City of Denton

Meeting Agenda

Planning and Zoning Commission

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

Wednesday, August 13, 2025 **5:00 PM** **Council Work Session Room & Council Chambers**

WORK SESSION BEGINS AT 5:00 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.

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.

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, August 13, 2025, at 5:00 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.

3. Work Session Reports

A. PZ25-162 Receive a report and hold a discussion regarding municipal comprehensive planning and Denton 2040 Comprehensive Plan.

Attachments: Exhibit 1 - Agenda Information Sheet

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.

REGULAR MEETING

After determining that a quorum is present, the Planning and Zoning Commission will convene in a Regular Meeting on Wednesday, August 13, 2025, 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. PZ25-156 Consider approval of the July 23, 2025, Capital Improvement Advisory Committee, and the June 23, 2025, Planning and Zoning meeting minutes.

Attachments: July 23, 2025 - CIAC
July 23, 2025 - P&Z

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. FP25-0020b Consider a request by Animas Civil Engineering LLC, on behalf of Luxury Storage Condominiums LLC for approval of a Final Plat of Lot 1 Block A Luxury Storage Condominiums. The 9.405-acre tract is approximately located on the south side of Hickory Creek Road, and approximately 610 feet west of Teasley Lane (F.M. 2181) in the City of Denton, Denton County, Texas. (FP25-0020b, Luxury Storage Condominiums, Matt Bodine)

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Staff Analysis
Exhibit 3 - Site Location Map
Exhibit 4 - Final Plat
Exhibit 5 - LLC Members List

4. ITEMS FOR INDIVIDUAL CONSIDERATION

A. FR25-0019 Consider a request by Baird, Hampton & Brown on behalf of H-E-B, L.P. for a Final Replat of the North Lakes Shopping Center Addition. The 15.843-acre site is generally located on the east side of Bonnie Brae Street, approximately 214 feet north of US 380, in City of Denton, Denton County, Texas. (FR25-0019, North Lakes Shopping Center Addition, Cameron Robertson).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Staff Analysis
Exhibit 3 - Site Location Map
Exhibit 4 - Final Replat
Exhibit 5 - Extension Request

B. FP25-0025 Consider a request by Landmark Surveyors, on behalf of Wes and Amber Parnell, for approval of a Final Plat of Lots 1-5, Block A, Fincher Oaks Addition. The 19.562-acre tract is approximately located on the southeast corner of the intersection of Oak Ridge Lane and Fincher Road in the Extraterritorial Jurisdiction 1 of the City of Denton, Denton County, Texas. (FP25-0025, Fincher Oaks, Matt Bodine)

Attachments:
Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Staff Analysis
Exhibit 3 - Site Location Map
Exhibit 4 - Final Plat
Exhibit 5 - Extension Letter Request

C. ZCP25-0010 Consider a request by CBH Properties Denton, LLC for approval of a Site Plan for quick vehicle servicing within the Rayzor Ranch Overlay District, South Campus - South Commercial District (SCD) subarea, located on Lot 14, Block A of Rayzor Ranch Town Center. The approximately 1.036-acre subject property is generally located east of I-35, approximately 500 feet north of Panhandle Street in the City of Denton, Denton County, Texas. (ZCP25-0010, Christian Brothers Automotive, Mia Hines)

Attachments:
Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Staff Analysis
Exhibit 3 - Site Location Map
Exhibit 4 - Proposed Site Plan
Exhibit 5 - Proposed Landscape & Open Space Plan
Exhibit 6 - Proposed Conceptual Building Elevations
Exhibit 7 - RROD Exhibit C-1
Exhibit 8 - RROD Exhibit D-1

D. V25-0058 Consider a request by Luis Gachuzo 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 10.00-acre tract is located approximately 391 feet north of Ganzar Road East, and approximately 4,755 feet east of I-35W in the Extraterritorial Jurisdiction Division 1 of the City of Denton, Denton County, Texas. (V25-0058, Gauchzo Addition, Angie Manglaris)

Attachments:
Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Staff Analysis
Exhibit 3 - Site Location Map
Exhibit 4 - Final Plat
Exhibit 5 - Narrative

E. V25-0050 Consider a request by David Jett of Eagle Surveying, on behalf of Armando Ruiz, for approval of a subdivision variance from the 2019 Denton Development Code Subsection 8.3.2E.3 regarding the maximum length of the flagpole portion of a flag shaped lot. The proposed lot in question is 2.228 acres and located north of E. Masch Branch Road, approximately 3,000 feet west of Barthold Road and 1,000 feet east of the town of the Town of Krum, in the City of Denton Extraterritorial Jurisdiction (ETJ 1), Denton County, Texas. (V25-0050, Masch Branch Green Addition, Erin Stanley)

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Staff Analysis
Exhibit 3 - Site Location Map
Exhibit 4 - Variance Exhibit - MP25-0002
Exhibit 5 - Variance Request Narrative

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. AESA25-0001b Hold a public hearing and consider making a recommendation to the City Council regarding a request to approve an Alternative Environmentally Sensitive Area Plan to offset the removal of 0.23 acre of Environmentally Sensitive Areas (ESAs) on approximately 53.89 acres of land located north of Spencer Road and approximately 1,200 feet west of the intersection of Spencer Road and Loop 288 in the City of Denton, Denton County, Texas (AESA25-0001b, Spencer Road Industrial, Christi Upton).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Staff Analysis
Exhibit 3 - Spencer Road Industrial Alternative ESA Plan
Exhibit 4 - Draft Ordinance
Exhibit 5 - Notifications and Responses

B. MPA24-0003c Hold a public hearing and consider making recommendation to the City Council regarding a City-initiated Comprehensive Plan Amendment to modify the Thoroughfare Map of the 2022 Mobility Plan, including but not limited to modifications to the functional classification of Eagle Drive between North Texas Blvd to South Carroll Blvd, Welch Street between Eagle Drive to West Oak Street, and Avenue A between Highway I-35E to Eagle Drive from Secondary Arterial to Collector. The general area of change is located south and east of the University of North Texas in the City of Denton, Denton County, Texas; (MPA24-0003, Eagle Drive, Avenue A, & Welch, Sahar Esfandyari).

Attachments: Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Staff Analysis
Exhibit 3 - Future Land Use Map with Proposed Mobility Plan Amendments
Exhibit 4 - Roadway Types
Exhibit 5 - 2022 Mobility Plan
Exhibit 6 - Proposed Mobility Plan
Exhibit 7 - Notification Responses Map
Exhibit 8 - Draft Ordinance

C. PD25-0002 Hold a public hearing and consider making a recommendation to City Council regarding a request by Lee Allison with Allison Engineering Group, on behalf of the property owner, Burbank House, LLC, to change the zoning from Residential 3 (R3), Residential 7 (R7), and Mixed-Use Neighborhood (MN) districts to an Overlay Planned Development - Residential 7 (PD-R7) District on approximately 0.74 acres of land generally located on the north side of East University Dr, approximately 240 feet west of North Bell Avenue, in the City of Denton, Denton County, Texas. (PD25-0002, 415 E University, Ashley Ekstedt).

Attachments:
- Exhibit 1 - Agenda Information Sheet
- Exhibit 2 - Staff Analysis
- Exhibit 3 - Site Location Map
- Exhibit 4 - Existing Zoning Map
- Exhibit 5 - Future Land Use Map
- Exhibit 6 - Proposed Zoning Map
- Exhibit 7 - Applicant Narrative
- Exhibit 8 - PD Development Standards
- Exhibit 9 - PD Table of Allowed Uses
- Exhibit 10 - Table of Allowed Uses in Current Zoning
- Exhibit 11 - Fiscal Impact Summary
- Exhibit 12 - Notification Map and Sign Posting Affidavit and Responses
- Exhibit 13 - Draft Ordinance

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

A. PZ25-025 Hold a discussion regarding the Planning and Zoning Project Matrix.

Attachments: Matrix 2025

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 August 8, 2025, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

_____

OFFICE OF THE CITY SECRETARY

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

File #: PZ25-162, **Version:** 1

AGENDA CAPTION

Receive a report and hold a discussion regarding municipal comprehensive planning and Denton 2040 Comprehensive Plan.

City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: Cassey Ogden

DATE: August 13, 2025

SUBJECT

Receive a report and hold a discussion regarding municipal comprehensive planning and Denton 2040 Comprehensive Plan.

BACKGROUND

As part of the 2025 work plan, Staff is presenting a series of work session topics to provide a refresher to the Planning and Zoning Commission members regarding a variety of planning-related topics, the development application and review process, and the roles and responsibilities of the Planning and Zoning Commission. At this work session staff will present information regarding municipal comprehensive planning and the Denton 2040 Comprehensive Plan, including the following topics:

- What is a comprehensive plan?
- Texas Local Government Code Chapter 213
- Denton's history of comprehensive planning
- Denton 2040 Comprehensive Plan Elements and organization
- Other City plans associated with Denton 2040 Comprehensive Plan

The presentation slides from this work session will be shared with the Commission as a resource for future reference after the meeting.

EXHIBITS

1. Agenda Information Sheet

Respectfully submitted:
Hayley Zagurski, AICP
Acting Planning Director

Prepared by:
Julie Wyatt, AICP
Principal Planner

File #: PZ25-156, **Version:** 1

AGENDA CAPTION

Consider approval of the July 23, 2025, Capital Improvement Advisory Committee, and the June 23, 2025, Planning and Zoning meeting minutes.

MINUTES
Capital Improvement Advisory Committee
July 23, 2024

After determining that a quorum was present, the Planning and Zoning Commission of the City of Denton, Texas convened as the Capital Improvement Advisory Committee on Wednesday, July 23, 2025, at 4:03 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Eric Pruett, and Members: Jason Kalishek, Lisa Dyer, Mary Ann McDuff, and Clay Riggs

ABSENT: Vice-Chair Desiree Padron, and Commissioners: Sherri McDade and Erica Garland

REGULAR SESSION

1. INDIVIDUAL CONSIDERATION ITEM

A. CIAC25-009: Receive the City of Denton's Semi-Annual Roadway Impact Fee Report and hold a discussion.

City staff presented the report to the Members, and a discussion followed.

Following discussion, there was no direction provided as the item was for presentation/discussion purposes.

The meeting adjourned at 4:22 p.m.

X_____
Eric Pruett, Planning and Zoning Commission Chair Date

X_____
Cathy Welborn, Administrative Assistant III Date

MINUTES
PLANNING AND ZONING COMMISSSION
July 23, 2025

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, July 23, 2025, at 5:03 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Eric Pruett, and Commissioners: Lisa Dyer, Mary Ann McDuff, and Clay Riggs

ABSENT: Vice-Chair Desiree Padron and Commissioner Erica Garland and Sherri McDade

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 or discussed:
3.A (FR25-0017a) and 3.B (FP25-0021a)

The following item was presented, and no discussion was had:
4.A (FP25-0020a), 4.B (ZCP25-0013), and 5.C (S25-0004)

The following items were presented, and discussion was had:
5.B (Z25-0004)

The following item was postponed and no discussion was had:
5.A (AESA25-0001a)

3. Work Session Reports

A. PZ25-146 Receive a report, hold a discussion, and give Staff direction regarding the expansion of Mixed-Use Downtown (MD) zoning into an area south of the Square currently zoned Mixed-Use Neighborhood (MN), as recommended by the Design Downtown Denton plan. This area encompasses approximately 64 acres, generally located south of Mulberry Street and Sycamore Street, west of Bell Avenue, North of Eagle Drive and Smith Street, and east of Carroll Boulevard. (PZ25-146, Expanding Opportunity in Southern Downtown, Sean Jacobson).

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

The Commissioners agreed with Staff's recommendations for the following:

1. Staff recommends expanding MD zoning to the MN-zoned lots in Areas 1-3.
2. Staff recommends that the current MN zoning be maintained in Areas 4 and 5.
3. Staff recommends that the proposed expansion of MD zoning shall include ordinance language keeping existing single-family residential dwellings in the rezoned areas as conforming.

When asked if they had additional specific thoughts or concerns about the proposed expansion of MD zoning, the Commissioners provided feedback regarding the following topics: parking, townhome development, the possible reuse of property currently used for drainage infrastructure, and acknowledgement of public feedback regarding the need for a grocery store and tree protection.

Chair Pruett called a recess at 6:02 p.m. Chair Pruett reconvened the Work Session at 6:12 p.m.

B. PZ25-147 Receive a report and hold a discussion regarding bills recently passed during the 89th State Legislative Session that may impact the City's development processes and regulations.

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

Following discussion, there was no direction provided as the item was for presentation/discussion purposes.

The Work Session was adjourned at 6:31 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, July 23, 2025, at 6:42 p.m. in the Council Chambers at City Hall, 215 E. McKinney, Denton, Texas.

PRESENT: Chair Eric Pruett, and Commissioners: Lisa Dyer, Mary Ann McDuff, and Clay Riggs

ABSENT: Vice-Chair Desiree Padron and Commissioner Erica Garland and Sherri McDade

1. PLEDGE OF ALLEGIANCE

A. U.S. Flag
B. Texas Flag

2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES

A. PZ25-011 Consider approval of the June 25, 2025, Capital Improvement Advisory Committee, and the June 25, 2025, Planning and Zoning meeting minutes.

Commissioner Dyer moved to approve the June 25, 2025, Capital Improvement Advisory Committee, and June 25, 2025, Planning and Zoning meeting minutes. Motion seconded by Commissioner Riggs. Motion carried.

AYES (4): Chair Eric Pruett, and Commissioners: Lisa Dyer, Mary Ann McDuff, and Clay Riggs
NAYS (0): None

3. CONSENT AGENDA

A. FR25-0017a Consider a request by Chase Carrick of Traverse Land Surveying on behalf of Red Bird Ridge LLC for a Final Replat of Red Bird Ridge Addition. The 25.978-acre site is generally located south of Country Club Road, north of Oak Ridge Lane, and west of Fincher Trail, in City of Denton's ETJ Division 1, Denton County, Texas. (FR25-0017a, Red Bird Ridge Addition, Erin Stanley).

B. FP25-0021a Consider a request by Chase Carrick of Traverse Land Surveying on behalf of Cana Capital Series 9 LLC, for a Final Plat of Red Bird Ridge Addition Phase 2. The 8.247-acre site is generally located south of Country Club Road, north of Oak Ridge Lane, and west of Fincher Trail, in City of Denton's ETJ Division 1, Denton County, Texas. (FP25-0021a, Red Bird Ridge Addition Phase 2, Erin Stanley).

Commissioner Riggs moved to approve the Consent Agenda as presented. Motion seconded by Commissioner McDuff. Motion carried.

AYES (4): Chair Eric Pruett, and Commissioners: Lisa Dyer, Mary Ann McDuff, and Clay Riggs
NAYS (0): None

4. ITEMS FOR INDIVIDUAL CONSIDERATION

A. FP25-0020a Consider a request by Animas Civil Engineering LLC, on behalf of Luxury Storage Condominiums LLC for approval of a Final Plat of Lot 1 Block A Luxury Storage Condominiums. The 9.405-acre tract is approximately located on the south side of Hickory Creek Road, and approximately 610 feet west of Teasley Lane (F.M. 2181) in the City of Denton, Denton County, Texas. (FP25-0020a, Luxury Storage Condominiums, Matt Bodine)

City staff presented the item. No discussion followed.

Commissioner Riggs moved to approve the extension of the item to date certain of August 13, 2025. Motion seconded by Commissioner McDuff. Motion carried.

AYES (4): Chair Eric Pruett, and Commissioners: Lisa Dyer, Mary Ann McDuff, and Clay Riggs
NAYS (0): None

B. ZCP25-0013 Consider a request by Lifepoint Health for approval of a Site Plan for hospital services within the Rayzor Ranch Overlay District, South Campus - South Mixed-Use District - 1 (SMUUD-1) subarea, located on Lot 21, Block A of Rayzor Ranch Town Center. The approximately 3.099-acre subject property is generally located west of Heritage Trail, approximately 265 feet north of Panhandle Street in the City of Denton, Denton County, Texas. (ZCP25-0013, Life Point Rehabilitation, Mia Hines).

Commissioner Dyer moved to approve the item as presented. Motion seconded by Commissioner Riggs. Motion carried.

AYES (4): Chair Eric Pruett, and Commissioners: Lisa Dyer, Mary Ann McDuff, and Clay Riggs
NAYS (0): None

5. PUBLIC HEARINGS

A. AESA25-0001a Hold a public hearing and consider making a recommendation to the City Council regarding a request to approve an Alternative Environmentally Sensitive Area Plan to offset the removal of 0.21 acres of Environmentally Sensitive Areas (ESAs) on approximately 53.89 acres of land located north of Spencer Road and approximately 1,200 feet west of the intersection of Spencer Road and Loop 288 in the City of Denton, Denton County, Texas. STAFF IS REQUESTING THIS PUBLIC HEARING BE POSTPONED TO THE AUGUST 13, 2025 PLANNING AND ZONING MEETING. (AESA25-0001a, Spencer Road Industrial, Christi Upton).

Chair Pruett opened the public hearing.

This item was not presented, and no discussion followed.

Commissioner Dyer moved to postpone the item to a date certain of August 13, 2025. Motion seconded by Commissioner Riggs. Motion carried.

AYES (4): Chair Eric Pruett, and Commissioners: Lisa Dyer, Mary Ann McDuff, and Clay Riggs
NAYS (0): None

B. Z25-0004 Hold a public hearing and consider making a recommendation to City Council regarding a request to rezone approximately 21.800 acres of land from Rural Residential (RR) District to Heavy Industrial (HI) District generally located at the southwest corner of Spring Side Road and Corbin Road in the City of Denton, Denton County, Texas. (Z25-0004, Spring Side Road Industrial, Matt Bodine)

Chair Pruett opened the public hearing.

This item was presented, and discussion followed.

Citizen comments will be listed on Exhibit A.

Chair Pruett closed the public hearing.

Commissioner McDuff moved to approve the item as presented. Motion seconded by Commissioner Riggs. Motion carried.

AYES (3): Chair Eric Pruett, and Commissioners: Mary Ann McDuff and Clay Riggs
NAYS (1): Commissioner: Lisa Dyer

C. S25-0004 Hold a public hearing and consider making a recommendation to City Council regarding a request by Robert Stevens, on behalf of the property owner, for a Specific Use Permit to allow for a Boarding House use on approximately 0.403 acres of land, generally located at the southwest corner of West Oak Street and Fry Street in the City of Denton, Denton County, Texas. (S25-0004, 1305 Oak Boarding House, Matt Bodine)

Chair Pruett opened the public hearing.

This item was presented, and discussion followed.

Citizen comments will be listed on Exhibit A.

Chair Pruett closed the public hearing.

Commissioner Riggs moved to approve the item as presented. Motion seconded by Commissioner McDuff. Motion carried.

AYES (4): Chair Eric Pruett, and Commissioners: Lisa Dyer, Mary Ann McDuff, and Clay Riggs
NAYS (0): None

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

A. PZ25-023: 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 8:32 p.m.

X_____
Eric Pruett, Planning and Zoning Commission Chair Date

X_____
Cathy Welborn, Administrative Assistant III Date

Minutes approved on: _____

July 23, 2025 Planning and Zoning Meeting - EXHIBIT A					
Speaker Commentaries/ Registration - Online, E-mail, In-Person, and Phone					
Name	Address	Agenda Item	Position	Method	Comments
Brandon Bell (Applicant)	318 E Lloyd Street, Krum, 76249	S25-0004	Support	In Person	See video for comment.
Kim McKibben	1306 W. Hickory, Denton, 76201	S25-0004	Not Stated	In Person	See video for comment.
Barbara Whitword	4083 Corbin Road, Denton, 76207	Z25-0004	Opposed	In Person	See video for comment.
Kelli Holdsclaw	2161 Underwood Road, Denton, 76207	Z25-0004	Opposed	In Person	See video for comment.
Kurt Van Zandt	410 West Highland Street, Denton, 76201	Z25-0004	Opposed	In Person	See video for comment.
Nathan Tune (Applicant)	3201 Carmel Street, Denton, 76205	Z25-0004	Support	In Person	See video for comment.

File #: FP25-0020b, **Version:** 1

AGENDA CAPTION

Consider a request by Animas Civil Engineering LLC, on behalf of Luxury Storage Condominiums LLC for approval of a Final Plat of Lot 1 Block A Luxury Storage Condominiums. The 9.405-acre tract is approximately located on the south side of Hickory Creek Road, and approximately 610 feet west of Teasley Lane (F.M. 2181) in the City of Denton, Denton County, Texas. (FP25-0020b, Luxury Storage Condominiums, Matt Bodine)

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: Cassey Ogden

DATE: August 13, 2025

SUBJECT

Consider a request by Animas Civil Engineering LLC, on behalf of Luxury Storage Condominiums LLC for approval of a Final Plat of Lot 1 Block A Luxury Storage Condominiums. The 9.405-acre tract is approximately located on the south side of Hickory Creek Road, and approximately 610 feet west of Teasley Lane (F.M. 2181) in the City of Denton, Denton County, Texas. (FP25-0020b, Luxury Storage Condominiums, Matt Bodine)

BACKGROUND

The purpose of the Final Plat is to create a lot of record and dedicate easements for the purpose of developing a self-service storage facility. The current zoning is Suburban Corridor (SC) District with a special use permit for a gas well development approved in 2003 that has since been plugged. This property has access to Hickory Creek Road and Teasley Lane via public access easements through the adjacent, commercial lots on the east side of the property. The property will use City water and wastewater services. A zoning compliance plan and civil engineering plans associated with this project have been approved.

A preliminary plat associated with the property and approved by the Planning and Zoning Commission in April 2022 expired in April 2024 and is not associated with the current project.

Date Application Filed:	May 13, 2025
Planning & Zoning Commission Meeting:	June 11, 2025
Days in Review:	29 Days
Extension Approved:	June 11, 2025
Resubmitted:	June 10, 2025
Date Application Filed after Withdrawal:	June 24, 2025
Planning & Zoning Commission Meeting:	July 23, 2025
Days in Review:	29 Days
Extension Approved	July 23, 2025
Resubmitted:	July 22, 2025
Planning & Zoning Commission Meeting	August 13, 2025
Days in Review	21 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.

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

OPTIONS

1. Approve as submitted
2. Deny with reasons

RECOMMENDATION

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

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
November 19, 1985	City Council	Annexation	Annexed into City Limits
May 26, 2003	Planning and Zoning Commission	Specific Use Permit (Z03-0012)	Recommended Approval
June 3, 2003	City Council	Specific Use Permit (Ordinance 2003-169)	Specific Use Permit Approved
June 27, 2007	Planning and Zoning Commission	Rezone from NR-6 to NRMU District. (Z07-0009)	Recommended Approval
August 7, 2007	City Council	Rezone from NR-6 to NRMU District. (Ordinance 2007-167)	Rezoning Approved
September 23, 2009	Planning and Zoning Commission	Rezone from NRMU to CM-G District. (Z09-006)	Recommended Approval
November 17, 2009	City Council	Rezone from NRMU to CM-G District. (Ordinance 2009-296)	Rezoning Approved
August 8, 2012	Planning and Zoning Commission	Final Plat (FP12-0010)	Approved
October 1, 2019	City Council	New Zoning Code and Citywide zoning district transition from CM-G to SC District. (DCA18-0009)	Approved
April 13, 2022	Planning and Zoning Commission	Preliminary Plat (PP22-0006)	Plat Approved
June 11, 2025	Planning and Zoning Commission	Final Plat Review Extension Request (FP25-0020	Extension Approved
July 23, 2025	Planning and Zoning Commission	Final Plat Review Extension Request (FP25-0020)	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. LLC Members List

Respectfully submitted:
Hayley Zagurski, AICP
Acting Planning Director

Prepared by:
Matt Bodine
Assistant Planner

Planning Staff Analysis

FP25-0020b/ Luxury Storage Condominiums
City Council #4
Planning & Zoning Commission

REQUEST:
Final Plat for an approximately 9.405-acre site.

APPLICANT:
Animas Civil Engineering LLC on behalf of Luxury Storage Condominiums LLC.

RECOMMENDATION:
Staff recommends approval of this plat as it meets 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**
1. Generally			
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. **Findings:** The Final Plat has met all applicable review criteria.	☒	☐	☐
b. The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9. **Findings:** The Final Plat has met all applicable review criteria of DDC Section 2.6.4D as described in Criteria 14-16.	☒	☐	☐
c. If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5-2.9 controls. **Findings:** There is no conflict.	☒	☐	☐
2. Prior Approvals			
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.	☒	☐	☐

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	**Not Met**	**N/A**
Findings: The Final Plat is compliant with this criterion.			
3. Consistent with Comprehensive Plan and Other Applicable Plans **The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.** **Findings:** Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.	☐	☐	☒
a. The decision-making authority shall weigh competing plan goals, policies, and strategies **Findings:** There are no competing plan goals, policies, and strategies for this site.	☐	☐	☒
b. May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in Comprehensive Plan. **Findings:** The overall goals of the Comprehensive Plan and future land use designation are met with the proposed Final Plat.	☐	☐	☒
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	**Compliance**		
4. Compliance with this DDC			
a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified. **Findings:** The proposed Final Plat is compliant with this criterion.	☒	☐	☐
b. Compliance with these standards is applied at the level of detail required for the subject submittal. **Findings:** The Final Plat was submitted at an adequate level of detail.	☒	☐	☐
5. Compliance with Other Applicable Regulations			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	**Not Met**	**N/A**
a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations. **Findings:** The Final Plat is compliant with this criterion.	☒	☐	☐
6. Consistent with Interlocal and Development Agreements			
a. The proposed development shall be consistent with any adopted interlocal and applicable development agreements, and comply with the terms and conditions of any such agreements incorporated by reference into this DDC. **Findings:** There are no development agreements applicable to this proposed Final Plat.	☐	☐	☒
7. Minimizes Adverse Environmental Impacts			
a. The proposed development should be designed to minimize negative environmental impacts, and should not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, scenic resources, wildlife habitat, soils, and native vegetation. **Findings:** Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.	☐	☐	☒
8. Minimizes Adverse Impacts on Surrounding Property			
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. **Findings:** Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.	☐	☐	☒
9. Minimizes Adverse Fiscal Impacts			
a. The proposed development should not result in significant adverse fiscal impacts on the city. **Findings:**	☐	☐	☒

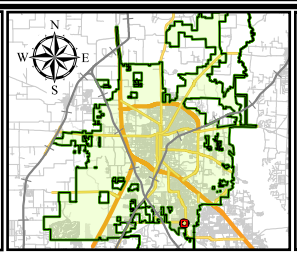
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.			
10. Compliance with Utility, Service, and Improvement Standards			
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. **Findings:** The Final Plat is compliant with this criterion.	☒	☐	☐
11. Provides Adequate Road Systems			
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. **Findings:** The Final Plat is compliant with this criterion.	☒	☐	☐
12. Provides Adequate Public Services and Facilities			
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. **Findings:** The Final Plat is compliant with this criterion.	☒	☐	☐
13. Rational Phasing Plan			
1. 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. **Findings:** There is no phasing plan associated with the proposed Final Plat.	☐	☐	☒

Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)	Applicability		
	Met	Not Met	N/A
14. Whether the final plat conforms to the preliminary plat, including any conditions of approval. **Findings:** An approved preliminary plat associated with this property (PP22-0006) expired in April 2024. The applicant has opted to omit the Preliminary Plat step for the current project in accordance with Denton Development Code 2.6.3B.1.	☐	☐	☒
15. Whether the development will substantially comply with all requirements of this DDC. **Findings:** The Final Plat is compliant with this criterion.	☒	☐	☐
16. Whether the development will comply with the applicable technical standards and specifications adopted by the City. **Findings:** The Final Plat complies with the applicable technical standards and specifications adopted by the City, as described herein.	☒	☐	☐

FP25-0020
Site Location Map



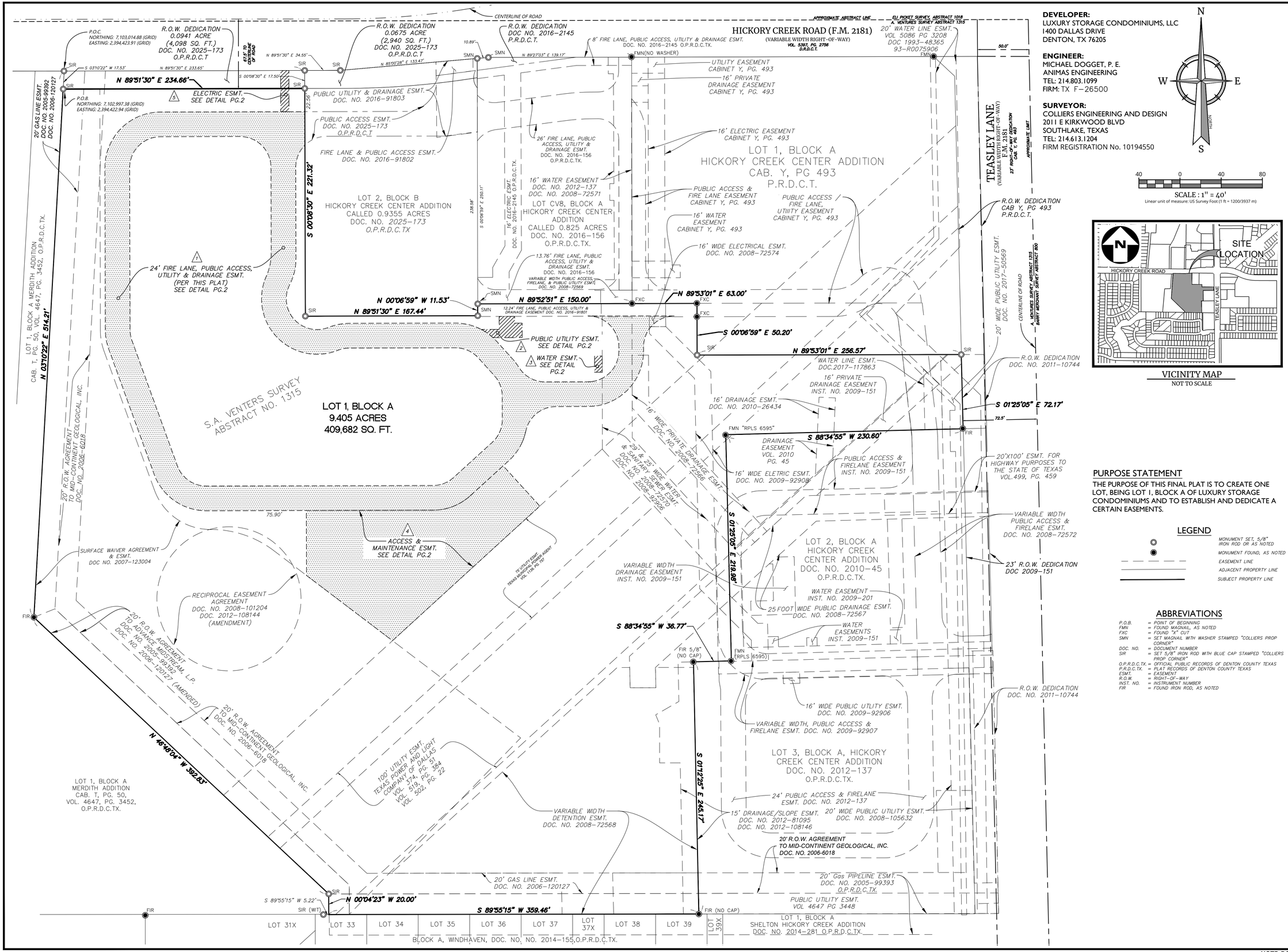
COD
ETJ
ETJ 2
NAA 8/1/20
NAA 8/1/40



0 70 140 280 Feet

CITY OF DENTON
Development Services · GIS
Date: 5/20/2025

"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 l 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."



DEVELOPER:
LUXURY STORAGE CONDOMINIUMS, LLC
1400 DALLAS DRIVE
DENTON, TX 76205

ENGINEER:
MICHAEL DOGGET, P. E.
ANIMAS ENGINEERING
TEL: 214.803.1099
FIRM: TX F-26500

SURVEYOR:
COLLIERS ENGINEERING AND DESIGN
2011 E KIRKWOOD BLVD
SOUTHLAKE, TEXAS
TEL: 214.613.1204
FIRM REGISTRATION No. 10194550

VICINITY MAP
NOT TO SCALE

PURPOSE STATEMENT

THE PURPOSE OF THIS FINAL PLAT IS TO CREATE ONE LOT, BEING LOT 1, BLOCK A OF LUXURY STORAGE CONDOMINIUMS AND TO ESTABLISH AND DEDICATE A CERTAIN EASEMENTS.

LEGEND

- MONUMENT SET, 5/8" IRON ROD OR AS NOTED
- MONUMENT FOUND, AS NOTED
- EASEMENT LINE
- ADJACENT PROPERTY LINE
- SUBJECT PROPERTY LINE

ABBREVIATIONS

P.O.B.	= POINT OF BEGINNING
FMN	= FOUND MAGNAIL, AS NOTED
FXC	= FOUND "X" CUT
SMN	= SET MAGNAIL WITH WASHER STAMPED "COLLIERS PROP CORNER"
DOC. NO.	= DOCUMENT NUMBER
SIR	= SET 5/8" IRON ROD WITH BLUE CAP STAMPED "COLLIERS PROP CORNER"
O.P.R.D.C.TX.	= OFFICAL PUBLIC RECORDS OF DENTON COUNTY TEXAS
P.R.D.C.TX.	= PLAT RECORDS OF DENTON COUNTY TEXAS
ESMT.	= EASEMENT
R.O.W.	= RIGHT-OF-WAY
INST. NO.	= INSTRUMENT NUMBER
FIR	= FOUND IRON ROD, AS NOTED

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REV	DATE	DRAWN BY	DESCRIPTION

FINAL PLAT

OF

LOT 1 ,BLOCK A
LUXURY STORAGE CONDOMINIUMS

BEING 9.405 ACRE TRACT SITUATED IN THE S.A. VENTERS SURVEY, ABSTRACT NO. 1315

CITY OF DENTON, DENTON COUNTY, TEXAS

PROJECT NO. FP25-0020

Colliers Engineering & Design
FORT WORTH
2011 KIRKWOOD BLVD
Suite 120
SOUTHLAKE, TX 76092
Phone: 214.613.1204
COLLIERS ENGINEERING & DESIGN, INC. DOING BUSINESS AS MASER CONSULTING

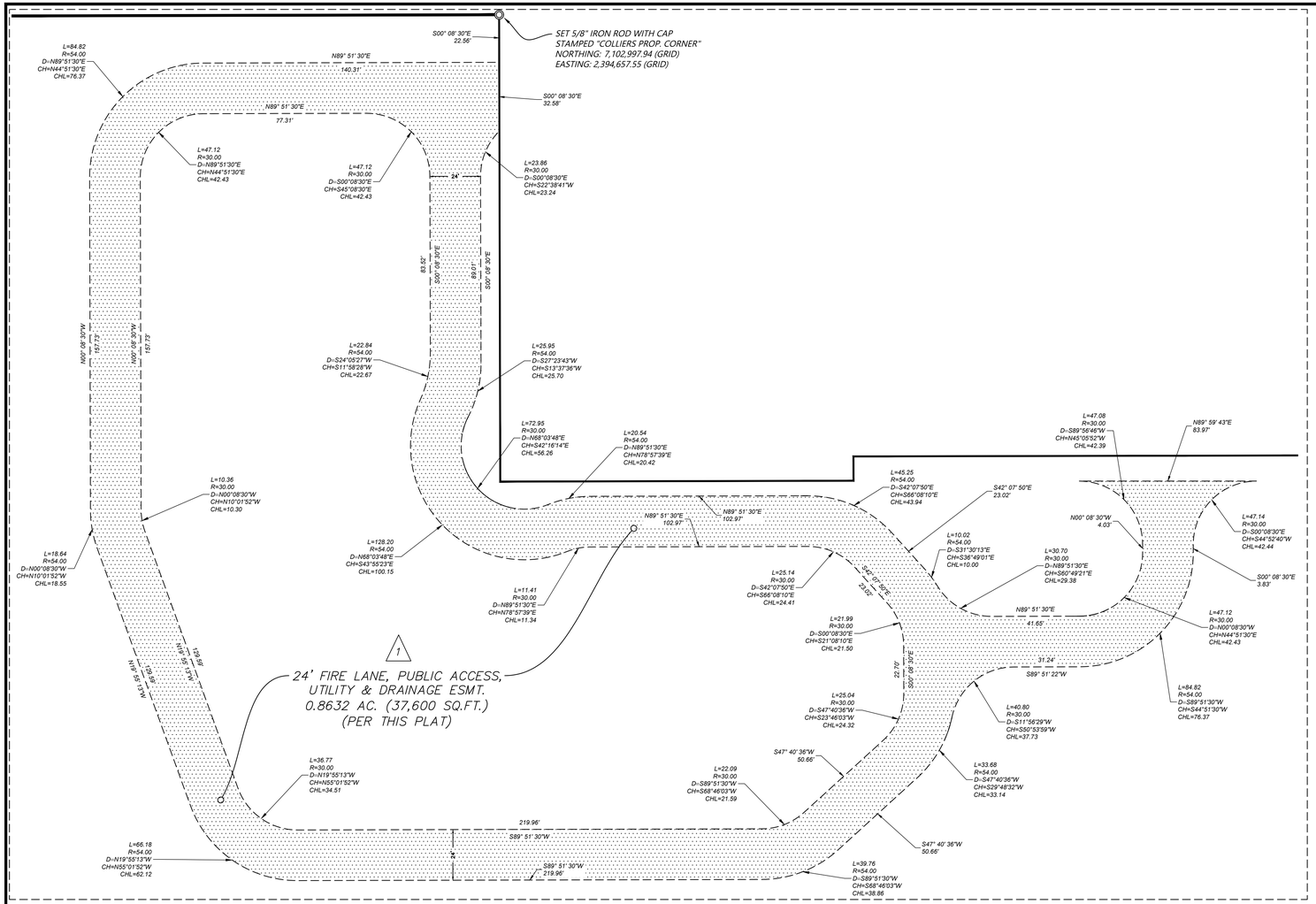
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1" = 40'	07/14/2025	EJ	AH, MD

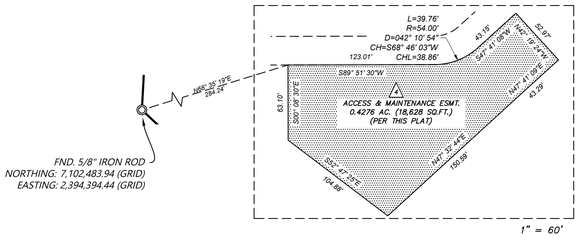
PROJECT NUMBER:	DRAWING NAME:
24013043A	FINAL PLAT- 24013043A

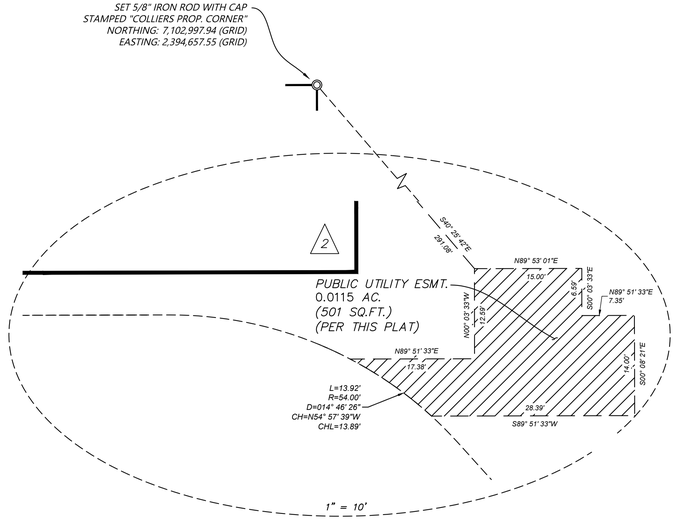
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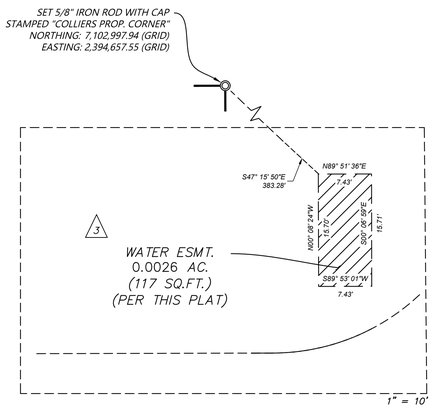
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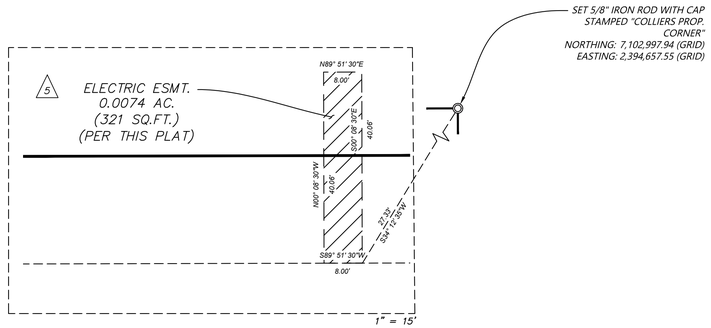
NOTE: DO NOT SCALE DRAWINGS FOR CONSTRUCTION.











NEW EASEMENT KEY NOTES			
NO.	NAME AND TYPE OF EASEMENT	ACRES	SQ. FT.
1	24' FIRE LANE, PUBLIC ACESS, UTILITY & DRAINAGE	0.8632	37,600
2	PUBLIC UTILITY EASEMENT	0.0115	501
3	WATER EASEMENT	0.0026	117
4	ACCESS AND MAINTENANCE EASEMENT	0.4276	18,628
5	ELECTRIC EASEMENT	0.0074	321

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FOR STATE SPECIFIC DIRECT PHONE NUMBERS VISIT: WWW.CALLB11.COM

REV	DATE	DRAWN BY	DESCRIPTION

FINAL PLAT
OF
LOT 1 ,BLOCK A
LUXURY STORAGE CONDOMINIUMS

BEING 9.405 ACRE TRACT SITUATED IN THE S.A. VENTERS SURVEY, ABSTRACT NO. 1315

CITY OF DENTON, DENTON COUNTY, TEXAS

PROJECT NO. FP25-0020

Colliers Engineering & Design
FORT WORTH
2011 KIRKWOOD BLVD
Suite 120
SOUTHLAKE, TX 76092
Phone: 214.613.1204
COLLIERS ENGINEERING & DESIGN, INC. DOING BUSINESS AS MASER CONSULTING

SCALE:	DATE:	DRAWN BY:	CHECKED BY:
1" = 40'	07/14/2025	EJ	AH, MD

PROJECT NUMBER: 24013043A
DRAWING NAME: FINAL PLAT- 24013043A

SHEET TITLE: EASEMENT DETAIL

SHEET NUMBER: 2 of 3

NOTE: DO NOT SCALE DRAWINGS FOR CONSTRUCTION.

OWNERS DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT LUXURY STORAGE CONDOMINIUMS, LLC, ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DO/DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LUXURY STORAGE CONDOMINIUMS, 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. THE OWNER OF THE LOT SHOWN ON THIS PLAT SHALL BE RESPONSIBLE FOR ALL MAINTENANCE OF OPEN SPACES, COMMON AREAS AND FACILITIES AS OUTLINED IN THE DECLARATION OF CONDOMINIUM REGIME RECORDED BY SEPARATE INSTRUMENT.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF DENTON, TEXAS.

WITNESS MY HAND AT DENTON COUNTY, TEXAS, THIS_____ DAY OF _____, OF 20___.

OWNER/DEVELOPER: LUXURY STORAGE CONDOMINIUMS, LLC

BY: _____

BY: _____

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 _____, KNOWN TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGE TO ME THAT HE/SHE/THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, OF 20___.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT, I, MUZAFFAR M. DOLAN, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE PLATTING RULES AND REGULATIONS OF THE CITY DENTON, TEXAS.

_____
MUZAFFAR M. DOLAN, R.P.L.S.
TEXAS REGISTRATION No. 7100
FIRM REGISTRATION No. 10194550
EMAIL: MUSTAFA.DOLAN@COLLIERSENG.COM

STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED MUZAFFAR M. DOLAN, KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF 20_____.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

GENERAL NOTES

1.) The purpose of this plat is to create one lot, being Lot 1, Block A of Luxury Storage Condominiums and to establish and dedicate certain easements.

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 the north line of the Revised Conveyance Plat of Lots CV4 & CV8, Block A of Hickory Creek Center Addition recorded in Doc. No. 2016-156 of the O.P.R.D.C.TX.

4.) This plat was prepared to meet City of Denton and Denton County requirements. This plat was prepared from information furnished by , G.F. No. FTDAL-34-9000342400366-CK, effective date October 27, 2024. The surveyor has not abstracted the above property.

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 City approval if not recorded in the Real Property Records of the County of Denton.

8.) All gas, petroleum, or similar common carrier pipelines and/or pipeline easements within the limits of the subdivision are as shown.

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. Minimum Tree Preservation requirements of the Denton Development Code Section 7.7.5. must be met prior to the release of any permits.

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 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 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.

18.) Water utility service will be provided by the City of Denton.

19.) All drainage easements are to be kept clear of fences, buildings, trees, and other obstructions to the operation and maintenance of the drainage facility.

20.) Flood Statement: I have reviewed the FEMA Flood Insurance Rate map for the City of Denton, Community Number 480194 effective date 4-18-2011 and that map indicates as scaled, that this property (is/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 ___ of said map.

21.) Vertical datum used for the minimum finished floor elevations is NAVD 1988 and is the same as the datum used to establish 100-year base flood elevations.

22.) The Minimum Finish Floor (Slab) Elevation shall be ___ 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.

25.) 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 24' Fire Lane, Public Access, Utility & Drainage; Water; Public Utility; Access and Maintenance; and Storm Drain Easements within the limits of this addition shall remain open at all times and will be maintained in a safe and sanitary condition by the owners of the lot or lots that are traversed by or adjacent to the 24' Fire Lane, Public Access, Utility & Drainage; Water; Public Utility; Access and Maintenance; and Storm Drain Easements. 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 24' Fire Lane, Public Access, Utility & Drainage; Water; Public Utility; Access and Maintenance; and Storm Drain Easements, unless approved by the City. The owners shall keep the drainage and detention 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 drainage and detention easement to remove any obstruction to the flow of water, after giving the owners written notice of such obstruction and owners fail to remove such obstruction. Should the City of Denton be compelled to remove any obstruction to the flow of water, after giving the owners written notice of such obstruction and owners fail to remove such obstruction, the City of Denton shall be reimbursed by the owners for reasonable costs for labor, materials, and equipment for each instance. The natural drainage through the 24' Fire Lane, Public Access, Utility & Drainage; Water; Public Utility; Access and Maintenance; and Storm Drain Easements is subject to storm water overflow and natural bank erosion to an extent that cannot be definitely 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.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.

28.) For Non-Residential Subdivisions governed by Property Owners' Association and/or containing shared parking areas, access drives, or other common areas, consult with City of Denton to determine appropriate wording regarding maintenance responsibilities.

33.) Important Notice: 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 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.

34.) All lake/detention tracts, easements, open space, or other common areas within the boundaries of this plat shall be maintained by the applicable homeowners' association, or other perpetual private entity. Homeowners' associations shall be established in accordance with Section 8.3.6.J of the Development Code of the City of Denton.

41.) Private street reserve "(Street Name)" shall provide access to police, fire, emergency vehicles, utility operations and maintenance, and other municipal personnel as needed.

44.) All numbers omitted above are City of Denton Master Notes that do not apply to this property and were intentionally omitted.

45.) The owner of the lot shown on this plat shall be responsible for all maintenance of open spaces, common areas and facilities as outlined in the declaration of condominium regime recorded by separate instrument.

PLANNING AND ZONING COMMISSION APPROVAL – FINAL PLAT

This is to certify that the Planning and Zoning Commission of the City of Denton, Texas has approved this replat 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

LEGAL DESCRIPTION

LOT 1, BLOCK A
LUXURY STORAGE CONDOMINIUMS
9.405 ACRES (409,682 SQ. FT.)

DESCRIPTION OF A CERTAIN 9.405 ACRES TRACT OF LAND SITUATED IN THE S.A. VENTERS SURVEY, ABSTRACT NO. 1315, BEING OUT OF A CALLED LOT CV4, BLOCK A OF THE HICKORY CREEK CENTER ADDITION, A SUBDIVISION PLAT AS RECORDED UNDER DOCUMENT NO. 2016-156 OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS (P.R.D.C.TX), SAME BEING OUT OF AND PART OF A CALLED 10.435 ACRES TRACT, CONVEYED TO LUXURY STORAGE CONDOMINIUMS, LLC, AS RECORDED IN DOCUMENT NO. (DOC. NO.) 126319 OF THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS (O.P.R.D.C.TX), SAID 9.405 ACRES PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD WITH BLUE CAP STAMPED "COLLIERS PROP CORNER" SET ON THE SOUTHERLY LINE OF HICKORY CREEK ROAD (F.M. 2181, VARIABLE WIDTH R.O.W.), BEING THE NORTHWEST CORNER OF 0.0941 ACRE RIGHT-OF-WAY (R.O.W.) DEDICATION, AS RECORDED UNDER DOC. NO. 2025-173 OF THE O.P.R.D.C.T. ON THE EAST LINE OF LOT 1, BLOCK A OF MERDITH ADDITION, AS RECORDED UNDER CAB. T, PAGE 50 AND VOLUME 4647, PAGE 3452 OF THE O.P.R.D.C.T., HAVING A GRID COORDINATES OF NORTHING 7,103,014.88, EASTING 2,394,423.91;

THENCE: SOUTH 03°10'22" WEST, ALONG THE EASTERLY LINE OF LOT 1, BLOCK A MERDITH ADDITION WEST LINE OF R.O.W. DEDICATION, A DISTANCE OF **17.53 FEET** TO THE **POINT OF BEGINNING** OF HEREIN DESCRIBED TRACT, HAVING A GRID COORDINATES OF NORTHING 7,102,997.38, EASTING 2,394,422.94;

THENCE: NORTH 89°51'30" EAST, ALONG THE SOUTHERLY LINE OF R.O.W. DEDICATION, A DISTANCE OF **234.66 FEET** TO A 5/8 INCH IRON ROD WITH BLUE CAP STAMPED "COLLIERS PROP CORNER" SET MARKING THE NORTHWEST CORNER OF THE LOT 2, BLOCK B OF SAID HICKORY CREEK CENTER ADDITION;

THENCE: SOUTH 00°08'30" EAST, WITH THE COMMON LINE, A DISTANCE OF **221.32 FEET** TO A 5/8 INCH IRON ROD WITH BLUE CAP STAMPED "COLLIERS PROP CORNER" SET;

THENCE: NORTH 89°51'30" EAST, WITH THE COMMON LINE, A DISTANCE OF **167.44 FEET** TO A MAGNAIL WITH WASHER STAMPED "COLLIERS PROP CORNER" SET;

THENCE: NORTH 00°06'59" WEST, WITH THE COMMON LINE OF SAID LOT 2, BLOCK B, A DISTANCE OF **11.53 FEET** TO A MAGNAIL WITH WASHER STAMPED "COLLIERS PROP CORNER" SET ON THE NORTH CORNER OF A CALLED FIRE LANE, PUBLIC ACCESS, UTILITY & DRAINAGE EASEMENT AS RECORDED UNDER DOC. NO. 2016-91801;

THENCE: THROUGH AND ACROSS THE ABOVE REFERENCED SAID 9.405 ACRES TRACT, THE FOLLOWING COURSES AND DISTANCES:

NORTH 89°52'51" EAST, A DISTANCE OF **150.00 FEET** TO AN "X" CUT IN CONCRETE FOUND;

NORTH 89°53'01" EAST, A DISTANCE OF **63.00 FEET** TO AN "X" CUT IN CONCRETE FOUND;

SOUTH 00°06'59" EAST, A DISTANCE OF **50.20 FEET** TO A 5/8 INCH IRON ROD WITH BLUE CAP STAMPED "COLLIERS PROP CORNER" SET;

NORTH 89°53'01" EAST, A DISTANCE OF **256.57 FEET** TO A 5/8 INCH IRON ROD WITH BLUE CAP STAMPED "COLLIERS PROP CORNER" SET;

SOUTH 01°25'05" EAST, A DISTANCE OF **72.17 FEET** TO A 5/8 INCH IRON ROD FOUND;

SOUTH 88°34'55" WEST, A DISTANCE OF **230.60 FEET** TO A MAGNAIL WITH SHINER FOUND;

SOUTH 01°25'05" EAST, A DISTANCE OF **219.98 FEET** TO A MAGNAIL WITH SHINER FOUND;

SOUTH 88°34'55" WEST, A DISTANCE OF **36.77 FEET** TO A 5/8 INCH IRON ROD FOUND;

THENCE: SOUTH 01°12'25" EAST, A DISTANCE OF **245.17 FEET** TO A 5/8 INCH IRON ROD FOUND ON THE NORTH LINE OF A CALLED BLOCK A OF WINDHAVEN SUBDIVISION, AS RECORDED UNDER DOC. NO. 2014-155 OF THE P.R.D.C.TX. AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE: SOUTH 89°55'15" WEST, WITH THE NORTH LINE OF SAID BLOCK A OF WINDHAVEN SUBDIVISION, A DISTANCE OF **359.46 FEET** TO A POINT FOR THE EAST CORNER OF A CALLED LOT 1, BLOCK A OF MEREDITH ADDITION, AS RECORDED UNDER CAB. T, PAGE 50 OF THE P.R.D.C.TX. AND THE SOUTHERLY SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A 5/8 INCH IRON ROD WITH BLUE CAP STAMPED "COLLIERS PROP CORNER" SET FOR A REFERENCE, BEARS: S 89°55'15" W, A DISTANCE OF **5.22 FEET**;

THENCE: NORTH 00°04'23" WEST, WITH THE EAST LINE OF LOT 1, BLOCK A OF MEREDITH ADDITION, A DISTANCE OF **20.00 FEET** TO A 5/8 INCH IRON ROD WITH BLUE CAP STAMPED "COLLIERS PROP CORNER" SET FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE: NORTH 46°48'04" WEST, WITH THE EASTERLY LINE OF LOT 1, BLOCK A OF MEREDITH ADDITION, A DISTANCE OF **392.83 FEET** TO A IRON ROD IN CONCRETE FOUND ON THE EASTERLY LINE OF SAID LOT 1, BLOCK A OF MEREDITH ADDITION AND THE NORTHERLY SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE: NORTH 03°10'22" EAST, WITH THE EASTERLY LINE OF LOT 1, BLOCK A OF MEREDITH ADDITION, A DISTANCE OF **514.21 FEET** TO THE **POINT OF BEGINNING**, CONTAINING 9.405 ACRES (409,682 SQ. FT.) OF LAND.

ADDITIONAL NOTES

A. THE COORDINATES LISTED HEREIN ARE EXPRESSED AS GRID COORDINATES REFERENCED TO THE TEXAS COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983 (NAD 83), AND CAN BE CONVERTED TO SURFACE COORDINATES BY APPLYING A COMBINED SCALE FACTOR (CSF) OF 0.9998540964765.

B. ALL DISTANCES SHOWN ARE GROUND SURFACE DISTANCES.

C. THE SQUARE FOOTAGE TOTALS AS SHOWN HEREON ARE BASED ON THE MATHEMATICAL CLOSURE OF THE COURSES AND DISTANCES REFLECTED ON THIS SURVEY. IT DOES NOT INCLUDE THE TOLERANCES THAT MAY BE PRESENT DUE TO THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTATION.

FLOOD STATEMENT

ACCORDING TO COMMUNITY PANEL NO. 48121C0388H, DATED JUNE 19, 2020 OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP THIS PROPERTY IS WITHIN FLOOD ZONE "A", WHICH IS NOT A SPECIAL FLOOD HAZARD AREA. IF THIS SITE IS NOT WITHIN AN IDENTIFIED SPECIAL FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR

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Engineering & Design
www.colliersengineering.com

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Doing Business as MASER CONSULTING

811 PROTECT YOURSELF
ALL STATES REQUIRE NOTIFICATION OF EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN ANY STATE
FOR STATE SPECIFIC DIRECT PHONE NUMBERS VISIT: WWW.CALL811.COM

REV	DATE	DRAWN BY	DESCRIPTION

FINAL PLAT
OF
LOT 1 ,BLOCK A
LUXURY STORAGE CONDOMINIUMS

BEING 9.405 ACRE TRACT SITUATED IN THE S.A. VENTERS SURVEY, ABSTRACT NO. 1315

CITY OF DENTON, DENTON COUNTY, TEXAS

PROJECT NO. FP25-0020

Colliers Engineering & Design
FORT WORTH
2011 KIRKWOOD BLVD
Suite 120
SOUTHLAKE, TX 76092
Phone: 214.613.1204
COLLIERS ENGINEERING & DESIGN, INC. DOING BUSINESS AS MASER CONSULTING

SCALE:	DATE:	DRAWN BY:	CHECKED BY:
1" = 40'	07/14/2025	EJ	AH, MD

PROJECT NUMBER: 24013043A
DRAWING NAME: FINAL PLAT- 24013043A

SHEET TITLE: NOTES

SHEET NUMBER: 3 of 3

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	805766464	**Entity Type:**	Domestic Limited Liability Company (LLC)
Original Date of Filing:	October 30, 2024	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	32097408820	**FEIN:**	
Duration:	Perpetual		

Name: Luxury Storage Condominium LLC
Address: 1400 DALLAS DRIVE
DENTON, TX 76205 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Name	Address	Inactive Date
Debra Manookian	1400 Dallas Drive Denton, TX 76205 USA	

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	805547117	**Entity Type:**	Domestic Limited Liability Company (LLC)
Original Date of Filing:	May 13, 2024	**Entity Status:**	In existence
Formation Date:	N/A		
Tax ID:	32095074848	**FEIN:**	
Duration:	Perpetual		

Name: Animas Civil Engineering LLC
Address: 1610 MAPLELEAF DR
WYLIE, TX 75098-8164 USA

REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS

Name	Address	Inactive Date
Michael Doggett	1610 Mapleleaf Drive Wylie, TX 75098 USA	

File #: FR25-0019, **Version:** 1

AGENDA CAPTION

Consider a request by Baird, Hampton & Brown on behalf of H-E-B, L.P. for a Final Replat of the North Lakes Shopping Center Addition. The 15.843-acre site is generally located on the east side of Bonnie Brae Street, approximately 214 feet north of US 380, in City of Denton, Denton County, Texas. (FR25-0019, North Lakes Shopping Center Addition, Cameron Robertson).

City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: Cassey Ogden

DATE: August 13, 2025

SUBJECT

Consider a request by Baird, Hampton & Brown on behalf of H-E-B, L.P. for a Final Replat of the North Lakes Shopping Center Addition. The 15.843-acre site is generally located on the east side of Bonnie Brae Street, approximately 214 feet north of US 380, in City of Denton, Denton County, Texas. (FR25-0019, North Lakes Shopping Center Addition, Cameron Robertson).

BACKGROUND

The purpose of this Final Replat is to replat Lots 1 and 2 of the North Lakes Shopping Center and incorporate an offsite 3.2-acre property into a single lot of record. This Final Replat will redefine lot lines, as well as create and abandon easements to create a single lot of 15.843 acres for retail use.

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

Date Application Filed:	July 15, 2025
Planning & Zoning Commission Meeting:	August 13, 2025
Days in Review:	29 Days

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

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

OPTIONS

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

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 one-time 30-day extension to allow for additional time to work through staff's comments on the plat and additional review (see Exhibit 5). The requested extension could be granted to a date certain of September 10, 2025.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
1960	City Council	Annex into City Limits	Approved
1974	City Council	Rezone to General Retail	Approved
2002	City Council	City-wide zoning transition to CM-G	Approved
August 5, 2015	Planning & Zoning Commission	CV15-0003	Conveyance Plat Approved
January 25, 2017	Planning & Zoning Commission	FP16-0014	Final Plat Approved
2019	City Council	City-wide zoning transition from CM-G to Suburban Corridor (SC)	Approved

PUBLIC OUTREACH

No public outreach is required for final replats.

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 Replat
5. Extension Request

Respectfully submitted:
Hayley Zagurski, AICP
Acting Planning Director

Prepared by:
Cameron Robertson, AICP
Principal Planner

Planning Staff Analysis

FR25-0019 / North Lakes Shopping Center Addition

Planning & Zoning Commission

REQUEST:
Final Replat for an approximately 15.843-acre site

APPLICANT:
Baird, Hampton & Brown on behalf of H-E-B, L.P.

RECOMMENDATION:
Staff recommends denial of this Final Replat as it does not meet the established criteria for approval. However, staff has no objection to the requested extension, which could be granted to a date certain of September 10, 2025.

Final Replat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
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. **Findings:** The Final Plat does not meet all applicable review criteria as described herein.	☐	☒	☐
b. The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9. **Findings:** The Final Replat meets all additional review criteria.	☒	☐	☐
c. If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5-2.9 controls. **Findings:** There is no conflict.	☐	☐	☒
2. Prior Approvals			
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.	☐	☒	☐

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
Findings: The proposed Final Replat is not compliant with this criterion as described herein: 1. Pending CEP application and approval.			
3. Consistent with Comprehensive Plan and Other Applicable Plans **The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.** **Findings:** Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.	☐	☐	☒
a. The decision-making authority shall weigh competing plan goals, policies, and strategies **Findings:** There are no competing plan goals, policies, and strategies for this site.	☐	☐	☒
b. May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in Comprehensive Plan. **Findings:** The overall goals of the Comprehensive Plan are met with the proposed Final Replat.	☐	☐	☒
4. Compliance with this DDC			
a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified. **Findings:** The Final Replat does not comply with the applicable requirements of the Denton Development Code. As detailed herein: 1) Include Project No. FR25-0019 on the replat. (FPC 2.2) 2) Vicinity map show subject property. Please update. (FPC 2.8) 3) Should include line types used. Please update. (FPC 2.12) 4) Dimension all existing and proposed easements and indicate all abandonments using a hatching pattern. (FPC 3.6) 5) Please revise all "Abandoned by this plat" to "To be abandoned by this plat" (FPC 3.6) 6) Include name of record owner. (FPC 5.1)	☐	☒	☐

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	**Not Met**	**N/A**
b. Compliance with these standards is applied at the level of detail required for the subject submittal. **Findings:** The Final Replat was not submitted at an adequate level of detail. As detailed herein: 1) Depict all overhead electric distribution and transmission line clearance zones intersecting or adjacent to the property. (FPC 2.19) 2) Display the centerline of Bonnie Brae St with dimension from centerline to the edge of proposed ROW. (FPC 3.13) 3) Add all abbreviations and line types to legend. (FPC 2.12) 4) Label minimum finish floor elevation for each pad site on any lot encumbered by floodplain or within the 200' floodplain buffer. If a single lot is expected to have multiple buildings, the location of each pad site must be shown on the plat with its minimum elevation. (DDC Section 7.5.3.I.3 and FPC 3.14)	☐	☒	☐
5. Compliance with Other Applicable Regulations			
a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations. **Findings:** The Final Replat does not comply with all other applicable regulations as detailed herein: 1) For new drainage, detention, and/or floodplain easements refer DDC Section 7.5.3.I, J, and N and the Design Criteria Manual Section 4.12. (DCM 4.12 and FPC 3.7) 2) Show floodplain limits, including the floodplain buffer extending 200' from the edge of the floodplain. Note the current effective Flood Insurance Rate Map and any map changes (Letters of Map Amendment, Conditional Letters of Map Revision, etc.). Show, label, and dimension drainage and floodway easements. (DDC 7.5.3I, N; DCM 4.12) 3) A drainage or floodplain easement shall be dedicated as a single lot to the city, a homeowner's association, or other legal entity as allowed by DDC subsection 7.5.3. (DDC 7.5.3.I.2.a.ii)	☐	☒	☐
6. Consistent with Interlocal and Development Agreements			
a. The proposed development shall be consistent with any adopted interlocal and applicable development agreements, and comply with the terms and conditions of any such agreements incorporated by reference into this DDC. **Findings:**	☐	☐	☒

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
No interlocal or development agreements are applicable to this project.			
7. Minimizes Adverse Environmental Impacts			
a. The proposed development should be designed to minimize negative environmental impacts, and should not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, scenic resources, wildlife habitat, soils, and native vegetation. **Findings:** Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.	☐	☐	☒
8. Minimizes Adverse Impacts on Surrounding Property			
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. **Findings:** Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.	☐	☐	☒
9. Minimizes Adverse Fiscal Impacts			
a. The proposed development should not result in significant adverse fiscal impacts on the city. **Findings:** Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.	☐	☐	☒
10. Compliance with Utility, Service, and Improvement Standards			
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. **Findings:** The Final Replat complies with utility, service, and improvement standards and previously approved Design Deviations.	☒	☐	☐
11. Provides Adequate Road Systems			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
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. **Findings:** The Final Replat is consistent with this criterion.	☒	☐	☐
12. Provides Adequate Public Services and Facilities			
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. **Findings:** Adequate public service and facility capacity exists to serve the property. The lot will be served by City of Denton Water and Wastewater.	☒	☐	☐
13. Rational Phasing Plan			
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. **Findings:** There is no phasing plan associated with the proposed Final Replat.	☒	☐	☐

Final Replat Review Applicability Criteria (DDC Section 2.6.7.D)	Applicability		
	Met	Not Met	N/A
1. Whether the Final Replat is consistent with the intent of the underlying zoning district. **Findings:** The proposed Final Replat is consistent with the existing Suburban Corridor zoning district.	☒	☐	☐

Final Replat Review Applicability Criteria (DDC Section 2.6.7.D)	Applicability		
	Met	Not Met	N/A
2. Whether the Final Replat complies with applicable dimensional and development standards in this DDC. **Findings:** The Final Replat does not comply with applicable DDC dimensional and development standards. As detailed in the additional comments below.	☐	☒	☐
3. Whether the Final Replat does not affect a recorded easement without approval from the easement holder. **Findings:** The Final Replat does not affect any recorded easement without approval from the easement holder.	☒	☐	☐
4. Whether the Final Replat will not result in adverse impacts to surrounding property. **Findings:** Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.	☐	☐	☒
5. Whether the Final Replat will not limit the city's ability to provide adequate and sufficient facilities or services. **Findings:** There are adequate facilities to serve the proposed Final Replat.	☒	☐	☐
6. Whether the Final Replat complies with all other ordinances and plans and regulations adopted by the city, including the Comprehensive Plan and other long-range or special purpose area planning documents. **Findings:** Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.	☐	☐	☒

Additional Comments

1) Add the following note to the plat: "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 7.7.4. must be met prior to the release of any permits." (FPC 5.8)
2) Label minimum finish floor elevation for each pad site on any lot encumbered by floodplain or within the 200' floodplain buffer. If a single lot is expected to have multiple buildings, the location of each pad site must be shown on the plat with its minimum elevation. (DDC Section 7.5.3.I.3 and FPC 3.14)
    a. The minimum finished floor elevation is eighteen (18) inches above the one-hundred-year water surface elevation based on fully developed conditions or thirty (30) inches above the base flood elevation as indicated in the flood insurance study (FIS) or, if the BFE is unavailable, thirty (30) inches above the one-

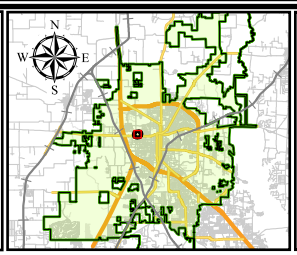
hundred-year flood elevation based on current development watershed conditions. In zone A, the FEMA's Estimated Base Flood Elevation (BFE) viewer may be used to establish flood elevations. (https://webapps.usgs.gov/infrm/estbfe/)

3) Include property, business or homeowner's association covenants as they relate to the maintenance of open space, common areas and facilities. (DDC 8.3.2.D and DDC 7.10.4.C.2)
4) Provide a copy of the computer-generated closure report for the metes and bounds description. (FPC 5.2)
5) For replats and amending plats, "ghost" in the previously approved lot lines with a lighter shaded line type. (FPC 3.2a)
6) Use Standard Plat Notes and format from COD website: https://www.cityofdenton.com/DocumentCenter/View/9297/Standard-Plat-Notes-05-31-24 (FPC 5.8)
7) Provide note on plat that private improvements cannot encroach onto existing public or private easements. Private easement dedications should be removed from plat. If private improvements are encroaching onto existing public or private easements, remove improvements. (DDC 1.3.5)
8) Bonnie Brae Street is classified as a secondary arterial with a 110-foot wide right-of-way (ROW).
    a. Clearly identify and indicate the centerline of Bonnie Brae Street.
    b. Specify the ROW width measured from the street centerline to the adjacent property line.
    c. The ROW width from the centerline to the property line should be half the total street ROW, or 55 feet. If the existing ROW width from the centerline to the property line is less than 55 feet, additional ROW dedication will be required to meet the 55-foot standard. If applicable, provide the dimensions of any dedicated ROW along the property frontage.
9) Correct spelling. (FPC 2.1)
10) Label as, "Final Replat" (FPC 2.2)
11) COD Standard Plat Notes: For sites containing public or private detention basins, detention easements, drainage easements, or floodplain easements, or some combination of these types, the following note will be required, and you will need to work with City of Denton to determine if additional notes are needed for your proposed development – in the bracketed areas below, make sure to list the exact name of the type of easement or easements on the plat to which this note applies, i.e., "Floodplain and Drainage Easement". List multiple easement types if this note applies to multiple easement types on the plat]:
    a. "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 [Insert exact name of easement or easements] Easement within the limits of this addition shall remain open at all times and will be maintained in a safe and sanitary condition by the owners of the lot or lots that are traversed by or adjacent to the [Insert exact name of easement or easements] 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 [Insert exact name of easement or easements], as herein above defined, unless approved by the City. The owners shall keep the drainage and detention 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 drainage and detention easement to remove any obstruction to the flow of water, after giving the owners written notice of such obstruction and owners fail to remove such obstruction. Should the City of Denton be compelled to remove any obstruction to the flow of water, after giving the owners written notice of such obstruction and owners fail to remove such obstruction, the City of Denton shall be reimbursed by the owners for reasonable costs for labor, materials, and equipment for each instance. The natural drainage through the [Insert exact name of easement or easements] Easement is subject to storm water overflow and natural bank erosion to an extent that cannot be definitely 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."

FR25-0019
Aerial Site Location



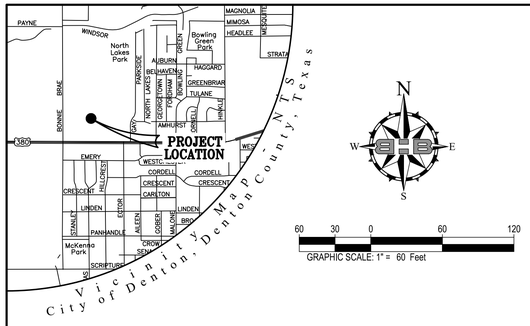
COD
ETJ
ETJ 2
NAA 8/1/20
NAA 8/1/40



0 87.5 175 350 Feet

CITY OF DENTON
Development Services · GIS
Date: 8/1/2025

"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 l 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."



Line Table		
Line #	Direction	Length
L1	S44°47'20"E	14.14
L2	S89°47'20"E	10.00
L3	S76°03'40"E	32.30
L4	N77°49'15"E	44.03
L5	S89°36'35"E	42.06
L6	N64°32'03"E	27.24
L7	S00°50'19"W	51.75
L8	S00°40'10"W	184.25
L9	N84°59'54"W	88.50
L10	N89°36'35"W	21.84
L11	N89°11'46"W	28.85
L12	N89°09'39"W	16.00
L13	N00°49'26"E	7.48
L14	N89°09'48"W	44.74
L15	N00°50'12"E	16.00

Line Table		
Line #	Direction	Length
L16	S89°09'48"E	44.74
L17	N10°19'40"E	27.55
L18	S89°09'48"E	24.51
L19	S00°50'12"W	29.58
L20	N89°09'48"W	23.98
L21	N00°23'25"E	11.10
L22	S89°36'35"E	21.92
L23	S00°23'25"W	51.39
L24	N89°10'33"W	277.87
L25	N00°12'40"E	34.58
L26	S89°22'17"E	21.61
L27	S89°10'33"E	255.34
L28	N00°23'25"E	29.54
L29	S89°36'35"E	10.00

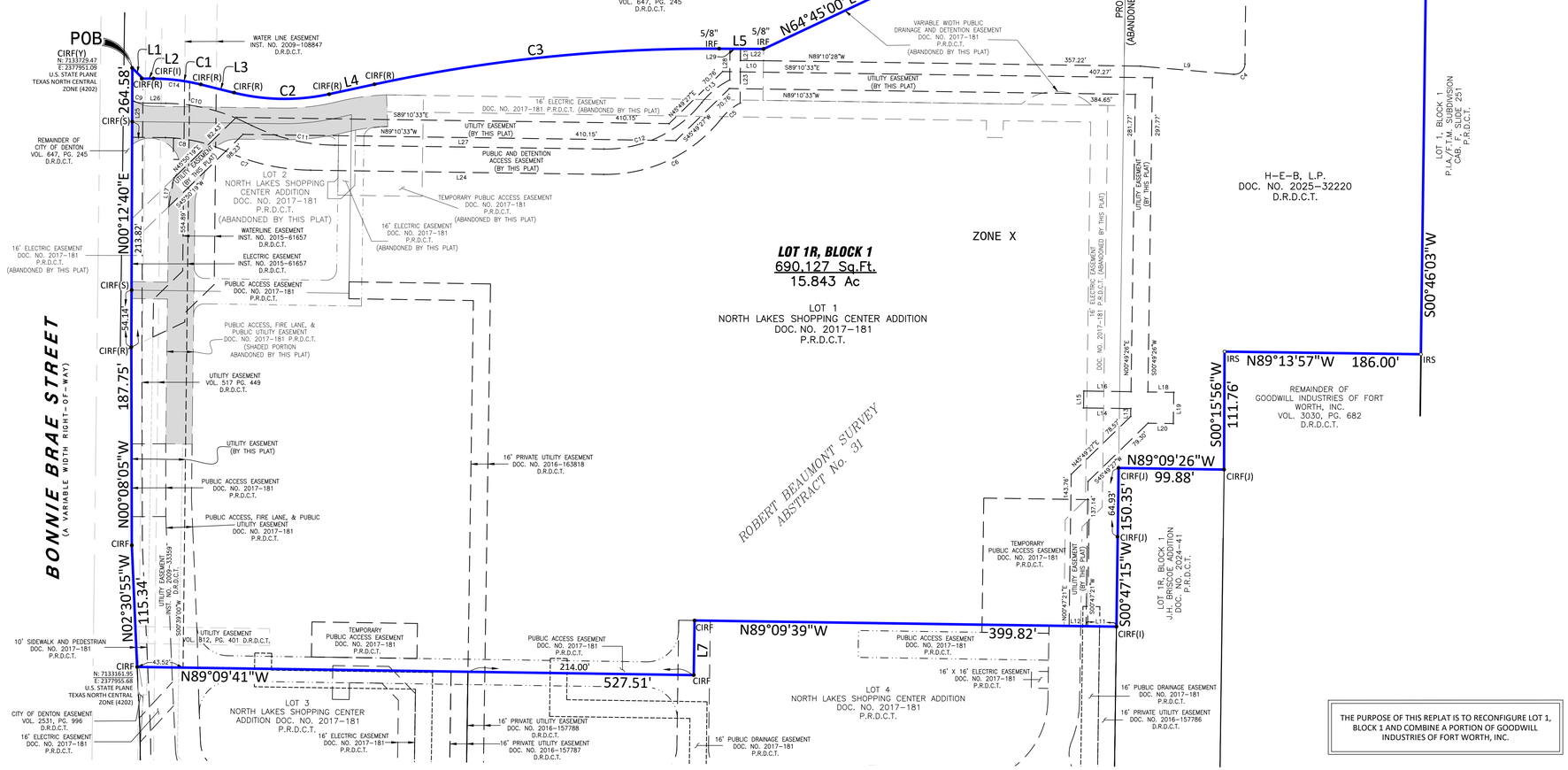
Curve Table					
Curve #	Delta	Radius	Arc Length	Chord Bearing	Chord Length
C1	13°40'43"	190.00'	45.36'	S82°56'59"E	45.25'
C2	26°04'00"	200.00'	90.99'	S89°08'40"E	90.21'
C3	12°32'55"	1502.54'	329.08'	N84°06'03"E	328.42'
C4	94°19'56"	10.00'	16.46'	N47°50'08"E	14.67'
C5	24°01'15"	55.00'	23.06'	S50°25'58"W	22.89'
C6	52°24'34"	140.00'	128.06'	N64°37'10"E	123.64'
C7	23°43'23"	200.00'	82.81'	S77°18'52"E	82.22'
C8	23°55'07"	141.50'	59.07'	N77°24'44"W	58.64'
C9	23°03'01"	26.00'	10.46'	S77°50'47"E	10.39'
C10	25°11'45"	174.00'	76.52'	N76°46'25"W	75.90'
C11	25°00'00"	186.00'	81.16'	S76°40'33"E	80.52'
C12	52°24'34"	116.00'	106.11'	N64°37'10"E	102.45'
C13	25°02'26"	79.00'	34.53'	S50°56'33"W	34.25'
C14	10°25'42"	190.00'	34.58'	N84°34'29"W	34.53'

LEGEND

CIRF.....Found 5/8" Capped Iron Rod Marked "BHB INC"
CIRF(B).....Found 1/2" Capped Iron Rod Marked "BEASLEY 4050"
CIRF(I).....Found 5/8" Capped Iron Rod "ILLEGIBLE"
CIRF(J).....Found 1/2" Capped Iron Rod Marked "JPH LAND SURVEYING"
CIRF(R).....Found 5/8" Capped Iron Rod Marked "1640"
CIRF(S).....Found 5/8" "Remains Of Cap" On Iron Rod
CIRF(TX).....Found 1/2" Capped Iron Rod Marked "TEXAS SURVEYING"
CIRF(Y).....Found 5/8" Capped Iron Rod Marked With A "CROSS HAIR"
D.R.D.C.T...Deed Records, Denton County, Texas
IRF.....Iron Rod Found
IRS.....Set 5/8" Yellow Capped Iron Rod Marked "BHB INC"
POB.....Point Of Beginning
P.R.D.C.T...Plat Records, Denton County, Texas

GENERAL NOTES

1. Basis of bearing being U.S. State Plane Grid - Texas North Central Zone (4202) NAD83 as established using the AllTerra RTKNet Cooperative Network. Reference frame is NAD83(2011) Epoch 2010.0000. Distances shown are U.S. Survey feet displayed in surface values.
2. Vertical Datum established using the AllTerra RTKNet Cooperative Network. All elevations shown are NAVD88.
3. All property corners are 5/8 inch capped iron rod marked "BHB INC" set unless otherwise noted.
4. The use of the word "Certify" or "Certificate" used hereon constitutes an expression of professional opinion regarding those facts of findings which are the subject of the certification, and does not constitute a warranty or guarantee, either expressed or implied.
5. The surveyor, as required by state law, is responsible for surveying information only and bears no responsibility for the accuracy of the engineering data placed on this survey.
6. This Survey reflects the above ground indications of utilities. The surveyor makes no guarantee that the utilities shown comprise all such utilities in the area, either in service, or abandoned. Further, the surveyor does not warrant that the underground utilities shown are in the exact location indicated. The surveyor has not physically located all the underground utilities, or other buried features, but has made an attempt to locate those visible or indicated as accurately as possible.
7. This Survey has been prepared without benefit of a current Commitment for Title Insurance, additional easements or restrictions may affect this property.
8. Construction not completed within two years of the Commissioners Court approval shall be subject to current County Subdivision Rules and Regulations. A driveway culvert must be obtained from Development Services by the owner of each lot prior to the construction, installation, or placement of any driveway access improvements within the dedicated right-of-way. The City of Denton does not approve plats for property located in their Division 2 ETJ based on an ICA with Denton County regarding platting in the ETJ.
9. All surface drainage easements shall be kept clear of fences, buildings, foundations, plantings, and other permanent obstructions which materially interfere with the operation and maintenance of the drainage facility.
10. The maintenance of paving, grading, and drainage improvements and/or easements show on this plat are the responsibility of the individual property owners and do not constitute acceptance of same for maintenance purposes by Denton County.
11. Blocking the flow of water or construction improvements in surface drainage easements, and filling or obstructing the floodway is prohibited. Denton County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flooding conditions. The existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual property owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across the lots.
12. Denton County shall not be responsible for maintenance of private streets, drives, emergency access easements, recreation areas and open spaces; and the owners shall be responsible for the maintenance of private streets, drives, emergency access easements, recreation areas and open spaces, and said owners agree to indemnify and hold harmless Denton County, from all claims, damages and losses arising out of or resulting from performance of the obligations of said owners set forth in this paragraph.
13. 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 center line 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.
14. The owner of the land dedicated by this plat reserves the right to use and enjoy the surface of all easement areas dedicated hereby for all purposes that do not interfere with the use of said easement areas for utilities (subject to all applicable laws, regulations and ordinances); including but not limited to the right to place surfacing materials over and across the easement areas and to use the same for parking areas, driveways, walkways, sidewalks, landscaping and/or lighting.
15. The location of the easements granted by separate instrument are approximate and such easements and their location are governed by the terms, provisions and conditions of such separate instrument.
16. Wastewater utility service will be provided by the City of Denton.
17. Water utility service will be provided by the City of Denton.



THE PURPOSE OF THIS REPLAT IS TO RECONFIGURE LOT 1, BLOCK 1 AND COMBINE A PORTION OF GOODWILL INDUSTRIES OF FORT WORTH, INC.

FLOOD ZONE NOTE

The subject property lies within Zone X - Areas determined to be outside the 0.2% annual chance floodplain per FIRM, Flood Insurance Rate Map, Community Panel Number 48121C0360G, Map Revised April 18, 2011.

BAIRD, HAMPTON & BROWN
engineering and surveying

6300 Ridglea Place, Suite 700 Fort Worth, TX 76116
jmargotta@bhbinc.com • 817.338.1277 • bhbinc.com
TBPELS Firm #44, #10011300

OWNER:
H-E-B, LP
646 S. FLORES STREET
SAN ANTONIO, TX 78204

REPLAT
LOT 1R, BLOCK 1
NORTH LAKES SHOPPING CENTER ADDITION
BEING 15.843 ACRES SITUATED WITHIN THE ROBERT BEAUMONT SURVEY, ABSTRACT NO. 31, BEING ALL OF LOT 1 & LOT 2, BLOCK 1, NORTH LAKES SHOPPING CENTER AND A ALL OF H-E-B, LP
CITY OF DENTON, DENTON COUNTY, TEXAS
JULY 2025 SHEET 1 OF 2

Drawing: E:\Survey 99 Thru Survey17\Survey14\187 Bonnie Brea\000\Dwg\NORTH-LAKES-SHOPPING-CENTER-ADDITION-REPLAT 2025.dwg

State of Texas §
County of Denton §

BEING a tract of land situated in the Robert Beaumont Survey, Abstract Number 31, City of Denton, Denton County, Texas and being all of Lots 1 and 2, Block 1, North Lakes Shopping Center Addition, an addition to the City of Denton, Denton County, Texas as shown on the plat recorded in Document Number 2017-181, Plat Records, Denton County, Texas (P.R.D.C.T.) and being a tract of land as described by special warranty deed to H-E-B, L.P. as recorded in Document Number 2025-32220, Deed Records, Denton County, Texas (D.R.D.C.T.), and being more particularly described by metes and bounds as follows: (Bearings referenced to U.S. State Plane Grid 1983 - Texas North Central Zone (4202) NAD83 as established using the AllTerra RTKNet Cooperative Network. Reference frame is NAD83(2011) Epoch 2010.0000. Distances shown are U.S. Survey feet displayed in surface values.)

BEGINNING at a found 5/8-inch capped iron rod marked with a "Crosshair" (CIRF(Y)) for the northwest corner of said Lot 1, having a US State Plane Coordinate - Texas North Central Zone (4202) NAD83 (Grid) of Northing 7133729.47' Easting 2377951.09';

THENCE with the north line of the said North Lakes Shopping Center, same being the south line of said remainder tract the following courses and distances:

South 44°47'20" East, a distance of 14.14 feet to a found 5/8-inch capped iron rod marked "1640" (CIRF(R));

South 89°47'20" East, a distance of 10.00 feet to a 5/8-inch capped iron rod marked (ILLEGIBLE) (CIRF(I));

along a curve to the right having a central angle of 13°40'43", a radius of 190.00 feet, an arc length of 45.36 feet and a chord which bears South 82°56'59" East, a distance of 45.25 feet to a CIRF(R);

South 76°03'40" East, a distance of 32.30 feet to a CIRF(R);

along a curve to the left having a central angle of 26°04'00", a radius of 200.00 feet, an arc length of 90.99 feet and chord which bears South 89°08'40" East, a distance of 90.21 to a CIRF(R);

North 77°49'15" East, a distance of 44.03 feet to a CIRF(R);

along a curve to the right having a central angle of 12°32'55", a radius of 1502.54 feet, an arc length of 329.08 feet and a chord which bears North 84°06'03" East, a distance of 328.42 feet to found 5/8-inch iron rod;

South 89°36'35" East, a distance of 42.06 feet to a found 5/8-inch iron rod;

North 64°45'00" East, a distance of 380.41 feet to a found 1/2-inch iron rod for the northeast corner of the said North Lakes Shopping Center Addition, same being the northwest corner of the aforementioned HEB tract and being in the south line of the said remainder tract;

THENCE with the common line between the said HEB tract and the siad remainder tract the following courses and distances:

North 64°32'03" East, a distance of 27.24 feet to a found 1/2-inch iron rod, from which a found 1/2-inch capped iron rod marked "TEXAS SURVEYING" bears South 34°38'01" East, a distance of 0.47 feet;

South 87°32'02" East, a distance of 260.38 feet to a found 1/2-inch capped iron rod marked "BEASLEY 4050" for the northeast corner of the said HEB tract, same being the northwest corner of Lot 1, Block 1, P.I.A./F.T.M. Subdivision as shown on plat recorded in Cabinet F, Slide 251, P.R.D.C.T., from which a found 1/2-inch iron rod bears North 35°01'16" East, a distance of 2.27 feet;

THENCE South 00°46'03" West, with the common line between the said HEB tract and said Lot 1 P.I.A./F.T.M. Subdivision, a distance of 452.07 feet to a set iron rod with yellow cap marked "BHB INC" (IRS) for the easternmost southeast corner of the said HEB tract, same being the northeast corner of the remainder of a tract of land as described by deed to Goodwill Industries of Fort Worth as recorded in Volume 3030, Page 682, D.R.D.C.T.;

THENCE with the common line between the said HEB tract and the said Goodwill Industries remainer tract, the following courses and distances:

North 89°13'57" West, a distance 186.00 feet to an IRS;

South 00°15'56" West, a distance of 111.76 feet to a found 1/2-inch capped iron rod marked "JPH LAND SURVEYING" (CIRF(J)) for the southernmost southeast corner of the said HEB tract, same being the northeast corner of Lot 1R, Block 1, J.H. Briscoe Addition, an addition to the City of Denton, Denton County, Texas as shown on plat recorded in Document Number 2024-41, P.R.D.C.T. and being in the west line of the aforesaid Goodwill Industries remainder tract;

THENCE North 89°09'26" West, with the common line between said HEB tract and the said J.H. Briscoe Addition, a distance of 99.88 feet to a CIRF(J) for the southwest corner of said HEB tract, same being the northwest corner of the said J.H. Briscoe Addition and being in the east line of the aforementioned North Lakes Shopping Center Addition;

THENCE South 00°47'15" West, with the common line between said North Lakes Shopping Center Addition and said J.H. Briscoe Addition, a distance of 150.35 feet to a CIRF(I) for the northeast corner of Lot 4, Block 1, North Lakes Shopping Center Addition;

THENCE with the common line between said Lot 1 and said Lot 4 the following courses and distances:

North 89°09'39" West, a distance of 399.82 feet to found 5/8-inch capped iron rod marked "BHB INC" (CIRF);

South 00°50'19" West, a distance of 51.75 feet to a CIRF;

North 89°09'41" West, at a distance of 214.00 feet passing the northwest corner of said Lot 4, same being the northeast corner of Lot 3, Block 1, North Lakes Shopping Center Addition, and now continuing, in all, for a total distance of 527.51 feet to a CIRF for the southwest corner of Lot 1, Block 1 of the said North Lakes Shopping Center Addition, same being the northwest corner of the said Lot 3, Block 1 and being in the east line of Bonnie Brae (a variable width right-of-way), having a US State Plane Coordinate - Texas North Central Zone (4202) NAD83 (Grid) of Northing 7133161.95' Easting 2377955.68';

THENCE with the west line of the said North Lakes Shopping Center Addition and the east line of Bonnie Brae the following courses and distances:

North 02°30'55" West, a distance of 115.34 feet to a CIRF;

North 00°08'05" West, a distance of 187.75 feet to a CIRF(R);

North 00°12'40" East, a distance of 264.58 feet to the **POINT OF BEGINNING** and containing 690,127 Square feet or 15.843 acres of land more or less.

NOW THEREFORE KNOW ALL PERSONS BY THIS PRESENT §

THAT, H-E-B, LP, owner of Lots 1 & 2, Block 1, North Lakes Shopping Center Addition and a tract of land as described by deed to H-E-B, L.P. do hereby adopt this final plat designating the above described property as **LOT 1R, BLOCK 1, NORTH LAKES SHOPPING CENTER ADDITION**, an addition to the The City of Denton, Denton County, Texas and does hereby dedicate for the purposes shown to the City of Denton for public use; the streets, rights-of-way, easements and any other public areas shown on the plat, excluding such easements that were created by separate instrument or are marked private which are governed by the terms, provisions and conditions of such separate instruments.

WITNESS UNDER MY HAND THIS the _____ day of _____ 2025.

H-E-B, LP
a Texas Limited Partnership

_____
By: Benjamin R. Scott
Group Vice President of Real Estate
and Shopping Center Development

STATE OF TEXAS §

COUNTY OF BEXAR §

Before me, the undersigned, a Notary Public for the State of Texas, appeared Benjamin R. Scott, known to be the person whose name is subscribed hereto.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the ____ day of _____ 2025.

_____
Notary Public

SURVEYOR'S CERTIFICATE

I, John G. Margotta, a Registered Professional Land Surveyor licensed in the State of Texas, do hereby declare that this survey is true and correct and was prepared from an actual survey made under my supervision on the ground. Further, this survey conforms to the general rules of procedures and practices of the most current Professional Land Surveying Practices Act.

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

Purpose of Document: Review
Surveyor: John G. Margotta
Registered Professional Land Surveyor No. 5956
Release Date: 07-15-2025

_____
John G. Margotta
State of Texas Registered Professional Land Surveyor
No. 5956
Date: July 15, 2025

CERTIFICATE OF APPROVAL

This is to certify that the Planning and Zoning Commission of the City of Denton, Texas has approved this plat and subdivision of **Lot 1R, Block 1, North Lakes Shopping Center Addition** 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

BAIRD, HAMPTON & BROWN
engineering and surveying

6300 Ridglea Place, Suite 700 Fort Worth, TX 76116
jmargotta@bhbinc.com • 817.338.1277 • bhbinc.com
TBPELS Firm #44, #10011300

OWNER:
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646 S. FLORES STREET
SAN ANTONIO, TX 78204

REPLAT
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CITY OF DENTON, DENTON COUNTY, TEXAS
JULY 2025 SHEET 2 OF 2

BAIRD, HAMPTON & BROWN
building partners

6300 Ridglea Place, Suite 700
Fort Worth, Texas 76116
817.338.1277

07/31/2025

City of Denton
Department of Development Services
Cameron Robertson, AICP
Historic Preservation Office/ Principal Planner
401 N. Elm St.
Denton, TX 76201

RE: FR25-0019 REPLAT FOR LOT 1R, BLOCK 1 NORTH LAKES SHOPPING CENTER ADDITION
EXTENSION REQUEST

To whom it may concern,
We respectfully request an extension of the 30-day review period for the referenced plat case (FR25-0019) to allow time for addressing CEP and plat comments.

Please let me know if you have any questions or require any additional information at this time.

Thank you,

BAIRD, HAMPTON & BROWN

Joe LaCroix, PE
Principal | Civil Engineer

File #: FP25-0025, **Version:** 1

AGENDA CAPTION

Consider a request by Landmark Surveyors, on behalf of Wes and Amber Parnell, for approval of a Final Plat of Lots 1-5, Block A, Fincher Oaks Addition. The 19.562-acre tract is approximately located on the southeast corner of the intersection of Oak Ridge Lane and Fincher Road in the Extraterritorial Jurisdiction 1 of the City of Denton, Denton County, Texas. (FP25-0025, Fincher Oaks, Matt Bodine)

City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: Cassey Ogden

DATE: August 13, 2025

SUBJECT

Consider a request by Landmark Surveyors, on behalf of Wes and Amber Parnell, for approval of a Final Plat of Lots 1-5, Block A, Fincher Oaks Addition. The 19.562-acre tract is approximately located on the southeast corner of the intersection of Oak Ridge Lane and Fincher Road in the Extraterritorial Jurisdiction 1 of the City of Denton, Denton County, Texas. (FP25-0025, Fincher Oaks, Matt Bodine)

BACKGROUND

The purpose of the Final Plat is to create five platted lots. There is an existing, residential structure on the proposed Lot 5, and the remaining lots are currently vacant, pastureland. The proposed lots will take access from Fincher Road. Right-of-way for Fincher Road is being dedicated as part of the proposed plat. Onsite, private septic systems will be used to provide wastewater services. Water services will be provided by the Argyle Water Supply Corporation.

The subject property is in the City of Denton's Extraterritorial Jurisdiction Division 1 (ETJ). 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. Additionally, building permit review is under the jurisdiction of Denton County.

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

Date Application Filed:	July 15, 2025
Planning & Zoning Commission Meeting:	August 13, 2025
Days in Review:	29 days

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

This application is being considered under Texas Local Government Code (TX LGC) 212.009, which was updated as of September 1, 2023, with the passage of House Bill 3699. The applicant has requested an additional 30-day extension to allow for additional time to work through staff's comments on the plat and additional review (see Exhibit 5). The requested extension could be granted to a date certain of September 10, 2025. The applicant may request additional 30-day extensions in the future if they are determined to be necessary.

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 September 10, 2025. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

No prior actions by a Council, Board, or Commission of the City of Denton.

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 Letter Request

Respectfully submitted:
Hayley Zagurski, AICP
Acting Planning Director

Prepared by:
Matt Bodine
Assistant Planner

Planning Staff Analysis

FP25-0025/ Fincher Oaks
City of Denton ETJ 1
Planning & Zoning Commission

REQUEST:
Final Plat for an approximately 19.562-acre tract to create 5 platted lots.

APPLICANT:
Landmark Surveyors on behalf of Wes and Amber Parnell.

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

Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	**Not Met**	**N/A**
1. Generally			
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. **Findings:** The Final Plat does not meet all applicable review criteria as described herein.	☐	☒	☐
b. The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9. **Findings:** The Final Plat does not meet all applicable review criteria of DDC Section 2.6.4D as described herein in Sections 14-16.	☐	☒	☐
c. If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5-2.9 controls. **Findings:** There is no conflict.	☒	☐	☐
2. Prior Approvals			
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	☐	☐	☒

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	**Not Met**	**N/A**
changed. This includes an approved phasing plan for development and installation of public improvements and amenities. **Findings:** There are no prior development plans nor approvals associated with this Final Plat.			
3. Consistent with Comprehensive Plan and Other Applicable Plans **The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.** **Findings:** Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.	☐	☐	☒
a. The decision-making authority shall weigh competing plan goals, policies, and strategies **Findings:** There are no competing plan goals, policies, and strategies for this site.	☐	☐	☒
b. May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in Comprehensive Plan. **Findings:** The overall goals of the Comprehensive Plan are met with the proposed Final Plat.	☐	☐	☒
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	**Compliance**		
4. Compliance with this DDC			
a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified. **Findings:** The proposed Final Plat is compliant with this criterion.	☒	☐	☐

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	**Not Met**	**N/A**
b. Compliance with these standards is applied at the level of detail required for the subject submittal. **Findings:** The Final Plat was not submitted at an adequate level of detail as described herein and detailed at the end of this document: 1. Add space to read "Oak Ridge Lane" 2. Label the exact location, dimension, and centerline (with dimension from centerline to edge of existing or proposed ROW) of existing public ROW intersection or contiguous with its boundary or forming such boundary. Display the centerline of proposed ROW with dimension from centerline to the edge of proposed ROW. (FPC 3.13) 3. Add City of Denton. (FPC 2.2)	☐	☒	☐
5. Compliance with Other Applicable Regulations			
a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations. **Findings:** The Final Plat is compliant with this criterion.	☒	☐	☐
6. Consistent with Interlocal and Development Agreements			
a. The proposed development shall be consistent with any adopted interlocal and applicable development agreements, and comply with the terms and conditions of any such agreements incorporated by reference into this DDC. **Findings:** There are no development agreements applicable to this proposed Final Plat.	☐	☐	☒
7. Minimizes Adverse Environmental Impacts			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	**Not Met**	**N/A**
a. The proposed development should be designed to minimize negative environmental impacts, and should not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, scenic resources, wildlife habitat, soils, and native vegetation. **Findings:** Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.	☐	☐	☒
8. Minimizes Adverse Impacts on Surrounding Property			
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. **Findings:** Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.	☐	☐	☒
9. Minimizes Adverse Fiscal Impacts			
a. The proposed development should not result in significant adverse fiscal impacts on the city. **Findings:** Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.	☐	☐	☒
10. Compliance with Utility, Service, and Improvement Standards			
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. **Findings:** The Final Plat is compliant with this criterion.	☒	☐	☐
11. Provides Adequate Road Systems			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	**Not Met**	**N/A**
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. **Findings:** The Final Plat is not compliant with this criterion as described herein: 1. Fincher Road is classified as a collector with a required right-of-way (ROW) width of 65 feet. From the road centerline to the property line, the ROW must be 32.5 feet. If the existing ROW is less than 32.5 feet from the centerline to the property line, additional ROW must be reserved to meet this standard. Please provide the measurement of the existing ROW from the road centerline to the property line, and ensure that sufficient additional ROW is reserved to achieve the 32.5-foot requirement.	☐	☒	☐
12. Provides Adequate Public Services and Facilities			
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. **Findings:** The Final Plat is not compliant with this criterion as described herein: 1. Add following notes: a. Sanitary sewer to be handled by facilities approved by the Denton County Public Health Department. b. A driveway culvert must be obtained from Denton County Development Services by the owner of each lot prior to the construction, installation, or placement of any driveway access improvements within the dedicated right of way.	☐	☒	☐
13. Rational Phasing Plan			

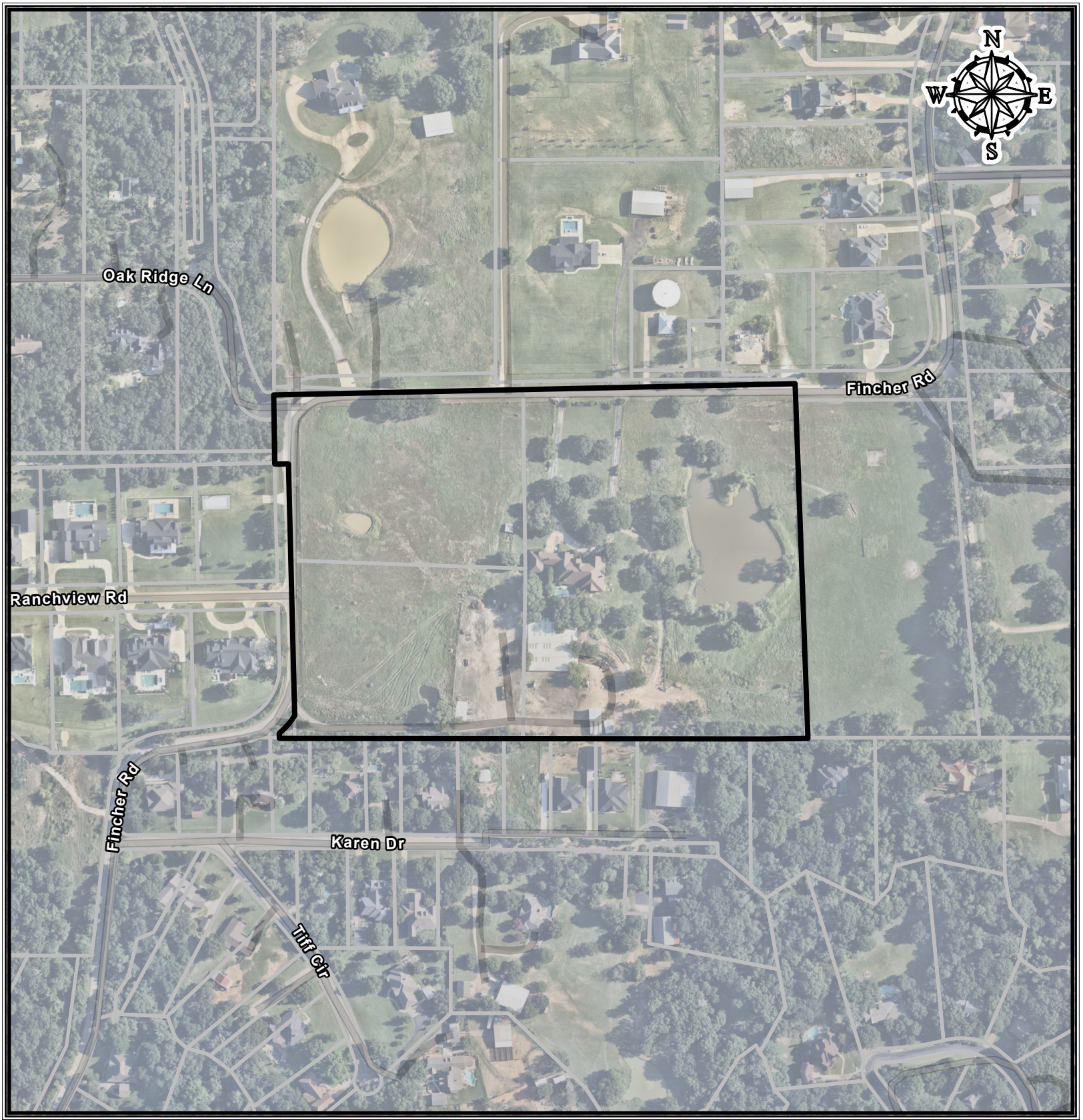
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required for that phase, and may not defer those improvements to subsequent phases. **Findings:** There is no phasing plan associated with the proposed Final Plat.	☐	☐	☒

Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)	Applicability		
	Met	Not Met	N/A
14. Whether the final plat conforms to the preliminary plat, including any conditions of approval. **Findings:** There is no approved preliminary plat associated with the proposed Final Plat. Preliminary Plats are prohibited in the ETJ.	☐	☐	☒
15. Whether the development will substantially comply with all requirements of this DDC. **Findings:** The Final Plat complies with the applicable requirements of the Denton Development Code as described herein.	☒	☐	☐
16. Whether the development will comply with the applicable technical standards and specifications adopted by the City. **Findings:** The Final Plat does not comply with the applicable technical standards and specifications adopted by the City as described herein: 1. The plat needs to state that onsite sewage facilities shall not be located inside publicly dedicated easements. (DCM 6.3.22.E)	☐	☒	☐

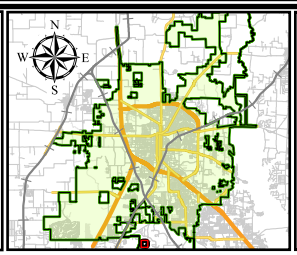
Additional Comments

1. Fix spelling error.
2. Fix general notes and owner's dedication block text. Plat shows five lots being created.
3. Include the following General Note, "The proposed lots meet the land use standards of the City of Denton for an On-Site Sewer Facility. Final approval of an On-Site Sewer Facility is subject to review and approval by Denton County." (FPC 2.17)

FP25-0025
Site Location Map



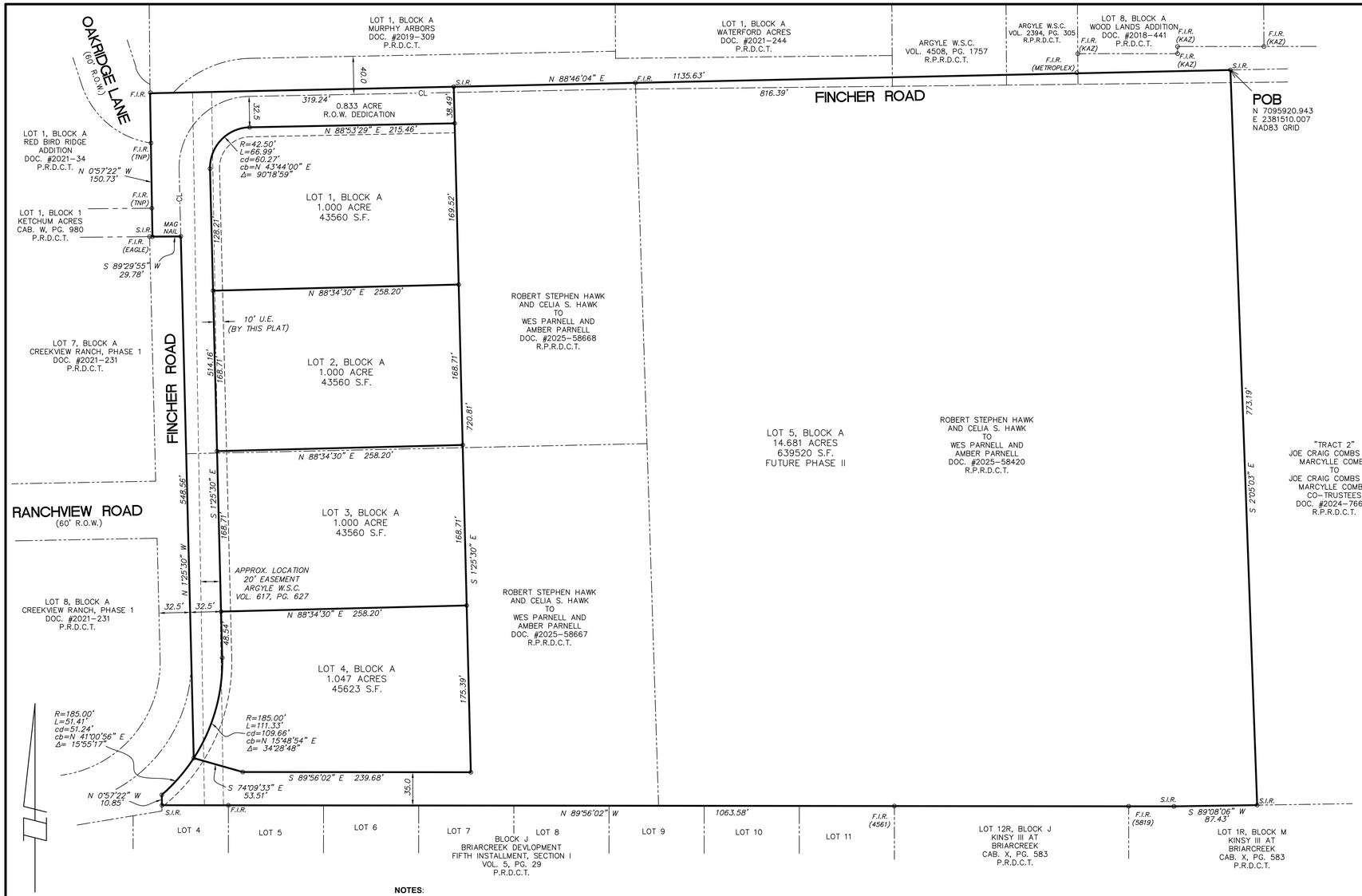
COD
ETJ
ETJ 2
NAA 8/1/20
NAA 8/1/40



0 85 170 340 Feet

CITY OF DENTON
Development Services · GIS
Date: 8/1/2025

"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 l 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."



OWNER'S CERTIFICATE AND DEDICATION
STATE OF TEXAS

WHEREAS WE, Wes Parnell and Amber Parnell are the owners of that certain lot, tract, or parcel of land situated in the J. H. Matthews Survey Abstract Number 1645 in the extra territorial jurisdiction of the City of Denton, Denton County, Texas, being all that certain tract of land conveyed by deed from Robert Stephen Hawk and Celia S. Hawk to Wes Parnell and Amber Parnell recorded under Document Number 2025-58420, Real Property Records, Denton County, Texas, and being all that certain tract of land conveyed by deed from Robert Stephen Hawk and Celia S. Hawk to Wes Parnell and Amber Parnell recorded under Document Number 2025-58668, Real Property Records, Denton County, Texas, and being all that certain tract of land conveyed by deed from Robert Stephen Hawk and Celia S. Hawk to Wes Parnell and Amber Parnell recorded under Document Number 2025-58667, Real Property Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at a capped iron rod marked RPLS 4561 set for corner in Fincher Road, a public roadway, said point being the northwest corner of that certain "Tract 2" of land conveyed by deed from Joe Craig Combs and Marcylle Combs to Joe Craig Combs and Marcylle Combs, Trustees recorded under Document Number 2024-76649, Real Property Records, Denton County, Texas;

THENCE S 02° 05' 03" E, 773.19 feet with the west line of said Combs, Trustees "Tract 2" to a capped iron rod marked RPLS 4561 set for corner in the north line of Lot 1R, Block M, Kinsy III at Briarcreek an addition to Denton County, Texas according to the Plat thereof recorded in Cabinet X, Page 583, Plat Records, Denton County, Texas;

THENCE S 89° 08' 06" W, 87.43 feet with said north line of said Lot 1R to a capped iron rod marked RPLS 4561 set for corner;

THENCE N 89° 56' 02" W, 1063.58 feet with said north line of Lot 1R and with the north line of Block J, Briarcreek Development Fifth Installment, Section 1, an addition to Denton County, Texas according to the plat thereof recorded in Volume 5, Page 29, Plat Records, Denton County, Texas to a capped iron rod marked RPLS 4561 set for corner in said Fincher Road;

THENCE N 00° 57' 22" W, 10.85 feet with said Fincher Road to a point for corner;

THENCE along the arc of a curve to the left having a central angle of 15° 55' 17", a radius of 185.00 feet, an arc length of 51.41 feet, whose chord bears N 41° 00' 56" E, 51.24 feet with said Fincher Road to a point for corner;

THENCE N 01° 25' 30" W, 548.56 feet with said Fincher Road to a mag nail for corner;

THENCE S 89° 29' 55" W, 29.78 feet with said Fincher Road to a capped iron marked RPLS 4561 set for corner, said point being the southeast corner of Lot 1, Block 1, Ketchum Acres, an addition to Denton County, Texas according to the plat thereof recorded in Cabinet W, Page 980, Plat Records, Denton County, Texas;

THENCE N 00° 57' 22" W, 150.73 feet with the east line of said Ketchum Acres and with the east line of Lot 1, Block A Red Bird Ridge Addition, an addition to Denton County, Texas according to the plat thereof recorded under Document Number 2021-34, Plat Records, Denton County, Texas and with Oakridge Lane, a public roadway to an iron rod found for corner in said Fincher Road;

THENCE N 88° 46' 04" E, 1135.63 feet with said Fincher Road to the **PLACE OF BEGINNING** and containing 852,129 square feet, or 19.562 acres of land, of which 0.833 acre is hereby dedicated for public roadway.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:
THAT Wes Parnell and Amber Parnell, do/does hereby adopt this plat designating the hereinabove described property as **LOTS 1, 2, 3, 4 AND FUTURE LOT 5, BLOCK A, OF FINCHER OAKS,** 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: Wes Parnell

BY:

_____
Wes Parnell DATE

STATE OF TEXAS
COUNTY OF DENTON:
Before me, the undersigned authority, on this day personally appeared Wes Parnell, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same for the purposes and considerations 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 _____, of 2025.

_____
Notary Public in and for the state of _____
My commission expires: _____

OWNER: Amber Parnell

BY:

_____
Amber Parnell DATE

STATE OF TEXAS
COUNTY OF DENTON:
Before me, the undersigned authority, on this day personally appeared Amber Parnell, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same for the purposes and considerations 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 _____, of 2025.

_____
Notary Public in and for the state of _____
My commission expires: _____

NOTES:
1. The purpose of this plat is to create four platted lots with a fifth lot in future phase II.
2. Elevations used for delineating contour lines are based upon NAVD 1988 datum.
3. Basis of Bearing is the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983, as determined from GNSS observations.
4. This plat was prepared to meet City of Denton and Denton County requirements. This plat was prepared from information furnished by Fidelity National Title, G.F. FTDAL-21-9000212500164L, FTDAL-21-9000212500160L and FTDAL-21-9000212500158L, effective date March 31, 2025. The surveyor has not abstracted the above property.
5. This plat lies wholly within 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. Any gas, petroleum, or similar common carrier easements located within the boundary of the property are shown hereon.
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:

1) 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
2) There shall be no obligation of the City to replace or repair any paving removed in the exercise of this easement.
3) 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 sewers, storm sewer, and water facilities onsite shall be the r esponsibility of the property owner. The City of Denton shall have no responsibility to maintain such facilities.
12. Encroachment of private improvements into existing easements shall not be permitted.
15. Wastewater utility service will be provided by an onsite sanitary sewer facility permitted through the Denton County Health Department.
17. Onsite sewage facilities are prohibited to encroach into public easements.
18. Water will be provided by Argyle Water Supply Corporation.
20. No portion of subject property lies within a special flood hazard area according to the FLOOD INSURANCE RATE MAP for Denton County and Incorporated Area, Map Number 48121C0370G, dated April 18, 2011 (Subject property lies in Zone X).
33. The City of Denton has adopted the National Electric Safety Code (The "CODE"). The CODE generally prohibits structures within 17.5 feet on either side of the centerline of overhead distribution lines and within 37.5 feet on either side of the centerline of overhead transmission lines. In some instances, the CODE requires greater clearances. Building permits will not be issued for structures within these clearance areas. Contact the building official with specific questions.
44. All numbers omitted above are City of Denton Master Notes that do not apply to this property and were intentionally omitted.
47. All property corners are capped ½" iron rods marked RPLS 4561, unless otherwise noted.

Planning and Zoning Commission Approval

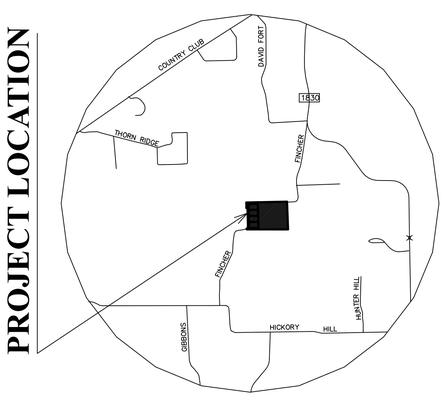
This is to certify that the Planning and Zoning Commission of the City of Denton, Texas has approved this plat and subdivision of Fincher Oaks in conformance with the laws of the State of Texas and the ordinances of the City of Denton as shown hereon and authorizes the recording of this plat this _____day of_____, 20____.

_____ _____
Chair, Planning & Zoning Commission City Secretary

CERTIFICATE OF SURVEYOR

I, Jerald D. Yensan, 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 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.

_____
Jerald D. Yensan DATE
Registered Professional Land Surveyor No. 4561



VICINITY MAP
SCALE 1" = 2000'

GRAPHIC SCALE 1"=60'
0 30 60 120 180 240 300

LEGEND
B.L. = BUILDING LINE
D.E. = DRAINAGE EASEMENT
F.I.R. = FOUND IRON ROD
S.I.R = SET CAPPED 1/2" RPLS 4561 IRON ROD
P.U.E. = PUBLIC UTILITY EASEMENT
R.P.R.D.C.T.= REAL PROPERTY RECORDS DENTON COUNTY TEXAS
P.R.D.C.T.= PLAT RECORDS DENTON COUNTY TEXAS
POB = PLACE OF BEGINNING
R.O.W. = RIGHT OF WAY
C.F. = CLERK'S FILE
R = RADIUS
L = LENGTH
CD = CHORD DISTANCE
CB = CHORD BEARING
Δ = DELTA
CL = CENTERLINE OF ROAD
○ = PROPERTY CORNER
_____ = PROPERTY LINE
__ __ __ = CENTER LINE OF ROAD
__ __ __ __ = EASEMENT LINE
__ __ __ __ = TRACT LINE

OWNER/DEVELOPER
WES PARNELL
AMBER PARNELL
10721 FINCHER ROAD
ARGYLE, TX 76226
817-658-8779

SURVEYOR
LANDMARK SURVEYORS
4238 I-35 N
DENTON, TEXAS 76207
(940) 382-4016

FP25-0025

FINAL PLAT
LOTS 1-5, BLOCK A OF FINCHER OAKS
BEING 19.562 ACRES (852129 S.F.) IN THE
J.H. MATTHEWS SURVEY A-1645
CITY OF DENTON ETJ DIVISION I
DENTON COUNTY, TEXAS

LANDMARK SURVEYORS, LLC.
TX FIRM REGISTRATION NO. 10098600
4238 I-35 NORTH
DENTON, TEXAS 76207
(940) 382-4016
FAX (940) 387-9784

DRAWN BY: BTH SCALE: 1"=60' DATE: 11 JULY, 2025 JOB NO: 258084

Re: FP25-0025; Fincher Oaks (ETJ1) - 1st DAT review comments available to view/download

Michelle,

We would like to request a 30 day extension to make corrections to the plat.

Thanks,
Brad Hamilton

Landmark Surveyors LLC.
4238 I-35 North
Denton, Texas 76207
PH 940-382-4016
FAX 940-387-9784
TX Firm Registration Number 10098600
www.landmarksurveyors.com

File #: ZCP25-0010, **Version:** 1

AGENDA CAPTION

Consider a request by CBH Properties Denton, LLC for approval of a Site Plan for quick vehicle servicing within the Rayzor Ranch Overlay District, South Campus - South Commercial District (SCD) subarea, located on Lot 14, Block A of Rayzor Ranch Town Center. The approximately 1.036-acre subject property is generally located east of I-35, approximately 500 feet north of Panhandle Street in the City of Denton, Denton County, Texas. (ZCP25-0010, Christian Brothers Automotive, Mia Hines)

City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: Cassey Ogden

DATE: August 13, 2025

SUBJECT

Consider a request by CBH Properties Denton, LLC for approval of a Site Plan for quick vehicle servicing within the Rayzor Ranch Overlay District, South Campus – South Commercial District (SCD) subarea, located on Lot 14, Block A of Rayzor Ranch Town Center. The approximately 1.036-acre subject property is generally located east of I-35, approximately 500 feet north of Panhandle Street in the City of Denton, Denton County, Texas. (ZCP25-0010, Christian Brothers Automotive, Mia Hines).

BACKGROUND

The request is for approval of a Site Plan (also known as a Zoning Compliance Plan) for quick vehicle servicing located on Lot 14, Block A of Rayzor Ranch Town Center. The applicant proposes a total of 5,983 square foot building with 10 service bays, associated parking, and landscaping. The property is located within the Rayzor Ranch Overlay District (RROD), more specifically in the South Commercial District (SCD) subarea of the overlay zoning district. Within the overlay, "quick vehicle servicing" includes gasoline sales, light repair, tune-ups, oil changes, and transmission or drive train repairs to automobiles or light trucks. These activities are permitted within this subarea, and the site is subject to the development standards of Section 4.8 of the Denton Development Code (DDC), recently adopted as Appendix A to the DDC.

Although site plans are typically reviewed and approved administratively in the City of Denton, the RROD requires site plan approval by the Planning and Zoning Commission pursuant to Subsection 4.8.2 of the DDC. The applicant has provided a site plan, landscape plan, and building elevations in compliance with the applicable architectural and landscape standards of Exhibits C-1 and D-1 of the RROD (provided as Exhibit 7 and 8, respectively). A full staff analysis of the submittal is provided in Exhibit 2.

OPTIONS

1. Approve
2. Approve With Conditions
3. Deny
4. Postpone Item

RECOMMENDATION

Staff recommends approval of this request with the following condition as it meets the established requirements of the RROD outlined in DDC Subsection 4.8.2.F:

1. Prior to issuance of a building permit, a replat must be approved and recorded to adjust the lot line between Lots 13 and 14, Block A of the Rayzor Ranch Town Center Addition so that all parking and landscaping shown on the proposed site plan and landscape plan are within Lot 14.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
June 9, 2010	Planning and Zoning Commission	Amend Development Standards for RROD	Recommended Approval
June 15, 2010	City Council	Amend Development Standards for RROD	Approved (Ordinance 2010-158)
March 11. 2015	Planning and Zoning Commission	Preliminary Plat – Rayzor Ranch Town Center, Block A, Lots 1-10	Approved
April 8, 2015	Planning and Zoning Commission	Final Plat Rayzor Rancg Town Center, Block A, Lots 1-10	Approved (FP14-0005)
October 7, 2015	Planning and Zoning Commission	Final Replat – Rayzor Ranch Town Center, Block A, Lots 1R, 2R, 3R, 5R, 6R, 8R, 9R, and 10R	Approved (FR15-0012)
January 13, 2016	Planning and Zoning Commission	Final Plat – Rayzor Ranch Town Center, Block A, Lots 10R-1, 11, and 12	Approved (FR15-0026)
January 13, 2016	Planning and Zoning Commission	Amend Procedural and Development Standards for RROD	Recommended Approval
January 26, 2016	City Council	Amend Procedural and Development Standards for RROD	Approved (Ordinance 2016-017)
January 25, 2017	Planning and Zoning Commission	Final Plat – Rayzor Ranch Town Center, Block A, Lots 13, 14, 15, & 16	Approved (FP16-0040)
June 26, 2024	Planning and Zoning Commission	Consolidate RROD Standards and add to DDC Subsection 4.8	Recommended Approval
July 16, 2024	City Council	Consolidate RROD Standards and add to DDC Subsection 4.8	Approved (Ordinance DCA24-0004)

PUBLIC OUTREACH

No public outreach is required for a Site Plan.

DEVELOPER ENGAGEMENT

No developer contact and/or meeting disclosures have been provided to staff as of issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis

3. Site Location Map
4. Proposed Site Plan
5. Proposed Landscape & Open Space Plan
6. Proposed Conceptual Building Elevations
7. RROD Exhibit C-1
8. RROD Exhibit D-1

Respectfully submitted:
Hayley Zagurski, AICP
Acting Planning Director

Prepared by:
Mia Hines, AICP
Senior Planner

Planning Staff Analysis
ZCP25-0010 / Christian Brothers Automotive
City Council District #3

REQUEST:
Approval of a Site Plan for a quick vehicle servicing within the Rayzor Ranch Overlay District, South Campus – South Commercial District (SCD), located on Lot 14, Block A of Rayzor Ranch Town Center.

APPLICANT:
Dynamic Engineering Consultants on behalf of CBH Properties Denton, LLC.

BACKGROUND:
The request is for approval of a Site Plan (also known as a Zoning Compliance Plan) for a quick vehicle servicing on an approximately 1.036-acre property platted as Lot 14, Block A of Rayzor Ranch Town Center. The applicant proposes one 5,982 square foot building with 10 service bays, associated parking, open spaces, and landscaping. Per the Rayzor Ranch Overlay District (RROD) land use plan and development standards, quick vehicle servicing includes gasoline sales, light repair, tune-ups, oil changes, transmission or drive train repairs to automobiles or light trucks. These activities are permitted within the South Campus – South Commercial District (SCD) subarea of the RROD.

Since the initial version of the RROD was first adopted in 2007, all parts of the overlay were based upon zoning districts and standards from the 2002 DDC. On July 16, 2024, the City Council voted to consolidate the Ordinances and codify the applicable development regulations of the RROD as DDC Section 4.8, which is what has been applied to the review of this development.

STAFF RECOMMENDATION:
Staff recommends approval of this request with the following condition as it meets the established requirements of the RROD outlined in DDC Subsection 4.8.2.F:

1. Prior to issuance of a building permit, a replat must be approved and recorded to adjust the lot line between Lots 13 and 14, Block A of the Rayzor Ranch Town Center Addition so that all parking and landscaping shown on the proposed site plan and landscape plan are within Lot 14.

SITE DATA:
The subject site is an undeveloped property, consisting of approximately 1.036 acres platted as Lot 14, Block A of Rayzor Ranch Town Center and located east of I-35, approximately 500 feet north of Panhandle Street. For accessing the proposed development, the applicant proposes a connection to the existing public access system connecting multiple Rayzor Ranch pad sites to the north bound I-35 frontage road, West University Drive (US 380), and Panhandle Street, an approximately 65-foot-wide east-west Collector roadway.

The Site Plan, Landscape Plan, and Conceptual Building Elevations (Exhibits 4-6, respectively) reflect the following site details:

1. The proposed quick vehicle servicing development and associated parking are consistent with Rayzor Ranch Overlay District Development Standards as outlined in Section 4.8 of the DDC.

2. The Development Impact Area for the development encompasses approximately 37,094 square feet of land and proposes one 5,982 square foot building with 10 service bays, associated parking, open spaces, and landscaping.

3. The proposed development requires 13 vehicular parking spaces consistent with the minimum parking ratio of 1 space per 500 square feet plus 1 space for each service bay; however, 37 spaces are proposed to be provided on site. While not required, the proposed development includes 2 bicycle parking spaces on the site.

4. The landscaping standards require a minimum of 25% tree canopy coverage and 10% landscape coverage. This development proposes 36% tree canopy coverage and 28% landscape coverage on the subject property.

5. The building proposes to have a similar level of architectural detailing on all sides of the buildings and is consistent with the development standards of the RROD.

SURROUNDING ZONING AND LAND USES:

Northwest: IH-35 Zoning: Light Industrial (LI) Use: warehouse	**North:** Zoning: RROD – SCD Use: undeveloped	**Northeast:** Zoning: RROD – Town Center (TC) Use: hotel & convention center
West: IH-35 Zoning: Light Industrial (LI) Use: offices	**SUBJECT AREA**	**East:** Zoning: RROD – Town Center (TC) Use: hotel & convention center
Southwest: IH-35 Zoning: Light Industrial (LI) Use: self-service storage	**South:** Zoning: RROD – SCD Use: retail (furniture)	**Southeast:** Zoning: RROD – SCD Use: indoor recreation

CONSIDERATIONS:

Pursuant to DDC Section 4.8.2.F Approval Criteria, the Planning and Zoning Commission shall approve the site plan if it finds that:

i. **The site plan substantially complies with the Concept Plan previously approved by City Council;**

The Rayzor Ranch Concept Plan designates the subject property as being a part of the South Campus – South Commercial District subarea, so these standards were applied during plan review. Staff finds that the site plan complies with the established South Campus Development Standards (DDC Section 4.8.5.C) regarding the maximum

building height of 100 feet, maximum lot coverage of 90%, maximum floor-to-area (F.A.R.) ratio of 4.0, and land use. As shown on the site plan, the proposed building height for the 1-story building is 25 feet. For this site, the proposed 30,349 square feet of impervious coverage equates to a total lot coverage of approximately 67%, and the proposed total building area of 5,983 square feet equates to a floor-to-area ratio of approximately 0.13.

ii. **The site plan provides for the design and arrangement of driveways and parking spaces in accordance with the applicable requirements of the Denton Development Code, as modified by the Rayzor Ranch Overlay District;**

The parking lot and driveways are designed and placed in accordance with the standards of DDC Section 7.9.4, which requires minimum parking at a ratio of 1 space per 500 square feet of indoor sales, leasing, and/or office area plus 1 space per service bay for automotive repair uses. Given the proposed 10 service bays and 1,182 square feet of office space, 13 parking spaces are required for the development. The applicant's plans indicate the provision of the 37 spaces for this development. The proposed driveway locations and cross access connections have been reviewed and approved by the City's Transportation Services Division.

iii. **There are adequate utilities, drainage, and supporting infrastructure or it shall be provided in accordance with the applicable requirements of the Denton Development Code, as modified by the Rayzor Ranch Overlay District; and**

The proposed site plan indicates an intent to tap into existing water, sanitary sewer, and storm water lines within the public access easement to the east of the subject property. Civil Engineering Plans will follow the approval of this Zoning Compliance Plan to accommodate for any changes and ensure no conflicts between the proposed infrastructure and buildings within this development.

iv. **The site plan fully complies with all other sections of the Rayzor Ranch Overlay District.**

The proposed development, being within the SCD subarea, is required to demonstrate compliance with the South Commercial District Standards Exhibit C-1 for site design/architecture and Exhibit D-1 for landscaping. These standards are provided as Exhibits 7 and 8, respectively. The proposed site plan, landscape plan, and elevations comply with these requirements as detailed below:

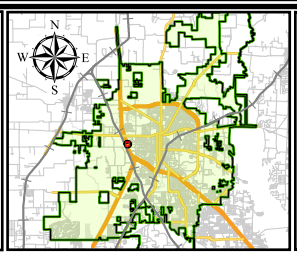
- The building meets the applicable requirements for building design in Exhibit C-1, Architectural Standards. The proposed conceptual elevations indicate a variety of masonry materials covering all four facades and reflects colors consistent with the approved color palette for the RROD
- Per the landscaping standard requirements, the landscape plans indicate the provision of at least 13% parking area landscape coverage and 33% parking area tree canopy coverage, exceeding the required minimum 10% and 20% respectively.

- Per Exhibit D-1, Staff may approve alternative tree locations utilizing the minor amendment process to avoid conflicts with utilities as defined in the Denton Development Code (DDC). Staff finds that the requested alternatives detailed below comply with the Alternative Landscape Plan Approval Criteria as required by DDC Subsection 7.7.3C.2:
    - The site is required to have a minimum 15-foot-wide right-of-way screening landscape area containing a combination of landscape elements including 1 large tree for every 45 linear feet of right-of-way screening area. The site meets the required minimum 15-foot-wide landscape screening buffer area between the right-of-way and the parking lot. Regarding the required plantings, the applicant proposes the required 3-foot-high continuous row of evergreen shrubs within the landscape buffer area but seeks alternative compliance of tree planting locations due to the presence of existing easements. As shown in Exhibit 5, the 248 feet of street frontage requires 6 trees and the applicant alternatively propose to locate these trees elsewhere within the parking lot area. Staff recommends approval of these alternative planting locations.
    - The site is required to have one planted island containing two shade trees for every 15 linear parking spaces and an end island containing one shade tree for every parking row. The site contains the required islands but proposes alternative compliance of tree plantings for an internal island and end cap located within the easternmost row of parking due to utility conflicts. Staff recommends approval of these alternative planting locations.

ZCP25-0010



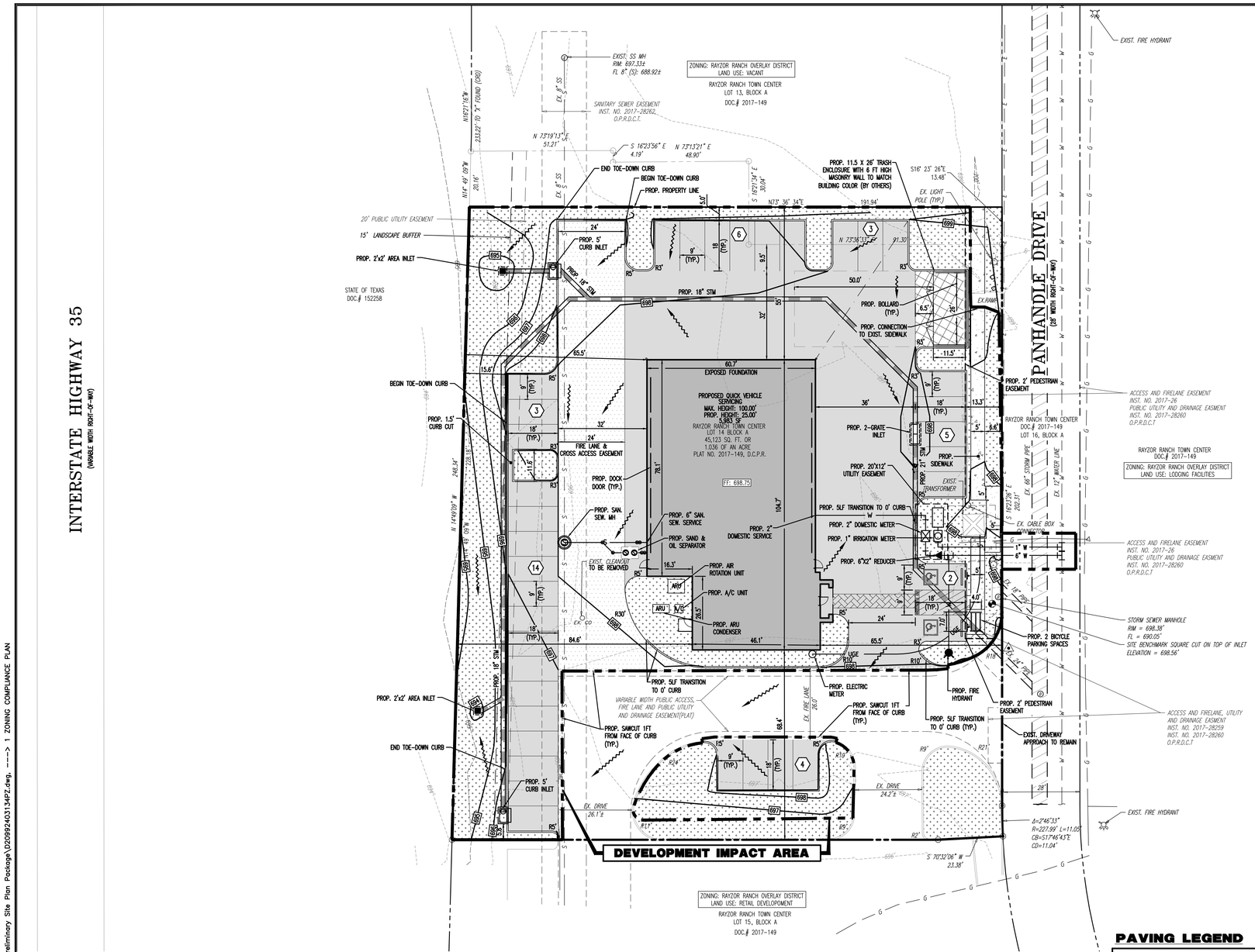
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NAA 8/1/40

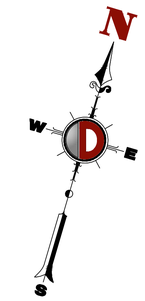


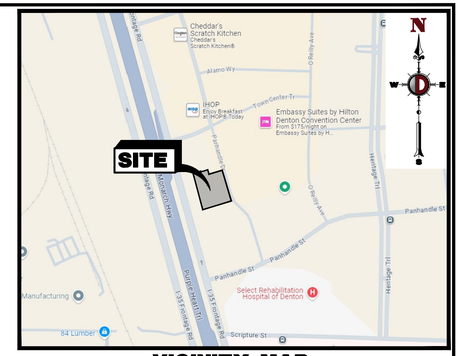
0 45 90 180 Feet

CITY OF DENTON
Development Services · GIS
Date: 3/20/2025

"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 l 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.

SITE DATA SUMMARY TABLE		
Item	**Required**	**Provided**
General Site Data		
Lot Area (Square Feet and Acres)	-	45,123 SF / 1.036 AC.
Building Footprint Area (Square Feet)	-	5,983 SF
Total Building Area (Square Feet)	-	5,983 SF
Building Height (Feet and Number of Stories)	100 ft Max.	25 ft
Lot Coverage (Percent)	90% Max.	67%
Development Impact Area (Square Feet)	-	37,094 SF
Parking		
Indoor Sales/Leasing/Office Space: 1 Stall per 500 square feet (1,182 SF)	3 stalls	-
Bay: 1 Stall per bay (10 bays)	10 stalls	-
Total:	13 stalls	37 stalls
Accessible Parking	2 stalls	2 stalls
Bicycle Spaces	2 spaces	2 spaces
Landscape Area		
Open Space (Square Feet and Percent)	1 SF/ 10 SF of GFA	13,965 SF / 30 %
Landscaped Area (Square Feet and Percent)	4,212 SF / 10 %	11,774 / 28 %
Tree Canopy (Square Feet and Percent)	11,281 SF / 25 %	16,178 SF / 36 %
Permeable Area		
Permeable Pavement (Square Feet)	-	0 SF
Other Permeable Area within the lot not including landscaping	-	0 SF
Impervious Area		
Building Footprint Area (Square Feet)	-	5,983 SF
Area of Sidewalks, Pavement, & Other Impervious Flatwork (Square Feet)	-	24,366 SF
Total Impervious Area	-	30,349 SF
Water Utilities		
Water Demand (GPD)	-	200
Water Demand-Peak Hour (GPH)	-	60
Wastewater Loading (GPD)	-	220
Wastewater Loading-Peak Flow (GPH)	-	70

GENERAL NOTES:

GENERAL NOTES:
1. THIS PLAN HAS BEEN PREPARED BASED ON REFERENCES INCLUDING:
– TOPOGRAPHIC SURVEY OF LOT 14, BLOCK A OF RAYZOR RANCH TOWN CENTER, AN ADDITION TO THE CITY OF DENTON, ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NO. 2017-149, PLAT RECORDS, DENTON COUNTY, TEXAS.
– RAYZOR RANCH TOWN CENTER PHASE 3 WATER AND SANITARY SEWER DATED DECEMBER 2016

2. PARCEL DATA:
– OWNER: FULL CIRCLE DENTON LLC
– – 583 VITANO ST, LAS VEGAS, NV 89138
– LEGAL DESCRIPTION: RAYZOR RANCH TOWN CENTER, BLOCK A, LOT 14
– PROPERTY ID: 701976
– AREA: 45,123 SQ. FT. / 1.036 ACRES
– CURRENT ZONE: RAYZOR RANCH OVERLAY DISTRICT – SOUTH COMMERCIAL DISTRICT
– PROPOSED USE: QUICK VEHICLE SERVICE
– REQUIRED SETBACKS: NONE
– REQUIRED LOT DIMENSIONS:

3. NO 100-YEAR FLOODPLAIN EXISTS WITHIN 200' OF THE PROPERTY.
4. NO ENVIRONMENTALLY SENSITIVE AREAS (ESAS) EXIST ON THE PROPERTY.
5. THERE ARE NO ON-SITE EXISTING TREES PRESENT ON SITE, SO THE DBH IS NOT CHANGING.
6. REGIONAL DETENTION IS PROVIDED FOR THE SUBJECT PROPERTY OFF-SITE.
7. NO MECHANICAL EQUIPMENT WILL BE LOCATED ON THE GROUND.

GRAPHIC SCALE
−20 0 10 20 40 80
(IN FEET)
1 INCH = 20 FT.

LEGEND

- PROPERTY LINE (PARCEL IN QUESTION)
- OFF-SITE PROPERTY LINES
- CENTERLINE
- UGE — APPROX. LOC. EXIST. UNDERGROUND ELECTRIC
- W — APPROX. LOC. EXIST. UNDERGROUND WATER LINE
- G — APPROX. LOC. EXIST. UNDERGROUND GAS LINE
- OH — EXIST. O.H. ELECTRIC LINES
- T OR UT — APPROX. LOC. EXIST. UNDERGROUND TEL. LINE
- SS OR S — EXIST. SANITARY SEWER
- EXIST. FIRE HYDRANT
- W OR ⊥ — EXIST. WATER VALVE
- G — EXIST. GAS VALVE
- EXIST. UTILITY POLE
- EXIST. WATER METER
- EXIST. CATCH BASIN
- EXIST. STORM DRAIN MANHOLE
- EXIST. SEWER MANHOLE
- EXIST. LIGHT POLE
- C/O — EXIST. CLEANOUT
- PED — EXIST. PED POLE
- EXIST. SIGN
- EXIST. TREE
- EXIST. BOLLARD
- PROP. STORM DRAIN LINE
- W — W — PROP. WATER LINE
- G — G — PROP. GAS MAIN
- UGET UGE — PROP. UNDERGROUND ELECTRIC/TELE. SERVICE
- UT — PROP. UNDERGROUND TELE. SERVICE
- SS OR S — PROP. SANITARY SEWER LINE
- PROP. CURB INLET
- PROP. AREA INLET
- PROP. DRAINAGE MANHOLE
- PROP. OUTLET STRUCTURE
- PROP. SANITARY SEWER MANHOLE
- PROP. CLEAN OUT
- PROP. END SECTION
- PROP. FIRE HYDRANT
- PROP. WATER METER
- PROP. IRRIGATION METER
- PROP. REMOTE FDC
- PROP. LIGHT POLE
- PROP. SIGN
- PROP. RAMP

DRAWING INDEX

1	ZONING COMPLIANCE PLAN	
2	PRELIMINARY EXISTING DRAINAGE AREA MAP	
3	PRELIMINARY PROPOSED DRAINAGE AREA MAP	
4	SW.01	
5	SW.02	

ITE TRIP GENERATION COMPARISON										
LAND USE	**AM PSH**			**PM PSM**			**SAT PSH**			**DAILY**
	IN	**OUT**	**TOTAL**	**IN**	**OUT**	**TOTAL**	**IN**	**OUT**	**TOTAL**	
942 – Automotive Care Center 5,983 SF	9	4	13	12	14	26	10	11	21	142

PAVING LEGEND

- PROPOSED FIRE LANE 8" 4,500 PSI CONCRETE WITH #4 BARS AT 18" O.C.E.W. OVER 8" STABILIZED SUBGRADE PER CITY OF DENTON DETAILS.
- PROPOSED PAVEMENT 7" 4,500 PSI CONCRETE WITH #4 BARS AT 18" O.C.E.W. OVER 8" LIME STABILIZED SUBGRADE PER CITY OF DENTON DETAILS.
- PROPOSED DUMPSTER AREA 7" 4,500 PSI CONCRETE WITH #4 BARS AT 18" O.C.E.W. OVER 8" STABILIZED SUBGRADE PER CITY OF DENTON DETAILS.
- PROPOSED SIDEWALK 6" 3,000 PSI CLASS A CONCRETE WITH #3 BARS @ 18" O.C.E.W. OVER 2" SAND CUSHION PER CITY OF DENTON SIDEWALK DETAIL.
- PERMEABLE AREA
- PROPOSED STAMPED CONCRETE PEDESTRIAN WALKWAY

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TITLE:
ZONING COMPLIANCE PLAN

PROJECT: **CHRISTIAN BROTHERS AUTOMOTIVE – DENTON**
CHRISTIAN BROTHERS AUTOMOTIVE CORPORATION
17725 KATY FREWAY, SUITE 200, HOUSTON, TX 77094
CASE NO. ZCP25-0010
BLOCK A, LOT 14, 1.036 AC.
3130 NORTH INTERSTATE HIGHWAY 35
CITY OF DENTON, DENTON COUNTY, TEXAS

JOB No: 2099-24-03134
DATE: 06/06/25
DRAWN BY: JK
SCALE: (H) 1"=20' (V)
DESIGNED BY: RG
CHECKED BY: LGM
CHECKED BY: –
SHEET No: 1 OF 5

PRELIMINARY PLAN
FOR REVIEW ONLY

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW AND MARKUP UNDER THE AUTHORITY OF LINDSEY G. MAYER, STATE LICENSE NUMBER 107537 ON 06/06/2025. THIS DOCUMENT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES

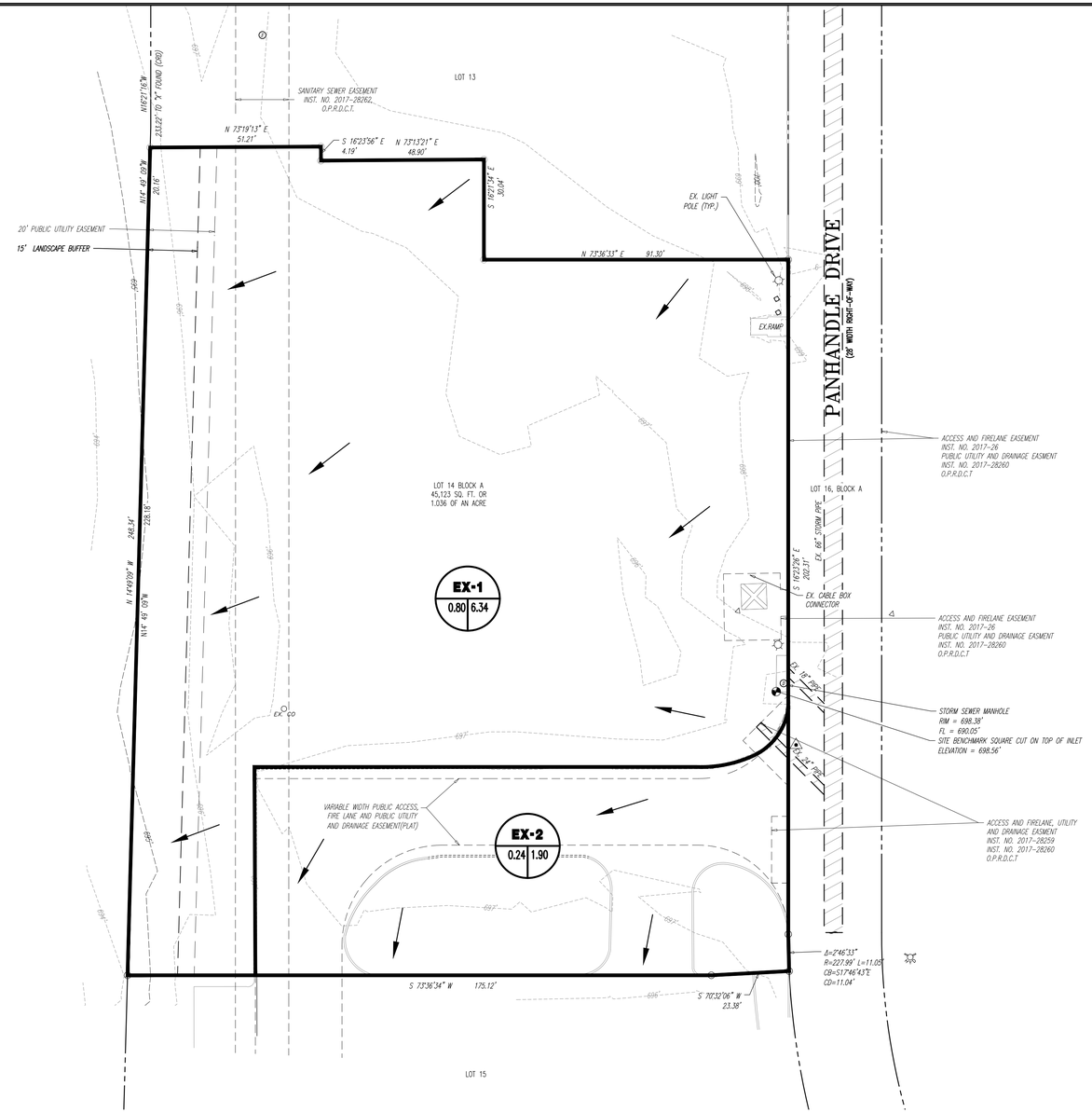
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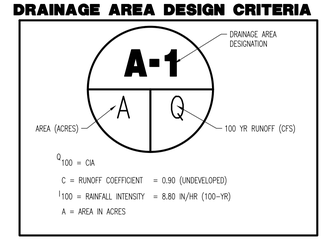
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DRAINAGE AREA DESIGN CRITERIA



FLOOD PLAIN NOTE

ACCORDING TO MAP NO. 48121C0360G OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR DENTON COUNTY AND INCORPORATED AREAS, DATE 04/18/2011, THE SUBJECT TRACT IS SITUATED WITHIN ZONE X (UNSHADED).

GRAPHIC SCALE

-20 0 10 20 40 80

(IN FEET)

1 INCH = 20 FT.

Existing Drainage Area Calculation Table

Acres - Drained				100-year Design		
D.A. Name	Area (AC.)	C	Tc (min.)	Intensity (in./hr.)	Flow (cfs)	Description
EX-1	0.80	0.9	10.0	8.80	6.34	Flows to TxDOT ROW. Designed to flow to regional detention pond.
EX-2	0.24	0.9	10.0	8.80	1.90	Flows to off-site curb inlet. Designed to flow to regional detention pond.
Notes:	**Rainfall Intensity I - Per the Rayzor Ranch Town Center Detention Pond plan set, dated January 18, 2017.** **Runoff Coeffient C - Per the Rayzor Ranch Town Center Detention Pond plan set, dated January 18, 2017.** **Time of Concentration Tc -Per the Rayzor Ranch Town Center Detention Pond plan set, dated January 18, 2017.**					

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TITLE: PRELIMINARY EXISTING DRAINAGE AREA MAP

PROJECT: **CHRISTIAN BROTHERS AUTOMOTIVE – DENTON**
CHRISTIAN BROTHERS AUTOMOTIVE CORPORATION
17725 KATY FREEWAY, SUITE 200, HOUSTON, TX 77094
T: 281-675-6192
BLOCK A, LOT 14, 1.036 AC.
3130 NORTH INTERSTATE HIGHWAY 35
CITY OF DENTON, DENTON COUNTY, TEXAS
ZCP25-0010

JOB No: 2099-24-03134
DATE: 04/29/25
DRAWN BY: JK
SCALE: (H) 1"=20' (V)
DESIGNED BY: RG
CHECKED BY: LGM
CHECKED BY: _
SHEET No: 2 OF 5
Rev. # 0

PRELIMINARY PLAN
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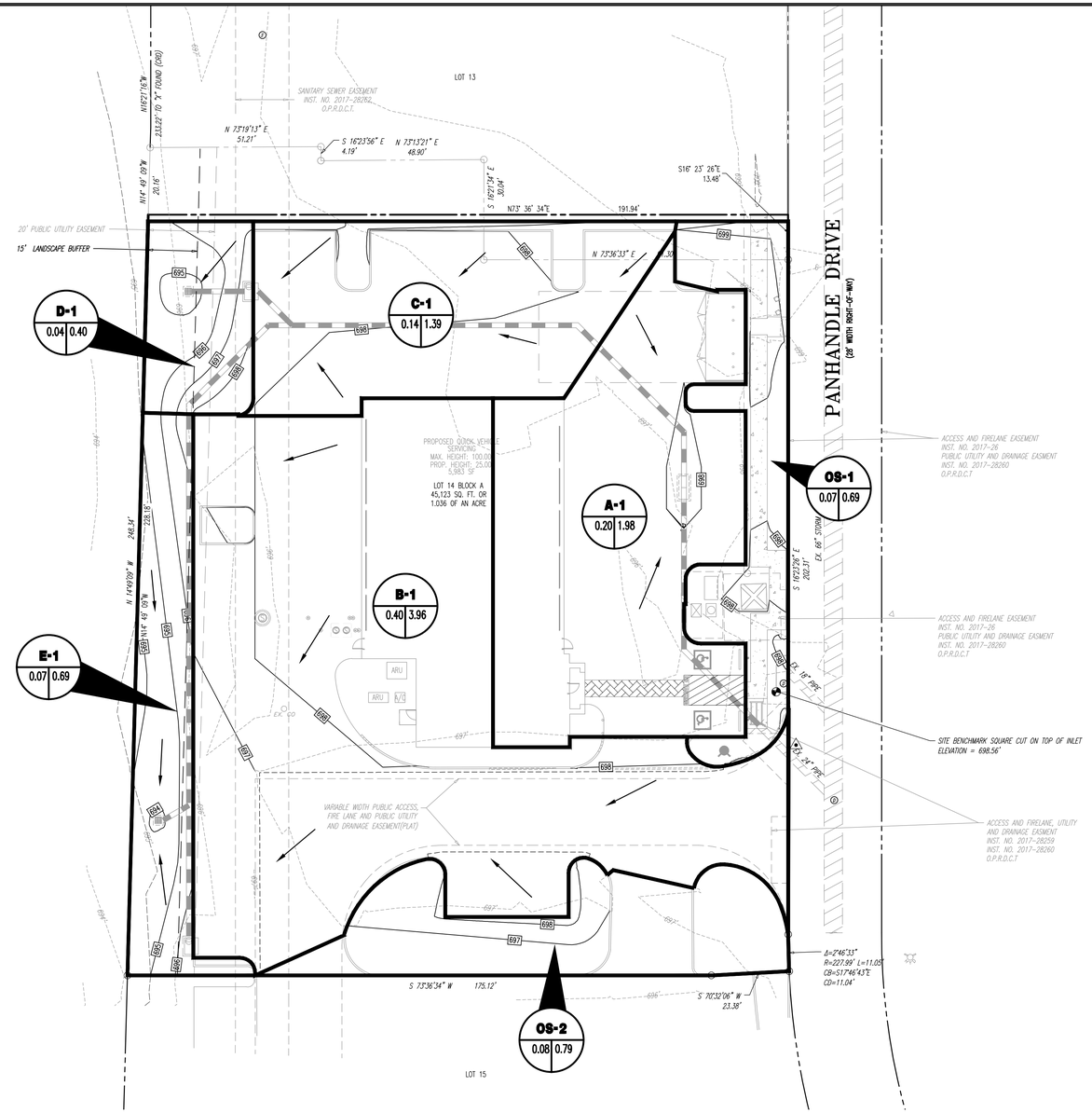
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TEXAS LICENSE No. 107537

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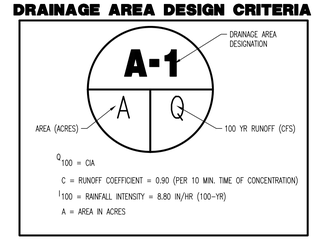
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File: P:\DECPC PROJECTS\2099 Christian Brothers Automotive\24-03134 Denton TX\Dwg\Preliminary Site Plan Package\D20892403134PEDAM.dwg, ---> 2 PRELIMINARY EXISTING DRAINAGE AREA MAP



NOTES:

1. DISCHARGE FROM ANY DETENTION POND OUTFALL OR STORM DRAIN OUTFALL MAY REQUIRE AN OFFSITE DRAINAGE EASEMENT TO ACCOMMODATE THE FLOW. IF AN OFFSITE DRAINAGE EASEMENT IS REQUIRED, A STUDY SHALL BE MADE OF THE OFF-SITE PROPERTY TO DETERMINE THE SIZE OF THE DRAINAGE EASEMENT TO ACCOMMODATE THE FLOW (BEP/CITY STANDARD NOTE).
2. ACCEPTANCE OF THE DRAINAGE FEATURES IDENTIFIED ON THE ZONING COMPLIANCE PLAN ARE SUBJECT TO CHANGE DURING THE FINAL PLAT PROCESS AND DO NOT CONSTITUTE SUBSEQUENT APPROVAL OF SAME. THE CITY RESERVES THE RIGHT TO REQUIRE ADDITIONAL DATA OR STUDIES TO ENSURE COMPLIANCE WITH CITY OF DENTON SUBDIVISION AND LAND REGULATIONS, STORMWATER DESIGN CRITERIA MANUAL, AND COMPREHENSIVE MASTER DRAINAGE PLAN (BEP/CITY STANDARD NOTE)
3. PER RAYZOR RANCH TOWN CENTER DETENTION POND PLAN SET PREPARED BY DUNAWAY, DATED JANUARY 13, 2017, THE TOWN CENTER DETENTION POND SOUTH OF PANHANDLE DRIVE IS DESIGNED TO ACCOMMODATE DEVELOPED FLOWS FROM THE PROPOSED DEVELOPMENT.

DRAINAGE AREA DESIGN CRITERIA



FLOOD PLAIN NOTE

ACCORDING TO MAP NO. 48121C0360G OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR DENTON COUNTY AND INCORPORATED AREAS, DATE 04/18/2011, THE SUBJECT TRACT IS SITUATED WITHIN ZONE X (UNSHADED).

GRAPHIC SCALE

-20 0 10 20 40 80

(IN FEET)

1 INCH = 20 FT.

Proposed Drainage Area Calculation Table

	Acres - Drained			100-year Design		
D.A. Name	Area (AC.)	C	T_c (min.)	Intensity (in./hr.)	Flow (cfs)	Description
A-1	0.20	0.9	10.0	8.80	1.98	Flows to proposed grate inlet
B-1	0.40	0.9	10.0	8.80	3.96	Flows to proposed 5 foot curb inlet
C-1	0.14	0.9	10.0	8.80	1.39	Flows to proposed 5 foot curb inlet
D-1	0.04	0.9	10.0	8.80	0.40	Flows to TxDOT ROW
E-1	0.07	0.9	10.0	8.80	0.69	Flows to off-site curb inlet. Designed to flow to regional detention pond.
OS-1	0.07	0.9	10.0	8.80	0.69	Flows to existing curb inlet in Panhandle Drive.
OS-2	0.08	0.9	10.0	8.80	0.79	Flows off-site to vacant property.
Notes:	**Rainfall Intensity I - Per the Rayzor Ranch Town Center Detention Pond plan set, dated January 18, 2017.**					
	Runoff Coeffient C - Per the Rayzor Ranch Town Center Detention Pond plan set, dated January 18, 2017.					
	Time of Concentration Tc -Per the Rayzor Ranch Town Center Detention Pond plan set, dated January 18, 2017.					
	Regional detention is provided per the Rayzor Ranch Town Center Detention Pond Plat Set per sheets C2.0, C3.0, C4.0.					

THIS PLAN SET IS FOR PERMITTING PURPOSES ONLY AND MAY NOT BE USED FOR CONSTRUCTION

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TITLE: PRELIMINARY PROPOSED DRAINAGE AREA MAP

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CHECKED BY: LGM
CHECKED BY: –
SHEET No: 3 OF 5

Comments | Date | Rev.

PRELIMINARY PLAN
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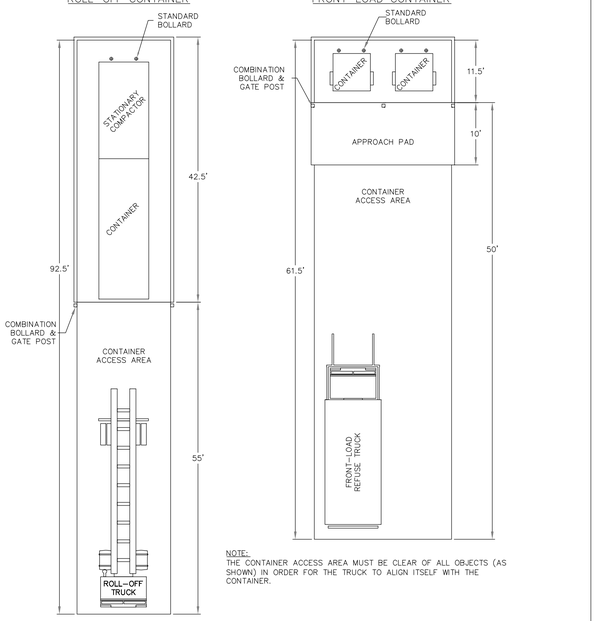
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PROFESSIONAL ENGINEER
TEXAS LICENSE No. 107537

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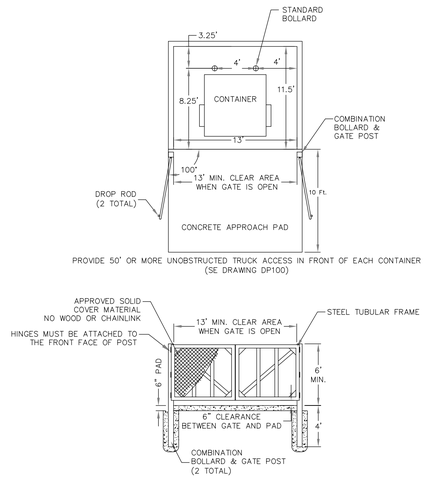
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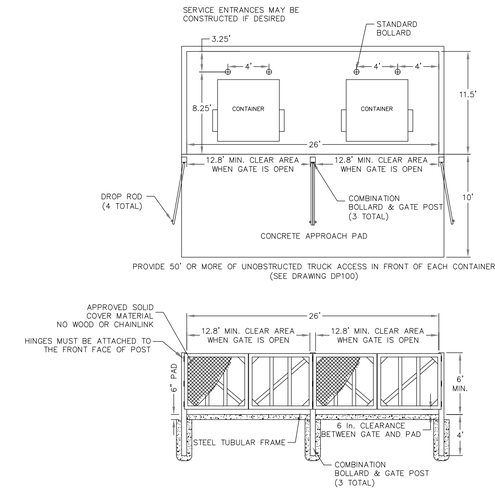
FRONT-LOAD & ROLL-OFF
TRUCK ACCESS REQUIREMENTS

DP100



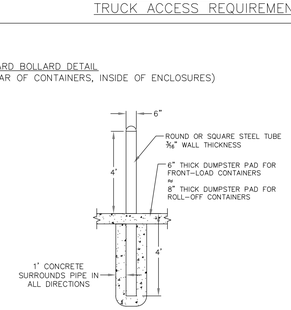
CONTAINER ENCLOSURE WITH GATES
13'x11.5' FRONT LOAD

DP200



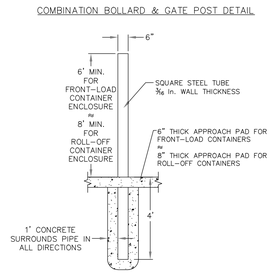
CONTAINER ENCLOSURE WITH GATES
26'x11.5' FRONT LOAD

DP201



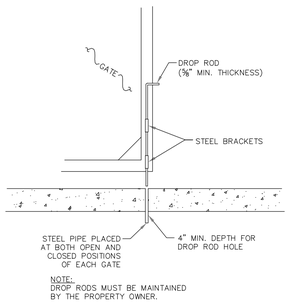
STANDARD BOLLARD
AT INSIDE REAR OF ENCLOSURE

DP101



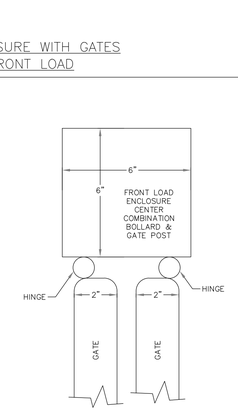
COMBINATION BOLLARD
AND GATE POST

DP102



DROP ROD

DP103



COMBINATION BOLLARD
AND GATE MOUNTING DETAIL

DP104

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PROJ. ENGR.		
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CITY OF DENTON
ENGINEERING SERVICES

STANDARD DETAILS

DUMPSTER PAD DETAILS

DATE
JUL. 2024

SHEET No.
23 OF 25

SCALE
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TITLE: SW.01

PROJECT: CHRISTIAN BROTHERS AUTOMOTIVE – DENTON
CHRISTIAN BROTHERS AUTOMOTIVE CORPORATION
17725 KATY FREEWAY, SUITE 200, HOUSTON, TX 77094
T: 281-675-6192
BLOCK A, LOT 14, 1.036 AC.
3130 NORTH INTERSTATE HIGHWAY 35
CITY OF DENTON, DENTON COUNTY, TEXAS
ZCP25-0010

JOB No: 2099-24-03134
DATE: 04/29/25
DRAWN BY: JK
SCALE:(H) N.T.S. (V)
DESIGNED BY: RG
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SHEET No: 4 OF 5
Rev. # 0

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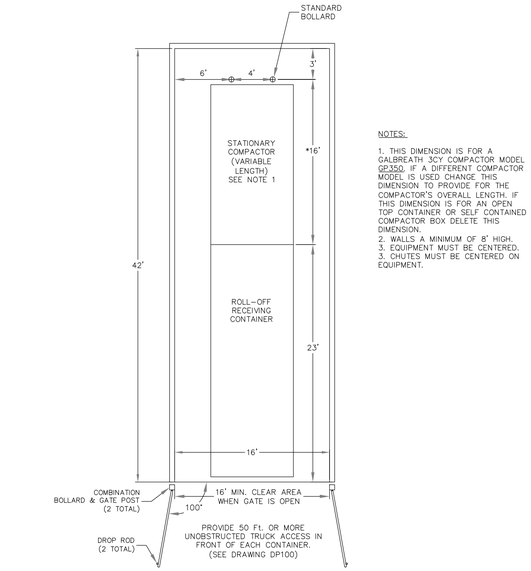
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LINDSEY G. MAYER
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TEXAS LICENSE No. 107537

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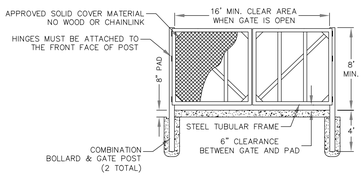
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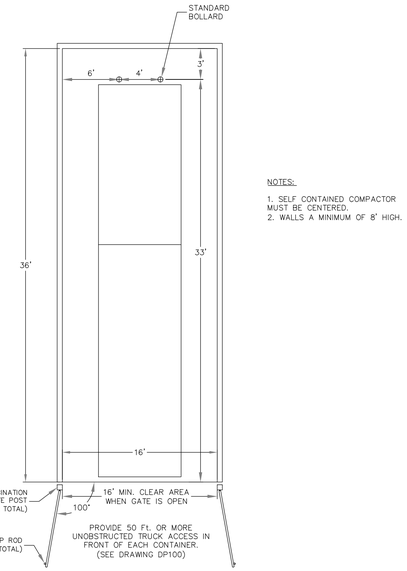
NOTES:

1. THIS DIMENSION IS FOR A GALBREATH 3CY COMPACTOR MODEL GP350. IF A DIFFERENT COMPACTOR MODEL IS USED CHANGE THIS DIMENSION TO PROVIDE FOR THE COMPACTOR'S OVERALL LENGTH. IF THIS DIMENSION IS FOR AN OPEN TOP CONTAINER OR SELF CONTAINED COMPACTOR BOX DELETE THIS DIMENSION.
2. WALLS A MINIMUM OF 8' HIGH.
3. EQUIPMENT MUST BE CENTERED.
3. CHUTES MUST BE CENTERED ON EQUIPMENT.



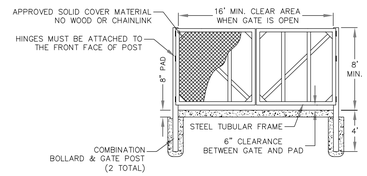
CONTAINER ENCLOSURE WITH GATES
16'x42' ENCLOSURE
ROLL-OFF: OPEN TOP OR/COMPACTOR

DP300



NOTES:

1. SELF CONTAINED COMPACTOR MUST BE CENTERED.
2. WALLS A MINIMUM OF 8' HIGH.



CONTAINER ENCLOSURE WITH GATES
16'x36' ENCLOSURE
ROLL-OFF: OPEN TOP OR/COMPACTOR

DP301

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STANDARD DETAILS

DUMPSTER PAD DETAILS

DATE
JUL. 2024

SHEET No.
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SCALE
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TITLE: SW.02

PROJECT: CHRISTIAN BROTHERS AUTOMOTIVE – DENTON
CHRISTIAN BROTHERS AUTOMOTIVE CORPORATION
17725 KATY FREEWAY, SUITE 200, HOUSTON, TX 77094
T: 281-675-6192
BLOCK A, LOT 14, 1.036 AC.
3130 NORTH INTERSTATE HIGHWAY 35
CITY OF DENTON, DENTON COUNTY, TEXAS
ZCP25-0010

JOB No: 2099-24-03134
DATE: 04/29/25
DRAWN BY: JK
SCALE:(H) N.T.S. (V)
DESIGNED BY: RG
SHEET No: 5 OF 5
CHECKED BY: LGM
CHECKED BY: _
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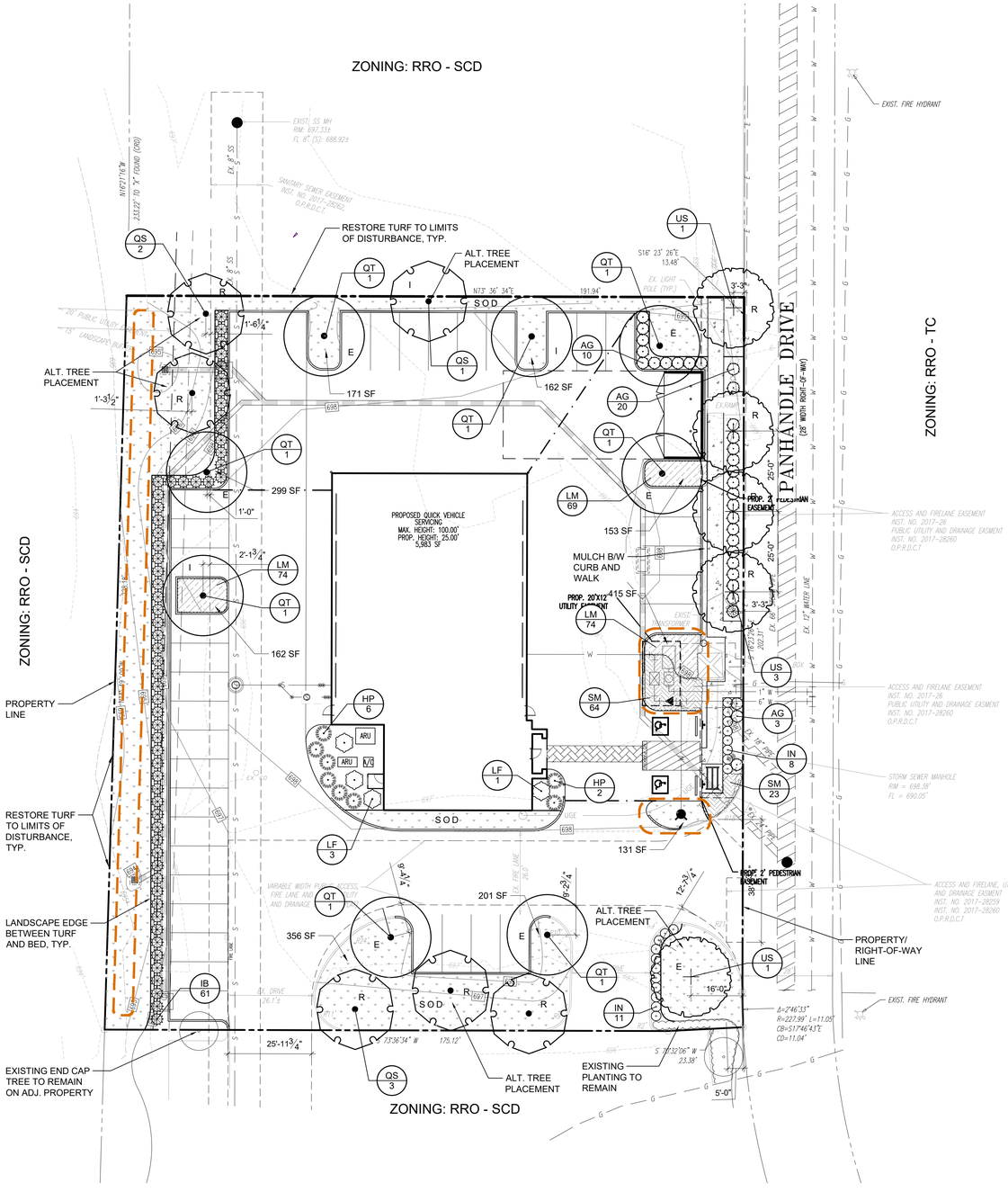
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LEGEND

- ALTERNATIVE LANDSCAPE PLAN REQUIRED (SEE SHEET LP-3)
- PROPERTY LINE / DEVELOPMENT IMPACT AREA (DIA)
- EASEMENT LINE
- E — INDICATES END CAP TREE
- I — INDICATES PARKING ISLAND TREE
- R — INDICATES RIGHT-OF-WAY SCREENING TREE

NORTH

0' 10' 20' 40'

Scale 1" = 20'

NOTE: PRINTED DRAWING SIZE MAY HAVE CHANGED FROM ORIGINAL. VERIFY SCALE USING BAR SCALE ABOVE.

NO EXISTING TREES ON-SITE

OVERALL SITE DATA		
LOT SIZE	44,480.57 SF	
ZONING DISTRICT	RRO: SCD	
	REQUIRED	PROVIDED
OPEN SPACE	6,672.08 SF (15%)	12,474.6 SF (28%)
LANDSCAPE AREA	4,448 SF (10%)	11,651 SF (26.2%)
TREE CANOPY AT MATURITY	11,120.14 SF (25%)	19,472 SF (43.8%)

LANDSCAPING REQUIREMENTS		
	REQUIRED	PROVIDED
SCREENING AT RIGHT-OF-WAY		
EAST: PANHANDLE DR, 159.6 LF (EXCLUDING FIRELANE)		
One canopy tree per 45 LF	175.2/45 = 4 Large Trees	4 Large Trees
Min. 3' ht. continuous row of evergreen shrubs	3' ht. Continuous Screen	Provided as Required
WEST: I-35 FRONTAGE RD, 223.6 LF		
One canopy tree per 45 LF	228.18/45 = 5 Large Trees	5 Large Trees Alternative tree placement required where public utility easement is in conflict. See memo on sheet LP-3.
Min. 3' ht. continuous row of evergreen shrubs	3' ht. Continuous Screen	Provided as Required
PARKING LOT LANDSCAPE AREA		
Minimum 10% of total parking area shall be landscaped	25,196 * .10 = 2,520 SF	3,166.3 SF
PARKING LOT TREE CANOPY		
Minimum 20% of total parking area shall be covered by tree canopy at maturity	25,196 * .20 = 5,039.2 SF	8,168 SF
PARKING LOT ISLANDS		
Internal landscape islands with 1 canopy tree and groundcover or sod placed evenly at an average of 1 for every 15 spaces (or portion thereof).	38 / 15 = 3 internal islands with 1 canopy tree and groundcover or sod each	3 internal islands and 3 trees provided. Alternative tree placement required where utilities are in conflict. See memo on sheet LP-3. Groundcover/sod provided as required.
End caps with 1 canopy tree and groundcover or lawn placed for each parking row.	8 endcaps with 1 canopy tree and groundcover or sod each	8 endcaps and 8 trees provided. Alternative tree placement required where utilities are in conflict. See memo on sheet LP-3. Groundcover/sod provided as required.

METHOD OF TREE CANOPY CALCULATION

TOTAL TREE CANOPY HAS BEEN CALCULATED USING ENTIRE PROPERTY W/ PROPOSED EXPECTED TREE CANOPY (PER DENTON TREE LIST) IN SQUARE FEET (SF)

ROOT BARRIERS

THE CONTRACTOR SHALL INSTALL ROOT BARRIERS NEAR ALL NEWLY-PLANTED TREES THAT ARE LOCATED WITHIN FIVE (5) FEET OF PAVING OR CURBS. ROOT BARRIERS SHALL BE "CENTURY" OR "DEEP-ROOT" 24" DEEP PANELS (OR EQUAL). BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO HARDSCAPE. INSTALL PANELS PER MANUFACTURER'S RECOMMENDATIONS. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENCIRCLE THE ROOTBALL.

MULCHES

AFTER ALL PLANTING IS COMPLETE, CONTRACTOR SHALL INSTALL 2" THICK LAYER OF 1-1/2" SHREDDED WOOD MULCH, NATURAL (UNDYED). OVER LANDSCAPE FABRIC IN ALL PLANTING AREAS (EXCEPT FOR TURF AND SEEDED AREAS). CONTRACTOR SHALL SUBMIT SAMPLES OF ALL MULCHES TO LANDSCAPE ARCHITECT AND OWNER FOR APPROVAL PRIOR TO CONSTRUCTION. ABSOLUTELY NO EXPOSED GROUND SHALL BE LEFT SHOWING ANYWHERE ON THE PROJECT AFTER MULCH HAS BEEN INSTALLED (SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THE "GENERAL GRADING AND PLANTING NOTES" AND SPECIFICATIONS).

IRRIGATION CONCEPT

1. AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED AND OPERATIONAL BY THE TIME OF FINAL INSPECTION. THE ENTIRE IRRIGATION SYSTEM SHALL BE INSTALLED BY A LICENSED AND QUALIFIED IRRIGATION CONTRACTOR.
2. THE IRRIGATION SYSTEM WILL OPERATE ON POTABLE WATER, AND THE SYSTEM WILL HAVE APPROPRIATE BACKFLOW PREVENTION DEVICES INSTALLED TO PREVENT CONTAMINATION OF THE POTABLE SOURCE.
3. ALL NON-TURF PLANTED AREAS SHALL BE DRIP IRRIGATED. SODDED AND SEEDED AREAS SHALL BE IRRIGATED WITH SPRAY OR ROTOR HEADS AT 100% HEAD-TO-HEAD COVERAGE.
4. ALL PLANTS SHARING SIMILAR HYDROZONE CHARACTERISTICS SHALL BE PLACED ON A VALVE DEDICATED TO PROVIDE THE NECESSARY WATER REQUIREMENTS SPECIFIC TO THAT HYDROZONE.
5. THE IRRIGATION SYSTEM SHALL BE DESIGNED AND INSTALLED, TO THE MAXIMUM EXTENT POSSIBLE, TO CONSERVE WATER BY USING THE FOLLOWING DEVICES AND SYSTEMS: MATCHED PRECIPITATION RATE TECHNOLOGY ON ROTOR AND SPRAY HEADS (WHEREVER POSSIBLE), RAIN SENSORS, AND MULTI-PROGRAM COMPUTERIZED IRRIGATION CONTROLLERS FEATURING SENSORY INPUT CAPABILITIES.

PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT.	MIN. SIZE
MEDIUM CANOPY TREES						
	QT	8	Quercus texana	Texas Red Oak	Cont. or F.G.	2" cal, min.
LARGE CANOPY TREES						
	QS	6	Quercus shumardii	Shumard Oak	Cont. or F.G.	2" cal, min.
	US	5	Ulmus parvifolia `Sempervirens`	Evergreen Lacebark Elm	Cont. or F.G.	2" cal, min.
SHRUBS						
	AG	33	Abelia x grandiflora	Glossy Abelia	Cont.	5 gal., 36" ht.
	HP	8	Hesperaloe parviflora	Red Yucca	Cont.	3 gal., 18" ht.
	IB	61	Ilex cornuta `Burfordii Nana`	Dwarf Burford Holly	Cont.	5 gal., 36" ht.
	IN	19	Ilex vomitoria `Nana`	Dwarf Yaupon Holly	Cont.	5 gal., 36" ht.
	LF	4	Leucophyllum frutescens	Texas Sage	Cont.	3 gal., 24" ht.

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT.	MIN. SIZE	SPACING
GROUNDCOVER PLANTINGS							
	LM	217	Liriope muscari	Lilyturf	Cont.	1 gal.	18" o.c.
	SM	87	Salvia greggii 'Balmircher'	Mirage™ Cherry Red Autumn Sage	Cont.	1 gal.	24" o.c.
SOD/SEED							
	SOD	7,991 sf	Cynodon dactylon `Tif 419`	Bermuda Grass Sod	SOD		

GENERAL GRADING AND PLANTING NOTES

1. BY SUBMITTING A PROPOSAL FOR THE LANDSCAPE PLANTING SCOPE OF WORK, THE CONTRACTOR CONFIRMS THAT HE HAS READ, AND WILL COMPLY WITH, THE ASSOCIATED NOTES, SPECIFICATIONS, AND DETAILS WITH THIS PROJECT.
2. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL EXISTING VEGETATION (EXCEPT WHERE NOTED TO REMAIN).
3. IN THE CONTEXT OF THESE PLANS, NOTES, AND SPECIFICATIONS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) AS INDICATED ON THE GRADING PLANS.
   a. BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN +/-0.1' OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
   b. CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL.
   c. THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED, THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED (**BASED ON A SOIL TEST**, PER SPECIFICATIONS), AND THE FINISH GRADES TO BE ESTABLISHED.
   d. ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 2" BELOW THE ADJACENT FINISH SURFACE, IN ORDER TO ALLOW FOR PROPER MULCH DEPTH. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
   e. ENSURE THAT THE FINISH GRADE IN TURF AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 1" BELOW THE FINISH SURFACE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
   f. SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND PLANS, AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.
4. ALL PLANT LOCATIONS ARE DIAGRAMMATIC. ACTUAL LOCATIONS SHALL BE VERIFIED WITH THE LANDSCAPE ARCHITECT OR DESIGNER PRIOR TO PLANTING. THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT ALL REQUIREMENTS OF THE PERMITTING AUTHORITY ARE MET (I.E., MINIMUM PLANT QUANTITIES, PLANTING METHODS, TREE PROTECTION METHODS, ETC.).
   a. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR DETERMINING PLANT QUANTITIES; PLANT QUANTITIES SHOWN ON LEGENDS AND CALLOUTS ARE FOR GENERAL INFORMATION ONLY. IN THE EVENT OF A DISCREPANCY BETWEEN THE PLAN AND THE PLANT LEGEND, THE PLANT QUANTITY AS SHOWN ON THE PLAN (FOR INDIVIDUAL SYMBOLS) OR CALLOUT (FOR GROUNDCOVER PATTERNS) SHALL TAKE PRECEDENCE.
   b. **NO SUBSTITUTIONS OF PLANT MATERIALS SHALL BE ALLOWED WITHOUT THE WRITTEN PERMISSION OF THE LANDSCAPE ARCHITECT.** IF SOME OF THE PLANTS ARE NOT AVAILABLE, THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IN WRITING (VIA PROPER CHANNELS).
   c. THE CONTRACTOR SHALL, AT A MINIMUM, PROVIDE REPRESENTATIVE PHOTOS OF ALL PLANTS PROPOSED FOR THE PROJECT. THE CONTRACTOR SHALL ALLOW THE LANDSCAPE ARCHITECT AND THE OWNER/OWNER'S REPRESENTATIVE TO INSPECT, AND APPROVE OR REJECT, ALL PLANTS DELIVERED TO THE JOBSITE. REFER TO SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS FOR SUBMITTALS.
5. THE CONTRACTOR SHALL MAINTAIN THE LANDSCAPE IN A HEALTHY CONDITION FOR 90 DAYS AFTER ACCEPTANCE BY THE OWNER. REFER TO SPECIFICATIONS FOR CONDITIONS OF ACCEPTANCE FOR THE START OF THE MAINTENANCE PERIOD, AND FOR FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD.
6. THE WIRE METAL CAGE, STRAPPING AND BURLAP MUST BE REMOVED FROM THE TOP 1/3 OF THE SIDE OF THE ROOT BALL FOR B&B TREES AT PLANTING.
7. ALL ABOVE GROUND STAKING MATERIAL MUST BE REMOVED AFTER ONE GROWING SEASON.
8. SEE SPECIFICATIONS AND DETAILS FOR FURTHER REQUIREMENTS.

ZCP25-0010 3RD SUBMITTAL LANDSCAPE PLAN

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TITLE: LANDSCAPE PLAN

PROJECT: CHRISTIAN BROTHERS AUTOMOTIVE- DENTON
CHRISTIAN BROTHERS AUTOMOTIVE CORPORATION
BLOCK A, LOT 14
3130 NORTH INTERSTATE HIGHWAY 35
CITY OF DENTON, DENTON COUNTY, TEXAS

JOB No: 2099-24-03134
DATE: 06/06/25
DRAWN BY: SMS
SCALE: 1"=20'-0"
DESIGNED BY: SMS
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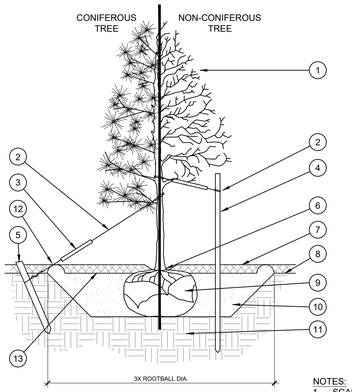
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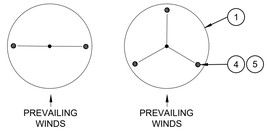
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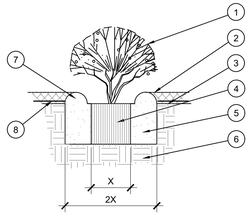
1. TREE CANOPY.
2. CINCH-TIES (24" BOX/2" CAL. TREES AND SMALLER) OR 12 GAUGE GALVANIZED WIRE WITH NYLON TREE STRAPS AT TREE AND STAKE (36" BOX/2.5" CAL. TREES AND LARGER). SECURE TIES OR STRAPS TO TRUNK JUST ABOVE LOWEST MAJOR BRANCHES.
3. 24" X 3/4" P.V.C. MARKERS OVER WIRES.
4. GREEN STEEL T-POSTS. EXTEND POSTS 12" MIN. INTO UNDISTURBED SOIL.
5. PRESSURE-TREATED WOOD DEADMAN, TWO PER TREE (MIN.). BURY OUTSIDE OF PLANTING PIT AND 18" MIN. INTO UNDISTURBED SOIL.
6. TRUNK FLARE.
7. MULCH, TYPE AND DEPTH PER PLANS. DO NOT PLACE MULCH WITHIN 6" OF TRUNK.
8. FINISH GRADE.
9. ROOT BALL. (THE WIRE METAL CAGE, STRAPPING AND BURLAP MUST BE REMOVED FROM THE TOP 1/3 OF THE SIDE OF THE ROOT BALL FOR B&B TREES AT PLANTING)
10. BACKFILL. AMEND AND FERTILIZE ONLY AS RECOMMENDED IN SOIL FERTILITY ANALYSIS.
11. UNDISTURBED NATIVE SOIL.
12. 4" HIGH EARTHEN WATERING BASIN.
13. FINISH GRADE.

NOTES:
1. SCARIFY SIDES OF PLANTING PIT PRIOR TO SETTING TREE.
2. REMOVE EXCESS SOIL APPLIED ON TOP OF THE ROOTBALL THAT COVERS THE ROOT FLARE. THE PLANTING HOLE DEPTH SHALL BE SUCH THAT THE ROOTBALL RESTS ON UNDISTURBED SOIL, AND THE ROOT FLARE IS 2"-4" ABOVE FINISH GRADE.
3. FOR B&B TREES, CUT OFF BOTTOM 1/3 OF WIRE BASKET BEFORE PLACING TREE IN HOLE, CUT OFF AND REMOVE REMAINDER OF BASKET AFTER TREE IS SET IN HOLE. REMOVE ALL NYLON TIES, TWINE, ROPE, AND OTHER PACKING MATERIAL. REMOVE AS MUCH BURLAP FROM AROUND ROOTBALL AS IS PRACTICAL.
4. REMOVE ALL NURSERY STAKES AFTER PLANTING.
5. FOR TREES 36" BOX/2.5" CAL. AND LARGER, USE THREE STAKES OR DEADMEN (AS APPROPRIATE), SPACED EVENLY AROUND TREE.
6. STAKING SHALL BE TIGHT ENOUGH TO PREVENT TRUNK FROM BENDING, BUT LOOSE ENOUGH TO ALLOW SOME TRUNK MOVEMENT IN WIND.
7. ALL ABOVE GROUND STAKING MATERIAL MUST BE REMOVED AFTER ONE GROWING SEASON.

STAKING EXAMPLES (PLAN VIEW)

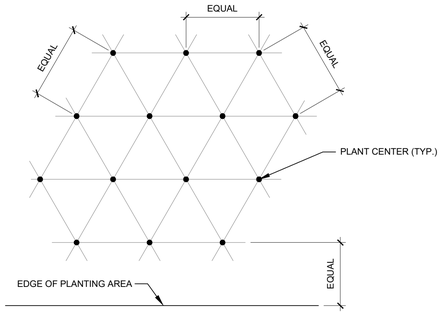


A TREE PLANTING
SCALE: NOT TO SCALE



1. SHRUB, PERENNIAL, OR ORNAMENTAL GRASS.
2. MULCH, TYPE AND DEPTH PER PLANS. PLACE NO MORE THAN 1" OF MULCH WITHIN 6" OF PLANT CENTER.
3. FINISH GRADE.
4. ROOT BALL.
5. BACKFILL. AMEND AND FERTILIZE ONLY AS RECOMMENDED IN SOIL FERTILITY ANALYSIS.
6. UNDISTURBED NATIVE SOIL.
7. 3" HIGH EARTHEN WATERING BASIN.
8. WEED FABRIC UNDER MULCH.

B SHRUB AND GROUNDCOVER PLANTING
SCALE: NTS



NOTE: ALL PLANTS SHALL BE PLANTED AT EQUAL TRIANGULAR SPACING (EXCEPT WHERE SHOWN ON PLANS AS INFORMAL GROUPINGS). REFER TO PLANT LEGEND FOR SPACING DISTANCE BETWEEN PLANTS.

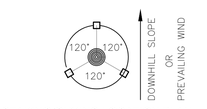
1) STEP 1: DETERMINE TOTAL PLANTS FOR THE AREA WITH THE FOLLOWING FORMULA:
TOTAL AREA / AREA DIVIDER = TOTAL PLANTS

PLANT SPACING	AREA DIVIDER	PLANT SPACING	AREA DIVIDER
6"	0.22	18"	1.95
8"	0.39	24"	3.46
10"	0.60	30"	5.41
12"	0.87	36"	7.79
15"	1.35		

2) STEP 2: SUBTRACT THE ROW (S) OF PLANTS THAT WOULD OCCUR AT THE EDGE OF THE PLANTED AREA WITH THE FOLLOWING FORMULA: TOTAL PERIMETER LENGTH / PLANT SPACING = TOTAL PLANT SUBTRACTION

EXAMPLE: PLANTS AT 18" O.C. IN 100 SF PLANTING AREA, 40 LF PERIMETER
STEP 1: 100 SF/1.95 = 51 PLANTS
STEP 2: 51 PLANTS - (40 LF / 1.95 = 21 PLANTS) = 30 PLANTS TOTAL

C PLANT SPACING
SCALE: NTS

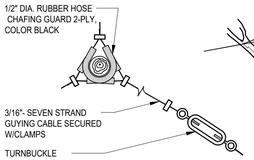


STAKING/GUYING LOCATION PLAN

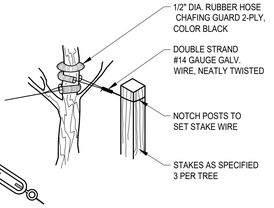
NOTES:

ORIENT STAKING/GUYING TO PREVAILING WINDS AND SLOPES, EXCEPT ON SLOPES GREATER THAN 3:1 ORIENT TO SLOPE.

USE SAME STAKING/GUYING ORIENTATION FOR ALL PLANTS WITHIN EACH GROUPING OR AREA.

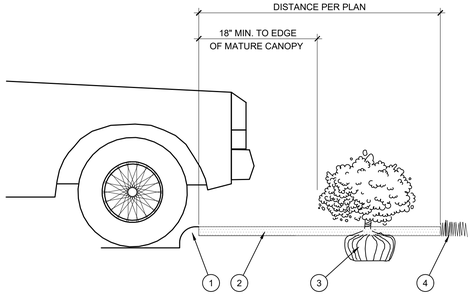


GUYING CABLE DETAIL PLAN



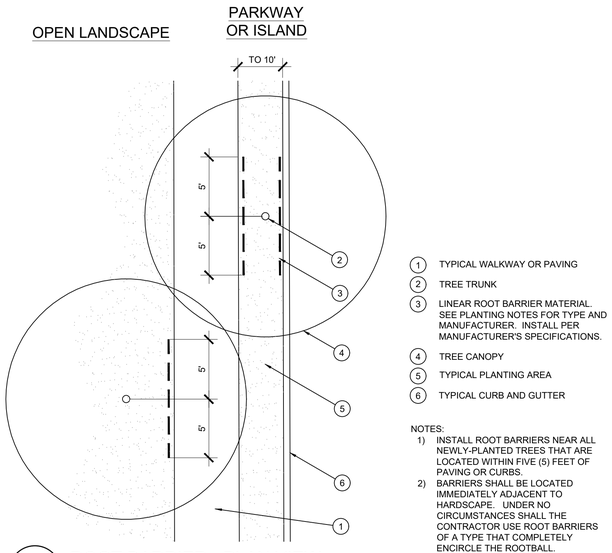
STAKING DETAIL

D TREE STAKING AND GUYING
SCALE: NTS



1. CURB.
2. MULCH LAYER.
3. PLANT.
4. TURF (WHERE SHOWN ON PLAN).

E PLANTING AT PARKING AREA
SCALE: NOT TO SCALE



1. TYPICAL WALKWAY OR PAVING
2. TREE TRUNK
3. LINEAR ROOT BARRIER MATERIAL. SEE PLANTING NOTES FOR TYPE AND MANUFACTURER. INSTALL PER MANUFACTURER'S SPECIFICATIONS.
4. TREE CANOPY
5. TYPICAL PLANTING AREA
6. TYPICAL CURB AND GUTTER

NOTES:
1) INSTALL ROOT BARRIERS NEAR ALL NEWLY-PLANTED TREES THAT ARE LOCATED WITHIN FIVE (5) FEET OF PAVING OR CURBS.
2) BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO HARDSCAPE. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENCIRCLE THE ROOTBALL.

F ROOT BARRIER - PLAN VIEW
SCALE: NOT TO SCALE

ZCP25-0010 3RD SUBMITTAL LANDSCAPE PLAN

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PROJECT: CHRISTIAN BROTHERS AUTOMOTIVE- DENTON
CHRISTIAN BROTHERS AUTOMOTIVE CORPORATION
BLOCK A, LOT 14
3130 NORTH INTERSTATE HIGHWAY 35
CITY OF DENTON, DENTON COUNTY, TEXAS

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PLANTING SPECIFICATIONS

GENERAL

A. QUALIFICATIONS OF LANDSCAPE CONTRACTOR
   1. ALL LANDSCAPE WORK SHOWN ON THESE PLANS SHALL BE PERFORMED BY A SINGLE FIRM SPECIALIZING IN LANDSCAPE PLANTING.
   2. A LIST OF SUCCESSFULLY COMPLETED PROJECTS OF THIS TYPE, SIZE AND NATURE MAY BE REQUESTED BY THE OWNER FOR FURTHER QUALIFICATION MEASURES.
   3. THE LANDSCAPE CONTRACTOR SHALL HOLD A VALID NURSERY AND FLORAL CERTIFICATE ISSUED BY THE TEXAS DEPARTMENT OF AGRICULTURE, AS WELL AS OPERATE UNDER A COMMERCIAL PESTICIDE APPLICATOR LICENSE ISSUED BY EITHER THE TEXAS DEPARTMENT OF AGRICULTURE OR THE TEXAS STRUCTURAL PEST CONTROL BOARD.

B. SCOPE OF WORK
   4. WORK COVERED BY THESE SECTIONS INCLUDES THE FURNISHING AND PAYMENT OF ALL MATERIALS, LABOR, SERVICES, EQUIPMENT, LICENSES, TAXES AND ANY OTHER ITEMS THAT ARE NECESSARY FOR THE EXECUTION, INSTALLATION AND COMPLETION OF ALL WORK, SPECIFIED HEREIN AND / OR SHOWN ON THE LANDSCAPE PLANS, NOTES, AND DETAILS.
   5. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE LAWS, CODES AND REGULATIONS REQUIRED BY AUTHORITIES HAVING JURISDICTION OVER SUCH WORK, INCLUDING ALL INSPECTIONS AND PERMITS REQUIRED BY FEDERAL, STATE AND LOCAL AUTHORITIES IN SUPPLY, TRANSPORTATION AND INSTALLATION OF MATERIALS.
   6. THE LANDSCAPE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITY LINES (WATER, SEWER, ELECTRICAL, TELEPHONE, GAS, CABLE, TELEVISION, ETC.) PRIOR TO THE START OF ANY WORK.

PRODUCTS

A. ALL MANUFACTURED PRODUCTS SHALL BE NEW.
B. CONTAINER AND BALLED-AND-BURLAPPED PLANTS:
   1. FURNISH NURSERY-GROWN PLANTS COMPLYING WITH ANSI Z60.1-2014. PROVIDE WELL-SHAPED, FULLY BRANCHED, HEALTHY, VIGOROUS STOCK FREE OF DISEASE, INSECTS, EGGS, LARVAE, AND DEFECTS SUCH AS KNOTS, SUN SCALD, INJURIES, ABRASIONS, AND DISFIGUREMENT. ALL PLANTS WITHIN A SPECIES SHALL HAVE SIMILAR SIZE, AND SHALL BE OF A FORM TYPICAL FOR THE SPECIES. ALL TREES SHALL BE OBTAINED FROM SOURCES WITHIN 200 MILES OF THE PROJECT SITE, AND WITH SIMILAR CLIMACTIC CONDITIONS.
   2. ROOT SYSTEMS SHALL BE HEALTHY, DENSELY BRANCHED ROOT SYSTEMS, NON-POT-BOUND, FREE FROM ENCIRCLING AND/OR GIRDLING ROOTS, AND FREE FROM ANY OTHER ROOT DEFECTS (SUCH AS J-SHAPED ROOTS).
   3. TREES MAY BE PLANTED FROM CONTAINERS OR BALLED-AND-BURLAPPED (B&B), UNLESS SPECIFIED ON THE PLANTING LEGEND. BARE-ROOT TREES ARE NOT ACCEPTABLE.
   4. ANY PLANT DEEMED UNACCEPTABLE BY THE LANDSCAPE ARCHITECT OR OWNER SHALL BE IMMEDIATELY REMOVED FROM THE SITE AND SHALL BE REPLACED WITH AN ACCEPTBLE PLANT OF LIKE TYPE AND SIZE AT THE CONTRACTOR'S OWN EXPENSE. ANY PLANTS APPEARING TO BE UNHEALTHY, EVEN IF DETERMINED TO STILL BE ALIVE, SHALL NOT BE ACCEPTED. THE LANDSCAPE ARCHITECT AND OWNER SHALL BE THE SOLE JUDGES AS TO THE ACCEPTABILITY OF PLANT MATERIAL.
   5. ALL TREES SHALL BE STANDARD IN FORM, UNLESS OTHERWISE SPECIFIED. TREES WITH CENTRAL LEADERS WILL NOT BE ACCEPTED IF LEADER IS DAMAGED OR REMOVED. PRUNE ALL DAMAGED TWIGS AFTER PLANTING.
   6. CALIPER MEASUREMENTS FOR STANDARD (SINGLE TRUNK) TREES SHALL BE AS FOLLOWS: SIX INCHES ABOVE THE ROOT FLARE FOR TREES UP TO AND INCLUDING FOUR INCHES IN CALIPER, AND TWELVE INCHES ABOVE THE ROOT FLARE FOR TREES EXCEEDING FOUR INCHES IN CALIPER.
   7. MULTI-TRUNK TREES SHALL BE MEASURED BY THEIR OVERALL HEIGHT, MEASURED FROM THE TOP OF THE ROOT BALL. WHERE CALIPER MEASUREMENTS ARE USED, THE CALIPER SHALL BE CALCULATED AS ONE-HALF OF THE SUM OF THE CALIPER OF THE THREE LARGEST TRUNKS.
   8. ANY TREE OR SHRUB SHOWN TO HAVE EXCESS SOIL PLACED ON TOP OF THE ROOT BALL, SO THAT THE ROOT FLARE HAS BEEN COMPLETELY COVERED, SHALL BE REJECTED.

C. SOD: PROVIDE WELL-ROOTED SOD OF THE VARIETY NOTED ON THE PLANS. SOD SHALL BE CUT FROM HEALTHY, MATURE TURF WITH SOIL THICKNESS OF 3/4" TO 1". EACH PALLET OF SOD SHALL BE ACCOMPANIED BY A CERTIFICATE FROM SUPPLIER STATING THE COMPOSITION OF THE SOD.
D. SEED: PROVIDE BLEND OF SPECIES AND VARIETIES AS NOTED ON THE PLANS, WITH MAXIMUM PERCENTAGES OF PURITY, GERMINATION, AND MINIMUM PERCENTAGE OF WEED SEED AS INDICATED ON PLANS. EACH BAG OF SEED SHALL BE ACCOMPANIED BY A TAG FROM THE SUPPLIER INDICATING THE COMPOSITION OF THE SEED.
E. TOPSOIL: SANDY TO CLAY LOAM TOPSOIL, FREE OF STONES LARGER THAN ½ INCH, FOREIGN MATTER, PLANTS, ROOTS, AND SEEDS.
F. COMPOST: WELL-COMPOSTED, STABLE, AND WEED-FREE ORGANIC MATTER, pH RANGE OF 5.5 TO 8; MOISTURE CONTENT 35 TO 55 PERCENT BY WEIGHT; 100 PERCENT PASSING THROUGH 3/4-INCH SIEVE; SOLUBLE SALT CONTENT OF 5 TO 10 DECISIEMENS/M; NOT EXCEEDING 0.5 PERCENT INERT CONTAMINANTS AND FREE OF SUBSTANCES TOXIC TO PLANTINGS. NO MANURE OR ANIMAL-BASED PRODUCTS SHALL BE USED.
G. FERTILIZER: GRANULAR FERTILIZER CONSISTING OF NITROGEN, PHOSPHORUS, POTASSIUM, AND OTHER NUTRIENTS IN PROPORTIONS, AMOUNTS, AND RELEASE RATES RECOMMENDED IN A SOIL REPORT FROM A QUALIFIED SOIL-TESTING AGENCY (SEE BELOW).
H. MULCH: SIZE AND TYPE AS INDICATED ON PLANS, FREE FROM DELETERIOUS MATERIALS AND SUITABLE AS A TOP DRESSING OF TREES AND SHRUBS.
I. TREE STAKING AND GUYING
   1. STAKES: 6' LONG GREEN METAL T-POSTS.
   2. GUY AND TIE WIRE: ASTM A 641, CLASS 1, GALVANIZED-STEEL WIRE, 2-STRAND, TWISTED, 0.106 INCH DIAMETER.
   3. STRAP CHAFING GUARD: REINFORCED NYLON OR CANVAS AT LEAST 1-1/2 INCH WIDE, WITH GROMMETS TO PROTECT TREE TRUNKS FROM DAMAGE.

L. STEEL EDGING: PROFESSIONAL STEEL EDGING, 14 GAUGE THICK X 4 INCHES WIDE, FACTORY PAINTED DARK GREEN. ACCEPTABLE MANUFACTURERS INCLUDE COL-MET OR APPROVED EQUAL.
M. PRE-EMERGENT HERBICIDES: ANY GRANULAR, NON-STAINING PRE-EMERGENT HERBICIDE THAT IS LABELED FOR THE SPECIFIC ORNAMENTALS OR TURF ON WHICH IT WILL BE UTILIZED. PRE-EMERGENT HERBICIDES SHALL BE APPLIED PER THE MANUFACTURER'S LABELED RATES.

METHODS

A. SOIL PREPARATION
   1. BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE GRADE OF ALL LANDSCAPE AREAS ARE WITHIN +/-0.1' OF FINISH GRADE. THE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY SHOULD ANY DISCREPANCIES EXIST.
   2. SOIL TESTING:
      a. AFTER FINISH GRADES HAVE BEEN ESTABLISHED, CONTRACTOR SHALL HAVE SOIL SAMPLES FROM THE PROJECT'S LANDSCAPE AREAS TESTED BY AN ESTABLISHED SOIL TESTING LABORATORY. EACH SAMPLE SUBMITTED TO THE LAB SHALL CONTAIN NO LESS THAN ONE QUART OF SOIL, TAKEN FROM BETWEEN THE SOIL SURFACE AND 6" DEPTH. IF NO SAMPLE LOCATIONS ARE INDICATED ON THE PLANS, THE CONTRACTOR SHALL TAKE A MINIMUM OF THREE SAMPLES FROM VARIOUS REPRESENTATIVE LOCATIONS FOR TESTING.
      b. THE CONTRACTOR SHALL HAVE THE SOIL TESTING LABORATORY PROVIDE RESULTS FOR THE FOLLOWING: SOIL TEXTURAL CLASS, GENERAL SOIL FERTILITY, pH, ORGANIC MATTER CONTENT, SALT (CEC), LIME, SODIUM ADSORPTION RATIO (SAR) AND BORON CONTENT.
      c. THE CONTRACTOR SHALL ALSO SUBMIT THE PROJECT'S PLANT LIST TO THE LABORATORY ALONG WITH THE SOIL SAMPLES.
      d. THE SOIL REPORT PRODUCED BY THE LABORATORY SHALL CONTAIN RECOMMENDATIONS FOR THE FOLLOWING (AS APPROPRIATE): SEPARATE SOIL PREPARATION AND BACKFILL MIX RECOMMENDATIONS FOR GENERAL ORNAMENTAL PLANTS, XERIC PLANTS, TURF, AND NATIVE SEED, AS WELL AS PRE-PLANT FERTILIZER APPLICATIONS AND RECOMMENDATIONS FOR ANY OTHER SOIL RELATED ISSUES. THE REPORT SHALL ALSO PROVIDE A FERTILIZER PROGRAM FOR THE ESTABLISHMENT PERIOD AND FOR LONG-TERM MAINTENANCE.
   3. THE CONTRACTOR SHALL INSTALL SOIL AMENDMENTS AND FERTILIZERS PER THE SOILS REPORT RECOMMENDATIONS. ANY CHANGE IN COST DUE TO THE SOIL REPORT RECOMMENDATIONS, EITHER INCREASE OR DECREASE, SHALL BE SUBMITTED TO THE OWNER WITH THE REPORT.
   4. FOR BIDDING PURPOSES ONLY, THE SOIL PREPARATION SHALL CONSIST OF THE FOLLOWING:
      a. TURF: INCORPORATE THE FOLLOWING AMENDMENTS INTO THE TOP 8" OF SOIL BY MEANS OF ROTOTILLING AFTER CROSS-RIPPING:
      i. NITROGEN STABILIZED ORGANIC AMENDMENT - 4 CU. YDS. PER 1,000 S.F.
      ii. PREPLANT TURF FERTILIZER (10-20-10 OR SIMILAR, SLOW RELEASE, ORGANIC) - 15 LBS PER 1,000 S.F.
      iii. "CLAY BUSTER" OR EQUAL - USE MANUFACTURER'S RECOMMENDED RATE
      b. TREES, SHRUBS, AND PERENNIALS: INCORPORATE THE FOLLOWING AMENDMENTS INTO THE TOP 8" OF SOIL BY MEANS OF ROTOTILLING AFTER CROSS-RIPPING:
      i. NITROGEN STABILIZED ORGANIC AMENDMENT - 4 CU. YDS. PER 1,000 S.F.
      ii. 12-12-12 FERTILIZER (OR SIMILAR, ORGANIC, SLOW RELEASE) - 10 LBS. PER CU. YD.
      iii. "CLAY BUSTER" OR EQUAL - USE MANUFACTURER'S RECOMMENDED RATE
      iv. IRON SULPHATE - 2 LBS. PER CU. YD.
   5. IN THE CONTEXT OF THESE PLANS, NOTES, AND SPECIFICATIONS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) AS INDICATED ON THE GRADING PLANS.
      a. BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN +/-0.1' OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
      b. CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL.
      c. THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED, THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED (**BASED ON A SOIL TEST**, PER SPECIFICATIONS), AND THE FINISH GRADES TO BE ESTABLISHED.
      d. ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 3" BELOW THE ADJACENT FINISH SURFACE, IN ORDER TO ALLOW FOR PROPER MULCH DEPTH. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
      e. ENSURE THAT THE FINISH GRADE IN TURF AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 1" BELOW THE FINISH SURFACE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
      f. SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND PLANS, AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.
   6. ONCE SOIL PREPARATION IS COMPLETE, THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT THERE ARE NO DEBRIS, TRASH, OR STONES LARGER THAN 1" REMAINING IN THE TOP 6" OF SOIL.

B. SUBMITTALS
   1. THE CONTRACTOR SHALL PROVIDE SUBMITTALS AND SAMPLES, IF REQUIRED, TO THE LANDSCAPE ARCHITECT, AND RECEIVE APPROVAL IN WRITING FOR SUCH SUBMITTALS BEFORE WORK COMMENCES.
   2. SUBMITTALS SHALL INCLUDE PHOTOS OF PLANTS WITH A RULER OR MEASURING STICK FOR SCALE, PHOTOS OR SAMPLES OF ANY REQUIRED MULCHES, AND SOIL TEST RESULTS AND PREPARATION RECOMMENDATIONS FROM THE TESTING LAB (INCLUDING COMPOST AND FERTILIZER RATES AND TYPES, AND OTHER AMENDMENTS FOR TREE/SHRUB, TURF, AND SEED AREAS AS MAY BE APPROPRIATE).
   3. SUBMITTALS SHALL ALSO INCLUDE MANUFACTURER CUT SHEETS FOR PLANTING ACCESSORIES SUCH AS TREE STAKES AND TIES, EDGING, AND LANDSCAPE FABRICS (IF ANY).
   4. WHERE MULTIPLE ITEMS ARE SHOWN ON A PAGE, THE CONTRACTOR SHALL CLEARLY INDICATE THE ITEM BEING CONSIDERED.

C. GENERAL PLANTING
   1. REMOVE ALL NURSERY TAGS AND STAKES FROM PLANTS.
   2. EXCEPT IN AREAS TO BE PLANTED WITH ORNAMENTAL GRASSES, APPLY PRE-EMERGENT HERBICIDES AT THE MANUFACTURER'S RECOMMENDED RATE.
   3. TRENCHING NEAR EXISTING TREES:
      a. CONTRACTOR SHALL NOT DISTURB ROOTS 1-1/2" AND LARGER IN DIAMETER WITHIN THE CRITICAL ROOT ZONE (CRZ) OF EXISTING TREES, AND SHALL EXERCISE ALL POSSIBLE CARE AND PRECAUTIONS TO AVOID INJURY TO TREE ROOTS, TRUNKS, AND BRANCHES. THE CRZ IS DEFINED AS A CIRCULAR AREA EXTENDING OUTWARD FROM THE TREE TRUNK, WITH A RADIUS EQUAL TO 1' FOR EVERY 1" OF TRUNK DIAMETER-AT-BREAST-HEIGHT (4.5' ABOVE THE AVERAGE GRADE AT THE TRUNK).
      b. ALL EXCAVATION WITHIN THE CRZ SHALL BE PERFORMED USING HAND TOOLS. NO MACHINE EXCAVATION OR TRENCHING OF ANY KIND SHALL BE ALLOWED WITHIN THE CRZ.
      c. ALTER ALIGNMENT OF PIPE TO AVOID TREE ROOTS 1-1/2" AND LARGER IN DIAMETER. WHERE TREE ROOTS 1-1/2" AND LARGER IN DIAMETER ARE ENCOUNTERED IN THE FIELD, TUNNEL UNDER SUCH ROOTS. WRAP EXPOSED ROOTS WITH SEVERAL LAYERS OF BURLAP AND KEEP MOIST. CLOSE ALL TRENCHES WITHIN THE CANOPY DRIP LINES WITHIN 24 HOURS.
      d. ALL SEVERED ROOTS SHALL BE HAND PRUNED WITH SHARP TOOLS AND ALLOWED TO AIR-DRY. DO NOT USE ANY SORT OF SEALERS OR WOUND PAINTS.

D. TREE PLANTING
   1. TREE PLANTING HOLES SHALL BE EXCAVATED TO MINIMUM WIDTH OF TWO TIMES THE WIDTH OF THE ROOTBALL, AND TO A DEPTH EQUAL TO THE DEPTH OF THE ROOTBALL LESS TWO TO FOUR INCHES.
   2. SCARIFY THE SIDES AND BOTTOM OF THE PLANTING HOLE PRIOR TO THE PLACEMENT OF THE TREE. REMOVE ANY GLAZING THAT MAY HAVE BEEN CAUSED DURING THE EXCAVATION OF THE HOLE.
   3. FOR CONTAINER AND BOX TREES, TO REMOVE ANY POTENTIALLY GIRDLING ROOTS AND OTHER ROOT DEFECTS, THE CONTRACTOR SHALL SHAVE A 1" LAYER OFF OF THE SIDES AND BOTTOM OF THE ROOTBALL OF ALL TREES JUST BEFORE PLACING INTO THE PLANTING PIT. DO NOT "TEASE" ROOTS OUT FROM THE ROOTBALL.
   4. INSTALL THE TREE ON UNDISTURBED SUBGRADE SO THAT THE TOP OF THE ROOTBALL IS TWO TO FOUR INCHES ABOVE THE SURROUNDING GRADE.
   5. BACKFILL THE TREE HOLE UTILIZING THE EXISTING TOPSOIL FROM ON-SITE. ROCKS LARGER THAN 1" DIA. AND ALL OTHER DEBRIS SHALL BE REMOVED FROM THE SOIL PRIOR TO THE BACKFILL. SHOULD ADDITIONAL SOIL BE REQUIRED TO ACCOMPLISH THIS TASK, USE STORED TOPSOIL FROM ON-SITE OR IMPORT ADDITIONAL TOPSOIL FROM OFF-SITE AT NO ADDITIONAL COST TO THE OWNER. IMPORTED TOPSOIL SHALL BE OF SIMILAR TEXTURAL CLASS AND COMPOSITION IN THE ON-SITE SOIL.
   6. TREES SHALL NOT BE STAKED UNLESS LOCAL CONDITIONS (SUCH AS HEAVY WINDS OR SLOPES) REQUIRE STAKES TO KEEP TREES UPRIGHT. SHOULD STAKING BE REQUIRED, THE TOTAL NUMBER OF TREE STAKES (BEYOND THE MINIMUMS LISTED BELOW) WILL BE LEFT TO THE LANDSCAPE CONTRACTOR'S DISCRETION. SHOULD ANY TREES FALL OR LEAN, THE LANDSCAPE CONTRACTOR SHALL STRAIGHTEN THE TREE, OR REPLACE IT SHOULD IT BECOME DAMAGED. TREE STAKING SHALL ADHERE TO THE FOLLOWING GUIDELINES:
      a. 1"-2" TREES — TWO STAKES PER TREE
      b. 2-1/2"-4" TREES — THREE STAKES PER TREE
      c. TREES OVER 4" CALIPER — GUY AS NEEDED
      d. MULTI-TRUNK TREES — THREE STAKES PER TREE MINIMUM, QUANTITY AND POSITIONS AS NEEDED TO STABILIZE THE TREE
   7. UPON COMPLETION OF PLANTING, CONSTRUCT AN EARTH WATERING BASIN AROUND THE TREE. COVER THE INTERIOR OF THE TREE RING WITH THE WEED BARRIER CLOTH AND TOPDRESS WITH MULCH (TYPE AND DEPTH PER PLANS).

E. SHRUB, PERENNIAL, AND GROUNDCOVER PLANTING
   1. DIG THE PLANTING HOLES TWICE AS WIDE AND 2" LESS DEEP THAN EACH PLANT'S ROOTBALL. INSTALL THE PLANT IN THE HOLE. BACKFILL AROUND THE PLANT WITH SOIL AMENDED PER SOIL TEST RECOMMENDATIONS.
   2. INSTALL THE WEED BARRIER CLOTH, OVERLAPPING IT AT THE ENDS. UTILIZE STEEL STAPLES TO KEEP THE WEED BARRIER CLOTH IN PLACE.
   3. WHEN PLANTING IS COMPLETE, INSTALL MULCH (TYPE AND DEPTH PER PLANS) OVER ALL PLANTING BEDS, COVERING THE ENTIRE PLANTING AREA.

F. SODDING
   1. SOD VARIETY TO BE AS SPECIFIED ON THE LANDSCAPE PLAN.
   2. LAY SOD WITHIN 24 HOURS FROM THE TIME OF STRIPPING. DO NOT LAY IF THE GROUND IS FROZEN.
   3. LAY THE SOD TO FORM A SOLID MASS WITH TIGHTLY FITTED JOINTS. BUTT ENDS AND SIDES OF SOD STRIPS - DO NOT OVERLAP. STAGGER STRIPS TO OFFSET JOINTS IN ADJACENT COURSES.
   4. ROLL THE SOD TO ENSURE GOOD CONTACT OF THE SOD'S ROOT SYSTEM WITH THE SOIL UNDERNEATH.
   5. WATER THE SOD THOROUGHLY WITH A FINE SPRAY IMMEDIATELY AFTER PLANTING TO OBTAIN AT LEAST SIX INCHES OF PENETRATION INTO THE SOIL BELOW THE SOD.

G. HYDROMULCHING
   1. TURF HYDROMULCH MIX (PER 1,000 SF) SHALL BE AS FOLLOWS:
      a. WINTER MIX (OCTOBER 1 - MARCH 31)
         50# CELLULOSE FIBER MULCH
         2# UNHULLED BERMUDA SEED
         2# ANNUAL RYE SEED
         15# 15-15-15 WATER SOLUBLE FERTILIZER
      b. SUMMER MIX (APRIL 1 - SEPTEMBER 30)
         50# CELLULOSE FIBER MULCH
         2# HULLED BERMUDA SEED
         15# 15-15-15 WATER SOLUBLE FERTILIZER
   2. SEED HYDROMULCH MIX (PER 1,000 SF) SHALL BE AS FOLLOWS:
      a. GENERAL
         50# CELLULOSE FIBER MULCH
         15# 15-15-15 WATER SOLUBLE FERTILIZER
         SEED RATE PER LEGEND

H. DRILL SEEDING
   1. ALL SEED SHALL BE DRILL SEEDED AT THE RATES SHOWN ON THE PLANS, WITH A HYDROMULCH MIX APPLIED AFTER SEEDING.
   2. THE HYDROMULCH MIX (PER 1,000 SF) SHALL BE AS FOLLOWS:
      50# CELLULOSE FIBER MULCH
      15# 15-15-15 WATER SOLUBLE FERTILIZER
      4# ORGANIC BINDER

I. MULCH
   1. INSTALL MULCH TOPDRESSING, TYPE AND DEPTH PER MULCH NOTE, IN ALL PLANTING AREAS AND TREE RINGS.
   2. DO NOT INSTALL MULCH WITHIN 6" OF TREE ROOT FLARE AND WITHIN 24" OF HABITABLE STRUCTURES, EXCEPT AS MAY BE NOTED ON THESE PLANS. MULCH COVER WITHIN 6" OF CONCRETE WALKS AND CURBS SHALL NOT PROTRUDE ABOVE THE FINISH SURFACE OF THE WALKS AND CURBS. MULCH COVER WITHIN 12" OF WALLS SHALL BE AT LEAST 3" LOWER THAN THE TOP OF WALL.

J. CLEAN UP
   1. DURING LANDSCAPE PREPARATION AND PLANTING, KEEP ALL PAVEMENT CLEAN AND ALL WORK AREAS IN A NEAT, ORDERLY CONDITION.
   2. DISPOSED LEGALLY OF ALL EXCAVATED MATERIALS OFF THE PROJECT SITE.

K. INSPECTION AND ACCEPTANCE
   1. UPON COMPLETION OF THE WORK, THE LANDSCAPE CONTRACTOR SHALL PROVIDE THE SITE CLEAN, FREE OF DEBRIS AND TRASH, AND SUITABLE FOR USE AS INTENDED. THE LANDSCAPE CONTRACTOR SHALL THEN REQUEST AN INSPECTION BY THE OWNER TO DETERMINE FINAL ACCEPTABILITY.
   2. WHEN THE INSPECTED PLANTING WORK DOES NOT COMPLY WITH THE CONTRACT DOCUMENTS, THE LANDSCAPE CONTRACTOR SHALL REPLACE AND/OR REPAIR THE REJECTED WORK TO THE OWNER'S SATISFACTION WITHIN 24 HOURS.
   3. THE LANDSCAPE MAINTENANCE PERIOD WILL NOT COMMENCE UNTIL THE LANDSCAPE WORK HAS BEEN RE-INSPECTED BY THE OWNER AND FOUND TO BE ACCEPTABLE. AT THAT TIME, A WRITTEN NOTICE OF FINAL ACCEPTANCE WILL BE ISSUED BY THE OWNER, AND THE MAINTENANCE AND GUARANTEE PERIODS WILL COMMENCE.

L. LANDSCAPE MAINTENANCE
   1. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL WORK SHOWN ON THESE PLANS FOR 90 DAYS BEYOND FINAL ACCEPTANCE OF ALL LANDSCAPE WORK BY THE OWNER. LANDSCAPE MAINTENANCE SHALL INCLUDE WEEKLY SITE VISITS FOR THE FOLLOWING ACTIONS (AS APPROPRIATE): PROPER PRUNING, RESTAKING OF TREES, RESETTING OF PLANTS THAT HAVE SETTLED, MOWING AND AERATION OF LAWNS, WEEDING AT THE RESEEDING AREAS WHICH HAVE NOT GERMINATED WELL, TREATING FOR INSECTS AND DISEASES,REPLACEMENT OF MULCH, REMOVAL OF LITTER, REPAIRS TO THE IRRIGATION SYSTEM DUE TO FAULTY PARTS AND/OR WORKMANSHIP, AND THE APPROPRIATE WATERING OF ALL PLANTINGS. THE LANDSCAPE CONTRACTOR SHALL MAINTAIN THE IRRIGATION SYSTEM IN PROPER WORKING ORDER, WITH SCHEDULING ADJUSTMENTS BY SEASON TO MAXIMIZE WATER CONSERVATION.
   2. SHOULD SEEDED AND/OR SODDED AREAS NOT BE COVERED BY AN AUTOMATIC IRRIGATION SYSTEM, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING THESE AREAS AND OBTAINING A FULL, HEALTHY STAND OF PLANTS AT NO ADDITIONAL COST TO THE OWNER.
   3. TO ACHIEVE FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD, ALL OF THE FOLLOWING CONDITIONS MUST OCCUR:
      a. THE LANDSCAPE SHALL SHOW ACTIVE, HEALTHY GROWTH (WITH EXCEPTIONS MADE FOR SEASONAL DORMANCY). ALL PLANTS NOT MEETING THIS CONDITION SHALL BE REJECTED AND REPLACED BY HEALTHY PLANT MATERIAL PRIOR TO FINAL ACCEPTANCE.
      b. ALL HARDSCAPE SHALL BE CLEANED PRIOR TO FINAL ACCEPTANCE.
      c. SODDED AREAS MUST BE ACTIVELY GROWING AND MUST REACH A MINIMUM HEIGHT OF 1 1/2 INCHES BEFORE FIRST MOWING. HYDROMULCHED AREAS SHALL SHOW ACTIVE, HEALTHY GROWTH. BARE AREAS LARGER THAN TWELVE SQUARE INCHES MUST BE RESODDED OR RESEEDED (AS APPROPRIATE) PRIOR TO FINAL ACCEPTANCE. ALL SODDED TURF SHALL BE NEATLY MOWED.

M. WARRANTY PERIOD, PLANT GUARANTEE AND REPLACEMENTS
   1. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL TREES, SHRUBS, PERENNIALS, SOD, SEEDED/HYDROMULCHED AREAS, AND IRRIGATION SYSTEMS FOR A PERIOD OF ONE YEAR FROM THE DATE OF THE OWNER'S FINAL ACCEPTANCE (90 DAYS FOR ANNUAL PLANTS). THE CONTRACTOR SHALL REPLACE, AT HIS OWN EXPENSE AND TO THE SATISFACTION OF THE OWNER, ANY PLANTS WHICH DIE IN THAT TIME, OR REPAIR ANY PORTIONS OF THE IRRIGATION SYSTEM WHICH OPERATE IMPROPERLY.
   2. AFTER THE INITIAL MAINTENANCE PERIOD AND DURING THE GUARANTEE PERIOD, THE LANDSCAPE CONTRACTOR SHALL ONLY BE RESPONSIBLE FOR REPLACEMENT OF PLANTS WHEN PLANT DEATH CANNOT BE ATTRIBUTED DIRECTLY TO OVERWATERING OR OTHER DAMAGE BY HUMAN ACTIONS.

N. PROVIDE A MINIMUM OF (2) COPIES OF RECORD DRAWINGS TO THE OWNER UPON COMPLETION OF WORK. A RECORD DRAWING IS A RECORD OF ALL CHANGES THAT OCCURRED IN THE FIELD AND THAT ARE DOCUMENTED THROUGH CHANGE ORDERS, ADDENDA, OR CONTRACTOR/CONSULTANT DRAWING MARKUPS.

ALTERNATIVE LANDSCAPE MEMO

evergreen DESIGN GROUP
1340 Environ Way
Chapel Hill, NC 27517
(800) 680-6630

June 6, 2025

Alternative Landscape Memo
Project Name: Christian Brothers Automotive - Denton
Project Number: ZCP25-0010 – 3RD SUBMITTAL

The Christian Brothers Automotive project located at Block A, Lot 14, 3130 North Interstate Highway 35 requires a deviation from the Denton Development Code: Exhibit D-1 Rayzor Ranch Landscape Standards South Commercial District (SCD) and Town Center (TC). The following point illustrates the section of the code that the project does not meet, the reasons why and the proposed alternative that meets or exceeds the said deviation.

1. *Code Reference:*. Article 1, Parking Field Requirements, C.1 (Landscape Islands) and C.2 (End Islands). Each island shall contain at least 1 shade tree. The elements that requires deviation from the code are **tree locations within the end cap and internal landscape islands.**

   Reasoning: These elements requires deviation due to utility (water and hydrant) conflicts in two locations.

   Alternative: One Internal Canopy Tree is provided in the landscape area north of the parking lot. This tree placement will help to spread tree canopy throughout the site and further shade the parking area. One Endcap Canopy Tree is provided in landscape area across the driveway nearest the said endcap. This tree placement will help to screen the maneuvering drive and define the entry from Panhandle Drive.

2. *Code Reference:*. Article 4, Parking Lot Landscaping and Screening Standards, B.3 (Trees). Provide 1 large tree for every 45 LF of Right-of-Way Screening Landscape Area. The element that requires deviation from the code are **5 tree locations within the landscape setback along the Interstate 35 frontage.**

   Reasoning: This requires deviation due to **the 20' wide public** utility easement that runs the full boundary.

   Alternative: Two large trees are provided in the landscape area northwest of the parking lot, adjacent to the 15' landscape buffer. Three additional large trees are provided in the landscape area south of the parking lot. This tree placement will help to buffer the parking lot from adjacent lots.

Note: In order to graphically identify areas specifically addressed in Landscape Comments relevant to the Alternative Landscape Plan an orange-colored dashed line was added to the affected area on the plan.

Thank you,

Sharon M Stachecki

Sharon M Stachecki, Project Director, ASLA

www.evergreendesigngroup.com | sharon@evergreendesigngroup.com

ZCP25–0010 3RD SUBMITTAL LANDSCAPE PLAN

THIS PLAN SET IS FOR PERMITTING PURPOSES ONLY AND MAY NOT BE USED FOR CONSTRUCTION

DYNAMIC ENGINEERING
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TITLE: LANDSCAPE SPECIFICATIONS

PROJECT: CHRISTIAN BROTHERS AUTOMOTIVE– DENTON
CHRISTIAN BROTHERS AUTOMOTIVE CORPORATION
BLOCK A, LOT 14
3130 NORTH INTERSTATE HIGHWAY 35
CITY OF DENTON, DENTON COUNTY, TEXAS

JOB No: 2099-24-03134
DATE: 06/06/25
DRAWN BY: SMS
SCALE: 1"=20'-0"
DESIGNED BY: SMS
CHECKED BY: SS
CHECKED BY: _
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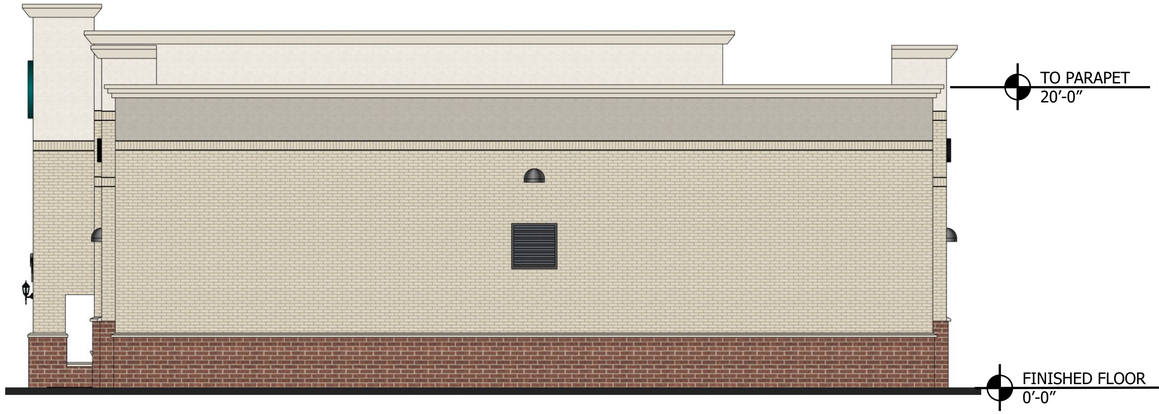
5 FRONT ELEVATION
SCALE: 3/16" = 1'-0"



4 BACK ELEVATION
SCALE: 3/16" = 1'-0"



2 RIGHT SIDE ELEVATION
SCALE: 3/16" = 1'-0"



3 LEFT SIDE ELEVATION
SCALE: 3/16" = 1'-0"

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Christian Brothers Automotive

DENTON, TX

Christian Brothers Automotive
17725 Katy Freeway, St. 200
Houston, TX 77094

Project No. CBA

Drawn By:

Date: 02/07/2025

Sheet Title:

Drawing No.

EXHIBIT C-1

RAYZOR RANCH ARCHITECTURAL STANDARDS SOUTH COMMERCIAL DISTRICT (SCD) AND TOWN CENTER (TC)

Article 1 Architecture and Planning

Non-residential buildings in the Town Center (TC) and South Commercial District (SCD) collectively referred to as the RRTC in this document shall comply with the following planning and design standards.

A. Orientation / Site Design

1. The RRTC is intended to be a unique shopping experience with a wide array of retail options including larger regional retailers, department stores, fashion, electronics, hard and soft goods, bookstores, restaurants and entertainment uses. The project should be unique to the Denton area and complimentary to surrounding land-uses.

2. The TC area shall be oriented around a central circulation system or spine element for vehicular and pedestrian flow. This system or element may take the form of a public domain such as a park, open space, pedestrian plaza, courtyard or main street.

3. The TC area's central circulation system and supporting internal roads are intended to provide a clear and logical transportation system for vehicles, pedestrians, cyclists and public transit.

4. Plazas, patios and open spaces will be integrated into the site design to break-up large expanses of sidewalk areas.

5. Loading docks, trash receptacles, storage areas and mechanical equipment shall be screened from public streets by evergreen shrubbery, trees, masonry screenwall, concrete

screenwall or a combination thereof. If screening a loading dock with landscaping, the landscape material must be a minimum of five (5) feet tall at time of planting and must comply with the planting standards set forth in the Rayzor Ranch Landscape Standards. If screening trash receptacles, storage areas and mechanical equipment, the landscape material must be a minimum of one (1) foot taller than the item they are to screen at time of planting and must comply with the planting standards set forth in the Rayzor Ranch Landscape Standards.

6. Trash collection and compaction may not occur within one-hundred feet (100') of a single-family detached residence located outside of Rayzor Ranch. Trash collection areas shall be screened from public view as defined in Item A.5.

7. Mechanical equipment may not be located within one-hundred feet (100') of a single-family detached residence located outside of Rayzor Ranch. Mechanical equipment shall be screened from view as defined in Item A.5.

8. Directional and wayfinding signage shall provide assistance for pedestrians and vehicles.

B. Building Design and Materials

1. The SCD is to have distinctive architectural theming, including common design elements and materials.

2. Window glass may not be flush with exterior walls or, if flush, shall have a surround of wood/metal frame or wall trim material.

3. The SCD is to have a complimentary building character. Buildings shall be designed to enhance the community character and have features that provide visual interest. Large, blank facades and wall surfaces shall not be permitted. Within the TC area, windows and/or storefronts should be included in wall planes wherever feasible. The building facades within the TC area should be

broken up and softened when feasible through overhangs and colonnades, architectural detailing or landscaping.

4. Building walls greater than one-hundred feet (100') in length shall have vertical and horizontal façade articulation or other distinctive changes in the building façade, such as material changes, color or textural changes.

5. All sides of buildings visible from the streets, or internal customer areas of the site, are encouraged to be constructed of masonry, including brick and native stone veneers, decorative block, concrete, stucco (EIFS) or other high quality material customarily used for this building style. Gables, windows, doors and related trim are not included in this requirement. Wood and HDO board may be used. Preferred materials from the Example Material Applications located in Appendix 1-4 include:

   i. Native Texas quarried natural stone or limestone of varying colors, sizes and textures
   ii. Concrete – Architectural finish. Texture coated or textured and colored
   iii. Masonry, including structural and brick veneers
   iv. Porcelain Tile
   v. Glass Galvanized metal panels or prefinished architectural metal panels of gray tone, neutral or earthtone color
   vi. Painted siding in a warm, neutral/earthtone or gray tone color
   vii. EIFS or stucco in a warm, neutral/earthtone or gray tone color
   viii. Accent colors as identified on the Master Palette are encouraged but should be used in a limited manner to contrast the more subtle "natural" palette
   ix. Natural metals such as, but not limited to, zinc and copper
   x. Roofing tile, metal roofing shingles and panels, or slate in galvanized or natural/earthtone color
   xi. Natural wood, stained or painted

6. Glass and Storefronts. Glass shall be used to allow visual access into interior spaces, or for display purposes. Buildings may not incorporate glass for more than 70% of the wall plane.

7. Stone. Native stone and stone veneers are encouraged to be used where practical as the common and unifying architectural material for the SCD.

8. Metal Roofs. Metal roofs are permitted provided that they are standing metal seam, batten seam or metal shingles.

Article 2 Outdoor Sales and Storage

A. **Exterior sidewalk displays and cart storage**. Areas for customer loading or merchandise display and cart storage is allowed, but such areas shall be clearly delineated and shall not be located in front of any customer entrances, exit door(s), or within fifteen feet (15') on either side of the door(s).

B. **Permanent outdoor display, sales and storage**. Merchandise may be stored or displayed for sale to customers on the front or side of the buildings in accordance with the following criteria:

1. The total square footage of all permanent outdoor storage, display, and sales areas shall be limited to 20% of the footprint of the building, but in no event shall exceed 20,000 square feet, except for home improvement use, which may not exceed 45,000 square feet of outdoor storage and the 20% footprint restriction does not apply.

2. Permanent outdoor storage, display and sales shall be contiguous to the building and shall not be permitted within seventy-five feet (75') of a single-family detached residence located outside of Rayzor Ranch.

3. The permanent storage, display and sales area shall be enclosed by a minimum eight foot (8') wall of columns minimum two feet (2') wide, of like appearance to the building with

wrought iron or decorative tubular steel fencing. No merchandise other than trees shall be visible above the wall or fence.

4. Seasonal outdoor display will be allowed. Size will be limited to 11,000 square feet maximum. Dates for outdoor display will be year round. Merchandise may not exceed ten feet (10') in height except for trees.

C. **Rear Storage**. Bulk merchandise may be stored behind any building The sides and back of the storage area shall be screened with a chain link fence covered with windscreen, except for any side or back that is separated from any residential property by an eight-foot masonry wall and landscaped buffer yard, in which case additional screening is not required. Windscreen shall be maintained in good repair and free of tears. The rear storage area shall not be accessible to customers. Merchandise shall be stacked no higher than twenty-five feet (25') or level with the top of the adjacent sidewall of the building, whichever is lower, and may not be stacked above the height of the chain link fence

D. **Pickup and Delivery**. Outdoor storage, pickup, delivery, loading and unloading of merchandise, equipment or other items may not occur within one-hundred feet (100') of single-family detached residential property located outside of Rayzor Ranch. Loading areas and docks must be located to the side or rear of the building unless the loading area is completely screened from the street, and loading docks shall be located more than one-hundred feet (100') from single-family detached residence located outside of Rayzor Ranch. Pavement may be located within one hundred feet (100') of residential property.

Article 3 Streetscape / Public Spaces

A. SCD shall provide one square foot of plaza or public space area (Plaza Area), which may include sidewalks, for each ten (10) square feet of gross ground floor area.

B. Plaza Areas shall be defined as any area within SCD that contains any three of the following seven items:

1. An area that provides pedestrian seating at a rate of one seat for each 250 square feet. Seating shall be a minimum of fifteen inches (15") in height and thirty inches (30") in width. Seating elements include manufactured benches, ledge benches, natural elements, seat walls or other raised element designated for seating. When providing more than one sitting space on an element, each space shall be calculated at a minimum of eighteen inches (18") of width.

2. An area that integrates shade within the open space area through the inclusion of shade trees, trellises, awnings or structural elements such as colonnades and canopies.

3. An area that provides trees in proportion to the space at a minimum of 1 tree per 800 square feet.

4. An area containing a water feature, fireplace, amphitheater or public art

5. An area containing outdoor dining.

6. A freestanding stone fireplace, obelisk or other design feature.

7. A hardscape area that integrates landscape planting within the hardscape through pots, above grade planters, in grade planters, or tree grates (Refer to photographs in Appendix 3)

C. Planting areas in the sidewalk are encouraged. Pots or above grade planters are allowed, minimum container size of 5 gallons. (Refer to photographs in Appendix 3)

D. Single tenant buildings having a gross floor area in excess of 40,000 square feet shall have a minimum of 100 square foot seating area including benches or other permanent seating along the front sidewalk area. This area shall be included as part of the Plaza calculation and should meet Plaza requirements.

E. Bicycle racks shall be included at various locations in the TC.

Article 4 Mechanical Roof Equipment Screening

All roof mounted mechanical equipment shall be fully screened from view from public on the site or public pedestrian spaces. Acceptable methods for screening roof mounted equipment shall include parapet elements, louvers, or ridges of sloped roof forms. The color and finish of the screening shall comply with the color pallet approved as Appendix 1 and be complimentary to the building architecture.

Article 5 Accessory Use

All accessory uses shall be architecturally compatible with the main structure by sharing color, materials, architectural design, roof pitch elements or some other architectural feature.

Article 6 Drive-Through Requirements

A. Drive-through uses shall provide sufficient stacking area to ensure that public rights-of-way are not obstructed. Fast food restaurants with drive-through facilities shall provide a minimum stacking distance of one hundred and sixty feet (160') unless the building owner or tenant can substantiate that a lesser requirement is appropriate based on a national standard or case studies of other

facilities operated by that owner or tenant. Bank drive-through facilities shall provide a minimum stacking distance of one-hundred feet (100').

B. Drive-through canopies must be built as an integral architectural element of the structure. The supporting structure shall include at least one (1) of the following architectural features:

1. native Texas stone or limestone on the supporting structure columns or building facade.
2. a sloped metal roof.

The materials are to be the same as those used in the primary structure. Drive-through structures and facilities physically separated from the primary structure must be architecturally compatible with the primary structure.

C. Drive-through uses must be located to the rear or side of the structure, and buffered on the rear and side lot lines as required in the Denton Development Code Section 7.9.7.C. A portion of the buffer between sites can be provided on adjacent lots.

Article 7 Light and Glare Performance Requirements

A comprehensive lighting plan shall be utilized for public safety in parking areas, illumination of building areas and pedestrian scale lighting along walkways and foot paths. Decorative lighting may be used at intersections and gathering places. All lighting within the Rayzor Ranch development shall meet the following standards.

A. Areas designated for parking use shall provide a minimum average of one foot candle of illumination.
B. Areas designated for pedestrian use shall provide a minimum average of one-half foot candle of illumination.
C. Light may not measure more than one-half foot-candle of illumination at property lines external to Rayzor Ranch or at internal property lines where adjacent to residential.

APPENDIX 1

Example Material Applications



Metal Panel







Limestone Block



Stone



Wood Soffet



Textured Coated Concrete



Cementboard / Wood Siding

Colors are for illustrative purposes. Colors will closely match final color selections.



Material Colors:

The below listed materials represent the Architectural color palette for Rayzor Ranch. Colors will remain within the specified color palette.

Neutral:

Benjamin Moore 1100

Benjamin Moore 1067

Benjamin Moore HC-172

Benjamin Moore HC-169

Benjamin Moore OC-5

Benjamin Moore HC-105

Benjamin Moore AC-28
ICI A1825
ICI A1838
ICI A1866
Sherwin Williams SW6136
Pittsburgh Paints 510-2

Gray Tone:

Benjamin Moore 1603

Benjamin Moore AC-27

ICI A2013
ICI A2007
ICI A2015
ICI A2014
Tnemec 03MT
Tnemec 03MT

Earth Tone:

Benjamin Moore 1267

Benjamin Moore 1239

Benjamin Moore 1225

Benjamin Moore HC-100

Benjamin Moore 1040

Benjamin Moore HC-68

Benjamin Moore HC-71

ICI A1827
Sherwin Williams SW6062
Sherwin Williams SW6335
Sherwin Williams SW6041
Sherwin Williams SW6158
Sherwin Williams SW0009
Sherwin Williams SW6117
Sherwin Williams SW2831
Pittsburgh Paints 417-5
Pittsburgh Paints 325-6
Pittsburgh Paints 315-5

APPENDIX 1

Example Material Applications
Additional Colors and Materials for Town Center only

Until amended by City Council, the TC and SCD will use the Material Applications set forth above. Additional materials and/or colors may be added at a later date.

APPENDIX 2

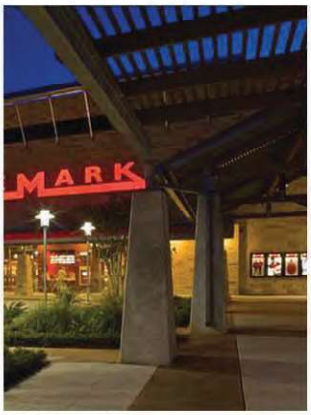
Example Canopy and Shading Applications



SHADE CANOPY



TRELLIS



TRELLIS



SUNSHADE



OVERHANG



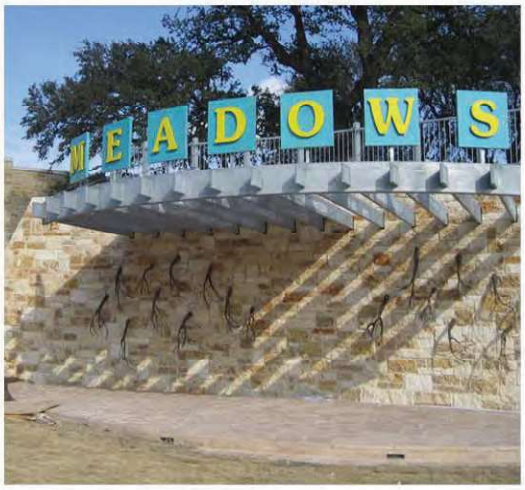
PORTICO



LOGGIA



CANOPY



SUNSHADE

APPENDIX 3

Example Amenities



FIREPLACE SEATING



LIGHTING



TREE POTS



BENCHES



PLANTERS



PLANTERS



BENCHES



SEATING

APPENDIX 4

Example Architectural Imagery



















EXHIBIT D-1

RAYZOR RANCH LANDSCAPE STANDARDS SOUTH COMMERCIAL DISTRICT (SCD) AND TOWN CENTER (TC)

Article 1

General Landscape Standards

A. Landscape Plan

Landscape Plans must be reviewed and approved by the City staff for each phase of the development.

B. Open Space Requirements

1. The South Commercial District (SCD) and Town Center (TC) shall maintain a minimum average open space of 15% of the overall site. Open space includes all surface areas of the project that are not covered with enclosed buildings, or parking and drive areas. Pedestrian plazas sidewalks covered or uncovered are calculated towards total open space.

2. Active open space shall be valued within the Town Center (TC) development. Plaza Areas, as defined in Article 3.B of the Rayzor Ranch Architectural Standards, may be credited as additional open space, canopy coverage, and/ or landscape area with the authorization of the City Manager and a supporting site plan.

C. Parking Field Requirements

The SCD and TC will incorporate the following planting standards in all parking areas:

1. Landscape Islands

There will be a minimum of one planted island for every 15 linear parking spaces. This planting island shall be approximately the same size as one (1) standard parking space. Each island shall contain at least 1 shade tree (2" min. cal.) from the Approved Plant List (see Appendix A). Alternatively, there will be a minimum of one planted island for every 25 linear parking spaces. This planting island shall be approximately the same size as 2 standard parking spaces. Each island shall contain at least 2 shade trees (2" min. cal.) from the Approved Plant List (see Appendix A). Ground cover within the island shall be 100% turf, shrub, planted groundcover, gravel, or mulch or combination thereof. See Diagram 1 for an example layout of landscape islands. The average distance between planting islands shall be 11 linear parking spaces.

2. **End Islands**
There shall also be an end island for every parking row. This end island shall be approximately the same size as one (1) standard parking space. Each island shall contain at least 1 shade tree (2" min. cal.) from the Approved Plant List (see Appendix A). An example of the end islands can be found in Diagram 1. Ground cover within the island shall be 100% turf, shrub, planted groundcover, gravel, or mulch or combination thereof.

3. **Minor Amendments**
The City Manager may approve alternate tree locations utilizing the minor amendment process to avoid conflicts with utilities as defined in the Denton Development Code.

4. **Tree Spacing From Public Utilities**

   a. **Water and Wastewater Lines** – No trees shall be planted closer than nine (9) feet from any public underground water or wastewater utility main unless applicable staff approves a special circumstance. The location of the water or wastewater utility line shall be considered, for distance purposes, to be the surface of the ground above the line.

   b. **Fire Hydrants** – No trees shall be planted closer than 10 feet from any fire hydrant.

Article 2 Buffers and Screening

A. Refuse Container Screen
Trash receptacles shall be screened in accordance with Article 1.A.3 of the Rayzor Ranch Architectural Standards. The construction of refuse screening areas must comply with the Solid Waste Criteria Manual and Section 7.12 of the Denton Development Code.

B. Service Corridor Screen
When adjacent to residential uses, commercial and industrial service corridors shall be screened. Siting and design of such service areas shall reduce the adverse effects of noise, odor and visual clutter upon adjacent residential uses.

C. Mechanical Equipment Screen

All mechanical equipment shall be screened from any public right-of-way or adjacent to residential use or zoning district. Ground mounted equipment can be screened with evergreen shrubbery or masonry or concrete screen wall. Gates, if incorporated in the design of the screen wall, can be constructed of metal. Screening is subject to approval by the appropriate controlling utility.

D. Outdoor Storage

All outside storage shall comply with the provisions of Section 5.4.4D and 7.7.8E of the Denton Development Code, unless modified by the Architectural Standards.

Article 3 Access, Parking, and Circulation Requirements

A. External to the Development

1. Vehicular Access / Access Management

The SCD and TC shall provide access that complies with Access Management principles of location, spacing and sharing of curb cuts, and shall provide adequate stacking distance for all entrances.

2. Pedestrian Access

All developments shall provide pedestrian access by linking to any adjacent sidewalk(s), multi-use path(s) or public transportation stop.

3. Transit Amenities

Transit amenities, bus shelters, and pullouts shall be provided as required by the Transportation Design Criteria Manual and the City Mobility Plan, as amended. Modifications to the transit amenities standards shall be permitted subject to the City Manager's approval so long as the intent and spirit of the standards are met.

B. Internal to the Development

1. Vehicular Circulation

a. Internal circulation shall be well defined by use of end caps and landscaped areas.

b. Cross Access: Prior to division of property, circulation and access standards shall be applied and, if necessary, cross easements shall be required so that access to all

properties created by the subdivision can be made from shared curb cuts.

Article 4 Parking Lot Landscaping and Screening Standards

In addition to Article 1 above, all parking lots, which for purposes of this section, include areas of vehicle maneuvering, parking, and loading, shall be landscaped and screened as follows:

A. Landscape Standards

1. A minimum of 10% of the total parking area shall be landscaped.

2. A minimum of 20% of the required parking shall be covered by tree canopy.

3. The tree species shall be an appropriate shade tree and shall be selected from the Approved Plant List (see Appendix A).

4. Poly-coated chain link fencing is allowed for security and utilitarian purposes, but is not considered a screening fence. The poly-coated chain link fence cannot be visible from public roads or pedestrian areas.

B. Screening at Right of Way:

Parking is allowed in front of a building if the parcel meets the following design standards.

1. Parking lots shall be separated from the street frontage by a minimum 15 foot wide Right-of-Way Screening Landscape Area to reduce visual impacts.

2. The minimum 15 foot wide Right-of-Way Screening Landscape Area is the area located between the right-of-way and the parking lot. Utility easements are allowed to count towards part of the 15-foot wide Right-of-Way Screening Landscape area subject to required separation from utilities.

3. The number of large trees required will be calculated by providing one (1) large tree for every 45 linear feet of the Right-of-Way Screening Landscape Area. The required

numbers of trees do not have to be planted on 45-foot centers, but can be clustered.

4. A minimum of three small accent trees clustered every 30 linear feet within the Right-of-Way Screening Landscape Area may be substituted for the large tree requirement.

5. At least one or any combination of the following shall be used to help screen the parking lot:

   a. Xeriscape landscaping may be planted within the Right-of-Way Screening Landscape Area. Xeriscape landscaping shall require water irrigation for a period of three years for landscaping to be established. After 3 years, no irrigation is required;

   b. A minimum three foot high, when mature, row of evergreen shrubs planted within the Right-of-Way Screening Landscape Area. The shrubs may be grouped and not planted in a continuous row provided that the shrubs overlap to form a continuous buffer; or

   c. A minimum three-foot high continuous wall made of any combination of wrought iron, masonry, or stone within the Right-of-Way Screening Landscape Area. If wrought iron is used, vines shall be grown on the wrought iron to help screen the parking lot.

   d. A grass or landscaped berm, three feet high above the parking pavement surface.

Article 5 Tree Maintenance and Tree Mitigation

A. Each replacement tree shall have a minimum caliper of two (2) inches, measured six (6) inches above grade and must be at least five (5) feet tall when planted.

B. All replacement trees must be Large Canopy Trees from the Approved Plant List found in Appendix A.

C. A performance bond is required prior to the issuance of a building permit for each phase of Rayzor Ranch. The purpose of the performance bond is to ensure that the landscape and trees are planted and well maintained. Upon completion of the three (3) year establishment period for all plantings within the Rayzor Ranch project, the City shall inspect the trees to determine if

90% of the trees are healthy and have a reasonable chance of surviving to maturity. Upon such a finding, the City shall release the performance bond. If the applicant does not take remedial steps to bring the property into compliance, the City shall make demand for payment of the bond. The City may use all legal remedies to enforce this requirement, in addition making demand on the bond.

D. Tree mitigation will also be subject to the criteria established in Section 4.8.8 of the Rayzor Ranch District.

Article 6 Interim Landscape Areas

Final right-of-way screening along US 380 must be installed within six (6) months after the final certificate of occupancy is issued for 80% of the lots fronting U.S. 380 or within two years of the first certificate of occupancy fronting on U.S. 380. This is to ensure that landscaping is uniform at the time of installation.

Article 7 Amendments to the Landscape Plan

The City Manager may authorize minor changes in the landscape plan and plant materials that otherwise comply with the Overlay District ordinance and do not:

1. Reduce the perimeter landscape buffer strip shown on the original landscape plan;

2. Detrimentally affect the original landscape plan's aesthetic function relative to adjacent right-of-way or surrounding property; or

3. Detrimentally affect the original landscape plan's screening or buffering function.

Appendix A
Approved Plan List

Canopy Trees

Mature Canopy 314-1256 sq. ft. - Site Design Criteria Manual

Common Name	Scientific Name
Soapberry	Sapindus drummandii
Bald Cypress	Taxodium distichum
Black Locust	Robina pseudoacacia
Eastern Red Cedar	Juniperus virginiana
Cedar Elm	Ulmus crassifolia
Texas Mesquie	Prosopis glandulosa
Chinquanpin Oak	Quercus muhlenbergii
Post Oak	Quercus stellata
Live Oak	Quercus virginiana "Highrise"
Shummard Red Oak	Quercus shumardii
Texas Red Oak	Quercus texana
Chinese Pistache	Pistacia chinensis
Ginko	Ginko bilboa
Green Ash	Fraxinus pennsylvanica
Texas Ash	Fraxinus texensis
Bur Oak	Quercus macrocarpa
Bigtooth Maple	Acer grandidentatum
Foster Holly	Ilex x attenuata "Fosteri"
Caddo Maple	Acer saccharum "Caddo"
Pecan	Carya illinoinensis
Southern Magnolia	Magnolia grandiflora
River Birch	Betula nigra

Ornamental Trees

Mature Canopy 79-314 sq. ft. - Site Criteria Manual

Common Name	Scientific Name
American Smoketree	Conius obovalus
Crape Myrtle	Lagerstromia indica
Desert Willow	Chilopsis linearis "Warren Jones"
Downy Hawthorne	Crataegus mollis
Hawthorn	Crataegus spp.
Mesquite Tree	Prosopis glandulosa
Mexican Plum	Prunus mexicana
Mexican Redbud	Cercis canadensis var mexicana
Possumhaw Holly	Llex decidua
Prairie Flameleaf Sumac	Rhus lanceolata
Red Bud	Cercis canadensis
Reverchon Hawthorn	Crataegus reverchronis
Rusty Blackhaw	Viburnum rufidulum
Texas Persimmon	Diospryros texana
Texas Sophora	Sophora affinis
Vitex	Vitex agnus-castus - "LeCompte"
Wax Myrtle	Myrica cerifera
Yaupon Holly	Ilex vomitoria

Shrubs

Common Name	Scientific Name
Agarita	Mahonia (Berberis) trifolita
Buttonbush	Cephalanthus occidentilis
Sesert Spoon	Dasyliron spp.
Dwarf Buford Holly	Ilex cornuta "Dwarf Buford"
Dwarf Wax Myrtle	Myrica pusilia
Dwarf Yaupon Holly	Ilex vomitona "Nana"
Ebbing's Silverberry	Eleagnus ebbengei
False Indigo	Amorpha fruticosa
Foster Holly	Ilex x attenuaa
Fragrant Sumac	Rhus aromactica
Glossy Abelia	Abelia x grandoflora
Hardy Plumbago	Ceratostimgma plumbaginoides
Indian Hawthorn	Rhaphiolepios indica
Knockout Rose	Roa "Knockout"
Purple Smoke Tree	Cotinus coggygria 'Royal Purple'
Red Yucca	Hesperaloe parviflora
Rosemary	Rosmarius officinalis
Sacahuista	Nolina texana
St. John's Wort	Hypecum perforatum
St. John's Wort	Hypericum beanii
Texas Sage	Leucophyllum frutescens
Turk's Cap	Malvaviscus arboreus var. drummondoni
Waxleaf Ligustrum	Ligustrum japonica "Texana"
Western White Honeysuckle	Lonicera albiflora
Yucca	Yucca app.

Grasses / Ground Cover / Vines

Common Name	Scientific Name
Asian Jasmine	Trachelosperum asiaticum
Aster	Aster spp.
Bermuda Grass	Cynodon dactylon
Blackfoot Daisy	Melampodium leucanthium
Bracken Fern	Pteridum aquilnum
Buffalo Grass	Bucchloe dactyiodes
Bushy Bluestem	Andropgon Glomeratus
Butterfly Weed	Asclepias tuberosa
Cactus	Opuntia spp.
Coconut Thyme	Thymus pulegioides coccineus
Coneflower	Rudbeckia fulgida
Cross Vine	Bignonia capreoiata
Daylilly	Hermerocallis "Hyperion"
Desert Sage	Salvia gregii

Dwarf Fountain Grass	Pennisetum alopecuroldes 'Hamln'
Englemann Daisy	Englemannia pinnatifida
Evening Primrose	Oenothera speciosa
Giant Liriope	Lirope gigantea
Gray Rush	Juncus effusus
Hameln Grass	Pennisetum alopecuroides "Hemeln"
Inland Sea Oats	Chasmanithuim latifolium
Kentucky Wisteria	Wisteria macrostachya
Lady Banks Rose	Rosa banksiae
Lindheimer's Muly	Muhlenbergia lindheimeri
Little Bluestem Grass	Schizachyrium latifolium
Little Bunny Fountain Grass	Pennistemum alopecuroides "Little Bunny"
Lirope	Lirope muscari
Maiden Grass	Miscanthus sinensis "Gracillimus"
Mexican Feather Grass	Nasella(Stipa) tenuissima
Muhly Grass	Muhienbergia spp.
Orange Wedelia	Wedelia hispida
Prairie Zinnia	Zinnia grandiflora
Purple Cornflower	Echinacea pupurea
Purple Wintercreeper	Euonymous fortunei
Russian Sage	Perovskia atriplicfloia
Sideoats Grama	Bouteova curtipendula
Splitbeard Grass	Andropogon tenarius
Switchgrass	Panicum virgatum
Texas Green Eyes	Berlandiera texana
Texas Sage	Leucophyllum frutescens
Trumpet Honeysuckle Vine	Lonicera sempervirens
Trumpet Vine	Camsis radicans
Turfallo grass	Bouteloua dactyloides
Virginia Creeper	Parthenocissus quinquefolia
White Sagebrush	Artemesia ludoviciana
Yellow Elder	Tacoma stans

Appendix B
Tree Mitigation Chart

Rayzor Ranch Mitigation Chart

North Site

Total caliper inches of trees taken down and still remaining is 7713.
161 caliper inches of the 7713 are Quality/Protected Trees
5524 Caliper inches of the 7713 inches were taken down
2189 Caliper inches of the 7713 inches are remaining

7713 inches -161 Inches of Quality/Protected Trees = 7552 inches

7552 are Secondary Trees requiring 12.5% mitigation = 944 caliper inches

161 are Quality/Protected Trees requiring 1:2 or 1:1.5 mitigation
At the worst case scenario 1:2 = 322 caliper inches

Total caliper inches to mitigate = 944 + 322 = 1266 inches
This is 633 trees (assuming mitigation is with 2" caliper trees)

South Site

Trees to Preserve:
3 Quality Trees = 42.4 inches
2 Protected Trees = 43.5 inches
Total caliper inches to preserve = 85.9 inches

Trees to Mitigate:
34 Quality Trees = 351.1 inches
6 Protected Trees = 298.6 inches
2 Large Secondary = 49.4 inches
18 Secondary = 23.25 inches
Total caliper inches to mitigate = 457.25 inches
This is 229 trees (assuming mitigation is with 2" caliper trees)

Mitigation Total of North and South Sites = 1724.25 inches
Preservation Total of North and South Sites = 85.9 inches

***This mitigation plan is a proposed plan. If any transplanted trees die within the first year, the developer will replace the trees with the equivalent number of caliper inches.**

Appendix C
Landscape Chart

Rayzor Ranch South Campus Landscape Chart

Rayzor Ranch Landscape Charts

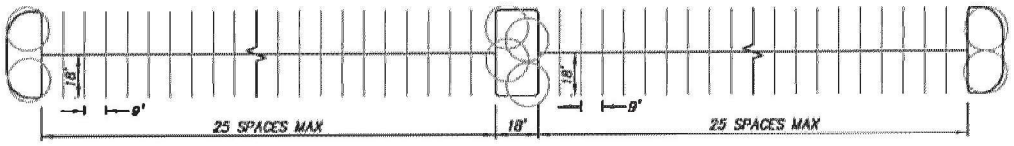
North Site 153.37 +/- Acres		Base Zoning			Proposed Overlay District Amendment			Preliminary Calculations		
		Base Zoning	Minimum Landscaped	Minimum Canopy	Proposed Ove	Minimum Landscaped	Minimum Canopy	Proposed Zon	Open Space	Canopy Coverage
Subarea 1 - Residential	45.16 Acres	NR-3	55%	50%	NR-3 (NRMU-	40%	45%	NR-3	43.0%	42.0%
		NRMU-12	40%	45%						
Subarea 2 - Marketplace	108.21 Acres	CM-G	20%	30%	RCC-D	10%	20%	RCC-D	21.0%	28.0%
		NRMU	20%	40%						
		NRMU-12	40%	45%						

South Campus (Approximately 220 Acres)		Base Zoning Requirements			Rayzor Ranch South Campus Overlay		
	Approximate Land Area (Acres)	Base Zoning	Minimum Landscaped Area	Minimum Canopy Coverage	Open Space	Minimum Landscaped Area	Minimum Canopy Coverage
Town Center District (RR-1) / RR-2 and South Mixed Use (Hotel,RR,O,SF,MF,P)	160	RCC-D	10%	20%	28%	24%	22%
South Mixed Use (SF)	20	NRMU	20%	40%	48%	40%	41%
South Mixed Use (MF,O,RR,BH,Hotel,P)	40	NRMU	20%	40%	25%	20%	40%

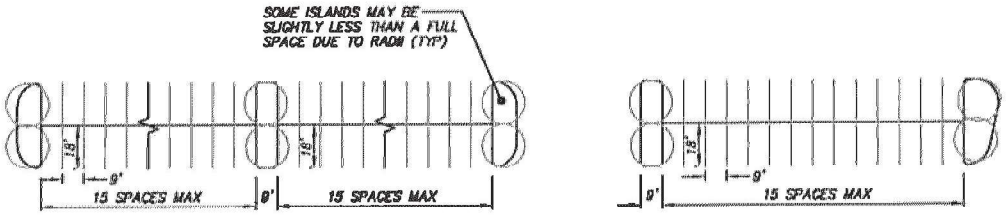
Land areas do not include Cook Children's, Public Roads, DME site or Drill Site

Diagram 1 – Parking Lot Landscape Islands

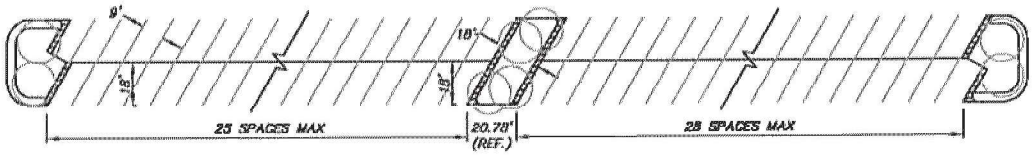
DIAGRAM I-01



DOUBLE ISLAND
90° PARKING



SINGLE ISLAND
90° PARKING



DOUBLE ISLAND
60° PARKING

File #: V25-0058, **Version:** 1

AGENDA CAPTION

Consider a request by Luis Gachuzo 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 10.00-acre tract is located approximately 391 feet north of Ganzar Road East, and approximately 4,755 feet east of I-35W in the Extraterritorial Jurisdiction Division 1 of the City of Denton, Denton County, Texas. (V25-0058, Gauchzo Addition, Angie Manglaris)

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: Cassey Ogden

DATE: August 13, 2025

SUBJECT

Consider a request by Luis Gachuzo 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 10.00-acre tract is located approximately 391 feet north of Ganzer Road East, and approximately 4,755 feet east of I-35W in the Extraterritorial Jurisdiction Division 1 of the City of Denton, Denton County, Texas. (V25-0058, Gauchzo Addition, Angie Manglaris)

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 residential dwelling units able to take access from a private access easement to allow for a new single-family home to utilize the existing access, which currently serves 4 dwelling units. 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 proposed building permit for the construction of a new single-family residence on an approximately 10.00-acre lot platted as Lot 2, Block A of the Rancho Gachuzo Addition (see Exhibit 4). The subject property is situated in the City of Denton's Division 1 Extraterritorial Jurisdiction (ETJ) and is subject to a Non-Annexation Agreement (NAA). The NAA allows for the continuation of ETJ status of the subject property and guarantees the City will not annex the subject property, provided the use of the subject property develops in accordance with the NAA. The NAA stipulates that the development of the property shall be limited to farm-related and ranch-related uses and customary accessory uses, and single-family detached farm or ranch dwellings, provided no single-family home is constructed on a lot smaller than five acres. The NAA further stipulates that development of the subject property shall follow the zoning, subdivision and development regulations contained within the Denton Development Code, as amended, and shall be constructed in accordance with the City of Denton's adopted building codes, as amended. Therefore, the development of the subject property is subject to requirements set forth in the Denton Development Code, including Subchapter 8, Subdivisions, which is applicable to land subdivision and platting.

The subject property has access to Ganzer Road East by means of an existing private access easement that was dedicated by plat. The intent of this request is to allow said easement to also be used to provide access to the proposed single-family home. The access easement provides sole access to a public road for four existing residential structures, including one the subject property. If the variance request and associated

building permit are approved, a total of five residential dwellings would take access from the private access easement.

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)

Date	Council, Board, Commission	Request	Action
2010	City Council	Enter into a Non-Annexation Agreement	Approved
2020	City Council	Enter into a Non-Annexation Agreement	Approved

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. Final Plat
5. Variance Request Narrative

Respectfully submitted:
Hayley Zagurski, AICP
Acting Planning Director

Prepared by:
Angie Manglaris, AICP
Development Review Manager

Planning Staff Analysis

V25-0058/Gachuzo Addition
City of Denton ETJ 1
Planning & Zoning Commission

REQUEST:
Consider a request by Luis Gachuzo 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 dwellings permitted to take access from a private access easement.

SITE DATA:
The subdivision variance is associated with a proposed building permit for the construction of a new single-family residence on an approximately 10.00-acre tract of land located approximately 391 feet north of Ganzer Road East, and 4,755 feet east of I-35W in the Extraterritorial Jurisdiction (ETJ) Division 1 of the City of Denton, Denton County, Texas (see Exhibit 3). The subject property has access to Ganzer Road East by means of an existing private access easement which was dedicated by plat and currently provides access to four (4) residential dwellings. The subject property and surrounding properties are subject to a Non-Annexation Agreement (NAA) that restricts the allowed uses of the land and the owner's ability to subdivide the land without triggering annexation into the City of Denton.

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 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 is existing in its configuration today, and the proposed construction of a residential structure is not expected to increase the traffic burden on Ganzer Road East. The subject property already has a residential dwelling situated on it, which will continue to be utilized as an accessory dwelling unit should the building permit be approved (see Exhibit 5).

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 pattern of development in this general area has created unique conditions that place a particular hardship upon the subject property's owner's ability to subdivide or develop their property. The subject property is situated in the ETJ north of the City of Denton and is bordered to the north, east, and south by existing NAA properties. To the west is undeveloped land within the City limits zoned Rural Residential. The subdivision and development patterns in the area have resulted in situations where it is necessary for land-locked residential lots (such as the subject property) to access their property solely by means of private access easements. The strict application of the City's subdivision regulations would not allow for construction of a residential dwelling on the subject property as the DDC limits the number of residential structures that may access a public road by way of a private access easement to three dwellings. The manner in which this area has been divided and developed over time has created a configuration that is already out of compliance as there are four residential dwellings (including the subject property) that currently use the existing private access easement to access a public road (see Exhibit 3).

Furthermore, it is not feasible or proportional for the property owner to dedicate a public road over and in lieu of utilizing the private access easement. The subject property is located approximately 391 feet north of Ganzer Road East, and the access easement traverses multiple privately-owned tracts of land, including tracts north and south of the subject property. Therefore, the applicant would need to acquire additional land area from neighboring property owners to enable the reconfiguration of the subject tract or dedication of public right-of-way in order to take access from a public road.

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.

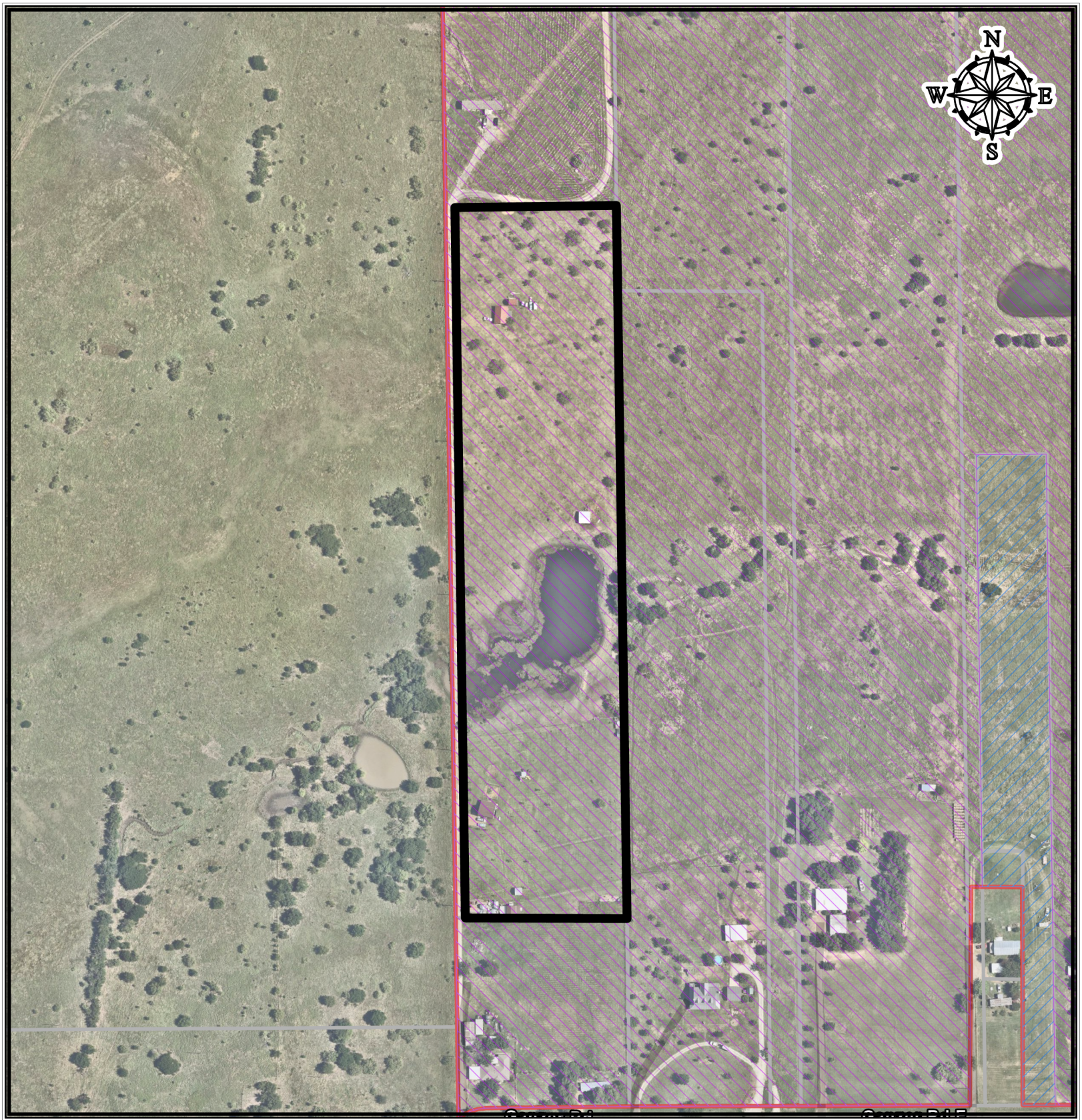
If approved, the allowance for more than three residential lots to take access from a private access easement will not introduce design standards that are incompatible with the Comprehensive Plan or Denton Development Code. The requested variance does not vary the provisions of the Denton 2040 Comprehensive 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.

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.

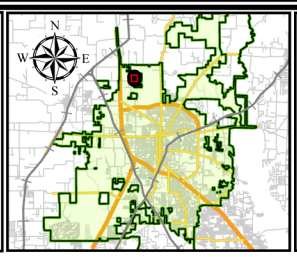
The conditions associated with the subject tract having sole access on a private access easement were created by the owner during the platting process in 2018 out of necessity to access their property. The manner in which the area has developed overtime, including the construction of additional residential dwellings to the north and south of the subject property were not created by an act of the owner. Therefore, the Code's limit on the number of residential dwellings taking access from a private access easement was surpassed and in existence prior to the owner's request for a building permit for the new dwelling on the subject property.

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.

V25-0058
Aerial Site Location



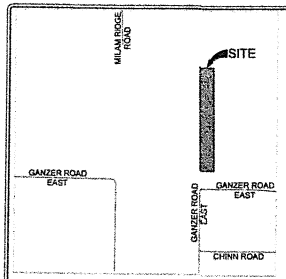
COD
ETJ
ETJ 2
NAA 8/1/20
NAA 8/1/40



0 75 150 300 Feet

CITY OF DENTON
Development Services · GIS
Date: 8/6/2025

"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 relati 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

GENERAL NOTES:

1. ALL CORNERS ARE MARKED WITH CAPPED 1/2" IRON RODS STAMPED "KAZ" UNLESS OTHERWISE NOTED.

2. NOTE: THE CITY OF DENTON HAS ADOPTED THE NATIONAL ELECTRICAL SAFETY CODE (THE "CODE"). THE CODE GENERALLY PROHIBITS STRUCTURES WITHIN 17.5 FEET ON EITHER SIDE OF THE CENTERLINE OF OVERHEAD DISTRIBUTION LINES AND WITHIN 37.5 FEET ON EITHER SIDE OF THE CENTERLINE OF OVERHEAD TRANSMISSION LINES. IN SOME INSTANCES THE CODE REQUIRES GREATER CLEARANCES. BUILDING PERMITS WILL NOT BE ISSUED FOR STRUCTURES WITHIN THESE CLEARANCE AREAS. CONTACT THE BUILDING OFFICIAL WITH SPECIFIC QUESTIONS.

3. FLOOD STATEMENT: I HAVE REVIEWED THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR DENTON COUNTY, COMMUNITY NUMBER 480774 EFFECTIVE DATE 4-18-2011 AND THAT MAP INDICATES AS SCALED, THAT A PORTION OF THIS PROPERTY IS WITHIN "NON-SHADED ZONE X" DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD (500-YEAR)" AND A PORTION OF THIS PROPERTY IS WITHIN "SHADED ZONE A" DEFINED AS "SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD (100-YEAR); WITH NO BASE FLOOD ELEVATIONS DETERMINED" AS SHOWN ON PANEL 220 G OF SAID MAP.

4. THE PURPOSE OF THIS MINOR PLAT IS TO CREATE 2 LOTS OF RECORD.

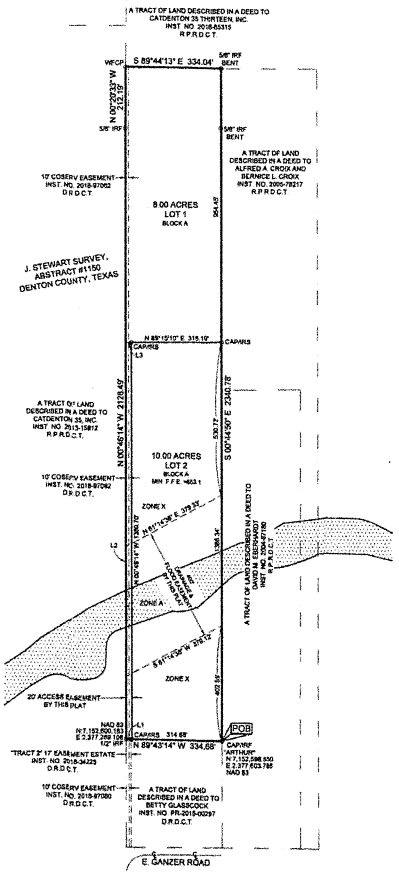
5. NOTE: BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), AND ARE BASED ON THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT.

6. THE MINIMUM FINISHED FLOOR ELEVATIONS SHALL BE PROVIDED WHEN A BUILDING PERMIT APPLICATION IS SUBMITTED. THE MINIMUM FINISHED FLOOR ELEVATIONS SHALL BE BASED ON CURRENT FEMA DATA. THE MINIMUM FLOOR ELEVATIONS SHALL BE STATED AS MEAN SEA LEVEL RATHER THAN RELATIVE BASED ON CITY OF DENTON DATUM OR N.G.S. 1983 DATUM.

7. THERE IS NO VISIBLE EVIDENCE OF A GAS PIPELINE ON THE SUBJECT PROPERTY AT THE TIME OF THIS SURVEY. THERE ARE NO GAS WELLS WITHIN 1,000 FEET OF THE SUBJECT PROPERTY.

8. THE PROPERTY OWNER IS RESPONSIBLE FOR THE MAINTENANCE OF THE ACCESS EASEMENT.

9. LOTS 1 AND 2 DESCRIBED HEREON USE THE EXISTING TRACT 2, A 17' WIDE EASEMENT ESTATE RECORDED IN INSTRUMENT NUMBER 2018-34225, FOR ACCESS TO AND FROM GANZER ROAD.



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 89°43'14" W	20.00'
L2	N 00°46'14" W	1340.34'
L3	N 89°15'10" E	20.00'

OWNER'S CERTIFICATION

STATE OF TEXAS
COUNTY OF DENTON

WHEREAS LUIS GACHUZO AND ISABEL GACHUZO are the owners of all that certain tract of land lying n the J. Stewart Survey, Abstract Number 1150, Denton County, Texas, and being all of a tract of land described in a deed recorded in Instrument Number 2018-34225, Real Property Records, Denton County, Texas, and being more particularly described by metes and bounds as follows;

BEGINNING at a capped iron rod found stamped "ARTHUR" in the West line of a tract of land described in a deed to David M. Eberhardt, recorded in Instrument Number 2004-67180, Real Property Records, Denton County, Texas, and being the Northeast corner of a tract of land described in a deed to Betty Glasscock, recorded in Instrument Number PR-2015-00297, of said Records, same being the Southeast corner of the herein described tract;

THENCE North 89 Degrees 43 Minutes 14 Seconds West with the North line of said Glasscock tract, 334.68 feet to a ½ inch iron rod found being the Southwest corner of the herein described tract and the Northwest corner of said Glasscock tract, same being in the East line of a tract of land described in a deed to Catdenton 35, Inc., recorded in Instrument Number 2013-15912, of said Records;

THENCE North 00 Degrees 46 Minutes 14 Seconds West along said East line, 2128.49 feet to a 5/8 inch iron rod found;

THENCE North 00 Degrees 20 Minutes 33 Seconds West, 212.19 feet to a wood fence corner post in the South line of a tract of land described in a deed to Catdenton 35 Thirteen, recorded in Instrument Number 2016-36515, of said Records, same being in the East line of said Catdenton 35, Inc., tract and being the Northwest corner of the herein described tract;

THENCE South 89 Degrees 44 Minutes 13 Seconds East, 334.04 feet to a 5/8 inch iron rod found bent, being the Northeast corner of the herein described tract, same being the Northwest corner of a tract of land described in a deed to Alfred L. Croix and Bernice L. Croix, recorded in Instrument Number 2005-78217, of said Records;

THENCE South 00 Degrees 44 Minutes 50 Seconds East with the West line of said Croix tract and the West line of said Eberhardt tract, 2340.78 feet to the PLACE OF BEGINNING, containing 18.00 acres of land more or less.

OWNER'S DEDICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT LUIS GACHUZO AND ISABEL GACHUZO DO HEREBY ADOPT THIS MINOR PLAT, DESIGNATING THE HEREIN DESCRIBED PROPERTY AS **GACHUZO ADDITION**, AN ADDITION IN THE CITY OF SANGER, DENTON COUNTY, TEXAS AND DOES HEREBY DEDICATE TO PUBLIC USE FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

LUIS GACHUZO
BY: _____ DATE 8/6/2018

ISABEL GACHUZO
BY: _____ DATE 8/6/2018

STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED LUIS GACHUZO AND ISABEL GACHUZO, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE 6TH DAY OF AUGUST, 2018.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
DENTON COUNTY

TONY KNIGHOUGH NOTARY PUBLIC STATE OF TEXAS MY COMM. EXP. 4/26/20 NOTARY ID 13068868-2

MY COMMISSION EXPIRES ON 4/26/2020

CERTIFICATE OF SURVEYOR

STATE OF TEXAS
COUNTY OF DENTON

I, KENNETH A. ZOLLINGER, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AND ACTUAL SURVEY MADE ON THE GROUND AND THAT THE MONUMENTS SHOWN HEREON WERE FOUND OR PLACED WITH 1/2" IRON RODS CAPPED "KAZ" UNDER MY DIRECTION AND SUPERVISION IN ACCORDANCE WITH THE ORDINANCES OF THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF DENTON, DENTON COUNTY, TEXAS.

_____ 9/5/2018
KENNETH A. ZOLLINGER R.P.L.S. # 5312 DATE

STATE OF TEXAS · KENNETH A. ZOLLINGER · 5312 · REGISTERED PROFESSIONAL · LAND SURVEYOR

STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KENNETH A. ZOLLINGER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE THIS 6TH DAY OF AUGUST, 2018.

_____
NOTARY PUBLIC, DENTON COUNTY, TEXAS.

TONY KNIGHOUGH NOTARY PUBLIC STATE OF TEXAS MY COMM. EXP. 4/26/20 NOTARY ID 13068868-2

MY COMMISSION EXPIRES 4/26/2020

APPROVED BY THE DEVELOPMENT REVIEW COMMITTEE ADMINISTRATOR ON THIS
5th DAY OF September 2018.

_____
DEVELOPMENT REVIEW COMMITTEE ADMINISTRATOR

Jane B. Chaudoin, Asst.
CITY SECRETARY

CITY OF DENTON · DENTON, TEXAS

CITY OF DENTON PROJECT NUMBER
MP18-0017

LEGEND

NAD 83 = NORTH AMERICAN DATUM 1983
R.O.W. = RIGHT-OF-WAY
POB = POINT OF BEGINNING
1/2"IRF = 1/2" IRON ROD FOUND
5/8" IRF = 5/8" IRON ROD FOUND
CAPIRF = CAPPED IRON ROD FOUND
WFCP= WOOD FENCE CORNER POST FOUND
R.P.R.D.C.T. = REAL PROPERTY RECORDS DENTON COUNTY TEXAS
D.R.D.C.T. = DEED RECORDS DENTON COUNTY TEXAS
℄ = CENTERLINE OF ROAD

N
W E
S
1" = 200'
0 100 200 300 400

SURVEYOR:
KAZ SURVEYING, INC
1720 WESTMINSTER STREET
DENTON, TEXAS 76205
PHONE: (940) 382-3446
TBPLS FIRM #10002100

OWNERS
LUIS GACHUZO AND ISABEL GACHUZO
2210 ARCHER TRAIL
DENTON, TEXAS 76209
PHONE: (940) 765-3315

KAZ SURVEYING
www.kazsurveying.com

1720 WESTMINSTER
DENTON, TX 76205
(940) 382-3446
JOB NUMBER: 18GH02-MP
DRAWN BY: TK, MBC
DATE: 8-6-2018
R.P.L.S.
KENNETH A. ZOLLINGER

MINOR PLAT
LOTS 1 & 2, BLOCK A
RANCHO GACHUZO ADDITION

BEING 18.00 ACRES IN THE
J. STEWART SURVEY, ABSTRACT NUMBER 1150, IN THE
EXTRATERRITORIAL JURISDICTION OF THE
CITY OF DENTON, DENTON COUNTY, TEXAS

Filed for Record
in the Official Records Of
Denton County
On: 9/14/2018 10:09:13 AM
In the PLAT Records
RANCHO GACHUZO ADDITION
Doc Number: 2018-401
Number of Pages: 1
Amount: 50.00
Order#: 20180914000142
By: MB

July 16, 2025
Subdivision Variance

To whom it may concern,

We, the Gachuzo family, are excited to build our home on our land. We are requesting approval of this subdivision variance in order that we may continue to access the existing shared easement for our new home that we are hoping to build soon. We understand that there are currently three homes that use the easement and are requesting that we have the opportunity to be the fourth home under the current code. Upon completion of the building of our new home, our existing home will become an accessory dwelling unit and there will therefore continue to be three homes using the easement.

Thank you for your attention to this matter,
Isabel Gachuzo

File #: V25-0050, **Version:** 1

AGENDA CAPTION

Consider a request by David Jett of Eagle Surveying, on behalf of Armando Ruiz, for approval of a subdivision variance from the 2019 Denton Development Code Subsection 8.3.2E.3 regarding the maximum length of the flagpole portion of a flag shaped lot. The proposed lot in question is 2.228 acres and located north of E. Masch Branch Road, approximately 3,000 feet west of Barthold Road and 1,000 feet east of the town of the Town of Krum, in the City of Denton Extraterritorial Jurisdiction (ETJ 1), Denton County, Texas. (V25-0050, Masch Branch Green Addition, Erin Stanley)

City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: Cassey Ogden

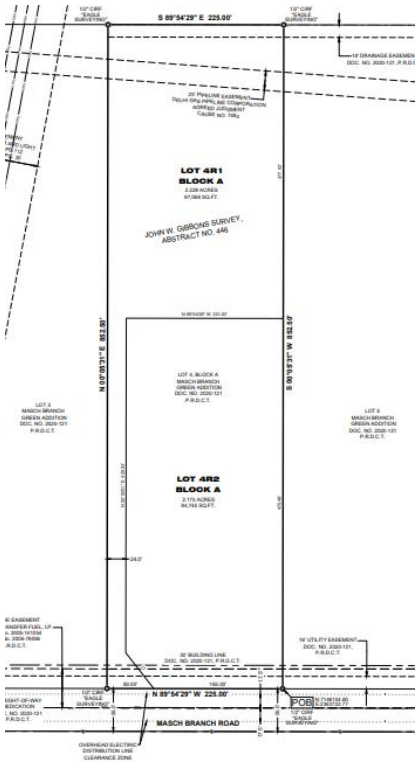
DATE: August 13, 2025

SUBJECT

Consider a request by David Jett of Eagle Surveying, on behalf of Armando Ruiz, for approval of a subdivision variance from the 2019 Denton Development Code Subsection 8.3.2E.3 regarding the maximum length of the flagpole portion of a flag shaped lot. The proposed lot in question is 2.228 acres and located north of E. Masch Branch Road, approximately 3,000 feet west of Barthold Road and 1,000 feet east of the Town of Krum, in the City of Denton Extraterritorial Jurisdiction (ETJ 1), Denton County, Texas. (V25-0050, Masch Branch Green Addition, Erin Stanley)

BACKGROUND

This subdivision variance request is associated with Minor Plat MP25-0002, which is currently under review and pending approval of this request. The property owner is requesting a subdivision variance from the Denton Development Code (DDC) Subsection 8.3.2E.3, which states: "The length of the flag pole portion of the lot shall not exceed 300 feet and shall comply with all other standards and measurements of this DDC and other regulating agencies." Ordinance DCA22-0002d was approved by City Council on July 19, 2022, and it established the process for subdivision variances to be considered by the Planning and Zoning Commission when the strict application of the City's subdivision regulations would result in unnecessary hardship.



The intent of this request is to allow for the subdivision of existing Lot 4, Block A, Masch Branch Green Addition into two lots. Due to the presence of an existing single-family home located at the front of the existing lot and in order to meet the minimum 2-acre lot area required for lots served by both private well and on-site septic systems, a 475.48-feet long flag drive is proposed to access lot 4R1. All other requirements of DDC Subsection 8.3: Subdivision Design, have been met, as shown in the image to the right, including the minimum width of the flagpole portion and the permanent turn-around required in DDC subsection 8.3.2E and stated in Note 14 on the face of the plat.

Proposed Lot 4R1 will take access off E. Masch Branch Road via an access easement to the existing driveway on Lot 4 or via a separate driveway subject to Transportation Services approval.

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)

Date	Council, Board, Commission	Request	Action
April 8, 2020	Planning and Zoning Commission	FP20-0007	Approved

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 Exhibit – MP25-0002
5. Variance Request Narrative

Respectfully submitted:
Hayley Zagurski, AICP
Acting Planning Director

Prepared by:
Erin Stanley
Assistant Planner

Planning Staff Analysis

V25-0050/Masch Branch Green Addition
ETJ 1
Planning & Zoning Commission

REQUEST:
Consider a request by David Jett of Eagle Surveying, on behalf of Armando Ruiz, for approval of a subdivision variance from the 2019 Denton Development Code (DDC) Subsection 8.3.2E.3 regarding maximum length of the flagpole portion of a flag shaped lot.

SITE DATA:
The requested subdivision variance is associated with Minor Plat MP25-0002, located north of E. Masch Branch Road, approximately 3,000 feet west of Barthold Road and 1,000 feet east of the town of the Town of Krum, in the City of Denton ETJ 1 (see Exhibit 3). The property is currently developed with one single-family home located at the front of the existing lot. Both proposed lots are to be served by individual water wells and on-site septic systems. DDC Subsection 7.6.16C.3a states: "Lots or tracts of land platted or created after the effective date of this DDC shall have a minimum area of two acres when a private water well is located on the legal tract and a single-family dwelling, commercial, or institutional building utilizes an on-site sewage facility." To comply with this regulation, lot design is limited, and a longer flag drive is necessary to provide access to Lot 4R1.

The property owner is requesting a subdivision variance from the Denton Development Code (DDC) Subsection 8.3.2E.3, which states: "The length of the flag pole portion of the lot shall not exceed 300 feet and shall comply with all other standards and measurements of this DDC and other regulating agencies." The proposed flag drive is 475.48-feet long and meets all other requirements of the DDC Subsection 8.3: Subdivision Design.

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. Access will be taken from E. Masch Branch Road from either the existing drive via a shared access easement or by a separate driveway subject to Transportation Services approval.

   As the subject property is in the ETJ 1, Denton County will review all permits. At that time, drainage will be evaluated, and studies may be requested to show no adverse drainage flow onto adjacent properties.

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.

Public water and sewer do not serve the subject property; therefore, any proposed lots must be served by well and septic systems. Due to the minimum 2-acre area requirement for lots served by both private well and on-site septic systems, and due to the configuration of the existing single-family home located at the front, center of the lot, subdivision design is limited. The shortest flag drive possible to provide access to rear lot 4R1 and maintain a minimum of 2 acres on each lot is 475.48 feet long.

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 a 475.48-feet long flag drive 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 proposed subdivision will comply 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.

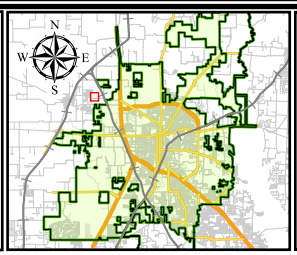
The conditions upon which this variance is requested were not generated by the current owner, who purchased and developed the lot after it was platted. Given the size (4.4 acres) and shape of the existing lot, the subdivision request is not unexpected. Even if the existing single-family home on the property had not been constructed, two parallel lots would have equally created an unusual lot shape and have been difficult to develop.

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.

V25-0050
Aerial Site Location



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

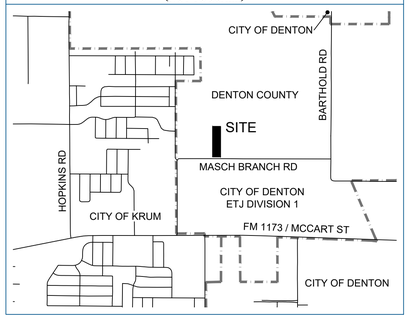


0 100 200 400 Feet

CITY OF DENTON
Development Services · GIS
Date: 5/1/2025

"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 relati 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

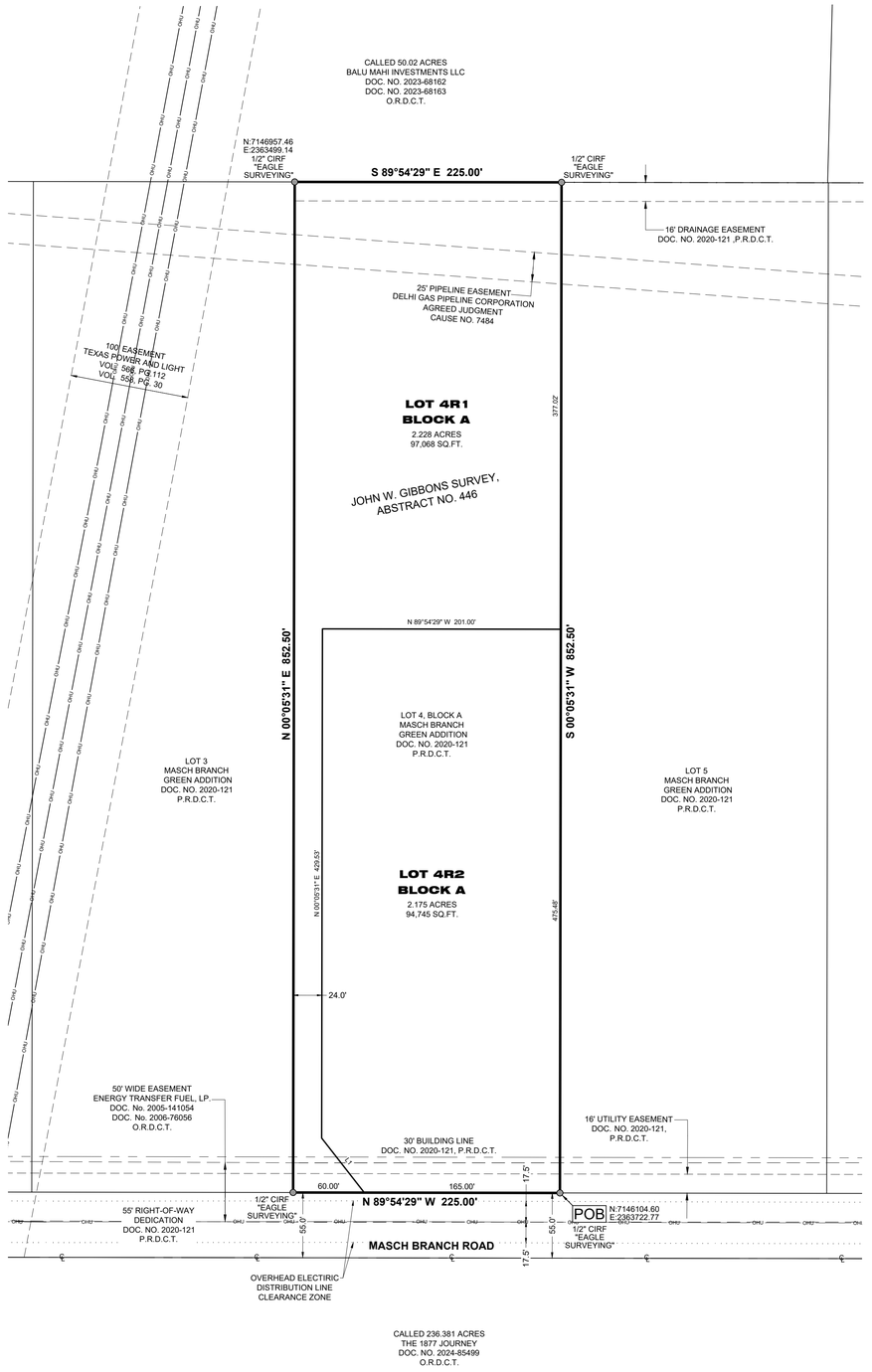
PG.	= PAGE
CAB.	= CABINET
VOL.	= VOLUME
POB	= POINT OF BEGINNING
IRF	= IRON ROD FOUND
CIRF	= CAPPED IRON ROD FOUND
CIRS	= CAPPED IRON ROD SET
DOC. NO.	= DOCUMENT NUMBER
P.R.D.C.T.	= PLAT RECORDS, DENTON COUNTY, TEXAS
D.R.D.C.T.	= DEED RECORDS, DENTON COUNTY, TEXAS
O.R.D.C.T.	= OFFICIAL RECORDS, DENTON COUNTY, TEXAS
	= PROPERTY BOUNDARY
	= EASEMENT
	= LOT LINE
	= CENTERLINE OF ROAD
	= CITY LIMITS LINE
	= BUILDING LINE
OHU	= OVERHEAD ELECTRIC
	OVERHEAD ELECTRIC = DISTRIBUTION LINE CLEARANCE ZONE

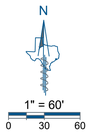
CITY OF DENTON NOTES

1. The purpose of this plat is to create two lots from one existing lot of record.
3. The bearings and grid coordinates shown on this plat are based on GPS observations utilizing the AllTerra RTKNET Cooperative network. NAD 83(2011) State Plane Coordinate System (Texas North Central Zone - 4202).
4. This plat was prepared to meet City of Denton and Denton County requirements. This plat was prepared from information furnished by Title Resources Guaranty Company, G.F. No. 205573, effective date April 30, 2020. The surveyor has not abstracted the above property
5. This plat lies wholly within 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 180 days from City approval if not recorded in the Real Property Records of the County of Denton.
8. All gas, petroleum, or similar common carrier pipelines and/or pipeline easements within the limits of the subdivision are as shown.
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 corer 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.
15. The proposed lots meet the land use standards of the City of Denton for an On-Site Sewer Facility. Final approval of an On-Site Sewer Facility is subject to review and approval by Denton County.
17. On Site Sewage Facilities are prohibited to encroach into public easements.
18. Water utility service will be provided by private wells permitted through Denton County.
19. All drainage easements are to be kept clear of fences, buildings, trees, and other obstructions to the operation and maintenance of the drainage facility.
20. I have reviewed the FEMA Flood Insurance Rate Map for Denton County, Community Number 480774 effective date 04-18-2011 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 48121C0215G of said map.
25. 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 Drainage Easement within the limits of this addition shall remain open at all times and will be maintained in a safe and sanitary condition by the owners of the lot or lots that are traversed by or adjacent to the Drainage 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 Drainage Easement, as herein above defined, unless approved by the City. The owners shall keep the Drainage 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 Drainage Easement to remove any obstruction to the flow of water, after giving the owners written notice of such obstruction and owners fail to remove such obstruction. Should the City of Denton be compelled to remove any obstruction to the flow of water, after giving the owners written notice of such obstruction and owners fail to remove such obstruction, the City of Denton shall be reimbursed by the owners for reasonable costs for labor, materials, and equipment for each instance. The natural drainage through the Drainage Easement is subject to storm water overflow and natural bank erosion to an extent that cannot be definitely 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.
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 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.
39. This Replat does not vacate the previous "Plat of Record" governing the remainder of the subdivision, nor does it amend or remove any deed covenants or restrictions.
44. All numbers omitted above are City of Denton Master Notes that do not apply to this property and were intentionally omitted.

DENTON COUNTY NOTES

1. Electric service to be provided by CoServ Electric. 7701 S Stemmons Fwy, Corinth, TX 76210, 940-321-7800.
2. Water service to be provided by private wells.
3. Sanitary sewer to be handled by facilities approved by the Denton County Public Health Department.
4. The maintenance of paving, grading and drainage improvements and/or easements shown on this plat are the responsibility of the individual property owners and does not constitute acceptance of same for maintenance purposes by Denton County.
5. All surface drainage easements shall be kept clear of fences, buildings, foundations, plantings and other obstructions to the operation and maintenance of the drainage facility.
6. Blocking the flow of water or construction improvements in surface drainage easements, and filling or obstructing the floodway is prohibited.
7. Denton County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flooding conditions.
8. The existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual property owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across the lots.
9. Construction not complete within two years of the Commissioners Court approval shall be subject to current County Subdivision Rules and Regulations.
10. A driveway culvert permit must be obtained from the Development Services Department by the owner of each lot prior to the construction, installation or placement of any driveway access improvements within the dedicated right-of-way.
11. The City of Denton does not approve plats for property located in their Division 2 ETJ based on an ICA with Denton County regarding platting in the ETJ.
12. No construction, without written approval from Denton County shall be allowed within an identified “FIRM” floodplain area, and then only after a detailed floodplain development permit including engineering plans and studies show that no rise in the Base Flood Elevation (BFE) will result, that no flooding will result, that no obstruction to the natural flow of water will result; and subject to all owners of the property affected by such construction becoming a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of two feet above the 100-year flood elevation.
13. Denton County shall not be responsible for maintenance of private streets, drives, emergency access easements, recreation areas and open spaces; and the owners shall be responsible for the maintenance of private streets, drives, emergency access easements, recreation areas and open spaces, and said owners agree to indemnify and hold harmless Denton County from all claims, damages and losses arising out of or resulting from performance of the obligations of said owners set forth in this paragraph.
14. A permanent turn-a-round will be constructed on Lot 4R1 in conformance with County emergency access needs.





LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 37°58'51" E	58.38'

CERTIFICATE OF APPROVAL

APPROVED by the City of Denton Department of Development Services

on this _____ day of _____, 2025. ATTEST:

_____ _____

Director of Development Services — City Secretary

OWNER'S CERTIFICATE & DEDICATION

STATE OF TEXAS §
COUNTY OF DENTON §

WHEREAS, **ARMANDO RUIZ** and **ROCIO ALANIS** are the owners of 4.40 acres of land out of the John W. Gibbons Survey, Abstract Number 446, situated in Denton County, Texas, being all of Lot 4, Block A of Masch Branch Green Addition, a subdivision of record in Document Number 2020-121 of the plat records of Denton County, Texas, also being a tract of land conveyed to Armando Ruiz by General Warranty Deed of record in Document Number 2020-61355 of the Official Records of Denton County, Texas, also being a tract of land conveyed to Rocio Alanis by General Warrant Deed of record in Document Number 2023-75464 of said Official Records, and being more particularly described by metes and bounds, as follows:

BEGINNING, at a 1/2" iron rod with green plastic cap stamped “EAGLE SURVEYING” found in the North right-of-way line of Masch Branch Road, being the Southwest corner of Lot 5, Block A of said Masch Branch Green Addition, also being the Southeast corner of said Lot 4;

THENCE, N89°54'29"W, along the North right-of-way line of Masch Branch Road, being the common South line of said Lot 4, a distance of 225.00 feet to a 1/2" iron rod with green plastic cap stamped “EAGLE SURVEYING” found at the Southeast corner of Lot 3, Block A of said Masch Branch Green Addition, also being the Southwest corner of said Lot 4;

THENCE, N00°05'31"E, along the East line of said Lot 3, being the common West line of said Lot 4, a distance of 852.50 feet to a 1/2" iron rod with green plastic cap stamped “EAGLE SURVEYING” found in the South line of a called 50.02 acre tract of land conveyed to Balu Mahi Investments LLC by deeds of record in Document Number 2023-68162 and Document Number 2023-68163 of said Official Records, being the Northeast corner of said Lot 3, also being the Northwest corner of said Lot 4;

THENCE, S89°54'29"E, along the South line of said 50.02 acre tract, being the common North line of said Lot 4, a distance of 225.00 feet to a 1/2" iron rod with green plastic cap stamped “EAGLE SURVEYING” found at the Northwest corner of said Lot 5, also being the Northeast corner of said Lot 4;

THENCE, S00°05'31"W, along the West line of said Lot 5, being the common East line of said Lot 4, a distance of 852.50 feet to the **POINT OF BEGINNING** and containing an area of 4.40 Acres, or (191,813 Square Feet) of land, more or less.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, **ARMANDO RUIZ** and **ROCIO ALANIS,** do hereby adopt this plat, designating herein described property as **MASCH BRANCH GREEN ADDITION, LOTS 4R1 & 4R2, BLOCK A**, an addition to the City of Denton, Denton County, Texas, and does hereby dedicate to public use forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purpose and consideration therein expressed. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the drainage and utility easements as shown. Said drainage and utility easements being hereby reserved for the mutual use and accommodation of all public utilities desiring to use same. All and any public utility shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on the drainage and utility easement and all public utilities shall at all times have the full right of ingress and egress to or from and upon the said drainage and utility easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone.

OWNER: **ARMANDO RUIZ**

BY: _____ _____
Date

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared **ARMANDO RUIZ**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this _____ day of _____, 2025.

_____
Notary Public in and for the State of Texas

OWNER: **ROCIO ALANIS**

BY: _____ _____
Date

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared **ROCIO ALANIS**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this _____ day of _____, 2025.

_____
Notary Public in and for the State of Texas

CERTIFICATE OF SURVEYOR

STATE OF TEXAS §
COUNTY OF DENTON §

I, **MATTHEW RAABE**, Registered Professional Land Surveyor, do hereby certify that this plat was prepared from an actual survey made on the ground and that the monuments shown hereon were found or placed with 1/2-inch iron rods with green plastic caps stamped "EAGLE SURVEYING" under my direction and supervision in accordance with the current provisions of the Texas Administrative Code and the Ordinances of the City of Denton, Denton County, Texas.

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

_____ _____
Matthew Raabe, R.P.L.S. # 6402 — Date

STATE OF TEXAS §
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared **MATTHEW RAABE**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this _____ day of _____, 2025.

_____
Notary Public in and for the State of Texas

REPLAT
MASCH BRANCH GREEN ADDITION
LOTS 4R1 & 4R2, BLOCK A

BEING A REPLAT OF LOT 4, BLOCK A
MASCH BRANCH GREEN ADDITION
RECORDED IN DOC. NO. 2020-121, P.R.D.C.T.
4.40 ACRES (191,812 SQ. FT.) OUT OF THE
JOHN W. GIBBONS SURVEY, ABSTRACT NO. 446
EXTRATERRITORIAL JURISDICTION OF THE CITY OF DENTON
DENTON COUNTY, TEXAS

CITY PROJECT No. MP25-0002

Project	2004.041-02
Date	07/08/2025
Drafter	TAR/DJJ

EAGLE SURVEYING, LLC
222 S. Elm Street, Suite: 200
Denton, TX 76201
(940) 222-3009
TX Firm #10194177

OWNER
Armando Ruiz
Rocio Alanis
4352 Masch Branch Road
Krum, TX 76249
(903) 209-8463

SURVEYOR
Eagle Surveying, LLC
Contact: Brad Eubanks
222 S. Elm Street, Suite: 200
Denton, TX 76201
(940) 222-3009

EAGLE SURVEYING

Variance Narrative

Date:	July 8, 2025
Plat Type:	Variance Request
Project Name:	Masch Branch Green Addition (V25-0050, associated with MP25-0002)
Location:	4352 E. Masch Branch Rd. Krum, TX 76249
Acreage:	4.40 Acres
Zoning:	ETJ
Distribution:	City of Denton Development Services

Variance Request – Masch Branch Green Addition Replat (V25-0050)

We are requesting a variance regarding the length of the flag pole portion of proposed Lot 4R1 in Block A of Masch Branch Green Addition (City of Denton project# MP25-0002). The City of Denton Development Code Subsection 8.3.2E.3 requires flag pole portion of lots to not exceed 300 in length. We were able to satisfy all other dimensional requirements for flag lots per DDC Subsection 8.3.2E including the minimum 24-foot flag pole width and permanent turn-a-round approved by Denton County. However, we are unable to satisfy the city comment regarding the flag pole lot exceeding 300 feet in length as reducing it to a length of less than 300 feet would reduce the front lot (Lot 4R2) to less than 2 acres, as required for lots served by a water well and septic system. We ask that the length of the flag pole portion of proposed Lot 4R1 to be exactly 475.48 feet from the Southwest property corner so that way we can meet the 24 foot width requirement, as well as maintain the 60 foot frontage along Masch Branch Road and leave proposed Lot 4R2 with no less than 2 acres, as required for lots served by a water well and septic system.

The proposed lot layout for Lot 4R1 as shown on the proposed plat (MP25-0002) meets Denton County's minimum road frontage of 60 feet per note 7 under section VI of the Denton County subdivision rules and regulations. Although the proposed flag pole lot has a width of 24 feet, the lot layout has been designed to accommodate the minimum road frontage requirement per Denton County's subdivision rules and regulations. We ask for approval of the variance to continue platting the property into two lots while maintaining both the City of Denton's and Denton County's subdivision rules and regulations.

This property is Lot 4 of Masch Branch Green Addition, which has been final platted in City Project# FP20-0007 after 76 Investments, LLC acquired the land. The final plat was filed on April 23, 2020 under Document Number 2020-121 of the Plat Records of Denton County, Texas. Lot 4 was then sold to Armando Ruiz by general warranty deed of record, which was filed on May 8, 2020 in Document Number 2020-61355 of the Official Records of Denton County, Texas. 4 years later, the lot has been developed and there is a residential dwelling on the property, and we're now subdividing it into two (2) lots per the property owner's request under project number MP25-0002.

The lots to the East and West, being part of the same subdivision, are all residential lots and developed with residential dwellings on each lot, except for Lot 5. Both the property to the North and the property to the South remain undeveloped.

The lot that we're replatting does have a house on it, and the entire lot is not located within a FEMA designated floodplain. Contour lines range from 730 feet to 741 feet, according to the Denton County Landmark GIS map. There are no current existing or proposed open space, recreation and preservation areas on or surrounding the subject property. The only way in and out of the subject property is through Masch Branch Road, which this section begins at Farm to Market Road 1173 and ends at Barthold Road.

Both proposed lots will be serviced by CoServ electric as the electricity provider. Septic systems will also be provided to each lot for waste water, which will be maintained by the individual property owners. The lots will also have a water well on each lot, which will both be maintained by the respective property owners. Both lots meet the minimum acreage requirements for those items.

There will be a turn-a-round area for emergency vehicles at the north end of the flag pole lot. If an easement needs to be dedicated, please let us know and we'll dedicate one. The property owner knows about it.

City of Denton Development Services

David Jett
Platting
Eagle Surveying, LLC
Office: 940.222.3009
Cell: 214-901-0552
david@eaglesurveying.com

File #: AESA25-0001b, **Version:** 1

AGENDA CAPTION

Hold a public hearing and consider making a recommendation to the City Council regarding a request to approve an Alternative Environmentally Sensitive Area Plan to offset the removal of 0.23 acre of Environmentally Sensitive Areas (ESAs) on approximately 53.89 acres of land located north of Spencer Road and approximately 1,200 feet west of the intersection of Spencer Road and Loop 288 in the City of Denton, Denton County, Texas (AESA25-0001b, Spencer Road Industrial, Christi Upton).

AGENDA INFORMATION SHEET

DEPARTMENT: Environmental Services and Sustainability

ACM: Frank Dixon – Assistant City Manager

DATE: August 13, 2025

SUBJECT

Hold a public hearing and consider making a recommendation to the City Council regarding a request to approve an Alternative Environmentally Sensitive Area Plan to offset the removal of 0.23 acre of Environmentally Sensitive Areas (ESAs) on approximately 53.89 acres of land located north of Spencer Road and approximately 1,200 feet west of the intersection of Spencer Road and Loop 288 in the City of Denton, Denton County, Texas (AESA25-0001b, Spencer Road Industrial, Christi Upton).

BACKGROUND

The applicant, IDI Logistics, LLC, represented by Addison Brown, has requested an Alternative Environmentally Sensitive Areas (AESA) Plan to allow for modifications to Environmentally Sensitive Areas (ESAs) located on the subject property. The ESAs will be removed to allow for appropriate access to serve the industrial development. The ecology along the length of the stream on the subject property will be improved to better serve the stream.

Denton designates and provides regulations that limit land-disturbing activities to protect water quality, provide habitat, and maintain ecological services. ESA designations are applied to property based on an assessment that includes a review of the official ESA map.

If a property owner wishes to disturb an ESA beyond the limited encroachments authorized by Section 7.4 of the Denton Development Code (DDC), approval of an AESA Plan must first be obtained pursuant to Section 2.8.4 of the DDC. Approval of an AESA Plan requires two public hearings, the first at the Planning and Zoning Commission for a recommendation and the second at the City Council for ultimate action.

A more detailed explanation of the ESAs found on the subject property as well as a full Staff Analysis of the requested AESA Plan are provided in Exhibit 2.

OPTIONS

1. Recommend Approval
2. Recommend Approval subject to conditions
3. Recommend Denial
4. Postpone item

RECOMMENDATION

The proposed Alternative ESA Plan is a complete application as outlined in the Denton Development Code Section 2.8.4 and the AESA Application Checklist.

Staff recommends **approval** of the request and the proposed ordinance with the following conditions:

1. Land disturbances within Environmentally Sensitive Areas are limited to the Property described on **Exhibit "A"** and depicted on the map provided on **Exhibit "B"**;
2. Clearing on the AESA Property described in **"Exhibit "C"** and depicted on the map provided on **Exhibit "D"** shall comply with the AESA Plan in Exhibit "C" and immediately commence upon issuance of the clear and grade permit for the development;
3. All improvements described in the Mitigation Activities portion of the AESA Plan in **Exhibit "E"** must commence prior to the issuance of the first building permit;
4. Notwithstanding Condition No. 2 and with prior approval from the Director of Environmental Services and Sustainability, the Property Owner may begin the improvements described in the Mitigation Activities portion of the AESA Plan in **Exhibit "E"** on a date certain within the next appropriate growing season;
5. Invasive plants removed as a part of the approved AESA Plan shall continue to be monitored and targeted for removal for a minimum of three (3) years from the time of their initial removal and until the conditions of the AESA Plan have been met;
6. Upon receipt of the third annual report, City of Denton staff will perform an inspection. If the inspection confirms that the conditions of the AESA Plan have been met, Director of Environmental Services and Sustainability will issue a letter of acceptance;
7. All perpetual maintenance activities in the AESA Plan shall be recorded on corresponding platting for the Property; and
8. The Property Owner retains all responsibility and shall bear all costs and liabilities related to (i) ownership, operation, upkeep, and maintenance of the AESA Property; (ii) implementation and enforcement of the requirements of the AESA Plan; and (iii) any actions needed to cure any defaults of the AESA Plan.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
July 23, 2025	Planning and Zoning Commission	Consider Alternative Environmentally Sensitive Area Plan	Postponed to a date certain of August 13, 2025

PUBLIC OUTREACH:

13 notices were sent to property owners within 200 feet of the subject property. 69 notices were sent to physical addresses within 500 feet of the subject property. As of the writing of this report, staff received no responses.

A notice was published in the Denton Record Chronicle on July 6, 2025.

A notice was published on the City's website on July 2, 2025.

Four signs were posted on the property on July 10, 2025.

The applicant scheduled a neighborhood meeting on July 14, 2025. The meeting was canceled due a lack of interest.

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. Spencer Road Industrial Alternative ESA Plan
4. Draft Ordinance
5. Notification Map and Responses

Respectfully submitted:
Michael A. Gange
Director of Environmental Services and Sustainability

Prepared by:
Christi Upton
Environmental Compliance Coordinator

Environmental Services Report
AESA25-0001/Spencer Road Industrial
City Council District #1

The applicant, IDI Logistics, LLC, represented by Addison Brown, has requested an Alternative Environmentally Sensitive Areas (AESA) Plan to allow for modifications to Environmentally Sensitive Areas (ESAs) located on the subject property. The ESAs will be removed to allow for appropriate access to serve the industrial development. The ecology along the length of the stream on the subject property will be improved to better serve the stream.

Denton designates and provides regulations that limit land-disturbing activities to protect water quality, provide habitat, provide critical wildlife corridors, and other ecological services that are offered by ESAs. Properties are assessed for ESA, including a review of the official ESA map.

If a property owner wishes to disturb an ESA beyond the limited encroachments authorized by right within Section 7.4 of the Denton Development Code approval of an AESA Plan must first be obtained. Approval of an AESA Plan requires two public hearings, the first at the Planning and Zoning Commission for a recommendation and the second at the City Council for ultimate action.

EXISTING ENVIRONMENTALLY SENSITIVE AREAS:
An Environmentally Sensitive Areas Field Assessment (ESA25-0001) found an unnamed tributary of Pecan Creek traverses the property and was found to be supported by a floodplain in its natural state. The floodplain is studied and narrow as the stream is intermittent. The stream is also supported by a riparian buffer of the regulatory distance of 50', making the riparian buffer wider than the floodplain at times. On the far east side of the property there are 3.19 acres of Cross Timbers Upland Habitat contiguous with a forested area of greater than 10 acres.

(*continued on next page*)

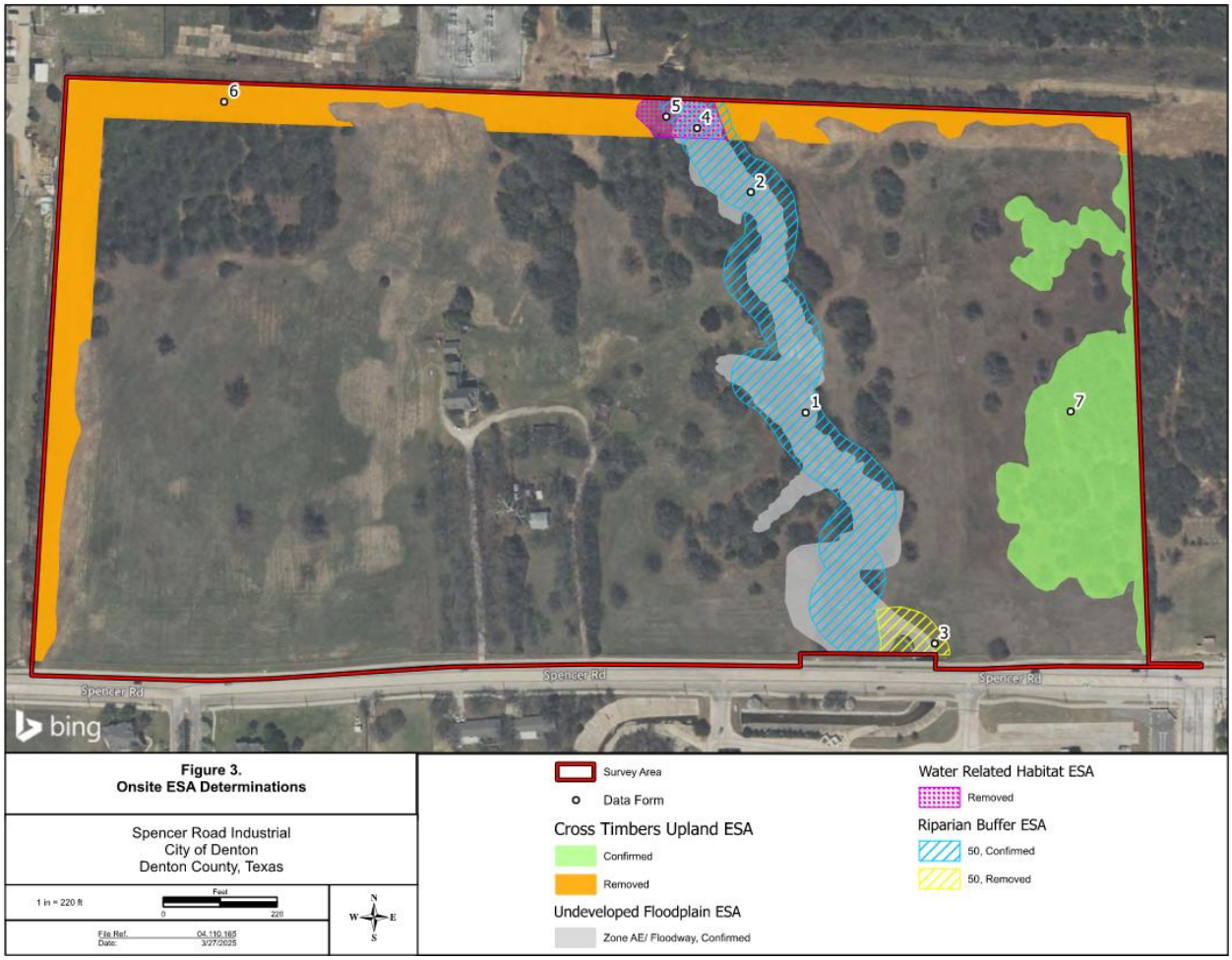


Figure 1: Existing Environmentally Sensitive Areas.

PROPOSED DEVELOPMENT:

42.6 acres of land is proposed to be graded and prepared for industrial warehouse buildings, with associated utilities, roads, and parking lots. The layout of the proposed development maximizes preservation of Environmentally Sensitive Areas. However, an unavoidable impact to the overlapping Riparian Buffer (0.12 acres) and Undeveloped Floodplain ESA (0.09 acres), for a total of 0.23 acres of ESA surrounding and protecting the stream is proposed in order to place an internal road for fire access.

(*continued on next page*)

PROPOSED MITIGATION PLAN:
In exchange for the removal of 0.23 acres of ESAs the applicant is proposing to improve the ecological functionality of the forested Riparian Buffer by removing the invasive and highly damaging plant, privet. Privet, primarily Chinese privet, was found throughout the length of the stream and surrounding land. Removal procedures will be created and followed by the applicant with a goal of 95% eradication of the plant from the 3.52-acre area.

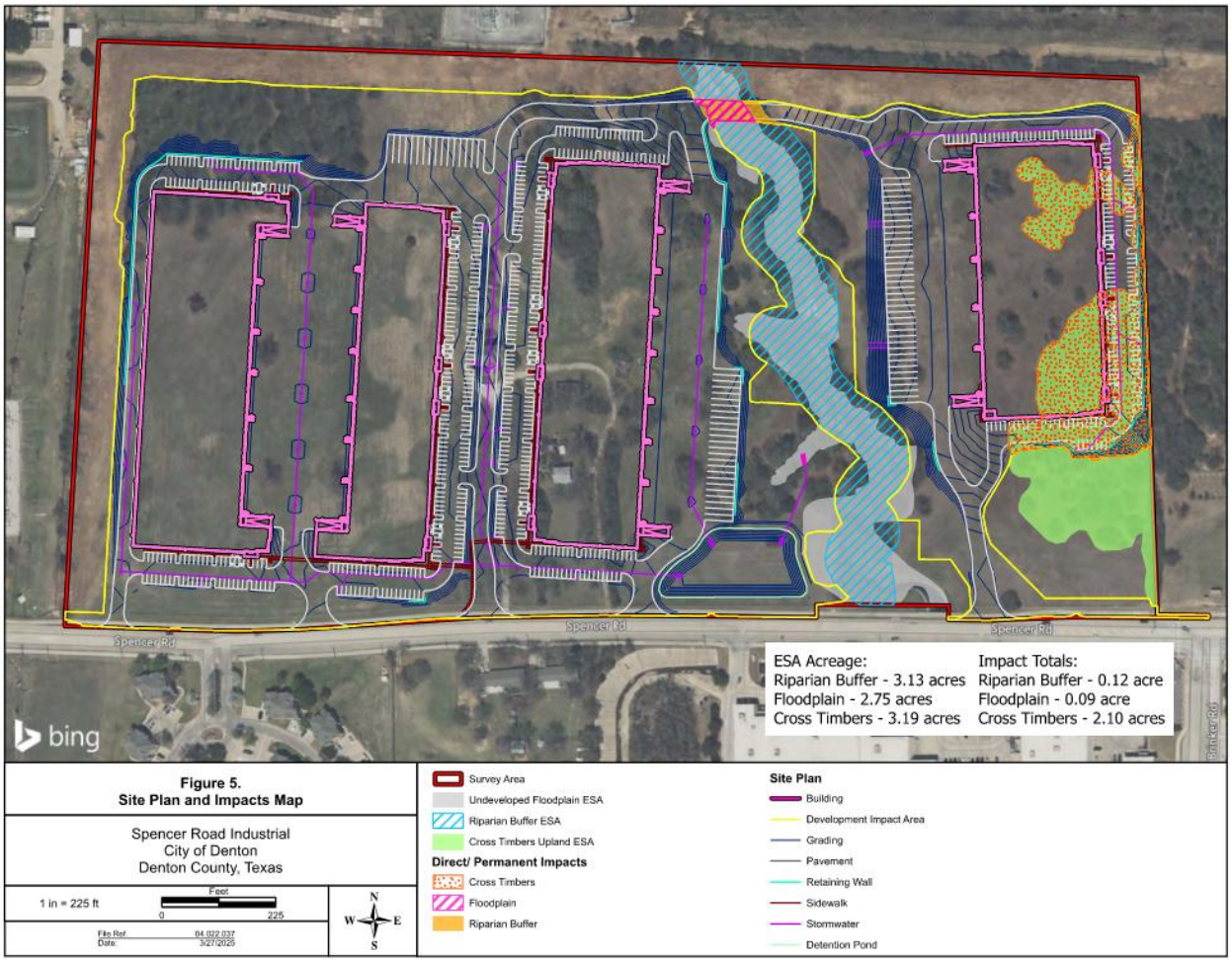


Figure 2: Proposed site plan. The ESA impacts are to cross the stream and the mitigation area will occur within the remainder of the ESAs along the length of the stream.

CONSIDERATIONS:
Section 2.8.4 of the Denton Development Code provides the criteria for approval of an Alternative ESA Plan. The criteria are listed below, and a full analysis provided.

Mitigation goals are obtained by creating, expanding, and/or improving ESAs.
The current Riparian Buffer has limited vegetation and wildlife. The AESA Plan aims to expand and improve the area's ecological functions. The new AESA land is expected to support a wider variety of native plants valuable to water quality and habitat. This aligns with the ESAs' goals of preserving natural and ecological resources.

0.23 acres of ESA will be removed and the remainder 3.48 acres of Riparian Buffer will be ecologically improved.

Mitigation goals are obtained by preserving ESAs above the minimum requirements, exchanges between different types of ESAs, installing pollution prevention controls, and/or implementing best management practices or any other approaches that result in the improvement of the environment being impacted.

Removing the invasive species, privet, will improve the ecology of the area by removing the competition and damaging traits imposed by the plant. This will give native species and opportunity to repopulate the stream segment and surrounding land.

Areas offered as mitigation are linked to existing or planned open space or conserved areas to provide an overall open space system.
The improved AESA feature will remain hydrologically connected to surrounding land.

Development is arranged for maximizing access and utilization of the ESAs by citizens. Areas offered as mitigation are placed either in a lot or lots that incorporate a permanent conservation easement, a preserved habitat, restrictive covenants, or such other legal mechanism to allow for the long-term conservation of said areas. Such legal mechanisms shall limit any future land disturbing activity or construction within the ESAs, shall run with the land, and shall be binding upon all successors and assigns of the current owner.
The stream segment and surrounding ESAs will be placed in a drainage easement, restricting the land from future land improvements.

The alternative ESA plan shall demonstrate that the property owner's alternative proposal results in a high-quality development meeting the intent of the standards in this DDC.
By creating improved habitat, the proposed project maximizes the use of space and results in a greater ability to provide improve water quality leaving the overall site, as well as creating a diverse habitat, serving to address water quantity.

RECOMMENDATION:
Staff recommends **approval** of the request and the proposed ordinance with the following conditions.

1. Land disturbances within Environmentally Sensitive Areas are limited to the Property described on **Exhibit "A"** and depicted on the map provided on **Exhibit "B"**;
2. Clearing on the AESA Property described in **"Exhibit "C"** and depicted on the map provided on **Exhibit "D"** shall comply with the AESA Plan in Exhibit "C" and immediately commence upon issuance of the clear and grade permit for the development;
3. All improvements described in the Mitigation Activities portion of the AESA Plan in **Exhibit "E"** must commence prior to the issuance of the first building permit;
4. Notwithstanding Condition No. 2 and with prior approval from the Director of Environmental Services and Sustainability, the Property Owner may begin the improvements described in the Mitigation Activities portion of the AESA Plan in **Exhibit "E"** on a date certain within the next appropriate growing season;
5. Invasive plants removed as a part of the approved AESA Plan shall continue to be monitored and targeted for removal for a minimum of three (3) years from the time of their initial removal and until the conditions of the AESA Plan have been met;
6. Upon receipt of the third annual report, City of Denton staff will perform an inspection. If the inspection confirms that the conditions of the AESA Plan have been met, Director of Environmental Services and Sustainability will issue a letter of acceptance;
7. All perpetual maintenance activities in the AESA Plan shall be recorded on corresponding platting for the Property; and
8. The Property Owner retains all responsibility and shall bear all costs and liabilities related to (i) ownership, operation, upkeep, and maintenance of the AESA Property; (ii) implementation and enforcement of the requirements of the AESA Plan; and (iii) any actions needed to cure any defaults of the AESA Plan.

ALTERNATIVE ENVIRONMENTALLY SENSITIVE AREA REPORT

IDI Logistics

Spencer Road Industrial Project Site



June 2025

For compliance with:

City of Denton Environmentally Sensitive Areas Assessment
(ESA# 25-0001)

Prepared by:
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Prepared for:
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2300 N. Field Street, Suite 2060
Dallas, Texas 75201

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INTRODUCTION AND AUTHORITY/ PURPOSE AND NEED FOR ACTION

Integrated Environmental Solutions, LLC (IES) was retained by IDI Logistics for environmental services for the Spencer Road Industrial project site. This Alternative Environmentally Sensitive Area (AESA) Report is being submitted to the City of Denton under the Denton Development Code (DDC) Section 2.8.4 to request approval for impacts to Environmentally Sensitive Areas (ESA). This AESA Report proposes mitigation measures for two impact areas within the Riparian Buffer and Undeveloped Floodplain ESA which are required to construct an internal roadway and detention outfall for the proposed industrial development. The report also details that a region of the Cross Timbers ESA identified on site will be retained, meeting the preservation percentage requirements.

DESCRIPTION OF OVERALL DEVELOPMENT

The proposed Spencer Road Industrial project site is approximately 53.5 acres located at 2201 and 2203 Spencer Road in the City of Denton, Denton County, Texas (**Appendix A, Figure 1**).

The proposed development will consist of four industrial buildings and all associated infrastructure including sidewalks, interior roads, detention, and necessary utilities. The development impact area is approximately 42.9 acres. The current zoning for the tract is General Office (GO), which allows for the proposed development.

EXISTING SITE DESCRIPTION

The survey area was characterized by three distinct vegetation communities, **grassland**, **forested upland**, and **forested riparian corridor**. The **grassland** community dominated the site and consisted of grasses and forbs such as Johnsongrass (*Sorghum halepense*), spreading hedge parsley (*Torilis arvensis*), pinkladies (*Oenothera speciosa*), common sunflower (*Helianthus annuus*), white tridens (*Tridens albescens*), sumpweed (*Iva annua*), Indian blanket (*Gaillardia pulchella*), Illinois bundleflower (*Desmanthus illinoensis*), red seed plantain (*Plantago rhodosperma*), perennial ryegrass (*Lolium perenne*), white clover (*Trifolium repens*), Bermudagrass (*Cynodon dactylon*), silver leaf nightshade (*Solanum elaeagnifolium*), western ragweed (*Ambrosia psilostachya*), field brome (*Bromus arvensis*), and tall goldenrod (*Solidago gigantea*). The **forested upland** was identified scattered along fence lines and in patches across the site. It was comprised of post oak (*Quercus stellata*), eastern red cedar (*Juniperus virginiana*), and pecan (*Carya illinoinensis*), with an understory of Chinese privet (*Ligustrum sinense*) and sawbriar (*Smilax bona-nox*). The **forested riparian corridor** was identified along the central drainage and consisted of woody species such as Osage-orange (*Maclura pomifera*), American elm (*Ulmus americana*), sycamore (*Platanus occidentalis*), and pecan, with an understory comprised of Chinese privet and sawbriar.

IES Environmental staff conducted a site visit on 09 May 2024 to confirm ESAs mapped by the City of Denton. Prior to the site visit, IES reviewed the previously mapped and assessed ESAs as depicted on the Official ESA Map of the City of Denton Online Map Viewer. The ESAs, as depicted on the Online Map Viewer, are shown on **Appendix A**, **Figure 2**. ESAs associated with an assessment completed in 2025 were depicted as follows:

> ESA25-0001: The assessment reviewed the status of a section of an unnamed tributary to Pecan Creek bisecting the project site centrally. The assessment confirmed the Undeveloped Floodplain, Zone AE and Floodway, and most of the Riparian Buffer-50 Habitat associated with the unnamed tributary of Pecan Creek. The field investigation identified Cross Timbers Upland Habitat along the eastern boundary within a contiguous tract that extended east, outside of the boundary. The assessment was unable to confirm the Cross Timbers Upland Habitat along the northern and western boundaries, the Riparian Buffer-50 Habitat along the southern boundary, and the Water Related Habitat along the northern boundary as the areas lacked the basic characteristics of each ESA habitat.

During the site visit, an intermittent stream was identified within the project site, entering via a culvert under Spencer Road and meandering through the site before exiting to the north. A 50-foot Riparian Buffer ESA and Floodplain ESA were identified along the stream. The ESAs identified during the site visit are shown in **Appendix A, Figure 3**. The habitats within the ESAs are as follows:

Stream

An intermittent stream meanders through the central region of the ESA before exiting the site to the north. The intermittent stream was, on average, 7-feet wide and incised 1 to 3 feet. Overall, the stream was in *Good* condition based on the Rapid Stream Assessment Technique (RSAT) performed during the ESA assessment.

Riparian Buffer ESA

A 50-foot Riparian Buffer was identified along the intermittent stream meandering through the central region. The Riparian Buffer ESA along the southern boundary was removed through the ESA assessment completed in May 2024 due to a lack of canopy cover. The Riparian Buffer was dominated by American elm and pecan trees with common greenbrier (*Smilax glauca*), eastern red cedar, Chinese privet, and poison ivy observed in the understory. **Table 1** below summarizes the trees measured and identified within the Riparian Buffer and Undeveloped Floodplain ESA. A full ESA tree inventory completed in June 2024 is included as **Appendix B**. Trees were recorded on a Juniper Systems Geode GNS3S Global Positioning System (GPS) unit capable of sub-meter accuracy.

Table 1. Summary of Trees Identified Within the Riparian Buffer and Undeveloped Floodplain ESA Area.

Tree Species	No. Healthy Trees (total caliper inches)	No. Declining/ Hazard Trees (total caliper inches)
American elm	59 (663.3)	2 (43.9)
Black walnut	1 (19.8)	1 (21.9)
Black willow	1 (18.6)	---
Blackjack oak	32 (342.3)	---
Boxelder	4(36.9)	---
Bradford pear	---	1 (7.9)
Cedar elm	19 (171.1)	---
Chinaberry	7 (65.7)	---
Common persimmon	5 (38.3)	---
Eastern red cedar	29 (309.3)	---
Green ash	18 (173.2)	1 (12.3)
Gum bumelia	2 (20.7)	---
Osage-orange	6 (50.3)	1 (8.3)
Pecan	51 (517.1)	---
Post oak	65 (732.4)	2 (33.1)
Sugarberry	2 (13.3)	---
Sycamore	4 (54.9)	1 (11.8)
Total Trees	305 (3,227.2)	9 (139.2)

Undeveloped Floodplain ESA

Undeveloped Floodplain ESA was mapped around the stream channel and associated buffer. The ESA is associated with Federal Emergency Management Agency (FEMA) 100-year floodplain Zone AE. **Table 1** above summarizes the trees measured and tagged within the Undeveloped Floodplain and Riparian Buffer ESA.

Cross Timbers Upland ESA

The site survey was unable to confirm the Cross Timbers Upland habitat along the northern and western boundaries. The region was previously cleared for a utility line between 2022 and 2023, and no canopy cover was present. Therefore, the northern and western boundary regions did not meet the requirements to be verified as an ESA. A post oak overstory with scattered eastern red cedar trees and saplings was identified along the eastern boundary with Chinese privet overgrown in understory. Recent aerial photography indicates that the forested area has remained forested for several decades. The area was previously part of a larger, contiguous forest but a portion was removed between 2007 and 2008 for

development to the east. Based on aerial photography in Google Earth, the current contiguous canopy cover is 12.9 acres. Therefore, the eastern region met the minimum 10-acre requirement to be verified as an ESA.

AESA PURPOSE

The AESA purpose is to propose mitigation for the impacts to the Riparian Buffer and Undeveloped Floodplain ESAs due to the proposed industrial development construction. The proposed project would involve constructing a connecting road, and detention outfall within the limits of the Riparian Buffer and Undeveloped Floodplain ESAs. The road crossing was placed over the northern section of the intermittent stream due to engineering constraints and transportation requirements, resulting in unavoidable impacts to the ESA. Grading required for the construction would be limited to the minimum necessary for the roadway and detention outfall totaling approximately 0.23 acre (7 percent of 3.13-acre total) within the Riparian Buffer ESA and 0.16 acre (6 percent of 2.75-acre total) within the Undeveloped Floodplain ESA. **Appendix A**, **Figure 4** shows the proposed impacts to the ESA.

The Cross Timbers ESA to the east will also be impacted for the construction of a warehouse building, parking, internal roadways and grading. Per Section 4.2.4.2.1 of the Denton ESA Primer, the proposed development will retain over 30 percent of the Cross Timbers ESA area within the site, which meets the preservation requirements. The industrial complex construction will impact 2.10 acres (65.8 percent) of the total 3.19 acres of Cross Timbers ESA within the site. As 34.2 percent of the total Cross Timbers ESA identified on site will be retained, the development meets the preservation requirements, and no additional mitigation is required or proposed for the Cross Timbers ESA.

Site Access & Interior Design Layout

The Spencer Road Industrial site was designed to maximize building size while limiting impacts to the ESAs and complying with tree preservation requirements. The current design provides 554,552 square feet of warehouse space, internal roadways, detention, and utilities (**Appendix A, Figure 5)**. The easternmost building was shifted north and the size was reduced to limit impacts to the Cross Timbers Upland ESA. To provide two access points to the easternmost building, an internal connection road was necessary in the northern region to ensure access requirements were met. The access road could not be shifted north along the boundary due to the utility line easement, which is present along the western and northern boundaries. Multiple utility lines will be installed across the central and southern Riparian Buffer and Undeveloped Floodplain reaches; however, the segments below the ESA will be bored, resulting in no additional ESA impacts (**Appendix A, Figure 6**). Fire lanes were required around each building for emergency vehicle access, which resulted in additional Cross Timbers Upland ESA impacts; however, walls were strategically placed throughout the project site to minimize the removal of trees and impacts to the ESA. Given the design and environmental constraints, the project design only impacts 0.23 acre of Riparian Buffer ESA, 0.16 acre of Undeveloped Floodplain ESA, and 2.10 acres of Cross Timbers Upland ESA.

NOTIFICATION AND REVIEW

This AESA Report explains the mitigation measures for ESA impacts that will be provided to the City of Denton for formal notification of the activity and review of the proposed restoration activity.

AFFECTED ENVIRONMENT AND SUMMARY OF IMPACTS

Appendix A, Figure 5 shows the observed Riparian Buffer and Undeveloped Floodplain associated with the stream channel through the central region. The total Riparian Buffer ESA covers 3.13 acres, and the Undeveloped Floodplain ESA covers 2.75 acre within the property boundary.

The project is proposing to construct a roadway and detention outfall within the on-site Riparian Buffer and Undeveloped Floodplain ESAs. All vegetation within the impact areas will be permanently removed during the initial construction; however, the impacts will be limited to the extent necessary to fulfill the needs of the industrial development. The proposed impacts from the construction of the roadway and detention outfall are limited to 0.23 acre within the Riparian Buffer ESA and 0.16 acre within the Undeveloped Floodplain ESA. The total impacts and site plan are shown on **Appendix A, Figure 5**.

Based on the tree inventory completed in June 2024 by IES, tree species within the Riparian Buffer and Undeveloped Floodplain impact areas include American elm, blackjack oak (*Quercus marilandica*), black walnut (*Juglans nigra*), cedar elm, eastern red cedar, Osage-orange, and pecan. The understory within the riparian buffer was overgrown with Chinese privet. The trees to be removed are described in **Table 2**. The proposed trees to be removed within the Riparian Buffer and Undeveloped Floodplain ESAs total 316.5-caliper inches from 28 trees, 26 of which were all identified as healthy. The 26 healthy trees make up approximately 8.5 percent of the total healthy trees within the on-site Riparian Buffer and Undeveloped Floodplain ESAs.

Table 2. Identified Trees Within the Proposed Riparian Buffer and Undeveloped Floodplain ESA Impact Area.

ID #	DBH (caliper inches)	Common Name	Scientific Name	Condition	Multi-Trunk
206	12.9	eastern red cedar	*Juniperus virginiana*	Healthy	No
207	10.6	eastern red cedar	*Juniperus virginiana*	Healthy	No
208	7.3	eastern red cedar	*Juniperus virginiana*	Healthy	No
209	14.1	pecan	*Carya illinoinensis*	Healthy	No
210	7.9	eastern red cedar	*Juniperus virginiana*	Healthy	No
211	13.3	eastern red cedar	*Juniperus virginiana*	Healthy	No
212	16	eastern red cedar	*Juniperus virginiana*	Healthy	No
6864	13.9	American elm	*Ulmus americana*	Healthy	No
6865	17.4	American elm	*Ulmus americana*	Healthy	No
6866	8.3	Osage-orange	*Maclura pomifera*	Damaged	No
6867	7.1	American elm	*Ulmus americana*	Healthy	No
6868	19.8	black walnut	*Juglans nigra*	Healthy	No
6869	21.9	black walnut	*Juglans nigra*	Damaged	No
6870	12.8	American elm	*Ulmus americana*	Healthy	No
6871	6.3	cedar elm	*Ulmus crassifolia*	Healthy	No
7334	7.8	eastern red cedar	*Juniperus virginiana*	Healthy	No
7335	16.6	American elm	*Ulmus americana*	Healthy	No
7336	16	American elm	*Ulmus americana*	Healthy	No
7337	7.8	American elm	*Ulmus americana*	Healthy	No
7338	11.5	American elm	*Ulmus americana*	Healthy	No
7961	11.1	eastern red cedar	*Juniperus virginiana*	Healthy	No
7962	6.4	blackjack oak	*Quercus marilandica*	Healthy	No
7963	7.4	post oak	*Quercus stellata*	Healthy	No
7964	6.5	blackjack oak	*Quercus marilandica*	Healthy	No
7965	13.9	eastern red cedar	*Juniperus virginiana*	Healthy	No
7966	8.1	blackjack oak	*Quercus marilandica*	Healthy	No
7967	6.8	American elm	*Ulmus americana*	Healthy	No
7968	7.0	pecan	*Carya illinoinensis*	Healthy	No
Total	316.5				

MITIGATION ACTIVITIES

The impacts to the Riparian Buffer and Undeveloped Floodplain ESA shown in **Appendix A**, **Figure 5** are primarily limited to the northern reach where impacts are required to construct a roadway to provide a second access point for the easternmost building. A relatively small, additional impact is necessary in the southern region for a detention pond outfall to convey flow downslope. Vegetation will be removed during the initial grading for the development. Retaining walls were strategically placed throughout the project to minimize the removal of trees and impacts to the ESA. A pre-construction meeting will be held to notify contractors of ESA mitigation area limits and a visual barrier such as a temporary chain link fence will be installed to ensure construction remains within the development impact area (DIA) boundary. No additional adverse impacts to the stream or the remainder of the ESAs are expected from the construction.

Concurrent or following the industrial development construction, a contractor will be instructed by IDI Logistics to remove invasive, understory Chinese privet growth from the unimpacted Riparian Buffer and Undeveloped Floodplain ESA regions. Once the Chinese privet has been removed, the resulting AESA will provide additional native habitat while also aiding in stormwater management for the industrial development. In addition, all appropriate best management practices (BMPs) will be in place as required by the General Construction Permit and site-specific Stormwater Pollution Prevention Plan, which may include the installation of silt fencing or a rock check dam prior to construction activity discharges to the ESA.

PROPOSED IMPROVEMENT OF UNAFFECTED AREAS

A mitigation plan executed over a year-long period is proposed to effectively restore and improve the unimpacted Riparian Buffer and Undeveloped Floodplain ESAs. A contractor, such as IES, will be contracted to complete the privet removal and monitoring. The developer is proposing to mechanically remove Chinese privet, an invasive species, from the understory of the unimpacted Riparian Buffer and Undeveloped Floodplain ESAs as well as from non-graded areas immediately surrounding the ESA to help prevent the reintroduction of Chinese privet. The removal approach is a targeted mechanism to eliminate invasive species and will result in no ground disturbing activities that could harm overstory trees. The initial privet removal will occur the first winter after construction has commenced to reduce sprouting.

Figure 1 illustrates that invasive Chinese privet currently dominates the canopy understory within the ESA. Mechanical removal will consist of the use of a hydro-axe for most of the area, supplemented with hand clearing to remove Chinese privet immediately surrounding existing trees. The hydro-axe will remove the aboveground portion of the Chinese privet plant but does not remove the root system and sprouting will occur. The regrowth will be spot treated with triclopyr, a pesticide from the City's Integrated Pest Management list, the following spring at the recommended label rate. An additional spot treatment of seedlings will be conducted, if necessary. Debris from the privet removal will be mulched and spread within the mitigation area. The eradication of Chinese privet will open the understory and improve opportunities for diverse native species to thrive with limited invasive competition. A successful eradication will allow for no more than 5 percent of remaining Chinese privet understory cover. Seedlings and regrowth will be monitored and removed seasonally during the 3-year monitoring period within the mitigation area as needed to ensure Chinese privet remains eradicated.



Figure 1. The photographs illustrated above depict the understory of invasive Chinese Privet throughout the mitigation area.

A seed mixture will be seeded throughout the unimpacted Riparian Buffer and Undeveloped Floodplain ESA regions once the understory has been cleared of Chinese privet to provide a protective ground cover and functional understory strata. The seed mix is intended to aid in rebuilding the stream bank buffer zone. The seed mix will include native species such as Virginia wildrye (*Elymus virginicus*), Canada wildrye (*Elymus canadensis*), inland sea oats (*Chasmanthium latifolium*), purpletop tridens (*Tridens flavus*), purple coneflower (*Echinacea purpurea*), bergamont (*Monarda fistulosa*), red columbine (*Aquilegia canadensis*), black-eyed Susan (*Rudbeckia hirta*), swamp sunflower (*Helianthus angustifolius*), American beautyberry (*Callicarpa americana*), butterfly weed (*Asclepias tuberosa*), frostweed (*Verbesina virginica*), and blue mistflower (*Conoclinium coelestinum*). The native seed mix will contain no more than 20 percent of a single species. The proposed seeding goal is to develop an AESA with a quality, diverse, functioning habitat that will not need additional maintenance beyond the initial seeding.

The seed mix will be sown at the recommended amount of 9 pounds per acre in the spring following the Chinese privet management. As the mitigation area is within a forested riparian buffer, shade tolerant species have been selected for planting. The initial seeding will be implemented in conjunction with the hydromulching and involves applying a mixture of water, wood fiber mulch, soil stabilizer, and seed to prevent erosion and provide an optimal environment conducive to plant growth. The seeding will be conducted once and due to the forested overstory and minimal impacts within the Riparian Buffer ESA on site, a specified final coverage rate will not be required.

The unimpacted Riparian Buffer ESA (approximately 2.90 acre) and Undeveloped Floodplain ESA (approximately 2.59 acre) areas encompass a combined total of 3.48 acre as a result of overlap. No tree planting is proposed within the mitigation area as only 8.5 percent of the existing trees within the Riparian Buffer and Undeveloped Floodplain ESAs will be removed because of the development, resulting in 80 stems per acre (with a DBH of 6 inches or greater) within the mitigation area. Most of the recorded trees within the mitigation area are mature and will naturally propagate within regions where Chinese privet has been cleared.

Data to determine Chinese privet coverage rates during site visits will be manually collected using appropriate vegetation monitoring and classification techniques, such as total count and point-intercept methods. A site visit by IES staff will be performed following the completion of the initial privet removal and prior to the first annual reporting event. IES will perform additional site visits as necessary during the first annual monitoring period.

COMPLIANCE WITH AUTHORITIES

The City of Denton is the authority over compliance with this AESA mitigation plan. Once the Spencer Road Industrial development has been constructed and the AESA mitigation activities have been completed, the City of Denton will be notified that the mitigation activities have been completed.

ANNUAL REPORTING

The applicant will prepare an annual report each year for three consecutive years, beginning 12 months following the mitigation activities implementation to report on the effectiveness of the Chinese privet removal. These annual reports will be submitted to the City for review and comment.

The first two annual reports will contain action items that may include, removing weeds and invasive species from within the mitigation area, or removal of construction debris within the Riparian Buffer and Undeveloped Floodplain ESA.

Upon completion of the 3-year monitoring and reporting period, the City of Denton Environmental Services shall inspect the mitigation area and determine whether the Chinese privet understory cover eradication goal of no more than 5 percent Chinese privet understory cover has been met. After city inspection, if invasive plants have been reestablished, the applicant shall be notified to clear the problematic areas. If the applicant does not take remedial steps to bring the property into compliance, the City may use all legal remedies to enforce this provision. If it is determined that the eradication goal has been met, the City will issue the final project acceptance.

If changes need to be made to the mitigation plan during the 3-year monitoring period, the City of Denton will be notified prior to making the plan modifications.

MAINTENANCE PLAN

The remaining Riparian Buffer ESA will be maintained differently than all other common area lots. The following specifications will be used for future maintenance contractors that are contracted by the current and future owners and managers of the site. This approach is specified separately due to the environmentally sensitive nature of the riparian corridor.

- Mowing – No mowing will be allowed within the Riparian Buffer mitigation area.
- Leaf Removal – There will be no leaf removal within the Riparian Buffer mitigation area.
- Fertilizer and Pesticide – There will be no fertilizer or pesticide within the Riparian Buffer mitigation area.
- Tree Removal – No trees will be cut, trimmed, thinned, raised, or altered without the approval of the City of Dentons specific written permission.
- Any ground disturbing activity, such as erosion control or maintenance associated with infrastructure surrounding the Riparian Buffer mitigation area will only occur after designs have been approved by the City of Denton.

In the event that the property is sold in the future, the new owners must adhere to the maintenance plan to retain the natural state and integrity of the ecosystem.

Regions between the mitigation area and DIA will remain vegetated and Chinese privet may be removed to further prevent re-establishment within the mitigation area. Mowing, fertilizer application, and ground disturbing activities will be minimized within the region between the mitigation area and DIA to serve as a protective buffer.

CRITERIA FOR APPROVAL

The following lists the criteria for approval of an AESA Plan and the project aspects that meet each criterion.

1. Create, expand, and/ or improve non-impacted areas.

   The proposed AESA plans to mitigate the impacts to the Riparian Buffer and Undeveloped Floodplain ESAs by removing Chinese privet, an invasive species, which improves opportunities for diverse, native vegetation to thrive throughout the existing buffer.

2. Improve encroached habitat and the surrounding environment.

   The impacted areas will be mitigated by removing Chinese privet throughout the remainder of the on-site Riparian Buffer and Undeveloped Floodplain ESAs as well as from non-graded areas surrounding the ESA to prevent reseeding. A seed mixture will be seeded throughout the unimpacted Riparian Buffer and Undeveloped Floodplain ESA regions once the understory has been cleared of Chinese privet to provide a protective ground cover and functional understory strata.

3. Create continuity.

   The impacted area and proposed AESA mitigation area are located within a larger mapped Undeveloped Floodplain ESA which extends north along the continuation of the drainage. The impact area is a fraction of the overall ESA on site, and the undisturbed Riparian Buffer and Undeveloped Floodplain ESAs on site will be improved.

4. Maximize access and utilization.

   Sidewalks will be constructed along the industrial buildings to improve access. The mitigation area will be visible from Spencer Road as well as the internal roadway and parking areas.

5. Create a conservation easement.

As most of the ESA will remain intact and improvements will be made to remove invasive species, the ESA designation will remain and therefore be subject to use restrictions set forth in the DDC.

6. High quality development.

   The AESA has been designed to minimize the impacts to the ESA necessary to meet the design standards and infrastructure necessary for the overall development. The AESA proposes to mitigate for the impacts by removing invasive understory growth from within and surrounding the remaining Riparian Buffer and Undeveloped Floodplain ESA. As Chinese privet currently dominates the ESA understory, the proposed improvements in the unimpacted regions will allow native species to reestablish and enrich the overall quality of the region. As such, the proposed development meets the criteria for approval for an AESA.

SUMMARY

The proposed impact areas include 0.23 acre within the Riparian Buffer ESA, 0.16 acre within the Undeveloped Floodplain ESA, and 2.10 acre within the Cross Timbers ESA resulting from the construction of roadways, sidewalks, lots, parking, and utilities necessary for the industrial development. The 2.90-acre Riparian Buffer and 2.59-acre Floodplain ESA mitigation areas to offset the impact areas will consist of removing invasive Chinese privet from the remaining on-site ESA understory to improve opportunities for diverse, native vegetation to thrive throughout the remaining ESAs. As 34.2 percent of the total Cross Timbers Upland ESA identified on site will be retained, the development meets the preservation requirements, and no additional mitigation is required or proposed for the Cross Timbers Upland ESA.

ANNUAL REPORTING CONTACTS

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Phone: 972-562-7672
Email: rreinecke@intenvsol.com

Engineer:
GM Civil
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Grapevine, Texas 76051
Contact: Jason Weaver, P.E.
Phone: 817-329-4373
Email: JWeaver@gmcivil.com

Appendix A

Figures



Figure 1.
General Location Map

Spencer Road Industrial
City of Denton
Denton County, Texas

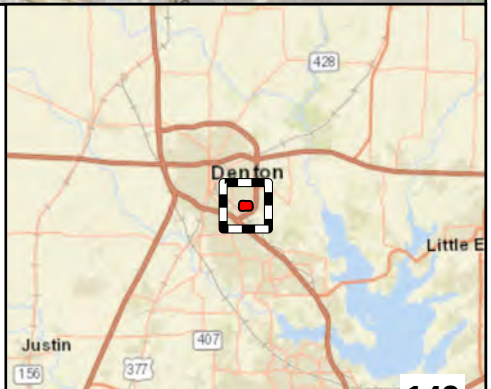
Survey Area

1 in = 1,500 ft

Feet
0 1,500

N
W E
S

File Ref. 04.110.165
Date: 3/27/2025



Area of Detail

Scale: 1 inch equals 10 miles

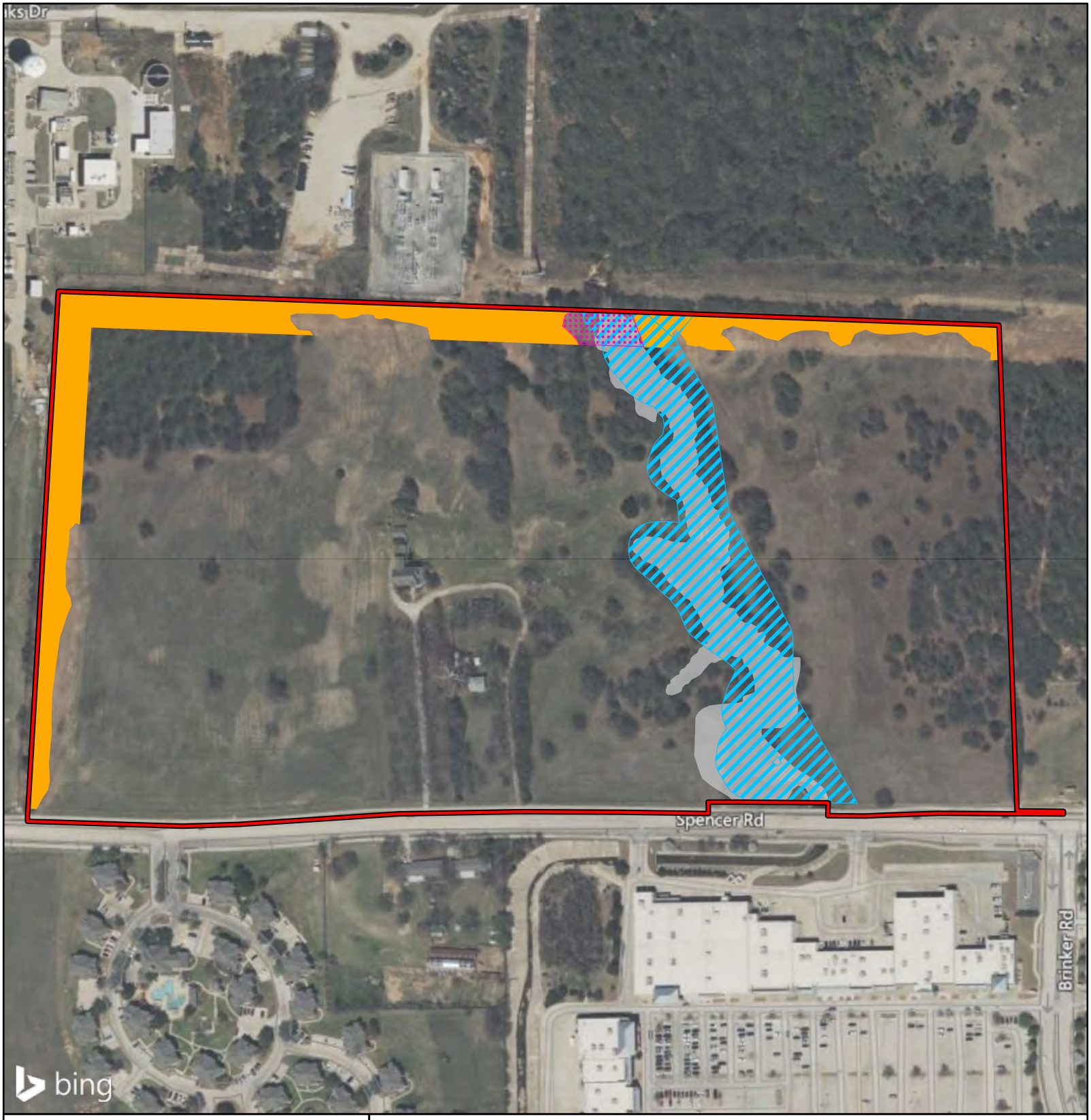


Figure 2.
City of Denton Environmentally Sensitive Areas (ESA)

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 285 ft

Feet
0 285

N
W E
S

File Ref. 04.110.165
Date: 3/27/2025

Survey Area

Riparian Buffer ESA
Not Assessed

Cross Timbers ESA
Not Assessed

Undeveloped Floodplain ESA
Not Assessed

Water Related Habitat ESA
Not Assessed



Figure 3.
Onsite ESA Determinations

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 220 ft

Feet
0
220

N
W
E
S

File Ref. 04.110.165
Date: 3/27/2025

Survey Area

Data Form

Cross Timbers Upland ESA

Confirmed

Removed

Undeveloped Floodplain ESA

Zone AE/ Floodway, Confirmed

Water Related Habitat ESA

Removed

Riparian Buffer ESA

50, Confirmed

50, Removed

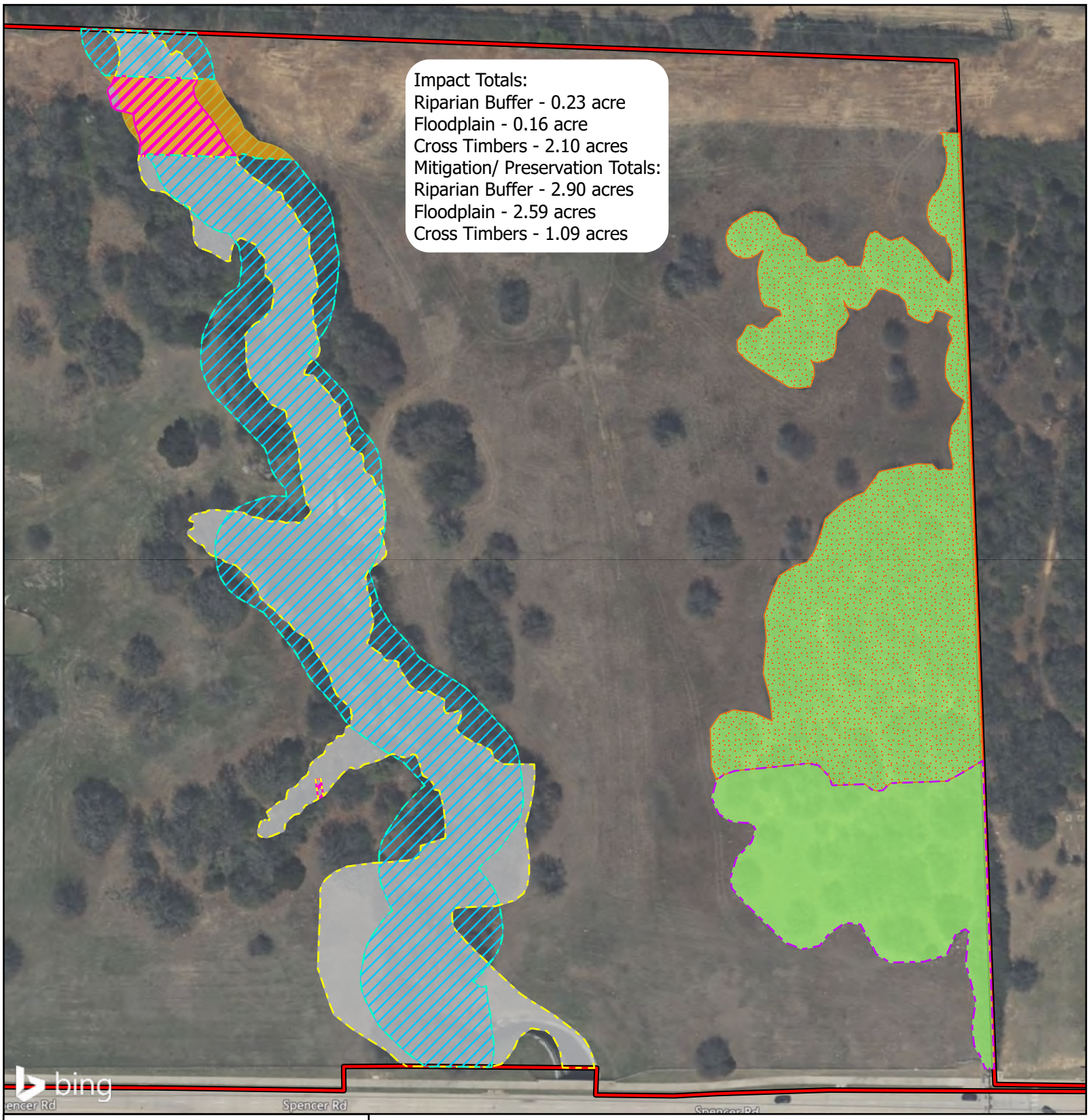


Figure 4.
Proposed ESA Impacts

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 135 ft

Feet
0 135

N
W E
S

File Ref. 04.110.165
Date: 5/23/2025

- Survey Area
- Cross Timbers Upland ESA
- Riparian Buffer ESA
- Undeveloped Floodplain ESA

Direct/ Permanent Impacts

- Cross Timbers
- Floodplain
- Riparian Buffer

Mitigation/ Preservation Area

- Riparian Buffer
- Floodplain
- Cross Timbers Preservation

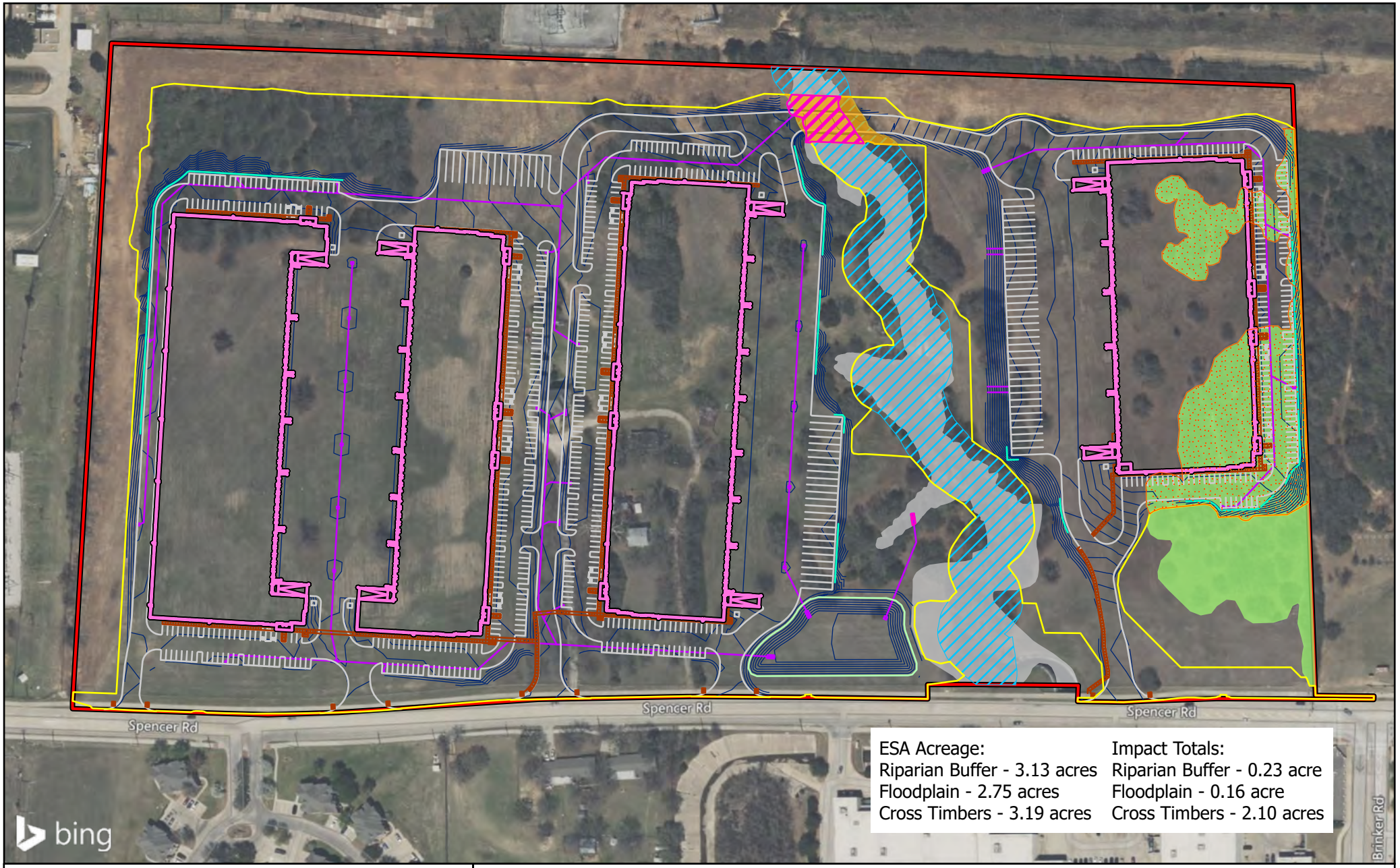


Figure 5.
Site Plan and Impacts Map

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 225 ft

Feet
0 225

File Ref. 04.022.037
Date: 5/23/2025

N
W E
S

- Survey Area
- Undeveloped Floodplain ESA
- Riparian Buffer ESA
- Cross Timbers Upland ESA

Direct/ Permanent Impacts

- Cross Timbers
- Floodplain
- Riparian Buffer

Site Plan

- Building
- Development Impact Area
- Grading
- Pavement
- Retaining Wall
- Stormwater
- Sidewalk
- Detention Pond

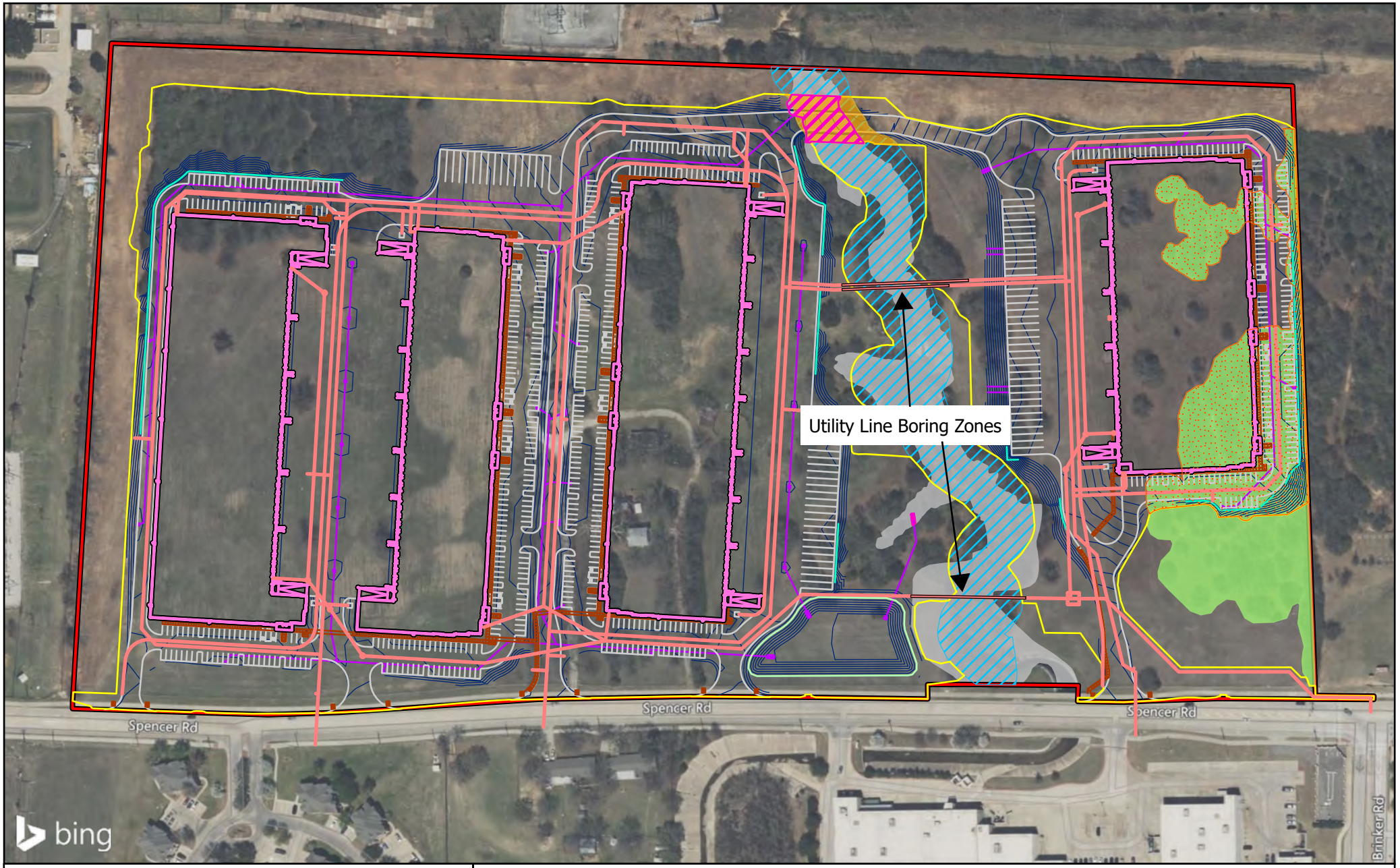


Figure 6.
Sewer Line Location and Boring Zones

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 225 ft

Feet
0 225

File Ref. 04.022.037
Date: 5/23/2025

N
W E
S

- Survey Area
- Undeveloped Floodplain ESA
- Riparian Buffer ESA
- Cross Timbers Upland ESA

Direct/ Permanent Impacts

- Cross Timbers
- Floodplain
- Riparian Buffer

Site Plan

- Building
- Development Impact Area
- Grading
- Pavement
- Retaining Wall
- Stormwater
- Sidewalk
- Detention Pond
- Boring Zone
- Utility Line

Appendix B

ESA Assessment Forms

Project Number: ESA

Floodplain ESA Assessment Form

Environmental Services and Sustainability

A Floodplain ESA Assessment Form is to be completed for each feature identified as potentially to exist on the Official ESA Map. Features of substantially similar characteristics and location may be grouped together on one form. More information about Undeveloped Floodplains and assessing this feature may be found on the City of Denton webpage.

Property Address or Property ID:	2201 & 2203 Spencer Road **R** 34406, 191269	**Feature ID(s):**	Data Form 1

Property ID can be found through Denton Central Appraisal District *Provide a unique ID for each feature when multiple features are assessed*

Hydrologic Segment Information:

Name:	Unnamed tributary of Pecan Creek	**Width**	7	**Order**	1
When available, stream segment name.		*Approximate stream width.*		*Stream order.*	

Assessment Conclusion:

Select one of the following.

☑ IS an ESA. Based upon this assessment the area is an Undeveloped Floodplain ESA. I recommend the Official ESA Map be updated to confirm the ESA designation in this area.

☐ NOT an ESA. Based upon this assessment the floodplain is developed. I recommend the Official ESA Map be updated to remove the ESA designation from this area.

Assessment Comments:

Provide a summary of details found in the field to support the conclusion selected above.

The riparian vegetation in the floodplain contained hardwood trees, eastern red cedar, and an understory of poison ivy and sawbriar. Based on a review of aerial photography, the floodplain is in its natural state and has not been previously modified aside from a utility ROW along the northern boundary which was cleared between 2022 and 2023, and a portion of the channel immediately north of Spencer Road which was stabilized between 2001 and 2005. The ROW has partially re-vegetated and there did not appear to be significant cut or fill in the region to install the utility line. The southern portion of the tributary has also re-vegetated and it appears only minor adjustments were made to the topography. As such, the ROW

Attachments Provided:

Required:	☑ overall site map ☑ current map of feature ☑ proposed map of feature ☑ soils map ☑ photographs representative of feature
Other:	FEMA

Field Assessor:

Name of Field Assessor: Tyler Frohlich

Affiliation of Field Assessor (Organization): Integrated Environmental Solutions

Date the assessment was performed: 09 May 2024

I certify that the information provided here is an accurate description of the area(s) assessed.	Karisa Fenton Digitally signed by Karisa Fenton Date: 2024.05.20 15:08:10 -05'00'

Environmental Services Representative:

I concur with the description of this ESA and conclusion of this assessment.	

Section 1. General Information

General Land Use:

Provide description of land hydrologically influencing feature. Select all that apply and provide more details as appropriate.

☑ Forest	Briefly describe: Hardwoods/ scattered Eastern red cedar
☑ Agricultural:	☐ Pasture ☐ Fallow ☑ Crop, crop type:
☑ Residential:	☑ Low Intensity ☐ High Intensity
☑ Commercial/Industrial	
☐ Recreational	
☐ Other:	

Soil Map Unit Name(s):

Provide soil classification types where feature occurs.

Callisburg fine sandy loam, 1 to 3 percent slopes	
Gasil fine sandy loam, 1 to 3 percent slopes	

Section 2. Floodplain Conditions

Are there modifications (cut/fill) of the floodplain?	☐ yes *(answer question below)* ☑ no
Describe:	
Are there structures in the floodplain?	☐ yes *(answer question below)* ☑ no
Describe:	Utility Line, bank reinforcements (gabion structures)

Waterway present: ☑ yes *(complete the table below and Riparian Buffer ESA form)* ☐ no

Waterway	☑ natural ☐ channelized ☐ impounded
Sinuosity	☑ meandering ☐ braided ☐ straight

Section 3. Soil Erosion and Deposition

Is there evidence of sheet flow across the floodplain?	☐ yes (answer question below) ☑ no
Active sheet flow erosion is:	☐ slight ☐ moderate ☐ severe
Is there evidence of concentrated flow?	☑ yes (answer question below) ☐ no
Active concentrated flow erosion is:	☐ slight ☑ moderate ☐ severe

Does the floodplain slope to the waterway or is a natural levee present?

☑ toward ☐ natural levee. Complete the table below.

Does natural levee create conditions for water-related habitat?	☐ yes *(complete Water-Related Habitat form)* ☑ no

Section 4. Brief Vegetation Survey

List all vegetative species covering >10% of the feature area.

Scientific name	*Common name*	*% Cover*
Carya illinoensis	Pecan	30
Juniperus virginiana	Eastern red cedar	15
Smilax bona-nox	Sawbrier	15
Ulmus americana	American Elm	30
Toxicodendron radicans	Poison Ivy	15

Project Number: ESA

Riparian Buffer ESA Assessment Form

Environmental Services and Sustainability

A Riparian Buffer ESA Assessment Form is to be completed for each feature identified as potentially to exist on the Official ESA Map. Additionally, any feature identified onsite that potentially has characteristics of a riparian buffer is to be identified, described and documented through this form. Features of substantially similar characteristics and location may be grouped together on one form. More information about riparian buffers and assessing this feature may be found on the City of Denton webpage.

Property Address or Property ID:	2201 & 2203 Spencer Road **R** 34406, 191269	**Feature ID:**	Data Form 2
Property ID can be found through Denton Central Appraisal District		*Provide a unique ID when multiple features are assessed*	

Hydrologic Segment Information:

Name:	Unnamed tributary of Pecan Creek	**Width:**	7	**Order:**	1
When available, stream or tributary to segment name		*Approximate stream width*		*Stream order*	

Assessment Conclusion:

Select one of the following.

- ☑ IS an ESA. Based upon this assessment the area is a Riparian Buffer ESA. I recommend the Official ESA Map be updated to confirm the ESA designation in this area.
- ☐ NOT an ESA. Based upon this assessment the area is not a Riparian Buffer ESA. I recommend the Official ESA Map be updated to remove the ESA designation from this area.

Assessment Comments:

Provide a summary and discussion of details found in the field to support the conclusion selected above. Include a discussion of the Rapid Stream Assessment Techniques and the final verbal score (Section 5).

The unnamed tributary of Pecan Creek was confirmed to be present in the field. The creek held flowing water at the time of evaluation and conditions on site indicated that flow would be intermittent. The riparian vegetation was comprised of an over story of American elm, and sycamore with an under story comprised of Chinese privet shrubs, and greenbrier. The RSAT indicated that the stream was classified as Good with a final verbal score of 32.

Attachments Provided:

Required:	☑ overall site map ☑ current map of feature ☑ proposed map of feature ☑ soils map ☑ photographs representative of feature
Other:	FEMA FIRM

Field Assessor:

Name of Field Assessor: Tyler Frohlich

Affiliation of Assessor (Organization): Integrated Environmental Solutions, LLC.

Date the assessment was performed: 09 May 2024

I certify that the information provided here is an accurate description of the area(s) assessed.

Karisa Fenton Digitally signed by Karisa Fenton Date: 2024.05.20 15:08:36 -05'00'

Environmental Services Representative:

I concur with the description of this ESA and conclusion of this assessment.

Section 1. General Information

General Land Use:

Provide description of land hydrologically influencing feature. Select all that apply and provide more details as appropriate.

☑ Forest	Briefly describe: Forested along creek
☐ Agricultural:	☑ Pasture ☐ Fallow ☑ Crop, crop type:
☑ Residential:	☑ Low Intensity ☐ High Intensity
☑ Commercial/Industrial	
☐ Recreational	
☐ Other:	

Potential pollutants from current drainage area:

☑ urban/suburban landscape maintenance	■ urban/suburban parking lots or roads
☐ intensive agricultural use	☐ grazing animals have access to water feature
■ water feature has steep slopes	☐ plant or animal species of concern present
☐ water feature used for recreation	☐ waterway a drinking water source/adjacent to well
☐ other:	

Proposed construction activity in the drainage area of the water feature:

☐ Low impact potential (parks, low density residential)
■ High impact potential (high density residential, commercial development)
☐ Gas well plat

Benefit(s) current Riparian Buffer offers to the water feature:

■ intercepts sediment	■ provides fish habitat
■ intercepts nutrients	■ improves wildlife habitat
■ intercepts pesticides	■ stabilizes streambank
■ intercepts other pollutants	☐ unique aesthetics / privacy
☐ other:	

Soil Map Unit Name(s):

Provide soil classification types where feature occurs.

Callisburg fine sandy loam, 1 to 3 percent slopes	
Gasil fine sandy loam, 1 to 3 percent slopes	

Section 2. System Conditions

Stream Bank:

Evidence of frequent water level changes	☐ yes ☑ no		
Slope of bank	.30 %		
Soil class	☑ clay ☑ sand ☐ loam ☑ gravel ☐ ledge		
Active erosion	☐ slight ☑ moderate ☐ severe		
Existing plant cover	☐ little to none ☑ moderate ☐ well vegetated		
Dominant cover	☐ cement ☐ bare ☐ grass ☐ shrub ☑ young forest ☑ mature forest		
Large leaning trees	☑ yes ☐ no		
Invasive exotics present	☑ yes ☐ no	If yes, species: Chinese privet	% infestation: 20

Top of Bank:

Existing plant cover	☐ little to none ☑ moderate ☐ well vegetated		
Dominant cover	☐ cement ☐ bare ☐ grass ☑ shrub ☑ young forest ☑ mature forest		
Invasive exotics present	☑ yes ☐ no	If yes, species: Chinese privet	% infestation: 50

Above the Bank:

Slope	.30 %		
Direction of slope	☑ toward the water feature ☐ away from water feature		
Runoff flow	☐ sheet flow across the land ☑ concentrated flow		
Active erosion	☐ slight ☑ moderate ☐ severe		
Existing plant cover	☐ little to none ☑ moderate ☐ well vegetated		
Dominant cover	☐ cement ☐ bare ☐ grass ☐ shrub ☑ young forest ☐ mature forest		
Invasive exotics present	☑ yes ☐ no	If yes, species: Chinese privet	% infestation: 50

Section 3. Brief Vegetation Survey

List all vegetative species where feature occurs for species covering >10% of the feature area and provide hydrophytic vegetation indicator of the species.

Bank:

Scientific name	*Common name*	*% Cover*	*Indicator*
Ligustrum sinense	Chinese privet	20	FACU

Bank Hydrophytic Vegetation Indicator: 0 : 1
(*Number of plant species that are OBL, FACW and FAC to number of plant species that are FACU and UPL*)

Buffer:

Scientific name	*Common name*	*% Cover*	*Indicator*
Ligustrum sinense	Chinese privet	25	FACU
Ulmus americana	American Elm	15	FAC
Platanus occidentalis	Sycamore	10	FAC
Smilax rotundifolia	Common Greenbrier	10	FAC

Buffer Hydrophytic Vegetation Indicator: 3 : 1
(*Number of plant species that are OBL, FACW and FAC to number of plant species that are FACU and UPL*)

Section 4. Hydrology and Hydric Soils Indicators

Hydrology Indicators:

Primary	*Secondary*
☐ inundated	☐ oxidized root channels in upper 12”
☐ soil saturated in upper 12”	☐ water-stained leaves
☐ water marks	☐ county soil survey
☐ drift lines	☐ fac-neutral test
■ sediment deposits	
■ evidence of drainage pattern	
Comments:	

Hydric Soil Indicators:

☐ histosol	☐ concretions
☐ histic epipendon	☐ high surface organic content
☐ sulfidic odor	☐ organic streaking in sandy soils
☐ aquic moisture regime	☐ listed on local hydric soil list
☑ reducing conditions	☐ listed on national hydric soil list
☐ gleyed or low chroma colors	☐ other:
Comments:	

Section 5. Rapid Stream Assessment Techniques (RSAT)

The Rapid Stream Assessment Techniques is adapted from the Texas Commission on Environmental Quality's Surface Water Quality Monitoring Procedures, Chapter 9. Physical Habitat of Aquatic Systems. To complete the RSAT provide a score for each table, as applicable. Sum Tables 1 – 6 scores and provide the average using a whole number. Complete Table 7 with these scores. Provide a total RSAT score and a verbal score. Please note, the order of tables 4 and 5 were switched at Version 5 of this form.

Table 1: Channel Stability

Indicative of hydrological flow regime alteration and general condition of physical / aquatic habitat and provides insight into the past, present, and possible future changes in stream channel morphometry.

	Score Selection:				*Score*
	Excellent (11 – 9)	*Good (8 – 6)*	*Fair (5 – 3)*	*Poor (2 – 0)*	
Stability of bank network	> 80% is stable, no evidence of bank sloughing or failure	71-80% is stable, infrequent signs of bank sloughing, slumping or failure	50-70% is stable, some signs of bank sloughing, slumping or failure	< 50% is stable, recent or frequent signs of bank sloughing, slumping	7
Stream bends at study site or immediate vicinity of study site	Very stable: outer bank height is slightly above stream level, bank overhang minimal	Stable: outer bank height 2-3 ft. above stream level, bank overhang slight to moderate	Unstable: outer bank height is substantially above stream level, substantial bank overhang	Highly unstable: outer bank height significantly above stream level, overhangs large and deep.	7
Exposed tree roots	Old, large, and woody exposed roots, generally 0-1 recent large tree falls / stream mile	Old and large exposed roots, some smaller young roots, 2- 3 recent large tree falls / stream mile	Young exposed tree roots are common, 4-5 recent large tree falls per stream mile	No trees exist, or young exposed tree roots are abundant, 6 or more recent large tree falls per stream mile.	7
Presence of highly erosion-resistant plant/soil matrix or material in bottom 1/3 of bank	dominant	present	compromised	severely compromised or nonexistent.	4
Channel crossing section shape	generally, V or U-shaped	"wide" U	generally trapezoid shaped	wide trapezoid to rectangle shape	7
Table 1 score (average of points given, rounded to nearest whole number)					6

Table 2: Channel Scouring and Sediment Deposition

Relates to the level of uncontrolled storm water runoff, sediment load, and transport and degradation of in-stream habitat.

	Score Selection:				*Score*
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Riffle embeddedness with sand/silt	small stream order: <25% embeddedness larger stream order: <35% embeddedness	25 – 49% 35 – 59%	50 – 79% 60 – 85%	>75% >85%	5
Potential for deep pools 2 ft or greater, substrate condition	High number of pools Pool substrate <30% sand/silt	Moderate number 30-59% sand/silt	Low number 60-80% sand/silt	Few, if any >80% sand/silt	5
Frequency of streak marks and/or banana-shaped deposits	Absent	Uncommon	Common	Very Common	5
Fresh, large sand deposits in channel and on overbank areas	Rare or absent	Uncommon, fresh localized deposits along top of low banks	Common, fresh deposits along top of low banks	Large deposits in channel and along major portion of overbank area	8
Frequency and condition of point bars	Few, small, stable, and vegetated	Small and stable, well vegetated, moderate fresh sand	Large and unstable, high amount of fresh sand	Moderate to large, unstable, high amount of fresh sand	6
Table 2 score (average of points given, rounded to nearest whole number)					6

Table 3: Physical In-Stream Habitat

Relates to the ability of the stream to meet basic physical requirements necessary for the support of a well-balanced aquatic community (i.e, water temperature, water velocity, substrate type and quality).

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Percent wetted perimeter of channel bottom during base flow events	>85%	61 – 85%	40 – 60%	<40%	5
Frequency of diverse habitat (riffles, runs and pools) and flow when water is present	Highly diverse habitat and flows	Good mix of habitat types and relatively diverse flows	Low diversity of habitat types, depth and flow relatively uniform	One habitat type dominates, velocity and flow uniform	5
Percent of riffle composition from larger material (cobble or gravel)	>50%	49 – 25%	24 – 5%	Dominated by sand or silt	4
Typical base flow riffle depth (non-stormwater base flows)	>6”	5.9 – 4.0”	3.9 – 2.0”	<2”	5
Typical depth of large pools	>24”	24 – 18”	18 – 12”	<12”	4
Channel alterations at study site	No evidence	Minor	Moderate	Extensive	4
Summer afternoon water temperature (estimated using tree canopy coverage)	<82 degrees F	82 – 89	89 – 94	>94	4
Table 3 score (average of points given, rounded to nearest whole number)					4

Table 4: Riparian Habitat

Provides insight into changes in stream energetics, temperature regimes, and both aquatic and terrestrial habitat conditions.

	Score Selection:				Score
	Excellent (7 – 6)	*Good (5 – 4)*	*Fair (3 – 2)*	*Poor (1 – 0)*	
Width of forested buffer along both banks	Wide (>200 ft)	> 100 ft along major portion of both banks	Predominantly wooded, major gaps in one or both banks	Mostly non-woody vegetation with narrow riparian zones	3
Canopy coverage	small stream order: >80% large stream order: >60%	79 – 65% 59 – 45%	64 – 45% 44 – 30%	<45% <30%	5
Table 4 score (average of points given, rounded to nearest whole number)					4

Is the water feature actively flowing?

☑ Yes, surface water is flowing and there are connects pools. Complete Tables 5 and 6.

☐ No, standing water, waterway is dry, or there are dry beds are seen between pools. Skip Tables 5 and 6.

Table 5: Water Quality

Indicative of watershed perturbations and general level of human activity, point and nonpoint source pollutant loadings, and aquatic habitat conditions.

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Percent substrate fouling on underside of cobble	Minimal, 0 – 10%	Light, 11 – 20%	Moderate, 21 – 50%	High, >50%	6
Total Dissolved Solids	350 – 399 mg/L	400 – 449	450 – 500	>500	6
Water odor	No odor	Slight organic odor	Slight – moderate organic odor	Strong organic odor	6
Table 5 score (average of points given, rounded to nearest whole number)					6

Table 6: Biological Indicators

Considered to be the best overall indication of stream health and the level of watershed perturbation.

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Macroinvertebrate community diversity	High diversity of good water quality indicator species. Few snails, leeches, aquatic worms.	Good diversity of good water quality indicator species. Mayflies and caddisflies present.	Low diversity of good water quality indicator species.	Low diversity, predominantly pollution-tolerant species.	6
Number of organisms	High to moderate	Moderate	Moderate to low	Very low number	6
Table 6 score (average of points given, rounded to nearest whole number)					6

Table 7: RSAT Summary

	Score – flow	Score – no flow
1. Channel Stability	6	
2. Channel Scouring/Deposition	6	
3. Physical In-Stream Habitat	4	
4. Riparian Habitat	4	
5. Water Quality	6	
6. Biological Indicators	6	
Total Score:	32	
Verbal Score from Total Score:	☐ Excellent (42-50) ☑ Good (30-41) ☐ Fair (16-29) ☐ Poor (<16)	☐ Excellent (29-34) ☐ Good (20-28) ☐ Fair (11-19) ☐ Poor (<11)

Project Number: ESA

Riparian Buffer ESA Assessment Form

Environmental Services and Sustainability

A Riparian Buffer ESA Assessment Form is to be completed for each feature identified as potentially to exist on the Official ESA Map. Additionally, any feature identified onsite that potentially has characteristics of a riparian buffer is to be identified, described and documented through this form. Features of substantially similar characteristics and location may be grouped together on one form. More information about riparian buffers and assessing this feature may be found on the City of Denton webpage.

Property Address or Property ID:	2201 & 2203 Spencer Road **R** 34406, 191269	**Feature ID:**	Data Form 3

Property ID can be found through Denton Central Appraisal District — *Provide a unique ID when multiple features are assessed*

Hydrologic Segment Information:

Name:	**Width:**	**Order:**
Unnamed tributary of Pecan Creek	25	6
When available, stream or tributary to segment name	*Approximate stream width*	*Stream order*

Assessment Conclusion:

Select one of the following.

- ☐ IS an ESA. Based upon this assessment the area is a Riparian Buffer ESA. I recommend the Official ESA Map be updated to confirm the ESA designation in this area.
- ☑ NOT an ESA. Based upon this assessment the area is not a Riparian Buffer ESA. I recommend the Official ESA Map be updated to remove the ESA designation from this area.

Assessment Comments:

Provide a summary and discussion of details found in the field to support the conclusion selected above. Include a discussion of the Rapid Stream Assessment Techniques and the final verbal score (Section 5).

The unnamed tributary of Pecan Creek was confirmed to be present in the field. The creek held flowing water at the time of evaluation and conditions on site indicated that flow would be intermittent. No riparian vegetation was present in the region where the erosion control was installed along the Spencer Road bridge to the south. The RSAT along the southern region indicated that the stream was classified as Fair with a final verbal score of 27.

Attachments Provided:

Required:	☑ overall site map ☑ current map of feature ☑ proposed map of feature ☑ soils map ☑ photographs representative of feature
Other:	FEMA FIRM

Field Assessor:

Name of Field Assessor: Tyler Frohlich

Affiliation of Assessor (Organization): Integrated Environmental Solutions, LLC.

Date the assessment was performed: 09 May 2024

I certify that the information provided here is an accurate description of the area(s) assessed.

Karisa Fenton Digitally signed by Karisa Fenton Date: 2024.05.20 15:08:56 -05'00'

Environmental Services Representative:

I concur with the description of this ESA and conclusion of this assessment.

Section 1. General Information

General Land Use:

Provide description of land hydrologically influencing feature. Select all that apply and provide more details as appropriate.

☐ Forest	Briefly describe:
☐ Agricultural:	☑ Pasture ☐ Fallow ☐ Crop, crop type:
☑ Residential:	☑ Low Intensity ☐ High Intensity
☑ Commercial/Industrial	
☐ Recreational	
☐ Other:	

Potential pollutants from current drainage area:

☑ urban/suburban landscape maintenance	■ urban/suburban parking lots or roads
☐ intensive agricultural use	☐ grazing animals have access to water feature
■ water feature has steep slopes	☐ plant or animal species of concern present
☐ water feature used for recreation	☐ waterway a drinking water source/adjacent to well
☐ other:	

Proposed construction activity in the drainage area of the water feature:

☐ Low impact potential (parks, low density residential)
■ High impact potential (high density residential, commercial development)
☐ Gas well plat

Benefit(s) current Riparian Buffer offers to the water feature:

■ intercepts sediment	■ provides fish habitat
■ intercepts nutrients	■ improves wildlife habitat
■ intercepts pesticides	■ stabilizes streambank
■ intercepts other pollutants	☐ unique aesthetics / privacy
☐ other:	

Soil Map Unit Name(s):

Provide soil classification types where feature occurs.

Callisburg fine sandy loam, 1 to 3 percent slopes	
Gasil fine sandy loam, 1 to 3 percent slopes	

Section 2. System Conditions

Stream Bank:

Evidence of frequent water level changes	☐ yes ☑ no		
Slope of bank	.30 %		
Soil class	☑ clay ☑ sand ☐ loam ☑ gravel ☐ ledge		
Active erosion	☐ slight ☑ moderate ☐ severe		
Existing plant cover	☐ little to none ☑ moderate ☐ well vegetated		
Dominant cover	☐ cement ☐ bare ☑ grass ☐ shrub ☐ young forest ☐ mature forest		
Large leaning trees	☑ yes ☐ no		
Invasive exotics present	☐ yes ☑ no	If yes, species:	% infestation:

Top of Bank:

Existing plant cover	☐ little to none ☑ moderate ☐ well vegetated		
Dominant cover	☐ cement ☐ bare ☑ grass ☐ shrub ☐ young forest ☐ mature forest		
Invasive exotics present	☐ yes ☑ no	If yes, species:	% infestation:

Above the Bank:

Slope	.30 %		
Direction of slope	☑ toward the water feature ☐ away from water feature		
Runoff flow	☐ sheet flow across the land ☑ concentrated flow		
Active erosion	☐ slight ☑ moderate ☐ severe		
Existing plant cover	☐ little to none ☑ moderate ☐ well vegetated		
Dominant cover	☐ cement ☐ bare ☑ grass ☐ shrub ☐ young forest ☐ mature forest		
Invasive exotics present	☐ yes ☑ no	If yes, species:	% infestation:

Section 3. Brief Vegetation Survey

List all vegetative species where feature occurs for species covering >10% of the feature area and provide hydrophytic vegetation indicator of the species.

Bank:

Scientific name	*Common name*	*% Cover*	*Indicator*
Spreading Hedgeparsley	Torilis arvensis	25	NL
Prickly Lettuce	Lactuca serriola	20	FAC
Climbing Hempvine	Mikania scandens	15	FACW
Swamp Smartweed	Polygonum hydropiperoides	10	OBL
Pinkladies	Oenothera speciosa	10	NL

Bank Hydrophytic Vegetation Indicator: 3 : 0
(*Number of plant species that are OBL, FACW and FAC to number of plant species that are FACU and UPL*)

Buffer:

Scientific name	*Common name*	*% Cover*	*Indicator*
Virginia Pepperweed	Lepidium virginicum	30	FACU
Perennial Ryegrass	Lolium perenne	25	FACU
Field Brome	Bromus arvensis	15	FACU
Pinkladies	Oenothera speciosa	15	NL

Buffer Hydrophytic Vegetation Indicator: 0 : 3
(*Number of plant species that are OBL, FACW and FAC to number of plant species that are FACU and UPL*)

Section 4. Hydrology and Hydric Soils Indicators

Hydrology Indicators:

Primary	*Secondary*
☐ inundated	☐ oxidized root channels in upper 12”
☐ soil saturated in upper 12”	☐ water-stained leaves
☐ water marks	☐ county soil survey
☐ drift lines	☐ fac-neutral test
■ sediment deposits	
■ evidence of drainage pattern	
Comments:	

Hydric Soil Indicators:

☐ histosol	☐ concretions
☐ histic epipendon	☐ high surface organic content
☐ sulfidic odor	☐ organic streaking in sandy soils
☐ aquic moisture regime	☐ listed on local hydric soil list
☑ reducing conditions	☐ listed on national hydric soil list
☐ gleyed or low chroma colors	☐ other:
Comments:	

Section 5. Rapid Stream Assessment Techniques (RSAT)

The Rapid Stream Assessment Techniques is adapted from the Texas Commission on Environmental Quality's Surface Water Quality Monitoring Procedures, Chapter 9. Physical Habitat of Aquatic Systems. To complete the RSAT provide a score for each table, as applicable. Sum Tables 1 – 6 scores and provide the average using a whole number. Complete Table 7 with these scores. Provide a total RSAT score and a verbal score. Please note, the order of tables 4 and 5 were switched at Version 5 of this form.

Table 1: Channel Stability

Indicative of hydrological flow regime alteration and general condition of physical / aquatic habitat and provides insight into the past, present, and possible future changes in stream channel morphometry.

	Score Selection:				*Score*
	Excellent (11 – 9)	*Good (8 – 6)*	*Fair (5 – 3)*	*Poor (2 – 0)*	
Stability of bank network	> 80% is stable, no evidence of bank sloughing or failure	71-80% is stable, infrequent signs of bank sloughing, slumping or failure	50-70% is stable, some signs of bank sloughing, slumping or failure	< 50% is stable, recent or frequent signs of bank sloughing, slumping	7
Stream bends at study site or immediate vicinity of study site	Very stable: outer bank height is slightly above stream level, bank overhang minimal	Stable: outer bank height 2-3 ft. above stream level, bank overhang slight to moderate	Unstable: outer bank height is substantially above stream level, substantial bank overhang	Highly unstable: outer bank height significantly above stream level, overhangs large and deep.	7
Exposed tree roots	Old, large, and woody exposed roots, generally 0-1 recent large tree falls / stream mile	Old and large exposed roots, some smaller young roots, 2- 3 recent large tree falls / stream mile	Young exposed tree roots are common, 4-5 recent large tree falls per stream mile	No trees exist, or young exposed tree roots are abundant, 6 or more recent large tree falls per stream mile.	7
Presence of highly erosion-resistant plant/soil matrix or material in bottom 1/3 of bank	dominant	present	compromised	severely compromised or nonexistent.	4
Channel crossing section shape	generally, V or U-shaped	"wide" U	generally trapezoid shaped	wide trapezoid to rectangle shape	2
Table 1 score (average of points given, rounded to nearest whole number)					5

Table 2: Channel Scouring and Sediment Deposition

Relates to the level of uncontrolled storm water runoff, sediment load, and transport and degradation of in-stream habitat.

	Score Selection:				*Score*
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Riffle embeddedness with sand/silt	small stream order: <25% embeddedness larger stream order: <35% embeddedness	25 – 49% 35 – 59%	50 – 79% 60 – 85%	>75% >85%	5
Potential for deep pools 2 ft or greater, substrate condition	High number of pools Pool substrate <30% sand/silt	Moderate number 30-59% sand/silt	Low number 60-80% sand/silt	Few, if any >80% sand/silt	5
Frequency of streak marks and/or banana-shaped deposits	Absent	Uncommon	Common	Very Common	5
Fresh, large sand deposits in channel and on overbank areas	Rare or absent	Uncommon, fresh localized deposits along top of low banks	Common, fresh deposits along top of low banks	Large deposits in channel and along major portion of overbank area	8
Frequency and condition of point bars	Few, small, stable, and vegetated	Small and stable, well vegetated, moderate fresh sand	Large and unstable, high amount of fresh sand	Moderate to large, unstable, high amount of fresh sand	6
Table 2 score (average of points given, rounded to nearest whole number)					6

Table 3: Physical In-Stream Habitat

Relates to the ability of the stream to meet basic physical requirements necessary for the support of a well-balanced aquatic community (i.e, water temperature, water velocity, substrate type and quality).

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Percent wetted perimeter of channel bottom during base flow events	>85%	61 – 85%	40 – 60%	<40%	6
Frequency of diverse habitat (riffles, runs and pools) and flow when water is present	Highly diverse habitat and flows	Good mix of habitat types and relatively diverse flows	Low diversity of habitat types, depth and flow relatively uniform	One habitat type dominates, velocity and flow uniform	5
Percent of riffle composition from larger material (cobble or gravel)	>50%	49 – 25%	24 – 5%	Dominated by sand or silt	5
Typical base flow riffle depth (non-stormwater base flows)	>6”	5.9 – 4.0”	3.9 – 2.0”	<2”	5
Typical depth of large pools	>24”	24 – 18”	18 – 12”	<12”	4
Channel alterations at study site	No evidence	Minor	Moderate	Extensive	3
Summer afternoon water temperature (estimated using tree canopy coverage)	<82 degrees F	82 – 89	89 – 94	>94	2
Table 3 score (average of points given, rounded to nearest whole number)					4

Table 4: Riparian Habitat

Provides insight into changes in stream energetics, temperature regimes, and both aquatic and terrestrial habitat conditions.

	Score Selection:				Score
	Excellent (7 – 6)	*Good (5 – 4)*	*Fair (3 – 2)*	*Poor (1 – 0)*	
Width of forested buffer along both banks	Wide (>200 ft)	> 100 ft along major portion of both banks	Predominantly wooded, major gaps in one or both banks	Mostly non-woody vegetation with narrow riparian zones	1
Canopy coverage	small stream order: >80% large stream order: >60%	79 – 65% 59 – 45%	64 – 45% 44 – 30%	<45% <30%	1
Table 4 score (average of points given, rounded to nearest whole number)					1

Is the water feature actively flowing?

☑ Yes, surface water is flowing and there are connects pools. Complete Tables 5 and 6.

☐ No, standing water, waterway is dry, or there are dry beds are seen between pools. Skip Tables 5 and 6.

Table 5: Water Quality

Indicative of watershed perturbations and general level of human activity, point and nonpoint source pollutant loadings, and aquatic habitat conditions.

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Percent substrate fouling on underside of cobble	Minimal, 0 – 10%	Light, 11 – 20%	Moderate, 21 – 50%	High, >50%	6
Total Dissolved Solids	350 – 399 mg/L	400 – 449	450 – 500	>500	6
Water odor	No odor	Slight organic odor	Slight – moderate organic odor	Strong organic odor	6
Table 5 score (average of points given, rounded to nearest whole number)					6

Table 6: Biological Indicators

Considered to be the best overall indication of stream health and the level of watershed perturbation.

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Macroinvertebrate community diversity	High diversity of good water quality indicator species. Few snails, leeches, aquatic worms.	Good diversity of good water quality indicator species. Mayflies and caddisflies present.	Low diversity of good water quality indicator species.	Low diversity, predominantly pollution-tolerant species.	6
Number of organisms	High to moderate	Moderate	Moderate to low	Very low number	6
Table 6 score (average of points given, rounded to nearest whole number)					6

Table 7: RSAT Summary

	Score – flow	Score – no flow
1. Channel Stability	5	
2. Channel Scouring/Deposition	6	
3. Physical In-Stream Habitat	4	
4. Riparian Habitat	1	
5. Water Quality	6	
6. Biological Indicators	6	
Total Score:	27	
Verbal Score from Total Score:	☐ Excellent (42-50) ☐ Good (30-41) ☑ Fair (16-29) ☐ Poor (<16)	☐ Excellent (29-34) ☐ Good (20-28) ☐ Fair (11-19) ☐ Poor (<11)

Project Number: ESA

Riparian Buffer ESA Assessment Form

Environmental Services and Sustainability

A Riparian Buffer ESA Assessment Form is to be completed for each feature identified as potentially to exist on the Official ESA Map. Additionally, any feature identified onsite that potentially has characteristics of a riparian buffer is to be identified, described and documented through this form. Features of substantially similar characteristics and location may be grouped together on one form. More information about riparian buffers and assessing this feature may be found on the City of Denton webpage.

Property Address or Property ID:	2201 & 2203 Spencer Road **R** 34406, 191269	**Feature ID:**	Data Form 4

Property ID can be found through Denton Central Appraisal District — *Provide a unique ID when multiple features are assessed*

Hydrologic Segment Information:

Name:	**Width:**	**Order:**
Unnamed tributary of Pecan Creek	7	1
When available, stream or tributary to segment name	*Approximate stream width*	*Stream order*

Assessment Conclusion:

Select one of the following.

☑ IS an ESA. Based upon this assessment the area is a Riparian Buffer ESA. I recommend the Official ESA Map be updated to confirm the ESA designation in this area.

☐ NOT an ESA. Based upon this assessment the area is not a Riparian Buffer ESA. I recommend the Official ESA Map be updated to remove the ESA designation from this area.

Assessment Comments:

Provide a summary and discussion of details found in the field to support the conclusion selected above. Include a discussion of the Rapid Stream Assessment Techniques and the final verbal score (Section 5).

The unnamed tributary of Pecan Creek was confirmed to be present in the field. The creek held flowing water at the time of evaluation and conditions on site indicated that flow would be intermittent. The riparian vegetation was comprised of an over story of American elm, and Osage orange with an under story comprised of Chinese privet shrubs, and greenbrier. The RSAT indicated that the stream was classified as Good with a final verbal score of 30.

Attachments Provided:

Required:	☑ overall site map ☑ current map of feature ☑ proposed map of feature ☑ soils map ☑ photographs representative of feature
Other:	FEMA FIRM

Field Assessor:

Name of Field Assessor: Tyler Frohlich

Affiliation of Assessor (Organization): Integrated Environmental Solutions, LLC.

Date the assessment was performed: 09 May 2024

I certify that the information provided here is an accurate description of the area(s) assessed.

Karisa Fenton Digitally signed by Karisa Fenton Date: 2024.05.20 15:09:17 -05'00'

Environmental Services Representative:

I concur with the description of this ESA and conclusion of this assessment.

Section 1. General Information

General Land Use:

Provide description of land hydrologically influencing feature. Select all that apply and provide more details as appropriate.

☑ Forest	Briefly describe: Forested along creek
☐ Agricultural:	☑ Pasture ☐ Fallow ☑ Crop, crop type:
☑ Residential:	☑ Low Intensity ☐ High Intensity
☑ Commercial/Industrial	
☐ Recreational	
☐ Other:	

Potential pollutants from current drainage area:

☑ urban/suburban landscape maintenance	■ urban/suburban parking lots or roads
☐ intensive agricultural use	☐ grazing animals have access to water feature
■ water feature has steep slopes	☐ plant or animal species of concern present
☐ water feature used for recreation	☐ waterway a drinking water source/adjacent to well
☐ other:	

Proposed construction activity in the drainage area of the water feature:

☐ Low impact potential (parks, low density residential)
■ High impact potential (high density residential, commercial development)
☐ Gas well plat

Benefit(s) current Riparian Buffer offers to the water feature:

■ intercepts sediment	■ provides fish habitat
■ intercepts nutrients	■ improves wildlife habitat
■ intercepts pesticides	■ stabilizes streambank
■ intercepts other pollutants	☐ unique aesthetics / privacy
☐ other:	

Soil Map Unit Name(s):

Provide soil classification types where feature occurs.

Callisburg fine sandy loam, 1 to 3 percent slopes	
Gasil fine sandy loam, 1 to 3 percent slopes	

Section 2. System Conditions

Stream Bank:

Evidence of frequent water level changes	☐ yes ☑ no		
Slope of bank	.30 %		
Soil class	☑ clay ☑ sand ☐ loam ☑ gravel ☐ ledge		
Active erosion	☐ slight ☑ moderate ☐ severe		
Existing plant cover	☐ little to none ☑ moderate ☐ well vegetated		
Dominant cover	☐ cement ☐ bare ☐ grass ☐ shrub ☑ young forest ☑ mature forest		
Large leaning trees	☑ yes ☐ no		
Invasive exotics present	☑ yes ☐ no	If yes, species: Chinese privet	% infestation: 20

Top of Bank:

Existing plant cover	☐ little to none ☑ moderate ☐ well vegetated		
Dominant cover	☐ cement ☐ bare ☐ grass ☑ shrub ☑ young forest ☑ mature forest		
Invasive exotics present	☑ yes ☐ no	If yes, species: Chinese privet	% infestation: 60

Above the Bank:

Slope	.30 %		
Direction of slope	✓ toward the water feature ☐ away from water feature		
Runoff flow	☐ sheet flow across the land ✓ concentrated flow		
Active erosion	☐ slight ✓ moderate ☐ severe		
Existing plant cover	☐ little to none ✓ moderate ☐ well vegetated		
Dominant cover	☐ cement ☐ bare ☐ grass ☐ shrub ✓ young forest ☐ mature forest		
Invasive exotics present	✓ yes ☐ no	If yes, species: Chinese privet	% infestation: 50

Section 3. Brief Vegetation Survey

List all vegetative species where feature occurs for species covering >10% of the feature area and provide hydrophytic vegetation indicator of the species.

Bank:

Scientific name	*Common name*	*% Cover*	*Indicator*
American Elm	Ulmus americana	15	FAC
Chinese Privet	Ligustrum sinense	20	UPL
Swamp Smartweed	Polygonum hydropiperoides	10	OBL

Bank Hydrophytic Vegetation Indicator: 2 : 1
(*Number of plant species that are OBL, FACW and FAC to number of plant species that are FACU and UPL*)

Buffer:

Scientific name	*Common name*	*% Cover*	*Indicator*
American Elm	Ulmus americana	10	FAC
Chinese privet	Ligustrum sinense	60	UPL
Mustang Grape	Vitis mustangensis	10	NL
Osage Orange	Maclura pomifera	45	FACU

Buffer Hydrophytic Vegetation Indicator: 1 : 2
(*Number of plant species that are OBL, FACW and FAC to number of plant species that are FACU and UPL*)

Section 4. Hydrology and Hydric Soils Indicators

Hydrology Indicators:

Primary	*Secondary*
☐ inundated	☐ oxidized root channels in upper 12”
☐ soil saturated in upper 12”	☐ water-stained leaves
☐ water marks	☐ county soil survey
☐ drift lines	☐ fac-neutral test
■ sediment deposits	
■ evidence of drainage pattern	
Comments:	

Hydric Soil Indicators:

☐ histosol	☐ concretions
☐ histic epipendon	☐ high surface organic content
☐ sulfidic odor	☐ organic streaking in sandy soils
☐ aquic moisture regime	☐ listed on local hydric soil list
☑ reducing conditions	☐ listed on national hydric soil list
☐ gleyed or low chroma colors	☐ other:
Comments:	

Section 5. Rapid Stream Assessment Techniques (RSAT)

The Rapid Stream Assessment Techniques is adapted from the Texas Commission on Environmental Quality's Surface Water Quality Monitoring Procedures, Chapter 9. Physical Habitat of Aquatic Systems. To complete the RSAT provide a score for each table, as applicable. Sum Tables 1 – 6 scores and provide the average using a whole number. Complete Table 7 with these scores. Provide a total RSAT score and a verbal score. Please note, the order of tables 4 and 5 were switched at Version 5 of this form.

Table 1: Channel Stability

Indicative of hydrological flow regime alteration and general condition of physical / aquatic habitat and provides insight into the past, present, and possible future changes in stream channel morphometry.

	Score Selection:				*Score*
	Excellent (11 – 9)	*Good (8 – 6)*	*Fair (5 – 3)*	*Poor (2 – 0)*	
Stability of bank network	> 80% is stable, no evidence of bank sloughing or failure	71-80% is stable, infrequent signs of bank sloughing, slumping or failure	50-70% is stable, some signs of bank sloughing, slumping or failure	< 50% is stable, recent or frequent signs of bank sloughing, slumping	7
Stream bends at study site or immediate vicinity of study site	Very stable: outer bank height is slightly above stream level, bank overhang minimal	Stable: outer bank height 2-3 ft. above stream level, bank overhang slight to moderate	Unstable: outer bank height is substantially above stream level, substantial bank overhang	Highly unstable: outer bank height significantly above stream level, overhangs large and deep.	7
Exposed tree roots	Old, large, and woody exposed roots, generally 0-1 recent large tree falls / stream mile	Old and large exposed roots, some smaller young roots, 2- 3 recent large tree falls / stream mile	Young exposed tree roots are common, 4-5 recent large tree falls per stream mile	No trees exist, or young exposed tree roots are abundant, 6 or more recent large tree falls per stream mile.	7
Presence of highly erosion-resistant plant/soil matrix or material in bottom 1/3 of bank	dominant	present	compromised	severely compromised or nonexistent.	4
Channel crossing section shape	generally, V or U-shaped	"wide" U	generally trapezoid shaped	wide trapezoid to rectangle shape	7
Table 1 score (average of points given, rounded to nearest whole number)					6

Table 2: Channel Scouring and Sediment Deposition

Relates to the level of uncontrolled storm water runoff, sediment load, and transport and degradation of in-stream habitat.

	Score Selection:				*Score*
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Riffle embeddedness with sand/silt	small stream order: <25% embeddedness larger stream order: <35% embeddedness	25 – 49% 35 – 59%	50 – 79% 60 – 85%	>75% >85%	5
Potential for deep pools 2 ft or greater, substrate condition	High number of pools Pool substrate <30% sand/silt	Moderate number 30-59% sand/silt	Low number 60-80% sand/silt	Few, if any >80% sand/silt	5
Frequency of streak marks and/or banana-shaped deposits	Absent	Uncommon	Common	Very Common	5
Fresh, large sand deposits in channel and on overbank areas	Rare or absent	Uncommon, fresh localized deposits along top of low banks	Common, fresh deposits along top of low banks	Large deposits in channel and along major portion of overbank area	8
Frequency and condition of point bars	Few, small, stable, and vegetated	Small and stable, well vegetated, moderate fresh sand	Large and unstable, high amount of fresh sand	Moderate to large, unstable, high amount of fresh sand	6
Table 2 score (average of points given, rounded to nearest whole number)					6

Table 3: Physical In-Stream Habitat

Relates to the ability of the stream to meet basic physical requirements necessary for the support of a well-balanced aquatic community (i.e, water temperature, water velocity, substrate type and quality).

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Percent wetted perimeter of channel bottom during base flow events	>85%	61 – 85%	40 – 60%	<40%	5
Frequency of diverse habitat (riffles, runs and pools) and flow when water is present	Highly diverse habitat and flows	Good mix of habitat types and relatively diverse flows	Low diversity of habitat types, depth and flow relatively uniform	One habitat type dominates, velocity and flow uniform	5
Percent of riffle composition from larger material (cobble or gravel)	>50%	49 – 25%	24 – 5%	Dominated by sand or silt	4
Typical base flow riffle depth (non-stormwater base flows)	>6”	5.9 – 4.0”	3.9 – 2.0”	<2”	5
Typical depth of large pools	>24”	24 – 18”	18 – 12”	<12”	4
Channel alterations at study site	No evidence	Minor	Moderate	Extensive	4
Summer afternoon water temperature (estimated using tree canopy coverage)	<82 degrees F	82 – 89	89 – 94	>94	4
Table 3 score (average of points given, rounded to nearest whole number)					4

Table 4: Riparian Habitat

Provides insight into changes in stream energetics, temperature regimes, and both aquatic and terrestrial habitat conditions.

	Score Selection:				Score
	Excellent (7 – 6)	*Good (5 – 4)*	*Fair (3 – 2)*	*Poor (1 – 0)*	
Width of forested buffer along both banks	Wide (>200 ft)	> 100 ft along major portion of both banks	Predominantly wooded, major gaps in one or both banks	Mostly non-woody vegetation with narrow riparian zones	2
Canopy coverage	small stream order: >80% large stream order: >60%	79 – 65% 59 – 45%	64 – 45% 44 – 30%	<45% <30%	1
Table 4 score (average of points given, rounded to nearest whole number)					2

Is the water feature actively flowing?

☑ Yes, surface water is flowing and there are connects pools. Complete Tables 5 and 6.

☐ No, standing water, waterway is dry, or there are dry beds are seen between pools. Skip Tables 5 and 6.

Table 5: Water Quality

Indicative of watershed perturbations and general level of human activity, point and nonpoint source pollutant loadings, and aquatic habitat conditions.

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Percent substrate fouling on underside of cobble	Minimal, 0 – 10%	Light, 11 – 20%	Moderate, 21 – 50%	High, >50%	6
Total Dissolved Solids	350 – 399 mg/L	400 – 449	450 – 500	>500	6
Water odor	No odor	Slight organic odor	Slight – moderate organic odor	Strong organic odor	6
Table 5 score (average of points given, rounded to nearest whole number)					6

Table 6: Biological Indicators

Considered to be the best overall indication of stream health and the level of watershed perturbation.

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Macroinvertebrate community diversity	High diversity of good water quality indicator species. Few snails, leeches, aquatic worms.	Good diversity of good water quality indicator species. Mayflies and caddisflies present.	Low diversity of good water quality indicator species.	Low diversity, predominantly pollution-tolerant species.	6
Number of organisms	High to moderate	Moderate	Moderate to low	Very low number	6
Table 6 score (average of points given, rounded to nearest whole number)					6

Table 7: RSAT Summary

	Score – flow	Score – no flow
1. Channel Stability	6	
2. Channel Scouring/Deposition	6	
3. Physical In-Stream Habitat	4	
4. Riparian Habitat	2	
5. Water Quality	6	
6. Biological Indicators	6	
Total Score:	30	
Verbal Score from Total Score:	☐ Excellent (42-50) ☑ Good (30-41) ☐ Fair (16-29) ☐ Poor (<16)	☐ Excellent (29-34) ☐ Good (20-28) ☐ Fair (11-19) ☐ Poor (<11)

Project Number: ESA

Water-Related Habitat Assessment Form

Environmental Services and Sustainability

A Water-Related Habitat Assessment Form is to be completed for each feature identified as potentially existing on the Official ESA Map. Additionally, any feature identified onsite that potentially has characteristics of a water-related habitat is to be identified, described and documented through this form. Features of substantially similar characteristics and location may be grouped together on one form. More information about water-related habitats and assessing this feature may be found on the City of Denton webpage.

Property Address or Property ID:	2201 & 2203 Spencer Road **R** 34406, 191269	**Feature ID:**	Data Form 5

Property ID can be found through Denton Central Appraisal District — *Provide a unique ID when multiple features are assessed*

Type of Water-Related Habitat

Select the type. Complete assessment Section 1 and the appropriate section below.

- ☐ Isolated and Adjacent Wetland(s) (Section 2)
- ☐ Spring(s) (Section 4)
- ☑ Bottomland Hardwood Forest (Section 3)
- ☐ Deep Water Habitat (Section 5)

Assessment Conclusion:

Select one of the following.

- ☐ IS an ESA. Based upon this assessment the area is a Water-Related Habitat. I recommend the Official ESA Map be updated to confirm the ESA designation in this area.
- ☑ NOT an ESA. Based upon this assessment the area is not a Water-Related Habitat. I recommend the Official ESA Map be updated to remove the ESA designation from this area.

Assessment Comments:

Provide a summary of details found in the field to support the conclusion selected above.

A region surrounding the unnamed tributary of Pecan Creek was identified on the City of Denton ESA map as water related habitat - not assessed or assessment expired. Bottomland hardwood habitat was not identified in the region as it had been previously cleared for a utility line ROW between 2022 and 2023. The region was observed with no existing canopy cover and was removed from the Water Related Habitat - Bottomland Hardwood ESA designation.

Attachments Provided:

Required:	☑ overall site map ☑ current map of feature ☑ proposed map of feature ☑ soils map ☑ photographs representative of feature
Other:	FEMA FIRM

Field Assessor:

Name of Field Assessor: Tyler Frohlich

Affiliation of Assessor (Organization): Integrated Environmental Solutions, LLC.

Date the assessment was performed: 09 May 2024

I certify that the information provided here is an accurate description of the area(s) assessed.

Karisa Fenton Digitally signed by Karisa Fenton Date: 2024.05.20 15:09:40 -05'00'

Environmental Services Representative:

I concur with the description of this ESA and conclusion of this assessment.

Section 1. General Information

General Land Use

Provide description of land hydrologically influencing feature. Select all that apply and provide more details as appropriate.

☐ Forest	Briefly describe:
☐ Agricultural:	☐ Pasture ☐ Fallow ☐ Crop, crop type:
☑ Residential:	☑ Low Intensity ☐ High Intensity
☑ Commercial/Industrial	
☐ Recreational	
☐ Other:	

Soil Map Unit Name(s):

Provide soil classification types where feature occurs.

Callisburg fine sandy loam, 1 to 3 percent slopes	
Gasil fine sandy loam, 1 to 3 percent slopes	

Section 2. Isolated and Adjacent Wetland(s)

Hydrology Indicators

Primary	*Secondary*
☐ inundated	☐ oxidized root channels in upper 12”
☐ soil saturated in upper 12”	☐ water-stained leaves
☐ water marks	☐ county soil survey
☐ drift lines	☐ fac-neutral test
☐ sediment deposits	
☐ evidence of drainage pattern	
Comments:	

Hydric Soil Indicators

☐ histosol	☐ concretions
☐ histic epipendon	☐ high surface organic content
☐ sulfidic odor	☐ organic streaking in sandy soils
☐ aquic moisture regime	☐ listed on local hydric soil list
☐ reducing conditions	☐ listed on national hydric soil list
☐ gleyed or low chroma colors	☐ other:
Comments:	

Brief Vegetation Survey:

List all vegetative species where feature occurs for species covering >10% of the feature area and provide hydrophytic vegetation indicator of the species.

Scientific name	*Common name*	*% Cover*	*Indicator*

Hydrophytic Vegetation Indicator: ___ : ___

(*Number of plant species that are OBL, FACW and FAC to number of plant species that are FACU and UPL*)

Section 3. Bottomland Hardwood Forest

List vegetative species covering >10% of the feature area.

Bottomland hardwood forests are deciduous forested wetlands and river bottoms with alluvial soil deposition. Periodic to constant wet conditions support certain species of trees such as pecan, Texas hickory, American elm, Chinkapin oak, Chittamwood, Green ash, Black walnut, Indigo bush, Texas persimmon, Shumard oak, sycamore, and Carolina buckthorn.

Old growth canopy trees

Scientific name	*Common name*	*% Cover*

Re-growth canopy trees

Scientific name	*Common name*	*% Cover*

Small trees / understory trees

Scientific name	*Common name*	*% Cover*

Understory vegetation – shrub / vine / forb / grass

Scientific name	*Common name*	*% Cover*
Ligustrum sinense	Chinese privet	70
Sorgum halepense	Johnson Grass	10
Vitis mustangensis	Mustang Grape	10
Smilax bona-nox	Saw Greenbrier	10

Forest floor conditions:

Select all that apply.

☐ Standing dead timber ☐ Fallen dead timber ☑ Detritus / leaf litter ☐ fungi

Comments:

Section 4. Spring(s)

List vegetative species covering >10% of the feature area.

Brief Vegetation Survey:

Scientific name	*Common name*	*% Cover*

Comments:

Section 5. Deep Water Habitat

Deep water habitats are permanently flooded lands lying below the deep water boundaries of wetlands. The boundary between wetland and deep water habitat in the riverine and lacustrine systems lies at a depth of 2 meters (6.6 feet) below low water; however, if emergent, shrubs or trees grow beyond this depth at any time, their deep water edge is the boundary.

Functions

☐ intercept sediment	☐ provide fish habitat
☐ intercept nutrients	☐ evidence of wildlife use
☐ intercept pesticides	☐ unique aesthetics

Impairments

☐ trash or litter / evidence of dumping	☐ livestock has access

Vegetation in water and on bank

☐ submerged aquatic vegetation	☐ moist soil grasses and forbs
☐ floating-leaf	☐ tree cover (shade)
☐ emergent vegetation	

Brief Vegetation Survey:

List vegetative species covering >10% of the feature area.

Scientific name	*Common name*	*% Cover*

Comments:

Project Number: ESA

Cross Timbers Upland Habitat Assessment Form

Environmental Services and Sustainability

A Cross Timbers Upland Habitat Assessment Form is to be completed for each feature identified as potentially existing on the Official ESA Map. Additionally, any feature identified onsite that potentially has characteristics of upland habitat is to be identified, described and documented through this form. Features of substantially similar characteristics and location may be grouped together on one form. More information about upland habitats and assessing this feature may be found on the City of Denton ESA webpage.

Property Address or Property ID:	2201 & 2203 Spencer Road **R** 34406, 191269	**Feature ID(s):**	Data Form 6
Property ID can be found through Denton Central Appraisal District		*Provide a feature ID when multiple features are assessed*	

Assessment Conclusion:
Select one of the following.

☐ IS an ESA. Based upon this assessment the area meets the criteria of Cross Timbers Upland Habitat. I recommend the Official ESA Map be updated to confirm the ESA designation in this area.

☑ NOT an ESA. Based upon this assessment the area is not Cross Timbers Upland Habitat. I recommend the Official ESA Map be updated to remove the ESA designation from this area.

Assessment Comments:
Provide a summary and discussion of details found in the field to support the conclusion selected above.

The region is dominated by herbaceous species. The area lacks the basic characteristics of a cross timbers upland forest. Therefore, this area does not meet the requirements to be verified as an ESA.

Attachments Provided:

Required:	☑ overall site map ☑ current map of feature ☑ proposed map of feature ☑ soils map ☑ photographs representative of feature
Other:	FEMA FIRM, aerial photographs

Field Assessor:
Name of Field Assessor: Tyler Frohlich
Affiliation of Assessor (Organization): Integrated Environmental Solutions, LLC.
Date the assessment was performed: 09 May 2024

I certify that the information provided here is an accurate description of the area(s) assessed.

Karisa Fenton Digitally signed by Karisa Fenton Date: 2024.05.20 15:07:20 -05'00'

Environmental Services Representative:

I concur with the description of this ESA and conclusion of this assessment.

Section 1. General Information

Soil Map Unit Name(s):

Provide soil classification types where feature occurs.

Callisburg fine sandy loam, 1 to 3 percent slopes	
Gasil fine sandy loam, 1 to 3 percent slopes	

Alfisol or Ultisol soil type present: ☑ yes ☐ no

Trails, Utility Clearings and Forest Openings within the Tree Stand:

Are there existing drive aisles, trails, utility clearings or canopy openings interior to the tree stand?
(*roadways and similar hard breaks do not apply*)

☐ yes: complete Section 3. ☑ no

Section 2. Forest Vegetation Survey

List all vegetative species covering >10% of the feature area

Old Growth Canopy Trees

Scientific name	*Common name*	*% Cover*

Re-Growth Canopy Trees

Are tree(s) present >6" DBH: ☐ yes ☑ no

Scientific name	*Common name*	*% Cover*

Small Trees/Saplings

Scientific name	*Common name*	*% Cover*

Understory Vegetation (shrubs/vines/grasses/forbs)

Scientific name	*Common name*	*% Cover*
Lolium perenne	Perennial Ryegrass	40
Lolium arundinaceum	Tall Fescue	25
Heterotheca subaxillaris	Camphorweed	15
Hordeum pusillum	Little Barley	10

Forest floor conditions:

Select all that apply.

☐ standing dead timber ☑ fallen dead timber ☑ detritus/leaf litter ☐ fungi

Section 3. Interior Forest Opening(s)

Interior forest openings or canopy gaps have traditionally served important roles in Cross Timbers Upland Habitats. Characterized by limited canopy cover and increased light penetration, these areas support native forbs, grasses, and shrubs that enhance wildlife habitat and biodiversity. They can also be important areas of regrowth for Quercus species. Common vegetative species seen in these areas include American beautyberry, plum or sumac thickets, Coralberry, Little bluestem, Big bluestem, Indiangrass, Switchgrass, Coneflower, and Indian blanket.

List all vegetative species covering >10% of the feature area.

Vegetation Survey

Scientific name	*Common name*	*% Cover*

Supports forest habitat:

Does the vegetation of the forest opening(s) provide wildlife resources, such as food or shelter?	☐ yes ☐ no
Is wildlife able to traverse the habitat through the forest opening(s)?	☐ yes ☐ no
Do(es) the forest opening(s) increase species richness?	☐ yes ☐ no

Comments:

Provide a supporting discussion on interior forest openings included or not included as part of the overall habitat. Labeling on the map may be needed if more than one area is considered.

Project Number: ESA

Cross Timbers Upland Habitat Assessment Form

Environmental Services and Sustainability

A Cross Timbers Upland Habitat Assessment Form is to be completed for each feature identified as potentially existing on the Official ESA Map. Additionally, any feature identified onsite that potentially has characteristics of upland habitat is to be identified, described and documented through this form. Features of substantially similar characteristics and location may be grouped together on one form. More information about upland habitats and assessing this feature may be found on the City of Denton ESA webpage.

Property Address or Property ID:	2201 & 2203 Spencer Road **R** 34406, 191269	**Feature ID(s):**	Data Form 7
Property ID can be found through Denton Central Appraisal District		*Provide a feature ID when multiple features are assessed*	

Assessment Conclusion:
Select one of the following.

☑ IS an ESA. Based upon this assessment the area meets the criteria of Cross Timbers Upland Habitat. I recommend the Official ESA Map be updated to confirm the ESA designation in this area.

☐ NOT an ESA. Based upon this assessment the area is not Cross Timbers Upland Habitat. I recommend the Official ESA Map be updated to remove the ESA designation from this area.

Assessment Comments:
Provide a summary and discussion of details found in the field to support the conclusion selected above.

Post oak overstory with scattered eastern red cedar trees and saplings. Chinese privet overgrown in understory. Recent aerial photography indicates that the forested area has remained forested for several decades. The area was previously part of a larger, contiguous forest but a portion was removed between 2007 and 2008 for a development to the east. Based on aerial photography in Google Earth, the current contiguous canopy cover is 12.5 acres. Therefore, this area meets the minimum 10-acre requirement to be verified as an ESA.

Attachments Provided:

Required:	☑ overall site map ☑ current map of feature ☑ proposed map of feature ☑ soils map ☑ photographs representative of feature
Other:	FEMA FIRM, aerial photographs

Field Assessor:
Name of Field Assessor: Tyler Frohlich
Affiliation of Assessor (Organization): Integrated Environmental Solutions, LLC.
Date the assessment was performed: 09 May 2024

I certify that the information provided here is an accurate description of the area(s) assessed.

Karisa Fenton Digitally signed by Karisa Fenton Date: 2024.05.20 15:07:48 -05'00'

Environmental Services Representative:

I concur with the description of this ESA and conclusion of this assessment.

Section 1. General Information

Soil Map Unit Name(s):

Provide soil classification types where feature occurs.

Silstid loamy fine sand, 1 to 5 percent slopes	

Alfisol or Ultisol soil type present: ☑ yes ☐ no

Trails, Utility Clearings and Forest Openings within the Tree Stand:

Are there existing drive aisles, trails, utility clearings or canopy openings interior to the tree stand?
(*roadways and similar hard breaks do not apply*)

☐ yes: complete Section 3. ☑ no

Section 2. Forest Vegetation Survey

List all vegetative species covering >10% of the feature area

Old Growth Canopy Trees

Scientific name	*Common name*	*% Cover*
Quercus stellata	Post Oak	50

Re-Growth Canopy Trees

Are tree(s) present >6" DBH: ☑ yes ☐ no

Scientific name	*Common name*	*% Cover*
Quercus stellata	Post Oak	30

Small Trees/Saplings

Scientific name	*Common name*	*% Cover*
Quercus stellata	Post Oak	20
Juniperus virginiana	Eastern red cedar	10

Understory Vegetation (shrubs/vines/grasses/forbs)

Scientific name	*Common name*	*% Cover*
Ligustrum sinense	Chinese privet	60
Smilax bona-nox	Saw Greenbrier	10

Forest floor conditions:

Select all that apply.

☐ standing dead timber ☑ fallen dead timber ☑ detritus/leaf litter ☐ fungi

Section 3. Interior Forest Opening(s)

Interior forest openings or canopy gaps have traditionally served important roles in Cross Timbers Upland Habitats. Characterized by limited canopy cover and increased light penetration, these areas support native forbs, grasses, and shrubs that enhance wildlife habitat and biodiversity. They can also be important areas of regrowth for Quercus species. Common vegetative species seen in these areas include American beautyberry, plum or sumac thickets, Coralberry, Little bluestem, Big bluestem, Indiangrass, Switchgrass, Coneflower, and Indian blanket.

List all vegetative species covering >10% of the feature area.

Vegetation Survey

Scientific name	*Common name*	*% Cover*

Supports forest habitat:

Does the vegetation of the forest opening(s) provide wildlife resources, such as food or shelter?	☐ yes ☐ no
Is wildlife able to traverse the habitat through the forest opening(s)?	☐ yes ☐ no
Do(es) the forest opening(s) increase species richness?	☐ yes ☐ no

Comments:

Provide a supporting discussion on interior forest openings included or not included as part of the overall habitat. Labeling on the map may be needed if more than one area is considered.

APPENDIX C

Tree Inventory Data

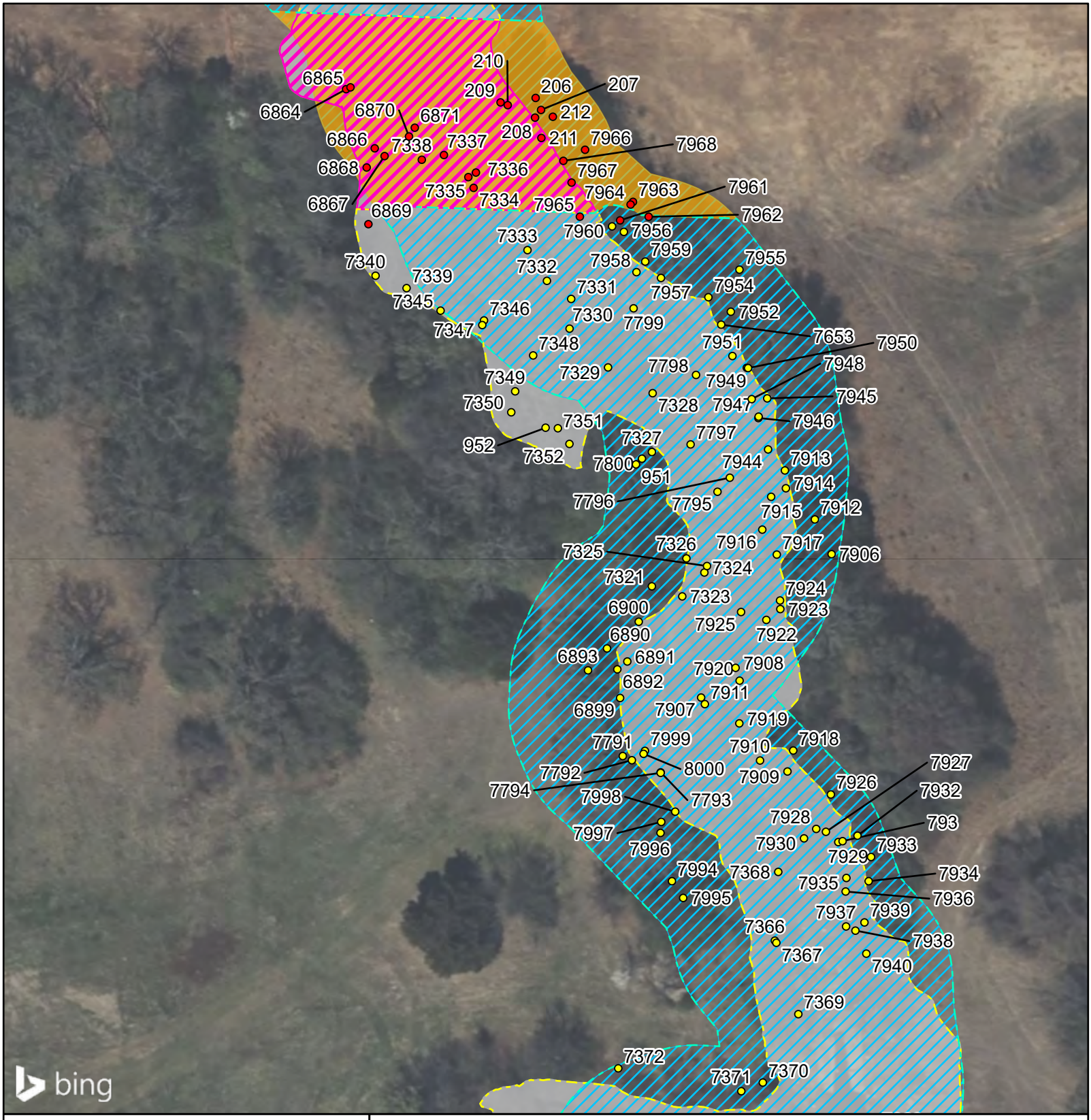


Figure 1A.
Tree Inventory Overview

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 55 ft

Feet
0 55

N
W E
S

File Ref. 04.110.165
Date: 5/27/2025

- Survey Area
- Undeveloped Floodplain ESA
- Riparian Buffer ESA

Mitigation/ Preservation Area

- Riparian Buffer
- Floodplain

Direct/ Permanent Impacts

- Floodplain
- Riparian Buffer
- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas

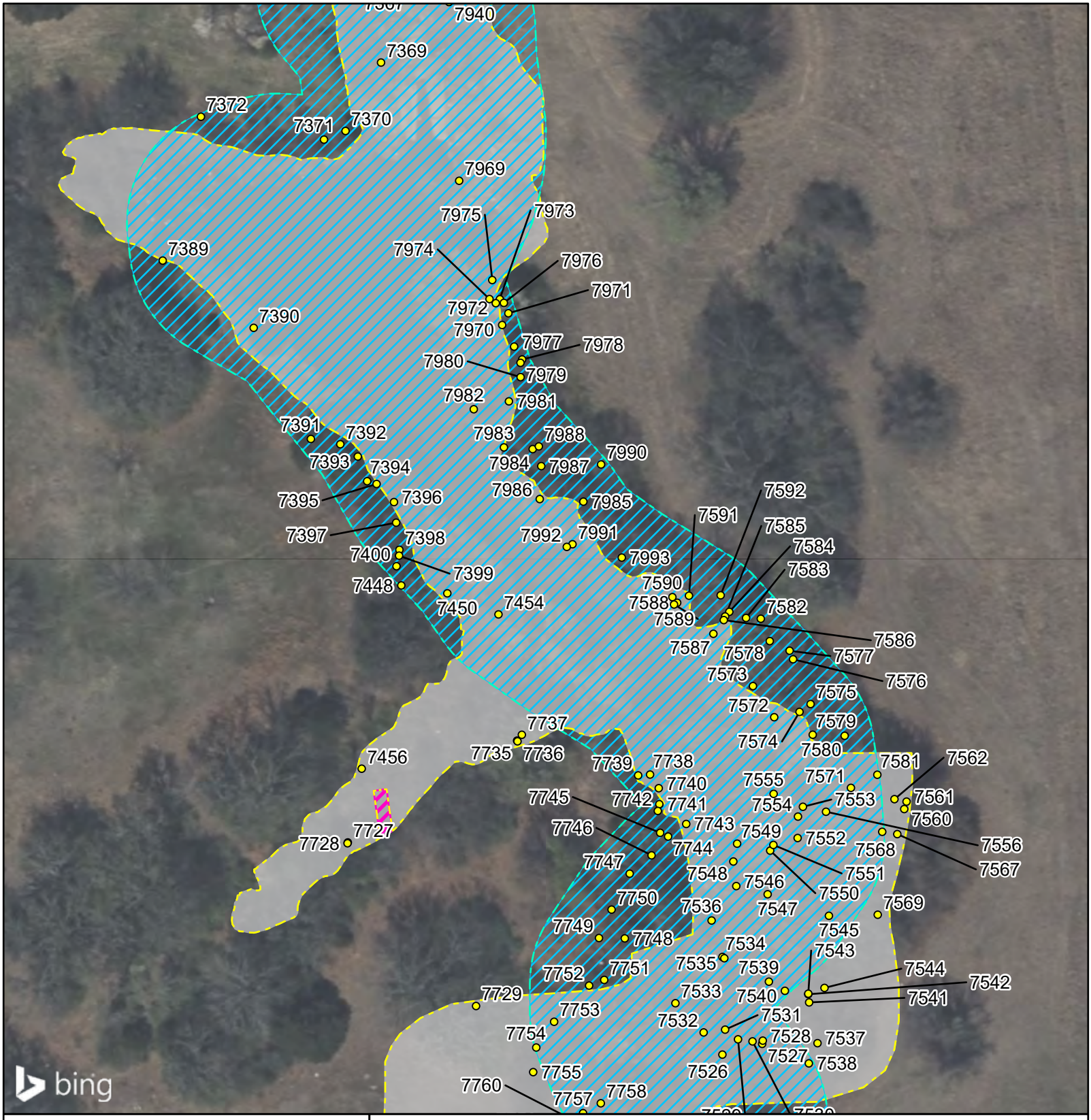


Figure 1B.
Tree Inventory Overview

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 55 ft

Feet
0 55

N
W E
S

File Ref. 04.110.165
Date: 4/8/2025

- Survey Area
- Undeveloped Floodplain ESA
- Riparian Buffer ESA

Mitigation/ Preservation Area

- Riparian Buffer
- Floodplain

Direct/ Permanent Impacts

- Floodplain
- Riparian Buffer
- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas

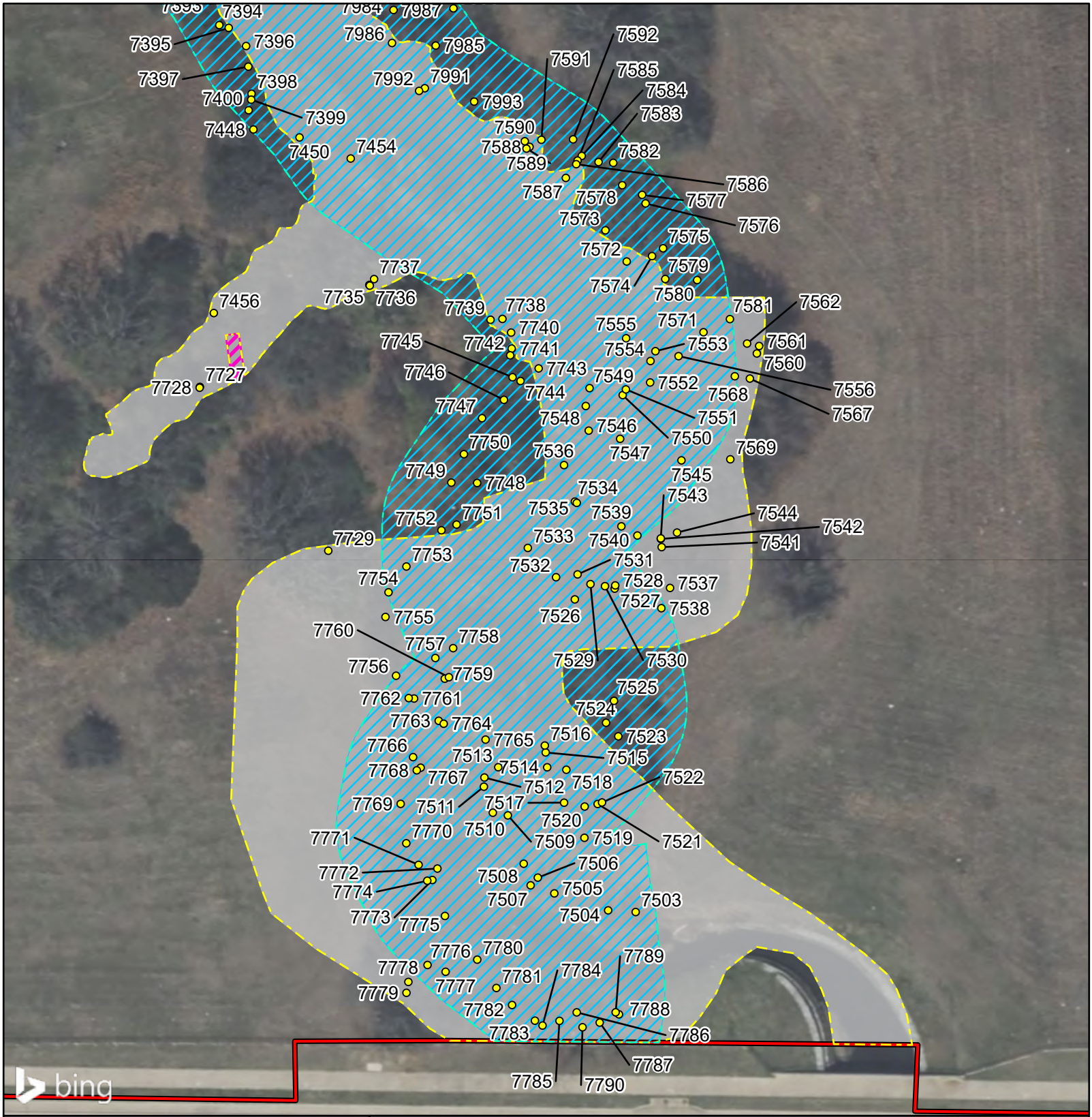


Figure 1C.
Tree Inventory Overview

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 55 ft

Feet
0 55

N
W E
S

File Ref. 04.110.165
Date: 4/8/2025

Survey Area
Undeveloped Floodplain ESA
Riparian Buffer ESA

Mitigation/ Preservation Area

Riparian Buffer
Floodplain

Direct/ Permanent Impacts

Floodplain
Riparian Buffer
Trees within the Mitigation Areas
Trees within the Proposed Impact Areas

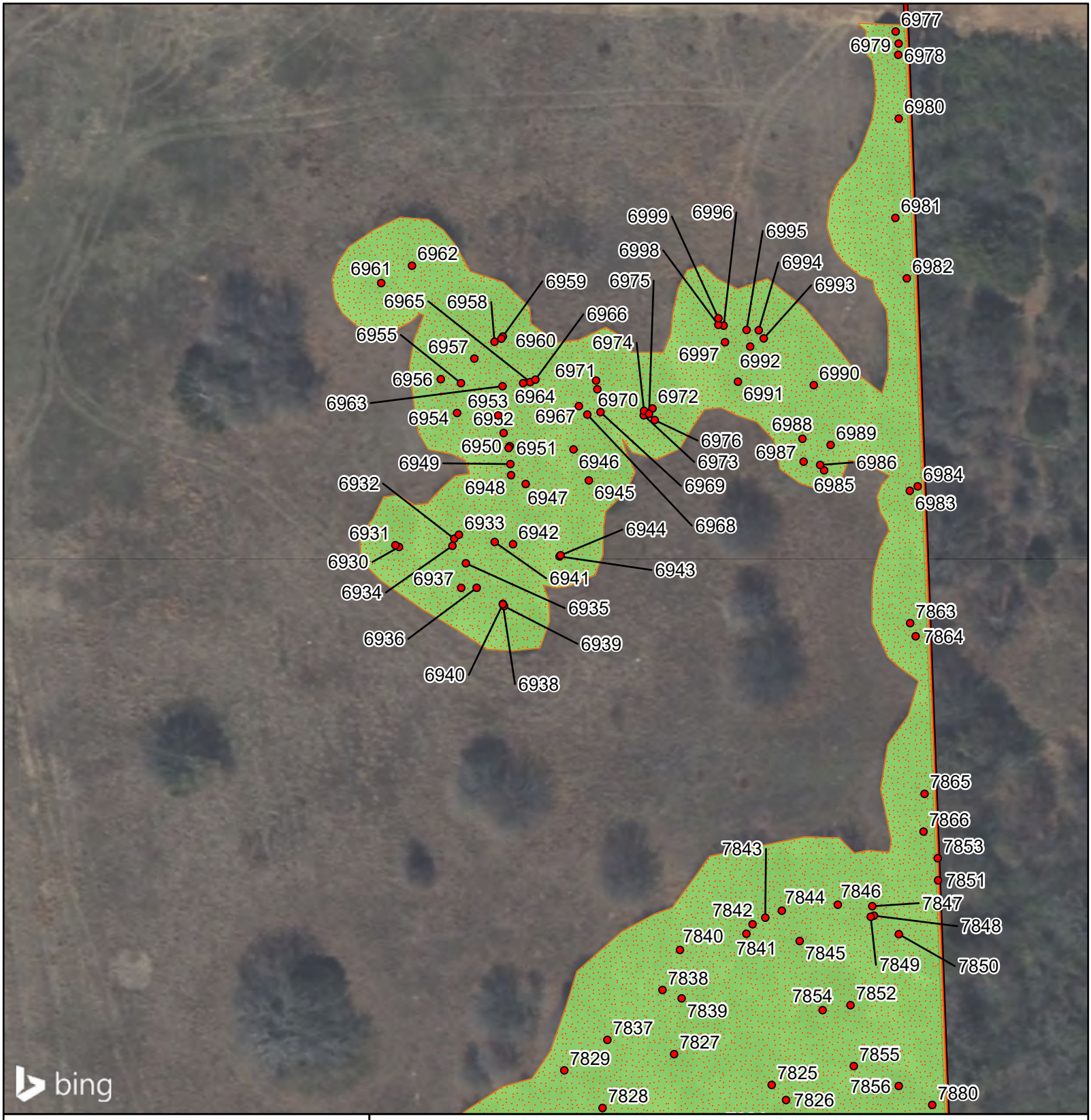


Figure 1D.
Tree Inventory Overview

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 55 ft

Feet
0 55

N
W E
S

File Ref. 04.110.165
Date: 4/9/2025

Survey Area

Cross Timbers Upland ESA

Cross Timbers Preservation

Direct/ Permanent Impacts

Cross Timbers

Trees within the Mitigation Areas

Trees within the Proposed Impact Areas

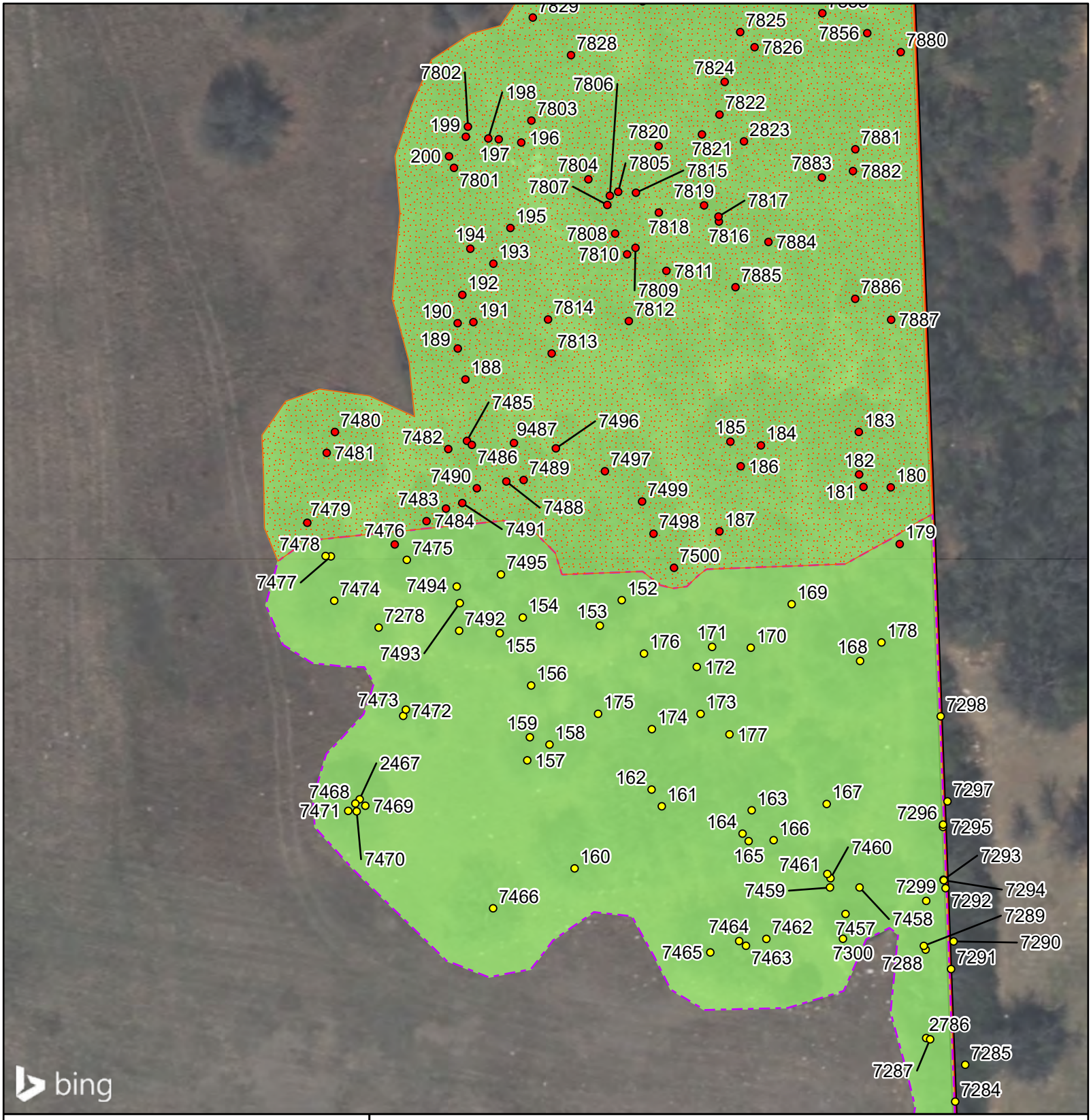


Figure 1E.
Tree Inventory Overview

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 55 ft

Feet
0 55

N
W E
S

File Ref. 04.110.165
Date: 4/9/2025

Survey Area

Cross Timbers Upland ESA

Cross Timbers Preservation

Direct/ Permanent Impacts

Cross Timbers

Trees within the Mitigation Areas

Trees within the Proposed Impact Areas

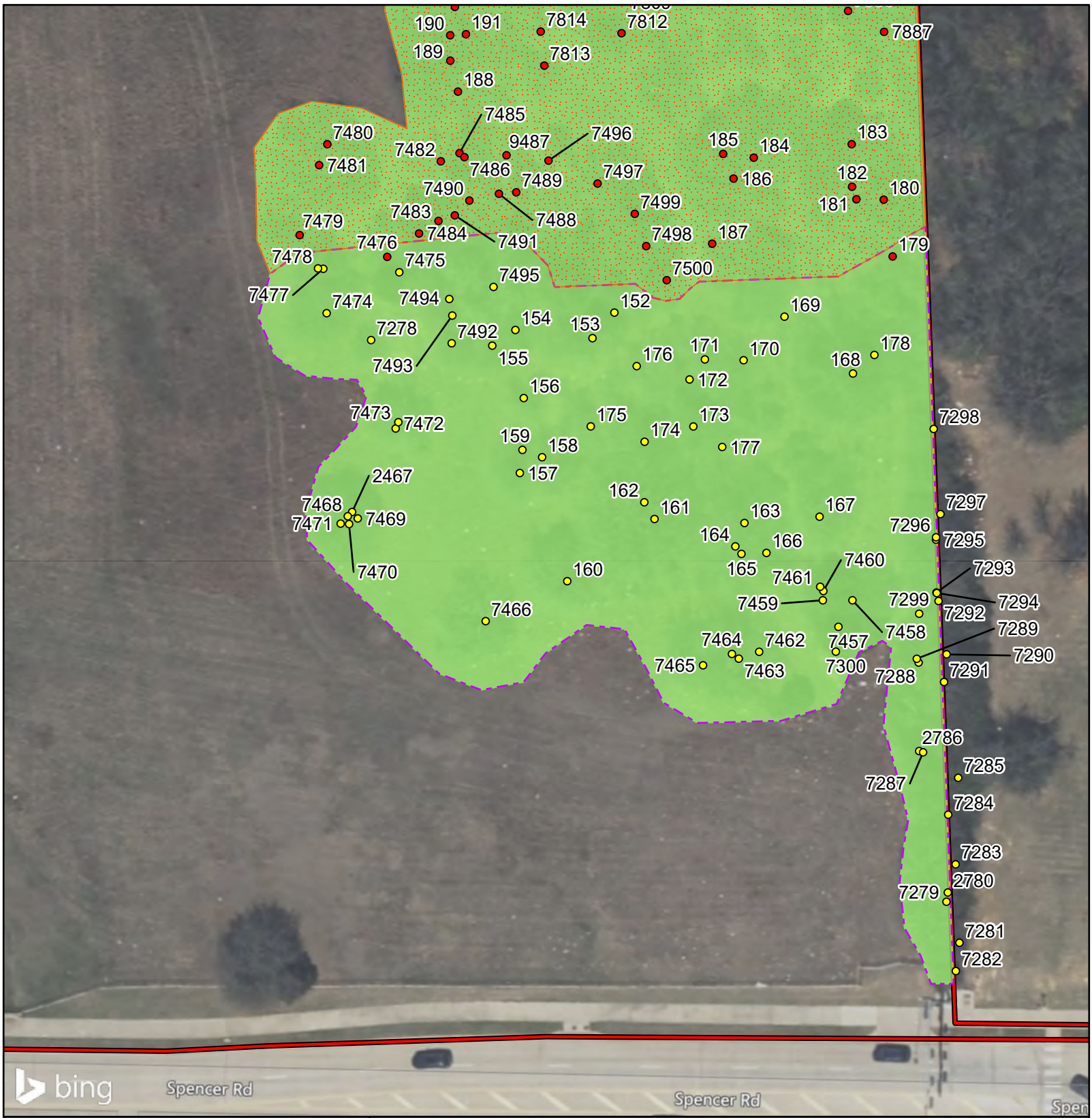


Figure 1F.
Tree Inventory Overview

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 55 ft

Feet
0 55

N
W E
S

File Ref. 04.110.165
Date: 4/9/2025

Survey Area

Cross Timbers Upland ESA

Cross Timbers Preservation

Direct/ Permanent Impacts

Cross Timbers

Trees within the Mitigation Areas

Trees within the Proposed Impact Areas

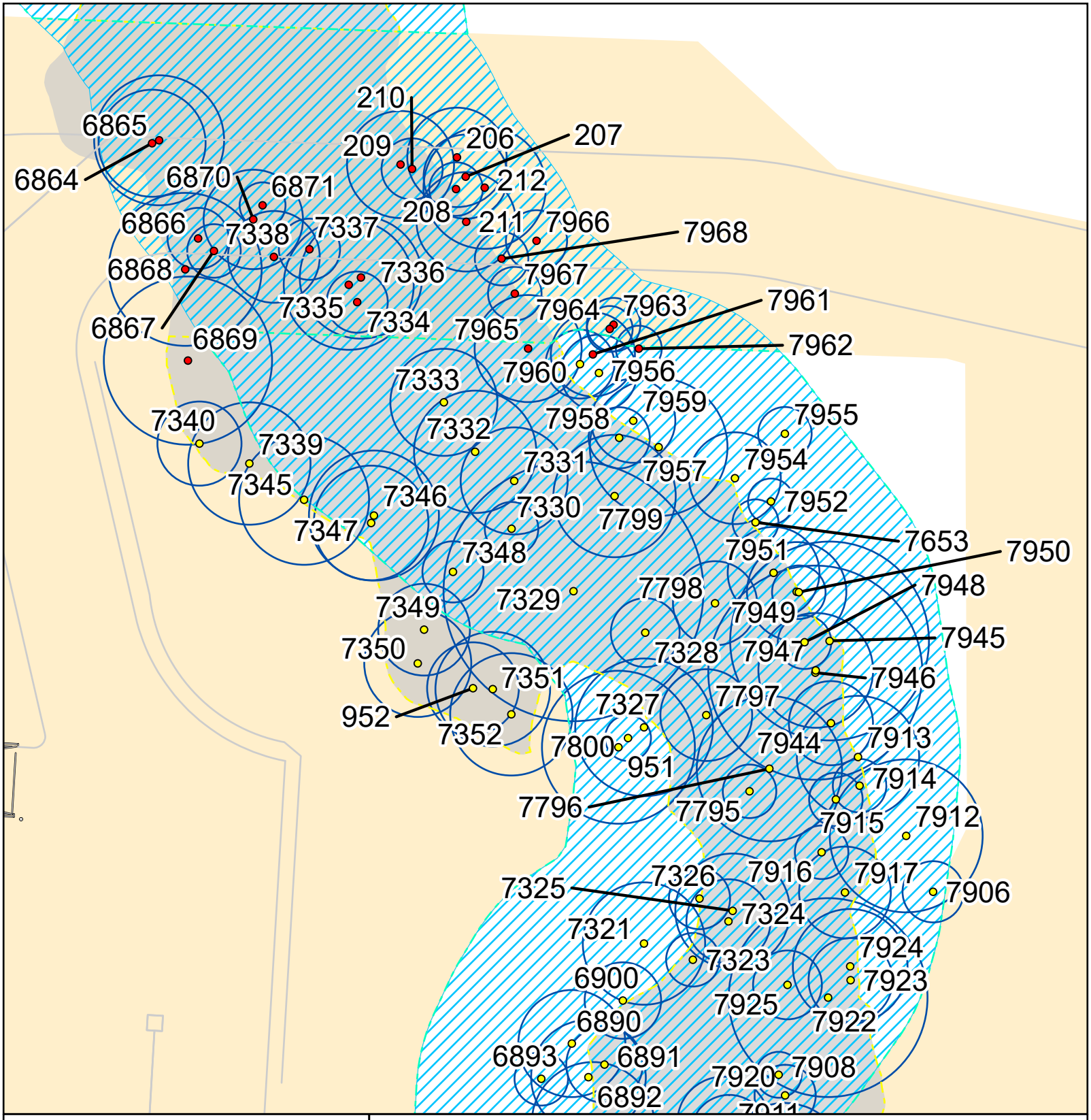


Figure 2A.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0 34

File Ref. 04.110.165
Date: 5/27/2025

N
W E
S

- Survey Area
- Riparian Buffer ESA
- Undeveloped Floodplain ESA

Mitigation/ Preservation Area

- Riparian Buffer
- Floodplain

- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas
- Critical Root Zone
- Site Plan Structures
- Development Impact Area

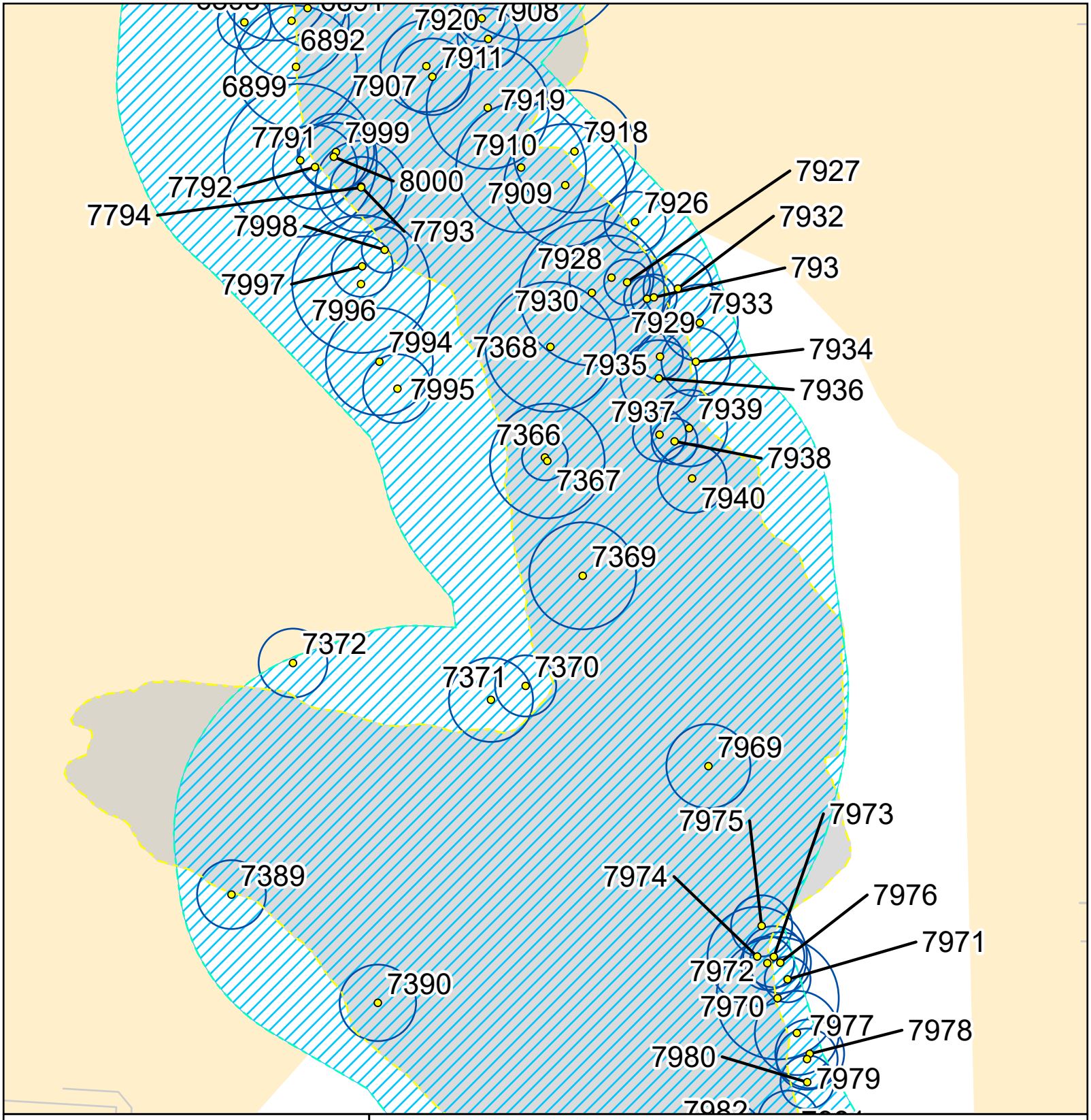


Figure 2B.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0 34

N
W E
S

File Ref. 04.110.165
Date: 5/27/2025

- Survey Area
- Riparian Buffer ESA
- Undeveloped Floodplain ESA

Mitigation/ Preservation Area

- Riparian Buffer
- Floodplain

- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas
- Critical Root Zone
- Site Plan Structures
- Development Impact Area

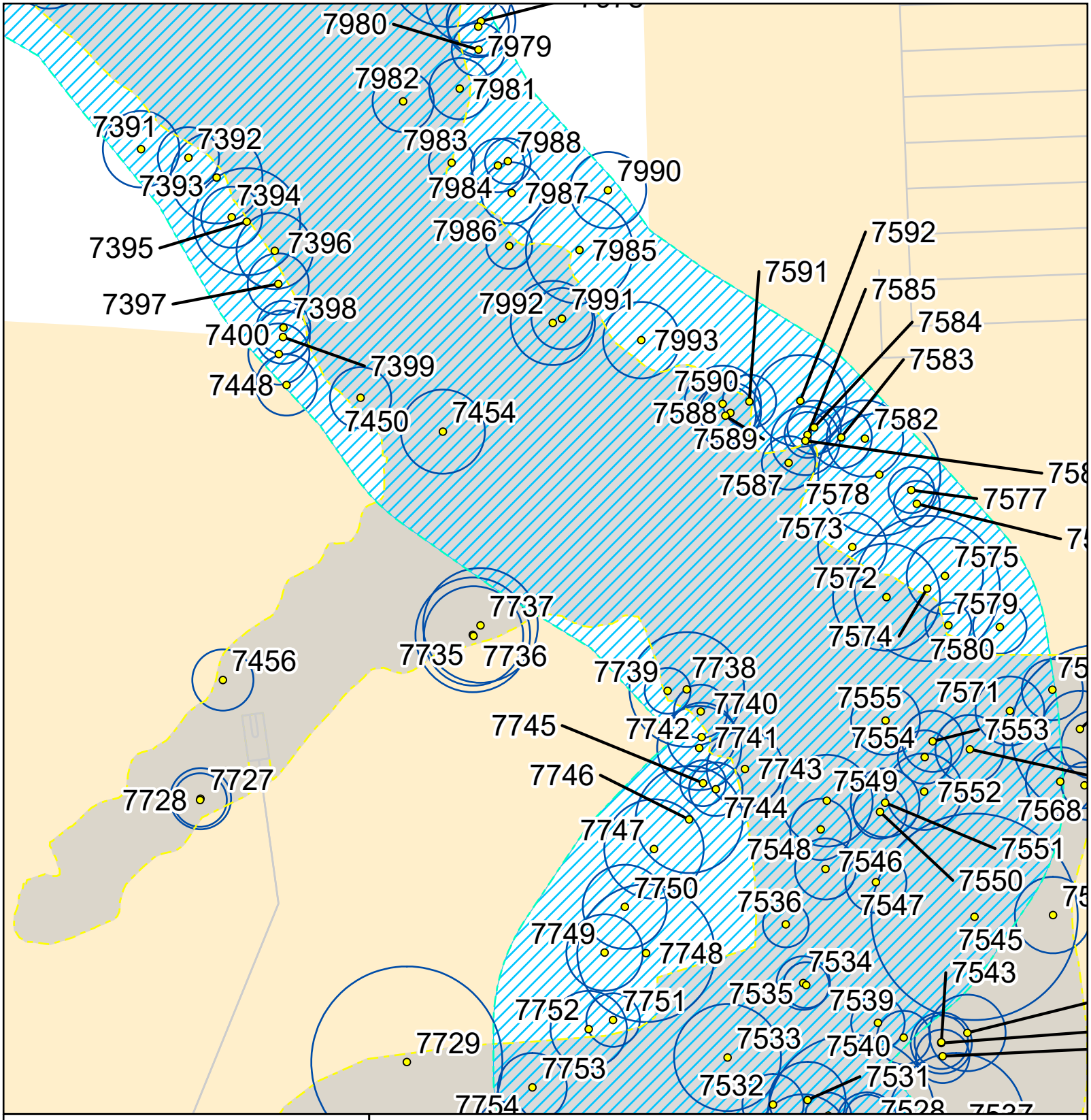


Figure 2C.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0 34

N
W E
S

File Ref. 04.110.165
Date: 5/27/2025

- Survey Area
- Riparian Buffer ESA
- Undeveloped Floodplain ESA

Mitigation/ Preservation Area

- Riparian Buffer
- Floodplain

- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas
- Critical Root Zone
- Site Plan Structures
- Development Impact Area

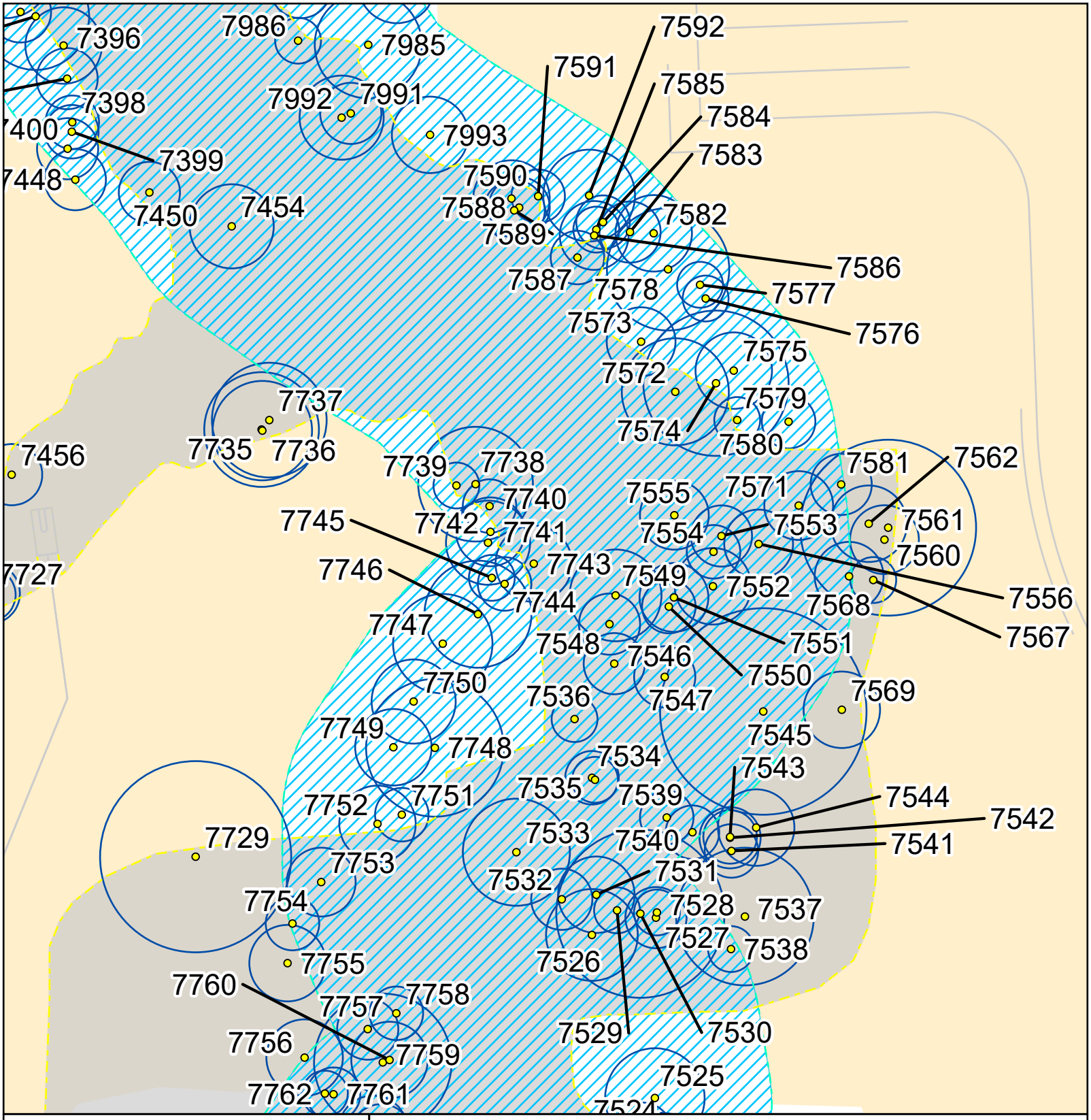


Figure 2D.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0 34

N
W E
S

File Ref. 04.110.165
Date: 5/27/2025

- Survey Area
- Riparian Buffer ESA
- Undeveloped Floodplain ESA

Mitigation/ Preservation Area

- Riparian Buffer
- Floodplain

- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas
- Critical Root Zone
- Site Plan Structures
- Development Impact Area

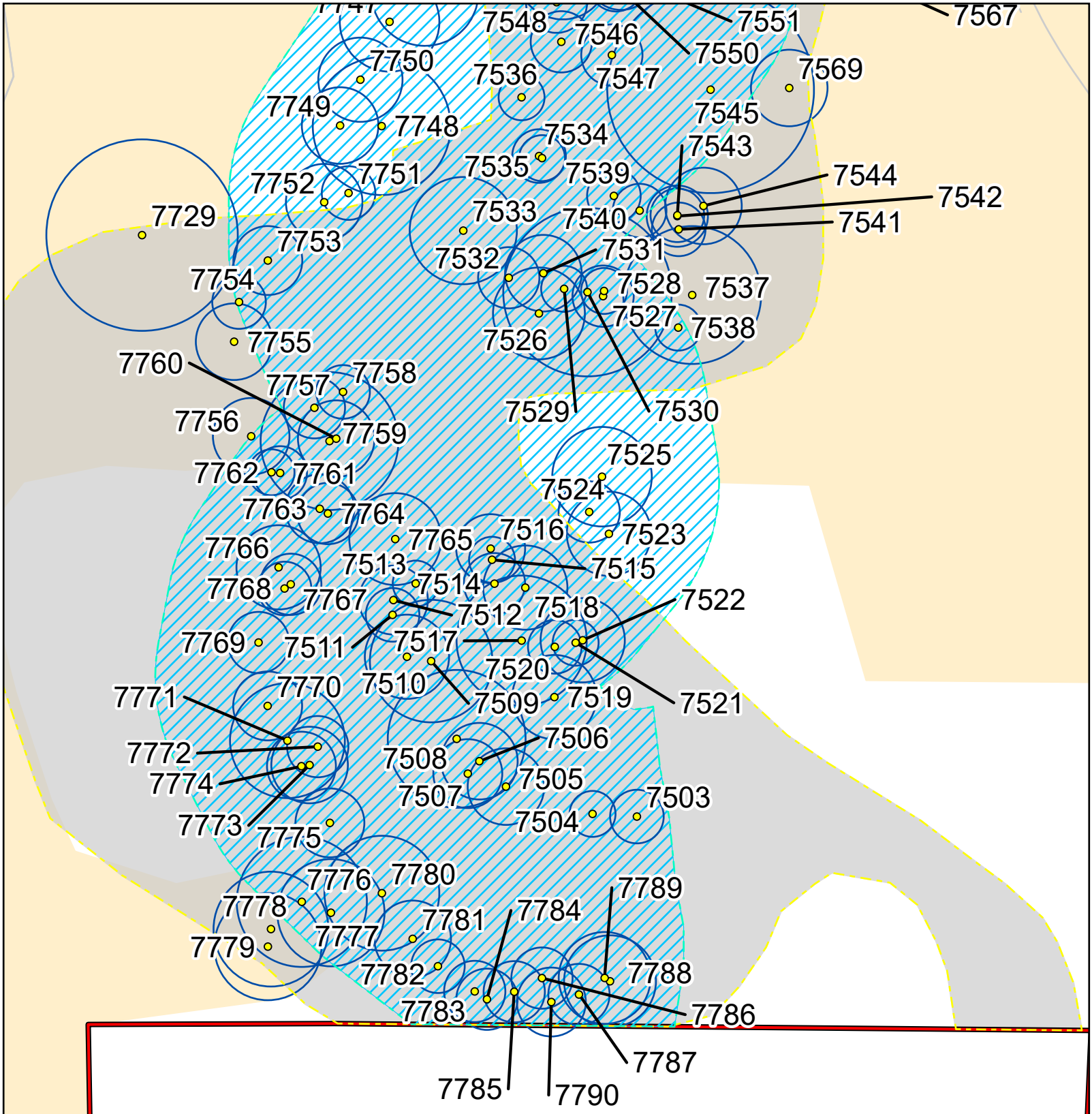


Figure 2E.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0 34

N
W E
S

File Ref. 04.110.165
Date: 5/27/2025

Survey Area
Riparian Buffer ESA
Undeveloped Floodplain ESA

Mitigation/ Preservation Area

Riparian Buffer
Floodplain

Trees within the Mitigation Areas
Trees within the Proposed Impact Areas
Critical Root Zone
Site Plan Structures
Development Impact Area

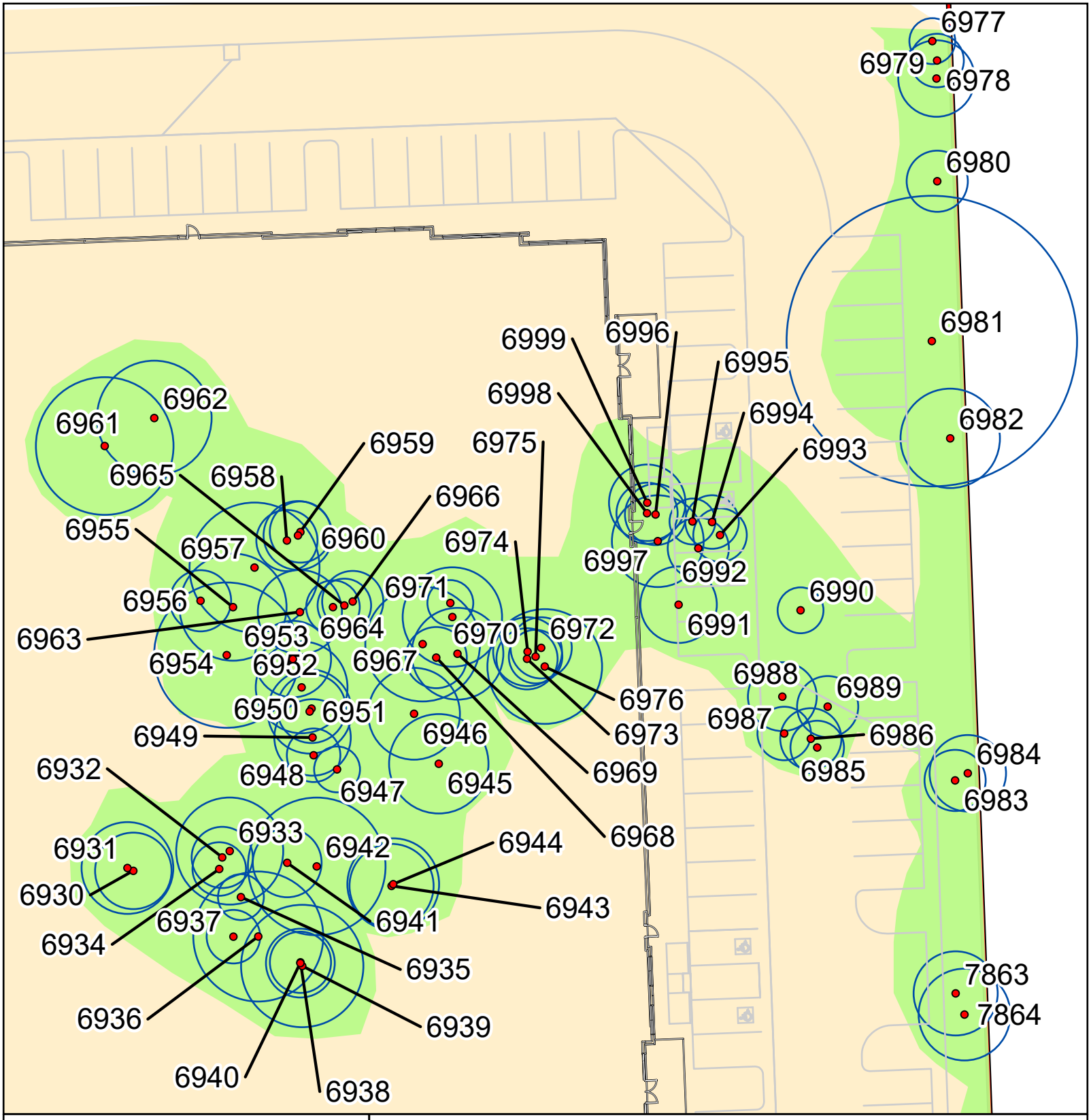


Figure 2F.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0 34

N
W E
S

File Ref. 04.110.165
Date: 5/27/2025

- Survey Area
- Cross Timbers Upland ESA
- Riparian Buffer ESA
- Undeveloped Floodplain ESA
- Cross Timbers Preservation
- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas
- Critical Root Zone
- Site Plan Structures
- Development Impact Area

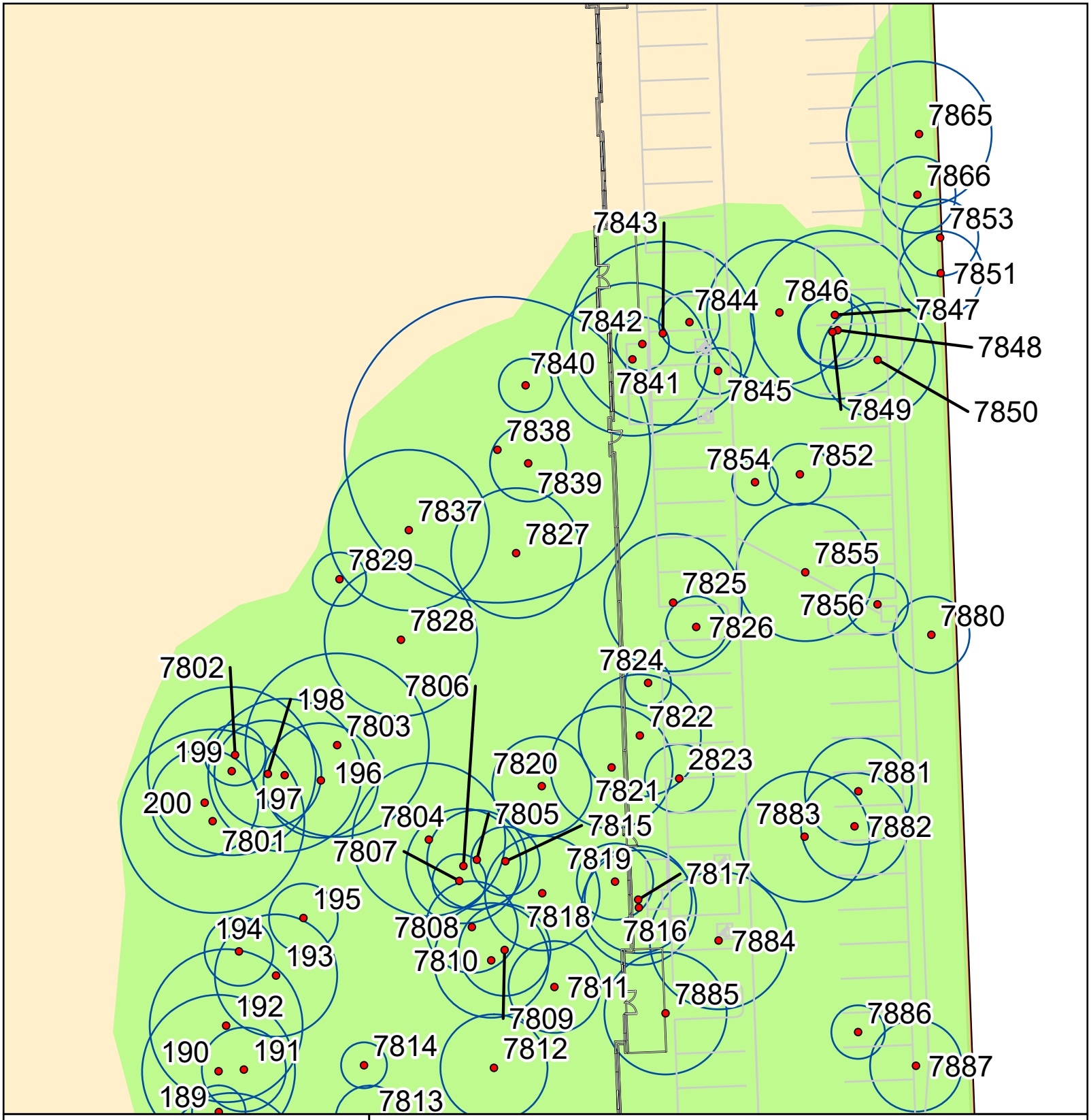


Figure 2G.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0 34

N
W E
S

File Ref. 04.110.165
Date: 5/27/2025

- Survey Area
- Cross Timbers Upland ESA
- Riparian Buffer ESA
- Undeveloped Floodplain ESA
- Cross Timbers Preservation
- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas
- Critical Root Zone
- Site Plan Structures
- Development Impact Area

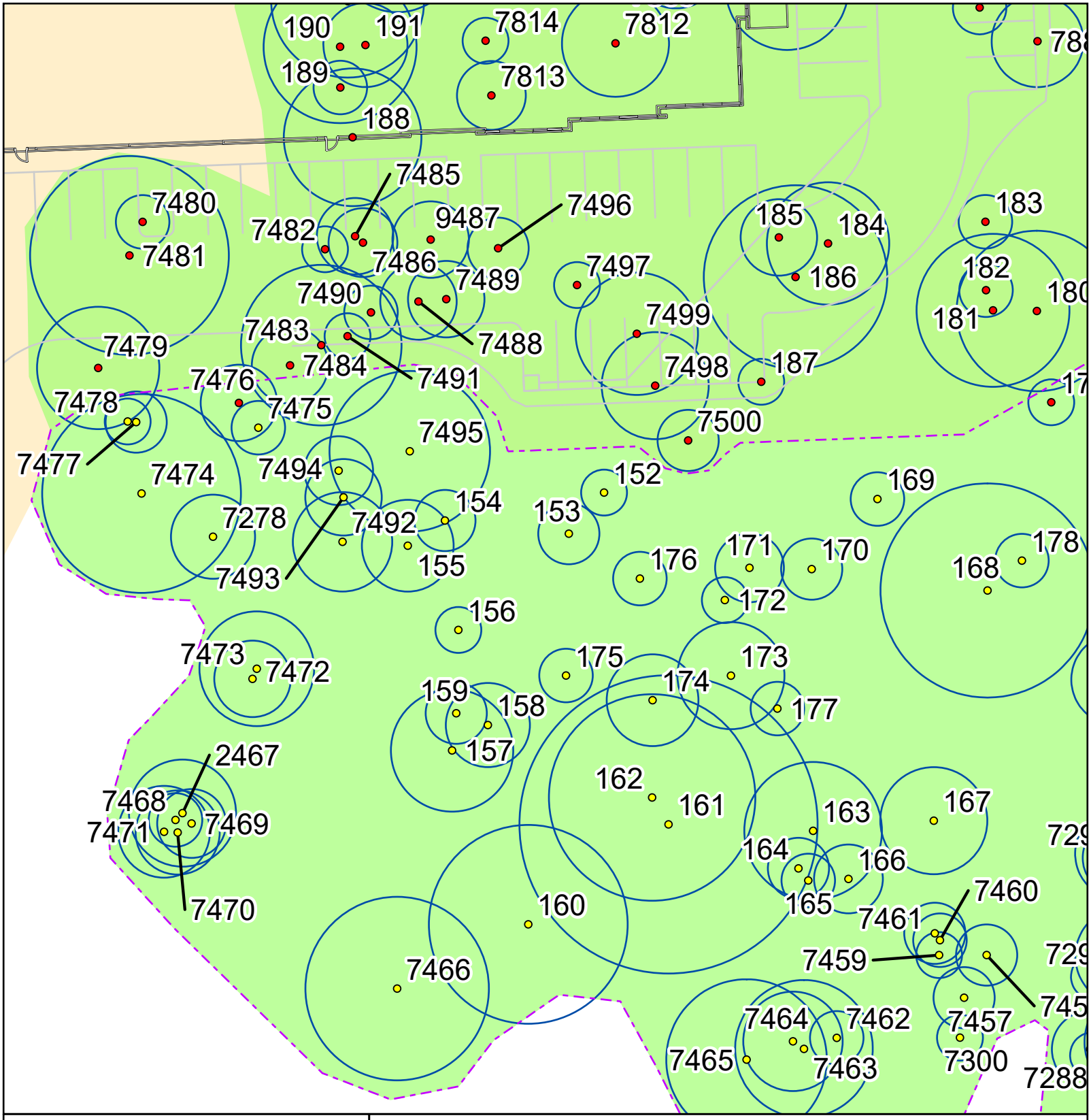


Figure 2H.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0 34

N
W E
S

File Ref. 04.110.165
Date: 5/27/2025

- Survey Area
- Cross Timbers Upland ESA
- Riparian Buffer ESA
- Undeveloped Floodplain ESA
- Cross Timbers Preservation
- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas
- Critical Root Zone
- Site Plan Structures
- Development Impact Area

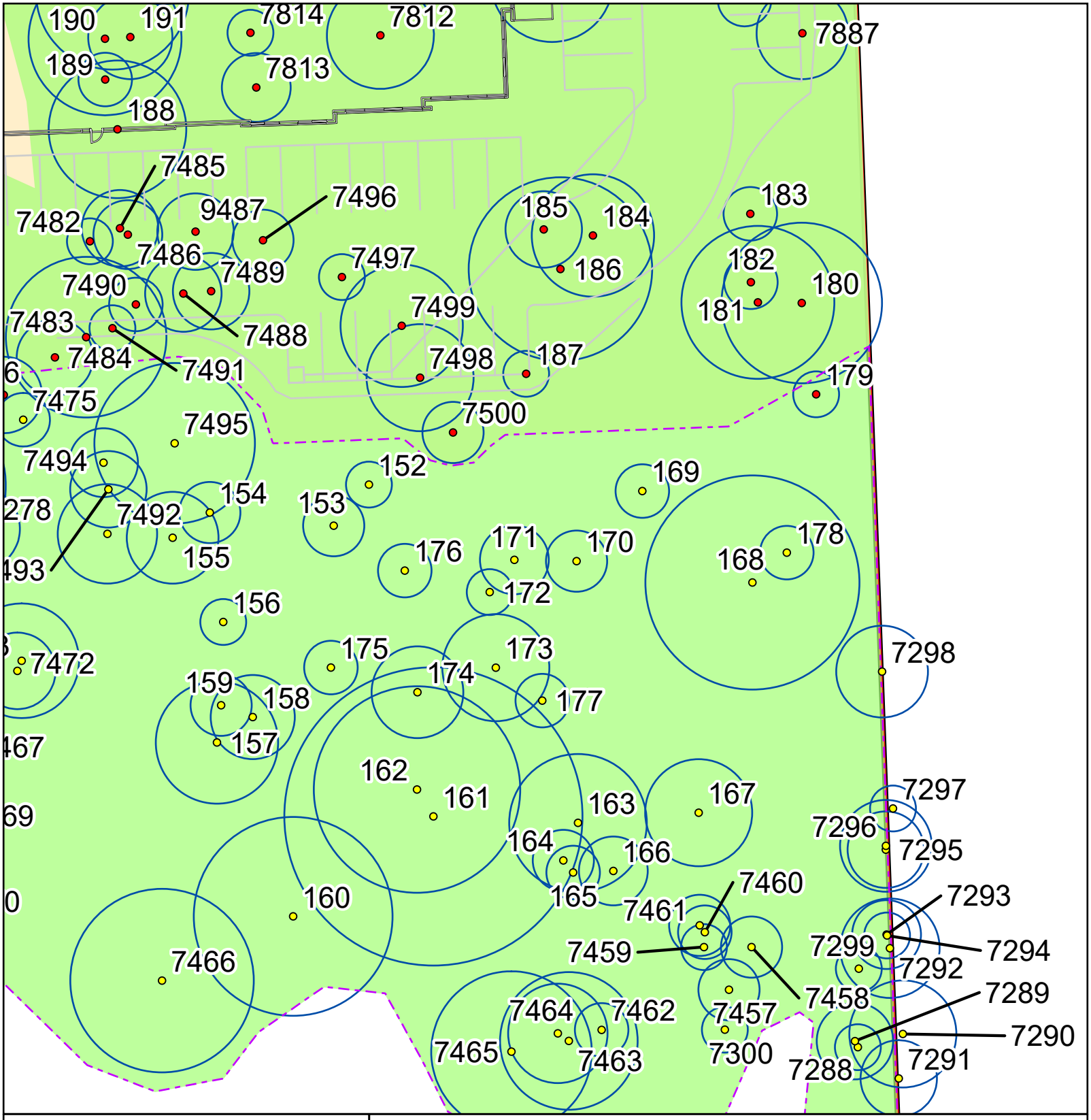


Figure 2I.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0
34

File Ref. 04.110.165
Date: 5/27/2025

N
W
E
S

- Survey Area
- Cross Timbers Upland ESA
- Riparian Buffer ESA
- Undeveloped Floodplain ESA
- Cross Timbers Preservation
- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas
- Critical Root Zone
- Site Plan Structures
- Development Impact Area

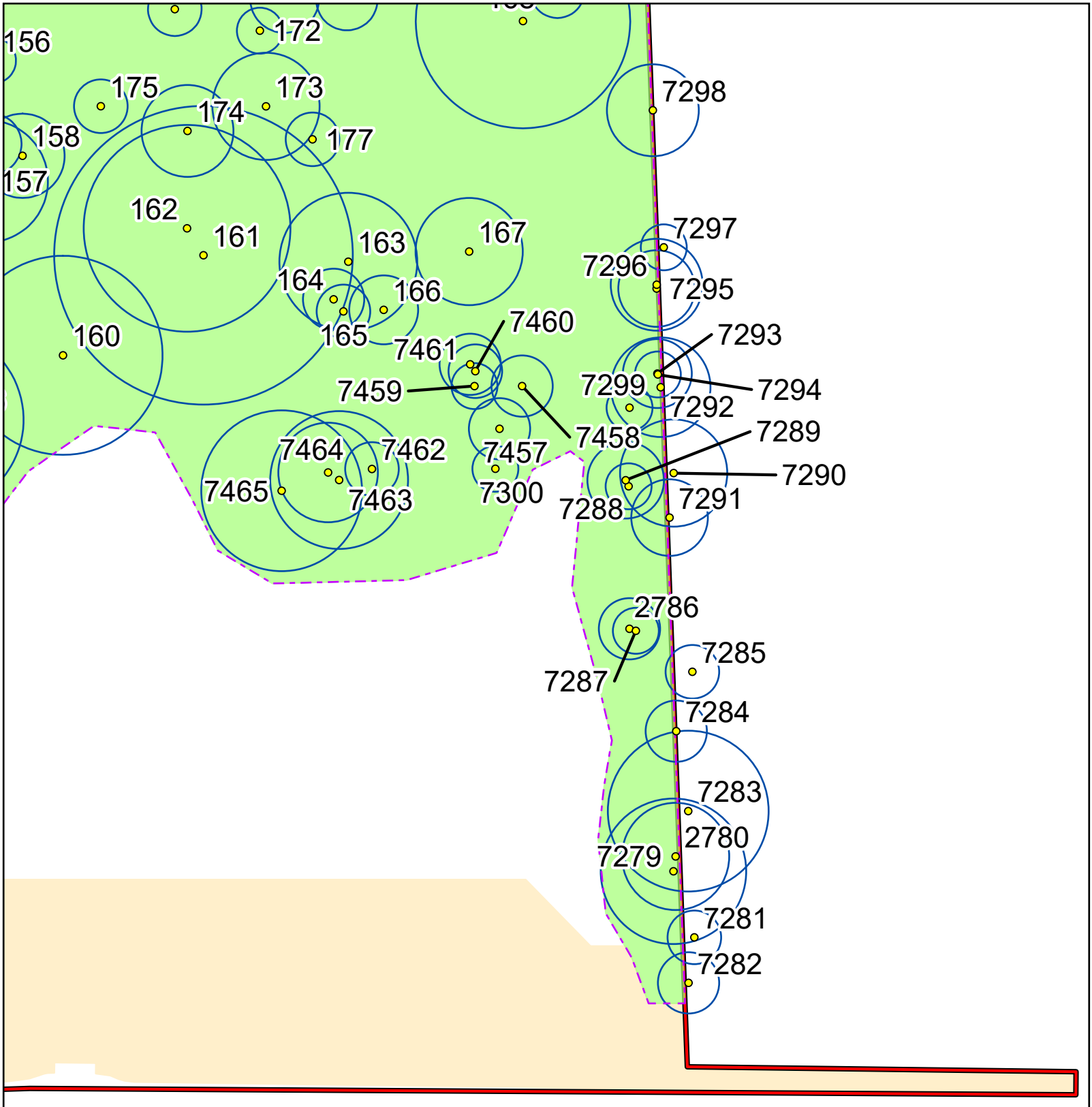


Figure 2J.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

File Ref. 04.110.165
Date: 5/27/2025

Spencer Road Industrial Project Site - Tree Inventory within Confirmed ESA
City of Denton, Denton County, Texas

Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
152	6	eastern red cedar	6	No	Healthy	0	61-90	No	No	No	No
153	8.4	post oak	8	No	Healthy	0	61-90	No	No	No	No
154	7.6	blackjack oak	8	No	Healthy	0	61-90	No	No	No	No
155	12.5	blackjack oak	8	Yes	Healthy	0	61-90	No	No	No	No
156	6.5	post oak	7	No	Healthy	0	61-90	No	No	No	No
157	15.9	blackjack oak	15	Yes	Healthy	0	61-90	No	No	No	No
158	10.6	post oak	11	No	Healthy	0	61-90	No	No	No	No
159	8.3	post oak	8	No	Healthy	0	61-90	No	No	No	No
160	25.5	post oak	20	Yes	Healthy	0	61-90	No	No	No	No
161	39.2	post oak	36	Yes	Healthy	0	61-90	No	No	No	No
162	27.2	post oak	28	No	Healthy	0	61-90	No	No	No	No
163	18.4	post oak	18	No	Healthy	0	61-90	No	No	No	No
164	8	gum bumelia	7	No	Healthy	0	61-90	No	No	No	No
165	7.2	gum bumelia	7	No	Healthy	0	61-90	No	No	No	No
166	8.7	blackjack oak	9	Yes	Healthy	0	61-90	No	No	No	No
167	14	post oak	14	No	Healthy	0	61-90	No	No	No	No
168	28.4	post oak	29	No	Healthy	0	61-90	No	No	No	No
169	6.6	post oak	7	No	Healthy	0	61-90	No	No	No	No
170	7.5	blackjack oak	8	Yes	Healthy	0	61-90	No	No	No	No
171	8.9	blackjack oak	7	Yes	Healthy	0	61-90	No	No	No	No
172	6.4	blackjack oak	6	No	Healthy	0	61-90	No	No	No	No
173	14	blackjack oak	14	No	Healthy	0	61-90	No	No	No	No
174	12.2	post oak	12	No	Healthy	0	61-90	No	No	No	No
175	7	post oak	6	No	Healthy	0	61-90	No	No	No	No
176	7.2	post oak	7	No	Healthy	0	61-90	No	No	No	No
177	7.1	post oak	7	No	Healthy	0	61-90	No	No	No	No
178	6.9	Ashe juniper	7	No	Healthy	0	61-90	No	No	No	No
179	6	blackjack oak	6	Yes	Healthy	0	61-90	No	No	No	No
180	20.9	post oak	21	No	Healthy	0	61-90	No	No	No	No
181	19.7	post oak	21	Yes	Healthy	0	61-90	No	No	No	No
182	7.1	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
183	7.1	eastern red cedar	6	No	Damaged	60	61-90	No	No	No	No
184	16	post oak	17	No	Healthy	0	61-90	No	No	No	No
185	9.7	eastern red cedar	9	Yes	Healthy	0	61-90	No	No	No	No
186	24.5	post oak	25	Yes	Healthy	25	61-90	No	No	No	No
187	6.2	blackjack oak	6	No	Healthy	0	61-90	No	No	No	No
188	18.4	post oak	18	No	Healthy	0	61-90	No	No	No	No

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Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
189	6.7	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
190	19.7	post oak	20	No	Healthy	0	61-90	No	No	No	No
191	11.3	post oak	11	No	Healthy	0	61-90	No	No	No	No
192	20.1	post oak	20	No	Healthy	0	61-90	No	No	No	No
193	16.2	post oak	16	No	Healthy	0	61-90	No	No	No	No
194	9.4	post oak	9	No	Healthy	0	61-90	No	No	No	No
195	8.9	cedar elm	9	No	Healthy	0	61-90	No	No	No	No
196	14.6	post oak	15	No	Healthy	0	61-90	No	No	No	No
197	20.3	post oak	20	Yes	Healthy	0	61-90	No	Trunk	Trunk	Trunk
198	13.5	post oak	12	No	Healthy	0	61-90	No	No	No	No
199	21.7	post oak	22	No	Healthy	0	61-90	No	No	No	No
200	14.4	post oak	14	No	Healthy	0	61-90	No	No	No	No
206	12.9	eastern red cedar	11	No	Healthy	0	61-90	No	No	No	No
207	10.6	eastern red cedar	10	No	Healthy	0	61-90	No	No	No	No
208	7.3	eastern red cedar	8	No	Healthy	0	61-90	No	No	No	No
209	14.1	pecan	11	No	Healthy	0	61-90	No	No	No	No
210	7.9	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
211	13.3	eastern red cedar	11	No	Healthy	0	61-90	No	No	No	No
212	16	eastern red cedar	14	No	Healthy	0	61-90	No	No	No	No
793	6.2	American elm	6	No	Healthy	0	61-90	No	No	No	No
951	20.2	American elm	20	No	Healthy	0	61-90	No	No	No	No
952	11.8	sycamore	7	No	Damaged	75	61-90	No	No	No	No
2467	14	blackjack oak	15	Yes	Healthy	0	61-90	No	No	No	No
2780	14.4	post oak	15	No	Healthy	0	61-90	No	No	No	No
2786	8.1	post oak	8	No	Healthy	0	61-90	No	No	No	No
2823	9.4	post oak	10	No	Healthy	0	61-90	No	No	No	No
6864	13.9	American elm	17	No	Healthy	0	61-90	No	No	No	No
6865	17.4	American elm	20	No	Healthy	0	61-90	No	No	No	No
6866	8.3	Osage-orange	8	No	Damaged	40	61-90	No	No	No	No
6867	7.1	American elm	7	No	Healthy	0	61-90	No	No	No	No
6868	19.8	black walnut	17	No	Healthy	0	61-90	No	No	No	No
6869	21.9	black walnut	23	No	Damaged	0	61-90	No	Trunk	Trunk	Trunk
6870	12.8	American elm	13	No	Healthy	0	61-90	No	No	No	No
6871	6.3	cedar elm	7	No	Healthy	0	61-90	No	No	No	No
6890	14.5	post oak	15	No	Healthy	0	61-90	No	No	No	No
6891	10.5	eastern red cedar	10	No	Healthy	0	61-90	No	No	No	No
6892	15.3	post oak	15	No	Healthy	0	61-90	No	No	No	No

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6893	7.2	eastern red cedar	6	No	Healthy	0	61-90	No	No	No	No
6899	15.5	post oak	15	No	Healthy	0	61-90	No	No	No	No
6900	9.8	pecan	10	No	Healthy	0	61-90	No	No	No	No
6930	9.5	post oak	11	No	Healthy	0	61-90	No	No	No	No
6931	12.1	post oak	14	No	Healthy	0	61-90	No	No	No	No
6932	7.5	post oak	8	No	Healthy	0	61-90	No	No	No	No
6933	13.7	post oak	15	No	Healthy	0	61-90	No	No	No	No
6934	6.6	post oak	6	No	Healthy	0	61-90	No	No	No	No
6935	6	post oak	6	No	Healthy	0	61-90	No	No	No	No
6936	16.9	post oak	13	No	Damaged	80	61-90	No	No	No	No
6937	7.1	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
6938	7.8	post oak	7	No	Healthy	0	61-90	No	No	No	No
6939	16.1	post oak	18	No	Healthy	0	61-90	No	No	No	No
6940	9.1	post oak	9	No	Healthy	0	61-90	No	No	No	No
6941	9.4	post oak	10	No	Healthy	0	61-90	No	No	No	No
6942	18.1	post oak	16	No	Damaged	80	61-90	No	No	No	No
6943	10.8	post oak	12	No	Healthy	0	61-90	No	No	No	No
6944	11.6	post oak	12	No	Healthy	0	61-90	No	No	No	No
6945	13.1	eastern red cedar	14	No	Healthy	0	61-90	No	No	No	No
6946	11.5	post oak	12	No	Healthy	0	61-90	No	No	No	No
6947	6.5	post oak	6	No	Healthy	0	61-90	No	No	No	No
6948	7.2	post oak	6	No	Healthy	0	61-90	No	No	No	No
6949	9.8	post oak	8	No	Healthy	0	61-90	No	No	No	No
6950	8.6	post oak	6	No	Healthy	0	61-90	No	No	No	No
6951	11.3	post oak	14	No	Healthy	0	61-90	No	No	No	No
6952	12.3	post oak	14	Yes	Healthy	0	61-90	No	No	No	No
6953	10	post oak	12	No	Healthy	0	61-90	No	No	No	No
6954	19.3	post oak	17	Yes	Healthy	0	61-90	No	No	No	No
6955	14.2	post oak	12	No	Healthy	0	61-90	No	No	No	No
6956	8.3	post oak	7	No	Healthy	0	61-90	No	No	No	No
6957	17.1	post oak	20	No	Healthy	0	61-90	No	No	No	No
6958	7.8	eastern red cedar	8	Yes	Healthy	0	61-90	No	No	No	No
6959	7.7	post oak	7	No	Healthy	0	61-90	No	No	No	No
6960	8.8	post oak	9	Yes	Healthy	0	61-90	No	No	No	No
6961	18.3	post oak	20	No	Healthy	0	61-90	No	No	No	No
6962	15.4	post oak	20	No	Healthy	0	61-90	No	No	No	No
6963	10.8	post oak	9	No	Healthy	0	61-90	No	No	No	No

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Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
6964	7.2	post oak	7	No	Healthy	0	61-90	No	No	No	No
6965	6.7	post oak	6	No	Healthy	0	61-90	No	No	No	No
6966	8.5	post oak	7	No	Healthy	0	61-90	No	No	No	No
6967	15.1	post oak	12	Yes	Healthy	0	61-90	No	No	No	No
6968	7.5	post oak	8	No	Healthy	0	61-90	No	No	No	No
6969	11.6	post oak	10	Yes	Healthy	0	61-90	No	No	No	No
6970	12.6	post oak	12	No	Healthy	0	61-90	No	No	No	No
6971	6.5	post oak	7	No	Healthy	0	61-90	No	No	No	No
6972	8	post oak	9	No	Healthy	0	61-90	No	No	No	No
6973	7.6	post oak	8	No	Healthy	0	61-90	No	No	No	No
6974	8.6	post oak	9	Yes	Healthy	0	61-90	No	No	No	No
6975	7.2	post oak	8	No	Healthy	0	61-90	No	No	No	No
6976	14.6	post oak	15	Yes	Healthy	0	61-90	No	No	No	No
6977	6.2	pecan	7	No	Healthy	0	61-90	No	No	No	No
6978	7.2	eastern red cedar	8	No	Healthy	0	61-90	No	No	No	No
6979	10.1	post oak	12	No	Healthy	0	61-90	No	No	No	No
6980	8.3	post oak	9	No	Healthy	0	61-90	No	No	No	No
6981	38	post oak	28	No	Healthy	0	61-90	No	No	No	No
6982	12.7	post oak	14	No	Healthy	0	61-90	No	No	No	No
6983	8.3	eastern red cedar	9	No	Healthy	0	61-90	No	No	No	No
6984	9.5	post oak	8	No	Healthy	0	61-90	No	No	No	No
6985	7.1	post oak	8	No	Healthy	0	61-90	No	No	No	No
6986	7.9	post oak	8	No	Healthy	0	61-90	No	No	No	No
6987	7.4	post oak	0	Yes	Damaged	60	61-90	No	No	No	No
6988	9	post oak	11	No	Healthy	0	61-90	No	No	No	No
6989	8.4	post oak	10	No	Healthy	0	61-90	No	No	No	No
6990	6.4	post oak	6	No	Healthy	0	61-90	No	No	No	No
6991	10	post oak	10	No	Healthy	0	61-90	No	No	No	No
6992	8.2	eastern red cedar	6	No	Healthy	0	61-90	No	No	No	No
6993	6.8	post oak	8	No	Healthy	0	61-90	No	No	No	No
6994	7.1	post oak	8	No	Healthy	0	61-90	No	No	No	No
6995	6.1	post oak	7	No	Healthy	0	61-90	No	No	No	No
6996	8.2	post oak	10	No	Healthy	0	61-90	No	No	No	No
6997	12.4	post oak	14	No	Healthy	0	61-90	No	No	No	No
6998	7.6	post oak	8	No	Healthy	0	61-90	No	No	No	No
6999	10.4	post oak	12	No	Healthy	0	61-90	No	No	No	No
7278	11.1	post oak	8	Yes	Healthy	0	61-90	No	No	No	No

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7279	18.6	post oak	18	No	Healthy	0	61-90	No	No	No	No
7281	7.4	post oak	7	No	Healthy	0	61-90	No	No	No	No
7282	7.7	sugarberry	6	Yes	Healthy	0	61-90	No	No	No	No
7283	21	post oak	22	No	Healthy	0	61-90	No	No	No	No
7284	8.4	post oak	8	No	Healthy	0	61-90	No	No	No	No
7285	7.1	gum bumelia	8	No	Healthy	0	61-90	No	No	No	No
7287	6	post oak	7	No	Healthy	0	61-90	No	No	No	No
7288	6.5	post oak	7	No	Healthy	0	61-90	No	No	No	No
7289	9.9	blackjack oak	10	Yes	Healthy	0	61-90	No	No	No	No
7290	14.1	post oak	15	Yes	Healthy	0	61-90	No	No	No	No
7291	10.5	post oak	11	No	Healthy	0	61-90	No	No	No	No
7292	13.1	post oak	13	No	Healthy	0	61-90	No	No	No	No
7293	8.6	post oak	9	No	Healthy	0	61-90	No	No	No	No
7294	6.1	post oak	6	No	Healthy	0	61-90	No	No	No	No
7295	10	post oak	11	No	Healthy	0	61-90	No	No	No	No
7296	12.1	post oak	11	Yes	Healthy	0	61-90	No	No	No	No
7297	6.5	blackjack oak	7	No	Healthy	0	61-90	No	No	No	No
7298	11.7	blackjack oak	12	No	Healthy	0	61-90	No	No	No	No
7299	6	post oak	6	No	Healthy	0	61-90	No	No	No	No
7300	6.5	post oak	7	No	Healthy	0	61-90	No	No	No	No
7321	16.1	post oak	15	No	Healthy	0	61-90	No	No	No	No
7323	6.7	post oak	6	No	Healthy	0	61-90	No	No	No	No
7324	11.3	pecan	10	No	Healthy	0	61-90	No	No	No	No
7325	14.7	post oak	15	No	Healthy	0	61-90	No	No	No	No
7326	8.2	eastern red cedar	6	No	Healthy	0	61-90	No	No	No	No
7327	18.5	post oak	20	No	Healthy	0	61-90	No	No	No	No
7328	9	eastern red cedar	10	No	Healthy	0	61-90	No	No	No	No
7329	33.9	American elm	30	Yes	Damaged	0	61-90	No	No	Trunk	Trunk
7330	7	common persimmon	7	No	Healthy	0	61-90	No	No	No	No
7331	14.2	American elm	15	No	Healthy	0	61-90	No	No	No	No
7332	16	American elm	15	No	Healthy	0	61-90	No	No	No	No
7333	13.9	American elm	15	No	Healthy	0	61-90	No	No	No	No
7334	7.8	eastern red cedar	10	No	Healthy	0	61-90	No	No	No	No
7335	16.6	American elm	15	No	Healthy	0	61-90	No	No	No	No
7336	16	American elm	12	No	Healthy	0	31-60	No	No	No	No
7337	7.8	American elm	8	No	Healthy	0	61-90	No	No	No	No
7338	11.5	American elm	10	No	Healthy	0	61-90	Yes	No	No	No

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7339	15.8	American elm	15	No	Healthy	0	61-90	No	No	No	No
7340	11.4	American elm	10	No	Healthy	0	31-60	No	No	No	No
7345	17.1	American elm	20	Yes	Healthy	0	61-90	No	No	No	No
7346	16.7	American elm	20	No	Healthy	0	61-90	No	No	No	No
7347	15	American elm	15	No	Healthy	0	61-90	No	No	No	No
7348	8	sycamore	8	No	Healthy	0	61-90	No	No	No	No
7349	12.1	pecan	12	No	Healthy	0	61-90	Yes	No	No	No
7350	13.8	post oak	20	No	Healthy	0	61-90	No	No	No	No
7351	15.1	post oak	15	No	Healthy	0	61-90	No	No	No	No
7352	16.3	pecan	16	No	Healthy	0	61-90	No	No	No	No
7366	6.5	American elm	6	No	Healthy	0	61-90	No	No	No	No
7367	14.7	American elm	15	No	Healthy	0	61-90	No	No	No	No
7368	16.7	pecan	20	No	Healthy	0	61-90	No	No	No	No
7369	13.7	American elm	15	No	Healthy	0	61-90	No	No	No	No
7370	8.2	gum bumelia	10	No	Healthy	0	61-90	No	No	No	No
7371	10.8	pecan	10	Yes	Healthy	0	61-90	No	No	No	No
7372	8.8	common persimmon	10	No	Healthy	0	61-90	No	No	No	No
7389	9	eastern red cedar	8	No	Healthy	0	61-90	No	No	No	No
7390	9.9	eastern red cedar	10	Yes	Healthy	0	61-90	No	No	No	No
7391	9.8	eastern red cedar	10	No	Healthy	0	61-90	No	No	No	No
7392	8	pecan	10	No	Healthy	0	61-90	No	No	No	No
7393	12.3	eastern red cedar	10	No	Healthy	0	61-90	No	No	No	No
7394	7.5	post oak	6	No	Healthy	0	61-90	No	No	No	No
7395	13.6	eastern red cedar	10	No	Healthy	0	61-90	No	No	No	No
7396	10.2	post oak	10	No	Healthy	0	61-90	No	No	No	No
7397	8	post oak	8	No	Healthy	0	0-30	No	No	No	No
7398	6.8	cedar elm	6	No	Healthy	0	61-90	No	No	No	No
7399	6.7	cedar elm	5	No	Healthy	0	61-90	No	No	No	No
7400	7.9	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7448	7.7	American elm	12	No	Healthy	0	61-90	No	No	No	No
7450	8.2	pecan	12	No	Healthy	0	61-90	No	No	No	No
7454	11.3	green ash	12	No	Healthy	0	61-90	No	No	No	No
7456	8.5	pecan	5	No	Healthy	0	61-90	No	No	No	No
7457	8.1	Ashe juniper	8	No	Healthy	0	61-90	No	No	No	No
7458	7.5	Ashe juniper	8	No	Healthy	0	61-90	No	No	No	No
7459	6	post oak	7	No	Healthy	0	61-90	No	No	No	No
7460	6.9	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No

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7461	7.5	cedar elm	8	No	Healthy	0	61-90	No	No	No	No
7462	7.2	post oak	7	No	Healthy	0	61-90	No	No	No	No
7463	17.5	post oak	18	No	Healthy	0	61-90	No	No	No	No
7464	13.4	post oak	13	No	Healthy	0	61-90	No	No	No	No
7465	21	post oak	20	Yes	Healthy	0	61-90	No	No	No	No
7466	24.5	post oak	26	No	Healthy	0	61-90	No	No	No	No
7468	7.4	blackjack oak	7	No	Healthy	0	61-90	No	No	No	No
7469	8.7	post oak	9	No	Healthy	0	61-90	No	No	No	No
7470	10.7	post oak	12	No	Healthy	0	61-90	No	No	No	No
7471	11.5	post oak	12	No	Healthy	0	61-90	No	No	No	No
7472	10.4	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7473	15	post oak	16	Yes	Healthy	0	61-90	No	No	No	No
7474	25.9	blackjack oak	26	Yes	Healthy	0	61-90	No	No	No	No
7475	7.4	eastern red cedar	7	Yes	Healthy	0	61-90	No	No	No	No
7476	10.5	blackjack oak	11	Yes	Healthy	0	61-90	No	No	No	No
7477	8.2	post oak	8	No	Healthy	0	61-90	No	No	No	No
7478	6.5	post oak	7	Yes	Healthy	0	61-90	No	No	No	No
7479	16	blackjack oak	16	No	Healthy	0	61-90	No	No	No	No
7480	7.4	blackjack oak	7	No	Healthy	0	61-90	No	No	No	No
7481	25.5	post oak	26	No	Healthy	0	61-90	No	No	No	No
7482	6.5	post oak	7	No	Healthy	0	61-90	No	No	No	No
7483	20.6	eastern red cedar	18	Yes	Healthy	0	61-90	No	No	No	No
7484	9.7	blackjack oak	10	Yes	Healthy	0	61-90	No	No	No	No
7485	9.7	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7486	9.2	eastern red cedar	8	No	Damaged	50	61-90	No	No	No	No
7488	9.8	blackjack oak	10	Yes	Healthy	0	61-90	No	No	No	No
7489	10.1	blackjack oak	7	Yes	Healthy	0	61-90	No	No	No	No
7490	6.6	blackjack oak	7	Yes	Healthy	0	61-90	No	No	No	No
7491	6.1	blackjack oak	6	No	Healthy	0	61-90	No	No	No	No
7492	13	blackjack oak	13	Yes	Healthy	0	61-90	No	No	No	No
7493	9.5	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7494	9	blackjack oak	9	No	Healthy	0	61-90	No	No	No	No
7495	21	post oak	22	No	Healthy	0	61-90	No	No	No	No
7496	7.6	blackjack oak	8	Yes	Healthy	0	61-90	No	No	No	No
7497	6.3	post oak	6	No	Healthy	0	61-90	No	No	No	No
7498	13.5	blackjack oak	14	Yes	Healthy	0	61-90	No	No	No	No
7499	15.8	post oak	16	No	Healthy	0	61-90	No	No	No	No

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7500	7.6	blackjack oak	8	No	Healthy	0	61-90	No	No	No	No
7503	7	pecan	10	Yes	Healthy	0	61-90	No	No	No	No
7504	6	pecan	8	No	Healthy	0	61-90	No	No	No	No
7505	10.2	pecan	12	No	Healthy	0	61-90	No	No	No	No
7506	10.2	pecan	10	Yes	Healthy	0	61-90	No	No	No	No
7507	8.7	green ash	15	No	Healthy	0	61-90	No	No	No	No
7508	17.7	green ash	18	Yes	Healthy	0	61-90	No	No	No	No
7509	16.5	pecan	20	No	Healthy	0	61-90	No	No	No	No
7510	11	green ash	14	Yes	Healthy	0	61-90	No	No	No	No
7511	7.4	green ash	8	No	Healthy	0	61-90	No	No	No	No
7512	8.8	green ash	10	No	Healthy	0	61-90	No	No	No	No
7513	6.3	Osage-orange	0	No	Healthy	0	61-90	No	No	No	No
7514	7.5	green ash	8	No	Healthy	0	61-90	No	No	No	No
7515	6.2	green ash	6	No	Healthy	0	61-90	No	No	No	No
7516	9.4	green ash	15	No	Healthy	0	61-90	No	No	No	No
7517	16.8	American elm	22	No	Healthy	10	61-90	No	No	No	No
7518	10.6	pecan	16	No	Healthy	0	61-90	No	No	No	No
7519	11.3	post oak	15	Yes	Healthy	0	61-90	No	No	No	No
7520	6.6	cedar elm	10	No	Healthy	0	61-90	No	No	No	No
7521	6.4	pecan	8	No	Healthy	0	61-90	No	No	No	No
7522	10.6	blackjack oak	12	No	Healthy	0	61-90	No	No	No	No
7523	10.9	American elm	14	Yes	Healthy	0	61-90	No	No	No	No
7524	8.1	pecan	10	No	Healthy	0	61-90	No	No	No	No
7525	13.1	blackjack oak	18	No	Healthy	0	61-90	No	No	No	No
7526	12.5	blackjack oak	16	No	Healthy	0	61-90	No	No	No	No
7527	8.5	blackjack oak	12	No	Healthy	0	61-90	No	No	No	No
7528	6.5	blackjack oak	8	No	Healthy	0	61-90	No	No	No	No
7529	6.5	pecan	8	No	Healthy	0	31-60	No	No	No	No
7530	21.9	pecan	25	No	Healthy	0	61-90	No	No	No	No
7531	9.5	pecan	12	No	Healthy	0	61-90	No	No	No	No
7532	8	green ash	14	No	Healthy	0	61-90	No	No	No	No
7533	14	green ash	22	Yes	Healthy	0	31-60	No	No	No	No
7534	7.2	green ash	12	No	Healthy	0	61-90	No	No	No	No
7535	6.3	pecan	10	No	Healthy	0	61-90	No	No	No	No
7536	6	common persimmon	14	Yes	Healthy	0	61-90	No	No	No	No
7537	17.9	pecan	20	No	Healthy	10	61-90	No	No	No	No
7538	6.1	American elm	14	Yes	Healthy	0	61-90	No	No	No	No

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Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
7539	6.9	cedar elm	10	No	Healthy	0	61-90	No	No	No	No
7540	7.3	sugarberry	15	No	Healthy	0	61-90	No	No	No	No
7541	6.9	post oak	10	No	Healthy	0	61-90	No	No	No	No
7542	8.5	post oak	8	No	Healthy	0	61-90	No	No	No	No
7543	7.2	post oak	8	No	Healthy	0	61-90	No	No	No	No
7544	10.5	post oak	10	No	Healthy	0	61-90	No	No	No	No
7545	26.6	pecan	30	No	Healthy	0	61-90	No	No	No	No
7546	7.6	Osage-orange	15	No	Healthy	20	31-60	No	No	No	No
7547	8.2	Osage-orange	15	No	Healthy	0	61-90	No	Trunk	Trunk	No
7548	7.8	common persimmon	12	No	Healthy	0	61-90	No	No	No	No
7549	12.5	Osage-orange	10	Yes	Healthy	10	61-90	No	No	No	No
7550	7.3	green ash	12	No	Healthy	0	61-90	No	No	No	No
7551	8.7	Osage-orange	10	No	Healthy	40	61-90	No	Trunk	Trunk	Trunk
7552	10.5	green ash	15	No	Healthy	0	61-90	No	No	No	No
7553	8.5	green ash	12	No	Healthy	0	61-90	No	No	No	No
7554	7	Osage-orange	12	No	Healthy	10	61-90	No	Trunk	Trunk	Trunk
7555	9.3	green ash	20	No	Healthy	0	61-90	No	No	No	No
7556	8.7	common persimmon	12	Yes	Healthy	0	61-90	No	No	No	No
7560	9	post oak	10	No	Healthy	0	61-90	No	No	No	No
7561	23.3	post oak	22	Yes	Healthy	0	61-90	No	No	No	No
7562	10	blackjack oak	15	No	Healthy	0	61-90	No	No	No	No
7567	6.4	pecan	8	No	Healthy	0	61-90	No	No	No	No
7568	8.6	American elm	12	No	Healthy	0	31-60	No	No	No	No
7569	9.5	blackjack oak	10	No	Healthy	20	61-90	No	No	No	No
7571	9.4	pecan	15	No	Healthy	0	61-90	No	No	No	No
7572	14.4	green ash	20	Yes	Healthy	0	61-90	No	No	No	No
7573	8.6	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7574	19	blackjack oak	23	No	Healthy	0	61-90	No	No	No	No
7575	9.9	blackjack oak	12	No	Healthy	0	61-90	No	No	No	No
7576	6.3	pecan	6	No	Healthy	0	61-90	No	No	No	No
7577	6	green ash	8	No	Healthy	0	61-90	No	No	No	No
7578	16	American elm	18	No	Healthy	0	61-90	No	No	No	No
7579	6.2	pecan	7	No	Healthy	0	61-90	No	No	No	No
7580	6.6	American elm	8	No	Healthy	0	61-90	No	No	No	No
7581	8.3	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7582	9.5	post oak	10	No	Healthy	0	61-90	No	No	No	No
7583	7.5	American elm	10	No	Healthy	0	61-90	No	No	No	No

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7584	6.7	pecan	8	No	Healthy	0	61-90	No	No	No	No
7585	6	American elm	8	No	Healthy	0	61-90	No	No	No	No
7586	9.3	cedar elm	8	No	Healthy	0	61-90	No	No	No	No
7587	7	pecan	8	No	Healthy	0	61-90	No	No	No	No
7588	8.5	pecan	8	No	Healthy	0	61-90	No	No	Trunk	No
7589	8.5	American elm	10	No	Healthy	0	61-90	No	No	Trunk	No
7590	10	American elm	10	No	Healthy	0	61-90	No	No	Trunk	No
7591	7	pecan	8	No	Healthy	0	61-90	No	No	No	No
7592	11.7	blackjack oak	14	No	Healthy	0	61-90	No	No	No	No
7653	6.5	post oak	6	No	Healthy	0	61-90	No	No	No	No
7727	7.6	American elm	8	No	Healthy	0	61-90	No	No	No	No
7728	7.4	eastern red cedar	9	No	Healthy	0	61-90	No	No	No	No
7729	25	post oak	30	No	Damaged	50	61-90	No	No	No	No
7735	15.4	post oak	18	No	Healthy	0	61-90	No	No	No	No
7736	13.3	American elm	13	No	Healthy	0	61-90	No	No	No	No
7737	14.6	American elm	15	No	Healthy	0	61-90	No	No	No	No
7738	14.8	American elm	19	No	Healthy	0	61-90	No	No	No	No
7739	6.2	post oak	5	No	Healthy	0	61-90	No	No	No	No
7740	6.7	blackjack oak	8	No	Healthy	0	61-90	No	No	No	No
7741	8.6	American elm	7	No	Healthy	0	61-90	No	No	No	No
7742	11.2	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
7743	9.9	American elm	11	No	Healthy	0	61-90	No	No	No	No
7744	7	American elm	7	No	Healthy	0	61-90	No	No	No	No
7745	6.3	American elm	6	No	Healthy	0	61-90	No	No	No	No
7746	14	American elm	15	No	Healthy	0	61-90	No	No	No	No
7747	12.6	eastern red cedar	11	No	Healthy	0	61-90	No	No	No	No
7748	17.9	blackjack oak	17	No	Healthy	0	61-90	No	No	No	No
7749	10.2	American elm	10	No	Healthy	0	31-60	No	No	No	No
7750	11.3	post oak	11	No	Healthy	0	61-90	No	No	No	No
7751	7.2	blackjack oak	6	No	Healthy	0	61-90	No	No	No	No
7752	10	American elm	8	No	Healthy	0	61-90	No	No	No	No
7753	8.7	blackjack oak	9	No	Healthy	0	61-90	No	No	No	No
7754	7.3	blackjack oak	9	Yes	Healthy	0	61-90	No	No	No	No
7755	10	post oak	9	No	Healthy	0	61-90	No	No	No	No
7756	10	post oak	8	No	Healthy	0	61-90	No	No	No	No
7757	8	cedar elm	8	No	Healthy	0	61-90	No	No	No	No
7758	6.9	cedar elm	7	No	Healthy	0	61-90	No	No	No	No

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Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
7759	17.7	post oak	18	No	Healthy	0	61-90	No	No	No	No
7760	9.5	post oak	10	No	Healthy	0	61-90	No	No	No	No
7761	7	post oak	6	No	Healthy	0	61-90	No	No	No	No
7762	6.2	post oak	6	No	Healthy	0	61-90	No	No	No	No
7763	9.1	post oak	8	No	Healthy	0	61-90	No	No	No	No
7764	7.7	post oak	6	No	Healthy	0	61-90	No	No	No	No
7765	12.3	green ash	5	No	Damaged	80	61-90	No	No	No	No
7766	11.4	post oak	11	No	Healthy	0	61-90	No	No	No	No
7767	7.7	post oak	9	No	Healthy	0	61-90	No	No	No	No
7768	7	post oak	7	No	Healthy	0	61-90	No	No	No	No
7769	8.5	post oak	8	No	Healthy	0	61-90	No	No	No	No
7770	8.6	blackjack oak	9	No	Healthy	0	61-90	No	No	No	No
7771	15.1	pecan	18	No	Healthy	0	61-90	No	No	No	No
7772	8.1	pecan	8	No	Healthy	0	61-90	No	No	No	No
7773	9.7	cedar elm	10	No	Healthy	0	61-90	No	No	No	No
7774	9.2	cedar elm	8	No	Healthy	0	61-90	No	No	No	No
7775	8.9	post oak	8	No	Healthy	0	61-90	No	No	No	No
7776	17	blackjack oak	19	No	Healthy	0	61-90	No	No	No	No
7777	13.8	cedar elm	12	No	Healthy	0	61-90	No	No	No	No
7778	14.6	cedar elm	13	No	Healthy	0	61-90	No	No	No	No
7779	13.8	cedar elm	13	No	Healthy	0	61-90	No	No	No	No
7780	14.7	American elm	14	No	Healthy	0	61-90	No	No	No	No
7781	9.8	post oak	9	No	Healthy	0	61-90	No	No	No	No
7782	7.1	blackjack oak	7	No	Healthy	0	61-90	No	No	No	No
7783	8	blackjack oak	8	No	Healthy	0	61-90	No	No	No	No
7784	8.5	Chinaberry	7	No	Healthy	0	61-90	No	No	No	No
7785	7.6	Chinaberry	7	Yes	Healthy	0	61-90	No	No	No	No
7786	8.3	Chinaberry	6	No	Healthy	0	61-90	No	No	No	No
7787	8.3	Chinaberry	7	No	Healthy	0	61-90	No	No	No	No
7788	12.3	Chinaberry	12	Yes	Healthy	0	61-90	No	No	No	No
7789	11.8	Chinaberry	8	Yes	Healthy	0	61-90	No	No	No	No
7790	8.9	Chinaberry	7	No	Healthy	0	61-90	No	No	No	No
7791	20.5	post oak	20	No	Healthy	0	61-90	No	No	No	No
7792	11	eastern red cedar	11	No	Healthy	0	61-90	No	No	No	No
7793	12	post oak	12	No	Healthy	0	61-90	No	No	No	No
7794	8.3	post oak	8	No	Healthy	0	61-90	No	No	No	No
7795	6.6	cedar elm	6	No	Healthy	0	61-90	No	No	No	No

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Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
7796	18.8	sycamore	18	No	Healthy	0	61-90	No	No	No	No
7797	11.7	sycamore	11	No	Healthy	0	61-90	No	No	No	No
7798	10.7	American elm	10	Yes	Healthy	0	61-90	No	No	No	No
7799	16.4	sycamore	16	No	Healthy	0	61-90	No	No	No	No
7800	6.4	eastern red cedar	6	No	Healthy	0	61-90	No	No	No	No
7801	24.5	post oak	25	No	Healthy	0	61-90	No	No	No	No
7802	8.5	eastern red cedar	9	No	Healthy	0	61-90	No	No	No	No
7803	23.9	post oak	24	No	Healthy	0	61-90	No	No	No	No
7804	19.7	post oak	20	Yes	Healthy	0	61-90	No	No	No	No
7805	12.6	post oak	13	No	Healthy	0	61-90	No	No	No	No
7806	15.2	post oak	15	No	Healthy	0	61-90	No	No	No	No
7807	7.2	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
7808	11.9	post oak	13	No	Damaged	90	61-90	No	No	No	No
7809	12	post oak	14	No	Healthy	0	61-90	No	No	No	No
7810	15.3	post oak	12	No	Healthy	0	61-90	No	No	No	No
7811	12.5	post oak	12	No	Healthy	10	61-90	No	No	No	No
7812	13.5	post oak	13	No	Healthy	0	61-90	No	No	No	No
7813	8.6	blackjack oak	9	No	Healthy	0	61-90	No	No	No	No
7814	6.5	blackjack oak	7	No	Healthy	0	61-90	No	No	No	No
7815	8.9	post oak	9	No	Healthy	0	61-90	No	No	No	No
7816	14.8	post oak	13	No	Damaged	30	61-90	No	Trunk	Trunk	Trunk
7817	14.2	post oak	13	No	Healthy	0	61-90	No	No	No	No
7818	15	post oak	11	No	Damaged	40	61-90	No	No	No	No
7819	10.5	post oak	11	No	Healthy	0	61-90	No	No	No	No
7820	12.9	post oak	13	No	Healthy	0	61-90	No	No	No	No
7821	15.9	post oak	16	No	Healthy	0	61-90	No	No	No	No
7822	15.5	post oak	12	No	Healthy	0	61-90	No	No	No	No
7824	6	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
7825	17.6	post oak	18	No	Healthy	0	61-90	No	No	No	No
7826	7.6	eastern red cedar	8	No	Healthy	0	61-90	No	No	No	No
7827	17.1	post oak	17	No	Healthy	0	61-90	No	No	No	No
7828	20.4	post oak	22	No	Healthy	0	61-90	No	No	No	No
7829	6.6	blackjack oak	7	No	Healthy	0	61-90	No	No	No	No
7837	20.8	post oak	20	No	Healthy	0	61-90	No	No	No	No
7838	40.3	post oak	30	Yes	Healthy	0	61-90	No	No	No	No
7839	9.6	eastern red cedar	10	No	Healthy	0	61-90	No	No	No	No
7840	6.6	blackjack oak	7	No	Healthy	0	61-90	No	No	No	No

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Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
7841	20.1	post oak	21	No	Healthy	0	61-90	No	No	No	No
7842	7.3	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
7843	24.2	post oak	24	No	Healthy	0	61-90	No	No	No	No
7844	7.5	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
7845	6.4	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
7846	19.3	post oak	20	No	Healthy	25	61-90	No	No	No	No
7847	21.8	post oak	23	Yes	Healthy	0	61-90	No	No	No	No
7848	10.3	post oak	10	No	Healthy	0	61-90	No	No	No	No
7849	9.3	post oak	9	No	Healthy	0	61-90	No	No	No	No
7850	14.9	post oak	15	No	Healthy	0	61-90	No	No	No	No
7851	10.6	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7852	8.2	eastern red cedar	8	No	Healthy	0	61-90	No	No	No	No
7853	9.7	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7854	6.2	eastern red cedar	6	No	Healthy	0	61-90	No	No	No	No
7855	17.8	blackjack oak	18	No	Damaged	60	61-90	No	No	No	No
7856	7.6	eastern red cedar	9	No	Healthy	0	61-90	No	No	No	No
7863	11.1	post oak	10	No	Healthy	0	31-60	No	No	No	No
7864	12.5	post oak	14	No	Healthy	0	61-90	No	No	No	No
7865	18.9	post oak	18	No	Healthy	0	61-90	No	No	No	No
7866	10.1	post oak	11	No	Healthy	0	61-90	No	No	No	No
7880	10.5	blackjack oak	10	Yes	Healthy	0	61-90	No	No	No	No
7881	14.1	post oak	14	No	Healthy	0	61-90	No	No	No	No
7882	13.6	post oak	14	No	Healthy	0	61-90	No	No	No	No
7883	17.2	post oak	17	No	Healthy	0	61-90	No	No	No	No
7884	18	post oak	18	No	Healthy	0	61-90	No	No	No	No
7885	15.7	post oak	16	No	Healthy	0	61-90	No	No	No	No
7886	6.6	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
7887	11.9	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7906	8.2	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
7907	12.5	gum bumelia	12	No	Healthy	0	61-90	No	No	No	No
7908	6	sugarberry	7	No	Healthy	0	61-90	No	No	No	No
7909	16.2	American elm	16	No	Healthy	0	61-90	No	No	No	No
7910	17	post oak	18	No	Healthy	0	61-90	No	No	No	No
7911	10	pecan	10	No	Healthy	0	61-90	No	No	No	No
7912	20	eastern red cedar	12	Yes	Healthy	0	61-90	No	No	No	No
7913	15.5	post oak	14	No	Healthy	0	61-90	No	No	No	No
7914	7.1	post oak	7	No	Healthy	0	61-90	No	No	No	No

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7915	6.7	American elm	6	No	Healthy	0	61-90	No	No	No	No
7916	7.2	American elm	7	No	Healthy	0	61-90	No	No	No	No
7917	11.6	post oak	11	No	Healthy	0	61-90	No	No	No	No
7918	16.1	American elm	16	No	Healthy	0	61-90	No	No	No	No
7919	16	post oak	16	No	Healthy	0	61-90	No	No	No	No
7920	8.1	post oak	8	No	Damaged	0	61-90	No	Trunk	Trunk	Trunk
7922	26	pecan	18	No	Healthy	0	61-90	No	No	No	No
7923	11	American elm	10	No	Healthy	0	61-90	No	No	No	No
7924	15.3	post oak	14	No	Healthy	0	61-90	No	No	No	No
7925	9.3	American elm	9	No	Healthy	0	61-90	No	No	No	No
7926	8.3	post oak	8	No	Healthy	0	61-90	No	No	No	No
7927	6.1	cedar elm	6	No	Healthy	0	61-90	No	No	No	No
7928	11.4	eastern red cedar	11	No	Healthy	0	61-90	No	No	No	No
7929	6.3	American elm	6	No	Healthy	0	61-90	No	No	No	No
7930	18.6	black willow	18	No	Healthy	0	61-90	No	No	No	No
7932	8.7	American elm	8	Yes	Healthy	0	61-90	No	No	No	No
7933	9.7	post oak	9	No	Healthy	0	61-90	No	No	No	No
7934	8.8	American elm	8	No	Healthy	0	61-90	No	No	No	No
7935	6.4	cedar elm	6	No	Healthy	0	31-60	No	No	No	No
7936	10	cedar elm	10	No	Healthy	0	61-90	No	No	No	No
7937	7.1	American elm	7	No	Healthy	0	61-90	No	No	No	No
7938	6.5	American elm	6	No	Healthy	0	61-90	No	No	No	No
7939	10	pecan	10	No	Healthy	0	61-90	No	No	No	No
7940	9	American elm	9	No	Healthy	0	61-90	No	No	No	No
7944	10.6	pecan	10	No	Healthy	0	61-90	No	No	No	No
7945	26.5	blackjack oak	20	No	Healthy	0	61-90	No	No	No	No
7946	28	blackjack oak	25	No	Healthy	0	61-90	No	No	No	No
7947	14.7	post oak	14	No	Healthy	0	61-90	No	No	No	No
7948	7	cedar elm	8	No	Healthy	0	61-90	No	No	No	No
7949	13	post oak	12	No	Healthy	0	61-90	No	No	No	No
7950	7	post oak	6	No	Healthy	0	61-90	No	No	No	No
7951	12.5	post oak	12	No	Healthy	0	61-90	No	No	No	No
7952	6.4	blackjack oak	6	No	Healthy	0	0-30	No	No	No	No
7954	12	post oak	12	No	Healthy	0	61-90	No	No	No	No
7955	6.8	blackjack oak	6	No	Healthy	0	0-30	No	No	No	No
7956	9.9	post oak	10	No	Healthy	0	61-90	No	No	No	No
7957	18	post oak	22	No	Healthy	0	61-90	No	No	No	No

Spencer Road Industrial Project Site - Tree Inventory within Confirmed ESA
City of Denton, Denton County, Texas

Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
7958	8.4	blackjack oak	8	No	Healthy	0	61-90	No	No	No	No
7959	11.2	post oak	11	No	Healthy	0	61-90	No	No	No	No
7960	9.1	post oak	9	No	Healthy	0	61-90	No	No	No	No
7961	11.1	eastern red cedar	11	No	Healthy	0	61-90	No	No	No	No
7962	6.4	blackjack oak	6	No	Healthy	0	61-90	No	No	No	No
7963	7.4	post oak	7	No	Healthy	0	61-90	No	No	No	No
7964	6.5	blackjack oak	6	No	Healthy	0	61-90	No	No	No	No
7965	13.9	eastern red cedar	14	No	Healthy	0	61-90	No	No	No	No
7966	8.1	blackjack oak	8	No	Healthy	0	61-90	No	No	No	No
7967	6.8	American elm	6	No	Healthy	0	61-90	No	No	No	No
7968	7	pecan	7	No	Healthy	0	61-90	No	No	No	No
7969	11.3	boxelder	10	Yes	Healthy	0	61-90	No	No	No	No
7970	16.4	cedar elm	16	Yes	Healthy	0	61-90	No	No	No	No
7971	6.5	pecan	6	No	Healthy	0	61-90	No	No	No	No
7972	7.3	pecan	7	No	Healthy	0	61-90	No	No	No	No
7973	7.7	pecan	7	No	Healthy	0	61-90	No	No	No	No
7974	12.7	American elm	13	No	Healthy	0	61-90	No	No	No	No
7975	8	pecan	8	No	Healthy	0	61-90	No	No	No	No
7976	7.9	Bradford pear	8	No	Damaged	0	61-90	No	Trunk	No	No
7977	11.2	post oak	11	No	Healthy	0	61-90	No	No	No	No
7978	8.6	pecan	8	No	Healthy	0	61-90	No	No	No	No
7979	8.3	pecan	8	No	Healthy	0	61-90	No	No	No	No
7980	7.4	pecan	7	No	Healthy	0	61-90	No	No	No	No
7981	8.3	eastern red cedar	8	No	Healthy	0	61-90	No	No	No	No
7982	8	boxelder	8	No	Healthy	0	61-90	No	No	No	No
7983	6.3	pecan	6	No	Healthy	0	61-90	No	No	No	No
7984	7.4	pecan	7	No	Healthy	0	61-90	No	No	No	No
7985	14.5	blackjack oak	14	No	Healthy	0	61-90	No	No	No	No
7986	6.5	boxelder	6	No	Healthy	0	61-90	No	No	No	No
7987	8.1	pecan	7	No	Healthy	0	61-90	No	No	No	No
7988	6.1	blackjack oak	6	No	Healthy	0	61-90	No	No	No	No
7990	10	American elm	6	No	Damaged	0	61-90	No	No	Trunk	Trunk
7991	8.4	pecan	8	No	Healthy	0	61-90	No	No	No	No
7992	11.1	boxelder	11	No	Healthy	0	61-90	No	No	No	No
7993	10.3	post oak	10	No	Healthy	0	61-90	No	No	No	No
7994	14.1	eastern red cedar	14	Yes	Healthy	0	61-90	No	No	No	No
7995	9.3	pecan	9	No	Healthy	0	61-90	No	No	No	No

Spencer Road Industrial Project Site - Tree Inventory within Confirmed ESA
City of Denton, Denton County, Texas

Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
7996	18.4	post oak	25	No	Healthy	0	61-90	No	No	No	No
7997	8.4	eastern red cedar	8	No	Healthy	0	61-90	No	No	No	No
7998	6.1	post oak	6	No	Healthy	0	61-90	No	No	No	No
7999	9.5	post oak	9	No	Healthy	0	61-90	No	No	No	No
8000	8.8	post oak	9	No	Healthy	0	61-90	No	No	No	No
9487	10.4	blackjack oak	8	Yes	Healthy	0	61-90	No	No	No	No

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS APPROVING AN ALTERNATIVE ENVIRONMENTALLY SENSITIVE AREA PLAN TO OFFSET THE REMOVAL OF 0.23 ACRE OF ENVIRONMENTALLY SENSITIVE AREAS (ESAS) ON APPROXIMATELY 53.89 ACRES OF LAND LOCATED NORTH OF SPENCER ROAD AND APPROXIMATELY 1,200 FEET WEST OF THE INTERSECTION OF SPENCER ROAD AND LOOP 288 IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL ENVIRONMENTALLY SENSITIVE AREAS MAP; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF $2,000.00 FOR VIOLATIONS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (AESA25-0001B)

WHEREAS, the property owner, IDI Logistics, LLC "Owner" seeks to develop the approximately 53.89 acres described in **Exhibit "A"**, attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, the Property is depicted on the map in **Exhibit "B"**, attached hereto and incorporated herein by reference; and

WHEREAS, Owner has applied for an Alternative Environmentally Sensitive Area Plan, attached hereto as **Exhibit "E"** and incorporated by reference, pursuant to Section 2.8.4 of the Denton Development Code (the "AESA Plan"); and

WHEREAS, the Owner proposes to mitigate by improving approximately 3.48 acres of Environmentally Sensitive Areas described in **Exhibit "C"** and depicted on the map provided in **Exhibit "D"**, each attached hereto and incorporated by reference (the "AESA Property"); and

WHEREAS, the purpose of the AESA Plan is to provide a procedure for mitigating the ecological impact of the proposed development on water-related habitat located on the AESA Property; and

WHEREAS, on August 13, 2025, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, gave requisite notices by publication and otherwise, afforded full and fair hearings to property owners and interested citizens, and recommended approval of the AESA Plan on the AESA Property (–) with conditions; and

WHEREAS, on September 16, 2025, the City Council conducted a public hearing as required by law; and

WHEREAS, the City Council finds that the proposed AESA Plan satisfies all substantive and procedural standards set forth in Section 2.8.4. of the Denton Development Code and is consistent with the Denton 2040 Comprehensive Plan; and

WHEREAS, the City Council, in considering the proposed AESA Plan for the Property and the factors and goals in Subsection 2.8.4.D of the Denton Development Code, has determined that

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the proposed use for the Property and adoption of the AESA Plan is in the best interest of the health, safety, and general welfare of the City of Denton; and

WHEREAS, the City Council finds that said AESA Plan is in the public interest and should be granted as set forth herein.

NOW THEREFORE, THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

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

SECTION 2. The AESA Plan mitigates the ecological impact of development of the Property and is hereby approved with the following conditions:

1. Land disturbances within Environmentally Sensitive Areas are limited to the Property described on **Exhibit "A"** and depicted on the map provided on **Exhibit "B"**;
2. Clearing on the AESA Property described in **"Exhibit "C"** and depicted on the map provided on **Exhibit "D"** shall comply with the AESA Plan in Exhibit "C" and immediately commence upon issuance of the clear and grade permit for the development;
3. All improvements described in the Mitigation Activities portion of the AESA Plan in **Exhibit "E"** must commence prior to the issuance of the first building permit;
4. Notwithstanding Condition No. 2 and with prior approval from the Director of Environmental Services and Sustainability, the Property Owner may begin the improvements described in the Mitigation Activities portion of the AESA Plan in **Exhibit "E"** on a date certain within the next appropriate growing season;
5. Invasive plants removed as a part of the approved AESA Plan shall continue to be monitored and targeted for removal for a minimum of three (3) years from the time of their initial removal and until the conditions of the AESA Plan have been met;
6. Upon receipt of the third annual report, City of Denton staff will perform an inspection. If the inspection confirms that the conditions of the AESA Plan have been met, Director of Environmental Services and Sustainability will issue a letter of acceptance;
7. All perpetual maintenance activities in the AESA Plan shall be recorded on corresponding platting for the Property; and
8. The Property Owner retains all responsibility and shall bear all costs and liabilities related to (i) ownership, operation, upkeep, and maintenance of the AESA Property; (ii) implementation and enforcement of the requirements of the AESA Plan; and (iii) any actions needed to cure any defaults of the AESA Plan.

SECTION 3. The City's official ESA map is hereby amended to show permanent removal of the Riparian Buffer in accordance with the AESA Plan.

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

SECTION 5. Any person, firm, partnership, or corporation violating any provision of this ordinance shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by

fine in a sum not exceeding $2,000.00 for each offense. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense.

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

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

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

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

_____
GERARD HUDSPETH, MAYOR

ATTEST:
LAUREN THODEN, CITY SECRETARY

BY: _____

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APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____

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Exhibit A
Description of Property
(Forthcoming from the Applicant)

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LEGAL DESCRIPTION OF
DIA TRACT

All that certain lot, tract, or parcel of land, situated in a portion of the Mary L. Austin Survey, Abstract No. 4, City of Denton, Denton County, Texas, being part of that certain called 53.865 net acre tract described in a deed to Neil A. Bickley and Ronald W. Atkins recorded in Document No. 2024-128262 of the Deed Records of Denton County, Texas (DRDCT), and being more completely described as follows, to-wit:

COMMENCING at a 1/2" iron rod found (bent) for the Northeast corner of said 53.865 net acre tract, the Southeast corner of a called 24.14 acre tract described as Tract 1 in a deed to Madanjo Partners, LTD recorded in Document No. 2018-75291 (DRDCT), the Northeast corner of a called 17 acre tract described in deed to American Legion Post #71 recorded in Volume 561, Page 464 (DRDCT) and for the Southwest corner of Brinker Road (an unimproved variable width right-of-way) described in deed to the City of Denton, Texas recorded in Document No. 2008-21943 (DRDCT);

THENCE South 02 deg. 08 min. 02 sec. East along the East line of said 53.865 net acre tract and the West line of said 17 acre tract a distance of 75.20 feet to the **TRUE POINT OF BEGINNING**;

THENCE South 02 deg. 08 min. 02 sec. East continuing along said East and West lines, a distance of 649.63 feet;

THENCE South 62 deg. 19 min. 44 sec. West departing said East and West lines, a distance of 6.87 feet;

THENCE South 57 deg. 51 min. 21 sec. West, a distance of 12.14 feet;

THENCE South 60 deg. 57 min. 00 sec. West, a distance of 23.25 feet;

THENCE South 87 deg. 51 min. 58 sec. West, a distance of 58.50 feet;

THENCE South 52 deg. 47 min. 54 sec. West, a distance of 4.42 feet;

THENCE South 45 deg. 51 min. 08 sec. West, a distance of 6.57 feet;

THENCE South 82 deg. 03 min. 45 sec. West, a distance of 5.85 feet;

THENCE North 76 deg. 18 min. 11 sec. West, a distance of 5.69 feet;

THENCE North 51 deg. 29 min. 28 sec. West, a distance of 9.30 feet;

THENCE South 87 deg. 44 min. 10 sec. West, a distance of 33.98 feet;

THENCE North 17 deg. 24 min. 24 sec. West, a distance of 9.54 feet;

THENCE North 44 deg. 30 min. 53 sec. West, a distance of 16.25 feet;

THENCE North 78 deg. 54 min. 52 sec. West, a distance of 10.57 feet;

THENCE South 84 deg. 09 min. 56 sec. West, a distance of 77.02 feet;

THENCE South 69 deg. 28 min. 32 sec. West, a distance of 12.17 feet;

THENCE South 54 deg. 28 min. 48 sec. West, a distance of 8.57 feet;

THENCE South 15 deg. 25 min. 27 sec. West, a distance of 19.12 feet;

THENCE South 27 deg. 11 min. 43 sec. West, a distance of 21.02 feet;

THENCE South 31 deg. 17 min. 13 sec. West, a distance of 14.13 feet;

THENCE South 30 deg. 37 min. 33 sec. West, a distance of 35.86 feet;

THENCE South 29 deg. 06 min. 02 sec. West, a distance of 26.88 feet;

THENCE South 06 deg. 57 min. 34 sec. West, a distance of 19.74 feet;

THENCE South 11 deg. 08 min. 49 sec. East, a distance of 28.66 feet;

THENCE South 20 deg. 16 min. 39 sec. East, a distance of 18.89 feet;

THENCE South 45 deg. 00 min. 00 sec. East, a distance of 137.65 feet;

THENCE North 90 deg. 00 min. 00 sec. East, a distance of 192.11 feet;

THENCE South 44 deg. 14 min. 18 sec. East, a distance of 24.25 feet;

THENCE South 89 deg. 59 min. 15 sec. East, a distance of 9.03 feet;

THENCE South 30 deg. 22 min. 45 sec. East, a distance of 3.54 feet;

THENCE South 20 deg. 15 min. 23 sec. East, a distance of 12.73 feet to a point in the North right-of-way line of Spencer Road (variable width right-of-way), from which a 1/2" capped iron rod found stamped "GMCIVIL" in the East line of said 53.865 net acre tract and the West line of said 17 acre tract bears South 89 deg. 59 min. 15 sec. East – 9.50 feet;

THENCE in a westerly direction along said North right-of-way line the following two (2) calls:

North 89 deg. 59 min. 15 sec. West, a distance of 348.92 feet to a 1/2" capped iron rod found stamped "GMCIVIL";

North 89 deg. 28 min. 20 sec. West, a distance of 9.54 feet;

THENCE North 04 deg. 39 min. 07 sec. West departing said North right-of-way line, a distance of 38.46 feet;

THENCE North 34 deg. 41 min. 13 sec. West, a distance of 64.50 feet;

THENCE North 89 deg. 28 min. 20 sec. West, a distance of 62.46 feet;

THENCE North 16 deg. 08 min. 09 sec. West, a distance of 53.09 feet;

THENCE North 88 deg. 23 min. 14 sec. West, a distance of 23.67 feet;

THENCE North 01 deg. 52 min. 24 sec. West, a distance of 3.08 feet;

THENCE North 05 deg. 37 min. 40 sec. West, a distance of 3.27 feet;

THENCE North 08 deg. 29 min. 03 sec. West, a distance of 1.71 feet;

THENCE North 09 deg. 27 min. 42 sec. West, a distance of 17.63 feet;

THENCE in a northerly direction along said line, a distance of 0.18 feet;

THENCE North 10 deg. 21 min. 28 sec. West, a distance of 1.56 feet;

THENCE North 13 deg. 07 min. 40 sec. West, a distance of 3.27 feet;

THENCE North 16 deg. 52 min. 33 sec. West, a distance of 3.27 feet;

THENCE North 20 deg. 37 min. 29 sec. West, a distance of 3.27 feet;

THENCE North 24 deg. 22 min. 13 sec. West, a distance of 3.27 feet;

THENCE North 28 deg. 07 min. 48 sec. West, a distance of 3.27 feet;

THENCE North 31 deg. 52 min. 24 sec. West, a distance of 3.27 feet;

THENCE North 35 deg. 28 min. 06 sec. West, a distance of 3.00 feet;

THENCE North 37 deg. 11 min. 04 sec. West, a distance of 16.66 feet;

THENCE North 26 deg. 33 min. 54 sec. West, a distance of 3.51 feet;

THENCE North 43 deg. 40 min. 06 sec. East, a distance of 10.52 feet;

THENCE North 49 deg. 53 min. 56 sec. East, a distance of 11.82 feet;

THENCE North 49 deg. 19 min. 32 sec. East, a distance of 1.00 feet;

THENCE North 46 deg. 52 min. 23 sec. East, a distance of 3.27 feet;

THENCE North 43 deg. 07 min. 36 sec. East, a distance of 3.27 feet;

THENCE North 39 deg. 22 min. 36 sec. East, a distance of 3.27 feet;

THENCE North 35 deg. 37 min. 23 sec. East, a distance of 3.27 feet;

THENCE North 33 deg. 59 min. 22 sec. East, a distance of 0.05 feet;

THENCE North 33 deg. 41 min. 22 sec. East, a distance of 21.11 feet;

THENCE North 31 deg. 50 min. 38 sec. East, a distance of 3.22 feet;

THENCE North 28 deg. 07 min. 30 sec. East, a distance of 3.27 feet;

THENCE North 24 deg. 22 min. 32 sec. East, a distance of 3.27 feet;

THENCE North 20 deg. 37 min. 36 sec. East, a distance of 3.27 feet;

THENCE North 16 deg. 52 min. 27 sec. East, a distance of 3.27 feet;

THENCE North 13 deg. 07 min. 20 sec. East, a distance of 3.27 feet;

THENCE North 09 deg. 22 min. 42 sec. East, a distance of 3.27 feet;

THENCE North 05 deg. 37 min. 19 sec. East, a distance of 3.27 feet;

THENCE North 01 deg. 52 min. 44 sec. East, a distance of 3.27 feet;

THENCE North 01 deg. 52 min. 45 sec. West, a distance of 3.27 feet;

THENCE North 03 deg. 54 min. 59 sec. West, a distance of 0.29 feet;

THENCE North 04 deg. 05 min. 06 sec. West, a distance of 16.44 feet;

THENCE North 05 deg. 47 min. 46 sec. West, a distance of 2.98 feet;

THENCE North 08 deg. 03 min. 33 sec. West, a distance of 0.97 feet;

THENCE North 08 deg. 36 min. 54 sec. West, a distance of 19.54 feet;

THENCE North 09 deg. 56 min. 08 sec. West, a distance of 2.30 feet;

THENCE North 13 deg. 07 min. 40 sec. West, a distance of 3.27 feet;

THENCE North 16 deg. 52 min. 13 sec. West, a distance of 3.27 feet;

THENCE North 20 deg. 37 min. 29 sec. West, a distance of 3.27 feet;

THENCE North 24 deg. 22 min. 32 sec. West, a distance of 3.27 feet;

THENCE North 28 deg. 07 min. 30 sec. West, a distance of 3.27 feet;

THENCE North 31 deg. 52 min. 41 sec. West, a distance of 3.27 feet;

THENCE North 35 deg. 37 min. 35 sec. West, a distance of 3.27 feet;

THENCE North 39 deg. 22 min. 20 sec. West, a distance of 3.27 feet;

THENCE North 41 deg. 33 min. 14 sec. West, a distance of 0.55 feet;

THENCE North 41 deg. 52 min. 42 sec. West, a distance of 22.80 feet;

THENCE North 42 deg. 19 min. 49 sec. West, a distance of 0.83 feet;

THENCE North 42 deg. 49 min. 32 sec. West, a distance of 32.73 feet;

THENCE North 43 deg. 54 min. 52 sec. West, a distance of 1.90 feet;

THENCE North 46 deg. 52 min. 24 sec. West, a distance of 3.27 feet;

THENCE North 50 deg. 37 min. 24 sec. West, a distance of 3.27 feet;

THENCE North 54 deg. 22 min. 37 sec. West, a distance of 3.27 feet;

THENCE North 57 deg. 16 min. 27 sec. West, a distance of 1.80 feet;

THENCE North 58 deg. 18 min. 27 sec. West, a distance of 33.52 feet;

THENCE North 54 deg. 49 min. 10 sec. West, a distance of 17.66 feet;

THENCE North 01 deg. 25 min. 01 sec. West, a distance of 206.24 feet;

THENCE North 44 deg. 11 min. 54 sec. West, a distance of 7.71 feet;

THENCE North 56 deg. 58 min. 08 sec. West, a distance of 12.55 feet;

THENCE North 32 deg. 04 min. 33 sec. West, a distance of 10.05 feet;

THENCE North 24 deg. 58 min. 12 sec. West, a distance of 16.30 feet;

THENCE North 43 deg. 46 min. 24 sec. West, a distance of 25.92 feet;

THENCE North 65 deg. 58 min. 31 sec. West, a distance of 15.30 feet;

THENCE North 64 deg. 54 min. 58 sec. West, a distance of 10.31 feet;

THENCE North 35 deg. 37 min. 35 sec. West, a distance of 2.88 feet;

THENCE North 39 deg. 22 min. 36 sec. West, a distance of 3.27 feet;

THENCE North 42 deg. 32 min. 17 sec. West, a distance of 2.25 feet;

THENCE North 43 deg. 49 min. 51 sec. West, a distance of 41.39 feet;

THENCE North 43 deg. 27 min. 09 sec. West, a distance of 8.83 feet;

THENCE North 43 deg. 35 min. 48 sec. East, a distance of 0.84 feet;

THENCE North 42 deg. 25 min. 44 sec. East, a distance of 2.05 feet;

THENCE North 39 deg. 22 min. 20 sec. East, a distance of 3.27 feet;

THENCE North 36 deg. 14 min. 41 sec. East, a distance of 2.19 feet;

THENCE North 34 deg. 59 min. 31 sec. East, a distance of 8.68 feet;

THENCE North 35 deg. 13 min. 06 sec. East, a distance of 9.88 feet;

THENCE North 34 deg. 29 min. 17 sec. East, a distance of 1.28 feet;

THENCE North 31 deg. 52 min. 24 sec. East, a distance of 3.27 feet;

THENCE North 28 deg. 07 min. 38 sec. East, a distance of 3.27 feet;

THENCE North 24 deg. 22 min. 21 sec. East, a distance of 3.27 feet;

THENCE North 20 deg. 37 min. 29 sec. East, a distance of 3.27 feet;

THENCE North 17 deg. 13 min. 47 sec. East, a distance of 2.65 feet;

THENCE North 15 deg. 42 min. 34 sec. East, a distance of 7.97 feet;

THENCE North 15 deg. 20 min. 54 sec. East, a distance of 0.62 feet;

THENCE North 13 deg. 07 min. 40 sec. East, a distance of 3.27 feet;

THENCE North 09 deg. 47 min. 20 sec. East, a distance of 2.55 feet;

THENCE North 08 deg. 19 min. 59 sec. East, a distance of 15.63 feet;

THENCE North 26 deg. 22 min. 18 sec. East, a distance of 11.03 feet;

THENCE North 00 deg. 12 min. 38 sec. West, a distance of 121.53 feet;

THENCE North 74 deg. 23 min. 58 sec. West, a distance of 5.34 feet;

THENCE North 87 deg. 55 min. 22 sec. West, a distance of 83.62 feet;

THENCE North 53 deg. 27 min. 53 sec. West, a distance of 3.31 feet;

THENCE North 74 deg. 16 min. 25 sec. West, a distance of 3.53 feet;

THENCE North 74 deg. 52 min. 35 sec. West, a distance of 4.22 feet;

THENCE North 83 deg. 08 min. 51 sec. West, a distance of 1.79 feet;

THENCE South 88 deg. 44 min. 41 sec. West, a distance of 1.59 feet;

THENCE South 78 deg. 43 min. 24 sec. West, a distance of 1.40 feet;

THENCE South 65 deg. 06 min. 08 sec. West, a distance of 2.96 feet;

THENCE South 49 deg. 59 min. 15 sec. West, a distance of 3.06 feet;

THENCE North 87 deg. 55 min. 22 sec. West, a distance of 90.93 feet;

THENCE South 14 deg. 44 min. 58 sec. West, a distance of 1.82 feet;

THENCE South 35 deg. 37 min. 35 sec. East, a distance of 0.15 feet;

THENCE South 37 deg. 35 min. 55 sec. East, a distance of 0.19 feet;

THENCE South 37 deg. 43 min. 05 sec. East, a distance of 11.26 feet;

THENCE South 20 deg. 35 min. 22 sec. East, a distance of 12.67 feet;

THENCE South 21 deg. 32 min. 16 sec. East, a distance of 1.67 feet;

THENCE South 24 deg. 22 min. 32 sec. East, a distance of 3.27 feet;

THENCE South 28 deg. 07 min. 30 sec. East, a distance of 3.27 feet;

THENCE South 31 deg. 52 min. 41 sec. East, a distance of 3.27 feet;

THENCE South 35 deg. 37 min. 35 sec. East, a distance of 3.27 feet;

THENCE South 39 deg. 22 min. 20 sec. East, a distance of 3.27 feet;

THENCE South 43 deg. 07 min. 37 sec. East, a distance of 3.27 feet;

THENCE South 46 deg. 52 min. 09 sec. East, a distance of 3.27 feet;

THENCE South 50 deg. 37 min. 40 sec. East, a distance of 3.27 feet;

THENCE South 53 deg. 12 min. 55 sec. East, a distance of 1.24 feet;

THENCE South 53 deg. 55 min. 03 sec. East, a distance of 12.73 feet;

THENCE South 48 deg. 12 min. 45 sec. East, a distance of 24.63 feet;

THENCE South 48 deg. 27 min. 35 sec. East, a distance of 0.47 feet;

THENCE South 50 deg. 37 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 54 deg. 22 min. 37 sec. East, a distance of 3.27 feet;

THENCE South 58 deg. 07 min. 36 sec. East, a distance of 3.27 feet;

THENCE South 61 deg. 52 min. 30 sec. East, a distance of 3.27 feet;

THENCE South 65 deg. 37 min. 28 sec. East, a distance of 3.27 feet;

THENCE South 69 deg. 22 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 73 deg. 07 min. 33 sec. East, a distance of 3.27 feet;

THENCE South 76 deg. 17 min. 41 sec. East, a distance of 2.26 feet;

THENCE South 77 deg. 35 min. 24 sec. East, a distance of 3.26 feet;

THENCE South 74 deg. 56 min. 06 sec. East, a distance of 1.44 feet;

THENCE South 37 deg. 07 min. 43 sec. East, a distance of 6.38 feet;

THENCE South 37 deg. 17 min. 58 sec. East, a distance of 0.32 feet;

THENCE South 37 deg. 44 min. 48 sec. East, a distance of 0.39 feet;

THENCE South 37 deg. 56 min. 28 sec. East, a distance of 9.65 feet;

THENCE South 08 deg. 07 min. 49 sec. East, a distance of 12.74 feet;

THENCE South 09 deg. 41 min. 34 sec. East, a distance of 2.72 feet;

THENCE South 12 deg. 04 min. 53 sec. East, a distance of 1.46 feet;

THENCE South 12 deg. 55 min. 22 sec. East, a distance of 1.59 feet;

THENCE South 05 deg. 17 min. 18 sec. West, a distance of 7.30 feet;

THENCE South 08 deg. 20 min. 01 sec. West, a distance of 14.05 feet;

THENCE South 35 deg. 13 min. 48 sec. West, a distance of 0.29 feet;

THENCE South 35 deg. 05 min. 37 sec. West, a distance of 0.20 feet;

THENCE South 34 deg. 59 min. 33 sec. West, a distance of 3.31 feet;

THENCE South 57 deg. 08 min. 36 sec. West, a distance of 6.68 feet;

THENCE South 56 deg. 41 min. 51 sec. West, a distance of 0.78 feet;

THENCE South 54 deg. 22 min. 37 sec. West, a distance of 3.27 feet;

THENCE South 50 deg. 37 min. 24 sec. West, a distance of 3.27 feet;

THENCE South 46 deg. 52 min. 38 sec. West, a distance of 3.27 feet;

THENCE South 43 deg. 07 min. 22 sec. West, a distance of 3.27 feet;

THENCE South 39 deg. 22 min. 36 sec. West, a distance of 3.27 feet;

THENCE South 35 deg. 37 min. 35 sec. West, a distance of 3.27 feet;

THENCE South 32 deg. 21 min. 22 sec. West, a distance of 2.43 feet;

THENCE South 30 deg. 57 min. 45 sec. West, a distance of 8.39 feet;

THENCE South 30 deg. 28 min. 37 sec. West, a distance of 0.84 feet;

THENCE South 28 deg. 07 min. 48 sec. West, a distance of 3.27 feet;

THENCE South 25 deg. 27 min. 01 sec. West, a distance of 1.37 feet;

THENCE South 24 deg. 40 min. 39 sec. West, a distance of 9.77 feet;

THENCE South 23 deg. 35 min. 23 sec. West, a distance of 1.90 feet;

THENCE South 20 deg. 37 min. 29 sec. West, a distance of 3.27 feet;

THENCE South 16 deg. 52 min. 33 sec. West, a distance of 3.27 feet;

THENCE South 13 deg. 07 min. 20 sec. West, a distance of 3.27 feet;

THENCE South 09 deg. 22 min. 38 sec. West, a distance of 3.27 feet;

THENCE South 05 deg. 37 min. 19 sec. West, a distance of 3.27 feet;

THENCE South 03 deg. 36 min. 53 sec. West, a distance of 0.28 feet;

THENCE South 03 deg. 26 min. 03 sec. West, a distance of 12.01 feet;

THENCE South 01 deg. 42 min. 48 sec. West, a distance of 3.00 feet;

THENCE South 01 deg. 52 min. 23 sec. East, a distance of 3.27 feet;

THENCE South 05 deg. 37 min. 21 sec. East, a distance of 3.27 feet;

THENCE South 09 deg. 22 min. 38 sec. East, a distance of 3.27 feet;

THENCE South 13 deg. 07 min. 40 sec. East, a distance of 3.27 feet;

THENCE South 16 deg. 52 min. 07 sec. East, a distance of 3.27 feet;

THENCE South 20 deg. 37 min. 36 sec. East, a distance of 3.27 feet;

THENCE South 22 deg. 38 min. 47 sec. East, a distance of 0.22 feet;

THENCE South 22 deg. 45 min. 01 sec. East, a distance of 8.06 feet;

THENCE South 24 deg. 29 min. 58 sec. East, a distance of 3.05 feet;

THENCE South 28 deg. 07 min. 48 sec. East, a distance of 3.27 feet;

THENCE South 31 deg. 52 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 35 deg. 37 min. 35 sec. East, a distance of 3.27 feet;

THENCE South 39 deg. 22 min. 36 sec. East, a distance of 3.27 feet;

THENCE South 43 deg. 07 min. 22 sec. East, a distance of 3.27 feet;

THENCE South 46 deg. 33 min. 42 sec. East, a distance of 2.72 feet;

THENCE South 48 deg. 07 min. 21 sec. East, a distance of 7.50 feet;

THENCE South 43 deg. 53 min. 53 sec. East, a distance of 15.60 feet;

THENCE South 43 deg. 27 min. 07 sec. East, a distance of 12.36 feet;

THENCE South 43 deg. 35 min. 35 sec. East, a distance of 0.33 feet;

THENCE South 43 deg. 49 min. 52 sec. East, a distance of 30.90 feet;

THENCE South 19 deg. 46 min. 39 sec. East, a distance of 8.78 feet;

THENCE South 12 deg. 20 min. 14 sec. East, a distance of 4.61 feet;

THENCE South 13 deg. 40 min. 01 sec. East, a distance of 2.32 feet;

THENCE South 16 deg. 52 min. 27 sec. East, a distance of 3.27 feet;

THENCE South 20 deg. 37 min. 36 sec. East, a distance of 3.27 feet;

THENCE South 24 deg. 22 min. 32 sec. East, a distance of 3.27 feet;

THENCE South 28 deg. 07 min. 30 sec. East, a distance of 3.27 feet;

THENCE South 31 deg. 52 min. 41 sec. East, a distance of 3.27 feet;

THENCE South 35 deg. 37 min. 23 sec. East, a distance of 3.27 feet;

THENCE South 38 deg. 42 min. 59 sec. East, a distance of 2.13 feet;

THENCE South 39 deg. 56 min. 13 sec. East, a distance of 10.99 feet;

THENCE South 06 deg. 35 min. 23 sec. East, a distance of 1.50 feet;

THENCE South 07 deg. 35 min. 59 sec. East, a distance of 0.25 feet;

THENCE South 07 deg. 47 min. 21 sec. East, a distance of 5.62 feet;

THENCE North 86 deg. 58 min. 51 sec. West, a distance of 7.90 feet;

THENCE North 88 deg. 29 min. 13 sec. West, a distance of 2.63 feet;

THENCE South 88 deg. 07 min. 15 sec. West, a distance of 3.27 feet;

THENCE South 84 deg. 22 min. 41 sec. West, a distance of 3.27 feet;

THENCE South 80 deg. 37 min. 22 sec. West, a distance of 3.27 feet;

THENCE South 76 deg. 52 min. 40 sec. West, a distance of 3.27 feet;

THENCE South 73 deg. 07 min. 33 sec. West, a distance of 3.27 feet;

THENCE South 71 deg. 06 min. 50 sec. West, a distance of 0.12 feet;

THENCE South 71 deg. 06 min. 51 sec. West, a distance of 14.03 feet;

THENCE South 69 deg. 18 min. 28 sec. West, a distance of 3.15 feet;

THENCE South 65 deg. 37 min. 28 sec. West, a distance of 3.27 feet;

THENCE South 61 deg. 52 min. 30 sec. West, a distance of 3.27 feet;

THENCE South 58 deg. 07 min. 36 sec. West, a distance of 3.27 feet;

THENCE South 54 deg. 22 min. 25 sec. West, a distance of 3.27 feet;

THENCE South 50 deg. 37 min. 24 sec. West, a distance of 3.27 feet;

THENCE South 46 deg. 52 min. 38 sec. West, a distance of 3.27 feet;

THENCE South 43 deg. 07 min. 37 sec. West, a distance of 3.27 feet;

THENCE South 39 deg. 22 min. 20 sec. West, a distance of 3.27 feet;

THENCE South 35 deg. 37 min. 23 sec. West, a distance of 3.27 feet;

THENCE South 31 deg. 52 min. 52 sec. West, a distance of 3.27 feet;

THENCE South 28 deg. 07 min. 20 sec. West, a distance of 3.27 feet;

THENCE South 24 deg. 22 min. 13 sec. West, a distance of 3.27 feet;

THENCE South 20 deg. 37 min. 36 sec. West, a distance of 3.27 feet;

THENCE South 16 deg. 52 min. 27 sec. West, a distance of 3.27 feet;

THENCE South 13 deg. 07 min. 40 sec. West, a distance of 3.27 feet;

THENCE South 09 deg. 22 min. 21 sec. West, a distance of 3.27 feet;

THENCE South 05 deg. 37 min. 40 sec. West, a distance of 3.27 feet;

THENCE South 01 deg. 52 min. 23 sec. West, a distance of 3.27 feet;

THENCE South 01 deg. 52 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 05 deg. 14 min. 00 sec. East, a distance of 2.58 feet;

THENCE South 06 deg. 42 min. 34 sec. East, a distance of 8.97 feet;

THENCE South 07 deg. 06 min. 17 sec. East, a distance of 0.69 feet;

THENCE South 09 deg. 22 min. 18 sec. East, a distance of 3.27 feet;

THENCE South 13 deg. 07 min. 40 sec. East, a distance of 3.27 feet;

THENCE South 16 deg. 52 min. 33 sec. East, a distance of 3.27 feet;

THENCE South 20 deg. 37 min. 29 sec. East, a distance of 3.27 feet;

THENCE South 24 deg. 22 min. 32 sec. East, a distance of 3.27 feet;

THENCE South 28 deg. 07 min. 30 sec. East, a distance of 3.27 feet;

THENCE South 31 deg. 52 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 35 deg. 37 min. 35 sec. East, a distance of 3.27 feet;

THENCE South 39 deg. 22 min. 36 sec. East, a distance of 3.27 feet;

THENCE South 43 deg. 07 min. 22 sec. East, a distance of 3.27 feet;

THENCE South 46 deg. 52 min. 38 sec. East, a distance of 3.27 feet;

THENCE South 50 deg. 37 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 54 deg. 22 min. 25 sec. East, a distance of 3.27 feet;

THENCE South 57 deg. 56 min. 41 sec. East, a distance of 2.96 feet;

THENCE South 59 deg. 38 min. 48 sec. East, a distance of 10.70 feet;

THENCE South 41 deg. 35 min. 29 sec. West, a distance of 23.80 feet;

THENCE South 43 deg. 33 min. 55 sec. West, a distance of 22.96 feet;

THENCE South 29 deg. 11 min. 24 sec. West, a distance of 3.57 feet;

THENCE South 01 deg. 08 min. 47 sec. West, a distance of 6.90 feet;

THENCE South 02 deg. 10 min. 49 sec. West, a distance of 21.03 feet;

THENCE South 04 deg. 06 min. 04 sec. East, a distance of 7.82 feet;

THENCE South 41 deg. 21 min. 10 sec. East, a distance of 4.62 feet;

THENCE South 82 deg. 11 min. 58 sec. East, a distance of 8.81 feet;

THENCE North 88 deg. 52 min. 58 sec. East, a distance of 11.65 feet;

THENCE South 86 deg. 52 min. 01 sec. East, a distance of 43.61 feet;

THENCE South 85 deg. 56 min. 54 sec. East, a distance of 34.94 feet;

THENCE South 42 deg. 23 min. 51 sec. East, a distance of 31.30 feet;

THENCE South 34 deg. 54 min. 07 sec. East, a distance of 16.37 feet;

THENCE South 36 deg. 12 min. 17 sec. East, a distance of 2.27 feet;

THENCE South 39 deg. 22 min. 20 sec. East, a distance of 3.27 feet;

THENCE South 43 deg. 07 min. 37 sec. East, a distance of 3.27 feet;

THENCE South 46 deg. 52 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 50 deg. 37 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 53 deg. 39 min. 48 sec. East, a distance of 2.02 feet;

THENCE South 54 deg. 49 min. 10 sec. East, a distance of 27.97 feet;

THENCE South 55 deg. 32 min. 14 sec. East, a distance of 1.25 feet;

THENCE South 57 deg. 16 min. 27 sec. East, a distance of 1.80 feet;

THENCE South 58 deg. 18 min. 25 sec. East, a distance of 28.24 feet;

THENCE South 42 deg. 49 min. 32 sec. East, a distance of 25.52 feet;

THENCE South 41 deg. 52 min. 35 sec. East, a distance of 6.68 feet;

THENCE South 49 deg. 53 min. 55 sec. West, a distance of 4.21 feet;

THENCE South 49 deg. 19 min. 32 sec. West, a distance of 1.00 feet;

THENCE South 46 deg. 52 min. 38 sec. West, a distance of 3.27 feet;

THENCE South 44 deg. 19 min. 32 sec. West, a distance of 1.16 feet;

THENCE South 43 deg. 40 min. 05 sec. West, a distance of 17.81 feet;

THENCE South 42 deg. 27 min. 36 sec. West, a distance of 2.11 feet;

THENCE South 39 deg. 22 min. 36 sec. West, a distance of 3.27 feet;

THENCE South 35 deg. 37 min. 23 sec. West, a distance of 3.27 feet;

THENCE South 33 deg. 41 min. 24 sec. West, a distance of 25.38 feet;

THENCE South 31 deg. 50 min. 49 sec. West, a distance of 3.22 feet;

THENCE South 28 deg. 07 min. 30 sec. West, a distance of 3.27 feet;

THENCE South 24 deg. 22 min. 32 sec. West, a distance of 3.27 feet;

THENCE South 20 deg. 37 min. 29 sec. West, a distance of 3.27 feet;

THENCE South 16 deg. 52 min. 33 sec. West, a distance of 3.27 feet;

THENCE South 13 deg. 07 min. 15 sec. West, a distance of 3.27 feet;

THENCE South 09 deg. 22 min. 42 sec. West, a distance of 3.27 feet;

THENCE South 05 deg. 37 min. 19 sec. West, a distance of 3.27 feet;

THENCE South 01 deg. 52 min. 24 sec. West, a distance of 3.27 feet;

THENCE South 00 deg. 00 min. 00 sec. East, a distance of 12.88 feet;

THENCE South 01 deg. 52 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 05 deg. 37 min. 19 sec. East, a distance of 3.27 feet;

THENCE South 09 deg. 22 min. 42 sec. East, a distance of 3.27 feet;

THENCE South 13 deg. 07 min. 15 sec. East, a distance of 3.27 feet;

THENCE South 16 deg. 52 min. 33 sec. East, a distance of 3.27 feet;

THENCE South 20 deg. 30 min. 05 sec. East, a distance of 3.05 feet;

THENCE South 22 deg. 14 min. 55 sec. East, a distance of 13.92 feet;

THENCE South 22 deg. 22 min. 32 sec. East, a distance of 0.22 feet;

THENCE South 24 deg. 22 min. 32 sec. East, a distance of 3.27 feet;

THENCE South 26 deg. 26 min. 34 sec. East, a distance of 0.27 feet;

THENCE South 26 deg. 33 min. 50 sec. East, a distance of 7.31 feet;

THENCE South 53 deg. 24 min. 48 sec. West, a distance of 0.86 feet;

THENCE South 50 deg. 37 min. 24 sec. West, a distance of 3.27 feet;

THENCE South 46 deg. 52 min. 38 sec. West, a distance of 3.27 feet;

THENCE South 43 deg. 07 min. 22 sec. West, a distance of 3.27 feet;

THENCE South 39 deg. 22 min. 36 sec. West, a distance of 3.27 feet;

THENCE South 35 deg. 46 min. 39 sec. West, a distance of 3.01 feet;

THENCE South 34 deg. 03 min. 09 sec. West, a distance of 3.60 feet;

THENCE South 84 deg. 31 min. 50 sec. West, a distance of 11.44 feet;

THENCE North 86 deg. 20 min. 10 sec. West, a distance of 20.77 feet;

THENCE South 78 deg. 28 min. 37 sec. West, a distance of 22.01 feet;

THENCE South 38 deg. 01 min. 10 sec. West, a distance of 8.82 feet;

THENCE South 00 deg. 42 min. 56 sec. West, a distance of 33.41 feet;

THENCE South 14 deg. 15 min. 42 sec. East, a distance of 15.08 feet;

THENCE South 18 deg. 16 min. 07 sec. East, a distance of 29.66 feet;

THENCE South 24 deg. 43 min. 51 sec. East, a distance of 14.83 feet;

THENCE South 72 deg. 13 min. 34 sec. East, a distance of 27.81 feet;

THENCE North 78 deg. 19 min. 04 sec. East, a distance of 16.16 feet;

THENCE South 39 deg. 22 min. 20 sec. East, a distance of 0.73 feet;

THENCE South 43 deg. 07 min. 51 sec. East, a distance of 3.27 feet;

THENCE South 45 deg. 17 min. 25 sec. East, a distance of 0.55 feet;

THENCE South 45 deg. 37 min. 47 sec. East, a distance of 24.11 feet;

THENCE South 47 deg. 11 min. 34 sec. East, a distance of 2.72 feet;

THENCE South 50 deg. 37 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 52 deg. 32 min. 58 sec. East, a distance of 0.12 feet;

THENCE South 52 deg. 25 min. 48 sec. West, a distance of 14.30 feet;

THENCE South 82 deg. 20 min. 00 sec. West, a distance of 52.95 feet to a point in the North right-of-way line of said Spencer Road, from which a 5/8" iron rod found for an angle point in said North right-of-way line bears North 89 deg. 47 min. 15 sec. East – 64.23 feet;

THENCE in a westerly direction along said North right-of-way line the following six (6) calls:

South 89 deg. 47 min. 15 sec. West, a distance of 424.74 feet to a 5/8" iron rod found ;

North 89 deg. 11 min. 13 sec. West, a distance of 253.16 feet to a 5/8" iron rod found for Point of Curvature of a circular curve to the left, having a radius of 950.00 feet, a central angle of 05 deg. 57 min. 23 sec., and being subtended by a chord which bears South 87 deg. 50 min. 05 sec. West - 98.72 feet;

Continue in a westerly direction along said curve to the left, a distance of 98.76 feet to a 5/8" iron rod found from which a 60D nail found bears North 62 deg. 49 min. 28 sec. West – 0.36 feet;

South 84 deg. 51 min. 24 sec. West tangent to said curve, a distance of 107.31 feet to a 5/8" iron rod found for a Point of Curvature of a circular curve to the right, having a radius of 2,943.50 feet, a central angle of 07 deg. 12 min. 27 sec., and being subtended by a chord which bears South 88 deg. 27 min. 37 sec. West - 370.03 feet;

Continue in a westerly direction along said curve to the right, a distance of 370.28 feet to a 5/8" iron rod found;

North 87 deg. 56 min. 09 sec. West tangent to said curve, a distance of 156.66 feet to a point from which a 5/8" iron rod found in the West line of said 53.865 net acre tract, an ell corner in the North right-of-way line of said Spencer Road and in the West line of Lot 2, Block 2 of Municipal Utility Addition recorded in Document No. 2009-139 of the Plat Records of

Denton County, Texas (PRDCT) bears North 87 deg. 56 min. 09 sec. West – 75.02 feet;

THENCE North 03 deg. 22 min. 10 sec. East departing said North right-of-way line, a distance of 681.36 feet;

THENCE North 39 deg. 15 min. 05 sec. West, a distance of 11.43 feet;

THENCE North 03 deg. 22 min. 10 sec. East, a distance of 80.40 feet;

THENCE North 61 deg. 24 min. 53 sec. West, a distance of 1.87 feet;

THENCE North 61 deg. 20 min. 58 sec. West, a distance of 8.16 feet;

THENCE North 36 deg. 03 min. 55 sec. West, a distance of 9.12 feet;

THENCE North 04 deg. 09 min. 37 sec. West, a distance of 6.48 feet;

THENCE North 08 deg. 03 min. 13 sec. East, a distance of 5.74 feet;

THENCE North 27 deg. 20 min. 11 sec. East, a distance of 5.97 feet;

THENCE North 10 deg. 59 min. 47 sec. East, a distance of 50.38 feet;

THENCE North 02 deg. 09 min. 29 sec. West, a distance of 20.27 feet;

THENCE North 10 deg. 43 min. 42 sec. East, a distance of 30.42 feet;

THENCE North 00 deg. 10 min. 52 sec. East, a distance of 41.01 feet;

THENCE North 25 deg. 02 min. 09 sec. East, a distance of 8.40 feet;

THENCE North 63 deg. 21 min. 10 sec. East, a distance of 12.83 feet;

THENCE North 03 deg. 22 min. 10 sec. East, a distance of 24.99 feet;

THENCE North 37 deg. 05 min. 48 sec. West, a distance of 5.74 feet;

THENCE North 00 deg. 26 min. 47 sec. East, a distance of 4.94 feet;

THENCE North 30 deg. 21 min. 02 sec. East, a distance of 8.77 feet;

THENCE North 03 deg. 22 min. 10 sec. East, a distance of 57.86 feet;

THENCE North 76 deg. 49 min. 11 sec. East, a distance of 23.01 feet;

THENCE North 82 deg. 55 min. 00 sec. East, a distance of 16.54 feet;

THENCE South 85 deg. 40 min. 02 sec. East, a distance of 56.72 feet;

THENCE South 85 deg. 48 min. 43 sec. East, a distance of 80.91 feet;

THENCE North 89 deg. 30 min. 35 sec. East, a distance of 19.89 feet;

THENCE North 82 deg. 24 min. 20 sec. East, a distance of 11.77 feet;

THENCE South 83 deg. 39 min. 02 sec. East, a distance of 47.11 feet;

THENCE South 78 deg. 17 min. 58 sec. East, a distance of 16.14 feet;

THENCE South 87 deg. 57 min. 07 sec. East, a distance of 494.91 feet;

THENCE North 69 deg. 11 min. 12 sec. East, a distance of 14.72 feet;

THENCE North 78 deg. 43 min. 51 sec. East, a distance of 12.40 feet;

THENCE South 77 deg. 53 min. 14 sec. East, a distance of 8.58 feet;

THENCE South 65 deg. 36 min. 38 sec. East, a distance of 11.49 feet;

THENCE South 74 deg. 24 min. 42 sec. East, a distance of 11.66 feet;

THENCE South 87 deg. 55 min. 54 sec. East, a distance of 158.21 feet;

THENCE North 73 deg. 37 min. 43 sec. East, a distance of 88.48 feet;

THENCE South 87 deg. 55 min. 22 sec. East, a distance of 210.66 feet;

THENCE South 47 deg. 29 min. 36 sec. East, a distance of 49.45 feet;

THENCE South 77 deg. 33 min. 56 sec. East, a distance of 31.35 feet;

THENCE South 78 deg. 34 min. 21 sec. East, a distance of 39.50 feet;

THENCE South 79 deg. 30 min. 09 sec. East, a distance of 21.48 feet;

THENCE South 82 deg. 24 min. 34 sec. East, a distance of 29.64 feet;

THENCE North 84 deg. 07 min. 50 sec. East, a distance of 13.60 feet;

THENCE North 71 deg. 39 min. 52 sec. East, a distance of 17.78 feet;

THENCE North 56 deg. 29 min. 29 sec. East, a distance of 28.92 feet;

THENCE North 73 deg. 44 min. 52 sec. East, a distance of 14.21 feet;

THENCE North 84 deg. 51 min. 33 sec. East, a distance of 20.05 feet;

THENCE South 79 deg. 10 min. 23 sec. East, a distance of 18.04 feet;

THENCE South 74 deg. 43 min. 24 sec. East, a distance of 33.08 feet;

THENCE South 79 deg. 12 min. 52 sec. East, a distance of 34.28 feet;

THENCE South 79 deg. 29 min. 03 sec. East, a distance of 41.23 feet;

THENCE South 83 deg. 32 min. 04 sec. East, a distance of 13.61 feet;

THENCE North 82 deg. 49 min. 25 sec. East, a distance of 39.42 feet;

THENCE North 88 deg. 21 min. 00 sec. East, a distance of 91.31 feet;

THENCE North 81 deg. 59 min. 51 sec. East, a distance of 47.46 feet;

THENCE North 78 deg. 44 min. 20 sec. East, a distance of 33.58 feet;

THENCE North 79 deg. 58 min. 17 sec. East, a distance of 35.61 feet;

THENCE South 89 deg. 49 min. 31 sec. East, a distance of 18.26 feet;

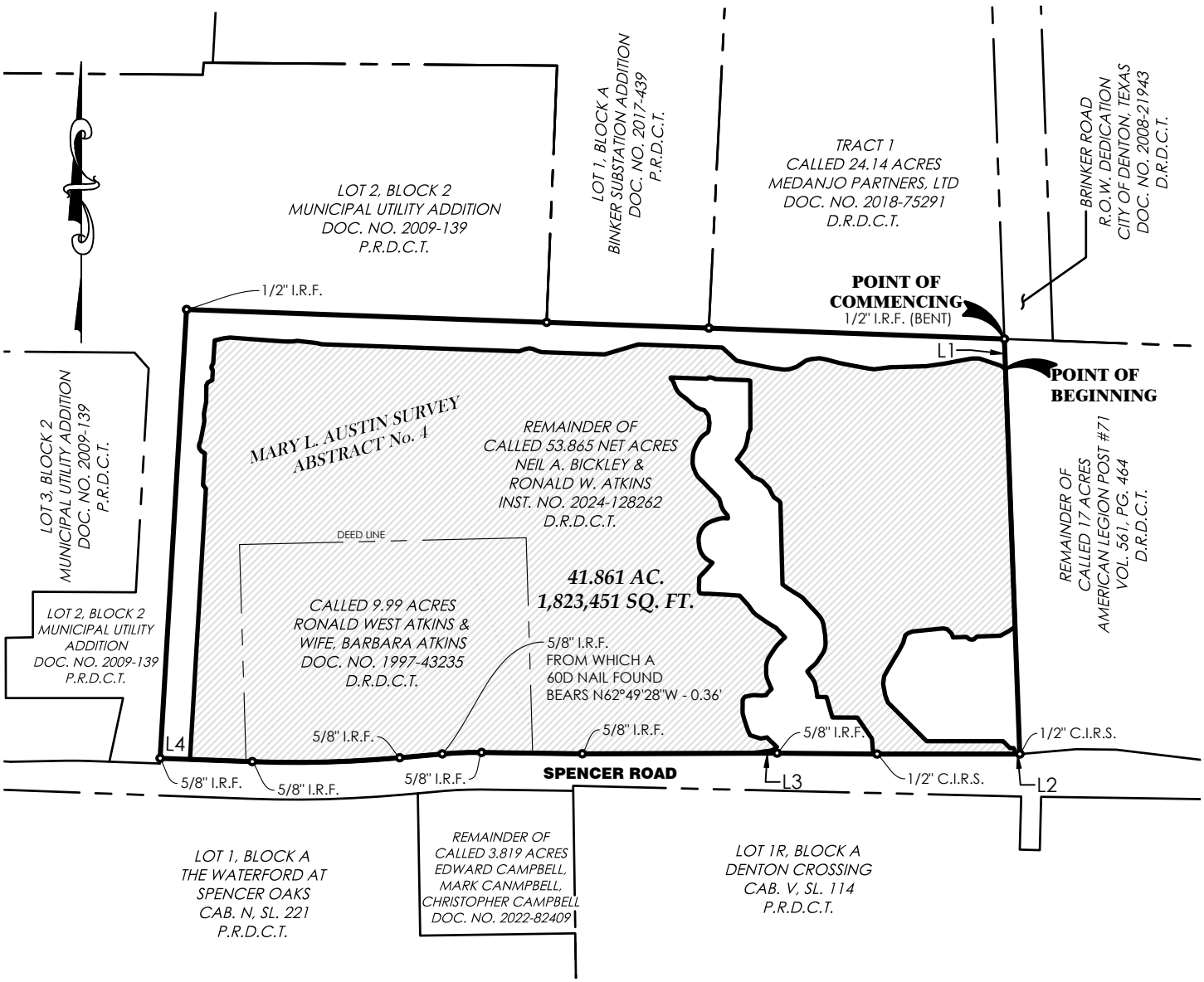
THENCE South 71 deg. 50 min. 32 sec. East, a distance of 27.03 feet;

THENCE South 71 deg. 21 min. 57 sec. East, a distance of 28.37 feet;

THENCE South 56 deg. 48 min. 28 sec. East, a distance of 15.55 feet to the **POINT OF BEGINNING**, containing 1,823,451 square feet or 41.861 acres of land, more or less.

Exhibit B
Depiction of Property
(Forthcoming from the Applicant)

DRAFT



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S02°08'02"E	75.20'
L2	S89°59'15"E	9.50'

LINE TABLE		
LINE #	BEARING	DISTANCE
L3	N89°47'02"E	64.23'
L4	N87°56'09"W	75.02'

EXHIBIT "A" MAP SHOWING DEVELOPMENT IMPACT AREA SITUATED IN A PORTION OF THE MARY L. AUSTIN SURVEY, ABSTRACT NO. 4 CITY OF DENTON, DENTON COUNTY, TEXAS

GM civil
Engineering & Surveying
2559 SW Grapevine Pkwy, Grapevine, Texas 76051
817-329-4373
TxEng Firm # F-2944 | TxSurv Firm # 10021700

Job No.:	10960	Scale:	N.T.S.	Sheet	NOTE: THE INTENT OF THIS EXHIBIT IS TO PICTORIALLY SHOW LOCATIONS OF THE DEVELOPMENT IMPACT AREA. IT IS NOT INTENDED AS AN ACTUAL SURVEY. CALLS SHOWN ARE REFERENCES ONLY. NO STATEMENT IS MADE TO THE VALIDITY OF THESE CALLS
Drafted:	J.H.M.	Checked:	J.N.R.	1	
Surveyed on the Ground:		04/01/2024		of	
Date Prepared:		07/31/2025		1	
Revised:	.	Revised:	.		

I:\23035 - Spencer Rd\COGO\SPLAT\ESA & DIA EXHIBIT-LGLS\DIA\23035-DIA-TRACT.dwg

Exhibit C
Description of AESA Mitigation Property
(Forthcoming from the Applicant)

DRAFT

LEGAL DESCRIPTION OF
ESA TRACT 1

All that certain lot, tract, or parcel of land, situated in a portion of the Mary L. Austin Survey, Abstract No. 4, City of Denton, Denton County, Texas, being part of that certain called 53.865 net acre tract described in a deed to Neil A. Bickley and Ronald W. Atkins recorded in Instrument No. 2024-128262 of the Deed Records of Denton County, Texas (DRDCT), and being more completely described as follows, to-wit:

COMMENCING at a 1/2" capped iron rod found stamped "GMCIVIL" at an angle point in the North right-of-way line of Spencer Road (variable width right-of-way);

THENCE North 89 deg. 28 min. 20 sec. West along said North right-of-way line, a distance of 55.47 feet to the **TRUE POINT OF BEGINNING**;

THENCE North 89 deg. 28 min. 20 sec. West continuing along said North right-of-way line, a distance of 32.91 feet;

THENCE North 08 deg. 28 min. 39 sec. West departing said North right-of-way line, a distance of 4.67 feet;

THENCE North 08 deg. 33 min. 02 sec. West, a distance of 10.80 feet;

THENCE North 20 deg. 30 min. 44 sec. West, a distance of 8.31 feet;

THENCE North 27 deg. 20 min. 53 sec. West, a distance of 10.56 feet;

THENCE North 50 deg. 49 min. 18 sec. West, a distance of 9.20 feet;

THENCE North 80 deg. 18 min. 53 sec. West, a distance of 15.42 feet;

THENCE South 57 deg. 11 min. 28 sec. West, a distance of 5.38 feet;

THENCE South 50 deg. 56 min. 05 sec. West, a distance of 11.28 feet;

THENCE South 22 deg. 28 min. 33 sec. West, a distance of 10.16 feet;

THENCE South 34 deg. 25 min. 49 sec. West, a distance of 12.57 feet;

THENCE South 42 deg. 41 min. 18 sec. West, a distance of 5.27 feet;

THENCE South 42 deg. 08 min. 42 sec. West, a distance of 4.79 feet;

THENCE South 75 deg. 57 min. 17 sec. West, a distance of 10.30 feet;

THENCE South 08 deg. 41 min. 09 sec. West, a distance of 0.49 feet to a point in the North right-of-way line of said Spencer Road (variable width right-of-way);

THENCE North 89 deg. 28 min. 20 sec. West along said North right-of-way line, a distance of 87.94 feet to a point from which a 5/8" iron rod found at an angle point in said North right-of-way line bears North 89 deg. 28 min. 20 sec. West – 1.03 feet;

THENCE North 58 deg. 57 min. 35 sec. West departing said North right-of-way line, a distance of 9.89 feet;

THENCE North 46 deg. 46 min. 32 sec. West, a distance of 15.58 feet;

THENCE North 57 deg. 51 min. 32 sec. West, a distance of 43.19 feet;

THENCE North 51 deg. 36 min. 13 sec. West, a distance of 23.96 feet;

THENCE North 21 deg. 44 min. 47 sec. West, a distance of 10.46 feet;

THENCE North 18 deg. 43 min. 05 sec. West, a distance of 40.33 feet;

THENCE North 02 deg. 12 min. 39 sec. East, a distance of 67.05 feet;

THENCE North 00 deg. 01 min. 32 sec. East, a distance of 13.93 feet;

THENCE North 21 deg. 45 min. 48 sec. East, a distance of 6.95 feet;

THENCE North 34 deg. 25 min. 45 sec. East, a distance of 6.29 feet;

THENCE North 52 deg. 08 min. 09 sec. East, a distance of 11.07 feet;

THENCE North 65 deg. 47 min. 23 sec. East, a distance of 14.20 feet;

THENCE North 82 deg. 17 min. 37 sec. East, a distance of 26.45 feet;

THENCE North 86 deg. 36 min. 52 sec. East, a distance of 6.86 feet;

THENCE North 00 deg. 00 min. 00 sec. East, a distance of 4.89 feet;

THENCE North 01 deg. 52 min. 24 sec. East, a distance of 3.27 feet;

THENCE North 05 deg. 37 min. 19 sec. East, a distance of 3.27 feet;

THENCE North 09 deg. 22 min. 42 sec. East, a distance of 3.27 feet;

THENCE North 13 deg. 07 min. 15 sec. East, a distance of 3.27 feet;

THENCE North 16 deg. 52 min. 33 sec. East, a distance of 3.27 feet;

THENCE North 20 deg. 37 min. 29 sec. East, a distance of 3.27 feet;

THENCE North 24 deg. 22 min. 32 sec. East, a distance of 3.27 feet;

THENCE North 28 deg. 07 min. 30 sec. East, a distance of 3.27 feet;

THENCE North 31 deg. 50 min. 49 sec. East, a distance of 3.22 feet;

THENCE North 33 deg. 41 min. 24 sec. East, a distance of 25.38 feet;

THENCE North 35 deg. 37 min. 23 sec. East, a distance of 3.27 feet;

THENCE North 39 deg. 22 min. 36 sec. East, a distance of 3.27 feet;

THENCE North 42 deg. 27 min. 36 sec. East, a distance of 2.11 feet;

THENCE North 43 deg. 40 min. 05 sec. East, a distance of 17.81 feet;

THENCE North 44 deg. 19 min. 32 sec. East, a distance of 1.16 feet;

THENCE North 46 deg. 52 min. 38 sec. East, a distance of 3.27 feet;

THENCE North 49 deg. 19 min. 32 sec. East, a distance of 1.00 feet;

THENCE North 49 deg. 53 min. 55 sec. East, a distance of 4.21 feet;

THENCE North 41 deg. 52 min. 35 sec. West, a distance of 6.68 feet;

THENCE North 42 deg. 49 min. 32 sec. West, a distance of 25.52 feet;

THENCE North 58 deg. 18 min. 25 sec. West, a distance of 16.13 feet;

THENCE South 78 deg. 00 min. 09 sec. West, a distance of 0.90 feet;

THENCE South 61 deg. 33 min. 15 sec. West, a distance of 0.92 feet;

THENCE South 64 deg. 13 min. 55 sec. West, a distance of 1.35 feet;

THENCE South 60 deg. 27 min. 29 sec. West, a distance of 0.71 feet;

THENCE South 55 deg. 46 min. 41 sec. West, a distance of 1.29 feet;

THENCE South 59 deg. 06 min. 56 sec. West, a distance of 1.14 feet;

THENCE South 62 deg. 03 min. 12 sec. West, a distance of 1.19 feet;

THENCE South 66 deg. 51 min. 29 sec. West, a distance of 1.35 feet;

THENCE South 59 deg. 05 min. 06 sec. West, a distance of 1.19 feet;

THENCE South 64 deg. 58 min. 45 sec. West, a distance of 1.74 feet;

THENCE South 71 deg. 43 min. 09 sec. West, a distance of 1.23 feet;

THENCE South 66 deg. 03 min. 08 sec. West, a distance of 1.30 feet;

THENCE South 75 deg. 11 min. 07 sec. West, a distance of 1.88 feet;

THENCE South 74 deg. 10 min. 13 sec. West, a distance of 2.63 feet;

THENCE South 72 deg. 28 min. 40 sec. West, a distance of 1.98 feet;

THENCE South 77 deg. 41 min. 16 sec. West, a distance of 0.86 feet;

THENCE South 62 deg. 58 min. 58 sec. West, a distance of 1.10 feet;

THENCE South 76 deg. 20 min. 06 sec. West, a distance of 5.37 feet;

THENCE South 75 deg. 25 min. 55 sec. West, a distance of 0.84 feet;

THENCE South 60 deg. 29 min. 28 sec. West, a distance of 0.71 feet;

THENCE South 59 deg. 09 min. 20 sec. West, a distance of 1.08 feet;

THENCE South 53 deg. 19 min. 50 sec. West, a distance of 4.09 feet;

THENCE South 58 deg. 29 min. 03 sec. West, a distance of 1.40 feet;

THENCE South 68 deg. 07 min. 14 sec. West, a distance of 1.03 feet;

THENCE South 79 deg. 35 min. 18 sec. West, a distance of 2.04 feet;

THENCE North 77 deg. 51 min. 23 sec. West, a distance of 2.04 feet;

THENCE North 68 deg. 36 min. 28 sec. West, a distance of 2.88 feet;

THENCE South 84 deg. 20 min. 03 sec. West, a distance of 2.34 feet;

THENCE South 70 deg. 02 min. 07 sec. West, a distance of 1.04 feet;

THENCE South 44 deg. 56 min. 40 sec. West, a distance of 1.68 feet;

THENCE South 43 deg. 13 min. 31 sec. West, a distance of 1.07 feet;

THENCE South 47 deg. 14 min. 56 sec. West, a distance of 1.19 feet;

THENCE South 46 deg. 06 min. 08 sec. West, a distance of 1.09 feet;

THENCE South 50 deg. 50 min. 03 sec. West, a distance of 1.10 feet;

THENCE South 50 deg. 49 min. 05 sec. West, a distance of 1.38 feet;

THENCE South 43 deg. 40 min. 52 sec. West, a distance of 1.20 feet;

THENCE South 42 deg. 25 min. 26 sec. West, a distance of 1.68 feet;

THENCE South 39 deg. 16 min. 44 sec. West, a distance of 1.38 feet;

THENCE South 39 deg. 18 min. 32 sec. West, a distance of 1.08 feet;

THENCE South 37 deg. 03 min. 05 sec. West, a distance of 1.41 feet;

THENCE South 40 deg. 07 min. 48 sec. West, a distance of 1.25 feet;

THENCE South 44 deg. 36 min. 20 sec. West, a distance of 1.58 feet;

THENCE South 41 deg. 54 min. 59 sec. West, a distance of 1.20 feet;

THENCE South 44 deg. 29 min. 39 sec. West, a distance of 1.42 feet;

THENCE South 43 deg. 51 min. 39 sec. West, a distance of 0.92 feet;

THENCE South 41 deg. 33 min. 16 sec. West, a distance of 1.85 feet;

THENCE South 39 deg. 18 min. 26 sec. West, a distance of 1.34 feet;

THENCE South 37 deg. 10 min. 59 sec. West, a distance of 2.50 feet;

THENCE South 44 deg. 07 min. 57 sec. West, a distance of 1.09 feet;

THENCE South 35 deg. 10 min. 27 sec. West, a distance of 1.02 feet;

THENCE South 34 deg. 15 min. 19 sec. West, a distance of 1.25 feet;

THENCE South 37 deg. 00 min. 06 sec. West, a distance of 2.31 feet;

THENCE South 39 deg. 04 min. 07 sec. West, a distance of 4.65 feet;

THENCE South 46 deg. 26 min. 44 sec. West, a distance of 1.47 feet;

THENCE South 57 deg. 02 min. 38 sec. West, a distance of 0.55 feet;

THENCE North 09 deg. 29 min. 25 sec. West, a distance of 5.66 feet;

THENCE North 07 deg. 50 min. 47 sec. West, a distance of 5.96 feet;

THENCE North 07 deg. 50 min. 40 sec. West, a distance of 6.04 feet;

THENCE South 82 deg. 09 min. 16 sec. West, a distance of 0.98 feet;

THENCE South 82 deg. 09 min. 02 sec. West, a distance of 4.52 feet;

THENCE South 07 deg. 50 min. 50 sec. East, a distance of 12.00 feet;

THENCE South 08 deg. 02 min. 38 sec. East, a distance of 7.99 feet;

THENCE South 64 deg. 28 min. 21 sec. West, a distance of 0.71 feet;

THENCE South 55 deg. 15 min. 00 sec. West, a distance of 1.74 feet;

THENCE South 64 deg. 00 min. 58 sec. West, a distance of 1.27 feet;

THENCE South 62 deg. 01 min. 42 sec. West, a distance of 1.00 feet;

THENCE South 64 deg. 48 min. 56 sec. West, a distance of 1.45 feet;

THENCE South 62 deg. 43 min. 19 sec. West, a distance of 1.66 feet;

THENCE South 63 deg. 46 min. 59 sec. West, a distance of 1.33 feet;

THENCE South 65 deg. 34 min. 29 sec. West, a distance of 1.49 feet;

THENCE South 58 deg. 31 min. 29 sec. West, a distance of 0.78 feet;

THENCE South 78 deg. 01 min. 12 sec. West, a distance of 0.88 feet;

THENCE South 53 deg. 55 min. 18 sec. West, a distance of 1.38 feet;

THENCE South 67 deg. 35 min. 54 sec. West, a distance of 1.24 feet;

THENCE South 36 deg. 29 min. 44 sec. West, a distance of 1.51 feet;

THENCE South 33 deg. 29 min. 07 sec. West, a distance of 1.45 feet;

THENCE South 34 deg. 36 min. 14 sec. West, a distance of 1.58 feet;

THENCE South 28 deg. 50 min. 12 sec. West, a distance of 1.21 feet;

THENCE South 35 deg. 34 min. 12 sec. West, a distance of 1.42 feet;

THENCE South 35 deg. 49 min. 05 sec. West, a distance of 1.21 feet;

THENCE South 47 deg. 02 min. 35 sec. West, a distance of 1.36 feet;

THENCE South 54 deg. 53 min. 51 sec. West, a distance of 1.37 feet;

THENCE South 75 deg. 41 min. 21 sec. West, a distance of 1.83 feet;

THENCE South 78 deg. 01 min. 23 sec. West, a distance of 1.61 feet;

THENCE South 72 deg. 39 min. 32 sec. West, a distance of 0.70 feet;

THENCE South 71 deg. 45 min. 10 sec. West, a distance of 0.86 feet;

THENCE South 57 deg. 56 min. 39 sec. West, a distance of 1.26 feet;

THENCE South 46 deg. 38 min. 59 sec. West, a distance of 1.43 feet;

THENCE South 51 deg. 13 min. 28 sec. West, a distance of 1.07 feet;

THENCE South 48 deg. 41 min. 14 sec. West, a distance of 1.80 feet;

THENCE South 44 deg. 56 min. 20 sec. West, a distance of 1.31 feet;

THENCE South 44 deg. 28 min. 31 sec. West, a distance of 1.42 feet;

THENCE South 44 deg. 14 min. 36 sec. West, a distance of 1.49 feet;

THENCE South 42 deg. 48 min. 21 sec. West, a distance of 1.50 feet;

THENCE South 25 deg. 14 min. 27 sec. West, a distance of 1.59 feet;

THENCE South 17 deg. 18 min. 00 sec. West, a distance of 2.01 feet;

THENCE South 14 deg. 54 min. 00 sec. West, a distance of 1.16 feet;

THENCE South 02 deg. 55 min. 14 sec. West, a distance of 1.49 feet;

THENCE South 02 deg. 57 min. 03 sec. West, a distance of 1.12 feet;

THENCE South 24 deg. 46 min. 58 sec. West, a distance of 1.39 feet;

THENCE South 48 deg. 10 min. 56 sec. West, a distance of 1.30 feet;

THENCE South 68 deg. 19 min. 12 sec. West, a distance of 1.44 feet;

THENCE South 64 deg. 28 min. 50 sec. West, a distance of 1.29 feet;

THENCE South 69 deg. 29 min. 31 sec. West, a distance of 1.61 feet;

THENCE South 62 deg. 25 min. 35 sec. West, a distance of 1.08 feet;

THENCE South 66 deg. 24 min. 09 sec. West, a distance of 1.25 feet;

THENCE South 68 deg. 14 min. 43 sec. West, a distance of 2.39 feet;

THENCE South 65 deg. 01 min. 35 sec. West, a distance of 1.18 feet;

THENCE South 62 deg. 58 min. 00 sec. West, a distance of 1.42 feet;

THENCE South 72 deg. 28 min. 57 sec. West, a distance of 2.08 feet;

THENCE South 81 deg. 43 min. 46 sec. West, a distance of 0.87 feet;

THENCE South 68 deg. 01 min. 07 sec. West, a distance of 1.26 feet;

THENCE South 74 deg. 55 min. 06 sec. West, a distance of 0.69 feet;

THENCE South 74 deg. 25 min. 08 sec. West, a distance of 1.34 feet;

THENCE North 85 deg. 58 min. 23 sec. West, a distance of 1.71 feet;

THENCE North 78 deg. 52 min. 13 sec. West, a distance of 2.35 feet;

THENCE South 89 deg. 14 min. 11 sec. West, a distance of 0.94 feet;

THENCE North 85 deg. 25 min. 19 sec. West, a distance of 1.23 feet;

THENCE North 56 deg. 20 min. 15 sec. West, a distance of 0.76 feet;

THENCE North 61 deg. 01 min. 29 sec. West, a distance of 1.38 feet;

THENCE North 31 deg. 40 min. 33 sec. West, a distance of 2.20 feet;

THENCE North 07 deg. 09 min. 17 sec. West, a distance of 1.72 feet;

THENCE North 04 deg. 05 min. 46 sec. East, a distance of 2.55 feet;

THENCE North 22 deg. 34 min. 42 sec. East, a distance of 1.15 feet;

THENCE North 17 deg. 49 min. 29 sec. East, a distance of 1.66 feet;

THENCE North 04 deg. 27 min. 12 sec. East, a distance of 1.32 feet;

THENCE North 02 deg. 33 min. 48 sec. East, a distance of 0.83 feet;

THENCE North 40 deg. 36 min. 14 sec. East, a distance of 0.80 feet;

THENCE North 19 deg. 25 min. 15 sec. East, a distance of 1.46 feet;

THENCE North 08 deg. 46 min. 24 sec. East, a distance of 1.16 feet;

THENCE North 82 deg. 26 min. 04 sec. East, a distance of 0.73 feet;

THENCE North 13 deg. 23 min. 08 sec. East, a distance of 0.88 feet;

THENCE North 71 deg. 55 min. 42 sec. East, a distance of 2.11 feet;

THENCE North 70 deg. 46 min. 39 sec. East, a distance of 1.44 feet;

THENCE North 70 deg. 09 min. 38 sec. East, a distance of 1.40 feet;

THENCE South 68 deg. 22 min. 56 sec. East, a distance of 1.35 feet;

THENCE South 87 deg. 52 min. 06 sec. East, a distance of 1.13 feet;

THENCE North 89 deg. 14 min. 28 sec. East, a distance of 0.77 feet;

THENCE North 60 deg. 59 min. 04 sec. East, a distance of 0.84 feet;

THENCE North 00 deg. 25 min. 03 sec. East, a distance of 1.17 feet;

THENCE North 19 deg. 29 min. 29 sec. West, a distance of 1.87 feet;

THENCE North 14 deg. 16 min. 38 sec. West, a distance of 1.44 feet;

THENCE North 31 deg. 08 min. 58 sec. West, a distance of 1.42 feet;

THENCE North 09 deg. 43 min. 23 sec. West, a distance of 0.92 feet;

THENCE North 35 deg. 47 min. 38 sec. West, a distance of 1.25 feet;

THENCE North 02 deg. 04 min. 15 sec. East, a distance of 0.97 feet;

THENCE North 64 deg. 11 min. 40 sec. East, a distance of 0.74 feet;

THENCE North 50 deg. 30 min. 51 sec. East, a distance of 1.41 feet;

THENCE North 51 deg. 16 min. 43 sec. East, a distance of 1.86 feet;

THENCE North 50 deg. 49 min. 27 sec. East, a distance of 2.48 feet;

THENCE North 70 deg. 29 min. 32 sec. East, a distance of 0.71 feet;

THENCE North 47 deg. 29 min. 58 sec. East, a distance of 1.42 feet;

THENCE North 46 deg. 39 min. 01 sec. East, a distance of 1.43 feet;

THENCE North 45 deg. 39 min. 36 sec. East, a distance of 1.49 feet;

THENCE North 45 deg. 39 min. 08 sec. East, a distance of 1.33 feet;

THENCE North 45 deg. 50 min. 10 sec. East, a distance of 1.29 feet;

THENCE North 60 deg. 50 min. 26 sec. East, a distance of 2.70 feet;

THENCE North 71 deg. 02 min. 03 sec. East, a distance of 1.19 feet;

THENCE North 77 deg. 39 min. 07 sec. East, a distance of 0.71 feet;

THENCE North 74 deg. 49 min. 27 sec. East, a distance of 3.10 feet;

THENCE North 54 deg. 49 min. 53 sec. East, a distance of 0.96 feet;

THENCE North 38 deg. 33 min. 28 sec. East, a distance of 1.44 feet;

THENCE North 23 deg. 36 min. 06 sec. East, a distance of 0.81 feet;

THENCE North 15 deg. 22 min. 10 sec. East, a distance of 0.95 feet;

THENCE North 03 deg. 21 min. 52 sec. East, a distance of 2.66 feet;

THENCE North 14 deg. 26 min. 22 sec. East, a distance of 1.92 feet;

THENCE North 16 deg. 05 min. 50 sec. East, a distance of 1.82 feet;

THENCE North 42 deg. 20 min. 01 sec. East, a distance of 2.42 feet;

THENCE North 64 deg. 20 min. 59 sec. East, a distance of 1.08 feet;

THENCE North 75 deg. 41 min. 52 sec. East, a distance of 2.07 feet;

THENCE North 76 deg. 31 min. 48 sec. East, a distance of 0.91 feet;

THENCE North 50 deg. 12 min. 05 sec. East, a distance of 1.36 feet;

THENCE North 60 deg. 40 min. 13 sec. East, a distance of 1.61 feet;

THENCE North 57 deg. 56 min. 39 sec. East, a distance of 1.26 feet;

THENCE North 44 deg. 44 min. 32 sec. East, a distance of 0.77 feet;

THENCE North 38 deg. 36 min. 06 sec. East, a distance of 1.51 feet;

THENCE North 41 deg. 34 min. 04 sec. East, a distance of 0.93 feet;

THENCE North 37 deg. 36 min. 33 sec. East, a distance of 2.51 feet;

THENCE North 34 deg. 33 min. 31 sec. East, a distance of 2.45 feet;

THENCE North 40 deg. 15 min. 13 sec. East, a distance of 1.10 feet;

THENCE North 49 deg. 49 min. 46 sec. East, a distance of 1.71 feet;

THENCE North 52 deg. 18 min. 57 sec. East, a distance of 1.14 feet;

THENCE North 57 deg. 14 min. 27 sec. East, a distance of 1.13 feet;

THENCE North 60 deg. 36 min. 22 sec. East, a distance of 1.67 feet;

THENCE North 36 deg. 07 min. 02 sec. East, a distance of 1.00 feet;

THENCE North 40 deg. 11 min. 17 sec. East, a distance of 1.21 feet;

THENCE North 17 deg. 08 min. 39 sec. East, a distance of 1.17 feet;

THENCE North 26 deg. 35 min. 31 sec. East, a distance of 1.25 feet;

THENCE North 16 deg. 54 min. 31 sec. East, a distance of 0.87 feet;

THENCE North 13 deg. 56 min. 58 sec. East, a distance of 0.94 feet;

THENCE North 11 deg. 50 min. 35 sec. East, a distance of 2.31 feet;

THENCE North 14 deg. 53 min. 04 sec. East, a distance of 0.98 feet;

THENCE North 12 deg. 17 min. 11 sec. East, a distance of 0.85 feet;

THENCE North 19 deg. 03 min. 37 sec. East, a distance of 1.27 feet;

THENCE North 24 deg. 54 min. 09 sec. East, a distance of 1.33 feet;

THENCE North 35 deg. 09 min. 33 sec. East, a distance of 1.02 feet;

THENCE North 45 deg. 50 min. 35 sec. East, a distance of 3.86 feet;

THENCE North 51 deg. 47 min. 38 sec. East, a distance of 2.21 feet;

THENCE North 49 deg. 57 min. 53 sec. East, a distance of 1.49 feet;

THENCE North 56 deg. 47 min. 14 sec. East, a distance of 3.30 feet;

THENCE North 56 deg. 22 min. 23 sec. East, a distance of 2.31 feet;

THENCE North 59 deg. 56 min. 59 sec. East, a distance of 1.46 feet;

THENCE North 51 deg. 59 min. 12 sec. East, a distance of 1.09 feet;

THENCE North 40 deg. 30 min. 20 sec. East, a distance of 0.87 feet;

THENCE North 24 deg. 10 min. 01 sec. East, a distance of 1.20 feet;

THENCE North 25 deg. 03 min. 45 sec. East, a distance of 1.05 feet;

THENCE North 24 deg. 21 min. 14 sec. East, a distance of 1.64 feet;

THENCE North 11 deg. 20 min. 22 sec. East, a distance of 1.37 feet;

THENCE North 17 deg. 49 min. 35 sec. East, a distance of 1.81 feet;

THENCE North 28 deg. 01 min. 46 sec. East, a distance of 1.69 feet;

THENCE North 46 deg. 21 min. 25 sec. East, a distance of 1.05 feet;

THENCE North 66 deg. 13 min. 25 sec. East, a distance of 1.82 feet;

THENCE North 60 deg. 19 min. 03 sec. East, a distance of 1.54 feet;

THENCE North 65 deg. 32 min. 23 sec. East, a distance of 2.20 feet;

THENCE North 59 deg. 39 min. 28 sec. East, a distance of 1.21 feet;

THENCE North 54 deg. 18 min. 41 sec. East, a distance of 1.35 feet;

THENCE North 36 deg. 20 min. 59 sec. East, a distance of 1.43 feet;

THENCE North 29 deg. 42 min. 29 sec. East, a distance of 1.32 feet;

THENCE North 17 deg. 38 min. 40 sec. East, a distance of 1.44 feet;

THENCE North 31 deg. 09 min. 01 sec. East, a distance of 1.82 feet;

THENCE North 84 deg. 14 min. 31 sec. East, a distance of 0.99 feet;

THENCE South 83 deg. 02 min. 52 sec. East, a distance of 1.07 feet;

THENCE North 84 deg. 15 min. 40 sec. East, a distance of 2.96 feet;

THENCE North 60 deg. 28 min. 48 sec. East, a distance of 1.07 feet;

THENCE North 36 deg. 37 min. 35 sec. East, a distance of 1.98 feet;

THENCE North 24 deg. 22 min. 35 sec. East, a distance of 1.36 feet;

THENCE North 17 deg. 23 min. 49 sec. East, a distance of 1.23 feet;

THENCE North 09 deg. 31 min. 38 sec. East, a distance of 2.15 feet;

THENCE North 16 deg. 15 min. 17 sec. East, a distance of 0.98 feet;

THENCE North 29 deg. 38 min. 19 sec. East, a distance of 1.75 feet;

THENCE North 49 deg. 47 min. 22 sec. East, a distance of 0.81 feet;

THENCE North 63 deg. 47 min. 38 sec. East, a distance of 0.80 feet;

THENCE North 68 deg. 22 min. 03 sec. East, a distance of 1.76 feet;

THENCE North 43 deg. 07 min. 37 sec. West, a distance of 3.08 feet;

THENCE North 39 deg. 22 min. 20 sec. West, a distance of 3.27 feet;

THENCE North 36 deg. 12 min. 17 sec. West, a distance of 2.27 feet;

THENCE North 34 deg. 54 min. 07 sec. West, a distance of 16.37 feet;

THENCE North 42 deg. 23 min. 51 sec. West, a distance of 31.74 feet;

THENCE North 41 deg. 49 min. 31 sec. West, a distance of 1.00 feet;

THENCE North 39 deg. 22 min. 36 sec. West, a distance of 3.27 feet;

THENCE North 35 deg. 37 min. 35 sec. West, a distance of 3.27 feet;

THENCE North 31 deg. 52 min. 24 sec. West, a distance of 3.27 feet;

THENCE North 29 deg. 45 min. 01 sec. West, a distance of 0.44 feet;

THENCE North 29 deg. 30 min. 02 sec. West, a distance of 28.55 feet;

THENCE North 39 deg. 02 min. 50 sec. West, a distance of 36.30 feet;

THENCE North 38 deg. 37 min. 14 sec. West, a distance of 0.75 feet;

THENCE North 38 deg. 11 min. 30 sec. West, a distance of 13.31 feet;

THENCE North 59 deg. 52 min. 31 sec. West, a distance of 12.88 feet;

THENCE North 59 deg. 44 min. 37 sec. West, a distance of 0.20 feet;

THENCE North 59 deg. 38 min. 48 sec. West, a distance of 15.64 feet;

THENCE North 57 deg. 56 min. 41 sec. West, a distance of 2.96 feet;

THENCE North 54 deg. 22 min. 25 sec. West, a distance of 3.27 feet;

THENCE North 50 deg. 37 min. 24 sec. West, a distance of 3.27 feet;

THENCE North 46 deg. 52 min. 38 sec. West, a distance of 3.27 feet;

THENCE North 43 deg. 07 min. 22 sec. West, a distance of 3.27 feet;

THENCE North 39 deg. 22 min. 36 sec. West, a distance of 3.27 feet;

THENCE North 35 deg. 37 min. 35 sec. West, a distance of 3.27 feet;

THENCE North 31 deg. 52 min. 24 sec. West, a distance of 3.27 feet;

THENCE North 28 deg. 07 min. 30 sec. West, a distance of 3.27 feet;

THENCE North 24 deg. 22 min. 32 sec. West, a distance of 3.27 feet;

THENCE North 20 deg. 37 min. 29 sec. West, a distance of 3.27 feet;

THENCE North 16 deg. 52 min. 33 sec. West, a distance of 3.27 feet;

THENCE North 13 deg. 07 min. 40 sec. West, a distance of 3.27 feet;

THENCE North 09 deg. 22 min. 18 sec. West, a distance of 3.27 feet;

THENCE North 07 deg. 06 min. 17 sec. West, a distance of 0.69 feet;

THENCE North 06 deg. 42 min. 34 sec. West, a distance of 6.58 feet;

THENCE North 69 deg. 28 min. 46 sec. West, a distance of 0.21 feet;

THENCE North 79 deg. 48 min. 09 sec. West, a distance of 1.05 feet;

THENCE North 79 deg. 09 min. 45 sec. West, a distance of 0.71 feet;

THENCE North 69 deg. 59 min. 35 sec. West, a distance of 1.21 feet;

THENCE North 75 deg. 37 min. 48 sec. West, a distance of 1.09 feet;

THENCE North 70 deg. 29 min. 28 sec. West, a distance of 0.74 feet;

THENCE North 45 deg. 56 min. 12 sec. West, a distance of 2.47 feet;

THENCE North 48 deg. 53 min. 00 sec. West, a distance of 1.97 feet;

THENCE North 57 deg. 31 min. 22 sec. West, a distance of 1.41 feet;

THENCE North 24 deg. 02 min. 42 sec. West, a distance of 2.61 feet;

THENCE North 46 deg. 01 min. 23 sec. West, a distance of 1.01 feet;

THENCE North 27 deg. 03 min. 01 sec. West, a distance of 2.55 feet;

THENCE North 41 deg. 37 min. 52 sec. West, a distance of 1.28 feet;

THENCE North 60 deg. 01 min. 32 sec. West, a distance of 2.12 feet;

THENCE North 70 deg. 20 min. 31 sec. West, a distance of 3.35 feet;

THENCE North 56 deg. 37 min. 48 sec. West, a distance of 2.90 feet;

THENCE North 52 deg. 37 min. 07 sec. West, a distance of 1.62 feet;

THENCE North 42 deg. 14 min. 04 sec. West, a distance of 1.49 feet;

THENCE North 46 deg. 01 min. 29 sec. West, a distance of 1.62 feet;

THENCE North 57 deg. 36 min. 31 sec. West, a distance of 1.46 feet;

THENCE North 44 deg. 18 min. 36 sec. West, a distance of 1.81 feet;

THENCE North 40 deg. 49 min. 42 sec. West, a distance of 0.97 feet;

THENCE North 56 deg. 41 min. 15 sec. West, a distance of 1.48 feet;

THENCE North 21 deg. 45 min. 06 sec. West, a distance of 1.41 feet;

THENCE North 27 deg. 32 min. 34 sec. West, a distance of 0.80 feet;

THENCE North 12 deg. 29 min. 59 sec. East, a distance of 1.47 feet;

THENCE North 28 deg. 56 min. 59 sec. East, a distance of 1.74 feet;

THENCE North 66 deg. 24 min. 14 sec. East, a distance of 0.81 feet;

THENCE North 61 deg. 07 min. 10 sec. East, a distance of 1.33 feet;

THENCE North 68 deg. 51 min. 02 sec. East, a distance of 1.64 feet;

THENCE North 65 deg. 11 min. 02 sec. East, a distance of 1.47 feet;

THENCE North 06 deg. 05 min. 04 sec. East, a distance of 1.01 feet;

THENCE North 14 deg. 32 min. 56 sec. East, a distance of 1.27 feet;

THENCE North 25 deg. 38 min. 52 sec. East, a distance of 1.40 feet;

THENCE North 08 deg. 25 min. 19 sec. East, a distance of 1.50 feet;

THENCE North 15 deg. 21 min. 27 sec. West, a distance of 1.24 feet;

THENCE North 60 deg. 40 min. 01 sec. West, a distance of 1.08 feet;

THENCE North 77 deg. 01 min. 02 sec. West, a distance of 0.84 feet;

THENCE North 66 deg. 17 min. 20 sec. West, a distance of 0.90 feet;

THENCE North 76 deg. 07 min. 55 sec. West, a distance of 2.03 feet;

THENCE North 30 deg. 02 min. 12 sec. West, a distance of 1.37 feet;

THENCE North 33 deg. 25 min. 22 sec. East, a distance of 1.79 feet;

THENCE North 26 deg. 11 min. 31 sec. East, a distance of 1.22 feet;

THENCE North 49 deg. 19 min. 17 sec. East, a distance of 3.69 feet;

THENCE North 68 deg. 12 min. 55 sec. East, a distance of 1.67 feet;

THENCE North 59 deg. 26 min. 01 sec. East, a distance of 0.75 feet;

THENCE North 89 deg. 14 min. 07 sec. East, a distance of 1.01 feet;

THENCE North 68 deg. 35 min. 45 sec. East, a distance of 1.54 feet;

THENCE North 63 deg. 22 min. 36 sec. East, a distance of 0.72 feet;

THENCE North 87 deg. 26 min. 39 sec. East, a distance of 0.91 feet;

THENCE North 84 deg. 31 min. 37 sec. East, a distance of 2.43 feet;

THENCE North 75 deg. 36 min. 47 sec. East, a distance of 2.67 feet;

THENCE South 65 deg. 52 min. 39 sec. East, a distance of 1.08 feet;

THENCE North 53 deg. 43 min. 36 sec. East, a distance of 3.39 feet;

THENCE North 74 deg. 16 min. 19 sec. East, a distance of 2.21 feet;

THENCE South 82 deg. 43 min. 26 sec. East, a distance of 1.02 feet;

THENCE North 86 deg. 50 min. 24 sec. East, a distance of 1.37 feet;

THENCE North 68 deg. 58 min. 31 sec. East, a distance of 0.74 feet;

THENCE South 81 deg. 20 min. 24 sec. East, a distance of 2.09 feet;

THENCE North 81 deg. 11 min. 26 sec. East, a distance of 1.02 feet;

THENCE North 83 deg. 19 min. 36 sec. East, a distance of 1.11 feet;

THENCE South 88 deg. 55 min. 14 sec. East, a distance of 0.89 feet;

THENCE South 82 deg. 54 min. 31 sec. East, a distance of 1.04 feet;

THENCE South 76 deg. 58 min. 25 sec. East, a distance of 0.84 feet;

THENCE South 79 deg. 34 min. 09 sec. East, a distance of 1.03 feet;

THENCE South 85 deg. 38 min. 41 sec. East, a distance of 0.96 feet;

THENCE South 84 deg. 08 min. 38 sec. East, a distance of 1.98 feet;

THENCE South 85 deg. 20 min. 43 sec. East, a distance of 1.20 feet;

THENCE South 84 deg. 18 min. 08 sec. East, a distance of 1.01 feet;

THENCE South 85 deg. 57 min. 51 sec. East, a distance of 2.05 feet;

THENCE South 82 deg. 52 min. 14 sec. East, a distance of 1.04 feet;

THENCE South 83 deg. 49 min. 38 sec. East, a distance of 0.94 feet;

THENCE South 86 deg. 26 min. 21 sec. East, a distance of 1.52 feet;

THENCE North 89 deg. 13 min. 45 sec. East, a distance of 1.49 feet;

THENCE South 89 deg. 07 min. 26 sec. East, a distance of 0.70 feet;

THENCE North 50 deg. 37 min. 24 sec. East, a distance of 1.69 feet;

THENCE North 54 deg. 22 min. 25 sec. East, a distance of 3.27 feet;

THENCE North 58 deg. 07 min. 36 sec. East, a distance of 3.27 feet;

THENCE North 61 deg. 52 min. 30 sec. East, a distance of 3.27 feet;

THENCE North 65 deg. 37 min. 28 sec. East, a distance of 3.27 feet;

THENCE North 69 deg. 18 min. 28 sec. East, a distance of 3.15 feet;

THENCE North 71 deg. 06 min. 51 sec. East, a distance of 14.03 feet;

THENCE North 71 deg. 06 min. 50 sec. East, a distance of 0.12 feet;

THENCE North 73 deg. 07 min. 33 sec. East, a distance of 3.27 feet;

THENCE North 76 deg. 52 min. 40 sec. East, a distance of 3.27 feet;

THENCE North 80 deg. 37 min. 22 sec. East, a distance of 3.27 feet;

THENCE North 84 deg. 22 min. 41 sec. East, a distance of 3.27 feet;

THENCE North 88 deg. 07 min. 15 sec. East, a distance of 3.27 feet;

THENCE South 88 deg. 29 min. 13 sec. East, a distance of 2.63 feet;

THENCE South 86 deg. 58 min. 51 sec. East, a distance of 7.90 feet;

THENCE North 07 deg. 47 min. 21 sec. West, a distance of 5.62 feet;

THENCE North 07 deg. 35 min. 59 sec. West, a distance of 0.25 feet;

THENCE North 06 deg. 35 min. 23 sec. West, a distance of 1.50 feet;

THENCE North 39 deg. 56 min. 13 sec. West, a distance of 10.99 feet;

THENCE North 38 deg. 42 min. 59 sec. West, a distance of 2.13 feet;

THENCE North 35 deg. 37 min. 23 sec. West, a distance of 3.27 feet;

THENCE North 31 deg. 52 min. 41 sec. West, a distance of 3.27 feet;

THENCE North 28 deg. 07 min. 30 sec. West, a distance of 3.27 feet;

THENCE North 24 deg. 22 min. 32 sec. West, a distance of 3.27 feet;

THENCE North 20 deg. 37 min. 36 sec. West, a distance of 3.27 feet;

THENCE North 16 deg. 52 min. 27 sec. West, a distance of 3.27 feet;

THENCE North 13 deg. 40 min. 01 sec. West, a distance of 2.32 feet;

THENCE North 12 deg. 20 min. 14 sec. West, a distance of 4.61 feet;

THENCE North 19 deg. 46 min. 39 sec. West, a distance of 8.78 feet;

THENCE North 43 deg. 49 min. 52 sec. West, a distance of 30.90 feet;

THENCE North 43 deg. 35 min. 35 sec. West, a distance of 0.33 feet;

THENCE North 43 deg. 27 min. 07 sec. West, a distance of 12.36 feet;

THENCE North 43 deg. 53 min. 53 sec. West, a distance of 15.60 feet;

THENCE North 48 deg. 07 min. 21 sec. West, a distance of 7.50 feet;

THENCE North 46 deg. 33 min. 42 sec. West, a distance of 2.72 feet;

THENCE North 43 deg. 07 min. 22 sec. West, a distance of 3.27 feet;

THENCE North 39 deg. 22 min. 36 sec. West, a distance of 3.27 feet;

THENCE North 35 deg. 37 min. 35 sec. West, a distance of 3.27 feet;

THENCE North 31 deg. 52 min. 24 sec. West, a distance of 3.27 feet;

THENCE North 28 deg. 07 min. 48 sec. West, a distance of 3.27 feet;

THENCE North 24 deg. 29 min. 58 sec. West, a distance of 3.05 feet;

THENCE North 22 deg. 45 min. 01 sec. West, a distance of 8.06 feet;

THENCE North 22 deg. 38 min. 47 sec. West, a distance of 0.22 feet;

THENCE North 20 deg. 37 min. 36 sec. West, a distance of 3.27 feet;

THENCE North 16 deg. 52 min. 07 sec. West, a distance of 3.27 feet;

THENCE North 13 deg. 07 min. 40 sec. West, a distance of 3.27 feet;

THENCE North 09 deg. 22 min. 38 sec. West, a distance of 3.27 feet;

THENCE North 05 deg. 37 min. 21 sec. West, a distance of 3.27 feet;

THENCE North 01 deg. 52 min. 23 sec. West, a distance of 3.27 feet;

THENCE North 01 deg. 42 min. 48 sec. East, a distance of 3.00 feet;

THENCE North 03 deg. 26 min. 03 sec. East, a distance of 12.01 feet;

THENCE North 03 deg. 36 min. 53 sec. East, a distance of 0.28 feet;

THENCE North 05 deg. 37 min. 19 sec. East, a distance of 3.27 feet;

THENCE North 09 deg. 22 min. 38 sec. East, a distance of 3.27 feet;

THENCE North 13 deg. 07 min. 20 sec. East, a distance of 3.27 feet;

THENCE North 16 deg. 52 min. 33 sec. East, a distance of 3.27 feet;

THENCE North 20 deg. 37 min. 29 sec. East, a distance of 3.27 feet;

THENCE North 23 deg. 35 min. 23 sec. East, a distance of 1.90 feet;

THENCE North 24 deg. 40 min. 39 sec. East, a distance of 9.77 feet;

THENCE North 25 deg. 27 min. 01 sec. East, a distance of 1.37 feet;

THENCE North 28 deg. 07 min. 48 sec. East, a distance of 3.27 feet;

THENCE North 30 deg. 28 min. 37 sec. East, a distance of 0.84 feet;

THENCE North 30 deg. 57 min. 45 sec. East, a distance of 8.39 feet;

THENCE North 32 deg. 21 min. 22 sec. East, a distance of 2.43 feet;

THENCE North 35 deg. 37 min. 35 sec. East, a distance of 3.27 feet;

THENCE North 39 deg. 22 min. 36 sec. East, a distance of 3.27 feet;

THENCE North 43 deg. 07 min. 22 sec. East, a distance of 3.27 feet;

THENCE North 46 deg. 52 min. 38 sec. East, a distance of 3.27 feet;

THENCE North 50 deg. 37 min. 24 sec. East, a distance of 3.27 feet;

THENCE North 54 deg. 22 min. 37 sec. East, a distance of 3.27 feet;

THENCE North 56 deg. 41 min. 51 sec. East, a distance of 0.78 feet;

THENCE North 57 deg. 08 min. 36 sec. East, a distance of 6.68 feet;

THENCE North 34 deg. 59 min. 33 sec. East, a distance of 3.31 feet;

THENCE North 35 deg. 05 min. 37 sec. East, a distance of 0.20 feet;

THENCE North 35 deg. 13 min. 48 sec. East, a distance of 0.29 feet;

THENCE North 08 deg. 20 min. 01 sec. East, a distance of 14.05 feet;

THENCE North 05 deg. 17 min. 18 sec. East, a distance of 7.30 feet;

THENCE North 12 deg. 55 min. 22 sec. West, a distance of 1.59 feet;

THENCE North 12 deg. 04 min. 53 sec. West, a distance of 1.46 feet;

THENCE North 09 deg. 41 min. 34 sec. West, a distance of 2.72 feet;

THENCE North 08 deg. 07 min. 49 sec. West, a distance of 12.74 feet;

THENCE North 37 deg. 56 min. 28 sec. West, a distance of 5.76 feet;

THENCE South 44 deg. 35 min. 09 sec. West, a distance of 0.64 feet;

THENCE South 46 deg. 07 min. 39 sec. West, a distance of 2.00 feet;

THENCE South 36 deg. 21 min. 57 sec. West, a distance of 1.07 feet;

THENCE South 20 deg. 02 min. 27 sec. West, a distance of 2.23 feet;

THENCE South 12 deg. 19 min. 39 sec. West, a distance of 1.38 feet;

THENCE South 17 deg. 29 min. 32 sec. West, a distance of 1.53 feet;

THENCE South 10 deg. 32 min. 49 sec. West, a distance of 1.22 feet;

THENCE South 16 deg. 49 min. 24 sec. West, a distance of 1.83 feet;

THENCE South 12 deg. 20 min. 06 sec. West, a distance of 1.38 feet;

THENCE South 06 deg. 23 min. 04 sec. West, a distance of 1.93 feet;

THENCE South 12 deg. 28 min. 18 sec. West, a distance of 1.47 feet;

THENCE South 04 deg. 44 min. 42 sec. West, a distance of 1.00 feet;

THENCE South 02 deg. 29 min. 10 sec. West, a distance of 1.69 feet;

THENCE South 14 deg. 32 min. 14 sec. East, a distance of 1.41 feet;

THENCE South 76 deg. 02 min. 04 sec. West, a distance of 1.87 feet;

THENCE North 88 deg. 12 min. 45 sec. West, a distance of 1.27 feet;

THENCE North 69 deg. 07 min. 21 sec. West, a distance of 1.24 feet;

THENCE North 74 deg. 12 min. 47 sec. West, a distance of 0.70 feet;

THENCE North 56 deg. 47 min. 47 sec. West, a distance of 0.87 feet;

THENCE North 61 deg. 18 min. 53 sec. West, a distance of 1.10 feet;

THENCE North 57 deg. 59 min. 16 sec. West, a distance of 1.74 feet;

THENCE North 67 deg. 45 min. 31 sec. West, a distance of 1.46 feet;

THENCE North 55 deg. 54 min. 35 sec. West, a distance of 1.20 feet;

THENCE North 59 deg. 05 min. 44 sec. West, a distance of 1.52 feet;

THENCE North 60 deg. 53 min. 56 sec. West, a distance of 1.61 feet;

THENCE North 53 deg. 51 min. 20 sec. West, a distance of 1.71 feet;

THENCE North 55 deg. 15 min. 05 sec. West, a distance of 1.92 feet;

THENCE North 58 deg. 06 min. 18 sec. West, a distance of 0.74 feet;

THENCE North 67 deg. 45 min. 31 sec. West, a distance of 1.46 feet;

THENCE North 55 deg. 47 min. 11 sec. West, a distance of 1.49 feet;

THENCE North 78 deg. 54 min. 09 sec. West, a distance of 0.83 feet;

THENCE North 62 deg. 03 min. 16 sec. West, a distance of 1.72 feet;

THENCE North 68 deg. 39 min. 45 sec. West, a distance of 1.06 feet;

THENCE North 72 deg. 20 min. 43 sec. West, a distance of 1.26 feet;

THENCE North 68 deg. 35 min. 11 sec. West, a distance of 3.63 feet;

THENCE North 83 deg. 12 min. 25 sec. West, a distance of 0.87 feet;

THENCE North 70 deg. 42 min. 07 sec. West, a distance of 3.24 feet;

THENCE North 55 deg. 55 min. 10 sec. West, a distance of 1.55 feet;

THENCE North 40 deg. 21 min. 50 sec. West, a distance of 2.26 feet;

THENCE North 39 deg. 51 min. 40 sec. West, a distance of 2.21 feet;

THENCE North 35 deg. 47 min. 08 sec. West, a distance of 1.46 feet;

THENCE North 26 deg. 50 min. 04 sec. West, a distance of 1.75 feet;

THENCE North 13 deg. 59 min. 56 sec. West, a distance of 1.47 feet;

THENCE North 17 deg. 34 min. 16 sec. West, a distance of 1.16 feet;

THENCE North 12 deg. 51 min. 58 sec. West, a distance of 1.37 feet;

THENCE North 08 deg. 31 min. 06 sec. East, a distance of 1.04 feet;

THENCE North 04 deg. 22 min. 59 sec. West, a distance of 3.80 feet;

THENCE North 02 deg. 42 min. 36 sec. East, a distance of 2.37 feet;

THENCE North 06 deg. 06 min. 03 sec. East, a distance of 1.01 feet;

THENCE North 05 deg. 35 min. 27 sec. West, a distance of 0.86 feet;

THENCE North 05 deg. 02 min. 28 sec. West, a distance of 1.29 feet;

THENCE North 05 deg. 42 min. 45 sec. West, a distance of 5.56 feet;

THENCE North 13 deg. 10 min. 42 sec. West, a distance of 1.23 feet;

THENCE North 18 deg. 25 min. 47 sec. West, a distance of 1.11 feet;

THENCE North 15 deg. 55 min. 07 sec. West, a distance of 1.74 feet;

THENCE North 15 deg. 05 min. 45 sec. West, a distance of 1.36 feet;

THENCE North 06 deg. 16 min. 11 sec. West, a distance of 1.00 feet;

THENCE North 08 deg. 10 min. 09 sec. West, a distance of 2.79 feet;

THENCE North 15 deg. 44 min. 10 sec. West, a distance of 1.95 feet;

THENCE North 06 deg. 05 min. 26 sec. West, a distance of 1.29 feet;

THENCE North 13 deg. 43 min. 53 sec. West, a distance of 0.24 feet;

THENCE North 48 deg. 12 min. 45 sec. West, a distance of 7.29 feet;

THENCE North 53 deg. 55 min. 03 sec. West, a distance of 0.62 feet;

THENCE North 63 deg. 20 min. 50 sec. West, a distance of 0.73 feet;

THENCE North 63 deg. 16 min. 00 sec. West, a distance of 1.30 feet;

THENCE North 64 deg. 35 min. 32 sec. West, a distance of 2.01 feet;

THENCE North 53 deg. 56 min. 00 sec. West, a distance of 1.62 feet;

THENCE North 58 deg. 38 min. 50 sec. West, a distance of 1.02 feet;

THENCE North 58 deg. 57 min. 39 sec. West, a distance of 2.65 feet;

THENCE North 54 deg. 44 min. 50 sec. West, a distance of 2.67 feet;

THENCE North 47 deg. 49 min. 19 sec. West, a distance of 0.75 feet;

THENCE North 55 deg. 15 min. 02 sec. West, a distance of 5.16 feet;

THENCE North 52 deg. 09 min. 50 sec. West, a distance of 2.24 feet;

THENCE North 48 deg. 31 min. 16 sec. West, a distance of 1.23 feet;

THENCE North 56 deg. 39 min. 26 sec. West, a distance of 2.09 feet;

THENCE North 64 deg. 08 min. 58 sec. West, a distance of 1.53 feet;

THENCE North 80 deg. 29 min. 02 sec. West, a distance of 1.44 feet;

THENCE North 80 deg. 14 min. 27 sec. West, a distance of 1.56 feet;

THENCE North 72 deg. 34 min. 00 sec. West, a distance of 1.19 feet;

THENCE North 83 deg. 36 min. 12 sec. West, a distance of 0.92 feet;

THENCE North 80 deg. 15 min. 23 sec. West, a distance of 2.66 feet;

THENCE North 81 deg. 36 min. 24 sec. West, a distance of 2.33 feet;

THENCE North 84 deg. 19 min. 15 sec. West, a distance of 1.01 feet;

THENCE North 81 deg. 56 min. 57 sec. West, a distance of 1.68 feet;

THENCE North 74 deg. 11 min. 16 sec. West, a distance of 1.20 feet;

THENCE North 64 deg. 24 min. 10 sec. West, a distance of 1.29 feet;

THENCE North 45 deg. 53 min. 51 sec. West, a distance of 1.66 feet;

THENCE North 34 deg. 08 min. 52 sec. West, a distance of 1.26 feet;

THENCE North 44 deg. 31 min. 58 sec. West, a distance of 1.42 feet;

THENCE North 34 deg. 25 min. 26 sec. West, a distance of 0.99 feet;

THENCE North 31 deg. 29 min. 04 sec. West, a distance of 2.49 feet;

THENCE North 47 deg. 22 min. 29 sec. West, a distance of 1.29 feet;

THENCE North 34 deg. 40 min. 39 sec. West, a distance of 1.20 feet;

THENCE North 36 deg. 56 min. 27 sec. West, a distance of 2.44 feet;

THENCE North 25 deg. 23 min. 18 sec. West, a distance of 1.04 feet;

THENCE North 13 deg. 24 min. 16 sec. West, a distance of 2.19 feet;

THENCE North 16 deg. 24 min. 57 sec. West, a distance of 0.89 feet;

THENCE North 11 deg. 48 min. 43 sec. West, a distance of 2.88 feet;

THENCE North 12 deg. 09 min. 01 sec. West, a distance of 2.80 feet;

THENCE North 14 deg. 16 min. 19 sec. West, a distance of 1.64 feet;

THENCE North 13 deg. 31 min. 37 sec. West, a distance of 1.52 feet;

THENCE North 11 deg. 37 min. 57 sec. West, a distance of 2.03 feet;

THENCE North 10 deg. 51 min. 01 sec. West, a distance of 1.51 feet;

THENCE North 21 deg. 53 min. 16 sec. West, a distance of 1.13 feet;

THENCE North 00 deg. 45 min. 49 sec. West, a distance of 3.94 feet;

THENCE North 13 deg. 28 min. 10 sec. East, a distance of 1.56 feet;

THENCE North 08 deg. 05 min. 21 sec. East, a distance of 1.56 feet;

THENCE North 06 deg. 05 min. 11 sec. East, a distance of 0.62 feet;

THENCE South 88 deg. 21 min. 01 sec. East, a distance of 8.62 feet;

THENCE North 14 deg. 44 min. 58 sec. East, a distance of 1.82 feet;

THENCE South 87 deg. 55 min. 22 sec. East, a distance of 90.93 feet;

THENCE North 49 deg. 59 min. 15 sec. East, a distance of 0.88 feet;

THENCE North 49 deg. 59 min. 16 sec. East, a distance of 0.47 feet;

THENCE North 49 deg. 59 min. 15 sec. East, a distance of 1.72 feet;

THENCE North 65 deg. 06 min. 08 sec. East, a distance of 2.96 feet;

THENCE North 78 deg. 43 min. 24 sec. East, a distance of 1.40 feet;

THENCE North 89 deg. 02 min. 08 sec. East, a distance of 1.64 feet;

THENCE South 83 deg. 08 min. 51 sec. East, a distance of 1.73 feet;

THENCE South 74 deg. 36 min. 05 sec. East, a distance of 7.75 feet;

THENCE South 53 deg. 27 min. 53 sec. East, a distance of 3.31 feet;

THENCE South 87 deg. 55 min. 22 sec. East, a distance of 40.04 feet;

THENCE South 42 deg. 58 min. 08 sec. East, a distance of 4.12 feet;

THENCE South 42 deg. 06 min. 37 sec. East, a distance of 1.50 feet;

THENCE South 39 deg. 22 min. 36 sec. East, a distance of 3.27 feet;

THENCE South 37 deg. 20 min. 45 sec. East, a distance of 0.32 feet;

THENCE South 37 deg. 07 min. 41 sec. East, a distance of 17.83 feet;

THENCE South 37 deg. 56 min. 31 sec. East, a distance of 22.61 feet;

THENCE South 37 deg. 44 min. 49 sec. East, a distance of 0.39 feet;

THENCE South 35 deg. 37 min. 35 sec. East, a distance of 3.27 feet;

THENCE South 31 deg. 52 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 28 deg. 07 min. 30 sec. East, a distance of 3.27 feet;

THENCE South 24 deg. 22 min. 32 sec. East, a distance of 3.27 feet;

THENCE South 20 deg. 37 min. 29 sec. East, a distance of 3.27 feet;

THENCE South 16 deg. 52 min. 33 sec. East, a distance of 3.27 feet;

THENCE South 13 deg. 07 min. 35 sec. East, a distance of 3.27 feet;

THENCE South 09 deg. 41 min. 09 sec. East, a distance of 2.72 feet;

THENCE South 08 deg. 07 min. 50 sec. East, a distance of 23.95 feet;

THENCE South 12 deg. 55 min. 33 sec. East, a distance of 7.51 feet;

THENCE South 12 deg. 04 min. 53 sec. East, a distance of 1.46 feet;

THENCE South 09 deg. 22 min. 42 sec. East, a distance of 3.27 feet;

THENCE South 05 deg. 37 min. 19 sec. East, a distance of 3.27 feet;

THENCE South 01 deg. 52 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 01 deg. 52 min. 23 sec. West, a distance of 3.27 feet;

THENCE South 04 deg. 31 min. 23 sec. West, a distance of 1.34 feet;

THENCE South 05 deg. 17 min. 22 sec. West, a distance of 16.65 feet;

THENCE South 06 deg. 23 min. 50 sec. West, a distance of 1.93 feet;

THENCE South 07 deg. 54 min. 51 sec. West, a distance of 0.73 feet;

THENCE South 08 deg. 19 min. 59 sec. West, a distance of 21.45 feet;

THENCE South 09 deg. 47 min. 20 sec. West, a distance of 2.55 feet;

THENCE South 13 deg. 07 min. 40 sec. West, a distance of 3.27 feet;

THENCE South 15 deg. 20 min. 54 sec. West, a distance of 0.62 feet;

THENCE South 15 deg. 42 min. 34 sec. West, a distance of 7.97 feet;

THENCE South 17 deg. 13 min. 47 sec. West, a distance of 2.65 feet;

THENCE South 20 deg. 37 min. 29 sec. West, a distance of 3.27 feet;

THENCE South 24 deg. 22 min. 21 sec. West, a distance of 3.27 feet;

THENCE South 28 deg. 07 min. 38 sec. West, a distance of 3.27 feet;

THENCE South 31 deg. 52 min. 24 sec. West, a distance of 3.27 feet;

THENCE South 34 deg. 29 min. 17 sec. West, a distance of 1.28 feet;

THENCE South 35 deg. 13 min. 06 sec. West, a distance of 9.61 feet;

THENCE South 17 deg. 40 min. 03 sec. East, a distance of 0.62 feet;

THENCE South 19 deg. 47 min. 28 sec. East, a distance of 1.84 feet;

THENCE South 03 deg. 20 min. 34 sec. West, a distance of 1.35 feet;

THENCE South 08 deg. 15 min. 10 sec. East, a distance of 1.84 feet;

THENCE South 10 deg. 27 min. 02 sec. East, a distance of 3.71 feet;

THENCE South 01 deg. 13 min. 14 sec. West, a distance of 1.37 feet;

THENCE South 16 deg. 27 min. 01 sec. West, a distance of 2.27 feet;

THENCE South 19 deg. 15 min. 25 sec. West, a distance of 0.91 feet;

THENCE South 19 deg. 49 min. 30 sec. West, a distance of 1.43 feet;

THENCE South 15 deg. 56 min. 55 sec. West, a distance of 0.83 feet;

THENCE South 41 deg. 32 min. 02 sec. West, a distance of 2.82 feet;

THENCE South 39 deg. 59 min. 00 sec. West, a distance of 1.54 feet;

THENCE South 55 deg. 01 min. 53 sec. West, a distance of 1.94 feet;

THENCE South 43 deg. 27 min. 09 sec. East, a distance of 0.10 feet;

THENCE South 43 deg. 49 min. 51 sec. East, a distance of 41.39 feet;

THENCE South 42 deg. 32 min. 17 sec. East, a distance of 2.25 feet;

THENCE South 39 deg. 22 min. 36 sec. East, a distance of 3.27 feet;

THENCE South 35 deg. 37 min. 35 sec. East, a distance of 3.27 feet;

THENCE South 31 deg. 52 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 28 deg. 07 min. 30 sec. East, a distance of 3.27 feet;

THENCE South 24 deg. 22 min. 32 sec. East, a distance of 3.27 feet;

THENCE South 21 deg. 08 min. 05 sec. East, a distance of 2.38 feet;

THENCE South 19 deg. 46 min. 35 sec. East, a distance of 22.68 feet;

THENCE South 19 deg. 15 min. 30 sec. East, a distance of 0.90 feet;

THENCE South 16 deg. 53 min. 23 sec. East, a distance of 0.66 feet;

THENCE South 39 deg. 55 min. 52 sec. East, a distance of 0.69 feet;

THENCE South 42 deg. 18 min. 57 sec. East, a distance of 12.60 feet;

THENCE South 41 deg. 46 min. 58 sec. East, a distance of 0.93 feet;

THENCE South 39 deg. 22 min. 36 sec. East, a distance of 3.27 feet;

THENCE South 35 deg. 37 min. 23 sec. East, a distance of 3.27 feet;

THENCE South 31 deg. 52 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 28 deg. 07 min. 30 sec. East, a distance of 3.27 feet;

THENCE South 24 deg. 22 min. 32 sec. East, a distance of 3.27 feet;

THENCE South 20 deg. 37 min. 36 sec. East, a distance of 3.27 feet;

THENCE South 16 deg. 52 min. 27 sec. East, a distance of 3.27 feet;

THENCE South 13 deg. 07 min. 40 sec. East, a distance of 3.27 feet;

THENCE South 09 deg. 22 min. 18 sec. East, a distance of 3.27 feet;

THENCE South 05 deg. 37 min. 42 sec. East, a distance of 3.27 feet;

THENCE South 03 deg. 06 min. 23 sec. East, a distance of 1.11 feet;

THENCE South 02 deg. 28 min. 51 sec. East, a distance of 12.80 feet;

THENCE South 07 deg. 47 min. 13 sec. East, a distance of 14.94 feet;

THENCE South 33 deg. 00 min. 26 sec. East, a distance of 0.33 feet;

THENCE South 21 deg. 16 min. 31 sec. East, a distance of 0.82 feet;

THENCE South 07 deg. 04 min. 22 sec. East, a distance of 2.18 feet;

THENCE South 07 deg. 36 min. 34 sec. East, a distance of 1.01 feet;

THENCE South 05 deg. 05 min. 20 sec. West, a distance of 1.18 feet;

THENCE South 10 deg. 37 min. 16 sec. East, a distance of 0.84 feet;

THENCE South 26 deg. 09 min. 31 sec. West, a distance of 0.15 feet;

THENCE South 07 deg. 47 min. 13 sec. East, a distance of 4.67 feet;

THENCE South 07 deg. 36 min. 34 sec. East, a distance of 0.25 feet;

THENCE South 05 deg. 37 min. 40 sec. East, a distance of 3.27 feet;

THENCE South 01 deg. 52 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 01 deg. 16 min. 11 sec. West, a distance of 2.22 feet;

THENCE South 02 deg. 32 min. 43 sec. West, a distance of 10.80 feet;

THENCE South 03 deg. 08 min. 50 sec. West, a distance of 1.05 feet;

THENCE South 05 deg. 37 min. 21 sec. West, a distance of 3.27 feet;

THENCE South 09 deg. 22 min. 38 sec. West, a distance of 3.27 feet;

THENCE South 12 deg. 20 min. 38 sec. West, a distance of 1.92 feet;

THENCE South 13 deg. 26 min. 58 sec. West, a distance of 4.78 feet;

THENCE South 35 deg. 47 min. 10 sec. East, a distance of 0.50 feet;

THENCE South 09 deg. 35 min. 15 sec. East, a distance of 3.76 feet;

THENCE South 10 deg. 08 min. 45 sec. East, a distance of 5.01 feet;

THENCE South 18 deg. 52 min. 50 sec. East, a distance of 1.08 feet;

THENCE South 18 deg. 33 min. 51 sec. East, a distance of 2.67 feet;

THENCE South 29 deg. 36 min. 33 sec. East, a distance of 0.95 feet;

THENCE South 01 deg. 29 min. 54 sec. East, a distance of 3.74 feet;

THENCE South 34 deg. 00 min. 59 sec. West, a distance of 0.80 feet;

THENCE South 27 deg. 34 min. 44 sec. West, a distance of 2.17 feet;

THENCE South 55 deg. 02 min. 45 sec. West, a distance of 1.63 feet;

THENCE South 41 deg. 58 min. 51 sec. West, a distance of 1.56 feet;

THENCE South 47 deg. 55 min. 58 sec. West, a distance of 0.73 feet;

THENCE South 44 deg. 03 min. 25 sec. West, a distance of 4.43 feet;

THENCE South 54 deg. 57 min. 20 sec. West, a distance of 2.79 feet;

THENCE South 57 deg. 02 min. 43 sec. West, a distance of 1.45 feet;

THENCE South 57 deg. 18 min. 24 sec. West, a distance of 1.19 feet;

THENCE South 55 deg. 30 min. 05 sec. West, a distance of 1.64 feet;

THENCE South 52 deg. 43 min. 57 sec. West, a distance of 1.34 feet;

THENCE South 45 deg. 47 min. 47 sec. West, a distance of 1.62 feet;

THENCE South 50 deg. 25 min. 14 sec. West, a distance of 0.38 feet;

THENCE South 24 deg. 38 min. 50 sec. West, a distance of 4.04 feet;

THENCE South 17 deg. 56 min. 32 sec. East, a distance of 8.10 feet;

THENCE South 17 deg. 23 min. 26 sec. East, a distance of 0.98 feet;

THENCE South 16 deg. 49 min. 13 sec. East, a distance of 26.15 feet;

THENCE South 29 deg. 30 min. 00 sec. East, a distance of 21.51 feet;

THENCE South 42 deg. 23 min. 50 sec. East, a distance of 29.36 feet;

THENCE South 41 deg. 49 min. 31 sec. East, a distance of 1.00 feet;

THENCE South 39 deg. 22 min. 36 sec. East, a distance of 3.27 feet;

THENCE South 36 deg. 11 min. 53 sec. East, a distance of 2.27 feet;

THENCE South 34 deg. 54 min. 10 sec. East, a distance of 10.87 feet;

THENCE South 54 deg. 49 min. 10 sec. East, a distance of 17.66 feet;

THENCE South 58 deg. 18 min. 27 sec. East, a distance of 33.52 feet;

THENCE South 57 deg. 16 min. 27 sec. East, a distance of 1.80 feet;

THENCE South 54 deg. 22 min. 37 sec. East, a distance of 3.27 feet;

THENCE South 50 deg. 37 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 46 deg. 52 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 43 deg. 54 min. 52 sec. East, a distance of 1.90 feet;

THENCE South 42 deg. 49 min. 32 sec. East, a distance of 32.73 feet;

THENCE South 42 deg. 19 min. 49 sec. East, a distance of 0.83 feet;

THENCE South 41 deg. 52 min. 42 sec. East, a distance of 22.80 feet;

THENCE South 41 deg. 33 min. 14 sec. East, a distance of 0.55 feet;

THENCE South 39 deg. 22 min. 20 sec. East, a distance of 3.27 feet;

THENCE South 35 deg. 37 min. 35 sec. East, a distance of 3.27 feet;

THENCE South 31 deg. 52 min. 41 sec. East, a distance of 3.27 feet;

THENCE South 28 deg. 07 min. 30 sec. East, a distance of 3.27 feet;

THENCE South 24 deg. 22 min. 32 sec. East, a distance of 3.27 feet;

THENCE South 20 deg. 37 min. 29 sec. East, a distance of 3.27 feet;

THENCE South 16 deg. 52 min. 13 sec. East, a distance of 3.27 feet;

THENCE South 13 deg. 07 min. 40 sec. East, a distance of 3.27 feet;

THENCE South 09 deg. 56 min. 08 sec. East, a distance of 2.30 feet;

THENCE South 08 deg. 36 min. 54 sec. East, a distance of 7.29 feet;

THENCE South 89 deg. 52 min. 18 sec. East, a distance of 15.01 feet;

THENCE South 04 deg. 27 min. 14 sec. East, a distance of 1.49 feet;

THENCE South 01 deg. 23 min. 15 sec. East, a distance of 8.85 feet;

THENCE South 02 deg. 14 min. 42 sec. West, a distance of 4.57 feet;

THENCE South 05 deg. 45 min. 35 sec. West, a distance of 7.81 feet;

THENCE South 05 deg. 37 min. 44 sec. West, a distance of 2.15 feet;

THENCE South 09 deg. 20 min. 55 sec. West, a distance of 10.52 feet;

THENCE South 11 deg. 28 min. 10 sec. West, a distance of 5.55 feet;

THENCE South 13 deg. 36 min. 45 sec. West, a distance of 11.40 feet;

THENCE South 15 deg. 52 min. 01 sec. West, a distance of 11.32 feet;

THENCE South 02 deg. 40 min. 24 sec. East, a distance of 2.88 feet;

THENCE South 02 deg. 20 min. 10 sec. East, a distance of 7.88 feet;

THENCE South 11 deg. 20 min. 45 sec. East, a distance of 7.32 feet;

THENCE South 07 deg. 17 min. 24 sec. East, a distance of 17.52 feet;

THENCE South 00 deg. 00 min. 33 sec. East, a distance of 14.56 feet;

THENCE South 08 deg. 59 min. 53 sec. West, a distance of 12.45 feet;

THENCE South 24 deg. 01 min. 31 sec. West, a distance of 9.56 feet;

THENCE South 51 deg. 42 min. 46 sec. West, a distance of 11.53 feet;

THENCE South 72 deg. 42 min. 50 sec. West, a distance of 16.64 feet;

THENCE South 09 deg. 27 min. 42 sec. East, a distance of 17.63 feet;

THENCE South 08 deg. 29 min. 03 sec. East, a distance of 1.71 feet;

THENCE South 05 deg. 37 min. 40 sec. East, a distance of 3.27 feet;

THENCE South 01 deg. 52 min. 24 sec. East, a distance of 3.27 feet;

THENCE South 01 deg. 52 min. 23 sec. West, a distance of 3.27 feet;

THENCE South 05 deg. 37 min. 42 sec. West, a distance of 3.27 feet;

THENCE South 09 deg. 22 min. 18 sec. West, a distance of 3.27 feet;

THENCE South 13 deg. 07 min. 40 sec. West, a distance of 3.27 feet;

THENCE South 16 deg. 52 min. 27 sec. West, a distance of 3.27 feet;

THENCE South 20 deg. 37 min. 36 sec. West, a distance of 3.27 feet;

THENCE South 24 deg. 22 min. 32 sec. West, a distance of 3.27 feet;

THENCE South 28 deg. 07 min. 30 sec. West, a distance of 3.27 feet;

THENCE South 31 deg. 52 min. 24 sec. West, a distance of 3.27 feet;

THENCE South 35 deg. 37 min. 23 sec. West, a distance of 3.27 feet;

THENCE South 38 deg. 15 min. 05 sec. West, a distance of 1.30 feet;

THENCE South 38 deg. 59 min. 29 sec. West, a distance of 5.16 feet;

THENCE South 44 deg. 06 min. 53 sec. East, a distance of 8.11 feet;

THENCE South 47 deg. 00 min. 28 sec. East, a distance of 19.93 feet;

THENCE South 47 deg. 22 min. 34 sec. East, a distance of 16.25 feet;

THENCE South 55 deg. 32 min. 50 sec. East, a distance of 12.57 feet;

THENCE South 58 deg. 13 min. 34 sec. East, a distance of 28.92 feet;

THENCE South 52 deg. 59 min. 39 sec. East, a distance of 16.64 feet;

THENCE South 53 deg. 24 min. 44 sec. East, a distance of 10.87 feet;

THENCE South 48 deg. 00 min. 07 sec. East, a distance of 13.07 feet;

THENCE South 30 deg. 59 min. 33 sec. East, a distance of 7.53 feet;

THENCE South 21 deg. 31 min. 35 sec. East, a distance of 11.51 feet;

THENCE South 10 deg. 01 min. 01 sec. East, a distance of 12.55 feet to the **POINT OF BEGINNING**, containing 145,655 square feet or 3.344 acres of land, more or less.

LEGAL DESCRIPTION OF
ESA TRACT 2

All that certain lot, tract, or parcel of land, situated in a portion of the Mary L. Austin Survey, Abstract No. 4, City of Denton, Denton County, Texas, being part of that certain called 53.865 net acre tract described in a deed to Neil A. Bickley and Ronald W. Atkins recorded in Instrument No. 2024-128262 of the Deed Records of Denton County, Texas (DRDCT), and being more completely described as follows, to-wit:

COMMENCING at a 1/2" iron rod found (bent) for an angle point in the North line of said 53.865 net acre tract, the Southeast corner of Lot 2, Block 2 of Municipal Utility Addition recorded in Document No. 2009-139 Plat Records of Denton County, Texas (PRDCT) and the Southwest corner of Lot 1, Block A of Binker Substation Addition recorded in Document No. 2017-439 (PRDCT);

THENCE South 87 deg. 58 min. 49 sec. East along said North line and the South line of said Lot 1, Block A, a distance of 243.21 feet to the **TRUE POINT OF BEGINNING**;

THENCE South 87 deg. 58 min. 49 sec. East continuing along said North and South lines, a distance of 119.16 feet to a point, from which a 1/2" iron rod found (bent) for an angle point in the North line of said 53.865 net acre tract, the Southeast corner of said Lot 1, Block A and the Southwest corner of called 24.14 acre Tract 1 described in Deed to Medanjo Partners, LTD recorded in Document No. 2018-75291 (DRDCT) bears South 87 deg. 58 min. 49 sec. East – 45.44 feet;

THENCE South 28 deg. 07 min. 11 sec. East departing said North and South lines, a distance of 2.91 feet;

THENCE South 24 deg. 22 min. 40 sec. East, a distance of 3.27 feet;

THENCE South 20 deg. 37 min. 01 sec. East, a distance of 0.76 feet;

THENCE South 39 deg. 22 min. 05 sec. East, a distance of 4.30 feet;

THENCE South 38 deg. 25 min. 51 sec. East, a distance of 1.63 feet;

THENCE South 35 deg. 37 min. 35 sec. East, a distance of 3.27 feet;

THENCE South 31 deg. 52 min. 41 sec. East, a distance of 3.27 feet;

THENCE South 28 deg. 07 min. 30 sec. East, a distance of 3.27 feet;

THENCE South 24 deg. 22 min. 32 sec. East, a distance of 3.27 feet;

THENCE South 20 deg. 37 min. 09 sec. East, a distance of 3.27 feet;

THENCE South 16 deg. 52 min. 33 sec. East, a distance of 3.27 feet;

THENCE South 13 deg. 07 min. 35 sec. East, a distance of 3.27 feet;

THENCE South 10 deg. 32 min. 32 sec. East, a distance of 1.22 feet;

THENCE South 09 deg. 50 min. 51 sec. East, a distance of 8.68 feet;

THENCE South 08 deg. 40 min. 22 sec. East, a distance of 2.05 feet;

THENCE South 07 deg. 17 min. 45 sec. East, a distance of 0.38 feet;

THENCE South 07 deg. 03 min. 31 sec. East, a distance of 4.40 feet;

THENCE North 87 deg. 55 min. 22 sec. West, a distance of 113.70 feet;

THENCE North 46 deg. 31 min. 28 sec. West, a distance of 0.15 feet;

THENCE North 45 deg. 45 min. 33 sec. West, a distance of 1.33 feet;

THENCE North 43 deg. 07 min. 51 sec. West, a distance of 3.27 feet;

THENCE North 40 deg. 17 min. 51 sec. West, a distance of 1.64 feet;

THENCE North 39 deg. 22 min. 01 sec. West, a distance of 7.81 feet;

THENCE North 43 deg. 11 min. 47 sec. West, a distance of 1.97 feet;

THENCE North 42 deg. 13 min. 18 sec. West, a distance of 1.70 feet;

THENCE North 39 deg. 22 min. 20 sec. West, a distance of 3.27 feet;

THENCE North 35 deg. 37 min. 35 sec. West, a distance of 3.27 feet;

THENCE North 31 deg. 52 min. 41 sec. West, a distance of 3.27 feet;

THENCE North 28 deg. 07 min. 30 sec. West, a distance of 3.27 feet;

THENCE North 24 deg. 22 min. 32 sec. West, a distance of 3.27 feet;

THENCE North 20 deg. 37 min. 29 sec. West, a distance of 3.27 feet;

THENCE North 16 deg. 52 min. 33 sec. West, a distance of 3.27 feet;

THENCE North 13 deg. 07 min. 20 sec. West, a distance of 3.27 feet;

THENCE North 09 deg. 22 min. 38 sec. West, a distance of 3.27 feet;

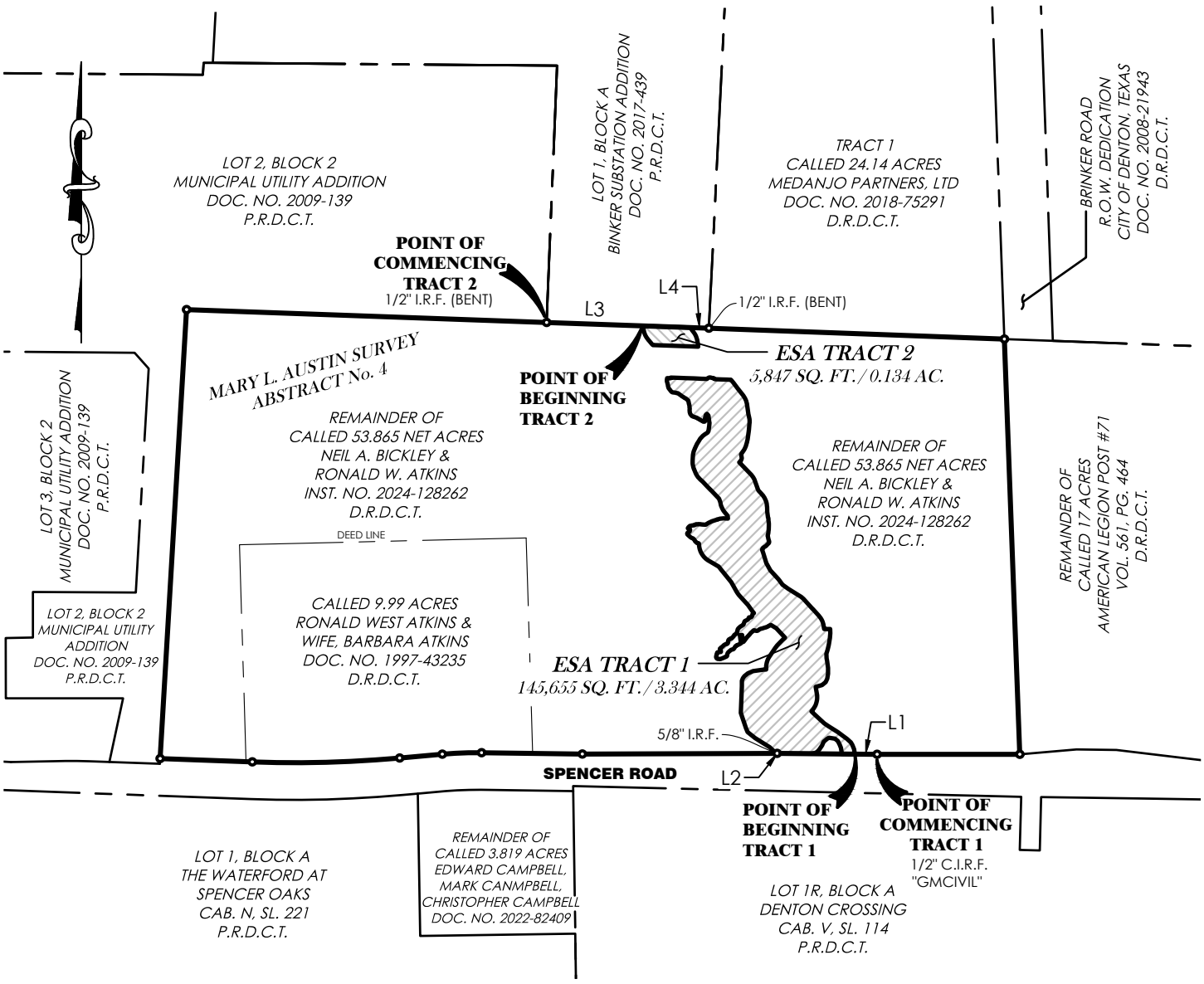
THENCE North 05 deg. 37 min. 19 sec. West, a distance of 3.27 feet;

THENCE North 01 deg. 52 min. 24 sec. West, a distance of 3.27 feet;

THENCE North 01 deg. 39 min. 54 sec. East, a distance of 1.77 feet to the **POINT OF BEGINNING**, containing 5,847 square feet or 0.134 acres of land, more or less.

Exhibit D
Depiction of the AESA Mitigation Property
(Forthcoming from the Applicant)

DRAFT



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N89°28'20"W	55.47'
L2	N89°28'20"W	1.03'

LINE TABLE		
LINE #	BEARING	DISTANCE
L3	S87°58'49"E	243.21'
L4	S87°58'49"E	45.44'

EXHIBIT "A" MAP SHOWING ENVIRONMENTALLY SENSITIVE AREA'S SITUATED IN A PORTION OF THE MARY L. AUSTIN SURVEY, ABSTRACT NO. 4 CITY OF DENTON, DENTON COUNTY, TEXAS

GM civil
Engineering & Surveying
2559 SW Grapevine Pkwy, Grapevine, Texas 76051
817-329-4373
TxEng Firm # F-2944 | TxSurv Firm # 10021700

Job No.:	23035	Scale:	N.T.S.	Sheet	NOTE: THE INTENT OF THIS EXHIBIT IS TO PICTORIALLY SHOW LOCATIONS OF THE ENVIRONMENTALLY SENSITIVE AREA. IT IS NOT INTENDED AS AN ACTUAL SURVEY. CALLS SHOWN ARE REFERENCES ONLY. NO STATEMENT IS MADE TO THE VALIDITY OF THESE CALLS
Drafted:	J.H.M.	Checked:	J.N.R.	1	
Surveyed on the Ground:		04/01/2024		of	
Date Prepared:		07/31/2025			
Revised:	.	Revised:	.	1	

J:\23035 - Spencer Rd\COGO\SPLAT\ESA & DIA EXHIBIT-LGLS\ESA\23035-ESA-TRACTS.dwg

Exhibit E
Alternative ESA Plan

DRAFT

ALTERNATIVE ENVIRONMENTALLY SENSITIVE AREA REPORT

IDI Logistics

Spencer Road Industrial Project Site



June 2025

For compliance with:

City of Denton Environmentally Sensitive Areas Assessment
(ESA# 25-0001)

Prepared by:
Integrated Environmental Solutions, LLC
301 W. Eldorado Parkway, Ste. 101
McKinney, Texas 75069

Prepared for:
IDI Logistics
2300 N. Field Street, Suite 2060
Dallas, Texas 75201

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Appendix A - Figures

Figure 1 – General Location Map
Figure 2 – City of Denton Mapped ESAs
Figure 3 – On-site ESA Determinations
Figure 4 – Proposed ESA Impacts
Figure 5 – Site Plan and Impacts
Figure 6 – Sewer Line Location and Boring Zone

Appendix B – ESA Assessment Forms

Appendix C – Tree Inventory Data

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INTRODUCTION AND AUTHORITY/ PURPOSE AND NEED FOR ACTION

Integrated Environmental Solutions, LLC (IES) was retained by IDI Logistics for environmental services for the Spencer Road Industrial project site. This Alternative Environmentally Sensitive Area (AESA) Report is being submitted to the City of Denton under the Denton Development Code (DDC) Section 2.8.4 to request approval for impacts to Environmentally Sensitive Areas (ESA). This AESA Report proposes mitigation measures for two impact areas within the Riparian Buffer and Undeveloped Floodplain ESA which are required to construct an internal roadway and detention outfall for the proposed industrial development. The report also details that a region of the Cross Timbers ESA identified on site will be retained, meeting the preservation percentage requirements.

DESCRIPTION OF OVERALL DEVELOPMENT

The proposed Spencer Road Industrial project site is approximately 53.5 acres located at 2201 and 2203 Spencer Road in the City of Denton, Denton County, Texas (**Appendix A, Figure 1**).

The proposed development will consist of four industrial buildings and all associated infrastructure including sidewalks, interior roads, detention, and necessary utilities. The development impact area is approximately 42.9 acres. The current zoning for the tract is General Office (GO), which allows for the proposed development.

EXISTING SITE DESCRIPTION

The survey area was characterized by three distinct vegetation communities, **grassland**, **forested upland**, and **forested riparian corridor**. The **grassland** community dominated the site and consisted of grasses and forbs such as Johnsongrass (*Sorghum halepense*), spreading hedge parsley (*Torilis arvensis*), pinkladies (*Oenothera speciosa*), common sunflower (*Helianthus annuus*), white tridens (*Tridens albescens*), sumpweed (*Iva annua*), Indian blanket (*Gaillardia pulchella*), Illinois bundleflower (*Desmanthus illinoensis*), red seed plantain (*Plantago rhodosperma*), perennial ryegrass (*Lolium perenne*), white clover (*Trifolium repens*), Bermudagrass (*Cynodon dactylon*), silver leaf nightshade (*Solanum elaeagnifolium*), western ragweed (*Ambrosia psilostachya*), field brome (*Bromus arvensis*), and tall goldenrod (*Solidago gigantea*). The **forested upland** was identified scattered along fence lines and in patches across the site. It was comprised of post oak (*Quercus stellata*), eastern red cedar (*Juniperus virginiana*), and pecan (*Carya illinoinensis*), with an understory of Chinese privet (*Ligustrum sinense*) and sawbriar (*Smilax bona-nox*). The **forested riparian corridor** was identified along the central drainage and consisted of woody species such as Osage-orange (*Maclura pomifera*), American elm (*Ulmus americana*), sycamore (*Platanus occidentalis*), and pecan, with an understory comprised of Chinese privet and sawbriar.

IES Environmental staff conducted a site visit on 09 May 2024 to confirm ESAs mapped by the City of Denton. Prior to the site visit, IES reviewed the previously mapped and assessed ESAs as depicted on the Official ESA Map of the City of Denton Online Map Viewer. The ESAs, as depicted on the Online Map Viewer, are shown on **Appendix A**, **Figure 2**. ESAs associated with an assessment completed in 2025 were depicted as follows:

> ESA25-0001: The assessment reviewed the status of a section of an unnamed tributary to Pecan Creek bisecting the project site centrally. The assessment confirmed the Undeveloped Floodplain, Zone AE and Floodway, and most of the Riparian Buffer-50 Habitat associated with the unnamed tributary of Pecan Creek. The field investigation identified Cross Timbers Upland Habitat along the eastern boundary within a contiguous tract that extended east, outside of the boundary. The assessment was unable to confirm the Cross Timbers Upland Habitat along the northern and western boundaries, the Riparian Buffer-50 Habitat along the southern boundary, and the Water Related Habitat along the northern boundary as the areas lacked the basic characteristics of each ESA habitat.

During the site visit, an intermittent stream was identified within the project site, entering via a culvert under Spencer Road and meandering through the site before exiting to the north. A 50-foot Riparian Buffer ESA and Floodplain ESA were identified along the stream. The ESAs identified during the site visit are shown in **Appendix A, Figure 3**. The habitats within the ESAs are as follows:

Stream

An intermittent stream meanders through the central region of the ESA before exiting the site to the north. The intermittent stream was, on average, 7-feet wide and incised 1 to 3 feet. Overall, the stream was in *Good* condition based on the Rapid Stream Assessment Technique (RSAT) performed during the ESA assessment.

Riparian Buffer ESA

A 50-foot Riparian Buffer was identified along the intermittent stream meandering through the central region. The Riparian Buffer ESA along the southern boundary was removed through the ESA assessment completed in May 2024 due to a lack of canopy cover. The Riparian Buffer was dominated by American elm and pecan trees with common greenbrier (*Smilax glauca*), eastern red cedar, Chinese privet, and poison ivy observed in the understory. **Table 1** below summarizes the trees measured and identified within the Riparian Buffer and Undeveloped Floodplain ESA. A full ESA tree inventory completed in June 2024 is included as **Appendix B**. Trees were recorded on a Juniper Systems Geode GNS3S Global Positioning System (GPS) unit capable of sub-meter accuracy.

Table 1. Summary of Trees Identified Within the Riparian Buffer and Undeveloped Floodplain ESA Area.

Tree Species	No. Healthy Trees (total caliper inches)	No. Declining/ Hazard Trees (total caliper inches)
American elm	59 (663.3)	2 (43.9)
Black walnut	1 (19.8)	1 (21.9)
Black willow	1 (18.6)	---
Blackjack oak	32 (342.3)	---
Boxelder	4(36.9)	---
Bradford pear	---	1 (7.9)
Cedar elm	19 (171.1)	---
Chinaberry	7 (65.7)	---
Common persimmon	5 (38.3)	---
Eastern red cedar	29 (309.3)	---
Green ash	18 (173.2)	1 (12.3)
Gum bumelia	2 (20.7)	---
Osage-orange	6 (50.3)	1 (8.3)
Pecan	51 (517.1)	---
Post oak	65 (732.4)	2 (33.1)
Sugarberry	2 (13.3)	---
Sycamore	4 (54.9)	1 (11.8)
Total Trees	305 (3,227.2)	9 (139.2)

Undeveloped Floodplain ESA

Undeveloped Floodplain ESA was mapped around the stream channel and associated buffer. The ESA is associated with Federal Emergency Management Agency (FEMA) 100-year floodplain Zone AE. **Table 1** above summarizes the trees measured and tagged within the Undeveloped Floodplain and Riparian Buffer ESA.

Cross Timbers Upland ESA

The site survey was unable to confirm the Cross Timbers Upland habitat along the northern and western boundaries. The region was previously cleared for a utility line between 2022 and 2023, and no canopy cover was present. Therefore, the northern and western boundary regions did not meet the requirements to be verified as an ESA. A post oak overstory with scattered eastern red cedar trees and saplings was identified along the eastern boundary with Chinese privet overgrown in understory. Recent aerial photography indicates that the forested area has remained forested for several decades. The area was previously part of a larger, contiguous forest but a portion was removed between 2007 and 2008 for

development to the east. Based on aerial photography in Google Earth, the current contiguous canopy cover is 12.9 acres. Therefore, the eastern region met the minimum 10-acre requirement to be verified as an ESA.

AESA PURPOSE

The AESA purpose is to propose mitigation for the impacts to the Riparian Buffer and Undeveloped Floodplain ESAs due to the proposed industrial development construction. The proposed project would involve constructing a connecting road, and detention outfall within the limits of the Riparian Buffer and Undeveloped Floodplain ESAs. The road crossing was placed over the northern section of the intermittent stream due to engineering constraints and transportation requirements, resulting in unavoidable impacts to the ESA. Grading required for the construction would be limited to the minimum necessary for the roadway and detention outfall totaling approximately 0.23 acre (7 percent of 3.13-acre total) within the Riparian Buffer ESA and 0.16 acre (6 percent of 2.75-acre total) within the Undeveloped Floodplain ESA. **Appendix A**, **Figure 4** shows the proposed impacts to the ESA.

The Cross Timbers ESA to the east will also be impacted for the construction of a warehouse building, parking, internal roadways and grading. Per Section 4.2.4.2.1 of the Denton ESA Primer, the proposed development will retain over 30 percent of the Cross Timbers ESA area within the site, which meets the preservation requirements. The industrial complex construction will impact 2.10 acres (65.8 percent) of the total 3.19 acres of Cross Timbers ESA within the site. As 34.2 percent of the total Cross Timbers ESA identified on site will be retained, the development meets the preservation requirements, and no additional mitigation is required or proposed for the Cross Timbers ESA.

Site Access & Interior Design Layout

The Spencer Road Industrial site was designed to maximize building size while limiting impacts to the ESAs and complying with tree preservation requirements. The current design provides 554,552 square feet of warehouse space, internal roadways, detention, and utilities (**Appendix A, Figure 5)**. The easternmost building was shifted north and the size was reduced to limit impacts to the Cross Timbers Upland ESA. To provide two access points to the easternmost building, an internal connection road was necessary in the northern region to ensure access requirements were met. The access road could not be shifted north along the boundary due to the utility line easement, which is present along the western and northern boundaries. Multiple utility lines will be installed across the central and southern Riparian Buffer and Undeveloped Floodplain reaches; however, the segments below the ESA will be bored, resulting in no additional ESA impacts (**Appendix A, Figure 6**). Fire lanes were required around each building for emergency vehicle access, which resulted in additional Cross Timbers Upland ESA impacts; however, walls were strategically placed throughout the project site to minimize the removal of trees and impacts to the ESA. Given the design and environmental constraints, the project design only impacts 0.23 acre of Riparian Buffer ESA, 0.16 acre of Undeveloped Floodplain ESA, and 2.10 acres of Cross Timbers Upland ESA.

NOTIFICATION AND REVIEW

This AESA Report explains the mitigation measures for ESA impacts that will be provided to the City of Denton for formal notification of the activity and review of the proposed restoration activity.

AFFECTED ENVIRONMENT AND SUMMARY OF IMPACTS

Appendix A, Figure 5 shows the observed Riparian Buffer and Undeveloped Floodplain associated with the stream channel through the central region. The total Riparian Buffer ESA covers 3.13 acres, and the Undeveloped Floodplain ESA covers 2.75 acre within the property boundary.

The project is proposing to construct a roadway and detention outfall within the on-site Riparian Buffer and Undeveloped Floodplain ESAs. All vegetation within the impact areas will be permanently removed during the initial construction; however, the impacts will be limited to the extent necessary to fulfill the needs of the industrial development. The proposed impacts from the construction of the roadway and detention outfall are limited to 0.23 acre within the Riparian Buffer ESA and 0.16 acre within the Undeveloped Floodplain ESA. The total impacts and site plan are shown on **Appendix A, Figure 5**.

Based on the tree inventory completed in June 2024 by IES, tree species within the Riparian Buffer and Undeveloped Floodplain impact areas include American elm, blackjack oak (*Quercus marilandica*), black walnut (*Juglans nigra*), cedar elm, eastern red cedar, Osage-orange, and pecan. The understory within the riparian buffer was overgrown with Chinese privet. The trees to be removed are described in **Table 2**. The proposed trees to be removed within the Riparian Buffer and Undeveloped Floodplain ESAs total 316.5-caliper inches from 28 trees, 26 of which were all identified as healthy. The 26 healthy trees make up approximately 8.5 percent of the total healthy trees within the on-site Riparian Buffer and Undeveloped Floodplain ESAs.

Table 2. Identified Trees Within the Proposed Riparian Buffer and Undeveloped Floodplain ESA Impact Area.

ID #	DBH (caliper inches)	Common Name	Scientific Name	Condition	Multi-Trunk
206	12.9	eastern red cedar	*Juniperus virginiana*	Healthy	No
207	10.6	eastern red cedar	*Juniperus virginiana*	Healthy	No
208	7.3	eastern red cedar	*Juniperus virginiana*	Healthy	No
209	14.1	pecan	*Carya illinoinensis*	Healthy	No
210	7.9	eastern red cedar	*Juniperus virginiana*	Healthy	No
211	13.3	eastern red cedar	*Juniperus virginiana*	Healthy	No
212	16	eastern red cedar	*Juniperus virginiana*	Healthy	No
6864	13.9	American elm	*Ulmus americana*	Healthy	No
6865	17.4	American elm	*Ulmus americana*	Healthy	No
6866	8.3	Osage-orange	*Maclura pomifera*	Damaged	No
6867	7.1	American elm	*Ulmus americana*	Healthy	No
6868	19.8	black walnut	*Juglans nigra*	Healthy	No
6869	21.9	black walnut	*Juglans nigra*	Damaged	No
6870	12.8	American elm	*Ulmus americana*	Healthy	No
6871	6.3	cedar elm	*Ulmus crassifolia*	Healthy	No
7334	7.8	eastern red cedar	*Juniperus virginiana*	Healthy	No
7335	16.6	American elm	*Ulmus americana*	Healthy	No
7336	16	American elm	*Ulmus americana*	Healthy	No
7337	7.8	American elm	*Ulmus americana*	Healthy	No
7338	11.5	American elm	*Ulmus americana*	Healthy	No
7961	11.1	eastern red cedar	*Juniperus virginiana*	Healthy	No
7962	6.4	blackjack oak	*Quercus marilandica*	Healthy	No
7963	7.4	post oak	*Quercus stellata*	Healthy	No
7964	6.5	blackjack oak	*Quercus marilandica*	Healthy	No
7965	13.9	eastern red cedar	*Juniperus virginiana*	Healthy	No
7966	8.1	blackjack oak	*Quercus marilandica*	Healthy	No
7967	6.8	American elm	*Ulmus americana*	Healthy	No
7968	7.0	pecan	*Carya illinoinensis*	Healthy	No
Total	316.5				

MITIGATION ACTIVITIES

The impacts to the Riparian Buffer and Undeveloped Floodplain ESA shown in **Appendix A**, **Figure 5** are primarily limited to the northern reach where impacts are required to construct a roadway to provide a second access point for the easternmost building. A relatively small, additional impact is necessary in the southern region for a detention pond outfall to convey flow downslope. Vegetation will be removed during the initial grading for the development. Retaining walls were strategically placed throughout the project to minimize the removal of trees and impacts to the ESA. A pre-construction meeting will be held to notify contractors of ESA mitigation area limits and a visual barrier such as a temporary chain link fence will be installed to ensure construction remains within the development impact area (DIA) boundary. No additional adverse impacts to the stream or the remainder of the ESAs are expected from the construction.

Concurrent or following the industrial development construction, a contractor will be instructed by IDI Logistics to remove invasive, understory Chinese privet growth from the unimpacted Riparian Buffer and Undeveloped Floodplain ESA regions. Once the Chinese privet has been removed, the resulting AESA will provide additional native habitat while also aiding in stormwater management for the industrial development. In addition, all appropriate best management practices (BMPs) will be in place as required by the General Construction Permit and site-specific Stormwater Pollution Prevention Plan, which may include the installation of silt fencing or a rock check dam prior to construction activity discharges to the ESA.

PROPOSED IMPROVEMENT OF UNAFFECTED AREAS

A mitigation plan executed over a year-long period is proposed to effectively restore and improve the unimpacted Riparian Buffer and Undeveloped Floodplain ESAs. A contractor, such as IES, will be contracted to complete the privet removal and monitoring. The developer is proposing to mechanically remove Chinese privet, an invasive species, from the understory of the unimpacted Riparian Buffer and Undeveloped Floodplain ESAs as well as from non-graded areas immediately surrounding the ESA to help prevent the reintroduction of Chinese privet. The removal approach is a targeted mechanism to eliminate invasive species and will result in no ground disturbing activities that could harm overstory trees. The initial privet removal will occur the first winter after construction has commenced to reduce sprouting.

Figure 1 illustrates that invasive Chinese privet currently dominates the canopy understory within the ESA. Mechanical removal will consist of the use of a hydro-axe for most of the area, supplemented with hand clearing to remove Chinese privet immediately surrounding existing trees. The hydro-axe will remove the aboveground portion of the Chinese privet plant but does not remove the root system and sprouting will occur. The regrowth will be spot treated with triclopyr, a pesticide from the City's Integrated Pest Management list, the following spring at the recommended label rate. An additional spot treatment of seedlings will be conducted, if necessary. Debris from the privet removal will be mulched and spread within the mitigation area. The eradication of Chinese privet will open the understory and improve opportunities for diverse native species to thrive with limited invasive competition. A successful eradication will allow for no more than 5 percent of remaining Chinese privet understory cover. Seedlings and regrowth will be monitored and removed seasonally during the 3-year monitoring period within the mitigation area as needed to ensure Chinese privet remains eradicated.



Figure 1. The photographs illustrated above depict the understory of invasive Chinese Privet throughout the mitigation area.

A seed mixture will be seeded throughout the unimpacted Riparian Buffer and Undeveloped Floodplain ESA regions once the understory has been cleared of Chinese privet to provide a protective ground cover and functional understory strata. The seed mix is intended to aid in rebuilding the stream bank buffer zone. The seed mix will include native species such as Virginia wildrye (*Elymus virginicus*), Canada wildrye (*Elymus canadensis*), inland sea oats (*Chasmanthium latifolium*), purpletop tridens (*Tridens flavus*), purple coneflower (*Echinacea purpurea*), bergamont (*Monarda fistulosa*), red columbine (*Aquilegia canadensis*), black-eyed Susan (*Rudbeckia hirta*), swamp sunflower (*Helianthus angustifolius*), American beautyberry (*Callicarpa americana*), butterfly weed (*Asclepias tuberosa*), frostweed (*Verbesina virginica*), and blue mistflower (*Conoclinium coelestinum*). The native seed mix will contain no more than 20 percent of a single species. The proposed seeding goal is to develop an AESA with a quality, diverse, functioning habitat that will not need additional maintenance beyond the initial seeding.

The seed mix will be sown at the recommended amount of 9 pounds per acre in the spring following the Chinese privet management. As the mitigation area is within a forested riparian buffer, shade tolerant species have been selected for planting. The initial seeding will be implemented in conjunction with the hydromulching and involves applying a mixture of water, wood fiber mulch, soil stabilizer, and seed to prevent erosion and provide an optimal environment conducive to plant growth. The seeding will be conducted once and due to the forested overstory and minimal impacts within the Riparian Buffer ESA on site, a specified final coverage rate will not be required.

The unimpacted Riparian Buffer ESA (approximately 2.90 acre) and Undeveloped Floodplain ESA (approximately 2.59 acre) areas encompass a combined total of 3.48 acre as a result of overlap. No tree planting is proposed within the mitigation area as only 8.5 percent of the existing trees within the Riparian Buffer and Undeveloped Floodplain ESAs will be removed because of the development, resulting in 80 stems per acre (with a DBH of 6 inches or greater) within the mitigation area. Most of the recorded trees within the mitigation area are mature and will naturally propagate within regions where Chinese privet has been cleared.

Data to determine Chinese privet coverage rates during site visits will be manually collected using appropriate vegetation monitoring and classification techniques, such as total count and point-intercept methods. A site visit by IES staff will be performed following the completion of the initial privet removal and prior to the first annual reporting event. IES will perform additional site visits as necessary during the first annual monitoring period.

COMPLIANCE WITH AUTHORITIES

The City of Denton is the authority over compliance with this AESA mitigation plan. Once the Spencer Road Industrial development has been constructed and the AESA mitigation activities have been completed, the City of Denton will be notified that the mitigation activities have been completed.

ANNUAL REPORTING

The applicant will prepare an annual report each year for three consecutive years, beginning 12 months following the mitigation activities implementation to report on the effectiveness of the Chinese privet removal. These annual reports will be submitted to the City for review and comment.

The first two annual reports will contain action items that may include, removing weeds and invasive species from within the mitigation area, or removal of construction debris within the Riparian Buffer and Undeveloped Floodplain ESA.

Upon completion of the 3-year monitoring and reporting period, the City of Denton Environmental Services shall inspect the mitigation area and determine whether the Chinese privet understory cover eradication goal of no more than 5 percent Chinese privet understory cover has been met. After city inspection, if invasive plants have been reestablished, the applicant shall be notified to clear the problematic areas. If the applicant does not take remedial steps to bring the property into compliance, the City may use all legal remedies to enforce this provision. If it is determined that the eradication goal has been met, the City will issue the final project acceptance.

If changes need to be made to the mitigation plan during the 3-year monitoring period, the City of Denton will be notified prior to making the plan modifications.

MAINTENANCE PLAN

The remaining Riparian Buffer ESA will be maintained differently than all other common area lots. The following specifications will be used for future maintenance contractors that are contracted by the current and future owners and managers of the site. This approach is specified separately due to the environmentally sensitive nature of the riparian corridor.

- Mowing – No mowing will be allowed within the Riparian Buffer mitigation area.
- Leaf Removal – There will be no leaf removal within the Riparian Buffer mitigation area.
- Fertilizer and Pesticide – There will be no fertilizer or pesticide within the Riparian Buffer mitigation area.
- Tree Removal – No trees will be cut, trimmed, thinned, raised, or altered without the approval of the City of Dentons specific written permission.
- Any ground disturbing activity, such as erosion control or maintenance associated with infrastructure surrounding the Riparian Buffer mitigation area will only occur after designs have been approved by the City of Denton.

In the event that the property is sold in the future, the new owners must adhere to the maintenance plan to retain the natural state and integrity of the ecosystem.

Regions between the mitigation area and DIA will remain vegetated and Chinese privet may be removed to further prevent re-establishment within the mitigation area. Mowing, fertilizer application, and ground disturbing activities will be minimized within the region between the mitigation area and DIA to serve as a protective buffer.

CRITERIA FOR APPROVAL

The following lists the criteria for approval of an AESA Plan and the project aspects that meet each criterion.

1. Create, expand, and/ or improve non-impacted areas.

   The proposed AESA plans to mitigate the impacts to the Riparian Buffer and Undeveloped Floodplain ESAs by removing Chinese privet, an invasive species, which improves opportunities for diverse, native vegetation to thrive throughout the existing buffer.

2. Improve encroached habitat and the surrounding environment.

   The impacted areas will be mitigated by removing Chinese privet throughout the remainder of the on-site Riparian Buffer and Undeveloped Floodplain ESAs as well as from non-graded areas surrounding the ESA to prevent reseeding. A seed mixture will be seeded throughout the unimpacted Riparian Buffer and Undeveloped Floodplain ESA regions once the understory has been cleared of Chinese privet to provide a protective ground cover and functional understory strata.

3. Create continuity.

   The impacted area and proposed AESA mitigation area are located within a larger mapped Undeveloped Floodplain ESA which extends north along the continuation of the drainage. The impact area is a fraction of the overall ESA on site, and the undisturbed Riparian Buffer and Undeveloped Floodplain ESAs on site will be improved.

4. Maximize access and utilization.

   Sidewalks will be constructed along the industrial buildings to improve access. The mitigation area will be visible from Spencer Road as well as the internal roadway and parking areas.

5. Create a conservation easement.

As most of the ESA will remain intact and improvements will be made to remove invasive species, the ESA designation will remain and therefore be subject to use restrictions set forth in the DDC.

6. High quality development.

   The AESA has been designed to minimize the impacts to the ESA necessary to meet the design standards and infrastructure necessary for the overall development. The AESA proposes to mitigate for the impacts by removing invasive understory growth from within and surrounding the remaining Riparian Buffer and Undeveloped Floodplain ESA. As Chinese privet currently dominates the ESA understory, the proposed improvements in the unimpacted regions will allow native species to reestablish and enrich the overall quality of the region. As such, the proposed development meets the criteria for approval for an AESA.

SUMMARY

The proposed impact areas include 0.23 acre within the Riparian Buffer ESA, 0.16 acre within the Undeveloped Floodplain ESA, and 2.10 acre within the Cross Timbers ESA resulting from the construction of roadways, sidewalks, lots, parking, and utilities necessary for the industrial development. The 2.90-acre Riparian Buffer and 2.59-acre Floodplain ESA mitigation areas to offset the impact areas will consist of removing invasive Chinese privet from the remaining on-site ESA understory to improve opportunities for diverse, native vegetation to thrive throughout the remaining ESAs. As 34.2 percent of the total Cross Timbers Upland ESA identified on site will be retained, the development meets the preservation requirements, and no additional mitigation is required or proposed for the Cross Timbers Upland ESA.

ANNUAL REPORTING CONTACTS

Developer/Owner:
IDI Logistics
2300 N. Field Street, Suite 2060
Dallas, Texas 75201
Contact: Mr. Tony Maclin
Phone: 972-560-7009
Email: tony.maclin@idilogistics.com

Environmental Scientist:
Integrated Environmental Solutions, LLC
301 W Eldorado Parkway, Suite 101
McKinney, Texas 75069
Contact: Rudi Reinecke
Phone: 972-562-7672
Email: rreinecke@intenvsol.com

Engineer:
GM Civil
2559 SW Grapevine Parkway
Grapevine, Texas 76051
Contact: Jason Weaver, P.E.
Phone: 817-329-4373
Email: JWeaver@gmcivil.com

Appendix A

Figures



Figure 1.
General Location Map

Spencer Road Industrial
City of Denton
Denton County, Texas

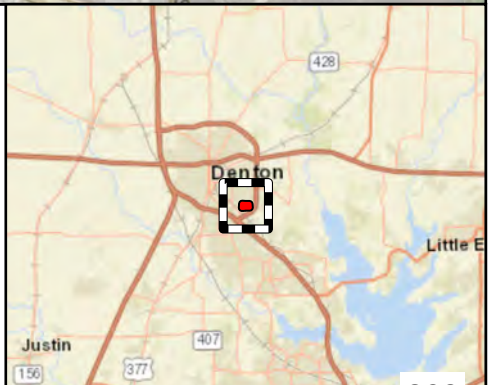
Survey Area

1 in = 1,500 ft

Feet
0 1,500

N
W E
S

File Ref. 04.110.165
Date: 3/27/2025



Area of Detail

Scale: 1 inch equals 10 miles

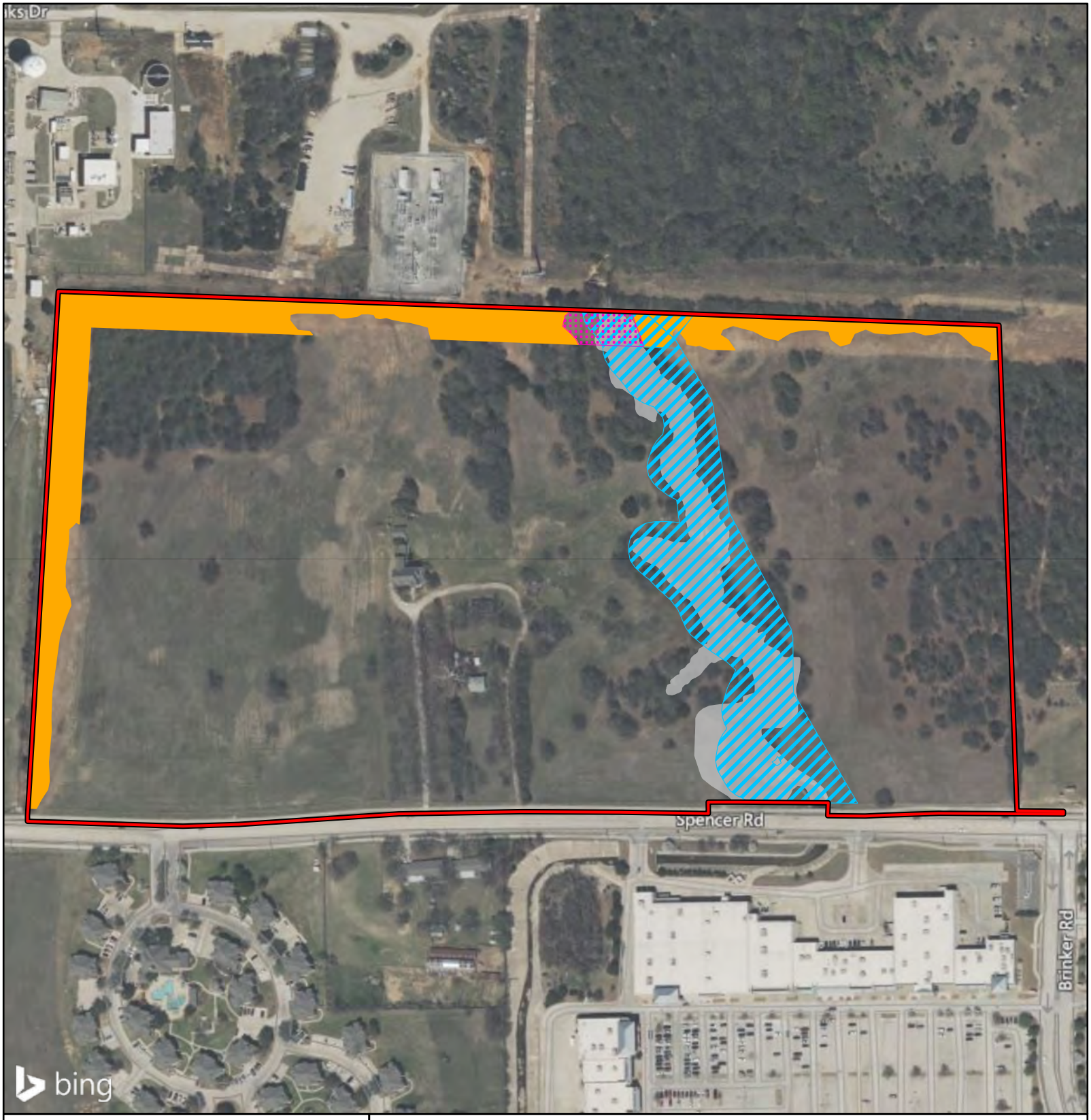


Figure 2.
City of Denton Environmentally Sensitive Areas (ESA)

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 285 ft

Feet
0
285

N
W
E
S

File Ref. 04.110.165
Date: 3/27/2025

Survey Area

Riparian Buffer ESA
Not Assessed

Cross Timbers ESA
Not Assessed

Undeveloped Floodplain ESA
Not Assessed

Water Related Habitat ESA
Not Assessed



Figure 3.
Onsite ESA Determinations

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 220 ft

Feet
0
220

N
W
E
S

File Ref. 04.110.165
Date: 3/27/2025

Survey Area

Data Form

Cross Timbers Upland ESA

Confirmed

Removed

Undeveloped Floodplain ESA

Zone AE/ Floodway, Confirmed

Water Related Habitat ESA

Removed

Riparian Buffer ESA

50, Confirmed

50, Removed

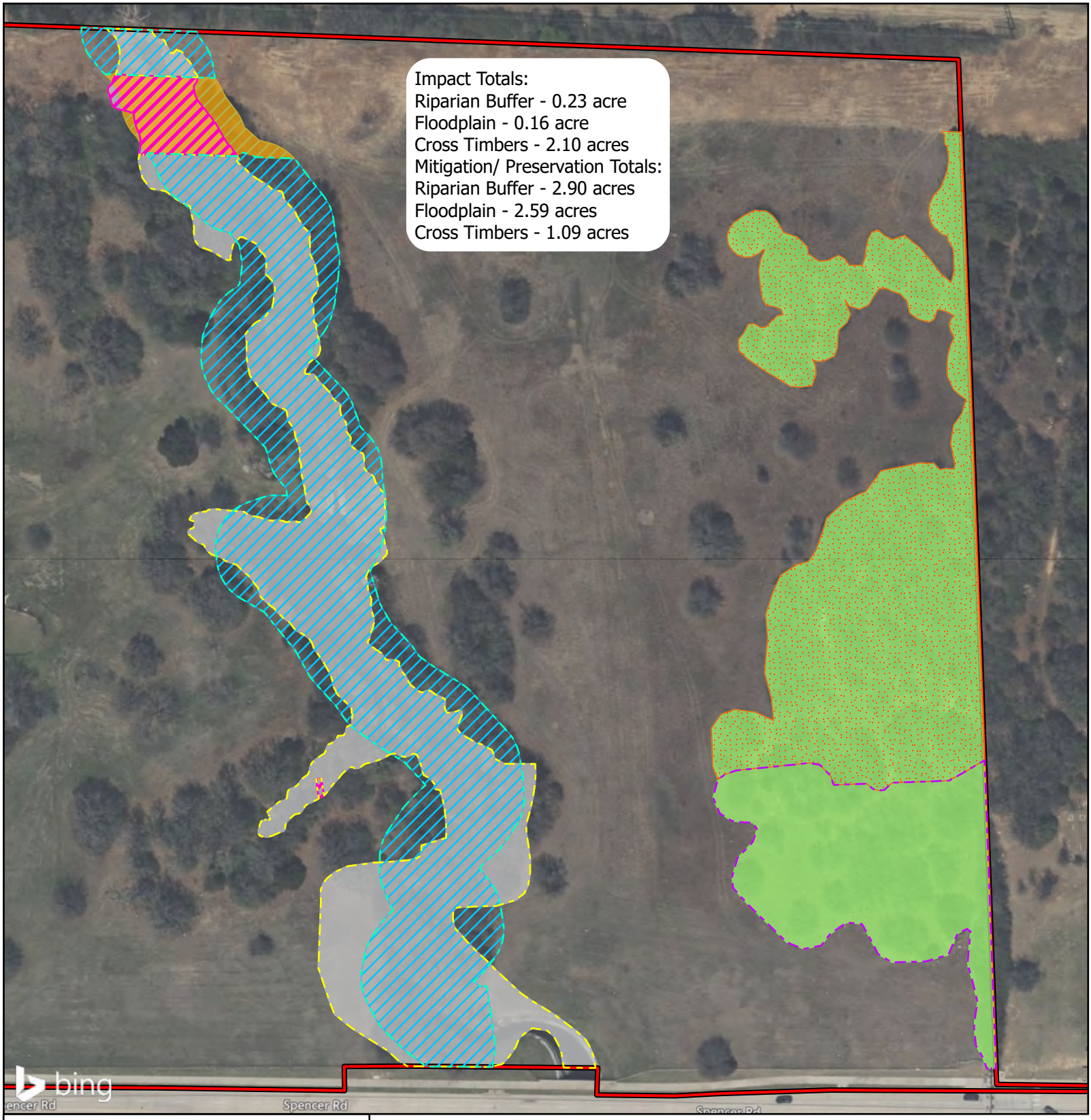


Figure 4.
Proposed ESA Impacts

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 135 ft

Feet
0 135

N
W E
S

File Ref. 04.110.165
Date: 5/23/2025

- Survey Area
- Cross Timbers Upland ESA
- Riparian Buffer ESA
- Undeveloped Floodplain ESA

Direct/ Permanent Impacts

- Cross Timbers
- Floodplain
- Riparian Buffer

Mitigation/ Preservation Area

- Riparian Buffer
- Floodplain
- Cross Timbers Preservation

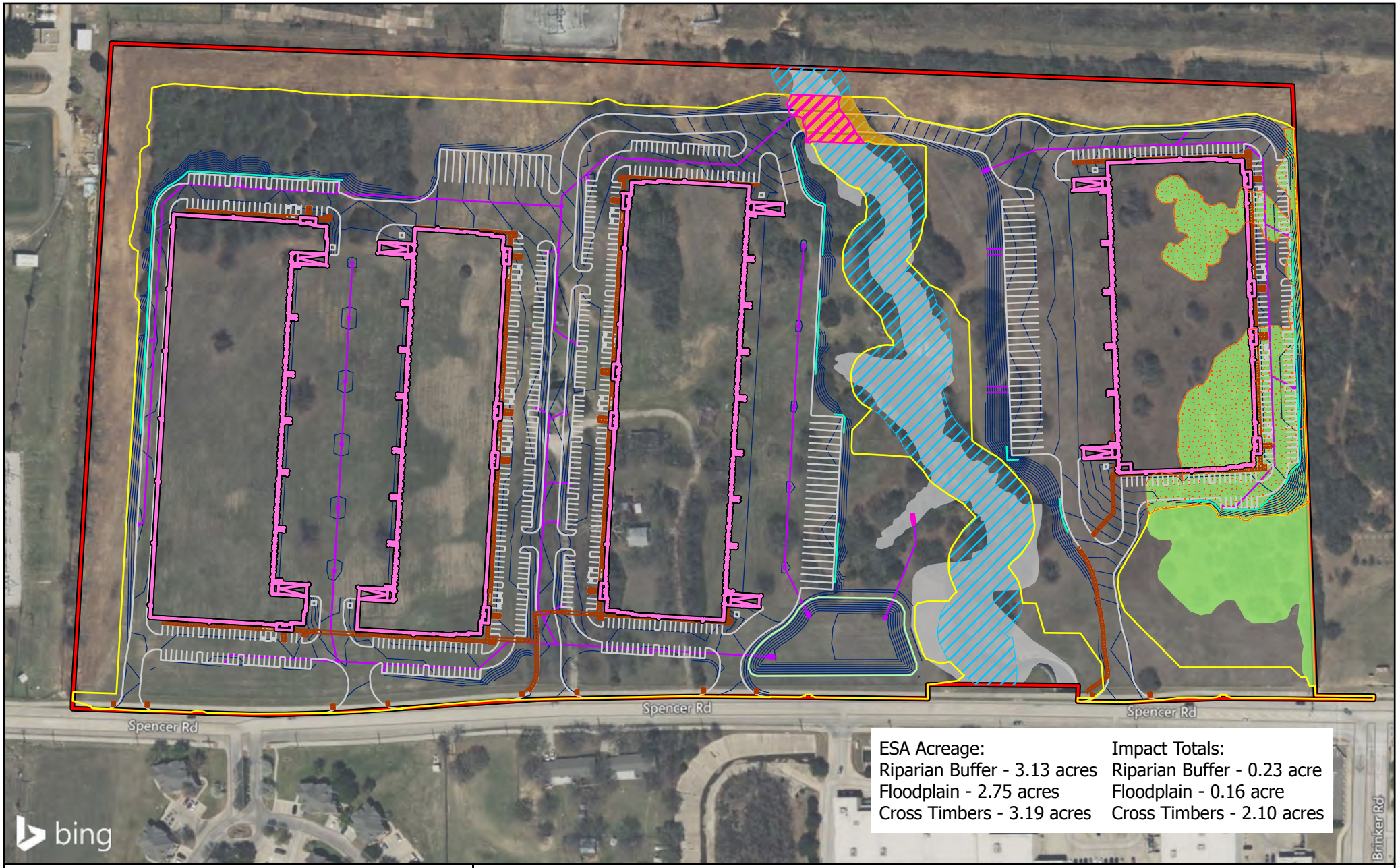


Figure 5.
Site Plan and Impacts Map

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 225 ft

Feet
0 225

File Ref. 04.022.037
Date: 5/23/2025

N
W E
S

- Survey Area
- Undeveloped Floodplain ESA
- Riparian Buffer ESA
- Cross Timbers Upland ESA

Direct/ Permanent Impacts

- Cross Timbers
- Floodplain
- Riparian Buffer

Site Plan

- Building
- Development Impact Area
- Grading
- Pavement
- Retaining Wall
- Stormwater
- Sidewalk
- Detention Pond

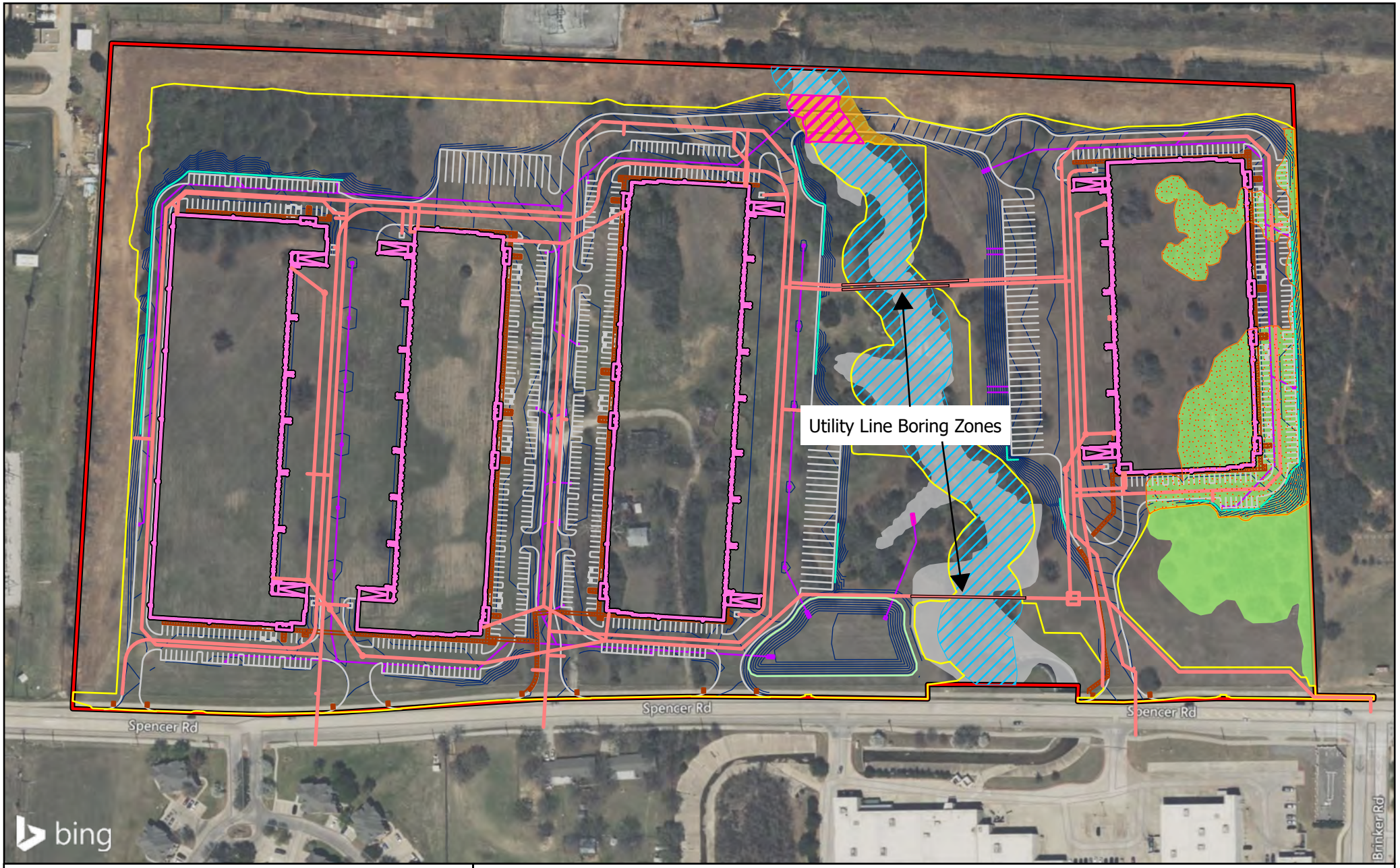


Figure 6.
Sewer Line Location and Boring Zones

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 225 ft

Feet
0 225

File Ref. 04.022.037
Date: 5/23/2025

N
W E
S

- Survey Area
- Undeveloped Floodplain ESA
- Riparian Buffer ESA
- Cross Timbers Upland ESA

Direct/ Permanent Impacts

- Cross Timbers
- Floodplain
- Riparian Buffer

Site Plan

- Building
- Development Impact Area
- Grading
- Pavement
- Retaining Wall
- Stormwater
- Sidewalk
- Detention Pond
- Boring Zone
- Utility Line

Appendix B

ESA Assessment Forms

Project Number: ESA

Floodplain ESA Assessment Form

Environmental Services and Sustainability

A Floodplain ESA Assessment Form is to be completed for each feature identified as potentially to exist on the Official ESA Map. Features of substantially similar characteristics and location may be grouped together on one form. More information about Undeveloped Floodplains and assessing this feature may be found on the City of Denton webpage.

Property Address or Property ID:	2201 & 2203 Spencer Road **R** 34406, 191269	**Feature ID(s):**	Data Form 1

Property ID can be found through Denton Central Appraisal District *Provide a unique ID for each feature when multiple features are assessed*

Hydrologic Segment Information:

Name:	Unnamed tributary of Pecan Creek	**Width**	7	**Order**	1
When available, stream segment name.		*Approximate stream width.*		*Stream order.*	

Assessment Conclusion:

Select one of the following.

☑ IS an ESA. Based upon this assessment the area is an Undeveloped Floodplain ESA. I recommend the Official ESA Map be updated to confirm the ESA designation in this area.

☐ NOT an ESA. Based upon this assessment the floodplain is developed. I recommend the Official ESA Map be updated to remove the ESA designation from this area.

Assessment Comments:

Provide a summary of details found in the field to support the conclusion selected above.

The riparian vegetation in the floodplain contained hardwood trees, eastern red cedar, and an understory of poison ivy and sawbriar. Based on a review of aerial photography, the floodplain is in its natural state and has not been previously modified aside from a utility ROW along the northern boundary which was cleared between 2022 and 2023, and a portion of the channel immediately north of Spencer Road which was stabilized between 2001 and 2005. The ROW has partially re-vegetated and there did not appear to be significant cut or fill in the region to install the utility line. The southern portion of the tributary has also re-vegetated and it appears only minor adjustments were made to the topography. As such, the ROW

Attachments Provided:

Required:	☑ overall site map ☑ current map of feature ☑ proposed map of feature ☑ soils map ☑ photographs representative of feature
Other:	FEMA

Field Assessor:

Name of Field Assessor: Tyler Frohlich

Affiliation of Field Assessor (Organization): Integrated Environmental Solutions

Date the assessment was performed: 09 May 2024

I certify that the information provided here is an accurate description of the area(s) assessed.	Karisa Fenton Digitally signed by Karisa Fenton Date: 2024.05.20 15:08:10 -05'00'

Environmental Services Representative:

I concur with the description of this ESA and conclusion of this assessment.	

Section 1. General Information

General Land Use:

Provide description of land hydrologically influencing feature. Select all that apply and provide more details as appropriate.

☑ Forest	Briefly describe: Hardwoods/ scattered Eastern red cedar
☑ Agricultural:	☐ Pasture ☐ Fallow ☑ Crop, crop type:
☑ Residential:	☑ Low Intensity ☐ High Intensity
☑ Commercial/Industrial	
☐ Recreational	
☐ Other:	

Soil Map Unit Name(s):

Provide soil classification types where feature occurs.

Callisburg fine sandy loam, 1 to 3 percent slopes	
Gasil fine sandy loam, 1 to 3 percent slopes	

Section 2. Floodplain Conditions

Are there modifications (cut/fill) of the floodplain?	☐ yes *(answer question below)* ☑ no
Describe:	
Are there structures in the floodplain?	☐ yes *(answer question below)* ☑ no
Describe:	Utility Line, bank reinforcements (gabion structures)

Waterway present: ☑ yes *(complete the table below and Riparian Buffer ESA form)* ☐ no

Waterway	☑ natural ☐ channelized ☐ impounded
Sinuosity	☑ meandering ☐ braided ☐ straight

Section 3. Soil Erosion and Deposition

Is there evidence of sheet flow across the floodplain?	☐ yes (answer question below) ☑ no
Active sheet flow erosion is:	☐ slight ☐ moderate ☐ severe
Is there evidence of concentrated flow?	☑ yes (answer question below) ☐ no
Active concentrated flow erosion is:	☐ slight ☑ moderate ☐ severe

Does the floodplain slope to the waterway or is a natural levee present?

☑ toward ☐ natural levee. Complete the table below.

Does natural levee create conditions for water-related habitat?	☐ yes *(complete Water-Related Habitat form)* ☑ no

Section 4. Brief Vegetation Survey

List all vegetative species covering >10% of the feature area.

Scientific name	*Common name*	*% Cover*
Carya illinoensis	Pecan	30
Juniperus virginiana	Eastern red cedar	15
Smilax bona-nox	Sawbrier	15
Ulmus americana	American Elm	30
Toxicodendron radicans	Poison Ivy	15

Project Number: ESA

Riparian Buffer ESA Assessment Form

Environmental Services and Sustainability

A Riparian Buffer ESA Assessment Form is to be completed for each feature identified as potentially to exist on the Official ESA Map. Additionally, any feature identified onsite that potentially has characteristics of a riparian buffer is to be identified, described and documented through this form. Features of substantially similar characteristics and location may be grouped together on one form. More information about riparian buffers and assessing this feature may be found on the City of Denton webpage.

Property Address or Property ID:	2201 & 2203 Spencer Road **R** 34406, 191269	**Feature ID:**	Data Form 2
Property ID can be found through Denton Central Appraisal District		*Provide a unique ID when multiple features are assessed*	

Hydrologic Segment Information:

Name:	**Width:**	**Order:**
Unnamed tributary of Pecan Creek	7	1
When available, stream or tributary to segment name	*Approximate stream width*	*Stream order*

Assessment Conclusion:

Select one of the following.

- ☑ IS an ESA. Based upon this assessment the area is a Riparian Buffer ESA. I recommend the Official ESA Map be updated to confirm the ESA designation in this area.
- ☐ NOT an ESA. Based upon this assessment the area is not a Riparian Buffer ESA. I recommend the Official ESA Map be updated to remove the ESA designation from this area.

Assessment Comments:

Provide a summary and discussion of details found in the field to support the conclusion selected above. Include a discussion of the Rapid Stream Assessment Techniques and the final verbal score (Section 5).

The unnamed tributary of Pecan Creek was confirmed to be present in the field. The creek held flowing water at the time of evaluation and conditions on site indicated that flow would be intermittent. The riparian vegetation was comprised of an over story of American elm, and sycamore with an under story comprised of Chinese privet shrubs, and greenbrier. The RSAT indicated that the stream was classified as Good with a final verbal score of 32.

Attachments Provided:

Required:	☑ overall site map ☑ current map of feature ☑ proposed map of feature ☑ soils map ☑ photographs representative of feature
Other:	FEMA FIRM

Field Assessor:

Name of Field Assessor: Tyler Frohlich

Affiliation of Assessor (Organization): Integrated Environmental Solutions, LLC.

Date the assessment was performed: 09 May 2024

I certify that the information provided here is an accurate description of the area(s) assessed.

Karisa Fenton Digitally signed by Karisa Fenton Date: 2024.05.20 15:08:36 -05'00'

Environmental Services Representative:

I concur with the description of this ESA and conclusion of this assessment.

Section 1. General Information

General Land Use:

Provide description of land hydrologically influencing feature. Select all that apply and provide more details as appropriate.

☑ Forest	Briefly describe: Forested along creek
☐ Agricultural:	☑ Pasture ☐ Fallow ☑ Crop, crop type:
☑ Residential:	☑ Low Intensity ☐ High Intensity
☑ Commercial/Industrial	
☐ Recreational	
☐ Other:	

Potential pollutants from current drainage area:

☑ urban/suburban landscape maintenance	■ urban/suburban parking lots or roads
☐ intensive agricultural use	☐ grazing animals have access to water feature
■ water feature has steep slopes	☐ plant or animal species of concern present
☐ water feature used for recreation	☐ waterway a drinking water source/adjacent to well
☐ other:	

Proposed construction activity in the drainage area of the water feature:

☐ Low impact potential (parks, low density residential)
■ High impact potential (high density residential, commercial development)
☐ Gas well plat

Benefit(s) current Riparian Buffer offers to the water feature:

■ intercepts sediment	■ provides fish habitat
■ intercepts nutrients	■ improves wildlife habitat
■ intercepts pesticides	■ stabilizes streambank
■ intercepts other pollutants	☐ unique aesthetics / privacy
☐ other:	

Soil Map Unit Name(s):

Provide soil classification types where feature occurs.

Callisburg fine sandy loam, 1 to 3 percent slopes	
Gasil fine sandy loam, 1 to 3 percent slopes	

Section 2. System Conditions

Stream Bank:

Evidence of frequent water level changes	☐ yes ☑ no		
Slope of bank	.30 %		
Soil class	☑ clay ☑ sand ☐ loam ☑ gravel ☐ ledge		
Active erosion	☐ slight ☑ moderate ☐ severe		
Existing plant cover	☐ little to none ☑ moderate ☐ well vegetated		
Dominant cover	☐ cement ☐ bare ☐ grass ☐ shrub ☑ young forest ☑ mature forest		
Large leaning trees	☑ yes ☐ no		
Invasive exotics present	☑ yes ☐ no	If yes, species: Chinese privet	% infestation: 20

Top of Bank:

Existing plant cover	☐ little to none ☑ moderate ☐ well vegetated		
Dominant cover	☐ cement ☐ bare ☐ grass ☑ shrub ☑ young forest ☑ mature forest		
Invasive exotics present	☑ yes ☐ no	If yes, species: Chinese privet	% infestation: 50

Above the Bank:

Slope	.30 %
Direction of slope	☑ toward the water feature ☐ away from water feature
Runoff flow	☐ sheet flow across the land ☑ concentrated flow
Active erosion	☐ slight ☑ moderate ☐ severe
Existing plant cover	☐ little to none ☑ moderate ☐ well vegetated
Dominant cover	☐ cement ☐ bare ☐ grass ☐ shrub ☑ young forest ☐ mature forest
Invasive exotics present	☑ yes ☐ no If yes, species: Chinese privet % infestation: 50

Section 3. Brief Vegetation Survey

List all vegetative species where feature occurs for species covering >10% of the feature area and provide hydrophytic vegetation indicator of the species.

Bank:

Scientific name	*Common name*	*% Cover*	*Indicator*
Ligustrum sinense	Chinese privet	20	FACU

Bank Hydrophytic Vegetation Indicator: 0 : 1
(*Number of plant species that are OBL, FACW and FAC to number of plant species that are FACU and UPL*)

Buffer:

Scientific name	*Common name*	*% Cover*	*Indicator*
Ligustrum sinense	Chinese privet	25	FACU
Ulmus americana	American Elm	15	FAC
Platanus occidentalis	Sycamore	10	FAC
Smilax rotundifolia	Common Greenbrier	10	FAC

Buffer Hydrophytic Vegetation Indicator: 3 : 1
(*Number of plant species that are OBL, FACW and FAC to number of plant species that are FACU and UPL*)

Section 4. Hydrology and Hydric Soils Indicators

Hydrology Indicators:

Primary	*Secondary*
☐ inundated	☐ oxidized root channels in upper 12”
☐ soil saturated in upper 12”	☐ water-stained leaves
☐ water marks	☐ county soil survey
☐ drift lines	☐ fac-neutral test
■ sediment deposits	
■ evidence of drainage pattern	
Comments:	

Hydric Soil Indicators:

☐ histosol	☐ concretions
☐ histic epipendon	☐ high surface organic content
☐ sulfidic odor	☐ organic streaking in sandy soils
☐ aquic moisture regime	☐ listed on local hydric soil list
☑ reducing conditions	☐ listed on national hydric soil list
☐ gleyed or low chroma colors	☐ other:
Comments:	

Section 5. Rapid Stream Assessment Techniques (RSAT)

The Rapid Stream Assessment Techniques is adapted from the Texas Commission on Environmental Quality's Surface Water Quality Monitoring Procedures, Chapter 9. Physical Habitat of Aquatic Systems. To complete the RSAT provide a score for each table, as applicable. Sum Tables 1 – 6 scores and provide the average using a whole number. Complete Table 7 with these scores. Provide a total RSAT score and a verbal score. Please note, the order of tables 4 and 5 were switched at Version 5 of this form.

Table 1: Channel Stability

Indicative of hydrological flow regime alteration and general condition of physical / aquatic habitat and provides insight into the past, present, and possible future changes in stream channel morphometry.

	Score Selection:				*Score*
	Excellent (11 – 9)	*Good (8 – 6)*	*Fair (5 – 3)*	*Poor (2 – 0)*	
Stability of bank network	> 80% is stable, no evidence of bank sloughing or failure	71-80% is stable, infrequent signs of bank sloughing, slumping or failure	50-70% is stable, some signs of bank sloughing, slumping or failure	< 50% is stable, recent or frequent signs of bank sloughing, slumping	7
Stream bends at study site or immediate vicinity of study site	Very stable: outer bank height is slightly above stream level, bank overhang minimal	Stable: outer bank height 2-3 ft. above stream level, bank overhang slight to moderate	Unstable: outer bank height is substantially above stream level, substantial bank overhang	Highly unstable: outer bank height significantly above stream level, overhangs large and deep.	7
Exposed tree roots	Old, large, and woody exposed roots, generally 0-1 recent large tree falls / stream mile	Old and large exposed roots, some smaller young roots, 2- 3 recent large tree falls / stream mile	Young exposed tree roots are common, 4-5 recent large tree falls per stream mile	No trees exist, or young exposed tree roots are abundant, 6 or more recent large tree falls per stream mile.	7
Presence of highly erosion-resistant plant/soil matrix or material in bottom 1/3 of bank	dominant	present	compromised	severely compromised or nonexistent.	4
Channel crossing section shape	generally, V or U-shaped	"wide" U	generally trapezoid shaped	wide trapezoid to rectangle shape	7
Table 1 score (average of points given, rounded to nearest whole number)					6

Table 2: Channel Scouring and Sediment Deposition

Relates to the level of uncontrolled storm water runoff, sediment load, and transport and degradation of in-stream habitat.

	Score Selection:				*Score*
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Riffle embeddedness with sand/silt	small stream order: <25% embeddedness larger stream order: <35% embeddedness	25 – 49% 35 – 59%	50 – 79% 60 – 85%	>75% >85%	5
Potential for deep pools 2 ft or greater, substrate condition	High number of pools Pool substrate <30% sand/silt	Moderate number 30-59% sand/silt	Low number 60-80% sand/silt	Few, if any >80% sand/silt	5
Frequency of streak marks and/or banana-shaped deposits	Absent	Uncommon	Common	Very Common	5
Fresh, large sand deposits in channel and on overbank areas	Rare or absent	Uncommon, fresh localized deposits along top of low banks	Common, fresh deposits along top of low banks	Large deposits in channel and along major portion of overbank area	8
Frequency and condition of point bars	Few, small, stable, and vegetated	Small and stable, well vegetated, moderate fresh sand	Large and unstable, high amount of fresh sand	Moderate to large, unstable, high amount of fresh sand	6
Table 2 score (average of points given, rounded to nearest whole number)					6

Table 3: Physical In-Stream Habitat

Relates to the ability of the stream to meet basic physical requirements necessary for the support of a well-balanced aquatic community (i.e, water temperature, water velocity, substrate type and quality).

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Percent wetted perimeter of channel bottom during base flow events	>85%	61 – 85%	40 – 60%	<40%	5
Frequency of diverse habitat (riffles, runs and pools) and flow when water is present	Highly diverse habitat and flows	Good mix of habitat types and relatively diverse flows	Low diversity of habitat types, depth and flow relatively uniform	One habitat type dominates, velocity and flow uniform	5
Percent of riffle composition from larger material (cobble or gravel)	>50%	49 – 25%	24 – 5%	Dominated by sand or silt	4
Typical base flow riffle depth (non-stormwater base flows)	>6”	5.9 – 4.0”	3.9 – 2.0”	<2”	5
Typical depth of large pools	>24”	24 – 18”	18 – 12”	<12”	4
Channel alterations at study site	No evidence	Minor	Moderate	Extensive	4
Summer afternoon water temperature (estimated using tree canopy coverage)	<82 degrees F	82 – 89	89 – 94	>94	4
Table 3 score (average of points given, rounded to nearest whole number)					4

Table 4: Riparian Habitat

Provides insight into changes in stream energetics, temperature regimes, and both aquatic and terrestrial habitat conditions.

	Score Selection:				Score
	Excellent (7 – 6)	*Good (5 – 4)*	*Fair (3 – 2)*	*Poor (1 – 0)*	
Width of forested buffer along both banks	Wide (>200 ft)	> 100 ft along major portion of both banks	Predominantly wooded, major gaps in one or both banks	Mostly non-woody vegetation with narrow riparian zones	3
Canopy coverage	small stream order: >80% large stream order: >60%	79 – 65% 59 – 45%	64 – 45% 44 – 30%	<45% <30%	5
Table 4 score (average of points given, rounded to nearest whole number)					4

Is the water feature actively flowing?

☑ Yes, surface water is flowing and there are connects pools. Complete Tables 5 and 6.

☐ No, standing water, waterway is dry, or there are dry beds are seen between pools. Skip Tables 5 and 6.

Table 5: Water Quality

Indicative of watershed perturbations and general level of human activity, point and nonpoint source pollutant loadings, and aquatic habitat conditions.

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Percent substrate fouling on underside of cobble	Minimal, 0 – 10%	Light, 11 – 20%	Moderate, 21 – 50%	High, >50%	6
Total Dissolved Solids	350 – 399 mg/L	400 – 449	450 – 500	>500	6
Water odor	No odor	Slight organic odor	Slight – moderate organic odor	Strong organic odor	6
Table 5 score (average of points given, rounded to nearest whole number)					6

Table 6: Biological Indicators

Considered to be the best overall indication of stream health and the level of watershed perturbation.

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Macroinvertebrate community diversity	High diversity of good water quality indicator species. Few snails, leeches, aquatic worms.	Good diversity of good water quality indicator species. Mayflies and caddisflies present.	Low diversity of good water quality indicator species.	Low diversity, predominantly pollution-tolerant species.	6
Number of organisms	High to moderate	Moderate	Moderate to low	Very low number	6
Table 6 score (average of points given, rounded to nearest whole number)					6

Table 7: RSAT Summary

	Score – flow	Score – no flow
1. Channel Stability	6	
2. Channel Scouring/Deposition	6	
3. Physical In-Stream Habitat	4	
4. Riparian Habitat	4	
5. Water Quality	6	
6. Biological Indicators	6	
Total Score:	32	
Verbal Score from Total Score:	☐ Excellent (42-50) ☑ Good (30-41) ☐ Fair (16-29) ☐ Poor (<16)	☐ Excellent (29-34) ☐ Good (20-28) ☐ Fair (11-19) ☐ Poor (<11)

Project Number: ESA

Riparian Buffer ESA Assessment Form

Environmental Services and Sustainability

A Riparian Buffer ESA Assessment Form is to be completed for each feature identified as potentially to exist on the Official ESA Map. Additionally, any feature identified onsite that potentially has characteristics of a riparian buffer is to be identified, described and documented through this form. Features of substantially similar characteristics and location may be grouped together on one form. More information about riparian buffers and assessing this feature may be found on the City of Denton webpage.

Property Address or Property ID:	2201 & 2203 Spencer Road **R** 34406, 191269	**Feature ID:**	Data Form 3
Property ID can be found through Denton Central Appraisal District		*Provide a unique ID when multiple features are assessed*	

Hydrologic Segment Information:

Name:	Unnamed tributary of Pecan Creek	**Width:**	25	**Order:**	6
When available, stream or tributary to segment name		*Approximate stream width*		*Stream order*	

Assessment Conclusion:

Select one of the following.

- ☐ IS an ESA. Based upon this assessment the area is a Riparian Buffer ESA. I recommend the Official ESA Map be updated to confirm the ESA designation in this area.
- ☑ NOT an ESA. Based upon this assessment the area is not a Riparian Buffer ESA. I recommend the Official ESA Map be updated to remove the ESA designation from this area.

Assessment Comments:

Provide a summary and discussion of details found in the field to support the conclusion selected above. Include a discussion of the Rapid Stream Assessment Techniques and the final verbal score (Section 5).

The unnamed tributary of Pecan Creek was confirmed to be present in the field. The creek held flowing water at the time of evaluation and conditions on site indicated that flow would be intermittent. No riparian vegetation was present in the region where the erosion control was installed along the Spencer Road bridge to the south. The RSAT along the southern region indicated that the stream was classified as Fair with a final verbal score of 27.

Attachments Provided:

Required:	☑ overall site map ☑ current map of feature ☑ proposed map of feature ☑ soils map ☑ photographs representative of feature
Other:	FEMA FIRM

Field Assessor:

Name of Field Assessor: Tyler Frohlich

Affiliation of Assessor (Organization): Integrated Environmental Solutions, LLC.

Date the assessment was performed: 09 May 2024

I certify that the information provided here is an accurate description of the area(s) assessed.

Karisa Fenton Digitally signed by Karisa Fenton Date: 2024.05.20 15:08:56 -05'00'

Environmental Services Representative:

I concur with the description of this ESA and conclusion of this assessment.

Section 1. General Information

General Land Use:

Provide description of land hydrologically influencing feature. Select all that apply and provide more details as appropriate.

☐ Forest	Briefly describe:
☐ Agricultural:	☑ Pasture ☐ Fallow ☐ Crop, crop type:
☑ Residential:	☑ Low Intensity ☐ High Intensity
☑ Commercial/Industrial	
☐ Recreational	
☐ Other:	

Potential pollutants from current drainage area:

☑ urban/suburban landscape maintenance	■ urban/suburban parking lots or roads
☐ intensive agricultural use	☐ grazing animals have access to water feature
■ water feature has steep slopes	☐ plant or animal species of concern present
☐ water feature used for recreation	☐ waterway a drinking water source/adjacent to well
☐ other:	

Proposed construction activity in the drainage area of the water feature:

☐ Low impact potential (parks, low density residential)
■ High impact potential (high density residential, commercial development)
☐ Gas well plat

Benefit(s) current Riparian Buffer offers to the water feature:

■ intercepts sediment	■ provides fish habitat
■ intercepts nutrients	■ improves wildlife habitat
■ intercepts pesticides	■ stabilizes streambank
■ intercepts other pollutants	☐ unique aesthetics / privacy
☐ other:	

Soil Map Unit Name(s):

Provide soil classification types where feature occurs.

Callisburg fine sandy loam, 1 to 3 percent slopes	
Gasil fine sandy loam, 1 to 3 percent slopes	

Section 2. System Conditions

Stream Bank:

Evidence of frequent water level changes	☐ yes ☑ no		
Slope of bank	.30 %		
Soil class	☑ clay ☑ sand ☐ loam ☑ gravel ☐ ledge		
Active erosion	☐ slight ☑ moderate ☐ severe		
Existing plant cover	☐ little to none ☑ moderate ☐ well vegetated		
Dominant cover	☐ cement ☐ bare ☑ grass ☐ shrub ☐ young forest ☐ mature forest		
Large leaning trees	☑ yes ☐ no		
Invasive exotics present	☐ yes ☑ no	If yes, species:	% infestation:

Top of Bank:

Existing plant cover	☐ little to none ☑ moderate ☐ well vegetated		
Dominant cover	☐ cement ☐ bare ☑ grass ☐ shrub ☐ young forest ☐ mature forest		
Invasive exotics present	☐ yes ☑ no	If yes, species:	% infestation:

Above the Bank:

Slope	.30 %		
Direction of slope	✓ toward the water feature	☐ away from water feature	
Runoff flow	☐ sheet flow across the land	✓ concentrated flow	
Active erosion	☐ slight	✓ moderate	☐ severe
Existing plant cover	☐ little to none	✓ moderate	☐ well vegetated
Dominant cover	☐ cement ☐ bare	✓ grass ☐ shrub	☐ young forest ☐ mature forest
Invasive exotics present	☐ yes ✓ no	If yes, species:	% infestation:

Section 3. Brief Vegetation Survey

List all vegetative species where feature occurs for species covering >10% of the feature area and provide hydrophytic vegetation indicator of the species.

Bank:

Scientific name	*Common name*	*% Cover*	*Indicator*
Spreading Hedgeparsley	Torilis arvensis	25	NL
Prickly Lettuce	Lactuca serriola	20	FAC
Climbing Hempvine	Mikania scandens	15	FACW
Swamp Smartweed	Polygonum hydropiperoides	10	OBL
Pinkladies	Oenothera speciosa	10	NL

Bank Hydrophytic Vegetation Indicator: 3 : 0
(*Number of plant species that are OBL, FACW and FAC to number of plant species that are FACU and UPL*)

Buffer:

Scientific name	*Common name*	*% Cover*	*Indicator*
Virginia Pepperweed	Lepidium virginicum	30	FACU
Perennial Ryegrass	Lolium perenne	25	FACU
Field Brome	Bromus arvensis	15	FACU
Pinkladies	Oenothera speciosa	15	NL

Buffer Hydrophytic Vegetation Indicator: 0 : 3
(*Number of plant species that are OBL, FACW and FAC to number of plant species that are FACU and UPL*)

Section 4. Hydrology and Hydric Soils Indicators

Hydrology Indicators:

Primary	*Secondary*
☐ inundated	☐ oxidized root channels in upper 12”
☐ soil saturated in upper 12”	☐ water-stained leaves
☐ water marks	☐ county soil survey
☐ drift lines	☐ fac-neutral test
■ sediment deposits	
■ evidence of drainage pattern	
Comments:	

Hydric Soil Indicators:

☐ histosol	☐ concretions
☐ histic epipendon	☐ high surface organic content
☐ sulfidic odor	☐ organic streaking in sandy soils
☐ aquic moisture regime	☐ listed on local hydric soil list
☑ reducing conditions	☐ listed on national hydric soil list
☐ gleyed or low chroma colors	☐ other:
Comments:	

Section 5. Rapid Stream Assessment Techniques (RSAT)

The Rapid Stream Assessment Techniques is adapted from the Texas Commission on Environmental Quality's Surface Water Quality Monitoring Procedures, Chapter 9. Physical Habitat of Aquatic Systems. To complete the RSAT provide a score for each table, as applicable. Sum Tables 1 – 6 scores and provide the average using a whole number. Complete Table 7 with these scores. Provide a total RSAT score and a verbal score. Please note, the order of tables 4 and 5 were switched at Version 5 of this form.

Table 1: Channel Stability

Indicative of hydrological flow regime alteration and general condition of physical / aquatic habitat and provides insight into the past, present, and possible future changes in stream channel morphometry.

	Score Selection:				*Score*
	Excellent (11 – 9)	*Good (8 – 6)*	*Fair (5 – 3)*	*Poor (2 – 0)*	
Stability of bank network	> 80% is stable, no evidence of bank sloughing or failure	71-80% is stable, infrequent signs of bank sloughing, slumping or failure	50-70% is stable, some signs of bank sloughing, slumping or failure	< 50% is stable, recent or frequent signs of bank sloughing, slumping	7
Stream bends at study site or immediate vicinity of study site	Very stable: outer bank height is slightly above stream level, bank overhang minimal	Stable: outer bank height 2-3 ft. above stream level, bank overhang slight to moderate	Unstable: outer bank height is substantially above stream level, substantial bank overhang	Highly unstable: outer bank height significantly above stream level, overhangs large and deep.	7
Exposed tree roots	Old, large, and woody exposed roots, generally 0-1 recent large tree falls / stream mile	Old and large exposed roots, some smaller young roots, 2- 3 recent large tree falls / stream mile	Young exposed tree roots are common, 4-5 recent large tree falls per stream mile	No trees exist, or young exposed tree roots are abundant, 6 or more recent large tree falls per stream mile.	7
Presence of highly erosion-resistant plant/soil matrix or material in bottom 1/3 of bank	dominant	present	compromised	severely compromised or nonexistent.	4
Channel crossing section shape	generally, V or U-shaped	"wide" U	generally trapezoid shaped	wide trapezoid to rectangle shape	2
Table 1 score (average of points given, rounded to nearest whole number)					5

Table 2: Channel Scouring and Sediment Deposition

Relates to the level of uncontrolled storm water runoff, sediment load, and transport and degradation of in-stream habitat.

	Score Selection:				*Score*
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Riffle embeddedness with sand/silt	small stream order: <25% embeddedness larger stream order: <35% embeddedness	25 – 49% 35 – 59%	50 – 79% 60 – 85%	>75% >85%	5
Potential for deep pools 2 ft or greater, substrate condition	High number of pools Pool substrate <30% sand/silt	Moderate number 30-59% sand/silt	Low number 60-80% sand/silt	Few, if any >80% sand/silt	5
Frequency of streak marks and/or banana-shaped deposits	Absent	Uncommon	Common	Very Common	5
Fresh, large sand deposits in channel and on overbank areas	Rare or absent	Uncommon, fresh localized deposits along top of low banks	Common, fresh deposits along top of low banks	Large deposits in channel and along major portion of overbank area	8
Frequency and condition of point bars	Few, small, stable, and vegetated	Small and stable, well vegetated, moderate fresh sand	Large and unstable, high amount of fresh sand	Moderate to large, unstable, high amount of fresh sand	6
Table 2 score (average of points given, rounded to nearest whole number)					6

Table 3: Physical In-Stream Habitat

Relates to the ability of the stream to meet basic physical requirements necessary for the support of a well-balanced aquatic community (i.e, water temperature, water velocity, substrate type and quality).

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Percent wetted perimeter of channel bottom during base flow events	>85%	61 – 85%	40 – 60%	<40%	6
Frequency of diverse habitat (riffles, runs and pools) and flow when water is present	Highly diverse habitat and flows	Good mix of habitat types and relatively diverse flows	Low diversity of habitat types, depth and flow relatively uniform	One habitat type dominates, velocity and flow uniform	5
Percent of riffle composition from larger material (cobble or gravel)	>50%	49 – 25%	24 – 5%	Dominated by sand or silt	5
Typical base flow riffle depth (non-stormwater base flows)	>6”	5.9 – 4.0”	3.9 – 2.0”	<2”	5
Typical depth of large pools	>24”	24 – 18”	18 – 12”	<12”	4
Channel alterations at study site	No evidence	Minor	Moderate	Extensive	3
Summer afternoon water temperature (estimated using tree canopy coverage)	<82 degrees F	82 – 89	89 – 94	>94	2
Table 3 score (average of points given, rounded to nearest whole number)					4

Table 4: Riparian Habitat

Provides insight into changes in stream energetics, temperature regimes, and both aquatic and terrestrial habitat conditions.

	Score Selection:				Score
	Excellent (7 – 6)	*Good (5 – 4)*	*Fair (3 – 2)*	*Poor (1 – 0)*	
Width of forested buffer along both banks	Wide (>200 ft)	> 100 ft along major portion of both banks	Predominantly wooded, major gaps in one or both banks	Mostly non-woody vegetation with narrow riparian zones	1
Canopy coverage	small stream order: >80% large stream order: >60%	79 – 65% 59 – 45%	64 – 45% 44 – 30%	<45% <30%	1
Table 4 score (average of points given, rounded to nearest whole number)					1

Is the water feature actively flowing?

☑ Yes, surface water is flowing and there are connects pools. Complete Tables 5 and 6.

☐ No, standing water, waterway is dry, or there are dry beds are seen between pools. Skip Tables 5 and 6.

Table 5: Water Quality

Indicative of watershed perturbations and general level of human activity, point and nonpoint source pollutant loadings, and aquatic habitat conditions.

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Percent substrate fouling on underside of cobble	Minimal, 0 – 10%	Light, 11 – 20%	Moderate, 21 – 50%	High, >50%	6
Total Dissolved Solids	350 – 399 mg/L	400 – 449	450 – 500	>500	6
Water odor	No odor	Slight organic odor	Slight – moderate organic odor	Strong organic odor	6
Table 5 score (average of points given, rounded to nearest whole number)					6

Table 6: Biological Indicators

Considered to be the best overall indication of stream health and the level of watershed perturbation.

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Macroinvertebrate community diversity	High diversity of good water quality indicator species. Few snails, leeches, aquatic worms.	Good diversity of good water quality indicator species. Mayflies and caddisflies present.	Low diversity of good water quality indicator species.	Low diversity, predominantly pollution-tolerant species.	6
Number of organisms	High to moderate	Moderate	Moderate to low	Very low number	6
Table 6 score (average of points given, rounded to nearest whole number)					6

Table 7: RSAT Summary

	Score – flow	Score – no flow
1. Channel Stability	5	
2. Channel Scouring/Deposition	6	
3. Physical In-Stream Habitat	4	
4. Riparian Habitat	1	
5. Water Quality	6	
6. Biological Indicators	6	
Total Score:	27	
Verbal Score from Total Score:	☐ Excellent (42-50) ☐ Good (30-41) ☑ Fair (16-29) ☐ Poor (<16)	☐ Excellent (29-34) ☐ Good (20-28) ☐ Fair (11-19) ☐ Poor (<11)

Project Number: ESA

Riparian Buffer ESA Assessment Form

Environmental Services and Sustainability

A Riparian Buffer ESA Assessment Form is to be completed for each feature identified as potentially to exist on the Official ESA Map. Additionally, any feature identified onsite that potentially has characteristics of a riparian buffer is to be identified, described and documented through this form. Features of substantially similar characteristics and location may be grouped together on one form. More information about riparian buffers and assessing this feature may be found on the City of Denton webpage.

Property Address or Property ID:	2201 & 2203 Spencer Road **R** 34406, 191269	**Feature ID:**	Data Form 4

Property ID can be found through Denton Central Appraisal District — *Provide a unique ID when multiple features are assessed*

Hydrologic Segment Information:

Name:	**Width:**	**Order:**
Unnamed tributary of Pecan Creek	7	1
When available, stream or tributary to segment name	*Approximate stream width*	*Stream order*

Assessment Conclusion:

Select one of the following.

- [x] IS an ESA. Based upon this assessment the area is a Riparian Buffer ESA. I recommend the Official ESA Map be updated to confirm the ESA designation in this area.
- [ ] NOT an ESA. Based upon this assessment the area is not a Riparian Buffer ESA. I recommend the Official ESA Map be updated to remove the ESA designation from this area.

Assessment Comments:

Provide a summary and discussion of details found in the field to support the conclusion selected above. Include a discussion of the Rapid Stream Assessment Techniques and the final verbal score (Section 5).

The unnamed tributary of Pecan Creek was confirmed to be present in the field. The creek held flowing water at the time of evaluation and conditions on site indicated that flow would be intermittent. The riparian vegetation was comprised of an over story of American elm, and Osage orange with an under story comprised of Chinese privet shrubs, and greenbrier. The RSAT indicated that the stream was classified as Good with a final verbal score of 30.

Attachments Provided:

Required:	[x] overall site map [x] current map of feature [x] proposed map of feature [x] soils map [x] photographs representative of feature
Other:	FEMA FIRM

Field Assessor:

Name of Field Assessor: Tyler Frohlich

Affiliation of Assessor (Organization): Integrated Environmental Solutions, LLC.

Date the assessment was performed: 09 May 2024

I certify that the information provided here is an accurate description of the area(s) assessed.

Karisa Fenton Digitally signed by Karisa Fenton Date: 2024.05.20 15:09:17 -05'00'

Environmental Services Representative:

I concur with the description of this ESA and conclusion of this assessment.

Section 1. General Information

General Land Use:

Provide description of land hydrologically influencing feature. Select all that apply and provide more details as appropriate.

☑ Forest	Briefly describe: Forested along creek
☐ Agricultural:	☑ Pasture ☐ Fallow ☑ Crop, crop type:
☑ Residential:	☑ Low Intensity ☐ High Intensity
☑ Commercial/Industrial	
☐ Recreational	
☐ Other:	

Potential pollutants from current drainage area:

☑ urban/suburban landscape maintenance	■ urban/suburban parking lots or roads
☐ intensive agricultural use	☐ grazing animals have access to water feature
■ water feature has steep slopes	☐ plant or animal species of concern present
☐ water feature used for recreation	☐ waterway a drinking water source/adjacent to well
☐ other:	

Proposed construction activity in the drainage area of the water feature:

☐ Low impact potential (parks, low density residential)
■ High impact potential (high density residential, commercial development)
☐ Gas well plat

Benefit(s) current Riparian Buffer offers to the water feature:

■ intercepts sediment	■ provides fish habitat
■ intercepts nutrients	■ improves wildlife habitat
■ intercepts pesticides	■ stabilizes streambank
■ intercepts other pollutants	☐ unique aesthetics / privacy
☐ other:	

Soil Map Unit Name(s):

Provide soil classification types where feature occurs.

Callisburg fine sandy loam, 1 to 3 percent slopes	
Gasil fine sandy loam, 1 to 3 percent slopes	

Section 2. System Conditions

Stream Bank:

Evidence of frequent water level changes	☐ yes ☑ no		
Slope of bank	.30 %		
Soil class	☑ clay ☑ sand ☐ loam ☑ gravel ☐ ledge		
Active erosion	☐ slight ☑ moderate ☐ severe		
Existing plant cover	☐ little to none ☑ moderate ☐ well vegetated		
Dominant cover	☐ cement ☐ bare ☐ grass ☐ shrub ☑ young forest ☑ mature forest		
Large leaning trees	☑ yes ☐ no		
Invasive exotics present	☑ yes ☐ no	If yes, species: Chinese privet	% infestation: 20

Top of Bank:

Existing plant cover	☐ little to none ☑ moderate ☐ well vegetated		
Dominant cover	☐ cement ☐ bare ☐ grass ☑ shrub ☑ young forest ☑ mature forest		
Invasive exotics present	☑ yes ☐ no	If yes, species: Chinese privet	% infestation: 60

Above the Bank:

Slope	.30 %		
Direction of slope	☑ toward the water feature ☐ away from water feature		
Runoff flow	☐ sheet flow across the land ☑ concentrated flow		
Active erosion	☐ slight ☑ moderate ☐ severe		
Existing plant cover	☐ little to none ☑ moderate ☐ well vegetated		
Dominant cover	☐ cement ☐ bare ☐ grass ☐ shrub ☑ young forest ☐ mature forest		
Invasive exotics present	☑ yes ☐ no	If yes, species: Chinese privet	% infestation: 50

Section 3. Brief Vegetation Survey

List all vegetative species where feature occurs for species covering >10% of the feature area and provide hydrophytic vegetation indicator of the species.

Bank:

Scientific name	*Common name*	*% Cover*	*Indicator*
American Elm	Ulmus americana	15	FAC
Chinese Privet	Ligustrum sinense	20	UPL
Swamp Smartweed	Polygonum hydropiperoides	10	OBL

Bank Hydrophytic Vegetation Indicator: 2 : 1
(*Number of plant species that are OBL, FACW and FAC to number of plant species that are FACU and UPL*)

Buffer:

Scientific name	*Common name*	*% Cover*	*Indicator*
American Elm	Ulmus americana	10	FAC
Chinese privet	Ligustrum sinense	60	UPL
Mustang Grape	Vitis mustangensis	10	NL
Osage Orange	Maclura pomifera	45	FACU

Buffer Hydrophytic Vegetation Indicator: 1 : 2
(*Number of plant species that are OBL, FACW and FAC to number of plant species that are FACU and UPL*)

Section 4. Hydrology and Hydric Soils Indicators

Hydrology Indicators:

Primary	*Secondary*
☐ inundated	☐ oxidized root channels in upper 12”
☐ soil saturated in upper 12”	☐ water-stained leaves
☐ water marks	☐ county soil survey
☐ drift lines	☐ fac-neutral test
■ sediment deposits	
■ evidence of drainage pattern	
Comments:	

Hydric Soil Indicators:

☐ histosol	☐ concretions
☐ histic epipendon	☐ high surface organic content
☐ sulfidic odor	☐ organic streaking in sandy soils
☐ aquic moisture regime	☐ listed on local hydric soil list
☒ reducing conditions	☐ listed on national hydric soil list
☐ gleyed or low chroma colors	☐ other:
Comments:	

Section 5. Rapid Stream Assessment Techniques (RSAT)

The Rapid Stream Assessment Techniques is adapted from the Texas Commission on Environmental Quality's Surface Water Quality Monitoring Procedures, Chapter 9. Physical Habitat of Aquatic Systems. To complete the RSAT provide a score for each table, as applicable. Sum Tables 1 – 6 scores and provide the average using a whole number. Complete Table 7 with these scores. Provide a total RSAT score and a verbal score. Please note, the order of tables 4 and 5 were switched at Version 5 of this form.

Table 1: Channel Stability

Indicative of hydrological flow regime alteration and general condition of physical / aquatic habitat and provides insight into the past, present, and possible future changes in stream channel morphometry.

	Score Selection:				*Score*
	Excellent (11 – 9)	*Good (8 – 6)*	*Fair (5 – 3)*	*Poor (2 – 0)*	
Stability of bank network	> 80% is stable, no evidence of bank sloughing or failure	71-80% is stable, infrequent signs of bank sloughing, slumping or failure	50-70% is stable, some signs of bank sloughing, slumping or failure	< 50% is stable, recent or frequent signs of bank sloughing, slumping	7
Stream bends at study site or immediate vicinity of study site	Very stable: outer bank height is slightly above stream level, bank overhang minimal	Stable: outer bank height 2-3 ft. above stream level, bank overhang slight to moderate	Unstable: outer bank height is substantially above stream level, substantial bank overhang	Highly unstable: outer bank height significantly above stream level, overhangs large and deep.	7
Exposed tree roots	Old, large, and woody exposed roots, generally 0-1 recent large tree falls / stream mile	Old and large exposed roots, some smaller young roots, 2- 3 recent large tree falls / stream mile	Young exposed tree roots are common, 4-5 recent large tree falls per stream mile	No trees exist, or young exposed tree roots are abundant, 6 or more recent large tree falls per stream mile.	7
Presence of highly erosion-resistant plant/soil matrix or material in bottom 1/3 of bank	dominant	present	compromised	severely compromised or nonexistent.	4
Channel crossing section shape	generally, V or U-shaped	"wide" U	generally trapezoid shaped	wide trapezoid to rectangle shape	7
Table 1 score (average of points given, rounded to nearest whole number)					6

Table 2: Channel Scouring and Sediment Deposition

Relates to the level of uncontrolled storm water runoff, sediment load, and transport and degradation of in-stream habitat.

	Score Selection:				*Score*
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Riffle embeddedness with sand/silt	small stream order: <25% embeddedness larger stream order: <35% embeddedness	25 – 49% 35 – 59%	50 – 79% 60 – 85%	>75% >85%	5
Potential for deep pools 2 ft or greater, substrate condition	High number of pools Pool substrate <30% sand/silt	Moderate number 30-59% sand/silt	Low number 60-80% sand/silt	Few, if any >80% sand/silt	5
Frequency of streak marks and/or banana-shaped deposits	Absent	Uncommon	Common	Very Common	5
Fresh, large sand deposits in channel and on overbank areas	Rare or absent	Uncommon, fresh localized deposits along top of low banks	Common, fresh deposits along top of low banks	Large deposits in channel and along major portion of overbank area	8
Frequency and condition of point bars	Few, small, stable, and vegetated	Small and stable, well vegetated, moderate fresh sand	Large and unstable, high amount of fresh sand	Moderate to large, unstable, high amount of fresh sand	6
Table 2 score (average of points given, rounded to nearest whole number)					6

Table 3: Physical In-Stream Habitat

Relates to the ability of the stream to meet basic physical requirements necessary for the support of a well-balanced aquatic community (i.e, water temperature, water velocity, substrate type and quality).

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Percent wetted perimeter of channel bottom during base flow events	>85%	61 – 85%	40 – 60%	<40%	5
Frequency of diverse habitat (riffles, runs and pools) and flow when water is present	Highly diverse habitat and flows	Good mix of habitat types and relatively diverse flows	Low diversity of habitat types, depth and flow relatively uniform	One habitat type dominates, velocity and flow uniform	5
Percent of riffle composition from larger material (cobble or gravel)	>50%	49 – 25%	24 – 5%	Dominated by sand or silt	4
Typical base flow riffle depth (non-stormwater base flows)	>6”	5.9 – 4.0”	3.9 – 2.0”	<2”	5
Typical depth of large pools	>24”	24 – 18”	18 – 12”	<12”	4
Channel alterations at study site	No evidence	Minor	Moderate	Extensive	4
Summer afternoon water temperature (estimated using tree canopy coverage)	<82 degrees F	82 – 89	89 – 94	>94	4
Table 3 score (average of points given, rounded to nearest whole number)					4

Table 4: Riparian Habitat

Provides insight into changes in stream energetics, temperature regimes, and both aquatic and terrestrial habitat conditions.

	Score Selection:				Score
	Excellent (7 – 6)	*Good (5 – 4)*	*Fair (3 – 2)*	*Poor (1 – 0)*	
Width of forested buffer along both banks	Wide (>200 ft)	> 100 ft along major portion of both banks	Predominantly wooded, major gaps in one or both banks	Mostly non-woody vegetation with narrow riparian zones	2
Canopy coverage	small stream order: >80% large stream order: >60%	79 – 65% 59 – 45%	64 – 45% 44 – 30%	<45% <30%	1
Table 4 score (average of points given, rounded to nearest whole number)					2

Is the water feature actively flowing?

☑ Yes, surface water is flowing and there are connects pools. Complete Tables 5 and 6.

☐ No, standing water, waterway is dry, or there are dry beds are seen between pools. Skip Tables 5 and 6.

Table 5: Water Quality

Indicative of watershed perturbations and general level of human activity, point and nonpoint source pollutant loadings, and aquatic habitat conditions.

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Percent substrate fouling on underside of cobble	Minimal, 0 – 10%	Light, 11 – 20%	Moderate, 21 – 50%	High, >50%	6
Total Dissolved Solids	350 – 399 mg/L	400 – 449	450 – 500	>500	6
Water odor	No odor	Slight organic odor	Slight – moderate organic odor	Strong organic odor	6
Table 5 score (average of points given, rounded to nearest whole number)					6

Table 6: Biological Indicators

Considered to be the best overall indication of stream health and the level of watershed perturbation.

	Score Selection:				Score
	Excellent (8 – 7)	*Good (6 – 5)*	*Fair (4 – 3)*	*Poor (2 – 0)*	
Macroinvertebrate community diversity	High diversity of good water quality indicator species. Few snails, leeches, aquatic worms.	Good diversity of good water quality indicator species. Mayflies and caddisflies present.	Low diversity of good water quality indicator species.	Low diversity, predominantly pollution-tolerant species.	6
Number of organisms	High to moderate	Moderate	Moderate to low	Very low number	6
Table 6 score (average of points given, rounded to nearest whole number)					6

Table 7: RSAT Summary

	Score – flow	Score – no flow
1. Channel Stability	6	
2. Channel Scouring/Deposition	6	
3. Physical In-Stream Habitat	4	
4. Riparian Habitat	2	
5. Water Quality	6	
6. Biological Indicators	6	
Total Score:	30	
Verbal Score from Total Score:	☐ Excellent (42-50) ☑ Good (30-41) ☐ Fair (16-29) ☐ Poor (<16)	☐ Excellent (29-34) ☐ Good (20-28) ☐ Fair (11-19) ☐ Poor (<11)

Project Number: ESA

Water-Related Habitat Assessment Form

Environmental Services and Sustainability

A Water-Related Habitat Assessment Form is to be completed for each feature identified as potentially existing on the Official ESA Map. Additionally, any feature identified onsite that potentially has characteristics of a water-related habitat is to be identified, described and documented through this form. Features of substantially similar characteristics and location may be grouped together on one form. More information about water-related habitats and assessing this feature may be found on the City of Denton webpage.

Property Address or Property ID:	2201 & 2203 Spencer Road **R** 34406, 191269	**Feature ID:**	Data Form 5

Property ID can be found through Denton Central Appraisal District — *Provide a unique ID when multiple features are assessed*

Type of Water-Related Habitat

Select the type. Complete assessment Section 1 and the appropriate section below.

- ☐ Isolated and Adjacent Wetland(s) (Section 2)
- ☐ Spring(s) (Section 4)
- ☑ Bottomland Hardwood Forest (Section 3)
- ☐ Deep Water Habitat (Section 5)

Assessment Conclusion:

Select one of the following.

- ☐ IS an ESA. Based upon this assessment the area is a Water-Related Habitat. I recommend the Official ESA Map be updated to confirm the ESA designation in this area.
- ☑ NOT an ESA. Based upon this assessment the area is not a Water-Related Habitat. I recommend the Official ESA Map be updated to remove the ESA designation from this area.

Assessment Comments:

Provide a summary of details found in the field to support the conclusion selected above.

A region surrounding the unnamed tributary of Pecan Creek was identified on the City of Denton ESA map as water related habitat - not assessed or assessment expired. Bottomland hardwood habitat was not identified in the region as it had been previously cleared for a utility line ROW between 2022 and 2023. The region was observed with no existing canopy cover and was removed from the Water Related Habitat - Bottomland Hardwood ESA designation.

Attachments Provided:

Required:	☑ overall site map ☑ current map of feature ☑ proposed map of feature ☑ soils map ☑ photographs representative of feature
Other:	FEMA FIRM

Field Assessor:

Name of Field Assessor: Tyler Frohlich

Affiliation of Assessor (Organization): Integrated Environmental Solutions, LLC.

Date the assessment was performed: 09 May 2024

I certify that the information provided here is an accurate description of the area(s) assessed.

Karisa Fenton Digitally signed by Karisa Fenton Date: 2024.05.20 15:09:40 -05'00'

Environmental Services Representative:

I concur with the description of this ESA and conclusion of this assessment.

Section 1. General Information

General Land Use

Provide description of land hydrologically influencing feature. Select all that apply and provide more details as appropriate.

☐ Forest	Briefly describe:
☐ Agricultural:	☐ Pasture ☐ Fallow ☐ Crop, crop type:
☑ Residential:	☑ Low Intensity ☐ High Intensity
☑ Commercial/Industrial	
☐ Recreational	
☐ Other:	

Soil Map Unit Name(s):

Provide soil classification types where feature occurs.

Callisburg fine sandy loam, 1 to 3 percent slopes	
Gasil fine sandy loam, 1 to 3 percent slopes	

Section 2. Isolated and Adjacent Wetland(s)

Hydrology Indicators

Primary	*Secondary*
☐ inundated	☐ oxidized root channels in upper 12”
☐ soil saturated in upper 12”	☐ water-stained leaves
☐ water marks	☐ county soil survey
☐ drift lines	☐ fac-neutral test
☐ sediment deposits	
☐ evidence of drainage pattern	
Comments:	

Hydric Soil Indicators

☐ histosol	☐ concretions
☐ histic epipendon	☐ high surface organic content
☐ sulfidic odor	☐ organic streaking in sandy soils
☐ aquic moisture regime	☐ listed on local hydric soil list
☐ reducing conditions	☐ listed on national hydric soil list
☐ gleyed or low chroma colors	☐ other:
Comments:	

Brief Vegetation Survey:

List all vegetative species where feature occurs for species covering >10% of the feature area and provide hydrophytic vegetation indicator of the species.

Scientific name	*Common name*	*% Cover*	*Indicator*

Hydrophytic Vegetation Indicator: ___ : ___

(*Number of plant species that are OBL, FACW and FAC to number of plant species that are FACU and UPL*)

Section 3. Bottomland Hardwood Forest

List vegetative species covering >10% of the feature area.

Bottomland hardwood forests are deciduous forested wetlands and river bottoms with alluvial soil deposition. Periodic to constant wet conditions support certain species of trees such as pecan, Texas hickory, American elm, Chinkapin oak, Chittamwood, Green ash, Black walnut, Indigo bush, Texas persimmon, Shumard oak, sycamore, and Carolina buckthorn.

Old growth canopy trees

Scientific name	*Common name*	*% Cover*

Re-growth canopy trees

Scientific name	*Common name*	*% Cover*

Small trees / understory trees

Scientific name	*Common name*	*% Cover*

Understory vegetation – shrub / vine / forb / grass

Scientific name	*Common name*	*% Cover*
Ligustrum sinense	Chinese privet	70
Sorgum halepense	Johnson Grass	10
Vitis mustangensis	Mustang Grape	10
Smilax bona-nox	Saw Greenbrier	10

Forest floor conditions:

Select all that apply.

☐ Standing dead timber ☐ Fallen dead timber ☑ Detritus / leaf litter ☐ fungi

Comments:

Section 4. Spring(s)

List vegetative species covering >10% of the feature area.

Brief Vegetation Survey:

Scientific name	*Common name*	*% Cover*

Comments:

Section 5. Deep Water Habitat

Deep water habitats are permanently flooded lands lying below the deep water boundaries of wetlands. The boundary between wetland and deep water habitat in the riverine and lacustrine systems lies at a depth of 2 meters (6.6 feet) below low water; however, if emergent, shrubs or trees grow beyond this depth at any time, their deep water edge is the boundary.

Functions

☐ intercept sediment	☐ provide fish habitat
☐ intercept nutrients	☐ evidence of wildlife use
☐ intercept pesticides	☐ unique aesthetics

Impairments

☐ trash or litter / evidence of dumping	☐ livestock has access

Vegetation in water and on bank

☐ submerged aquatic vegetation	☐ moist soil grasses and forbs
☐ floating-leaf	☐ tree cover (shade)
☐ emergent vegetation	

Brief Vegetation Survey:

List vegetative species covering >10% of the feature area.

Scientific name	*Common name*	*% Cover*

Comments:

Project Number: ESA

Cross Timbers Upland Habitat Assessment Form

Environmental Services and Sustainability

A Cross Timbers Upland Habitat Assessment Form is to be completed for each feature identified as potentially existing on the Official ESA Map. Additionally, any feature identified onsite that potentially has characteristics of upland habitat is to be identified, described and documented through this form. Features of substantially similar characteristics and location may be grouped together on one form. More information about upland habitats and assessing this feature may be found on the City of Denton ESA webpage.

Property Address or Property ID:	2201 & 2203 Spencer Road **R** 34406, 191269	**Feature ID(s):**	Data Form 6
Property ID can be found through Denton Central Appraisal District		*Provide a feature ID when multiple features are assessed*	

Assessment Conclusion:
Select one of the following.

☐ IS an ESA. Based upon this assessment the area meets the criteria of Cross Timbers Upland Habitat. I recommend the Official ESA Map be updated to confirm the ESA designation in this area.

☑ NOT an ESA. Based upon this assessment the area is not Cross Timbers Upland Habitat. I recommend the Official ESA Map be updated to remove the ESA designation from this area.

Assessment Comments:
Provide a summary and discussion of details found in the field to support the conclusion selected above.

The region is dominated by herbaceous species. The area lacks the basic characteristics of a cross timbers upland forest. Therefore, this area does not meet the requirements to be verified as an ESA.

Attachments Provided:

Required:	☑ overall site map ☑ current map of feature ☑ proposed map of feature ☑ soils map ☑ photographs representative of feature
Other:	FEMA FIRM, aerial photographs

Field Assessor:
Name of Field Assessor: Tyler Frohlich
Affiliation of Assessor (Organization): Integrated Environmental Solutions, LLC.
Date the assessment was performed: 09 May 2024

I certify that the information provided here is an accurate description of the area(s) assessed.

Karisa Fenton Digitally signed by Karisa Fenton Date: 2024.05.20 15:07:20 -05'00'

Environmental Services Representative:

I concur with the description of this ESA and conclusion of this assessment.

Section 1. General Information

Soil Map Unit Name(s):

Provide soil classification types where feature occurs.

Callisburg fine sandy loam, 1 to 3 percent slopes	
Gasil fine sandy loam, 1 to 3 percent slopes	

Alfisol or Ultisol soil type present: ☑ yes ☐ no

Trails, Utility Clearings and Forest Openings within the Tree Stand:

Are there existing drive aisles, trails, utility clearings or canopy openings interior to the tree stand?
(*roadways and similar hard breaks do not apply*)

☐ yes: complete Section 3. ☑ no

Section 2. Forest Vegetation Survey

List all vegetative species covering >10% of the feature area

Old Growth Canopy Trees

Scientific name	*Common name*	*% Cover*

Re-Growth Canopy Trees

Are tree(s) present >6" DBH: ☐ yes ☑ no

Scientific name	*Common name*	*% Cover*

Small Trees/Saplings

Scientific name	*Common name*	*% Cover*

Understory Vegetation (shrubs/vines/grasses/forbs)

Scientific name	*Common name*	*% Cover*
Lolium perenne	Perennial Ryegrass	40
Lolium arundinaceum	Tall Fescue	25
Heterotheca subaxillaris	Camphorweed	15
Hordeum pusillum	Little Barley	10

Forest floor conditions:

Select all that apply.

☐ standing dead timber ☑ fallen dead timber ☑ detritus/leaf litter ☐ fungi

Section 3. Interior Forest Opening(s)

Interior forest openings or canopy gaps have traditionally served important roles in Cross Timbers Upland Habitats. Characterized by limited canopy cover and increased light penetration, these areas support native forbs, grasses, and shrubs that enhance wildlife habitat and biodiversity. They can also be important areas of regrowth for Quercus species. Common vegetative species seen in these areas include American beautyberry, plum or sumac thickets, Coralberry, Little bluestem, Big bluestem, Indiangrass, Switchgrass, Coneflower, and Indian blanket.

List all vegetative species covering >10% of the feature area.

Vegetation Survey

Scientific name	*Common name*	*% Cover*

Supports forest habitat:

Does the vegetation of the forest opening(s) provide wildlife resources, such as food or shelter?	☐ yes ☐ no
Is wildlife able to traverse the habitat through the forest opening(s)?	☐ yes ☐ no
Do(es) the forest opening(s) increase species richness?	☐ yes ☐ no

Comments:

Provide a supporting discussion on interior forest openings included or not included as part of the overall habitat. Labeling on the map may be needed if more than one area is considered.

Project Number: ESA

Cross Timbers Upland Habitat Assessment Form

Environmental Services and Sustainability

A Cross Timbers Upland Habitat Assessment Form is to be completed for each feature identified as potentially existing on the Official ESA Map. Additionally, any feature identified onsite that potentially has characteristics of upland habitat is to be identified, described and documented through this form. Features of substantially similar characteristics and location may be grouped together on one form. More information about upland habitats and assessing this feature may be found on the City of Denton ESA webpage.

Property Address or Property ID:	2201 & 2203 Spencer Road **R** 34406, 191269	**Feature ID(s):**	Data Form 7
Property ID can be found through Denton Central Appraisal District		*Provide a feature ID when multiple features are assessed*	

Assessment Conclusion:
Select one of the following.

☑ IS an ESA. Based upon this assessment the area meets the criteria of Cross Timbers Upland Habitat. I recommend the Official ESA Map be updated to confirm the ESA designation in this area.

☐ NOT an ESA. Based upon this assessment the area is not Cross Timbers Upland Habitat. I recommend the Official ESA Map be updated to remove the ESA designation from this area.

Assessment Comments:
Provide a summary and discussion of details found in the field to support the conclusion selected above.

Post oak overstory with scattered eastern red cedar trees and saplings. Chinese privet overgrown in understory. Recent aerial photography indicates that the forested area has remained forested for several decades. The area was previously part of a larger, contiguous forest but a portion was removed between 2007 and 2008 for a development to the east. Based on aerial photography in Google Earth, the current contiguous canopy cover is 12.5 acres. Therefore, this area meets the minimum 10-acre requirement to be verified as an ESA.

Attachments Provided:

Required:	☑ overall site map ☑ current map of feature ☑ proposed map of feature ☑ soils map ☑ photographs representative of feature
Other:	FEMA FIRM, aerial photographs

Field Assessor:
Name of Field Assessor: Tyler Frohlich
Affiliation of Assessor (Organization): Integrated Environmental Solutions, LLC.
Date the assessment was performed: 09 May 2024

I certify that the information provided here is an accurate description of the area(s) assessed.

Karisa Fenton Digitally signed by Karisa Fenton Date: 2024.05.20 15:07:48 -05'00'

Environmental Services Representative:

I concur with the description of this ESA and conclusion of this assessment.

Section 1. General Information

Soil Map Unit Name(s):

Provide soil classification types where feature occurs.

Silstid loamy fine sand, 1 to 5 percent slopes	

Alfisol or Ultisol soil type present: ☑ yes ☐ no

Trails, Utility Clearings and Forest Openings within the Tree Stand:

Are there existing drive aisles, trails, utility clearings or canopy openings interior to the tree stand?
(*roadways and similar hard breaks do not apply*)

☐ yes: complete Section 3. ☑ no

Section 2. Forest Vegetation Survey

List all vegetative species covering >10% of the feature area

Old Growth Canopy Trees

Scientific name	*Common name*	*% Cover*
Quercus stellata	Post Oak	50

Re-Growth Canopy Trees

Are tree(s) present >6" DBH: ☑ yes ☐ no

Scientific name	*Common name*	*% Cover*
Quercus stellata	Post Oak	30

Small Trees/Saplings

Scientific name	*Common name*	*% Cover*
Quercus stellata	Post Oak	20
Juniperus virginiana	Eastern red cedar	10

Understory Vegetation (shrubs/vines/grasses/forbs)

Scientific name	*Common name*	*% Cover*
Ligustrum sinense	Chinese privet	60
Smilax bona-nox	Saw Greenbrier	10

Forest floor conditions:

Select all that apply.

☐ standing dead timber ☑ fallen dead timber ☑ detritus/leaf litter ☐ fungi

Section 3. Interior Forest Opening(s)

Interior forest openings or canopy gaps have traditionally served important roles in Cross Timbers Upland Habitats. Characterized by limited canopy cover and increased light penetration, these areas support native forbs, grasses, and shrubs that enhance wildlife habitat and biodiversity. They can also be important areas of regrowth for Quercus species. Common vegetative species seen in these areas include American beautyberry, plum or sumac thickets, Coralberry, Little bluestem, Big bluestem, Indiangrass, Switchgrass, Coneflower, and Indian blanket.

List all vegetative species covering >10% of the feature area.

Vegetation Survey

Scientific name	*Common name*	*% Cover*

Supports forest habitat:

Does the vegetation of the forest opening(s) provide wildlife resources, such as food or shelter?	☐ yes ☐ no
Is wildlife able to traverse the habitat through the forest opening(s)?	☐ yes ☐ no
Do(es) the forest opening(s) increase species richness?	☐ yes ☐ no

Comments:

Provide a supporting discussion on interior forest openings included or not included as part of the overall habitat. Labeling on the map may be needed if more than one area is considered.

APPENDIX C

Tree Inventory Data

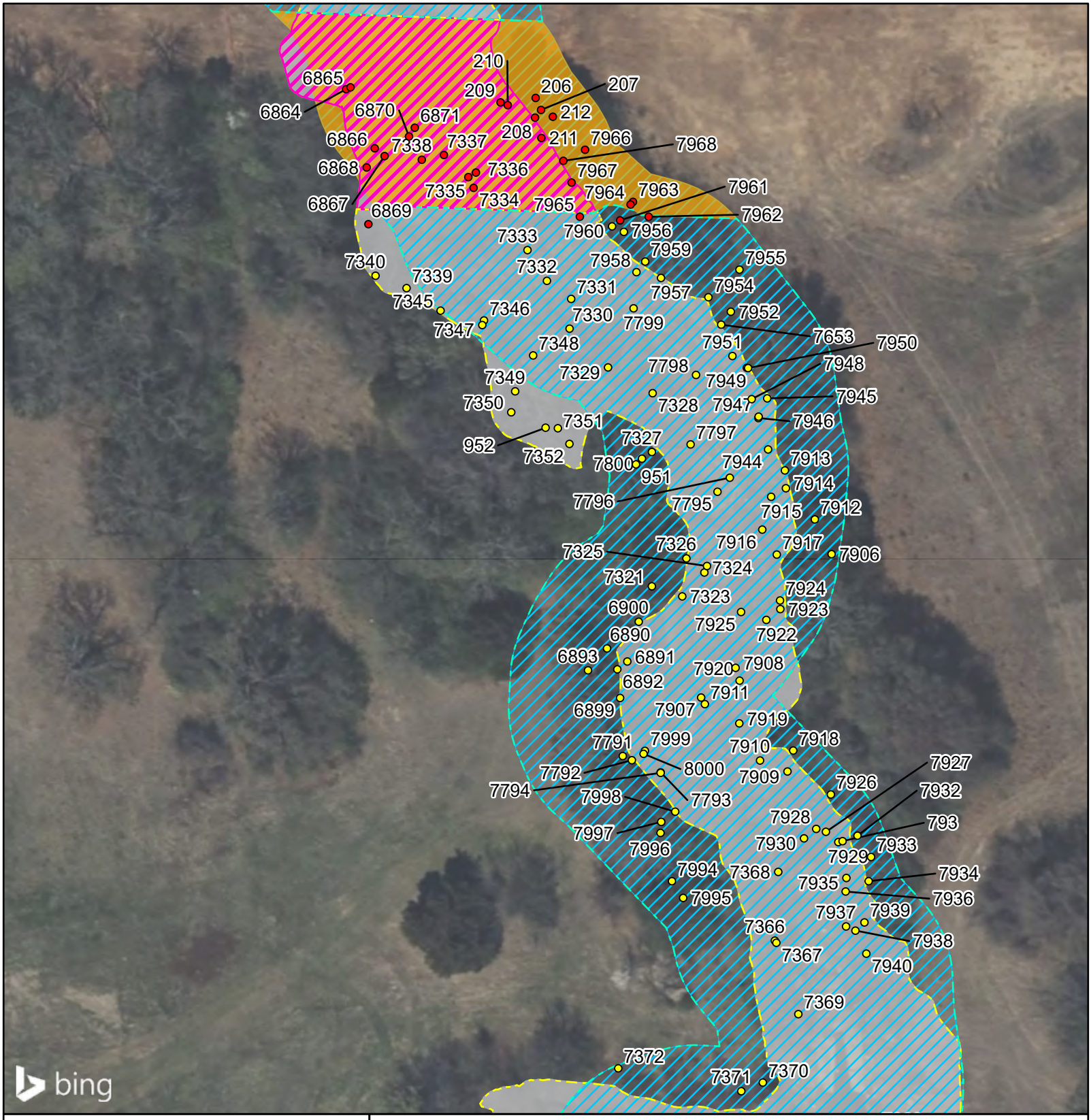


Figure 1A.
Tree Inventory Overview

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 55 ft

Feet
0 55

N
W E
S

File Ref. 04.110.165
Date: 5/27/2025

- Survey Area
- Undeveloped Floodplain ESA
- Riparian Buffer ESA

Mitigation/ Preservation Area

- Riparian Buffer
- Floodplain

Direct/ Permanent Impacts

- Floodplain
- Riparian Buffer
- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas

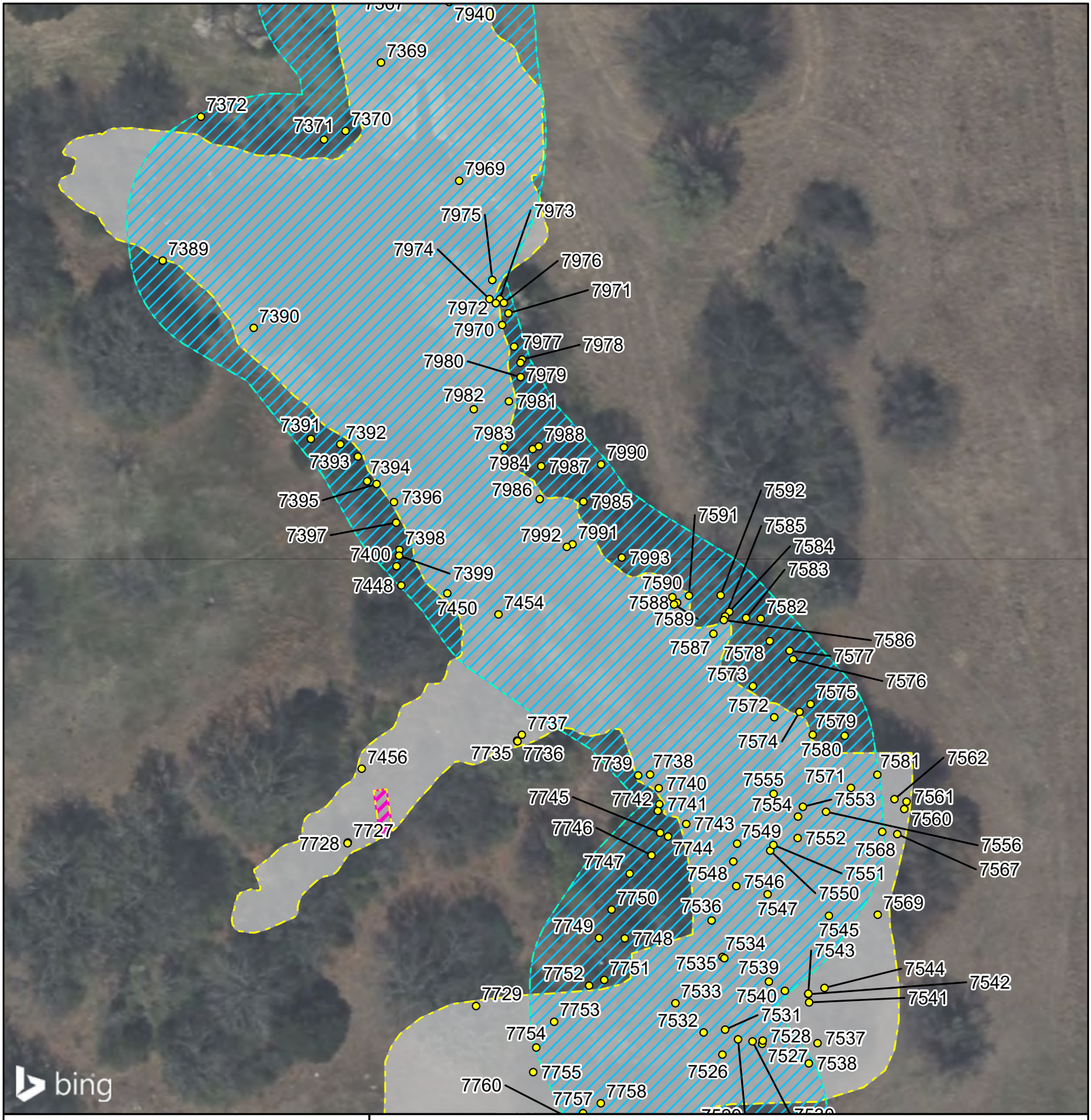


Figure 1B.
Tree Inventory Overview

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 55 ft

Feet
0 55

N
W E
S

File Ref. 04.110.165
Date: 4/8/2025

Survey Area
Undeveloped Floodplain ESA
Riparian Buffer ESA

Mitigation/ Preservation Area

Riparian Buffer
Floodplain

Direct/ Permanent Impacts

Floodplain
Riparian Buffer
Trees within the Mitigation Areas
Trees within the Proposed Impact Areas

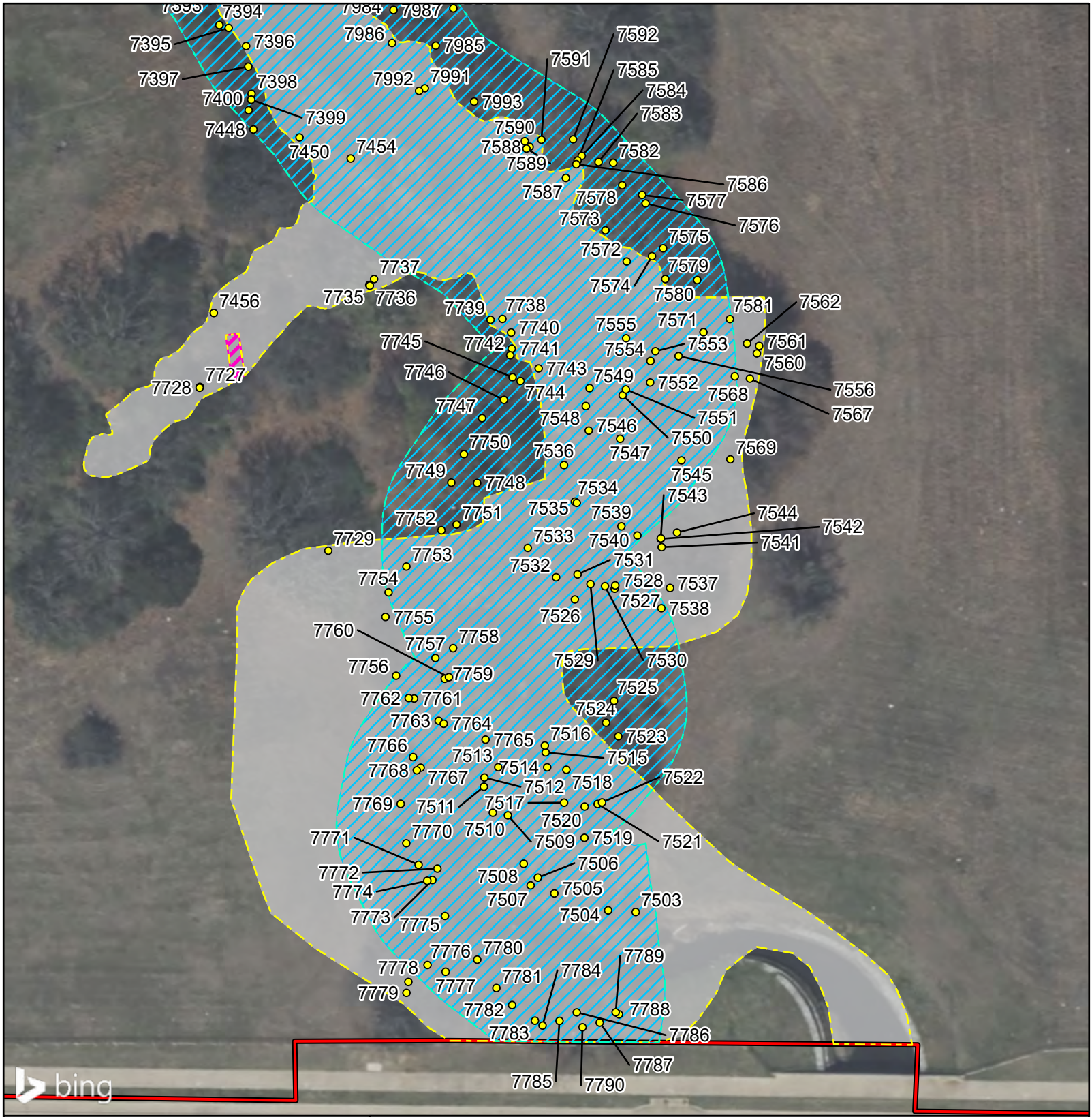


Figure 1C.
Tree Inventory Overview

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 55 ft

Feet
0 55

N
W E
S

File Ref. 04.110.165
Date: 4/8/2025

- Survey Area
- Undeveloped Floodplain ESA
- Riparian Buffer ESA

Mitigation/ Preservation Area

- Riparian Buffer
- Floodplain

Direct/ Permanent Impacts

- Floodplain
- Riparian Buffer
- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas

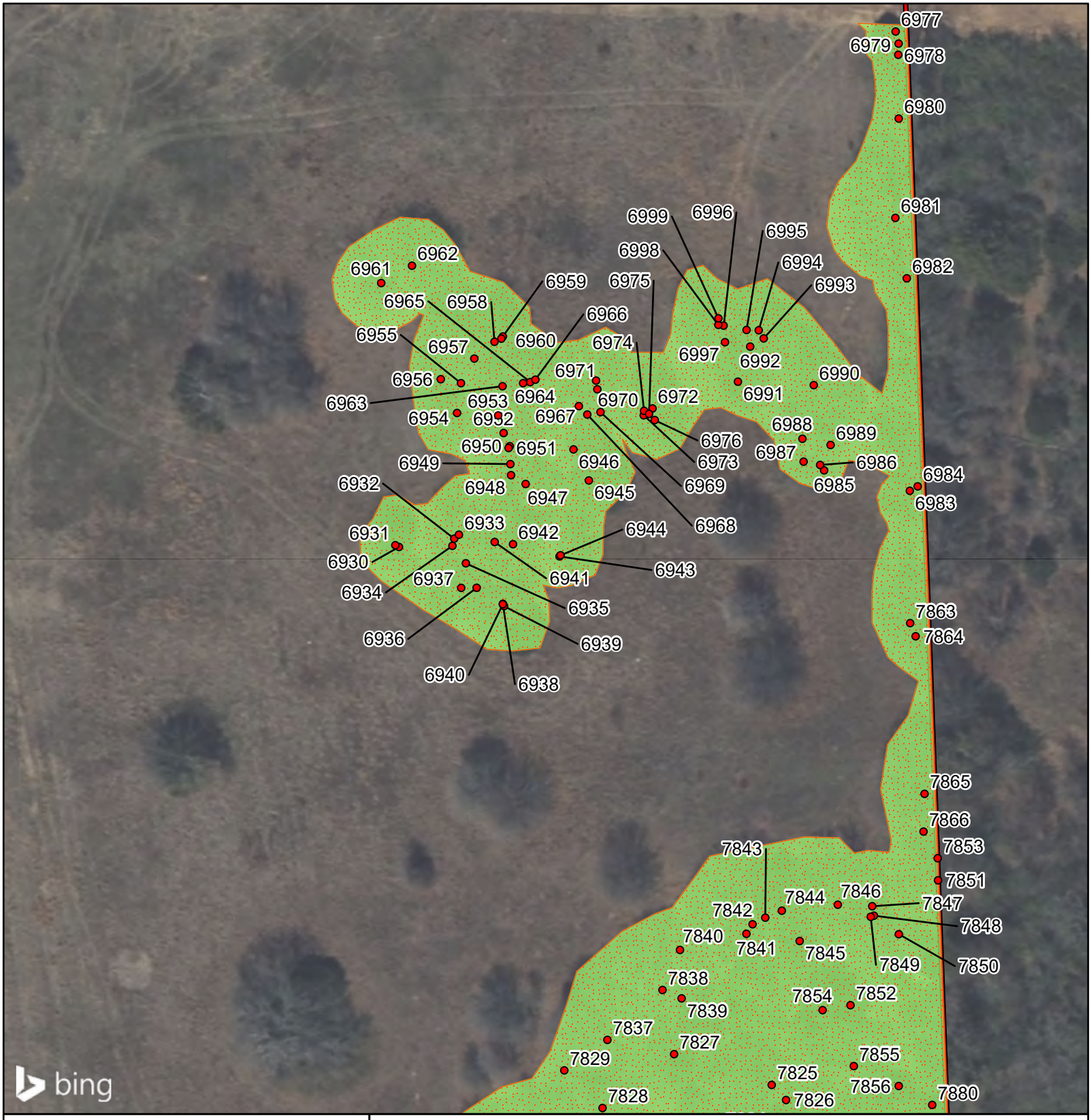


Figure 1D.
Tree Inventory Overview

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 55 ft

Feet
0 55

N
W E
S

File Ref. 04.110.165
Date: 4/9/2025

Survey Area

Cross Timbers Upland ESA

Cross Timbers Preservation

Direct/ Permanent Impacts

Cross Timbers

Trees within the Mitigation Areas

Trees within the Proposed Impact Areas

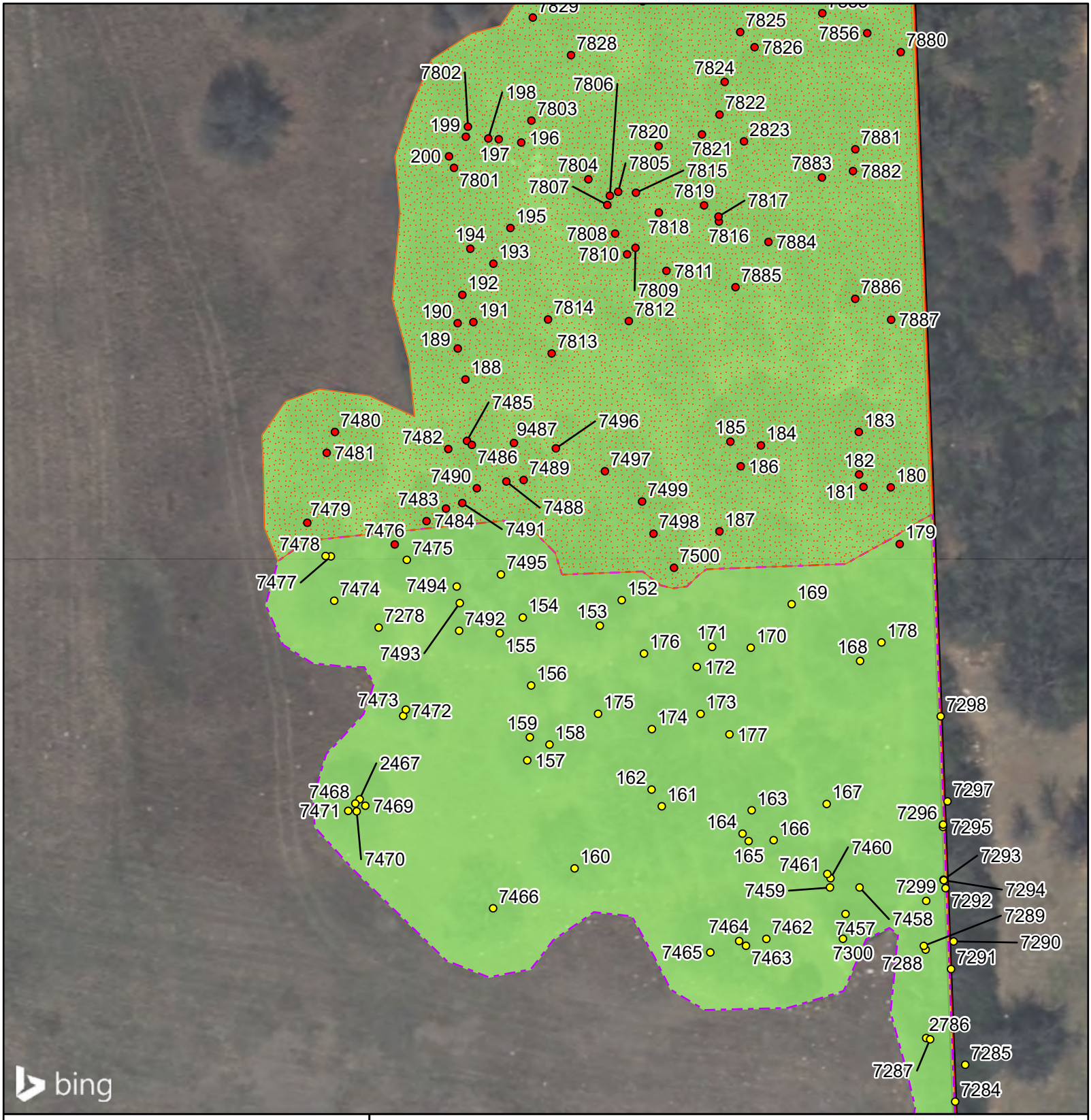


Figure 1E.
Tree Inventory Overview

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 55 ft

Feet
0 55

N
W E
S

File Ref. 04.110.165
Date: 4/9/2025

Survey Area

Cross Timbers Upland ESA

Cross Timbers Preservation

Direct/ Permanent Impacts

Cross Timbers

Trees within the Mitigation Areas

Trees within the Proposed Impact Areas

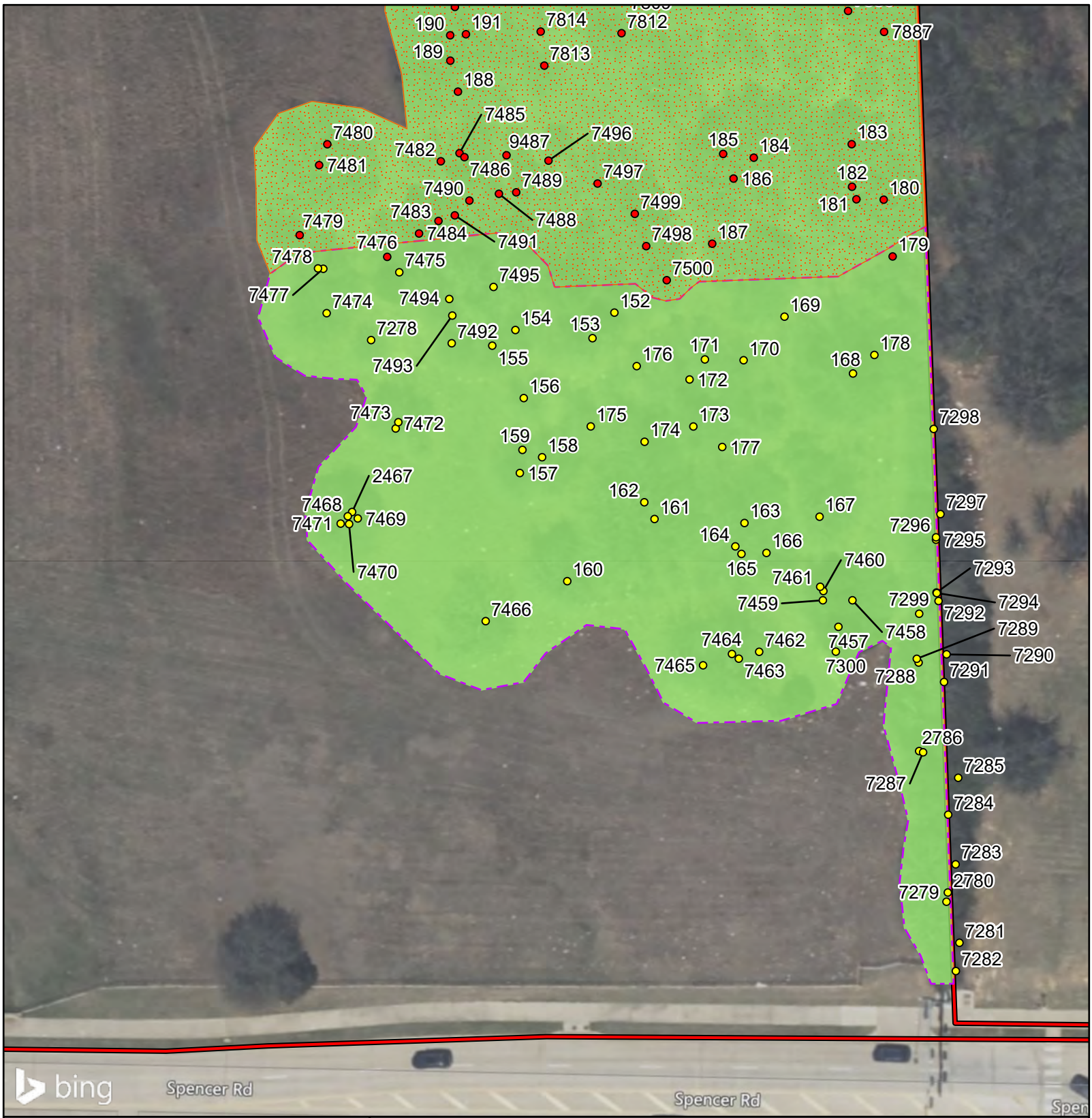


Figure 1F.
Tree Inventory Overview

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 55 ft

Feet
0
55

N
W
E
S

File Ref. 04.110.165
Date: 4/9/2025

Survey Area

Cross Timbers Upland ESA

Cross Timbers Preservation

Direct/ Permanent Impacts

Cross Timbers

Trees within the Mitigation Areas

Trees within the Proposed Impact Areas

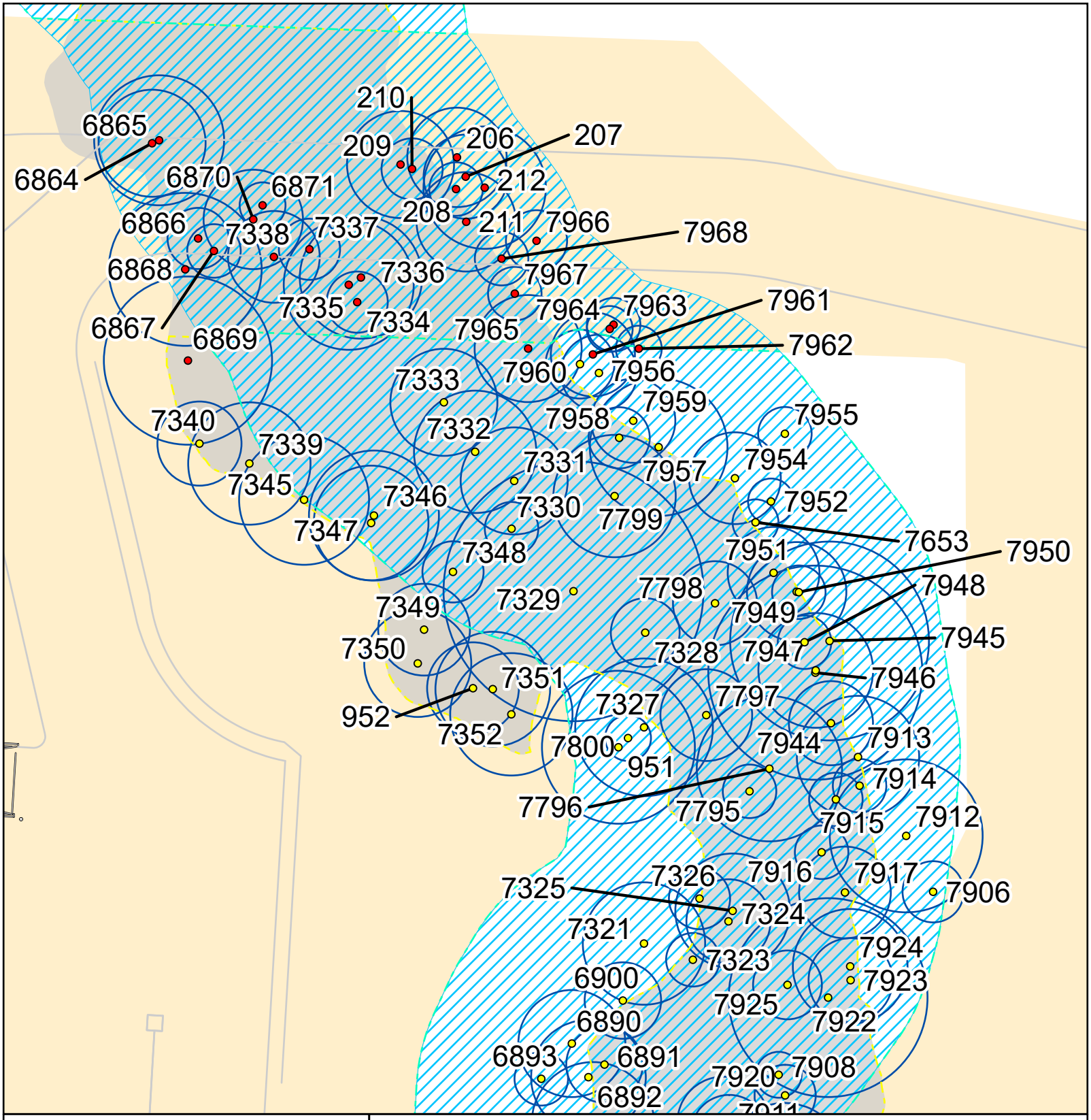


Figure 2A.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0 34

File Ref. 04.110.165
Date: 5/27/2025

N
W E
S

Survey Area
Riparian Buffer ESA
Undeveloped Floodplain ESA

Mitigation/ Preservation Area

Riparian Buffer
Floodplain

Trees within the Mitigation Areas
Trees within the Proposed Impact Areas
Critical Root Zone
Site Plan Structures
Development Impact Area

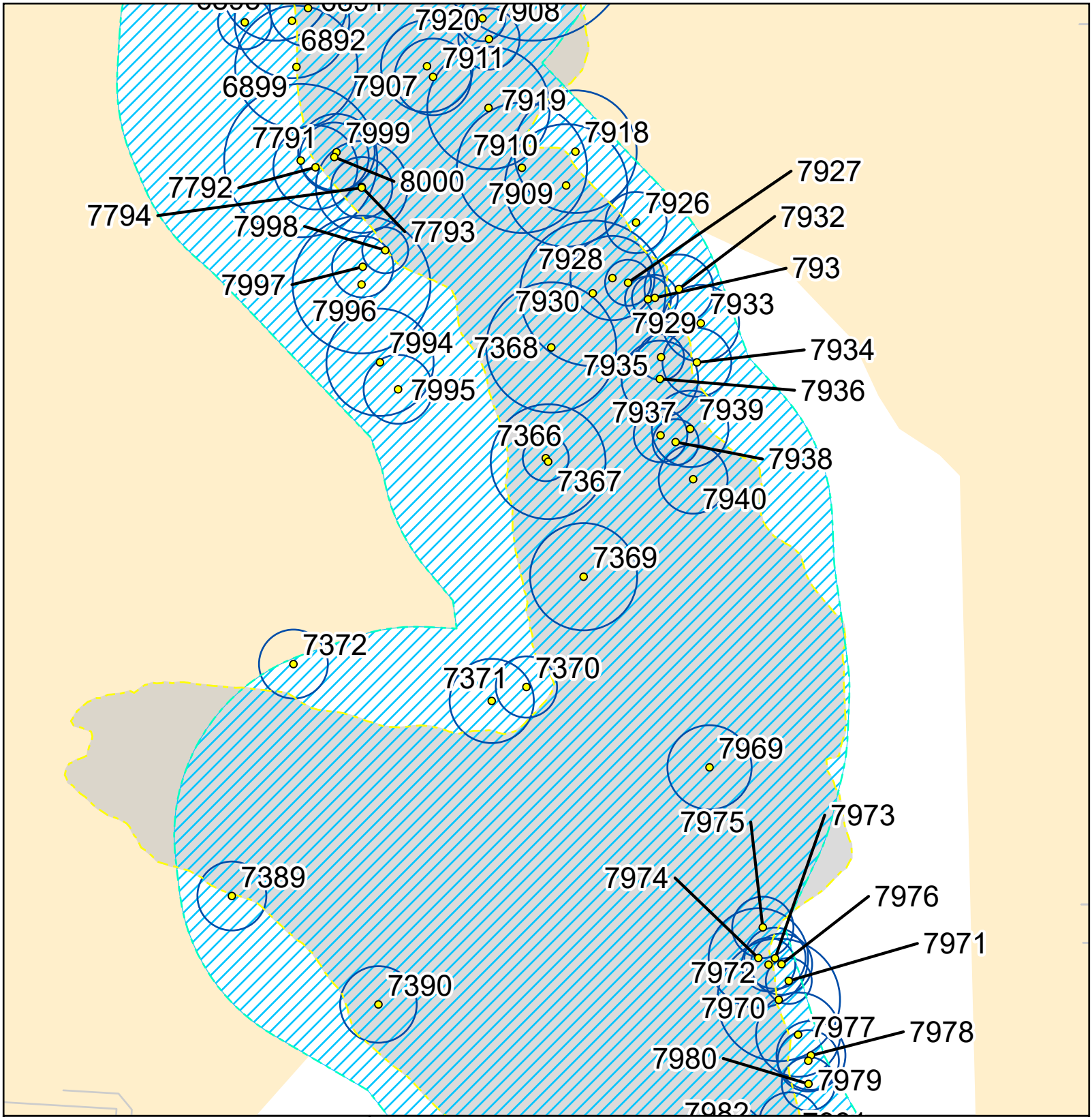


Figure 2B.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0 34

N
W E
S

File Ref. 04.110.165
Date: 5/27/2025

- Survey Area
- Riparian Buffer ESA
- Undeveloped Floodplain ESA

Mitigation/ Preservation Area

- Riparian Buffer
- Floodplain

- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas
- Critical Root Zone
- Site Plan Structures
- Development Impact Area

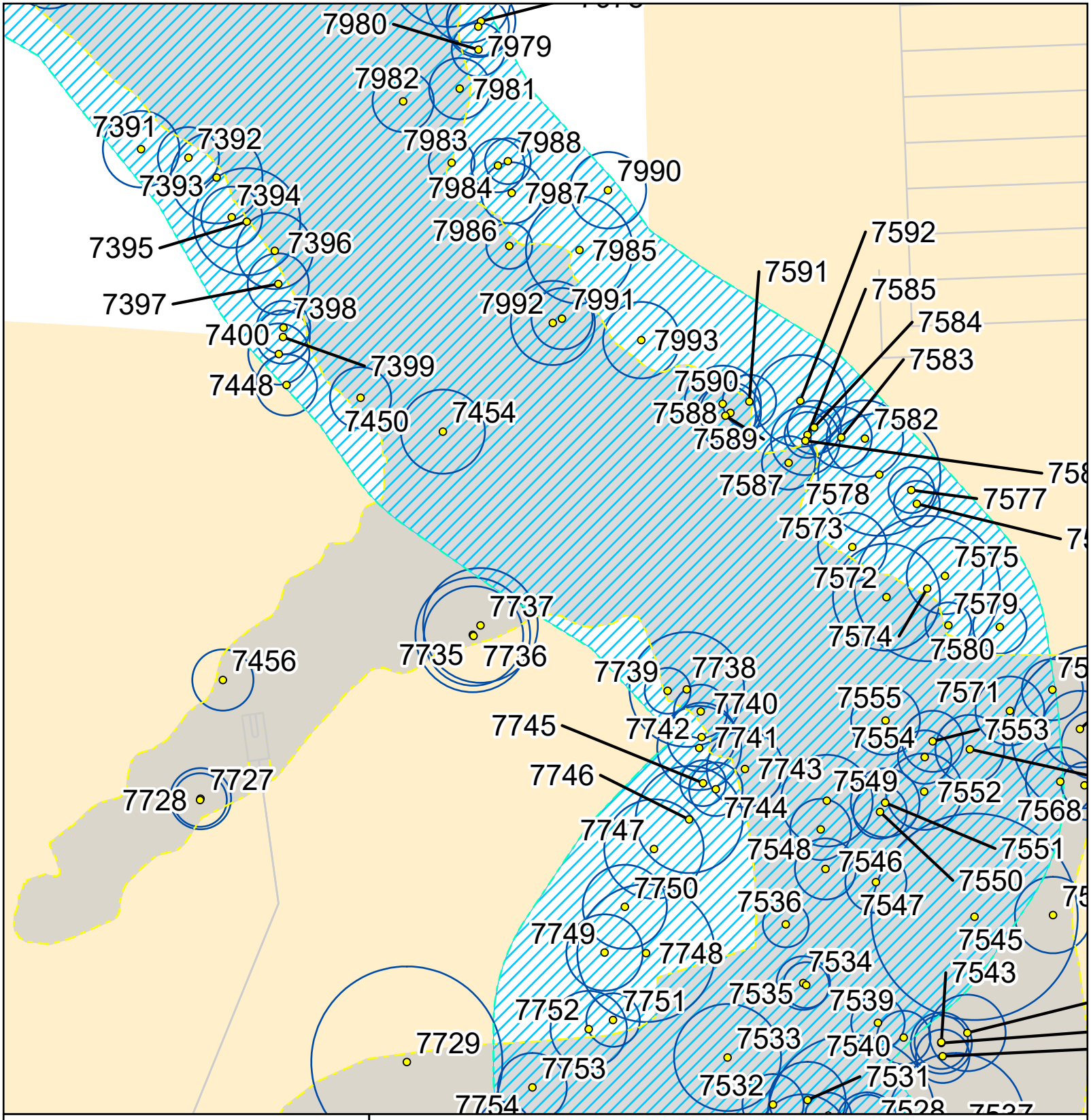


Figure 2C.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0 34

File Ref. 04.110.165
Date: 5/27/2025

N
W E
S

- Survey Area
- Riparian Buffer ESA
- Undeveloped Floodplain ESA

Mitigation/ Preservation Area

- Riparian Buffer
- Floodplain

- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas
- Critical Root Zone
- Site Plan Structures
- Development Impact Area

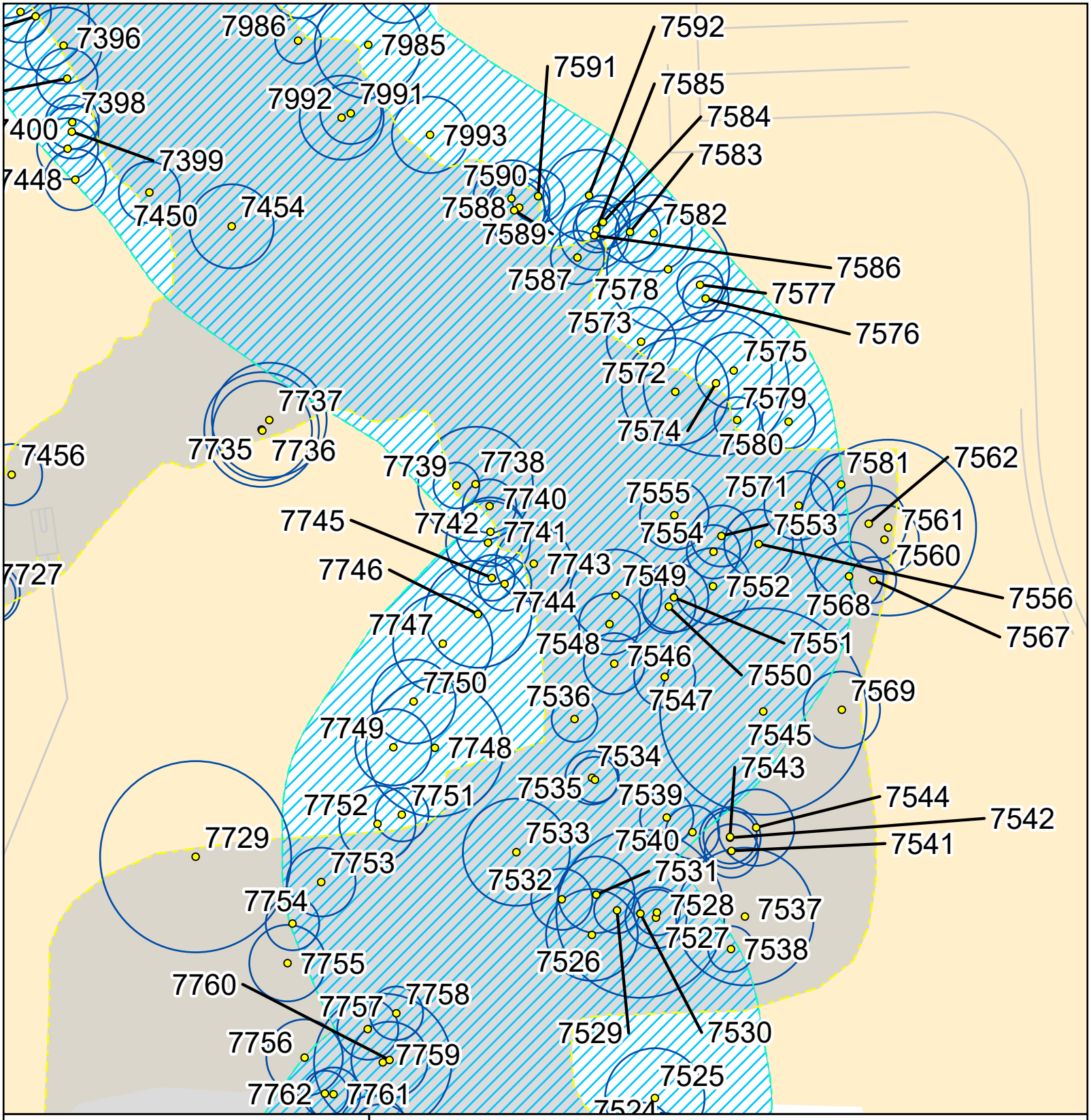


Figure 2D.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0 34

N
W E
S

File Ref. 04.110.165
Date: 5/27/2025

- Survey Area
- Riparian Buffer ESA
- Undeveloped Floodplain ESA

Mitigation/ Preservation Area

- Riparian Buffer
- Floodplain

- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas
- Critical Root Zone
- Site Plan Structures
- Development Impact Area

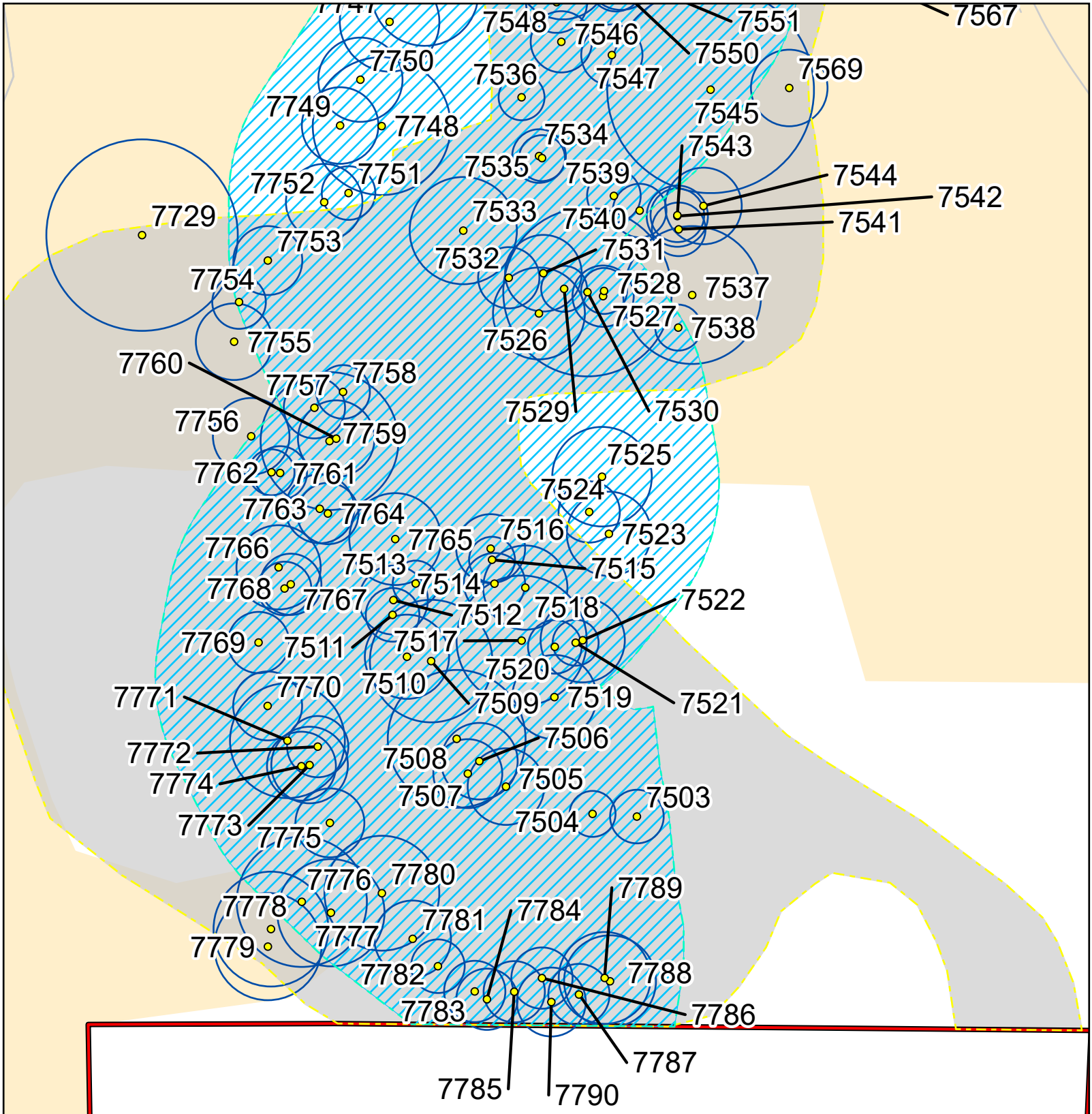


Figure 2E.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0 34

N
W E
S

File Ref. 04.110.165
Date: 5/27/2025

Survey Area
Riparian Buffer ESA
Undeveloped Floodplain ESA

Mitigation/ Preservation Area

Riparian Buffer
Floodplain

Trees within the Mitigation Areas
Trees within the Proposed Impact Areas
Critical Root Zone
Site Plan Structures
Development Impact Area

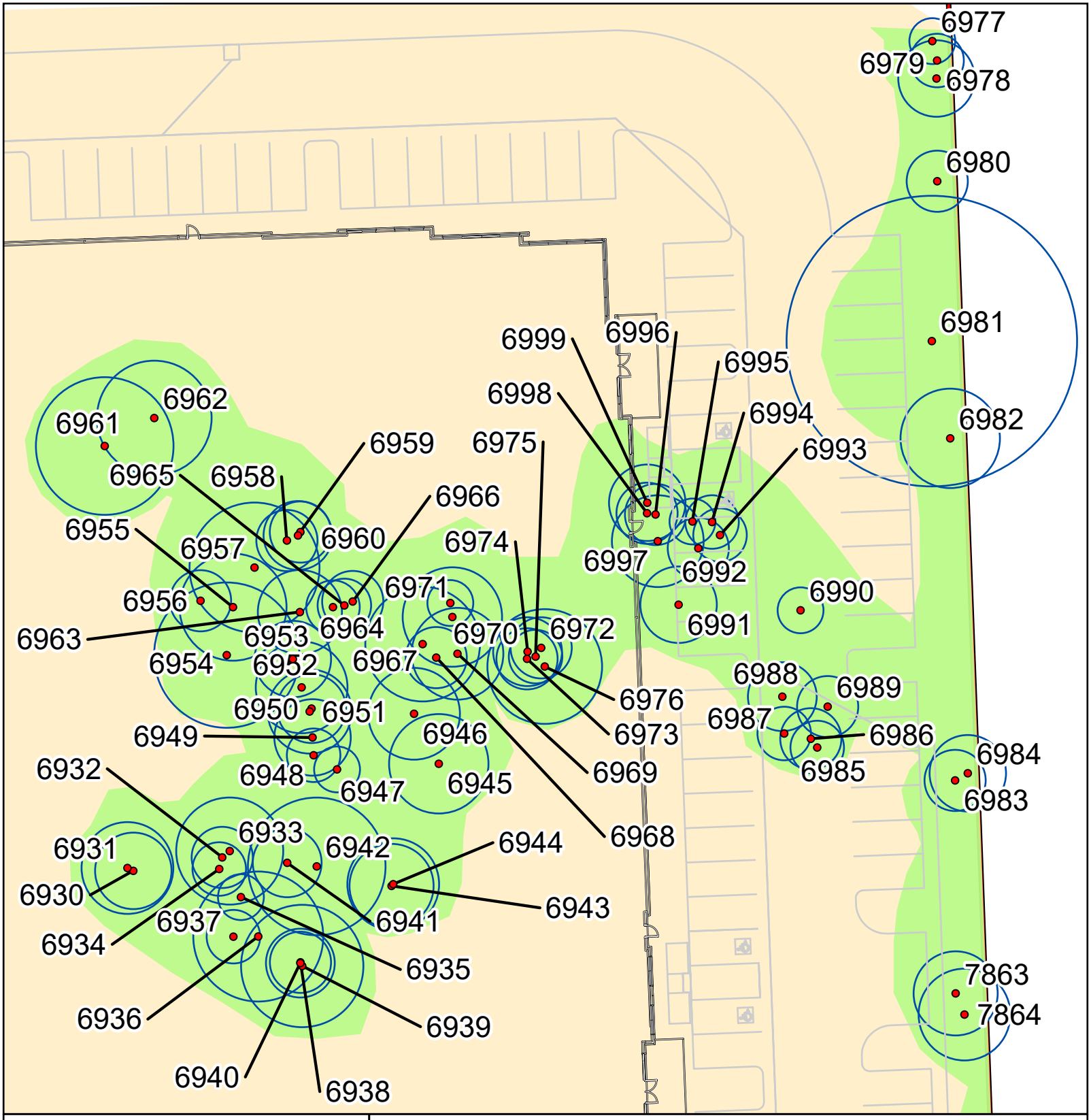


Figure 2F.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0 34

N
W E
S

File Ref. 04.110.165
Date: 5/27/2025

- Survey Area
- Cross Timbers Upland ESA
- Riparian Buffer ESA
- Undeveloped Floodplain ESA
- Cross Timbers Preservation
- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas
- Critical Root Zone
- Site Plan Structures
- Development Impact Area

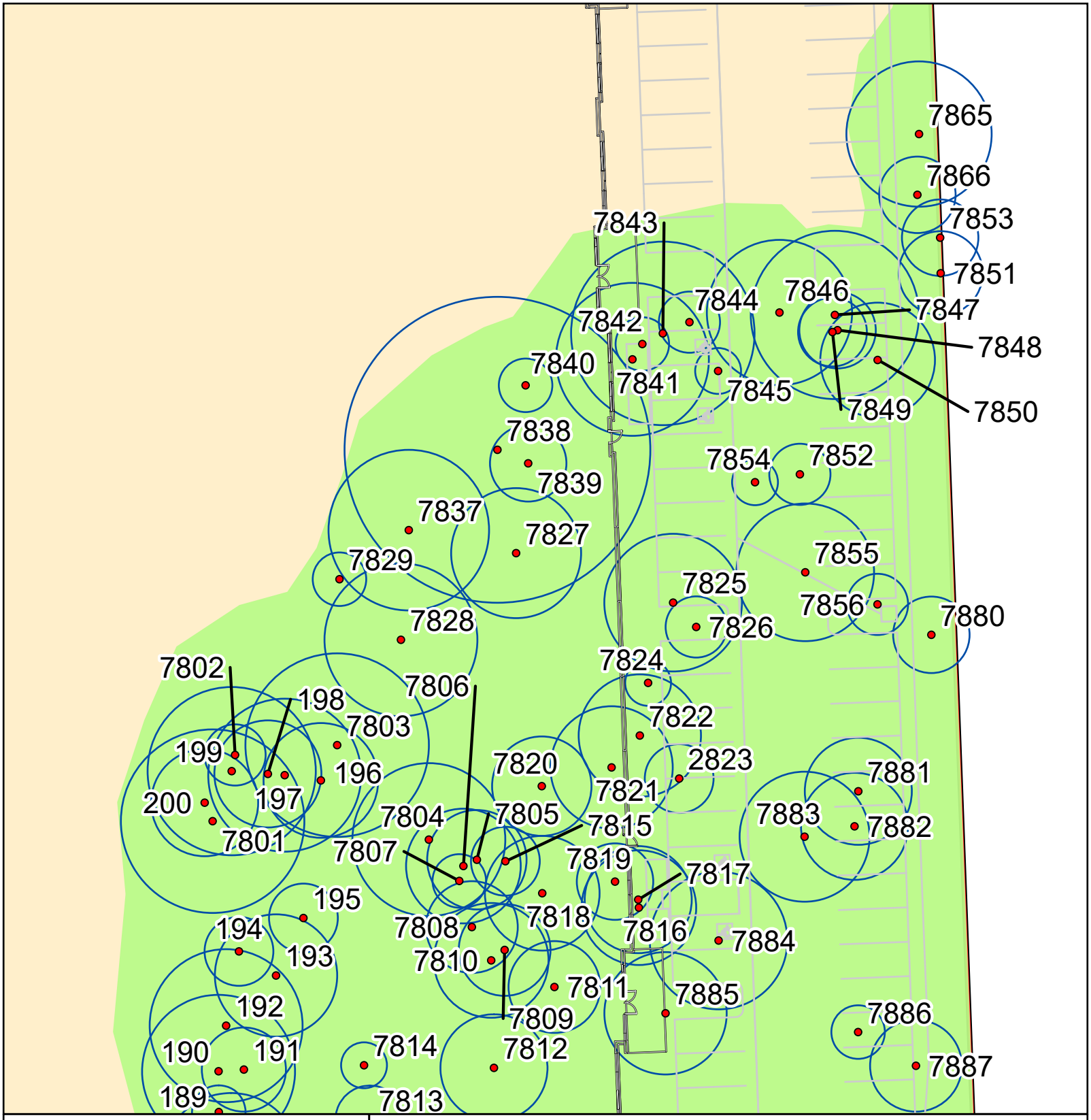


Figure 2G.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0 34

N
W E
S

File Ref. 04.110.165
Date: 5/27/2025

- Survey Area
- Cross Timbers Upland ESA
- Riparian Buffer ESA
- Undeveloped Floodplain ESA
- Cross Timbers Preservation
- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas
- Critical Root Zone
- Site Plan Structures
- Development Impact Area

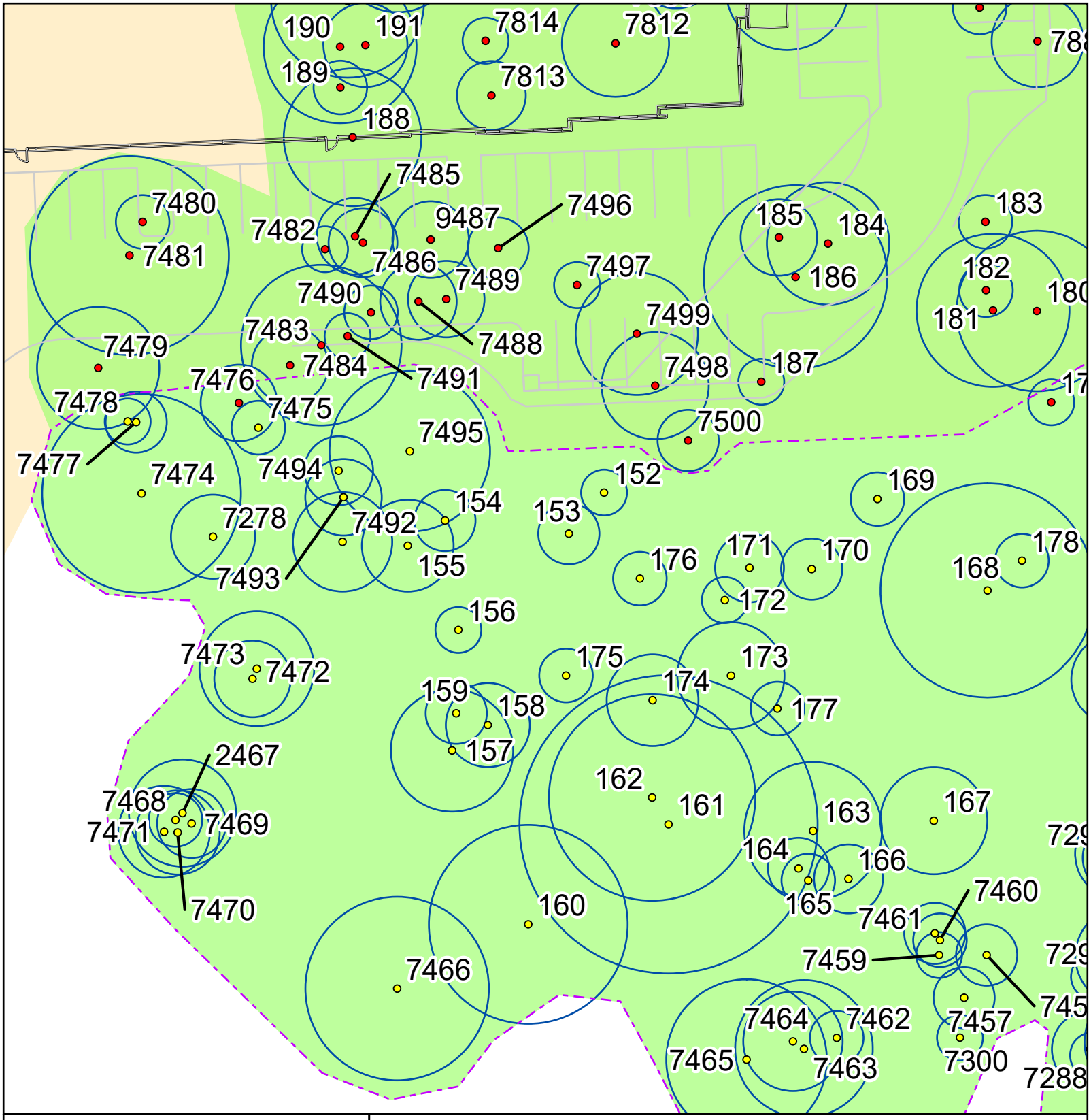


Figure 2H.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0 34

N
W E
S

File Ref. 04.110.165
Date: 5/27/2025

- Survey Area
- Cross Timbers Upland ESA
- Riparian Buffer ESA
- Undeveloped Floodplain ESA
- Cross Timbers Preservation
- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas
- Critical Root Zone
- Site Plan Structures
- Development Impact Area

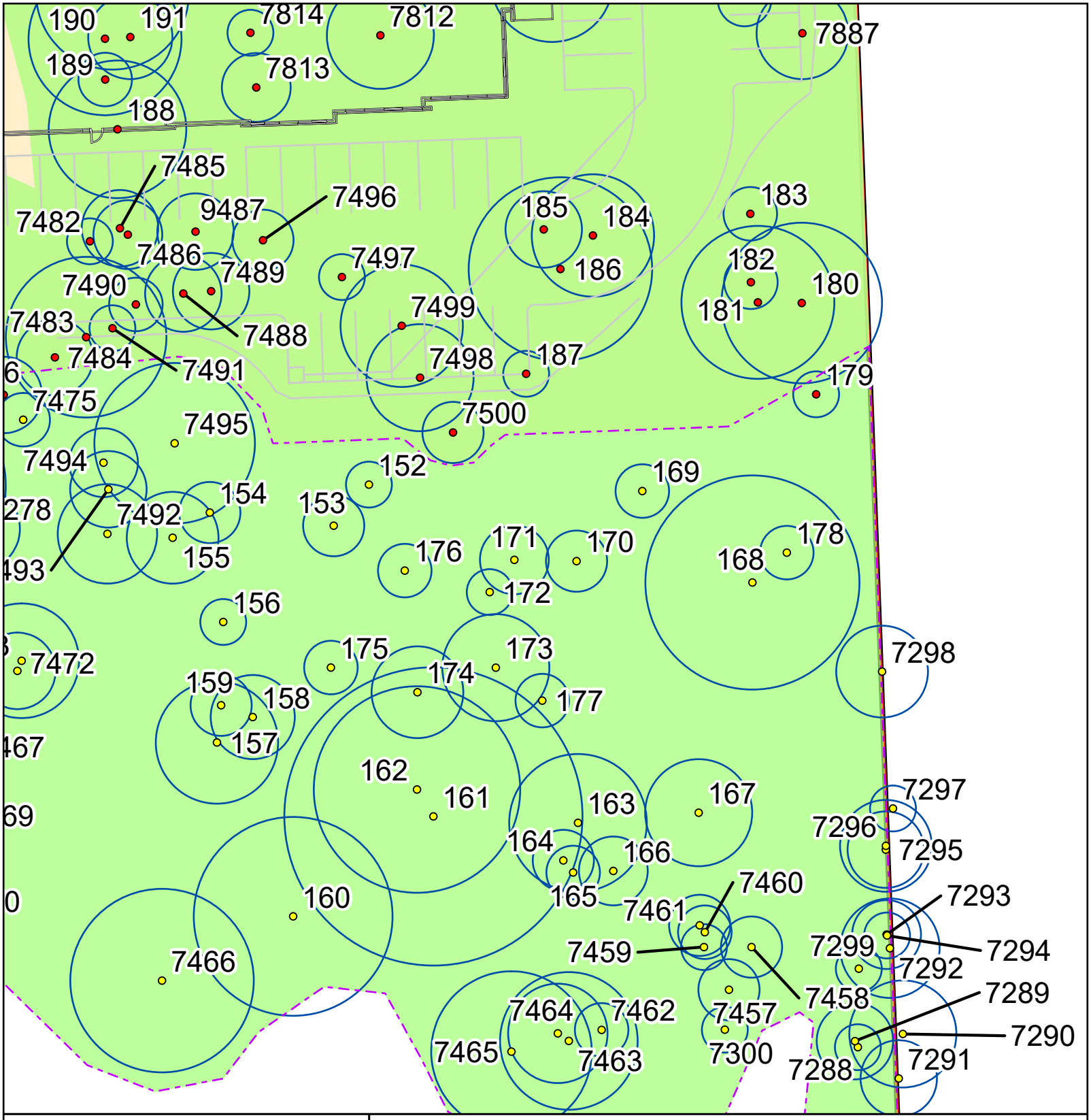


Figure 2I.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

1 in = 34 ft

Feet
0
34

File Ref. 04.110.165
Date: 5/27/2025

N
W
E
S

- Survey Area
- Cross Timbers Upland ESA
- Riparian Buffer ESA
- Undeveloped Floodplain ESA
- Cross Timbers Preservation
- Trees within the Mitigation Areas
- Trees within the Proposed Impact Areas
- Critical Root Zone
- Site Plan Structures
- Development Impact Area

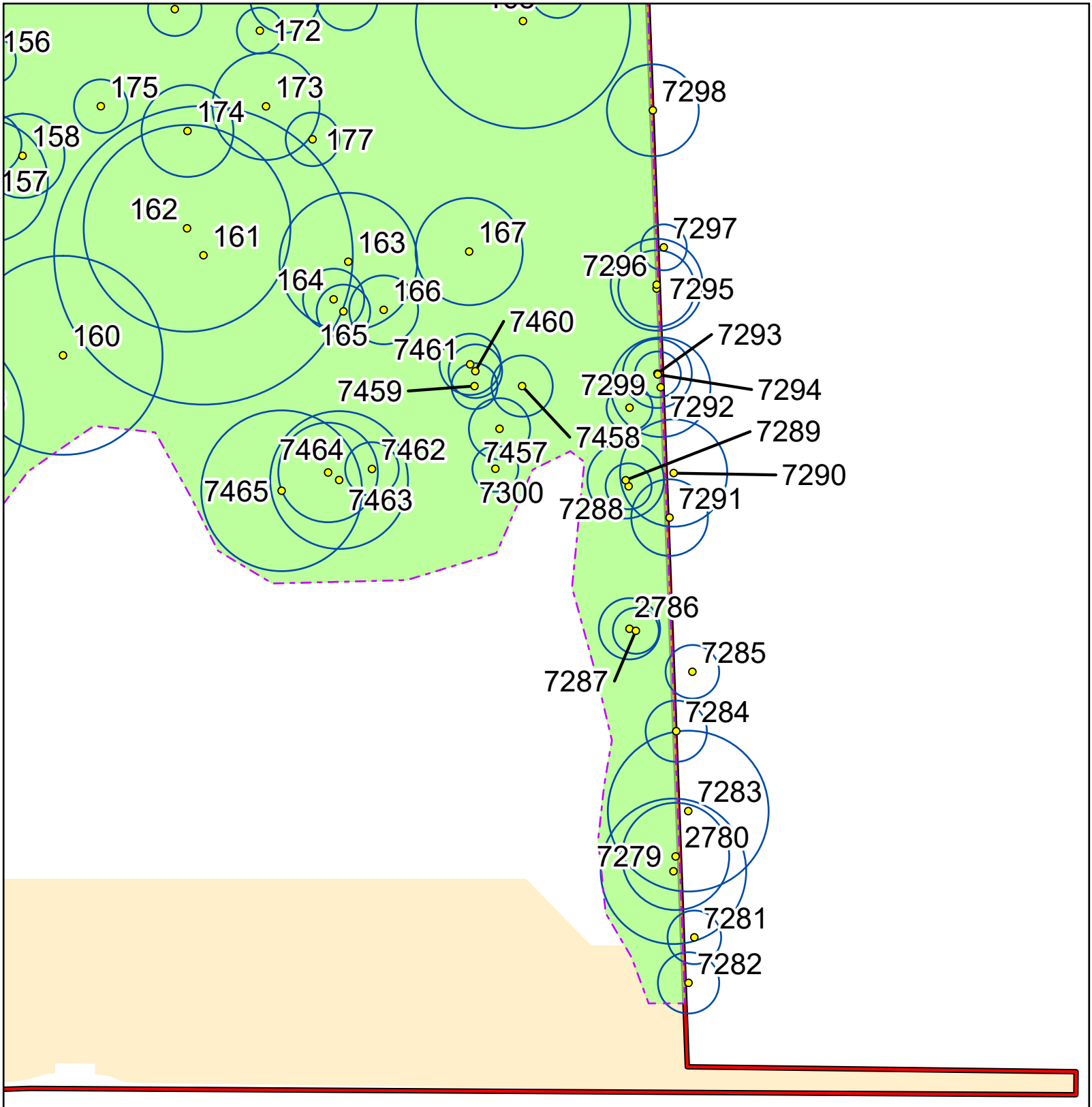


Figure 2J.
Tree Inventory

Spencer Road Industrial
City of Denton
Denton County, Texas

File Ref. 04.110.165
Date: 5/27/2025

Spencer Road Industrial Project Site - Tree Inventory within Confirmed ESA
City of Denton, Denton County, Texas

Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
152	6	eastern red cedar	6	No	Healthy	0	61-90	No	No	No	No
153	8.4	post oak	8	No	Healthy	0	61-90	No	No	No	No
154	7.6	blackjack oak	8	No	Healthy	0	61-90	No	No	No	No
155	12.5	blackjack oak	8	Yes	Healthy	0	61-90	No	No	No	No
156	6.5	post oak	7	No	Healthy	0	61-90	No	No	No	No
157	15.9	blackjack oak	15	Yes	Healthy	0	61-90	No	No	No	No
158	10.6	post oak	11	No	Healthy	0	61-90	No	No	No	No
159	8.3	post oak	8	No	Healthy	0	61-90	No	No	No	No
160	25.5	post oak	20	Yes	Healthy	0	61-90	No	No	No	No
161	39.2	post oak	36	Yes	Healthy	0	61-90	No	No	No	No
162	27.2	post oak	28	No	Healthy	0	61-90	No	No	No	No
163	18.4	post oak	18	No	Healthy	0	61-90	No	No	No	No
164	8	gum bumelia	7	No	Healthy	0	61-90	No	No	No	No
165	7.2	gum bumelia	7	No	Healthy	0	61-90	No	No	No	No
166	8.7	blackjack oak	9	Yes	Healthy	0	61-90	No	No	No	No
167	14	post oak	14	No	Healthy	0	61-90	No	No	No	No
168	28.4	post oak	29	No	Healthy	0	61-90	No	No	No	No
169	6.6	post oak	7	No	Healthy	0	61-90	No	No	No	No
170	7.5	blackjack oak	8	Yes	Healthy	0	61-90	No	No	No	No
171	8.9	blackjack oak	7	Yes	Healthy	0	61-90	No	No	No	No
172	6.4	blackjack oak	6	No	Healthy	0	61-90	No	No	No	No
173	14	blackjack oak	14	No	Healthy	0	61-90	No	No	No	No
174	12.2	post oak	12	No	Healthy	0	61-90	No	No	No	No
175	7	post oak	6	No	Healthy	0	61-90	No	No	No	No
176	7.2	post oak	7	No	Healthy	0	61-90	No	No	No	No
177	7.1	post oak	7	No	Healthy	0	61-90	No	No	No	No
178	6.9	Ashe juniper	7	No	Healthy	0	61-90	No	No	No	No
179	6	blackjack oak	6	Yes	Healthy	0	61-90	No	No	No	No
180	20.9	post oak	21	No	Healthy	0	61-90	No	No	No	No
181	19.7	post oak	21	Yes	Healthy	0	61-90	No	No	No	No
182	7.1	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
183	7.1	eastern red cedar	6	No	Damaged	60	61-90	No	No	No	No
184	16	post oak	17	No	Healthy	0	61-90	No	No	No	No
185	9.7	eastern red cedar	9	Yes	Healthy	0	61-90	No	No	No	No
186	24.5	post oak	25	Yes	Healthy	25	61-90	No	No	No	No
187	6.2	blackjack oak	6	No	Healthy	0	61-90	No	No	No	No
188	18.4	post oak	18	No	Healthy	0	61-90	No	No	No	No

Spencer Road Industrial Project Site - Tree Inventory within Confirmed ESA
City of Denton, Denton County, Texas

Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
189	6.7	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
190	19.7	post oak	20	No	Healthy	0	61-90	No	No	No	No
191	11.3	post oak	11	No	Healthy	0	61-90	No	No	No	No
192	20.1	post oak	20	No	Healthy	0	61-90	No	No	No	No
193	16.2	post oak	16	No	Healthy	0	61-90	No	No	No	No
194	9.4	post oak	9	No	Healthy	0	61-90	No	No	No	No
195	8.9	cedar elm	9	No	Healthy	0	61-90	No	No	No	No
196	14.6	post oak	15	No	Healthy	0	61-90	No	No	No	No
197	20.3	post oak	20	Yes	Healthy	0	61-90	No	Trunk	Trunk	Trunk
198	13.5	post oak	12	No	Healthy	0	61-90	No	No	No	No
199	21.7	post oak	22	No	Healthy	0	61-90	No	No	No	No
200	14.4	post oak	14	No	Healthy	0	61-90	No	No	No	No
206	12.9	eastern red cedar	11	No	Healthy	0	61-90	No	No	No	No
207	10.6	eastern red cedar	10	No	Healthy	0	61-90	No	No	No	No
208	7.3	eastern red cedar	8	No	Healthy	0	61-90	No	No	No	No
209	14.1	pecan	11	No	Healthy	0	61-90	No	No	No	No
210	7.9	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
211	13.3	eastern red cedar	11	No	Healthy	0	61-90	No	No	No	No
212	16	eastern red cedar	14	No	Healthy	0	61-90	No	No	No	No
793	6.2	American elm	6	No	Healthy	0	61-90	No	No	No	No
951	20.2	American elm	20	No	Healthy	0	61-90	No	No	No	No
952	11.8	sycamore	7	No	Damaged	75	61-90	No	No	No	No
2467	14	blackjack oak	15	Yes	Healthy	0	61-90	No	No	No	No
2780	14.4	post oak	15	No	Healthy	0	61-90	No	No	No	No
2786	8.1	post oak	8	No	Healthy	0	61-90	No	No	No	No
2823	9.4	post oak	10	No	Healthy	0	61-90	No	No	No	No
6864	13.9	American elm	17	No	Healthy	0	61-90	No	No	No	No
6865	17.4	American elm	20	No	Healthy	0	61-90	No	No	No	No
6866	8.3	Osage-orange	8	No	Damaged	40	61-90	No	No	No	No
6867	7.1	American elm	7	No	Healthy	0	61-90	No	No	No	No
6868	19.8	black walnut	17	No	Healthy	0	61-90	No	No	No	No
6869	21.9	black walnut	23	No	Damaged	0	61-90	No	Trunk	Trunk	Trunk
6870	12.8	American elm	13	No	Healthy	0	61-90	No	No	No	No
6871	6.3	cedar elm	7	No	Healthy	0	61-90	No	No	No	No
6890	14.5	post oak	15	No	Healthy	0	61-90	No	No	No	No
6891	10.5	eastern red cedar	10	No	Healthy	0	61-90	No	No	No	No
6892	15.3	post oak	15	No	Healthy	0	61-90	No	No	No	No

Spencer Road Industrial Project Site - Tree Inventory within Confirmed ESA
City of Denton, Denton County, Texas

Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
6893	7.2	eastern red cedar	6	No	Healthy	0	61-90	No	No	No	No
6899	15.5	post oak	15	No	Healthy	0	61-90	No	No	No	No
6900	9.8	pecan	10	No	Healthy	0	61-90	No	No	No	No
6930	9.5	post oak	11	No	Healthy	0	61-90	No	No	No	No
6931	12.1	post oak	14	No	Healthy	0	61-90	No	No	No	No
6932	7.5	post oak	8	No	Healthy	0	61-90	No	No	No	No
6933	13.7	post oak	15	No	Healthy	0	61-90	No	No	No	No
6934	6.6	post oak	6	No	Healthy	0	61-90	No	No	No	No
6935	6	post oak	6	No	Healthy	0	61-90	No	No	No	No
6936	16.9	post oak	13	No	Damaged	80	61-90	No	No	No	No
6937	7.1	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
6938	7.8	post oak	7	No	Healthy	0	61-90	No	No	No	No
6939	16.1	post oak	18	No	Healthy	0	61-90	No	No	No	No
6940	9.1	post oak	9	No	Healthy	0	61-90	No	No	No	No
6941	9.4	post oak	10	No	Healthy	0	61-90	No	No	No	No
6942	18.1	post oak	16	No	Damaged	80	61-90	No	No	No	No
6943	10.8	post oak	12	No	Healthy	0	61-90	No	No	No	No
6944	11.6	post oak	12	No	Healthy	0	61-90	No	No	No	No
6945	13.1	eastern red cedar	14	No	Healthy	0	61-90	No	No	No	No
6946	11.5	post oak	12	No	Healthy	0	61-90	No	No	No	No
6947	6.5	post oak	6	No	Healthy	0	61-90	No	No	No	No
6948	7.2	post oak	6	No	Healthy	0	61-90	No	No	No	No
6949	9.8	post oak	8	No	Healthy	0	61-90	No	No	No	No
6950	8.6	post oak	6	No	Healthy	0	61-90	No	No	No	No
6951	11.3	post oak	14	No	Healthy	0	61-90	No	No	No	No
6952	12.3	post oak	14	Yes	Healthy	0	61-90	No	No	No	No
6953	10	post oak	12	No	Healthy	0	61-90	No	No	No	No
6954	19.3	post oak	17	Yes	Healthy	0	61-90	No	No	No	No
6955	14.2	post oak	12	No	Healthy	0	61-90	No	No	No	No
6956	8.3	post oak	7	No	Healthy	0	61-90	No	No	No	No
6957	17.1	post oak	20	No	Healthy	0	61-90	No	No	No	No
6958	7.8	eastern red cedar	8	Yes	Healthy	0	61-90	No	No	No	No
6959	7.7	post oak	7	No	Healthy	0	61-90	No	No	No	No
6960	8.8	post oak	9	Yes	Healthy	0	61-90	No	No	No	No
6961	18.3	post oak	20	No	Healthy	0	61-90	No	No	No	No
6962	15.4	post oak	20	No	Healthy	0	61-90	No	No	No	No
6963	10.8	post oak	9	No	Healthy	0	61-90	No	No	No	No

Spencer Road Industrial Project Site - Tree Inventory within Confirmed ESA
City of Denton, Denton County, Texas

Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
6964	7.2	post oak	7	No	Healthy	0	61-90	No	No	No	No
6965	6.7	post oak	6	No	Healthy	0	61-90	No	No	No	No
6966	8.5	post oak	7	No	Healthy	0	61-90	No	No	No	No
6967	15.1	post oak	12	Yes	Healthy	0	61-90	No	No	No	No
6968	7.5	post oak	8	No	Healthy	0	61-90	No	No	No	No
6969	11.6	post oak	10	Yes	Healthy	0	61-90	No	No	No	No
6970	12.6	post oak	12	No	Healthy	0	61-90	No	No	No	No
6971	6.5	post oak	7	No	Healthy	0	61-90	No	No	No	No
6972	8	post oak	9	No	Healthy	0	61-90	No	No	No	No
6973	7.6	post oak	8	No	Healthy	0	61-90	No	No	No	No
6974	8.6	post oak	9	Yes	Healthy	0	61-90	No	No	No	No
6975	7.2	post oak	8	No	Healthy	0	61-90	No	No	No	No
6976	14.6	post oak	15	Yes	Healthy	0	61-90	No	No	No	No
6977	6.2	pecan	7	No	Healthy	0	61-90	No	No	No	No
6978	7.2	eastern red cedar	8	No	Healthy	0	61-90	No	No	No	No
6979	10.1	post oak	12	No	Healthy	0	61-90	No	No	No	No
6980	8.3	post oak	9	No	Healthy	0	61-90	No	No	No	No
6981	38	post oak	28	No	Healthy	0	61-90	No	No	No	No
6982	12.7	post oak	14	No	Healthy	0	61-90	No	No	No	No
6983	8.3	eastern red cedar	9	No	Healthy	0	61-90	No	No	No	No
6984	9.5	post oak	8	No	Healthy	0	61-90	No	No	No	No
6985	7.1	post oak	8	No	Healthy	0	61-90	No	No	No	No
6986	7.9	post oak	8	No	Healthy	0	61-90	No	No	No	No
6987	7.4	post oak	0	Yes	Damaged	60	61-90	No	No	No	No
6988	9	post oak	11	No	Healthy	0	61-90	No	No	No	No
6989	8.4	post oak	10	No	Healthy	0	61-90	No	No	No	No
6990	6.4	post oak	6	No	Healthy	0	61-90	No	No	No	No
6991	10	post oak	10	No	Healthy	0	61-90	No	No	No	No
6992	8.2	eastern red cedar	6	No	Healthy	0	61-90	No	No	No	No
6993	6.8	post oak	8	No	Healthy	0	61-90	No	No	No	No
6994	7.1	post oak	8	No	Healthy	0	61-90	No	No	No	No
6995	6.1	post oak	7	No	Healthy	0	61-90	No	No	No	No
6996	8.2	post oak	10	No	Healthy	0	61-90	No	No	No	No
6997	12.4	post oak	14	No	Healthy	0	61-90	No	No	No	No
6998	7.6	post oak	8	No	Healthy	0	61-90	No	No	No	No
6999	10.4	post oak	12	No	Healthy	0	61-90	No	No	No	No
7278	11.1	post oak	8	Yes	Healthy	0	61-90	No	No	No	No

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Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
7279	18.6	post oak	18	No	Healthy	0	61-90	No	No	No	No
7281	7.4	post oak	7	No	Healthy	0	61-90	No	No	No	No
7282	7.7	sugarberry	6	Yes	Healthy	0	61-90	No	No	No	No
7283	21	post oak	22	No	Healthy	0	61-90	No	No	No	No
7284	8.4	post oak	8	No	Healthy	0	61-90	No	No	No	No
7285	7.1	gum bumelia	8	No	Healthy	0	61-90	No	No	No	No
7287	6	post oak	7	No	Healthy	0	61-90	No	No	No	No
7288	6.5	post oak	7	No	Healthy	0	61-90	No	No	No	No
7289	9.9	blackjack oak	10	Yes	Healthy	0	61-90	No	No	No	No
7290	14.1	post oak	15	Yes	Healthy	0	61-90	No	No	No	No
7291	10.5	post oak	11	No	Healthy	0	61-90	No	No	No	No
7292	13.1	post oak	13	No	Healthy	0	61-90	No	No	No	No
7293	8.6	post oak	9	No	Healthy	0	61-90	No	No	No	No
7294	6.1	post oak	6	No	Healthy	0	61-90	No	No	No	No
7295	10	post oak	11	No	Healthy	0	61-90	No	No	No	No
7296	12.1	post oak	11	Yes	Healthy	0	61-90	No	No	No	No
7297	6.5	blackjack oak	7	No	Healthy	0	61-90	No	No	No	No
7298	11.7	blackjack oak	12	No	Healthy	0	61-90	No	No	No	No
7299	6	post oak	6	No	Healthy	0	61-90	No	No	No	No
7300	6.5	post oak	7	No	Healthy	0	61-90	No	No	No	No
7321	16.1	post oak	15	No	Healthy	0	61-90	No	No	No	No
7323	6.7	post oak	6	No	Healthy	0	61-90	No	No	No	No
7324	11.3	pecan	10	No	Healthy	0	61-90	No	No	No	No
7325	14.7	post oak	15	No	Healthy	0	61-90	No	No	No	No
7326	8.2	eastern red cedar	6	No	Healthy	0	61-90	No	No	No	No
7327	18.5	post oak	20	No	Healthy	0	61-90	No	No	No	No
7328	9	eastern red cedar	10	No	Healthy	0	61-90	No	No	No	No
7329	33.9	American elm	30	Yes	Damaged	0	61-90	No	No	Trunk	Trunk
7330	7	common persimmon	7	No	Healthy	0	61-90	No	No	No	No
7331	14.2	American elm	15	No	Healthy	0	61-90	No	No	No	No
7332	16	American elm	15	No	Healthy	0	61-90	No	No	No	No
7333	13.9	American elm	15	No	Healthy	0	61-90	No	No	No	No
7334	7.8	eastern red cedar	10	No	Healthy	0	61-90	No	No	No	No
7335	16.6	American elm	15	No	Healthy	0	61-90	No	No	No	No
7336	16	American elm	12	No	Healthy	0	31-60	No	No	No	No
7337	7.8	American elm	8	No	Healthy	0	61-90	No	No	No	No
7338	11.5	American elm	10	No	Healthy	0	61-90	Yes	No	No	No

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Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
7339	15.8	American elm	15	No	Healthy	0	61-90	No	No	No	No
7340	11.4	American elm	10	No	Healthy	0	31-60	No	No	No	No
7345	17.1	American elm	20	Yes	Healthy	0	61-90	No	No	No	No
7346	16.7	American elm	20	No	Healthy	0	61-90	No	No	No	No
7347	15	American elm	15	No	Healthy	0	61-90	No	No	No	No
7348	8	sycamore	8	No	Healthy	0	61-90	No	No	No	No
7349	12.1	pecan	12	No	Healthy	0	61-90	Yes	No	No	No
7350	13.8	post oak	20	No	Healthy	0	61-90	No	No	No	No
7351	15.1	post oak	15	No	Healthy	0	61-90	No	No	No	No
7352	16.3	pecan	16	No	Healthy	0	61-90	No	No	No	No
7366	6.5	American elm	6	No	Healthy	0	61-90	No	No	No	No
7367	14.7	American elm	15	No	Healthy	0	61-90	No	No	No	No
7368	16.7	pecan	20	No	Healthy	0	61-90	No	No	No	No
7369	13.7	American elm	15	No	Healthy	0	61-90	No	No	No	No
7370	8.2	gum bumelia	10	No	Healthy	0	61-90	No	No	No	No
7371	10.8	pecan	10	Yes	Healthy	0	61-90	No	No	No	No
7372	8.8	common persimmon	10	No	Healthy	0	61-90	No	No	No	No
7389	9	eastern red cedar	8	No	Healthy	0	61-90	No	No	No	No
7390	9.9	eastern red cedar	10	Yes	Healthy	0	61-90	No	No	No	No
7391	9.8	eastern red cedar	10	No	Healthy	0	61-90	No	No	No	No
7392	8	pecan	10	No	Healthy	0	61-90	No	No	No	No
7393	12.3	eastern red cedar	10	No	Healthy	0	61-90	No	No	No	No
7394	7.5	post oak	6	No	Healthy	0	61-90	No	No	No	No
7395	13.6	eastern red cedar	10	No	Healthy	0	61-90	No	No	No	No
7396	10.2	post oak	10	No	Healthy	0	61-90	No	No	No	No
7397	8	post oak	8	No	Healthy	0	0-30	No	No	No	No
7398	6.8	cedar elm	6	No	Healthy	0	61-90	No	No	No	No
7399	6.7	cedar elm	5	No	Healthy	0	61-90	No	No	No	No
7400	7.9	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7448	7.7	American elm	12	No	Healthy	0	61-90	No	No	No	No
7450	8.2	pecan	12	No	Healthy	0	61-90	No	No	No	No
7454	11.3	green ash	12	No	Healthy	0	61-90	No	No	No	No
7456	8.5	pecan	5	No	Healthy	0	61-90	No	No	No	No
7457	8.1	Ashe juniper	8	No	Healthy	0	61-90	No	No	No	No
7458	7.5	Ashe juniper	8	No	Healthy	0	61-90	No	No	No	No
7459	6	post oak	7	No	Healthy	0	61-90	No	No	No	No
7460	6.9	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No

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Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
7461	7.5	cedar elm	8	No	Healthy	0	61-90	No	No	No	No
7462	7.2	post oak	7	No	Healthy	0	61-90	No	No	No	No
7463	17.5	post oak	18	No	Healthy	0	61-90	No	No	No	No
7464	13.4	post oak	13	No	Healthy	0	61-90	No	No	No	No
7465	21	post oak	20	Yes	Healthy	0	61-90	No	No	No	No
7466	24.5	post oak	26	No	Healthy	0	61-90	No	No	No	No
7468	7.4	blackjack oak	7	No	Healthy	0	61-90	No	No	No	No
7469	8.7	post oak	9	No	Healthy	0	61-90	No	No	No	No
7470	10.7	post oak	12	No	Healthy	0	61-90	No	No	No	No
7471	11.5	post oak	12	No	Healthy	0	61-90	No	No	No	No
7472	10.4	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7473	15	post oak	16	Yes	Healthy	0	61-90	No	No	No	No
7474	25.9	blackjack oak	26	Yes	Healthy	0	61-90	No	No	No	No
7475	7.4	eastern red cedar	7	Yes	Healthy	0	61-90	No	No	No	No
7476	10.5	blackjack oak	11	Yes	Healthy	0	61-90	No	No	No	No
7477	8.2	post oak	8	No	Healthy	0	61-90	No	No	No	No
7478	6.5	post oak	7	Yes	Healthy	0	61-90	No	No	No	No
7479	16	blackjack oak	16	No	Healthy	0	61-90	No	No	No	No
7480	7.4	blackjack oak	7	No	Healthy	0	61-90	No	No	No	No
7481	25.5	post oak	26	No	Healthy	0	61-90	No	No	No	No
7482	6.5	post oak	7	No	Healthy	0	61-90	No	No	No	No
7483	20.6	eastern red cedar	18	Yes	Healthy	0	61-90	No	No	No	No
7484	9.7	blackjack oak	10	Yes	Healthy	0	61-90	No	No	No	No
7485	9.7	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7486	9.2	eastern red cedar	8	No	Damaged	50	61-90	No	No	No	No
7488	9.8	blackjack oak	10	Yes	Healthy	0	61-90	No	No	No	No
7489	10.1	blackjack oak	7	Yes	Healthy	0	61-90	No	No	No	No
7490	6.6	blackjack oak	7	Yes	Healthy	0	61-90	No	No	No	No
7491	6.1	blackjack oak	6	No	Healthy	0	61-90	No	No	No	No
7492	13	blackjack oak	13	Yes	Healthy	0	61-90	No	No	No	No
7493	9.5	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7494	9	blackjack oak	9	No	Healthy	0	61-90	No	No	No	No
7495	21	post oak	22	No	Healthy	0	61-90	No	No	No	No
7496	7.6	blackjack oak	8	Yes	Healthy	0	61-90	No	No	No	No
7497	6.3	post oak	6	No	Healthy	0	61-90	No	No	No	No
7498	13.5	blackjack oak	14	Yes	Healthy	0	61-90	No	No	No	No
7499	15.8	post oak	16	No	Healthy	0	61-90	No	No	No	No

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Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
7500	7.6	blackjack oak	8	No	Healthy	0	61-90	No	No	No	No
7503	7	pecan	10	Yes	Healthy	0	61-90	No	No	No	No
7504	6	pecan	8	No	Healthy	0	61-90	No	No	No	No
7505	10.2	pecan	12	No	Healthy	0	61-90	No	No	No	No
7506	10.2	pecan	10	Yes	Healthy	0	61-90	No	No	No	No
7507	8.7	green ash	15	No	Healthy	0	61-90	No	No	No	No
7508	17.7	green ash	18	Yes	Healthy	0	61-90	No	No	No	No
7509	16.5	pecan	20	No	Healthy	0	61-90	No	No	No	No
7510	11	green ash	14	Yes	Healthy	0	61-90	No	No	No	No
7511	7.4	green ash	8	No	Healthy	0	61-90	No	No	No	No
7512	8.8	green ash	10	No	Healthy	0	61-90	No	No	No	No
7513	6.3	Osage-orange	0	No	Healthy	0	61-90	No	No	No	No
7514	7.5	green ash	8	No	Healthy	0	61-90	No	No	No	No
7515	6.2	green ash	6	No	Healthy	0	61-90	No	No	No	No
7516	9.4	green ash	15	No	Healthy	0	61-90	No	No	No	No
7517	16.8	American elm	22	No	Healthy	10	61-90	No	No	No	No
7518	10.6	pecan	16	No	Healthy	0	61-90	No	No	No	No
7519	11.3	post oak	15	Yes	Healthy	0	61-90	No	No	No	No
7520	6.6	cedar elm	10	No	Healthy	0	61-90	No	No	No	No
7521	6.4	pecan	8	No	Healthy	0	61-90	No	No	No	No
7522	10.6	blackjack oak	12	No	Healthy	0	61-90	No	No	No	No
7523	10.9	American elm	14	Yes	Healthy	0	61-90	No	No	No	No
7524	8.1	pecan	10	No	Healthy	0	61-90	No	No	No	No
7525	13.1	blackjack oak	18	No	Healthy	0	61-90	No	No	No	No
7526	12.5	blackjack oak	16	No	Healthy	0	61-90	No	No	No	No
7527	8.5	blackjack oak	12	No	Healthy	0	61-90	No	No	No	No
7528	6.5	blackjack oak	8	No	Healthy	0	61-90	No	No	No	No
7529	6.5	pecan	8	No	Healthy	0	31-60	No	No	No	No
7530	21.9	pecan	25	No	Healthy	0	61-90	No	No	No	No
7531	9.5	pecan	12	No	Healthy	0	61-90	No	No	No	No
7532	8	green ash	14	No	Healthy	0	61-90	No	No	No	No
7533	14	green ash	22	Yes	Healthy	0	31-60	No	No	No	No
7534	7.2	green ash	12	No	Healthy	0	61-90	No	No	No	No
7535	6.3	pecan	10	No	Healthy	0	61-90	No	No	No	No
7536	6	common persimmon	14	Yes	Healthy	0	61-90	No	No	No	No
7537	17.9	pecan	20	No	Healthy	10	61-90	No	No	No	No
7538	6.1	American elm	14	Yes	Healthy	0	61-90	No	No	No	No

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Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
7539	6.9	cedar elm	10	No	Healthy	0	61-90	No	No	No	No
7540	7.3	sugarberry	15	No	Healthy	0	61-90	No	No	No	No
7541	6.9	post oak	10	No	Healthy	0	61-90	No	No	No	No
7542	8.5	post oak	8	No	Healthy	0	61-90	No	No	No	No
7543	7.2	post oak	8	No	Healthy	0	61-90	No	No	No	No
7544	10.5	post oak	10	No	Healthy	0	61-90	No	No	No	No
7545	26.6	pecan	30	No	Healthy	0	61-90	No	No	No	No
7546	7.6	Osage-orange	15	No	Healthy	20	31-60	No	No	No	No
7547	8.2	Osage-orange	15	No	Healthy	0	61-90	No	Trunk	Trunk	No
7548	7.8	common persimmon	12	No	Healthy	0	61-90	No	No	No	No
7549	12.5	Osage-orange	10	Yes	Healthy	10	61-90	No	No	No	No
7550	7.3	green ash	12	No	Healthy	0	61-90	No	No	No	No
7551	8.7	Osage-orange	10	No	Healthy	40	61-90	No	Trunk	Trunk	Trunk
7552	10.5	green ash	15	No	Healthy	0	61-90	No	No	No	No
7553	8.5	green ash	12	No	Healthy	0	61-90	No	No	No	No
7554	7	Osage-orange	12	No	Healthy	10	61-90	No	Trunk	Trunk	Trunk
7555	9.3	green ash	20	No	Healthy	0	61-90	No	No	No	No
7556	8.7	common persimmon	12	Yes	Healthy	0	61-90	No	No	No	No
7560	9	post oak	10	No	Healthy	0	61-90	No	No	No	No
7561	23.3	post oak	22	Yes	Healthy	0	61-90	No	No	No	No
7562	10	blackjack oak	15	No	Healthy	0	61-90	No	No	No	No
7567	6.4	pecan	8	No	Healthy	0	61-90	No	No	No	No
7568	8.6	American elm	12	No	Healthy	0	31-60	No	No	No	No
7569	9.5	blackjack oak	10	No	Healthy	20	61-90	No	No	No	No
7571	9.4	pecan	15	No	Healthy	0	61-90	No	No	No	No
7572	14.4	green ash	20	Yes	Healthy	0	61-90	No	No	No	No
7573	8.6	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7574	19	blackjack oak	23	No	Healthy	0	61-90	No	No	No	No
7575	9.9	blackjack oak	12	No	Healthy	0	61-90	No	No	No	No
7576	6.3	pecan	6	No	Healthy	0	61-90	No	No	No	No
7577	6	green ash	8	No	Healthy	0	61-90	No	No	No	No
7578	16	American elm	18	No	Healthy	0	61-90	No	No	No	No
7579	6.2	pecan	7	No	Healthy	0	61-90	No	No	No	No
7580	6.6	American elm	8	No	Healthy	0	61-90	No	No	No	No
7581	8.3	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7582	9.5	post oak	10	No	Healthy	0	61-90	No	No	No	No
7583	7.5	American elm	10	No	Healthy	0	61-90	No	No	No	No

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Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
7584	6.7	pecan	8	No	Healthy	0	61-90	No	No	No	No
7585	6	American elm	8	No	Healthy	0	61-90	No	No	No	No
7586	9.3	cedar elm	8	No	Healthy	0	61-90	No	No	No	No
7587	7	pecan	8	No	Healthy	0	61-90	No	No	No	No
7588	8.5	pecan	8	No	Healthy	0	61-90	No	No	Trunk	No
7589	8.5	American elm	10	No	Healthy	0	61-90	No	No	Trunk	No
7590	10	American elm	10	No	Healthy	0	61-90	No	No	Trunk	No
7591	7	pecan	8	No	Healthy	0	61-90	No	No	No	No
7592	11.7	blackjack oak	14	No	Healthy	0	61-90	No	No	No	No
7653	6.5	post oak	6	No	Healthy	0	61-90	No	No	No	No
7727	7.6	American elm	8	No	Healthy	0	61-90	No	No	No	No
7728	7.4	eastern red cedar	9	No	Healthy	0	61-90	No	No	No	No
7729	25	post oak	30	No	Damaged	50	61-90	No	No	No	No
7735	15.4	post oak	18	No	Healthy	0	61-90	No	No	No	No
7736	13.3	American elm	13	No	Healthy	0	61-90	No	No	No	No
7737	14.6	American elm	15	No	Healthy	0	61-90	No	No	No	No
7738	14.8	American elm	19	No	Healthy	0	61-90	No	No	No	No
7739	6.2	post oak	5	No	Healthy	0	61-90	No	No	No	No
7740	6.7	blackjack oak	8	No	Healthy	0	61-90	No	No	No	No
7741	8.6	American elm	7	No	Healthy	0	61-90	No	No	No	No
7742	11.2	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
7743	9.9	American elm	11	No	Healthy	0	61-90	No	No	No	No
7744	7	American elm	7	No	Healthy	0	61-90	No	No	No	No
7745	6.3	American elm	6	No	Healthy	0	61-90	No	No	No	No
7746	14	American elm	15	No	Healthy	0	61-90	No	No	No	No
7747	12.6	eastern red cedar	11	No	Healthy	0	61-90	No	No	No	No
7748	17.9	blackjack oak	17	No	Healthy	0	61-90	No	No	No	No
7749	10.2	American elm	10	No	Healthy	0	31-60	No	No	No	No
7750	11.3	post oak	11	No	Healthy	0	61-90	No	No	No	No
7751	7.2	blackjack oak	6	No	Healthy	0	61-90	No	No	No	No
7752	10	American elm	8	No	Healthy	0	61-90	No	No	No	No
7753	8.7	blackjack oak	9	No	Healthy	0	61-90	No	No	No	No
7754	7.3	blackjack oak	9	Yes	Healthy	0	61-90	No	No	No	No
7755	10	post oak	9	No	Healthy	0	61-90	No	No	No	No
7756	10	post oak	8	No	Healthy	0	61-90	No	No	No	No
7757	8	cedar elm	8	No	Healthy	0	61-90	No	No	No	No
7758	6.9	cedar elm	7	No	Healthy	0	61-90	No	No	No	No

Spencer Road Industrial Project Site - Tree Inventory within Confirmed ESA
City of Denton, Denton County, Texas

Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
7759	17.7	post oak	18	No	Healthy	0	61-90	No	No	No	No
7760	9.5	post oak	10	No	Healthy	0	61-90	No	No	No	No
7761	7	post oak	6	No	Healthy	0	61-90	No	No	No	No
7762	6.2	post oak	6	No	Healthy	0	61-90	No	No	No	No
7763	9.1	post oak	8	No	Healthy	0	61-90	No	No	No	No
7764	7.7	post oak	6	No	Healthy	0	61-90	No	No	No	No
7765	12.3	green ash	5	No	Damaged	80	61-90	No	No	No	No
7766	11.4	post oak	11	No	Healthy	0	61-90	No	No	No	No
7767	7.7	post oak	9	No	Healthy	0	61-90	No	No	No	No
7768	7	post oak	7	No	Healthy	0	61-90	No	No	No	No
7769	8.5	post oak	8	No	Healthy	0	61-90	No	No	No	No
7770	8.6	blackjack oak	9	No	Healthy	0	61-90	No	No	No	No
7771	15.1	pecan	18	No	Healthy	0	61-90	No	No	No	No
7772	8.1	pecan	8	No	Healthy	0	61-90	No	No	No	No
7773	9.7	cedar elm	10	No	Healthy	0	61-90	No	No	No	No
7774	9.2	cedar elm	8	No	Healthy	0	61-90	No	No	No	No
7775	8.9	post oak	8	No	Healthy	0	61-90	No	No	No	No
7776	17	blackjack oak	19	No	Healthy	0	61-90	No	No	No	No
7777	13.8	cedar elm	12	No	Healthy	0	61-90	No	No	No	No
7778	14.6	cedar elm	13	No	Healthy	0	61-90	No	No	No	No
7779	13.8	cedar elm	13	No	Healthy	0	61-90	No	No	No	No
7780	14.7	American elm	14	No	Healthy	0	61-90	No	No	No	No
7781	9.8	post oak	9	No	Healthy	0	61-90	No	No	No	No
7782	7.1	blackjack oak	7	No	Healthy	0	61-90	No	No	No	No
7783	8	blackjack oak	8	No	Healthy	0	61-90	No	No	No	No
7784	8.5	Chinaberry	7	No	Healthy	0	61-90	No	No	No	No
7785	7.6	Chinaberry	7	Yes	Healthy	0	61-90	No	No	No	No
7786	8.3	Chinaberry	6	No	Healthy	0	61-90	No	No	No	No
7787	8.3	Chinaberry	7	No	Healthy	0	61-90	No	No	No	No
7788	12.3	Chinaberry	12	Yes	Healthy	0	61-90	No	No	No	No
7789	11.8	Chinaberry	8	Yes	Healthy	0	61-90	No	No	No	No
7790	8.9	Chinaberry	7	No	Healthy	0	61-90	No	No	No	No
7791	20.5	post oak	20	No	Healthy	0	61-90	No	No	No	No
7792	11	eastern red cedar	11	No	Healthy	0	61-90	No	No	No	No
7793	12	post oak	12	No	Healthy	0	61-90	No	No	No	No
7794	8.3	post oak	8	No	Healthy	0	61-90	No	No	No	No
7795	6.6	cedar elm	6	No	Healthy	0	61-90	No	No	No	No

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City of Denton, Denton County, Texas

Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
7796	18.8	sycamore	18	No	Healthy	0	61-90	No	No	No	No
7797	11.7	sycamore	11	No	Healthy	0	61-90	No	No	No	No
7798	10.7	American elm	10	Yes	Healthy	0	61-90	No	No	No	No
7799	16.4	sycamore	16	No	Healthy	0	61-90	No	No	No	No
7800	6.4	eastern red cedar	6	No	Healthy	0	61-90	No	No	No	No
7801	24.5	post oak	25	No	Healthy	0	61-90	No	No	No	No
7802	8.5	eastern red cedar	9	No	Healthy	0	61-90	No	No	No	No
7803	23.9	post oak	24	No	Healthy	0	61-90	No	No	No	No
7804	19.7	post oak	20	Yes	Healthy	0	61-90	No	No	No	No
7805	12.6	post oak	13	No	Healthy	0	61-90	No	No	No	No
7806	15.2	post oak	15	No	Healthy	0	61-90	No	No	No	No
7807	7.2	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
7808	11.9	post oak	13	No	Damaged	90	61-90	No	No	No	No
7809	12	post oak	14	No	Healthy	0	61-90	No	No	No	No
7810	15.3	post oak	12	No	Healthy	0	61-90	No	No	No	No
7811	12.5	post oak	12	No	Healthy	10	61-90	No	No	No	No
7812	13.5	post oak	13	No	Healthy	0	61-90	No	No	No	No
7813	8.6	blackjack oak	9	No	Healthy	0	61-90	No	No	No	No
7814	6.5	blackjack oak	7	No	Healthy	0	61-90	No	No	No	No
7815	8.9	post oak	9	No	Healthy	0	61-90	No	No	No	No
7816	14.8	post oak	13	No	Damaged	30	61-90	No	Trunk	Trunk	Trunk
7817	14.2	post oak	13	No	Healthy	0	61-90	No	No	No	No
7818	15	post oak	11	No	Damaged	40	61-90	No	No	No	No
7819	10.5	post oak	11	No	Healthy	0	61-90	No	No	No	No
7820	12.9	post oak	13	No	Healthy	0	61-90	No	No	No	No
7821	15.9	post oak	16	No	Healthy	0	61-90	No	No	No	No
7822	15.5	post oak	12	No	Healthy	0	61-90	No	No	No	No
7824	6	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
7825	17.6	post oak	18	No	Healthy	0	61-90	No	No	No	No
7826	7.6	eastern red cedar	8	No	Healthy	0	61-90	No	No	No	No
7827	17.1	post oak	17	No	Healthy	0	61-90	No	No	No	No
7828	20.4	post oak	22	No	Healthy	0	61-90	No	No	No	No
7829	6.6	blackjack oak	7	No	Healthy	0	61-90	No	No	No	No
7837	20.8	post oak	20	No	Healthy	0	61-90	No	No	No	No
7838	40.3	post oak	30	Yes	Healthy	0	61-90	No	No	No	No
7839	9.6	eastern red cedar	10	No	Healthy	0	61-90	No	No	No	No
7840	6.6	blackjack oak	7	No	Healthy	0	61-90	No	No	No	No

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Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
7841	20.1	post oak	21	No	Healthy	0	61-90	No	No	No	No
7842	7.3	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
7843	24.2	post oak	24	No	Healthy	0	61-90	No	No	No	No
7844	7.5	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
7845	6.4	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
7846	19.3	post oak	20	No	Healthy	25	61-90	No	No	No	No
7847	21.8	post oak	23	Yes	Healthy	0	61-90	No	No	No	No
7848	10.3	post oak	10	No	Healthy	0	61-90	No	No	No	No
7849	9.3	post oak	9	No	Healthy	0	61-90	No	No	No	No
7850	14.9	post oak	15	No	Healthy	0	61-90	No	No	No	No
7851	10.6	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7852	8.2	eastern red cedar	8	No	Healthy	0	61-90	No	No	No	No
7853	9.7	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7854	6.2	eastern red cedar	6	No	Healthy	0	61-90	No	No	No	No
7855	17.8	blackjack oak	18	No	Damaged	60	61-90	No	No	No	No
7856	7.6	eastern red cedar	9	No	Healthy	0	61-90	No	No	No	No
7863	11.1	post oak	10	No	Healthy	0	31-60	No	No	No	No
7864	12.5	post oak	14	No	Healthy	0	61-90	No	No	No	No
7865	18.9	post oak	18	No	Healthy	0	61-90	No	No	No	No
7866	10.1	post oak	11	No	Healthy	0	61-90	No	No	No	No
7880	10.5	blackjack oak	10	Yes	Healthy	0	61-90	No	No	No	No
7881	14.1	post oak	14	No	Healthy	0	61-90	No	No	No	No
7882	13.6	post oak	14	No	Healthy	0	61-90	No	No	No	No
7883	17.2	post oak	17	No	Healthy	0	61-90	No	No	No	No
7884	18	post oak	18	No	Healthy	0	61-90	No	No	No	No
7885	15.7	post oak	16	No	Healthy	0	61-90	No	No	No	No
7886	6.6	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
7887	11.9	blackjack oak	10	No	Healthy	0	61-90	No	No	No	No
7906	8.2	eastern red cedar	7	No	Healthy	0	61-90	No	No	No	No
7907	12.5	gum bumelia	12	No	Healthy	0	61-90	No	No	No	No
7908	6	sugarberry	7	No	Healthy	0	61-90	No	No	No	No
7909	16.2	American elm	16	No	Healthy	0	61-90	No	No	No	No
7910	17	post oak	18	No	Healthy	0	61-90	No	No	No	No
7911	10	pecan	10	No	Healthy	0	61-90	No	No	No	No
7912	20	eastern red cedar	12	Yes	Healthy	0	61-90	No	No	No	No
7913	15.5	post oak	14	No	Healthy	0	61-90	No	No	No	No
7914	7.1	post oak	7	No	Healthy	0	61-90	No	No	No	No

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7915	6.7	American elm	6	No	Healthy	0	61-90	No	No	No	No
7916	7.2	American elm	7	No	Healthy	0	61-90	No	No	No	No
7917	11.6	post oak	11	No	Healthy	0	61-90	No	No	No	No
7918	16.1	American elm	16	No	Healthy	0	61-90	No	No	No	No
7919	16	post oak	16	No	Healthy	0	61-90	No	No	No	No
7920	8.1	post oak	8	No	Damaged	0	61-90	No	Trunk	Trunk	Trunk
7922	26	pecan	18	No	Healthy	0	61-90	No	No	No	No
7923	11	American elm	10	No	Healthy	0	61-90	No	No	No	No
7924	15.3	post oak	14	No	Healthy	0	61-90	No	No	No	No
7925	9.3	American elm	9	No	Healthy	0	61-90	No	No	No	No
7926	8.3	post oak	8	No	Healthy	0	61-90	No	No	No	No
7927	6.1	cedar elm	6	No	Healthy	0	61-90	No	No	No	No
7928	11.4	eastern red cedar	11	No	Healthy	0	61-90	No	No	No	No
7929	6.3	American elm	6	No	Healthy	0	61-90	No	No	No	No
7930	18.6	black willow	18	No	Healthy	0	61-90	No	No	No	No
7932	8.7	American elm	8	Yes	Healthy	0	61-90	No	No	No	No
7933	9.7	post oak	9	No	Healthy	0	61-90	No	No	No	No
7934	8.8	American elm	8	No	Healthy	0	61-90	No	No	No	No
7935	6.4	cedar elm	6	No	Healthy	0	31-60	No	No	No	No
7936	10	cedar elm	10	No	Healthy	0	61-90	No	No	No	No
7937	7.1	American elm	7	No	Healthy	0	61-90	No	No	No	No
7938	6.5	American elm	6	No	Healthy	0	61-90	No	No	No	No
7939	10	pecan	10	No	Healthy	0	61-90	No	No	No	No
7940	9	American elm	9	No	Healthy	0	61-90	No	No	No	No
7944	10.6	pecan	10	No	Healthy	0	61-90	No	No	No	No
7945	26.5	blackjack oak	20	No	Healthy	0	61-90	No	No	No	No
7946	28	blackjack oak	25	No	Healthy	0	61-90	No	No	No	No
7947	14.7	post oak	14	No	Healthy	0	61-90	No	No	No	No
7948	7	cedar elm	8	No	Healthy	0	61-90	No	No	No	No
7949	13	post oak	12	No	Healthy	0	61-90	No	No	No	No
7950	7	post oak	6	No	Healthy	0	61-90	No	No	No	No
7951	12.5	post oak	12	No	Healthy	0	61-90	No	No	No	No
7952	6.4	blackjack oak	6	No	Healthy	0	0-30	No	No	No	No
7954	12	post oak	12	No	Healthy	0	61-90	No	No	No	No
7955	6.8	blackjack oak	6	No	Healthy	0	0-30	No	No	No	No
7956	9.9	post oak	10	No	Healthy	0	61-90	No	No	No	No
7957	18	post oak	22	No	Healthy	0	61-90	No	No	No	No

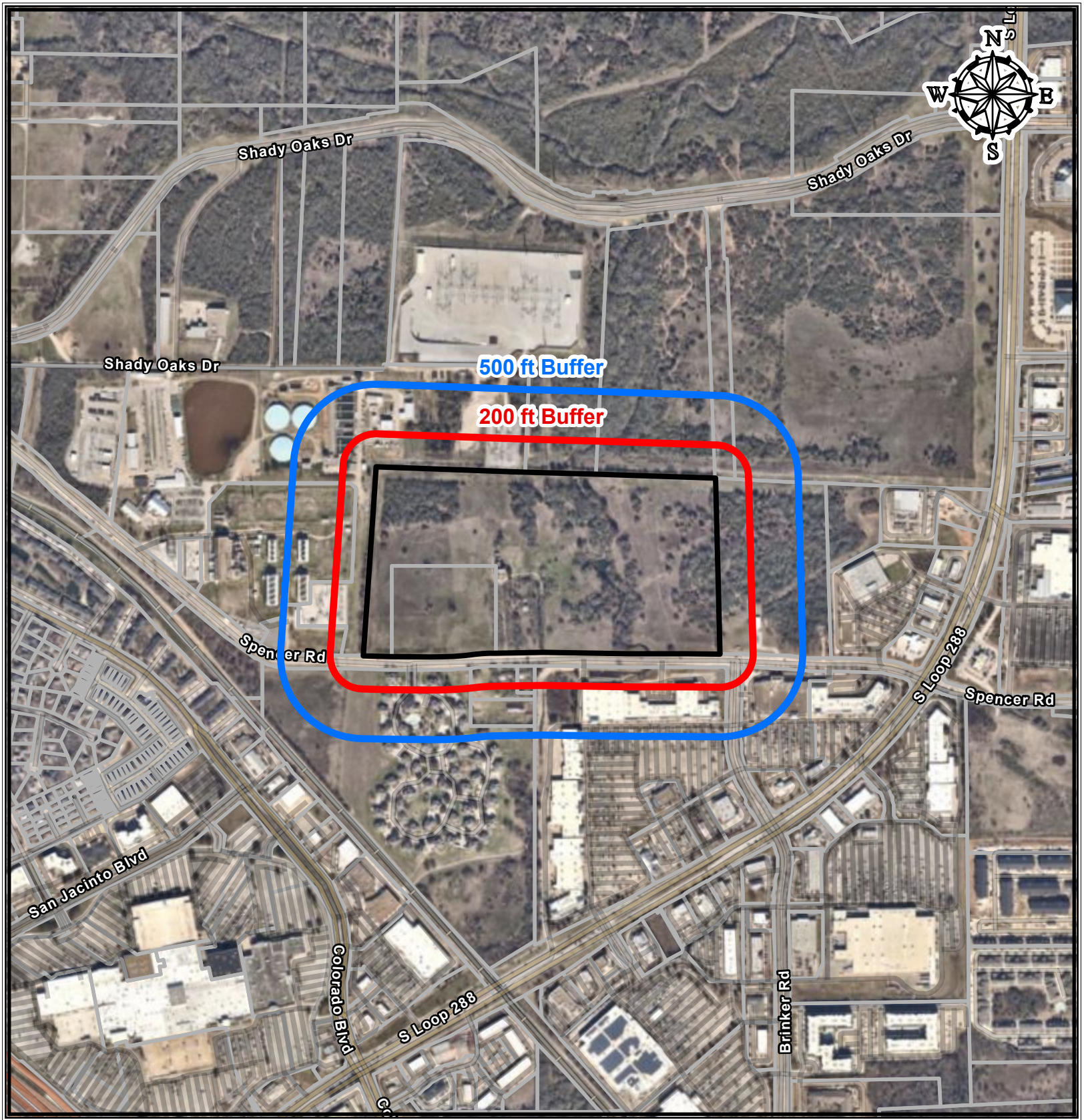
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City of Denton, Denton County, Texas

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7958	8.4	blackjack oak	8	No	Healthy	0	61-90	No	No	No	No
7959	11.2	post oak	11	No	Healthy	0	61-90	No	No	No	No
7960	9.1	post oak	9	No	Healthy	0	61-90	No	No	No	No
7961	11.1	eastern red cedar	11	No	Healthy	0	61-90	No	No	No	No
7962	6.4	blackjack oak	6	No	Healthy	0	61-90	No	No	No	No
7963	7.4	post oak	7	No	Healthy	0	61-90	No	No	No	No
7964	6.5	blackjack oak	6	No	Healthy	0	61-90	No	No	No	No
7965	13.9	eastern red cedar	14	No	Healthy	0	61-90	No	No	No	No
7966	8.1	blackjack oak	8	No	Healthy	0	61-90	No	No	No	No
7967	6.8	American elm	6	No	Healthy	0	61-90	No	No	No	No
7968	7	pecan	7	No	Healthy	0	61-90	No	No	No	No
7969	11.3	boxelder	10	Yes	Healthy	0	61-90	No	No	No	No
7970	16.4	cedar elm	16	Yes	Healthy	0	61-90	No	No	No	No
7971	6.5	pecan	6	No	Healthy	0	61-90	No	No	No	No
7972	7.3	pecan	7	No	Healthy	0	61-90	No	No	No	No
7973	7.7	pecan	7	No	Healthy	0	61-90	No	No	No	No
7974	12.7	American elm	13	No	Healthy	0	61-90	No	No	No	No
7975	8	pecan	8	No	Healthy	0	61-90	No	No	No	No
7976	7.9	Bradford pear	8	No	Damaged	0	61-90	No	Trunk	No	No
7977	11.2	post oak	11	No	Healthy	0	61-90	No	No	No	No
7978	8.6	pecan	8	No	Healthy	0	61-90	No	No	No	No
7979	8.3	pecan	8	No	Healthy	0	61-90	No	No	No	No
7980	7.4	pecan	7	No	Healthy	0	61-90	No	No	No	No
7981	8.3	eastern red cedar	8	No	Healthy	0	61-90	No	No	No	No
7982	8	boxelder	8	No	Healthy	0	61-90	No	No	No	No
7983	6.3	pecan	6	No	Healthy	0	61-90	No	No	No	No
7984	7.4	pecan	7	No	Healthy	0	61-90	No	No	No	No
7985	14.5	blackjack oak	14	No	Healthy	0	61-90	No	No	No	No
7986	6.5	boxelder	6	No	Healthy	0	61-90	No	No	No	No
7987	8.1	pecan	7	No	Healthy	0	61-90	No	No	No	No
7988	6.1	blackjack oak	6	No	Healthy	0	61-90	No	No	No	No
7990	10	American elm	6	No	Damaged	0	61-90	No	No	Trunk	Trunk
7991	8.4	pecan	8	No	Healthy	0	61-90	No	No	No	No
7992	11.1	boxelder	11	No	Healthy	0	61-90	No	No	No	No
7993	10.3	post oak	10	No	Healthy	0	61-90	No	No	No	No
7994	14.1	eastern red cedar	14	Yes	Healthy	0	61-90	No	No	No	No
7995	9.3	pecan	9	No	Healthy	0	61-90	No	No	No	No

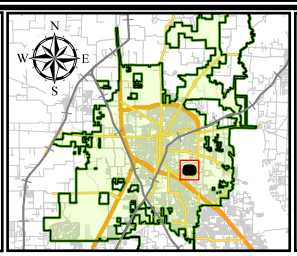
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Tree Number	Diameter at Breast Height (Inches)	Species	Canopy Radius (Feet)	Multiple Trunks	General Condition	Dead Branches (%)	Lean	Vine Shrouded	Dead/ Missing Bark	Sapwood Damage/ Decay	Heartwood Damage/ Decay
7996	18.4	post oak	25	No	Healthy	0	61-90	No	No	No	No
7997	8.4	eastern red cedar	8	No	Healthy	0	61-90	No	No	No	No
7998	6.1	post oak	6	No	Healthy	0	61-90	No	No	No	No
7999	9.5	post oak	9	No	Healthy	0	61-90	No	No	No	No
8000	8.8	post oak	9	No	Healthy	0	61-90	No	No	No	No
9487	10.4	blackjack oak	8	Yes	Healthy	0	61-90	No	No	No	No

AESA25-0001
Notification Map



Parcels Standalone



0 235 470 940 Feet

CITY OF DENTON
Development Services · GIS
Date: 4/18/2025

"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 relati 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."

DEPARTMENT OF DEVELOPMENT SERVICES
Development Services Center – 401 N. Elm Street – Denton, Texas 76201 voice: (940) 349-8600 www.cityofdenton.com

Public Hearing Notification Sign Criteria and Affidavit

A public hearing notification sign is a sign erected on the subject property to publicize a Future Land Use or Zoning Change request, a Specific Use Permit request, a Variance request, or a Historic Landmark Designation request. ***The number of signs and the placement of signs shall be determined at the time of First Review Comments for each specific request.*** It is the responsibility of the owner/project representative to contact Development Services Department to verify the number and location of signs needed.

Sign Criteria:

SIGN DESIGN

- Signs shall be three and a half (3 ½) feet wide by four (4) feet tall. (Please refer to attached sign exhibit.)
- The sign shall be constructed in accordance with the City's design standards for public hearing notification signs.
  a) Two (2) sided, ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
  b) Lettering shall be placed on both sides of the sign.
  c) The letter font style shall be Trebuchet MS. The required font size is 230 (bold) for the sign heading and 180 for all but for the remainder of the sign. Of the smaller words on the sign, everything is bold except the number field, name field, request field, and the website address. (Please refer to attached sign exhibit.)
  d) Metal or wood posts shall be used.
- The sign shall comply with the layout and dimensions on the attached Public Hearing Notification Sign Specification sheet.

PLACEMENT

- The sign shall be posted perpendicular to the property line, and visible and legible from adjacent rights-of-way, but except alleys, at a location(s) determined by staff.
- If the subject property is on more than one (1) right-of-way, one (1) sign shall be posted along each right-of-way for each 500 feet of linear street frontage of the property.
- Signs shall be located outside of the public right-of-way, and shall be a minimum of two (2) feet off the ground, unless otherwise directed by the Director of Development Services or designee.

PROOF OF POSTING

- **At least 10 days prior to the public hearing, the applicant shall submit an executed affidavit of proof of the posting (attached) and photographs of the installed sign to the Planning Project Manager.**

  Failure to post the notification sign(s) and submit the affidavit and photographs will require that the public hearing item be withdrawn and re-noticed until the next public hearing date available.

- The property owner is responsible for maintaining the sign on the property throughout the entire public hearing process. If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign and posting the sign on the property promptly.

REMOVAL OF SIGNS

- **The property owner or his/her representative must remove the sign within three (3) calendar days subsequent to the final decision by the approving body.**

CITY OF DENTON PUBLIC HEARING NOTIFICATION SIGN SPECIFICATIONS



File Downloads for Sign Posting

QR Code File Download

Logo File Download

DEPARTMENT OF DEVELOPMENT SERVICES

Development Services Center – 401 N. Elm Street – Denton, Texas 76201 voice: (940) 349-8600 www.cityofdenton.com

PUBLIC HEARING NOTIFICATION SIGN AFFIDAVIT OF SIGN POSTING

Project No. AESA25-0001

Date of Planning and Zoning Commission Meeting: July 23, 2025

I hereby certify that I have posted or caused to be posted Public Hearing Notification sign(s) on the property subject to Project Name/Number Spencer Rd. Industrial - AESA25-0001, located at 2201-2203 Spencer Rd.
Said sign(s) have been obtained through a sign contractor of choice and meet the specifications as stated in the City of Denton Public Hearing Sign Criteria Sheet.
Posting of said signs was accomplished on 7.10, 2025. Said signs have been posted in a manner that provides an unobstructed view and allows clear reading from the public right(s)of-way along 2201-2203 Spencer Road.
Said signs will be maintained on the property throughout the entire public hearing process and will be removed within three (3) calendar days subsequent to the final decision by the approving body. I further certify that this affidavit was filed with the Planning Department of the City of Denton within the time provisions specified in the City of Denton Public Hearing Sign Criteria Sheet.

Executed this the July day of 10th, 2025.

Aimee Bissett

Signature of Applicant or Authorized Representative for Project No.

Aimee Bissett

Printed Name of Applicant or Authorized Representative for Project No.

STATE OF TEXAS COUNTY OF Denton BEFORE ME, a Notary Public, on this 10th day personally appeared (printed owner's name) the above signed, who, under oath, stated the following: "I hereby certify that I am the owner, for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 10th day of July 2025.

Candy J. Whitaker

Notary Signature

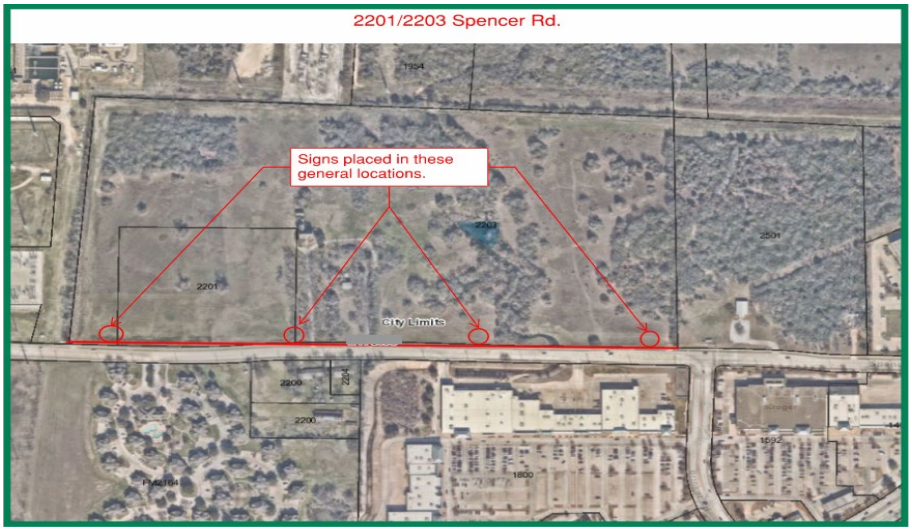
CANDY J. WHITAKER
Notary Public, State of Texas
Comm. Expires 09-06-2027
Notary ID 129516175

(seal)

PLEASE NOTE: ***Failure to post the notification sign(s) on the property by the close of business (5 pm) on the tenth (10th) day prior to the first public hearing shall result in the postponement of consideration by the Board or Commission.***

STAFF USE ONLY:

Date/Time submitted: _____ Verified by: _____


2201/2203 Spencer Rd.
Signs placed in these general locations.
2201
2203
City Limits
2200
2204
2200
1800
1592


DENTON
Notice of Public Hearing


DENTON
Notice of Public Hearing
Project Number: AES425-0001
Project Name: Spencer Rd. Industrial
Request: Alternative Environmentally Sensitive Area
For more info:


DENTON
Notice of Public Hearing


DENTON
Notice of Public Hearing

File #: MPA24-0003c, **Version:** 1

AGENDA CAPTION

Hold a public hearing and consider making recommendation to the City Council regarding a City-initiated Comprehensive Plan Amendment to modify the Thoroughfare Map of the 2022 Mobility Plan, including but not limited to modifications to the functional classification of Eagle Drive between North Texas Blvd to South Carroll Blvd, Welch Street between Eagle Drive to West Oak Street, and Avenue A between Highway I-35E to Eagle Drive from Secondary Arterial to Collector. The general area of change is located south and east of the University of North Texas in the City of Denton, Denton County, Texas; (MPA24-0003, Eagle Drive, Avenue A, & Welch, Sahar Esfandyari).

City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: Cassey Ogden

DATE: August 13, 2025

SUBJECT

Hold a public hearing and consider making recommendation to the City Council regarding a City-initiated Comprehensive Plan Amendment to modify the Thoroughfare Map of the 2022 Mobility Plan, including but not limited to modifications to the roadway functional classification of Eagle Drive between North Texas Blvd to South Carroll Blvd, Welch Street between Eagle Drive to West Oak Street, and Avenue A between Highway I-35E to Eagle Drive from Secondary Arterial to Collector. The general area of change is located south and east of the University of North Texas in the City of Denton, Denton County, Texas (MPA24-0003, Eagle Drive, Avenue A, & Welch, Sahar Esfandyari).

BACKGROUND

The request is for a city-initiated Mobility Plan Amendment to modify the Thoroughfare Map by lowering the functional classification of Eagle Drive (from North Texas Blvd to South Carroll Blvd), Welch Street (from Eagle Drive to West Oak Street), and Avenue A (from Highway I-35E to Eagle Drive) from Secondary Arterial to Collector. This amendment aims to "right-size" these roads to accommodate the appropriate modes of travel and vehicle capacity, ensuring safe access for pedestrians, cyclists, and drivers while acknowledging existing developed conditions. With the adoption of the 2022 Mobility Plan, the roadway functional classification of Welch Street and Avenue A was improved from Collectors to Secondary Arterials, with the intention being to acknowledge the need for potential improvements to these roadways to move traffic through the area around the University of North Texas.

However, further assessments based on recent development applications in the area suggest that a 110-foot-wide right-of-way would not be required to achieve the necessary infrastructure for mobility. After further analysis, the staff has determined that the necessary mobility infrastructure can be achieved within the narrower 65-foot Collector right-of-way width instead. This will also create less disturbance for surrounding properties for these sections of Welch Street, Avenue A, and Eagle Drive

Mobility Plan

The Mobility Plan is a component of the Denton 2040 Comprehensive Plan which establishes the future roadway, pedestrian, and bicycle networks to ensure adequate connectivity and efficient movement. Like the Comprehensive Plan's Future Land Use Designations, the Mobility Plan is not intended to provide detailed drawings and plans; rather, it is intended to provide broad policies and general street alignments that are further refined either as part of a development project or a capital improvement project.

Essentially, the Mobility Plan is the first step to:

- Inform the public and property owners of the general location of future roadways so that they can be incorporated into any development proposal.
- Guide transportation investments by outlining the community's vision for future connection points, policy directives, and mobility goals.
- Ensure the City's plans coordinate with TxDOT and the County transportation initiatives.

The Mobility Plan has three major elements: it determines roadway alignments with the Thoroughfare Map (location, connection points), it determines the needed right-of-way (width of the road), and it develops the roadway design standards (the types of road classifications). To stay relevant, the plan should be modified and updated regularly, either in response to a specific concern or as part of the City's comprehensive planning efforts.

Roadway Classifications

The City currently defines a variety of roadway classifications: Primary Arterial, Secondary Arterial, Major Collector, Collector, and Residential Street (descriptions shown below and attached as Exhibit 4). Transportation networks are designed to distribute traffic among these types of roadways as a defined hierarchy: neighborhood streets connect to collectors, collectors connect to arterials, and arterials connect to freeways, with each subsequent roadway type allowing for higher speeds and capacity. Each roadway classification is established based upon the expected fully developed traffic volumes and requires standard right-of-way dedication and geometric street sections for sidewalks, vehicular travel lanes, parking, etc.

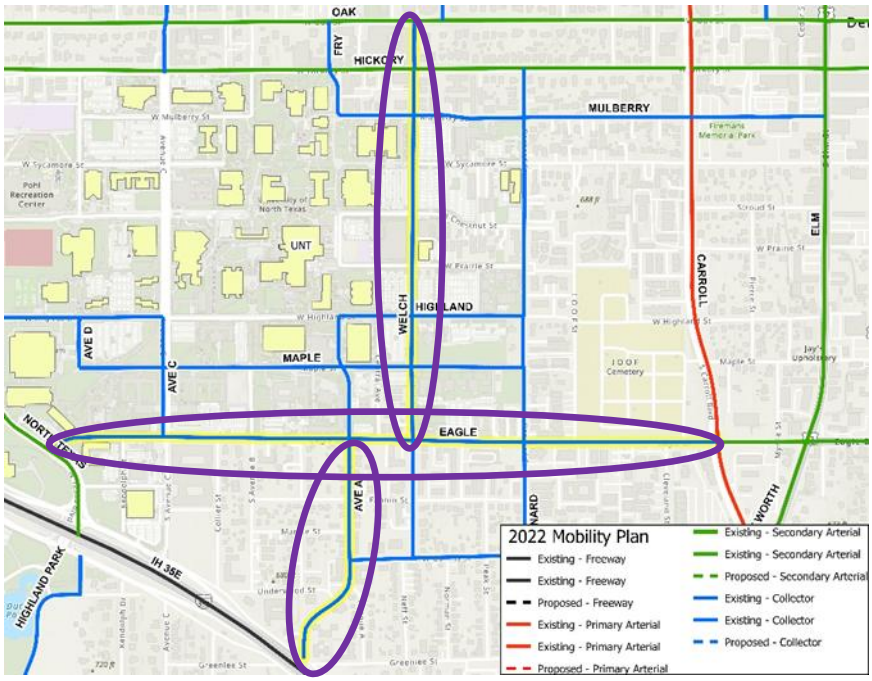
Residential	Associated with residential development within an urban and/or suburban environment. **55 feet of total ROW** *Typical speeds: 25 – 30 mph*
Collector	Collects traffic from residential streets and local commercial and industrial streets and connects to Arterials. **65 feet of total ROW** *Typical speeds: 30 – 35 mph*
Major Collector	Collects traffic from residential streets and local commercial and industrial streets and connects to Arterials. Provides for greater pedestrian and bicycle connectivity. **110 feet of total ROW** *Anticipated speed: 35 mph*
Secondary Arterial	Major routes throughout the city. The number of driveway connections are limited to reduce friction and allow traffic to flow. **110 feet of total ROW** *Typical speeds: 35 – 40 mph*
Primary Arterial	Major routes throughout the city and county. The number of driveway connections are limited to reduce friction and allow traffic to flow. **135 feet of total ROW** *Typical speeds: 40 – 45 mph*

[continued on next page]

Existing Conditions

There are three target roads for this proposed amendment. The current status of these roads is described below, and the proposed changes follow under the "Proposal" section.

Eagle Drive, a two-way east-west road, stretches from South Bell Avenue/Dallas Drive to North Texas Boulevard, with the studied section between South Carroll Boulevard and North Texas Boulevard. The north side features University of North Texas (UNT) campus buildings, student housing, and the IOOF Cemetery, while the south side consists of standalone and integrated residential and commercial uses. The road is about 55-65 feet wide, with one lane in each direction, a two-way left turn lane, and bike lanes. The speed limit is 30 mph. Eagle Drive serves as a significant corridor into Denton, attracting substantial vehicular and pedestrian traffic due to commercial offerings among students. The proximity of residential units and parking lots leads to heavy foot traffic accessing UNT facilities.



Welch Street runs north-south between West Oak Street and West Collins Street, within the UNT campus, with varying lane configurations throughout the study area. The right-of-way width ranges from 45 to 65 feet, and the speed limit is set at 20 mph. The street accommodates multiple student residential apartments, Greek life houses, and clinical outreach facilities. Approximately ten surface parking lots further increase pedestrian activity as students navigate to campus buildings. The combination of diverse land uses and high vehicular traffic brings safety challenges.

Avenue A, a north-south road between West Highland Street and I-35E, is classified as a Secondary Arterial in the study segment south of Eagle Drive. It features a right-of-way width of about 50-65 feet, with two travel lanes in each direction and a speed limit of 30 mph. As the primary southern exit for the UNT campus, Avenue A includes a mix of residential and commercial developments on both sides, contributing to its vibrant character.

Comprehensive Plan 2024

With the adoption of the 2022 Mobility Plan the target roads (Eagle Drive, Welch Street, and Avenue A) are identified as Secondary Arterial and require 110 feet of total ROW width. According to the Denton 2040 Comprehensive Plan Future Land Use Map, this area is identified as a Neighborhood/University Compatibility area. The existing development pattern is characterized by predominantly single-family neighborhoods and multifamily developments surrounding university and commercial buildings with a few vacant parcels planned for the additional facilities, commercial uses, and student housing needed to support the projected increase in university enrollment. This land use designation is intended to create compatible form and land uses for the areas that serve both the universities and the established neighborhoods around them.

Proposal

This proposed Mobility Plan Amendment would modify the Thoroughfare Map by changing the functional classification of Eagle Drive (between North Texas Blvd to South Carroll Blvd), Welch Street (between Eagle Drive to West Oak Street), and Avenue A (between Highway I-35E to Eagle Drive) from Secondary Arterial to Collector. The reasons are:

- Enhance safety for pedestrians, cyclists, and motorists by reducing the speed limit in and around UNT to between 30 and 35 mph.
- The proximity of the target roads to commercial units, educational institutions, and residential buildings enhances traffic movement and connectivity, making them more suitable as Collectors rather than Arterials.
- The target roads are in fully developed areas, with most adjacent properties owned by UNT or the State. By reclassifying these roads as Collectors, the City can maintain their current width.

The following chart shows the characteristics of the Secondary Arterial and the Collector Road classification.

Street Class	Definition	Context	ROW	Lanes	Target Speed	Volume Capacity
Secondary Arterial	Primarily owned by City Serves citywide traffic Moderate levels of traffic Incorporates other modes of travel	Standard	110’	4	35 - 40 mph	29,000
Collector	Owned and maintained by City Serves neighborhood traffic Low levels of traffic	Standard	65’	2	30 - 35 mph	11,500

As an element of the Comprehensive Plan, amendments to the City’s Mobility Plan follow the procedures for Comprehensive Plan Amendments in the 2019 Denton Development Code (DDC) Section 2.7.1.

A full Staff Analysis is provided in Exhibit 2.

OPTIONS

1. Recommend Approval
2. Recommend Approval Subject to Conditions.
3. Recommend Denial
4. Postpone Item.

RECOMMENDATION

Staff recommend approval of the proposal as it complies with the criteria in Section 2.4.5.E of the Denton Development Code (DDC) for approval of all applications, and Section 2.7.1.D of the DDC for approval of a Comprehensive Plan Amendment.

PUBLIC OUTREACH:

Six (6) signs were posted in the study area, and one hundred ninety (190) notices were sent to property owners within 200 feet of the conceptual roadway alignment. Three hundred fifty (350) notices were sent

to physical addresses within 500 feet of the conceptual roadway alignment. As of the writing of this report, staff received one response in favor of this request.

A notice was published in the Denton Record Chronicle on July 27, 2025.

A notice was published on the City's website on July 25, 2025.

Four (6) signs were posted in the study area on July 14, 2025.

Staff held an in-person community meeting at UNT on Tuesday, March 25, 2025, with 14 members of the public in attendance, and a virtual meeting on Wednesday, March 26, 2025, via Zoom with two members of the public in attendance to discuss the amendment and received the community's feedback. During the meeting, members of the public expressed general support for the proposed amendment and suggested improvements they would like to see within these corridors in the future, like wider sidewalks for improved pedestrian mobility.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
December 15, 1998	City Council	Mobility Plan	Resolution R98-065 replaced 1988 Thoroughfare Plan
December 7, 1999	City Council	The Denton Plan 1999-2020 (Comprehensive Plan)	Approved (99-439)
January 16, 2001	City Council	Mobility Plan Amendment	Approved (2001-036)
January 8, 2002	City Council	Mobility Plan Amendment	Approved (2002-022)
February 3, 2004	City Council	Mobility Plan Amendment	Approved (2004-034)
March 2, 2004	City Council	Mobility Plan Amendment	Approved (2004-061)
November 2, 2004	City Council	Mobility Plan Amendment	Approved (2004-348)
September 12, 2006	City Council	Mobility Plan Amendment	Approved (2006-249)
December 12, 2006	City Council	Mobility Plan Amendment	Approved (2006-345)
September 12, 2007	City Council	Mobility Plan Amendment	Approved (GDP07-0002)
July 19, 2011	City Council	Mobility Plan Amendment	Approved (2011-117)
January 5, 2016	City Council	2015 Mobility Plan	Approved (2016-012)
August 3, 2021	City Council	Mobility Plan Amendment	Approved (CA21-0001a)
March 22, 2022	City Council	Denton 2022 Mobility Plan	Approved (22-513)

June 18, 2024	City Council	Mobility Plan Amendment (MPA24-0001)	Approved
November 19, 2024	City Council	Mobility Plan Amendment (MPA24-0002b)	Approved
November 19, 2024	City Council	Mobility Plan Amendment (MPA24-0004b)	Approved
June 17, 2025	City Council	Mobility Plan Amendment (MPA25-0001a)	Approved
June 17, 2025	City Council	Mobility Plan Amendment (MPA25-0002a)	Approved

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Future Land Use Map with Proposed Mobility Plan Amendments
4. Roadway Types
5. 2022 Mobility Plan
6. Proposed Mobility Plan
7. Notification Response Map
8. Draft Ordinance

Respectfully submitted:
Farhan Butt, Ph.D., P.E., M. ASCE
Deputy Director of Transportation Services Division

Prepared by:
Sahar Esfandyari
Senior Transportation Planner

Mia Hines, AICP
Senior Planner

Planning Staff Analysis

MPA24-0003/Eagle Drive, Avenue A, and Welch
City Council District #2 & District #3

REQUEST:

Modifying the current Secondary Arterial roadway functional classification to Collector classification in the Thoroughfare Plan on Eagle Drive between North Texas Blvd to South Carroll Blvd, Welch Street between Eagle Drive to West Oak Street, and Avenue A between Highway I-35E to Eagle.

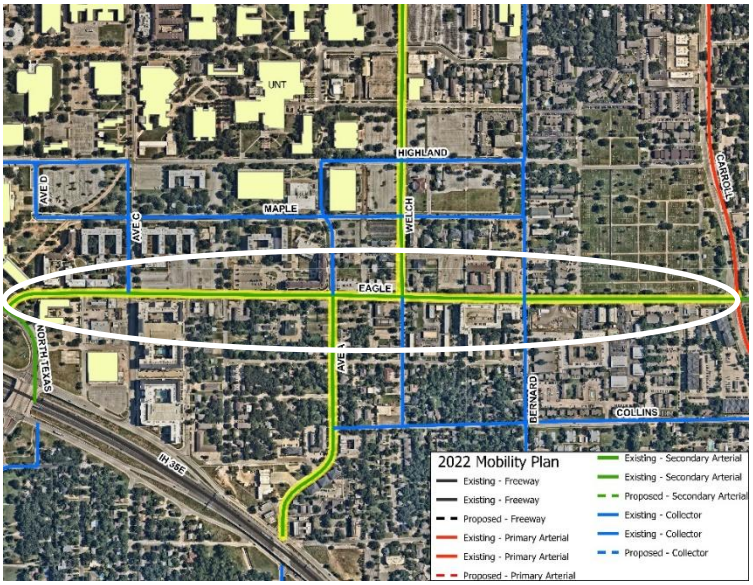
SITE DATA:

The focus areas of Eagle Drive, Welch Street, and Avenue A are situated within and/or adjacent to the University of North Texas (UNT) campus boundary. The Denton 2040 Comprehensive Plan Future Land Use Map identifies this area as a Neighborhood/University Compatibility zone, while the Mobility Plan 2022 Update classifies these right-of-way corridors as Secondary Arterials. The existing design of these corridors are detailed below:

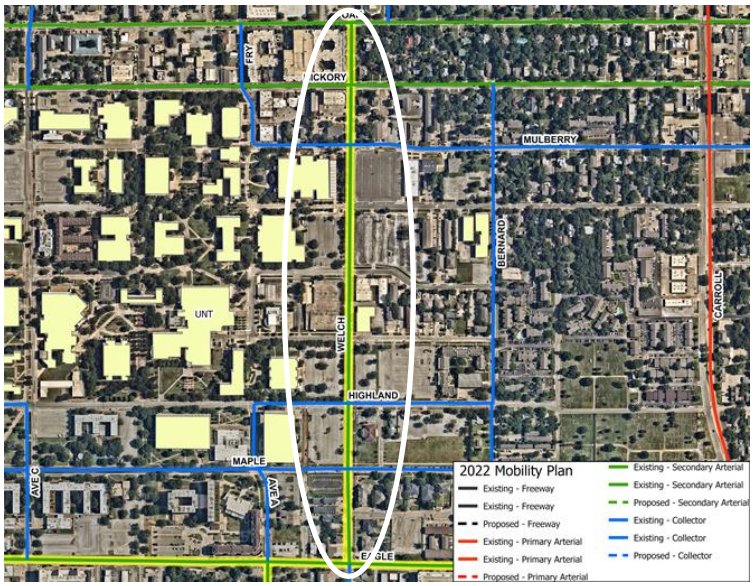
Eagle Drive

Eagle Drive is a two-way, east-west roadway extending from South Bell Avenue/Dallas Drive to North Texas Boulevard. The segment under study lies between South Carroll Boulevard and North Texas Boulevard. The existing development on the northern side of Eagle Drive comprises UNT campus buildings, student housing, and the IOOF Cemetery, whereas the southern side features a mix of stand-alone and horizontally integrated residential and commercial establishments. The right-of-way measures approximately 55-65 feet in width and includes one eastbound travel lane, one westbound travel lane, a center lane designated as a two-way left turn lane (TWLTL), and bike lanes on both sides. The speed limit is set at 30 mph.

Eagle Drive serves as a heavily traveled major thoroughfare from the UNT campus into downtown Denton, characterized by significant pedestrian activity due to nearby commercial and retail establishments that attract students. The presence of residential apartments and parking lots flanking Eagle Drive contributes to substantial foot traffic, predominantly from individuals accessing UNT facilities, including the recreation center and Chestnut Hall wellness center.



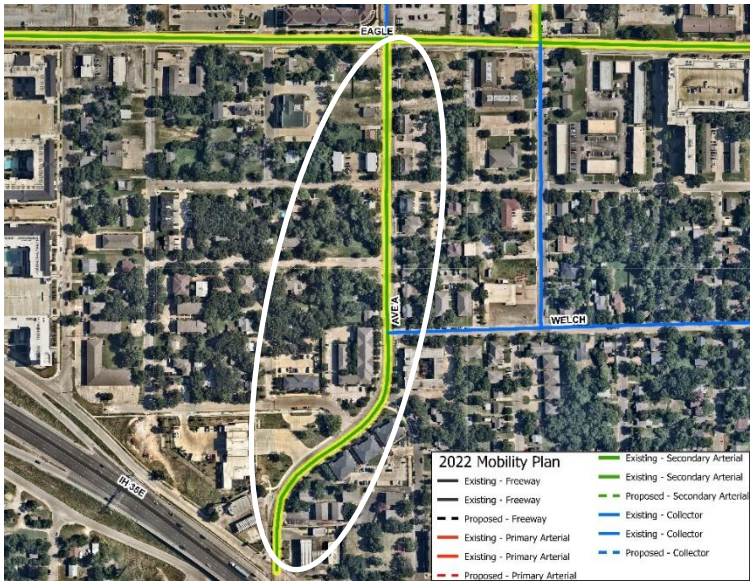
Welch Street
Welch Street is a north-south roadway located between West Oak Street and West Collins Street. The segment under study, between Eagle Drive and West Oak Street, features the following lane configurations:



- Eagle Drive to Highland Road: One northbound travel lane and one southbound travel lane, with bike paths on both sides.
- Highland Road to Union Circle/West Prairie Street: Two northbound travel lanes and one southbound travel lane.
- Union Circle/West Prairie Street to West Mulberry Street: Two northbound travel lanes and two southbound travel lanes.
- West Mulberry Street to West Hickory Street: Two northbound travel lanes and one southbound travel lane.
- West Hickory Street to West Oak Street: One northbound travel lane and one southbound travel lane.

Welch Street is located within the UNT campus, featuring a right-of-way width ranging from approximately 45 to 65 feet and a speed limit of 20 mph within the study area. Existing developments along this corridor include multiple student residential apartments, Greek life houses, and facilities hosting clinical outreach programs on both sides of Welch Street. The presence of approximately ten surface parking lots results in a high volume of pedestrian activity along and across the street, posing safety challenges for students due to the mix of land uses and heavy vehicular traffic.

Avenue A
Avenue A is a north-south roadway extending from West Highland Street to I-35E. While the segment north of Eagle Drive is classified as a Collector, the portion under study, between Eagle Drive and I-35E, is classified as a Secondary Arterial. The street right-of-way measures approximately 50-65 feet in width and accommodates two northbound travel lanes and two southbound travel lanes, with a speed limit of 30 mph. Avenue A serves as the primary southern exit



for the UNT campus and features a mix of residential and commercial buildings on both sides of the studied area.

CONSIDERATIONS:

A. Section 2.7.1.D of the DDC provides the criteria for approval of Comprehensive Plan Amendments:

1. An application for a Comprehensive Plan amendment may be approved by the City Council only following a determination that the proposed amendment is consistent with the overall purpose and intent of the Comprehensive Plan and that <u>any one of the following criteria has been met</u>:

    a. *There was an error in the original Comprehensive Plan adoption;*
    There was not an error in the original 2022 Mobility Plan adoption.

    b. The City Council failed to take into account then-existing facts, projections, or trends that were reasonably foreseeable to exist in the future;
    The City Council did not fail to take into account the existing facts, projections, or trends. Recent development applications and inquiries in the area have brought to light the significant implications that a 110-foot wide right-of-way width would have in this already developed part of the city.

    c. Events, trends, or facts after adoption of the Comprehensive Plan have changed the City Council's original findings made upon plan adoption; or
    Since the adoption of the Comprehensive Plan, the continuous growth of the University of North Texas (UNT) and the increasing pedestrian traffic on and around the campus have raised safety concerns regarding walking and cycling along or across the target roads, specifically Eagle Dr, Welch St, and Avenue A, which are classified as Secondary Arterials in the 2022 Mobility Plan. Properties adjacent to these roads are predominantly owned by UNT and are almost entirely developed, either as part of the school campus or with private developments that support and contribute to the campus environment. Consequently, downgrading the current road classification to Collectors will enhance safety for students, improve connectivity with the surrounding road networks, and provide financial relief for the City by eliminating the need to acquire land for a 110-foot right-of-way (ROW) as required for a secondary arterial. This change will allow the existing ROW to be maintained for the proposed Collector Road classification.

    d. Events, trends, or facts after adoption of the Comprehensive Plan have changed the character or condition of an area so as to make the proposed amendment necessary.
    See response to c. above as it is applicable to this criterion.

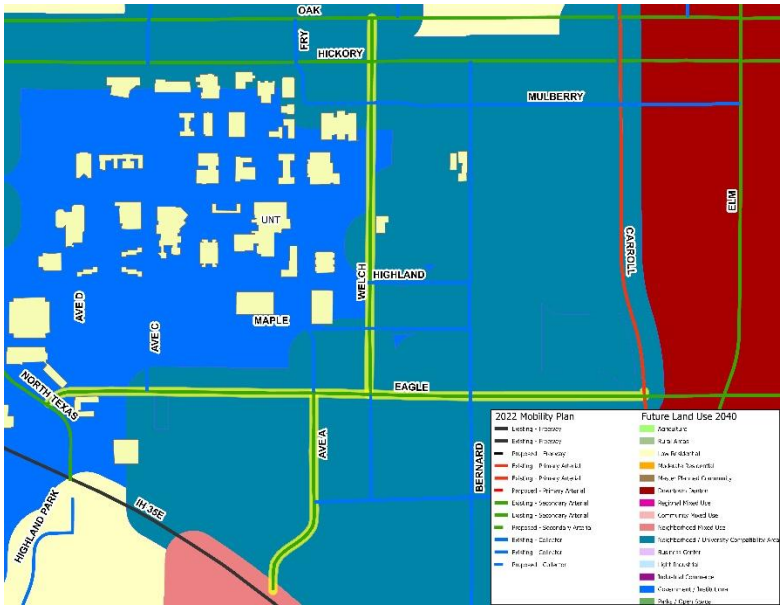
2. In addition to the above-listed criteria, any proposed amendment is subject to the following additional review standards:

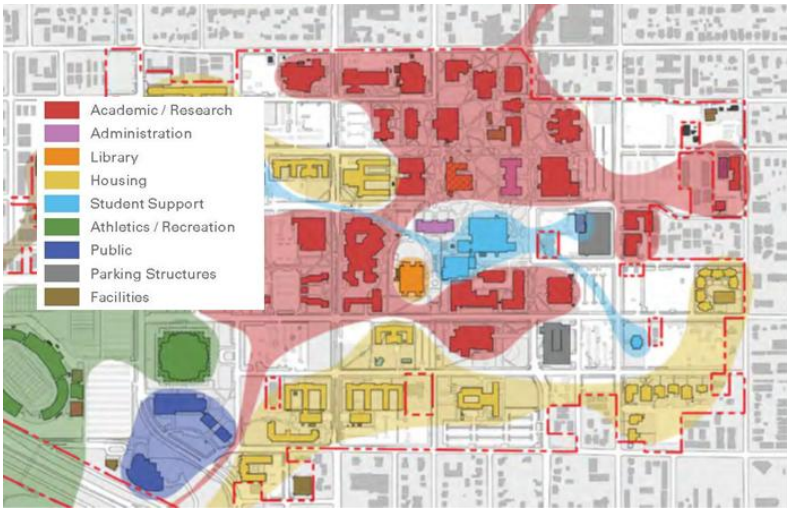
    a. That the amendment is not in conflict with any portion of the goals and policies of the plan.

The proposed Mobility Plan amendment to the Thoroughfare Plan Map is not in conflict with the Comprehensive Plan and is specifically consistent with the following goals in the Denton 2040 Comprehensive Plan:

M-1: **Provide for the safe, efficient movements of motor vehicles, bicycles, and pedestrians in a sustainable way that complements Denton's planned growth strategy.**

The map below and provided as Exhibit 3 shows that the Comprehensive Plan's Future Land Use map highlights the existing and future institutional (educational) development in the studied area by the color blue. By reclassifying the roadways from Secondary Arterial to Collector for Eagle, Welch, and Avenue A, the roadway network surrounding UNT will become more cohesive. This change will enhance safety for pedestrians, cyclists, and motorists by reducing the overall number of accidents and facilitating safer movement.

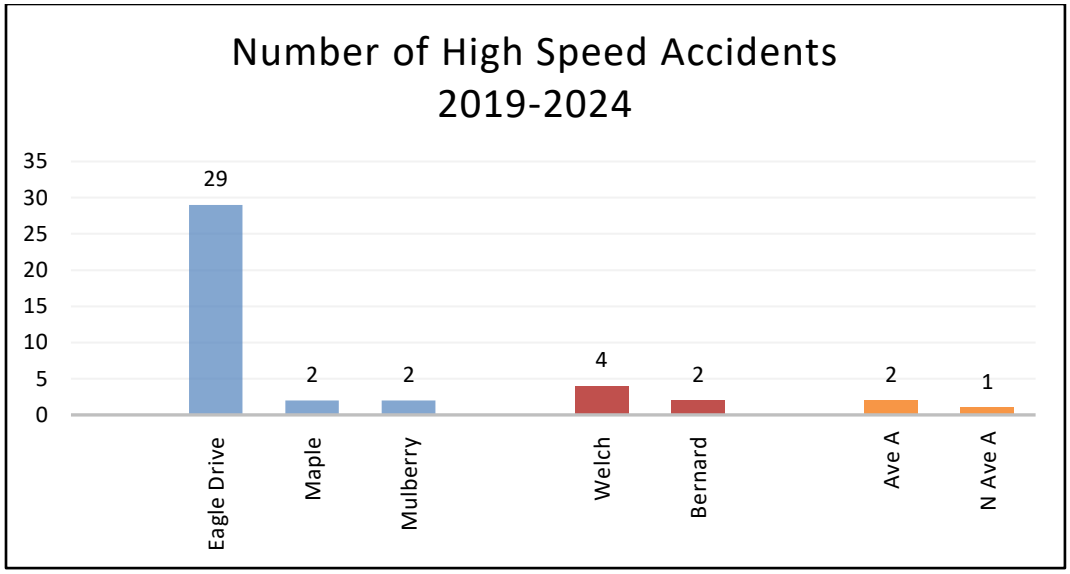




The UNT Master Plan also indicates the cluster of housing units by Eagle Dr and a mix of Student Support and academic / research buildings around Welch St.

[continue on next page]

Additionally, the proposed Collector roadway classification will provide greater safety for pedestrian and cyclist traffic. The following chart compares the number of accidents due to the speed between the target Secondary Arterial roads and their adjacent Collector roads.



Considering the equal length and function of the compared streets, the double number of accidents on Avenue A and Welch shows the necessity of a traffic calming strategy on these roads. The Eagle Drive number of accidents is drastically different from the similar adjacent streets, as well. The high number of accidents shows the importance of managing the street and keeping the low-speed limit to provide safety for all.

Additionally, the target roads are located in the completely built and saturated zones, and most of the lands next to these roads are owned by UNT. Therefore, the feasibility of purchasing lands to provide 110' ROW for Secondary Arterial would be challenging for the City. By modifying the current classification to Collector, the City does not need to change the current width of the target roads.

The proposed amendment is also consistent with the following goals outlined in the 2022 Mobility Plan:

Goal 7: Implement "Complete Streets" Strategies on Roadways in Denton

- Objective 7A: Create a transportation network that meets the mobility needs of all Denton residents, businesses, and visitors.
    - Strategy 7.2: Allow for flexible use of public rights-of-way to accommodate all uses of the street system while maintaining safety standards.
      The proposed Collector classification will combine sufficient right-of-way width with flexible design to accommodate all users in a variety of land use contexts.

Goal 8: Promote a Friendly Active Transportation System in Denton

- Objective 8A: Expand, enhance, and protect the existing bicycle network to provide a comprehensive system of facilities, including a spectrum of shared streets, separated lanes, and off-street multi-use trails, to increase connectivity between homes, jobs, schools, transit, and recreational resources in Denton
    - Strategy 8.1: Develop an extensive bicycle and pedestrian backbone network through the use of standard and appropriate innovative treatments.
      One primary purpose of the proposal is to create safe active transportation for everyone specially the UNT students.

The proposed amendment is also consistent with the following articles.

UNT Master plan

- Eagle Drive: increase student housing along the south edge of the campus (therefore, providing safe crossing)
- Avenue A-McCormick Street exit: improve access to the east campus parking lots
- Welch Street: provide pedestrian safety and traffic calming, elements including enhanced crossings by narrowing the roadway or providing textured paving, signage and lights

Oak Gateway Area Plan

AREA1-M1: Provide safe and accessible sidewalks and crosswalks to serve the needs of residents and businesses.

AreaPlan-M2: Continue coordination between the neighborhoods, UNT, and the City to identify and develop multiple ways to safely move through and around the area.

Ordinance No. 23-1289

Chapter 18, “Motor Vehicles and Traffic”, Article III, “Speed of Vehicles”, Section 18-73 “Speed Limits on Certain Roads and Highways”, set the speed limit of 20 mph for vehicles traveling upon Welch St from Hickory St. to Eagle Dr. which is aligned with the proposed Collector classification.

Report No. 2016-023

To reduce accidents and add bike lanes on Eagle Drive, from North Texas Boulevard to Cleveland Street, staff proposes reconfiguring the roadway from four lanes (without turn lanes) to three lanes (one travel lane in each direction with a two-way left-turn lane), along with a bike lane on each side. This approach, commonly known as a "Road Diet," is part of the Eagle Drive Street reconstruction. This proposed amendment aligns with the road diet initiative for Eagle Drive and will establish a safer bicycle network for those traveling to UNT. The new bike route will connect with the existing route on Avenue C and planned routes along North Texas Boulevard, Welch, Bernard, and Elm.

b. *That the amendment constitutes a substantial benefit to the city and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.*
The proposal will ensure adequate connectivity and safety for the current residents and future growth within the broader area.

c. *The extent to which the proposed amendment and other amendments in the general area are compatible with the land use goals of the plan and that they avoid creation of isolated uses that will cause incompatible community form and a burden on public services and facilities.*
The proposal to change the classification of Eagle Dr, Welch St, and Avenue A from Secondary Arterial to Collector roadways is compatible with the land use goals, as it supports the roadway connectivity and safety around the UNT.

d. *That the development pattern contained in the existing plan does not provide adequate and appropriate optional sites for the use or change being proposed in the amendment.*

Currently, all target roads are classified as Secondary Arterials. These roads are in close proximity to the UNT campus, with numerous university facilities and parking lots on both sides. While Avenue A and the southern side of Eagle Drive are somewhat detached from the main campus, they are situated in a densely developed area. Acquiring land from adjacent properties to widen the right-of-way to accommodate a typical Secondary Arterial is challenging and often impractical. Moreover, the growth of UNT's community and the resulting increase in pedestrian activity along these corridors highlight the urgent need to prioritize safety for pedestrians, bicyclists, and motorists.

e. *That the impact of the amendment, when considered cumulatively with other applications and development in the general area, will not adversely impact the city or a portion of the city by:*
    i. *Significantly altering acceptable existing land use patterns*;
    The proposed modification to the Mobility Plan would not negatively alter the existing land use pattern.

    ii. Having significant adverse impacts on public services and facilities that are needed to support the current land use and that cannot be mitigated to the maximum extent feasible;
    The proposal would not significantly adversely impact public services and facilities to support the current and future land use.

    iii. Adversely impacting environmentally sensitive areas or resources; or
    There are no environmentally sensitive areas identified within or adjacent to the target roads. The proposed modification to the Mobility Plan would not limit the City's ability to regulate tree preservation and development activity within Environmentally Sensitive Areas.

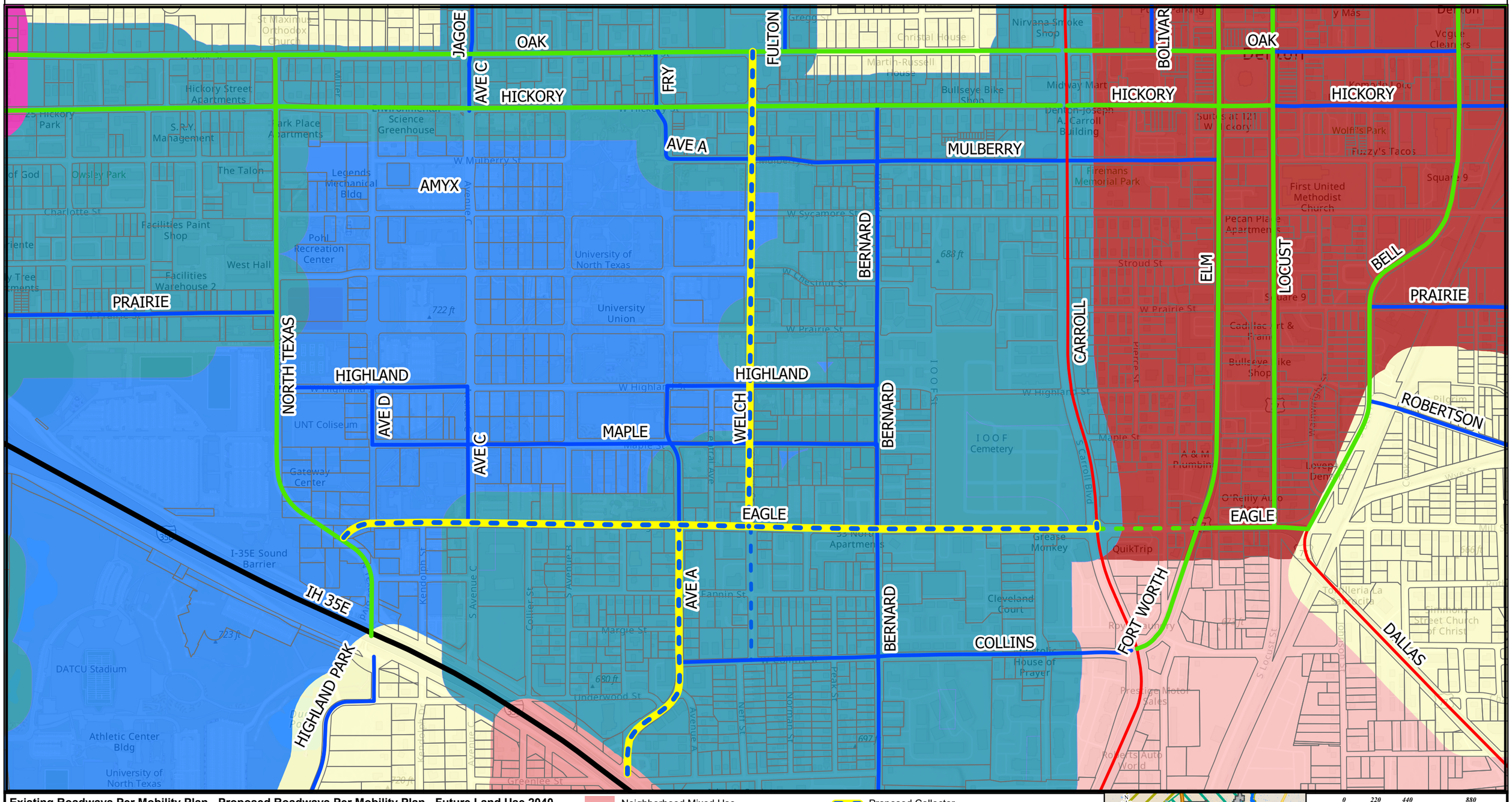
    iv. Adversely impacting existing uses because of increased traffic on existing systems.

By reclassifying the roads from Secondary Arterial to Collector, property owners and future developments will no longer need to dedicate right-of-way (ROW) for the full 110-foot width required for Secondary Arterials. This change also alleviates the City's need to purchase land for this expanded ROW. The current widths of the target roads - Eagle (55-65 feet), Welch (45-65 feet), and Avenue A (50-65 feet) - will remain largely unchanged under the Collector classification, which has a maximum width of 65 feet.

Current traffic counts indicate that these road widths are sufficient for smooth traffic flow during both normal and peak hours. The existing speed limits—30 mph on Eagle Dr and Avenue A, and 20 mph on Welch Street align well with the proposed Collector classification.

f. *That site conditions, including but not limited to topography, utility corridors/easements, drainage patterns, noise, odors, or environmental contamination, would make development under the current plan designation inappropriate*.
The proposed amendment will not have any inappropriate impact on topography, utility corridors/easements, drainage patterns, noise, odors, or environmental contamination.

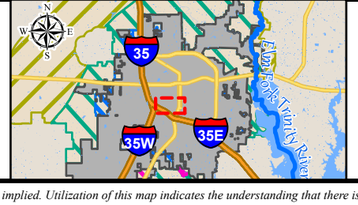
Future Land Use 2040



Existing Roadways Per Mobility Plan
- COLLECTOR
- FREEWAY
- PRIMARY ARTERIAL
- SECONDARY ARTERIAL

Proposed Roadways Per Mobility Plan
- COLLECTOR
- SECONDARY ARTERIAL

Future Land Use 2040
- Low Residential
- Downtown Denton
- Regional Mixed Use
- Community Mixed Use
- Neighborhood Mixed Use
- Neighborhood / University Compatibility Area
- Government / Institutional
- Parcels
- Proposed Collector



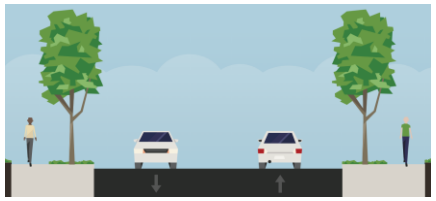
0 220 440 880 Feet

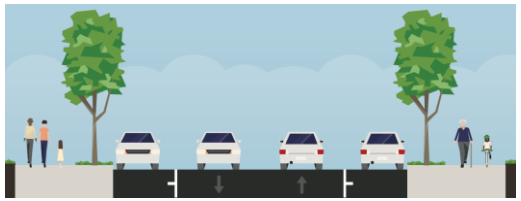
CITY OF DENTON
Development Services - GIS
Date: 4/2/2025

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.

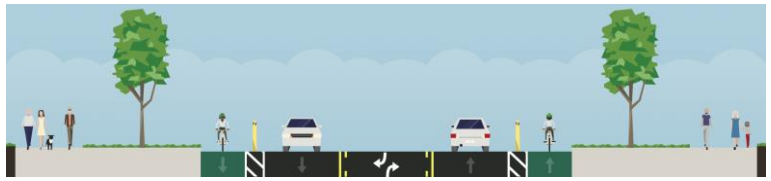
Roadway Classification Definitions

Residential	Associated with residential development within an urban and/or suburban environment. **55 feet of total ROW** *EXAMPLE: Mistywood Lane* *Typical speeds: 25 – 30 mph*
Collector	Collects traffic from residential streets and local commercial and industrial streets and connects to Arterials. **65 feet of total ROW** *EXAMPLE: Stuart Road* *Typical speeds: 30 – 35 mph*
NEW TYPE: Major Collector	Collects traffic from residential streets and local commercial and industrial streets and connects to Arterials. Provides for greater pedestrian and bicycle connectivity. **110 feet of total ROW** *Anticipated speed: 35 mph*
Secondary Arterial	Major routes throughout the city. The number of driveway connections are limited to reduce friction and allow traffic to flow. **110 feet of total ROW** *EXAMPLE: Sherman Drive* *Typical speeds: 35 – 40 mph*
Primary Arterial	Major routes throughout the city and county. The number of driveway connections are limited to reduce friction and allow traffic to flow. **135 feet of total ROW** *EXAMPLE: University Drive* *Typical speeds: 40 – 45 mph*





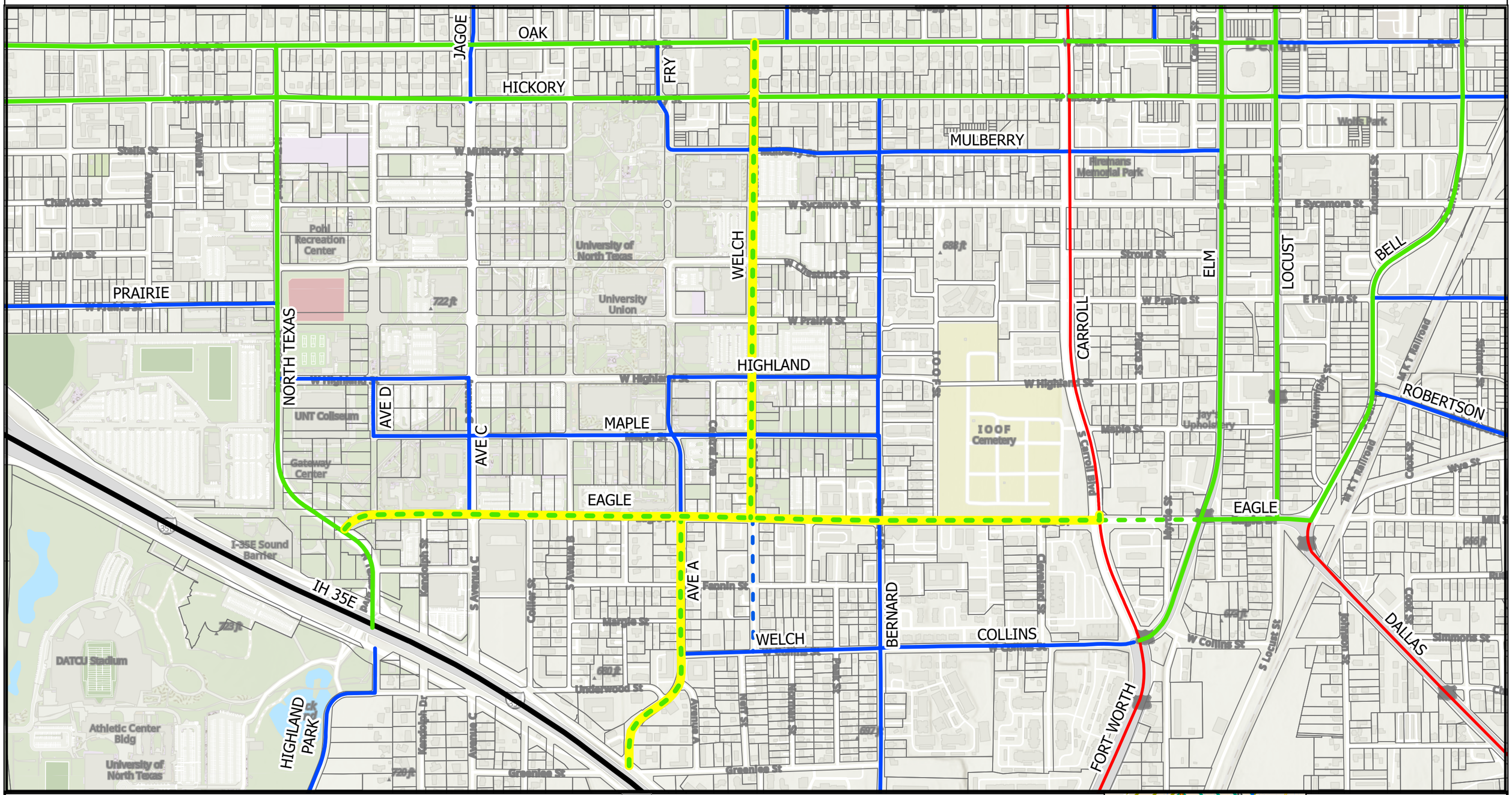








Existing Mobility Plan



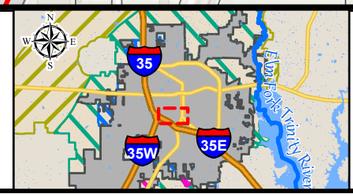
Existing Roadways Per Mobility Plan

- COLLECTOR
- FREEWAY
- PRIMARY ARTERIAL
- SECONDARY ARTERIAL

Proposed Roadways Per Mobility Plan

- COLLECTOR
- FREEWAY
- PRIMARY ARTERIAL
- SECONDARY ARTERIAL

- Parcels
- Proposed Secondary Arterial

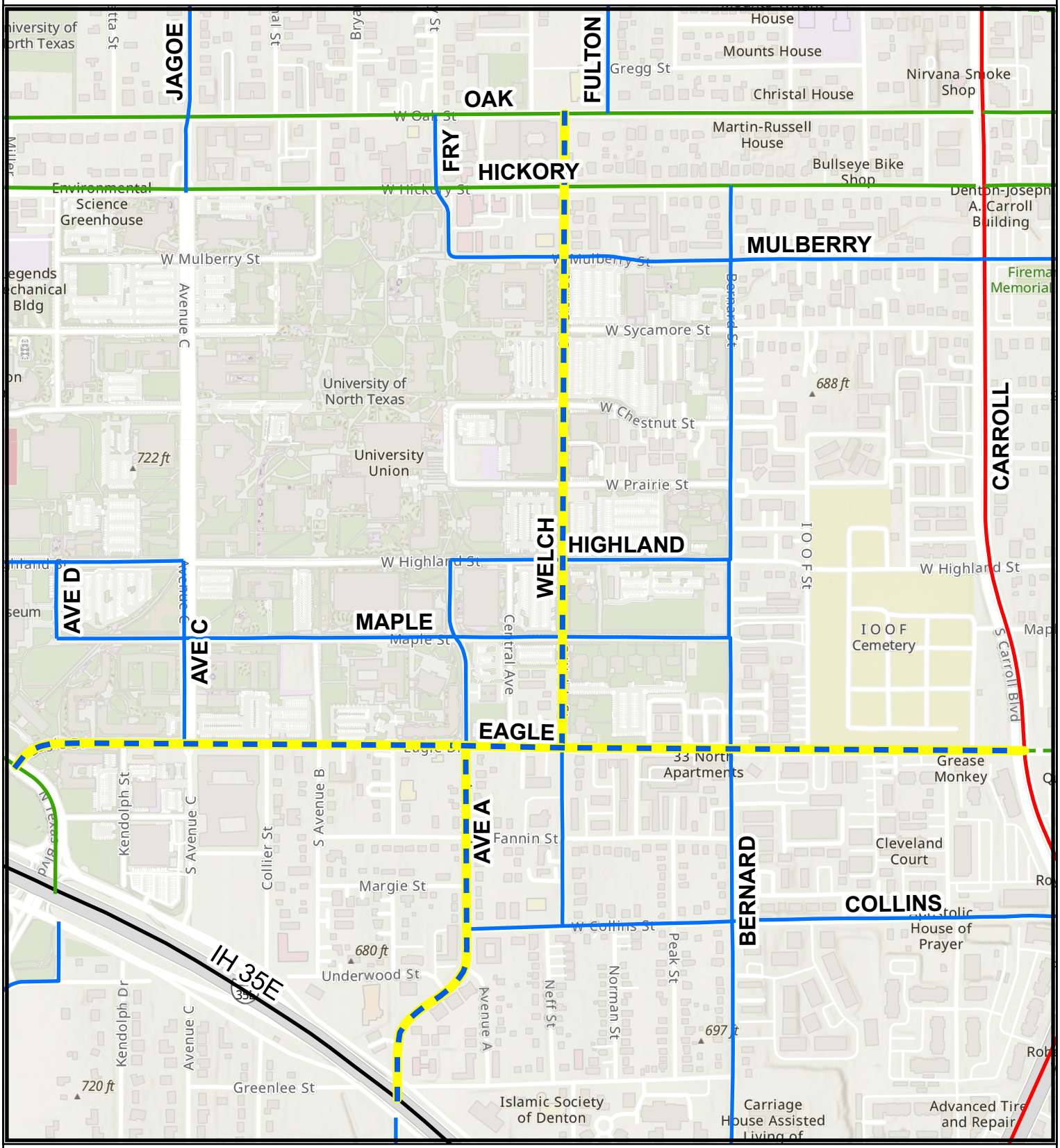


0 237.5 475 950 Feet

CITY OF DENTON
Development Services - GIS
Date: 9/17/2024

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MPA24-0003 Map Exhibit

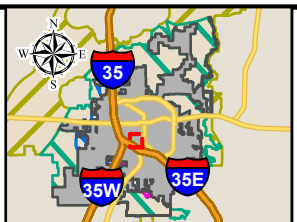


Existing Roadway

- Existing Freeway
- Existing Primary Arterial
- Exisitng Secondary Arterial
- Existing Collector

Proposed Roadway

- Proposed Secondary Arterial
- Proposed Collector
- **MPA24-0003**

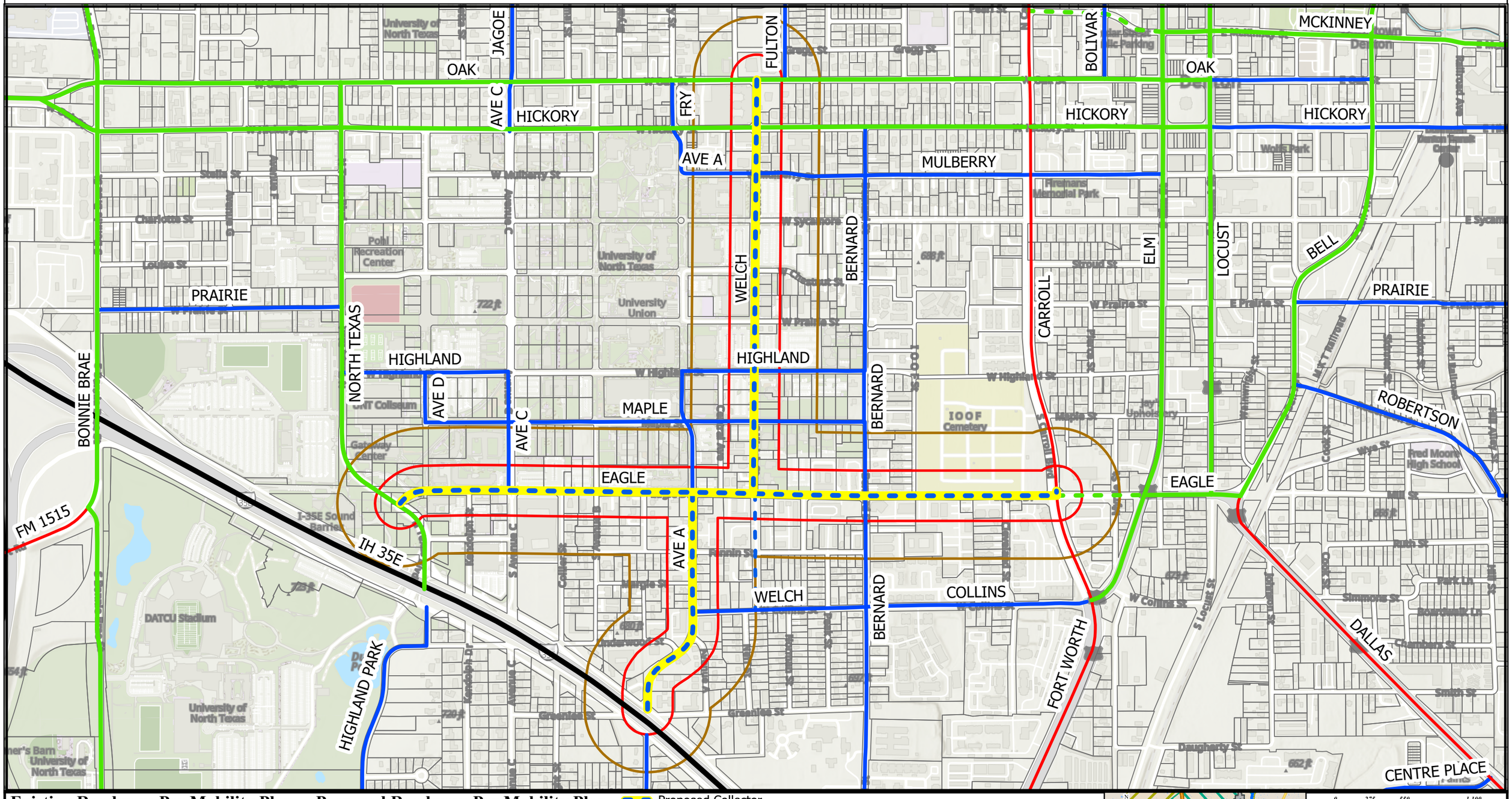


0 165 330 660 Feet

CITY OF DENTON
Development Services - GIS
Date: 1/30/2025

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Notification Map



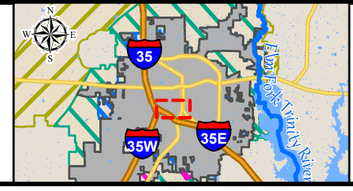
Existing Roadways Per Mobility Plan

- COLLECTOR
- FREEWAY
- PRIMARY ARTERIAL
- SECONDARY ARTERIAL

Proposed Roadways Per Mobility Plan

- COLLECTOR
- FREEWAY
- PRIMARY ARTERIAL
- SECONDARY ARTERIAL

- Proposed Collector
- 500ft Buffer
- 200ft Buffer
- Parcels



0 275 550 1,100 Feet

CITY OF DENTON
Development Services - GIS
Date: 9/17/2024

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.

CITY OF DENTON

Development Services
401 N Elm St., Denton, TX 76201 • (940) 349-8600

Response Form

Project Number MPA24-0003
Eagle Drive, Avenue A, & Welch Street

In order for your opinion to be forwarded to the Planning and Zoning Commission, please complete and mail this form to:

City of Denton Development Services
Attn: Sahar Esfandyari, Project Manager
401 N. Elm St.
Denton, TX 76201

You may also email a copy to sahar.esfandyari@cityofdenton.com.

Please circle one:

☑ In favor of request ☐ Opposed to request

Comments: less traffic!

Signature: [signature]

Printed Name: JEFF NATH

Street Address: ~~1220 AVE. A.~~ 115 N. RESH ST.

City, State and Zip Code: ~~Denton Texas~~ ANAHEIM CA 92805

Phone Number: (714) 315-0129

Email Address: JEFF@NATHPROPERTY.COM

Physical Address of Property within 200 Feet:

1214, 1218, 1220 AVE. A. Denton TX

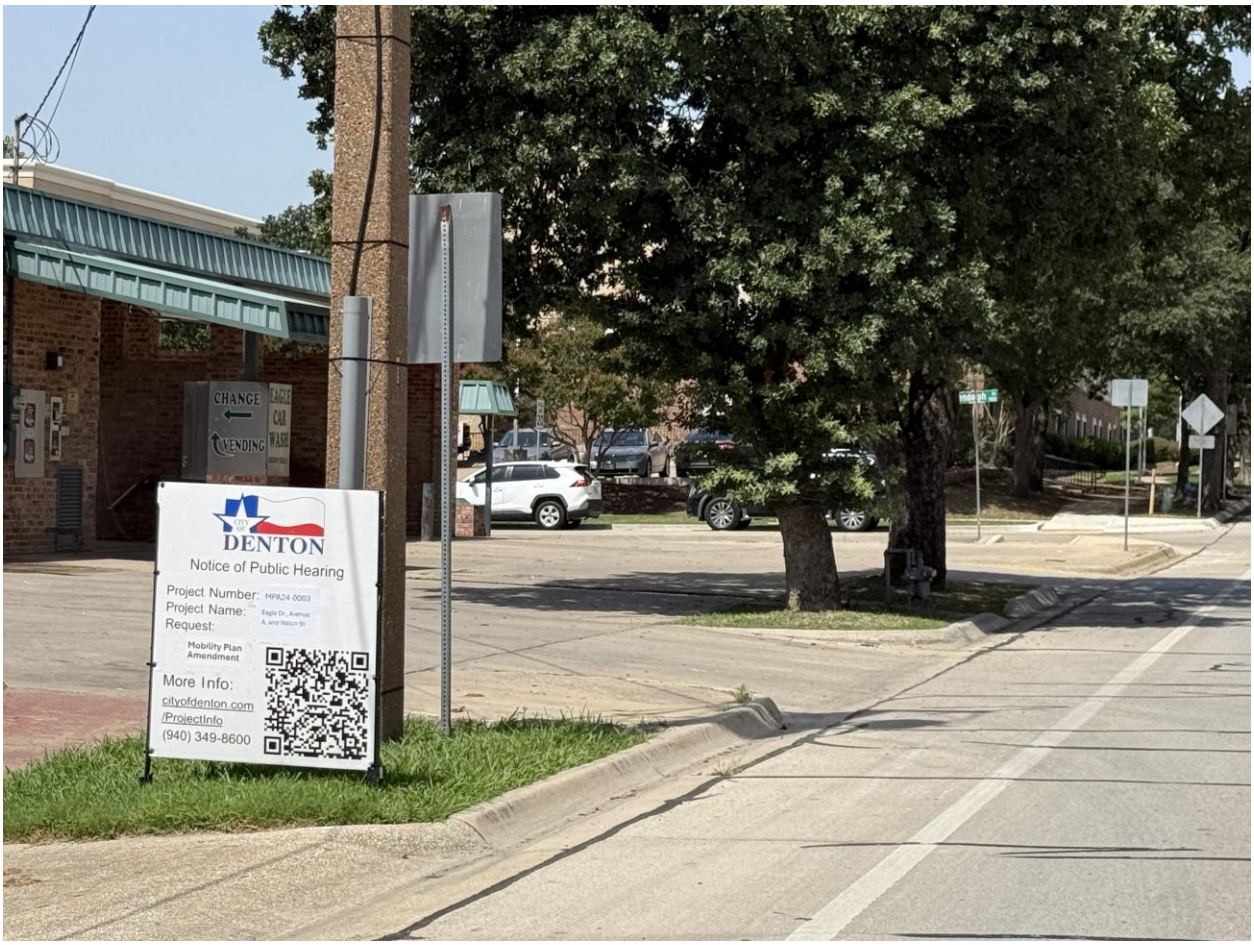

CITY OF
DENTON
Notice of Public Hearing
Project Number:
MPA24-0003
Project Name:
Eagle Dr., Avenue A, and Welch St.
Request:
Mobility Plan Amendment
More Info:
cityofdenton.com
/ProjectInfo
(940) 349-8600
STOP


CITY OF
DENTON
Notice of Public Hearing
Project Number:
MPA24-0003
Project Name:
Eagle Dr., Avenue A, and Welch St.
Request:
Mobility Plan Amendment
More Info:
cityofdenton.com /ProjectInfo
(940) 349-8600
STALLION


GREASE MONK
STATE INSPECTION
KES, AC, & MORE
Standard Oil Change
$35.
FLEETS WELCOME
DENTON
Notice of Public Hearing
Project Number:
Project Name:
Request:
More Info:
(940) 349-8600


CITY OF
DENTON
Notice of Public Hearing
Project Number: MPA24-0003
Project Name:
Request:
Eagle Dr., Avenue A, and Welch St.
Mobility Plan Amendment
More Info:
cityofdenton.com /ProjectInfo
(940) 349-8600


CITY OF
DENTON
Notice of Public Hearing
Project Number:
MPA24-0003
Project Name:
Request:
Eagle Dr., Avenue A, and Welch St.
Mobility Plan Amendment
More Info:
cityofdenton.com /ProjectInfo
(940) 349-8600


CHANGE
VENDING
EAGLE CAR WASH
CITY OF
DENTON
Notice of Public Hearing
Project Number: MPA24-0003
Project Name:
Request:
Mobility Plan Amendment
More Info:
cityofdenton.com
/ProjectInfo
(940) 349-8600

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, REGARDING A CITY-INITIATED COMPREHENSIVE PLAN AMENDMENT TO MODIFY THE THOROUGHFARE MAP OF THE 2022 MOBILITY PLAN, INCLUDING BUT NOT LIMITED TO MODIFICATION TO THE FUNCTIONAL CLASSIFICATION OF EAGLE DRIVE BETWEEN NORTH TEXAS BLVD AND SOUTH CARROLL BLVD, WELCH STREET BETWEEN EAGLE DRIVE AND WEST OAK STREET, AND AVENUE A BETWEEN HIGHWAY I-35E AND EAGLE DRIVE FROM SECONDARY ARTERIAL TO COLLECTOR. THE GENERAL AREA OF CHANGE IS LOCATED IN THE SOUTH AND EAST OF THE UNIVERSITY OF NORTH TEXAS IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL MOBILITY PLAN; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF $2,000.00 FOR VIOLATIONS THEREOF; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. (MPA24-0003)

WHEREAS, on March 22, 2022, the City of Denton adopted the 2022 Mobility Plan Update via Ordinance No. 22-513; and

WHREEAS, the Transportation Planning Division of the Development Services Department performed an analysis of Eagle Drive between North Texas Blvd to South Carroll Blvd, Welch Street between Eagle Drive to West Oak Street, and Avenue A from Highway I-35 to Eagle Drive (hereafter, "the Study Area Roads") and determined that an amendment to the Mobility Plan was necessary; and

WHEREAS, downgrading the Study Area Roads from a functional classification of Secondary Arterial to Collector will reduce the speed limit and increase accessibility; therefore, it will provide more safety for pedestrians, cyclists, and vehicle users on these roads; and

WHEREAS, on August 13, 2025, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded full and fair hearings to all property owners interested in this regard, and have recommended (-) of the amendment; and

WHEREAS, on August 19, 2025, the City Council likewise conducted a public hearing as required by law, and finds that the request meets and complies with all substantive and procedural standards set forth in Section 2.7.1 of the Denton Development Code, and is consistent with the Denton 2040 Comprehensive Plan and the Denton Development Code; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Denton, in considering the application for a Comprehensive Plan Amendment to modify the Thoroughfare Plan and Thoroughfare Plan Map of the Mobility Plan (the "Subject Amendment"), have determined that the Subject Amendment is in the best interest of the health, safety, morals, and general welfare of the City of Denton, and accordingly, the City Council of the City of Denton is of the opinion and finds that said Subject Amendment is in the public interest and should be granted as set forth herein; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

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

SECTION 2. The Thoroughfare Plan Map of the Mobility Plan is hereby amended as described in Exhibit "A" and depicted in Exhibit "B" to show the revised classification of the Study Area Roads.

SECTION 3. The City's official Thoroughfare Plan Map is hereby amended to show the change in the future roadways.

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

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

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

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

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

DRAFT

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

_____
GERARD HUDSPETH, MAYOR

ATTEST:
LAUREN THODEN, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND CITY ATTORNEY

BY: _____

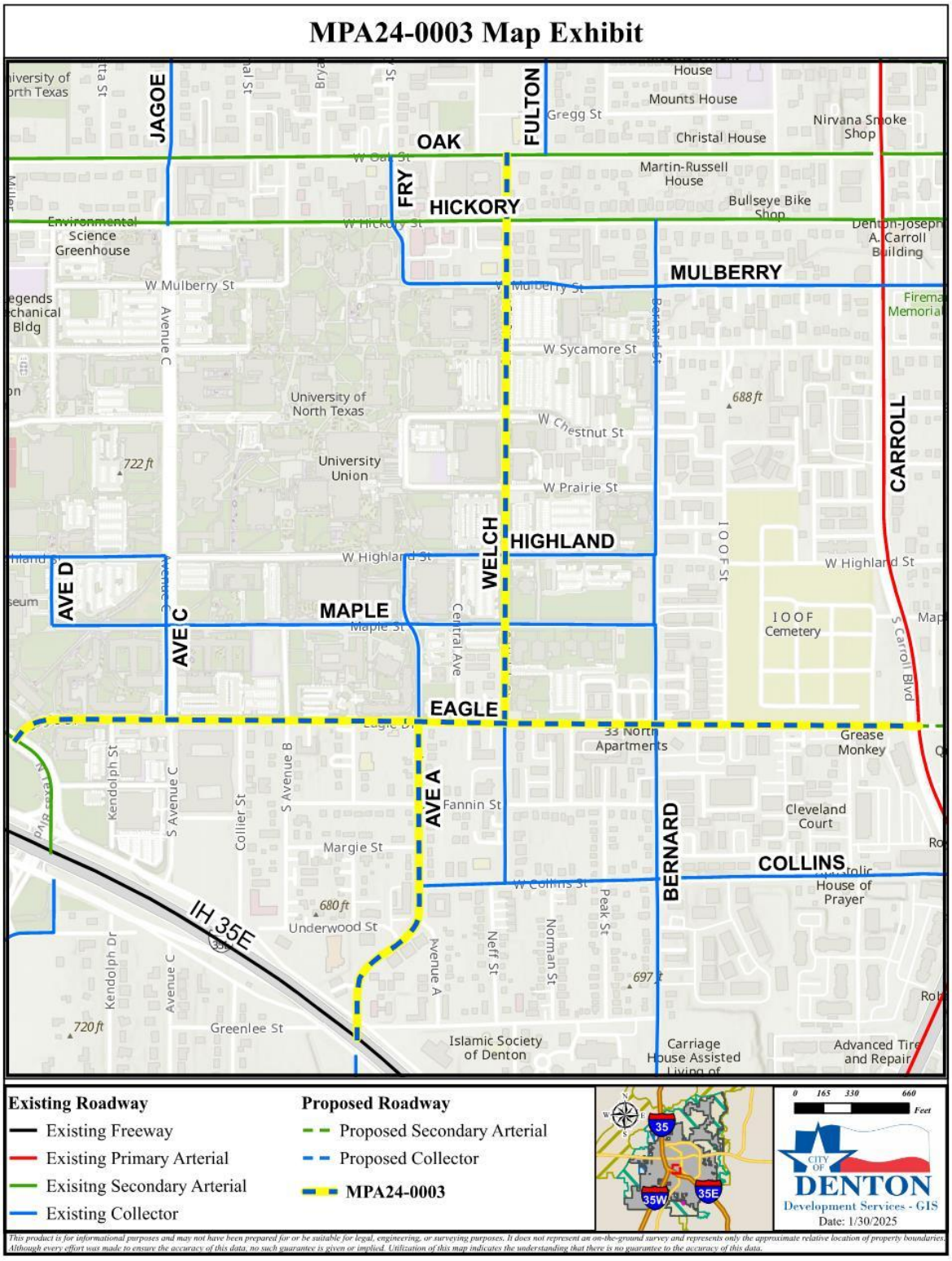
DRAFT

Exhibit A

Modification to the Thoroughfare Plan Map of the 2022 Mobility Plan

Modifying the current Secondary Arterial roadway functional classification to Collector classification in the Thoroughfare Map on Eagle drive between North Texas Blvd to South Carroll Blvd, Welch Street between Eagle Drive to West Oak Street, and Avenue A between I-35E to Eagle.

Exhibit B
Updated Thoroughfare Plan Map



File #: PD25-0002, **Version:** 1

AGENDA CAPTION

Hold a public hearing and consider making a recommendation to City Council regarding a request by Lee Allison with Allison Engineering Group, on behalf of the property owner, Burbank House, LLC, to change the zoning from Residential 3 (R3), Residential 7 (R7), and Mixed-Use Neighborhood (MN) districts to an Overlay Planned Development - Residential 7 (PD-R7) District on approximately 0.74 acres of land generally located on the north side of East University Dr, approximately 240 feet west of North Bell Avenue, in the City of Denton, Denton County, Texas. (PD25-0002, 415 E University, Ashley Ekstedt).

City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: Cassey Ogden

DATE: August 13, 2025

SUBJECT

Hold a public hearing and consider making a recommendation to City Council regarding a request by Lee Allison with Allison Engineering Group, on behalf of the property owner, Burbank House, LLC, to change the zoning from Residential 3 (R3), Residential 7 (R7), and Mixed-Use Neighborhood (MN) districts to an Overlay Planned Development – Residential 7 (PD-R7) District on approximately 0.74 acres of land generally located on the north side of East University Dr, approximately 240 feet west of North Bell Avenue, in the City of Denton, Denton County, Texas. (PD25-0002, 415 E University, Ashley Ekstedt).

BACKGROUND

The applicant, Lee Allison with Allison Engineering Group, on behalf of the property owner, Burbank House, LLC is requesting to rezone approximately 0.74 acres from the current combination of Residential 3 (R3), Residential 7 (R7), and Mixed-Use Neighborhood (MN) districts to an Overlay Planned Development – Residential 7 (PD-R7) District. The zoning change is being sought in order to consolidate the zoning so that a single set of regulations apply to the entire property. The PD Overlay is intended to impose conditions upon future development of the subject property to address concerns heard from neighboring residential property owners regarding a desire for additional protections for the adjacent Bell Avenue Historic District than what would be achieved with a straight zoning to one of the districts already present on the property. More details regarding the overlay conditions are given below, and Exhibit 8 details the proposed PD Development Standards while Exhibit 9 reflects the uses proposed to be allowed within the PD Overlay.

Although the subject property is platted as one lot, the zoning of the subject property currently consists of three different zoning districts that make the property challenging to develop. Prior to the adoption of the 2019 DDC and the citywide rezoning, the property was zoned NRMU (Neighborhood Residential Mixed Use), NRMU-12 (Neighborhood Residential Mixed Use-12), and NR-3 (Neighborhood Residential-3). Prior to the adoption of the 2002 DDC, the entire portion (approximately 130 feet deep) of the property fronting University Drive was zoned MF-1 (Multifamily Dwelling-1), and the rear of the property was zoned SF-7 (One-family dwelling).

This original split of MF-1 and SF-7 zoning followed parcel boundary lines that existed prior to the property being developed and platted, which the history of which is provided below.

The subject property, in addition to two undeveloped lots north of the property fronting along Woodland Street, were previously developed as a church prior to the 1960's. The property on University Drive was used as the driveway and parking lot for the church use. The church building was demolished in 2023, and the previously unplatted subject property was platted as three lots, two lots along Woodland Street, and one lot, the subject property, fronting University Drive. Only the lot fronting University Drive is a part of this Overlay Planned Development request.

As noted above, the current zoning on the property is a mix of MN, R7, and R3. The MN portion is approximately 0.26 acres, the R7 portion is approximately 0.22 acres, and the R3 portion is approximately 0.26 acres. Although it would be challenging due to the split zoning, the property could be developed today under the existing zoning. Notably, the 0.48 acres fronting University Drive could be developed with any use permitted by right in R7 without a zoning change or neighborhood engagement.

This request was initially submitted as a straight rezoning to Mixed-Use Neighborhood (MN). After neighborhood engagement and discussions with staff, the applicant chose to move forward with the PD Overlay to provide assurances of compatibility of the future development with the Bell Avenue Historic District and adjacent single-family uses. R7 was chosen as the base zoning district from which to build the PD standards after feedback from the neighborhood opposing an MN base zoning district.

The applicant does not currently have development plans for the site and, if approved, the site could be developed with any use permitted within this PD Overlay (see Exhibit 9 for a complete list of uses). If the PD Overlay is approved, should the applicant or a future property owner move forward with the necessary submittals for the construction of a permitted use, the use could be developed provided the proposed development complies with the specific requirements being proposed as part of this PD Overlay, the general requirements of the Denton Development Code (DDC), and the applicable criteria manuals at the time of platting, civil engineering, and zoning compliance plan submissions, most of which would apply regardless of the proposed use.

The applicant is requesting the PD-R7 district to ensure the proposed rezoning and subsequent development are compatible with both the surrounding neighborhood, the Bell Avenue Historic District, and the context of this area which is immediately across University Drive from Texas Woman's University (TWU). The DDC was recently amended in 2022 to amend the process for establishing PD districts specifically for this purpose; in this case the applicant is requesting the Overlay PD which allows for development standards and uses to be modified without necessitating a Development Plan, which is otherwise required for a Standard PD. Per the DDC, an Overlay PD may be used to restrict or expand the uses permitted within a base zoning district, impose additional use-specific standards, and/or modify setbacks, landscaping, screening, or buffering requirements adjoining residential uses or less intensive land uses. The proposed overlay would require an increase in the minimum landscape compatibility buffer between any developing multifamily use on the subject property and the abutting single-family residential properties, require an increased building setback and increased setbacks for dumpsters for any developing use on the property.

Additionally, the proposed overlay would limit the number of stories, the number of residential units, and the gross floor area of any proposed buildings. The overlay also eliminates drive throughs as a potential use and creates hours of operation limitations. These standards are outlined in Exhibit 8 and summarized in the table below. For standards not specified in the PD Regulations, the applicable R7 development standards within the DDC would apply.

<table>
<tr><th>Standard</th><th>R7 District</th><th>Proposed PD-R7 District</th></tr>
<tr><td>Side and Rear Yard Setback (DDC 3.2.7)</td><td>Minimum 5 feet side yard setback; minimum 10 feet rear yard setback</td><td>Minimum 30 feet from the Bell Avenue Historic District, minimum 10 feet from Residential and Mixed-Use Zoning Districts</td></tr>
<tr><td>Building Height (DDC 3.5.2)</td><td>Maximum 40 feet</td><td>Maximum two stories and 40 feet</td></tr>
<tr><td rowspan="2">Land Use Compatibility Buffer adjacent to SFR (DDC 7.7.6)</td><td>Developing Multifamily: minimum width of 10 feet, minimum 20 points from DDC Table 7.E adjacent to single-family</td><td>Developing Multifamily: minimum 10 feet with 30 points from DDC Table 7.E adjacent to single-family</td></tr>
<tr><td colspan="2">Developing Commercial: minimum width of 15 feet with 30 points from DDC Table 7.E when adjacent to single-family</td></tr>
</table>

Maximum gross floor area	None, 65% maximum building coverage	Maximum gross floor area of 10,000 square feet(equates to a building coverage of 32% for a single-story building or a building coverage of 16% for a two-story building)
Maximum number of residential units	None	18
Drive through facilities	Permitted in accordance with DDC 7.9.7C as part of a permitted use (i.e. bank, retail, self-service laundry)	Not permitted
Hours of operation	None	With the exception of lodging facilities, as allowed in this PD, non-residential development will be restricted to the following hours of operation: i. Weekdays; 7 am to 8 pm ii. Weekends; 8 am to 10 pm
Setbacks for dumpsters	None	The minimum distance from any abutting Residential zoning district shall be 50 feet. The minimum distance from the Bell Avenue Historic District shall be 100 feet.

Use Restrictions	Uses as listed in Exhibit 10	**Uses as listed in Exhibit 9, key differences from R7 include:** **Prohibit the following land uses permitted by right in R7:** Community Home School, Public Commercial Stable Urban Farm Amenity Center Outdoor Recreation Facility Gas Well **Prohibit the following land uses permitted with a Specific Use Permit (SUP) in R7:** Manufactured Home Development Chapter House Dormitory Group Home Club or Lodge Homeless Shelter School, Private RV Park Laundry Facility, Self Service General Retail, less than 5,000 square feet **Add the following land uses not permitted by right in R7:** Multifamily Dwelling (requires SUP in R7) Elderly Housing (requires SUP in R7) Veterinary Clinic Bank or Financial Institution (requires SUP in R7) Bed and Breakfast (requires SUP in R7) Boarding or Rooming House

The proposed PD-R7 zoning allows for a range of small scale residential and commercial land uses to be developed in a context-sensitive manner consistent with the Neighborhood / University Compatibility Area Future Land Use designations in this area. A full Staff Analysis of the proposed Planned Development, including a further analysis of the proposed standards, is provided in Exhibit 2.

OPTIONS

1. Recommend Approval
2. Recommend Approval Subject to Conditions
3. Recommend Denial
4. Postpone Item.

RECOMMENDATION

Staff recommends approval of the request as it complies with the criteria in Section 2.4.5.E of the Denton Development Code (DDC) for approval of all applications, and Section 2.7.3.D of the DDC for approval of a zoning change to an Overlay PD District.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
2002	City Council	Rezone from MF-1 and SF-7 to NRMU, NRMU-12, and NR-3 (Citywide)	Approved
April 23, 2019	City Council	Rezone from NRMU, NRMU-12, and NR-3 to MN, R7, and R3 (Citywide)	Approved

PUBLIC OUTREACH:

Fifteen notices were sent to property owners within 200 feet of the subject property, and forty-six postcards were mailed to current residents within 500 feet of the subject property. As of the writing of this report, the City has received three written responses in opposition to this request totaling 11.07% of the land area within 200 feet of the subject property (see Exhibit 12).

A notice was published in the Denton Record Chronicle on July 26, 2025.

A notice was published on the City's website on July 23, 2025.

One sign was posted on the property on July 2, 2025.

The applicant held four neighborhood meetings on August 22, 2024; November 19, 2024; May 1, 2025; and August 5, 2025. Additionally, Staff attended a meeting with the neighborhood on July 29, 2025.

The neighborhood meetings in 2024 occurred before the application was submitted in February of 2025. The Historic Preservation Officer attended the first neighborhood meeting on August 22, 2024. The project was presented to the neighborhood as a request to rezone to MN, and the neighborhood discussed Articles of Incorporation and other documents relating to the church that previously owned the property. It should be noted that neither staff nor the applicant have located any deed records or other land use restrictions that affect the property or limit its ability to be redeveloped with a different use. Throughout the various community meetings, other concerns

raised at these meetings included traffic, protection of the Bell Avenue Historic District and adjacent single-family dwellings, compatible uses, building height, lighting, and parking. Specifically, concerns were raised about impacts from uses such as drive-through restaurants, retail, personal service uses, multifamily and others that were perceived to have a significant amount of traffic, noise, or lighting potential. The neighboring residents also suggested things such as hours of operation limitations and maximum building size be added to the PD.

DEVELOPER ENGAGEMENT DISCLOSURES

No Developer Engagement Disclosures have been provided to staff by the members of this body as of the issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Existing Zoning Map
5. Future Land Use Map
6. Proposed Zoning Map
7. Applicant Narrative
8. PD Development Standards
9. PD Table of Allowed Uses
10. Table of Allowed Uses in Current Zoning
11. Fiscal Impact Summary
12. Notification Map and Sign Posting Affidavit and Responses
13. Draft Ordinance

Respectfully submitted:
Hayley Zagurski, AICP
Acting Planning Director

Prepared by:
Ashley Ekstedt, AICP
Associate Planner

Planning Staff Analysis
PD25-0002/415 E University
City Council District #2

REQUEST:
Request to rezone 0.74 acres from the Residential 3 (R3), Residential 7 (R7), and Mixed-Use Neighborhood (MN) districts to an Overlay Planned Development – Residential 7 (PD-R7) District

SITE DATA:
The 0.74-acre subject site is located on the north side of E. University Drive, approximately 240 feet west of Bell Avenue. Under the 2002 Denton Development Code, the subject property was zoned NRMU (Neighborhood Residential Mixed Use), NRMU-12 (Neighborhood Residential Mixed Use-12), and NR-3 (Neighborhood Residential-3). Per the 2019 Denton Development Code, Appendix B: Zoning District Transition Table, properties with these zoning designations were to transition to the Mixed-Use Neighborhood (MN), Residential 7 (R7), and Residential 3 (R3) after the Code's effective date of October 1, 2019, and the subject site transitioned accordingly.

The original parcel of land, which was developed as a church, included the subject property and approximately 0.58 acres fronting Woodland Street. The property was not platted, and the split zoning developed over time based on the originally unplatted parcel boundaries. The church was demolished in 2023. In 2024, the former church property was platted, and the subject property became one official lot of record with a split of three zoning designations. The part of the church property that fronted on Woodland Street was subdivided into two approximately 12,600 square foot lots. These lots are not a part of the requested zoning change and will retain the current R3 zoning.

The subject property is adjacent to, but not within, the Bell Avenue Historic District. Historic district overlay standards do not apply to properties outside of the district boundaries, and the Denton Development Code (DDC) does not contain any buffering or setback standards specific to properties adjacent to historic districts.

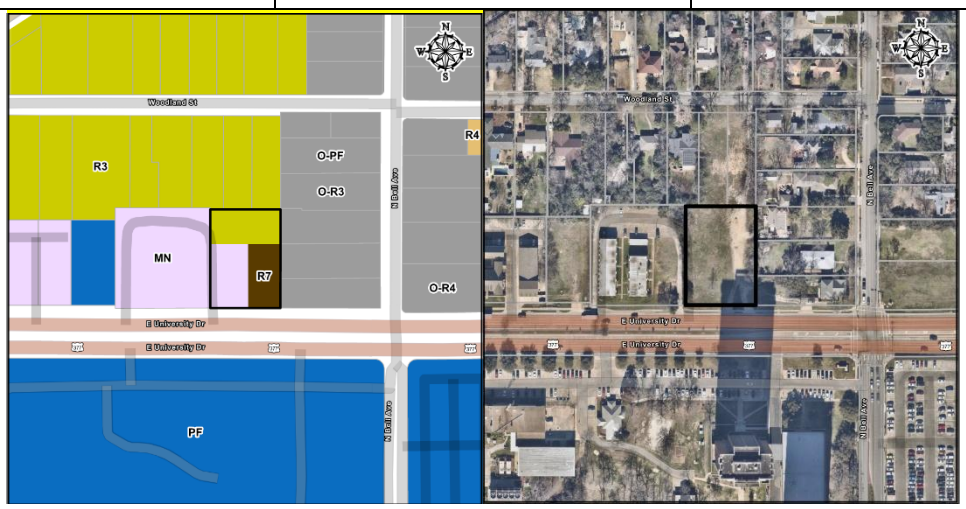
The subject property has frontage on one roadway, E. University Drive:

- **E. University Drive (US 380):** E. University Drive is an east-west road owned and maintained by TxDOT. Per the 2022 Mobility Plan, E. University Drive is classified as an existing Primary Arterial. Currently, this section of E. University Drive is constructed with six travel lanes and a five-foot-wide sidewalk along the north and south side of the roadway. The subject property has approximately 150 feet of frontage along E. University Drive.

[*continued on next page*]

SURROUNDING ZONING AND USES:
Surrounding land uses and zoning are detailed in the table and shown in the inset maps below. An aerial map and zoning map are also provided as Exhibits 3 and 4, respectively.

Northwest: Zoning: Residential 3 (R3) Use: Single-family residential	North: Zoning: Residential 3 (R3) Use: Undeveloped	Northeast: Zoning: Overlay-Residential 3 and Overlay-Public Facilities (O-R3 and O-PF – Bell Avenue Historic District Overlay) Use: Single-family residential
West: Zoning: Mixed-Use Neighborhood (MN) Use: Multifamily	**SUBJECT SITE**	East: Zoning: Overlay-Residential 3 (O-R3 – Bell Avenue Historic District Overlay) Use: Single-family residential
Southwest: Zoning: Public Facilities (PF) Use: University	South: Zoning: Public Facilities (PF) Use: University	Southeast: Zoning: Public Facilities (PF) Use: University



CONSIDERATIONS:

A. Section 2.4.5.E of the DDC provides approval criteria applicable to all applications.

1. *General Criteria*

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.
The review criteria were applied as required.

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.
Section 2.7.3.D of the DDC applies to this rezoning to PD Overlay request. An analysis of this request per those criteria can be found below in Consideration 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 through 2.9 controls.

There are no conflicts between the general criteria and the criteria specific for rezoning to PD Overlay requests.

2. *Prior Approvals*
   There have been no prior approvals associated with this request.

3. *Consistent with the Comprehensive Plan and Other Applicable Plans*
   The decision–making authority:
   a. Shall weigh competing goals, policies, and strategies.

   The proposed Planned Development Overlay is consistent with the goals, policies, and actions of the Comprehensive Plan and with the Future Land Use Designation of Neighborhood / University Compatibility Area (see inset map below and in Exhibit 5), including the goals and actions listed below:

   GOAL LU-1: Grow Compactly: Achieve sound, sustainable growth in compact development patterns with balanced land uses planned in coordination with transportation and infrastructure systems.
   Given the location of the property along a Primary Arterial roadway surrounded by existing development, the redevelopment of this parcel with a commercial or multifamily use would contribute to a compact, sustainable growth pattern.

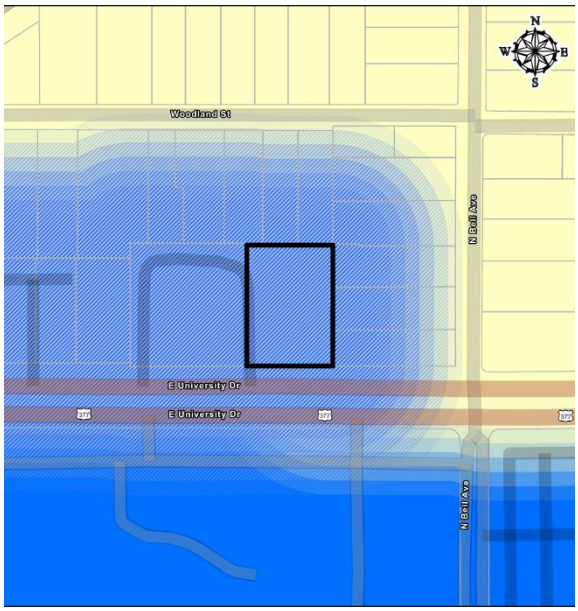
   GOAL LU-2: Grow with Purpose: Achieve re-investment, revitalization, and redevelopment of key growth Centers and Corridors.
   University Drive is identified in the Comprehensive Plan as a key corridor for moderate-to-high density residential and/or commercial development. The proposed PD Overlay is intended to strike a balance of allowing for reinvestment in a vacant property through redevelopment of the subject property with a limited-scale multifamily or commercial use while also offering increased setbacks, additional buffering, and building size limitations to minimize impacts on surrounding single-family uses.

   GOAL CC-1: Identify Character: Protect Denton's historic character areas through thoughtful preservation and integration of new development.
   As noted previously, the subject property is adjacent to properties located within the Bell Avenue Historic District. In order to ensure impacts to those properties are limited, the PD Overlay proposes increased setbacks for buildings and solid waste containers, limited building height and square footage, limitations on permitted uses, and increased compatibility buffers if a multifamily use is proposed. These limitations, which are not otherwise required of properties adjacent to historic districts elsewhere in the City, are intended to ensure context sensitive redevelopment of this site.

   GOAL FEV-5: Design a fiscally advantageous land use pattern paired with fiscally responsible infrastructure management and investment.
   As noted above, this proposed PD is intended to facilitate redevelopment of an infill site located along a Primary Arterial roadway with adequate infrastructure already in the area to serve this site. Infill development that does not require infrastructure to be extended is consistent with the fiscal goals of the Comprehensive Plan.

In summary, the requested PD overlay with an R7 base zoning district (PD-R7) conforms to the Denton 2040 Future Land Use Map (discussed in more detail under sub-criteria "b" below) and goals related to context-sensitivity. Given adjacent single-family residences, the applicant has applied for a rezoning that is consistent with the goals of the Denton 2040 Comprehensive Plan and meets the other criteria for approval by imposing conditions that would provide for greater landscape buffering, setbacks between any future development of the subject property and adjacent residential uses, limiting the permitted uses, and limiting the size and scale of future development.

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 the Comprehensive Plan.*



The Future Land Use Map (FLUM) designation for the subject property is Neighborhood / University Compatibility Area. The Neighborhood / University Compatibility Area designation applies to residential and commercial areas adjacent to the University of North Texas (UNT) and Texas Woman's University (TWU) that are affected by their proximity to the university. Currently these areas are characterized by university and commercial buildings abutting, in many cases, single-family neighborhoods. As the universities are projected to increase in enrollment, which will require additional facilities, commercial uses and student housing, this designation is to create compatible form and land uses for the areas that serve both the established neighborhoods and the universities.

The request is consistent with the FLUM designation of Neighborhood / University Compatibility Area and respects the transition to the adjacent single-family neighborhoods by creating compatible form and land uses as recommended by the FLUM. This PD provides conditions that limit the size and scale of the buildings, limits the potential uses, and provides greater buffering and setbacks to ensure limited impacts to adjacent residences while also allowing redevelopment of the site with a use that could serve the needs to TWU students or staff as well as surrounding residents. The PD allows some commercial uses as well as residential uses that could expand student housing in an area that is immediately across the roadway from Texas Woman's University. The request meets the requirements of the FLUM while also providing a transition from the University and E. University Drive, a primary arterial, with the adjacent single-family uses to the east and north.

4. *Compliance with this DDC*
   a. *The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.*

This request is for a rezoning to an Overlay Planned Development with a R7 base zoning district (PD-R7). The proposed Development Standards provided in Exhibit 8 indicate an intent to develop in accordance with the 2019 DDC and impose additional development standards as outlined in the document, which are further summarized in the table in Exhibit 1. It is important to note that the PD Overlay is not proposing exceptions to any of the DDC's bulk/dimensional standards or buffering standards and is instead proposing regulations that would be above and beyond those that are in the DDC. The PD does propose a limited menu of permitted uses that reflects a combination of the commercial and residential uses permitted under the R7 and MN districts, which are both present on the property today.

b. *Compliance with these standards is applied at the level of detail required for the subject submittal.*
Compliance with the DDC has been analyzed at the level of detail necessary for an Overlay Planned Development. Subsequent development will be subject to the appropriate applications, development standards, and review processes of the DDC.

5. *Compliance with Other Applicable Regulations*
The PD regulations document indicates that development on the subject site shall comply with all provisions of the 2019 DDC and imposes additional restrictions and standards. Further, the development will be required to comply with the City's criteria manuals for roadway, utility, and drainage improvements, as well as TxDOT requirements.

6. *Consistent with Interlocal and Development Agreements*
There are no interlocal or development agreements applicable to the site.

7. *Minimizes Adverse Environmental Impacts*
Subsequent development of this site would be required to show compliance with all DDC regulations related to tree preservation, stormwater control, and landscaping during the review of the Zoning Compliance Plan.

8. *Minimizes Adverse Impacts on Surrounding Property*
As discussed under prior criteria, the proposed PD regulations limit the size and scale of future development to minimize the impact on the adjacent single-family dwellings and the Bell Avenue Historic District. The current zoning on the property would allow a maximum height of 40 feet, which is typically a three-story building. The PD Overlay will limit the height of the building to two stories. Additionally, the Overlay provides for additional landscape buffering between a developing multifamily use and the existing single-family uses, limits the quantity of residential units, eliminates drive-throughs, imposes hours of operation, and adds additional setbacks for both buildings and dumpsters. Many of the uses permitted in R7, either by right or with an SUP, have been eliminated with this PD Overlay, and a few uses which are permitted in the MN district (which currently applies to the southwestern third of the property) are proposed to be added as allowed uses. See the summary table in Exhibit 1 or the full PD standards and allowed uses in Exhibits 8 and 9, respectively, for more detail.

9. *Minimizes Adverse Fiscal Impacts*
   This proposed rezoning is not anticipated to create significant adverse fiscal impacts based upon the city's Fiscal Impact Model, which was estimated based upon the possible development of either a multifamily or office use. The applicant does not currently have plans to develop the property; however, this has been provided to give an estimation of the Fiscal Impact of two of the potential uses. The Model estimates a net impact of $127,400 to the City's General Fund for a small-scale multifamily development, and a net impact of $108,700 if an office use is developed. See Exhibit 11 – Fiscal Impact Summary for additional information.

   As noted previously, if the rezoning is approved, any use permitted within the PD Overlay could be developed on the subject property, and a change in land use would modify the results of the Fiscal Impact Model analysis.

10. *Compliance with Utility, Service, and Improvement Standards*
    This proposed rezoning would not affect utilities, services, or improvements. Subsequent review of a Zoning Compliance Plan and Civil Engineering Plans must adhere to the applicable utility requirements. There is an existing water line along E. University Drive, and the sewer line would be extended from the adjacent property.

11. *Provides Adequate Road Systems*
    As discussed above, the subject property only has frontage on E. University Drive, a TxDOT owned roadway. The proposed development is not anticipated to negatively impact surrounding properties as the primary access will be located on this roadway, a primary arterial, and would utilize one of the two existing driveway connections. A Traffic Impact Analysis (TIA) is not required with a PD Overlay; however, a TIA is required when access is taken from a TxDOT roadway, unless the requirement is waived by TxDOT. Additionally, it will be required for the development of this site if it meets the thresholds in the City's criteria manual for a TIA. Specifically, if the development will generate 100 peak hour trips, or 1,000 vehicle trips a day, a TIA would be required. Any associated improvements will need to be accounted for during review of subsequent development plans.

12. *Provides Adequate Public Services and Facilities*
    The proposed rezoning is not anticipated to negatively impact public services and facilities. As previously noted, utilities are available in the area to serve the site. New development applications must provide proof that existing and/or planned facilities have adequate public service capacity.

13. *Rational Phasing Plan*
    The proposed rezoning does not have a phasing plan.

B. Section 2.7.3.E of the DDC provides approval criteria applicable to all applications.

1. *Complies with the goals of the Comprehensive Plan;*
   As described in Consideration A above, the proposed rezoning meets this criterion.

2. *Complies with the goals of relevant Area Plans;*
   As described in Consideration A above, there are no area plans applicable to the subject property.

3. *Complies with this DDC, except where modifications are expressly authorized through the PD Regulations Document and PD Development Plan;*

   As detailed in Exhibit 8 and described in Consideration A above, the proposed rezoning meets this criterion.

4. *Provides a greater level of building design quality, community amenities, and connectivity than would be required if the project were not being developed in a PD District;*

   In this context, the requested PD-R7 zoning district is appropriate because of the conditions that limit the size and scale of the buildings, limit the potential uses, and provides greater buffering and setbacks in order to reduce potential impacts to properties within the adjacent Historic District and neighborhood to the north.

   The PD allows some commercial uses, as well as housing that could meet the need for additional student or professional housing in an area that is immediately across the roadway from Texas Woman's University. If this property were to develop as residential, residents could walk to TWU by using the adjacent sidewalk and crosswalk across University Drive without needing to drive to the campus.

5. *In the case of proposed residential development, that the development will promote compatible buildings and uses and that it will be compatible with the character of the surrounding area;*

   As stated above, the PD Overlay will limit the size and scale of the buildings, limit the potential uses, and provide greater buffering and setbacks in order to reduce potential impacts to properties within the adjacent Historic District and neighborhood to the north. R7 and MN district exist adjacent to single-family neighborhoods and historic districts elsewhere in city without comparable limitations to limit the scale and proximity of development, so the proposed PD standards do reflect a greater level of context sensitivity.

   The applicant worked with the neighborhood to exclude many uses that they did not believe were appropriate at this location. With the uses that remain, the size and scale has been reduced to be compatible with the existing single-family dwellings.

6. *In the case of proposed commercial, industrial, institutional, recreational and other non-residential uses or mixed-uses, that such development will be appropriate in area, location, and overall planning for the purpose intended; and*

   As detailed in Exhibit 8, the proposed PD-R7 district permits the uses outlined in Exhibit 9. While the current mix of MN and R7 would permit a wide variety of nonresidential uses either by right or with an SUP, the PD Overlay would significantly limit the variety of nonresidential uses. The neighborhood expressed concern over Specific Use Permits and the need to continue to attend public hearings for each use, so the applicant has made all uses either permitted by right or not permitted.

7. *The provisions for public facilities such as schools, fire protection, law enforcement, water, wastewater, streets, public services and parks are adequate to serve the anticipated population within the PD District.*

This proposed PD Overlay is required to comply with utility, service, and improvement standards when the site develops. If the PD is approved, future applications will be reviewed to ensure compliance with all applicable standards.

Water and Wastewater
Development of the site will require a connection to existing water and wastewater facilities, which are situated along University Drive.

Nearest Fire Station
The subject property is approximately 1.8 miles from Fire Station #1 (332 E Hickory St), within the eight-minute or less response time boundary.

Parks
Sequoia Park is an 18-minute (.8 mile) walk, and Quakertown Park is a 20-minute (.9 mile) walk from the subject property.

Schools
Per the Denton Independent School District's student generation formula, if multifamily were to develop at the maximum permitted 18 units, the proposal would generate approximately 3 elementary students, 1 middle school student, and 1 high school student. The proposed development is located within the attendance zones of Evers Park Elementary School, Calhoun Middle School, and Denton High School.

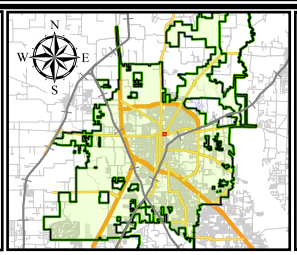
8. *The condition and/or restrictions imposed by the PD are necessary and sufficient to address any significantly adverse impacts to surrounding properties or the neighborhood.*

   As detailed in Exhibit 8 and described in Consideration A above, the proposed Development Standards have been developed by working with the neighborhood to address many of their concerns and add additional site and building design standards to minimize the impact on adjacent single-family uses.

PD25-0002
Aerial_Site_Location



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

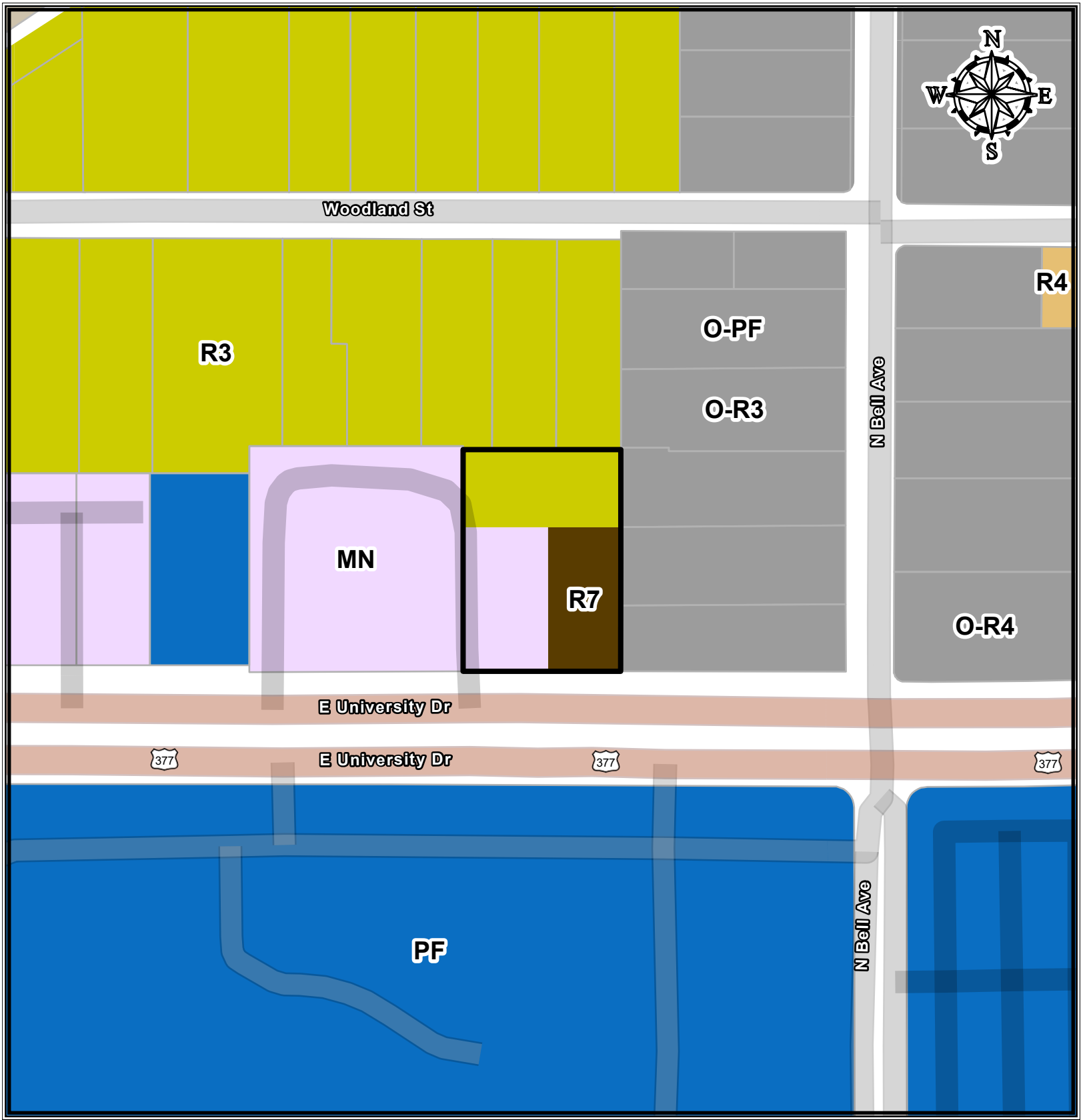


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CITY OF DENTON
Development Services · GIS
Date: 6/10/2025

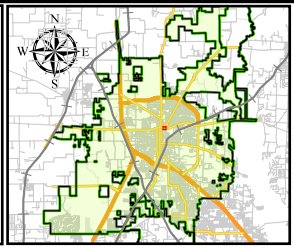
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PD25-0002
Current Zoning Map



Current Zoning

- RR - Residential Rural
- R1 - Residential
- R2 - Residential
- R3 - Residential
- R4 - Residential
- R6 - Residential
- R7 - Residential
- MN - Mixed-Use Neighborhood
- MD - Mixed-Use Downtown Core
- MR - Mixed-Use Regional
- HC - Highway Corridor
- SC - Suburban Corridor
- GO - General Office
- LI - Light Industrial
- HI - Heavy Industrial
- PF - Public Facilities
- PD - Planned Development
- MPC
- OVERLAY

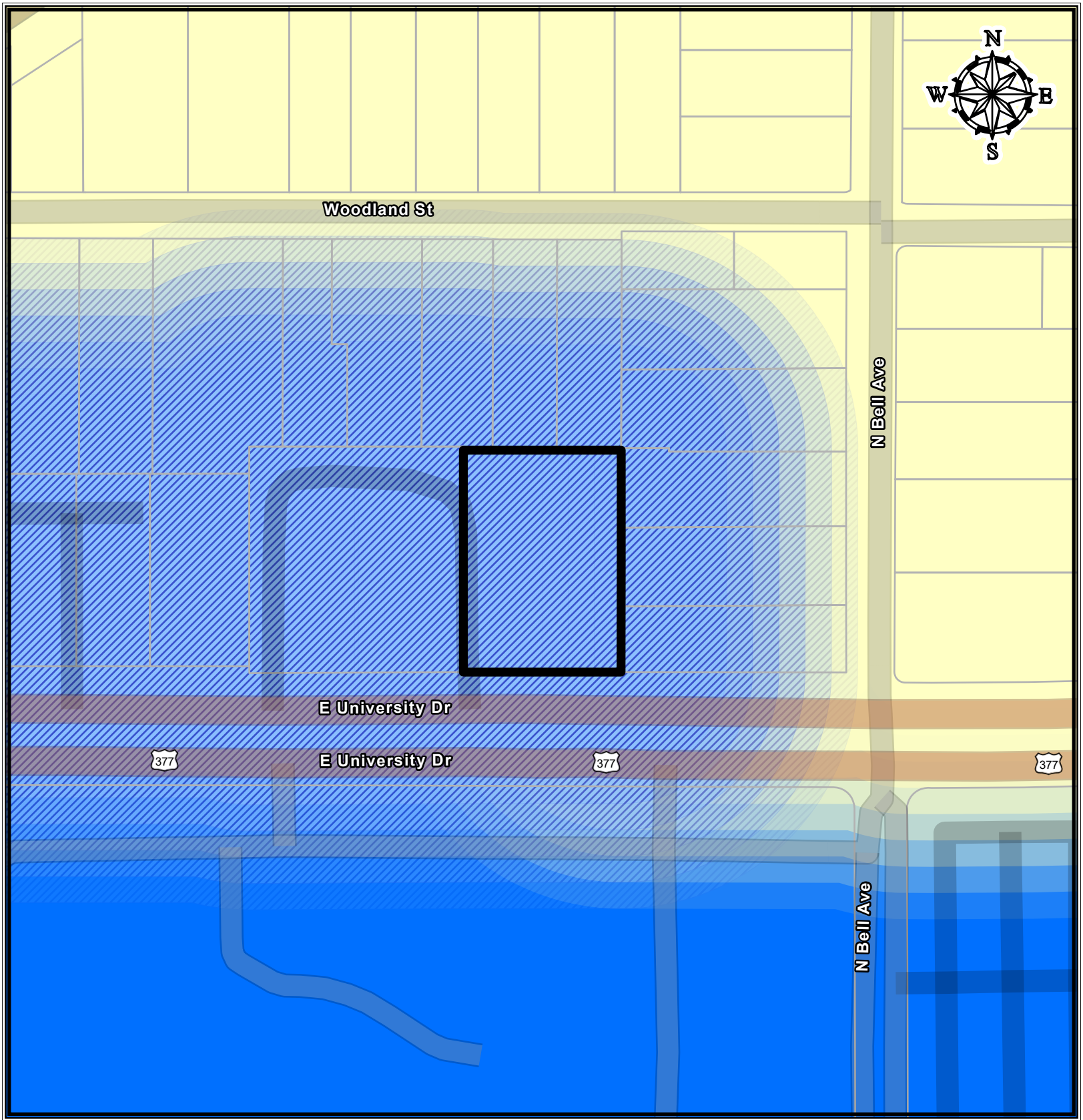


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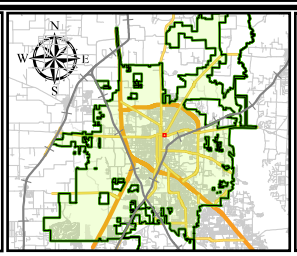
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PD25-0002
Future Land Use Map



Future Land Use 2040

- Low Residential
- Neighborhood / University Compatibility Area
- Government / Institutional
- Site Location

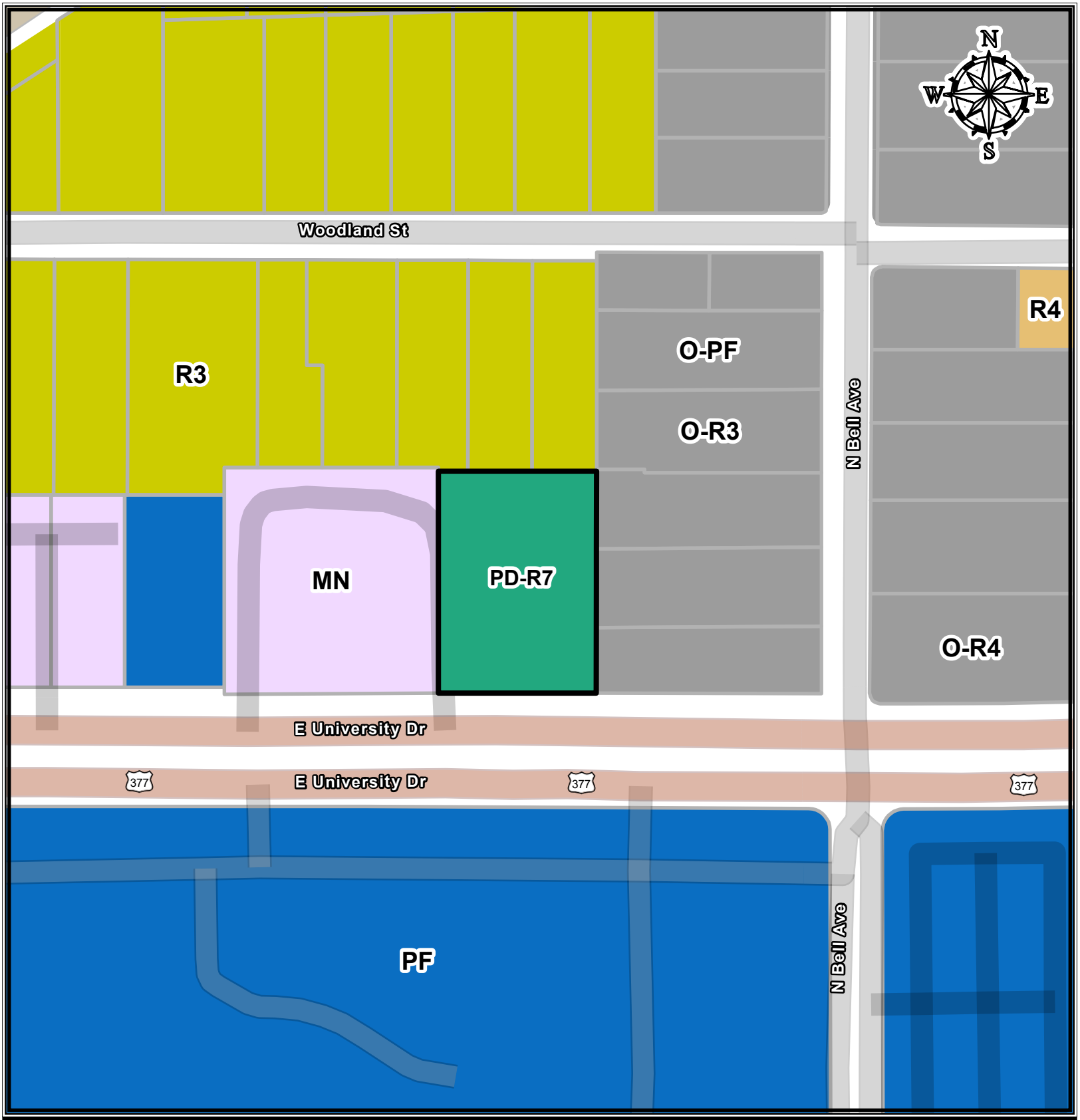


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CITY OF DENTON
Development Services · GIS
Date: 7/29/2025

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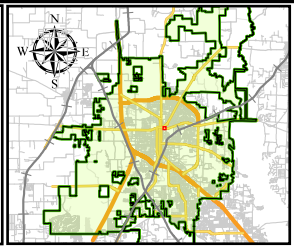
PD25-0002
Proposed Zoning Map



Roads

Current Zoning

- RR - Residential Rural
- R1 - Residential
- R2 - Residential
- R3 - Residential
- R4 - Residential
- R6 - Residential
- R7 - Residential
- MN - Mixed-Use Neighborhood
- MD - Mixed-Use Downtown Core
- MR - Mixed-Use Regional
- HC - Highway Corridor
- SC - Suburban Corridor
- GO - General Office
- LI - Light Industrial
- HI - Heavy Industrial
- PF - Public Facilities
- PD - Planned Development
- MPC
- OVERLAY



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CITY OF DENTON
Development Services • GIS
Date: 6/10/2025

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Allison Engineering Group
Planning Communities - Designing the Systems That Serve Them

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Denton, TX 76201
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Fax: 940.380.9431
www.ae-grp.com
TBPE Firm #: 7898

July 14, 2025

Denton Development Services
401 N. Elm St.
Denton, TX 76201

Re: Zoning Map Amendment
415 E. University Drive
Denton, Texas 76209
City of Denton R3/MN/R7
DCAD #34145

AEG #: BHL2401

PROJECT NARRATIVE

Purpose:

We are requesting a rezoning of 415 E. University Drive from the current patchwork zoning of R3, R7 and MN to a PD overlay with an R7 base zoning district.

Executive Summary

The applicant does not intend to develop this site. The intent of this request is to clarify the zoning by having a single zoning on this 0.74-acre site thereby rendering the site more attractive to a potential developer.

Based upon neighborhood meetings and feedback from City staff it was determined that a PD overlay with R7 as the base would best provide for the desires of the developer and protect the interest of the neighbors.

Initially a zoning of MN was proposed as this was the logical extension of the current zoning along University Drive. However, the neighbors had sufficient concerns to justify a PD overlay. The first draft was to use a base zoning of MN and then omit undesirable uses and conditions. Upon discussions with neighbors, we arrived at a PD overlay using a base of R7 and then adding uses and conditions desired by the applicant and the neighbors.

Following is a list of the factors that we believe provide the primary justification for rezoning the site:

- The site is too small for multiple zones.
- The existing zoning along the west side, MN, is consistent with the adjacent zoning to the west.
- The existing zoning along the north side, R3, is consistent with the adjacent zoning to the north.
- The existing zoning along the east side, R7, is not consistent with adjacent zoning to the east, R4 with Historic District Overlay or any of the adjacent zoning.
- The site backs up to the zoning pattern along the east side of the property (O-R4). This pattern runs north and south along Bell Avenue.
- The site backs up to the zoning pattern along the north side of the property (R3). This pattern runs east and west along Woodlands Street.
- The site is in the Neighborhood/University Compatibility Area (N/UCA).
- The site is directly across from TWU.
- The site is within walking distance of TWU and the adjacent neighborhood.
- The Denton Development Code places several "proximity" limitations on commercial and multifamily developments adjacent to single family neighborhoods (building height, landscape buffers, etc.).
- Development Code requirements impose sufficient development limitations (proximity, parking, landscape buffers, open space, tree preservation, etc.) to render the possible intensity of development as minor.
- The right-in/right-out traffic conditions limit the ability of the site to take advantage of the regional traffic on University Drive.
- The site will not generate regional traffic through the adjacent neighborhoods.
- There is not an opportunity for cross access with the adjacent developments to the west.
- The site is highly conducive to pedestrian and bicycle traffic from the university and some amount from the neighborhoods and of limited attraction to the regional traffic.

Pre-application Meeting

An application for a Pre-application meeting with the City of Denton was submitted on Tuesday, July 9, 20-24. On July 18, Cameron Robertson, AICP, Historic Preservation Officer replied that a pre-application meeting is not warranted since the applicant does not have any intentions of developing the property.

Neighborhood Meetings

AEG prefers to have neighborhood meetings prior to making an application to the city. It seems that both parties are more inclined to listen and work together before an application has been

filed. Neither party is trying to push the other into a corner at this phase of the planning process.

The site is adjacent to the Bell Avenue Historic District. Regardless, the applicant had full intention of working with the neighbors via neighborhood meetings as well as complying with city recommendations for such. All along our plan was to have two neighborhood meetings, one to introduce the applicant, their intentions and to obtain feedback from the neighbors. The second to present to the neighbors what we thought was understood from the first meeting and how we could best address their recommendations. The City of Denton was contacted for both meetings. A summary of the meeting activities and feedback are presented below:

- **Meeting 1: August 22, 2024.**

The meeting was held at the offices of Allison Engineering Group at 5:30 pm.

Notifications were sent to 41 property owners within 500 feet of the site as well as to Cameron Robertson and planning staff.

Special efforts were made to contact representatives of the Bell Avenue Historic District and Texas Woman's University.

Fourteen persons completed the sign in sheet. Cameron Robertson, Historic Preservation Officer also attended.

We described the project and the intent to the attendees and then opened the meeting for discussion. We tried to make it clear that we were only trying to rezone the property and not develop it. The site was previously platted into a single lot.

A representative of the Historic District described documents that they believed restricted the site to a church use only. The discussion was focused on the restrictions for the remainder of the meeting. There was some concern on our part that the title company may have missed some documents. A copy of the filing information of the key document was provided to the applicant.

The applicant presented the information to the title company and to another attorney. It turned out that the documents were the warranty deed and the articles of incorporation of the church. The title company did not miss these documents and that there were not any restrictions regarding land use or sale of the property. The other attorney concurred.

- **Meeting 2: November 19, 2024**

The meeting was held at the Emily Fowler Library. We moved the location to accommodate a larger crowd.

Notifications were mailed to the original mailing list and special effort was made to contact representatives of the Historic District, TWU and the City of Denton.

Seven persons completed the sign in sheets. Perhaps 1 or 2 more attended that did not sign in as they came in a little late. No one from the City of Denton attended.

We presented our findings regarding land use restrictions as discussed above. There was not any question about the findings.

One neighbor expressed concerns with tree preservation. We expressed that we would meet the city's tree preservation requirements and that the buffer trees along the property lines would be the first trees to be preserved.

Another expressed concern with landscaping and buffering the adjacent uses. We explained that the City has additional adjacency requirements for landscaping, building height, etc. that are intended to maintain the integrity of the neighborhood with consideration of a transition in uses.

One neighbor requested that the existing shrubs and bushes be trimmed to render the site less appealing to vagrants. The trimming occurred on December 31, 2024 along with the removal of some debris; including a mattress.

- **Meeting 3: May 1, 2025**

The meeting was held at the Emily Fowler Library.

Notifications were mailed to the original mailing list and special effort was made to contact representatives of the Historic District, TWU and the City of Denton.

9 persons completed the sign in sheets. Perhaps 1 or 2 more attended that did not sign in as they came in a little late. Ashley Ekstedt from the City of Denton attended.

We presented a comparison of MN zoning and R7 zoning with the intention of pursuing a zoning designation of MN, with special restrictions, of the entirety of site.

Neighbors expressed concerns with traffic and activity on the site and effects it might have on surrounding lots.

Representatives from AEG and the owner engaged the neighbors in a conversation of restrictions that they would like to have removed from MN zoning uses.

Neighbors suggested switching the desired zoning from MN to R7. Ashley Ekstedt from the City suggested a PD overlay of the R7 zoning that would restrict uses unfavorable to the neighbors, and add uses favorable to the owner. Owner considered the suggestions and the group began discussing restrictions and additions to the uses under R7 zoning. With input from neighbors, a list was compiled into PD25-0002, see attached exhibits.

DDC Section 2.4.5E. Approval Criteria Applicable to all Applications

1. Generally:

Based upon city comments from the first submittal it is our understanding that the current application generally complies with applicable regulations in sections 2.5 through 2.9.

2. Prior Approvals:

Before 2024, 415 EW. University Drive was a part of one larger property consisting of both 415 E. University Drive and 416 Woodland Street.

The larger property was plated into 3 lots in 2024 (City Project No. MP24-0014). The northern portion abutting Woodland Street became Lots 1 and 2 on the plat. The remainder to the south, fronting on University Drive, became Lot 3 on the plat. The northern two lots are zoned R3 and will be developed by others as single-family residences.

3. Consistent with Comprehensive Plan and Other Applicable Plans:

The 2040 Plan includes 415 E. University Drive within a Neighborhood/University Compatibility Area (N/UCA). The 2040 Plan, on page 2-23 describes this use as follows:

"This land use designation applies to residential and commercial areas adjacent to University of North Texas (UNT) and Texas Woman's University (TWU) that are affected by their proximity to the university. Currently these areas are characterized by university and commercial buildings abutting, in many cases, single-family neighborhoods. As the universities are projected to increase in enrollment, which will require additional facilities, commercial uses and student housing, this designation is to create compatible form and land uses for the areas that serve both the established neighborhoods and the universities."

We are not aware of any specific N/UCA plans for this area nor are we aware of any Small Area Plans.

However, given the small size of the lot and its proximity to single family residences, TWU and University Drive, we believe the land uses allowed within the PD Overlay with an R7 base zoning district provide for ample small living or commercial uses that will serve the housing, university and traveling communities.

4. Compliance with DDC:

The site will develop in compliance with current DDC requirements for the R7 zoning district as amended by the PD Overlay.

5. Compliance with Other Applicable Regulations:

The site does not present any issues that we can identify that would cause concern with all city and other appliable regulations.

6. Consistent with Interlocal and Development Agreements:

The site does not appear to be subject to any interlocal or development agreements.

7. Minimizes Adverse Environmental Impacts:

The site (including the two residential lots) was originally developed as a church facility. The structure was on the north fronting Woodland Street. The rear of the property was a gravel/earthen parking lot accessed from University Drive.

The new development will meet current regulations and will likely lessen any previous environmental impacts. Regardless, if discovered during development, the developer will be required to address any such concerns.

8. Minimizes Adverse Impacts on Surrounding Property:

The previous church facility did provide a very minimal impact upon surrounding uses. However, the inability of the church to function and the deterioration of the facilities led them to sell the site for other uses.

The proposed zoning is in conformance with the Denton Plan 2040. Given the small size of the lot, buffer requirements for single family adjacency, building height in transition areas and other code restrictions; we do not believe the proposed zoning will have an adverse impact on surrounding properties.

9. Minimizes Adverse Fiscal Impacts:

The fiscal impact on the city should be positive. The possible development will render a higher tax value than the current tax value. All of the public facilities and city services are in place. The site is effectively an infill site. Possible development will improve the economy of scale for existing city services.

10. Compliance with Utility, Service, and Improvements Standards:

The municipal infrastructure is in place to serve the site and has sufficient capacity.

11. Provides Adequate Road Systems:

The road systems are in place. The site will front and have access from University Drive. The drive will be a right in – right out only drive.

12. Provides Adequate Public Services and Facilities:

The site was part of a previous development on the site (church and parsonage). This is essentially a redevelopment of the site without any significant increase on the demand for public services.

Existing public services and facilities were adequate to serve the church and parsonage before Church Trustees decided to sell the property in 2020. The site is surrounded by existing land uses having equal or greater demands than what is proposed. No issues are foreseen for adequacy of Public Service and Facilities for a future development of 415 E. University Drive.

13. Rational Phasing Plan:

Not Applicable. This project will not be developed by applicant. The site is too small for a future developer to develop in phases.

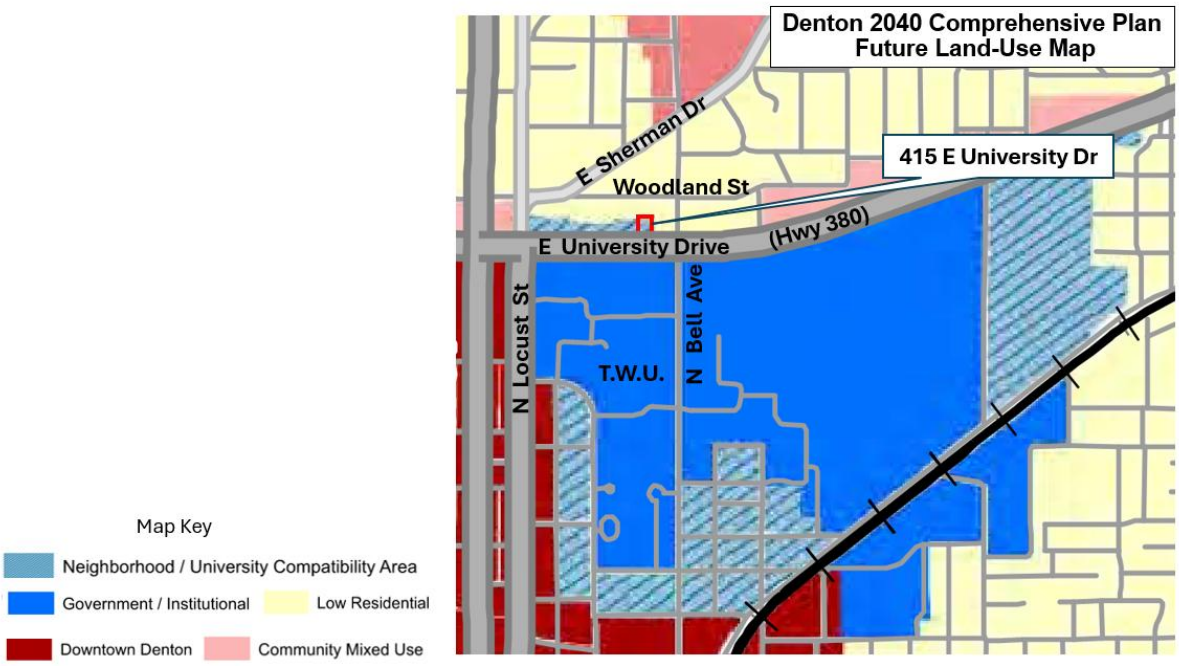
DDC Section 2.7.3E. Rezoning to PD District Approval Criteria

1. Complies with the goals of the Comprehensive Plan

The 2040 Plan indicates this area as a Neighborhood/University Compatibility Area. The 2040 Plan, on page 2-23 describes this use as follows:

"This land use designation applies to residential and commercial areas adjacent to University of North Texas (UNT) and Texas Woman's University (TWU) that are affected by their proximity to the university. Currently these areas are characterized by university and commercial buildings abutting, in many cases, single-family neighborhoods. As the universities are projected to increase in enrollment, which will require additional facilities, commercial uses and student housing, this designation is to create compatible form and land uses for the areas that serve both the established neighborhoods and the universities."

Below is a labeled portion of the 2040 Comprehensive Plan, Future Land-Use Map.



From a planning perspective the logical zoning of the site would be to extend the MN Zoning from the west. However, meetings with the neighbors resulted in a PD Overlay with R7 as the base zoning.

2. Complies with the goals of relevant Area Plans.

We are not aware of any small area plans in this vicinity.

3. Complies with this DDC, except where modifications are expressly authorized through the PD Regulations Document and PD Development Plan.

The modifications provided for in the PD are primarily for the purpose of addressing the needs and concerns of the neighbors while preserving the primary intentions of the applicant.

The proposed PD overlay with an R7 base zoning district appears to best meet the development patterns and uses of the surrounding areas. The DDC states:

"The R7 district is intended to accommodate a variety of housing types on lots designed to encourage walking to neighborhood-serving retail and other amenities such as parks and school facilities. This zoning district will ensure existing neighborhood character is maintained while also contributing to a safe environment for pedestrians and bicyclists. This district can also serve to support compatibility between single-family neighborhoods and higher-intensity mixed-use or nonresidential."

Three zoning districts on a site with less than 1 acre are not conducive to responsible development.

The uses to the north and east are single family residential. The uses to the south are university and the uses to the west are multifamily, commercial and office.

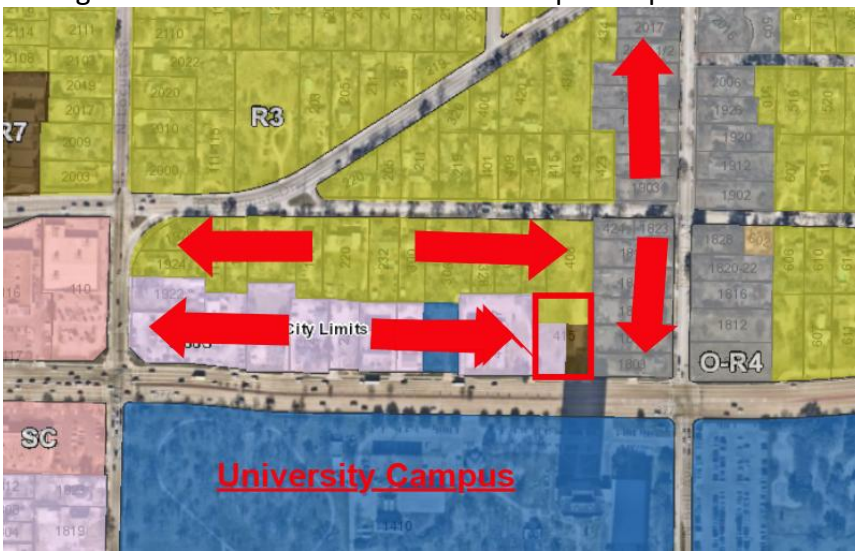
The development pattern on the north is east to west and facing north with the rear to this site.

The development pattern on the east is north to south and facing east with the rear to this site.

The development pattern to the south is an expanding university campus separated by a regional highway (University Drive).

The development pattern to the west is from east to west with this site on the east end.

The figure below demonstrates the development patterns:



4. Provides a greater level of building design quality, community amenities, and connectivity than would be required if the project were not being developed in a PD District.

The uses and conditions are significantly qualified due to discussions with the neighbors. While the quality may not be so apparent to the general public, the quality is the result of input from the neighbors.

5. In the case of proposed residential development, that the development will promote compatible buildings and uses and that it will be compatible with the character of the surrounding area.

The discussions with the neighbors led to a PD Overlay that is consistent with their desires for development of the area. Thus, the development will be compatible with the character of the surrounding area by virtue of their input.

6. In the case of proposed commercial, industrial, institutional, recreational and other non-residential uses or mixed-uses, that such development will be appropriate in area, location, and overall planning for the purpose intended.

Again, the discussions with the neighbors led to a PD Overlay that is consistent with their desires for development of the area. Thus, the development will be compatible with the character of the surrounding area by virtue of their input.

7.The provisions for public facilities such as schools, fire protection, law enforcement, water, wastewater, streets, public services and parks are adequate to serve the anticipated population within the PD District; and

This is an infill site with existing infrastructure suitable for development. The development allowed by the PD will be less intense than what is allowed in the Future Land Use Plan. Thus far no one at the City has expressed any concern with serving the area.

8.The conditions and/or restrictions imposed by the PD District are necessary and sufficient to address any significantly adverse impacts to surrounding properties or the neighborhood.

The PD Overlay is a result of discussions and workshops with the neighbors with the purpose of addressing any unwarranted impacts on the surrounding properties or the neighborhood.

The site will have access on to University Drive. It will be right-in/right-out only. Therefore, primarily any traffic impact to the neighbors will be due to neighborhood traffic traveling to and from the new facilities. The site should not attract regional traffic through the neighborhoods.

The adjacency requirements in the DDC such as landscape buffers, height transition limits, light and noise pollution will adequately render the intensity of the development similar to the intensity of development in the immediate area.

Multifamily developments adjacent to single family developments require a minimum 10-foot landscape buffer and 20 buffer points.

Commercial developments require a minimum landscape width of 15-feet and 30 buffer points adjacent to residential areas.

The maximum building height in the PD overlay with an R7 base zoning district is 40 feet.

Exhibits A1 and A2 are concept plans that demonstrate the general balance between parking areas and building sizes for both multifamily and commercial developments. It is our opinion that these concepts provide a reasonable idea of what the maximum impact will be on intensity.

Checklist Section 2, Additional Information, Section 2.3, Fiscal Impact

The applicant does not have any intention to develop this site. The intention is to clean up the zoning and render the site more attractive to a potential developer.

Two concept plans were prepared to help put a “ceiling” on the potential intensity and impact of the zoning. The plans were based upon the requested PD overlay and the applicants’ expectations of what would be a reasonable use of the site given the surrounding conditions.

Concept Plan A1 is based upon a multifamily development with efficiency units for students.

Concept Plan A2 is based upon a commercial restaurant focused on serving students and the neighborhood community.

The information requested in the checklist is provided as follows:

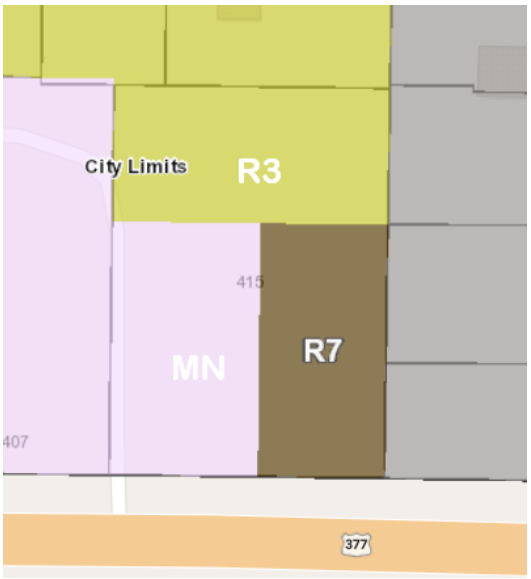
a. **Estimated construction duration:** 18 months for either concept.
b. **Estimate plat filing date:** Plat was filed on September 12, 2024 (MP24-0014).
c. **All related property identification numbers for the project:** R – 1052089
d. **Estimated roadway being added:** None.

e. **All proposed uses on the property:** None; concepts for MF and Restaurant are provided.
f. **Number of buildings and/or number of units:** None, Concept A; 1 building, 5,500 sf, 20 efficiency units or Concept B: 1- 5,500 sf restaurant.
g. **Total Building Square Footage:** None, Concept A, 11,000 sf and Concept B, 5,500 sf.
h. **Total land square footage:** 32,103 sf.

Project Description/Summary and Site History

Burbank House, LLC aquired one property consisting of two tax parcels (DCAD R#75735 and R#34145) from the Trustees of University Baptist Church of Denton, TX. The property included a church and parsonage, both with leaking roofs, and a shed, which have been removed.

The parcel to the North, R#75735, has been platted in to two lots, R#1052087 and R#1052088, and shall remain with the existing R3 Zoning. The southern parcel, R#34145, is now identified as R#1052089 on the Denton Central Appraisal District Parcel Map. The Southern parcel in regards to this Zoning Map Amendment, is zoned R3 on approximately the Northern third, R7 on the Southeastern portion, and MN to the West, consistent with the existing adjacent properties to the West.



The intent of the Zoning Map Amendment is to remove the patchwork existing zoning designation in tax parcel R#34145 and revise the zoning classification to a PD Overlay with an R7 base zoning district.

See included Zoning Maps that show the proposed changes.

Although development is not planned currently, Concept Plans A and B have been included to show a Multifamily, Restaurant, and General Office developments. The Concept Plans are intended only for reference of potential uses allowed within the Denton Development Code Table of Allowed Uses and to provide a perspective of the impact upon the intensity.

Existing trees are around the property lines with a single tree near the middle of the site. Existing landscaping consists of lawn where the gravel does not extend. There are not any ESAs identified on the property.

Surrounding Property Uses:

- N: R3 – Single-Family Residential Homes
- E: R3 – Single-Family Residential Homes with Bell Avenue Historic District Overlay
- S: University Drive/US 377/US 380 Frontage
  - PF – TWU across University
- W: MN – Multi-Family Apartment Homes

Proposed Site Conditions:

Proposed Land Uses:

- N/A – There are no proposed developments at this time.

Proposed Infrastructure and Utilities:

- Water supply, Sanitary Sewer, Solid waste, and Electric service will be via the City of Denton.

We certainly desire that you look favorably upon this request.

Respectfully Submitted,
Allison Engineering Group



Lee K. Allison, P.E., FNSPE

October 11, 2024

During the August 22, 2024 neighborhood meeting regarding the rezoning proposal for 415 E. University Drive, Ms. Angela Stripling held up a paper. She said it shows that in the year 2000 a document was filed with the Office of the Secretary of State of Texas. She said that document says that the land owned by University Baptist Church of Denton was only allowed to be used by a nonprofit for perpetuity.

Lee Allison of Allison Engineering, who was leading the meeting, asked Ms. Stripling if he could take a photo of that paper so we could find out how it might apply to the rezoning proposal. Ms. Stripling allowed Lee Allison to take a photo of the paper she was holding.

A copy of that photo is shown on the back side of this page.

The title of the document is shown clearly on the photo. The document is a copy of the "Articles of Incorporation of University Baptist Church, Incorporated of Denton, Texas."

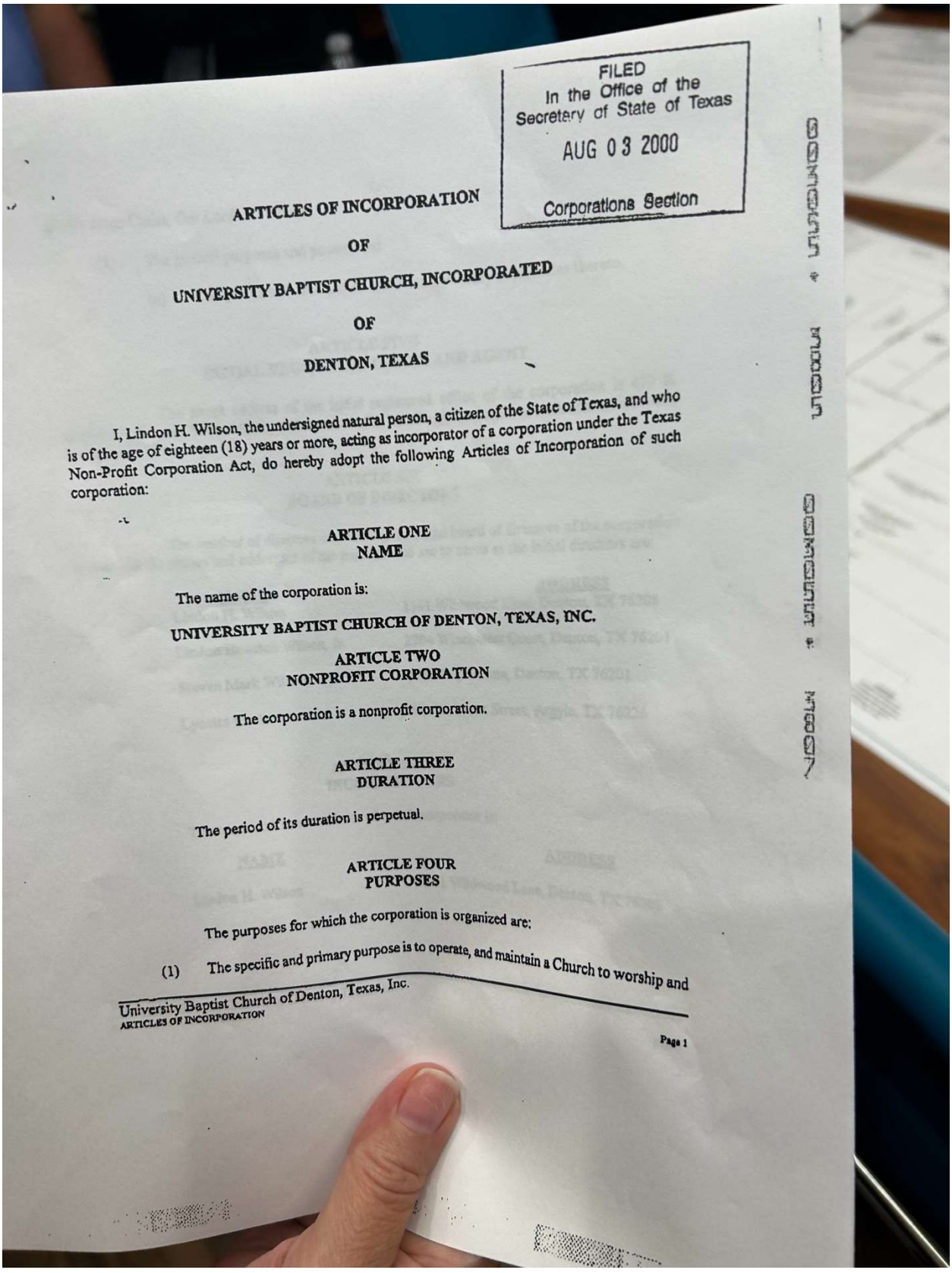
The page Ms. Stripling was holding is the first page of a corporate organizational document. As written in the first paragraph of page two of the enclosed memo from lawyer Lance Vanzant, the document (the Articles of Incorporation of University Baptist Church, Incorporated of Denton, Texas) has no relevance to how the land that was owned by University Baptist Church of Denton, TX may be developed.

Karl L. Sharrah

Karl L. Sharrah

Manager
Burbank House, LLC

Burbank House, LLC currently owns the property known as 415 E. University Drive, Denton, TX



FILED
In the Office of the
Secretary of State of Texas
AUG 03 2000
Corporations Section

ARTICLES OF INCORPORATION

OF

UNIVERSITY BAPTIST CHURCH, INCORPORATED

OF

DENTON, TEXAS

I, Lindon H. Wilson, the undersigned natural person, a citizen of the State of Texas, and who is of the age of eighteen (18) years or more, acting as incorporator of a corporation under the Texas Non-Profit Corporation Act, do hereby adopt the following Articles of Incorporation of such corporation:

ARTICLE ONE
NAME

The name of the corporation is:

UNIVERSITY BAPTIST CHURCH OF DENTON, TEXAS, INC.

ARTICLE TWO
NONPROFIT CORPORATION

The corporation is a nonprofit corporation.

ARTICLE THREE
DURATION

The period of its duration is perpetual.

ARTICLE FOUR
PURPOSES

The purposes for which the corporation is organized are:

(1) The specific and primary purpose is to operate, and maintain a Church to worship and

Hayes | Berry | White | Vanzant
TEXAS FIRM

MEMO

FROM: Lance Vanzant and Luke Doane
TO: Karl Sharrah
RE: Restrictions on land

Introduction: Intent to clarify confusion

There seems to be some confusion regarding the land use restrictions that have been set in place at the property commonly known as 415 E University Drive, Denton, Texas, or Denton County Tax Parcel 34145 (hereinafter the "Property"). This memo, prepared for the benefit of the neighborhood surrounding the former University Baptist of Denton, Texas, Inc. (hereinafter "University Baptist"), is written with the intent to clear up that confusion.

The below is a brief legal analysis of well-established law (with legal citations) which demonstrates that there is no land use restriction in place demanding the Property be used by a nonprofit. The Property may legally be used for any purpose its zoning and relevant government regulations allow.

What a restrictive covenant is, and how it is formed?

There are a number of ways to restrict the use of land. Examples of restrictions can include zoning restrictions, government regulations, platting restrictions, and certain types of ownership interests like reversions and conditional transfers; one method is the restrictive covenant.

A "restrictive covenant" is a negative covenant that limits permissible uses of land[1]. A restrictive covenant can bind a purchaser of land in two ways: as a covenant that runs with the land, or as an equitable servitude[2]. A covenant runs with the land if 1) it touches and concerns the land, 2) it specifically binds the parties and their assigns, 3) the original parties to the covenant intended it to run with the land, and 4) the purchaser has notice of the restriction/covenant[3].

A covenant touches and concerns the land when it impacts the value of said land by changing its possible use[4]. In the case of 415 E University Drive, there is no document that even claims to do that.

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[1] *Voice of Cornerstone Church Corp. v. Pizza Prop. Partners*, 160 S.W.3d 657, 665 (Tex. App.—Austin 2005, no pet.)
[2] *TX Far W., Ltd. v. Tex. Investments Mgmt., Inc.*, 127 S.W.3d 295, 302 (Tex. App.—Austin 2004, no pet.)
[3] *Raman Chandler Properties, L.C. v. Caldwell's Creek Homeowners Ass'n, Inc.*, 178 S.W.3d 384, 391 (Tex. App.—Fort Worth 2005, pet. denied) (citations omitted).
[4] *MJR Oil & Gas 2001 LLC v. AriesOne, LP*, 558 S.W.3d 692, 703 (Tex. App.—Texarkana 2018, no pet.)

There is no recorded or other written document that demonstrates an intent to create a restrictive covenant upon the land. The corporate organizational documents of University Baptist were filed with the Texas Secretary of State for the purpose of creating a non-profit corporation for the corporate purpose reflected in the Articles of Incorporation and have no relevance to how the land may be developed.

And finally, the current holder of the land had no notice of any restriction (probably because it doesn't exist). When intending to give notice of land use restrictions in the form of a covenant, that notice is typically given by recording it in the land records in the county. This creates what is known as "record notice." This record notice gives every person or corporate entity notice of any previous deeds, restrictions, easements, mortgages, or other ownership interests ever held. When something is recorded, it is nearly impossible to claim in court that one lacked notice. No restrictive covenants, nor any kind of restrictions on the land, regarding church use have been recorded, and Burbank House, LLC had no notice otherwise of any land use restrictions. So the fourth required element to establish a restriction is not met.

An equitable servitude can be created if (1) the purchaser of land took its interest with notice of the restriction, (2) the covenant limits the use of the burdened land, and (3) the covenant benefits the land of the party seeking to enforce it[5].

Again, Burbank House, LLC had no notice of any restriction (because none exist on file in the deed records), and there is no document that actually places a limit on the use of the land. As to the last element, there is no land that clearly benefits from any restriction on the Property (again, because there is no restriction).

Conclusion: No restriction exists

There is no restriction on the use of the Property other than the city of Denton zoning regulations. The organizational documents don't grant one, and none has been filed in the county records. Without notice, it is impossible to impose a restriction on the land that Burbank House, LLC legally purchased.

[5] *Reagan Nat. Advert. of Austin, Inc. v. Capital Outdoors, Inc.*, 96 S.W.3d 490, 495 (Tex. App.—Austin 2002, pet. granted), judgment vacated, cause dismissed (Dec. 9, 2003)

Title Resources
525 South Loop 288, Suite 125
Denton, Texas 76205
Phone: 940-381-1006
Fax: 940-898-0121

LIEN AND RESTRICTION SEARCH

INVOICE NO. Prior GF# 215951
CERTIFICATION DATE: August 19, 2024

This is to certify that the undersigned has searched the records of the County Clerk of Denton County, Texas, from July 12, 2021, to August 19, 2024, only with respect to the following described property:

All that certain lot, tract or parcel of land lying and being situated in Denton County, Texas and being a part of the N.H. Meisenheimer Survey, Abstract Number 811 and also being all of a tract of land described in deed to University Baptist Church, recorded in Volume 505, Page 60, Real Property Records, Denton County, Texas and being all of a tract of land described in deed University Baptist Church, recorded in Volume 448, Page 240, Real Property Records, Denton County, Texas and being more fully described by metes and bounds as follows:
BEGINNING at a 1/2 inch capped iron rod found in the North line of University Drive, for the Southwest corner of a tract of land described in deed to Vu Anh Dao and Tu Anh Dao, recorded in Instrument Number 2010-28145, Real Property Records, Denton County, Texas;
THENCE West, along said North line, a distance of 149.93 feet to a 1/2 inch capped iron rod found for the Southeast corner of a called First Tract of land described in deed to Blanche Ginnings, recorded in Volume 1044, Page 295, Deed Records, Denton County, Texas;
THENCE North 00 degrees 16 minutes 07 seconds West, along the common line of said Ginnings tract and said Baptist Church tract, a distance of 211.00 feet to a capped iron rod set stamped "KAZ";
THENCE North 89 degrees 33 minutes 05 seconds East, a distance of 25.55 feet to a capped iron rod set stamped "KAZ";
THENCE North 00 degrees 59 minutes 35 seconds West, a distance of 204.65 feet to a 5/8 inch capped iron rod found;
THENCE North 89 degrees 06 minutes 56 seconds East, a distance of 126.28 feet to a capped iron rod set stamped "KAZ" for the Northwest corner of a tract of land described in deed to Robert L. Fritts and Suzanne L Fritts, recorded in CCF# 2012-110026, Deed Records, Denton County, Texas;
THENCE South 00 degrees 26 minutes 44 seconds East, a distance of 130.46 feet to a 3/8 inch iron rod found for the Southwest corner of a tract of land described in deed to Texas Woman's University, recorded in Instrument Number 2004-66746, Real Property Records, Denton County, Texas;
THENCE South 00 degrees 24 minutes 35 seconds East, a distance of 150.24 feet to a 5/8 inch iron rod found for the Southwest corner of Lot 2A, Henry King Addition, as shown on Plat recorded in Cabinet V, Page 243, Plat Records, Denton County, Texas;
THENCE South 00 degrees 09 minutes 00 seconds East, a distance of 75.63 feet to a 1/2 inch iron rod found for the Southwest corner of a tract of land described in deed to Michael F. Olson, recorded in Instrument Number 2014-7759, Real Property Records, Denton County, Texas;
THENCE South 00 degrees 20 minutes 25 seconds East, a distance f 61.44 feet to the POINT OF BEGINNING and containing 1.32 acres of land, more or less.

AND the only outstanding lien(s) and restrictions we find of record affecting the subject property are as follows:

NONE FOUND OF RECORD.

AND Title to said property is vested in the following:

BURBANK HOUSE, LLC

AND we find the following documents of record affecting the above-described name(s):

Nothing found of record.

The list of instruments described above are subject to all matters that an examination of such instruments would reflect.

The search evidenced by this certificate covers only the Official Property Records of Denton County, Texas, with respect to the particular property and names described herein, and no other.

This certificate is delivered with the understanding, evidenced by the acceptance thereof, that the same is neither a guaranty, warranty nor opinion of title, and the undersigned company issuing this certificate shall not be liable for injury or damages claimed by any person or entity for an amount in excess of $0.00, which is the amount paid for this certificate.

EXECUTED AS OF THE CERTIFICATION DATE STATED ABOVE.

TITLE RESOURCES, LLC

By Kara Owens
Kara Owens

Allison Engineering Group

2415 N. Elm Street • Denton, TX 76201 • Office: 940.380.9453 • www.ae-grp.com

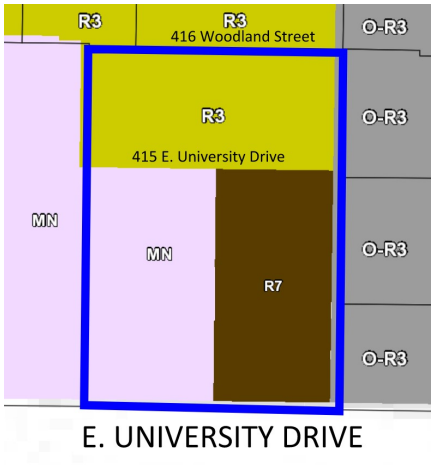
NOTIFICATION OF NEIGHBORHOOD MEETING REGARDING PROPOSED ZONING CHANGE

Thursday, August 22, 2024 at 5:30 pm
Allison Engineering Group
2415 N. Elm Street
Denton, TX 76201

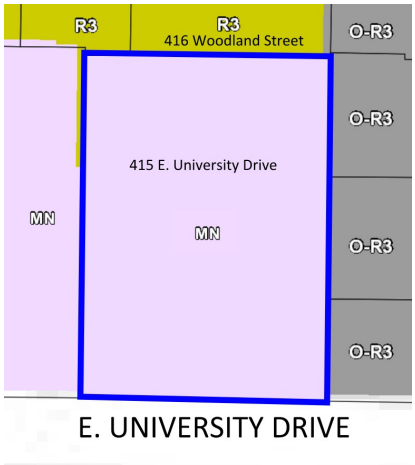
The owners of the property located at 415 E. University Drive, Denton, TX 76209, the previous location of the University Baptist Church, are proposing a Zoning Amendment from the current mixed zoning classifications of MN-Mixed-Use Neighborhood, R3-Residential, and R7-Residential to be entirely MN-Mixed-Use Neighborhood. The property owner and engineer will present details of the proposed changes and will seek input from adjacent property owners and neighbors. There is not a specific development plan currently. Among other things, MN Zoning allows Multifamily Housing, General Retail, or Restaurant use. The lot where the church and parsonage sat at 416 Woodland Street will remain R3-Residential and has been platted into two Single-Family Residential lots.

In addition, the presentation will explain the general process for rezoning in the City of Denton and answer any questions that you may have. We hope that you will be able to attend to gain the full perspective of the potential changes. If you are unable to attend or have any questions, please contact the AEG office or send an email to info@ae-grp.com.

Current Zoning Classification:



Proposed Zoning Classification:



NEIGHBORHOOD SIGN-IN SHEET

Fill out the information below, including if you would like to receive additional updates as the rezoning process continues.

NO.	NAME	ADDRESS	EMAIL	UPDATES?
01	STEVE CARROLL	408 WOODLAND ST., DENTON, TX 76209	SCA	
02	Shea + Dawn Pruitt	401 Woodland		
03	JEAN Hanson	300		
04	Lupita Cordero	409 Woodland		
05	JANICE & RICK FREEMAN	219 WOODLAND		
06	Victoria Hodg Brian Wheeler	1823 N.		
07	Angie & Ernie Stripling	1815 N. Bell Ave		
08	Rebecca & Edward Leal	411 Woodland St		
09	(Tom & Kathy) Kake Nations	205 Woodland S		
10	Brian Whale	1823 N. Bell Ave		
11	Philippe RIGAUD	423 Woodland St		
12	DAVE & Connie Thornton	211		
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Burbank House, LLC
McKinney, TX 75070

October 16, 2024

To: Neighbors of 415 E. University Drive, Denton TX 76209

Dear Neighbors,

Please join us for the upcoming second neighborhood meeting regarding the proposed zoning change for the property located at 415 E. University Drive, Denton, TX 76209.

In this envelope there are four items:

1. This cover letter
2. Invitation to second neighborhood meeting (from Allison Engineering)
3. Photocopy of document held up by Ms. Angela Stripling during first neighborhood meeting on August 22, 2024. Ms. Stripling said that document demonstrates that there is a land-use restriction on the property at 415 E. University Drive, Denton, TX and the land-use restriction requires that the land always be used by a nonprofit.
4. Memo from the Denton real estate lawyer Lance Vanzant regarding whether or not there truly exists a land-use restriction requiring that 415 E. University Drive be used by a nonprofit

We look forward to seeing you at the second neighborhood meeting on November 19.

Regards,

Karl L. Sharrah

Karl L. Sharrah
Manager
Burbank House, LLC

Allison Engineering Group

2415 N. Elm Street • Denton, TX 76201 • Office: 940.380.9453 • www.ae-grp.com

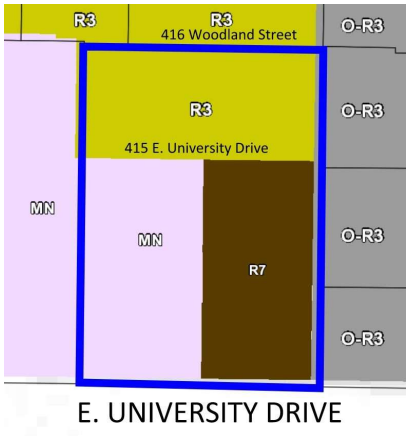
NOTIFICATION OF NEIGHBORHOOD MEETING REGARDING PROPOSED ZONING CHANGE

Tuesday, November 19, 2024 from 5:30 PM to 6:30 PM
Emily Fowler Central Library
Upstairs Meeting Room (Near the Reference Desk)
502 Oakland Street Denton, TX 76201

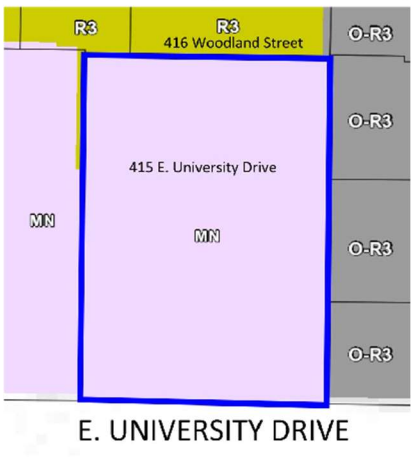
The owners of the property located at 415 E. University Drive, Denton, TX 76209, the parking area previously owned by the University Baptist Church, are proposing a Zoning Amendment from the current mixed zoning classifications of MN-Mixed-Use Neighborhood, R3-Residential, and R7-Residential to be entirely MN-Mixed-Use Neighborhood. The property owner and engineer will present details of the proposed changes and will seek input from adjacent property owners and neighbors. There is not a specific development plan currently. Among other things, MN Zoning allows Multifamily Housing, General Retail, or Restaurant use. The lot where the church and parsonage sat at 416 Woodland Street will remain R3-Residential and has been platted into two Single-Family Residential lots.

In addition, the presentation will explain the general process for rezoning in the City of Denton and answer any questions that you may have. We hope that you will be able to attend to gain the full perspective of the potential changes. If you are unable to attend or have any questions, please contact the AEG office or send an email to info@ae-grp.com.

Current Zoning Classification:



Proposed Zoning Classification:



NEIGHBORHOOD SIGN-IN SHEET

Fill out the information below, including if you would like to receive additional updates as the rezoning process continues.

NO.	NAME	ADDRESS	EMAIL
01	JANICE & RICK FREEMAN	219 WOODLAN	
02	STEVE CARROLL	408 WOODCAND	SC
03			
04			
05			
06			
07			
08			
09			
10			
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NEIGHBORHOOD SIGN-IN SHEET

Fill out the information below, including if you would like to receive additional updates as the rezoning process continues.

NO.	NAME	ADDRESS	EMAIL
01	Philippe Richard	423 Woodland st	
02			
03			
04			
05			
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07			
08			
09			
10			
11			
12			
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NEIGHBORHOOD SIGN-IN SHEET

Fill out the information below, including if you would like to receive additional updates as the rezoning process continues.

NO.	NAME	ADDRESS	EMAIL	UPDATES?
01	JEAN Hanson	380 Woods		
02	ETHNIE SETTLES	615 N. BELL AVE.		
03	ANNIE " "	Angie		
04				
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MAY 1, 2025
NEIGHBORHOOD MEETING
SIGN-IN SHEET

NO.	NAME	ADDRESS	EMAIL	UPDATES?
01	GARY HAYDEN	21006 W Bell		
02				
03				
04				
05				
06				
07				
08	Pamela Gray	AEG	pgray@ae-grp.com	
09	Jason Monk	AEG	jmonk@ae-grp.com	
10	Lee Allison	AEG	lee.allison@ae-grp.com	
11	Karl Sharrah	Burbank House		
12			karlsharrah@gmail.com	
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MAY 1, 2025
NEIGHBORHOOD MEETING
SIGN-IN SHEET

NO.	NAME	ADDRESS	EMAIL	UPDATES?
01	ERNIE & ANGIE	1815 N. BELL AV		
02	Steve + Mary	1902 + 1903 +		
03		Bell		
04	Edward & Rebecca Leal	911		
05				
06	Angie Stripling	1815 N. Bell Ave		
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MAY 1, 2025
NEIGHBORHOOD MEETING
SIGN-IN SHEET

NO.	NAME	ADDRESS
01	Jadicca Ricic Freeman	
02	Ana Ramirez	
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August 5, 2025
NEIGHBORHOOD MEETING
SIGN-IN SHEET

NO.	NAME	ADDRESS	EMAIL
01	Jason Monk	702 Headlee St	
02	ERNIE & ANGIE SIMPLINS	1915 N	
03	Victoria Hodge / Brian Wheeler	1923	
04	Mike & Varina Lavelle	Baker Bou	M
05	Jennifer Thaeler	1926 N Bell Ave	
06	RICHARD SMITH	1920 N BELL	Ri
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August 5, 2025
NEIGHBORHOOD MEETING
SIGN-IN SHEET

NO.	NAME	ADDRESS	EMAIL
01	JEAN HANSON	300 Woodland	
02	Tom & Kate Nations	205 Woo	
03	Meg Cochran	1816 N. Dellare	
04	Shea & Dawn Pruitt	401 Woodland	
05	Robin & Hwa Ho	160 Woodland	
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Exhibit B
OVERLAY PLANNED DEVELOPMENT STANDARDS
PD25-0002

Project Name: 415 E. University Drive

PD-R7– 0.737 acres

415 E. University Drive
City of Denton, Denton County, Texas

SECTION 1: Purpose Statement

The regulations set forth in these development standards are for an Overlay Planned Development (PD) District as defined in Denton Development Code (DDC) Section 2.7.3C.1. The Overlay PD consists of approximately 0.737 total acres described in Exhibit A and attached to this PD Ordinance.

The purpose of this PD is to rezone the existing MN, R3 and R7 zoning, to a Planned Developed with R7 as the base zoning district with modifications to lessen the impact of development adjacent to the Bell Avenue Historic District. The base zoning district for the PD shall be Residential 7 (R7) District, with the use and development standard modifications as provided for in this ordinance.

SECTION 2: Use Regulations

Permitted land uses shall be in accordance with Exhibit C: Table of Permitted Uses.

SECTION 3: Development Standards and Conditions

Development within this PD shall comply with the Development Standards applicable to the R7 zoning district as provided for in the Denton Development Code, 2019 Edition as amended except as modified herein. Additionally, all development within this PD shall comply with the following:

3.1 Landscape Standards

All requirements of DDC Subchapter 7.7 Landscaping, Screening, Buffering, and Fences applicable to the R7 zoning district shall apply to development within this PD District except as modified herein.

a. The Compatibility Landscape Buffer required for a developing multifamily use adjacent to an existing Single-family detached use, is a minimum 10-foot width; minimum 30 points.

3.2 Dimensional Standards

All dimensional and development standards for the R7 District as provided for in the DDC, as amended, shall apply to development within this PD District except as modified herein.

a. The building setback from the Bell Avenue Historical District, on the east property line, shall be a minimum of 30 feet.
b. The building setback from the Residential and Mixed-Use Zoning Districts, along the west and north property lines, shall be a minimum of 10 feet.
c. The maximum number of stories shall be 2 and a maximum height 40 feet
d. The cumulative gross floor area, as defined below, of all of the buildings (as measured in the DDC) shall be 10,000 sf maximum, not including non-climate-controlled access corridors
    a. Gross floor area: All areas within a structure including interior storage areas, closets, living areas, and bathrooms, garages, and interior and exterior walls shall be included in the calculation of floor area of a structure.

3.3 Site and/or Building Design Standards

All development within this PD District shall comply with the development standards listed in this Section below. Otherwise, all site and building design requirements of Subchapter 7 of the DDC, as amended, shall apply except as modified herein.

a. The maximum number of residential units shall be 18.
b. Drive through facilities in accordance with 7.9.7C shall not be permitted for any use within the PD.
c. With the exception of lodging facilities, as allowed in this PD, non-residential development will be restricted to the following hours of operation:
    i. Weekdays; 7 am to 8 pm
    ii. Weekends; 8 am to 10 pm
d. Dumpsters shall be located in accordance with the DDC except as provided below:

i. The minimum distance from any abutting Residential zoning district shall be 50 feet.
ii. The minimum distance from the Bell Avenue Historic District shall be 100 feet.

Exhibit C
Overlay District (R7)
Table of Permitted Uses

P = Permitted * = Use-Specific Standards Apply

	Resident R7	Use-Specific Standards
Residential Uses		
HOUSEHOLD LIVING		
Single-Family Detached Dwelling	P*	5.3.3A
Townhome	P*	5.3.3B
Duplex	P*	5.3.3C
Triplex	P*	5.3.3C
Fourplex	P*	5.3.3C
Multifamily Dwelling	P*	5.3.3D
Work/Live Dwelling	P*	5.3.3F
GROUP LIVING		
Elderly Housing	P*	5.3.3H
Public, Institutional, Religious & Civic Uses		
COMMUNITY AND CULTURAL FACILITIES		
Community Service	P	
Day Care, Adult or Child	P	
Park, Playground, Open Space	P	
Religious Assembly	P*	5.3.4D
HEALTHCARE FACILITIES		
Medical Office	P*	5.3.4H
Commercial Uses		
AGRICULTURAL AND ANIMAL USES		
Community Garden	P	
Veterinary Clinic	P	
OFFICE, BUSINESS, AND PROFESSIONAL SERVICES		
Administrative, Professional, and Government Office	P*	5.3.5K
Bank or Financial Institution	P	
LODGING FACILITIES		
Bed and Breakfast	P*	5.3.5S
Boarding or Rooming House	P	
Short-Term Rental	P*	5.3.5T
Accessory Uses		
Accessory Dwelling Unit	P*	5.4.4A
Home Occupation	P*	5.4.4C

Table 5.2-A: Table of Allowed Uses

P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply

	Residential							Mixed-Use			Corridor		Other Nonresidential				Use-Specific Standards
	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	
Residential Uses																	
HOUSEHOLD LIVING																	
Single-Family Detached Dwelling	P+	P+	P+	P+	P+	P+	P+	P+									5.3.3A
Townhome					S+	P+	P+	P+	P+	P+							5.3.3B
Duplex					S+	P+	P+	P+	P+	P+							5.3.3C
Triplex						P+	P+	P+	P+	P+							5.3.3C
Fourplex						P+	P+	P+	P+	P+							5.3.3C
Multifamily Dwelling							S+	P+	P+	P+	S+	S+	S+				5.3.3D
Tiny Home Development	Subject to approval of a planned development (PD); see 5.3.3E																
Work/Live Dwelling	P+						P+	P+	P+	P+	P+	S+	S+				5.3.3F
Manufactured Home Development (HUD Code)						S+	S+										5.3.3G
GROUP LIVING																	
Chapter House							S	S								P	
Community Home	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+							5.3.3I
Dormitory							S	S	P								
Elderly Housing						S+	S+	P+	P+	P+	S+	S+					5.3.3H
Group Home	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+							5.3.3IJ
Public, Institutional, Religious, and Civic Uses																	
COMMUNITY AND CULTURAL FACILITIES																	
Airport, City-Owned																P	
Cemetery, City-Owned																P	

Table 5.2-A: Table of Allowed Uses

P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply

	Residential							Mixed-Use			Corridor		Other Nonresidential				Use-Specific Standards
	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	
Cemetery, Privately-Owned	S+		S+							S+	S+	S+	S+	S+		S+	5.3.4I
Club or Lodge	P	S	S	S	S	S	S+	P+	P	P+	P	P	P	P+	P+		5.3.4A
Community Service	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Day Care, Adult or Child	P	S	S	S	S	S	P	P	P	P	P	P	P	P+			5.3.4B
Funeral and Internment Facility									S	S	P	P	P	P			
Homeless Shelter	S+						S+	S+	S+	S+						P+	5.3.4C
Landfill, City-Owned																P	
Park, Playground, Open Space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Religious Assembly	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.3.4D
EDUCATIONAL FACILITIES																	
Business or Trade School								P+	P+	P+	P+	P	P	P	P		5.3.4E
College or University									P	P			P				
School, Private	P	S	S	S	S	S	S	P	P	P	P	P	P			P	
School, Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
HEALTHCARE FACILITIES																	
Hospital Services										P+	P+	P	P				5.3.4F
Medical Clinic								S+	S+	P+	P+	P	P	P			5.3.4G
Medical Office							P+	P+	P+	P	P+	P	P	P			5.3.4H
Commercial Uses																	
AGRICULTURAL AND ANIMAL USES																	
General Agriculture	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.3.5A
Commercial Stable	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.3.5B
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Kennel	P+	S+	S+								P+	P+	S+	P+	P+		5.3.5C
Urban Farm	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Veterinary Clinic	P	S	S					P	P+	P	P	P	P	P			5.3.5D
RECREATION AND ENTERTAINMENT																	
Amenity Center	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Indoor Recreation Facility	P							P	P	P	P	P	P	P			
Outdoor Recreation Facility	P	P	P	P	P	P	P	S	S	S	P	P	P	P			
RV Park	S+		S+	S+	S+	S+	S+							S+	P+		5.3.5E
FOOD AND BEVERAGE SERVICES																	
Bar, Tavern, or Lounge								S+	P	P	P	P	P	P			5.3.5F
Mobile Food Court								S+	S+	S+	S+	S+	S+	S+	S+		5.3.5G
Private Club	P+							P+	P+	P+	P+			P+	P+		5.3.5H

Table 5.2-A: Table of Allowed Uses

P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply

	Residential							Mixed-Use			Corridor		Other Nonresidential				Use-Specific Standards
	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	
Restaurant								P+	P	P	P	P	P	P			5.3.5I
Restaurant, with Drive-Through								S+	S+	P+	P+	P+	P+	P+			5.3.5J
OFFICE, BUSINESS, AND PROFESSIONAL SERVICES																	
Administrative, Professional, and Government Office				S+	S+	S+	P+	P+	P+	P	P	P	P	P	P	P	5.3.5K
Bank or Financial Institution							S+	P+	P+	P	P	P	P	P			5.3.5L
Musician Studio								P+	P+	P+	P+	P+	P+	P+	P+		5.3.5M
Credit Access Business								S+	P+	P	P	P	P	P			5.3.5N
Printing, Copying, and Publishing Establishment								S	P	P	P	P	P	P	P		
PERSONAL SERVICES																	
Laundry Facility, Industrial												S	S	P	P		
Laundry Facility, Self-Service							S+	P+	P+	P+	P	P	P	P	P		5.3.5O
Personal Service, General								P	P	P	P	P	P	P			
Tattoo and Body Piercing Parlor								P+	P+	P+	P+	P+					5.3.5P
RETAIL SALES																	
Building Materials and Supply Store											S	P		P	P		
General Retail Unless Otherwise Specified, Less than 5,000 Square Feet							S+	P	P	P	P	P	P	P	P	P	5.3.5Q
General Retail Unless Otherwise Specified, Between 5,000 Square Feet and 15,000 Square Feet								P	P	P	P	P	P	P	P		
General Retail Unless Otherwise Specified, More than 15,000 Square Feet								S	S	P	P	P	P	P+	P+		5.3.5R
Smoke Shop									P	P	P	P					
LODGING FACILITIES																	
Bed and Breakfast	P+				S+	S+	S+	P+	P+	P+	P+						5.3.5S
Boarding or Rooming House								S	P	P	P						
Hotel								P	P	P	P	P	P	P			
Motel										P	P	P	P	P			
Short-Term Rental	P+	P+	P+	P+	P+	P+	P+	P+									5.3.5T
VEHICLES AND EQUIPMENT																	
Auto Wash										P	P	P	P	P	P		
Automotive Fuel Sales								S+	S+	P+	P+	P+	P+	P+	P+		5.3.5U
Automotive Repair Shop, Major										P+	P+	P+	S+	P+	P+		5.3.5V

Table 5.2-A: Table of Allowed Uses

P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply

	Residential							Mixed-Use			Corridor		Other Nonresidential				Use-Specific Standards
	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	
Automotive Repair Shop, Minor								S+		P+	P+	P+	P+	P+	P+		5.3.5W
Automotive Sales or Leasing												P					
Automotive Wrecking Service, Impound Lot, Junkyard, and Salvage Yard														S+	P+		5.3.5X
Equipment Sales and Rental												S+		S+	P+		5.3.5Y
Parking Lot as a Principal Use									P	P	P	P	P	P	P		
Travel Plaza												P		P	P		
ADULT ENTERTAINMENT ESTABLISHMENTS																	
Sexually Oriented Business															S+		5.3.5Z
Industrial Uses																	
MANUFACTURING AND PROCESSING																	
Craft Alcohol Production								S	P+	P+	P+	P	P	P	P		5.3.6A
Feedlot, Slaughterhouse, or Packaging Plant	S														S		
Food Processing, Less than 2,500 Square Feet								P+	P+	P+	P+	P+	P+	P+	P+		5.3.6B
Food Processing, More than 2,500 Square Feet								S+	S+	P+	P+	P+	P+	P+	P+		5.3.6C
Gas Well	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	Subchapter 6: *Gas Wells*
Manufacturing, Artisan								P+	P+	P	P	P	P	P	P		5.3.6D
Manufacturing, Low-Impact									S+	P+	P+	P+	P+	P	P		5.3.6E
Manufacturing, Medium-Impact													S	S	P		
Manufacturing, High-Impact															S		
Commercial Incinerator, Transfer Station															S		
Data Center, Modular														S+	S+	S+	5.3.6I
Data Center, Warehouse										S+	S+	S+	P+	P+	P+	P+	5.3.6J
STORAGE AND WAREHOUSING																	
Outdoor Storage (as a Primary Use)														S+	S+	S+	5.3.6F
Self-Service Storage								S+	S+	S+	P+	S+	P+	P+	P+		5.3.6F.1
Storage of Hazardous Materials															S		
Warehouse and Wholesale Facility										S+	S+	P	P	P	P		5.3.6G.4.a
Public and Semi-Public Utility Uses																	
Basic Utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

Table 5.2-A: Table of Allowed Uses

P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply

	Residential							Mixed-Use			Corridor		Other Nonresidential				Use-Specific Standards
	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	
Power Stations, Electric Substations, Interchanges, and Switch Stations	P+							P+	P+	P+	P+	P+	P+	P+	P+	P+	5.3.7A
Solar Collector as Principal Use	S+												S+	S+	S+	P+	5.3.7B
Wind Energy Conversion System (WECS)															S+	S+	5.3.7C
Wireless Telecommunications	See Section 5.6: *Wireless Telecommunications Facilities*																
Accessory Uses																	
Accessory Dwelling Unit	P+	P+	P+	P+	P+	P+	P+	P+									5.4.4A
Donation Box																	5.4.4B
Home Occupation	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+						5.4.4C
Outdoor Storage, Accessory												P+	P+	P+	P+	P+	05.4.4D
Sale of Produce and Plants Raised on Premises	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.4.4D.1
Solar Collector, (Ground- or Building-Mounted)	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.4.4F
Wind Energy Conversion System (WECS), Small (Ground-Mounted)	P+	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+	P+	P+	P+	5.4.4G
Wind Energy Conversion System (WECS), Small (Building-Mounted)	P+	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+	P+	P+	P+	0
Temporary Uses																	
Temporary Storage Containers and Other Portable Storage Units	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.5.6A
Concrete or Asphalt Batching Plant, Temporary	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.5.6B
Farmer's Market or Open-Air Market								P+	P+	P+	P+	P+	P+	P+	P+	P+	5.5.4
Field or Construction Office	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.5.6C
Seasonal Sales								P+	P+	P+	P+	P+	P+	P+	P+		5.5.4
Special Event								P+	P+	P+	P+	P+	P+	P+	P+	P+	5.5.4
Portable Wireless Telecommunications Facility	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.5.4

MULTIFAMILY

FISCAL SUMMARY

CITY OF **DENTON**

GENERAL FUND IMPACTS

Revenues	40 Year Total
AD VALOREM TAXES	$880,700
RETAIL SALES TAX	
Direct Project Retail Sales Tax Revenue	$0
Net New Resident + New Commuters Retail Sales Tax Revenue	$189,700
OTHER TAXES (Mixed Beverage)	$0
LICENSE & PERMITS	
Zoning Fees	$22,100
Building Permits	$7,500
Certificate of Occupancy	$100
Beer & Wine Permits	$0
SERVICE FEES	
Restaurant Inspections	$0
Grocery Store Inspections	$0
Swimming Pool Inspections	$0
Electrical Inspections	$2,900
Plumbing Inspections	$2,100
Development Fees	$9,400
Plan Review Fees	$4,100

Expenses	40 Year Total
Neighborhood	($193,500)
Public Safety	($572,900)
Transportation	($26,100)
Admin & Community Services	($198,600)

OTHER FUND REVENUES

TOURISM & CONVENTION SALES TAX	$0
ENTERPRISE UTILITY FUNDS	
Electric Charge	$805,200
Water Charge	$237,400
Wastewater Charge	$185,900
Drainage Charge	$18,900
Solidwaste Charge	$197,400
WATER IMPACT FEE	$71,500
WASTEWATER IMPACT FEE	$44,100
TOTAL ROADWAY IMPACT FEE	$17,600
TOTAL PARKS LAND DEDICATION & DEV. TRUST	$3,400
TREE MITIGATION	$0

ROADWAY MAINTENANCE

ROADWAY MAINTENANCE	$0

New Residents From Residential



27

New Workers From Non-Residential *

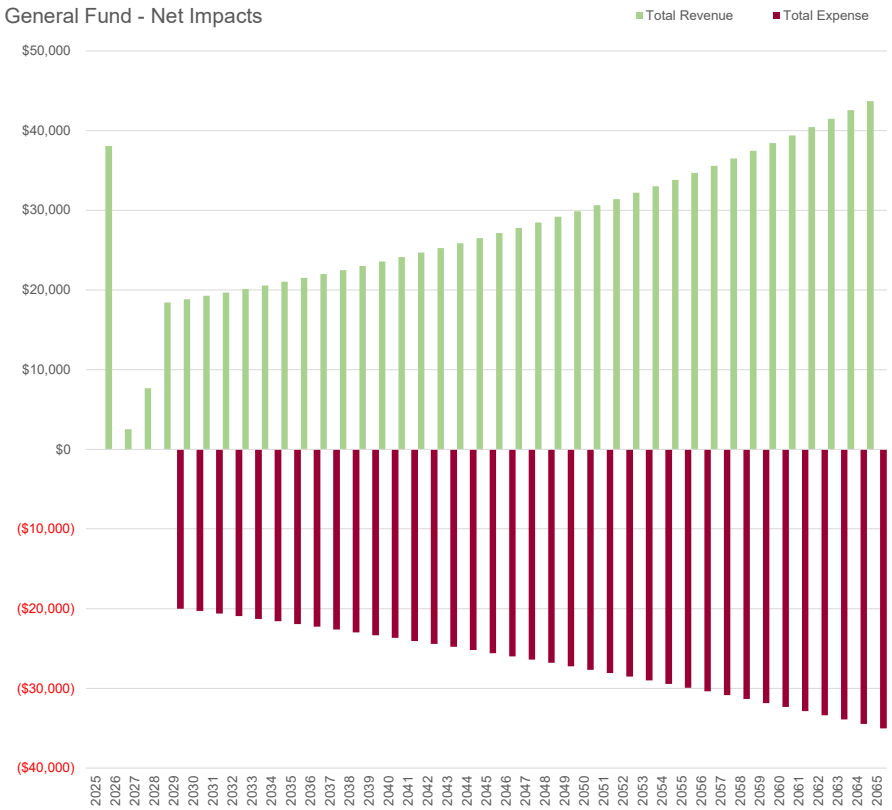


0

* Calculations based on new commuters not total new workers in order to not double count with new residents

General Fund Impact Summary

General Fund - Total Revenue	General Fund - Total Expenses	General Fund - Net Impact
$1,118,600	-$991,200	$127,400



OFFICE

FISCAL SUMMARY

CITY OF **DENTON**

GENERAL FUND IMPACTS

Revenues	40 Year Total
AD VALOREM TAXES	$880,700
RETAIL SALES TAX	
Direct Project Retail Sales Tax Revenue	$0
Net New Resident + New Commuters Retail Sales Tax Revenue	$41,400
OTHER TAXES (Mixed Beverage)	$0
LICENSE & PERMITS	
Zoning Fees	$22,100
Building Permits	$7,300
Certificate of Occupancy	$100
Beer & Wine Permits	$0
SERVICE FEES	
Restaurant Inspections	$0
Grocery Store Inspections	$0
Swimming Pool Inspections	$0
Electrical Inspections	$2,700
Plumbing Inspections	$200
Development Fees	$9,400
Plan Review Fees	$3,900

Expenses	40 Year Total
Neighborhood	($195,700)
Public Safety	($436,100)
Transportation	($26,400)
Admin & Community Services	($200,900)

OTHER FUND REVENUES

TOURISM & CONVENTION SALES TAX	$0
ENTERPRISE UTILITY FUNDS	
Electric Charge	$1,519,700
Water Charge	$338,900
Wastewater Charge	$330,500
Drainage Charge	$29,400
Solidwaste Charge	$469,500
WATER IMPACT FEE	$54,100
WASTEWATER IMPACT FEE	$33,600
TOTAL ROADWAY IMPACT FEE	$700
TOTAL PARKS LAND DEDICATION & DEV. TRUST	$0
TREE MITIGATION	$0

ROADWAY MAINTENANCE

ROADWAY MAINTENANCE	$0

New Residents From Residential



0

New Workers From Non-Residential *

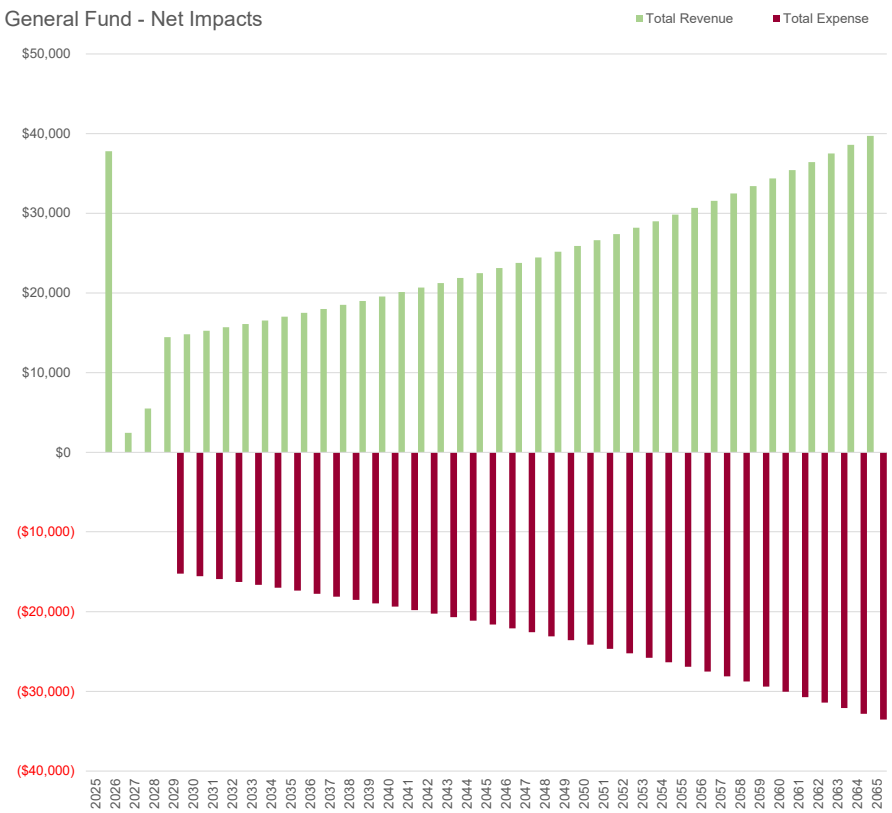


29

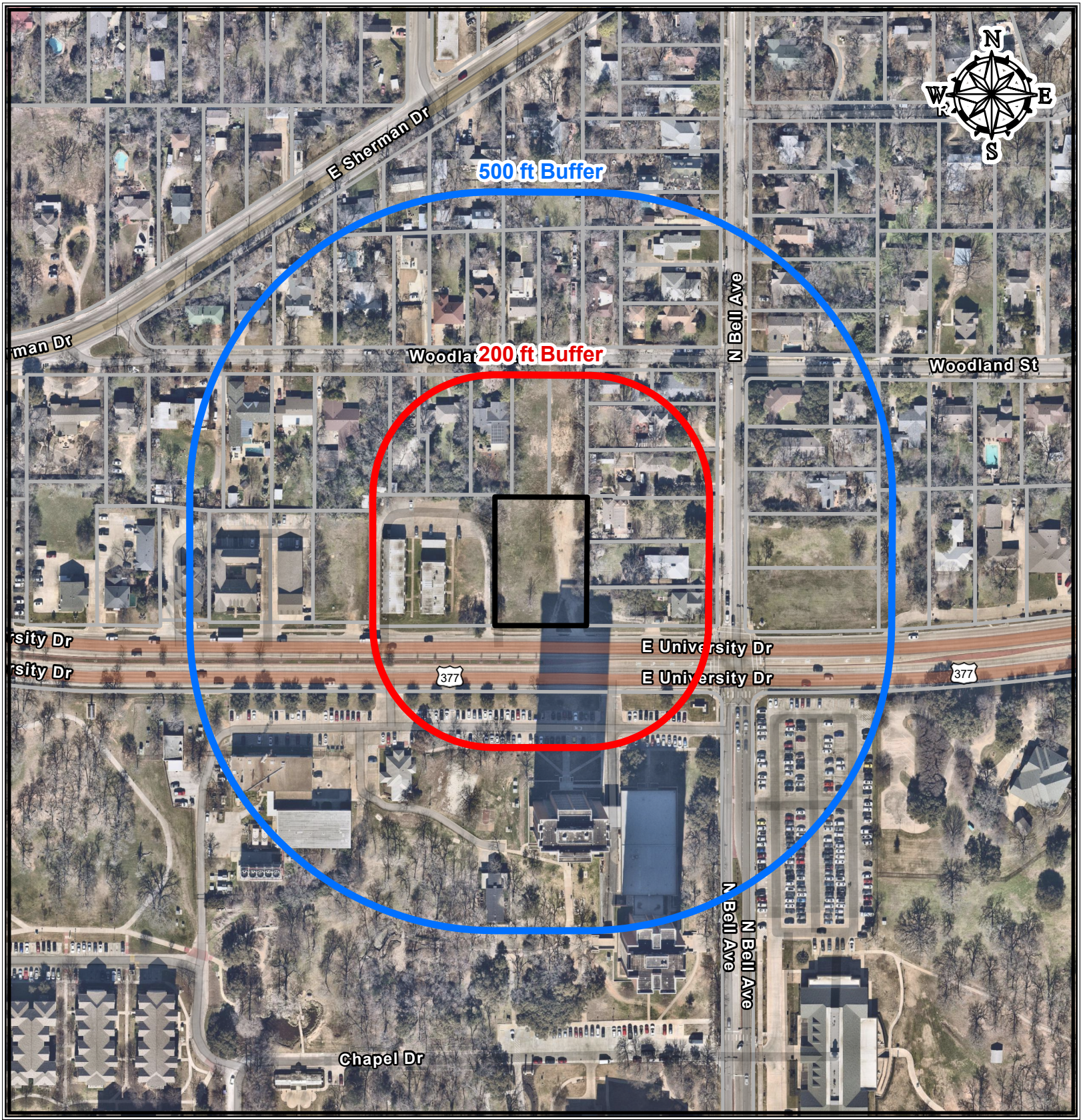
* Calculations based on new commuters not total new workers in order to not double count with new residents

General Fund Impact Summary

General Fund - Total Revenue	General Fund - Total Expenses	General Fund - Net Impact
$967,800	-$859,100	$108,700



PD25-0002
Notification Map



0 62.5 125 250 Feet

CITY OF DENTON
Development Services · GIS
Date: 7/21/2025

"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 relati 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."

CITY OF DENTON

DEPARTMENT OF DEVELOPMENT SERVICES

Development Services Center – 401 N. Elm Street – Denton, Texas 76201 voice: (940) 349-8600 www.cityofdenton.com

PUBLIC HEARING NOTIFICATION SIGN AFFIDAVIT OF SIGN POSTING

Project No. PD25-0002

Date of Planning and Zoning Commission Meeting: August 13, 2025

I hereby certify that I have posted or caused to be posted Public Hearing Notification sign(s) on the property subject to Project Name/Number 415 E. University Rezoning PD25-0002 located at 415 E. University Dr. Denton, TX 76209
Said sign(s) have been obtained through a sign contractor of choice and meet the specifications as stated in the City of Denton Public Hearing Sign Criteria Sheet.
Posting of said signs was accomplished on July 2, 2025. Said signs have been posted in a manner that provides an unobstructed view and allows clear reading from the public right(s)of-way along E. University Drive.
Said signs will be maintained on the property throughout the entire public hearing process and will be removed within three (3) calendar days subsequent to the final decision by the approving body. I further certify that this affidavit was filed with the Planning Department of the City of Denton within the time provisions specified in the City of Denton Public Hearing Sign Criteria Sheet.

Executed this the 2nd day of July, 2025.

Pamela Gray

Signature of Applicant or Authorized Representative for Project No.

Pamela Gray

Printed Name of Applicant or Authorized Representative for Project No.

STATE OF TEXAS COUNTY OF Denton BEFORE ME, a Notary Public, on this 2nd day personally appeared (printed owner's name) the above signed, who, under oath, stated the following: "I hereby certify that I am the owner, for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 2nd day of July, 2025.

Notary Signature

(seal)

JASON MONK
Notary Public, State of Texas
Comm. Expires 07-02-2026
Notary ID 131628755

PLEASE NOTE: ***Failure to post the notification sign(s) on the property by the close of business (5 pm) on the tenth (10th) day prior to the first public hearing shall result in the postponement of consideration by the Board or Commission.***

STAFF USE ONLY:

Date/Time submitted: 7/2/2025 1:54 PM Verified by: Ashley Ekstedt

DEPARTMENT OF DEVELOPMENT SERVICES
Development Services Center – 401 N. Elm Street – Denton, Texas 76201 voice: (940) 349-8600 www.cityofdenton.com

Public Hearing Notification Sign Criteria and Affidavit

A public hearing notification sign is a sign erected on the subject property to publicize a Future Land Use or Zoning Change request, a Specific Use Permit request, a Variance request, or a Historic Landmark Designation request. ***The number of signs and the placement of signs shall be determined at the time of First Review Comments for each specific request.*** It is the responsibility of the owner/project representative to contact Development Services Department to verify the number and location of signs needed.

Sign Criteria:

SIGN DESIGN

- ☑ Signs shall be three and a half (3 ½) feet wide by four (4) feet tall. (Please refer to attached sign exhibit.)
- ☑ The sign shall be constructed in accordance with the City's design standards for public hearing notification signs.
  - a) Two (2) sided, ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
  - b) Lettering shall be placed on both sides of the sign.
  - c) The letter font style shall be Trebuchet MS. The required font size is 230 (bold) for the sign heading and 180 for all but for the remainder of the sign. Of the smaller words on the sign, everything is bold except the number field, name field, request field, and the website address. (Please refer to attached sign exhibit.)
  - d) Metal or wood posts shall be used.
- ☑ The sign shall comply with the layout and dimensions on the attached Public Hearing Notification Sign Specification sheet.

PLACEMENT

- ☑ The sign shall be posted perpendicular to the property line, and visible and legible from adjacent rights-of-way, but except alleys, at a location(s) determined by staff.
- ☑ If the subject property is on more than one (1) right-of-way, one (1) sign shall be posted along each right-of-way for each 500 feet of linear street frontage of the property.
- ☑ Signs shall be located outside of the public right-of-way, and shall be a minimum of two (2) feet off the ground, unless otherwise directed by the Director of Development Services or designee.

PROOF OF POSTING

- ☑ **At least 10 days prior to the public hearing, the applicant shall submit an executed affidavit of proof of the posting (attached) and photographs of the installed sign to the Planning Project Manager.**

  Failure to post the notification sign(s) and submit the affidavit and photographs will require that the public hearing item be withdrawn and re-noticed until the next public hearing date available.

- ☑ The property owner is responsible for maintaining the sign on the property throughout the entire public hearing process. If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign and posting the sign on the property promptly.

REMOVAL OF SIGNS

- ☑ **The property owner or his/her representative must remove the sign within three (3) calendar days subsequent to the final decision by the approving body.**

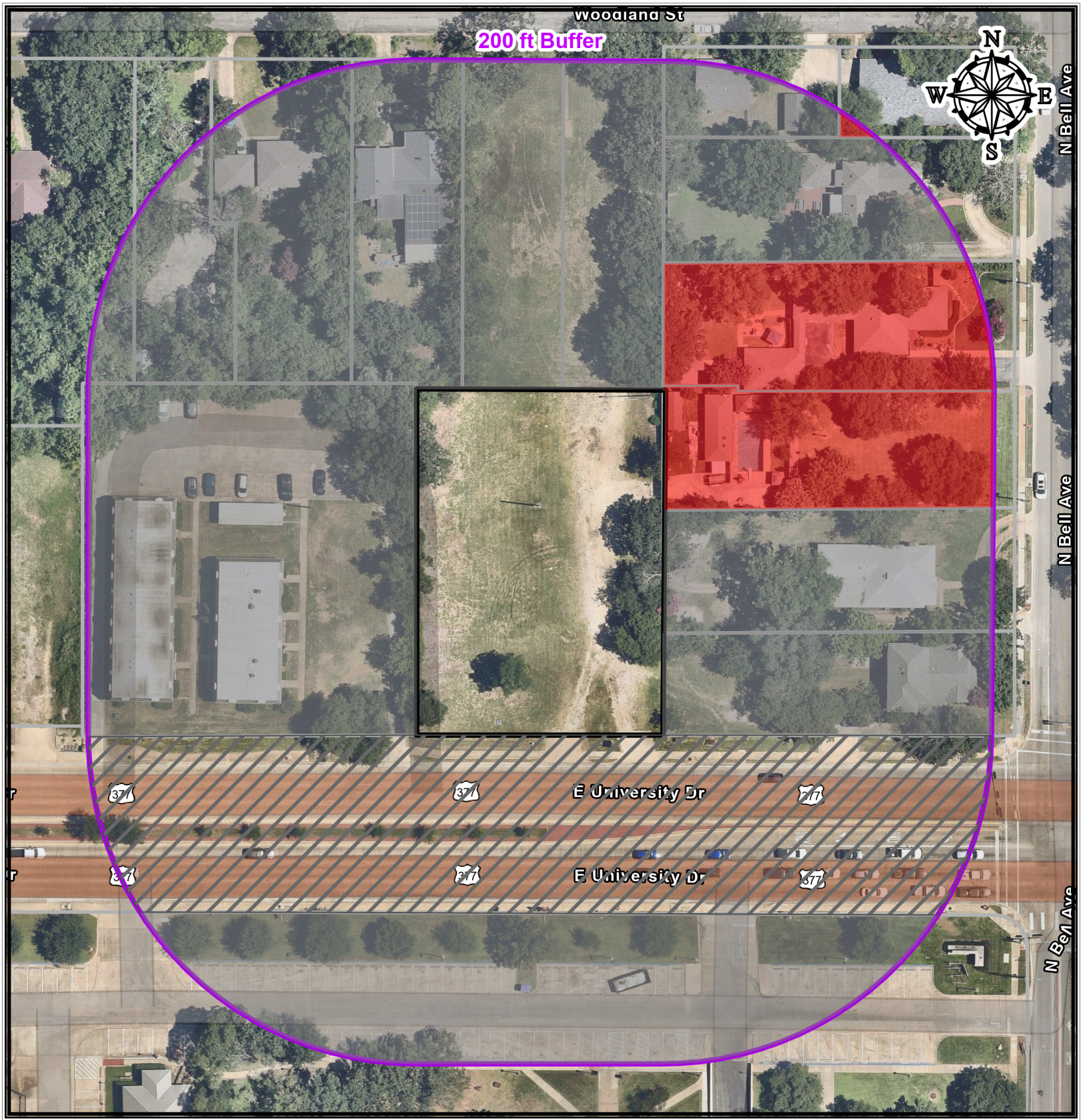

DENTON
Notice of Public Hearing
(940)349-8600


CITY OF
DENTON
Notice of Public Hearing
Project Number: PD25-0002
Project Name: 415 E University Dr
Request: Rezone to PD-R7
More Info:
cityofdenton.com/ProjectInfo
(940)349-8600


Notice of Public Hearing
(940)349-8600


CITY OF DENTON
Notice of Public Hearing
Project Number: PD25-0002
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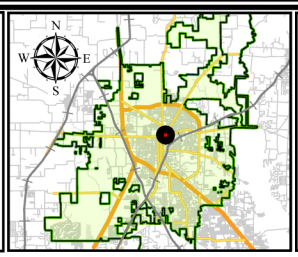
PD25-0002
Notification Response Map



Responses

- No Response
- Opposed
- In Favor

- TxDOT ROW
- Parcels Standalone



0 20 40 80 Feet

CITY OF DENTON
Development Services · GIS
Date: 8/7/2025

"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 relati 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."

CITY OF DENTON

Development Services
401 N. Elm St., Denton, TX 76201 • (940) 349-8541

Response Form

Project Number: PD25-0002
415 E University

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

City of Denton Development Services
Attn: Ashley Ekstedt, Project Manager
401 N. Elm St.
Denton, TX 76201

You may also email a copy to ashley.ekstedt@cityofdenton.com.

Project Number: PD25-0002

Please circle one:

☐ In favor of request ☑ Opposed to request

Comments: The Current Zoning has been in place for decades (1951). Strategically meant to Protect the Historic District / Neighborhood Church property is in the development plan/code for Neighborhood

Signature: Angie Stripling

Printed Name: AngieStripling@gmail.com. Angie Stripling

Street Address: 1815 N Bell

City, State and Zip Code: Denton, Tx 76209

Phone Number: 940-391-6921

Email Address: AngieStripling@gmail.com

Physical Address of Property within 200 Feet: 1815 N Bell Ave

CITY OF DENTON

Development Services
401 N. Elm St., Denton, TX 76201 • (940) 349-8541

Response Form

Project Number: PD25-0002
415 E University

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

City of Denton Development Services
Attn: Ashley Ekstedt, Project Manager
401 N. Elm St.
Denton, TX 76201

You may also email a copy to ashley.ekstedt@cityofdenton.com.

Project Number: PD25-0002

Please circle one:

□ In favor of request ☑ Opposed to request

Comments: Multi family - size - does not fit the footprint around this property - majority of the property is R3. Existing Multi family that borders this property do NOT have that many units.

Signature:

Printed Name: Ernie Stripling

Street Address: 1815 N Bell Ave

City, State and Zip Code: Denton, Tx 76209

Phone Number: 940.391-6921

Email Address: erniestripling@gmail.com.

Physical Address of Property within 200 Feet: 1811 N Bell Ave

Parking is a BIG issue

CITY OF DENTON

Development Services
401 N. Elm St., Denton, TX 76201 • (940) 349-8541

Response Form

Project Number: PD25-0002
415 E University

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

City of Denton Development Services
Attn: Ashley Ekstedt, Project Manager
401 N. Elm St.
Denton, TX 76201

You may also email a copy to ashley.ekstedt@cityofdenton.com.

Project Number: PD25-0002

Please circle one:

□ In favor of request ☒ Opposed to request

Comments: The historic residential district deserves to have a buffer from commercial or multi use zoning. R7 is a more appropriate zoning, but in general I'm opposed to changing these zonings with out a development plan.

Signature: Brian T. Wheeler

Printed Name: Brian T. Wheeler

Street Address: 1823 N. Bell Ave

City, State and Zip Code: Denton, TX 76209

Phone Number: 940 368 1810

Email Address: brian.wheeler@unt.edu

Physical Address of Property within 200 Feet: 1823 N. Bell Ave

ORDINANCE NO. PD25-0002a

AN ORDINANCE OF THE CITY OF DENTON, TEXAS REGARDING A CHANGE IN THE ZONING DISTRICT AND USE CLASSIFICATION ON APPROXIMATELY 0.74 ACRES OF LAND FROM THE RESIDENTIAL 3 (R3), RESIDENTIAL 7 (R7), AND MIXED-USE NEIGHBORHOOD (MN) DISTRICTS TO AN OVERLAY PLANNED DEVELOPMENT – RESIDENTIAL 7 (PD-R7) DISTRICT. THE SITE IS GENERALLY LOCATED ON THE NORTH SIDE OF EAST UNIVERSITY DR, APPROXIMATELY 240 FEET WEST OF NORTH BELL AVENUE, IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF $2,000.00 FOR VIOLATIONS THEREOF; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. (PD25-0002, 415 E University)

WHEREAS, Lee Allison with Allison Engineering, applied on behalf of the property owner, Burbank House, LLC, for a zoning change from the Residential 3 (R3), Residential 7 (R7), and Mixed-Use Neighborhood (MN) districts to an Overlay Planned Development – Residential 7 (PD-R7) District on approximately 0.74 acres, legally described and depicted in Exhibit "A" (hereinafter, the "Property"); and

WHEREAS, on August 13, 2025, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, having given the requisite notices by publication and otherwise, and having held due hearings and afforded full and fair hearings to all property owners interested in this regard, and have recommended ____ (_-_) of the amendment; and

WHEREAS, on September 16, 2025 the City Council likewise conducted a public hearing as required by law, and finds that the request meets and complies with all substantive and procedural standards for a zoning change to an Overlay Planned Development (PD) District – Residential 7 (PD-R7) set forth in Section 2.7.3 of the Denton Development Code, and is consistent with the Denton 2040 Comprehensive Plan and the Denton Development Code; and

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

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

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

SECTION 2. The zoning district and use classification for the Property is hereby changed from the Residential 3 (R3), Residential 7 (R7), and Mixed-Use Neighborhood (MN) districts to an Overlay Planned Development – Residential 7 (PD-R7) District. The Development Standards for the Property are described in Exhibit "B" and the Table of Allowed Uses for the Property is

attached as Exhibit "C", both of which are attached hereto and incorporated herein by reference. Development of the Property shall be in accordance with the Development Standards in Exhibit "B" and the Denton Development Code, as amended and shall be developed only with the Allowed Uses listed in Exhibit "C".

SECTION 4. The City's official zoning map is hereby amended to show the change in the zoning district and use classification.

SECTION 5. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall not affect the validity of the provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 6. Any person, firm, entity or corporation violating any provision of this ordinance shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by fine in a sum not exceeding $2,000.00 for each offense. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense.

SECTION 7. In compliance with Section 2.09(c) of the Denton Charter, this ordinance shall become effective fourteen (14) days from the date of its passage, and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record-Chronicle, a daily newspaper published in the City of Denton, Texas, within ten (10) days of the date of its passage.

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

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

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

_____
GERARD HUDSPETH, MAYOR

ATTEST:
LAUREN THODEN, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____

Exhibit A – Zoning Legal Description

WHEREAS, BURBANK HOUSE, LLC, is the owner of a 0.737 acre (32,091 square feet) tract of land out of the NELSON H. MEISENHAMER SURVEY, ABSTRACT NO. 811, situated in the City of Denton, Denton County, Texas, being all of tracts I and II conveyed to Burbank House, LLC by General Warranty Deed of record in Document Number 2021-125257 of the Official Records of Denton County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING with a green plastic cap stamped “EAGLE SURVEYING” set in the North right-of-way line of E. University Drive (right-of-way width varies), being the Northeast corner of a called 285 square foot tract of land conveyed to the State of Texas by deed of record in Volume 342, Page 540 of said Deed Records, also being the Northwest corner of a called 596 square foot tract of land conveyed to the State of Texas by deed of record In Volume 343, Page 563 of said Deed Records, also being the Southwest corner of said 0.300 acre tract;

THENCE, S89°19’25”W, along the North right-of-way line of E. University Drive, being in part, the North line of said 285 square foot tract and in part, the North line of a called 311 square foot tract of land conveyed to the State of Texas by deed of record in Volume 342, Page 363 of said Deed Records, also being the common South line of said Tract II, a distance of 150.00 feet to a 1/2-Jnch iron rod with a yellow plastic cap stamped “METROPLEX” found at the Northwest corner of said 311 square foot tract, being the Northeast comer of a called 895 square foot tract of land conveyed to the State of Texas by deed of record in Volume 344, Page 39 of said Deed Records, also being the Southeast corner of a called Tract I conveyed to Blanche Ginnings by Warranty Deed of record In Volume 1044, Page 295 of said Deed Records, also being Southwest corner of said Tract ll;

THENCE, N00°47’34”W, leaving the North right-of-way line of E. University Drive, along the East line of said Winnings tract, being the common West line of said Tract II and said Tract I, a distance of 210.90 feet to a 1/2-Inch iron rod with a green plastic cap stamped ’EAGLE SURVEYING" set in the South line of said Carroll tract, along the Northeast comer of said Ginnings tract, also being the most Westerly Northwest corner of said Tract I;

THENCE, N88°52’46”E, along the South line of said Carroll tract being the common North line of said Tract I, along or near a chain-link fence, a distance of 30.00 feet to a 3-lnch metal fence corner post found at the Southwest corner of said Tract III, also being the Southeast corner of said Carroll tract;

THENCE, N89°45’45”E, along the South line of said Carroll tract being the common North line of said Tract I, along or near a chain-link fence, a distance of 124.57 feet;

THENCE, S00°26’36”W, along the West line of Lot 3A and Lot 4A of said Henry King Addition of record in Cabinet V, Page 243, being the common East line of said Tract III and said Tract I, being a distance of 76.78 feet to a 5/8-inch Iron nail found in the West line of Lot 3 of said Henry King Addition of record in Volume 193, Page 511, being the Northwest corner of that certain

tract of land conveyed to Michael F. Olson, S.T.D., Bishop of the Catholic Diocese of Fort Worth by Special Warranty deed of record In Document Number 2014-77257 of said Official Records, also being the Southwest corner of said Lot 4;

THENCE, S00°28'43"W, along the West line of Lots 3 and 2 of said Henry King Addition of record In Volume 193, Page 511, being the West line of said Olson tract, also being the common East fines of said Tract I and said Tract Il, a distance of 75.67 feet to a 1/2-inch iron rod found at the Northwest corner of a called 0.300 acre tract of land conveyed to Vu Anh Dao and Tu Anh Dao by General Warranty Deed of record in Document Number 2010-28145 of said Official Records, being the Southwest corner of said Olson tract;

THENCE, S00°25'37”W, along the West line of Lots 2 and 1 of said Henry King Addition of record in Volume 193, Page 511, being the West line of said 0.300 acre tract, also being the common East line of said Tract ll, a distance of 57.77 feet to a 1/2-inch iron rod with a green plastic cap stamped “EAGLE SURVEYING”, to the POINT OF BEGINNING, and containing an area of 0.737 acres (32,091 square feet) of land, more or less.

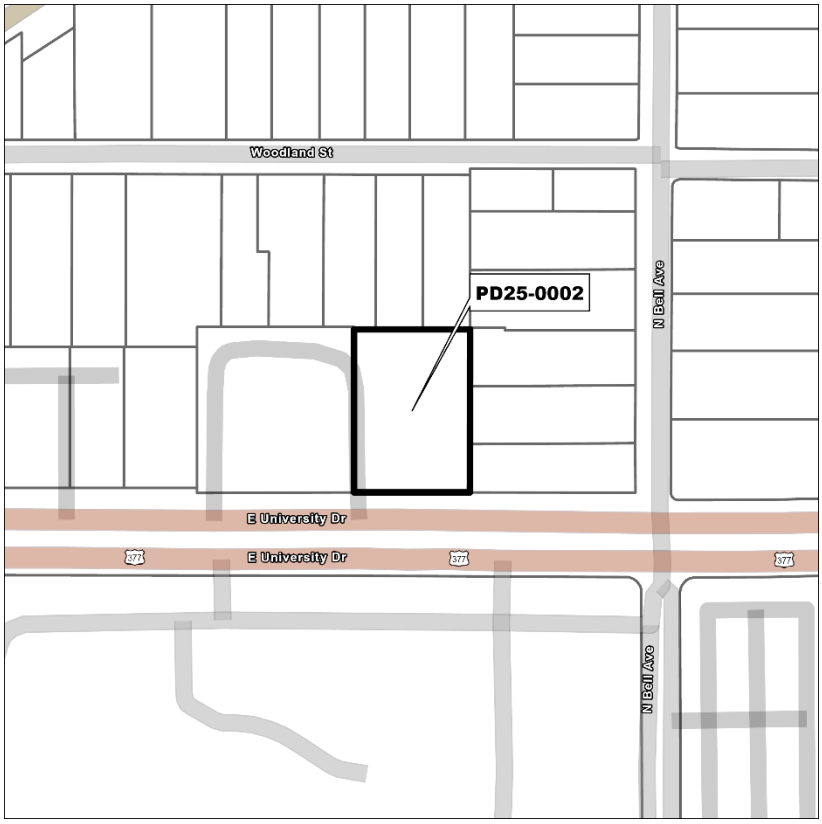


Exhibit B – Planned Development Standards

OVERLAY PLANNED DEVELOPMENT STANDARDS
PD25-0002

Project Name: 415 E. University Drive

PD-R7– 0.737 acres

415 E. University Drive
City of Denton, Denton County, Texas

SECTION 1: Purpose Statement

The regulations set forth in these development standards are for an Overlay Planned Development (PD) District as defined in Denton Development Code (DDC) Section 2.7.3C.1. The Overlay PD consists of approximately 0.737 total acres described in Exhibit A and attached to this PD Ordinance.

The purpose of this PD is to rezone the existing MN, R3 and R7 zoning, to a Planned Developed with R7 as the base zoning district with modifications to lessen the impact of development adjacent to the Bell Avenue Historic District. The base zoning district for the PD shall be Residential 7 (R7) District, with the use and development standard modifications as provided for in this ordinance.

SECTION 2: Use Regulations

Permitted land uses shall be in accordance with Exhibit C: Table of Permitted Uses.

SECTION 3: Development Standards and Conditions

Development within this PD shall comply with the Development Standards applicable to the R7 zoning district as provided for in the Denton Development Code, 2019 Edition as amended except as modified herein. Additionally, all development within this PD shall comply with the following:

3.1 Landscape Standards

All requirements of DDC Subchapter 7.7 Landscaping, Screening, Buffering, and Fences applicable to the R7 zoning district shall apply to development within this PD District except as modified herein.

a. The Compatibility Landscape Buffer required for a developing multifamily use adjacent to an existing Single-family detached use, is a minimum 10-foot width; minimum 30 points.

3.2 Dimensional Standards

All dimensional and development standards for the R7 District as provided for in the DDC, as amended, shall apply to development within this PD District except as modified herein.

a. The building setback from the Bell Avenue Historical District, on the east property line, shall be a minimum of 30 feet.
b. The building setback from the Residential and Mixed-Use Zoning Districts, along the west and north property lines, shall be a minimum of 10 feet.
c. The maximum number of stories shall be 2 and a maximum height of 40 feet
d. The maximum gross floor area, as defined below, of all of the buildings (as measured in the DDC) shall be 10,000 sf not including non-climate-controlled access corridors
    a. Gross floor area: All areas within a structure including interior storage areas, closets, living areas, bathrooms, garages, and interior and exterior walls shall be included in the calculation of floor area of a structure.

3.3 Site and/or Building Design Standards

All development within this PD District shall comply with the development standards listed in this Section below. Otherwise, all site and building design requirements of Subchapter 7 of the DDC, as amended, shall apply except as modified herein.

a. The maximum number of residential units shall be 18.
b. Drive through facilities in accordance with 7.9.7C shall not be permitted for any use within the PD.
c. With the exception of lodging facilities, as allowed in this PD, non-residential development will be restricted to the following hours of operation:
    i. Weekdays; 7 am to 8 pm
    ii. Weekends; 8 am to 10 pm
d. Dumpsters shall be located in accordance with the DDC except as provided below:
    i. The minimum distance from any abutting Residential zoning district shall be 50 feet.
    ii. The minimum distance from the Bell Avenue Historic District shall be 100 feet.

Exhibit C – Table of Allowed Uses

File #: PZ25-025, **Version:** 1

AGENDA CAPTION

Hold a discussion regarding the Planning and Zoning Project Matrix.

2025

Planning and Zoning Commission Requests for Information
Meeting Dates

Request		Request Date	Status
Discussion related to removing minimum parking requirements from the DDC.	Villarreal	9/14/2022	This item is on hold given the pending city-wide parking study; City Council to provide subsequent direction at a future date.
LSR explaining the practices and legal limitations based on recent state law changes regarding right-of-way dedication for roadways and perimeter street improvements.	Pruett	5/15/2024	Staff will provide an update at a future date.
Discussion regarding applicability of gas well regulations within the City's ETJ.	Pruett	9/11/2024	Work session tentatively scheduled for September 2025.
Discussion on communal living and how small home communities could be achieved.	Pruett	10/9/2024	Work session tentatively scheduled for August 2025.
Mobility Plan discussion regarding neighborhoods along east McKinney Street and trail connectivity to neighboring parks.	Pruett	10/9/2024	Work session tentatively scheduled for September 2025.
P&Z Boot camp presentations	Firgens	1/23/2025	Various work session meetings throughout 2025.
Public engagement techniques that staff performs.	McDuff	6/11/2025	To be scheduled for future work session.

Ongoing Items		Request Date	Status
Request for additional detail regarding the results of TIAs on future projects.	Smith	10/12/2022	Information regarding TIAs will be provided in the analysis of future projects.
Request to include the number of extension requests associated with a plat application within the agenda information summary (AIS).	Villarreal	12/13/2023	Information regarding the number of extension requests associated with a plat application will be provided for future projects.
Request to include link to videos of past Public Meetings related to a project when the Commission has previously had a public hearing on the item.	Ellis	8/14/2024	Links to video recordings of prior public hearings will be provided within the AIS for projects on which the Commission has previously held a public hearing (i.e. amendments to SUPs or PDs).
Requested as the smaller drainage studies are being completed for the Storm Water Master Plan to inform the commission of the long-term plans for areas to allow them to be more confident about development applications that come in where we see drainage issues existing as opposed to creating drainage with new development.	Pruett	11/13/2024	Provide periodic updates regarding completed area drainage studies that inform the Storm Water Master Plan.
Annual Updates		**Request Date**	**Status**
Provide annual updates related to progress on implementing the Denton 2040 Comprehensive Plan Action Items	Smith	3/9/2022	Ongoing 2024 update provided on August 28, 2024. 2023 update provided on June 14, 2023.