF DENTON, DENTON COUNTY, TEXAS
CITY OF DENTON PROJECT NO. PP23-0003

SURVEYOR:	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	
N/A	JCC	KHA	FEB. 2023	067786841	2 OF 2	

APPLICANT:
Kimley-Horn and Associates, Inc.
100 W. Oak Street, Suite 203
Denton, TX 76201
Ph: 940-536-0175
Contact: Trey Braswell, P. E.
OWNER:
Velocis KBS Denton South JV, LP
300 Crescent Court, Suite 850
Dallas, Texas 75201
Ph: 972-974-6178
Contact: Huntley Lewis, P.E.
OWNER:
EARL EDWARDS
2308 Crestwood Place
Denton, Texas 76209

PRELIMINARY
THIS DOCUMENT SHALL NOT BE
RECORDED FOR ANY PURPOSE



March 20, 2023

Michelle Reynolds
City of Denton
215 E. McKinney Street
Denton, Texas 76201

RE: 380 Mayhill Industrial, PP23-0003

Michelle:

On behalf of the owner and applicant, I request that the preliminary plat associated with PP23-0003 be granted a 30-day extension in order that staff's comments may be more fully addressed for consideration at the April 26, 2023 Planning and Zoning commission meeting.

Please contact me at (940) 536-0176 or mack.mattke@kimley-horn.com should you have any questions or concerns related to this request.

Sincerely,

A handwritten signature in black ink that reads "Mack Mattke".

Mack Mattke, PE



City of Denton

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

Legislation Text

File #: FR23-0003, **Version:** 1

AGENDA CAPTION

Consider a request by LJA Engineering, Inc. for approval of a Final Replat of Glenwood Meadows Phase II. The 10.285-acre site is generally located at the southwest intersection of Ridgehurst Lane and Bonnie Brae Street in the City of Denton, Denton County, Texas. (FR23-0003, Glenwood Meadows Phase II, 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: March 29, 2023

SUBJECT

Consider a request by LJA Engineering, Inc. for approval of a Final Replat of Glenwood Meadows Phase II. The 10.285-acre site is generally located at the southwest intersection of Ridgheurst Lane and Bonnie Brae Street in the City of Denton, Denton County, Texas. (FR23-0003, Glenwood Meadows Phase II, Angie Manglaris).

BACKGROUND

The purpose of this Final Replat is to Replat Lot 1X, Block G of Glenwood Meadows to create a second phase of the development. The proposed replat would create 42 residential lots and 2 open space lots on 10.285 acres. The lot was originally platted as Lot 1X, Block G of Glenwood Meadows and shown as an open space lot on the approved Final Plat (FP20-0022.) At the time of Final Plat, two active gas wells were located along the western portion of the lot, and no residential lots could be platted within the 250-foot reverse gas well setback. The gas wells have since been plugged, allowing for additional residential lots to be created.

The subject property is zoned Planned-Development R6 (PD-R6) District. The Planned Development designation for this property was a transition from the previous Neighborhood Residential 6 zoning with overlay restrictions that limit the use of the subject property and surrounding acreage to only single-family detached dwellings at a maximum density of 2.29 units per acre.

Date Application Filed:	February 28, 2023
Planning & Zoning Commission Meeting:	March 29, 2023
Days in Review	29 Days

This application is being considered under TX LGC 212.009. 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 5). In accordance with Texas Local Government Code Section 212.009 the extension cannot exceed 30 days and could be granted to a date certain of April 26, 2023.

OPTIONS

1. Approve as submitted
2. Deny with reasons
3. Approve requested extension

RECOMMENDATION

Staff recommends denial of this Final Replat as it fails to meet the established criteria for approval. However, staff has no objection to the requested one-time 30-day extension to a date certain of April 26, 2023. See Exhibit 2 for detailed reasons for the recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
February 20, 2001	City Council	Annexation of subject site	Approved
February 20, 2001	City Council	Initial zoning designation of Agricultural (A)	Approved
February 2002	City Council	Rezoned to NR-2 in citywide rezoning	Approved
August 24, 2005	Planning and Zoning Commission	Rezone from NR-2 to NR-6 with overlay restricting use and density.	Recommended Approval
September 20, 2005	City Council	Rezone from NR-2 to NR-6 with overlay restricting use and density.	Approved
October 20, 2005	City Council	Request for Alternative Development Plan for an Environmentally Sensitive Area to reclaim 12.23 acres of undeveloped floodplain.	Approved
October 2019	City Council	Zoning transition from NR-6 to PD-R6.	Approved
January 22, 2020	Planning and Zoning Commission	Preliminary Plat	Approved
October 7, 2020	Planning and Zoning Commission	Final Plat	Approved

PUBLIC OUTREACH

Public outreach is not required for Final Replats.

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 Replat
5. Request for Extension

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

Prepared by:
Angie Manglaris, AICP
Senior Planner

Planning Staff Analysis

FR23-0003/ Glenwood Meadows Phase II

City Council District #4

Planning & Zoning Commission

REQUEST:

Final Replat for an approximately 10.285-acre tract.

APPLICANT:

Brighton Yau, on behalf of LJA Engineering.

RECOMMENDATION:

Staff recommends denial because the proposed Final Replat fails to meet the established approval criteria, 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>The Final Replat does not meet all review criteria, as detailed in Approval Criteria 4 and 10 below and 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. Provide the city assigned project number (FR23-0003) in the title block. (FPC 2.2)2. Provide written scale. (FPC 2.7)3. Indicate the monument size shown in the POINT OF BEGINNING (FPC 2.9)4. Show all line types in legend (FPC 2.12)5. Provide notes indicating how adequate water and wastewater service will be provided for the development. FPC 2.15)6. If water and/or sewer service will be provided through the City of Denton, include a note stating that the site will be served through City of Denton water/sewer. (FPC 2.16)7. Depict all overhead electric distribution and transmission line clearance zones intersecting or adjacent to the property. (FPC 2.22).8. Provide a clear 3" by 3" space in the lower right-hand corner of the plat for County filing information. (FPC 2.24).9. Ghost" in the previously approved lot lines. (FPC 3.2)</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
	<p>10. Include the areas expressed in square feet and acres for each lot. (FPC 3.3).</p> <p>11. Correct areas of overlapping text for all lot dimensions. (FPC 3.4).</p> <p>12. Include total area of the plat in square feet. Only acreage was provided. (FPC 5.3).</p> <p>13. Provide the purpose of the plat in a plat note. (FPC 5.8).</p> <p>14. Abandoned easements to be displayed via hatching pattern. (FPC 3.5).</p> <p>15. Dimension all existing R.O.W., Provide for R.O.W. and half-width R.O.W along Ridgehurst Lane and Bonnie Brae (Checklist 4.3).</p>			
<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> <p>The Final Plat does not meet all review criteria, as detailed in Approval Criteria 4 and 10 below.</p>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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.</p> <p>Findings:</p> <p>There is no conflict between the general review criteria and specific review criteria.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Prior Approvals				
<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> <p>The Final Replat is consistent with the previously approved overlay and density restrictions on the property.</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
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>Denton 2040 Comprehensive Plan's Future Land Use Map designates the subject property as Community Mixed Use. The proposed use is consistent with the designation.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
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></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> <p>In order for the proposed Final Replat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> 1. The drainage easement shown on lots 7 and 10 does not meet the minimum dimensions. (DDC 7.5.3.I). 2. Include homeowner's association covenants as they relate to the maintenance of the open space lots. (DDC 8.3.2.D). </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>The subject submittal is a Final Replat, and it was reviewed based on the established checklist and requirements.</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		<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>relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations.</p> <p>Findings:</p> <div>The Final Replat complies with all other regulations.</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></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>There are no environmentally sensitive areas (ESAs) on this property.</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> <div>This Final Replat is not expected to cause any significant adverse impacts on surrounding properties.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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>This development is not expected to result in significant adverse fiscal impacts on the city.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Compliance with Utility, Service, and Improvement Standards				

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<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 style="border: 1px solid black; padding: 10px;"> <p>The proposed replat is not compliant with all City regulations, as noted below:</p> <ol style="list-style-type: none"> DDC 7.7.4.E.7.: “A notation must be placed on the preliminary plat, final plat, site plan, and building permit identifying the dbh of trees to be preserved and the location of the lots that contain preserved trees. The notation shall limit any future unauthorized land disturbing activity or construction that would impact and/or damage the tree(s) preserved.” </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 style="border: 1px solid black; padding: 10px;"> <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 style="border: 1px solid black; padding: 10px;"> <p>Current capacity can accommodate the proposed development.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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>		<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 phasing is proposed for this replat.</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>This is a replat of a previously approved final plat. A preliminary plat is not required for replats.</div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. Whether the development will substantially comply with all requirements of this DDC. Findings: <div>The Final Replat is subject to the required corrections outlined herein.</div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Whether the development will comply with the applicable technical standards and specifications adopted by the City. Findings: <div>The proposed development will comply with all applicable standards and specifications adopted by the city which are applicable to a Final Replat.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FR23-0003 Site Location

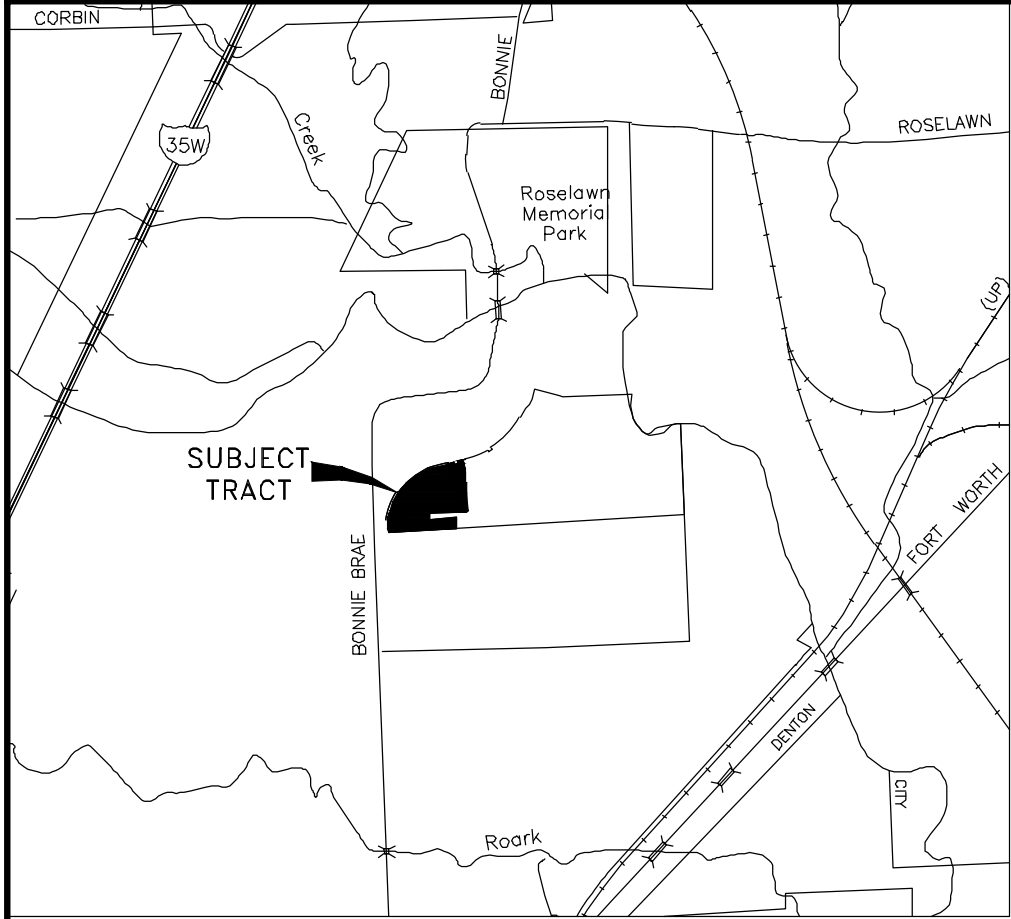


	SITE		COD		NAA 8/1/20
	Parcels		ETJ		NAA 8/1/40
	Roads		ETJ 2		

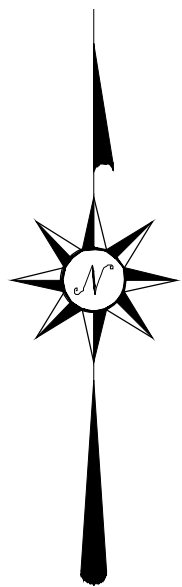
W N E S

CITY OF DENTON
Development Services • GIS
Date: 3/9/2023

*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.



VICINITY MAP
NOT TO SCALE



0 30' 60' 120'

BENCHMARKS:

NAVD88 DATUM

USGS BM T 949 ELEVATION = 617.88'

1.0 MILE NORTHEAST ALONG U.S. HIGHWAY 377 FROM THE TEXAS AND PACIFIC RAILWAY STATION AT AROYLE, DENTON COUNTY, AT A 6" BY 10" CONCRETE CULVERT, IN THE TOP OF THE NORTH END OF THE WEST HEADWALL, 24 FEET WEST OF THE CENTERLINE OF THE HIGHWAY AND LEVEL WITH THE HIGHWAY. A STANDARD DISK, STAMPED T 949 1946.
NOTE: THE CULVERT WAS WIDENED PRIOR TO MAY 1958 AND THE BENCH MARK IS NOW IN THE CENTER OF THE CULVERT.

BM #4 ELEVATION = 582.37'

"X" CUT ON TOP OF CURB INLET LOCATED ON THE NORTH BOUND LANE OF BONNIE BRAE STREET APPROXIMATELY 0.35 MILES NORTH OF THE INTERSECTION OF VINTAGE PARKWAY AND BONNIE BRAE STREET.

LEGEND:

- CIRS ○ 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET
- CIRF ● 1/2" IRON ROD WITH RED PLASTIC CAP STAMPED "GRAHAM ASSOCIATES, INC." FOUNDATION RECORD MONUMENT CONTROLLING MONUMENT
- (CM) GAS WELLHEAD
- BL BUILDING LINE
- DE DRAINAGE EASEMENT
- FP&DE FLOODPLAIN & DRAINAGE EASEMENT
- MFFE MINIMUM FINISHED FLOOR ELEVATION
- PUE PUBLIC UTILITY EASEMENT
- SQ. FT. SQUARE FEET
- (TYP.) TYPICAL
- P.R.D.C.T. PLAT RECORDS, DENTON COUNTY, TEXAS
- R.P.R.D.C.T. REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS

NOTES:

- 1) BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CIRS ARP (PID-DF8984) AND DENTON CIRS ARP (PID-DF8986).
- 2) ALL OPEN SPACES AND DRAINAGEWAYS/FACILITIES SHALL BE OWNED, OPERATED AND MAINTAINED BY HOME OWNERS ASSOCIATION (HOA) AS OPEN SPACE LOTS.

NOTE: LOT 2X, BLOCK G HOA OWNED & MAINTAINED OPEN SPACE 0.153 ACRES OR ±6,669 SQUARE FEET.
- 3) NO IMPROVEMENTS SHALL ENROACH WITHIN SIDE, REAR AND/OR FRONT YARD SET BACKS WHICH IMPEDES FLOWS.
- 4) LANDSCAPING SHALL BE INSTALLED AS REQUIRED BY CITY ORDINANCE, EXCEPT THAT EACH LOT MUST HAVE AT LEAST ONE 4 INCH CALIPER TREE, MEASURED 36 INCHES ABOVE GROUND, IN THE PLANTING AREA BETWEEN THE SIDEWALK AND THE STREET.
- 5) 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.
- 6) NO KNOWN EXISTING GAS, PETROLEUM, OR SIMILAR COMMON CARRIER EASEMENT OR PIPELINES ARE LOCATED WITHIN THE BOUNDARY OF THIS PLAT.

7) GAS WELL NOTIFICATION DISCLOSURE. PLEASE BE ADVISED THAT THE FOLLOWING REFERENCED PROPERTY(IES) LOTS 1-8 & 9X, BLOCK A, LOTS 6-8, BLOCK B, LOTS 1, 4-5, 6-10, 20-29 & 30X, BLOCK E AND LOTS 5-23, BLOCK F IS ARE LOCATED WITHIN 1000' RADIUS OF PRODUCING WELLS ON A DRILLING AND PRODUCTION SITE(S) AND THERE IS A POSSIBILITY THAT NEW WELLS MAY BE DRILLED AND FRACTURE STIMULATED ON THE DRILLING AND PRODUCTION SITE(S), AS WELL AS THE POSSIBILITY THAT GAS WELLS ON THE DRILLING AND PRODUCTION SITE(S) MAY BE RE-DRILLED AND/OR RE-FRACTURE STIMULATED IN THE FUTURE. THIS NOTICE IS REQUIRED BY DENTON DEVELOPMENT CODE 35.16.7.E.4 AS AMENDED.

8) ALL BUILDINGS ON LOTS WITH A DESIGNATED MINIMUM FINISHED FLOOR (MFFE) ELEVATION, DUE TO THE VICINITY OF FEMA FLOODPLAIN, REQUIRE A FEMA ELEVATION CERTIFICATE TO BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.

LINE	BEARING	DISTANCE
L1	S56°16'35"E	8.88'
L2	N80°44'21"E	44.03'
L3	S10°28'06"E	18.42'
L4	N79°31'54"E	40.00'
L5	N10°28'06"W	26.85'
L6	N79°31'54"E	47.50'
L7	S55°28'08"E	21.21'
L8	S10°28'09"E	34.57'
L9	S43°04'29"W	14.14'
L10	S01°55'31"E	55.00'
L11	S01°55'31"E	117.50'
L12	S43°04'29"W	14.14'
L13	S46°55'31"E	14.14'
L14	N01°55'31"W	33.50'
L15	N39°13'08"E	18.19'
L16	N01°55'31"W	33.50'
L17	S46°55'31"E	14.14'
L18	N43°04'29"E	14.14'
L19	N79°31'54"E	38.10'

CURVE	CENTRAL ANGLE	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	023°26'49"	752.50'	N21°55'02"E	305.80'	307.94'
C2	031°02'52"	760.48'	N52°32'36"E	407.07'	412.09'
C3	007°29'29"	1,762.34'	N76°59'37"E	230.26'	230.42'
C4	004°16'19"	757.07'	S09°24'16"E	56.43'	56.45'
C5	004°16'19"	377.52'	S04°03'40"E	28.14'	28.15'
C6	013°42'16"	250.00'	S81°13'21"W	59.65'	59.80'
C7	027°24'32"	200.00'	S88°04'29"W	94.76'	95.67'
C8	013°42'16"	250.00'	N85°04'23"W	59.65'	59.80'
C9	074°42'29"	30.00'	N54°34'17"W	36.40'	39.12'
C10	254°42'29"	61.00'	N35°25'43"E	96.98'	271.18'
C11	074°42'29"	30.00'	N54°34'17"W	36.40'	39.12'
C12	254°42'29"	61.00'	N35°25'43"E	96.98'	271.18'

**A
REPLAT
OF
LOT 1X, BLOCK G,
LOT 9X, BLOCK A &
A PORTION OF EMERALD TRACE DRIVE
GLENWOOD MEADOWS
10.285 ACRES
42 RESIDENTIAL LOTS,
2 OPEN SPACE LOTS
IN THE
WILLIAM ROARK SURVEY, ABSTRACT NO. 1087
CITY OF DENTON, DENTON COUNTY, TEXAS**

Date: FEBRUARY 2023 JOB NO. 0049

OWNER: BLOOMFIELD HOMES, L.P.
1050 E. HWY 114 #210
SOUTHLAKE, TEXAS 76092
(817) 416-1572

LJA Surveying, Inc.
6060 North Central Expressway Suite 400
Dallas, Texas 75206
Phone 469.621.0710
T.B.P.E.L.S. Firm No. 10194382



OWNERS CERTIFICATE

STATE OF TEXAS)
COUNTY OF DENTON)

BEING A 10.285 ACRE OR (448,007 SQUARE FOOT) TRACT OF LAND SITUATED IN THE WILLIAM ROARK SURVEY, ABSTRACT NUMBER 1087, IN THE CITY OF DENTON, DENTON COUNTY, TEXAS, SAID TRACT BEING ALL OF LOT 9X, BLOCK A, LOT 1X, BLOCK G, AND A PORTION OF EMERALD TRACE DRIVE OF GLENWOOD MEADOWS, SUBDIVISION TO THE CITY OF DENTON, TEXAS ACCORDING TO THE FINAL PLAT RECORDED IN COUNTY CLERK'S FILE NUMBER 2020-420 OF THE PLAT RECORDS, DENTON COUNTY, TEXAS, SAID TRACT WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DT9884) AND DENTON CORS ARP (PID-DT9886), SAID 10.285 ACRE TRACT BEING PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, AT A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC." CAP FOUND FOR THE SOUTHWEST CORNER OF SAID GLENWOOD MEADOWS, SAID CORNER BEING THE NORTHWEST CORNER OF THE MEADOWS AT HICKORY CREEK, PHASE ONE, AN ADDITION TO THE CITY OF DENTON, DENTON COUNTY, TEXAS ACCORDING TO THE FINAL PLAT RECORDED IN COUNTY CLERK'S FILE NUMBER 2006-146257 OF THE PLAT RECORDS, DENTON COUNTY, TEXAS, ALSO RECORDED AS CABINET X, PAGE 420 OF SAID PLAT RECORDS, AND SAID CORNER BEING ON THE EAST RIGHT-OF-WAY LINE OF BONNIE BRAE STREET (A VARIABLE WIDTH RIGHT-OF-WAY);

THENCE, NORTH 01 DEGREE 19 MINUTES 06 SECONDS WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 135.46 FEET TO A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC." CAP FOUND FOR CORNER AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 23 DEGREES 26 MINUTES 49 SECONDS, A RADIUS OF 752.50 FEET, AND A LONG CHORD THAT BEARS NORTH 21 DEGREES 55 MINUTES 02 SECONDS EAST, A DISTANCE OF 305.80 FEET;

THENCE, DEPARTING SAID EAST RIGHT-OF-WAY LINE AND ALONG THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID BONNIE BRAE STREET THE FOLLOWING COURSES AND DISTANCES:

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 307.94 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 56 DEGREES 16 MINUTES 35 SECONDS EAST, A DISTANCE OF 8.88 FEET TO A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC." CAP FOUND FOR CORNER AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 31 DEGREES 02 MINUTES 52 SECONDS, A RADIUS OF 760.48 FEET, AND A LONG CHORD THAT BEARS NORTH 52 DEGREES 32 MINUTES 36 SECONDS EAST, A DISTANCE OF 407.07 FEET;

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 412.09 FEET TO A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC." CAP FOUND FOR CORNER AND THE BEGINNING OF A COMPOUND CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 07 DEGREES 29 MINUTES 29 SECONDS, A RADIUS OF 1,762.34 FEET, AND A LONG CHORD THAT BEARS NORTH 76 DEGREES 59 MINUTES 37 SECONDS EAST, A DISTANCE OF 230.26 FEET;

ALONG SAID COMPOUND CURVE TO THE RIGHT, AN ARC DISTANCE OF 230.42 FEET TO A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC." CAP FOUND FOR CORNER;

NORTH 80 DEGREES 44 MINUTES 21 SECONDS EAST, A DISTANCE OF 44.03 FEET TO A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC." CAP FOUND FOR CORNER;

SOUTH 10 DEGREES 28 MINUTES 06 SECONDS EAST, A DISTANCE OF 18.42 FEET TO A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC." CAP FOUND FOR CORNER;

NORTH 79 DEGREES 31 MINUTES 54 SECONDS EAST, A DISTANCE OF 40.00 FEET TO A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC." CAP FOUND FOR CORNER;

NORTH 10 DEGREES 28 MINUTES 06 SECONDS WEST, A DISTANCE OF 26.85 FEET TO A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC." CAP FOUND FOR CORNER;

NORTH 79 DEGREES 31 MINUTES 54 SECONDS EAST, A DISTANCE OF 47.50 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER, FROM WHICH A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC." CAP FOUND BEARS NORTH 79 DEGREES 31 MINUTES 54 SECONDS EAST, A DISTANCE OF 36.10 FEET;

THENCE, DEPARTING THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID BONNIE BRAE STREET AND ALONG THE WEST RIGHT-OF-WAY LINE OF RIDGEHURST LANE (A 55-FOOT RIGHT-OF-WAY) DEDICATED BY SAID GLENWOOD MEADOWS, SAME BEING THE COMMON WEST LINE OF SAID LOT 1X THE FOLLOWING COURSES AND DISTANCES:

SOUTH 55 DEGREES 28 MINUTES 08 SECONDS EAST, A DISTANCE OF 21.21 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 10 DEGREES 28 MINUTES 09 SECONDS EAST, A DISTANCE OF 34.57 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 04 DEGREES 16 MINUTES 19 SECONDS, A RADIUS OF 757.07 FEET, AND A LONG CHORD THAT BEARS SOUTH 09 DEGREES 24 MINUTES 16 SECONDS EAST, A DISTANCE OF 56.43 FEET;

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 56.45 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AND THE BEGINNING OF A COMPOUND CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 04 DEGREES 16 MINUTES 19 SECONDS, A RADIUS OF 377.52 FEET, AND A LONG CHORD THAT BEARS SOUTH 04 DEGREES 03 MINUTES 40 SECONDS EAST, A DISTANCE OF 28.14 FEET;

ALONG SAID COMPOUND CURVE TO THE RIGHT, AN ARC DISTANCE OF 28.15 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 01 DEGREE 55 MINUTES 31 SECONDS EAST, A DISTANCE OF 404.39 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE NORTH CORNER OF A CORNER CLIP AT THE INTERSECTION OF SAID RIDGEHURST LANE AND EMERALD TRACE DRIVE (A 55-FOOT RIGHT-OF-WAY) DEDICATED BY SAID GLENWOOD MEADOWS;

THENCE, SOUTH 43 DEGREES 04 MINUTES 29 SECONDS WEST, ALONG THE NORTHWEST LINE OF SAID CORNER CLIP, SAME BEING THE SOUTHEAST LINE OF SAID LOT 1X, A DISTANCE OF 14.14 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE WEST CORNER OF SAID CORNER CLIP;

THENCE, SOUTH 88 DEGREES 04 MINUTES 29 SECONDS WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID EMERALD TRACE DRIVE, SAME BEING THE COMMON MOST EASTERLY SOUTH LINE OF SAID LOT 1X, A DISTANCE OF 395.23 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 01 DEGREE 55 MINUTES 31 SECONDS EAST, DEPARTING SAID COMMON LINE AND OVER AND ACROSS SAID EMERALD TRACE DRIVE, A DISTANCE OF 55.00 FEET TO A POINT FOR CORNER ON THE SOUTH RIGHT-OF-WAY LINE OF SAID EMERALD TRACE DRIVE;

THENCE, NORTH 88 DEGREES 04 MINUTES 29 SECONDS EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID EMERALD TRACE DRIVE, SAME BEING THE COMMON NORTH LINE OF SAID LOT 9X, A DISTANCE OF 276.43 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

THENCE, SOUTH 01 DEGREE 55 MINUTES 31 SECONDS EAST, DEPARTING SAID COMMON LINE AND ALONG THE EAST LINE OF SAID LOT 9X, A DISTANCE OF 117.50 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER ON THE SOUTH LINE OF SAID GLENWOOD MEADOWS, SAME BEING THE COMMON NORTH LINE OF SAID THE MEADOWS AT HICKORY CREEK, FROM WHICH A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC." CAP FOUND BEARS NORTH 79 DEGREES 31 MINUTES 54 SECONDS EAST, A DISTANCE OF 2,397.04 FEET;

THENCE, SOUTH 88 DEGREES 04 MINUTES 29 SECONDS WEST, ALONG SAID COMMON LINE, A DISTANCE OF 720.24 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 10.285 ACRES, OR 448,007 SQUARE FEET OF LAND MORE OR LESS.

OWNERS DEDICATION

AND DESIGNATED HEREIN AS GLENWOOD MEADOWS, SUBDIVISION TO THE CITY OF DENTON, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATED TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS RIGHT-OF-WAY AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

WITNESS MY HAND THIS THE ____ DAY OF _____, 2023

ON BEHALF OF: BLOOMFIELD HOMES, L.P.,
A TEXAS LIMITED PARTNERSHIP

BY: BLOOMFIELD PROPERTIES, INC.,
A TEXAS CORPORATION,
GENERAL PARTNER

BY: _____
DONALD J. DYKSTRA, PRESIDENT

STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED THE PERSON WHOSE NAME IS DONALD J. DYKSTRA SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

NOTARY ID# _____

MY COMMISSION EXPIRES: _____

SURVEYORS CERTIFICATE

I, CHRIS MATTEO, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE MAP SHOWN HEREON ACCURATELY REPRESENTS THE DESCRIBED PROPERTY AS DETERMINED BY A SURVEY, MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT UPON COMPLETION OF CONSTRUCTION 5/8" IRON RODS CAPPED "LJA SURVEYING" WILL BE SET AT ALL BOUNDARY CORNERS, UNLESS OTHERWISE NOTED. THE MONUMENTS OR MARKS SET, OR FOUND, ARE SUFFICIENT TO ENABLE RETRACEMENT.

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.

CHRIS MATTEO
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6501

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED CHRIS MATTEO, KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

NOTARY ID# _____

MY COMMISSION EXPIRES: _____

DRAINAGE AND DETENTION EASEMENTS

THIS PLAT IS HEREBY ADOPTED BY THE HOMEOWNERS ASSOCIATION AND APPROVED BY THE CITY OF DENTON (CALLED "CITY") SUBJECT TO THE FOLLOWING CONDITIONS THAT SHALL BE BINDING UPON THE HOMEOWNERS ASSOCIATION, THEIR HEIRS, GRANTEES, AND SUCCESSORS: THE DRAINAGE AND DETENTION EASEMENTS 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 AND DETENTION EASEMENTS. THE CITY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF SAID EASEMENTS OR FOR ANY DAMAGE TO PRIVATE PROPERTY OR PERSON THAT RESULTS FROM CONDITIONS IN THE EASEMENTS, 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 EASEMENTS, AS HEREIN ABOVE DEFINED, UNLESS APPROVED BY THE CITY. THE HOMEOWNERS ASSOCIATION SHALL KEEP THE DRAINAGE AND DETENTION EASEMENTS 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 HOMEOWNERS ASSOCIATION 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 EASEMENTS TO REMOVE ANY OBSTRUCTION TO THE FLOW OF WATER, AFTER GIVING THE HOMEOWNERS ASSOCIATION WRITTEN NOTICE OF SUCH OBSTRUCTION AND THE HOMEOWNERS ASSOCIATION FAILS TO REMOVE SUCH OBSTRUCTION, THE CITY OF DENTON SHALL BE REIMBURSED BY THE HOMEOWNERS ASSOCIATION REASONABLE COSTS FOR LABOR, MATERIALS, AND EQUIPMENT FOR EACH INSTANCE. THE NATURAL DRAINAGE THROUGH THE DRAINAGE AND DETENTION EASEMENTS ARE 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 EASEMENTS OR OTHERWISE.

CERTIFICATE OF APPROVAL

APPROVED THIS ____ DAY OF _____, 20____ BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF DENTON, TEXAS.


SIGNED: _____
CHAIR

ATTEST: _____
CITY SECRETARY

**A
REPLAT
OF
LOT 1X, BLOCK G,
LOT 9X, BLOCK A &
A PORTION OF EMERALD TRACE DRIVE
GLENWOOD MEADOWS
10.285 ACRES
42 RESIDENTIAL LOTS,
2 OPEN SPACE LOTS
IN THE
WILLIAM ROARK SURVEY, ABSTRACT NO. 1087
CITY OF DENTON, DENTON COUNTY, TEXAS**

Date: FEBRUARY 2023 JOB NO. 0049

OWNER: BLOOMFIELD HOMES, L.P.
1050 E. HWY 114 #210
SOUTHLAKE, TEXAS 76092
(817) 416-1572

LJA Surveying, Inc. 
6060 North Central Expressway Phone 469.621.0710
Suite 400
Dallas, Texas 75206 T.B.P.E.L.S. Firm No. 10194382

Monday, March 20, 2023
Development Services – Planning Division
City of Denton
401 N Elm Street
Denton, TX 76201

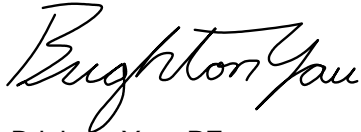
Re: 30-Day Extension Request
Glenwood Meadows Phase 2 Replat - FR23-0003

Dear Ms. Manglaris,

In response to the Glenwood Meadows Phase 2 Replat (FR23-0003) comments received on Thursday March 16, 2023 and the staff recommendation for denial, I would like to request a 30-day extension.

Please let me know if you require any additional information to approve this request.

Sincerely,



Brighton Yau, PE
Project Engineer



City of Denton

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

Legislation Text

File #: MP22-0032b, **Version:** 1

AGENDA CAPTION

Consider a request by 2500 Panhandle LLC, for a Final Plat for Lots 1R3, 1R4, and 1R5, Block C, of Rayzor Ranch East. The approximately 2.907-acre site is generally located at the southwest corner of the intersection of Linden Drive and North Bonnie Brae Street, in the City of Denton, Denton County, Texas. (MP22-0032b, Rayzor Ranch East, 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: March 29, 2023

SUBJECT

Consider a request by 2500 Panhandle LLC, for a Final Plat for Lots 1R3, 1R4, and 1R5, Block C, of Rayzor Ranch East. The approximately 2.907-acre site is generally located at the southwest corner of the intersection of Linden Drive and North Bonnie Brae Street, in the City of Denton, Denton County, Texas. (MP22-0032b, Rayzor Ranch East, Mia Hines).

BACKGROUND

The purpose of this Minor Plat is to subdivide the existing Lot 1R, Block C of Rayzor Ranch East into three lots for the development of three medical office facilities. The subject property located at the southwest corner of Linden Drive and North Bonnie Brae Street and was recently rezoned from the Rayzor Ranch Overlay (RRO) District to the Mixed-Use Neighborhood (MN) District. As of the time of this report, the proposed minor plat does not meet the established criteria.

Minor Plat's are a type of administratively approved plat; however, Section 2.6.2C.3.b of the DDC specifies that the Director shall refer any administratively approved plat to the P&Z if the plat is recommended for denial.

Date Application Filed:	October 18, 2022
Days in Review:	29 Days
Date Extension Approved:	November 16, 2022
Days in Review:	21 Days
Date Application Withdrawn:	December 7, 2022
Date Application Resubmitted:	December 27, 2022
Days in Review:	21 Days
Date Application Withdrawn:	January 17, 2023
Date Application Resubmitted:	February 28, 2023
Planning & Zoning Commission:	March 29, 2023
Days in Review:	29 Days

This application is being considered under TX LGC 212.0065 and 212.009.

The applicant has been granted a 30-day extension to allow for additional time to work through staff's comments on the plat and additional review. In accordance with the Texas Local Government Code Section 212.009, the extension could not exceed 30 day and was granted to a date certain of December 14, 2022. The Texas Local Government Code does not allow for the granting of a second extension.

OPTIONS

1. Approve as submitted.
2. Deny with reasons.

RECOMMENDATION

Staff recommends denial of this minor plat as it does not meet the established criteria. See Planning Staff Analysis (Exhibit 2) for additional details.

PUBLIC OUTREACH:

Public outreach is not required for a Minor Plat.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
July 25, 2018	Planning & Zoning Commission	Preliminary Plat (PP18-0006)	Approved
January 23, 2019	Planning & Zoning Commission	Final Plat (FP18-0025a)	Approved
August 8, 2022	Planning & Zoning Commission	Rezone RRO to MN (Z21-0019)	Recommend Approval
August 10, 2022	Planning & Zoning Commission	Final Replat (Extension Request)	Extension Approved
August 24, 2022	Planning & Zoning Commission	Final Replat (FR22-0007)	Approved
September 20, 2022	City Council	Rezone RRO to MN (Z21-0019)	Approved

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. Minor Plat

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

Prepared by:
Mia Hines
Associate Planner

Planning Staff Analysis

MP22-0032b / Rayzor Ranch East

Planning & Zoning Commission

REQUEST:

Minor Plat for Lots 1R3, 1R4, and 1R5, Block C of Rayzor Ranch East.

APPLICANT:

97 Land Company on behalf of 2500 Panhandle LLC

RECOMMENDATION:

Staff recommends denial as the proposed Minor Plat does not meet the established approval criteria, 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>As discussed in specific criteria below, proposed development does not comply with all general review criteria.</div>	<input type="checkbox"/>	<input checked="" 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>As discussed in specific criteria below, proposed development does comply with all of the additional review criteria for a Minor Plat (a subset of Administratively Approved plats).</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			
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	<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
development and installation of public improvements and amenities. Findings: <div>Staff approved plans for the development of Lot 1R1, Block C of Rayzor Ranch East indicate a temporary turn around within a proposed access easement to be established within the proposed Lot 1R3 by the property owner for this application. These improvements must be shown in the plat submittal per Final Plat Checklist Section 3.6.</div>			
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></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"/>
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></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
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 of staff to demonstrate compliance with City codes per DDC Section 2.4.4B. Besides the items discussed in Criterion #2 above, the proposed Minor Plat complies with all applicable DDC standards and requirements from the Final Plat Checklist.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings:	<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>The minor plat was submitted at the appropriate level of detail but does not comply with the applicable DDC standards as detailed above.</p>				
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> <p>The proposed development complies with all other applicable regulations.</p>		<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> <p>There are no interlocal or development agreements applicable to this property.</p>		<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> <p>This Minor Plat is not expected to cause any significant adverse impacts on the natural environment.</p>		<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> <p>This Minor Plat is not expected to cause any significant adverse impacts on surrounding properties.</p>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Minimizes Adverse Fiscal Impacts				

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p>a. The proposed development should not result in significant adverse fiscal impacts on the city. Findings:</p> <div>Private water and wastewater facilities are already in place to serve this property. This development is not expected to result in significant adverse fiscal impacts on the city.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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. Findings:</p> <div>The proposed Minor Plat is compliant will all other city regulations and all applicable regulations of other relevant jurisdictions.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

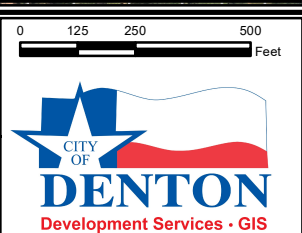
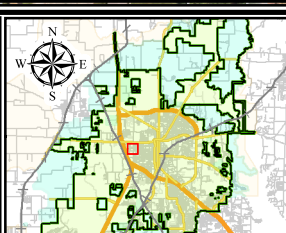
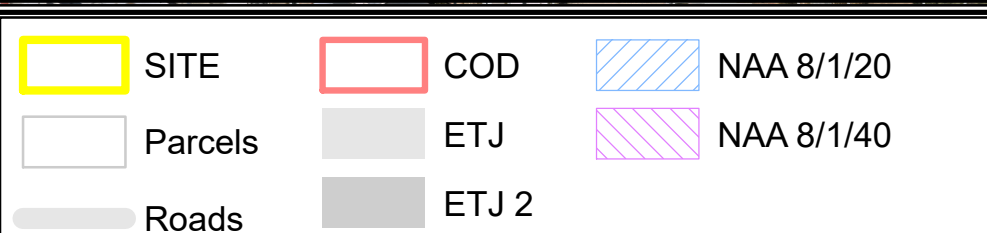
11. Provides Adequate Road Systems			
<p>a. Adequate road capacity shall exist to serve the uses permitted under the proposed development, and the proposed uses shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services. Findings:</p> <div>Adequate road capacity exists to serve the subject property and provide adequate access for all emergency services.</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. Findings:</p> <div>Current capacity can accommodate the proposed development.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

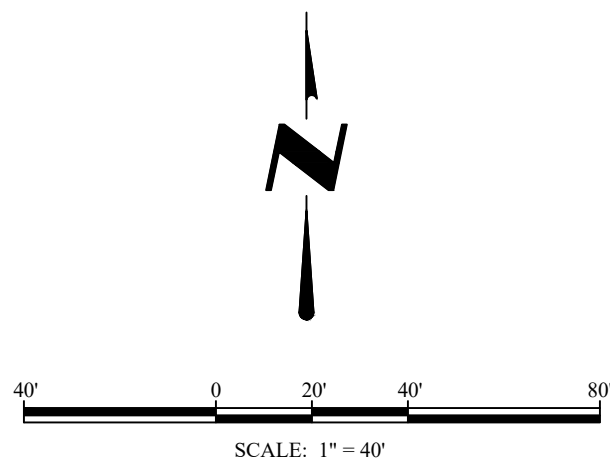
Findings: <div>No phasing is proposed for this development.</div>			
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Minor Plat Review Applicability Criteria (DDC Section 2.6.2.D)	Applicability		
	Met	Not Met	N/A
In reviewing an administratively approved plat application, the Director shall consider the general approval criteria in Subsection 2.4.5 and whether the application:			
14. Is consistent with the intent of the underlying zoning district. Findings: <div>The minor plat is consistent with the MN District.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Complies with applicable dimensional and development standards in this DDC. Findings: <div>The minor plat complies with applicable dimensional and development standards of the DDC.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Does not affect a recorded easement without approval from the easement holder. Findings: <div>The plat does not affect any recorded easement.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will not result in adverse impacts to surrounding property. Findings: <div>This review did not indicate that proposed project will result in adverse impacts to surrounding property.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Will not limit the city's ability to provide adequate and sufficient facilities or services; and Findings: <div>Private water and wastewater facilities are already in place to serve this property. This development is not expected to result in significant adverse fiscal impacts on the city.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Complies with all other ordinances and plans and regulations adopted by the city, including the Comprehensive Plan and other long-range or special area planning documents. Findings: <div>The proposed Minor Plat complies will all other city regulations.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

MP22-0032

Site Location



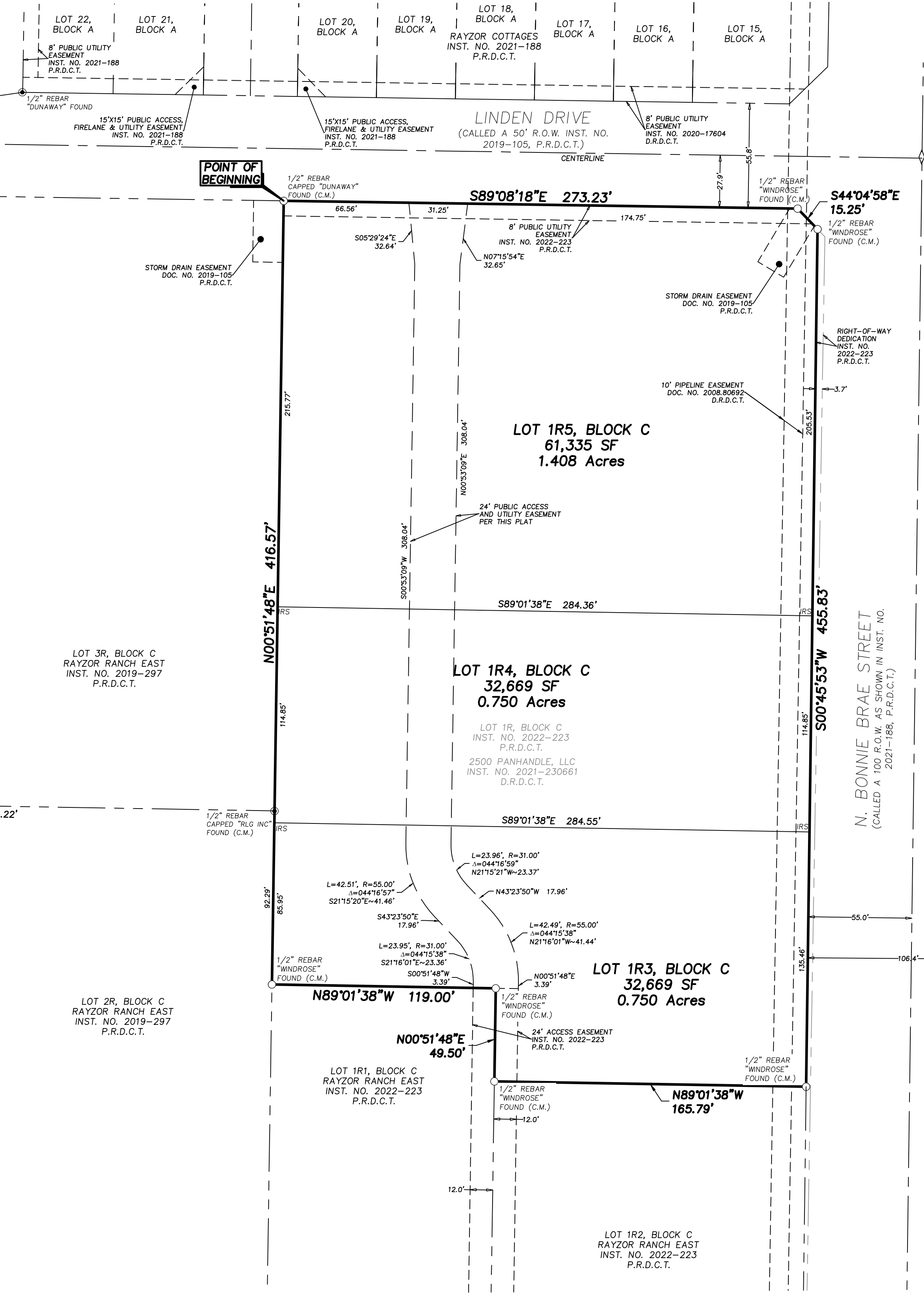


SURVEYOR'S NOTES:

- Bearings and distances are based on Texas State Plane Coordinate System, Texas North Central Zone 4202 North American Datum of 1983 (NAD 83) (U.S. Foot) with a combined scale factor of 1.000150630.
- This property lies within Zone "X" Unshaded of the Flood Insurance Rate Map for Denton County, Texas and Incorporated Areas, map no. 48121C0360G, dated April 18, 2011, via scaled map location and graphic plotting.
- Notice: Selling a portion of this addition by metes and bounds is a violation of City subdivision ordinance and state platting statutes and is subject to fines and withholding of utilities and building certificates.
- The purpose of this plat is to create 3 lots from a previously recorded lot.
- Private improvements cannot encroach onto existing public or private easements.
- Please be advised that referenced subject property, shown within this plat, is located within a 1000' radius of producing wells on a Drilling and Production Site and there is a possibility that new wells may be drilled and fracture stimulated on the Drilling and Production Site(s), as well as the possibility that gas wells on the Drilling and Production Site(s) may be re-drilled and/or re-fracture stimulated in the future. This notice is required by Denton Development Code 8.3.5 as amended.
- There was no observed evidence of any protected trees on the subject property at the time of the survey.
- Sewer to be provided via gravity sewer.

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.



STATE OF TEXAS §

COUNTY OF DENTON §

This is to certify that I, Mark N. Peoples, a Registered Professional Land Surveyor of the State of Texas, have platted the subdivision from an actual survey on the ground, and that this plat correctly represents that survey made by me or under my direction and supervision.

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT DATED 12/27/2022

Mark N. Peoples, R.P.L.S.
No. 6443

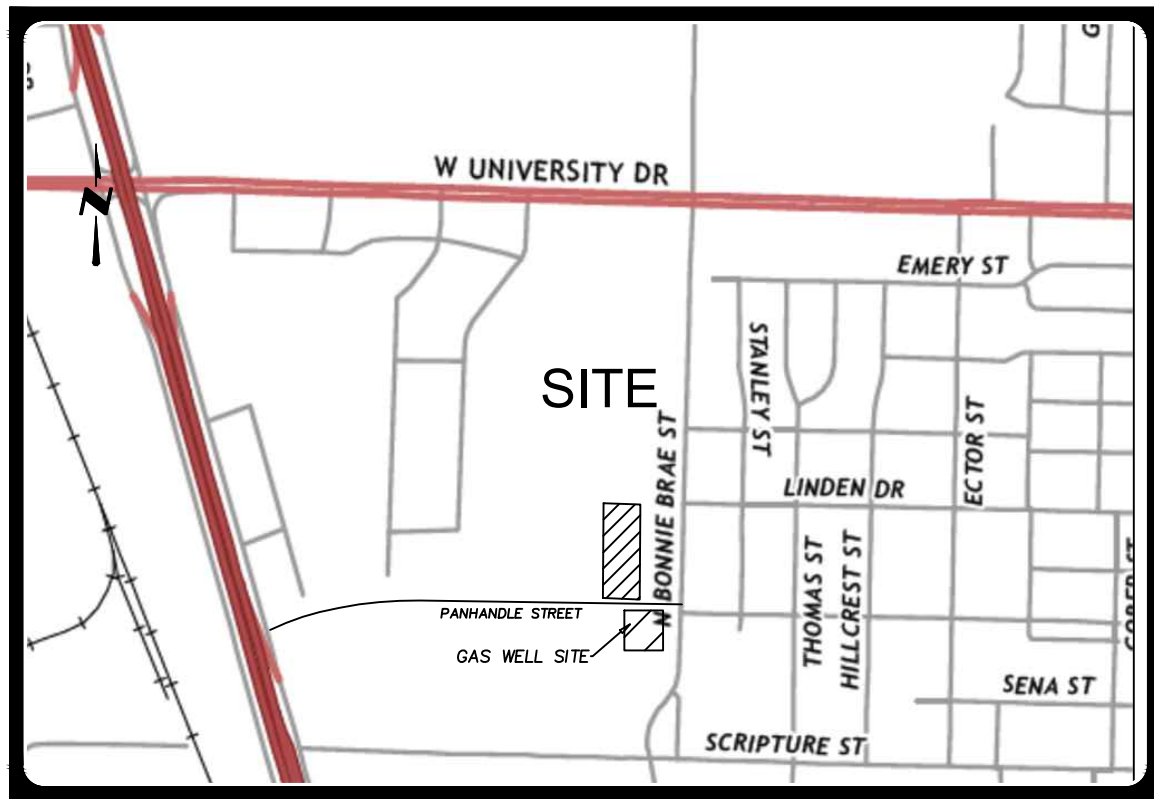
STATE OF TEXAS §

COUNTY OF DENTON §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Mark N. Peoples, 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 purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of ____ 20__.

Notary Public in and for the State of Texas VICINITY MAP
NOT TO SCALE



LEGEND OF ABBREVIATIONS

- D.R.D.C.T. DEED RECORDS, DENTON, TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS
- P.R.D.C.T. PLAT RECORDS, DENTON COUNTY, TEXAS
- ROW RIGHT OF WAY
- IRS 1/2 INCH CAPPED REBAR STAMPED "WINDROSE" SET
- C.M. CONTROLLING MONUMENT
- PROPOSED EASEMENT
- BOUNDARY LINE
- PROPOSED LOT LINE
- ROW LINE

APPROVED by the City of Denton Development Assistance Team on this the ____ day of ____, 20__.

Director of Development Services

Attest:

City Secretary

ENGINEER

Cranell Crannell and Martin
Engineering
2570 FM 407, Suite 209
Highland Village, Texas 75077
Phone: 972-691-6633

OWNER/DEVELOPER

2500 Panhandle, LLC
531 N. Locust Street,
Denton, Texas 76201
Phone: 940-367-3089



1955 LAKEWAY DRIVE, SUITE 220 | LEWISVILLE, TX 75057 | 214.217.2544
FIRM REGISTRATION NO. 10194331 | WINDROSESERVICES.COM

DRAWN BY: G.L.C. DATE: 10/13/2022 CHECKED BY: M.P. JOB NO.: D57635

Point of Contact:
Grayson CeBallos
972-370-5871
grayson.ceballos@windroseservices.com
Last Revision Date: 10/13/2022

STATE OF TEXAS §

COUNTY OF DENTON §

WHEREAS 2500 Panhandle, LLC are the owners of a 2.908 acre tract of land situated in the B.B.B. & C.R.R. Survey, Abstract Number 192, Denton County, Texas and being all of Lot 1R, Block C of Rayzor Ranch East, an addition to the City of Denton, as recorded in Instrument Number 2022-223, Plat Records, Denton County, Texas and being a portion of a tract of land described to 2500 Panhandle, LLC by Special Warranty Deed recorded in Instrument Number 2021-230661, Deed Records, Denton County, Texas and being more particularly described by metes and bounds as follows: (Bearings and Distances are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD83) (US Foot) with a combined scale factor of 1.000150630);

BEGINNING at a 1/2 inch rebar capped "DUNAWAY" found for the northwest corner of said Lot 1R, same being the northeast corner of Lot 3R, Block C of Rayzor Ranch East, an addition to the City of Denton, as recorded in Instrument Number 2019-297, Plat Records, Denton County, Texas and lying on the south right-of-way line of Linden Drive (Called a 50 foot right-of-way);

THENCE South 89 degrees 08 minutes 18 seconds East, with the south right-of-way line of said Linden Drive, a distance of 273.23 feet to a 1/2 inch rebar capped "WINDROSE" found for the northeast corner of said Lot 1R, same being the northernmost point of an intersection of the south right-of-way line of said Linden Drive and the west right-of-way line of North Bonnie Brae Street (Called a 100 foot right-of-way);

THENCE South 44 degrees 04 minutes 58 seconds East, with said intersection, a distance of 15.25 feet to a 1/2 inch rebar capped "WINDROSE" found for corner;

THENCE South 00 degrees 45 minutes 53 seconds West, with the west right-of-way line of said North Bonnie Brae Street, a distance of 455.83 feet to a 1/2 inch rebar capped "WINDROSE" found for the northeast corner of Lot 1R2, Block C of said first referenced Rayzor Ranch East, same being the southeast corner of said Lot 1R;

THENCE North 89 degrees 01 minutes 38 seconds West, departing the west right-of-way line of said North Bonnie Brae Street, with the north line of said Lot 1R2, a distance of 165.79 feet to a 1/2 inch rebar capped "WINDROSE" found for the northwest corner of said Lot 1R2, same being a point on the east line of Lot 1R1, Block C of said first referenced Rayzor Ranch East;

THENCE North 00 degrees 51 minutes 48 seconds East, with the east line of said Lot 1R1, a distance of 49.50 feet to a 1/2 inch rebar capped "WINDROSE" found for the northeast corner of said Lot 1R1;

THENCE North 89 degrees 01 minutes 38 seconds West, with the north line of said Lot 1R1, a distance of 119.00 feet to a 1/2 inch rebar capped "WINDROSE" found for the northwest corner of said Lot 1R1, same being a point on the east line of Lot 2R, Block C of said second referenced Rayzor Ranch East;

THENCE North 00 degrees 51 minutes 48 seconds East, with the east line of said Lot 2R and said Lot 3R, a total distance of 416.57 feet to THE POINT OF BEGINNING and containing 126.673 square feet or 2.908 Acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT 2500 Panhandle, LLC, through its duly sworn representatives _____, does hereby adopt this plat designating the herein described property as RAYZOR RANCH EAST, in the City of Denton, Denton County, Texas and does hereby dedicate to the public use forever, the streets, rights-of-way and public easement shown hereon.

Authorized Representative

Printed Name

Title / Date

STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, 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 she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of ____ 20__.

Notary Public in and for the State of Texas

MINOR REPLAT
RAYZOR RANCH EAST
LOTS 1R3, 1R4
AND 1R5, BLOCK C

Being a Replat of Lot 1R, Block C of
Rayzor Ranch East, an addition
to the City of Denton
as recorded in
Inst. No. 2022-223, P.R.D.C.T.
Gross Acreage of 2.908 Acres
City of Denton, Denton County, Texas

-- 2022 -- CITY PROJ. NO. MP22-0032



City of Denton

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

Legislation Text

File #: PD21-0007b, **Version:** 1

AGENDA CAPTION

Hold a public hearing and consider making a recommendation to City Council regarding a request by Aimee Bisset, 97 Land Company, LLC., on behalf of the owner, Tony Riley, to rezone approximately 20.92 acres from a Suburban Corridor (SC) District to a Planned Development Mixed-Use Neighborhood (PD-MN) District. The site is generally located at the northeast corner of Loop 288 and FM 428, in the City of Denton, Denton County, Texas. THE APPLICANT HAS REQUESTED TO POSTPONE THIS ITEM TO A DATE CERTAIN OF APRIL 12, 2023. (PD21-0007, Sherman Drive Mixed Use, 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: March 29, 2023

SUBJECT

Hold a public hearing and consider making a recommendation to City Council regarding a request by Aimee Bisset, 97 Land Company, LLC., on behalf of the owner, Tony Riley, to rezone approximately 20.92 acres from a Suburban Corridor (SC) District to a Planned Development Mixed-Use Neighborhood (PD-MN) District. The site is generally located at the northeast corner of Loop 288 and FM 428, in the City of Denton, Denton County, Texas. THE APPLICANT HAS REQUESTED TO POSTPONE THIS ITEM TO A DATE CERTAIN OF APRIL 12, 2023. (PD21-0007, Sherman Drive Mixed Use, Angie Manglaris).

BACKGROUND

The request is a rezoning from Suburban Corridor (SC) District to a Planned Development (PD) District with a Mixed-Use Neighborhood (MN) base zoning district in order to facilitate the development and site design of a multifamily development. The proposed project includes a horizontal multifamily component as well as a traditional mid-rise apartment style component along with on-site amenities. While the subject property is currently zoned SC, which contemplates multifamily development with the approval of a Specific Use Permit (SUP), the applicant is pursuing a Planned Development with a base zoning of MN in lieu of the SUP due to the horizontal multifamily component, as described below.

The Planned Development application for this project was submitted to the City in November 2021. At the time of application, horizontal multifamily was not a use allowed within the Denton Development Code (DDC). The basis for the application was to create a PD that allowed for horizontal multifamily development as a permitted use and to develop associated site design standards. As part of DDC amendments that were adopted in October 2022, the definition of multifamily dwelling was updated to be inclusive of the horizontal multifamily product demand seen in the City. The amendments to the DDC would allow the applicant to submit for an SUP on the subject property to request approval of a multifamily development. However, since the Planned Development application for the proposed development had gone through several iterations of review at the time of the DDC amendments being adopted coupled with the fact that the PD also proposed multifamily design standards that differ from the DDC, staff determined moving the

project forward as a Planned Development request was the appropriate path forward for the development.

For any standard not specified in the PD Regulations, the PD proposes that the MN District would apply. The proposed PD Development Plan includes the following:

- 52 horizontal multifamily units, with a maximum height of 30 feet;
- Five (5) multifamily apartment buildings, with a maximum height of 60 feet;
- 185 garage parking spaces, 50 carport-covered parking spaces, 345 surface parking spaces;
- Onsite amenities, including trail connections throughout the site, a resident pool and amenity center, a fenced dog park and a pocket park;
- Landscape buffering along the northern property line and where adjacent to future commercial development; and
- Right-of-Way reservation of a half-width Residential Street along the eastern property line for future connectivity should the area warrant it.

At the March 15, 2023 Planning and Zoning Commission Meeting, the Planning and Zoning Commission considered this request and opened the public hearing. During the meeting, the applicant requested to postpone the item until the March 29, 2023 Planning and Zoning Commission meeting. The Commission voted (6-1) to continue the public hearing to the March 29, 2023 Meeting.

Since the meeting on March 15, 2023, the applicant has requested the item be postponed to a date certain of April 12, 2023 in order to have additional time to address neighborhood concerns raised during the public hearing.

EXHIBITS

1. Agenda Information Sheet

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

Prepared by:
Angie Manglaris, AICP
Senior Planner



City of Denton

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

Legislation Text

File #: PD22-0010c, **Version:** 1

AGENDA CAPTION

Hold a public hearing and consider making a recommendation to City Council regarding a request by Denton West Joint Venture for a zoning change from a Planned Development - Mixed-Use Neighborhood (PD-MN) District to an Overlay Planned Development (PD-SC) District. The 12.770-acre site is generally located at the northwest and southwest corner of Teasley Lane (F.M. 2181) and Hunters Creek Road in the City of Denton, Denton County, Texas. (PD22-0010c, Denton West Joint Venture, 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: March 29, 2023

SUBJECT

Hold a public hearing and consider making a recommendation to City Council regarding a request by Denton West Joint Venture for a zoning change from a Planned Development - Mixed-Use Neighborhood (PD-MN) District to an Overlay Planned Development (PD-SC) District. The 12.770-acre site is generally located at the northwest and southwest corner of Teasley Lane (F.M. 2181) and Hunters Creek Road in the City of Denton, Denton County, Texas. (PD22-0010c, Denton West Joint Venture, Mia Hines).

BACKGROUND

The request is a rezoning from a Planned Development (PD) District with a Mixed-Use Neighborhood (MN) base zoning district (*development standards only*) to a new Planned Development (PD) District with a Suburban Corridor (SC) (PD-SC) base zoning district to facilitate the development of several commercial pad sites on the subject property. The existing PD designation with MN base zoning is somewhat misleading because the property transitioned from a zoning of Neighborhood Residential Mixed Use (NRMU) with overlay conditions under the 2002 Denton Development Code (Ordinance 2014-075). The land uses allowed today in the current PD district are actually those commercial uses that were allowed in accordance with the NRMU zoning district, and the development standards that apply today are the standards provided for in accordance with the MN district (hence the PD-MN base district reference). Therefore, in accordance with DDC Section 1.7.8, the following conditions from Ordinance 2014-075 apply to the subject property:

1. No Multi-Family dwellings are permitted.
2. The entirety of Tract B (subject property) may be development for commercial uses per the Neighborhood Residential Mixed-Use (NRMU) District as heretofore amended and all other applicable regulations in the Denton Development Code and the Code of Ordinances as heretofore amended.

For anything not specified in the above stated overlay conditions, the standards for the MN District and 2019 Denton Development Code apply. Again, the existing uses for the subject property are regulated under the 2002 DDC's NRMU District, but all other standards for the property's development (i.e. dimensional standards, landscaping, parking, etc.) are regulated under the

current MN District and 2019 DDC. See Exhibit 7 for a comparison of the standards applicable to this property currently versus the proposed PD-SC overlay and the standards for straight SC zoning.

The applicant is requesting the PD-SC district to ensure the proposed rezoning and subsequent development are compatible with both the surrounding neighborhood and the Community Mixed Use context of this area. The DDC was recently amended in 2022 to allow for PD districts specifically for this purpose; in this case the applicant is requesting the Overlay PD which allows for development standards and uses to be modified without necessitating a Development Plan which is otherwise required for a Standard PD. An Overlay PD may be used to restrict or expand the uses permitted within a base zoning district, impose additional use-specific standards, and/or modify setbacks, landscaping, screening, or buffering requirements adjoining residential uses or less intensive land uses. Additionally, this request would serve to bring the development of the subject property into alignment with the City's current zoning and development regulations and eliminate an older zoning overlay based in the 2002 Denton Development Code, which can be challenging to apply since portions of both the 2019 and 2002 DDC apply to the site today.

The subject site includes two tracts of land (see Exhibit 3) divided by Hunters Creek Road, an east-west Collector, and is situated between single-family and multifamily developments to the west, and Teasley Lane, a 6-lane divided Primary Arterial to the east. Ryan Road, a 2-lane Secondary Arterial, is located to the south. When the PD was previously established, Planned Development Ordinance No. 2014-075 assigned the same overlay restrictions on both the subject site and the adjacent multifamily site. Ordinance Z18-0025d subsequently amended this PD by permitting the development of multifamily on the adjacent tract but had no impact on the subject site.

Given the increased density and existing land use context along this corridor of Teasley Lane, the applicable development standards and permitted land uses of the proposed SC base zoning district are appropriate for this site. The SC District is intended to provide moderate- to high-intensity commercial, office, and retail uses along high-traffic corridors while requiring elevated building and landscape designs, the orientation of buildings towards the street, and appropriate buffering from adjacent neighborhoods. To ensure improved land use compatibility between future commercial development and the less intense single-family uses in this area, the proposed PD-SC zoning district would impose additional restrictions onto the subject site. These standards are outlined in Exhibit 6 and summarized in the table below. For standards not specified in the PD Regulations, the applicable SC development standards would apply.

(continued on next page)

Standard		Existing PD-MN District	Base SC District	Proposed PD-SC District
Permitted Uses (see Exhibit 7)		Commercial Uses permitted in the NRMU District as categorized in the 2002 DDC	All Uses permitted in the SC District per the DDC	Some Public, Institutional, Religious, & Civic Uses, Commercial Uses, and Temporary Uses permitted in the SC District per the DDC (see Exhibit 6 for prohibited uses)
Land Use Compatibility Buffer (DDC 7.7.6)	Tract 1 (adjacent to SF HOA Property)	No buffer	No buffer	Min. 30-foot-wide; Min. 30 points from DDC Table 7.G; Screening fence required
	Tract 2 (adjacent to MF)	Min. 15-foot-wide, Min. 30 points from DDC Table 7.G	Min. 15-foot-wide; Min. 30 points from DDC Table 7.G	Min. 30-foot-wide; Min. 30 points from DDC Table 7.G
Specific Vehicular Parking & Maneuvering Screening		<p>Parking prohibited between front building façade and adjacent street frontage</p> <p>Min. 1 ROW screening element from DDC Table 7.E</p>	Min. 2 ROW screening elements from DDC Table 7.E (unless no front parking, then 1 ROW screening element)	<p>Min. 25-foot parking area setback from Teasley Lane; Min. 15-foot parking area setback from Hunters Creek Road</p> <p>Min. 2 ROW screening elements adjacent to Teasley Lane</p> <p>No menu boards & min. 3 ROW screening elements along Hunters Creek Road</p>

Staff believes it is appropriate to consider the proposed PD-SC zoning as it allows for a range of context-sensitive commercial land uses consistent with commercial development present along

this corridor of Teasley Lane. The Community Mixed-Use Future Land Use designation further supports the proposed rezoning as it is intended to promote a wider array of economically viable uses. Furthermore, commercial uses have been intended for the subject property since the current zoning overlay conditions went into effect in 2014, so there is not a significant change in uses being proposed.

A full Staff Analysis of the proposed Planned Development, including a further analysis of the proposed standards, is provided in Exhibit 2.

PLANNING AND ZONING COMMISSION

On February 15, 2023, the Planning and Zoning Commission held a public hearing and recommended denial (4-2) of the request.

At the public hearing, the Commission asked several questions regarding the neighborhood meeting held by the applicant, uses allowed under the proposed PD versus the existing MN district, the existing batch plant located on site, and the possibility of restricting driveway access on Teasley Lane. Staff provided additional details regarding the February neighborhood meetings noted below. Staff provided a comparison of the uses permitted under the current zoning (NRMU, not MN) versus the proposed PD. Regarding the batch plant, staff and the applicant clarified that the use was approved on a temporary basis to support TXDOT's construction of Teasley Lane. Since, the proposed PD prohibits the use, the proposed zoning would not allow for expansion of the use.

With respect to access, Staff clarified that once specific uses are identified for the property a Traffic Impact Analysis (TIA) will be required to assess any traffic related improvements and restrictions. Staff provided additional information regarding the previous TIA done for the adjacent multifamily development and the warrant analysis provided as part of that TIA for the intersection of Hunters Creek and Teasley Lane. Staff further discussed the DDC's current restrictions on direct access from a Primary Arterial, like Teasley Lane, if access can be taken from a roadway with a lower classification, like Hunter Creek Road.

Two members from the public spoke regarding the request. One speaker expressed their support for the rezoning request particularly related to the restricted uses and encouraged the installation of a traffic signal at the intersection of Hunters Creek Road. Another individual spoke in opposition to the rezoning request stating traffic concerns in the area.

At the close of the public hearing, a motion was made and seconded to recommend denial of the request, resulting in a recommendation of denial (4-2).

Subsequent to the February 15, 2023 meeting, Chair Margie Ellis requested an item be placed on the March 1, 2023 agenda for reconsideration. Section 2.29(g)(11) of the City's Code of Ordinances allows a member who voted with the prevailing side of the prior motion to make a motion to reconsider so long as such motion is made "not later than the next succeeding official meeting of the Council". In this case, the prevailing side included the four members who voted to recommend denial of the Planned Development. A motion was made to hold another public hearing and reconsider the request at the March 29, 2023 Planning and Zoning Commission meeting. The motion prevailed (6-1).

Notification of the new public hearing was sent to the local newspaper and surrounding property owners in accordance with DDC Section 2.4.6 for the March 29, 2023 meeting.

OPTIONS

1. Recommend Approval
2. Recommend Approval Subject to Conditions
2. Recommend Denial
3. Postpone Item.

RECOMMENDATION

Staff recommends approval of the request as it complies with the criteria in Section 2.4.5.E of the Denton Development Code (DDC) for approval of all applications, and Section 2.7.3.D of the DDC for approval of a zoning change to an Overlay PD District.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
January 23, 2008	Planning & Zoning Commission	Rezone NR-2 to NRMU (Ord. No. 2008-045)	Recommended Approval
February 19, 2008	City Council	Rezone NR-2 to NRMU (Ord. No. 2008-045)	Approved
February 5, 2014	Planning & Zoning Commission	Rezone to NR-6 Overlay (Ord. No 2014-075)	Recommended Approval
March 4, 2014	City Council	Rezone to NR-6 Overlay (Ord. No 2014-075)	Approved (superseded and replaced Ord. No. 2008-045)
October 2019	City Council	Base zoning transition from NRMU to MN (DCA18-0009)	Approved
June 9, 2022	Planning & Zoning Commission	Preliminary Plat (PP22-0010)	Approved
February 15, 2023	Planning & Zoning Commission	Rezone to PD-SC Overlay (PD22-0010)	Recommended Denial (4-2)
March 7, 2023	City Council	Rezone to PD-SC Overlay (PD22-0010)	Continued request to the April 4, 2023 Council meeting
March 15, 2023	Planning & Zoning Commission	Reconsideration of a proposed rezoning	Request to reconsider approved (6-1)

		to PD-SC Overlay (PD22-0010)	
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PUBLIC OUTREACH:

Forty-two (42) notices were sent to property owners within 200 feet of the subject property for the February 15, 2023 and March 29, 2023 Planning and Zoning Commission meeting. Six hundred eighty-nine (689) courtesy notices were sent to physical addresses within 500 feet of the subject property. As of the writing of this report, staff has received three (3) responses in favor and one (1) response in opposition to the request.

A notice was published in the Denton Record Chronicle on February 19, 2023 and March 12, 2023.

A notice was published on the City's website on February 16, 2023 and March 9, 2023.

Three (3) signs were posted on the property on February 3, 2023.

The applicant held two virtual neighborhood meetings on February 8, 2023. Three nearby property owners attended the meeting and generally indicated support for the proposal. The applicant scheduled two additional neighborhood meetings on March 16, 2023 and decided to cancel after receiving no RSVP. Subsequently, the applicant received some late inquiries from two members of the public and informed Staff they would follow up with them individually.

For the posting of the reconsideration item on the March 1, 2023 Planning and Zoning Commission meeting agenda, the City received twenty (20) eComments regarding the want for a traffic signal at the intersection adjacent to the subject site.

DEVELOPER ENGAGEMENT DISCLOSURES

Following the February 15, 2023 Planning and Zoning Commission meeting, Commissioner Margie Ellis met with the applicant. See Exhibit 10 for a copy of the Developer Engagement Disclosure provided to staff.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Zoning Map
5. Future Land Use Map
6. PD Development Standards
7. District Comparison
8. Notification Map and Responses
9. Draft Ordinance
10. Developer Engagement Disclosure

Respectfully submitted:

Tina Firgens, AICP
Deputy Director of Development Services/
Planning Director

Prepared by:
Mia Hines
Associate Planner

Planning Staff Analysis

PD22-0010c/Denton West Joint Venture

City Council District #4

REQUEST:

Rezone approximately 12.770 acres from a Planned Development (PD) District with a Mixed-Use Neighborhood (MN) base zoning district to a Planned Development (PD) District with Suburban Corridor (SC) (PD-SC) base zoning district to facilitate commercial development.

The subject property is currently zoned PD-MN which generally prohibits the development of multifamily dwellings and allows for the development of Commercial Uses per the Neighborhood Residential Mixed Use (NRMU) Zoning District of the 2002 Denton Development Code. Per the 2019 update of the Denton Development Code, the NRMU zoning district transitioned to the Mixed-Use Neighborhood (MN) District, but per DDC 1.7.8 the overlay conditions specified in Ordinance 2014-075 still apply to the site. The applicant is requesting a new Overlay PD district to ensure the proposed rezoning and subsequent development are compatible with both the surrounding neighborhood and the Community Mixed Use context of this area. If approved, the proposed PD would also bring development of the site into compliance with the City's current DDC standards.

SITE DATA:

The 12.77-acre subject site consists of an approximately 3.16-acre tract (Tract 1) located at the northwest corner Teasley Lane and Hunters Creek Road and an approximately 9.61-acre tract (Tract 2) located at the southwest corner. While both tracts are undeveloped and primarily adjoin public rights-of-way, Tract 1 abuts a single-family residential subdivision to the west and Tract 2 abuts a multifamily residential development to the west. Both tracts host existing tree canopy along the property lines shared with these existing residential developments.

The general area's street network includes a variety of roadway types:

- **Teasley Lane (FM 2181):** Teasley Lane is a north-south road owned and maintained by TxDOT. Per the 2022 Mobility Plan, Teasley Lane is an existing Primary Arterial roadway. Primary Arterials require 135 feet of right-of-way dedication and are constructed with six travel lanes. Currently, Teasley Lane is constructed with six travel lanes and a five-foot-wide sidewalk along both the east and west sides of the roadway. Tract 1 and Tract 2 have approximately 230 feet and 720 feet of frontage along Teasley Lane respectively.
- **Hunters Creek Road:** Hunters Creek Road is an east-west Residential Street serving Phase 3 of the Teasley Trails Subdivision. Per the 2022 Mobility Plan, Collectors require at least 65 feet of right-of-way. Hunters Creek is a 65-foot-wide right-of-way constructed with 2 travel lanes and a raised median. Tract 1 and Tract 2 each have approximately 375 feet of frontage along Hunters Creek Road.
- **Ryan Road:** Ryan Road is located just south of the subject area. Per the 2022 Mobility Plan, Ryan Road is an existing Secondary Arterial roadway. Secondary Arterials require 110 feet of right-of-way dedication and are constructed with four travel lanes. Currently, Ryan Road is a variable-width right-of-way constructed with two travel lanes, separate directional lane at the Teasley Lane intersection, and noncontinuous 5-foot-wide sidewalks along both the north and south side of the roadway. The 2019 Bond Program provided funding for the widening of approximately two miles of Ryan Road, from Teasley Lane to Country Club Road, from a two-lane road to a three-lane road. The new configuration includes a center turn lane so motorists may move out of travel lanes to decelerate or stop in anticipation of left-hand turns. While Tract 1 does not abut this roadway, Tract 2 has approximately 560 feet of frontage along Ryan Road.

SURROUNDING ZONING AND USES:

Northwest: Zoning: Planned Development – Residential 6 (PD-R6) Use: Single-family residential	North: Zoning: Planned Development – Residential 6 (PD-R6) Use: Single-family residential	Northeast: Teasley Lane Zoning: Residential 4 (R4) Use: Single-family residential
West: Zoning: Planned Development – Residential 6 (PD-R6) Use: Single-family residential	TRACT 1	East: Teasley Lane Zoning: Residential 4 (R4) Use: Single-family residential
Southwest: Hunters Creek Road Zoning: Planned Development – Mixed-Use Neighborhood (PD-MN) Use: Multifamily residential	South: Hunters Creek Road Zoning: Planned Development – Mixed-Use Neighborhood (PD-MN) Use: Undeveloped	Southeast: Teasley Lane Zoning: Residential 4 (R4) Use: Single-family residential

Northwest: Hunters Creek Road Zoning: Planned Development – Residential 6 (PD-R6) Use: Single-family residential	North: Hunters Creek Road Zoning: Planned Development – Mixed-Use Neighborhood (PD-MN) Use: Undeveloped	Northeast: Teasley Lane Zoning: Teasley Lane Zoning: Residential 4 (R4) Use: Single-family residential
West: Zoning: Planned Development – Mixed-Use Neighborhood (PD-MN) Use: Multifamily residential	TRACT 2	East: Teasley Lane Zoning: Residential 4 & Public Facility Use: Single-family residential & Nelson Elementary School
Southwest: Ryan Road Zoning: Residential 2 (R2) Use: Outdoor storage facility	South: Ryan Road Zoning: Residential 4 (R4) Use: Single-family residential	Southeast: Zoning: Suburban Corridor (SC) & Mixed-Use Neighborhood (MN) Use: Automotive fuel sales & Retail

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 2.7.3.D of the DDC applies to this rezoning to PD 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 rezoning to PD requests.

2. *Prior Approvals*

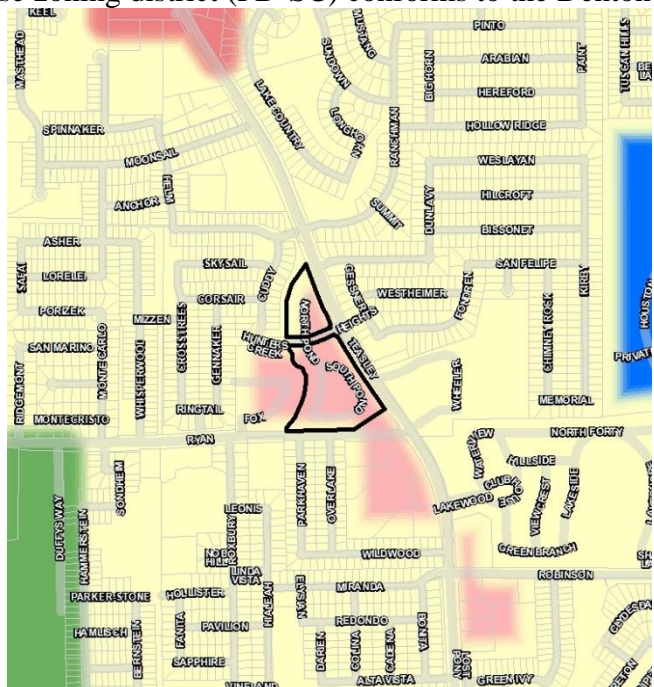
There have been no prior approvals related to this proposed multi-lot commercial development. However, as was discussed above and in the Background section of Exhibit 1, the property has been zoned with overlay restrictions that limit the site to commercial development since 2014. The requested PD-SC district would therefore not present a significant change in land use entitlements, but it would ensure that future development complies with the current DDC standards and would restrict the permitted uses to those less-intensive commercial uses that are found at other similar intersections along the southern Teasley Lane corridor.

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

The decision-making authority:

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

The requested PD with a SC base zoning district (PD-SC) conforms to the Denton 2040 Future Land Use Map (see inset map) and goals related to context-sensitivity. Given the 2022 Mobility Plan roadway classifications for Teasley Lane and Ryan Road, the most appropriate land use for this corridor will remain commercial. Therefore, the applicant has applied for a rezoning that is consistent with the goals of the Denton 2040 Comprehensive Plan and meets the other criteria for approval.



- 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 Future Land Use Map (FLUM) designation for the subject property is Community Mixed Use, and it is located in a transition area with surrounding areas designated Low Residential. Community Mixed Use applies to areas along key corridors of Denton. These areas serve as a transition between established single-family neighborhoods and commercial areas that can accommodate greater density.

Low Residential designation applies to the City's predominately single-family neighborhoods which may include land uses that support residential neighborhoods with appropriately scaled buildings that have an intensity that complements the surrounding neighborhood and environment. The FLUM is arranged to provide for a compatible mix of uses and appropriate transitions from areas of high intensity to areas of lower intensity. The Low Residential areas are the predominant land use pattern located west of the subject site (outlined). There are also existing suburban scale commercial developments along this corridor of Teasley Lane, consistent with the Community Mixed-Use FLUM designation.

The PD request is consistent with the intent of the FLUM in both use and development scale. The proposal would facilitate the development of additional commercial options in a growing suburban area, consistent with the FLUM and existing commercial development along Teasley Lane. The existing PD-MN zoning and 2014 overlay conditions recognize that commercial uses are appropriate for the subject site yet restricts certain commercial uses that might be best suited for this context. With this request, the applicant is seeking to allow some of the more appropriate, less-intensive SC permitted Institutional and Commercial land uses, prohibit the more intense Commercial and Industrial land uses, and apply additional development standards to help mitigate any impacts on the surrounding residential development.

Focus Area Concept

The subject property is located within an area identified as a Center Focus Area on the Focus Area Concept Map (Figure 4.1). Per the Denton 2040 Comprehensive Plan, "The goal for identified Focus Areas is to create Area Plans that examine the areas to develop context-specific guidelines and land uses that go beyond the general recommendations of the Urban Design Principles."

Preferred Land Preservation Plan

The site does not contain any Environmentally Sensitive Areas. Given the existing natural topography and existing tree canopy, however, the proposed Development Standards incentivize the preservation of more natural vegetation than what would be required under the current zoning district.

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.*

This request is for a rezoning to Planned Development with an SC base zoning district (PD-SC). The proposed Development Regulations provided in Exhibit 6 indicate an intent to develop in accordance with the 2019 DDC and impose additional use restrictions as well as additional development standards outlined in the document, which are further summarized in the table in Exhibit 1.

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

Compliance with the DDC has been analyzed at the level of detail necessary for a Planned Development. Other departments (Engineering, Solid Waste, Denton Municipal Electric, and Fire) reviewed the proposal for conceptual land use conformance with coexisting plans and goals. Subsequent development will be subject to the appropriate applications, development standards, and review processes of the DDC.

5. *Compliance with Other Applicable Regulations*

The PD regulations document indicates that development on the subject site shall comply with all provisions of the 2019 DDC and imposes additional restrictions and standards. Further, the development will be required to comply with the City's criteria manuals for roadway, utility, and drainage improvements, as well as TxDOT requirements.

6. *Consistent with Interlocal and Development Agreements*

There are no interlocal or development agreements applicable to the site.

7. *Minimizes Adverse Environmental Impacts*

There are no Environmentally Sensitive Areas on the property, and the site must comply with the City's requirements for storm water management and tree preservation during the platting and engineering plan review process.

8. *Minimizes Adverse Impacts on Surrounding Property*

The permitted commercial uses are consistent with the area's existing uses and would not introduce new or incompatible activities to the area. Commercial uses have been permitted on the subject property since the current overlay conditions were imposed in 2014. Additionally, the PD regulations incentivize the preservation of the existing tree canopy by increasing the total required width of landscape buffers adjacent to residential developments and allowing for existing tree canopy coverage to count towards the planting elements needed within that buffer.

9. *Minimizes Adverse Fiscal Impacts*

A full fiscal impact analysis was not completed for the subject site. The developer would be required to provide the infrastructure necessary to support the development and pay impact fees in accordance with the City's fee schedule.

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

This proposed rezoning will not negatively affect utilities, services, or other improvements, as the subject property will be served by existing utilities and infrastructure.

11. *Provides Adequate Road Systems*

The subject site includes two tracts of land divided by Hunters Creek Road, an east-west Collector street, and is situated between single-family and multifamily developments to the west, and Teasley Lane, a 6-lane divided Primary Arterial to the east. Ryan Road, a 2-lane Secondary Arterial, is located to the south. There is a left-hand turn lane on Teasley Lane that allows for vehicular travel onto Hunters Creek Road, providing east-west connection between the residential neighborhoods to the west and Teasley Lane. The proposed development is not anticipated to negatively impact surrounding properties as the primary access will be from Teasley Lane. Based on the preliminary trip generation counts, Staff anticipates a Traffic Impact Analysis (TIA) will be required for the development of this site and any associated improvements will need to be accounted for during subsequent development plans.

12. *Provides Adequate Public Services and Facilities*

Since the area is already appropriately zoned to support commercial development, the proposed rezoning is not anticipated to negatively impact public services and facilities. New development applications must provide proof that existing and/or planned facilities have adequate public service capacity.

13. *Rational Phasing Plan*

The proposed rezoning does not have a phasing plan.

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

1. *Complies with the goals of the Comprehensive Plan;*

As described in Consideration A above, the proposed rezoning meets this criterion.

2. *Complies with the goals of relevant Area Plans;*

As described in Consideration A above, there are no area plans applicable to the subject property.

3. *Complies with this DDC, except where modifications are expressly authorized through the PD Regulations Document and PD Development Plan;*

As detailed in Exhibit 6 and described in Consideration A above, the proposed rezoning meets this criterion.

4. *Provides a greater level of building design quality, community amenities, and connectivity than would be required if the project were not being developed in a PD District;*

In this context, the requested SC base zoning district is more appropriate than the existing PD-MN district because the change would bring development of the site into alignment with the City's current use and design standards. Via the imposition of additional requirements and restrictions, the proposed PD-SC district provides for a greater level of building and site design quality than what would be applied if the request was a straight rezoning to the SC district.

5. *In the case of proposed residential development, that the development will promote compatible buildings and uses and that it will be compatible with the character of the surrounding area;*

No residential uses are proposed to be permitted as part of this PD. As detailed in Exhibit 6 and described in Consideration A above, the proposed PD-SC district permits those commercial uses most appropriate for this context.

6. *In the case of proposed commercial, industrial, institutional, recreational and other non-residential uses or mixed-uses, that such development will be appropriate in area, location, and overall planning for the purpose intended; and*

As detailed in Exhibit 6 and described in Consideration A above, the proposed PD-SC district permits those commercial uses most appropriate for this context. Commercial uses have been intended for the subject property since the current zoning overlay conditions went into effect in 2014, so there is not a significant change in uses being proposed.

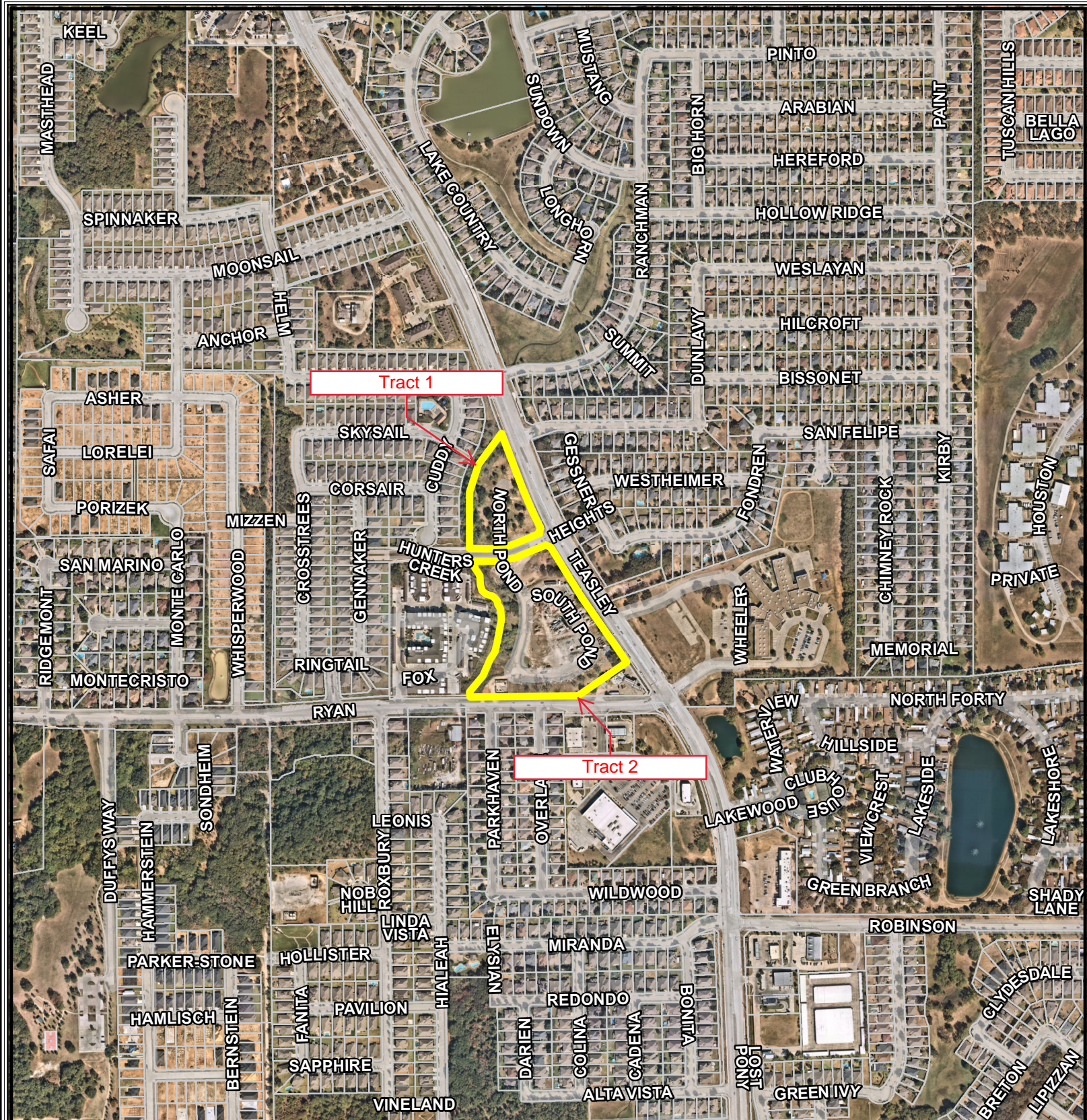
7. *The provisions for public facilities such as schools, fire protection, law enforcement, water, wastewater, streets, public services and parks are adequate to serve the anticipated population within the PD District.*

Subsequent developments shall ensure adequate public facilities are available to serve the subject site. The nonresidential development is not anticipated to add to the school population, and Fire Station #6 is within a 3-minute drive to the subject site.

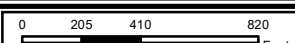
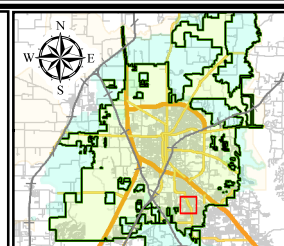
8. *The condition and/or restrictions imposed by the PD are necessary and sufficient to address any significantly adverse impacts to surrounding properties or the neighborhood.*

As detailed in Exhibit 6 and described in Consideration A above, the proposed Development Standards incentivize the preservation of the existing tree canopy and otherwise impose additional buffer requirements where adjacent to residential developments

PD22-0010 Site Location



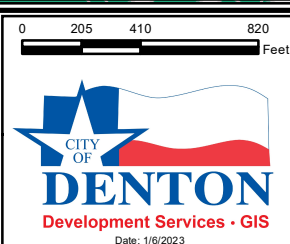
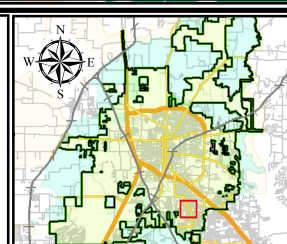
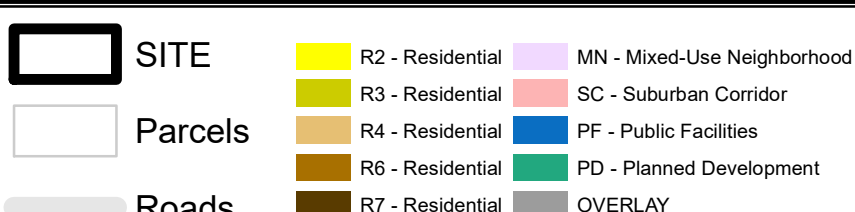
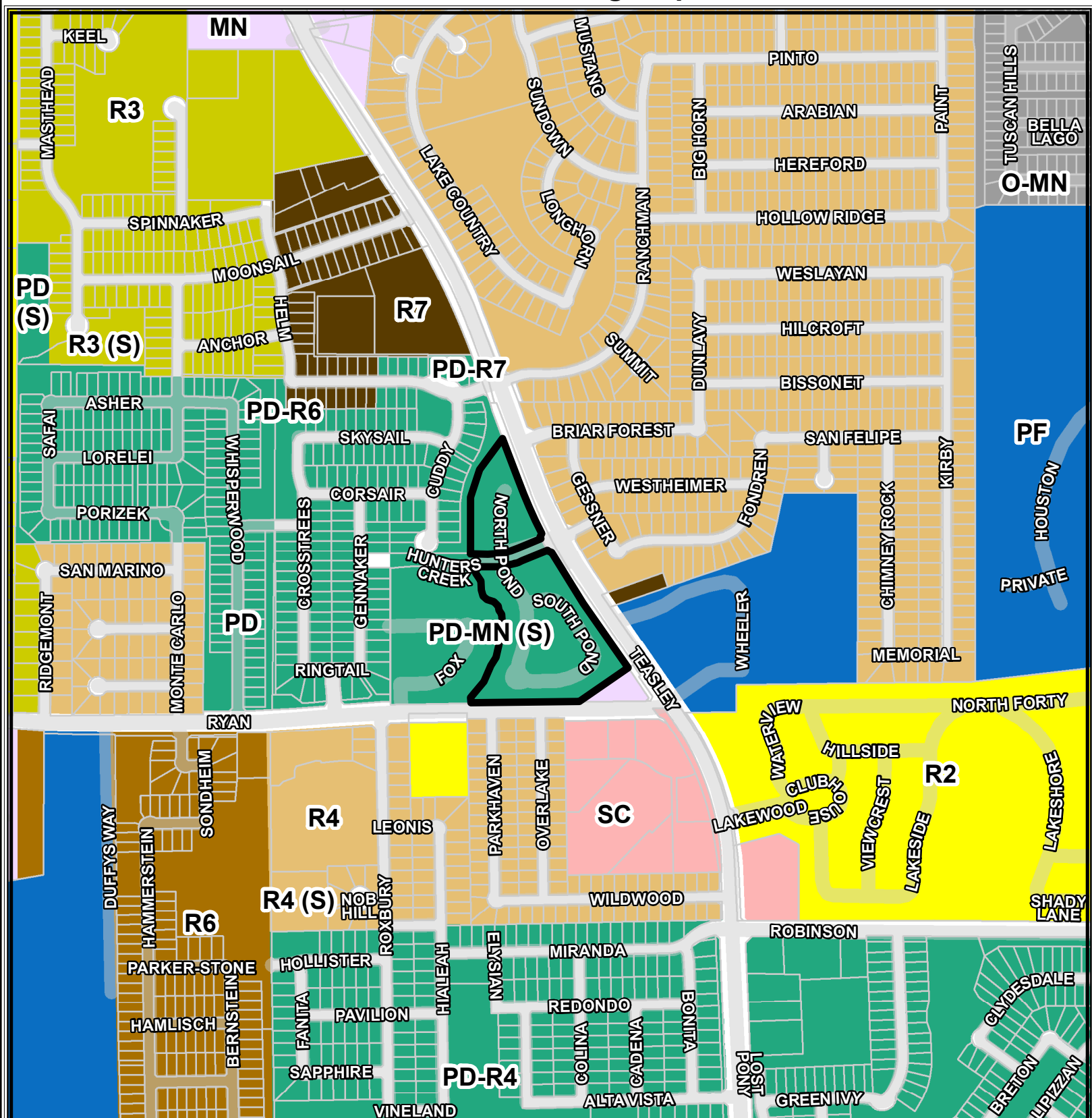
- SITE
- Parcels
- Roads



Date: 1/6/2023

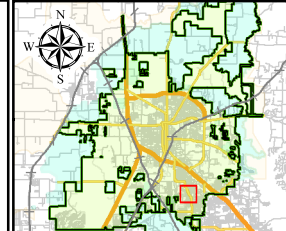
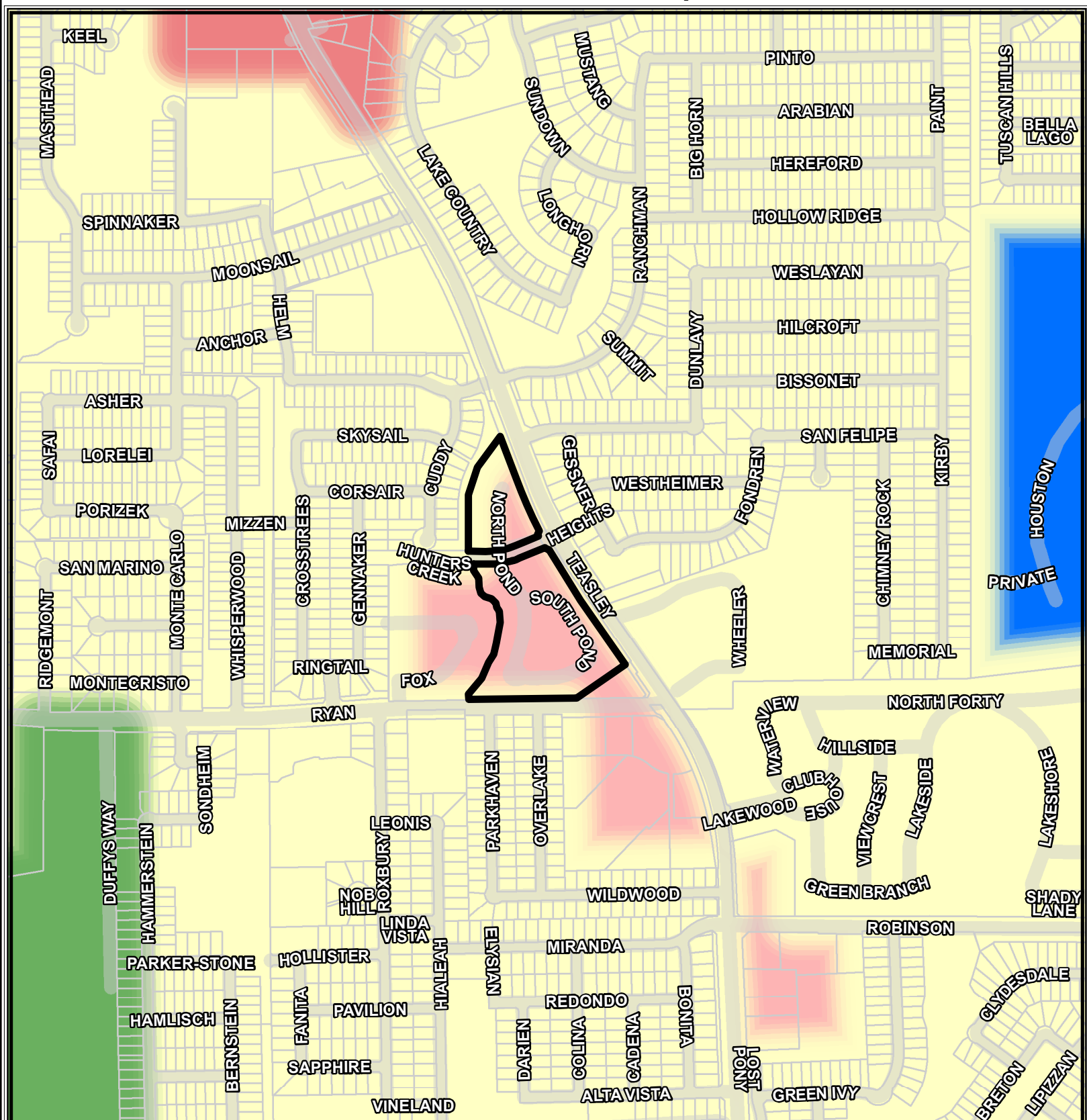
*This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative property boundaries. Although every effort was made to ensure the accuracy 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.

PD22-0010
Current Zoning Map



"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 being provided. A disclaimer of this warranty appears on the underside of the map, and there is no warranty in the analysis of this data."

PD22-0010
Future Land Use Map



"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."

Exhibit B – Planned Development Standards

PD22-0010

Denton West Joint Venture – Planned Development (PD) District

General Planned Development Standards

For 12.77 Acres

City of Denton, Denton County, Texas

SECTION 1: Purpose.

The regulations set forth in these development standards are for the Overlay Planned Development (PD) District as defined in Denton Development Code Section 2.7.3C.1. The PD encompasses a total of 12.77-acres described in Exhibit A (“Property”), Zoning Legal Description. Tract 1, an approximately 3.16-acre tract, is located at the northwest corner of Teasley Lane and Hunters Creek Road. Tract 2, an approximately 9.61-acre tract, is located at the southwest corner of Teasley Lane and Hunters Creek Road.

SECTION 2: Use Regulations.

The permitted uses shall be in accordance with Suburban Corridor (SC) District, per the City of Denton Development Code (DDC) Table 5.2.-A, as amended, with the following exceptions:

The following uses are prohibited:

- Multifamily Dwelling
- Work/Live Dwelling
- Club or Lodge
- Funeral and Internment Facility
- Business or Trade School
- Hospital Services
- Medical uses over 25,000 Square Feet
- Kennel
- Urban Farm
- Amenity Center
- Outdoor Recreation Facility
- Bar, Tavern, or Lounge
- Mobile Food Court
- Private Club
- Credit Access Business
- Printing, Copying, and Publishing Establishment
- Laundry Facility
- Tattoo and Body Piercing Parlor
- Smoke Shop
- Boarding or Rooming House
- Hotel
- Motel

- Auto Wash
- Automotive Repair Shop, Major & Minor
- Automotive Fuel Sales
- Parking Lot as Principal Use
- Craft Alcohol Production
- Food Processing, Less than 2,500 Square Feet
- Food Processing, More than 2,500 Square Feet
- Gas Well
- Artisan Manufacturing
- Low-Impact Manufacturing
- Data Center, Warehouse
- Self-Service Storage
- Warehouse and Wholesale Facility
- Accessory Uses
 - Home Occupation
 - Outdoor Storage, Accessory
 - Sale of Produce & Plants Raised on Premises
 - Solar Collector, Ground Mounted
 - Wind Energy Conversion System
- Temporary Uses
 - Temporary Storage Containers
 - Concrete or Asphalt Batching Plant
 - Portable Wireless Telecommunications Tower

A maximum of two (2) drive-through facilities shall be permitted by right on Tract 1, located north of Hunters Creek Road. No drive-through facilities shall be permitted by right on Tract 2, located south of Hunters Creek Road. Additional drive-through facilities on either Tract 1 or Tract 2 may only be permitted with approval of a Specific Use Permit pursuant to the Denton Development Code, Section 2.5.2: *Specific Use Permit (SUP)*.

SECTION 3: Development Standards.

Development within this PD shall comply with the Development Standards applicable to the SC Zoning District as provided for in the Denton Development Code, as amended. Additionally, all development within this PD shall comply with the following:

Landscaping & Screening

A minimum of three Right-of-Way Elements must be selected from DDC Table 7.E, Section A along all property lines abutting Hunters Creek Road. The following buffers shall be required:

Tract 1

Along all property lines shared with the single-family subdivision to the west, a minimum 30-foot-wide landscape buffer shall be provided and must include 30 Buffer Points selected from DDC Table 7.G. Existing tree canopy may count towards the required buffer elements.

A fence shall be constructed between the landscape buffer and all development on this Tract designed pursuant to DDC Section 7.7.8: *Wall, Fences, and Screening*.

Tract 2

Along all property lines shared with the multifamily development to the west, a minimum 30-foot-wide landscape buffer shall be provided and must include 30 Buffer Points selected from DDC Table 7.G. Existing tree canopy may count towards the required buffer elements.

Site & Building Design

Where sidewalks and pedestrian paths traverse driveways, the sidewalk or pedestrian path shall be designed with patterned and/or colored concrete or pavers.

No menu boards or speakers shall be located between a primary structure and Hunters Creek Road.

All building-mounted light fixtures must be installed so that light is directed downward.

Parking and vehicular maneuvering areas shall be set back at no less than 25 feet from all property lines adjacent to Teasley Lane and no less than 15 feet from Hunters Creek Road.

Signage

Free standing signs shall be limited to monument signs. Monument signs shall be no taller than 8 feet in height.

Exhibit 7 – District Comparisons
Development Standards Comparison

<u>Landscaping</u>			
	Current MN	SC	Proposed PD-SC
Coverage	20%	20%	20%
Tree Canopy	40%	30%	30%
Compatibility Buffer (Tract 2 - Commercial next to Residential)	Min. 30 points; min. 15 feet wide	Min. 30 points; min. 15 feet wide	Min. 30 points; min. 30 feet wide
ROW Screening (Commercial next to Hunters Creek)	Min. 2 ROW screening elements (1 if no front parking)	Min. 2 ROW screening elements (1 if no front parking)	3 ROW screening elements
ROW Screening (Commercial next to Teasley)	Min. 2 ROW screening elements (1 if no front parking)	Min. 2 ROW screening elements (1 if no front parking)	Min. 2 ROW screening elements (1 if no front parking)

<u>Site Design</u>			
	Current MN	SC	Proposed PD-SC
Parking & Vehicular Circulation	No front parking between building and adjacent street	No restrictions related to parking location	Min. 25 feet setback from Teasley
	Drive-through operations located to rear or side of principal structure	Drive-through operations located to rear or side of principal structure	Drive-through operations located to rear or side of principal structure; additionally no menu boards located between the building and Hunters Creek
Site Design & Orientation	60% of street frontage shall have buildings within 10 feet of front property line	No maximum building setback	No maximum building setback
	If building is setback more than 15 feet, the frontage area must be used for pedestrian activities	No related requirements	Requires change in paving patterned and/or colored concrete or pavers for internal pedestrian crossings

<u>District Standards</u>			
	Current MN	SC	Proposed PD-SC
Lot Area	2,500 square feet	10,000 square feet	10,000 square feet
Width	20 feet	None	None
Depth	50 feet	None	None
Front Yard Setback	10 feet	20 feet	20 feet
Side Yard Setback	None	5 feet	5 feet
Rear Yard Setback	None	10 feet	10 feet
Building Height	65 feet (SUP for 41-65 feet adjacent to residential)	55 feet	55 feet
Building Coverage	80%	80%	80%

Land Use Comparison

L(#) – Limitation standards applied under 2002 DDC, see below

Unlisted – Use no longer listed separately in 2019 DDC

P – Permitted, parenthetical references indicate use-specific standards apply, see Subchapter 5 of 2019 DDC

S – Specific Use Permit required

Blank – Use not permitted

	Current NRMU Commercial (From 2002 DDC due to overlay ordinance)	SC	Proposed PD-SC
Administrative or Research Facilities	L(14)	Unlisted	
Administrative, Professional, and Government Office	L(17)	P	P
Amenity Center		P	
Auto and RV Sales			
Auto Wash		P	
Automotive Fuel Sales		P(5.3.5U)	
Bar, Tavern, or Lounge	L(11)	P	
Bed and Breakfast	P	P(5.3.5S)	P(5.3.5S)
Boarding or Rooming House		P	
Broadcasting of Production Studio	L(14)	Unlisted	
Building Materials and Supply Store		S	S
Business or Trade School		P(5.3.4E)	
Club or Lodge		P	
Commercial Parking Lots		P	
Community Garden		P	P
Community Service		P	P
Craft Alcohol Production		P(5.3.6A)	
Credit Access Business		P	
Data Center, Warehouse		S(5.3.6J)	

Day Care, Adult or Child		P	P
Drive-through Facility	SUP	P(5.3.5J)	P(5.3.5J)
Equestrian Facilities			
Food Processing		P(5.3.6B/C)	
Funeral and Internment Facility		P	
Home Occupation	P		
Hospital Services		P(5.3.4F)	
Hotels	P	P	
Indoor Recreation		P	P
Kennel		P(5.3.5C)	
Laundry Facility, Self-Service	P	P	
Major Event Entertainment			
Manufacturing, Artisan		P	
Manufacturing, Low-Impact		P(5.3.6E)	
Medical Clinic		P(5.3.4G)	P(5.3.4G) <25,000 sf.
Medical Office	L(17)	P(5.3.4H)	P(5.3.4H) <25,000 sf.
Mobile Food Court		S(5.3.5G)	
Motels		P	
Movie Theaters			
Multifamily Dwelling		S(5.3.3D)	
Musician Studio		P(5.3.5M)	P(5.3.5M)
Outdoor Recreation	SUP	P	
Park, Playground, Open Space		P	P
Parking Lot as a Principal Use		P	
Personal Service, General	Unlisted	P	P
Printing, Copying, and Publishing Establishment		P	
Private Club	L(11)	P(5.3.5H)	
Professional Services and Offices	L(17)		
Quick Vehicle Servicing	SUP	Unlisted	
Religious Assembly		P(5.3.4D)	P(5.3.4D)
Restaurant	L(11)	P	P

Retail Sales and Service	L(17)	P	P
Sale of Products Grown on Site			
School, Private or Public		P	P
Self-Service Storage		P(5.3.6)	
Sexually Oriented Business			
Smoke Shop		P	
Short-Term Rental			
Tattoo and Body Piercing Parlor		P(5.3.5P)	
Urban Farm		P	
Vehicle Repair		P(5.3.5V/W)	
Veterinary Clinic		P	P
Warehouse and Wholesale Facility		S(5.3.6H)	
Wok/Live Dwelling		P(5.3.3F)	

2002 Denton Development Code Land Use Limitations

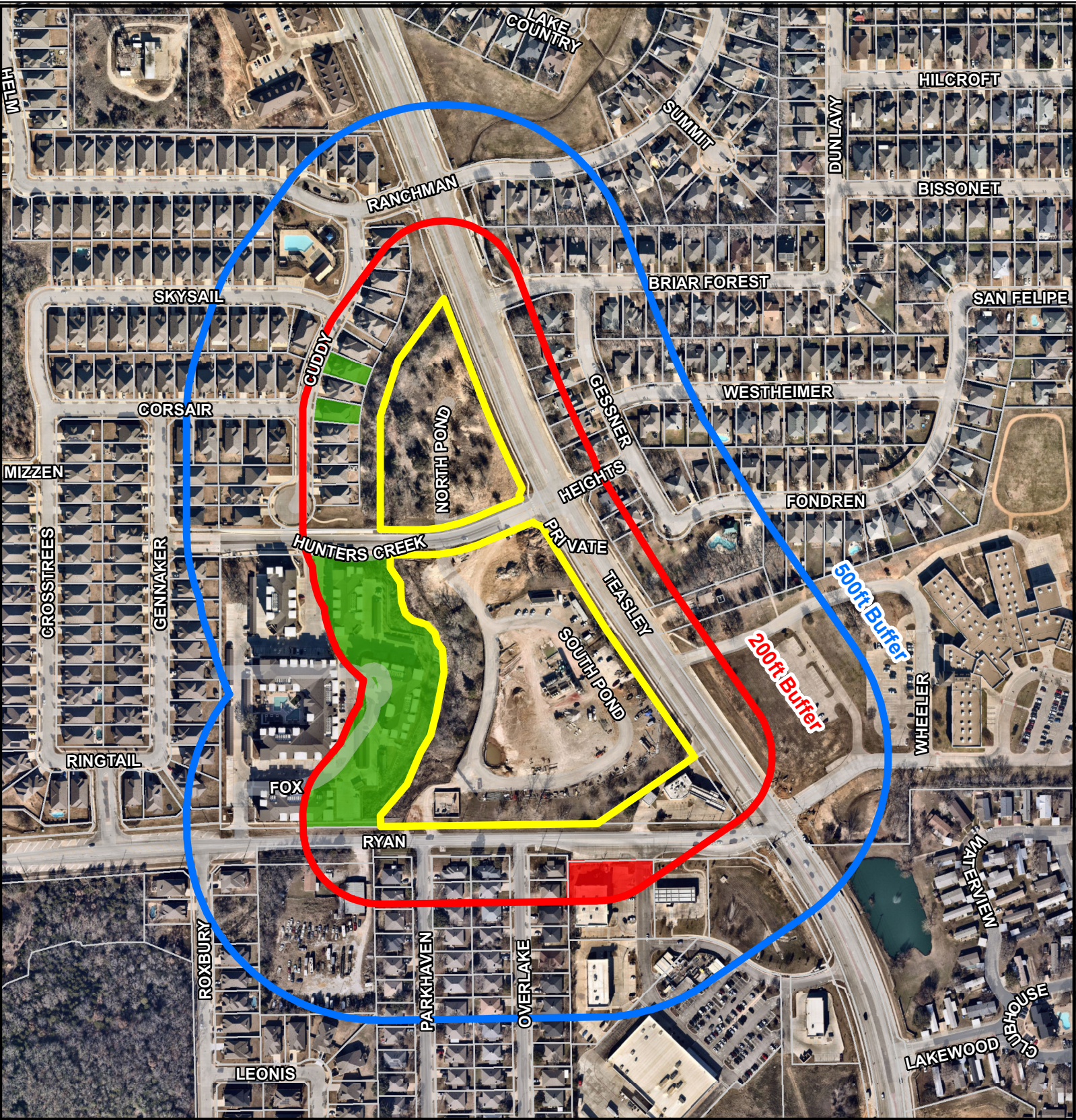
L(11) = Limited to sit down only, and no drive up service permitted. Limited to no more than one hundred (100) seats and no more than four thousand (4,000) square feet of restaurant area.

L(14) = Uses are limited to no more than ten thousand (10,000) square feet of gross floor area.

L(17) = Uses that exceed twenty-five thousand (25,000) square feet of gross floor area per use require approval of a SUP.

L(38) = Must meet the requirements of Section 35.12.9

PD22-0010
Notification Response Map



	SITE		In Favor
	Parcels		Neutral
	Roads		Opposed



Date: 3/1/2023

Development Services

401 N. Elm St., Denton, TX 76201 ☐ (940) 349-8541 [Address (Ex. 215
E. McKinney St., Denton, TX 76201)]



Notice of Public Hearing

Project Number PD22-0010

Denton West Joint Venture

Notice is hereby given to all interested persons that:

The Planning and Zoning Commission will hold a public hearing and consider making a recommendation to City Council regarding a request to rezone approximately 12.77 acres from a Planned Development - Mixed-Use Neighborhood (PD-MN) District to an Overlay Planned Development - Suburban Corridor (PD-SC) District. The 12.77-acre site is generally located at the northwest and southwest corners of Teasley Lane (F.M. 2181) and Hunter Creek Road in the City of Denton, Denton County, Texas.

Properties within 200 feet of the subject property must be notified of the request pursuant to the Texas Local Government Code. As an owner of property within 200 feet of this request, you are invited to make your views known by attending the public hearing, emailing the Department of Development Services, or returning this form with your comments prior to the date of the public hearing. If written opposition to the request exceeds 20 percent (acreage within 200 feet of the property), a three-fourths vote of City Council is required to approve the request. As a courtesy, the City of Denton also sends notification to all physical addresses within a 500-foot radius of the subject property.

You are invited, not required, to attend the public hearing. If you attend, you will be given an opportunity to speak for or against the change, or you may attend only to observe. Any citizen or group of citizens interested in attending is invited to do so. Applicants and their agents are expected to attend.



AGENT: Greg Johnson

PHONE: (940) 381-2220

Public Hearing:

Wednesday, 2/15/2023, 6:30 p.m.

City Hall, City Council Chambers

215 E. McKinney St.

Denton, TX 76201

The meeting is being held in person. For information on how to participate, visit www.cityofdenton.com/publicmeetings.

The recommendation of the Planning and Zoning Commission will be forwarded to the City Council for final action. The Planning and Zoning Commission may recommend, and City Council may approve, any zoning district which is equivalent to or more restrictive than that which is requested, and which is deemed consistent with Denton Plan 2040.

For more information, please contact Mia Hines at (940) 349-8583 or mia.hines@cityofdenton.com; or, on 2/10/2023, visit www.cityofdenton.com/public-meetings for the meeting agenda with staff's analysis and associated exhibits.

Response Form

Project Number: PD22-0010

Denton West Joint Venture

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

City of Denton Development Services

Attn: Julie Wyatt, Project Manager

401 N. Elm St.

Denton, TX 76201

You may also email a copy to mia.hines@cityofdenton.com.

Project Number: PD22-0010

Please circle one:

☒ In favor of request ☐ Opposed to request

Comments:

I fully support this request as presented.

Signature: [Signature] Manager (Marksman Hunters Creek LLC)
Printed Name: DAVID Marks
Street Address: 2250 Hunters Creek, Denton, TX 76210
City, State and Zip Code: Denton TX 76210
Phone Number: (972) 740-5725
Email Address: davidmarks@marksmanrealty.com
Physical Address of Property within 200 Feet: 2250 Hunters Creek Rd

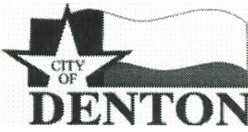
ADA/EOE/ADEA

www.cityofdenton.com

TDD (800) 735-2989

Development Services

401 N. Elm St., Denton, TX 76201 ☐ (940) 349-8541[Address (Ex. 215
E. McKinney St., Denton, TX 76201)]



Notice of Public Hearing

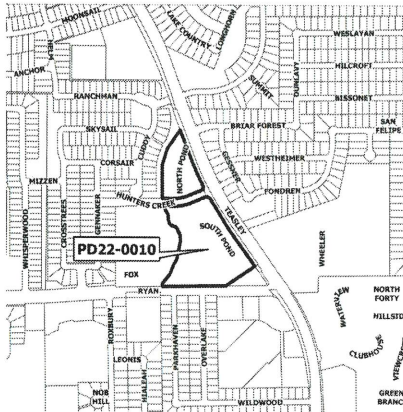
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Response Form

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Denton West Joint Venture

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

You may also email a copy to mia.hines@cityofdenton.com.

Project Number: PD22-0010

Please circle one:

☒ In favor of request

☐ Opposed to request

Comments:

Presentation by developer: Excellent Plan

Signature: Chris
Printed Name: Chris Kephart
Street Address: 3805 CUDDY DR
City, State and Zip Code: Denton, TX 76210
Phone Number: 972 742 1143
Email Address: Chris.Kephart @ dgpDallas.com
Physical Address of Property within 200 Feet: yes

ADA/EOE/ADEA

www.cityofdenton.com

TDD (800) 735-2989

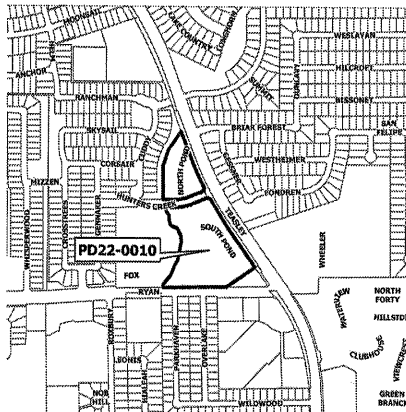
401 N. Elm St., Denton, TX 76201 □ (940) 349-8541 [Address (Ex. 215
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Project Number PD22-0010
Denton West Joint Venture

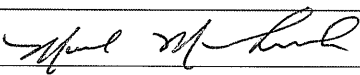
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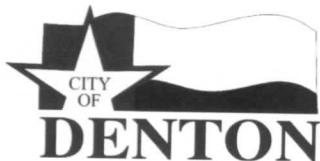
Comments: PRESENTATION BY DEVELOPER ADDRESSED ALL CONCERNS.
PLEASED WITH EFFORTS AND RESTRICTIONS TO PROTECT HOMEOWNER 153

Signature: 
Printed Name: MARK MICHNAK
Street Address: 3813 CUPPY DR
City, State and Zip Code: DENTON TX 76210
Phone Number: 214 384 8440
Email Address: MMICHNAK@VERIZON.NET
Physical Address of Property within 200 Feet: 3813 CUPPY DR

ADA/EOE/ADEA

www.cityofdenton.com

TDD (800) 735-2989



Development Services

401 N. Elm St., Denton, TX 76201 • (940) 349-8541

Response Form

Project Number: PD22-0010

Denton West Joint Venture

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

City of Denton Development Services

Attn: Julie Wyatt, Project Manager

401 N. Elm St.

Denton, TX 76201

You may also email a copy to mia.hines@cityofdenton.com.

Project Number: PD22-0010

Please circle one:

☐ In favor of request

☒ Opposed to request

Comments:

In my dealings/experiences with Greg Johnson they have all been negative. This zoning request feels like a request just to make his property more valuable. I can NOT support anything Greg Johnson or his company supports.

Signature:

Michael Doranski

Printed Name:

Michael Doranski

Street Address:

2000 Denison St Denton, TX 76201

City, State and Zip Code:

Denton, TX 76201

Phone Number:

940-395-1549

Email Address:

michael.inferno@yahoo.com

Physical Address of Property within 200 Feet:

3924 Teasley Ln Denton, TX 76201

ORDINANCE NO. PD22-0010d

AN ORDINANCE OF THE CITY OF DENTON, TEXAS REGARDING A CHANGE IN THE ZONING DISTRICT AND USE CLASSIFICATION ON APPROXIMATELY 12.77 ACRES OF LAND FROM A PLANNED DEVELOPMENT – MIXED-USE NEIGHBORHOOD (PD-MN) DISTRICT TO AN OVERLAY PLANNED DEVELOPMENT – SUBURBAN CORRIDOR (PD-SC) DISTRICT. THE SITES ARE GENERALLY LOCATED AT THE NORTHWEST AND SOUTHWEST CORNERS OF TEASLEY LANE (F.M. 2181) AND HUNTER CREEK ROAD 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 FOR SEVERABILITY AND AN EFFECTIVE DATE. (PD22-0010a, Denton West Joint Venture)

WHEREAS, Greg Johnson with Verus Commercial, applied on behalf of the property owner, Denton West Joint Venture, for a zoning change from a Planned Development – Mixed-Use Neighborhood (PD-MN) District to an Overlay Planned Development – Suburban Corridor (PD-SC) District on approximately 12.77 acres, legally described and depicted in Exhibit “A” (hereinafter, the “Property”); and

WHEREAS, on March 29, 2023, 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 held due hearings and afforded full and fair hearings to all property owners interested in this regard, and have recommended **approval (– –)** of the amendment; and

WHEREAS, on April 4, 2023, 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 for a zoning change to an Overlay Planned Development (PD) District set forth in Section 2.7.3 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 a change in the zoning classification of the property, have determined that the proposed use is in the best interest in 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 from a Planned Development - Mixed-Use Neighborhood (PD-MN) District to an Overlay Planned Development – Suburban (PD-SC) District. The Development Standards for the Property are described in Exhibit “B” attached hereto and incorporated herein by reference. Development of

the Property shall be in accordance with the Development Standards in Exhibit “B” and the Denton Development Code, as amended.

SECTION 4. The City’s official zoning map is hereby amended to show the change in the zoning district and use classification.

SECTION 5. 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 6. Any person, firm, entity 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 7. 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 [____ - ____]:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Jesse Davis, District 3:	_____	_____	_____	_____
VACANT, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Chris Watts, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the _____ day of _____, 2023.

GERARD HUDSPETH, MAYOR

ATTEST:
ROSA RIOS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____

Exhibit A – Legal Description

TRACT 1

BEING a tract of land situated in the J. Fisher Survey, Abstract No. 421, and being a portion of a called 56.014 acre tract of land as described in a Warranty Deed to Denton West Joint Venture as recorded in Instrument No. 2011-114170 of the Official Records of Denton County, Texas, same being all of Lot 1, Block A of Denton West Joint Venture Addition, according to the Conveyance Plat thereof recorded in Document No. 2020-8 of the Plat 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 northernmost corner of said Lot 1, common to the most easterly corner of Lot 1X HOA, Block E of Teasley Trails Phase III, according to the Minor Amending Plat thereof recorded in Document No. 2017-95 of the Plat Records of Denton County, Texas, same being on the westerly right-of-way line of F.M. Highway No. 2181 (Teasley Lane), a variable width right-of-way, and the westerly line of a called 1.2355 acre tract of land described as Parcel 32 in a deed to State of Texas, as recorded in Instrument No. 2011-73414 of the Official Records of Denton County, Texas;

THENCE departing the easterly line of said Lot 1X, along the easterly line of said Lot 1, the westerly right-of-way line of said F.M. Highway No. 2181 (Teasley Lane) and the westerly line of said Parcel 32, the following:

South 20°46'59" East, a distance of 232.03 feet to a TXDoT right-of-way monument found at the beginning of a tangent curve to the left having a central angle of 5°48'41", a radius of 2934.79 feet, a chord bearing and distance of South 23°41'20" East, 297.54 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 297.67 feet to a TXDoT right-of-way monument found for corner;

South 21°35'01" West, a distance of 19.94 feet to a TXDoT right-of-way monument found at the beginning of a non-tangent curve to the left having a central angle of 0°10'55", a radius of 2949.68 feet, a chord bearing and distance of South 26°56'38" East, 9.37 feet;

In a southeasterly direction, with said curve to the left, an arc distance of 9.37 feet to an "X" cut set for the southeast corner of said Lot 1, common to the intersection of the westerly right-of-way line of said F.M. Highway No. 2181 with the northerly right-of-way line of Hunter's Creek, a variable width right-of-way;

THENCE departing the westerly right-of-way line of said F.M. Highway No. 2181 (Teasley Lane) and the westerly line of said Parcel 32, and along the southerly line of said Lot 1 and the northerly right-of-way line of said Hunter's Creek, the following:

South 67°16'29" West, a distance of 129.40 feet to a mag nail set at the beginning of a tangent curve to the right having a central angle of 22°40'23", a radius of 367.50 feet, a chord bearing and distance of South 78°36'41" West, 144.48 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 145.43 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

TRACT 2

BEING a tract of land situated in the J. Fisher Survey, Abstract No. 421, and being a portion of a called 56.014 acre tract of land as described in a Warranty Deed to Denton West Joint Venture as recorded in Instrument No. 2011-114170 of the Official Records of Denton County, Texas, same being all of Lot 2, Block A of Denton West Joint Venture Addition, according to the Conveyance Plat thereof recorded in Document No. 2020-8 of the Plat Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at an "X" cut in concrete found for the northernmost southeast corner of said Lot 2, common to the southwest corner of a called 1.2355 acre tract of land described as Parcel 32 in a deed to State of Texas as recorded in Instrument No. 2011-73414 of the Official Records of Denton County, Texas, the northwest corner of a called 0.1047 acre tract of land described as Parcel 34 in a deed to State of Texas as recorded in Instrument No. 2011-74805 of the Official Records of Denton County, Texas, being on the westerly right-of-way line of F.M. Highway No. 2181 (Teasley Lane), a variable width right-of-way, and on the southeasterly line of said 56.014 acre tract, and the northwesterly line of Lot 1, Block A of Lakewood Convenient Addition, according to the plat thereof recorded in Cabinet N, Page 51 of the Plat Records of Denton County, Texas;

THENCE South 55°32'12" West, departing the westerly right-of-way line of said F.M. Highway No. 2181 (Teasley Lane), along the southeasterly line of said Lot 2 and the northwesterly line of said Lot 1, a distance of 378.50 feet to the southernmost southeast corner of said Lot 2, being in an asphalt road, known as Ryan Road, and the northerly line of a called 13.158 acre tract of land described in a deed to Lockard Denton, LLC (d/b/a Lockard Denton Holdings, LLC), as recorded in Instrument No. 2013-67764 of the Official Records of Denton County, Texas, from which, a mag nail found for witness bears South 42°04' East, 0.3 feet;

THENCE South 88°45'51" West, along the southerly line of said Lot 2, the northerly line of said 13.158 acre tract, the northerly line of Hickory Creek Heights according to the Final Plat thereof recorded in Cabinet N, Page 101 of the Plat Records of Denton County, Texas, and along said Ryan Road, a distance of 499.93 feet to a mag nail set for the southwest corner of said Lot 2, common to the southeast corner of Lot 3, Block A of said Denton West Joint Venture Addition;

THENCE departing the northerly line of said Hickory Creek Heights and said Ryan Road, and along the westerly line of said Lot 2 and the easterly line of said Lot 3, the following:

North 0°44'31" West, a distance of 74.60 feet to a point for corner;

North 40°09'01" East, a distance of 105.89 feet to a point for corner;

North 22°59'38" East, a distance of 90.75 feet to a point for corner;

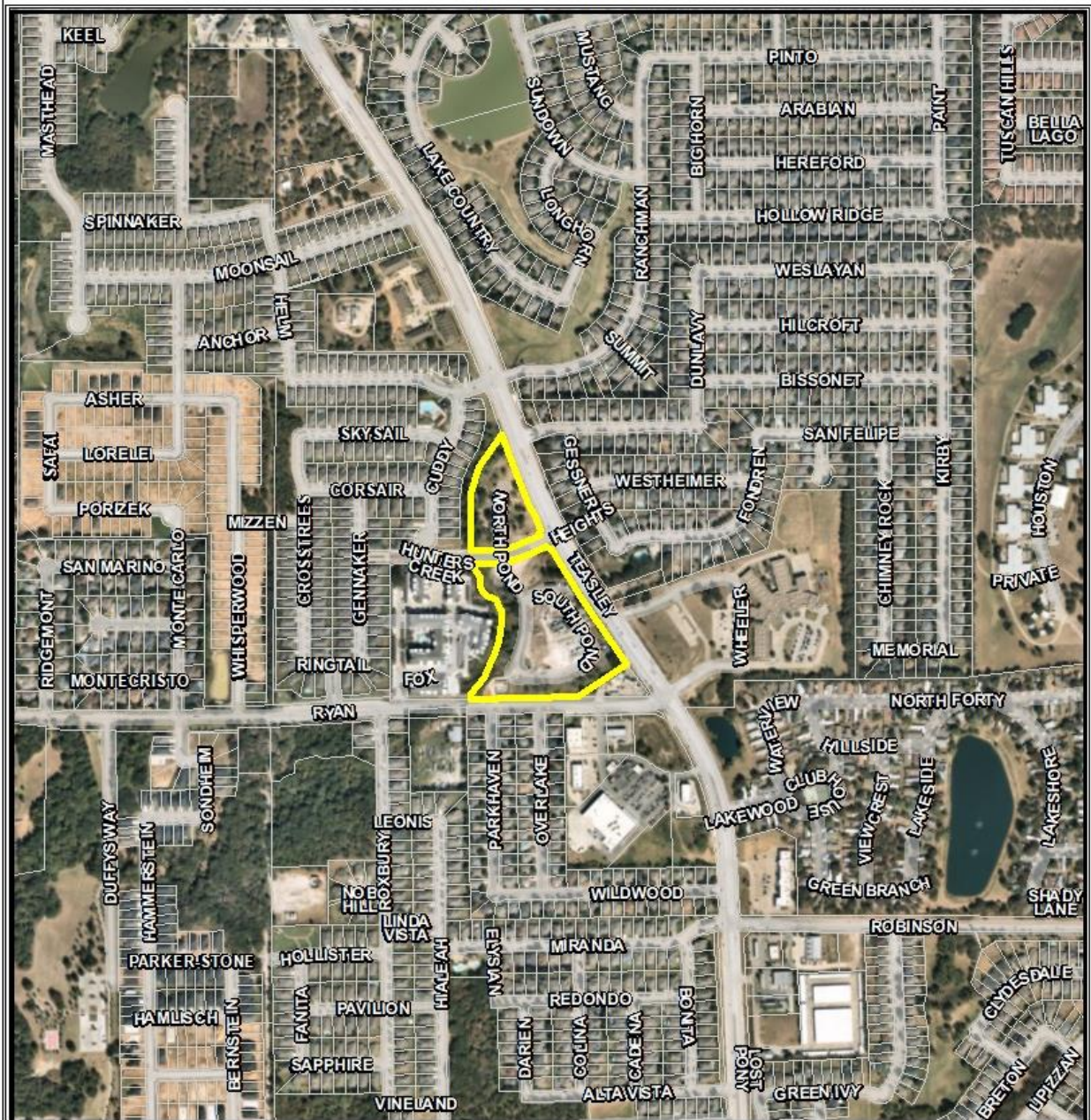
North 31°21'21" East, a distance of 50.47 feet to a point for corner;

North 13°53'08" East, a distance of 57.59 feet to a point for corner;

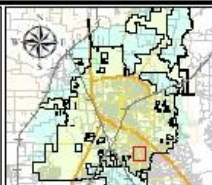
North 10°31'02" East, a distance of 108.30 feet to a point for corner;

North 3°51'07" West, a distance of 59.87 feet to a point for corner;

PD22-0010
Site Location



- SITE
- Parcels
- Roads



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.

Exhibit B – Planned Development Standards

PD22-0010

Denton West Joint Venture – Planned Development (PD) District

General Planned Development Standards

For 12.77 Acres

City of Denton, Denton County, Texas

SECTION 1: Purpose.

The regulations set forth in these development standards are for the Overlay Planned Development (PD) District as defined in Denton Development Code Section 2.7.3C.1. The PD encompasses a total of 12.77-acres described in Exhibit A (“Property”), Zoning Legal Description. Tract 1, an approximately 3.16-acre tract, is located at the northwest corner of Teasley Lane and Hunters Creek Road. Tract 2, an approximately 9.61-acre tract, is located at the southwest corner of Teasley Lane and Hunters Creek Road.

SECTION 2: Use Regulations.

The permitted uses shall be in accordance with Suburban Corridor (SC) District, per the City of Denton Development Code (DDC) Table 5.2.-A, as amended, with the following exceptions:

The following uses are prohibited:

- Multifamily Dwelling
- Work/Live Dwelling
- Club or Lodge
- Funeral and Internment Facility
- Business or Trade School
- Hospital Services
- Medical uses over 25,000 Square Feet
- Kennel
- Urban Farm
- Amenity Center
- Outdoor Recreation Facility
- Bar, Tavern, or Lounge
- Mobile Food Court
- Private Club
- Credit Access Business
- Printing, Copying, and Publishing Establishment
- Laundry Facility
- Tattoo and Body Piercing Parlor
- Smoke Shop
- Boarding or Rooming House
- Hotel
- Motel

- Auto Wash
- Automotive Repair Shop, Major & Minor
- Automotive Fuel Sales
- Parking Lot as Principal Use
- Craft Alcohol Production
- Food Processing, Less than 2,500 Square Feet
- Food Processing, More than 2,500 Square Feet
- Gas Well
- Artisan Manufacturing
- Low-Impact Manufacturing
- Data Center, Warehouse
- Self-Service Storage
- Warehouse and Wholesale Facility
- Accessory Uses
 - Home Occupation
 - Outdoor Storage, Accessory
 - Sale of Produce & Plants Raised on Premises
 - Solar Collector, Ground Mounted
 - Wind Energy Conversion System
- Temporary Uses
 - Temporary Storage Containers
 - Concrete or Asphalt Batching Plant
 - Portable Wireless Telecommunications Tower

Drive-through facilities shall only be permitted on Tract 1, north of Hunters Creek Road. No more than 2 drive-through facilities shall be permitted by right. Additional drive-through facilities may be permitted with approval of a Specific Use Permit pursuant to the Denton Development Code, Section 2.5.2: *Specific Use Permit (SUP)*.

SECTION 3: Development Standards.

Development within this PD shall comply with the Development Standards applicable to the SC Zoning District as provided for in the Denton Development Code, as amended. Additionally, all development within this PD shall comply with the following:

Landscaping & Screening

A minimum of three Right-of-Way Elements must be selected from DDC Table 7.E, Section A along all property lines abutting Hunters Creek Road. The following buffers shall be required:

Tract 1

Along all property lines shared with the single-family subdivision to the west, a minimum 30-foot-wide landscape buffer shall be provided and must include 30 Buffer Points selected from DDC Table 7.G. Existing tree canopy may count towards the required buffer elements.

A fence shall be constructed between the landscape buffer and all development on this Tract designed pursuant to DDC Section 7.7.8: *Wall, Fences, and Screening*.

Tract 2

Along all property lines shared with the multifamily development to the west, a minimum 30-foot-wide landscape buffer shall be provided and must include 30 Buffer Points selected from DDC Table 7.G. Existing tree canopy may count towards the required buffer elements.

Site & Building Design

Where sidewalks and pedestrian paths traverse driveways, the sidewalk or pedestrian path shall be designed with patterned and/or colored concrete or pavers.

No menu boards or speakers shall be located between a primary structure and Hunters Creek Road.

All building-mounted light fixtures must be installed so that light is directed downward.

Parking and vehicular maneuvering areas shall be set back at no less than 25 feet from all property lines adjacent to Teasley Lane and no less than 15 feet from Hunters Creek Road.

Signage

Free standing signs shall be limited to monument signs. Monument signs shall be no taller than 8 feet in height.

From: [Welborn, Cathy](#)
To: [Hines, Mia](#)
Cc: [Firgens, Tina](#); [Zagurski, Hayley](#); [Robinson, Kelly](#)
Subject: FW: PD22-0010, Denton West Joint Venture
Date: Friday, February 24, 2023 7:37:11 AM

Please see the below email from Chair Ellis.

From: Ellis, Margie <Margie.Ellis@cityofdenton.com>
Sent: Thursday, February 23, 2023 5:03 PM
To: Welborn, Cathy <Cathy.Welborn@cityofdenton.com>
Subject: PD22-0010, Denton West Joint Venture

Hi Cathy,

Please let this email serve as disclosure of a meeting I had with the applicant's representative Greg Johnson. Mr. Johnson and I met on Friday, February 17th at 3:00pm for an hour. He and I also had a phone conversation on Thursday, February 23rd at noon. That call lasted about a half hour.

Thank you. And please let me know if you need anything further from me.

Margie Ellis
Chair, City of Denton Planning & Zoning Commission
940-453-5257

ATTENTION: Most correspondence will be considered a public record and made available upon a Public Information Request.

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City of Denton

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

Legislation Text

File #: PZ23-025, **Version:** 1

AGENDA CAPTION

Hold a discussion regarding the Planning and Zoning Project Matrix.

2023
Planning and Zoning Commission Requests for Information
Meeting Dates

Request		Request Date	Status
Receive a legislative update on planning related filed bills for the Texas Legislature	Ellis	5/25/2022	Work session discussion at a future date.
Discussion related to removing minimum parking requirements from the DDC.	Villarreal	9/14/2022	Work session discussion at a future date, pending further discussion with the Development Code Review Committee (DCRC).
Review procedural requirements related to encroachments within the Airport Height Hazard District (AHHD), and whether updates may be needed to the AHHD district should conditions have changed since the district was established.	Ellis	11/16/2022	Work session discussion at a future date.
Provide an overview to P&Z on how land use decisions affect Denton's Sustainability goals and provide information to the Sustainability Framework Advisory Committee on how zoning regulations impact Denton's sustainability goals.	Pruett	1/11/2023	Work session discussion 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.
Continued discussion and report from City Attorney's Office regarding public hearing notification to properties in the ETJ	Smith	3/15/2023	Work session discussion scheduled for 3/29/2023 meeting.

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.

Annual Updates		Request Date	Status
Provide annual updates related to progress on implementing the Denton 2040 Comprehensive Plan Action Items	Smith	3/9/2022	Ongoing Work Session discussion scheduled for Spring 2023

03/23/2023

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