



City of Denton

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

Meeting Agenda

Planning and Zoning Commission

Wednesday, September 25, 2024

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.

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, September 25, 2024, 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.

REGULAR MEETING

After determining that a quorum is present, the Planning and Zoning Commission will convene in a Regular Meeting on Wednesday, September 25, 2024, at 6:30 p.m. in the City Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas at which time the following items will be considered:

1. PLEDGE OF ALLEGIANCE

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

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

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

- A. [PZ24-185](#) Consider the approval of the September 11, 2024, Planning and Zoning meeting minutes.

Attachments: [September 11, 2024](#)

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. [FP24-0030a](#) Consider a request by Oncor Electric Delivery Company, LLC for a Final Plat of the Grain Belt Substation Addition. The 5.606-acre site is generally located at the northeast corner of F.M. 1173 and Masch Branch Road, in the City of Denton's ETJ Division 1, Denton County, Texas. (FP24-0030a, Grain Belt Substation Addition, Mia Hines).

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Final Plat](#)

[Exhibit 5 - LLC Members List](#)

- [FP21-0037c](#) Consider a request by Justin Lansdowne of McAdams Company, on behalf of the property owner, for a Final Plat of Vintage Village Phase 1A. The approximately 2.789-acre property is generally located on the west side of Vintage Boulevard, approximately 818 feet northwest of the intersection of Vintage Boulevard and Fort Worth Drive, in the City of Denton, Denton County, Texas. (FP21-0037c, Vintage Village Phase 1A, Sean Jacobson).

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Final Plat](#)

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [FP24-0016](#) Consider a request by Red Bird Ridge LLC for approval of a Final Plat for Red Bird Ridge Addition. The approximately 38.4-acre site is generally located south of Country Club Road, north of Oak Ridge Lane and west of Fincher Trail, in the City of Denton's ETJ Division 1, Denton County, Texas. (FP24-0016, Red Bird Ridge Addition, Erin Stanley).

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

- B. [FP24-0025b](#) Consider a request by Stonehawk Capital Partners, LLC for a Final Plat of the Sereno Village Addition. The 18.235-acre site is generally located at the northwest corner of East University Drive (US 380) and Old North Road, in the City of Denton, Denton County, Texas. (FP24-0025b, Sereno Village Addition, Mia Hines).

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

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

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

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. [PD24-0004](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by Aspire Real Estate Services LLC and OMA Denton LLC for a zoning change from Residential 3 (R-3) District to Planned Development - Residential 6 District (PD-R6) including but not limited to establishing uses and standards and adopting a Development Plan. The approximately 12.1-acre site is generally located north of East McKinney Street, south of Paisley Street,

approximately 1,200 feet east of the intersection of East McKinney Street and Mack Drive, in the City of Denton, Denton County, Texas. STAFF IS REQUESTING THIS ITEM BE POSTPONED UNTIL THE OCTOBER 9, 2024 PLANNING AND ZONING COMMISSION MEETING. (PD24-0004, Villages of McKinney, Julie Wyatt).

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

- B. [DCA24-0011](#) Hold a public hearing and consider making a recommendation to City Council regarding amending the Denton Development Code; amendments include but are not limited to Denton Development Code Table 5.2-A: Table of Allowed Uses, Section 5.3.5 Commercial Use-Specific Standards, Table 7.9-I Minimum Required Off-Street Parking, and Section 9.2 Definitions. (DCA24-0011, Commercial Animal Services, Bryce Van Arsdale).

Attachments: [Exhibit 1- Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Draft Ordinance](#)
 [Exhibit 4 - Redline Markup](#)
 [Exhibit 5 - Public Hearing Responses](#)

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. [PZ24-154](#) Hold a discussion regarding the Planning and Zoning Project Matrix.

Attachments: [Matrix 2024](#)

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 September 20, 2024, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

OFFICE OF THE CITY SECRETARY

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



City of Denton

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Legislation Text

File #: PZ24-185, **Version:** 1

AGENDA CAPTION

Consider the approval of the September 11, 2024, Planning and Zoning meeting minutes.

MINUTES
PLANNING AND ZONING COMMISSION
September 11, 2024

After determining that a quorum was present, the Planning and Zoning Commission of the City of Denton, Texas convened in a Work Session on Wednesday, September 11, 2024, at 5:05 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Jason Cole, Kimberly Thaggard, and Jordan Villarreal

ABSENT: Commissioner Desiree Padron

WORK SESSION

1. In Person for Regular or Consent Agenda Items:

None

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

The following item were not presented or discussed:

3.B (FR24-0008a), 3.C (FP24-0026b), 3.D (PP24-0003a), 3.E (FR24-0005b), and 3.F (FP24-0023d)

The following items were presented, and discussion was had:

3.A (FR23-0003d), 4.A (FP24-0032), 5.A (PD24-0002), and 5.B (Z24-0002)

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

4.B (FP24-0033) and 4.C (FP24-0034)

3. Work Session Reports

- A. PZ24-184 Receive a report and hold a discussion regarding the tree preservation, landscaping, and protection and preservation of Environmentally Sensitive Areas requirements for new development projects.

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

The Work Session was adjourned at 6:10 p.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, September 11, 2024, at 6:38 p.m. in the Council Chambers at City Hall, 215 E. McKinney, Denton, Texas.

PRESENT: Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Jason Cole, Kimberly Thaggard, and Jordan Villarreal

ABSENT: Commissioner Desiree Padron

1. PLEDGE OF ALLEGIANCE

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

2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES

A. PZ24-156 Consider approval of the August 28, 2024, Planning and Zoning meeting minutes.

Commissioner Villarreal moved to approve the August 28, 2024, Planning and Zoning meeting minutes. Motion seconded by Commissioner Cole. Motion carried.

AYES (5): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Jason Cole, Kimberly Thaggard, and Jordan Villarreal

NAYS (0): None

3. CONSENT AGENDA

A. FR23-0003d 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. (FR23-0003d, Glenwood Meadows Phase II, Angie Manglaris).

B. FR24-0008a Consider a request by Bloomfield Homes, LP for approval of a Replat of Country Lakes North, Phase 6AB. The approximately 6.997-acre tract of land is generally located on the south side of Johnson Lane between John Paine Road and Old John Paine Road in the City of Denton, Denton County, Texas. (FR24-0008a, Country Lakes North, Phase 6AB, Julie Wyatt)

C. FP24-0026b Consider a request by Reece Flanagan of Flanagan Land Solutions, LLC, on behalf of the property owner, for a Final Plat of Acintyo Ventures Addition, Lots 1 and 2, Block 1. The approximately 0.300-acre site is generally located on the south side of Fannin Street, approximately 105 feet east of the intersection of Fannin Street and South Avenue B, in the City of Denton, Denton County, Texas. (FP24-0026b, Acintyo Ventures Addition, Sean Jacobson)

D. PP24-0003a Consider a request by Kimley-Horn & Associates, on behalf of Vandessmith Developers LTD for a Preliminary Plat of Grand Parkside. The approximately 19.15-acre site is generally located 266.11 feet east of Country Club Road and north of Hobson Lane in the City of Denton, Denton County, Texas. (PP24-0003a, Grand Parkside, Bryce Van Arsdale)

- E. FR24-0005b Consider a request by Kimley-Horn & Associates, on behalf of Forestar Group for a Final Replat of Eagle Creek Phase 3B. The approximately 36.07-acre site is generally located 0.5 miles east of South Bonnie Brae Street and north of Roselawn Drive in the City of Denton, Denton County, Texas. (FR24-0005b, Eagle Creek Phase 3B, Bryce Van Arsdale)
- F. FP24-0023d Consider a request by Barron Stark Engineers, on behalf of JVAC Properties LLC, for approval of a Final Plat of Lot 1, Block A Riviera Addition. The approximately 15-acre tract is generally located on the north side of Fishtrap Rd, approximately 259.2 feet west of Greenleaf Circle in the City of Denton, Denton County, Texas. (FP24-0023d, Water Line Extension Riviera, Matt Bodine)

Commissioner Villarreal moved to approve the Consent Agenda. Motion seconded by Commissioner Thaggard. Motion carried.

AYES (5): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Jason Cole, Kimberly Thaggard, and Jordan Villarreal
NAYS (0): None

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. FP24-0032 Consider a request by Cross Engineering for approval of a Final Plat for RDC Denton Eagle. The approximately 2.592-acre site is generally located on the south side of W Eagle Drive, between Collier Street and Avenue B, in the City of Denton, Denton County, Texas. (FP24-0032, RDC Denton Eagle, Erin Stanley).

City staff presented the item. No discussion followed.

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

AYES (5): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Jason Cole, Kimberly Thaggard, and Jordan Villarreal
NAYS (0): None

- B. FP24-0033 Consider a request by the Foresite Group, LLC for approval of a Final Plat for Stella Hills Phase 2A. The approximately 21.0505-acre site is located approximately 1,500feet south of E. McKinney Street and east of Laney Circle in the City of Denton, Denton County, Texas. (FP24-0033, Stella Hills Phase 2A, Angie Manglaris).

City staff presented the item. No discussion followed.

Commissioner Villarreal moved to approve the extension of the item to date certain of October 9, 2024. Motion seconded by Commissioner Thaggard. Motion carried.

AYES (5): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Jason Cole, Kimberly Thaggard, and Jordan Villarreal

NAYS (0): None

- C. FP24-0034 Consider a request by the Foresite Group, LLC for approval of a Final Plat for Stella Hills Phase 2B. The approximately 15.222-acre site is generally located on the south side of E. McKinney Street, and is situated to the east of Laney Circle in the City of Denton, Denton County, Texas. (FP24-0034, Stella Hills Phase 2B, Angie Manglaris).

City staff presented the item. No discussion followed.

Commissioner Villarreal moved to approve the extension of the item to date certain of October 9, 2024. Motion seconded by Commissioner Thaggard. Motion carried.

AYES (5): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Jason Cole, Kimberly Thaggard, and Jordan Villarreal

NAYS (0): None

5. PUBLIC HEARINGS

- A. PD24-0002 Hold a public hearing and consider making a recommendation to City Council regarding a request by Aimee Bissett of 97 Land Company on behalf of the property owner, Greater Texas Land Resources, LP, to rezone approximately 25.96 acres from a Residential 2 (R2) zoning district to a Planned Development with Mixed-Use Neighborhood (PD-MN) and Public Facilities (PD-PF) base zoning districts. The subject site is generally located at the northwest corner of the intersection of North Elm Street and North Locust Street in the City of Denton, Denton County, Texas (PD24-0002, Jefferson North Elm, Ashley Ekstedt)

Chair Ellis opened the public hearing.

City staff presented the item. Discussion followed.

Citizen comments will be listed on Exhibit A.

Chair Ellis closed the public hearing.

Vice-Chair Pruett moved to approve the item as presented. Motion seconded by Chair Ellis. Motion carried.

AYES (3): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioner: Kimberly Thaggard

NAYS (2): Commissioners: Jason Cole and Jordan Villarreal

- B. Z24-0002 Hold a public hearing and consider making a recommendation to City Council regarding a request to rezone approximately 2.6 acres of land from Residential 2 (R2) district to Residential 4 (R4) district generally located east of Mockingbird Lane, approximately 150 feet south of Audra Lane, in the City of Denton, Denton County, Texas. (Z24-0002, Mockingbird Ln-R2 to R4, Erin Stanley)

Chair Ellis opened the public hearing.

City staff presented the item. Discussion followed.

Citizen comments will be listed on Exhibit A.

Chair Ellis closed the public hearing.

Commissioner Villarreal moved to deny the item as presented. Motion seconded by Commissioner Cole. Motion carried.

AYES (5): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Jason Cole, Kimberly Thaggard, and Jordan Villarreal

NAYS (0): None

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. PZ24-153: Staff provided updates regarding the matrix. No new items were added to the matrix.

Chair Ellis requested an update regarding platting standards for gas well designations and would like an update regarding the tree fund.

Vice-Chair Pruett requested a discussion on applicability of gas well regulations in the ETJ and requested if there are ways to make sure impacts to specific neighborhoods with development if there are tree fund dollars to get used there quickly.

7. CONCLUDING ITEMS

With no further business, the meeting was adjourned at 8:37 p.m.

X _____
Margie Ellis, Planning and Zoning Commission Chair Date

X _____
Cathy Welborn, Administrative Assistant III Date

Minutes approved on: _____

September 11, 2024 Planning and Zoning Meeting - EXHIBIT A

Speaker Commentaries/ Registration - Online, E-mail, In-Person, and Phone

Name	Address	Agenda Item	Position	Method	Comments
Aimee Bissett (Applicant)	109 N Elm, Denton, 76201	PD24-0002	Support	In Person	Provided an overview of the Planned Development, the ways the applicant is preserving the property, amenities and parkland dedication.
Kim Spivey	3309 Doris Drive, Denton, 76207	PD24-0002	Support	In Person	Stated she is not in love with having more apartments in Denton. She attended the neighborhood meetings and is in favor of this project because of the tree preservation.
Jacob White	Gable Court Neighborhood	PD24-0002	Not Stated	In Person	Stated he understands the goal to build obtainable housing in the area and retain citizens. Voiced the issues he has had with people walking through his neighborhood, walking in his garage and cutting through this property. Spoke about finding sleeping bags and trash around the neighborhood. Thanked the Commission for their time.
Larry Bell	Gable Court Neighborhood	PD24-0002	Opposed	In Person	Thanked the Commission for letting them speak this evening. One of the major concerns he has and has not seen addressed is the increase in population and density for that area. Moved to Denton in July and didn't not receive any prior notice.
Cody Temple	Gable Court Neighborhood	PD24-0002	Opposed	In Person	Did receive a notification card before the first meeting. Has the same concerns regarding population density. But also wanted to talk about visual pollution. By looking at the renderings the City of Denton is going to be considered a skyscraper and will stick out like a sore thumb.
Ann Howington	1122 Panhandle Street, Denton, 76201	PD24-0002	Opposed	In Person	Thanked the Commission for having this Public Hearing. Stated she is not here to express opposition for the zoning. Provided a petition regarding the creation of a community garden. In closing requested at meeting be scheduled with the Parks and Recreation Department. Stated how we have out grown our projected growth of 10 years within 7 years and we don't have enough affordable housing.
Shan Treat	3508 Pheasant Hollow, Denton, 76207	PD24-0002	Not Stated	In Person	Stated he has been going to the neighborhood meetings. This plan sticks out to him and he wants to be in support of it because this is a unique partnership that kind of hits all the right notes. Stated he understands that the apartments are going to go up and go tall but to think about what is on the other side of that and the connectivity for the city.
B.J Edwards	PO Box 114, Denton, 76202	Z24-0002	Opposed	In Person	Stated his family owns the property on the east side of the proposed development. He is here to 100 percent oppose the zoning change. Stated the applicant has tried multiply times to rezone.
Brenda Stevens	213 McKamy Blvd, Denton, 76207	PD24-0002	Support	In Person	Did not wish to speak.
Jennifer Lane	1526 Willowwood Street, Denton, 76205	PD24-0002	Not Stated	In Person	Did not speak.
Melody Ostrom	1816 Audra Lane, Denton, 76209	Z24-0002	Not Stated	In Person	Opposed to the request especially being right across the street.
Richard Darragh (Applicant)	9001 Cypress Waters Blvd, Ste. 200, Dallas	PD24-0002	Support	In Person	Provide the history of JPI and project scope and site location.
Erin Alice	301 McKamy Blvd., Denton 76207	PD24-0002	Support	In Person	Long time employee of UNT Engineering Department and would like to voice her support for JPI and building the apartment complex which will preserve the most of the land and trees.
Charles Lee	640 W University Dr. Denton, 76201	PD24-0002	Opposed	In Person	Stated he never got notice of this and this is a terrible plan. If you put 450 more people over in that area do you know how much traffic that is going to cause.



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Legislation Text

File #: FP24-0030a, **Version:** 1

AGENDA CAPTION

Consider a request by Oncor Electric Delivery Company, LLC for a Final Plat of the Grain Belt Substation Addition. The 5.606-acre site is generally located at the northeast corner of F.M. 1173 and Masch Branch Road, in the City of Denton's ETJ Division 1, Denton County, Texas. (FP24-0030a, Grain Belt Substation Addition, Mia Hines).



City of Denton

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AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: September 25, 2024

SUBJECT

Consider a request by Oncor Electric Delivery Company, LLC for a Final Plat of the Grain Belt Substation Addition. The 5.606-acre site is generally located at the northeast corner of F.M. 1173 and Masch Branch Road, in the City of Denton's ETJ Division 1, Denton County, Texas. (FP24-0030a, Grain Belt Substation Addition, Mia Hines).

BACKGROUND

The purpose of this Final Plat is to establish one platted lot to allow for the construction of an electric substation. The subject property is a portion of a much larger, over 200-acre, parent tract of land located in the City of Denton's Extraterritorial Jurisdiction (ETJ). While the City of Denton's subdivision regulations are applicable in the ETJ, the City has no land use or zoning authority over ETJ properties.

Date Application Filed:	July 30, 2024
Planning & Zoning Commission Meeting:	August 28, 2024
Days in Review:	29 Days
Date Extension Granted:	August 28, 2024
Planning & Zoning Commission Meeting:	September 25, 2024
Days in Review:	29 Days

This application is being considered under (TX LGC) 212.009, which was updated as of September 1, 2023 with the passage of House Bill 3699.

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 Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

Continued on next page.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
August 28, 2024	Planning and Zoning Commission	Final Plat	Extension Approved

PUBLIC OUTREACH

No public outreach is required for final plats.

DEVELOPER ENGAGEMENT DISCLOSURES

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

EXHIBITS

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

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

Prepared by:
Mia Hines, AICP
Senior Planner

Planning Staff Analysis

FP24-0030a / Grain Belt Substation Addition

Planning & Zoning Commission

REQUEST:

Final plat for an approximately 5.606-acre site

APPLICANT:

Half Associates on behalf of Oncor Electric Delivery Company, LLC.

RECOMMENDATION:

Staff recommends approval of this Final Plat as it meets the established approval criteria.

Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
<p>a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>The Final Plat meets all review criteria as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B.</p> </div>	<input checked="" type="checkbox"/>	<input 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> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>The Final Plat meets the review criteria of DDC Section 2.6.4D.</p> </div>	<input checked="" type="checkbox"/>	<input 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> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>There is no conflict.</p> </div>	<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>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p>Findings:</p> <div data-bbox="253 233 1040 415" style="border: 1px solid black; padding: 5px;"> <p>There are no prior land use approvals, plans, development agreements, or plat approvals associated with the proposed Final Plat.</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 data-bbox="253 583 1040 793" style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>a. The decision-making authority shall weigh competing plan goals, policies, and strategies</p> <p>Findings:</p> <div data-bbox="253 930 1040 1018" style="border: 1px solid black; padding: 5px;"> <p>There are no competing plan goals, policies, and strategies for this site.</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 data-bbox="253 1188 1040 1297" style="border: 1px solid black; padding: 5px;"> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
<p>4. Compliance with this DDC</p>			
<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 data-bbox="253 1507 1149 1675" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat complies with all applicable requirements of the Denton Development Code.</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
<p>b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div data-bbox="253 300 1149 453" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat was submitted at an adequate level of detail to ensure compliance.</p> </div></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Compliance with Other Applicable Regulations			
<p>a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations. Findings: <div data-bbox="253 695 1117 898" style="border: 1px solid black; padding: 5px;"> <p>The proposed development complies regulations related to wetlands, water quality, erosion control, and wastewater regulations.</p> </div></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. Findings: <div data-bbox="253 1173 1117 1272" style="border: 1px solid black; padding: 5px;"> <p>There are no development agreements applicable to this proposed Final Plat.</p> </div></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. Findings: <div data-bbox="253 1545 1117 1686" style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Minimizes Adverse Impacts on Surrounding Property			
<p>a. The proposed development should not cause significant adverse impacts on surrounding properties. The results of the citizen participation process may be appropriately considered under this section.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p>Findings:</p> <div data-bbox="253 233 1117 359" style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>			
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 data-bbox="253 537 1117 653" style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 data-bbox="253 957 1133 1083" style="border: 1px solid black; padding: 5px;"> <p>The proposed Final Plat is compliant with all applicable regulations.</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 data-bbox="253 1318 1117 1377" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat is compliant with this criterion.</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 data-bbox="253 1717 1101 1864" style="border: 1px solid black; padding: 5px;"> <p>There are adequate facilities to serve the development. Civil engineering plans will be reviewed to ensure adequate infrastructure improvements and extensions.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

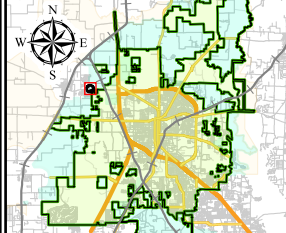
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
13. Rational Phasing Plan			
<p>a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required for that phase, and may not defer those improvements to subsequent phases.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>There is no phasing plan associated with the proposed Final Plat.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)	Applicability		
	Met	Not Met	N/A
<p>14. Whether the final plat conforms to the preliminary plat, including any conditions of approval.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>There is no approved preliminary plat associated with the proposed Final Plat.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>15. Whether the development will substantially comply with all requirements of this DDC.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>As described herein, the Final Plat complies with all applicable requirements of the Denton Development Code.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>16. Whether the development will comply with the applicable technical standards and specifications adopted by the City.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>The Final Plat complies with the applicable technical standards and specifications adopted by the City.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FP24-0030 Site Location

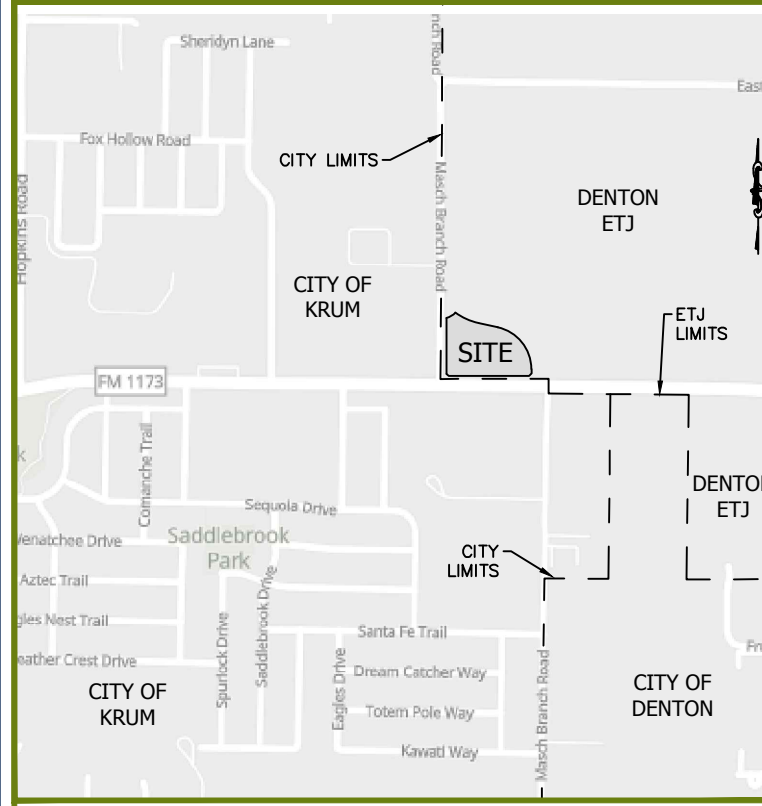


- Roads
- Parcels
- COD
- ETJ
- ETJ 2
- NAA 8/1/20
- NAA 8/1/40



0 140 280 560 Feet

CITY OF DENTON
Development Services • GIS
Date: 8/8/2024



OWNER/DEVELOPER NAME AND ADDRESS
 Name: Oncor Electric Delivery Company
 Address: 777 Main Street, Suite 707, Fort Worth, TX 76102
 Phone: 817-321-1100

ENGINEER NAME AND ADDRESS
 Name: Half Associates
 Address: 3803 Parkwood Blvd., Suite 800, Frisco, TX 75034
 Phone: 214-618-4570

SURVEYOR NAME AND ADDRESS
 Name: Dunaway Associates
 Address: 550 Bailey Avenue, Suite 400, Fort Worth, TX 76107
 Phone: 817-335-1121 Fax: 817-335-3716

- DEVELOPMENT NOTES:**
- The purpose of this plat is the development of an Electric Substation.
 - Water service to be provided by the City of Krum.
 - Private improvements cannot encroach onto existing public or private easements.
 - 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. Buildings permits will not be issued for structures within these clearance areas. Contact the building official with specific questions.
 - No sewage service facilities are being developed on this site.
 - COD STANDARD DRAINAGE COMMENT/STATEMENT: RIGHTS OF COUNTY/CITY.** The City and County, including their agents and employees, have the right of immediate access to the Common Areas at all times, if necessary, for the welfare or protection of the public, to enforce City/County ordinances, or to improve the appearance of or to preserve public property, public easements, or public rights of way. If the Association fails to maintain the Common Areas to a standard acceptable to the County or City, the County or City may give the Association a written demand for maintenance. If the Association fails or refuses to perform the maintenance within a reasonable period of time after receiving the County's/City's written demand (at least 90 days), the County or City may maintain the Common Areas at the expense of the Association after giving written notice of its intent to do so to the Association. The County or City may give its notices and demands to each officer, director, or agent of the Association, or alternatively, to each owner of a Lot as shown on the County's tax rolls. To fund the County's or City's cost of maintaining the Common Areas, the County or City may levy assessments against the lots and owners in the same manner as if the Association levied a special assessment. The rights of the County or City under this Section are in addition to other rights and remedies provided by law.
 - The maintenance of paving, grading and drainage improvements and/or easements shown on this plat are the responsibility of the individual property owners and do not constitute acceptance of same for maintenance purposes by Denton County.
 - Denton County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flooding conditions.
 - Construction not complete within two years of the Commissioners Court approval shall be subject to current County Subdivision Rules and Regulations.
 - All work within gas pipeline easement will be subject to the terms of the easement encroachment agreement with the pipeline easement holder, recorded in the Official Public Records of Denton County.

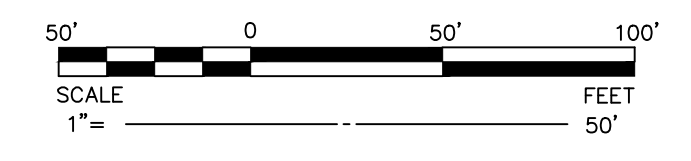
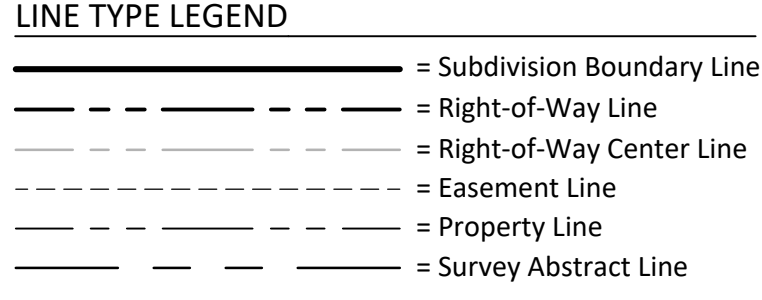
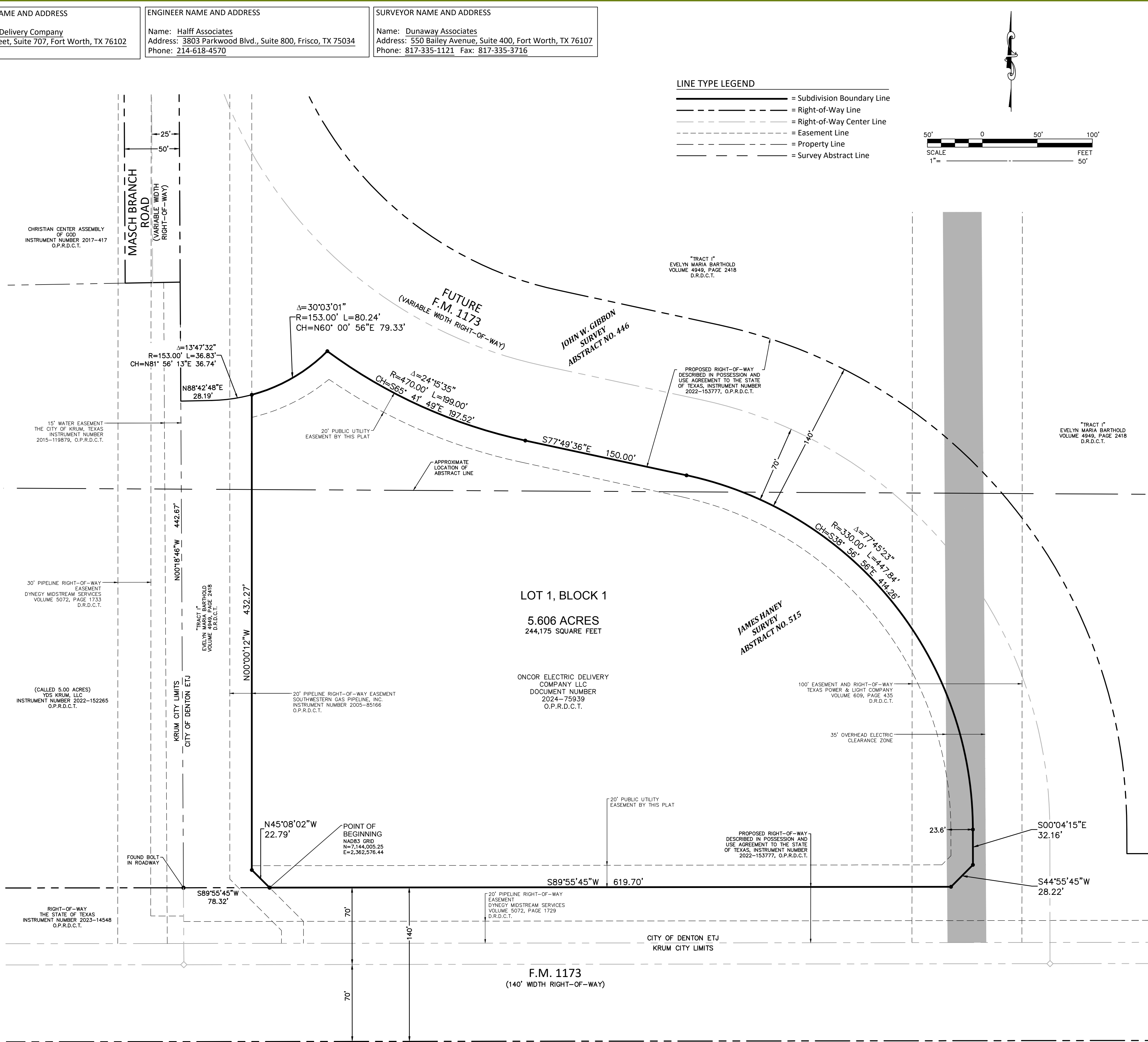
SURVEY NOTES:

The basis of bearings for this survey is the Texas State Coordinate System, North Central Zone, based upon GPS measurements. Distances and areas hereon are surface values. A combined scale factor of 0.999849393 was used for this project.

According to the graphical plotting of the Flood Insurance Rate Map for Denton County, Texas and Incorporated Areas, Panel 215 of 750, Map Number 48121C0215G, Map Revised Date: April 18, 2011, the subject property is located in Zone X (no screen), defined as "Areas determined to be outside of the 0.2% annual chance floodplain". This statement does not reflect any type of flood study by this firm.

D.R.D.C.T. = Deed Records of Denton County, Texas
 R.R.D.C.T. = Real Records of Denton County, Texas
 O.P.R.D.C.T. = Official Public Records of Denton County, Texas

● = Set 5/8" iron rod with cap stamped "DUNAWAY ASSOC." (unless otherwise noted)



STATE OF TEXAS §
 COUNTY OF DENTON §

WHEREAS, Oncor Electric Delivery Company LLC, is the sole owner of a 5.606 acre tract of land located in the James Haney Survey, Abstract No. 515, and in the John W. Gibson Survey, Abstract No. 446, Denton County, Texas, being all of the tract of land described in Special Warranty Deed recorded in Document Number 2024-75939, Official Public Records of Denton County, Texas (O.P.R.D.C.T.), said 5.606 acre parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a set 5/8-inch iron rod with cap stamped "DUNAWAY ASSOC." (herein referred to as "with cap") at the intersection of the proposed north right-of-way line of F.M. 1173 (variable width right-of-way), as described in Possession and Use Agreement to The State of Texas, as recorded in Instrument Number 2022153777, O.P.R.D.C.T., with the easterly line of a 20-foot wide pipeline right-of-way easement to southwestern Gas Pipeline, Inc., as recorded in Instrument Number 2005-85166, O.P.R.D.C.T., and being locatable by NAD83 Grid Coordinate: N=7,144,005.25, E=2,362,576.44, and from which a found bolt in the roadway of Masch Branch Road (variable width right-of-way) for corner at the intersection of said proposed north right-of-way line with the west line of a tract of land described as "Tract 1" in Special Warranty Deed to Evelyn Maria Barthold, as recorded in Volume 4949, Page 2418, Deed Records of Denton County, Texas (D.R.D.C.T.), bears South 89 degrees 55 minutes 45 seconds West, a distance of 78.32 feet;

THENCE North 45 degrees 08 minutes 02 seconds West, departing the proposed north right-of-way line of said F.M. 1173 and along the common easterly line of said 20-foot wide pipeline right-of-way easement and the westerly line of said 5.606 acre tract, a distance of 22.79 feet to a set 5/8-inch iron rod with cap for corner;

THENCE North 00 degrees 00 minutes 12 seconds West, continuing along said common line, a distance of 432.27 feet to a set 5/8-inch iron rod with cap for corner at the intersection of said easterly line with the proposed southwesterly right-of-way line of a connector of said F.M. 1173 to said Masch Branch Road, said point being on a curve to the left, having a radius of 153.00 feet and whose chord bears North 60 degrees 00 minutes 56 seconds East, a distance of 79.33 feet;

THENCE Northeasterly, departing the easterly line of said 20-foot wide pipeline right-of-way easement, along the common northerly line of said 5.606 acre tract and the proposed southwesterly right-of-way line of said connector, and along said curve to the left, through a central angle of 30 degrees 03 minutes 01 second, and an arc length of 80.24 feet to a set 5/8-inch iron rod with cap for corner on said proposed southwesterly right-of-way line, being the end of said curve and the beginning of a curve to the left, having a radius of 470.00 feet and whose chord bears South 65 degrees 41 minutes 49 seconds East, a distance of 197.52 feet;

THENCE Southwesterly, continuing along said common line, and along said curve to the left, through a central angle of 24 degrees 15 minutes 35 seconds, and an arc length of 199.00 feet to a set 5/8-inch iron rod with cap for corner on said proposed southwesterly right-of-way line at the end of said curve;

THENCE South 77 degrees 49 minutes 36 seconds East, continuing along said common line, a distance of 150.00 feet to a set 5/8-inch iron rod with cap for corner on said proposed southwesterly right-of-way line, being the beginning of a curve to the right, having a radius of 330.00 feet and whose chord bears South 38 degrees 56 minutes 56 seconds East, a distance of 414.26 feet;

THENCE Southeasterly, continuing along said common line, and along said curve to the right, through a central angle of 77 degrees 45 minutes 23 seconds, and an arc length of 447.84 feet to a set 5/8-inch iron rod with cap for corner on said proposed southwesterly right-of-way line, being the end of said curve;

THENCE South 00 degrees 04 minutes 15 seconds East, continuing along the common easterly line of said 5.606 acre tract and the proposed southwesterly right-of-way line of said connector, a distance of 32.16 feet to a set 5/8-inch iron rod with cap for the northerly clip corner of the intersection of the proposed southwesterly right-of-way line of said connector with the proposed north right-of-way line of said F.M. 1173;

THENCE South 44 degrees 55 minutes 45 seconds West, continuing along said common line and along the clip corner of the intersection of the proposed southwesterly right-of-way line of said connector with the proposed north right-of-way line of said F.M. 1173, a distance of 28.22 feet to a set 5/8-inch iron rod with cap for the southerly clip corner of said intersection, being on the proposed north right-of-way line of said F.M. 1173;

THENCE South 89 degrees 55 minutes 45 seconds West, along the common southerly line of said 5.606 acre tract and the proposed north right-of-way line of said F.M. 1173, a distance of 619.70 feet to the POINT OF BEGINNING and containing 5.606 acres (or 244,175 square feet) of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, Oncor Electric Delivery Company LLC, does hereby adopt this plat designated herein as **GRAIN BELT SUBSTATION ADDITION** an addition to the City of Denton, Texas.

The easements shown hereon are hereby reserved for the purposes as indicated. All streets, alleys, rights-of-way, and Lot(s)/Block(s), are hereby dedicated in fee simple to the City of Denton for municipal purposes. 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.

Representative of Oncor Electric Delivery Company	Title	Date

STATE OF TEXAS §
 COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared _____, representative of Oncor Electric Delivery Company LLC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledges to me that they executed the same for the purpose and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

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

Notary Public in and for the State of Texas

THE PURPOSE OF THIS PROJECT IS TO ESTABLISH AN ELECTRIC SUBSTATION

FINAL PLAT
GRAIN BELT SUBSTATION
ADDITION
5.606 ACRES, LOT 1, BLOCK 1
THIS PLAT WAS PREPARED AUGUST 27TH, 2024.
CITY ASSIGNED PROJECT NUMBER: FP24-0030

Situated in the James Haney Survey, Abstract No. 515, and the John W. Gibson Survey, Abstract No. 515, Denton County, Texas

FILING INFORMATION:

KNOW ALL MEN BY THESE PRESENTS:

That I, Mark D. Yale, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my supervision.

Mark D. Yale
 Registered Professional Land Surveyor
 State of Texas, No. 5975
 myale@dunaway.com

Date _____

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

STATE OF TEXAS §
 COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared Mark D. Yale, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledges to me that they executed the same for the purpose and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

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

Notary Public in and for the State of 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.

CERTIFICATE OF APPROVAL

Plat is APPROVED on this the _____ day of _____, 2024 by the Planning and Zoning Commission of the City of Denton, Texas.

Planning and Zoning Commission Chairperson _____

City Secretary _____

550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
 Tel: 817.335.1121
 TEXAS REGISTERED SURVEYING FIRM NO. 10098100
 PLAT PREPARED BY BRANDON BULLARD. DUNAWAY JOB NO. B008502.005

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	800880712	Entity Type:	Foreign Limited Liability Company (LLC)
Original Date of Filing:	October 5, 2007	Entity Status:	In existence
Formation Date:	N/A		
Tax ID:	17529678306	FEIN:	752967830
Name:	Oncor Electric Delivery Company LLC		
Address:	1616 Woodall Rodgers Freeway Dallas, TX 75202 USA		
Fictitious Name:	N/A		
Jurisdiction:	DE, USA		
Foreign Formation Date:	October 9, 2007		

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

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 #: FP21-0037c, **Version:** 1

AGENDA CAPTION

Consider a request by Justin Lansdowne of McAdams Company, on behalf of the property owner, for a Final Plat of Vintage Village Phase 1A. The approximately 2.789-acre property is generally located on the west side of Vintage Boulevard, approximately 818 feet northwest of the intersection of Vintage Boulevard and Fort Worth Drive, in the City of Denton, Denton County, Texas. (FP21-0037c, Vintage Village Phase 1A, Sean Jacobson).



AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: September 25, 2024

SUBJECT

Consider a request by Justin Lansdowne of McAdams Company, on behalf of the property owner, for a Final Plat of Vintage Village Phase 1A. The approximately 2.789-acre property is generally located on the west side of Vintage Boulevard, approximately 818 feet northwest of the intersection of Vintage Boulevard and Fort Worth Drive, in the City of Denton, Denton County, Texas. (FP21-0037c, Vintage Village Phase 1A, Sean Jacobson).

BACKGROUND

The purpose of this Final Plat is to create 17 residential lots of record, and 1 Homeowner’s Association (HOA) lot, and to establish the location of rights-of-way and easements. The property is intended for single-family residential development.

The property is currently zoned Residential 6 (R6).

This is the final plat for Phase 1A of the Vintage Village plat, which includes all of the Vintage Village lots that were previously located within the FEMA Zone AE floodplain. This plat was originally approved with conditions by the Planning and Zoning Commission on March 23, 2022, with the conditions being that:

- 1) Full compliance with Denton Development Code Section 8.3.2A.1, which requires that all lots created through the subdivision process be developable, must be achieved by the removal of all lots in Phase 1A of Vintage Village from the FEMA Zone AE floodplain by a Letter of Map Revision approved by FEMA and provided to the City of Denton, which must include confirmation from FEMA that no valid objections to the revision were received during the 90-day appeal period following initial approval.

All the conditions of approval have now been satisfied.

Date Application Filed:	September 21, 2021
Planning and Zoning Meeting:	October 20, 2021
Days in Review:	29 Days
30 Day Extension Approved	October 20, 2021
Applicant Withdrawn	November 10, 2021
Days in Review	21 Days
Date Resubmitted (Phase 1)	November 30, 2021
Plat Withdrawn:	December 9, 2021
Days in Review:	15 Days
Date Resubmitted:	February 22, 2022

Planning and Zoning Meeting:	March 23, 2022
Days in Review:	28 Days
Approved With Conditions	March 23, 2022
Date Resubmitted (Phase 1A):	September 10, 2024
Planning and Zoning Meeting	September 25, 2024
Days in Review:	15 Days

This application is being considered under TX LGC 212.009.

OPTIONS

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

RECOMMENDATION

Staff recommends approval of this plat as it meets the established criteria for approval, as detailed in the Staff Analysis (Exhibit 2).

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
August 25, 2020	City Council	Annexation	Approved
November 4, 2020	Planning & Zoning Commission	Comprehensive Plan Amendment and Rezoning to R6	Recommend Approval
December 1, 2020	City Council	Comprehensive Plan Amendment and Rezoning to R6	Approved
May 19, 2021	Planning & Zoning Commission	Preliminary Plat Application Extension	Extension Approved
June 9, 2021	Planning & Zoning Commission	Preliminary Plat	Approved
October 20, 2021	Planning & Zoning Commission	Final Plat Application Extension	Extension Approved
March 23, 2022	Planning & Zoning Commission	Final Plat	Approved with Conditions

PUBLIC OUTREACH

No public outreach is required for preliminary plats.

DEVELOPER ENGAGEMENT DISCLOSURES

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

EXHIBITS

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

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

Prepared by:
Sean Jacobson
Associate Planner

Planning Staff Analysis

FP21-0037c/ Vintage Village Phase 1A

Planning & Zoning Commission

REQUEST:

Approval of a Final Plat for an approximately 2.789-acre tract.

APPLICANT:

Justin Lansdown of McAdams Company, on behalf of Burch Family Farm Ltd.

RECOMMENDATION:

Staff recommends approval, because the proposed Final Plat meets the established approval criteria:

Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
<p>a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>The Final Plat meets all general review criteria as detailed below.</p> </div>	<input checked="" type="checkbox"/>	<input 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> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>The Final Plat meets the additional review criteria as detailed below.</p> </div>	<input checked="" type="checkbox"/>	<input 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> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>There is no conflict.</p> </div>	<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</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
<p>development and installation of public improvements and amenities. Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The Proposed Final Plat is consistent with the Comprehensive Plan Amendment (CA20-0003a) and zoning change (Z20-0008), and with the Preliminary Plat (PP21-0007) for this site.</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. Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>a. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>There are no competing plan goals, policies, and strategies for this site.</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. Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p></p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p>4. Compliance with this DDC</p>			
<p>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified. Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The proposed Final Plat complies with the applicable DDC requirements.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The proposed Final Plat complies at the level of detail required for this submittal.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

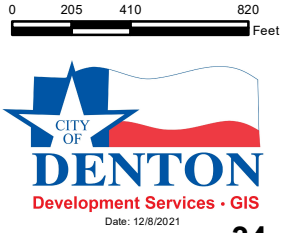
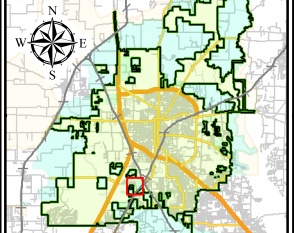
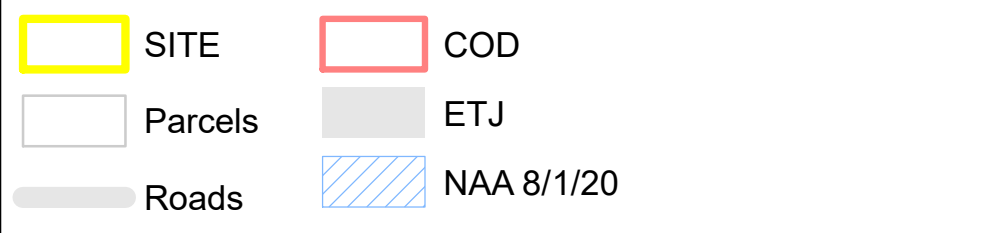
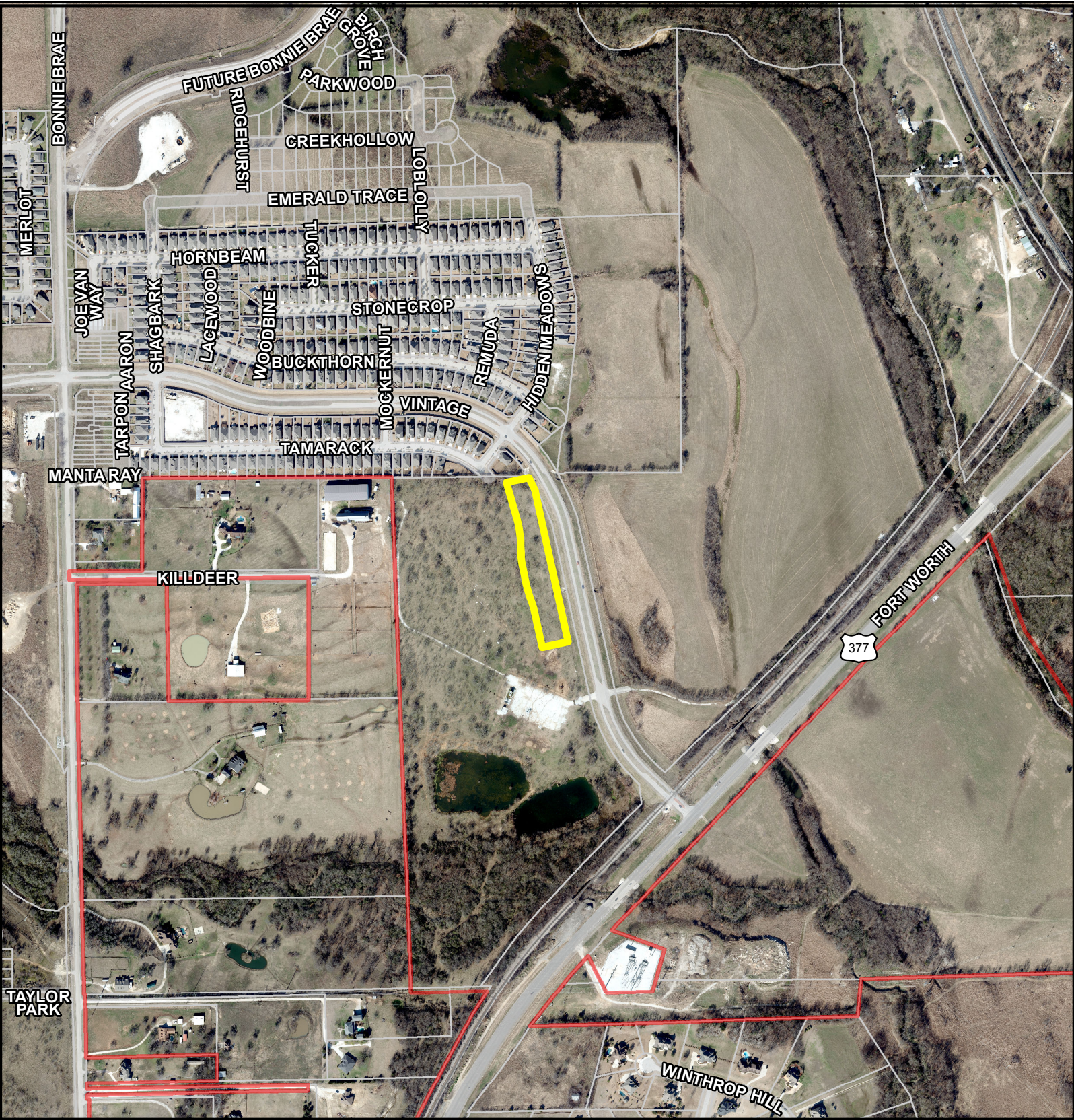
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
5. Compliance with Other Applicable Regulations			
<p>a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations.</p> <p>Findings:</p> <div data-bbox="253 436 1117 583" style="border: 1px solid black; padding: 5px;"> <p>The proposed development complies with regulations related to wetlands, water quality, erosion control, and wastewater 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 data-bbox="253 831 1117 940" style="border: 1px solid black; padding: 5px;"> <p>There are no development agreements applicable to this proposed Final Plat.</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 data-bbox="253 1220 1117 1308" style="border: 1px solid black; padding: 5px;"> <p>Proposed development has been designed to minimize negative environmental impacts.</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 data-bbox="253 1524 1117 1612" style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Minimizes Adverse Fiscal Impacts			
<p>a. The proposed development should not result in significant adverse fiscal impacts on the city.</p> <p>Findings:</p> <div data-bbox="253 1793 1117 1881" style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
10. Compliance with Utility, Service, and Improvement Standards			
<p>a. As applicable, the proposed development shall comply with federal, state, county, service district, city and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>The proposed Final Plat is compliant with all applicable regulations.</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; width: fit-content;"> <p>Adequate road capacity exists to serve 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: 5px; width: fit-content;"> <p>Adequate public service and facility capacity exists to accommodate the proposed developments, while maintaining adequate levels of service to existing development. Additionally, developer will be extending a water line and sanitary sewer line at developer's expense to serve this site.</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 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>Findings:</p> <p>A phasing plan is proposed for this development, which is designed to ensure that all infrastructure necessary for Phase 1A of the subdivision is constructed either with the development of Phase 1, or as a part of Phase 1A.</p>			

Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)	Applicability		
	Met	Not Met	N/A
<p>14. Whether the final plat conforms to the preliminary plat, including any conditions of approval.</p> <p>Findings:</p> <p>The Proposed Final Plat is consistent with the Comprehensive Plan Amendment (CA20-0003a), the zoning change (Z2-0008), and with the Preliminary Plat (PP21-0007).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>15. Whether the development will substantially comply with all requirements of this DDC.</p> <p>Findings:</p> <p>The Final Plat complies with the applicable requirements of the Denton Development Code.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>16. Whether the development will comply with the applicable technical standards and specifications adopted by the City.</p> <p>Findings:</p> <p>Proposed development has been designed to comply with all applicable technical standards and specifications adopted by the City.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FP21-0037 Site Location



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.

BENCHMARKS: COORDINATES SHOWN ARE SURFACE VALUE SCALE FACTOR TO NAD83: 0.9985097884 CENTERLINE AND STATIONING FROM CITY OF DENTON, PAVING AND DRAINAGE IMPROVEMENTS FOR SOUTH BONNIE BRAE PH2

BM#1: "X" CUT ON THE NORTH CURB OF VINTAGE BLVD AT STA +/- 2+80, LOCATED AT THE NORTH EDGE OF CONCRETE AND ASPHALT PAVING, AND BEING NORTH OF THE 14'-30" RAMP. CITY OF DENTON, PAVING AND DRAINAGE IMPROVEMENTS FOR SOUTH BONNIE BRAE PH2 SHEET 8, SIGNED 05/13/2020 CALLED ELEV. 619.89 MEASURED N=712620.9, MEASURED E=2372788.7 MEASURED ELEV. 619.77

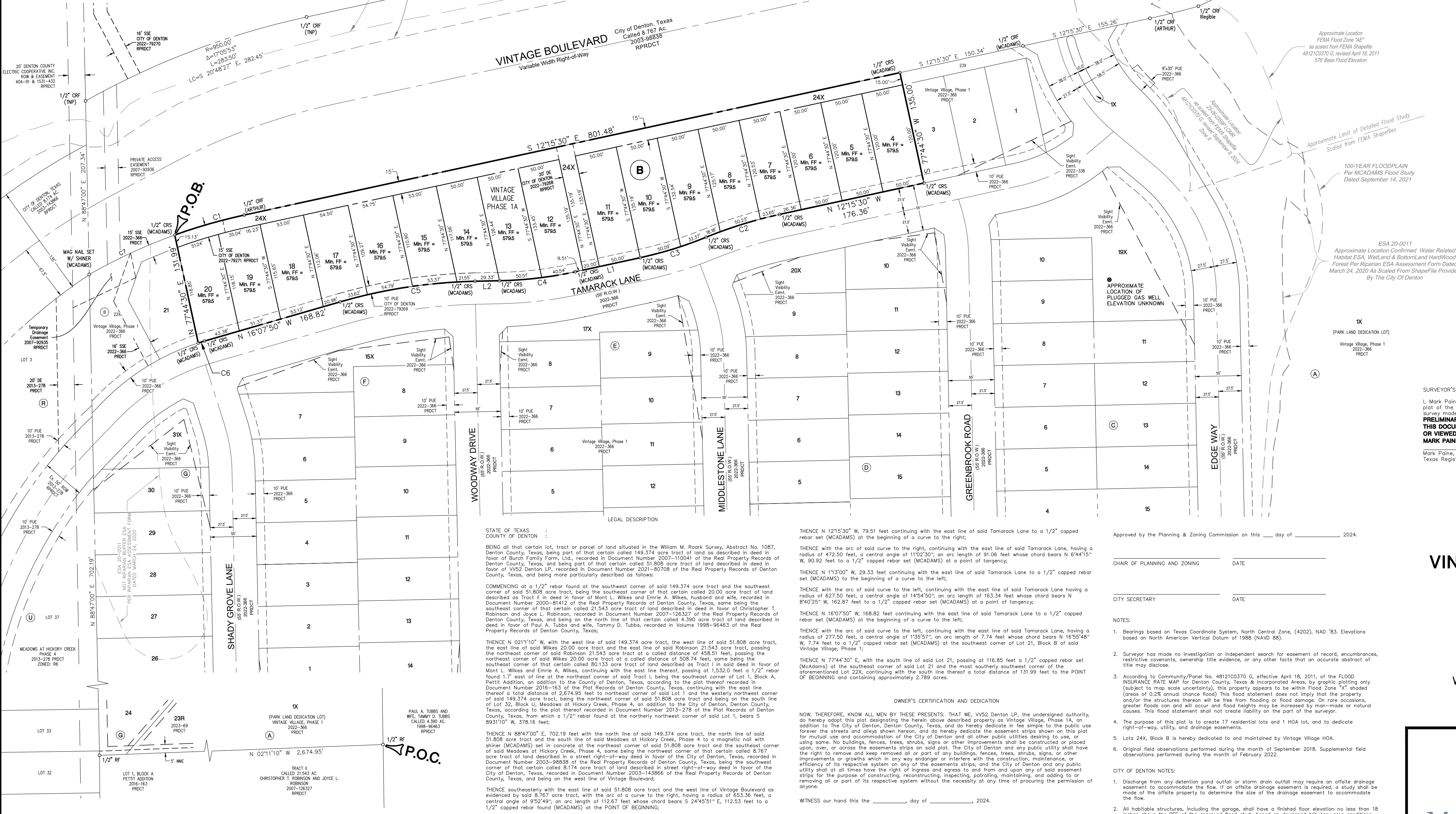
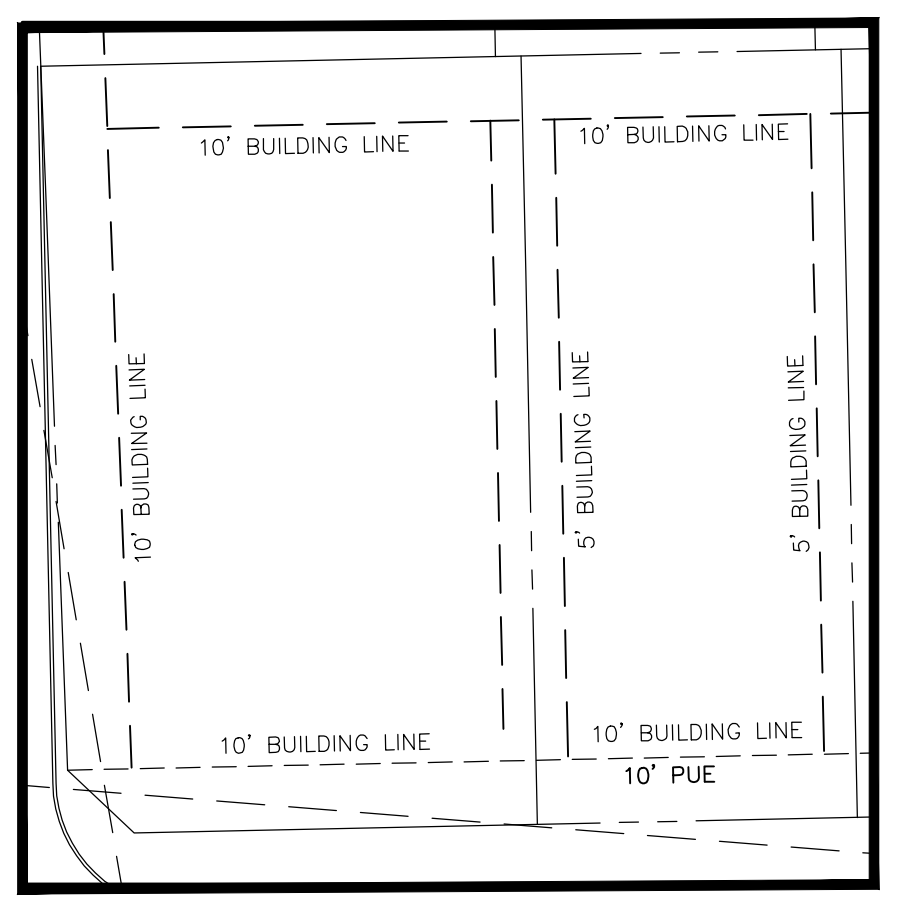
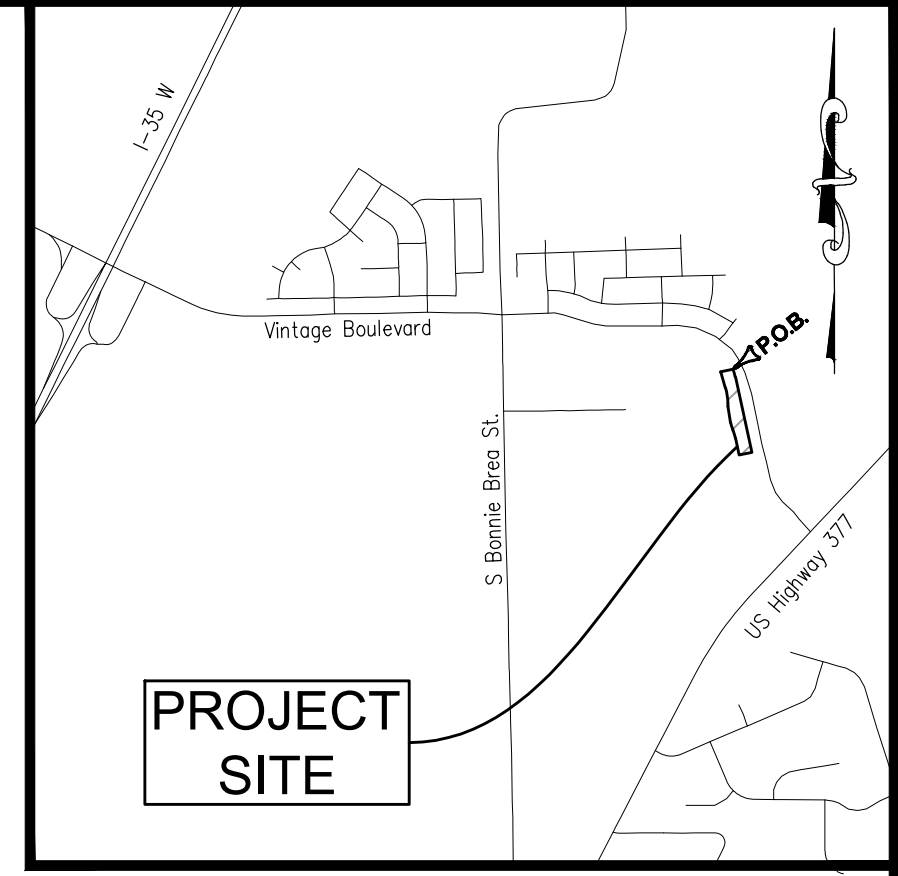
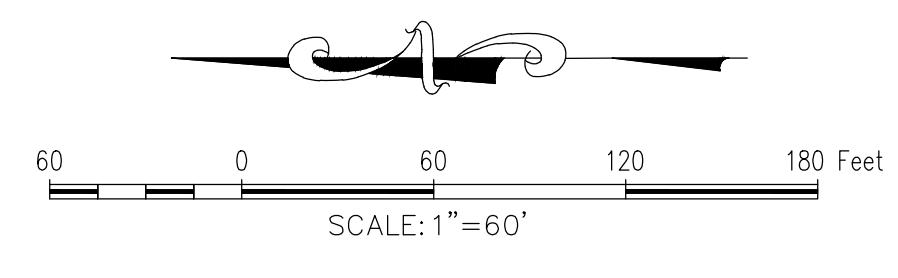
BM#2: "Y" CUT IN SIDEWALK NORTH OF VINTAGE BLVD AT STA +/- 18+30 AND SOUTH OF 4305 SONOMA DRIVE CITY OF DENTON, PAVING AND DRAINAGE IMPROVEMENTS FOR SOUTH BONNIE BRAE PH2 SHEET 8, SIGNED 05/13/2020 CALLED ELEV. 608.89 MEASURED N=712333.8, MEASURED E=2374253.3 MEASURED ELEV. 608.86

TM#1: BOX CUT ON TOP OF CURB, LOCATED ON THE SOUTH MEDIAN NOSE ON THE CENTERLINE OF VINTAGE BLVD AT STA +/- 6+480 AND BEING AT THE ENTRANCE TO EDGE WAY. N=7110639.7, E=2379209.8 ELEV.=584.61

TM#2: BOX CUT ON THE NORTH CORNER OF A CONCRETE TRANSFORMER PAD APPROXIMATELY 205' NORTHWESTLY OF THE NORTH EAST CORNER OF SUBJECT PROPERTY 24' WEST OF BACK OF CURB OF VINTAGE BLVD AT STA +/- 18+30. N=711908.8, E=2378763.5 ELEV.=585.45

LEGEND

- P.O.B. = POINT OF BEGINNING
- RF = REBAR FOUND
- CRS = CAPPED REBAR SET
- CRF = CAPPED REBAR FOUND
- PRPDCR = REAL PROPERTY RECORDS DENTON COUNTY, TEXAS
- BL = BUILDING LINE
- PUE = PUBLIC UTILITY EASEMENT
- MAE = MUTUAL ACCESS EASEMENT
- SSE = SANITARY SEWER EASEMENT
- WLE = WATER LINE EASEMENT
- WME = WALL MAINTENANCE EASEMENT
- BOUNDARY LINE
- LOT LINE
- STREET RIGHT-OF-WAY CENTERLINE
- BUILDING SETBACK LINE
- DRAINAGE EASEMENT LINE
- SIGHT VISIBILITY EASEMENT LINE
- FEMA FLOOD LINE
- MCADAMS FLOOD STUDY LINE
- WATER RELATED HABITAT ESA LINE
- RIPARIAN BUFFER ESA



CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	LONG CHORD
C1	653.36'	73°35'57"	86.27'	S 16°02'28" E, 86.21'
C2	527.50'	9°59'58"	92.06'	N 17°15'29" W, 91.95'
C3	472.50'	9°59'58"	82.46'	N 17°15'29" W, 82.36'
C4	472.50'	11°02'30"	91.06'	N 06°44'15" W, 90.92'
C5	627.50'	14°54'50"	163.34'	N 08°40'25" W, 162.87'
C6	277.50'	1°35'57"	7.74'	N 16°55'48" W, 7.74'
C7	653.36'	9°52'49"	112.67'	S 24°45'51" E, 112.53'

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 12°15'30" W	79.51'
L2	N 01°13'00" W	29.33'

LOT / BLOCK ANALYSIS

LOT	BLOCK	SQUARE FEET	ACRES
4	BLOCK B	6,000	0.138
5	BLOCK B	6,000	0.138
6	BLOCK B	6,000	0.138
7	BLOCK B	6,004	0.138
8	BLOCK B	6,122	0.141
9	BLOCK B	6,453	0.148
10	BLOCK B	6,715	0.154
11	BLOCK B	6,760	0.155
12	BLOCK B	6,736	0.155
13	BLOCK B	6,520	0.150

STATE OF TEXAS COUNTY OF DENTON

BEING all that certain lot, tract or parcel of land situated in the William M. Roark Survey, Abstract No. 1087, Denton County, Texas, being part of that certain called 149.374 acre tract of land as described in deed in favor of Burch Family Farm, Ltd., recorded in Document Number 2007-110041 of the Real Property Records of Denton County, Texas, and being part of that certain called 51.808 acre tract of land described in deed in favor of V552 Denton LP, recorded in Document Number 2001-80708 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2" rebar found at the southwest corner of said 149.374 acre tract and the southwest corner of said 51.808 acre tract, being the southeast corner of that certain called 20.00 acre tract of land described as Tract I in deed in favor of Mont L. Wilkes and Emrie A. Wilkes, husband and wife, recorded in Document Number 2008-81412 of the Real Property Records of Denton County, Texas, same being the southeast corner of that certain called 21.543 acre tract of land described in deed in favor of Christopher T. Robinson and Joyce L. Robinson, recorded in Document Number 2007-128327 of the Real Property Records of Denton County, Texas, and being on the north line of that certain called 4.390 acre tract of land described in deed in favor of Paul A. Tubbs and wife, Tommy D. Tubbs, recorded in Volume 1998-96483 of the Real Property Records of Denton County, Texas.

THENCE N 02°11'10" W, with the west line of said 149.374 acre tract, the west line of said 51.808 acre tract, the east line of said Wilkes 20.00 acre tract and the east line of said Robinson 21.543 acre tract, passing the northeast corner of said Wilkes 20.00 acre tract at a called distance of 528.74 feet, passing the southeast corner of that certain called 80.133 acre tract of land described as Tract I in said deed in favor of Mont L. Wilkes and Emrie A. Wilkes, continuing with the east line thereof, passing at 1,532.0 feet to a 1/2" rebar found 1.7' east of line at the northeast corner of said Tract I, being the southeast corner of Lot 1, Block A, Pettit Addition, on addition to the County of Denton, Texas, according to the plat thereof recorded in Document Number 2016-153 of the Plat Records of Denton County, Texas, continuing with the east line thereof a total distance of 2,674.95 feet to the northeast corner of said Lot 1 and the westerly northwest corner of said 149.374 acre tract, being the northeast corner of said 51.808 acre tract and being on the south line of Lot 32, Block U, Meadows at Hickory Creek, Phase 4, an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Document Number 2013-278 of the Plat Records of Denton County, Texas, from which a 1/2" rebar found at the northerly northwest corner of said Lot 1, bears S 89°31'10" W, 378.16 feet;

THENCE N 88°47'00" E, 702.19 feet with the north line of said 149.374 acre tract, the north line of said 51.808 acre tract and the south line of said Meadows at Hickory Creek, Phase 4 to a magnetic north with a 1/2" rebar found (MCADAMS) set in concrete at the northeast corner of said 51.808 acre tract and the southeast corner of said Meadows at Hickory Creek, Phase 4, same being the northeast corner of that certain called 8.767 acre tract of land described in a street right-of-way deed in favor of the City of Denton, Texas, recorded in Document Number 2005-88838 of the Real Property Records of Denton County, Texas, being the southwest corner of that certain called 8.174 acre tract of land described in street right-of-way deed in favor of the City of Denton, Texas, recorded in Document Number 2003-143866 of the Real Property Records of Denton County, Texas, and being on the west line of Vintage Boulevard;

THENCE southeasterly with the east line of said 51.808 acre tract and the west line of Vintage Boulevard as evidenced by said 8.767 acre tract, with the arc of a curve to the right, having a radius of 653.36 feet, a central angle of 9°52'49", an arc length of 112.67 feet whose chord bears S 24°45'51" E, 112.53 feet to a 1/2" capped rebar found (MCADAMS) at the POINT OF BEGINNING;

THENCE southeasterly continuing with the east line of said 51.808 acre tract and the west line of Vintage Boulevard as evidenced by said 8.767 acre tract with the arc of a curve to the right, having a radius of 653.36 feet, a central angle of 7°33'57", an arc length of 82.46 feet whose chord bears S 16°02'28" E, 86.21 feet to a 1/2" capped rebar found (Arthur);

THENCE S 12°15'30" E, 801.48 feet continuing with the east line of said 51.808 acre tract and the west line of Vintage Boulevard as evidenced by said 8.767 acre tract to a 1/2" capped rebar set (MCADAMS) at the northeast corner of Lot 23X, Block B of said Vintage Village, Phase 1, from which a 1/2" capped rebar set (MCADAMS) at the westerly southwest corner of said Lot 23X, being the intersection of the west line of said Vintage Boulevard and the north line of Edge Way, bears S 12°15'30" E, 150.34 feet;

THENCE S 77°45'30" W, with the north line of said Lot 23X passing at 15.0 feet to a 1/2" capped rebar set (MCADAMS) at the northwest corner of said Lot 23X, being the northeast corner of Lot 3, Block B of said Vintage Village, Phase 1 and continuing a total distance of 135.00 feet to a 1/2" capped rebar set (MCADAMS) at the northwest corner of said Lot 23X and being on the east line of Tamarack Lane (called 55 foot right-of-way);

THENCE N 12°15'30" W, 176.36 feet with the east line of said Tamarack Lane to a 1/2" capped rebar set (MCADAMS) at the beginning of a curve to the left;

THENCE with the arc of said curve to the left with the east line of said Tamarack Lane, having a radius of 627.50 feet, a central angle of 14°54'50", an arc length of 163.34 feet whose chord bears N 17°15'29" W, 91.95 feet to a 1/2" capped rebar set (MCADAMS) at a point of tangency;

THENCE N 1°30'00" W, 29.33 feet continuing with the east line of said Tamarack Lane to a 1/2" capped rebar set (MCADAMS) to the beginning of a curve to the left;

THENCE with the arc of said curve to the left, continuing with the east line of said Tamarack Lane having a radius of 627.50 feet, a central angle of 14°54'50", an arc length of 163.34 feet whose chord bears N 6°44'15" W, 90.92 feet to a 1/2" capped rebar set (MCADAMS) at a point of tangency;

THENCE N 1°30'00" W, 29.33 feet continuing with the east line of said Tamarack Lane to a 1/2" capped rebar set (MCADAMS) to the beginning of a curve to the left;

THENCE with the arc of said curve to the left, continuing with the east line of said Tamarack Lane having a radius of 627.50 feet, a central angle of 14°54'50", an arc length of 163.34 feet whose chord bears N 16°55'48" W, 7.74 feet to a 1/2" capped rebar set (MCADAMS) at the southwest corner of Lot 21, Block B of said Vintage Village, Phase 1;

THENCE N 77°44'30" E, with the south line of said Lot 21, passing at 116.85 feet a 1/2" capped rebar set (McAdams) at the southeast corner of said Lot 21 and the most southerly southwest corner of the aforementioned Lot 22X, continuing with the south line thereof a total distance of 131.99 feet to the POINT OF BEGINNING and containing approximately 2.789 acres.

OWNER'S CERTIFICATION AND DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT WE, V552 DENTON LP, the undersigned authority, do hereby adopt this plat designating the herein above described property as Vintage Village, Phase 1A, an addition to the City of Denton, Denton County, Texas, and do hereby dedicate in fee simple to the public use forever the streets and alleys shown hereon, and do hereby dedicate the easement strips shown on this plat for mutual use and accommodation of the City of Denton and all other public utilities desiring to use, or using same. No buildings, fences, trees, shrubs, signs or other improvements shall be constructed or placed upon, over, or across the easement strips on said plat. The City of Denton and any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, signs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of the easement strips, and the City of Denton and any public utility shall at all times have the right of ingress and egress to and from and upon any of said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone.

WITNESS our hand this _____ day of _____, 2024.

V552 Denton LP
By: Vintage General LLC, Its General Partner
Robert Belanour, Vice President

STATE OF TEXAS :
COUNTY OF TARRANT :

BEFORE ME, THE UNDERSIGNED AUTHORITY, personally appeared Robert Belanour, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged 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 _____, 2024.

Notary Public State of Texas

My commission expires the _____ day of _____, 2024.

Approved by the Planning & Zoning Commission on this _____ day of _____, 2024.

CHAIR OF PLANNING AND ZONING _____ DATE _____

CITY SECRETARY _____ DATE _____

- NOTES:
- Bearings based on Texas Coordinate System, North Central Zone, (4202), NAD '83. Elevations based on North American Vertical Datum of 1988 (NAVD 88).
 - Surveyor has made no investigation or independent search for easement of record, encumbrances, restrictive covenants, ownership title evidence, or any other factors that an accurate abstract of title may disclose.
 - According to Community/Panel No. 4812100370 G, effective April 18, 2011, of the FLOOD INSURANCE RATE MAP for Denton County, Texas & Incorporated Areas, by graphic plotting only (subject to map scale uncertainty), this property appears to be within Flood Zone "X" shaded (areas of 0.2% annual chance flood) 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.
 - The purpose of this plat is to create 17 residential lots and 1 HOA lot, and to dedicate right-of-way, utility, and drainage easements.
 - Lots 24X, Block B is hereby dedicated to and maintained by Vintage Village HOA.
 - Original field observations performed during the month of September 2018. Supplemental field observations performed during the month of February 2022.

- CITY OF DENTON NOTES:
- 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 offsite property to determine the size of the drainage easement to accommodate the flow.
 - All habitable structures, including the garage, shall have a finished floor elevation no less than 18 inches above the BFE of the approved flood study based on developed tributary area conditions, or at least 30 inches above the FEMA base flood elevation. This applies to all rivers, creeks, or streams regardless of whether the one hundred (100) year floodplain is shown on the FEMA map.
 - Street trees located within the right-of-way shall not be planted within 8 feet of either side of said lot lines.
 - The subject property will be protected through City of Denton water/sewer.
 - This property contains no servient tenements.

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 CENTERLINE OF OVERHEAD DISTRIBUTION LINES AND WITHIN 37.5 FEET ON EITHER SIDE OF THE CENTERLINE OF OVERHEAD TRANSMISSION LINES. IN SOME INSTANCES, THE CODE REQUIRES GREATER CLEARANCES. BUILDING PERMITS WILL NOT BE ISSUED FOR STRUCTURES WITHIN THESE CLEARANCE AREAS. CONTACT THE BUILDING OFFICIAL WITH SPECIFIC QUESTIONS.

FINAL PLAT
VINTAGE VILLAGE, PHASE 1A
Lots 4-20 & 24X, Block B;
17 Residential Lots
1 "X" Lot
Zoned: R-6
2.789 Acres
in the
W. ROARK SURVEY, ABSTRACT NO. 1087
CITY OF DENTON
DENTON COUNTY, TEXAS
City Project #: FP21-0037

The John R. McAdams Company, Inc.
4400 State Highway 121, Suite 800
Lewisville, Texas 75056

phone 972.436.9712
fax 972.436.9715
TBLPS FIRM #
PE:19762 RPLS: 10194400
www.mcadamsco.com

McADAMS

DRAWN BY: AT DATE: 2024.09.19 SCALE: 1" = 60' JOB. No. 18313

OWNER/DEVELOPER
V552 DENTON LP
218 WEST WALL STREET
GRAPEVINE, TEXAS 76061
Ph. (817) 878-0520
Contact: ROBERT BELANOUR

SURVEYOR
THE JOHN R. McADAMS COMPANY, INC.
4400 STATE HIGHWAY 121, SUITE 800
LEWISVILLE, TEXAS 75056
Ph. 972.436.9712
Contact: MARK PAINE

File: Z:\2024\20241013\20241013.dwg Plot: 9/19/2024 11:12 AM by: Cori King Sheet: 9/19/2024 8:13 AM by: mpm



City of Denton

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

Legislation Text

File #: FP24-0016, **Version:** 1

AGENDA CAPTION

Consider a request by Red Bird Ridge LLC for approval of a Final Plat for Red Bird Ridge Addition. The approximately 38.4-acre site is generally located south of Country Club Road, north of Oak Ridge Lane and west of Fincher Trail, in the City of Denton's ETJ Division 1, Denton County, Texas. (FP24-0016, Red Bird Ridge 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: September 25, 2024

SUBJECT

Consider a request by Red Bird Ridge LLC for approval of a Final Plat for Red Bird Ridge Addition. The approximately 38.4-acre site is generally located south of Country Club Road, north of Oak Ridge Lane and west of Fincher Trail, in the City of Denton's ETJ Division 1, Denton County, Texas. (FP24-0016, Red Bird Ridge Addition, Erin Stanley).

BACKGROUND

The purpose of this Final Plat is to establish 17 residential lots and 4 common area lots and dedicate associated right-of-way and easement for the development of a single-family project. While the City of Denton's subdivision regulations are applicable in the ETJ, the City has no land use or zoning authority over ETJ properties.

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

Date Application Filed:	August 27, 2024
Planning and Zoning Commission Meeting:	September 25, 2024
Days Under Review:	29 Days

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

This application is being considered under Texas Local Government Code (TX LGC) 212.009, which was updated as of September 1, 2023, with the passage of House Bill 3699. The applicant has requested a 30-day extension to allow for time to work through staff's comments on the plat and allow for additional review (Exhibit 5). This extension could be granted to October 23, 2024. Based upon recent updates to Section 212.009, the applicant may request additional 30-day extensions in the future if they are determined to be necessary.

OPTIONS

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

Continued on next page.

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 October 23, 2024. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

There have been no prior actions by any City Councils, Boards, or Commissions.

PUBLIC OUTREACH

No public outreach is required for final plats.

DEVELOPER ENGAGEMENT DISCLOSURES

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

EXHIBITS

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

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

Prepared by:
Erin Stanley
Assistant Planner

Planning Staff Analysis
FP24-0016 / Red Bird Ridge Addition
ETJ Division 1
Planning & Zoning Commission

REQUEST:
 Final plat for approximately 38.4 acres of land.

APPLICANT:
 Red Bird Ridge LLC

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

Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
<p>a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not meet all review criteria, as detailed in the following items as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B:</p> <p>PL1.1 Provide an owner authorization document for Crispin and Abigail Mount Miller. (FPC 1.2)</p> <p>PL1.2 Provide an updated owner authorization document for Turid H Horgen. (FPC 1.2)</p> <p>PL1.3 Update all applicable dates on the plat to current dates. (FPC 5.1)</p> <p>PL1.4 Update project number to FP24-0016 in title block. (FPC2.2)</p> <p>PL1.5 DCAD shows Abigail and Crispin as owners of separate parcels, so please delineate these and label accordingly. These can be greyed out since they are going away, but they should be shown. (FPC 3.2)</p> <p>PL1.6 Lot 20 should have access onto the public road and not take access through an easement on an HOA lot. Each residential lot shall have a minimum of 15 feet of frontage along an existing or proposed public street. (DDC 8.3.2.A.8)</p> <p>PL1.7 Only public easements need to be shown on the plat. If the equestrian trail is proposed to be private (between only those who live in the subdivision), please remove from the plat.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
	<p>PL1.8 Please confirm who the private driveway easement on Lot 20 is intended to serve. It appears to go from Jess Wallace Road to Lot 4 Block A of Briar Hill Addition.</p> <p>PL1.9 Private driveway easement on Lot 20 turns into the equestrian trail when it turns west towards the Holmans property. Please confirm the area which is proposed driveway easement and area which is proposed equestrian easement. It is likely neither need to be shown on the plat.</p> <p>PL1.12 Add note for alternative sewer facilities. (FPC 2.17)</p> <p>PL1.13 Include the area of each lot in both square feet and acres (DDC Section 8.3.2 and 8.3.3). (FPC 3.3)</p> <p>PL1.14 Provide a copy of the computer-generated closure report for the metes and bounds description. (FPC 5.2a)</p> <p>PL1.15 Include total area of the plat in acres and square feet in legal description. (FPC 5.3)</p> <p>TP 2. Jess Wallace Rd and Ellen Donald Ln exceed the maximum length of 600 ft for a cul-de-sac. Extending Jess Wallace Rd to connect with Fincher Trail road will resolve the cul-de-sac length issue for Jess Wallace Rd and make it easier for Ellen Donald Ln to meet cul-de-sac length requirements (DDC 8.4.8; DCM 5.5.3.A.1; FPC 3.1).</p> <p>TP 3. Ellen Donald Lane should end in a circular cul-de-sac. Label radius. (DDC 8.4.8; DCM 5.5.3.A; FPC 3.1)</p> <p>TP 4. Denton County requires 70 ft for right-of-way width. (DDC 8.4.8; FPC 3.1)</p> <p>TP 6. Access to the adjacent tract owned by CHARLES F. HOLMANS, II AND WIFE, PRISCILLA L. HOLMANS is unclear. Provide public access if tract is used for a nonresidential use. An easement labelled for private access may be allowed if the tract is used for a residential use and said easement should be shown on the plat. (DDC 8.3.2.C; FPC 3.9)</p> <p>TP 8. Add centerline for Oakridge Lane to the graphic and dimension distance from centerline to property line (FPC 3.15).</p> <p>TP 9. Dimensioning of right-of-way width should be consistent in how it's labelled. (FPC 3.15).</p> <p>TP 10. Provide recording information for all existing and proposed easements. If proposed, state "by this plat" on the graphic. (FPC 3.6)</p> <p>TP 11. Label proposed streets as being "dedicated to Denton County by this plat" (FPC 3.1)</p> <p>TP 12. Be consistent in labeling of easements. Private driveway easement is also labelled as an equestrian trail easement. See markups. (FPC 3.6)</p>			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<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. Findings:</p> <div data-bbox="253 300 1039 594" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not meet all review criteria in Section 2.6.4 as described below:</p> <ol style="list-style-type: none"> 1. The development does not comply with the applicable technical standards and specifications adopted by the city as detailed herein. 2. The development does not comply with all DDC requirements as detailed herein. </div>	<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. Findings:</p> <div data-bbox="253 766 1039 821" style="border: 1px solid black; padding: 5px;"> <p>There is no conflict.</p> </div>	<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. Findings:</p> <div data-bbox="253 1108 1039 1203" style="border: 1px solid black; padding: 5px;"> <p>There is no prior land use approval, plan, development agreement, or plat.</p> </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. Findings:</p> <div data-bbox="253 1375 1039 1497" style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings:</p> <div data-bbox="253 1638 1039 1722" style="border: 1px solid black; padding: 5px;"> <p>There are no competing plan goals, policies, and strategies for this site.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in Comprehensive Plan.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>This property is located in the City of Denton’s ETJ 1 and designated as Rural Area on the 2040 Comprehensive Plan’s Future Land Use Map.</p> </div>			
<p>4. Compliance with this DDC</p>			
<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>All applications shall include all required information requested by the Director to demonstrate compliance with City codes per DDC Section 2.4.4B. This Final Plat does not meet all review criteria, as detailed in the following items as required by the Denton Development Code:</p> <p>TP 5. It is unclear if the portion of Lot4X, Block B in the northeast corner of the property is a separate lot or not. If not, make the lot line and easement line types more distinct from each other. If it is a separate lot, provide public access to the lot. (DDC 8.3.2.C)</p> <p>PL1.10 Include property, business or homeowner’s association covenants as they relate to the maintenance of open space, common areas and facilities. (DDC 8.3.2.D and DDC 7.10.4.C.2)</p> <p>1.4) Proposed public water or sewer mains intended to be aligned alongside yards shall be contained with dedicated open space lots, with overlapping public utility easements, and there shall be a note on the plat stating that these lots shall be owned and maintained by the property owner’s association. (DDC 7.6.7.C)</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>As noted above, additional detail regarding access and common lot maintenance.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>5. Compliance with Other Applicable Regulations</p>			
<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;"> <p>The proposed Final Plat complies with all other applicable city regulations.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>6. Consistent with Interlocal and Development Agreements</p>			
<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>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

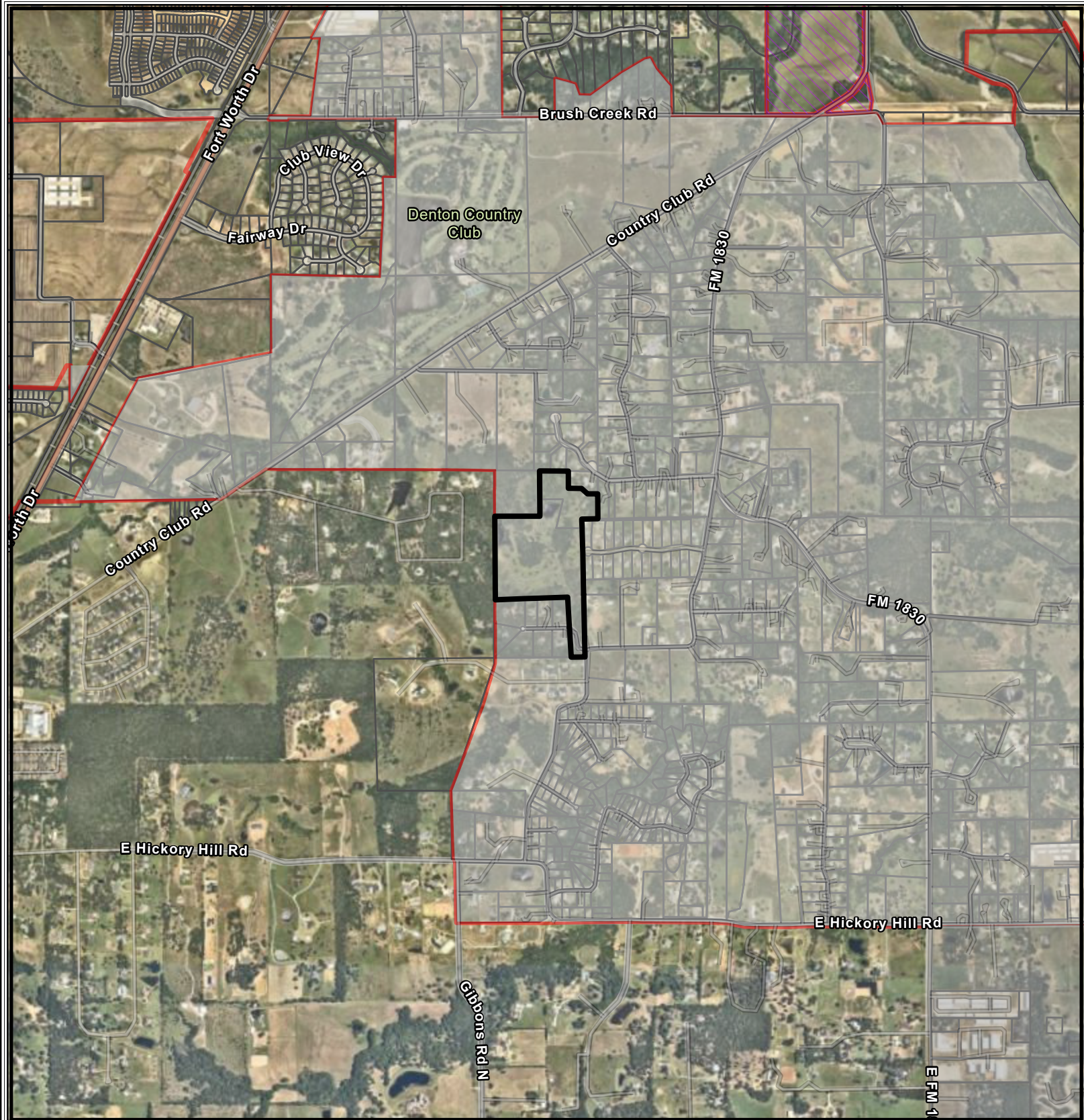
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> No interlocal or development agreements are applicable to this project. </div>			
<p>7. Minimizes Adverse Environmental Impacts</p>			
<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;"> Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable. </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>8. Minimizes Adverse Impacts on Surrounding Property</p>			
<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;"> Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable. </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>9. Minimizes Adverse Fiscal Impacts</p>			
<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;"> Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable. </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>10. Compliance with Utility, Service, and Improvement Standards</p>			
<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;"> The proposed Final Plat does not comply with all City and County regulations as described herein. Additional access modifications and information are required to comply with all regulations. </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>11. Provides Adequate Road Systems</p>			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<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>Additional access modifications and information are required to ensure adequate ingress and egress.</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 style="border: 1px solid black; padding: 5px;"> <p>Adequate public service and facility capacity exists to serve the property.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Rational Phasing Plan			
<p>a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required for that phase, and may not defer those improvements to subsequent phases.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>No phasing is proposed.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

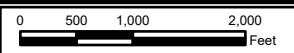
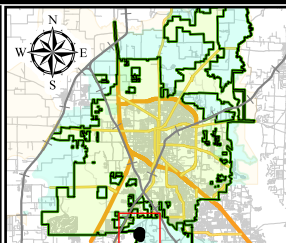
Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)	Applicability		
	Met	Not Met	N/A
<p>13. Whether the final plat conforms to the preliminary plat, including any conditions of approval.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, preliminary plats are no longer required. A preliminary plat was not prepared for this project.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)	Applicability		
	Met	Not Met	N/A
<p>14. Whether the development will substantially comply with all requirements of this DDC. Findings:</p> <div data-bbox="204 300 1040 415" style="border: 1px solid black; padding: 5px;"> <p>This Final Plat does not meet all review criteria as required by the DDC, as detailed herein.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>15. Whether the development will comply with the applicable technical standards and specifications adopted by the City. Findings:</p> <div data-bbox="204 558 1040 680" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not comply with all applicable technical standards and specifications as detailed herein.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

FP24-0016 Site Location



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



*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.

LOT CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	3.11'	160.00'	1°06'50"	S 85°29'42" E	3.11'
C2	31.12'	169.99'	10°29'16"	N 06°19'38" W	31.07'
C3	108.75'	50.00'	24°38'49"	N 86°03'41" E	88.54'
C4	8.60'	80.0000'	5.60'	S 86°19'36" W	8.50'
C5	241.27'	970.00'	14°15'05"	N 18°46'40" W	240.85'
C6	38.19'	299.59'	7°18'16"	N 22°18'14" W	38.17'
C7	16.67'	245.00'	3°53'31"	N 23°34'53" W	16.66'

RIGHT-OF-WAY CENTERLINE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
CV1	53.36'	200.00'	15°17'38"	N 06°33'36" E	53.20'
CV2	74.43'	200.00'	21°21'01"	N 11°45'28" W	74.10'
CV3	174.12'	850.00'	11°44'12"	N 16°33'51" W	173.81'
CV4	210.85'	1000.00'	10°04'51"	N 16°44'11" W	210.46'
CV5	127.24'	350.00'	22°05'29"	S 67°51'17" W	126.45'
CV6	582.51'	280.00'	119°11'49"	N 63°35'34" W	483.00'
CV7	40.32'	38.50'	60°00'00"	N 86°18'36" E	38.50'

DRAINAGE EASEMENT CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
DC1	34.18'	30.00'	85°16'34"	N 31°03'07" W	32.36'
DC2	11.39'	10.00'	65°16'34"	S 21°03'07" E	10.79'
DC3	13.00'	38.55'	19°19'14"	N 14°57'12" W	12.94'
DC4	19.36'	40.49'	27°23'51"	N 45°07'11" W	19.18'
DC5	5.53'	15.00'	21°07'22"	N 48°38'49" W	5.50'
DC6	34.33'	167.05'	11°45'53"	N 30°12'22" W	34.27'
DC7	32.64'	110.00'	17°00'06"	N 36°28'05" W	32.52'
DC8	15.58'	35.00'	25°29'57"	N 57°43'07" W	15.45'

PLAT BOUNDARY CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
CT	87.97'	160.00'	31°30'11"	N 70°18'02" W	86.87'

LOT LINE TABLE

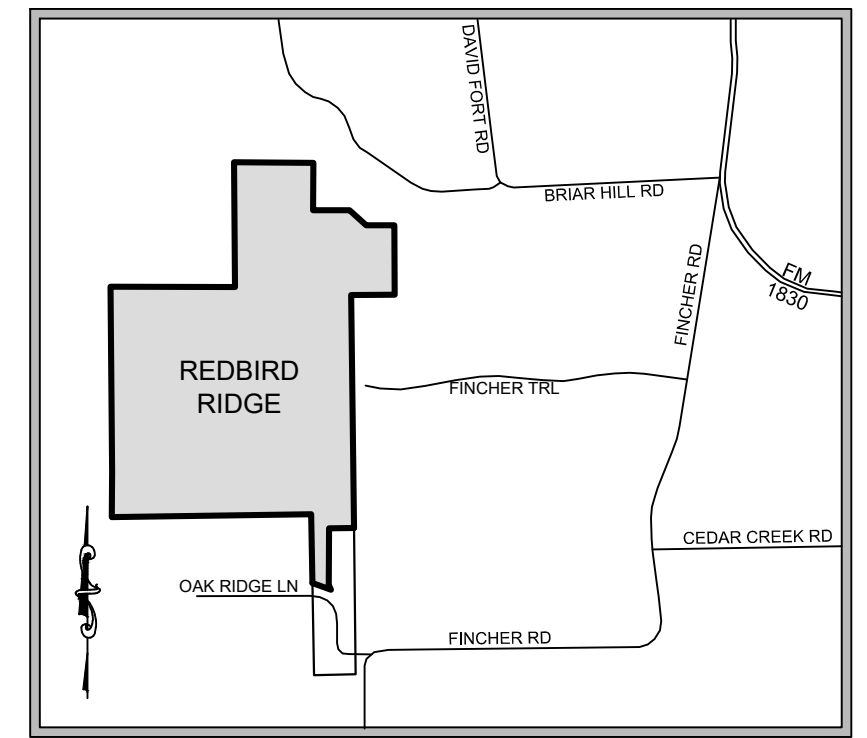
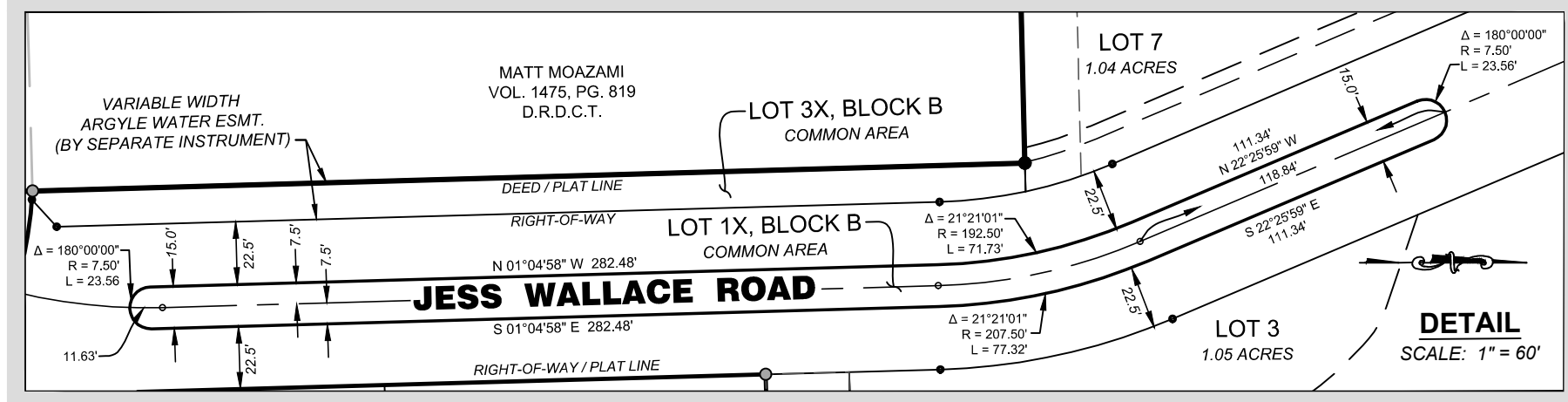
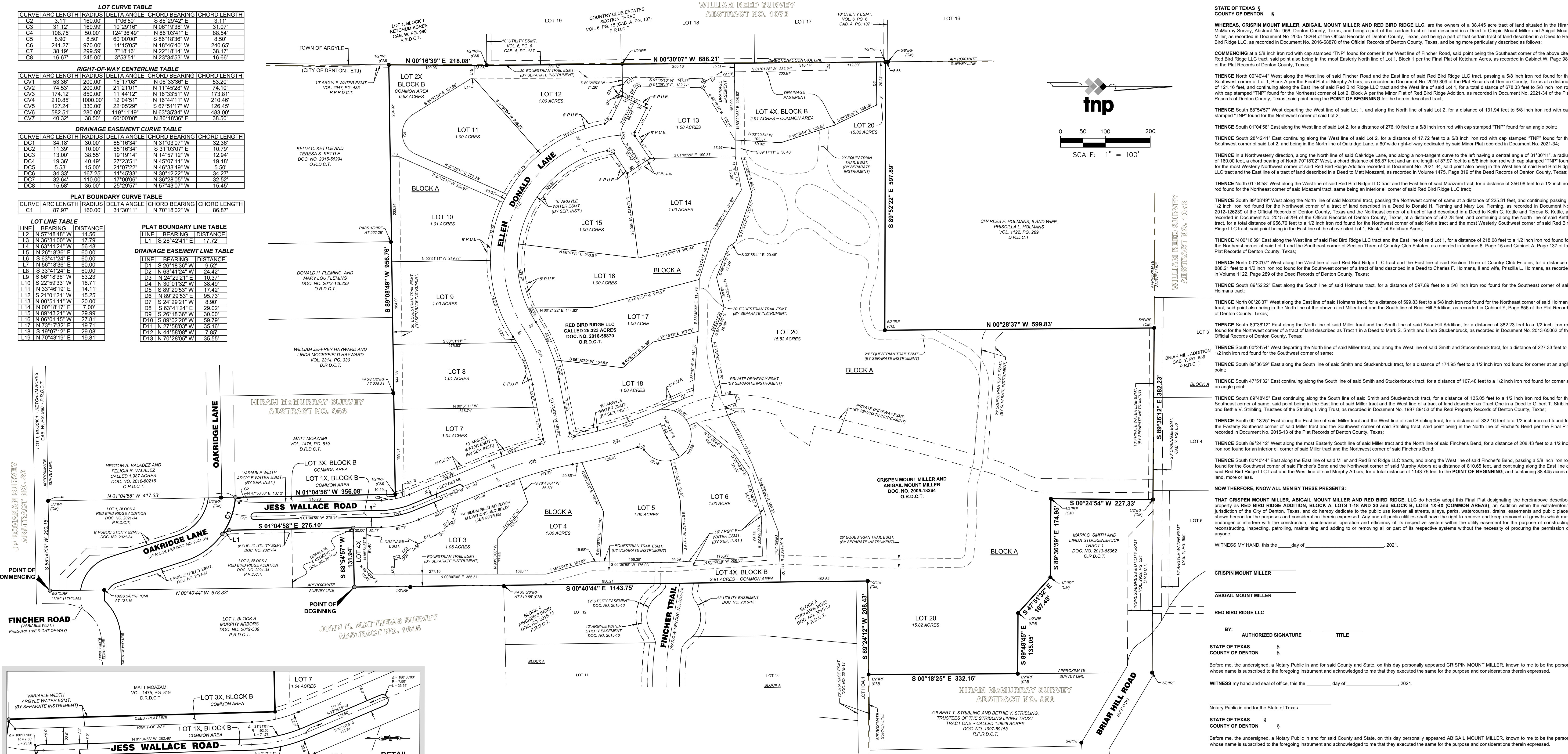
LINE	BEARING	DISTANCE
L1	N 67°42'40" W	14.56'
L2	N 36°31'00" W	17.79'
L3	N 63°41'24" W	56.48'
L4	N 56°18'36" E	60.00'
L5	S 83°41'24" E	60.00'
L6	N 56°18'36" E	60.00'
L7	S 33°41'24" E	60.00'
L8	S 56°18'36" W	53.23'
L9	S 22°58'33" W	16.71'
L10	S 33°46'19" E	14.11'
L11	S 21°01'21" W	15.25'
L12	N 00°51'11" W	20.00'
L13	N 00°18'17" E	7.00'
L14	N 89°43'21" W	29.99'
L15	N 06°01'15" W	27.81'
L16	N 71°17'20" E	19.71'
L17	S 19°07'12" E	29.08'
L18	N 70°43'19" E	19.81'

PLAT BOUNDARY LINE TABLE

LINE	BEARING	DISTANCE
L1	S 28°42'41" E	17.72'

DRAINAGE EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
D1	S 26°18'36" W	9.52'
D2	N 63°41'24" W	24.42'
D3	N 24°29'21" E	10.37'
D4	N 30°13'32" W	38.49'
D5	S 89°29'53" W	17.42'
D6	N 89°29'53" E	95.73'
D7	S 24°29'21" W	8.90'
D8	S 63°41'24" W	29.02'
D9	S 26°18'36" W	30.00'
D10	S 89°02'20" W	59.79'
D11	N 27°58'53" W	35.16'
D12	N 44°58'08" W	7.85'
D13	N 70°28'05" W	35.55'



LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED OTHERWISE)
- 5/8" IRON ROD SET STAMPED "TNP"
- (CM) CONTROLLING MONUMENT
- IRF IRON ROD FOUND
- CRIF CAPPED IRON ROD FOUND
- ESMT. EASEMENT
- SEP. INST. SEPARATE INSTRUMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- R.O.W. RIGHT-OF-WAY
- D.R.D.C.T. DEED RECORDS, DENTON COUNTY, TEXAS
- O.R.D.C.T. OFFICIAL RECORDS, DENTON COUNTY, TEXAS
- P.R.D.C.T. PLAT RECORDS, DENTON COUNTY, TEXAS
- R.P.R.D.C.T. REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS
- PLAT BOUNDARY
- LOT PROPERTY LINE
- EASEMENT
- CENTERLINE

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 CENTERLINE OF OVERHEAD DISTRIBUTION LINES AND WITHIN 37.5 FEET ON EITHER SIDE OF THE CENTERLINE OF OVERHEAD TRANSMISSION LINES. IN SOME INSTANCES, THE CODE REQUIRES GREATER CLEARANCES. BUILDING PERMITS WILL NOT BE ISSUED FOR STRUCTURES WITHIN THESE CLEARANCE AREAS. CONTACT THE BUILDING OFFICIAL WITH SPECIFIC QUESTIONS.

- PLAT NOTES:**
- The purpose of this Final Plat is to create 19 residential lots, 4 common area lots, and dedicate Right-of-Way and Public Utility Easements to serve said lots within City of Denton Extra-Territorial Jurisdiction (ETJ) Division One.
 - Lots 1X, 2X, 3X and 4X, Block B are common area lots to be owned and maintained by the Land & Trail Association.
 - All Lot, Boundary, and Right-of-Way corners are marked with 5/8 inch iron rod with cap stamped "TNP" set, unless otherwise noted.
 - No Floodplain exists on this site. This property lies within Zone "X" (unshaded), as determined by scaled map location and geographical plotting on FEMA Flood Insurance Rate Map, Community Panel No. 481210370G, Map Revision Date April 18, 2011. Zone "X" - "Other Areas (unshaded)" is defined as "Areas determined to be outside the 0.2% annual chance floodplain".
 - The minimum finished floor elevations shall be provided when a building permit application is submitted. The minimum finished floor elevations shall be based on current FEMA data. The minimum finished floor elevations shall be stated as mean sea level rather than relative based on NAVD 1988 datum.
 - Bearings of lines shown hereon are referenced to Grid North of the Texas Coordinate System of 1983 (North Central Zone No. 4202, NAD83 (2011) Epoch 2010), as derived locally from RTK Network continuously operating reference stations (CORS) via real time kinematic (RTK) survey methods. The distances shown hereon represent surface values using a surface adjustment factor of 1.000150630 to scale from grid to surface. The coordinate values shown hereon represent grid values.
 - There was no visible evidence of gas, petroleum or similar common carrier pipelines or easements observed at the time of the survey.
 - Water service to be provided by Argyle Water Supply Corporation.
 - Sanitary sewer to be handled by facilities approved by the Denton County Health Department.
 - Development of this property shall be in compliance with the Denton County Fire Code with effective date of January 1, 2017.
 - This plat does not remove or amend any covenants or restrictions. [Sec. 212014, (3), Local Government]

SURVEYOR'S CERTIFICATE
I, Todd B. Turner, Registered Professional Land Surveyor, State of Texas, do hereby certify that I prepared this plat from an actual survey of the land and that the corner monuments shown hereon were found or set as described, and that this plat correctly represents the survey made by me or under my direct supervision was prepared in accordance with the Platting Rules and Regulations of the City of Denton, Texas.

PRELIMINARY. THIS DOCUMENT IS FOR REVIEW PURPOSES ONLY AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT. TPBLS RULE §138.33 (e)
THIS DOCUMENT WAS RELEASED ON MAY 12, 2021 FOR REVIEW PURPOSES ONLY. BY TODD B. TURNER, RPLS NO. 4859. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE. TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS RULE §138.33 (e).
Todd B. Turner, R.P.L.S.
Texas Registration Number 4859
DATE: _____, 2021.

BEFORE ME, the undersigned authority, on this day personally appeared Todd B. Turner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose and considerations therein stated and in the capacity therein stated.
WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2021.

Notary Public
My commission expires on March 20, 2022.
CERTIFICATE OF APPROVAL
APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF DENTON, TEXAS.
On this, the _____ day of _____, 2021.
Chairperson, Planning and Zoning Commission
City Secretary

OWNER'S CERTIFICATE
STATE OF TEXAS §
COUNTY OF DENTON §

WHEREAS, CRISPIN MOUNT MILLER, ABIGAIL MOUNT MILLER AND RED BIRD RIDGE LLC, are the owners of a 38.445 acre tract of land situated in the Hiram McMurray Survey Abstract No. 956, Denton County, Texas, and being a part of that certain tract of land described in a Deed to Crispin Mount Miller and Abigail Mount Miller, as recorded in Document No. 2005-18264 of the Official Records of Denton County, Texas, and being a part of that certain tract of land described in a Deed to Red Bird Ridge LLC, as recorded in Document No. 2016-58870 of the Official Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod with cap stamped "TNP" found for corner in the West line of Fincher Road, said point being the Southeast corner of the above cited Red Bird Ridge LLC tract, said point also being in the most Easterly North line of Lot 1, Block 1 per the Final Plat of Ketchum Acres, as recorded in Cabinet W, Page 980 of the Plat Records of Denton County, Texas;

THENCE North 00°40'44" West along the West line of said Fincher Road and the East line of said Red Bird Ridge LLC tract, passing a 5/8 inch iron rod found for the Southwest corner of Lot 1, Block A per the Final Plat of Murphy Arbors, as recorded in Document No. 2019-309 of the Plat Records of Denton County, Texas at a distance of 121.16 feet, and continuing along the East line of said Red Bird Ridge LLC tract and the West line of said Lot 1, for a total distance of 678.33 feet to 5/8 inch iron rod with cap stamped "TNP" found for the Northeast corner of Lot 2, Block A per the Final Plat of Red Bird Ridge Addition, as recorded in Document No. 2021-34 of the Plat Records of Denton County, Texas, said point being the POINT OF BEGINNING for the herein described tract;

THENCE South 88°54'57" West departing the West line of said Lot 1, and along the North line of said Lot 2, for a distance of 131.94 feet to 5/8 inch iron rod with cap stamped "TNP" found for the Northwest corner of said Lot 2;

THENCE South 01°04'58" East along the West line of said Lot 2, for a distance of 276.10 feet to a 5/8 inch iron rod with cap stamped "TNP" found for an angle point;

THENCE South 28°42'41" East continuing along the West line of said Lot 2, for a distance of 17.72 feet to a 5/8 inch iron rod with cap stamped "TNP" found for the Southwest corner of said Lot 2, and being in the North line of Oakridge Lane, a 60' wide right-of-way dedicated by said Minor Plat recorded in Document No. 2021-34;

THENCE in a Northwesterly direction, along the North line of said Oakridge Lane, and along a non-tangent line to the left leaving a central angle of 31°30'11", a radius of 160.00 feet, a chord bearing of North 70°18'02" West, a chord distance of 86.87 feet and an arc length of 87.97 feet to a 5/8 inch iron rod with cap stamped "TNP" found for the most Westerly Northwest corner of said Red Bird Ridge Addition recorded in Document No. 2021-34, said point also being in the West line of said Red Bird Ridge LLC tract and the East line of a tract of land described in a Deed to Matt Moazami, as recorded in Volume 1475, Page 819 of the Deed Records of Denton County, Texas;

THENCE North 01°04'58" West along the West line of said Red Bird Ridge LLC tract and the East line of said Moazami tract, for a distance of 356.08 feet to a 1/2 inch iron rod found for the Northeast corner of said Moazami tract, same being an interior ell corner of said Red Bird Ridge LLC tract;

THENCE South 89°08'49" West along the North line of said Moazami tract, passing the Northwest corner of same at a distance of 225.31 feet, and continuing passing a 1/2 inch iron rod found for the Northwest corner of a tract of land described in a Deed to Donald H. Fleming and Mary Lou Fleming, as recorded in Document No. 2012-126239 of the Official Records of Denton County, Texas and the Northeast corner of a tract of land described in a Deed to Keith C. Kettle and Teresa S. Kettle, as recorded in Document No. 2015-56294 of the Official Records of Denton County, Texas, at a distance of 562.28 feet, and continuing along the North line of said Kettle tract, for a total distance of 956.76 feet to a 1/2 inch iron rod found for the Northwest corner of said Kettle tract and the most Westerly Southwest corner of said Red Bird Ridge LLC tract, said point being in the East line of the above cited Lot 1, Block 1 of Ketchum Acres;

THENCE North 00°30'07" West along the West line of said Red Bird Ridge LLC tract and the East line of said Section Three of Country Club Estates, as recorded in Volume 6, Page 15 and Cabinet A, Page 137 of the Plat Records of Denton County, Texas;

THENCE North 00°30'07" West along the West line of said Red Bird Ridge LLC tract and the East line of said Charles F. Holmans, II and wife, Priscilla L. Holmans, Vol. 1122, Page 289, D.R.D.C.T.;

THENCE South 89°52'22" East along the South line of said Holmans tract, for a distance of 597.89 feet to a 5/8 inch iron rod found for the Southeast corner of said Holmans tract;

THENCE North 00°28'37" East along the East line of said Holmans tract, for a distance of 599.83 feet to a 5/8 inch iron rod found for the Northeast corner of said Holmans tract, said point also being in the North line of the above cited Miller tract and the South line of Briar Hill Addition, as recorded in Cabinet Y, Page 656 of the Plat Records of Denton County, Texas;

THENCE South 89°36'59" East along the South line of said Miller tract and the South line of Briar Hill Addition, for a distance of 382.23 feet to a 1/2 inch iron rod found for the Northwest corner of said Miller tract and the South line of Briar Hill Addition, as recorded in Cabinet Y, Page 656 of the Plat Records of Denton County, Texas;

THENCE South 89°36'59" East along the South line of said Smith and Stuckenbruck tract, for a distance of 174.95 feet to a 1/2 inch iron rod found for corner at an angle point;

THENCE South 47°51'32" East continuing along the South line of said Smith and Stuckenbruck tract, for a distance of 107.48 feet to a 1/2 inch iron rod found for corner at an angle point;

THENCE South 89°48'45" East continuing along the South line of said Smith and Stuckenbruck tract, for a distance of 135.05 feet to a 1/2 inch iron rod found for the Southeast corner of same, said point being in the East line of said Miller tract and the West line of a tract of land described as Tract One in a Deed to Gilbert T. Stribling and Bethie V. Stribling, Trustees of the Stribling Living Trust, as recorded in Document No. 1997-89153 of the Real Property Records of Denton County, Texas;

THENCE South 00°18'25" East along the East line of said Miller tract and the West line of said Stribling tract, for a distance of 332.16 feet to a 1/2 inch iron rod found for the East line of said Miller tract and the West line of said Stribling tract, said point being in the North line of said Fincher's Bend, recorded in Document No. 2015-13 of the Plat Records of Denton County, Texas;

THENCE South 89°24'12" West along the most Easterly South line of said Miller tract and the North line of said Fincher's Bend, for a distance of 208.43 feet to a 1/2 inch iron rod found for an interior ell corner of said Miller tract and the Northwest corner of said Fincher's Bend;

THENCE South 00°40'44" East along the East line of said Miller and Red Bird Ridge LLC tracts, and along the West line of said Fincher's Bend, passing a 5/8 inch iron rod found for the Southwest corner of said Fincher's Bend and the Northwest corner of said Murphy Arbors at a distance of 810.65 feet, and continuing along the East line of said Red Bird Ridge LLC tract and the West line of said Murphy Arbors, for a total distance of 1143.75 feet to the POINT OF BEGINNING, and containing 38.445 acres of land, more or less.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
THAT CRISPIN MOUNT MILLER, ABIGAIL MOUNT MILLER AND RED BIRD RIDGE, LLC do hereby adopt this Final Plat designating the hereinabove described property as RED BIRD RIDGE ADDITION, BLOCK A, LOTS 1-18 AND 20 AND BLOCK B, LOTS 1X-4X (COMMON AREAS), an Addition within the extrajurisdictional jurisdiction of the City of Denton, Texas, and do hereby dedicate to the public use forever all streets, alleys, parks, waterways, drains, easements and public places shown hereon for the purposes and consideration therein expressed. Any and all public utilities shall have the right to remove and keep removed all growths which may encroach or interfere with the construction, maintenance, operation and efficiency of its respective system within the utility easement for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of procuring the permission of anyone.

WITNESS MY HAND, this the _____ day of _____, 2021.

CRISPIN MOUNT MILLER
ABIGAIL MOUNT MILLER
RED BIRD RIDGE LLC

BY: _____ AUTHORIZED SIGNATURE _____ TITLE _____
STATE OF TEXAS §
COUNTY OF DENTON §

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared CRISPIN MOUNT MILLER, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose and considerations therein expressed.
WITNESS My hand and seal of office, this the _____ day of _____, 2021.

Notary Public in and for the State of Texas
STATE OF TEXAS §
COUNTY OF DENTON §

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared ABIGAIL MOUNT MILLER, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purpose and considerations therein expressed.
WITNESS My hand and seal of office, this the _____ day of _____, 2021.

Notary Public in and for the State of Texas
STATE OF TEXAS §
COUNTY OF DENTON §

FINAL PLAT
RED BIRD RIDGE ADDITION
BLOCK A, LOTS 1-18 AND 20
BLOCK B, LOTS 1X-4X (COMMON AREAS)
BEING 38.445 ACRES OF LAND SITUATED IN THE
HIRAM McMURRAY SURVEY, ABSTRACT NO. 956,
WITHIN THE EXTRAJURISDICTIONAL JURISDICTION OF
CITY OF DENTON (DIVISION ONE)
DENTON COUNTY, TEXAS
MAY 2021 SHEET 1 OF 1
CITY OF DENTON PROJECT NO. FP21-0015
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September 16, 2024

Erin Stanley
Project Facilitator
City of Denton
Department of Development Services
401 N. Elm Street, Denton, TX 76201

RE: FP24-0016
Red Bird Ridge Final Plat

Dear Erin:

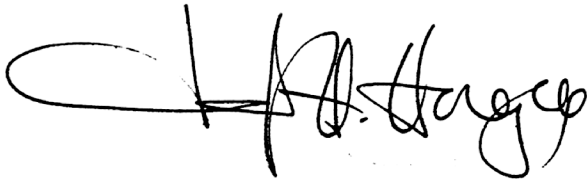
In accordance with Chapter 212, Section 212.009 of the Texas Local Government Code we hereby request a 30-day extension of the Final Plat review process for the referenced Final Plat for Red Bird Ridge.

We are accessing the staff review comments on the Final Plat, and will be processing those to ensure a prompt response.

We appreciate your consideration of this request.

Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Turid Horgen". The signature is fluid and cursive, with a large initial "T" and "H".

Turid Horgen
Manager
Red Bird Ridge LLC

cc: Michelle Reynolds, Development Project Facilitator Manager

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 802169844 **Entity Type:** Domestic Limited Liability Company (LLC)
Original Date of Filing: March 6, 2015 **Entity Status:** In existence
Formation Date: N/A
Tax ID: 32056602686 **FEIN:**
Duration: Perpetual

Name: Red Bird Ridge LLC
Address: 711 W SYCAMORE ST
DENTON, TX 76201-5919 USA

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES	INITIAL ADDRESS
Name		Address				Inactive Date
Charles F. Holmans		700 E. Southlake Blvd Ste. 190 Southlake, TX 76092 USA				

Instructions:

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



City of Denton

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

Legislation Text

File #: FP24-0025b, **Version:** 1

AGENDA CAPTION

Consider a request by Stonehawk Capital Partners, LLC for a Final Plat of the Sereno Village Addition. The 18.235-acre site is generally located at the northwest corner of East University Drive (US 380) and Old North Road, in the City of Denton, Denton County, Texas. (FP24-0025b, Sereno Village Addition, Mia Hines).



AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: September 25, 2024

SUBJECT

Consider a request by Stonehawk Capital Partners, LLC for a Final Plat of the Sereno Village Addition. The 18.235-acre site is generally located at the northwest corner of East University Drive (US 380) and Old North Road, in the City of Denton, Denton County, Texas. (FP24-0025b, Sereno Village Addition, Mia Hines).

BACKGROUND

In March 2024, the property was rezoned to a Planned Development District (PD23-0003) to facilitate a horizontal mixed-use development consisting of approximately 279 multifamily residences and 33,000 square feet of commercial land uses. The purpose of this Final Plat is to establish two platted lots consistent with the PD Development Plan layout for both the multifamily and commercial aspects of the PD.

Date Application Filed:	June 25, 2024
Planning & Zoning Commission Meeting:	July 24, 2024
Days in Review:	29 Days
Date Application Withdrawn:	July 24, 2024
Date Application Filed:	July 30, 2024
Planning & Zoning Commission Meeting:	August 28, 2024
Days in Review:	29 Days
Date Extension Granted:	August 28, 2024
Planning & Zoning Commission Meeting:	September 25, 2024
Days in Review:	29 Days

Since the application was withdrawn prior to the July 24th Planning and Zoning Commission meeting, this is the **second extension request** for this plat.

This application is being considered under (TX LGC) 212.009, which was updated as of September 1, 2023 with the passage of House Bill 3699. The applicant has requested a 30-day extension to allow for additional time to work through staff’s comments on the plat and additional review (see Exhibit 6). The requested extension could be granted to a date certain of October 23, 2024.

OPTIONS

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

RECOMMENDATION

Staff recommends denial of this Final Plat as it does not meet the established criteria for approval. However, Staff has no objection to the requested one-time 30-day extension to a date certain of October 23, 2024. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
2002	City Council	Citywide rezoning	Rezoning to Neighborhood Residential 3 and Community Mixed Use General
October 1, 2019	City Council	New Zoning Code and City-wide zoning district transition to R3 and SC District	Approval
September 28, 2022	Planning and Zoning Commission	Rezoning from R3 and SC to MN	Recommended Approval
October 18, 2022	City Council	Rezone from R3 and SC to MN	Postponed
February 14, 2024	Planning and Zoning Commission	Rezone from R3, SC, & MN to PD	Recommend Approval
March 5, 2024	City Council	Rezone from R3, SC, & MN to PD	Approved
July 24, 2024	Planning and Zoning Commission	Final Plat	None - Application withdrawn after agenda posting
August 28, 2024	Planning and Zoning Commission	Final Plat	Extension Approved

PUBLIC OUTREACH

No public outreach is required for final plats.

DEVELOPER ENGAGEMENT DISCLOSURES

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

EXHIBITS

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

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

Prepared by:
Mia Hines, AICP
Senior Planner

Planning Staff Analysis

FP24-0025b / Sereno Village Addition

Planning & Zoning Commission

REQUEST:

Final plat for an approximately 18.235-acre site

APPLICANT:

Stonehawk Capital Partners, LLC on behalf of Reeder E Ratliff, Co-Trustee of the Ralph L. Mason Trust

RECOMMENDATION:

Staff recommends denial of this Final Plat as it does not meet the established approval criteria; however, staff has no objection to the requested extension, which could be granted to October 23, 2024.

Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
<p>a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not meet all review criteria, as detailed in the following items as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B:</p> <ol style="list-style-type: none"> 1. Show, label, and dimension all existing easements. If all or portion of an existing platted easement is to be abandoned, label “To be abandoned by this plat.” Indicate abandonments using a hatching pattern (FPC 3.6) 2. Label the exact location, dimension, and centerline (with dimension from centerline to edge of existing or proposed ROW) of existing public ROW intersecting or contiguous with its boundary or forming such boundary. Display the centerline of proposed ROW with dimension from centerline to the edge of proposed ROW (FP 3.15) 3. Ensure calls and monumentation match plat graphic (FP 5.2) </div>	<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> <div style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not meet the review criteria of DDC Section 2.6.4D as described below.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<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>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p>Findings:</p> <div data-bbox="253 233 1040 289" style="border: 1px solid black; padding: 5px;"> <p>There is no conflict.</p> </div>			
<p>2. Prior Approvals</p>			
<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 data-bbox="253 562 1040 743" style="border: 1px solid black; padding: 5px;"> <p>The proposed development is consistent with the Development Plan established via PD23-0003c.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</p> <p>Findings:</p> <div data-bbox="243 915 1029 1125" style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>a. The decision-making authority shall weigh competing plan goals, policies, and strategies</p> <p>Findings:</p> <div data-bbox="253 1262 1040 1350" style="border: 1px solid black; padding: 5px;"> <p>There are no competing plan goals, policies, and strategies for this site.</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 data-bbox="253 1520 1040 1629" style="border: 1px solid black; height: 50px;"></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)</p>	Compliance		
<p>4. Compliance with this DDC</p>			
<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>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

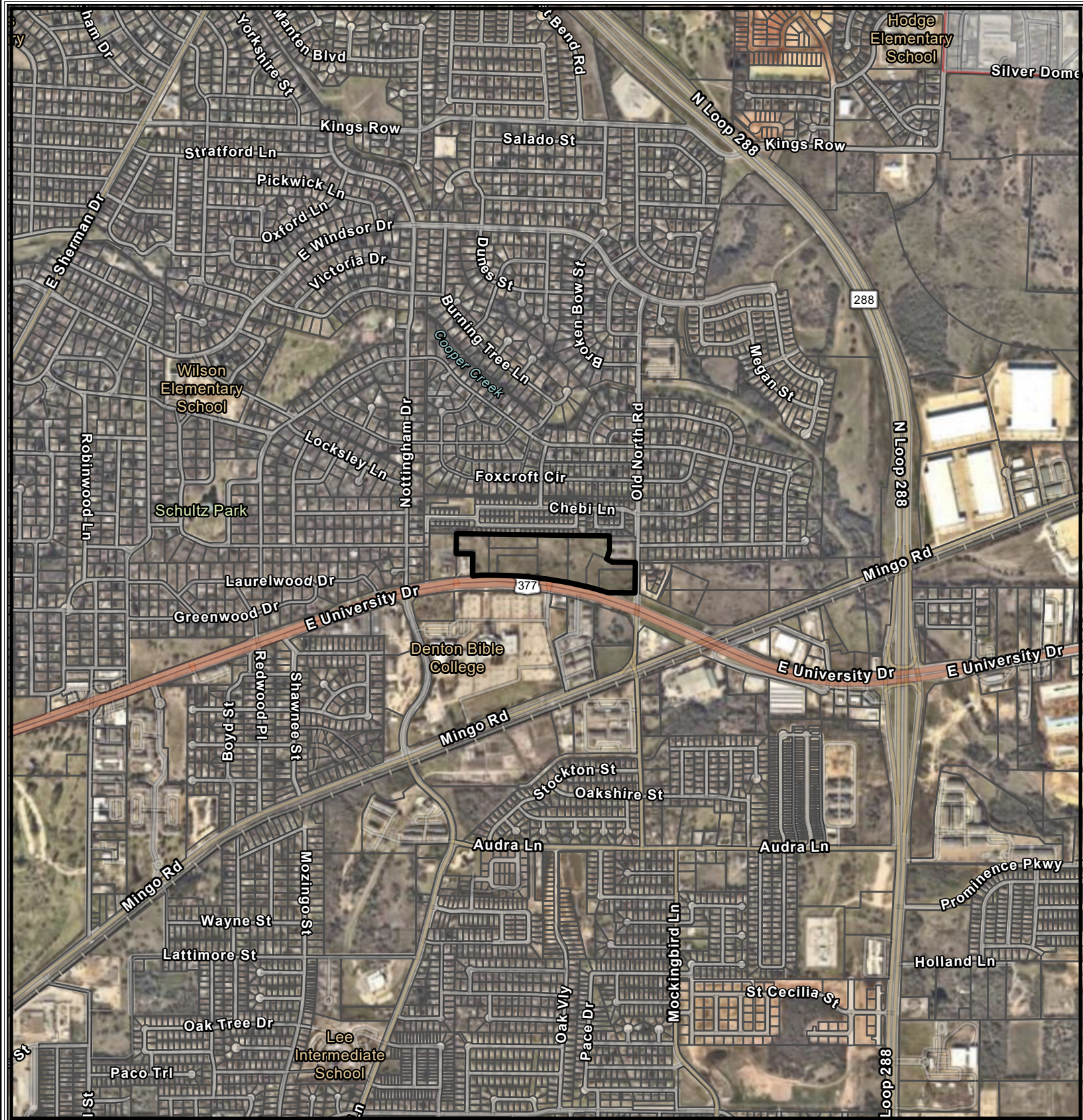
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
	<p>All applications shall include all required information requested by the Director to demonstrate compliance with City codes per DDC Section 2.4.4B. The proposed Final Plat complies with the applicable DDC requirements.</p>			
<p>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</p>	<p>Findings:</p> <p>The Final Plat was submitted at an adequate level of detail, but staff requests additional dimensioning and labeling as noted herein to ensure compliance.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>5. Compliance with Other Applicable Regulations</p>				
<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 regulations related to wetlands, water quality, erosion control, and wastewater regulations.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>6. Consistent with Interlocal and Development Agreements</p>				
<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 development agreements applicable to this proposed Final Plat.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>7. Minimizes Adverse Environmental Impacts</p>				
<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>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>








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 data-bbox="203 239 1149 336">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 data-bbox="253 340 375 369">Findings:</p> <div data-bbox="253 369 1117 495" style="border: 1px solid black; padding: 5px;"> <p data-bbox="272 382 1094 453">Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Minimizes Adverse Fiscal Impacts			
<p data-bbox="203 573 1149 636">a. The proposed development should not result in significant adverse fiscal impacts on the city.</p> <p data-bbox="253 640 375 669">Findings:</p> <div data-bbox="253 669 1117 783" style="border: 1px solid black; padding: 5px;"> <p data-bbox="272 682 1094 753">Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Compliance with Utility, Service, and Improvement Standards			
<p data-bbox="203 861 1149 1020">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 data-bbox="253 1058 375 1087">Findings:</p> <div data-bbox="253 1087 1133 1213" style="border: 1px solid black; padding: 5px;"> <p data-bbox="272 1100 1094 1205">The proposed Final Plat is compliant with all applicable regulations. Additional notes must be added to the proposed Plat to clarify that the site will be served by City utilities.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Provides Adequate Road Systems			
<p data-bbox="203 1253 1149 1413">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 data-bbox="253 1417 375 1446">Findings:</p> <div data-bbox="253 1446 1117 1509" style="border: 1px solid black; padding: 5px;"> <p data-bbox="272 1459 813 1501">The Final Plat is compliant with this criterion.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities			
<p data-bbox="203 1587 1149 1812">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>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

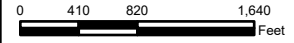
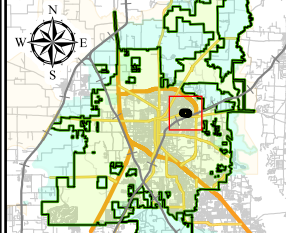
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p>Findings:</p> <p>There are adequate facilities to serve the development. Civil engineering plans are under review to ensure adequate infrastructure improvements and extensions.</p>			
<p>13. Rational Phasing Plan</p>			
<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> <p>Per PD23-0003, Phase 1 of the proposed development will include 279 multifamily residences on the proposed Lot 1, Block A with Phase 2 including approximately 33,000 square feet of commercial space on the proposed Lot 1, Block B. The proposed Final Plat is consistent with this phasing plan.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)	Applicability		
	Met	Not Met	N/A
<p>14. Whether the final plat conforms to the preliminary plat, including any conditions of approval.</p> <p>Findings:</p> <p>There is no approved preliminary plat associated with the proposed Final Plat.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>15. Whether the development will substantially comply with all requirements of this DDC.</p> <p>Findings:</p> <p>The Final Plat complies with the applicable requirements of the Denton Development Code.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>16. Whether the development will comply with the applicable technical standards and specifications adopted by the City.</p> <p>Findings:</p> <p>The Final Plat does not comply with the applicable technical standards and specifications adopted by the City, as detailed herein.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

FP24-0025 Site Location



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




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.

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	801757516	Entity Type:	Domestic Limited Liability Company (LLC)
Original Date of Filing:	March 27, 2013	Entity Status:	In existence
Formation Date:	N/A	FEIN:	
Tax ID:	32050573594		
Duration:	Perpetual		
Name:	StoneHawk Capital Partners LLC		
Address:	4550 TRAVIS ST STE 565 DALLAS, TX 75205-4669 USA		

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES	INITIAL ADDRESS
Name		Address				Inactive Date
Brian Woidneck						

Instructions:

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



September 10, 2024

City of Denton
Development Services Center
401 N Elm
Denton TX 76201

To The Attention Of: Miranda Meza and Mia Hines

Request: 30 Day Extension Request – FP24-0025

Please accept this letter as a request for a 30-day extension for 2211 E University Dr Denton Tx 76209 – 380 Old North (Stonehawk Multifamily) FP24-0025. We should be clearing up the remainder of the comments on our CEP and believe we can complete this in the next 30 days in order to also approve the Final Plat.

Sincerely,

Candy Whitaker

97 Land Company
469.628.4320



City of Denton

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

Legislation Text

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

AGENDA CAPTION

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



AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: September 25, 2024

SUBJECT

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

BACKGROUND

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

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

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

Date application filed:	March 26, 2024
Planning and Zoning Meeting:	April 24 2024
Days in review:	29 Days
Extension Approved	April 24, 2024
Plat Withdrawn	May 3, 2024
Application refiled	June 27, 2024
Plat Withdrawn	July 8, 2024
Application refiled	August 27, 2024
Planning and Zoning Meeting	September 25, 2024
Days in review	29 Days

This is the applicant’s second request for extension.

This application is being considered under Texas Local Government Code (TX LGC) 212.009, which was updated as of September 1, 2023 with the passage of House Bill 3699. Since this plat application was submitted after September 1, 2023 the changes to LGC Chapter 212 are applicable. The applicant has requested a 30-day extension to allow for additional time to work through staff’s comments on the plat and additional review (Exhibit 6). In accordance with TX LGC Section 212.009 the extension cannot exceed 30 days and could be granted to a date certain of October 23, 2024. Based upon recent updates to Section

212.009, the applicant may request additional 30-day extensions in the future if they are determined to be necessary.

OPTIONS

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

RECOMMENDATION

Staff recommends denial of this plat as does not meet the established criteria for approval. However, staff has no objection to the requested 30-day extension to a date certain of October 23, 2024.

See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
2002	City Council	Citywide rezoning from Agriculture District to Employment Center Industrial (EC-I) District	Approved
2019	City Council	Zoning Transition from EC-I District to Light Industrial (LI) District	Approved
August 9, 2023	Planning and Zoning Commission	Comprehensive Plan Amendment (CA23-0001)	Recommended Approval
August 9, 2023	Planning and Zoning Commission	Rezoning from LI District to R7 District (Z23-0006)	Recommended Approval
August 9, 2023	Planning and Zoning Commission	Specific Use Permit for multifamily dwellings (S23-0003)	Recommended Approval
August 15, 2023	City Council	Comprehensive Plan Amendment (CA23-0001), Rezoning (Z23-0006), SUP (S23-0003)	Approved
April 25, 2024	Planning and Zoning Commission	Final Plat (FP24-0010)	Extension Approved

PUBLIC OUTREACH

No public outreach is required for final plats.

DEVELOPER ENGAGEMENT DISCLOSURES

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

EXHIBITS

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

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

Prepared by:
Julie Wyatt, AICP
Principal Planner

Planning Staff Analysis
FP24-0010a/ Mayhill Multifamily
City Council District #2
Planning & Zoning Commission

REQUEST:

Final Plat for one multifamily lot.

APPLICANT:

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

RECOMMENDATION:

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

Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
<p>a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>All applications shall include all required information requested by the Director to demonstrate compliance with City codes per DDC Section 2.4.4B. The Final Plat does not meet all review criteria, as detailed in Approval Criterion 2, 7, and 10 below.</p> </div>	<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> <div style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not meet all review criteria, as detailed in Approval Criterion 2, 7, and 10 below.</p> </div>	<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> <div style="border: 1px solid black; height: 100px; width: 100%;"></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 style="border: 1px solid black; padding: 5px;"> <p>The proposed development is consistent with R7 District and approved SUP23-0006. Prior to Final Plat approval, Civil Engineering Plans CEP24-0015 must be approved.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>a. The decision-making authority shall weigh competing plan goals, policies, and strategies</p> <p>Findings:</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></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: 40px; 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; height: 70px; width: 100%;"></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
<p>b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings:</p> <div data-bbox="253 264 1068 464" style="border: 1px solid black; padding: 5px;"> <p>The subject submittal is a Final Plat, and it was reviewed based on the checklist and requirements for a final plat.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Compliance with Other Applicable Regulations			
<p>a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations. Findings:</p> <div data-bbox="253 772 1040 961" style="border: 1px solid black; padding: 5px;"> <p>The proposed development compiles with all applicable regulations, standards, and requirements.</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. Findings:</p> <div data-bbox="253 1201 1040 1377" style="border: 1px solid black; padding: 5px;"> </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. Findings:</p> <div data-bbox="253 1650 1094 1881" style="border: 1px solid black; padding: 5px;"> <p>The following is needed to ensure the proposal will not cause significant adverse impacts:</p> <p>As requested in CEP comments, provide a perpetual maintenance plan of the ESAs in the common areas.</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
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 data-bbox="253 369 1105 510" style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Minimizes Adverse Fiscal Impacts			
<p>a. The proposed development should not result in significant adverse fiscal impacts on the city.</p> <p>Findings:</p> <div data-bbox="253 680 1040 947" style="border: 1px solid black; padding: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 data-bbox="253 1220 1105 1373" style="border: 1px solid black; padding: 5px;"> <p>The proposed Final Plat is not compliant with all City regulations, as noted in the Outstanding Engineering Comments listed at the end of this document.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Provides Adequate Road Systems			
<p>a. Adequate road capacity shall exist to serve the uses permitted under the proposed development, and the proposed uses shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services.</p> <p>Findings:</p> <div data-bbox="253 1650 1040 1839" style="border: 1px solid black; padding: 5px;"> <p>There is adequate road capacity to accommodate the proposed use.</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 style="border: 1px solid black; padding: 5px;"> <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> <p>Findings:</p> <div 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"/>

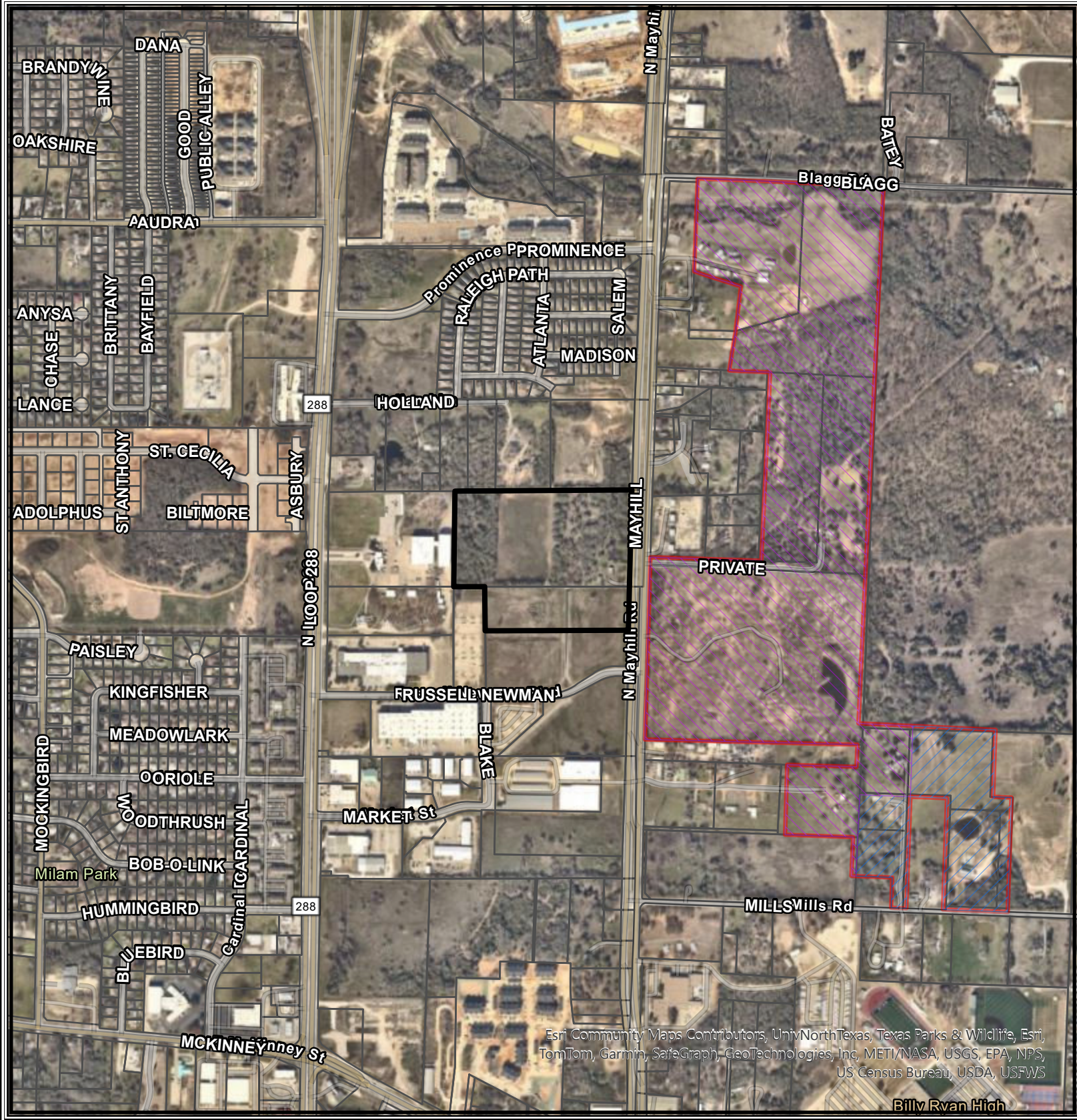
Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)	Applicability		
	Met	Not Met	N/A
14. Whether the final plat conforms to the preliminary plat, including any conditions of approval.			
<p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <p>The applicant has opted to omit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

Outstanding Engineering Comments:

4.1) Final Plat approval dependent on CEP plan approval. If multiple final plat submittal are done before CEP plan approval, this could cause additional reviews and additional new comments on the Final Plat. Plat will have to be fully reviewed after CEP approval to ensure that all CEP influencing elements are captured in this plat, as design changes in response to the review process commonly take place

4.1) REPEAT COMMENT of 1.29: Drainage facilities are proposed on site, such as the storm pond and drainage-way. As applicable, provide who will own and maintain these features, and any privately identified features too related to the utility systems. Entities may not be generically identified but must be specifically identified (aka. owner, HOA, business, neighbors is not sufficient)

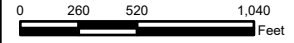
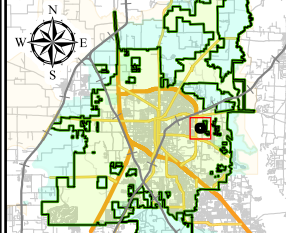
FP24-0010 Site Location



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

Billy Ryan High

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



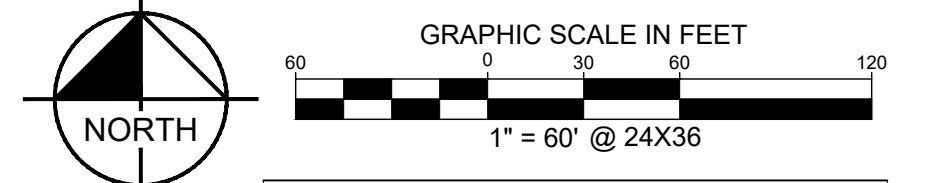
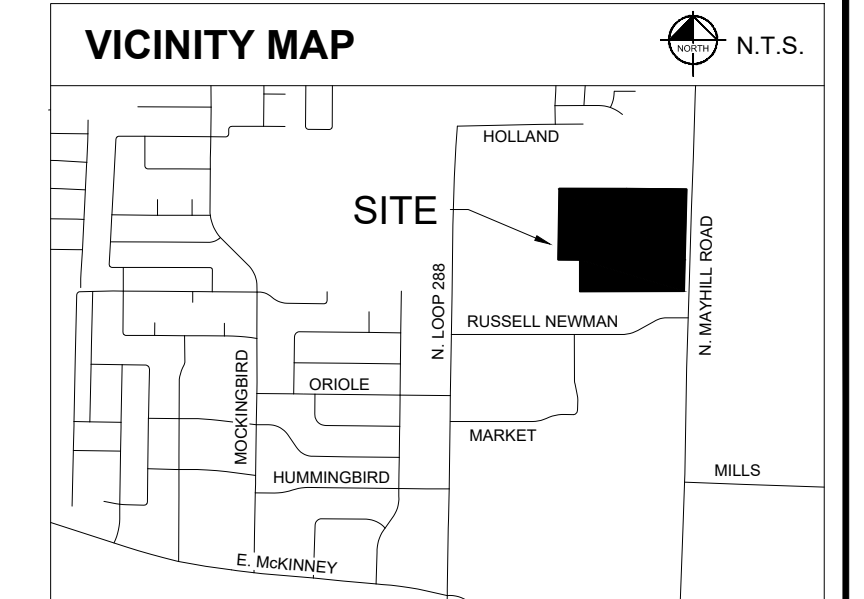
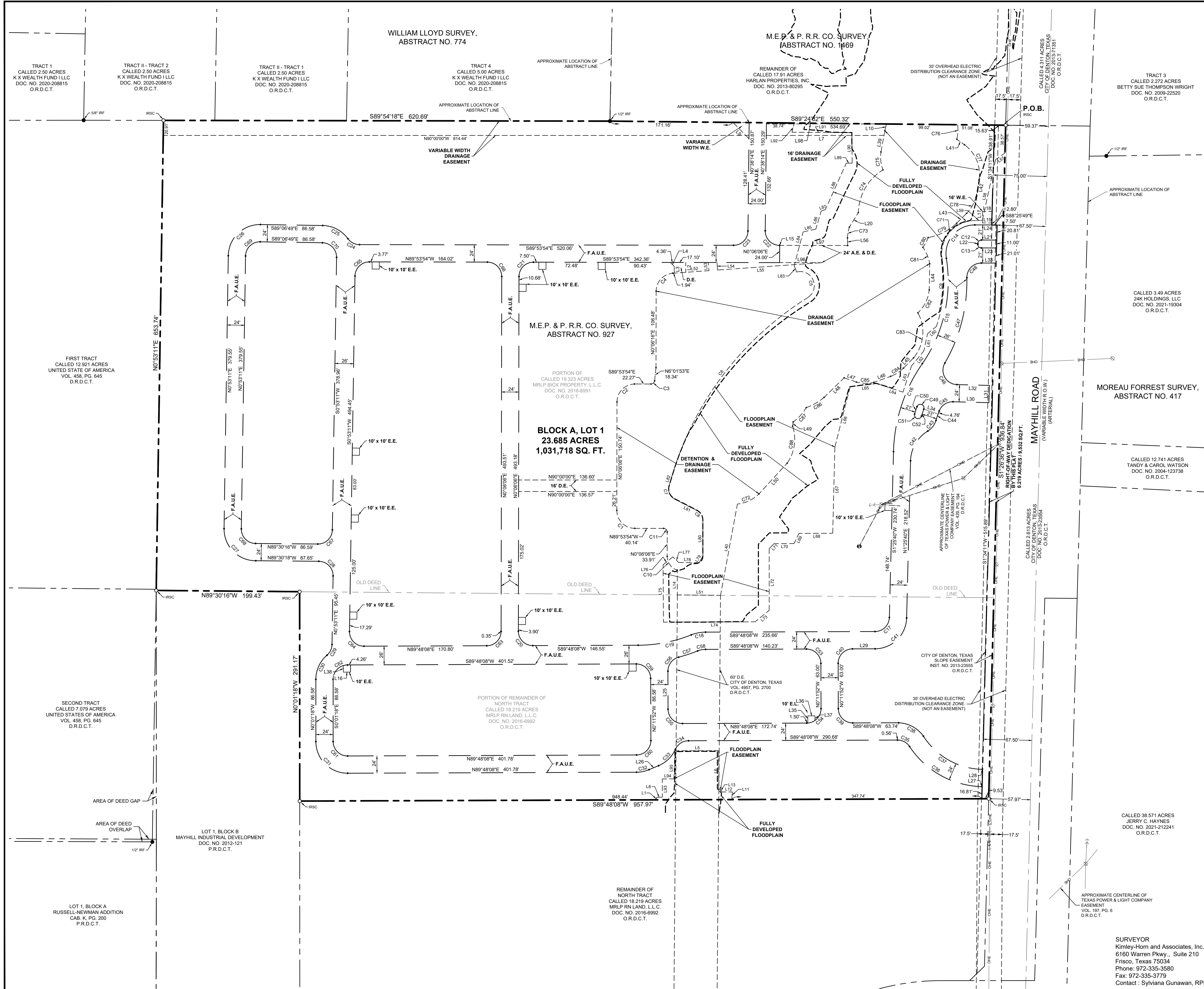
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Although every effort was made to ensure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

Filing Number: 802317300
 Original Date of Filing: October 22, 2015
 Formation Date: N/A
 Tax ID: 32058645048
 Duration: Perpetual
 Name: MRLP Bick Property, L.L.C.
 Address: [REDACTED]

Entity Type: Domestic Limited Liability Company (LLC)
 Entity Status: In existence
 FEIN:

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES
Last Update October 26, 2022	Name FRANK N MARTINO JR	Title MANAGER	[REDACTED]	Address [REDACTED]

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



LEGEND

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

LINE TYPE LEGEND

---	BOUNDARY LINE
---	ADJACENT PROPERTY LINE
---	EASEMENT LINE
---	CENTER LINE OF ROAD
---	OVERHEAD UTILITY LINE
---	FLOODPLAIN LINE

SEE SHEET 2 FOR LINE/CURVE TABLES & GENERAL NOTES

**FINAL PLAT
MAYHILL MULTIFAMILY**

BLOCK A, LOT 1
 23.904 ACRES OUT OF THE MEMPHIS, EL PASO & PACIFIC
 RAILROAD COMPANY SURVEY, ABSTRACT NO. 927
 CITY OF DENTON, DENTON COUNTY, TEXAS
 PREPARED: JULY 2024
 CITY PROJECT #FP24-0010

Kimley»Horn

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

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

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

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

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

SURVEYOR
 Kimley-Horn and Associates, Inc.
 6160 Warren Pkwy., Suite 210 Frisco, Texas 75034
 Phone: 972-335-3580 Fax: 972-335-3779
 Contact: Sylviana Gunawan, RPLS

D:\WORK\2024\063248000\FINAL\PLAT.DWG PLOTTED BY GRABLE JEFF 8/26/2024 1:15 AM LAST SAVED: 8/26/2024 10:41 AM

OWNERS' CERTIFICATE

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

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

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

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

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

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

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

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

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

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

Table with 5 columns: LINE NO., BEARING, LENGTH, NO., BEARING, LENGTH. Contains 52 rows of survey data.

Table with 10 columns: CURVE NO., DELTA, RADIUS, LENGTH, CHORD BEARING, CHORD. Contains 52 rows of curve data.

OWNER'S DEDICATION

STATE OF TEXAS §
COUNTY OF DENTON §
NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, MRLP Bick Property, L.L.C. AND MRLP RN Land, L.L.C., do hereby adopt this plat designating the herein described property as MAYHILL MULTIFAMILY, an addition in Denton County, Texas, and do hereby dedicate to the public use forever the streets 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, and any public utility shall, at all times, have the right of ingress and egress to and from and upon the said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time procuring permission of anyone.

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

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

TITLE

STATE OF TEXAS §
COUNTY OF COLLIN §

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

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

Notary Public, State of Texas

My Commission Expires: _____

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

TITLE

STATE OF TEXAS §
COUNTY OF COLLIN §

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

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

Notary Public, State of Texas

My Commission Expires: _____

NOTES:

- 1. 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.
2. All property corners are 5/8" iron rods with plastic caps stamped "KHA", unless otherwise noted.
3. Selling a portion of this addition by metes and bounds is a violation of City ordinance and state laws and is subject to fines and withholding of utilities and building permits.
4. 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.
5. Water and wastewater service will be provided by the City of Denton.
6. All recording information shown hereon are referenced to the Deed, Plat, or Official Records of Denton County, Texas unless otherwise noted.
7. The purpose of this plat is create 1 lot and easements necessary for development.
8. On site sewer facilities shall not be located inside publicly dedicated easements.
9. No gas well Drilling and Production Sites are located within 1000 feet of the subject property.
10. Private improvements or encroachments cannot encroach onto existing public or private easements.
11. This plat is hereby adopted by the owner and approved by the City of Denton (called "City") subject to the following conditions that shall be binding upon the owners, their heirs, grantees, and successors. The Detention Pond shall remain open at all times and will be maintained in a safe and sanitary condition by the owners of the lot or lots that are traversed by or adjacent to the Detention Pond Easement. The City will not be responsible for the maintenance and operation of said easement or for any damage to private property or person that results from conditions in the easement, or for the control of erosion. No obstruction to the natural flow of storm water run-off shall be permitted by construction of any type of building, fence or any other structure within the Detention Pond Easement, as herein above defined, unless approved by the City. The owners shall keep the Detention Pond easement clear and free of debris, silt, and any substance that would result in unsanitary conditions or obstruct the flow of water. The City shall have the right, but not the obligation, to enter upon the above-described Detention Pond easement to remove any obstruction to the flow of water, after giving the owners written notice of such obstruction and owners fail to remove such obstruction. Should the City of Denton be compelled to remove any obstruction to the flow of water, after giving the owners written notice of such obstruction and owners fail to remove such obstruction, the City of Denton shall be reimbursed by the owners for reasonable costs for labor, materials, and equipment for each instance. The natural drainage through the Detention Pond Easement is subject to storm water overflow and natural bank erosion to an extent that cannot be definitively 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.
12. The City and County, including their agents and employees, have the right of immediate access to the Common Areas at all times, if necessary, for the welfare or protection of the public, to enforce City/County ordinances, or to improve the appearance of or to preserve public property, public easements, or public rights of way. If the Association fails to maintain the Common Areas to a standard acceptable to the County or City, the County or City may give the Association a written demand for maintenance. If the Association fails or refuses to perform the maintenance within a reasonable period of time after receiving the County's/City's written demand (at least 90 days), the County or City may maintain the Common Areas at the expense of the Association after giving written notice of its intent to do so to the Association. The County or City may give its notices and demands to any officer, director, or agent of the Association, or alternatively, to each owner of a Lot as shown on the County's tax rolls. To fund the County's or City's cost of maintaining the Common Areas, the County or City may levy assessments against the lots and owners in the same manner as if the Association levied a special assessment. The rights of the County or City under this Section are in addition to other rights and remedies provided by law.
13. No permits will be issued until a Tree Survey and Preservation Plan are submitted and approved.
14. On-site ESA located within drainage easement.

FLOOD STATEMENT:

According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48121C0380Q, for Denton County, Texas and incorporated areas, dated 04/18/2011 this property is located within Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain". If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

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

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

PRELIMINARY

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

STATE OF TEXAS §
COUNTY OF COLLIN §

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

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

Notary Public, State of Texas

My Commission Expires: _____

APPROVED BY THE PLANNING & ZONING COMMISSION

ON THIS THE _____ DAY OF _____, 20__

CHAIRPERSON, PLANNING AND ZONING COMMISSION

CITY SECRETARY

FINAL PLAT
MAYHILL MULTIFAMILY

BLOCK A, LOT 1

23.904 ACRES OUT OF THE MEMPHIS, EL PASO & PACIFIC RAILROAD COMPANY SURVEY, ABSTRACT NO. 927 CITY OF DENTON, DENTON COUNTY, TEXAS
PREPARED: JULY 2024
CITY PROJECT #FP24-0010

Kimley»Horn

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

Table with 6 columns: Scale, Drawn by, Checked by, Date, Project No., Sheet No. Values: 1" = 60', JCC, KHA, Aug. 2024, 063248000, 2 OF 2

FILED:

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

SURVEYOR: Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210 Frisco, Texas 75034
Phone: 972-335-3580 Fax: 972-335-3779
Contact : Sylviana Gunawan, RPLS

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

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September 16, 2024

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

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

Dear Ms. Wyatt:

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

- FP24-0010; Mayhill Road Multifamily.

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

Sincerely,

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

Rob Myers, P.E.
Associate



City of Denton

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

Legislation Text

File #: PD24-0004, **Version:** 1

AGENDA CAPTION

Hold a public hearing and consider making a recommendation to City Council regarding a request by Aspire Real Estate Services LLC and OMA Denton LLC for a zoning change from Residential 3 (R-3) District to Planned Development - Residential 6 District (PD-R6) including but not limited to establishing uses and standards and adopting a Development Plan. The approximately 12.1-acre site is generally located north of East McKinney Street, south of Paisley Street, approximately 1,200 feet east of the intersection of East McKinney Street and Mack Drive, in the City of Denton, Denton County, Texas. STAFF IS REQUESTING THIS ITEM BE POSTPONED UNTIL THE OCTOBER 9, 2024 PLANNING AND ZONING COMMISSION MEETING. (PD24-0004, Villages of McKinney, Julie Wyatt).



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: September 25, 2024

SUBJECT

Hold a public hearing and consider making a recommendation to City Council regarding a request by Aspire Real Estate Services LLC and OMA Denton LLC for a zoning change from Residential 3 (R-3) District to Planned Development – Residential 6 District (PD-R6) including but not limited to establishing uses and standards and adopting a Development Plan. The approximately 12.1-acre site is generally located north of East McKinney Street, south of Paisley Street, approximately 1,200 feet east of the intersection of East McKinney Street and Mack Drive, in the City of Denton, Denton County, Texas. **STAFF IS REQUESTING THIS ITEM BE POSTPONED UNTIL THE OCTOBER 9, 2024 PLANNING AND ZONING COMMISSION MEETING.** (PD24-0004, Villages of McKinney, Julie Wyatt)

BACKGROUND

The request is to rezone approximately 12 acres from Residential 3 (R3) to Planned Development – Residential 6 (PD-R6) District to facilitate the development of 119 single-family detached dwellings with a minimum lot size of 1,850 square feet. Staff is requesting the item be postponed to the October 9th Planning and Zoning Commission meeting to allow additional time to finalize the Planned Development Standards. With the postponement to a date certain, public notification is not required.

EXHIBITS

1. Agenda Information Sheet

Respectfully submitted:

Tina Firgens, AICP

Deputy Director of Development Services/Planning Director

Prepared by:

Julie Wyatt, AICP

Principal Planner



City of Denton

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

Legislation Text

File #: DCA24-0011, **Version:** 1

AGENDA CAPTION

Hold a public hearing and consider making a recommendation to City Council regarding amending the Denton Development Code; amendments include but are not limited to Denton Development Code Table 5.2-A: Table of Allowed Uses, Section 5.3.5 Commercial Use-Specific Standards, Table 7.9-I Minimum Required Off-Street Parking, and Section 9.2 Definitions. (DCA24-0011, Commercial Animal Services, Bryce Van Arsdale).



AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: September 25, 2024

SUBJECT

Hold a public hearing and consider making a recommendation to City Council regarding amending the Denton Development Code; amendments include but are not limited to Denton Development Code Table 5.2-A: Table of Allowed Uses, Section 5.3.5 Commercial Use-Specific Standards, Table 7.9-I Minimum Required Off-Street Parking, and Section 9.2 Definitions. (DCA24-0011, Commercial Animal Services, Bryce Van Arsdale).

BACKGROUND

The purpose of this amendment is to establish a new land use, Commercial Animal Service, providing a greater level of specificity for uses which fall into this category. By adding this definition to the Denton Development Code, staff can better provide for the needs of the community, encouraging this development where appropriate, and enabling staff to impose use-specific standards in target areas to mitigate potential nuisances associated with the land use.

This amendment seeks to provide a land use definition which accommodates the evolution of domestic animal businesses. This establishes a land use designation which applies specifically to domestic animal-oriented businesses, rather than utilizing a broader or outdated land use which does not effectively capture the proposed land uses that are now commonplace within this industry. For example, staff has seen an increase in requests for uses such as dog daycares and cat cafes; these do not fit well within the existing definitions for either Kennel or Personal Service, which is defined very broadly and specifically includes animal grooming as part of the definition. Additionally, use-specific standards would be put in place, and where applied, these use-specific standards are intended to ensure that uses of this type do not affect neighboring properties in a negative manner.

The following changes are proposed:

- Amend Table 5.2-A: Table of Allowed Uses to remove the existing Kennel use and add Commercial Animal Service (Indoor) and Commercial Animal Service (Outdoor) uses
- Amend Subsection 5.3.5. Commercial Use-Specific Standards to remove existing standards related to Kennels and to establish use-specific standards for the new Commercial Animal Service uses related to the location, size, and use of outdoor play/exercise areas
- Amend Table 7.9-I: Minimum Required Off-Street Parking to establish parking standards for Commercial Animal Services
- Amend Subsection 9.2: Definitions to modify the definitions of existing uses that overlap with the proposed new uses and to establish definitions for Commercial Animal Services

A redline version of the proposed changes is provided as Exhibit 4, and a clean version of the draft text is provided as Exhibit 3.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
April 23, 2019	City Council	Consider 2019 DDC Update	Approved with an effective date of October 1, 2019
August 28, 2024	Planning and Zoning Commission	Staff requested feedback regarding proposed Commercial Animal Service updates	Work Session discussion held, Planning and Zoning Commission directed staff to proceed with the amendments with minor changes.

OPTIONS

1. Recommend Approval
2. Recommend Approval with conditions
3. Recommend Denial
4. Postpone Item

RECOMMENDATION

Staff recommends **approval** of the amendments related to Commercial Animal Services as the proposed amendments meet the established criteria for approval for Code Text Amendments as outlined in Section 2.7.4.D of the DDC.

See Exhibit 2 for Staff Analysis.

EXHIBITS

- Exhibit 1 – Agenda Information Sheet
- Exhibit 2 – Staff Analysis
- Exhibit 3 – Draft Ordinance
- Exhibit 4 – Redline Markup
- Exhibit 5 – Public Hearing Responses

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

Prepared by:
 Bryce Van Arsdale
 Assistant Planner

Staff Analysis

DCA24-0011/ Commercial Animal Services

REQUEST:

This is a city-initiated Code amendment to the Denton Development Code (DDC); amendments include but are not limited to Table 5.2-A: Table of Allowed Uses, Section 5.3.5: Commercial Use-Specific Standards, Table 7.9-I: Minimum Required Off-Street Parking, and Section 9.2: Definitions.

CONSIDERATIONS:

Section 2.7.4D of the DDC states that an application for a DDC text amendment may be approved upon consideration of the following criteria as to whether and to what extent the proposed amendment:

1. *Is consistent with the Comprehensive Plan, other adopted plans, and other city policies;*

The proposed Code amendments are consistent with the following Comprehensive Plan action related to ensuring the City has a complete and efficient development code and review process:

Land Use Goal 6: Grow with Balance: Establish land use designations that respond to the growing needs and character specifications of the Denton Community.

This code amendment is intended to establish a new land use designation in response to evolving trends in animal businesses, which now commonly offer a wider array of services than a traditional kennel or pet groomer (the only two commercial land uses recognized in the DDC for domestic animals).

Additionally, the proposed Code amendments are consistent with the Denton Development Code's purpose statements that promote the health, safety, and general welfare of its inhabitants and implement the City's Comprehensive Plan:

Subsection 1.2.7 Encourage the appropriate use of land, buildings, and structures.

Subsection 1.2.8 Establish procedures for the processing of planning and zoning actions that affect the development and use of property subject to the planning jurisdiction of the City.

The proposed amendments include use-specific standards intended to minimize potential nuisances associated with animal services and propose that the Specific Use Permit process be utilized in certain districts or when certain outdoor operations are proposed in order to ensure an additional level of scrutiny and public engagement occur as part of use approval.

2. *Does not conflict with other provisions of this DDC or other provisions in the Municipal Code of Ordinances;*

The proposed Code amendments do not conflict with this DDC or other provisions of the Code of Ordinances. The purpose of the proposed amendments is to establish a new land use, Commercial Animal Service, to accommodate the evolution of domestic animal-oriented businesses. As a part of establishing the new land use categories, Staff is also proposing to amend or remove the two existing uses (Personal Service, General and Kennel, respectively) that overlap with the definitions of Commercial Animal Services in order to ensure there is no conflict between the use permissions and requirements. This is

Commented [HZ1]: I think this better fits in the Staff Analysis. See suggestions there.

consistent with the goals and policies of the Denton 2040 Comprehensive Plan and other sections of the DDC as noted above.

3. *Is necessary to address a demonstrated community need;*

This proposed city-initiated Code amendment to the Denton Development Code is needed for the following reasons:

- Domestic animal services are currently primarily defined and regulated under the antiquated definition of Kennel, with the exception of grooming, which is called out under the definition of Personal Service, General.
- The proposed amendment establishes a land use designation which applies specifically to domestic animal-oriented businesses, rather than utilizing a broader land use such as Personal Service, which is intended for human services and does not effectively capture the proposed land uses that are now commonplace within this industry.
- Staff has seen an increase in requests for uses such as dog daycares, animal training, and cat cafes, which do not fit within the current land use designations of the DDC.

4. *Is necessary to respond to a substantial change in conditions and/or policy; and*

The City desires to amend the DDC to ensure consistency in the application of the DDC as it relates to modern domestic animal related businesses, which, as noted above, have evolved beyond the traditional standalone kennel or grooming uses addressed in the DDC today. The proposed amendments establish the land use, Commercial Animal Service, as well as establish use-specific standards to capture the evolution of these land uses.

5. *Is consistent with the general purpose and intent of this DDC.*

The proposed Code amendments are consistent with the general purpose and intent of the DDC as described above in Consideration 1.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS AMENDING THE DENTON DEVELOPMENT CODE, SPECIFICALLY AMENDMENTS TO TABLE 5.2-A- TABLE OF ALLOWED USES, SECTION 5.3.5: COMMERCIAL USE-SPECIFIC STANDARDS, TABLE 7.9-I: MINIMUM REQUIRED OFF-STREET PARKING, AND SECTION 9.2: DEFINITIONS RELATED TO COMMERCIAL ANIMAL SERVICE; PROVIDING FOR APPLICATION REQUIREMENTS AND PROCESS; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING SAVINGS AND SEVERABILITY CLAUSES, AND AN EFFECTIVE DATE. (DCA24-0011)

WHEREAS, pursuant to Ordinance No. DCA18-0009q, the City Council of the City of Denton adopted the newly revised 2019 Denton Development Code, the (“DDC”); and

WHEREAS, the City desires to amend the DDC to clarify and update the regulations related to animal-related land uses in accordance with market demand, establishing a Commercial Animal Service land use; and

WHEREAS, the amendments proposed include the following:

1. Table 5.2-A: Table of Allowed Uses – Update regulations for Agricultural and Animal Uses
2. Section 5.3.5: Commercial Use-Specific Standards – related to Commercial Animal Service, Kennel, and Veterinary Clinic
3. Table 7.9-I: Minimum Required Off-Street Parking – Update regulations for Agricultural and Animal Uses
4. Section 9.2: Definitions – Add definitions for Commercial Animal Service, and amending Commercial Stable, Kennel, and Personal Service, General; and

WHEREAS, on September 25, 2024, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, gave the requisite notices by publication, held due hearings and recommended [REDACTED] [#-#] of the amendment to the Denton Development Code; and

WHEREAS, on [REDACTED], the City Council likewise conducted a public hearing in accordance with local and state law and the City Council hereby finds that the Code amendments are consistent with the City’s comprehensive plan, and federal, state, and local law are in best interests of the City of Denton; 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. Table 5.2-A: Table of Allowed Uses, Section 5.3.5: Commercial Use-Specific Standards, Table 7.9-I: Minimum Required Off-Street Parking, and Section 9.2: Definitions of the DDC are amended as set forth in “Exhibit A” which is attached and fully incorporated herein by reference.

SECTION 3. The Specific Use Permit (SUP) requirements provided for in the City’s Denton Development Code Section 2.5.2, as amended, and the published checklist applicable at the time the application is submitted shall be the information required for an application for a commercial animal service use that meets the threshold for a SUP.

SECTION 4. By the adoption of the provisions herein, existing Commercial Animal Services located in the Denton City Limits and identified on “Exhibit B” which is attached and fully incorporated herein by reference, are hereby deemed allowed, conforming uses as they exist on the date of approval of this Ordinance. Existing Commercial Animal Services shall comply with Section 5.3.5 of the Denton Development Code, as amended.

SECTION 5. Any expansion of an existing Commercial Animal Service shall comply with Section 5.3.5 of the Denton Development Code, as amended.

SECTION 6. 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 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. 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 8. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Denton Development Code, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 9. Save and except as amended hereby, the provisions, sections, subsections, paragraphs, sentences, clauses, and phrases of the Denton Development Code shall remain in full force and effect.

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

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

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

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

GERARD HUDSPETH, MAYOR

ATTEST:
LAUREN THODEN, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____

Exhibit A

Amend 5.2-A Table of Allowed Uses as follows:

Table 5.2-A: Table of Allowed Uses																	
P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply																	
	Residential							Mixed-Use			Corridor		Other Nonresidential				Use-Specific Standards
	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	
AGRICULTURAL AND ANIMAL USES																	
General Agriculture	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.3.5A
Commercial Animal Service (Indoor)	P+	S+	S+					P+	P+	P+	P+	P+	P+	P+	P+		5.3.5B
Commercial Animal Service (Outdoor)	P+	S+	S+							P+	P+	P+	P+	P+	P+		5.3.5B
Commercial Stable	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.3.5C
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Urban Farm	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Veterinary Clinic	P	S	S					P+	P+	P+	P+	P+	P	P			5.3.5D
RECREATION AND ENTERTAINMENT																	
Amenity Center	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Indoor Recreation Facility	P							P	P	P	P	P	P	P			
Outdoor Recreation Facility	P	P	P	P	P	P	P	S	S	S	P	P	P	P			
RV Park	S+		S+	S+	S+	S+	S+							S+	P+		5.3.5E
FOOD AND BEVERAGE SERVICES																	
Bar, Tavern, or Lounge								S+	P	P	P	P	P	P			5.3.5F
Mobile Food Court								S+	S+	S+	S+	S+	S+	S+	S+		5.3.5G
Private Club	P+							P+	P+	P+	P+			P+	P+		5.3.5H
Restaurant								P+	P	P	P	P	P	P			5.3.5I
Restaurant, with Drive-Through								S+	S+	P+	P+	P+	P+	P+			5.3.5J
Personal Service, General								P	P	P	P	P	P	P			

(Continued on next page)

Amend Section 5.3.5: Commercial Use-Specific Standards to add a section entitled Commercial Animal Service (Indoor and Outdoor), delete Kennel section, and amend Veterinary Clinic, as follows:

B. Commercial Animal Service (Indoor and Outdoor)

1. Generally:

When located inside of or within one thousand feet of a Residential Zoning District:

- a. Outdoor play/exercise areas shall not be located within 150 feet of any adjacent property unless such adjacent property is owned by the operator of the business.
- b. The outdoor play/exercise areas for all commercial animal service uses shall not be used after 9:00 p.m.
- c. No provision of this subsection is intended to prevent the provision and use of outdoor areas for animal relief.

2. Commercial Animal Service (Indoor)

a. Generally

For all zoning districts in which the use is allowed by right or subject to approval of a SUP, except for the MN, MD, and MR zoning districts, if an outdoor play/exercise area is proposed then the equivalent of no more than 50% of the proposed business square footage (based on Floor Area) shall be allocated for outdoor play/exercise areas.

b. MN, MD, MR Zoning Districts:

- i. In the MN, MD, and MR zoning districts, the equivalent of no more than 25% of the proposed business square footage (based on Floor Area) shall be allocated for outdoor play/exercise areas.
- ii. Use is allowed by right in the MN and MD zoning districts if the entire business is indoors. If an outdoor play/exercise component is proposed in these zoning districts, a SUP shall be required, and subject to the limitations in i) above.

3. Enclosed Building Requirement:

Any area intended for animal boarding must be interior to a building. Any boarding area shall be fully enclosed. All boarding areas shall be climate controlled in a manner meeting at least the minimum standards applicable to animal

quarantining and impoundment facilities in accordance with Texas Health and Safety Code Chapter 826.051.

D. Veterinary Clinic

1. In the MD zoning district, veterinary clinics are limited to no more than 5,000 square feet per lot.
2. No livestock veterinary care shall be proposed on-site in MN, MD, or MR zoning districts
3. If livestock veterinary care proposed on-site in SC, HC, LI, or PF zoning districts, a SUP shall be required.

Amend Table 7.9-I: Minimum Required Off-Street Parking, as follows:

Table 7.9-I: Table of Allowed Uses	
DU = dwelling unit sq ft = square feet GFA = gross floor area	
Use Type	Minimum Parking Requirement
Agricultural and Animal Uses	
General Agriculture	None
Commercial Animal Services (Indoor and Outdoor)	1 space per 500 sq ft GFA
Commercial Stable	1 space per 10 animals boarding capacity
Community Garden	None
Urban Farm	None
Veterinary Clinic	1 space per 500 sq ft GFA

Amend Section 9.2: Definitions, to add definitions as follows:

* * *

Commercial Animal Service (Indoor): An establishment or business related to the grooming, training, boarding, adoption, or daycare service of domestic animals (usually dogs or cats) which is primarily located indoors. Excluding veterinary clinics or the sale of animals.

(Continued on next page)

Commercial Animal Service (Outdoor): An establishment or business related to the grooming, training, boarding, adoption, or daycare service of domestic animals (usually dogs or cats) which is primarily located outdoors. Excluding veterinary clinics or the sale of animals.

* * *

Commercial Stable: A facility or area where livestock (as defined by Chapter 6 of the Code of Ordinances) are kept, housed, boarded, lodged, fed, hired, trained, sold, or bred as a commercial activity. The definition includes accessory uses such as riding lessons, clinics, and similar activities.

* * *

Personal Service, General: An establishment that provides repair, care, maintenance or customizing of wearing apparel or other personal articles or human grooming services and includes such uses as beauty/barber shops, dry cleaning, shoe repair, alterations, spas, and tanning salons, photography studios, house cleaning services, weight reduction centers, or florist. This use does not include commercial laundry and dry-cleaning facilities.

Exhibit B

Business Name	Address
Club Canine	7800 E Mckinney Street, Denton, Tx, 76208
Beau's Bath House and Doggie Day Care	1800 Brinker Road, Suite 270, Denton, Tx, 76208
Ultimutt Pet Grooming	1209 E University Drive, Denton, Tx, 76209
The Pampered Pooch	415 E Sherman Drive, Suite B, Denton, Tx, 76209
Shed Pet Salon	1701 N Elm Street, Suite B, Denton, Tx, 76201
The Collar Club	3822 Market Street, Suite 102, Denton, Tx, 76209

The proposed text amendments to Table 5.2-A: Table of Allowed Uses of the DDC are as follows:

5.2-A: Table of Allowed Uses

Table 5.2-A: Table of Allowed Uses																	
P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply																	
	Residential							Mixed-Use			Corridor		Other Nonresidential				Use-Specific Standards
	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	
AGRICULTURAL AND ANIMAL USES																	
General Agriculture	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.3.5A
Commercial Animal Service (Indoor)	P+	S+	S+					P+	P+	P+	P+	P+	P+	P+	P+		5.3.5B
Commercial Animal Service (Outdoor)	P+	S+	S+							P+	P+	P+	P+	P+	P+		5.3.5B
Commercial Stable	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.3.5CB
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Kennel	P+	S+	S+								P+	P+	S+	P+	P+		5.3.5C
Urban Farm	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Veterinary Clinic	P	S	S					P+	P+	P+	P+	P+	P	P			5.3.5D
RECREATION AND ENTERTAINMENT																	
Amenity Center	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Indoor Recreation Facility	P							P	P	P	P	P	P	P			
Outdoor Recreation Facility	P	P	P	P	P	P	P	S	S	S	P	P	P	P			
RV Park	S+		S+	S+	S+	S+	S+							S+	P+		5.3.5E
FOOD AND BEVERAGE SERVICES																	
Bar, Tavern, or Lounge								S+	P	P	P	P	P	P			5.3.5F
Mobile Food Court								S+	S+	S+	S+	S+	S+	S+	S+		5.3.5G
Private Club	P+							P+	P+	P+	P+			P+	P+		5.3.5H
Restaurant								P+	P	P	P	P	P	P			5.3.5I
Restaurant, with Drive-Through								S+	S+	P+	P+	P+	P+	P+			5.3.5J
Personal Service, General								P	P	P	P	P	P	P			

The proposed text amendment to Subsection 5.3.5. Commercial Use-Specific Standards is as shown below.

5.3.5: Commercial Use-Specific Standards

B. Commercial Animal Service (Indoor and Outdoor)

1. Generally:

When located inside of or within one thousand feet of a Residential Zoning District:

- a) Outdoor play/exercise areas shall not be located within 150 feet of any adjacent property unless such adjacent property is owned by the operator of the business.
- b) The outdoor play/exercise areas for all commercial animal service uses shall not be used after 9:00 p.m.
- c) No provision of this subsection is intended to prevent the provision and use of outdoor areas for animal relief.

2. Commercial Animal Service (Indoor)

a) Generally

For all zoning districts in which the use is allowed by right or subject to approval of a SUP, except for the MN, MD, and MR zoning districts, if an outdoor play/exercise area is proposed then the equivalent of no more than

50% of the proposed business square footage (based on Floor Area) shall be allocated for outdoor play/exercise areas.

b) MN, MD, MR Zoning Districts:

- i. In the MN, MD, and MR zoning districts, the equivalent of no more than 25% of the proposed business square footage (based on Floor Area) shall be allocated for outdoor play/exercise areas.
- ii. Use is allowed by right in the MN and MD zoning districts if the entire business is indoors. If an outdoor play/exercise component is proposed in these zoning districts, a SUP shall be required, and subject to the limitations in i) above.

3. Enclosed Building Requirement:

Any area intended for animal boarding must be interior to a building. Any boarding area shall be fully enclosed. All boarding areas shall be climate controlled in a manner meeting at least the minimum standards applicable to animal quarantining and impoundment facilities in accordance with Texas Health and Safety Code Chapter 826.051.

BC. Commercial Stable

Operations shall be conducted in a manner that does not create any of the hazards listed in the Texas Agriculture Code (TAC) Subchapter 251.0055(a)(1) and shall be in accordance with the Texas A&M AgriLife Extension Service manual provided for in TAC Subchapter 251.007

C. Kennel

1. Enclosed Building Requirement

~~The parts of a building where animals are boarded shall be fully enclosed, with solid core doors and no operable windows, and shall be sufficiently insulated so no unreasonable noise or odor can be detected off premises.~~

~~2. Kennels with Outdoor Facilities, including outdoor runs, shall not be located within 150 feet of any adjacent property unless such adjacent property is owned by the operator of the outdoor kennel~~

D. Veterinary Clinic

- 1. In the MD zoning district, veterinary clinics are limited to no more than 5,000 square feet per lot.
- 2. No livestock veterinary care shall be proposed on-site in MN, MD, or MR zoning districts
- 3. If livestock veterinary care proposed on-site in SC, HC, LI, or PF zoning districts, a SUP shall be required.

The proposed text amendments to Table 7.9-I: Minimum Required Off-Street Parking of the DDC are as follows:

7.9-I: Minimum Required Off-Street Parking

Table 7.9-I: Table of Allowed Uses	
DU = dwelling unit sq ft = square feet GFA = gross floor area	
Use Type	Minimum Parking Requirement
Agricultural and Animal Uses	
General Agriculture	None
<u>Commercial Animal Service (Indoor and Outdoor)</u>	<u>1 space per 500 sq ft GFA</u>
Commercial Stable	1 space per 10 animals boarding capacity

Community Garden	None
Kennel	1 space per 1,000 sq ft GFA
Urban Farm	None
Veterinary Clinic	1 space per 500 sq ft GFA

The proposed text amendment to Subsection 9.2: Definitions is as follows:

9.2 Definitions: Commercial Animal Service (Indoor)

An establishment or business related to the grooming, training, boarding, adoption, or daycare service of domestic animals (usually dogs or cats), which is primarily located indoors, excluding veterinary clinics or the sale of animals.

9.2 Definitions: Commercial Animal Service (Outdoor)

An establishment or business related to the grooming, training, boarding, adoption, or daycare service of domestic animals (usually dogs or cats), which is primarily located outdoors, excluding veterinary clinics or the sale of animals.

9.2 Definitions: Commercial Stable

A facility or area where ~~horses, mules, or other domestic animals~~ livestock (as defined by Chapter 6 of the Code of Ordinances) are kept, housed, boarded, lodged, fed, hired, trained, sold, or bred as a commercial activity. The definition includes accessory uses such as riding lessons, clinics, and similar activities.

9.2 Definitions: ~~Kennel~~

~~Any establishment where domestic animals (usually dogs and cats) are boarded (overnight), bred or raised for sale, or trained, exclusive of veterinary care.~~

9.2 Definitions: Personal Service, General

An establishment that provides repair, care, maintenance or customizing of wearing apparel or other personal articles or human grooming services and includes such uses as beauty/barber shops, dry cleaning, shoe repair, alterations, spas, and tanning salons, photography studios, house cleaning services, weight reduction centers, or florist, ~~or pet grooming shops~~. This use does not include commercial laundry and dry-cleaning facilities.



Response Form

Project Number: DCA24-0011
Commercial Animal Services

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

City of Denton Development Services
Attn: Bryce Van Arsdale, Assistant Planner
401 N. Elm St.
Denton, TX 76201

You may also email to Bryce.VanArsdale@cityofdenton.com or call (940) 349-8368. Please note any responses are subject to public information requests including the information provided below.

Project Number DCA24-0011

Meeting Date (September 25, 2024)

Please circle one:

In favor of request

Opposed to request

Comments:

See attached

Signature:

David H Laney

Printed Name:

DAVID H LANEY

Street Address:

2501 Laney Circle

City, State and Zip Code:

Denton TX 76208

Phone Number:

940-300-5317

Email Address:

dhlaney@chaparral.net

Physical Address of Property within 200 Feet:

7800 E M Kinney St
Denton TX 76208

City of Denton

Project Number DCA24-0011

September 13, 2024

To whom it may concern.

I have known the owners of Club Canine, to who this project refers to, for well over a decade. They sure are NOT getting rich taking care of ones dogs, cats, sheep, often when NOBODY else will do it and often not getting paid and getting left with animals.

To threaten their business after MANY years of providing Denton with what I call a “customer service,” we reward them by threatening their livelihood? I grew up know the mayor’s dad and I know how Willie would have responded if threatened with closing a legitimate business providing a public service.

At WORST case we need the ability to not wave a wand and follow a legislative move to threaten such business PLUS grant them a permanent grandfathering of their rights to conduct business as is which again has NOT harmed anyone.

The laws’ primary purpose was to allow cities the right to limit the “temporary rentals” that have sprung up everywhere which DOES have the potential for detriment to the area. To BLANKET impose and threaten constituents, well that does NOT sound like America, it does NOT sound like the State of Texas, and my dad was born in Denton in 1930, as was I in 1959, this does NOT sound like the Denton I know.

Please at least permanently grandfather them and let us advise P&Z to not threaten our constituents with closing of their LEGITMATE businesses.


David H Laney



Response Form

Project Number: DCA24-0011
Commercial Animal Services

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

City of Denton Development Services
Attn: Bryce Van Arsdale, Assistant Planner
401 N. Elm St.
Denton, TX 76201

You may also email to Bryce.VanArsdale@cityofdenton.com or call (940) 349-8368. Please note any responses are subject to public information requests including the information provided below.

Project Number DCA24-0011

Meeting Date (September 25, 2024)

Please circle one:

- In favor of request Opposed to request

Comments:

Julie Self & Club Canine have been a great partner for us since they opened. Please don't close their business!! Nicest in town.

Signature: Dean C. Lugh DVM

Printed Name: Dr. Dean C. Lugh DVM - Denton Animal Hospital

Street Address: 1705 W. University Drive

City, State and Zip Code: Denton, TX 76201

Phone Number: 940-382-2134

Email Address: N/A

Physical Address of Property within 200 Feet: _____

7800 East McKinney Street, Denton, TX 76208



Response Form

Project Number: DCA24-0011
Commercial Animal Services

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

City of Denton Development Services
Attn: Bryce Van Arsdale, Assistant Planner
401 N. Elm St.
Denton, TX 76201

You may also email to Bryce.VanArsdale@cityofdenton.com or call (940) 349-8368. Please note any responses are subject to public information requests including the information provided below.

Project Number DCA24-0011

Meeting Date (September 25, 2024)

Please circle one:

In favor of request

See comments

Opposed to request

Comments:

I would like for Club Canine to be able to remain at their property & operate their business & live in their home. They provide shelter for animals from the

Signature: *Ann Gosdin*

Printed Name: *Ann Gosdin*

Street Address: *7900 Rodeo Drive*

City, State and Zip Code: *Denton, TX, 76208*

Phone Number: *(972) 754-3127*

Email Address: *ann@gosdin.us*

Physical Address of Property within 200 Feet: _____



City of Denton

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

Legislation Text

File #: PZ24-154, Version: 1

AGENDA CAPTION

Hold a discussion regarding the Planning and Zoning Project Matrix.

2024
Planning and Zoning Commission Requests for Information
Meeting Dates

Request		Request Date	Status
Discussion related to removing minimum parking requirements from the DDC.	Villarreal	9/14/2022	This item is on hold given the pending city-wide parking study; City Council to provide subsequent direction at a future date.
LSR explaining the practices and legal limitations based on recent state law changes regarding right-of-way dedication for roadways and perimeter street improvements.	Pruett	5/15/2024	Staff will provide an update Fall 2024
Receive an update from Parks and Recreation regarding the Parks Master Plan, specifically relating to aquatics and senior centers.	Ellis	8/14/2024	Work session tentatively scheduled for November 13, 2024.
Receive an update from Parks and Recreation regarding the Tree Fund including addressing expenditures of the fund within the city.	Ellis/Pruett	9/11/2024	Work session tentatively scheduled for November 13, 2024.
Discussion regarding applicability of gas well regulations within the City's ETJ.	Pruett	9/11/2024	Work session discussion at a future date.
Ongoing Items		Request Date	Status
Request for additional detail regarding the results of TIAs on future projects.	Smith	10/12/2022	Information regarding TIAs will be provided in the analysis of future projects.
Request to include the number of extension requests associated with a plat application within the agenda information summary (AIS).	Villarreal	12/13/2023	Information regarding the number of extension requests associated with a plat application will be provided for future projects.

Request to include link to videos of past Public Meetings related to a project when the Commission has previously had a public hearing on the item.	Ellis	8/14/2024	Links to video recordings of prior public hearings will be provided within the AIS for projects on which the Commission has previously held a public hearing (i.e. amendments to SUPs or PDs).
Annual Updates		Request Date	Status
Provide annual updates related to progress on implementing the Denton 2040 Comprehensive Plan Action Items	Smith	3/9/2022	<p>Ongoing</p> <p>2024 update provided on August 28, 2024.</p> <p>2023 update provided on June 14, 2023.</p>

09/20/2024

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