

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, REGARDING A CHANGE IN THE ZONING DISTRICT AND USE CLASSIFICATION FROM RURAL RESIDENTIAL (RR) DISTRICT TO LIGHT INDUSTRIAL (LI) DISTRICT ON APPROXIMATELY 16 ACRES OF LAND GENERALLY LOCATED 446 FEET EAST OF MASCH BRANCH ROAD, 1,156 FEET WEST OF LOVERS LANE, AND TO THE SOUTH OF FARM TO MARKET 1173 IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. (Z24-0010a)

WHEREAS, Linken Real Estate, property owner, requested to rezone approximately 16 acres of land from Rural Residential (RR) District to Light Industrial (LI) District, legally described in Exhibit "A", attached hereto and incorporated herein by reference (hereinafter, the "Property"); and

WHEREAS, on December 11, 2024, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded full and fair hearings to all property owners interested in this regard, and have recommended approval (5-0) of the request; and

WHEREAS, on January 7, 2025, the City Council likewise conducted a public hearing as required by law, and finds that the request meets and complies with all substantive and procedural standards set forth in Section 2.7.2 of the Denton Development Code, and is consistent with the Denton 2040 Comprehensive Plan and the Denton Development Code; and

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

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

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

SECTION 2. The zoning district and use classification for the Property is hereby changed to Light Industrial District.

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

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

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

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

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

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

PASSED AND APPROVED this the _____ day of _____, 2025.

GERARD HUDSPETH, MAYOR

ATTEST:
LAUREN THODEN, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY:  _____

Exhibit A
Legal Description

BEING: ALL OF TRACT 28 OF THE LITTLE BROOK ESTATES SUBDIVISION, AN ADDITION IN DENTON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET A, PAGE 186, PLAT RECORDS, DENTON COUNTY, TEXAS, AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO MJ HOLDING, LP, AS RECORDED IN DOCUMENT NO. 2014-35031, OFFICIAL RECORDS, DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT FOUND AT THE NORTHWEST CORNER OF SAID TRACT 28 AND THE NORTHEAST CORNER OF LOT 27A-1R, A REPLAT OF TRACT 27, ACCORDING TO THE PLAT THEREOF RECORDED IN DOCUMENT NO. 2017-251, OF SAID PLAT RECORDS, AND IN THE SOUTH RIGHT-OF-WAY LINE OF FARM TO MARKET ROAD 1173 (F.M. 1173);

THENCE NORTH 89 DEGREES 56 MINUTES 16 SECONDS EAST WITH THE SOUTH RIGHT OF WAY LINE OF SAID F.M. 1173 AND THE NORTH LINE OF SAID TRACT 28, ALONG OR NEAR A FENCE, A DISTANCE OF 548.24 FEET TO A CAPPED IRON ROD SET FOR CORNER AT THE NORTHWEST CORNER OF TRACT 29 OF SAID LITTLE BROOK ESTATES AND THE NORTHEAST CORNER OF SAID TRACT 28 OF SAID LITTLE BROOK ESTATES, FROM WHICH A CONCRETE MONUMENT FOUND FOR THE NORTHEAST CORNER OF SAID TRACT 29 BEARS SOUTH 88 DEGREES 27 MINUTES 15 SECONDS EAST, A DISTANCE OF 516.34 FEET;;

THENCE SOUTH 00 DEGREES 05 MINUTES 57 SECONDS EAST, WITH THE EAST LINE OF SAID TRACT 28 AND THE WEST LINE OF SAID TRACT 29, ALONG OR NEAR A FENCE, A DISTANCE OF 1270.21 FEET TO A METAL FENCE CORNER POST FOUND FOR CORNER AT THE SOUTHEAST CORNER OF SAID TRACT 28 AND THE SOUTHWEST CORNER OF SAID TRACT 29, AND IN THE NORTH LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO THE CITY OF DENTON, AS RECORDED IN DOCUMENT NO. 2005-84570, OF SAID OFFICIAL RECORDS, FROM WHICH A CONCRETE MONUMENT FOUND FOR THE NORTHEAST CORNER HEREOF BEARS SOUTH 89 DEGREES 40 MINUTES 47 SECONDS EAST A DISTANCE OF 300.52 FEET;

THENCE NORTH 89 DEGREES 40 MINUTES 47 SECONDS WEST, WITH THE SOUTH LINE OF SAID TRACT 28 AND THE NORTH LINE OF SAID CITY OF DENTON TRACT, ALONG OR NEAR A FENCE A DISTANCE OF 550.77 FEET TO A CAPPED IRON ROD SET FOR CORNER AT THE SOUTHWEST CORNER OF SAID TRACT 28 AND THE SOUTHEAST CORNER OF THAT CERTAIN CALLED 2.18 ACRE TRACT OF LAND DESCRIBED IN DEED TO BARBARA GAILEY, AS RECORDED IN DOCUMENT NO. 2009-103041, OF SAID OFFICIAL RECORDS, FROM WHICH A CAPPED IRON ROD

FOUND FOR THE SOUTHWEST CORNER THEREOF AND THE NORTHWEST CORNER OF SAID CITY OF DENTON TRACT BEARS NORTH 89 DEGREES 40 MINUTES 47 SECONDS WEST, A DISTANCE OF 418.28 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 53 SECONDS WEST, WITH THE WEST LINE OF SAID TRACT 28 AND THE EAST LINE OF SAID 2.18 ACRE TRACT, PASSING A CAPPED IRON ROD FOUND FOR THE NORTHEAST CORNER THEREOF AND THE SOUTHEAST CORNER OF A CERTAIN TRACT OF LAND DESCRIBED IN DEED TO THE CITY OF KRUM AS RECORDED IN DOCUMENT NO. 2004-94079, CONTINUING ON SAID COURSE AT 227.48 FEET, AND CONTINUING ON SAID COURSE, PASSING THE NORTHEAST CORNER OF SAID CITY OF KRUM TRACT AND A SOUTHEAST CORNER OF SAID LOT 27A-1R, CONTINUING FOR A TOTAL DISTANCE OF 1266.53 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 16.00 ACRES OF LAND, MORE OR LESS.