

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, REGARDING A CHANGE IN THE ZONING DISTRICT AND USE CLASSIFICATION FROM A GENERAL OFFICE (GO) DISTRICT TO A HIGHWAY CORRIDOR (HC) DISTRICT ON APPROXIMATELY .358 ACRES OF LAND GENERALLY LOCATED ON THE WEST SIDE OF I35E APPROXIMATELY 1,500 FEET NORTH OF SCHUYLER STREET IN THE CITY OF DENTON, DENTON COUNTY; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. (Z24-0013a)

WHEREAS, RV Land Acquisitions, LP, requested to rezone approximately .358 acres of land from General Office (GO) District to Highway Corridor (HC) District, legally described in Exhibit "A", attached hereto and incorporated herein by reference (hereinafter, the "Property"); and

WHEREAS, on October 9, 2024, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded full and fair hearings to all property owners interested in this regard, and have recommended approval/denial (0-0) of the request; and

WHEREAS, on December 3, 2024, the City Council likewise conducted a public hearing as required by law, and finds that the request meets and complies with all substantive and procedural standards set forth in Section 2.7.2 of the Denton Development Code, and is consistent with the Denton 2040 Comprehensive Plan and the Denton Development Code; and

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

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

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

SECTION 2. The zoning district and use classification for the Property is hereby changed to Highway Corridor (HC) District.

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

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

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

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

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

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

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

GERARD HUDSPETH, MAYOR

ATTEST:
LAUREN THODEN, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____

Exhibit A
Legal Description

BEING a tract of land situated in the B.B.B. & C. RR. Co. Survey, Abstract No. 141, in the City of Denton, Denton County, Texas and being a portion of a called 91.692 acre tract described in a Special Warranty Deed to BCOM LAND, LLC, as recorded in document No. 2024-41140 of the Official Records of said county, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for the most westerly northwest corner of Lot 1R, Block A of I-35 RV Center, an addition to the City of Denton, Texas, according to the Final Plat thereof, recorded in Document No. 2019-298 of the Plat Records of said county, same being an inner "L" corner of said 91.692 acre tract; **THENCE** North 00°38'36" East, crossing said 91.692 acre tract, a distance of 60.70 feet to a 1/2 inch iron rod with a yellow cap, stamped "Trinity 6854", set on the southerly line of Lot 1, Block B of Western Hills Business Park, an addition to the City of Denton, Texas, according to the Final Plat thereof, recorded in Cabinet M, Page 300 of said Plat Records, common to a north line of said 91.692 acre tract, said point bears South 89°45'46" East, a distance of 430.62 feet from a 1/2 inch iron rod found for an inner "L" corner of said 91.692 acre tract and the southwest corner of said Lot 1, Block B;

THENCE South 89°45'46" East, with said common line, a distance of 257.30 feet to a 1/2 inch iron rod found for the most northerly northwest corner of said Lot 1R, Block A and a northeast corner of said 91.692 acre tract; **THENCE** South 00°10'06" West, with the most northerly west line of said Lot 1R, Block A and an east line of said 91.692 acre tract, a distance of 60.55 feet to a PK nail found for a southeast corner of said 91.692 acre tract and an inner "L" corner of said Lot 1R, Block A; **THENCE** North 89°47'44" West, with the most westerly north line of said Lot 1R, Block A, and a south line of said 91.692 acre tract, a distance of 257.80 feet to the POINT OF BEGINNING and containing 15,613 square Feet or 0.358 acres of land, more or less.