



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: July 16, 2024

SUBJECT

Conduct the second of two readings and adopt an ordinance of the City of Denton, Texas annexing approximately 92.382 acres of land, generally located north of Johnson Lane, south of Allred Road and 2,325 feet east of John Paine Road, to the City of Denton, Denton County, Texas; providing for a correction to the City map to include the annexed land; and providing for a savings clause and an effective date. (A24-0001c, Dentex Annexation, Angie Manglaris)

BACKGROUND

The applicant, Dentex Land, Cattle, and Energy, LP (hereafter referred to as “Owner”), has submitted a petition for voluntary annexation of approximately 92.382 acres of land. The subject property is currently developed with a single-family residence and associated accessory structures situated in the center of the property. In addition, the northwest corner of the site is developed with several barn structures which are currently used for a wedding venue. The southeast corner of the site contains a plugged gas well and an existing cell tower. As discussed further below, the property is subject to restrictive covenants that require voluntary annexation of the property prior to the land being platted. This voluntary annexation complies with Subchapter C-3, Chapter 43 of the Texas Local Government Code.

On May 21, 2024, the City Council approved a Municipal Services Agreement between the City of Denton and the property owner, held a public hearing, and conducted the first of two readings of the annexation ordinance. Following the first reading of the annexation ordinance, the ordinance must be published in the newspaper. A copy of the annexation ordinance was published in the Denton Record-Chronicle on Sunday, May 26, 2024, per the City Charter.

The next (and final) step required for a voluntary annexation based upon the requirements of TXLGC Sec. 43.0672 and the City’s Charter is to conduct the second of two readings of the annexation ordinance at least 30 days after the publication of the draft annexation ordinance in the newspaper (see steps outlined below).

1. Approval of a Municipal Services Agreement
2. Annexation Public Hearing
3. First Reading of Annexation Ordinance
4. Publication of Annexation Ordinance
- 5. Second Reading and Adoption of Annexation Ordinance**

(Continued on next page)

On February 7, 2001, the City Council entered into a Restrictive Covenants agreement for the subject property (Ordinance 2001-092). The conditions of the Restrictive Covenants run with the land and are valid for a period of thirty years from the date of recordation. The Restrictive Covenants stipulate the property shall be annexed to the City limits prior to platting and subsequent development of the property. Such annexations shall be considered voluntary requests for annexation.

On March 5, 2024, the Owner submitted a petition for voluntary annexation (A24-0001) of the subject property. Anticipating that the petition to annex will be approved, the Owner has applied for a comprehensive plan amendment and a zoning change for the future development of a residential subdivision on approximately 65.39 acres of land and future commercial and/or higher density residential development on approximately 27.9 acres of land. Once a property is annexed into the City Limits, it is automatically assigned a placeholder zoning designation of Rural Residential (RR). The public hearings for the comprehensive plan amendment and rezoning of the property would be scheduled after the City Council approves the annexation (should that occur). The Planning and Zoning Commission public hearings for the property have been noticed for July 24, 2024, contingent upon the property being annexed into the City.

The subject property is situated north of Johnson Lane, south of Allred Road and approximately 2,235 feet east of John Paine Road. The parcels to the east of the subject property are situated in the City of Denton's Extraterritorial Jurisdiction. To the north and west of the site exists Master Planned Community (MPC) zoning as part of the Hunter Ranch Development with the MPC land use plan designating the sites for Mixed-Use Regional and Mixed-Use Neighborhood development. To the south of the site exists the Country Lakes subdivision, zoned Planned Development, and other parcels located within City of Denton Extraterritorial Jurisdiction.

The Future Land Use designation for the subject property is Rural Areas.

This category includes farms and ranches as the predominant use along with rural residential (a maximum of one unit per five acres) and rural commercial including feed stores, farm equipment, etc. This land use may allow lots as small as one acre under the gross density provision to allow for conservation development which clusters smaller lots while permanently protecting scenic rural open space (through conservation easements). This land use may also include single-family homes on large lots, which are suited for areas on the periphery of the city that complement a more suburban type of development. Development in this future land use category will continue the present character of the rural areas of Denton with low-profile homes of no greater than two stories, generous lots and setbacks, and materials that complement the natural surroundings and ranch heritage.

The subject property has direct access onto a public right-of-way to the north from Allred Road, a proposed Primary Arterial, as well as to the south from Johnson Lane.

Currently there is an existing 8-inch water line to the south of the subject property that runs north/south along Lavon Lane in the Country Lakes Subdivision. There is also a 24-inch water line that runs east/west and is situated to the north of Allred Road. Additional public infrastructure improvements will be needed for the area in order to service the proposed development, including an offsite easement to extend City sewer to the site from the Sagebrook Development located approximately 2,700 feet east of the site.

The subject property does have FEMA floodplain and a set of potential Environmentally Sensitive Areas (ESAs) on site. The applicant will be responsible for providing an updated ESA field assessment, confirming the existence of Floodplain ESA, prior to development of the property.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
February 7, 2001	City Council	Restrictive Covenants	Approved
May 21, 2024	City Council	Municipal Services Agreement Ordinance	Approved
May 21, 2024	City Council	Public Hearing	Public hearing held; no further action occurred
May 21, 2024	City Council	First Reading of the Annexation Ordinance	First reading held; no further action occurred
May 26, 2024	NA	Publication of Annexation Ordinance	Published

OPTIONS

1. Approve
2. Deny
3. Postpone Item

RECOMMENDATION

Staff recommends **approval** of the annexation of approximately 92.382 acres of land as it complies with the criteria in Section 2.4.5.E of the Denton Development Code for approval of all applications, and Section 2.7.5.D of the DDC for approval of a Voluntary Annexation.

EXHIBITS

- Exhibit 1 - Agenda Information Sheet
- Exhibit 2 - Site Location Map
- Exhibit 3 - Future Land Use Map
- Exhibit 4 - Current Zoning Map
- Exhibit 5 - Draft Annexation Ordinance
- Exhibit 6 - Presentation

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

Prepared by:
Angie Manglaris, AICP
Development Review Manager