

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF DENTON EXTENDING THE APPROVAL PERIOD FOR A SPECIFIC USE PERMIT FOR A MULTIFAMILY DWELLING USE ORIGINALLY APPROVED VIA ORDINANCE S23-0005b FOR APPROXIMATELY 22.81-ACRES OF LAND, GENERALLY LOCATED ON THE SOUTH SIDE OF DUCHESS DRIVE, APPROXIMATELY 742 FEET TO THE WEST OF LOOP 288 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. (S25-0009)

WHEREAS, Griffin Neal, on behalf of the property owner, TG Duchess Denton LLC., has submitted a request to extend the approval period for the Specific Use Permit (“SUP”) for a Multifamily Dwelling use on approximately 22.81 acres within the Suburban Corridor (SC) zoning district, originally approved on October 24, 2023 as Ordinance Number S23-0005b, legally described in Exhibit “A” attached hereto and incorporated herein by reference (hereinafter, the “Property”); and

WHEREAS, Section 2.5.2C.6.b of the Denton Development Code provides for the expiration of a Specific Use Permit if the authorized use or construction is not substantially underway within 24 months after the date of approval unless an extension is granted; and

WHEREAS, Sections 2.5.2 and 2.4.8D of the Denton Development Code authorize the City Council, being the original approval body, to grant an extension of the approval period for a SUP for a period of up to one year for good cause; and

WHEREAS, on September 16, 2025, the City Council conducted a public meeting, and finds that the request meets and complies with all substantive and procedural standards set forth in the Denton Development Code, and is consistent with the Denton Plan 2040; and

WHEREAS, the City Council of the City of Denton, in considering the request for an extension of the SUP previously approved for the Property, has determined that there is good cause to authorize the extension of the approval period for one year and that the requested extension is in the best interest of the health, safety, 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 extension 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 approval period for the SUP originally approved as Ordinance S23-0005b is hereby extended until October 24, 2026, which is a period of one year from the date of original expiration, October 24, 2025.

SECTION 3. 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 4. 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 5. 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 [\_\_\_\_ - \_\_\_\_]:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
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:  
INGRID REX, INTERIM CITY SECRETARY

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

APPROVED AS TO LEGAL FORM:  
MACK REINWAND, CITY ATTORNEY

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

## **Exhibit A**

**BEING** a 18.897 acre tract of land situated in the Mary L. Austin Survey, Abstract No. 4, Denton County Texas, being part of Tract 1, a called 22.8092 acre tract of land described in deed to K & C Triple Crown Partners, LP, recorded in Document Number 2012-147876, Official Public Records, Denton County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod found in the west line of said Tract I, being the northeast corner of Eagle Cove, an addition to the City of Denton according to the plat recorded in Document No. 2021-269, O.P.R.D.C.T., also being in the south right-of-way line of Duchess Drive (60' right-of-way), according to the right-of-way document recorded in Document No. 2002-R0113760, O.P.R.D.C.T.;

**THENCE** along the south right-of-way of said Duchess Drive, the following courses:

North 89 Degrees 25 Minutes 11 Seconds East, a distance of 270.82 feet to a 5/8 inch iron rod found at the beginning of a tangent curve to the right;

Southeasterly, along said tangent curve to the right having a central angle of 51 Degrees 22 Minutes 22 Seconds, a radius of 270.00 feet, an arc distance of 242.09 feet and a chord bearing and distance of South 64 Degrees 53 Minutes 39 Seconds East, 234.06 feet to a 5/8" iron rod found for corner;

South 39 Degrees 12 Minutes 28 Seconds East, a distance of 264.15 feet to a 5/8 inch iron rod found at the beginning of a tangent curve to the left;

Southeasterly, along said tangent curve to the left having a central angle of 50 Degrees 47 Minutes 20 Seconds, a radius of 330.00 feet, an arc distance of 292.52 feet and a chord bearing and distance of South 64 Degrees 36 Minutes 08 Seconds East, 283.04 feet to a 1/2" iron rod found on the east line of the aforementioned Tract 1, being the northeast corner of said 18.897 acre tract;

**THENCE** South 00 Degrees 39 Minutes 05 Seconds West, departing the south right-of-way line of said Duchess Drive, along said east line of said Tract I, at a distance of 65.98 passing a 1/2" iron rod found for the northwest corner of Tract II, , a called 11.2380 acre tract of land described in deed to K & C Triple Crown Partners, LP, recorded in Document Number 2012-147876, O.P.R.D.C.T., and continuing along the common line between said Tract I and said Tract II, a distance of 660.80 feet to the center of Pecan Creek;

**THENCE** along the center of said Pecan Creek, the following courses:

South 65 Degrees 24 Minutes 45 Seconds West, a distance of 22.30 feet;

South 83 Degrees 36 Minutes 34 Seconds West, a distance of 31.09 feet;

South 41 Degrees 38 Minutes 09 Seconds West, a distance of 94.16 feet;

North 52 Degrees 34 Minutes 20 Seconds West, a distance of 32.76 feet;

North 80 Degrees 54 Minutes 34 Seconds West, a distance of 36.06 feet;

North 61 Degrees 33 Minutes 29 Seconds West, a distance of 50.72 feet;

North 69 Degrees 24 Minutes 28 Seconds West, a distance of 39.15 feet;

South 89 Degrees 06 Minutes 44 Seconds West, a distance of 47.25 feet;

North 37 Degrees 09 Minutes 55 Seconds West, a distance of 41.09 feet;

North 17 Degrees 33 Minutes 06 Seconds West, a distance of 31.36 feet;

North 28 Degrees 05 Minutes 22 Seconds West, a distance of 62.15 feet;

North 41 Degrees 55 Minutes 43 Seconds West, a distance of 41.87 feet;

South 82 Degrees 14 Minutes 19 Seconds West, a distance of 82.11 feet;

**THENCE** North 84 Degrees 08 Minutes 12 Seconds West, departing the center of said Pecan Creek, along the remains of a wire fence, at a distance of 442.06 feet passing a found PK Nail in fence post, and continuing for a total distance of 450.12 feet to a point for corner;

**THENCE** North 01 Degrees 07 Minutes 37 Seconds East, along the west line of said Tract I, at a distance of 6.58 feet passing a found PK Nail in fence post, along the remains of a wire fence, continuing for a total distance of 212.47 feet to a PK Nail found in fence post found at the southeast corner of the aforementioned Eagle Cove subdivision;

**THENCE** North 01 Degrees 43 Minutes 04 Seconds East, along the west line of said Tract I and the east line of said Eagle Cove subdivision, a distance of 747.92 feet to the **POINT OF BEGINNING** and containing 18.897 acres more or less.

Bearings are based on the Texas State Plane Coordinate System, NAD 83, North Central Zone 4202.