



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

CM: Todd Hileman

DATE: January 9, 2018

SUBJECT

Conduct the second of two readings of an ordinance of the City of Denton for a voluntary annexation of approximately 73.47 acres of land generally located north of Long Road and west of FM 428 by the City of Denton, Texas.

BACKGROUND

The applicant, Brent L. Murphree, on behalf of the property owner, David Kuhlken, has submitted an annexation application to voluntarily annex the subject property.

The subject property is approximately 73.47 acres and is adjacent to current city limits on its north, east, and south boundaries. The adjacent zoning districts are Extraterritorial Jurisdiction (ETJ) to the northwest, Rural Residential (RD-5X) to the northeast, Neighborhood Residential 4 (NR-4) to the east, and Neighborhood Residential 3 (NR-3) to the south. The Future Land Use designation of the subject site is Rural Areas. The applicant plans to develop a single family subdivision on the subject property and is requesting annexation for this purpose.

The proposed development meets the following criteria for annexation as listed in Section 35.3.14 of the Denton Development Code (DDC):

- It will require a connection to City public services;
- It is within the City's Certificate of Convenience and Necessity boundary for water, sewer, and electric services;
- It is located partially in the City limits and in the City's ETJ; and
- The development will have a significant impact upon the City in terms of service costs, increased traffic, and utility needs.

In reviewing the proposed annexation, staff considered the following:

1. The ability of the city to provide infrastructure and public services equal to other comparable areas inside the city limits.
 - *Water service is available from a 54-inch line located along F.M. 428 and a 12-inch line located along Long Road. The nearest Wastewater main is a 12-inch gravity main located along Long Road.*

- *Transportation improvements required as a result of the proposed development of this site will be determined after trip generation calculations have been received and reviewed.*
 - *Any drainage improvements required in association with the development of this site will be the responsibility of the Developer.*
 - *Any improvements due to the impact of this development will be constructed at the Developers expense.*
 - *DME has a transmission line running through the property, an underground distribution line approximately 100-feet from the property across Long Road, & an overhead distribution line approximately 100-feet from the property across F.M. 428.*
 - *Solid Waste will add this property to existing routes.*
 - *Policing of the subject site would comply with required response times.*
 - *Fire and EMS services to the site would comply with required response times. Station #7 is located 2 miles from the subject site.*
 - *This location is adjacent to Waterworks Park and Skate works. Cooper Creek Park is 1.32 miles to the south and is an open greenspace with a trail. The closest developed park is Evers Park, 1.75 miles to the southwest which provides 30 acres of developed park property.*
2. The reliability, capacity, and future public cost, if any, of current and planned provisions for community facilities, including but not limited to roads, drainage, and utilities.

The terms of the needed improvements/upgrades will be determined upon platting and permitting and funding will be the responsibility of the developer.

3. The need and quality of land use and building controls.

The annexation of the subject property into the city will enable the use of development and design standards in the DDC, minimizing the impacts of the proposed development on adjacent neighborhoods.

4. Conformance with the Land Use Element of the City's comprehensive plan.

The subject property is designated as Rural Areas on the Future Land Use Plan. The applicant is proposing to develop a residential subdivision for this site. Conformance with the Land Use Element will be determined when the application for initial zoning is submitted and reviewed.

5. Impact on the City, both current and long range, including at a minimum.

Anticipated impacts to the City will be minimal as noted in Items 1 to 3, above.

6. The property meets the minimum requirements for annexation in accordance with state law.

The property complies with all minimum requirements for annexation as set forth by the Texas Local Government Code as stated in Chapter 43, Subchapter C-1, Annexation Procedure for Areas Exempted from Municipal Annexation Plan.

The tentative schedule for this annexation is as follows:

- September 19, 2017 - City Council meeting setting the 1st and 2nd public hearing dates and authorizing the publication of notice of the public hearings - **Complete**
- October 17, 2017 – 1st Public Hearing - **Complete**
- October 24, 2017 – 2nd Public Hearing - **Complete**
- November 7, 2017 – First Reading of the Annexation Ordinance - **Complete**
- November 9, 2017 – Publication of the Annexation Ordinance in the newspaper - **Complete**
- January 9, 2018 - Second Reading and Adoption of the Annexation Ordinance

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On September 19, 2017, the City Council adopted an ordinance setting the 1st and 2nd public hearing dates and authorizing the publication of notice of the public hearings.

On October 17, 2017, the City Council held the first of two required public hearings for the annexation of the subject property.

On October 24, 2017, the City Council held the second of two required public hearings for the annexation of the subject property.

On November 7, 2017, the City Council held the first reading of the annexation ordinance.

STRATEGIC PLAN RELATIONSHIP

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

Related Key Focus Area: Economic Development
Related Goal: 3.4 Encourage development, redevelopment, recruitment, and retention

EXHIBITS

1. Agenda Information Sheet
2. Location Map
3. Zoning Map
4. Staff Presentation
5. Draft Ordinance

Respectfully submitted:
Scott McDonald
Interim Director of Development Services

Prepared by:
Cindy Jackson, AICP
Senior Planner