



City of Denton

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

Meeting Agenda Planning and Zoning Commission

Wednesday, June 12, 2024

5:00 PM

Council Work Session Room
&
Council Chambers

WORK SESSION BEGINS AT 5:00 P.M. IN THE COUNCIL WORK SESSION ROOM

REGULAR MEETING BEGINS AT 6:30 P.M. IN THE COUNCIL CHAMBERS

REGISTRATION GUIDELINES FOR ADDRESSING THE PLANNING AND ZONING COMMISSION

Individuals may speak during a Planning and Zoning Commission meeting under one of the following categories:

Comments on Agenda Items:

Public comments can be given for any item considered by the Planning and Zoning Commission, EXCEPT work session reports or closed meetings. Individuals are only able to comment one time per agenda item and cannot use more than one method to comment on a single agenda item. Public comments are limited to three (3) minutes per citizen.

Public Hearing Items:

Individuals are limited to four (4) minutes per public hearing item.

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, June 12, 2024, at 5:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

WORK SESSION

1. Citizen Comments on Consent Agenda Items

This section of the agenda allows citizens to speak on any item listed on the Consent Agenda prior to its consideration. Each speaker will be given a total of three (3) minutes to address any item(s). Any person who wishes to address the Planning and Zoning Commission regarding these items may do so by utilizing the "By Phone" registration process as referenced under the REGISTRATION GUIDELINES FOR ADDRESSING THE PLANNING AND ZONING COMMISSION detailed at the beginning of this agenda. Registration is required prior to the time the Planning and Zoning Commission considers this item. Registrants may call in and remain on hold or receive a call back at the time the Work Session is called to Order and are encouraged to ensure they remain accessible to accept the call.

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

This is an opportunity for Commissioners to ask questions of staff on the Consent and Regular Agenda items, which may include a full briefing on an item in the order it appears on the regular session agenda. Any such briefing will be repeated in regular session.

3. Work Session Reports

- A. [PZ24-089](#) Receive a report and hold a discussion related to amending the Denton Development Code to establish a Community Engagement Agreement participation process including offering potential development process incentives associated with Community Engagement Agreements.

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

- B. [PZ24-090](#) Receive a report and hold a discussion regarding amending the Denton Development Code related to establishing an agenda item reconsideration process within the Planning and Zoning Commission Operational Procedures

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

REGULAR MEETING

After determining that a quorum is present, the Planning and Zoning Commission will convene in a Regular Meeting on Wednesday, June 12, 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. [PZ24-103](#) Consider approval of the May 29, 2024, Planning and Zoning meeting minutes.

Attachments: [May 29, 2024](#)

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. [FP24-0008a](#) Consider a request by CCM Engineering, on behalf of Cana Capital Series 3, LLC for a Final Plat of Enclave at Hickory Hill. The approximately 48.68-acre site is generally located on the north side of East Hickory Hill Road, approximately 650 feet west of Hunter Hill Lane in Denton County, Texas, within the City’s extraterritorial jurisdiction Division 1 (ETJ-1). (FP24-0008, Enclave at Hickory Hill, Bryce Van Arsdale).

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

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [FP24-0011b](#) Consider a request by the Foresite Group, LLC for approval of a Final Plat for Stella Hills. The approximately 48.6193-acre site is generally located on the south side of E. McKinney Street, at the intersection of E. McKinney Street and Laney Circle in the City of Denton, Denton County, Texas. (FP24-0011b, Stella Hills, Angie Manglaris).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3- Site Location Map](#)
[Exhibit 4- Final Plat](#)
[Exhibit 5 - Extension Request](#)
[Exhibit 6 - LLC Members List](#)

- B. [FP24-0020](#) Consider a request by Dunaway Associates LLC, on behalf of The Dien Stout Clarke Beneficiary Trust for a Final Plat of Hickory Hill Events Center. The approximately 15.98-acre site is generally located on the west side of Copper Canyon Road, approximately 229 feet east of East Hickory Hill Road in Denton County, Texas, within the City’s Extraterritorial Jurisdiction Division 1 (ETJ-1). (FP24-0020, Hickory Hill Event Center, Bryce Van Arsdale).

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

- C. [FP24-0012a](#) Consider a request by Kimley-Horn, on behalf of Hunter Ranch Land, LLC, for approval of a Final Plat of Hunter Ranch Phase 1A. The approximately 52.956-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (FP24-0012a, Hunter Ranch Phase 1A, Cameron Robertson).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Final Plat](#)
 [Exhibit 5 - Extension Request](#)
 [Exhibit 6 - LLC Members List](#)

- D. [FP24-0013a](#) Consider a request by Kimley-Horn, on behalf of Hunter Ranch Land, LLC, for approval of a Final Plat of Hunter Ranch Phase 1B. The approximately 53.081-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (FP24-0013a, Hunter Ranch Phase 1B, Cameron Robertson).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Final Plat](#)
 [Exhibit 5 - Extension Request](#)
 [Exhibit 6 - LLC Members List](#)

- E. [FP24-0014a](#) Consider a request by Kimley-Horn, on behalf of Hunter Ranch Land, LLC, for approval of a Final Plat of Hunter Ranch Phase 1C. The approximately 66.777-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (FP24-0014a, Hunter Ranch Phase 1C, Cameron Robertson).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Final Plat](#)
 [Exhibit 5 - Extension Request](#)
 [Exhibit 6 - LLC Members List](#)

- F. [FP24-0015a](#) Consider a request by Kimley-Horn, on behalf of Hunter Ranch Land, LLC, for approval

of a Final Plat of Hunter Ranch Phase 1D. The approximately 56.100-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (FP24-0015a, Hunter Ranch Phase 1D, Cameron Robertson).

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Final Plat](#)
[Exhibit 5 - Extension Request](#)
[Exhibit 6 - LLC Members List](#)

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. [PD24-0005](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by John Powell Walker, Et al. to change the zoning from Residential 6 (R6) to an Overlay Planned Development - Light Industrial (PD-LI) District on approximately 52.589 acres of land generally located north of Blagg Road, approximately 800 feet east of Geesling Road, in the City of Denton, Denton County, Texas. (PD24-0005, Walker Gessling, Mia Hines)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Existing Zoning Map](#)
[Exhibit 5 - Future Land Use Map](#)
[Exhibit 6 - Proposed Zoning Map](#)
[Exhibit 7 - PD Development Standards](#)
[Exhibit 8 - Table of Allowed Uses](#)
[Exhibit 9 - Fiscal Impact Summary](#)
[Exhibit 10 - Notification Map & Sign Posting Affidavite](#)
[Exhibit 11 - Draft Ordinance](#)

- B. [Z22-0018](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by McAdams on behalf of the property owner, 195 Denton Partners, LLC to rezone approximately 166.1 acres from Residential 2 zoning district to Mixed-Use Neighborhood zoning district and Public Facilities zoning district. The subject site is generally located at the southeast corner of I35-W and Corbin Road in the City of Denton, Denton County, Texas. (Z22-0018, Denton 195, Angie Manglaris)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Overall Concept Plan](#)
[Exhibit 5 - Existing Zoning Map](#)
[Exhibit 6 - Proposed Zoning Map](#)
[Exhibit 7 - Future Land Use Map](#)
[Exhibit 8 - Comparison of Allowed Uses](#)
[Exhibit 9 - Notification Map and Responses](#)
[Exhibit 10 - LLC Members List](#)
[Exhibit 11 - Draft Ordinance](#)

- C. [PD23-0001](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by McAdams on behalf of the property owner, 195 Denton Partners, LLC to rezone approximately 26.151 acres from Residential 2 (R2) zoning district to Overlay Planned Development with Mixed-Use Neighborhood (PD-MN) base zoning district. The subject site is generally south of Corbin Road and 1,066 feet east of I35-W within the City of Denton, Denton County, Texas. (PD23-0001, Denton 195 Planned Development Overlay, Angie Manglaris)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Overall Concept Plan](#)
[Exhibit 5 - PD Development Regulations](#)
[Exhibit 6 - Existing Zoning Map](#)
[Exhibit 7 - Proposed Zoning Map](#)
[Exhibit 8 - Future Land Use Map](#)
[Exhibit 9 - Comparison of Allowed Uses](#)
[Exhibit 10 - Notification Map and Responses](#)
[Exhibit 11 - LLC Members List](#)
[Exhibit 12 - Draft Ordinance](#)

- D. [S24-0003](#) Hold a public hearing and consider making a recommendation to City Council regarding a request for a Specific Use Permit (SUP) to allow for a High-Impact Manufacturing use on approximately 8 acres of land, generally located on the southwest corner of the intersection of Shelby Lane and Dakota Lane in the City of Denton, Denton County, Texas (S24-0003, Advanced Microbial Solutions, Ashley Ekstedt)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Future Land Use Map](#)
[Exhibit 5 - Zoning Map](#)
[Exhibit 6 - Applicant Project Narrative](#)
[Exhibit 7 - Existing Site Plan](#)
[Exhibit 8 - Building and Storage Area Layout](#)
[Exhibit 9 - Fiscal Impact Summary](#)
[Exhibit 10 - Notification Map](#)
[Exhibit 11 - Draft Ordinance](#)
[Exhibit 12 - LLC Members List](#)

- E. [S24-0004](#) Hold a public hearing and consider making a recommendation to City Council regarding a request for a Specific Use Permit (SUP) to allow for a High-Impact Manufacturing use on approximately 9.5 acres of land, generally located on the west side of Dakota Lane, approximately 800 feet south of Shelby Lane, in the City of Denton, Denton County, Texas (S24-0004, Advanced Microbial Solutions (Dakota), Ashley Ekstedt)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Future Land Use Map](#)
[Exhibit 5 - Zoning Map](#)
[Exhibit 6 - Applicant Project Narratives](#)
[Exhibit 7 - Existing Site Plans](#)
[Exhibit 8 - Building and Storage Area Layouts](#)
[Exhibit 9 - Fiscal Impact Summary](#)
[Exhibit 10 - Notification Map](#)
[Exhibit 11 - Draft Ordinance](#)
[Exhibit 12 - LLC Members List](#)

- F. [DCA24-0003](#) Hold a public hearing and consider making a recommendation to City Council regarding a proposed revision to the Denton Development Code; amendments include but are not limited to Section 1.3.4 related to the Denton Development Code and conflicts with other ordinances and criteria manuals. (DCA24-0003, Conflicts with Other Ordinances, Angie Manglaris)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Draft Ordinance](#)

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. [PZ24-105](#) 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 June 7, 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

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215 E. McKinney St.
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Legislation Text

File #: PZ24-089, **Version:** 1

AGENDA CAPTION

Receive a report and hold a discussion related to amending the Denton Development Code to establish a Community Engagement Agreement participation process including offering potential development process incentives associated with Community Engagement Agreements.



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
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AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: June 12, 2024

SUBJECT

Receive a report and hold a discussion related to amending the Denton Development Code to establish a Community Engagement Agreement participation process including offering potential development process incentives associated with Community Engagement Agreements.

BACKGROUND

The Denton Development Code (DDC) Subchapter 2.4.3B. currently provides for a citizen participation process but there is no incentive for applicants (i.e. developers and property owners) to participate in this process, nor any assurances that neighborhoods will support the project following neighborhood engagement and developer concessions being provided. Now that the 2019 DDC has been in place for five years and given the strong continued expectation of the Planning and Zoning Commission and City Council to engage nearby residents, staff is proposing to add a section to the DDC to offer development process incentives for applicants who engage with nearby residential neighborhoods for projects that are needing zoning entitlements (i.e. zoning change, specific use permit). While staff consistently strongly encourages developers and property owners to engage residents when zoning entitlements are required and communicate the Commission and Council's engagement expectations, that engagement process can affect development project timelines and there are no guarantees that applicants will receive neighborhood support during the public hearing portion of the development process following any neighborhood negotiations.

At this work session, staff will present information for discussion related to establishing development process incentives for applicants who enter into Community Engagement Agreements with neighborhoods for projects in which zoning entitlements are needed (i.e. zoning change, specific use permits). This would provide an incentive for applicants to expand citizen participation above and beyond the current recommendations in the DDC, as well as today's common engagement practices. Additionally, staff is proposing development process incentives only since the City has the ability to enforce development processes and ensure compliance with state statutes.

Currently, the processes established by DDC Subchapter 2.4.3B. recommend applicants prepare and execute a Citizen Participation Plan and submit a Citizen Participation Report prior to submitting applications listed in Table 2-2 A Summary of Development Review Procedures. The current citizen participation encourages applicants to contact property owners within 200 feet of the subject property and residents within 500 feet of the subject party to discuss the project and hold at least two neighborhood meetings. If an applicant holds a neighborhood meeting(s), a summary of the neighborhood meeting (s) is provided in the staff analysis and if a Citizen Participation Report is submitted by the applicant, the report is reviewed by staff and included as an exhibit as part of the backup that is sent to the decision-making body prior to the public meeting/hearing. During the past five years, staff does not recall any Citizen Participation Plans and Citizen Participation Reports having been submitted with a development application.

Alternatively, staff typically attends neighborhood meetings for zoning entitlement related projects to understand community concerns.

By establishing Community Engagement Agreement incentives, staff anticipates an increase in the number of developers engaging with neighborhoods.

EXHIBITS

1. Agenda Information Sheet

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

Prepared by:
Keisha Cyriaano
Assistant Planning Director



City of Denton

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Legislation Text

File #: PZ24-090, **Version:** 1

AGENDA CAPTION

Receive a report and hold a discussion regarding amending the Denton Development Code related to establishing an agenda item reconsideration process within the Planning and Zoning Commission Operational Procedures



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
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AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: June 12, 2024

SUBJECT

Receive a report and hold a discussion related to amending the Denton Development Code related to establishing an agenda item reconsideration process within the Planning and Zoning Commission Operational Procedures.

BACKGROUND

At this work session, Staff will present information for discussion to establish a process for the Planning and Zoning Commission to reconsider an agenda item. Denton Development Code (DDC) Subchapter 2: Administration and Procedures 2.3.3B; Planning and Zoning Commission Operational Procedures does not have a process in place for the Planning and Zoning Commission to reconsider an item. Therefore, the Planning and Zoning Commission follows the City Council reconsideration process as provided for in the City's Code of Ordinances.

Additionally, as a result of a reconsideration request made by a Planning and Zoning Commissioner of an agenda item subsequently published on the City Council's agenda (August 2023) coupled with lack of a codified process, it was unclear as to if reconsideration of an agenda item was still an available process for the Commission and which body had jurisdiction for considering the item. Therefore, it is appropriate to consider amending the DDC to establish a comprehensive reconsideration process specific to the Planning and Zoning Commission.

In the situation that occurred in August 2023, currently, if a Planning and Zoning Commissioner would like to reconsider an item following action by the Commission and subsequent posting on City Council's agenda, the request must be presented during the agenda item's public hearing with City Council. At that time, City Council would have to make a vote on whether or not to have the item be reconsidered by the Planning and Zoning Commission, or to continue with consideration of the agenda item by City Council.

By amending the current code, the Planning and Zoning Commission would have a comprehensive process in place to address reconsideration of agenda items before presented to City Council.

EXHIBITS

1. Agenda Information Sheet

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

Prepared by:
Keisha Cyriaano
Assistant Planning Director



City of Denton

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Legislation Text

File #: PZ24-103, **Version:** 1

AGENDA CAPTION

Consider approval of the May 29, 2024, Planning and Zoning meeting minutes.

MINUTES
PLANNING AND ZONING COMMISSSION
May 29, 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, May 29, 2024, at 5:03 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Margie Ellis, and Commissioners: Desiree Padron, Eric Pruett, Kimberly Thaggard, and Jordan Villarreal

ABSENT: Commissioner Jason Cole

WORK SESSION

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

The following item was presented, and discussion was had:

3.B (FR23-0003c), 4.B (S23-0006a), 4.C (S24-0002), 4.D (PDA23-0005), 4.E (DCA23-0002)

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

4.A (Z24-0005)

2. Work Session Reports

A. PZ24-100 Receive a report and hold a discussion regarding the Amenity Centers.

Staff presented the report to the Commission and a discussion followed.

The Work Session was adjourned at 5:39 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, May 24, 2024, at 6:30 p.m. in the Council Chambers at City Hall, 215 E. McKinney, Denton, Texas.

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

ABSENT: Commissioner Jason Cole

1. PLEDGE OF ALLEGIANCE

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

2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES

- A. PZ24-092 Consider approval of the May 15, 2024, Planning and Zoning meeting minutes.

Commissioner Villarreal moved to approve the May 15, 2024, Planning and Zoning meeting minutes. Motion seconded by Commissioner Padron. Motion carried.

AYES (5): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Desiree Padron, Kimberly Thaggard, and Jordan Villarreal

NAYS (0): None

ABSENT (1): Commissioner Cole

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. PZ24-094 Elect a Vice-Chair to the Planning and Zoning Commission

Commissioner Villarreal moved to nominate Eric Pruett as Vice-Chair. Motion seconded by Commissioner Padron. Motion carried.

AYES (5): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Desiree Padron, Kimberly Thaggard, and Jordan Villarreal

NAYS (0): None

ABSENT (1): Commissioner Cole

- B. FR23-0003c Consider a request by LJA Engineering, Inc. for approval of a Final Replat of Glenwood Meadows Phase II. The 10.285-acre site is generally located at the southwest intersection of Ridgely Lane and Bonnie Brae Street in the City of Denton, Denton County, Texas. (FR23-0003c, Glenwood Meadows Phase II, Angie Manglaris).

City staff presented the item. No discussion followed.

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

AYES (5): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Desiree Padron, Kimberly Thaggard, and Jordan Villarreal

NAYS (0): None

ABSENT (1): Commissioner Cole

4. PUBLIC HEARINGS

- A. Z24-0005 Hold a public hearing and consider making a recommendation to City Council regarding a request by John Powell Walker, Etal. for a zoning change from the Rural Residential (RR) to the Light Industrial (LI) District. The 52.589-acre site is generally

located north of Blagg Road, approximately 800 feet east of Geesling Road, in the City of Denton, Denton County, Texas. (Z24-0005, Walker Geesling Rezoning, Mia Hines). THIS ITEM IS BEING POSTPONED AND WILL BE RE-NOTICED FOR A FUTURE DATE.

No discussion or action was had.

- B. S23-0006a Hold a public hearing and consider making a recommendation to City Council regarding a request for a Specific Use Permit (SUP) to allow for a Veterinary Clinic use on approximately 2 acres of land, generally located on the south side of Teasley Lane, approximately 525 feet west of Pennsylvania Drive, in the City of Denton, Denton County, Texas. (S23-0006a, Wright Denton Teasley, Ashley Ekstedt)

Chair Ellis opened the public hearing.

City staff presented the item. Discussion followed.

Citizen comments will be listed on Exhibit A.

Chair Ellis closed the public hearing.

Commissioner Villarreal moved to approve the item as presented. Motion seconded by Commissioner Thaggard. Motion carried.

AYES (5): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Desiree Padron, Kimberly Thaggard, and Jordan Villarreal

NAYS (0): None

ABSENT (1): Commissioner Cole

- C. S24-0002 Hold a public hearing and consider making a recommendation to City Council regarding a request by Homeyer Engineering for a Specific Use Permit (2003-325) Amendment, including, but not limited to, modification to the site plan to reduce drive-through banking lanes and replace with additional parking. The 0.89-acre property is generally located approximately one block south of Teasley Lane and to the west of FM 2181/Teasley Lane, in the City of Denton, Denton County, Texas. (S24-0002, DATCU, Erin Stanley)

Chair Ellis opened the public hearing.

City staff presented the item. Discussion followed.

Chair Ellis closed the public hearing.

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

AYES (5): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Desiree Padron, Kimberly Thaggard, and Jordan Villarreal

NAYS (0): None

ABSENT (1): Commissioner Cole

- D. PDA23-0005 Hold a public hearing and consider making a recommendation to City Council regarding a request by Hickory Venture Group for an amendment to an existing Planned Development District (PD 139) to establish a development plan for a new commercial development. The 4.291-acre property is generally located in the southeast corner of Vintage Boulevard and I-35W, in the City of Denton, Denton County, Texas. (PD23-0005, Gateway of Denton, Mia Hines)

Chair Ellis opened the public hearing.

City staff presented the item. Discussion followed.

Citizen comments will be listed on Exhibit A.

Chair Ellis closed the public hearing.

Chair Ellis moved to approve the item as presented. Motion seconded by Commissioner Villarreal. Motion carried.

AYES (5): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Desiree Padron, Kimberly Thaggard, and Jordan Villarreal

NAYS (0): None

ABSENT (1): Commissioner Cole

- E. DCA23-0002 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. (DCA23-0002d, Short-Term Rentals, Angie Manglaris)

Chair Ellis opened the public hearing.

City staff presented the item. Discussion followed.

Citizen comments will be listed on Exhibit A.

Chair Ellis closed the public hearing.

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

AYES (5): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Desiree Padron, Kimberly Thaggard, and Jordan Villarreal

NAYS (0): None

ABSENT (1): Commissioner Cole

5. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. PZ24-093: Staff provided updates regarding the matrix, City Council outcomes, and area plans. No items were added to the matrix.

6. CONCLUDING ITEMS

With no further business, the meeting was adjourned at 8:10 p.m.

X

Margie Ellis, Planning and Zoning Commission Chair

Date

X

Cathy Welborn, Administrative Assistant III

Date

Minutes approved on: _____

May 29, 2024 Planning and Zoning Meeting - EXHIBIT A

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

| Name | Address | Agenda Item | Position | Method | Comments |
|-----------------|--------------------------------------|-------------|------------|-----------|--|
| Christi Jeter | 3616 Clydesdale Drive, Denton, 76210 | DCA23-0002 | Not stated | In Person | Agrees with a lot of the things said tonight. As an owner of an STR who owns 42 from Arkansas to Texas she feels like she is giving families an opportunity to create memories that your not going to get when you are in a hotel. Stated when the host is educated they know what to look for with the guest. As for the cap she doesn't believe it needs to be limited to 1000 but need to be a percent based on how Denton is going to grow. |
| Donna Zoltner | 610 Emery, Denton, 76201 | DCA23-0002 | Opposed | In Person | Stated she wont talk about what could happen. Her neighborhood is prime for STR's and like the previous speaker stated he might be a great neighbor but he wont her neighbor and that is why she hopes the Commission holds fast with the 100 foot rule because when you start flooding a community with STR's you are killing it. Stated she has had great rental property neighbors. Parking will be an issue. |
| Frances Punch | 2002 Wisteria Street, Denton, 76205 | DCA23-0002 | Opposed | In Person | Stated she is the previous two term Chair and the current Vice-Chair of the Parks Board. She is not opposed to amendments and seconds the first speaker. Continued that this is an awesome start, but thinks we need more stringent rules. When she purchased her home she was drawn to Denton because of the family neighborhoods, thinks the continued uncontrolled growth of short term rentals as coded still has a few loop holes to allow neighborhoods to become slums. Believes Bed and Breakfast should be included. Need more enforcement it is needed and highly visible to the public and the current 250 short term rentals is a small estimate. |
| Jay Acker | 1851 Brinker Road, Denton, 76208 | DCA23-0002 | Opposed | In Person | Stated a lot of good points have been brought up. Him and his partners own 3 STR's all within 6 blocks of the square. Thinks putting parameters around STR's is very smart, thinks it all came for our neighbors in the south. They vet their renters. Stated since the town halls started last summer we put together a Facebook group of STR owners that are specific to the City of Denton. |
| Margarete Neale | 731 Hillcrest, Denton, 76201 | DCA23-0002 | Not stated | In Person | Here as a long term resident and property owner. Stated Denton County is known for its high property taxes ranking the highest in Texas. As an STR and rental operator she has contributed to the community through these taxes. Meanwhile others have received substantial tax incentives despite being non locally owned and creating an uneven playing field. STR's provide considerable economic benefits by attracting visitors that spend money locally. Additionally STR's often host families who are visiting our local Universities. As a landlord with experience she can attest to the star differences between long term and short term rentals. Continued to state how the City of Denton has yet create away to regulate long term rentals. |
| Mark Haiducek | 1219 Valley Drive, Justin, 76247 | DCA23-0002 | Opposed | In Person | Is here to oppose the regulations to the short term rentals verses long term rentals. Has been in the real estate business for over thirty years and residential rentals have been getting worse. Has judgements out to people and no way to collect. Unable to maintain and you lose rights to your property. With short term rentals if they violate the rules of the home then you can charge against their credit card, their deposits. Spoke in regards to the regulations you can enforce as an owner between short term and long term rentals. |
| Mary Anderson | 924 W. Oak Street, Denton, 76201 | DCA23-0002 | Opposed | In Person | Lives in the Historic District. Unlike most people in this room she does not live in an HOA neighborhood. Most HOA's do not allow short term rentals, thinks the proposal is a good start but is not hard enough. The City needs more rules and regulations. Questioned who is going enforce the STR's when we cant even enforce speed or traffic. There will be a limit of affordable homes, if they are not owner occupied they should not be there. |
| Pam Sponner | 513 Chateau Court, Denton, 76209 | DCA23-0002 | Opposed | In Person | Stated she has a number of concerns. What is going to be increased for enforcement. These are a business in a residential area and if you are complaining about you bad tenants then get out of the business. Does not like the idea of a lot of STR's in her neighborhood. STR's are taking away from the Hotels who pay the taxes and just because its legal doesn't mean its good. STR's are being denied to families that need a place to live. |

| | | | | | |
|-------------------------------------|---|------------|---------|-----------|---|
| Phillip Bossant | 1429 Kendolph Drive, Denton, 76205 | DCA23-0002 | Opposed | In Person | Stated the STR they own is on their lot by their house and is their own interest that it be maintained, no parties, and that things don't get out of hand. Stated the reason they did not do a long term rental is because of the love and time they put into the ADU which one day would become a mother in-law suite and want control. Guides renters to explore locally. Most renters have been associated with TWU and UNT. |
| Will Henry | 911 N. Maple, Muenster, 76252 | DCA23-0002 | Opposed | In Person | Sympathizes with both sides of the STR's. Stated the control you have over an STR is so different then a LTR. Spoke how you can do more with STR's that benefit the community. |
| Momamed Sharaf (Applicant) | 105 YMCA Drive, Waxahachie | PDA23-0005 | Support | In Person | Stated how great staff has been to work with. Also provided history of the company and the purposed development. |
| Cassie Epstein Whitmore (Applicant) | 3111 Santa Monica, Denton, 76205 | S23-0006a | Support | In Person | Stated she currently has another practice in town. Has been in Denton for 20 years. Wants a more suitable home for her clinic. Currently the clinic is in an old house which is not purpose built. Lives around the corner and wants to be able to walk to work with her kids and keep it as green a possible in the area. |
| Robert Aughtry | 630 Dallas Drive, Apt. 926, Denton, 76205 | S23-0006a | Support | In Person | Stated Cassie does do a great job for the City, been on boards for the City. On behalf of current and previous employees would just like to reiterate the need for a new nice purpose built building |



City of Denton

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

Legislation Text

File #: FP24-0008a, **Version:** 1

AGENDA CAPTION

Consider a request by CCM Engineering, on behalf of Cana Capital Series 3, LLC for a Final Plat of Enclave at Hickory Hill. The approximately 48.68-acre site is generally located on the north side of East Hickory Hill Road, approximately 650 feet west of Hunter Hill Lane in Denton County, Texas, within the City's extraterritorial jurisdiction Division 1 (ETJ-1). (FP24-0008, Enclave at Hickory Hill, Bryce Van Arsdale).



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: June 12, 2024

SUBJECT

Consider a request by CCM Engineering, on behalf of Cana Capital Series 3, LLC for a Final Plat of Enclave at Hickory Hill. The approximately 48.68-acre site is generally located on the north side of East Hickory Hill Road, approximately 650 feet west of Hunter Hill Lane in Denton County, Texas, within the City's Extraterritorial Jurisdiction Division 1 (ETJ-1). (FP24-0008a, Enclave at Hickory Hill, Bryce Van Arsdale).

BACKGROUND

The purpose of this Final Plat is to establish 38 residential lots, one open space lot, dedicate easements and establish right-of-way for the development of a single-family neighborhood to be served by Argyle Water Supply Corporation. The lots will take access from private streets that connect to East Hickory Hill Road to be constructed within the proposed development. The subject property is situated in the City of Denton's Extraterritorial Jurisdiction Division 1 (ETJ-1).

| | |
|---------------------------------------|----------------|
| Initial Application Date: | March 12, 2024 |
| Withdrawn: | April 1, 2024 |
| Date Application Filed: | April 16, 2024 |
| Planning & Zoning Commission Meeting: | May 15, 2024 |
| Days in review: | 28 days |
| Date extension granted: | May 15, 2024 |
| Days in review: | 28 days |

This application is being considered under TX LGC 212.009, which was updated as of September 1, 2023, with the passage of House Bill 3699.

OPTIONS

1. Approve as submitted
2. Deny with reasons

RECOMMENDATION

Staff recommends approval of this plat as it meets the established criteria for approval; see Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

| Date | Council, Board, Commission | Request | Action |
|--------------|-----------------------------------|-------------------------------------|---------------|
| May 15, 2024 | Planning and Zoning Commission | Final Plat 30-day extension request | 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:
Bryce Van Arsdale
Assistant Planner

Planning Staff Analysis

FP24-0008a / Enclave at Hickory Hill

ETJ- Division 1

Planning & Zoning Commission

REQUEST:

Final Plat for an approximately 48.68-acre site

APPLICANT:

CCM Engineering, on behalf of Cana Capital Series 3, LLC

RECOMMENDATION:

Staff recommends approval of this Final Plat as it meets 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 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 meets all review criteria as detailed herein.</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 not under the City's land use jurisdiction and there are no prior approvals.</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>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>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"/> |
| 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 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"/> |

| 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.</div> | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

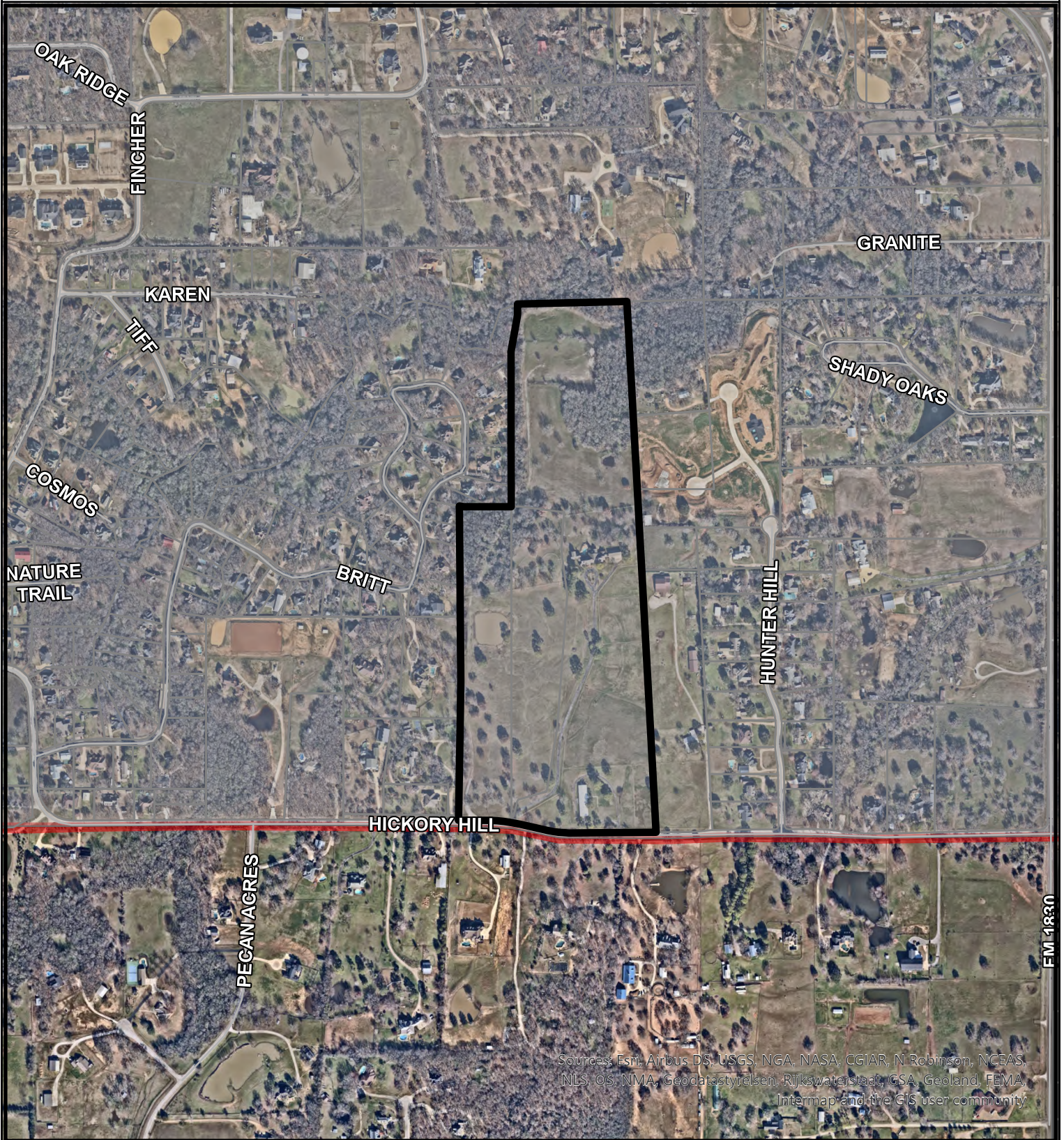
| Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E) | | Compliance | | |
|---|--|-------------------------------------|--------------------------|-------------------------------------|
| | | Met | Not Met | N/A |
| 8. Minimizes Adverse Impacts on Surrounding Property | | | | |
| 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. 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 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> The proposed 38 lots will take access from a network of internal streets, ultimately connecting to East Hickory Hill Road. </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 |
| 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 style="border: 1px solid black; padding: 5px;"> <p>The lots will be served by Argyle Water Supply Corporation. Sanitary Sewer will be provided by private on-site sewer facilities.</p> </div> | | <input checked="" type="checkbox"/> | <input 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 style="border: 1px solid black; padding: 5px;"> <p>No phasing is proposed for this plat.</p> </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;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, preliminary plats are no longer required</p> </div> | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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;"> <p>The Final Plat complies with all requirements set forth in the Denton Development Code.</p> </div> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| Final Plat Review Applicability Criteria (DDC Section 2.6.4.D) | Applicability | | |
|--|-------------------------------------|--------------------------|--------------------------|
| | Met | Not Met | N/A |
| <p>16. Whether the development will comply with the applicable technical standards and specifications adopted by the City.</p> <p>Findings:</p> <div data-bbox="204 300 1065 447" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat complies with all applicable technical standards and specifications as detailed herein.</p> </div> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

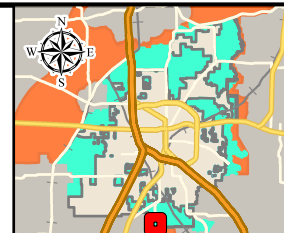
FP24-0008 Site Location



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

- Site Location
- Roads
- Parcels
- COD

- ETJ
- ETJ 2



0 160 320 640
Feet



GENERAL NOTES

1. FLOOD STATEMENT: I HAVE REVIEWED THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR DENTON COUNTY, COMMUNITY NUMBER 480774EFFECTIVE DATE 04-18-2011 AND THAT MAP INDICATES AS SCALED, THAT A PORTION OF THIS PROPERTY IS WITHIN 'NON-SHADED ZONE X' DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN", AND A PORTION IS WITHIN "SHADED ZONE AE" DEFINED AS "SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD (100-YEAR); WITH BASE FLOOD ELEVATIONS DETERMINED AS SHOWN ON PANEL 0510 G OF SAID MAP.

2. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE A NON-PLATTED TRACT OF LAND INTO 38 RESIDENTIAL LOTS.

3. BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), AND ARE BASED ON THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT.

4. THE PROPOSED LOTS MEET THE LAND USE STANDARDS OF THE CITY OF DENTON FOR AN ON-SITE SEWER FACILITY. FINAL APPROVAL OF AN ON-SITE SEWER FACILITY IS SUBJECT TO REVIEW AND APPROVAL BY DENTON COUNTY.

5. WATER SERVICES TO BE PROVIDED BY:
ARGYLE WATER SUPPLY CORPORATION
825 FARM TO MARKET ROAD 407
ARGYLE, TX 76226
(940) 464-7713

6. ELECTRIC SERVICE TO BE PROVIDED BY:
COSERV ELECTRIC
7701 S. STEMMONS
CORINTH, TX 76210
(940) 270-6823

7. 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 CENTERLINE 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.

8. THE SUBJECT TRACT SHOWN IS LOCATED WITHIN THE CITY OF DENTON EXTRATERRITORIAL JURISDICTION (ETJ).

9. PRIVATE IMPROVEMENTS CANNOT ENCROACH ONTO EXISTING PUBLIC OR PRIVATE EASEMENTS.

10. ONSITE SEWAGE FACILITIES SHALL NOT BE LOCATED INSIDE PUBLICLY DEDICATED EASEMENTS.

11. CONSTRUCTION NOT COMPLETE WITHIN TWO YEARS OF THE COMMISSIONERS COURT APPROVAL SHALL BE SUBJECT TO CURRENT COUNTY SUBDIVISION RULES AND REGULATIONS.

12. A DRIVEWAY CULVERT PERMIT MUST BE OBTAINED FROM THE ROAD AND BRIDGE DEPARTMENTS BY THE OWNER OF EACH LOT PRIOR TO THE CONSTRUCTION, INSTALLATION OR PLACEMENT OF ANY DRIVEWAY ACCESS IMPROVEMENTS WITHIN THE DEDICATED RIGHT-OF-WAY.

13. NO CONSTRUCTION, WITHOUT WRITTEN APPROVAL FROM DENTON COUNTY SHALL BE ALLOWED WITHIN AN IDENTIFIED 'FIRM' FLOODPLAIN AREA, AND THEN ONLY AFTER A DETAILED FLOODPLAIN DEVELOPMENT PERMIT INCLUDING ENGINEERING PLANS AND STUDIES SHOW THAT NO RISE IN THE BASE FLOOD ELEVATION (BEE) WILL RESULT, THAT NO FLOWING WILL RESULT, THAT NO OBSTRUCTION TO THE NATURAL FLOW OF WATER WILL RESULT, AND SUBJECT TO ALL OWNERS OF THE PROPERTY AFFECTED BY SUCH CONSTRUCTION BECOMING A PARTY TO THE REQUEST, WHERE CONSTRUCTION IS PERMITTED, ALL FINISH FLOOR ELEVATIONS SHALL BE A MINIMUM OF TWO FOOT ABOVE THE 100-YEAR FLOOD ELEVATION.

14. ALL SURFACE DRAINAGE EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, FOUNDATIONS, PLANTINGS AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY.

15. THE MAINTENANCE OF PAVING, GRADING AND DRAINAGE IMPROVEMENTS AND/OR EASEMENTS SHOWN ON THIS PLAT ARE THE RESPONSIBILITY OF THE INDIVIDUAL PROPERTY OWNERS AND DO NOT CONSTITUTE ACCEPTANCE OF SAME FOR MAINTENANCE PURPOSES BY DENTON COUNTY.

16. BLOCKING THE FLOW OF WATER OR CONSTRUCTION IMPROVEMENTS IN SURFACE DRAINAGE EASEMENTS, AND FILING OR OBSTRUCTING THE FLOODWAY IS PROHIBITED.

17. DENTON COUNTY WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOODING CONDITIONS.

18. 100 YEAR FLOODPLAIN ESTABLISHED UTILIZING TNRS 2019 CONTOURS AND ON THE GROUND GPS VERIFICATION.
DATUM:
N: 7097664.099
E: 2377806.035
ELEVATION: 639.18

19. THE CITY OF DENTON RETAINS 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 IN ALL DRAINAGE EASEMENTS

21. THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THE ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL PROPERTY OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO THE DRAINAGE COURSES ALONG OR ACROSS THE LOTS.

22. DENTON COUNTY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS AND OPEN SPACES; AND THE OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, DRIVES, EMERGENCY ACCESS EASEMENTS, RECREATION AREAS AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND HOLD HARMLESS DENTON COUNTY, FROM ALL CLAIMS, DAMAGES AND LOSSES ARISING OUT OF OR RESULTING FROM PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS PARAGRAPH.

23. LOT PURCHASERS SHOULD BE ADVISED THAT SOME OF THE PROPOSED LOTS ARE WITHIN 1,000' OF DRILLING AND PRODUCTION SITE(S), THERE IS A POSSIBILITY OF NEW WELLS THAT MAY BE DRILLED AND FRACTURE STIMULATED ON THE DRILLING AND PRODUCTIONS SITE(S) AND THERE IS A POSSIBILITY THAT GAS WELLS ON THE DRILLING AND PRODUCTION SITE(S) MAY BE RE-DRILLED AND/OR RE-FRACTURE STIMULATED IN THE FUTURE.

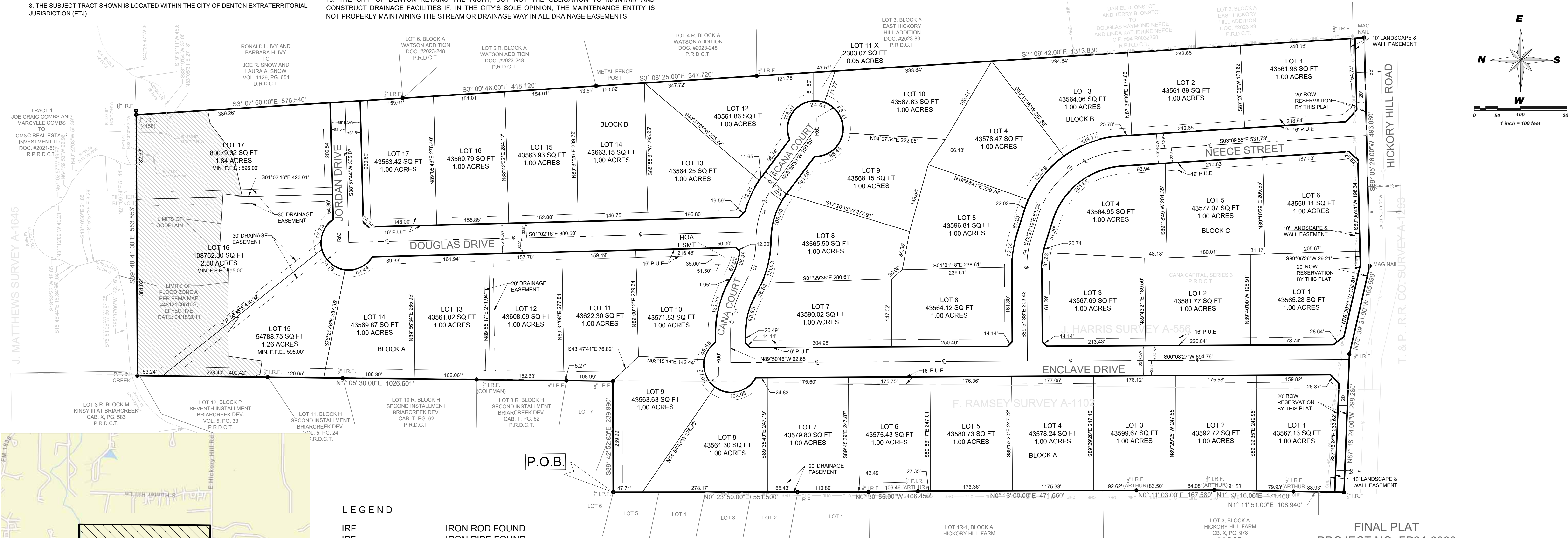
24. THE CITY AND COUNTY, INCLUDING THEIR AGENTS AND EMPLOYEES, HAVE THE RIGHT OF IMMEDIATE ACCESS TO THE COMMON AREAS AT ALL TIMES, IF NECESSARY, FOR THE WELFARE OR PROTECTION OF THE PUBLIC, TO ENFORCE CITY/COUNTY ORDINANCES, OR TO IMPROVE THE APPEARANCE OF OR TO PRESERVE PUBLIC PROPERTY, PUBLIC EASEMENTS, 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.

25. STREAMS AND DRAINAGE WAYS MAY BE RETAINED AS A 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

26. COD STANDARD DRAINAGE COMMENT/STATEMENT: RIGHTS OF COUNTY/CITY, 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.

27. PRIVATE IMPROVEMENTS CANNOT ENCROACH ONTO EXISTING OR PRIVATE EASEMENTS.

28. THE 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.



FINAL PLAT
PROJECT NO. FP24-0008
ENCLAVE AT HICKORY HILL

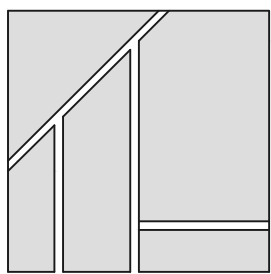
BLOCK A, LOTS 1-17
BLOCK B, LOTS 1-10, 11X, 12-17
BLOCK C, LOTS 1-6
39 RESIDENTIAL LOTS, 1 HOA LOT
48,680 ACRES, 2,120,500.8 SF
SITUATED IN THE

J. HARRIS SURVEY A-556 AND
THE F. RAMSEY SURVEY A-1102
DENTON COUNTY, TEXAS

MAY 2024

SHEET 1 OF 2

OWNER:
CANA CAPITAL SERIES 3, LLC
CONTACT: OMAR OWEIS
PHONE: 512-924-7279
2061 S STEMMONS FWY,
LEWISVILLE, TX 75067



CCM ENGINEERING
ENGINEER/SURVEYOR
2570 JUSTIN ROAD #209
HIGHLAND VILLAGE, TX 75077
(972) 691-6633
TBPE FIRM # 605
TBLS FIRM # 10194794

STATE OF TEXAS §
COUNTY OF Denton §

FIELD NOTES
48.680 ACRES, AND 2,120,491 SQ. FT

BEING all that certain lot, tract, or parcel of land situated in the J. Harris Survey Abstract Number 556 and the F. Ramsey Survey Abstract Number 1102 in Denton County, Texas, being all that certain tract of land conveyed by deed from Daniel D. Onstot ad Terry B. Onstot to Douglas Raymond Neece and Linda Katherine Neece recorded under Clerk's File Number 94-R0032368, Real Property Records, Denton County, Texas, and being all that certain tract of land conveyed by deed from Dwight Thompson Ministries, Inc. to Douglas Raymond Neece and Linda Katherine Neece recorded in Volume 4125, Page 2381, Real Property Records, Denton County, Texas and being more particularly described as follows:

BEGINNING at an iron pipe found for corner, said point being the northeast corner of Lot 5 in Block H of Briarcreek Development, Second Installment, an addition to Denton County, Texas according to the plat thereof recorded in Volume 5, Page 24, Plat Records, Denton, County, Texas;

THENCE S 89° 42' 52" E, 239.99 feet with the south line of Lots 6 and 7 in said Block H of said Briarcreek Development, Second Installment to an iron rod found for corner, said point being the southeast corner of said Lot 7;

THENCE N 01° 05' 30" E, 1026.60 feet with the east line of said Lot 7 and lots 11 and 12 in said Block H of said Briarcreek Development, Second Installment and with the east line of Lots 8R and 10R, Block H of Briarcreek Development, Second Installment, an addition to Denton County, Texas according to the plat thereof recorded in Cabinet T, Page 62, Plat Records, Denton County, Texas;

THENCE S 89° 48' 41" E, 563.65 feet along or near the south line of all that certain "Tract 1" of land conveyed by deed from Joe Craig Combs and Marcyllie Combs to CM&C Real Estate Investments, LLC recorded under Document Number 2021-56239, Real Property Records, Denton County, Texas, to a capped iron rod marked 4158 found for corner, said point being the northwest corner of that certain tract of land conveyed by deed from Ronald L. Ivy and Barbara H. Ivy to Joe R. Snow and Laura A. Snow recorded in Volume 1129, Page 654, Deed Records, Denton County, Texas;

THENCE S 03° 07' 50" E, 576.54 feet with the west line of said Snow tract to an iron rod found for corner, said point being the northwest corner of Lot 5R, Block A of Watson Addition, an addition to Denton County, Texas, according to the plat thereof recorded under Document Number 2023-248, Plat Records, Denton, County, Texas;

THENCE S 03° 09' 46" E, 418.12 feet with the west line of said Lot 5R to a four-inch diameter metal fence post for corner, said point being the northwest corner of Lot 4R in said Block A of said Watson Addition;

THENCE S 03° 08' 25" E, 347.72 feet with the west line of said Lot 4R to an iron rod found for corner, said point being the northwest corner of Lot 3, Block A of East Hickory Hill Addition, an addition to Denton County, Texas according to the plat thereof recorded under Document Number 2021-83, Plat Records, Denton County, Texas;

THENCE S 03° 09' 42" E, 1313.83 feet with the west line of said Lot 3 and with the west line of Lot 2 in said Block A of said East Hickory Hill Addition to a mag nail set for corner in Hickory Hill Road, a public roadway;

THENCE S 89° 05' 26" W, 493.08 feet with said Hickory Hill Road to a mag nail found for corner;

THENCE N 76° 39' 31" W, 195.69 feet with said Hickory Hill Road to an iron rod found for corner;

THENCE N 87° 18' 24" W, 298.28 feet with said Hickory Hill Road to an iron rod found for corner;

THENCE N 01° 33' 16" E, 171.46 feet with said east line of said Lot 3, Block A, of Hickory Hill Farm to a capped iron rod marked Arthur found for corner;

THENCE N 00° 11' 03" E, 167.58 feet with said east line of said Lot 3, Block A, of said Hickory Hill Farm to a capped iron rod marked Arthur found for corner;

THENCE N 00° 13' 00" E, 471.66 feet with said east line of said Lot 3, Block A of said Hickory Hill Farm and with the east line of Lot 4R-1, Block A, of Hickory Hill Farm, an addition to Denton County, Texas according to the plat thereof recorded in Cabinet Y, Page 469, Plat Records, Denton County, Texas, to a capped iron rod marked Arthur found for corner;

THENCE N 00° 30' 55" W, 106.45 feet with said east line of said Lot 4R-1, Block A, of Hickory Hill Farm to an iron rod found for corner, said point being the southeast corner of Lot 1, Block H of said Briarcreek Development, Second Installment;

THENCE N 00° 23' 50" E, 551.50 feet with the east line Lots 1 through 5 of said Block H of said Briarcreek Development, Second Installment to the PLACE OF BEGINNING and containing 2,120,491 SQ. FT. or 48.680 acres of land.

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, Crystal Robertson, 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.

Crystal Robertson
Registered professional land Surveyor No. 5447



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 CRYSTAL ROBERSTON, 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: _____

OWNER'S DEDICATION

STATE OF TEXAS §

COUNTY OF DENTON §

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, CANA CAPITAL SERIES 3, LLC., does hereby adopt this plat designating the herein described property as ENCLAVE AT HICKORY HILLS, an addition in Denton County, Texas, and does hereby dedicate in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purpose indicated on this plat.
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: CANA CAPITAL SERIES 3, LLC.

By: _____ Signature

Name: _____

Title: _____

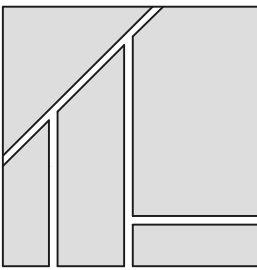
APPROVED BY THE PLANNING & ZONING COMMISSION

ON THIS THE _____ DAY OF _____, 20____

CHAIRPERSON, PLANNING AND ZONING COMMISSION

CITY SECRETARY

OWNER:
CANA CAPITAL SERIES 3, LLC
CONTACT: OMAR OWENS
PHONE: 512-924-7279
2061 S STEMMONS FWY,
LEWISVILLE, TX 75067



CCM ENGINEERING
ENGINEER/SURVEYOR
2570 JUSTIN ROAD #209
HIGHLAND VILLAGE, TX 75077
(972) 691-6633
TBPE FIRM # 605
TBLS FIRM # 10194794

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: CANA CAPITAL SERIES 3, LLC.

By: _____ Signature

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/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 _____, 2024.

Notary Public, State of Texas

My Commission Expires: _____

FINAL PLAT
PROJECT NO. FP24-0008
**ENCLAVE AT HICKORY
HILL**

BLOCK A, LOTS 1-17
BLOCK B, LOTS 1-10, 11X, 12-17
BLOCK C, LOTS 1-6
39 RESIDENTIAL LOTS, 1 HOA LOT
48.680 ACRES, 2,120,500.8 SF
SITUATED IN THE
J. HARRIS SURVEY A-556 AND
THE F. RAMSEY SURVEY A-1102
DENTON COUNTY, TEXAS

MAY 2024

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:

805371345

Entity Type:

Domestic Limited Liability Company (LLC)

Original Date of Filing:

January 10, 2024

Entity Status:

In existence

Formation Date:

N/A

FEIN:

Tax ID:

32093211947

Duration:

Perpetual

Name:

CANA CAPITAL SERIES 3, LLC

Address:

2061 S STEMMONS FWY

LEWISVILLE, TX 75067-8762 USA

| REGISTERED AGENT | | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES |
|-----------------------------|--|---|-------|------------|---------------|---------------------|
| Name | | Address | | | | |
| TEXAS R.E. DEVELOPMENTS LLC | | 737 EVERGREEN DR Hurst, TX 76054 USA | | | | |

Order

Return to Search

Instructions:

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

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:

803963980

Original Date of Filing:

March 3, 2021

Formation Date:

N/A

Tax ID:

32078065177

Duration:

Perpetual

Entity Type:

Domestic Limited Liability Company (LLC)

Entity Status:

In existence

FEIN:

Name:

TEXAS R.E. DEVELOPMENTS LLC

Address:

737 EVERGREEN DR
HURST, TX 76054-2024 USA

| REGISTERED AGENT | | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES |
|------------------|--|--|-------|------------|---------------|
| Name | | Address | | | |
| RIMA ALNIMRI | | 737 EVERGREEN DR. Hurst, TX 76054 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 #: FP24-0011b, **Version:** 1

AGENDA CAPTION

Consider a request by the Foresite Group, LLC for approval of a Final Plat for Stella Hills. The approximately 48.6193-acre site is generally located on the south side of E. McKinney Street, at the intersection of E. McKinney Street and Laney Circle in the City of Denton, Denton County, Texas. (FP24-0011b, Stella Hills, 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: June 12, 2024

SUBJECT

Consider a request by the Foresite Group, LLC for approval of a Final Plat for Stella Hills. The approximately 48.6193-acre site is generally located on the south side of E. McKinney Street, at the intersection of E. McKinney Street and Laney Circle in the City of Denton, Denton County, Texas. (FP24-0011b, Stella Hills, Angie Manglaris).

BACKGROUND

The purpose of this Final Plat is to establish 177 single-family lots, 4 open space lots, and associated right-of-way and easement dedication for the development of a single-family residential neighborhood. The subject property is zoned Residential 6 (R6).

As part of the plat review, staff has coordinated with the developer to dedicate Lot 26X, Block C to the City for a public park to satisfy park dedication requirements. In order for the dedication to occur an associated Development Agreement first needs to be reviewed by the Parks, Recreation, and Beautification Board and will ultimately go before City Council for consideration and approval or denial. The purpose of the Development Agreement is to outline the developer's obligations, including any improvements that may be needed before the City accepts the parkland. If Council declined to approve the Development Agreement, modifications to the plat would be needed to provide for the maintenance of Lot 26X, Block C.

Per DDC Section 8.2.5B, no permits for construction activity may be issued until the Final Plat is approved (all conditions satisfied and removed by the approving body) and filed of record.

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

| | |
|---|----------------|
| Date Application Filed: | March 26, 2024 |
| Planning and Zoning Commission Meeting: | April 24, 2024 |
| Days Under Review: | 29 Days |
| Date Extension Approved: | April 24, 2024 |
| Date Application Filed: | April 23, 2024 |
| Date Application Withdrawn | May 3, 2024 |
| Days Under Review: | 10 days |
| Date Application Filed: | May 16, 2024 |
| Planning and Zoning Commission Meeting: | June 12, 2024 |
| Days in Review: | 27 Days |

This is the **second extension request** received 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 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 Requested Extension
2. Approve with Conditions
3. Approve as Submitted
4. Deny with Reasons

RECOMMENDATION

Staff recommends denial of this Final Plat as fails to meet the established criteria for approval; however, staff has no objection to the requested extension (see Exhibit 5) which could be granted to a date certain of June 26, 2024. See Exhibit 2 for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

| Date | Council, Board, Commission | Request | Action |
|------------------|--------------------------------|---|--------------------|
| October 1, 2019 | City Council | New Zoning Code and City-wide zoning district transition to RR, R4, and MN District | Approval |
| October 12, 2022 | Planning and Zoning Commission | Zoning change from RR, R4 and MN to R6 | Recommend Approval |
| October 18, 2022 | City Council | Zoning change from RR, R4 and MN to R6 | Approval |
| March 15, 2023 | Planning and Zoning Commission | Preliminary Plat 30-day Extension Request | Approval |
| August 23, 2023 | Planning and Zoning Commission | Preliminary Plat | Approval |
| April 24, 2024 | Planning and Zoning Commission | Final Plat 30-day Extension Request | Approval |

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
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

FP24-0011c / Stella Hills Addition

City Council District #1

Planning & Zoning Commission

REQUEST:
 Final plat for approximately 48.6193 acres of land.

APPLICANT:
 Sean Faulkner of Foresite Group, LLC

RECOMMENDATION:
 Staff recommends denial of this Final Plat as it does not meet the established approval criteria; however, staff has no objection to the requested extension, which could be granted to a date certain of June 26, 2024.

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 detailed in the following items 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"/> |

| 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; margin: 5px 0;"> <p>The Final Plat does not meet all review criteria in Section 2.6.4 as described below:</p> <ol style="list-style-type: none"> 1. The Developers Agreement for the dedication of Lot 26x, Block C and associated public improvements must be approved by Council prior to the 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. Findings: <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>There is no conflict.</p> </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; margin: 5px 0;"> <p>There are no prior approvals.</p> </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 style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div> | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings: <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>There are no competing plan goals, policies, and strategies for this site.</p> </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 |
| 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>The Final Plat includes all required information requested by the Director to demonstrate compliance with City codes per DDC Section 2.4.4B.</div> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div>As detailed herein, additional detail regarding some of the easements is required.</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 proposed Final Plat complies with all other applicable city 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"/> |

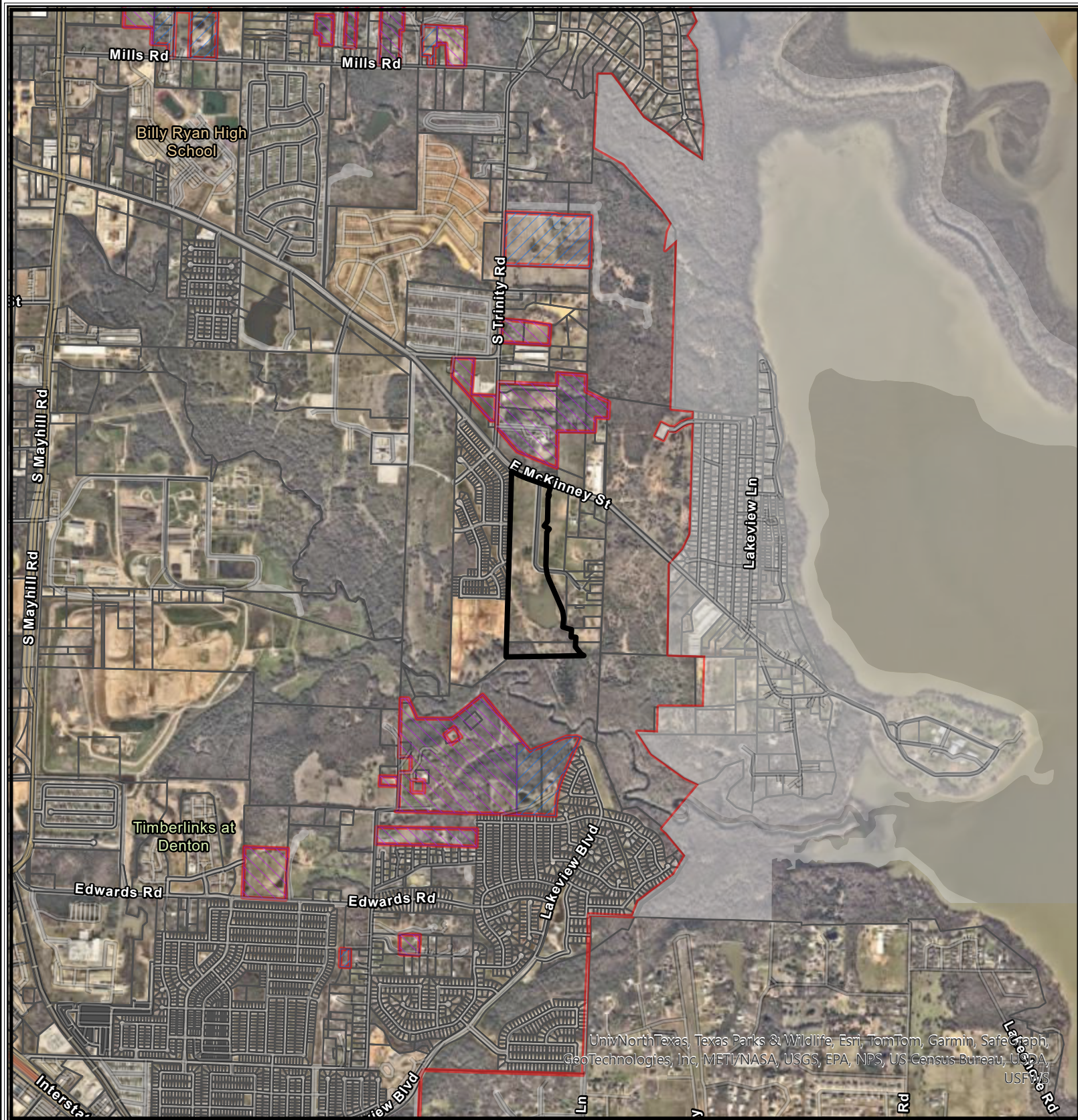
| Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E) | | Compliance | | |
|--|--|-------------------------------------|--------------------------|-------------------------------------|
| | | Met | Not Met | N/A |
| 7. Minimizes Adverse Environmental Impacts | | | | |
| <p>a. The proposed 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>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 | | | | |
| <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>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 | | | | |
| <p>a. The proposed development should not result in significant adverse fiscal impacts on the city.</p> <p>Findings:</p> <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div> | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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>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 | | | | |

| Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E) | | Compliance | | |
|--|--|-------------------------------------|--------------------------|--------------------------|
| | | Met | Not Met | N/A |
| <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 style="border: 1px solid black; padding: 5px; margin-top: 5px;">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 | | | | |
| <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 style="border: 1px solid black; padding: 5px; margin-top: 5px;">There are adequate facilities to serve the development.</div> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. 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; margin-top: 5px;">The Final Plat includes all required improvements for Phase 1 of the development.</div> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| Final Plat Review Applicability Criteria (DDC Section 2.6.4.D) | | Applicability | | |
|---|--|--------------------------|--------------------------|-------------------------------------|
| | | Met | Not Met | N/A |
| <p>13. Whether the final plat conforms to the preliminary plat, including any conditions of approval.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">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"/> |

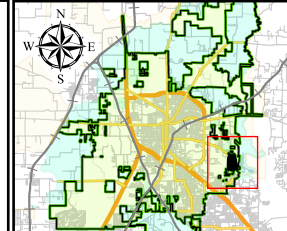
| Final Plat Review Applicability Criteria (DDC Section 2.6.4.D) | Applicability | | |
|--|-------------------------------------|-------------------------------------|--------------------------|
| | Met | Not Met | N/A |
| <p>14. Whether the development will substantially comply with all requirements of this DDC.</p> <p>Findings:</p> <div data-bbox="204 300 1039 558" style="border: 1px solid black; padding: 10px;"> <p>This Final Plat meets all review criteria as required by the Denton Development Code.</p> </div> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>15. Whether the development will comply with the applicable technical standards and specifications adopted by the City.</p> <p>Findings:</p> <div data-bbox="204 825 1039 1022" style="border: 1px solid black; padding: 10px;"> <p>The Final Plat does not comply with all applicable standards and specifications as noted below:</p> <ul style="list-style-type: none"> A Development Agreement dedicating Lot 26x, Block C to the City for a public park must be submitted and approved by Council prior to the final approval of the plat. </div> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

FP24-0011 Site Location



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

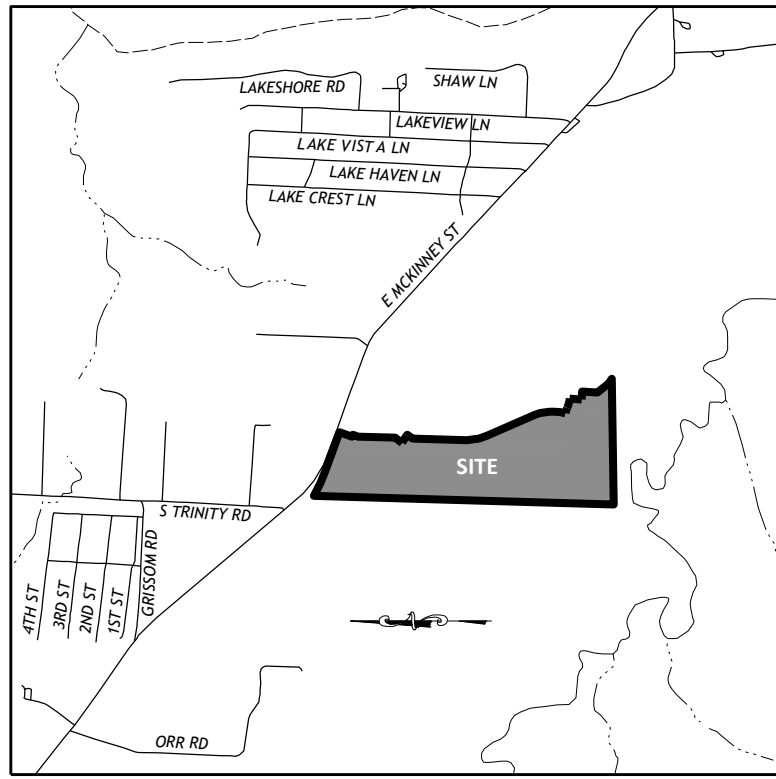
- Roads
- Parcels
- COD
- ETJ
- ETJ 2
- NAA 8/1/20
- NAA 8/1/40



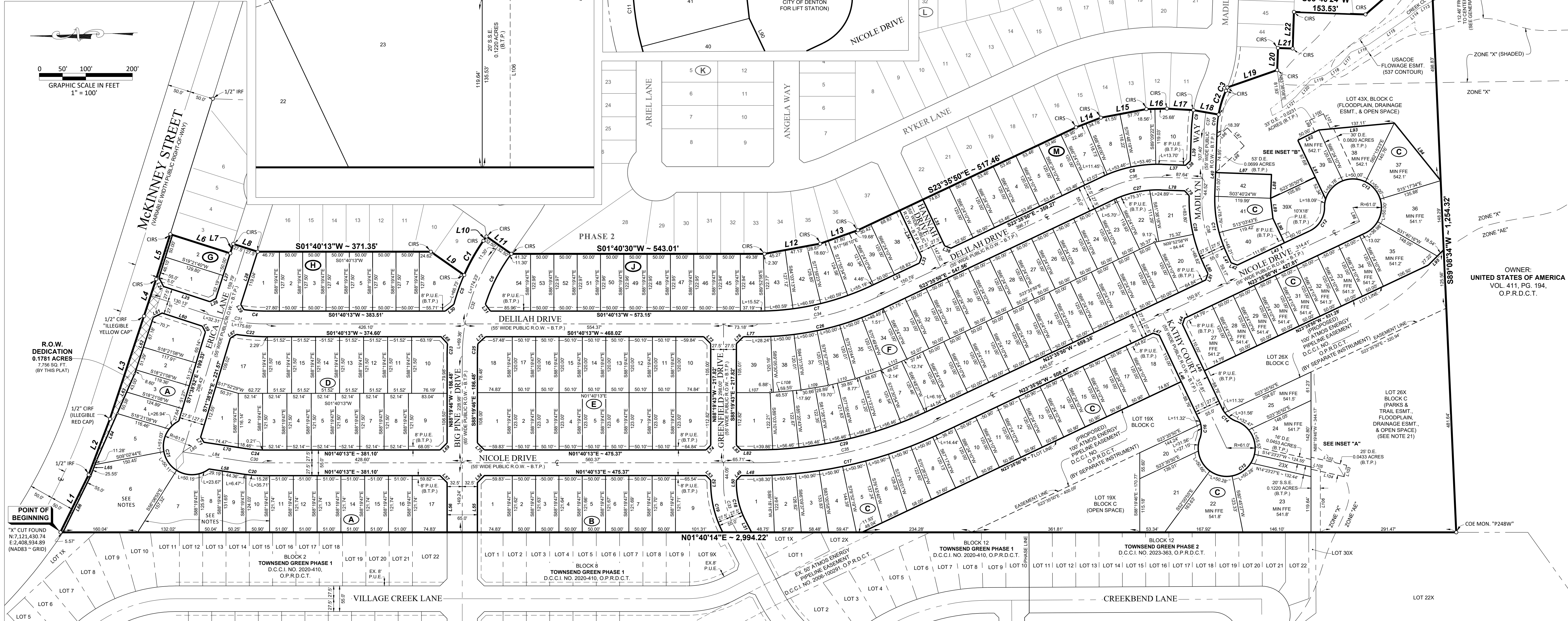
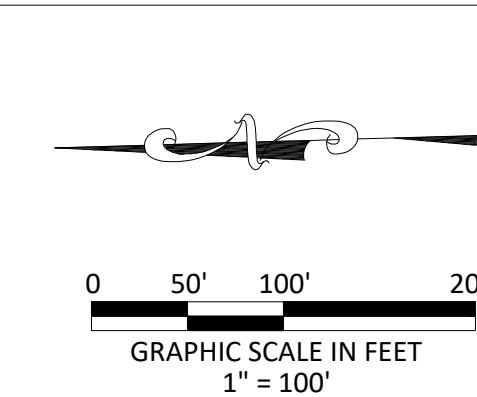
0 500 1,000 2,000
Feet



"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."



* VICINITY MAP *
(NOT TO SCALE)



- * LEGEND ***
- | | | | |
|--------------|--|---------|---------------------------|
| CIRF | IRON ROD FOUND WITH CAP | Ⓢ | CENTERLINE |
| CIRS | 5/8" IRON ROD SET WITH CAP STAMPED "SPOONER 5922" | L=5.00' | ARC LENGTH OF 5.00' |
| IRF | IRON ROD FOUND | D.E. | DRAINAGE EASEMENT |
| XCS | "X" CUT IN CONCRETE SET | P.U.E. | PUBLIC UTILITY EASEMENT |
| COE | CORPS OF ENGINEERS | ESMT. | EASEMENT |
| MON. | MONUMENT | --- | PHASE LINE |
| VOL. | VOLUME | --- | NEW R.O.W. LINE |
| PG. | PAGE | --- | EXISTING R.O.W. LINE |
| R.O.W. | RIGHT OF WAY | --- | ADJOINER PROPERTY LINE |
| D.C.C.I. NO. | DENTON COUNTY CLERK'S INSTRUMENT NUMBER | --- | EASEMENTS |
| D.R.D.C.T. | DEED RECORDS, DENTON COUNTY, TEXAS | --- | NEW LOT LINES |
| O.P.R.D.C.T. | OFFICIAL PUBLIC RECORDS DENTON COUNTY, TEXAS | --- | PROPERTY LINE |
| P.R.D.C.T. | PLAT RECORDS, DENTON COUNTY, TEXAS | --- | WATER RELATED HABITAT ESA |
| (B.T.P.) | BY THIS PLAT | --- | USACOE FLOWAGE ESMT. |
| (EX.) | EXISTING | --- | CROSS TIMBERS ESA |
| | | Ⓐ | BLOCK LABEL |
| | | --- | STREET NAME CHANGE |

NOTES:

SEE PAGE 2 FOR OWNER'S DEDICATION, LINE, CURVE
AND TREE TABLES, AND CITY APPROVAL BLOCK.

LOTS 6-10, BLOCK A ARE LOCATED WITHIN 1,000 FEET
OF AN EXISTING DRILLING AND PRODUCTION SITE.
NEW WELLS MAY BE DRILLED AND FRACTURE
STIMULATED ON THE DRILLING AND PRODUCTION
SITE, AND THE EXISTING WELLS MAY BE RE-DRILLED
AND/OR RE-FRACTURE STIMULATED IN THE FUTURE.

OWNER/DEVELOPER:

MERITAGE HOMES
8840 CYPRESS WATERS BLVD, SUITE 100
DALLAS, TEXAS 75019-4615
PH: 855-588-6374
ATTN: FRANK SU

ENGINEER

FORESITE GROUP
4925 GREENVILLE AVE, SUITE 480
DALLAS, TEXAS 75206
(214) 939-7123
ATTN: SEAN FAULKNER, P.E.

SURVEYOR:



177 SINGLE FAMILY LOTS ~ 4 OPEN SPACE LOTS
48.6193 ACRES ~ ZONED R6

MAY ~ 2024

SHEET 1 OF 2

CITY OF DENTON
PROJECT NO. FP24-0011
FINAL PLAT
**STELLA HILLS
PHASE 1**

BEING A FINAL PLAT OF A 48.6193 ACRE TRACT OF LAND LOCATED IN THE GIDEON WALKER
SURVEY, ABSTRACT NO. 1330, CITY OF DENTON, DENTON COUNTY, TEXAS, SAID 48.6193 ACRE
TRACT OF LAND BEING A PORTION OF A CALLED 81.5532 ACRE TRACT OF LAND CONVEYED TO
MERITAGE HOMES OF TEXAS, LLC, BY DEED THEREOF FILED FOR RECORD IN DENTON COUNTY
CLERK'S INSTRUMENT NO. (D.C.C.I. NO.) 2024-30473, OFFICIAL PUBLIC RECORDS, DENTON COUNTY,
TEXAS (O.P.R.D.C.T.)

* OWNER'S CERTIFICATION *

STATE OF TEXAS §

COUNTY OF DENTON §

WHEREAS MERITAGE HOMES OF TEXAS, LLC, is the sole owner of a 48.6193 acre tract of land located in the Gideon Walker Survey, Abstract No. 1330, City of Denton, Denton County, Texas, said 48.6193 acre tract of land being a portion of a called 81.5532 acre tract of land conveyed to Meritage Homes of Texas, LLC, by deed thereof filed for record in Denton County Clerk's Instrument No. (D.C.C.I. No.) 2024-30473, Official Public Records, Denton County, Texas (O.P.R.D.C.T.), said 48.6193 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a "X" cut found in concrete at the northwest property corner of the said 81.5532 acre tract, said beginning point being on the existing southwest right-of-way line of McKinney Street, being a variable width public right-of-way, said beginning point also having a NAD83 Texas North Central Zone (4202) Grid coordinate of N:7,121,430.74 and E:2,408,934.89;

THENCE along the north property line of the said 81.5532 acre tract and along the said southwest right-of-way line the following courses and distances;

South 62°13'30" East, 137.55 feet to a 1/2" iron rod found;

South 67°26'15" East, 128.27 feet to a 1/2" iron rod with a red illegible cap found;

South 70°01'55" East, 232.42 feet to a 1/2" iron rod with a yellow illegible cap found;

South 70°06'50" East, 83.66 feet to a 5/8" iron rod with cap stamped "SPOONER 5922" set (hereinafter referred to as an iron rod set);

South 70°54'41" East, 100.95 feet to an iron rod set;

THENCE departing the said north property lines and the said existing right-of-way line, over and across the said 81.5532 acre tract the following courses and distances:

South 19°21'40" West, a distance of 135.04 feet to an iron rod set;

South 70°38'20" East, a distance of 21.17 feet to an iron rod set;

South 19°21'40" West, a distance of 55.00 feet to an iron rod set;

South 01°40'13" West, a distance of 371.35 feet to an iron rod set;

South 36°33'48" West, a distance of 87.45 feet to an iron rod set at the beginning of a non-tangent curve to the right having a radius of 432.50 feet;

Along said curve to the right, an arc length of 84.33 feet, and across a chord which bears South 59°01'20" East, a chord length of 84.19 feet to an iron rod set;

South 53°26'12" East, a distance of 11.30 feet to an iron rod set;

South 36°33'48" West, a distance of 65.00 feet to an iron rod set;

South 01°40'30" West, a distance of 543.01 feet to an iron rod set;

South 08°39'17" East, a distance of 121.27 feet to an iron rod set;

South 17°56'10" East, a distance of 86.08 feet to an iron rod set;

South 23°35'50" East, a distance of 517.46 feet to an iron rod set;

South 19°29'42" East, a distance of 57.24 feet to an iron rod set;

South 09°05'52" East, a distance of 99.25 feet to an iron rod set;

South 00°26'07" West, a distance of 44.24 feet to an iron rod set;

South 04°49'54" West, a distance of 56.83 feet to an iron rod set;

South 11°44'31" West, a distance of 55.00 feet to an iron rod set at the beginning of a non-tangent curve to the right having a radius of 222.50 feet;

Along said curve to the right, an arc length of 53.55 feet, and across a chord which bears South 71°21'46" East, a chord length of 53.42 feet to an iron rod set at the beginning of a curve to the left having a radius of 277.50 feet;

Along said curve to the left, an arc length of 7.66 feet, and across a chord which bears South 65°15'32" East, a chord length of 7.66 feet to an iron rod set;

South 17°33'27" East, a distance of 113.33 feet to an iron rod set;

South 86°19'36" East, a distance of 47.46 feet to an iron rod set;

South 03°40'24" West, a distance of 31.56 feet to an iron rod set;

South 86°19'36" East, a distance of 78.50 feet to an iron rod set;

South 03°40'24" West, a distance of 153.53 feet to an iron rod set;

South 39°17'16" East, a distance of 143.21 feet to an iron rod set;

South 55°06'57" East, a distance of 57.08 feet to an iron rod set on the common property line of the said 81.5532 acre tract and that certain tract of land conveyed to United States of America, by deed thereof filed for record in Volume 411, Page 194, O.P.R.D.C.T., from which a Corps of Engineers Monument with a cap stamped "P249W" found at an interior northwest property corner of the said United States of America tract bears North 89°08'34" East, a distance of 229.09 feet;

THENCE South 89°08'34" West, along the said common property line, a distance of 1,254.32 feet to a Corps of Engineers monument with a cap stamped "P248W" found at the southwest property corner of the said 81.5532 acre tract, same being a northwest property corner of the said United States of America tract, said monument found being on the east line of Townsend Green Phase 2, being an Addition to the said City and State, according to the plat thereof filed for record in D.C.C.I. No. 2023-363, O.P.R.D.C.T.;

THENCE North 01°40'14" East, along the west property line of the said 81.5532 acre tract, in part along the said east line of Townsend Green Phase 2 and in part along the east line of Townsend Green Phase 1, being an Addition to the said City and State, according to the plat thereof filed for record in D.C.C.I. NO. 2020-410, O.P.R.D.C.T., a distance of 2,994.22 feet to the POINT OF BEGINNING, containing 48.6193 acres (2,117,857 square feet) of land more or less.

NOW, THEREFORE KNOWN BY ALL MEN THESE PRESENTS:

THAT, I, _____, a duly authorized agent for _____ hereby certify that _____, is the owner of Stella Hills, and do accept this as its plan for subdividing into lots and blocks and do hereby dedicate to the public forever the streets and easement shown hereon.

STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, 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, and in the capacity therein stated.

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

Notary Public, State of Texas

* SURVEYOR'S CERTIFICATION *

STATE OF TEXAS §

COUNTY OF TARRANT §

THAT, I, Eric S. Spooner, a Registered Professional Land Surveyor, in the State of Texas, do hereby certify that this plat was prepared from an actual survey on the ground of the property and that all block monuments and corners were placed under my personal supervision, and in accordance with the platting regulations of the City of Denton.

Surveyed on the ground during the month of June, 2023.

Eric S. Spooner, R.P.L.S. _____ Date
Texas Registration No. 5922

STATE OF TEXAS §

COUNTY OF TARRANT §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared ERIC S. SPOONER, 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, and in the capacity therein stated.

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

Notary Public, State of Texas

* GENERAL NOTES *

- The bearings and distances shown hereon are referenced to the Texas Coordinate System of 1983, Texas North Central Zone 4202, and are based on the North American Datum of 1983, 2011 Adjustment. All areas shown hereon are calculated based on surface measurements.
- This plat was prepared with the benefit of a Title Commitment prepared by a title company. The easements shown hereon are the only easements known by Spooner & Associates and does not imply that any other easements, covenants, restrictions, or other matters of record do not affect the subject property. No other research was performed by Spooner & Associates, Inc.
- According to the Flood Insurance Rate Map published by the Federal Emergency Management Agency, Department of Homeland Security and by graphic plotting; the subject property appears to be located in Zone "X" (areas determined to be outside the 0.2 % annual chance floodplain), Special Flood Hazard Zone "AE" (base flood elevations determined) and Flood Area Zone "X" (Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% chance flood) as shown on Map No. 48121CD385G; map revised April 18, 2011, for Denton County and incorporated areas. This flood statement does not imply that the property and/or structures located in Zone "X", Special Flood Hazard Zone "AE", and Flood Area Zone "X" will be free from flooding or flood damage. This flood statement shall not create liability on the part of the Surveyor.
- Due to the natural progression of erosion and accretion, the dimensions of the creek centerline shown hereon are approximate for reference purposes only and shall not effect or follow the title of the subject property.
- All property corners are monumented with a 5/8 inch iron rod with a cap stamped "SPOONER 5922" unless shown otherwise hereon.
- 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.
- The minimum finished floor elevation shall be provided when a building permit application is submitted. The minimum finished floor elevations shall be based on the current FEMA data.
- The City of Denton has adopted the National Electric Safety Code (The "Code"). The code general prohibits structures within 17.5 feet on either side of the centerline of overhead distribution lines and within 37.5 feet on either side of the centerline for 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.
- Taps made to existing waterlines or relocation of Fire Hydrants shall be done by the City of Denton at the expense of the Contractor. Contact Kent Conkle with the Water Department at 940-349-7167.
- Water and Wastewater service for this subdivision to be provided by City of Denton.
- All work within gas line pipeline easement will be subject to the terms of the pipeline owner.
- Responsibility for all open space lots (Lots 19X, 23X, 26X, and 43 X Block C) and the maintenance thereof will be by the Home Owner's Association.
- Lot 39X, Block C shall be dedicated to the City of Denton for a lift station. Lot 39X, Block C shall be except from Home Owner's Association Covenants, Conditions, and Restrictions.
- The purpose of this Final Plat is to create 177 single family lots and 4 public open space lots, and to dedicate right-of-way and easements necessary for development.
- Floodplain and drainage easements shown on the plat 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.
- Private improvements shall not encroach into existing public or private easements.
- COD STANDARD DRAINAGE COMMENT/STATEMENT: RIGHTS OF COUNTY/CITY: 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, or to 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 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.
- Private improvements cannot encroach onto existing public or private easements.

| AREA TABLE - BLOCK A | | |
|----------------------|---------|--------|
| LOT | SQ. FT. | ACRES |
| 1 | 9,255 | 0.2125 |
| 2 | 6,083 | 0.1396 |
| 3 | 6,244 | 0.1433 |
| 4 | 6,210 | 0.1426 |
| 5 | 10,174 | 0.2336 |
| 6 | 26,849 | 0.6164 |
| 7 | 11,647 | 0.2674 |
| 8 | 6,618 | 0.1519 |
| 9 | 6,423 | 0.1475 |
| 10 | 6,223 | 0.1429 |
| 11 | 6,208 | 0.1425 |
| 12 | 6,208 | 0.1425 |
| 13 | 6,208 | 0.1425 |
| 14 | 6,208 | 0.1425 |
| 15 | 6,208 | 0.1425 |
| 16 | 6,208 | 0.1425 |
| 17 | 8,998 | 0.2066 |

| AREA TABLE - BLOCK B | | |
|----------------------|---------|--------|
| LOT | SQ. FT. | ACRES |
| 1 | 8,998 | 0.2066 |
| 2 | 6,087 | 0.1397 |
| 3 | 6,087 | 0.1397 |
| 4 | 6,087 | 0.1397 |
| 5 | 6,087 | 0.1397 |
| 6 | 6,087 | 0.1397 |
| 7 | 6,087 | 0.1397 |
| 8 | 6,087 | 0.1397 |
| 9 | 10,028 | 0.2302 |

| AREA TABLE - BLOCK C | | |
|----------------------|---------|--------|
| LOT | SQ. FT. | ACRES |
| 1 | 8,410 | 0.1931 |
| 2 | 6,754 | 0.1551 |
| 3 | 7,078 | 0.1625 |
| 4 | 7,595 | 0.1744 |
| 5 | 7,818 | 0.1795 |
| 6 | 7,225 | 0.1659 |
| 7 | 6,801 | 0.1561 |
| 8 | 6,566 | 0.1507 |
| 9 | 6,221 | 0.1428 |
| 10 | 6,108 | 0.1402 |
| 11 | 6,108 | 0.1402 |
| 12 | 6,108 | 0.1402 |
| 13 | 6,108 | 0.1402 |
| 14 | 6,108 | 0.1402 |
| 15 | 6,108 | 0.1402 |
| 16 | 6,108 | 0.1402 |
| 17 | 6,108 | 0.1402 |

| AREA TABLE - BLOCK D | | |
|----------------------|---------|--------|
| LOT | SQ. FT. | ACRES |
| 1 | 7,881 | 0.1809 |
| 2 | 6,234 | 0.1431 |
| 3 | 6,335 | 0.1454 |
| 4 | 6,335 | 0.1454 |
| 5 | 6,335 | 0.1454 |
| 6 | 6,335 | 0.1454 |
| 7 | 6,335 | 0.1454 |
| 8 | 6,335 | 0.1454 |
| 9 | 9,977 | 0.2290 |
| 10 | 9,173 | 0.2106 |
| 11 | 6,260 | 0.1437 |
| 12 | 6,260 | 0.1437 |
| 13 | 6,260 | 0.1437 |
| 14 | 6,260 | 0.1437 |
| 15 | 6,260 | 0.1437 |
| 16 | 6,260 | 0.1437 |
| 17 | 11,541 | 0.2649 |

| AREA TABLE - BLOCK E | | |
|----------------------|---------|--------|
| LOT | SQ. FT. | ACRES |
| 1 | 9,092 | 0.2087 |
| 2 | 6,162 | 0.1415 |
| 3 | 6,162 | 0.1415 |
| 4 | 6,162 | 0.1415 |
| 5 | 6,162 | 0.1415 |
| 6 | 6,162 | 0.1415 |
| 7 | 6,162 | 0.1415 |
| 8 | 6,162 | 0.1415 |
| 9 | 9,154 | 0.2101 |
| 10 | 8,867 | 0.2036 |
| 11 | 6,012 | 0.1380 |
| 12 | 6,012 | 0.1380 |
| 13 | 6,012 | 0.1380 |
| 14 | 6,012 | 0.1380 |
| 15 | 6,012 | 0.1380 |
| 16 | 6,012 | 0.1380 |
| 17 | 6,012 | 0.1380 |
| 18 | 8,835 | 0.2028 |

| AREA TABLE - BLOCK F | | |
|----------------------|---------|--------|
| LOT | SQ. FT. | ACRES |
| 1 | 9,196 | 0.2111 |
| 2 | 6,440 | 0.1479 |
| 3 | 6,423 | 0.1474 |
| 4 | 6,401 | 0.1469 |
| 5 | 6,381 | 0.1465 |
| 6 | 6,364 | 0.1461 |
| 7 | 6,342 | 0.1456 |
| 8 | 6,037 | 0.1386 |
| 9 | 6,000 | 0.1377 |
| 10 | 6,000 | 0.1377 |
| 11 | 6,000 | 0.1377 |
| 12 | 6,000 | 0.1377 |
| 13 | 6,000 | 0.1377 |
| 14 | 6,000 | 0.1377 |
| 15 | 6,000 | 0.1377 |
| 16 | 6,000 | 0.1377 |
| 17 | 6,000 | 0.1377 |

| AREA TABLE - BLOCK G | | |
|----------------------|---------|--------|
| LOT | SQ. FT. | ACRES |
| 1 | 7,831 | 0.1798 |
| 2 | 6,496 | 0.1491 |

| AREA TABLE - BLOCK H | | |
|----------------------|---------|--------|
| LOT | SQ. FT. | ACRES |
| 1 | 8,409 | 0.1930 |
| 2 | 6,375 | 0.1463 |
| 3 | 6,375 | 0.1463 |
| 4 | 6,375 | 0.1463 |
| 5 | 6,375 | 0.1463 |
| 6 | 6,375 | 0.1463 |
| 7 | 6,375 | 0.1463 |
| 8 | 9,284 | 0.2131 |

| AREA TABLE - BLOCK I | | |
|----------------------|---------|--------|
| LOT | SQ. FT. | ACRES |
| 38 | 8,210 | 0.1885 |
| 39 | 6,019 | 0.1382 |
| 40 | 6,639 | 0.1524 |
| 41 | 6,757 | 0.1551 |
| 42 | 6,860 | 0.1575 |
| 43 | 6,755 | 0.1551 |
| 44 | 6,274 | 0.1440 |
| 45 | 6,147 | 0.1411 |
| 46 | 6,147 | 0.1411 |
| 47 | 6,147 | 0.1411 |
| 48 | 6,148 | 0.1411 |
| 49 | 6,148 | 0.1411 |
| 50 | 6,148 | 0.1411 |
| 51 | 6,148 | 0.1411 |
| 52 | 6,148 | 0.1411 |
| 53 | 6,149 | 0.1412 |
| 54 | 9,214 | 0.2115 |

| AREA TABLE - BLOCK J | | |
|----------------------|---------|--------|
| LOT | SQ. FT. | ACRES |
| 1 | 7,449 | 0.1710 |
| 2 | 6,108 | 0.1402 |

| AREA TABLE - BLOCK K | | |
|----------------------|---------|--------|
| LOT | SQ. FT. | ACRES |
| 3 | 8,416 | 0.1473 |
| 4 | 6,416 | 0.1473 |
| 5 | 6,416 | 0.1473 |
| 6 | 6,416 | 0.1473 |
| 7 | 6,896 | 0.1577 |
| 8 | 7,648 | 0.1756 |
| 9 | 7,617 | 0.1749 |
| 10 | 9,157 | 0.2102 |

OWNER/DEVELOPER:

MERITAGE HOMES
8840 CYPRESS WATERS BLVD, SUITE 100
DALLAS, TEXAS 75019-4615
PH: 855-588-6374
ATTN: FRANK SU

ENGINEER

FORESITE GROUP
4925 GREENVILLE AVE, SUITE 408
DALLAS, TX 75206
(214) 939-7123
ATTN: SEAN FAULKNER, P.E.

| AREA TABLE - BLOCK L | | |
|----------------------|---------|--------|
| LOT | SQ. FT. | ACRES |
| 1 | 7,831 | 0.1798 |
| 2 | 6,496 | 0.1491 |

| AREA TABLE - BLOCK M | | |
|----------------------|---------|--------|
| LOT | SQ. FT. | ACRES |
| 1 | 7,449 | 0.1710 |
| 2 | 6,108 | 0.1402 |

| AREA TABLE - BLOCK N | | |
|----------------------|---------|--------|
| LOT | SQ. FT. | ACRES |
| 3 | 8,416 | 0.1473 |
| 4 | 6,416 | 0.1473 |
| 5 | 6,416 | 0.1473 |
| 6 | 6,416 | 0.1473 |
| 7 | 6,896 | 0.1577 |
| 8 | 7,648 | 0.1756 |
| 9 | 7,617 | 0.1749 |
| 10 | 9,157 | 0.2102 |

| AREA TABLE - BLOCK O | | |
|----------------------|---------|--------|
| LOT | SQ. FT. | ACRES |
| 1 | 7,449 | 0.1710 |
| 2 | 6,108 | 0.1402 |

| LINE TABLE | | |
|------------|-------------|----------|
| LINE | BEARING | DISTANCE |
| L1 | S62°13'30"E | 137.55' |
| L2 | S67°26'15"E | 128.27' |
| L3 | S70°01'55"E | 232.42' |
| L4 | S70°06'50"E | 83.66' |
| L5 | S70°54'41"E | 100.95' |
| L6 | S19°21'40"W | 135.04' |
| L7 | S70°38'20"E | 21.17' |
| L8 | S19°21'40"W | 55.00' |
| L9 | S36°33'48"W | 87.45' |
| L10 | S53°26'12"E | 11.30' |
| L11 | S36°33'48"W | 65.00' |
| L12 | S08°39'17"E | 121.27' |
| L13 | S17°56'10"E | 86.08' |
| L14 | S19°29'42"E | 57.24' |
| L15 | S09°05'25"E | 99.25' |
| L16 | S00°26'57"W | 44.24' |
| L17 | S04°49'54"W | 56.83' |
| L18 | S11°43'14"W | 55.00' |
| L19 | S17°33'27"E | 113.33' |
| L20 | S86°19'36"E | 47.46' |
| L21 | S03°04'24"W | 31.56' |
| L22 | S86°19'36"E | 78.50' |
| L23 | S55°06'57"E | 57.08' |
| L24 | S64°44'03"W | 21.25' |
| L25 | S19°50'33"E | 104.66' |
| L26 | S25°23'54"E | 14.08' |
| L27 | S70°38'20"E | 102.19' |
| L28 | S70°38'20"W | 119.94' |
| L29 | S59°37'18"E | 12.92' |
| L30 | S36°23'04"E | 23.62' |
| L31 | S54°51'55"W | 17.97' |
| L32 | S33°25'50"E | 113.29' |
| L33 | S68°35'50"E | 14.14' |
| L34 | S66°24'10"E | 110.00' |
| L35 | N66°24'10"E | 110.00' |
| L36 | S21°24'10"W | 50.14' |
| L37 | S03°40'24"W | 14.14' |
| L38 | S41°19'36"E | 14.14' |



6/6/2024

Angie Manglaris, AICP

Angie.Manglaris@cityofdenton.com
Department of Development Services
401 N. Elm Street
Denton, Texas 76201

Re: **FP24-0011; Stella Hills Phase 1 - 3rd DAT review comments available to view/download**

Angie,

We're seeking an extension to June 26th, 2024, for P&Z. Kindly confirm if this extension meets our request.

Additionally, please acknowledge our aim to persuade parks to reverse their recommendation before the June 12th, 2024 meeting.

Sincerely,

Phillip J. Fisher
Forward Planning Manager
O: 972.580.6317 | C:214.240.4965 | www.meritagehomes.com

Signature: Phillip Fisher
Phillip Fisher (Jun 6, 2024 11:42 CDT)

Email: Phillip.Fisher@meritagehomes.com






Requesting extension

Final Audit Report

2024-06-06

| | |
|-----------------|--|
| Created: | 2024-06-06 |
| By: | Bathu Do Hope (Bathu.DoHope@meritagehomes.com) |
| Status: | Signed |
| Transaction ID: | CBJCHBCAABAAUuZ0MiSdfKjOIQoLp2t3Ekh2MLGpqRRL |

"Requesting extension" History

-  Document created by Bathu Do Hope (Bathu.DoHope@meritagehomes.com)
2024-06-06 - 4:04:50 PM GMT
-  Document emailed to Phillip Fisher (Phillip.Fisher@meritagehomes.com) for signature
2024-06-06 - 4:05:07 PM GMT
-  Email viewed by Phillip Fisher (Phillip.Fisher@meritagehomes.com)
2024-06-06 - 4:40:25 PM GMT
-  Document e-signed by Phillip Fisher (Phillip.Fisher@meritagehomes.com)
Signature Date: 2024-06-06 - 4:42:02 PM GMT - Time Source: server
-  Agreement completed.
2024-06-06 - 4:42:02 PM GMT


TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

| | | | |
|---------------------------------|---|-----------------------|---|
| Filing Number: | 801309700 | Entity Type: | Foreign Limited Liability Company (LLC) |
| Original Date of Filing: | August 23, 2010 | Entity Status: | In existence |
| Formation Date: | N/A | | |
| Tax ID: | 32042483373 | FEIN: | 383672020 |
| Name: | Foresite Group, LLC | | |
| Address: | 3740 Davinci Ct., Ste. 100 Peachtree Corners, GA 30092 USA | | |
| Fictitious Name: | Foresite Consulting Group of Texas, LLC | | |
| Jurisdiction: | GA, USA | | |
| Foreign Formation Date: | January 24, 2003 | | |

| REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS |
|----------------------------------|--------------------------------|---|----------------------------|-------------------------------|-------------------------------------|---------------------------------|
| Name | | Address | | | Inactive Date | |
| Registered Agents Inc. | | 5900 Balcones Drive Suite 100 Austin, TX 78731 USA | | | | |

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 #: FP24-0020, **Version:** 1

AGENDA CAPTION

Consider a request by Dunaway Associates LLC, on behalf of The Dien Stout Clarke Beneficiary Trust for a Final Plat of Hickory Hill Events Center. The approximately 15.98-acre site is generally located on the west side of Copper Canyon Road, approximately 229 feet east of East Hickory Hill Road in Denton County, Texas, within the City's Extraterritorial Jurisdiction Division 1 (ETJ-1). (FP24-0020, Hickory Hill Event Center, Bryce Van Arsdale).



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: June 12, 2024

SUBJECT

Consider a request by Dunaway Associates LLC, on behalf of The Dien Stout Clarke Beneficiary Trust for a Final Plat of Hickory Hill Events Center. The approximately 15.98-acre site is generally ~~located~~ **at located at** the southeast intersection of Copper Canyon Road and Old Alton Road Denton County, Texas, within the City's Extraterritorial Jurisdiction Division 1 (ETJ-1). (FP24-0020, Hickory Hill Event Center, Bryce Van Arsdale).

BACKGROUND

The purpose of this Final Plat is to establish a single lot, dedicate easements and establish right-of-way. The lot will have access to Old Alton Road and Copper Canyon Road. The subject property is situated in the City of Denton's Extraterritorial Jurisdiction Division 1 (ETJ-1).

| | |
|---------------------------------------|---------------|
| Initial Application Date: | May 14, 2024 |
| Planning & Zoning Commission Meeting: | June 12, 2024 |
| Days in Review: | 29 Days |

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

This application is being considered under 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). In accordance with Texas Local Government Code Section 212.009 the extension cannot exceed 30 days and could be granted to a date certain of June 26, 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), which could be granted to a date certain of June 26, 2024. See Staff Analysis (Exhibit 2) for detailed reasons for recommendation.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

No prior action/review has been done by Council, a Board, or a Commission related to this request.

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. Extension Request

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

Prepared by:
Bryce Van Arsdale
Assistant Planner

Planning Staff Analysis

FP24-0020 / Hickory Hill Events Center

ETJ- Division 1

Planning & Zoning Commission

REQUEST:

Final Plat for an approximately 15.98-acre site

APPLICANT:

Dunaway Associates LLC on behalf of The Dien Stout Clarke Beneficiary Trust

RECOMMENDATION:

Staff recommends denial of this Final Plat as it does not meet the established approval criteria, as shown in the following table. However, Staff has no objection to the requested extension, which could be granted to a date certain of June 26, 2024.

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 | | | |
| <div><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 proposed Final Plat is not compliant with all City regulations, as noted below and in the Outstanding Comments listed at the end of this document.</p><ol style="list-style-type: none">Provide a current title policy or title survey for the subject property (FPC 1.5)Please specify the date on which this plat was prepared, rather than the month (FPC 2.2)Add FP24-0020 to title block (FPC 2.2)Revise title block to read “ETJ Division 1” (FPC 2.2.)Reference current owner in vicinity of title block (FPC 2.4)Add boundary monument symbol to legend (FPC 2.12)Provide clear 3x3 block at the bottom right-hand corner of the plat (FPC 2.21)Include all symbology and acronyms in legend. This includes shading styles (FPC 2.12)Show and label all ROW centerlines, dimensioning from centerline to property boundary (FPC 3.15)</div></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>The Final Plat does not meet all review criteria, as detailed in Approval Criteria 4 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>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>The Final Plat is not under the City's land use jurisdiction and there are no prior approvals.</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>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>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 style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>All applications shall include all required information requested by the Director of staff to demonstrate compliance with City codes per DDC Section 2.4.4B. Corrections needed are noted below and in the Outstanding Comments listed at the end of this document.</p> <p>1. Dimension all easements (FPC 3.6, DDC2.6.2C.6)</p> </div> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>The subject submittal is a Final Plat, and it was reviewed based on the established checklist and requirements.</p> </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 style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>The Final Plat complies with all other applicable regulations.</p> </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 style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>No interlocal or development agreements are applicable to this project.</p> </div> | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Minimizes Adverse Environmental Impacts | | | | |

| Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E) | | Compliance | | |
|--|--|--------------------------|-------------------------------------|-------------------------------------|
| | | Met | Not Met | N/A |
| <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> <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> <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> <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 checked="" 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>1. Staff is awaiting clarification on utility providers: Provide notes for how adequate water and wastewater will be provided, see CL items 2.14-2.18 for additional requirements. (DDC 8.4.10-11 and FPC 2.14)</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>The proposed lot will have access to Old Alton Road, as well as Copper Canyon Road.</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>As detailed in 10.a of this document staff has requested details about utility service providers.</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>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>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, preliminary plats are no longer required.</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 |
| 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 is subject to the required corrections outlined herein.</div> | | <input type="checkbox"/> | <input checked="" 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 proposed development must comply with all applicable standards and specifications adopted by the City, the Final Plat is subject to the required corrections outlined herein.</div> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Outstanding Comments

Planning

1. Indicate gas well locations for operational and plugged wells on site or on adjacent property, dimension required reverse setbacks and, equipment separation distances. (FPC 6.6)
2. Include the note “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” (FPC 6.7)
3. Show floodplain limits. Note the current effective Flood Insurance Rate Map and any map changes (Letters of Map Amendment, Conditional Letters of Map Revision, etc.) Show, label, and dimension drainage and floodway easements. (DDC Section 7.5.3I and N)
4. Please add a note detailing the purpose of the easement to the north. (FPC 3.12)
5. Provide plat notes, including purpose of plat along with other necessary notes. (FPC 5.8)
6. Include owner certificate and dedication language. (FPC 5.4)
7. Ensure plat is clear of spelling errors (FPC 2.1)

Environmental

1. ESA24-0007 confirmed the current effective FEMA 1% floodplain is an Environmentally Sensitive Area. Add a note to the final plat identifying this and that any land disturbances within the ESA are subject to the protection requirements as outlined in the Denton Development Code. (DDC 7.7.4)

Transportation

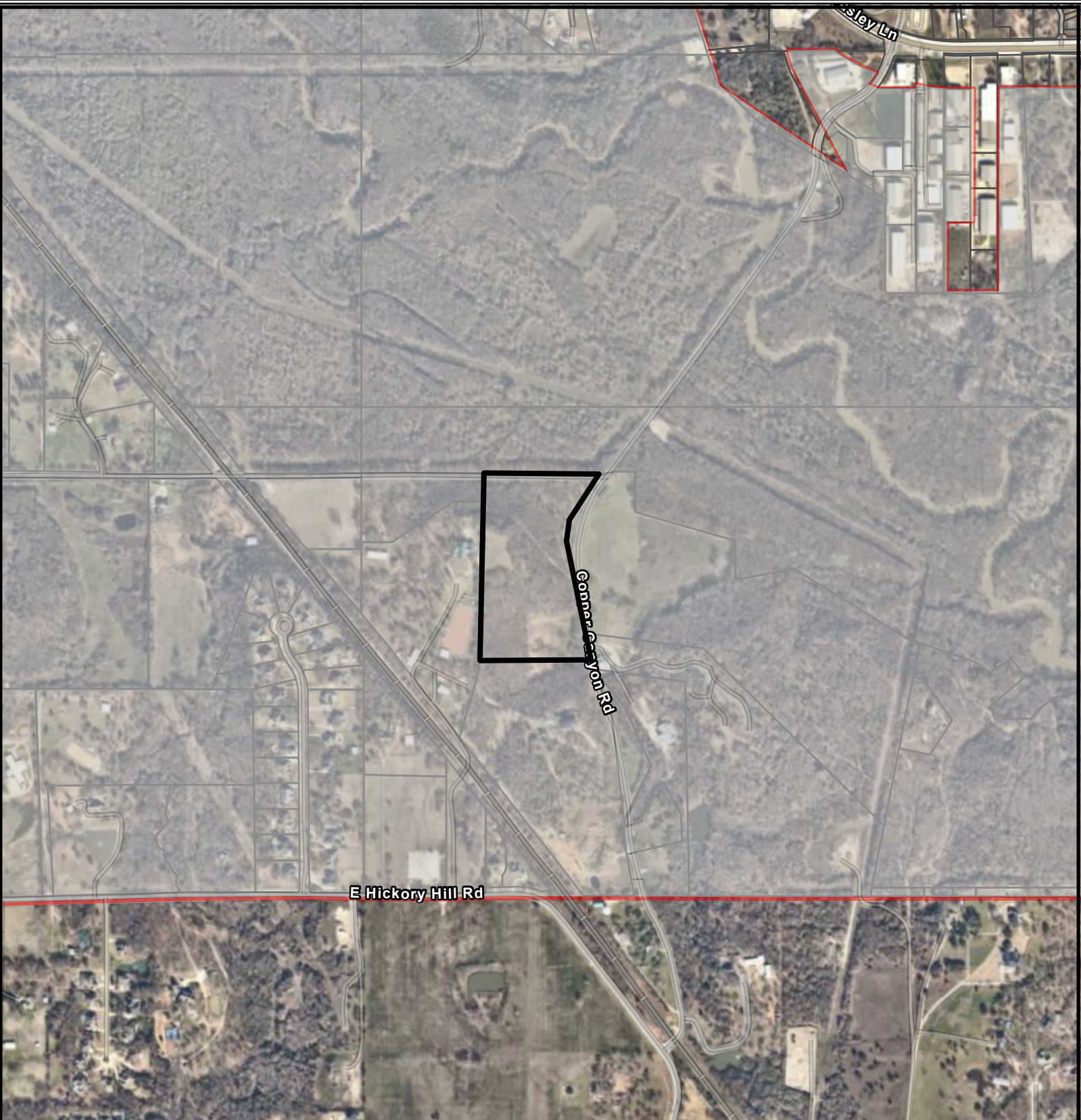
1. Dedicate public right-of-way for Old Alton Rd and Copper Canyon Rd. See Engineering comments for appropriate dimensions. (DDC 8.4.8; FPC 3.1)
2. Dimension and label right-of-way widths from centerline of perimeter streets to property line. Label, at minimum, the shortest and longest distances. Include line types and abbreviations in the legend. (FPC 3.15)

Engineering

1. Project Narrative: Describe the purpose of the project. (FPC 1.6)
2. The title block shall contain city assigned project number (FP24-0020). (FPC 2.2)

3. Per May 13, 2024 letter from City of Denton Development Services, ROW must be dedicated along both site frontages: 1. Old Alton Rd-Secondary Arterial, dedicate 55' from CL; 2. Copper Canyon Rd-County Road, dedicate 35' from CL. Label the exact location, dimension, and centerline (with dimension from centerline to edge of existing or proposed ROW) of existing public ROW intersecting or contiguous with its boundary or forming such boundary. Display the centerline of proposed ROW with dimension from centerline to the edge of proposed ROW. (FPC 3.15)
4. Label adjacent properties. (FPC 4.1)
 - a. Platted properties: display lot lines and label subdivision name, lot and block designation, and plat recording information for each lot.
 - b. Unplatted properties: display parcel lines and label record owner and deed recording information for each parcel.
5. Provide a copy of the computer-generated closure report for the metes and bounds description. (FPC 5.2)
6. Include certificate of approval language and signature block for the Director of Development Services. (FPC 5.5)
7. Provide the purpose of the plat in a plat note. (FPC 5.8)
8. Add COD standard drainage comment/statement to plat. (FPC 6.2)
9. Include City Project number on Temporary Right of Entry for EA Form submittal. (FPC 2.2)
10. For ETJ plats (DCM 6.3.22.E):
 - a. The plat needs to state that onsite sewage facilities shall not be located inside publicly dedicated easements.
11. Provide right-of-way dedication on the subject property as required by DDC Section 7.8.7.A-B, the City of Denton Mobility Plan at <http://www.cityofdenton.com/302/Mobility-Plan>, and the Transportation Design Criteria Manual Section 1.3. (FPC 3.1a)
12. Verify with Planning the Project Name is correct and not "Hickory Hills Events Center". (BEP)
13. Final Plat Review must have a CEP approved prior to approval. CEP not provided for 1st submittal final plat review. New comments on the Final Plat may be generated upon review of CEP. (DDC 2.6.4.C.2.d)
14. Label minimum finish floor elevation for each pad site on any lot adjacent to (and within 200 feet of) a floodplain. (DDC 7.5.I.3, the minimum finished floor elevations, the datum used, and the source of the elevation information shall be labeled on the final plat where required. Vertical datum used for the minimum finished floor elevations shall be the same as the datum used to establish 100-year base flood elevations.) (FPC 3.10)
15. Label points. (BEP)
16. Include drainage easement for culverts under driveway along Copper Canyon Road. Refer to DSA24-0009 Review Comments.
17. Include specific dedication language for drainage easements for open channel flow. Restrictions of easements shall be described on the final plat and approved by the City. (FPC 6.2 and DDC 7.5.3.N)
 - a. 1.25b) A drainage easement shall be dedicated as a single lot to the city, a homeowner's association, or other legal entity as allowed by DDC subsection 7.5.3. (DDC 7.5.3.I.2.a.ii)
 - b. 1.25c) Streams and drainage ways may be retained as a 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.I.2.a.iv-vi)
 - c. 1.25d) 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.I.2.a.vii)
18. Provide note on plat that private improvements cannot encroach onto existing public or private easements. (DDC 1.3.5)

FP24-0020 Site Location



Legend:

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

Scale: 0 245 490 980 Feet

CITY OF DENTON
Development Services • GIS
Date: 5/30/2024

May 30, 2024

To the City of Denton, Texas:

We would like to request an extension of the plat being considered for Hickory Hill (FP24-0020). We are continuing to address the comments provided by the City and expect to be resubmitting shortly.

Thank you,

A handwritten signature in blue ink, appearing to read 'Nick Powell'.

Nick Powell, PE

Senior Discipline Lead

Dunaway Associates



City of Denton

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

Legislation Text

File #: FP24-0012a, **Version:** 1

AGENDA CAPTION

Consider a request by Kimley-Horn, on behalf of Hunter Ranch Land, LLC, for approval of a Final Plat of Hunter Ranch Phase 1A. The approximately 52.956-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (FP24-0012a, Hunter Ranch Phase 1A, 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: June 12, 2024

SUBJECT

Consider a request by Kimley-Horn, on behalf of Hunter Ranch Land, LLC, for approval of a Final Plat of Hunter Ranch Phase 1A. The approximately 52.956-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (FP24-0012a, Hunter Ranch Phase 1A, Cameron Robertson).

BACKGROUND

The purpose of this Final Plat is to facilitate the development of Phase 1A of Hunter Ranch Phase 1, which will consist of 95 single-family residential lots and 10 HOA lots. The approved Preliminary Plat (PP22-0014c) of Hunter Ranch Phase 1 included a total of 747 single-family residential lots and 36 HOA lots on 228.914 acres. Phase 1 also includes the construction of an amenity center lot which will serve this portion of the development and future phases of the overall development.

The subject property is presently vacant and zoned Master Planned Communities (MPC) - R6/ -R7/ -Mixed-Use Neighborhood (MN). Ordinance MPC19-0002c applies to the subject property and establishes the zoning standards for the entire Hunter Ranch MPC.

| | |
|---------------------------------------|----------------|
| Date Application Filed: | April 16, 2024 |
| Planning & Zoning Commission Meeting: | May 15, 2024 |
| Days in Review: | 29 Days |
| First Extension Request Approved: | May 15, 2024 |
| Planning & Zoning Commission Meeting: | June 12, 2024 |
| Days in Review: | 28 Days |

This is the **second extension request** received 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 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 June 26, 2024. 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 |
| July 13, 2022 | Planning & Zoning Commission | Preliminary Plat (PP22-0014) Extension Request | Extension Approved |
| November 16, 2022 | Planning & Zoning Commission | Preliminary Plat (PP22-0014c) | Approved |
| May 15, 2024 | Planning & Zoning Commission | Final Plat (FP24-0012) Extension Request | Extension 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
6. LLC Members List

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

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

Staff Analysis

FP24-0012a / Hunter Ranch Phase 1A

City Council District #4

Planning & Zoning Commission

REQUEST:

Final Plat for an approximately 52.956-acre tract.

APPLICANT:

Kimley-Horn on behalf of Hunter Ranch Land, LLC.

RECOMMENDATION:

Staff recommends denial, as the proposed Final Plat fails to 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><p>The Final 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 Final Plat Checklist (FPC) authorized per the Hunter Ranch Master Planned Communities (MPC) Section 2.4.4B:</p><ol style="list-style-type: none">Final Plat cannot be approved until the associated CEP is approved to ensure all necessary easements, ROW dedications, and plat language have been established. The process of getting the CEP to approval may generate new comments that will need to be addressed.Label point of beginning monument size and description. (FPC 2.9)Include all easements shown in CEPs such as, but not limited to, sidewalk easements. (FPC 3.9; TCM 4.3.1)Add "R.O.W." and its definition to the legend. (FPC2.12)Label proposed streets as being dedicated by this plat. (DDC 8.4.8; FPC 3.1)Label line and curve data for proposed streets along the edge of the public ROWs. (FPC 3.1)Label ROW dimensions from centerline. (FPC 3.15)Label ROW dedication as being done by this plat or reference document/instrument with dedication. (DDC 8.4.8; FPC 3.1)</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 |
| <div> <p>9. Include document number recording establishment of easements with each label or state easements are dedicated by this plat with each label or easement. Could add a general note stating all sidewalk easements are being established by this plat. (FPC 3.6)</p> <p>10. Label city limit, county limit, extra-territorial jurisdiction, and/or survey (abstract) lines within and adjacent to property. (FPC 4.4)</p> </div> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <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>The Final 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"/> |
| <p>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.</p> <p>Findings:</p> <div></div> | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Prior Approvals | | | | |
| <p>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.</p> <p>Findings:</p> <div>The proposed Final 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"/> |

| Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E) | | Compliance | | |
|--|--|-------------------------------------|-------------------------------------|-------------------------------------|
| | | Met | Not Met | N/A |
| 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, Denton Plan 2040's Future Land Use Map designates the subject property as Master Planned Community. The proposed use is consistent with the designation.</p> </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></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> <p>The overall goals of the Comprehensive Plan are met with the proposed Final Plat.</p> </div> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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> <p>In order for the proposed Final Plat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> 1. Include homeowner's association covenants as they relate to the maintenance of open space, common areas and facilities. (DDC 8.3.2.D and DDC 7.10.4.C.2) 2. Note 13 was removed since the Preliminary Plat. Please add relevant Pocket Park/ PAE language to the final plat notes for Phase 1A. 3. Note 29 was removed since the Preliminary Plat. Please add Regional and Community Trail language to the final plat notes for Phase 1A. 4. Per Exhibit B - Park Improvement Summary Tables in the Project Agreement, "10' trails will have a 30' easement and 6' trails will have a 26' easement, this allows for additional space if needed for programming, easement could be modified as needed pending space allocation." Please update easement sizes as applicable. Public Access Easements do not appear to be identified along regional or community trail locations. </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>5. The Denton Mobility Plan 2022 Update, Bicycle Plan, and Pedestrian Plan identify that safe pedestrian/ bicycle infrastructure is needed along Robson Ranch Road. A minimum 10-foot-wide side path is required along Robson Ranch Road. The implementation of this side path allows for increased connectivity to the future 10-foot-wide trails along I-35W and the Hunter Ranch trails terminating towards Robson Ranch Road. Please ensure Public Access Easements on the Final Plat allocate space for this trail connection.</p> <p>6. Please provide updated Pocket Park and Trail Tracker document.</p> <p>7. INFORMATIONAL: The Park Improvements will be conveyed or dedicated to the City, at no cost or expense to the City, and will be available for use by the general public. Park land dedication will occur in phases, at the time of final plat approval. The Park land acreage dedicated is the minimum required by Ordinance 22-254 based on the projected residential units in the Park Plan (Exhibit C). Upon inspection and acceptance of a completed portion of Park Improvements the plans and specifications of which are subject to approval by the City staff, title to the completed Park Improvements shall be dedicated to the City by special warranty deed, except the "Pocket Parks", "Dog Park", "Trails" outside rights-of-way, and "Regional ESA Upland", and the "lakes". The exceptions above shall be conveyed by a grant of public access easement. (Language above is from the Operating Agreement and Project Agreement)</p> <p>8. INFORMATIONAL: Park Dedication and Development Fees do not apply to this Phase per the Operating and Project Agreements. Phase 1A is proposing 95 residential and 10 HOA lots with this development.</p> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</p> <p>Findings:</p> <div>The proposed Final Plat provides sufficient detail for review.</div> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Compliance with Other Applicable Regulations | | | | |
| <p>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.</p> <p>Findings:</p> <div>The Final Plat meets the requirements.</div> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E) | | Compliance | | |
|--|--|-------------------------------------|-------------------------------------|-------------------------------------|
| | | Met | Not Met | N/A |
| 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: 10px;"> <p>The proposed Final 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.</p> </div> | | <input checked="" type="checkbox"/> | <input 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: 10px;"> <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 MPC ordinance 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"/> |
| 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: 10px;"> <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> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <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"/> |

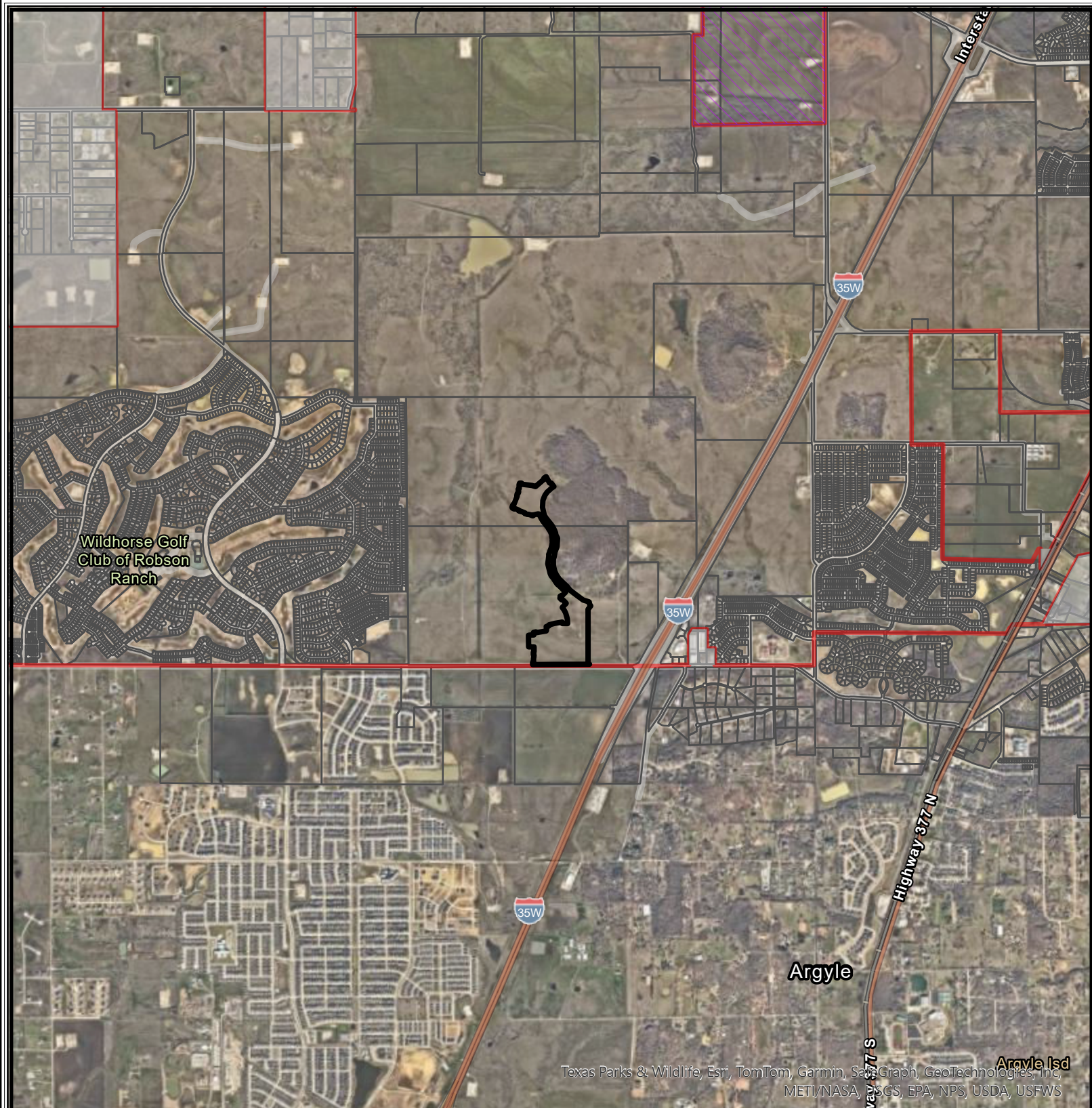
| Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E) | | Compliance | | |
|--|--|-------------------------------------|-------------------------------------|--------------------------|
| | | Met | Not Met | N/A |
| 10. Compliance with Utility, Service, and Improvement Standards | | | | |
| <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 style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>In order for the proposed Final Plat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> 1. Please dedicate public utility easements on final plat per uploaded V1 DME markups (Denton Development Code Subchapter 7.13.6). 2. Provide note on plat that private improvements cannot encroach onto existing public or private easements. (BEP) 3. If proposed easements, will these be recorded through plat or through separate instrument. Provide clarification. If by plat, provide line and curve dimensions. (FPC 3.6, DDC 8.4.4, DDC 2.6.2.C.6.b and FPC 4.2) 4. Contact City of Denton Real Estate department for information about recording offsite easements by separate instruments. (DDC 8.4.4 and FPC 4.2) 5. Blocks shall not be less than 300 feet. Previous Preliminary Plat did not show this block with only 4 lots. Provide clarification on the reduced block length provided. If this measurement was previously approved, provide documentation. (DDC 8.3.2, DDC 8.3.3 and FPC 3.5) 6. Ensure corner clips are properly dimensioned. (FPC 3.17 and TCM 1.4.2) 7. Ensure all easements are labeled and provide recording information if existing. (FPC 3.6, DDC 8.4.4, DDC 2.6.2.C.6.b and FPC 4.2) 8. Revise Owner's dedication statement to include ROW and easement dedications and other land rights so as to create no conflicts or issues for staff or other public interests. (BEP) 9. Verify correct placement of signatures. It appears this should be moved up and the notary signatures below. (BEP) </div> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 style="border: 1px solid black; height: 40px; width: 100%; margin-top: 10px;"></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 |
| 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 style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>The Final Plat does not meet Approval Criteria 4a, 7a, and 10a as detailed above.</p> </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 style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>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.</p> </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; margin-top: 10px;"> <p>The proposed Final Plat is consistent with Ordinance No. MPC19-0002c, which was approved by the Denton City Council on April 7, 2020. A Preliminary Plat was required as part of the MPC (PP22-0014) and approved by the Planning and Zoning Commission on November 16, 2022.</p> </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; margin-top: 10px;"> <p>This Final Plat does not meet all review criteria, as detailed in Criteria 1b above as required by the Denton Development Code.</p> </div> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

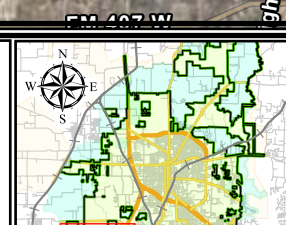
| Final Plat Review Applicability Criteria (DDC Section 2.6.4.D) | | Applicability | | |
|---|--|-------------------------------------|--------------------------|--------------------------|
| | | Met | Not Met | N/A |
| | | | | |
| 16. Whether the development will comply with the applicable technical 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"/> |

FP24-0012 Site Location



Texas Parks & Wildlife, Esri, TomTom, Garmin, Sams Graph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, USFWS

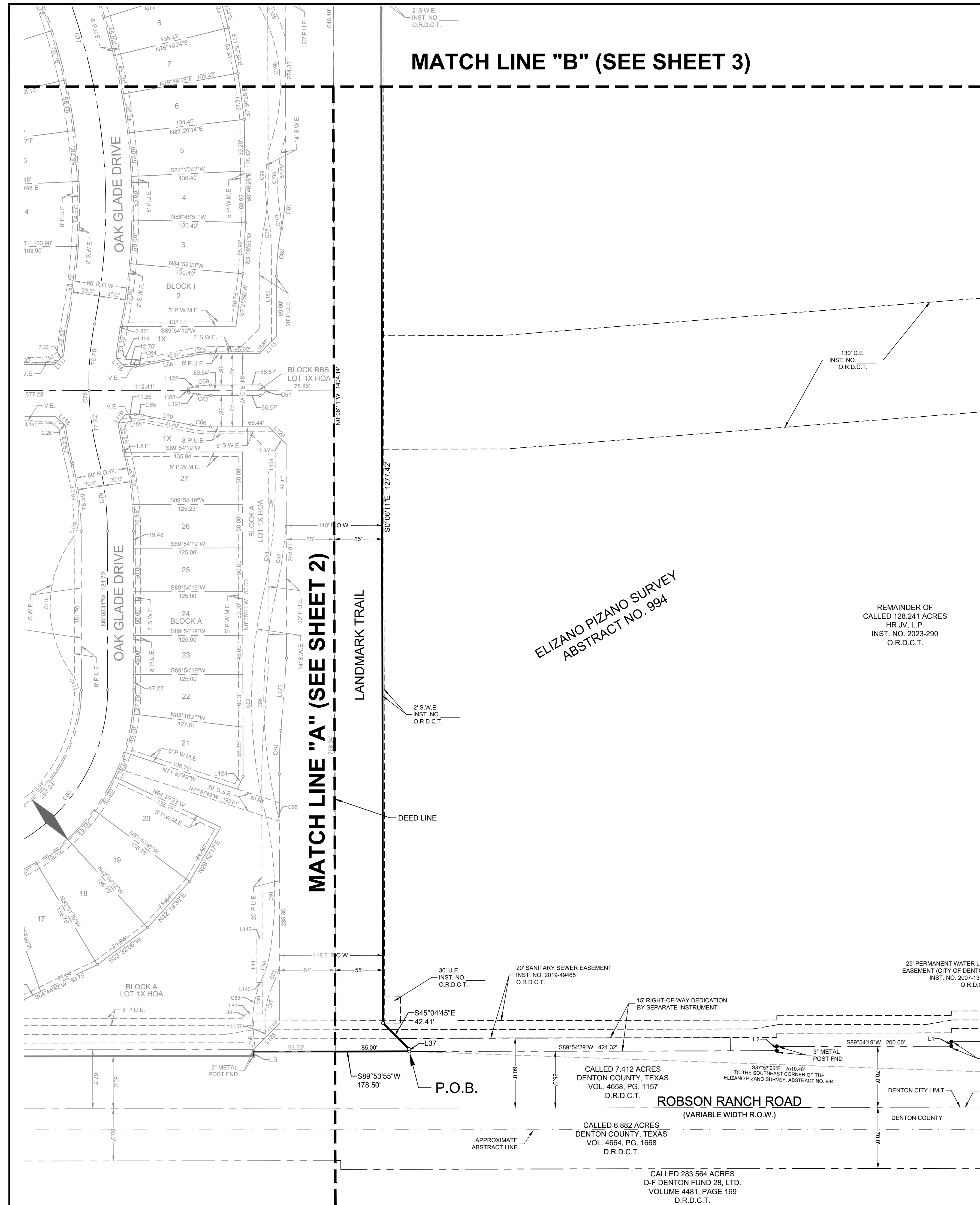
- Roads
- Parcels
- COD
- ETJ
- ETJ 2
- NAA 8/1/20
- NAA 8/1/40



0 500 1,000 2,000
Feet

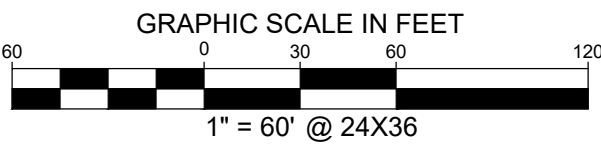
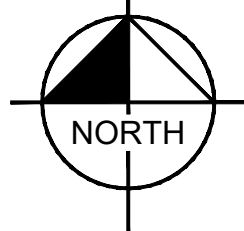
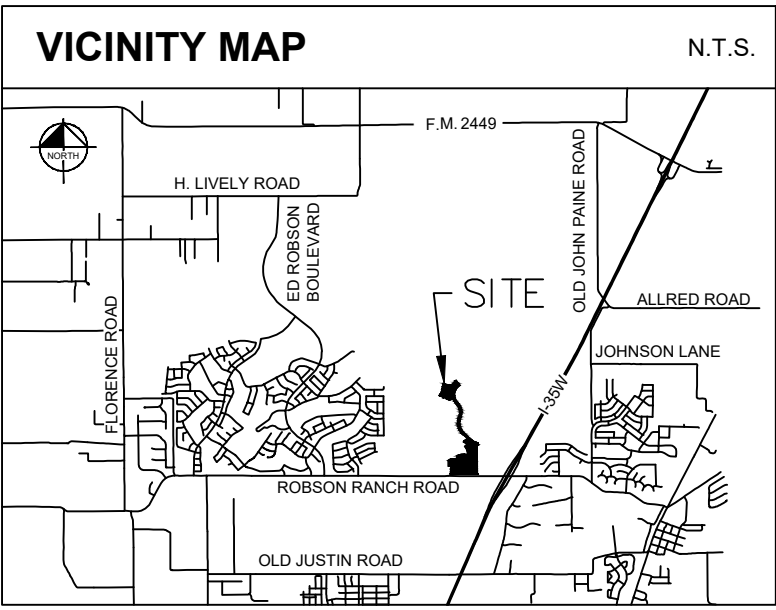


"This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Although every effort was made to ensure 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."






NOTES:

1. All property corners are 5/8" iron rods with plastic caps stamped "KHA" set, unless otherwise noted.
2. All bearings shown are based on grid north of the Texas Coordinate System of 1983 using the City of Denton center monumentation. All dimensions shown are ground distances. At all times and at ground distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.99849493269.
3. According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48121C0365G, 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". 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.
4. All lots labeled "HOA" are to be owned and maintained by the Homeowner's Association and/or District.
5. 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.
6. 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 BE ISSUED FOR STRUCTURES WITHIN THESE CLEARANCE AREAS. CONTACT THE BUILDING OFFICE FOR SPECIFIC QUESTIONS.
7. This plat is hereby approved 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, as herein defined, shall remain open to the City of Denton for the purpose of maintaining the drainage and detention easement by the owners of the lots or lots that are traversed by or adjacent to 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 alter any undesirable conditions that may occur. Furthermore, the City shall have the right, but not the obligation, to eliminate upon the above-described drainage and detention easement to remove any obstruction to the flow of water, after giving the owners written notice of such obstruction and owners fail to remove such obstruction. Should the City of Denton be compelled to remove any obstruction to the flow of water, after giving the owners written notice of such obstruction and owners fail to remove such obstruction, the City of Denton shall be reimbursed by the owners for reasonable costs for labor, materials, and equipment for each instance. The natural drainage through the Drainage and Detention Easement is subject to storm water overflow and natural bank erosion to an extent that cannot be reasonably 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.
8. Block FFF, Lots 2-6 - Front of structures shall be oriented towards Block FFF, Lot 1X HOA.
9. Block XX, Lot 2-4 - Front of structures shall be oriented towards Block XX, Lot 1X HOA.
10. Block F, Lots 1-8 - Front of structures shall be oriented towards Sagehawk Drive.
11. Water and wastewater service will be provided by the City of Denton.
12. The purpose of this plat is create 105 lots.



LINE TYPE LEGEND

| | |
|---|------------------------|
| | BOUNDARY LINE |
|  | ADJACENT PROPERTY LINE |
| | EASEMENT LINE |
|  | BUILDING LINE |
| | CENTERLINE OF ROAD |
|  | OVERHEAD UTILITY LINE |

LEGEND

| | |
|------------------------|-----------------------------------|
| IRC | 58" IRON ROD W/ "XHA" CAP SET |
| IRB | IRON ROD WITH CAP FOUND |
| IFB | IRON ROD FOUND |
| P.O.C. | POINT OF COMMENCING |
| P.O.B. | POINT OF BEGINNING |
| BUILDING LINE | BUILDING LINE |
| F.B.L. | FRONT BUILDING LINE |
| D.E. | DRAINAGE EASEMENT |
| HOA | HOMEOWNERS ASSOCIATION |
| VOL. | VOLUME |
| PG. | PAGE |
| INST. | INSTRUMENT |
| O.R.D.C.T. | OFFICIAL RECORDS. |
| COUNTY, TEXAS | COUNTY, TEXAS |
| D.R.D.C.T. | DEED RECORDS |
| DENTON COUNTY, TEXAS | DENTON COUNTY, TEXAS |
| STREET NAME CHANGE | STREET NAME CHANGE |
| P.U.E. | PUBLIC UTILITY EASEMENT |
| S.E. | SEWERIAL EASEMENT |
| W.E. | WATER EASEMENT |
| S.S.E. | SANITARY SEWER EASEMENT |
| P.R.W.M.E. | PRIVATE RETAINING WALL EASEMENT |
| P.W.M.E. | PRIVATE WALL MAINTENANCE EASEMENT |
| V.E. | VISIBILITY EASEMENT |
| UTY AND/OR | UTILITY AND/OR |
| UTILITY POLE | UTILITY POLE |
| PROPERTY CORNER SYMBOL | PROPERTY CORNER SYMBOL |

SEE SHEET 5 FOR
LINE AND CURVE TABLES,
AND LOT AREA TABLE

FINAL PLAT

HUNTER RANCH, PHASE 1A

BLOCK A, LOTS 1X & 2-27; BLOCK AAA, LOT 1X; BLOCK BBB, LOT 1X;
BLOCK E, LOTS 5-10; BLOCK EEE, LOTS 1-6; BLOCK F, LOTS 1-8 & 9X;
BLOCK FFF, LOTS 1X & 2-6; BLOCK I, LOTS 1X & 2-16; BLOCK J, LOTS 1-11;
BLOCK K, LOTS 1-4; BLOCK NNN, LOT 1X; BLOCK WW, LOTS 1-11;
BLOCK XX, LOTS 1X & 2-4;
BLOCK YY, LOT 1X; BLOCK ZZ, LOT 1X

95 RESIDENTIAL LOTS
10 HOA LOTS

52.956 ACRES

OUT OF THE
ELIZANO PIZANO SURVEY, ABSTRACT NO. 994
CITY OF DENTON,
DENTON COUNTY, TEXAS
CITY PROJECT #FP24-0012
APRIL 2024

Kimley»»Horn

400 North Oklahoma Dr., Suite 105
Celina, Texas 75009 FIRM # 1019450

Tel. No. (469) 501-2200
www.kimley-horn.com

| | | | | | |
|--------------------------|------------------------|--------------------------|---------------------------|---------------------------------|----------------------------|
| <u>Scale</u> 1" = 60' | <u>Drawn by</u> JCC | <u>Checked by</u> KHA | <u>Date</u> APRIL 2024 | <u>Project No.</u> 063226937 | <u>Sheet No.</u> 1 OF 6 |
|--------------------------|------------------------|--------------------------|---------------------------|---------------------------------|----------------------------|

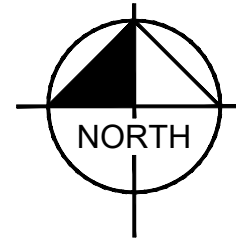
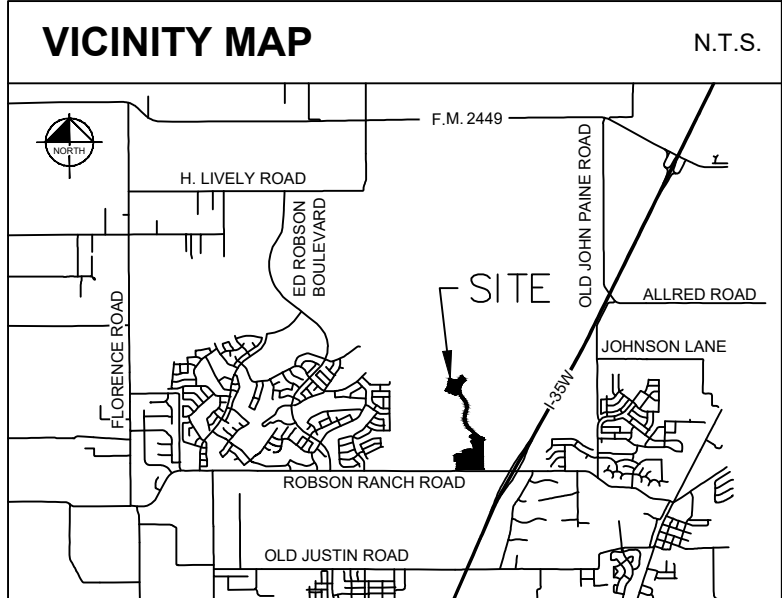
| | |
|--|--|
| <u>OWNER:</u> Hunter Ranch Land, LLC 9800 Hillwood Pkwy, Suite 300 Fort Worth, TX 76177 Ph: 972-201-2932 Contact: Brian Carlock | <u>OWNER:</u> HR JV, LP 9800 Hillwood Pkwy, Suite 300 Fort Worth, TX 76177 Ph: 972-201-2932 Contact: Brian Carlock |
|--|--|

APPLICANT:
Kimley-Horn & Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (972) 335-3580
Contact: Kevin J. Kane, P.E.

SURVEYOR:
Kimley-Horn and Associates, Inc.
400 North Oklahoma Drive, Suite 10
Celina, TX 75009
Ph: (469)-501-2172
Contact: Daniel R. Arthur, RPLS

MATCH LINE "B" (SEE SHEET 3)

MATCH LINE "A" (SEE SHEET 1)



GRAPHIC SCALE IN FEET
1" = 60' @ 24X36

LINE TYPE LEGEND

| | |
|-----|------------------------|
| --- | BOUNDARY LINE |
| --- | ADJACENT PROPERTY LINE |
| --- | EASEMENT LINE |
| --- | BUILDING LINE |
| --- | CENTERLINE OF ROAD |
| --- | OVERHEAD UTILITY LINE |

LEGEND

| | |
|------------------------|---|
| IRSC | 58" IRON ROD W/ "N" CAP SET |
| IRFC | IRON ROD WITH CAP FOUND |
| IRF | IRON ROD FOUND |
| P.O.C. | POINT OF COMMENCING |
| P.O.B. | POINT OF BEGINNING |
| B.L. | BUILDING LINE |
| F.B.L. | FRONT BUILDING LINE |
| D.E. | DRAINAGE EASEMENT |
| HOA | HOMEOWNERS ASSOCIATION |
| VOL. | VOLUME |
| PG. | PAGE |
| INST. | INSTRUMENT |
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| DENTON COUNTY, TEXAS | DENTON COUNTY, TEXAS |
| D.R.D.C.T. | DEED RECORDS |
| DENTON COUNTY, TEXAS | DENTON COUNTY, TEXAS |
| P.U.E. | PUBLIC UTILITY EASEMENT |
| S.W.E. | SIDEWALK EASEMENT |
| W.E. | WATER EASEMENT |
| S.S.E. | SANITARY SEWER EASEMENT |
| P.R.W.M.E. | PRIVATE RETAINING WALL MAINTENANCE EASEMENT |
| P.W.M.E. | PRIVATE WALL MAINTENANCE EASEMENT |
| V.E. | VISIBILITY EASEMENT |
| GUY ANCHOR | GUY ANCHOR |
| UTILITY POLE | UTILITY POLE |
| PROPERTY CORNER SYMBOL | PROPERTY CORNER SYMBOL |

SEE SHEET 5 FOR
LINE AND CURVE TABLES,
AND LOT AREA TABLE

KEY MAP
N.T.S.

FINAL PLAT
HUNTER RANCH, PHASE 1A

BLOCK A, LOTS 1X & 2-27; BLOCK AAA, LOT 1X; BLOCK BBB, LOT 1X;
BLOCK E, LOTS 5-10; BLOCK EEE, LOTS 1-6; BLOCK F, LOTS 1-8 & 9X;
BLOCK FFF, LOTS 1X & 2-6; BLOCK I, LOTS 1X & 2-16; BLOCK J, LOTS 1-11;
BLOCK K, LOTS 1-4; BLOCK NNN, LOT 1X; BLOCK VVV, LOTS 1-11;
BLOCK XX, LOTS 1X & 2-4;
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95 RESIDENTIAL LOTS
10 HOA LOTS

52.956 ACRES

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APRIL 2024

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FIRM # 10194503

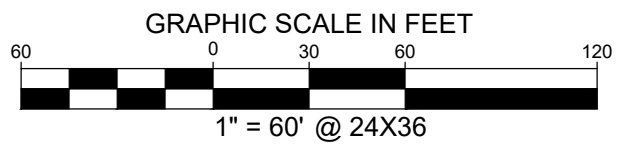
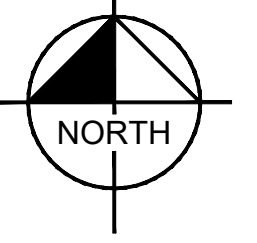
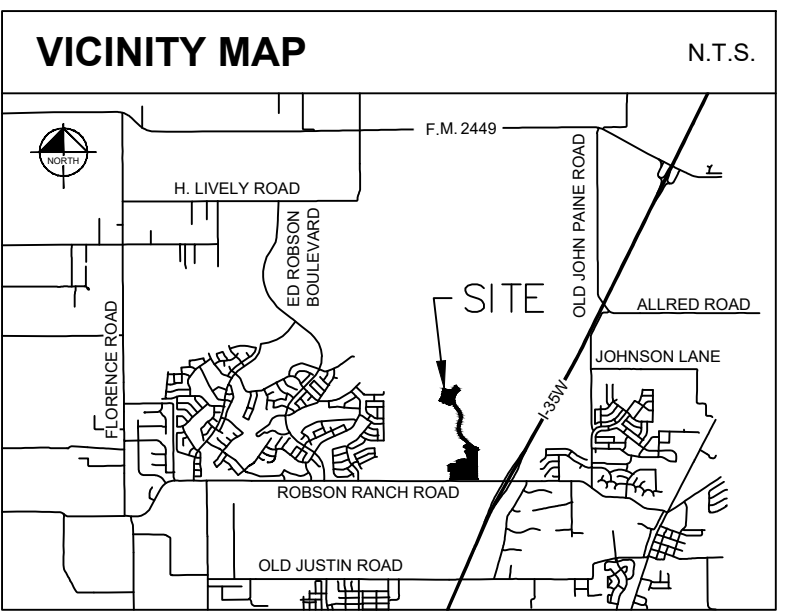
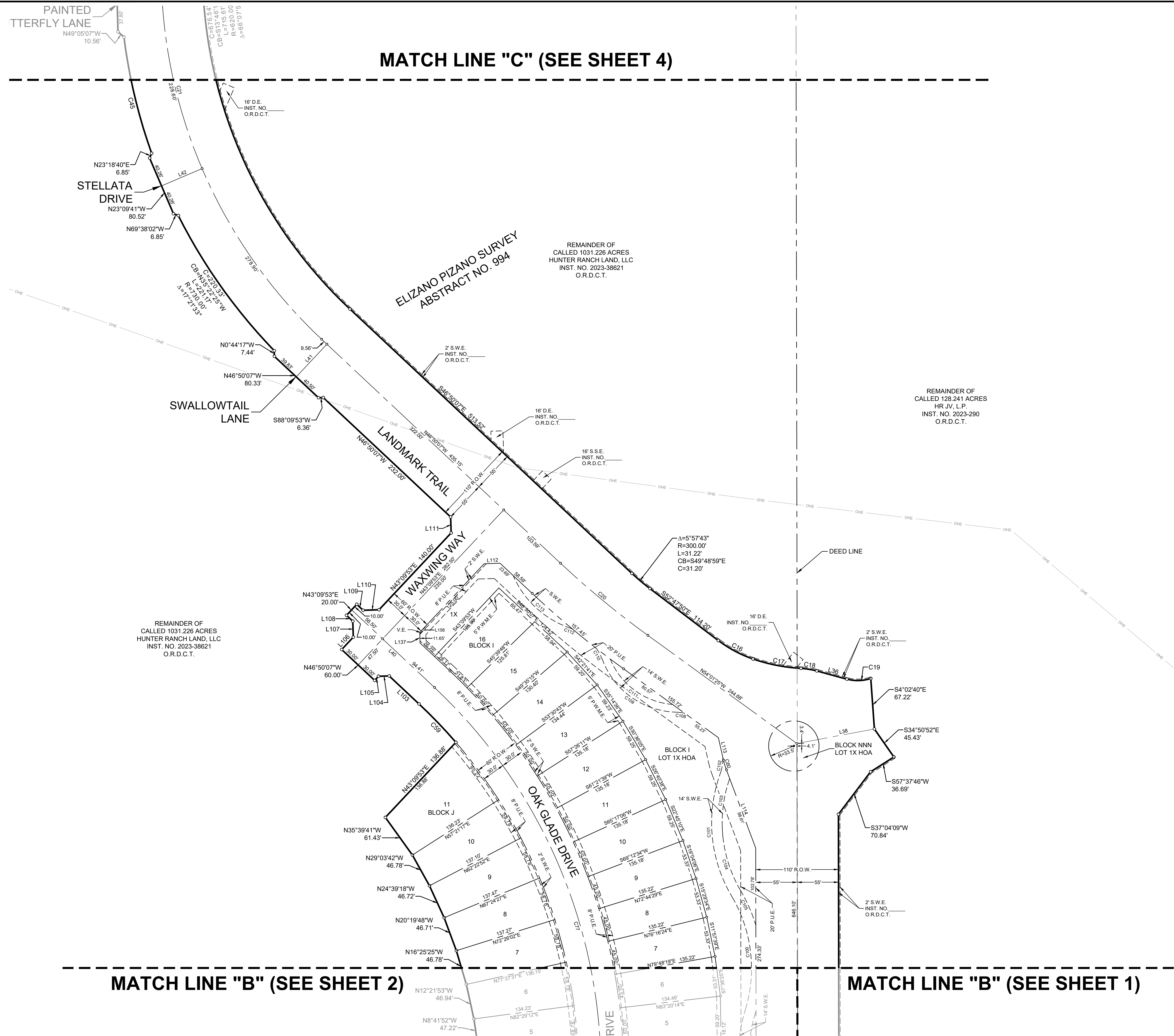
Tel. No. (469) 501-2200
www.kimley-horn.com

| Scale | Drawn by | Checked by | Date | Project No. | Sheet No. |
|----------|----------|------------|------------|-------------|-----------|
| 1" = 60' | JCC | KHA | APRIL 2024 | 063226937 | 2 OF 6 |




OWNER:
Hunter Ranch Land, LLC
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Fort Worth, TX 76177
Ph: 972-201-2932
Contact: Brian Carlock

APPLICANT:
Kimley-Horn & Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (972) 335-3580
Contact: Kevin J. Kane, P.E.

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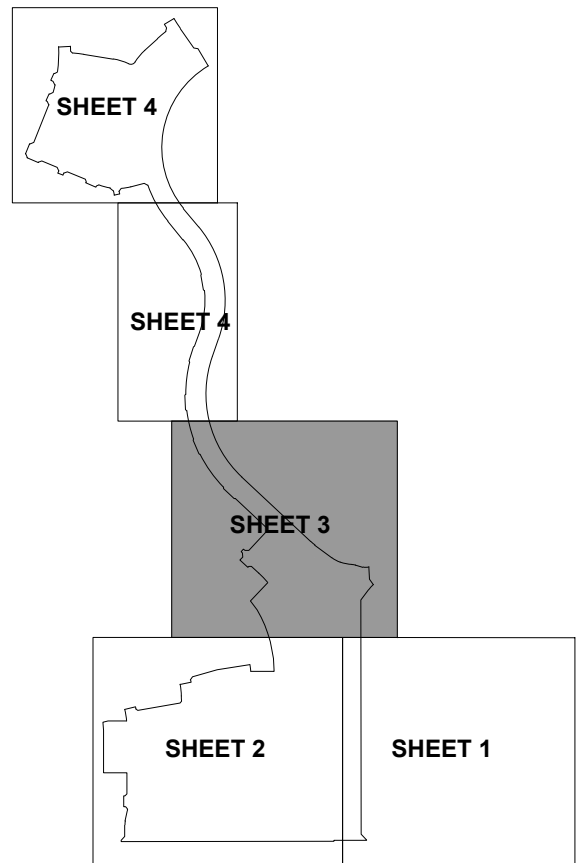


LINE TYPE LEGEND

| | |
|---|------------------------|
| | BOUNDARY LINE |
|  | ADJACENT PROPERTY LINE |
| | EASEMENT LINE |
| | BUILDING LINE |
|  | CENTERLINE OF ROAD |
|  | OVERHEAD UTILITY LINE |

LEGEND

| | |
|------------|--|
| SRFC | 5/8" IRON ROD W/ "NHA" CAP SET |
| IRFC | IRON ROD W/ CAP FOUND |
| IRF | IRON ROD FOUND |
| P.O.C. | POINT OF COMMENCING |
| P.O.B. | POINT OF BEGINNING |
| BL | BUILDING LINE |
| P.D. | PRIVACY BUILDING LINE |
| D.E. | DRAINAGE EASEMENT |
| HOA | HOMEOWNERS' ASSOCIATION |
| VOL. | VOLUME |
| PG. | PAGE |
| INST. | INSTRUMENT |
| O.R.D.C.T. | OFFICIAL RECORDS |
| | DENTON COUNTY, TEXAS |
| | DEED RECORDS |
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| S.S.E. | SANITARY SEWER EASEMENT |
| P.R.W.E. | PRIVATE RETAINING WALL MAINTENANCE EASEMENT |
| P.W.E. | PRIVATE WALL MAINTENANCE EASEMENT |
| V.E. | VEHICLE EASEMENT |
| | QUY ANCHOR |
| | UTILITY POLE |
| | PROPERTY CORNER SYMBOL |



SEE SHEET 5 FOR
LINE AND CURVE TABLES,
AND LOT AREA TABLE

FINAL PLAT HUNTER RANCH, PHASE 1A

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10 HOA LOTS

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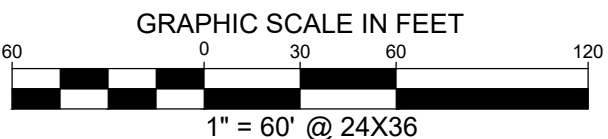
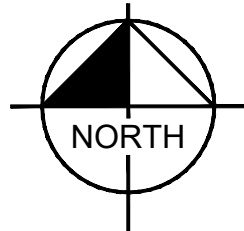
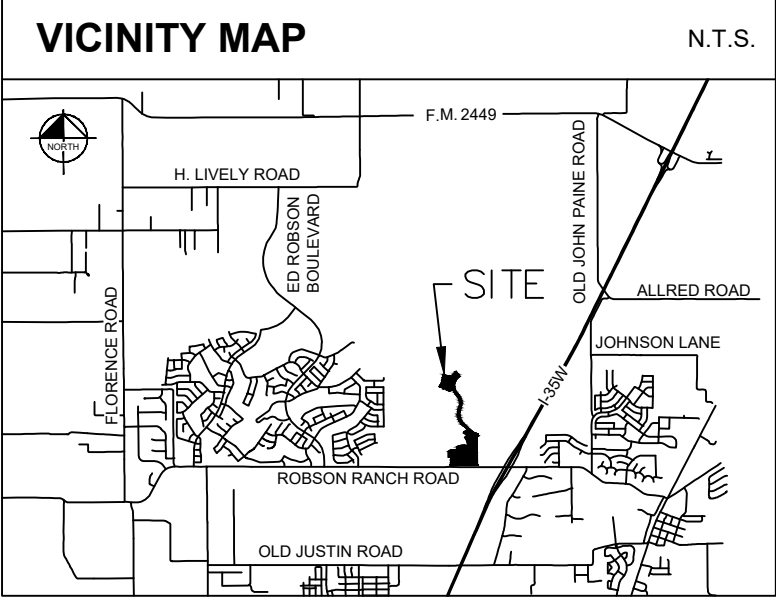
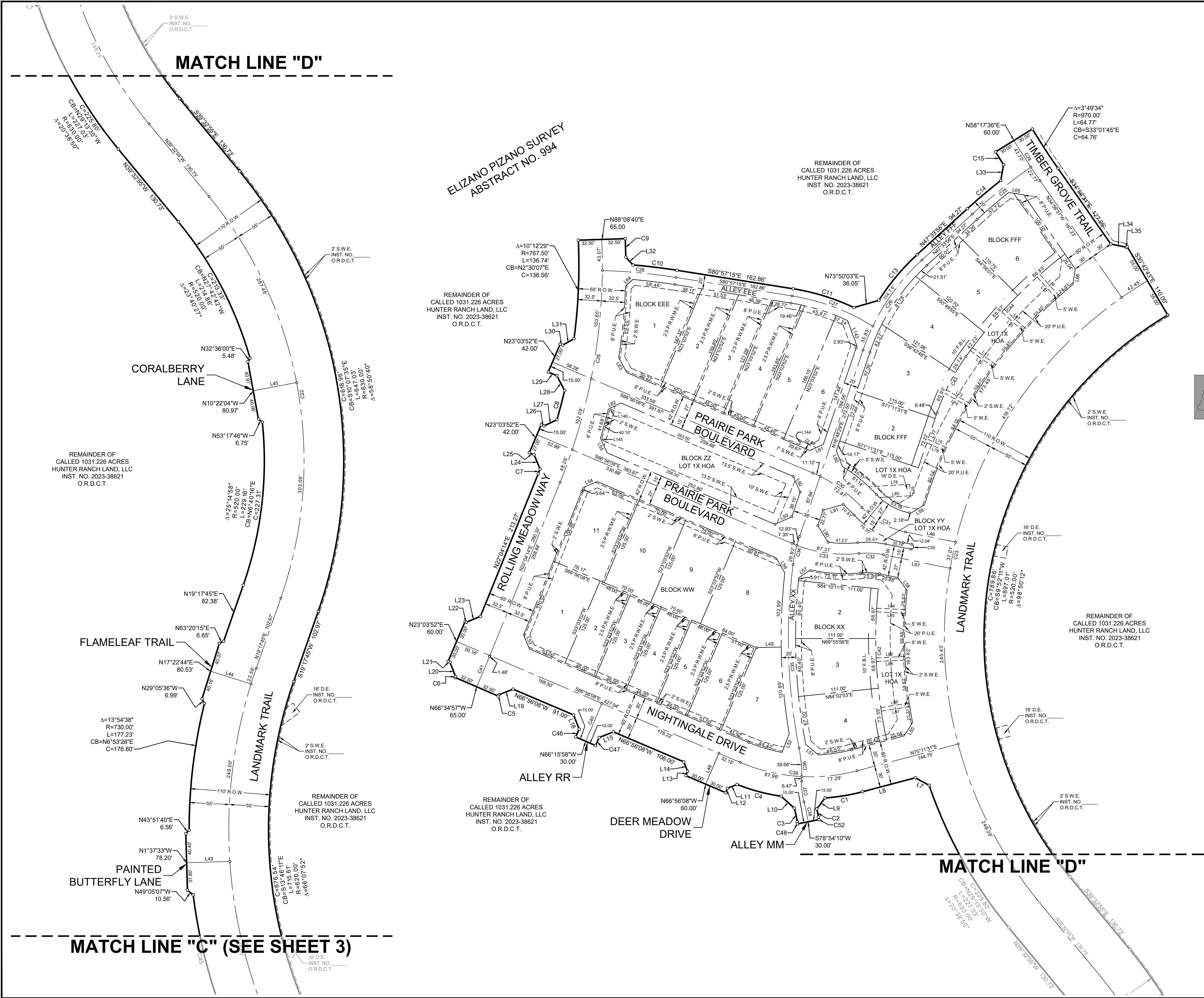
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| | | | | | |
|--------------|-----------------|-------------------|-------------|--------------------|------------------|
| <u>Scale</u> | <u>Drawn by</u> | <u>Checked by</u> | <u>Date</u> | <u>Project No.</u> | <u>Sheet No.</u> |
| 1" = 60' | JCC | KHA | APRIL 2024 | 063226937 | 3 OF 6 |

| | |
|------------------------|-------------------------------|
| <u>OWNER:</u> | <u>OWNER:</u> |
| Hunter Ranch Land, LLC | HR JV, LP |
| 9800 Hillwood Pkwy, | 9800 Hillwood Pkwy, Suite 300 |
| Suite 300 | Fort Worth, TX 76177 |
| Fort Worth, TX 76177 | Ph: 972-201-2932 |
| Ph: 972-201-2932 | Contact: Brian Carlock |
| Contact: Brian Carlock | |

APPLICANT:
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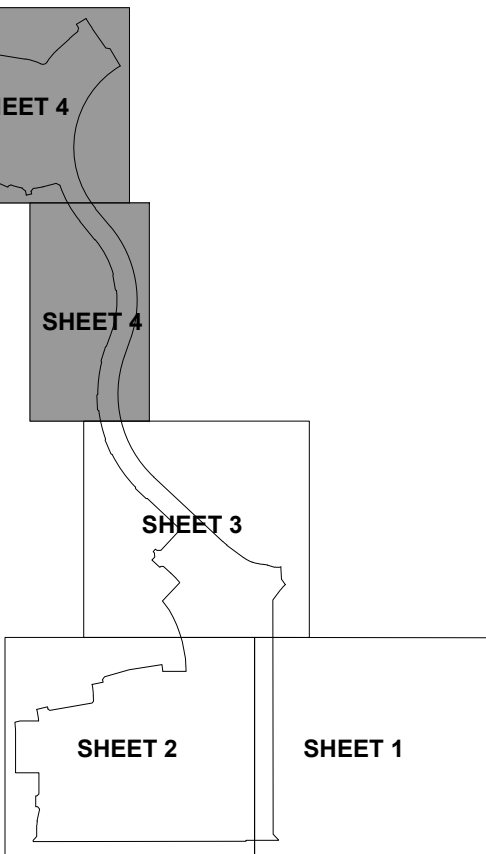


LINE TYPE LEGEND

| | |
|-----|------------------------|
| --- | BOUNDARY LINE |
| --- | ADJACENT PROPERTY LINE |
| --- | EASEMENT LINE |
| --- | BUILDING LINE |
| --- | CENTERLINE OF ROAD |
| --- | OVERHEAD UTILITY LINE |

LEGEND

| | |
|------------------------|---|
| IRSC | 58" IRON ROD W/ "N" CAP SET |
| IRFC | IRON ROD FOUND |
| IRF | IRON ROD FOUND |
| P.O.C. | POINT OF COMMENCING |
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| VOL. | VOLUME |
| PAGE | PAGE |
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| O.R.D.C.T. | OFFICIAL RECORDS |
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| GUY ANCHOR | GUY ANCHOR |
| UTILITY POLE | UTILITY POLE |
| PROPERTY CORNER SYMBOL | PROPERTY CORNER SYMBOL |



SEE SHEET 5 FOR
LINE AND CURVE TABLES,
AND LOT AREA TABLE

FINAL PLAT HUNTER RANCH, PHASE 1A

BLOCK A, LOTS 1X & 2-27; BLOCK AAA, LOT 1X; BLOCK BBB, LOT 1X;
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Celina, TX 75009
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| LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | | | |
|------------|-------------|--------|------------|-------------|--------|------------|-------------|--------|------------|-------------|---------|------------|-------------|--------|------------|-------------|--------|------------|-------------|--------|------------|-------------|--------|------------|-------------|--------|------------|-------------|---------|------------|-------------|--------|------------|-------------|--------|------------|-------------|--------|------------|-------------|---------|------------|-------------|--------|------|-------------|--------|
| NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | | | |
| L1 | S00°05'41"E | 5.00' | L13 | N23°03'52"E | 6.50' | L25 | N66°56'08"W | 7.10' | L37 | S00°40'19"E | 2.48' | L49 | N89°05'31"E | 34.63' | L61 | N65°56'11"E | 20.41' | L73 | N59°39'45"W | 37.37' | L85 | S87°07'07"E | 40.00' | L97 | N89°54'19"E | 6.50' | L109 | S46°50'07"E | 11.50' | L121 | N78°33'21"W | 10.17' | L133 | S38°29'35"W | 14.90' | L145 | N24°50'59"W | 3.58' | L157 | S05°46'22"E | 6.49' | L169 | N25°53'46"E | 41.08' | L181 | N48°52'34"E | 41.17' |
| L2 | S00°05'41"E | 5.00' | L14 | N21°56'08"W | 14.14' | L26 | S66°56'08"E | 4.02' | L38 | N79°22'16"E | 104.70' | L50 | N31°53'54"E | 21.83' | L62 | N63°12'00"E | 19.34' | L74 | S59°39'45"E | 36.85' | L86 | N81°05'14"E | 40.00' | L98 | N44°54'19"E | 14.14' | L110 | N88°09'53"E | 21.21' | L122 | N78°21'59"E | 10.17' | L134 | S52°10'10"E | 13.51' | L146 | N63°12'00"E | 2.45' | L158 | S05°46'22"E | 17.74' | L170 | N14°12'10"W | 37.86' | | | |
| L3 | S01°55'35"W | 5.00' | L15 | S68°14'05"W | 21.28' | L27 | N64°54'10"E | 20.01' | L39 | N72°55'57"E | 6.67' | L51 | S50°16'52"E | 22.82' | L63 | S28°47'33"E | 23.59' | L75 | N65°57'05"W | 27.78' | L87 | S81°05'14"W | 40.00' | L99 | S55°41'26"E | 14.39' | L111 | N01°50'07"W | 21.21' | L123 | S04°22'52"W | 83.66' | L135 | S44°19'50"W | 14.28' | L147 | N04°54'33"E | 30.46' | L159 | S00°07'13"E | 60.75' | L171 | N26°44'06"W | 21.32' | | | |
| L4 | N00°05'41"W | 7.50' | L16 | N41°59'05"W | 40.00' | L28 | N27°13'03"W | 23.08' | L40 | S46°50'07"E | 150.91' | L52 | S20°52'26"W | 27.44' | L64 | S48°02'28"W | 13.79' | L76 | S65°57'05"E | 27.28' | L88 | S86°59'00"W | 40.00' | L100 | N37°22'44"E | 14.64' | L112 | N88°09'53"E | 21.21' | L124 | N23°38'29"E | 16.04' | L136 | S45°05'41"E | 14.14' | L148 | N82°50'21"E | 17.43' | L160 | N00°06'11"W | 103.23' | L172 | N40°08'59"W | 25.30' | | | |
| L5 | N44°54'19"E | 28.28' | L17 | S41°59'05"E | 40.00' | L29 | N86°56'08"W | 13.16' | L41 | N43°09'53"E | 59.50' | L53 | S22°25'57"E | 21.40' | L65 | S81°10'12"E | 20.65' | L77 | N18°48'29"E | 72.22' | L89 | N86°59'00"E | 40.00' | L101 | N78°18'10"E | 60.00' | L113 | S12°48'02"E | 30.67' | L125 | S44°54'04"W | 42.42' | L137 | S01°50'07"E | 14.14' | L149 | N07°09'07"W | 14.13' | L161 | N84°12'03"W | 82.08' | L173 | N54°38'17"W | 19.19' | | | |
| L6 | N00°05'41"W | 62.27' | L18 | N21°45'44"W | 21.15' | L30 | S66°56'08"E | 3.67' | L42 | N66°50'19"E | 58.58' | L54 | S67°06'55"W | 20.86' | L66 | S08°21'06"W | 21.83' | L78 | N86°29'29"E | 56.70' | L90 | S31°40'36"E | 27.00' | L102 | N29°53'09"E | 21.42' | L114 | S20°31'56"E | 110.90' | L126 | N00°05'41"W | 15.00' | L138 | N00°05'41"W | 98.20' | L150 | N85°04'40"W | 37.12' | L162 | N79°11'44"E | 31.00' | L174 | N29°54'19"E | 27.53' | | | |
| L7 | N61°30'52"W | 21.83' | L19 | S68°15'06"W | 21.28' | L31 | N60°36'55"E | 18.28' | L43 | N88°22'27"E | 59.88' | L55 | S24°50'59"E | 22.26' | L67 | N47°52'58"W | 40.00' | L79 | S03°30'31"E | 16.00' | L91 | S74°44'42"W | 28.99' | L103 | N46°50'07"W | 54.41' | L115 | S44°54'04"W | 28.28' | L127 | S45°05'41"E | 7.07' | L139 | S00°05'50"E | 36.00' | L151 | N88°59'27"E | 18.02' | L163 | S31°37'42"W | 20.79' | L175 | S43°01'29"W | 18.51' | | | |
| L8 | S75°11'31"W | 75.47' | L20 | N21°44'25"W | 21.14' | L32 | S43°02'23"E | 14.72' | L44 | S72°37'16"E | 58.68' | L56 | S29°59'23"E | 23.96' | L68 | N78°21'59"E | 57.33' | L80 | S86°29'29"W | 42.63' | L92 | S24°03'49"E | 23.81' | L104 | S88°09'53"W | 14.14' | L116 | S42°57'28"E | 13.60' | L128 | S11°38'15"E | 10.16' | L140 | S89°54'10"W | 6.00' | L152 | N85°12'02"W | 37.26' | L164 | N63°53'45"E | 48.62' | L176 | S01°58'31"E | 20.65' | | | |
| L9 | S36°54'52"W | 19.03' | L21 | N66°56'08"W | 2.89' | L33 | N09°50'46"E | 22.09' | L45 | N79°05'51"E | 39.92' | L57 | S55°45'53"W | 19.64' | L69 | S78°33'21"E | 57.33' | L81 | N08°19'28"W | 8.00' | L93 | N65°56'11"E | 25.65' | L105 | S43°09'53"W | 7.50' | L117 | N46°53'42"E | 14.62' | L129 | N11°26'54"E | 10.16' | L141 | N00°05'50"W | 50.00' | L153 | S82°14'24"W | 37.29' | L165 | N30°39'04"E | 24.06' | L177 | S87°32'12"E | 53.86' | | | |
| L10 | N47°57'54"W | 24.53' | L22 | S66°56'08"E | 2.11' | L34 | S78°14'08"E | 21.83' | L46 | S78°30'31"E | 70.83' | L58 | N35°55'16"W | 22.09' | L70 | S47°52'58"E | 40.00' | L82 | N89°54'10"E | 18.09' | L94 | N11°26'54"E | 57.30' | L106 | N43°09'53"E | 22.50' | L118 | S48°23'23"E | 14.93' | L130 | S11°38'15"E | 57.30' | L142 | N89°54'10"E | 6.00' | L154 | N84°30'20"W | 47.95' | L166 | N57°54'36"E | 13.99' | L178 | N00°00'54"E | 37.31' | | | |
| L11 | S67°44'54"W | 14.22' | L23 | N67°34'03"E | 21.03' | L35 | N59°13'11"E | 1.50' | L47 | S78°30'31"E | 94.53' | L59 | S58°54'14"W | 22.09' | L71 | N53°46'51"W | 40.03' | L83 | N44°54'10"E | 7.07' | L95 | N45°05'41"W | 14.14' | L107 | N01°50'07"W | 21.21' | L119 | S41°13'04"W | 13.20' | L131 | N44°54'19"E | 14.14' | L143 | S20°15'53"E | 37.19' | L155 | S81°52'28"W | 43.71' | L167 | N50°06'24"E | 27.96' | L179 | S00°00'54"W | 42.54' | | | |
| L12 | S23°03'52"W | 6.50' | L24 | N22°57'54"W | 21.59' | L36 | S74°40'52"E | 41.52' | L48 | N23°03'52"E | 46.50' | L60 | N20°41'27"W | 23.15' | L72 | S53°46'51"E | 39.99' | L84 | N87°07'07"W | 40.00' | L96 | S89°54'19"W | 9.00' | L108 | N46°50'07"W | 11.50' | L120 | S45°05'56"E | 28.28' | L132 | S45°05'41"E | 14.14' | L144 | S23°03'52"W | 5.00' | L156 | N36°06'10"E | 14.34' | L168 | N40°28'17"E | 34.77' | L180 | N74°56'06"E | 60.04' | | | |

| CURVE TABLE | | | | | | CURVE TABLE | | | | | | CURVE TABLE | | | | | | CURVE TABLE | | | | | | CURVE TABLE | | | | | | | | | | | |
|-------------|-----------|----------|---------|---------------|---------|-------------|-----------|----------|---------|---------------|---------|-------------|-----------|---------|---------|---------------|---------|-------------|-----------|----------|---------|---------------|---------|-------------|------------|---------|--------|---------------|--------|-----|------------|---------|--------|-------------|--------|
| NO. | DELTA | RADIUS | LENGTH | CHORD BEARING | CHORD | NO. | DELTA | RADIUS | LENGTH | CHORD BEARING | CHORD | NO. | DELTA | RADIUS | LENGTH | CHORD BEARING | CHORD | NO. | DELTA | RADIUS | LENGTH | CHORD BEARING | CHORD | NO. | DELTA | RADIUS | LENGTH | CHORD BEARING | CHORD | | | | | | |
| C1 | 10°48'27" | 280.00' | 52.81' | S80°35'45"W | 52.74' | C13 | 15°16'01" | 310.00' | 82.60' | N39°55'58"E | 82.36' | C25 | 7°30'40" | 795.00' | 104.22' | S51°19'16"W | 104.15' | C37 | 16°35'32" | 100.00' | 28.96' | S06°11'20"E | 28.86' | C49 | 8°40'55" | 650.00' | 98.49' | N04°26'08"W | 98.40' | C61 | 11°45'46" | 234.50' | 48.14' | N05°46'42"E | 48.06' |
| C2 | 2°39'53" | 265.00' | 12.32' | S10°51'47"E | 12.32' | C14 | 4°19'30" | 805.00' | 60.77' | N49°43'41"E | 60.75' | C26 | 28°45'27" | 300.00' | 150.57' | S33°11'12"W | 149.00' | C38 | 5°41'57" | 250.00' | 24.87' | N12°19'18"W | 24.86' | C50 | 180°00'00" | 3.50' | 11.00' | N11°29'29"E | 7.00' | C62 | 11°45'46" | 265.50' | 54.51' | S05°46'42"W | 54.41' |
| C3 | 4°32'28" | 235.00' | 18.62' | N11°48'03"W | 18.62' | C15 | 1°09'51" | 1030.00' | 20.93' | N31°43'57"W | 20.93' | C27 | 22°58'14" | 300.00' | 120.27' | N69°28'08"W | 119.47' | C39 | 37°52'21" | 250.00' | 165.25' | S85°52'18"E | 162.26' | C51 | 180°00'00" | 6.00' | 18.85' | N00°05'41"W | 12.00' | C63 | 11°32'20" | 111.00' | 22.35' | S84°08'09"W | 22.32' |
| C4 | 12°59'58" | 280.00' | 63.53' | N75°02'28"W | 63.39' | C16 | 18°11'42" | 165.00' | 52.40' | S61°53'41"E | 52.18' | C28 | 7°20'02" | 800.00' | 102.40' | N84°37'16"W | 102.33' | C40 | 1°57'26" | 1668.50' | 56.99' | N23°05'55"E | 56.99' | C52 | 0°33'40" | 285.00' | 2.79' | S09°48'41"E | 2.79' | C64 | 11°32'20" | 39.00' | 7.85' | N84°08'09"E | 7.84' |
| C5 | 0°04'22" | 1532.50' | 1.94' | S23°45'19"W | 1.94' | C17 | 15°53'58" | 235.00' | 65.21' | S78°56'31"E | 65.00' | C29 | 24°38'32" | 800.00' | 344.07' | N09°44'58"E | 341.43' | C41 | 1°43'44" | 1500.00' | 45.26' | N22°56'06"E | 45.26' | C53 | 11°32'34" | 111.00' | 22.36' | N05°40'36"E | 22.32' | C65 | 11°32'20" | 39.00' | 7.85' | N84°19'31"W | 7.84' |
| C6 | 0°03'37" | 1467.50' | 1.54' | N23°46'41"E | 1.54' | C18 | 12°12'38" | 100.00' | 21.31' | S80°47'11"E | 21.27' | C30 | 24°03'46" | 200.00' | 83.99' | N54°54'15"W | 83.38' | C42 | 18°04'19" | 670.00' | 211.33' | S03°12'20"E | 210.45' | C54 | 11°32'34" | 39.00' | 7.86' | N05°40'36"E | 7.84' | C66 | 11°32'20" | 111.00' | 22.35' | S84°19'31"E | 22.32' |
| C7 | 0°30'20" | 767.50' | 6.77' | N21°49'04"E | 6.77' | C19 | 33°49'59" | 54.50' | 32.18' | N88°24'08"E | 31.72' | C31 | 35°38'09" | 112.50' | 69.97' | S60°41'27"E | 68.85' | C43 | 16°44'55" | 300.00' | 87.70' | S27°10'57"W | 87.38' | C55 | 4°36'54" | 330.40' | 26.61' | N02°24'08"W | 26.61' | C67 | 11°32'20" | 75.00' | 15.10' | S84°19'31"E | 15.08' |
| C8 | 3°07'15" | 767.50' | 41.80' | N14°31'15"E | 41.80' | C20 | 7°11'18" | 1200.00' | 150.55' | S50°25'46"E | 150.45' | C32 | 17°20'55" | 112.50' | 34.06' | N87°10'59"W | 33.93' | C44 | 16°56'05" | 670.00' | 198.03' | S44°01'27"W | 197.31' | C56 | 11°27'17" | 324.11' | 64.80' | N05°53'46"W | 64.69' | C68 | 156°55'21" | 2.50' | 6.85' | S00°05'41"E | 4.90' |
| C9 | 1°46'17" | 832.50' | 25.74' | S01°39'29"E | 25.74' | C21 | 66°07'52" | 675.00' | 779.09' | S13°46'11"E | 736.56' | C33 | 28°55'19" | 187.50' | 94.65' | S81°23'47"E | 93.64' | C45 | 12°29'48" | 730.00' | 159.22' | N13°22'50"W | 158.90' | C57 | 1°42'53" | 380.00' | 11.37' | N12°33'17"W | 11.37' | C69 | 11°32'20" | 75.00' | 15.10' | S84°08'09"W | 15.08' |
| C10 | 4°20'36" | 810.00' | 61.40' | S83°07'33"E | 61.39' | C22 | 58°50'40" | 575.00' | 590.54' | N10°07'35"W | 564.93' | C34 | 11°24'58" | 200.00' | 39.85' | S13°05'54"W | 39.78' | C46 | 0°24'34" | 1653.50' | 11.82' | N23°52'32"E | 11.82' | C58 | 3°02'39" | 680.00' | 36.13' | S07°15'16"E | 36.12' | C70 | 4°29'03" | 640.00' | 50.09' | S02°08'21"W | 50.08' |
| C11 | 16°19'26" | 310.00' | 88.32' | S72°47'32"E | 88.02' | C23 | 98°50'12" | 575.00' | 991.89' | S09°52'11"W | 873.40' | C35 | 18°30'21" | 791.00' | 255.48' | S01°51'45"E | 254.37' | C47 | 0°24'51" | 1683.50' | 12.17' | S23°52'02"W | 12.17' | C59 | 6°02'51" | 670.00' | 70.72' | N43°48'42"W | 70.68' | C71 | 180°00'00" | 6.00' | 18.85' | N89°54'19"E | 12.00' |
| C12 | 9°34'22" | 1500.00' | 250.61' | S85°07'08"W | 250.32' | C24 | 3°48'30" | 1000.00' | 66.47' | S33°02'17"E | 66.45' | C36 | 13°13'22" | 200.00' | 46.16' | N04°30'15"W | 46.05' | C48 | 0°39'25" | 315.00' | 3.61' | N09°51'33"W | 3.61' | C60 | 7°43'53" | 100.00' | 13.49' | S16°39'59"E | 13.48' | C72 | 11°32'34" | 75.00' | 15.11' | N05°51'58"W | 15.08' |

| CURVE TABLE | | | | | | CURVE TABLE | | | | | | CURVE TABLE | | | | | | CURVE TABLE | | | | | |
|-------------|------------|---------|---------|---------------|---------|-------------|-----------|---------|---------|---------------|---------|-------------|-----------|---------|---------|---------------|---------|-------------|-----------|---------|---------|---------------|---------|
| NO. | DELTA | RADIUS | LENGTH | CHORD BEARING | CHORD | NO. | DELTA | RADIUS | LENGTH | CHORD BEARING | CHORD | NO. | DELTA | RADIUS | LENGTH | CHORD BEARING | CHORD | NO. | DELTA | RADIUS | LENGTH | CHORD BEARING | CHORD |
| C73 | 156°54'51" | 2.50' | 6.85' | S89°54'19"W | 4.90' | C87 | 32°11'02" | 98.00' | 55.05' | S09°00'34"W | 54.33' | C99 | 27°24'13" | 192.00' | 91.83' | S03°32'29"W | 90.96' | C111 | 63°09'21" | 98.00' | 108.02' | N53°55'54"W | 102.64' |
| C74 | 11°32'34" | 75.00' | 15.11' | S05°40'36"W | 15.08' | C88 | 10°27'49" | 122.00' | 22.28' | N19°52'11"E | 22.25' | C100 | 47°52'22" | 188.00' | 157.08' | N06°41'35"W | 152.55' | C112 | 3°06'55" | 72.00' | 3.91' | N69°11'05"W | 3.91' |
| C75 | 11°32'34" | 111.00' | 22.36' | N05°51'58"W | 22.32' | C89 | 32°05'58" | 112.00' | 62.75' | S09°03'06"W | 61.93' | C101 | 50°44'03" | 192.00' | 170.01' | S05°15'44"E | 164.51' | C113 | 47°13'20" | 128.00' | 105.50' | S47°07'53"E | 102.53' |
| C76 | 11°32'34" | 39.00' | 7.86' | N05°51'58"E | 7.84' | C90 | 15°19'23" | 108.00' | 26.88' | N17°26'24"E | 26.80' | C102 | 23°33'23" | 53.00' | 21.07' | N08°19'36"E | 21.64' | C114 | 39°34'22" | 43.00' | 29.70' | N16°20'53"W | 29.11' |
| C77 | 57°53'03" | 700.00' | 707.19' | N17°53'36"W | 677.50' | C91 | 23°23'49" | 405.47' | 165.57' | N01°50'54"W | 164.43' | C103 | 25°29'01" | 178.00' | 66.74' | S08°31'43"W | 66.35' | C115 | 71°56'47" | 132.00' | 165.75' | S00°09'41"E | 155.08' |
| C78 | 25°11'50" | 359.00' | 153.92' | S01°32'59"E | 152.68' | C92 | 26°05'07" | 552.00' | 251.31' | N00°25'44"E | 249.15' | C104 | 25°08'13" | 178.00' | 78.11' | S18°03'29"E | 77.49' | C116 | 39°16'52" | 43.00' | 29.48' | N16°10'16"E | 28.91' |
| C79 | 14°03'14" | 350.00' | 85.85' | N07°07'18"W | 85.63' | C93 | 8°44'41" | 568.00' | 86.69' | N08°14'30"E | 86.61' | C105 | 14°10'24" | 202.00' | 49.97' | N23°32'34"W | 49.84' | C117 | 0°16'38" | 300.00' | 1.45' | N11°25'50"W | 1.45' |
| C80 | 55°54'53" | 200.00' | 195.18' | N27°51'46"E | 187.53' | C94 | 3°53'12" | 565.27' | 38.35' | N01°56'23"E | 38.34' | C106 | 27°24'13" | 178.00' | 85.13' | S03°32'29"W | 84.33' | | | | | | |
| C81 | 13°29'16" | 450.00' | 105.93' | N06°50'19"W | 105.93' | C95 | 1°53'32" | 422.00' | 13.94' | N12°31'31"W | 13.94' | C107 | 3°21'20" | 252.00' | 14.76' | N08°28'58"W | 14.76' | | | | | | |
| C82 | 7°24'09" | 200.00' | 25.84' | S76°37'53"W | 25.82' | C96 | 26°05'07" | 538.00' | 244.94' | S00°25'44"E | 242.83' | C108 | 12°01'38" | 53.00' | 11.13' | N82°36'32"W | 11.11' | | | | | | |
| C83 | 11°28'28" | 300.00' | 60.16' | S05°49'55"E | 60.06' | C97 | 8°44'41" | 582.00' | 88.83' | N08°14'30"E | 88.74' | C109 | 67°48'15" | 108.00' | 127.81' | N54°43'15"W | 120.48' | | | | | | |
| C84 | 11°36'09" | 350.00' | 70.88' | N05°53'46"W | 70.76' | C98 | 10°03'09" | 237.99' | 41.76' | N05°06'03"W | 41.70' | C110 | 13°36'43" | 72.00' | 17.11' | S27°37'29"W | 17.07' | | | | | | |

OWNERS' CERTIFICATE

STATE OF TEXAS §
COUNTY OF DENTON §
CITY OF DENTON §

WHEREAS HUNTER RANCH LAND, LLC and HR JV, LP, are the owners of 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 Limited Warranty Deed to Hunter Ranch Land, LLC, as recorded in Instrument No. 2023-36821 of the Official Records of Denton County, Texas, and being a portion of a called 128.241 acre tract of land described in a deed to HR JV, L.P., recorded in Instrument No. 2023-290 of the Official records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod with plastic cap stamped "Goodwin Marshall" found for the northeast corner of a called 7.412 acre tract of land described in a deed to Denton County, Texas, recorded in Volume 4058, Page 1157 of the Deed Records of Denton County, Texas, being on the southerly line of a called 128.241 acre tract of land described in a Limited Warranty Deed to HR JV, LP, recorded in Instrument No. 2023-290 of the Official Records of Denton County, Texas, same also being on the northerly right-of-way line of Robson Ranch Road, a variable width right-of-way;

THENCE along the northerly right-of-way line of said Robson Ranch Road, the northerly line of said 7.412 acre tract and the southerly line of said 128.241 acre tract, the following courses and distances:

South 89°54'19" West, a distance of 290.42 feet to a 3 inch metal fence post found for corner;

South 00°05'41" West, a distance of 5.00 feet to a 3 inch metal fence post found for corner;

South 89°54'19" West, a distance of 200.00 feet to a 3 inch metal fence post found for corner;

South 00°05'41" West, a distance of 5.00 feet to a 3 inch metal fence post found for corner;

South 89°54'19" West, a distance of 421.32 feet to the **POINT OF BEGINNING** of the herein described tract of land:

THENCE South 89°53'55" West, continuing along the northerly right-of-way line of said Robson Ranch Road, the northerly line of said 7.412 acre tract and the southerly line of said 128.241 acre tract and along the southerly line of said 1,013.226 acre tract, a distance of 178.50 feet to a 3 inch metal fence post found for corner;

THENCE South 01°55'35" West, continuing along the northerly right-of-way line of said Robson Ranch Road, the northerly line of said 7.412 acre tract and the southerly line of said 1,013.226 acre tract, a distance of 5.00 feet to a 3 inch metal fence post found for corner;

THENCE South 89°54'19" West, continuing along the northerly right-of-way line of said Robson Ranch Road, the northerly line of said 7.412 acre tract and the southerly line of said 1,013.226 acre tract, a distance of 1,161.40 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE departing the northerly right-of-way line of said Robson Ranch Road, the northerly line of said 7.412 acre tract and the southerly line of said 1,013.226 acre tract, and crossing said 1,013.226 acre tract, the following courses and distances:

North 00°05'41" West, a distance of 7.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 44°54'19" East, a distance of 28.28 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 00°05'41" West, a distance of 62.27 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 111.00 feet, a central angle of 11°32'34", and a chord bearing and distance of North 05°40'36" East, 22.32 feet;

In a northeasterly direction, with said tangent curve to the right, an arc distance of 22.36 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 11°26'54" East, a distance of 57.30 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left with a radius of 39.00 feet, a central angle of 1°13'24", and a chord bearing and distance of North 05°40'36" East, 7.84 feet;

In a northeasterly direction, with said tangent curve to the left, an arc distance of 7.86 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 00°05'41" West, a distance of 4.07 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 45°05'41" West, a distance of 14.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 89°54'19" West, a distance of 9.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 00°05'41" West, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 89°54'19" East, a distance of 6.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 44°54'19" East, a distance of 14.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 00°05'41" West, a distance of 115.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 89°54'19" West, a distance of 126.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 00°05'41" West, a distance of 232.88 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 04°54'50" West, a distance of 44.18 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 77°52'14" East, a distance of 29.21 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 89°54'19" East, a distance of 99.65 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the left with a radius of 418.69 feet, a central angle of 08°46'37", and a chord bearing and distance of North 08°17'55" West, 64.07 feet;

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 64.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 77°41'16" East, a distance of 60.01 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 442.44 feet, a central angle of 01°17'42", and a chord bearing and distance of South 12°54'23" East, 10.00 feet;

In a southeasterly direction, with said non-tangent curve to the right, an arc distance of 10.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 55°41'26" East, a distance of 14.39 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 80°19'57" East, a distance of 232.39 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 37°22'44" East, a distance of 14.64 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 330.40 feet, a central angle of 04°36'54", and a chord bearing and distance of North 02°24'08" West, 26.61 feet;

In a easterly direction, with said non-tangent curve to the right, an arc distance of 26.61 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 324.11 feet, a central angle of 11°27'17", and a chord bearing and distance of North 05°53'46" West, 64.89 feet;

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 64.80 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 78°18'10" East, a distance of 60.00 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 380.00 feet, a central angle of 01°42'53", and a chord bearing and distance of North 12°33'17" West, 11.37 feet;

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 11.37 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 29°53'09" East, a distance of 21.42 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 74°19'32" East, a distance of 139.94 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 81°13'24" East, a distance of 181.00 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 680.00 feet, a central angle of 03°02'39", and a chord bearing and distance of South 07°15'16" East, 36.12 feet;

In a southeasterly direction, with said non-tangent curve to the right, an arc distance of 36.13 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 89°54'19" East, a distance of 127.03 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 03°02'01" West, a distance of 69.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 08°41'52" West, a distance of 47.22 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 12°21'53" West, a distance of 46.94 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 16°25'25" West, a distance of 46.78 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 20°19'48" West, a distance of 46.71 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 24°39'18" West, a distance of 46.72 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 29°03'42" West, a distance of 46.78 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 35°39'41" West, a distance of 61.43 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 43°09'53" East, a distance of 136.88 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 670.00 feet, a central angle of 06°02'51", and a chord bearing and distance of North 43°48'42" West, 70.68 feet;

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 70.72 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 46°50'07" West, a distance of 54.41 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 88°09'53" West, a distance of 14.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 43°09'53" West, a distance of 7.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 46°50'07" West, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 43°09'53" East, a distance of 22.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 01°50'07" West, a distance of 21.60 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 46°50'07" West, a distance of 11.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 88°09'53" East, a distance of 21.21 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 43°09'53" East, a distance of 140.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 01°50'07" West, a distance of 21.21 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 46°50'07" West, a distance of 232.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 88°09'53" West, a distance of 6.36 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 46°50'07" West, a distance of 80.33 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 00°44'17" West, a distance of 7.44 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 730.00 feet, a central angle of 17°21'33", and a chord bearing and distance of North 35°22'25" West, 220.33 feet;

In a northwesterly direction, with said non-tangent curve to the right, an arc distance of 221.17 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 69°38'02" West, a distance of 6.85 feet to a point for corner;

North 23°09'41" West, a distance of 80.52 feet to a point for corner;

North 23°18'40" East, a distance of 6.85 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 730.00 feet, a central angle of 12°29'48", and a chord bearing and distance of North 13°22'50" West, 158.90 feet;

In a northwesterly direction, with said non-tangent curve to the right, an arc distance of 159.22 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 49°05'07" West, a distance of 10.56 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 01°37'33" West, a distance of 78.20 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 43°51'40" East, a distance of 6.56 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 730.00 feet, a central angle of 15°54'38", and a chord bearing and distance of North 06°53'28" East, 176.80 feet;

In a northwesterly direction, with said non-tangent curve to the right, an arc distance of 177.23 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 29°05'36" West, a distance of 6.99 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 17°22'44" East, a distance of 80.53 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 63°20'15" East, a distance of 6.65 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 19°17'45" East, a distance of 82.38 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left with a radius of 520.00 feet, a central angle of 25°14'58", and a chord bearing and distance of North 06°40'16" East, 227.31 feet;

In a northwesterly direction, with said tangent curve to the left, an arc distance of 229.16 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 03°17'46" West, a distance of 6.75 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 10°22'04" West, a distance of 60.97 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 32°36'00" East, a distance of 5.48 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 520.00 feet, a central angle of 23°40'27", and a chord bearing and distance of North 27°42'42" West, 213.33 feet;

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 214.86 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 39°32'55" West, a distance of 130.73 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 630.00 feet, a central angle of 10°49'27", and a chord bearing and distance of North 29°13'30" West, 225.80 feet;

In a northwesterly direction, with said tangent curve to the right, an arc distance of 227.03 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 61°30'52" West, a distance of 21.83 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 75°11'31" West, a distance of 75.47 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 280.00 feet, a central angle of 10°49'27", and a chord bearing and distance of South 80°39'45" West, 52.74 feet;

In a southwesterly direction, with said tangent curve to the right, an arc distance of 52.81 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 36°54'52" West, a distance of 19.03 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 265.00 feet, a central angle of 02°39'53", and a chord bearing and distance of South 10°51'47" East, 12.32 feet;

In a southeasterly direction, with said non-tangent curve to the right, an arc distance of 12.32 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a reverse curve to the left with a radius of 285.00 feet, a central angle of 00°33'40", and a chord bearing and distance of South 09°48'41" East, 2.79 feet;

In a southeasterly direction, with said reverse curve to the left, an arc distance of 2.79 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 78°54'10" West, a distance of 30.00 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 315.00 feet, a central angle of 00°39'25", and a chord bearing and distance of North 09°51'33" West, 3.61 feet;

In a northwesterly direction, with said non-tangent curve to the right, an arc distance of 3.61 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a reverse curve to the left with a radius of 235.00 feet, a central angle of 04°32'26", and a chord bearing and distance of North 11°48'03" West, 18.62 feet;

In a northwesterly direction, with said reverse curve to the left, an arc distance of 18.62 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 47°57'54" West, a distance of 24.53 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 280.00 feet, a central angle of 12°59'58", and a chord bearing and distance of North 75°02'28" West, 63.39 feet;

In a northwesterly direction, with said non-tangent curve to the right, an arc distance of 63.53 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 67°44'54" West, a distance of 14.22 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 23°03'52" West, a distance of 6.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 66°56'08" West, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 23°03'52" East, a distance of 6.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 21°56'08" West, a distance of 14.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 66°56'08" West, a distance of 106.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 68°14'05" West, a distance of 21.28 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 1,683.50 feet, a central angle of 00°24'51", and a chord bearing and distance of South 23°52'02" West, 12.17 feet;

In a southwesterly direction, with said non-tangent curve to the right, an arc distance of 12.17 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 66°15'58" West, a distance of 30.00 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 1,653.50 feet, a central angle of 00°24'34", and a chord bearing and distance of North 23°52'32" East, 11.82 feet;

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 11.82 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 21°45'44" West, a distance of 21.15 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 66°56'08" West, a distance of 91.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 68°15'06" West, a distance of 0.19 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 68°15'06" West, a distance of 21.09 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 1,532.50 feet, a central angle of 00°04'22", and a chord bearing and distance of South 23°45'19" West, 1.94 feet;

In a southwesterly direction, with said non-tangent curve to the right, an arc distance of 1.94 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 66°34'57" West, 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 1,467.50 feet, a central angle of 00°03'37", and a chord bearing and distance of North 23°46'41" East, 1.54 feet;

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 1.54 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 21°44'25" West, a distance of 21.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 66°56'08" West, a distance of 2.89 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 23°03'52" East, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 66°56'08" East, a distance of 2.11 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 67°34'03" East, a distance of 21.03 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 22°04'14" East, a distance of 213.27 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left with a radius of 767.50 feet, a central angle of 00°39'20", and a chord bearing and distance of North 21°49'04" East, 6.77 feet;

In a northwesterly direction, with said tangent curve to the left, an arc distance of 6.77 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 22°57'54" West, a distance of 21.59 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 66°56'08" West, a distance of 7.10 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 23°03'52" East, a distance of 42.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 66°56'08" East, a distance of 4.02 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 64°54'10" East, a distance of 20.01 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 03°07'15", and a chord bearing and distance of North 14°37'15" East, 41.80 feet;

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 41.80 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 27°13'03" West, a distance of 23.08 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 66°56'08" West, a distance of 13.16 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 23°03'52" East, a distance of 42.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 66°56'0



June 3, 2024

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

Re: *Hunter Ranch Phase 1A Final Plat (FP24-0012)*
 2nd - 30-Day Extension Request

Dear Ms. Robertson:

As representative for the referenced project, I respectfully request a second 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

TEXAS SECRETARY of STATE
JANE NELSON**BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY**

Filing Number: 804757571
Original Date of Filing: October 5, 2022
Formation Date: N/A
Tax ID: 32086637199
Duration: Perpetual

Entity Type: Domestic Limited Liability Company (LLC)
Entity Status: In existence
FEIN:

Name: Hunter Ranch Land, LLC
Address: 3000 TURTLE CREEK BLVD
DALLAS, TX 75219-6268 USA

| REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS |
|----------------------------------|--------------------------------|--|----------------------------|-------------------------------|-------------------------------------|---------------------------------|
| Name | | Address | | | Inactive Date | |
| Stephen D Parker | | 3000 Turtle Creek Blvd Dallas, TX 75219 USA | | | | |

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City of Denton

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

Legislation Text

File #: FP24-0013a, **Version:** 1

AGENDA CAPTION

Consider a request by Kimley-Horn, on behalf of Hunter Ranch Land, LLC, for approval of a Final Plat of Hunter Ranch Phase 1B. The approximately 53.081-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (FP24-0013a, Hunter Ranch Phase 1B, 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: June 12, 2024

SUBJECT

Consider a request by Kimley-Horn, on behalf of Hunter Ranch Land, LLC, for approval of a Final Plat of Hunter Ranch Phase 1B. The approximately 53.081-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (FP24-0013a, Hunter Ranch Phase 1B, Cameron Robertson).

BACKGROUND

The purpose of this Final Plat is to facilitate the development of Phase 1B of Hunter Ranch Phase 1, which will consist of 180 single-family residential lots and 8 HOA lots. The approved Preliminary Plat (PP22-0014c) of Hunter Ranch Phase 1 included a total of 747 single-family residential lots and 36 HOA lots on 228.914 acres. Phase 1 also includes the construction of an amenity center lot which will serve this portion of the development and future phases of the overall development.

The subject property is presently vacant and zoned Master Planned Communities (MPC) - R6/ -R7/ -Mixed-Use Neighborhood (MN). Ordinance MPC19-0002c applies to the subject property and establishes the zoning standards for the entire Hunter Ranch MPC.

| | |
|---------------------------------------|----------------|
| Date Application Filed: | April 16, 2024 |
| Planning & Zoning Commission Meeting: | May 15, 2024 |
| Days in Review: | 29 Days |
| First Extension Request Approved: | May 15, 2024 |
| Planning & Zoning Commission Meeting: | June 12, 2024 |
| Days in Review: | 28 Days |

This is the **second extension request** received 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 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 June 26, 2024. 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 |
| July 13, 2022 | Planning & Zoning Commission | Preliminary Plat (PP22-0014) Extension Request | Extension Approved |
| November 16, 2022 | Planning & Zoning Commission | Preliminary Plat (PP22-0014c) | Approved |
| May 15, 2024 | Planning & Zoning Commission | Final Plat (FP24-0013) Extension Request | Extension 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
6. LLC Members List

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

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

Staff Analysis

FP24-0013a / Hunter Ranch Phase 1B

City Council District #4

Planning & Zoning Commission

REQUEST:

Final Plat for an approximately 53.081-acre tract.

APPLICANT:

Kimley-Horn on behalf of Hunter Ranch Land, LLC.

RECOMMENDATION:

Staff recommends denial, as the proposed Final Plat fails to 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><p>The Final 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 Final Plat Checklist (FPC) authorized per the Hunter Ranch Master Planned Communities (MPC) Section 2.4.4B:</p><ol style="list-style-type: none">Final Plat cannot be approved until the associated CEP is approved to ensure all necessary easements, ROW dedications, and plat language have been established. The process of getting the CEP to approval may generate new comments that will need to be addressed.Label point of beginning monument size and description. (FPC 2.9)Include all easements shown in CEPs such as, but not limited to, sidewalk easements. (FPC 3.9; TCM 4.3.1)Add "R.O.W." and its definition to the legend. (FPC 2.12)Label proposed streets as being dedicated by this plat. (DDC 8.4.8; FPC 3.1)Label line and curve data for proposed streets along the edge of the public ROWs. (FPC 3.1)Label ROW dimensions from centerline and are accurate. (FPC 3.15)Label ROW dedication as being done by this plat or reference document/instrument with dedication. (DDC 8.4.8; FPC 3.1)</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>9. Include document number recording establishment of easements with each label or state easements are dedicated by this plat with each label or easement. Could add a general note stating all sidewalk easements are being established by this plat. (FPC 3.6)</p> <p>10. Label city limit, county limit, extra-territorial jurisdiction, and/or survey (abstract) lines within and adjacent to property. (FPC 4.4)</p> <p>11. 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. (FPC 2.12 and FPC 2.13)</p> <p>12. Depict all overhead electric distribution and transmission line clearance zones intersecting or adjacent to the property. (FPC 2.19)</p> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <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> <p>The Final Plat does not meet Approval Criteria 4a, 7a, 10a and 12a as detailed below.</p> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>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.</p> <p>Findings:</p> | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Prior Approvals | | | | |
| <p>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.</p> <p>Findings:</p> <p>The proposed Final Plat is consistent with Ordinance No. MPC19-0002c, which was approved by the Denton City Council on April 7, 2020.</p> | | <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 |
| 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, Denton Plan 2040's Future Land Use Map designates the subject property as Master Planned Community. The proposed use is consistent with the designation.</p> </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></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> <p>The overall goals of the Comprehensive Plan are met with the proposed Final Plat.</p> </div> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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> <p>In order for the proposed Final Plat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> 1. Include homeowner's association covenants as they relate to the maintenance of open space, common areas and facilities. (DDC 8.3.2.D and DDC 7.10.4.C.2) 2. Please add Regional and Community Trail language to the final plat notes for Phase 1B. 3. Per Exhibit B - Park Improvement Summary Tables in the Project Agreement, "10' trails will have a 30' easement and 6' trails will have a 26' easement, this allows for additional space if needed for programming, easement could be modified as needed pending space allocation." Please update easement sizes as applicable. Public Access Easements do not appear to be identified along regional or community trail locations. </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>4. The Denton Mobility Plan 2022 Update, Bicycle Plan, and Pedestrian Plan identify that safe pedestrian/ bicycle infrastructure is needed along Robson Ranch Road. A minimum 10-foot-wide side path is required along Robson Ranch Road. The implementation of this side path allows for increased connectivity to the future 10-foot-wide trails along I-35W and the Hunter Ranch trails terminating towards Robson Ranch Road. Please ensure Public Access Easements on the Final Plat allocate space for this trail connection.</p> <p>5. INFORMATIONAL: The Park Improvements will be conveyed or dedicated to the City, at no cost or expense to the City, and will be available for use by the general public. Park land dedication will occur in phases, at the time of final plat approval. The Park land acreage dedicated is the minimum required by Ordinance 22-254 based on the projected residential units in the Park Plan (Exhibit C). Upon inspection and acceptance of a completed portion of Park Improvements the plans and specifications of which are subject to approval by the City staff, title to the completed Park Improvements shall be dedicated to the City by special warranty deed, except the “Pocket Parks”, “Dog Park”, “Trails” outside rights-of-way, and “Regional ESA Upland”, and the “lakes”. The exceptions above shall be conveyed by a grant of public access easement. (Language above is from the Operating Agreement and Project Agreement)</p> <p>6. INFORMATIONAL: There do not appear to be any Public Access Easement Pocket Parks in Phase 1B.</p> <p>7. INFORMATIONAL: Park Dedication and Development Fees do not apply to this Phase per the Operating and Project Agreements. Phase 1B is proposing 180 residential and 8 HOA lots with this development.</p> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</p> <p>Findings:</p> <p>The proposed Final Plat provides sufficient detail for review.</p> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Compliance with Other Applicable Regulations | | | | |
| <p>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.</p> <p>Findings:</p> <p>The Final Plat meets the requirements.</p> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

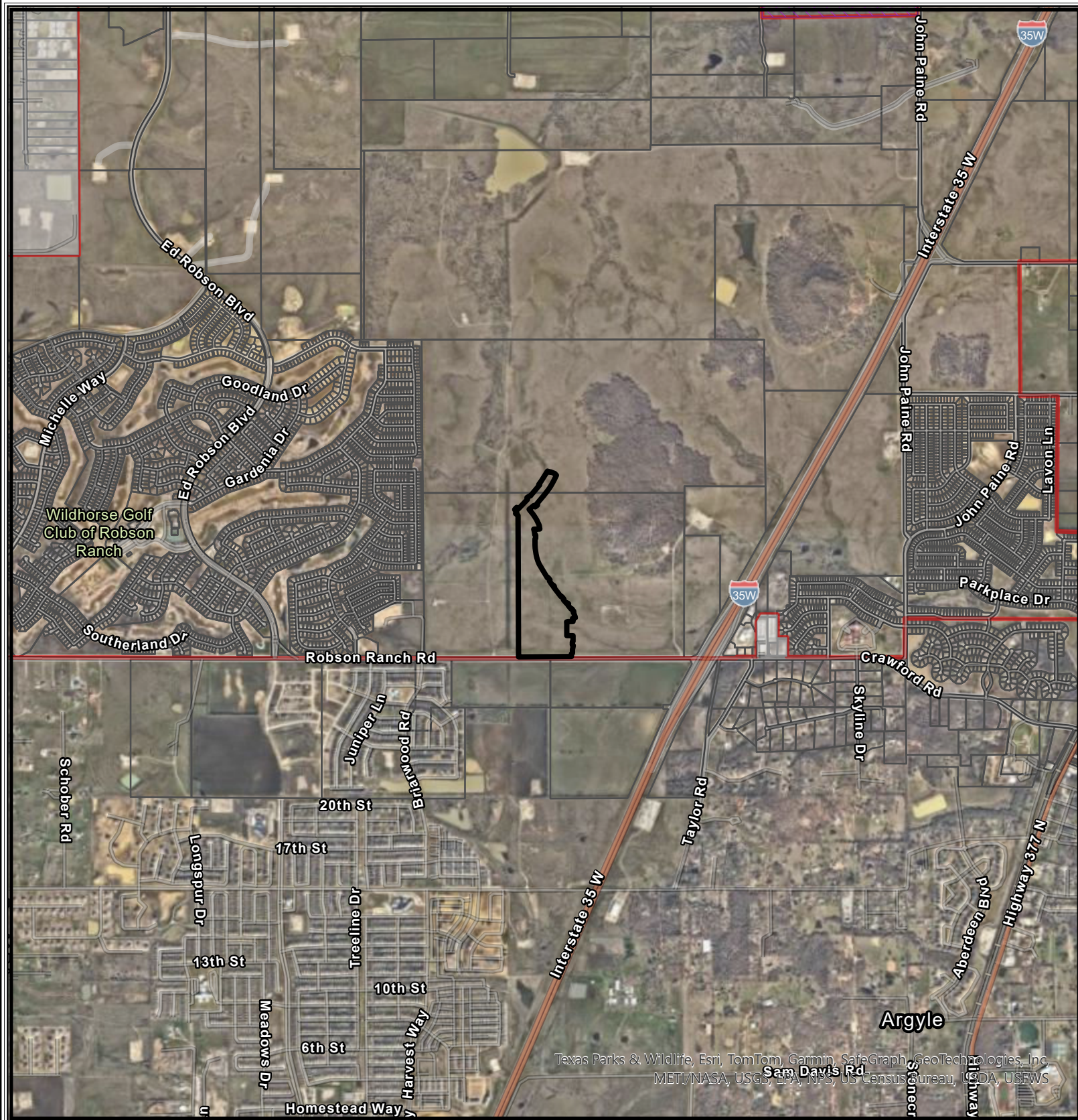
| Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E) | | Compliance | | |
|--|--|-------------------------------------|-------------------------------------|-------------------------------------|
| | | Met | Not Met | N/A |
| 6. Consistent with Interlocal and Development Agreements | | | | |
| <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: 10px;"> <p>The proposed Final 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.</p> </div> | | <input checked="" type="checkbox"/> | <input 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: 10px;"> <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 MPC Ordinance 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"/> |
| 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: 10px;"> <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> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <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"/> |

| Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E) | | Compliance | | |
|---|--|-------------------------------------|-------------------------------------|--------------------------|
| | | Met | Not Met | N/A |
| 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 style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>In order for the proposed Final Plat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> 1. Please dedicate public utility easements on final plat per uploaded V1 DME markups (Denton Development Code Subchapter 7.13.6). 2. CEP23-0017 shows a 6x5 RCB. The easement should be increased to 30 foot in width as outlined in the Stormwater Criteria Manual Section 3.9.B.2.a. 3. Provide note on plat that private improvements cannot encroach onto existing public or private easements. (BEP) 4. Zone A is shown on Sheet 4 of this plat submittal. This needs to be added to the FEMA floodplain note. (DDC 7.5.3.I and N, FPC 3.12) </div> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 style="border: 1px solid black; height: 30px; margin-top: 10px;"></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 style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>The Final Plat does not meet Approval Criteria 4a, 7a, and 10a as detailed above.</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 |
| 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; margin-top: 10px;"> <p>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.</p> </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; margin-top: 10px;"> <p>The proposed Final Plat is consistent with Ordinance No. MPC19-0002c, which was approved by the Denton City Council on April 7, 2020. A Preliminary Plat was required as part of the MPC (PP22-0014), and approved by the Planning and Zoning Commission on November 16, 2022.</p> </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; margin-top: 10px;"> <p>This Final Plat does not meet all review criteria, as detailed in Criteria 1b above as required by the Denton Development Code.</p> </div> | | <input type="checkbox"/> | <input checked="" 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; margin-top: 10px;"> <p>The Final Plat complies with all applicable technical standards and specifications as detailed herein.</p> </div> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

FP24-0013 Site Location

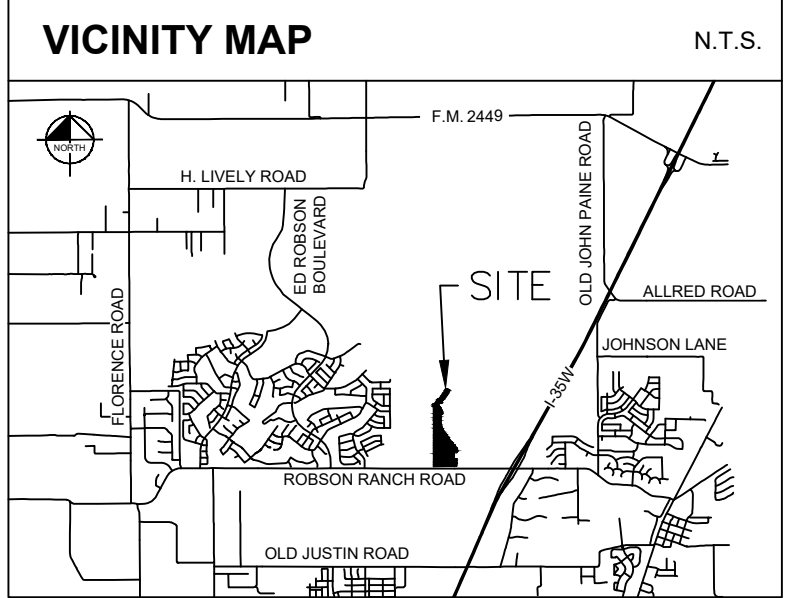
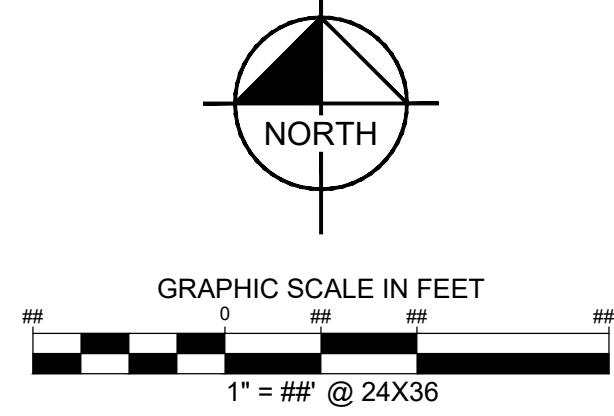
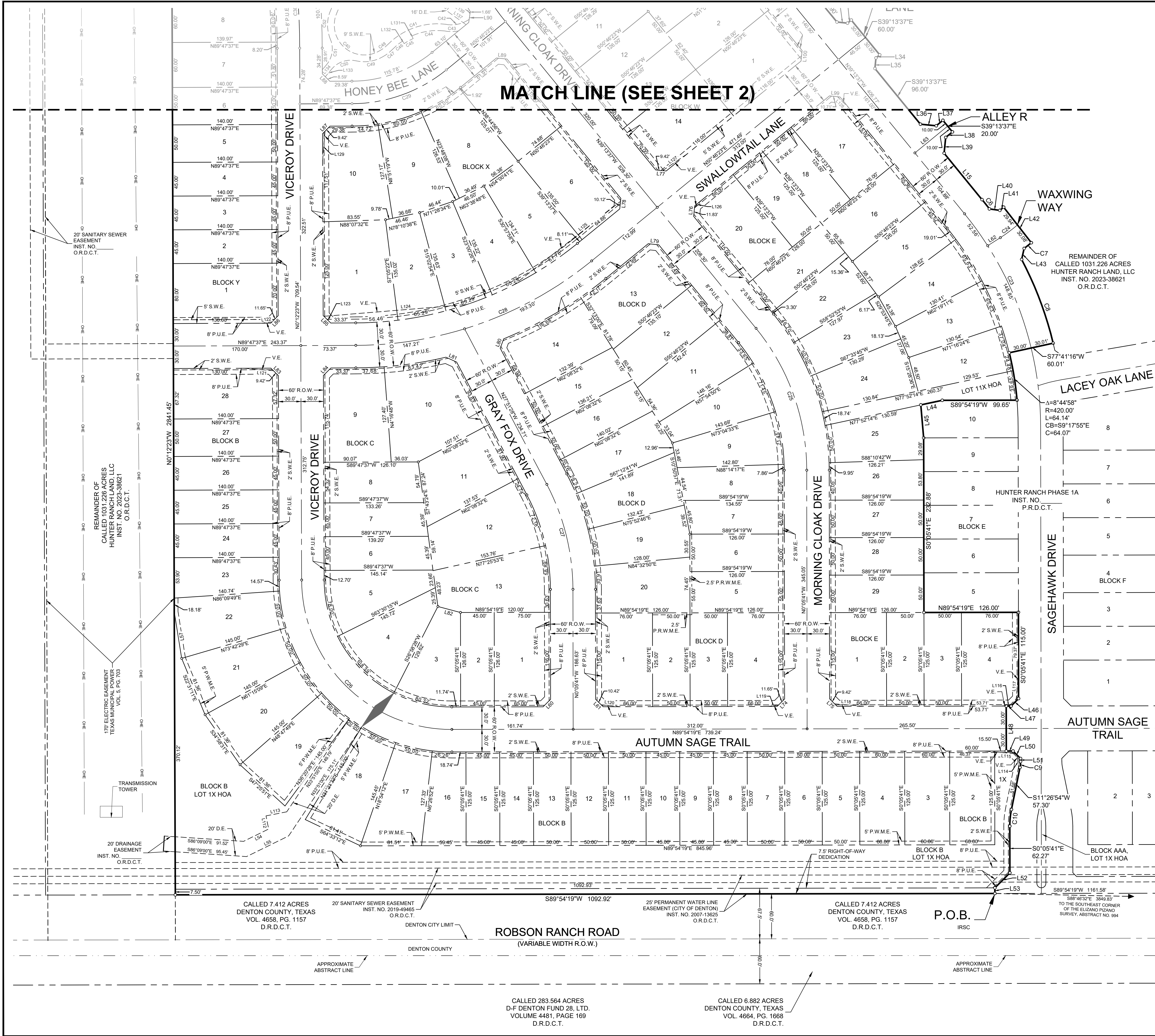


Legend:

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

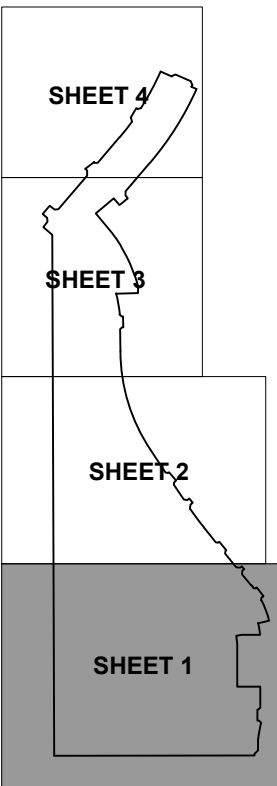
0 500 1,000 2,000
Feet

CITY OF DENTON
Development Services • GIS
Date: 4/29/2024



SEE SHEET 5 FOR
LINE AND CURVE TABLES,
AND LOT AREA TABLE

| LINE TYPE LEGEND | |
|------------------|---|
| --- | BOUNDARY LINE |
| --- | ADJACENT PROPERTY LINE |
| --- | EASEMENT LINE |
| --- | BUILDING LINE |
| --- | CENTERLINE OF ROAD |
| --- | OVERHEAD UTILITY LINE |
| LEGEND | |
| IRSC | 5/8" IRON ROD W/ "KHA" CAP SET |
| IRFC | IRON ROD WITH CAP FOUND |
| IRF | IRON ROD FOUND |
| P.O.C. | POINT OF COMMENCING |
| P.O.B. | POINT OF BEGINNING |
| B.L. | BUILDING LINE |
| F.B.L. | FRONT BUILDING LINE |
| D.E. | DRAINAGE EASEMENT |
| H.O.A. | HOMEOWNERS ASSOCIATION |
| VOL. | VOLUME |
| P.G. | PAGE |
| INST. | INSTRUMENT |
| O.R.D.C.T. | OFFICIAL RECORDS |
| D.R.D.C.T. | DENTON COUNTY, TEXAS |
| D.R.D.C.T. | DEED RECORDS |
| D.R.D.C.T. | DENTON COUNTY, TEXAS |
| --- | STREET NAME CHANGE |
| P.U.E. | PUBLIC UTILITY EASEMENT |
| S.W.E. | SIDEWALK EASEMENT |
| W.E. | WATER EASEMENT |
| S.S.E. | SANITARY SEWER EASEMENT |
| P.W.M.E. | PRIVATE WALL MAINTENANCE EASEMENT |
| P.R.W.M.E. | PRIVATE RETAINING WALL MAINTENANCE EASEMENT |
| --- | VISIBILITY EASEMENT |
| --- | GUY ANCHOR |
| --- | UTILITY POLE |
| --- | PROPERTY CORNER SYMBOL |



KEY MAP
N.T.S.

FINAL PLAT HUNTER RANCH, PHASE 1B

BLOCK B, LOTS 1X & 2-28;
BLOCK C, LOTS 1-13; BLOCK D, LOTS 1-20;
BLOCK E, LOTS 1-4, 11X & 12-29; BLOCK HH, LOTS 17-23, 24X & 25-28;
BLOCK II, LOT 1X; BLOCK QQ, LOTS 1-14; BLOCK RR, LOTS 1-16;
BLOCK W, LOTS 1-14; BLOCK X, LOTS 1-10;
BLOCK Y, LOTS 1-10, 11X, 12-29, 30X, 31-35 & 36X; BLOCK Z, LOT 1X

180 RESIDENTIAL LOTS
8 HOA LOTS

53.081 ACRES

OUT OF THE
ELIZANO PIZANO SURVEY, ABSTRACT NO. 994,
CITY OF DENTON,
DENTON COUNTY, TEXAS
CITY PROJECT #FP24-0013
APRIL 2024

Kimley»Horn

400 North Oklahoma Dr., Suite 105
Celina, Texas 75009
FIRM # 10194503
Tel. No. (469) 501-2200
www.kimley-horn.com

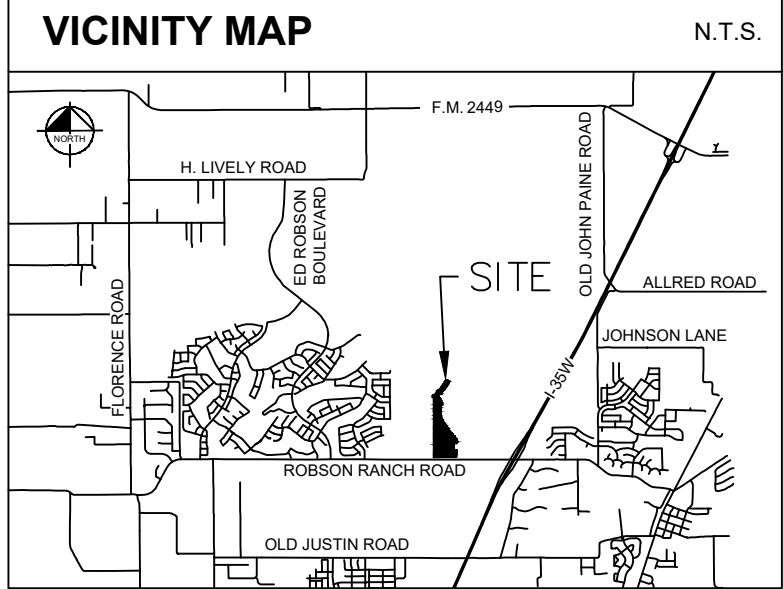
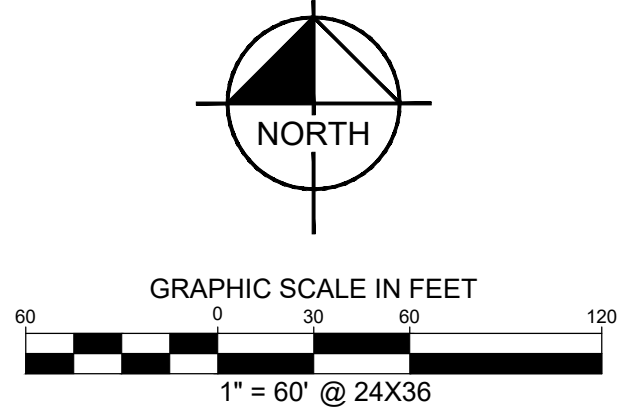
| Scale | Drawn by | Checked by | Date | Project No. | Sheet No. |
|-----------|----------|------------|------------|-------------|-----------|
| 1" = 1/4" | JCC | KHA | APRIL 2024 | 063226937 | 1 OF 6 |

OWNER:
Hunter Ranch Land, LLC
9800 Hillwood Pkwy,
Suite 300
Fort Worth, TX 76177
Ph: 972-201-2932
Contact: Brian Carlock

APPLICANT:
Kimley-Horn & Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (972) 335-3580
Contact: Kevin J. Kane, P.E.

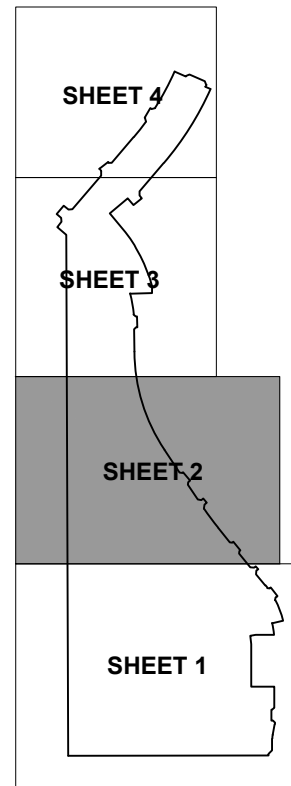
SURVEYOR:
Kimley-Horn and Associates, Inc.
400 North Oklahoma Drive, Suite 105
Celina, TX 75009
Ph: (469) 501-2172
Contact: Daniel R. Arthur, RPLS

MATCH LINE (SEE SHEET 3)



SEE SHEET 5 FOR
LINE AND CURVE TABLES,
AND LOT AREA TABLE

| LINE TYPE LEGEND | |
|------------------|---|
| --- | BOUNDARY LINE |
| - - - - | ADJACENT PROPERTY LINE |
| - . - . - | EASEMENT LINE |
| - - - - | BUILDING LINE |
| - - - - | CENTERLINE OF ROAD |
| - - - - | OVERHEAD UTILITY LINE |
| LEGEND | |
| IRSC | 5/8" IRON ROD W/ "KHA" CAP SET |
| IRFC | IRON ROD WITH CAP FOUND |
| IRF | IRON ROD FOUND |
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| D.E. | DRAINAGE EASEMENT |
| HOA | HOMEOWNERS ASSOCIATION |
| VOL. | VOLUME |
| P.G. | PAGE |
| INST. | INSTRUMENT |
| O.R.D.C.T. | OFFICIAL RECORDS |
| D.R.D.C.T. | DENTON COUNTY, TEXAS |
| D.R.D.C.T. | DEED RECORDS |
| D.R.D.C.T. | DENTON COUNTY, TEXAS |
| --- | STREET NAME CHANGE |
| P.U.E. | PUBLIC UTILITY EASEMENT |
| S.W.E. | SEWER EASEMENT |
| W.E. | WATER EASEMENT |
| S.S.E. | SANITARY SEWER EASEMENT |
| P.W.M.E. | PRIVATE WALL MAINTENANCE EASEMENT |
| P.R.W.M.E. | PRIVATE RETAINING WALL MAINTENANCE EASEMENT |
| V.E. | VEHICLE EASEMENT |
| --- | GUY ANCHOR |
| --- | UTILITY POLE |
| --- | PROPERTY CORNER SYMBOL |



KEY MAP
N.T.S.

FINAL PLAT HUNTER RANCH, PHASE 1B

BLOCK B, LOTS 1X & 2-28;
BLOCK C, LOTS 1-13; BLOCK D, LOTS 1-20;
BLOCK E, LOTS 1-4, 11X & 12-29; BLOCK HH, LOTS 17-23, 24X & 25-28;
BLOCK II, LOT 1X; BLOCK QQ, LOTS 1-14; BLOCK RR, LOTS 1-16;
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BLOCK Y, LOTS 1-10, 11X, 12-29, 30X, 31-35 & 36X; BLOCK Z, LOT 1X

180 RESIDENTIAL LOTS
8 HOA LOTS

53.081 ACRES
OUT OF THE
ELIZANO PIZANO SURVEY, ABSTRACT NO. 994,
CITY OF DENTON,
DENTON COUNTY, TEXAS
CITY PROJECT #FP24-0013
APRIL 2024

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| Scale | Drawn by | Checked by | Date | Project No. | Sheet No. |
|----------|----------|------------|------------|-------------|-----------|
| 1" = 60' | JCC | KHA | APRIL 2024 | 063226937 | 2 OF 6 |

OWNER:
Hunter Ranch Land, LLC
9800 Hillwood Pkwy,
Suite 300
Fort Worth, TX 76177
Ph: 972-201-2932
Contact: Brian Carlock

APPLICANT:
Kimley-Horn & Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (972) 335-3580
Contact: Kevin J. Kane, P.E.

SURVEYOR:
Kimley-Horn & Associates, Inc.
400 North Oklahoma Drive, Suite 105
Celina, TX 75009
Ph: (469) 501-2172
Contact: Daniel R. Arthur, RPLS

MATCH LINE (SEE SHEET 1)

A north arrow pointing upwards, with the word "NORTH" written below it. Below the north arrow is a graphic scale bar labeled "GRAPHIC SCALE IN FEET". The scale bar has markings at 60, 0, 30, 60, and 120 feet. Below the scale bar, the text "1" = 60' @ 24X36" is written.

LINE TYPE LEGEND

| | |
|--|------------------------|
| | BOUNDARY LINE |
| | ADJACENT PROPERTY LINE |
| | EASEMENT LINE |
| | BUILDING LINE |
| | CENTERLINE OF ROAD |
| | OVERHEAD UTILITY LINE |

LEGEND

| | |
|--------------|---|
| IRFC | 5/8" IRON ROD W/ 1/4" CAP SET |
| IRF | IRON ROD WITH CAP |
| IRF | IRON ROD FOUND |
| P.O.C | POINT OF COMMENCING |
| P.O.B | POINT OF BEGINNING |
| F.B.L | BUILDING LINE |
| F.B.L | FRONT BUILDING LINE |
| EASE | EASEMENT |
| H.O.A | HOMEOWNERS ASSOCIATION |
| VOL | VOLUME |
| PG | PAGE |
| INST | INSTRUMENT |
| O.R.C.T. | OFFICIAL RECORDS. |
| D.C. | DENOTON COUNTY, TEXAS |
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| D.C. | DENOTON COUNTY, TEXAS |
| P.U.E | STREET NAME CHANGE |
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| S.S.E | SEWER SEWER EASEMENT |
| P.W.M.E | PRIVATE WALK MAINTENANCE EASEMENT |
| P.R.W.M.E | PRIVATE RETAINING WALL MAINTENANCE EASEMENT |
| V.E | VISIBILITY EASEMENT |
| → | GUY ANCHOR |
| UTILITY POLE | |
| ○ | PROPERTY CORNER SYMBOL |

BLOCK B, LOTS 1X & 2-28;
BLOCK C, LOTS 1-13; BLOCK D, LOTS 1-20;
BLOCK E, LOTS 1-4, 11X & 12-29; BLOCK HH, LOTS 17-23, 24X & 25-28;
BLOCK II, LOT 1X; BLOCK QQQ, LOTS 1-14; BLOCK RR, LOTS 1-16;
BLOCK W, LOTS 1-14; BLOCK X, LOTS 1-10;
BLOCK Y, LOTS 1-10, 11X, 12-29, 30X, 31-35 & 36X; BLOCK Z, LOT 1X

53.081 ACRES

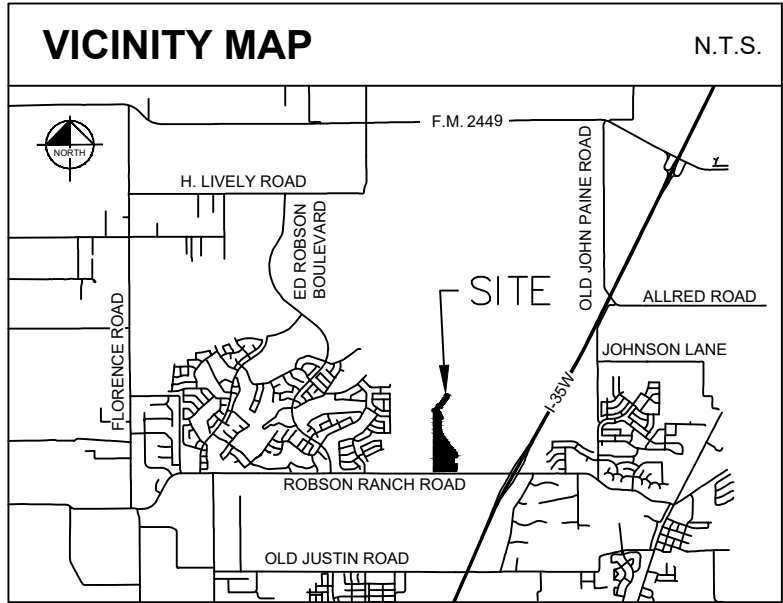
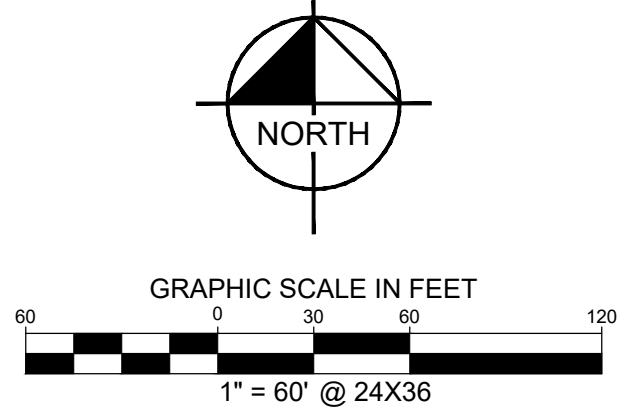
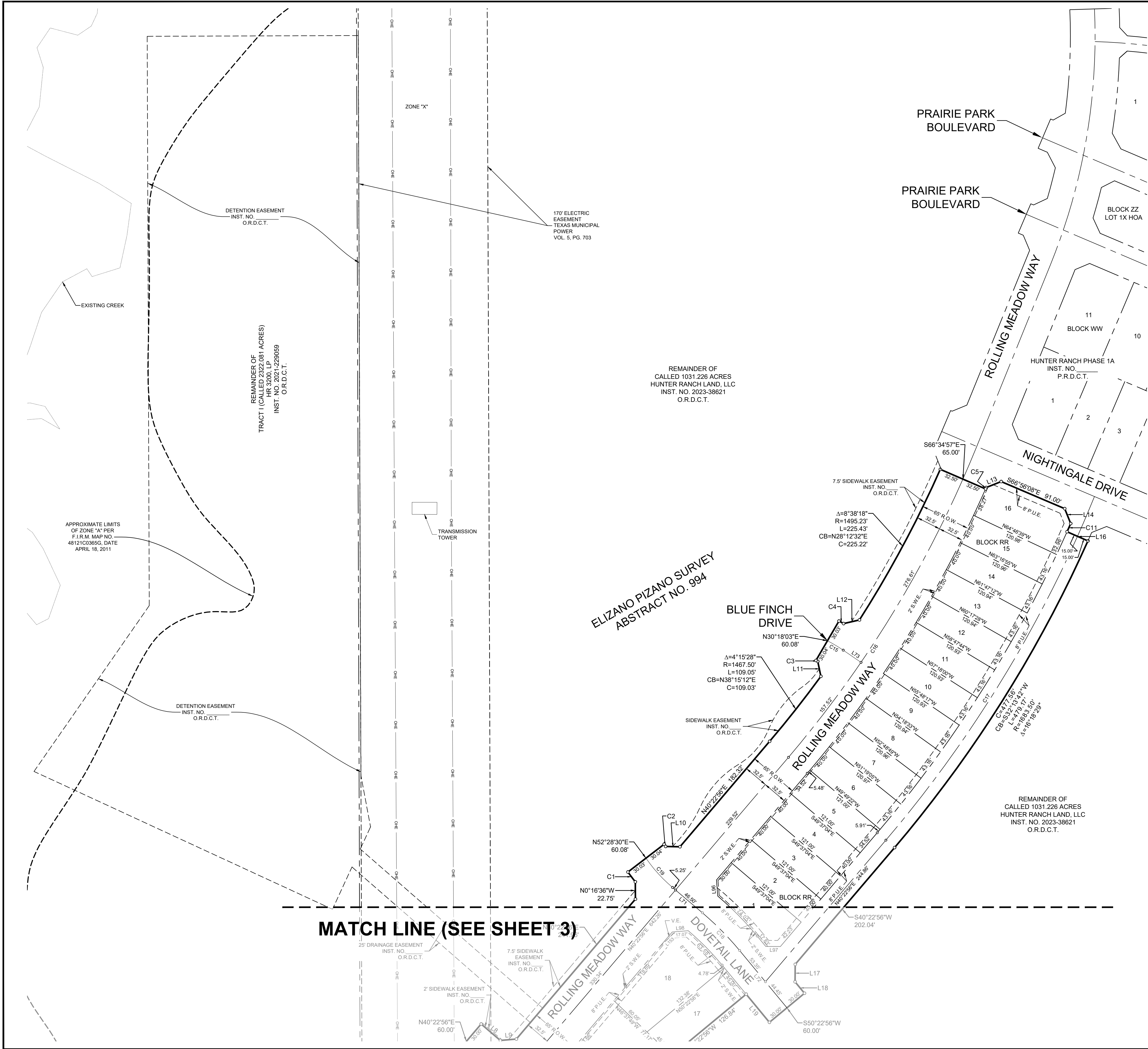
OUT OF THE
ELIZANO PIZANO SURVEY, ABSTRACT NO. 994,
CITY OF DENTON,
DENTON COUNTY, TEXAS
CITY PROJECT #FP24-0013
APRIL 2024

Kimley»»Horn

| | | | | | |
|--------------------------|------------------------|--------------------------|---------------------------|---------------------------------|----------------------------|
| <u>Scale</u> 1" = 60' | <u>Drawn by</u> JCC | <u>Checked by</u> KHA | <u>Date</u> APRIL 2024 | <u>Project No.</u> 063226937 | <u>Sheet No.</u> 3 OF 6 |
|--------------------------|------------------------|--------------------------|---------------------------|---------------------------------|----------------------------|

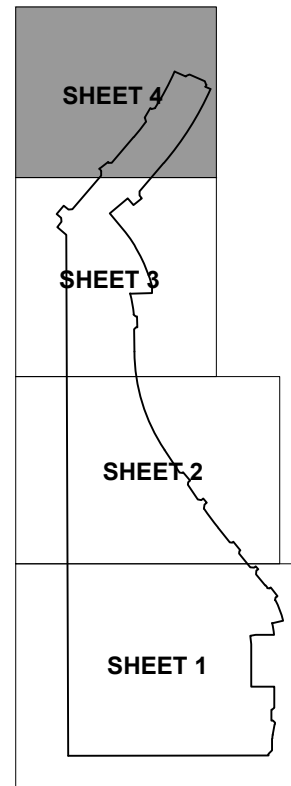
APPLICANT:
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Ph: (972) 335-3580
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SURVEYOR:
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Celina, TX 75009
Ph: (469)-501-2172
Contact: Daniel R. Arthur, RPLS



SEE SHEET 5 FOR
LINE AND CURVE TABLES,
AND LOT AREA TABLE

| LINE TYPE LEGEND | |
|----------------------|---|
| --- | BOUNDARY LINE |
| - - - - | ADJACENT PROPERTY LINE |
| - . - . - | EASEMENT LINE |
| --- | BUILDING LINE |
| --- | CENTERLINE OF ROAD |
| --- | OVERHEAD UTILITY LINE |
| LEGEND | |
| IRSC | 5/8" IRON ROD W/ "CHA" CAP SET |
| IRFC | IRON ROD WITH CAP FOUND |
| IRF | IRON ROD FOUND |
| P.O.C. | POINT OF COMMENCING |
| P.O.B. | POINT OF BEGINNING |
| B.L. | BUILDING LINE |
| F.B.L. | FRONT BUILDING LINE |
| D.E. | DRAINAGE EASEMENT |
| HOA | HOMEOWNERS ASSOCIATION |
| VOL. | VOLUME |
| PG. | PAGE |
| INST. | INSTRUMENT |
| O.R.D.C.T. | OFFICIAL RECORDS |
| DENTON COUNTY, TEXAS | DENTON COUNTY, TEXAS |
| D.R.D.C.T. | DEED RECORDS |
| DENTON COUNTY, TEXAS | DENTON COUNTY, TEXAS |
| --- | STREET NAME CHANGE |
| P.U.E. | PUBLIC UTILITY EASEMENT |
| S.W.E. | SEWER EASEMENT |
| W.E. | WATER EASEMENT |
| S.S.E. | SANITARY SEWER EASEMENT |
| P.W.M.E. | PRIVATE WALL MAINTENANCE EASEMENT |
| P.R.W.M.E. | PRIVATE RETAINING WALL MAINTENANCE EASEMENT |
| V.E. | VEHICLE EASEMENT |
| --- | GUY ANCHOR |
| --- | UTILITY POLE |
| --- | PROPERTY CORNER SYMBOL |



KEY MAP
N.T.S.

FINAL PLAT HUNTER RANCH, PHASE 1B

BLOCK B, LOTS 1X & 2-28;
BLOCK C, LOTS 1-13; BLOCK D, LOTS 1-20;
BLOCK E, LOTS 1-4, 11X & 12-29; BLOCK HH, LOTS 17-23, 24X & 25-28;
BLOCK II, LOT 1X; BLOCK QQ, LOTS 1-14; BLOCK RR, LOTS 1-16;
BLOCK W, LOTS 1-14; BLOCK X, LOTS 1-10;
BLOCK Y, LOTS 1-10, 11X, 12-29, 30X, 31-35 & 36X; BLOCK Z, LOT 1X

180 RESIDENTIAL LOTS
8 HOA LOTS

53.081 ACRES
OUT OF THE
ELIZANO PIZANO SURVEY, ABSTRACT NO. 994,
CITY OF DENTON,
DENTON COUNTY, TEXAS
CITY PROJECT #FP24-0013
APRIL 2024

Kimley»Horn

400 North Oklahoma Dr., Suite 105
Celina, Texas 75009

Tel. No. (469) 501-2200
www.kimley-horn.com

| Scale | Drawn by | Checked by | Date | Project No. | Sheet No. |
|----------|----------|------------|------------|-------------|-----------|
| 1" = 60' | JCC | KHA | APRIL 2024 | 063226937 | 4 OF 6 |

OWNER:
Hunter Ranch Land, LLC
9800 Hillwood Pkwy,
Suite 300
Fort Worth, TX 76177
Ph: 972-201-2932
Contact: Brian Carlock

APPLICANT:
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6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (972) 335-3580
Contact: Kevin J. Kane, P.E.

SURVEYOR:
Kimley-Horn and Associates, Inc.
400 North Oklahoma Drive, Suite 105
Celina, TX 75009
Ph: (469) 501-2172
Contact: Daniel R. Arthur, RPLS

| LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | |
|------------|-------------|--------|------------|-------------|--------|------------|-------------|---------|------------|-------------|--------|------------|-------------|---------|------------|-------------|---------|------------|-------------|--------|
| NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH |
| L1 | N00°05'41"W | 5.00' | L26 | S50°46'23"W | 12.80' | L51 | S00°05'41"E | 4.07' | L76 | S05°46'23"W | 14.14' | L101 | S81°32'04"E | 13.46' | L126 | S43°32'34"W | 12.97' | L151 | N45°18'24"E | 39.81' |
| L2 | N00°05'41"W | 5.00' | L27 | S08°27'56"W | 14.79' | L52 | S44°54'19"W | 28.28' | L77 | S84°13'37"E | 14.14' | L102 | S08°27'56"W | 14.79' | L127 | S55°42'01"W | 38.88' | L152 | N32°48'56"E | 8.95' |
| L3 | S00°05'41"E | 5.00' | L28 | S81°32'04"E | 20.19' | L53 | S00°05'41"E | 7.50' | L78 | S05°46'23"W | 14.14' | L103 | S64°10'26"E | 14.79' | L128 | S45°24'34"E | 22.57' | L153 | N45°54'24"E | 30.45' |
| L4 | N49°37'04"W | 65.00' | L29 | N50°46'23"E | 14.12' | L54 | N63°51'00"E | 37.30' | L79 | S84°13'37"E | 14.14' | L104 | N28°22'55"E | 13.80' | L129 | S04°43'14"W | 38.88' | | | |
| L5 | N40°22'56"E | 37.40' | L30 | S50°46'23"W | 16.93' | L55 | N63°51'00"E | 62.50' | L80 | S20°18'50"W | 13.34' | L105 | S47°29'56"E | 14.74' | L130 | N02°58'20"E | 38.43' | | | |
| L6 | N04°37'04"W | 21.21' | L31 | S08°28'09"W | 22.19' | L56 | N50°46'23"E | 60.67' | L81 | S65°50'52"E | 15.76' | L106 | N44°58'36"E | 13.88' | L131 | N25°20'58"W | 4.00' | | | |
| L7 | N49°37'04"W | 33.19' | L32 | S84°13'37"E | 14.14' | L57 | N09°02'50"W | 62.99' | L82 | N75°08'26"W | 31.17' | L107 | N20°18'13"W | 16.14' | L132 | S32°25'42"E | 4.00' | | | |
| L8 | S49°37'04"E | 33.19' | L33 | N50°46'23"E | 6.50' | L58 | S49°20'28"W | 2.73' | L83 | S45°12'23"E | 14.14' | L108 | S85°30'26"E | 10.40' | L133 | N39°59'29"E | 13.38' | | | |
| L9 | N85°22'56"E | 21.21' | L34 | S50°46'23"W | 6.50' | L59 | N49°37'04"W | 166.79' | L84 | S44°47'37"W | 14.14' | L109 | N04°36'07"E | 15.82' | L134 | S39°59'29"W | 8.81' | | | |
| L10 | S88°45'10"E | 18.93' | L35 | S05°46'23"W | 14.14' | L60 | N44°54'19"E | 14.14' | L85 | S45°12'23"E | 14.14' | L110 | N85°22'56"E | 21.21' | L135 | N83°24'03"E | 4.00' | | | |
| L11 | N11°54'45"W | 20.17' | L36 | S84°13'37"E | 21.21' | L61 | S45°05'41"E | 14.14' | L86 | S44°47'37"W | 14.14' | L111 | S04°37'04"E | 21.21' | L136 | S75°19'28"W | 4.00' | | | |
| L12 | N77°08'53"E | 21.49' | L37 | N50°46'23"E | 11.50' | L62 | N57°27'55"E | 19.89' | L87 | N44°47'37"E | 14.14' | L112 | N11°09'00"W | 17.87' | L137 | S54°13'37"E | 32.04' | | | |
| L13 | N68°15'06"E | 21.28' | L38 | S50°46'23"W | 11.50' | L63 | N50°46'23"E | 56.50' | L88 | S45°12'23"E | 14.14' | L113 | N78°51'00"E | 28.11' | L138 | S35°46'23"W | 16.00' | | | |
| L14 | S21°45'44"E | 21.15' | L39 | S05°46'23"W | 21.21' | L64 | N50°46'23"E | 125.63' | L89 | S84°13'37"E | 14.14' | L114 | S07°09'39"E | 22.20' | L139 | N54°13'37"W | 27.18' | | | |
| L15 | S39°13'37"E | 79.88' | L40 | S82°01'17"E | 14.07' | L65 | N70°03'05"E | 20.59' | L90 | N08°24'51"E | 14.78' | L115 | N85°09'44"W | 41.89' | L140 | N07°19'14"W | 16.77' | | | |
| L16 | S66°15'58"E | 30.00' | L41 | N50°46'23"E | 5.95' | L66 | N50°23'33"W | 26.04' | L91 | N27°38'04"E | 14.59' | L116 | S82°50'54"W | 14.13' | L141 | S28°03'15"E | 26.44' | | | |
| L17 | S00°22'56"W | 22.98' | L42 | S37°51'44"E | 60.02' | L67 | N86°58'30"E | 22.55' | L92 | N58°43'05"W | 14.59' | L117 | N04°50'16"E | 39.14' | L142 | S02°52'53"W | 53.32' | | | |
| L18 | S39°37'04"E | 19.51' | L43 | S12°46'38"W | 15.06' | L68 | S56°30'28"E | 52.44' | L93 | N43°49'00"E | 13.90' | L118 | S85°10'03"E | 38.88' | L143 | N89°47'37"E | 12.07' | | | |
| L19 | N39°37'04"W | 48.02' | L44 | S77°52'14"W | 29.21' | L69 | S72°21'53"W | 25.69' | L94 | N45°12'23"W | 14.14' | L119 | S82°50'36"W | 14.34' | L144 | N90°00'00"E | 15.94' | | | |
| L20 | S48°21'14"E | 14.56' | L45 | S04°54'50"E | 44.18' | L70 | N88°22'27"E | 46.10' | L95 | N39°36'27"E | 15.36' | L120 | N84°11'19"W | 25.60' | L145 | N24°14'37"W | 154.39' | | | |
| L21 | N88°22'27"E | 7.09' | L46 | S44°54'19"W | 14.14' | L71 | N49°37'04"W | 51.75' | L96 | N04°36'56"W | 21.21' | L121 | S85°16'46"E | 38.88' | L146 | N19°48'22"E | 22.01' | | | |
| L22 | S88°22'27"W | 6.34' | L47 | S89°54'19"W | 6.50' | L72 | N39°37'04"W | 97.80' | L97 | N89°37'04"W | 19.28' | L122 | S82°43'54"W | 14.34' | L147 | N70°11'39"W | 16.00' | | | |
| L23 | S44°05'02"W | 14.32' | L48 | S00°05'41"E | 60.00' | L73 | S55°38'05"E | 28.38' | L98 | N85°23'05"E | 21.21' | L123 | N45°12'23"W | 12.65' | L148 | S19°48'22"W | 12.15' | | | |
| L24 | S81°32'04"E | 13.46' | L49 | N89°54'19"E | 9.00' | L74 | N44°54'19"E | 14.14' | L99 | S84°13'37"E | 14.14' | L124 | S85°17'50"W | 190.89' | L149 | S36°26'31"E | 147.05' | | | |
| L25 | N50°46'23"E | 7.14' | L50 | S45°05'41"E | 14.14' | L75 | S45°05'41"E | 14.14' | L100 | S05°46'23"W | 14.14' | L125 | S51°54'44"W | 180.04' | L150 | S49°09'51"E | 96.79' | | | |

| CURVE TABLE | | | | | | CURVE TABLE | | | | | | CURVE TABLE | | | | | | | |
|-------------|------------|----------|---------|---------------|---------|-------------|------------|----------|---------|---------------|---------|-------------|------------|---------|---------|---------------|---------|--|--|
| NO. | DELTA | RADIUS | LENGTH | CHORD BEARING | CHORD | NO. | DELTA | RADIUS | LENGTH | CHORD BEARING | CHORD | NO. | DELTA | RADIUS | LENGTH | CHORD BEARING | CHORD | | |
| C1 | 4°02'35" | 230.00' | 16.23' | N37°03'16"W | 16.23' | C26 | 89°53'18" | 200.00' | 313.77' | S45°09'02"E | 282.57' | C51 | 62°47'09" | 33.00' | 36.16' | N08°35'55"E | 34.38' | | |
| C2 | 1°11'05" | 170.00' | 3.52' | S34°44'42"E | 3.52' | C27 | 27°45'47" | 300.50' | 145.61' | N13°58'34"W | 144.19' | C52 | 47°39'16" | 49.00' | 40.75' | S01°01'58"W | 39.59' | | |
| C3 | 0°53'11" | 170.00' | 2.63' | N62°37'42"W | 2.63' | C28 | 39°01'14" | 500.00' | 340.52' | N70°17'00"E | 333.98' | C53 | 29°53'21" | 73.00' | 38.08' | N09°54'56"E | 37.65' | | |
| C4 | 1°42'57" | 230.00' | 6.89' | N61°20'00"W | 6.89' | C29 | 39°01'14" | 200.00' | 136.21' | N70°17'00"E | 133.59' | C54 | 11°23'55" | 69.00' | 13.73' | N10°38'14"W | 13.70' | | |
| C5 | 0°04'22" | 1532.50' | 1.94' | N23°45'19"E | 1.94' | C30 | 5°36'08" | 1000.00' | 97.78' | N03°00'28"W | 97.74' | C55 | 29°53'21" | 73.00' | 38.08' | N31°11'24"W | 37.65' | | |
| C6 | 1°53'09" | 480.00' | 15.80' | S38°17'03"E | 15.80' | C31 | 23°41'06" | 350.00' | 144.68' | S27°23'04"E | 143.66' | C56 | 9°22'11" | 41.04' | 6.71' | S41°26'59"E | 6.70' | | |
| C7 | 1°54'50" | 230.00' | 7.68' | S51°43'48"W | 7.68' | C32 | 5°36'08" | 1000.00' | 97.78' | S03°00'28"E | 97.74' | C57 | 41°46'28" | 21.00' | 15.31' | N13°41'35"W | 14.97' | | |
| C8 | 14°16'35" | 480.00' | 119.60' | S20°38'29"E | 119.29' | C33 | 39°01'14" | 520.00' | 354.14' | N70°17'00"E | 347.33' | C58 | 12°09'29" | 188.00' | 39.89' | N40°39'32"W | 39.82' | | |
| C9 | 11°32'34" | 39.00' | 7.86' | S05°40'36"W | 7.84' | C34 | 33°38'09" | 1000.00' | 587.05' | S17°01'28"E | 578.66' | C59 | 43°37'17" | 152.00' | 115.72' | S24°55'38"E | 112.95' | | |
| C10 | 11°32'34" | 111.00' | 22.36' | S05°40'36"W | 22.32' | C35 | 9°22'13" | 200.00' | 32.71' | N74°44'11"E | 32.67' | C60 | 87°05'24" | 18.00' | 27.36' | N46°39'42"W | 24.80' | | |
| C11 | 0°24'34" | 1653.50' | 11.82' | S23°52'32"W | 11.82' | C36 | 36°31'02" | 200.00' | 127.47' | S74°45'59"E | 125.32' | C61 | 77°30'39" | 18.00' | 24.35' | N51°14'41"E | 22.54' | | |
| C12 | 5°23'05" | 1500.00' | 140.97' | S36°32'04"E | 140.92' | C37 | 37°13'04" | 32.04' | 20.81' | S27°31'33"E | 20.45' | C62 | 9°49'40" | 152.00' | 26.07' | S17°24'13"W | 26.04' | | |
| C13 | 146°44'34" | 60.00' | 153.67' | S39°36'27"W | 114.98' | C38 | 39°32'08" | 82.00' | 56.58' | N26°22'01"W | 55.47' | C63 | 39°59'43" | 173.00' | 120.76' | N02°19'11"E | 118.33' | | |
| C14 | 138°08'39" | 60.00' | 144.66' | S21°01'47"E | 112.08' | C39 | 31°27'33" | 82.00' | 45.02' | N09°07'50"E | 44.46' | C64 | 34°41'33" | 97.00' | 58.73' | S00°19'54"E | 57.84' | | |
| C15 | 6°55'50" | 200.00' | 24.19' | N59°06'00"W | 24.18' | C40 | 145°51'18" | 40.00' | 101.83' | S48°04'03"E | 76.47' | C65 | 56°11'57" | 58.00' | 56.89' | N11°05'06"W | 54.64' | | |
| C16 | 16°34'58" | 1500.00' | 434.13' | N32°05'27"E | 432.62' | C41 | 52°38'32" | 91.93' | 84.47' | S70°44'06"W | 81.53' | C66 | 14°04'20" | 67.00' | 16.46' | N09°58'42"E | 16.41' | | |
| C17 | 16°18'18" | 1668.50' | 474.81' | N32°13'47"E | 473.21' | C42 | 44°54'25" | 41.95' | 32.88' | N78°15'38"E | 32.04' | C67 | 57°52'12" | 88.00' | 88.88' | S11°55'14"E | 85.15' | | |
| C18 | 10°00'00" | 400.00' | 69.81' | N44°37'04"W | 69.72' | C43 | 20°48'33" | 50.95' | 18.50' | N89°57'39"E | 18.40' | C68 | 16°38'09" | 172.00' | 49.94' | N32°32'15"W | 49.76' | | |
| C19 | 14°57'32" | 200.00' | 52.22' | S42°08'18"E | 52.07' | C44 | 30°49'23" | 82.99' | 44.65' | S81°26'35"W | 44.11' | C69 | 17°57'39" | 163.00' | 51.10' | N14°14'10"W | 50.89' | | |
| C20 | 49°24'41" | 700.00' | 603.67' | N24°54'44"W | 585.14' | C45 | 9°58'51" | 78.99' | 13.76' | S61°06'40"W | 13.74' | C70 | 147°48'49" | 16.00' | 41.28' | S82°52'35"W | 30.75' | | |
| C21 | 49°32'52" | 200.00' | 172.95' | S24°34'03"W | 167.62' | C46 | 11°45'36" | 82.99' | 17.03' | S50°18'39"W | 17.00' | C71 | 13°34'48" | 182.00' | 43.14' | N15°31'39"E | 43.04' | | |
| C22 | 23°41'55" | 200.00' | 82.72' | N11°38'34"E | 82.14' | C47 | 16°18'53" | 57.00' | 16.23' | N52°35'30"E | 16.18' | C72 | 69°03'20" | 143.00' | 172.35' | S12°12'37"E | 162.11' | | |
| C23 | 25°38'40" | 450.00' | 201.41' | N26°24'17"W | 199.73' | C48 | 16°27'47" | 48.00' | 13.79' | N52°39'58"E | 13.74' | C73 | 10°16'23" | 197.00' | 35.32' | N41°36'05"W | 35.27' | | |
| C24 | 8°11'37" | 200.00' | 28.60' | N53°22'07"E | 28.58' | C49 | 43°35'50" | 49.00' | 37.28' | N80°58'43"E | 36.39' | | | | | | | | |
| C25 | 39°07'56" | 300.00' | 204.90' | N19°39'39"W | 200.94' | C50 | 62°47'09" | 33.00' | 36.16' | S71°23'04"W | 34.38' | | | | | | | | |

| LOT TABLE | | | LOT TABLE | | | LOT TABLE | | | LOT TABLE | | | LOT TABLE | | | LOT TABLE | | |
|--------------------|-------|---------|----------------|-------|---------|---------------------|-------|---------|----------------------|-------|---------|-----------------|-------|---------|---------------------|-------|---------|
| LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. |
| BLOCK B LOT 1X HOA | 2.158 | 94,023 | BLOCK C LOT 3 | 0.182 | 7,949 | BLOCK D LOT 20 | 0.199 | 8,651 | BLOCK HH LOT 23 | 0.180 | 7,820 | BLOCK RR LOT 10 | 0.115 | 5,028 | BLOCK X LOT 10 | 0.243 | 10,564 |
| BLOCK B LOT 2 | 0.172 | 7,500 | BLOCK C LOT 4 | 0.205 | 8,921 | BLOCK E LOT 1 | 0.217 | 9,450 | BLOCK HH LOT 24X HOA | 0.059 | 2,549 | BLOCK RR LOT 11 | 0.115 | 5,028 | BLOCK Y LOT 1 | 0.256 | 11,150 |
| BLOCK B LOT 3 | 0.172 | 7,500 | BLOCK C LOT 5 | 0.192 | 8,359 | BLOCK E LOT 2 | 0.143 | 6,250 | BLOCK HH LOT 25 | 0.162 | 7,055 | BLOCK RR LOT 12 | 0.115 | 5,028 | BLOCK Y LOT 2 | 0.145 | 6,300 |
| BLOCK B LOT 4 | 0.172 | 7,500 | BLOCK C LOT 6 | 0.147 | 6,398 | BLOCK E LOT 3 | 0.143 | 6,250 | BLOCK HH LOT 26 | 0.158 | 6,885 | BLOCK RR LOT 13 | 0.115 | 5,029 | BLOCK Y LOT 3 | 0.145 | 6,300 |
| BLOCK B LOT 5 | 0.143 | 6,250 | BLOCK C LOT 7 | 0.141 | 6,130 | BLOCK E LOT 4 | 0.217 | 9,450 | BLOCK HH LOT 27 | 0.158 | 6,890 | BLOCK RR LOT 14 | 0.115 | 5,029 | BLOCK Y LOT 4 | 0.145 | 6,300 |
| BLOCK B LOT 6 | 0.143 | 6,250 | BLOCK C LOT 8 | 0.162 | 7,044 | BLOCK E LOT 11X HOA | 0.136 | 5,905 | BLOCK HH LOT 28 | 0.197 | 8,577 | BLOCK RR LOT 15 | 0.115 | 5,030 | BLOCK Y LOT 5 | 0.161 | 7,000 |
| BLOCK B LOT 7 | 0.143 | 6,250 | BLOCK C LOT 9 | 0.246 | 10,728 | BLOCK E LOT 12 | 0.162 | 7,054 | BLOCK II LOT 1X HOA | 0.927 | 40,389 | BLOCK RR LOT 16 | 0.155 | 6,732 | BLOCK Y LOT 6 | 0.161 | 7,000 |
| BLOCK B LOT 8 | 0.129 | 5,625 | BLOCK C LOT 10 | 0.319 | 13,881 | BLOCK E LOT 13 | 0.167 | 7,260 | BLOCK QQQ LOT 1 | 0.287 | 12,508 | BLOCK W LOT 1 | 0.230 | 10,030 | BLOCK Y LOT 7 | 0.193 | 8,400 |
| BLOCK B LOT 9 | 0.129 | 5,625 | BLOCK C LOT 11 | 0.230 | 10,035 | BLOCK E LOT 14 | 0.166 | 7,217 | BLOCK QQQ LOT 2 | 0.190 | 8,256 | BLOCK W LOT 2 | 0.177 | 7,714 | BLOCK Y LOT 8 | 0.192 | 8,346 |
| BLOCK B LOT 10 | 0.129 | 5,625 | BLOCK C LOT 12 | 0.261 | 11,371 | BLOCK E LOT 15 | 0.180 | 7,855 | BLOCK QQQ LOT 3 | 0.179 | 7,811 | BLOCK W LOT 3 | 0.137 | 5,949 | BLOCK Y LOT 9 | 0.186 | 8,104 |
| BLOCK B LOT 11 | 0.143 | 6,250 | BLOCK C LOT 13 | 0.252 | 10,997 | BLOCK E LOT 16 | 0.189 | 8,235 | BLOCK QQQ LOT 4 | 0.170 | 7,415 | BLOCK W LOT 4 | 0.137 | 5,988 | BLOCK Y LOT 10 | 0.181 | 7,876 |
| BLOCK B LOT 12 | 0.143 | 6,250 | BLOCK D LOT 1 | 0.217 | 9,450 | BLOCK E LOT 17 | 0.217 | 9,450 | BLOCK QQQ LOT 5 | 0.163 | 7,082 | BLOCK W LOT 5 | 0.137 | 5,951 | BLOCK Y LOT 11X HOA | 0.136 | 5,912 |
| BLOCK B LOT 13 | 0.143 | 6,250 | BLOCK D LOT 2 | 0.143 | 6,250 | BLOCK E LOT 18 | 0.143 | 6,250 | BLOCK QQQ LOT 6 | 0.235 | 10,241 | BLOCK W LOT 6 | 0.151 | 6,572 | BLOCK Y LOT 12 | 0.135 | 5,870 |
| BLOCK B LOT 14 | 0.129 | 5,625 | BLOCK D LOT 3 | 0.143 | 6,250 | BLOCK E LOT 19 | 0.143 | 6,250 | BLOCK QQQ LOT 7 | 0.259 | 11,286 | BLOCK W LOT 7 | 0.233 | 10,147 | BLOCK Y LOT 13 | 0.150 | 6,522 |
| BLOCK B LOT 15 | 0.129 | 5,625 | BLOCK D LOT 4 | 0.217 | 9,450 | BLOCK E LOT 20 | 0.217 | 9,450 | BLOCK QQQ LOT 8 | 0.255 | 11,119 | BLOCK W LOT 8 | 0.252 | 10,957 | BLOCK Y LOT 14 | 0.150 | 6,522 |
| BLOCK B LOT 16 | 0.150 | 6,549 | BLOCK D LOT 5 | 0.159 | 6,930 | BLOCK E LOT 21 | 0.145 | 6,300 | BLOCK QQQ LOT 9 | 0.256 | 11,131 | BLOCK W LOT 9 | 0.179 | 7,813 | BLOCK Y LOT 15 | 0.150 | 6,522 |
| BLOCK B LOT 17 | 0.200 | 8,718 | BLOCK D LOT 6 | 0.145 | 6,300 | BLOCK E LOT 22 | 0.171 | 7,453 | BLOCK QQQ LOT 10 | 0.129 | 5,625 | BLOCK W LOT 10 | 0.149 | 6,472 | BLOCK Y LOT 16 | 0.150 | 6,522 |
| BLOCK B LOT 18 | 0.217 | 9,433 | BLOCK D LOT 7 | 0.135 | 5,862 | BLOCK E LOT 23 | 0.178 | 7,736 | BLOCK QQQ LOT 11 | 0.244 | 10,631 | BLOCK W LOT 11 | 0.148 | 6,357 | BLOCK Y LOT 17 | 0.180 | 7,827 |
| BLOCK B LOT 19 | 0.216 | 9,415 | BLOCK D LOT 8 | 0.146 | 6,366 | BLOCK E LOT 24 | 0.185 | 8,072 | BLOCK QQQ LOT 12 | 0.197 | 8,562 | BLOCK W LOT 12 | 0.145 | 6,300 | BLOCK Y LOT 18 | 0.180 | 7,827 |
| BLOCK B LOT 20 | 0.216 | 9,415 | BLOCK D LOT 9 | 0.173 | 7,545 | BLOCK E LOT 25 | 0.181 | 7,884 | BLOCK QQQ LOT 13 | 0.152 | 6,613 | BLOCK W LOT 13 | 0.145 | 6,300 | BLOCK Y LOT 19 | 0.177 | 7,718 |
| BLOCK B LOT 21 | 0.216 | 9,415 | BLOCK D LOT 10 | 0.175 | 7,633 | BLOCK E LOT 26 | 0.150 | 6,540 | BLOCK QQQ LOT 14 | 0.185 | 8,047 | BLOCK W LOT 14 | 0.230 | 10,030 | BLOCK Y LOT 20 | 0.289 | 12,570 |
| BLOCK B LOT 22 | 0.214 | 9,331 | BLOCK D LOT 11 | 0.212 | 9,235 | BLOCK E LOT 27 | 0.145 | 6,300 | BLOCK RR LOT 1 | 0.131 | 5,687 | BLOCK X LOT 1 | 0.285 | 12,402 | BLOCK Y LOT 21 | 0.384 | 16,706 |
| BLOCK B LOT 23 | 0.159 | 6,927 | BLOCK D LOT 12 | 0.191 | 8,327 | BLOCK E LOT 28 | 0.145 | 6,300 | BLOCK RR LOT 2 | 0.111 | 4,840 | BLOCK X LOT 2 | 0.174 | 7,588 | BLOCK Y LOT 22 | 0.215 | 9,376 |
| BLOCK B LOT 24 | 0.145 | 6,300 | BLOCK D LOT 13 | 0.237 | 10,324 | BLOCK E LOT 29 | 0.145 | 6,300 | BLOCK RR LOT 3 | 0.111 | 4,840 | BLOCK X LOT 3 | 0.174 | 7,593 | BLOCK Y LOT 23 | 0.189 | 8,243 |
| BLOCK B LOT 25 | 0.145 | 6,300 | BLOCK D LOT 14 | 0.226 | 9,841 | BLOCK HH LOT 17 | 0.134 | 5,832 | BLOCK RR LOT 4 | 0.111 | 4,840 | BLOCK X LOT 4 | 0.174 | 7,571 | BLOCK Y LOT 24 | 0.200 | 8,691 |
| BLOCK B LOT 26 | 0.145 | 6,300 | BLOCK D LOT 15 | 0.154 | 6,715 | BLOCK HH LOT 18 | 0.218 | 9,497 | BLOCK RR LOT 5 | 0.112 | 4,866 | BLOCK X LOT 5 | 0.206 | 8,963 | BLOCK Y LOT 25 | 0.309 | 13,470 |
| BLOCK B LOT 27 | 0.161 | 7,000 | BLOCK D LOT 16 | 0.159 | 6,906 | BLOCK HH LOT 19 | 0.230 | 10,026 | BLOCK RR LOT 6 | 0.115 | 5,030 | BLOCK X LOT 6 | 0.231 | 10,058 | BLOCK Y LOT 26 | 0.400 | 17,433 |
| BLOCK B LOT 28 | 0.215 | 9,375 | BLOCK D LOT 17 | 0.184 | 8,013 | BLOCK HH LOT 20 | 0.165 | 7,191 | BLOCK RR LOT 7 | 0.115 | 5,030 | BLOCK X LOT 7 | 0.212 | 9,244 | BLOCK Y LOT 27 | 0.498 | 21,705 |
| BLOCK C LOT 1 | 0.216 | 9,400 | BLOCK D LOT 18 | 0.189 | 8,216 | BLOCK HH LOT 21 | 0.160 | 6,965 | BLOCK RR LOT 8 | 0.115 | 5,029 | BLOCK X LOT 8 | 0.220 | 9,595 | BLOCK Y LOT 28 | 0.241 | 10,751 |
| BLOCK C LOT 2 | 0.130 | 5,670 | BLOCK D LOT 19 | 0.180 | 7,844 | BLOCK HH LOT 22 | 0.159 | 6,921 | BLOCK RR LOT 9 | 0.115 | 5,029 | BLOCK X LOT 9 | 0.223 | 9,699 | BLOCK Y LOT 29 | 0.250 | 10,870 |

OWNERS' CERTIFICATE

STATE OF TEXAS §
COUNTY OF DENTON §
CITY OF DENTON §

WHEREAS HUNTER RANCH LAND, LLC, is the owner of 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 Limited Warranty Deed to Hunter Ranch, LLC, as 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 the southernmost southwest 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 on the southerly line of said 1,031.226 acre tract, same also being on the northerly right-of-way line of Robson Ranch Road, a variable width right-of-way;

THENCE South 89°54'19" West, along the southerly line of said 1,031.226 acre tract and along the northerly right-of-way line of said Robson Ranch Road, a distance of 1,092.92 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE departing the southerly line of said 1,031.226 acre tract and the northerly right-of-way line of said Robson Ranch Road, and crossing said 1,031.226 acre tract, the following courses and distances:

North 00°12'23" West, a distance of 2,841.45 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 49°37'04" West, a distance of 65.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 40°22'56" East, a distance of 37.40 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 04°37'04" West, a distance of 21.21 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 49°37'04" West, a distance of 33.19 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 40°22'56" East, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 49°37'04" East, a distance of 33.19 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 85°22'56" East, a distance of 21.21 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 40°22'56" East, a distance of 241.96 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 00°16'36" West, a distance of 22.75 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 230.00 feet, a central angle of 04°02'35", and a chord bearing and distance of North 37°03'16" West, 16.23 feet;

In a northwesterly direction, with said non-tangent curve to the right, an arc distance of 16.23 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 52°28'30" East, a distance of 60.08 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 170.00 feet, a central angle of 01°11'05", and a chord bearing and distance of South 34°44'42" East, 3.52 feet;

In a southeasterly direction, with said non-tangent curve to the left, an arc distance of 3.52 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 88°45'10" East, a distance of 18.93 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 40°22'56" East, a distance of 182.32 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left with a radius of 1,467.50 feet, a central angle of 04°15'28", and a chord bearing and distance of North 36°15'12" East, 109.03 feet;

In a northeasterly direction, with said tangent curve to the left, an arc distance of 109.05 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 11°54'45" West, a distance of 20.17 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 170.00 feet, a central angle of 00°53'11", and a chord bearing and distance of North 62°37'42" West, 2.63 feet;

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 2.63 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 30°18'03" East, a distance of 60.08 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 230.00 feet, a central angle of 01°42'57", and a chord bearing and distance of South 61°20'00" East, 6.89 feet;

In a southeasterly direction, with said non-tangent curve to the right, an arc distance of 6.89 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 77°08'53" East, a distance of 21.49 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 1,495.23 feet, a central angle of 08°38'18", and a chord bearing and distance of North 28°12'32" East, 225.22 feet;

In a northeasterly direction, with said non-tangent curve to the left, an arc distance of 225.43 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for an angle point in the westerly line of said Hunter Ranch Phase 1A;

THENCE along the westerly line of said Hunter Ranch Phase 1A, the following courses and distances:

South 66°34'57" 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 1,532.50 feet, a central angle of 00°04'22", and a chord bearing and distance of North 23°45'19" East, 1.94 feet;

In a northeasterly direction, with said non-tangent curve to the left, an arc distance of 1.94 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 68°15'06" East, a distance of 21.28 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 66°56'08" East, a distance of 91.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 21°45'44" East, a distance of 21.15 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 1,653.50 feet, a central angle of 00°24'34", and a chord bearing and distance of South 23°52'32" West, 11.82 feet;

In a southwesterly direction, with said non-tangent curve to the right, an arc distance of 11.82 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 66°15'58" East, a distance of 30.00 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 1,683.50 feet, a central angle of 16°18'29", and a chord bearing and distance of South 32°13'42" West, 47.56 feet;

THENCE departing the westerly line of said Hunter Ranch Phase 1A and crossing said 1,031.226 acre tract, the following courses and distances:

In a southwesterly direction, with said non-tangent curve to the right, an arc distance of 479.17 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 40°22'56" West, a distance of 202.04 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 00°22'56" West, a distance of 22.98 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 39°37'04" East, a distance of 19.51 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 50°22'56" West, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 39°37'04" West, a distance of 48.02 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 50°22'56" West, a distance of 126.84 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 39°37'04" East, a distance of 133.96 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 34°50'58" East, a distance of 43.63 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 34°23'36" East, a distance of 40.82 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 28°58'00" East, a distance of 20.01 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 29°01'20" East, a distance of 50.25 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 25°11'06" East, a distance of 43.60 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 22°53'14" East, a distance of 43.61 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 19°21'04" East, a distance of 43.61 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 16°48'42" East, a distance of 43.62 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 01°37'33" East, a distance of 37.98 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 88°22'27" West, a distance of 121.45 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 730.00 feet, a central angle of 09°08'07", and a chord bearing and distance of South 10°02'29" East, 116.27 feet;

In a southeasterly direction, with said non-tangent curve to the right, an arc distance of 116.39 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 48°21'14" East, a distance of 14.56 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner

North 88°22'27" East, a distance of 7.09 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 01°37'33" East, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 88°22'27" West, a distance of 6.34 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 44°05'02" West, a distance of 14.32 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 00°12'23" East, a distance of 121.18 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left with a radius of 970.00 feet, a central angle of 33°38'09", and a chord bearing and distance of South 17°01'28" East, 561.30 feet;

In a southeasterly direction, with said tangent curve to the left, an arc distance of 569.44 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 33°50'32" East, a distance of 149.24 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 81°32'04" East, a distance of 13.46 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 50°46'23" East, a distance of 7.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 39°13'37" East, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 50°46'23" West, a distance of 12.80 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 08°27'56" West, a distance of 14.79 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 33°50'32" East, a distance of 96.54 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 81°32'04" East, a distance of 20.19 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 50°46'23" East, a distance of 14.12 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 39°13'37" East, a distance of 30.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 50°46'23" West, a distance of 16.93 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 08°28'09" West, a distance of 22.19 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 1,470.00 feet, a central angle of 05°06'00", and a chord bearing and distance of South 36°40'37" East, 130.80 feet;

In southeasterly direction, with said non-tangent curve to the left, an arc distance of 130.84 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 39°13'37" East, a distance of 100.90 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 64°13'37" East, a distance of 14.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 50°46'23" East, a distance of 6.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 39°13'37" East, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 50°46'23" West, a distance of 6.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 05°46'23" West, a distance of 14.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 39°13'37" East, a distance of 96.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 64°13'37" East, a distance of 21.21 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 50°46'23" East, a distance of 11.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 39°13'37" East, a distance of 20.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 50°46'23" West, a distance of 11.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 05°46'23" West, a distance of 21.21 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 39°13'37" East, a distance of 79.88 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 480.00 feet, a central angle of 01°53'09", and a chord bearing and distance of South 38°17'03" East, 15.80 feet;

In a southeasterly direction, with said tangent curve to the right, an arc distance of 15.80 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 82°01'17" East, a distance of 14.07 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 170.00 feet, a central angle of 00°14'10", and a chord bearing and distance of North 50°53'28" East, 0.70 feet;

In a northeasterly direction, with said non-tangent curve to the left, an arc distance of 0.70 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 50°46'23" East, a distance of 5.95 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 37°51'44" East, a distance of 60.02 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 50°46'23" West, a distance of 4.52 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 230.00 feet, a central angle of 01°54'50", and a chord bearing and distance of South 51°43'48" West, 7.68 feet;

In a southwesterly direction, with said tangent curve to the right, an arc distance of 7.68 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 12°46'36" West, a distance of 15.06 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 480.00 feet, a central angle of 14°16'35", and a chord bearing and distance of South 20°38'29" East, 119.29 feet;

In a southeasterly direction, with said non-tangent curve to the right, an arc distance of 119.60 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner on the westerly line of said Hunter Ranch Phase 1A;

THENCE along the westerly line of said Hunter Ranch Phase 1A, the following courses and distances:

South 77°41'16" West, a distance of 60.01 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 420.00 feet, a central angle of 08°44'58", and a chord bearing and distance of South 09°17'55" East, 64.07 feet;

In a southeasterly direction, with said non-tangent curve to the right, an arc distance of 64.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 89°54'19" West, a distance of 99.65 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 77°52'14" West, a distance of 29.21 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 04°54'50" East, a distance of 44.18 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 00°05'41" East, a distance of 232.88 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 89°54'19" East, a distance of 126.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 00°05'41" East, a distance of 115.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 44°54'19" West, a distance of 14.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 89°54'19" West, a distance of 6.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 00°05'41" East, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 89°54'19" East, a distance of 9.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 45°05'41" East, a distance of 14.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 00°05'41" East, a distance of 4.07 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 39.00 feet, a central angle of 11°32'34", and a chord bearing and distance of South 05°40'36" West, 7.84 feet;

In a southwesterly direction, with said tangent curve to the right, an arc distance of 7.86 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 11°26'54" West, a distance of 57.30 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left with a radius of 111.00 feet, a central angle of 11°32'34", and a chord bearing and distance of South 05°40'36" West, 22.32 feet;

In a southwesterly direction, with said tangent curve to the left, an arc distance of 22.36 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 00°05'41" East, a distance of 62.27 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 44°54'19" West, a distance of 28.28 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 00°05'41" East, a distance of 7.50 feet to the **POINT OF BEGINNING** and containing 53.081 acres (2,312,217 square feet) of land, more or less.

NOTES:

1. All property corners are 5/8" iron rods with plastic caps stamped "KHA" set, unless otherwise noted.

2. All bearings shown are based on grid north of the Texas Coordinate System of 1983 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 0.99984939269.

3. According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48121C0365G, 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". 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.

4. All lots labeled "HOA" are to be owned and maintained by the Homeowner's Association and/or District.

5. 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.

6. 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.

7. Water and wastewater service will be provided by the City of Denton.

8. The purpose of this plat is create 266 lots.

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 1B**, 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 _____, 20__.

BY: **Hunter Ranch Land**
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.

STATE OF TEXAS §

COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for The State of Texas



June 3, 2024

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

Re: *Hunter Ranch Phase 1B Final Plat (FP24-0013)*
 2nd - 30-Day Extension Request

Dear Ms. Robertson:

As representative for the referenced project, I respectfully request a second 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

TEXAS SECRETARY of STATE
JANE NELSON**BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY**

Filing Number: 804757571
Original Date of Filing: October 5, 2022
Formation Date: N/A
Tax ID: 32086637199
Duration: Perpetual

Entity Type: Domestic Limited Liability Company (LLC)
Entity Status: In existence
FEIN:

Name: Hunter Ranch Land, LLC
Address: 3000 TURTLE CREEK BLVD
DALLAS, TX 75219-6268 USA

| REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS |
|----------------------------------|--------------------------------|--|----------------------------|-------------------------------|-------------------------------------|---------------------------------|
| Name | | Address | | | Inactive Date | |
| Stephen D Parker | | 3000 Turtle Creek Blvd Dallas, TX 75219 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 #: FP24-0014a, **Version:** 1

AGENDA CAPTION

Consider a request by Kimley-Horn, on behalf of Hunter Ranch Land, LLC, for approval of a Final Plat of Hunter Ranch Phase 1C. The approximately 66.777-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (FP24-0014a, Hunter Ranch Phase 1C, 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: June 12, 2024

SUBJECT

Consider a request by Kimley-Horn, on behalf of Hunter Ranch Land, LLC, for approval of a Final Plat of Hunter Ranch Phase 1C. The approximately 66.777-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (FP24-0014a, Hunter Ranch Phase 1C, Cameron Robertson).

BACKGROUND

The purpose of this Final Plat is to facilitate the development of Phase 1C of Hunter Ranch Phase 1, which will consist of 287 single-family residential lots and 10 HOA lots. The approved Preliminary Plat (PP22-0014c) of Hunter Ranch Phase 1 included a total of 747 single-family residential lots and 36 HOA lots on 228.914 acres. Phase 1 also includes the construction of an amenity center lot which will serve this portion of the development and future phases of the overall development.

The subject property is presently vacant and zoned Master Planned Communities (MPC) - R6/ -R7/ -Mixed-Use Neighborhood (MN). Ordinance MPC19-0002c applies to the subject property and establishes the zoning standards for the entire Hunter Ranch MPC.

| | |
|---------------------------------------|----------------|
| Date Application Filed: | April 16, 2024 |
| Planning & Zoning Commission Meeting: | May 15, 2024 |
| Days in Review: | 29 Days |
| First Extension Request Approved: | May 15, 2024 |
| Planning & Zoning Commission Meeting: | June 12, 2024 |
| Days in Review: | 27 Days |

This is the **second extension request** received 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 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 June 26, 2024. 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 |
| July 13, 2022 | Planning & Zoning Commission | Preliminary Plat (PP22-0014) Extension Request | Extension Approved |
| November 16, 2022 | Planning & Zoning Commission | Preliminary Plat (PP22-0014c) | Approved |
| May 15, 2024 | Planning & Zoning Commission | Final Plat (FP24-0014) Extension Request | Extension 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
6. LLC Members List

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

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

Staff Analysis

FP24-0014a / Hunter Ranch Phase 1C

City Council District #4

Planning & Zoning Commission

REQUEST:

Final Plat for an approximately 66.777-acre tract.

APPLICANT:

Kimley-Horn on behalf of Hunter Ranch Land, LLC.

RECOMMENDATION:

Staff recommends denial, as the proposed Final Plat fails to 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><p>The Final 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 Final Plat Checklist (FPC) authorized per the Hunter Ranch Master Planned Communities (MPC) Section 2.4.4B:</p><ol style="list-style-type: none">Final Plat cannot be approved until the associated CEP is approved to ensure all necessary easements, ROW dedications, and plat language have been established. The process of getting the CEP to approval may generate new comments that will need to be addressed.Include all easements shown in CEPs such as, but not limited to, sidewalk easements. (FPC 3.9; TCM 4.3.1)Add "R.O.W." and its definition to the legend. (FPC 2.12)Label proposed streets as being dedicated by this plat. (DDC 8.4.8; FPC 3.1)Label line and curve data for proposed streets along the edge of the public ROWs. (FPC 3.1)Ensure ROW dimensions are labeled from centerline and are accurate. (FPC 3.15)Label ROW dedication as being done by this plat or reference document/instrument with dedication. (DDC 8.4.8; FPC 3.1)</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>9. Include document number recording establishment of easements with each label or state easements are dedicated by this plat with each label or easement. Could add a general note stating all sidewalk easements are being established by this plat. (FPC 3.6)</p> <p>10. Include signature block for City Secretary. (FPC 5.6)</p> <p>11. For plats requiring Planning and Zoning Commission approval, include certificate of approval language for the Planning and Zoning Commission and signature block for Chairperson. (FPC 5.5)</p> <p>12. Ensure all ROW is dimensioned on adjoining streets that are part of this development from other phases. (FPC 3.15 and FPC 4.3)</p> <p>13. Label city limit, county limit, extra-territorial jurisdiction, and/or survey (abstract) lines within and adjacent to property. (FPC 4.4)</p> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <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> <p>The Final Plat does not meet Approval Criteria 4a, 7a, 10a and 12a as detailed below.</p> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>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.</p> <p>Findings:</p> | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Prior Approvals | | | | |
| <p>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.</p> <p>Findings:</p> <p>The proposed Final Plat is consistent with Ordinance No. MPC19-0002c, which was approved by the Denton City Council on April 7, 2020.</p> | | <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 |
| 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, Denton Plan 2040's Future Land Use Map designates the subject property as Master Planned Community. The proposed use is consistent with the designation.</p> </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></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> <p>The overall goals of the Comprehensive Plan are met with the proposed Final Plat.</p> </div> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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> <p>In order for the proposed Final Plat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> Please provide updated Pocket Park and Trail Tracker document. Per Exhibit B - Park Improvement Summary Tables in the Project Agreement, "10' trails will have a 30' easement and 6' trails will have a 26' easement, this allows for additional space if needed for programming, easement could be modified as needed pending space allocation." Please update easement sizes as applicable. Public Access Easements do not appear to be identified along regional or community trail locations. Note 29 was removed since the Preliminary Plat. Please add Regional and Community Trail language to the Final Plat notes for Phase 1C, as applicable. </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>4. INFORMATIONAL: The Park Improvements will be conveyed or dedicated to the City, at no cost or expense to the City, and will be available for use by the general public. Park land dedication will occur in phases, at the time of final plat approval. The Park land acreage dedicated is the minimum required by Ordinance 22-254 based on the projected residential units in the Park Plan (Exhibit C). Upon inspection and acceptance of a completed portion of Park Improvements the plans and specifications of which are subject to approval by the City staff, title to the completed Park Improvements shall be dedicated to the City by special warranty deed, except the “Pocket Parks”, “Dog Park”, “Trails” outside rights-of-way, and “Regional ESA Upland”, and the “lakes”. The exceptions above shall be conveyed by a grant of public access easement. (Language above is from the Operating Agreement and Project Agreement)</p> <p>5. INFORMATIONAL: There do not appear to be any Public Access Easement Pocket Parks in Phase 1C.</p> <p>6. INFORMATIONAL: Park Dedication and Development Fees do not apply to this Phase per the Operating and Project Agreements. Phase 1C is proposing 287 residential and 10 HOA lots with this development.</p> <p>7. Revise Owner’s dedication statement to include ROW and easement dedications and other land rights so as to create no conflicts or issues for staff or other public interests. (BEP)</p> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</p> <p>Findings:</p> <p>The proposed Final Plat provides sufficient detail for review.</p> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Compliance with Other Applicable Regulations | | | | |
| <p>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.</p> <p>Findings:</p> <p>The Final Plat meets the requirements.</p> | | <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 |
| 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: 10px;"> <p>The proposed Final 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.</p> </div> | | <input checked="" type="checkbox"/> | <input 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: 10px;"> <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 MPC Ordinance 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"/> |
| 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: 10px;"> <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> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <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"/> |

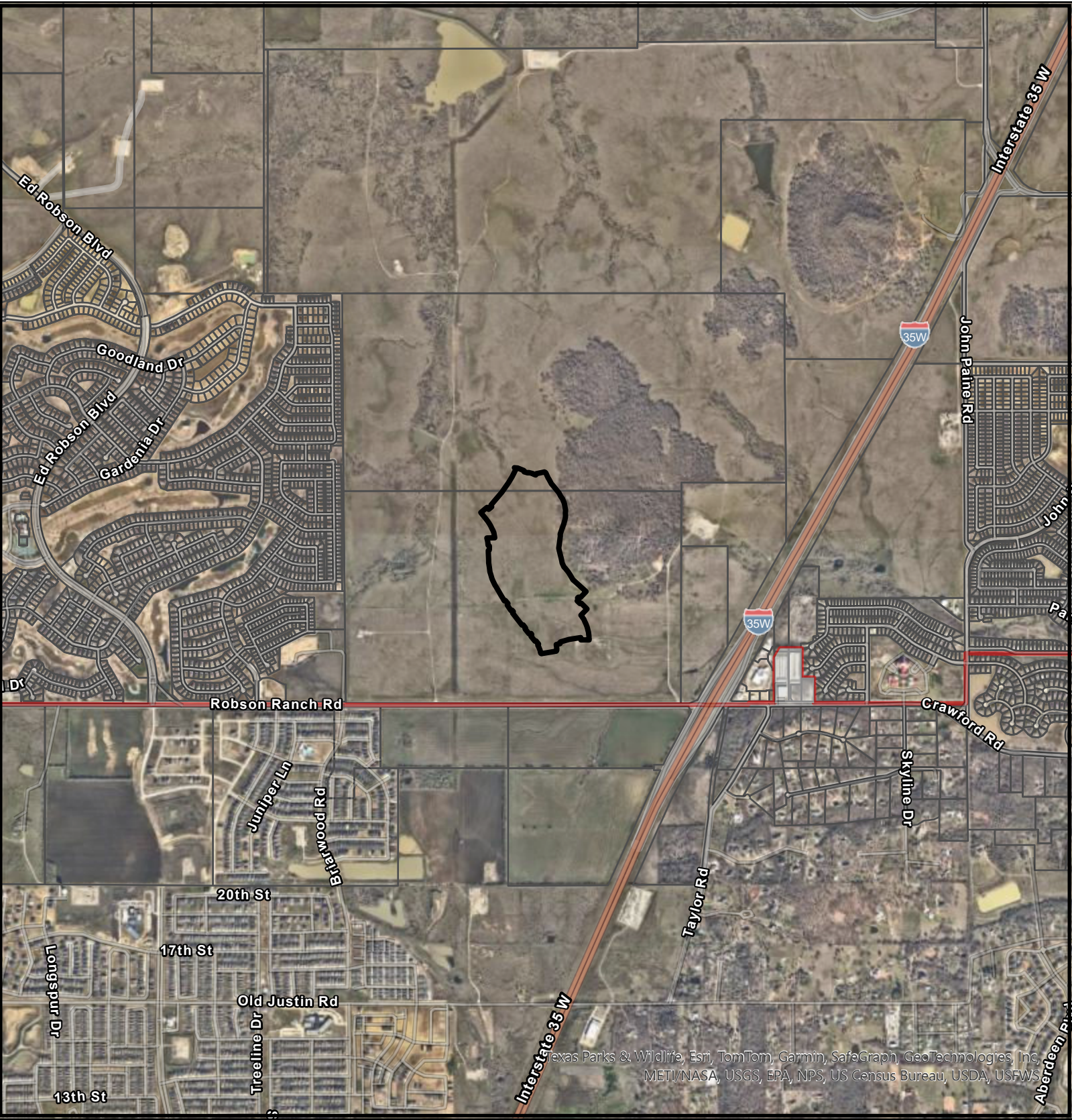
| Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E) | | Compliance | | |
|---|--|-------------------------------------|-------------------------------------|--------------------------|
| | | Met | Not Met | N/A |
| 10. Compliance with Utility, Service, and Improvement Standards | | | | |
| <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 style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>In order for the proposed Final Plat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> 1. Provide note on plat that private improvements cannot encroach onto existing public or private easements. (BEP) 2. Provide notes indicating how adequate water and wastewater service will be provided for the development, whether by the City of Denton or, where permitted, by an alternative water or wastewater service or facility. If water and/or sewer service will be provided through the City of Denton, include a note stating that the site will be served through City of Denton water/sewer. (FPC 2.15, DDC 8.4.10-11 and FPC 2.14) </div> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 style="border: 1px solid black; height: 40px; margin-top: 10px;"></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 style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>The Final Plat does not meet Approval Criteria 4a, 7a, and 10a as detailed above.</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 |
| 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; margin-top: 10px;"> <p>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.</p> </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; margin-top: 10px;"> <p>The proposed Final Plat is consistent with Ordinance No. MPC19-0002c, which was approved by the Denton City Council on April 7, 2020. A Preliminary Plat was required as part of the MPC (PP22-0014), and approved by the Planning and Zoning Commission on November 16, 2022.</p> </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; margin-top: 10px;"> <p>This Final Plat does not meet all review criteria, as detailed in Criteria 1b above as required by the Denton Development Code.</p> </div> | | <input type="checkbox"/> | <input checked="" 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; margin-top: 10px;"> <p>The Final Plat complies with all applicable technical standards and specifications as detailed herein.</p> </div> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

FP24-0014

Site Location



Legend:

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

Map Data Sources:

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

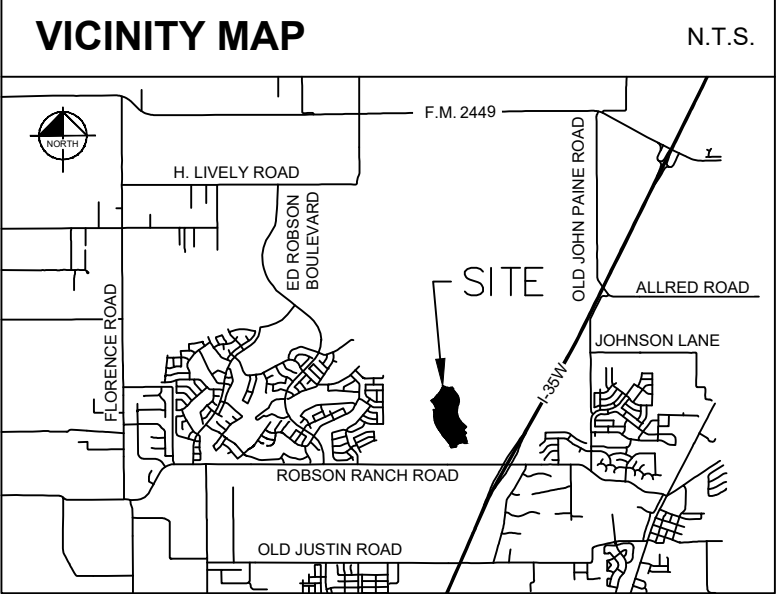
Scale: 0 500 1,000 2,000 Feet

CITY OF DENTON
Development Services • GIS
Date: 4/29/2024

"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."



- NOTES:**
- All property corners are 5/8" iron rods with plastic caps stamped "KHA" set, unless otherwise noted.
 - All bearings shown are based on grid north of the Texas Coordinate System of 1983 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 0.99984939269.
 - According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48121C0365G, 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". 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.
 - All lots labeled "HOA" are to be owned and maintained by the Homeowner's Association and/or District.
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 - 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.
 - Block V, Lots 2-14 - Fronts of structures shall be oriented towards Block V, Lot 1X HOA.
 - Block QQ, Lots 2-19 - Fronts of structures shall be oriented towards Block QQ, Lot 1X HOA.
 - Block S, Lots 2-11 - Fronts of structures shall be oriented towards Block S, Lot 1X HOA.
 - Block MM, Lots 2-8 - Fronts of structures shall be oriented towards Block MM, Lot 1X HOA.
 - Block JJ, Lots 2-4 - Front of structures shall be oriented towards Block JJ, Lot 1X HOA.
 - Block EE, Lots 1-3 - Fronts of structures shall be oriented towards Block EE, Lot 4X HOA.
 - Block DD, Lots 1-3 - Fronts of structures shall be oriented towards Block DD, Lot 4X HOA.
 - Block P, Lots 1-4 - Fronts of structures shall be oriented towards Block P, Lot 5X HOA.



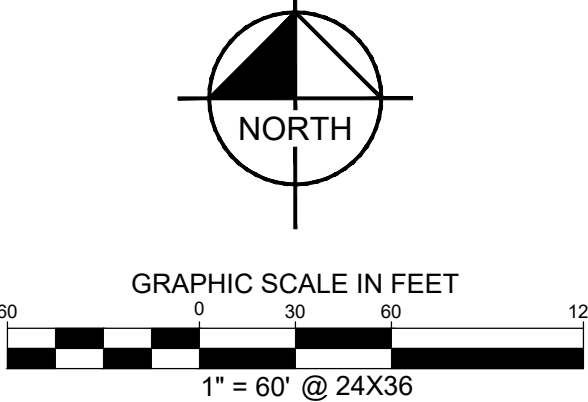
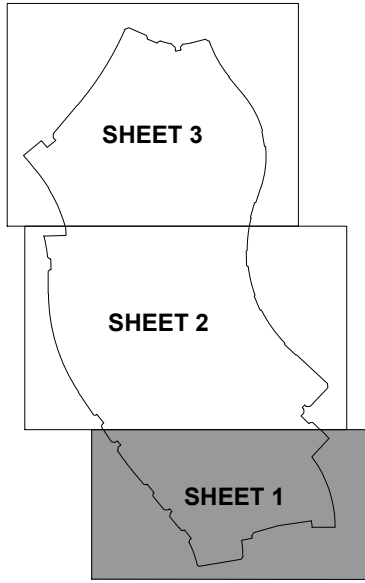
LINE TYPE LEGEND

| | |
|-----|------------------------|
| --- | BOUNDARY LINE |
| --- | ADJACENT PROPERTY LINE |
| --- | EASEMENT LINE |
| --- | BUILDING LINE |
| --- | CENTERLINE OF ROAD |
| --- | OVERHEAD UTILITY LINE |

LEGEND

| | |
|------------|---|
| IRSC | 5/8" IRON ROD W/ "KHA" CAP SET |
| IRPC | IRON ROD WITH CAP FOUND |
| IRF | IRON ROD FOUND |
| P.O.C. | POINT OF COMMENCING |
| P.O.B. | POINT OF BEGINNING |
| B.L. | BUILDING LINE |
| F.B.L. | FRONT BUILDING LINE |
| D.E. | DRAINAGE EASEMENT |
| HOA | HOMEOWNER'S ASSOCIATION |
| VOL | VOLUME |
| PG. | PAGE |
| INST. | INSTRUMENT |
| O.R.D.C.T. | OFFICIAL RECORDS, DENTON COUNTY, TEXAS |
| D.R.D.C.T. | DEED RECORDS, DENTON COUNTY, TEXAS |
| --- | STREET NAME CHANGE |
| P.U.E. | PUBLIC UTILITY EASEMENT |
| S.W.E. | SIDEWALK EASEMENT |
| V.E. | VOLUME EASEMENT |
| S.S.E. | SANITARY SEWER EASEMENT |
| P.R.W.M.E. | PRIVATE RETAINING WALL MAINTENANCE EASEMENT |
| --- | MARKER SIGN |
| --- | GUY ANCHOR |
| --- | UTILITY POLE |
| --- | PROPERTY CORNER SYMBOL |

SEE SHEET 4 FOR
LINE AND CURVE TABLES,
AND LOT AREA TABLE



KEY MAP
N.T.S.

**FINAL PLAT
HUNTER RANCH, PHASE 1C**

BLOCK AA, LOTS 1-27; BLOCK BB, LOTS 1-19; BLOCK CC, LOTS 1-12;
BLOCK DD, LOTS 1-3 & 4X; BLOCK EE, LOTS 1-3 & 4X; BLOCK FF, LOTS 1-11;
BLOCK GG, LOTS 1-19; BLOCK HH, LOTS 1-10, 11X & 12-16;
BLOCK J LOTS 12-21; BLOCK JJ, LOTS 1X & 2-4;
BLOCK K, LOTS 5-11; BLOCK KK, LOTS 1-9;
BLOCK L, LOTS 1-4; BLOCK LL, LOTS 1-10; BLOCK M, LOTS 1-6;
BLOCK MM, LOTS 1X & 2-8; BLOCK N, LOTS 1-14; BLOCK NN, LOTS 1-6;
BLOCK O, LOTS 1-6; BLOCK OO, LOT 1X; BLOCK P, LOTS 1-4 & 5X;
BLOCK PP, LOTS 1-12; BLOCK Q, LOTS 1-6; BLOCK QQ, LOTS 1X & 2-19;
BLOCK R, LOTS 1-14; BLOCK S, LOTS 1X & 2-11; BLOCK T, LOTS 1-6;
BLOCK U, LOTS 1-13; BLOCK V, LOTS 1X & 2-14

287 RESIDENTIAL LOTS
10 HOA LOTS

66.777ACRES
OUT OF THE
ELIZANO PIZANO SURVEY, ABSTRACT NO. 994,
CITY OF DENTON,
DENTON COUNTY, TEXAS
CITY PROJECT #FP24-0014
APRIL 2024

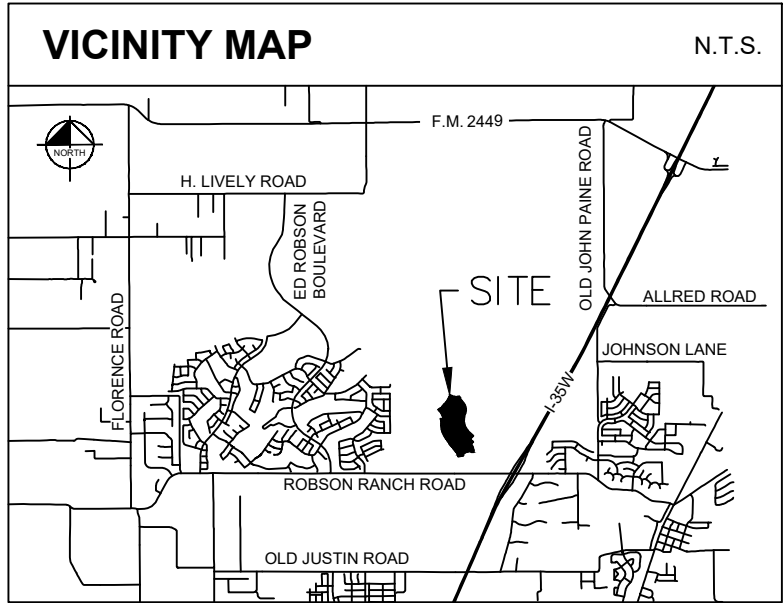
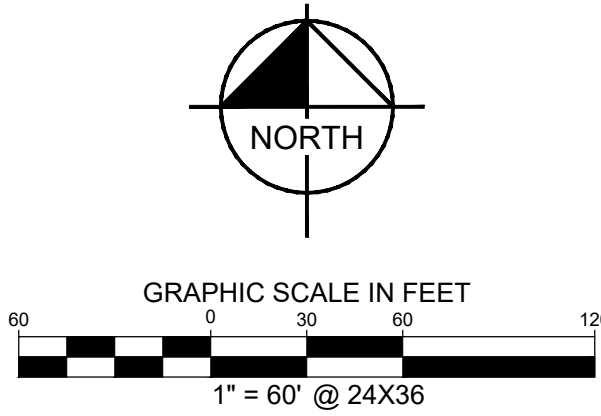
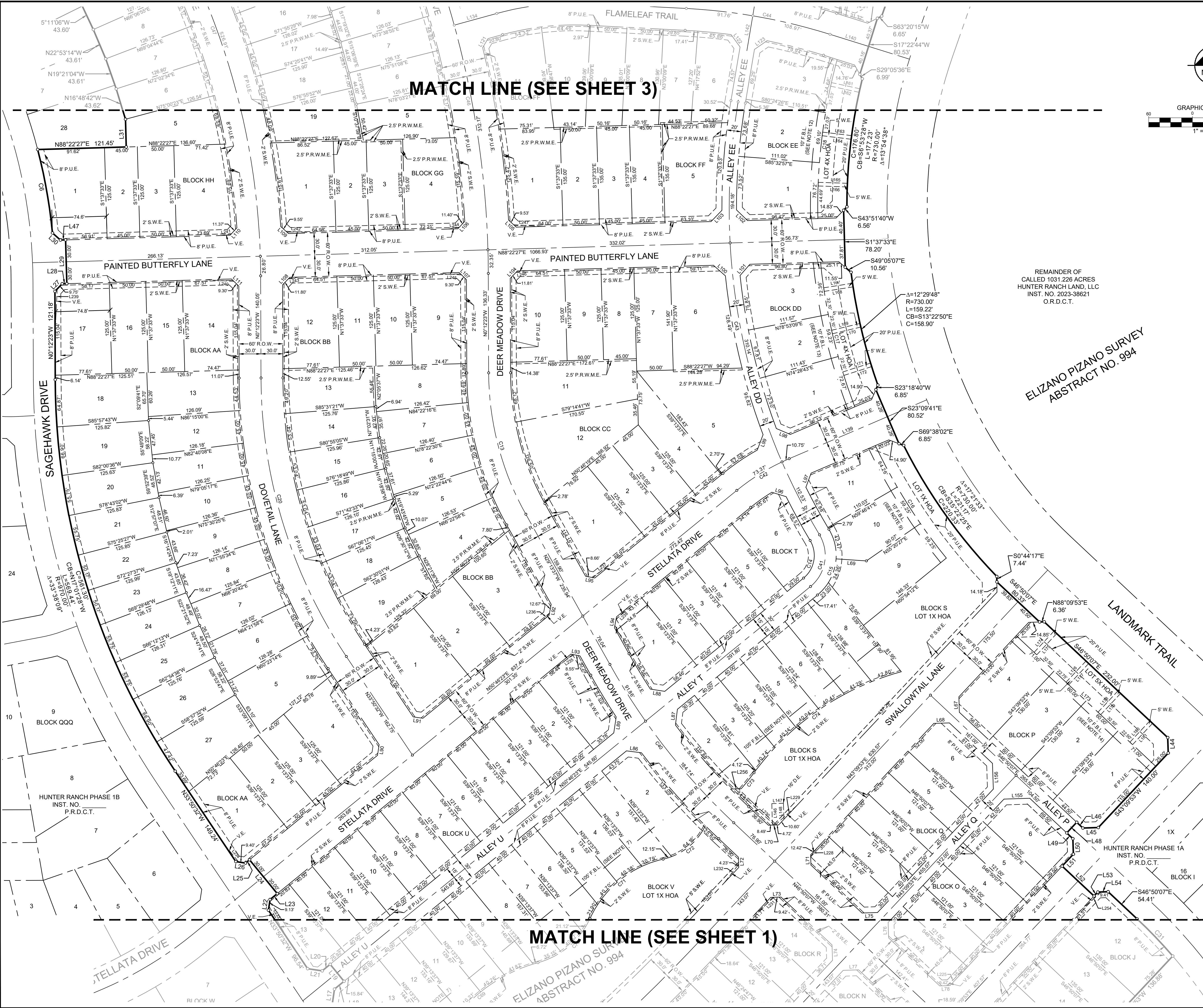
Kimley»Horn
6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

| Scale | Drawn by | Checked by | Date | Project No. | Sheet No. |
|----------|----------|------------|------------|-------------|-----------|
| 1" = 60' | JCC | KHA | APRIL 2024 | 063226937 | 1 OF 5 |

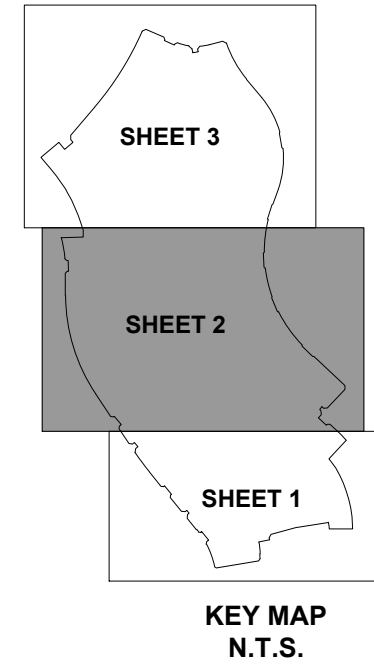
OWNER:
Hunter Ranch Land, LLC
9800 Hillwood Pkwy,
Suite 300
Fort Worth, TX 76177
Ph: 972-201-2932
Contact: Brian Carlock

APPLICANT:
Kimley-Horn & Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (972) 335-3580
Contact: Kevin J. Kane, P.E.

SURVEYOR:
Kimley-Horn and Associates, Inc.
400 North Oklahoma Drive, Suite 105
Celina, TX 75009
Ph: (469) 501-2172
Contact: Daniel R. Arthur, RPLS



SEE SHEET 4 FOR
LINE AND CURVE TABLES,
AND LOT AREA TABLE



| LINE TYPE LEGEND | |
|------------------|---|
| --- | BOUNDARY LINE |
| - - - | ADJACENT PROPERTY LINE |
| - . - | EASEMENT LINE |
| - - - | POINT OF BEGINNING |
| - - - | BUILDING LINE |
| - - - | FRONT BUILDING LINE |
| - - - | DRAINAGE EASEMENT |
| - - - | HOA HOMEOWNERS ASSOCIATION |
| - - - | VOLUME |
| - - - | PAGE |
| - - - | INSTRUMENT |
| - - - | OFFICIAL RECORD, DENTON COUNTY, TEXAS |
| - - - | D.R.D.C.T. DEED RECORDS, DENTON COUNTY, TEXAS |
| - - - | STREET NAME CHANGE |
| - - - | P.U.E. PUBLIC UTILITY EASEMENT |
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| - - - | V.E. VISIBILITY EASEMENT |
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| - - - | MAINTENANCE EASEMENT |
| - - - | MARKER SIGN |
| - - - | GUY ANCHOR |
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FINAL PLAT
HUNTER RANCH, PHASE 1C

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BLOCK J LOTS 12-21; BLOCK JJ, LOTS 1X & 2-4;
BLOCK K, LOTS 5-11; BLOCK KK, LOTS 1-9;
BLOCK L, LOTS 1-4; BLOCK LL, LOTS 1-10; BLOCK M, LOTS 1-6;
BLOCK MM, LOTS 1X & 2-8; BLOCK N, LOTS 1-14; BLOCK NN, LOTS 1-6;
BLOCK O, LOTS 1-6; BLOCK OO, LOT 1X; BLOCK P, LOTS 1-4 & 5X;
BLOCK PP, LOTS 1-12; BLOCK Q, LOTS 1-6; BLOCK QQ, LOTS 1X & 2-19;
BLOCK R, LOTS 1-14; BLOCK S, LOTS 1X & 2-11; BLOCK T, LOTS 1-6;
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287 RESIDENTIAL LOTS
10 HOA LOTS

66.777ACRES
OUT OF THE
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APRIL 2024

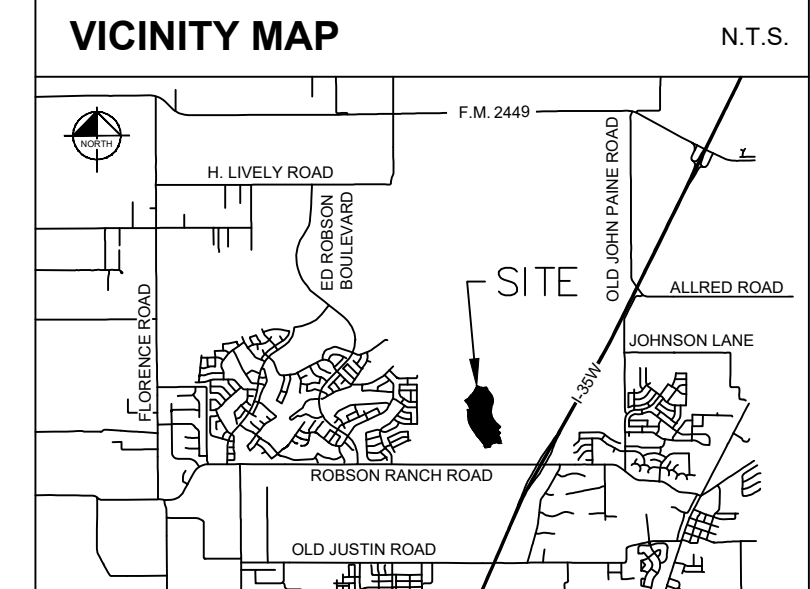
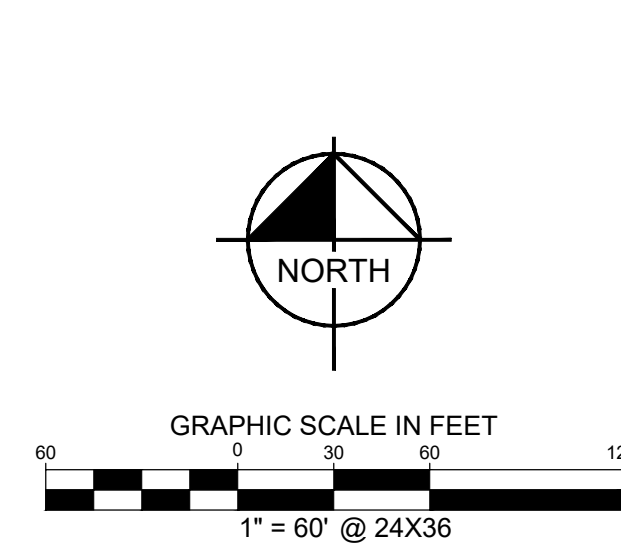
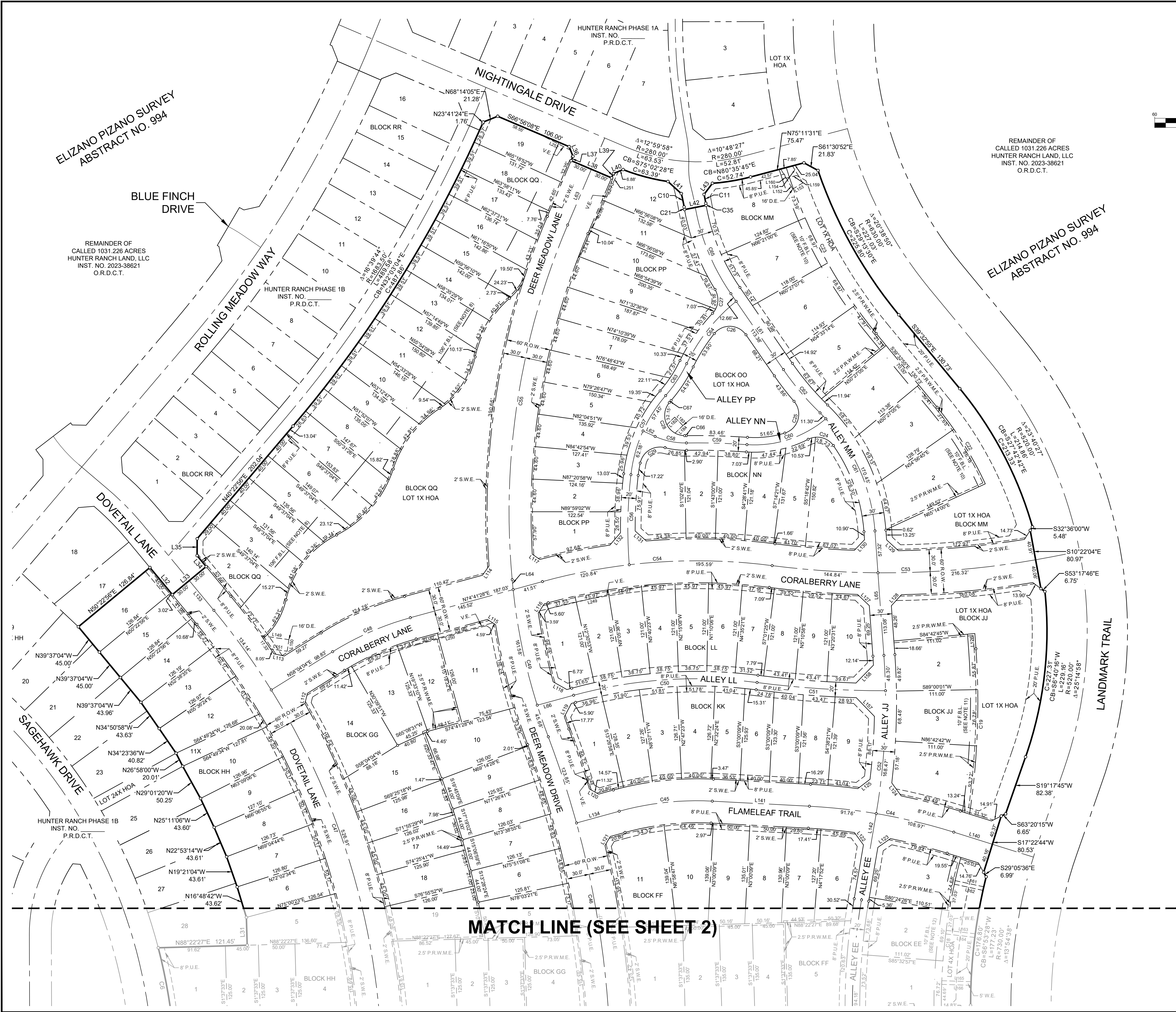
Kimley»Horn
400 North Oklahoma Dr., Suite 105
Celina, Texas 75009
FIRM # 10194503
Tel. No. (469) 501-2200
www.kimley-horn.com

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|----------|----------|------------|------------|-------------|-----------|
| 1" = 60' | JCC | KHA | APRIL 2024 | 063226937 | 2 OF 5 |

OWNER:
Hunter Ranch Land, LLC
9800 Hillwood Pkwy,
Suite 300
Fort Worth, TX 76177
Ph: 972-201-2932
Contact: Brian Carlock

APPLICANT:
Kimley-Horn & Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (972) 335-3580
Contact: Kevin J. Kane, P.E.

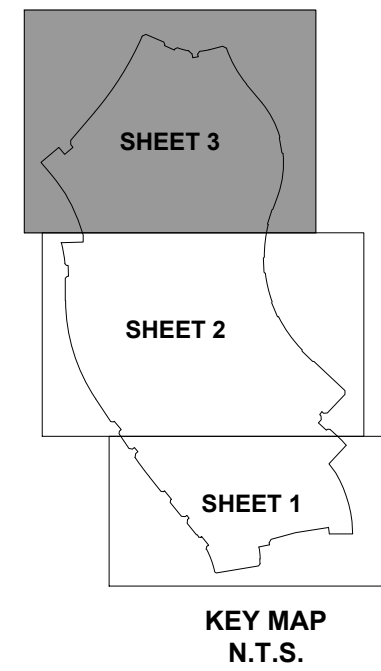
SURVEYOR:
Kimley-Horn & Associates, Inc.
400 North Oklahoma Drive, Suite 105
Celina, TX 75009
Ph: (469) 501-2172
Contact: Daniel R. Arthur, RPLS



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FINAL PLAT HUNTER RANCH, PHASE 1C

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287 RESIDENTIAL LOTS
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Kimley»Horn

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400 North Oklahoma Drive, Suite 105
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| LOT TABLE | | | LOT TABLE | | | LOT TABLE | | | LOT TABLE | | | LOT TABLE | | | LOT TABLE | | | LOT TABLE | | | LOT TABLE | | | LOT TABLE | | | LOT TABLE | | |
|-----------------|-------|---------|-----------------|-------|---------|---------------------|-------|---------|----------------------|-------|---------|---------------------|-------|---------|---------------------|-------|---------|---------------------|-------|---------|---------------------|-------|---------|--------------------|-------|---------|--------------------|--------|-----------|
| LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. |
| BLOCK AA LOT 1 | 0.224 | 9,778 | BLOCK BB LOT 4 | 0.194 | 8,459 | BLOCK DD LOT 3 | 0.206 | 8,993 | BLOCK GG LOT 14 | 0.238 | 10,380 | BLOCK JJ LOT 20 | 0.151 | 6,592 | BLOCK LL LOT 5 | 0.118 | 5,126 | BLOCK N LOT 11 | 0.116 | 5,034 | BLOCK PP LOT 9 | 0.179 | 7,797 | BLOCK R LOT 2 | 0.111 | 4,840 | BLOCK U LOT 1 | 0.159 | 6,929 |
| BLOCK AA LOT 2 | 0.143 | 6,250 | BLOCK BB LOT 5 | 0.150 | 6,538 | BLOCK DD LOT 4X HOA | 0.176 | 7,646 | BLOCK GG LOT 15 | 0.174 | 7,591 | BLOCK JJ LOT 21 | 0.217 | 9,448 | BLOCK LL LOT 6 | 0.118 | 5,126 | BLOCK N LOT 12 | 0.114 | 4,972 | BLOCK PP LOT 10 | 0.177 | 7,719 | BLOCK R LOT 3 | 0.111 | 4,840 | BLOCK U LOT 2 | 0.111 | 4,840 |
| BLOCK AA LOT 3 | 0.129 | 5,625 | BLOCK BB LOT 6 | 0.150 | 6,532 | BLOCK EE LOT 1 | 0.208 | 9,078 | BLOCK GG LOT 16 | 0.138 | 6,015 | BLOCK JJ LOT 1X HOA | 0.737 | 32,082 | BLOCK LL LOT 7 | 0.116 | 5,043 | BLOCK N LOT 13 | 0.129 | 5,616 | BLOCK PP LOT 11 | 0.139 | 6,075 | BLOCK R LOT 4 | 0.114 | 4,948 | BLOCK U LOT 3 | 0.111 | 4,840 |
| BLOCK AA LOT 4 | 0.228 | 9,937 | BLOCK BB LOT 7 | 0.150 | 6,524 | BLOCK EE LOT 2 | 0.188 | 8,205 | BLOCK GG LOT 17 | 0.138 | 6,015 | BLOCK JJ LOT 2 | 0.185 | 8,062 | BLOCK LL LOT 8 | 0.115 | 5,017 | BLOCK N LOT 14 | 0.141 | 6,130 | BLOCK PP LOT 12 | 0.135 | 5,892 | BLOCK R LOT 5 | 0.114 | 4,956 | BLOCK U LOT 4 | 0.111 | 4,840 |
| BLOCK AA LOT 5 | 0.214 | 9,313 | BLOCK BB LOT 8 | 0.168 | 7,321 | BLOCK EE LOT 3 | 0.205 | 8,931 | BLOCK GG LOT 18 | 0.138 | 6,014 | BLOCK JJ LOT 3 | 0.185 | 8,062 | BLOCK LL LOT 9 | 0.115 | 5,017 | BLOCK NN LOT 1 | 0.184 | 7,998 | BLOCK Q LOT 1 | 0.121 | 5,283 | BLOCK R LOT 6 | 0.114 | 4,956 | BLOCK U LOT 5 | 0.111 | 4,840 |
| BLOCK AA LOT 6 | 0.158 | 6,869 | BLOCK BB LOT 9 | 0.217 | 9,452 | BLOCK EE LOT 4X HOA | 0.191 | 8,314 | BLOCK GG LOT 19 | 0.176 | 7,663 | BLOCK JJ LOT 4 | 0.206 | 8,961 | BLOCK LL LOT 10 | 0.150 | 6,530 | BLOCK NN LOT 2 | 0.119 | 5,193 | BLOCK Q LOT 2 | 0.111 | 4,840 | BLOCK R LOT 7 | 0.114 | 4,956 | BLOCK U LOT 6 | 0.111 | 4,840 |
| BLOCK AA LOT 7 | 0.157 | 6,845 | BLOCK BB LOT 10 | 0.143 | 6,250 | BLOCK FF LOT 1 | 0.240 | 10,456 | BLOCK HH LOT 1 | 0.231 | 10,071 | BLOCK K LOT 5 | 0.148 | 6,455 | BLOCK M LOT 1 | 0.259 | 11,265 | BLOCK NN LOT 3 | 0.119 | 5,193 | BLOCK Q LOT 3 | 0.111 | 4,840 | BLOCK R LOT 8 | 0.114 | 4,956 | BLOCK U LOT 7 | 0.111 | 4,840 |
| BLOCK AA LOT 8 | 0.142 | 6,168 | BLOCK BB LOT 11 | 0.143 | 6,250 | BLOCK FF LOT 2 | 0.155 | 6,750 | BLOCK HH LOT 2 | 0.129 | 5,625 | BLOCK K LOT 6 | 0.120 | 5,208 | BLOCK M LOT 2 | 0.286 | 12,449 | BLOCK NN LOT 4 | 0.123 | 5,378 | BLOCK Q LOT 4 | 0.111 | 4,840 | BLOCK R LOT 9 | 0.114 | 4,956 | BLOCK U LOT 8 | 0.111 | 4,840 |
| BLOCK AA LOT 9 | 0.142 | 6,176 | BLOCK BB LOT 12 | 0.217 | 9,457 | BLOCK FF LOT 3 | 0.139 | 6,075 | BLOCK HH LOT 3 | 0.143 | 6,250 | BLOCK K LOT 7 | 0.120 | 5,208 | BLOCK M LOT 3 | 0.220 | 9,583 | BLOCK NN LOT 5 | 0.133 | 5,797 | BLOCK Q LOT 5 | 0.111 | 4,840 | BLOCK R LOT 10 | 0.114 | 4,956 | BLOCK U LOT 9 | 0.111 | 4,840 |
| BLOCK AA LOT 10 | 0.142 | 6,176 | BLOCK BB LOT 13 | 0.170 | 7,384 | BLOCK FF LOT 4 | 0.139 | 6,075 | BLOCK HH LOT 4 | 0.225 | 9,815 | BLOCK K LOT 8 | 0.120 | 5,208 | BLOCK M LOT 4 | 0.181 | 7,902 | BLOCK NN LOT 6 | 0.202 | 8,811 | BLOCK Q LOT 6 | 0.176 | 7,682 | BLOCK R LOT 11 | 0.114 | 4,956 | BLOCK U LOT 10 | 0.111 | 4,840 |
| BLOCK AA LOT 11 | 0.142 | 6,179 | BLOCK BB LOT 14 | 0.139 | 6,051 | BLOCK FF LOT 5 | 0.252 | 10,977 | BLOCK HH LOT 5 | 0.160 | 6,957 | BLOCK K LOT 9 | 0.120 | 5,208 | BLOCK M LOT 5 | 0.181 | 7,875 | BLOCK O LOT 1 | 0.121 | 5,283 | BLOCK QQ LOT 1X HOA | 1.264 | 55,053 | BLOCK R LOT 12 | 0.112 | 4,894 | BLOCK U LOT 11 | 0.111 | 4,840 |
| BLOCK AA LOT 12 | 0.142 | 6,176 | BLOCK BB LOT 15 | 0.139 | 6,053 | BLOCK FF LOT 6 | 0.154 | 6,717 | BLOCK HH LOT 6 | 0.137 | 5,949 | BLOCK K LOT 10 | 0.120 | 5,208 | BLOCK M LOT 6 | 0.204 | 8,885 | BLOCK O LOT 2 | 0.111 | 4,840 | BLOCK QQ LOT 2 | 0.200 | 8,718 | BLOCK R LOT 13 | 0.111 | 4,840 | BLOCK U LOT 12 | 0.111 | 4,840 |
| BLOCK AA LOT 13 | 0.168 | 7,298 | BLOCK BB LOT 16 | 0.139 | 6,056 | BLOCK FF LOT 7 | 0.136 | 5,915 | BLOCK HH LOT 7 | 0.137 | 5,953 | BLOCK K LOT 11 | 0.148 | 6,462 | BLOCK MM LOT 1X HOA | 0.752 | 32,759 | BLOCK O LOT 3 | 0.111 | 4,840 | BLOCK QQ LOT 3 | 0.124 | 5,390 | BLOCK R LOT 14 | 0.140 | 6,094 | BLOCK U LOT 13 | 0.133 | 5,808 |
| BLOCK AA LOT 14 | 0.217 | 9,452 | BLOCK BB LOT 17 | 0.139 | 6,048 | BLOCK FF LOT 8 | 0.153 | 6,649 | BLOCK HH LOT 8 | 0.137 | 5,959 | BLOCK KK LOT 1 | 0.147 | 6,416 | BLOCK MM LOT 2 | 0.235 | 10,235 | BLOCK O LOT 4 | 0.111 | 4,840 | BLOCK QQ LOT 4 | 0.122 | 5,301 | BLOCK S LOT 1X HOA | 0.920 | 40,087 | BLOCK V LOT 1X HOA | 1.342 | 58,461 |
| BLOCK AA LOT 15 | 0.143 | 6,250 | BLOCK BB LOT 18 | 0.139 | 6,055 | BLOCK FF LOT 9 | 0.157 | 6,852 | BLOCK HH LOT 9 | 0.137 | 5,964 | BLOCK KK LOT 2 | 0.135 | 5,869 | BLOCK MM LOT 3 | 0.199 | 8,682 | BLOCK O LOT 5 | 0.111 | 4,840 | BLOCK QQ LOT 5 | 0.131 | 5,695 | BLOCK S LOT 2 | 0.140 | 6,107 | BLOCK V LOT 2 | 0.205 | 8,929 |
| BLOCK AA LOT 16 | 0.143 | 6,250 | BLOCK BB LOT 19 | 0.186 | 8,111 | BLOCK FF LOT 10 | 0.177 | 7,721 | BLOCK HH LOT 10 | 0.141 | 6,163 | BLOCK KK LOT 3 | 0.134 | 5,827 | BLOCK MM LOT 4 | 0.181 | 7,879 | BLOCK O LOT 6 | 0.176 | 7,682 | BLOCK QQ LOT 6 | 0.140 | 6,094 | BLOCK S LOT 3 | 0.118 | 5,145 | BLOCK V LOT 3 | 0.131 | 5,728 |
| BLOCK AA LOT 17 | 0.217 | 9,457 | BLOCK CC LOT 1 | 0.251 | 10,945 | BLOCK FF LOT 11 | 0.239 | 10,407 | BLOCK HH LOT 11X HOA | 0.058 | 2,546 | BLOCK KK LOT 4 | 0.133 | 5,813 | BLOCK MM LOT 5 | 0.194 | 8,467 | BLOCK OO LOT 1X HOA | 0.416 | 18,130 | BLOCK QQ LOT 7 | 0.142 | 6,199 | BLOCK S LOT 4 | 0.113 | 4,930 | BLOCK V LOT 4 | 0.122 | 5,314 |
| BLOCK AA LOT 18 | 0.198 | 8,616 | BLOCK CC LOT 2 | 0.129 | 5,625 | BLOCK GG LOT 1 | 0.227 | 9,884 | BLOCK HH LOT 12 | 0.148 | 6,452 | BLOCK KK LOT 5 | 0.118 | 5,126 | BLOCK MM LOT 6 | 0.199 | 8,674 | BLOCK P LOT 1 | 0.209 | 9,117 | BLOCK QQ LOT 8 | 0.133 | 5,795 | BLOCK S LOT 5 | 0.112 | 4,891 | BLOCK V LOT 5 | 0.123 | 5,358 |
| BLOCK AA LOT 19 | 0.181 | 7,886 | BLOCK CC LOT 3 | 0.129 | 5,625 | BLOCK GG LOT 2 | 0.129 | 5,625 | BLOCK HH LOT 13 | 0.136 | 5,945 | BLOCK KK LOT 6 | 0.114 | 4,985 | BLOCK MM LOT 7 | 0.211 | 9,186 | BLOCK P LOT 2 | 0.179 | 7,800 | BLOCK QQ LOT 9 | 0.126 | 5,488 | BLOCK S LOT 6 | 0.115 | 5,028 | BLOCK V LOT 6 | 0.134 | 5,851 |
| BLOCK AA LOT 20 | 0.151 | 6,566 | BLOCK CC LOT 4 | 0.159 | 6,940 | BLOCK GG LOT 3 | 0.143 | 6,250 | BLOCK HH LOT 14 | 0.135 | 5,884 | BLOCK KK LOT 7 | 0.112 | 4,893 | BLOCK MM LOT 8 | 0.234 | 10,195 | BLOCK P LOT 3 | 0.179 | 7,800 | BLOCK QQ LOT 10 | 0.132 | 5,733 | BLOCK S LOT 7 | 0.123 | 5,340 | BLOCK V LOT 7 | 0.144 | 6,275 |
| BLOCK AA LOT 21 | 0.151 | 6,572 | BLOCK CC LOT 5 | 0.324 | 14,127 | BLOCK GG LOT 4 | 0.225 | 9,783 | BLOCK HH LOT 15 | 0.131 | 5,708 | BLOCK KK LOT 8 | 0.116 | 5,080 | BLOCK MM LOT 9 | 0.121 | 5,287 | BLOCK P LOT 4 | 0.209 | 9,117 | BLOCK QQ LOT 11 | 0.142 | 6,183 | BLOCK S LOT 8 | 0.135 | 5,873 | BLOCK V LOT 8 | 0.140 | 6,109 |
| BLOCK AA LOT 22 | 0.136 | 5,916 | BLOCK CC LOT 6 | 0.265 | 11,557 | BLOCK GG LOT 5 | 0.179 | 7,785 | BLOCK HH LOT 16 | 0.131 | 5,708 | BLOCK KK LOT 9 | 0.150 | 6,533 | BLOCK N LOT 2 | 0.111 | 4,840 | BLOCK P LOT 5X HOA | 0.235 | 10,255 | BLOCK QQ LOT 12 | 0.139 | 6,036 | BLOCK S LOT 9 | 0.238 | 10,362 | BLOCK V LOT 9 | 0.128 | 5,559 |
| BLOCK AA LOT 23 | 0.136 | 5,922 | BLOCK CC LOT 7 | 0.163 | 7,095 | BLOCK GG LOT 6 | 0.134 | 5,854 | BLOCK J LOT 12 | 0.242 | 10,529 | BLOCK K LOT 1 | 0.200 | 8,711 | BLOCK N LOT 3 | 0.119 | 5,164 | BLOCK PP LOT 1 | 0.148 | 6,441 | BLOCK QQ LOT 13 | 0.128 | 5,580 | BLOCK S LOT 10 | 0.162 | 7,054 | BLOCK V LOT 10 | 0.120 | 5,242 |
| BLOCK AA LOT 24 | 0.151 | 6,590 | BLOCK CC LOT 8 | 0.129 | 5,625 | BLOCK GG LOT 7 | 0.135 | 5,859 | BLOCK J LOT 13 | 0.155 | 6,750 | BLOCK L LOT 2 | 0.164 | 7,128 | BLOCK N LOT 4 | 0.125 | 5,453 | BLOCK PP LOT 2 | 0.118 | 5,150 | BLOCK QQ LOT 14 | 0.129 | 5,628 | BLOCK S LOT 11 | 0.177 | 7,730 | BLOCK V LOT 11 | 0.120 | 5,231 |
| BLOCK AA LOT 25 | 0.151 | 6,581 | BLOCK CC LOT 9 | 0.143 | 6,250 | BLOCK GG LOT 8 | 0.134 | 5,855 | BLOCK J LOT 14 | 0.155 | 6,750 | BLOCK L LOT 3 | 0.171 | 7,431 | BLOCK N LOT 5 | 0.116 | 5,034 | BLOCK PP LOT 3 | 0.120 | 5,233 | BLOCK QQ LOT 15 | 0.137 | 5,962 | BLOCK T LOT 1 | 0.172 | 7,485 | BLOCK V LOT 12 | 0.127 | 5,526 |
| BLOCK AA LOT 26 | 0.181 | 7,883 | BLOCK CC LOT 10 | 0.217 | 9,457 | BLOCK GG LOT 9 | 0.134 | 5,854 | BLOCK J LOT 15 | 0.260 | 11,309 | BLOCK L LOT 4 | 0.193 | 8,395 | BLOCK N LOT 6 | 0.116 | 5,034 | BLOCK PP LOT 4 | 0.125 | 5,455 | BLOCK QQ LOT 16 | 0.132 | 5,742 | BLOCK T LOT 2 | 0.111 | 4,840 | BLOCK V LOT 13 | 0.136 | 5,911 |
| BLOCK AA LOT 27 | 0.209 | 9,083 | BLOCK CC LOT 11 | 0.272 | 11,861 | BLOCK GG LOT 10 | 0.179 | 7,797 | BLOCK J LOT 16 | 0.267 | 11,640 | BLOCK LL LOT 1 | 0.149 | 6,475 | BLOCK N LOT 7 | 0.116 | 5,034 | BLOCK PP LOT 5 | 0.135 | 5,893 | BLOCK QQ LOT 17 | 0.127 | 5,542 | BLOCK T LOT 3 | 0.111 | 4,840 | BLOCK V LOT 14 | 0.167 | 7,289 |
| BLOCK BB LOT 1 | 0.256 | 11,164 | BLOCK CC LOT 12 | 0.286 | 12,471 | BLOCK GG LOT 11 | 0.220 | 9,601 | BLOCK J LOT 17 | 0.157 | 6,817 | BLOCK LL LOT 2 | 0.118 | 5,126 | BLOCK N LOT 8 | 0.116 | 5,034 | BLOCK PP LOT 6 | 0.150 | 6,537 | BLOCK QQ LOT 18 | 0.125 | 5,441 | BLOCK T LOT 4 | 0.111 | 4,840 | OVERALL | 66.777 | 2,908,808 |
| BLOCK BB LOT 2 | 0.198 | 8,625 | BLOCK DD LOT 1 | 0.202 | 8,797 | BLOCK GG LOT 12 | 0.152 | 6,641 | BLOCK J LOT 18 | 0.156 | 6,785 | BLOCK LL LOT 3 | 0.118 | 5,126 | BLOCK N LOT 9 | 0.116 | 5,034 | BLOCK PP LOT 7 | 0.162 | 7,060 | BLOCK QQ LOT 19 | 0.138 | 6,005 | BLOCK T LOT 5 | 0.111 | 4,840 | ROW DEDICATION | 16.418 | 715,152 |
| BLOCK BB LOT 3 | 0.256 | 11,155 | BLOCK DD LOT 2 | 0.163 | 7,083 | BLOCK GG LOT 13 | 0.164 | 7,165 | BLOCK J LOT 19 | 0.154 | 6,708 | BLOCK LL LOT 4 | 0.118 | 5,126 | BLOCK N LOT 10 | 0.116 | 5,034 | BLOCK PP LOT 8 | 0.169 | 7,380 | BLOCK R LOT 1 | 0.121 | 5,283 | BLOCK T LOT 6 | 0.194 | 8,452 | | | |

| LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | |
|------------|-------------|--------|------------|-------------|---------|------------|-------------|--------|------------|-------------|---------|------------|-------------|---------|
| NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH |
| L1 | S29°53'09"W | 21.42' | L46 | N46°50'07"W | 11.50' | L91 | S81°32'04"E | 13.46' | L136 | N50°46'23"E | 112.44' | L181 | S43°09'53"W | 40.00' |
| L2 | N12°46'36"E | 15.06' | L47 | S88°22'27"W | 7.09' | L92 | N10°46'23"E | 15.32' | L137 | N50°46'23"E | 101.18' | L182 | S45°38'43"W | 14.86' |
| L3 | N50°46'23"E | 4.52' | L48 | S43°09'53"W | 20.00' | L93 | S79°13'37"E | 12.86' | L138 | N50°46'23"E | 111.18' | L183 | N44°21'17"W | 16.00' |
| L4 | N37°51'44"W | 60.02' | L49 | S46°50'07"E | 11.50' | L94 | S10°46'23"W | 15.32' | L139 | N66°50'19"E | 146.55' | L184 | N45°38'43"E | 14.89' |
| L5 | S50°46'23"W | 5.95' | L50 | S01°50'07"E | 21.21' | L95 | S79°13'37"E | 12.86' | L140 | S72°37'16"E | 55.28' | L188 | N72°58'57"E | 28.04' |
| L6 | N82°01'17"W | 14.07' | L51 | S43°09'53"W | 22.50' | L96 | S73°00'31"E | 20.46' | L141 | S86°59'51"E | 132.82' | L189 | N10°50'01"W | 197.20' |
| L7 | N50°46'23"E | 21.21' | L52 | S46°50'07"E | 60.00' | L97 | N20°23'59"E | 20.67' | L142 | N09°40'50"E | 119.66' | L190 | S54°46'41"W | 15.79' |
| L8 | N50°46'23"E | 11.50' | L53 | N43°09'53"E | 7.50' | L98 | S67°05'38"E | 20.81' | L143 | N39°13'37"W | 21.00' | L222 | S48°53'09"W | 29.07' |
| L9 | N39°13'37"W | 20.00' | L54 | S88°09'53"W | 14.14' | L99 | S20°26'00"W | 22.45' | L144 | N50°46'23"E | 16.00' | L223 | N37°45'06"E | 31.73' |
| L10 | S50°46'23"W | 11.50' | L55 | S16°25'25"E | 29.89' | L100 | N48°34'50"W | 21.92' | L145 | S39°13'37"E | 21.00' | L224 | N36°07'31"E | 14.88' |
| L11 | N84°13'37"W | 21.21' | L56 | S12°21'53"E | 22.81' | L101 | N41°22'29"E | 20.46' | L146 | N01°50'07"W | 29.40' | L225 | S48°05'47"W | 38.81' |
| L12 | N05°46'23"E | 14.14' | L57 | S08°41'52"E | 31.08' | L102 | S46°07'36"E | 21.03' | L147 | N88°09'53"E | 16.00' | L226 | S55°01'39"W | 51.33' |
| L13 | N50°46'23"E | 6.50' | L58 | S03°02'01"E | 69.14' | L103 | S43°51'46"W | 21.39' | L148 | S01°50'07"E | 21.90' | L227 | S44°19'17"E | 36.27' |
| L14 | N39°13'37"W | 60.00' | L59 | N62°42'55"W | 22.01' | L104 | S44°04'25"W | 14.31' | L149 | N82°00'20"W | 37.93' | L228 | S36°06'10"W | 14.34' |
| L15 | S50°46'23"W | 6.50' | L60 | N50°46'23"E | 6.00' | L105 | S47°22'59"E | 13.33' | L150 | N07°59'40"E | 16.00' | L229 | S48°05'30"W | 38.88' |
| L16 | N84°13'37"W | 14.14' | L61 | S34°40'02"E | 126.04' | L106 | S42°34'53"W | 14.95' | L151 | S82°00'20"E | 22.90' | L230 | S47°40'04"E | 127.79' |
| L17 | N08°27'28"E | 22.19' | L62 | S65°36'18"E | 18.10' | L107 | S45°55'09"E | 13.97' | L152 | S31°08'18"E | 31.95' | L231 | N48°05'30"E | 38.88' |
| L18 | N50°46'23"E | 16.93' | L63 | N23°03'52"E | 82.76' | L108 | S44°05'02"W | 14.32' | L153 | N58°51'42"E | 16.00' | L232 | N37°44'50"E | 31.67' |
| L19 | N39°13'37"W | 30.00' | L64 | N05°18'32"W | 13.55' | L109 | S47°39'22"E | 14.39' | L154 | N31°08'11"W | 27.26' | L233 | N29°38'14"W | 51.99' |
| L20 | S50°46'23"E | 14.12' | L65 | N04°07'10"W | 113.08' | L110 | S42°16'49"W | 13.87' | L155 | N88°09'53"E | 35.36' | L234 | N39°16'27"W | 31.71' |
| L21 | N81°32'04"W | 20.19' | L66 | N74°41'28"E | 51.40' | L111 | S45°54'58"E | 13.97' | L156 | N01°50'07"W | 35.35' | L235 | S55°46'33"W | 37.85' |
| L22 | N80°27'56"E | 14.79' | L67 | S01°50'07"E | 21.21' | L112 | S14°02'30"W | 14.38' | L157 | N44°15'25"W | 35.57' | L236 | S43°51'38"W | 14.14' |
| L23 | N50°46'23"E | 12.80' | L68 | S88°09'53"W | 21.21' | L113 | S77°54'21"E | 14.38' | L158 | N44°18'11"E | 34.21' | L237 | N55°53'56"E | 35.99' |
| L24 | N39°13'37"W | 60.00' | L69 | N66°10°54"W | 41.62' | L114 | S35°09'14"W | 15.31' | L159 | N75°11'13"E | 15.30' | L238 | S44°56'25"W | 25.20' |
| L25 | S50°46'23"W | 7.14' | L70 | N88°09'53"E | 14.14' | L115 | S57°02'42"E | 13.31' | L160 | S14°48'29"E | 6.00' | L239 | S02°47'14"W | 61.12' |
| L26 | N81°32'04"W | 13.46' | L71 | S01°50'07"E | 14.14' | L116 | N33°24'40"E | 14.85' | L161 | S77°50'28"E | 40.00' | L240 | N86°41'23"W | 38.81' |
| L27 | N44°05'02"E | 14.32' | L72 | S01°50'07"E | 14.14' | L117 | S54°28'09"E | 12.66' | L162 | N77°50'28"W | 40.00' | L241 | N81°17'35"W | 14.61' |
| L28 | N88°22'27"E | 6.34' | L73 | S88°09'53"W | 14.14' | L118 | S60°50'12"E | 21.41' | L163 | N83°07'01"W | 40.00' | L242 | N86°42'13"W | 39.18' |
| L29 | N01°37'33"W | 60.00' | L74 | S01°50'07"E | 21.21' | L119 | S27°51'41"W | 20.52' | L164 | N83°07'01"W | 40.00' | L243 | N81°19'23"W | 14.29' |
| L30 | N46°21°17"W | 14.56' | L75 | N88°09'53"E | 21.21' | L120 | S81°08'42"E | 14.32' | L165 | N88°07'20"E | 40.00' | L244 | S61°17'35"W | 14.83' |
| L31 | N01°37'33"W | 37.98' | L76 | S01°50'07"E | 21.21' | L121 | S30°21'47"W | 14.33' | L166 | S88°07'20"E | 40.00' | L245 | N86°41'23"W | 38.86' |
| L32 | S39°30'44"E | 45.00' | L77 | S88°09'53"W | 21.21' | L122 | N36°01'31"W | 20.95' | L167 | N81°05'20"E | 40.00' | L246 | N81°19'23"W | 14.21' |
| L33 | N50°22'56"E | 60.00' | L78 | N88°09'53"E | 14.14' | L123 | S56°16'34"W | 20.89' | L168 | S81°05'20"E | 40.00' | L247 | N86°42'20"W | 39.04' |
| L34 | N39°37'04"W | 19.51' | L79 | S00°25'28"W | 14.69' | L124 | S35°46'55"E | 21.90' | L169 | N76°36'41"E | 40.00' | L248 | S22°05'27"E | 26.63' |
| L35 | N02°25'56"E | 22.88' | L80 | N69°21'26"W | 13.52' | L125 | N52°37'31"W | 21.92' | L170 | S76°36'41"E | 39.98' | L249 | S76°43'01"W | 155.30' |
| L36 | N21°56'08"E | 14.14' | L81 | S01°50'07"E | 14.14' | L126 | N00°07'10"W | 20.08' | L171 | N72°16'32"E | 40.00' | L250 | N74°30'04"E | 178.91' |
| L37 | S23°03'52"W | 6.50' | L82 | S07°59'53"E | 19.11' | L127 | N46°22'15"W | 22.21' | L172 | S72°16'32"W | 40.00' | L251 | S24°46'15"W | 139.03' |
| L38 | S66°58'08"E | 60.00' | L83 | S87°23'19"E | 20.36' | L128 | N42°34'35"E | 20.88' | L173 | S46°50'07"E | 60.00' | L252 | S62°36'02"E | 49.40' |
| L39 | S29°03'52"E | 6.50' | L84 | N02°15'58"W | 14.23' | L129 | N47°17'38"W | 21.58' | L174 | N43°09'53"E | 40.00' | L253 | S47°13'04"E | 36.94' |
| L40 | N67°44'54"E | 14.22' | L85 | S87°01'50"E | 14.23' | L130 | N43°46'12"E | 20.12' | L175 | S43°09'53"W | 40.00' | L254 | S48°05'02"W | 39.01' |
| L41 | S47°51'54"E | 24.53' | L86 | S82°54'44"E | 20.72' | L131 | S48°10'00"E | 20.40' | L176 | N43°09'53"E | 40.00' | L255 | S50°46'23"W | 6.00' |
| L42 | N78°54'10"E | 30.00' | L87 | S07°1045"W | 21.73' | L132 | S40°32'16"E | 22.39' | L177 | S43°09'53"W | 40.00' | L256 | S88°20'49"W | 14.65' |
| L43 | N36°54'50"E | 19.03' | L88 | S81°20'13"E | 22.12' | L133 | N39°37'04"W | 52.66' | L178 | N43°09'53"E | 40.00' | | | |
| L44 | S01°50'07"E | 21.21' | L89 | N08°28'37"E | 20.19' | L134 | N74°36'33"E | 60.47' | L179 | S43°09'53"W | 40.00' | | | |
| L45 | N88°09'53"E | 21.21' | L90 | N08°27'56"E | 14.79' | L135 | N42°22'56"W | 40.07' | L180 | N43°09'53"E | 40.00' | | | |

OWNERS' CERTIFICATE

STATE OF TEXAS §
CITY OF DENTON §
CITY OF DENTON §

WHEREAS HUNTER RANCH LAND, LLC, is the owner of 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 Limited Warranty Deed to HUNTER Ranch Land, LLC, as recorded in Instrument No. 2023-36621 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 the southwest corner of Lot 4, Block J 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 an interior corner of said Hunter Ranch Phase 1A

THENCE along a northerly line of said Hunter Ranch Phase 1A, the following courses and distances:

South 89°54'19" West, a distance of 127.03 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 680.00 feet, a central angle of 03°02'39", and a chord bearing and distance of North 07°15'16" West, 36.12 feet;

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 36.13 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 81°13'24" West, a distance of 181.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 74°19'32" West, a distance of 139.94 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 29°53'09" West, a distance of 21.42 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 380.00 feet, a central angle of 01°42'53", and a chord bearing and distance of South 12°33'17" East, 11.37 feet;

In a southeasterly direction, with said non-tangent curve to the right, an arc distance of 11.37 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 78°18'09" West, a distance of 60.00 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 320.00 feet, a central angle of 11°36'09", and a chord bearing and distance of South 05°53'46" East, 64.89 feet;

In a southeasterly direction, with said non-tangent curve to the right, an arc distance of 64.80 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a reverse curve to the left with a radius of 330.40 feet, a central angle of 04°36'54", and a chord bearing and distance of South 02°24'08" East, 26.61 feet;

In a southeasterly direction, with said reverse curve to the left, an arc distance of 26.61 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 37°22'44" West, a distance of 14.64 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 80°19'57" West, a distance of 232.39 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 55°41'26" West, a distance of 14.39 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 480.00 feet, a central angle of 15°28'13", and a chord bearing and distance of North 20°02'40" West, 129.21 feet;

THENCE continuing along a northerly line of said Hunter Ranch Phase 1A and along the easterly line of Hunter Ranch 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, the following courses and distances:

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 129.60 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 12°46'36" East, a distance of 15.06 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 230.00 feet, a central angle of 01°54'50", and a chord bearing and distance of North 51°43'48" East, 7.68 feet;

In a northeasterly direction, with said non-tangent curve to the left, an arc distance of 7.68 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 50°46'23" East, a distance of 4.52 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 37°51'44" West, a distance of 60.02 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 50°46'23" West, a distance of 5.95 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 170.00 feet, a central angle of 00°14'10", and a chord bearing and distance of South 50°53'28" West, 0.70 feet;

In a southwesterly direction, with said tangent curve to the right, an arc distance of 0.70 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 82°01'17" West, a distance of 14.07 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 480.00 feet, a central angle of 01°53'09", and a chord bearing and distance of North 38°17'03" West, 15.80 feet;

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 15.80 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 39°13'37" West, a distance of 79.88 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 05°46'23" East, a distance of 21.21 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 50°46'23" East, a distance of 11.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 39°13'37" West, a distance of 20.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 50°46'23" West, a distance of 11.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 84°13'37" West, a distance of 21.21 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 39°13'37" West, a distance of 96.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 05°46'23" East, a distance of 14.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 50°46'23" East, a distance of 6.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 39°13'37" West, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 50°46'23" West, a distance of 6.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 84°13'37" West, a distance of 14.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 39°13'37" West, a distance of 100.96 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 1,470.00 feet, a central angle of 05°05'59", and a chord bearing and distance of North 38°40'38" West, 130.79 feet;

In a northwesterly direction, with said tangent curve to the right, an arc distance of 130.84 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 08°27'28" East, a distance of 22.19 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 50°46'23" East, a distance of 16.93 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 39°13'37" West, a distance of 30.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 50°46'23" West, a distance of 14.12 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 81°32'04" West, a distance of 20.19 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 33°50'32" West, a distance of 96.54 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 08°27'56" East, a distance of 14.79 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 50°46'23" East, a distance of 12.80 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 39°13'37" West, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 50°46'23" West, a distance of 7.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 81°32'04" West, a distance of 13.46 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 33°50'32" West, a distance of 149.24 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 970.00 feet, a central angle of 33°38'09", and a chord bearing and distance of North 17°01'28" West, 561.30 feet;

In a northwesterly direction, with said tangent curve to the right, an arc distance of 569.44 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 00°12'23" West, a distance of 121.18 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 44°05'02" East, a distance of 14.32 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 88°22'27" East, a distance of 6.34 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 01°37'33" West, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 88°22'27" West, a distance of 7.09 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 48°21'14" West, a distance of 14.56 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 730.00 feet, a central angle of 09°08'07", and a chord bearing and distance of North

10°02'29" West, 116.27 feet;

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 116.39 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 88°22'27" East, a distance of 121.45 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 01°37'33" West, a distance of 37.98 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 16°48'42" West, a distance of 43.62 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 19°21'04" West, a distance of 43.61 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 22°53'14" West, a distance of 43.61 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 25°11'06" West, a distance of 43.60 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 29°01'20" West, a distance of 50.25 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 26°58'00" West, a distance of 20.01 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 34°23'36" West, a distance of 40.82 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 34°50'58" West, a distance of 43.63 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 39°37'04" West, a distance of 43.96 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 39°37'04" West, a distance of 45.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 39°37'04" West, a distance of 45.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 50°22'56" East, a distance of 126.84 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 39°37'04" East, a distance of 48.02 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 50°22'56" East, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 39°37'04" West, a distance of 19.51 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 00°22'56" East, a distance of 22.98 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 40°22'56" East, a distance of 202.04 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left with a radius of 1,683.50 feet, a central angle of 16°39'44", and a chord bearing and distance of North 32°03'04" East, 487.86 feet;

THENCE continuing along the easterly line of said Hunter Ranch Phase 1B and along a southerly line of said Hunter Ranch Phase 1A, the following courses and distances:

In a northeasterly direction, with said tangent curve to the left, an arc distance of 489.58 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 23°41'24" East, a distance of 1.78 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 68°14'05" East, a distance of 21.28 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 66°56'08" East, a distance of 106.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 21°56'08" East, a distance of 14.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 23°03'52" West, a distance of 6.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 66°56'08" East, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 23°03'52" East, a distance of 6.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 67°44'54" East, a distance of 14.22 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 280.00 feet, a central angle of 12°59'58", and a chord bearing and distance of South 75°02'28" East, 63.39 feet;

In a southeasterly direction, with said non-tangent curve to the left, an arc distance of 63.53 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 47°57'54" East, a distance of 24.53 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 235.00 feet, a central angle of 04°32'26", and a chord bearing and distance of South 11°48'03" East, 18.62 feet;

In a southeasterly direction, with said non-tangent curve to the right, an arc distance of 18.62 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a reverse curve to the left with a radius of 315.00 feet, a central angle of 00°38'25", and a chord bearing and distance of South 09°51'33" East, 3.61 feet;

In a southeasterly direction, with said reverse curve to the left, an arc distance of 3.61 feet to a point for corner;

North 78°54'10" East, a distance of 30.00 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 285.00 feet, a central angle of 00°33'40", and a chord bearing and distance of North 09°48'41" West, 2.79 feet;

In a northwesterly direction, with said non-tangent curve to the right, an arc distance of 2.79 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a reverse curve to the left with a radius of 265.00 feet, a central angle of 02°39'53", and a chord bearing and distance of North 10°51'47" West, 12.32 feet;

In a northwesterly direction, with said reverse curve to the left, an arc distance of 12.32 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 36°54'52" East, a distance of 19.03 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 280.00 feet, a central angle of 10°48'27", and a chord bearing and distance of North 80°39'45" East, 52.74 feet;

In a northeasterly direction, with said non-tangent curve to the left, an arc distance of 52.81 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 75°11'31" East, a distance of 75.47 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE along a westerly line of said Hunter Ranch Phase 1A, the following the courses and distances:

South 61°30'52" East, a distance of 21.83 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 630.00 feet, a central angle of 20°38'50", and a chord bearing and distance of South 29°13'30" East, 225.80 feet;

In a southeasterly direction, with said non-tangent curve to the left, an arc distance of 227.03 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 39°32'55" East, a distance of 130.73 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 520.00 feet, a central angle of 23°40'27", and a chord bearing and distance of South 27°42'42" East, 213.33 feet;

In a southeasterly direction, with said tangent curve to the right, an arc distance of 214.86 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 32°36'00" West, a distance of 5.48 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 10°22'04" East, a distance of 80.97 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 53°17'46" East, a distance of 6.75 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 520.00 feet, a central angle of 25°14'58", and a chord bearing and distance of South 06°40'16" West, 227.31 feet;

In a southwesterly direction, with said non-tangent curve to the right, an arc distance of 229.16 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 19°17'45" West, a distance of 82.38 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 63°20'15" West, a distance of 6.65 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 17°22'44" West, a distance of 80.53 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 29°05'36" East, a distance of 6.99 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 730.00 feet, a central angle of 13°54'38", and a chord bearing and distance of South 06°53'28" West, 176.80 feet;

In a southwesterly direction, with said non-tangent curve to the left, an arc distance of 177.23 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 43°51'40" West, a distance of 6.56 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 01°37'33" East, a distance of 78.20 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 49°05'07" East, a distance of 10.56 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 730.00 feet, a central angle of 12°29'48", and a chord bearing and distance of South 13°22'50" East, 159.90 feet;

In a southeasterly direction, with said non-tangent curve to the left, an arc distance of 159.22 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 23°18'40" West, a distance of 6.85 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 23°09'41" East, a distance of 80.52 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 69°38'02" East, a distance of 6.85 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 730.00 feet, a central angle of 17°21'33", and a chord bearing and distance of South 35°22'25" East, 220.33 feet;

In a southeasterly direction, with said non-tangent curve to the left, an arc distance of 221.17 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 00°44'17" East, a distance of 7.44 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 46°50'07" East, a distance of 80.33 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 88°09'53" East, a distance of 6.36 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 46°50'07" East, a distance of 232.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 01°50'07" East, a distance of 21.21 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 43°09'53" West, a distance of 140.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 88°09'53" West, a distance of 21.21 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 46°50'07" West, a distance of 11.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 43°09'53" West, a distance of 20.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 46°50'07" East, a distance of 11.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 01°50'07" East, a distance of 21.21 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 43°09'53" West, a distance of 22.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 46°50'07" East, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 43°09'53" East, a distance of 7.50 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 88°09'53" East, a distance of 14.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 46°50'07" East, a distance of 54.41 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 670.00 feet, a central angle of 06°02'51", and a chord bearing and distance of South 43°48'42" East, 70.68 feet;

In a southeasterly direction, with said tangent curve to the right, an arc distance of 70.72 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 43°09'53" West, a distance of 136.88 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 35°39'41" East, a distance of 61.43 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 29°03'42" East, a distance of 46.78 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 24°39'18" East, a distance of 46.72 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 20°19'48" East, a distance of 46.71 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 16°25'25" East, a distance of 46.78 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 12°21'53" East, a distance of 46.94 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 08°41'52" East, a distance of 47.22 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 03°02'01" East, a distance of 69.14 feet to the POINT OF BEGINNING and containing 66.777 acres (2,908,808 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 1C, 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 _____, 20__.

BY: Hunter Ranch Land,
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



June 3, 2024

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

Re: *Hunter Ranch Phase 1C Final Plat (FP24-0014)*
 2nd - 30-Day Extension Request

Dear Ms. Robertson:

As representative for the referenced project, I respectfully request a second 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

TEXAS SECRETARY of STATE
JANE NELSON**BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY**

Filing Number: 804757571
Original Date of Filing: October 5, 2022
Formation Date: N/A
Tax ID: 32086637199
Duration: Perpetual

Entity Type: Domestic Limited Liability Company (LLC)
Entity Status: In existence
FEIN:

Name: Hunter Ranch Land, LLC
Address: 3000 TURTLE CREEK BLVD
DALLAS, TX 75219-6268 USA

| REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS |
|----------------------------------|--------------------------------|--|----------------------------|-------------------------------|-------------------------------------|---------------------------------|
| Name | | Address | | | Inactive Date | |
| Stephen D Parker | | 3000 Turtle Creek Blvd Dallas, TX 75219 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 #: FP24-0015a, **Version:** 1

AGENDA CAPTION

Consider a request by Kimley-Horn, on behalf of Hunter Ranch Land, LLC, for approval of a Final Plat of Hunter Ranch Phase 1D. The approximately 56.100-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (FP24-0015a, Hunter Ranch Phase 1D, 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: June 12, 2024

SUBJECT

Consider a request by Kimley-Horn, on behalf of Hunter Ranch Land, LLC, for approval of a Final Plat of Hunter Ranch Phase 1D. The approximately 56.100-acre site is generally located north of Robson Ranch Road just west of Interstate 35W in the City of Denton, Denton County, Texas. (FP24-0015a, Hunter Ranch Phase 1D, Cameron Robertson).

BACKGROUND

The purpose of this Final Plat is to facilitate the development of Phase 1D of Hunter Ranch Phase 1, which will consist of 185 single-family residential lots and 8 HOA lots. The approved Preliminary Plat (PP22-0014c) of Hunter Ranch Phase 1 included a total of 747 single-family residential lots and 36 HOA lots on 228.914 acres. Phase 1 also includes the construction of an amenity center lot which will serve this portion of the development and future phases of the overall development.

The subject property is presently vacant and zoned Master Planned Communities (MPC) - R6/ -R7/ -Mixed-Use Neighborhood (MN). Ordinance MPC19-0002c applies to the subject property and establishes the zoning standards for the entire Hunter Ranch MPC.

| | |
|---------------------------------------|----------------|
| Date Application Filed: | April 16, 2024 |
| Planning & Zoning Commission Meeting: | May 15, 2024 |
| Days in Review: | 29 Days |
| First Extension Request Approved: | May 15, 2024 |
| Planning & Zoning Commission Meeting: | June 12, 2024 |
| Days in Review: | 27 Days |

This is the **second extension request** received 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 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 June 26, 2024. 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 |
| July 13, 2022 | Planning & Zoning Commission | Preliminary Plat (PP22-0014) Extension Request | Extension Approved |
| November 16, 2022 | Planning & Zoning Commission | Preliminary Plat (PP22-0014c) | Approved |
| May 15, 2024 | Planning & Zoning Commission | Final Plat (FP24-0015) Extension Request | Extension 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
6. LLC Members List

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

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

Staff Analysis

FP24-0015a / Hunter Ranch Phase 1D

City Council District #4

Planning & Zoning Commission

REQUEST:

Final Plat for an approximately 56.100-acre tract.

APPLICANT:

Kimley-Horn on behalf of Hunter Ranch Land, LLC.

RECOMMENDATION:

Staff recommends denial, as the proposed Final Plat fails to 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><p>The Final 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 Final Plat Checklist (FPC) authorized per the Hunter Ranch Master Planned Communities (MPC) Section 2.4.4B:</p><ol style="list-style-type: none">Final Plat cannot be approved until the associated CEP is approved to ensure all necessary easements, ROW dedications, and plat language have been established. The process of getting the CEP to approval may generate new comments that will need to be addressed.Include all easements shown in CEPs such as, but not limited to, sidewalk easements. (FPC 3.9; TCM 4.3.1)Add "R.O.W." and its definition to the legend. (FPC 2.12)Label proposed streets as being dedicated by this plat. (DDC 8.4.8; FPC 3.1)Label line and curve data for proposed streets along the edge of the public ROWs. (FPC 3.1)Ensure ROW dimensions are labeled from centerline and are accurate. (FPC 3.15)Label ROW dedication as being done by this plat or reference document/instrument with dedication. (DDC 8.4.8; FPC 3.1)</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>9. Include document number recording establishment of easements with each label or state easements are dedicated by this plat with each label or easement. Could add a general note stating all sidewalk easements are being established by this plat. (FPC 3.6)</p> <p>10. Label city limit, county limit, extra-territorial jurisdiction, and/or survey (abstract) lines within and adjacent to property. (FPC 4.4)</p> <p>11. Label size and description of monument for POB as described in the legal description. (FPC 2.9 and FPC 2.13)</p> <p>12. Ensure all ROW is dimensioned on adjoining streets that are part of this development from other phases. (FPC 3.15 and FPC 4.3)</p> <p>13. Include signature block for City Secretary. (FPC 5.6)</p> <p>14. For plats requiring Planning and Zoning Commission approval, include certificate of approval language for the Planning and Zoning Commission and signature block for Chairperson. (FPC 5.5)</p> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <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>The Final 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"/> |
| <p>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.</p> <p>Findings:</p> <div></div> | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Prior Approvals | | | | |
| <p>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.</p> <p>Findings:</p> <div>The proposed Final 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"/> |

| Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E) | | Compliance | | |
|---|--|-------------------------------------|-------------------------------------|-------------------------------------|
| | | Met | Not Met | N/A |
| 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, Denton Plan 2040's Future Land Use Map designates the subject property as Master Planned Community. The proposed use is consistent with the designation.</p> </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></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> <p>The overall goals of the Comprehensive Plan are met with the proposed Final Plat.</p> </div> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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> <p>In order for the proposed Final Plat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> Please provide updated Pocket Park and Trail Tracker document. Per Exhibit B - Park Improvement Summary Tables in the Project Agreement, "10' trails will have a 30' easement and 6' trails will have a 26' easement, this allows for additional space if needed for programming, easement could be modified as needed pending space allocation." Please update easement sizes as applicable. Public Access Easements do not appear to be identified along regional or community trail locations. Note 29 was removed since the Preliminary Plat. Please add Regional and Community Trail language to the Final Plat notes for Phase 1D. </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>4. Note 13 was removed since the Preliminary Plat. Please add relevant Pocket Park/ PAE language to the final plat notes for Phase 1D.</p> <p>5. INFORMATIONAL: The Park Improvements will be conveyed or dedicated to the City, at no cost or expense to the City, and will be available for use by the general public. Park land dedication will occur in phases, at the time of final plat approval. The Park land acreage dedicated is the minimum required by Ordinance 22-254 based on the projected residential units in the Park Plan (Exhibit C). Upon inspection and acceptance of a completed portion of Park Improvements the plans and specifications of which are subject to approval by the City staff, title to the completed Park Improvements shall be dedicated to the City by special warranty deed, except the “Pocket Parks”, “Dog Park”, “Trails” outside rights-of-way, and “Regional ESA Upland”, and the “lakes”. The exceptions above shall be conveyed by a grant of public access easement. (Language above is from the Operating Agreement and Project Agreement)</p> <p>6. INFORMATIONAL: Park Dedication and Development Fees do not apply to this Phase per the Operating and Project Agreements. Phase 1D is proposing 185 residential and 8 HOA lots with this development.</p> <p>7. Include homeowner’s association covenants as they relate to the maintenance of open space, common areas and facilities. (DDC 8.3.2.D and DDC 7.10.4.C.2)</p> <p>8. Contact City of Denton Real Estate department for information about recording offsite easements by separate instruments. (DDC 8.4.4 and FPC 4.2)</p> <p>9. Revise Owner’s dedication statement to include ROW and easement dedications and other land rights to create no conflicts or issues for staff or other public interests. (BEP)</p> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>b. Compliance with these standards is applied at the level of detail required for the subject submittal.</p> <p>Findings:</p> <div>The proposed Final Plat provides sufficient detail for review.</div> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Compliance with Other Applicable Regulations | | | | |
| <p>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.</p> <p>Findings:</p> <div>The Final Plat meets the requirements.</div> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

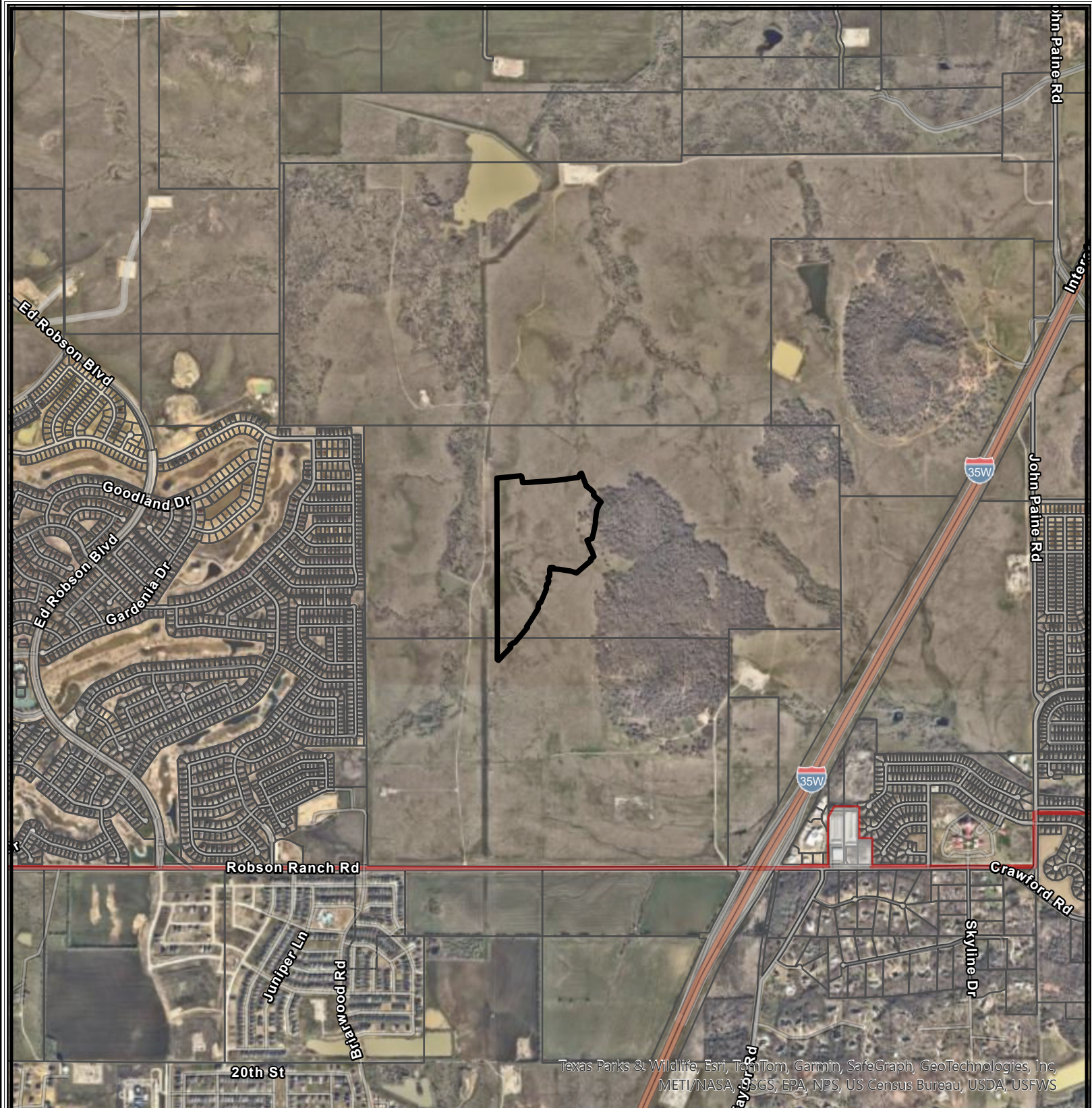
| Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E) | | Compliance | | |
|--|--|-------------------------------------|-------------------------------------|-------------------------------------|
| | | Met | Not Met | N/A |
| 6. Consistent with Interlocal and Development Agreements | | | | |
| <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: 10px;"> <p>The proposed Final 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.</p> </div> | | <input checked="" type="checkbox"/> | <input 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: 10px;"> <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 MPC Ordinance 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"/> |
| 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: 10px;"> <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> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <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"/> |

| Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E) | | Compliance | | |
|--|--|-------------------------------------|-------------------------------------|--------------------------|
| | | Met | Not Met | N/A |
| 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 style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>In order for the proposed Final Plat to meet the criteria, the following corrections are required:</p> <ol style="list-style-type: none"> 1. Is this a drainage and detention easements and a public access easement? Provide design clarification. (FPC 3.6 and FPC 4.2) 2. Verify easement as W.E. This was previously shown as a Drainage Easement on CEP submittals. (FPC 3.1, FPC 3.6, FPC 3.9, DDC 7.8.10, DDC 2.6.2.C.6.b and DDC 8.4.4.) 3. Depict all overhead electric distribution and transmission line clearance zones intersecting or adjacent to the property. (FPC 2.19) 4. Provide note on plat that private improvements cannot encroach onto existing public or private easements. (BEP) 5. Verify ROW corner clip dimension. Minimum corner clip should be 10'. (TCM 1.4.2 and FPC 3.17) 6. Note 8 refers to water/sewer services. Reference the correct plat note, if needed. (BEP) 7. CEPs show a sanitary sewer easement in this area. Provide easement and recording information. (DDC 2.6.2.C.6.b, DDC 8.4.4 and FPC 3.6) 8. All utilities in a development shall be provided in street rights-of-way except for special circumstances approved by the City Engineer, in consultation with the Directors of Water and Wastewater Utilities. Provide documentation of approval that this stub out is in an adequate location for future phases. (DDC 7.6.7) </div> | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 style="border: 1px solid black; height: 40px; width: 550px; margin-top: 10px;"></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> | | <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: <div style="border: 1px solid black; padding: 5px; margin: 10px 0;">The Final Plat does not meet Approval Criteria 4a, 7a, and 10a as detailed above.</div> | | | | |
| 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. Findings: <div style="border: 1px solid black; padding: 5px; margin: 10px 0;">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"/> |

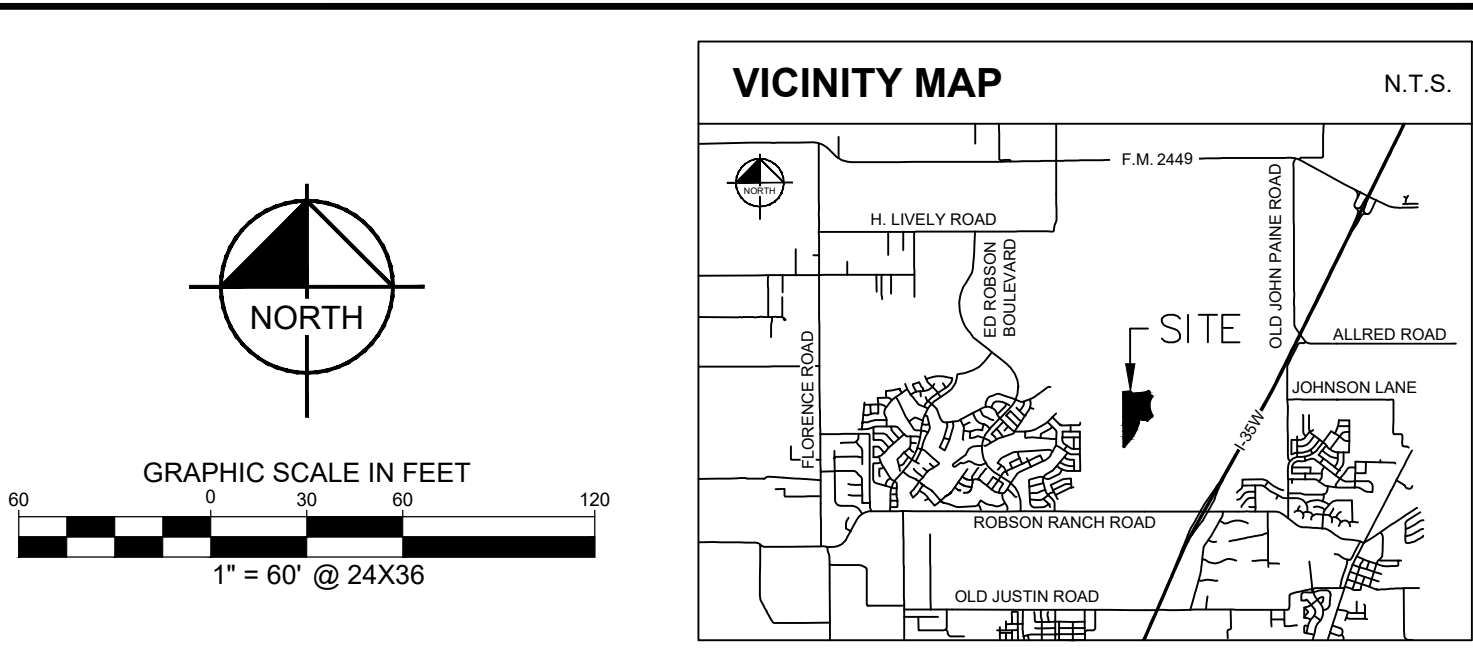
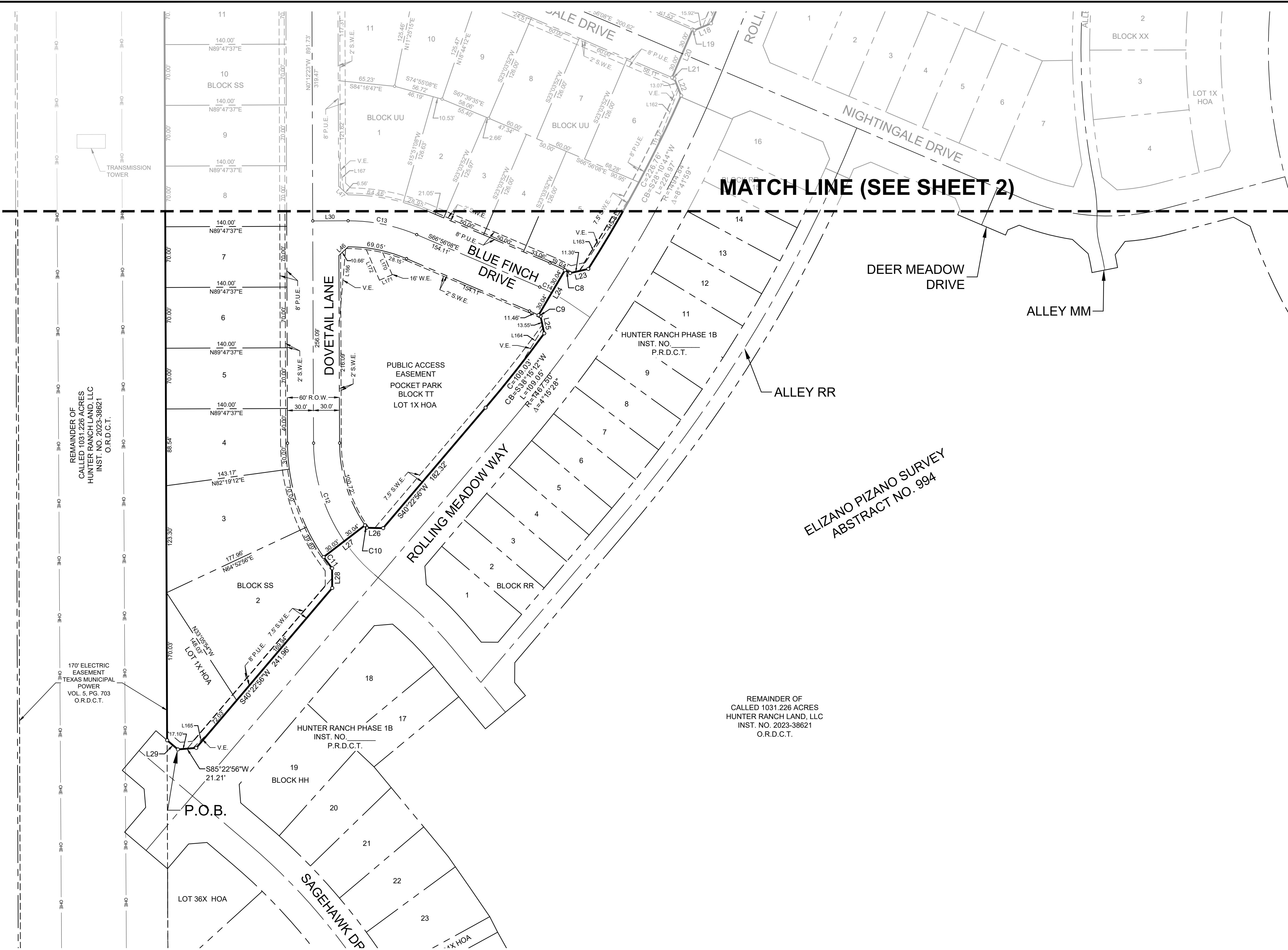
| Final Plat Review Applicability Criteria (DDC Section 2.6.4.D) | | Applicability | | |
|--|--|-------------------------------------|-------------------------------------|--------------------------|
| | | Met | Not Met | N/A |
| 14. Whether the final plat conforms to the preliminary plat, including any conditions of approval. Findings: <div style="border: 1px solid black; padding: 5px; margin: 10px 0;">The proposed Final Plat is consistent with Ordinance No. MPC19-0002c, which was approved by the Denton City Council on April 7, 2020. A Preliminary Plat was required as part of the MPC (PP22-0014) and approved by the Planning and Zoning Commission on November 16, 2022.</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: 10px 0;">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"/> |
| 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: 10px 0;">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"/> |

FP24-0015 Site Location

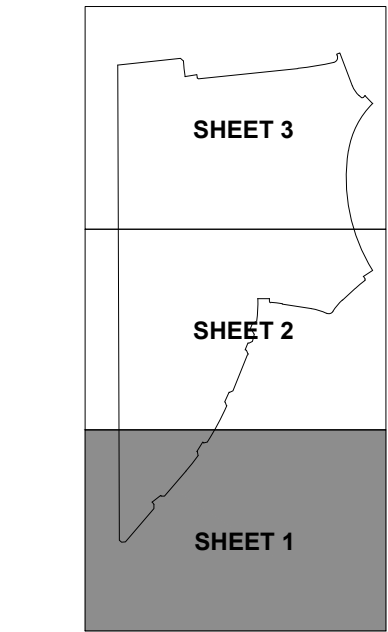


Texas Parks & Wildlife, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

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



SEE SHEET4 FOR
LINE AND CURVE TABLES,
AND LOT AREA TABLE



LINE TYPE LEGEND

| | |
|-----|------------------------|
| --- | BOUNDARY LINE |
| --- | ADJACENT PROPERTY LINE |
| --- | EASEMENT LINE |
| --- | BUILDING LINE |
| --- | CENTERLINE OF ROAD |
| --- | OVERHEAD UTILITY LINE |

LEGEND

| | |
|------------|---|
| IRSC | 5/8" IRON ROD W/ "KHA" CAP SET |
| IRFC | IRON ROD WITH CAP FOUND |
| IRF | IRON ROD FOUND |
| P.O.C. | POINT OF COMMENCING |
| P.O.B. | POINT OF BEGINNING |
| B.L. | BUILDING LINE |
| F.B.L. | FRONT BUILDING LINE |
| D.E. | DRAINAGE EASEMENT |
| HOA | HOMEOWNERS ASSOCIATION |
| VOL | VOLUME |
| PG. | PAGE |
| INST. | INSTRUMENT |
| O.R.D.C.T. | OFFICIAL RECORDS, DENTON COUNTY, TEXAS |
| D.R.D.C.T. | DEED RECORDS, DENTON COUNTY, TEXAS |
| --- | STREET NAME CHANGE |
| P.U.E. | PUBLIC UTILITY EASEMENT |
| S.W.E. | SIDEWALK EASEMENT |
| L.S.E. | LANDSCAPE EASEMENT |
| S.S.E. | SANITARY SEWER EASEMENT |
| P.R.W.M.E. | PRIVATE RETAINING WALL MAINTENANCE EASEMENT |
| --- | MARKER SIGN |
| --- | GUY ANCHOR |
| --- | UTILITY POLE |
| --- | PROPERTY CORNER SYMBOL |

- NOTES:
- All property corners are 5/8" iron rods with plastic caps stamped "KHA" set, unless otherwise noted.
 - All bearings shown are based on grid north of the Texas Coordinate System of 1983 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 0.99994939269.
 - According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48121C0365G, 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" and 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.
 - All lots labeled "HOA" are to be owned and maintained by the Homeowner's Association and/or District.
 - 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.
 - 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.
 - Block GGG, Lots 2-13 - Fronts of structures shall be oriented towards Block GGG, Lot 1X HOA.
 - Water and wastewater service will be provided by the City of Denton.
 - The purpose of this plat is create 193 lots.

FINAL PLAT
HUNTER RANCH, PHASE 1D

BLOCK CCC, LOT 1X; BLOCK DDD, LOTS 1-15 & 16X;
BLOCK GGG, LOTS 1X & 2-13; BLOCK HHH, LOTS 1-15; BLOCK III, LOTS 1-18;
BLOCK JJJ, LOTS 1-14; BLOCK KKK, LOTS 1-8; BLOCK LLL, LOTS 1-23;
BLOCK MMM, LOTS 1-20; BLOCK OOO, LOT 1X;
BLOCK SS, LOTS 1X, 2-17, 18X, 19-33, 34X & 35-36;
BLOCK TT, LOT 1X; BLOCK UU, LOTS 1-11; BLOCK VV, LOTS 1-16

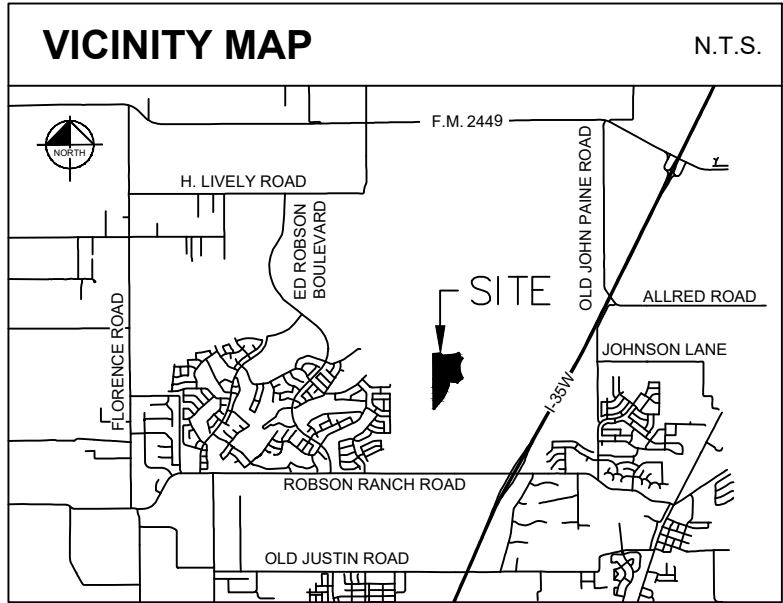
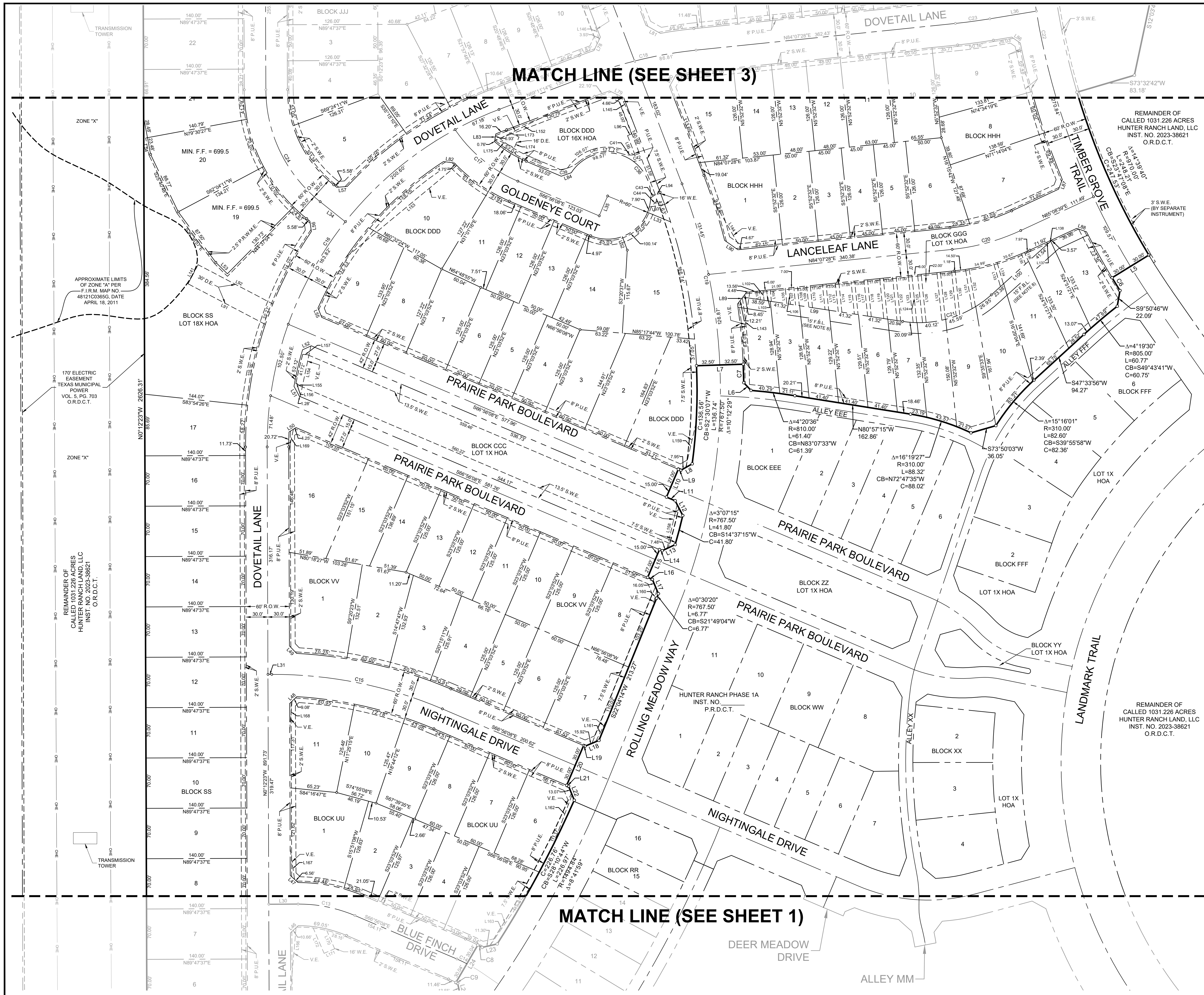
185 RESIDENTIAL LOTS
8 HOA LOTS

56.100 ACRES
OUT OF THE
ELIZANO PIZANO SURVEY, ABSTRACT NO. 994,
CITY OF DENTON,
DENTON COUNTY, TEXAS
CITY PROJECT #FP24-0015
APRIL 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 | APRIL 2024 | 063226937 | 1 OF 5 |
| OWNER: Hunter Ranch Land, LLC 9800 Hillwood Pkwy, Suite 300 Fort Worth, TX 76177 Ph: 972-201-2932 Contact: Brian Carlock APPLICANT: Kimley-Horn & Associates, Inc. 6160 Warren Pkwy, Suite 210 Frisco, TX 75034 Ph: (972) 335-3580 Contact: Kevin J. Kane, P.E. SURVEYOR: Kimley-Horn and Associates, Inc. 400 North Oklahoma Drive, Suite 105 Celina, TX 75009 Ph: (469) 501-2172 Contact: Daniel R. Arthur, RPLS | | | | | |



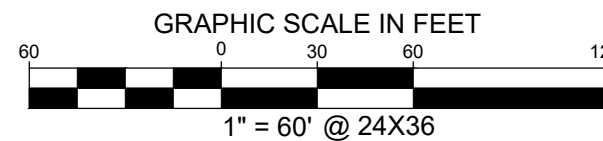
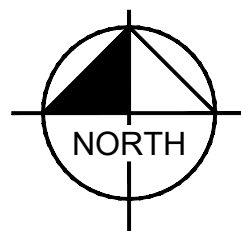
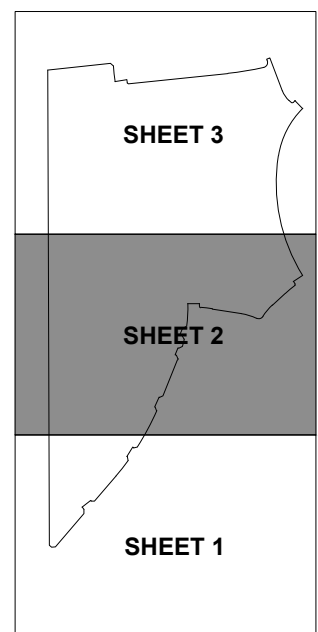
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| | |
|--|------------------------|
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| | EASEMENT LINE |
| | BUILDING LINE |
| | CENTERLINE OF ROAD |
| | OVERHEAD UTILITY LINE |

LEGEND

| | |
|----------------|---|
| IRC | SEP IRON ROD W/ "M" CAP SET |
| IRCFC | IRON ROD WITH CAP FOUND |
| IRF | IRON ROD FOUND |
| P.O.C. | POINT OF COMMENCING |
| P.O.B. | POINT OF BEGINNING |
| B.L. | BUILDING LINE |
| F.B.L. | FRONT BUILDING LINE |
| D.E. | DRAINAGE EASEMENT |
| H.W.A. | HOME OWNERS ASSOCIATION |
| VL | VOLUME |
| PQ | PAGE |
| INST | INSTRUMENT |
| O.R.D.C.T. | ORDINANCE RECORDS, DENTON COUNTY, TEXAS |
| D.R.D.C.T. | DEED RECORDS |
| D.C.O.C.A.T.Y. | DENTON COUNTY, TEXAS |
| S | STREET NAME CHANGE |
| P.U.E. | PUBLIC UTILITY EASEMENT |
| S.W.L. | SIDEWALK EASEMENT |
| L.E. | LANDSCAPE EASEMENT |
| S.S.E. | SANITARY SEWER EASEMENT |
| P.R.W.E. | PRIVATE RETAINING WALL |
| M.E. | MAINTENANCE EASEMENT |
| M.S. | MARKER SIGN |
| G.U.A.N.C.H. | GUY ANCHOR |
| U.P. | UTILITY POLE |
| P.C.S. | PROPERTY CORNER SYMBOL |



FINAL PLAT
HUNTER RANCH, PHASE 1D

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BLOCK GGG, LOTS 1X & 2-13; BLOCK HHH, LOTS 1-15; BLOCK III, LOTS 1-18;
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BLOCK MMM, LOTS 1-20; BLOCK OOO, LOT 1X;
BLOCK SS, LOTS 1X, 2-17, 18X, 19-33, 34X & 35-36;
BLOCK TT, LOT 1X; BLOCK UU, LOTS 1-11; BLOCK VV, LOTS 1-16

185 RESIDENTIAL LOTS
8 HOA LOTS

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APRIL 2024

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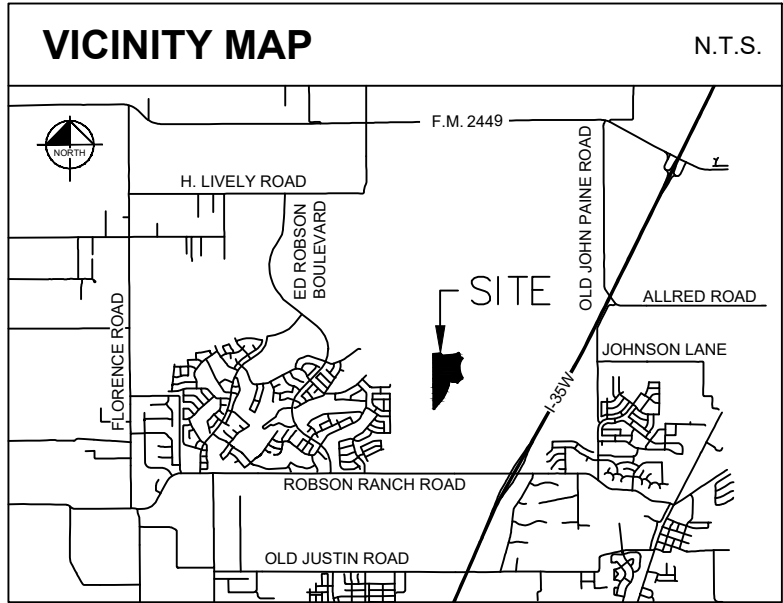
Tel. No. (972) 335-3580
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| | | | | | |
|--------------|-----------------|-------------------|-------------|--------------------|------------------|
| <u>Scale</u> | <u>Drawn by</u> | <u>Checked by</u> | <u>Date</u> | <u>Project No.</u> | <u>Sheet No.</u> |
| 1" = 60' | JCC | KHA | APRIL 2024 | 063226937 | 2 OF 5 |

OWNER:
Hunter Ranch Land, LLC
9800 Hillwood Pkwy,
Suite 300
Fort Worth, TX 76177
Ph: 972-201-2932
Contact: Brian Carlock

APPLICANT:
Kimley-Horn & Associates, Inc.
6160 Warren Pkwy, Suite 210
Frisco, TX 75034
Ph: (972) 335-3580
Contact: Kevin J. Kane, P.E.

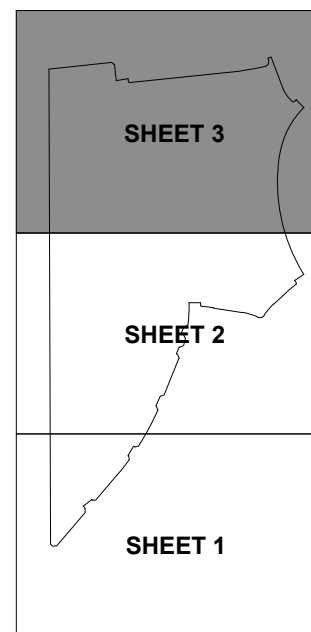
SURVEYOR:
Kimley-Horn and Associates, Inc.
400 North Oklahoma Drive, Suite 10
Celina, TX 75009
Ph: (469)-501-2172
Contact: Daniel R. Arthur, RPLS



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AND LOT AREA TABLE

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| LEGEND | |
|------------|---|
| IRSC | 5/8" IRON ROD W/ "KHA" CAP SET |
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| P.O.C. | POINT OF COMMENCING |
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| B.L. | BUILDING LINE |
| F.B.L. | FRONT BUILDING LINE |
| D.E. | DRAINAGE EASEMENT |
| HOA | HOMEOWNERS ASSOCIATION |
| VOL. | VOLUME |
| PG. | PAGE |
| INST. | INSTRUMENT |
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FINAL PLAT HUNTER RANCH, PHASE 1D

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| LOT TABLE | | | LOT TABLE | | | LOT TABLE | | | LOT TABLE | | | LOT TABLE | | | LOT TABLE | | | LOT TABLE | | | | | |
|-----------------------|-------|---------|------------------|-------|---------|------------------|-------|---------|------------------|-------|---------|------------------|-------|---------|----------------------|-------|---------|----------------------|-------|---------|-----------------|--------|-----------|
| LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | LOT NO. | ACRES | SQ. FT. | | | |
| BLOCK CCC LOT 1X HOA | 0.931 | 40,542 | BLOCK GGG LOT 9 | 0.183 | 7,975 | BLOCK III LOT 6 | 0.144 | 6,277 | BLOCK JJJ LOT 13 | 0.178 | 7,739 | BLOCK LLL LOT 16 | 0.174 | 7,560 | BLOCK MMM LOT 18 | 0.209 | 9,124 | BLOCK SS LOT 22 | 0.225 | 9,800 | BLOCK UU LOT 10 | 0.187 | 8,161 |
| BLOCK DDD LOT 1 | 0.276 | 12,034 | BLOCK GGG LOT 10 | 0.188 | 8,196 | BLOCK III LOT 7 | 0.191 | 8,322 | BLOCK JJJ LOT 14 | 0.217 | 9,457 | BLOCK LLL LOT 17 | 0.174 | 7,560 | BLOCK MMM LOT 19 | 0.168 | 7,327 | BLOCK SS LOT 23 | 0.225 | 9,800 | BLOCK UU LOT 11 | 0.227 | 9,871 |
| BLOCK DDD LOT 2 | 0.213 | 9,292 | BLOCK GGG LOT 11 | 0.167 | 7,294 | BLOCK III LOT 8 | 0.245 | 10,675 | BLOCK KKK LOT 1 | 0.217 | 9,470 | BLOCK LLL LOT 18 | 0.130 | 5,670 | BLOCK MMM LOT 20 | 0.194 | 8,436 | BLOCK SS LOT 24 | 0.225 | 9,800 | BLOCK VV LOT 1 | 0.283 | 12,311 |
| BLOCK DDD LOT 3 | 0.186 | 8,097 | BLOCK GGG LOT 12 | 0.121 | 5,285 | BLOCK III LOT 9 | 0.155 | 6,767 | BLOCK KKK LOT 2 | 0.158 | 6,888 | BLOCK LLL LOT 19 | 0.130 | 5,670 | BLOCK OOO LOT 1X HOA | 2.167 | 94,405 | BLOCK SS LOT 25 | 0.225 | 9,800 | BLOCK VV LOT 2 | 0.203 | 8,840 |
| BLOCK DDD LOT 4 | 0.143 | 6,250 | BLOCK GGG LOT 13 | 0.155 | 6,733 | BLOCK III LOT 10 | 0.248 | 10,818 | BLOCK KKK LOT 3 | 0.159 | 6,943 | BLOCK LLL LOT 20 | 0.130 | 5,670 | BLOCK SS LOT 1X HOA | 0.186 | 8,084 | BLOCK SS LOT 26 | 0.225 | 9,800 | BLOCK VV LOT 3 | 0.196 | 8,521 |
| BLOCK DDD LOT 5 | 0.143 | 6,250 | BLOCK HHH LOT 1 | 0.255 | 11,092 | BLOCK III LOT 11 | 0.179 | 7,784 | BLOCK KKK LOT 4 | 0.157 | 6,820 | BLOCK LLL LOT 21 | 0.145 | 6,300 | BLOCK SS LOT 2 | 0.439 | 19,104 | BLOCK SS LOT 27 | 0.225 | 9,800 | BLOCK VV LOT 4 | 0.181 | 7,895 |
| BLOCK DDD LOT 6 | 0.143 | 6,250 | BLOCK HHH LOT 2 | 0.145 | 6,300 | BLOCK III LOT 12 | 0.153 | 6,679 | BLOCK KKK LOT 5 | 0.224 | 9,755 | BLOCK LLL LOT 22 | 0.145 | 6,300 | BLOCK SS LOT 3 | 0.339 | 14,761 | BLOCK SS LOT 28 | 0.225 | 9,800 | BLOCK VV LOT 5 | 0.143 | 6,250 |
| BLOCK DDD LOT 7 | 0.174 | 7,567 | BLOCK HHH LOT 3 | 0.130 | 5,670 | BLOCK III LOT 13 | 0.158 | 6,884 | BLOCK KKK LOT 6 | 0.255 | 11,109 | BLOCK LLL LOT 23 | 0.217 | 9,469 | BLOCK SS LOT 4 | 0.255 | 11,129 | BLOCK SS LOT 29 | 0.225 | 9,800 | BLOCK VV LOT 6 | 0.172 | 7,500 |
| BLOCK DDD LOT 8 | 0.180 | 7,835 | BLOCK HHH LOT 4 | 0.130 | 5,670 | BLOCK III LOT 14 | 0.145 | 6,300 | BLOCK KKK LOT 7 | 0.247 | 10,760 | BLOCK LLL LOT 24 | 0.142 | 6,165 | BLOCK SS LOT 5 | 0.225 | 9,800 | BLOCK SS LOT 30 | 0.225 | 9,800 | BLOCK VV LOT 7 | 0.220 | 9,583 |
| BLOCK DDD LOT 9 | 0.221 | 9,637 | BLOCK HHH LOT 5 | 0.130 | 5,670 | BLOCK III LOT 15 | 0.145 | 6,300 | BLOCK KKK LOT 8 | 0.298 | 12,993 | BLOCK LLL LOT 25 | 0.132 | 5,746 | BLOCK SS LOT 6 | 0.225 | 9,800 | BLOCK SS LOT 31 | 0.225 | 9,800 | BLOCK VV LOT 8 | 0.214 | 9,309 |
| BLOCK DDD LOT 10 | 0.300 | 13,084 | BLOCK HHH LOT 6 | 0.184 | 8,029 | BLOCK III LOT 16 | 0.130 | 5,670 | BLOCK LLL LOT 1 | 0.252 | 10,989 | BLOCK LLL LOT 26 | 0.111 | 4,855 | BLOCK SS LOT 7 | 0.225 | 9,800 | BLOCK SS LOT 32 | 0.225 | 9,800 | BLOCK VV LOT 9 | 0.172 | 7,500 |
| BLOCK DDD LOT 11 | 0.170 | 7,392 | BLOCK HHH LOT 7 | 0.276 | 12,004 | BLOCK III LOT 17 | 0.145 | 6,300 | BLOCK LLL LOT 2 | 0.145 | 6,300 | BLOCK LLL LOT 27 | 0.110 | 4,800 | BLOCK SS LOT 8 | 0.225 | 9,800 | BLOCK SS LOT 33 | 0.328 | 14,300 | BLOCK VV LOT 10 | 0.143 | 6,250 |
| BLOCK DDD LOT 12 | 0.145 | 6,300 | BLOCK HHH LOT 8 | 0.202 | 8,812 | BLOCK III LOT 18 | 0.214 | 9,322 | BLOCK LLL LOT 3 | 0.145 | 6,300 | BLOCK LLL LOT 28 | 0.110 | 4,800 | BLOCK SS LOT 9 | 0.225 | 9,800 | BLOCK SS LOT 34X HOA | 0.649 | 28,280 | BLOCK VV LOT 11 | 0.143 | 6,250 |
| BLOCK DDD LOT 13 | 0.145 | 6,300 | BLOCK HHH LOT 9 | 0.254 | 11,043 | BLOCK JJJ LOT 1 | 0.218 | 9,483 | BLOCK LLL LOT 4 | 0.130 | 5,670 | BLOCK LLL LOT 29 | 0.110 | 4,800 | BLOCK SS LOT 10 | 0.225 | 9,800 | BLOCK SS LOT 35 | 0.308 | 13,413 | BLOCK VV LOT 12 | 0.143 | 6,250 |
| BLOCK DDD LOT 14 | 0.233 | 10,157 | BLOCK HHH LOT 10 | 0.190 | 8,260 | BLOCK JJJ LOT 2 | 0.174 | 7,560 | BLOCK LLL LOT 5 | 0.130 | 5,670 | BLOCK LLL LOT 30 | 0.110 | 4,800 | BLOCK SS LOT 11 | 0.225 | 9,800 | BLOCK SS LOT 36 | 0.285 | 12,416 | BLOCK VV LOT 13 | 0.143 | 6,250 |
| BLOCK DDD LOT 15 | 0.303 | 13,198 | BLOCK HHH LOT 11 | 0.182 | 7,938 | BLOCK JJJ LOT 3 | 0.145 | 6,300 | BLOCK LLL LOT 6 | 0.130 | 5,670 | BLOCK LLL LOT 31 | 0.110 | 4,800 | BLOCK SS LOT 12 | 0.225 | 9,800 | BLOCK TT LOT 1X HOA | 1.085 | 47,266 | BLOCK VV LOT 14 | 0.150 | 6,547 |
| BLOCK DDD LOT 16X HOA | 0.350 | 15,248 | BLOCK HHH LOT 12 | 0.139 | 6,048 | BLOCK JJJ LOT 4 | 0.199 | 8,654 | BLOCK LLL LOT 7 | 0.130 | 5,670 | BLOCK LLL LOT 32 | 0.110 | 4,800 | BLOCK SS LOT 13 | 0.225 | 9,800 | BLOCK UU LOT 1 | 0.274 | 11,933 | BLOCK VV LOT 15 | 0.198 | 8,641 |
| BLOCK GGG LOT 1X HOA | 0.389 | 16,926 | BLOCK HHH LOT 13 | 0.139 | 6,048 | BLOCK JJJ LOT 5 | 0.263 | 11,474 | BLOCK LLL LOT 8 | 0.143 | 6,222 | BLOCK LLL LOT 33 | 0.110 | 4,800 | BLOCK SS LOT 14 | 0.225 | 9,800 | BLOCK UU LOT 2 | 0.168 | 7,305 | BLOCK VV LOT 16 | 0.312 | 13,599 |
| BLOCK GGG LOT 2 | 0.135 | 5,885 | BLOCK HHH LOT 14 | 0.153 | 6,678 | BLOCK JJJ LOT 6 | 0.221 | 9,606 | BLOCK LLL LOT 9 | 0.148 | 6,459 | BLOCK LLL LOT 34 | 0.110 | 4,800 | BLOCK SS LOT 15 | 0.225 | 9,800 | BLOCK UU LOT 3 | 0.145 | 6,300 | OERVALL | 56.100 | 2,443,702 |
| BLOCK GGG LOT 3 | 0.118 | 5,154 | BLOCK HHH LOT 15 | 0.224 | 9,743 | BLOCK JJJ LOT 7 | 0.170 | 7,390 | BLOCK LLL LOT 10 | 0.207 | 9,034 | BLOCK LLL LOT 35 | 0.110 | 4,800 | BLOCK SS LOT 16 | 0.225 | 9,800 | BLOCK UU LOT 4 | 0.145 | 6,300 | ROW DEDICATION | 14.662 | 638,658 |
| BLOCK GGG LOT 4 | 0.119 | 5,163 | BLOCK III LOT 1 | 0.263 | 11,455 | BLOCK JJJ LOT 8 | 0.151 | 6,586 | BLOCK LLL LOT 11 | 0.241 | 10,514 | BLOCK LLL LOT 36 | 0.110 | 4,800 | BLOCK SS LOT 17 | 0.252 | 10,977 | BLOCK UU LOT 5 | 0.240 | 10,473 | | | |
| BLOCK GGG LOT 5 | 0.119 | 5,175 | BLOCK III LOT 2 | 0.145 | 6,300 | BLOCK JJJ LOT 9 | 0.145 | 6,300 | BLOCK LLL LOT 12 | 0.262 | 11,410 | BLOCK LLL LOT 37 | 0.110 | 4,803 | BLOCK SS LOT 18X HOA | 1.000 | 43,580 | BLOCK UU LOT 6 | 0.206 | 8,964 | | | |
| BLOCK GGG LOT 6 | 0.119 | 5,186 | BLOCK III LOT 3 | 0.130 | 5,670 | BLOCK JJJ LOT 10 | 0.220 | 9,595 | BLOCK LLL LOT 13 | 0.256 | 11,159 | BLOCK LLL LOT 38 | 0.111 | 4,832 | BLOCK SS LOT 19 | 0.271 | 11,786 | BLOCK UU LOT 7 | 0.174 | 7,560 | | | |
| BLOCK GGG LOT 7 | 0.120 | 5,213 | BLOCK III LOT 4 | 0.130 | 5,670 | BLOCK JJJ LOT 11 | 0.218 | 9,509 | BLOCK LLL LOT 14 | 0.145 | 6,300 | BLOCK LLL LOT 39 | 0.167 | 7,295 | BLOCK SS LOT 20 | 0.286 | 12,455 | BLOCK UU LOT 8 | 0.174 | 7,560 | | | |
| BLOCK GGG LOT 8 | 0.128 | 5,591 | BLOCK III LOT 5 | 0.145 | 6,300 | BLOCK JJJ LOT 12 | 0.162 | 7,065 | BLOCK LLL LOT 15 | 0.145 | 6,300 | BLOCK LLL LOT 40 | 0.198 | 8,607 | BLOCK SS LOT 21 | 0.267 | 11,618 | BLOCK UU LOT 9 | 0.182 | 7,921 | | | |

| LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | | LINE TABLE | | |
|------------|-------------|---------|------------|-------------|---------|------------|-------------|---------|------------|-------------|---------|------------|-------------|---------|
| NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH | NO. | BEARING | LENGTH |
| L1 | S52°40'19"E | 21.87' | L41 | N22°44'32"E | 34.17' | L81 | N60°57'00"W | 23.02' | L121 | N05°52'32"W | 60.57' | L161 | S26°54'34"W | 43.20' |
| L2 | N20°49'22"W | 16.32' | L42 | N69°11'14"E | 153.56' | L82 | S82°18'58"E | 15.34' | L122 | N05°52'32"W | 61.86' | L162 | S20°43'34"W | 76.01' |
| L3 | S47°54'38"E | 8.15' | L43 | N89°47'37"E | 89.19' | L83 | N09°27'07"E | 10.85' | L123 | N05°52'32"W | 65.55' | L163 | S34°28'01"W | 109.07' |
| L4 | N88°02'11"E | 21.56' | L44 | N89°47'37"E | 30.00' | L84 | N70°28'57"E | 14.71' | L124 | N05°52'32"W | 66.25' | L164 | N31°13'46"E | 49.62' |
| L5 | S58°17'36"W | 60.00' | L45 | N47°54'38"W | 53.05' | L85 | N36°38'09"E | 14.38' | L125 | N05°52'32"W | 67.03' | L165 | S45°53'29"W | 30.32' |
| L6 | N43°02'23"W | 14.72' | L46 | N46°57'28"E | 14.71' | L86 | S55°18'41"E | 14.38' | L126 | N05°52'32"W | 67.29' | L166 | S04°58'03"W | 66.71' |
| L7 | S88°08'40"W | 65.01' | L47 | S47°22'15"E | 14.71' | L87 | S21°07'05"W | 14.38' | L127 | N05°52'32"W | 66.47' | L167 | S08°09'25"E | 43.18' |
| L8 | S60°36'55"W | 18.28' | L48 | S46°17'13"W | 13.77' | L88 | S70°49'46"E | 14.38' | L128 | N05°52'32"W | 65.83' | L168 | S04°44'50"W | 39.38' |
| L9 | N66°56'08"W | 3.67' | L49 | S43°51'17"E | 14.47' | L89 | N37°38'25"E | 20.66' | L129 | N05°52'32"W | 62.74' | L169 | S11°51'55"W | 31.45' |
| L10 | S23°03'52"W | 42.00' | L50 | S57°59'52"W | 11.45' | L90 | N54°57'03"W | 22.67' | L130 | N05°52'32"W | 61.37' | L170 | S23°15'57"E | 27.79' |
| L11 | S66°56'08"E | 13.16' | L51 | N28°43'05"W | 15.71' | L91 | S62°17'08"E | 121.37' | L131 | N09°33'14"W | 55.31' | L171 | N66°44'03"E | 16.00' |
| L12 | S27°13'03"E | 23.08' | L52 | S65°04'09"W | 13.38' | L92 | S62°17'08"E | 117.40' | L132 | N09°33'14"W | 53.35' | L172 | S23°15'57"E | 38.36' |
| L13 | S64°54'10"W | 20.01' | L53 | S45°22'06"E | 22.66' | L93 | N81°03'12"E | 21.63' | L133 | N16°29'49"W | 33.55' | L173 | S65°48'46"E | 22.30' |
| L14 | N66°56'08"W | 4.02' | L54 | N10°39'26"W | 51.96' | L94 | N81°03'12"E | 13.90' | L134 | N16°29'49"W | 31.11' | L174 | S24°11'14"W | 16.00' |
| L15 | S23°03'52"W | 42.00' | L55 | S21°45'30"E | 14.10' | L95 | N21°04'22"W | 29.85' | L135 | N23°33'30"W | 15.19' | L175 | N65°48'46"W | 29.46' |
| L16 | S66°56'08"E | 7.10' | L56 | S08°23'29"E | 14.60' | L96 | S68°55'38"W | 6.00' | L136 | N23°33'30"W | 13.47' | | | |
| L17 | S22°57'54"E | 21.59' | L57 | N85°23'42"E | 14.60' | L97 | S00°12'23"E | 17.35' | L137 | S24°51'21"E | 2.76' | | | |
| L18 | S67°34'03"W | 21.03' | L58 | N44°47'37"E | 14.14' | L98 | S00°12'23"E | 24.52' | L138 | S24°51'21"E | 1.21' | | | |
| L19 | N66°56'08"W | 2.11' | L59 | S45°12'23"E | 14.14' | L99 | S81°19'55"E | 41.32' | L139 | S62°12'26"E | 20.25' | | | |
| L20 | S23°03'52"W | 60.00' | L60 | S44°47'37"W | 14.14' | L100 | N47°57'29"E | 46.40' | L140 | N27°50'10"E | 33.03' | | | |
| L21 | S66°56'08"E | 2.89' | L61 | S45°12'23"E | 14.14' | L101 | N05°52'32"W | 12.31' | L141 | N27°42'52"E | 30.00' | | | |
| L22 | S21°44'25"E | 21.14' | L62 | N42°22'32"E | 14.71' | L102 | N05°52'32"W | 13.61' | L142 | N19°02'05"W | 111.57' | | | |
| L23 | S77°08'53"W | 21.49' | L63 | N25°13'41"E | 21.59' | L103 | N05°52'32"W | 14.91' | L143 | S08°29'24"W | 73.32' | | | |
| L24 | S30°18'03"W | 60.08' | L64 | S65°56'34"E | 21.26' | L104 | N05°52'32"W | 16.20' | L144 | S29°49'56"E | 81.68' | | | |
| L25 | S11°54'45"E | 20.17' | L65 | S24°32'57"W | 20.98' | L105 | N05°52'32"W | 21.65' | L145 | N26°08'11"W | 36.29' | | | |
| L26 | N88°45'10"W | 18.93' | L66 | S64°16'19"E | 20.96' | L106 | N05°52'32"W | 22.95' | L146 | N15°30'37"W | 29.40' | | | |
| L27 | S52°28'30"W | 60.08' | L67 | S36°16'54"W | 20.13' | L107 | N05°52'32"W | 24.77' | L147 | S15°28'16"E | 32.26' | | | |
| L28 | S00°16'36"E | 22.75' | L68 | S03°51'26"E | 21.56' | L108 | N05°52'32"W | 26.06' | L148 | N15°33'17"W | 30.56' | | | |
| L29 | N49°37'04"W | 16.30' | L69 | N72°14'31"E | 14.60' | L109 | N05°52'32"W | 29.44' | L149 | S15°27'56"E | 34.40' | | | |
| L30 | N89°47'37"E | 40.79' | L70 | S21°32'40"E | 14.60' | L110 | N05°52'32"W | 30.73' | L150 | S04°43'14"W | 38.88' | | | |
| L31 | N89°47'37"E | 5.29' | L71 | S60°04'27"E | 16.22' | L111 | N05°52'32"W | 35.14' | L151 | S04°05'25"W | 50.43' | | | |
| L32 | N19°56'16"W | 20.00' | L72 | N51°38'03"E | 14.38' | L112 | N05°52'32"W | 36.44' | L152 | N63°28'43"E | 90.35' | | | |
| L33 | N67°41'03"W | 34.62' | L73 | S40°18'48"E | 14.38' | L113 | N05°52'32"W | 39.81' | L153 | S50°20'56"W | 200.09' | | | |
| L34 | N51°29'54"W | 44.73' | L74 | N63°32'19"W | 22.13' | L114 | N05°52'32"W | 41.11' | L154 | S11°51'55"W | 71.88' | | | |
| L35 | N23°03'52"E | 30.00' | L75 | S24°03'26"W | 21.17' | L115 | N05°52'32"W | 45.52' | L155 | S46°39'02"E | 3.62' | | | |
| L36 | N80°39'44"E | 65.59' | L76 | S65°56'34"E | 21.26' | L116 | N05°52'32"W | 46.82' | L156 | S81°05'16"E | 1.92' | | | |
| L37 | N89°47'37"E | 89.19' | L77 | N27°01'07"E | 20.04' | L117 | N05°52'32"W | 50.19' | L157 | N84°48'56"W | 6.92' | | | |
| L38 | N69°11'14"E | 131.40' | L78 | S25°23'24"W | 20.66' | L118 | N05°52'32"W | 51.49' | L158 | S19°00'23"W | 62.56' | | | |
| L39 | S64°39'04"E | 40.51' | L79 | S64°27'15"E | 21.80' | L119 | N05°52'32"W | 55.90' | L159 | S13°00'23"W | 64.62' | | | |
| L40 | S24°16'21"E | 45.24' | L80 | S29°35'36"W | 19.01' | L120 | N05°52'32"W | 57.19' | L160 | S14°08'46"W | 28.68' | | | |

OWNERS' CERTIFICATE

STATE OF TEXAS §
COUNTY OF DENTON §
CITY OF DENTON §

WHEREAS HR 3200, LP, is the owner of 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 Limited Warranty Deed to Hunter Ranch Land, LLC., as 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 on the west of a corner clip at the intersection of the westerly right-of-way line of Rolling Meadow Way, a 60-foot wide right-of-way as dedicated in Instrument No. _____ of the Plat Records of Denton County, Texas, with the easterly right-of-way line of Sagehawk Drive, a 60-foot wide right-of-way line as dedicated in Instrument No. _____ of the Plat Records of Denton County, Texas, same also being in the northerly line of Hunter Ranch 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;

THENCE North 49°37'04" West, departing said corner clip, along the easterly right-of-way line of said Sagehawk Drive and along the northerly line of said Hunter Ranch Phase 1B, a distance of 16.30 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set on the easterly line of an existing 170-foot wide Texas Municipal Power Agency Electric Easement, recorded in Volume 5, Page 703 of the Official Records of Denton County, Texas;

THENCE departing the easterly right-of-way line of said Sagehawk Drive and the northerly line of said Hunter Ranch Phase 1B, along the easterly line of said 170-foot wide electric easement, and crossing said 1,031.226 acre tract, the following courses and distances:

North 00°12'23" West, a distance of 2,626.31 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 84°07'28" East, a distance of 348.89 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 49°37'25" East, a distance of 20.74 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 1,032.50 feet, a central angle of 03°59'56", and a chord bearing and distance of South 05°47'13" East, 72.05 feet;

In a southeasterly direction, with said non-tangent curve to the left, an arc distance of 72.06 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 81°39'31" 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 976.50 feet, a central angle of 01°16'48", and a chord bearing and distance of South 08°23'42" East, 21.81 feet;

In a southeasterly direction, with said non-tangent curve to the left, an arc distance of 21.81 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 52°40'50" East, a distance of 21.87 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 84°07'28" East, a distance of 542.53 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left with a radius of 1,652.50 feet, a central angle of 07°11'44", and a chord bearing and distance of North 80°31'36" East, 207.39 feet;

In a northeasterly direction, with said tangent curve to the left, an arc distance of 207.53 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 27°50'10" East, a distance of 33.03 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 20°49'22" West, a distance of 16.32 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 69°10'38" East, a distance of 20.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 20°49'22" East, a distance of 193.91 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left with a radius of 140.00 feet, a central angle of 27°05'15", and a chord bearing and distance of South 34°22'00" East, 65.57 feet;

In a southeasterly direction, with said tangent curve to the left, an arc distance of 66.19 feet to 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 47°54'38" East, a distance of 8.15 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 88°02'11" East, a distance of 21.56 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 530.00 feet, a central angle of 02°18'47", and a chord bearing and distance of North 45°56'56" East, 21.39 feet;

In a northeasterly direction, with said non-tangent curve to the right, an arc distance of 21.40 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 43°58'33" East, a distance of 60.01 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 470.00 feet, a central angle of 05°34'17", and a chord bearing and distance of South 44°27'28" West, 45.68 feet;

In a southwesterly direction, with said non-tangent curve to the left, an arc distance of 45.70 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 48°19'41" East, a distance of 165.80 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 304.20 feet, a central angle of 32°48'54", and a chord bearing and distance of South 25°15'52" West, 171.85 feet;

In a southwesterly direction, with said non-tangent curve to the left, an arc distance of 174.22 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a compound curve to the left with a radius of 804.20 feet, a central angle of 11°06'35", and a chord bearing and distance of South 03°18'08" West, 155.69 feet;

In a southwesterly direction, with said compound curve to the left, an arc distance of 155.94 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 12°03'45" West, a distance of 224.55 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 73°32'42" West, a distance of 83.18 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 970.00 feet, a central angle of 14°39'40", and a chord bearing and distance of South 23°47'08" East, 247.53 feet;

In a southeasterly direction, with said non-tangent curve to the left, an arc distance of 248.21 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northernmost northeast 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;

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

South 58°17'36" West, a distance of 60.00 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 1,030.00 feet, a central angle of 01°09'51", and a chord bearing and distance of South 31°43'57" East, 20.93 feet;

In a southeasterly direction, with said non-tangent curve to the left, an arc distance of 20.93 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 09°50'46" West, a distance of 22.09 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 805.00 feet, a central angle of 04°19'30", and a chord bearing and distance of South 49°43'41" West, 60.75 feet;

In a southwesterly direction, with said non-tangent curve to the left, an arc distance of 60.77 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 47°33'56" West, a distance of 94.27 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left with a radius of 310.00 feet, a central angle of 15°16'01", and a chord bearing and distance of South 39°55'58" West, 82.36 feet;

In a southwesterly direction, with said tangent curve to the left, an arc distance of 82.60 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 73°50'03" West, a distance of 36.05 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 310.00 feet, a central angle of 16°19'27", and a chord bearing and distance of North 72°47'35" West, 88.02 feet;

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 88.32 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 80°57'15" West, a distance of 162.86 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left with a radius of 810.00 feet, a central angle of 04°20'36", and a chord bearing and distance of North 63°07'33" West, 61.39 feet;

In a northwesterly direction, with said tangent curve to the left, an arc distance of 61.40 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 43°02'23" West, a distance of 14.72 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 01°46'17", and a chord bearing and distance of North 01°39'29" West, 25.74 feet;

In a southwesterly direction, with said non-tangent curve to the left, an arc distance of 25.74 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 88°08'40" West, a distance of 65.01 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northernmost northwest corner of said Hunter Ranch Phase 1A, same being at the beginning of a non-tangent curve to the right with a radius of 767.50 feet, a central angle of 10°12'29", and a chord bearing and distance of South 02°30'07" West, 136.56 feet;

THENCE along the westerly line of said Hunter Ranch Phase 1A and along the westerly line of said Hunter Ranch Phase 1B, the following courses and distances:

In a southwesterly direction, with said non-tangent curve to the right, an arc distance of 136.74 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 60°36'55" West, a distance of 18.28 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 66°56'08" West, a distance of 3.67 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 23°03'52" West, a distance of 42.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 66°56'08" East, a distance of 13.16 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 27°13'03" East, a distance of 23.08 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 767.50 feet, a central angle of 03°07'15", and a chord bearing and distance of South 14°37'15" West, 41.80 feet;

In a southwesterly direction, with said non-tangent curve to the right, an arc distance of 41.80 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 64°54'10" West, a distance of 20.01 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 66°56'08" West, a distance of 4.02 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 23°03'52" West, a distance of 42.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 66°56'08" East, a distance of 7.10 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 22°57'54" East, a distance of 21.59 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 767.50 feet, a central angle of 00°30'20", and a chord bearing and distance of South 21°49'04" West, 6.77 feet;

In a southwesterly direction, with said non-tangent curve to the right, an arc distance of 6.77 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 22°04'14" West, a distance of 213.27 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 67°34'03" West, a distance of 21.03 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 66°56'08" West, a distance of 2.11 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 23°03'52" West, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 66°56'08" East, a distance of 2.89 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 21°44'25" East, a distance of 21.14 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 1,494.84 feet, a central angle of 08°41'59", and a chord bearing and distance of South 28°10'44" West, 226.76 feet;

In a southwesterly direction, with said non-tangent curve to the right, an arc distance of 226.97 feet to a point for corner;

South 77°08'53" West, a distance of 21.49 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 230.00 feet, a central angle of 01°42'57", and a chord bearing and distance of North 61°20'00" West, 6.89 feet;

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 6.89 feet to a point for corner;

South 30°18'03" West, a distance of 60.08 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 170.00 feet, a central angle of 00°53'11", and a chord bearing and distance of South 62°37'42" East, 2.63 feet;

In a southeasterly direction, with said non-tangent curve to the right, an arc distance of 2.63 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 11°54'45" East, a distance of 20.17 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 1,467.50 feet, a central angle of 04°15'28", and a chord bearing and distance of South 38°15'12" West, 109.03 feet;

In a southwesterly direction, with said non-tangent curve to the right, an arc distance of 109.05 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 40°22'56" West, a distance of 182.32 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 88°45'10" West, a distance of 18.93 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 170.00 feet, a central angle of 01°11'05", and a chord bearing and distance of North 34°44'42" West, 3.52 feet;

In a northwesterly direction, with said non-tangent curve to the right, an arc distance of 3.52 feet to a point for corner;

South 52°28'30" West, a distance of 60.08 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 230.00 feet, a central angle of 04°02'35", and a chord bearing and distance of South 37°03'16" East, 16.23 feet;

In a southeasterly direction, with said non-tangent curve to the left, an arc distance of 16.23 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 00°16'36" East, a distance of 22.75 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 40°22'56" West, a distance of 241.96 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 85°22'56" West, a distance of 21.21 feet to the **POINT OF BEGINNING** and containing 56.100 acres (2,443,702 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 1D**, 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 _____, 20__.

BY: **Hunter Ranch Land,**
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

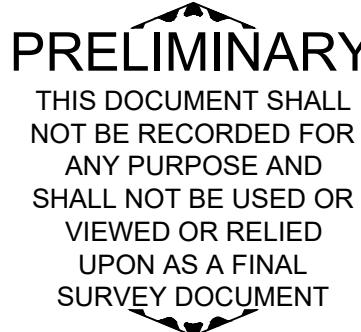
My Commission Expires: _____

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



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: _____

FINAL PLAT
HUNTER RANCH, PHASE 1D

BLOCK CCC, LOT 1X; BLOCK DDD, LOTS 1-15 & 16X;
BLOCK GGG, LOTS 1X & 2-13; BLOCK HHH, LOTS 1-15; BLOCK III, LOTS 1-18;
BLOCK JJJ, LOTS 1-14; BLOCK KKK, LOTS 1-8; BLOCK LLL, LOTS 1-23;
BLOCK MMM, LOTS 1-20; BLOCK OOO, LOT 1X;
BLOCK SS, LOTS 1X, 2-17, 18X, 19-33, 34X & 35-36;
BLOCK TT, LOT 1X; BLOCK UU, LOTS 1-11; BLOCK VV, LOTS 1-16

185 RESIDENTIAL LOTS
8 HOA LOTS

56.100 ACRES

OUT OF THE
ELIZANO PIZANO SURVEY, ABSTRACT NO. 994,
CITY OF DENTON,
DENTON COUNTY, TEXAS
CITY PROJECT #FP24-0015
APRIL 2024

Kimley»Horn

400 North Oklahoma Dr., Suite 105
Celina, Texas 75009
FIRM # 10194503
Tel. No. (469) 501-2200
www.kimley-horn.com

| Scale | Drawn by | Checked by | Date | Project No. | Sheet No. |
|---|----------|------------|------------|-------------|-----------|
| N/A | JCC | KHA | APRIL 2024 | 063226937 | 5 OF 5 |
| OWNER: Hunter Ranch Land, LLC 9800 Hillwood Pkwy, Suite 300 Fort Worth, TX 76177 Ph: 972-201-2932 Contact: Brian Carlock APPLICANT: Kimley-Horn & Associates, Inc. 6160 Warren Pkwy, Suite 210 Frisco, TX 75034 Ph: (972) 335-3580 Contact: Kevin J. Kane, P.E. SURVEYOR: Kimley-Horn and Associates, Inc. 400 North Oklahoma Drive, Suite 105 Celina, TX 75009 Ph: (469) 501-2172 Contact: Daniel R. Arthur, RPLS | | | | | |



June 3, 2024

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

Re: *Hunter Ranch Phase 1D Final Plat (FP24-0015)*
 2nd - 30-Day Extension Request

Dear Ms. Robertson:

As representative for the referenced project, I respectfully request a second 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

TEXAS SECRETARY of STATE
JANE NELSON**BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY**

Filing Number: 804757571
Original Date of Filing: October 5, 2022
Formation Date: N/A
Tax ID: 32086637199
Duration: Perpetual

Entity Type: Domestic Limited Liability Company (LLC)
Entity Status: In existence
FEIN:

Name: Hunter Ranch Land, LLC
Address: 3000 TURTLE CREEK BLVD
DALLAS, TX 75219-6268 USA

| REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS |
|----------------------------------|--------------------------------|--|----------------------------|-------------------------------|-------------------------------------|---------------------------------|
| Name | | Address | | | Inactive Date | |
| Stephen D Parker | | 3000 Turtle Creek Blvd Dallas, TX 75219 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 #: PD24-0005, **Version:** 1

AGENDA CAPTION

Hold a public hearing and consider making a recommendation to City Council regarding a request by John Powell Walker, Et al. to change the zoning from Residential 6 (R6) to an Overlay Planned Development - Light Industrial (PD-LI) District on approximately 52.589 acres of land generally located north of Blagg Road, approximately 800 feet east of Geesling Road, in the City of Denton, Denton County, Texas. (PD24-0005, Walker Gessling, 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: June 12, 2024

SUBJECT

Hold a public hearing and consider making a recommendation to City Council regarding a request by John Powell Walker, Et al. to change the zoning from Residential 6 (R6) to an Overlay Planned Development – Light Industrial (PD-LI) District on approximately 52.589 acres of land generally located north of Blagg Road, approximately 800 feet east of Geesling Road, in the City of Denton, Denton County, Texas. (PD24-0005, Walker Geesling, Mia Hines).

BACKGROUND

The applicant, Aimee Bissett with 97 Land Company, on behalf of the property owners, John Powell Walker Et. al., is requesting to rezone approximately 52.589 acres from the Residential 6 (R6) District to a new Overlay Planned Development (PD) with a Light Industrial (LI) base zoning district (PD-LI). The PD Overlay is intended to impose conditions upon future development of the subject property to address concerns heard from neighboring residential property owners regarding separation and screening between their properties and future industrial development. More details regarding the overlay conditions are given below, and Exhibit 7 details the proposed PD Development Standards.

There are existing easement encumbrances for overhead electric transmission and underground gas pipeline that would create challenges for the development of the subject property under the current residential zoning. Within the last five years, the City has approved two zoning changes for LI zoning on different portions of the western side of the approximately 86.07-acre parent tract to facilitate the development of a warehouse/distribution center which has not yet come to fruition (refer to ordinances Z20-0014c and Z21-0010a). Regarding this request, the applicant has indicated an intent to develop the property with a similar use along with the western portion of the parent tract that already has LI zoning, but there are currently no pending developments on the subject site.

While the applicant has stated it is their intention to construct a warehouse use, if the requested LI zoning is approved then the site could still be developed with any use permitted under the LI District (see Exhibit 8 for a complete list of uses). Should the applicant move forward with the necessary submittals for the construction of a warehouse development, the use would be permitted

by right within the LI District provided the proposed development complies with the specific requirements being proposed as part of this zoning change, the general requirements of the Denton Development Code, and the applicable criteria manuals at the time of platting, civil engineering, and zoning compliance plan submissions, most of which would apply regardless of the proposed use.

The applicant is requesting the PD-LI district to ensure the proposed rezoning and subsequent development are compatible with both the surrounding neighborhood and the Light Industrial context of this area. The DDC was recently amended in 2022 to allow for PD districts specifically for this purpose; in this case the applicant is requesting the Overlay PD which allows for development standards and uses to be modified without necessitating a Development Plan, which is otherwise required for a Standard PD. Per the DDC, an Overlay PD may be used to restrict or expand the uses permitted within a base zoning district, impose additional use-specific standards, and/or modify setbacks, landscaping, screening, or buffering requirements adjoining residential uses or less intensive land uses. The proposed overlay would require an increase in the minimum side yard setback and minimum landscape compatibility buffer between any proposed development of the subject property and the abutting single-family residential properties (including those within the adjacent ETJ). Additionally, the proposed overlay would require that an ESA Field Assessment be conducted and approved during the review of the Zoning Compliance Plan for subsequent development applications. These standards are outlined in Exhibit 7 and summarized in the table below. For standards not specified in the PD Regulations, the applicable LI development standards within the DDC would apply.

| Standard | LI District | Proposed PD-LI District |
|--|--|---|
| Side Yard Setback (DDC 3.5.2) | Minimum 5 feet; buildings adjacent to a residential zoning district shall comply with DDC 7.10.6 | Minimum 250 feet from residential zoning districts and neighboring ETJ properties located to the east and south |
| Land Use Compatibility Buffer adjacent to SFR (DDC 7.7.6) | Minimum 30 feet with 50 points from DDC Table 7.E | Minimum 50 feet with 50 points from DDC Table 7.E adjacent to residentially zoned properties and neighboring ETJ properties to the east and south |

The proposed PD-LI zoning allows for a range of light industrial land uses to be developed in a context-sensitive manner consistent with both the Light Industrial and Low Residential Future Land Use designations that transition in this area. A full Staff Analysis of the proposed Planned Development, including a further analysis of the proposed standards, is provided in Exhibit 2.

OPTIONS

1. Recommend Approval
2. Recommend Approval Subject to Conditions
3. Recommend Denial
4. Postpone Item.

RECOMMENDATION

Staff recommends approval of the request as it complies with the criteria in Section 2.4.5.E of the Denton Development Code (DDC) for approval of all applications, and Section 2.7.3.D of the DDC for approval of a zoning change to an Overlay PD District.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

| Date | Council, Board, Commission | Request | Action |
|------------------|------------------------------|---|----------|
| January 21, 1986 | City Council | Annexation (Ordinance 86-22) & Agriculture Zoning | Approved |
| 2002 | City Council | Rezone from Agriculture to Neighborhood Residential 6 NR-6 (Citywide) | Approved |
| April 23, 2019 | City Council | Rezone from NR-6 to R6 (Citywide) | Approved |
| November 6, 2019 | Planning & Zoning Commission | Preliminary Plat (PP19-0004) for a single-family subdivision on 86 acres (including the subject property) | Approved |

PUBLIC OUTREACH:

Twenty-one notices were sent to property owners within 200 feet of the subject property, and twenty-four postcards were mailed to current residents within 500 feet of the subject property. As of the writing of this report, the City has received no written responses to this request.

A notice was published in the Denton Record Chronicle on May 26, 2024.

A notice was published on the City's website on May 23, 2024.

Three (3) signs were posted on the property by May 30, 2024.

The applicant held two virtual neighborhood meetings on May 23, 2024. Several neighboring property owners attended the meetings seeking additional information about the site design and development details of any pending development plans from the applicant. The applicant reaffirmed that there is no pending development at this time and talked through their proposed overlay standards that might further assist in mitigating adverse impacts on neighboring properties should the subject property develop; those standards are reflected in the proposed PD-LI request.

DEVELOPER ENGAGEMENT DISCLOSURES

No Developer Engagement Disclosures have been provided to staff by the members of this body as of the issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Existing Zoning Map
5. Future Land Use Map
6. Proposed Zoning Map
7. PD Development Standards
8. Table of Allowed Uses
9. Fiscal Impact Summary
10. Notification Map and Sign Posting Affidavit
11. Draft Ordinance

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

Prepared by:
Mia Hines, AICP
Senior Planner

Planning Staff Analysis

PD24-0005/Walker Geesling

City Council District #2

REQUEST:

Request to rezone 52.589 acres from the Residential 6 (R6) District to an Overlay Planned Development - Light Industrial (PD-LI) District.

SITE DATA:

The 52.589-acre subject site is located just north of Blagg Road, approximately 800 feet east of Geesling Road. Under the 2002 Denton Development Code, the subject property was zoned within the Neighborhood Residential (NR-6) District. Per the 2019 Denton Development Code, Appendix B: Zoning District Transition Table, properties with this zoning designation were to transition to the Residential 6 (R6) Zoning District after the Code's effective date of October 1, 2019 and the subject site transitioned accordingly. The subject site represents only a portion of a larger 86.07-acre parent tract and is surrounded by several residential zoned properties to north, east, and south.

In 2019, a preliminary plat for a single-family residential subdivision was approved for the entire 86-acre parent tract. Since approval of the preliminary plat in 2019, no subsequent progress had been made towards completion of the residential development. In 2021, the City Council approved two requests to rezone parts of the western portion of the parent tract from R6 and Mixed-Use Neighborhood (MN) to LI to facilitate prospective warehouse development. No applications have been approved for development of the western portion of the parent tract at this time.

The subject property is encumbered by both a 70-foot-wide easement for overhead electric transmission lines and an easement of unspecified width for an underground gas pipeline, which both cross the property in generally southwest to northeast directions. The easements contributed to difficulties in laying out residential development on the subject property and larger parent tract, but these types of encumbrances are typically less problematic for non-residential development that can utilize the easement areas for non-vertical improvements such as parking or storage.

While the subject tract only has frontage on Blagg Road, the parent tract also has frontage along Geesling Road and E University Drive (US 377) that will influence access to the subject site. The general area's street network includes a variety of roadway types:

- **E. University Drive (US 377):** E. University Drive is an east-west road owned and maintained by TxDOT. Per the 2022 Mobility Plan, E. University Drive is classified as an existing Freeway from the intersection of Geesling Road to the east. Currently, this section of E. University Drive is constructed with six travel lanes and a five-foot-wide sidewalk along the south side of the roadway, and a ten-foot-wide side path along the north side of the roadway. The parent tract has approximately 550 feet of frontage along E. University Drive.
- **Geesling Road:** Geesling Road is a north-south Primary Arterial roadway. Per the 2022 Mobility Plan, Primary Arterials require at least 135 feet of right-of-way. Geesling Road is currently an approximately 35-foot-wide right-of-way constructed with just 2 travel lanes. The parent tract has approximately 450 feet of frontage along Geesling Road, and subsequent developments would be required to dedicate their proportionate share of the right-of-way for the future expansion of Geesling Road.
- **Blagg Road:** Blagg Road is an east-west Secondary Arterial roadway. Per the 2022 Mobility Plan, Secondary Arterials require 110 feet of right-of-way. Blagg Road is currently an approximately 35-foot-wide right-of-way constructed with just 2 travel lanes. The subject site has approximately 610 feet of frontage along Blagg Road, and similarly,

subsequent developments would be required to dedicate their proportionate share of the right-of-way for the future expansion of Blagg Road.

SURROUNDING ZONING AND USES:

| | | |
|---|--|--|
| Northwest: Zoning: Light Industrial (LI) Use: Undeveloped (parent tract) | North: Zoning: Residential 3 (R3) Use: Undeveloped | Northeast: Zoning: Residential 4 (R4) Use: Undeveloped |
| West: Zoning: Public Facilities (PF) Use: Electrical substation | SUBJECT SITE | East: Zoning: Residential 2 (R2) Use: Single-family residential |
| Southwest: Zoning: Mixed Use Neighborhood (MN) Use: Electrical substation | South: Blagg Road Zoning: Residential 7 (R7) & Rural Residential (RR) Use: Agriculture and single-family residential | Southeast: Zoning: Residential 2 (R2) Use: Single-family residential |

CONSIDERATIONS:

A. Section 2.4.5.E of the DDC provides approval criteria applicable to all applications.

1. General Criteria

a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.

The review criteria were applied as required.

b. The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9.

Section 2.7.3.D of the DDC applies to this rezoning to PD request. An analysis of this request per those criteria can be found below in Consideration B.

c. If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5 through 2.9 controls.

There are no conflicts between the general criteria and the criteria specific for rezoning to PD requests.

2. Prior Approvals

There have been no prior approvals related to this proposed multi-lot commercial development. However, as was discussed above and in the Background section of Exhibit 1, portions of the parent tract were rezoned from R6 and MN to LI in 2021. The requested PD-LI district, therefore, would allow for cohesive development of the parent tract and ensure that future development complies with the DDC standards and considers a design that balances and is compatible with both the surrounding Industrial and Residential zoning.

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

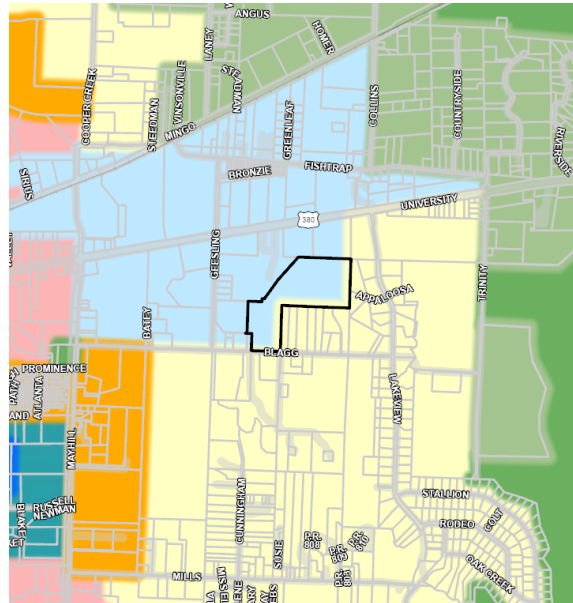
The decision-making authority:

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

The requested PD with a LI base zoning district (PD-LI) conforms to the Denton 2040 Future Land Use Map (see inset map and Exhibit 5) and goals related to context-sensitivity. Given adjacent single-family residences, the applicant has applied for a rezoning that is consistent with the goals of the Denton 2040 Comprehensive Plan and meets the other criteria for approval by imposing conditions that would provide for greater buffering and separation between any future development of the subject property and adjacent residential uses.

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

The Future Land Use Map (FLUM) designation for the subject property is Light Industrial with a transition along the eastern edge to Low Residential. The Light Industrial designation is intended for tracts of land most appropriate for uses such as light manufacturing, assembling, and warehousing and distribution, and includes associated supporting uses, such as offices, retail, and restaurants. With this designation, it is important in future development that transitions to adjacent sensitive land uses are considered.



Low Residential designation applies to the City's predominately single-family neighborhoods which may include land uses that support residential neighborhoods with appropriately scaled buildings that have an intensity that complements the surrounding neighborhood and environment. The FLUM is arranged to provide for a compatible mix of uses and appropriate transitions from areas of high intensity to areas of lower intensity. The Low Residential areas are the predominant land use pattern located east and south of the subject site (outlined).

The request is consistent with the FLU designation of Light Industrial and respects the transition to Low Residential by providing conditions that would require greater setbacks and buffering adjacent to those residential properties to the south and east.

(continued on next page)

Preferred Land Preservation Plan

The Preferred Land Preservation Plan reflects areas favored for preservation based on the City's map of potential and confirmed Environmentally Sensitive Areas (ESAs). The subject site potentially contains some Environmentally Sensitive Areas, which have not yet been assessed and confirmed. Specifically, a portion of the north-easternmost corner of the site is encumbered by a sliver of an existing riparian buffer. Given the existing natural topography and existing tree canopy, the proposed Development Standards encourages more preservation of this ESA and existing natural vegetation than what would be required under the current zoning district by requiring a minimum 250-foot building setback and 50-foot wide landscape buffer from those eastern property lines where the ESA and existing tree canopy exist.

4. *Compliance with this DDC*

- a. *The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.*

This request is for a rezoning to Planned Development with an LI base zoning district (PD-LI). The proposed Development Regulations provided in Exhibit 7 indicate an intent to develop in accordance with the 2019 DDC and impose additional development standards outlined in the document, which are further summarized in the table in Exhibit 1.

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

Compliance with the DDC has been analyzed at the level of detail necessary for an Overlay Planned Development. Other departments (Engineering, Solid Waste, Denton Municipal Electric, and Fire) reviewed the proposal for conceptual land use conformance with coexisting plans and goals. Subsequent development will be subject to the appropriate applications, development standards, and review processes of the DDC.

5. *Compliance with Other Applicable Regulations*

The PD regulations document indicates that development on the subject site shall comply with all provisions of the 2019 DDC and imposes additional restrictions and standards. Further, the development will be required to comply with the City's criteria manuals for roadway, utility, and drainage improvements, as well as TxDOT requirements.

6. *Consistent with Interlocal and Development Agreements*

There are no interlocal or development agreements applicable to the site.

7. *Minimizes Adverse Environmental Impacts*

As discussed above, the additional building setback is intended to encourage the preservation of the existing riparian area and tree canopy coverage on this site. Subsequent development of this site would be required to show compliance with all DDC regulations related to ESAs, tree preservation, stormwater control, and landscaping during the review of the Zoning Compliance Plan.

8. *Minimizes Adverse Impacts on Surrounding Property*

The proposed PD regulations encourage the preservation of the existing tree canopy by increasing both the required width of landscape buffers adjacent to residential developments and the minimum building setback between any proposed light industrial building and the existing residential properties. The existing tree canopy coverage provides visual screening and noise mitigation, and this would be further enhanced by the provision of other buffer elements from Table 7.6G of the DDC in areas where the existing tree coverage does not satisfy the full buffer requirements.

9. *Minimizes Adverse Fiscal Impacts*

This proposed rezoning is not anticipated to create significant adverse fiscal impacts based upon the city's Fiscal Impact Model, which was estimated based upon the applicant's stated intent to develop a warehouse use on the subject property. The Model estimates a net impact of \$7,902,800 to the City's General Fund. See Exhibit 9 – Fiscal Impact Summary for additional information.

As noted previously, if the rezoning is approved, any use permitted in the LI District could be developed on the subject property, and a change in land use would modify the results of the Fiscal Impact Model analysis.

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

This proposed rezoning would not affect utilities, services, or improvements. Subsequent review of a Zoning Compliance Plan and Civil Engineering Plans must adhere to the applicable utility requirements. Future development will be required to contribute their share of adjacent utility improvements to adequately serve the proposed development.

11. *Provides Adequate Road Systems*

As discussed above, the subject tract only has frontage on Blagg Road, but the parent tract also has frontage along Geesling Road and East University Drive (US 377). The proposed development is not anticipated to negatively impact surrounding properties as the primary access will most likely be from one of the higher classified roadways. Based on the preliminary trip generation counts, Staff anticipates a Traffic Impact Analysis (TIA) will be required for the development of this site and any associated improvements will need to be accounted for during subsequent development plans.

12. *Provides Adequate Public Services and Facilities*

The proposed rezoning is not anticipated to negatively impact public services and facilities. New development applications must provide proof that existing and/or planned facilities have adequate public service capacity.

13. *Rational Phasing Plan*

The proposed rezoning does not have a phasing plan.

B. Section 2.7.3.E of the DDC provides approval criteria applicable to all applications.

1. *Complies with the goals of the Comprehensive Plan;*

As described in Consideration A above, the proposed rezoning meets this criterion.

2. *Complies with the goals of relevant Area Plans;*

As described in Consideration A above, there are no area plans applicable to the subject property.

3. *Complies with this DDC, except where modifications are expressly authorized through the PD Regulations Document and PD Development Plan;*

As detailed in Exhibit 7 and described in Consideration A above, the proposed rezoning meets this criterion.

4. *Provides a greater level of building design quality, community amenities, and connectivity than would be required if the project were not being developed in a PD District;*

In this context, the requested PD-LI zoning district is appropriate because of the imposition of additional requirements and restrictions intended to provide stronger separation and buffering between future industrial uses and the existing residential uses to the south and east. The proposed district provides for a greater level of site design quality than what would be applied if the request was a straight rezoning to the LI district.

5. *In the case of proposed residential development, that the development will promote compatible buildings and uses and that it will be compatible with the character of the surrounding area;*

No residential uses are proposed to be permitted as part of this PD.

6. *In the case of proposed commercial, industrial, institutional, recreational and other non-residential uses or mixed-uses, that such development will be appropriate in area, location, and overall planning for the purpose intended; and*

As detailed in Exhibit 7 and described in Consideration A above, the proposed PD-LI district permits those land uses already permitted in the LI district per the DDC. A list of permitted uses is provided in Exhibit 8. The additional standards are intended to ensure that subsequent developments are designed giving consideration to the surrounding context by providing for greater buffers and setbacks from adjacent residential uses.

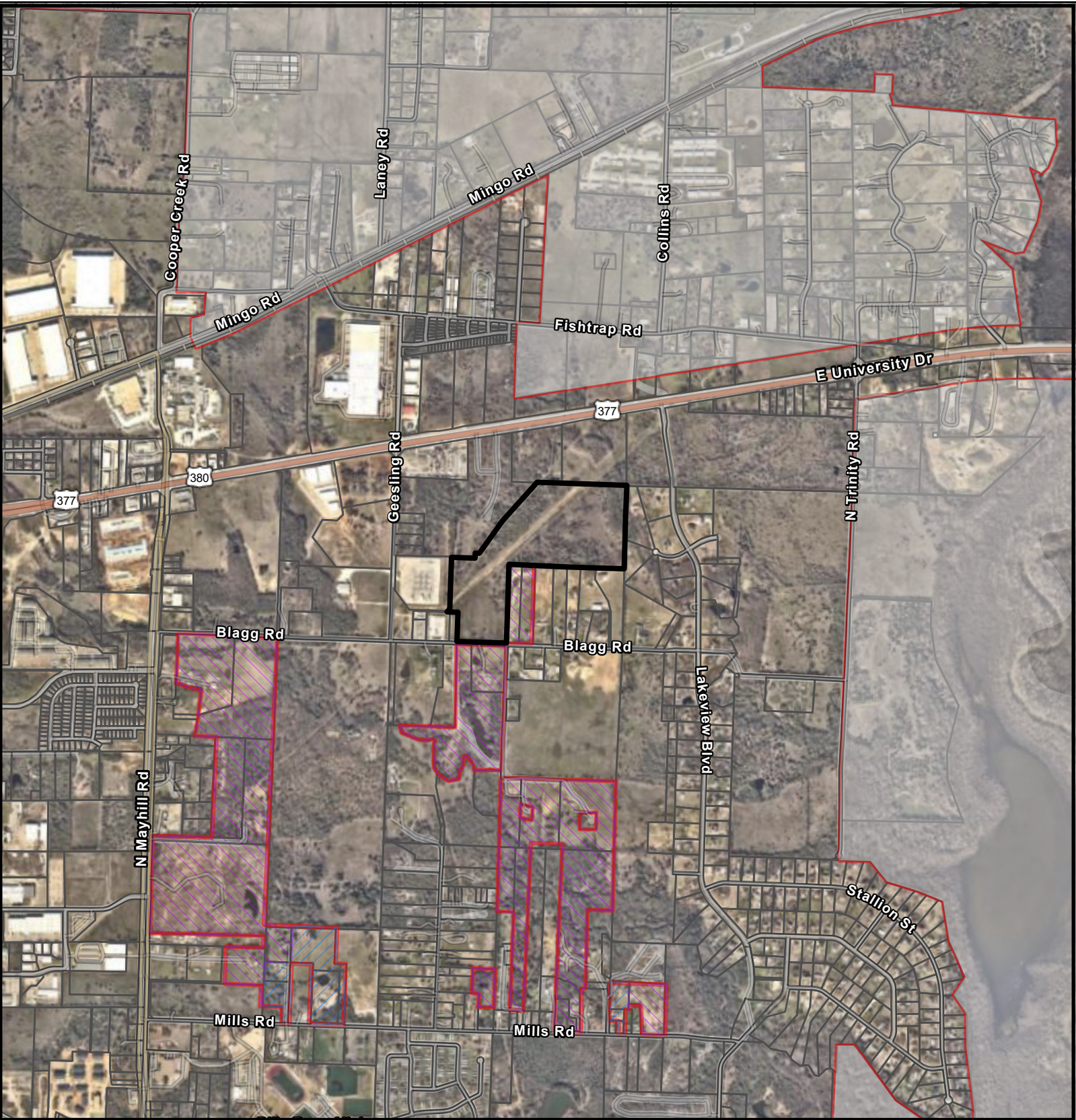
7. *The provisions for public facilities such as schools, fire protection, law enforcement, water, wastewater, streets, public services and parks are adequate to serve the anticipated population within the PD District.*

Subsequent developments shall ensure adequate public facilities are available to serve the subject site. The nonresidential development is not anticipated to add to the school population, and Fire Station #2 is within an 8-minute drive to the subject site. Utilities exist within the nearby Geesling Rd and University Drive rights-of-way that can be extended to serve the subject property.

8. *The condition and/or restrictions imposed by the PD are necessary and sufficient to address any significantly adverse impacts to surrounding properties or the neighborhood.*

As detailed in Exhibit 7 and described in Consideration A above, the proposed Development Standards encourage the preservation of the existing tree canopy and otherwise impose additional buffer requirements where adjacent to residential developments. The conditions are proposed in order to address the potential visual and noise impacts of light industrial development adjacent to residential uses.

PD24-0005 Site Location

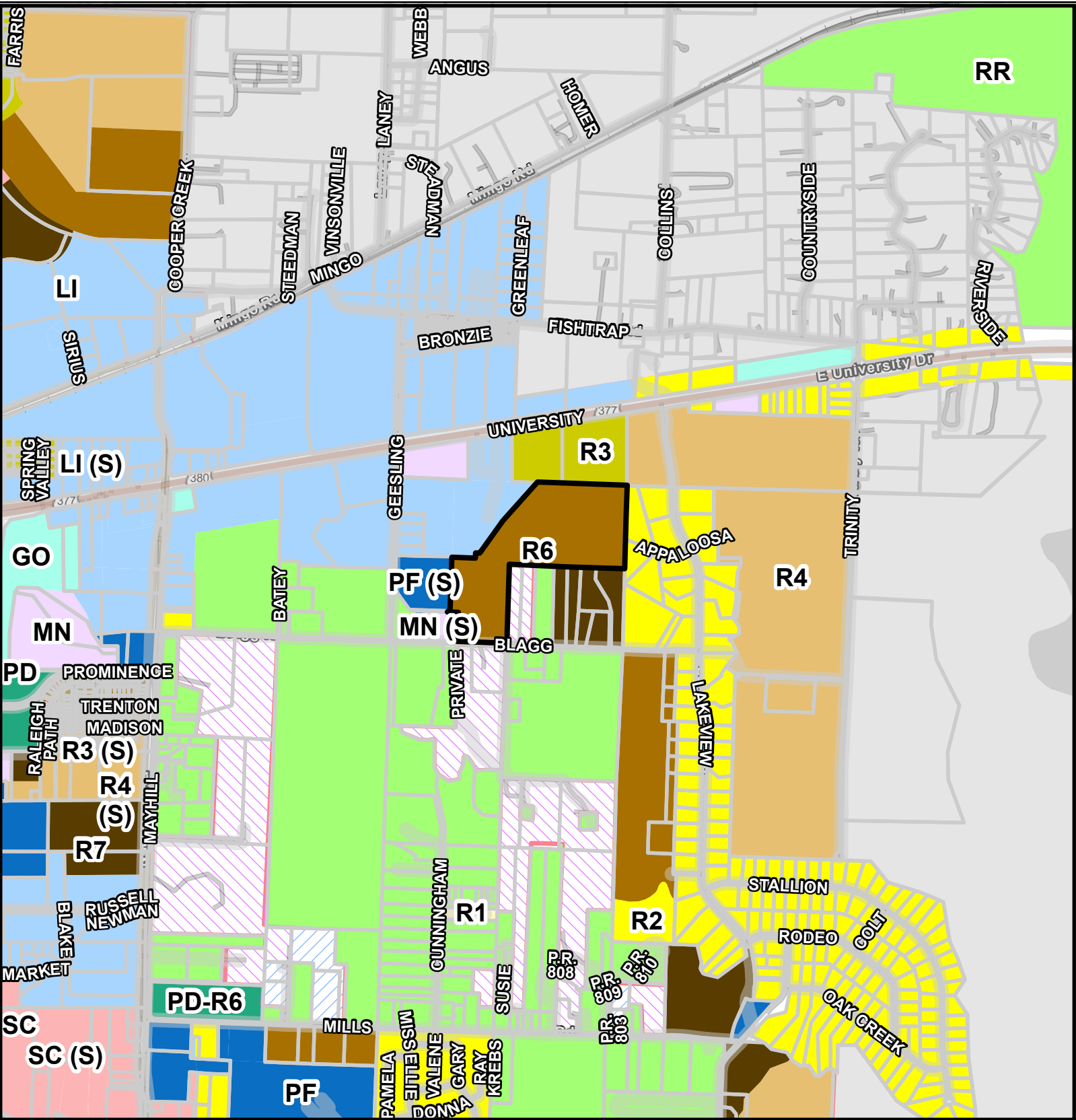


- Roads
- Parcels
- COD
- ETJ
- ETJ 2
- NAA 8/1/20
- NAA 8/1/40

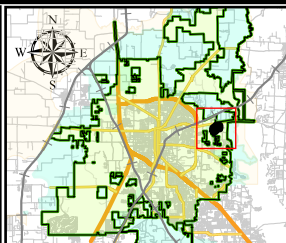
Development Services • GIS

Date: 6/4/2024

PD24-0005 Current Zoning Map



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



0 487.5 975 1,950
Feet

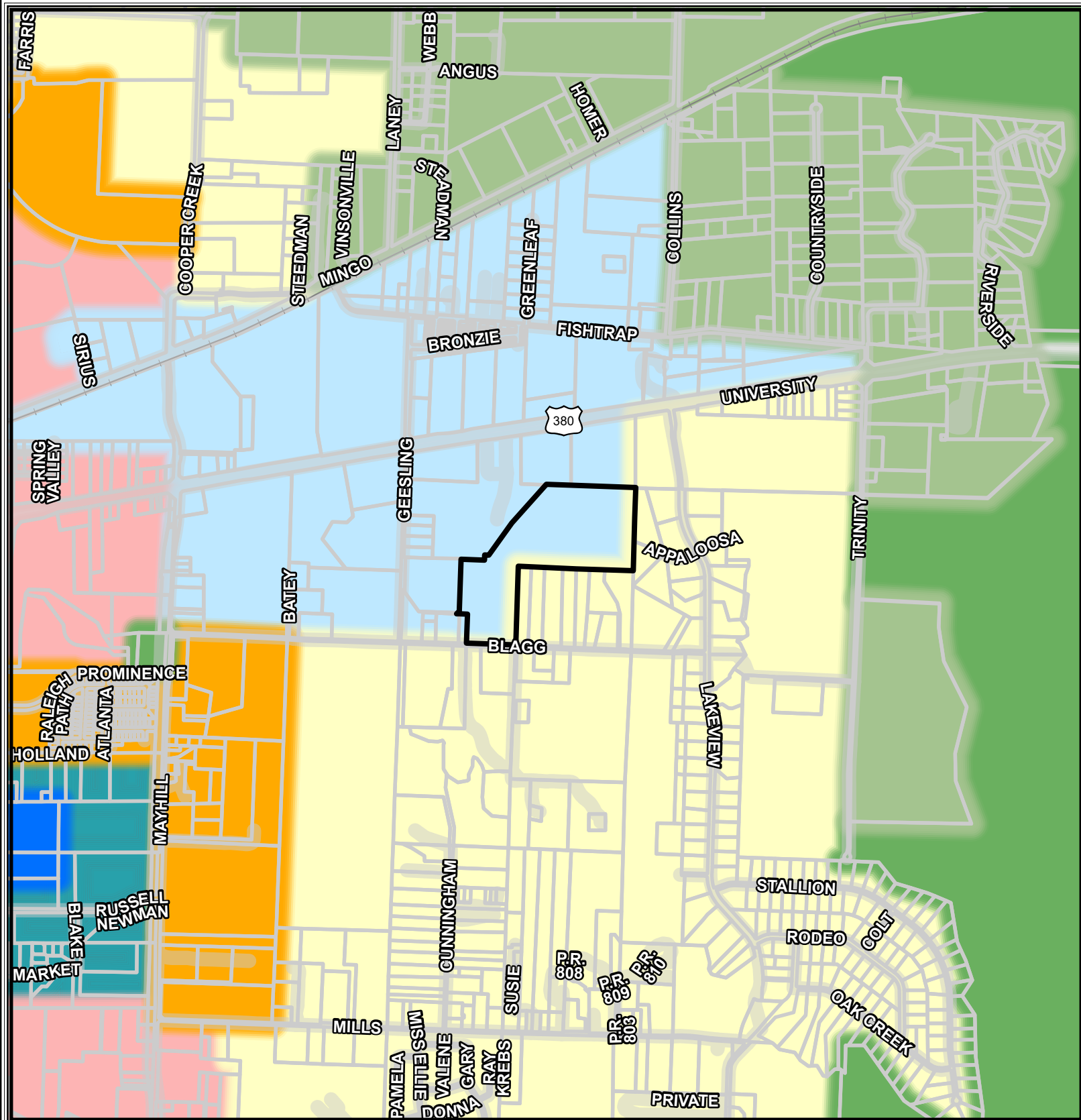
CITY OF DENTON
Development Services • GIS
Date: 6/4/2024

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1 of

"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."

PD24-0005

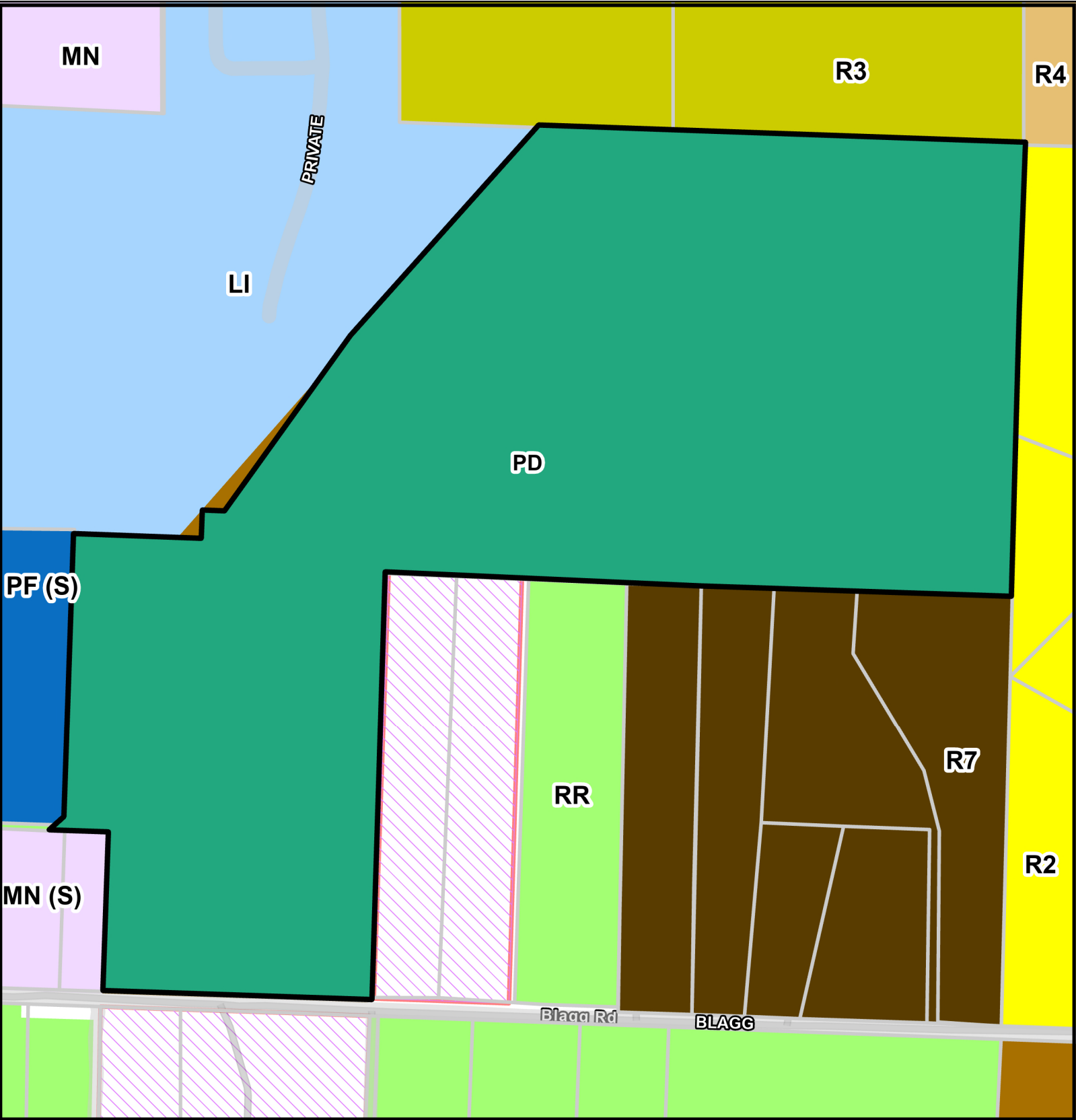
1-Future Land Use Map



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

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PD24-0005 Proposed Zoning Map



| | | | | | |
|--|--|--|--|--|--|
| <ul style="list-style-type: none"> Roads Parcels | <ul style="list-style-type: none"> R6 - Residential R7 - Residential MN - Mixed-Use Neighborhood MD - Mixed-Use Downtown Core MR - Mixed-Use Regional HC - Highway Corridor SC - Suburban Corridor GO - General Office | <ul style="list-style-type: none"> LI - Light Industrial HI - Heavy Industrial PF - Public Facilities PD - Planned Development MPC OVERLAY | | | |
| Current Zoning <ul style="list-style-type: none"> RR - Residential Rural R1 - Residential R2 - Residential R3 - Residential R4 - Residential | | | | | |

Exhibit B – Planned Development Standards

PD24-0005

Walker Geesling – Planned Development (PD) District

General Planned Development Standards

For 52.6 Acres

City of Denton, Denton County, Texas

SECTION 1: Purpose.

The regulations set forth in these development standards are for the Overlay Planned Development (PD) District as defined in Denton Development Code (DDC) Section 2.7.3C.1. The PD encompasses a total of 52.6-acres described in Exhibit A (“Property”), Zoning Legal Description.

SECTION 2: Use Regulations.

The permitted uses shall be in accordance with the Light Industrial (LI) District, per the City of Denton Development Code (DDC) Table 5.2.-A, as amended.

SECTION 3: Development Standards.

Development within this PD shall comply with the Development Standards applicable to the LI Zoning District as provided for in the Denton Development Code, as amended. Additionally, all development within this PD shall comply with the following:

Landscaping & Screening

A minimum 50-foot-wide landscape buffer shall be required adjacent to the existing residentially zoned properties and properties in the City’s extraterritorial jurisdiction located to the east and south as illustrated in the Figure 1. This buffer shall contain 50 points worth of buffer planting or screening elements selected from Table 7.G in the DDC.

Site & Building Design

All buildings shall be setback a minimum of 250 feet from the existing residentially zoned properties and properties in the City’s extraterritorial jurisdiction located to the east and south as illustrated in the Figure 1.

No structures shall exceed 60 feet in height.

ESAs Procedures

The ESA compliance review for proposed developments within this PD District shall be performed as part of a zoning compliance plan application pursuant to DDC, Subsection 2.5.1: Zoning Compliance Plan Review.

Figure 1

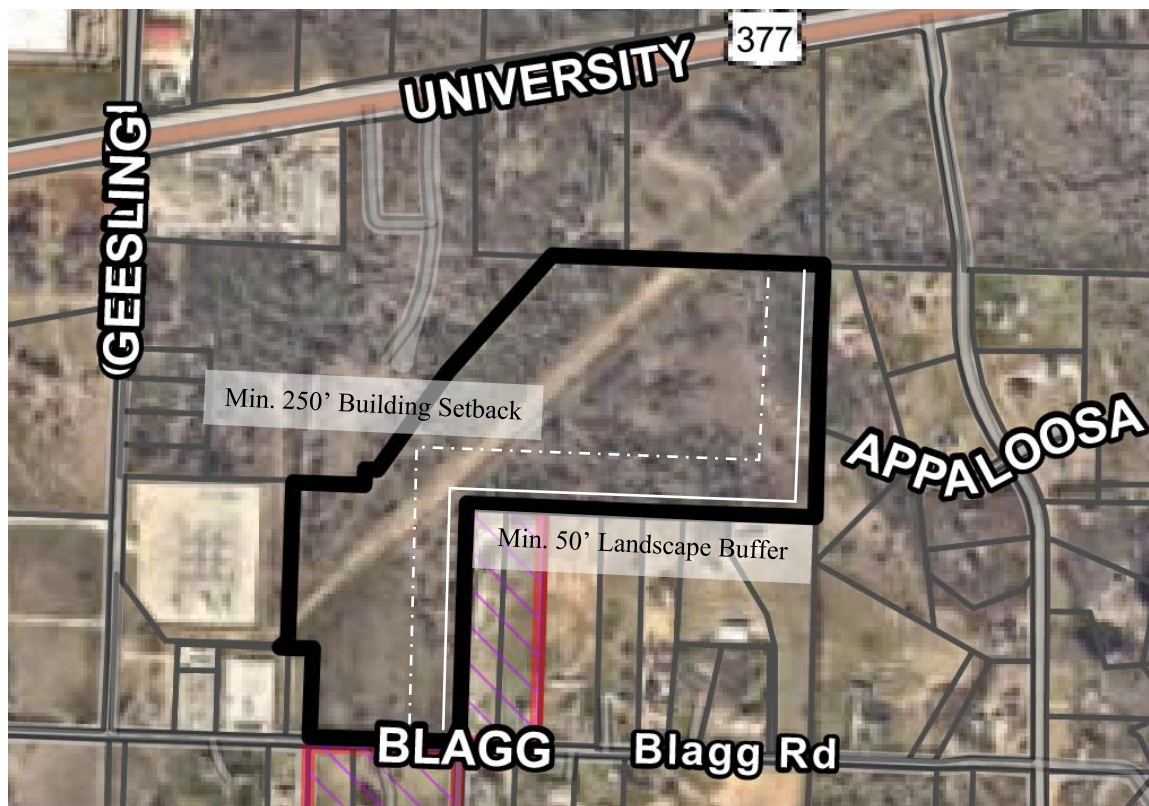


Exhibit A – Zoning Legal Description

BEING a tract of land situated in the Moreau Forrest Survey, Abstract No. 417, City of Denton, Denton County, Texas and being a portion of a called 97.277-acre tract of land described in a deed to Federal Deposit Insurance Corporation (50% interest) and John Powell Walker (50% interest), recorded in Document No. 93-0034125, Official Records, Denton County, Texas, and being the same land described in a deed to John Powell Walker (25% interest), recorded in Document No. 2017-38283, said Official Records, and being the same land described in a deed to Martin Acquisitions, LLC (25% interest), recorded in Document No. 2017-38284, said Official Records, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod with plastic cap stamped “DUNNAWAY” found for the southerly, southwest corner of said 97.277-acre tract and the southeast corner of a called 0.838-acre tract of land described in a deed to Oncor Electric Delivery Company, LLC, recorded in Document No. 2019-42665, Official Records, Denton County, Texas, same being on the northerly right-of-way line of Blagg Road (variable width right-of-way);

THENCE North 01°59'12" East, departing the northerly right-of-way line of said Blagg Road and along the easterly line of said 0.838-acre tract, a distance of 364.89 feet to a 5/8-inch iron rod with plastic cap stamped “DUNNAWAY” found for corner;

THENCE North 88°00'48" West, along the northerly line of said 0.838-acre tract, a distance of 100.00 feet to a 5/8-inch iron rod with plastic cap stamped “DUNNAWAY” found for the northwest corner of said 0.838-acre tract, common to the northeast corner of a called 2.430-acre tract of land described in a deed to Texas Power & Light Company, recorded in Volume 1027, Page 163, said Official Records, same being an angle point in the a westerly line of said 97.277-acre tract;

THENCE North 88°00'48" West, along the common line of said 97.277-acre tract and said 2.430-acre tract, a distance of 36.41 feet to a 5/8-inch iron rod with plastic cap stamped “KHA” set for the easternmost southeast corner of a called 3.02-acre tract of land described in a deed to Texas Municipal Power Agency, recorded in Volume 1149, Page 494, said Deed Records;

THENCE North 48°09'44" East, departing the northerly line of said 2.430-acre tract and along the common line of said 97.277-acre tract and said 3.02-acre tract, a distance of 45.59 feet to a 5/8-inch iron rod with plastic cap stamped “TNP” found for the easternmost northeast corner of said 3.02-acre tract, common to the southeast corner of ARCO Substation Addition, an Addition to the City of Denton, Texas, according to the plat thereof recorded in Document No. 2015-103, said Plat Records;

THENCE North 1°56'46" East, along the common line of said 97.277-acre tract and said ARCO Substation Addition, a distance of 652.34 feet to a 5/8-inch iron rod with plastic cap stamped “TNP” found for the northeast corner of said ARCO Substation Addition;

THENCE South 87°53'02" East, departing the common line of said 97.277-acre tract and said ARCO Substation Addition, crossing said 97.277-acre tract, a distance of 294.19 feet to a point for corner;

THENCE North 02°06'58" East, continuing across said 97.277-acre tract, a distance of 65.00 feet to a point for corner;

THENCE South 87°53'02" East, continuing across said 97.277-acre tract, a distance of 51.02 feet to a point for corner;

THENCE North 35°42'38" East, continuing across said 97.277-acre tract, a distance of 496.48 feet to a point for corner;

THENCE North 41°51'49" East, continuing across said 97.277-acre tract, a distance of 649.24 feet to a point for corner on the northerly line of said 97.277-acre tract and the southerly line of a called 28-acre tract of land described in a deed to T.B. Bullard, recorded in Volume 432, Page 149, Deed Records, Denton County, Texas;

THENCE South 87°58'52" East, along said common line and along the southerly line of a said 28-acre tract and the southerly line of a called 78.0050-acre tract of land described in a deed to Ralph T. Bullard, recorded in Volume 1521, Page 948, said Deed Records, a distance of 1,120.87 feet to a 1/2-inch iron rod found for the southeast corner of said 78.0050-acre tract, common to the easternmost northeast corner of said 97.277-acre tract, same being the southwest corner of a tract of land described in a deed to Ralph Bullard, recorded in Document No. 93-001536, said Official Records, same also being the northwest corner of Lakeview Ranch Phase 1, an Addition to the City of Denton, Texas, according to the plat thereof recorded in Cabinet P, Page 363, Plat Records, Denton County, Texas, from which a 1/2-inch iron rod with plastic cap (ILLEGIBLE) found for witness bears South 21°03'00" East, 0.56 feet;

THENCE South 02°08'44" West, along the common line of said 97.277-acre tract and said Lakeview Ranch Phase 1, a distance of 379.85 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE South 1°35'08" West, continuing along said common line, a distance of 664.20 feet to a 1/2-inch iron rod found for the easternmost southeast corner of said 97.277-acre tract, common to the northeast corner of B.F.E. Systems Addition, Lots 5R-1 and 5R-2, an Addition to the City of Denton, Texas, according to the plat thereof recorded in Document No. 2015-412, said Plat Records;

THENCE North 88°05'39" West, departing the westerly line of said Lakeview Ranch Phase 1 and along a southerly line of said 97.277-acre tract and along the northerly line of said B.F.E. Systems Addition (Lots 5R-1 & 5R-2) and along the northerly line of B.F.E. Systems Addition, Lots 1-A, 2-A & 5-A, an Addition to the City of Denton, Texas, according to the plat thereof recorded in Document No. 2014-125, said Plat Records, a distance of 712.73 feet to a point for corner;

THENCE North 87°26'39" West, continuing along a southerly line of said 97.277-acre tract and the northerly line of said B.F.E. Systems Addition (Lots 1-A, 2-A & 5-A) and along the northerly line of Sierra Oaks Addition, an Addition to the City of Denton, Texas, according to the plat thereof recorded in Document No. 2016-186, said Plat Records, and along the northerly line of Jurado Addition, an Addition to the City of Denton, Texas, according to the plat thereof recorded in Document No. 2015-297, said Plat Records, a distance of 729.22 feet to a 1/2-inch iron rod found for the northwest corner of said Jurado Addition;

THENCE South 1°46'04" West, along the common line of said 97.277-acre tract and said Jurado Addition and along the northerly right-of-way line of Blagg Road (variable width right-of-way), a distance of 985.12 feet to a 1/2-inch iron rod found for the southernmost southeast corner of said 97.277-acre tract, common to the southeast corner of said Jurado Addition;

THENCE North 88°04'31" West, along the common line of said 97.277-acre tract and said Blagg Road, a distance of 619.58 feet to the POINT OF BEGINNING and containing 52.589 acres (2,290,756 square feet) of land, more or less.

Table 5.2-A: Table of Allowed Uses

P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply

| | Residential | | | | | | | Mixed-Use | | | Corridor | | Other Nonresidential | | | | Use-Specific Standards |
|--|---|----|----|----|----|----|----|-----------|----|----|----------|----|----------------------|----|----|----|------------------------|
| | RR | R1 | R2 | R3 | R4 | R6 | R7 | MN | MD | MR | SC | HC | GO | LI | HI | PF | |
| Residential Uses | | | | | | | | | | | | | | | | | |
| Household Living | | | | | | | | | | | | | | | | | |
| Single-Family Detached Dwelling | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | | | | | | | | 5.3.3A |
| Townhome | | | | | S+ | P+ | P+ | P+ | P+ | P+ | | | | | | | 5.3.3B |
| Duplex | | | | | S+ | P+ | P+ | P+ | P+ | P+ | | | | | | | 5.3.3C |
| Triplex | | | | | | P+ | P+ | P+ | P+ | P+ | | | | | | | 5.3.3C |
| Fourplex | | | | | | P+ | P+ | P+ | P+ | P+ | | | | | | | 5.3.3C |
| Multifamily Dwelling | | | | | | | S+ | P+ | P+ | P+ | S+ | S+ | S+ | | | | 5.3.3D |
| Tiny Home Development | Subject to approval of a planned development (PD); see 5.3.3E | | | | | | | | | | | | | | | | |
| Work/Live Dwelling | P+ | | | | | | P+ | P+ | P+ | P+ | P+ | S+ | S+ | | | | 5.3.3F |
| Manufactured Home Development (HUD Code) | | | | | | S+ | S+ | | | | | | | | | | 5.3.3G |
| Group Living | | | | | | | | | | | | | | | | | |
| Chapter House | | | | | | | S | S | | | | | | | | P | |
| Community Home | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | | | | | | 5.3.3I |
| Dormitory | | | | | | | S | S | P | | | | | | | | |
| Elderly Housing | | | | | | S+ | S+ | P+ | P+ | P+ | S+ | S+ | | | | | 5.3.3H |

Table 5.2-A: Table of Allowed Uses

P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply

| | Residential | | | | | | | Mixed-Use | | | Corridor | | Other Nonresidential | | | | Use-Specific Standards |
|---|-------------|----|----|----|----|----|----|-----------|----|----|----------|----|----------------------|----|----|----|------------------------|
| | RR | R1 | R2 | R3 | R4 | R6 | R7 | MN | MD | MR | SC | HC | GO | LI | HI | PF | |
| Group Home | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | | | | | | | 5.3.3J |
| Public, Institutional, Religious, and Civic Uses | | | | | | | | | | | | | | | | | |
| Community and Cultural Facilities | | | | | | | | | | | | | | | | | |
| Airport, City-Owned | | | | | | | | | | | | | | | | P | |
| Cemetery, City-Owned | | | | | | | | | | | | | | | | P | |
| Club or Lodge | P | S | S | S | S | S | S+ | P+ | P | P+ | P | P | P | P+ | P+ | | 5.3.4A |
| Community Service | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Day Care, Adult or Child | P | S | S | S | S | S | P | P | P | P | P | P | P | P+ | | | 5.3.4B |
| Funeral and Internment Facility | | | | | | | | | S | S | P | P | P | P | | | |
| Homeless Shelter | S+ | | | | | | S+ | S+ | S+ | S+ | | | | | | P+ | 5.3.4C |
| Landfill, City-Owned | | | | | | | | | | | | | | | | P | |
| Park, Playground, Open Space | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Religious Assembly | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.3.4D |
| Educational Facilities | | | | | | | | | | | | | | | | | |
| Business or Trade School | | | | | | | | P+ | P+ | P+ | P+ | P | P | P | P | | 5.3.4E |
| College or University | | | | | | | | | P | P | | | P | | | | |

Table 5.2-A: Table of Allowed Uses

P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply

| | Residential | | | | | | | Mixed-Use | | | Corridor | | Other Nonresidential | | | | Use-Specific Standards |
|-------------------------------------|-------------|----|----|----|----|----|----|-----------|----|----|----------|----|----------------------|----|----|----|------------------------|
| | RR | R1 | R2 | R3 | R4 | R6 | R7 | MN | MD | MR | SC | HC | GO | LI | HI | PF | |
| School, Private | P | S | S | S | S | S | S | P | P | P | P | P | P | | | P | |
| School, Public | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Healthcare Facilities | | | | | | | | | | | | | | | | | |
| Hospital Services | | | | | | | | | | P+ | P+ | P | P | | | | 5.3.4F |
| Medical Clinic | | | | | | | | S+ | S+ | P+ | P+ | P | P | P | | | 5.3.4G |
| Medical Office | | | | | | | P+ | P+ | P+ | P+ | P+ | P | P | P | | | 5.3.4H |
| Commercial Uses | | | | | | | | | | | | | | | | | |
| Agricultural and Animal Uses | | | | | | | | | | | | | | | | | |
| General Agriculture | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.3.5A |
| Commercial Stable | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.3.5B |
| Community Garden | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Kennel | P+ | S+ | S+ | | | | | | | | P+ | P+ | S+ | P+ | P+ | | 5.3.5C |
| Urban Farm | p | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Veterinary Clinic | P | S | S | | | | | P | P+ | P | P | P | P | P | | | 5.3.5D |
| Recreation and Entertainment | | | | | | | | | | | | | | | | | |
| Amenity Center | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | |
| Indoor Recreation Facility | P | | | | | | | P | P | P | P | P | P | P | | | |

Table 5.2-A: Table of Allowed Uses

P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply

| | Residential | | | | | | | Mixed-Use | | | Corridor | | Other Nonresidential | | | | Use-Specific Standards |
|---|-------------|----|----|----|----|----|----|-----------|----|----|----------|----|----------------------|----|----|----|------------------------|
| | RR | R1 | R2 | R3 | R4 | R6 | R7 | MN | MD | MR | SC | HC | GO | LI | HI | PF | |
| Outdoor Recreation Facility | P | P | P | P | P | P | P | S | S | S | P | P | P | P | | | |
| RV Park | S+ | | S+ | S+ | S+ | S+ | S+ | | | | | | | S+ | P+ | | 5.3.5E |
| Food and Beverage Services | | | | | | | | | | | | | | | | | |
| Bar, Tavern, or Lounge | | | | | | | | S+ | P | P | P | P | P | P | | | 5.3.5F |
| Mobile Food Court | | | | | | | | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | | 5.3.5G |
| Private Club | P+ | | | | | | | P+ | P+ | P+ | P+ | | | P+ | P+ | | 5.3.5H |
| Restaurant | | | | | | | | P+ | P | P | P | P | P | P | | | 5.3.5I |
| Restaurant, with Drive-Through | | | | | | | | S+ | S+ | P+ | P+ | P+ | P+ | P+ | | | 5.3.5J |
| Office, Business, and Professional Services | | | | | | | | | | | | | | | | | |
| Administrative, Professional, and Government Office | | | | S+ | S+ | S+ | P+ | P+ | P+ | P | P | P | P | P | P | P | 5.3.5K |
| Bank or Financial Institution | | | | | | | S+ | P+ | P+ | P | P | P | P | P | | | 5.3.5L |
| Musician Studio | | | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | 5.3.5M |
| Credit Access Business | | | | | | | | S+ | P+ | P | P | P | P | P | | | 5.3.5N |

Table 5.2-A: Table of Allowed Uses

P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply

| | Residential | | | | | | | Mixed-Use | | | Corridor | | Other Nonresidential | | | | Use-Specific Standards |
|---|-------------|----|----|----|----|----|----|-----------|----|----|----------|----|----------------------|----|----|----|------------------------|
| | RR | R1 | R2 | R3 | R4 | R6 | R7 | MN | MD | MR | SC | HC | GO | LI | HI | PF | |
| Printing, Copying, and Publishing Establishment | | | | | | | | S | P | P | P | P | P | P | P | | |
| Personal Services | | | | | | | | | | | | | | | | | |
| Laundry Facility, Industrial | | | | | | | | | | | | S | S | P | P | | |
| Laundry Facility, Self-Service | | | | | | | S+ | P+ | P+ | P+ | P | P | P | P | P | | 5.3.5O |
| Personal Service, General | | | | | | | | P | P | P | P | P | P | P | | | |
| Tattoo and Body Piercing Parlor | | | | | | | | P+ | P+ | P+ | P+ | P+ | | | | | 5.3.5P |
| Retail Sales | | | | | | | | | | | | | | | | | |
| Building Materials and Supply Store | | | | | | | | | | | S | P | | P | P | | |
| General Retail Unless Otherwise Specified, Less than 5,000 Square Feet | | | | | | | S+ | P | P | P | P | P | P | P | P | P | 5.3.5Q |
| General Retail Unless Otherwise Specified, Between 5,000 Square Feet and 15,000 Square Feet | | | | | | | | P | P | P | P | P | P | P | P | | |

Table 5.2-A: Table of Allowed Uses

P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply

| | Residential | | | | | | | Mixed-Use | | | Corridor | | Other Nonresidential | | | | Use-Specific Standards |
|--|-------------|----|----|----|----|----|----|-----------|----|----|----------|----|----------------------|----|----|----|------------------------|
| | RR | R1 | R2 | R3 | R4 | R6 | R7 | MN | MD | MR | SC | HC | GO | LI | HI | PF | |
| General Retail Unless Otherwise Specified, More than 15,000 Square Feet | | | | | | | | S | S | P | P | P | P | P+ | P+ | | 5.3.5R |
| Smoke Shop | | | | | | | | | P | P | P | P | | | | | |
| Lodging Facilities | | | | | | | | | | | | | | | | | |
| Bed and Breakfast | P+ | | | | S+ | S+ | S+ | P+ | P+ | P+ | P+ | | | | | | 5.3.5S |
| Boarding or Rooming House | | | | | | | | S | P | P | P | | | | | | |
| Hotel | | | | | | | | P | P | P | P | P | P | P | | | |
| Motel | | | | | | | | | | P | P | P | P | P | | | |
| Short-Term Rental | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | | | | | | | | 5.3.5T |
| Vehicles and Equipment | | | | | | | | | | | | | | | | | |
| Auto Wash | | | | | | | | | | P | P | P | P | P | P | | |
| Automotive Fuel Sales | | | | | | | | S+ | S+ | P+ | P+ | P+ | P+ | P+ | P+ | | 5.3.5U |
| Automotive Repair Shop, Major | | | | | | | | | | P+ | P+ | P+ | S+ | P+ | P+ | | 5.3.5V |
| Automotive Repair Shop, Minor | | | | | | | | S+ | | P+ | P+ | P+ | P+ | P+ | P+ | | 5.3.5W |
| Automotive Sales or Leasing | | | | | | | | | | | | P | | | | | |

Table 5.2-A: Table of Allowed Uses

P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply

| | Residential | | | | | | | Mixed-Use | | | Corridor | | Other Nonresidential | | | | Use-Specific Standards |
|--|-------------|----|----|----|----|----|----|-----------|----|----|----------|----|----------------------|----|----|----|------------------------|
| | RR | R1 | R2 | R3 | R4 | R6 | R7 | MN | MD | MR | SC | HC | GO | LI | HI | PF | |
| Automotive Wrecking Service, Impound Lot, Junkyard, and Salvage Yard | | | | | | | | | | | | | | S+ | P+ | | 5.3.5X |
| Equipment Sales and Rental | | | | | | | | | | | | S+ | | S+ | P+ | | 5.3.5Y |
| Parking Lot as a Principal Use | | | | | | | | | P | P | P | P | P | P | P | | |
| Travel Plaza | | | | | | | | | | | | P | | P | P | | |
| Adult Entertainment Establishments | | | | | | | | | | | | | | | | | |
| Sexually Oriented Business | | | | | | | | | | | | | | | S+ | | 5.3.5Z |
| Industrial Uses | | | | | | | | | | | | | | | | | |
| Data Center | | | | | | | | | | | | | | | | | |
| Data Center, Modular | | | | | | | | | | | | | | S | S | S | 5.3.6I |
| Data Center, Warehouse | | | | | | | | | | S+ | S+ | S+ | P+ | P | P | P | 5.3.6J |
| Manufacturing and Processing | | | | | | | | | | | | | | | | | |
| Craft Alcohol Production | | | | | | | | S | P+ | P+ | P+ | P | P | P | P | | 5.3.6A |

Table 5.2-A: Table of Allowed Uses

P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply

| | Residential | | | | | | | Mixed-Use | | | Corridor | | Other Nonresidential | | | | Use-Specific Standards |
|--|-------------|----|----|----|----|----|----|-----------|----|----|----------|----|----------------------|----|----|----|-------------------------|
| | RR | R1 | R2 | R3 | R4 | R6 | R7 | MN | MD | MR | SC | HC | GO | LI | HI | PF | |
| Feedlot, Slaughterhouse, or Packaging Plant | S | | | | | | | | | | | | | | S | | |
| Food Processing, Less than 2,500 Square Feet | | | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | 5.3.6B |
| Food Processing, More than 2,500 Square Feet | | | | | | | | S+ | S+ | P+ | P+ | P+ | P+ | P+ | P+ | | 5.3.6C |
| Gas Well | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | Subchapter 6: Gas Wells |
| Manufacturing, Artisan | | | | | | | | P+ | P+ | P | P | P | P | P | P | | 5.3.6D |
| Manufacturing, Low-Impact | | | | | | | | | S+ | P+ | P+ | P+ | P+ | P | P | | 5.3.6E |
| Manufacturing, Medium-Impact | | | | | | | | | | | | | S | S | P | | |
| Manufacturing, High-Impact | | | | | | | | | | | | | | | S | | |
| Commercial Incinerator, Transfer Station | | | | | | | | | | | | | | | S | | |
| Storage and Warehousing | | | | | | | | | | | | | | | | | |

Table 5.2-A: Table of Allowed Uses

P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply

| | Residential | | | | | | | Mixed-Use | | | Corridor | | Other Nonresidential | | | | Use-Specific Standards |
|---|---|----|----|----|----|----|----|-----------|----|----|----------|----|----------------------|----|----|----|------------------------|
| | RR | R1 | R2 | R3 | R4 | R6 | R7 | MN | MD | MR | SC | HC | GO | LI | HI | PF | |
| Outdoor Storage | | | | | | | | | | | | | | S+ | S+ | S+ | 5.3.6F |
| Self-Service Storage | | | | | | | | S+ | S+ | S+ | P+ | S+ | P+ | P+ | P+ | | 5.3.6G |
| Storage of Hazardous Materials | | | | | | | | | | | | | | | S | | |
| Warehouse and Wholesale Facility | | | | | | | | | | S+ | S+ | P | P | P | P | | 5.3.6H |
| Public and Semi-Public Utility Uses | | | | | | | | | | | | | | | | | |
| Basic Utilities | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Power Stations, Electric Substations, Interchanges, and Switch Stations | P+ | | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.3.7A |
| Solar Collector as Principal Use | S+ | | | | | | | | | | | | S+ | S+ | S+ | P+ | 5.3.7B |
| Wind Energy Conversion System (WECS) | | | | | | | | | | | | | | | S+ | S+ | 5.3.7C |
| Wireless Telecommunications | See Section 5.6: Wireless Telecommunications Facilities | | | | | | | | | | | | | | | | |
| Accessory Uses | | | | | | | | | | | | | | | | | |
| Accessory Dwelling Unit | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | | | | | | | | 5.4.4A |
| Donation Box | | | | | | | | | | | | | | | | | 5.4.4B |

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| | Residential | | | | | | | Mixed-Use | | | Corridor | | Other Nonresidential | | | | Use-Specific Standards |
|--|-------------|----|----|----|----|----|----|-----------|----|----|----------|----|----------------------|----|----|----|------------------------|
| | RR | R1 | R2 | R3 | R4 | R6 | R7 | MN | MD | MR | SC | HC | GO | LI | HI | PF | |
| Home Occupation | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | | | | | 5.4.4C |
| Outdoor Storage, Accessory | | | | | | | | | | | | P+ | P+ | P+ | P+ | P+ | 5.4.4D |
| Sale of Produce and Plants Raised on Premises | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.4.4E |
| Solar Collector, (Ground- or Building-Mounted) | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.4.4F |
| Wind Energy Conversion System (WECS), Small (Ground-Mounted) | P+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | P+ | P+ | P+ | 5.4.4G |
| Wind Energy Conversion System (WECS), Small (Building-Mounted) | P+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | P+ | P+ | P+ | 0 |
| Temporary Uses | | | | | | | | | | | | | | | | | |
| Temporary Storage Containers and Other Portable Storage Units | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.6A |
| Concrete or Asphalt Batching Plant, Temporary | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.6B |

Table 5.2-A: Table of Allowed Uses

P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply

| | Residential | | | | | | | Mixed-Use | | | Corridor | | Other Nonresidential | | | | Use-Specific Standards |
|---|-------------|----|----|----|----|----|----|-----------|----|----|----------|----|----------------------|----|----|----|------------------------|
| | RR | R1 | R2 | R3 | R4 | R6 | R7 | MN | MD | MR | SC | HC | GO | LI | HI | PF | |
| Farmer's Market or Open Air Market | | | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.4 |
| Field or Construction Office | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.6C |
| Seasonal Sales | | | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | 5.5.4 |
| Special Event | | | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.4 |
| Portable Wireless Telecommunications Facility | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.4 |

FISCAL SUMMARY

CITY OF DENTON

GENERAL FUND IMPACTS

| Revenues | 40 Year Total |
|---|----------------------|
| AD VALOREM TAXES | \$19,357,300 |
| RETAIL SALES TAX | |
| Direct Project Retail Sales Tax Revenue | \$0 |
| Net New Resident + New Commuters Retail Sales Tax Revenue | \$557,600 |
| OTHER TAXES (Mixed Beverage) | \$0 |
| LICENSE & PERMITS | |
| Zoning Fees | \$23,100 |
| Building Permits | \$88,700 |
| Certificate of Occupancy | \$0 |
| Beer & Wine Permits | \$0 |
| SERVICE FEES | |
| Restaurant Inspections | \$0 |
| Grocery Store Inspections | \$0 |
| Swimming Pool Inspections | \$400 |
| Electrical Inspections | \$0 |
| Plumbing Inspections | \$0 |
| Development Fees | \$27,400 |
| Plan Review Fees | \$68,100 |
| Expenses | 40 Year Total |
| Neighborhood | (\$2,652,900) |
| Public Safety | (\$5,927,800) |
| Transportation | (\$358,400) |
| Admin & Community Services | (\$2,722,900) |
| OTHER FUND REVENUES | |
| TOURISM & CONVENTION SALES TAX | \$0 |
| ENTERPRISE UTILITY FUNDS | |
| Electric Charge | \$266,841,100 |
| Water Charge | \$6,838,900 |
| Wastewater Charge | \$6,919,600 |
| Drainage Charge | \$1,278,500 |
| Solidwaste Charge | \$22,814,700 |
| WATER IMPACT FEE | \$838,900 |
| WASTEWATER IMPACT FEE | \$521,700 |
| TOTAL ROADWAY IMPACT FEE | \$52,500 |
| TOTAL PARKS LAND DEDICATION & DEV. TRUST | \$0 |
| TREE MITIGATION | \$0 |
| ROADWAY MAINTENANCE | |
| ROADWAY MAINTENANCE | \$0 |

New Residents From Residential



New Workers From Non-Residential *



* Calculations based on new commuters not total new workers in order to not double count with new residents

General Fund Impact Summary

General Fund - Total Revenue

\$19,564,900

General Fund - Total Expenses

-\$11,662,100

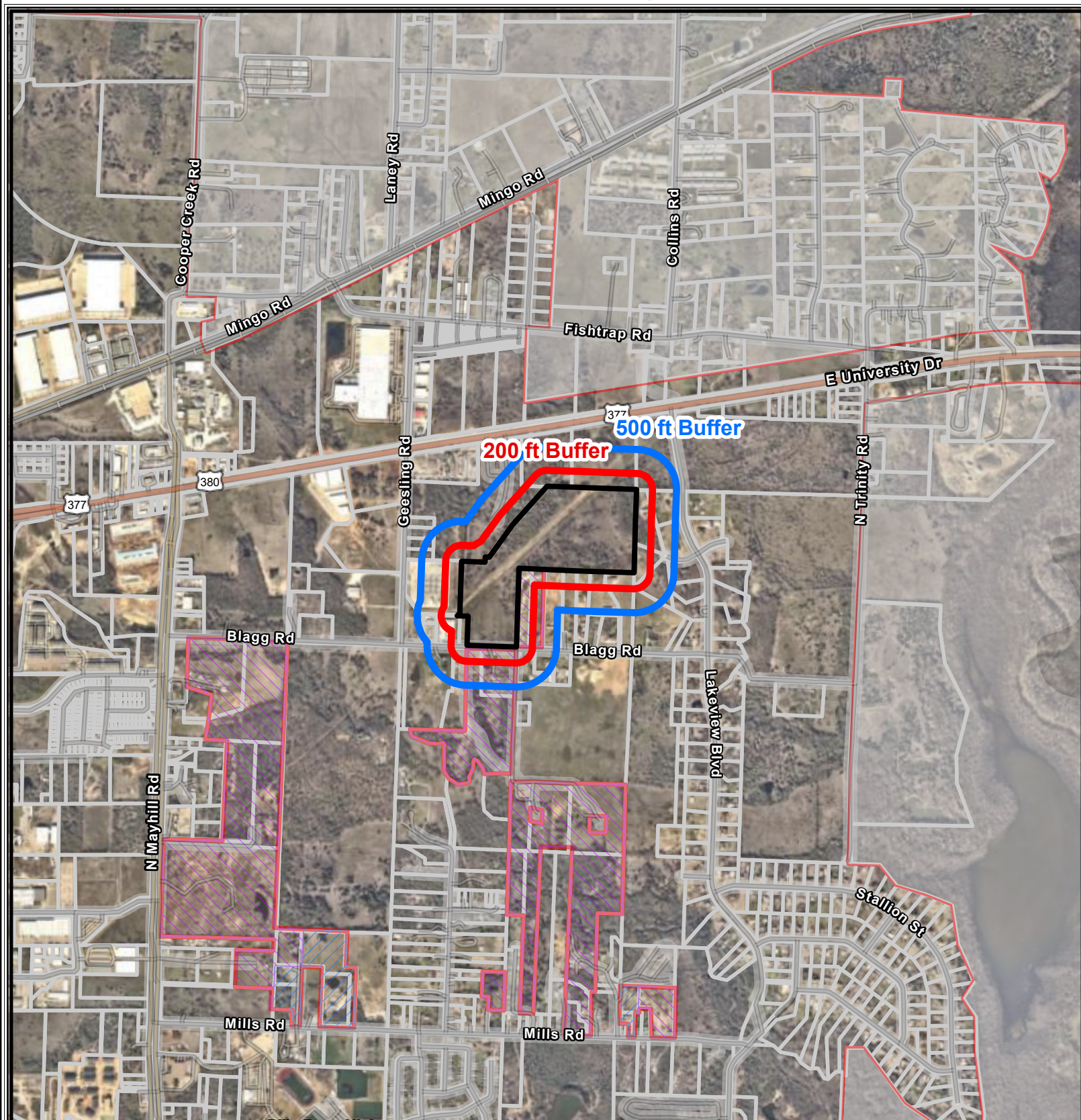
General Fund - Net Impact

\$7,902,800

General Fund - Net Impacts



PD24-0005
Notification Map



⁶This 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



DEPARTMENT OF DEVELOPMENT SERVICES

Development Services Center – 215 W. Hickory Street – Denton, Texas 76201 voice: (940) 349-8541 www.cityofdenton.com

Public Hearing Notification Sign Criteria and Affidavit

A public hearing notification sign is a sign erected on the subject property to publicize a Future Land Use or Zoning Change request, a Specific Use Permit request, a Variance request, or a Historic Landmark Designation request. ***The number of signs and the placement of signs shall be determined at the time of First Review Comments for each specific request.*** It is the responsibility of the owner/project representative to contact Development Services Department to verify the number and location of signs needed.

Sign Criteria:

SIGN DESIGN

- ☒ Signs shall be three and a half (3 ½) feet wide by four (4) feet tall. (Please refer to attached sign exhibit.)
- ☒ The sign shall be constructed in accordance with the City's design standards for public hearing notification signs.
 - a. Two (2) sided, ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
 - b. Lettering shall be placed on both sides of the sign.
 - c. The letter font style shall be Trebuchet MS. The required font size is 230 (bold) for the sign heading and 180 for all but for the remainder of the sign. Of the smaller words on the sign, everything is bold with the exception of the number field, name field, request field, and the website address. (Please refer to attached sign exhibit.)
 - d. Metal or wood posts shall be used.
- ☒ The sign shall comply with the layout and dimensions on the attached Public Hearing Notification Sign Specification sheet.

PLACEMENT

- ☒ The sign shall be posted perpendicular to the property line, and visible and legible from adjacent rights-of-way, but except alleys, at a location(s) determined by staff.
- ☒ If the subject property is on more than one (1) right-of-way, one (1) sign shall be posted along each right-of-way for each 500 feet of linear street frontage of the property.
- ☒ Signs shall be located outside of the public right-of-way, and shall be a minimum of two (2) feet off the ground, unless otherwise directed by the Director of Development Services or designee.

PROOF OF POSTING

- ☒ At least 10 days prior to the public hearing, the applicant shall submit an executed affidavit of proof of the posting (attached) and photographs of the installed sign to the Planning Project Manager.

Failure to post the notification sign(s) and submit the affidavit and photographs will require that the public hearing item be withdrawn and re-noticed until the next public hearing date available.

- ☒ The property owner is responsible for maintaining the sign on the property throughout the entire public hearing process. If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign and posting the sign on the property promptly.

REMOVAL OF SIGNS

- ☒ The property owner or his/her representative must remove the sign within three (3) calendar days subsequent to the final decision by the approving body.

**CITY OF DENTON PUBLIC HEARING NOTIFICATION SIGN
SPECIFICATIONS**



PUBLIC HEARING NOTIFICATION SIGN AFFIDAVIT OF SIGN POSTING

Project No. PDA24-0005 changed from Z24-0005

Date of Planning and Zoning Commission Meeting: June 12, 2024

I hereby certify that I have posted or caused to be posted Public Hearing Notification sign(s) on the property subject to Project Name/Number Walker Geesling, PDA24-0005, located at 1902 Geesling Rd, Denton, TX 76208

Said sign(s) have been obtained through a sign contractor of choice and meet the specifications as stated in the City of Denton Public Hearing Sign Criteria Sheet.

Posting of said signs was accomplished on May 11, 20 24. Said signs have been posted in a manner which provides an unobstructed view and which allows clear reading from the public right(s) of way along Hwy 380 & Geesling and on Blagg Rd. Said signs will be maintained on the property throughout the entire public hearing process and will be removed within three (3) calendar days subsequent to the final decision by the approving body.

I further certify that this affidavit was filed with the Planning Department of the City of Denton within the time provisions specified in the City of Denton Public Hearing Sign Criteria Sheet.

Executed this the 15th day of May, 20 24.

Aimee Bissett

Signature of Applicant or Authorized Representative for Project No. Z24-0005

Aimee Bissett

Printed Name of Applicant or Authorized Representative for Project No. Z24-0005

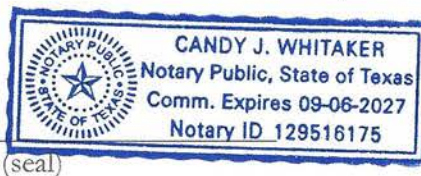
STATE OF TEXAS COUNTY OF Denton BEFORE ME, a Notary Public, on this 15 day personally appeared Aimee Bissett (printed owner's name) the above signed, who, under oath, stated the following:

"I hereby certify that I am the owner, for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 15 day of May, 20 24.

Candy J. Whitaker

Notary Signature

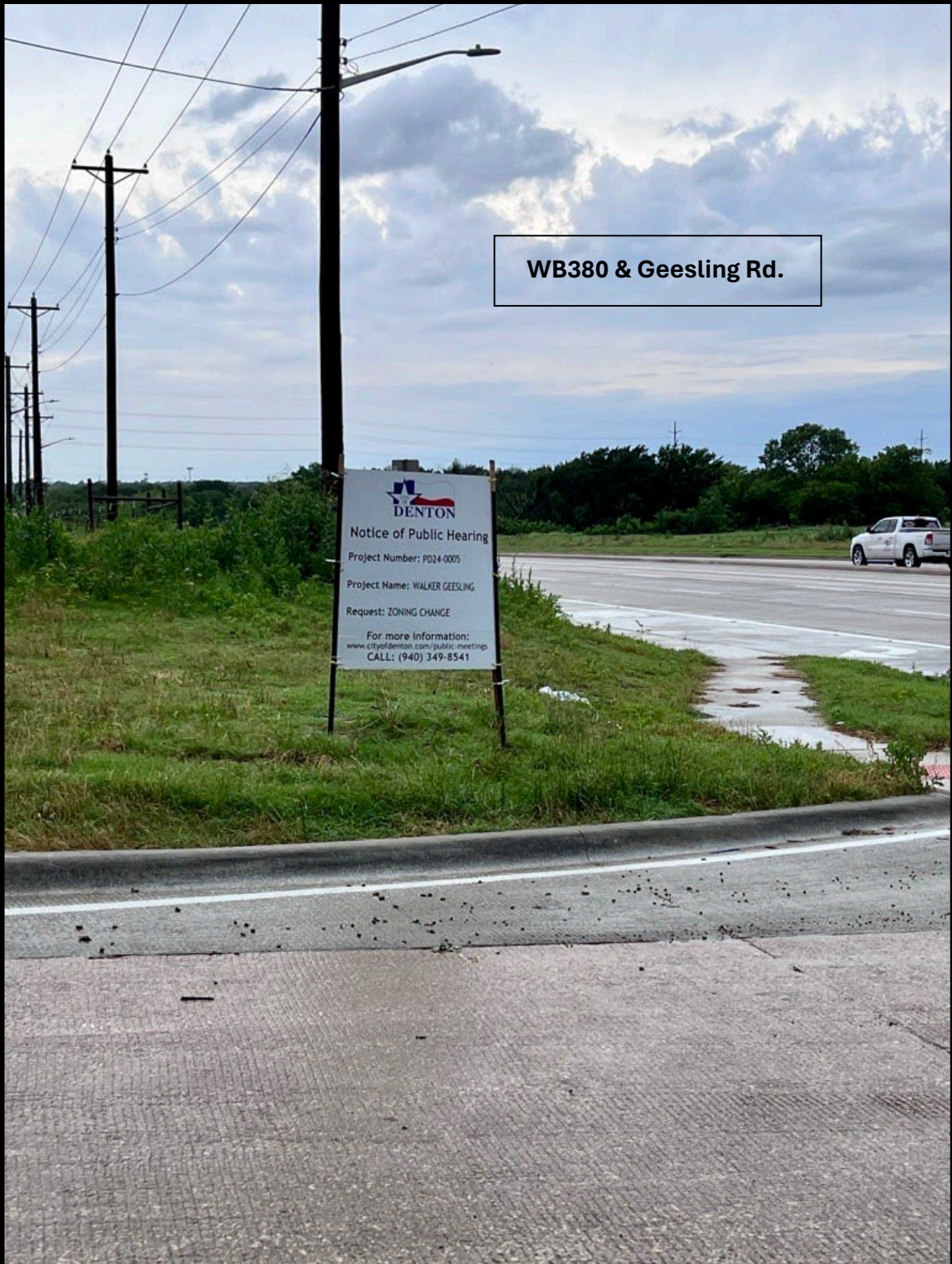


(seal)

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

STAFF USE ONLY:

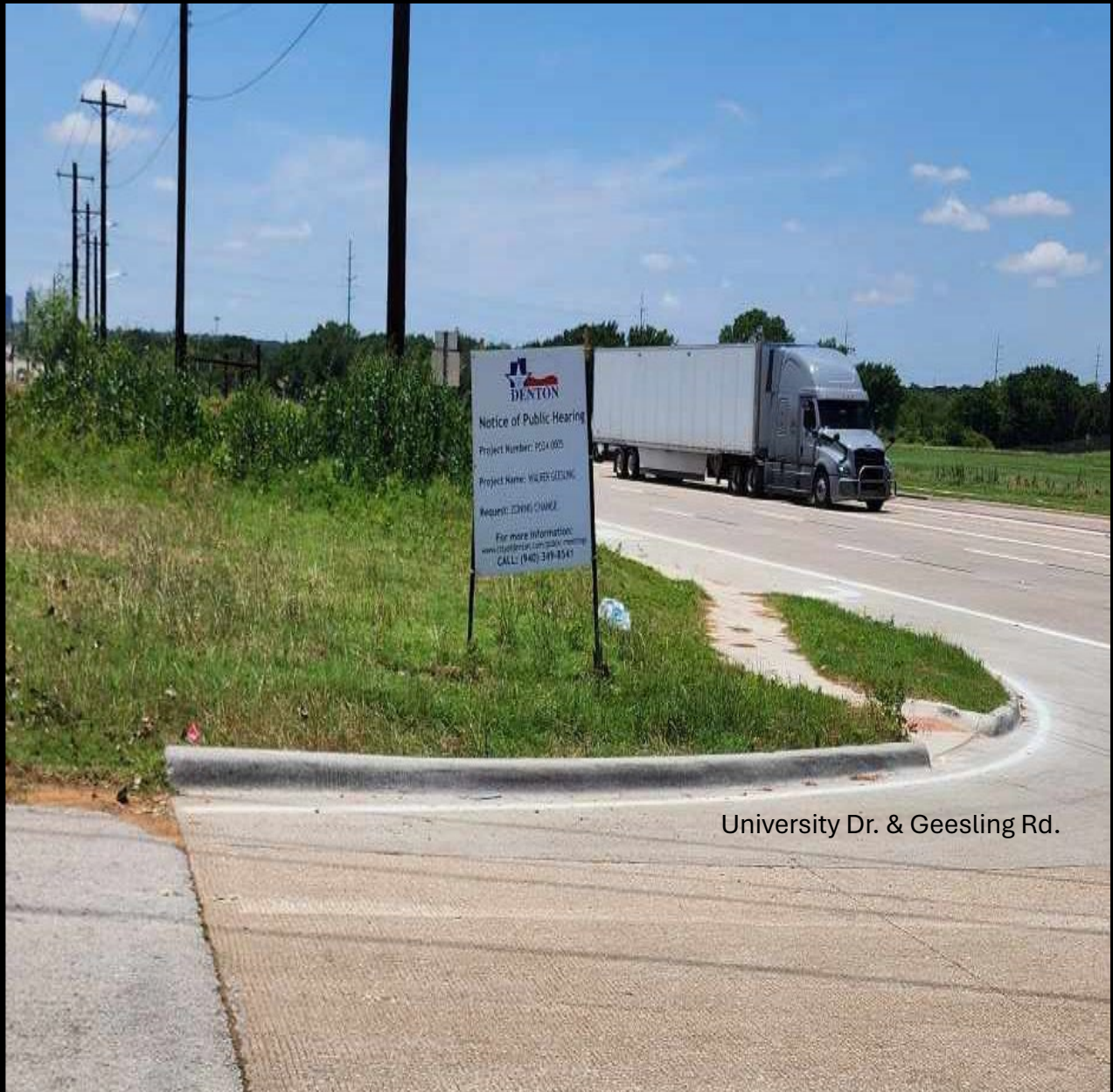
Date/Time submitted: _____ Verified by: _____



WB380 & Geesling Rd.



WB380 & Geesling Rd.



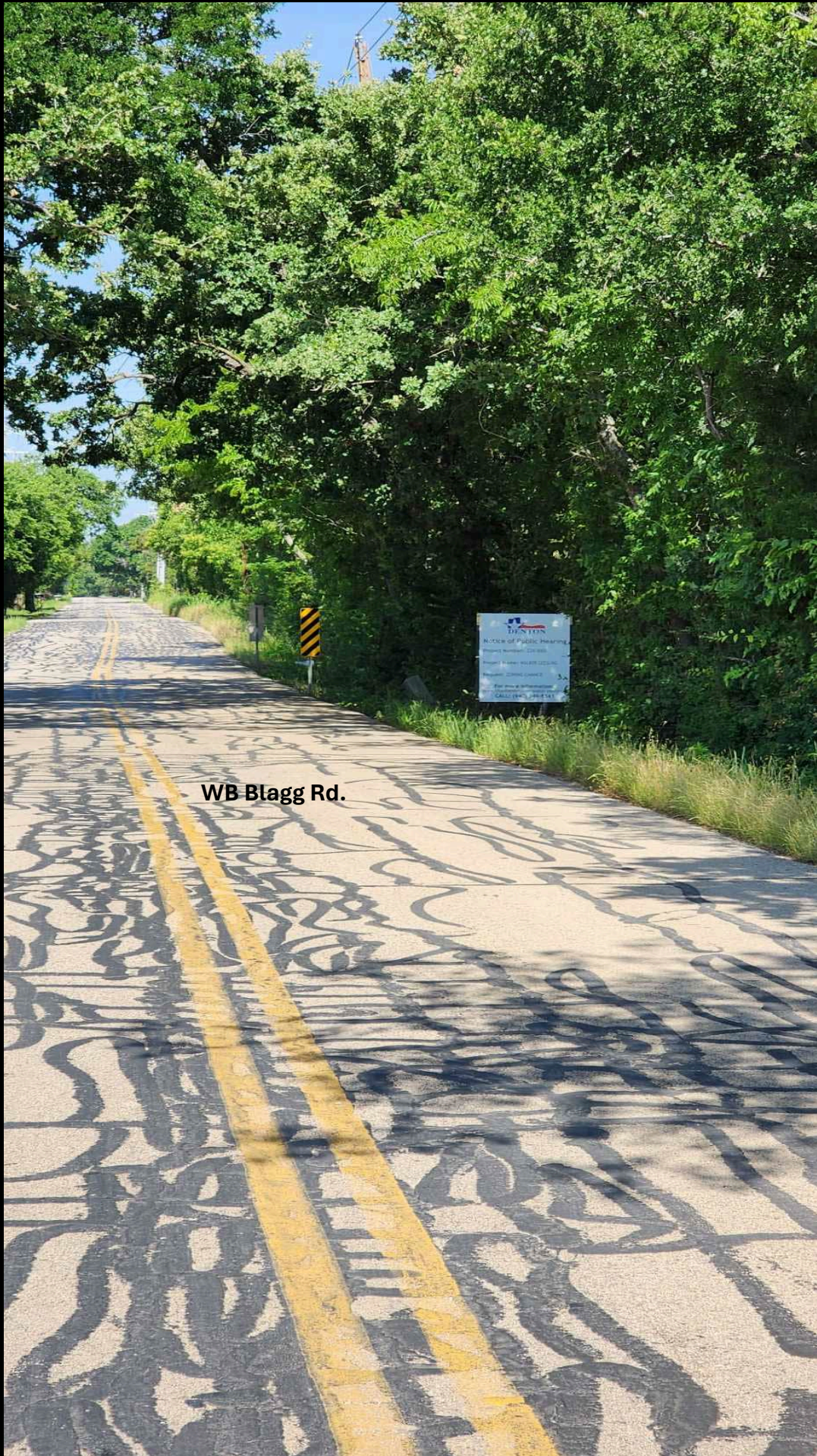
University Dr. & Geesling Rd.



EB 380 & Geesting Rd.







WB Blagg Rd.



WB Blagg Rd.

ORDINANCE NO. PD24-0005

AN ORDINANCE OF THE CITY OF DENTON, TEXAS REGARDING A CHANGE IN THE ZONING DISTRICT AND USE CLASSIFICATION ON APPROXIMATELY 52.589 ACRES OF LAND FROM THE RESIDENTIAL 6 (R6) DISTRICT TO AN OVERLAY PLANNED DEVELOPMENT – LIGHT INDUSTRIAL (PD-LI) DISTRICT. THE SITE IS GENERALLY LOCATED NORTH OF BLAGG ROAD, APPROXIMATELY 800 FEET EAST OF GEESLING ROAD, IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; ADOPTING AN AMENDMENT TO THE CITY’S OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. (PD24-0005, Walker Geesling)

WHEREAS, Aimee Bissett with 97 Land Company, applied on behalf of the property owner, John Walker Et. Al., for a zoning change from the Residential 6 (R6) District to an Overlay Planned Development – Light Industrial (PD-LI) District on approximately 52.589 acres, legally described and depicted in Exhibit “A” (hereinafter, the “Property”); and

WHEREAS, on **June 12, 2024**, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, having given the requisite notices by publication and otherwise, and having held due hearings and afforded full and fair hearings to all property owners interested in this regard, and have recommended **_____ (-)** of the amendment; and

WHEREAS, on **June 18, 2024**, the City Council likewise conducted a public hearing as required by law, and finds that the request meets and complies with all substantive and procedural standards for a zoning change to an Overlay Planned Development (PD) District set forth in Section 2.7.3 of the Denton Development Code, and is consistent with the Denton 2040 Comprehensive Plan and the Denton Development Code; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Denton, in considering the application for a change in the zoning classification of the property, have determined that the proposed use is in the best interest in the health, safety, morals, and general welfare of the City of Denton, and accordingly, the City Council of the City of Denton is of the opinion and finds that said zoning change is in the public interest and should be granted as set forth herein; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

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

SECTION 2. The zoning district and use classification for the Property is hereby changed from the Residential 6 (R6) District to an Overlay Planned Development – Light Industrial (PD-LI) District. The Development Standards for the Property are described in Exhibit “B” attached hereto and incorporated herein by reference. Development of the Property shall be in accordance with the Development Standards in Exhibit “B” and the Denton Development Code, as amended.

SECTION 4. The City’s official zoning map is hereby amended to show the change in the zoning district and use classification.

SECTION 5. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall not affect the validity of the provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 6. Any person, firm, entity or corporation violating any provision of this ordinance shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by fine in a sum not exceeding \$2,000.00 for each offense. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense.

SECTION 7. In compliance with Section 2.09(c) of the Denton Charter, this ordinance shall become effective fourteen (14) days from the date of its passage, and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record-Chronicle, a daily newspaper published in the City of Denton, Texas, within ten (10) days of the date of its passage.

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

| | <u>Aye</u> | <u>Nay</u> | <u>Abstain</u> | <u>Absent</u> |
|--|------------|------------|----------------|---------------|
| Mayor Gerard Hudspeth: | _____ | _____ | _____ | _____ |
| Vicki Byrd, District 1: | _____ | _____ | _____ | _____ |
| Brian Beck, District 2: | _____ | _____ | _____ | _____ |
| Paul Meltzer, District 3: | _____ | _____ | _____ | _____ |
| Joe Holland, District 4: | _____ | _____ | _____ | _____ |
| Brandon Chase McGee, At Large Place 5: | _____ | _____ | _____ | _____ |
| Jill Jester, At Large Place 6: | _____ | _____ | _____ | _____ |

PASSED AND APPROVED this the _____ day of _____, 2024.

GERARD HUDSPETH, MAYOR

ATTEST:
LAUREN THODEN, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____



City of Denton

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

Legislation Text

File #: Z22-0018, Version: 1

AGENDA CAPTION

Hold a public hearing and consider making a recommendation to City Council regarding a request by McAdams on behalf of the property owner, 195 Denton Partners, LLC to rezone approximately 166.1 acres from Residential 2 zoning district to Mixed-Use Neighborhood zoning district and Public Facilities zoning district. The subject site is generally located at the southeast corner of I35-W and Corbin Road in the City of Denton, Denton County, Texas. (Z22-0018, Denton 195, 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: June 12, 2024

SUBJECT

Hold a public hearing and consider making a recommendation to City Council regarding a request by McAdams on behalf of the property owner, 195 Denton Partners, LLC to rezone approximately 166.1 acres from Residential 2 zoning district to Mixed-Use Neighborhood zoning district and Public Facilities zoning district. The subject site is generally located at the southeast corner of I35-W and Corbin Road in the City of Denton, Denton County, Texas. (Z22-0018, Denton 195, Angie Manglaris)

BACKGROUND

The applicant, McAdams, on behalf of the property owner, 195 Denton Partners, LLC, is requesting to rezone approximately 166.1 acres from Residential 2 (R2) District, to a combination of Mixed-Use Neighborhood (MN) and Public Facilities (PF) Districts. The subject property is part of a larger 195-acre tract of land situated at the southeast corner of I35-W and Corbin Road (see Exhibit 4). According to the applicant, the purpose of the zoning change request is to rezone Parcels A and C, totaling 31.5 acres as shown on Exhibit 4, to Mixed-Use Neighborhood district to facilitate multifamily development. The remainder of the subject property, 134.6 acres shown as Parcel D, is proposed to be rezoned to Public Facilities for future parkland dedication to the City. A companion application for a Planned Development Overlay request (PD23-0001) for the remaining 26.2 acres of land, depicted as Parcel B in Exhibit 4, has been submitted, and is also on the June 12, 2024, Planning and Zoning Commission agenda for separate consideration.

The subject property is currently undeveloped and consists of open pasture with clusters of mature trees dispersed throughout the site. The portion of the subject property depicted as Parcel D consists of FEMA Floodplain and Floodway as well as Water Related Habitat and Riparian Buffer Environmentally Sensitive Areas (ESA). Despite the applicant's stated intentions, if approved, the site could be developed with any uses permitted under the MN and PF Districts (see Exhibit 8).

A full Staff Analysis is provided in Exhibit 2.

OPTIONS

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

RECOMMENDATION

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

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

| Date | Council, Board, Commission | Request | Action |
|-----------------|----------------------------|--|--------------------------|
| December 1969 | City Council | Annexation (ORD 69-0040) | Annexed into City Limits |
| 2002 | City Council | City-wide Zoning Transition to NR-2 | Approved |
| October 1, 2019 | City Council | New Zoning Code and City-wide zoning district transition R2 District | Approved |

PUBLIC OUTREACH:

Twenty-three (23) notices were sent to property owners within 200 feet of the subject property, and twelve (12) postcards were mailed to current residents within 500 feet of the subject property. As of the writing of this report, the City has received one response in opposition of the request.

A notice was published in the Denton Record Chronicle on May 26, 2024.

A notice was published on the City's website on May 23, 2024

Nine signs were posted on the property on January 26, 2024.

The applicant held three neighborhood meetings regarding the request on November 17, 2022; March 9, 2023; and August 17, 2023. Meeting attendance varied, and the main concerns surrounding the project were related to the increase of traffic on Corbin Road, the state of Corbin Road and its ability to accommodate new development, and the introduction of multifamily land uses to the area. Through the neighborhood meeting process, the applicant determined the best path forward for the development was to divide the project into two separate zoning cases: one straight zoning case and one planned development overlay case, which is intended to address the concerns raised by residents during public engagement.

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. Overall Concept Plan
5. Existing Zoning Map
6. Proposed Zoning Map
7. Future Land Use Map
8. Comparison of Allowed Uses
9. Notification Map and Response
10. LLC Members List
11. Draft Ordinance

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

Prepared by:
Angie Manglaris, AICP
Development Review Manager

Planning Staff Analysis

Z22-0018/Denton 195 R2 to MN and PF

City Council District #3

REQUEST:

Request to rezone approximately 166.1 acres from Residential 2 (R2) District to Mixed-Use Neighborhood (MN) and Public Facilities (PF) Districts.

STAFF RECOMMENDATION:

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

SITE DATA:

The subject property is being proposed for a rezoning from R2 to MN and PF zoning districts. The intent of the rezoning proposal is to facilitate the development of a future multifamily development on approximately 31.5 acres of land depicted on Exhibit 4 as Parcels A and C. The remaining 134.46 acres of land is intended to be rezoned to Public Facilities for future land dedication to the City for parkland development. The site is currently undeveloped and consists of open pasture with clusters of mature trees dispersed throughout the site.

A portion of the subject property, depicted as Parcel D below and in Exhibit 4, consists of 100-



year FEMA Floodplain as well as Floodway. A set of Water Related Habitat and Riparian Environmentally Sensitive Areas (ESAs) potentially exist within and around the undeveloped Floodplain and Floodway ESA. An ESA field assessment is being reviewed concurrently with this zoning change request and will confirm which of these potential ESA areas on the southern portion of the site meet the criteria to be confirmed as ESAs.

Existing and proposed development within the broader region consists primarily of residential uses. North and east of the subject

property exists Residential 2 zoning developed with lower-density single-family residential homes. To the south of the subject property is The Vintage Development, which is developed with a higher-density single-family subdivision, zoned Planned Development.

The subject property is accessible from Corbin Road, which is designated as a Secondary Arterial per the City's 2022 Mobility Plan. Corbin Road is currently an unimproved gravel roadway with variable right-of-way width. At its widest, Corbin Road measures approximately 51 feet in width near the intersection of Old Bonnie Brae and Corbin Road and is approximately 35 feet in width at its most narrow point. It is important to note that Corbin Road is only accessible from the east via Bonnie Brae because the Corbin Road underpass at I35-W was closed by City Ordinance at the intersection of Corbin Road and I35-W in 2010. Also, there are no existing frontage roads along I35-W thereby further limiting any access to Corbin Road from the west of the subject property.

SURROUNDING ZONING AND USES:

| | | |
|---|---|---|
| Northwest: Zoning: Corbin Road right-of-way with R2 Zoning north of the right-of-way Use: Undeveloped and Gas Well Site | North: Zoning: Corbin Road right-of-way with R2 Zoning north of the right-of-way Use: Single-family residential | Northeast: Zoning: Corbin Road right-of-way with R2 Zoning north of the right-of-way Use: Single-family residential |
| West: Zoning: N/A Use: I35-W Corridor | SUBJECT PROPERTY | East: Zoning: City of Denton ETJ and R2 Use: Undeveloped and single-family residential |
| Southwest: Zoning: Planned Development District Use: Undeveloped | South: Zoning: Planned Development District Use: single-family residential | Southeast: Zoning: City of Denton ETJ and R2 Use: Undeveloped |

CONSIDERATIONS:

Section 2.4.5.E of the DDC provides approval criteria applicable to all applications.

1. General Criteria

- a. *Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.*

The review criteria were applied as required.

- b. *The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9.*

Section 2.7.2.D of the DDC applies to this rezoning request. An analysis of this request per those criteria can be found below in Consideration B.

- c. *If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5 through 2.9 controls.*
There are no conflicts between the general criteria and the criteria specific for zoning requests.
2. *Prior Approvals*
There are no prior approvals for this project.
3. *Consistent with the Comprehensive Plan and Other Applicable Plans*
The decision-making authority:
 - a. *Shall weigh competing goals, policies, and strategies.*
There are no competing goals, policies, or strategies with this proposal.
 - b. *May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in the Comprehensive Plan.*

Future Land Use

Per the Denton 2040 Comprehensive Plan Future Land Use Map (FLUM), the subject property is primarily designated as Moderate Residential, which accommodates single-family detached housing on small lots, typical of Denton's more compact, established single-family neighborhoods and low-rise multi-family dwellings and townhomes. This land use applies to areas within the central areas of Denton and transition areas between established single-family neighborhoods and mixed-use or commercial areas that can accommodate greater density, or adjacent to key corridors.

While Moderate Residential is primarily designed to accommodate single-family development, multi-family dwellings, and townhomes may be located in this land use as well. While the quality of multi-family dwellings and townhomes currently varies, in the case of future infill development, they should maintain a scale, style, and building orientation in order to complement the prevailing character of its surroundings. This category may also include land uses that support residential neighborhoods, such as neighborhood-scaled commercial at arterial and collector street corners. The Moderate Residential Land Use category contemplates a density of 5-12 dwelling units per acre.

The proposed MN zoning district is consistent with this Future Land Use Designation as the zoning district is intended to accommodate a variety of housing types and designed to serve as a transitional area between higher-intensity mixed use and commercial development and residential development. I35-W at Corbin Road (an existing Freeway and Secondary Arterial respectively) and is part of a broader request to rezone a total of 195 acres of land (see companion application PD23-0001). The conceptual plan submitted as part of this application reflects a gross density of 5.4 dwelling units per acre, which is consistent with the Future Land Use recommendation of a density between 5 and 12 units per acre.

Preferred Land Preservation Plan

The Preferred Land Use Preservation Plan shows a set of Environmentally Sensitive Areas associated with the Dry Fork Hickory Creek Tributary, which runs from east to west across the subject property. Additionally, the Preferred Land Preservation Plan shows an area of FEMA Floodplain and Floodway, and Riparian Buffer ESA exist within the portion of the subject property requested to be rezoned to Public Facilities for potential parkland dedication. The rezoning of approximately 134 acres to Public Facilities for parkland dedication is consistent with the goals of the Preferred Land Preservation Plan since the majority of the ESAs on site are contained within the boundaries of Parcel D. Any development where ESAs are verified, is subject to the requirements within DDC Section 7.4.7A; any work beyond what is permitted in the DDC would require approval by City Council through the Alternative ESA process, which requires mitigation be proposed to offset impacts to disturbed areas of ESA.

Parks, Conservation, and Environment

The primary goal of the Parks, Conservation, and Environment element of the Denton 2024 Plan is the creation of a cohesive green infrastructure network within the city and advancement of sustainable environmental practices throughout. The requested rezoning is consistent with the Parks, Conservation and Environment Goals within the City, including:

Goal PCE-1: Unite Denton through a framework of parks, open space, and recreation facilities that respond to unique community needs and match population growth.

The Parks Bike Master Plan identifies the portion of the subject property to be zoned PF as a future trail connection across the I35-W Corridor (utilizing the underpass at Corbin Road) and would be an asset in creating a regionally linked trail system in which mobility to, from, between, and within the system is readily apparent and aligned with natural resources in the city. In addition to allowing for regional trail and bike connectivity, the dedication of this land to the City would allow for the City's long-term preservation and maintenance of the ESAs described above and shown on the Preferred Land Preservation Plan.

While the intent of the proposed rezoning to Public Facilities is to dedicate the land area to the City as parkland, it is important to note that this land dedication is subject to the approval of a separate development agreement, which would be presented to the City Council at a future date. In the event the land area is not dedicated to the City, if this zoning change is approved any use which is permitted in the PF District could be developed in the future (see Exhibit 8).

Housing and Neighborhoods

The Denton 2040 Comprehensive Plan recognizes that, “With housing demand expected to increase over the next five years, providing diverse housing options in a variety of densities, styles, and price-points is critical to increasing the affordability of housing in Denton.” The proposed development is consistent with the housing goals within the City, including:

Goal HN-1: Develop and maintain a housing stock that meets the needs of all residents with a diverse array of choices in type, cost, and locations.

The proposed rezoning to MN on Parcels A and C is intended to facilitate development of a multifamily development, which would increase the housing options available in this area of the City, which predominantly features single-family detached housing. If the zoning is approved, any use permitted in the MN District could be developed, though. The MN District permits a variety of other residential uses that could contribute to greater housing diversity in the area (see Exhibit 8).

4. *Compliance with this DDC*

- a. *The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.*

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

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

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

5. *Compliance with Other Applicable Regulations*

This proposed rezoning complies with all other applicable regulations.

6. *Consistent with Interlocal and Development Agreements*

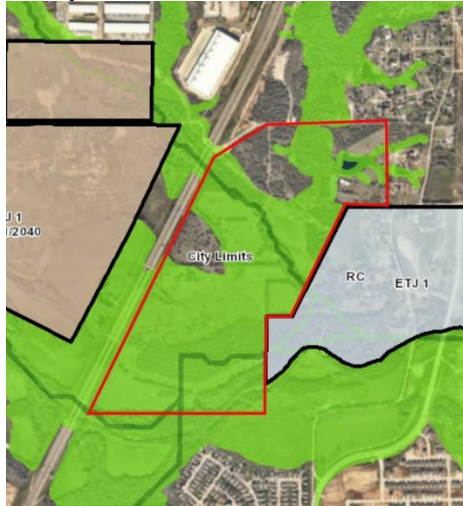
There are no interlocal or development agreements for the subject site. A separate parkland dedication and development agreement would be required for the dedication of Parcel D to the City.

7. *Minimizes Adverse Environmental Impacts*

The Official ESA Map and Preferred Land Use Preservation Plan (described above) shows a set of potential Environmentally Sensitive Areas as well as FEMA Floodplain and Floodway situated within the center and along the southern boundary of the subject tract. Any development onsite within these designated areas will be subject to the requirements of DDC 7.4 regarding ESAs.

Wildlife Corridors

The Denton 2040 Comprehensive Plan established Key Action item #127: “Identify and map wildlife corridors throughout the City to be addressed within three years of Plan adoption.” The creation of this map was accomplished last year, providing an informational resource for the City to understand paths wildlife are likely to utilize throughout the City based upon two factors: first, the locations of existing natural resources such as ESAs which have been mapped as “greenspace,” and second, direct paths that link greenspaces throughout the City and that may be useable by wildlife, which are shown as the “wildlife corridors”. It is important to note that although the Comprehensive Plan called for the creation of this map, the map is not a part of the Comprehensive Plan nor is it codified in any way, so it is merely an informational tool.



The City’s Wildlife Corridor Map indicates the presence of greenspace (see light green shading on inset map) and wildlife corridors (see darker green lines on inset map) throughout the subject property. The identified area of greenspace is consistent with the boundaries of the ESAs onsite, the majority of which are proposed to be zoned to PF and dedicated to the City as parkland as described above, while the wildlife corridors are estimated to exist within the overall greenspaces.

Areas of greenspace outside the boundaries of Parcel D and within the areas proposed to be zoned to MN (or PD as part of the companion application) would still be protected by the DDC’s ESA regulations, which require either protection of these areas or approval of an Alternative ESA plan to establish mitigation for most encroachments within these areas.

8. *Minimizes Adverse Impacts on Surrounding Property*

The proposed rezoning is not anticipated to create adverse impacts on surrounding zoning and development patterns in the area. The subject property is adjacent to the I35-W Corridor and would provide a transitional area from the higher-intensity commercial and industrial zoning situated west along the highway corridor to the established existing residential uses and zoning to the east.

The proposed rezoning would allow for the development of multifamily uses and parkland dedication. Development of the site would require conformance with design standards within the DDC, including lot dimensions, landscaping, and access requirements.

9. *Minimizes Adverse Fiscal Impacts*

This proposed rezoning is not anticipated to create adverse fiscal impacts.

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

This proposed rezoning will not affect utilities, services, or improvements. When the site is developed, it will be reviewed to ensure compliance with all applicable standards.

11. *Provides Adequate Road Systems*

The subject property is located to the south of Corbin Road, which is classified as a Secondary Arterial. The applicant has submitted a Traffic Impact Analysis, which has been reviewed by staff. The developer is responsible for making improvements identified in the TIA to accommodate the additional trips generated by the use, which could include the construction of at least two travel lanes of Corbin Road from Old Bonnie Brae to the subject property. The details of any needed improvements will be reviewed as part of the platting and civil engineering plans for any future development.

It should also be noted that the development of Parcel C would be dependent upon TXDOT's construction of frontage roads along I35-W, which is a part of the planned I35-W widening project expected to begin construction in 2026.

Additional details regarding access and transportation improvements are provided below.

12. *Provides Adequate Public Services and Facilities*

The proposed rezoning is not anticipated to negatively impact public services and facilities. When the site is platted, the new development must comply with all applicable standards to ensure adequate public services and facilities are available. Water utilities have been extended to serve the surrounding developments and wastewater utilities are existing onsite. Future development of this site will be able to connect to and further extend those utilities to serve the subject property.

13. *Rational Phasing Plan*

This proposed rezoning does not have a phasing plan.

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

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

As discussed in 3.b above, the proposed zoning of MN and PF Districts are consistent with the Denton 2040 Comprehensive Plan and will permit the development multifamily uses with associated parkland dedication.

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

There is no small area plan approved for this site.

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

Per Section 3.3.1.A, “The MN district is provided to support compatibility between higher-intensity mixed-use areas and adjacent residential and commercial areas. This district contributes to a vibrant environment for pedestrians and bicyclists and includes varying densities of residential, neighborhood-serving retail, restaurants, commercial, and office uses that are sensitive to the surrounding built and natural context in scale and form.”

The proposed MN Zoning District in this location is consistent with the purpose statement as it is situated at the intersection of a Secondary Arterial (Corbin Road) and a Freeway (I35-W). With the improvements to I35-W expected to begin in 2026, the site will have connections to nearby schools, retail uses, and adjacent developments. The MN zoning would be an appropriate transitional district from the highway corridor located to the west of the subject property and the low-density residential development located to the east. As the I35-W corridor continues to develop, the MN Zoning will facilitate establishment of character within the overall region.

Per Section 3.5.4.A, “The PF district is intended to provide adequate lands for public and quasi-public community uses and services, including but not limited to fire stations, schools, libraries, community centers, hospitals, civic buildings, open space, parks, utilities, and other public-related facilities.”

The proposed PF portion of the subject property is intended to be dedicated to the City for future parkland development. The PF zoning district would be appropriate as it is intended for public lands.

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

In the next 5 years, the corridor is expected to see continued growth and development. Improvements to I35-W are anticipated to begin in 2026. With the improvements to the highway as well as the construction of additional access ramps and frontage roads along the corridor, it is anticipated that the area continues to see growth and development as additional access to I35-W is provided. The zoning within a mile radius of the site consists of varied zoning along the I35-W Corridor, including Heavy and Light Industrial as well as portions of the Hunter and Cole Master Planned Communities, which are in the beginning stages of the development review process and predominantly feature Mixed-Use Neighborhood and Mixed-Use Regional base zonings in proximity to I35-W. As properties within the corridor continue to develop, the proposed rezoning would facilitate compatible development and be consistent with the Comprehensive Plan's intent that this area should develop with moderate residential uses with opportunity for mixed use development along the highway corridor.

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

Transportation Related to the Proposal

A Traffic Impact Analysis (TIA) based on the proposed development for the subject property has been submitted by the applicant. The TIA indicates the following improvements to surrounding roadway infrastructure are needed to accommodate the new use:

- Corbin Road will be constructed as a 31-foot back-to-back curb and gutter roadway adjacent to the development site and a 24-foot back-to-back curb and gutter roadway from the site boundaries to Bonnie Brae and the future I35-W north-bound frontage road.
- Left turn deceleration lanes will be constructed to meet City standards on Corbin Road at Driveways 1 & 4 (adjacent to Parcels A and B, which is the subject of the companion PD application).
- A right turn deceleration lane will be constructed on the future I35-W north-bound frontage road at Driveway 5 (adjacent to Parcel C).

Perimeter street improvements will be required along Corbin Road. Corbin Road is identified as a Secondary Arterial in the City's Mobility Plan, which is required to have a right-of-way width of 110 feet. The developer is responsible for making improvements for the full length of Corbin Road from Old Bonnie Brae to I35-W as outlined in the TIA. The developer is responsible for construction of one-half of the total 110' of right-of-way required for a Secondary Arterial. The existing right-of-way in this area is variable and ranges from approximately 51 feet to 35 feet.

As discussed earlier in this report, Corbin Road at I35-W is currently closed at the underpass, and motorists cannot exit I35-W at Corbin Road. At such time when the frontage roads and interchange improvements are constructed, it is anticipated

that this interchange will reopen. Therefore, the construction of improvements to Corbin Road by the developer are appropriate for longer term access to I35-W frontage roads.

Roadway Impact Fees

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

Access and Perimeter Street Improvements

Perimeter street improvements will be required along Corbin Road. Corbin Road is identified as a Secondary Arterial in the City's Mobility Plan, which is required to have a right-of-way width of 110 feet. The developer is responsible for making improvements for the full length of Corbin Road from Old Bonnie Brae to I35-W as outlined in the TIA and described above. The developer is responsible for construction of one-half of the total 110 feet of right-of-way required for a Secondary Arterial. The existing right-of-way in this area is variable and ranges from approximately 51 feet to 35 feet.

Pedestrian Facilities

The developer will be required to provide 5-foot sidewalks along the Corbin Road property frontage in accordance with the Transportation Criteria Manual. As the Corbin Road corridor continues to develop and/or redevelop, sidewalk connectivity and pedestrian access within the area will also expand, creating pedestrian pathways along the Secondary Arterial.

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

Schools

Per the Denton Independent School District's student generation formula, the intended multifamily development would generate approximately 88.68 elementary students, 36.95 middle school students, and 44.34 high school students.

Water and Wastewater

Public water and wastewater services are available to the site and will be extended and expanded as needed to serve the proposed developments.

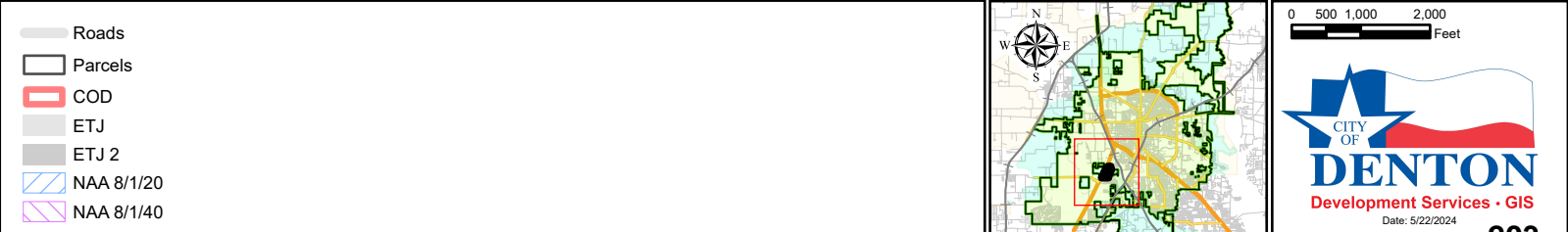
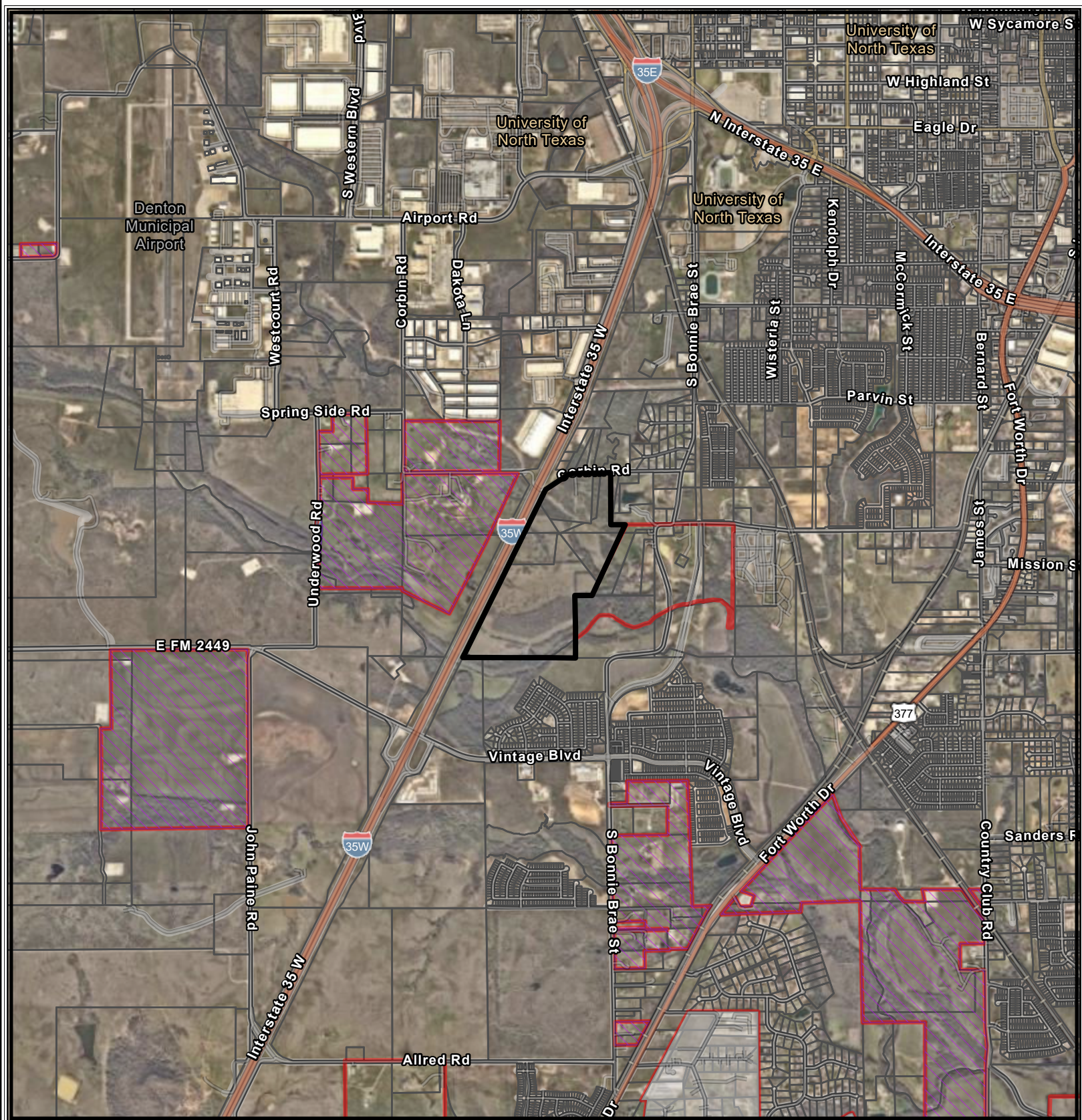
Nearest Fire Station

The subject property is approximately 2.2 miles from Fire Station #7 (4201 Vintage BLVD), within the eight minute or less response time boundary.

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

There was not an error in the assignment of the current R2 zoning district. The existing zoning is the result of the property's annexation history. The property was annexed as part of a strip annexation in 1969. The zoning subsequently transitioned as part of the 2002, and ultimately the 2019, City-wide code updates to R2.

Z22-0018 Site Location



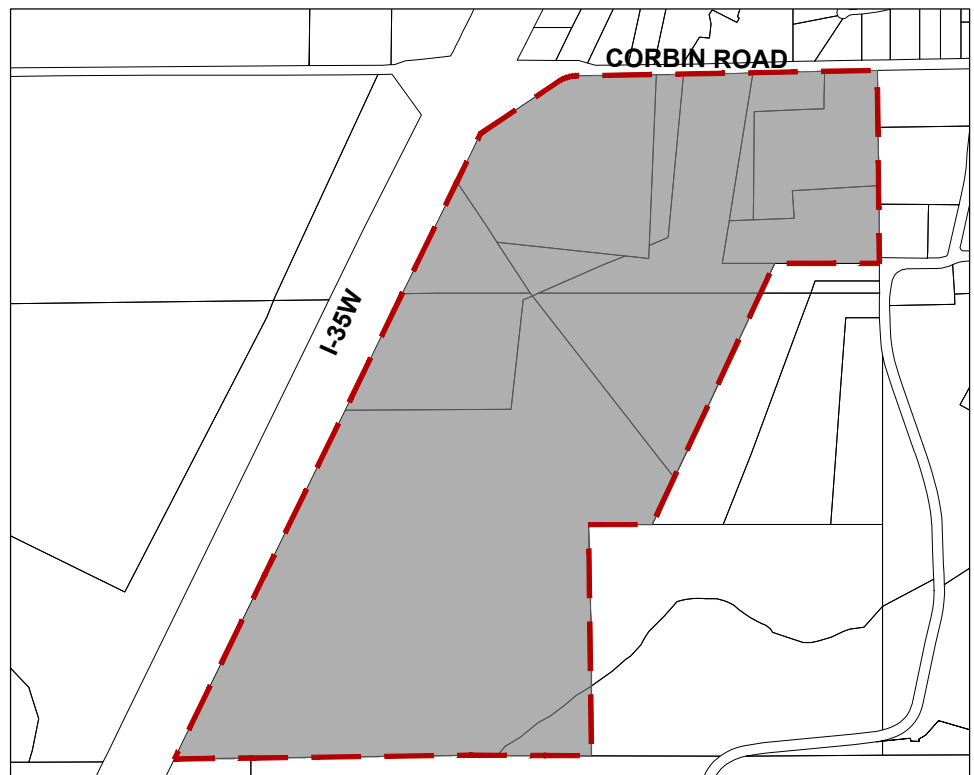


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CLIENT

REX
REX Real Estate
12400 Preston Road, Suite 100
Frisco, Texas 75033 Ph. 972-250-1263
rexorrexrealestate.com



VICINITY MAP

LEGEND

-  MIXED USE NEIGHBORHOOD (MN)
 PUBLIC FACILITIES (PF)
 SITE BNDRY LINE
 FEMA FLOODPLAIN

APPLICANT

Contact: dpowell@mcadamsc.com

OWNER / DEVELOPER

Contact: rex@rexrealestate.com

ENGINEER

Contact: jbarton@mcadamsco.com

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|------------|----------------|
| 1 | 09-20-2023 | ZONING EXHIBIT |

PLAN INFORMATION

| | |
|-------------|--|
| PROJECT NO. | SPEC-2021310210 |
| FILENAME | 2023-09-15 - DENTON-195 EXHIBIT.DWG |
| CHECKED BY | DP |
| DRAWN BY | AB |
| SCALE | 200 SCALE |
| DATE | 09-20-2023 |

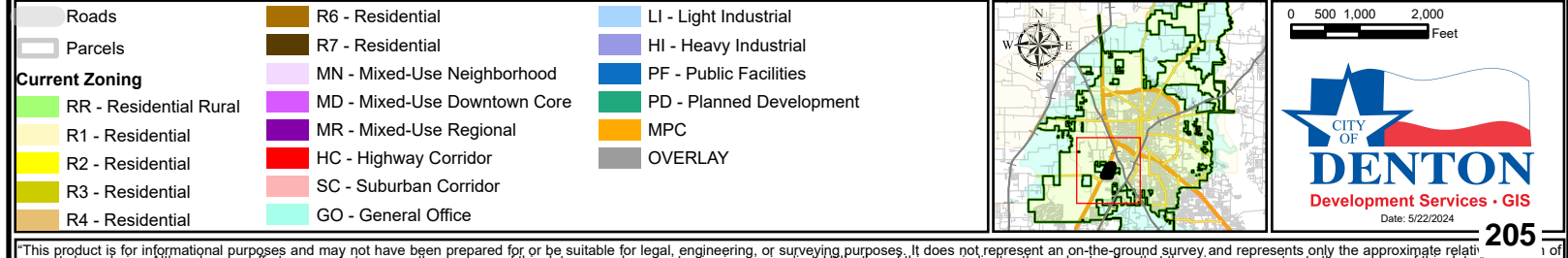
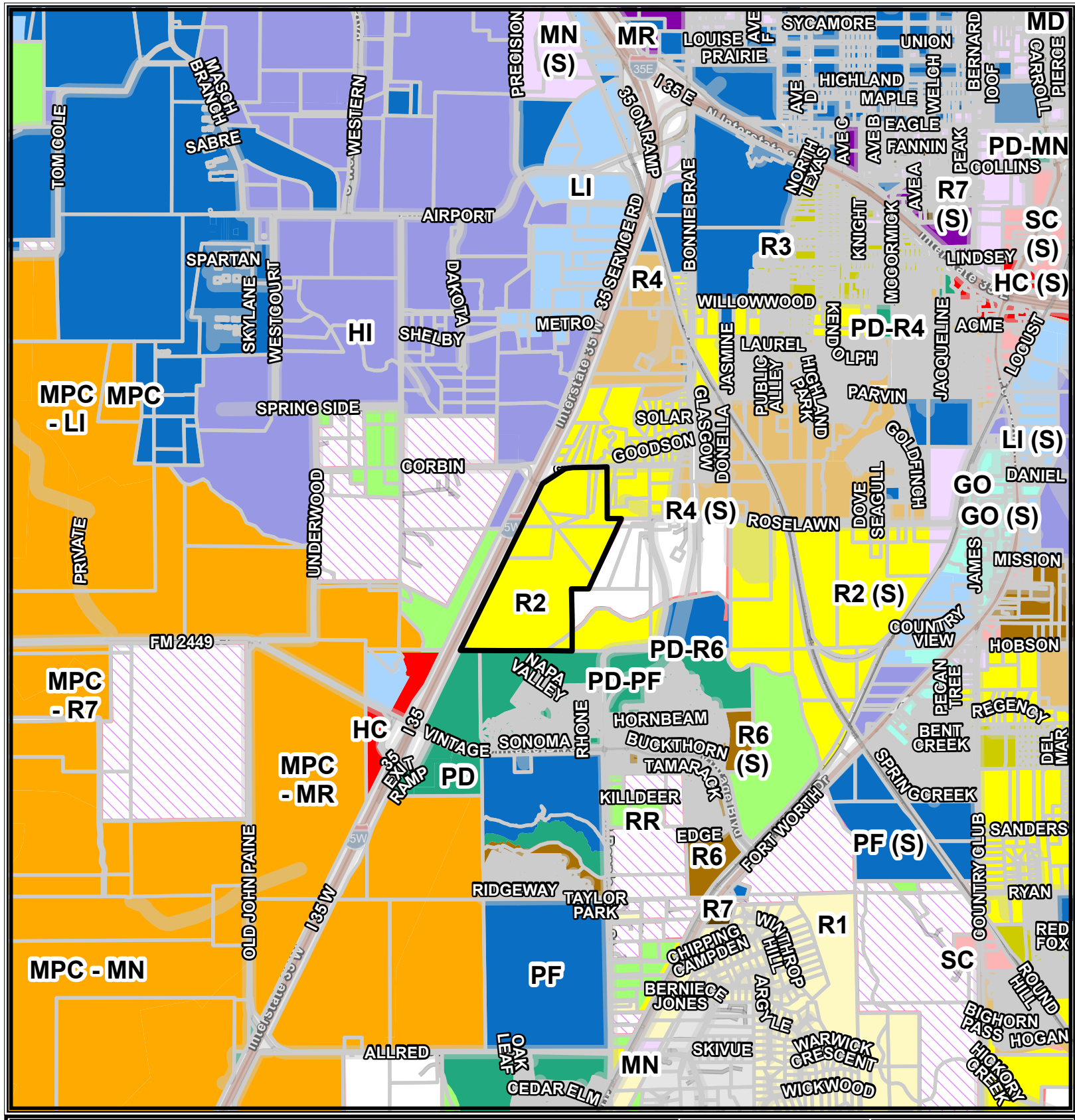
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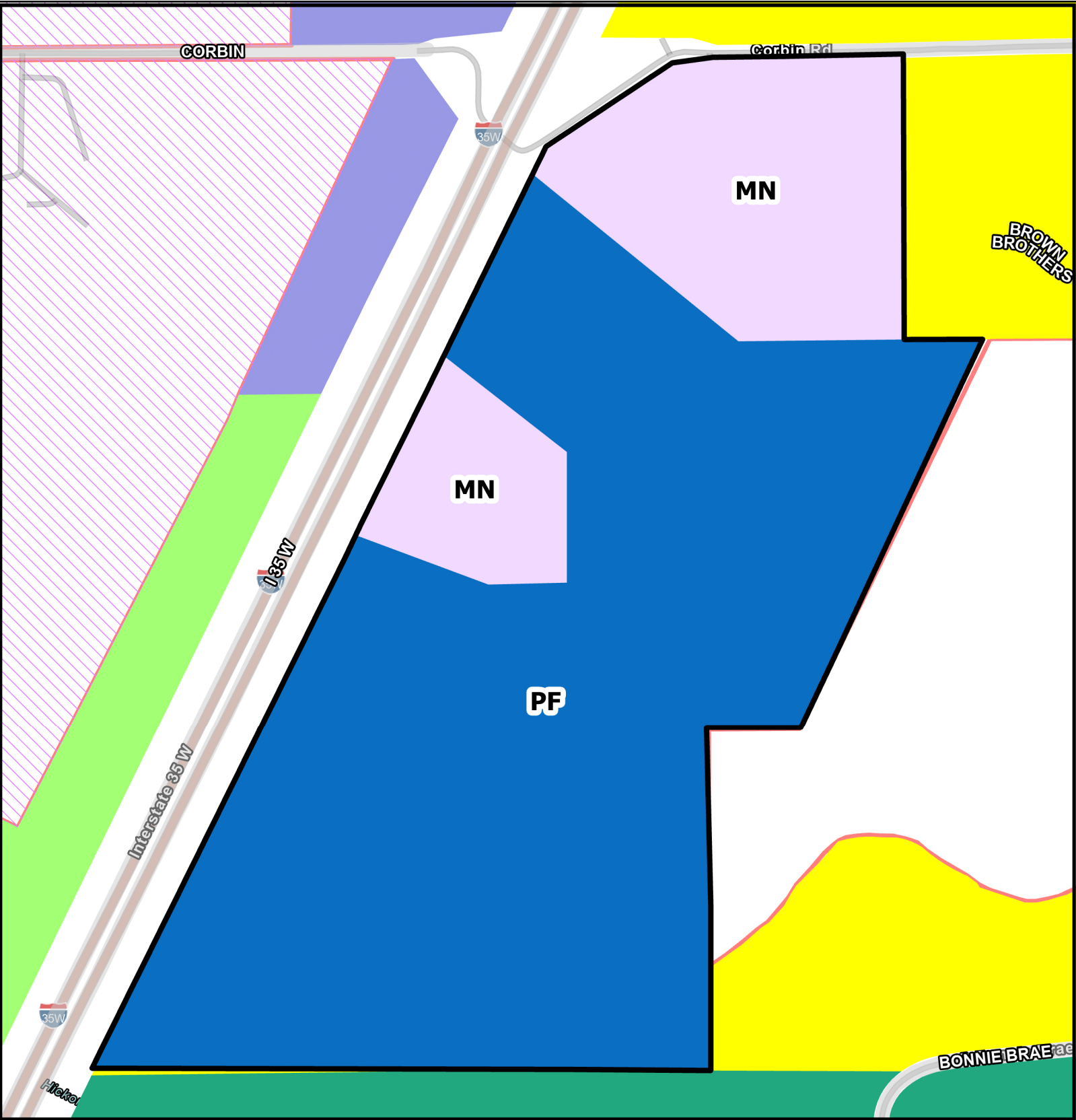
PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

Z22-0018 Current Zoning Map



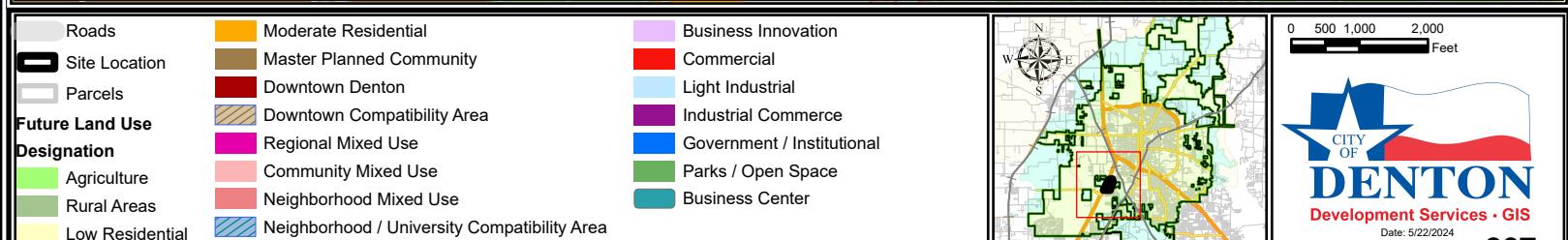
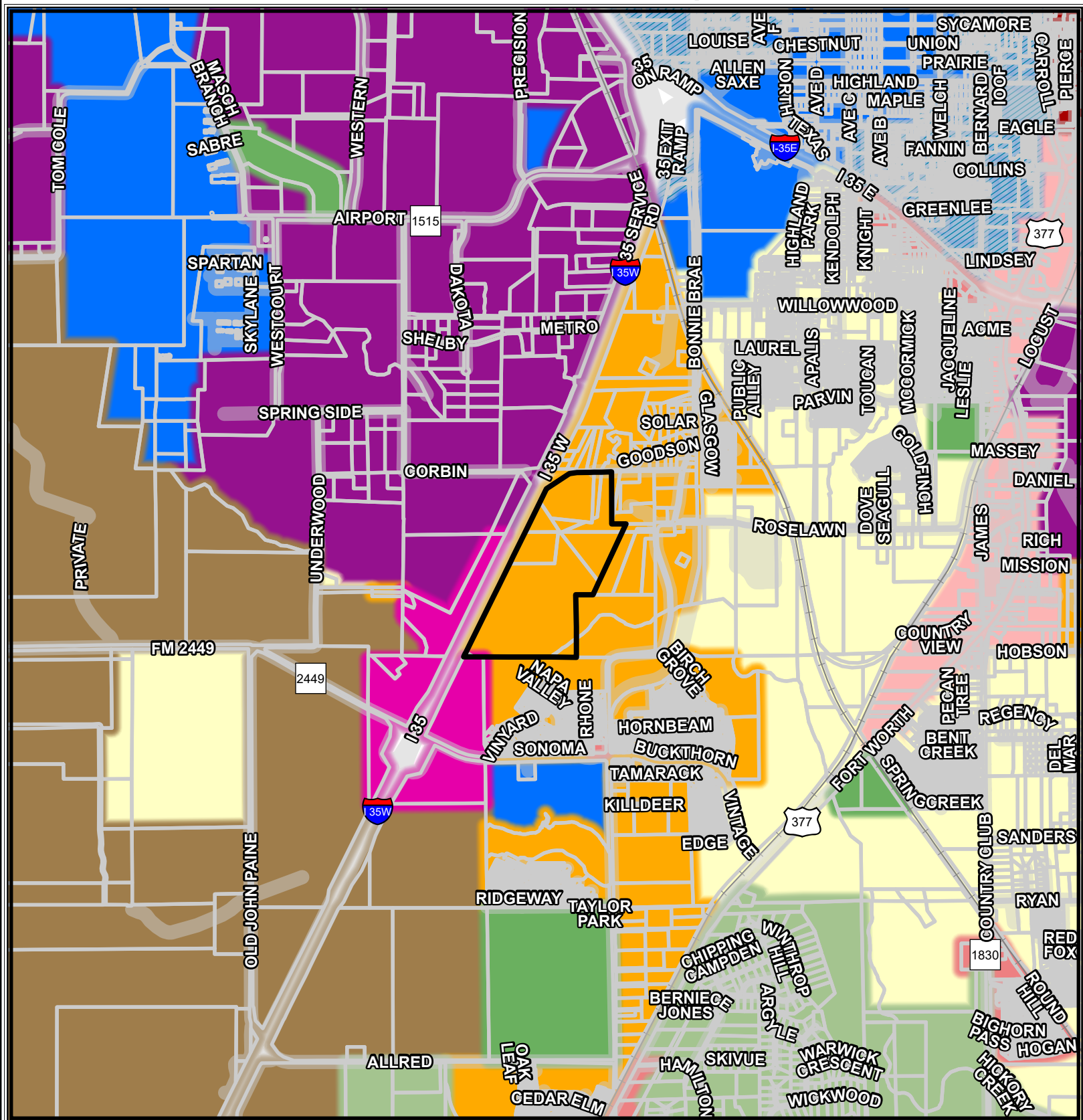
"This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative property boundaries. Although every effort was made to ensure the accuracy 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."

Z22-0018 Proposed Zoning Map



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

1-Future Land Use Map



5.2.3 Table of Allowed Uses.

| Table 5.2-A: Table of Allowed Uses | | | | | | | | | | | | | | | | | |
|---|---|----|----|----|----|----|----|-----------|----|----|----------|----|----------------------|----|----|----|------------------------|
| P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply | | | | | | | | | | | | | | | | | |
| | Residential | | | | | | | Mixed-Use | | | Corridor | | Other Nonresidential | | | | Use-Specific Standards |
| | RR | R1 | R2 | R3 | R4 | R6 | R7 | MN | MD | MR | SC | HC | GO | LI | HI | PF | |
| Residential Uses | | | | | | | | | | | | | | | | | |
| Household Living | | | | | | | | | | | | | | | | | |
| Single-Family Detached Dwelling | P+ | P+ | P+ | | P+ | P+ | P+ | P+ | | | | | | | | | 5.3.3A |
| Townhome | | | | | S+ | P+ | P+ | P+ | P+ | P+ | | | | | | | 5.3.3B |
| Duplex | | | | | S+ | P+ | P+ | P+ | P+ | P+ | | | | | | | 5.3.3C |
| Triplex | | | | | | P+ | P+ | P+ | P+ | P+ | | | | | | | 5.3.3C |
| Fourplex | | | | | | P+ | P+ | P+ | P+ | P+ | | | | | | | 5.3.3C |
| Multifamily Dwelling | | | | | | | S+ | P+ | P+ | P+ | S+ | S+ | S+ | | | | 5.3.3D |
| Tiny Home Development | Subject to approval of a planned development (PD); see 5.3.3E | | | | | | | | | | | | | | | | |
| Work/Live Dwelling | P+ | | | | | | P+ | P+ | P+ | P+ | P+ | S+ | S+ | | | | 5.3.3F |
| Manufactured Home Development (HUD Code) | | | | | | S+ | S+ | | | | | | | | | | 5.3.3G |
| Group Living | | | | | | | | | | | | | | | | | |
| Chapter House | | | | | | | S | S | | | | | | | | P | |
| Community Home | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | | | | | | 5.3.3I |
| Dormitory | | | | | | | S | S | P | | | | | | | | |
| Elderly Housing | | | | | | S+ | S+ | P+ | P+ | P+ | S+ | S+ | | | | | 5.3.3H |
| Group Home | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | | | | | | | 5.3.3J |
| Public, Institutional, Religious, and Civic Uses | | | | | | | | | | | | | | | | | |
| Community and Cultural Facilities | | | | | | | | | | | | | | | | | |
| Airport, City-Owned | | | | | | | | | | | | | | | | P | |
| Cemetery, City-Owned | | | | | | | | | | | | | | | | P | |
| Club or Lodge | P | S | S | S | S | S | S+ | P+ | P | P+ | P | P | P | P+ | P+ | | 5.3.4A |
| Community Service | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Day Care, Adult or Child | P | S | S | S | S | S | P | P | P | P | P | P | P | P+ | | | 5.3.4B |
| Funeral and Internment Facility | | | | | | | | | S | S | P | P | P | P | | | |
| Homeless Shelter | S+ | | | | | | S+ | S+ | S+ | S+ | | | | | | P+ | 5.3.4C |
| Landfill, City-Owned | | | | | | | | | | | | | | | | P | |
| Park, Playground, Open Space | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Religious Assembly | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.3.4D |
| Educational Facilities | | | | | | | | | | | | | | | | | |
| Business or Trade School | | | | | | | | P+ | P+ | P+ | P+ | P | P | P | P | | 5.3.4E |
| College or University | | | | | | | | | P | P | | | P | | | | |
| School, Private | P | S | S | S | S | S | S | P | P | P | P | P | P | | | P | |

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| | | | | | | | | | | | | | | | | | | |
|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| School, Public | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Healthcare Facilities | | | | | | | | | | | | | | | | | | |
| Hospital Services | | | | | | | | | | P+ | P+ | P | P | | | | | 5.3.4F |
| Medical Clinic | | | | | | | | S+ | S+ | P+ | P+ | P | P | P | | | | 5.3.4G |
| Medical Office | | | | | | | P+ | P+ | P+ | P+ | P+ | P | P | P | | | | 5.3.4H |
| Commercial Uses | | | | | | | | | | | | | | | | | | |
| Agricultural and Animal Uses | | | | | | | | | | | | | | | | | | |
| General Agriculture | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.3.5A |
| Commercial Stable | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.3.5B |
| Community Garden | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Kennel | P+ | S+ | S+ | | | | | | | | | P+ | P+ | S+ | P+ | P+ | | 5.3.5C |
| Urban Farm | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Veterinary Clinic | P | S | S | | | | | P | P+ | P | P | P | P | P | P | | | 5.3.5D |
| Recreation and Entertainment | | | | | | | | | | | | | | | | | | |
| Amenity Center | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | | |
| Indoor Recreation Facility | P | | | | | | | P | P | P | P | P | P | P | | | | |
| Outdoor Recreation Facility | P | P | P | P | P | P | P | S | S | S | P | P | P | P | | | | |
| RV Park | S+ | | S+ | S+ | S+ | S+ | S+ | | | | | | | | S+ | P+ | | 5.3.5E |
| Food and Beverage Services | | | | | | | | | | | | | | | | | | |
| Bar, Tavern, or Lounge | | | | | | | | S+ | P | P | P | P | P | P | | | | 5.3.5F |
| Mobile Food Court | | | | | | | | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | | 5.3.5G |
| Private Club | P+ | | | | | | | P+ | P+ | P+ | P+ | | | | P+ | P+ | | 5.3.5H |
| Restaurant | | | | | | | | P+ | P | P | P | P | P | P | P | | | 5.3.5I |
| Restaurant, with Drive-Through | | | | | | | | S+ | S+ | P+ | P+ | P+ | P+ | P+ | P+ | | | 5.3.5J |
| Office, Business, and Professional Services | | | | | | | | | | | | | | | | | | |
| Administrative, Professional, and Government Office | | | | S+ | S+ | S+ | P+ | P+ | P+ | P | P | P | P | P | P | P | P | 5.3.5K |
| Bank or Financial Institution | | | | | | | S+ | P+ | P+ | P | P | P | P | P | | | | 5.3.5L |
| Musician Studio | | | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | 5.3.5M |
| Credit Access Business | | | | | | | | S+ | P+ | P | P | P | P | P | P | | | 5.3.5N |
| Printing, Copying, and Publishing Establishment | | | | | | | | S | P | P | P | P | P | P | P | | | |
| Personal Services | | | | | | | | | | | | | | | | | | |
| Laundry Facility, Industrial | | | | | | | | | | | | S | S | P | P | | | |
| Laundry Facility, Self-Service | | | | | | | S+ | P+ | P+ | P+ | P | P | P | P | P | | | 5.3.5O |
| Personal Service, General | | | | | | | | P | P | P | P | P | P | P | | | | |
| Tattoo and Body Piercing Parlor | | | | | | | | P+ | P+ | P+ | P+ | P+ | | | | | | 5.3.5P |
| Retail Sales | | | | | | | | | | | | | | | | | | |

| | | | | | | | | | | | | | | | | | |
|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Building Materials and Supply Store | | | | | | | | | | | S | P | | P | P | | |
| General Retail Unless Otherwise Specified, Less than 5,000 Square Feet | | | | | | | S+ | P | P | P | P | P | P | P | P | P | 5.3.5Q |
| General Retail Unless Otherwise Specified, Between 5,000 Square Feet and 15,000 Square Feet | | | | | | | | P | P | P | P | P | P | P | P | | |
| General Retail Unless Otherwise Specified, More than 15,000 Square Feet | | | | | | | | S | S | P | P | P | P | P+ | P+ | | 5.3.5R |
| Smoke Shop | | | | | | | | | P | P | P | P | | | | | |
| Lodging Facilities | | | | | | | | | | | | | | | | | |
| Bed and Breakfast | P+ | | | | | S+ | S+ | S+ | P+ | P+ | P+ | P+ | | | | | 5.3.5S |
| Boarding or Rooming House | | | | | | | | S | P | P | P | | | | | | |
| Hotel | | | | | | | | P | P | P | P | P | P | P | | | |
| Motel | | | | | | | | | | P | P | P | P | P | | | |
| Short-Term Rental | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | | | | | | | | 5.3.5T |
| Vehicles and Equipment | | | | | | | | | | | | | | | | | |
| Auto Wash | | | | | | | | | | P | P | P | P | P | P | | |
| Automotive Fuel Sales | | | | | | | | S+ | S+ | P+ | P+ | P+ | P+ | P+ | P+ | | 5.3.5U |
| Automotive Repair Shop, Major | | | | | | | | | | P+ | P+ | P+ | S+ | P+ | P+ | | 5.3.5V |
| Automotive Repair Shop, Minor | | | | | | | | S+ | | P+ | P+ | P+ | P+ | P+ | P+ | | 5.3.5W |
| Automotive Sales or Leasing | | | | | | | | | | | | P | | | | | |
| Automotive Wrecking Service, Impound Lot, Junkyard, and Salvage Yard | | | | | | | | | | | | | | S+ | P+ | | 5.3.5X |
| Equipment Sales and Rental | | | | | | | | | | | | S+ | | S+ | P+ | | 5.3.5Y |
| Parking Lot as a Principal Use | | | | | | | | | P | P | P | P | P | P | P | | |
| Travel Plaza | | | | | | | | | | | | P | | P | P | | |
| Adult Entertainment Establishments | | | | | | | | | | | | | | | | | |
| Sexually Oriented Business | | | | | | | | | | | | | | | S+ | | 5.3.5Z |
| Industrial Uses | | | | | | | | | | | | | | | | | |
| Data Center | | | | | | | | | | | | | | | | | |
| Data Center, Modular | | | | | | | | | | | | | | S+ | S+ | S+ | 5.3.6I |

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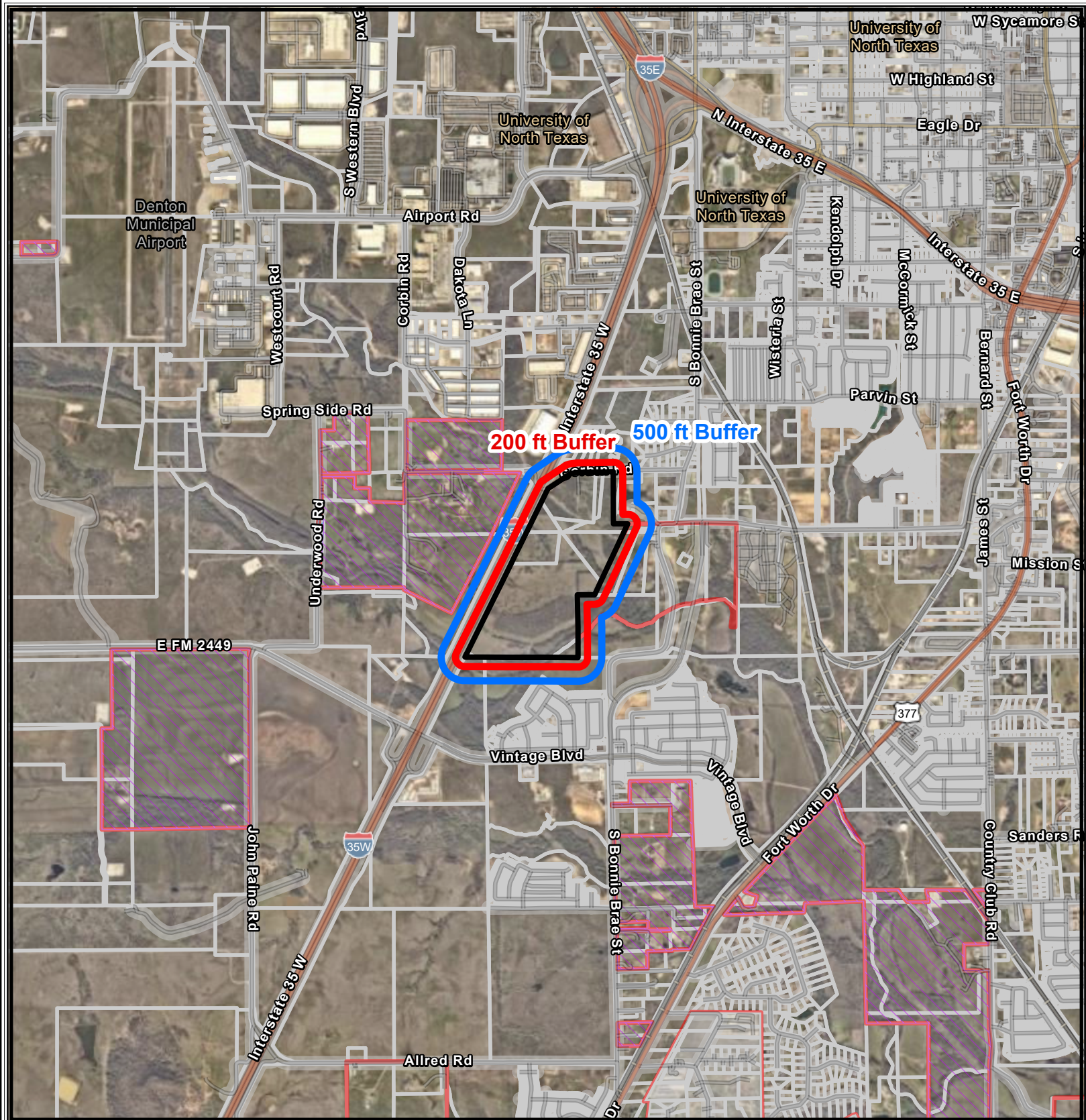
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|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------------------------|
| Data Center, Warehouse | | | | | | | | | S+ | S+ | S+ | P+ | P+ | P+ | P+ | 5.3.6J |
| Manufacturing and Processing | | | | | | | | | | | | | | | | |
| Craft Alcohol Production | | | | | | | S | P+ | P+ | P+ | P | P | P | P | | 5.3.6A |
| Feedlot, Slaughterhouse, or Packaging Plant | S | | | | | | | | | | | | | S | | |
| Food Processing, Less than 2,500 Square Feet | | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | 5.3.6B |
| Food Processing, More than 2,500 Square Feet | | | | | | | S+ | S+ | P+ | P+ | P+ | P+ | P+ | P+ | | 5.3.6C |
| Gas Well | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | Subchapter 6: Gas Wells |
| Manufacturing, Artisan | | | | | | | P+ | P+ | P | P | P | P | P | P | | 5.3.6D |
| Manufacturing, Low-Impact | | | | | | | | S+ | P+ | P+ | P+ | P+ | P | P | | 5.3.6E |
| Manufacturing, Medium-Impact | | | | | | | | | | | | S | S | P | | |
| Manufacturing, High-Impact | | | | | | | | | | | | | | S | | |
| Commercial Incinerator, Transfer Station | | | | | | | | | | | | | | S | | |
| Storage and Warehousing | | | | | | | | | | | | | | | | |
| Outdoor Storage | | | | | | | | | | | | | S+ | S+ | S+ | 5.3.6F |
| Self-Service Storage | | | | | | | S+ | S+ | S+ | P+ | S+ | P+ | P+ | P+ | | 5.3.6G |
| Storage of Hazardous Materials | | | | | | | | | | | | | | S | | |
| Warehouse and Wholesale Facility | | | | | | | | | S+ | S+ | P | P | P | P | | 5.3.6H |
| Public and Semi-Public Utility Uses | | | | | | | | | | | | | | | | |
| Basic Utilities | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Power Stations, Electric Substations, Interchanges, and Switch Stations | P+ | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.3.7A |
| Solar Collector as Principal Use | S+ | | | | | | | | | | | S+ | S+ | S+ | P+ | 5.3.7B |
| Wind Energy Conversion System (WECS) | | | | | | | | | | | | | | S+ | S+ | 5.3.7C |
| Wireless Telecommunications | See Section 5.6: Wireless Telecommunications Facilities | | | | | | | | | | | | | | | |
| Accessory Uses | | | | | | | | | | | | | | | | |
| Accessory Dwelling Unit | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | | | | | | | 5.4.4A |
| Donation Box | | | | | | | | | | | | | | | | 5.4.4B |

| | | | | | | | | | | | | | | | | | |
|--|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Home Occupation | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | | | | | 5.4.4C |
| Outdoor Storage, Accessory | | | | | | | | | | | | P+ | P+ | P+ | P+ | P+ | 5.4.4D |
| Sale of Produce and Plants Raised on Premises | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.4.4E |
| Solar Collector, (Ground- or Building-Mounted) | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.4.4F |
| Wind Energy Conversion System (WECS), Small (Ground-Mounted) | P+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | P+ | P+ | P+ | 5.4.4G |
| Wind Energy Conversion System (WECS), Small (Building-Mounted) | P+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | P+ | P+ | P+ | 0 |
| Temporary Uses | | | | | | | | | | | | | | | | | |
| Temporary Storage Containers and Other Portable Storage Units | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.6A |
| Concrete or Asphalt Batching Plant, Temporary | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.6B |
| Farmer's Market or Open Air Market | | | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.4 |
| Field or Construction Office | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.6C |
| Seasonal Sales | | | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | 5.5.4 |
| Special Event | | | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.4 |
| Portable Wireless Telecommunications Facility | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.4 |

(Ord. No. DCA19-0012a, § 2(Exh. A), 11-5-2019; Ord. No. DCA19-0023a, § 2(Exh. A), 1-7-2020; Ord. No. DCA19-0025a, § 2(Exh. A), 2-4-2020; Ord. No. DCA19-0027a, § 2(Exh. A), 2-4-2020; Ord. No. DCA20-0004, § 2, 10-20-2020; Ord. No. DCA22-0003a, § 2(Exh. A), 9-20-2022; Ord. No. DCA23-0010b, § 2(Exh. A), 9-19-2023; Ord. No. DCA23-0001b, § 2(Exh. A), 9-26-2023)

Z22-0018 Notification Map



"This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative 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."



DEPARTMENT OF DEVELOPMENT SERVICES

Development Services Center – 215 W. Hickory Street – Denton, Texas 76201 voice: (940) 349-8541 www.cityofdenton.com

Public Hearing Notification Sign Criteria and Affidavit

A public hearing notification sign is a sign erected on the subject property to publicize a Future Land Use or Zoning Change request, a Specific Use Permit request, a Variance request, or a Historic Landmark Designation request. ***The number of signs and the placement of signs shall be determined at the time of First Review Comments for each specific request.*** It is the responsibility of the owner/project representative to contact Development Services Department to verify the number and location of signs needed.

Sign Criteria:

SIGN DESIGN

- ☒ Signs shall be three and a half (3 ½) feet wide by four (4) feet tall. (Please refer to attached sign exhibit.)
- ☒ The sign shall be constructed in accordance with the City's design standards for public hearing notification signs.
 - a. Two (2) sided, ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
 - b. Lettering shall be placed on both sides of the sign.
 - c. The letter font style shall be Trebuchet MS. The required font size is 230 (bold) for the sign heading and 180 for all but for the remainder of the sign. Of the smaller words on the sign, everything is bold with the exception of the number field, name field, request field, and the website address. (Please refer to attached sign exhibit.)
 - d. Metal or wood posts shall be used.
- ☒ The sign shall comply with the layout and dimensions on the attached Public Hearing Notification Sign Specification sheet.

PLACEMENT

- ☒ The sign shall be posted perpendicular to the property line, and visible and legible from adjacent rights-of-way, but except alleys, at a location(s) determined by staff.
- ☒ If the subject property is on more than one (1) right-of-way, one (1) sign shall be posted along each right-of-way for each 500 feet of linear street frontage of the property.
- ☒ Signs shall be located outside of the public right-of-way, and shall be a minimum of two (2) feet off the ground, unless otherwise directed by the Director of Development Services or designee.

PROOF OF POSTING

- ☒ At least 10 days prior to the public hearing, the applicant shall submit an executed affidavit of proof of the posting (attached) and photographs of the installed sign to the Planning Project Manager.

Failure to post the notification sign(s) and submit the affidavit and photographs will require that the public hearing item be withdrawn and re-noticed until the next public hearing date available.

- ☒ The property owner is responsible for maintaining the sign on the property throughout the entire public hearing process. If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign and posting the sign on the property promptly.

REMOVAL OF SIGNS

- ☒ The property owner or his/her representative must remove the sign within three (3) calendar days subsequent to the final decision by the approving body.

**CITY OF DENTON PUBLIC HEARING NOTIFICATION SIGN
SPECIFICATIONS**



PUBLIC HEARING NOTIFICATION SIGN AFFIDAVIT OF SIGN POSTING

Project No. 222-0018

Date of Planning and Zoning Commission Meeting: 6/12/2024

I hereby certify that I have posted or caused to be posted Public Hearing Notification sign(s) on the property subject to Project Name/Number Denton 195 / 222-0018, located at Corbin Road & 1-35W

Said sign(s) have been obtained through a sign contractor of choice and meet the specifications as stated in the City of Denton Public Hearing Sign Criteria Sheet.

Posting of said signs was accomplished on January 25, 2024. Said signs have been posted in a manner which provides an unobstructed view and which allows clear reading from the public right(s) of way along Corbin Road & 1-35W. Said signs will be maintained on the property throughout the entire public hearing process and will be removed within three (3) calendar days subsequent to the final decision by the approving body.

I further certify that this affidavit was filed with the Planning Department of the City of Denton within the time provisions specified in the City of Denton Public Hearing Sign Criteria Sheet.

Executed this the 15th day of May, 2024.

Randi Rivera

Signature of Applicant or Authorized Representative for Project No. 222-0018

Randi Rivera

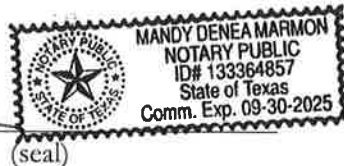
Printed Name of Applicant or Authorized Representative for Project No. 222-0018

STATE OF TEXAS COUNTY OF Denton BEFORE ME, a Notary Public, on this 15 day personally appeared Randi Rivera (printed owner's name) the above signed, who, under oath, stated the following:

"I hereby certify that I am the owner, for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 15th day of May, 2024.

Mandy Marm
Notary Signature



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

STAFF USE ONLY:

Date/Time submitted: _____ Verified by: _____



Notice Of Public Hearing

Project Number: Z22-0018

Project Name: Denton 195

Request: MN and PF Zoning

For More Information:

www.cityofdenton.com/public-meetings

CALL: (940) 349-8541



Development Services
401 N. Elm St., Denton, TX 76201 • (940) 349-8600

for the meeting agenda with staff's analysis and associated exhibits. **Response Form**

Project Number Z22-0018

Denton 195 Zoning

In order for your opinion to be counted, please complete and mail this form to:

City of Denton Development Services
Attn: Angie Manglaris, Project Manager
401 N. Elm St.
Denton, TX 76201

You may also email to angie.manglaris@cityofdenton.com or call (940) 349-8381. Please note any responses are subject to public information requests including the information provided below.

Project Number: Z22-0018

Meeting Date: June 12, 2024

Please circle one:

☐ In favor of request

☒ Opposed to request

Comments:

Signature:

Kyle Eason

Printed Name:

Kyle Eason

Street Address:

2990 Corbin Rd

City, State and Zip Code:

Denton Tx 76201

Phone Number:

Email Address:

Physical Address of Property within 200 Feet:

2990 Corbin Rd, Denton,

Tx 76207

Manglaris, Angie

From: Kyle Eaton <kylemeaton@gmail.com>
Sent: Thursday, June 6, 2024 12:13 PM
To: Manglaris, Angie
Subject: Response Forms Project Z22-0018 - Comments

Follow Up Flag: Follow up
Flag Status: Flagged

This message has originated from an **External Source**. Please be cautious regarding links and attachments.

Angie,

Here are the photos I was referring to last week.

<https://photos.app.goo.gl/DAKaA4NAyB5zHFP16>

I don't know how well I would be able to present these in person at the meeting. I have also included my comments specifically related to flooding in the area. Thank you for your help.

Kyle Eaton

1. Ignoring Resident Input and Outdated Flood Maps

The developer of the Denton 195 multifamily project has largely ignored the input and concerns of the residents, particularly regarding outdated flood maps. Despite being informed that the flood maps are out of date, the developer has not taken sufficient action to reassess the flood risk. Upstream developments, such as the DATCU stadium, have increased the flood frequency and severity in the area. For example, on June 2nd, a modest rainfall event of an inch and a half at the Denton Municipal Airport, which is approximately a mile away, led to nearly 12 inches of water on a portion of Corbin Road **NOT IN THE DESIGNATED FLOODPLAIN.**

2. Increased Impervious Surfaces and Runoff

The introduction of additional impervious surfaces, such as roofs and parking lots associated with the Denton 195 project, will exacerbate the existing flooding issues. According to Section 7.5.4 of the Denton Development Code (DDC), "alterations of the floodplain shall not result in an increase in the 100-year fully developed watershed water surface elevation on other properties under separate ownership" and "alteration of the floodplain that could result in any degree of increased flooding to other properties, adjacent, upstream, or downstream

is prohibited" . Adding more impervious surfaces associated with multifamily, offices, and retail will increase stormwater runoff, leading to a higher risk of flooding in areas already struggling with water management.

3. Necessity to Maintain Residential 1/2 to 1 Acre Lots

To prevent exacerbating the flooding issue, it is crucial to maintain the area as residential with 1/2 to 1-acre lots. Larger lot sizes with more permeable surfaces can absorb more rainwater, reducing the volume and velocity of runoff. This approach aligns with sustainable land use practices and helps mitigate flood risks by ensuring that water has more ground to infiltrate, decreasing the likelihood of overwhelming the stormwater systems.

4. Non-compliance with Drainage and Floodplain Regulations

The Denton Development Code requires that new developments must not result in increased flooding or erosive water velocity on- or off-site. Section 7.5.4 explicitly states that "alterations of the floodplain shall not create an erosive water velocity on- or off-site" and that "encroachments and/or channelization is strongly discouraged along Pecan, Cooper, Hickory Creek, Milam, and Clear Creeks to prevent the reduction of storage capacity of streams and drainage ways and to prevent increasing discharges downstream" . Additionally, the creek that flows across the property is the Dry Fork, a branch of the Hickory Creek river system, which is critical for managing local water flow and flood risks. The proposed Denton 195 development's potential to increase runoff contradicts these regulations, posing a significant risk to the surrounding community.

5. Destruction of Water-Related and Riparian Buffers, and Historical Cross Timbers Upland Habitat

The Denton 195 development will destroy multiple water-related and riparian buffers, which are essential for maintaining the ecological health of waterways. Riparian buffers help to filter pollutants, stabilize stream banks, and provide critical habitat for wildlife. Their destruction can lead to increased erosion, reduced water quality, and the loss of biodiversity. Additionally, the development will also destroy a historical Cross Timbers upland habitat, which is vital for preserving the unique flora and fauna of the region. This impact is particularly concerning along creeks such as Pecan Creek, where maintaining natural buffers and upland habitats is crucial to preventing further environmental degradation.

6. Potential for Increased Flood Damage

Given the current frequency of flooding events and the fact that non-designated flood areas are experiencing severe flooding, introducing higher-density mixed-use residential developments without updated and accurate flood maps and a comprehensive stormwater management plan could lead to substantial damage. Maintaining larger lot sizes associated

with R2 will help manage the runoff more effectively, reducing the risk of severe flooding incidents, thus protecting property and public safety.

In conclusion, the Denton 195 multifamily development has not sufficiently addressed the updated flood risk assessments or the input from the residents. The additional impervious surfaces will likely exacerbate the already critical flooding situation, contravening existing regulations designed to protect the community from increased flood risk. Therefore, it is imperative that the development remains as residential with 1/2 to 1-acre lots to manage stormwater runoff effectively and prevent further flooding issues.

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

| | | | |
|---------------------------------|--|-----------------------|--|
| Filing Number: | 802096086 | Entity Type: | Domestic Limited Liability Company (LLC) |
| Original Date of Filing: | November 6, 2014 | Entity Status: | In existence |
| Formation Date: | N/A | | |
| Tax ID: | 32055619467 | FEIN: | |
| Duration: | Perpetual | | |
| Name: | 195 Denton Partners, LLC | | |
| Address: | 12400 PRESTON RD STE 100 FRISCO, TX 75033 USA | | |

| REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS |
|----------------------------------|--------------------------------|--|----------------------------|-------------------------------|-------------------------------------|---------------------------------|
| Name | | Address | | Inactive Date | | |
| Rex Glendening | | 12400 Preston Road, Ste. 100 Frisco, TX 75033 USA | | | | |

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, REGARDING A CHANGE IN THE ZONING DISTRICT AND USE CLASSIFICATION FROM RESIDENTIAL 2 (R2) DISTRICT TO MIXED USE NEIGHBORHOOD (MN) AND PUBLIC FACILITIES (PF) DISTRICT ON APPROXIMATELY 166.1 ACRES OF LAND GENERALLY LOCATED AT THE SOUTHEAST INTERSECTION OF I35-W AND CORBIN ROAD IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. (Z22-00018)

WHEREAS, Denton 195 Partners, LLC. property owner, requested to rezone approximately 166.1 acres of land from Residential 2 (R2) District to Mixed Use Neighborhood (MN), legally described in Exhibit "A", and Public Facilities (PF) District, legally described in Exhibit "B", attached hereto and incorporated herein by reference (hereinafter, the "Property"); and

WHEREAS, on June 12, 2024 the Planning and Zoning Commission, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded full and fair hearings to all property owners interested in this regard, and have recommended approval (0-0) of the request; and

WHEREAS, on ____, 2024, the City Council likewise conducted a public hearing as required by law, and finds that the request meets and complies with all substantive and procedural standards set forth in Section 2.7.2 of the Denton Development Code, and is consistent with the Denton 2040 Comprehensive Plan and the Denton Development Code; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Denton, in considering the application for establishing a zoning district change for the Property, have determined that the proposed use is in the best interest of the health, safety, morals, and general welfare of the City of Denton, and accordingly, the City Council of the City of Denton is of the opinion and finds that said zoning change is in the public interest and should be granted as set forth herein; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

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

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

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

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

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

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

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

| | Aye | Nay | Abstain | Absent |
|--|------------|------------|----------------|---------------|
| Mayor Gerard Hudspeth: | _____ | _____ | _____ | _____ |
| Vicki Byrd, District 1: | _____ | _____ | _____ | _____ |
| Brian Beck, District 2: | _____ | _____ | _____ | _____ |
| Paul Meltzer, District 3: | _____ | _____ | _____ | _____ |
| Joe Holland, District 4: | _____ | _____ | _____ | _____ |
| Brandon Chase McGee, At Large Place 5: | _____ | _____ | _____ | _____ |
| Jill Jester, At Large Place 6: | _____ | _____ | _____ | _____ |

PASSED AND APPROVED this the _____ day of _____, 2024.

GERARD HUDSPETH, MAYOR

ATTEST:
LAUREN THODEN, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____

Exhibit A
Legal Description

Being all that certain lot, tract or parcel of land situated in the William Sajvis 160 acre Preemption Survey, Abstract Number 1174, City of Denton, Denton County, Texas, and being part of that certain called 195.673 acre tract of land described as Tract 1 in deed in favor of 195 Denton Partners, LLC, recorded in Document Number 2016-33855 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2" rebar found in Corbin Road (a public roadway, no record found) at the northeast corner of said 195.673 acre tract, being called the northeast corner of said Sajvis Survey, same being a reentrant corner in the south line of the Del S. Brewster Survey, Abstract Number 56, and being on the south line of a 30' right-of-way dedication as evidenced by the plat of Solar Way Addition, Section Two, an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Cabinet C, Page 142 of the Plat Records of Denton County, Texas;

THENCE S 88°53'30" W, in said Corbin Road with the north line of said 195.673 acre tract and the south line of said 30' right-of-way dedication, passing at 478.8 feet the southwest corner of thereof, being the southeast corner of that certain called 0.43 acre right-of-way dedication as evidenced by the plat of Wright Addition, an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Document Number 2021-352 of the Plat Records of Denton County, Texas, continuing with the south line thereof a total distance of 1,000.00 feet to the POINT OF BEGINNING;

THENCE S 00°53'00" E, 1,163.86 feet;

THENCE with the arc of a non-tangent curve to the right having a radius of 293.00 feet, a central angle of 71°28'27" and an arc length of 365.51 feet whose chord bears N 70°53'10" W, 342.26 feet to a point of reverse curvature;

THENCE with the arc of a curve to the left having a radius of 25.00 feet, a central angle of 73°34'21" and an arc length of 32.10 feet whose chord bears N 71°56'07" W, 29.94 feet to a point of reverse curvature;

THENCE with the arc of a curve to the right having a radius of 282.00 feet, a central angle of 07°13'47" and an arc length of 35.58 feet whose chord bears N 74°53'37" W, 35.56 feet to a point of tangency;

THENCE S 78°30'30" W, 39.08 feet;

THENCE N 11°29'30" W, 50.00 feet;

THENCE N 66°00'00" W, 59.46 feet;

THENCE N 81°00'00" W, 110.00 feet;

THENCE N 68°00'00" W, 150.00 feet;

THENCE N 46°00'00" W, 160.00 feet;

THENCE N 49°00'00" W, 75.00 feet;

THENCE N 40°00'00" W, 105.00 feet;

THENCE N 30°47'00" W, 120.00 feet;

THENCE N 38°00'00" W, 100.00 feet;

THENCE N 50°00'00" W, 100.00 feet;

THENCE N 61°00'00" W, 100.00 feet;

THENCE N 68°00'00" W, 150.00 feet to the easterly line of Interstate Highway 35W (IH 35W) as evidenced by that certain called 39.419 acre tract of land described as Tract A, Parcel 13 in Certified Copy of Judgement in Cause Number 5970 styled The State of Texas v. Grant H. Messinger, et al, recorded in Volume 556, Page 2 of the Deed Records of Denton County, Texas, being on the westerly line of said 195.673 acre tract;

THENCE N 56°13'30" E, 570.00 feet with the easterly line of said IH 35W and the westerly line of said 195.673 acre tract to the remnants of a broken Texas Department of Transportation (TXDOT) concrete right-of-way monument found at an angle point in said right-of-way;

THENCE N 75°52'00" E, 114.17 feet continuing with the easterly line of said IH 35W and the westerly line of said 195.673 acre tract to a 1/2" capped rebar found (TXDOT ROW) at an angle point in said right-of-way;

THENCE N 01°49'40" W, 19.86 feet continuing with the easterly line of said IH 35W and the westerly line of said 195.673 acre tract to a 1/2" rebar found in said Corbin Road at the northeast corner of said 39.419 acre tract, being the most northerly northwest corner of said 195.673 acre tract, and being the most southerly southwest corner of that certain called 21.741 acre tract of land described as Tract One in deed in favor of Ecclesiastical Equity, LP, recorded in Document Number 2018-147467 of the Real Property Records of Denton County, Texas, from which the remnants of a broken TXDOT concrete right-of-way monument found bears N 00°17'30" E, 15.3 feet;

THENCE N 88°53'30" E, in said Corbin Road with the north line of said 195.673 acre tract and the south line of said 21.741 acre tract, passing at 363.7 feet the southeast corner of said 21.741 acre tract, continuing a total distance of 661.03 feet to the POINT OF BEGINNING and containing approximately 22.655 acres of land.

Being all that certain lot, tract or parcel of land situated in the Samuel A. Pritchett Survey, Abstract Number 1004 and the William Sajvis 160 acre Preemption Survey, Abstract Number 1174, City of Denton, Denton County, Texas, and being part of that certain called 195.673 acre tract of land described as Tract 1 in deed in favor of 195 Denton Partners, LLC, recorded in Document Number 2016-33855 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2" rebar found in Corbin Road (a public roadway, no record found) at the northeast corner of said 195.673 acre tract, being called the northeast corner of said Sajvis Survey, same being a reentrant corner in the south line of the Del S. Brewster Survey, Abstract Number 56, and being on the south line of a 30' right-of-way dedication as evidenced by the plat of Solar Way Addition, Section Two, an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Cabinet C, Page 142 of the Plat Records of Denton County, Texas;

THENCE S 88°53'30" W, in said Corbin Road with the north line of said 195.673 acre tract and the south line of said 30' right-of-way dedication, passing at 478.8 feet the southwest corner of thereof, being the southeast corner of that certain called 0.43 acre right-of-way dedication as evidenced by the plat of Wright Addition, an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Document Number 2021-352 of the Plat Records of Denton County, Texas, continuing with the south line thereof, passing at 1,111.6 feet the southwest corner of said Wright Addition, continuing a total distance of 1,661.03 feet to a 1/2" rebar found on the easterly line of Interstate Highway 35W (IH 35W) as evidenced by that

certain called 39.419 acre tract of land described as Tract A, Parcel 13 in Certified Copy of Judgement in Cause Number 5970 styled The State of Texas v. Grant H. Messinger, et al, recorded in Volume 556, Page2 of the Deed Records of Denton County, Texas, being the most northerly northwest corner of said 195.673 acre tract, and being the most southerly southwest corner of that certain called 21.741 acre tract of land described as Tract One in deed in favor of Ecclesiastical Equity, LP, recorded in Document Number 2018-147467 of the Real Property Records of Denton County, Texas;

THENCE S 01°49'40" E, 19.86 feet with the easterly line of said IH 35W and the westerly line of said 195.673 acre tract to a 1/2" capped rebar found (TXDOT ROW) at an angle point in said right-of-way;

THENCE S 75°52'00" W, 114.17 feet continuing with the easterly line of said IH 35W and the westerly line of said 195.673 acre tract to the remnants of a broken Texas Department of Transportation concrete right-of-way monument found at an angle point in said right-of-way;

THENCE S 56°13'30" W, 624.82 feet continuing with the easterly line of said IH 35W and the westerly line of said 195.673 acre tract to an angle point in said right-of-way;

THENCE S 26°19'30" W, 887.00 feet continuing with the easterly line of said IH 35W and the westerly line of said 195.673 acre tract to the POINT OF BEGINNING;

THENCE S 56°30'00" E, 125.00 feet;

THENCE S 40°00'00" E, 300.00 feet;

THENCE S 33°00'00" E, 170.00 feet;

THENCE S 05°00'00" E, 200.00 feet;

THENCE S 21°00'00" E, 175.00 feet;

THENCE S 40°00'00" W, 75.00 feet;

THENCE N 85°00'00" W, 200.00 feet;

THENCE N 67°00'00" W, 190.00 feet;

THENCE N 82°00'00" W, 240.00 feet;

to the easterly line of said IH 35W and the westerly line of said 195.673 acre tract, from which a Texas Department of Transportation (TXDOT) concrete monument found bears S 26°19'30" W. 351.2 feet;

THENCE N 26°19'30" E, with the easterly line of said IH 35W and the westerly line of said 195.673 acre tract, passing at 647.7 feet a TXDOT concrete monument found, continuing a total distance of 713.00 feet to POINT OF BEGINNING and containing approximately 8.900 acres of land.

Exhibit B

Legal Description

Being all that certain lot, tract or parcel of land situated in the William Sajvis 160 acre Preemption Survey, Abstract Number 1174 and the Samuel A. Pritchett Survey, Abstract Number 1004, City of Denton, Denton County, Texas, and being part of that certain called 195.673 acre tract of land described as Tract 1 in deed in favor of 195 Denton Partners, LLC, recorded in Document Number 2016-33855 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2" rebar recovered in Corbin Road (a public roadway, no record found) at the northeast corner of said 195.673 acre tract, being called the northeast corner of said Sajvis Survey, same being a reentrant corner in the south line of the Del S. Brewster Survey, Abstract Number 56, and being on the south line of a 30' right-of-way dedication as evidenced by the plat of Solar Way Addition, Section Two, an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Cabinet C, Page 142 of the Plat Records of Denton County, Texas, from which a 1/2" rebar recovered at the most northerly northwest corner of said 195.673 acre tract bears S 89°53'30" W, 1,661.0 feet;

THENCE S 00°53'00" E, with the easterly line of said 195.673 acre tract, passing at 16.0 feet the northeast corner of Lot 1, Block A, Gary Addition an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Cabinet V, Page 124 of the Plat Records of Denton County, Texas, continuing with the west line thereof, passing at 361.4 feet a 2" pipe fence corner post on the southwest corner thereof, being the northwest corner of Lot 1, Block A, Liverpool Addition an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Cabinet U, Page 543 of the Plat Records of Denton County, Texas, continuing with the west line thereof, passing at 800.1 feet a 1/2" capped rebar recovered (RPLS 4561) at the southwest corner thereof, being the northwest corner of Lot 1R, Block A, Don Barber Addition an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Document Number 2013-250 of the Plat Records of Denton County, Texas, continuing with the west line thereof, passing at 1,113.2 feet a 1/2" capped rebar recovered (RPLS 4561) at the southwest corner thereof, being the northwest corner of that certain called 0.079 acre tract of land described as Tract Two (Easement Estate) in the aforementioned deed in favor of 195 Denton Partners, LLC, recorded in Document Number 2016-33855 of the Real Property Records of Denton County, Texas, continuing with the west line thereof a total distance of 1,142.52 feet to a 5/8" rebar recovered at the most easterly southeast corner of said 195.673 acre tract, being the northeast corner of that certain called 12.62 acre tract of land described in deed in favor of the Veteran's Land Board, recorded in Volume 989, Page 401 of the Deed Records of Denton County, Texas;

THENCE S 89°27'00" W, 600.0 feet continuing with the easterly line of said 195.673 acre tract and the north line of said 12.62 acre tract to a 1/2" capped rebar set (MCADAMS) at the northwest corner of said 12.62 acre tract, being the northerly reentrant corner in the easterly line of said 195.673 acre tract and being the POINT OF BEGINNING;

THENCE S 25°36'25" W, 1,686.94 feet continuing with the easterly line of said 195.673 acre tract and the west line of said 12.62 acre tract to a 1/2" capped rebar set (MCADAMS) at the southwest corner of said 12.62 acre tract, being a salient corner in the easterly line of said 195.673 acre tract, and being on the north line of that certain called 21 acre tract of land described in deed in favor of Joe M. Erwin recorded in Volume 610, Page 125 of the Deed Records of Denton County, Texas, from which a 1" pipe recovered at the most southerly

southeast corner of that certain called 13.33 acre tract of land described in deed in favor of Asa W. Yount and wife Charlene Yount recorded in Volume 929, Page 734 of the Deed Records of Denton County, Texas, bears N 89°38'15" E, 1,017.0 feet;

THENCE S 89°38'15" W, 336.12 feet continuing with the easterly line of said 195.673 acre tract and the north line of said 21 acre tract to a 1/2" rebar recovered at the northwest corner of said 21 acre tract, being the southerly reentrant corner in the easterly line of said 195.673 acre tract;

THENCE S 00°40'10" E, continuing with the easterly line of said 195.673 acre tract and the west line of said 21 acre tract, passing at 800.0 feet a 1/2" capped rebar set (MCADAMS) for witness, continuing a total distance of 944.0 feet to the channel of Hickory Creek, being the southwest corner of said 21 acre tract and the northwest corner of that certain called 33.034 acre tract of land described as Tract I and the northeast corner of that certain called 2.604 acre tract of land described as Tract 2 in deed in favor of Floyd Smith Concrete Inc., recorded in Document Number 2016-54479 of the Real Property Records of Denton County, Texas, also being the northeast corner of that certain called 2 3/4 acre tract of land described in deed in favor of W. A. Ponder recorded in Volume 87, Page 7 of the Deed Records of Denton County, Texas, from which a 1/2" capped rebar set (MCADAMS) at the southwest corner of said 33.034 acre tract and the southeast corner of said 2.604 acre tract and said 2 3/4 acre tract bears S 00°40'10" E, 360.9 feet;

THENCE S 70°00'00" W, 189.51 feet running up the meanderings of the channel of Hickory Creek, with the north line of said 2.604 acre tract and said 2 3/4 acre tract;

THENCE S 55°00'00" W, 523.33 feet continuing up the meanderings of the channel of Hickory Creek, with the north line of said 2.604 acre tract and said 2 3/4 acre tract to the southwest corner thereof, being on the south line of said 195.673 acre tract and the north line of that certain called 401.203 acre tract of land described as Parcel No. 1 in deed in favor of Denton-CJW Partners, LTD., recorded in Volume 4085, Page 2101 (Document Number 1998-36601) of the Real Property Records of Denton County, Texas, from which a 1/2" capped rebar recovered (ALLIANCE) at the northeast corner of said 401.203 acre tract bears N 89°36'50" E, 1,248.55 feet;

THENCE S 89°36'50" W, with the south line of said 195.673 acre tract and the north line of said 401.203 acre tract, passing at 111.0 feet a 1/2" capped rebar set (MCADAMS) for witness, continuing a total distance of 1,811.00 feet to a 1" rebar recovered on the east line of I.H. 35W at the southwest corner of said 195.673 acre tract and the northwest corner of said 401.203 acre tract, being the southeast corner of that certain called 39.419 acre tract of land described in Judgement styled The State of Texas v. Grant H. Messinger, et al, recorded in Volume 556, Page 2 of the Deed Records of Denton County, Texas, and being the northeast corner of that certain called 42.526 acre tract of land described in deed in favor of the State of Texas, recorded in Volume 529, Page 538 of the Deed Records of Denton County, Texas;

THENCE N 26°19'30" E, 2,377.97 feet with the east line of said I.H. 35W, the east line of said 39.419 acre tract and the west line of said 195.673 acre tract to a 1/2" capped rebar set (MCADAMS);

THENCE S 52°19'00" E, 159.20 feet to a 1/2" capped rebar set (MCADAMS);

THENCE S 82°00'00" E, 240.00 feet to a 1/2" capped rebar set (MCADAMS);

THENCE S 67°00'00" E, 190.00 feet to a 1/2" capped rebar set (MCADAMS);

THENCE S 85°00'00" E, 200.00 feet to a 1/2" capped rebar set (MCADAMS);

THENCE N 40°00'00" E, 75.00 feet to a 1/2" capped rebar set (MCADAMS);

THENCE N 21°00'00" W, 175.00 feet to a 1/2" capped rebar set (MCADAMS);

THENCE N 05°00'00" W, 200.00 feet to a 1/2" capped rebar set (MCADAMS);
THENCE N 33°00'00" W, 170.00 feet to a 1/2" capped rebar set (MCADAMS);
THENCE N 40°00'00" W, 300.00 feet to a 1/2" capped rebar set (MCADAMS);
THENCE N 56°30'00" W, 125.00 feet to a 1/2" capped rebar set (MCADAMS) on the east line of said I.H. 35W, the east line of said 39.419 acre tract and the west line of said 195.673 acre tract;

THENCE N 26°19'30" E, 887.00 feet with the east line of said I.H. 35W, the east line of said 39.419 acre tract and the west line of said 195.673 acre tract to a 1/2" capped rebar set (MCADAMS) at the most westerly northwest corner of said 195.673 acre tract;

THENCE N 56°13'30" E, continuing with the east line of said I.H. 35W, the east line of said 39.419 acre tract and the west line of said 195.673 acre tract, passing at 28.0 feet a 1/2" capped rebar recovered (TXDOT) for witness, continuing a total distance of 54.83 feet to a 1/2" capped rebar set (MCADAMS), from which the remnants of a concrete TXDOT monument recovered bears N 56°13'30" E, 570.0 feet;

THENCE S 61°00'00" E, 100.00 feet to a 1/2" capped rebar set (MCADAMS);

THENCE S 50°00'00" E, 100.00 feet to a 1/2" capped rebar set (MCADAMS);

THENCE S 38°00'00" E, 100.00 feet to a 1/2" capped rebar set (MCADAMS);

THENCE S 30°47'00" E, 120.00 feet to a 1/2" capped rebar set (MCADAMS);

THENCE S 40°00'00" E, 105.00 feet to a 1/2" capped rebar set (MCADAMS);

THENCE S 49°00'00" E, 75.00 feet to a 1/2" capped rebar set (MCADAMS);

THENCE S 46°00'00" E, 160.00 feet to a 1/2" capped rebar set (MCADAMS);

THENCE S 68°00'00" E, 150.00 feet to a 1/2" capped rebar set (MCADAMS);

THENCE S 81°00'00" E, 110.00 feet to a 1/2" capped rebar set (MCADAMS);

THENCE S 66°00'00" E, 59.46 feet to a 1/2" capped rebar set (MCADAMS);

THENCE S 11°29'30" E, 50.00 feet to a 1/2" capped rebar set (MCADAMS);

THENCE N 78°30'30" E, 39.08 feet to a 1/2" capped rebar set (MCADAMS) at the beginning of a curve to the left;

THENCE with said arc of a curve to the left having a radius of 282.00 feet, a central angle of 07°13'47" and an arc length of 35.58 feet whose chord bears S 74°53'37" E, 35.56 feet to a 1/2" capped rebar set (MCADAMS) at a point of reverse curvature;

THENCE with the arc of a curve to the right having a radius of 25.00 feet, a central angle of 73°34'21" and an arc length of 32.10 feet whose chord bears S 71°56'07" E, 29.94 feet to a 1/2" capped rebar set (MCADAMS) at a point of reverse curvature;

THENCE with the arc of a non-tangent curve to the left having a radius of 293.00 feet, a central angle of 78°04'52" and an arc length of 399.29 feet whose chord bears S 74°11'22" E, 369.10 feet to a 1/2" capped rebar set (MCADAMS) at a point of reverse curvature;

THENCE with the arc of said curve to the right having a radius of 257.00 feet, a central angle of 22°40'48" and an arc length of 101.73 feet whose chord bears N 78°06'36" E, 101.07 feet to a 1/2" capped rebar set (MCADAMS) at a point of tangency;

THENCE S 89°27'00" W, 268.88 feet to the POINT OF BEGINNING and containing approximately 134.641 acres of land.



City of Denton

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

Legislation Text

File #: PD23-0001, **Version:** 1

AGENDA CAPTION

Hold a public hearing and consider making a recommendation to City Council regarding a request by McAdams on behalf of the property owner, 195 Denton Partners, LLC to rezone approximately 26.151 acres from Residential 2 (R2) zoning district to Overlay Planned Development with Mixed-Use Neighborhood (PD-MN) base zoning district. The subject site is generally south of Corbin Road and 1,066 feet east of I35-W within the City of Denton, Denton County, Texas. (PD23-0001, Denton 195 Planned Development Overlay, Angie Manglaris)



AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: Cassey Ogden

DATE: June 12, 2024

SUBJECT

Hold a public hearing and consider making a recommendation to City Council regarding a request by McAdams on behalf of the property owner, 195 Denton Partners, LLC to rezone approximately 26.151 acres from Residential 2 (R2) zoning district to Overlay Planned Development with Mixed-Use Neighborhood (PD-MN) base zoning district. The subject site is generally south of Corbin Road and 1,066 feet east of I35-W within the City of Denton, Denton County, Texas. (PD23-0001, Denton 195 Planned Development Overlay, Angie Manglaris)

BACKGROUND

The applicant, McAdams, on behalf of the property owner, 195 Denton Partners, LLC, is requesting to rezone approximately 26.15 acres from Residential 2 (R2) District, to an Overlay Planned Development with a base zoning district of Mixed-Use Neighborhood (MN-PD). The subject property is part of a larger 195-acre tract of land situated at the southeast corner of I35-W and Corbin Road (see Exhibit 4). According to the applicant, the purpose of the Planned Development Overlay request is to rezone Parcel B of the overall tract to facilitate a multifamily development. The Planned Development Overlay is intended to address concerns brought up during neighborhood meetings for the overall development of the 195-acre parent tract. Specifically, residents expressed concern regarding the development of Parcel B given its proximity to existing residential uses in the region, hence why Parcel B is being considered as a separate zoning case.

A companion zoning application for the remaining 166.1 acres of land, depicted as Parcels A, C, and D in Exhibit 4, has been submitted, and is also on the June 12, 2024, Planning and Zoning Commission agenda for separate consideration (see case Z22-0018).

The subject property is currently developed with a single-family residence and stock pond situated near the center of the site. The remainder of the site is undeveloped and consists of open pasture with mature trees situated along the western and southern property boundaries. The western portion of the subject property consists of FEMA Floodplain and Floodway as well as potential Water Related Habitat and Riparian Buffer Environmentally Sensitive Areas (ESA).

The Overlay Planned Development contains additional development standards (see Exhibit 5) intended to address concerns of neighboring property owners and to ensure the proposed rezoning and subsequent development are compatible with surrounding neighborhoods or less intensive uses. An Overlay PD may be used to restrict or expand the uses permitted within a base zoning district or to impose additional use-specific standards than already listed within Subchapter 5 upon a proposed use, or to modify setbacks,

landscaping, screening, or buffering requirements along the borders adjoining residential uses or less intensive land uses than what is proposed within the Overlay PD.

The proposed modifications to the Denton Development Code standards are outlined in Exhibit 5 and are summarized in the table below. For any standard not modified as part of the Overlay PD Regulations, the regulations of the Denton Development Code shall apply. The proposed PD Overlay includes the following standards:

| Standard | MN District | Proposed PD Overlay Standards | Difference |
|--|--|--|---|
| Setbacks (DDC 3.3.A) | Side yard setback: 0' | 100' side yard setback from the eastern property line. | The Overlay PD proposes an increased side yard setback from the eastern property line by 100 feet. |
| Building Height (DDC 3.3.4) | Maximum height of 65'. Buildings between 41'- 65' shall require a Specific Use Permit when adjacent to a residential zoning district or single-family, townhome, or duplex use | Buildings shall be a maximum of 3 stories and 40' in height. | Removing SUP allowance for additional height, resulting and a 15-foot reduction in the overall allowable height of any structures onsite. |
| Compatibility Landscape Buffer (DDC 7.7.6 Table 7.F) | When a developing multifamily use is adjacent to existing single-family residential, a buffer of 10' in width consisting of 20 points from table 7.G shall be required. | A minimum of 30 Buffer Points from Table 7.G shall be provided. Two of the Buffer Point Elements shall be: 1) a 6-foot-tall masonry wall and 2) 1 large canopy tree for every 30 linear feet of buffer (minimum 3-inch caliper). | Additional 10 compatibility buffer points required. |
| Total Number of Units Allowed | There are no density / number of unit restrictions in the DDC. | Proposed maximum allowable 350 units. | Additional development standard designed to limit the total number of units onsite. |
| Site Design and Orientation (DDC 7.10.4.B) | 7.10.4. A. Primary building access shall be oriented towards the adjacent street, and building access shall be provided | Primary building orientation for buildings adjacent to Corbin Road shall be oriented internally to the site. | Reduction in overall building visibility from Corbin Road to address concerns raised in the |

| | | | |
|--|-------------------------------------|--|--------------------------|
| | from the street and/or sidewalk. | | neighborhood meeting. |
|--|-------------------------------------|--|--------------------------|

A full Staff Analysis is provided in Exhibit 2.

OPTIONS

1. Recommend Approval
2. Recommend Approval with Conditions
3. Recommend Denial
4. Postpone Item.

RECOMMENDATION

Staff recommends approval of the request as it complies with the criteria in Section 2.4.5.E of the Denton Development Code (DDC) for approval of all applications, and Section 2.7.3.E of the DDC for approval of a rezoning to Planned Development.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

| Date | Council, Board, Commission | Request | Action |
|-----------------|----------------------------|--|--------------------------|
| December 1969 | City Council | Annexation (ORD 69-0040) | Annexed into City Limits |
| 2002 | City Council | City-wide Zoning Transition to NR-2 | Approved |
| October 1, 2019 | City Council | New Zoning Code and City-wide zoning district transition R2 District | Approved |

PUBLIC OUTREACH:

Seventeen (17) notices were sent to property owners within 200 feet of the subject property, and thirty (30) postcards were mailed to current residents within 500 feet of the subject property. As of the writing of this report, the City has received four (4) responses in opposition of the request.

A notice was published in the Denton Record Chronicle on May 26, 2024.

A notice was published on the City's website on May 23, 2024

Two signs were posted on the property on January 26, 2024.

The applicant held three neighborhood meetings regarding the request on November 17, 2022; March 9, 2023; and August 17, 2023. Meeting attendance varied and the main concerns surrounding the project were related to the increase of traffic on Corbin Road, the state of Corbin Road and its ability to accommodate new development, and the introduction of the multifamily land use to the area. Through the neighborhood meeting process, the applicant determined the best path forward for the development was to divide the project into two separate zoning cases: one straight zoning case and one planned development overlay case, which is intended to address the concerns raised by residents during public engagement.

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. Overall Concept Plan
5. PD Development Regulations
6. Existing Zoning Map
7. Proposed Zoning Map
8. Future Land Use Map
9. Comparison of Allowed Uses
10. Notification Map and Response
11. LLC Members List
12. Draft Ordinance

Respectfully submitted:

Tina Firgens, AICP

Deputy Director of Development Services/Planning Director

Prepared by:

Angie Manglaris, AICP

Development Review Manager

Planning Staff Analysis

PD23-0001/Denton 195 R2 to PD-MN

City Council District #3

REQUEST:

Request to rezone approximately 26.2 acres from Residential 2 (R2) District to an Overlay Planned Development with a Mixed-Use Neighborhood (PD-MN) base zoning district.

STAFF RECOMMENDATION:

Staff recommends approval of the request as it complies with the criteria in Section 2.4.5.E of the Denton Development Code (DDC) for approval of all applications, and Section 2.7.3.E of the DDC for approval of a zoning change.

SITE DATA:

The subject property is being proposed for a rezoning from R2 to PD-MN district. The intent of the rezoning proposal is to facilitate the development of a future multifamily development on approximately 26.2 acres of land depicted on Exhibit 4 as Parcel B. The remaining 166.1 acres of land is intended to be rezoned to Mixed-Use Neighborhood and Public Facilities for future multifamily development and land dedication to the City for parkland development as part of a separate companion zoning application (Z22-0018; also on this same meeting agenda). The subject property is developed with a single-family residence and stock pond situated near the center of the site. The remainder of the subject property is undeveloped and consists of open pasture with mature trees situated along the western and southern property boundaries. The western portion of the subject property consists of FEMA Floodplain and Floodway as well as potential Water Related Habitat and Riparian Buffer Environmentally Sensitive Areas (ESA). An ESA field assessment is being reviewed concurrently with this zoning change request and will confirm which of these potential ESA areas on the southern portion of the site meet the criteria to be confirmed as ESAs.

Existing and proposed development within the region consists primarily of residential uses. North and east of the subject property exists Residential 2 zoning developed with lower-density single-family residential homes. To the south of the subject property is City of Denton Extra-Territorial Jurisdiction Division 1, which is developed with single-family residential homes. Immediately to the west of the subject property is Residential 2 zoning under the same ownership.

The subject property is accessible from Corbin Road, which is designated as a Secondary Arterial per the City's 2022 Mobility Plan. Corbin Road is currently an unimproved gravel roadway with variable right-of-way width. At its widest, Corbin Road measures approximately 51 feet in width near the intersection of Old Bonnie Brae and Corbin Road and is approximately 35 feet in width at its most narrow point. It is important to note that Corbin Road is only accessible from the east via Bonnie Brae because the Corbin Road underpass at I35-W was closed by City Ordinance at the intersection of Corbin Road and I35-W in 2010. Also, there are no existing frontage roads along I35-W thereby further limiting any access to Corbin Road from the west of the subject property.

SURROUNDING ZONING AND USES:

| | | |
|--|---|---|
| Northwest: Zoning Corbin Road right-of-way with R2 Zoning north of the right-of-way Use: Undeveloped and single-family residential | North: Zoning: Corbin Road right-of-way with R2 Zoning north of the right-of-way Use: single-family residential | Northeast: Zoning: Corbin Road right-of-way with R2 Zoning north of the right-of-way Use: single-family residential |
| West: Zoning: R2 Use: Undeveloped | SUBJECT PROPERTY | East: Zoning: R2 Use: Single- Family Residential |
| Southwest: Zoning: R2 Use: Undeveloped | South: Zoning: ETJ Division 1 Use: single-family residential | Southeast: Zoning: ETJ Division 1 Use: single-family residential |

CONSIDERATIONS:

Section 2.4.5.E of the DDC provides approval criteria applicable to all applications.

1. *General Criteria*

- a. *Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.*

The review criteria were applied as required.

- b. *The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9.*

Section 2.7.3.E of the DDC applies to this Overlay Planned Development request. An analysis of this request per those criteria can be found below in Consideration B.

- c. *If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5 through 2.9 controls.*

There are no conflicts between the general criteria and the criteria specific for zoning requests.

2. *Prior Approvals*

There are no prior approvals for this project.

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

The decision-making authority:

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

There are no competing goals, policies, or strategies with this proposal.

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

Future Land Use

Per the Denton 2040 Comprehensive Plan Future Land Use Map (FLUM), the subject property is primarily designated as Moderate Residential, which accommodates single-family detached housing on small lots, typical of Denton's more compact, established single-family neighborhoods and low-rise multi-family dwellings and townhomes. This land use applies to areas within the central areas of Denton and transition areas between established single-family neighborhoods and mixed-use or commercial areas that can accommodate greater density, or adjacent to key corridors.

While Moderate Residential is primarily designed to accommodate single-family development, multi-family dwellings and townhomes may be located in this land use designation as well. While the quality of multi-family dwellings and townhomes currently varies, in the case of future infill development, they should maintain a scale, style, and building orientation in order to complement the prevailing character of its surroundings. This category may also include land uses that support residential neighborhoods, such as neighborhood scaled commercial at arterial and collector street corners. The Moderate Residential Land Use category contemplates a density of 5-12 dwelling units per acre.

The proposed PD-MN zoning district is consistent with the Future Land Use Designation since the MN base zoning district is intended to accommodate a variety of housing types and designed to serve as a transitional area between higher-intensity mixed use and commercial development and residential development. The subject property is situated approximately 1,066 feet east of the intersection of I35-W at Corbin Road (an existing Freeway and Secondary Arterial respectively), and is part of a broader request to rezone a total of 195 acres of land. Additionally, while the MN district typically allows for a higher residential density development, the proposed 350 unit cap coupled with the significant floodplain preservation, collectively allow for lower residential densities overall when taking into consideration the larger parent tract. The conceptual plan submitted as part of this application reflects a gross density of 5.4 dwelling units per acre, which is consistent with the Future Land Use recommendation of a density between 5 and 12 units per acre.

(continued on next page)

Preferred Land Preservation Plan

The Preferred Land Use Preservation Plan shows a set of Environmentally Sensitive Areas situated along the western property lines. Additionally, the Preferred Land Preservation Plan shows an area of FEMA Floodplain and Floodway, and Riparian Buffer ESA that exists along the western property line. Any development where ESAs are verified is subject to the requirements within DDC Section 7.4.7A; any work beyond what is permitted in the DDC would require approval by City Council through the Alternative ESA process. By complying with the City's codified standards for floodplain and ESA preservation, development is able to occur in a manner consistent with the goals of the Preferred Land Preservation Plan in the 2040 Comprehensive Plan.

Population Projections

Per the Denton 2040 Comprehensive Plan, the City's population is projected to increase from 139,869 residents in 2020 to 229,192 residents in 2040, requiring the addition of 37,094 total housing units, including 11,239 additional multifamily dwelling units (Table 1.2).

The proposed development is consistent with the overall need for additional housing to meet the projected needs of the growing population.

Housing and Neighborhoods

The Denton 2040 Comprehensive Plan recognizes that, "With housing demand expected to increase over the next five years, providing diverse housing options in a variety of densities, styles, and price-points is critical to increasing the affordability of housing in Denton." The proposed development is consistent with the housing goals within the City, including:

Goal HN-1: Develop and maintain a housing stock that meets the needs of all residents with a diverse array of choices in type, cost, and locations.

The proposed rezoning is intended to facilitate a multifamily development, which would increase the housing options available in this area of the City, which predominantly features single-family detached housing. If the zoning is approved, any use permitted in the MN district could be developed, though. The MN district permits a variety of other residential uses that could contribute to greater housing diversity in the area; however, per the proposed Planned Development Overlay Standards, the total number of units shall not exceed 350. This unit limitation within the Overlay PD helps ensure the gross density of the overall 195-acre parent tract stays within the limits of the Future Land Use designation.

4. *Compliance with this DDC*

- a. *The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.*

This request is for a rezoning to an Overlay Planned Development district with an MN base zoning district. The proposed Development Regulations provided in Exhibit 5 indicate an intent to develop in accordance with the 2019 DDC except for specific deviations to address neighborhood concerns as outlined in Exhibits 1 and 5.

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

Typically, a rezoning to an Overlay Planned Development District does not include a full review of all development standards because no conceptual site plan is required to be provided for an overlay PD. If the proposed rezoning is approved, a detailed review of all required plat, engineering plans, tree preservation plans, and building permit submittals is required prior to development.

5. *Compliance with Other Applicable Regulations*

This proposed rezoning complies with all other applicable regulations.

6. *Consistent with Interlocal and Development Agreements*

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

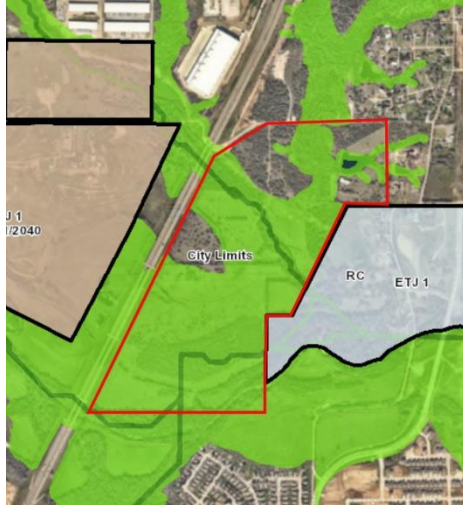
7. *Minimizes Adverse Environmental Impacts*

The Official ESA Map and Preferred Land Use Preservation Plan shows a set of potential Environmentally Sensitive Areas as well as FEMA Floodplain and Floodway situated along the western boundary of the subject tract. Any development onsite within these designated areas will be subject to the requirements of DDC 7.4 regarding ESAs.

Wildlife Corridors

The Denton 2040 Comprehensive Plan established Key Action item #127: “Identify and map wildlife corridors throughout the City to be addressed within three years of Plan adoption.” The creation of this map was accomplished last year, providing an informational resource for the City to understand paths wildlife are likely to utilize throughout the City based upon two factors: first, the locations of existing natural resources such as ESAs which have been mapped as “greenspace,” and second, direct paths that link greenspaces throughout the City and that may be useable by wildlife, which are shown as the “wildlife corridors”. It is important to note that although the Comprehensive Plan called for the creation of this map, the map is not a part of the Comprehensive Plan nor is it codified in any way, so it is merely an informational tool.

(continued on next page)



The City's Wildlife Corridor Map indicates the presence of greenspace (see light green shading on inset map) and wildlife corridors (see darker green lines on inset map) throughout the 195-acre parent tract, including the subject property. The identified area of greenspace is consistent with the boundaries of the ESAs onsite, which would be protected by the DDC's ESA regulations, which require either protection of these areas or approval of an Alternative ESA plan to establish mitigation for most encroachments within these areas.

8. *Minimizes Adverse Impacts on surrounding Property*

The proposed rezoning is not anticipated to create adverse impacts on surrounding zoning and development patterns in the area. The subject property is in close proximity to the I35-W corridor and would provide a transitional area from the higher-intensity commercial and industrial zoning situated west along the highway corridor to the established existing residential uses and zoning to the east.

The proposed Overlay Planned Development is intended to address concerns of potential adverse impacts to surrounding residential properties that were discussed during neighborhood meetings by modifying provisions of the Denton Development Code. These modified requirements are summarized below and included in Exhibit 5:

- 100' setback from the eastern property line.
- 10 additional Compatibility Buffer Points provided between the developing multifamily use and existing residential units.
- A maximum allowable building height of 40'.
- Limiting building placement such that the short side of buildings are oriented towards Corbin Road (or generally parallel to Corbin Road), as well as having the primary building entrances located internally to the site, to reduce visual impact from Corbin Road.
- Maximum of 350 units allowed on site.

Where the Overlay PD requirements are silent, development of the site would require conformance with design standards within the DDC including lot dimensions, landscaping, and access requirements.

9. *Minimizes Adverse Fiscal Impacts*

This proposed rezoning is not anticipated to create adverse fiscal impacts.

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

This proposed rezoning will not affect utilities, services, or improvements. When the site is developed, it will be reviewed to ensure compliance with all applicable standards.

11. *Provides Adequate Road Systems*

A Traffic Impact Analysis (TIA) based on the proposed development for the entire 195-acre parent tract (shown in Exhibit 4) has been submitted by the applicant. The TIA indicates the following improvements to surrounding roadway infrastructure are needed to accommodate the new use:

- Corbin Road will be constructed as a 31-foot back-to-back curb and gutter roadway adjacent to the development site and a 24-foot back-to-back curb and gutter roadway from the site boundaries to Bonnie Brae and the future I35-W north-bound frontage road.
- Left turn deceleration lanes will be constructed to meet City standards on Corbin Road at Driveways 1 & 4 (adjacent to Parcels A and B. Parcel A is the subject of the companion rezoning application).
- A right turn deceleration lane will be constructed on the future I35-W north-bound frontage road at Driveway 5 (adjacent to Parcel C).

Perimeter street improvements will be required along Corbin Road. Corbin Road is identified as a Secondary Arterial in the City's Mobility Plan, which is required to have a right-of-way width of 110 feet. The developer is responsible for making improvements for the full length of Corbin Road from Old Bonnie Brae to I35-W as outlined in the TIA. The developer is responsible for construction of one-half of the total 110' of right-of-way required for a Secondary Arterial. The existing right-of-way in this area is variable and ranges from approximately 51 feet to 35 feet.

As discussed earlier in this report, Corbin Road at I35-W is currently closed at the underpass, and motorists cannot exit I35-W at Corbin Road. At such time when the frontage roads and interchange improvements are constructed, it is anticipated that this interchange will reopen. Therefore, the construction of improvements to Corbin Road by the developer are appropriate for longer term access to I35-W frontage roads.

12. *Provides Adequate Public Services and Facilities*

The proposed Overlay Planned Development is not anticipated to negatively impact public services and facilities. When the site is platted, the new development must comply with all applicable standards to ensure adequate public services and facilities are available. Water utilities have been extended to serve the surrounding developments and wastewater utilities are existing onsite. Future development of this site will be able to connect to and further extend those utilities to serve the subject property.

13. *Rational Phasing Plan*

This proposed rezoning does not have a phasing plan.

B. Section 2.7.3.E of the DDC states that an application for a Planned Development may be approved based on the following conditions:

1. *Complies with the goals of the Comprehensive Plan;*

As described in Consideration A above, the proposed rezoning meets this criterion.

2. *Complies with the goals of relevant Area Plans;*

As described in Consideration A above, there are no area plans applicable to the subject property.

3. *Complies with this DDC, except where modifications are expressly authorized through the PD Regulations Document and PD Development Plan;*

As detailed in Exhibit 5 and described in Consideration A above, the proposed rezoning meets this criterion.

4. *Provides a greater level of building design quality, community amenities, and connectivity than would be required if the project were not being developed in a PD District;*

In this context, the requested PD-MN zoning district is more appropriate than rezoning to straight MN District to address the concerns of surrounding residents brought up during the various public engagement meetings the applicant held. Via the imposition of additional requirements and restrictions, the proposed PD-MN district provides for a greater level of separation between the proposed multi-family and ensures the proposed buildings are most compatible in scale with surrounding single-family residences than what would be applied if the request was a straight rezoning to the MN district.

5. *In the case of proposed residential development, that the development will promote compatible buildings and uses and that it will be compatible with the character of the surrounding area;*

As detailed in Exhibit 5 and described in Consideration A above, the proposed PD-MN district is designed to promote greater compatibility between multifamily and residential land uses by proposing additional development standards that call for an increased setback and landscape buffering requirement between the land uses, as well as provide for a decreased maximum allowable building height for the developing multifamily project.

(continued on next page)

6. *In the case of proposed commercial, industrial, institutional, recreational and other non-residential uses or mixed-uses, that such development will be appropriate in area, location, and overall planning for the purpose intended; and*

There are no commercial uses proposed as part of this PD Overlay, although any use permitted in the MN District could develop under the proposed zoning. The enhanced setbacks, height limitations, and buffers would still apply to any proposed commercial use.

7. *The provisions for public facilities such as schools, fire protection, law enforcement, water, wastewater, streets, public services and parks are adequate to serve the anticipated population within the PD District.*

Subsequent development of the subject property shall ensure adequate public facilities are available to serve the site.

Schools

Per the Denton Independent School District's student generation formula, the proposal would generate approximately 31.68 elementary students, 15.7 middle school students, and 18.84 high school students.

Water and Wastewater

Public water and wastewater services are available to the site.

Nearest Fire Station

The subject property is approximately 2.2 miles from Fire Station #7 (4201 Vintage BLVD), within the eight minute or less response time boundary.

8. *The condition and/or restrictions imposed by the PD are necessary and sufficient to address any significantly adverse impacts to surrounding properties or the neighborhood.*

As detailed in Exhibit 1 and described in Consideration A above, the proposed Development Standards are intended to address concerns raised at neighborhood meetings by surrounding property owners.

PD23-0001 Site Location



Legend:

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

Scale: 0 250 500 1,000 Feet

CITY OF DENTON
Development Services • GIS
Date: 2/1/2024

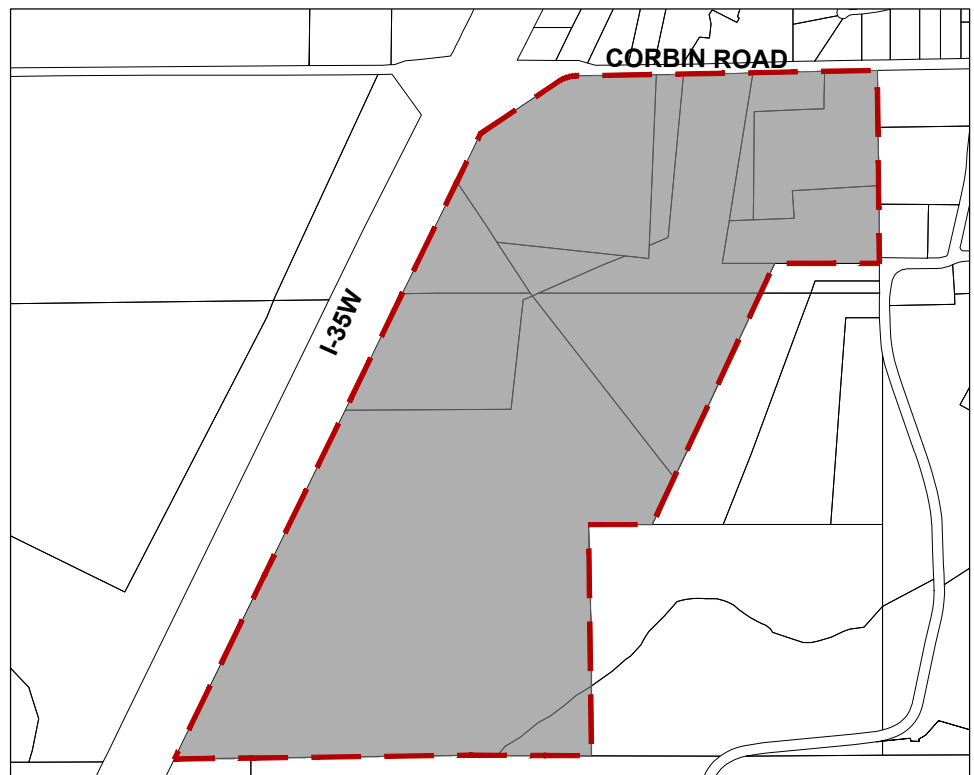


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CLIENT

REX
REX Real Estate
12400 Preston Road, Suite 100
Frisco, Texas 75033 Ph. 972-250-1263
rexorrexrealestate.com



VICINITY MAP

LEGEND

-  MIXED USE NEIGHBORHOOD (MN)
 PUBLIC FACILITIES (PF)
 SITE BNDRY LINE
 FEMA FLOODPLAIN

APPLICANT

Contact: dpowell@mcadamscs.com

OWNER / DEVELOPER

Contact: rex@rexrealestate.com

ENGINEER

Contact: jbarton@mcadamsco.com

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|------------|----------------|
| 1 | 09-20-2023 | ZONING EXHIBIT |

PLAN INFORMATION

| | |
|-------------|--|
| PROJECT NO. | SPEC-2021310210 |
| FILENAME | 2023-09-15 - DENTON-195 EXHIBIT.DWG |
| CHECKED BY | DP |
| DRAWN BY | AB |
| SCALE | 200 SCALE |
| DATE | 09-20-2023 |

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SPEC 2021310210

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PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

Exhibit B – Planned Development Standards

PD23-0001

Denton 195 – Planned Development (PD) District

SECTION 1: Purpose.

The regulations set forth in these development standards are for the Overlay Planned Development (PD) District as defined in Denton Development Code Section 2.7.3C.1. The PD encompasses a total of 26.2-acres described in Exhibit A (“Property”), Zoning Legal Description. The subject site is generally south of Corbin Road and 1,066’ east of I35-W City of Denton, Denton County, Texas

SECTION 2: Use Regulations.

The permitted uses shall be in accordance with Mixed-Use (MN) Zoning District, per the City of Denton Development Code (DDC) Table 5.2.-A, as amended. Additionally, all development within this PD shall comply with the following:

Total Allowed Dwelling Units

The maximum number of dwelling units on site shall not exceed 350.

SECTION 3: Development Standards.

Development within this PD shall comply with the Development Standards applicable to the MN Zoning District as provided for in the Denton Development Code, as amended. Additionally, all development within this PD shall comply with the following:

Dimensional Standards

Building setbacks shall comply with all standards applicable to the MN Zoning District as provided for in the Denton Development Code, as amended, except as stated below:

The minimum side yard setback from the eastern property line shall be 100 feet.

The building height shall be limited to a maximum of 40 feet and 3 stories.

Landscaping & Screening

The compatibility buffer along the eastern property line shall consist of:

A minimum of 30 Buffer Points from Table 7.G shall be provided. Two of the Buffer Point Elements shall be: 1) a 6-foot tall masonry wall; and 2) 1 large canopy tree for every 30 linear feet of buffer (minimum 3-inch caliper).

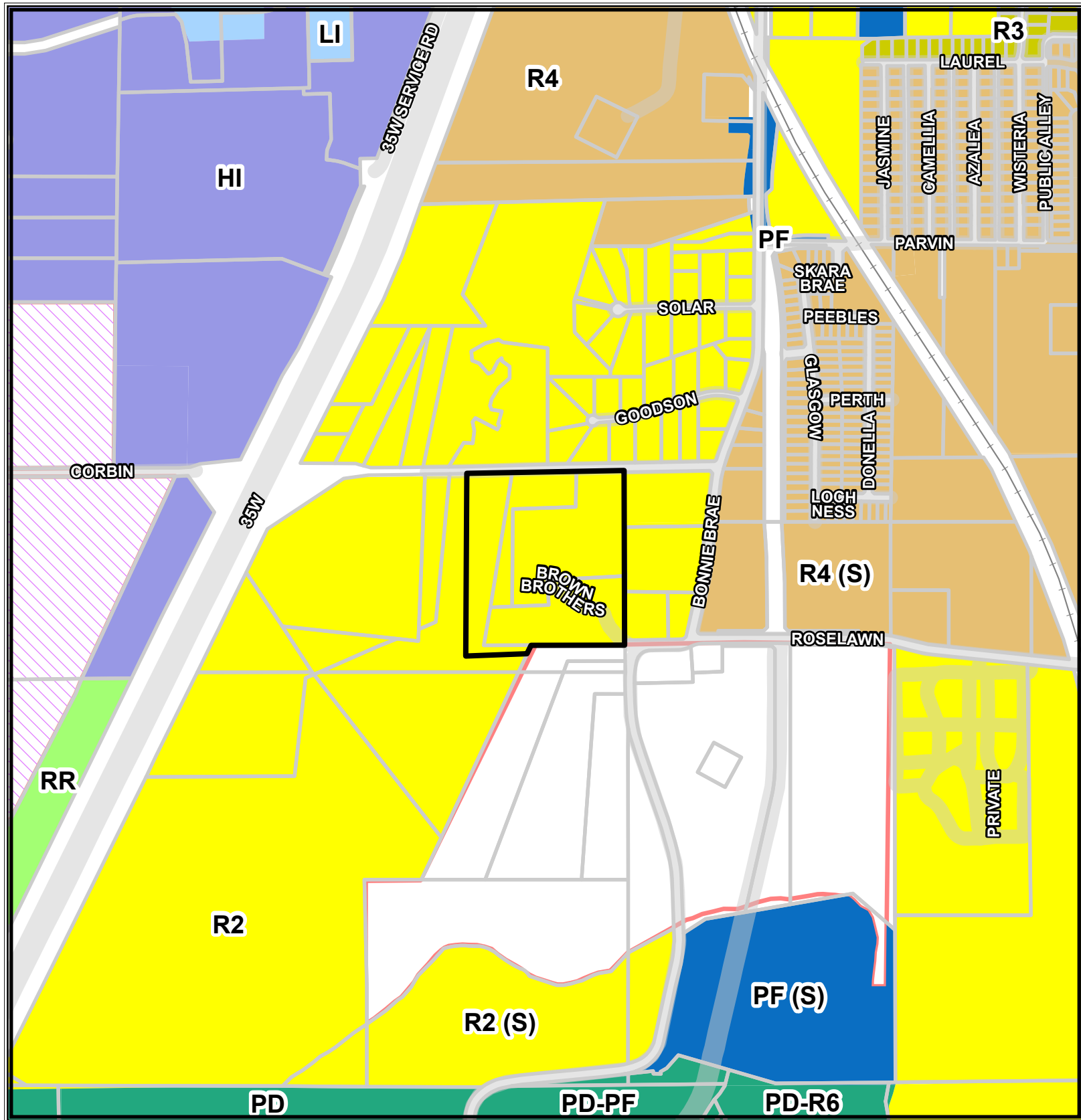
Site & Building Design

For buildings placed adjacent to Corbin Road, the following requirements shall apply:

1. Each primary building entrance shall be oriented internally towards the site, and not towards Corbin Road; and

2. The short side (or end) of buildings shall be oriented towards or placed generally parallel to Corbin Road in order to reduce building visibility from the road.

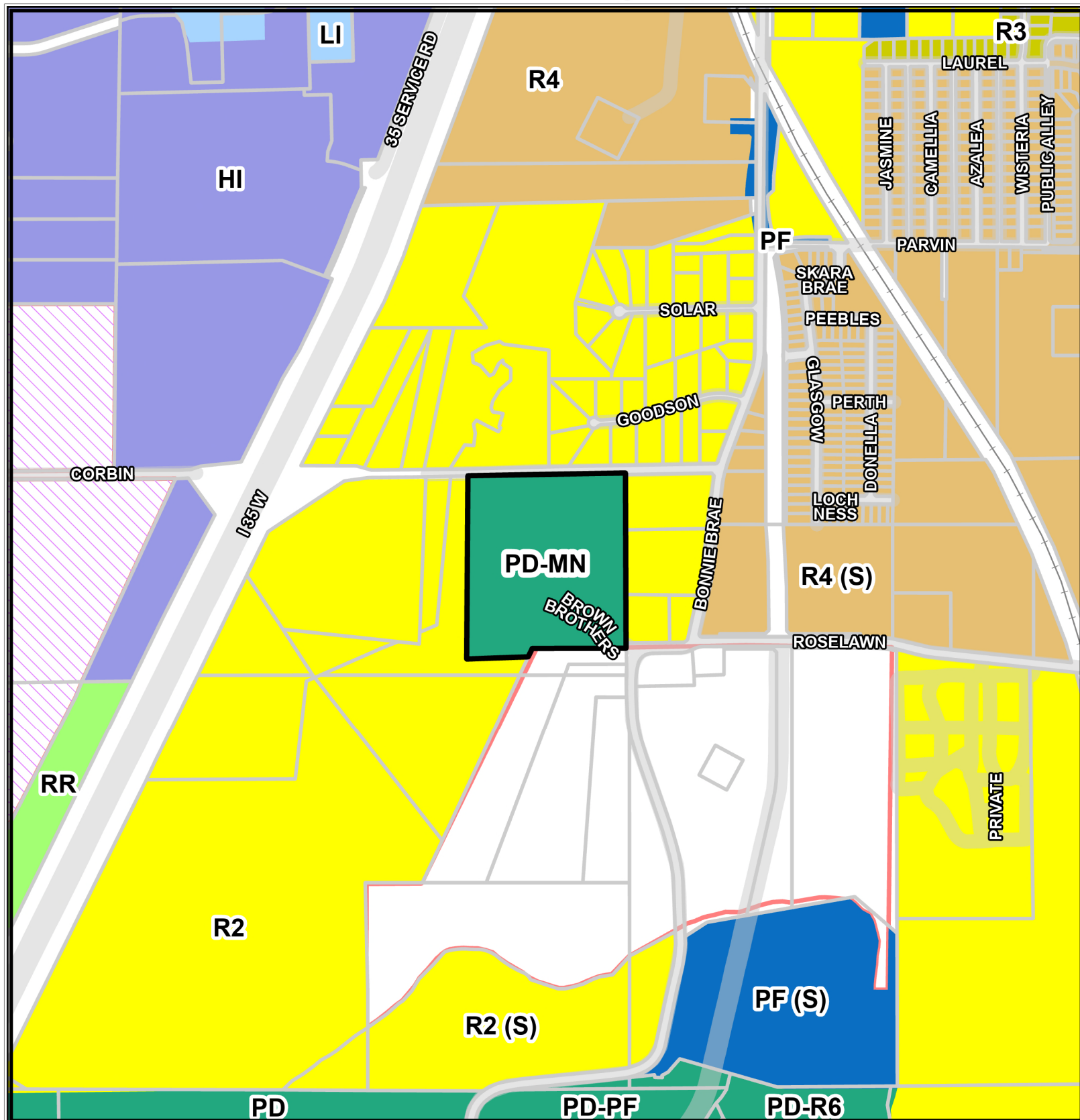
PD23-0001 Current Zoning Map



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

"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."

PD23-0001
Proposed Zoning Map



Legend:

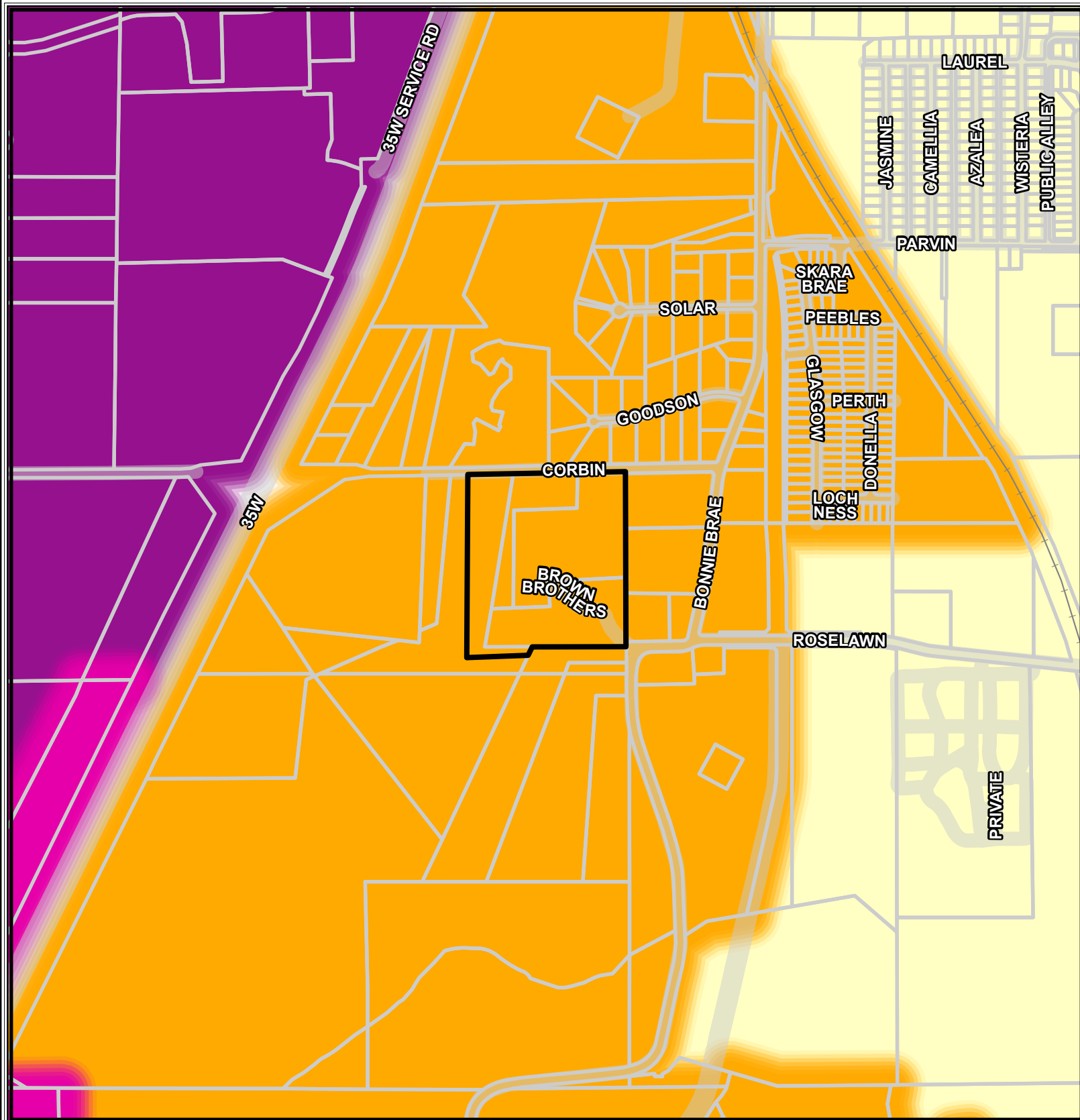
- Roads
- Site Location
- Parcels
- Current Zoning**
 - RR - Residential Rural
 - R1 - Residential
 - R2 - Residential
 - R3 - Residential
- R4 - Residential
- R6 - Residential
- R7 - Residential
- MN - Mixed-Use Neighborhood
- MD - Mixed-Use Downtown Core
- MR - Mixed-Use Regional
- HC - Highway Corridor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

Scale: 0, 250, 500, 1,000 Feet

CITY OF DENTON
Development Services • GIS
Date: 6/4/2024

PD23-0001

1-Future Land Use Map



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

Date: 2/1/2024

5.2.3 Table of Allowed Uses.

| Table 5.2-A: Table of Allowed Uses | | | | | | | | | | | | | | | | | |
|---|---|----|----|----|----|----|----|-----------|----|----|----------|----|----------------------|----|----|----|------------------------|
| P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply | | | | | | | | | | | | | | | | | |
| | Residential | | | | | | | Mixed-Use | | | Corridor | | Other Nonresidential | | | | Use-Specific Standards |
| | RR | R1 | R2 | R3 | R4 | R6 | R7 | MN | MD | MR | SC | HC | GO | LI | HI | PF | |
| Residential Uses | | | | | | | | | | | | | | | | | |
| Household Living | | | | | | | | | | | | | | | | | |
| Single-Family Detached Dwelling | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | | | | | | | | 5.3.3A |
| Townhome | | | | | S+ | P+ | P+ | P+ | P+ | P+ | | | | | | | 5.3.3B |
| Duplex | | | | | S+ | P+ | P+ | P+ | P+ | P+ | | | | | | | 5.3.3C |
| Triplex | | | | | | P+ | P+ | P+ | P+ | P+ | | | | | | | 5.3.3C |
| Fourplex | | | | | | P+ | P+ | P+ | P+ | P+ | | | | | | | 5.3.3C |
| Multifamily Dwelling | | | | | | | S+ | P+ | P+ | P+ | S+ | S+ | S+ | | | | 5.3.3D |
| Tiny Home Development | Subject to approval of a planned development (PD); see 5.3.3E | | | | | | | | | | | | | | | | |
| Work/Live Dwelling | P+ | | | | | | P+ | P+ | P+ | P+ | P+ | S+ | S+ | | | | 5.3.3F |
| Manufactured Home Development (HUD Code) | | | | | | S+ | S+ | | | | | | | | | | 5.3.3G |
| Group Living | | | | | | | | | | | | | | | | | |
| Chapter House | | | | | | | S | S | | | | | | | | P | |
| Community Home | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | | | | | | 5.3.3I |
| Dormitory | | | | | | | S | S | P | | | | | | | | |
| Elderly Housing | | | | | | S+ | S+ | P+ | P+ | P+ | S+ | S+ | | | | | 5.3.3H |
| Group Home | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | | | | | | | 5.3.3J |
| Public, Institutional, Religious, and Civic Uses | | | | | | | | | | | | | | | | | |
| Community and Cultural Facilities | | | | | | | | | | | | | | | | | |
| Airport, City-Owned | | | | | | | | | | | | | | | | P | |
| Cemetery, City-Owned | | | | | | | | | | | | | | | | P | |
| Club or Lodge | P | S | S | S | S | S | S+ | P+ | P | P+ | P | P | P | P+ | P+ | | 5.3.4A |
| Community Service | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Day Care, Adult or Child | P | S | S | S | S | S | P | P | P | P | P | P | P | P+ | | | 5.3.4B |
| Funeral and Internment Facility | | | | | | | | | S | S | P | P | P | P | | | |
| Homeless Shelter | S+ | | | | | | S+ | S+ | S+ | S+ | | | | | | P+ | 5.3.4C |
| Landfill, City-Owned | | | | | | | | | | | | | | | | P | |
| Park, Playground, Open Space | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Religious Assembly | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.3.4D |
| Educational Facilities | | | | | | | | | | | | | | | | | |
| Business or Trade School | | | | | | | | P+ | P+ | P+ | P+ | P | P | P | P | | 5.3.4E |
| College or University | | | | | | | | | P | P | | | P | | | | |
| School, Private | P | S | S | S | S | S | S | P | P | P | P | P | P | | | P | |

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|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| School, Public | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Healthcare Facilities | | | | | | | | | | | | | | | | | |
| Hospital Services | | | | | | | | | | P+ | P+ | P | P | | | | 5.3.4F |
| Medical Clinic | | | | | | | | S+ | S+ | P+ | P+ | P | P | P | | | 5.3.4G |
| Medical Office | | | | | | | P+ | P+ | P+ | P+ | P+ | P | P | P | | | 5.3.4H |
| Commercial Uses | | | | | | | | | | | | | | | | | |
| Agricultural and Animal Uses | | | | | | | | | | | | | | | | | |
| General Agriculture | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.3.5A |
| Commercial Stable | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.3.5B |
| Community Garden | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Kennel | P+ | S+ | S+ | | | | | | | | P+ | P+ | S+ | P+ | P+ | | 5.3.5C |
| Urban Farm | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | |
| Veterinary Clinic | P | S | S | | | | | P | P+ | P | P | P | P | P | P | | 5.3.5D |
| Recreation and Entertainment | | | | | | | | | | | | | | | | | |
| Amenity Center | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | |
| Indoor Recreation Facility | P | | | | | | | P | P | P | P | P | P | P | | | |
| Outdoor Recreation Facility | P | P | P | P | P | P | P | S | S | S | P | P | P | P | | | |
| RV Park | S+ | | S+ | S+ | S+ | S+ | S+ | | | | | | | | S+ | P+ | 5.3.5E |
| Food and Beverage Services | | | | | | | | | | | | | | | | | |
| Bar, Tavern, or Lounge | | | | | | | | S+ | P | P | P | P | P | P | | | 5.3.5F |
| Mobile Food Court | | | | | | | | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | | 5.3.5G |
| Private Club | P+ | | | | | | | P+ | P+ | P+ | P+ | | | P+ | P+ | | 5.3.5H |
| Restaurant | | | | | | | | P+ | P | P | P | P | P | P | | | 5.3.5I |
| Restaurant, with Drive-Through | | | | | | | | S+ | S+ | P+ | P+ | P+ | P+ | P+ | | | 5.3.5J |
| Office, Business, and Professional Services | | | | | | | | | | | | | | | | | |
| Administrative, Professional, and Government Office | | | | S+ | S+ | S+ | P+ | P+ | P+ | P | P | P | P | P | P | P | 5.3.5K |
| Bank or Financial Institution | | | | | | | S+ | P+ | P+ | P | P | P | P | P | | | 5.3.5L |
| Musician Studio | | | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | 5.3.5M |
| Credit Access Business | | | | | | | | S+ | P+ | P | P | P | P | P | | | 5.3.5N |
| Printing, Copying, and Publishing Establishment | | | | | | | | S | P | P | P | P | P | P | P | | |
| Personal Services | | | | | | | | | | | | | | | | | |
| Laundry Facility, Industrial | | | | | | | | | | | | S | S | P | P | | |
| Laundry Facility, Self-Service | | | | | | | S+ | P+ | P+ | P+ | P | P | P | P | P | | 5.3.5O |
| Personal Service, General | | | | | | | | P | P | P | P | P | P | P | | | |
| Tattoo and Body Piercing Parlor | | | | | | | | P+ | P+ | P+ | P+ | P+ | | | | | 5.3.5P |
| Retail Sales | | | | | | | | | | | | | | | | | |

| | | | | | | | | | | | | | | | | | |
|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Building Materials and Supply Store | | | | | | | | | | | S | P | | P | P | | |
| General Retail Unless Otherwise Specified, Less than 5,000 Square Feet | | | | | | | S+ | P | P | P | P | P | P | P | P | P | 5.3.5Q |
| General Retail Unless Otherwise Specified, Between 5,000 Square Feet and 15,000 Square Feet | | | | | | | | P | P | P | P | P | P | P | P | | |
| General Retail Unless Otherwise Specified, More than 15,000 Square Feet | | | | | | | | S | S | P | P | P | P | P+ | P+ | | 5.3.5R |
| Smoke Shop | | | | | | | | | P | P | P | P | | | | | |
| Lodging Facilities | | | | | | | | | | | | | | | | | |
| Bed and Breakfast | P+ | | | | | S+ | S+ | S+ | P+ | P+ | P+ | | | | | | 5.3.5S |
| Boarding or Rooming House | | | | | | | | S | P | P | P | | | | | | |
| Hotel | | | | | | | | P | P | P | P | P | P | P | | | |
| Motel | | | | | | | | | | P | P | P | P | P | | | |
| Short-Term Rental | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | | | | | | | | 5.3.5T |
| Vehicles and Equipment | | | | | | | | | | | | | | | | | |
| Auto Wash | | | | | | | | | | P | P | P | P | P | P | | |
| Automotive Fuel Sales | | | | | | | | S+ | S+ | P+ | P+ | P+ | P+ | P+ | P+ | | 5.3.5U |
| Automotive Repair Shop, Major | | | | | | | | | | P+ | P+ | P+ | S+ | P+ | P+ | | 5.3.5V |
| Automotive Repair Shop, Minor | | | | | | | | S+ | | P+ | P+ | P+ | P+ | P+ | P+ | | 5.3.5W |
| Automotive Sales or Leasing | | | | | | | | | | | | P | | | | | |
| Automotive Wrecking Service, Impound Lot, Junkyard, and Salvage Yard | | | | | | | | | | | | | | S+ | P+ | | 5.3.5X |
| Equipment Sales and Rental | | | | | | | | | | | | S+ | | S+ | P+ | | 5.3.5Y |
| Parking Lot as a Principal Use | | | | | | | | | P | P | P | P | P | P | P | | |
| Travel Plaza | | | | | | | | | | | | P | | P | P | | |
| Adult Entertainment Establishments | | | | | | | | | | | | | | | | | |
| Sexually Oriented Business | | | | | | | | | | | | | | | S+ | | 5.3.5Z |
| Industrial Uses | | | | | | | | | | | | | | | | | |
| Data Center | | | | | | | | | | | | | | | | | |
| Data Center, Modular | | | | | | | | | | | | | | S+ | S+ | S+ | 5.3.6I |

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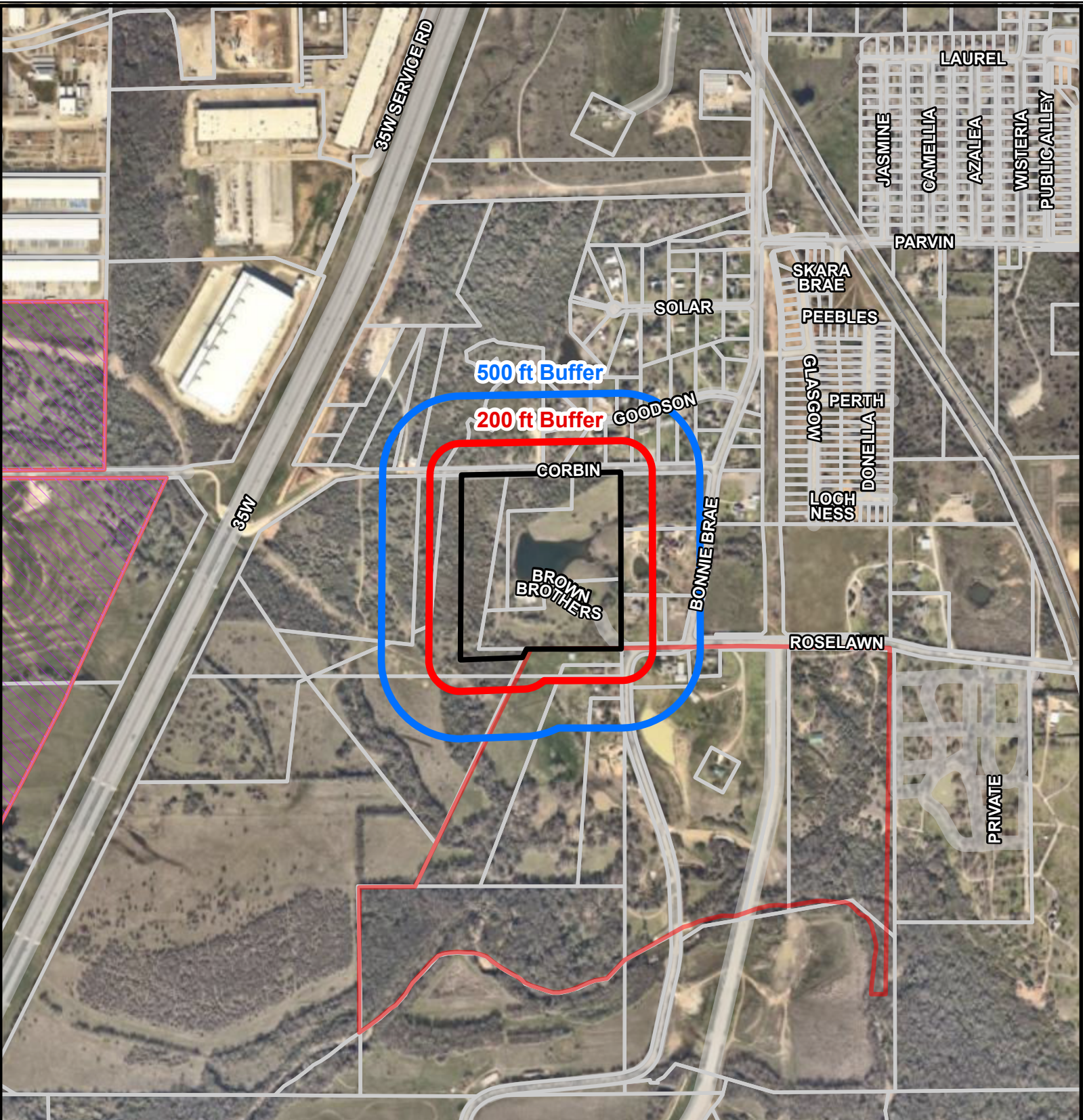
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|--|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------------------------------|--------|
| Data Center, Warehouse | | | | | | | | | S+ | S+ | S+ | P+ | P+ | P+ | P+ | 5.3.6J | |
| Manufacturing and Processing | | | | | | | | | | | | | | | | | |
| Craft Alcohol Production | | | | | | | S | P+ | P+ | P+ | P | P | P | P | | 5.3.6A | |
| Feedlot, Slaughterhouse, or Packaging Plant | S | | | | | | | | | | | | | S | | | |
| Food Processing, Less than 2,500 Square Feet | | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | 5.3.6B | |
| Food Processing, More than 2,500 Square Feet | | | | | | | S+ | S+ | P+ | P+ | P+ | P+ | P+ | P+ | | 5.3.6C | |
| Gas Well | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | Subchapter 6: Gas Wells | |
| Manufacturing, Artisan | | | | | | | P+ | P+ | P | P | P | P | P | P | | 5.3.6D | |
| Manufacturing, Low-Impact | | | | | | | | S+ | P+ | P+ | P+ | P+ | P | P | | 5.3.6E | |
| Manufacturing, Medium-Impact | | | | | | | | | | | | S | S | P | | | |
| Manufacturing, High-Impact | | | | | | | | | | | | | | S | | | |
| Commercial Incinerator, Transfer Station | | | | | | | | | | | | | | S | | | |
| Storage and Warehousing | | | | | | | | | | | | | | | | | |
| Outdoor Storage | | | | | | | | | | | | | | S+ | S+ | S+ | 5.3.6F |
| Self-Service Storage | | | | | | | S+ | S+ | S+ | P+ | S+ | P+ | P+ | P+ | | 5.3.6G | |
| Storage of Hazardous Materials | | | | | | | | | | | | | | S | | | |
| Warehouse and Wholesale Facility | | | | | | | | | S+ | S+ | P | P | P | P | | 5.3.6H | |
| Public and Semi-Public Utility Uses | | | | | | | | | | | | | | | | | |
| Basic Utilities | P | P | P | P | P | P | P | P | P | P | P | P | P | P | P | | |
| Power Stations, Electric Substations, Interchanges, and Switch Stations | P+ | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | 5.3.7A | |
| Solar Collector as Principal Use | S+ | | | | | | | | | | | S+ | S+ | S+ | P+ | 5.3.7B | |
| Wind Energy Conversion System (WECS) | | | | | | | | | | | | | | S+ | S+ | 5.3.7C | |
| Wireless Telecommunications | See Section 5.6: Wireless Telecommunications Facilities | | | | | | | | | | | | | | | | |
| Accessory Uses | | | | | | | | | | | | | | | | | |
| Accessory Dwelling Unit | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | | | | | | | 5.4.4A | |
| Donation Box | | | | | | | | | | | | | | | | 5.4.4B | |

| | | | | | | | | | | | | | | | | | |
|--|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Home Occupation | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | | | | | 5.4.4C |
| Outdoor Storage, Accessory | | | | | | | | | | | | P+ | P+ | P+ | P+ | P+ | 5.4.4D |
| Sale of Produce and Plants Raised on Premises | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.4.4E |
| Solar Collector, (Ground- or Building-Mounted) | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.4.4F |
| Wind Energy Conversion System (WECS), Small (Ground-Mounted) | P+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | P+ | P+ | P+ | 5.4.4G |
| Wind Energy Conversion System (WECS), Small (Building-Mounted) | P+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | P+ | P+ | P+ | 0 |
| Temporary Uses | | | | | | | | | | | | | | | | | |
| Temporary Storage Containers and Other Portable Storage Units | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.6A |
| Concrete or Asphalt Batching Plant, Temporary | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.6B |
| Farmer's Market or Open Air Market | | | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.4 |
| Field or Construction Office | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.6C |
| Seasonal Sales | | | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | | 5.5.4 |
| Special Event | | | | | | | | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.4 |
| Portable Wireless Telecommunications Facility | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | P+ | 5.5.4 |

(Ord. No. DCA19-0012a, § 2(Exh. A), 11-5-2019; Ord. No. DCA19-0023a, § 2(Exh. A), 1-7-2020; Ord. No. DCA19-0025a, § 2(Exh. A), 2-4-2020; Ord. No. DCA19-0027a, § 2(Exh. A), 2-4-2020; Ord. No. DCA20-0004, § 2, 10-20-2020; Ord. No. DCA22-0003a, § 2(Exh. A), 9-20-2022; Ord. No. DCA23-0010b, § 2(Exh. A), 9-19-2023; Ord. No. DCA23-0001b, § 2(Exh. A), 9-26-2023)

PD23-0001 Notification Map



| | | |
|---------------|------------|---|
| Site Location | ETJ | CITY OF DENTON Development Services • GIS Date: 2/1/2024 |
| Roads | ETJ 2 | |
| Parcels | NAA 8/1/20 | |
| COD | NAA 8/1/40 | |
| | | |

"This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative 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."



DEPARTMENT OF DEVELOPMENT SERVICES

Development Services Center – 215 W. Hickory Street – Denton, Texas 76201 voice: (940) 349-8541 www.cityofdenton.com

Public Hearing Notification Sign Criteria and Affidavit

A public hearing notification sign is a sign erected on the subject property to publicize a Future Land Use or Zoning Change request, a Specific Use Permit request, a Variance request, or a Historic Landmark Designation request. ***The number of signs and the placement of signs shall be determined at the time of First Review Comments for each specific request.*** It is the responsibility of the owner/project representative to contact Development Services Department to verify the number and location of signs needed.

Sign Criteria:

SIGN DESIGN

- ☒ Signs shall be three and a half (3 ½) feet wide by four (4) feet tall. (Please refer to attached sign exhibit.)
- ☒ The sign shall be constructed in accordance with the City's design standards for public hearing notification signs.
 - a. Two (2) sided, ten (10) millimeter Coroplast sign or other material of equivalent strength and durability.
 - b. Lettering shall be placed on both sides of the sign.
 - c. The letter font style shall be Trebuchet MS. The required font size is 230 (bold) for the sign heading and 180 for all but for the remainder of the sign. Of the smaller words on the sign, everything is bold with the exception of the number field, name field, request field, and the website address. (Please refer to attached sign exhibit.)
 - d. Metal or wood posts shall be used.
- ☒ The sign shall comply with the layout and dimensions on the attached Public Hearing Notification Sign Specification sheet.

PLACEMENT

- ☒ The sign shall be posted perpendicular to the property line, and visible and legible from adjacent rights-of-way, but except alleys, at a location(s) determined by staff.
- ☒ If the subject property is on more than one (1) right-of-way, one (1) sign shall be posted along each right-of-way for each 500 feet of linear street frontage of the property.
- ☒ Signs shall be located outside of the public right-of-way, and shall be a minimum of two (2) feet off the ground, unless otherwise directed by the Director of Development Services or designee.

PROOF OF POSTING

- ☒ At least 10 days prior to the public hearing, the applicant shall submit an executed affidavit of proof of the posting (attached) and photographs of the installed sign to the Planning Project Manager.

Failure to post the notification sign(s) and submit the affidavit and photographs will require that the public hearing item be withdrawn and re-noticed until the next public hearing date available.

- ☒ The property owner is responsible for maintaining the sign on the property throughout the entire public hearing process. If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign and posting the sign on the property promptly.

REMOVAL OF SIGNS

- ☒ The property owner or his/her representative must remove the sign within three (3) calendar days subsequent to the final decision by the approving body.

**CITY OF DENTON PUBLIC HEARING NOTIFICATION SIGN
SPECIFICATIONS**



PUBLIC HEARING NOTIFICATION SIGN AFFIDAVIT OF SIGN POSTING

Project No. PD23-0001

Date of Planning and Zoning Commission Meeting: 6/12/2024

I hereby certify that I have posted or caused to be posted Public Hearing Notification sign(s) on the property subject to Project Name/Number Denton 195 / PD 23-0001, located at Corbin Road + Old Bonnie Brae

Said sign(s) have been obtained through a sign contractor of choice and meet the specifications as stated in the City of Denton Public Hearing Sign Criteria Sheet.

Posting of said signs was accomplished on January 25, 2024. Said signs have been posted in a manner which provides an unobstructed view and which allows clear reading from the public right(s) of way along Corbin Road + Old Bonnie Brae. Said signs will be maintained on the property throughout the entire public hearing process and will be removed within three (3) calendar days subsequent to the final decision by the approving body.

I further certify that this affidavit was filed with the Planning Department of the City of Denton within the time provisions specified in the City of Denton Public Hearing Sign Criteria Sheet.

Executed this the 15th day of May, 2024.

Randi Rivera

Signature of Applicant or Authorized Representative for Project No. PD23-0001

Randi Rivera

Printed Name of Applicant or Authorized Representative for Project No. PD23-0001

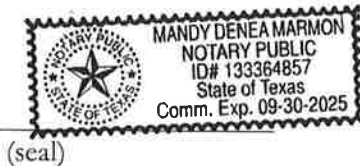
STATE OF TEXAS COUNTY OF Denton BEFORE ME, a Notary Public, on this 15 day personally appeared Randi Rivera (printed owner's name) the above signed, who, under oath, stated the following:

"I hereby certify that I am the owner, for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 15th day of May, 2024.

Mandy Marmon

Notary Signature



(seal)

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

STAFF USE ONLY:

Date/Time submitted: _____ Verified by: _____



Development Services

401 N. Elm St., Denton, TX 76201 • (940) 349-8541

For more information, please contact Angie Manglaris at (940) 349-8381 or angie.manglaris@cityofdenton.com; or, on June 7, 2024, visit www.cityofdenton.com/public-meetings for the meeting agenda with staff's analysis and associated exhibits.

Response Form

Project Number PD23-0001

Sherman Drive Mixed Use

In order for your opinion to be counted, please complete and mail this form to:

City of Denton Development Services
Attn: Angie Manglaris, Project Manager
401 N. Elm St.
Denton, TX 76201

You may also email to angie.manglaris@cityofdenton.com or call (940) 349-8381. Please note any responses are subject to public information requests including the information provided below.

Project Number PD23-0001

Meeting Date: June 12, 2024

Please circle one:

☐ In favor of request

☒ Opposed to request

Comments:

Signature: Kyle Eaton

Printed Name: Kyle Eaton

Street Address: 2990 Corbin Rd

City, State and Zip Code: Denton Tx 76207

Phone Number: _____

Email Address: _____

Physical Address of Property within 200 Feet: 2990 Corbin Rd, Denton Tx 76207



Development Services

401 N. Elm St., Denton, TX 76201 • (940) 349-8541

For more information, please contact Angie Manglaris at (940) 349-8381 or angie.manglaris@cityofdenton.com; or, on June 7, 2024, visit www.cityofdenton.com/public-meetings for the meeting agenda with staff's analysis and associated exhibits.

Response Form

Project Number PD23-0001
Sherman Drive Mixed Use

PD23-0001

Denton 195 Planned Development Overlay

In order for your opinion to be counted, please complete and mail this form to:

City of Denton Development Services
Attn: Angie Manglaris, Project Manager
401 N. Elm St.
Denton, TX 76201

You may also email to angie.manglaris@cityofdenton.com or call (940) 349-8381. Please note any responses are subject to public information requests including the information provided below.

Project Number PD23-0001

Meeting Date: June 12, 2024

Please circle one:

☐ In favor of request ☒ Opposed to request

Comments:

Lack of infrastructure to support higher density zoning

Do not want to lose any property to roadway update

Do not see the need or value to change the zoning in light of all the apartment projects that are not even populated yet.

Signature:

Printed Name: Lawrence Jankiewicz

Street Address: 210 Goodson Way

City, State and Zip Code: Denton, TX 76207

Phone Number: 940-300-5885

Email Address: Jankman4@verizon.net

Physical Address of Property within 200 Feet: 210 Goodson Way, Denton, TX 76207



Development Services

401 N. Elm St., Denton, TX 76201 • (940) 349-8541

For more information, please contact Angie Manglaris at (940) 349-8381 or angie.manglaris@cityofdenton.com; or, on June 7, 2024, visit www.cityofdenton.com/public-meetings for the meeting agenda with staff's analysis and associated exhibits.

Response Form

Project Number PD23-0001

~~Sherman Drive Mixed Use~~

Denton 195

In order for your opinion to be counted, please complete and mail this form to:

City of Denton Development Services
Attn: Angie Manglaris, Project Manager
401 N. Elm St.
Denton, TX 76201

You may also email to angie.manglaris@cityofdenton.com or call (940) 349-8381. Please note any responses are subject to public information requests including the information provided below.

Project Number PD23-0001

Meeting Date: June 12, 2024

Please circle one:

☐ In favor of request

☒ Opposed to request

Comments:

Traffic, it goes against the Denton 2040 Plan, Proposed builder has not been responsive to neighborhood concerns, this doesn't "fit" in our neighborhood.

Signature:

M. Douglas Henry

Printed Name:

M. Douglas Henry

Street Address:

212 Goodson Way

City, State and Zip Code:

Denton, TX 76207

Phone Number:

(940) 300-9290

Email Address:

dhenry@unt.edu

Physical Address of Property within 200 Feet:

212 Goodson Way / Denton, 76207

Manglaris, Angie

From: Leah Vaughn <leahhvaughn22@gmail.com>
Sent: Friday, June 7, 2024 1:37 PM
To: Manglaris, Angie
Cc: Leah Vaughn
Subject: Corbin & "Old" Bonnie Brae

This message has originated from an **External Source**. Please be cautious regarding links and attachments.

Good afternoon, Angie

My husband and I live at 203 Goodson Way and have been informed of an upcoming city planning and zoning meeting next week to discuss the Corbin Road project.

First of all, I think the traffic study should have included every single household located from Parvin to Roselawn (Solar Way, Goodson Way and all the homes located on Bonnie Brae in that area), not JUST people within 200 feet of the purposed area. This would affect all of us living in our Forever homes in this area.

The apartment complex and widening of Corbin is a horrible idea! All of us who live in the area bought because of the area and wish to keep it as is. Grow elsewhere!

We will be out of town next week so I would like this email to be our "proxy" vote - **NO** to zoning change and widening Corbin Road. If possible, a big fat **NO** to the developer wanting to build the apartment complex on Corbin as well!!!

Thank you for your time and consideration too our request!

Leah and Brad Vaughn

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

| | | | |
|---------------------------------|--|-----------------------|--|
| Filing Number: | 802096086 | Entity Type: | Domestic Limited Liability Company (LLC) |
| Original Date of Filing: | November 6, 2014 | Entity Status: | In existence |
| Formation Date: | N/A | | |
| Tax ID: | 32055619467 | FEIN: | |
| Duration: | Perpetual | | |
| Name: | 195 Denton Partners, LLC | | |
| Address: | 12400 PRESTON RD STE 100 FRISCO, TX 75033 USA | | |

| REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS |
|----------------------------------|--------------------------------|--|----------------------------|-------------------------------|-------------------------------------|---------------------------------|
| Name | | Address | | Inactive Date | | |
| Rex Glendening | | 12400 Preston Road, Ste. 100 Frisco, TX 75033 USA | | | | |

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, REGARDING A CHANGE IN THE ZONING DISTRICT AND USE CLASSIFICATION FROM RESIDENTIAL 2 (R2) DISTRICT TO AN OVERLAY PLANNED DEVELOPMENT WITH A BASE ZONING OF MIXED USE NEIGHBORHOOD (PD-MN) ON APPROXIMATELY 26.2 ACRES OF LAND GENERALLY LOCATED ON THE SOUTH SIDE OF CORBIN ROAD, AND 1,066 FEET EAST OF THE SOUTHEAST INTERSECTION OF I35-W AND CORBIN ROAD IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. (PD23-0001)

WHEREAS, Denton 195 Partners, LLC. property owner, requested to rezone approximately 26.1 acres of land from Residential 2 (R2) District to Overlay Planned Development with a base zoning of Mixed Use Neighborhood (PD-MN), legally described in Exhibit "A", attached hereto and incorporated herein by reference (hereinafter, the "Property"); and

WHEREAS, on June 12, 2024 the Planning and Zoning Commission, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded full and fair hearings to all property owners interested in this regard, and have recommended approval (0-0) of the request; and

WHEREAS, on ____, 2024, the City Council likewise conducted a public hearing as required by law, and finds that the request meets and complies with all substantive and procedural standards set forth in Section 2.7.2 of the Denton Development Code, and is consistent with the Denton 2040 Comprehensive Plan and the Denton Development Code; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Denton, in considering the application for establishing a zoning district change for the Property, have determined that the proposed use is in the best interest of the health, safety, morals, and general welfare of the City of Denton, and accordingly, the City Council of the City of Denton is of the opinion and finds that said zoning change is in the public interest and should be granted as set forth herein; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

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

SECTION 2. The zoning district and use classification for the Property is hereby changed to Overlay Planned Development with a base zoning of Mixed Use Neighborhood (PD-MN). The Development Standards for the Property are described in Exhibit "B" attached hereto and incorporated herein by reference. Development of the Property shall be in accordance with the Development Standards in Exhibit "B" and the Denton Development Code, as amended.

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

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

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

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

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

| | Aye | Nay | Abstain | Absent |
|--|------------|------------|----------------|---------------|
| Mayor Gerard Hudspeth: | _____ | _____ | _____ | _____ |
| Vicki Byrd, District 1: | _____ | _____ | _____ | _____ |
| Brian Beck, District 2: | _____ | _____ | _____ | _____ |
| Paul Meltzer, District 3: | _____ | _____ | _____ | _____ |
| Joe Holland, District 4: | _____ | _____ | _____ | _____ |
| Brandon Chase McGee, At Large Place 5: | _____ | _____ | _____ | _____ |
| Jill Jester, At Large Place 6: | _____ | _____ | _____ | _____ |

PASSED AND APPROVED this the _____ day of _____, 2024.

GERARD HUDSPETH, MAYOR

ATTEST:
LAUREN THODEN, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____

Exhibit A Legal Description

Being all that certain lot, tract or parcel of land situated in the William Sajvis 160 acre Preemption Survey, Abstract Number 1174, City of Denton, Denton County, Texas, and being part of that certain called 195.673 acre tract of land described as Tract 1 in deed in favor of 195 Denton Partners, LLC, recorded in Document Number 2016-33855 of the Real Property Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" rebar found in Corbin Road (a public roadway, no record found) at the northeast corner of said 195.673 acre tract, being called the northeast corner of said Sajvis Survey, same being a reentrant corner in the south line of the Del S. Brewster Survey, Abstract Number 56, and being on the south line of a 30' right-of-way dedication as evidenced by the plat of Solar Way Addition, Section Two, an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Cabinet C, Page 142 of the Plat Records of Denton County, Texas;

THENCE S 00°53'00" E, with the east line of said 195.673 acre tract, passing at 16.0 feet the northeast corner of Lot 1, Block A, Gary Addition an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Cabinet V, Page 124 of the Plat Records of Denton County, Texas, continuing with the west line thereof, passing at 361.4 feet a 2" pipe fence corner post on the southwest corner thereof, being the northwest corner of Lot 1, Block A, Liverpool Addition an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Cabinet U, Page 543 of the Plat Records of Denton County, Texas, continuing with the west line thereof, passing at 800.1 feet a 1/2" capped rebar found (RPLS 4561) at the southwest corner thereof, being the northwest corner of Lot 1R, Block A, Don Barber Addition an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Document Number 2013-250 of the Plat Records of Denton County, Texas, continuing with the west line thereof, passing at 1,113.2 feet a 1/2" capped rebar found (RPLS 4561) found at the southwest corner thereof, being the northwest corner of that certain called 0.079 acre tract of land described as Tract Two (Easement Estate) in the aforementioned deed in favor of 195 Denton Partners, LLC, recorded in Document Number 2016-33855 of the Real Property Records of Denton County, Texas, continuing with the west line thereof a total distance of 1,142.52 feet to a 5/8" rebar found at the most easterly southeast corner of said 195.673 acre tract, and being the northeast corner of that certain called 12.62 acre tract of land described in deed in favor of the Veteran's Land Board, recorded in Volume 989, Page 401 of the Deed Records of Denton County, Texas;

THENCE S 89°27'00" W, with the easterly line of said 195.673 acre tract and the north line of said 12.62 acre tract, passing at 600 feet a reentrant corner in the easterly line of said 195.673 acre tract, being the northwest corner of said 12.62 acre tract, continuing a total distance of 868.88 feet to a point of curvature of a curve to the left;

THENCE with the arc of said curve to the left having a radius of 257.00 feet, a central angle of 22°40'48" and an arc length of 101.73 feet whose chord bears S 78°06'36" W, 101.07 feet to a point of reverse curvature;

THENCE with the arc of said curve to the left having a radius of 293.00 feet, a central angle of 06°36'25" and an arc length of 33.79 feet whose chord bears S 70°04'24" W, 33.77 feet;

THENCE N 00°53'00" W, 1,163.86 feet to the north line of said 195.673 acre tract and the south line of that certain called 0.43 acre right-of-way dedication as evidenced by the plat of Wright

Addition, an addition to the City of Denton, Denton County, Texas, according to the plat thereof recorded in Document Number 2021-352 of the Plat Records of Denton County, Texas, being in Corbin Road;

THENCE N 88°53'30" E, in said Corbin Road with the north line of said 195.673 acre tract and the south line of said 0.43 acre right-of-way dedication, passing at 521.2 feet the southeast corner of said 0.43 acre right-of-way dedication and the southwest corner of the aforementioned 30' right-of-way dedication, continuing with the south line thereof a total distance of 1,000.00 feet to the POINT OF BEGINNING and containing approximately 26.150 acres of land.

Exhibit B – Planned Development Standards

PD23-0001

Denton 195 – Planned Development (PD) District

SECTION 1: Purpose.

The regulations set forth in these development standards are for the Overlay Planned Development (PD) District as defined in Denton Development Code Section 2.7.3C.1. The PD encompasses a total of 26.2-acres described in Exhibit A (“Property”), Zoning Legal Description. The subject site is generally south of Corbin Road and 1,066’ east of I35-W City of Denton, Denton County, Texas

SECTION 2: Use Regulations.

The permitted uses shall be in accordance with Mixed-Use (MN) Zoning District, per the City of Denton Development Code (DDC) Table 5.2.-A, as amended. Additionally, all development within this PD shall comply with the following:

Total Allowed Dwelling Units

The maximum number of dwelling units on site shall not exceed 350.

SECTION 3: Development Standards.

Development within this PD shall comply with the Development Standards applicable to the MN Zoning District as provided for in the Denton Development Code, as amended. Additionally, all development within this PD shall comply with the following:

Dimensional Standards

Building setbacks shall comply with all standards applicable to the MN Zoning District as provided for in the Denton Development Code, as amended, except as stated below:

The minimum side yard setback from the eastern property line shall be 100 feet.

The building height shall be limited to a maximum of 40 feet and 3 stories.

Landscaping & Screening

The compatibility buffer along the eastern property line shall consist of:

A minimum of 30 Buffer Points from Table 7.G shall be provided. Two of the Buffer Point Elements shall be: 1) a 6-foot tall masonry wall; and 2) 1 large canopy tree for every 30 linear feet of buffer (minimum 3-inch caliper).

Site & Building Design

For buildings placed adjacent to Corbin Road, the following requirements shall apply:

1. Each primary building entrance shall be oriented internally towards the site, and not towards Corbin Road; and
2. The short side (or end) of buildings shall be oriented towards or placed generally parallel to Corbin Road in order to reduce building visibility from the road.



City of Denton

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

Legislation Text

File #: S24-0003, Version: 1

AGENDA CAPTION

Hold a public hearing and consider making a recommendation to City Council regarding a request for a Specific Use Permit (SUP) to allow for a High-Impact Manufacturing use on approximately 8 acres of land, generally located on the southwest corner of the intersection of Shelby Lane and Dakota Lane in the City of Denton, Denton County, Texas (S24-0003, Advanced Microbial Solutions, 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: June 12, 2024

SUBJECT

Hold a public hearing and consider making a recommendation to City Council regarding a request for a Specific Use Permit (SUP) to allow for a High-Impact Manufacturing use on approximately 8 acres of land, generally located on the southwest corner of the intersection of Shelby Lane and Dakota Lane in the City of Denton, Denton County, Texas (S24-0003, Advanced Microbial Solutions, Ashley Ekstedt)

BACKGROUND

The applicant, Jesse Copeland with Winstead, representing the business owner, Advanced Microbial Solutions, LLC, is requesting a Specific Use Permit (SUP) to allow for a High-Impact Manufacturing use. The subject property is zoned Heavy Industrial (HI).

Specifically, this proposed development is for a fertilizer and soil amendment manufacturing business, which falls within the scope of a High-Impact Manufacturing use as defined in the DDC:

Manufacturing, High-Impact: An establishment or business that uses hazardous inputs or creates hazardous by-products in the course of manufacturing, assembly, fabrication, or materials treatment, or that uses manufacturing, assembly, fabrication, or treatment processes that create potentially hazardous impacts on the environment or surrounding areas. Examples include but are not limited to: acid manufacture; acid bulk storage; cement, lime, gypsum or plaster manufacture; central concrete mixing or concrete proportioning plant; distillation, manufacture or refining of bones, coal or tar asphalt; explosives, manufacture or storage; fat, grease, lard or tallow rendering or refining; fertilizer manufacture from organic matter; glue or size manufacture; paper manufacture; petroleum or asphalt refining or storage; smelting of tin, copper, zinc or iron ores; and storage or processing raw hides or fur.

In the HI Zoning District, High-Impact Manufacturing is permitted with an approved Specific Use Permit.

This SUP application is related to SUP request S24-0004, which is also on this agenda for consideration and which is for a property containing three platted lots located approximately 800 feet south of the intersection of Dakota Lane and Shelby Lane. Since the properties are physically separated by another lot owned and utilized by a different entity, the SUP requests are being considered independently. In summary, the owner is currently operating this use on the subject property of S24-0004 under Certificates of Occupancy (COs) for warehouse and nonconforming manufacturing uses. When a CO request was submitted for the subject property, staff became aware of the intensive nature of the manufacturing operation that has been split over time to occur across multiple buildings and made the owner aware of the need for a Specific Use Permit for all of their properties.

The subject property is an approximately 8-acre site located on the southwest corner of the intersection of Shelby Lane and Dakota Lane. The existing building and parking areas on the subject property were developed prior to its annexation into the City in 2010. No changes or expansions to the existing building are proposed. The subject property consists of a 61,490 square foot building and includes proposed accessory outdoor storage that will be screened from the right-of-way. Material to be stored and manufactured on site includes inputs required to manufacture fertilizer and soil amendments and finished product. The portion of the site to the rear of the building will include storage tanks that will store the non-hazardous finished product that will be screened from the right-of-way by an eight-foot tall wood fence and evergreen trees. The Site Plan provided as Exhibit 7 shows the proposed location of the storage tanks as well as the existing building and parking areas. Exhibit 8 shows in more detail the proposed location of indoor manufacturing equipment and storage areas in addition to the outdoor finished product storage tanks.

Staff Analysis is provided as Exhibit 2.

OPTIONS

1. Recommend approval as submitted
2. Recommend approval subject to conditions
3. Recommend denial
4. Postpone consideration

RECOMMENDATION

Staff recommends **approval** of the SUP request with the following conditions:

1. The zoning map shall reflect the Specific Use Permit on the property consistent with the DDC.
2. Maintain compliance with the Texas Multisector Storm Water General Permit and update the certification every 5 years or as required by Texas Commission on Environmental Quality. Documentation shall be provided to the City upon request demonstrating compliance.
3. Maintain a spill response team that requires staff training at least once a year to review Standard Operating Procedures. Documentation shall be provided to the City upon request demonstrating compliance.
4. Outdoor storage tanks shall be screened from the right-of-way with an 8-foot wood fence and evergreen trees as shown on the attached site plan.
5. All stored hazardous chemicals shall be located inside the building only. Outdoor storage tanks shown on the plans are not permitted to hold hazardous materials. If the quantity of hazardous materials increases to above the amounts provided for in the DDC 5.3.2D.1, an amendment to this SUP shall be required.
6. Any hazardous chemicals stored onsite shall require approval from the Fire Department prior to storage commencing, including obtaining any necessary permits.
7. Prior to any manufacturing or processing wastewater discharge being connected to the City's wastewater collection system, building permit plans shall be submitted to the City for review and approval and issuance of applicable wastewater discharge permit.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

| | | | |
|--------------------|------------------------------|---|--|
| July 23, 2008 | Planning & Zoning Commission | Final Plat | Approved |
| February 9, 2010 | City Council | Public Hearing, and First Reading of the Annexation Ordinance | Public Hearing held, and First Reading conducted |
| May 4, 2010 | City Council | Second Reading and consideration of Annexation Ordinance | Second Reading conducted, and Annexation Ordinance approved [2010-123] |
| September 21, 2011 | Planning & Zoning Commission | Rezoning from Rural Residential 5 (RD-5) to Industrial Center General (IC-G) (2011-191) | Recommended Approval |
| October 4, 2011 | City Council | Rezoning from Rural Residential 5 (RD-5) to Industrial Center General (IC-G) (2011-191) | Approved |

PUBLIC OUTREACH:

To comply with the public hearing notice requirements, the following were completed:

- On May 24, 2024 - 12 notices were sent to property owners within 200 feet of the subject property. As of the writing of this report, staff has not received any written responses.
- On May 24, 2024 - 15 courtesy notices were sent to physical addresses within 500 feet of the subject property.
- A notice was published on the City's website on May 23, 2024.
- A notice was published in the Denton Record Chronicle on May 26, 2024.
- The week of May 20, 2024, the applicant mailed and dropped off letters in person to properties within 500 feet.
- One sign was posted on the property on May 28, 2024.

DEVELOPER ENGAGEMENT DISCLOSURES

No developer contact and/or meeting disclosures have been provided to staff as of the issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Future Land Use Map
5. Zoning Map

6. Applicant Project Narrative
7. Existing Site Plan
8. Building and Storage Area Layout
9. Fiscal Impact Summary
10. Notification Map
11. Draft Ordinance
12. LLC Members List

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

Prepared by:
Ashley Ekstedt
Associate Planner

Planning Staff Analysis

S24-0003 / Advanced Microbial Solutions

City Council District 3

REQUEST:

Specific Use Permit (SUP) to allow for a High-Impact Manufacturing use on approximately 8 acres of land. The subject property is zoned Heavy Industrial (HI). The High-Impact Manufacturing use is an allowed use with an approved Specific Use Permit.

OWNER:

Corbin Realty I, LP

APPLICANT:

Jesse Copeland with Winstead

STAFF RECOMMENDATION:

Staff recommends **approval** of the SUP request with the following conditions:

1. The zoning map shall reflect the Specific Use Permit on the property consistent with the DDC.
2. Maintain compliance with the Texas Multisector Storm Water General Permit and update the certification every 5 years or as required by Texas Commission on Environmental Quality. Documentation shall be provided to the City upon request demonstrating compliance.
3. Maintain a spill response team that requires staff training at least once a year to review Standard Operating Procedures. Documentation shall be provided to the City upon request demonstrating compliance.
4. Outdoor storage tanks shall be screened from the right-of-way with an 8-foot wood fence and evergreen trees as shown on the attached site plan.
5. All stored hazardous chemicals shall be located inside the building only. Outdoor storage tanks shown on the plans are not permitted to hold hazardous materials. If the quantity of hazardous materials increases to above the amounts provided for in the DDC 5.3.2D.1, an amendment to this SUP shall be required.
6. Any hazardous chemicals stored onsite shall require approval from the Fire Department prior to storage commencing, including obtaining any necessary permits.
7. Prior to any manufacturing or processing wastewater discharge being connected to the City's wastewater collection system, building permit plans shall be submitted to the City for review and approval and issuance of applicable wastewater discharge permit.

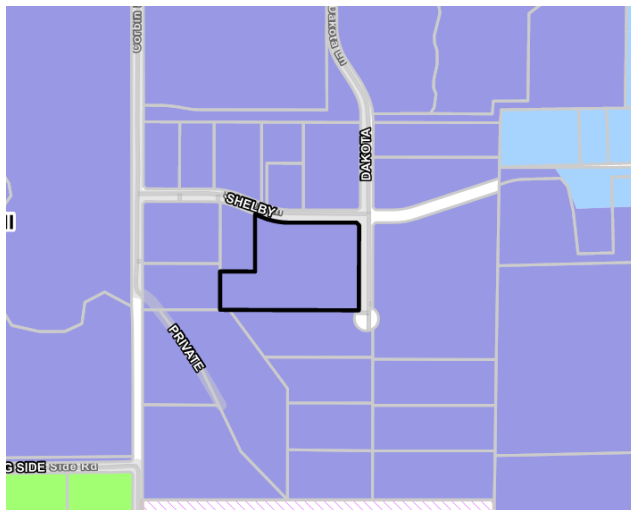
SITE DATA:

The subject property, an approximately 8-acre site, is currently developed with a 61,490 square foot building and parking areas (see inset maps below and maps provided as Exhibits 3 and 5). There is no FEMA floodplain or floodway located on the property. There are no designated Environmentally Sensitive Areas (ESAs) on the property.

The subject property has approximately 600 feet of frontage on Shelby Lane and approximately 500 feet of frontage on Dakota Lane. Access in and out of the site will be through the two existing driveways located on Shelby Lane and two existing driveways located on Dakota Lane. See Exhibit 7 – Existing Site Plan.

SURROUNDING ZONING AND LAND USES:

| | | |
|---|---|---|
| Northwest: <ul style="list-style-type: none"> • Zoning: Heavy Industrial District (HI) • Use: Industrial – Light Manufacturing | North: <ul style="list-style-type: none"> • Zoning: Heavy Industrial District (HI) • Uses: Industrial – Distribution | Northeast: <ul style="list-style-type: none"> • Zoning: Heavy Industrial District (HI) • Use: Industrial - Warehousing and Gas Well Production |
| West: <ul style="list-style-type: none"> • Heavy Industrial District (HI) • Use: Truck Rental and Warehousing | SUBJECT PROPERTY | |
| Southwest: <ul style="list-style-type: none"> • Zoning: Heavy Industrial District (HI) • Use: Industrial – Warehousing | South: <ul style="list-style-type: none"> • Zoning: Heavy Industrial District (HI) • Use: Industrial – Warehousing | Southeast: <ul style="list-style-type: none"> • Zoning: Heavy Industrial District (HI) • Use: Trade School and Warehousing |



CONSIDERATIONS:

A. Section 2.4.5E of the Denton Development Code (DDC) provides approval criteria applicable to all applications.

1. *General Criteria*

a. *Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.*

The general criteria have been applied.

- 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.*

Section 2.5.2D of the DDC applies to Specific Use Permit (SUP) requests. An analysis of this request per those criteria can be found below in Consideration B.

- c. *If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5 through 2.9 controls.*

There are no conflicts between the general criteria and the criteria specific for Specific Use Permit requests.

2. *Prior Approvals*

The proposal is consistent with the previously approved plat.

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

The decision-making authority:

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

The proposed Specific Use Permit is consistent with the goals, policies, and actions of the Comprehensive Plan and with the Future Land Use designation of Industrial Commerce (see inset map below and in Exhibit 4), including the goals and actions listed below:

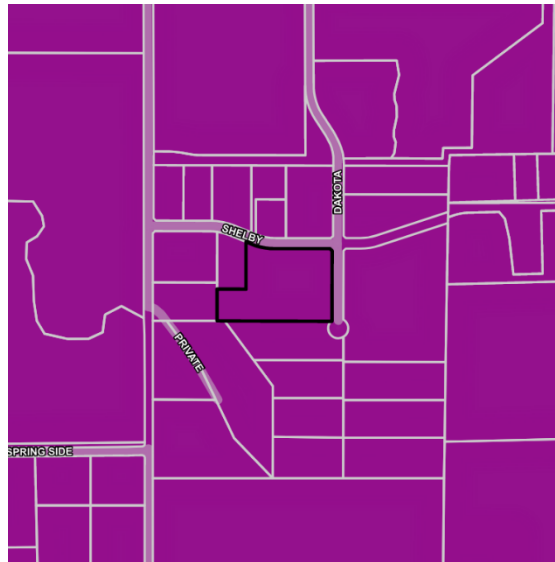
GOAL FEV-2: Improve the City's job-to-worker ratio by increasing the number of jobs available to the resident workforce and local graduates.

GOAL LU-3: Grow our Assets: Maintain and Strengthen Neighborhoods, Commercial, and Employment Areas.

The applicant's requested use is consistent with the overall goals of the Denton 2040 Comprehensive Plan to provide for a robust and diverse economy and increase jobs within Denton by expanding an existing manufacturing business in Denton, which aligns with Goal FEV-2 cited above. Additionally, the proposal would allow for the re-use of an existing industrial building in one of the primary areas of the City intended for heavy industrial uses where infrastructure to support the use is already in place. Given the surrounding zoning pattern and the proximity of other industrial uses, the potential for any nuisance or compatibility issues to arise from this use are limited and proper screening for outdoor storage areas is proposed. The proposed use is consistent with the existing industrial uses in this area.

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

The proposed High-Impact Manufacturing use conforms to the Future Land Use Element of the Denton 2040 Comprehensive Plan.



Per the Future Land Use Map in the Denton 2040 Comprehensive Plan, the subject property is designated as Industrial Commerce (see image above and provided as Exhibit 4). The description for the Future Land Use designation is provided below:

Industrial Commerce applies to areas where the predominant uses include both light and heavy industrial uses, such as moderate to heavy manufacturing, assembly, fabrication, and wholesaling. Distribution warehouses may be included in this designation if used to replace underutilized and heavy industrial uses, or if ultimately reused to house future industrial development. This designation is located primarily west of I-35W near the Denton Municipal Airport. It is important in future development that transitions to adjacent sensitive land uses are considered.

The proposed manufacturing business consists of a High-Impact Manufacturing use, which includes accessory uses such as outdoor storage and distribution of finished product. The use contributes to the mix of industrial uses in the area and will contribute to the City's economic vitality as envisioned by the Denton 2040 Comprehensive Plan.

The High-Impact Manufacturing use is consistent with the Industrial Commerce Future Land Use designation, which includes heavy manufacturing and fabrication, and which is predominantly encouraged in the western part of the City around the airport where more sensitive uses such as residential are prohibited or discouraged. There are no sensitive land uses located adjacent to the subject site as this is a fully developed industrial area with a mixture of existing industrial uses.

(continued on next page)

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.*

As previously noted, the subject property is already developed, and alteration and expansion of the existing building and parking are not proposed. Therefore, the property is not required to be brought into compliance with current development standards for the building to be occupied by a new use. If the subject Specific Use Permit request is approved, should a future expansion or alteration to the building or parking area trigger compliance with the DDC, all subsequent development on this property will comply with applicable standards in the DDC, including, but not limited to, minimum lot size and dimensions, building coverage, access, parking, tree preservation, and landscaping.

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

The subject property contains one existing building. Expansions, modifications, or alterations to the existing site conditions in the future would require compliance with the Denton Development Code. No building expansion is proposed with this Specific Use Permit.

5. *Compliance with Other Applicable Regulations*

This proposed request complies with all other applicable regulations. Specifically, due to the nature of the proposed use, the applicant provided evidence as part of the SUP review process that the user has developed an emergency response plan and a spill response plan, as required by federal regulations enforced, respectively, through the Occupational Safety and Health Administration and the Environmental Protection Agency. As noted in the recommended conditions, the user will also be required to comply with state storm water permitting requirements, proof of which would be required to be provided to staff upon request.

6. *Consistent with Interlocal and Development Agreements*

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

7. *Minimizes Adverse Environmental Impacts*

There is no FEMA floodplain or floodway located on the property. There are no designated Environmentally Sensitive Areas (ESAs) on the property. If future building or site alterations are proposed that require DDC compliance, a full review of all site conditions would occur at that time..

8. *Minimizes Adverse Impacts on surrounding Property*

The proposed High-Impact Manufacturing use is not expected to have any adverse impact on surrounding property. The existing land use pattern in the surrounding area consists of a mixture of other industrial uses, and this use is compatible with this land use pattern.

The applicant has several safety procedures in place, including:

- All hazardous materials are stored inside the building, creating a limited opportunity for environmental exposure.
- Outdoor storage is limited to the finished product, which is nonhazardous and contains 99% water and less than a 1% microbial consortium.
- Outdoor storage tanks are appropriately constructed for the product and hazard rating.
- The potential for environmental exposure during the transfer of the finished product from the manufacturing facility to the outdoor storage tanks will be further limited through the installation of a pipe system. This will eliminate the opportunity for accidental spills.

The applicant has demonstrated compliance with all applicable environmental regulations:

- The manufacturing floor currently has no plumbing connections to the City's wastewater collection system. A condition of the Specific Use Permit directs the business to apply for any applicable pretreatment permits regarding discharges to the wastewater collection system prior to making any connections should they choose to do so in the future.
- Certain types of industries are required to demonstrate stormwater runoff from the facility does not pose a risk to the environment. All acceptable practices to prevent stormwater pollution are regulated by the TCEQ through a Stormwater Multi-Sector General Permit. Because this manufacturing facility performs all manufacturing inside the building, the facility currently maintains a No Exposure Certification under this permit. In accordance with the recommended conditions of this Specific Use Permit, Advanced Microbial Solutions shall notify the TCEQ upon proposing any changes to the manufacturing processes that may change coverage under the permit.
- In accordance with the adopted regulations of the Denton Fire Marshall's Office, upon approval of the Specific Use Permit, the applicant must also apply for a Hazardous Materials Permit.

9. Minimizes Adverse Fiscal Impacts

The proposed High-Impact Manufacturing use will not have an adverse fiscal impact. A Fiscal Impact Summary has been completed and is provided in Exhibit 9. This summary report indicates that the industrial use would have a positive net impact on the City's General Fund.

10. Compliance with Utility, Service, and Improvement Standards

The subject site is already developed and is not proposing any site changes. Utilities are in place and available to serve the site.

11. Provides Adequate Road Systems

The subject property is already developed and is not required to make changes to adjacent roads.

12. Provides Adequate Public Services and Facilities

The proposed High-Impact Manufacturing use will not affect public services and facilities within the area, which has been developed to serve this sort of use.

13. Rational Phasing Plan

The project does not have a phasing plan.

- B. Section 2.5.2D of the DDC states that in reviewing a proposed SUP, the Planning and Zoning Commission and City Council shall consider the general approval criteria in Subsection 2.4.5E and whether:

1. *The specific use proposed is compatible with the surrounding area;*

As described above, the proposed High-Impact Manufacturing use is compatible with the surrounding area. The existing land use pattern in the surrounding area is a mixture of mostly industrial uses and one trade school (Northwest Linemen College). The type of traffic, noises, lighting, etc. associated with this use that could create potential nuisances in areas with more sensitive uses are consistent with other industrial uses in the area.

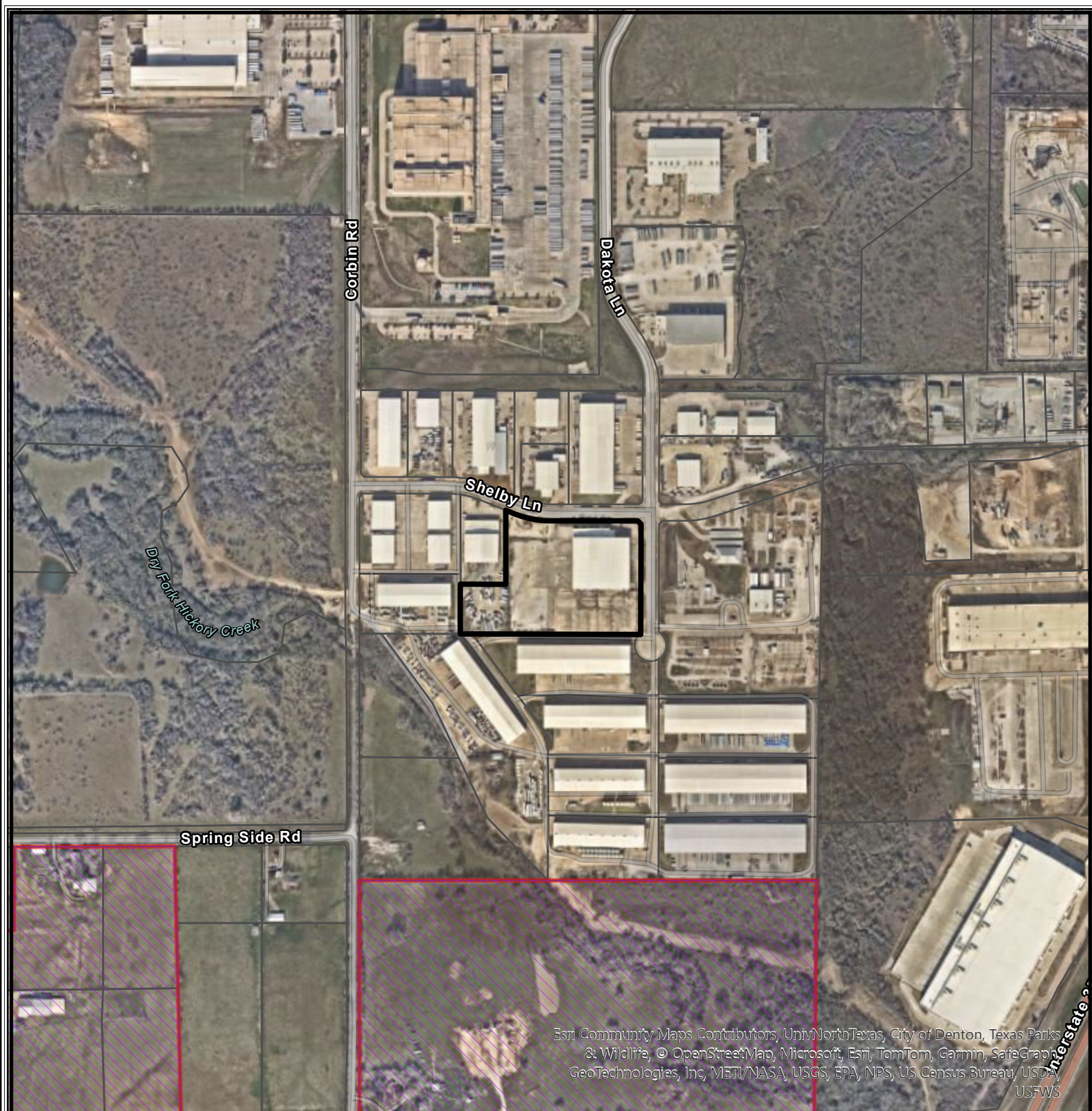
2. *The specific use proposed has negative impacts on future development of the area; and*

The proposed High-Impact Manufacturing use is anticipated to have no negative impacts on future development of the area. As previously discussed, the surrounding area is already developed with buildings and uses that are generally compatible with the proposed use.

3. *Any impacts associated with access, traffic, emergency services, utilities, parking, refuse areas, noise, glare, and odor have been adequately mitigated.*

The subject site has already been developed and will not have any unmitigated negative impacts. The type of traffic, noises, lighting, etc. associated with this use that could create are consistent with other industrial uses in the area.

S24-0003 Site Location

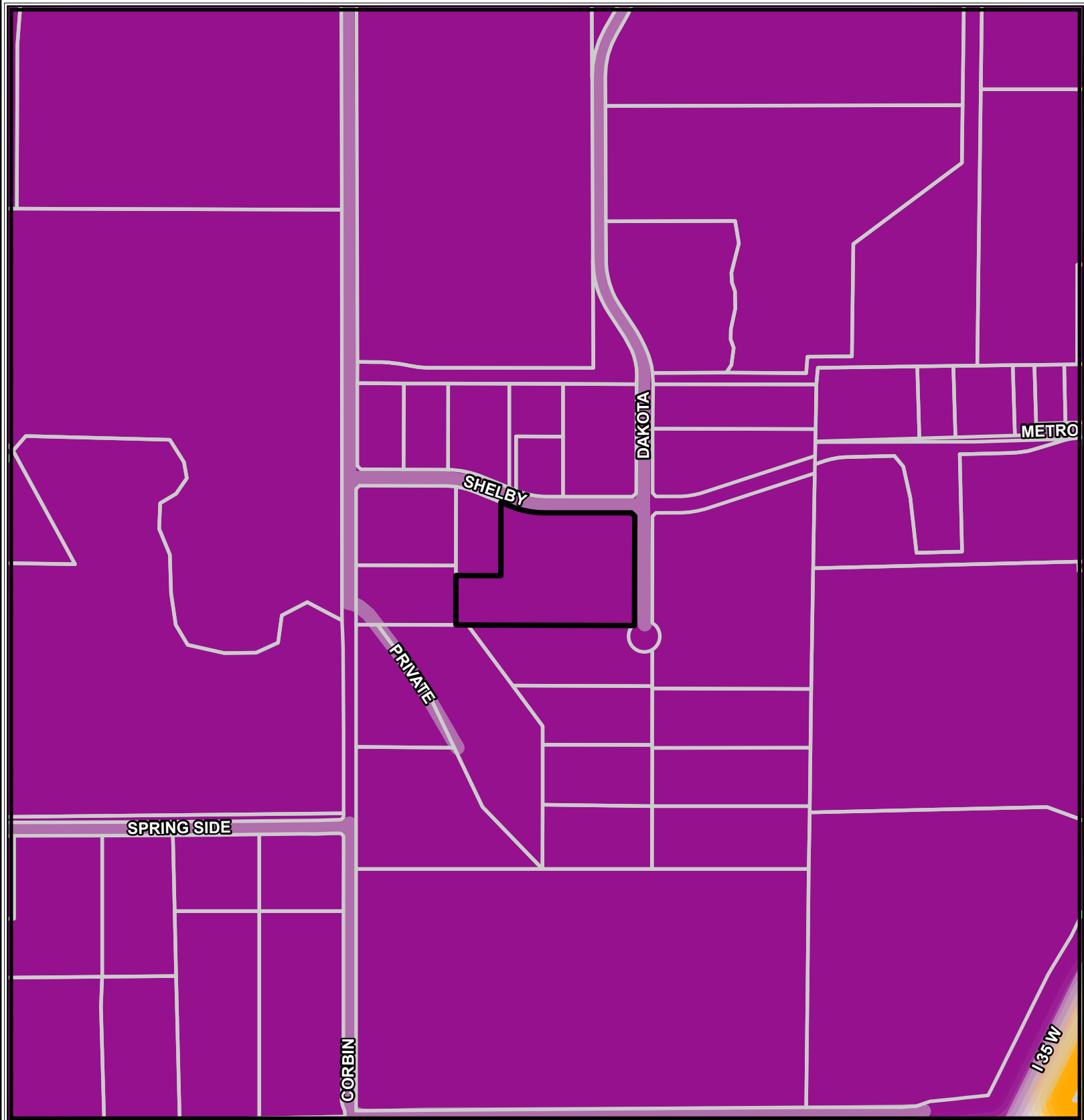


Roads
 Parcels
 COD
 ETJ
 ETJ 2
 NAA 8/1/20
 NAA 8/1/40

0 175 350 700
Feet

S24-0003

1-Future Land Use Map



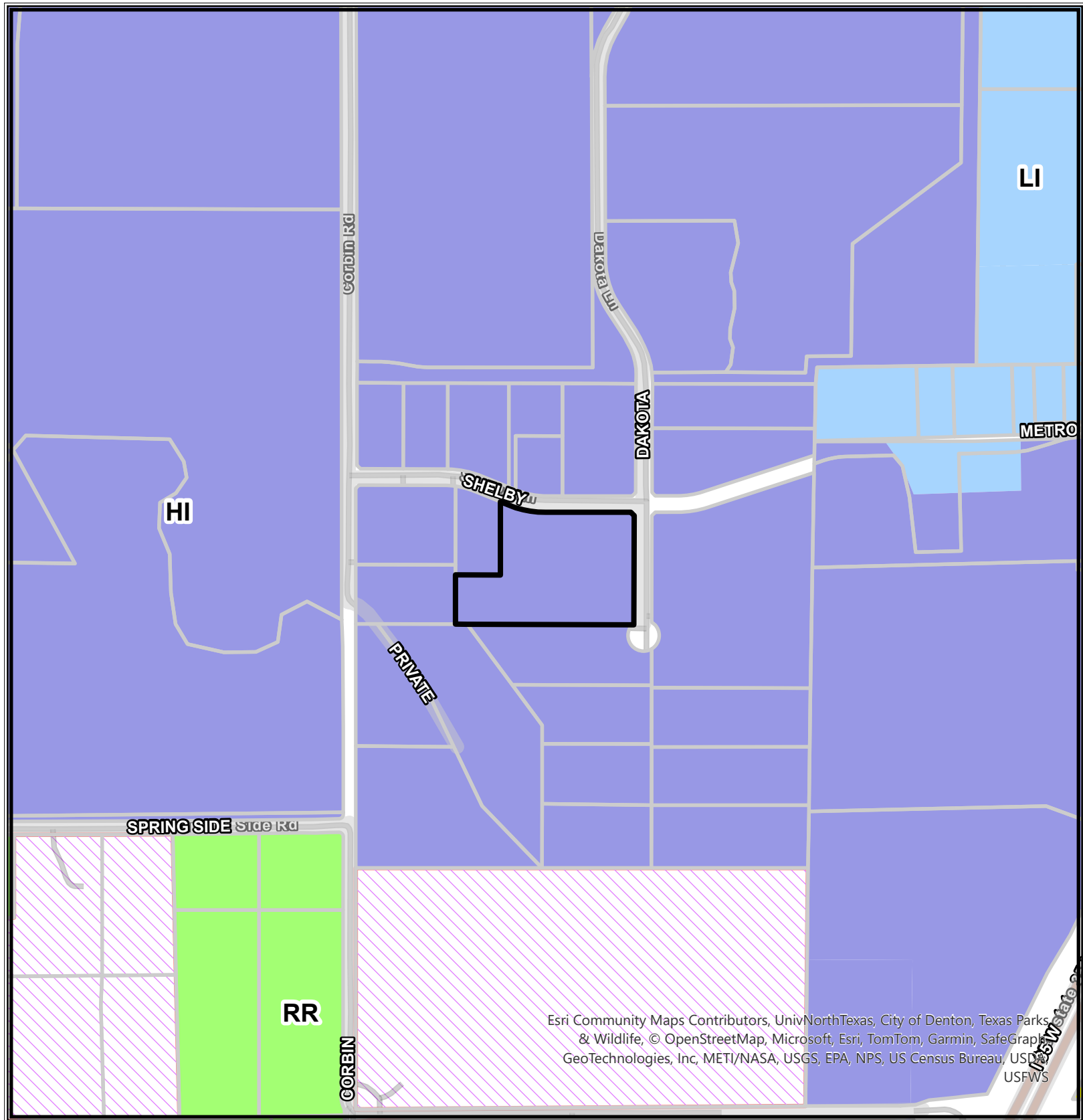
| | | |
|------------------------------------|--|----------------------------|
| Roads | Moderate Residential | Business Innovation |
| Site Location | Master Planned Community | Commercial |
| Parcels | Downtown Denton | Light Industrial |
| Future Land Use Designation | Downtown Compatibility Area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

287
1 of 1

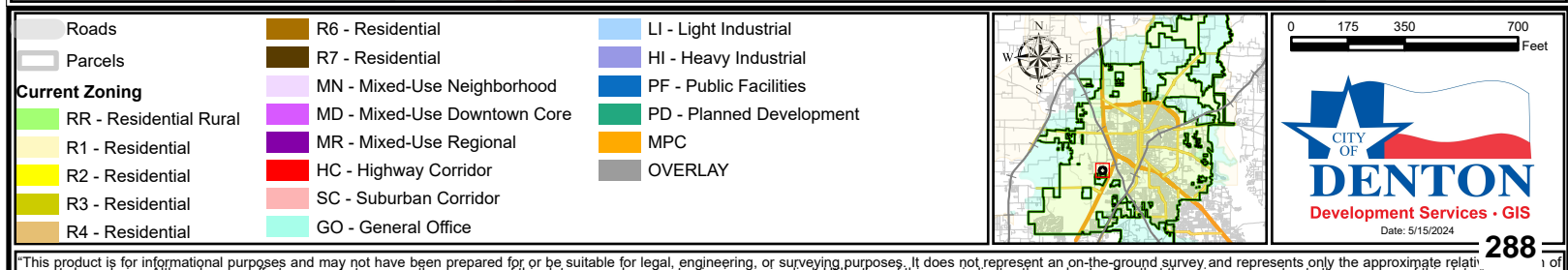
"This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative property boundaries. Although every effort was made to ensure the accuracy 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."

S24-0003

Current Zoning Map



Esri Community Maps Contributors, UnivNorthTexas, City of Denton, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS



3650 Shelby Lane Project Narrative

This specific use permit ("SUP") request is to allow for high-impact manufacturing at 3650 Shelby Lane Denton, Texas 76207 (the "Property"). The Property is located within the city limits and is approximately 7.97 acres. The Property is currently developed as warehouse/office uses as indicated by the current Certificate of Occupancy. The current plat was filed with Denton County on September 17, 2008 and the Property will not be replatted.

The SUP is required to bring the Property into compliance with the Denton Development Code for the production of an agricultural fertilizer, specifically, a proprietary and patent-pending Nitrogen use efficiency product ("NTS") which is a nonhazardous and sustainable biostimulant product used as a soil amendment to assist with Nitrogen use efficiency in row crops.¹ Additionally, a conceptual layout of the tank and system locations on the Property is provided separately for clarity.

According to the City of Denton Zoning Map, the Property is currently zoned heavy industrial; land to the north, south, east, and west is also zoned as heavy industrial. Surrounding land is either undeveloped or developed with industrial uses compatible with the proposed high-impact manufacturing use.

The Property is generally level with little to no grade change. The Property is located northeast of Hickory Creek but not within a floodplain. The Property will maintain the existing adequate parking and space for vehicle maneuvering throughout the site. Because the site and its surroundings are used for industrial manufacturing, no open space, recreation, or preservation areas exist on site. However, there is existing landscaping along Shelby Lane which will remain and be maintained in a healthy condition. Additionally, proper landscaping screening will be provided to adequately screen the proposed storage tanks. Existing utilities on the Property are present to accommodate industrial manufacturing uses and will be maintained for efficient operation of the proposed use. Proper water, wastewater, storm water, solid waste, and electrical standards will be maintained on the Property for the proposed use.

We are committed to adhering to all local, state, and federal laws and requirements associated with the proposed high-impact manufacturing use. The applicant has received the current No Exposure Certification for the Property effective April 22, 2024 and will apply for and maintain all necessary permits associated with the proposed use including, but not limited, to the hazardous materials permit. Agricen will ensure that all necessary infrastructure required to maintain safe and effective operation of the Property and the proposed high-impact manufacturing use will be provided and consistently maintained, in accordance with any and all requirements of the City of Denton and the Denton Development Code.

As mentioned briefly above, the proposed use for the Property is consistent with the surrounding industrial uses. The Property is compatible with the Denton 2040 Comprehensive Plan which designates the Property as Industrial Commerce defined as locations "where the predominant uses include both light and heavy industrial uses, such as moderate to heavy manufacturing, assembly, fabrication, and wholesaling." The specific use proposed has little to no

¹ See detailed background on the manufacturing process, attached herein as Exhibit A.

impact on the future development of the area primarily because it is consistent with the existing and surrounding uses and does not prohibit or hinder further development of any surrounding sites. We will ensure that the proposed high-impact manufacturing use and associated Property will meet and continue to meet all standards of the Denton Development Code and all other applicable codes of the City of Denton.

The proposed use will not materially alter the existing access, traffic, emergency services, utilities, parking, refuse areas, noise, glare, and/or odor currently provided or emitted from the Property and its existing use. As shown in the provided materials with our SUP application, Agricen is committed to maintaining the highest standard of safety throughout its facilities and the surrounding area. Agricen is majority owned by Loveland Products, Inc., the proprietary products arm of the largest North American agricultural retailer, Nutrien Ag Solutions. As such, it follows Nutrien's broad and rigorous safety standards. Provided in the revised resubmittal are samples of that broad safety program. Through the implemented safety measures, any potential adverse impacts to the health, safety, and welfare of the employees, inhabitants of the area, and the City of Denton as a whole have been mitigated and/or eliminated.

Exhibit A

Background / Manufacturing Process for Agricen Product to be Produced at 3650 Shelby Lane

Description of the Product: Agricen intends to manufacture its proprietary and patent-pending Nitrogen use efficiency product (called “NTS” in this document) in the building located at 3650 Shelby Lane. This non-hazardous biostimulant product is produced via a fermentation process to achieve a final product with a volume that is greater than 99% water with a less than 1% microbial consortium that includes three proprietary microbes. These microbes have been proven to assist with Nitrogen use efficiency in plants, and growers will be able to use the technology in row crops as a sustainable solution to better utilize their traditional Nitrogen fertilizers.

Overview of the Manufacturing Process:

The NTS production process will utilize a continuous flow closed system consisting of a series of plug-flow, fluidized bed reactors with a targeted retention time of approximately 14 days. The total system has a working volume of 60,000 gallons, almost all of which is water.

The inputs are as follows:

1. Water (CAS No. 7732-18-5)
2. Proprietary Organic Microbial Consortium (CAS No. Not Applicable)
3. Soy Flour (CAS No. 68513-95-1)
4. Glucose (CAS No. 50-99-7)
5. Malic Acid (CAS No. 6915-15-7)
6. Ammonium Sulfate (CAS No. 7783-20-2)
7. 15% Sodium Hydroxide Solution (CAS No. 1310-73-2)

The NTS process starts with two feedstocks – a proprietary organic microbial consortium (PSC) and Soy Flour. To facilitate the fermentation process, there is a daily addition of carbon sources and a nitrogen source. The pH of the process is monitored and up to 10 gallons of a 3.75M (15%) Sodium Hydroxide (NaOH) solution can be added as necessary to maintain the pH above 6.0. As the system matures and pH becomes more consistent, Agricen anticipates that it will need less than 10 gallons per day of NaOH.

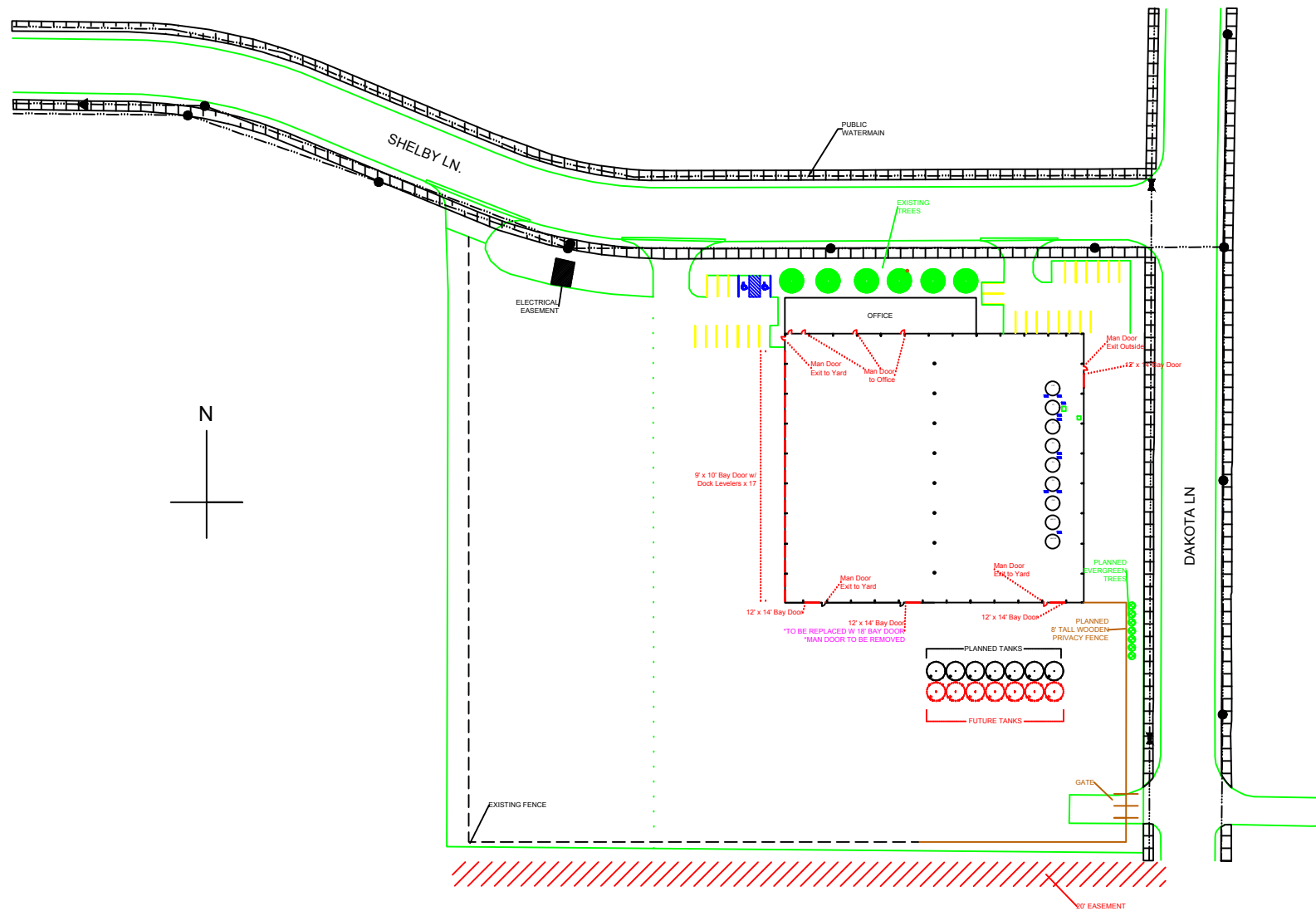
To meet possible system demand, Agricen will plan to store an average daily volume of 75 gallons of the 15% NaOH solution. At maximum use of the NTS system, Agricen could store up to 250 gallons per day.

The organic inputs are fully consumed during the process, leaving behind the final NTS product. The product is regulated as a soil amendment (rather than a fertilizer) because it has no nutrient content. It consists solely of water and the microbial consortium and has a pH range of 7.5 to 8.5.

Legend for 3650 Shelby Site Layout

| CODE | TANK MATERIAL | TYPE | CAPACITY (GAL) | SG RATING | HEIGHT | DIAMETER | DESCRIPTION |
|-------|---------------------------------|----------------|----------------|-----------|--------|----------|--|
| T-01 | FIBERGLASS | CONE BOTTOM 45 | 10K | 1.5 | 20'0" | 12'0" | FRESHWATER SUPPLY TANK FOR NTS-C, R1 |
| T-02 | FIBERGLASS | CONE BOTTOM 45 | 10K | 1.5 | 20'0" | 12'0" | NTS-C REACTOR 1, NAOH INJECTION, DRY INGREDIENT ADDITION |
| T-03 | FIBERGLASS | CONE BOTTOM 45 | 10K | 1.5 | 20'0" | 12'0" | NTS-C REACTOR 2 |
| T-04 | FIBERGLASS | CONE BOTTOM 45 | 10K | 1.5 | 20'0" | 12'0" | NTS-C REACTOR 3 |
| T-05 | FIBERGLASS | CONE BOTTOM 45 | 10K | 1.5 | 20'0" | 12'0" | NTS-C REACTOR 4 |
| T-06 | FIBERGLASS | CONE BOTTOM 45 | 10K | 1.5 | 20'0" | 12'0" | NTS-C REACTOR 5 |
| T-07 | FIBERGLASS | CONE BOTTOM 45 | 10K | 1.5 | 20'0" | 12'0" | NTS-C CLARIFIER, FLITE DRIVE |
| T-08 | FIBERGLASS | CONE BOTTOM 45 | 10K | 1.5 | 20'0" | 12'0" | NTS-C ABP COLLECTION TANK 1 |
| T-09 | FIBERGLASS | CONE BOTTOM 45 | 10K | 1.5 | 20'0" | 12'0" | NTS-C ABP COLLECTION TANK 2 |
| T-10 | FIBERGLASS | FLAT BOTTOM | 42K | 1.5 | 30'0" | 15'6" | FINAL PRODUCT STORAGE TANK |
| T-11 | FIBERGLASS | FLAT BOTTOM | 42K | 1.5 | 30'0" | 15'6" | FINAL PRODUCT STORAGE TANK |
| T-12 | FIBERGLASS | FLAT BOTTOM | 42K | 1.5 | 30'0" | 15'6" | FINAL PRODUCT STORAGE TANK |
| T-13 | FIBERGLASS | FLAT BOTTOM | 42K | 1.5 | 30'0" | 15'6" | FINAL PRODUCT STORAGE TANK |
| T-14 | FIBERGLASS | FLAT BOTTOM | 42K | 1.5 | 30'0" | 15'6" | FINAL PRODUCT STORAGE TANK |
| T-15 | FIBERGLASS | FLAT BOTTOM | 42K | 1.5 | 30'0" | 15'6" | FINAL PRODUCT STORAGE TANK |
| T-16 | FIBERGLASS | FLAT BOTTOM | 42K | 1.5 | 30'0" | 15'6" | FINAL PRODUCT STORAGE TANK |
| PUMPS | | | | | | | |
| CODE | TYPE | PUMP SIZE | VOLTAGE | RUN AMPS | | | |
| P-01 | SCOT - CENTRIFUGAL | 3 X 3 | 460 | 2.56 | | | |
| P-02 | APEX 20 - POSITIVE DISPLACEMENT | 3/4 X 3/4 | 460 | 1.14 | | | |
| P-03 | APEX 10 - POSITIVE DISPLACEMENT | 1/2 X 1/2 | 460 | 1.21 | | | |
| P-04 | SCOT - CENTRIFUGAL | 3 X 3 | 460 | 2.56 | | | |
| P-05 | SCOT - CENTRIFUGAL | 3 X 3 | 460 | 2.56 | | | |
| P-06 | SCOT - CENTRIFUGAL | 3 X 3 | 460 | 2.56 | | | |
| P-07 | SCOT - CENTRIFUGAL | 3 X 3 | 460 | 2.56 | | | |
| P-08 | SCOT - CENTRIFUGAL | 3 X 3 | 460 | 2.56 | | | |
| P-09 | APEX 10 - POSITIVE DISPLACEMENT | 3 X 3 | 460 | 1.21 | | | |
| P-10 | SCOT - CENTRIFUGAL | 3 X 3 | 460 | 2.56 | | | |

SCREENING PLAN



FISCAL SUMMARY

CITY OF DENTON

GENERAL FUND IMPACTS

Revenues 40 Year Total

AD VALOREM TAXES \$3,023,700

RETAIL SALES TAX

Direct Project Retail Sales Tax Revenue \$0
Net New Resident + New Commuters Retail Sales Tax Revenue \$93,800

OTHER TAXES (Mixed Beverage) \$0

LICENSE & PERMITS

Zoning Fees \$8,500
Building Permits \$0
Certificate of Occupancy \$0
Beer & Wine Permits \$0

SERVICE FEES

Restaurant Inspections \$0
Grocery Store Inspections \$0
Swimming Pool Inspections \$100
Electrical Inspections \$0
Plumbing Inspections \$0
Development Fees \$0
Plan Review Fees \$13,300

Expenses 40 Year Total

Neighborhood (\$441,700)
Public Safety (\$988,200)
Transportation (\$59,700)
Admin & Community Services (\$453,300)

OTHER FUND REVENUES

TOURISM & CONVENTION SALES TAX \$0

ENTERPRISE UTILITY FUNDS

Electric Charge \$45,207,000
Water Charge \$1,151,900
Wastewater Charge \$1,160,700
Drainage Charge \$177,900
Solidwaste Charge \$3,793,500

WATER IMPACT FEE \$0

WASTEWATER IMPACT FEE \$0

TOTAL ROADWAY IMPACT FEE \$6,800

TOTAL PARKS LAND DEDICATION & DEV. TRUST \$0

TREE MITIGATION \$0

ROADWAY MAINTENANCE

ROADWAY MAINTENANCE \$0

New Residents From Residential



0

New Workers From Non-Residential *



61

* Calculations based on new commuters not total new workers in order to not double count with new residents

General Fund Impact Summary

General Fund - Total Revenue

\$3,139,400

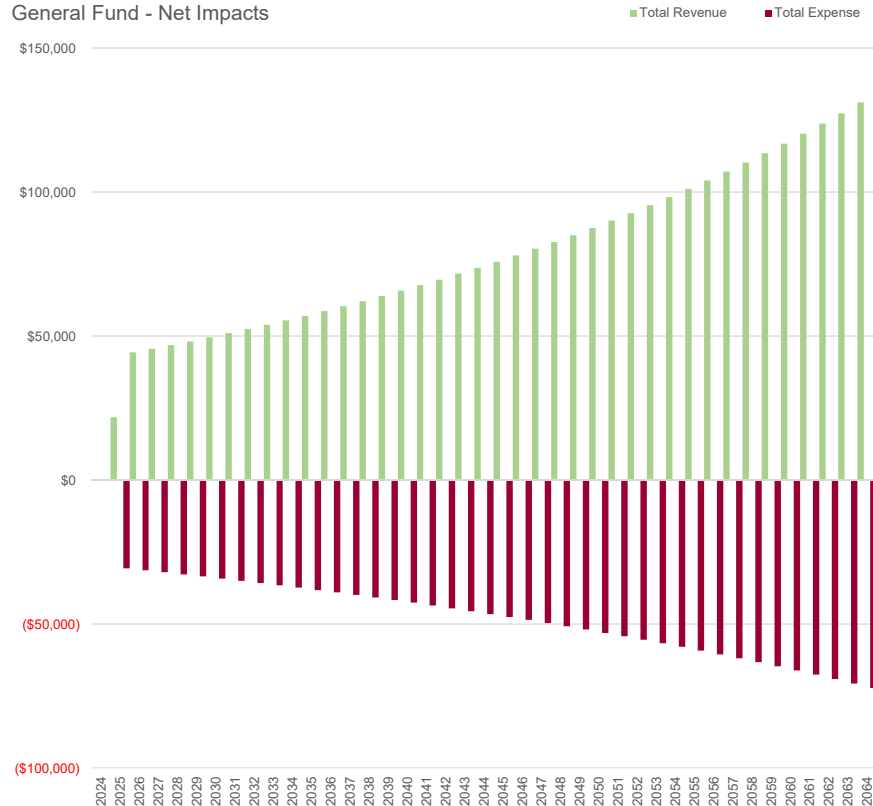
General Fund - Total Expenses

-\$1,943,000

General Fund - Net Impact

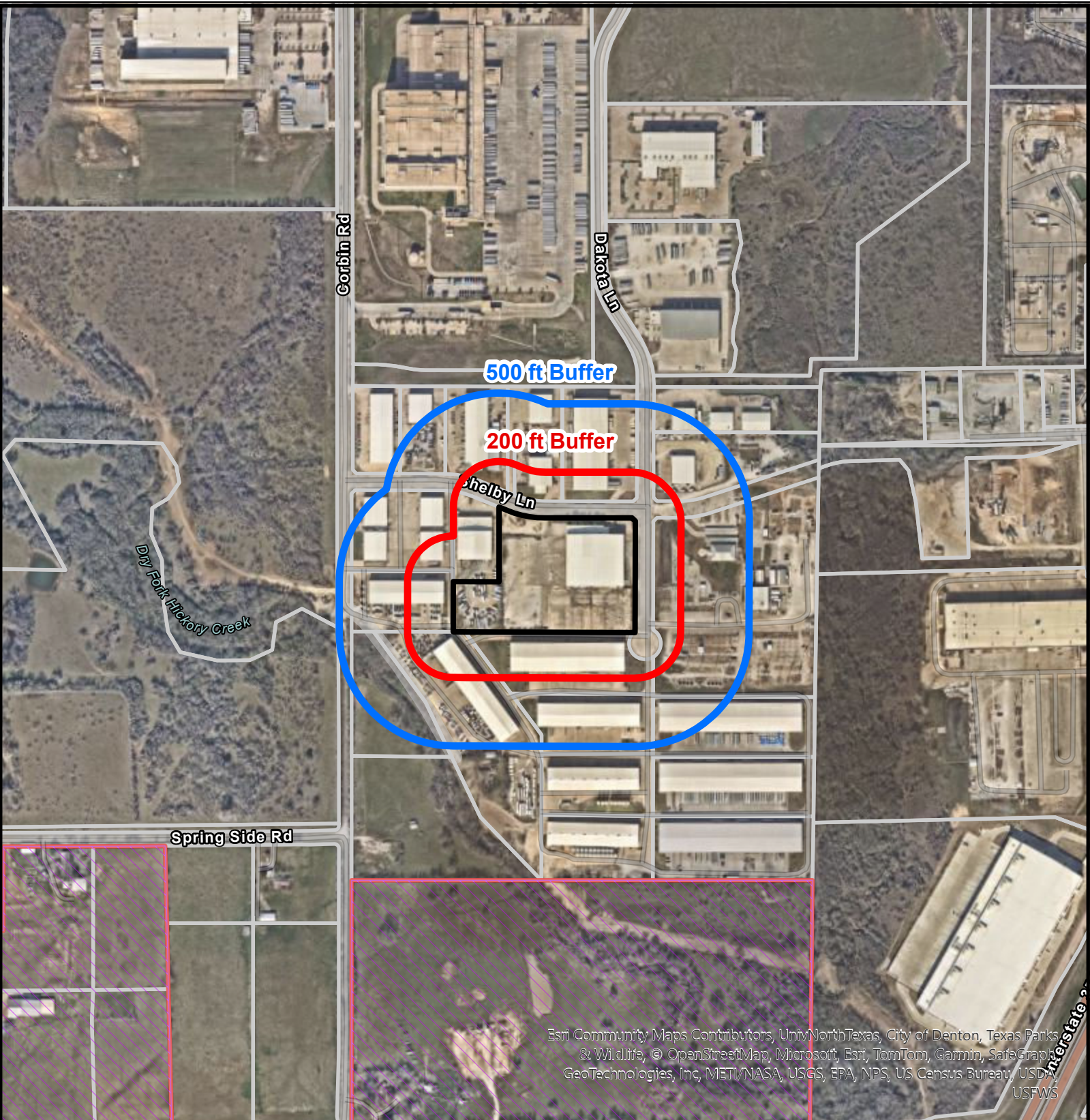
\$1,196,400

General Fund - Net Impacts



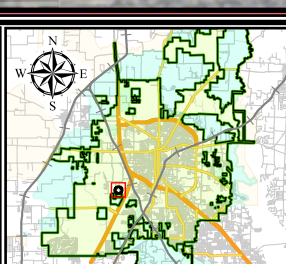
S24-0003

Notification Map



Esri Community Maps Contributors, UnivNorthTexas, City of Denton, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

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



0 175 350 700 Feet

CITY OF DENTON
Development Services • GIS
Date: 5/15/2024

PUBLIC HEARING NOTIFICATION SIGN AFFIDAVIT OF SIGN POSTING

Project No. S24-0003

Date of Planning and Zoning Commission Meeting: June 12, 2024

I hereby certify that I have posted or caused to be posted Public Hearing Notification sign(s) on the property subject to Project Name/Number Advanced Microbial Solutions/S24-0003, located at 3650 Shelby Lane

Said sign(s) have been obtained through a sign contractor of choice and meet the specifications as stated in the City of Denton Public Hearing Sign Criteria Sheet.

Posting of said signs was accomplished on May 28, 2024. Said signs have been posted in a manner which provides an unobstructed view and which allows clear reading from the public right(s) of way along Shelby Lane and Dakota Lane. Said signs will be maintained on the property throughout the entire public hearing process and will be removed within three (3) calendar days subsequent to the final decision by the approving body.

I further certify that this affidavit was filed with the Planning Department of the City of Denton within the time provisions specified in the City of Denton Public Hearing Sign Criteria Sheet.

Executed this the 29th day of May, 2024.



Signature of Applicant or Authorized Representative for Project No. S24-0003

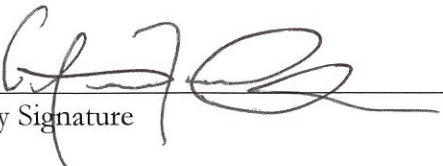
Michael Titora

Printed Name of Applicant or Authorized Representative for Project No. S24-0003

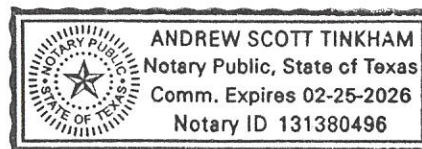
STATE OF TEXAS COUNTY OF Collin BEFORE ME, a Notary Public, on this 29th day personally appeared Michael Titora (printed owner's name) the above signed, who, under oath, stated the following:

"I hereby certify that I am the owner, for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 29th day of May, 2024.



Notary Signature



(seal)

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

STAFF USE ONLY:

Date/Time submitted: May 30, 2024

Verified by: AE



Notice of Public Hearing

Project Number: S24-0003

Project Name: Advanced Microbial
Solutions

Request: Specific Use Permit for
High-Impact Manufacturing

For more information:
www.cityofdenton.com/public-meetings
CALL: (940) 349-8541




DENTON
Notice of Public Hearing
Project Number: 124-0001
Project Name: Advanced Microbial
Solutions
Request Specific Use Permit for
High-Impact Manufacturing
For more information,
visit denton.tx.gov or call (940) 349-8541
CALL: (940) 349-8541

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS REGARDING A REQUEST FOR A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A HIGH-IMPACT MANUFACTURING USE ON APPROXIMATELY 8 ACRES OF LAND, GENERALLY LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF SHELBY LANE AND DAKOTA LANE, IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE. (S24-0003a)

WHEREAS, Jesse Copeland with Winstead, representing the applicant, Advanced Microbial Solutions, LLC has applied for a new Specific Use Permit ("SUP") to allow for a High-Impact Manufacturing use on an approximately 8-acre site, within the Heavy Industrial (HI) zoning district and use classification, platted as Corbin Road Business Park Ph III Block C Lot 7, (hereinafter, "the Property"); and

WHEREAS, on June 12, 2024, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, having given the requisite notices by publication and otherwise, and having afforded full and fair hearings and to all property owners interested in this regard, has recommended approval [0 – 0] of the requested SUP, subject to conditions; and

WHEREAS, on July 16, 2024, the City Council likewise conducted a public hearing as required by law to consider the SUP request. Upon consideration, the City Council hereby finds that the request is consistent with the Denton Plan and federal, state, and local law, and that the Applicant has agreed to comply with all provisions of the Denton Development Code ("DDC"), and has further agreed to comply with the additional restrictions and conditions set forth herein; and

WHEREAS, the City Council has determined that it will be beneficial to Denton and its citizens to grant the SUP; that such grant will not be detrimental to the public welfare, safety, or health; that proposed permit, as conditioned below, satisfies criteria set forth in Sections 2.4.5E and 2.5.2D of the Denton Development Code; and that the SUP should be granted; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

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

SECTION 2. The SUP to allow the High-Impact Manufacturing use on the Property as shown on the site plan and site layout plan attached and incorporated herein as **Exhibit "A" and Exhibit "B,"** is hereby approved, with the following conditions:

1. The zoning map shall reflect the Specific Use Permit on the property consistent with the DDC.

2. Maintain compliance with the Texas Multisector Storm Water General Permit and update the certification every 5 years or as required by Texas Commission on Environmental Quality. Documentation shall be provided to the City upon request demonstrating compliance.
3. Maintain a spill response team that requires staff training at least once a year to review Standard Operating Procedures. Documentation shall be provided to the City upon request demonstrating compliance.
4. Outdoor storage tanks shall be screened from the right-of-way with an 8-foot wood fence and evergreen trees as shown on the attached site plan.
5. All stored hazardous chemicals shall be located inside the building only. Outdoor storage tanks shown on the plans are not permitted to hold hazardous materials. If the quantity of hazardous materials increases to above the amounts provided for in the DDC 5.3.2D.1, an amendment to this SUP shall be required.
6. Any hazardous chemicals stored onsite shall require approval from the Fire Department prior to storage commencing, including obtaining any necessary permits.
7. Prior to any manufacturing or processing wastewater discharge being connected to the City's wastewater collection system, building permit plans shall be submitted to the City for review and approval and issuance of applicable wastewater discharge permit.

SECTION 4. Failure to Comply. Except as otherwise stated above, all terms of the SUP shall be complied with prior to issuance of a Certificate of Occupancy. Failure to comply with any term or condition of the Ordinance will result in the SUP being declared null and void, and of no force and effect. The SUP is issued to the entity named above runs with the land and is assignable and transferable to subsequent owners of the Property.

SECTION 5. SUP Regulations. Upon notice to the property owner and a hearing before the City Council, a SUP may be revoked or modified if: 1. There is one or more of the conditions imposed by this Ordinance that has not been met or has been violated on the Property; or 2. The SUP was obtained or extended by fraud or deception; or 3. As otherwise permitted by law and/or permitted by the Denton Development Code.

SECTION 6. Unlawful use. It shall be unlawful for any person, firm, entity, or corporation to make use of the above-referenced Property in some manner other than as authorized by the Denton's Codes of Ordinances and this Ordinance.

SECTION 7. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall affect the validity of the provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 9. Penalty. Any person, firm, entity or corporation violating any provision of this ordinance shall, upon conviction, be fined a sum not exceeding \$2,000.00 for each violation.

Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense. The penal provisions imposed under this Ordinance shall not preclude Denton from filing suit to enjoin the violation and it retains all legal rights and remedies available to it under local, state and federal law.

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

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

| | Aye | Nay | Abstain | Absent |
|--|------------|------------|----------------|---------------|
| Mayor Gerard Hudspeth: | _____ | _____ | _____ | _____ |
| Vicki Byrd, District 1: | _____ | _____ | _____ | _____ |
| Brian Beck, District 2: | _____ | _____ | _____ | _____ |
| Paul Meltzer, District 3: | _____ | _____ | _____ | _____ |
| Joe Holland, District 4: | _____ | _____ | _____ | _____ |
| Brandon Chase McGee, At Large Place 5: | _____ | _____ | _____ | _____ |
| Jill Jester, At Large Place 6: | _____ | _____ | _____ | _____ |

PASSED AND APPROVED this the _____ day of _____, 2024.

GERARD HUDSPETH, MAYOR

ATTEST:
LAUREN THODEN, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:

MACK REINWAND, CITY ATTORNEY

BY: _____

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:

703624622

Original Date of Filing:

April 17, 1998

Formation Date:

N/A

Tax ID:

17527591055

Duration:

Perpetual

Name:

ADVANCED MICROBIAL SOLUTIONS, L.L.C.

Address:

5601 GRANITE PKWY STE 740
PLANO, TX 75024-6688 USA

Entity Type:

Domestic Limited Liability Company (LLC)

Entity Status:

In existence

FEIN:

| REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS |
|----------------------------------|--------------------------------|-----------------------|---|-------------------------------|-------------------------------------|---------------------------------|
| Last Update | Name | Title | Address | | | |
| April 26, 2024 | MICHAEL A TOTORA | PRESIDENT/CEO | 5601 GRANITE PKWY, STE 740 PLANO, TX 75024 USA | | | |
| April 26, 2024 | ROB CLAYTON | CHAIRMAN | 3005 ROCKY MOUNTAIN AVE LOVELAND, CO 80538 USA | | | |
| April 26, 2024 | DARRELL BEVELHYMER | MANAGER | 5601 GRANITE PKWY #740 PLANO, TX 75024 USA | | | |
| April 26, 2024 | J.D. WOODWARD III | MANAGER | 5601 GRANITE PKWY #740 PLANO, TX 75024 USA | | | |
| April 26, 2024 | MICHAEL A TOTORA | MANAGER | 5601 GRANITE PKWY, STE 740 PLANO, TX 75024 USA | | | |
| April 26, 2024 | CAROLYN ENGEL | MANAGER | 3005 ROCKY MOUNTAIN AVE LOVELAND, CO 80538 USA | | | |

Order

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City of Denton

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

Legislation Text

File #: S24-0004, Version: 1

AGENDA CAPTION

Hold a public hearing and consider making a recommendation to City Council regarding a request for a Specific Use Permit (SUP) to allow for a High-Impact Manufacturing use on approximately 9.5 acres of land, generally located on the west side of Dakota Lane, approximately 800 feet south of Shelby Lane, in the City of Denton, Denton County, Texas (S24-0004, Advanced Microbial Solutions (Dakota), Ashley Ekstedt)



AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: June 12, 2024

SUBJECT

Hold a public hearing and consider making a recommendation to City Council regarding a request for a Specific Use Permit (SUP) to allow for a High-Impact Manufacturing use on approximately 9.5 acres of land, generally located on the west side of Dakota Lane, approximately 800 feet south of Shelby Lane, in the City of Denton, Denton County, Texas (S24-0004, Advanced Microbial Solutions (Dakota), Ashley Ekstedt)

BACKGROUND

The applicant, Jesse Copeland with Winstead, representing the business owner, Advanced Microbial Solutions, LLC, is requesting approval of a Specific Use Permit (SUP) to allow for a High-Impact Manufacturing use. The subject property is an approximately 9.5-acre site containing three platted lots, which are zoned Heavy Industrial (HI) and is a part of a larger industrial park.

Specifically, this proposed SUP is for a fertilizer and soil amendment manufacturing business, which falls within the scope of a High-Impact Manufacturing use as defined in the DDC:

Manufacturing, High-Impact: An establishment or business that uses hazardous inputs or creates hazardous by-products in the course of manufacturing, assembly, fabrication, or materials treatment, or that uses manufacturing, assembly, fabrication, or treatment processes that create potentially hazardous impacts on the environment or surrounding areas. Examples include but are not limited to: acid manufacture; acid bulk storage; cement, lime, gypsum or plaster manufacture; central concrete mixing or concrete proportioning plant; distillation, manufacture or refining of bones, coal or tar asphalt; explosives, manufacture or storage; fat, grease, lard or tallow rendering or refining; fertilizer manufacture from organic matter; glue or size manufacture; paper manufacture; petroleum or asphalt refining or storage; smelting of tin, copper, zinc or iron ores; and storage or processing raw hides or fur.

In the HI Zoning District, High-Impact Manufacturing is permitted with an approved Specific Use Permit.

This SUP application is related to SUP request S24-0003, which is also on this agenda for consideration for a property located at the southwest corner of Dakota Lane and Shelby Lane, approximately 270 feet to the north. Since the properties are physically separate by another lot owned and utilized by a different entity, the SUP requests are being considered independently. More details are provided below, but in summary, the owner is currently operating this use on the subject property under Certificates of Occupancy (COs) for warehouse and nonconforming manufacturing uses. When a CO request was submitted for the associated property to the north (S24-0003), staff became aware of the intensive nature of the manufacturing operation that has been split over time to occur across multiple buildings and made the owner aware of the need for a Specific Use Permit for all of their properties.

The subject property consists of three buildings that are each approximately 40,000-45,000 square feet, on three separate lots. The buildings and parking areas on the subject property are existing, and two of the buildings were developed prior to their annexation into the City in 2010, with the remaining building being constructed after annexation occurred. No changes or expansions to the existing buildings or changes to the sites are proposed. Accessory outdoor storage of non-hazardous finished product is contained in storage tanks that are located to the rear of the building on two of the three lots. Material to be stored and manufactured on site includes materials required to manufacture fertilizer and soil amendments. The Site Plans provided as Exhibit 7 show the location of the existing storage tanks as well as the existing buildings and parking areas. Exhibit 8 shows in more detail the location of the indoor manufacturing equipment and storage areas in addition to the outdoor finished product storage tanks. A brief description of what operations occur on each of the three properties that are part of this request is provided below:

4951 Dakota Lane (the southernmost of the three subject lots) is an approximately 3.2-acre lot containing an existing 40,190 square foot building with existing outdoor storage tanks. This facility produces a soil amendment, a nonhazardous biostimulant product. This business is currently operating and has been in operation since 2011 at 4951 Dakota Lane with a Certificate of Occupancy for a Heavy Manufacturing use that was issued as a legal nonconforming use since a variation of this use was existing prior to the properties being annexed into the City. It is important to note that if this Specific Use Permit is not approved, the operations at this portion of the subject property could continue with the existing legal nonconforming status. Per DDC 1.5.3A, a nonconforming use may be extended throughout the same building provided no structural alteration of the building is permitted. The nonconforming use may not expand into an additional structure.

The business has been operating since 2016 at 5001 Dakota Lane (the middle lot), and since 2022 at 5071 Dakota Lane (the northernmost lot), both with a Certificate of Occupancy for a Warehouse. As mentioned briefly above, the applicant submitted a request for a Certificate of Occupancy for an additional building, which is the subject of S24-0003, and was informed by Staff that this use is considered a High-Impact Manufacturing use and an SUP would be required for the continued operations on the subject site.

5001 Dakota Lane is an approximately 3-acre lot containing an existing 40,050 square foot building with existing outdoor storage tanks. This facility produces a Nitrogen use efficiency product (NTS), a nonhazardous and sustainable biostimulant product used as a soil amendment.

5071 Dakota Lane (northernmost lot) is an approximately 3.2-acre lot containing an existing 45,000 square foot building. This facility does not produce any products and instead is utilized to store empty totes, raw materials to be used in the other buildings, and finished biostimulant products in totes to be shipped to customers. Since this use is part of the overall manufacturing and distribution process, it is appropriate to be included as part of the SUP in the event that the owner needs to shift functions and operations between their various buildings over time.

Additional information on the inputs and manufacturing processes is provided in Exhibit 6 – Applicant Project Narratives.

Staff Analysis is provided as Exhibit 2.

OPTIONS

1. Recommend approval as submitted
2. Recommend approval subject to conditions
3. Recommend denial
4. Postpone consideration

RECOMMENDATION

Staff recommends **approval** of the SUP request with the following conditions:

1. The zoning map shall reflect the Specific Use Permit on the property consistent with the DDC.
2. Maintain compliance with the Texas Multisector Storm Water General Permit and update the certification every 5 years or as required by Texas Commission on Environmental Quality. Documentation shall be provided to the City upon request demonstrating compliance.
3. The chiller shall be relocated outside of the floodway and the 100-year floodplain within three months of the SUP effective date. Additionally, all mechanical equipment shall be located outside of the floodway and the 100-year floodplain.
4. Outdoor storage is not permitted within the floodway and 100-year floodplain. Therefore, all outdoor storage, including tractor trailers, shall be removed within three months of the SUP effective date and not stored in the floodway and floodplain.
5. All stored hazardous chemicals shall be located inside the buildings only. Outdoor storage tanks shown on the plans are not permitted to hold hazardous materials. If the quantity of hazardous materials increases to above the amounts provided for in the DDC 5.3.2D.1, an amendment to this SUP shall be required.
6. Any hazardous chemicals stored onsite shall require approval from the Fire Department prior to storage commencing, including obtaining any necessary permits.
7. Maintain a spill response team that entails staff training at least once a year to review Standard Operating Procedures. Documentation shall be provided to the City upon request demonstrating compliance.
8. Prior to any manufacturing or processing wastewater discharge being connected to the City's wastewater collection system, building permit plans shall be submitted to the City for review and approval and issuance of applicable wastewater discharge permit.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

| | | | |
|--------------------|------------------------------|---|--|
| January 23, 2008 | Planning & Zoning Commission | Final Plat | Approved |
| February 9, 2010 | City Council | Public Hearing, and First Reading of the Annexation Ordinance | Public Hearing held, and First Reading conducted |
| May 4, 2010 | City Council | Second Reading and consideration of Annexation Ordinance | Second Reading conducted, and Annexation Ordinance approved [2010-123] |
| September 21, 2011 | Planning & Zoning Commission | Rezoning from Rural Residential 5 (RD-5) to Industrial Center General (IC-G) (2011-192) | Recommended Approval |

| | | | |
|-----------------|--------------|---|----------|
| October 4, 2011 | City Council | Rezoning from Rural Residential 5 (RD-5) to Industrial Center General (IC-G) (2011-192) | Approved |
|-----------------|--------------|---|----------|

PUBLIC OUTREACH:

To comply with the public hearing notice requirements, the following were completed:

- On May 24, 2024 – 10 notices were sent to property owners within 200 feet of the subject property. As of the writing of this report, staff has not received any written responses.
- On May 24, 2024 - 10 courtesy notices were sent to physical addresses within 500 feet of the subject property.
- A notice was published on the City’s website on May 23, 2024.
- A notice was published in the Denton Record Chronicle on May 26, 2024.
- The applicant has not conducted a neighborhood meeting associated with this request. However, the week of May 20, 2024, the applicant mailed and dropped off letters in person to properties within 500 feet.
- Three signs were posted on the property on May 28, 2024.

DEVELOPER ENGAGEMENT DISCLOSURES

No developer contact and/or meeting disclosures have been provided to staff as of the issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Future Land Use Map
5. Zoning Map
6. Applicant Project Narratives
7. Existing Site Plans
8. Building and Storage Area Layouts
9. Fiscal Impact Summary
10. Notification Map
11. Draft Ordinance
12. LLC Members List

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

Prepared by:
Ashley Ekstedt
Associate Planner

Planning Staff Analysis

S24-0004 / Advanced Microbial Solutions (Dakota)

City Council District 3

REQUEST:

Specific Use Permit (SUP) to allow for a High-Impact Manufacturing use on approximately 9.5 acres of land. The subject property is zoned Heavy Industrial (HI). The High-Impact Manufacturing use is an allowed use with an approved Specific Use Permit.

OWNER:

Corbin Realty I, LP

APPLICANT:

Jesse Copeland with Winstead

STAFF RECOMMENDATION:

Staff recommends **approval** of the SUP request with the following conditions:

1. The zoning map shall reflect the Specific Use Permit on the property consistent with the DDC.
2. Maintain compliance with the Texas Multisector Storm Water General Permit and update the certification every 5 years or as required by Texas Commission on Environmental Quality. Documentation shall be provided to the City upon request demonstrating compliance.
3. The chiller shall be relocated outside of the floodway and the 100-year floodplain within three months of the SUP effective date. Additionally, all mechanical equipment shall be located outside of the floodway and the 100-year floodplain.
4. Outdoor storage is not permitted within the floodway and 100-year floodplain. Therefore, all outdoor storage, including tractor trailers, shall be removed within three months of the SUP effective date and not stored in the floodway and floodplain.
5. All stored hazardous chemicals shall be located inside the buildings only. Outdoor storage tanks shown on the plans are not permitted to hold hazardous materials. If the quantity of hazardous materials increases to above the amounts provided for in the DDC 5.3.2D.1, an amendment to this SUP shall be required.
6. Any hazardous chemicals stored onsite shall require approval from the Fire Department prior to storage commencing, including obtaining any necessary permits.
7. Maintain a spill response team that entails staff training at least once a year to review Standard Operating Procedures. Documentation shall be provided to the City upon request demonstrating compliance.
8. Prior to any manufacturing or processing wastewater discharge being connected to the City's wastewater collection system, building permit plans shall be submitted to the City for review and approval and issuance of applicable wastewater discharge permit.

SITE DATA:

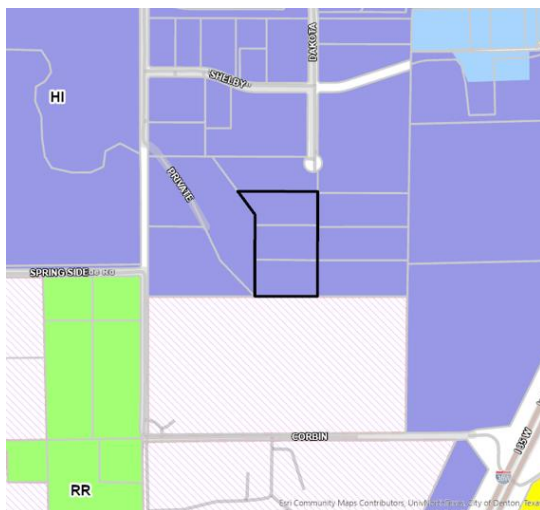
The subject property, an approximately 9.5-acre site platted as three separate lots, is currently developed with three buildings and parking areas (see inset maps below and provided as Exhibits 3 and 5). There is Zone A floodplain and floodway located on the southern portion of the property, which appears to have the characteristics of Undeveloped Floodplain ESA.

The subject property has access through a public access easement extending south from Dakota Lane. Access in and out of the site will be through the existing public access easements. See Exhibit 7 – Existing Site Plan.

Two gas wells were previously developed on the subject property in between the two southernmost buildings. Both wells are currently plugged.

SURROUNDING ZONING AND LAND USES:

| | | |
|--|--|--|
| Northwest: <ul style="list-style-type: none">• Zoning: Heavy Industrial District (HI)• Use: Industrial – Warehousing | North: <ul style="list-style-type: none">• Zoning: HI• Uses: Industrial – Light Manufacturing | Northeast: <ul style="list-style-type: none">• Zoning: HI• Use: Trade School |
| West: <p>Zoning: HI</p> <ul style="list-style-type: none">• Use: Industrial – Automotive Repair, Major | SUBJECT PROPERTY | East: <ul style="list-style-type: none">• Zoning: HI• Use: Industrial – Warehousing and Distribution |
| Southwest: <ul style="list-style-type: none">• Zoning: HI• Use: Undeveloped | South: <ul style="list-style-type: none">• Zoning: ETJ (Non-Annexation Agreement)• Use: Undeveloped floodplain and gas well site | Southeast: <ul style="list-style-type: none">• Zoning: HI and ETJ• Use: Undeveloped |



CONSIDERATIONS:

- A. Section 2.4.5E of the Denton Development Code (DDC) provides approval criteria applicable to all applications.

1. *General Criteria*

- a. *Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.*

The general criteria have been applied.

- 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.*

Section 2.5.2D of the DDC applies to Specific Use Permit (SUP) requests. An analysis of this request per those criteria can be found below in Consideration B.

- c. *If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5 through 2.9 controls.*

There are no conflicts between the general criteria and the criteria specific for Specific Use Permit requests.

2. *Prior Approvals*

The proposal is consistent with the approved final plat.

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

The decision-making authority:

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

The proposed Specific Use Permit is consistent with the goals, policies, and actions of the Comprehensive Plan and with the Future Land Use designation of Industrial Commerce (see inset map below and in Exhibit 4), including the goals and actions listed below:

GOAL FEV-2: Improve the City's job-to-worker ratio by increasing the number of jobs available to the resident workforce and local graduates.

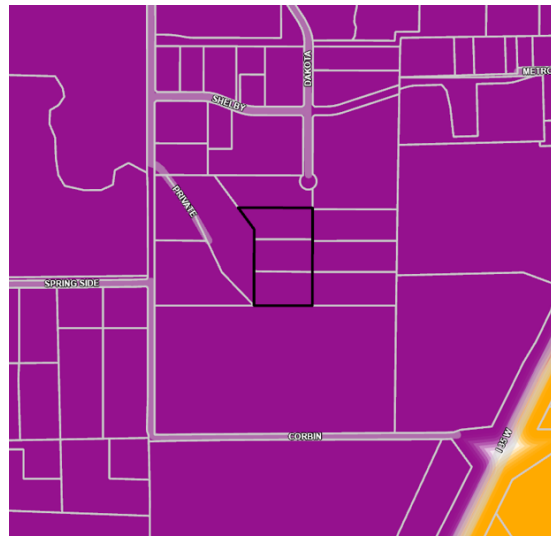
GOAL LU-3: Grow our Assets: Maintain and Strengthen Neighborhoods, Commercial, and Employment Areas.

The applicant's requested use is consistent with the overall goals of the Denton 2040 Comprehensive Plan to provide for a robust and diverse economy and increase jobs within Denton by keeping an existing manufacturing business in Denton, which aligns with Goal FEV-2 cited above. Additionally, the proposal would allow for the continued use of existing industrial buildings in one of the primary areas of the City intended for heavy industrial uses where infrastructure to support the use is already in place. Given the surrounding zoning pattern and the proximity of other industrial uses, the potential

for any nuisance or compatibility issues to arise from the continuation of this use are limited. The proposed use is consistent with the existing industrial uses in this area.

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

The High-Impact Manufacturing use conforms to the Future Land Use Element of the Denton 2040 Comprehensive Plan.



Per the Future Land Use Map in the Denton 2040 Comprehensive Plan, the subject property is designated as Industrial Commerce (see image above and provided as Exhibit 4). The description for the Future Land Use designation is provided below:

Industrial Commerce applies to areas where the predominant uses include both light and heavy industrial uses, such as moderate to heavy manufacturing, assembly, fabrication, and wholesaling. Distribution warehouses may be included in this designation if used to replace underutilized and heavy industrial uses, or if ultimately reused to house future industrial development. This designation is located primarily west of I-35W near the Denton Municipal Airport. It is important in future development that transitions to adjacent sensitive land uses are considered.

The proposed manufacturing business consists of a High-Impact Manufacturing use, which includes accessory uses such as outdoor storage and distribution of finished product. The use contributes to the mix of industrial uses in the area and will contribute to the City's economic vitality as envisioned by the Denton 2040 Comprehensive Plan.

The High-Impact Manufacturing use is consistent with the Industrial Commerce Future Land Use designation which includes heavy manufacturing and fabrication, and which is predominantly encouraged in the western part of the City around the airport where more sensitive uses such as residential are prohibited or discouraged. There are no sensitive land uses located adjacent to the subject site as this is a developed industrial area with a mixture of existing industrial uses.

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.*

As previously noted, the subject property is already developed and the buildings are in use, and alteration and expansion of the existing buildings and parking are not proposed as a part of this SUP. Therefore, the subject property is not required to be brought into compliance with current development standards for the buildings to continue operations for this use. If the subject Specific Use Permit request is approved, should a future expansion or alteration of the buildings or parking areas on their respective individual lots trigger compliance with the DDC, subsequent development on the individual lots being affected will comply with applicable standards in the DDC, including, but not limited to, minimum lot size and dimensions, building coverage, access, parking, tree preservation, ESA requirements, and landscaping.

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

The subject property contains three existing buildings on three separate lots. As discussed previously, expansions, modifications, or alternations to the structures or site conditions in the future, on the respective individual lot, would require compliance with the Denton Development Code. No building expansions or site modifications for any of the three lots are being proposed with this Specific Use Permit request.

5. *Compliance with Other Applicable Regulations*

This proposed request complies with all other applicable regulations. Specifically, due to the nature of the proposed use, the applicant provided evidence as part of the SUP review process that the user has developed an emergency response plan and a spill response plan, as required by federal regulations enforced, respectively, through the Occupational Safety and Health Administration and the Environmental Protection Agency. As noted in the recommended conditions, the user will also be required to comply with state storm water permitting requirements, proof of which would be required to be provided to staff upon request.

6. *Consistent with Interlocal and Development Agreements*

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

7. *Minimizes Adverse Environmental Impacts*

There is Zone A floodplain and floodway located on the property, which appears to have the characteristics of Undeveloped Floodplain ESA. If future building or site alterations are proposed that require DDC compliance, a full review of all site conditions would occur at that time, including the Environmentally Sensitive Areas Compliance Review.

The applicant has several safety procedures in place as a part of their existing operations to minimize any potential environmental impacts, including the practices described below which are further detailed in the applicant's narrative and shown on the plan (Exhibits 6-8):

- All hazardous materials are stored inside the building, creating a limited opportunity for environmental exposure. This limitation on the location of hazardous materials storage is recommended as a condition of the SUP to ensure that this practice continues in the future.
- Safety measures are in place relating to the storage of hazardous material. Each facility manufacturing floor includes trenching intended to contain any spills inside the building. Small spills inside the building on the manufacturing floor would be cleaned up manually or with a floor scrubber. Two Vacuum Pumps are stored on site at 5071 Dakota Lane and available to address any larger spills. After containing any spill, the material would be disposed of utilizing a licensed HazMat disposal company as is called for in the company's emergency response plan.
- Waste totes (empty totes that previously held ingredients for production or the finished product) are stored on-site until picked up by a third party for recycling.
- Tanker wagons, box trucks, powered lift vehicle (forklifts), and flexible piping are used to transfer materials between buildings.
- Special chemical handling procedures have been standardized for specific chemicals.
- Outdoor storage is limited to the finished product, which is nonhazardous and contains 99% water and less than a 1% microbial consortium.
- Outdoor storage tanks are appropriately constructed for the product and hazard rating.
- The potential for environmental exposure transfer of the finished product from the manufacturing facility to the outdoor storage tanks is further limited through the use of piping system. This will eliminate the opportunity for accidental spills.

The applicant has demonstrated compliance with all applicable environmental regulations:

- The manufacturing floor currently has no plumbing connections to the City's wastewater collection system. A condition of the Specific Use Permit directs the business to apply for any applicable pretreatment permits regarding discharges to the wastewater collection system prior to making any connections should they choose to do so in the future.
- Certain types of industries are required to demonstrate stormwater runoff from the facility does not pose a risk to the environment. All acceptable practices to prevent stormwater pollution are regulated by the TCEQ through a Stormwater Multi-Sector General Permit. Because this manufacturing facility performs all manufacturing inside the building, the facility currently maintains a No Exposure Certification under this permit. In accordance with the recommended conditions of this Specific Use Permit, Advanced Microbial Solutions shall notify the TCEQ upon proposing any changes to the manufacturing processes that may change coverage under the permit and provide proof of compliance to the City upon request.
- In accordance with the adopted regulations of the Denton Fire Marshall's Office, upon approval of the Specific Use Permit, the applicant must also apply for a Hazardous Materials Permit.

8. *Minimizes Adverse Impacts on surrounding Property*

The proposed High-Impact Manufacturing use is not expected to have an adverse impact on surrounding property. The existing land use pattern in the surrounding area consists of a mixture of other industrial uses and this use is compatible with this land use pattern.

9. *Minimizes Adverse Fiscal Impacts*

The proposed High-Impact Manufacturing use will not have an adverse fiscal impact. A Fiscal Impact Summary has been completed and is provided in Exhibit 9. This summary report indicates that the industrial use would have a positive net impact on the City's General Fund.

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

The subject property is already developed and the applicant is not proposing any site changes to any of the three lots that make up the subject property. Utilities are in place and available to continue to serve the site.

11. *Provides Adequate Road Systems*

The subject property is already developed and is not required to make changes to adjacent roads or access easements.

12. *Provides Adequate Public Services and Facilities*

The proposed High-Impact Manufacturing use will not affect public services and facilities within the area, which has been developed to serve this sort of use.

13. *Rational Phasing Plan*

The project does not have a phasing plan.

- B. Section 2.5.2D of the DDC states that in reviewing a proposed SUP, the Planning and Zoning Commission and City Council shall consider the general approval criteria in Subsection 2.4.5E and whether:

1. *The specific use proposed is compatible with the surrounding area;*

As described above, the proposed High-Impact Manufacturing use is compatible with the surrounding area. The existing land use pattern in the surrounding area is a mixture of mostly industrial uses and one trade school (Northwest Linemen College). The type of traffic, noises, lighting, etc. associated with this use that could create potential nuisances in areas with more sensitive uses are consistent with other industrial uses in the area. As discussed in Exhibit 1, this use has been in place on the southern portion of the subject property for many years, so continuation of the use and expansion of their operation into other buildings through the companion project S24-0003 is not anticipated to lead to any incompatibilities with the surrounding area.

2. *The specific use proposed has negative impacts on future development of the area; and*

The proposed High-Impact Manufacturing use is anticipated to have no negative impacts on future development of the area. As previously discussed, the surrounding area is already developed with buildings and uses that are generally compatible with the proposed use.

3. *Any impacts associated with access, traffic, emergency services, utilities, parking, refuse areas, noise, glare, and odor have been adequately mitigated.*

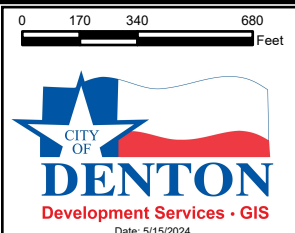
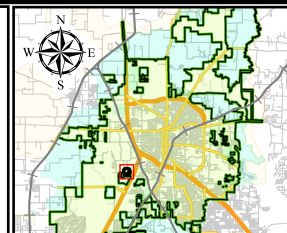
The subject property has already been developed and will not have any unmitigated negative impacts. The type of traffic, noises, lighting, etc. associated with this use that could create any potential negative impacts are consistent with other industrial uses in the area. Furthermore, this use is currently operational and has not had a negative impact on emergency services. Fire, in their records that date back to 2020, has been called to the subject property only once for a fire alarm malfunction. Continuation of existing operations and expansion into the site at the corner of Shelby Lane and Dakota Lane (S24-0003) is not expected to create any further impacts.

S24-0004 Site Location



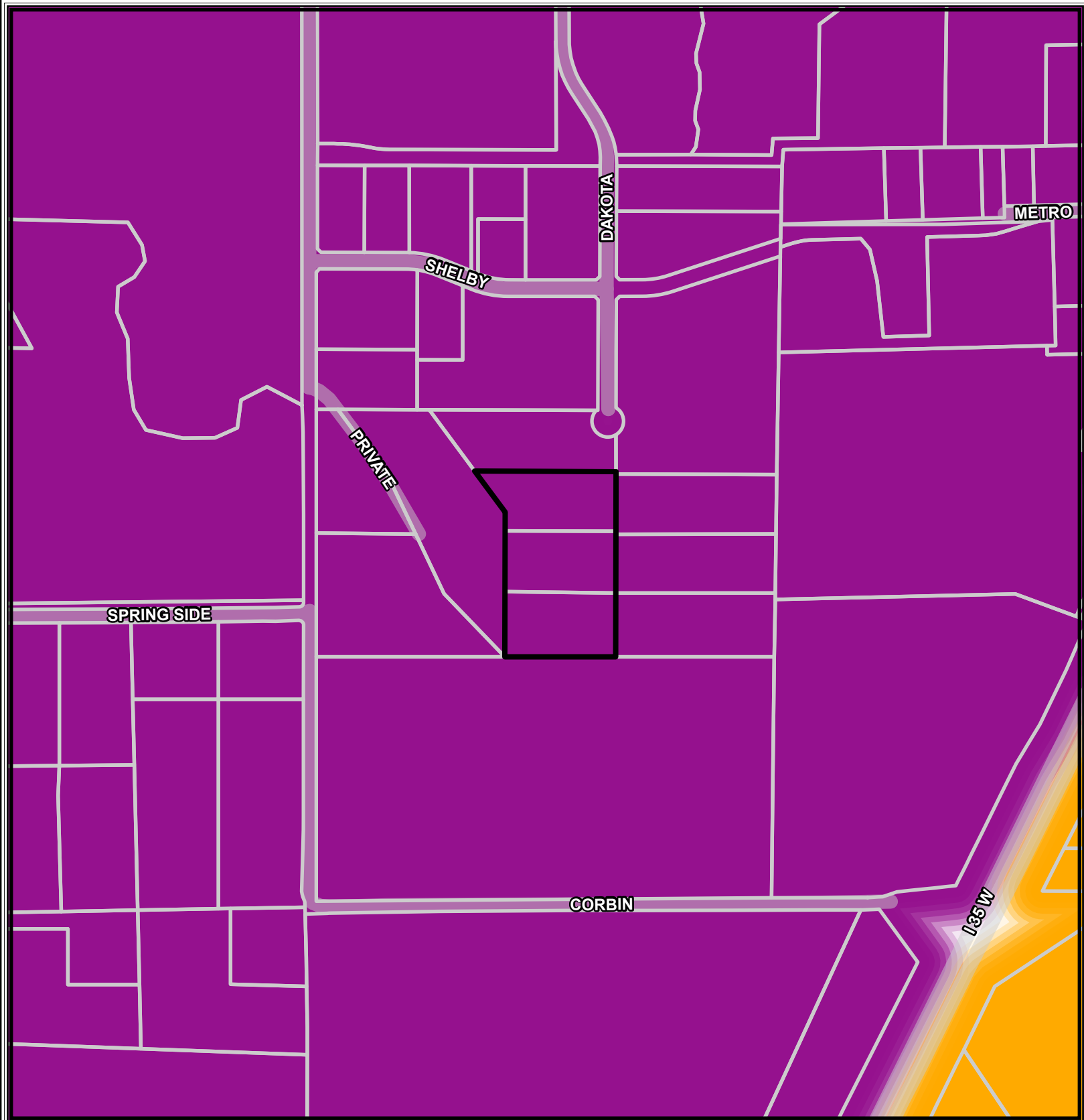
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- Roads
- ▭ Parcels
- ▭ COD
- ▭ ETJ
- ▭ ETJ 2
- ▭ NAA 8/1/20
- ▭ NAA 8/1/40



S24-0004

1-Future Land Use Map



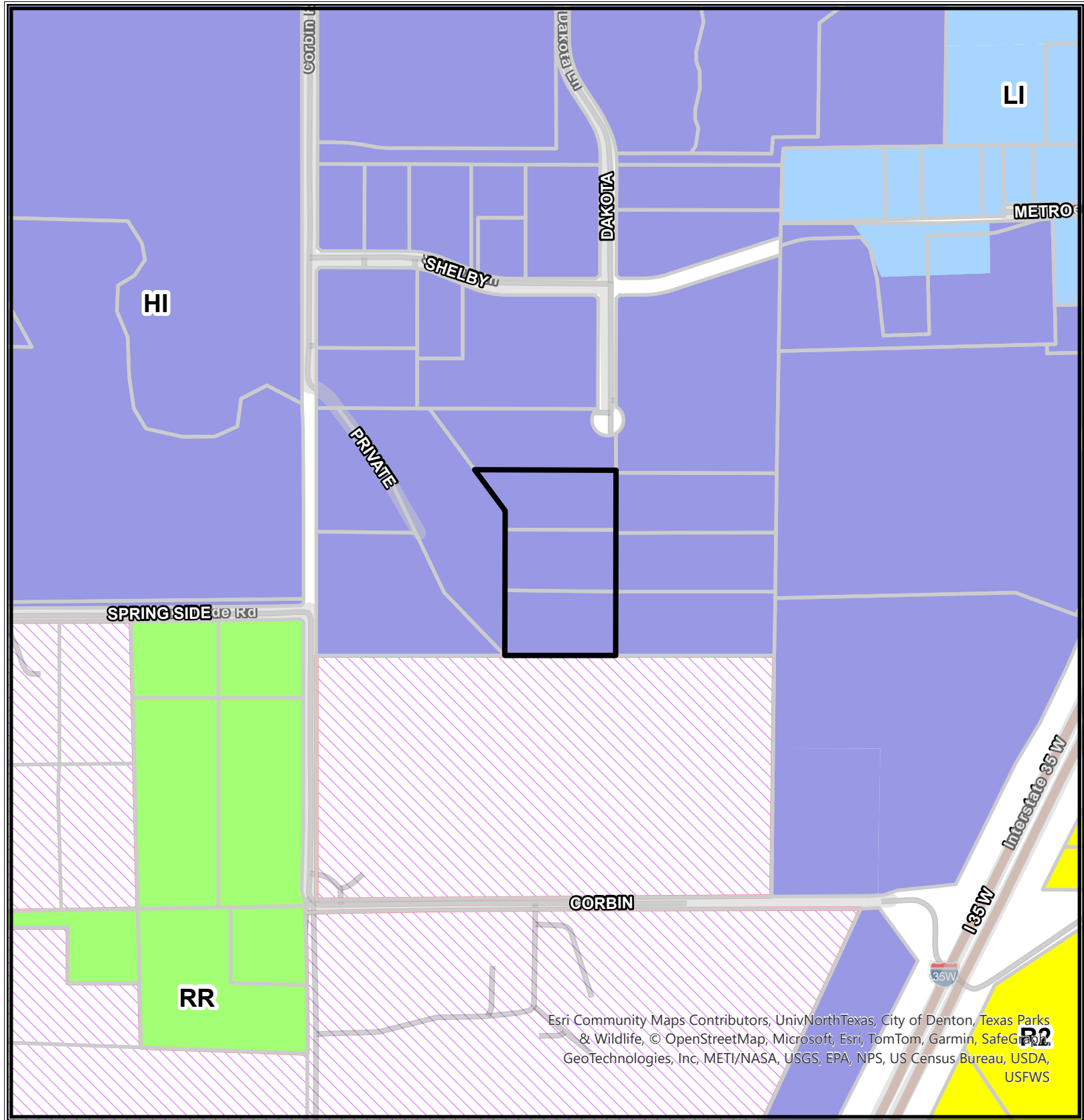
| | | | |
|--|---|---|--|
| Roads Roads Site Location Parcels Future Land Use Designation Agriculture Rural Areas Low Residential | Moderate Residential Master Planned Community Downtown Denton Downtown Compatibility Area Regional Mixed Use Community Mixed Use Neighborhood Mixed Use Neighborhood / University Compatibility Area | Business Innovation Commercial Light Industrial Industrial Commerce Government / Institutional Parks / Open Space Business Center | Development Services • GIS Date: 5/15/2024 |
|--|---|---|--|

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.

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S24-0004

Current Zoning Map



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

CITY OF DENTON
Development Services • GIS
Date: 5/15/2024

"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."

4951 Dakota Lane Project Narrative

This specific use permit ("SUP") request is to allow for a High-Impact Manufacturing uses at 4951 Dakota Lane Denton, Texas 76207 (the "Property"). According to a letter from the City of Denton dated June 27, 2012, the Property's address was changed from 5011 Dakota Lane to 4951 Dakota Lane. A copy of this letter has been provided to avoid any confusion regarding the address of the Property. The Property is located within the city limits and is approximately 3.19 acres. The Property is currently developed as warehouse/office uses as indicated by the current Certificate of Occupancy. The Current plat was filed with Denton County on May 28, 2008 and will not be replatted.

The SUP is required to bring the Property into compliance with the Denton Development Code for the production of an agricultural fertilizer, specifically, a proprietary and patent-pending Nitrogen use efficiency product ("NTS") which is a nonhazardous and sustainable biostimulant product used as a soil amendment to assist with Nitrogen use efficiency in row crops.¹ Additionally, a conceptual layout of the tank and system locations on the Property is provided separately for clarity.

According to the City of Denton Zoning Map, the Property is currently zoned heavy industrial; land to the north, east, and west is also zoned as heavy industrial; and land to the south is in the City of Denton ETJ. Surrounding land is either undeveloped or developed with industrial uses compatible with the proposed high-impact manufacturing use.

The Property is generally level with little to no grade change. The Property is located north east of Hickory Creek and no operation or storage of materials will occur within any floodplain. The Property will maintain the existing adequate parking and space for vehicle maneuvering throughout the site. Because the site and its surroundings are used for industrial manufacturing, no open space, recreation, or preservation areas exist on site. Existing utilities on the Property are present to accommodate industrial manufacturing uses and will be maintained for efficient operation of the proposed use. Proper water, wastewater, storm water, solid waste, and electrical standards will be maintained on the Property for the proposed use.

We are committed to adhering to all local, state, and federal laws and requirements associated with the proposed high-impact manufacturing use. The applicant has received the current No Exposure Certification for the Property effective April 4, 2024 and will apply for and maintain all necessary permits associated with the proposed use including, but not limited, to the hazardous materials permit. Agricen will ensure that all necessary infrastructure required to maintain safe and effective operation of the Property and the proposed high-impact manufacturing use will be provided and consistently maintained, in accordance with any and all requirements of the City of Denton and the Denton Development Code.

As mentioned briefly above, the proposed use for the Property is consistent with the surrounding industrial uses. The Property is compatible with the Denton 2040 Comprehensive Plan

¹ See detailed background on the manufacturing process, attached herein as Exhibit A.

which designates the Property as Industrial Commerce defined as locations "where the predominant uses include both light and heavy industrial uses, such as moderate to heavy manufacturing, assembly, fabrication, and wholesaling." The specific use proposed has little to no impact on the future development of the area primarily because it is consistent with the existing and surrounding uses and does not prohibit or hinder further development of any surrounding sites. We will ensure that the proposed high-impact manufacturing use and associated Property will meet and continue to meet all standards of the Denton Development Code and all other applicable codes of the City of Denton.

The proposed use will not materially alter the existing access, traffic, emergency services, utilities, parking, refuse areas, noise, glare, and/or odor currently provided or emitted from the Property and its existing use. Should any alterations occur, we are committed to remedying any impacts. As shown in the provided materials with our SUP application, Agricen is committed to maintaining the highest standard of safety throughout its facilities and the surrounding area. Agricen is majority owned by Loveland Products, Inc., the proprietary products arm of the largest North American agricultural retailer, Nutrien Ag Solutions. As such, it follows Nutrien's broad and rigorous safety standards. Provided in the revised resubmittal are samples of that broad safety program. Additionally, temporary flexible hoses are used to periodically transfer material between 4951 Dakota Lane and 5001 Dakota Lane. Traffic control equipment will be utilized to prevent vehicles from entering the area of use to avoid damaging the hose and to prevent material spills. Through the implemented safety measures, any potential adverse impacts to the health, safety, and welfare of the employees, inhabitants of the area, and the City of Denton as a whole have been mitigated and/or eliminated.

Exhibit A

Background / Manufacturing Process for Agricen Products Produced at 4951 N Dakota Lane

Description of the Product: Agricen manufactures its proprietary and patented soil amendment technology (which is referred to in this document as “Nutrient Release Technology” or “NRT”) in the building located at 4951 Dakota Lane. This non-hazardous biostimulant product is produced via a fermentation process to achieve a final product with a volume that is greater than 99% water with a less than 1% microbial consortium that includes numerous proprietary microbes. These beneficial microbes have been proven to assist with growth promotion in plants, and growers widely use this sustainable technology in row crops for its ability to release nutrients and improve plant growth.

Overview of the Manufacturing Process:

Agricen operates two NRT systems at 4951 Dakota Lane. One system has a working volume of approximately 230,000 gallons and a retention time of approximately 16 days and the second system has a working volume of approximately 80,000 gallons and a retention time of 8 days, with each system’s volume almost entirely water. The NRT production process involves a closed fermentation system consisting of a plug-flow bioreactor system whereby a feedstock of organic material and yeast is injected into a flow through system that utilizes water as the continuous hydraulic input.

The inputs are as follows:

1. Water (CAS No. 7732-18-5)
2. Organic Material (CAS No. Not Applicable)
3. Yeast (CAS No. 68876-77-7)

Feeding rates are controlled for complete decomposition of the feedstock materials, allowing for the typical anaerobic decomposition processes of acidogenesis, acetogenesis, and methanogenesis to occur. The fermentation process completely digests and eliminates all traces of manure and yeast in the original feedstock, leaving behind only bacterial cells and their by-products in a water-based medium.

The system output goes through a reverse osmosis (RO) filtration step to remove water and provide a more concentrated final product. The clean water (permeate) exiting the filtration system is recycled to front of the system, reducing reliance on city water for the process input. The retention in the filtration process is the concentrated final product - a clear golden liquid consisting of the beneficial *Bacillus* species and bacterial by-products from the fermentation system. The end product undergoes a 2-hour heating step at 65°C to pasteurize the product. As an added precaution, every product batch is sampled and sent to an independent food quality laboratory to test for human pathogens. The product is regulated as a soil amendment (rather than a fertilizer) because it has no nutrient content. It consists solely of water and the microbial consortium and has a pH range of 7.5 to 8.5.

Agricen primarily sells the final product from the NRT system as a standalone product, but also produces some blends at 4951 Dakota Lane. Agricen stores Urea Ammonium Nitrate (UAN) for some of those blends, and could store up to 5,000 gallons in a bulk tank. Agricen stores UnFoamer, a silicone-based surfactant that helps defoam products or blends that might foam when agitated, and typically stores approximately 100 gallons of UnFoamer. Agricen also stores Proxel GXL for possible use as a preservative in some blends, and typically stores approximately 400 gallons of Proxel GXL.

Agricen utilizes two different mixtures to clean and maintain its RO system: RoClean L403 and RoClean P111. Agricen typically stores approximately 25 gallons of RoClean L403 and 50 gallons of RoClean P111.

5001 Dakota Lane Project Narrative

This specific use permit ("SUP") request is to allow for a High-Impact Manufacturing uses at 5001 Dakota Lane Denton, Texas 76207 (the "Property"). The Property is located within the city limits and is approximately 3.03 acres. The Property is currently developed as warehouse/office uses as indicated by the current Certificate of Occupancy. The current plat was filed with Denton County on May 28, 2008 and the Property will not be replatted.

The SUP is required to bring the Property into compliance with the Denton Development Code for the production of an agricultural fertilizer, specifically, a proprietary and patent-pending Nitrogen use efficiency product ("NTS") which is a nonhazardous and sustainable biostimulant product used as a soil amendment to assist with Nitrogen use efficiency in row crops.¹ Additionally, a conceptual layout of the tank and system locations on the Property is provided separately for clarity.

According to the City of Denton Zoning Map, the Property is currently zoned heavy industrial; land to the north, south, east, and west is also zoned as heavy industrial. Surrounding land is either undeveloped or developed with industrial uses compatible with the proposed high-impact manufacturing use.

The Property is generally level with little to no grade change. The Property is located northeast of Hickory Creek but not within a floodplain. The Property will maintain the existing adequate parking and space for vehicle maneuvering throughout the site. Because the site and its surroundings are used for industrial manufacturing, no open space, recreation, or preservation areas exist on site. Existing utilities on the Property are present to accommodate industrial manufacturing uses and will be maintained for efficient operation of the proposed use. Proper water, wastewater, storm water, solid waste, and electrical standards will be maintained on the Property for the proposed use.

We are committed to adhering to all local, state, and federal laws and requirements associated with the proposed high-impact manufacturing use. The applicant has received the current No Exposure Certification for the Property effective April 4, 2024 and will apply for and maintain all necessary permits associated with the proposed use including, but not limited, to the hazardous materials permit. Agricen will ensure that all necessary infrastructure required to maintain safe and effective operation of the Property and the proposed high-impact manufacturing use will be provided and consistently maintained, in accordance with any and all requirements of the City of Denton and the Denton Development Code.

As mentioned briefly above, the proposed use for the Property is consistent with the surrounding industrial uses. The Property is compatible with the Denton 2040 Comprehensive Plan which designates the Property as Industrial Commerce defined as locations "where the predominant uses include both light and heavy industrial uses, such as moderate to heavy manufacturing, assembly, fabrication, and wholesaling." The specific use proposed has little to no impact on the future development of the area primarily because it is consistent with the existing

¹ See detailed background on the manufacturing process, attached herein as Exhibit A.

and surrounding uses and does not prohibit or hinder further development of any surrounding sites. We will ensure that the proposed high-impact manufacturing use and associated Property will meet and continue to meet all standards of the Denton Development Code and all other applicable codes of the City of Denton.

The proposed use will not materially alter the existing access, traffic, emergency services, utilities, parking, refuse areas, noise, glare, and/or odor currently provided or emitted from the Property and its existing use. Should any alterations occur, we are committed to remedying any impacts. As shown in the provided materials with our SUP application, Agricen is committed to maintaining the highest standard of safety throughout its facilities and the surrounding area. Agricen is majority owned by Loveland Products, Inc., the proprietary products arm of the largest North American agricultural retailer, Nutrien Ag Solutions. As such, it follows Nutrien's broad and rigorous safety standards. Provided in the revised resubmittal are samples of that broad safety program. Additionally, temporary flexible hoses are used to periodically transfer material between 4951 Dakota Lane and 5001 Dakota Lane. Traffic control equipment will be utilized to prevent vehicles from entering the area of use to avoid damaging the hose and to prevent material spills. Through the implemented safety measures, any potential adverse impacts to the health, safety, and welfare of the employees, inhabitants of the area, and the City of Denton as a whole have been mitigated and/or eliminated.

Exhibit A

Background / Manufacturing Process for Agricen Products Produced at 5001 N Dakota Lane

Overview: Agricen produces three of its key commercial biostimulant technologies in the building at 5001 N Dakota Lane: its Carbon Based Technology (or “CBT”) its Marine Based Technology (or “MBT”), and its Phosphorus-Solubilizing Technology (or “PST”). It is also producing test product from its soon-to-be commercialized Nitrogen Trifecta System (or “NTS”).

Carbon-Based Technology / CBT

Description of the CBT Product: Utilizing a proprietary and patent-pending production process, Agricen produces a non-hazardous biostimulant product that is a 100% extract of Leonardite (i.e., a low-grade coal). This product has been proven to assist with plant growth promotion, stress tolerance in plants, and root development.

Overview of the CBT Manufacturing Process:

Agricen operates two CBT systems at 5001 N Dakota Lane, each with a working volume of approximately 16,000 gallons and a retention time of approximately 10 days. The CBT system utilizes Leonardite as a feedstock material fed in a continuous medium of water. The feedstock is pretreated with a low concentration .25 MM of Potassium Hydroxide (KOH) to enhance microbial accessibility for extraction. Agricen typically stores approximately 2,500 lbs of KOH flake to support its CBT system. The pretreated Leonardite is pumped through a series of aerobic bioreactors to extract the finished product. The system receives yeast to serve as a microbial food source to activate native microbial communities accompanying the Leonardite. Rock phosphate is also fed as a nutrient source to support microbial growth.

The inputs are as follows:

1. Water (CAS No. 7732-18-5)
2. Leonardite (CAS No. 129521-66-0)
3. Potassium Hydroxide (CAS No. 1310-58-3)
4. Rock Phosphate (CAS No. 1306-05-4)
5. Yeast (CAS No. 68876-77-7)

The CBT process utilizes a closed multistage bioreactor system connected in a series to achieve the desired enriched microbial communities from the Leonardite while also releasing organic acids from Leonardite. The final product is a homogeneous dark liquid solution. The product is considered a soil amendment rather than a fertilizer because it has no nutrient content. It consists solely of the Leonardite extract and has a pH range of 8.0 to 9.0.

Marine Based Technology / MBT

Description of the MBT Product: Utilizing a proprietary process consisting of patent-pending elements and trade secrets, Agricen produces a non-hazardous biostimulant product that is a 100% extract of seaweed. This extract has been proven to assist with stress tolerance in plants, so growers can use the technology in row crops for its ability to mitigate stresses like drought and heat, and it also can act as a safener for seeds from fertilizer salt burns.

Overview of the MBT Manufacturing Process:

Agricen operates two MBT systems, each with a working volume of approximately 13,000 gallons and a retention time of approximately 10.5 days. The approach employs a continuous closed fermentation system comprised of a series of plug-flow, packed bed reactors. The MBT system utilizes two feedstock materials –powdered kelp meal (*Ascophyllum nodosum*) and chitin – added to water to seed a working solution. Agricen can also substitute *Ascophyllum nodosum* for a different kelp meal for purposes of product differentiation.

The inputs are as follows:

1. Water (CAS No. 7732-18-5)
2. *Ascophyllum nodosum* (CAS No. Not Applicable)
3. Chitin (CAS No. 1398-61-4)
4. Yeast (CAS No. 68876-77-7)

The feedstocks are hydrolyzed and fed yeast to activate and enrich the indigenous microbiology. The mixture is subsequently processed through the fermentation reactors at a fixed working capacity and an optimized hydraulic retention time. Phased conversion of the organic inputs occurs by the activity of the native organisms. The system output goes through a reverse osmosis (RO) filtration step to remove water and provide a more concentrated final product. The clean water exiting the filtration system is recycled to front of the system, reducing reliance on city water for the process input. The retention in the filtration process is the concentrated final product - a clear, amber-colored liquid kelp meal extract. The product is regulated as microbe food rather than a fertilizer because it has no nutrient content. It consists solely of seaweed extract and has a pH range of 7.0 to 8.0.

Phosphorus Solubilizing Technology / PST

Description of the PST Product: Utilizing a proprietary process consisting of patent-pending elements and trade secrets, Agricen produces a non-hazardous biostimulant product via a fermentation process to achieve a final product with a volume that is greater than 99% water with a less than 1% microbial consortium that includes proprietary microbes. These microorganisms have been proven to assist in phosphate solubilization and growers use the technology in row crops for making bound phosphorus in soil more available for plant to uptake.

Overview of the PST Manufacturing Process:

The PST system has a working volume of approximately 60,000 gallons and a retention time of approximately 18 days. The PST system utilizes rock phosphate as feedstock material, fed in a continuous medium of water through a series of aerobic bioreactors. Additionally, the system receives yeast and an organic material slurry to serve as a microbial food source to active native communities accompanying the rock phosphate for fermentation. The process uses a plug-flow aerated system to achieve desired enriched communities from the microbial community native to the rock phosphate that aid in the degradation of rock phosphate. The system output goes through a reverse osmosis (RO) filtration step to remove water and provide a more concentrated final product. The clean water exiting the filtration system is recycled to front of the system, reducing reliance on city water for the process input. The retention in the filtration process is the concentrated final product, PST - a light-yellow liquid.

The inputs are as follows:

1. Water (CAS No. 7732-18-5)
2. Rock Phosphate (CAS No. 1306-05-4)
3. Organic Material (CAS No. Not Applicable)
4. Yeast (CAS No. 68876-77-7)

The product is considered a soil amendment (rather than a fertilizer) because it has no nutrient content. It has a pH range of 7.5 to 8.2.

Nitrogen Trifecta System / NTS

Description of the NTS Product: Agricen has constructed a pilot system for its proprietary and patent-pending Nitrogen use efficiency product (called “NTS” in this document). This non-hazardous biostimulant product is produced via a fermentation process to achieve a final product with a volume that is greater than 99% water with a less than 1% microbial consortium that includes three proprietary microbes. These microbes have been proven to assist with Nitrogen use efficiency in plants, and growers will be able to use the technology in row crops as a sustainable solution to better utilize their traditional Nitrogen fertilizers.

Overview of the NTS Manufacturing Process:

The NTS production process utilizes a continuous flow closed system consisting of a series of plug-flow, fluidized bed reactors with a targeted retention time of approximately 14 days. The pilot system has a working volume of 6,000 gallons, almost all of which is water.

The inputs are as follows:

1. Water (CAS No. 7732-18-5)
2. Proprietary Organic Microbial Consortium (CAS No. Not Applicable)
3. Soy Flour (CAS No. 68513-95-1)
4. Glucose (CAS No. 50-99-7)
5. Malic Acid (CAS No. 6915-15-7)
6. Ammonium Sulfate (CAS No. 7783-20-2)

7. 15% Sodium Hydroxide Solution (CAS No. 1310-73-2)

The NTS process starts with two feedstocks – a proprietary organic microbial consortium (PSC) and Soy Flour. To facilitate the fermentation process, there is a daily addition of carbon sources and a nitrogen source. The pH of the process is monitored and up to 1.5 gallons of a 3.75M (15%) Sodium Hydroxide (NaOH) solution can be added as necessary to maintain the pH above 6.4. Agricen will plan to store an average daily volume of 10 gallons of the 15% NaOH solution. As the system matures and pH becomes more consistent, Agricen anticipates that it will need less than 1.5 gallons per day of NaOH.

The organic inputs are fully consumed during the process, leaving behind the final NTS product. The product is regulated as a soil amendment (rather than a fertilizer) because it has no nutrient content. It consists solely of water and the microbial consortium and has a pH range of 7.5 to 8.5.

Agricen stores UnFoamer, a silicone-based surfactant that helps defoam products that might foam when agitated. Agricen typically stores approximately 100 gallons of UnFoamer. Agricen also stores Proxel GXL for possible use as a preservative. It typically stores approximately 400 gallons of Proxel GXL.

Agricen utilizes two different mixtures to clean and maintain its RO system in 5001 N Dakota Ln: RoClean L403 and RoClean P111. Agricen typically stores approximately 25 gallons of RoClean L403 and 50 gallons of RoClean P111.

5071 Dakota Lane Project Narrative

This specific use permit ("SUP") request is to allow for a High-Impact Manufacturing uses at 5071 Dakota Lane Denton, Texas 76207 (the "Property"). The Property is located within the city limits and is approximately 3.23 acres. The Property is currently developed as warehouse/office uses as indicated by the current Certificate of Occupancy. The current plat was filed with Denton County on May 28, 2008 and the Property will not be replatted.

The SUP is required to bring the Property into compliance with the Denton Development Code for the production of an agricultural fertilizer. That said, Agricen will not produce any products at the Property. Instead, it utilizes the Property to store (a) empty totes, (b) raw materials to be used in Agricen's other buildings to produce biostimulant products, and (c) finished biostimulant product in totes. Biostimulants are nonhazardous and sustainable biostimulant products used by farmers alongside their traditional fertilizer to enhance nutrient use efficiency in their crops and increase crop yield.¹

According to the City of Denton Zoning Map, the Property is currently zoned heavy industrial; land to the north, south, east, and west is also zoned as heavy industrial. Surrounding land is either undeveloped or developed with industrial uses compatible with the proposed high-impact manufacturing use.

The Property is generally level with little to no grade change. The Property is located northeast of Hickory Creek but not within a floodplain. The Property will maintain the existing adequate parking and space for vehicle maneuvering throughout the site. Because the site and its surroundings are used for industrial manufacturing, no open space, recreation, or preservation areas exist on site. Existing utilities on the Property are present to accommodate industrial manufacturing uses and will be maintained for efficient operation of the proposed use. Proper water, wastewater, storm water, solid waste, and electrical standards will be maintained on the Property for the proposed use.

We are committed to adhering to all local, state, and federal laws and requirements associated with the proposed high-impact manufacturing use. The applicant has received the current No Exposure Certification for the Property effective April 4, 2024 and will apply for and maintain all necessary permits associated with the proposed use including, but not limited, to the hazardous materials permit. Agricen will ensure that all necessary infrastructure required to maintain safe and effective operation of the Property and the proposed high-impact manufacturing use will be provided and consistently maintained, in accordance with any and all requirements of the City of Denton and the Denton Development Code.

As mentioned briefly above, the proposed use for the Property is consistent with the surrounding industrial uses. The Property is compatible with the Denton 2040 Comprehensive Plan which designates the Property as Industrial Commerce defined as locations "where the predominant uses include both light and heavy industrial uses, such as moderate to heavy

¹ See summary of totes, raw materials and finished products to be stored at 5071 Dakota Lane, attached herein as Exhibit A.

manufacturing, assembly, fabrication, and wholesaling." The specific use proposed has little to no impact on the future development of the area primarily because it is consistent with the existing and surrounding uses and does not prohibit or hinder further development of any surrounding sites. We will ensure that the proposed high-impact manufacturing use and associated Property will meet and continue to meet all standards of the Denton Development Code and all other applicable codes of the City of Denton.

The proposed use will not materially alter the existing access, traffic, emergency services, utilities, parking, refuse areas, noise, glare, and/or odor currently provided or emitted from the Property and its existing use. Should any alterations occur, we are committed to remedying any impacts. As shown in the provided materials with our SUP application, Agricen is committed to maintaining the highest standard of safety throughout its facilities and the surrounding area. Agricen is majority owned by Loveland Products, Inc., the proprietary products arm of the largest North American agricultural retailer, Nutrien Ag Solutions. As such, it follows Nutrien's broad and rigorous safety standards. Provided in the revised resubmittal are samples of that broad safety program. Through the implemented safety measures, any potential adverse impacts to the health, safety, and welfare of the employees, inhabitants of the area, and the City of Denton as a whole have been mitigated and/or eliminated.

Exhibit A

Product and Raw Material Storage at 5071 Dakota Lane

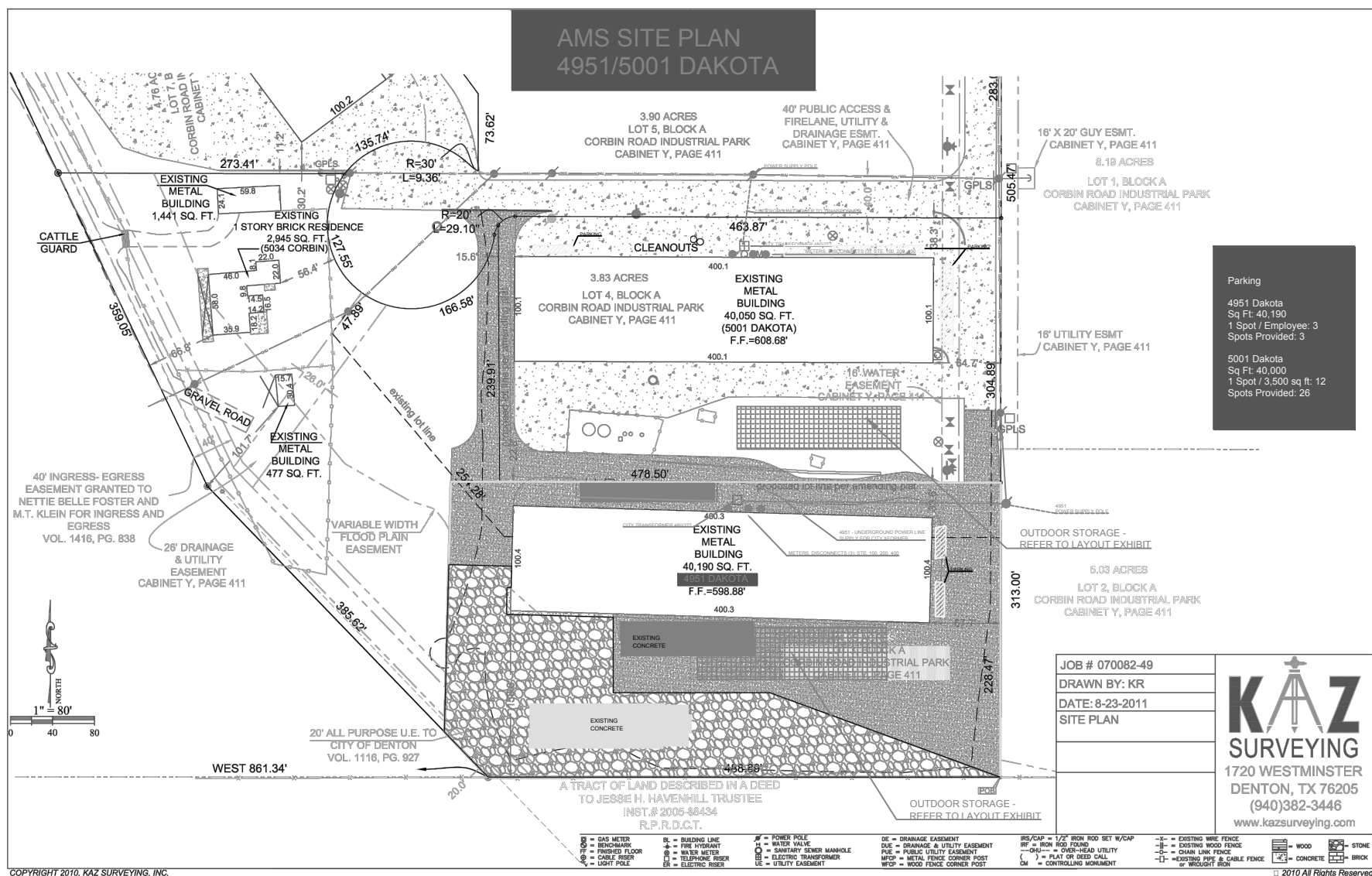
Agricen utilizes its property at 5071 Dakota Lane as a storage facility for empty totes, raw materials for use in other production facilities to produce biostimulant products, and finished biostimulant products.

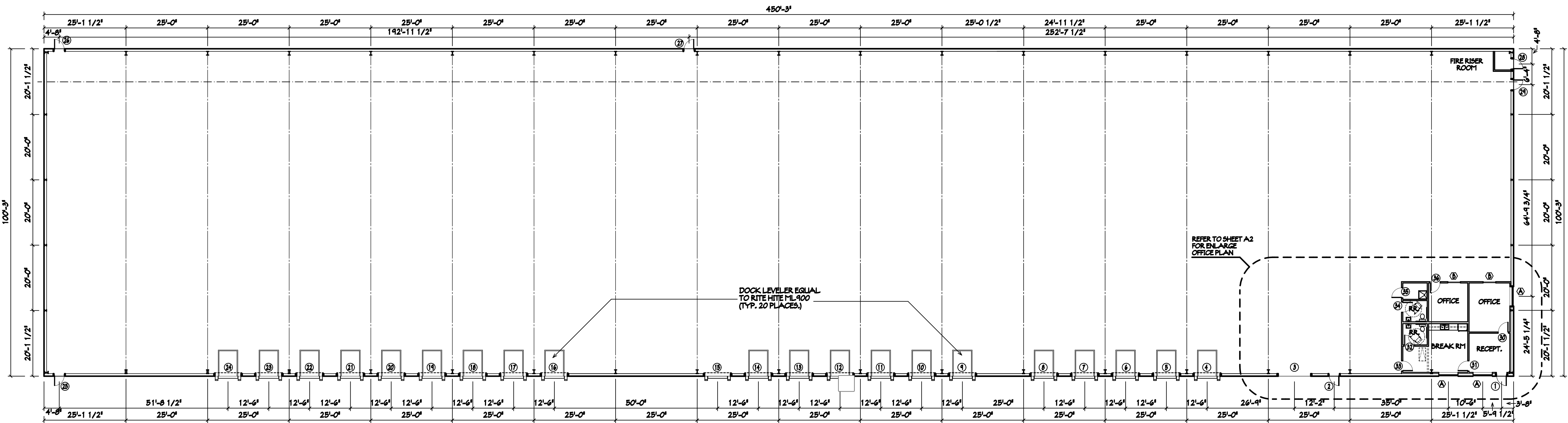
Utilizing a racking system, Agricen currently has the capacity to store up to 2,000 empty 275 gallon totes and 400 empty 135 gallon totes. These totes will then be filled with finished biostimulant product to be shipped out to customers.

Agricen stores raw materials to be used in production systems housed in its other buildings or in finished product blends. These production systems produce non-hazardous biostimulants. Agricen anticipates it could currently store up to the following amounts:

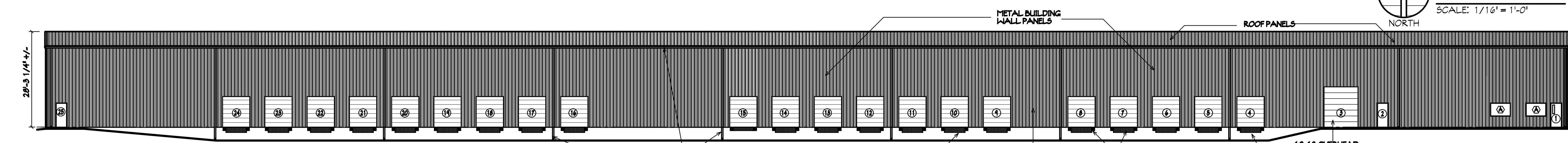
- 45,000 lbs of Leonardite: used as an input to Agricen production systems
- 40,000 lbs of Rock Phosphate: used as an input to Agricen production systems
- 26,000 lbs of two different types of kelp powder: used as inputs to Agricen production systems
- 26,000 gallons of Organic Potassium Fertilizer (Pro-K): used in blends for Agricen finished products
- 7,500 gallons of Protein Hydrolysate (Lisiveg): used in blends for Agricen finished products
- 4,500 gallons of Glycerin: used in blends for Agricen finished products
- 3,000 gallons of Proxel GXL: used as a preservative in some Agricen finished products

Finally, Agricen stores filled totes of its biostimulant products as products await shipment. Agricen anticipates that it could currently store up to 105,000 gallons of finished product.





FLOOR PLAN
SCALE: 1/16" = 1'-0"



SOUTH ELEVATION
SCALE: 1/16" = 1'-0"

Parking
Sq Ft: 42,750
1 Spot / 3500 sq ft: 13
Total Spots Provided: 13

- LIST OF DRAWINGS**
- A1 Overall Site and Floor Plan
 - A2 Enlarge Floor Plan and Schedules
 - A3 Details
 - A4 Elevations
 - A5 Reflected Ceiling Plan and Details
 - A5 Reflected Ceiling Plan and Details
 - S1 Foundation Plan and Details
 - M2 Mechanical Details, Schedules and Specifications
 - E1 Electrical Power and Lighting
 - E2 Electrical Details, Schedules and Specifications

| BUILDING DATA TABLE | |
|---|---|
| ITEM | |
| OWNER | Corbin Realty II LP |
| OWNER REPRESENTATIVE | J.R. Marriott (940) 243-8527 |
| LEGAL DESCRIPTION | Corbin Road Industrial Park Block A Lot 5 |
| BUILDING CONSTRUCTION TYPE | Type III-B (Type F-1) |
| SQUARE FOOTAGES | Office Area - 981 S.F. Warehouse Area - 44,157 S.F. Total Building Area - 45,138 S.F. |
| OCCUPANCY LOAD BLDG. | Table 1004.1.1 Per Occupant 981 S.F./ 100 Gross per Occupant = 10 People 44,157 S.F./ 200 Gross per Occupant = 221 People Total Occupant = 231 People |
| EXIT REQUIREMENTS | a) Table 1005.1 - Egress Width Per Occupant Served/Sprinkled Building. 0.15 Inches/Occupant x 231 People = 2'-11" ADA Requires Minimum of 32" Clear or 36" Door b) Table 1015.1 - Spaces with One Means of Egress. Occupancy for 'F-1' Max. 50 People. c) Travel Distance Table 1016.1 with Sprinkled Building - 250'-0" Max. |
| THE BUILDING WILL BE EQUIPPED WITH AN APPROVED FIRE SUPPRESSION SYSTEM. | |

| CLEARANCES OBSERVED | | | |
|---------------------|-------|-------------|------|
| ACCESSIBLE SLOPE | <1:20 | RAMP SLOPE | 1:12 |
| HANDRAILS | 36" | GUARDRAILS | 42" |
| RAMP LANDINGS | 60" | DRIVE LANES | 24" |

CITY OF DENTON ADOPTED CODES

- 2006 IBC (INTERNATIONAL BUILDING CODE)
- 2006 IMC (INTERNATIONAL MECHANICAL CODE)
- 2006 IPC (INTERNATIONAL PLUMBING CODE)
- 2006 IFI (INTERNATIONAL FIRE CODE)
- 2005 NEC (NATIONAL ELECTRICAL CODE)
- 2009 IECC (INTERN'L ENERGY CONSERVATION CODE)



PROJECT LOCATION VICINITY MAP

MICHAEL BATES ARCHITECT L.L.C.
1300 NORTH LOCUST
DENTON, TEXAS
(940) 387-4881

MICHAEL A. BATES, ARCHITECT
RUSSELL L. BATES, ARCHITECT

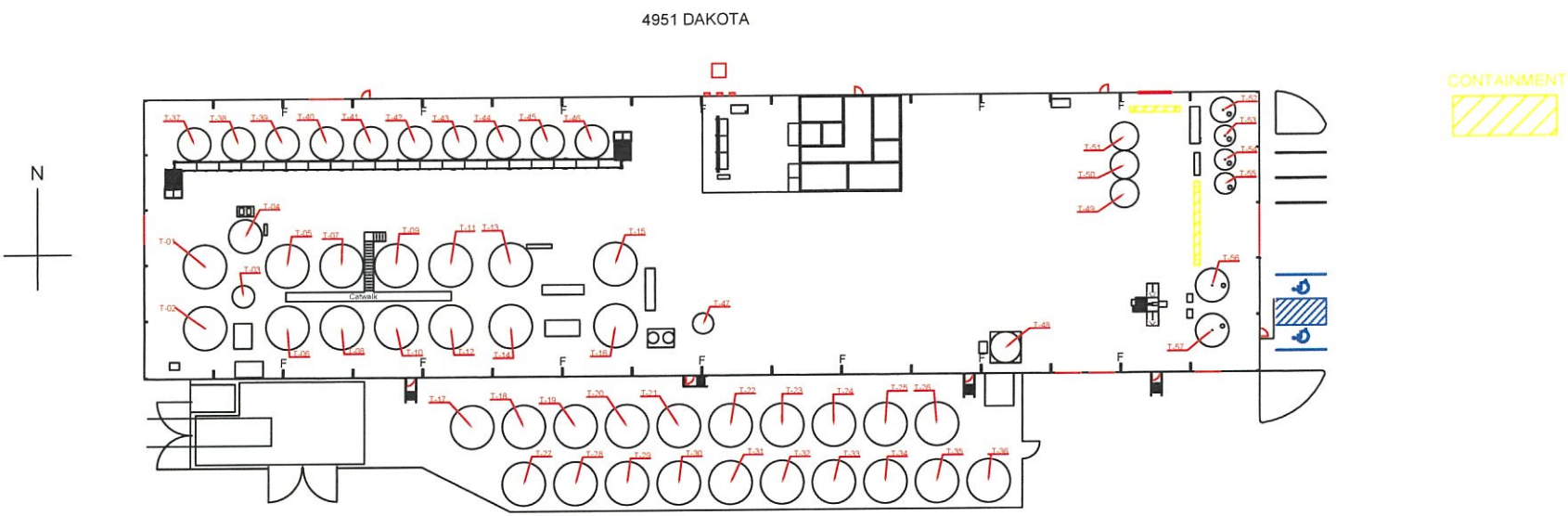
CORBIN REALTY
RAYMOND BUILDING
BLOCK A, LOT 5 CORBIN ROAD BUSINESS PARK
5071 DAKOTA LANE DENTON, TEXAS 76207

APR. 25, 2012

REGISTERED ARCHITECT
MICHAEL A. BATES
13603
STATE OF TEXAS
Apr. 25, 2012

REV.

SHEET
A1

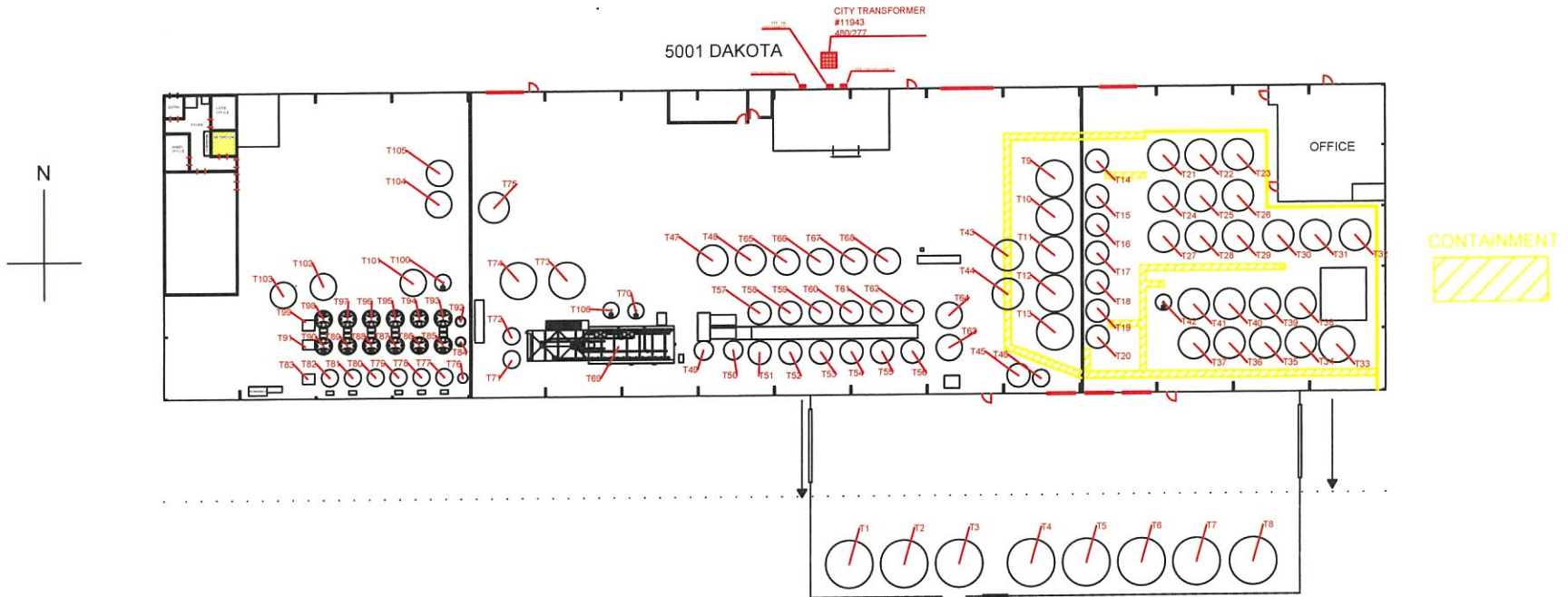


4951 Dakota Lane – Legend

| Code | Tank Material | Type | Capacity (GL) | Diameter (IN) | Height (IN) | Description | Contents | Potentially Hazardous |
|------|-----------------|-------------|---------------|---------------|-------------|-----------------|----------------|-----------------------|
| T01 | Fiberglass | Flat Bottom | 28,000 | 186 | 240 | Process Tank | Water | No |
| T02 | Fiberglass | Flat Bottom | 28,000 | 186 | 240 | Process Tank | Water | No |
| T03 | Poly | Cone Bottom | 3,000 | 96 | 120 | Process Tank | Water | No |
| T04 | Stainless Steel | Cone Bottom | 9,500 | 144 | 186 | Process Tank | Accomplish LM | No |
| T05 | Fiberglass | Flat Bottom | 28,000 | 186 | 240 | Process Tank | Accomplish LM | No |
| T06 | Fiberglass | Cone Bottom | 28,000 | 186 | 240 | Process Tank | Accomplish LM | No |
| T07 | Fiberglass | Flat Bottom | 28,000 | 186 | 240 | Process Tank | Accomplish LM | No |
| T08 | Fiberglass | Flat Bottom | 28,000 | 186 | 240 | Process Tank | Accomplish LM | No |
| T09 | Fiberglass | Flat Bottom | 28,000 | 186 | 240 | Process Tank | Accomplish LM | No |
| T10 | Fiberglass | Flat Bottom | 28,000 | 186 | 240 | Process Tank | Accomplish LM | No |
| T11 | Fiberglass | Flat Bottom | 28,000 | 186 | 240 | Process Tank | Accomplish LM | No |
| T12 | Fiberglass | Flat Bottom | 28,000 | 186 | 240 | Process Tank | Accomplish LM | No |
| T13 | Fiberglass | Flat Bottom | 28,000 | 186 | 240 | Process Tank | Accomplish LM | No |
| T14 | Fiberglass | Flat Bottom | 28,000 | 186 | 240 | Process Tank | Accomplish LM | No |
| T15 | Fiberglass | Flat Bottom | 28,000 | 186 | 240 | Process Tank | Accomplish LM | No |
| T16 | Fiberglass | Flat Bottom | 28,000 | 186 | 240 | Process Tank | Accomplish LM | No |
| T17 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Soilbuilder MC | No |
| T18 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Accomplish LM | No |
| T19 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Accomplish LM | No |

| Code | Tank Material | Type | Capacity (GAL) | Diameter (IN) | Height (IN) | Description | Contents | Potentially Hazardous |
|------|---------------|-------------|----------------|---------------|-------------|-----------------|------------------------|-----------------------|
| T20 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Maritime CA (AGS 1033) | No |
| T21 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Accomplish LM | No |
| T22 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Accomplish LM | No |
| T23 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Accomplish LM | No |
| T24 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Accomplish LM | No |
| T25 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Maritime CA (AGS 1033) | No |
| T26 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Soilbuilder MC | No |
| T27 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Accomplish LM | No |
| T28 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Accomplish LM | No |
| T29 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Accomplish LM | No |
| T30 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Accomplish LM | No |
| T31 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Accomplish LM | No |
| T32 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Accomplish LM | No |
| T33 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Accomplish LM | No |
| T34 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Accomplish LM | No |
| T35 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Accomplish LM | No |
| T36 | Fiberglass | Flat Bottom | 42,000 | 186 | 360 | FP Storage Tank | Accomplish LM | No |
| T37 | Poly | Cone Bottom | 10,000 | 142 | 208 | Process Tank | Accomplish LM | No |
| T38 | Poly | Cone Bottom | 10,000 | 142 | 208 | Process Tank | Accomplish LM | No |
| T39 | Poly | Cone Bottom | 10,000 | 142 | 208 | Process Tank | Accomplish LM | No |

| Code | Tank Material | Type | Capacity (GAL) | Diameter (IN) | Height (IN) | Description | Contents | Potentially Hazardous |
|------|-----------------|-------------|----------------|---------------|-------------|-------------------------|----------------|-----------------------|
| T40 | Poly | Cone Bottom | 10,000 | 142 | 208 | Process Tank | Accomplish LM | No |
| T41 | Poly | Cone Bottom | 10,000 | 142 | 208 | Process Tank | Accomplish LM | No |
| T42 | Poly | Cone Bottom | 10,000 | 142 | 208 | Process Tank | Accomplish LM | No |
| T43 | Poly | Cone Bottom | 10,000 | 142 | 208 | Process Tank | Accomplish LM | No |
| T44 | Poly | Cone Bottom | 10,000 | 142 | 208 | Process Tank | Accomplish LM | No |
| T45 | Poly | Cone Bottom | 10,000 | 142 | 208 | Process Tank | Accomplish LM | No |
| T46 | Poly | Cone Bottom | 10,000 | 142 | 208 | Process Tank | Accomplish LM | No |
| T47 | Poly | Cone Bottom | 5,500 | 90 | 241 | FP Storage Tank | Soilbuilder MC | No |
| T48 | Stainless Steel | Cone Bottom | 5,500 | 132 | 144 | Loadout Tank | VARIOUS | No |
| T49 | Poly | Cone Bottom | 8,250 | 122 | 193 | Ingredient Storage Tank | KA-60 | No |
| T50 | Poly | Cone Bottom | 8,250 | 122 | 193 | Ingredient Storage Tank | MBT-E | No |
| T51 | Poly | Cone Bottom | 8,250 | 122 | 193 | Ingredient Storage Tank | PST | No |
| T52 | Poly | Cone Bottom | 5,500 | 120 | 204 | Ingredient Storage Tank | CBT | No |
| T53 | Poly | Cone Bottom | 5,500 | 90 | 241 | Ingredient Storage Tank | HA-20 | SDS Provided |
| T54 | Poly | Cone Bottom | 5,500 | 90 | 241 | Ingredient Storage Tank | UAN-32 | No |
| T55 | Poly | Cone Bottom | 5,500 | 90 | 241 | Ingredient Storage Tank | KA-60 | No |
| T56 | Poly | Cone Bottom | 10,000 | 142 | 208 | BLEND TANK | VARIOUS | No |
| T57 | Poly | Cone Bottom | 10,000 | 142 | 208 | BLEND TANK | VARIOUS | No |



5001 Dakota Lane – Legend

| CODE | TANK MATERIAL | TYPE | CAPACITY (GAL) | DIAMETER (IN) | HEIGHT (IN) | DESCRIPTION | CONTENTS | POTENTIALLY HAZARDOUS? |
|------|---------------|------------|----------------|---------------|-------------|-------------------|------------------------|------------------------|
| T01 | Fiberglass | Flatbottom | 42,000 | 186 | 360 | FP Storage Tank - | MARITIME CA (AGS 1033) | No |
| T02 | Fiberglass | Flatbottom | 42,000 | 186 | 360 | FP Storage Tank - | MARITIME CA (AGS 1033) | No |
| T03 | Fiberglass | Flatbottom | 42,000 | 186 | 360 | FP Storage Tank - | MARITIME CA (AGS 1033) | No |
| T04 | Fiberglass | Flatbottom | 42,000 | 186 | 360 | FP Storage Tank - | MARITIME CA (AGS 1033) | No |
| T05 | Fiberglass | Flatbottom | 42,000 | 186 | 360 | FP Storage Tank - | MARITIME CA (AGS 1033) | No |
| T06 | Fiberglass | Flatbottom | 42,000 | 186 | 360 | FP Storage Tank - | MARITIME CA (AGS 1033) | No |
| T07 | Fiberglass | Flatbottom | 42,000 | 186 | 360 | FP Storage Tank - | PST (AGS 1038) | No |
| T08 | Fiberglass | Flatbottom | 42,000 | 186 | 360 | FP Storage Tank - | PST (AGS 1038) | No |
| T09 | Fiberglass | Flatbottom | 22,000 | 144 | 300 | FP Storage Tank - | PST (AGS 1038) | No |
| T10 | Fiberglass | Flatbottom | 22,000 | 144 | 300 | FP Storage Tank - | PST (AGS 1038) | No |
| T11 | Fiberglass | Flatbottom | 22,000 | 144 | 300 | FP Storage Tank - | MBT-E (AGS 1199) | No |
| T12 | Fiberglass | Flatbottom | 22,000 | 144 | 300 | FP Storage Tank - | MARITIME CA (AGS 1033) | No |
| T13 | Fiberglass | Flatbottom | 22,000 | 144 | 300 | FP Storage Tank - | MARITIME CA (AGS 1033) | No |
| T14 | Poly | Conebottom | 5,500 | 90 | 241 | FP Storage Tank - | CBT (AGS 1150) | No |
| T15 | Poly | Conebottom | 5,500 | 90 | 241 | FP Storage Tank - | CBT (AGS 1150) | No |
| T16 | Poly | Conebottom | 5,500 | 90 | 241 | FP Storage Tank - | CBT (AGS 1150) | No |
| T17 | Poly | Conebottom | 5,500 | 90 | 241 | FP Storage Tank - | CBT (AGS 1150) | No |
| T18 | Poly | Conebottom | 5,500 | 90 | 241 | FP Storage Tank - | CBT (AGS 1150) | No |
| T19 | Poly | Conebottom | 5,500 | 90 | 241 | FP Storage Tank - | CBT (AGS 1150) | No |

| CODE | TANK MATERIAL | TYPE | CAPACITY (GAL) | DIAMETER (IN) | HEIGHT (IN) | DESCRIPTION | CONTENTS | POTENTIALLY HAZARDOUS? |
|------|---------------|------------|----------------|---------------|-------------|-------------------|----------------|------------------------|
| T20 | Poly | Conebottom | 5,500 | 90 | 241 | FP Storage Tank - | CBT (AGS 1150) | No |
| T21 | Poly | Conebottom | 8,250 | 122 | 193 | FP Storage Tank - | CBT (AGS 1150) | No |
| T22 | Poly | Conebottom | 8,250 | 122 | 193 | FP Storage Tank - | CBT (AGS 1150) | No |
| T23 | Poly | Conebottom | 8,250 | 122 | 193 | FP Storage Tank - | CBT (AGS 1150) | No |
| T24 | Poly | Conebottom | 8,250 | 122 | 193 | FP Storage Tank - | CBT (AGS 1150) | No |
| T25 | Poly | Conebottom | 8,250 | 122 | 193 | FP Storage Tank - | CBT (AGS 1150) | No |
| T26 | Poly | Conebottom | 8,250 | 122 | 193 | FP Storage Tank - | CBT (AGS 1150) | No |
| T27 | Poly | Conebottom | 8,250 | 122 | 193 | FP Storage Tank - | CBT (AGS 1150) | No |
| T28 | Poly | Conebottom | 8,250 | 122 | 193 | FP Storage Tank - | CBT (AGS 1150) | No |
| T29 | Poly | Conebottom | 8,250 | 122 | 193 | FP Storage Tank - | CBT (AGS 1150) | No |
| T30 | Poly | Conebottom | 8,250 | 122 | 193 | FP Storage Tank - | CBT (AGS 1150) | No |
| T31 | Poly | Conebottom | 8,250 | 122 | 193 | FP Storage Tank - | CBT (AGS 1150) | No |
| T32 | Poly | Conebottom | 4,200 | 122 | 113 | Process Tank | WATER | No |
| T33 | Poly | Conebottom | 8,000 | 122 | 180 | Process Tank | CBT (AGS 1150) | No |
| T34 | Poly | Conebottom | 4,200 | 122 | 113 | Process Tank | CBT (AGS 1150) | No |
| T35 | Poly | Conebottom | 4,200 | 122 | 113 | Process Tank | CBT (AGS 1150) | No |
| T36 | Poly | Conebottom | 4,200 | 122 | 113 | Process Tank | CBT (AGS 1150) | No |
| T37 | Poly | Conebottom | 4,200 | 122 | 113 | Process Tank | CBT (AGS 1150) | No |
| T38 | Poly | Conebottom | 4,200 | 122 | 113 | Process Tank | CBT (AGS 1150) | No |
| T39 | Poly | Conebottom | 4,200 | 122 | 113 | Process Tank | CBT (AGS 1150) | No |

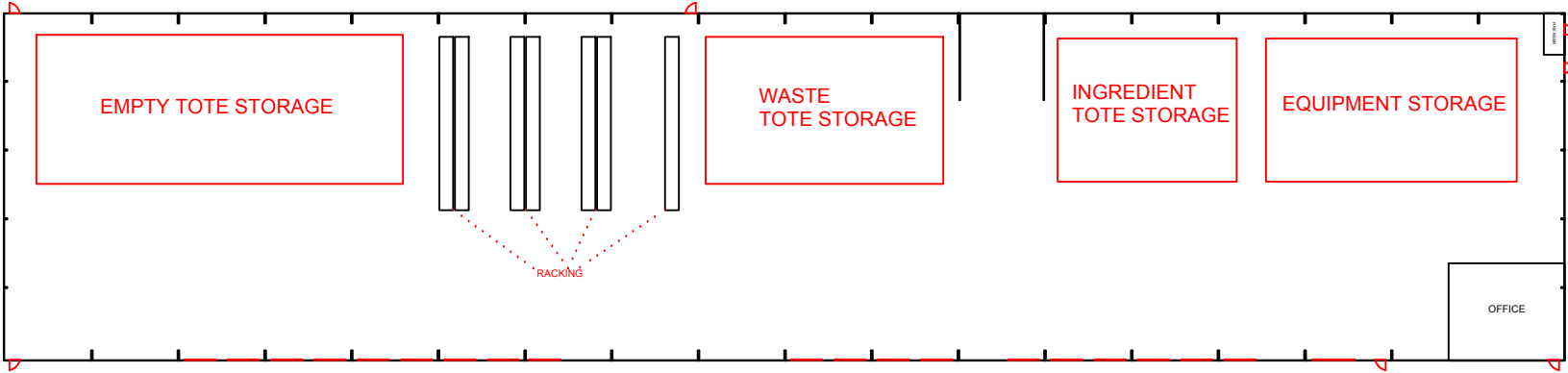
| CODE | TANK MATERIAL | TYPE | CAPACITY (GAL) | DIAMETER (IN) | HEIGHT (IN) | DESCRIPTION | CONTENTS | POTENTIALLY HAZARDOUS? |
|------|---------------|------------|----------------|---------------|-------------|-------------------------|------------------------|------------------------|
| | | | | | | | | No |
| T40 | Poly | Conebottom | 4,200 | 122 | 113 | Process Tank | CBT (AGS 1150) | No |
| T41 | Poly | Conebottom | 4,200 | 122 | 113 | Process Tank | CBT (AGS 1150) | No |
| T42 | Poly | Conebottom | 1,000 | 64 | 99 | Process Tank | CBT (AGS 1150) | No |
| T43 | Poly | Conebottom | 8,250 | 122 | 193 | FP Storage Tank - | TerraMar 0-0-2 | No |
| T44 | Poly | Conebottom | 8,250 | 122 | 193 | FP Storage Tank - | TerraMar 0-0-2 | No |
| T45 | Poly | Conebottom | 5,500 | 90 | 241 | Ingredient Storage Tank | KA-60 | No |
| T46 | Poly | Conebottom | 1,000 | 64 | 99 | Ingredient Storage Tank | PRO-K | No |
| T47 | Poly | Flatbottom | 9,500 | 120 | 204 | Process Tank | WATER | No |
| T48 | Poly | Flatbottom | 9,500 | 120 | 204 | Process Tank | WATER | No |
| T49 | Poly | Conebottom | 1,000 | 64 | 98 | Process Tank | MARITIME CA (AGS 1033) | No |
| T50 | Poly | Conebottom | 1,000 | 64 | 98 | Process Tank | MARITIME CA (AGS 1033) | No |
| T51 | Poly | Conebottom | 5,500 | 90 | 241 | Process Tank | MARITIME CA (AGS 1033) | No |
| T52 | Poly | Conebottom | 5,500 | 90 | 241 | Process Tank | MARITIME CA (AGS 1033) | No |
| T53 | Poly | Conebottom | 5,500 | 90 | 241 | Process Tank | MARITIME CA (AGS 1033) | No |
| T54 | Poly | Conebottom | 5,500 | 90 | 241 | Process Tank | MARITIME CA (AGS 1033) | No |
| T55 | Poly | Conebottom | 5,500 | 90 | 241 | Process Tank | MARITIME CA (AGS 1033) | No |
| T56 | Poly | Conebottom | 5,500 | 90 | 241 | Process Tank | MARITIME CA (AGS 1033) | No |
| T57 | Poly | Conebottom | 5,500 | 90 | 241 | Process Tank | MARITIME CA (AGS 1033) | No |
| T58 | Poly | Conebottom | 5,500 | 90 | 241 | Process Tank | MARITIME CA (AGS 1033) | No |
| T59 | Poly | Conebottom | 5,500 | 90 | 241 | Process Tank | MARITIME CA (AGS 1033) | No |

| CODE | TANK MATERIAL | TYPE | CAPACITY (GAL) | DIAMETER (IN) | HEIGHT (IN) | DESCRIPTION | CONTENTS | POTENTIALLY HAZARDOUS? |
|------|---------------|------------|----------------|---------------|-------------|--------------|------------------------|------------------------|
| T60 | Poly | Conebottom | 5,500 | 90 | 241 | Process Tank | MARITIME CA (AGS 1033) | No |
| T61 | Poly | Conebottom | 5,500 | 90 | 241 | Process Tank | MARITIME CA (AGS 1033) | No |
| T62 | Poly | Conebottom | 5,500 | 90 | 241 | Process Tank | MARITIME CA (AGS 1033) | No |
| T63 | Poly | Flatbottom | 6,500 | 102 | 196 | Process Tank | MARITIME CA (AGS 1033) | No |
| T64 | Poly | Flatbottom | 6,500 | 102 | 196 | Process Tank | MARITIME CA (AGS 1033) | No |
| T65 | Poly | Flatbottom | 6,500 | 102 | 196 | Process Tank | MARITIME CA (AGS 1033) | No |
| T66 | Poly | Flatbottom | 6,500 | 102 | 196 | Process Tank | MARITIME CA (AGS 1033) | No |
| T67 | Poly | Flatbottom | 6,500 | 102 | 196 | Process Tank | MARITIME CA (AGS 1033) | No |
| T68 | Poly | Flatbottom | 6,500 | 102 | 196 | Process Tank | MARITIME CA (AGS 1033) | No |
| T69 | STEEL | CUSTOM | 33,000 | NA | 192 | Process Tank | PST (AGS 1038) | No |
| T70 | Poly | Conebottom | 500 | 64 | 72 | Process Tank | PST (AGS 1038) | No |
| T71 | Poly | Flatbottom | 1,650 | 68 | 78 | Process Tank | PST (AGS 1038) | No |
| T72 | Poly | Flatbottom | 1,650 | 68 | 78 | Process Tank | PST (AGS 1038) | No |
| T73 | Poly | Flatbottom | 12,500 | 142 | 216 | Process Tank | WATER | No |
| T74 | Poly | Flatbottom | 12,500 | 142 | 216 | Process Tank | PST (AGS 1038) | No |
| T75 | Poly | Flatbottom | 5,600 | 120 | 120 | Process Tank | PST (AGS 1038) | No |
| T76 | Poly | Conebottom | 200 | 38 | 66 | Process Tank | MBT-E (AGS 1199) | No |
| T77 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | MBT-E (AGS 1199) | No |
| T78 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | MBT-E (AGS 1199) | No |
| T79 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | MBT-E (AGS 1199) | No |

| CODE | TANK MATERIAL | TYPE | CAPACITY (GAL) | DIAMETER (IN) | HEIGHT (IN) | DESCRIPTION | CONTENTS | POTENTIALLY HAZARDOUS? |
|------|---------------|------------|----------------|---------------|-------------|--------------|-----------------------|------------------------|
| | | | | | | | | No |
| T80 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | MBT-E (AGS 1199) | No |
| T81 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | MBT-E (AGS 1199) | No |
| T82 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | MBT-E (AGS 1199) | No |
| T83 | Poly | Flatbottom | 275 | NA | 48 | Process Tank | MBT-E (AGS 1199) | No |
| T84 | Poly | Conebottom | 200 | 38 | 66 | Process Tank | MBT-E (AGS 1199) | No |
| T85 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | MBT-E (AGS 1199) | No |
| T86 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | MBT-E (AGS 1199) | No |
| T87 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | MBT-E (AGS 1199) | No |
| T88 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | MBT-E (AGS 1199) | No |
| T89 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | MBT-E (AGS 1199) | No |
| T90 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | MBT-E (AGS 1199) | No |
| T91 | Poly | Flatbottom | 275 | NA | 48 | Process Tank | MBT-E (AGS 1199) | No |
| T92 | Poly | Conebottom | 200 | 38 | 66 | Process Tank | N-Trifecta (AGS 1306) | No |
| T93 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | N-Trifecta (AGS 1306) | No |
| T94 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | N-Trifecta (AGS 1306) | No |
| T95 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | N-Trifecta (AGS 1306) | No |
| T96 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | N-Trifecta (AGS 1306) | No |
| T97 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | N-Trifecta (AGS 1306) | No |
| T98 | Poly | Conebottom | 1,010 | 64 | 99 | Process Tank | N-Trifecta (AGS 1306) | No |
| T99 | Poly | Flatbottom | 275 | NA | 48 | Process Tank | N-Trifecta (AGS 1306) | No |

| CODE | TANK MATERIAL | TYPE | CAPACITY (GAL) | DIAMETER (IN) | HEIGHT (IN) | DESCRIPTION | CONTENTS | POTENTIALLY HAZARDOUS? |
|------|---------------|------------|----------------|---------------|-------------|--------------|-----------------------|------------------------|
| | | | | | | | | No |
| T100 | Poly | Conebottom | 1,000 | 64 | 98 | Process Tank | WATER | No |
| T101 | Poly | Conebottom | 2,440 | 91 | 117 | Process Tank | WATER | No |
| T102 | Poly | Flatbottom | 6,500 | 102 | 196 | Process Tank | MBT-E (AGS 1199) | No |
| | | | | | | FP Storage | | No |
| T103 | Poly | Flatbottom | 6,500 | 102 | 196 | Tank - | N-Trifecta (AGS 1306) | No |
| | | | | | | FP Storage | | No |
| T104 | Poly | Flatbottom | 6,500 | 102 | 196 | Tank - | MBT-E (AGS 1199) | No |
| | | | | | | FP Storage | | No |
| T105 | Poly | Flatbottom | 6,500 | 102 | 196 | Tank - | N-Trifecta (AGS 1306) | No |
| | | | | | | | | No |
| T106 | Poly | Conebottom | 200 | 42 | 55 | Process Tank | PST (AGS 1038) | |

5071 DAKOTA



FISCAL SUMMARY

CITY OF DENTON

GENERAL FUND IMPACTS

Revenues 40 Year Total

AD VALOREM TAXES \$6,045,500

RETAIL SALES TAX

Direct Project Retail Sales Tax Revenue \$0
Net New Resident + New Commuters Retail Sales Tax Revenue \$187,600

OTHER TAXES (Mixed Beverage) \$0

LICENSE & PERMITS

Zoning Fees \$8,500
Building Permits \$0
Certificate of Occupancy \$0
Beer & Wine Permits \$0

SERVICE FEES

Restaurant Inspections \$0
Grocery Store Inspections \$0
Swimming Pool Inspections \$100
Electrical Inspections \$0
Plumbing Inspections \$0
Development Fees \$0
Plan Review Fees \$28,200

Expenses 40 Year Total

Neighborhood (\$883,100)
Public Safety (\$1,975,800)
Transportation (\$119,300)
Admin & Community Services (\$906,400)

OTHER FUND REVENUES

TOURISM & CONVENTION SALES TAX \$0

ENTERPRISE UTILITY FUNDS

Electric Charge \$91,387,600
Water Charge \$2,300,600
Wastewater Charge \$2,332,900
Drainage Charge \$280,500
Solidwaste Charge \$7,584,600

WATER IMPACT FEE \$0

WASTEWATER IMPACT FEE \$0

TOTAL ROADWAY IMPACT FEE \$13,500

TOTAL PARKS LAND DEDICATION & DEV. TRUST \$0

TREE MITIGATION \$0

ROADWAY MAINTENANCE

ROADWAY MAINTENANCE \$0

New Residents From Residential



0

New Workers From Non-Residential *



123

* Calculations based on new commuters not total new workers in order to not double count with new residents

General Fund Impact Summary

General Fund - Total Revenue

\$6,270,000

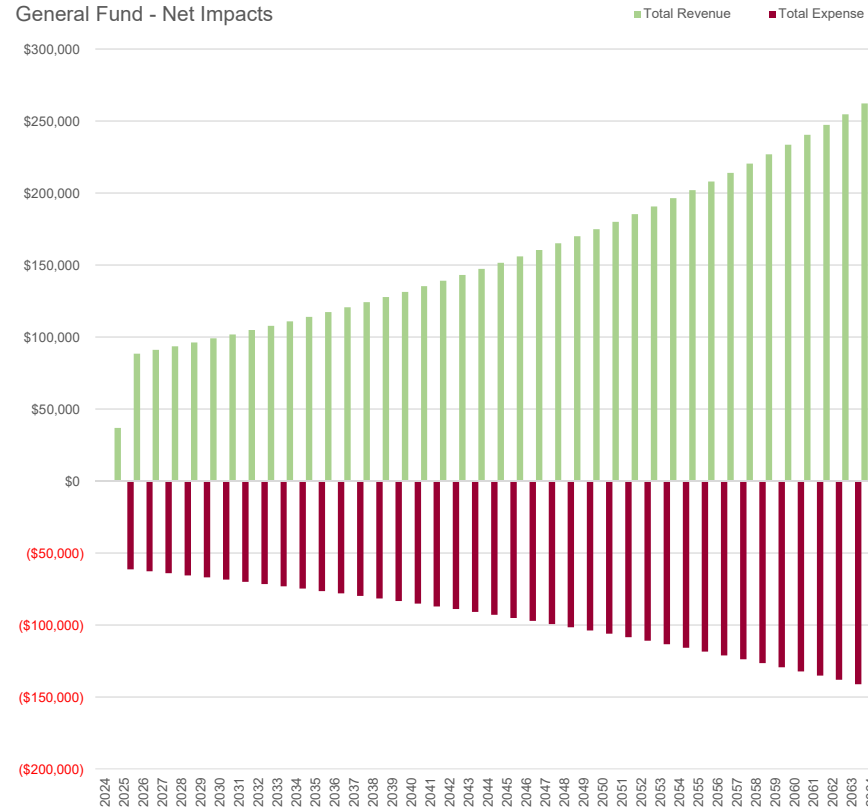
General Fund - Total Expenses

-\$3,884,600

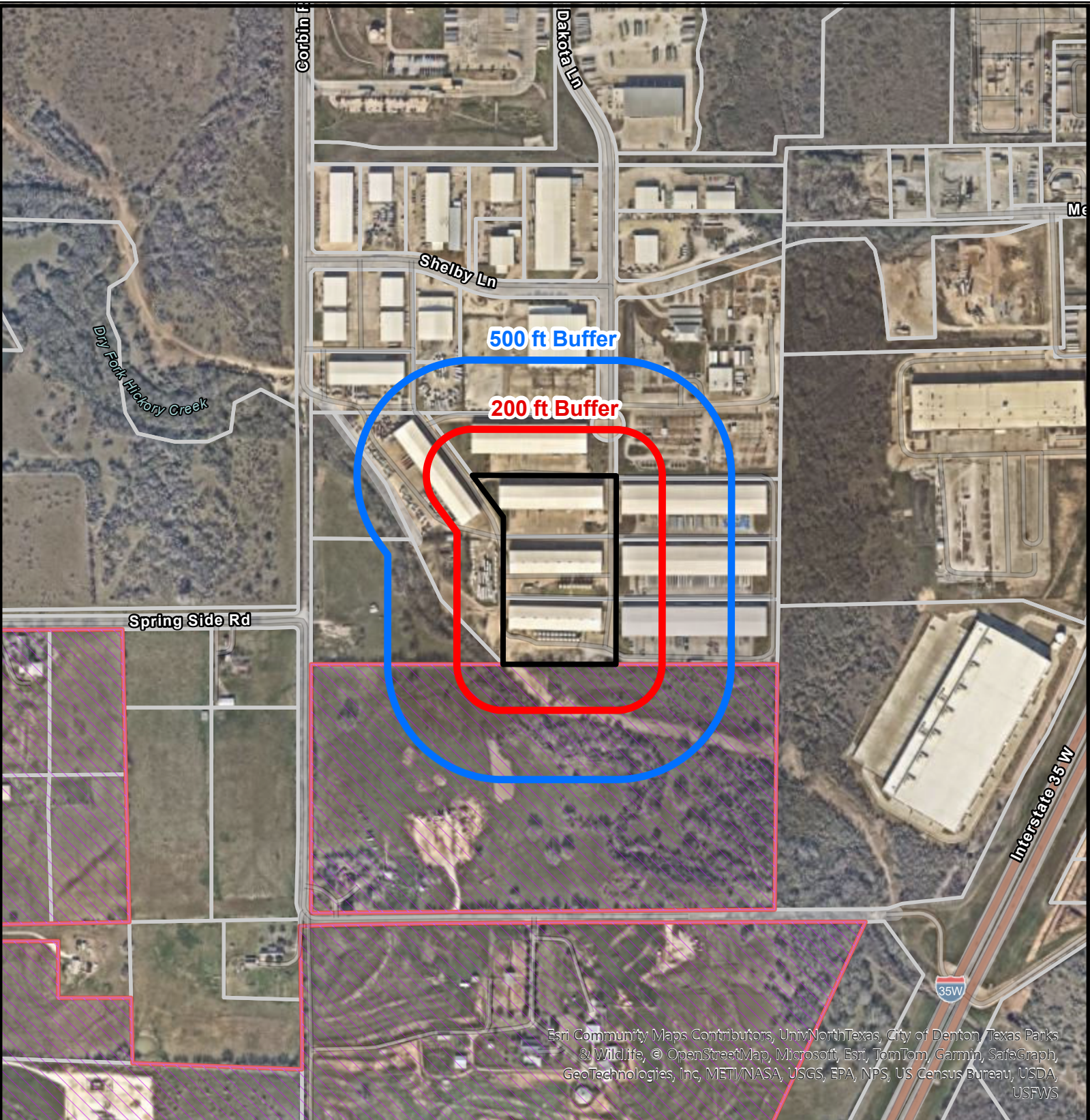
General Fund - Net Impact

\$2,385,400

General Fund - Net Impacts



S24-0004
Notification Map



Esri Community Maps Contributors, UnivNorthTexas, City of Denton, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, 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

N

E

S

W

0

170

340

680

Feet

CITY OF

DENTON

Development Services • GIS

Date: 5/15/2024

350

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."

PUBLIC HEARING NOTIFICATION SIGN AFFIDAVIT OF SIGN POSTING

Project No. S24-0004

Date of Planning and Zoning Commission Meeting: June 12, 2024

I hereby certify that I have posted or caused to be posted Public Hearing Notification sign(s) on the property subject to Project Name/Number Advanced Microbial Solutions (Dakota)/S24-0004, located at 4951, 5001, and 5071 Dakota Lane

Said sign(s) have been obtained through a sign contractor of choice and meet the specifications as stated in the City of Denton Public Hearing Sign Criteria Sheet.

Posting of said signs was accomplished on May 28, 2024. Said signs have been posted in a manner which provides an unobstructed view and which allows clear reading from the public right(s) of way along Dakota Lane. Said signs will be maintained on the property throughout the entire public hearing process and will be removed within three (3) calendar days subsequent to the final decision by the approving body.

I further certify that this affidavit was filed with the Planning Department of the City of Denton within the time provisions specified in the City of Denton Public Hearing Sign Criteria Sheet.

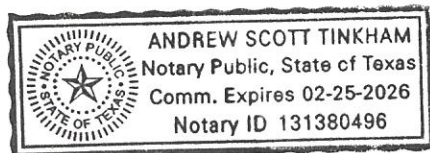
Executed this the 29th day of May, 2024.


Signature of Applicant or Authorized Representative for Project No. S24-0004

Michael Titora
Printed Name of Applicant or Authorized Representative for Project No. S24-0004

STATE OF TEXAS COUNTY OF Collin BEFORE ME, a Notary Public, on this 29th day personally appeared Michael Titora (printed owner's name) the above signed, who, under oath, stated the following: "I hereby certify that I am the owner, for the purposes of this application; that all information submitted herein is true and correct."
SUBSCRIBED AND SWORN TO before me, this the 29th day of May, 2024.


Notary Signature



(seal)

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

STAFF USE ONLY:

Date/Time submitted: May 30, 2024

Verified by: AE



Notice of Public Hearing

Project Number: S24-0004

Project Name: Advanced Microbial
Solutions (Dakota)

Request: Specific Use Permit for
High-Impact Manufacturing

For more information:
www.cityofdenton.com/public-meetings
CALL: (940) 349-8541



Notice of Public Hearing

Project Number: S24-0004

Project Name: Advanced Microbial
Solutions (Dakota)

Request: Specific Use Permit for
High-Impact Manufacturing

For more information:
www.cityofdenton.com/publicmeetings
CALL: (940) 349-8541



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS REGARDING A REQUEST FOR A SPECIFIC USE PERMIT (SUP) TO ALLOW FOR A HIGH-IMPACT MANUFACTURING USE ON APPROXIMATELY 9.5 ACRES OF LAND, GENERALLY LOCATED ON THE WEST SIDE OF DAKOTA LANE, APPROXIMATELY 800 FEET SOUTH OF SHELBY LANE, IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE. (S24-0004a)

WHEREAS, Jesse Copeland with Winstead, representing the applicant, Advanced Microbial Solutions, LLC has applied for a new Specific Use Permit ("SUP") to allow for a High-Impact Manufacturing use on an approximately 9.5-acre site, within the Heavy Industrial (HI) zoning district and use classification, as described in **Exhibit "A"** (hereinafter, "the Property"); and

WHEREAS, on June 12, 2024, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, having given the requisite notices by publication and otherwise, and having afforded full and fair hearings and to all property owners interested in this regard, has recommended approval [0 – 0] of the requested SUP, subject to conditions; and

WHEREAS, on July 16, 2024, the City Council likewise conducted a public hearing as required by law to consider the SUP request. Upon consideration, the City Council hereby finds that the request is consistent with the Denton Plan and federal, state, and local law, and that the Applicant has agreed to comply with all provisions of the Denton Development Code ("DDC"), and has further agreed to comply with the additional restrictions and conditions set forth herein; and

WHEREAS, the City Council has determined that it will be beneficial to Denton and its citizens to grant the SUP; that such grant will not be detrimental to the public welfare, safety, or health; that proposed permit, as conditioned below, satisfies criteria set forth in Sections 2.4.5E and 2.5.2D of the Denton Development Code; and that the SUP should be granted; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

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

SECTION 2. The SUP to allow the High-Impact Manufacturing use on the Property as shown on the site plan and site layout plan attached and incorporated herein as **Exhibit "B" and Exhibit "C,"** is hereby approved, with the following conditions:

1. The zoning map shall reflect the Specific Use Permit on the property consistent with the DDC.

2. Maintain compliance with the Texas Multisector Storm Water General Permit and update the certification every 5 years or as required by Texas Commission on Environmental Quality. Documentation shall be provided to the City upon request demonstrating compliance.
3. The chiller shall be relocated outside of the floodway and the 100-year floodplain within three months of the SUP effective date. Additionally, all mechanical equipment shall be located outside of the floodway and the 100-year floodplain.
4. Outdoor storage is not permitted within the floodway and 100-year floodplain. Therefore, all outdoor storage, including tractor trailers, shall be removed within three months of the SUP effective date and not stored in the floodway and floodplain.
5. All stored hazardous chemicals shall be located inside the buildings only. Outdoor storage tanks shown on the plans are not permitted to hold hazardous materials. If the quantity of hazardous materials increases to above the amounts provided for in the DDC 5.3.2D.1, an amendment to this SUP shall be required.
6. Any hazardous chemicals stored onsite shall require approval from the Fire Department prior to storage commencing, including obtaining any necessary permits.
7. Maintain a spill response team that entails staff training at least once a year to review Standard Operating Procedures. Documentation shall be provided to the City upon request demonstrating compliance.
8. Prior to any manufacturing or processing wastewater discharge being connected to the City's wastewater collection system, building permit plans shall be submitted to the City for review and approval and issuance of applicable wastewater discharge permit.

SECTION 4. Failure to Comply. Except as otherwise stated above, all terms of the SUP shall be complied with prior to issuance of a Certificate of Occupancy. Failure to comply with any term or condition of the Ordinance will result in the SUP being declared null and void, and of no force and effect. The SUP is issued to the entity named above runs with the land and is assignable and transferable to subsequent owners of the Property.

SECTION 5. SUP Regulations. Upon notice to the property owner and a hearing before the City Council, a SUP may be revoked or modified if: 1. There is one or more of the conditions imposed by this Ordinance that has not been met or has been violated on the Property; or 2. The SUP was obtained or extended by fraud or deception; or 3. As otherwise permitted by law and/or permitted by the Denton Development Code.

SECTION 6. Unlawful use. It shall be unlawful for any person, firm, entity, or corporation to make use of the above-referenced Property in some manner other than as authorized by the Denton's Codes of Ordinances and this Ordinance.

SECTION 7. Severability. If any provision of this ordinance or the application thereof to

any person or circumstance is held invalid by any court, such invalidity shall affect the validity of the provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 9. Penalty. Any person, firm, entity or corporation violating any provision of this ordinance shall, upon conviction, be fined a sum not exceeding \$2,000.00 for each violation. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense. The penal provisions imposed under this Ordinance shall not preclude Denton from filing suit to enjoin the violation and it retains all legal rights and remedies available to it under local, state and federal law.

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

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

| | Aye | Nay | Abstain | Absent |
|--|------------|------------|----------------|---------------|
| Mayor Gerard Hudspeth: | _____ | _____ | _____ | _____ |
| Vicki Byrd, District 1: | _____ | _____ | _____ | _____ |
| Brian Beck, District 2: | _____ | _____ | _____ | _____ |
| Paul Meltzer, District 3: | _____ | _____ | _____ | _____ |
| Joe Holland, District 4: | _____ | _____ | _____ | _____ |
| Brandon Chase McGee, At Large Place 5: | _____ | _____ | _____ | _____ |
| Jill Jester, At Large Place 6: | _____ | _____ | _____ | _____ |

PASSED AND APPROVED this the _____ day of _____, 2024.

GERARD HUDSPETH, MAYOR

ATTEST:
LAUREN THODEN, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____

EXHIBIT A

Corbin Road Industrial Park, Block A, Lot 2R, 3R, and 4R.

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:

703624622

Original Date of Filing:

April 17, 1998

Formation Date:

N/A

Tax ID:

17527591055

Duration:

Perpetual

Entity Type:

Domestic Limited Liability Company (LLC)

Entity Status:

In existence

FEIN:

Name:

ADVANCED MICROBIAL SOLUTIONS, L.L.C.

Address:

5601 GRANITE PKWY STE 740
PLANO, TX 75024-6688 USA

| REGISTERED AGENT | FILING HISTORY | NAMES | MANAGEMENT | ASSUMED NAMES | ASSOCIATED ENTITIES | INITIAL ADDRESS |
|----------------------------------|--------------------------------|-----------------------|---|-------------------------------|-------------------------------------|---------------------------------|
| Last Update | Name | Title | Address | | | |
| April 26, 2024 | MICHAEL A TOTORA | PRESIDENT/CEO | 5601 GRANITE PKWY, STE 740 PLANO, TX 75024 USA | | | |
| April 26, 2024 | ROB CLAYTON | CHAIRMAN | 3005 ROCKY MOUNTAIN AVE LOVELAND, CO 80538 USA | | | |
| April 26, 2024 | DARRELL BEVELHYMER | MANAGER | 5601 GRANITE PKWY #740 PLANO, TX 75024 USA | | | |
| April 26, 2024 | J.D. WOODWARD III | MANAGER | 5601 GRANITE PKWY #740 PLANO, TX 75024 USA | | | |
| April 26, 2024 | MICHAEL A TOTORA | MANAGER | 5601 GRANITE PKWY, STE 740 PLANO, TX 75024 USA | | | |
| April 26, 2024 | CAROLYN ENGEL | MANAGER | 3005 ROCKY MOUNTAIN AVE LOVELAND, CO 80538 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 #: DCA24-0003, **Version:** 1

AGENDA CAPTION

Hold a public hearing and consider making a recommendation to City Council regarding a proposed revision to the Denton Development Code; amendments include but are not limited to Section 1.3.4 related to the Denton Development Code and conflicts with other ordinances and criteria manuals. (DCA24-0003, Conflicts with Other Ordinances, Angie Manglaris



AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: June 12, 2024

SUBJECT

Hold a public hearing and consider making a recommendation to City Council regarding a proposed revision to the Denton Development Code; amendments include but are not limited to Section 1.3.4 related to the Denton Development Code and conflicts with other ordinances and criteria manuals. (DCA24-0003, Conflicts with Other Ordinances, Angie Manglaris)

BACKGROUND

On June 4, 2024 the City Council adopted the Denton Design Criteria Manual (DCM), which consolidates the Solid Waste Design Criteria Manual, Stormwater Design Criteria Manual, Transportation Design Criteria Manual, Water and Wastewater Design Criteria Manual, and Streetlight Design Criteria Manual into one manual. The purpose of the Denton Design Criteria Manual is to provide minimum, non-exhaustive guidelines for the design and construction of solid waste, stormwater, transportation, water and wastewater, and streetlight infrastructure within the City of Denton, Texas and its extraterritorial jurisdictions.

The DCM Section 1.2 specifies that in the event of conflict between the DCM and the Denton Development Code (DDC), the DCM shall not supersede the criteria contained within the DDC. Currently, DDC Subsection 1.3.4 specifies that whenever any provision of the DDC conflicts with the provisions of a criteria manual, the criteria manual shall control. Thus, a Code amendment is necessary to resolve the discrepancy between the newly adopted DCM and the DDC as it relates to conflicting provisions.

The purpose of the Denton Development Code is to establish subdivision and design standards and land use regulations related to the development of land in the City of Denton to promote health, life and safety as well as to carry out the goals set forth in the Denton 2040 Comprehensive Plan. Criteria manuals are intended to provide supplemental technical detail related to carrying out the provisions of the Denton Development Code, and therefore should not supersede the zoning standards on which the technical specifications are based.

In addition to resolving the conflict noted above, the Subchapter 1.3.4 Code Amendments are being proposed to address the consolidation of the respective criteria manuals into one succinct document, as well as to remove references to manuals which are no longer in use or are named incorrectly.

The proposed text amendments to Subsection 1.3.4: Conflicts with Other Ordinances and Criteria Manuals are as follows:

1.3.4: Conflicts with Other Ordinances and Criteria Manuals:

- A. Whenever any provision of this DDC conflicts with other provisions of the Municipal Code of Ordinances, the stricter provision, as determined by the Director following the interpretation procedure in Subsection 2.8.6, Interpretations, shall govern.
- B. Whenever any provision of this DDC conflicts with a Criteria Manual adopted by ordinance by the City of Denton as established in Section 2.11, including but not limited to those listed below, the ~~Criteria Manual~~ Denton Development Code shall govern, as determined by the Director:
- ~~1. Administrative Criteria Manual~~
 - ~~2.1.~~ Connectivity Component - Mobility Plan
 - ~~3.2.~~ Construction Criteria Manual
 - ~~4.3.~~ Environmentally Sensitive Areas ~~Criteria Manual~~ Primer
 - ~~5.4.~~ Denton Design Criteria Manual, which includes:
 - a. Solid Waste Criteria Manual
 - b. Stormwater Design Criteria Manual
 - c. Transportation Criteria Manual
 - d. Water and Wastewater Criteria Manual
 - e. Streetlight Design Criteria Manual
 - ~~6.~~
 - ~~7.~~
 - ~~8.~~
- C. All Criteria Manuals are available online on the City's website and housed in the Development Services Department. Criteria Manuals are maintained and updated by the Department when amendments are necessary as determined by the Director.

See Exhibit 2 for a full Staff Analysis.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

| Date | Council, Board, Commission | Request | Action |
|----------------|-----------------------------------|--------------------------|--|
| April 23, 2019 | City Council | Consider 2019 DDC Update | Approved with an effective date of October 1, 2019 |

OPTIONS

1. Recommend Approval
2. Recommend Approval with modifications
3. Recommend Denial
4. Postpone Item

RECOMMENDATION

Staff recommends **approval** of the amendments related to conflicts with other Ordinances and Criteria Manuals as the proposed amendments meet the established criteria for approval for Code Text Amendments as outlined in Section 2.7.4D of the DDC.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Draft Ordinance

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

Prepared by:
Angie Manglaris, AICP
Development Review Manager

Staff Analysis

DCA24-0003/ Conflicts with Other Ordinances and Criteria Manuals

REQUEST:

This is a city-initiated Code amendment to the Denton Development Code (DDC); Subsection 1.3.4 related to the Denton Development Code and conflicts with other ordinances and criteria manuals.

CONSIDERATIONS:

Section 2.7.4D of the DDC states that an application for a DDC text amendment may be approved upon consideration of the following criteria as to whether and to what extent the proposed amendment:

1. *Is consistent with the Comprehensive Plan, other adopted plans, and other city policies;*

The proposed Code amendments are consistent with the Denton Development Code establishing procedures for the processing of planning and zoning actions that affect the development and use of property subject to the planning jurisdiction of the City:

Subsection 1.3.2.A Unless otherwise stated, this DDC applies to all land, buildings, structures, and uses located within the City and if applicable, its extraterritorial jurisdiction (ETJ).

The proposed Code amendments are consistent with the following Comprehensive Plan policies and actions related to ensuring the City has a complete and efficient development review process and minimizes conflicting language across all documents relating to the development of land:

2.2.1 Utilize the Denton Development Code (DDC) to ensure that future development review applications are consistent with the Preferred Growth Concept Map, the Preferred Land Preservation Plan, and the Future Land Use Map.

2. *Does not conflict with other provisions of this DDC or other provisions in the Municipal Code of Ordinances;*

The proposed Code amendments do not conflict with any provisions of the DDC or Municipal Code of Ordinances. The purpose of the Code amendments is to provide further clarification and remove potential conflicts between the provisions of the Denton Design Criteria Manual and the Denton Development Code by clarifying the Denton Development Code shall supersede the Denton Design Criteria Manual in the event of conflict.

3. *Is necessary to address a demonstrated community need;*

This proposed city-initiated Code amendment to the Denton Development Code is needed to clarify that the Denton Development Code shall govern when there is a conflict between the Denton Development Code and the Denton Design Criteria Manual. The Denton Development Code establishes zoning actions which affect the development of land within the City of Denton. The Denton Design Criteria Manual is a manual which pertains to the technical and design requirements of the provisions within the DDC. Additionally, this amendment will correctly identify the names of the City's criteria manuals within the DDC to avoid confusion for future development applications.

4. *Is necessary to respond to a substantial change in conditions and/or policy; and*

The Code Amendment is in response to the Denton Design Criteria Manual adoption on June 4, 2024, which consolidated several separate manuals and contains language clarifying that the technical specifications in the manual do not supersede the adopted standards in the DDC.

5. *Is consistent with the general purpose and intent of this DDC.*

The proposed Code amendments are consistent with the general purpose and intent of the DDC as discussed above.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS AMENDING THE DENTON DEVELOPMENT CODE SUBCHAPTER 1; AMENDMENTS INCLUDE BUT ARE NOT LIMITED TO: SECTION 1.3.4: CONFLICTS WITH OTHER ORDINANCES AND CRITERIA MANUALS; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. (DCA24-0003)

WHEREAS, pursuant to Ordinance No. DCA18-0009q, the City Council of the City of Denton adopted the newly revised 2019 Denton Development Code, the (“DDC”); and

WHEREAS, on June 4, 2024 the City Council adopted the Denton Design Criteria Manual, which consolidates the Solid Waste Design Criteria Manual, Stormwater Design Criteria Manual, Transportation Design Criteria Manual, Water and Wastewater Design Criteria Manual, and Streetlight Design Criteria Manual into one manual; and

WHEREAS, the City desires to amend the DDC to amend Subchapter 1 – General Standards to clarify the use of criteria manuals in the development review process and to align regulations and requirements among the City’s development related standards and criteria; and

WHEREAS, the amendments include the following:

1. Section 1.3.4: Conflicts with other Ordinances and Criteria Manuals – address the creation of the Denton Design Criteria Manual and align requirements among the Denton Development Code and the Denton Design Criteria Manual; and

WHEREAS, on June 12, 2024, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, gave the requisite notices by publication, held due hearings and recommended _____ [#-#] of the amendment to the Denton Development Code; and

WHEREAS, on _____, the City Council likewise conducted a public hearing in accordance with local and state law and the City Council hereby finds that the Code amendments are consistent with the City’s comprehensive plan, and the federal, state, and local law are in the best interests of the City of Denton; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

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

SECTION 2. Subsection 1.3.4 Conflicts with other Ordinances and Criteria Manuals of the DDC are amended as set forth in **“Exhibit A”** which is attached and fully incorporated herein by reference.

SECTION 3. Any person, firm, partnership, or corporation violating any provision of this ordinance shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by a

fine in a sum not exceeding \$2,000.00 for each offense. Each day that a provision of this ordinance is violated, shall constitute a separate and distinct offense.

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

SECTION 5. That an offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Denton Development Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

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

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

| | Aye | Nay | Abstain | Absent |
|--|------------|------------|----------------|---------------|
| Mayor Gerard Hudspeth: | _____ | _____ | _____ | _____ |
| Vicki Byrd, District 1: | _____ | _____ | _____ | _____ |
| Brian Beck, District 2: | _____ | _____ | _____ | _____ |
| Paul Meltzer, District 3: | _____ | _____ | _____ | _____ |
| Joe Holland, District 4: | _____ | _____ | _____ | _____ |
| Brandon Chase McGee, At Large Place 5: | _____ | _____ | _____ | _____ |
| Jill Jester, At Large Place 6: | _____ | _____ | _____ | _____ |

PASSED AND APPROVED this the _____ day of _____, 2024.

GERARD HUDSPETH, MAYOR

ATTEST:

LAUREN THODEN, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____

DRAFT

Exhibit A

Amend 1.3.4 Conflicts with other Ordinances and Criteria Manuals to read as follows:

- A. Whenever any provision of this DDC conflicts with other provisions of the Municipal Code of Ordinances, the stricter provision, as determined by the Director following the interpretation procedure in Subsection 2.8.6, Interpretations, shall govern.
- B. Whenever any provision of this DDC conflicts with a Criteria Manual adopted by ordinance by the City of Denton as established in Section 2.11, including but not limited to those listed below, the Denton Development Code shall govern, as determined by the Director:
 - 1. Connectivity Component - Mobility Plan
 - 2. Construction Criteria Manual
 - 3. Environmentally Sensitive Areas Primer
 - 4. Denton Design Criteria Manual, which includes:
 - a. Solid Waste Criteria Manual
 - b. Stormwater Design Criteria Manual
 - c. Transportation Criteria Manual
 - d. Water and Wastewater Criteria Manual
 - e. Streetlight Design Criteria Manual
- C. All Criteria Manuals are available online on the City's website and housed in the Development Services Department. Criteria Manuals are maintained and updated by the Department when amendments are necessary as determined by the Director.



City of Denton

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

Legislation Text

File #: PZ24-105, **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 impacts of subdividing commercial lots and potential for tree preservation loss. | Ellis | 11/15/2023 | Work session tentatively scheduled for July 2024. |
| Discussion related to P&Z reconsideration process and proposed ordinance amendment. | Staff | 4/24/2024 | Work session discussion is scheduled for June 12, 2024. |
| LSR explaining the practices and legal limitations based on recent state law changes regarding right-of-way dedication for roadways and perimeter street improvements. | Pruett | 5/15/2024 | Staff will provide an update in the next 60 days. |
| 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 2024 update tentatively scheduled for July 24, 2024. 2023 update provided on June 14, 2023. Future discussion will be scheduled for after Envisio Software implementation for tracking action items; tentatively scheduled for June 2024. |