

A17-0004

Mixed Use Property

**Ron Menguita - Development Services
Planning Division**

August 22, 2017



- ▶ Conduct the **second** of two readings and consider adoption of an ordinance of the City of Denton involuntarily annexing approximately 6.71 acres of land, generally located north of Brush Creek Road and east of Fort Worth Drive.



- ▶ Mixed Use Development
- ▶ Multi-family residential, retail, restaurant, and office
- ▶ Initial Zoning
- ▶ Zoning Change



Annexation Schedule

- ▶ June 13, 2017 - 1st Public Hearing
- ▶ June 20, 2017 - 2nd Public Hearing
- ▶ July 18, 2017 - First Reading of the Annexation Ordinance
- ▶ August 22, 2017 - Second Reading and Adoption of the Annexation Ordinance

Ordinance

- ▶ An ordinance of the city of Denton, Texas, annexing approximately 6.71 acres of land, generally located north of Brush Creek Road and east of Fort Worth Drive by the city of Denton, Texas, more specifically described in Exhibit “A” and illustrated in Exhibit “B”, providing for a correction to the city map to include the annexed lands; providing for a savings clause and an effective date.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, ANNEXING APPROXIMATELY 6.71 ACRES OF LAND, GENERALLY LOCATED NORTH OF BRUSH CREEK ROAD AND EAST OF FORT WORTH DRIVE BY THE CITY OF DENTON, TEXAS, MORE SPECIFICALLY DESCRIBED IN EXHIBIT “A” AND ILLUSTRATED IN EXHIBIT “B”, PROVIDING FOR A CORRECTION TO THE CITY MAP TO INCLUDE THE ANNEXED LANDS; PROVIDING FOR A SAVINGS CLAUSE AND AN EFFECTIVE DATE. (A17-0004)

WHEREAS, pursuant to Section 43.061, Subchapter C-1, Texas Local Government Code, a home rule city is authorized to annex certain areas that are not required to be in an annexation plan, and the City desired to pursue annexation of two tracts of land, being one tract of approximately 4.2497 acres and legally described as A1164A James Severe, TR 31, County Property ID #R73915 (“Property 1”), and the other being a tract of approximately 2.4603 acres and legally described as A1164A James Severe, TR 31A, County Property ID #R470395 (“Property 2”), both of which are generally located north of Brush Creek Road and east of Fort Worth Drive, and more particularly described in Exhibit A attached hereto and incorporated herein (collectively, the “Properties”); and

WHEREAS, on February 21, 2017, the City Council adopted Ordinance 2017-071 to provide for Periphery Development Annexation Criteria in order to define and clarify when a property in the City’s Extra-territorial Jurisdiction (ETJ) should be considered for annexation through enumerated criteria; and

WHEREAS, both Property 1 and Property 2 qualify under said Periphery Development Annexation Criteria as they both require connection to City public services, both are located within the City’s CCN boundary for water, wastewater, and electric service, and are partially within the City limits, as noted in Subchapter 35.3 of the Denton Development Code; and

WHEREAS, the City sent the owners of the Properties a notice of intent to annex the Properties on April 10, 2017; and

WHEREAS, two public hearings were held with the City Council on June 13, 2017 and June 20, 2017, which were noticed in accordance with Section 43.063 of the Texas Local Government Code; and

WHEREAS, the City has prepared a service plan for the area to be annexed in accordance with Tex. Loc. Gov’t Code Section 43.056 providing full municipal services to such area; and

WHEREAS, annexation proceedings were instituted for the property described herein and the first reading of the ordinance was conducted at the City Council meeting on July 18, 2017; and

WHEREAS, this ordinance has been published in full one time in the official newspaper of the City of Denton after annexation proceedings were instituted and thirty days prior to City Council taking final action, as required by the City Charter; and