



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Parks and Recreation
ACM: Christine Taylor, Assistant City Manager
DATE: June 28, 2022

SUBJECT

Consider adoption of an ordinance of the City of Denton authorizing the City Manager to enter into a Development Agreement between the City of Denton and TX Legacy Denton, LP., for the granting of a Public Access Easement for a park trail and a temporary construction easement on the Legacy multi-family development; and providing an effective date. The Parks, Recreation, and Beautification Board recommends approval (5-0).

*[Council Priority-Conduct Park Planning]

BACKGROUND

TX Legacy Denton, LP. is developing Legacy, a multi-family development, on approximately 9.91 acres of land east of S. Mayhill Rd. and south of E. McKinney Street. The proposed development will consist of 264 units. The City of Denton owns property directly to the south of the Legacy development. A condition within the Specific Use Permit (SUP) requires the developer to provide a trail connection to the park property towards the south. Section 22-37 & 22-38 of the City's Code of Ordinances will apply to this development. The developer intends to satisfy the fees in lieu of land, assessed at \$70,592.83, and the park development fees at \$49,368.00.

With the approval of this agreement and via Public Access Easement, the developer will grant the City public access to a total of 3.7238 acres located within the southern portion of the property adjacent to the City property. In collaboration with the Developer, Parks and Recreation will identify a 30-foot-wide pathway for the future Pecan Creek Linear Trail. The path will incorporate the main trail path that will be 10-foot-wide and have a 10-foot-wide buffer adjacent to each side of the main trail. The developer will be responsible for maintaining the land located outside the 30-feet within the Legacy Multi-Family property. The City will be responsible for the standard maintenance within the 30-foot trail easement, which includes but is not limited to mowing, litter, landscaping, and general park furnishings.

The developer has granted Parks and Recreation a temporary construction easement and has worked cooperatively with the City to produce an agreed-upon conceptual plan for the trail within the property. The City is working on creating a master plan for the complete Pecan Creek Linear Trail, which is roughly about 8 miles long. The City will construct this section of the trail at a future date.

Entering into this agreement will provide the Legacy development with access to and from the future Pecan Creek Linear Trail identified in the Parks, Recreation, and Trails Master Plan approved by Council on March 2, 2022.

RECOMMENDATION

Staff recommends approval of the ordinance.

ESTIMATED SCHEDULE OF PROJECT

The City will use the conceptual plan provided by the Developer to include in the overall Pecan Creek Linear Trail Master Plan. This specific trail will be developed within two years as outlined in the temporary construction easement. The City will have immediate access, and the project can begin upon approval of the final plat from the City.

OPERATIONAL IMPACT

Parks and Recreation is currently working on creating a master plan for the Pecan Creek Linear Trail and estimates the trail on the premises to be roughly \$500,000. These construction costs will be funded by park dedication and development fees as well as other supplemental funding to be determined as needed. Additionally, the City will be responsible for maintenance of the area within the 30-foot easement and anticipates an estimated cost of \$5,000, once developed, for regular and annual mowing and litter abatement. While this funding is not budgeted for FY2021-2022, these projected costs will be included in a future supplemental request, anticipated to be FY2023-2024.

FISCAL INFORMATION

- Park Land Dedication Requirement: 1.188 non-flood plain acres or 3.564 flood plain acres
 - Fees in lieu of land: \$70,592.83
- Park Development Fee: \$49,368.00

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On March 9, 2022, staff provided this item for consent agenda to the Planning and Zoning Commission for approval of Final Plat.

On April 4, 2022, the Parks, Recreation and Beautification Board was presented with this item and recommended approval of the acquisition. (5-0)

EXHIBITS

Exhibit 1- Agenda Information Sheet

Exhibit 2- Ordinance

Exhibit 3- Development Agreement

Exhibit 4- Presentation

Respectfully submitted:
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Director, Parks and Recreation

Prepared by:
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Park Planner, Parks and Recreation