



# City of Denton

City Hall  
215 E. McKinney Street  
Denton, Texas  
[www.cityofdenton.com](http://www.cityofdenton.com)

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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Capital Projects

**ACM:** Frank Dixon

**DATE:** May 19, 2026

### **SUBJECT**

Consider adoption of an ordinance of the City of Denton granting a special permit to Mario Sinacola & Sons Excavating, Inc. to allow for work hours outside those ordinarily allowed pursuant to Section 17-20(c)(3)(f) of the City of Denton Code of Ordinances, with respect to hours of operation related to Hickory Creek Road Phase 3 construction of the Hickory Creek Road and Bridge over Hickory Creek and Canadian Pacific Kansas City Railroad: providing for approval of special permit for a variance in the hours of operation during weekdays and weekends; and providing an effective date.

### **STRATEGIC ALIGNMENT**

This action supports Key Focus Area: Enhance Infrastructure and Mobility.

### **INFORMATION/BACKGROUND**

Construction contractor Mario Sinacola & Sons Excavating, Inc. (Sinacola), requests an exception from the allowed construction work hours from May 19, 2026 through May 2027, for the estimated construction duration of Hickory Creek Road Phase 3, to be allowed to work, as needed, without any time restrictions during weekdays and weekends. Section 17-20(c)(3)(f) of the Code of Ordinances limits the work hours for the construction of any building from 7:00 a.m. to 8:30 p.m. Monday through Friday from October 1 to May 31.

Sinacola is requesting an exception to address construction limitations over Hickory Creek, Canadian Pacific Kansas City Rail (CPKC) right-of-way, and, if possible, work-prohibiting weather days.

Specifically, the exception will allow Sinacola to work within CPKC's right of way, which is restricted. Additionally, due to the temperature constraint of 85-degree maximum for the concrete pours on bridge decks, bridge slabs, and superstructures; the exception will allow Sinacola to better respond to work-prohibiting weather days, such as rain and heat.

City Council may issue special permits or exceptions for construction work hours in case of urgent necessity and in the interest of public safety and convenience. Granting this exception will allow for the construction of the Hickory Creek Road Phase 3 bridge for the installation of bridge beams, deck panels, and a continuous pour of deck pavement. The exception will have minimal impacts, if any, on residents, as there are only two residents within a 1320-foot (1/4-mile) radius of the Hickory Creek Road bridges. In addition, night work will have less of an impact on traffic along Hickory Creek Road and nearby state highways FM 1830 and FM 2181.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On May 3, 2022, City Council approved the Construction Contract with Sinacola (Ordinance No. 22-911).

**RECOMMENDATION**

Staff recommends approval

**PRINCIPAL PLACE OF BUSINESS**

Mario Sinacola & Sons Excavating, Inc.  
Frisco, Texas

**ESTIMATED SCHEDULE OF PROJECT**

Hickory Creek Road Phase 3's projected design completion date is May 2027.

**FISCAL INFORMATION**

Not Applicable

**EXHIBITS**

- Exhibit 1 – Agenda Information Sheet
- Exhibit 2 – Applicant Request
- Exhibit 3 – Location and Aerial Maps
- Exhibit 4 – Noise Ordinance Special Permit Checklist
- Exhibit 5 – Ordinance

Respectfully submitted:  
Seth Garcia, PMP  
Director of Capital Projects

For information concerning this acquisition, contact: Tracy L. Beck, PE, PMP, PMI-CP, 940-349-8925.

Legal point of contact: Marcella Lunn at 940-349-8333.