



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
[www.cityofdenton.com](http://www.cityofdenton.com)

## Meeting Agenda Planning and Zoning Commission

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Wednesday, October 8, 2025

5:00 PM

Council Work Session Room  
&  
Council Chambers

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**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.

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Individuals may participate by using one of the following methods:

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

To provide in-person comments for regular or consent agenda items (excluding public hearing items), Individuals must be present at the meeting and submit a speaker card (available at the meeting location) to the Secretary prior to the item being called.

#### **2. In Person for Public Hearing Items:**

For public hearing items, speaker cards are encouraged but not required.

#### **3. eComment:**

The agenda is posted online at <https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>. Once the agenda is posted, a link to make virtual comments using the eComment module will be made available next to the meeting listing on the Upcoming Events Calendar. Using eComment, Individuals may indicate support or opposition and submit a brief comment about a specific agenda item. eComments may be submitted up until the start of the meeting at which time the ability to make an eComment will be closed. eComments will be sent directly to members of the Planning and Zoning Commission immediately upon submission and recorded by the Secretary into the Minutes of the Meeting.

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, October 8, 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. [PZ25-193](#) Receive a report and hold a discussion regarding communal living and how small home communities could be developed in the City of Denton. (PZ25-193, Communal Living and Small Home Communities, Julie Wyatt)

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

- B. [PZ25-194](#) Receive a report, hold a discussion, and give Staff direction regarding the Southeast Denton Zoning Overlay Districts, Action Plan Tasks associated with Strategy 4.1 of the Southeast Denton Area Plan. The Southeast Denton Area Plan core boundary generally includes East McKinney Street to the north, South Bell Avenue to the west, Dallas Drive and Shady Oaks Drive to the south, and South Woodrow Lane to the east in the City of Denton, Denton County, Texas. (PZ25-194, SED Overlay Districts, Julie Wyatt and Mia Hines)

**Attachments:** [Exhibit 1 -Agenda Information Sheet](#)  
[Exhibit 2 - May 28, 2025 AIS for Proposed LiveWork Overlay](#)  
[Exhibit 3 - June 25, 2025 AIS for Proposed Residential Overlay and Height Ove](#)  
[Exhibit 4 - SEDAP Overlay Actions and Map](#)  
[Exhibit 5 - March 2025 Nonresidential Land Use Survey Results](#)  
[Exhibit 6 - March 2025 Residential Survey Results](#)

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, October 8, 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. [PZ25-188](#) Consider approval of the September 24, 2025, Planning and Zoning meeting minutes.

Attachments: [September 24, 2025](#)

### 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. [FP25-0026](#) Consider a request by Robson Denton Development, L.P. for a Final Plat of the Robson Ranch Unit 30. The 23.37-acre site is generally located approximately 150 feet west of Florance Road and 950 feet south of Blair Road in the City of Denton, Denton County, Texas. (FP25-0026, Robson Ranch Unit 30, Julie Wyatt)

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

### 4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [FR25-0020](#) Consider a request by ECM Eden Village LP for approval of a Replat of the Eden Village Addition. The approximately 35.203-acre property is generally located on the west side of Loop 288, approximately 1,355 feet south of Audra Lane in the City of Denton, Denton County, Texas. (FR25-0020, Eden Village, Julie Wyatt)

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

## 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. [Z25-0013](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by Veronica Yeary, on behalf of Benjamin, Dilcia, and Osualdo Canales , to rezone approximately 0.93 acres of land from Residential 4 (R4) zoning district to the Mixed Use Neighborhood (MN) zoning district and approximately 5.75 acres of land from Rural Residential (RR) zoning district to MN zoning district. The subject site is generally located south of East McKinney, approximately 615 feet west of Glenngary Way in the City of Denton, Denton County, Texas. (Z25-0013, 5090-5094 E McKinney, Mia Hines)

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Staff Analysis](#)  
                              [Exhibit 3 - Site Location Map](#)  
                              [Exhibit 4 - Existing Zoning Map](#)  
                              [Exhibit 5 - Proposed Zoning Map](#)  
                              [Exhibit 6 - Future Land Use Map](#)  
                              [Exhibit 7 - Prloject Narrative](#)  
                              [Exhibit 8 - Comparison of Permitted Uses](#)  
                              [Exhibit 9 - Notification Map and Response](#)  
                              [Exhibit 10 - Fiscal Impact Analysis](#)  
                              [Exhibit 11 - Draft Ordinance](#)

## 6. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. [PZ25-029](#) 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 October 1, 2025, in advance of the three (3) business day posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

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OFFICE OF THE CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST TWO (2) BUSINESS DAYS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.



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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**DCM:** Cassey Ogden

**DATE:** October 8, 2025

### **SUBJECT**

Receive a report and hold a discussion regarding communal living and how small home communities could be developed in the City of Denton. (PZ25-193, Communal Living and Small Home Communities, Julie Wyatt)

### **BACKGROUND**

At the October 9, 2024, Planning and Zoning Commission meeting, additional information regarding communal living and how small home communities could be developed within the City of Denton was requested. At this work session, staff will present information regarding communal living options and the Denton Development Code regulations which may impact their development, including:

- The various types and definitions of communal living and small home communities.
- Case studies of existing communal living development throughout the United States and common characteristics.
- Case studies of tiny home communities throughout the United States and common characteristics.
- Regulations which may affect the development and location of communal living and small home communities, including the Denton Development Code and Design Criteria Manual.

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  
Planning Director

Prepared by:  
Julie Wyatt, AICP  
Principal Planner



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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Development Services

**DCM:** Cassey Ogden

**DATE:** October 8, 2025

### **SUBJECT**

Receive a report, hold a discussion, and give Staff direction regarding the Southeast Denton Zoning Overlay Districts, Action Plan Tasks associated with Strategy 4.1 of the Southeast Denton Area Plan. The Southeast Denton Area Plan core boundary generally includes East McKinney Street to the north, South Bell Avenue to the west, Dallas Drive and Shady Oaks Drive to the south, and South Woodrow Lane to the east in the City of Denton, Denton County, Texas. (PZ25-194, SED Overlay Districts, Julie Wyatt and Mia Hines).

### **BACKGROUND**

The purpose of this work session is to update the Planning and Zoning Commission on implementation progress for the **Southeast Denton Area Plan Strategy 4.1: *Establish Overlay Districts to Protect Existing Neighborhood Scale and Character***. The implementation tasks associated with the strategy are intended to provide additional zoning regulations in designated areas within Southeast Denton. These include Live/Work, Residential, and Height Overlay Districts.

As a continuation of previous Work Sessions with the Planning and Zoning Commission, the prior Agenda Information Sheets have been attached for reference: *Exhibit 2 - May 28, 2025, AIS for Proposed Live/Work Overlay* and *Exhibit 3 - June 25, 2025, AIS for proposed Residential Overlay and Height Overlay*. Background information regarding the Southeast Denton Area Plan (SEDAP) planning process, public engagement, and community goals is provided in both *Exhibits 2* and *3*. Specific use and buffer regulations proposed for the Live/Work Overlay are provided in *Exhibit 2*. A full listing of the proposed residential design standards and height limitations in the Residential Overlay and Height Overlay are provided in *Exhibit 3*. Summaries of these past discussions are provided below, and the map and survey exhibits included with the prior work sessions are included as Exhibits 4-6.

### **PREVIOUS PLANNING AND ZONING COMMISSION DISCUSSIONS**

Earlier this year, the proposed regulations for each district were presented to the Planning and Zoning Commission for discussion and direction. As noted above, the technical content of each work session discussion is summarized in the respective Agenda Information Sheets for those work sessions, which are provided as Exhibits 2 and 3 to this report. The following is a summary of the questions posed by staff and feedback provided by the Commissioners:

- **Live/Work Overlay District:** At the May 28<sup>th</sup> Planning and Zoning Commission meeting, most of the Commission's discussion largely centered on the methods and results of the community engagement process thus far, recognizing that the number of respondents equates to a significantly small proportion of the community, and suggesting ways to obtain additional input.

- **Live/Work Dwelling Land Use.** The Commission pointed out that, as a land use, “live/work dwellings” have the potential to be more intense than the surrounding neighborhood because it requires that the residential “live” use be subordinate to the nonresidential “work” use. Additionally, it was noted that most of the nonresidential land uses that amassed significant support amongst respondents could be permitted contingent upon approval of an SUP within the R7 Zoning. Staff emphasized that the proposal to change the base zoning to R7 and allow certain businesses to stand alone acknowledges these two key factors and attempts to strike a balance between minimizing impacts on surrounding residences and alleviating barriers for new and small-scale businesses that might match the community’s preferences but require significant building renovation to meet building safety standards for “live/work dwellings”.
  - **Differing Land Use Characteristics within the Overlay.** The Commission was generally in favor of Staff’s approach to first consider addressing properties along East Prairie Street as the first step to adopting the Live/Work Overlay and bringing back standards for the remainder of the area at a future date.
  - **Change of Zoning.** A question arose about how, in one area, changing the base zoning from MN to R7 could limit the development potential of a tract since properties used for access must be zoned to allow the land use that access serves. Staff clarified that the R7 District is a good transition in this case because the Future Land Use designation in this area is Moderate Residential, consistent with the development regulations and land use permissions of R7 Zoning. Otherwise, the Commission was generally in favor of the proposed base zoning change to R7.
  - **Operational and Development Requirements.** The Commission generally agreed with the proposed requirements.
  - **Other Items to Consider.** The Commission concluded with directing Staff to keep in mind issues of public safety components such as lighting and police presence, site design components such as drainage, streetscape and building scale, keeping the neighborhood involved throughout the process, and continued coordination with other City departments and services to promote.
- **Residential Overlay and Height Overlay Districts:** Generally, the Planning and Zoning Commission requested additional feedback from the community and stakeholders prior to moving forward with consideration of the overlay districts, particularly since the Residential Overlay would impact all homeowners within Southeast Denton.
    - **Residential Overlay Applicability.** Half of the Commissioners concurred that properties should conform with all elements of the Residential Overlay for expansions over 50% of the existing gross floor area. The remaining Commissioners requested additional public feedback.
    - **Reduced Front Yard Setbacks for Smaller Lots.** The Commission was generally not in favor of reducing the front yard setback, as it could result in homes out of scale with the surrounding neighborhood. Staff responded that both setbacks and building coverage limit the scale of building on a given lot; therefore, regardless of a smaller front yard setback, a building may not exceed the maximum building coverage within the base zoning district.
    - **Minimum Size of Porches and Stoops.** Half of the Commissioners agreed with the proposal, with the caveat that a property owner could opt for a stoop instead of a porch. Other Commissioners expressed reservations regarding the requirement, as this design feature would likely increase the cost of construction, impacting affordability.
    - **Enhanced Design Standards for Front Facades.** While the Commissioners were generally in favor of the proposed enhanced design standards, details regarding this regulation caused some concern. Specifically, the regulation’s wording was confusing, increasing the required number of design elements may be appropriate, and additional community feedback is needed to determine how this proposal will impact property owners and affordability.
    - **Height Limitations in both the Residential and Height Overlay Districts.** There was agreement in limiting the structure heights as proposed. However, some discussion suggested modifying the regulation to refer to stories rather than feet in the Residential Overlay. Staff will

continue engaging with the community to ensure that the regulation is clear for both Staff and property owners to apply.

- **Any Items not Addressed.** The Commissioners emphasized that affordability and community buy-in were crucial to the process and consideration of the overlay districts.

Ultimately, the Planning and Zoning Commission directed staff to continue with additional public engagement to ensure the proposed overlay districts accurately capture the community's goals and vision. Additional community feedback will be provided to the Planning and Zoning Commission at the October 8<sup>th</sup> work session.

## **EXHIBITS**

1. Agenda Information Sheet
2. May 28, 2025 AIS for Proposed Live/Work Overlay
3. June 25, 2025 AIS for Proposed Residential Overlay and Height Overlay
4. SEDAP Overlay Actions and Map
5. March 2025 Nonresidential Land Use Survey Results
6. March 2025 Residential Survey Results

Respectfully submitted:  
Hayley Zagurski, AICP  
Planning Director

Prepared by:  
Julie Wyatt, AICP  
Principal Planner

Mia Hines, AICP  
Senior Planner



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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Development Services

**DCM:** Cassey Ogden

**DATE:** May 28, 2025

### **SUBJECT**

Receive a report, hold a discussion, and give Staff direction regarding the Southeast Denton Live/Work Overlay District, a recommendation of the Southeast Denton Area Plan, encompassing approximately 20 acres, including land along certain portions of East Prairie Street, Skinner Street, Robertson Street, and Cook Street. (PZ25-109, SED Live/Work Overlay, Mia Hines).

### **BACKGROUND**

The purpose of this work session is to discuss and receive feedback from the Planning and Zoning Commission regarding potential land uses and development regulations associated with the proposed Southeast Denton Live/Work Overlay District.

During the Southeast Denton Area Plan (SEDAP) (the Plan) process, residents and community members expressed a desire for more neighborhood-scaled commercial opportunities within proximity to their established residential neighborhoods. Thus, the adopted Plan recommends Action 4.1.3: create a live-work overlay district, as shown on Exhibit 2, that focuses on allowing small mom and pop retail such as bookstore, toy shop, coffee shop, music store, barber shop, hair salon/spa, small incubator space, resale clothing etc. in a portion of a residence, with the remaining portion being used as a residence simultaneously. The Plan's recommendation for a Live/Work Overlay District was the compromise that would allow additional commercial opportunities while maintaining the residential character of the area with an understanding that further community engagement and analysis would be needed to determine appropriate nonresidential land uses and development regulations.

The proposed Live/Work Overlay District area, as recommended within the adopted Plan, encompasses approximately 20 acres and includes properties along East Prairie Street between the A-Train Railway and Oakwood Cemetery, properties along the west side of Skinner Street, all properties along Robertson Street, and all properties along Cook Street, north of Wye Street. Zoning in the area includes Residential-4 (R4), Residential-7 (R7), and Mixed-Use Neighborhood (MN). While the dominant land use within the proposed overlay area is single-family residential, there are also a few neighborhood-scaled commercial land uses, religious assembly facilities, and undeveloped properties with abutting industrial uses. This mix of existing conditions creates opportunities for both new and infill development and the adaptive re-use of existing structures.

### **Additional Public Engagement/Feedback:**

Earlier this year, staff conducted additional land use surveys, asking residents which land uses they would like to see within this study area (see Exhibit 3). Additionally, staff held a Block Party in March 2025, to



confirm the community's land use preferences for the live/work overlay district and to receive any concerns they may have. Staff believed it was important to do additional targeted engagement as it relates to creating the live/work overlay district to affirm the initial results received during developing the Plan. As evidenced during the SEDAP planning process, residents were supportive of allowing additional nonresidential uses but expressed general concerns with increased traffic issues, business operations such as loud noises and adverse odors, and the incompatibility of land uses.

#### Issues for Consideration:

##### *Subareas:*

The total land area recommended by the Plan for this Overlay District (20 acres) maintains a variety of both existing land use conditions and Future Land Use designations; therefore, staff proposes to subdivide this Overlay District into three subareas and propose different regulations for each area. The subarea in focus for this work session, Section A, encompasses approximately 6 acres along East Prairie Street and has a mix of Neighborhood Mixed Use, Low Density Residential, and Moderate Residential Future Land Use Designations. Currently, the predominant zoning districts within this area are R4 and R7 but the land use pattern reflects single-family residences, neighboring religious assembly facilities, personal service establishments, vacant buildings, and a heavy industrial facility. With these components and the feedback from the residents confirming both the commercial land uses they would like to see within this area as well as the concerns they had with integrating neighborhood-scaled commercial into their residential neighborhoods, staff proposes atypical work/live land use and development considerations for this area as explained further below.

Section B encompasses approximately 4 acres and includes those undeveloped properties located west of Skinner Street with a Moderate Residential Future Land Use Designation. Section C encompasses approximately 10 acres and includes properties developed with single-family residences, neighboring undeveloped lots, one religious assembly facility, one restaurant, and one vacant building, but the Future Land Use Designation is Low Density Residential and this area is largely adjacent to single-family residential land uses. While Sections B and C of the proposed Overlay District have similarly existing mixed land use patterns as Section A, these properties abut less intense uses and they have more homogenous Future Land Use Designations that do not call for the type of commercial activity that may be appropriate along East Prairie Street per the Plan. Therefore, staff anticipates proposing considerations for those subareas of the proposed Overlay District in the future that are more consistent with typical work/live development within a residential neighborhood.

##### *Overlay District within DDC:*

Similar to other overlay zoning districts as provided for in the DDC, staff is recommending that a Southeast Denton Live/Work Overlay District be adopted within the DDC. This overlay district could then be further modified and/or expanded in the future to address the needs of the Southeast Denton community, including expanding the district to address Sections B and C discussed above.

##### *DDC and Building Code/Fire Code Requirements:*

Current DDC regulations include a defined Work/Live land use which is allowed in Residential 7 and the Mixed-Use Districts; however, the prescriptive nature of the associated Use-Specific Standards can create barriers to entry. The DDC defines a work/live dwelling unit as a dwelling unit containing an integrated living and working space in different areas of the unit. For these units, the DDC requires that the residential component have a minimum 400 square foot living space floor area, remain below 50% of the total gross floor area, and locate above or behind the nonresidential component. The DDC also states that a resident of the work/live dwelling must be the owner and operator of the nonresidential use. Additionally, this mix of uses within one structure often requires significant improvements to meet the International Building Code requirements for fire safety prior to allowing a nonresidential use. These standards neither allow for the type of nonresidential flexibility nor provide for a set of residential protections against the potential impacts

of nonresidential land uses. Therefore, staff recommends that the proposed Overlay District not require the typical work/live dwelling unit that includes both a nonresidential and residential use within the same structure and instead, allow for free-standing residential and nonresidential uses within this subarea of the district. However, if a property owner wanted to have the typical work/live unit, that is still an available option provided they comply with applicable building and fire codes.

#### *Operational Mitigations:*

In order to address potential operational impacts associated with the nonresidential uses and protect the residential integrity of existing nearby single-family neighborhoods, staff is proposing to limit the types of nonresidential uses within the Overlay District and include various operational restrictions. Proposed operational restrictions include but are not limited to: building size limitations; hours of operation; noise level restrictions; screening requirements between residential and nonresidential uses; and reduced parking ratios. While staff is supportive of the community's goal to restore the successful business district of yesteryears along East Prairie Street, staff is more concerned with protecting the nearby single-family neighborhoods' integrity that exists today, hence the recommended operational restrictions.

#### Proposal:

For the Southeast Denton Live/Work Overlay District, and specifically the area along East Prairie Street from the Railroad to Oakwood Cemetery (referenced as Section A above), staff proposes to: 1) rezone this area to a base zoning of Residential-7 (R7); and 2) include an Overlay District that includes the following set of land use provisions and development standards listed below. As discussed above, other subareas are proposed to be addressed at a future date.

#### Section A – Nonresidential Land Use Permissions

- Permitted – In addition to all nonresidential use permitted within R7, the following uses are proposed to be permitted within the Overlay District:
  - Restaurant
  - Small Retail (less than 10,000 square feet)
  - Personal Services
- Allows Consideration of SUP – In addition to all nonresidential uses that allow consideration of an SUP in R7, the following uses are proposed to be permitted within the Overlay District:
  - Business or Trade School
  - Mobile Food Court
  - Self-Service Laundry

#### Section A – General Operational Standards

- Nonresidential Hours of Operation:
  - Monday – Thursday: 8:00am-8:00pm
  - Friday – Sunday: 8:00am-10:00pm
- Nonresidential Noise
  - Established Ambient Noise Level – 85 dba
  - No new nonresidential use may cause an average area increase of more than 3 dba

#### Section A – General Development Standards

- Nonresidential parking
  - Minimum parking per use-specific standards
  - Minimum 4 bicycle spaces
  - Shared off-street parking may reduce the total minimum by 25%
- Landscaping and Screening

- Minimum 8-foot-tall double-faced solid wood fence between proposed nonresidential use and existing residential use
- Shaded outdoor dining/seating may reduce required tree canopy coverage to 10% minimum lot coverage

The proposed R7 base zoning district and additional land use allowances are proposed as a result of the additional community feedback received. The general operational and development standards are proposed to mitigate compatibility concerns of both staff and the community.

Staff is seeking the Planning and Zoning Commission's feedback regarding the proposed land uses and development regulations in particular the following:

1. Does the Commission concur with staff's recommendation to address the area along Prairie Street only as the first step for adopting the Southeast Denton Live/Work Overlay District?
2. Does the Commission concur with rezoning the area along Prairie Street to R7 as a base zoning district, and allowing the additional land uses as provided for in the proposed Overlay District?
3. Does the Commission concur with the proposed operational restrictions associated with nonresidential uses? Are there any areas that staff may have missed that should be considered?
4. Does the Commission believe there are any items that have not been addressed, consistent with the SEDAP recommendations as it relates to establishing this new Live/Work Overlay District?

#### **EXHIBITS**

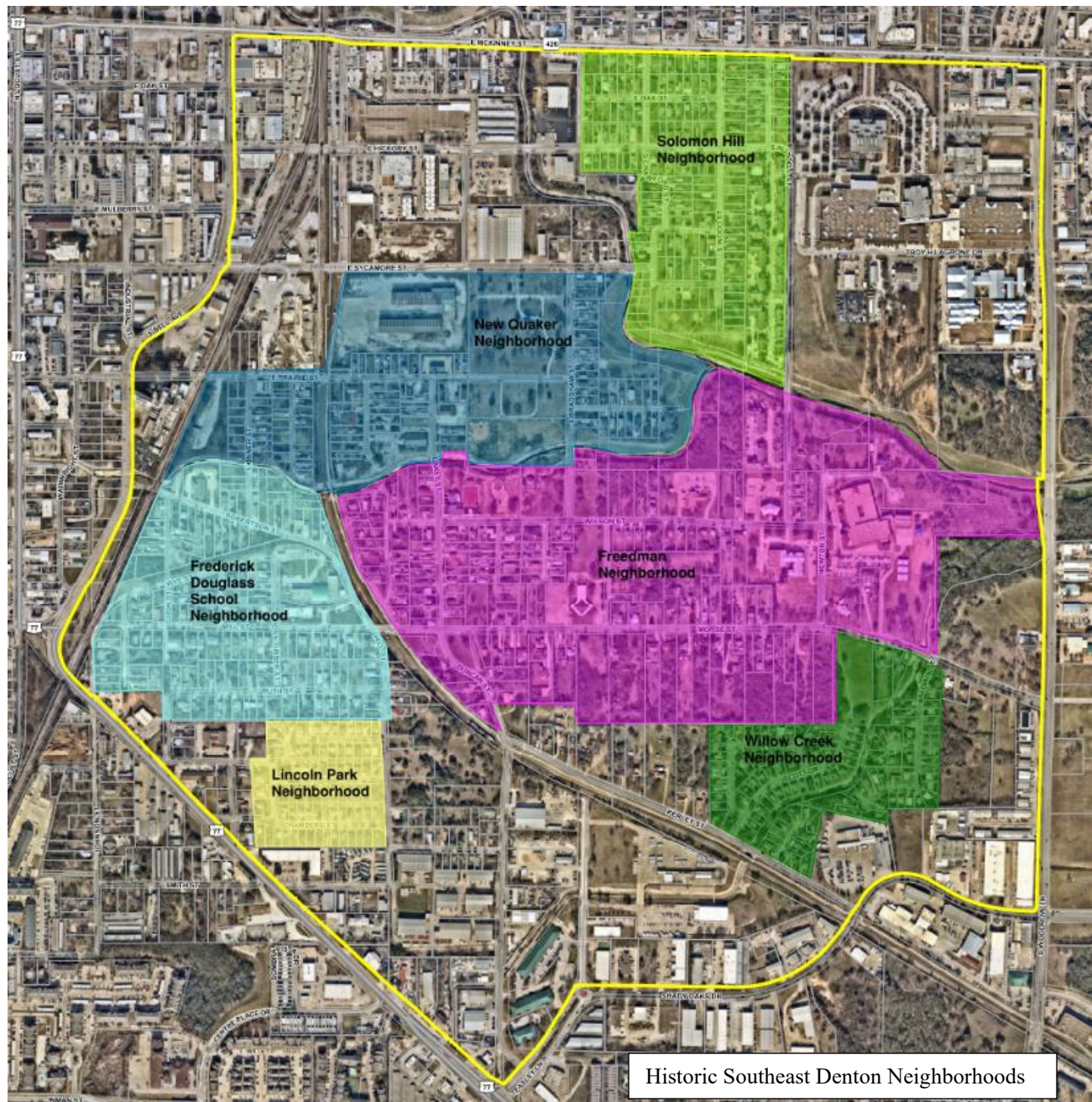
1. Agenda Information Sheet
2. SEDAP Overlay Actions and Map
3. Nonresidential Land Use Survey Results

Respectfully submitted:  
Tina Firgens, AICP  
Deputy Director of Development Services/Planning  
Director

Prepared by:  
Mia Hines, AICP  
Senior Planner

- # City of Denton











The proposed Residential Overlay District area, as recommended within the adopted Plan, encompasses approximately 422 acres and includes the historic neighborhoods within Southeast Denton (with additional areas): Solomon Hill, New Quaker, Freedman Town, and Fred Moore School (previously Frederick Douglass School) platted and built in the 1920s-1930s; Lincoln Park built in the 1960s; and Willow Creek built in the late 1960s to 1980s (see inset map). Homes in Southeast Denton were often constructed by the families who resided in them, resulting in a variety of architectural styles reflecting individual preferences and design trends in a given decade, including vernacular, bungalow, craftsman, and ranch. Zoning is primarily Residential-4 (R4) District; however, some Residential 3 (R3), Residential 7 (R7), Mixed Use Neighborhood (MN) and Planned Development (PD) Districts can be found within the Southeast area boundary. While the majority of the lots are developed with residential uses, some vacant properties and large lots (which could be subdivided) create an opportunity for infill development and redevelopment.



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-  Live / Work Overlay
-  Residential Overlay
-  Commercial Overlay
-  Height Overlay
-  Proposed Southeast Denton Area Plan Boundary
-  Proposed Transition Area Boundary

**Additional Public Engagement/Feedback:**

Based on the feedback received at the Block Party and previous comments received during Plan development, staff drafted the Residential and Height Overlay Districts regulations. Staff will present the draft regulations to the community at the 2025 Juneteenth Celebration on Saturday, June 21, 2025 and at the June 23, 2025 Southeast Denton Neighborhood Association meeting. Comments received from the community will help to validate that the draft regulations adequately and accurately reflects the community's goals. Staff will provide a summary of the feedback received from the community on the draft regulations at the June 25, 2025, Planning and Zoning Commission meeting.

### Balancing Objectives:

Action 4.1.1 in the SEDAP reveals several objectives which must be balanced to ensure the goal to strengthen neighborhoods and housing affordability is met. These objectives include maintaining scale and character, fostering community investment, and creating livable and inclusive neighborhoods. In drafting

the overlay conditions, staff weighed each one to determine the impact on each objective. Some of the questions staff considered were:

- Is the requirement too restrictive so that it deters property owners from renovating or maintaining their property?
- Is the requirement too restrictive so that it deters investment in infill development?
- Is the requirement too permissive so that it would allow incompatible residential forms?
- Does the requirement positively or negatively impact the architectural character?
- Does the requirement create dynamic neighborhood streets?
- Are the requirements straightforward and clear?

*Current DDC Regulations Applicable to All Development*

In answering the questions above, staff analyzed current regulations to determine which requirements are appropriate to further the community's goals and which should be enhanced or modified. The following is an outline of the relevant DDC Sections to allow comparison of the proposal. These include the applicable zoning district dimensional standards, maximum building heights, and design standards for residential development.

	<b>R3</b>	<b>R4</b>	<b>R7</b>	<b>MN</b>
<b>Minimum Lot Area</b>	10,000 square feet	7,000 square feet	4,000 square feet	2,500 square feet
<b>Minimum Front Yard Setback</b>	20 feet	20 feet	10 feet	10 feet
<b>Maximum Building Height</b>	40 feet	40 feet	40 feet	65 feet. Buildings between 41 and 65 feet, adjacent to a residential zoning district or adjacent to an existing Single-Family Detached Dwelling, Townhome, or Duplex use, shall require a Specific Use Permit (SUP

- **Design Standards** for Single-Family Detached, Duplex, Townhome, Triplex, and Fourplex Dwellings
  - Transparency/Windows. Windows and doors must occupy at least 15% of the front façade.
  - Building Mass and Form. Buildings shall incorporate at least three of the following design features to provide visual relief along the front of the residence:
    - Dormers
    - Gables
    - Recessed entries, a minimum of three feet deep
    - Covered front porches
    - Cupolas
    - Architectural pillars or posts; and/or
    - Bay window with a minimum 24 inches projection

### *Overlay Districts within DDC:*

Similar to other overlay zoning districts as provided for in the DDC, staff is recommending that the Southeast Denton Residential and Height Overlay Districts be adopted within Subchapter 4 of the DDC. The two overlay districts are intended to work together to accomplish the goals set forth in the SEDAP, in addition to respecting the feedback received from the community. Once established, the regulations could then be further modified and/or expanded in the future to address the changing needs of the Southeast Denton community.

### **Proposal:**

- For the **Residential Overlay District**, staff proposes to maintain the existing zoning and add the following dimensional and design standards:
  - Applicability
    - Construction of a new primary or accessory structure.
    - Expansions of an existing structure that increase the gross floor area by up to and including 50 percent shall comply with maximum heights and permitted roof forms (as outlined below).
    - Expansions of an existing structure that increase the gross floor area by more than 50 percent shall comply with all overlay standards.
    - Repairs necessary to maintain existing structures are not subject to the overlay standards.
  - Dimensional Standards
    - For lots smaller than 7,000 square feet, the minimum front yard setback may be reduced to 10 feet.
    - Building height:
      - The maximum height for a primary structure is limited to 30 feet measured as the vertical distance above finished grade to the highest point of the roof.
      - The maximum height for an accessory structure is limited to 20 feet measured as the vertical distance above finished grade to the highest point of the roof.
  - Entries: Structures shall provide either an unenclosed front porch or stoop that extends forward from the front façade.
    - Front porch:
      - Minimum width: 25 percent of the ground floor front façade width.
      - Minimum depth: 4 feet. Columns shall be constructed as a decorative feature.
    - Stoop:
      - Minimum size: 24 square feet.
      - The stoop platform shall be elevated a minimum of 7 inches above finished grade.
  - Transparency/Windows:
    - Windows and doors shall occupy at least 25% of the front façade.
    - Decorative trim at least 3.5 inches wide is required for all windows and doors on the front façade.
  - Roof Form: Roofs shall be gabled, hipped, or a combination thereof. Flat, mansard, shed, or other similar roof forms would not be permitted.
  - Building Mass and Form: In addition to the items above, at least two of the following design features shall be provided along the front of the residence:
    - Dormers
    - Projection (bay, bump-out, or bow) window with a minimum 24 inches projection
    - Split garage doors where a column or post divides single-car garage doors



- Balustrade, railing, or low wall enclosing the front porch or stoop
- Multi-pane or mission-style windows
- For the **Height Overlay District**, staff proposes to maintain the existing zoning and add the following dimensional standard for all new construction and expansions over 50% of the gross floor area:
  - The maximum building height shall be limited to 40 feet, measured consistent with the DDC Section 9.2, *Definitions*, for **Height, Building or Structure**: Height shall be measured as the vertical distance above finished grade measured to the highest point of the roof of a flat roof or to the deck line of a mansard roof, or to the midpoint of the highest gable of a pitched or hipped roof.

Staff is seeking the Planning and Zoning Commission's feedback regarding the proposed development regulations in particular the following:

1. Does the Commission concur with staff's recommendation to require conformance with all elements of the Residential Overlay for expansions over 50% of the existing gross floor area?
2. Does the Commission concur with staff's recommendation to allow for reduced front setbacks for smaller lots?
3. Does the Commission concur with requiring minimum sizes on porches and stoops?
4. Does the Commission concur with the proposed enhanced design standards (i.e. dimensional standards, entries, transparency/windows, roof form, and building mass and form) which exceed the City's typical minimum standards?
5. Does the Commission concur with the proposed height limitations and measurement methods in both the Residential and Height Overlay Districts?
6. Are there any items that have not been addressed, consistent with the SEDAP recommendations as it relates to establishing the Residential and Height Overlay Districts?

## **EXHIBITS**

1. Agenda Information Sheet
2. SEDAP Overlay Actions and Map
3. Residential Survey Results

Respectfully submitted:  
 Tina Firgens, AICP  
 Deputy Director of Development Services/Planning  
 Director

Prepared by:  
 Julie Wyatt, AICP  
 Principal Planner

## GOAL 4: STRENGTHEN NEIGHBORHOODS AND HOUSING AFFORDABILITY.

The main purpose of the strategies and actions in this section is to maintain the existing character of the neighborhoods, reduce speculation and help keep the rate of land value growth from rising too fast, and prevent encroachment of large-scale downtown-style developments in Southeast Denton, and help existing homeowners stay in their homes.

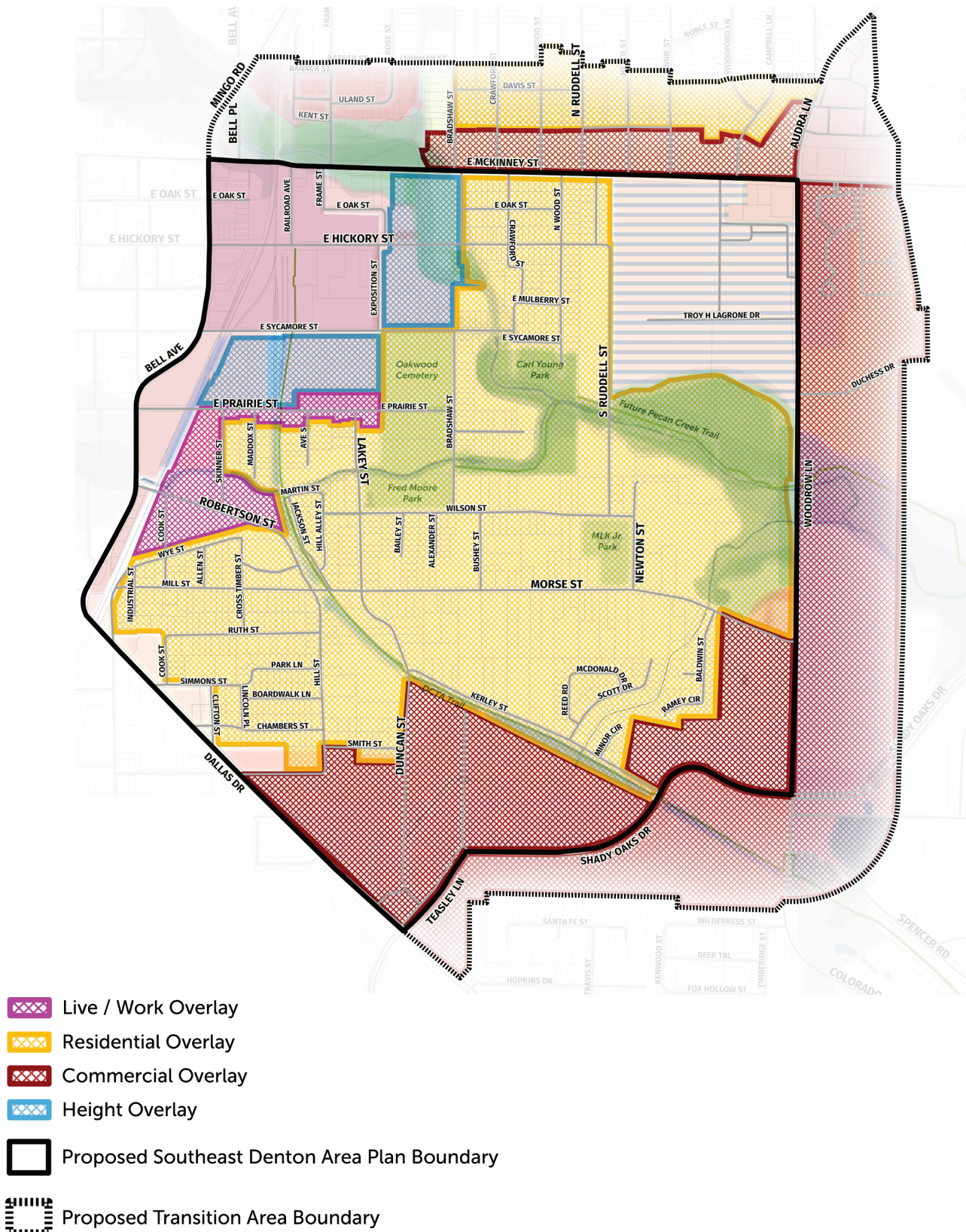
### STRATEGY 4.1: ESTABLISH OVERLAY DISTRICTS TO PROTECT EXISTING NEIGHBORHOOD SCALE AND CHARACTER.

Overlay districts work in conjunction with the underlying zoning district to provide additional regulations in a designated area. These districts can limit height, allow additional uses, require a higher design standard, adjust parking regulations, or anything else normally regulated through zoning. Southeast Denton residents' welcome new development in the area if it respects the scale and feel of the existing neighborhood, such as moderately sized single-family homes, duplexes, triplexes, small apartment buildings, and pocket neighborhoods clustered around a central courtyard or green space. limit the scale, design, and urban pattern of developments/redevelopments in Southeast Denton.

- **Action 4.1.1:** Create a residential overlay district as shown in Figure 32 to maintain the scale and character of the neighborhoods while fostering community investment to create livable and inclusive neighborhoods for all who want to call Southeast Denton home. Overlay standards may include, but are not limited to, limiting height to two stories, allowing infill on small lots, requiring enhanced front elevations such as larger windows and covered porches.
- **Action 4.1.2:** Create a commercial overlay district as shown in Figure 32 that focuses on walkable neighborhood design and uses, including, but not limited to, limiting building height, removing barriers to redevelop smaller infill lots, reducing parking and requiring it to be located behind buildings, requiring enhanced front elevations such as larger windows and pedestrian-scaled entrances, and ensuring larger tracts include a well-defined, walkable transportation network.
- **Action 4.1.3:** Create a live-work overlay district as shown in Figure 32 that focuses on allowing small mom and pop retail such as bookstore, toy shop, coffee shop, music store, barber shop, hair salon/spa, small incubator space, resale clothing etc. in a portion of a single family home with a portion being used as a residence simultaneously. Require design standards from the residential overlay in Action 4.1.1 to be applied in this live-work overlay also.

### FIGURE 32. PROPOSED OVERLAYS

Source: HDR



Land Use	Percentage “yes”
Sit down restaurant	97%
Small retail	97%
Personal service	95%
Day care	89%
Mobile food court	87%
Business or trade school	87%
Professional office	83%
Self-service laundry facility	83%
Bank or financial institutions	77%
Medical office	71%
Pick-up only restaurant	68%
Artisan manufacturing	68%
Drive-through restaurant	68%
Musician studio	60%
Bar, tavern, lounge	57%
Tattoo & body piercing	43%

## Residential Survey Results

### Lot Layouts

	Fits	Does Not Fit	Total Dots	Results	
Front Entry Garage	33	2	35	94%	of respondents believe front entry garages are appropriate
Detached Garage Behind House	22	13	35	63%	of respondents believe detached garages are appropriate
Narrow Lot, House Closer to Neighbors	12	17	29	59%	of respondents believe narrow lots with reduced side setbacks are not appropriate
Shallow Lot, House Closer to Street	22	13	35	63%	of respondents believe shallow lots with a reduced front setback are appropriate
Subdivide Lot to Build Duplex with Split Ownership	12	15	27	56%	of respondents believe duplexes with split ownership are not appropriate
Accessory Dwelling Units with No Additional Parking	19	10	29	66%	of respondents believe accessory dwelling units with no additional parking are appropriate

### Building Heights (number of stories)

	Fits	Does Not Fit	Total Dots	Results	
One Story	42	6	48	88%	of respondents believe 1-story buildings are appropriate
Two Stories	34	10	44	77%	of respondents believe 2-story buildings are appropriate
Three Stories	16	27	43	37%	of respondents believe 3-story buildings are appropriate

## Design Details

	Would like to see	Don't want to encourage	Total Dots	Results	
<b>Covered front porch or stoop</b>	53	9	62	85%	of respondents would like to see more covered front porches or stoops
<b>Supporting columns with wide bases or decorative materials</b>	28	17	45	62%	of respondents would like to see porches constructed with supporting columns with wide bases or decorative materials
<b>Oversized or bay windows</b>	34	11	45	76%	of respondents would like to see more oversized or bay windows
<b>Exposed rafters or brackets</b>	4	39	43	91%	of respondents not interested in requiring exposed rafters or brackets
<b>Emphasis on long, horizontal lines</b>	16	27	43	63%	of respondents not interested in requiring an architectural emphasis on long, horizontal lines
<b>Hipped Roof</b>	39	6	45	87%	of respondents would like to see more hipped roofs
<b>Gabled Roof</b>	25	10	35	71%	of respondents would like to see more gabled roofs

MINUTES  
PLANNING AND ZONING COMMISSION  
September 24, 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, September 24, 2025, at 5:32 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Acting Chair: Lisa Dyer, Commissioners: Erica Garland, Keith Ketchersid, and Mary Ann McDuff

ABSENT: Chair Eric Pruett, Vice-Chair Clay Riggs, and Commissioner Sherri McDade

**WORK SESSION**

**1. Item for Individual Consideration**

- A. Elect an acting Chair for the Planning and Zoning Commission's September 24, 2025 meeting.

Commissioner McDuff moved to nominate Lisa Dyer as acting Chair for the September 24, 2025, meeting. Motion seconded by Commissioner Garland. Motion carried.

AYES (4): Commissioners: Lisa Dyer, Erica Garland, Keith Ketchersid, and Mary Ann McDuff  
NAYS (0): None

**2. In Person for Regular or Consent Agenda Items:**

None

**3. Clarification of agenda items listed on the agenda for this meeting.**

The following item was presented, and discussion was had:

4.B (V25-0061), 4.C (FP25-0030), 5.C (Z25-0011), and 5.D (CA25-0002)

The following item was presented, and no discussion was had:

3.A (FP25-0018c), 4.A (PP25-0003a), 4.D (FP25-0027), 4.E (FP25-0028), 5.A (Z25-0012), and 5.B (Z25-0016)

The Work Session was adjourned at 6:06 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, September 24, 2025, at 6:30 p.m. in the Council Chambers at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Acting Chair: Lisa Dyer, Commissioners: Erica Garland, Keith Ketchersid, and Mary Ann McDuff

ABSENT: Chair Eric Pruett, Vice-Chair Clay Riggs, and Commissioner Sherri McDade

**1. PLEDGE OF ALLEGIANCE**

- A. U.S. Flag
- B. Texas Flag

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

- A. PZ25-185 Consider approval of the September 10, 2025, Planning and Zoning meeting minutes.

Commissioner McDuff moved to approve the September 10, 2025, Planning and Zoning meeting minutes. Motion seconded by Commissioner Ketchersid. Motion carried.

AYES (4): Acting Chair: Lisa Dyer, Commissioners: Erica Garland, Keith Ketchersid, and Mary Ann McDuff

NAYS (0): None

**3. CONSENT AGENDA**

- A. FP25-0018c Consider a request by Double R. Devco, LLC and Hickory Grove Residential Community Inc. for a Final Plat of Hickory Grove, Phase 4. The 114.043-acre site is generally located just south of Jackson Road and approximately 80 feet east of the intersection of Nail Road and Jackson Road in City of Denton's ETJ Division 1, Denton County, Texas. (FP25-0018c, Hickory Grove 4, Mia Hines)

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

AYES (4): Acting Chair: Lisa Dyer, Commissioners: Erica Garland, Keith Ketchersid, and Mary Ann McDuff

NAYS (0): None

**4. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. PP25-0003a Consider a request by Kimley-Horn & Associates, on behalf of Rayzor Investments, LTD, for a Preliminary Plat of C5LC Rayzor Ranch Addition. The 76.052-acre tract is generally located south of U.S. Highway 380, approximately 900 feet west of Interstate-35, and approximately 600 feet north of Jim Christal Road in the City of Denton, Denton County, Texas. (PP25-0003a, C5LC Rayzor Ranch Addition, Erin Stanley)

City staff presented the item. No discussion followed.



Commissioner Ketchersid moved to approve the extension of the item to date certain of October 22, 2025. Motion seconded by Commissioner McDuff. Motion carried.

AYES (4): Acting Chair: Lisa Dyer, Commissioners: Erica Garland, Keith Ketchersid, and Mary Ann McDuff

NAYS (0): None

- B. V25-0061 Consider a request by Ron and Elizabeth Laningham 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 11.189-acre tract is located approximately 1,450 east of F.M. 2164, and approximately 5,450 ft north of Loop 288 in the Extraterritorial Jurisdiction Division 1 of the City of Denton, Denton County, Texas. (V25-0061, 697 Pecan Creek Variance, Matt Bodine)

City staff presented the item. No discussion followed.

Commissioner McDuff moved to approved the item as presented. Motion seconded by Commissioner Garland. Motion carried.

AYES (4): Acting Chair: Lisa Dyer, Commissioners: Erica Garland, Keith Ketchersid, and Mary Ann McDuff

NAYS (0): None

- C. FP25-0030 Consider a request by Landmark Surveyors on behalf of Ron and Elizabeth Laningham, for approval of a Final Plat of Lots 1-3, Block A, 697 Pecan Creek Addition. The 11.189-acre tract is located approximately 1,450 east of F.M. 2164, and approximately 5,450 ft north of Loop 288 in the Extraterritorial Jurisdiction Division 1 of the City of Denton, Denton County, Texas. (FP25-0030, 697 Pecan Creek Addition, Matt Bodine)

City staff presented the item. No discussion followed.

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

AYES (4): Acting Chair: Lisa Dyer, Commissioners: Erica Garland, Keith Ketchersid, and Mary Ann McDuff

NAYS (0): None

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

City staff presented the item. No discussion followed.

Commissioner McDuff moved to approve the extension of the item to date certain of October 22, 2025. Motion seconded by Commissioner Ketchersid. Motion carried.

AYES (4): Acting Chair: Lisa Dyer, Commissioners: Erica Garland, Keith Ketchersid, and Mary Ann McDuff

NAYS (0): None

- E. FP25-0028 Consider a request by Manhard Consulting on behalf of the property owner, Canna Capital, for a Final Plat of the Reserve at Brush Creek. The approximately 15.437-acre site is generally located on the north side of Brush Creek Road and approximately 392 feet east of US 377 in the City of Denton, Denton County, Texas. (FP25-0028, Reserve at Brush Creek, Angie Manglaris)

City staff presented the item. No discussion followed.

Commissioner McDuff moved to approve the extension of the item to date certain of October 22, 2025. Motion seconded by Commissioner Garland. Motion carried.

AYES (4): Acting Chair: Lisa Dyer, Commissioners: Erica Garland, Keith Ketchersid, and Mary Ann McDuff

NAYS (0): None

## **5. PUBLIC HEARINGS**

- A. Z25-0012 Hold a public hearing and consider making a recommendation to City Council regarding a request to rezone approximately 1 acre of land from Mixed Use Neighborhood (MN) zoning district to Suburban Corridor (SC) zoning district generally located south of Loop 288 Service Road and North of Randall Street, approximately 800 feet west of E. Sherman Drive, in the City of Denton, Denton County, Texas. (Z25-0012, N Loop 288 MN to SC Rezone-MN to SC, Erin Stanley)

Acting Chair Dyer opened the public hearing.

This item was presented, and no discussion followed.

Acting Chair Dyer closed the public hearing.

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

AYES (4): Acting Chair: Lisa Dyer, Commissioners: Erica Garland, Keith Ketchersid, and Mary Ann McDuff

NAYS (0): None

- B. Z25-0016 Hold a public hearing and consider making a recommendation to City Council regarding a request to rezone the portion of Mixed Use Neighborhood (MN) zoning district on an approximately 1 acre lot to Suburban Corridor (SC) zoning district, generally located south of Loop 288 Service Road and North of Randall Street, approximately 650 feet west of E. Sherman Drive, in the City of Denton, Denton County, Texas. (Z25-0016, CSM Denton Rezone, Erin Stanley)

Acting Chair Dyer opened the public hearing.

This item was presented, and no discussion followed.

Citizen comments will be listed on Exhibit A.

Acting Chair Dyer closed the public hearing.

Commissioner Ketchersid moved to approve the item as presented. Motion seconded by Commissioner Garland. Motion carried.

AYES (4): Acting Chair: Lisa Dyer, Commissioners: Erica Garland, Keith Ketchersid, and Mary Ann McDuff

NAYS (0): None

- C. Z25-0011 Hold a public hearing and consider making a recommendation to City Council regarding a City-initiated zoning change from Public Facilities (PF) District to Mixed-Use Downtown (MD) District on approximately 1.08 acres, and from Mixed-Use Neighborhood (MN) District to Mixed-Use Downtown on approximately 42.62 acres. The overall approximately 43.7-acre site is generally located north of Eagle Drive and south of Sycamore Street, between Bell Avenue and Myrtle Street in the City of Denton, Denton County, Texas. (Z25-0011, Expanding Opportunity in Southern Downtown, Sean Jacobson)

Acting Chair Dyer opened the public hearing.

This item was presented, and discussion followed.

Citizen comments will be listed on Exhibit A.

Acting Chair Dyer closed the public hearing.

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

AYES (3): Acting Chair: Lisa Dyer, Commissioners: Keith Ketchersid, and Mary Ann McDuff

NAYS (1): Commissioner Erica Garland

- D. CA25-0002 The City of Denton Planning and Zoning Commission will hold a public hearing and consider making a recommendation to City Council regarding a Comprehensive Plan amendment on approximately 34.5 acres from Rural Areas Future Land Use designation to Light Industrial Future Land Use designation, generally located south of US380 beginning 0.5 miles east of Geesling Road and extending approximately 0.5 miles east to North Trinity Road in the City of Denton, Denton County, Texas, and on approximately 22.5 acres from Low Residential Future Land Use designation to Community Mixed Use Future Land Use designation, generally located north and south of US380, beginning at North Trinity Road and extending approximately 0.4 miles east in the City of Denton, Denton County, Texas. (CA25-0002, US 380 Corridor FLUM Amendment, Erin Stanley)

Acting Chair Dyer opened the public hearing.

This item was presented, and discussion followed.

Citizen comments will be listed on Exhibit A.

Acting Chair Dyer closed the public hearing.

Commissioner Garland moved to approve the item as presented. Motion seconded by Commissioner Ketchersid. Motion carried.

AYES (4): Acting Chair: Lisa Dyer, Commissioners: Erica Garland, Keith Ketchersid, and Mary Ann McDuff

NAYS (0): None

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

- A. PZ25-028: 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 7:49 p.m.

X\_\_\_\_\_

Eric Pruett, Planning and Zoning Commission Chair

Date

X\_\_\_\_\_

Cathy Welborn, Administrative Assistant III

Date

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

September 24, 2025 Planning and Zoning Meeting - EXHIBIT A

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

Name	Address	Agenda Item	Position	Method	Comments
Wouter van Erve	2108 Kayewood Dr, Denton, TX 76209	CA25-0002	Opposed	eComment	This plan will continue the regrettable tradition of maintaining US 380 as a dangerous stroad by creating more allowances for strip malls along this road. Stroads are dangerous because they mix incompatible uses (in this case business access, pedestrian and bicycle traffic, lots of entering and exiting with fast vehicular traffic) on the same street. Please reconsider these development patterns, as they are also incompatible with Denton's 2040 vision which encourages development in the core.
Yitong Ye	5120 E University Dr., Denton, 76208	CA25-0002	Support	In Person	See video for comment.
Barbara Shaw	309 Stroud, Denton, 76201	Z25-0011	Not Stated	In Person	See video for comment.
Hugo Cruz	611 S. Locust & 525 Elm Street, Denton, 76201	Z25-0011	Not Stated	In Person	See video for comment.
Jennifer Cruz Rodas	611 S. Locust & 525 Elm Street, Denton, 76201	Z25-0011	Opposed	In Person	See video for comment.
Kristen Kendrick Bigley	4004 Vinyard Way, Denton, 76226	Z25-0011	Support	In Person	See video for comment.
Wouter van Erve	2108 Kayewood Dr, Denton, TX 76209	Z25-0011	Support	eComment	This proposal is consistent with the Denton 2040 vision and the Downtown Plan that calls for more density in the urban core of the city. This proposal will allow for greater economic opportunities downtown, and encourage development in a place where people are looking for things to do, while at the same time creating opportunities to build homes that will create a vibrant environment as well as a captive customer base for new businesses.
Martha Wahlert	301 S Locust, Denton, 76201	Z25-0011	Opposed	In Person	See video for comment.
Clay Cristy (Applicant)	3231 Harwood Rd., Benford, 76021	Z25-0016	Support	In Person	See video for comment.



# City of Denton

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

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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**DCM:** Cassey Ogden

**DATE:** October 8, 2025

### **SUBJECT**

Consider a request by Robson Denton Development, L.P. for a Final Plat of the Robson Ranch Unit 30. The 23.37-acre site is generally located approximately 150 feet west of Florance Road and 950 feet south of Blair Road in the City of Denton, Denton County, Texas. (FP25-0026, Robson Ranch Unit 30, Julie Wyatt)

### **BACKGROUND**

The purpose of the Final Plat is to create 67 residential lots, eight common/open space lots, and one private street lot from a previously un-platted tract of land. Additionally, the Final Plat provides for a 20-foot-wide sanitary sewer easement within a common area lot to facilitate a connection to the existing sanitary sewer line located approximately 471 feet south of the subject property.

The common lots and private street will be owned and maintained by the homeowner's association and will not be dedicated to the City. The property is located within the Planned Development 173 (PD-173) District, Robson Ranch, and must conform to the regulations set forth in the approved planned development, including use, minimum lot size, and setbacks. The proposed plat meets all PD-173 District requirements.

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

Date application filed:	July 29, 2025
Plat withdrawn	August 19, 2025
Application resubmitted	September 11, 2025
Planning and Zoning Meeting:	October 8, 2025
Days in review:	27 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. No extensions have been granted for this application.

### **OPTIONS**

1. Approve as submitted
3. Deny with reasons

### **RECOMMENDATION**

Staff recommends approval of this plat as 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
August 3, 1999	City Council	Planned Development Concept Plan	Approval (Ordinance 99-265)
August 2, 2011	City Council	Planned Development Detailed Plan	Approval (Ordinance 2011-124)

**PUBLIC OUTREACH**

No public outreach is required for final plats.

**DEVELOPER ENGAGEMENT DISCLOSURES**

No developer contact disclosures have been provided to staff from members of this body as of the issuance of this report.

**EXHIBITS**

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Final Plat

Respectfully submitted:  
Hayley Zagurski, AICP  
Planning Director

Prepared by:  
Julie Wyatt, AICP  
Principal Planner

# Planning Staff Analysis

FP25-0026/ Robson Ranch Unit 30

City Council District #4

Planning & Zoning Commission

## REQUEST:

Final Plat for 67 single-family residential lots and eight common/open space lots, and one private street lot from a previously un-platted tract of land.

## APPLICANT:

A Ward Surveying Company on behalf of Robson Ranch Development, L.P.

## RECOMMENDATION:

Staff recommends approval of this plat as it meets the established approval criteria for Final Plats, as shown in the following table:

### Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<b>1. Generally</b>			
<b>a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.</b> <b>Findings:</b> <div>The Final Plat meets all review criteria and items as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Subsection 2.6.4D.3.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>b. The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9.</b> <b>Findings:</b> <div>The Final Plat meets all applicable review criteria of DDC Subsection 2.6.4D.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>c. If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5-2.9 controls.</b> <b>Findings:</b> <div>There is no conflict.</div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<b>2. Prior Approvals</b>				
<b>a. The proposed development shall be consistent with the terms and conditions of any prior land use approval, plan, development agreement, or plat approval that is in effect and not proposed to be changed. This includes an approved phasing plan for development and installation of public improvements and amenities.</b> <b>Findings:</b> <div>The proposed development is consistent with the regulations outlined in Planned Development 173 (PD-173) District and Civil Engineering Plans (CEP25-0030).</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>3. Consistent with Comprehensive Plan and Other Applicable Plans</b> <b>The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</b> <b>Findings:</b> <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>a. The decision-making authority shall weigh competing plan goals, policies, and strategies</b> <b>Findings:</b> <div>There are no competing plan goals, policies, and strategies for this site.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b. May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in Comprehensive Plan.</b> <b>Findings:</b> <div>Not applicable</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>4. Compliance with this DDC</b>				
<b>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.</b> <b>Findings:</b> <div>The Final Plat complies with the applicable DDC requirements.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<b>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</b> <b>Findings:</b> <div>The proposed Final Plat provides sufficient detail required for the submittal.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>5. Compliance with Other Applicable Regulations</b>				
<b>a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations.</b> <b>Findings:</b> <div>The proposed Final Plat meets all criteria set forth by the Final Plat Checklist, authorized by DDC Subsection 2.6.4D.3.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>6. Consistent with Interlocal and Development Agreements</b>				
<b>a. The proposed development shall be consistent with any adopted interlocal and applicable development agreements, and comply with the terms and conditions of any such agreements incorporated by reference into this DDC.</b> <b>Findings:</b> <div>There are no development agreements applicable to this Final Plat.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>7. Minimizes Adverse Environmental Impacts</b>				
<b>a. The proposed development should be designed to minimize negative environmental impacts, and should not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, scenic resources, wildlife habitat, soils, and native vegetation.</b> <b>Findings:</b> <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>8. Minimizes Adverse Impacts on Surrounding Property</b>				
<b>a. The proposed development should not cause significant adverse impacts on surrounding properties. The results of the citizen participation process may be appropriately considered under this section.</b> <b>Findings:</b> <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

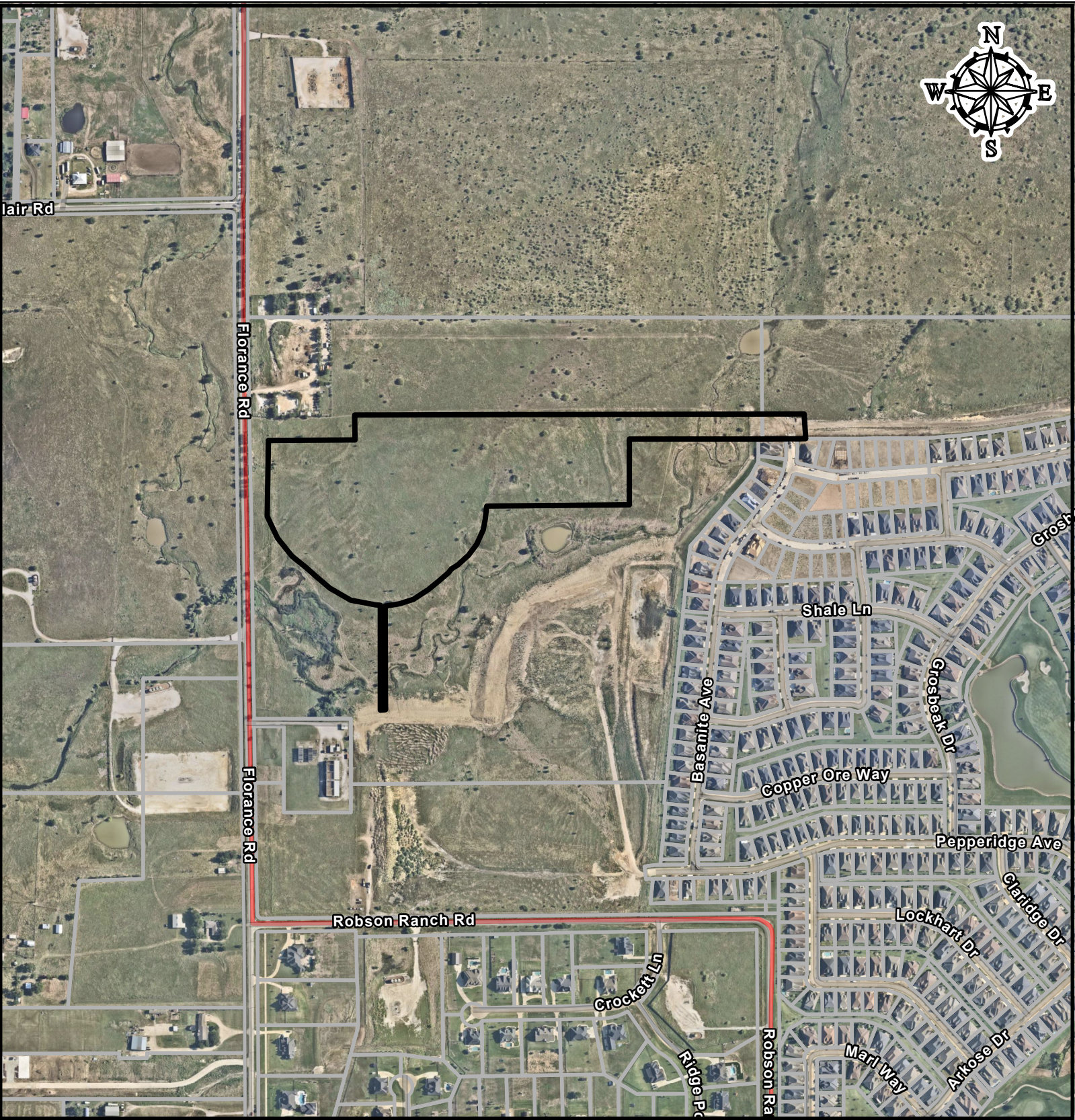
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<b>9. Minimizes Adverse Fiscal Impacts</b>				
<p><b>a. The proposed development should not result in significant adverse fiscal impacts on the city.</b>  <b>Findings:</b></p> <div> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>10. Compliance with Utility, Service, and Improvement Standards</b>				
<p><b>a. As applicable, the proposed development shall comply with federal, state, county, service district, city and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards.</b>  <b>Findings:</b></p> <div> <p>The Final Plat complies with the applicable DDC requirements as described herein.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>11. Provides Adequate Road Systems</b>				
<p><b>a. Adequate road capacity shall exist to serve the uses permitted under the proposed development, and the proposed uses shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services.</b>  <b>Findings:</b></p> <div> <p>The Final Plat has adequate road capacity and complies with this criterion.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>12. Provides Adequate Public Services and Facilities</b>				
<p><b>a. Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, roads, domestic water, sewer, schools, public safety, fire protection, utilities, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.</b>  <b>Findings:</b></p> <div> <p>There is adequate capacity to serve the proposed development.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<b>13. Rational Phasing Plan</b>				
<p>a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required for that phase, and may not defer those improvements to subsequent phases.</p> <p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> Phasing for the development provides for adequate infrastructure. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

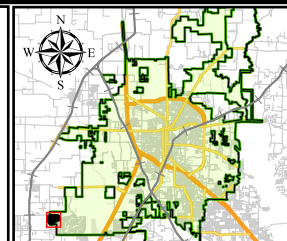
Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)		Applicability		
		Met	Not Met	N/A
<b>14. Whether the final plat conforms to the preliminary plat, including any conditions of approval.</b>				
<p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> There is no approved preliminary plat associated with the proposed Final Plat. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>15. Whether the development will substantially comply with all requirements of this DDC.</b>				
<p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> The Final Plat complies with the applicable requirements of the Denton Development Code. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>16. Whether the development will comply with the applicable technical standards and specifications adopted by the City.</b>				
<p><b>Findings:</b></p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> The Final Plat complies with the applicable technical standards of the Denton Development Code. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



# FP25-0026 Aerial Site Location



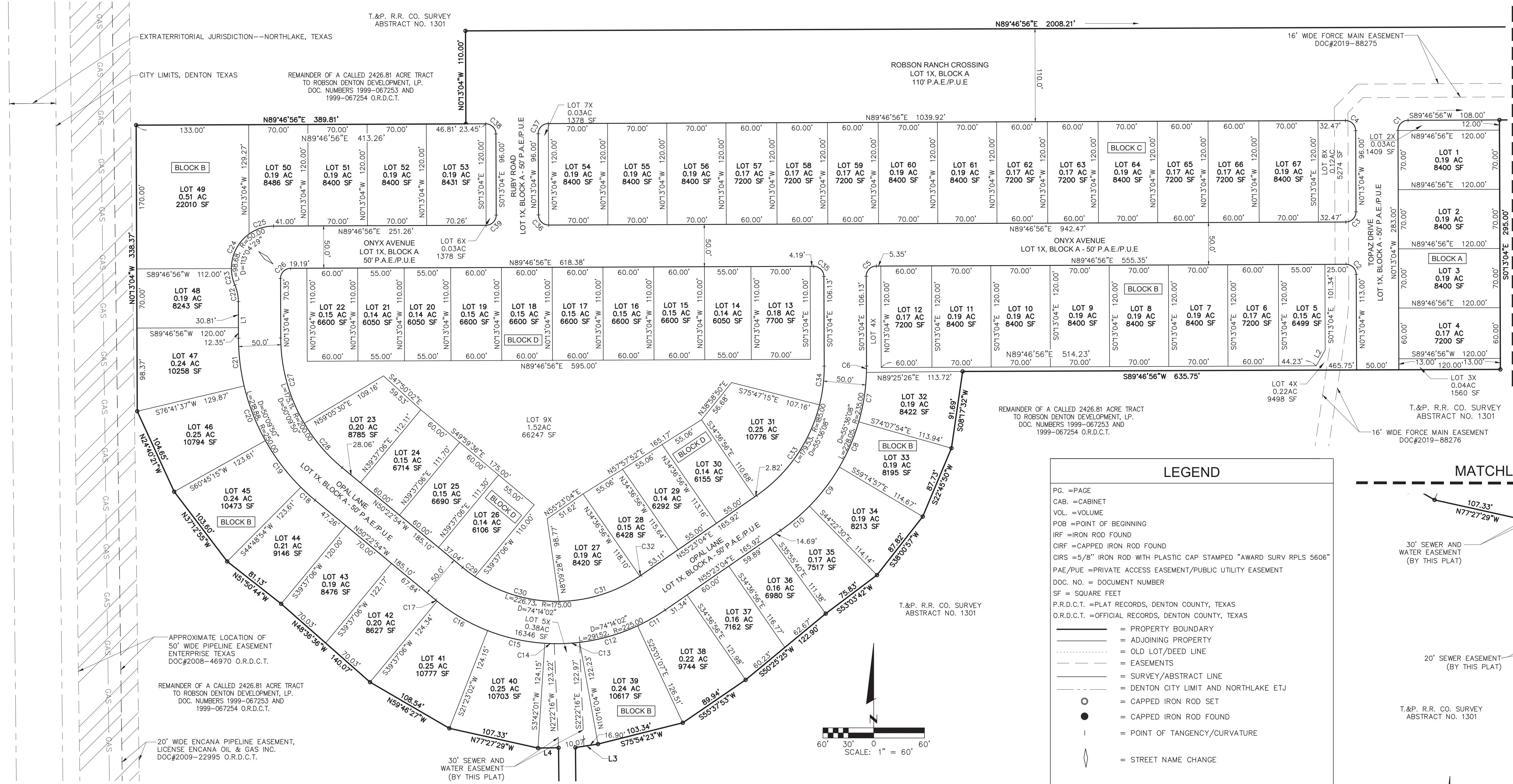
- COD
- ETJ
- ETJ 2
- NAA 8/1/20
- NAA 8/1/40



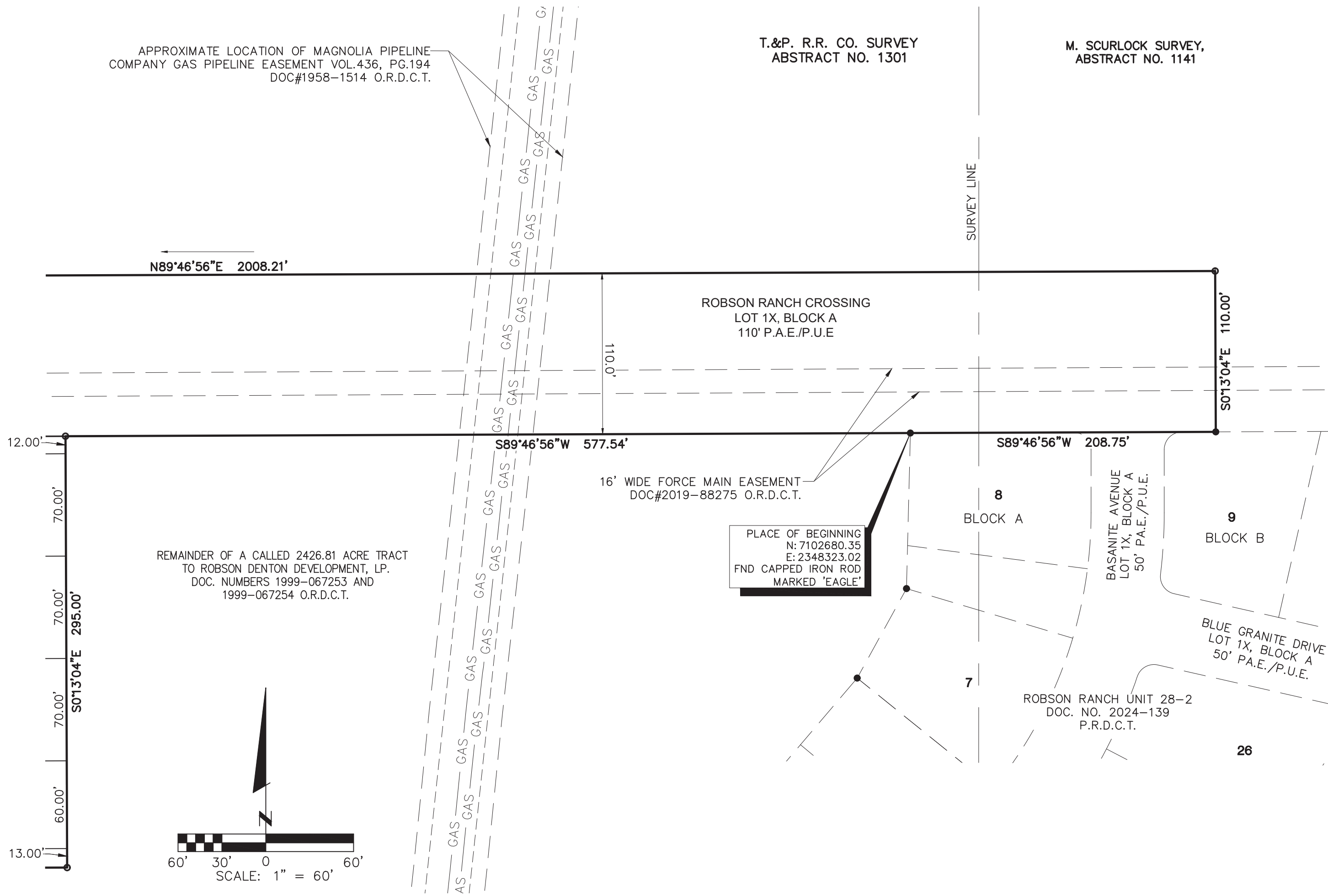
"This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Although every effort was made to ensure the accuracy of this data, no such guarantee is given or implied. Utilization of this map indicates the understanding that there is no guarantee to the accuracy of this data."



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LEGEND

PG. =PAGE  
CAB. =CABINET  
VOL. =VOLUME  
POB =POINT OF BEGINNING  
IRF =IRON ROD FOUND  
CIRF =CAPPED IRON ROD FOUND  
CIRS =5/8" IRON ROD WITH PLASTIC CAP STAMPED "AWARD SURV RPLS 5606"  
PAE/PUE =PRIVATE ACCESS EASEMENT/PUBLIC UTILITY EASEMENT  
DOC. NO. = DOCUMENT NUMBER  
SF = SQUARE FEET  
P.R.D.C.T. =PLAT RECORDS, DENTON COUNTY, TEXAS  
O.R.D.C.T. =OFFICIAL RECORDS, DENTON COUNTY, TEXAS

= PROPERTY BOUNDARY

= ADJOINING PROPERTY

= OLD LOT/DEED LINE

= EASEMENTS

= SURVEY/ABSTRACT LINE

= DENTON CITY LIMIT AND NORTHLAKE ETJ

= CAPPED IRON ROD SET

= CAPPED IRON ROD FOUND

= POINT OF TANGENCY/CURVATURE

= STREET NAME CHANGE

LAND USE	ACREAGE	LOTS
RESIDENTIAL	12.543	67
HOA/OPEN SPACE	2.367	8
STREET-ROW	8.464	1
TOTAL	23.374	76

GENERAL NOTES

- THE PURPOSE OF THIS PLAT IS TO CREATE 67 RESIDENTIAL LOTS, 8 OPEN SPACE LOTS, AND 1 PRIVATE STREET LOT.
- THE PROPERTY IS LOCATED IN A NON-SHADED ZONE X AS SCALED FROM THE F.E.M.A. FLOOD INSURANCE RATE MAP DATED APRIL 18, 2011 AS SHOWN ON MAP NUMBER 48121C03456G. THE LOCATION OF THE FLOOD ZONE IS APPROXIMATE. NO VERTICAL DATUM WAS COLLECTED AT THE TIME OF THE SURVEY. FOR THE EXACT FLOOD ZONE DESIGNATION, PLEASE CONTACT 1-(877)FEMA MAP.
- THE BEARING AND COORDINATES SHOWN ON THIS PLAT ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983, NORTH CENTRAL ZONE (4202) AND CONTROLLING MONUMENTS (CM) FOUND AT THE NORTHWEST CORNER OF LOT 8 BLOCK A OF ROBSON RANCH – UNIT 28-2 A SUBDIVISION OF RECORD IN DOCUMENT NUMBER 2024-139, PLAT RECORDS, DENTON COUNTY, TEXAS, AS SHOWN HEREON.
- 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 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.
- WATER AND SANITARY SEWER SERVICE FOR THIS PROPERTY WILL BE PROVIDED THROUGH THE CITY OF DENTON.
- PRIVATE IMPROVEMENTS CANNOT ENCROACH ONTO EXISTING PUBLIC OR PRIVATE EASEMENTS.
- ALL LOTS SHOWN ARE SINGLE-FAMILY RESIDENTIAL UNLESS OTHERWISE DESIGNATED WITH AN "X" WITH THE LOT NUMBER. ALL "X" LOTS ARE COMMON/OPEN SPACE LOTS.
- ALL OPEN SPACE LOTS WILL BE OWNED, OPERATED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION.
- THE CITY OF DENTON HAS NO OBLIGATION TO ACCEPT ANY PRIVATELY OWNED AND MAINTAINED STREETS WITHIN THE BOUNDARIES OF THIS PLAT OR THE ROBSON PD.
- LOT 1X, BLOCK A IS A PRIVATE STREET LOT.
- A PORTION OF AN EXISTING SEWER FORCE MAIN EASEMENT OR PIPELINE IS LOCATED WITHIN LOT 8X, BLOCK C, LOT 4X, BLOCK B AND LOT 1X, BLOCK A AS SHOWN HEREON.
- A PORTION OF AN EXISTING MAGNOLIA PIPELINE COMPANY GAS PIPELINE EASEMENT IS LOCATED WITHIN LOT 1X, BLOCK A AS SHOWN HEREON.
- NOTE: RESIDENTIAL LOTS WITHIN 1,000 FEET OF GAS WELL DRILLING AND PRODUCTION SITES ARE INDICATED BY A GAS WELL VICINITY MAP IS SHOWN ON THIS PLAT TO ILLUSTRATE THE LOCATION OF THE DRILLING AND PRODUCTION SITES IN RELATION TO THE RESIDENTIAL LOTS WITHIN THIS PLAT. THE GAS WELL DRILLING AND PRODUCTION SITES SHOWN ON THIS PLAT EITHER HAVE EXISTING PRODUCING WELLS ON THEM OR HAVE BEEN APPROVED TO HAVE PRODUCING WELLS ON THEM. THE SITES SHOWN MAY HAVE NEW WELLS DRILLED AND FRACTURE STIMULATED IN THE FUTURE. FURTHER, WELLS MAY BE RE-DRILLED, NEW FRACTURE STIMULATED AND/OR RE-FRACTURE STIMULATED IN THE FUTURE ON THE DRILLING AND PRODUCTION SITES SHOWN. PLEASE NOTE THAT NO LOTS IN THIS UNIT ARE LOCATED WITHIN 1,000 FEET OF ANY GAS WELL DRILLING OR PRODUCTION SITES.

VICINITY MAP

GAS WELL VICINITY MAP

**FINAL PLAT**  
**ROBSON RANCH - UNIT 30**  
LOTS 1-4 & 1X-3X, BLOCK A;  
LOTS 5-12, 32-53 & 4X-6X, BLOCK B;  
LOTS 54-67 & 7X-8X, BLOCK C;  
LOTS 13-31 & 9X, BLOCK D;  
  
BEING 23.374 ACRES SITUATED IN THE  
M. SCURLOCK SURVEY, ABSTRACT NO. 1141 AND  
THE TEXAS & PACIFIC R.R. CO. SURVEY, ABSTRACT NO. 1301  
IN THE CITY OF DENTON, DENTON COUNTY, TEXAS  
76 LOTS BY USE (67 RESIDENTIAL, 8 COMMON OPEN  
SPACE LOTS AND 1 PRIVATE STREET LOT)  
SEPTEMBER 2025  
CITY PROJECT NO: FP25-0026

**OWNER**  
ROBSON RANCH DENTON DEVELOPMENT, LP  
9532 E. RIGGS ROAD  
SUN LAKES, AZ 85248  
(480)895-9200

**AWARD SURVEYING COMPANY**  
252 WEST MAIN STREET, SUITE F, AZLE TX 76020  
817-33A-WARD (332-9273) survey@awardsurveying.com  
TBPELS Firm No. 10194435

SHEET 2 OF 3









# City of Denton

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

## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**DCM:** Cassey Ogden

**DATE:** October 8, 2025

### **SUBJECT**

Consider a request by ECM Eden Village LP for approval of a Replat of the Eden Village Addition. The approximately 35.203-acre property is generally located on the west side of Loop 288, approximately 1,355 feet south of Audra Lane in the City of Denton, Denton County, Texas. (FR25-0020, Eden Village, Julie Wyatt)

### **BACKGROUND**

The purpose of this Replat is to modify the lot boundaries, right-of-way, and easements for a partially constructed triplex and fourplex development. The Final Plat for the Eden Village development was originally approved on August 18, 2021, with a total of 57 residential lots, fourteen of which were platted with rear alley access and the remainder with front access. This configuration was intended to facilitate both townhome and ranch architectural styles. After platting, the developer installed public improvements, including water, wastewater, and streets, but did not move forward with the construction of the residential units.

In 2025, development resumed, but with a redesign of the architectural style. With this change, additional alleys are needed to meet the Denton Development Code's Site and Building Design Standards. Therefore, the proposed Replat reflects the following:

- Four additional residential lots,
- Additional right-of-way dedication for Blocks A, B, C, D, and E
- A Public Access Easement for Blocks H, I, G, K, and L which will contain the alley access and ensure the individual lots can meet the minimum lot depth standards.

The property is zoned Residential 7 District, which permits a variety of residential uses, including the proposed uses. All of the proposed alleys are to be maintained by the Homeowner's Association.

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

Date submittal received:	September 9, 2025
Planning and Zoning Meeting:	October 8, 2025
Days in Review:	29 Days

This application is being considered under Texas Local Government Code (TX LGC) 212.009, which was updated as of September 1, 2023, with the passage of House Bill 3699. The applicant has requested a 30-day extension to allow for additional time to work through staff's comments on the plat and additional

review (see Exhibit 5). This is the first extension request and can be granted to a date certain of October 22, 2025.

### **OPTIONS**

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

### **RECOMMENDATION**

Staff recommends denial of this Replat as it does not meet the established criteria for approval. However, Staff has no objection to the requested 30-day extension to a date certain of October 22, 2025. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

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

<b>Date</b>	<b>Council, Board, Commission</b>	<b>Request</b>	<b>Action</b>
2002	City Council	City-wide rezoning	Approval of NRMU-12 District
October 1, 2019	City Council	City-wide zoning transition	Approval of transition to R7 District
November 18, 2020	Planning and Zoning Commission	Preliminary Plat extension request (PP20-0025)	Extension approved
December 16, 2020	Planning and Zoning Commission	Preliminary Plat (PP20-0025)	Approved
August 4, 2021	Planning and Zoning Commission	Final Plat extension request (FP21-0020)	Extension approved
August 18, 2021	Planning and Zoning Commission	Final Plat (FP21-0020)	Approved

### **PUBLIC OUTREACH**

No public outreach is required for a Replat.

### **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. Replat
5. First Extension Request

Respectfully submitted:  
Hayley Zagurski, AICP

Planning Director

Prepared by:  
Julie Wyatt, AICP  
Principal Planner

# Planning Staff Analysis

FR25-0020/Eden Village

City Council District #2

Planning & Zoning Commission

## REQUEST:

Replat of a triplex and fourplex development.

## APPLICANT:

Jason Lehigh with Westwood Professional Services on behalf of ECM Eden Village LP.

## RECOMMENDATION:

Staff recommends denial of this Replat as it does not meet the established criteria for approval, as shown in the following table:

### Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<b>1. Generally</b>			
<b>a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.</b> <b>Findings:</b> <div>The proposed Replat does not meet all criteria set forth by the Final Plat Checklist (FPC), authorized by DDC Subsection 2.6.4D.3. Prior to approval, the comments shown at the end of this document must be addressed.</div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b. The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9.</b> <b>Findings:</b> <div>The Replat does not meet all applicable review criteria of DDC Section 2.6.4D as described herein. See criterion #4 for details.</div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>c. If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5-2.9 controls.</b> <b>Findings:</b> <div>There is no conflict.</div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<b>2. Prior Approvals</b>				
<p><b>a. The proposed development shall be consistent with the terms and conditions of any prior land use approval, plan, development agreement, or plat approval that is in effect and not proposed to be changed. This includes an approved phasing plan for development and installation of public improvements and amenities.</b></p> <p><b>Findings:</b></p> <div>Civil Engineering Plans (CEP25-0033) must be approved prior to Final Plat approval.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>3. Consistent with Comprehensive Plan and Other Applicable Plans</b></p> <p><b>The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</b></p> <p><b>Findings:</b></p> <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>a. The decision-making authority shall weigh competing plan goals, policies, and strategies</b></p> <p><b>Findings:</b></p> <div>There are no competing plan goals, policies, and strategies for this site.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>b. May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in Comprehensive Plan.</b></p> <p><b>Findings:</b></p> <div>Not applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>4. Compliance with this DDC</b>				
<p><b>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.</b></p> <p><b>Findings:</b></p> <div> <p>The Replat does not comply with the applicable DDC requirements as described herein:</p> <ol style="list-style-type: none"> <li>Final Plat must have a CEP approved prior to approval.</li> <li>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."</li> </ol> </div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<b>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</b> <b>Findings:</b> <div>The subject submittal is a replat, and it was reviewed based on the checklist and requirements for a final plat.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>5. Compliance with Other Applicable Regulations</b>				
<b>a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations.</b> <b>Findings:</b> <div>The proposed development compiles with all applicable regulations, standards, and requirements.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>6. Consistent with Interlocal and Development Agreements</b>				
<b>a. The proposed development shall be consistent with any adopted interlocal and applicable development agreements and comply with the terms and conditions of any such agreements incorporated by reference into this DDC.</b> <b>Findings:</b> <div>There are no development agreements applicable to this Replat.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>7. Minimizes Adverse Environmental Impacts</b>				
<b>a. The proposed development should be designed to minimize negative environmental impacts, and should not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, scenic resources, wildlife habitat, soils, and native vegetation.</b> <b>Findings:</b> <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>8. Minimizes Adverse Impacts on Surrounding Property</b>				
<b>a. The proposed development should not cause significant adverse impacts on surrounding properties. The results of the citizen participation process may be appropriately considered under this section.</b> <b>Findings:</b> <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<b>9. Minimizes Adverse Fiscal Impacts</b>				
<p><b>a. The proposed development should not result in significant adverse fiscal impacts on the city.</b>  <b>Findings:</b></p> <div> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>10. Compliance with Utility, Service, and Improvement Standards</b>				
<p><b>a. As applicable, the proposed development shall comply with federal, state, county, service district, city and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards.</b>  <b>Findings:</b></p> <div> <p>The Replat does not comply with the applicable standards and specifications as described herein:</p> <ol style="list-style-type: none"> <li>1. The stormwater management system is provided to support this private development only and will be owned, operated, and maintained by the developer, owner, HOA, or other private party. Stormwater management easements shall provide COD with the ability, but not the obligation, to enter and maintain this stormwater management areas per DCM 4.12.4. Provide a Stormwater Facility Maintenance Agreement per DCM 4.14.</li> <li>2. The corner clip at the intersection of an alley and a residential street shall be 15 × 15 feet, which corresponds to 22.36 feet as per DCM Table 5.4-A. • Update all alley–residential street corner clips to comply with the DCM. • Alternatively, a deviation request may be submitted. Any approvals are contingent upon deviation request approval.</li> </ol> </div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>11. Provides Adequate Road Systems</b>				
<p><b>a. Adequate road capacity shall exist to serve the uses permitted under the proposed development, and the proposed uses shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services.</b>  <b>Findings:</b></p> <div> <p>There is adequate road capacity to accommodate the proposed use.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<b>12. Provides Adequate Public Services and Facilities</b>				
<p>a. Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, roads, domestic water, sewer, schools, public safety, fire protection, utilities, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.</p> <p><b>Findings:</b></p> <div>Current capacity can accommodate the proposed development.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>13. Rational Phasing Plan</b>				
<p>a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required for that phase, and may not defer those improvements to subsequent phases.</p> <p><b>Findings:</b></p> <div>There is no phasing plan associated with the proposed Replat.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Final Replat Review Applicability Criteria (DDC Section 2.6.7.D)		Applicability		
		Met	Not Met	N/A
<b>14. Is consistent with the intent of the underlying zoning districts;</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<div>The proposal is consistent with the dimensional and development standards required with the Residential 7 (R7) Zoning District.</div>				
<b>15. Complies with applicable dimensional and development standards in this DDC;</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<div>The proposal is consistent with the dimensional and development standards required with the Residential 7 (R7) Zoning District.</div>				
<b>16. Does not affect a recorded easement without approval from the easement holder;</b>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<div> <p>The Replat does not comply with the applicable easement standard as described herein</p> <ol style="list-style-type: none"> <li>Drainage easements through residential lots shall be placed entirely on one lot. Split lot easements shall not be allowed. This easement should be labeled as "To be abandoned by this plat." if not necessary for storm water management. (DDC 7.5.3.N.4 and FPC 3.7)</li> </ol> </div>				



Final Replat Review Applicability Criteria (DDC Section 2.6.7.D)	Applicability		
	Met	Not Met	N/A
<b>17. Will not result in adverse impacts to surrounding property;</b>  <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>18. Will not limit the city's ability to provide adequate and sufficient facilities or services; and</b>  <div>The Replat will not affect the City's ability to provide services to the lots created or surrounding properties.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>19. 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.</b>  <div>The proposed Replat complies with all regulations.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed Replat does not meet all criteria set forth by the Final Plat Checklist (FPC), authorized by DDC Subsection 2.6.4D.3. Prior to approval, the following comments must be addressed:

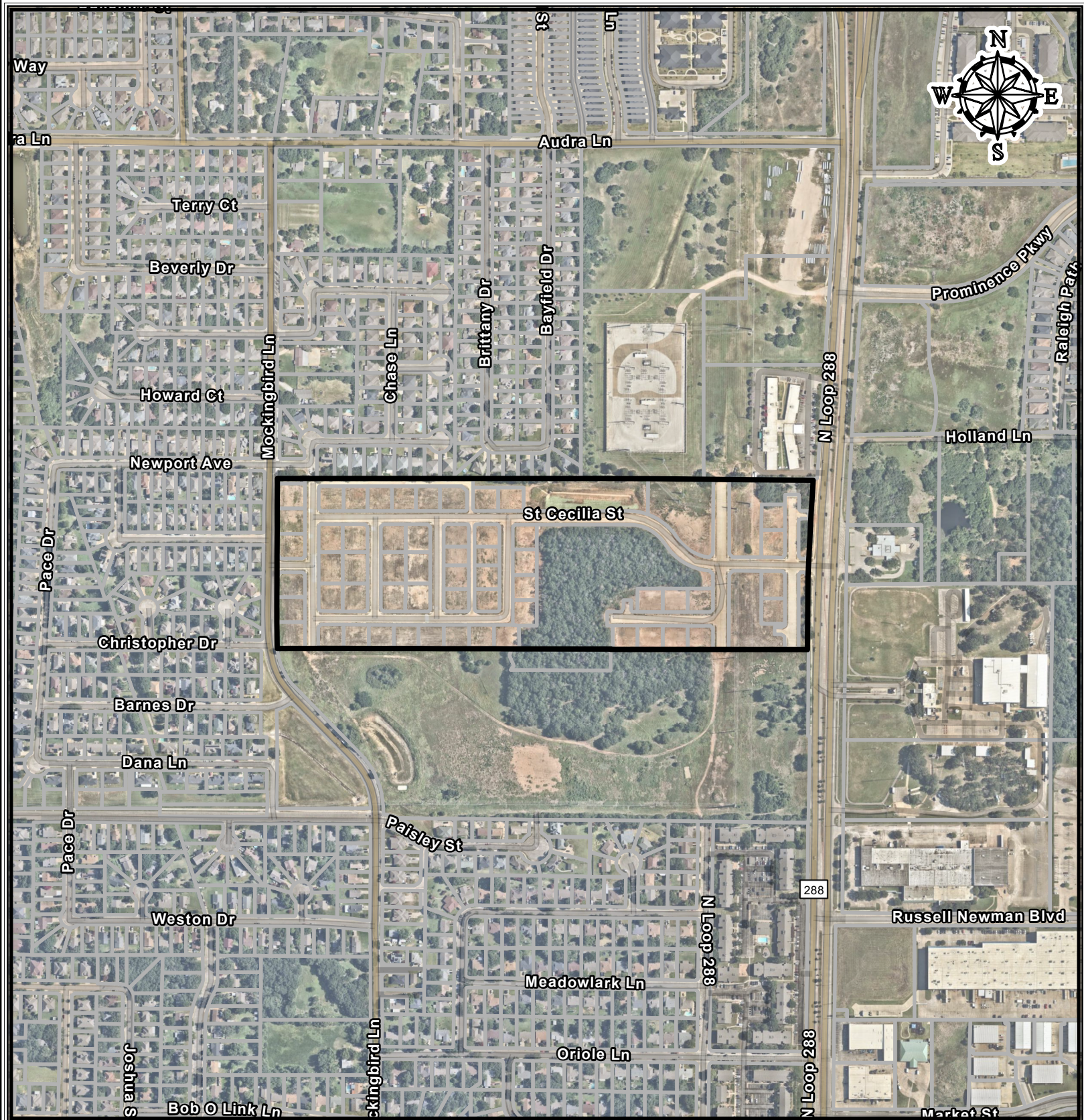
1. Drainage easements through residential lots shall be placed entirely on one lot. Split lot easements shall not be allowed (DDC 7.5.3.N.4 and FPC 3.7).
2. Depict all overhead electric distribution and transmission line clearance zones intersecting or adjacent to the property. (FPC 2.19)
3. Add the note: "Wastewater utility service will be provided by City of Denton." (DDC 8.4.10-11 and FPC 2.14)
4. Add the note: "Water utility service will be provided by City of Denton." (DDC 8.4.10-11 and FPC 2.14)
5. Reference the subdivision name and recording information of the plat or plats being revised. (FPC 2.3)
6. Label all existing easements and provide recording information. (FPC 3.6 and 4.3)
7. Label the deed on the plat drawing and on Detail 3. (FPC 4.2)
8. Use standard plat notes, dedication statement, approval block found here FPC 5.8:  
<https://www.cityofdenton.com/DocumentCenter/View/9297/Standard-Plat-Notes-05-31-24>
9. For sites containing public or private detention basins and drainage easements add the note: "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.”

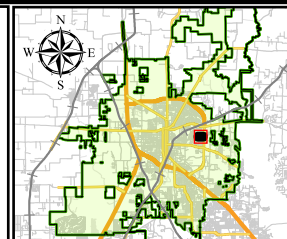


# FR25-0020

## Aerial Site Location



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



0 160 320 640 Feet

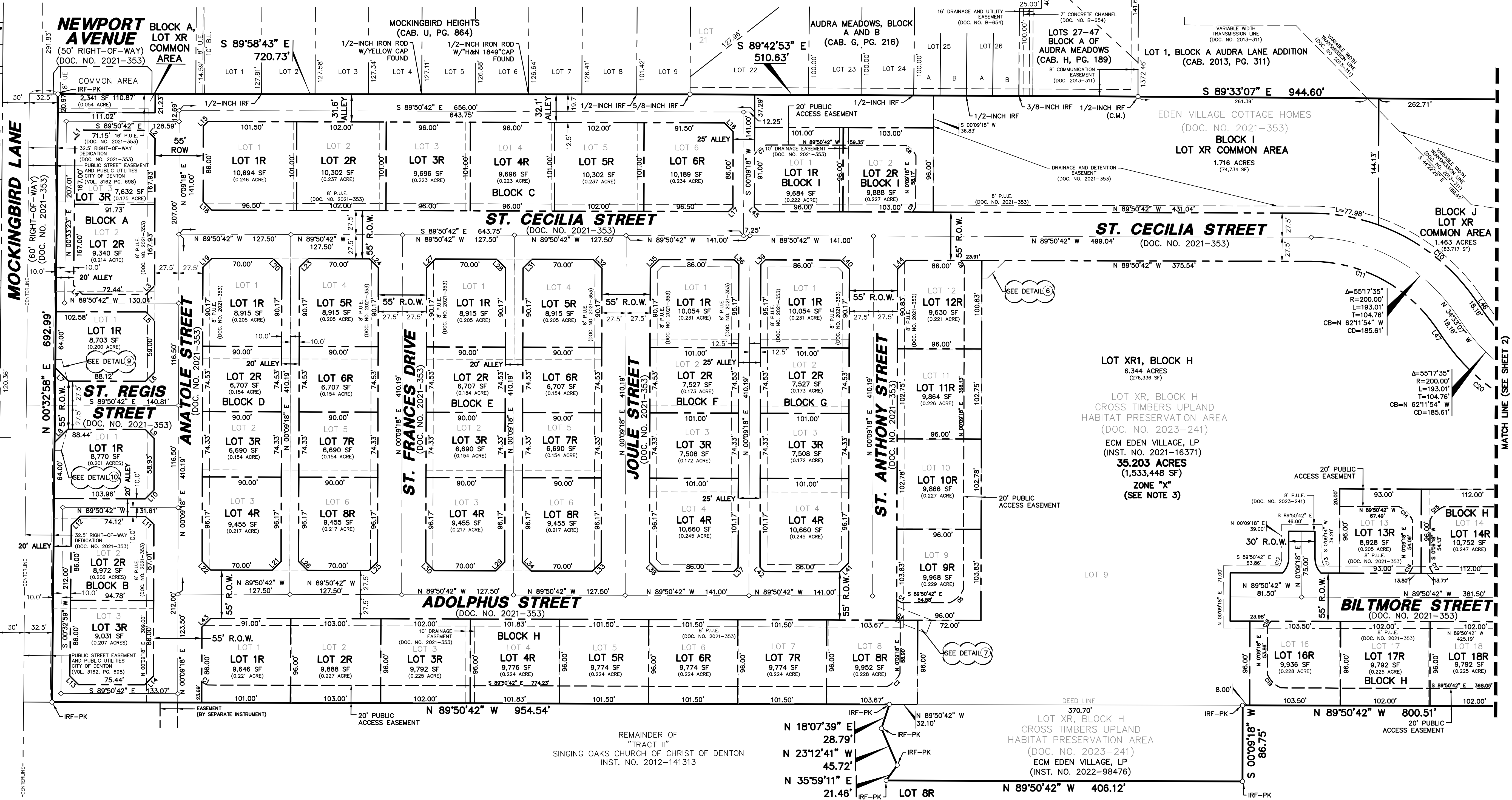
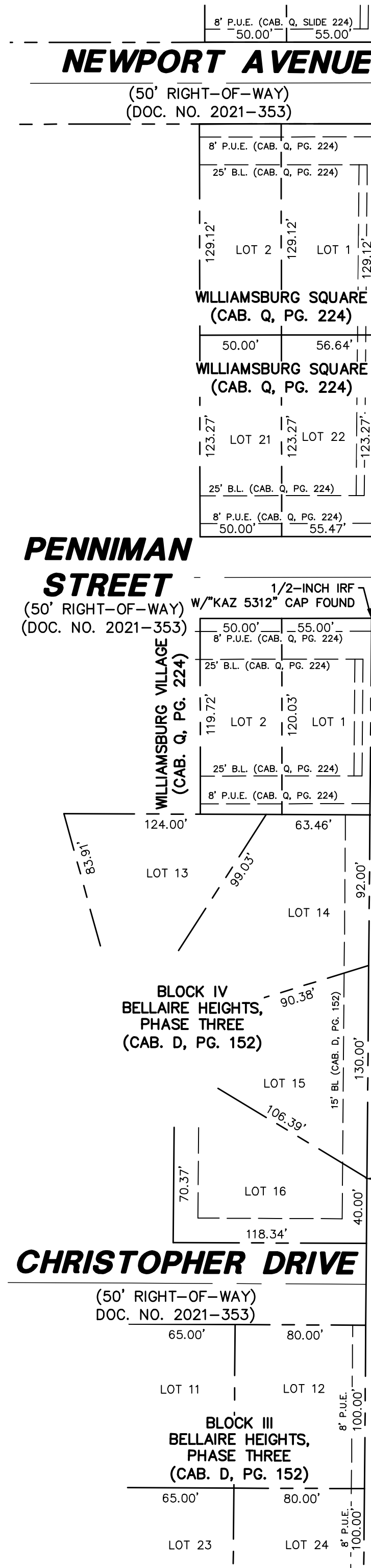


Date: 9/11/2025

"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."



L:\GONZALEZ-CONTRALEZ  
17/03/2024 10:30:06 CAD DWG SURVEY CSD\PLAT\0039146\_30\_RP.DWG



AREA TABLE COMMON AREAS			
BLOCK	LOT	SF	ACRES
BLOCK A	XR	2,341	0.054
BLOCK H	XR1	276,336	6.344
BLOCK I	XR	74,734	1.716
BLOCK J	XR	63,717	1.463
BLOCK K	XR	69,228	1.589
BLOCK L	XR	50,758	1.165
BLOCK M	XR	11,800	0.271

LOTS TABLE	
LOT	TOTAL
RESIDENTIAL	61
COMMON AREA	7

THE PURPOSE OF THIS REPLAT IS  
TO REVISE LOT LINES AND TO  
CREATE NEW EASEMENTS.

LEGEND	
○ STREET NAME BREAK	R.O.W. RIGHT-OF-WAY
BL BUILDING LINE	INST. INSTRUMENT
P.U.E. PUBLIC UTILITY EASEMENT	DOC. DOCUMENT
S.V. SIGHT VISIBILITY EASEMENT	NO. NUMBER
PROPERTY LINE	VOL. VOLUME
BLOCK LINE	PG. PAGE
LOT LINE	IRF IRON ROD FOUND
NEW EASEMENT LINE	SF SQUARE FEET
EASEMENT LINE	○ POINT FOR CORNER
CENTERLINE	(UNLESS OTHERWISE NOTED)
ENVIRONMENTALLY SENSITIVE AREA (ESA) LINE	IRF-PK 5/8-INCH IRON ROD WITH "PACHECO KOCH" CAP FOUND
SURVEY ABSTRACT LINE	IRS 1/2-INCH IRON ROD WITH "WESTWOOD PS" CAP SET
OLD LOT LINE	

**IMPORTANT NOTICE:**  
The City of Denton has adopted the National Electrical Safety Code (THE "CODE"). The code generally prohibits structures within 17.5 feet on either side of the center line of overhead distribution lines and within 37.5 feet on either side of the centerline of overhead transmission lines. In some instances the code requires greater clearances. Building permits will not be issued for structures within these clearance areas. Contact the building official with specific questions.

LINE TABLE								
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N 45°20'43" E	14.19'	L22	N 44°50'42" W	14.14'	L43	N 45°09'18" E	14.14'
L2	S 47°42'52" E	13.48'	L23	N 45°09'18" E	14.14'	L44	N 45°09'18" E	14.14'
L3	S 45°09'18" W	14.18'	L24	S 44°50'42" E	14.14'	L45	S 44°50'42" E	7.07'
L4	N 44°38'51" W	14.09'	L25	S 45°09'18" W	14.14'	L46	S 34°33'07" E	18.16'
L5	S 44°50'42" E	14.14'	L26	N 44°50'42" W	14.14'	L47	N 34°33'07" W	18.16'
L6	N 45°09'18" E	14.14'	L27	N 45°09'18" E	14.14'	L48	N 46°24'03" E	20.75'
L7	S 44°38'52" E	21.14'	L28	N 44°50'42" W	14.14'	L49	S 44°50'42" E	21.21'
L8	S 45°21'08" W	21.29'	L29	N 45°09'18" E	14.14'	L50	N 46°02'39" E	13.92'
L9	N 44°50'42" W	14.14'	L30	N 44°50'42" W	14.14'	L51	S 00°09'18" W	30.00'
L10	S 44°57'20" W	14.19'	L31	N 45°09'18" E	14.14'	L52	S 43°30'09" E	14.47'
L11	S 47°53'15" E	13.45'	L32	S 44°50'42" E	14.14'	L53	N 47°50'23" E	21.21'
L12	N 45°21'08" E	14.19'	L33	S 45°09'18" W	14.14'	L54	S 42°09'37" E	21.21'
L13	N 44°38'52" W	14.09'	L34	S 44°50'42" E	14.14'	L55	N 46°29'51" E	13.81'
L14	S 45°09'18" W	14.14'	L35	N 45°09'18" E	14.14'	L56	S 00°09'18" W	30.00'
L15	S 45°09'18" W	7.07'	L36	S 44°50'42" E	7.07'	L57	S 43°54'20" E	14.37'
L16	S 44°50'42" E	14.14'	L37	N 45°09'18" E	7.07'	L58	S 45°09'18" W	21.21'
L17	S 45°09'18" W	7.07'	L38	S 44°50'42" E	14.14'	L59	N 44°50'42" W	14.14'
L18	N 44°50'42" W	14.14'	L39	N 45°09'18" E	7.07'	L60	N 45°09'18" E	14.14'
L19	N 45°09'18" E	14.14'	L40	S 44°50'42" E	14.14'	L61	N 43°54'01" W	21.56'
L20	S 44°50'42" E	14.14'	L41	S 45°09'18" W	14.14'			
L21	S 45°09'18" W	14.14'	L42	S 44°50'42" E	7.07'			

**SURVEYOR/ENGINEER**  
WESTWOOD COMPANY  
7557 RAMBLER ROAD, SUITE 1400  
DALLAS, TEXAS 75231  
(PH) 235-3031  
CONTACT: LUIS M. GONZALEZ

**OWNER**  
ECM EDEN VILLAGE, LP  
4010 N. COLLINS STREET, UNIT #7  
ARLINGTON, TX 76010  
(PH) 817-739-1912  
CONTACT: NIKKI MOORE

**DEVELOPER**  
ECM DEVELOPMENT, LLC  
4010 N. COLLINS STREET, UNIT #7  
ARLINGTON, TX 76010  
(PH) 817-739-1912  
CONTACT: NIKKI MOORE

TBPELS. ENGINEERING FIRM NO. 11756  
TBPELS SURVEYING FIRM NO. 10074301

## REPLAT EDEN VILLAGE COTTAGE HOMES BLOCKS A-M 35.203 ACRES

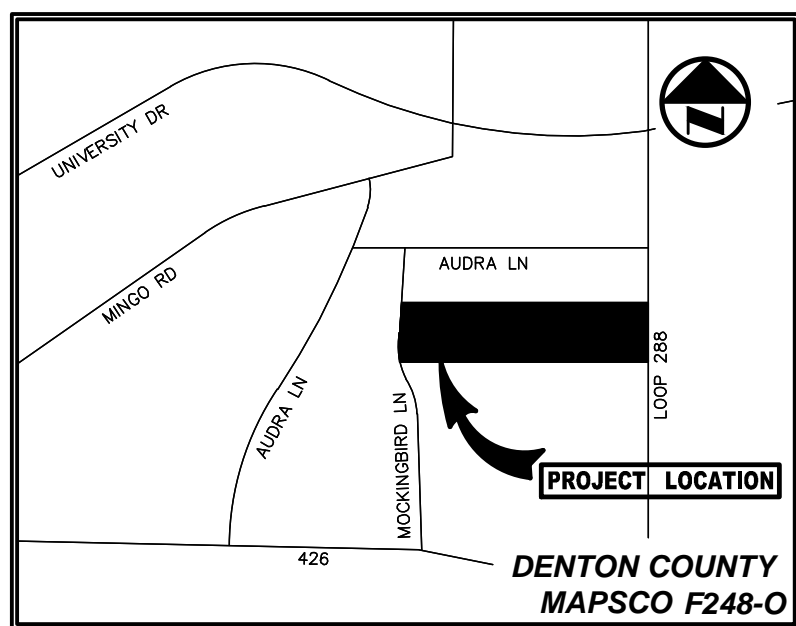
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LOTS 1R-6R, BLOCK C, LOTS 1R-8R, BLOCK D  
LOTS 1R-8R, BLOCK E, LOTS 1R-4R, BLOCK F  
LOTS 1R-4R, BLOCK G,  
LOTS 1R-19R AND LOT XR1, BLOCK H,  
LOTS 1R-2R AND LOT XR, BLOCK I,  
LOT XR, BLOCK J,  
LOTS 1R-2R AND LOT XR, BLOCK K,  
LOTS 1R-2R AND LOT XR, BLOCK L  
LOT XR, BLOCK M

BEING A REPLAT OF EDEN VILLAGE COTTAGE HOMES  
AND CROSS TIMBERS UPLAND HABITAT  
PRESERVATION AREA  
LOCATED IN THE CITY OF DENTON  
AND BEING OUT OF THE  
M.E.P. & P.R.R.CO. SURVEY, ABSTRACT NO. 927,  
DENTON COUNTY, TEXAS  
SHEET 1 OF 3  
CITY PROJECT NO. \_\_\_\_\_

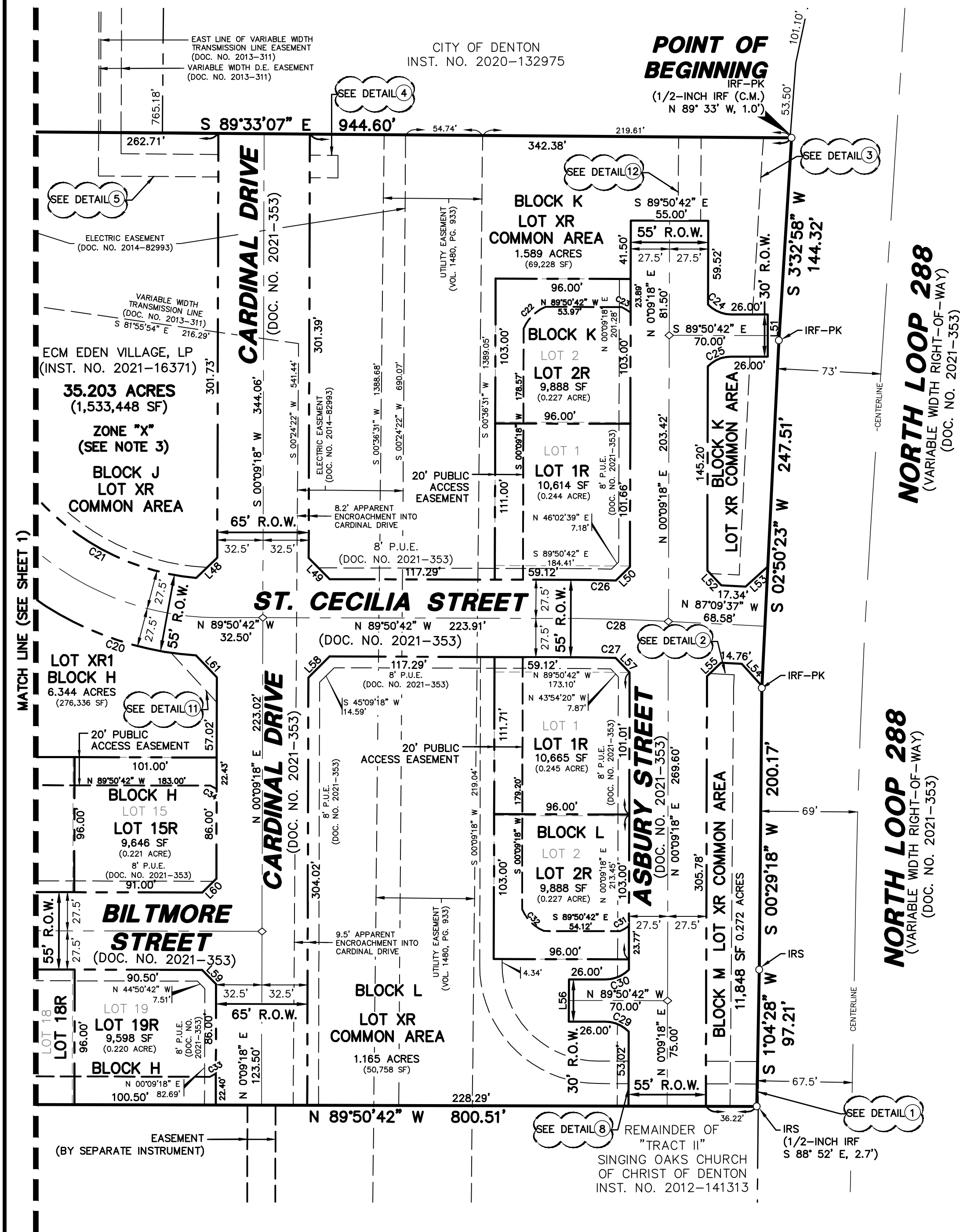
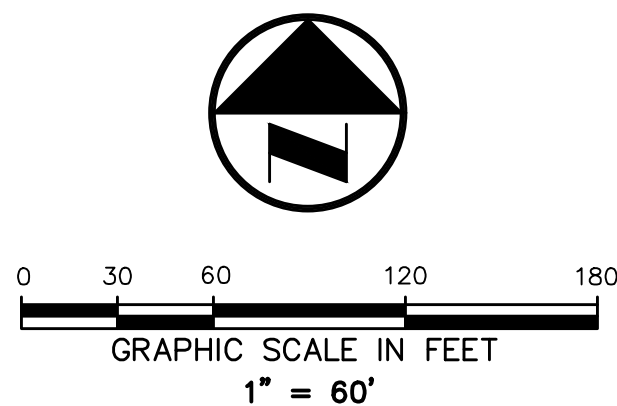
**Westwood**  
Westwood Professional Services, Inc.

DRAWN BY LAH/CD/JRM  
CHECKED BY LMG  
SCALE 1"=60'  
DATE SEPT. 2025  
JOB NUMBER R0039146.30

7557 RAMBLER ROAD SUITE 1400  
DALLAS, TX 75231  
972.235.3031  
westwoodps.com



VICINITY MAP  
(NOT TO SCALE)



#### LEGEND

- STREET NAME BREAK
- B.L. BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- S.V. SIGHT VISIBILITY EASEMENT
- PROPERTY LINE
- BLOCK LINE
- LOT LINE
- NEW EASEMENT LINE
- EASEMENT LINE
- CENTERLINE
- ENVIRONMENTALLY SENSITIVE AREA (ESA) LINE
- SURVEY ABSTRACT LINE
- OLD LOT LINE
- R.O.W. RIGHT-OF-WAY
- INST. INSTRUMENT
- DOC. DOCUMENT
- NO. NUMBER
- VOL. VOLUME
- P.G. PAGE
- IRF IRON ROD FOUND
- SF SQUARE FEET
- POINT FOR CORNER (UNLESS OTHERWISE NOTED)
- IRF-PK 5/8-INCH IRON ROD WITH "PACHECO KOCH" CAP FOUND
- IRF 1/2-INCH IRON ROD WITH "WESTWOOD PS" CAP SET

THE PURPOSE OF THIS REPLAT IS TO REVISE LOT LINES AND TO CREATE NEW EASEMENTS.

SURVEYOR/ENGINEER  
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DEVELOPER  
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ARLINGTON, TX, 76005  
PH: 817-739-1912  
CONTACT: NIKKI MOORE

1  
NOT TO SCALE

NORTH LOOP 288  
(VARIABLE WIDTH RIGHT-OF-WAY)  
(DOC. NO. 2021-353)

2  
NOT TO SCALE

3  
NOT TO SCALE

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NOT TO SCALE

6  
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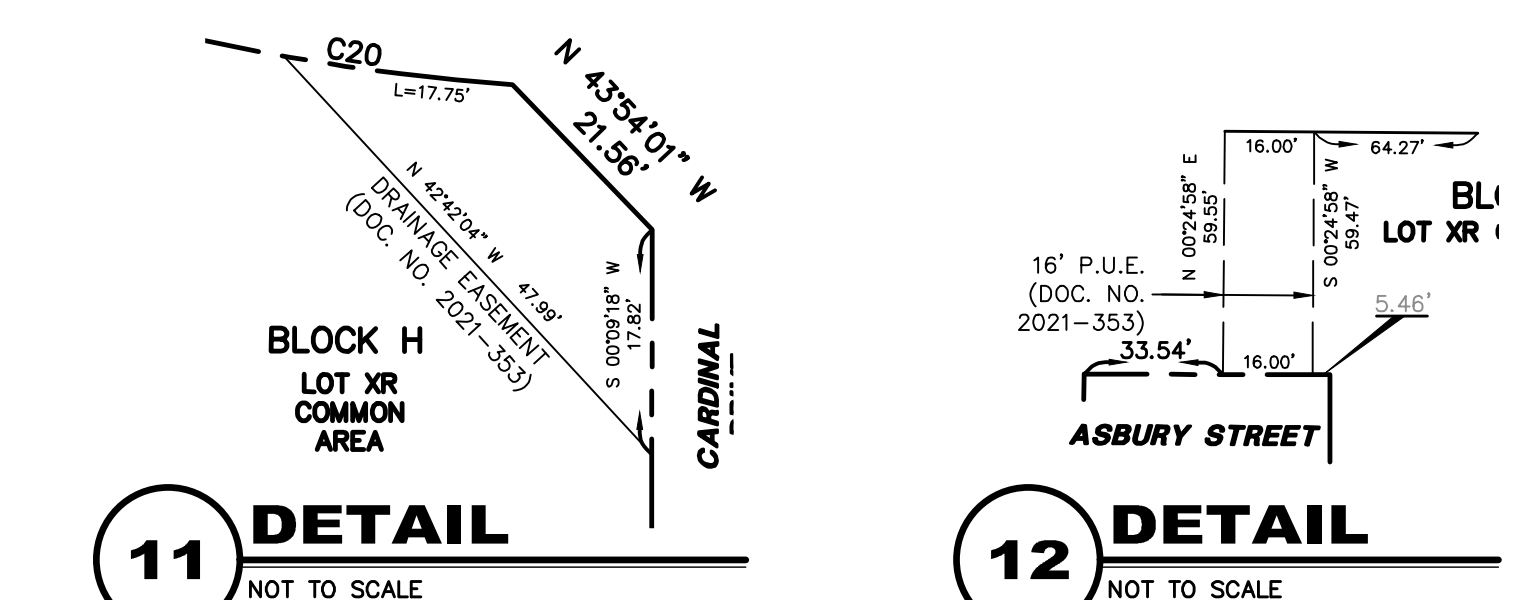
7  
NOT TO SCALE

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NOT TO SCALE

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NOT TO SCALE

10  
NOT TO SCALE

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	01°35'43"	30.00'	7.28'	3.66'	S 59°20'03" E	7.26'
C2	04°25'31"	30.00'	22.46'	11.78'	N 45°09'18" E	21.94'
C3	01°73'37"	22.00'	6.77'	3.41'	N 36°14'19" W	6.74'
C4	01°30'45"	30.00'	6.85'	3.44'	S 59°44'54" E	6.83'
C5	04°25'31"	30.00'	22.46'	11.78'	N 45°09'18" E	21.94'
C6	01°37'38"	30.00'	7.66'	3.85'	N 30°42'54" W	7.64'
C7	03°30'07"	30.00'	17.28'	8.89'	S 50°05'37" W	17.05'
C8	03°18'54"	25.00'	16.72'	8.69'	N 44°50'44" W	16.41'
C9	01°37'45"	30.00'	7.24'	3.64'	N 30°32'11" E	7.22'
C10	03°39'13"	227.50'	141.57'	73.16'	S 52°22'43" E	139.29'
C11	05°17'35"	172.50'	166.47'	90.36'	N 62°11'54" W	160.09'
C12	03°43'05"	15.00'	9.04'	4.66'	N 17°24'51" E	8.90'
C13	03°43'33"	15.00'	8.83'	4.55'	S 17°30'01" E	8.71'
C14	04°25'31"	30.00'	22.46'	11.78'	N 44°50'42" W	21.94'
C15	04°25'31"	30.00'	22.46'	11.78'	N 45°09'18" E	21.94'
C16	01°41'33"	30.00'	7.47'	3.75'	N 30°50'28" E	7.45'
C17	01°40'41"	30.00'	7.41'	3.73'	N 30°28'55" W	7.40'
C18	01°48'25"	30.00'	7.75'	3.90'	N 31°08'54" E	7.73'
C19	04°25'31"	30.00'	22.46'	11.78'	N 44°50'42" W	21.94'
C20	051°30'53"	227.50'	204.55'	109.77'	S 60°18'33" E	197.72'
C21	050°18'33"	172.50'	151.47'	81.01'	S 59°42'24" E	146.65'
C22	04°25'31"	30.00'	22.46'	11.78'	S 45°09'18" W	21.94'
C23	01°32'46"	30.00'	7.62'	3.83'	N 59°00'56" W	7.60'
C24	04°50'22"	23.00'	18.40'	9.72'	S 66°55'31" E	17.91'
C25	04°50'22"	23.00'	18.40'	9.72'	S 67°14'07" W	17.91'
C26	001°29'58"	1027.50'	26.89'	13.45'	N 89°05'43" W	26.89'
C27	001°35'04"	972.50'	26.89'	13.45'	N 89°03'10" W	26.89'
C28	002°41'05"	1000.00'	46.86'	23.43'	N 88°30'09" W	46.85'
C29	04°50'22"	23.00'	18.40'	9.72'	S 66°55'31" E	17.91'
C30	04°50'22"	23.00'	18.40'	9.72'	S 67°14'07" W	17.91'
C31	01°41'40"	30.00'	7.42'	3.73'	N 59°30'35" E	7.40'
C32	04°25'31"	30.00'	22.46'	11.78'	S 44°50'42" E	21.94'
C33	009°38'51"	30.00'	5.05'	2.53'	S 61°46'29" W	5.05'
C34	009°45'28"	30.00'	5.11'	2.56'	S 61°24'35" E	5.10'



## REPLAT EDEN VILLAGE COTTAGE HOMES BLOCKS A-M 35.203 ACRES

LOTS 1R-3R AND LOT XR, BLOCK A, LOTS 1R-3R, BLOCK B  
LOTS 1R-6R, BLOCK C, LOTS 1R-8R, BLOCK D  
LOTS 1R-8R, BLOCK E, LOTS 1R-4R, BLOCK F  
LOTS 1R-4R, BLOCK G,  
LOTS 1R-19R AND LOT XR1, BLOCK H,  
LOTS 1R-2R AND LOT XR, BLOCK I,  
LOT XR, BLOCK J,  
LOTS 1R-2R AND LOT XR, BLOCK K,  
LOTS 1R-2R AND LOT XR, BLOCK L  
LOT XR, BLOCK M

BEING A REPLAT OF EDEN VILLAGE COTTAGE HOMES  
AND CROSS TIMBERS UPLAND HABITAT  
PRESERVATION AREA  
LOCATED IN THE CITY OF DENTON  
AND BEING OUT OF THE  
M.E.P. & P.R.R.CO. SURVEY, ABSTRACT NO. 927,  
DENTON COUNTY, TEXAS  
SHEET 2 OF 3  
CITY PROJECT NO. \_\_\_\_\_

**Westwood**  
Westwood Professional Services, Inc.

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DALLAS, TX 75231  
972.235.3031  
westwoodps.com

DRAWN BY  
LAH/CD/JRM

CHECKED BY  
LMG

SCALE  
1"=60'

DATE  
SEPT. 2025

JOB NUMBER  
R0039146.30

TBPELS. ENGINEERING FIRM NO. 11756  
TBPELS SURVEYING FIRM NO. 10074301



LINGONIALEZ-GONZALEZ  
9/8/2025 10:10 AM  
N:\0039146\30\06 CAD\DWG\SURVEY C3D\PLAT\0039146\_30\_RP.DWG

**OWNER'S CERTIFICATE**

STATE OF TEXAS  
COUNTY OF DENTON

WHEREAS, ECM EDEN VILLAGE, LP is the owner of a 35.203 acre tract of land situated in the M.E.P. & P.R.R. Company Survey, Abstract Number. 927, Denton County, Texas; said tract being all of those certain tracts of land described in General Warranty Deeds to ECM EDEN VILLAGE, LP, recorded in Instrument Number 2021-16371 and Instrument Number 2022-98476 of the Official Records of Denton County, Texas; said tract being all of Eden Village Cottage Homes, an addition to the City of Denton, Texas according to the plat recorded in Document Number 2021-353 of said Official Records and all of Cross Timbers Upland Habitat Preservation Area, an addition to the City of Denton, Texas according to the plat recorded in Document Number 2023-241 of said Official Records; said 35.203 acre tract being more particularly described as follows: (bearing system for this survey is based on the State Plane Coordinate System, North American Datum of 1983 (Adjustment Realization 2011), Texas North Central Zone 4202. Distances reported have been scaled by applying the TxDOT Denton County surface adjustment factor of 1.000150630).

BEGINNING, at a 5/8-inch iron rod with "PACHECO KOCH" cap found in the west right-of-way line of North Loop 288 (a variable width right-of-way); from which a 1/2-inch iron rod found at the southeast corner of that certain tract of land described in Warranty Deed to the City of Denton recorded in Instrument Number 2004-98930 of said Official Records bears North 89 degrees, 33 minutes West, a distance of 1.0 feet;

THENCE, along the said west line of North Loop 288 the following four (4) calls:

South 03 degrees, 32 minutes, 58 seconds West, a distance of 144.32 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap found;

South 02 degrees, 50 minutes, 23 seconds West, a distance of 247.51 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap found;

South 00 degrees, 29 minutes, 18 seconds West, a distance of 200.17 feet to a 1/2-inch iron rod with "WESTWOOD PS" cap set;

South 01 degrees, 04 minutes, 28 seconds West, a distance of 97.21 feet to a 1/2-inch iron rod with "WESTWOOD PS" cap set for corner in the north line of that certain tract of land described as "Tract II" in Warranty Deed to Singing Oaks Church of Christ of Denton, recorded in Instrument Number 2012-141313 of the said Official Public Records;

THENCE, North 89 degrees, 50 minutes, 42 seconds West, departing the said west line of North Loop 288 and along the said north line of said "Tract II" a distance of 800.51 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap found for corner in the east line of Lot XR, Block H of said Cross Timbers Upland Habitat Preservation Area;

THENCE, South 00 degrees, 09 minutes, 18 seconds West, departing the said north line of "Tract II" and along the east line of said Lot XR, a distance of 86.75 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap found for the southernmost southeast corner of said Lot XR;

THENCE, North 89 degrees, 50 minutes, 42 seconds West, along the south line of said Lot XR, a distance of 406.12 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap found for the southernmost southwest corner of said Lot XR;

THENCE, in a northerly direction, along the west line of said Lot XR, the following three (3) calls:

North 35 degrees, 59 minutes, 11 seconds East, a distance of 21.46 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap found for corner;

North 23 degrees, 12 minutes, 41 seconds West, a distance of 45.72 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap found for corner;

North 18 degrees, 07 minutes, 39 seconds East, a distance of 28.79 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap found for corner in the said north line of "Tract II";

THENCE, North 89 degrees, 50 minutes, 42 seconds West, along the said north line of "Tract II", a distance of 954.54 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap found for corner in the east right-of-way line of Mockingbird Lane (a 62.5-foot right-of-way);

THENCE, North 00 degrees, 32 minutes, 58 seconds East, along the said east line of Mockingbird Lane, a distance of 692.99 feet to a 5/8-inch iron rod with "PACHECO KOCH" cap found for corner in the south line of Mockingbird Heights, an addition to the City of Denton, Texas according to the plat recorded in Cabinet U, Page 864 of the Plat Records of Denton County, Texas;

THENCE, departing the said east line of Mockingbird Lane and along the said south line of Mockingbird Heights and the south line of Audra Meadows addition to the City of Denton, Texas according to the plat recorded in Cabinet G, Page 216; Lots 27 Through 47 Block A of Audra Meadows addition to the City of Denton, Texas according to the plat recorded in Cabinet H, Page 189; Lot 1, Block A, Audra Lane Addition, an addition to the City of Denton, Texas according to the plat recorded in Cabinet 2013, Page 311 all recorded in the Plat Records of Denton County, Texas and along the south line of said City of Denton tract, the following three (3) calls:

South 89 degrees, 58 minutes, 43 seconds East, a distance of 720.73 feet to a 5/8-inch iron rod found for corner;

South 89 degrees, 42 minutes, 53 seconds East, a distance of 510.63 feet to a 1/2-inch iron rod found for corner;

South 89 degrees, 33 minutes, 07 seconds East, a distance of 944.60 feet to the POINT OF BEGINNING;

CONTAINING: 1,533,448 square feet or 35.203 acres of land, more or less.

**OWNER'S DEDICATION**

STATE OF TEXAS  
COUNTY OF DENTON

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That ECM EDEN VILLAGE, LP does hereby adopt this plat designating the hereon above described property as EDEN VILLAGE COTTAGE HOMES, an addition to the City of Denton, Texas and does hereby dedicate to the City of Denton in fee simple forever the streets, alleys and storm water management areas shown thereon. The easements shown thereon are hereby dedicated and reserved for the purposes as indicated. The utility, access, GPS monuments and fire lane easements shall be open to the public and private utilities for each particular use. The maintenance of paving on the utility, access and fire lane easements is the responsibility of the property owner. No buildings or other improvements, including fences, shall be permitted in an erosion hazard easement. No buildings or other improvements or growths, except fences, vegetation, driveways, and sidewalks less than 6 feet in width shall be constructed or placed upon, over or across the easements as shown except as permitted by City Ordinances. No improvements that may obstruct the flow of water may be constructed or placed in drainage easements. Any public utility shall have the right to remove and keep removed all or parts of the encroachments allowed above which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from and upon the said 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. Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance and service required or ordinarily performed by that utility.

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

By: Terry Justin Moore  
Title: Managing Member

STATE OF TEXAS  
COUNTY OF TARRANT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Terry Justin Moore, 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 \_\_\_\_\_, 2025.

Notary Public in and for the State of \_\_\_\_\_

My commission expires: \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

STATE OF TEXAS  
COUNTY OF DALLAS

KNOW ALL MEN BY THESE PRESENTS:

THAT, I, Luis M Gonzalez, 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 of Denton, 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.  
RELEASED 9/8/25.

Luis M. Gonzalez  
Registered Professional Land Surveyor  
No. 6793

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Luis M. Gonzalez, 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 \_\_\_\_\_, 2025.

Notary Public in and for the State of Texas

My commission expires: \_\_\_\_\_

**CITY OF DENTON, TEXAS**

CERTIFICATE OF APPROVAL

Approved this \_\_\_\_ day of \_\_\_\_\_, 2025, by the Planning & Zoning Commission for the  
for the City of Denton.

SIGNED: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
Planning & Zoning Chair City Secretary

**SURVEYOR/ENGINEER**  
WESTWOOD COMPANY  
7557 RAMBLER ROAD, SUITE 1400  
DALLAS, TEXAS 75231  
(972) 235-3031  
CONTACT: LUIS M. GONZALEZ

**OWNER**  
ECM DEVELOPMENT, LLC  
4010 N. COLLINS STREET, UNIT #7  
ARLINGTON, TX. 76005  
PH: 817-739-1912  
CONTACT: NIKKI MOORE

**DEVELOPER**  
ECM DEVELOPMENT, LLC  
4010 N. COLLINS STREET, UNIT #7  
ARLINGTON, TX. 76005  
PH: 817-739-1912  
CONTACT: NIKKI MOORE

TBPELS. ENGINEERING FIRM NO. 11756  
TBPELS SURVEYING FIRM NO. 10074301

THE PURPOSE OF THIS REPLAT IS  
TO REVISE LOT LINES AND TO  
CREATE NEW EASEMENTS.

REPLAT

EDEN VILLAGE COTTAGE HOMES

BLOCKS A-M

35.203 ACRES

LOTS 1R-3R AND LOT XR, BLOCK A, LOTS 1R-3R, BLOCK B

LOTS 1R-6R, BLOCK C, LOTS 1R-8R, BLOCK D

LOTS 1R-8R, BLOCK E, LOTS 1R-4R, BLOCK F

LOTS 1R-4R, BLOCK G,

LOTS 1R-19R AND LOT XR1, BLOCK H,

LOTS 1R-2R AND LOT XR, BLOCK I,

LOT XR, BLOCK J,

LOTS 1R-2R AND LOT XR, BLOCK K,

LOTS 1R-2R AND LOT XR, BLOCK L

LOT XR, BLOCK M

BEING A REPLAT OF EDEN VILLAGE COTTAGE HOMES

AND CROSS TIMBERS UPLAND HABITAT

PRESERVATION AREA

LOCATED IN THE CITY OF DENTON

AND BEING OUT OF THE

M.E.P.& P.R.R.CO. SURVEY, ABSTRACT NO. 927,

DENTON COUNTY, TEXAS

SHEET 3 OF 3

CITY PROJECT NO. \_\_\_\_\_

Westwood

Westwood Professional Services, Inc.

DRAWN BY

LAH/DC/JRM

CHECKED BY

LMG

SCALE

1"=60'

7557 RAMBLER ROAD SUITE 1400

DALLAS, TX 75231

972.235.3031

westwoodps.com

DATE

SEPT. 2025

JOB NUMBER

R0039146.30

REPLAT - EDEN VILLAGE COTTAGE HOMES

# Westwood

September 29, 2025

City of Denton  
Department of Development Services  
401 N. Elm St.  
Denton, TX 76201

RE: 30-Day Extension Request

Department of Development Services:

As the representative for the Eden Village development, I hereby request a 30-Day Extension for the plat (FP25-0020), to allow for additional changes to be made to the plans and plat prior to action being taken. Please let us know if you need anything else to get this processed.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jm L', is written over the 'Sincerely,' text.

Jason Lehigh, P.E.



# 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:** October 8, 2025

### **SUBJECT**

Hold a public hearing and consider making a recommendation to City Council regarding a request by Veronica Yeary, on behalf of Benjamin, Dilcia, and Osualdo Canales, to rezone approximately 0.93 acres of land from Residential 4 (R4) zoning district to the Mixed Use Neighborhood (MN) zoning district and approximately 5.75 acres of land from Rural Residential (RR) zoning district to MN zoning district. The subject site is generally located south of East McKinney, approximately 615 feet west of Glenngary Way in the City of Denton, Denton County, Texas. (Z25-0013, 5090-5094 E McKinney, Mia Hines)

### **BACKGROUND**

The applicant, Veronica Yeary, on behalf of the property owners' real estate interest, is requesting to rezone approximately 6.63 acres from a combination of R4 and RR districts to MN district. Based on their submitted narrative (see Exhibit 7), the applicant is seeking the zoning change with no intentions to immediately develop the site themselves. Rather, the goal is to allow the application of consistent zoning across all of the owners' properties within this area, improving the properties' marketability to ultimately facilitate a development consistent with the City's Future Land Use Plan.

A full Staff Analysis is provided in Exhibit 2.

### **OPTIONS**

1. Recommend Approval
2. Recommend Denial
3. Postpone Item.

### **RECOMMENDATION**

Staff recommends approval of the request as the request complies with the criteria in Subsection 2.4.5.E of the Denton Development Code (DDC) for approval of all applications and the criteria in Subsection 2.7.2.D of the DDC for approval of a zoning change.

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

Date	Council, Board, Commission	Request	Action
November 15, 1983	City Council	Annexation (Ord 1983-134) & Agriculture Zoning	Approved



2002	City Council	Citywide Rezoning to Neighborhood Residential 4 (NR4)	Approved
June 16, 2015	City Council	Annexation (Ord 2015-185) & Rural Residential (RD-5x) Zoning	Approved
April 10, 2019	Planning and Zoning Commission	Citywide zoning transition to Residential 4 (R4) & Rural Residential (RR)	Recommend Approval
September 17, 2019	City Council	Citywide Rezoning transition to Residential 4 (R4) & Rural Residential (RR)	Approved

### **PUBLIC OUTREACH:**

Thirty-six (36) notices were sent to property owners within 200 feet of the subject property, and 154 postcards were mailed to current residents within 500 feet of the subject property. As of the writing of this report, the City has received no responses with regard to this request.

A notice was published in the Denton Record Chronicle on September 21, 2025.

A notice was published on the City's website on September 19, 2025.

One sign was posted on the property on September 9, 2025.

### **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. Existing Zoning Map
5. Proposed Zoning Map
6. Future Land Use Map
7. Project Narrative
8. Comparison of Permitted Uses
9. Notification Map and Response
10. Fiscal Impact Analysis
11. Draft Ordinance

Respectfully submitted:  
Hayley Zagurski, AICP  
Planning Director

Prepared by:  
Mia Hines, AICP  
Senior Planner

# Planning Staff Analysis

**Z25-0013/5090-5094 E McKinney**

**City Council District #4**

## REQUEST:

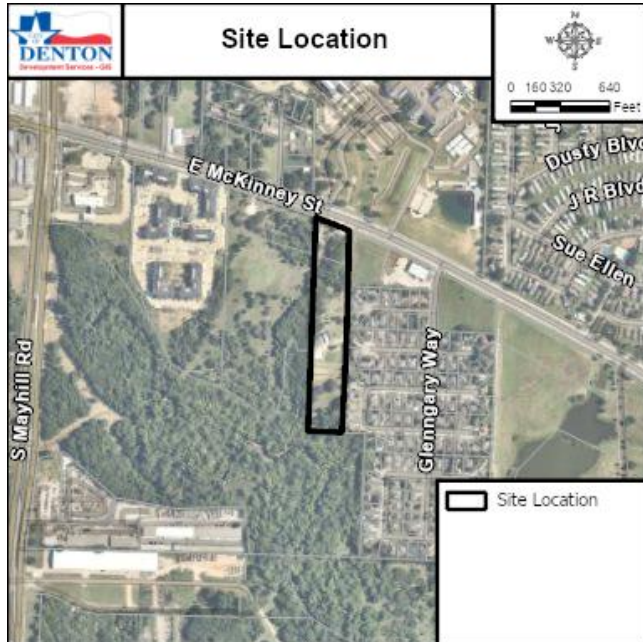
Request by Veronica Yeary, on behalf of Benjamin, Dilcia, and Osualdo Canales, to rezone approximately 0.93 acres of land from Residential 4 (R4) zoning district to the Mixed Use Neighborhood (MN) zoning district and approximately 5.75 acres of land from Rural Residential (RR) zoning district to MN zoning district.

## STAFF RECOMMENDATION:

Staff recommends approval of the request as the request complies with both the criteria in Subsection 2.4.5.E of the Denton Development Code (DDC) for approval of all applications and the criteria in Subsection 2.7.2.D of the DDC for approval of a Zoning Map Amendment (Rezoning).

## SITE DATA:

The 6.68-acre subject area consists of two properties located south of East McKinney Street, approximately 615 feet west of Glenngary Way. The northernmost property includes approximately 0.93 acres of land annexed into the City of Denton in 1983, rezoned to Neighborhood Residential 4 (NR-4) with the adoption of the 2002 Development Code, and



subsequently transitioned to R4 with the adoption of the 2019 Denton Development Code. The southernmost property includes approximately 5.75 acres of land annexed into the City of Denton in 2015, being given the placeholder zoning of Rural Residential (RD-5x), which transitioned to RR in 2019. Both properties are currently developed with single-family residential and accessory structures, all of which were constructed prior to their respective annexations. There is approximately an acre of the southernmost tract encumbered by Floodplain. Additionally, there are overhead utility lines that run along both the easternmost property lines, adjacent to an existing single-family residential subdivision, and the northernmost property line, adjacent to East McKinney Street.

While there has not been a field assessment to confirm the existence of Environmentally Sensitive Areas (ESA) within the subject area, it is likely that the site contains a portion of Riparian Buffer ESA. On the property to the west of the subject site, an ESA field assessment was completed and approved, confirming the presence of Riparian Buffer ESA along a corridor of existing tree canopy

that continues onto the subject area. Therefore, it is reasonable to assume the subject area contains a portion of that Riparian Buffer ESA, but a field assessment will be required prior to the development of the subject property. The ESA field assessment would also be required to assess whether the floodplain on site meets the criteria to be considered Undeveloped Floodplain ESA.

East McKinney Street is an east/west roadway located just north of the subject area and classified as a Secondary Arterial Roadway in the Denton 2022 Mobility Plan. In 2020, this corridor of East McKinney Street consisted of two lanes divided by a center turn lane at key intersections with no sidewalks. Following a recent expansion project, this roadway now includes four lanes divided by a continuous center turn lane with a 5-foot-wide sidewalks on the south side of the roadway and a 12-foot-wide sidewalk on the north side of the roadway. This is generally consistent with the standard street section for a Secondary Arterial per the Mobility Plan.

In addition to R4, RR, and MN, zoning within an approximately mile long corridor east of Mayhill Road, along both the north and south sides of East McKinney Street, includes a mixture of Suburban Corridor (SC), Residential 7 (R7), Planned Developments (PD), Public Facilities (PF), Residential 2 (R2), and Residential 3 (R3). Accordingly, existing land uses include public facilities such as Ryan High School and a Texas Department of Public Safety office, a religious assembly facility, and single-family and multifamily residences. Abutting the 0.93-acre property to the east is an undeveloped property zoned MN. Abutting the 5.75-acre property to the east is a developed single-family residential subdivision zoned R3. While the property abutting the entire subject site to the west is currently undeveloped, the approved PD reflects a plan for transitional housing (multifamily), assembly, and administrative office spaces intended to host programs that serve the residents of the development. Abutting the subject area to the south is an undeveloped tract of land, largely encumbered by Floodplain, and owned by the City of Denton with plans to be partially developed with a section of the Pecan Creek Regional Trail.

#### **SURROUNDING ZONING AND USES:**

Northwest: E McKinney St Zoning: R2 Use: Undeveloped	North: E McKinney St Zoning: PF Use: Public High School	Northeast: E McKinney St Zoning: PF Use: Public High School
West: Zoning: PD & PF Use: Undeveloped	<b>SUBJECT PROPERTY</b>	East: Zoning: MN & R3 Use: Undeveloped & Single-family Residential
Southwest: Zoning: PD & PF Use: Undeveloped	South: Zoning: PF Use: Undeveloped	Southeast: Zoning: PF & R3 Use: Undeveloped & Single-family Residential

#### **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.*

Subsection 2.7.2.D of the DDC applies to this rezoning 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 zoning requests.

## *2. Prior Approvals*

As discussed above, the 0.93-acre property was annexed into the City of Denton in 1983, rezoned to Neighborhood Residential 4 (NR-4) with the adoption of the 2002 Development Code, and subsequently rezoned to R4 with the adoption of the 2019 Denton Development Code. The 5.75-acre property was annexed into the City of Denton in 2015 and assigned the default RD-5x placeholder zoning (which transitioned to RR in 2019) in accordance with Denton Development Code (DDC) Subsection 3.1.4. There have been no other land use, plan, development agreement, or plat approvals related to the subject area.

## *3. Consistent with the Comprehensive Plan and Other Applicable Plans*

The decision-making authority:

- a. Shall weigh competing goals, policies, and strategies.*

There are no competing goals, policies, or strategies. As discussed with the criterion below, the requested MN zoning district generally aligns with the Moderate Residential Future Land Use Designation and achieves other goals of the Comprehensive Plan.

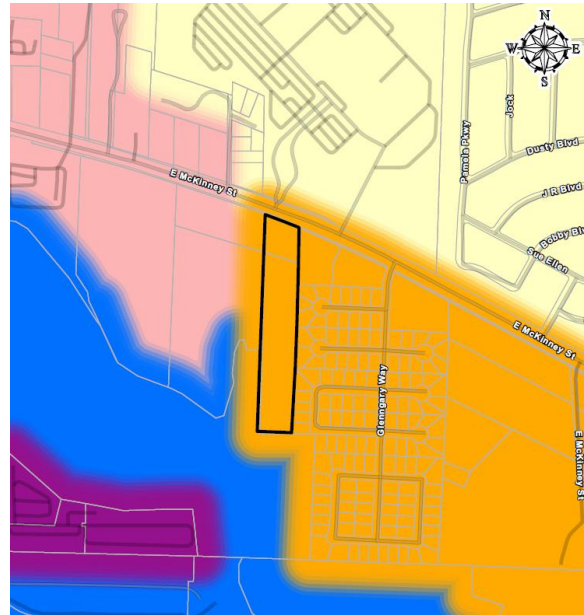
- b. May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in the Comprehensive Plan.*

As noted above, the subject area has a Future Land Use Designation of Moderate Residential.

*[Continue on next page]*

### Future Land Use

As shown on the inset map, the Denton 2040 Comprehensive Plan Future Land Use Map indicates a Moderate Residential future land use designation. The Moderate Residential land use description is primarily focused towards allowing a variety of residential land uses at higher densities (i.e. single-family, townhomes, multifamily), often also serving as a transition land use category between lower density single-family areas and more dense commercial areas. Furthermore, this category is applied in certain key corridors and also recognizes that neighborhood scaled



commercial uses at arterial and collector street corners could be appropriate.

The subject property is also in a transitional area on the map, where Moderate Residential and Community Mixed Use land use categories begin to overlap. The Community Mixed Use designation applies to areas intended to be predominantly commercial with supporting residential and service uses.

The proposed MN Zoning is consistent with these Future Land Use Designations, as it could facilitate the development of moderately dense residential and/or neighborhood scaled commercial designed with a focus on pedestrian comfort and connectivity in close proximity to existing and developing residences along this corridor.

Further, the request is consistent with other Goals of the Denton 2040 Comprehensive Plan, including:

- Goal LU-5: Grow with Character: Promote Development which Enhances Community Character and Functionality.

*The requested zoning change would ensure an urban, walkable form of development that is appropriate for this corridor.*

- Goal FEV-5: Design a fiscally advantageous land use pattern paired with fiscally responsible infrastructure management and investment.

*The City collects property tax and sales tax from retail and service use establishments. Standalone retail sales and service use establishments may not always result in a positive fiscal result, but these uses are needed to serve residents within the city. While the City's and TxDOT's investments in the expansion of East McKinney Street serves to improve traffic flow within the area, the resulting increased traffic capacity and speeds might no longer be ideal for a single-family residence with direct driveway access. The zoning change could allow for reuse of the existing single-family residential structures for an office and/or small scale retail or commercial use. Alternatively, the site could redevelop in a way that encourages use of the new sidewalks within this area. Either way, the zoning change could facilitate a development that takes advantage of the City's investment in East McKinney Street.*

- Goal CC-4: Create Character: Achieve exemplary urban design in future and existing development throughout Denton's neighborhoods, centers, and land uses.

*The MN District contributes to a vibrant environment for pedestrians and bicyclists. Special development regulations restrict parking between the building and the street and place emphasis on a reduced and/or incorporated front yard. These standards align with the Building Scale and Orientation components of the overarching Urban Design Principal guidelines of the Denton 2040 Comprehensive Plan and would be appropriate in this area where nearby single-family and multi-family residents may benefit from being able to walk to nearby commercial or service uses that are permitted in the MN District.*

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 of the subject site. All subsequent development or redevelopment on this site will comply with applicable standards in the DDC, including, but not limited to, minimum lot size and dimensions, building coverage, access, parking, tree preservation, and landscaping.

- b. *Compliance with these standards is applied at the level of detail required for the subject submittal.*

Typically, a rezoning to one of the DDC's established districts does not include a full review of all development standards. If the proposed rezoning is approved and a new use and/or redevelopment is proposed, a detailed review of all required plat, zoning compliance plans, engineering plans, tree preservation plans, and building permit submittals is required prior to development.

5. *Compliance with Other Applicable Regulations*

This proposed rezoning complies with all other applicable regulations.

6. *Consistent with Interlocal and Development Agreements*

There are no interlocal or development agreements for the subject site.

7. *Minimizes Adverse Environmental Impacts*

The proposed rezoning is not anticipated to create adverse environmental impacts. As discussed above, it is possible that Riparian Buffer and Undeveloped Floodplain ESA exists on the property, but a field assessment will be required to confirm. If ESAs are determined to exist on site, then the site would be subject to the DDC's ESA regulations. Additionally, any future development or redevelopment of the site will be subject to the DDC's tree preservation and landscaping standards.

8. *Minimizes Adverse Impacts on Surrounding Property*

While MN is often located along arterial roadways adjacent to single-family uses, it should be noted that Upon receipt of this request, staff encouraged the applicant to consider Residential 7 (R7) for the southern tract to ensure compatible land uses develop adjacent to the existing single-family residential development to the east. The applicant shared that there are currently no plans to redevelop the site but they have received market interests for an indoor recreation facility, small retail, automobile services, and self-storage. Staff does not support all forms and scales of commercial development on this property, but the property owner's benefit of zoning that allows for a wider range of commercial uses should be acknowledged. It is important to note that Staff did consider an alternative approach that could represent a better land use transition. Ultimately the size, linear shape of the property, and natural encumbrances will most likely limit the scale of any future land use. Additionally, DDC requirements for land-use compatibility buffering would apply to any change of use from residential to commercial. Should a new commercial development or redevelopment occur on the subject property, the development would have to adhere to DDC Subsections 7.7.6 Compatibility Landscape Buffer Requirements and design the site to mitigate any adverse impacts.

9. *Minimizes Adverse Fiscal Impacts*

At the time of this report, there is no development identified for this area. Staff used the Fiscal Impact Tool to analyze the proposed rezoning under the assumption that a commercial use is operating out of a 5,000 square foot building.

Assumptions were used to generate the overall projected General Fund revenues and expenses, including property tax payments, sales tax capture, roadway maintenance costs, utility usage, solid waste costs, public safety costs, and neighborhood service costs. The Fiscal Impact Summary indicates that the hypothetical 5,000 square foot commercial use would result in a net \$2,139,100 gain in revenue to the General Fund over a 40-year project duration. The results of this analysis would be different for a different use or combination of uses.

10. *Compliance with Utility, Service, and Improvement Standards*

This proposed rezoning will not affect utilities, services, or improvements. If the site is redeveloped, it will be reviewed to ensure compliance with all applicable standards, and, as detailed below, utilities are present in the area and able to serve the subject property.

11. *Provides Adequate Road Systems*

The subject property is located on the south side of East McKinney Street, which is classified as a Secondary Arterial. As discussed above, this segment of East McKinney Street was recently widened to four lanes divided by a continuous center turn lane with a 5-foot-wide sidewalk on the south side of the roadway and a 12-foot-wide sidewalk on the north side of the roadway. Prior to the redevelopment of the subject property, the developer shall be responsible for making any additional improvements that may be identified in a Traffic Impact Analysis (TIA) to accommodate the additional trips generated by the use. The details of any needed improvements will be reviewed as part of the site planning, platting, and civil engineering plans for any future development. Additionally, roadway improvements would be evaluated for consistency with the 2022 Mobility Plan.

12. *Provides Adequate Public Services and Facilities*

The proposed rezoning is not anticipated to negatively impact public services and facilities.

13. *Rational Phasing Plan*

No development phasing plan is proposed at this time. As of the writing of the report, a proposed development has not yet been identified for the subject property.

**B. Section 2.7.2.D of the DDC states that an application for a rezoning may be approved based on the following conditions:**

a. *The proposed rezoning is consistent with the Comprehensive Plan.*

As discussed in Consideration A.3.b above, the proposed zoning of MN is consistent with the Moderate Residential Future Land Use Map designation and achieves other goals of the Comprehensive Plan.

b. *The proposed rezoning is consistent with relevant Small Area Plan(s).*

There is no small area plan approved for this site.

c. *The proposed rezoning is consistent with the purpose statement of the proposed zoning district, as provided in Subchapter 3, Zoning Districts.*

Per Subsection 3.4.1.A, “The MN district is provided to support compatibility between higher-intensity mixed-use areas and adjacent residential and commercial areas. This district contributes to a vibrant environment for pedestrians and bicyclists and includes varying densities of residential, neighborhood-serving retail,



restaurants, commercial, and office uses that are sensitive to the surrounding built and natural context in scale and form.”

The proposed MN zoning district in this location is consistent with the purpose statement as it is situated along a secondary arterial with pedestrian paths in close proximity to a variety of residential uses that could benefit from the variety of uses permitted in the MN district. The MN zoning could also be an appropriate transitional district from the mixed-use development planned for the property to the west and the existing single-family residential neighborhood to the east.

*d. There have been significant changes in the area to warrant a zoning change.*

As discussed above, the recent expansion of East McKinney Street is the most significant change within the area. Direct frontage onto a Secondary Arterial is not ideal for single-family home residents. The MN zoning requires site and building orientation that contribute to this streetscape. Further, the completed multifamily residential development further west and the ongoing manufactured home development further east provides a market of new residences that did not exist five years ago.

This area of the City is expected to see continued growth and development. As properties within the corridor continue to develop, the proposed rezoning would allow for a variety of appropriate uses while ensuring the application of urban design principals.

*e. The intensity of development in the new zoning district is not expected to create significantly adverse impacts to surrounding properties or the neighborhood.*

**Adjacent Zoning & Land Use**

As discussed above, Staff does not anticipate that the land uses permitted with MN zoning would create a significant adverse impact to the adjacent neighborhood. Rather, this zoning change should serve as an opportunity to provide those residents with retail sales and services. Alternatively, the site could develop with moderate density residential, which is also compatible with the adjacent neighborhood and not expected to create significant adverse impacts.

**Transportation Related to the Proposal**

Prior to the redevelopment of the subject property, the applicant will be required to submit traffic counts based on their proposed land use. The developer would be responsible for making improvements that may be identified in the TIA to accommodate any additional trips generated by the use(s). The details of any needed improvements will be reviewed as part of the site planning, platting, and/or civil engineering plans for any future development. Furthermore, roadway improvements would be evaluated in accordance with the City’s 2022 Mobility Plan.

- f. Public facilities and services are available to adequately serve the subject property while maintaining adequate level of service to existing development.*

**Schools**

For residential proposals, staff would coordinate with DISD regarding capacity and level of service. Since this is a straight zoning request, the proposed use and intensity of development are not known at this time to determine impacts to area schools.

**Water and Wastewater**

Public water and wastewater services are available to the site. There are existing 10- and 16-inch diameter water mains and an existing 8-inch diameter sanitary sewer located within East McKinney Street.

**Roadway Impact Fees**

Roadway impact fees, paid at the time of development, are determined using a proportionality calculation based on the proposed uses and projected vehicle trips. These fees will be assessed based on plans submitted and are used to make roadway system improvements related to the Mobility Plan.

**Nearest Fire Station**

The subject property is approximately 1.2 miles from Fire Station #2 (110 Mockingbird Lane), within the eight minute or less response time boundary.

**Parks**

Should the property redevelop with a residential use, payment of park dedication fees will be required.

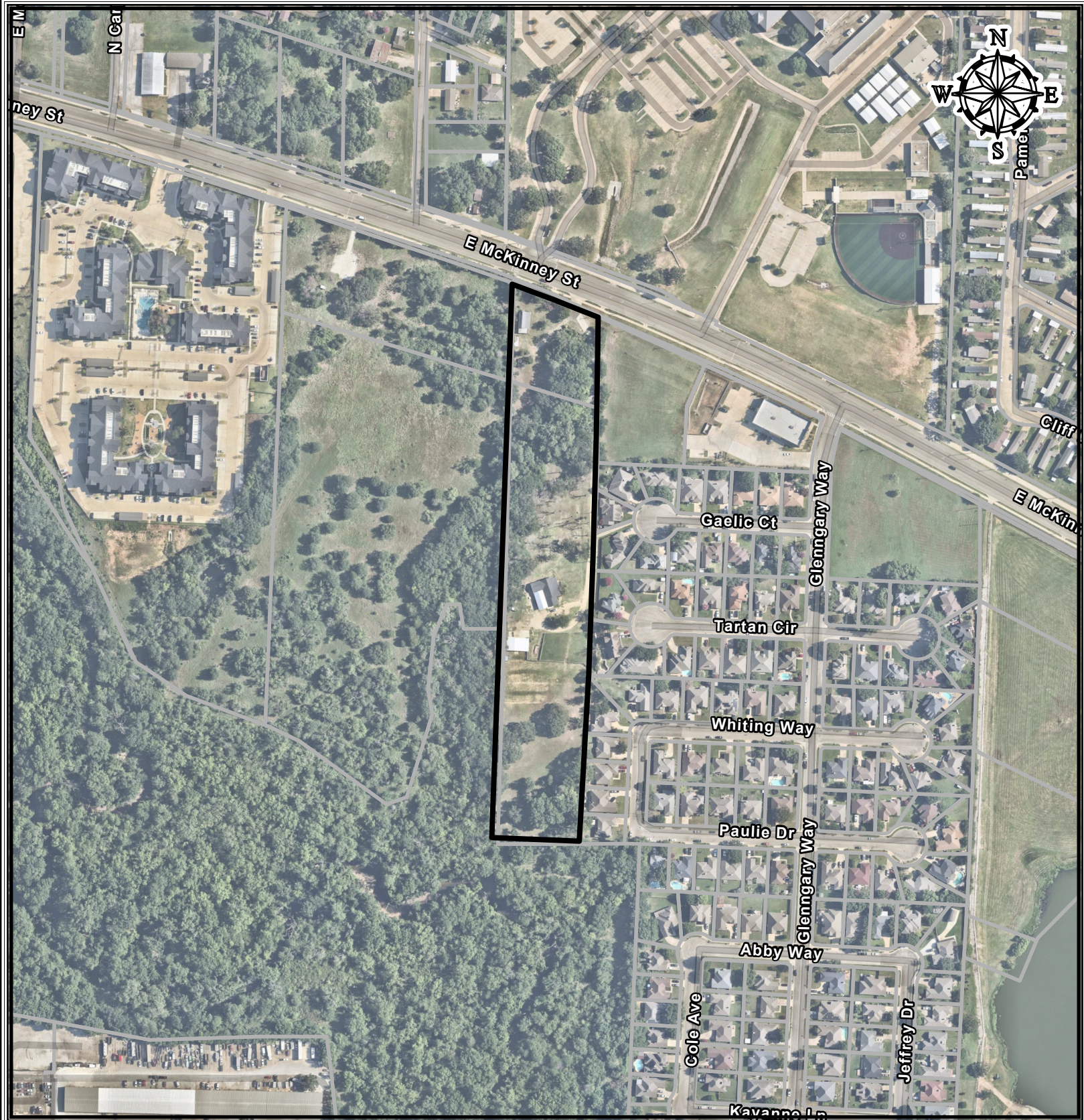
- g. There was an error in establishing the current zoning district.*

There was not an error in the assignment of the current zoning districts. As described herein, the current zoning has transitioned over time based upon when the two parcels were annexed. However, the current zoning is not appropriate in the context of being along a Secondary Arterial roadway as the neither the R4 nor the RR portion of the property are of sufficient size to be subdivided and developed with the permitted single-family uses without additional residences having to take access directly from East McKinney Street, which is not permitted under the City's current subdivision and access regulations.

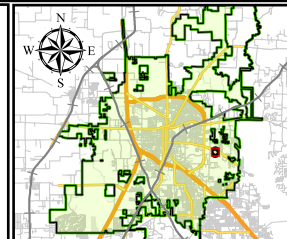


# Z25-0013

## Aerial Site Location



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



0 95 190 380 Feet

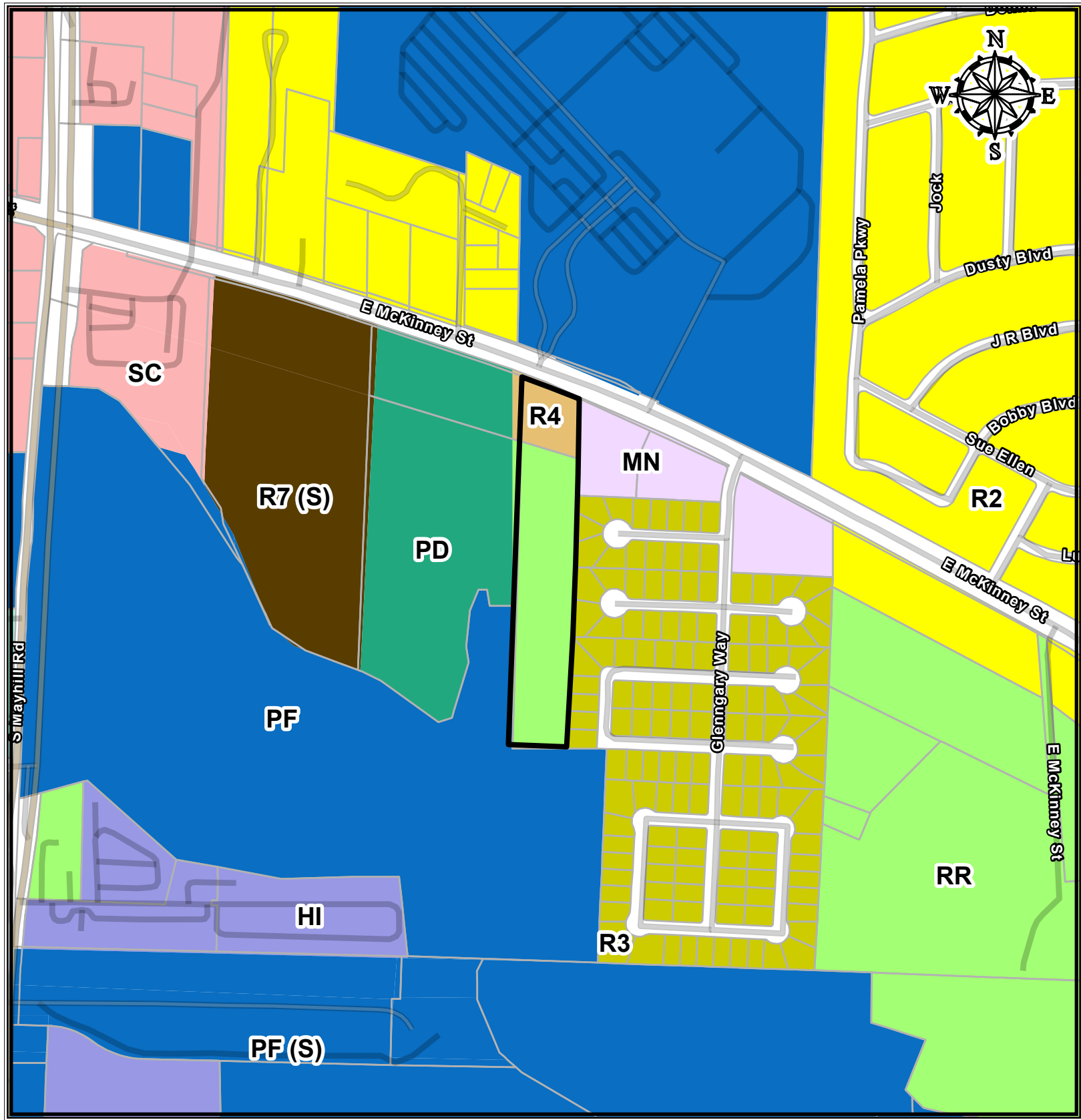


Date: 8/21/2025

"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 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."



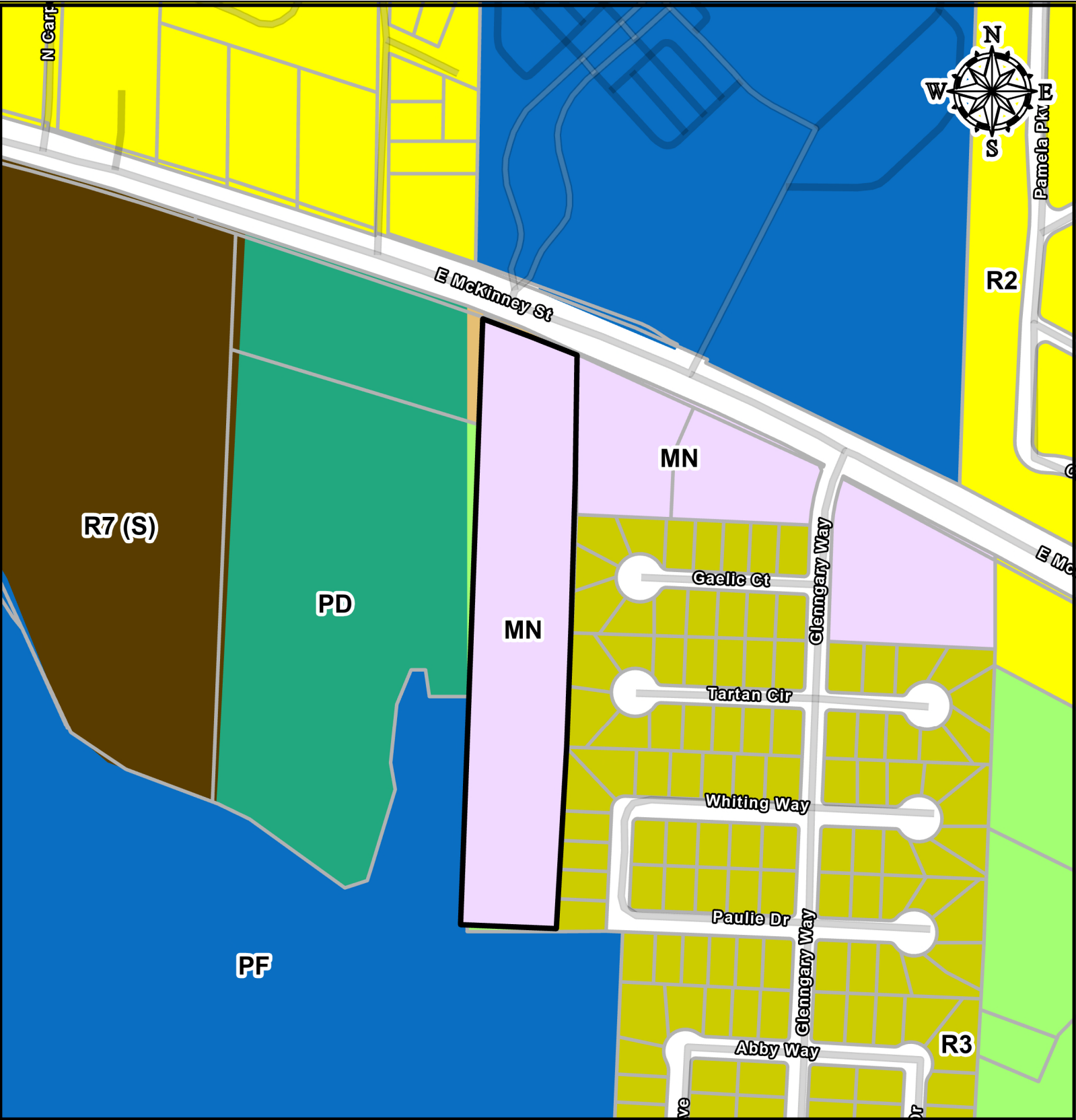
# Z25-0013 Current Zoning Map



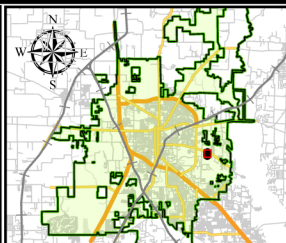
<b>Current Zoning</b>				
RR - Residential Rural	R7 - Residential	LI - Light Industrial		
R1 - Residential	MN - Mixed-Use Neighborhood	HI - Heavy Industrial		
R2 - Residential	MD - Mixed-Use Downtown Core	PF - Public Facilities		
R3 - Residential	MR - Mixed-Use Regional	PD - Planned Development		
R4 - Residential	HC - Highway Corridor	MPC		
R6 - Residential	SC - Suburban Corridor	OVERLAY		
	GO - General Office			
			<p><b>DENTON</b> Development Services • GIS Date: 8/21/2025</p>	

"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."

# Z25-0013 Proposed Zoning Map



Roads	R6 - Residential	GO - General Office
<b>Current Zoning</b>	R7 - Residential	LI - Light Industrial
RR - Residential Rural	MN - Mixed-Use Neighborhood	HI - Heavy Industrial
R1 - Residential	MD - Mixed-Use Downtown Core	PF - Public Facilities
R2 - Residential	MR - Mixed-Use Regional	PD - Planned Development
R3 - Residential	HC - Highway Corridor	MPC
R4 - Residential	SC - Suburban Corridor	OVERLAY

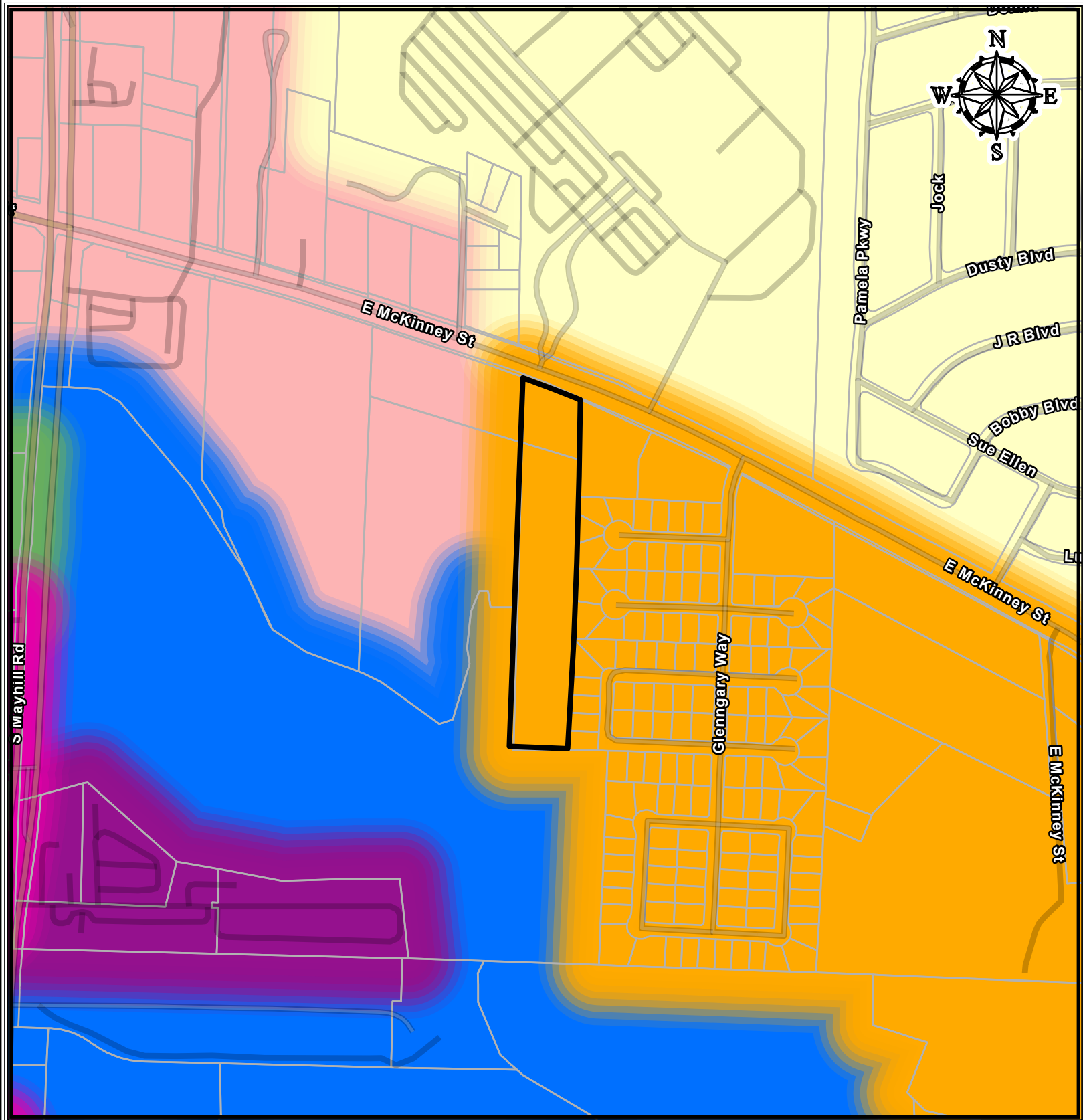


0 87.5 175 350 Feet

**CITY OF DENTON**  
Development Services • GIS  
Date: 9/16/2025

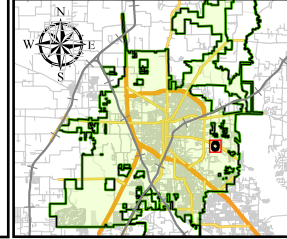
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# Z25-0013 Future Land Use Map



## Future Land Use 2040

- |  |                          |  |  |
|--|--------------------------|--|--|
|  | Agriculture              |  | Neighborhood Mixed Use                       |
|  | Rural Areas              |  | Neighborhood / University Compatibility Area |
|  | Low Residential          |  | Business Center                              |
|  | Moderate Residential     |  | Light Industrial                             |
|  | Master Planned Community |  | Industrial Commerce                          |
|  | Downtown Denton          |  | Government / Institutional                   |
|  | Regional Mixed Use       |  | Parks / Open Space                           |
|  | Community Mixed Use      |  | Site Location                                |



0 145 290 580 Feet



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## Rezoning Request Letter

To the City of Denton Planning and Zoning Commission,

We respectfully submit this letter to formally request approval to rezone the property located at 5090-5094 E. McKinney Street, Denton, Texas 76208. The property comprises approximately 6.7 acres and is currently zoned RR and R4. We are seeking to rezone this parcel to MN (Mixed-Use Neighborhood) in alignment with the evolving land use in the surrounding area and in anticipation of a more appropriate and market-responsive future use. This rezoning is requested for resale purposes, with the intent of maximizing the property's value and viability in Denton's current and projected development landscape.

### Contextual Justification for Rezoning

The property in question is situated along a key corridor—E. McKinney Street—just east of Mayhill Road and directly across from Ryan High School. This area has seen a notable shift in zoning patterns and land use designations, particularly in support of neighborhood mixed-use and transitional development that better serves both community needs and long-term municipal goals.

Directly adjacent to our parcel is the 1.7-acre property at 5130 E. McKinney Street, which has already been successfully rezoned to MN (Mixed-Use Neighborhood). This property shares similar frontage, visibility, and context, making it an important precedent that supports our request. Additionally, to the west of that property is an established Dollar General retail store, further highlighting the area's mixed-use nature.

To the east of our site, and also contiguous to our property line, is the planned 'Love First Community Village,' a 15.67-acre development whose proposed base zoning district is also MN. This project seeks to create a compassionate, community-based neighborhood initiative, and its alignment with the MN zoning category further underscores the City's strategic direction for this corridor.

Given this context, our parcel sits directly between two significant properties—both of which are either zoned MN or are in the process of being rezoned as such. Approving our rezoning request would create continuity in zoning and land use, providing a natural bridge and cohesion between adjacent properties. The result would be a more unified development landscape that is easier to plan, manage, and integrate into future infrastructure and service improvements.

### Purpose of the Request: Resale and Responsible Stewardship

Our motivation for seeking this rezoning is not to immediately construct or develop the site ourselves. Rather, we intend to resell the property in a manner that reflects the highest and best use of the land, consistent with the City's Comprehensive Plan and its 2030 Future Land Use Map.

Rezoning to MN will significantly improve the marketability of the property by aligning it with surrounding uses and the City's desired long-term vision. It also ensures that any future development on the site will be subject to Denton's established MN zoning guidelines, which are designed to promote well-balanced, pedestrian-friendly, and neighborhood-oriented uses.

We are committed to being good stewards of this land and responsible participants in the planning process. We have taken into account community interests, municipal goals, and the rapidly changing land-use dynamics in this sector of Denton.

### Alignment with the 2030 Comprehensive Plan

The City of Denton's 2030 Comprehensive Plan calls for thoughtful infill development, improved transitions between residential and commercial areas, and land use that responds to community needs and economic sustainability. Rezoning this property to MN:

- Encourages flexibility in future development that can respond to the area's changing demographics and infrastructure.
- Provides a logical continuation of mixed-use zoning already in place.
- Enhances connectivity and cohesion between neighboring parcels.
- Supports economic development and housing goals within the city's long-range planning efforts.

### Conclusion

For the reasons outlined above, we respectfully ask the City of Denton to approve our request to rezone the 6.7-acre parcel located at 5090-5094 E. McKinney Street to MN. This request is consistent with both current and future land use trends in the area and supports a coordinated vision for growth, walkability, and neighborhood integration.

We are grateful for your time and consideration, and we look forward to continuing to work in partnership with the City of Denton as responsible landowners and community stakeholders

Sincerely;

Owners:

Email: [Jrealtruckparts@hotmail.com](mailto:Jrealtruckparts@hotmail.com)  
5924

Phone: (469)348-

Benjamin Canales ,  
Canales

*Benjamin Canales*

Dilcia Marina

*Dilcia Marina Canales*

Oswaldo Canales

*Oswaldo Canales*



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CC to :

Realtor:

Veronica Yeary

Email: [veronica@veronicayeary.com](mailto:veronica@veronicayeary.com)

Cell: 469-441-8890



## TM APPRAISAL ASSOCIATES

*Real Estate Appraisers & Consultants*

101 S. Locust, Ste. 600

P.O. Box 158

Denton, Texas 76202

Phone: (940) 243-2387 Fax: (940) 243-5352

[tracy@tma-appraisal.com](mailto:tracy@tma-appraisal.com) [www.tma-appraisal.com](http://www.tma-appraisal.com)

TMA File #: A-24-10-7527

This is an Appraisal Report intended to comply with the reporting requirements set forth under Standards Rule 2-2 of the USPAP. The report presents practical explanations of the data, reasoning, and analysis incorporated in the appraisal process to develop the opinion of value, and includes descriptions of the subject property, the regional and local property market, and the opinion of highest and best use. The firm is not responsible for unauthorized use of this report.

*Specific/extraordinary assumptions and/or hypothetical conditions utilized in the value opinion:*

- ◆ *It is a specific assumption of this report that the subject has no environmental or structural conditions which could adversely affect its marketability or market value.*
- ◆ *It is a specific assumption of this report that the subject is not adversely affected by a flood hazard area or drainage area other than is indicated in this report.*
- ◆ *It is a specific assumption of this report that the land size reported for the subject is sufficiently correct as to not adversely affect the value opinion.*
- ◆ *It is a specific assumption of this report that the subject is not adversely affected by encroachment, easement, or restriction other than is indicated in this report.*
- ◆ *It is a specific assumption that the City of Denton would allow for the subject site to be zoned for a mixed-use development.*

**CLIENT:**

Benjamin Canales  
C/O Veronica Yeary

**SUBJECT PROPERTY:**

6.68 ac +/- & Improvements  
5090 & 5094 E. McKinney Street  
Denton, Texas 76208

**DATE OF REPORT:**

October 29<sup>th</sup>, 2024

**DATE OF VALUE:**

October 17<sup>th</sup>, 2024

**INTENDED USE:**

Listing/Marketing Purposes

**INTENDED USER:**

Benjamin Canales  
C/O Veronica Yeary  
5090 & 5094 McKinney St  
Denton, Texas 76208

## Subchapter 5: Use Regulations

### 5.2 Table of Allowed Uses

#### 5.2.2 Organization of Table

cross-referenced in the last column of Table 5.2-A: *Table of Allowed Uses*. Uses marked with a "+" following the "P" or "S" in a zoning district indicates that use-specific standards apply to that use type in that zoning district. For example, "P+" indicates that a use is permitted by-right, but that additional standards apply in that zoning district.

#### 5.2.2 Organization of Table

In Table 5.2-A: *Table of Allowed Uses*, land uses are classified into general use categories and specific uses based on common functional, product, or physical characteristics such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. This classification provides a systematic basis for assigning present and future land uses into appropriate zoning districts.

#### 5.2.3 Table of Allowed Uses

**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+							5.3.3J
Public, Institutional, Religious, and Civic Uses																	
COMMUNITY AND CULTURAL FACILITIES																	
Airport, City-Owned																P	
Cemetery, City-Owned																P	

## Subchapter 5: Use Regulations

### 5.2 Table of Allowed Uses

#### 5.2.3 Table of Allowed Uses

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	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
<b>EDUCATIONAL FACILITIES</b>																	
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	
School, Charter	P	P+	P+	P+	P+	P+	P+	P	P	P	P	P	P	P+	P+	P	5.3.4J
<b>HEALTHCARE FACILITIES</b>																	
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
<b>Commercial Uses</b>																	
<b>AGRICULTURAL AND ANIMAL USES</b>																	
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
<b>RECREATION AND ENTERTAINMENT</b>																	
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
<b>FOOD AND BEVERAGE SERVICES</b>																	
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

## Subchapter 5: Use Regulations

### 5.2 Table of Allowed Uses

#### 5.2.3 Table of Allowed Uses

**Table 5.2-A: Table of Allowed Uses**

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	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	
Private Club	P+							P+	P+	P+	P+			P+	P+		5.3.5H
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
<b>OFFICE, BUSINESS, AND PROFESSIONAL SERVICES</b>																	
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		
<b>PERSONAL SERVICES</b>																	
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
<b>RETAIL SALES</b>																	
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					
<b>LODGING FACILITIES</b>																	
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	P			
Short-Term Rental	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+				5.3.5T
<b>VEHICLES AND EQUIPMENT</b>																	
Auto Wash									P	P	P	P	P	P	P		
Automotive Fuel Sales								S+	S+	P+	P+	P+	P+	P+	P+		5.3.5U

## Subchapter 5: Use Regulations

### 5.2 Table of Allowed Uses

#### 5.2.3 Table of Allowed Uses

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	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	
Automotive Repair Shop, Major										P+	P+	P+	S+	P+	P+		5.3.5V
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		
<b>ADULT ENTERTAINMENT ESTABLISHMENTS</b>																	
Sexually Oriented Business															S+		5.3.5Z
<b>Industrial Uses</b>																	
<b>MANUFACTURING AND PROCESSING</b>																	
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
<b>STORAGE AND WAREHOUSING</b>																	
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

## Subchapter 5: Use Regulations

### 5.2 Table of Allowed Uses

#### 5.2.3 Table of Allowed Uses

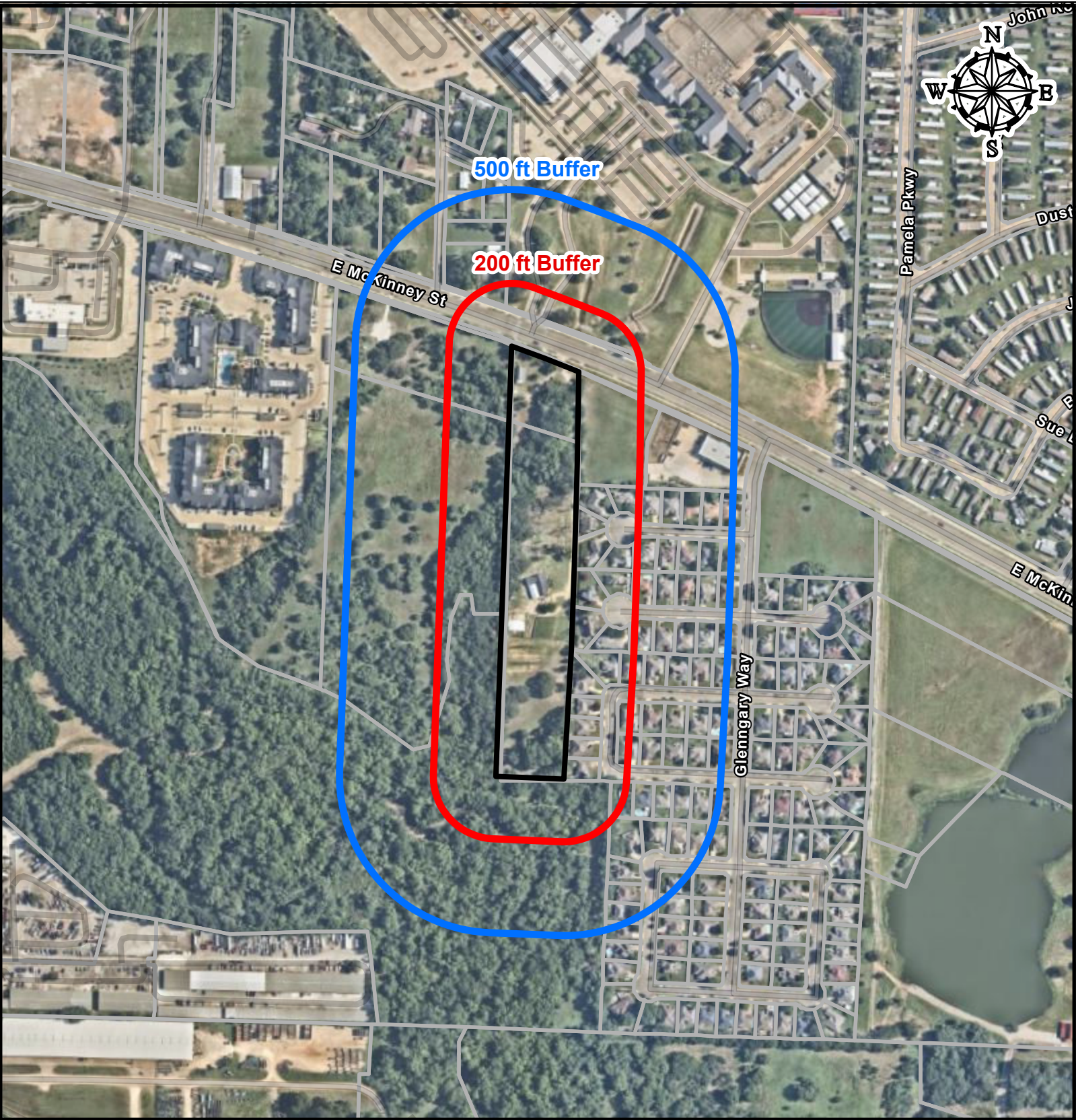
**Table 5.2-A: Table of Allowed Uses**

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	
Public and Semi-Public Utility Uses																	
Basic Utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
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: <i>Wireless Telecommunications Facilities</i>									
Accessory Uses																	
Accessory Dwelling Unit	P+	P+	P+	P+	P+	P+	P+	P+									5.4.4A
Donation Box	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	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



**Z25-0013**  
**Notification Map**





"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."



**PUBLIC HEARING NOTIFICATION SIGN  
AFFIDAVIT OF SIGN POSTING**

Project No. Z25-0013

Date of Planning and Zoning Commission Meeting: 10/8/2025

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 5090-5094 E. McKinney St., located at 5090-5094 E. McKinney St. Denton Tx. 76208

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 September 9th, 2025. Said signs have been posted in a manner which provides an unobstructed view and which allows clear reading from the public right(s) of way along East McKinney St. 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 nine day of September, 2025.

Benjamin Canales  
Signature of Applicant or Authorized Representative for Project No. Z25-0013

Benjamin Canales  
Printed Name of Applicant or Authorized Representative for Project No. Z25-0013

STATE OF TEXAS COUNTY OF Denton BEFORE ME, a Notary Public, on this 9th day personally appeared Benjamin Canales (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 9th day of September, 2025.

[Signature]  
Notary Signature

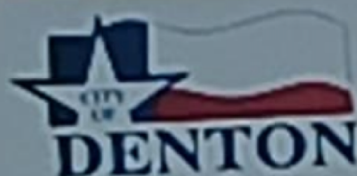


**PLEASE NOTE:** Failure to post the notification sign(s) on the property by the close of business (5 pm) on the tenth (10<sup>th</sup>) day prior to the Wednesday Planning and Zoning Commission public hearing shall result in the postponement of consideration by the Commission.

**STAFF USE ONLY:**

Date/Time submitted: \_\_\_\_\_ Verified by: \_\_\_\_\_





**Notice of Public Hearing**

**Project Number: Z25-0013**

**Project Name: 5090-5094  
E. McKinney**

**Request: MN Zoning**

**For more information:**

**[www.cityofdenton.com/public-meetings](http://www.cityofdenton.com/public-meetings)**

**CALL: (940) 349-8541**



## FISCAL SUMMARY

## CITY OF DENTON

### GENERAL FUND IMPACTS

Revenues	40 Year Total
<b>AD VALOREM TAXES</b>	\$1,059,600
<b>RETAIL SALES TAX</b>	
Direct Project Retail Sales Tax Revenue	\$853,500
Net New Resident + New Commuters Retail Sales Tax Revenue	\$0
<b>OTHER TAXES (Mixed Beverage)</b>	\$762,500
<b>LICENSE &amp; PERMITS</b>	
Zoning Fees	\$16,500
Building Permits	\$1,000
Certificate of Occupancy	\$0
Beer & Wine Permits	\$26,700
<b>SERVICE FEES</b>	
Restaurant Inspections	\$13,400
Grocery Store Inspections	\$0
Swimming Pool Inspections	\$0
Electrical Inspections	\$0
Plumbing Inspections	\$0
Development Fees	\$23,800
Plan Review Fees	\$900
<b>Expenses</b>	<b>40 Year Total</b>
Neighborhood	(\$160,300)
Public Safety	(\$310,600)
Transportation	(\$13,400)
Admin & Community Services	(\$134,400)
<b>OTHER FUND REVENUES</b>	
<b>TOURISM &amp; CONVENTION SALES TAX</b>	\$0
<b>ENTERPRISE UTILITY FUNDS</b>	
Electric Charge	\$893,000
Water Charge	\$183,200
Wastewater Charge	\$192,900
Drainage Charge	\$236,600
Solidwaste Charge	\$238,200
<b>WATER IMPACT FEE</b>	\$18,000
<b>WASTEWATER IMPACT FEE</b>	\$11,200
<b>TOTAL ROADWAY IMPACT FEE</b>	\$600
<b>TOTAL PARKS LAND DEDICATION &amp; DEV. TRUST</b>	\$0
<b>TREE MITIGATION</b>	\$0
<b>ROADWAY MAINTENANCE</b>	
<b>ROADWAY MAINTENANCE</b>	\$0

#### New Residents From Residential



#### New Workers From Non-Residential \*



\* 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

\$2,757,800

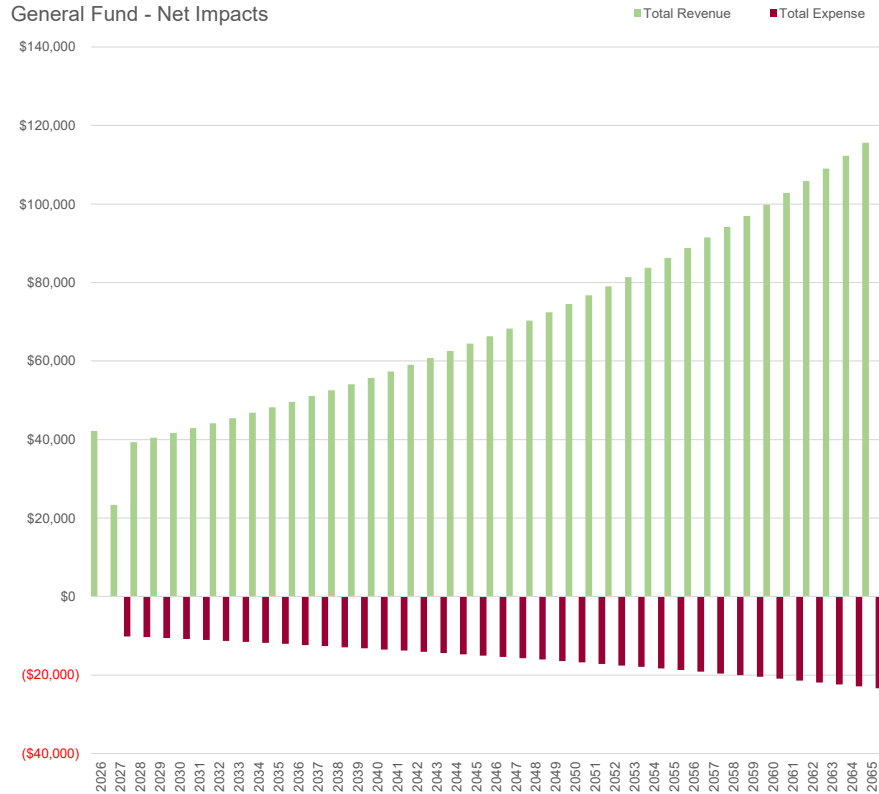
##### General Fund - Total Expenses

-\$618,700

##### General Fund - Net Impact

\$2,139,100

#### General Fund - Net Impacts



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

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, REGARDING A CHANGE IN THE ZONING DISTRICT AND USE CLASSIFICATION FROM RURAL RESIDENTIAL (RR) DISTRICT AND RESIDENTIAL 4 (R4) DISTRICT TO MIXED USE NEIGHBORHOOD (MN) DISTRICT ON APPROXIMATELY 6.63 ACRES OF LAND GENERALLY LOCATED SOUTH OF EAST MCKINNEY STREET, APPROXIMATELY 615 FEET WEST OF GLENN GARY WAY; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. (Z25-0013)

WHEREAS, Benjamin, Dilcia, and Osualdo Canales, property owners, requested to rezone approximately 6.63 acres of land from Rural Residential (RR) District and Residential 4 (R4) to Mixed Use Neighborhood (MN) District, legally described in Exhibit "A" attached hereto and depicted as Exhibit "B" and incorporated herein by reference (hereinafter, the "Property"); and

WHEREAS, on October 8, 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 request; and

WHEREAS, on November 18, 2025, the City Council likewise conducted a public hearing as required by law, and finds that the request meets and complies with all substantive and procedural standards set forth in Section 2.7.2 of the Denton Development Code, and is consistent with the Denton 2040 Comprehensive Plan and the Denton Development Code; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Denton, in considering the application for a zoning district change for the Property, have determined that the proposed zoning district 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 zoning change is in the public interest and should be granted as set forth herein; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

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

SECTION 2. The zoning district and use classification for the Property is hereby changed to Mixed Use Neighborhood District.

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

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

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

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

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

	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Suzie 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 Legal Description**

Being a tract of land situated in the M. Forrest Survey, Abstract No. 417, Denton County, Texas, same being a portion of a tract of land conveyed to Ediberto Alfrado Rodriguez, by deed recorded in Volume 4332, Page 2735, Deed Records of Denton County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a point for corner, said corner being the Northeast corner of that tract of land conveyed to Grace like Rain, Inc., a Texas Non-Profit Corporation, by deed recorded in instrument Number 2019-3825, Official Public Records of Denton County, Texas, and being the Southeast corner of a tract of land conveyed to the City of Denton, a Texas Home Rule Municipal Corporation, be deed recorded in instrument Number 2020-51577, Official Public Records of Denton County, same being the Southwest corner of a tract of land conveyed City of Denton, a Texas Home Rule Municipal Corporation, by deed recorded in instrument Number 2019-83370, Official Public Records of Denton County, Texas, from which a ½ inch iron rod found bears North o2 degrees 20 minutes 36 seconds East a distance of 8.98 feet for witness, and being the beginning of a non-tangent curve turning to the right, with a radius of 6189.50 feet, a delta angle of 02 degrees 07 minutes 22 seconds, a chord bearing of South 69 degrees 00 minutes 19 seconds East, and a chord length of 229.30 feet;

**THENCE** along said curve to the right, along the South line of said City of Denton tract (2019-85370), an arc length of 229.32 feet to a ½ inch iron rod set stamped “CBG Surveying” for corner, said corner being the Southwest corner of a tract of land conveyed to the City of Denton, a Texas Home Rule Municipal Corporation, by deed recorded in instrument Number 2020-40974, Official Public Records of Denton County, Texas, and being the Northwest corner of McDonnell Highlands, on Addition to Denton County, Texas, according to the Plat thereof recorded in Volume 1477, Page 929, Map Records of Denton County Texas;

**THENCE** South 00 degrees 50 minutes 47 seconds West, along the West line of said McDonnell Highlands, a distance of 285.94 feet to a ½ inch rod found for corner;

**THENCE** South 01 degrees 37 minutes 48 seconds West, along the West line of said McDonnell Highlands, a distance of 321.99 feet to a ½ inch iron rod set stamped “CBG Surveying” for corner, said corner being along the West line of McDonnell Highlands, Section 0, Slide 380, Map Records of Denton County, Texas;

**THENCE** South 02 degrees 03 minutes 39 seconds West, along the West line of said McDonnell Highlands, Section 2 (0/380), a distance of 280.50 feet to a ½ inch iron rod set stamped “CBG Surveying” for corner;

**THENCE** South 03 degrees 16 minutes 00 seconds West, along the West line of said McDonnell Highlands, Section 2 (0/380), a distance of 414.18 feet to a point for corner, said corner being the Southwest corner of said McDonnell Highlands, Section 2 (0/380), and being along North line of a tract of land conveyed to the City of Denton, Texas, by County, Texas, from which a ½ inch iron rod found bears South 50 degrees 30 minutes 42 seconds East a distance of 5.15 feet for witness:

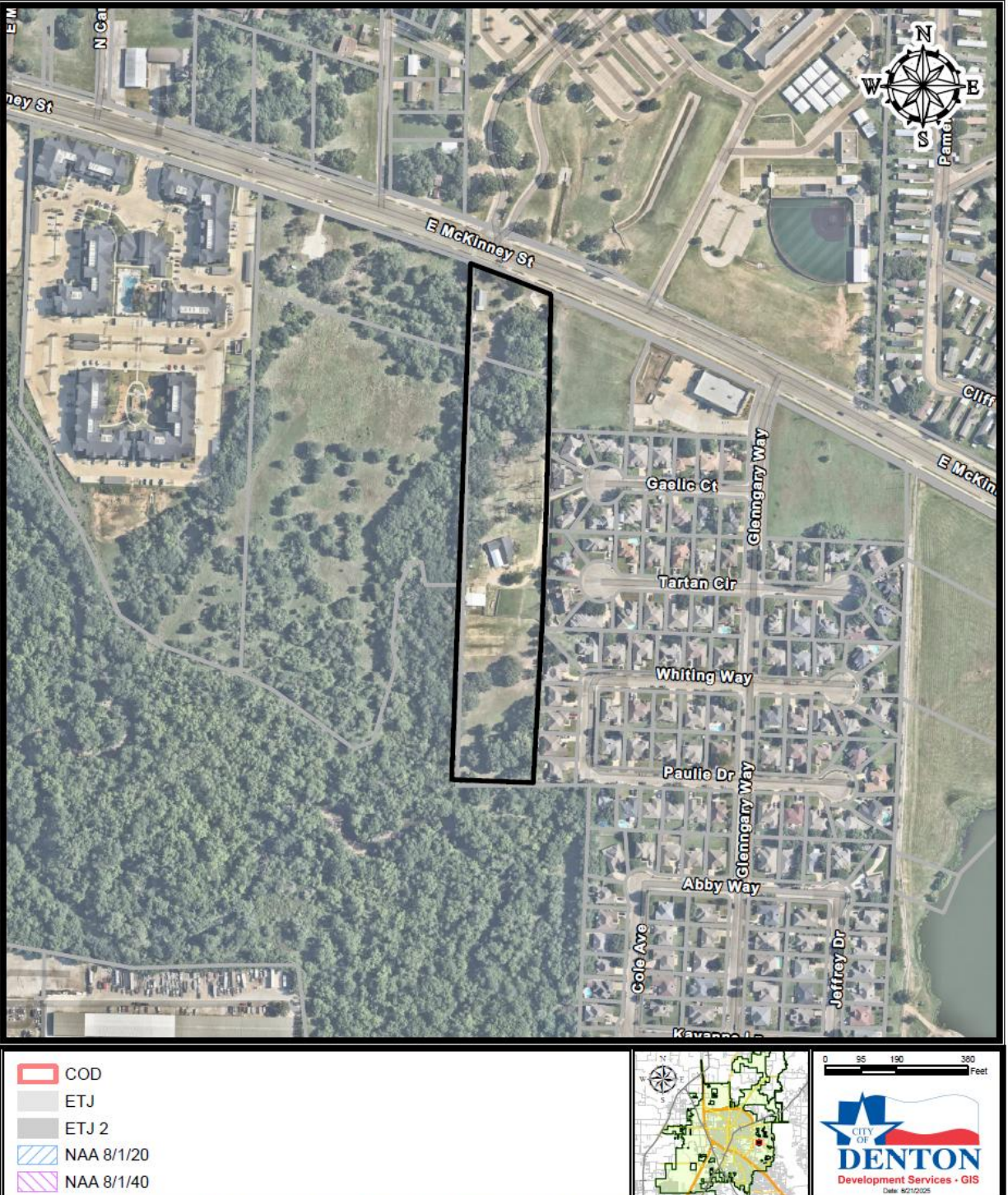


**THENCE** North 87 degrees 38 minutes 20 seconds West, along the North line of said City of Denton, Texas tract, a distance of 217.60 feet to a fence post found for corner, said corner being on “all” corner of said City of Denton, Texas tract, from which a ½ inch iron rod found bears South 75 degrees 28 minutes 39 seconds West a distance of 0.72 feet for witness;

**THENCE** North 02 degrees 20 minutes 36 seconds East, along the East line of said City of Denton tract and along the East line of a tract of land conveyed to the Grace Kike Rain, Inc., a Texas non-profit corporation, by deed recorded in instrument Number 2019-38258, Official Records of Denton County, Texas, a total distance of 1375.69 feet to the POINT OF BEGINNING and containing 299,033 square feet or 6.86 acres of land.

# Exhibit B Site Location

## Z25-0013 Aerial Site Location



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**2025**  
**Planning and Zoning Commission Requests for Information**  
**Meeting Dates**

	<b>Request</b>		<b>Request Date</b>	<b>Status</b>
1	Discussion related to removing minimum parking requirements from the DDC.	Villarreal	9/14/2022	This item is on hold given the pending city-wide parking study; City Council to provide subsequent direction at a future date.
2	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.
3	Discussion on communal living and how small home communities could be achieved.	Pruett	10/9/2024	Work session scheduled for October 8, 2025.
4	Mobility Plan discussion regarding neighborhoods along east McKinney Street and trail connectivity to neighboring parks.	Pruett	10/9/2024	Work session tentatively scheduled for November 2025.
5	P&Z Boot camp presentations	Firgens	1/23/2025	Various work session meetings throughout 2025.
6	Public engagement techniques that staff performs.	McDuff	6/11/2025	To be scheduled for future work session.
7	Discuss best practices for responding to developer and citizen inquiries	McDuff	8/13/2025	To be scheduled for future work session.

	Ongoing Items		Request Date	Status
1	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.
2	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.
3	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).
4	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
1	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.