



# City of Denton

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

## Meeting Agenda

### Planning and Zoning Commission

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Wednesday, June 10, 2026

6:00 PM

Council Work Session Room  
&  
Council Chambers

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**WORK SESSION BEGINS AT 6:00 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.

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Individuals may participate by using one of the following methods:

#### **1. In Person for Regular or Consent Agenda Items:**

To provide in-person comments for 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.

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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, June 10, 2026, at 6:00 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.

In the event that the Planning and Zoning Commission does not finish their work session prior to 6:30 p.m., the Commission may return to the work session agenda after adjourning the regular meeting.

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## **REGULAR MEETING**

After determining that a quorum is present, the Planning and Zoning Commission will convene in a Regular Meeting on Wednesday, June 10, 2026, 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. [PZ26-099](#) Consider approval of the May 27, 2026, Planning and Zoning meeting minutes

Attachments: [May 27, 2026](#)

**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. [FP25-0027a](#) Consider a request by McAdams on behalf of the property owner, RDO Equipment, for a Final Plat of the RDO Addition. The approximately 10-acre site is generally located on the south side of US 380 approximately 3,800 feet west of Masch Branch Road in the City of Denton, Denton County, Texas. (FP25-0027a, RDO Equipment, Ashley Ekstedt)

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. [V26-0008](#) Consider a request by Lizette Zepeda for approval of a subdivision variance from the 2019 Denton Development Code Subsection 8.3.2.C.2.a. regarding the maximum number of residential lots permitted to take access from a private access easement. The 14.966-acre tract is located on the west side of private road Indian Wells Road and approximately 2,320 feet north of Gribble Springs Road in the Extraterritorial Jurisdiction Division 1 of the City of Denton, Denton County, Texas. (V26-0008, Zepeda Addition Variance, Matt Bodine)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Staff Analysis](#)  
[Exhibit 3 - Site Location Map](#)  
[Exhibit 4 - Variance Narrative](#)  
[Exhibit 5 - Final Plat](#)  
[Exhibit 6 - Dedication of Easements](#)

- B. [FP26-0014a](#) Consider a request by Grayson Hughes of Sutherland King Consulting, on behalf of the property owner, for approval of a Final Plat of Affordable Estates, Lot 1, Block 1. The approximately 1.832-acre site is generally located on the west side of Hinkle Drive, approximately 107 feet south of the southeast corner of the intersection of Hinkle Drive and Meadow Ridge Drive, in the City of Denton, Denton County, Texas. (FP26-0014a, Affordable Estates, Sean Jacobson)

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

- C. [FP26-0015a](#) Consider a request by Mitchell Ryan of Trailspur, LLC, on behalf of the property owner, for approval of a Flex Business Park Addition, Block 1, Lot 1. The approximately 4.991-acre site is generally located on the west side of Rankin Drive, at the intersection of Rankin Drive and Leatherwood Lane, in the City of Denton's Extraterritorial Jurisdiction Division 1, Denton County, Texas. (FP26-0015a, Flex Business Park Addition, Sean Jacobson)

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

## 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. [Z26-0003](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by Aimee Bissett of McAdams, on behalf of the property owner, Joel Rifkin, to rezone approximately 5.461 acres of land from a Rural Residential (RR) zoning district to a Residential 1 (R1) zoning district. The subject site is generally located on the south side of FM 2153, approximately 4,646 feet east of the intersection of FM 2153 and Running Bear Road in the City of Denton, Denton County, Texas. STAFF IS REQUESTING THIS ITEM BE WITHDRAWN. (Z26-0003, Rifkin Addition, Sean Jacobson).

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

## 6. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. [PZ26-100](#) Hold a discussion regarding the Planning and Zoning Project Matrix.

- Attachments:      [Matrix](#)

## 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 June 4, 2026, in advance of the three (3) business day 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 TWO (2) BUSINESS DAYS 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.

MINUTES  
PLANNING AND ZONING COMMISSSION  
May 27, 2026

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, May 27, 2026, at 5:01 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Eric Pruett, Vice-Chair Clay Riggs, Commissioners: Lisa Dyer, Erica Garland, Keith Ketchersid, Sherri McDade, and Mary Ann McDuff

**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 items were not presented, and no discussion was had:

3.A (FP26-0013b)

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

4.B (FP26-0015)

The following items were presented, and discussion was had:

4.A (FP26-00014), 5.A (Z26-0005), 5.B (S25-0018), and 5.C (DCA26-0002a)

Item was withdrawn prior to the meeting:

4.C (FP26-0011b)

The Work Session was adjourned at 5:49 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, May 27, 2026, at 6:30 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Eric Pruett, Vice-Chair Clay Riggs, Commissioners: Lisa Dyer, Erica Garland, Keith Ketchersid, Sherri McDade, and Mary Ann McDuff

**1. PLEDGE OF ALLEGIANCE**

A. U.S. Flag

B. Texas Flag

**2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES**

- A. PZ26-086 Consider approval of the May 13, 2026, Planning and Zoning meeting minutes.

Commissioner Ketchersid moved to approve the May 13, 2026, Planning and Zoning meeting minutes. Motion seconded by Commissioner Dyer. Motion carried.

AYES (7): Chair Eric Pruett, Vice-Chair Riggs, Commissioners: Lisa Dyer, Erica Garland, Keith Ketchersid, Sherri McDade, and Mary Ann McDuff

NAYS (0): None

**3. CONSENT AGENDA**

- A. FP26-0013b Consider a request by Quiddity Engineering on behalf of TG Duchess Denton, LLC., for a Final Plat of Olivo Apartments. The 18.897-acre site is generally located south of Duchess Drive, approximately 794.21 feet west of Loop 288 in City of Denton, Denton County, Texas. (FP26-0013b, Olivo Apartments, Angie Manglaris).

Commissioner Garland moved to approve the Consent Agenda. Motion seconded by Commissioner Ketchersid. Motion carried.

AYES (7): Chair Eric Pruett, Vice-Chair Riggs, Commissioners: Lisa Dyer, Erica Garland, Keith Ketchersid, Sherri McDade, and Mary Ann McDuff

NAYS (0): None

**4. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. FP26-0014 Consider a request by Grayson Hughes of Sutherland King Consulting, on behalf of the property owner, for approval of a Final Plat of Affordable Estates, Lot 1, Block 1. The approximately 1.832-acre site is generally located on the west side of Hinkle Drive, approximately 107 feet south of the southeast corner of the intersection of Hinkle Drive and Meadow Ridge Drive, in the City of Denton, Denton County, Texas. (FP26-0014, Affordable Estates, Sean Jacobson)

Commissioner McDade recused from the item.

City staff presented the item. No discussion followed.

Commissioner McDuff moved to approve the extension of the item to a date certain of June 10, 2026. Motion seconded by Vice-chair Riggs. Motion carried.

AYES (6): Chair Eric Pruett, Vice-Chair Riggs, Commissioners: Lisa Dyer, Erica Garland, Keith Ketchersid, and Mary Ann McDuff

NAYS (0): None

ABSTAINED(1): Commissioner Sherri McDade

- B. FP26-0015 Consider a request by Mitchell Ryan of Trailspur, LLC, on behalf of the property owner, for approval of a Flex Business Park Addition, Block 1, Lot 1. The approximately 4.991-acre site is generally located on the west side of Rankin Drive, at the intersection of Rankin Drive and Leatherwood Lane, in the City of Denton's Extraterritorial Jurisdiction Division 1, Denton County, Texas. (FP26-0015, Flex Business Park Addition, Sean Jacobson)

City staff presented the item. No discussion followed.

Commissioner McDuff moved to approve the extension of the item to a date certain of June 10, 2026. Motion seconded by Commissioner Garland. Motion carried.

AYES (7): Chair Eric Pruett, Vice-Chair Riggs, Commissioners: Lisa Dyer, Erica Garland, Keith Ketchersid, Sherri McDade, and Mary Ann McDuff

NAYS (0): None

- C. FP26-0011b Consider a request by Kimley-Horn on behalf of the property owner, Honey Farms Estates, LLC, for a Final Plat of the Honey Farms Estates Addition. The approximately 9.24-acre site is generally located on the south side of Sanders Road, approximately 1,910 feet east of Country Club Road in the City of Denton, Denton County, Texas. (FP26-0011b, Honey Farms Estates, Ashley Ekstedt)

The item was not presented and no discussion was had. The item was withdrawn by the applicant prior to the meeting.

## 5. PUBLIC HEARINGS

- A. Z26-0005 Hold a public hearing and consider making a recommendation to City Council regarding a request by Jamie Bratton of Winston-Cox Waterworx, on behalf of the property owner, ZBH Denton Ltd, to rezone approximately 2 acres of land from a Residential 2 (R2) zoning district to a Light Industrial (LI) zoning district. The subject site is generally located on the south side of FM 377, approximately 1,025 feet east of the intersection of FM 377 and North Trinity Road in the City of Denton, Denton County, Texas. (Z26-0005, Winston-Cox Waterworx, Sean Jacobson)

Chair Pruett opened the public hearing.

This item was presented, and discussion followed.

Chair Pruett closed the Public Hearing.

Commissioner Dyer moved to recommend approval of the item as presented. Motion seconded by Commissioner Ketchersid. Motion carried.

AYES (6): Vice-Chair Riggs, Commissioners: Lisa Dyer, Erica Garland, Keith Ketchersid, Sherri McDade, and Mary Ann McDuff  
NAYS (1): Chair Eric Pruett

- B. S25-0018 Hold a public hearing and consider making a recommendation to City Council regarding a request for a Specific Use Permit (SUP) to allow for a Major Automotive Repair Shop use on approximately 2.02 acres of land, generally located on the south corner of the intersection of Fort Worth Drive (US 377) and Central Village Drive in the City of Denton, Denton County, Texas. (S25-0018, Le Collision Center, Matt Bodine)

Chair Pruett opened the public hearing.

This item was presented, and discussion followed.

Citizen comments received are noted on Exhibit A.

Chair Pruett closed the Public Hearing.

Commissioner Dyer moved to recommend denial of the item as presented. Motion seconded by Commissioner Garland. Motion carried.

AYES (7): Chair Eric Pruett, Vice-Chair Riggs, Commissioners: Lisa Dyer, Erica Garland, Keith Ketchersid, Sherri McDade, and Mary Ann McDuff  
NAYS (0): None

- C. DCA26-0002a Hold a public hearing and consider making a recommendation to City Council regarding a proposed revision to the Denton Development Code; specifically by amending Subchapter 4 - Overlay and Historic Districts, to establish Section 4.11, Southeast Denton Area Plan Overlay Districts, including the Southeast Denton Residential Overlay (SEDRO), the Southeast Denton Height Overlay District (SEDHO), and the Southeast Denton Live/Work Overlay District (SEDLWO), and providing applicability, dimensional standards, design standards, allowed uses, and/or use-specific standards for each district. The Southeast Denton Residential Overlay includes 375.94 acres generally bounded by East McKinney Street to the north; North Bradshaw Street, East Prairie Street, and the MKT Railroad to the west; Smith Street, Kerly Street, and Morse Street to the south; and South Woodrow Lane to the east; the Southeast Denton Height Overlay District includes 39.77 acres generally bounded by East McKinney Street to the north, Exposition Street to the west, East Sycamore Street to the south, and North Bradshaw Street to the east; and the Southeast Denton Live/Work Overlay District encompasses 27.58 acres and generally includes properties along the north and south sides of East Prairie Street between Oakwood Cemetery and the MKT Railroad, properties along the west side of Skinner Street, properties along the north and south side of Robertson Street situated between Wye Street and the Stream PEC 4 drainage channel, and properties along the east and west sides of Cook Street north of Wye Street in the City of Denton, Denton County, Texas. (DCA26-0002a, Julie Wyatt and Mia Hines)

This item was postponed at the April 8, 2026, meeting by the Planning and Zoning Commission until one last community presentation had been held. Staff held a community event on May 18, 2026.

Chair Pruett opened the public hearing.

This item was presented, and discussion followed.

Citizen comments received are noted on Exhibit A.

Chair Pruett closed the Public Hearing.

Commissioner McDade moved to recommend approval of the item as presented. Motion seconded by Vice-Chair Riggs.

Commissioner Garland moved to amend the motion to extend the live work hours to 6:00 a.m. to 10:00 p.m. Sunday through Thursday and 6:00 a.m. to 12:00 a.m. on Friday and Saturday. Motion seconded by Commissioner Ketchersid.

Chair Pruett called for a vote on the amendment.

AYES (5): Chair Eric Pruett, Vice-Chair Riggs, Commissioners: Erica Garland, Keith Ketchersid, and Sherri McDade

NAYS (2): Commissioners: Lisa Dyer and Mary Ann McDuff

Commissioner McDade moved to recommend approval of the item as amended. Motion seconded by Vice-Chair Riggs.

Chair Pruett called for a vote on the original motion.

AYES (7): Chair Eric Pruett, Vice-Chair Riggs, Commissioners: Lisa Dyer, Erica Garland, Keith Ketchersid, Sherri McDade, and Mary Ann McDuff

NAYS (0): None

## **6. PLANNING & ZONING COMMISSION PROJECT MATRIX**

- A. PZ26-087: Staff provided updates regarding the matrix and City Council items. No items were added to the matrix.

## **7. CONCLUDING ITEMS**

With no further business, the Regular Meeting was adjourned at 8:59 p.m.

X \_\_\_\_\_  
Eric Pruett, Planning and Zoning Commission Chair Date

X \_\_\_\_\_  
Cathy Welborn, Administrative Assistant Date

Minutes approved on: \_\_\_\_\_

May 27, 2026 Planning and Zoning Meeting - EXHIBIT A

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

Name	Address	Agenda Item	Position	Method	Comments
Avery Davis	1209 Central Village Dr, Denton, 76210	S25-0018	Opposed	In Person	Please see video for comment.
Barbara Kuzma	1213 Nora Ln, Denton, 762010	S25-0018	Opposed	In Person	Please see video for comment.
Jacqueline Cox-Lawson	1946 Primrose , Sanger, 76266	DCA26-0002a	Opposed	In Person	Please see video for comment.
Colette Johnson	327 Ruth, Denton, 76205	DCA26-0002a	Support	In Person	Please see video for comment.
Cynthia Cochran	2420 E McKinney St Apt. 5101, Denton, 76209	DCA26-0002a	Not Stated	In Person	Please see video for comment.
Bobby Garrett	404 E. Prarie St, Denton 76201	DCA26-0002a	Not Stated	In Person	Please see video for comment.
Gracy Buckhanan	1215 Morse St., Denton, 76205	DCA26-0002a	Not Stated	In Person	Please see video for comment.
Zelinda Pegram	1501 Val Verde Ct., Denton, 76210	DCA26-0002a	Support	In Person	Please see video for comment.
Prudence Sanchez	711 Jackson St., Denton, 76205	DCA26-0002a	Opposed	In Person	Please see video for comment.
Brandi Harris	1619 Withers Way, Krum, 76249	DCA26-0002a	Support	In Person	Please see video for comment.
Jennifer Ruffner	1209 Central Village Dr, Denton, 76210	S25-0018	Opposed	In Person	Please see video for comment.
Dewey W. Lewis(Applicant)	5946 Goliad Ave., Dallas, 75206	S25-0018	Support	In Person	Please see video for comment.



# City of Denton

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

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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**ACM:** Kenneth Hedges

**DATE:** June 10, 2026

### **SUBJECT**

Consider a request by McAdams on behalf of the property owner, RDO Equipment, for a Final Plat of the RDO Addition. The approximately 10-acre site is generally located on the south side of US 380 approximately 3,800 feet west of Masch Branch Road in the City of Denton, Denton County, Texas. (FP25-0027a, RDO Equipment, Ashley Ekstedt)

### **BACKGROUND**

The purpose of this Final Plat is to create one commercial lot and dedicate easements. The use and associated development were approved with a Specific Use Permit approved by City Council on May 21, 2024.

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

Date Application Filed:	August 26, 2025
Planning & Zoning Commission Meeting:	September 24, 2025
Date Extension Granted	September 24, 2025
Days in Review:	29 Days
Resubmittal Date:	September 23, 2025
Withdrawn:	October 9, 2025
Days in Review:	16 Days
Resubmittal Date:	May 26, 2026
Planning & Zoning Commission Meeting:	June 10, 2026
Days in Review:	15 Days

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.

### **OPTIONS**

1. Approve
2. Deny with reasons

### **RECOMMENDATION**

Staff recommends approval of this plat as it does meet the established criteria for approval. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

Date	Council, Board, Commission	Request	Action
February 28, 2024	Planning & Zoning Commission	Rezoning of property from Rural Residential (RR) to Light Industrial (LI)	Recommended Approval
March 19, 2024	City Council	Rezoning of property from Rural Residential (RR) to Light Industrial (LI)	Approved
April 24, 2024	Planning & Zoning Commission	Specific Use Permit for an Equipment Sales and Rental Use	Recommended Approval
May 21, 2024	City Council	Specific Use Permit for an Equipment Sales and Rental Use	Approved
September 24, 2025	Planning & Zoning Commission	Final Plat	Extension Approved
April 12, 2026	City Council	Specific Use Permit Extension Request	Approved

**PUBLIC OUTREACH**

No public outreach is required for a final plat.

**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:  
Hayley Zagurski, AICP  
Planning Director

Prepared by:  
Ashley Ekstedt, AICP  
Associate Planner

# Planning Staff Analysis

FP25-0027a/RDO Equipment

District 3

Planning & Zoning Commission

**REQUEST:**

Final plat for an approximately 10-acre site

**APPLICANT:**

McAdams on behalf of the property owner, RDO Equipment

**RECOMMENDATION:**

Staff recommends approval of this plat as it does meet the established criteria for approval.

## Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<b>1. Generally</b>			
<p><b>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.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px;"> <p>The proposed Final Plat does meet all criteria set forth by the Final Plat Checklist (FPC), authorized by DDC Subsection 2.6.4D.3.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>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.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does meet all applicable review criteria of DDC Section 2.6.4D.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>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.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px;"> <p>There is no conflict.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>2. Prior Approvals</b>			
<p><b>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</b></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>changed. This includes an approved phasing plan for development and installation of public improvements and amenities.</p> <p><b>Findings:</b></p> <div data-bbox="253 300 1040 401" style="border: 1px solid black; padding: 5px;"> <p>The proposed development is consistent.</p> </div>			
<p><b>3. Consistent with Comprehensive Plan and Other Applicable Plans</b>  <b>The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</b></p> <p><b>Findings:</b></p> <div data-bbox="243 573 1029 785" 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>a. The decision-making authority shall weigh competing plan goals, policies, and strategies.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 926 1040 1157" 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>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.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 1329 1040 1499" style="border: 1px solid black; padding: 5px;"> <p>Not 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		
<p><b>4. Compliance with this DDC</b></p>			
<p><b>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 1709 1151 1787" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does comply with the applicable DDC requirements.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

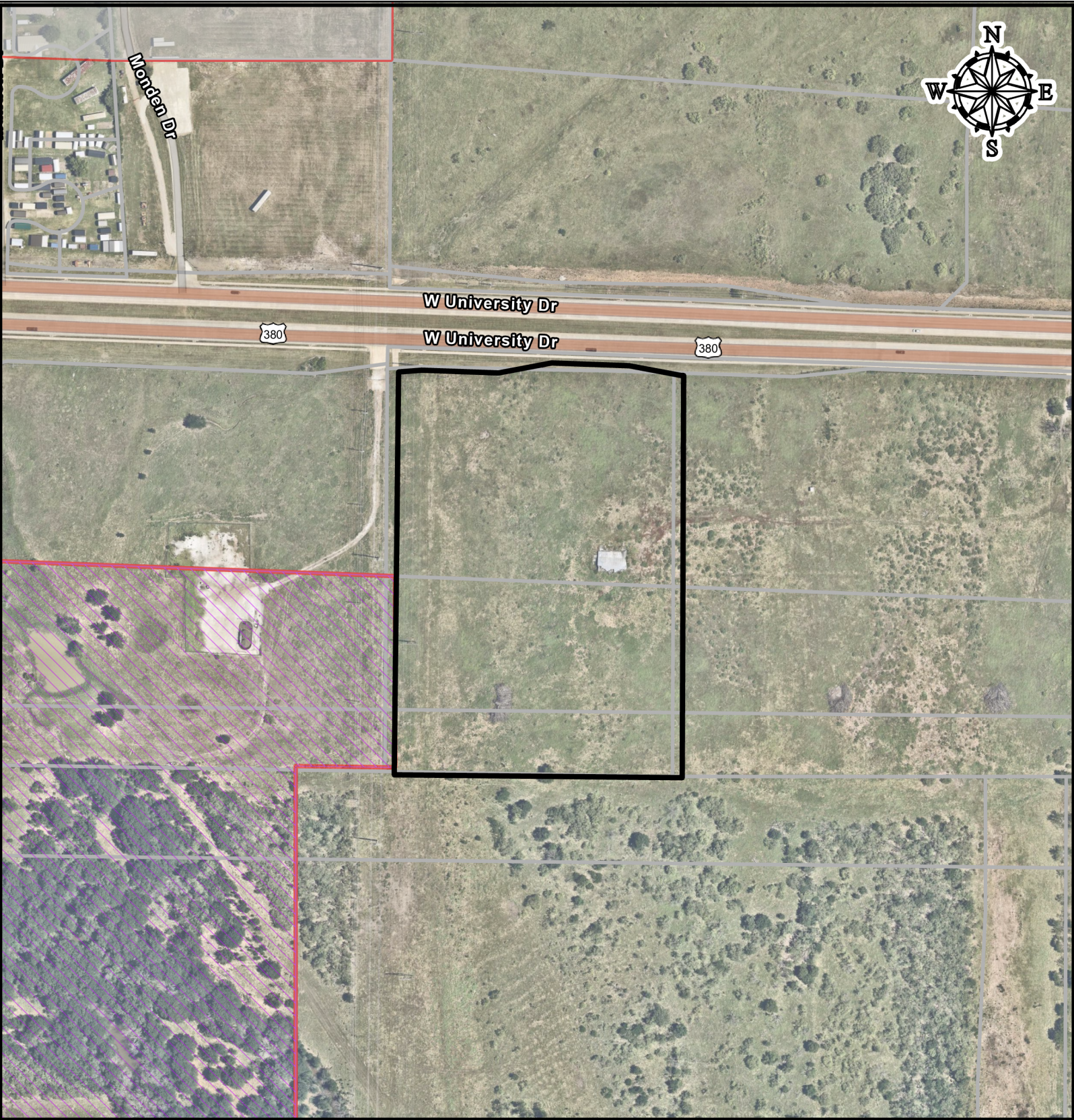
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p><b>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</b>  <b>Findings:</b>  <div data-bbox="253 300 1149 401" style="border: 1px solid black; padding: 5px;"> The proposed Final Plat provides sufficient detail required for the submittal. </div> </p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>5. Compliance with Other Applicable Regulations</b>			
<p><b>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.</b>  <b>Findings:</b>  <div data-bbox="253 667 1117 972" style="border: 1px solid black; padding: 5px;"> The proposed Final Plat does meet all criteria set forth by the Final Plat Checklist, authorized by DDC Subsection 2.6.4D.3. </div> </p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>6. Consistent with Interlocal and Development Agreements</b>			
<p><b>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.</b>  <b>Findings:</b>  <div data-bbox="253 1213 1117 1350" style="border: 1px solid black; padding: 5px;"> There are no development agreements applicable to this Final Plat. </div> </p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>7. Minimizes Adverse Environmental Impacts</b>			
<p><b>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.</b>  <b>Findings:</b>  <div data-bbox="253 1629 1117 1728" 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> </p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>8. Minimizes Adverse Impacts on Surrounding Property</b>			
<p><b>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.</b></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><b>Findings:</b></p> <div data-bbox="253 233 1117 352" 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><b>9. Minimizes Adverse Fiscal Impacts</b></p>			
<p><b>a. The proposed development should not result in significant adverse fiscal impacts on the city.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 527 1117 655" 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>10. Compliance with Utility, Service, and Improvement Standards</b></p>			
<p><b>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.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 961 1133 1087" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat complies with the applicable DDC requirements as described herein.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>11. Provides Adequate Road Systems</b></p>			
<p><b>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.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 1325 1117 1423" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat has adequate road capacity and complies with this criterion.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>12. Provides Adequate Public Services and Facilities</b></p>			
<p><b>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.</b></p> <p><b>Findings:</b></p> <div data-bbox="253 1793 1102 1858" style="border: 1px solid black; padding: 5px;"> <p>There is adequate capacity to serve the proposed development.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

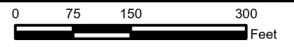
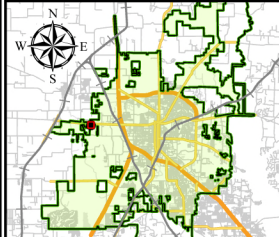
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<b>13. Rational Phasing Plan</b>			
<p>a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required for that phase, and may not defer those improvements to subsequent phases.</p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <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><b>14. Whether the final plat conforms to the preliminary plat, including any conditions of approval.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <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><b>15. Whether the development will substantially comply with all requirements of this DDC.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>The Final Plat does comply with the applicable requirements of the Denton Development Code.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>16. Whether the development will comply with the applicable technical standards and specifications adopted by the City.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>The Final Plat complies with the applicable technical standards of the Denton Development Code.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

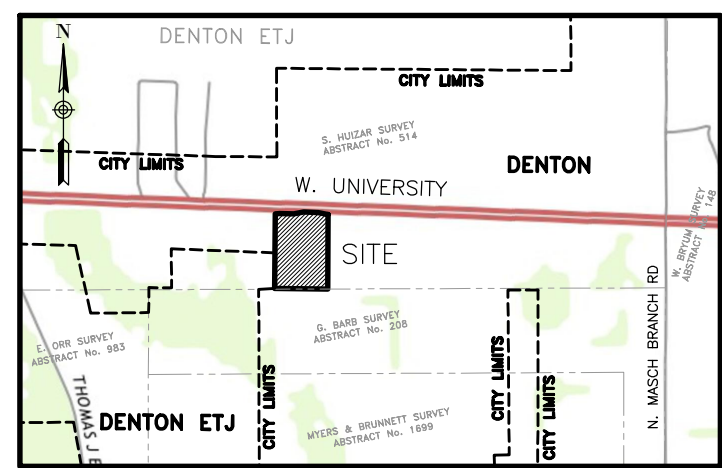
# FP25-0027 Aerial Site Location



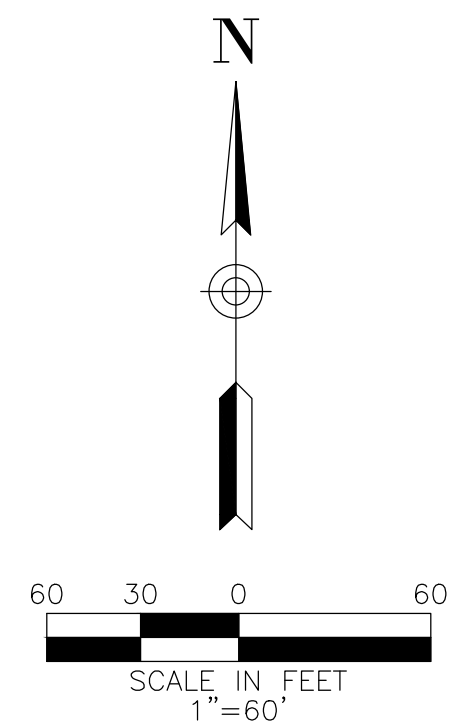
- COD
- ETJ
- ETJ 2
- NAA 8/1/20
- NAA 8/1/40



\*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.



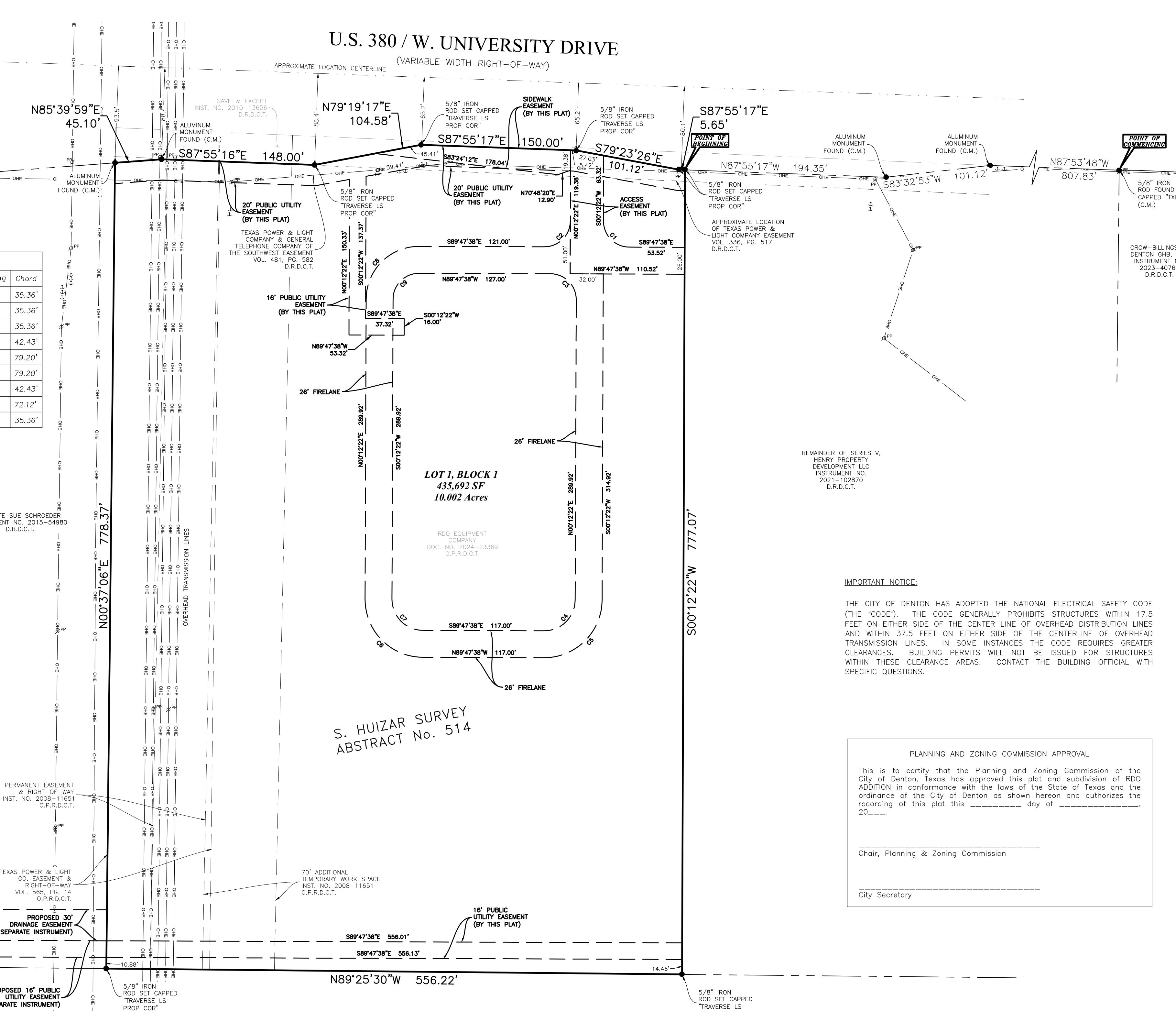
VICINITY MAP  
SCALE: 1"=200'



Curve #	Arc	Radius	Delta	Chord Bearing	Chord
C1	39.27'	25.00'	090°00'00"	S44°47'38"E	35.36'
C2	39.27'	25.00'	090°00'00"	N45°12'22"E	35.36'
C3	39.27'	25.00'	090°00'00"	N44°47'38"W	35.36'
C4	47.12'	30.00'	090°00'00"	N45°12'22"E	42.43'
C5	87.96'	56.00'	090°00'00"	S45°12'22"W	79.20'
C6	87.96'	56.00'	090°00'00"	N44°47'38"W	79.20'
C7	47.12'	30.00'	090°00'00"	S44°47'38"E	42.43'
C8	80.11'	51.00'	090°00'00"	N45°12'22"E	72.12'
C9	39.27'	25.00'	090°00'00"	S45°12'22"W	35.36'

PLAT NOTES

- The purpose of this Final Plat is to create 1 commercial lot and public utility easements to serve said lot within the City of Denton city limits.
- Elevations used for delineating contour lines are based upon NAVD 1988 datum.
- The bearings and grid coordinates shown on this plat are based on the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983 (NAD83), 2011. The distances shown hereon represent surface values using a surface adjustment factor of 1.000150630 to sole from grid to surface.
- This plat was prepared to meet City of Denton and Denton County requirements. This plat was prepared from information furnished by Freedom Title, a no. 2105966ND-VS, effective date June 7, 2021. The surveyor has not abstracted the above property.
- This plat lies wholly within the City Limits of Denton and Denton County.
- Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law, and is subject to fines and/or withholding of utilities and building permits.
- Approval of this plat will expire two years from Planning and Zoning Commission approval is not recorded in the Real Property Records of the County of Denton.
- All gas, petroleum or similar common carrier pipelines and/or pipeline easements within the limits of the subdivision are as shown.
- All landscaping and structures, including fences, on or adjacent to easements and at intersection shall conform to the City of Denton and AASHTO site distance requirements for motorists.
- No owner of the land subject to an easement may place, build, or construct any permanent building, structure, or obstruction of any kind over, under, or upon the easement, provided that such owner may cross or cover the easement with a paved driveway or paved parking lot under the following conditions:
  - The driveway shall be joined at the boundary line of the easement to limit the amount of paving that must be removed to provide access; and
  - There shall be no obligation of the City to replace or repair any paving removed in the exercise of this easement.
  - No pavement shall be constructed in a drainage or floodplain easement unless specifically approved by the City Engineer of the City of Denton.
- Maintenance of all private sanitary sewer, storm sewer, and water facilities onsite shall be the responsibility of the property owner. The City of Denton shall have no responsibility to maintain such facilities.
- Encroachment of private improvements into public easements shall not be permitted.
- There was no observed evidence of any protected trees on the subject property at the time of this survey. A Tree Survey and Preservation Plan will be required to proceed with Building Permits on the subject site within the city limits. Minimum Tree Preservation Requirements of the Denton Development Code Section 7.7.4 must be met within the city limits prior to the release of any permits.
- Sidewalks shall be constructed as required by the Transportation Criteria Manual and Section 7.8.11 of the Design Standards of the City of Denton, except in the case of streets where a payment in lieu of construction agreement per DDC 7.8.7D has been approved by the City of Denton. Prior to the acceptance of streets within the subdivision by the City of Denton, sidewalks shall be constructed by the developer along all streets where non-residential construction will not front or Commercial building developers shall construct sidewalks along streets on which non-residential construction front and along streets on which non-residential construction side before certificates of occupancy will be issued.
- Wastewater utility service will be provided by City of Denton.
- Water utility service will be provided by City of Denton.
- All drainage easements are to be kept clear of fences, buildings, trees, and other obstructions to the operation and maintenance of the drainage facility.
- Flood Statement: I have reviewed the FEMA Flood Insurance Rate Map for the City of Denton, Community Number 480194 effective date 04-18-2011 and that map indicates as zoned that this property is within "Non-Shaded Zone X" defined as "areas determined to be outside the 0.2% annual chance flood (500-year)" as shown on Panel 481210370 G of said map.
- Vertical datum used for the minimum finished floor elevations is NAVD88 and is the same as the datum used to establish 100-year base flood elevations.
- The minimum finished floor elevations shall be provided when a building permit application is submitted. The vertical datum used for the minimum finished floor elevations shall be the same as the datum used to establish 100-year base flood elevations.
- RDO Addition lies within unshaded zone map X, map number 481210370 G, dated 04/18/2011.
- This property is subject to zoning by City of Denton ordinance and all regulations set forth therein.
- As required by Section 8.2.5B of the Development Code, the City shall not issue any permits for construction within the subdivision within the corporate limits, except permits to construct public improvements, until such time as all public improvements of the subdivision have been constructed and accepted by the City or a certified check, performance bond, or letter of credit is provided to and accepted by the City.
- The City of Denton has adopted the National Electrical Safety Code (The "Code"). The Code generally prohibits structures with 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 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.
- Property owners are responsible for the maintenance of the facilities located within the access easement(s).
- All numbers omitted above are City of Denton Master Notes that do not apply to this property and were intentionally omitted.



SURVEYOR'S CERTIFICATION

I, Cole Carpenter, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this subdivision is true and correct; was prepared from an actual and accurate survey of the land, according to the standards of practice of the Texas Board of Professional Land Surveyors; and that all previous existing property monuments are sufficiently described on this document as found and all set monuments meets or exceeds the requirements of section 138.87, The State of Texas, Texas Engineering and Land Surveying Practice Acts and Rules concerning Practice and Licensure.

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

Cole Carpenter  
Registered Public Land Surveyor  
Texas Registration No. 6892

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a notary public in and for the State of Texas, on this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

Notary Public in and for the State of Texas

LEGEND

- D.R.D.C.T.
- P.R.D.C.T.
- O.P.R.D.C.T.
- C.M.
- CAB. SLIDE
- DOC. NO.
- VOL., PG.
- DEED RECORDS, DENTON COUNTY, TEXAS
- PLAT RECORDS, DENTON COUNTY, TEXAS
- OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS
- CONTROLLING MONUMENT
- CABINET AND SLIDE
- DOCUMENT NUMBER
- VOLUME AND PAGE
- SUBJECT PROPERTY LINE
- ADJOINING PROPERTY LINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE

● FOUND/SET MONUMENT (SEE LABEL)

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 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.

PLANNING AND ZONING COMMISSION APPROVAL

This is to certify that the Planning and Zoning Commission of the City of Denton, Texas has approved this plat and subdivision of RDO ADDITION in conformance with the laws of the State of Texas and the ordinance of the City of Denton as shown hereon and authorizes the recording of this plat this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chair, Planning & Zoning Commission

\_\_\_\_\_  
City Secretary

STATE OF TEXAS  
COUNTY OF DENTON

WHEREAS RDO Equipment Co. are the owners of a 10.002 acre tract of land situated in the S. Huizar Survey, Abstract No. 514 and the G.H. Barb Survey, Abstract No. 208, Denton County, Texas, being all that certain tract or parcel of land situated in the S. Huizar Survey, Abstract No. 514 and the G.H. Barb Survey, Abstract No. 208, Denton County, Texas, being that land described in Special Warranty Deed to RDO Equipment Co. recorded in Document No. 2024-23369 of the Official Public Records of Denton County, Texas (O.P.R.D.C.T.) and being more particularly described by the following metes and bounds described:

COMMENCING at a capped 5/8 inch iron rod stamped "TXDOT" found for corner in the most southerly Right-of-Way line of W. University Drive (Also known as US 380 (variable width Right-of-Way)), same being in the most northwesterly corner of Crow-Billingsley Denton GH, LTD, recorded under Instrument Number 2023-40765, Deed Records, Denton County, Texas (D.R.D.C.T.), also being in the most northeasterly corner of the remainder of a tract of land conveyed to Series V, Henry Property Development LLC, recorded under Instrument Number 2021-102870, Deed Records, Denton County, Texas (D.R.D.C.T.);

THENCE in a westerly direction along said the south right-of-way line of W. University Drive and over, across, and upon said remainder of Series V tract the following three (3) courses and distance:

North 87 degrees 53 minutes 48 seconds West, a distance of 807.83 feet to an aluminum monument found for corner in the most northeasterly corner of Save & Except, the deed from Edith Lindley to State of Texas recorded under Instrument Number 2010-13656, Deed Records, Denton County, Texas (D.R.D.C.T.);

South 83 degrees 32 minutes 53 seconds West, a distance of 101.12 feet to an aluminum monument found for corner;

North 87 degrees 55 minutes 17 seconds West, a distance of 194.35 feet to a capped 5/8 inch iron rod stamped "TRAVERSE LS PROP COR" set for corner in the most northeasterly corner of said RDO Equipment Co. tract, same being in the most southerly line of said Save and Except tract and being THE POINT OF BEGINNING;

THENCE South 00 degrees 12 minutes 22 seconds West, in a southerly direction along the common line between the most easterly line of said RDO Equipment Co. tract and the most westerly line of said remainder of Series V tract, a distance of 777.07 feet to a capped 5/8 inch iron rod stamped "TRAVERSE LS PROP COR" set for corner in the most southwesterly corner of said remainder of Series V tract, same being the most southeasterly corner of said RDO Equipment Co. tract, also being a point in the most northerly line of The Robert H. and Jimmie G Nobles Charitable Remainder Trust, recorded under Volume 2897, Page 995, Deed Records, Denton County, Texas (D.R.D.C.T.);

THENCE North 89 degrees 25 minutes 30 seconds West, in a westerly direction along the common line between the most northerly line of said The Robert and Jimmie Nobles tract and the most southerly line of said RDO Equipment Co. tract, a distance of 556.22 feet to a capped 5/8 inch iron rod stamped "TRAVERSE LS PROP COR" set for corner in the most southwesterly corner of said RDO Equipment Co. tract, same being a point in the most northerly line of said The Robert and Jimmie Nobles tract, also being in the most southeasterly corner of Annette Sue Schroeder, recorded under Instrument Number 2015-54980, Deed Records, Denton County, Texas (D.R.D.C.T.);

THENCE North 00 degrees 37 minutes 06 seconds East, in a northerly direction along the common line between the most easterly line of said Annette Schroeder tract and the most westerly line of said RDO Equipment Co. tract, a distance of 778.37 feet to an aluminum monument found for corner in the most northwesterly corner of said RDO Equipment Co. tract, same being in the most northeasterly corner of said Annette Schroeder tract, also being in the most southwesterly corner of said Save and Except;

THENCE in an easterly direction with the south right-of-way line of said W University Drive the following six (6) courses and distances;

North 85 degrees 39 minutes 59 seconds East, a distance of 45.10 feet to an aluminum monument found for corner;

South 87 degrees 55 minutes 16 seconds East, a distance of 148.00 feet to a capped 5/8 inch iron rod stamped "TRAVERSE LS PROP COR" set for corner;

North 79 degrees 19 minutes 17 seconds East, a distance of 104.58 feet to a capped 5/8 inch iron rod stamped "TRAVERSE LS PROP COR" set for corner;

South 87 degrees 55 minutes 17 seconds East, a distance of 150.00 feet to a capped 5/8 inch iron rod stamped "TRAVERSE LS PROP COR" set for corner;

South 79 degrees 23 minutes 26 seconds East, a distance of 101.12 feet to a capped 5/8 inch iron rod stamped "TRAVERSE LS PROP COR" set for corner;

South 87 degrees 55 minutes 17 seconds East, a distance of 5.65 feet to THE POINT OF BEGINNING and containing 10.002 acres (435,691 square feet) of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT RDO EQUIPMENT CO. acting herein by and through its duly authorized officers, do/does hereby adopt this plat designating the hereinabove described property as **RDO ADDITION, LOT 1, BLOCK 1**, an addition to the City of Denton, Denton County, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat.

No buildings, fences, trees, or other improvements shall be constructed or placed upon, over, or across the easements as shown. The City of Denton shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Denton shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

OWNER: RDO EQUIPMENT CO.

By: \_\_\_\_\_ Date \_\_\_\_\_  
Signature - Authorized Representative

Printed Name & Title

STATE OF TEXAS §  
COUNTY OF \_\_\_\_\_ §  
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 and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

Notary Public, State of Texas

My Commission Expires: \_\_\_\_\_



OWNER  
RDO EQUIPMENT CO.  
P.O. BOX 7160  
FARGO, ND 58106  
PH: 701-237-7348

Surveying | Construction Staking | Platting  
Date: 10/03/25 Project No.: TR-192-23

CITY PROJECT NO. FP25-0027  
**FINAL PLAT**  
**RDO ADDITION**  
**BLOCK 1, LOT 1**  
BEING 10.002 ACRES (435,692 SQ.FT.) OF LAND  
IN THE S. HUIZAR SURVEY,  
ABSTRACT NO. 514, & THE G.H. BARB SURVEY,  
ABSTRACT NO. 208, WITHIN THE CITY LIMITS OF  
THE CITY OF DENTON  
DENTON COUNTY, TEXAS

RESERVED FOR DENTON COUNTY USE



# City of Denton

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

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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**ACM:** Kenneth Hedges

**DATE:** June 10, 2026

### **SUBJECT**

Consider a request by Lizette Zepeda for approval of a subdivision variance from the 2019 Denton Development Code Subsection 8.3.2.C.2.a. regarding the maximum number of residential lots permitted to take access from a private access easement. The 14.966-acre tract is located on the west side of private road Indian Wells Road and approximately 2,320 feet north of Gribble Springs Road in the Extraterritorial Jurisdiction Division 1 of the City of Denton, Denton County, Texas. (V26-0008, Zepeda Addition Variance, Matt Bodine)

### **BACKGROUND**

The property owner is requesting a subdivision variance from the Denton Development Code (DDC) Subsection 8.3.2.C.2.a, which states: "Up to three single-family detached or townhome residential dwelling units may access a public road by means of a flag drive within a private access easement as provided in the Transportation Design Criteria Manual." Specifically, the property owner is asking for a variance from the number of lots able to take access from a private access easement. DCA22-0002d was approved by City Council on July 19, 2022, and established the process for subdivision variances to be considered by the Planning and Zoning Commission.

The variance request is associated with a Final Plat (see Exhibit 4) for the subdivision of the subject property into two lots for single-family residential use. The plat was withdrawn from review to pursue this subdivision variance. Property in the City's Extraterritorial Jurisdiction Division 1 (ETJ 1) is not subject to zoning regulations but is required to comply with the DDC Subchapter 8, Subdivisions, which regulates land subdivision and is applicable to platting and property access. The subject property has access to Gribble Springs Road via an existing, private access easement that encompasses a private gravel road labeled on some maps as Indian Wells Road. The intent of this request is to allow said easement to also be used to provide access to an additional property (Lot 2). The access easement currently provides access to a public road for seven properties with single-family residences. If the variance request is approved, a total of eight properties would take access from the private access easement.

The Denton Mobility Plan proposes a Secondary Arterial traversing north-south along the western edge of the subject property where the private access easement currently exists. A 55 foot wide Right-of-Way (R.O.W.) Reservation along the subject property's west property line would be required with the approval of a Final Plat of the subject property. The R.O.W. reservation does not transfer land ownership, but it does preserve the future corridor by prohibiting new structures being built within it.

A full analysis is provided as Exhibit 2.

## **OPTIONS**

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

## **RECOMMENDATION**

Staff recommends approval of this request as it meets the established criteria for approval. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

## **PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

No prior action had been made on the subject property.

## **PUBLIC OUTREACH**

No public outreach is required for a subdivision variance request.

## **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. Variance Narrative
5. Final Plat
6. Dedication of Easements

Respectfully submitted:  
Hayley Zagurski, AICP  
Planning Director

Prepared by:  
Matt Bodine  
Assistant Planner

# Planning Staff Analysis

## V26-0008/Zepeda Addition Variance

### City ETJ 1

### Planning & Zoning Commission

#### REQUEST:

Consider a request by Lizette Zepeda for approval of a subdivision variance from the 2019 Denton Development Code Subsection 8.3.2.C.2.a. regarding the maximum number of residential lots permitted to take access from a private access easement.

#### SITE DATA:

The subdivision variance is associated with a Final Plat of a 14.966-acre lot located approximately 2,320 feet north of Gribble Springs Road in the Extraterritorial Jurisdiction Division 1 of the City of Denton (see Exhibit 3 for site location). The subject property only has access to a public road, Gribble Springs Road, via an existing private access easement that encompasses an existing gravel drive (also known as Indian Wells Road) currently used for access to seven properties.

The associated plat would split the subject property into two lots for the purpose of adding a single-family residential dwelling to Lot 2. Lot 1 has an existing, single-family residence and is served by a private well and private, onsite sewer facility. Both proposed lots meet the minimum dimensional requirements for a private well and an onsite sanitary sewer facility since there are no City utility lines in the vicinity.

#### CONSIDERATIONS:

The City of Denton Development Code Subsection 2.8.7.B. states that any property owner seeking relief from standards contained within specific sections of Subchapters 7 and 8 as identified in Subsection 2.8.7.B. may request a subdivision variance from strict application of the Code when said variance would meet approval criteria specified in DDC Subsection 2.8.7.D. Subdivision variances are considered hardship variances and may be appropriate based on a finding that unreasonable hardships or difficulties would result from strict compliance with the subdivision regulations, or the purposes of the regulations may be served to a greater extent by an alternative proposal. Furthermore, a subdivision variance may be approved so that substantial justice is done, and the public interest is secured so long as the variance would not nullify the intent and purpose of the City's subdivision regulations.

The Planning and Zoning Commission shall review and determine the appropriateness of the proposed subdivision variance request based on the criteria listed below (DDC Subsection 2.8.7.D). In reviewing a subdivision variance application, the Planning and Zoning Commission shall find that all of the following exist:

1. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property.  
*If approved, the requested variance is not anticipated to be detrimental to public safety, health, or welfare or injurious to other property. The private access easement exists in its configuration today, and the proposed subdivision, and uses, are not expected to increase the traffic burden on Gribble Springs Road. The traffic impact from two single-family residential lots is minimal.*
2. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the subdivision regulations is carried out.  
*The peculiar pattern of development in this general area has created unique conditions that place a*

*particular hardship upon the subject tract owner's ability to subdivide and develop their property. The strict application of the City's subdivision regulations would not allow for any subdivision of the subject tract because it limits the number of residential lots that can access a public road by way of a private access easement to three lots. The way this area has been divided and developed over time has created a configuration that is already out of compliance as there are seven properties that currently use the existing private access easement to access a public road all of which have single-family residences on them.*

3. The subdivision variance will not in any manner vary the provisions of the Comprehensive Plan, the Development Code, and the Denton Mobility Plan, except that those documents may be amended in the manner prescribed by law.

*If approved, the allowance for more than three residential lots to take access from a private access easement will not introduce design standards that are incompatible with the Comprehensive Plan or Denton Development Code. The requested variance does not vary the provisions of the Denton 2040 Comprehensive Plan, Denton Mobility Plan, and Denton Development Code except for the standard described herein, which is eligible for variance as described in Subsection 2.8.7 of the DDC. The submitted plat is compliant with the Denton Development Code except for the requested variance.*

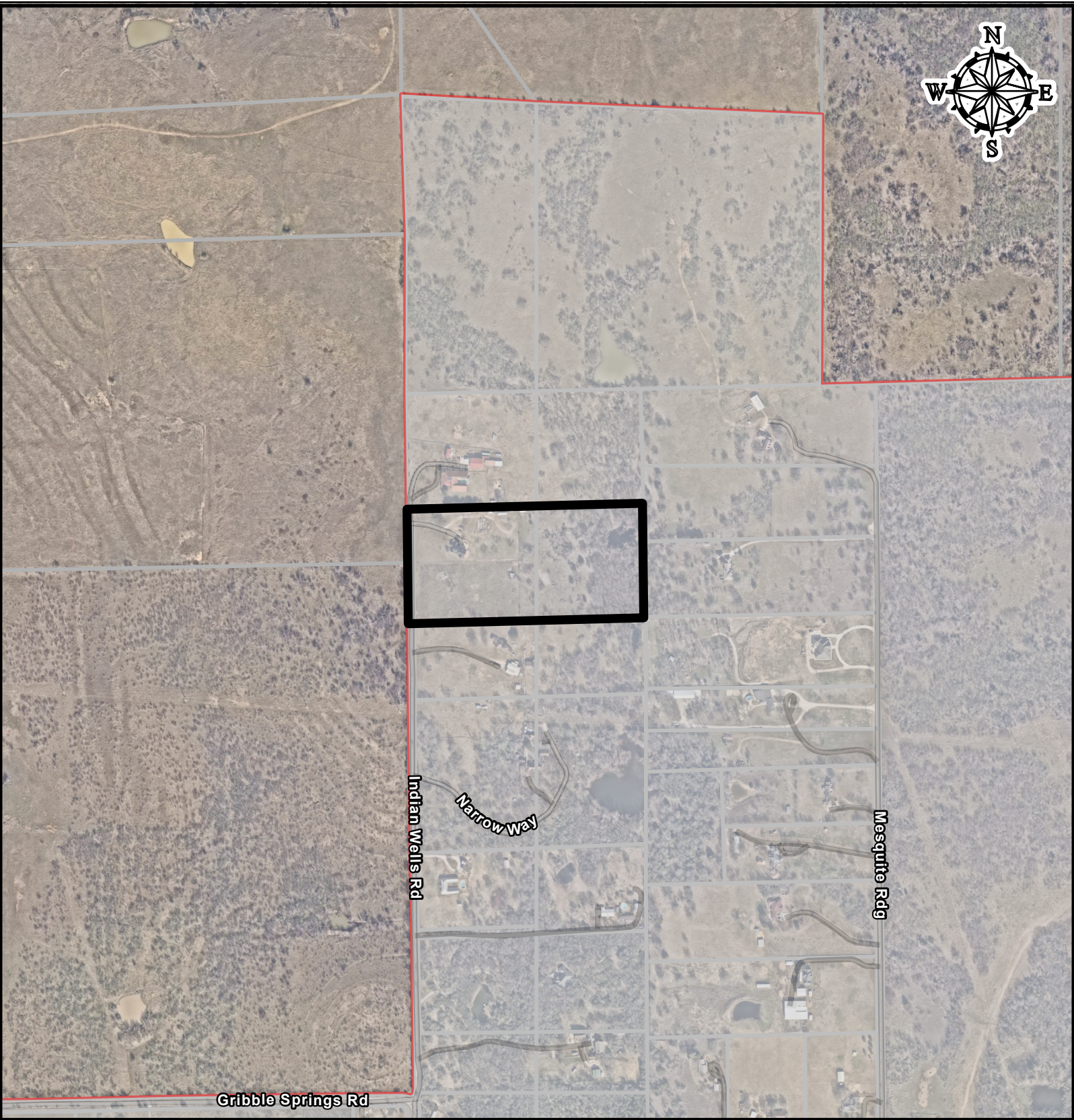
4. The special or peculiar conditions upon which the request is based did not result from or were not created by the act or commission of the owner or any prior owner, subsequent to the date of creation of the requirement from which a subdivision variance is sought.

*The conditions associated with the subject property being one of seven properties having access to public road via a private access easement were not created by the owner after the date of the adoption of the subject regulations. Access and utility easements for the subject property and other properties along Indian Wells Road were recorded with the County in 1982 (see Exhibit 6). The DDC was adopted by City Council in 2019; therefore subdivision regulations that would have restricted the creation of the private road were not in effect at the time of its creation.*

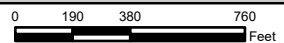
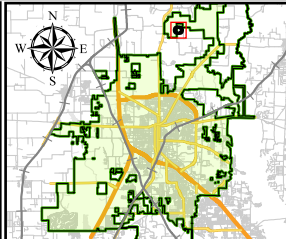
**STAFF RECOMMENDATION:**

Staff recommends approval of the request as it is not detrimental to the public's welfare, is consistent with the overall goals and of the subdivision requirements of the Denton Development Code, and meets the criteria for approval prescribed in Section 2.8.7 of the DDC.

# V26-0008 Site Location Map



- 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.

## Project Narrative

The request for a variance is to separate 15-acre tract into 2 separate parcels. The proposed subdivision will create two low density lots from the existing tract. Gloria Hernandez will be keeping the parcel with the existing home while Modesto Zepeda and I will be building a single family home on the open parcel. Both lots will utilize the existing private road easmt for access. No new road construction or significant infrastructure expansion is proposed. We are all family and currently all live in the same home located at 7434 Indian wells Rd, therefor traffic will not be impacted either.

## **Explanation of Requested Variance**

The applicant is requesting a variance from Denton Development Code Subsection 8.3.2.C.2.a, which limits the number of lots that may obtain access from a private road easement.

The proposed project involves subdividing an approximately 15-acre tract into two residential lots. Both lots will take access from an existing private road easement (Indian Wells Road). The requested variance would allow one additional lot to access the private road, resulting in more than the number of tracts otherwise permitted by the Development Code.

## **Reason for Request**

Strict enforcement of this provision would prevent the reasonable subdivision and residential use of the property despite its size and suitability for low-density development. The need for the variance is due to the existing condition of the property—specifically, its reliance on an established private access easement shared with other tracts.

The request is not based on financial hardship but on the physical and regulatory constraints affecting access to the property.

## **Approval Criteria**

### **1. Special Conditions / Hardship**

The property is subject to unique conditions in that access is limited to an existing private road easement already serving multiple tracts. These circumstances are not self-created and restrict the ability to subdivide the land in compliance with the code.

### **2. Preservation of Property Rights**

Without the variance, the applicant is unable to reasonably divide and use the property for typical residential purposes consistent with surrounding land uses. Granting the variance allows rights enjoyed by nearby properties with similar access arrangements.

### **3. Minimum Necessary Relief**

The variance request is the minimum necessary to allow subdivision into two lots. It introduces only one additional residential tract and does not seek to maximize density beyond what is typical for the area.

### **4. No Adverse Impact to Public Health, Safety, or Welfare**

The addition of one single-family residence will generate minimal traffic and will not overburden the existing private road. The private road is maintained by the property owners and is currently in good condition, providing adequate access for residents and emergency services. No negative impacts to drainage, utilities, or infrastructure are anticipated.

### **5. Consistency with the Intent of the Code**

The intent of the regulation is to limit excessive reliance on private roads. This request maintains that intent by proposing only a minimal increase in usage, consistent with previously approved variances in similar situations.

## **Conclusion**

The requested variance represents a reasonable and minimal deviation from the Denton Development Code necessary to allow the subdivision of a 15-acre tract into two residential lots. Approval of this request will not adversely impact surrounding properties and is consistent with the character of the area and prior decisions.

OWNER DEDICATION:

WHEREAS LIZETTE ZEPEDA & MODESTO ZEPEDA GARCIA AND GLORIA HERNANDEZ TOVAR ARE THE OWNERS OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE J.W. JAGOE SURVEY, ABSTRACT NUMBER 1640, DENTON COUNTY, TEXAS...

THESE SOUTH 89 DEGREES 34 MINUTES 36 SECONDS EAST WITH THE EAST LINE OF SAID JAGOE SURVEY AND SAID 14.98 ACRE TRACT ADJACENT TO A 12-INCH IRON ROD SET FOR CORNER IN THE WEST LINE OF SAID 14.98 ACRE TRACT A DISTANCE OF 1157.99 FEET TO A 12-INCH IRON ROD FOUND FOR CORNER IN THE WEST LINE OF SAID JAGOE SURVEY AND AT THE SOUTHWEST CORNER OF SAID 14.98 ACRE TRACT:

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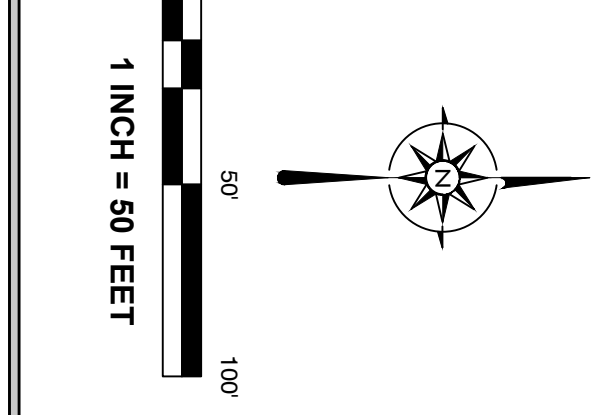
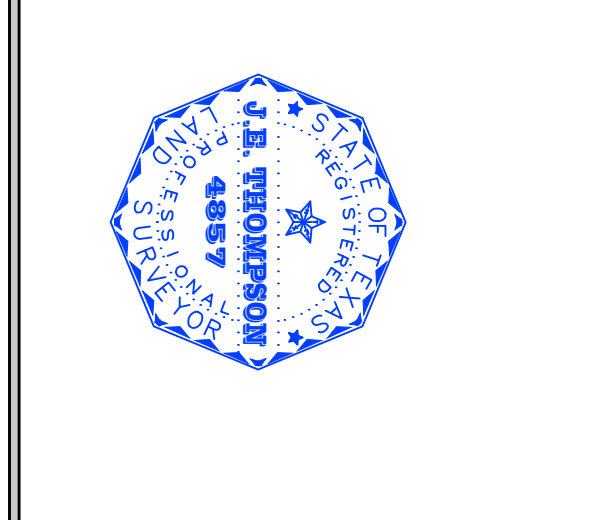
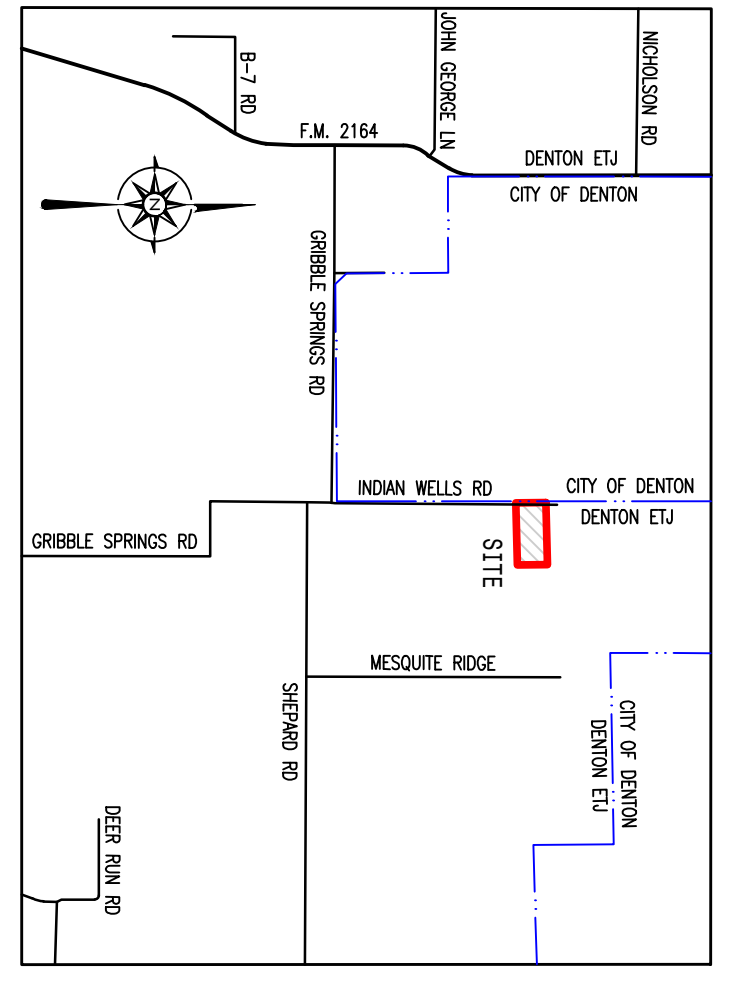
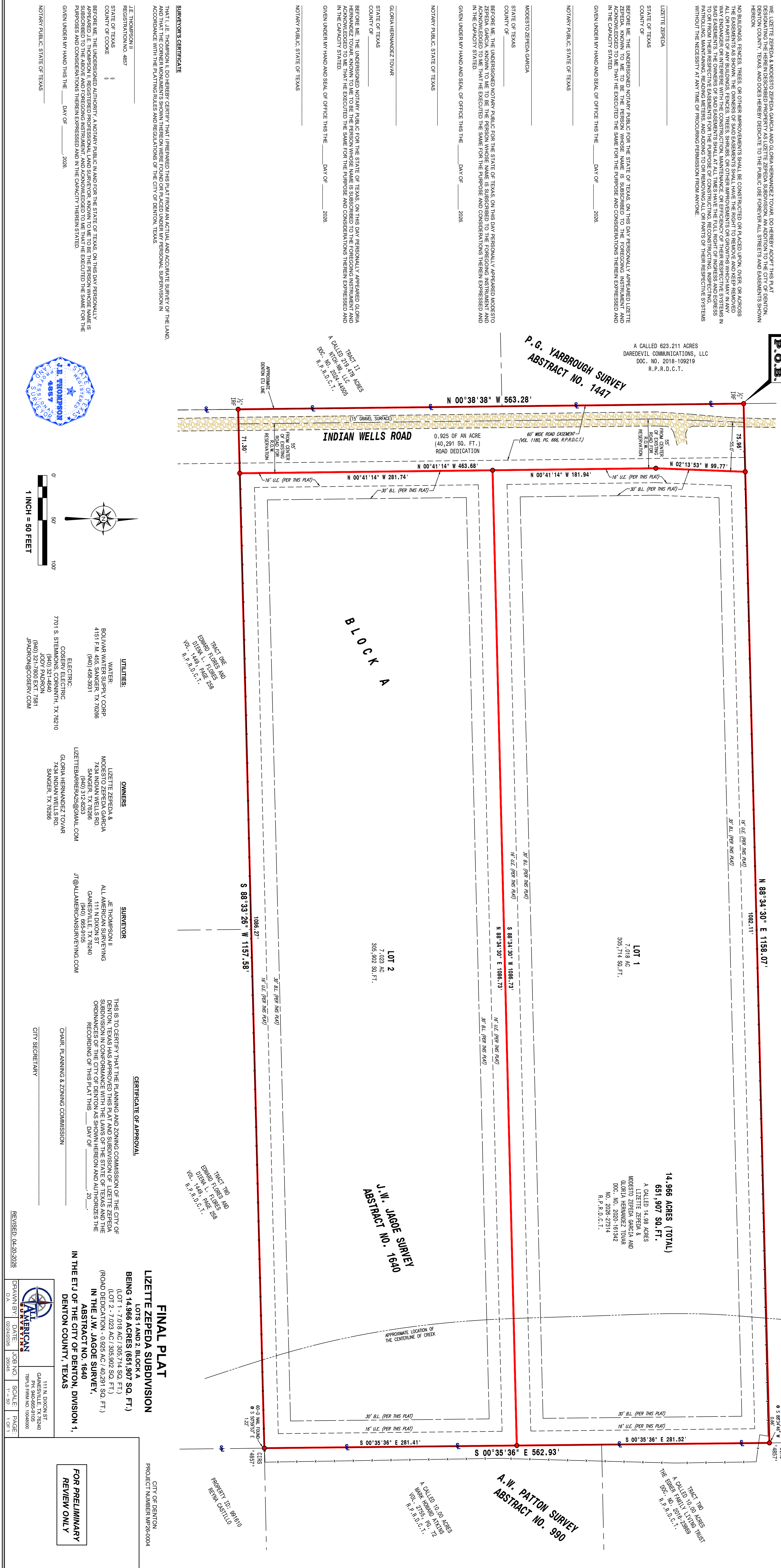
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LEGEND

- 1. PROPERTY OWNERS/ADJACENT OWNERS
2. SURVEY CORNER
3. BOUNDARY LINE
4. EASEMENT
5. RIGHT-OF-WAY
6. UTILITY
7. FLOOD ZONE
8. FLOOD HAZARD
9. FLOOD RISK
10. FLOOD DAMAGE SUSCEPTIBLE
11. FLOOD DAMAGE SUSCEPTIBLE
12. FLOOD DAMAGE SUSCEPTIBLE
13. FLOOD DAMAGE SUSCEPTIBLE
14. FLOOD DAMAGE SUSCEPTIBLE
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19. FLOOD DAMAGE SUSCEPTIBLE
20. FLOOD DAMAGE SUSCEPTIBLE

NOTES

- 1) THE PURPOSE OF THIS PLAT IS TO CREATE TWO (2) RECORDED LOTS OUT OF A TRACT OF LAND.
2) ELEVATIONS USED FOR DELINEATING CONTIGUAL LINES ARE BASED UPON NAVD 1989 DATUM.
3) THE BEARINGS AND GRID COORDINATES SHOWN ON THIS PLAT ARE BASED ON GPS OBSERVATIONS MADE ON THE GROUND. TEXAS NORTH CENTRAL MAP 83 COORDINATES SHOWN HEREON ARE STATE PLANE GRID.
4) THIS PLAT WAS PREPARED TO BE CITY OF DENTON AND DENTON COUNTY REQUIREMENTS. THIS PLAT WAS PREPARED FROM INFORMATION FURNISHED BY TITLE COMPANY. THE CITY OF DENTON AND DENTON COUNTY REQUIREMENTS ARE AS STATED IN THE ABOVE PROPERTY.
5) SELLING A PORTION OF THIS ADJUTON BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAW, AND IS SUBJECT TO FINES AND/OR WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
6) APPROVAL OF THIS PLAT WILL EXPIRE TWO YEARS FROM PLANNING AND ZONING COMMISSION APPROVAL. IF NOT RECORDED IN THE REAL PROPERTY RECORDS OF THE CITY OF DENTON, TEXAS WITHIN THE ABOVE PERIOD, THIS PLAT SHALL BE VOID.
7) THERE ARE NO GAS, PETROLEUM, OR SIMILAR COMMON CARRIER PIPELINES OR PIPELINE EASEMENTS WITHIN THE LIMITS OF THE SUBDIVISION, ACCORDING TO THE TEXAS BARRAGE AND STRUCTURES, INCLUDING FENCES, ON OR ADJACENT TO EASEMENTS AND AT INTERSECTIONS SHALL CONFORM TO THE CITY OF DENTON AND DENTON COUNTY REQUIREMENTS FOR MOTORISTS.
8) THERE SHALL BE NO OBLIGATION ON THE BOUNDARY LINE OF THE EASEMENT TO REPAIR ANY PAVING REMOVED IN THE EXERCISE OF THIS EASEMENT.
9) ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES, ON OR ADJACENT TO EASEMENTS AND AT INTERSECTIONS SHALL CONFORM TO THE CITY OF DENTON AND DENTON COUNTY REQUIREMENTS FOR MOTORISTS.
10) MAINTENANCE OF ANY PAVED DRIVEWAY OR PAVED PARKING LOT UNDER THE FOLLOWING CONDITIONS:
a. THE DRIVEWAY SHALL BE JOINTED AT THE BOUNDARY LINE OF THE EASEMENT TO LIMIT THE AMOUNT OF PAVING THAT MUST BE REMOVED TO PROVIDE ACCESS, AND
b. THERE SHALL BE NO OBLIGATION ON THE BOUNDARY LINE OF THE EASEMENT TO REPAIR ANY PAVING REMOVED IN THE EXERCISE OF THIS EASEMENT.
11) THE CITY OF DENTON HAS ADOPTED THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 220 STANDARD FOR FIRE RESISTANCE RATING OF EXTERIOR WALLS OF BUILDINGS. THE CITY ENGINEER OF THE CITY OF DENTON SHALL HAVE NO RESPONSIBILITY TO MAINTAIN SUCH FACILITIES.
12) ENFORCEMENT OF PRIVATE IMPROVEMENTS INTO PUBLIC EASEMENTS SHALL NOT BE PERMITTED.
13) A TREE SURVEY AND PRESERVATION PLAN WILL BE REQUIRED TO PROCEED WITH BUILDING PERMITS ON THE SUBJECT SITE. MINIMUM TREE PRESERVATION REQUIREMENTS OF THE DENTON DEVELOPMENT CODE SECTION 77.4 MUST BE MET PRIOR TO THE RELEASE OF ANY PERMITS.
14) THE CITY OF DENTON HAS ADOPTED THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 220 STANDARD FOR FIRE RESISTANCE RATING OF EXTERIOR WALLS OF BUILDINGS. THE CITY ENGINEER OF THE CITY OF DENTON SHALL HAVE NO RESPONSIBILITY TO MAINTAIN SUCH FACILITIES.
15) WATER TO BE PROVIDED BY BOLIVAR WATER SUPPLY CORPORATION, 4191 F.M. 455, SANGER, TEXAS 76266. (940) 458-3931
16) ELECTRIC SERVICE TO BE PROVIDED BY COSERV ELECTRIC, 7701 SOUTH STEWARTS CORNINTH, TEXAS 76210. (940) 321-4840
17) FLOOD STATEMENT I HAVE REVIEWED THE FEMA FLOOD INSURANCE RATE MAP FOR THE CITY OF DENTON, COMMUNITY NUMBER 48074 EFFECTIVE DATE 4/8/2011 AND THAT MAP INDICATES AS SCALED, THAT THIS PROPERTY IS WITHIN NON-SHADED ZONE X' DERIVED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD (500-YEAR) AS SHOWN ON PANEL 02303 OF SAID MAP.



WATER: BOLIVAR WATER SUPPLY CORP. 4151 F.M. 455, SANGER, TX 76266 (940) 458-3931
ELECTRIC: COSERV ELECTRIC 7701 S STEWARTS CORNINTH, TX 76210 (940) 321-4840
CITY OF DENTON: J.P. PARSONS, CITY ENGINEER 7434 INDIAN WELLS RD, SANGER, TX 76266

OWNERS: LIZETTE ZEPEDA & MODESTO ZEPEDA GARCIA 7434 INDIAN WELLS RD, SANGER, TX 76266 (940) 512-8233
SURVEYOR: J.E. THOMPSON II 1111 N DIXON ST, GAINESVILLE, TX 76240 (940) 685-9105

CITY SECRETARY: CHAIR, PLANNING & ZONING COMMISSION

CITY SECRETARY

REVISIONS: REVISED: 04-20-2026

FINAL PLAT LIZETTE ZEPEDA SUBDIVISION LOTS 1 AND 2, BLOCK A BEING 14.966 ACRES (651,907 SQ. FT.)

FOR PRELIMINARY REVIEW ONLY

CITY OF DENTON PROJECT NUMBER MP28-0004

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
AND DEDICATION OF ROAD AND UTILITIES EASEMENT

THE STATE OF TEXAS §

34949

COUNTY OF DENTON §

§ KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, DAVID R. FULTON and JOSEPH E. STOCKARD, hereinafter called Declarants, are the owners of all of that certain lot, tract or parcel of land located in Denton County, Texas, described as follows:

Being 202.440 acres of land in the A. W. Patton Survey, Abstract No. 990, and the J. W. Jagoe Survey, Abstract No. 1640, Denton County, Texas, and being more fully set out and described in a Deed from Hal Jackson to David R. Fulton and Joseph E. Stockard, dated the 11th day of June, 1982, and filed for record in Volume 1148, page 157 of the Deed Records of Denton County, Texas, to which reference is here made for a more complete description of said land.

WHEREAS, Declarants will convey the above described property, subject to certain protective covenants, conditions, restrictions, reservations, liens and charges as hereinafter set forth;

NOW, THEREFORE, IT IS HEREBY DECLARED that all of the property described above shall be held, sold and conveyed subject to the following easements, restrictions, covenants, reservations and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with the real property and shall be binding on all the Parties having any right, title or interest in or to the above described property or any part thereof, and their heirs, successors and assigns, in which restrictions, covenants, conditions and easements, shall inure to the benefit of each owner thereof, said restrictions, covenants, conditions and easements being as follows:

1. The property shall be used for residential purposes only. No building or structure shall be erected, altered, placed or permitted to remain on any portion of the above described property other than one detached single family dwelling not to exceed two and one-half stories in height, unless expressly stated otherwise herein.
2. The floor area of any residence structure, exclusive of open porches and garages or breezeways shall be not less than 1600 square feet of heated area, of which 1400 square feet shall be on the ground floor with respect to one and one-half story dwellings.

3. All residence buildings shall be constructed of new materials and built on the site only. Exposed exterior wall area, exclusive of doors, windows and gable area, shall be 50% masonry or masonry veneer. Masonry material shall be of quality and appearance equal or superior to standard clay or shale, common brick, color pigment Portland Cement Brick or quarried stone. Exterior wall material, exclusive of the required masonry area, shall be of standard construction material selected and designed to add to the architectural appearance of the building.
4. Secondary structures such as detached garages, barns, horse stalls or corrals must be constructed of all new materials on the site. No existing structure or part of a structure shall be permitted to be moved upon the property. Exterior walls of all secondary structures shall be of standard construction material commonly used for the purposes for which they are intended, and such secondary structure shall be designed and built to conform with the existing residence structures in close proximity therewith.
5. All fences shall be constructed of all new materials in conformity with generally accepted standards for the construction of fences.
6. No structure of a temporary character, whether modular home, mobile home, trailer, basement, tent, shack, garage, barn or other outbuilding shall be allowed on the premises at any time and shall not be used as a residence, either temporarily or permanently.
7. Construction of new buildings only shall be permitted, whether primary or secondary structures. It is the express intention of this covenant to prohibit the moving in of any existing building or part of a building onto any tract and remodeling or converting the same into a dwelling or secondary structure anywhere on the said 202.440 acre tract.
8. No individual sewage disposal system shall be permitted on any tract unless such system is designed, located and constructed in accordance with the requirements, standards and recommendations of the State Department of Public Health. Approval of such system as installed shall be obtained from such authority.
9. No tract shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.
10. No dismantled, discarded or unregistered vehicles shall be kept on the premises at any time.
11. Trucks with tonnage in excess of one ton shall not be permitted to park on roads, driveways or individual tracts overnight, and no vehicle of any size which normally transports inflammable or explosive cargo may be kept on this property at any time.
12. No business shall be operated on said premises which shall produce offensive odors or noise (except a small number of horses or cattle) or tend to pollute the atmosphere, such as cattle feed lots, slaughter pens, rock crushing operations, or any other type of operations that may produce excessive amounts of smoke, dust or offensive odors which would be offensive and constitute a nuisance to normal residential uses.
13. No building shall be located, erected or altered such that any part of the building shall be within fifty (50) feet of a boundary line or road.
14. No tract may be subdivided into less than five (5) acres and not more than one (1) dwelling may be built on each 5 acre tract.









# City of Denton

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

## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**ACM:** Kenneth Hedges

**DATE:** June 10, 2026

### **SUBJECT**

Consider a request by Grayson Hughes of Sutherland King Consulting, on behalf of the property owner, for approval of a Final Plat of Affordable Estates, Lot 1, Block 1. The approximately 1.832-acre site is generally located on the west side of Hinkle Drive, approximately 107 feet south of the southeast corner of the intersection of Hinkle Drive and Meadow Ridge Drive, in the City of Denton, Denton County, Texas. (FP26-0014a, Affordable Estates, Sean Jacobson)

### **BACKGROUND**

The purpose of this Final Plat is to create one platted lot from an existing unplatted tract.

The property is currently zoned Residential 3 (R3).

Date Application Filed:	April 27, 2026
Planning and Zoning Meeting:	May 27, 2026
Days in Review:	30 Days
Extension Approved:	May 27, 2026
Date Resubmitted:	May 26, 2026
Planning and Zoning Meeting:	June 10, 2026
Days in Review:	15 Days

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 additional time to work through staff's comments on the plat and allow for additional review (see Exhibit 5). The applicant may request additional 30-day extensions in the future if they are determined to be necessary.

This is the second extension request for this item.

### **OPTIONS**

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

### **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 July 1, 2026. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

February 2002	City Council	New DDC Zoning Code & City-wide zoning change – rezoned to new Neighborhood Residential 2 (NR-2) district.	Approved
October 1, 2019	City Council	Citywide Zoning Map Update – Zoning Reclassified to R3	Approved Citywide Zoning Map Update
May 27, 2026	Planning & Zoning Commission	Final Plat	Extension Approved

**PUBLIC OUTREACH**

No public outreach is required for a final plat.

**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. Extension Request

Respectfully submitted:  
 Hayley Zagurski, AICP  
 Planning Director

Prepared by:  
 Sean Jacobson  
 Senior Planner

# Planning Staff Analysis

## FP26-0014a/Affordable Estates Addition

### District 3

### Planning & Zoning Commission

**REQUEST:**

Final plat for an approximately 1.832-acre site

**APPLICANT:**

Grayson Hughes of Sutherland King Consulting, on behalf of the property owner, Denton Affordable Housing Corporation.

**RECOMMENDATION:**

Staff recommends denial of this plat as it does not meet the established criteria for approval.

## Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<b>1. Generally</b>			
<p><b>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.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px;"> <p>The proposed Final Plat does not meet all criteria set forth by the Final Plat Checklist (FPC), authorized by Denton Development Code (DDC) Subsection 2.6.4D.3. Prior to approval, the following comments must be addressed:</p> <ol style="list-style-type: none"> <li>1. Provide plat notes in accordance with the Standard Plat notes. (FPC 5.8)</li> <li>2. Label right-of-way (ROW) dedication. (FPC 3.13 and 4.1)</li> <li>3. Correctly identify the FEMA Flood Zone in which the property is located. (FPC 3.11 and DDC 7.5.3)</li> <li>4. Provide copy of computer-generated closure sheet. (FPC 5.2)</li> <li>5. Add note regarding reconstructing water and sewer lines in compliance with Texas Administrative Code Title 30 Part 1 Chapters 217 and 290 and the City of Denton Code of Ordinances. (FPC 6.7)</li> </ol> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>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.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not meet all applicable review criteria of DDC Section 2.6.4D as described herein.</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><b>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.</b>  <b>Findings:</b>  <div data-bbox="253 331 1037 432" style="border: 1px solid black; padding: 5px;">There is no conflict.</div></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>2. Prior Approvals</b>			
<p><b>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.</b>  <b>Findings:</b>  <div data-bbox="253 678 1032 747" style="border: 1px solid black; padding: 5px;">There are no prior approvals for this property.</div></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>3. Consistent with Comprehensive Plan and Other Applicable Plans</b>			
<p><b>The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</b>  <b>Findings:</b>  <div data-bbox="245 921 1027 1136" 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></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>a. The decision-making authority shall weigh competing plan goals, policies, and strategies.</b>  <b>Findings:</b>  <div data-bbox="253 1274 1037 1505" style="border: 1px solid black; padding: 5px;">There are no competing plan goals, policies, and strategies for this site.</div></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>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.</b>  <b>Findings:</b>  <div data-bbox="253 1680 1037 1743" style="border: 1px solid black; padding: 5px;">Not applicable.</div></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<b>4. Compliance with this DDC</b>			
<p><b>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.</b>  <b>Findings:</b></p> <div data-bbox="253 338 1198 709" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not comply with the applicable DDC requirements as described herein:</p> <ol style="list-style-type: none"> <li>1. Plat cannot be approved until Civil Engineering Plans are approved. (DDC 2.6.4C.2d)</li> <li>2. Correctly identify the FEMA Flood Zone in which the property is located. (FPC 3.11 and DDC 7.5.3)</li> <li>3. Compliance with DDC ROW dedication requirements is unclear until ROW is properly labeled. Provide this information to show compliance. (DDC 7.8.7A-B)</li> </ol> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</b>  <b>Findings:</b></p> <div data-bbox="253 877 1149 978" style="border: 1px solid black; padding: 5px;"> <p>The proposed Final Plat provides sufficient detail required for the submittal.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>5. Compliance with Other Applicable Regulations</b>			
<p><b>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.</b>  <b>Findings:</b></p> <div data-bbox="253 1247 1117 1703" style="border: 1px solid black; padding: 5px;"> <p>The proposed Final Plat does not comply with all other city regulations, in the following ways:</p> <ol style="list-style-type: none"> <li>1. Provide note regarding water and wastewater line reconstruction to ensure compliance with state and City of Denton code, as discussed further in Criterion 1. (FPC 6.7)</li> <li>2. The need for an elevation certificate for any structure proposed within the FEMA floodplain buffer should be included in a note on the plat. (Denton Code of Ordinances Section 30-53(a); Section 30-33).</li> </ol> </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
<b>6. Consistent with Interlocal and Development Agreements</b>			
<p>a. <b>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.</b>  <b>Findings:</b></p> <div data-bbox="253 369 1115 508" style="border: 1px solid black; padding: 5px;"> <p>There are no development agreements applicable to this Final Plat.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>7. Minimizes Adverse Environmental Impacts</b>			
<p>a. <b>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.</b>  <b>Findings:</b></p> <div data-bbox="253 869 1115 968" 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"/>
<b>8. Minimizes Adverse Impacts on Surrounding Property</b>			
<p>a. <b>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.</b>  <b>Findings:</b></p> <div data-bbox="253 1304 1115 1423" 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"/>
<b>9. Minimizes Adverse Fiscal Impacts</b>			
<p>a. <b>The proposed development should not result in significant adverse fiscal impacts on the city.</b>  <b>Findings:</b></p> <div data-bbox="253 1694 1115 1814" 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"/>

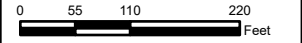
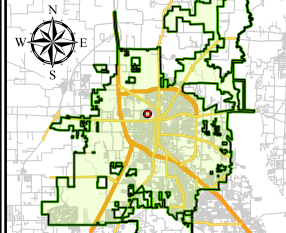
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<b>10. Compliance with Utility, Service, and Improvement Standards</b>			
<p>a. As applicable, the proposed development shall comply with federal, state, county, service district, city and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards.</p> <p><b>Findings:</b></p> <div data-bbox="253 401 1133 527" style="border: 1px solid black; padding: 5px;"> Compliance with regulatory standards for roadways and drainage cannot be determined until additional information is provided, as discussed further in Criterion 4. </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>11. Provides Adequate Road Systems</b>			
<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><b>Findings:</b></p> <div data-bbox="253 800 1117 947" style="border: 1px solid black; padding: 5px;"> Adequate road capacity cannot be determined until applicant correctly labels size of proposed ROW dedication, as discussed in Criterion 4.a. (DDC 7.8.7A-B) </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>12. Provides Adequate Public Services and Facilities</b>			
<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><b>Findings:</b></p> <div data-bbox="253 1314 1102 1465" style="border: 1px solid black; padding: 5px;"> Until CEPs are approved, it cannot be determined if adequate public service and facility capacity exists to accommodate uses permitted under the proposed development. </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>13. Rational Phasing Plan</b>			
<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><b>Findings:</b></p> <div data-bbox="253 1738 1102 1835" style="border: 1px solid black; padding: 5px;"> There is no phasing plan associated with the proposed Final Plat. </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><b>14. Whether the final plat conforms to the preliminary plat, including any conditions of approval.</b></p> <p><b>Findings:</b></p> <div data-bbox="204 300 1037 405" style="border: 1px solid black; padding: 5px;"> <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><b>15. Whether the development will substantially comply with all requirements of this DDC.</b></p> <p><b>Findings:</b></p> <div data-bbox="204 541 1024 684" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not comply with the applicable requirements of the Denton Development Code as detailed in Criterion 4.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>16. Whether the development will comply with the applicable technical standards and specifications adopted by the City.</b></p> <p><b>Findings:</b></p> <div data-bbox="204 825 1078 995" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat has not established compliance with all applicable technical standards of City of Denton, as detailed in Criteria 1 and 5.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

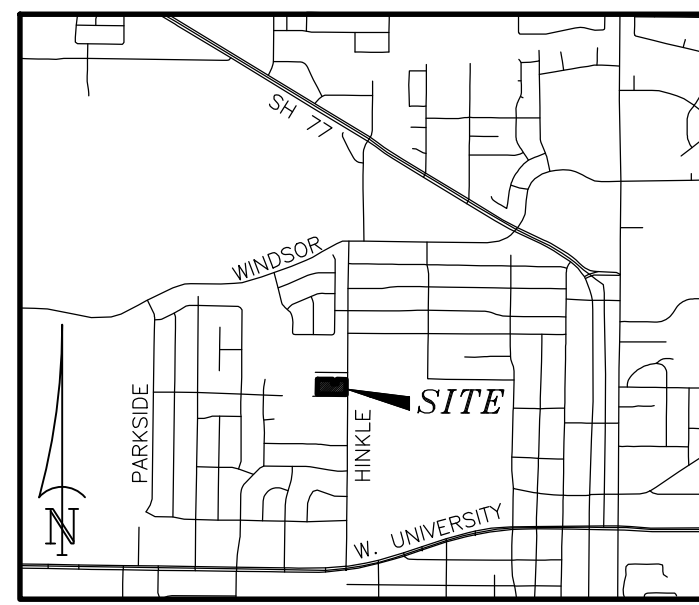
# FP26-0014 Aerial Site Location



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



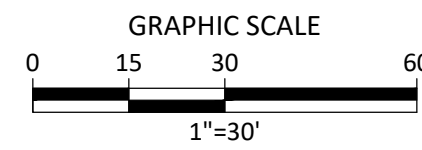
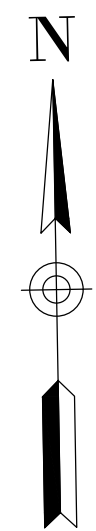
\*This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Although every effort was made to ensure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



VICINITY MAP  
NOT TO SCALE

LEGEND

- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS
- D.R.D.C.T. DEED RECORD, DENTON COUNTY, TEXAS
- P.R.D.C.T. PLAT RECORDS, DENTON COUNTY, TEXAS
- R.O.W. RIGHT-OF-WAY
- C.M. CONTROLLING MONUMENT
- SQ. FT. SQUARE FEET
- INST. NO. INSTRUMENT NUMBER
- CAB. CABINET
- VOL. VOLUME
- PG. PAGE
- FOUND/SET MONUMENT (AS NOTED)
- SUBJECT PROPERTY
- - - OFFSITE PROPERTY
- - - EASEMENT LINE
- - - CENTERLINE OF RIGHT-OF-WAY
- OHE OVERHEAD ELECTRIC



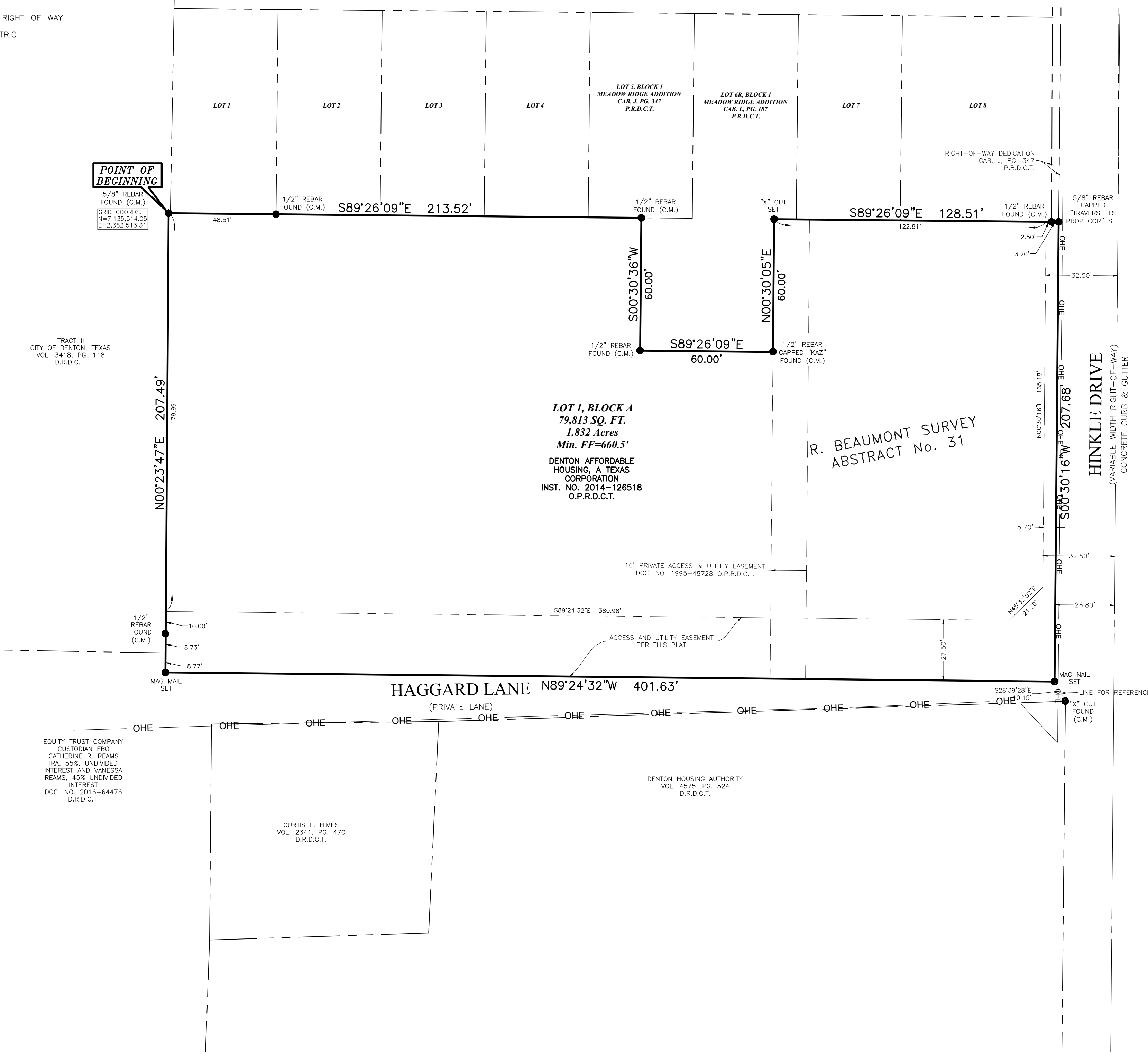
GENERAL NOTES

1. The purpose of this plat is to create one recorded lot out of a tract of land.
3. The Bearings and grid coordinates shown on this plat are based on the Texas State Plane Coordinate System, NAD83, North Central Zone is derived from GPS Observations using the Altimera RTK Network and adjusted to surface using a scale factor of 1.00015063.
4. This plat was prepared to meet City of Denton and Denton County requirements. This plat was prepared without the benefit of a title commitment.
5. This plat lies wholly within the City Limits of Denton, and Denton County.
6. Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law, and is subject to fines and/or withholding of utilities and building permits.
7. Approval of this plat will expire two years from Planning and Zoning Commission approval if not recorded in the Real Property Records of the County of Denton.
8. There are no gas, petroleum, or similar common carrier pipelines or pipeline easements within the limits of the subdivision.
9. All landscaping and structures, including fences, on or adjacent to easements and at intersections shall conform to the City of Denton and AASHTO site distance requirements for motorists.
10. No owner of the land subject to an easement may place, build, or construct any permanent building, structure, or obstruction of any kind over, under, or upon the easement, provided that such owner may cross or cover the easement with a paved driveway or paved parking lot under the following conditions:
  - a. The driveway shall be jointed at the boundary line of the easement to limit the amount of paving that must be removed to provide access; and
  - b. There shall be no obligation of the City to replace or repair any paving removed in the exercise of this easement.
  - c. No pavement shall be constructed in a drainage or floodplain easement unless specifically approved by the City Engineer of the City of Denton.
11. Maintenance of all private sanitary sewer, storm sewer, and water facilities onsite shall be the responsibility of the property owner. The City of Denton shall have no responsibility to maintain such facilities.
12. Encroachment of private improvements into public easements shall not be permitted.
13. A Tree Survey and Preservation Plan will be required to proceed with Building Permits on the subject site within the city limits. Minimum Tree Preservation requirements of the Denton Development Code Section 7.7.4, must be met within the city limits prior to the release of any permits.
14. Sidewalks shall be constructed as required by Transportation Criteria Manual and section 7.8.11 of the Design Standards of the City of Denton, except in the case of streets where a payment in lieu of construction agreement per DDC 7.8.7D has been approved by the City of Denton. Prior to the acceptance of streets within the subdivision by the City of Denton, sidewalks shall be constructed by the developer along all streets where houses will not front or side. Homebuilders shall construct sidewalks along streets on which homes front and along streets on which homes side before building permits will be filed.
15. Wastewater utility service will be provided by City of Denton.
18. Water utility service will be provided by the City of Denton.
20. I have reviewed the FEMA Flood Insurance Rate map for the City of Denton, Community Number 4810194 effective date 4-18-2011 and that map indicates as scaled, that this property is within "Non-Shaded Zone X" defined as "areas determined to be outside of the 0.2% annual chance flood (500-year) as shown on Panel 48121C0360G of said map.
21. Vertical Datum used for the minimum finished floor elevations is NAD83 and is the same as the datum used to establish 100-year base flood elevations.
22. The Minimum Finish Floor (Slab) Elevation shall be 660.5 feet, one foot above top of curb, 1.5 feet above natural ground, 30 inches above Base Flood Elevation of North Pease Creek or, if applicable, as indicated on individual lot, whichever elevation is higher. Natural ground contours indicated are prior to development of the tract.
26. This property is subject to zoning by City of Denton ordinance and all regulations set forth therein.
27. As required by Section 8.2.5B of the Development Code, the City shall not issue any permits for construction within the subdivision within the corporate limits, except permits to construct public improvements, until such time as all public improvements of the subdivision have been constructed and accepted by the City or a certified check, performance bond, or letter of credit is provided to and accepted by the City.
29. Driveway requirements for the locations, widths and offset from and intersection and any existing driveways or proposed driveways, shall conform to Section 7.8.9 of the Development Code and in the relevant section of the Transportation Criteria Manual of the City of Denton.
30. Street trees located within the right-of-way shall not be planted within 10 feet of either side of side lot lines.
33. 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 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.
44. All numbers omitted above are City of Denton Master Notes that do not apply to this property and were intentionally omitted

FLOOD NOTES

I have reviewed the FEMA Flood Insurance Rate map for the City of Denton, Community Number 48121 effective date 4-18-2011 and that map indicates as scaled, that this property isn't within "Non-Shaded Zone X" defined as "areas determined to be outside the 0.2% annual chance flood (500-year)" as shown on Panel 48121C0360G of said map.

MEADOW RIDGE DRIVE  
(50' RIGHT-OF-WAY)



TRACT II  
CITY OF DENTON, TEXAS  
VOL. 3418, PG. 118  
D.R.D.C.T.

EQUITY TRUST COMPANY  
CUSTODIAN FRD  
CATHERINE R. REAMS  
IRA, 55% UNDIVIDED  
INTEREST AND VANESSA  
REAMS, 45% UNDIVIDED  
INTEREST  
DOC. NO. 2016-64476  
D.R.D.C.T.

CURTIS L. HIMES  
VOL. 2341, PG. 470  
D.R.D.C.T.

LOT 1, BLOCK A  
79,813 SQ. FT.  
1.832 Acres  
Min. FF=660.5'  
DENTON AFFORDABLE  
HOUSING, A TEXAS  
CORPORATION  
INST. NO. 2014-126518  
O.P.R.D.C.T.

DENTON HOUSING AUTHORITY  
VOL. 4576, PG. 324  
D.R.D.C.T.

STATE OF TEXAS  
COUNTY OF DENTON

WHEREAS Denton Affordable Housing, A Texas Corporation are the owners of a 1.832 acre tract of land situated in the R. Beaumont Survey, Abstract Number 31, Denton County, Texas, being all of a tract of land described to Denton Affordable Housing, a Texas Corporation by deed recorded in Instrument Number 2014-126518, Official Public Records, Denton County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch rebar found for the northwest corner of hereindescribed tract, same being a point on the east line of a tract of land referenced as "Tract II" described to the City of Denton, Texas by deed recorded in Volume 3418, Page 118, Deed Records, Denton County, Texas;

THENCE South 89 degrees 26 minutes 09 seconds East, departing an east line of said City of Denton tract, with the south line of Lot 1, Block 1 of Meadow Ridge Addition, an addition to the City of Denton, as recorded in Cabinet J, Page 347, Plat Records, Denton County, Texas, passing at a distance of 48.51 feet a 1/2 inch rebar found for the southeast corner of said Lot 1, same being the southwest corner of Lot 2 of said Meadow Ridge Addition, continuing with the south line of said Block 1, a total distance of 213.52 feet to a 1/2 inch rebar found for the westernmost northwest corner of Lot 6R, Block 1 of Meadow Ridge Addition, an addition to the City of Denton, as recorded in Cabinet L, Page 187, Plat Records, Denton County, Texas;

THENCE South 00 degrees 30 minutes 36 seconds West, with the westernmost line of said Lot 6R, a distance of 60.00 feet to a 1/2 inch rebar found for the southwesternmost corner of said Lot 6R;

THENCE South 89 degrees 26 minutes 09 seconds East, with the south line of said Lot 6R, a distance of 60.00 feet to a 1/2 inch rebar capped "KAZ" found for the southeasternmost corner of said Lot 6R;

THENCE North 00 degrees 30 minutes 05 seconds East, with the southeasternmost line of said Lot 6R, a distance of 60.00 feet to an "X" Cut set for corner;

THENCE South 89 degrees 26 minutes 09 seconds East, with a south line of said Lot 6R, continuing with the south line of said Block 1, passing a 1/2 inch rebar found for the southeast corner of Lot 8, Block 1 of said first referenced Meadow Ridge Addition, a distance of 125.31 feet and continuing a total distance of 128.51 feet to a 5/8 inch rebar capped "TRAVERSE LS PROP COR" set for corner on the west right-of-way line of Hinkle Drive (Variable Width right-of-way);

THENCE South 00 degrees 30 minutes 16 seconds West, with the west right-of-way line of said Hinkle Drive, a distance of 207.68 feet to a Mag Nail set at the intersection of the west right-of-way line of said Hinkle Drive and the north right-of-way line of Haggard Lane (Private Drive);

THENCE North 89 degrees 24 minutes 32 seconds West, with the north line of said Haggard Lane, a distance of 401.63 feet to a mag nail set in said Haggard Lane;

THENCE North 00 degrees 23 minutes 47 seconds East, departing said Haggard Lane, passing the southeast corner of said Tract II, continuing with the east line of said Tract II, a total distance of 207.49 feet to the POINT OF BEGINNING and containing 79,813 square feet or 1.832 acres of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT Denton Affordable Housing, A Texas Corporation, acting herein by and through its duly authorized officers, do/does hereby adopt this plat designating the hereinabove described property as Lot 1, Block A, Affordable Estates, an addition to the City of Denton, Denton County, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, or other improvements shall be constructed or placed upon, over, or across the easements as shown. The City of Denton shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Denton shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, inspecting, patrolling, maintaining, repairing, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

OWNER: \_\_\_\_\_ DATE: \_\_\_\_\_

By: \_\_\_\_\_

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Denton, Texas.

Witness, my hand at \_\_\_\_\_, This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

STATE OF TEXAS §

COUNTY OF \_\_\_\_\_ §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, 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 purposes and consideration therein expressed and in the capacity therein and herein set out and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS: That I, David F. McCullah, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision.

STATE OF TEXAS §  
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, a notary public in and for the State of Texas, on this day personally appeared David F. McCullah, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated.

GIVEN under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

David F. McCullah  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 4023

Notary Public in and for the State of Texas

DATE: \_\_\_\_\_



359 Lake Park Road, Suite 102, Lewisville, Texas 75057 T: 469.784.9321 E: grayson@traverselandsurveying.com  
W: TraverserLandSurveying.com | Texas Firm No. 10194631

Surveying | Construction Staking | Platting

Date: 2026-05-22 Project No.: TR-191-23

OWNER/DEVELOPER  
Contact: Carrie Baugus  
Denton Affordable Housing Corporation  
211 Second Street  
Denton, Texas 76201  
carrie@dentonaffordablehousing.com

FINAL PLAT  
LOT 1, BLOCK A  
AFFORDABLE ESTATES

BEING 1.832 ACRES  
OUT OF THE R. BEAUMONT SURVEY,  
ABSTRACT NO. 31 CITY OF DENTON, DENTON  
COUNTY, TEXAS  
CITY OF DENTON PROJECT NUMBER: FP26-0012

RESERVED FOR DENTON COUNTY USE

Z:\PROJECTS\2023\TR-191-23 - Denton\DWG\DR-191-23 - 2403 Hinkle Drive - Denton



June 3, 2026

2026.003

City of Denton Department of Development Services  
215 E. McKinney Street  
Denton, TX 76201

RE: Request for Plat Application Extension  
**FP26-0014**

To whom it may concern,

SUTHERLAND KING CONSULTING, LLC (SKC) is providing this letter as applicant for a formal request to extend the 30-day shot clock for the above reference Final Plat Application.

We request to continue to work with staff through comments to have this plat ready to go to the next available agenda once Civil Engineering Plans associated with the referenced project are approved.

If you should have any questions about this request, please do not hesitate to contact the SKC office for clarification.

Regards,

**Sutherland King Consulting, LLC**  
Texas Engineering Firm No. F-22938

A handwritten signature in blue ink, appearing to read 'Grayson K. Hughes'.

Grayson K. Hughes, P.E.  
Founder / Principal





# City of Denton

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

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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**ACM:** Kenneth Hedges

**DATE:** June 10, 2026

### **SUBJECT**

Consider a request by Mitchell Ryan of Trailspur, LLC, on behalf of the property owner, for approval of a Flex Business Park Addition, Block 1, Lot 1. The approximately 4.991-acre site is generally located on the west side of Rankin Drive, at the intersection of Rankin Drive and Leatherwood Lane, in the City of Denton's Extraterritorial Jurisdiction Division 1, Denton County, Texas. (FP26-0015a, Flex Business Park Addition, Sean Jacobson)

### **BACKGROUND**

The purpose of this Final Plat is to create one platted lot from an existing unplatted tract.

The property is in the City's Extraterritorial Jurisdiction (ETJ) Division 1. While the City of Denton's subdivision regulations are applicable in the ETJ, the City has no zoning authority or land use authority in the ETJ.

Date Application Filed:	April 27, 2026
Planning and Zoning Meeting:	May 27, 2026
Days in Review:	30 Days
Extension Approved:	May 27, 2026
Date Resubmitted:	May 26, 2026
Planning and Zoning Meeting:	June 10, 2026
Days in Review:	15 Days

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 additional time to work through staff's comments on the plat and allow for additional review (see Exhibit 5). The applicant may request additional 30-day extensions in the future if they are determined to be necessary.

This is the second extension request for this item.

### **OPTIONS**

1. Approve requested extension
2. Approve as submitted

3. Deny with reasons

**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 July 1, 2026. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

May 27, 2026	Planning & Zoning Commission	Final Plat	Extension Approved
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**PUBLIC OUTREACH**

No public outreach is required for a final plat.

**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. Extension Request
6. LLC Members List

Respectfully submitted:  
Hayley Zagurski, AICP  
Planning Director

Prepared by:  
Sean Jacobson  
Senior Planner

# Planning Staff Analysis

## FP26-0015a/Flex Business Park Addition

### ETJ

### Planning & Zoning Commission

**REQUEST:**

Final plat for an approximately 4.991-acre site.

**APPLICANT:**

Mitchel Ryan of Trailspur, LLC, on behalf of the property owner, TCP Leatherwood, LLC.

**RECOMMENDATION:**

Staff recommends denial of this plat as it does not meet the established criteria for approval.

## Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<b>1. Generally</b>			
<p><b>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.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px;">Proposed plat does not comply with all general applicable review criteria, as detailed herein.</div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>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.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px;">The Final Plat does not meet all applicable review criteria of DDC Section 2.6.4D as described herein.</div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>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.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px;">There is no conflict.</div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>2. Prior Approvals</b>			
<p><b>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.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px;">There are no prior approvals for this property.</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><b>3. Consistent with Comprehensive Plan and Other Applicable Plans</b>  <b>The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</b>  <b>Findings:</b></p> <div data-bbox="237 369 1024 501" 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>a. The decision-making authority shall weigh competing plan goals, policies, and strategies.</b>  <b>Findings:</b></p> <div data-bbox="248 642 1036 739" 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>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.</b>  <b>Findings:</b></p> <div data-bbox="253 909 1040 984" style="border: 1px solid black; padding: 5px;"> <p>Not 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		
<p><b>4. Compliance with this DDC</b></p>			
<p><b>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.</b>  <b>Findings:</b></p> <div data-bbox="253 1171 1287 1913" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not comply with the applicable DDC requirements as described herein:</p> <ol style="list-style-type: none"> <li>1. Provide notes indicating how adequate water will be provided for the development, whether by the City of Denton or, where permitted, by an alternative water or wastewater service or facility. (DDC 8.4.10-11 and FPC 2.14)</li> <li>2. Plat cannot be approved until Civil Engineering Plans are approved. (DDC 2.6.4C.2d)</li> </ol> <p>The proposed Final Plat does not meet all criteria set forth by the Final Plat Checklist (FPC), authorized by Denton Development Code (DDC) Subsection 2.6.4D.3. Prior to approval, the following comments must be addressed:</p> <ol style="list-style-type: none"> <li>1. Provide plat notes and approval block in accordance with the Standard Plat notes for a Final Plat. (FPC 5.8)</li> <li>2. Provide copy of computer-generated closure sheet. (FPC 5.2)</li> <li>3. Provide and label ROW corner clip dedications. Provide line and curve data for dedications. (DCM 5.4.1, DCM 5.4.2 and FPC 3.16)</li> <li>4. Fire lanes are not easements – remove depicted fire lanes from the plat. (FPC 3.6)</li> <li>5. Depict all overhead electric distribution and transmission line clearance zones intersecting or adjacent to the property. (FPC 2.19)</li> </ol> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

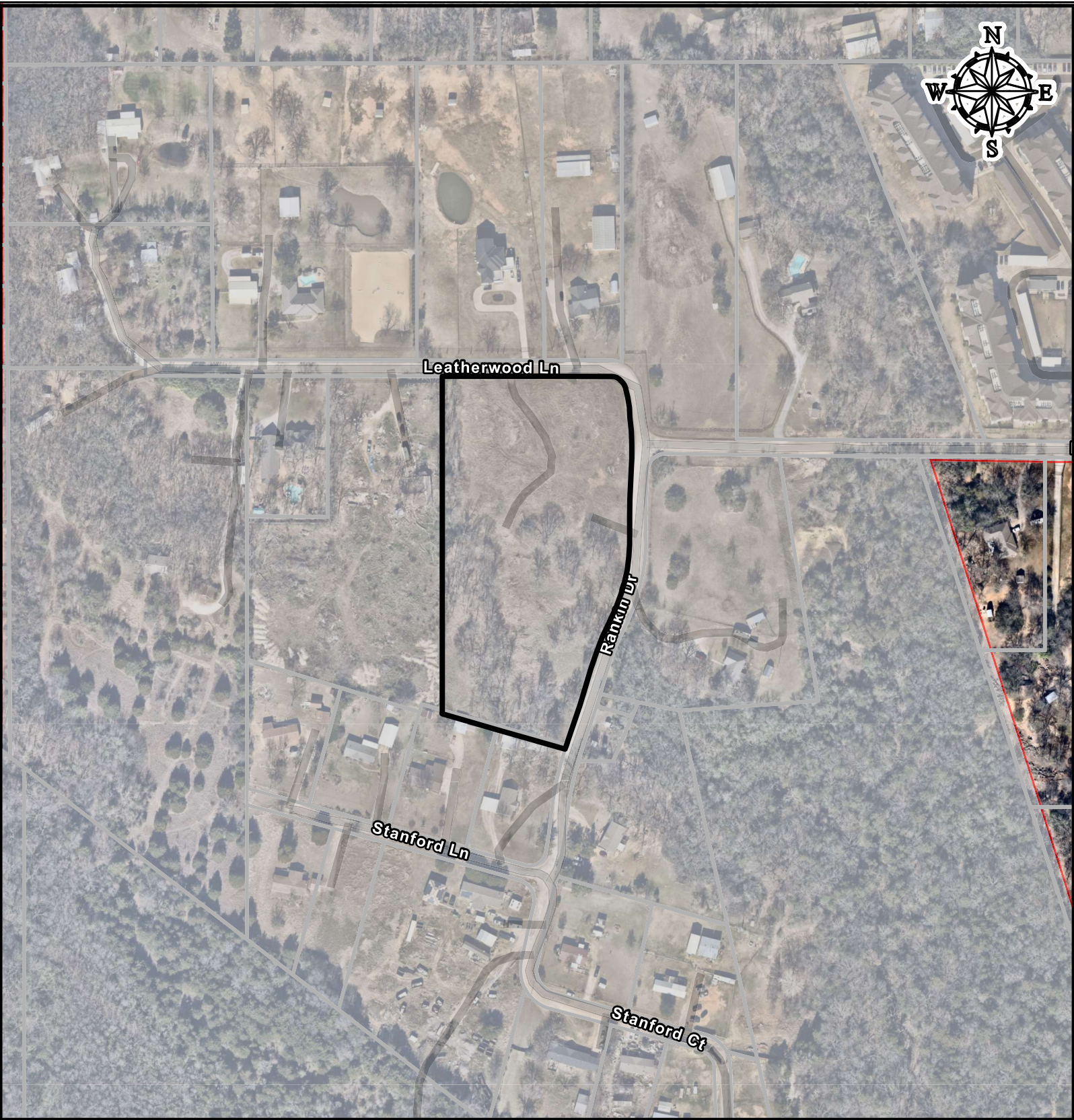
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p><b>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</b>  <b>Findings:</b>  <div data-bbox="256 361 1156 508" style="border: 1px solid black; padding: 5px;"> <p>The proposed Final Plat provides sufficient detail required for the submittal.</p> </div></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>5. Compliance with Other Applicable Regulations</b>			
<p><b>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.</b>  <b>Findings:</b>  <div data-bbox="256 716 1156 846" style="border: 1px solid black; padding: 5px;"> <p>The proposed Final Plat does not comply with all standards of the Denton Criteria Manual as further discussed in Criterion 4 above.</p> </div></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>6. Consistent with Interlocal and Development Agreements</b>			
<p><b>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.</b>  <b>Findings:</b>  <div data-bbox="256 1056 1115 1144" style="border: 1px solid black; padding: 5px;"> <p>There are no development agreements applicable to this Final Plat.</p> </div></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>7. Minimizes Adverse Environmental Impacts</b>			
<p><b>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.</b>  <b>Findings:</b>  <div data-bbox="256 1421 1122 1522" 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"/>
<b>8. Minimizes Adverse Impacts on Surrounding Property</b>			
<p><b>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.</b>  <b>Findings:</b>  <div data-bbox="256 1757 1117 1879" 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"/>






Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<b>9. Minimizes Adverse Fiscal Impacts</b>			
<p><b>a. The proposed development should not result in significant adverse fiscal impacts on the city.</b>  <b>Findings:</b></p> <div data-bbox="261 338 1122 464" 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"/>
<b>10. Compliance with Utility, Service, and Improvement Standards</b>			
<p><b>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.</b>  <b>Findings:</b></p> <div data-bbox="253 726 1130 869" style="border: 1px solid black; padding: 5px;"> <p>As discussed further in Criterion 4:  1. ROW corner clip dedication is required. (DCM 4.5.1, DCM 5.4.2, FPC 3.16)</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>11. Provides Adequate Road Systems</b>			
<p><b>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.</b>  <b>Findings:</b></p> <div data-bbox="253 1146 1117 1302" style="border: 1px solid black; padding: 5px;"> <p>As discussed further in Criterion 4, ROW corner clip dedication is required, and this is needed in order to ensure access onto the site. (DCM 4.5.1, DCM 5.4.2, FPC 3.16)</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>12. Provides Adequate Public Services and Facilities</b>			
<p><b>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.</b>  <b>Findings:</b></p> <div data-bbox="261 1688 1110 1818" style="border: 1px solid black; padding: 5px;"> <p>Plat notes are needed to establish that the lot will be served by City of Denton water service as required by DDC 8.4.10-11. (FPC 2.14-15)</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

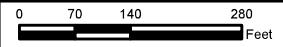
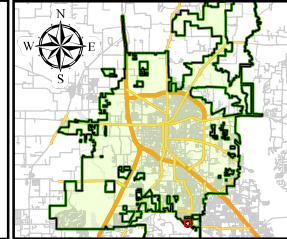
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<b>13. Rational Phasing Plan</b>			
<p>a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required for that phase, and may not defer those improvements to subsequent phases.</p> <p><b>Findings:</b></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><b>14. Whether the final plat conforms to the preliminary plat, including any conditions of approval.</b></p> <p><b>Findings:</b></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><b>15. Whether the development will substantially comply with all requirements of this DDC.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>The Final Plat does not comply with the applicable requirements of the Denton Development Code as detailed in Criterion 4.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>16. Whether the development will comply with the applicable technical standards and specifications adopted by the City.</b></p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>The Final Plat has not established compliance with all applicable technical standards of City of Denton, as detailed in Criteria 5 and 10.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

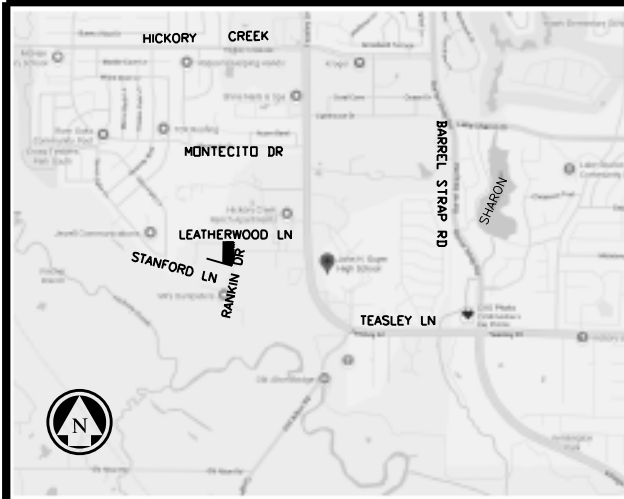
# FP26-0015 Aerial Site Location



-  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."



VICINITY MAP  
N.T.S.

- 1.) The purpose of this plat is to Plat a 4.991 Acre tract of land into Lot 1, Block 1, Flex Business Park Addition
- 2.) Elevations used for delineating contour lines are based upon NAVD 1988 datum.
- 3.) The bearings and grid coordinates shown on this plat are based on True North obtained from Global Positioning System (GPS) Observations, North American Datum 1983 (NAD '83), Texas State Plane Coordinate System, North Central Zone.
- 4.) This plat was prepared to meet City of Denton and Denton County requirements. This plat was prepared from information furnished by First American Title guaranty Company, g.f. no. 25-0943, effective date March 12, 2026. The surveyor has not abstracted the above property.
- 5.) This plat lies wholly within the City Limits of Denton (or) the ETJ of the City of Denton, and Denton County.
- 6.) Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law, and is subject to fines and/or withholding of utilities and building permits.
- 7.) Approval of this plat will expire two years from Planning and Zoning Commission approval if not recorded in the Real Property Records of the County of Denton.
- 8.) There are no gas, petroleum, or similar common carrier pipelines or pipeline easements within the limits of the subdivision.
- 9.) All landscaping and structures, including fences, on or adjacent to easements and at intersections shall conform to the City of Denton and AASHTO site distance requirements for motorists.
- 10.) No owner of the land subject to an easement may place, build, or construct any permanent building, structure, or obstruction of any kind over, under, or upon the easement, provided that such owner may cross or cover the easement with a paved driveway or paved parking lot under the following conditions:
  - a. The driveway shall be jointed at the boundary line of the easement to limit the amount of paving that must be removed to provide access; and
  - b. There shall be no obligation of the City to replace or repair any paving removed in the exercise of this easement.
  - c. No pavement shall be constructed in a drainage or floodplain easement unless specifically approved by the City Engineer of the City of Denton.
- 11.) Maintenance of all private sanitary sewer, storm sewer, and water facilities onsite shall be the responsibility of the property owner. The City of Denton shall have no responsibility to maintain such facilities.
- 12.) Encroachment of private improvements into public easements shall not be permitted.
- 13.) There was no observed evidence of any protected trees on the subject property at the time of the survey.

- 14.) Sidewalks shall be constructed as required by the Transportation Criteria Manual and Section 7.8.11 of the Design Standards of the City of Denton, except in the case of streets where a payment in lieu of construction agreement per DDO 7.8.7D has been approved by the City of Denton. Prior to the acceptance of streets within the subdivision by the City of Denton, sidewalks shall be constructed by the developer along all streets where non-residential construction will not front or side. Commercial building developers shall construct sidewalks along streets on which non-residential construction front and along streets on which non-residential construction side before certificates of occupancy will be issued.
- 15.) Wastewater utility service will be provided by City of Denton.
- 16.) Water utility service will be provided by City of Denton.
- 17.) For lots that will be served by City of Denton or private water utility:
  - a. Water utility service will be provided by City of Denton.
- 18.) All drainage easements are to be kept clear of fences, buildings, trees, and other obstructions to the operation and maintenance of the drainage facility.
- 19.) Flood Statement: I have reviewed the FEMA Flood Insurance Rate map for the City of Denton, Community Number 48121 effective date 6-19-2020 and that map indicates as scaled, that this property is within "Non-Shaded Zone X" defined as "areas determined to be outside the 0.2% annual chance flood (500-year)" as shown on Panel 389H of said map.
- 20.) Vertical datum used for the minimum finished floor elevations is NAVD 88 and is the same as the datum used to establish 100-year base flood elevations.
- 21.) The Minimum Finish Floor (Slab) Elevation shall be 559.7 feet, one foot above top of curb, 1.5 feet above natural ground, or, if applicable, as indicated on individual lot, whichever elevation is higher. Natural ground contours indicated are prior to development of the tract.
- 22.) 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 Easement within the limits of this addition shall remain accessible 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 of ingress and egress for the purpose of inspection and supervision of maintenance by the owners to alleviate any undesirable conditions that may occur. Furthermore, 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, 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. Stormwater structures within the bounds of the detention pond easements are subject to the conditions of a Stormwater Facilities Maintenance Agreement between the City and the owners of the property. A copy of this agreement is filed with Denton County under the following document recording number \_\_\_\_\_ insert SWFMA document recording number \_\_\_\_\_
- 23.) Master Note N/A
- 24.) Master Note N/A
- 25.) Master Note to be determined by City
- 26.) 29.30,31,32,33,34,35,36,37,38,39,40,41,42,43," Master Note N/A"
- 27.) All numbers omitted above are City of Denton Master Notes that do not apply to this property and were intentionally omitted.

KNOW ALL MEN BY THESE PRESENTS:

"I, Edward Khalil, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this subdivision is true and correct; was prepared from an actual and accurate survey of the land, according to the standards of practice of the Texas Board of Professional Land Surveyors; and that all previously existing property monuments are sufficiently described on this document as found and all set monuments meet or exceeds the requirements of section 138.87, The State of Texas, Texas Engineering and Land Surveying Practice Acts and Rules concerning Practice and Licensure."

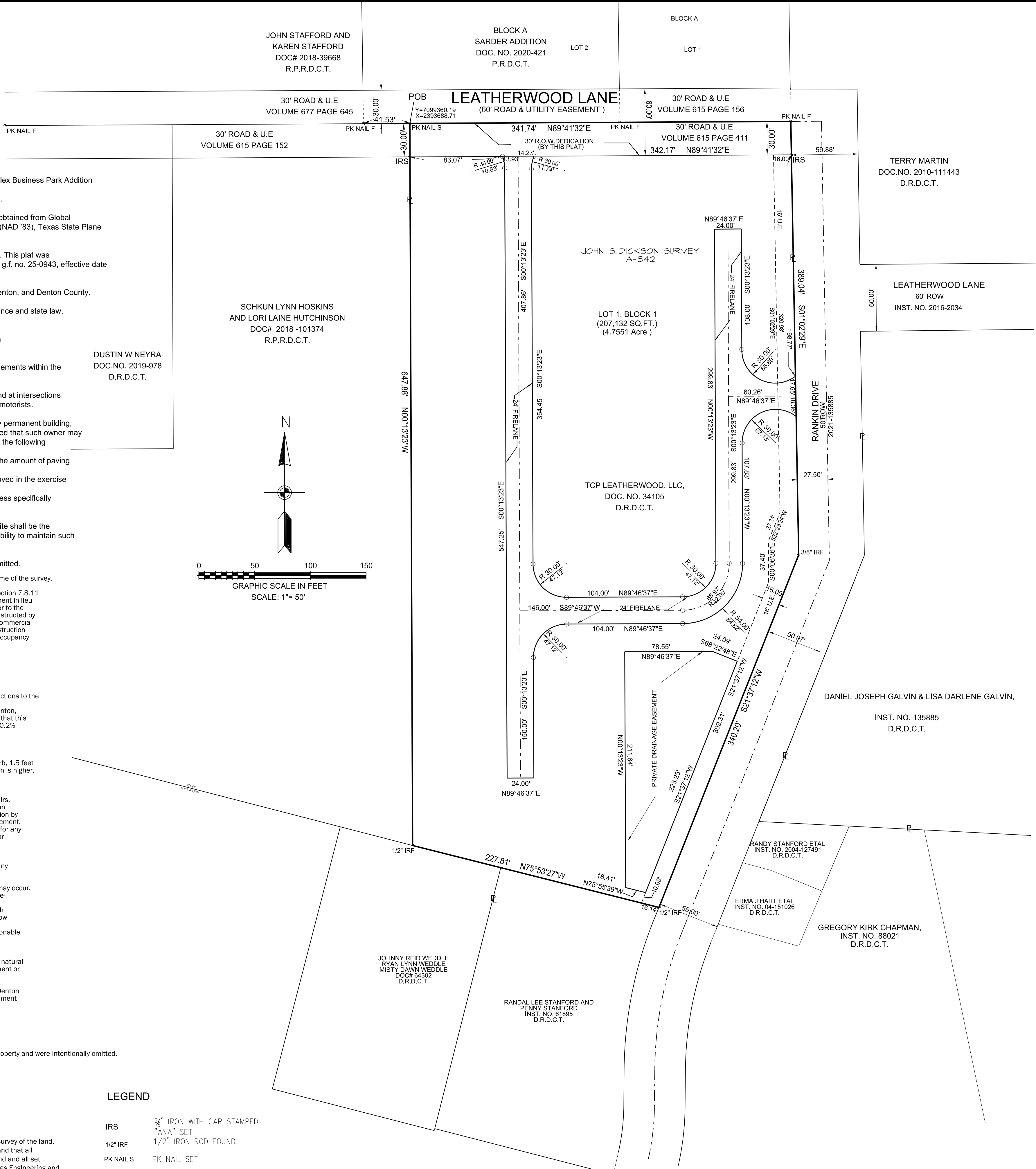
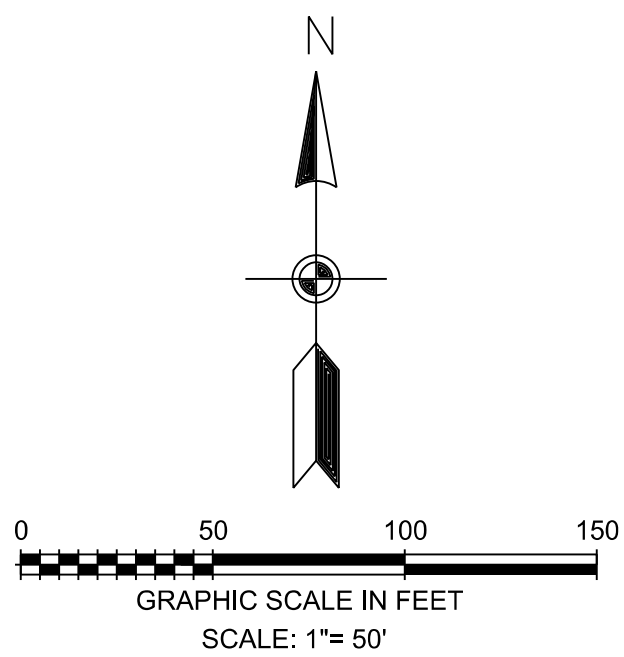
\_\_\_\_\_, R.P.L.S. Date



LEGEND

- IRS 3/8" IRON WITH CAP STAMPED "ANA" SET
- 1/2" IRF 1/2" IRON ROD FOUND
- PK NAIL S PK NAIL SET
- PL PROPERTY LINE
- SSE SANITARY SEWER EASEMENT

Bearings are relative to True North obtained from Global Positioning Satellite System (GPS) Observations, North American Datum, 1983 (NAD '83), Texas North Central Zone.



ENGINEER / SURVEYOR  
A.N.A. CONSULTANTS, L.L.C.  
5000 THOMPSON TERRACE  
COLLEVILLE, TEXAS 76034  
TEL. (817) 335-9900  
FAX (817) 335-9955

OWNER / DEVELOPER  
TCP LEATHERWOOD, L.L.C.  
4311 W. LOVERS LANE, STE 200  
DALLAS, TX. 75209  
TEL. (817) 692-2974

OWNER'S CERTIFICATION AND DEDICATION STATEMENT  
STATE OF TEXAS  
COUNTY OF DENTON

WHEREAS, TCP LEATHERWOOD, LLC, acting by and through the undersigned, its duly authorized agent, is the sole owner of a tract of land located in the JOHN S. DICKSON SURVEY, ABSTRACT NO. 342, Denton County, Texas, according to the deed recorded in Document Number 34105, of the Deed Records of Denton County, Texas, and being more particularly described as follows:

BEING 4.991 ACRE TRACT OF LAND LOCATED IN THE TANDY JOHN S. DICKSON SURVEY, ABSTRACT NO. 342, DENTON COUNTY, TEXAS, AND BEING ALL OF THAT TRACT OF LAND AS CONVEYED TO TCP LEATHERWOOD, LLC, BY DEEDS RECORDED IN DOCUMENT NUMBER 34105, DEED RECORDS, DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT A PK NAIL SET (N:7099360.19, E:2393688.71) IN THE MIDDLE OF LEATHERWOOD LANE (60' RIGHT-OF-WAY), FOR THE NORTHWEST CORNER OF HEREIN DESCRIBED TRACT, BEING IN THE SOUTH LINE OF LOT 2, BLOCK A, SADER ADDITION, AN ADDITION TO DENTON COUNTY, TEXAS, AS RECORDED IN DOCUMENT NUMBER 2020-421, PLAT RECORDS, DENTON COUNTY, TEXAS, FROM WHICH A PK NAIL FOUND BEARS SOUTH 89 DEGREES 41 MINUTES 32 SECONDS WEST, 41.53 FEET;

**THENCE** NORTH 89 DEGREES 41 MINUTES 32 SECONDS EAST, 341.74 FEET WITH THE APPROXIMATE CENTERLINE OF SAID LEATHERWOOD LANE AND THE NORTH LINE OF HEREIN DESCRIBED TRACT OF LAND TO A PK NAIL FOUND FOR THE NORTHEAST CORNER OF HEREIN DESCRIBED TRACT AND THE SOUTHEAST CORNER OF LOT 1, OF SAID BLOCK A;

**THENCE** SOUTH 01 DEGREES 02 MINUTES 29 SECONDS EAST, 389.04 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF LEATHERWOOD LANE AND THE WEST RIGHT-OF-WAY LINE OF RANKIN DRIVE (50 FOOT RIGHT-OF-WAY) AS PER DOCUMENT NUMBER 2021-135885, OF SAID DEED RECORDS, TO A 3/8 INCH IRON ROD FOUND FOR AN ANGLE POINT IN THE EAST LINE OF HEREIN DESCRIBED TRACT;

**THENCE** SOUTH 21 DEGREES 37 MINUTES 12 SECONDS WEST, 340.20 FEET WITH THE EAST LINE OF HEREIN DESCRIBED TRACT AND THE WEST LINE OF SAID RANKIN DRIVE TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF HEREIN DESCRIBED TRACT AND THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO RANDAL LEE STANFORD AND PENNY STANFORD AS RECORDED IN DOCUMENT NUMBER 61895, OF SAID DEED RECORDS;

**THENCE** NORTH 75 DEGREES 53 MINUTES 27 SECONDS WEST, 227.81 FEET WITH THE SOUTH LINE OF HEREIN DESCRIBED TRACT AND THE NORTH LINE OF SAID STANFORD TRACT TO 1/2 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF HEREIN DESCRIBED TRACT AND THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED BY DEED TO SCHKUN LYNN HOSKINS AND LORI LAINE HUTCHINSON AS RECORDED IN DOCUMENT NUMBER 2018-101374, OF SAID DEED RECORDS, IN THE NORTH LINE OF THAT TRACT OF LAND AS DESCRIBED IN DEED TO JOHNNY, RYAN, AND MISTY WEDDLE AS RECORDED IN DOCUMENT NUMBER 64302, OF SAID DEED RECORDS;

**THENCE** NORTH 00 DEGREES 13 MINUTES 23 SECONDS WEST, 647.88 FEET WITH THE COMMON LINE OF HEREIN DESCRIBED TRACT AND SAID HUTCHINSON TRACT TO THE PLACE OF BEGINNING AND CONTAINING 217,391 SQUARE FEET OR 4.9906 ACRES OF LAND, MORE OR LESS INCLUDING 10,259 SQUARE FEET TO BE DEDICATED FOR STREET RIGHT-OF-WAY.

Owner's Dedication Block  
NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS: THAT \_\_\_\_\_, acting herein by and through its duly authorized officers, do/does hereby adopt this plat designating the hereinabove described property as **LOT 1, BLOCK 1, FLEX BUSINESS PARK**, an addition to Denton County, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, or other improvements shall be constructed or placed upon, over, or across the easements as shown. The City of Denton shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Denton shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

OWNER: \_\_\_\_\_ DATE: \_\_\_\_\_

BY: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF TARRANT  
BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_ of TCP LEATHERWOOD, L.L.C., 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 purposes and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the \_\_\_\_ day of \_\_\_\_ , 2026.

Notary Public, State of Texas

My Commission expires:

NOTARY SEAL

Planning and Zoning Commission Approval - Final Replat  
This is to certify that the Planning and Zoning Commission of the City of Denton, Texas has approved this plat and subdivision of \_\_\_\_\_ in conformance with the laws of the State of Texas and the ordinances of the City of Denton as shown hereon and authorizes the recording of this plat this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Chair, Planning & Zoning Commission \_\_\_\_\_ City Secretary \_\_\_\_\_

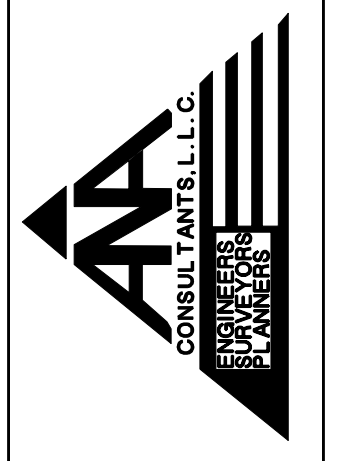
FINAL PLAT  
LOT 1, BLOCK 1  
FLEX BUSINESS PARK ADDITION  
BEING 4.991 ACRE OF LAND  
SITUATED IN J.S. DICKSON SURVEY,  
ABSTRACT NO. 342, IN THE  
EXTRATERRITORIAL JURISDICTION  
OF CITY OF DENTON, DENTON COUNTY, TEXAS

PREPARED APRIL, 2026

REVISIONS	DATE	BY	DATE

PROJECT NO. 250330  
DRAWN BY JSW  
APPROVED BY EKK  
DATE 04-20-2026

5000 Thompson Terrace  
Colleville, TX. 76034  
(817) 335-9900  
FAX: (817) 335-9955



SHEET 1 OF 2



June 03, 2026

Sean Jacobson, Senior Planner  
Department of Development Services  
City of Denton  
215 E. McKinney St.  
Denton, TX 76201

Re: FP26-0015 – Leatherwood Warehouse – Request for 30-Day Extension

Sean,

Please accept this letter as a formal request for a 30-day extension for Final Plat Application FP26-0015, Leatherwood Warehouse.

Our team is currently reviewing and addressing the outstanding comments provided as part of the 2nd Development Assistance Team (DAT) review. Due to the nature of the comments and the coordination required to prepare a complete response and revised plat package, additional time is needed before resubmittal.

We intend to resubmit the revised plat package by the next eligible platting submittal deadline for consideration at the July 1, 2026 Planning and Zoning Commission meeting.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alex Srur', is written over a faint, larger version of the same signature.

Alex Srur, P.E.

A.N.A. Consultants, L.L.C.

**Filing Number:** 804468750      **Entity Type:** Domestic Limited Liability Company (LLC)  
**Original Date of Filing:** February 23, 2022      **Entity Status:** In existence  
**Formation Date:** N/A  
**Tax ID:** 32083375082      **FEIN:**  
**Duration:** Perpetual  
**Name:** Trailspur, LLC  
**Address:** 500 W 7TH ST STE 1220  
 Fort Worth, TX 76102-4758 USA

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES
Last Update April 19, 2024	Name DONALD L. SIRATT III	Title MANAGER	Address 500 W 7TH ST, STE 1220 FORT WORTH, TX 76102 USA	
April 19, 2024	DONALD L. SIRATT III	DIRECTOR	500 W 7TH ST, STE 1220 FORT WORTH, TX 76102 USA	
April 19, 2024	MITCHELL J. RYAN	MANAGER	500 W 7TH ST, STE 1220 FORT WORTH, TX 76102 USA	
April 19, 2024	MITCHELL J. RYAN	DIRECTOR	500 W 7TH ST, STE 1220 FORT WORTH, TX 76102 USA	



# City of Denton

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

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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**ACM:** Kenneth Hedges

**DATE:** June 10, 2026

### **SUBJECT**

Hold a public hearing and consider making a recommendation to City Council regarding a request by Aimee Bissett of McAdams, on behalf of the property owner, Joel Rifkin, to rezone approximately 5.461 acres of land from a Rural Residential (RR) zoning district to a Residential 1 (R1) zoning district. The subject site is generally located on the south side of FM 2153, approximately 4,646 feet east of the intersection of FM 2153 and Running Bear Road in the City of Denton, Denton County, Texas. STAFF IS REQUESTING THIS ITEM BE WITHDRAWN. (Z26-0003, Rifkin Addition, Sean Jacobson).

### **BACKGROUND**

Staff is requesting the item be withdrawn due to a mapping error which caused the item to be noticed for an inaccurate acreage. Staff will re-notice this proposed rezoning for an upcoming Planning and Zoning Commission Meeting.

### **EXHIBITS**

1. Agenda Information Sheet

Respectfully submitted:  
Hayley Zagurski, AICP  
Planning Director

Prepared by:  
Sean Jacobson  
Senior Planner

**2026**  
**Planning and Zoning Commission Requests for Information**  
**Meeting Dates**  
**Updated 6.2.2026**

	<b>Request</b>		<b>Request Date</b>	<b>Status</b>
1	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.
2	Further discussion regarding potential code changes to support Communal Living and Small Home Communities. (Follow up to 10/8/2025 work session.)	McDuff	10/8/2025	To be scheduled for future work session.
3	Requested a west 380 study.	Riggs	12/17/2025	To be scheduled for future work session
4	Requested a continued discussion regarding Senate Bills 840 and 15 from the 2025 Legislative session and what the status is, how these bracketed bills operate and what is coming. Note: This will include discussion of how the DDC 2.12 affordability incentives relate to SB 840.	Pruett	1/14/2026	To be scheduled for future work session
5	Requested a discussion of what compatible development is for neighborhood character.	Ketchersid	2/11/2026	To be scheduled for future work session

	<b>Annual Updates</b>		<b>Request Date</b>	<b>Status</b>
1	Provide annual updates related to progress on implementing the Denton 2040 Comprehensive Plan Action Items	Smith	3/9/2022	2025 update provided on February 11, 2026 2024 update provided on August 28, 2024. 2023 update provided on June 14, 2023.

