



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Meeting Agenda Planning and Zoning Commission

Wednesday, April 10, 2024

5:30 PM

Council Work Session Room
&
Council Chambers

WORK SESSION BEGINS AT 5:30 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.

Individuals may participate by using one of the following methods:

1. In Person for Regular or Consent Agenda Items:

To provide in-person comments 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, April 10, 2024, at 5:30 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.

Following the completion of the Work Session, the Planning and Zoning will convene in a Closed Meeting in the Council Work Session Room to consider specific item(s) when these items are listed below under the Closed Meeting section of this agenda. The Planning and Zoning reserves the right to adjourn into a Closed Meeting on any item on its Open Meeting agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

CLOSED MEETING

A. [PZ24-061](#) Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consult with City attorneys regarding the definition and land use regulations for donation boxes within the City of Denton, Texas, where public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton Planning and Zoning Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or otherwise compromise the City's legal position.

Any final action, decision, or vote on a matter deliberated in a Closed Meeting will only be taken in an Open Meeting that is held in compliance with Texas Government Code, Chapter 551, except to the extent such final decision, or vote is taken in the Closed Meeting in accordance with the provisions of Section 551.086 of the Texas Government Code (the 'Public Power Exception'). The City Council reserves the right to adjourn into a Closed Meeting or Executive Session as authorized by Texas Government Code, Section 551.001, et seq. The Texas Open Meetings Act) on any item on its open meeting agenda or to reconvene in a continuation of the Closed Meeting on the Closed Meeting items noted above, in accordance with the Texas Open Meetings Act, including, without limitation Sections 551.071-551.086 of the Texas Open Meetings Act.

REGULAR MEETING

After determining that a quorum is present, the Planning and Zoning Commission will convene in a Regular Meeting on Wednesday, April 10, 2024, 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. [PZ24-056](#) Consider approval of the March 20, 2024, Capital Improvement Advisory Committee, and the March 20, 2024, Planning and Zoning meeting minutes

Attachments: [March 20, 2024 CIAC](#)
 [March 20, 2024 P&Z](#)

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. [FP23-0023b](#) Consider a request by Danny McCamish of Spiars Engineering, on behalf of Cyrene at Hickory Creek, LLC, for a Final Plat of Barrel Strap Residential. The approximately 14.1-acre site is generally located on the southwest corner of Hickory Creek Road and FM 2499 in the City of Denton, Denton County, Texas. (FP23-0023b, Barrel Strap Residential, Ashley Ekstedt).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Final Plat](#)
 [Exhibit 5 - LLC Members List](#)

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [FP24-0009](#) Consider a request by Forestar (USA) Real Estate Group, Inc. for a Final Plat of Hickory Grove, Phase 2. The 58.822-acre site is generally located just north of West University Drive and west of Thomas J Eagan Road in City of Denton’s ETJ Division 1, Denton County, Texas. (FP24-0009, Hickory Grove 2, Mia Hines).

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Final Plat](#)

[Exhibit 5 - Extension Request](#)

- B. [FP24-0006c](#) Consider a request by JPI Real Estate Acquisitions, LLC for a Final Plat of the Jefferson Bonnie Brae Addition. The 31.51-acre site is generally located west of Bonnie Brae Road and approximately 150.19 feet south of Bronco Way in the City of Denton, Denton County, Texas. (FP24-0006c, Jefferson Bonnie Brae, Angie Manglaris).

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Final Plat](#)

[Exhibit 5 - Request for Extension](#)

[Exhibit 6 - LLC Members List](#)

- C. [PP24-0002](#) Consider a request by Kimley-Horn, on behalf of HR 3200, LP, for approval of a Preliminary Plat of Hunter Ranch Phase 1 Amenity Center. The approximately 7.967-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (PP24-0002, Hunter Ranch Phase 1 Amenity Center, Cameron Robertson).

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Preliminary Plat](#)

[Exhibit 5 - 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. [MPA24-0001](#) Hold a public hearing and consider making a recommendation to City Council regarding city-initiated Comprehensive Plan Amendment to modify the Thoroughfare Plan and Thoroughfare Map of the Mobility Plan. Amendments include, but are not limited to, an extension of East Windsor Drive across State Loop 288, the addition of a new Major Collector functional classification, and minor alignment changes for connectivity between Highway 380 and Loop 288 for consistency with current TxDOT plans. The proposal is generally located at the current terminus of East Windsor Drive, approximately 700 feet

west of State Loop 288, south of Kings Row, and extending approximately 4,800 feet toward the east, connecting to Cooper Creek Drive in the City of Denton, Denton County, Texas. THIS ITEM HAS BEEN POSTPONED UNTIL THE MAY 15, 2024 PLANNING AND ZONING COMMISSION MEETING. (MPA24-0001, East Windsor Extension, Julie Wyatt)

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

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. [PZ24-057](#) Hold a discussion regarding the Planning and Zoning Project Matrix.

Attachments: [Matrix 2024](#)

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 April 5, 2024, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

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 48 HOURS 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.



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: PZ24-061, **Version:** 1

AGENDA CAPTION

Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consult with City attorneys regarding the definition and land use regulations for donation boxes within the City of Denton, Texas, where public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton Planning and Zoning Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or otherwise compromise the City's legal position.



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: PZ24-056, **Version:** 1

AGENDA CAPTION

Consider approval of the March 20, 2024, Capital Improvement Advisory Committee, and the March 20, 2024, Planning and Zoning meeting minutes

MINUTES
PLANNING AND ZONING COMMISSION
March 20, 2024

After determining that a quorum was present, the Planning and Zoning Commission of the City of Denton, Texas convened as the Capital Improvement Advisory Committee on Wednesday, March 20, 2024, at 5:01 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Desiree Padron, Eric Pruett, Kimberly Thaggard, and Jordan Villarreal

ABSENT: None

WORK SESSION

1. Work Session Reports

- A. PZ24-040: Receive a report, hold a discussion, and give staff direction regarding the updates to Roadway Impact Fees.

City staff and Pete Kelly, Consultant, presented the report to the Commissioners, a discussion followed.

Following discussion, the Capital Improvement Advisory Committee (CIAC) consensus was to increase the Roadway Impact Fees from the existing fee adopted by City Council in 2016 to 50 percent of the maximum allowable fee and gradually increasing annually to 80 percent to move forward with the proposed Land Use Assumption and Capital Improvement Plan included in the Roadway Impact Fee Study.

The Work Session adjourned at 5:58 p.m.

X_____

Margie Ellis, Planning and Zoning Commission Chair

Date

X_____

Cathy Welborn, Administrative Assistant III

Date

MINUTES
PLANNING AND ZONING COMMISSSION
March 20, 2024

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, March 20, 2024, at 6:08 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Desiree Padron, Eric Pruett, Kimberly Thaggard, and Jordan Villarreal

ABSENT: None

WORK SESSION

1. In Person for Regular or Consent Agenda Items:

None

2. Clarification of agenda items listed on the agenda for this meeting.

The following items were not presented, and no discussion was had:

3.A (FP24-0005a), 3.B (FP24-0003a), 3.C (PP23-0006a), 3.D (FP24-0007)

The following items were presented, and no discussion was had:

4.A (FP24-0006b), 4.D (PE24-0001), and 5.B (DCA23-0002b)

The following items were presented, and discussion was had:

4.B (ZCP23-00042), 4.C (ZCP23-0043), 5.A (Z23-0008), and 5.C (DCA24-0002a)

The Work Session was adjourned at 6:25 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, March 20, 2024, at 6:34 p.m. in the Council Chambers at City Hall, 215 E. McKinney, Denton, Texas.

PRESENT: Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Desiree Padron, Eric Pruett, Kimberly Thaggard, and Jordan Villarreal

ABSENT: None

1. PLEDGE OF ALLEGIANCE

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

2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES

- A. PZ24-038 Consider the approval of the February 28, 2024, Planning and Zoning meeting minutes.

Commissioner Villarreal moved to approve the February 28, 2024, Planning and Zoning meeting minutes. Motion seconded by Vice-Chair Smith. Motion carried.

AYES (7): Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Desiree Padron, Eric Pruett, Kimberly Thaggard, and Jordan Villarreal

NAYS (0): None

3. CONSENT AGENDA

- A. FP24-0005a Consider a request by B&T Group for approval of a Final Plat of Lot 1, Block 1 Bowling Addition. The approximately 7.024-acre tract is generally located on the north side of FM 2153, approximately 1,100 feet east of FM 2164 in the City of Denton Extraterritorial Jurisdiction Division 1, Denton County, Texas. (FP24-0005a, Bowling - Cell Tower, Matt Bodine)
- B. FP24-0003a Consider a request by Robson Denton Development, L.P. for a Final Plat of the Robson Ranch Unit 28-2. The 11-acre site is generally located north of the Basanite Avenue terminus and west of the Blue Granite Drive terminus, in the City of Denton, Denton County, Texas. (FP24-0003a, Robson Ranch Unit 28-2, Julie Wyatt)
- C. PP23-0006a Consider a request by Quick N Clean TX-04, LLC for a Preliminary Plat of the Quick N Clean Addition. The 2.10-acre site is generally located at the northeast corner of the intersection of McKinney Street and Loop 288, in the City of Denton, Denton County, Texas. (PP23-0006a, Quick N Clean Addition, Julie Wyatt)
- D. FP24-0007 Consider a request by Kimley Horn, on behalf of Amerco Real Estate Company, for a Final Plat of Uhaul Moving and Storage of East Denton. The approximately 6-acre site is generally located on the North side of US 380 (University Drive), approximately one quarter mile East of Loop 288, in the City of Denton, Denton County, Texas (FP24-0007, Uhaul Moving and Storage of East Denton, Bryce Van Arsdale).

Commissioner Villarreal moved to approve the Consent Agenda. Motion seconded by Commissioner Pruett. Motion carried.

AYES (7): Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Desiree Padron, Eric Pruett, Kimberly Thaggard, and Jordan Villarreal

NAYS (0): None

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. FP24-0006b Consider a request by JPI Real Estate Acquisitions, LLC for a Final Plat of the Jefferson Bonnie Brae Addition. The 31.51-acre site is generally located west of Bonnie Brae Road and approximately 150.19 feet south of Bronco Way in the City of Denton, Denton County, Texas. (FP24-0006b, Jefferson Bonnie Brae, Angie Manglaris).

City staff presented the item. No discussion followed.

Commissioner Pruett moved to approve the extension of the item to date certain of April 10, 2024. Motion seconded by Vice-Chair Smith. Motion carried.

AYES (7): Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Desiree Padron, Eric Pruett, Kimberly Thaggard, and Jordan Villarreal

NAYS (0): None

- B. ZCP23-0042 Consider a request by Urban Strategy on behalf of RR Town Center Associates, LLC for approval of a Site Plan for a general retail development within the Rayzor Ranch Overlay District, South Mixed-Use subdistrict, located on Lot 1, Block A of Rayzor Ranch East. The approximately 4.19-acre subject site is generally located at the southeast corner of West University Drive (US-380) and Heritage Trail in the City of Denton, Denton County, Texas. (ZCP23-0042, Rayzor Ranch East Retail, Mia Hines)

City staff presented the item. No discussion followed.

Vice-Chair Smith moved to approve the item as presented. Motion seconded by Commissioner Villarreal. Motion carried.

AYES (7): Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Desiree Padron, Eric Pruett, Kimberly Thaggard, and Jordan Villarreal

NAYS (0): None

- C. ZCP23-0043 Consider a request by W Land Development on behalf of WB Denton Land LP for approval of a Site Plan for the development of a recreational amenity within the Rayzor Ranch Overlay District, Rayzor Ranch Marketplace subarea, located on Lot HOA1, Block A of The Residences at Rayzor Ranch, Phase 1. The approximately 0.46-acre subject site is generally located at the northeast corner of Caril Al Lago Drive and Aurora Lane in the City of Denton, Denton County, Texas. (ZCP23-0043, Residences at Rayzor Ranch Amenity, Mia Hines)

City staff presented the item. No discussion followed.

Commissioner Pruett moved to approve the item as presented. Motion seconded by Vice-Chair Smith. Motion carried.

AYES (7): Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Desiree Padron, Eric Pruett, Kimberly Thaggard, and Jordan Villarreal
NAYS (0): None

- D. PE24-0001 Consider a request by LJA Engineering, Inc., on behalf of The Cole Ranch Company, LP, for a Preliminary Plat of the Cole Ranch, Phase 1 Addition. The 720.141-acre site is generally located south of Tom Cole Road, approximately 3,700 feet east of C. Wolfe Road, north of FM 2449, and west of Underwood Road in the City of Denton, Denton County, Texas. (PE24-0001, Cole Ranch Phase 1 Preliminary Plat Extension, Angie Manglaris).

Commissioner Cole was recused for this item.

City staff presented the item. Discussion followed.

Commissioner Pruett moved to approve the one-year extension. Motion seconded by Vice-Chair Smith. Motion carried.

AYES (7): Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Desiree Padron, Eric Pruett, Kimberly Thaggard, and Jordan Villarreal
NAYS (0): None
ABSTAINED (1): Commissioner Jason Cole

5. PUBLIC HEARINGS

- A. Z23-0008 Hold a public hearing and consider making a recommendation to City Council regarding a request by Philip Baker, of Rayzor Investments LTD., to rezone approximately 1.143 acres from Public Facilities (PF) Zoning District to a Residential 7 (R7) Zoning District. The subject site is generally located at the southeast intersection of Bonnie Brae Road and Riney Road in the City of Denton, Denton County, Texas. (Z23-0008, Bonnie Brae Rezoning PF to R7, Angie Manglaris).

Chair Ellis opened the public hearing.

City staff presented the item. No discussion followed.

Chair Ellis closed the public hearing.

Vice-Chair Smith moved to approve the item as presented. Motion seconded by Commissioner Thaggard. Motion carried.

AYES (7): Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Desiree Padron, Eric Pruett, Kimberly Thaggard, and Jordan Villarreal
NAYS (0): None

- B. DCA23-0002b Hold a public hearing and consider making a recommendation to City Council regarding amending the Denton Development Code; amendments include but are not limited to Table 5.2-A: Table of Allowed Uses, Section 5.3.1 Use-Specific Standards - Generally, Section 5.3.5: Commercial Use-Specific Standards, Table 7.9-I: Minimum Required Off-Street Parking, and Section 9.2: Definitions related to the regulation of Short-Term Rentals. (DCA23-0002b Short-Term Rentals, Angie Manglaris)

The public hearing was left open at the February 28, 2024, meeting.

City staff presented the item. Discussion followed.

Citizen comments will be listed on Exhibit A.

Chair Ellis closed the public hearing.

Discussion between the Commission and Staff continued.

Vice-Chair Smith moved to approve the item as presented. Motion seconded by Commissioner Pruett. Motion carried.

AYES (7): Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Desiree Padron, Eric Pruett, Kimberly Thaggard, and Jordan Villarreal

NAYS (0): None

- C. DCA24-0002a Hold a public hearing and consider making a recommendation to City Council regarding amending the Denton Development Code's land occupancy process; amendments include but are not limited to: Table 2.2-A: Summary of Development Review Procedures and Section 2.5: Development Permits and Procedures. (DCA24-0002, Land Occupancy, Julie Wyatt)

The public hearing was left open at the February 28, 2024, meeting.

City staff presented the item. Discussion followed.

Chair Ellis closed the public hearing.

Commissioner Villarreal moved to approve the time as presented. Motion seconded by Vice-Chair Smith. Motion carried.

AYES (7): Chair Margie Ellis, Vice-Chair Tim Smith, and Commissioners: Jason Cole, Desiree Padron, Eric Pruett, Kimberly Thaggard, and Jordan Villarreal

NAYS (0): None

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. PZ24-039: Staff provided updates regarding the matrix, City Council outcomes, and area plans. No items were added to the matrix.

7. CONCLUDING ITEMS

With no further business, the meeting was adjourned at 7:53 p.m.

X

Margie Ellis, Planning and Zoning Commission Chair

Date

X

Cathy Welborn, Administrative Assistant III

Date

Minutes approved on: _____

March 20, 2024 Planning and Zoning Meeting - EXHIBIT A

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

Name	Address	Agenda Item	Position	Method	Comments
Kevin Bankhead	Not Provided	ZCP23-0042	Opposed	Online	Site & landscape plans provide inadequate screening from the south of the delivery docks and truck turnaround area for the PetSmart Bldg. Q & Bldg. R. There is virtually no landscape buffer along the south property line. The retaining wall section D-D should have stone facing consistent with other retaining walls within Rayzor Ranch East. Architectural elements should be added to the east & south elevations of the PetSmart Bldg. minimally similar to Bldg. P which contains vertical brick detailing.
Pam Spooner	513 Chateau Court, Denton, 76209	DCA23-0002	Opposed	In Person	Asked questions regarding registration and enforcement. Also how would you know if a property was a short term rental. Voiced her concerns of future STR's. City Staff and the Commission answered Ms. Spooners questions and concerns.
Danna Zoltner	610 Emery, Denton, 76201	DCA23-0002	Opposed	In Person	Stated how what is being presented is left on the backs of the Citizens to deal with code violations. Spoke about parking issues in her neighborhood and how she is looking to get one side street parking just to get some of the cars off the street. Voiced her concerns with the number of STR's being allowed and staff numbers just aren't there to regulate and enforce.



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: FP23-0023b, **Version:** 1

AGENDA CAPTION

Consider a request by Danny McCamish of Spiars Engineering, on behalf of Cyrene at Hickory Creek, LLC, for a Final Plat of Barrel Strap Residential. The approximately 14.1-acre site is generally located on the southwest corner of Hickory Creek Road and FM 2499 in the City of Denton, Denton County, Texas. (FP23-0023b, Barrel Strap Residential, Ashley Ekstedt).



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: April 10, 2024

SUBJECT

Consider a request by Danny McCamish of Spiars Engineering, on behalf of Cyrene at Hickory Creek, LLC, for a Final Plat of Barrel Strap Residential. The approximately 14.1-acre site is generally located on the southwest corner of Hickory Creek Road and FM 2499 in the City of Denton, Denton County, Texas. (FP23-0023b, Barrel Strap Residential, Ashley Ekstedt).

BACKGROUND

The purpose of this Final Plat is to establish 50 residential lots, nine open space lots, dedicate right-of-way, and dedicate easements. The subject property is intended to be developed in one phase and is zoned Residential 7 (R7).

Date Application Filed:	August 15, 2023
Planning & Zoning Commission Meeting:	September 13, 2023
Days in Review:	29 Days
Extension Approved:	September 13, 2023
Resubmittal Date:	September 12, 2023
Withdrawn:	October 5, 2023
Days in Review:	23 Days
Resubmittal Date:	March 12, 2024
Planning & Zoning Commission Meeting:	April 10, 2024
Days in Review:	29 Days

This application is being considered under TX LGC 212.009.

OPTIONS

1. Approve as submitted
2. Deny with reasons

RECOMMENDATION

Staff recommends approval of this plat as it does meet the established criteria for approval.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

June 8, 2022	Planning & Zoning Commission	Preliminary Plat (PP22-0003)	Extension Approved
--------------	------------------------------	------------------------------	--------------------

June 22, 2022	Planning & Zoning Commission	Preliminary Plat (PP22-0003)	Approved
September 13, 2023	Planning & Zoning Commission	Final Plat (FP23-0023)	Extension Approved
September 13, 2023	Planning & Zoning Commission	Alternative Environmentally Sensitive Area Plan (AES22-0004)	Recommend Approval
September 26, 2023	City Council	Alternative Environmentally Sensitive Area Plan (AES22-0004b)	Approved
February 20, 2024	City Council	Park Development Agreement	Approved

PUBLIC OUTREACH

No public outreach is required for a Final Plat.

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
5. LLC Members List

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

Prepared by:
Ashley Ekstedt
Associate Planner

Planning Staff Analysis

FP23-0023/ Barrel Strap Residential

City Council District #4

Planning & Zoning Commission

REQUEST:

Final plat for an approximately 14.1-acre site

APPLICANT:

Danny McCamish of Spiars Engineering, on behalf of Cyrene at Hickory Creek, LLC

RECOMMENDATION:

Staff recommends approval because the proposed Final Plat does meet the established approval criteria, 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
1. Generally			
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. Findings: <div>The Final Plat does meet all review criteria.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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. Findings: <div>The Final Plat does meet all review criteria.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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. Findings: <div>There is no conflict.</div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Prior Approvals			
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.	<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
Findings: <div>The final plat is consistent with Residential 7 (R7) zoning and the approved preliminary plat.</div>				
3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans. Findings: <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> <p>However, the Comprehensive Plan designates the subject property as Low Residential and Community Mixed Use. The subject property is currently zoned R7 and is generally consistent with the Comprehensive Plan designation which allows residential uses.</p> </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings: <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. 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. Findings: <div></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
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. Findings: <div>The final plat complies with all applicable standards.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

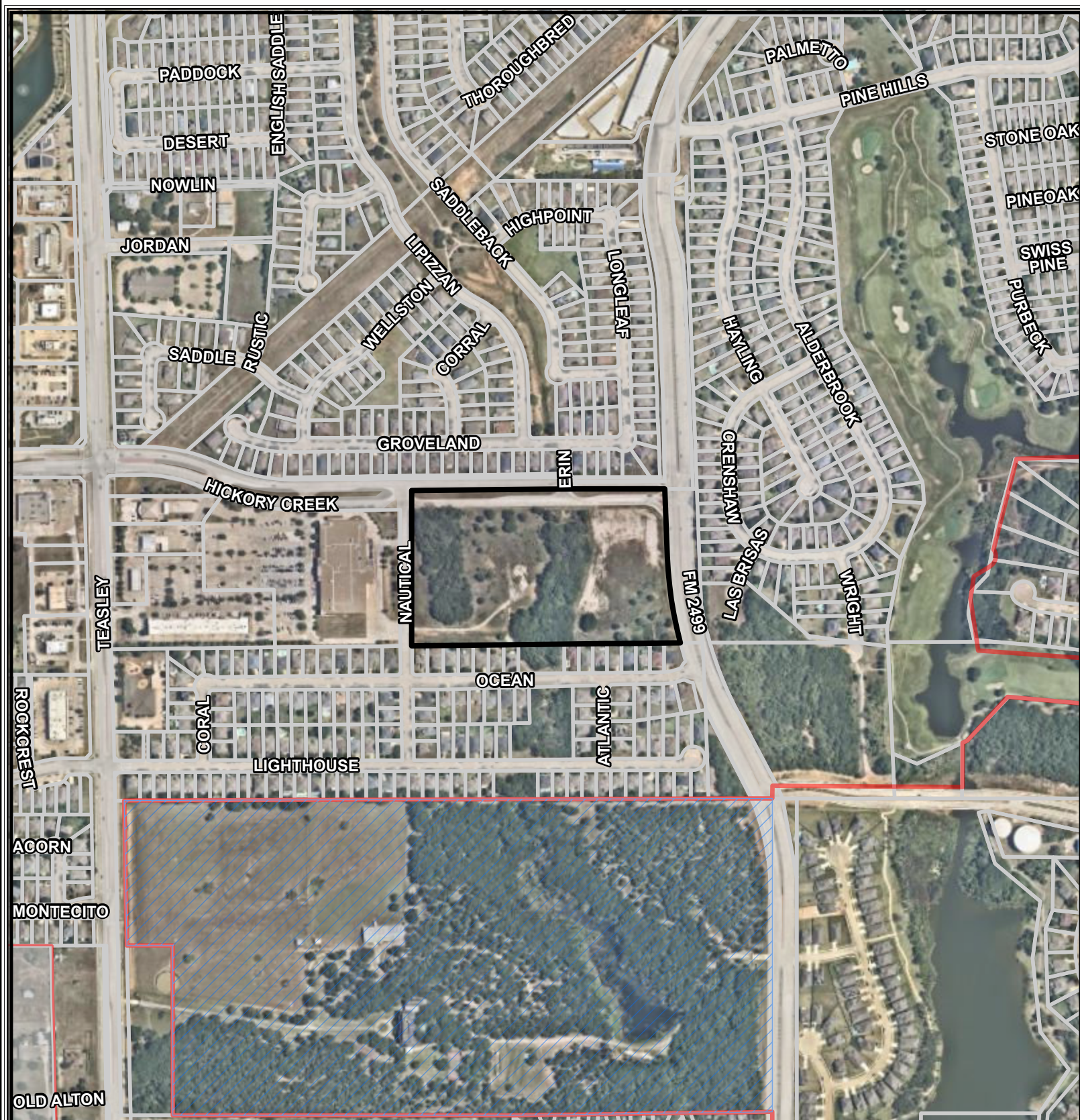
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div>The subject submittal is a Final Plat, and it was reviewed based on the established checklist and requirements.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Compliance with Other Applicable Regulations				
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. Findings: <div>The Final Plat complies with all other applicable regulations.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Consistent with Interlocal and Development Agreements				
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. Findings: <div>No interlocal or development agreements are applicable to this project.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Minimizes Adverse Environmental Impacts				
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. Findings: <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable. However, AESA22-0004 demonstrated how this development will mitigate the expected impacts to the onsite Environmentally Sensitive Areas.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Minimizes Adverse Impacts on Surrounding Property				
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.		<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
Findings: <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>				
9. Minimizes Adverse Fiscal Impacts				
a. The proposed development should not result in significant adverse fiscal impacts on the city. Findings: <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"/>
10. Compliance with Utility, Service, and Improvement Standards				
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. Findings: <div>The proposed Final Plat is compliant with all City regulations.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Provides Adequate Road Systems				
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. Findings: <div>Adequate road capacity exists external to the site.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities				
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. Findings: <div>Adequate public service capacity exists to serve this development.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

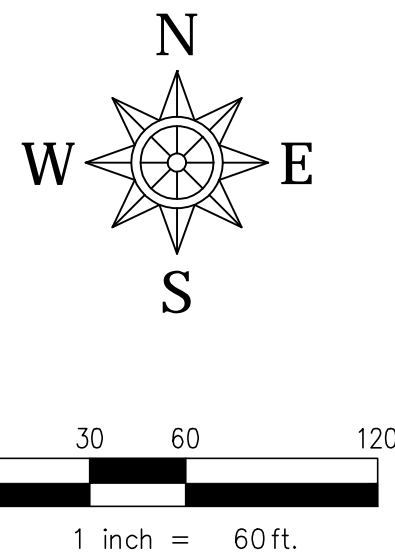
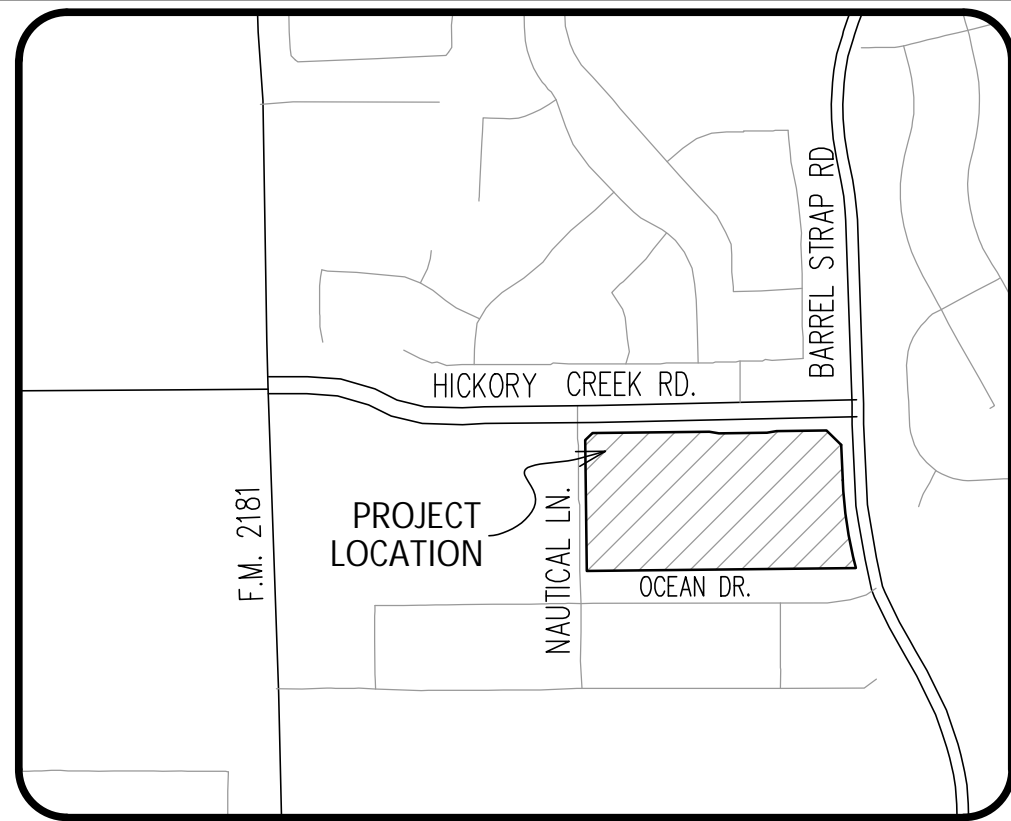
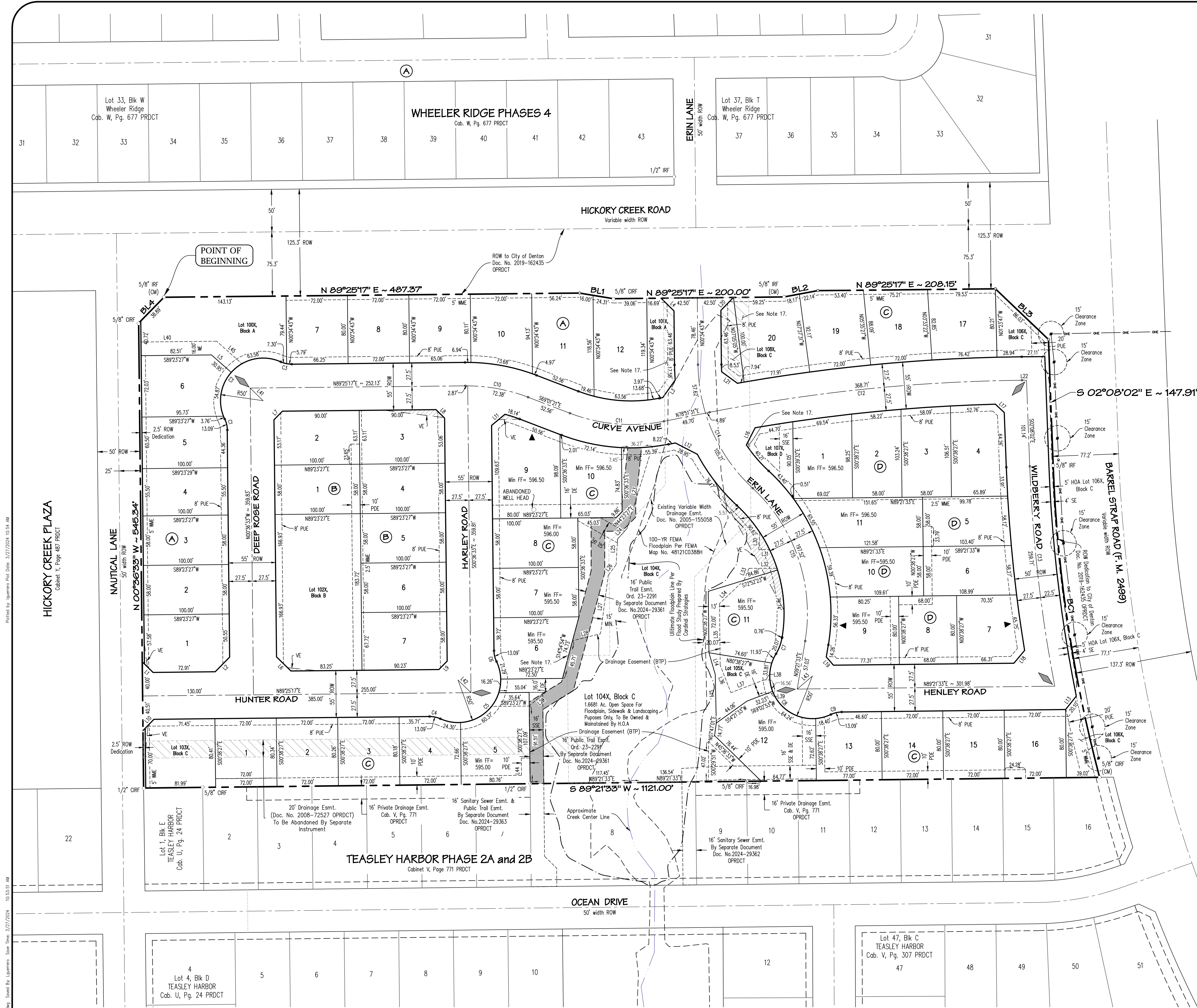
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
13. Rational Phasing Plan				
<p>a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required for that phase, and may not defer those improvements to subsequent phases.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; min-height: 30px;"> No phasing is proposed for this plat. </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)		Applicability		
		Met	Not Met	N/A
14. Whether the final plat conforms to the preliminary plat, including any conditions of approval.				
<p>Findings:</p> <div style="border: 1px solid black; padding: 5px; min-height: 30px;"> The Final Plat conforms to the Preliminary Plat. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Whether the development will substantially comply with all requirements of this DDC.				
<p>Findings:</p> <div style="border: 1px solid black; padding: 5px; min-height: 30px;"> This Final Plat conforms to all of the requirements of the DDC. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Whether the development will comply with the applicable technical standards and specifications adopted by the City.				
<p>Findings:</p> <div style="border: 1px solid black; padding: 5px; min-height: 30px;"> This development has established compliance with applicable standards and specifications adopted by the City as indicated herein. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FP23-0023 Site Location



Drawing: 03/2024 085324-01-01 Barrel Strap Residential - 074 Final Plat.dwg, Saved By: Jlgennaro, Date: 3/27/2024 10:54 AM, 10:53:59 AM



- NOTES:
- Bearings are based on the State Plane Coordinate System, North Texas Central Zone 4202, North American Datum of 1983. Adjustment Realization 2011.
 - All corners are 1/2 inch iron pins with yellow plastic caps stamped "SPIARSEN" unless otherwise noted.
 - Notice - Selling a portion of this addition by metes and bounds is a violation of city ordinance and state law and is subject to fines and withholding of utilities and building permits.
 - Portion of the subject tract lies within a "Special Flood Hazard Area" "Zone A" as explained on Community Panel Number Map No. 4812100388H of the Flood Insurance Rate Map, Denton County, Texas and Incorporated Areas, dated June 19, 2020.
 - Minimum finished floor elevations are at least 2 feet above the 100-year flood plain.
 - This Homeowners Association (H.O.A.) shall be established for maintenance and operation of open space areas. The establishment of the Homeowners Association shall be reviewed for approval by the City of Denton. The owner further hold the City of Denton harmless from any damages to persons, to the owner's lot, or any lot arising from such maintenance responsibility. The City shall not be responsible for maintenance of the of the referenced creek, although it retains the right to enter upon the easement for public purposes. The drainage easement shown hereunder shall not create any affirmative duty to the City to repair, maintain, or contact that exists or occurs due to the natural flow of storm water runoff including but not limited to storm water overflow, bank erosion and sloughing, loss of vegetation and trees, bank subsidence and interference with structures, the city retains the right to enter upon these easements for public purposes.
 - All open space areas, Lot 100X & 101X, Block A, Lot 102X, Block B, Lots 103X, 105X, 106X, & 108X Block C, Lot 107X, Block D, are for landscape purposes only will be owned and maintained by the HOA/POA. Open space area Lot 104X, Block C is for floodplain, drainage, sidewalk and landscape purposes to be owned and maintained by the H.O.A. The City has right but not the obligation to maintain and construct drainage facilities if, in the city's sole opinion, the maintenance entity is not properly maintaining the stream or drainage way. (DDC 7.5.3.1.2.a)
 - HOA Lot 104X, Block C contains a public trail and provides an access easement for the public to use trail. Per Ordinance No. Ord. 23-2291
 - Sidewalks along open space/common areas are to be built by the developer.
 - No overhead utilities are permitted on the subject property.
 - 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.
 - The Site will be served through City of Denton water/sewer.
 - The purpose of this plat is to create 50 Residential Lots and 9 HOA Lots
 - Private improvements cannot encroach onto existing public easements.
 - 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.
 - Lot owners must be notified by the selling agent/developer that trees receiving preservation credit exist on their lot
 - Existing variable width Drainage Easement (Doc No. 2005-155058 OPRDCT) to be abandoned at locations shown with hatch by separate instrument.

CITY PROJECT NO: FP23-0023
FINAL PLAT

BARREL STRAP RESIDENTIAL

Lots 1-12, 100X & 101X Block A,
Lots 1-7 & 102X Block B,
Lots 1-20, 103X, 104X, 105X, 106X & 108X Block C,
Lots 1-11 & 107X Block D
50 RESIDENTIAL LOTS, 9 HOA LOTS
14.176 ACERS
OUT OF THE
B. MERCHANT SURVEY ABSTRACT NO. 800
CITY OF DENTON, DENTON COUNTY, TEXAS

Boundary Line Table		
Line #	Length	Direction
BL1	40.31'	S 80°34'43" E
BL2	40.31'	N 79°25'17" E
BL3	86.03'	S 46°21'23" E
BL4	42.42'	N 44°24'22" E

Boundary Curve Table				
Curve #	Radius	Delta	Length	Chord Bearing
BC1	1677.00'	012°39'31"	370.51'	S 08°27'48" E 369.76'

OWNER / APPLICANT
CYRENE AT HICKORY CREEK LLC
1661 E. Custer Road, Suite 275
Phoenix, Arizona 85016
Telephone: (623) 466-3286
Contact: Justin Pasternak

ENGINEER / SURVEYOR
Spars Engineering, Inc.
765 Custer Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0077
TBPELS No. F-2121 and No. F-10043100
Contact: Daniel McComish, PE

Drawing: 6/20/2020 08:51:41-014 Barrel Strap (L&D)-074 Final Plat.dwg Saved By: jlgarcera Date Time: 3/27/2024 10:57:41 AM Printed By: jlgarcera Plot Date: 3/27/2024 10:57:41 AM

STATE OF TEXAS §
COUNTY OF DENTON §

OWNER'S CERTIFICATE

WHEREAS CYRENE AT HICKORY CREEK LLC, is the owner of a tract of land situated in the B. Merchant Survey, Abstract No. 800, City of Denton, Denton County, Texas, being part of a tract conveyed to CYRENE AT HICKORY CREEK LLC by deed recorded in Document Number 2022-96547 of the Deed Records, Denton County, Texas (DRDCT), with the subject tract being more particularly described as follows:

BEGINNING at a 5/8" iron rod found for the north end of a corner clip being the intersection of the south line of Hickory Creek Road, a variable width public right-of-way, as conveyed to the City of Denton as recorded in Document No. 2019-162435, Official Public Records, Denton County, Texas (OPRDCI), with the east line of Nautical Way, a 50-foot-wide public right-of-way, created by the final plat of Hickory Creek Plaza, recorded in Cabinet Y, Page 487, Plat Records, Denton County, Texas (PRDCT);

THENCE along the south line of Hickory Creek Road, as follows:

N 89°25'17" E, 487.37 feet to a 1/2" iron rod with a yellow cap stamped "SPIARSENG" set;

S 80°34'43" E, 40.31 feet to a 5/8" iron rod with plastic cap found;

N 89°25'17" E, 200.00 feet to a 5/8" iron rod found;

N 79°25'17" E, 40.31 feet to a 1/2" iron rod with a yellow cap stamped "SPIARSENG" set;

N 89°25'17" E, 208.15 feet to a 1/2" iron rod with a yellow cap stamped "SPIARSENG" set at a corner clip being the intersection thereof with the west line of Barrel Strap Road (F.M. Road 2499), a variable width public right-of-way, as conveyed to the City of Denton, as recorded in Document No. 2019-162435, Official Public Records, Denton County, Texas (OPRDCI);

THENCE S 46°21'23" E, 86.03 feet to a 1/2" iron rod along said corner clip on the west line of Barrel Strap Road;

THENCE along the the said west line of Barrel Strap Road as follows:

S 02°08'02" E, 147.91 feet to a 5/8" iron rod found;

A tangent curve to the left having a central angle of 12°39'31", a radius of 1677.00 feet, a chord of S 08°27'48" E - 369.76 feet, an arc length of 370.51 feet to 5/8" iron rod found with plastic cap, said point being on the north line of Teasley Harbor Phases 2A and 2B, recorded in Cabinet V, Pages 307 and 771, and Cabinet U, Page 24, PRDCT;

THENCE S 89°21'33" W, 1121.00 feet along the said north line of Teasley Harbor to a 1/2" iron rod with plastic cap on the east line of said Nautical Way;

THENCE N 00°36'33" W, 545.34 feet along the east line of said Nautical Way to a 5/8" iron rod with plastic cap found, said point being the south end of the first mentioned corner clip, being the southwest corner of said right-of-way dedication;

THENCE N 44°24'22" E, 42.42 feet along said corner clip to the POINT OF BEGINNING with the subject tract containing 617,492 square feet or 14.176 acres of land.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That We, CYRENE AT HICKORY CREEK LLC, do hereby adopt this plat designating the hereinabove described property as BARREL STRAP RESIDENTIAL, an Addition to the City of Denton, and do hereby dedicate, in fee simple, to the public use forever the streets and sidewalk easement(s) and public easements shown thereon and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easement strips and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strip for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all plotting ordinances, rules, regulations and resolutions of the City of Denton, Texas.

Witness our hands this _____ day of _____, 2024.

CYRENE AT HICKORY CREEK LLC

By: _____
SIGNER'S NAME, TITLE

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared _____, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2024.

Notary Public, State of Texas

SURVEYOR'S CERTIFICATE

That I, Darren K. Brown, of Spiars Engineering, Inc., do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Denton, Texas.

Dated this the _____ day of _____, 2024.

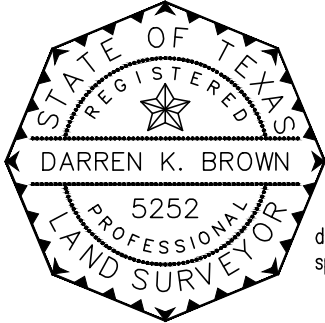
DARREN K. BROWN, RPLS No. 5252

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Darren K. Brown, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2024.

Notary Public, State of Texas



darren.brown@
spiarsengineering.com

Lot Line Table			
Line #	Length	Direction	
L1	14.15'	N 45°35'38" W	
L2	24.16'	S 44°24'22" W	
L3	25.46'	S 35°20'36" W	
L4	21.21'	S 45°34'43" E	
L5	30.95'	S 48°26'00" E	
L6	23.68'	N 45°36'33" W	
L7	14.14'	N 44°24'22" E	
L8	14.15'	S 45°35'38" E	
L9	13.81'	S 44°23'27" W	
L10	14.84'	N 44°22'30" E	
L11	20.35'	N 50°18'33" E	
L12	28.95'	N 62°53'19" W	
L13	20.10'	N 38°51'47" E	
L14	26.49'	N 16°04'19" W	
L15	57.04'	N 01°17'27" W	
L16	22.67'	N 26°58'45" E	
L17	14.24'	S 46°44'24" E	

Lot Line Table			
Line #	Length	Direction	
L18	19.51'	S 39°54'54" W	
L19	12.86'	N 40°38'27" W	
L20	21.21'	N 44°25'17" E	
L21	22.82'	N 53°49'33" W	
L22	5.35'	N 89°25'17" E	
L23	100.54'	N 17°13'20" E	
L24	16.41'	N 42°00'56" E	
L25	30.20'	N 03°12'25" E	
L26	15.24'	N 37°07'48" E	
L27	69.35'	N 07°32'59" E	
L28	33.84'	N 75°56'28" E	
L29	24.88'	N 50°36'27" E	
L30	19.78'	S 03°48'25" W	
L31	12.47'	S 90°00'00" E	
L32	32.71'	N 90°00'00" W	
L33	15.33'	S 22°38'47" W	
L34	39.54'	S 46°29'22" W	

Lot Line Table			
Line #	Length	Direction	
L35	72.40'	S 00°38'27" E	
L36	34.48'	S 21°21'18" E	
L37	41.69'	N 69°02'54" E	
L38	6.75'	N 89°21'33" E	
L39	7.86'	S 89°21'33" W	
L40	88.68'	N 89°23'27" E	
L41	21.22'	S 45°35'38" E	
L42	21.22'	N 45°35'38" W	
L43	23.34'	N 49°21'33" E	
L44	20.20'	N 00°38'27" W	
L45	39.75'	S 48°26'00" E	

Lot Curve Table					
Curve #	Radius	Delta	Length	Chord Bearing	Chord
C1	30.00'	025°00'28"	13.09'	N 13°06'47" W	12.99'
C2	50.00'	140°02'46"	122.21'	S 44°24'22" W	93.98'
C3	30.00'	025°00'28"	13.09'	S 78°04'29" E	12.99'
C4	30.00'	025°00'28"	13.09'	N 78°04'29" W	12.99'
C5	50.00'	140°02'46"	122.21'	N 44°24'22" E	93.98'
C6	30.00'	025°00'28"	13.09'	S 13°06'47" E	12.99'
C7	52.00'	022°06'32"	20.07'	N 20°24'49" E	19.94'
C8	50.00'	147°07'00"	128.38'	S 42°05'26" E	95.91'
C9	30.00'	025°00'28"	13.09'	S 76°51'18" W	12.99'
C10	200.00'	021°33'21"	75.24'	N 79°48'02" W	74.80'
C11	200.00'	032°07'08"	112.12'	S 85°04'55" E	110.65'
C12	2000.00'	010°33'46"	368.71'	S 84°08'24" W	368.19'
C13	1704.50'	008°43'48"	259.71'	S 06°29'56" E	259.46'
C14	200.00'	030°08'23"	105.21'	S 32°09'19" E	104.00'
C15	200.00'	056°35'03"	197.52'	N 18°55'59" W	189.59'

Lot Area Table			
Lot #	Block #	Square Feet	Acresage
1	A	6,565	0.151
2	A	5,800	0.133
3	A	5,800	0.133
4	A	5,550	0.127
5	A	6,026	0.138
6	A	6,848	0.157
7	A	5,759	0.132
8	A	5,760	0.132
9	A	5,760	0.132
10	A	6,127	0.141
11	A	7,768	0.178
12	A	7,535	0.173

Lot Area Table			
Lot #	Block #	Square Feet	Acresage
1	C	5,787	0.133
2	C	5,781	0.133
3	C	5,776	0.133
4	C	5,614	0.129
5	C	7,532	0.173
6	C	6,346	0.146
7	C	5,800	0.133
8	C	5,800	0.133
9	C	8,940	0.205
10	C	6,304	0.145
11	C	7,805	0.179
12	C	8,681	0.199
13	C	6,048	0.139
14	C	5,760	0.132
15	C	5,760	0.132
16	C	5,760	0.132
17	C	6,336	0.145
18	C	6,267	0.144
19	C	6,719	0.154
20	C	7,326	0.168

Lot Area Table			
Lot #	Block #	Square Feet	Acresage
1	D	6,514	0.150
2	D	5,852	0.134
3	D	6,091	0.140
4	D	6,849	0.157
5	D	5,883	0.135
6	D	6,150	0.141
7	D	5,930	0.136
8	D	5,440	0.125
9	D	6,504	0.149
10	D	6,628	0.152
11	D	7,821	0.180

Open Space Area Table		
Lot #	Block #	Acres
100X	A	0.276
101X	A	0.080
102X	B	0.418
103X	C	0.150
104X	C	1.668
105X	C	0.084
106X	C	0.175
107X	D	0.067
108X	C	0.042

FLOODPLAIN DRAINAGE EASEMENT

The Drainage Easement within the limits of this addition shall remain open at all times. 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 Drainage Easement, as herein above defined, unless approved by the City. 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 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 costs for labor, materials, and equipment for each instance. The natural drainage through the Drainage 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.

TREE PRESERVATION

There is a total of 3,241.4 inches of protected trees to be preserved on the site.

Block A, Lots 1-12, Lot 101x: None.

Block A, Lot 100x:

- 328.9 inches of heritage trees
- 61.2 inches of quality trees
- 0 inches of secondary trees
- 0 inches of dead/diseased trees

Block B, Lots 1-7: None.

Block B, Lot 102x:

- 478.2 inches of heritage trees
- 32.4 inches of quality trees
- 32.8 inches of secondary trees
- 21.6 inches of dead/diseased trees

Block C, Lots 1-15, Lot 103x, 105X, 106X, 108X: None.

Block C, Lot 104x:

- 1,443.7 inches of heritage trees
- 759.4 inches of quality trees
- 0 inches of secondary trees
- 58 inches of dead/diseased trees

Block D, Lots 1-11: None.

Block D, Lot 107x:

- 0 inches of heritage trees
- 25.2 inches of quality trees
- 0 inches of secondary trees
- 0 inches of dead/diseased trees

Reference the approved Landscape Plan for planted trees receiving tree replacement credit. These trees shall be preserved and replaced in accordance with DDC Section 7.7.4H.

CITY PROJECT NO: FP23-0023
FINAL PLAT

BARREL STRAP RESIDENTIAL

Lots 1-12, 100X & 101X Block A,
Lots 1-7 & 102X Block B,
Lots 1-20, 103X, 104X, 105X, 106X & 108X Block C,
Lots 1-11 & 107X Block D
50 RESIDENTIAL LOTS, 9 HOA LOTS
14.176 ACERS
OUT OF THE
B. MERCHANT SURVEY ABSTRACT NO. 800
CITY OF DENTON, DENTON COUNTY, TEXAS

CERTIFICATE OF APPROVAL	
Approved this _____ day of _____, 2024 by the Planning and Zoning Commission of the City of Denton, Texas.	
Chairman _____	Date _____
City Secretary _____	Date _____

OWNER / APPLICANT
CYRENE AT HICKORY CREEK LLC
1661 E. Camelback, Suite 275
Phoenix, Arizona 85016
Telephone: (623) 466-3286
Contact: Justin Pasternak

ENGINEER / SURVEYOR
Spiars Engineering, Inc.
765 Custer Road, Suite 100
Plano, TX 75075
Telephone: (972) 422-0077
TBPELS No. F-2121 and No. F-10043100
Contact: Daniel McComish, PE

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:

804284188

Original Date of Filing:

October 23, 2021

Formation Date:

N/A

Tax ID:

32081593157

Duration:

Perpetual

Entity Type:

Domestic Limited Liability Company (LLC)

Entity Status:

In existence

FEIN:

Name:

Cyrene at Hickory Creek LLC

Address:

1601 ELM ST STE 4360
DALLAS, TX 75201-4701 USA

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES	INITIAL ADDRESS
Last Update June 6, 2023	Name REUBEN S LEIBOWITZ	Title MANAGING MEMBER	Address [ADDRESS NOT PROVIDED] [CITY NOT PROVIDED], [STATE NOT PROVIDED] USA			

Order

Return to Search

Instructions:

 To place an order for additional information about a filing press the 'Order' button.



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: FP24-0009, **Version:** 1

AGENDA CAPTION

Consider a request by Forestar (USA) Real Estate Group, Inc. for a Final Plat of Hickory Grove, Phase 2. The 58.822-acre site is generally located just north of West University Drive and west of Thomas J Eagan Road in City of Denton's ETJ Division 1, Denton County, Texas. (FP24-0009, Hickory Grove 2, Mia Hines).



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: April 10, 2024

SUBJECT

Consider a request by Forestar (USA) Real Estate Group, Inc. for a Final Plat of Hickory Grove, Phase 2. The 58.822-acre site is generally located just north of West University Drive and west of Thomas J Eagan Road in City of Denton's ETJ Division 1, Denton County, Texas. (FP24-0009, Hickory Grove 2, Mia Hines).

BACKGROUND

The purpose of this Final Plat is to facilitate the development of 141 single-family residential lots and eight lots to be owed and maintained by the Hickory Grove HOA. The property is located within the Legends Ranch Municipal Utility District (MUD), and the full development originally proposed six phases for the construction of the single-family residential lots. This proposed Final Plat is for the third phase of this development. Construction plans are currently under review for Phases 1A and 1B.

The approved Preliminary Plat included a total of 1,516 single-family residential lots, one amenity center lot, one multi-family lot, 48 lots to be owned and maintained by the Hickory Grove HOA, and a variety of other lots to be utilized for park space, commercial development, and utilities. Although Preliminary Plats are not typically allowed within the ETJ, as part of the City Council's consent to the creation of the MUD, a development agreement was entered into that included provisions allowing for the MUD developers to submit a preliminary plat to phase the development.

Date Application Filed:	March 12, 2024
Planning & Zoning Commission Meeting:	April 10, 2024
Days in Review:	30 Days

This is the **first** extension requested for this plat.

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 (Exhibit 5). Based upon recent updates to Section 212.009, the applicant may request additional 30-day extensions in the future if they are determined to be necessary.

OPTIONS

1. Approve as submitted
2. Approved requested extension
3. Deny with reasons

RECOMMENDATION

Staff recommends denial of this plat as it does not meet the established criteria for approval; however, Staff has no objection to the requested extension (Exhibit 5), which could be granted to a date certain of April 24, 2024. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
June 28, 2022	City Council	Legends Ranch MUD consent and development agreement	Approved
August 10, 2022	Planning & Zoning Commission	Legends Ranch Preliminary Plat (PP22-0017)	Extension approved
October 26, 2022	Planning & Zoning Commission	Legends Ranch Preliminary Plat (PP22-0017)	Approved

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
5. Extension Request

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

Prepared by:
Mia Hines, AICP
Senior Planner

Planning Staff Analysis

FP24-0009 / Hickory Grove 1B

Planning & Zoning Commission

REQUEST:

Final plat for an approximately 58.822-acre site

APPLICANT:

Kimley Horn & Associates on behalf of Forestar (USA) Real Estate Group, Inc.

RECOMMENDATION:

Staff recommends denial of this Final Plat as it does not meet the established approval criteria.

Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
<p>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.</p> <p>Findings:</p> <div><p>The Final Plat does not meet all review criteria, as detailed in the following items as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B:</p><ol style="list-style-type: none">1. Include the city assigned project number “FP24-0009” in the title block (FPC2.2)2. Update the legend to include all abbreviations, graphic symbols, and line types used (add P.O.C, ROW, lot lines, and center lines, remove building line from legend and plat graphic) (FPC 2.12)3. Label type and size of boundary monuments and label as found or set for all property corners, points of intersection and points of curvature/tangency. Provide basic monumentation in order to determine location of public improvements (FPC 2.13)4. Clarify line and curve data labels (FPC 3.2)5. For new drainage, detention, and/or floodplain easements refer DDC Section 7.5.3.I, J, and N and the Stormwater Design Criteria Manual Section 3.3.5 and 3.9 (FPC 3.7)6. For new water and wastewater easements refer to DDC Section 7.6.7 and the Water & Wastewater Criteria Manual Sections 3 and 5.4.2-3 (FPC 3.8)7. Label minimum finish floor elevation for each pad site on any lot adjacent to (and within 200 feet of) a floodplain. (FPC 3.10)</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
	<p>The Final Plat does not meet all review criteria, as detailed in the following items as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B:</p> <ol style="list-style-type: none"> 8. Show floodplain limits. Note the current effective Flood Insurance Rate Map and any map changes (LOMR, CLOMR, etc.) Show, label, and dimension drainage and floodway easements (FPC 3.12) 9. Display the location of the centerline of creeks and drainage ways tied to dimensions in feet and hundredths of feet with bearings and angles (FPC 3.14) 10. Label the exact location, dimension, and centerline of existing public ROW intersecting or contiguous with its boundary or forming such boundary. Display the center line of proposed ROW with dimension from centerline to the edge of proposed ROW (FPC 3.15) 11. Label existing and proposed street names, indicate street name breaks with a diamond shape (FPC 3.16) 12. Label adjacent properties. For platted properties, display lot lines and label subdivision name, lot and block designation, and plat recording information for each lot (FPC 4.1) 13. Label all easements, including existing or proposed. Proposed offsite easements by separate instrument should be labeled as such. If existing, provide recording information. Please contact City of Denton Real Estate department for information about recording offsite easements by separate instrument (FPC 4.2) 14. Label and name all existing public street and alley ROW including dimensions on adjacent properties (4.3) 15. Provide a copy of the computer-generated closure report for the metes and bounds (FPC 5.2) 16. Provide the purpose of the plat in a plat note (FPC 5.8) 17. Limit plat notes to those applicable to the plat type submitted (FPC 5.9) 18. Provide specific language for private streets for private street subdivisions, privately owner facilities, water quality easements or specific encroachment and maintenance easements (FPC 6.1) 19. Include specific dedication language for access, utility, and/or floodway/plain and drainage and/or detention easements. Restrictions of easements shall be described on the final plat and approved by the City (FPC 6.2) 			
<p>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.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>The Final Plat does not meet the review criteria of DDC Section 2.6.4D as described below.</p> </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
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. Findings: <div style="border: 1px solid black; padding: 5px; min-height: 20px;">There is no conflict.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Prior Approvals				
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. Findings: <div style="border: 1px solid black; padding: 5px; min-height: 40px;">The final plat is consistent with the Preliminary Plat. Since the approval of the Preliminary Plat, the applicant has submitted a revised phasing plan. The proposed final plat is consistent with the revised phasing plan.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans. Findings: <div style="border: 1px solid black; padding: 5px; min-height: 40px;">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"/>
a. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings: <div style="border: 1px solid black; padding: 5px; min-height: 20px;">There are no competing plan goals, policies, and strategies for this site.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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. Findings: <div style="border: 1px solid black; padding: 5px; min-height: 20px;">The overall goals of the Comprehensive Plan are met with the proposed Final Plat.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
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.		<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
Findings: All applications shall include all required information requested by the Director to demonstrate compliance with City codes per DDC Section 2.4.4B. Per the Development Agreement, the subject property is subject to those portions of the DDC typically applicable to the City's Division 1 ETJ as well as development and subdivision regulations contained in Section 3.4, Subchapter 7, and Subchapter 8 of the Denton Development Code. The proposed Final Plat does not comply with the following applicable DDC requirements: <ol style="list-style-type: none"> Side lot lines shall be at right angles or radial to street lines, except where other terrain makes such design impractical (DDC 8.3.2) For single-family residential subdivisions where more than 50% of the lots are less than one-half acre in size, dedication of the stream or drainage way shall be made to the city or to an approved homeowner association (DDC 7.5.3) A drainage or floodplain easement shall be dedicated as a single lot to the city, a homeowner's association, or other legal entity as allowed by the DDC (DDC 7.5.3) Adequate floodplain and drainage easements shall be required that give the city the right but not the obligation to maintain and construct drainage facilities if, in the city's sole opinion, the maintenance entity is not properly maintaining the stream or drainage way (DDC 7.5.3) Streams and drainage ways may be retained as part of a nonresidential lot, and it shall be the property owner's responsibility to maintain this area as set forth by easement, except as otherwise provided. A maintenance easement shall be granted to the city and shall grant the right but not the obligation to maintain and construct drainage facilities if the stream or drainage way is not being properly maintained. The maintenance entity's by-laws and covenants filed of record shall provide for ongoing maintenance. The easement shall authorize a lien against individual abutting lots in favor of the city to secure the payment to the city for any expenses incurred by the city in the event of default or to secure payment for any expenses incurred if the maintenance entity is not properly maintaining the stream or drainage way (DDC 7.5.3) 				
b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: The Final Plat was submitted at an adequate level of detail.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Compliance with Other Applicable Regulations				
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		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

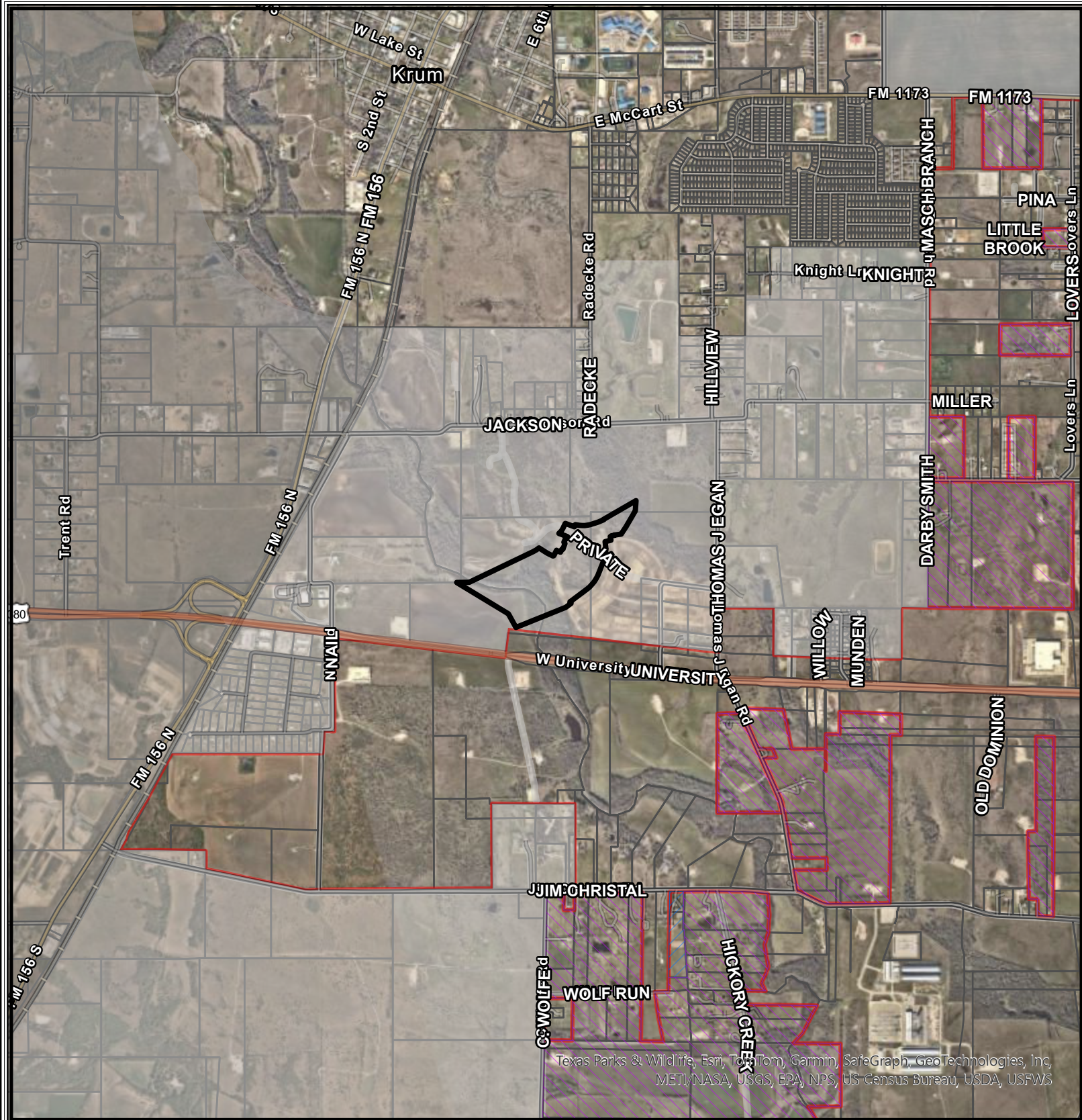
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
	<p>includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>The Final Plat complies with all other applicable city regulations.</p> </div>			
6. Consistent with Interlocal and Development Agreements				
	<p>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.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>As described herein, the proposed development is not fully compliant with the development agreement adopted for this Municipal Utility District. The Final Plat does not comply with all applicable DDC standards as required by the agreement.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Minimizes Adverse Environmental Impacts				
	<p>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.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <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"/>
8. Minimizes Adverse Impacts on Surrounding Property				
	<p>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.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <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"/>
9. Minimizes Adverse Fiscal Impacts				
	<p>a. The proposed development should not result in significant adverse fiscal impacts on the city.</p>	<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
Findings: <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>				
10. Compliance with Utility, Service, and Improvement Standards				
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. Findings: <div>The proposed Final Plat is compliant with all applicable regulations.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Provides Adequate Road Systems				
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. Findings: <div>The Final Plat is compliant with this criterion.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities				
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. Findings: <div>There are adequate facilities to serve the development. Civil engineering plans are under review to ensure adequate infrastructure improvements and extensions.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Rational Phasing Plan				
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.		<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
Findings: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> The proposed Final Plat is consistent with the revised phasing plat approved with the Preliminary Plat. </div>			

Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)	Applicability		
	Met	Not Met	N/A
14. Whether the final plat conforms to the preliminary plat, including any conditions of approval. Findings: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> The final plat is consistent with the Preliminary Plat. Since the approval of the Preliminary Plat, the applicant has submitted a revised phasing plan. The proposed final plat is consistent with the revised phasing plan. </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Whether the development will substantially comply with all requirements of this DDC. Findings: <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"/>
16. Whether the development will comply with the applicable technical standards and specifications adopted by the City. Findings: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> The Final Plat complies with the applicable technical standards and specifications adopted by the City. </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FP24-0009 Site Location



Texas Parks & Wildlife, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

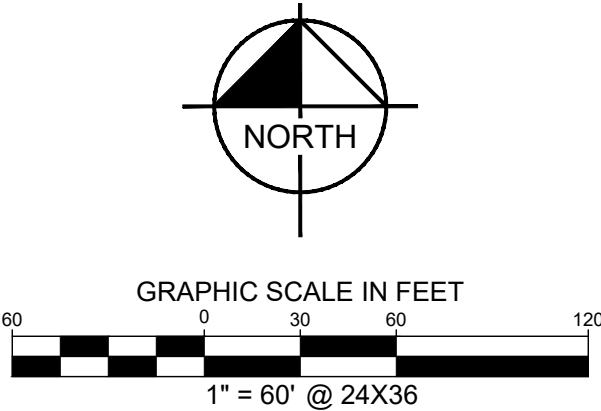
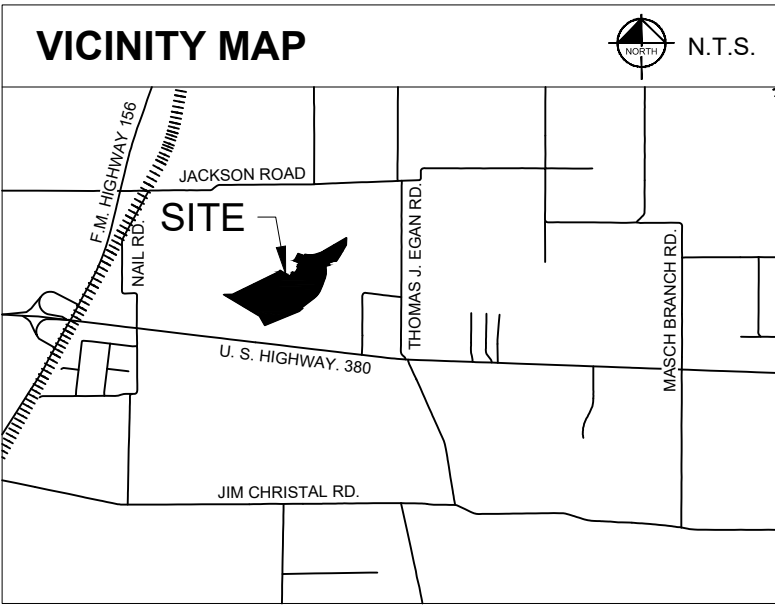
- Roads
- Parcels
- COD
- ETJ
- ETJ 2
- NAA 8/1/20
- NAA 8/1/40

Development Services • GIS
Date: 3/14/2024

38

1 of 1

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 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.

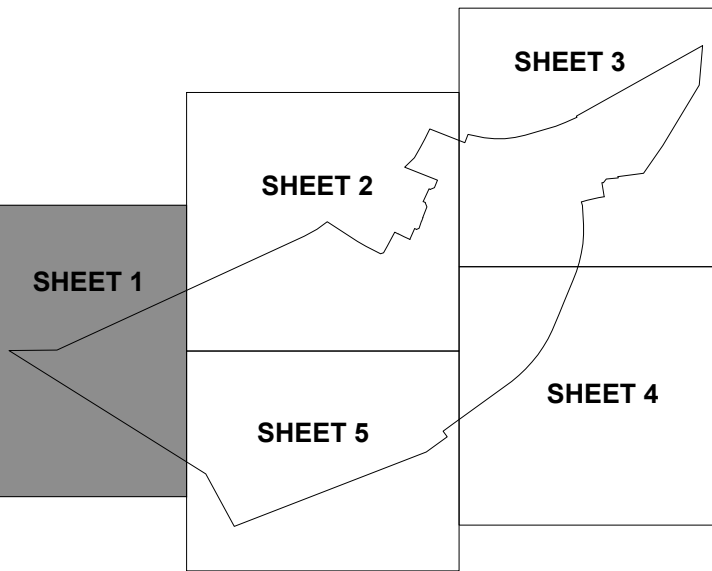


LEGEND

IRF	IRON ROD FOUND	IRSC	1/8" IRON ROD W/ 10"X4" CAP SET
IPF	IRON PIPE FOUND	IRPC	IRON ROD WITH CAP FOUND
XC	1/2" CUT IN CONCRETE FOUND	P.O.B.	POINT OF BEGINNING
DOC	DOCUMENT	B.L.	BUILDING LINE
VOL.	VOLUME	P.S.	PAGE
D.E.	DRAINAGE EASEMENT		STREET NAME CHANGE
U.E.	UTILITY EASEMENT		
V.E.	VISIBILITY EASEMENT		
D.R.D.C.T.	DEED RECORDS OF DENTON COUNTY, TEXAS		
O.R.D.C.T.	OFFICIAL RECORDS OF DENTON COUNTY, TEXAS		
P.R.D.C.T.	PLAT RECORDS OF DENTON COUNTY, TEXAS		

LINE TYPE LEGEND

————	BOUNDARY LINE
————	BUILDING LINE
----	EASEMENT LINE



FINAL PLAT
HICKORY GROVE, PHASE 2

BLOCK A, LOTS 3X, 4X, 49-57, 58X & 59-67; BLOCK M, LOTS 16-29;
BLOCK N, LOTS 1-8 & 9X; BLOCK O, LOTS 1-39;
BLOCK P, LOTS 1-13, 14X & 15-29; BLOCK R, LOTS 1-13 & 14X;
BLOCK S, LOTS 8-17; BLOCK T, LOTS 57X, 124-130 & 132X;
BLOCK V, LOTS 14-17

141 RESIDENTIAL LOTS
8 HOA LOTS

58.822 ACRES

OUT OF THE
THOMAS EAGAN SURVEY, ABSTRACT NO. 406, M.E.P. & P. RR. CO.
SURVEY ABSTRACT NO. 1470; WILLIAM DAVIS SURVEY, ABSTRACT NO.
374 & THOMAS POLK SURVEY, ABSTRACT NO. 998
CITY OF DENTON E.T.J., DENTON COUNTY, TEXAS
CITY PROJECT #FP24-____
MARCH 2024

Kimley»Horn

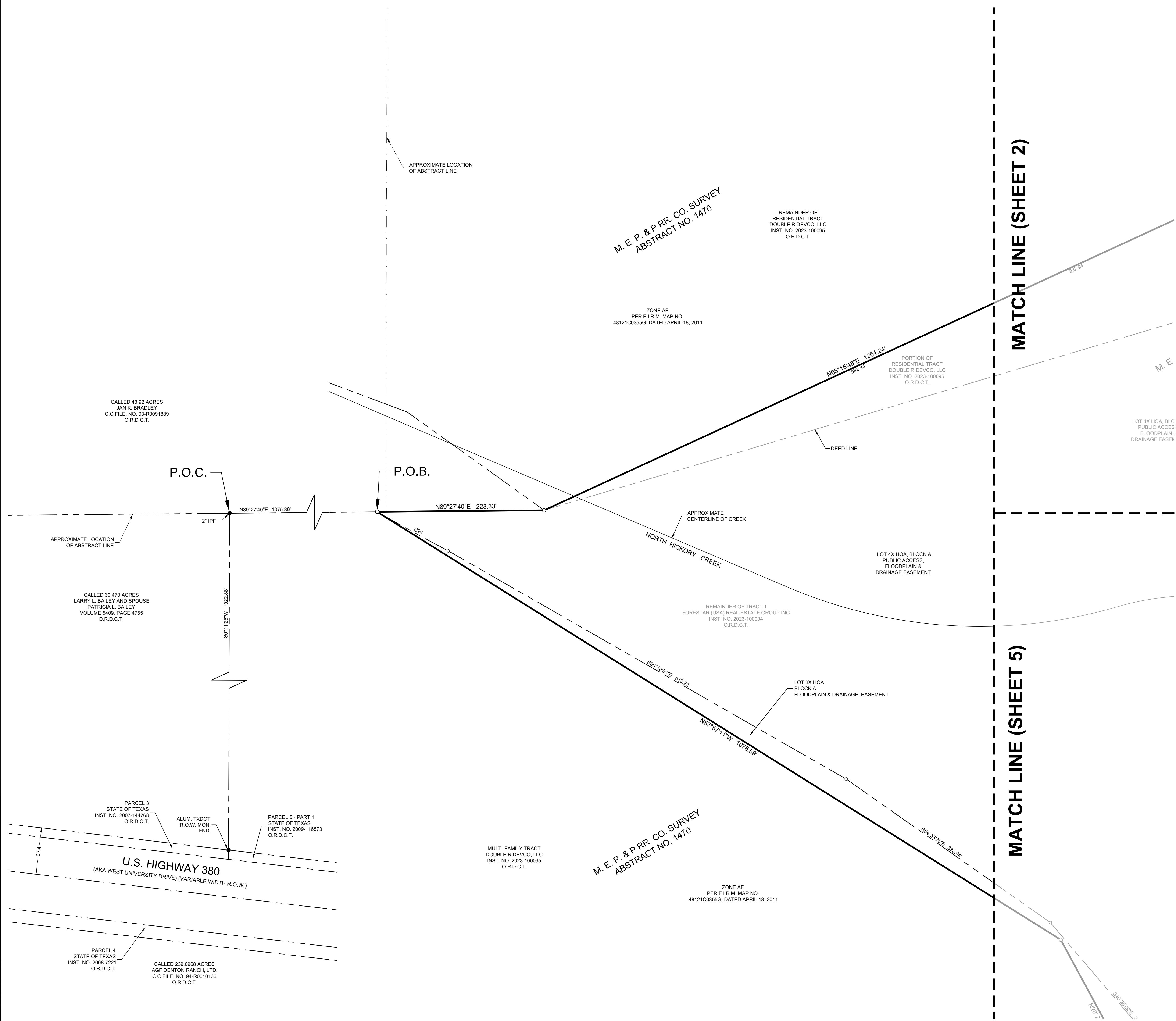
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

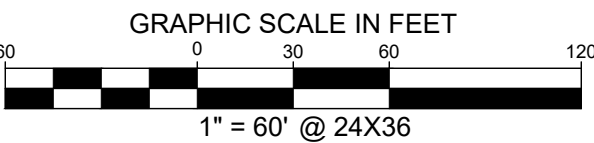
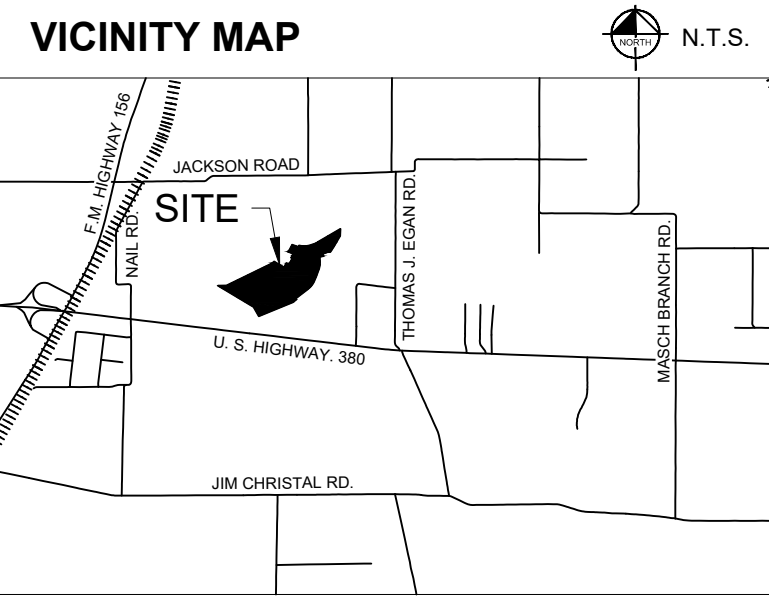
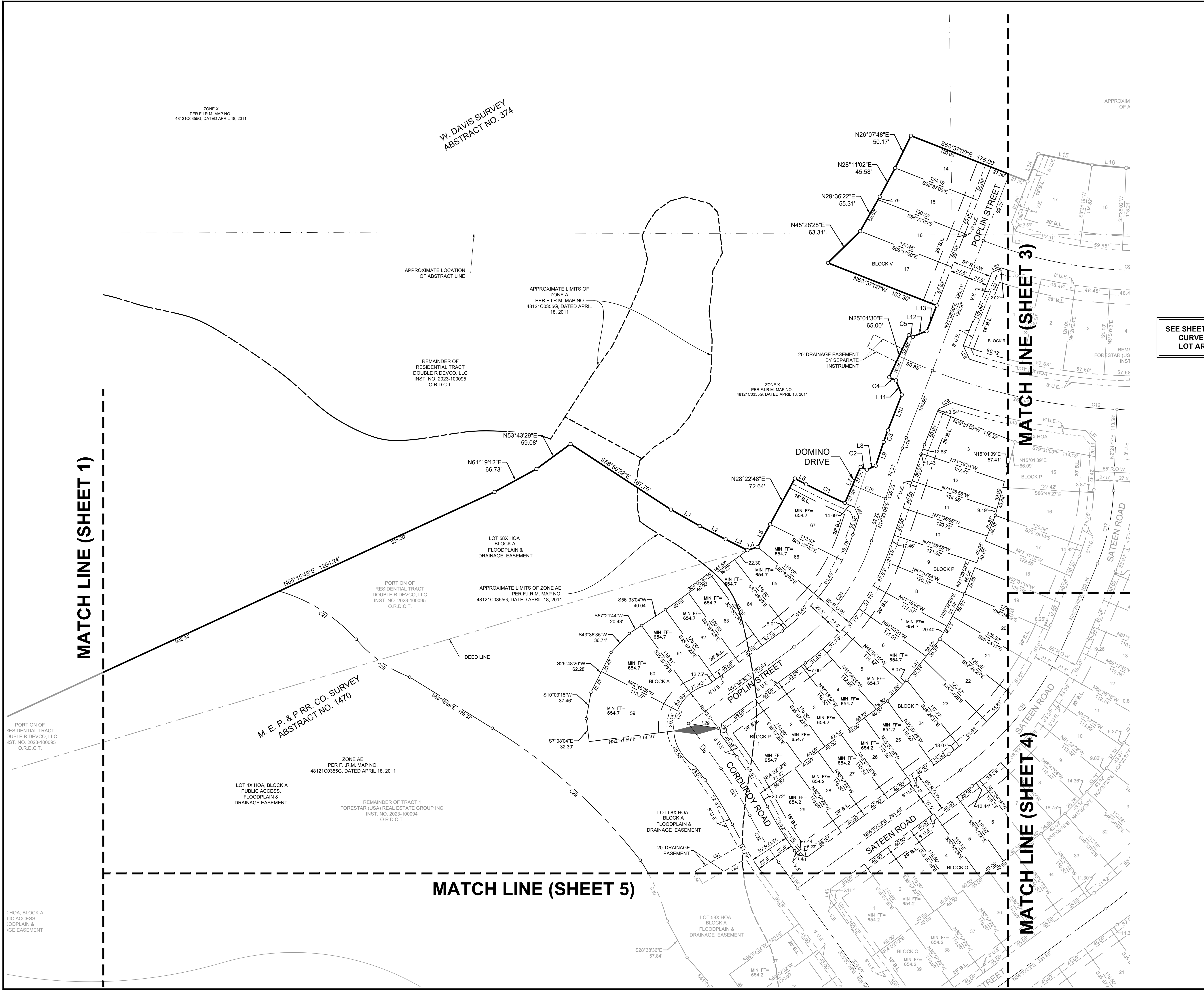
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	JCC	KHA	MARCH 2024	068517166	1 OF 7

OWNER:
D.R. Horton - Texas, Ltd.
6751 North Freeway
Fort Worth, TX 76131
Ph: (817) 230-0805
Contact: Justin Bosworth, P.E.

APPLICANT:
Kimley-Horn & Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (469) 576-1056
Contact: Thomas L. Fletcher, P.E.

SURVEYOR:
Kimley-Horn & Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (972) 335-3580
Contact: Michael Marx, RPLS





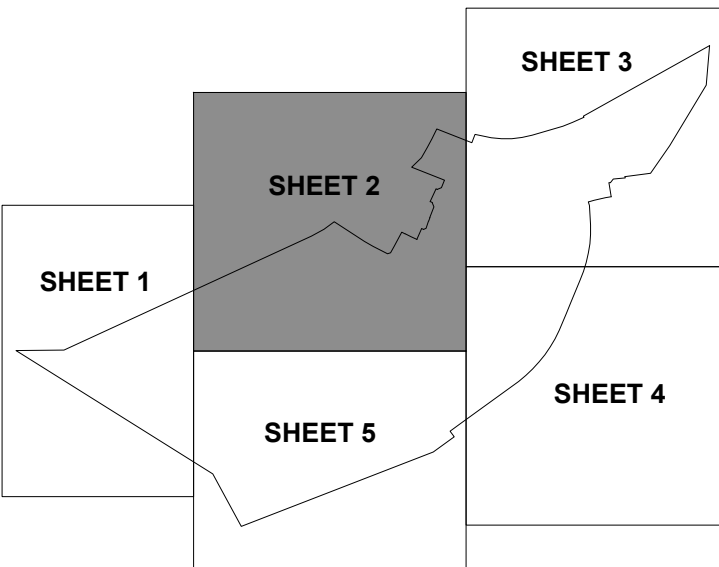
LEGEND

IRF	IRON ROD FOUND	IRSC	5/8" IRON ROD WITH "H" CAP SET
IRP	IRON PIPE FOUND	IRPC	IRON ROD WITH CAP FOUND
XC	"X" CUT IN CONCRETE FOUND	P.O.B.	POINT OF BEGINNING
DOC	DOCUMENT	B.L.	BUILDING LINE
VOL	VOLUME	PS	PAGE
D.E.	DRAINAGE EASEMENT		STREET NAME CHANGE
U.E.	UTILITY EASEMENT		
V.E.	VISIBILITY EASEMENT		
D.R.D.C.T.	DEED RECORDS OF DENTON COUNTY, TEXAS		
O.R.D.C.T.	OFFICIAL RECORDS OF DENTON COUNTY, TEXAS		
P.R.D.C.T.	PLAT RECORDS OF DENTON COUNTY, TEXAS		

LINE TYPE LEGEND

	BOUNDARY LINE
	BUILDING LINE
	EASEMENT LINE

SEE SHEET 6 FOR LINE & CURVE TABLES & LOT AREA TABLE



KEY MAP
N.T.S.

FINAL PLAT
HICKORY GROVE, PHASE 2

BLOCK A, LOTS 3X, 4X, 49-57, 58X & 59-67; BLOCK M, LOTS 16-29;
BLOCK N, LOTS 1-8 & 9X; BLOCK O, LOTS 1-39;
BLOCK P, LOTS 1-13, 14X & 15-29; BLOCK R, LOTS 1-13 & 14X;
BLOCK S, LOTS 8-17; BLOCK T, LOTS 57X, 124-130 & 132X;
BLOCK V, LOTS 14-17

141 RESIDENTIAL LOTS
8 HOA LOTS

58.822 ACRES

OUT OF THE
THOMAS EAGAN SURVEY, ABSTRACT NO. 406, M.E.P. & P. RR. CO.
SURVEY ABSTRACT NO. 1470; WILLIAM DAVIS SURVEY, ABSTRACT NO.
374 & THOMAS POLK SURVEY, ABSTRACT NO. 998
CITY OF DENTON E.T.J., DENTON COUNTY, TEXAS
CITY PROJECT #FP24-_____
MARCH 2024

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	JCC	KHA	MARCH 2024	068517166	2 OF 7

OWNER:

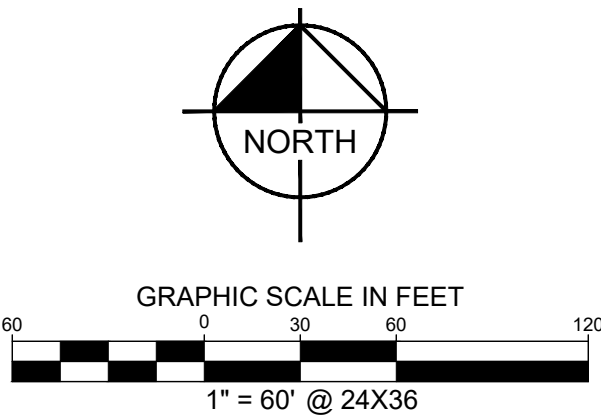
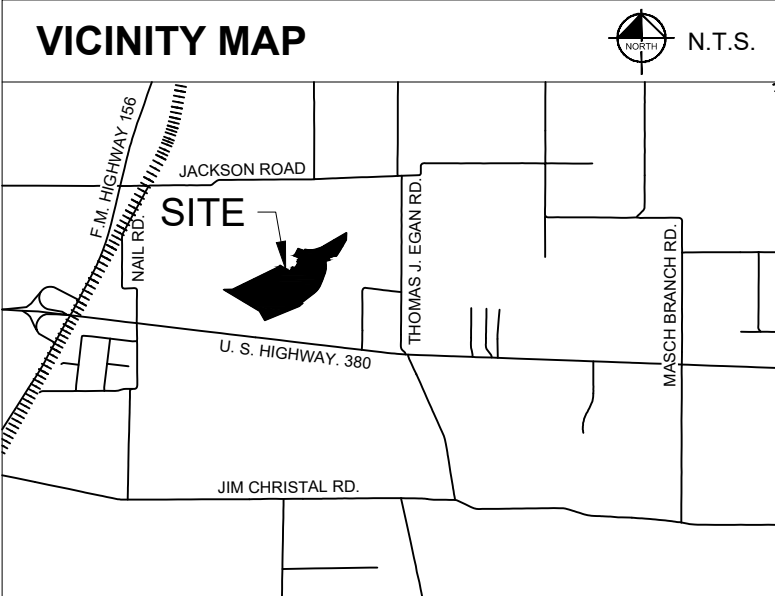
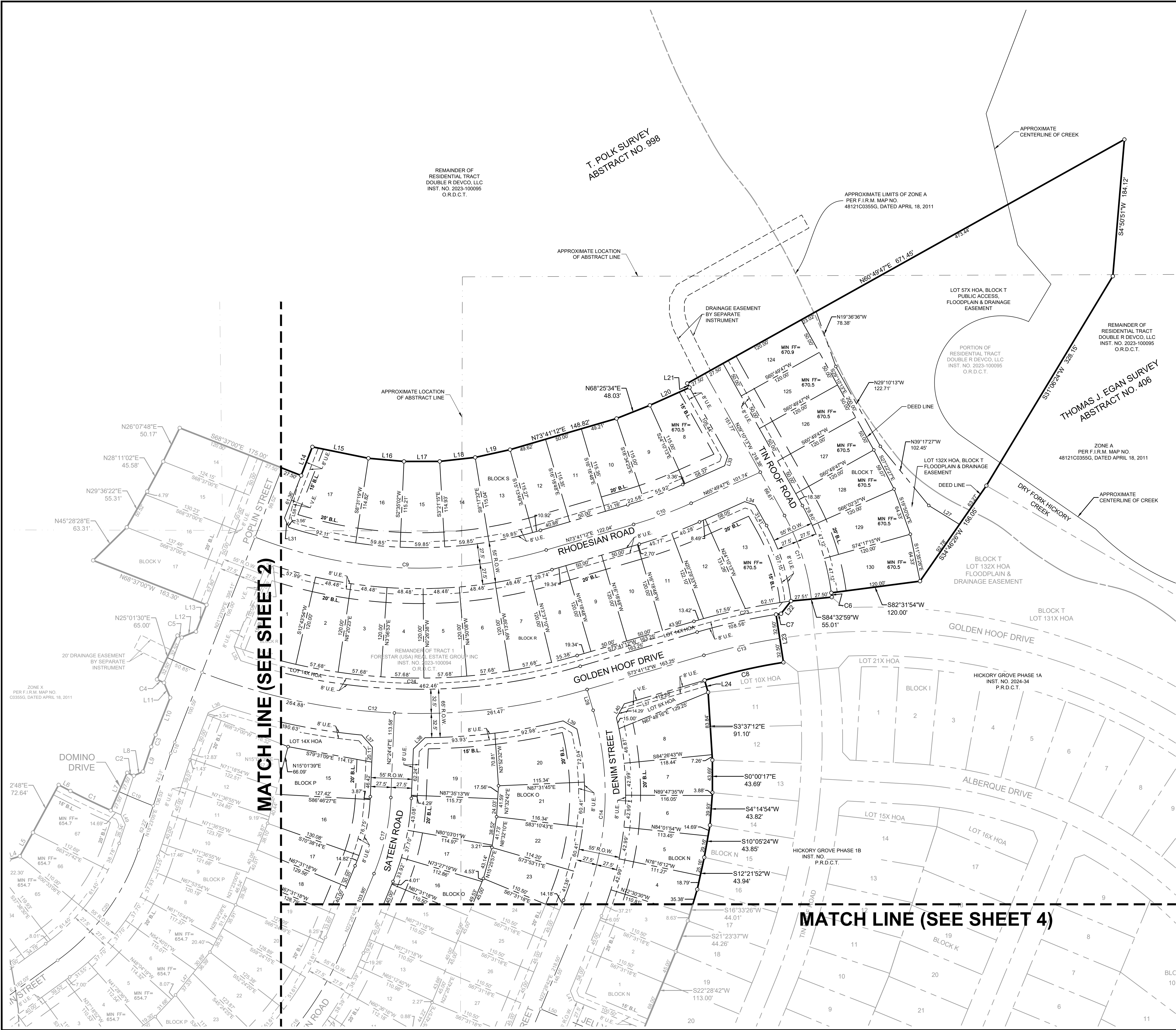
D.R. Horton - Texas, Ltd.
6751 North Freeway
Fort Worth, TX 76131
Ph: (817) 230-0805
Contact: Justin Bosworth, P.E.

APPLICANT:

Kimley-Horn & Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (469) 576-1056
Contact: Thomas L. Fletcher, P.E.

SURVEYOR:

Kimley-Horn and Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (972) 335-3580
Contact: Michael Marx, RPLS



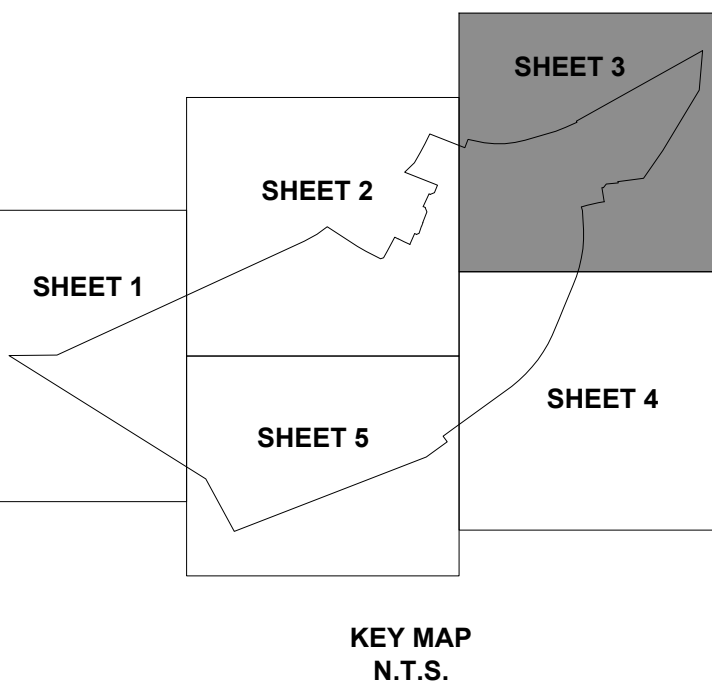
LEGEND

IRF	IRON ROD FOUND	IRSC	5/8" IRON ROD W/ 10"X4" CAP SET
IRF	IRON PIPE FOUND	IRPC	IRON ROD WITH CAP FOUND
XC	"X" CUT IN CONCRETE FOUND	P.O.B.	POINT OF BEGINNING
DOC	DOCUMENT	B.L.	BUILDING LINE
VOL	VOLUME	P.S.	PAGE
D.E.	DRAINAGE EASEMENT		STREET NAME CHANGE
U.E.	UTILITY EASEMENT		
V.E.	VISIBILITY EASEMENT		
D.R.D.C.T.	DEED RECORDS OF DENTON COUNTY, TEXAS		
O.R.D.C.T.	OFFICIAL RECORDS OF DENTON COUNTY, TEXAS		
P.R.D.C.T.	PLAT RECORDS OF DENTON COUNTY, TEXAS		

LINE TYPE LEGEND

—————	BOUNDARY LINE
—————	BUILDING LINE
—————	EASEMENT LINE

SEE SHEET 6 FOR LINE & CURVE TABLES & LOT AREA TABLE



FINAL PLAT HICKORY GROVE, PHASE 2

BLOCK A, LOTS 3X, 4X, 49-57, 58X & 59-67; BLOCK M, LOTS 16-29;
BLOCK N, LOTS 1-8 & 9X; BLOCK O, LOTS 1-39;
BLOCK P, LOTS 1-13, 14X & 15-29; BLOCK R, LOTS 1-13 & 14X;
BLOCK S, LOTS 8-17; BLOCK T, LOTS 57X, 124-130 & 132X;
BLOCK V, LOTS 14-17

141 RESIDENTIAL LOTS
8 HOA LOTS

58.822 ACRES

OUT OF THE
THOMAS EAGAN SURVEY, ABSTRACT NO. 406, M.E.P. & P. RR. CO.
SURVEY ABSTRACT NO. 1470; WILLIAM DAVIS SURVEY, ABSTRACT NO.
374 & THOMAS POLK SURVEY, ABSTRACT NO. 998
CITY OF DENTON E.T.J., DENTON COUNTY, TEXAS
CITY PROJECT #FP24—
MARCH 2024

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	JCC	KHA	MARCH 2024	068517166	3 OF 7

OWNER:

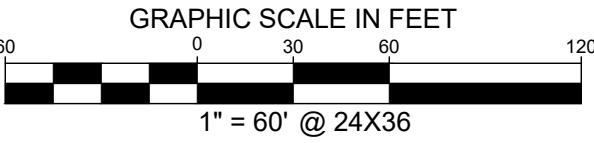
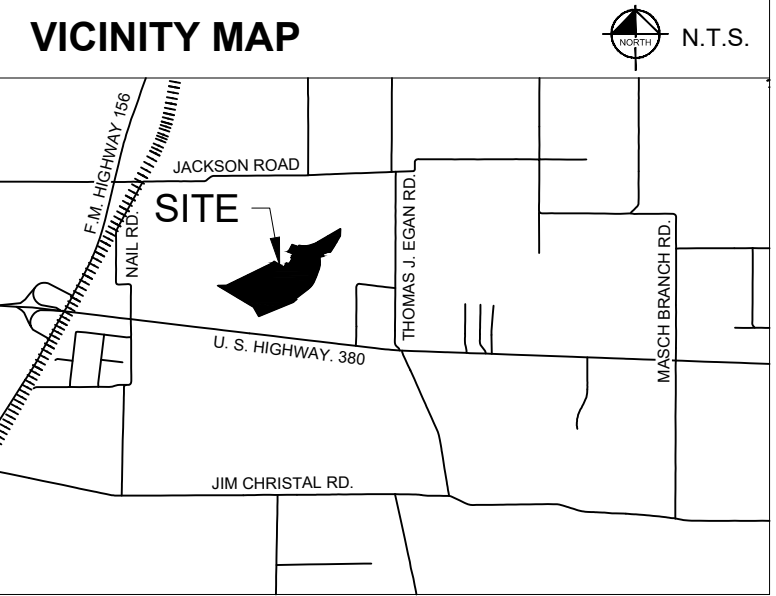
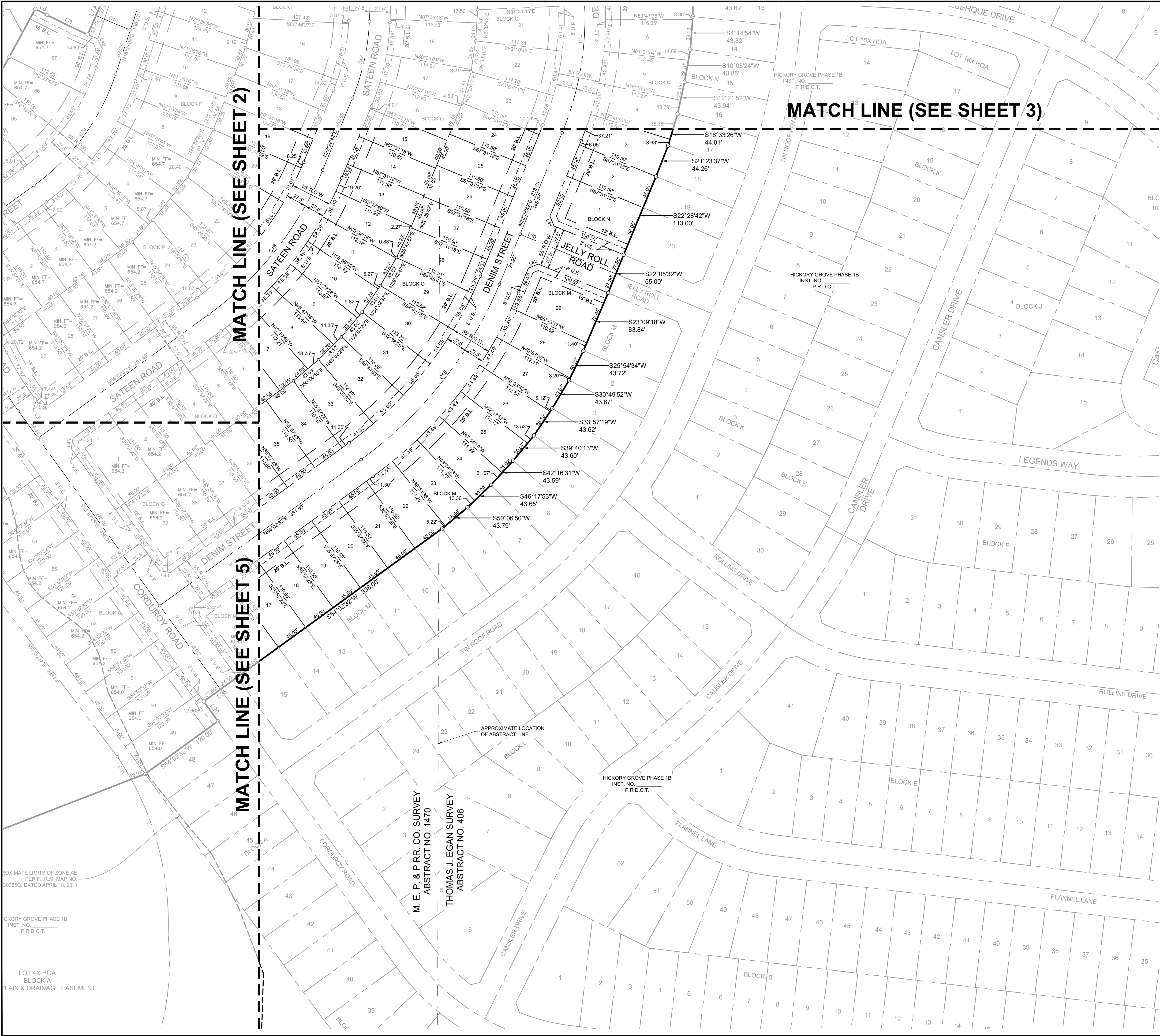
D.R. Horton - Texas, Ltd.
6751 North Freeway
Fort Worth, TX 76131
Ph: (817) 230-0905
Contact: Justin Bosworth, P.E.

APPLICANT:

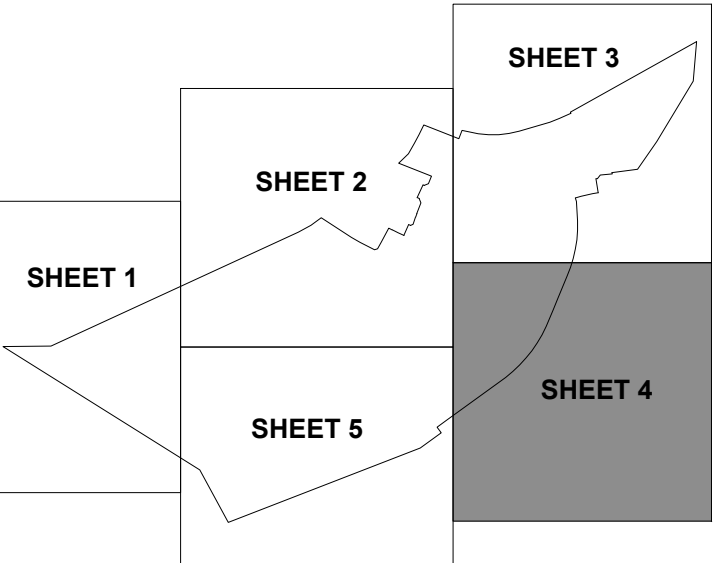
Kimley-Horn & Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (469) 576-1056
Contact: Thomas L. Fletcher, P.E.

SURVEYOR:

Kimley-Horn & Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (972) 335-3580
Contact: Michael Marx, RPLS



LEGEND	
IRF	IRON ROD FOUND
IRFC	IRON ROD WITH CAP FOUND
XC	"X" CUT IN CONCRETE FOUND
DOC	DOCUMENT
VOL	VOLUME
D.E.	DRAINAGE EASEMENT
U.E.	UTILITY EASEMENT
V.E.	VISIBILITY EASEMENT
D.R.D.C.T.	DEED RECORDS OF DENTON COUNTY, TEXAS
O.R.D.C.T.	OFFICIAL RECORDS OF DENTON COUNTY, TEXAS
P.R.D.C.T.	PLAT RECORDS OF DENTON COUNTY, TEXAS
LINE TYPE LEGEND	
---	BOUNDARY LINE
---	BUILDING LINE
---	EASEMENT LINE



KEY MAP
N.T.S.

FINAL PLAT HICKORY GROVE, PHASE 2

BLOCK A, LOTS 3X, 4X, 49-57, 58X & 59-67; BLOCK M, LOTS 16-29;
BLOCK N, LOTS 1-8 & 9X; BLOCK O, LOTS 1-39;
BLOCK P, LOTS 1-13, 14X & 15-29; BLOCK R, LOTS 1-13 & 14X;
BLOCK S, LOTS 8-17; BLOCK T, LOTS 57X, 124-130 & 132X;
BLOCK V, LOTS 14-17

141 RESIDENTIAL LOTS
8 HOA LOTS

58.822 ACRES

OUT OF THE
THOMAS EAGAN SURVEY, ABSTRACT NO. 406, M.E.P. & P. RR. CO.
SURVEY ABSTRACT NO. 1470; WILLIAM DAVIS SURVEY, ABSTRACT NO.
374 & THOMAS POLK SURVEY, ABSTRACT NO. 998
CITY OF DENTON E.T.J., DENTON COUNTY, TEXAS
CITY PROJECT #FP24-
MARCH 2024

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822

Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	JCC	KHA	MARCH 2024	068517166	4 OF 7

OWNER:

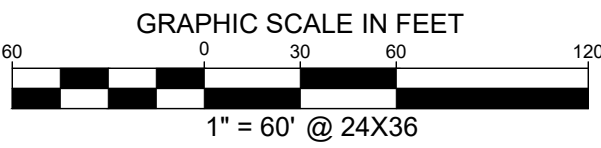
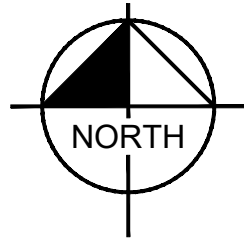
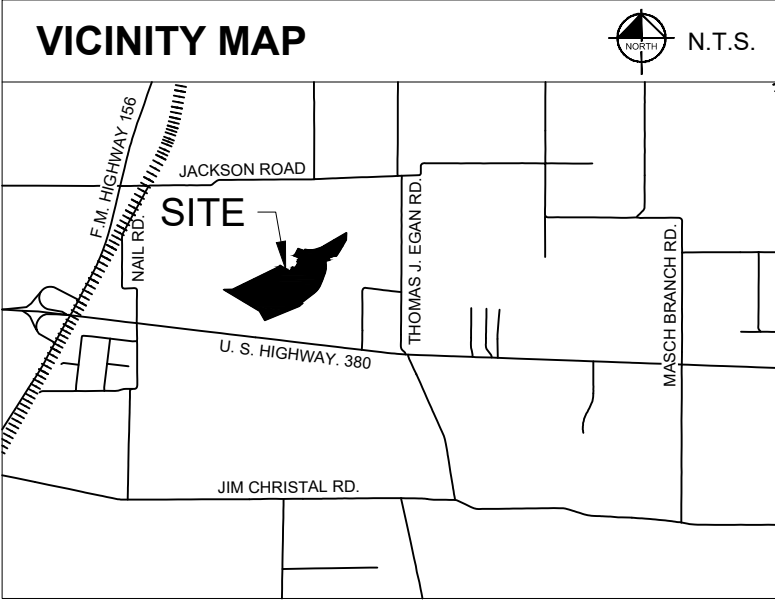
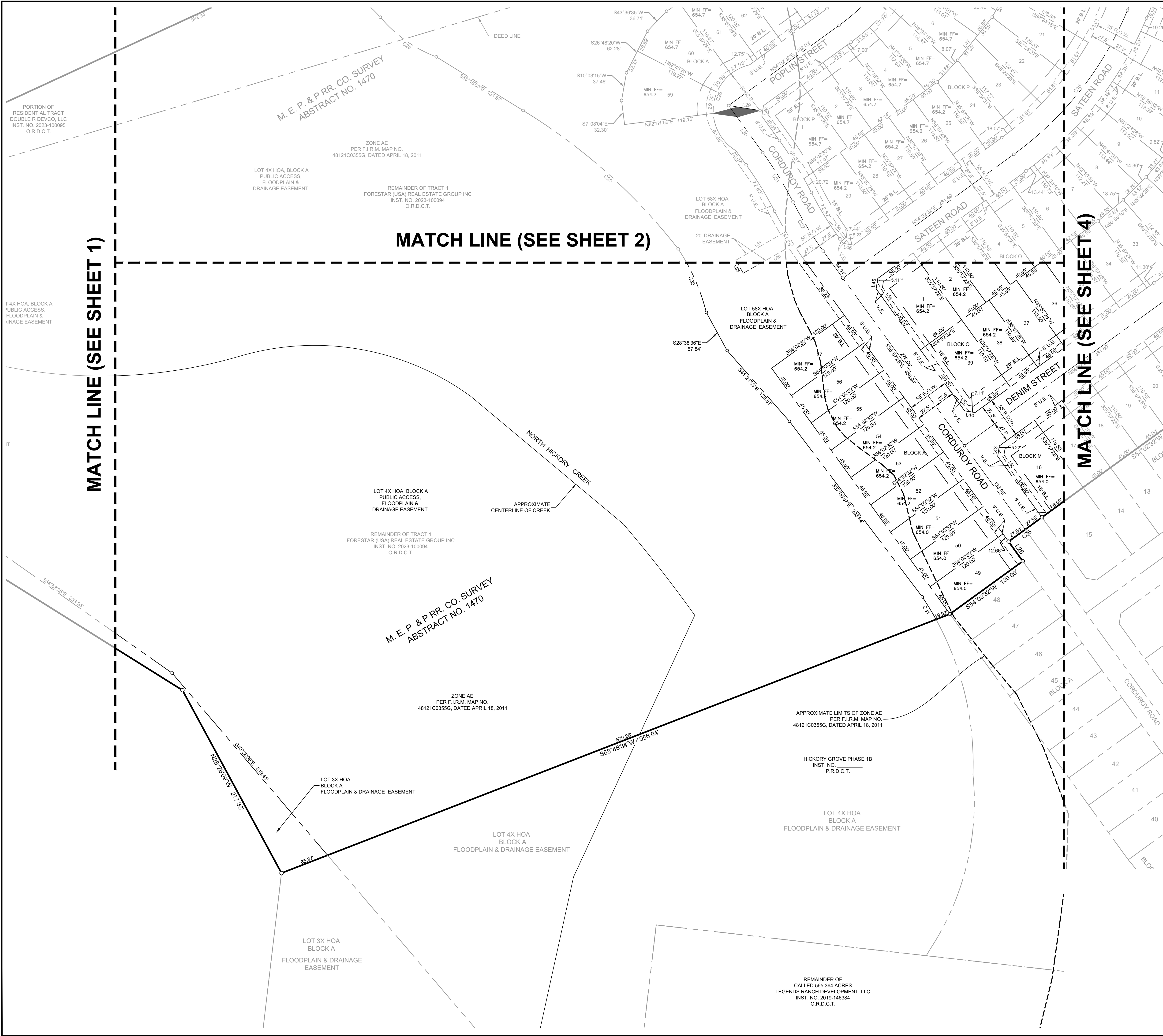
D.R. Horton - Texas, Ltd.
6751 North Freeway
Fort Worth, TX 76131
Ph: (817) 230-0805
Contact: Justin Bosworth, P.E.

APPLICANT:

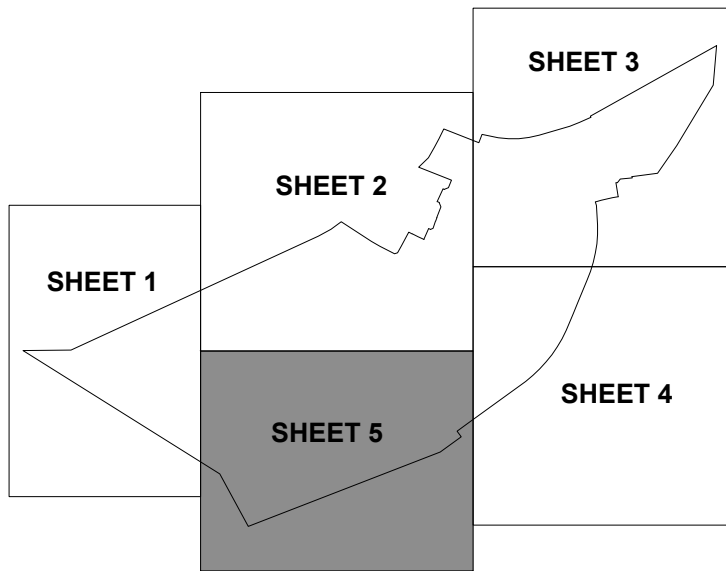
Kimley-Horn & Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (469) 576-1056
Contact: Thomas L. Fletcher, P.E.

SURVEYOR:

Kimley-Horn and Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (972) 335-3580
Contact: Michael Marx, RPLS



LEGEND	
IRF	IRON ROD FOUND
IRFC	IRON ROD WITH CAP FOUND
XC	"X" CUT IN CONCRETE FOUND
DOC	DOCUMENT
VOL	VOLUME
D.E.	DRAINAGE EASEMENT
U.E.	UTILITY EASEMENT
V.E.	VEHICLE EASEMENT
D.R.D.C.T.	DEED RECORDS OF DENTON COUNTY, TEXAS
O.R.D.C.T.	OFFICIAL RECORDS OF DENTON COUNTY, TEXAS
P.R.D.C.T.	PLAT RECORDS OF DENTON COUNTY, TEXAS
LINE TYPE LEGEND	
---	BOUNDARY LINE
---	BUILDING LINE
---	EASEMENT LINE



KEY MAP
N.T.S.

FINAL PLAT HICKORY GROVE, PHASE 2

BLOCK A, LOTS 3X, 4X, 49-57, 58X & 59-67; BLOCK M, LOTS 16-29;
BLOCK N, LOTS 1-8 & 9X; BLOCK O, LOTS 1-39;
BLOCK P, LOTS 1-13, 14X & 15-29; BLOCK R, LOTS 1-13 & 14X;
BLOCK S, LOTS 8-17; BLOCK T, LOTS 57X, 124-130 & 132X;
BLOCK V, LOTS 14-17

141 RESIDENTIAL LOTS
8 HOA LOTS

58.822 ACRES

OUT OF THE
THOMAS EAGAN SURVEY, ABSTRACT NO. 406, M.E.P. & P. RR. CO.
SURVEY ABSTRACT NO. 1470; WILLIAM DAVIS SURVEY, ABSTRACT NO. 998
374 & THOMAS POLK SURVEY, ABSTRACT NO. 998
CITY OF DENTON E.T.J., DENTON COUNTY, TEXAS
CITY PROJECT #FP24-____
MARCH 2024

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	JCC	KHA	MARCH 2024	068517166	5 OF 7

OWNER:

D.R. Horton - Texas, Ltd.
6751 North Freeway
Fort Worth, TX 76131
Ph: (817) 230-0805
Contact: Justin Bosworth, P.E.

APPLICANT:

Kimley-Horn & Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (469) 576-1056
Contact: Thomas L. Fletcher, P.E.

SURVEYOR:

Kimley-Horn & Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (972) 335-3580
Contact: Michael Marx, RPLS

OWNERS' CERTIFICATE

STATE OF TEXAS
COUNTY OF DENTON
CITY OF DENTON

\$
\$
\$

WHEREAS FORESTAR (USA) REAL ESTATE GROUP INC AND DOUBLE R DEVCO, LLC, are the owners of a tract of land situated in the M.E.P. & P. RR. CO. Survey, Abstract No. 1470, the Thomas J. Egan Survey, Abstract No. 406, the Thomas Polk Survey, Abstract No. 998 and the William Davis Survey, Abstract No. 374, City of Denton E.T.J., Denton County, Texas, and being a portion of a tract of land described as Tract 1 in a deed to Forstar (USA) Real estate Group, Inc., recorded in Instrument No. 2023-100094 of the Official Records of Denton County, Texas, and being a portion of a tract of land described as Residential Tract in a deed to Double R Devco, recorded in Instrument No. 2023-100095 of the Official Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at a 2 inch iron pipe found on the southerly line of a called 43.92 acre tract of land described in a Special Warranty Deed with Vendor's Lien to Jan K. Bradley, recorded in County Clerk's File No. 93-R0091889 of the Official Records of Denton County, Texas, for the northeast corner of a called 30.470 acre tract of land described in a Warranty Deed with Vendor's Lien to Larry L. Bailey and spouse, Patricia L. Bailey, recorded in Volume 5409, Page 4755 of the Deed Records of Denton County, Texas, and the northwest corner of a tract of land described as Multi-Family Tract In a deed to Double R Devco, LLC, recorded in Instrument No. 2023-100095 of the Official Records of Denton County, Texas;

THENCE North 89°27'40" East, along the southerly line of said 43.92 acre tract and along the northerly line of said Multi-Family Tract, a distance of 1,075.88 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northernmost northeast corner of said Multi-Family Tract, common to the westernmost northwest corner of said Tract 1 and being the POINT OF BEGINNING of the herein described tract of land;

THENCE North 89°27'40" East, continuing along the southerly line of said 43.92 acre tract and along the northerly line of said Tract 1, a distance of 223.33 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southeast corner of said 43.92 acre tract, common to the southernmost corner of said Residential Tract, same being an angle point in the northerly line of said Tract 1;

THENCE crossing said Residential Tract, the following courses and distances:

North 65°15'48" East, a distance of 1,264.24 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 61°19'12" East, a distance of 66.73 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 53°43'29" East, a distance of 59.08 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 56°50'22" East, a distance of 167.70 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 60°24'37" East, a distance of 46.26 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 62°37'10" East, a distance of 40.68 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 63°30'25" East, a distance of 34.06 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 72°36'49" East, a distance of 14.94 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner on the southerly line of said Residential Tract, same being the northerly line of said Tract 1;

THENCE along the common line of said Residential Tract and said Tract 1, the following courses and distances:

North 28°46'16" East, a distance of 36.33 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 28°22'48" East, a distance of 72.64 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 62°37'10" East, a distance of 17.77 feet to a 5/8 inch the beginning of a tangent curve to the left with a radius of 1,018.00 feet, a central angle of 03°22'48", and a chord bearing and distance of South 64°18'34" East, 60.05 feet;

In a southeasterly direction, with said tangent curve to the left, an arc distance of 60.06 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 23°33'21" East, a distance of 55.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the left with a radius of 00°34'40", and a chord bearing and distance of South 66°15'47" East, 9.71 feet;

In a southeasterly direction, with said non-tangent curve to the left, an arc distance of 9.71 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 65°46'03" East, a distance of 13.54 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 18°23'05" East, a distance of 35.02 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the right with a radius of 327.50 feet, a central angle of 02°59'55", and a chord bearing and distance of North 19°53'03" East, 17.14 feet;

In a northeasterly direction, with said tangent curve to the right, an arc distance of 17.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 21°23'00" East, a distance of 53.54 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 22°24'42" West, a distance of 21.65 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the right with a radius of 832.50 feet, a central angle of 00°42'58", and a chord bearing and distance of North 65°19'59" West, 10.41 feet;

In a northwesterly direction, with said non-tangent curve to the right, an arc distance of 10.41 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 25°01'30" East, a distance of 65.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the left with a radius of 767.50 feet, a central angle of 00°25'02", and a chord bearing and distance of South 65°11'01" East, 5.59 feet;

In a southeasterly direction, with said non-tangent curve to the left, an arc distance of 5.59 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 67°41'23" East, a distance of 21.67 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 21°23'00" East, a distance of 38.04 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 68°37'00" West, a distance of 163.30 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 45°28'28" East, a distance of 63.31 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 29°36'22" East, a distance of 55.31 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 28°11'02" East, a distance of 45.58 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 26°07'48" East, a distance of 50.17 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 68°37'00" East, a distance of 175.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 21°23'00" East, a distance of 41.29 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 78°28'30" East, a distance of 76.62 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 84°54'33" East, a distance of 47.91 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 89°56'34" East, a distance of 47.90 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 83°33'23" East, a distance of 47.91 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 77°27'39" East, a distance of 47.90 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 73°41'12" East, a distance of 148.82 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 68°25'34" East, a distance of 48.03 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 65°49'47" East, a distance of 58.31 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 29°10'13" West, a distance of 6.32 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE North 60°49'47" East, continuing along the common line of said Residential Tract and said Tract 1, and crossing said Residential Tract, a distance of 671.45 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE South 04°50'51" West, continuing across said Residential Tract, a distance of 184.12 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE South 31°06'24" West, continuing across said Residential Tract, a distance of 328.15 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northernmost corner of Hickory Grove Phase 1A, and addition to the City of Denton, Denton County, Texas according to the Final Plat thereof recorded in Instrument No. 2024-34 of the Plat Records of Denton County, Texas, same being an angle point in the southerly line of said Residential Tract;

THENCE South 34°46'26" West, along the common line of said Hickory Grove Phase 1A and said Residential Tract, a distance of 156.05 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for a southerly corner of said Residential Tract;

THENCE along the northerly line of said Hickory Grove Phase 1A, the following courses and distances:

South 82°31'54" West, a distance of 120.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the right with a radius of 327.50 feet, a central angle of 01°01'42", and a chord bearing and distance of South 06°57'15" East, 5.88 feet;

In a southeasterly direction, with said non-tangent curve to the right, an arc distance of 5.88 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 84°32'59" West, a distance of 55.01 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 38°13'59" West, a distance of 21.61 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the left with a radius of 832.50 feet, a central angle of 00°27'59", and a chord bearing and distance of South 81°23'28" West, 6.78 feet;

In a southwesterly direction, with said non-tangent curve to the left, an arc distance of 6.78 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 08°50'31" East, a distance of 65.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for a northwesterly corner of said Hickory Grove Phase 1A, same being on the northerly line of Hickory Grove Phase 1B, an addition to the City of Denton, Denton County, Texas according to the Final Plat thereof recorded in Instrument No. _____ of the Plat Records of Denton County, Texas, same also being at the beginning of a non-tangent curve to the left with a radius of 776.73 feet, a central angle of 08°00'30", and a chord bearing and distance of South 77°07'49" West, 108.48 feet;

THENCE in a southwesterly direction, along the northerly line of said Hickory Grove Phase 1B, with said non-tangent curve to the left, an arc distance of 108.57 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said Hickory Grove Phase 1B;

THENCE along the westerly line of said Hickory Grove Phase 1B, the following courses and distances:

South 16°18'48" East, a distance of 16.72 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 03°37'12" East, a distance of 91.10 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 00°00'17" East, a distance of 43.69 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 04°14'54" West, a distance of 43.82 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 10°05'24" West, a distance of 43.85 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 12°21'52" West, a distance of 43.94 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 16°33'26" West, a distance of 44.01 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 21°23'37" West, a distance of 44.26 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 22°28'42" West, a distance of 113.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 22°05'32" West, a distance of 55.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 23°09'18" West, a distance of 83.84 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 25°54'34" West, a distance of 43.72 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 30°49'52" West, a distance of 43.67 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 33°57'19" West, a distance of 43.62 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 39°40'13" West, a distance of 43.60 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 42°16'31" West, a distance of 43.59 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 46°17'53" West, a distance of 43.65 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 50°06'50" West, a distance of 43.79 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 54°02'32" West, a distance of 338.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 54°02'32" West, a distance of 55.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 35°57'28" East, a distance of 32.34 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 54°02'32" West, a distance of 120.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 68°48'34" West, a distance of 956.04 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the westernmost northwest corner of said Hickory Grove Phase 1B, common to the easternmost northeast corner of aforementioned Multi-Family Tract, same being on the westerly line of said Tract 1;

THENCE North 28°26'09" West, along the common line of said Multi-Family Tract and said Tract 1, a distance of 277.38 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE North 57°57'11" West, continuing along the common line of said Multi-Family Tract and said Tract 1, a distance of 1,078.59 feet to the POINT OF BEGINNING and containing 58.822 acres (2,562,304 square feet) of land, more or less.

OWNER'S DEDICATION

STATE OF TEXAS

\$

COUNTY OF DENTON

\$

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, Forstar (USA) Real Estate Group Inc and Double R Devco, LLC, do hereby adopt this plat designating the herein described property as LEGENDS RANCH, PHASE 2, an addition in Denton County, Texas, and do hereby dedicate to the public use forever, the streets, alleys, and easements for drainage and utilities shown thereon.

Any public utility shall have the right to remove and keep removed all or part of any building, fence, trees, shrubs or other growths or improvements which in any way endangers or interferes with the construction, maintenance, or efficiency of its respective systems on any of these easement strips, and any public utility shall, at all times, have the right of ingress and egress to and from and upon the said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time procuring permission of anyone.

FLOODWAY, DRAINAGE AND DETENTION EASEMENTS

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 Drainage and Detention 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 the Drainage and Detention 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 Drainage and Detention Easement, 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 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 Drainage and Detention 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 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.

WITNESS MY HAND, this _____ day of _____, 2024.

BY: **Forstar (USA) Real Estate Group Inc**
a Delaware corporation

TITLE

WITNESS MY HAND, this _____ day of _____, 2024.

BY: **Double R Devco, LLC**
a Texas limited liability company

TITLE

STATE OF TEXAS

\$

COUNTY OF COLLIN

\$

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the _____ day of _____, 20____.

Notary Public, State of Texas

My Commission Expires: _____

GENERAL NOTES:

- All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone 4202, using the City of Denton control monumentation. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.999849393.
- Selling a portion of this addition by metes and bounds is a violation of City ordinance and state laws and is subject to fines and withholding of utilities and building permits.
- All corners are 5/8-inch iron rods with a red plastic cap stamped "KHA" set, unless otherwise noted
- According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48121C0355G, for Denton County, Texas and incorporated areas, dated April 18, 2011, this property is located within:

Zone X (unshaded) defined as "Areas determined to be outside the 0.2% annual chance floodplain"

Zone A defined as "Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood (No Base Flood Elevations determined)"

If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
- 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.
- All lots labeled "HOA" are to be owned and maintained by the Homeowner's Association. (Block A, LOTS 3X, 4X & 58X; BLOCK N, LOT 9X; BLOCK P, LOT 14X; BLOCK R, LOT 14X; BLOCK T, LOTS 57X & 132X)
- Lot 4X, Block A and Lot 57X, Block T are dedicated to the City of Denton as Public Access Easements for use by the public for the purpose of walking, running, hiking, biking, or traversing over, upon and across, and otherwise using recreational trails on the areas clearly marked for public trails, and for use by City of Denton for the purpose of location, placement, relocation, construction, operation, enlargement, maintenance, alteration, repair, rebuilding, removal, public use, and patrol of clearly marked public recreational trail facilities, public trail materials, and related appurtenances, equipment, and signage.
- Floodplain 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 Floodplain 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 Floodplain Easement, as herein above defined, unless approved by the City. The owners shall keep the Floodplain 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 Floodplain 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 Floodplain 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 to 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.
- The site will be served through City of Denton water/ sewer.
- Private improvements cannot encroach into existing public or private easements.
- Vertical Datum of Finish Floor is NAVD 88.

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, Michael B. Marx, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision regulations of the City of Denton, Texas.

Michael B. Marx
Registered Professional Land Surveyor No. 5181
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, Texas 75034
Phone 972-335-3580

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

STATE OF TEXAS

\$

COUNTY OF COLLIN

\$

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Michael B. Marx, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2024.

Notary Public, State of Texas

My Commission Expires: _____

APPROVED BY THE PLANNING & ZONING COMMISSION

ON THIS THE _____ DAY OF _____, 20____

CHAIRPERSON, PLANNING AND ZONING COMMISSION

CITY SECRETARY

FINAL PLAT
HICKORY GROVE, PHASE 2

BLOCK A, LOTS 3X, 4X, 49-57, 58X & 59-67; BLOCK M, LOTS 16-29;
BLOCK N, LOTS 1-8 & 9X; BLOCK O, LOTS 1-39;
BLOCK P, LOTS 1-13, 14X & 15-29; BLOCK R, LOTS 1-13 & 14X;
BLOCK S, LOTS 8-17; BLOCK T, LOTS 57X, 124-130 & 132X;
BLOCK V, LOTS 14-17

141 RESIDENTIAL LOTS

8 HOA LOTS

58.822 ACRES

OUT OF THE
THOMAS EAGAN SURVEY, ABSTRACT NO. 406, M.E.P. & P. RR. CO.
SURVEY ABSTRACT NO. 1470; WILLIAM DAVIS SURVEY, ABSTRACT NO.
374 & THOMAS POLK SURVEY, ABSTRACT NO. 998
CITY OF DENTON E.T.J., DENTON COUNTY, TEXAS
CITY PROJECT #FP24-____
MARCH 2024

Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	JCC	KHA	MARCH 2024	068517166	7 OF 7



March 29, 2024

Michelle Reynolds
City of Denton
401 N. Elm Street
Denton, Texas 76201

Re: *Hickory Grove Phase 2 Final Plat – (FP24-0009)*
 30-Day Extension Request Letter
 Denton, Texas

Dear Ms. Reynolds:

We request a 30-day extension of the review period for the above referenced project.

Please contact me at 469-605-2954 or derek.troeger@kimley-horn.com should you have any questions or need any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Derek K. Troeger", with a long horizontal flourish extending to the right.

Derek K. Troeger, P.E.



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: FP24-0006c, **Version:** 1

AGENDA CAPTION

Consider a request by JPI Real Estate Acquisitions, LLC for a Final Plat of the Jefferson Bonnie Brae Addition. The 31.51-acre site is generally located west of Bonnie Brae Road and approximately 150.19 feet south of Bronco Way in the City of Denton, Denton County, Texas. (FP24-0006c, Jefferson Bonnie Brae, Angie Manglaris).



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: April 10, 2024

SUBJECT

Consider a request by JPI Real Estate Acquisitions, LLC for a Final Plat of the Jefferson Bonnie Brae Addition. The 31.51-acre site is generally located west of Bonnie Brae Road and approximately 150.19 feet south of Bronco Way in the City of Denton, Denton County, Texas. (FP24-0006c, Jefferson Bonnie Brae, Angie Manglaris).

BACKGROUND

The purpose of this Final Plat is to create one lot and dedicate associated easements and right-of-way for the development of multifamily residential. The subject property is zoned Mixed-Use Neighborhood (MN).

Date Application Filed:	January 30, 2024
Planning & Zoning Commission Meeting:	February 28, 2024
Days in Review:	29 Days
Date Application Filed:	February 29, 2024
Planning & Zoning Commission Meeting:	March 20, 2024
Days in Review:	20 Days
Date Application Filed:	March 19, 2024
Planning and Zoning Commission Meeting:	April 10, 2024
Days in Review:	22 Days

This is the **third extension request** for this item.

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 an additional 30-day extension to allow for time to work through staff's comments on the plat and allow for additional review (Exhibit 5). Based upon recent updates to Section 212.009, the applicant may request additional 30-day extensions in the future if they are determined to be necessary.

OPTIONS

1. Approve as submitted
2. Approve 3rd Extension Request
3. Deny with reasons

RECOMMENDATION

Staff recommends denial of this plat as it does not meet the established criteria for approval; however, staff has no objection to the requested extension (Exhibit 5) which could be granted to a date certain of April 24, 2024. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
1965	City Council	Annexation	Approved
1969	City Council	Citywide rezoning to Agricultural	Approved
2002	City Council	Citywide rezoning from Agriculture to Neighborhood Residential Mixed Use (NRMU)	Approved
October 1, 2019	City Council	Citywide Rezoning from NRMU to Mixed-Used Neighborhood (MN)	Approved
February 28, 2024	Planning and Zoning Commission	Final Plat 30-day Extension Request	Approved
March 20, 2024	Planning and Zoning Commission	Final Plat 30-day Extension Request	Approved

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
5. Request for Extension
6. LLC Members List

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

Prepared by:
Angie Manglaris, AICP
Development Review Manager

Planning Staff Analysis

FP24-0006c / Jefferson Bonnie Brae Addition

City Council District #3

Planning & Zoning Commission

REQUEST:

Final plat for approximately 31.51 acres of land.

APPLICANT:

Kimley-Horn & Associates, on behalf of JPI Real Estate Acquisitions, LLC.

RECOMMENDATION:

Staff recommends denial of this Final Plat as it does not meet the established approval criteria.

Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
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. Findings: <div>The Final Plat meets all review criteria, as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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. Findings: <div>The Final Plat does not meet all review criteria in Section 2.6.4 as described below: 1. Civil Engineering Plan approval is required prior to recommending approval of the Final Plat.</div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<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
Findings: <div>There is no conflict.</div>				
2. Prior Approvals				
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. Findings: <div>There are no prior approvals.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans. Findings: <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. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings: <div>There are no competing plan goals, policies, and strategies for this site.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. 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. Findings: <div>The overall goals of the Comprehensive Plan are met with the proposed Final Plat.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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. Findings: <div>As detailed herein, the proposed Final Plat complies with this criterion.</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. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div>The subject submittal is a Final Plat, 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"/>
5. Compliance with Other Applicable Regulations				
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. Findings: <div>The Final Plat complies with all applicable city regulations as well as all other applicable regulations, standards, requirements, and/or plans of the federal and state governments.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Consistent with Interlocal and Development Agreements				
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. Findings: <div>No interlocal or development agreements are applicable to this project.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Minimizes Adverse Environmental Impacts				
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. Findings: <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"/>
8. Minimizes Adverse Impacts on Surrounding Property				

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
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. Findings: <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"/>
9. Minimizes Adverse Fiscal Impacts				
a. The proposed development should not result in significant adverse fiscal impacts on the city. Findings: <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"/>
10. Compliance with Utility, Service, and Improvement Standards				
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. Findings: <div>The proposed Final Plat complies with all City regulations as described herein.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Provides Adequate Road Systems				
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. Findings: <div>Adequate road capacity exists external to the site.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities				
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.		<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
Findings: <div>There are adequate facilities to serve the development.</div>				
12. Rational Phasing Plan				
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. Findings: <div>No phasing is proposed for this plat.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)		Applicability		
		Met	Not Met	N/A
13. Whether the final plat conforms to the preliminary plat, including any conditions of approval. Findings: <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, preliminary plats are no longer required. A preliminary plat was not prepared for this project.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. Whether the development will substantially comply with all requirements of this DDC. Findings: <div>This Final Plat does not meet all review criteria, as detailed in criteria 1b above as required by the Denton Development Code.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. Whether the development will comply with the applicable technical standards and specifications adopted by the City. Findings: <div>The Final Plat complies with all applicable technical standards and specifications as detailed herein.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FP24-0006 Site Location



— Roads

Site Location

Parcels

COD

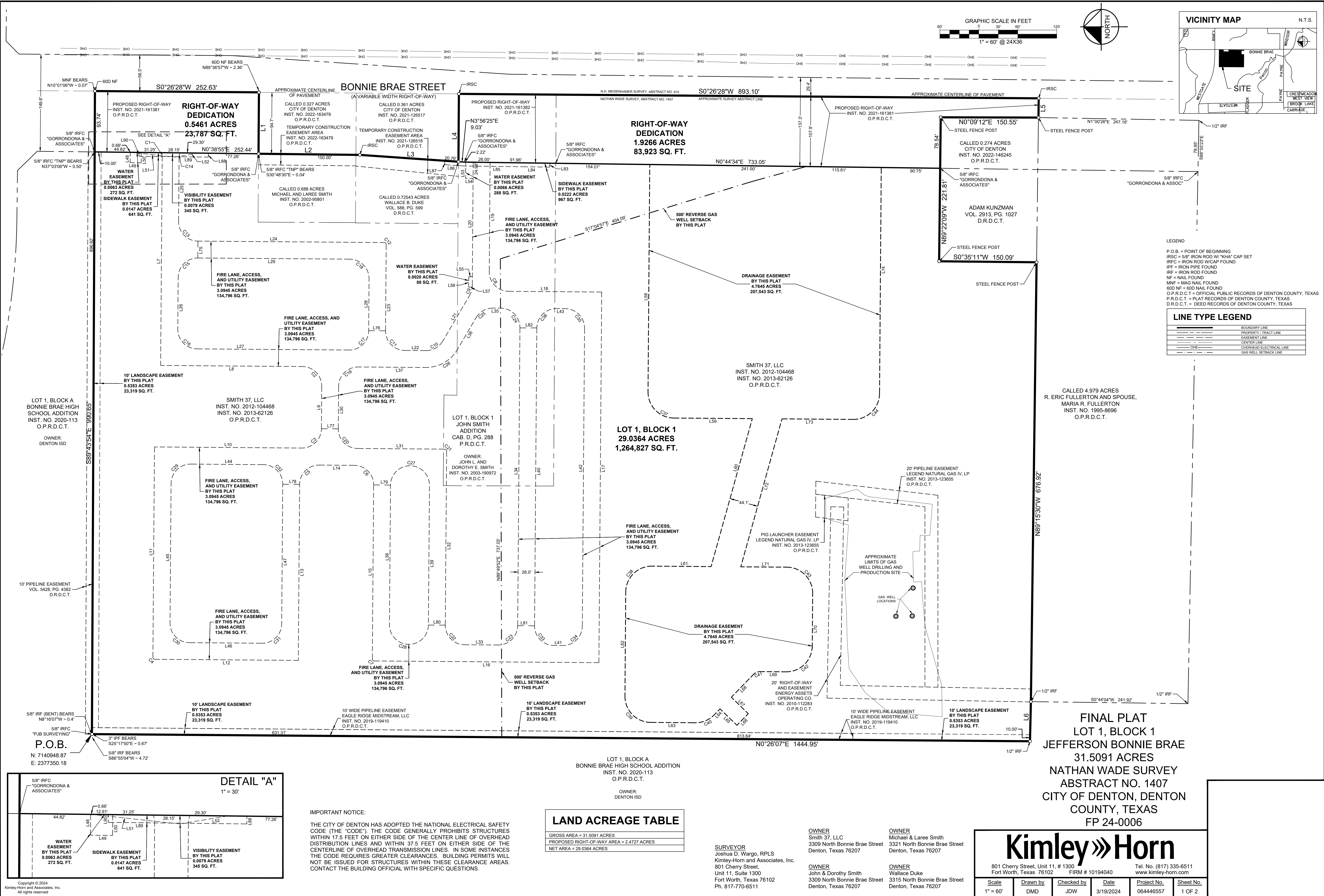
ETJ

ETJ 2

NAA 8/1/20

NAA 8/1/40

0 305 610 1,220 Feet



OWNERS CERTIFICATE

STATE OF TEXAS §
COUNTY OF DENTON §

WHEREAS, Smith 37, LLC, John L. Smith and Dorothy Elaine Smith (Trustees), Michael and Laree Smith, and Wallace B. Duke, are the owners of a 31.5091 acre (1,372,538 square foot) tract of land situated in the Nathan Wade Survey, Abstract No. 1407, Denton County, Texas, and described in deeds recorded in Instrument Nos. 2012-104468, 2013-62126, 2003-190972, 2002-95801, Official Public Records, Denton County, Texas, and in Volume 588, Page 599, Deed Records, Denton County, Texas, and being all of Lot 1, Block 1, John Smith Addition, an addition to the City of Denton according to the plat recorded in Cabinet D, Page 288, Plat Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with cap stamped "PJB SURVEYING" found at the northwest corner of a called 30.672 acre tract of land described in the said deed recorded in Instrument No. 2013-62126, and being an interior corner of Lot 1, Block A, Bonnie Brae High School Addition, an addition to the city of Denton according to the plat recorded in Instrument No. 2020-113, said Official Public Records;

THENCE South 89°43'54" East, along the northernmost south line of said Lot 1, Block A, Bonnie Brae High School Addition, at a distance of 896.92 feet passing a 5/8-inch iron rod with cap stamped "Gorronдона & Associates" found at the northernmost southeast corner of said Lot 1, from which a 5/8-inch iron rod with cap stamped "TNP" found bears North 37°03'06" West, a distance of 0.50 feet, and at a distance of 963.10 passing a 5/8-inch iron rod with cap stamped "TNP" and continuing in all a total distance of 990.65 feet to a 60D nail found for corner in the approximate centerline of Bonnie Brae Street, a variable width public right-of-way, being at the northeast corner of the said called 30.672 acre tract from which a mag nail found bears North 10°01'06" West, a distance of 0.07 feet;

THENCE South 00°26'28" West, along the east line of the said called 30.672 acre tract, and along the said approximate centerline, a distance of 252.63 feet to a point for corner, being the northeast corner of a called 0.327 acre tract of land described in the Judgement to the City of Denton recorded in Instrument No. 2022-163479, said Official Public Records, from which a 60D nail found bears South 89°36'57" East, a distance of 2.36 feet;

THENCE North 89°36'57" West, departing the said east line, along the north line of the said called 0.327 acre tract, a distance of 94.65 feet to a 5/8-inch iron rod with cap stamped "Gorronдона & Associates" found for the northwest corner of the said called 0.327 acre tract, from which a 5/8-inch iron rod with cap stamped "TNP" found bears South 30°48'30" East, a distance of 0.04 feet;

THENCE South 00°38'55" West, along the west line of the said called 0.327 acre tract, at a distance of 150.00 feet passing the northwest corner of a called 0.361 acre tract of land described in Deed to the City of Denton recorded in Instrument No. 2021-126517, said Official Public Records, and continuing along the west line of the said called 0.361 acre tract a total distance of 156.16 feet to a 5/8-inch iron rod with cap stamped "KHA" set for corner;

THENCE South 03°56'51" West, continuing along the said west line, a distance of 152.13 feet to a 5/8-inch iron rod with cap stamped "GORRONDONA & ASSOCIATESS" found for corner in the north line of said Lot 1;

THENCE South 89°36'56" East, along the said north line, a distance of 104.52 feet to a 5/8-inch iron rod with cap stamped "KHA" set for corner in the aforementioned approximate centerline of Bonnie Brae Street, and being in the aforementioned east line of a called 30.672 acre tract;

THENCE South 00°26'28" West, along the said approximate centerline, and the said east line, a distance of 893.10 feet to a 5/8-inch iron rod with cap stamped "KHA" set for corner, being the easternmost southeast corner of that certain tract of land described in the said deed recorded in Instrument No. 2012-104468;

THENCE North 89°17'56" West, departing the said approximate centerline, along a south line of that said certain tract of land described in the deed recorded in Instrument No. 2012-104468, a distance of 29.63 feet to a steel fence post found for corner, being the southeast corner of a called 0.274 acre tract described in Special Warranty Deed to the City of Denton recorded in Instrument No. 2022-146245, said Official Public Records;

THENCE North 00°09'12" East, along the east line of the said called 0.274 acre tract, a distance of 150.55 feet to a steel fence post found for corner, being the northeast corner of the said called 0.274 acre tract;

THENCE North 89°22'09" West, along the north line of the said called 0.274 acre tract, at a distance of 78.54 passing a 5/8-inch iron rod with cap stamped "GORRONDONA & ASSOCIATES" found for the northwest corner of the said called 0.274 acre tract, and continuing along the north line of that certain tract of land described in General Warranty Deed with Vendor's Lien to Adam Kunzman recorded in Volume 2913, Page 1027, said Deed Records, in all a total distance of 221.81 feet to steel fence post found for corner, being the northwest corner of the said Adam Kunzman tract;

THENCE South 00°35'11" West, along the west line of the said Adam Kunzman tract, a distance of 150.09 feet to a steel fence post found for corner, being the southwest corner of the said Adam Kunzman tract, and being in the north line of a called 4.979 acre tract of land described in General Warranty Deed with Vendor's Lien to R. Eric Fullerton and spouse, Maria R. Fullerton recorded in Instrument No. 1995-8696, said Official Public Records;

THENCE North 89°15'30" West, along the said north line, a distance of 676.92 feet to a 1/2-inch iron rod found for corner, being at northwest corner of the said called 4.979 acre tract, and being a northeast corner of aforementioned Lot 1, Block A, Bonnie Brae High School Addition, an addition to the city of Denton according to the plat recorded in Instrument No. 2020-113, said Official Public Records;

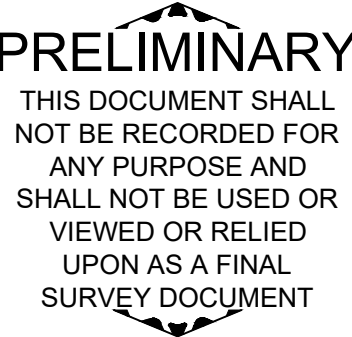
THENCE North 88°42'27" West, along a north line of said Lot 1, a distance of 61.02 feet to a 1/2-inch iron rod found for corner, being an interior corner of said Lot 1;

THENCE North 00°26'07" East, along the east line of said Lot 1, a distance of 1,444.95 feet to the **POINT OF BEGINNING** and containing 1,372,538 square feet or 31.5091 acres of land, more or less.

SURVEYOR'S CERTIFICATION

That I, Joshua D. Wargo, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision regulations of the City of Denton, Texas.

Joshua D. Wargo
Registered Professional Land Surveyor No. 6391
Kimley-Horn and Associates, Inc.
801 Cherry Street, Unit 11, Suite 1300
Fort Worth, Texas 76102
Ph. 817-335-6511
josh.wargo@kimley-horn.com



STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, on this day personally appeared Joshua D. Wargo, known to me to be the 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, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of ____, 2024.

Notary Public in and for the State of Texas

OWNER'S DEDICATION

STATE OF TEXAS §
COUNTY OF DENTON §

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, SMITH 37, LLC, JOHN L. SMITH AND DOROTHY ELAINE SMITH (TRUSTEES), MICHAEL AND LAREE SMITH, AND WALLACE B. DUKE, does hereby adopt this plat designating the herein described property as **LOT 1, BLOCK 1, JEFFERSON BONNIE BRAE**, an addition to the City of Denton, Denton County, Texas, and does hereby dedicate to the public use forever the streets, alleys, and rights-of-way shown thereon, and does hereby reserve the easement strips shown on this plat for the mutual use and accommodations of all public utilities desiring to or using same. Any public utility shall have the right to remove and keep removed all or part of any building, fence, trees, shrubs or other growths or improvements which in any way endangers or interferes with the construction, maintenance, or efficiency of its respective systems on any of these easement strips, and any public utility shall, at all times, have the right of ingress and egress to and from and upon the said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time procuring permission of anyone.

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 Drainage 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 Drainage 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 Drainage Easement, 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. And, 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 reasonable costs for labor, materials, and equipment for each instance. The natural drainage through the Drainage 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.

WITNESS MY HAND, this ____ day of ____, 2024.

BY: **SMITH 37, LLC**

By: _____
Name
Title

BY: **JOHN L. SMITH AND DOROTHY ELAINE SMITH (TRUSTEES)**

By: _____
Name
Title

BY: **MICHAEL AND LAREE SMITH**

By: _____
Name
Title

BY: **WALLACE B. DUKE**

By: _____
Name
Title

STATE OF TEXAS §
COUNTY OF ____ §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the 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, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of ____, 2024.

Notary Public in and for the State of Texas

STATE OF TEXAS §
COUNTY OF ____ §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the 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, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of ____, 2024.

Notary Public in and for the State of Texas

STATE OF TEXAS §
COUNTY OF ____ §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the 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, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of ____, 2024.

Notary Public in and for the State of Texas

STATE OF TEXAS §
COUNTY OF ____ §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the 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, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of ____, 2024.

Notary Public in and for the State of Texas

NOTES:

- The bearing system for this survey is based on the Texas Coordinate System of 1983, North Central Zone 4202 based on observations made on February 13, 2023. Coordinates have been scaled to surface values using a surface adjustment factor of 1.00015063.
- All lot corners are 5/8-inch iron rods set with cap stamped "KHA" unless stated otherwise.
- Private improvements cannot encroach onto existing public easements.
- The purpose of this plat is to create one (1) lot.
- Water and sewer services will be provided through the City of Denton.
- According to Map No. 48121C0360G, dated April 18, 2011 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Denton County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, this property is not within a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
- Prior to acceptance of any public drainage facilities, all easements within which the facilities are located shall be cleared of all buildings, structures, fences or other obstacles that would interfere with access to the easements.
- Gas wells and production equipment are located on Lot 1. There is a possibility that new wells may be drilled and fracture stimulated on the drilling and production site, as well as the possibility that gas wells on the drilling and production site may be re-drilled and/or re-frature stimulated in the future.
- Discharge from any detention pond outfall or storm drain outfall may require an offsite drainage easement to accommodate the flow. If an offsite drainage easement is required, a study shall made of the off-site property to determine the size of the drainage easement to accommodate the flow.
- The Drainage easement within the limits of this addition, shall be maintained in a safe and sanitary condition by the owner, as applicable. 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 to 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 drainage easement, unless approved by the city. The owner shall keep the drainage easement clear and free of debris, silt, and any substance that would result in unnecessary conditions of obstruct the flow of water. The city shall have the right to ingress and egress for the purpose of inspection and supervision of maintenance by the owner to alleviate any undesirable condition that may occur.
- The City and County, including their agents and employees, have the right of immediate access to the Common Areas at all times, if necessary, for the welfare or protection of the public, to enforce City/County ordinances, or to improve the appearance of or to preserve public property, public easements, or public rights of way. If the Association fails to maintain the Common Areas to a standard acceptable to the County or City, the County or City may give the Association a written demand for maintenance. If the Association fails or refuses to perform the maintenance within a reasonable period of time after receiving the County's/City's written demand (at least 90 days), the County or City may maintain the Common Areas at the expense of the Association after giving written notice of its intent to do so to the Association. The County or City may give its notices and demands to any officer, director, or agent of the Association, or alternatively, to each owner of a Lot as shown on the County's tax rolls. To fund the County's or City's cost of maintaining the Common Areas, the County or City may levy assessments against the lots and owners in the same manner as if the Association levied a special assessment. The rights of the County or City under this Section are in addition to other rights and remedies provided by law.
- 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 Developmental Code Section 7.7.4. must be met prior to the release of any permits.

LINE TABLE			LINE TABLE			LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	N89°36'57"W	94.65'	L24	N00°26'07"E	287.02'	L47	N89°33'53"W	215.13'	L70	S89°33'53"E	81.24'
L2	S00°38'55"W	156.16'	L25	N89°33'53"W	99.18'	L48	N89°33'53"W	16.06'	L71	N00°26'07"E	71.02'
L3	S03°56'51"W	152.13'	L26	N89°33'53"W	80.00'	L49	S00°26'07"W	17.00'	L72	S74°26'29"E	236.58'
L4	S89°36'56"E	104.52'	L27	S00°26'07"W	234.02'	L50	S89°33'53"E	15.99'	L73	S00°26'07"W	109.96'
L5	N89°17'56"W	29.63'	L28	S89°33'53"E	80.00'	L51	N06°09'25"E	68.48'	L74	S89°33'53"E	348.36'
L6	N88°42'27"W	61.02'	L29	N00°26'07"E	234.02'	L52	N09°27'32"W	37.46'	L75	N89°33'53"W	26.00'
L7	N89°33'53"W	321.43'	L30	N89°33'53"W	65.56'	L53	N89°33'53"W	25.05'	L76	N00°26'07"E	26.00'
L8	S00°26'07"W	218.41'	L31	S00°26'07"W	134.08'	L54	S00°26'07"W	11.50'	L77	S00°26'07"W	26.00'
L9	N89°33'53"W	65.56'	L32	N89°33'53"W	268.13'	L55	S00°26'07"W	5.50'	L78	N00°26'07"E	26.00'
L10	N00°26'07"E	226.92'	L33	S00°26'07"W	51.50'	L56	S89°33'53"E	16.00'	L79	S00°26'07"W	26.00'
L11	N89°33'53"W	324.13'	L34	S89°33'53"E	459.00'	L57	N00°26'07"E	5.42'	L80	S00°26'07"W	26.00'
L12	S00°26'07"W	221.00'	L35	N00°26'07"E	11.66'	L58	N89°33'53"W	350.27'	L81	S00°26'07"W	26.00'
L13	S89°33'53"E	271.13'	L36	N59°33'53"W	56.93'	L59	S00°26'07"W	120.90'	L82	N00°00'00"E	26.00'
L14	S00°26'07"W	54.00'	L37	N00°26'07"E	103.97'	L60	N74°26'29"W	236.58'	L83	N89°15'16"W	5.97'
L15	N89°33'53"W	268.13'	L38	S89°33'53"E	215.13'	L61	N00°26'07"E	91.17'	L84	N00°44'44"E	41.04'
L16	S00°26'07"W	346.03'	L39	N89°33'53"W	215.13'	L62	N89°33'53"W	160.73'	L85	N00°43'27"E	90.81'
L17	S89°33'53"E	571.00'	L40	N89°33'53"W	459.00'	L63	S00°26'07"W	65.84'	L86	N03°56'51"E	20.76'
L18	N00°26'07"E	143.46'	L41	S00°26'07"W	13.53'	L64	S45°50'35"E	12.88'	L87	S86°03'09"E	6.00'
L19	S89°33'53"E	168.31'	L42	S89°33'53"E	459.00'	L65	S44°09'25"W	36.33'	L88	N89°21'05"W	6.00'
L20	N89°33'53"W	190.30'	L43	N00°26'07"E	13.53'	L66	S45°50'35"E	25.00'	L89	N00°38'55"E	106.79'
L21	N59°33'53"W	81.35'	L44	S00°26'07"W	112.00'	L67	N44°09'25"E	36.33'	L90	S89°21'05"E	6.00'
L22	N00°26'07"E	32.36'	L45	S89°33'53"E	215.13'	L68	S45°50'35"E	49.08'			
L23	S89°33'53"E	133.00'	L46	N00°26'07"E	112.00'	L69	S00°26'07"W	40.00'			

CURVE TABLE						CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	18°40'21"	20.00'	6.52'	S81°05'57"W	6.49'	C23	90°00'00"	30.00'	47.12'	S44°33'53"E	42.43'
C2	90°00'00"	30.00'	47.12'	S45°26'07"W	42.43'	C24	90°00'00"	30.00'	47.12'	N45°26'07"E	42.43'
C3	90°00'00"	30.00'	47.12'	N44°33'53"W	42.43'	C25	60°00'01"	30.00'	31.42'	N29°33'53"W	30.00'
C4	90°00'00"	3.00'	4.71'	S45°26'07"W	4.24'	C26	60°00'00"	56.00'	58.64'	N29°33'53"W	56.00'
C5	90°00'00"	30.00'	47.12'	S44°33'53"E	42.43'	C27	180°00'00"	30.00'	94.25'	S00°26'07"W	60.00'
C6	90°00'00"	30.00'	47.12'	S45°26'07"W	42.43'	C28	180°00'00"	30.00'	94.25'	N00°26'07"E	60.00'
C7	90°00'00"	3.00'	4.71'	S45°26'07"W	4.24'	C29	90°00'00"	30.00'	47.12'	S44°33'53"E	42.43'
C8	90°00'00"	30.00'	47.12'	N45°26'07"E	42.43'	C30	90°00'00"	30.00'	47.12'	N45°26'07"E	42.43'
C9	30°00'00"	30.00'	15.71'	N74°33'53"W	15.53'	C31	90°00'00"	30.00'	47.12'	N44°33'53"W	42.43'
C10	60°00'00"	30.00'	31.42'	N29°33'53"W	30.00'	C32	90°00'00"	30.00'	47.12'	S45°26'07"W	42.43'
C11	90°00'00"	30.00'	47.12'	N45°26'07"E	42.43'	C33	90°00'00"	30.00'	47.12'	S45°26'07"W	42.43'
C12	90°00'00"	3.00'	4.71'	N45°26'07"E	4.24'	C34	90°00'00"	30.00'	47.12'	S44°33'53"E	42.43'
C13	90°00'00"	30.00'	47.12'	N45°26'07"E	42.43'	C35	90°00'00"	30.00'	47.12'	N45°26'07"E	42.43'
C14	19°06'13"	20.00'	6.67'	S80°00'46"E	6.64'	C36	90°00'00"	30.00'	47.12'	N44°33'53"W	42.43'
C15	90°00'00"	30.00'	47.12'	N44°33'53"W	42.43'	C37	90°00'00"	40.00'	62.83'	S45°26'07"W	56.57'
C16	90°00'00"	30.00'	47.12'	S45°26'07"W	42.43'	C38	90°00'00"	40.00'	62.83'	N44°33'53"W	56.57'
C17	90°00'00"	30.00'	47.12'	S44°33'53"E	42.43'	C39	90°00'00"	40.00'	62.83'	S45°26'07"W	56.57'
C18	90°00'00"	30.00'	47.12'	N45°26'07"E	42.43'	C40	49°55'44"	40.50'	35.29'	S20°44'00"E	34.18'
C19	90°00'00"	30.00'	47.12'	N44°33'53"W	42.43'	C41	46°16'42"	14.00'	11.31'	S22°42'14"E	11.00'
C20	90°00'00"	30.00'	47.12'	S45°26'07"W	42.43'	C42	90°00'00"	40.00'	62.83'	S44°33'53"E	56.57'
C21	90°00'00"	3.00'	4.71'	S45°26'07"W	4.24'	C43	90°00'00"	40.00'	62.83'	N45°26'07"E	56.57'
C22	90°00'00"	30.00'	47.12'	S45°26'07"W	42.43'	C44	90°00'00"	40.00'	62.83'	S44°33'53"E	56.57'



April 1, 2024

Laurie Lewis
Department of Development Services
401 N. Elm Street,
Denton, Texas 76201

RE: *Project Number: FP24-0006*
Project Name: JPI Bonnie Brae

This letter is being sent to formally request a 30-day extension for the JPI Bonnie Brae – Final Plat (FP24-0006).

Sincerely,

A handwritten signature in black ink, appearing to read 'BPF', with a long horizontal flourish extending to the right.

Brock Pfister, P.E.
Kimley-Horn and Associates

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:
Original Date of Filing:
Formation Date:
Tax ID:
Duration:

801208260
December 21, 2009
N/A
32040881057
Perpetual

Entity Type:
Entity Status:

FEIN:

Domestic Limited Liability Company (LLC)
In existence

Name:
Address:

JPI Real Estate Acquisition, LLC
P.O. BOX 619091
DALLAS, TX 75261-9091 USA

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES	INITIAL ADDRESS
Name		Address			Inactive Date	
C T Corporation System		1999 Bryan St., Ste. 900 Dallas, TX 75201-3136 USA				

Order

Return to Search

Instructions:
● To place an order for additional information about a filing press the 'Order' button.



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: PP24-0002, **Version:** 1

AGENDA CAPTION

Consider a request by Kimley-Horn, on behalf of HR 3200, LP, for approval of a Preliminary Plat of Hunter Ranch Phase 1 Amenity Center. The approximately 7.967-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (PP24-0002, Hunter Ranch Phase 1 Amenity Center, Cameron Robertson).



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: April 10, 2024

SUBJECT

Consider a request by Kimley-Horn, on behalf of HR 3200, LP, for approval of a Preliminary Plat of Hunter Ranch Phase 1 Amenity Center. The approximately 7.967-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (PP24-0002, Hunter Ranch Phase 1 Amenity Center, Cameron Robertson).

BACKGROUND

The purpose of this Preliminary Plat is to establish an amenity center for Hunter Ranch Phase 1. This phase also includes the construction of approximately 747 single family lots and 36 HOA lots on 239.514 acres.

The subject property is presently vacant and zoned Master Planned Communities (MPC) - Mixed-Use Neighborhood (MN). As part of the MPC, a Preliminary Plat is required prior to the review and approval of a Final Plat.

Date Application Filed:	March 12, 2024
Planning & Zoning Commission Meeting:	April 10, 2024
Days in Review:	29 Days

This is the **first extension request** received for this item.

This application is being considered under TX LGC 212.009. The applicant has requested a 30-day extension to allow for additional time to address staff's comments (Exhibit 5) as permitted by TX LGC 212.009(b-2). An approved extension would bring this item back to the Planning and Zoning Commission for consideration on April 24, 2024. Based upon recent updates to Section 212.009, the applicant may request additional 30-day extensions in the future if they are determined to be necessary.

OPTIONS

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

RECOMMENDATION

Staff recommends denial of this plat as it does not meet the established criteria for approval; however, staff has no objection to the requested extension (Exhibit 5) to the April 24, 2024 Planning and Zoning Commission meeting. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
April 7, 2020	City Council	Approval of Ordinance No. MPC19-0002c	Approved

PUBLIC OUTREACH

No public outreach is required for preliminary 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. Preliminary Plat
5. Extension Request

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

Prepared by:
Cameron Robertson, AICP
Historic Preservation Officer/
Principal Planner

Staff Analysis

PP24-0002 / Hunter Ranch Phase #1 Amenity Center

City Council District #4

Planning & Zoning Commission

REQUEST:

Preliminary Plat for an approximately 7.967-acre tract.

APPLICANT:

Kimley-Horn on behalf of HR 3200, LP.

RECOMMENDATION:

Staff recommends denial, as the proposed Preliminary Plat fails to meet the established approval criteria, as shown in the following table:

Preliminary Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
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.			
Findings: <div><p>The Preliminary Plat does not meet all review criteria, as detailed in Approval Criteria 4a, 7a, 10a and 12a below and the following items as required by the Preliminary Plat Checklist (PPC) authorized per the Hunter Ranch Master Planned Communities (MPC) Section 2.4.4B:</p><ol style="list-style-type: none">1. Please update the Denton Development Application. (PPC 1.1)2. Please update Subdivision Name and Survey Name, as well as provide the Block number. (PPC 2.2)3. Please provide the Block number (PPC 1.10)4. Please provide a complete legend with all abbreviations, graphic symbols, and line types used. (PPC 2.10)5. Please provide a note indicating how adequate water and wastewater service will be provided for the development. Could not be located on the Preliminary Plat. (PPC 2.13.a)6. Please clarify square footage being presented on the lot. (PPC 3.3 & 5.3)7. Please label the area of each easement in acres. (PPC 3.4)8. Include the instrument number for platted properties of Phase 1. (PPC 4.2)9. Provide recording information for all easements including existing and proposed. (PPC 4.4)</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. 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. Findings: <div style="border: 1px solid black; padding: 5px; width: fit-content;"> The Preliminary Plat does not meet Approval Criteria 4a, 7a, 10a and 12a as detailed below. </div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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. Findings: <div style="border: 1px solid black; height: 30px; width: 100%;"></div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Prior Approvals				
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. Findings: <div style="border: 1px solid black; padding: 5px; width: fit-content;"> The proposed Preliminary Plat is consistent with Ordinance No. MPC19-0002c, which was approved by the Denton City Council on April 7, 2020. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans. Findings: <div style="border: 1px solid black; padding: 5px; width: fit-content;"> Denton Plan 2040's Future Land Use Map designates the subject property as Master Planned Community. The proposed use is consistent with the designation. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings: <div style="border: 1px solid black; height: 30px; width: 100%;"></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
4. Compliance with this DDC				
<p>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 10px;"> <p>In order for the proposed Preliminary Plat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> 1. Ensure dimensions are provided between easement lines to differentiate multiple easement locations. These easements should be easily recreated in the field. (PPC 3.5, DDC 7.8.10, DDC 7.9.5.B, DDC 8.3.2.C, TCM 2.3.4 and TCM 4.3.1) 2. Verify easement alignments with the Phase 1A plans. The Phase 1A sheets showed yard inlets in this area inside angled easements. (DDC 7.5.3.E, I, J and N, SWCM 3.3.5 and 3.9 and PPC 3.5) 3. Label city and ETJ limits on the Vicinity Map. (PPC 4.7) 4. Previous Phase 1A submittal showed a sidewalk easement in this area. Clarify why it is not shown in this submittal. (PPC 3.4, PPC 3.5 and PPC 4.4) 5. Previous Phase 1A submittal showed a different dimension for this curve. Has this been revised as part of this submittal? All submittals must match dimensions to ensure plat consistency. (PPC 5.2) 6. For site that are larger than 3 acres, provide water and sewer demand/loading calculations consistent with the Water and Wastewater Design Criteria Manual. (W/WWDCM 3.3 and 4.2/BEP) 7. Applicant: Include responses next to comments indicating how each have been addressed with the comment arrow text box. 8. INFORMATION: When a proposed water or wastewater main crosses a non-City utility that has its own easement, a letter of permission or encroachment agreement from the affected utility is required in addition to an easement from the affected property owner CONCURRENT with CEP submittal. An example of this would be a wastewater main crossing privately held oil or gas pipeline in designated private easement. In those instances, a wastewater easement should be obtained from the underlying property owner for the entire width of the private easement, and a separate letter of permission or encroachment agreement obtained from the non-City utility owner for the area of the wastewater main crossing easement. (BEP) 9. INFORMATION: Provide the recording information for these phases in future submittals. It is understood these phases are currently in the Final Plat and CEP stages. (PPC 4.2) 10. INFORMATION: Coordinate ESA limits with City of Denton Environmental staff. (PPC 3.12, DDC 7.5, DDC 8.3.2.B and ZCPC 5.4) 11. INFORMATION: Review of existing and proposed drainage improvements including detention, storm sewer and other related calculations will be provided in a future CEP review. 12. INFORMATION: All trees, fences and retaining walls, signs, and underground foundations or any parts of structures shall not encroach into public utility, water or sewer easements. (DDC Section 7.6.7.I.) </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. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div>The proposed Preliminary Plat provides sufficient detail for review.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Compliance with Other Applicable Regulations				
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. Findings: <div>The Preliminary Plat meets the requirements.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Consistent with Interlocal and Development Agreements				
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. Findings: <div>The proposed Preliminary Plat is consistent with Ordinance No. MPC19-0002c, which was approved by the Denton City Council on April 7, 2020, and the with the associated project agreements.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Minimizes Adverse Environmental Impacts				
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. Findings: <div> <p>Applicant has demonstrated compliance with ESA regulations. However, the following note is required:</p> <p>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.</p> </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
8. Minimizes Adverse Impacts on Surrounding Property				
<p>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.</p> <p>Findings:</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 type="checkbox"/>
9. Minimizes Adverse Fiscal Impacts				
<p>a. The proposed development should not result in significant adverse fiscal impacts on the city.</p> <p>Findings:</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 type="checkbox"/>
10. Compliance with Utility, Service, and Improvement Standards				
<p>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.</p> <p>Findings:</p> <div> <p>In order for the proposed Preliminary Plat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> Show the valves locations within Street A on Sheet U-1 and within Street E on Sheet U-2. Typical a valve placement per PIAZ15 on Sheet 2 of City Standard Details. (STD DTL) Please show public utility easements per uploaded V1 DME markups (Denton Development Code Subchapter 7.13.6). The City of Denton requires the following plan stamp on all new final plats: <p>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.</p> </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
11. Provides Adequate Road Systems				
<p>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.</p> <p>Findings:</p> <div></div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities				
<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>Findings:</p> <div>The Preliminary Plat does not meet Approval Criteria 4a, 7a, and 10a as detailed above.</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Rational Phasing Plan				
<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>Findings:</p> <div>The proposed development will include multiple phases as approved in the MPC ordinance. However, this is the first phase of the proposed development, so no subsequent phases have been completed.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Preliminary Plat Review Applicability Criteria (DDC Section 2.6.e.D)		Applicability		
		Met	Not Met	N/A
14. Provides a layout of lots, roads, driveways, utilities, drainage, and other public facilities and services designed to minimize the amount of disturbance to sensitive natural areas or other community resources.				
<p>Findings:</p> <div></div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Preliminary Plat Review Applicability Criteria (DDC Section 2.6.e.D)	Applicability		
	Met	Not Met	N/A
<p>15. Provides evidence of public water and sewer system connections.</p> <p>Findings:</p> <div data-bbox="203 367 1156 462" style="border: 1px solid black; height: 45px; margin-top: 10px;"></div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>16. Identifies and adequately mitigates known natural hazard areas.</p> <p>Findings:</p> <div data-bbox="203 634 1156 718" style="border: 1px solid black; height: 40px; margin-top: 10px;"></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>17. Proposes reasonable project phasing in terms of infrastructure capacity.</p> <p>Findings:</p> <div data-bbox="203 924 1148 1071" style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>The proposed Preliminary Plat provides is Phase 1 of the Hunter Ranch Master Planned Community. All proposed infrastructure will be constructed to support Phase 1.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PP24-0002
Site Location



Legend:

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

Scale: 0 155 310 620 Feet

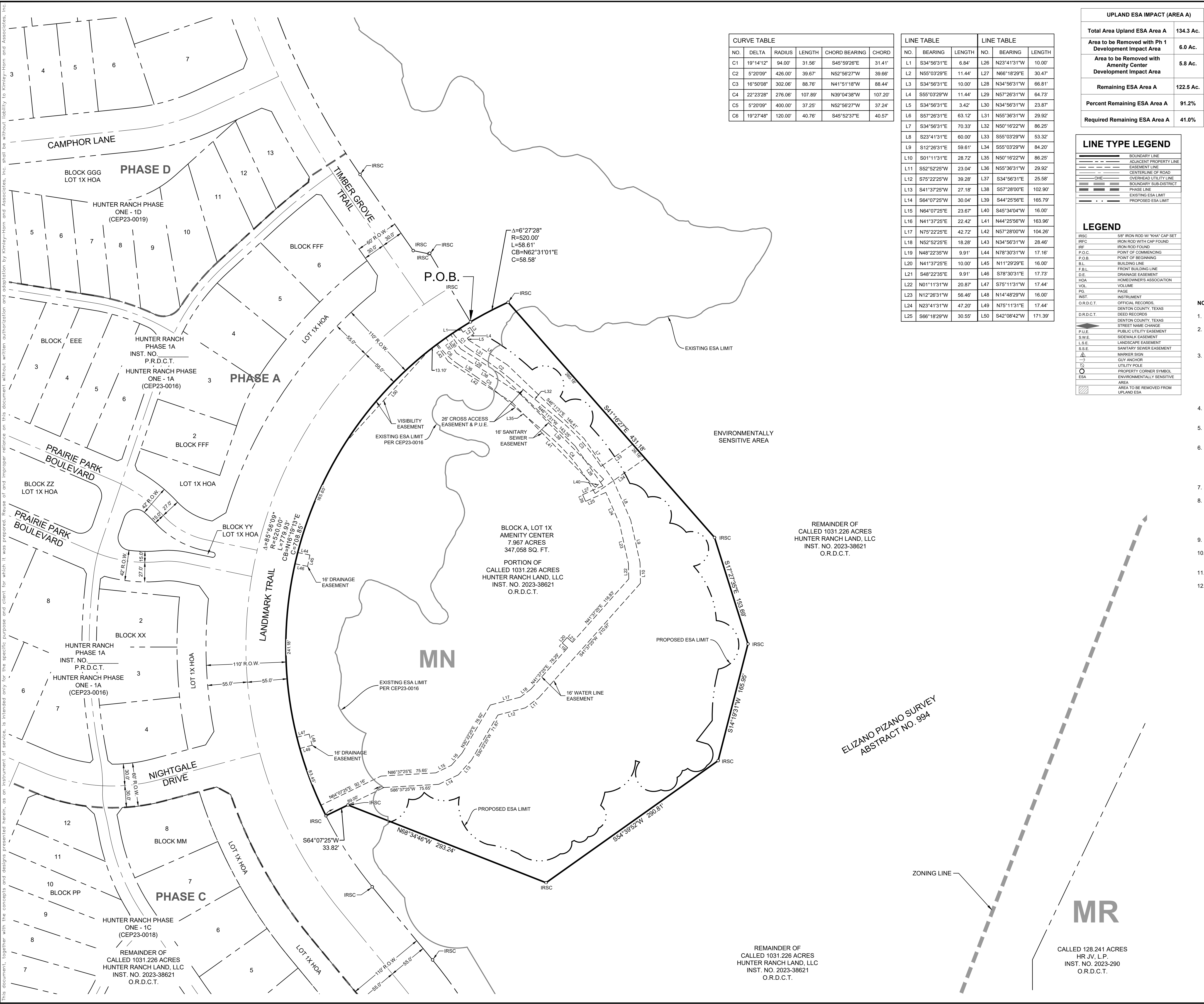
CITY OF DENTON
Development Services • GIS
Date: 3/14/2024

70

1 of 1

*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.

PLATTED BY KANE, KAYN, K.F.R. SURVEY 06322697 HUNTER RANCH AMENITY CENTER PRELIM PLAT.DWG
LAST NAME: KANE, KAYN, K.F.R. SURVEY 06322697 HUNTER RANCH AMENITY CENTER PRELIM PLAT.DWG
LAST NAME: KANE, KAYN, K.F.R. SURVEY 06322697 HUNTER RANCH AMENITY CENTER PRELIM PLAT.DWG
This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



PLATTED BY KANE, KEVIN
DRAWN BY KJR SURVEY 06322697 HUNTER RANCH AMENITY CENTER PRELIM PLAT.DWG
LAST SAVED: 3/7/2024 12:50 PM
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

OWNERS CERTIFICATE

STATE OF TEXAS §

COUNTY OF DENTON §

WHERE AS HUNTER RANCH LAND, LLC, is the rightful owner of the following tract of land:

BEING a tract of land situated in the Elizano Pizano Survey, Abstract No. 994, City of Denton, Denton County, Texas, and being a portion of a called 1,031.226 acre tract of land described in a deed to Hunter Ranch Land, LLC, recorded in Instrument No. 2023-38621 of the Official Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with plastic cap stamped "KHA" set for an easterly corner of Hunter Ranch Phase 1A, an addition to the City of Denton, Denton County, Texas according to the Final Plat thereof recorded in Instrument No. _____ of the Plat Records of Denton County, Texas, same being at the southeast end of the northerly terminus of Landmark Trail, a 110-foot right-of-way as dedicated in said Hunter Ranch Phase 1A, same also being at the beginning of a non-tangent curve to the right with a radius of 520.00 feet, a central angle of 06°27'28", and a chord bearing and distance of North 62°31'01" East, 58.58 feet;

THENCE in a northeasterly direction, departing the northerly terminus of said Landmark Trail and crossing said 1,031.226 acre tract, with said non-tangent curve to the right, an arc distance of 58.61 feet to a point for corner;

THENCE continuing across said 1,031.226 acre tract, the following courses and distances:

- South 41°16'27" East, a distance of 431.18 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 17°27'35" East, a distance of 153.69 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 14°19'31" West, a distance of 165.95 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 54°39'52" West, a distance of 290.81 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- North 68°34'46" West, a distance of 293.24 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;
- South 64°07'25" West, a distance of 33.82 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner on the easterly line of said Hunter Ranch Phase 1A, same being on the easterly right-of-way line of said Landmark Trail, same also being at the beginning of a non-tangent curve to the right with a radius of 520.00 feet, a central angle of 85°56'09", and a chord bearing and distance of North 16°19'13" East, 708.85 feet;

THENCE in a northeasterly direction, continuing along the easterly line of said Hunter Ranch Phase 1A and the easterly right-of-way line of said Landmark Trail, with said non-tangent curve to the right, an arc distance of 779.93 feet to a point for corner; to the POINT OF BEGINNING and containing 7.967 acre (347,058 square feet) of land, more or less.

OWNER'S DEDICATION

STATE OF TEXAS §

COUNTY OF DENTON §

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, HUNTER RANCH LAND, LLC, does hereby adopt this plat designating the herein described property as HUNTER RANCH, PHASE 1 AMENITY CENTER, an addition in Denton County, Texas, and does hereby dedicate to the public use forever, the streets, alleys, and easements for drainage and utilities shown thereon.

Any public utility shall have the right to remove and keep removed all or part of any building, fence, trees, shrubs or other growths or improvements which in any way endangers or interferes with the construction, maintenance, or efficiency of its respective systems on any of these easement strips, and any public utility shall, at all times, have the right of ingress and egress to and from and upon the said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time procuring permission of anyone.

WITNESS MY HAND, this _____ day of _____, 2024.

BY: HUNTER RANCH LAND, LLC
a Texas limited liability company

TITLE

STATE OF TEXAS §

COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the _____ day of _____, 20__.

Notary Public, State of Texas

My Commission Expires: _____

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, Daniel R. Arthur, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision regulations of the City of Denton, Texas.

Daniel R. Arthur
Registered Professional Land Surveyor No. 5933
Kimley-Horn and Associates, Inc.
400 North Oklahoma Drive, Suite 105
Celina, Texas 75009
Phone 469-501-2172

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

STATE OF TEXAS §

COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas, on this day personally appeared Daniel R. Arthur, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 20__.

Notary Public, State of Texas

My Commission Expires: _____

APPROVED BY THE PLANNING & ZONING COMMISSION

ON THIS THE _____ DAY OF _____, 20__

CHAIRPERSON, PLANNING AND ZONING COMMISSION

CITY SECRETARY

CITY PROJECT NUMBER: PP24-0002

PRELIMINARY PLAT FOR HUNTER RANCH PHASE 1 1 HOA LOT BEING 7.967 ACRES OUT OF THE E.PIZANO SURVEY, ABSTRACT #994 DEED RECORDED AS DOCUMENT 2023-38621, PROPERTY RECORDS, DENTON COUNTY, TEXAS CITY OF DENTON, DENTON COUNTY, TEXAS							
OWNER & DEVELOPER: Hunter Ranch Land, LLC 3000 Turtle Creek Blvd Dallas, TX 75219 TEL: 972-201-2932 Contact: BRIAN CARLOCK					ENGINEER/SURVEYOR: Kimley»Horn 6160 Warren Parkway, Suite 210 Frisco, TX 75034 Tel: (972) 335-3580 Contact: KEVIN J. KANE, P.E.		
DESIGNED	DRAWN	CHECKED	SCALE	DATE	KH PROJECT NO.		2 of 2
MB	JCC	AJF	AS SHOWN	MARCH 2024	063226937		



March 29, 2024

Ms. Cameron Robertson
City of Denton
Development Services
401 N. Elm Street
Denton, Texas 76201

Re: *Hunter Ranch Amenity Center Preliminary Plat (PP24-0002)*
 30-Day Extension Request

Dear Ms. Robertson:

As representative for the referenced project, I respectfully request a 30-Day Extension for the referenced application.

Please contact me at (972-731-3804) or kevin.kane@kimley-horn.com with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Kevin J. Kane".

Kevin J. Kane, P.E.
Senior Project Manager

Copy: Patrick Cowden, Andrew Pieper, Gena Terrell, Angie Mastrocola



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: MPA24-0001, **Version:** 1

AGENDA CAPTION

Hold a public hearing and consider making a recommendation to City Council regarding city-initiated Comprehensive Plan Amendment to modify the Thoroughfare Plan and Thoroughfare Map of the Mobility Plan. Amendments include, but are not limited to, an extension of East Windsor Drive across State Loop 288, the addition of a new Major Collector functional classification, and minor alignment changes for connectivity between Highway 380 and Loop 288 for consistency with current TxDOT plans. The proposal is generally located at the current terminus of East Windsor Drive, approximately 700 feet west of State Loop 288, south of Kings Row, and extending approximately 4,800 feet toward the east, connecting to Cooper Creek Drive in the City of Denton, Denton County, Texas. THIS ITEM HAS BEEN POSTPONED UNTIL THE MAY 15, 2024 PLANNING AND ZONING COMMISSION MEETING. (MPA24-0001, East Windsor Extension, Julie Wyatt)



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: April 10, 2024

SUBJECT

Hold a public hearing and consider making a recommendation to City Council regarding city-initiated Comprehensive Plan Amendment to modify the Thoroughfare Plan and Thoroughfare Map of the Mobility Plan. Amendments include, but are not limited to, an extension of East Windsor Drive across State Loop 288, the addition of a new Major Collector functional classification, and minor alignment changes for connectivity between Highway 380 and Loop 288 for consistency with current TxDOT plans. The proposal is generally located at the current terminus of East Windsor Drive, approximately 700 feet west of State Loop 288, south of Kings Row, and extending approximately 4,800 feet toward the east, connecting to Cooper Creek Drive in the City of Denton, Denton County, Texas. THIS ITEM HAS BEEN POSTPONED UNTIL THE MAY 15, 2024 PLANNING AND ZONING COMMISSION MEETING. (MPA24-0001, East Windsor Extension, Julie Wyatt)

BACKGROUND

This item has been postponed to the May 15, 2024 Planning and Zoning Commission meeting. To ensure that interested parties are adequately notified of the May 15th public hearing date, public notification will be completed in accordance with Denton Development Code Table 2.2-A prior to the meeting.

EXHIBITS

1. Agenda Information Sheet

Respectfully submitted:

Tina Firgens, AICP

Deputy Director of Development Services/Planning
Director

Prepared by:

Julie Wyatt, AICP

Principal Planner



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Legislation Text

File #: PZ24-057, **Version:** 1

AGENDA CAPTION

Hold a discussion regarding the Planning and Zoning Project Matrix.

2024
Planning and Zoning Commission Requests for Information
Meeting Dates

Request		Request Date	Status
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.
Discussion related to potential developments on the western side of the City and in the ETJ.	Pruett	3/1/2023	Work session discussion at a future date.
Discussion related to impacts of subdividing commercial lots and potential for tree preservation loss.	Ellis	11/15/2023	Work session discussion at a future date.
Discussion related to the requirements for neighborhood amenities, including the amount and triggers for required parking.	Smith	12/13/2023	Work session discussion at a future date.
Ongoing Items		Request Date	Status
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.
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.

Annual Updates		Request Date	Status
Provide annual updates related to progress on implementing the Denton 2040 Comprehensive Plan Action Items	Smith	3/9/2022	Ongoing 2023 update provided on June 14, 2023. Future discussion will be scheduled for after Envisio Software implementation for tracking action items.