



# City of Denton

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

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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**DCM:** Cassey Ogden

**DATE:** March 24, 2026

**SUBJECT:**

Consider adoption of an ordinance of the City of Denton granting HBA Design Build, LLC a noise exception pursuant to section 17-20(c)(3)(f) of the City of Denton code of ordinances with respect to sound levels and hours of operation for approximately 7 concrete parking lot and foundation pours utilizing concrete pumps, generators, and lights related to the construction of a new indoor recreation facility located at 3615 E McKinney St; granting an increase in sound levels and a variance in the hours of operation which may be affected by weather, from 2:00 a.m. To 7:00 a.m., with sound not to exceed 91 decibels; and providing an effective date.

**BACKGROUND:**

The City of Denton has a regulation on construction times within Section 17-20 of the Code of Ordinances. This chapter limits construction activity to no earlier than 6am (June 1 – Sept 30) and 7am (October 1-May 31) Monday through Friday, 8am on Saturdays, and 1pm on Sundays, but provides City Council the discretion to issue special permits for such work at other hours in case of urgent necessity and in the interest of public safety and convenience.

Evan Rodgers, Assistant Project Manager for HBA Design Build, LLC has requested an exception to the noise ordinance beginning March 24, 2026, through May 2026. The request would be to increase the available hours of construction from 2:00am to 7:00am to provide concrete pours for the indoor recreation project. Being that the site is along Loop 288, the closest residential living are 3 multi-family developments. The closest multi-family is 300 feet to the East, with other multi-family developments being situated 1000 feet to the Southeast and Southwest. The request is to allow the subcontractor crews to pour concrete at an earlier time of the day due to the accessibility of concrete, to meet delivery times required by the supplier which will reduce the number of trips to the site, and to meet the specific concrete requirements and prevent injury to the concrete. Additionally, the time it takes concrete to cure after pouring, if not delivered early, would result in finishers staying beyond 8PM to finish it out correctly.

The impact on the development would be a significant delay in completion of the project and add additional days of large concrete trucks on site.

There are approximately 7 pours to be conducted during the above hours. Exhibit 4 describes the sequences of the activity. Exhibit 6 shows the level of sound at the nearest multi-family to be equivalent to the average home noise.

## **OPTIONS**

1. Approve
2. Approve with conditions
3. Deny
4. Postpone the item

## **RECOMMENDATION:**

Staff recommends approval based on the construction activity having a small impact on neighboring residential areas.

## **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**

- Exhibit 1 - Agenda Information Sheet
- Exhibit 2 - Applicant Request
- Exhibit 3 - Aerial Map
- Exhibit 4 - Paving Sequence
- Exhibit 5 - Site Plan
- Exhibit 6 - Additional Noise Request Backup
- Exhibit 7 - Ordinance

Respectfully submitted:  
Amber Rodgers  
Building Official