



City of Denton

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

Meeting Agenda Planning and Zoning Commission

Wednesday, September 11, 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, September 11, 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. [PZ24-184](#) Receive a report and hold a discussion regarding the tree preservation, landscaping, and protection and preservation of Environmentally Sensitive Areas requirements for new development projects.

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, September 11, 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. [PZ24-157](#) Consider the approval of the August 28, 2024, Planning and Zoning meeting minutes.
-

Attachments: [August 28, 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. [FR23-0003d](#) 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 Ridgehurst Lane and Bonnie Brae Street in the City of Denton, Denton County, Texas. (FR23-0003d, Glenwood Meadows Phase II, Angie Manglaris).

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

- B. [FR24-0008a](#) Consider a request by Bloomfield Homes, LP for approval of a Replat of Country Lakes North, Phase 6AB. The approximately 6.997-acre tract of land is generally located on the south side of Johnson Lane between John Paine Road and Old John Paine Road in the City of Denton, Denton County, Texas. (FR24-0008a, Country Lakes North, Phase 6AB, Julie Wyatt)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Staff Analysis](#)
 [Exhibit 3 - Site Location Map](#)
 [Exhibit 4 - Replat](#)

- C. [FP24-0026b](#) Consider a request by Reece Flanagan of Flanagan Land Solutions, LLC, on behalf of the property owner, for a Final Plat of Acintyo Ventures Addition, Lots 1 and 2, Block 1. The approximately 0.300-acre site is generally located on the south side of Fannin Street, approximately 105 feet east of the intersection of Fannin Street and South Avenue B, in the City of Denton, Denton County, Texas. (FP24-0026b, Acintyo Ventures Addition, Sean Jacobson)

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

- D. [PP24-0003a](#) Consider a request by Kimley-Horn & Associates, on behalf of Vandesmith Developers LTD for a Preliminary Plat of Grand Parkside. The approximately 19.15-acre site is generally located 266.11 feet east of Country Club Road and north of Hobson Lane in the City of Denton, Denton County, Texas. (PP24-0003a, Grand Parkside, Bryce Van Arsdale)

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Preliminary Plat](#)

- E. [FR24-0005b](#) Consider a request by Kimley-Horn & Associates, on behalf of Forestar Group for a Final Replat of Eagle Creek Phase 3B. The approximately 36.07-acre site is generally located 0.5 miles east of South Bonnie Brae Street and north of Roselawn Drive in the City of Denton, Denton County, Texas. (FR24-0005b, Eagle Creek Phase 3B, Bryce Van Arsdale)

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Final Replat](#)

- F. [FP24-0023d](#) Consider a request by Barron Stark Engineers, on behalf of JVAC Properties LLC, for approval of a Final Plat of Lot 1, Block A Riviera Addition. The approximately 15-acre tract is generally located on the north side of Fishtrap Rd, approximately 259.2 feet west of Greenleaf Circle in the City of Denton, Denton County, Texas. (FP24-0023d, Water Line Extension Riviera, Matt Bodine)

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Final Plat](#)

[Exhibit 5 - LLC Members List](#)

4. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. [FP24-0032](#) Consider a request by Cross Engineering for approval of a Final Plat for RDC Denton Eagle. The approximately 2.592-acre site is generally located on the south side of W Eagle Drive, between Collier Street and Avenue B, in the City of Denton, Denton County, Texas. (FP24-0032, RDC Denton Eagle, Erin Stanley).

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

[Exhibit 2 - Staff Analysis](#)

[Exhibit 3 - Site Location Map](#)

[Exhibit 4 - Final Plat](#)

[Exhibit 5 - Request for Extension](#)

- B. [FP24-0033](#) Consider a request by the Foresite Group, LLC for approval of a Final Plat for Stella Hills Phase 2A. The approximately 21.0505-acre site is located approximately 1,500 feet south of E. McKinney Street and east of Laney Circle in the City of Denton, Denton County, Texas. (FP24-0033, Stella Hills Phase 2A, Angie Manglaris).

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

- C. [FP24-0034](#) Consider a request by the Foresite Group, LLC for approval of a Final Plat for Stella Hills Phase 2B. The approximately 15.222-acre site is generally located on the south side of E. McKinney Street, and is situated to the east of Laney Circle in the City of Denton, Denton County, Texas. (FP24-0034, Stella Hills Phase 2B, Angie Manglaris).

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

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. [PD24-0002](#) Hold a public hearing and consider making a recommendation to City Council regarding a request by Aimee Bissett of 97 Land Company on behalf of the property owner, Greater Texas Land Resources, LP, to rezone approximately 25.96 acres from a Residential 2 (R2) zoning district to a Planned Development with Mixed-Use Neighborhood (PD-MN) and Public Facilities (PD-PF) base zoning districts. The subject site is generally located at the northwest corner of the intersection of North Elm Street and North Locust Street in the City of Denton, Denton County, Texas (PD24-0002, Jefferson North Elm, Ashley Ekstedt)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Site Location Map](#)
[Exhibit 4 - Current Zoning Map](#)
[Exhibit 5 - Future Land Use Map](#)
[Exhibit 6 - Proposed Zoning Map](#)
[Exhibit 7 - Applicant Project Narrative](#)
[Exhibit 8 - PD Development Standards](#)
[Exhibit 9 - PD Zoning Plan](#)
[Exhibit 10 - PD Development Plan](#)
[Exhibit 11 - PD Landscape Plan](#)
[Exhibit 12 - PD Building Elevations](#)
[Exhibit 13 - Notification Map and Responses](#)
[Exhibit 14 - Neighborhood Meeting Summaries](#)
[Exhibit 15 - Fiscal Impact Analysis](#)
[Exhibit 16 - Draft Ordinance](#)

- B. [Z24-0002](#) Hold a public hearing and consider making a recommendation to City Council regarding a request to rezone approximately 2.6 acres of land from Residential 2 (R2) district to Residential 4 (R4) district generally located east of Mockingbird Lane, approximately 150 feet south of Audra Lane, in the City of Denton, Denton County, Texas. (Z24-0002, Mockingbird Ln-R2 to R4, Erin Stanley)

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Staff Analysis](#)
[Exhibit 3 - Applicant Narrative](#)
[Exhibit 4 - Site Location Map](#)
[Exhibit 5 - Future Land Use Map](#)
[Exhibit 6 - Existing Zoning Map](#)
[Exhibit 7 - Proposed Zoning Map](#)
[Exhibit 8 - Table of Allowed Uses](#)
[Exhibit 9 - Notification Map and Responses](#)
[Exhibit 10 - Sign Posting Affidavit and Photo](#)
[Exhibit 11 - Draft Ordinance](#)

6. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. [PZ24-153](#) 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 September 6, 2024, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

OFFICE OF THE CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.



City of Denton

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

Legislation Text

File #: PZ24-184, **Version:** 1

AGENDA CAPTION

Receive a report and hold a discussion regarding the tree preservation, landscaping, and protection and preservation of Environmentally Sensitive Areas requirements for new development projects.



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Departments of Development Services and Environmental Services & Sustainability

ACMS: Cassey Ogden and Christine Taylor

DATE: September 11, 2024

SUBJECT

Receive a report and hold a discussion regarding the tree preservation, landscaping, and protection and preservation of Environmentally Sensitive Areas requirements for new development projects.

BACKGROUND

At this work session staff will present information regarding the following topics related to tree preservation, landscaping, and Environmentally Sensitive Areas (ESAs):

- Tree preservation objectives/goals
- Tree code definitions and overview, including tree types and development impact areas
- Tree protection during construction
- Tree replacement and preservation credits
- Landscape requirements
- Landscape plan review process
- Alternative Landscape Plans
- ESA types and identification
- Procedures and policies for the protection and preservation of ESAs
- Procedures and policies for requests to deviate from the protection and preservation of ESAs?

EXHIBITS

1. Agenda Information Sheet

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

Prepared by:

Aneli Castillo
Landscape Planner

Jimmy Hoefert
Landscape Planner

Christi Upton
Environmental Compliance Coordinator



City of Denton

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Legislation Text

File #: PZ24-157, **Version:** 1

AGENDA CAPTION

Consider the approval of the August 28, 2024, Planning and Zoning meeting minutes.

MINUTES
PLANNING AND ZONING COMMISSION
August 28, 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, August 28, 2024, at 5:05 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Jason Cole and Desiree Padron

ABSENT: Commissioners: Kimberly Thaggard and Jordan Villarreal

WORK SESSION

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

The following items were presented, and discussion was had:

4.C (HL24-0002a)

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

3.A (FP24-0025a), 3.B (FP24-0030), 4.D (HL24-0003a), and 4.E (DCA24-0010)

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

4.A (AESA23-0002a) and 4.B (S22-0010)

2. Work Session Reports

- A. PZ24-174 Receive a report, hold a discussion, and give staff direction regarding an ordinance of the City of Denton, Texas, amending Denton Development Code Table 5.2-A: Table of Allowed Uses, Section 5.3.5 Commercial Use-Specific Standards, Table 7.9-I Minimum Required Off-Street Parking, and Section 9.2 Definitions related to Commercial Animal Services. (DCA24-0011, Commercial Animal Services, Bryce Van Arsdale).

Staff presented the report to the Commission and a discussion followed. The Commission provided Staff with minor changes to the proposed Commercial Animal Services code amendment.

- B. PZ24-173 Receive a report and hold a discussion regarding the implementation of the Denton 2040 Comprehensive Plan.

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

The Work Session was adjourned at 5:53 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, August 28, 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: Jason Cole and Desiree Padron

ABSENT: Commissioners: Kimberly Thaggard and Jordan Villarreal

1. PLEDGE OF ALLEGIANCE

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

2. CONSIDER APPROVAL OF THE PLANNING AND ZONING COMMISSION MINUTES

A. PZ24-156 Consider approval of the August 14, 2024, Planning and Zoning meeting minutes.

Chair Ellis moved to approve the August 14, 2024, Planning and Zoning meeting minutes. Motion seconded by Commissioner Padron. Motion carried.

AYES (4): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Jason Cole, and Desiree Padron

NAYS (0): None

ABSENT (2): Commissioners: Kimberly Thaggard, and Jordan Villarreal

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. FP24-0025a Consider a request by Stonehawk Capital Partners, LLC for a Final Plat of the Sereno Village Addition. The 18.235-acre site is generally located at the northwest corner of East University Drive (US 380) and Old North Road, in the City of Denton, Denton County, Texas. (FP24-0025a, Sereno Village Addition, Mia Hines).

City staff presented the item. No discussion followed.

Vice-Chair Pruett moved to approve the extension of the item to date certain of September 25, 2024. Motion seconded by Commissioner Cole. Motion carried.

AYES (4): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Jason Cole, and Desiree Padron

NAYS (0): None

ABSENT (2): Commissioners: Kimberly Thaggard, and Jordan Villarreal

- B. FP24-0030 Consider a request by Oncor Electric Delivery Company, LLC for a Final Plat of the Grain Belt Substation Addition. The 5.606-acre site is generally located at the northeast corner of F.M. 1173 and Masch Branch Road, in the City of Denton's ETJ Division 1, Denton County, Texas. (FP24-0030, Grain Belt Substation Addition, Mia Hines).

City staff presented the item. No discussion followed.

Vice-Chair Pruett moved to approve the extension of the item to date certain of September 25, 2024. Motion seconded by Commissioner Padron. Motion carried.

AYES (4): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Jason Cole, and Desiree Padron

NAYS (0): None

ABSENT (2): Commissioners: Kimberly Thaggard, and Jordan Villarreal

4. PUBLIC HEARINGS

- A. AESA23-0002a Hold a public hearing and consider making a recommendation to the City Council regarding a request for an Alternative Environmentally Sensitive Areas Plan on approximately 14.5 acres of land generally located north of the intersection of Gay Street and University Drive in the City of Denton, Denton County, Texas. (AESA23-0002a - The Reserve, Christi Upton). THE APPLICANT IS REQUESTING THIS ITEM BE POSTPONED INDEFINITELY.

The item was not presented or discussed.

- B. S22-0010 Hold a public hearing and consider making a recommendation to City Council regarding a request by Kirkman Engineering on behalf of the property owner, Investcor, for a Specific Use Permit (SUP) to allow for a multifamily use on approximately 15.03 acres of land, generally located, on the north side of University Drive at the terminus of Gay Drive in the City of Denton, Denton County, Texas. (S22-0010, The Reserve, Angie Manglaris) THE APPLICANT IS REQUESTING THIS ITEM BE POSTPONED INDEFINITELY.

The item was not presented or discussed.

- C. HL24-0002a Hold a public hearing and consider making a recommendation to City Council regarding a request by Jennifer Lane and James Carr, the property owners, for a Historic Landmark Designation, in accordance with Section 2.9.4 of the Denton Development Code, for the property located at 1526 Willowwood Street. The property is located on the north side of Willowwood Street, between Kendolph Drive and McCormick Street in the City of Denton, Denton County, Texas. (HL24-0002a, Historic Landmark Designation of 1526 Willowwood Street, Cameron Robertson)

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 Cole moved to approve the item as presented. Motion seconded by Commissioner Padron. Motion carried.

AYES (4): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Jason Cole, and Desiree Padron

NAYS (0): None

ABSENT (2): Commissioners: Kimberly Thaggard, and Jordan Villarreal

- D. HL24-0003a Hold a public hearing and consider making a recommendation to City Council regarding a request by Mary Sepmoree, the property owner, for a Historic Landmark Designation, in accordance with Section 2.9.4 of the Denton Development Code, for the property located at 1900 Westridge Street. The property is located on the north side of Westridge Street, just east of Highland Park Road in the City of Denton, Denton County, Texas. (HL24-0003a, Historic Landmark Designation of 1900 Westridge Street, Cameron Robertson)

Chair Ellis opened the public hearing.

City staff and Consultant 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 Cole. Motion carried.

AYES (4): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Jason Cole, and Desiree Padron

NAYS (0): None

ABSENT (2): Commissioners: Kimberly Thaggard, and Jordan Villarreal

- E. DCA24-0010 Hold a public hearing and consider making a recommendation to City Council regarding amending the Denton Development Code to include Section 2.12: Affordable Housing Incentive Procedures. (DCA24-0010, Affordability Incentives, Leia Atkinson).

Chair Ellis opened the public hearing.

City staff and Consultant presented the item. Discussion followed.

Citizen comments will be listed on Exhibit A.

Chair Ellis closed the public hearing.

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

AYES (4): Chair Margie Ellis, Vice-Chair Eric Pruett, and Commissioners: Jason Cole, and Desiree Padron

NAYS (0): None

ABSENT (2): Commissioners: Kimberly Thaggard, and Jordan Villarreal

5. PLANNING & ZONING COMMISSION PROJECT MATRIX

- A. PZ24-152: Staff provided updates regarding the matrix, and City Council outcomes. No new items were added to the matrix.

6. CONCLUDING ITEMS

With no further business, the meeting was adjourned at 7:08 p.m.

X_____

Margie Ellis, Planning and Zoning Commission Chair

_____ Date

X_____

Cathy Welborn, Administrative Assistant III

_____ Date

Minutes approved on: _____

August 28, 2024 Planning and Zoning Meeting - EXHIBIT A

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

Name	Address	Agenda Item	Position	Method	Comments
Amanda Conway	1012 N Locust, Denton, 76201	DCA24-0010	Support	In Person	Stated she would personally love this plan, has been a part of the input sessions. Wants the opportunity to have a home that she can afford.
Kristine Bray	1204 Cordell Street, Denton, 76201	DCA24-0010	Support	In Person	Wanted to speak in support of the request, got to attend the community involvement meeting, grateful staff took the feedback.
Charles Lee	640 W University Dr. Denton, 76201	HL24-0002a	Opposed	In Person	Stated he is against this and this is not an indictment on the property owners personally themselves but mor of an indictment on the system itself. Spoke about the politicians running up the tax bill so high that people cant afford their taxes, but what it will do is protect the property.
Jennifer Lane (Applicant)	1526 Willowwood Street, Denton, 76205	HL24-0002a	Support	In Person	The applicant and owner of the property. Stated what the previous gentleman said was not a motivation since they already have the freeze at 65.
Charles Lee	640 W University Dr. Denton, 76201	HL24-0003a	Opposed	In Person	Stated he is against this request for the same he said before. He stated it was a flat out lie that there is a tax benefit for this he heard it in the Work Session.
Charles Lee	640 W University Dr. Denton, 76201	HL24-0003a	Opposed	In Person	Stated this is a very bad plan, this is nothing but socialism , and just increasing the burden on certain people. Creates more division in the community.



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Legislation Text

File #: FR23-0003d, **Version:** 1

AGENDA CAPTION

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 Ridgehurst Lane and Bonnie Brae Street in the City of Denton, Denton County, Texas. (FR23-0003d, Glenwood Meadows Phase II, Angie Manglaris).



AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: September 11, 2024

SUBJECT

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 Ridgehurst Lane and Bonnie Brae Street in the City of Denton, Denton County, Texas. (FR23-0003d, Glenwood Meadows Phase II, Angie Manglaris).

BACKGROUND

The purpose of this Final Replat is to Replat Lot 1X, Block G of Glenwood Meadows to create a second phase of the development. The proposed replat would create 42 residential lots and 2 open space lots on 10.285 acres. The lot was originally platted as Lot 1X, Block G of Glenwood Meadows and shown as an open space lot on the approved Final Plat (FP20-0022.) At the time of Final Plat, the dedicated open space lot was encumbered with FEMA floodplain (floodway and Zone X designations), and two active gas wells were located along the western portion of the lot, making this portion of the Glenwood Meadows subdivision difficult to develop with single-family residential lots. Since the time of approval, the gas wells have been plugged while work and studies were completed related to the floodplain on the property.

The subject property is zoned Planned Development R6 (PD-R6) District. The Planned Development designation for this property was a transition from the previous Neighborhood Residential 6 zoning with overlay restrictions that limit the use of the subject property and surrounding acreage to only single-family detached dwellings at a maximum density of 2.29 units per acre. The subdivision is still in compliance with the density maximum with the addition of these lots.

This Final Replat for Phase II of the Glenwood Meadows Subdivision includes lots that were located within the FEMA Zone X floodplain and in the Floodway. A Letter of Map Revision (LOMR) was prepared by the City and submitted to FEMA in association with the Bonnie Brae Road capital improvement project. The Planning and Zoning Commission considered this Final Replat on May 29, 2024. At this time, the City had received a Conditional Letter of Map Revision (CLOMR) from FEMA and was awaiting the final approved LOMR. Therefore, the Planning and Zoning Commission conditionally approved the Final Replat, subject to the following condition:

1. Compliance with Denton Development Code Section 8.3.2A.1, which requires that all lots created through the subdivision process be developable, must be achieved by the removal of all lots in Phase II of Glenwood Meadows from the FEMA Zone X Floodplain and Floodway by a Letter of Map Revision approved by FEMA and provided to the City of Denton, which must include confirmation from FEMA that no valid objections to the revision were received during the 90-day appeal period following initial approval.

On September 9, 2024, the approved LOMR went into effect, and the FEMA floodplain maps have been updated to formally remove the subject property from the floodplain. Since this step has been completed, the condition can be removed, and staff is recommending approval of the plat.

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

OPTIONS

1. Approve as submitted
2. Deny with reasons

RECOMMENDATION

Staff recommends approval of this Final Replat as it meets the established criteria for approval, as detailed in the Staff Analysis (Exhibit 2).

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
February 20, 2001	City Council	Annexation of subject site	Approved
February 20, 2001	City Council	Initial zoning designation of Agricultural (A)	Approved
February 2002	City Council	Rezoned to NR-2 in citywide rezoning	Approved
August 24, 2005	Planning and Zoning Commission	Rezone from NR-2 to NR-6 with overlay restricting use and density.	Recommended Approval
September 20, 2005	City Council	Rezone from NR-2 to NR-6 with overlay restricting use and density.	Approved
October 20, 2005	City Council	Request for Alternative Development Plan for an Environmentally Sensitive Area to reclaim 12.23 acres of undeveloped floodplain.	Approved
October 2019	City Council	Zoning transition from NR-6 to PD-R6.	Approved
January 22, 2020	Planning and Zoning Commission	Preliminary Plat	Approved
October 7, 2020	Planning and Zoning Commission	Final Plat	Approved
March 29, 2023	Planning and Zoning Commission	Final Replat 30-day Extension Request	Approved
May 29, 2024	Planning and Zoning Commission	Final Replat	Conditionally Approved

PUBLIC OUTREACH

Once all comments are addressed and the replat is approved, staff will comply with Texas Local Government Code 212.015 and send written notice to each owner of a lot in the original subdivision that is

within 200 feet of the lots to be replatted. The notice must be mailed no later than the 15th day after the date the replat is approved and include the following:

- The zoning designation of the property after the replat; and
- A telephone number and e-mail address an owner of a lot may use to contact the municipality about the replat.

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 Replat

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

Prepared by:
Angie Manglaris, AICP
Development Review Manager

Planning Staff Analysis

FR23-0003d/ Glenwood Meadows Phase II

City Council District #4

Planning & Zoning Commission

REQUEST:

Final Replat for an approximately 10.285-acre tract.

APPLICANT:

Brighton Yau, on behalf of LJA Engineering.

RECOMMENDATION:

Staff recommends approval of this Final Replat 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 Replat meets all review criteria, as detailed below.</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.</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 between the general review criteria and specific review criteria.</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
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 Final Replat is consistent with the previously approved overlay and density restrictions on the property.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>3. Consistent with Comprehensive Plan and Other Applicable Plans</p> <p>The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</p> <p>Findings:</p> <div>Denton 2040 Comprehensive Plan's Future Land Use Map designates the subject property as Community Mixed Use. The proposed use is consistent with the designation.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>a. The decision-making authority shall weigh competing plan goals, policies, and strategies</p> <p>Findings:</p> <div></div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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.</p> <p>Findings:</p> <div></div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Compliance with this DDC				
<p>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.</p> <p>Findings:</p> <div>The proposed Final Replat complies with all applicable standards in this DDC.</div>		<input checked="" type="checkbox"/>	<input 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 subject submittal is a Final Replat, 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				

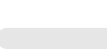
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<p>a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations.</p> <p>Findings:</p> <div>The Final Replat complies with all other regulations.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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></div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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>There are no environmentally sensitive areas (ESAs) on this property.</div>		<input checked="" type="checkbox"/>	<input 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>This Final Replat is not expected to cause any significant adverse impacts on surrounding properties.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Minimizes Adverse Fiscal Impacts				
<p>a. The proposed development should not result in significant adverse fiscal impacts on the city.</p> <p>Findings:</p> <div>This development is not expected to result in significant adverse fiscal impacts on the city.</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
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: 5px; margin-top: 5px;"> <p>The proposed replat is not compliant with all City other regulations, as noted below.</p> </div>	<input checked="" type="checkbox"/>	<input 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; padding: 5px; margin-top: 5px;"> <p>There is adequate road capacity to accommodate the proposed use.</p> </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;"> <p>Current capacity can accommodate the proposed development.</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; margin-top: 5px;"> <p>There is no phasing is proposed for this replat.</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. Findings: <div>This is a replat of a previously approved final plat. A preliminary plat is not required for replats.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. Whether the development will substantially comply with all requirements of this DDC. Findings: <div>The Final Replat will substantially comply with all requirements of this DDC.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Whether the development will comply with the applicable technical standards and specifications adopted by the City. Findings: <div>The proposed development will comply with all applicable standards and specifications adopted by the city which are applicable to a Final Replat.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FR23-0003 Site Location



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

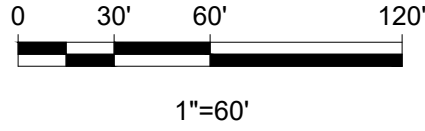
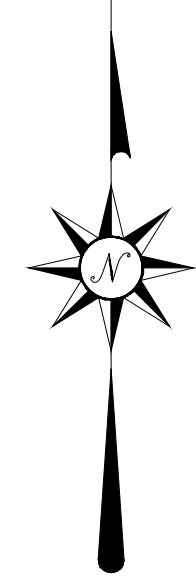
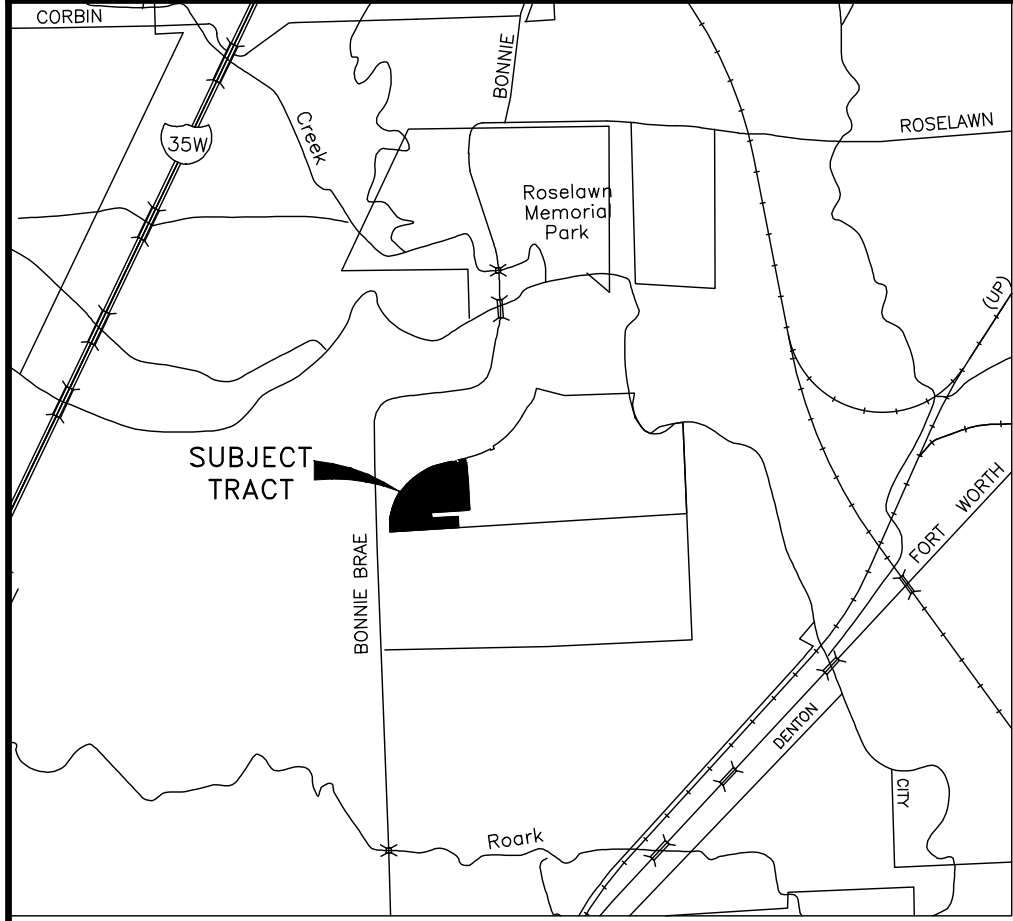








CITY OF DENTON
Development Services • GIS
Date: 3/9/2023



BENCHMARKS:
NAVD88 DATUM

USGS BM T 949 ELEVATION = 617.88'

1.0 MILE NORTHEAST ALONG U.S. HIGHWAY 377 FROM THE TEXAS AND PACIFIC RAILWAY STATION AT ARYLE, DENTON COUNTY, AT A 6" BY 10" CONCRETE CULVERT, IN THE TOP OF THE NORTH END OF THE WEST HEADWALL, 24 FEET WEST OF THE CENTERLINE OF THE HIGHWAY AND LEVEL WITH THE HIGHWAY, A STANDARD DISK, STAMPED T 949 1946.
NOTE: THE CULVERT WAS WIDENED PRIOR TO MAY 1958 AND THE BENCH MARK IS NOW IN THE CENTER OF THE CULVERT.

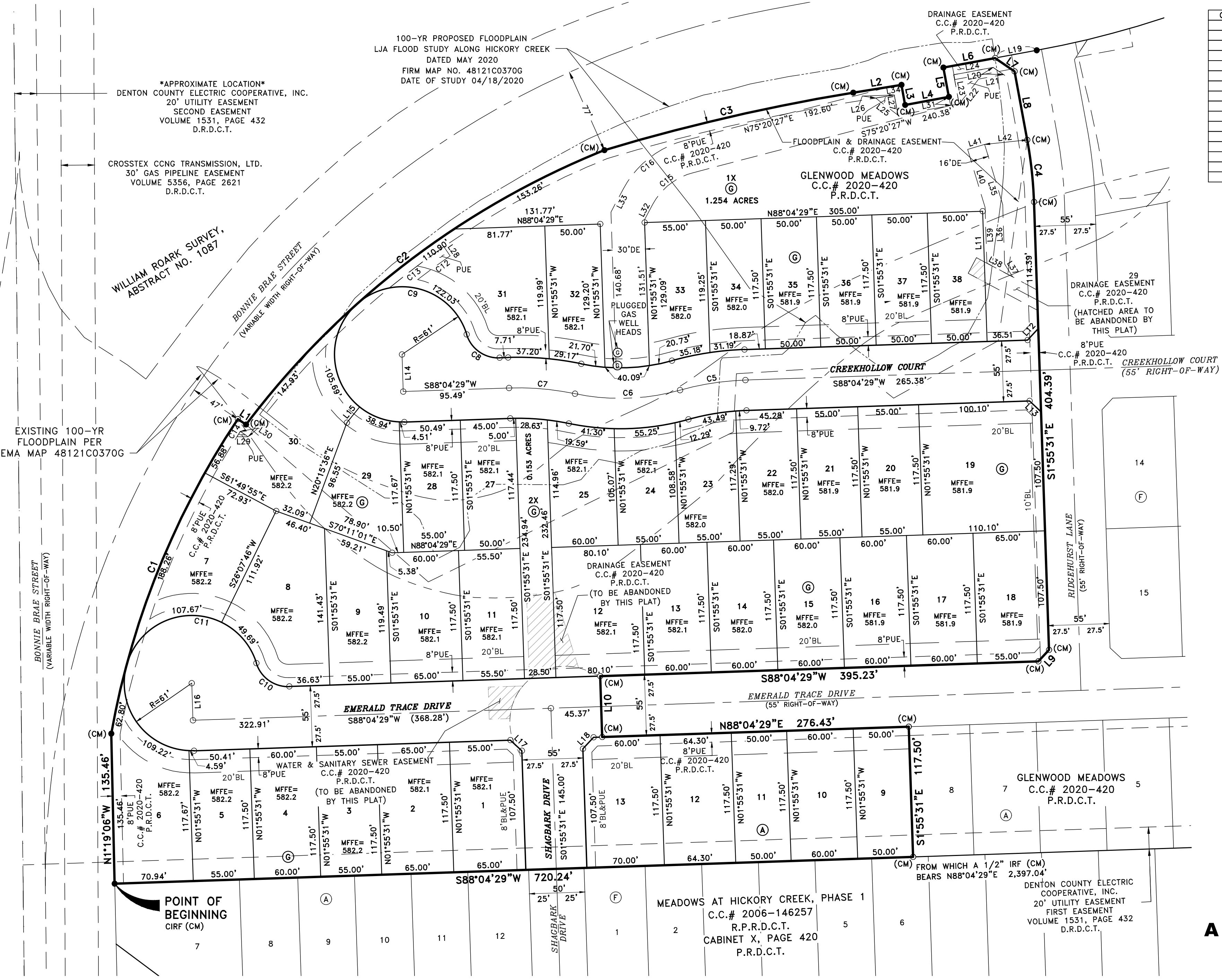
BM #4 ELEVATION = 582.37'

"X" CUT ON TOP OF CURB INLET LOCATED ON THE NORTH BOUND LANE OF BONNIE BRAE STREET APPROXIMATELY 0.35 MILES NORTH OF THE INTERSECTION OF VINTAGE PARKWAY AND BONNIE BRAE STREET.

LEGEND:
R.P.R.D.C.T. REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS
D.R.D.C.T. DEED RECORDS, DENTON COUNTY, TEXAS
P.R.D.C.T. PLAT RECORDS, DENTON COUNTY, TEXAS
DE DRAINAGE EASEMENT
BL BUILDING LINE
MFFE MINIMUM FINISHED FLOOR ELEVATION
PUE PUBLIC UTILITY EASEMENT
CIRS 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED 'LJA SURVEYING' SET
CIRF 1/2" IRON ROD WITH RED PLASTIC CAP STAMPED 'GRAHAM ASSOCIATES, INC.' FOUND/RECORD MONUMENT CONTROLLING MONUMENT
(CM)

NOTES:

- THE PURPOSE OF THIS REPLAT IS TO CONVERT OPEN SPACE LOT 1X, BLOCK G, RECORDED IN COUNTY CLERK'S FILE NO. 2020-420M INTO 43 RESIDENTIAL LOTS AND 2 OPEN SPACE LOTS.
- BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND DENTON CORS ARP (PID-DF8986).
- ALL OPEN SPACES AND DRAINAGeways/FACILITIES SHALL BE OWNED, OPERATED AND MAINTAINED BY HOME OWNERS ASSOCIATION (HOA) AS OPEN SPACE LOTS.
NOTE: LOT 1X, BLOCK G HOA OWNED & MAINTAINED OPEN SPACE 1.254 ACRES OR ± 54,604 SQUARE FEET.
LOT 2X, BLOCK G HOA OWNED & MAINTAINED OPEN SPACE 0.153 ACRES OR ± 6,669 SQUARE FEET.
- NO IMPROVEMENTS SHALL ENCRoACH WITHIN SIDE, REAR AND/OR FRONT YARD SET BACKS WHICH IMPEDES FLOWS.
- IMPORTANT NOTICE:
THE CITY OF DENTON HAS ADOPTED THE NATIONAL ELECTRICAL SAFETY CODE (THE 'CODE'). THE CODE GENERALLY PROHIBITS STRUCTURES WITHIN 17.5 FEET ON EITHER SIDE OF THE CENTER LINE OF OVERHEAD DISTRIBUTION LINES AND WITHIN 37.5 FEET ON EITHER SIDE OF THE CENTERLINE OF OVERHEAD TRANSMISSION LINES. IN SOME INSTANCES THE CODE REQUIRES GREATER CLEARANCES. BUILDING PERMITS WILL NOT BE ISSUED FOR STRUCTURES WITHIN THESE CLEARANCE AREAS. CONTACT THE BUILDING OFFICIAL WITH SPECIFIC QUESTIONS.
- NO KNOWN EXISTING GAS, PETROLEUM, OR SIMILAR COMMON CARRIER EASEMENT OR PIPELINES ARE LOCATED WITHIN THE BOUNDARY OF THIS PLAT.
- THERE IS A TOTAL OF 37 INCHES DBH OF PROTECTED TREES TO BE PRESERVED ON THE SITE. FUTURE LAND DISTURBING ACTIVITY SHALL NOT IMPACT AND/OR DAMAGE TREES MARKED FOR PRESERVATION ON THE ACCOMPANYING PRESERVATION PLAN. NO PERMITS FOR CONSTRUCTION ACTIVITY SHALL BE ISSUED FOR THIS PROPERTY UNTIL REQUIRED TREE PROTECTION MEASURES PER SECTION 7.7.4.D OF THE DEVELOPMENT CODE OF THE CITY OF DENTON ARE IN PLACE. PRESERVED TREES ARE LOCATED ON LOT 19, BLOCK G - 37 INCHES.
- WATER AND SANITARY SEWER SERVICE WILL BE PROVIDED BY THE CITY OF DENTON.
- PRIVATE IMPROVEMENTS CANNOT ENCRoACH ONTO EXISTING PUBLIC OR PRIVATE EASEMENTS.
- GAS WELL NOTIFICATION DISCLOSURE. PLEASE BE ADVISED THAT THE FOLLOWING REFERENCED PROPERTY(IES) LOTS 9-13, BLOCK A AND LOTS 1-38, BLOCK G ARE LOCATED WITHIN 1000' RADIUS OF PRODUCING WELLS ON A DRILLING AND PRODUCTION SITE(S) AND THERE IS A POSSIBILITY THAT NEW WELLS MAY BE DRILLED AND FRACTURE STIMULATED ON THE DRILLING AND PRODUCTION SITE(S). AS WELL AS THE POSSIBILITY THAT GAS WELLS ON THE DRILLING AND PRODUCTION SITE(S) MAY BE RE-DRILLED AND/OR RE-FRACTURE STIMULATED IN THE FUTURE. THIS NOTICE IS REQUIRED BY DENTON DEVELOPMENT CODE 35.16.7.E.4 AS AMENDED.



CURVE	CENTRAL ANGLE	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	23°26'49"	752.50'	N21°55'02"E	305.80'	307.94'
C2	31°02'52"	760.48'	N53°32'56"E	407.07'	412.09'
C3	7°29'29"	1782.34'	N76°59'37"W	230.26'	230.42'
C4	8°32'39"	377.50'	S06°11'50"E	56.24'	56.29'
C5	13°42'16"	250.00'	S81°13'21"W	59.65'	59.80'
C6	27°24'32"	200.00'	S88°04'29"W	94.76'	95.67'
C7	13°42'16"	250.00'	S85°04'23"E	59.65'	59.80'
C8	74°42'29"	30.00'	N54°34'17"W	36.40'	39.12'
C9	254°42'29"	61.00'	N35°25'43"E	96.98'	271.18'
C10	74°42'29"	30.00'	N54°34'17"W	36.40'	39.12'
C11	254°42'29"	61.00'	N35°25'43"E	96.98'	271.18'
C12	2°48'11"	742.48'	S53°51'26"W	36.32'	36.32'
C13	4°42'33"	752.48'	S52°54'15"W	61.83'	61.85'
C14	1°51'26"	174.69'	S32°22'08"W	5.66'	5.66'
C15	47°17'06"	57.24'	S51°41'54"W	45.91'	47.24'
C16	47°17'06"	87.24'	N51°41'54"E	69.97'	72.00'

LINE	BEARING	DISTANCE
L1	S56°16'35"E	8.88'
L2	N80°44'21"E	44.83'
L3	S10°28'06"E	18.42'
L4	N79°31'54"E	40.00'
L5	N10°28'06"W	26.85'
L6	N79°31'54"E	47.50'
L7	S55°28'08"E	21.21'
L8	S10°28'09"E	62.88'
L9	S43°04'29"W	14.14'
L10	S1°55'31"E	55.00'
L11	S01°55'31"E	117.50'
L12	N43°04'29"E	14.14'
L13	S46°55'31"E	14.14'
L14	N01°55'31"W	33.50'
L15	N39°13'08"E	18.19'
L16	N01°55'31"W	33.50'
L17	S46°55'31"E	14.14'
L18	N43°04'29"E	14.14'
L19	N79°31'54"E	38.10'
L20	S55°28'08"E	11.31'
L21	S79°31'51"W	22.75'
L22	S38°12'39"W	28.55'
L23	N10°28'06"W	26.85'
L24	N79°31'54"E	36.19'
L25	N52°26'47"W	25.49'
L26	N80°44'21"E	17.05'
L27	S10°28'06"E	16.59'
L28	S34°44'28"E	10.00'
L29	S89°22'11"W	10.03'
L30	S56°16'35"E	8.42'
L31	S12°55'10"E	7.81'
L32	S28°03'21"W	15.98'
L33	N28°03'21"E	24.02'
L34	N80°44'21"E	9.51'
L35	S16°40'50"E	56.68'
L36	S01°53'22"E	53.60'
L37	S31°55'30"E	13.90'
L38	N61°55'31"W	26.50'
L39	N01°53'22"W	50.32'
L40	N16°40'50"W	54.61'
L41	N73°19'10"E	18.00'
L42	S84°03'10"W	38.60'

**A
REPLAT
OF
LOT 1X, BLOCK G,
LOT 9X, BLOCK A,
ALL OF SHAGBARK DRIVE AND
A PORTION OF EMERALD TRACE DRIVE
GLENWOOD MEADOWS
10.285 ACRES
448,007 SQUARE FEET
43 RESIDENTIAL LOTS,
2 OPEN SPACE LOTS
IN THE
WILLIAM ROARK SURVEY, ABSTRACT NO. 1087
CITY OF DENTON, DENTON COUNTY, TEXAS**

Date: AUGUST 2024 JOB NO. 0049

SHEET 1 OF 2

OWNER:

BLOOMFIELD HOMES, L.P.
1050 E. HWY 114 #210
SOUTH LAKE, TEXAS 76092
(817) 416-1572

LJA Surveying, Inc.

6060 North Central Expressway
Suite 400
Dallas, Texas 75206



Phone 469.621.0710

T.B.P.E.L.S. Firm No. 10194382

CITY PROJECT NUMBER: FR23-0003

OWNERS CERTIFICATE

STATE OF TEXAS)
COUNTY OF DENTON)

BEING A 10.285 ACRE OR TRACT OF LAND SITUATED IN THE WILLIAM ROARK SURVEY, ABSTRACT NUMBER 1087, IN THE CITY OF DENTON, DENTON COUNTY, TEXAS, SAID TRACT BEING ALL OF LOT 9X, BLOCK A, LOT 1X, BLOCK G, SHAGBARK DRIVE AND A PORTION OF EMERALD TRACE DRIVE OF GLENWOOD MEADOWS AN ADDITION TO THE CITY OF DENTON, AS RECORDED IN COUNTY CLERK'S FILE NUMBER 2020-420, PLAT RECORDS, DENTON COUNTY, TEXAS, SAID TRACT WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND DENTON CORS ARP (PID-DF8986) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, AT A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC" CAP FOUND FOR THE SOUTHWEST CORNER OF SAID GLENWOOD MEADOWS AND THE COMMON NORTHWEST CORNER OF MEADOWS AT HICKORY CREEK, PHASE ONE, AN ADDITION TO THE CITY OF DENTON, AS RECORDED IN COUNTY CLERK'S FILE NUMBER 2006-146257, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS AND CABINET X, PAGE 420, PLAT RECORDS, DENTON COUNTY, TEXAS, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF BONNIE BRAE STREET (A VARIABLE WIDTH RIGHT-OF-WAY);

THENCE, ALONG THE COMMON LINES OF SAID GLENWOOD MEADOWS AND SAID BONNIE BRAE STREET, THE FOLLOWING COURSES AND DISTANCES:

NORTH 01 DEGREEE 19 MINUTES 06 SECONDS WEST, A DISTANCE OF 135.46 FEET TO A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC" CAP FOUND FOR CORNER AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 23 DEGREES 28 MINUTES 49 SECONDS, A RADIUS OF 752.50 FEET, AND A LONG CHORD THAT BEARS NORTH 21 DEGREES 55 MINUTES 02 SECONDS EAST, A DISTANCE OF 305.80 FEET;

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 307.94 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 56 DEGREES 16 MINUTES 35 SECONDS EAST, A DISTANCE OF 8.88 FEET TO A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC" CAP FOUND FOR CORNER AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 31 DEGREES 02 MINUTES 52 SECONDS, A RADIUS OF 780.48 FEET, AND A LONG CHORD THAT BEARS NORTH 52 DEGREES 32 MINUTES 36 SECONDS EAST, A DISTANCE OF 407.07 FEET;

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 412.09 FEET TO A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC" CAP FOUND FOR CORNER AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 07 DEGREES 29 MINUTES 29 SECONDS, A RADIUS OF 1,762.34 FEET, AND A LONG CHORD THAT BEARS NORTH 76 DEGREES 59 MINUTES 37 SECONDS EAST, A DISTANCE OF 230.26 FEET;

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 230.42 FEET TO A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC" CAP FOUND FOR CORNER;

NORTH 80 DEGREES 44 MINUTES 21 SECONDS EAST, A DISTANCE OF 44.03 FEET TO A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC" CAP FOUND FOR CORNER;

SOUTH 10 DEGREES 28 MINUTES 06 SECONDS EAST, A DISTANCE OF 18.42 FEET TO A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC" CAP FOUND FOR CORNER;

NORTH 79 DEGREES 31 MINUTES 54 SECONDS EAST, A DISTANCE OF 40.00 FEET TO A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC" CAP FOUND FOR CORNER;

NORTH 10 DEGREES 28 MINUTES 06 SECONDS WEST, A DISTANCE OF 26.85 FEET TO A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC" CAP FOUND FOR CORNER;

NORTH 79 DEGREES 31 MINUTES 54 SECONDS EAST, A DISTANCE OF 47.50 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE NORTHEAST CORNER OF AFORESAID LOT 1X, BLOCK G AND THE NORTHWEST END OF A CORNER CLIP AT THE INTERSECTION OF THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID BONNIE BRAE STREET AND THE WEST RIGHT-OF-WAY LINE OF RIDGEHURST LANE (A 55' RIGHT-OF-WAY) OF SAID GLENWOOD MEADOWS, FROM WHICH A 1/2-INCH IRON ROD WITH "GRAHAM ASSOCIATES, INC" CAP FOUND BEARS NORTH 79 DEGREES 31 MINUTES 54 SECONDS EAST, A DISTANCE OF 38.10 FEET;

THENCE, DEPARTING SAID COMMON LINES AND ALONG THE EAST LINE OF SAID LOT 1X AND THE COMMON WEST RIGHT-OF-WAY LINE OF SAID RIDGEHURST LANE, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 55 DEGREES 28 MINUTES 08 SECONDS EAST, A DISTANCE OF 21.21 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 10 DEGREES 28 MINUTES 08 SECONDS EAST, A DISTANCE OF 62.88 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 08 DEGREES 32 MINUTES 39 SECONDS, A RADIUS OF 377.50 FEET, AND A LONG CHORD THAT BEARS SOUTH 06 DEGREES 11 MINUTES 50 SECONDS EAST, A DISTANCE OF 56.24 FEET;

ALONG SAID TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 56.29 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

SOUTH 01 DEGREEE 55 MINUTES 31 SECONDS EAST, A DISTANCE OF 404.39 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE NORTH END OF A CORNER CLIP AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID RIDGEHURST LANE AND THE NORTH RIGHT-OF-WAY LINE OF AFORESAID EMERALD TRACE DRIVE (A 55-FOOT RIGHT-OF-WAY) DEDICATED BY SAID GLENWOOD MEADOWS AND THE COMMON SOUTHEAST CORNER OF SAID LOT 1X, BLOCK G;

THENCE, SOUTH 43 DEGREES 04 MINUTES 29 SECONDS WEST, ALONG SAID CORNER CLIP, SAME BEING THE SOUTHEAST LINE OF SAID LOT 1X, A DISTANCE OF 14.14 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE SOUTH CORNER OF SAID CORNER CLIP;

THENCE, SOUTH 88 DEGREES 04 MINUTES 29 SECONDS WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID EMERALD TRACE DRIVE AND A COMMON SOUTH LINE OF SAID LOT 1X, A DISTANCE OF 395.23 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET CORNER;

THENCE, SOUTH 01 DEGREEE 55 MINUTES 31 SECONDS EAST, DEPARTING SAID COMMON LINE AND OVER AND ACROSS SAID EMERALD TRACE DRIVE, A DISTANCE OF 55.00 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET CORNER ON THE SOUTH RIGHT-OF-WAY LINE OF SAID EMERALD TRACE DRIVE AND THE COMMON NORTH LINE OF AFORESAID LOT 9X, BLOCK A;

THENCE, NORTH 88 DEGREES 04 MINUTES 29 SECONDS EAST, ALONG SAID COMMON LINES, A DISTANCE OF 276.43 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE NORTHEAST CORNER OF SAID LOT 9X AND THE COMMON NORTHWEST CORNER OF LOT 8, BLOCK A OF SAID GLENWOOD MEADOWS;

THENCE, SOUTH 01 DEGREEE 55 MINUTES 31 SECONDS EAST, DEPARTING SAID COMMON LINE AND ALONG THE EAST LINE OF SAID LOT 9X AND THE COMMON WEST LINE OF SAID LOT 8, A DISTANCE OF 117.50 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR SOUTHEAST CORNER OF SAID LOT 9X AND THE COMMON SOUTHWEST CORNER OF SAID LOT 8, SAID POINT BEING ON THE SOUTH LINE OF SAID GLENWOOD MEADOWS AND THE COMMON NORTH LINE OF AFORESAID MEADOWS AT HICKORY CREEK, PHASE 1, FROM WHICH A 1/2-INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID GLENWOOD MEADOWS BEARS NORTH 88 DEGREES 04 MINUTES 29 SECONDS EAST, A DISTANCE OF 2,397.04 FEET;

THENCE, SOUTH 88 DEGREES 04 MINUTES 29 SECONDS WEST, ALONG SAID COMMON LINES, A DISTANCE OF 720.24 FEET TO THE **POINT OF BEGINNING** AND CONTAINING A CALCULATED AREA OF 10.285 ACRES OF LAND.

OWNER'S DEDICATION

AND DESIGNATED HEREIN AS GLENWOOD MEADOWS, SUBDIVISION TO THE CITY OF DENTON, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATED TO THE USE OF THE PUBLIC FOREVER ALL STREETS, DRAINS, EASEMENTS, AND RIGHTS-OF-WAY THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

WITNESS MY HAND THIS THE ____ DAY OF _____, 2023

ON BEHALF OF: BLOOMFIELD HOMES, L.P.,
A TEXAS LIMITED PARTNERSHIP

BY: BLOOMFIELD PROPERTIES, INC.,
A TEXAS CORPORATION,
GENERAL PARTNER

BY:
DONALD J. DYKSTRA, PRESIDENT

STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED THE PERSON WHOSE NAME IS DONALD J. DYKSTRA SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

NOTARY ID# _____

MY COMMISSION EXPIRES: _____

SURVEYORS CERTIFICATE

I, CHRIS MATTEO, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE MAP SHOWN HEREON ACCURATELY REPRESENTS THE DESCRIBED PROPERTY AS DETERMINED BY A SURVEY, MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT UPON COMPLETION OF CONSTRUCTION 5/8" IRON RODS CAPPED "LJA SURVEYING" WILL BE SET AT ALL BOUNDARY CORNERS, UNLESS OTHERWISE NOTED. THE MONUMENTS OR MARKS SET, OR FOUND, ARE SUFFICIENT TO ENABLE RETRACEMENT.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

CHRIS MATTEO
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6501

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED CHRIS MATTEO, KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF _____, 2023.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

NOTARY ID# _____

MY COMMISSION EXPIRES: _____

DRAINAGE AND DETENTION EASEMENTS

THIS PLAT IS HEREBY ADOPTED BY THE HOMEOWNERS ASSOCIATION AND APPROVED BY THE CITY OF DENTON (CALLED "CITY") SUBJECT TO THE FOLLOWING CONDITIONS THAT SHALL BE BINDING UPON THE HOMEOWNERS ASSOCIATION, THEIR HEIRS, GRANTEES, AND SUCCESSORS. THE DRAINAGE AND DETENTION EASEMENTS WITHIN THE LIMITS OF THIS ADDITION, SHALL REMAIN OPEN AT ALL TIMES AND WILL BE MAINTAINED IN A SAFE AND SANITARY CONDITION BY THE OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO THE DRAINAGE AND DETENTION EASEMENTS. THE CITY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF SAID EASEMENTS OR FOR ANY DAMAGE TO PRIVATE PROPERTY OR PERSON THAT RESULTS FROM CONDITIONS IN THE EASEMENTS, 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 EASEMENTS, AS HEREIN ABOVE DEFINED, UNLESS APPROVED BY THE CITY. THE HOMEOWNERS ASSOCIATION SHALL KEEP THE DRAINAGE AND DETENTION EASEMENTS CLEAR AND FREE OF DEBRIS, SILT, AND ANY SUBSTANCE THAT WOULD RESULT IN UNSANITARY CONDITIONS OR OBSTRUCT THE FLOW OF WATER. AND, THE CITY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSE OF INSPECTION AND SUPERVISION OF MAINTENANCE BY THE HOMEOWNERS ASSOCIATION 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 EASEMENTS TO REMOVE ANY OBSTRUCTION TO THE FLOW OF WATER, AFTER GIVING THE HOMEOWNERS ASSOCIATION WRITTEN NOTICE OF SUCH OBSTRUCTION AND THE HOMEOWNERS ASSOCIATION FAILS TO REMOVE SUCH OBSTRUCTION, THE CITY OF DENTON SHALL BE REIMBURSED BY THE HOMEOWNERS ASSOCIATION REASONABLE COSTS FOR LABOR, MATERIALS, AND EQUIPMENT FOR EACH INSTANCE. THE NATURAL DRAINAGE THROUGH THE DRAINAGE AND DETENTION EASEMENTS ARE SUBJECT TO STORM WATER OVERFLOW AND NATURAL BANK EROSION TO AN EXTENT THAT CANNOT BE DEFINITELY DEFINED. THE CITY SHALL NOT BE HELD LIABLE FOR ANY DAMAGES OF ANY NATURE RESULTING FROM THE OCCURRENCE OF THESE NATURAL PHENOMENA OR RESULTING FROM THE FAILURE OF ANY STRUCTURE OR STRUCTURES, WITHIN THE EASEMENTS OR OTHERWISE.

CERTIFICATE OF APPROVAL

APPROVED THIS ____ DAY OF _____, 2023 BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF DENTON, TEXAS.

SIGNED: _____
CHAIR

ATTEST: _____
CITY SECRETARY

**A
REPLAT
OF
LOT 1X, BLOCK G,
LOT 9X, BLOCK A,
ALL OF SHAGBARK DRIVE AND
A PORTION OF EMERALD TRACE DRIVE
GLENWOOD MEADOWS
10.285 ACRES
448,007 SQUARE FEET
43 RESIDENTIAL LOTS,
2 OPEN SPACE LOTS
IN THE
WILLIAM ROARK SURVEY, ABSTRACT NO. 1087
CITY OF DENTON, DENTON COUNTY, TEXAS**

Date: AUGUST 2024 JOB NO. 0049

SHEET 2 OF 2

OWNER:

BLOOMFIELD HOMES, L.P.
1050 E. HWY 114 #210
SOUTHLAKE, TEXAS 76092
(817) 416-1572

LJA Surveying, Inc.

6060 North Central Expressway
Suite 400
Dallas, Texas 75206



Phone 469.621.0710

T.B.P.E.L.S. Firm No. 10194382

CITY PROJECT NUMBER: FR23-0003



City of Denton

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

Legislation Text

File #: FR24-0008a, **Version:** 1

AGENDA CAPTION

Consider a request by Bloomfield Homes, LP for approval of a Replat of Country Lakes North, Phase 6AB. The approximately 6.997-acre tract of land is generally located on the south side of Johnson Lane between John Paine Road and Old John Paine Road in the City of Denton, Denton County, Texas. (FR24-0008a, Country Lakes North, Phase 6AB, Julie Wyatt)



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: September 11, 2024

SUBJECT

Consider a request by Bloomfield Homes, LP for approval of a Replat of Country Lakes North, Phase 6AB. The approximately 6.997-acre tract of land is generally located on the south side of Johnson Lane between John Paine Road and Old John Paine Road in the City of Denton, Denton County, Texas. (FR24-0008a, Country Lakes North, Phase 6AB, Julie Wyatt)

BACKGROUND

The purpose of this Replat is to abandon an 8-foot-wide utility easement along the north property line of 33 single-family residential lots within Planned Development 174 (PD-174). The easement does not contain any public infrastructure and is not needed by the City to serve the lots or extend water/wastewater.

The proposal will not introduce any new uses or lots and is consistent with the requirements for PD-174.

Date Application Filed	July 16, 2024
Planning and Zoning Commission Meeting	August 14, 2024
Days in Review	29 Days
Extension Approved	August 14, 2024
Planning and Zoning Commission Meeting	September 11, 2024
Days in Review	28 Days

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. Since this plat application was submitted after September 1, 2023 the changes to LGC Chapter 212 are applicable.

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 approval.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
June 15, 1999	City Council	Annexation	Approval
June 15, 1999	City Council	General Concept Plan for PD-174 (Ordinance 99-205)	Approval
September 12, 2000	City Council	Detailed Plan for single-family uses (Ordinance 2000-321)	Approval
August 2013	Planning and Zoning Commission	Preliminary Plat	Approval
September 17, 2019	City Council	Citywide rezoning with provision to allow legacy PDs to remain under the development regulations established by their respective PDs (DCA18-0009u)	Approval
February 23, 2022	Planning and Zoning Commission	Final Plat FP22-0004	Withdrawn
March 22, 2023	Planning and Zoning Commission	Final Plat FP22-0004	Approved
August 14, 2024	Planning and Zoning Commission	Replat FR24-0008	Extension Approved

PUBLIC OUTREACH

Once all comments are addressed and the replat is approved, staff will comply with Texas Local Government Code 212.015 and send written notice to each owner of a lot in the original subdivision that is within 200 feet of the lots to be replatted. The notice must be mailed no later than the 15th day after the date the replat is approved and include the following:

- The zoning designation of the property after the replat; and
- A telephone number and e-mail address an owner of a lot may use to contact the municipality about the replat.

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. Replat

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

Prepared by:
Julie Wyatt, AICP
Principal Planner

Planning Staff Analysis

FR24-0008/Country Lakes Phase 6AB

City Council District #4

Planning & Zoning Commission

REQUEST:

Replat of 33 single-family residential lots.

APPLICANT:

Brighton Yau with LJA Engineering on behalf of Bloomfield Homes, LP.

RECOMMENDATION:

Staff recommends approval of this plat as it meets the established approval criteria for Final Plats, 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 Replat meets all review criteria and 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"/>
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 Replat meets all review criteria.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5-2.9 controls. Findings: <div></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
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 development is consistent with PD 174 and previously approved plats.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>3. Consistent with Comprehensive Plan and Other Applicable Plans</p> <p>The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</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"/>
<p>a. The decision-making authority shall weigh competing plan goals, policies, and strategies</p> <p>Findings:</p> <div></div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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.</p> <p>Findings:</p> <div></div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Compliance with this DDC				
<p>a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.</p> <p>Findings:</p> <div>The proposed development complies with all applicable standards.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div>The subject submittal is a replat, and it was reviewed based on the checklist and requirements for a final plat.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Compliance with Other Applicable Regulations				
a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations. Findings: <div>The proposed development compiles with all applicable regulations, standards, and requirements.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Consistent with Interlocal and Development Agreements				
a. The proposed development shall be consistent with any adopted interlocal and applicable development agreements, and comply with the terms and conditions of any such agreements incorporated by reference into this DDC. Findings: <div></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>The development will not cause significant adverse impacts.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Minimizes Adverse Impacts on Surrounding Property				
a. The proposed development should not cause significant adverse impacts on surrounding properties. The results of the citizen participation process may be appropriately considered under this section.		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
Findings: <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>				
9. Minimizes Adverse Fiscal Impacts				
a. The proposed development should not result in significant adverse fiscal impacts on the city. Findings: <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Compliance with Utility, Service, and Improvement Standards				
a. As applicable, the proposed development shall comply with federal, state, county, service district, city and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards. Findings: <div>The development complies with all standards and specifications.</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>There is adequate road capacity to accommodate the proposed use.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities				
a. Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, roads, domestic water, sewer, schools, public safety, fire protection, utilities, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties. Findings: <div>Current capacity can accommodate the proposed development.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
13. Rational Phasing Plan			
<p>a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required for that phase, and may not defer those improvements to subsequent phases.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>The proposed project includes the final phases for the residential component of PD-174.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final Replat Review Applicability Criteria (DDC Section 2.6.7.D)	Applicability		
	Met	Not Met	N/A
<p>14. Is consistent with the intent of the underlying zoning districts;</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>The proposal is consistent with PD-174.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>15. Complies with applicable dimensional and development standards in this DDC;</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>The proposal conforms to the dimensional and development standards established by PD-174</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>16. Does not affect a recorded easement without approval from the easement holder;</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>Staff has no objection to the removal of the utility easement.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>17. Will not result in adverse impacts to surrounding property;</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>18. Will not limit the city's ability to provide adequate and sufficient facilities or services; and</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>The replat will not affect the City's ability to provide services to the lots created or surrounding properties.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final Replat Review Applicability Criteria (DDC Section 2.6.7.D)	Applicability		
	Met	Not Met	N/A
<p>19. Complies with all other ordinances and plans and regulations adopted by the City, including the Comprehensive Plan and other long-range or special purpose area planning documents.</p> <div data-bbox="240 310 1081 390" style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>The proposed replat complies will all regulations.</p> </div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FR24-0008 Site Location



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

N

E

W

S

0 475 950 1,900

Feet

Development Services • GIS

Date: 7/22/2024

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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OWNERS DEDICATION

STATE OF TEXAS)
COUNTY OF DENTON)

THAT BLOOMFIELD HOMES, L.P., SCOTT P. CORCORAN, TIFFANY L. CORCORAN, JEFFEREY J. HALSTEAD, LYNETTE A. BILLER-HALSTEAD, STACE WILLIAMS, STEVEN J. WILLIAMS, SHANNON R. WILLIAMS, MARY JANE SMITH, NICHOLAS JOHN SMITH, JAMES P. SALANKY, BARBARA SALANKY, JEYCHENTHUR KATHIRESAN, KASHMIRA DILRUKSHAN, ERNESTO ROSSITTO, ASHLYN ROSSITTO, NERY OBED SALGUERO, MARICIA SALGUERO, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS COUNTRY LAKES NORTH, PHASE 6AB, AN ADDITION IN DENTON COUNTY, TEXAS, AND DOES HEREBY DEDICATED TO THE PUBLIC USE FOREVER, THE STREETS (IN FEE SIMPLE) AND EASEMENTS FOR DRAINAGE AND UTILITIES SHOWN HEREON.

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 THE ____ DAY OF _____, 2024

LOTS 1-17 & LOTS 38, 40, 42, 45-46, 48-50, BLOCK KK

ON BEHALF OF: BLOOMFIELD HOMES, L.P.,
A TEXAS LIMITED PARTNERSHIP

BY: BLOOMFIELD PROPERTIES, INC.,
A TEXAS CORPORATION,
GENERAL PARTNER

BY: _____
DONALD J. DYKSTRA, PRESIDENT

STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED THE PERSON WHOSE NAME IS DONALD J. DYKSTRA SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

NOTARY ID# _____

MY COMMISSION EXPIRES: _____

LOT 35, BLOCK KK
8900 NEW BALLINGER DRIVE, DENTON, TEXAS 76226

SCOTT P. CORCORAN AND TIFFANY L. CORCORAN

SCOTT P. CORCORAN

TIFFANY L. CORCORAN

STATE OF TEXAS)
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED SCOTT P. CORCORAN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, A.D. 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

ID NUMBER: _____

MY COMMISSION EXPIRES: _____

STATE OF TEXAS)
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED TIFFANY L. CORCORAN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, A.D. 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

ID NUMBER: _____

MY COMMISSION EXPIRES: _____

LOT 36, BLOCK KK
5624 HAZELNUT LANE, DENTON, TEXAS 76226

JEFFREY J. HALSTEAD AND LYNETTE A. BILLER-HALSTEAD

JEFFREY J. HALSTEAD

LYNETTE A. BILLER-HALSTEAD

STATE OF TEXAS)
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED JEFFREY J. HALSTEAD, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, A.D. 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

ID NUMBER: _____

MY COMMISSION EXPIRES: _____

STATE OF TEXAS)
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED LYNETTE A. BILLER-HALSTEAD, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, A.D. 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

ID NUMBER: _____

MY COMMISSION EXPIRES: _____

LOT 37, BLOCK KK
5620 HAZELNUT LANE, DENTON, TEXAS 76226

STACE WILLIAMS, STEVEN J. WILLIAMS AND SHANNON R. WILLIAMS

STACE WILLIAMS

STEVEN J. WILLIAMS

SHANNON R. WILLIAMS

STATE OF TEXAS)
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED STACE WILLIAMS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, A.D. 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

ID NUMBER: _____

MY COMMISSION EXPIRES: _____

STATE OF TEXAS)
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED STEVEN J. WILLIAMS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, A.D. 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

ID NUMBER: _____

MY COMMISSION EXPIRES: _____

STATE OF TEXAS)
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED SHANNON R. WILLIAMS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, A.D. 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

ID NUMBER: _____

MY COMMISSION EXPIRES: _____

LOT 39, BLOCK KK
5612 HAZELNUT LANE, DENTON, TEXAS 76226

MARY JANE SMITH AND NICHOLAS JOHN SMITH

MARY JANE SMITH

NICHOLAS JOHN SMITH

STATE OF TEXAS)
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED MARY JANE SMITH, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, A.D. 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

ID NUMBER: _____

MY COMMISSION EXPIRES: _____

STATE OF TEXAS)
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED NICHOLAS JOHN SMITH, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, A.D. 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

ID NUMBER: _____

MY COMMISSION EXPIRES: _____

LOT 41, BLOCK KK
5604 HAZELNUT LANE, DENTON, TEXAS 76226

JAMES P. SALANKY AND BARBARA SALANKY

JAMES P. SALANKY

BARBARA SALANKY

STATE OF TEXAS)
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED JAMES P. SALANKY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, A.D. 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

ID NUMBER: _____

MY COMMISSION EXPIRES: _____

STATE OF TEXAS)
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED BARBARA SALANKY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, A.D. 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

ID NUMBER: _____

MY COMMISSION EXPIRES: _____

LOT 43, BLOCK KK
5520 HAZELNUT LANE, DENTON, TEXAS 76226

JEYCHENTHUR KATHIRESAN AND KASHMIRA DILRUKSHAN

JEYCHENTHUR KATHIRESAN

KASHMIRA DILRUKSHAN

STATE OF TEXAS)
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED JEYCHENTHUR KATHIRESAN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, A.D. 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

ID NUMBER: _____

MY COMMISSION EXPIRES: _____

STATE OF TEXAS)
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED KASHMIRA DILRUKSHAN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, A.D. 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

ID NUMBER: _____

MY COMMISSION EXPIRES: _____

LOT 44, BLOCK KK
5516 HAZELNUT LANE, DENTON, TEXAS 76226

ERNESTO ROSSITTO AND ASHLYN ROSSITTO

ERNESTO ROSSITTO

ASHLYN ROSSITTO

STATE OF TEXAS)
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED ERNESTO ROSSITTO, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, A.D. 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

ID NUMBER: _____

MY COMMISSION EXPIRES: _____

STATE OF TEXAS)
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED ASHLYN ROSSITTO, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, A.D. 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

ID NUMBER: _____

MY COMMISSION EXPIRES: _____

CERTIFICATE OF APPROVAL

APPROVED THIS ____ DAY OF _____, 20____
BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF DENTON, TEXAS.

SIGNED: _____
CHAIR

ATTEST: _____
CITY SECRETARY

THE PURPOSE OF THIS REPLAT IS
TO REMOVE THE 8 FOOT UTILITY EASEMENT
FROM THE REAR OF LOTS 1-17 & 35-50, BLOCK KK

A
REPLAT
OF
COUNTRY LAKES NORTH
PHASE 6AB

6.997 ACRES
(304,771 SQ. FT.)
33 RESIDENTIAL LOTS

OUT OF THE
WILLIAM SMITH SURVEY, ABSTRACT NO. 1182
IN THE
CITY OF DENTON, DENTON COUNTY, TEXAS

Date: AUGUST 2024 JOB NO. 0030

SHEET 2 OF 2

SURVEYOR:

LJA Surveying, Inc.

6060 North Central Expressway Phone 469.621.0710
Suite 400
Dallas, Texas 75206 T.B.P.E.L.S. Firm No. 10194382
Contact: Michael J. Baitup



DEVELOPER:

DOUGLAS PROPERTIES, INC.
2309 AVENUE K. SUITE 100
PLANO, TEXAS 75074
(972) 472-1658
Contact: JR Douglas

CITY PROJECT NUMBER: FR24-0008



City of Denton

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

Legislation Text

File #: FP24-0026b, **Version:** 1

AGENDA CAPTION

Consider a request by Reece Flanagan of Flanagan Land Solutions, LLC, on behalf of the property owner, for a Final Plat of Acintyo Ventures Addition, Lots 1 and 2, Block 1. The approximately 0.300-acre site is generally located on the south side of Fannin Street, approximately 105 feet east of the intersection of Fannin Street and South Avenue B, in the City of Denton, Denton County, Texas. (FP24-0026b, Acintyo Ventures Addition, Sean Jacobson)



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: September 11, 2024

SUBJECT

Consider a request by Reece Flanagan of Flanagan Land Solutions, LLC, on behalf of the property owner, for a Final Plat of Acintyo Ventures Addition, Lots 1 and 2, Block 1. The approximately 0.300-acre site is generally located on the south side of Fannin Street, approximately 105 feet east of the intersection of Fannin Street and South Avenue B, in the City of Denton, Denton County, Texas. (FP24-0026b, Acintyo Ventures Addition, Sean Jacobson)

BACKGROUND

The purpose of this Final Plat is to establish 2 residential lots and dedicate easements. The subdivision will have access on Fannin Street. The subject property is zoned Mixed-Use Neighborhood (MN).

Initial Application Date:	June 25, 2024
Planning & Zoning Commission Meeting:	July 24, 2024
Days in Review:	29 Days
Extension Approved:	July 24, 2024
Resubmittal Date:	July 23, 2024
Planning & Zoning Commission Meeting:	August 14, 2024
Days in Review:	22 Days
Extension Approved:	August 14, 2024
Resubmittal Date:	August 13, 2024
Planning & Zoning Commission Meeting:	September 11, 2024
Days in Review:	29 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. Approve with conditions
3. 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)

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

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

Prepared by:
Sean Jacobson
Associate Planner

Planning Staff Analysis

FP24-0026b / Acintyo Ventures Addition

Planning & Zoning Commission

REQUEST:

Final plat for an approximately 0.300-acre site

APPLICANT:

Reece Flanagan on behalf of the property owner.

RECOMMENDATION:

Staff recommends approval of this Final Plat as it meets the established approval criteria.

Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below. Findings: <div>The Final Plat meets all review criteria.</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 additional review criteria.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5-2.9 controls. Findings: <div>There is no conflict.</div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Prior Approvals			

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<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 style="border: 1px solid black; padding: 5px;"> <p>The proposed development is consistent with the terms and conditions of any prior approvals.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>3. Consistent with Comprehensive Plan and Other Applicable Plans</p> <p>The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.</p> <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, this is no longer applicable.</p> </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>a. The decision-making authority shall weigh competing plan goals, policies, and strategies</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <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"/>
<p>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.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px;"> <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"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
4. Compliance with this DDC				
a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified. Findings: <div>The proposed development complies with all applicable standards of the DDC.</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>The Final Plat was submitted at an adequate level of detail.</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 development 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 apply to this development.</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>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 development complies with all applicable standards and specifications.</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 for the proposed development. The proposed uses have been determined to be designed to ensure safe ingress and egress and safe road conditions around 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;"> Adequate capacity exists to serve the proposed uses in this development, and to maintain adequate service to existing development. </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; margin-top: 5px;"> No phasing plan is proposed. </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 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;"> As no preliminary plat was proposed or approved for this subdivision, this criteria is not applicable. </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> The development has been designed to substantially comply with all requirements of the DDC. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Whether the development will comply with the applicable technical standards and specifications adopted by the City. Findings: <div> The development has been determined to meet all applicable technical standards and specifications of the City. </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FP24-0026 Site Location



Legend:

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

Scale: 0 45 90 180 Feet

OWNERS CERTIFICATE

STATE OF TEXAS
COUNTY OF DENTON

WHEREAS **ACINTYO VENTURES LLC, A TEXAS LIMITED LIABILITY COMPANY**, ACTING BY AND THROUGH THE UNDERSIGNED, IS THE SOLE OWNER OF A 0.300 ACRE TRACT OF LAND SITUATED IN THE E. PUCHALSKI SURVEY, ABSTRACT NO. 996, CITY OF DENTON, DENTON COUNTY, TEXAS, BEING ALL OF TRACTS 1 & 2, AS DESCRIBED IN THE GENERAL WARRANTY DEED TO ACINTYO VENTURES LLC, A TEXAS LIMITED LIABILITY COMPANY, FILED FOR RECORD IN COUNTY CLERK'S INSTRUMENT NO. 92955, OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS (OPRDCT), SAID 0.300 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD FOUND ON THE SOUTH RIGHT-OF-WAY LINE OF FANNIN STREET, A 60-FOOT PUBLIC RIGHT-OF-WAY (25-FOOT TO CENTERLINE OF ROADWAY), BEING THE NORTHEAST CORNER OF SAID TRACT 2, SAME BEING THE NORTHWEST CORNER OF A CALLED 0.11 ACRE TRACT OF LAND AS DESCRIBED IN THE WARRANTY DEED TO CORY DAVIS AND LINDSEY DAVIS, HUSBAND AND WIFE, FILED FOR RECORD IN COUNTY CLERK'S DOCUMENT NO. 81327, FROM WHICH A 1/2" CAPPED IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID CALLED 0.11 ACRE TRACT OF LAND BEARS NORTH 89 DEGREES 05 MINUTES 35 SECONDS EAST, A DISTANCE OF 53.27 FEET, SAID BEGINNING POINT HAVING A NAD83 TEXAS COORDINATE SYSTEM POSITION (GRID) OF N:7124118.9 E:2382035.5 (BEARINGS & COORDINATE VALUES SHOWN HEREON ARE IN REFERENCE TO THE NAD83 - TEXAS COORDINATE SYSTEM - NORTH CENTRAL ZONE, 4202, BASED ON GPS OBSERVATIONS UTILIZING THE TOPNET LIVE GPS REFERENCED NETWORK);

THENCE SOUTH 00 DEGREES 00 MINUTES 52 SECONDS EAST, DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, AND ALONG THE EAST LINE OF SAID TRACT 1 AND TRACT 2, A DISTANCE OF 201.33 FEET, TO A 5/8" IRON ROD SET WITH BLUE CAP, BEING ON THE NORTH RIGHT-OF-WAY LINE OF MARGIE STREET, A 50-FOOT PUBLIC RIGHT-OF-WAY, BEING THE SOUTHEAST CORNER OF SAID TRACT 1, FROM WHICH A 1/2" IRON ROD FOUND FOR REFERENCE BEARS NORTH 54 DEGREES 06 MINUTES 22 SECONDS EAST, A DISTANCE OF 0.8 FEET, AND FROM WHICH A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF A CALLED 0.13 ACRE TRACT OF LAND AS DESCRIBED IN THE GENERAL WARRANTY DEED TO CELINA L. REYES, A SINGLE PERSON, BEARS SOUTH 89 DEGREES 55 MINUTES 34 SECONDS EAST, A DISTANCE OF 52.47 FEET;

THENCE NORTH 89 DEGREES 55 MINUTES 34 SECONDS WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 65.00 FEET, TO A 1/2" IRON ROD FOUND, BEING THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, AVENUE B ADDITION, AN ADDITION TO THE CITY OF DENTON, DENTON COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET F, SLIDE 258, PLAT RECORDS, DENTON COUNTY (PRDCT);

THENCE NORTH 00 DEGREES 01 MINUTES 19 SECONDS EAST, ALONG THE WEST LINE OF SAID TRACT 1, AT A DISTANCE OF 71.36 FEET, PASSING THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1, AVENUE B ADDITION, AND CONTINUING IN ALL A TOTAL DISTANCE OF 201.14 FEET, TO A 1/2" IRON ROD FOUND, BEING ON THE SOUTH RIGHT-OF-WAY LINE OF SAID FANNIN STREET, SAME BEING THE NORTHEAST CORNER OF LOT 1, BLOCK A, PDI GROUP ADDITION, AN ADDITION TO THE CITY OF DENTON, DENTON COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN COUNTY CLERK'S DOCUMENT NO. 2019-487, OPRDCT;

THENCE NORTH 89 DEGREES 54 MINUTES 23 SECONDS EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 64.87 FEET, TO THE POINT OF BEGINNING, AND CONTAINING 0.300 ACRES OF LAND (13.067 SQUARE FEET), MORE OR LESS.

OWNER'S DEDICATION

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, **ACINTYO VENTURES LLC, A TEXAS LIMITED LIABILITY COMPANY**, BEING THE SOLE OWNER OF THE ABOVE DESCRIBED PARCEL, ACTING BY AND THROUGH THE UNDERSIGNED, ITS DULY AUTHORIZED AGENT, DO HEREBY ADOPT THE HEREIN ABOVE DESCRIBED PROPERTY AS **LOTS 1 & 2, BLOCK 1, ACINTYO VENTURES**, AN ADDITION TO THE CITY OF DENTON, DENTON COUNTY, TEXAS, AND DOES DEDICATE TO THE PUBLIC USE, IN FEE SIMPLE, THE STREETS AND EASEMENTS AS SHOWN THEREON.

WITNESS MY HAND AT DENTON, TEXAS, THIS THE _____ DAY OF _____, 2024.

ACINTYO VENTURES LLC, A TEXAS LIMITED LIABILITY COMPANY

BY: _____

TITLE: _____

STATE OF TEXAS)
COUNTY OF DENTON)

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED _____ TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 2024.

NOTARY PUBLIC, STATE OF TEXAS

GENERAL NOTES

- BEARINGS & COORDINATE VALUES SHOWN HEREON ARE IN REFERENCE TO THE NAD83 - TEXAS COORDINATE SYSTEM - NORTH CENTRAL ZONE, 4202, BASED ON OBSERVATIONS UTILIZING THE TOPNET LIVE GPS REFERENCED NETWORK.
- ALL PROPERTY CORNERS SET ARE 5/8 INCH CAPPED IRON RODS.
- THE SUBJECT PROPERTY IS LOCATED IN 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% ANNUAL CHANCE FLOOD; AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM), MAP NUMBER 48121C0360G, EFFECTIVE DATE: APRIL 18, 2011.
- SELLING A PORTION OF ANY LOT IN THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF STATE LAW AND CITY ORDINANCE AND IS SUBJECT TO PENALTIES IMPOSED BY LAW.
- THE PURPOSE OF THIS FINAL IS TO CREATE 2 (TWO) BUILDABLE LOTS FROM AN UNPLATTED TRACT OF LAND.
- PROPERTY OWNERS ARE RESPONSIBLE FOR THE MAINTENANCE OF THE FACILITIES LOCATED WITHIN THE ACCESS EASEMENT SHOWN WITHIN THIS PLAT.
- 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 7.74. MUST BE MET PRIOR TO THE RELEASE OF ANY PERMITS.
- IMPORTANT NOTICE: THE CITY OF DENTON HAS ADOPTED THE NATIONAL ELECTRICAL SAFETY CODE (THE "CODE"), THE CODE GENERALLY PROHIBITS STRUCTURES WITHIN 17.5 FEET ON EITHER SIDE OF THE CENTER LINE OF OVERHEAD DISTRIBUTION LINES AND WITHIN 37.5 FEET ON EITHER SIDE OF THE CENTERLINE OF OVERHEAD TRANSMISSION LINES. IN SOME INSTANCES THE CODE REQUIRES GREATER CLEARANCES. BUILDING PERMITS WILL NOT BE ISSUED FOR STRUCTURES WITHIN THESE CLEARANCE AREAS. CONTACT THE BUILDING OFFICIAL WITH SPECIFIC QUESTIONS.
- PRIVATE IMPROVEMENTS CANNOT ENCROACH ONTO EXISTING PUBLIC OR PRIVATE EASEMENTS.
- WATER AND WASTEWATER SERVICES WILL SERVED THROUGH CITY OF DENTON WATER/SEWER.

CERTIFICATE OF APPROVAL

APPROVED THIS _____ DAY OF JANUARY, 2024, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF DENTON, DENTON COUNTY, TEXAS.

CHAIRPERSON

CITY SECRETARY

OWNER/DEVELOPER:

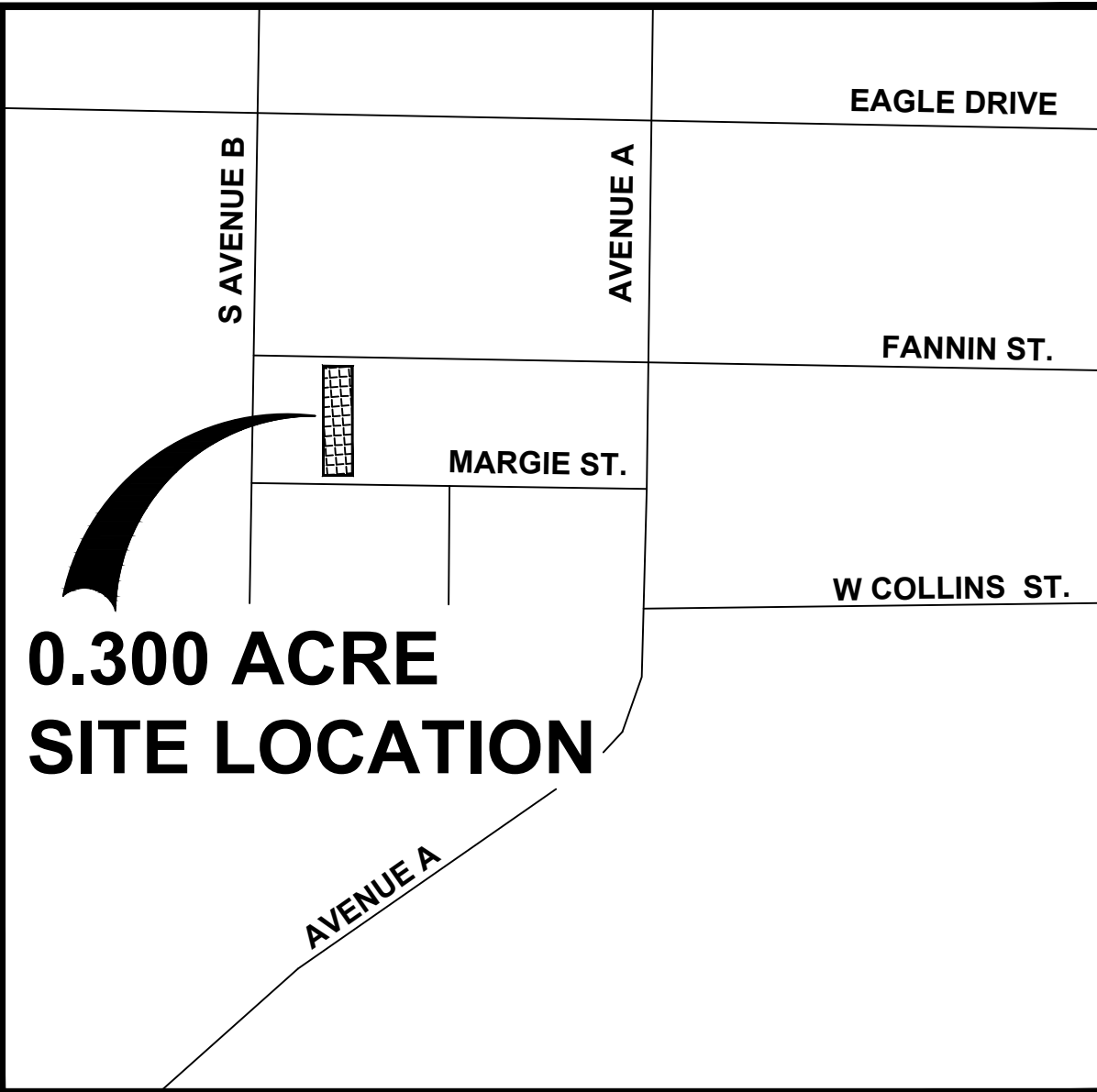
ACINTYO VENTURES, LLC
300 STATE STREET, UNIT 92068
SOUTHLAKE, TX 76092

ENGINEER:
FLANAGAN LAND SOLUTIONS
CONTACT: REECE FLANAGAN, PE
PHONE: 940-327-7963
4447 N. CENTRAL EXPRESSWAY
SUITE 110, BOX 123, DALLAS, TX 75205

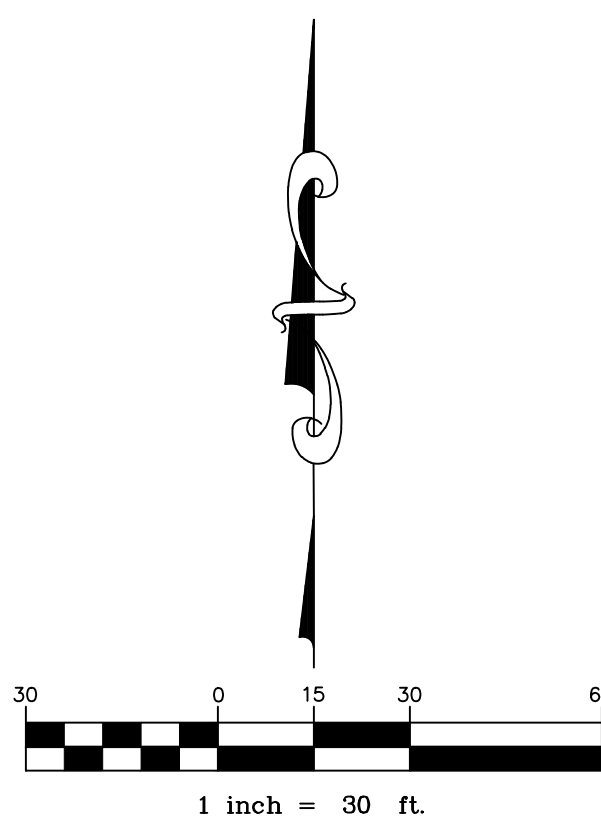
FINAL PLAT
LOTS 1 & 2, BLOCK 1
ACINTYO VENTURES ADDITION
BEING 0.300 ACRES SITUATED IN THE
E. PUCHALSKI SURVEY ~ ABSTRACT NO. 996
CITY OF DENTON, DENTON COUNTY, TEXAS.
(FP24-0026)

FLANAGAN
SURVEYING
Fort Worth, Texas | P:817.740.0480 | flanagan-ls.com | TBPLS Firm No. 10194766
Contact: Mark Peeples, R.P.L.S.

2 LOTS ~ AUGUST 2024



VICINITY MAP
NTS



ABBREVIATIONS

OPRDCT = OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS
DRDCT = DEED RECORDS, DENTON COUNTY, TEXAS
PRDCT = PLAT RECORDS, DENTON COUNTY, TEXAS
CC# = COUNTY CLERK'S FILE NUMBER
IRF = IRON ROD FOUND
CIRS = 5/8" CAPPED IRON ROD SET
UE = UTILITY EASEMENT

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT I, MARK PEEPLES, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, HAVE PLATTED THE ABOVE SUBDIVISION FROM AN ACTUAL ON THE GROUND SURVEY, AND THAT ALL LOT CORNERS, ANGLE POINTS, AND POINTS OF CURVE SHALL BE PROPERLY MARKED ON THE GROUND, AND THAT THIS PLAT CORRECTLY REPRESENTS THE PROPERTY AS DETERMINED BY A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

MARK PEEPLES
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6443
STATE OF TEXAS

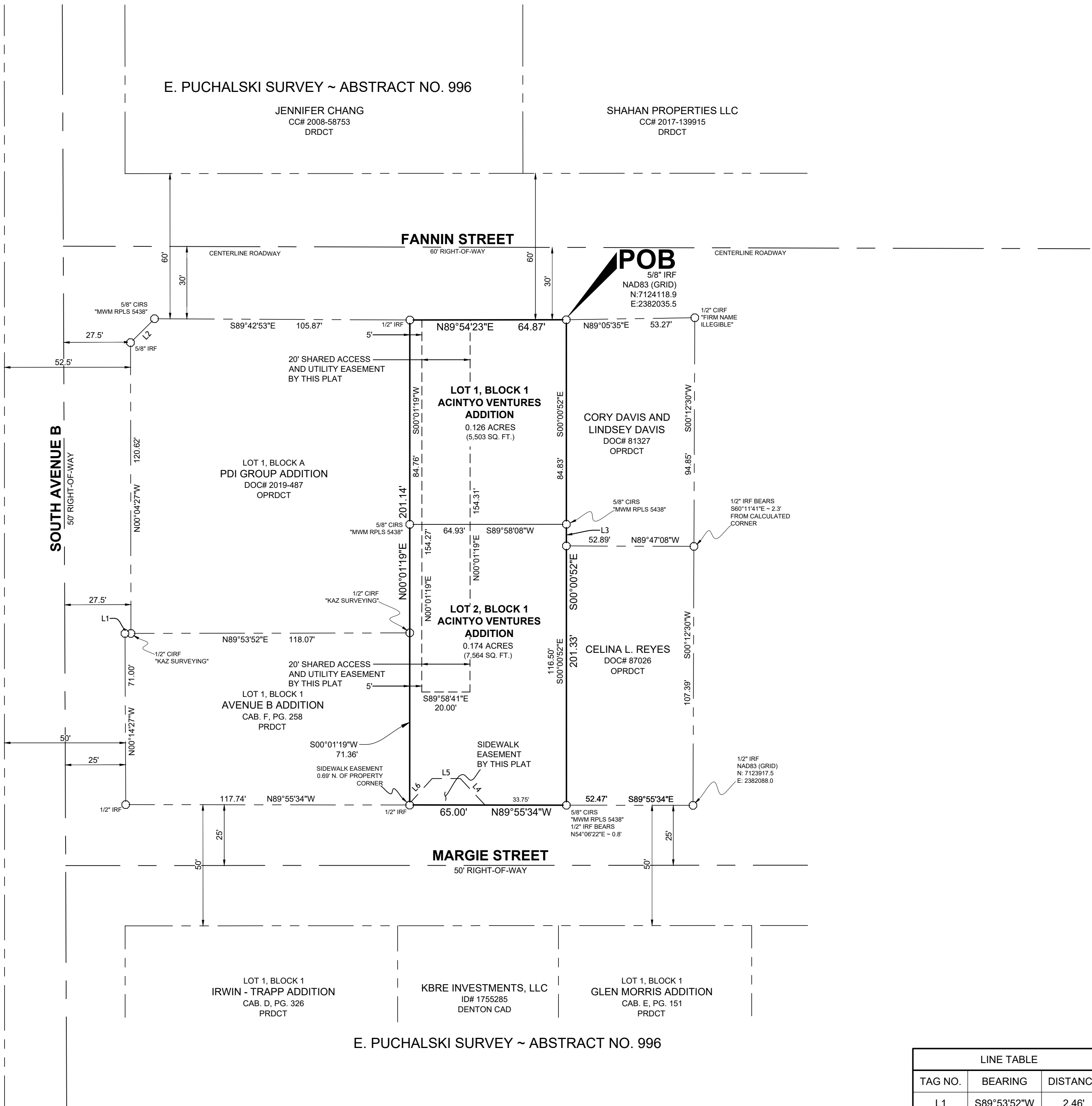
DATE:

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



LINE TABLE		
TAG NO.	BEARING	DISTANCE
L1	S89°53'52\"W	2.46'
L2	S45°09'08\"W	14.03'
L3	S00°00'52\"E	8.98'
L4	N43°01'26\"W	15.06'
L5	N90°00'00\"E	11.67'
L6	N42°14'38\"E	13.86'



City of Denton

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

Legislation Text

File #: PP24-0003a, **Version:** 1

AGENDA CAPTION

Consider a request by Kimley-Horn & Associates, on behalf of Vandesmith Developers LTD for a Preliminary Plat of Grand Parkside. The approximately 19.15-acre site is generally located 266.11 feet east of Country Club Road and north of Hobson Lane in the City of Denton, Denton County, Texas. (PP24-0003a, Grand Parkside, 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: September 11, 2024

SUBJECT

Consider a request by Kimley-Horn & Associates, on behalf of Vandesmith Developers LTD for a Preliminary Plat of Grand Parkside. The approximately 19.15-acre site is generally located 266.11 feet east of Country Club Road and north of Hobson Lane in the City of Denton, Denton County, Texas. (PP24-0003a, Grand Parkside, Bryce Van Arsdale)

BACKGROUND

The purpose of this Preliminary Plat is to establish 63 residential lots, 8 common area lots, dedicate easements, and establish right-of-way. The lots will have access to Hobson Lane via an internal street network. The subject property is situated within the City of Denton's city limits.

Initial Application Date:	June 25, 2024
Planning & Zoning Commission Meeting:	July 24, 2024
Days in Review:	29 Days
Extension Approved:	July 24, 2023
Withdrawn:	August 9, 2024
Resubmittal Date:	August 15, 2024
Planning & Zoning Commission Meeting:	September 11, 2024
Days in Review	27 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.

(Continued on next page)

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
October 31, 1960	City Council	Annexation into City Limits	Approved
1969	City Council	Citywide Rezoning to Agriculture District (A)	Approved
2002	City Council	Citywide Rezoning to Neighborhood Residential Mixed-Use (NRMU)	Approved
April 26, 2017	Planning and Zoning Commission	Rezoning to Community Mixed Use-General (CM-G)	Recommend Approval
June 6, 2017	City Council	Rezoning to Community Mixed Use-General (CM-G)	Approved
April 10, 2019	Planning and Zoning Commission	Citywide Rezoning; subject property transition to Suburban Corridor (SC)	Recommend Approval
September 17, 2019 (effective October 2019)	City Council	Citywide Rezoning subject property transition to Suburban Corridor (SC)	Approved
April 24, 2024	Planning and Zoning Commission	Requested zoning change from Suburban Corridor (SC) to Residential-6 (R6)	Recommend Approval
May 21, 2024	City Council	Requested zoning change from Suburban Corridor (SC) to Residential-6 (R6)	Approved
July 24, 2024	Planning and Zoning Commission	Preliminary Plat – 30 Day Extension Request	Approved

PUBLIC OUTREACH

No public outreach is required for a Preliminary 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. Preliminary Plat

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

Prepared by:
Bryce Van Arsdale
Assistant Planner

Planning Staff Analysis

PP24-0003a / Grand Parkside

City Council District #3

Planning & Zoning Commission

REQUEST:

Preliminary Plat for an approximately 19.15-acre site

APPLICANT:

Kimley-Horn & Associates, on behalf of Vandesmith Developers LTD

RECOMMENDATION:

Staff recommends approval of this Preliminary Plat as it meets the established approval criteria, as shown in the following table.

Preliminary Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below. Findings: <div>All general review criteria are met.</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 Preliminary Plat meets all additional review criteria.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5-2.9 controls. Findings: <div>There is no conflict.</div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Prior Approvals			
a. The proposed development shall be consistent with the terms and conditions of any prior land use approval, plan, development agreement, or plat approval that is in effect and not proposed to be changed. This includes an approved phasing plan for development and installation of public improvements and amenities.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
Findings: On April 24 th , 2024, the Planning and Zoning Commission voted to recommend approval of Z24-0003 [5-0]. On May 21, 2024, City Council voted to approve the aforementioned rezone request [7-0]. The Preliminary Plat is consistent with the approved rezoning.				
3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans. Findings: Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings: There are no competing plan goals, policies, and strategies for this site.		<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: 		<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: 		<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: The subject submittal is a Preliminary Plat, and it was reviewed based on the established checklist and requirements.		<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		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

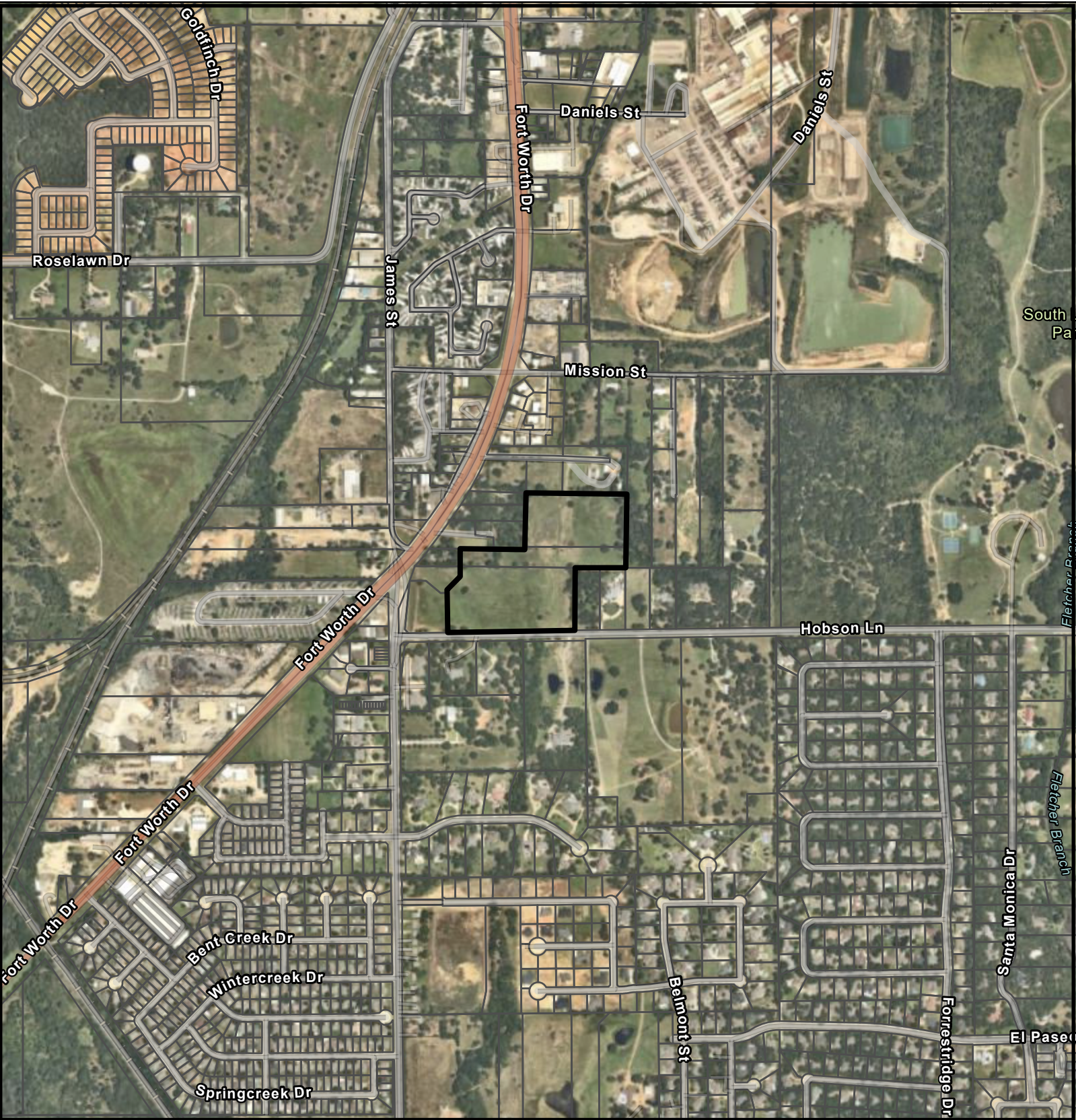
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<p>the federal or state governments and other relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations.</p> <p>Findings:</p> <div>The Preliminary Plat complies with all other applicable regulations.</div>				
6. Consistent with Interlocal and Development Agreements				
<p>a. The proposed development shall be consistent with any adopted interlocal and applicable development agreements, and comply with the terms and conditions of any such agreements incorporated by reference into this DDC.</p> <p>Findings:</p> <div>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				
<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				

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
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 Preliminary 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 lots will have access to Hobson Lane via an internal network of streets.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities				
a. Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, roads, domestic water, sewer, schools, public safety, fire protection, utilities, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties. Findings: <div>The lots will be served by City of Denton water and wastewater.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Rational Phasing Plan				
a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space,		<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
<p>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>			

Preliminary Plat Review Approval Criteria (DDC Section 2.6.3)	Applicability		
	Met	Not Met	N/A
<p>14. Provides a layout of lots, roads, driveways, utilities, drainage, and other public facilities and services designed to minimize the amount of disturbance to sensitive natural areas or other community resources.</p> <p>Findings:</p> <div>The Preliminary Plat meets the above approval criteria.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>15. Provides evidence of public water and sewer system connections.</p> <p>Findings:</p> <div>This development will be served by City of Denton Water and Wastewater.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>16. Identifies and adequately mitigates known natural hazard areas.</p> <p>Findings:</p> <div>The proposed development must comply with all applicable standards and specifications adopted by the City.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>17. Proposes reasonable project phasing in terms of infrastructure capacity.</p> <div>There is no phasing proposed with this Preliminary Plat.</div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

PP24-0003 Site Location



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

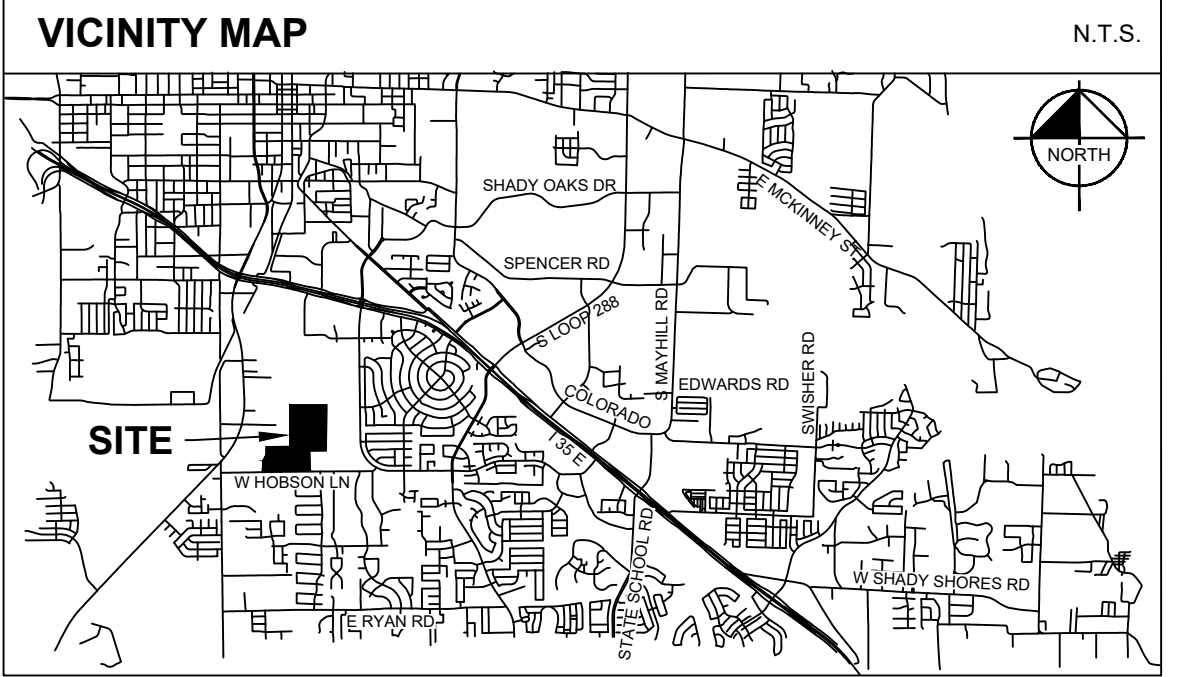
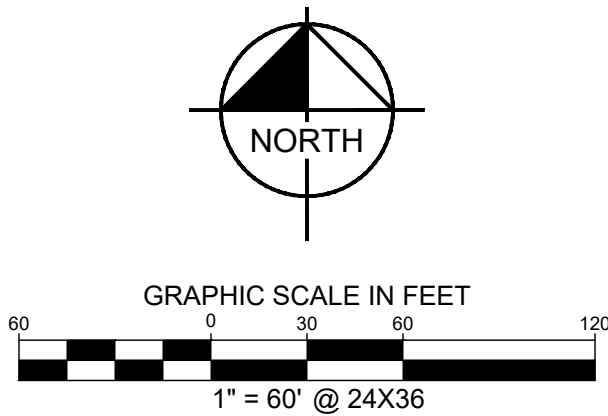
Date: 7/2/2024

*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 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.

LEGEND

P.O.B. POINT OF BEGINNING
ADF ALUMINUM DISK FOUND
IRFC IRON ROD FOUND
IRFC IRON ROD WITH PLASTIC CAP FOUND
IRSC 5/8" IRON ROD WITH PLASTIC CAP STAMPED "KHA" SET
XF "X" CUT IN CONCRETE FOUND
CAB. CABINET
PG. PAGE
VOL. VOLUME
DOC. NO. DOCUMENT NUMBER
D.R.D.C.T. DEED RECORDS, DENTON COUNTY, TEXAS
O.R.D.C.T. OFFICIAL RECORDS, DENTON COUNTY, TEXAS
P.R.D.C.T. PLAT RECORDS, DENTON COUNTY, TEXAS
U.E. UTILITY EASEMENT
D.E. DRAINAGE EASEMENT
D.D.E. DRAINAGE & DETENTION EASEMENT
B.L. BUILDING LINE
STREET NAME CHANGE

PROPERTY LINE
ADJACENT PROPERTY LINE
EASEMENT LINE
SURVEY ABSTRACT LINE
ROAD CENTERLINE
R.O.W. DEED LINE



NO.	BEARING	LENGTH
L1	N69°20'07"E	18.21'
L2	S41°17'28"E	13.00'
L3	S45°47'28"E	14.16'
L4	N44°12'32"E	21.19'
L5	N44°18'34"W	35.36'
L6	N44°15'44"E	21.21'
L7	S45°44'16"E	21.21'
L8	S53°19'39"E	14.40'
L9	S27°43'24"W	15.63'
L10	N44°54'35"E	13.95'
L11	S63°29'59"E	12.16'
L12	S36°49'33"W	13.17'
L13	N45°48'48"E	14.17'
L14	N31°47'58"W	16.74'
L15	S44°11'12"E	14.11'
L16	N08°09'21"E	42.58'
L17	N45°41'26"E	14.14'
L18	N44°54'35"E	13.95'
L19	N44°12'32"E	35.32'
L20	S44°11'12"E	35.28'
L21	N89°15'44"E	62.03'
L22	N01°00'35"W	9.85'
L23	S89°15'44"W	5.42'
L24	N89°15'44"E	16.51'
L25	N01°00'35"W	30.89'
L26	S45°05'25"E	10.00'

NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C4	36°45'14"	200.00'	128.30'	S26°31'58"W	126.11'
C5	45°42'37"	200.00'	159.56'	S67°45'53"W	155.36'
C6	18°20'14"	200.00'	64.01'	N09°54'23"W	63.74'
C7	16°05'53"	200.00'	56.19'	N82°34'15"E	56.01'
C8	20°58'30"	200.00'	73.22'	S09°47'49"E	72.81'
C9	13°41'55"	200.00'	47.82'	N67°40'21"E	47.70'
C10	1°12'34"	200.00'	4.22'	N19°40'47"W	4.22'
C11	29°52'03"	200.00'	104.26'	S75°45'25"W	103.08'
C14	155°43'11"	62.50'	169.86'	S45°41'26"W	122.20'
C15	136°23'36"	62.50'	148.78'	N44°11'12"W	116.06'
C16	155°28'28"	62.50'	169.60'	N45°48'48"E	122.15'
C18	166°23'59"	62.50'	181.51'	S40°23'52"E	124.12'
C23	32°01'44"	19.00'	10.62'	S73°14'52"W	10.48'

PROJECT PP24-0003
PRELIMINARY PLAT
GRAND PARKSIDE ADDITION
BLOCK A: LOTS 1-8, 9X, 10-24, 25X, 26-34, 35X, 36-40
BLOCK B: LOTS 1-5, 6X, 7-16, 17X
BLOCK C: LOTS 1-12, BLOCK D: LOT 1X
63 RESIDENTIAL LOTS DEVELOPED AT R6 ZONING
DISTRICT STANDARDS
7 COMMON AREA LOTS

BEING 19.151 ACRES SITUATED IN THE
WILLIAM DANIEL SURVEY, ABSTRACT NO. 378
CITY OF DENTON, DENTON COUNTY, TEXAS

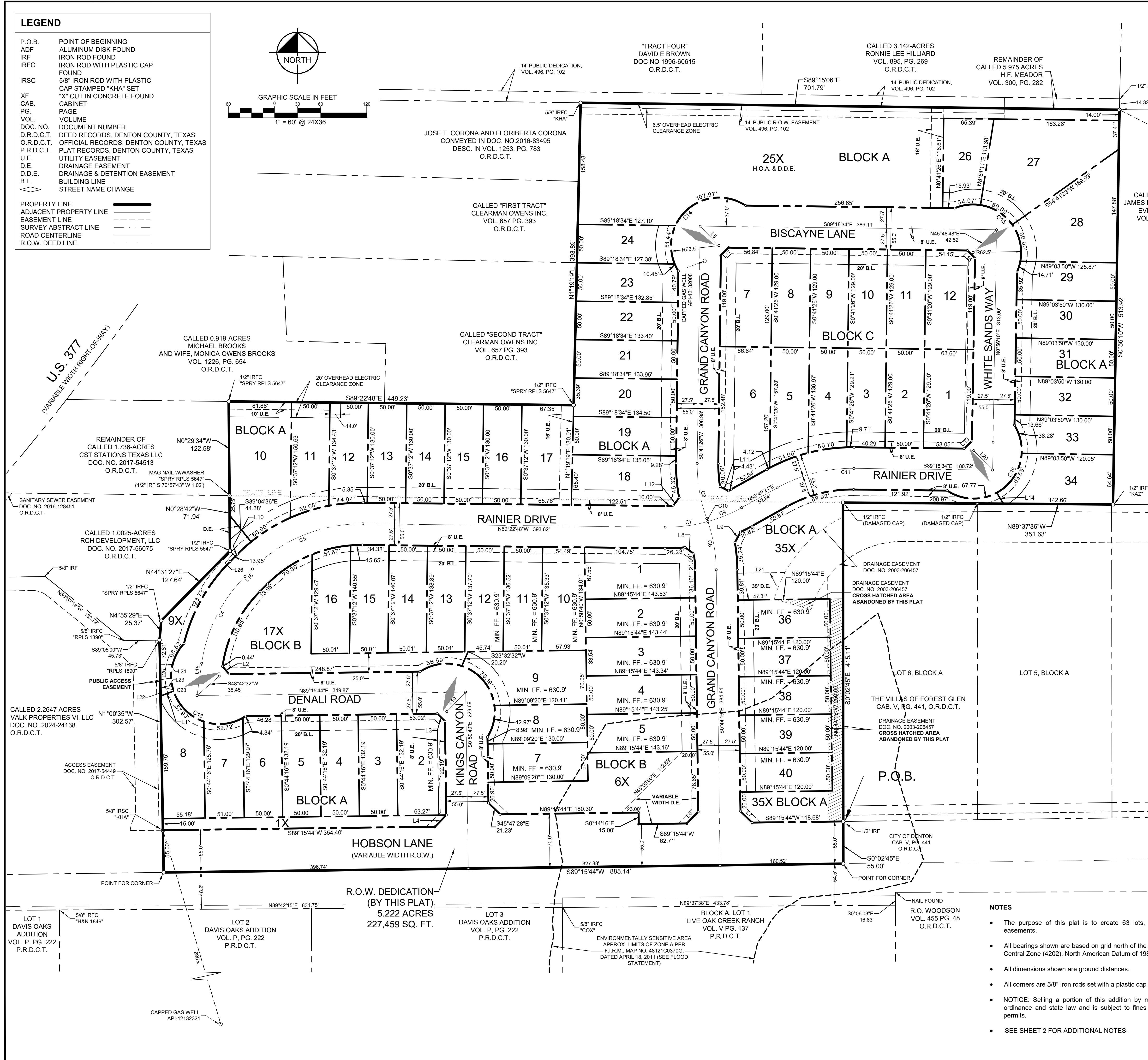
Kimley»Horn

6160 Warren Parkway, Suite 210
Frisco, Texas 75034
FIRM # 10193822
Scale: 1" = 60'
SRD
Checked by: SG
Date: Aug. 2024
Project No: 060001700
Sheet No: 1 OF 2

OWNER:
VANDESMITH PARTNERS, LTD.
3205 ACE COURT
ARROYO, TEXAS 76226
PH. 840-591-7963
david@sellingtownandcountry.com
SURVEYOR:
SYLVIANA GUNAWAN, R.P.L.S.
6160 WARREN PKWY., SUITE 210
FRISCO, TEXAS 75034
PH. 972-335-3580
syviana.gunawan@kimley-horn.com
ENGINEER:
MARISSA VOLK, P.E.
6160 WARREN PKWY., SUITE 210
FRISCO, TEXAS 75034
PH. 972-335-3580
marissa.volk@kimley-horn.com

NOTES

- The purpose of this plat is to create 63 lots, and dedicate street rights-of-way and easements.
- All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).
- All dimensions shown are ground distances.
- All corners are 5/8" iron rods set with a plastic cap stamped "KHA" unless otherwise noted.
- NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinance and state law and is subject to fines and withholding of utilities and building permits.
- SEE SHEET 2 FOR ADDITIONAL NOTES.





City of Denton

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

Legislation Text

File #: FR24-0005b, **Version:** 1

AGENDA CAPTION

Consider a request by Kimley-Horn & Associates, on behalf of Forestar Group for a Final Replat of Eagle Creek Phase 3B. The approximately 36.07-acre site is generally located 0.5 miles east of South Bonnie Brae Street and north of Roselawn Drive in the City of Denton, Denton County, Texas. (FR24-0005b, Eagle Creek Phase 3B, 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: September 11, 2024

SUBJECT

Consider a request by Kimley-Horn & Associates, on behalf of Forestar Group for a Final Replat of Eagle Creek Phase 3B. The approximately 36.07-acre site is generally located 0.5 miles east of South Bonnie Brae Street and north of Roselawn Drive in the City of Denton, Denton County, Texas. (FR24-0005b, Eagle Creek Phase 3B, Bryce Van Arsdale)

BACKGROUND

The purpose of this Final Replat is to establish 125 single family lots, 7 homeowners' association lots, dedicate easements, and establish right-of-way. The lots will have access to Roselawn Drive via an internal street network. The subject property is situated within the City of Denton's city limits.

On August 14, 2019, Development Services received a Preliminary Plat application (PP19-0019) from Forestar Group, Inc. for the development. The Preliminary Plat was later approved by the Planning & Zoning Commission on February 5, 2020 and included a phasing plan that showed four overall phases.

An overall Traffic Impact Analysis (TIA) for the development (TIA20-0001) was submitted March 31, 2020 and was approved on June 16, 2020.

On August 5, 2020, an Alternative Environmentally Sensitive Area Plan (AES20-0003) for the development was forwarded to City Council with a recommendation of approval by the Planning & Zoning Commission with staff recommendations. The Alternative Environmentally Sensitive Area Plan was later approved by City Council on September 15, 2020.

The property is currently zoned Residential 4 (R4).

Initial Application Date:	June 25, 2024
Planning & Zoning Commission Meeting:	July 24, 2024
Days in Review:	29 Days
Extension Approved:	July 24, 2024
Planning and Zoning Commission Meeting:	August 14, 2024
Days in Extension:	21 Days
Extension Approved:	August 14, 2024
Planning and Zoning Commission Meeting:	September 11, 2024
Days in Extension:	29 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
October 31, 1960	City Council	Annexation into City Limits	Approved
1969	City Council	Citywide Rezoning to Agriculture District (A)	Approved
February 5, 2002	City Council	Requested zoning change from Agricultural (A) to Neighborhood Residential 4 (NR-4)	Approved
February 5, 2020	Planning and Zoning Commission	Request approval of a Preliminary Plat for approximately 213.96-acres	Approved
August 5, 2020	Planning and Zoning Commission	Alternative Environmentally Sensitive Area Plan (AESA20-0003) for the development	Approved, with staff recommendations
August 18, 2020	City Council	Alternative Environmentally Sensitive Area Plan (AESA20-0003) for the development	Postponed consideration, pending a tree assessment of the area to be disturbed and of the Upland Habitat Environmental Sensitive Area
August 25, 2020	City Council	Reconsider the postponement of the Alternative Environmentally Sensitive Area Plan, pending a tree assessment of the area to be disturbed and of the Upland Habitat Environmental Sensitive Area	Approved
September 15, 2020	City Council	Alternative Environmentally Sensitive Area Plan (AESA20-0003) for the development	Approved
July 24, 2024	Planning and Zoning Commission	Eagle Creek Phase 3B (FR24-0005) extension request	Extension approved
August 14, 2024	Planning and Zoning Commission	Eagle Creek Phase 3B (FR24-0005) extension request	Extension approved

PUBLIC OUTREACH

Once all comments are addressed and the replat is approved, staff will comply with Texas Local Government Code 212.015 and send written notice to each owner of a lot in the original subdivision that is within 200 feet of the lots to be replatted. The notice must be mailed no later than the 15th day after the date the replat is approved and include the following:

- The zoning designation of the property after the replat; and
- A telephone number and e-mail address an owner of a lot may use to contact the municipality about the replat.

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 Replat

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

Prepared by:
Bryce Van Arsdale
Assistant Planner

Planning Staff Analysis

FR24-0005b Eagle Creek Phase 3B

City Council District #3

Planning & Zoning Commission

REQUEST:

Final Replat for an approximately 36.07-acre site

APPLICANT:

Kimley-Horn & Associates, on behalf of Forestar Group

RECOMMENDATION:

Staff recommends approval of this Final Replat as it meets the established approval criteria, as shown in the following table.

Final Replat 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 proposed Final Replat is compliant with all City regulations, as noted below.</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 Replat meets all review criteria, as detailed in Approval Criteria 4 below.</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: On February 5, 2020, the Planning and Zoning Commission voted [6-0] to approve the proposed Preliminary Plat for the approximately 213.96-acre site. This Final Replat is a phase of the proposed development that was presented and approved.				
3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans. Findings: Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings: There are no competing plan goals, policies, and strategies for this site.		<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: 		<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: 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		<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: The subject submittal is a Final Replat, and it was reviewed based on the established Final Plat checklist and requirements.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Compliance with Other Applicable Regulations				

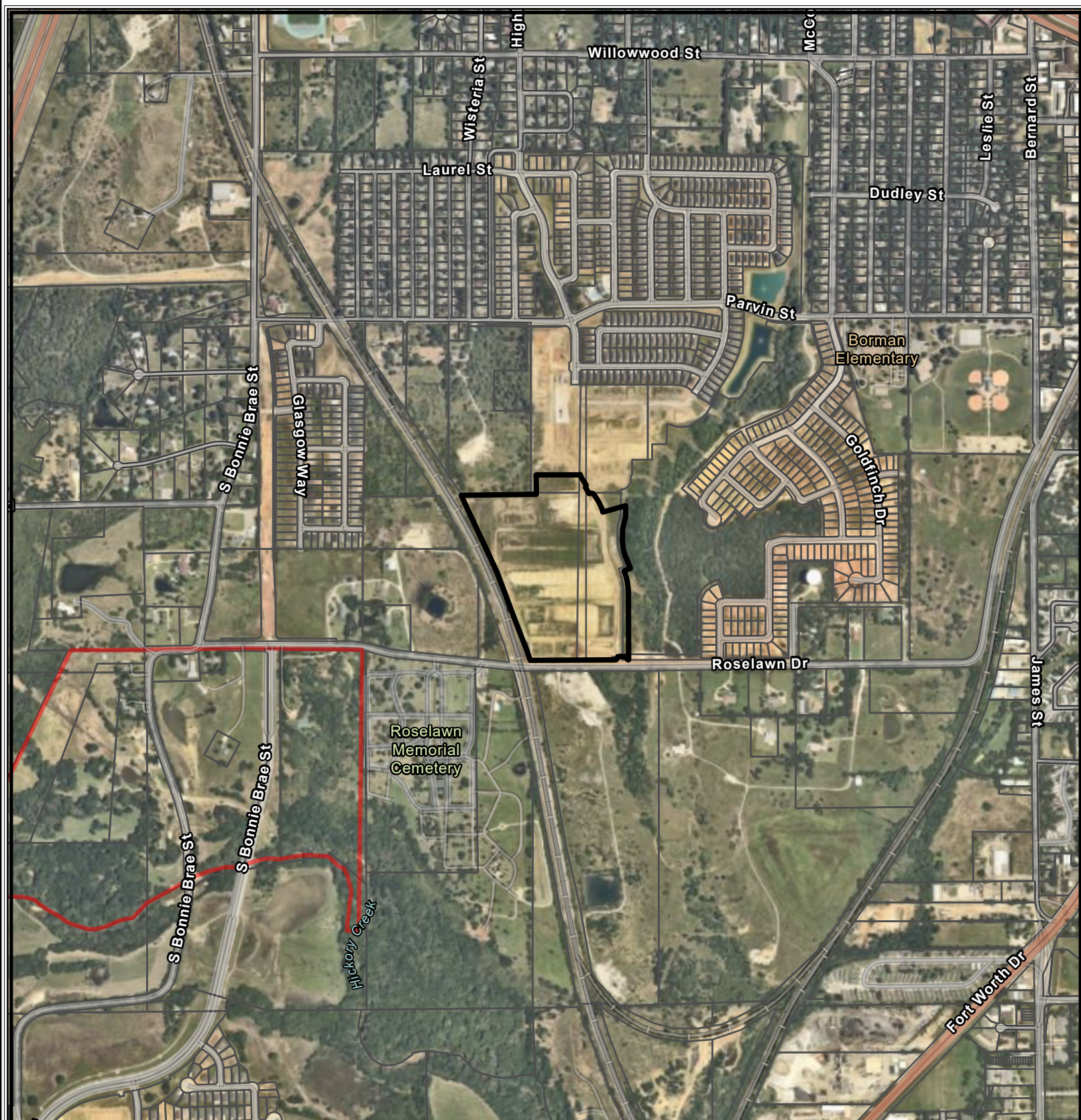
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<p>a. The proposed development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions. This includes, but is not limited to, wetlands, water quality, erosion control, and wastewater regulations.</p> <p>Findings:</p> <div>The Final Replat complies with all other applicable regulations.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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>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				
<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				

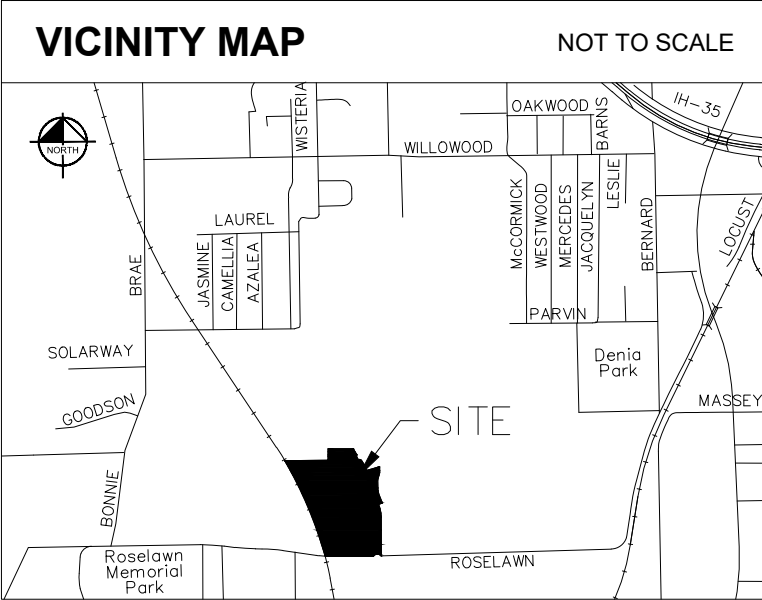
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
a. The proposed development should not result in significant adverse fiscal impacts on the city. Findings: <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government 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 Replat 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 lots will have access to Roselawn Drive via an internal network of streets.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities				
a. Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, roads, domestic water, sewer, schools, public safety, fire protection, utilities, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties. Findings: <div>The lots will be served by City of Denton water and wastewater.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Rational Phasing Plan				
a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space,		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
<p>and other improvements that are required for that phase, and may not defer those improvements to subsequent phases.</p> <p>Findings:</p> <div>This Final Replat is the sixth phase of a greater development.</div>			

Final Replat Review Applicability Criteria (DDC Section 2.6.7.D)	Applicability		
	Met	Not Met	N/A
<p>14. Is consistent with the underlying zoning districts;</p> <div>The plat is consistent with the underlying Residential-6 zoning district.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>15. Complies with all applicable dimensional and development standards in this DDC;</p> <div>The Final Replat complies with all applicable DDC standards.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>16. Does not affect a recorded easement without approval from the easement holder;</p> <div>No recorded easements are affected by this replat.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>17. Will not result in adverse impacts to the surrounding property;</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"/>
<p>18. Will not limit the city's ability to provide adequate and sufficient facilities or services; and</p> <div>The Replat will not affect the City's ability to provide services to the lots created or surrounding properties.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>19. Complies with all other ordinances and plans and regulations adopted by the City, including the Comprehensive Plan and other long-range or special purpose area planning documents.</p> <div>The Final Replat complies with the development agreement and preliminary plat approved by the City.</div>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FR24-0005 Site Location





Lots indicated with [*] are located within 1,000 feet of a gas well drilling and production site with a producing well. Note that there is a possibility of new wells being drilled and fracture stimulated on the drilling production site(s), and wells located on the drilling and production site(s) may be re-drilled and/or re-fracture stimulated in the future.

GAS WELL VICINITY MAP NOT TO SCALE

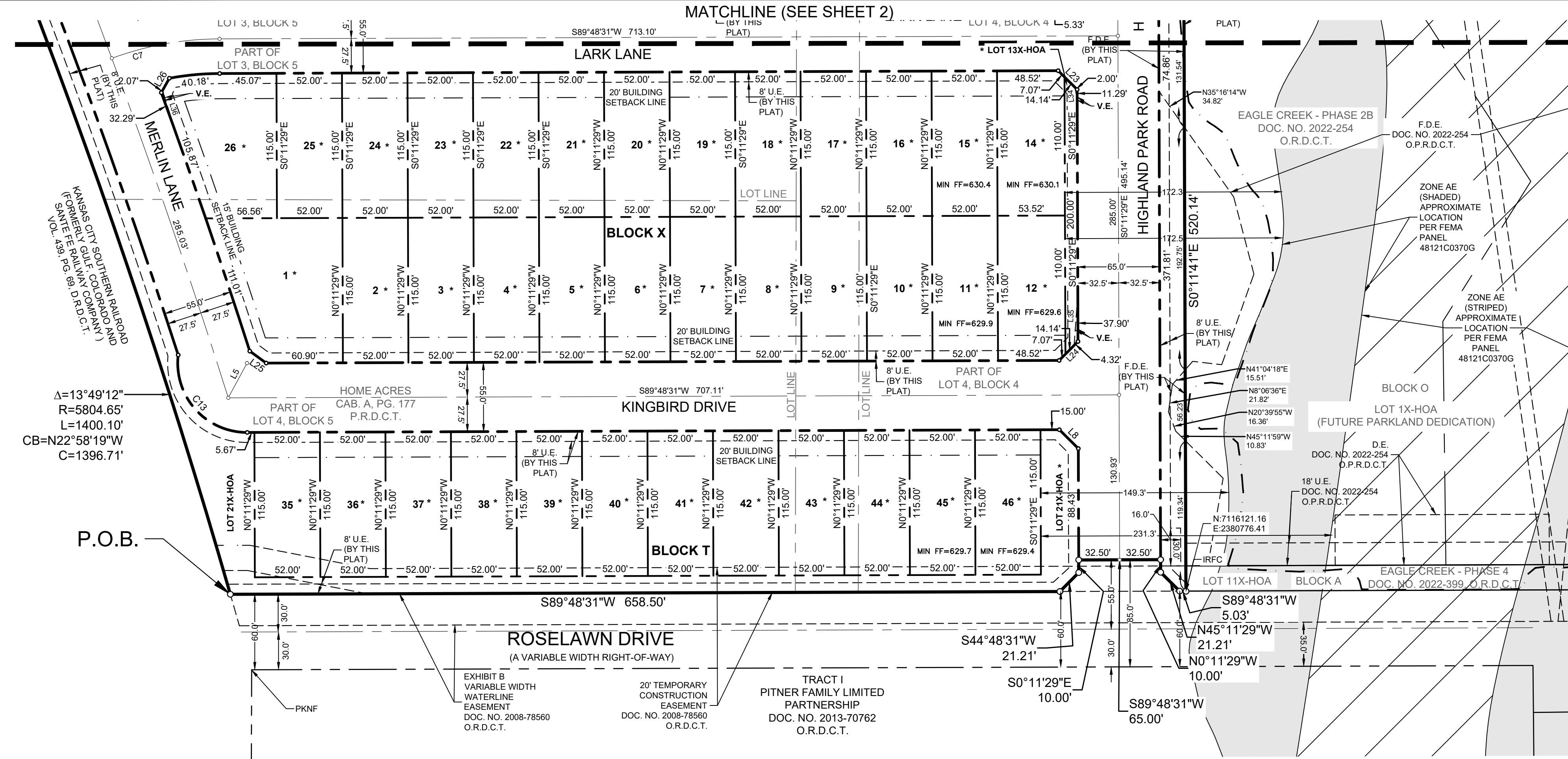
The map shows the 'SITE' (a large black rectangle) located near the intersection of Solarway and Gordon. Surrounding streets include Laurel, Camelia, Azalea, Roselawn, Bonnie, Roseann Memorial Park, and Masey. Other labeled areas include Willowood, Oakwood 2, Macomber, Mercedes, Jacquelyn, Little Bear, Parvin, Denio Park, and Bernard. A north arrow is in the top left corner. Arrows point from the 'SITE' to three specific 'GAS WELL' locations: one near the intersection of Solarway and Gordon, one near the intersection of Roselawn and Bonnie, and one near the intersection of Roselawn and Roseann Memorial Park. The text 'GAS WELL LOCATIONS' is at the bottom left.

HOME ACRES
AND BEING PART OF A 213.9613 ACRE TRACT
ASA HICKMAN SURVEY, ABSTRACT NO. 521
CITY OF DENTON, DENTON COUNTY, TEXAS

ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 NOEL ROAD
TWO GALLERIA OFFICE TOWER,
SUITE 700
DALLAS, TEXAS 75240
CONTACT: BROCK PFISTER, P.E.
PHONE: 972-770-1300

1. The surveyed property is all of the property described in the Paid Up Oil and Gas Lease recorded in Instrument No. 2004-144176, Official Records of Denton County, Texas. The surveyed property is all of the property described in the Paid Up Oil and Gas Lease recorded in Volume 5160, Page 2393, Deed Records of Denton County, Texas. There are no known gas or pipeline easements other than those shown hereon within the bounds of the surveyed property.
2. The grid coordinates shown are based upon the Texas State Plane Coordinate System, North Central Zone, North American Datum of 1983 on grid coordinate values, no scale and no projection.
3. Discharge from any detention pond outfall or storm drain outlet may require an offsite drainage easement to accommodate the flow. If an offsite drainage easement is required, a study shall be made of the off-site property to determine the size of the drainage easement to accommodate the flow.
4. All corners are a 5/8-inch iron rod with red plastic cap stamped "KHA" set unless otherwise noted.
5. The minimum finished floor elevations shall be provided when a building permit application is submitted. The minimum finished floor elevations shall be based on the current FEMA data. The minimum finished floor elevations are tied to City of Denton Benchmarks based on NAVD 1988 datum.
6. Important Notice: The City of Denton has adopted the National Electrical Safety Code (the "code"). The code generally prohibits structures within 17.5 feet on either side of the 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.
7. All lots with an "X" designation are Open Space and Drainage Easements maintained by the Home Owners Association (HOA). Lot 1X-HOA, Block Q, as dedicated by the Eagle Creek-Phase 2B plat, recorded in Document No. 2022-254, will be part of a future parkland dedication.
8. Access to Floodway and Drainage Easement located in Lot 2X, Block O provided by Parvin Street proposed by Eagle Creek - Phase 1B.
9. According to Federal Emergency Management Agency's Flood Insurance Rate Map No. 48121C0360G and Map No. 48121C0370G for Denton, Denton County, Texas and incorporated areas, dated April 18, 2011, this property is located within Zone X (shaded) defined as "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% annual chance flood" and Zone AE defined as "Special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood (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.
10. 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.
12. This Final Replat is intended to be a replat of part of Lot 6, Block 3, part of Lots 1-5, Block 4, and part of Lots 1-4, Block 5, Home Acres Addition, to create 125 Single Family Lots and 7 Homeowner's Association Lots as shown herein.
13. Private Improvements can't encroach into existing private or public easements.
14. Water & wastewater utility services will be provided by the City of Denton.

CURVE TABLE					
C#	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	12°31'42"	432.50'	94.57'	S30°10'08"E	94.38'
C2	0°35'10"	222.50'	2.28'	S63°45'42"W	2.28'
C3	2°11'55"	277.50'	10.65'	N62°26'42"E	10.65'
C4	15°16'01"	400.00'	106.58'	S07°49'29"E	106.27'
C5	22°26'12"	400.00'	156.52'	S11°24'05"E	155.52'
C6	22°26'12"	400.00'	156.52'	S11°24'05"E	155.52'
C7	20°01'03"	250.00'	87.34'	S79°48'00"W	86.90'
C8	6°00'24"	5848.15'	613.10'	N20°32'16"E	612.82'
C9	23°20'59"	300.00'	122.26'	N11°55'59"W	122.14'
C10	21°32'46"	250.00'	94.01'	S79°02'08"W	93.46'
C11	22°44'15"	250.00'	99.21'	S78°26'23"W	98.65'
C12	26°13'49"	250.00'	114.45'	S76°53'12"W	113.46'
C13	96°57'08"	55.00'	93.07'	N41°42'55"W	82.35'
C14	265°13'51"	60.00'	277.75'	N47°34'33"W	88.31'
C15	114°47'01"	55.00'	110.18'	S32°36'37"W	92.66'



BLOCK T			BLOCK U			BLOCK V			BLOCK W			BLOCK X			BLOCK O		
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.
14X	0.094	4,078	1	0.160	6,965	1	0.181	7,896	1	0.193	8,425	1	0.235	10,246	2X	1.258	54,787
15	0.142	6,174	2	0.137	5,980	2	0.147	6,422	2	0.143	6,211	2	0.137	5,980			
16	0.144	6,253	3	0.137	5,980	3	0.137	5,980	3	0.137	5,980	3	0.137	5,980			
17	0.144	6,253	4	0.137	5,980	4	0.137	5,980	4	0.137	5,980	4	0.137	5,980			
18	0.144	6,253	5	0.142	6,199	5	0.137	5,980	5	0.137	5,980	5	0.137	5,980			
19	0.144	6,279	6	0.152	6,637	6	0.137	5,980	6	0.137	5,980	6	0.137	5,980			
20	0.172	7,504	7	0.164	7,162	7	0.137	5,980	7	0.137	5,980	7	0.137	5,980			
21X	2.078	90,532	8X	0.301	13,105	8	0.137	5,980	8	0.137	5,980	8	0.137	5,980			
22	0.141	6,122	9	0.159	6,933	9	0.137	5,980	9	0.137	5,980	9	0.137	5,980			
23	0.146	6,381	10	0.155	6,735	10	0.137	5,980	10	0.137	5,980	10	0.137	5,980			
24	0.173	7,540	11	0.147	6,424	11	0.137	5,980	11	0.137	5,980	11	0.137	5,980			
25	0.137	5,980	12	0.138	5,993	12	0.137	5,980	12	0.137	5,980	12	0.141	6,143			
26	0.137	5,980	13	0.138	6,002	13	0.137	5,980	13	0.137	5,980	13X	0.048	2,100			
27	0.137	5,980	14	0.161	7,025	14	0.137	5,980	14	0.137	5,980	14	0.141	6,143			
28	0.207	9,015				15X	0.217	9,469	15X	0.168	7,305	15	0.137	5,980			
29	0.146	6,380				16	0.137	5,980	16	0.139	6,065	16	0.137	5,980			
30	0.146	6,372				17	0.137	5,980	17	0.137	5,980	17	0.137	5,980			
31	0.137	5,982				18	0.137	5,980	18	0.137	5,980	18	0.137	5,980			
32	0.137	5,980				19	0.137	5,980	19	0.137	5,980	19	0.137	5,980			
33	0.137	5,980				20	0.137	5,980	20	0.137	5,980	20	0.137	5,980			
34	0.137	5,980				21	0.137	5,980	21	0.137	5,980	21	0.137	5,980			
35	0.137	5,980				22	0.137	5,980	22	0.137	5,980	22	0.137	5,980			
36	0.137	5,980				23	0.137	5,980	23	0.137	5,980	23	0.137	5,980			
37	0.137	5,980				24	0.137	5,980	24	0.137	5,980	24	0.137	5,980			
38	0.137	5,980				25	0.137	5,980	25	0.137	5,980	25	0.137	5,980			
39	0.137	5,980				26	0.137	5,980	26	0.137	5,980	26	0.137	5,980			
40	0.137	5,980				27	0.137	5,980	27	0.137	5,980	27	0.137	5,980			
41	0.137	5,980				28	0.137	5,980	28	0.137	5,980	28	0.137	5,980			
42	0.137	5,980				29	0.196	8,528	29	0.211	9,194	29	0.199	8,647			
43	0.137	5,980															
44	0.137	5,980															
45	0.137	5,980															
46	0.137	5,980															

CITY OF DENTON DRAINAGE STATEMENT

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.

OWNER'S DEDICATION

STATE OF _____ \$
COUNTY OF _____ \$

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, FORESTAR (USA) REAL ESTATE GROUP INC., does hereby adopt this plat designating the herein described property as **EAGLE CREEK - PHASE 3B**, an addition to the City of Denton, Denton County, Texas, and does hereby dedicate to the public use forever the streets and alleys shown thereon, and does hereby reserve the easement strips shown on this plat for the mutual use and accommodations of all public utilities desiring to or using same. Any public utility shall have the right to remove and keep removed all or part of any building, fence, trees, shrubs or other growths or improvements which in any way endangers or interferes with the construction, maintenance, or efficiency of its respective systems on any of these easement strips, and any public utility shall, at all times, have the right of ingress and egress to and from and upon the said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time procuring permission of anyone.

WITNESS MY HAND, this _____ day of _____, 202__.

FORESTAR (USA) REAL ESTATE GROUP INC.

By: _____
Signature

By: _____
Name - Title

STATE OF _____ \$
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 _____, 202__.

Notary Public, State of Texas

OWNER'S CERTIFICATE

WHEREAS, FORESTAR (USA) REAL ESTATE GROUP, INC., is the owner of a (1,304,266 square feet or 29.9418 acres) tract of land situated in the ASA Hickman Survey, Abstract No. 521, City of Denton, Denton County, Texas, being part of Lot 6, Block 3 and Lots 1, 2, 3, 4, and 5, Block 4, and part of Lots 1, 2, 3, and 4, Block 5, Home Acres, an addition to the City of Denton, Texas according to the plat recorded in Cabinet A, Page 177, Plat Records of Denton County, Texas and being part of a called 213.9613 acre tract described in Special Warranty Deed to Forestar (USA) Real Estate Group Inc., recorded in Instrument No. 20200624000409 of said Official Records and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with plastic cap stamped "KHA" found at the intersection of the north right-of-way line of Roselawn Drive (a variable width right-of-way) and the east right-of-way line of Kansas City Southern Railroad and being at the beginning of a curve to the left having a central angle of 13°49'12", a radius of 5804.65 feet, a chord bearing and distance of North 22°58'19" West, 1396.71 feet;

THENCE in a northwesterly direction, with said curve to the left, an arc distance of 1400.10 feet to a 1/2" iron rod found for corner in the south line of a tract of land described in Assumption Warranty Deed to Baltazar Mesta recorded in Instrument No. 2004-57002 of said Official Records;

THENCE departing said east right-of-way line of Kansas City Southern Railroad and with said south line of Baltazar Mesta tract, North 89°16'19" East, a distance of 585.20 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for the southeast corner of said Baltazar Mesta tract;

THENCE with the east line of said Baltazar Mesta tract, North 0°00'06" East, a distance of 151.48 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for the southwest corner of Lot 9, Block T, Eagle Creek - Phase 3A, an addition to the City of Denton, Texas, according to the plat recorded in Document No. 2023-337 of said Official Public Records;

THENCE departing said east line of Baltazar Mesta tract, with the south lines of Lots 9-13X-HOA, Block T of said Eagle Creek - Phase 3A plat, the following courses and distances:

South 89°59'54" East, a distance of 332.49 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;
North 66°14'43" East, a distance of 10.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" found in the southwest right-of-way line of Highland Park Road (a 65-foot wide right-of-way) and being the beginning of a non-tangent curve to the left having a central angle of 12°31'42", a radius of 432.50 feet, a chord bearing and distance of South 30°01'08" East, 94.38 feet;

THENCE with said southwest right-of-way line of Highland Park Road, the following courses and distances:

In a southeasterly direction, with said curve to the left, an arc distance of 94.57 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;
South 12°15'48" West, a distance of 19.57 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the beginning of a non-tangent curve to the right having a central angle of 0°35'10", a radius of 222.50 feet, a chord bearing and distance of South 63°45'42" West, 2.28 feet;
In a southwesterly direction, with said curve to the right, an arc distance of 2.28 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;
South 28°31'09" East, a distance of 55.04 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the beginning of a non-tangent curve to the left having a central angle of 2°11'55", a radius of 277.50 feet, a chord bearing and distance of North 62°26'42" East, 10.65 feet;
In a northeasterly direction, with said curve to the left, an arc distance of 10.65 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;
South 78°42'29" East, a distance of 22.47 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;
South 37°13'10" East, a distance of 25.10 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the beginning of a tangent curve to the right having a central angle of 21°45'40", a radius of 367.50 feet, a chord bearing and distance of South 26°20'20" East, 138.74 feet;
In a southeasterly direction, with said curve to the right, an arc distance of 139.58 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for the southwest terminus corner of said Highland Park Road;

THENCE with the south terminus line of said Highland Park Road, North 74°32'30" East, passing at a distance of 65.00 feet the northeast terminus corner of said Highland Park Road and being a southwest corner of Lot 2X - HOA, Block O of said Eagle Creek - Phase 3A plat, and continuing with the south line of said Lot 2X - HOA for a total distance of 184.48 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for a southeast corner of said Lot 2X - HOA in the west line of Lot 1X - HOA, Block O, Eagle Creek - Phase 2B, an addition to the City of Denton, Texas, according to the plat recorded in Document No. 2022-254 of said Official Public Records;

THENCE with said west line of Lot 1X - HOA, Block O (Phase 2B), the following courses and distances:

South 00°11'29" East, a distance of 81.80 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;
North 13°50'42" West, a distance of 103.08 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;
South 00°11'29" East, a distance of 100.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the beginning of a tangent curve to the left with a radius of 292.50 feet, a central angle of 22°25'12", and a chord bearing and distance of South 11°24'05" East, 113.73 feet;
In a southerly direction, with said tangent curve to the left, an arc distance of 114.46 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;
South 22°36'41" East, a distance of 102.25 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;
South 67°23'19" West, a distance of 55.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" found at the beginning of a non-tangent curve to the right with a radius of 452.50 feet, a central angle of 22°25'12", and a chord bearing and distance of South 11°24'05" East, 175.94 feet;
In a southerly direction, with said non-tangent curve to the right, an arc distance of 177.06 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner;
South 00°11'29" East, a distance of 520.14 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for corner in said north right-of-way line of Roselawn Drive;

THENCE with said north right-of-way line of Roselawn Drive, the following courses and distances:

South 89°48'31" West, a distance of 5.03 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
North 45°11'29" West, a distance of 21.21 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
North 00°11'29" West, a distance of 10.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
South 89°48'31" West, a distance of 65.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
South 00°11'29" East, a distance of 10.00 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
South 44°48'31" West, a distance of 21.21 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
South 89°48'31" West, a distance of 658.50 feet to the **POINT OF BEGINNING** and containing 1,304,266 square feet or 29.9418 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

SURVEYOR'S CERTIFICATION

I, J. Andy Dobbs, 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.

J. Andy Dobbs Date _____
Registered Professional Land Surveyor No. 6196
Kimley-Horn and Associates, Inc.
2500 Pacific Avenue, Suite 1100
Dallas, Texas 75240
Ph. (972) 770-1300
andy.dobbs@kimley-horn.com

STATE OF TEXAS \$
COUNTY OF DALLAS \$

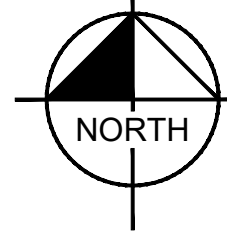
BEFORE ME, the undersigned authority, on this day personally appeared J. Andy Dobbs, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the _____ day of _____, 202__.

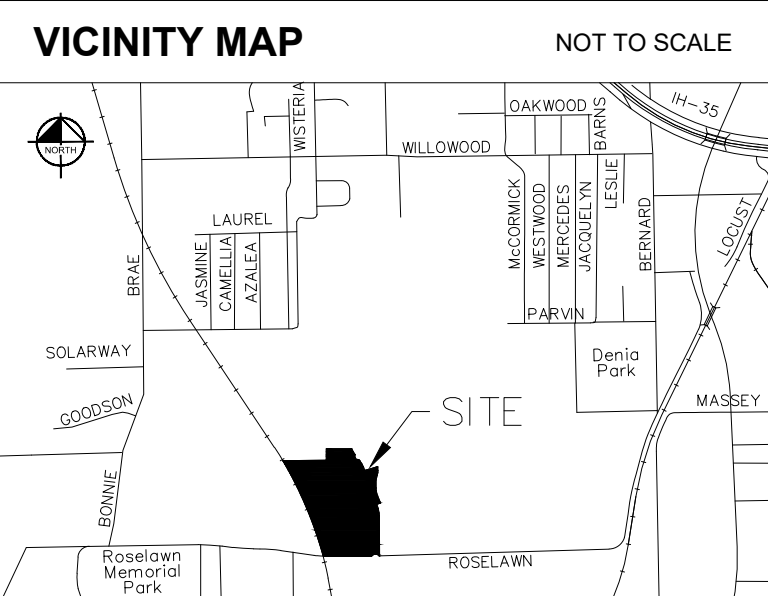
Notary Public, State of Texas

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT



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



LEGEND

P.O.B. = POINT OF BEGINNING
R.O.W. = RIGHT-OF-WAY
Δ = CENTRAL ANGLE
IRFC = 5/8" IRON ROD W/ "KHA" CAP FOUND
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRF = IRON ROD FOUND
PKNF = PK NAIL FOUND
B.L. = BUILDING SETBACK LINE
U.E. = UTILITY EASEMENT
V.E. = VISIBILITY EASEMENT
F.D.E. = FLOODWAY AND DRAINAGE EASEMENT
D.R.D.C.T. = DEED RECORDS OF DENTON COUNTY, TEXAS
O.R.D.C.T. = OFFICIAL RECORDS, DENTON COUNTY, TEXAS
P.R.D.C.T. = PLAT RECORDS, DENTON COUNTY, TEXAS

LINE TYPE LEGEND

---	BOUNDARY LINE
---	LOT/RIGHT-OF-WAY LINE
---	RIGHT-OF-WAY CENTERLINE
---	OLD LOT LINE
---	SURVEY LINE
---	EASEMENT LINE
---	ADJOINER LINE
---	FLOODPLAIN LIMITS LINE

APPROVED BY THE PLANNING AND ZONING COMMISSION

ON THIS THE _____ DAY OF _____, 2024

PLANNING AND ZONING COMMISSION CHAIRPERSON

CITY SECRETARY

FINL REPLAT
EAGLE CREEK - PHASE 3B
29.9418 GROSS ACRES
125 SINGLE FAMILY LOTS
7 HOMEOWNERS' ASSOCIATION LOTS (4.164 ACRES)

BEING A REPLAT OF PART OF LOT 6, BLOCK 3
AND PART OF LOTS 1, 2, 3, 4 AND 5, BLOCK 4,
AND PART OF LOTS 1, 2, 3 & 4, BLOCK 5
HOME ACRES
AND BEING PART OF A 213.9613 ACRE TRACT
ASA HICKMAN SURVEY, ABSTRACT NO. 521
CITY OF DENTON, DENTON COUNTY, TEXAS

Kimley»Horn

2500 Pacific Avenue, Suite 1100 Dallas, Texas 75226		FIRM # 10115500		Tel. No. (469) 718-8849	
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	JDF	JAD	AUG. 2024	064498605	2 OF 2
OWNER: FORESTAR (USA) REAL ESTATE GROUP INC. 2221 E. LAMAR BLVD., SUITE 790, ARLINGTON, TX 76006-7458 CONTACT: KEVIN LAZARES PHONE: 972-310-8930					
ENGINEER: KIMLEY-HORN AND ASSOCIATES, INC. 13455 NOEL ROAD, TWO GALLERIA OFFICE TOWER, SUITE 700 DALLAS, TEXAS 75240 CONTACT: BROCK PFISTER, P.E. PHONE: 972-770-1300					

CITY PROJECT NUMBER: FR24-0005



City of Denton

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

Legislation Text

File #: FP24-0023d, **Version:** 1

AGENDA CAPTION

Consider a request by Barron Stark Engineers, on behalf of JVAC Properties LLC, for approval of a Final Plat of Lot 1, Block A Riviera Addition. The approximately 15-acre tract is generally located on the north side of Fishtrap Rd, approximately 259.2 feet west of Greenleaf Circle in the City of Denton, Denton County, Texas. (FP24-0023d, Water Line Extension Riviera, Matt Bodine)



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: September 11, 2024

SUBJECT

Consider a request by Barron Stark Engineers, on behalf of JVAC Properties LLC, for approval of a Final Plat of Lot 1, Block A Riviera Addition. The approximately 15-acre tract is generally located on the north side of Fishtrap Rd, approximately 259.2 feet west of Greenleaf Circle in the City of Denton, Denton County, Texas. (FP24-0023d, Water Line Extension Riviera, Matt Bodine)

BACKGROUND

The purpose of the Final Plat is to create a lot of record from a previously unplatted tract of land. The property is zoned Light Industrial (LI) and takes access from Fishtrap Rd. The property owner has previously relied on a private water well for water services but has recently submitted civil engineering plans to access City water. As part of the process to connect to City water, the owner is required to submit a final plat for the property.

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

Date Application Filed:	May 28, 2024
Planning & Zoning Commission Meeting:	June 26, 2024
Days in Review:	29 Days
Extension Approved:	June 26, 2024
Resubmitted:	June 25, 2024
Planning & Zoning Commission Meeting:	July 24, 2024
Days in Review:	28 Days
Extension Approved:	July 24, 2024
Resubmitted:	July 23, 2024
Planning & Zoning Commission Meeting:	August 14, 2024
Days in Review:	28 Days
Extension Approved:	August 14, 2024
Resubmitted:	August 13, 2024
Planning & Zoning Commission Meeting:	September 11, 2024
Days in Review:	29 Days

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.

OPTIONS

1. Approve as submitted
2. Approve with conditions
3. 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
June 26, 2024	Planning & Zoning Commission	Final Plat FP24-0023	Extension Approved
July 24, 2024	Planning & Zoning Commission	Final Plat FP24-0023	Extension Approved
August 14, 2024	Planning & Zoning Commission	Final Plat FP24-0023	Extension 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:
Matt Bodine
Assistant Planner

Planning Staff Analysis

FP24-0023d / Water Line Extension Riveria

City of Denton City Council District 2

Planning & Zoning Commission

REQUEST:

Final Plat to create a lot of record from a previously unplatted tract of land.

APPLICANT:

Barron Stark Engineers on behalf of JVAC Properties LLC.

RECOMMENDATION:

Staff recommends approval of this Final Plat as it meets the established approval criteria for final plats, 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: The Final Plat meets all review criteria.	<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: The Final plat meets the review criteria.	<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: There is no conflict between the review criteria.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
Findings: <div>No prior approvals applicable to the development.</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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></div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Compliance with these standards is applied at the level of detail required for the subject submittal. Findings: <div>The Final Plat was submitted at an adequate level of detail.</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></div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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>There are no interlocal or development agreements associated with this plat.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		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></div>		<input checked="" type="checkbox"/>	<input 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>There is adequate road capacity to accommodate the existing use.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities				

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
<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>Current City capacity can accommodate the existing development.</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>No phasing associated with the 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 final plat conforms to the preliminary plat, including any conditions of approval.</p> <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"/>
<p>15. Whether the development will substantially comply with all requirements of this DDC.</p> <p>Findings:</p> <div>The Final Plat will substantially comply with all requirements of this DDC.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>16. Whether the development will comply with the applicable technical standards and specifications adopted by the City.</p> <p>Findings:</p> <div>The proposed development will comply with all applicable standards and specifications adopted by the City which are applicable to a final plat.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FP24-0023 Site Location



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

[UCC](#) [Business Organizations](#) [Trademarks](#) [Notary](#) [Account](#) [Help/Fees](#) [Briefcase](#) [Logout](#)**BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY**

Filing Number: 800960205
Original Date of Filing: April 3, 2008
Formation Date: N/A
Tax ID: 32036669235
Duration: Perpetual
Entity Type: Domestic Limited Liability Company (LLC)
Entity Status: In existence
FEIN:
Name: JVAC Properties, LLC
Address: 3332 REMINGTON DRIVE
PLANO, TX 75023 USA

REGISTERED AGENT		FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES	INITIAL ADDRESS
Name	Address					Inactive Date	
Nandhini J Venkatesan							85



City of Denton

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

Legislation Text

File #: FP24-0032, **Version:** 1

AGENDA CAPTION

Consider a request by Cross Engineering for approval of a Final Plat for RDC Denton Eagle. The approximately 2.592-acre site is generally located on the south side of W Eagle Drive, between Collier Street and Avenue B, in the City of Denton, Denton County, Texas. (FP24-0032, RDC Denton Eagle, Erin Stanley).



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: September 11, 2024

SUBJECT

Consider a request by Cross Engineering for approval of a Final Plat for RDC Denton Eagle. The approximately 2.592-acre site is generally located on the south side of W Eagle Drive, between Collier Street and Avenue B, in the City of Denton, Denton County, Texas. (FP24-0032, RDC Denton Eagle, Erin Stanley).

BACKGROUND

The purpose of this Final Plat is to establish one lot and associated right-of-way and easement dedication for the development of a multifamily project. The subject property is zoned Mixed-Use Neighborhood (MN).

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

Date Application Filed:	August 13, 2024
Planning and Zoning Commission Meeting:	September 11, 2024
Days Under Review:	29 Days

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

This application is being considered under Texas Local Government Code (TX LGC) 212.009, which was updated as of September 1, 2023, with the passage of House Bill 3699. The applicant has requested a 30-day extension to allow for time to work through staff's comments on the plat and allow for additional review (Exhibit 5). This extension could be granted to October 9, 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 as Submitted
2. Approve Extension Request
3. Deny with Reasons

RECOMMENDATION

Staff recommends denial of this plat as it does not meet the established criteria for approval; however, staff has no objection to the requested extension (Exhibit 5) which could be granted to a date certain of October 9, 2024. See Staff Analysis (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 MN	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. Request for Extension

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

Prepared by:
Erin Stanley
Assistant Planner

Planning Staff Analysis

FP24-0032 / RDC Denton Eagle

City Council District #3

Planning & Zoning Commission

REQUEST:

Final plat for approximately 2.592 acres of land.

APPLICANT:

Jonathan Hake of Cross Engineering

RECOMMENDATION:

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

Final Plat Approval Review Criteria

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)	Compliance		
	Met	Not Met	N/A
1. Generally			
a. Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below. Findings: <div><p>The Final Plat does not meet all review criteria, as detailed in the following items as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B:</p><ol style="list-style-type: none">1. Add the project number to the title block. (FPC 2.2)2. Add addition name to the title block. (FPC 2.2)3. Provide owner authorization form for Aniyamma Kurialacherry and Betty Cooper. (FPC 1.2)4. Depict all overhead electric line clearance zones intersecting or adjacent to the property. (FPC 2.19)5. Transformers should be in easements per DDC 7.13.6. Show all public utility easements on plat. (FPC 3.6)6. See Collier Street markup. Label the exact location, dimension, and centerline (with dimension from centerline to edge of existing or proposed ROW) of existing public ROW. (FPC 3.15)7. Correct legal description ownership and monument references per markup. (FPC 5.2)</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>8. Label size of boundary monuments either on the graphic or in the legend for CRS. (FPC 2.13)</p> <p>9. Only reference things in the owner's dedication that are on the plat. Remove references to alleys as none are being dedicated. (FPC 5.4, 5.9)</p> <p>10. Rael Development Corp Inc. does not own all the lots. Provide documents authorizing Rael to act on the behalf of each owner or provide signature blocks for every owner of every property included in this plat. (FPC 2.4)</p> <p>11. Provide the purpose of the plat in a plat note. (FPC 5.8)</p> <p>12. Label existing public street name including dimensions on adjacent properties. (FPC 3.16, FPC 4.3)</p> <p>13. Label adjacent properties. (FPC 4.1)</p> </div>				
<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> <p>The Final Plat does not meet all review criteria in Section 2.6.4 as described below:</p> <p>1. The development does not comply with the applicable technical standards and specifications adopted by the city. Civil Engineering Plan approval is required prior to recommending approval of the Final Plat. (DDC 2.6.4C.2.d)</p> </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> <p>There is no conflict.</p> </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> <p>There is no prior land use approval, plan, development agreement, or plat.</p> </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

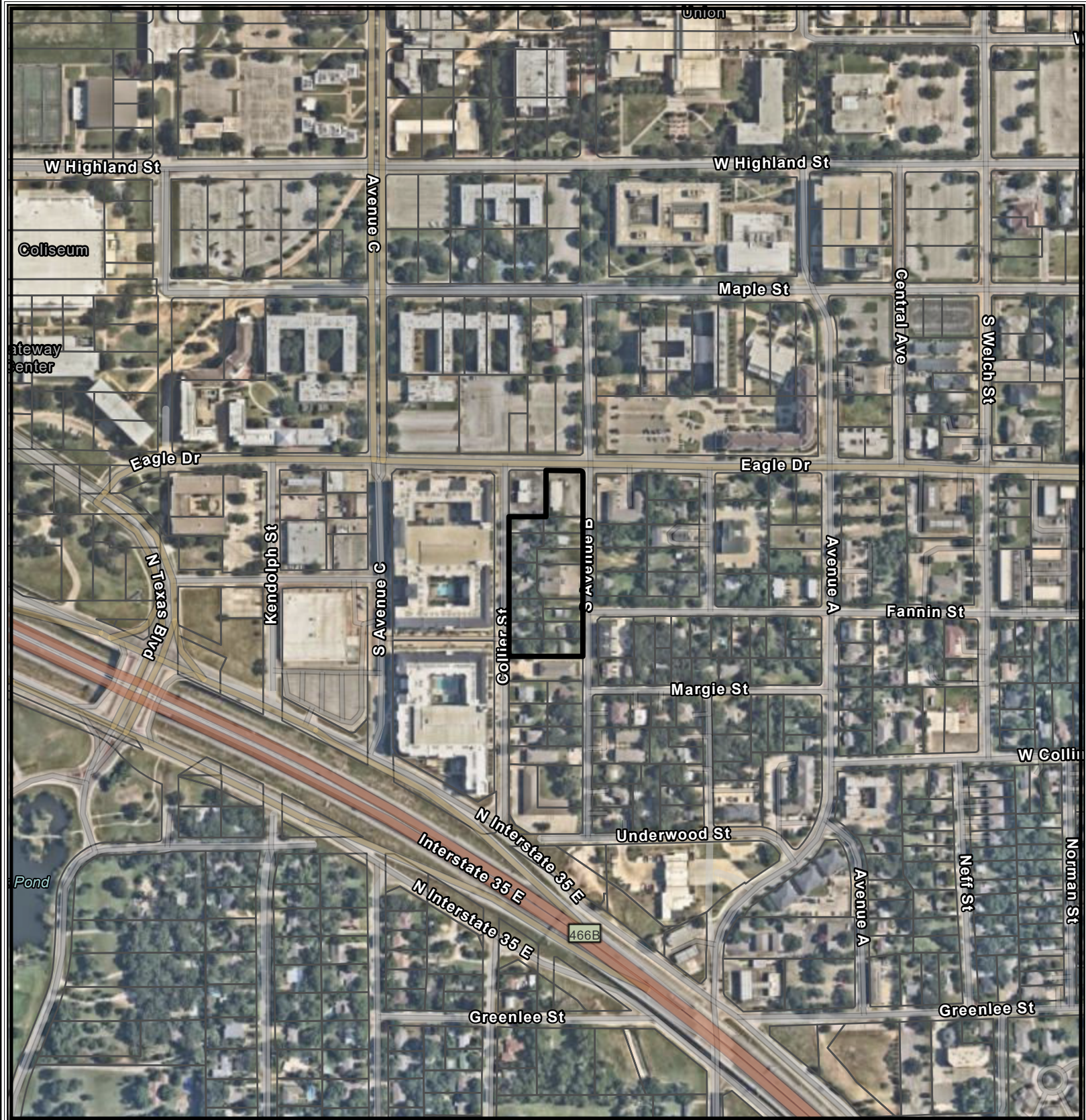
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans. Findings: <div>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings: <div>There are no competing plan goals, policies, and strategies for this site.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in Comprehensive Plan. Findings: <div>The overall goals of the Comprehensive Plan are met with the proposed Final Plat.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Compliance with this DDC				
a. The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified. Findings: <div> <p>All applications shall include all required information requested by the Director to demonstrate compliance with City codes per DDC Section 2.4.4B. This Final Plat does not meet all review criteria, as detailed in the following items as required by the Denton Development Code:</p> <ol style="list-style-type: none"> 1. Include a plat note regarding required inches of DBH of tree preservation and mitigation (DDC 7.7.4.E.7) 2. Water easement shall be 16-feet wide. All utility easements shall be a minimum of 16 feet, unless special circumstances warrant additional or reduced easements which can be approved by the City Engineer, in consultation with the Directors of Water and Wastewater Utilities. The general criteria to define minimum easement widths are listed in Table 7.B: Minimum Easement Widths of the DDC. (DDC 7.6.7.A) </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>As noted above, additional detail regarding a proposed water easement is required.</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
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 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				
<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>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				
<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"/>

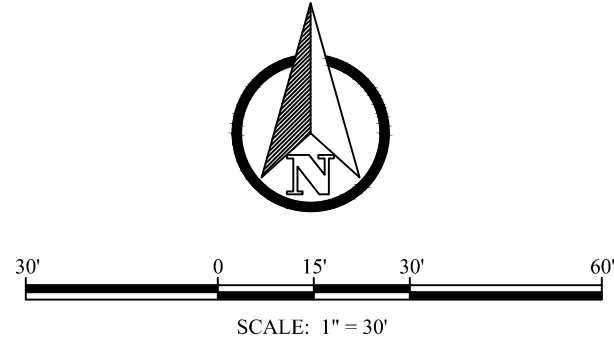
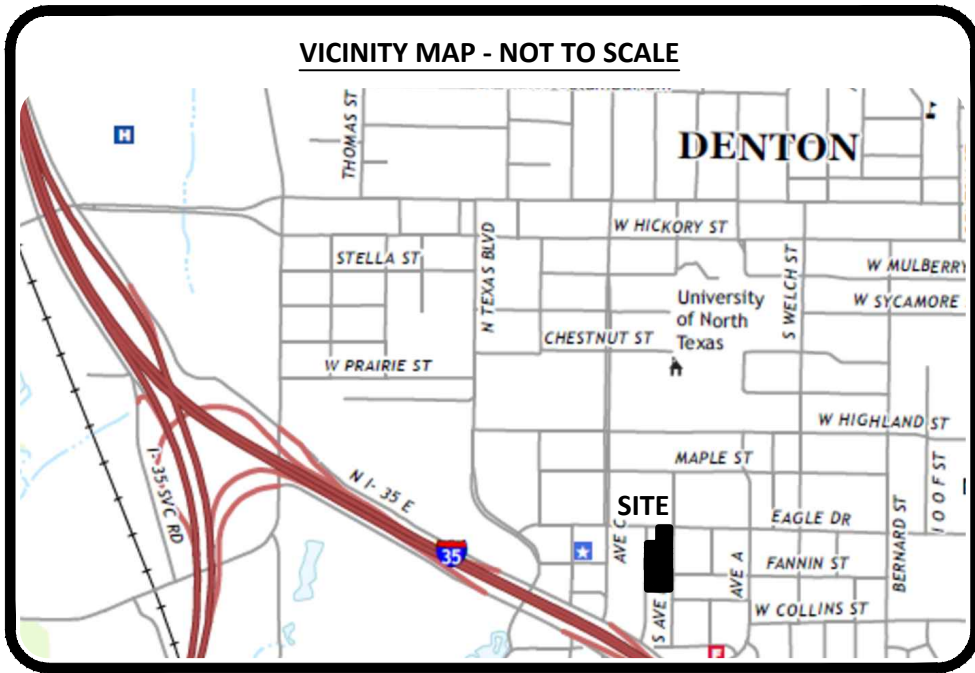
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
10. Compliance with Utility, Service, and Improvement Standards				
<p>a. As applicable, the proposed development shall comply with federal, state, county, service district, city and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards.</p> <p>Findings:</p> <div>The proposed Final Plat does not comply with all City regulations as described herein. Additional water easement dedication or information is required.</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>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>Adequate public service and facility capacity exists to serve the property.</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>No phasing is proposed.</div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

FP24-0032 Site Location



"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."



SURVEYOR'S NOTES:

- Bearings are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83), distances are surface with a combined scale factor of 1.00015063.
- Monuments are found unless specifically designated as set.
- This property lies within Zone "X" of the Flood Insurance Rate Map for Denton County, Texas and Incorporated Areas, map no. 48121C0360G, with an effective date of April 18, 2011, via scaled map location and graphic plotting.

PLAT NOTES:

- Water and sewer service will be provided through the City of Denton.
- 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 issues for structures within these clearance areas. Contact the building official with the specific questions.

APPROVED BY THE CITY OF DENTON PLANNING AND ZONING COMMISSION ON THIS _____ DAY OF _____, 20____.

PLANNING AND ZONING COMMISSION CHAIR

CITY SECRETARY

LEGEND OF LINETYPES

- SUBJECT TRACT BOUNDARY
- ADJOINING TRACT BOUNDARY
- CENTER LINE
- EASEMENT

LEGEND OF ABBREVIATIONS

- D.R.D.C.T. DEED RECORDS, DENTON COUNTY, TEXAS
- P.R.D.C.T. PLAT RECORDS, DENTON COUNTY, TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS
- DOC.# DOCUMENT NUMBER
- C.M. CONTROLLING MONUMENT
- SQ. FT. SQUARE FEET
- ROW RIGHT OF WAY
- CRS CAPPED REBAR SET

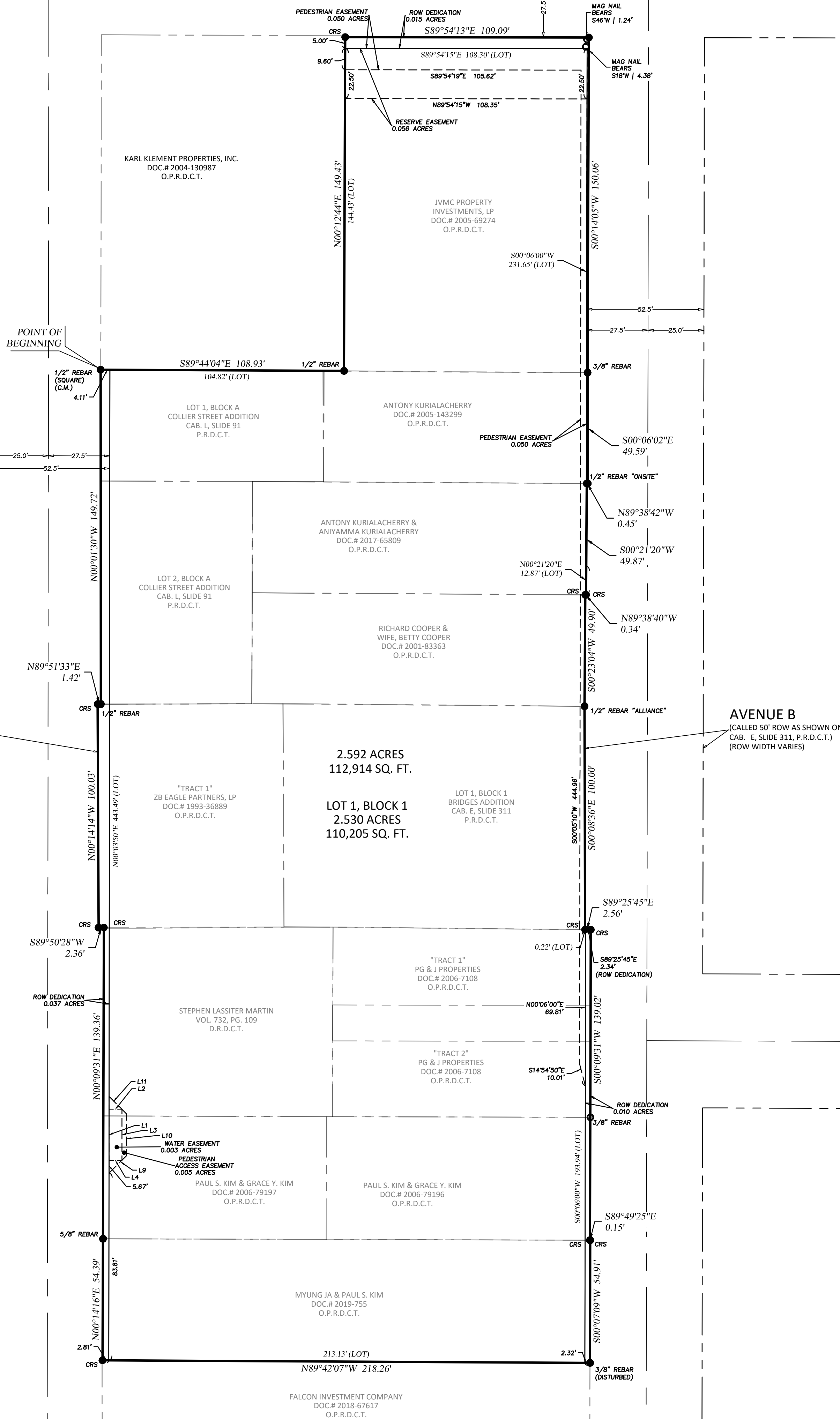
Line Data Table		
Line #	Distance	Bearing
L1	23.00'	N00°03'50"E
L2	5.80'	S89°56'10"E
L3	23.00'	S00°03'50"W
L4	5.80'	N89°56'10"W
L9	10.99'	S45°11'23"W
L10	18.77'	S00°11'23"W
L11	11.10'	S44°48'37"E

LOT 2R, BLOCK 1
WESTDALE CARRIAGE SQUARE ADDITION
DOC.# 2022-298
P.R.D.C.T.

COLLIER STREET
(CALLED 50' ROW AS SHOWN
ON CAB. L, SLIDE 91, P.R.D.C.T.)
(ROW WIDTH VARIES)

LOT 1R, BLOCK 1
WESTDALE CARRIAGE SQUARE ADDITION
DOC.# 2021-225
P.R.D.C.T.

W. EAGLE DRIVE
(VARIABLE WIDTH ROW AS SHOWN ON DOC.# 2021-225, P.R.D.C.T.)



WHEREAS RAEI DEVELOPMENT CORPORATION is the owner of a tract of land situated in the E. Puchalski Survey, Abstract Number 996 in the City of Denton, Denton County, Texas, and being all of Lot 1 and Lot 2 in Block A of Collier Street Addition, an addition in the City of Denton, Denton County, Texas, according to the plat recorded under Cabinet L, Slide 91, Plat Records, Denton County, Texas, (P.R.D.C.T.), together with all of Lot 1 in Block 1 of Bridges Addition, an addition in the City of Denton, Denton County, Texas, according to the plat recorded under Cabinet E, Slide 311, (P.R.D.C.T.), and together with the following tracts: that tract of land described by deed to JPMC Property Investments, LP as recorded under Document Number 2005-69274, Official Public Records, Denton County, Texas, (O.P.R.D.C.T.); that tract of land described by deed to Anthony Kurialacherry as recorded under Document Number 2005-143299, (O.P.R.D.C.T.); that tract of land described by deed to Anthony Kurialacherry and Anyamma Kurialacherry as recorded under Document Number 2017-65809, (O.P.R.D.C.T.); that tract of land described by deed to Richard Cooper and wife, Betty Cooper as recorded under Document Number 2001-83363, (O.P.R.D.C.T.); that tract of land designated as "Tract 1" and "Tract 2" described by deed to PG & J Properties as recorded under Document Number 2006-7108, (O.P.R.D.C.T.); that tract of land described by deed to Myung Ja and Paul S. Kim as recorded under Document Number 2019-755, (O.P.R.D.C.T.); that tract of land designated as "Tract 1" described by deed to ZB Eagle Partners, LP as recorded under Document Number 1993-36889, (O.P.R.D.C.T.); that tract of land described by deed to Stephen Lassiter Martin as recorded under Volume 732, Page 109, Deed Records, Denton County, Texas, (D.R.D.C.T.); and those two tracts of land described by deeds to Paul S. Kim and Grace Y. Kim as recorded under Document Numbers 2006-79196 and 2006-79197, (O.P.R.D.C.T.), the subject tract being more particularly described by metes and bounds as follows (bearings are based on State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83)):

BEGINNING at a 1/2 inch square rebar found for the northwest corner of Lot 1 in Block A of said Collier Street Addition, same being the westernmost northwest corner of the herein described tract;

THENCE South 89 degrees 44 minutes 04 seconds East, with the north line of Lot 1 in Block A of said Collier Street Addition, passing the northeast corner thereof, same being the northwest corner of said Kurialacherry tract (2005-143299), and continuing with the north line thereof for a total distance of 108.93 feet to a 1/2 inch rebar found for the southwest corner said JPMC Property tract;

THENCE North 00 degrees 12 minutes 44 seconds East, with the west line of said JPMC Property tract, a distance of 149.43 feet to a 1/2 inch rebar with pink cap stamped "BARTON CHAPA" set (hereon called capped rebar set) for the northwest corner thereof;

THENCE South 89 degrees 44 minutes 13 seconds East, with the north line of said JPMC Property tract, a distance of 109.09 feet to a capped rebar set for the northeast corner thereof, from which a MAG nail found bears South 46 degrees West, a distance of 1.24 feet and from which a MAG nail found bears South 18 degrees West, a distance of 4.38 feet;

THENCE South 00 degrees 14 minutes 05 seconds West, with the east line of said JPMC Property tract, a distance of 150.06 feet to a 3/8 inch rebar found for the southeast corner thereof, same being the northeast corner of said Kurialacherry tract (2005-143299);

THENCE South 00 degrees 06 minutes 02 seconds East, with the east line of said Kurialacherry tract (2005-143299), a distance of 49.59 feet to a 1/2 inch rebar with cap stamped, "ONSITE" found for the southeast corner thereof;

THENCE North 89 degrees 38 minutes 42 seconds West, with the south line of said Kurialacherry tract (2005-143299), a distance of 0.45 feet to a point for the northeast corner of said Kurialacherry tract (2017-65809);

THENCE South 00 degrees 21 minutes 20 seconds West, with the east line of said Kurialacherry tract (2017-65809), a distance of 49.87 feet to a capped rebar set for the southeast corner thereof;

THENCE North 89 degrees 38 minutes 40 seconds West, with the south line of said Kurialacherry tract (2017-65809), a distance of 0.34 feet to a capped rebar set for the northwest corner thereof;

THENCE South 00 degrees 09 minutes 31 seconds West, with the east line of "Tract 1" of said PG & J Properties tract, passing the southeast corner thereof and continuing with the east line of "Tract 2" of said PG & J Properties tract and passing at a distance of 83.94 feet a 3/8 inch rebar found for the northeast corner of said Kim tract (2006-79196), and continuing for a total distance of 139.02 feet to a capped rebar set for the southeast corner of said Kim tract (2006-79196), same being in the north line of said Ja/Kim tract (2019-755);

THENCE South 89 degrees 49 minutes 25 seconds East, with the north line of said Ja/Kim tract (2019-755), a distance of 0.15 feet to a capped rebar set for the northeast corner thereof;

THENCE South 00 degrees 07 minutes 09 seconds West, with the east line of said Ja/Kim tract (2019-755), a distance of 54.91 feet to a disturbed 3/8 inch rebar found for the southeast corner thereof;

THENCE North 89 degrees 42 minutes 07 seconds West, with the south line of said Ja/Kim tract (2019-755), a distance of 218.26 feet to a capped rebar set for the southwest corner thereof;

THENCE North 00 degrees 14 minutes 16 seconds East, with the west line of said Ja/Kim tract (2019-755), a distance of 54.39 feet to a 5/8 inch rebar found for the northwest corner thereof, same being the southwest corner of said Kim tract (2006-79197);

THENCE North 00 degrees 09 minutes 31 seconds East, with the west line of said Kim tract (2006-79197), passing at a distance of 55.00 feet a 5/8 inch rebar found for the northwest corner thereof, same being the southwest corner of said Martin tract, and continuing for a total distance of 139.36 feet to a capped rebar set for the northwest corner of said Martin tract, same being in the south line of "Tract 1" of said ZB Eagle Partners tract;

THENCE South 89 degrees 50 minutes 28 seconds West, with the south line of "Tract 1" of said ZB Eagle Partners tract, a distance of 2.36 feet to a capped rebar set for the southwest corner thereof;

THENCE North 00 degrees 14 minutes 14 seconds West, with the west line of "Tract 1" of said ZB Eagle Partners tract, a distance of 100.03 feet to a capped rebar set for the northwest corner thereof;

THENCE North 89 degrees 51 minutes 33 seconds East, with the north line of "Tract 1" of said ZB Eagle Partners tract, a distance of 1.42 feet to a 1/2 inch rebar found for the southwest corner of Lot 2 in Block A of said Collier Street Addition;

THENCE North 00 degrees 01 minutes 30 seconds West, with the west line of Lot 2 in Block A of said Collier Street Addition, passing the northwest corner thereof, same being the southwest corner of Lot 1 in Block A of said Collier Street Addition, and continuing for a total distance of 149.72 feet, returning to the **POINT OF BEGINNING** and enclosing 2.592 acres (112,914 square feet) of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THE PRESENTS

THAT RAEI DEVELOPMENT CORPORATION, INC., acting by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as **LOT 1, BLOCK 1, RAEI DEVELOPMENT**, an addition in the City of Denton, 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 are, as shown, dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over, or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Denton. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities. Said use by public utilities being subordinate to the public's and the City of Denton's use thereof. The City of Denton and all public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Denton and all public utility entities shall at all times have the full right on ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity, at any time, of procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Denton, Texas.

Witness my hand this _____ day of _____, 20____

By: _____

Print Name/Title: _____

STATE OF TEXAS

COUNTY OF _____

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

Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE

This is to certify that I, John H. Barton III, a Registered Professional Land Surveyor of the State of Texas, have prepared this plat from an actual survey on the ground, and that the corner monuments indicated as "set" hereon were properly placed under my supervision and in accordance with the Subdivision Regulation of the City of Denton, Texas.

Date of Plat/Map: **May 29, 2024**

John H. Barton III, RP/LS# 6737

STATE OF TEXAS

COUNTY OF _____

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

Notary Public in and for the State of Texas

FINAL PLAT
CITY PROJECT #FP24-XXXX
RAEL DEVELOPMENT
LOT 1, BLOCK 1
2.592 ACRES SITUATED IN THE
E. PUCHALSKI SURVEY SURVEY, ABSTRACT #996
CITY OF DENTON, DENTON COUNTY, TEXAS

DATE OF PREPARATION: AUGUST 12, 2024



BARTON CHAPA
SURVEYING

5200 State Highway 121
Colleyville, TX 76034
Phone: 817-864-1957
info@bcsdfw.com
TBPLS Firm #10194474

RAEL DEVELOPMENT

DENTON
TEXAS

JOB NO. 2023.014.029

DRAWN: SMW

CHECKED: JHB

TABLE OF REVISIONS

DATE SUMMARY

SURVEYOR

BARTON CHAPA SURVEYING
3601 NE Loop 820, Suite 108
Fort Worth, TX 76137
Phone: 817-864-1957
info@bcsdfw.com
TBPLS Firm #10194474

CIVIL ENGINEER

Cross Engineering Consultants, Inc.
1720 W. Virginia St.
McKinney, TX 75069
Contact: Jonathan Hake, PE
972.562.4409
jhake@crossengineering.biz

OWNER

RAEL DEVELOPMENT
CORPORATION, INC.
14850 Montfort Drive, Suite 185
Dallas, TX 75254
Phone: 214-272-9790
info@raelcorp.com

SHEET:

VO1

From: Jonathan Hake <jhake@crossengineering.biz>
Sent: Tuesday, September 3, 2024 1:21 PM
To: Stanley, Erin; Meza, Miranda; btill@dwelldesignstudio.com; billy.avila@raelcorp.com
Cc: Jack Barton (jack@bcsdfw.com)
Subject: RE: FP24-0032 RDC Denton Eagle 1st DAT review comments available to view/download

Erin,

Thanks for the responses below. We would like to request an extension on the plat in order to resubmit on 9/10. Does this email suffice or is there an official form to complete?

Thanks,
Jonathan Hake, P.E.
Cross Engineering Consultants, Inc.
Main: (972) 562-4409
Direct: (972) 957-5132

From: Stanley, Erin <Erin.Stanley@cityofdenton.com>
Sent: Tuesday, September 3, 2024 1:09 PM
To: Jonathan Hake <jhake@crossengineering.biz>; Meza, Miranda <miranda.meza@cityofdenton.com>; btill@dwelldesignstudio.com; billy.avila@raelcorp.com
Cc: Jack Barton (jack@bcsdfw.com) <jack@bcsdfw.com>
Subject: RE: FP24-0032 RDC Denton Eagle 1st DAT review comments available to view/download

Good morning,

Thank you for your patience as I was out of the office on Friday and the City was closed yesterday for Labor day. We can get a meeting set up to discuss the outstanding comments, but in the meantime, I do need you to send an extension request in writing or withdraw your plat in order to avoid being denied by the Planning and Zoning Commission on September 11. Either action must be completed before September 10 but ideally as soon as possible. Either option will also allow you to resubmit the plat on September 10 to eTRAKiT before 3pm. There is not much difference between the two options in the long run, and if you anticipate all comments to be satisfied with the next submittal (including CEP approval), then the extension request is the most common option.

For your convenience, I added responses in red to the planning related questions below. We will still get a meeting set up for the others and I can be on that meeting as well.

Thank you,

Erin Stanley | Assistant Planner
Department of Development Services
Desk: (940) 349-8351 | Main: (940) 349-8600
401 N. Elm St., Denton, TX 76201
www.cityofdenton.com/landdevelopment

From: Meza, Miranda <miranda.meza@cityofdenton.com>

Sent: Thursday, August 29, 2024 4:27 PM

To: Jonathan Hake <jhake@crossengineering.biz>; btill@dwelldesignstudio.com;
billy.avila@raelcorp.com

Cc: Stanley, Erin <Erin.Stanley@cityofdenton.com>

Subject: FP24-0032 RDC Denton Eagle 1st DAT review comments available to view/download

Good Evening,

Please note that there are outstanding comments that need to be addressed for the 1st review from the Development Assistance Team (DAT) for your Final Plat Application FP24-0032; RDC Denton Eagle. FP24-0032 comments are available to view and download from eTRAKiT. The attachments include:

FP24-0032 1st DAT Review Comments .pdf 1
FP24-0032 - First Submittal Final Plat_1 PLANNING MARKUP.pdf 1
Letter of Fee Determination FP24-0032.pdf 1
FP24-0032_ENG_1st_MU.pdf 1

Due to the nature of these comments, staff will be making a recommendation for denial of this final plat at the Planning and Zoning Commission (P&Z) meeting on Wednesday, September 11, 2024. In accordance with Chapter 212 of the Texas Local Government Code, Section 212.009, you as the applicant, may pursue the following consideration:

(b-2) Notwithstanding Subsection (a) or (b), the parties may extend the 30-day period described by those subsections for a period not to exceed 30 days if:

- (1) the applicant requests the extension in writing to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable; and
- (2) the municipal authority or governing body, as applicable, approves the extension request.

The above consideration applies to you as the applicant, and the City of Denton has no authority to request that you pursue an extension request. Requests for a 30-day extension for the Final Plat application review period must be submitted formally in writing in a letter by Friday, August 30, 2024, to your assigned project facilitator and planner, Erin Stanley. If the team decides to submit for a 30-day extension for FP24-0032, the next eligible submittal is September 10, 2024 for the October 9th P&Z date.

An email reply confirming that you received these comments is greatly appreciated.

Miranda Meza | Development Project Facilitator
Department of Development Services
940-349-7783
miranda.meza@cityofdenton.com
401 N. Elm Street, Denton, TX 76201 (**Note: We have moved.**)

****Effective January 1, 2023, all development projects must submit a Tree Preservation Plan (TPP) application. The TPP is a separate application that is to be submitted with the Zoning Compliance Plan (multi-family and commercial) or Preliminary Plat (residential subdivision), or Planned Development or Specific Use Permit (if required for any use). If you experience any issues during the submittal process, please contact Planning Technicians at (940)349-7716 or PlanningTechnicians@cityofdenton.com.**





City of Denton

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

Legislation Text

File #: FP24-0033, **Version:** 1

AGENDA CAPTION

Consider a request by the Foresite Group, LLC for approval of a Final Plat for Stella Hills Phase 2A. The approximately 21.0505-acre site is located approximately 1,500feet south of E. McKinney Street and east of Laney Circle in the City of Denton, Denton County, Texas. (FP24-0033, Stella Hills Phase 2A, 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: September 11, 2024

SUBJECT

Consider a request by the Foresite Group, LLC for approval of a Final Plat for Stella Hills Phase 2A. The approximately 21.0505-acre site is located approximately 1,500feet south of E. McKinney Street and east of Laney Circle in the City of Denton, Denton County, Texas. (FP24-0033, Stella Hills Phase 2A, Angie Manglaris).

BACKGROUND

The purpose of this Final Plat is to establish 85 single-family lots and associated right-of-way and easement dedication for the development of the second phase of a single-family residential neighborhood. The subject property is zoned Residential 6 (R6).

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

Date Application Filed:	August 13, 2024
Planning and Zoning Commission Meeting:	September 11, 2024
Days Under Review:	29 Days

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

This application is being considered under Texas Local Government Code (TX LGC) 212.009, which was updated as of September 1, 2023, with the passage of House Bill 3699. The applicant has requested a 30-day extension to allow for time to work through staff's comments on the plat and allow for additional review (Exhibit 5). This extension could be granted to October 9, 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 as Submitted
2. Approve Extension Request
3. Deny with Reasons

RECOMMENDATION

Staff recommends denial of this plat as it does not meet the established criteria for approval; however, staff has no objection to the requested extension (Exhibit 5) which could be granted to a date certain of October 9, 2024. See Staff Analysis (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	Phase 1 Final Plat 30-day Extension Request	Approval
May 15, 2024	Planning and Zoning Commission	Phase 1 Final Plat	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. Request for Extension
6. LLC Members List

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

Prepared by:
Angie Manglaris, AICP
Development Review Manager

Planning Staff Analysis

FP24-0033 / Stella Hills Phase 2A

City Council District #1

Planning & Zoning Commission

REQUEST:

Final plat for approximately 21.0505 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.

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 the following items as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B:</p><ol style="list-style-type: none">1. Ensure all text is legible and avoid screening information. (FPC 2.1)2. Add City-assigned project number (FP24-0033) to all submittal documents. (FPC 2.2)3. Include total land area in both acres and square feet in the title block. (FPC 5.3)4. Provide a copy of the current title policy. (FPC 1.5)5. Revise line types in legend to be consistent with plat graphic. (FPC 2.12)6. 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 2.13)7. Show, label, and dimension all existing and proposed easements. (FPC 3.6)8. Provide a copy of the computer-generated metes and bounds reports. (FPC 5.2)</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
	9. Limit plat notes to those applicable to the plat type submitted. Include dedication of right-of-way in owner's certificate. (FPC 5.9) 10. Show all required visibility easements at notated street intersections. (FPC 6.3 & 4.2)				
b. The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9. Findings: <div> The Final Plat does not meet all review criteria in Section 2.6.4 as described below: 1. Civil Engineering Plan approval is required prior to recommending approval of the Final Plat. (DDC 2.6.4C.2.d) </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 consistent with the approved Preliminary Plat for Stella Hills.</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"/>
b. The decision-making authority shall weigh competing plan goals, policies, and strategies			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
Findings: <div>There are no competing plan goals, policies, and strategies for this site.</div>				
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> <p>All applications shall include all required information requested by the Director to demonstrate compliance with City codes per DDC Section 2.4.4B. This Final Plat does not meet all review criteria, as detailed in the following items as required by the Denton Development Code:</p> <ol style="list-style-type: none"> 1. Include a plat note regarding required inches of DBH of tree preservation and mitigation, including all language required by DDC 7.7.4.E.7. 2. Label minimum Finished Floor Elevation for each pad site within 200' of a floodplain. (DDC 7.5.3.I.3 and FPC 3.10, 3.10) </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>As detailed herein, additional detail regarding some of the easements is required.</div>		<input type="checkbox"/>	<input checked="" 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"/>

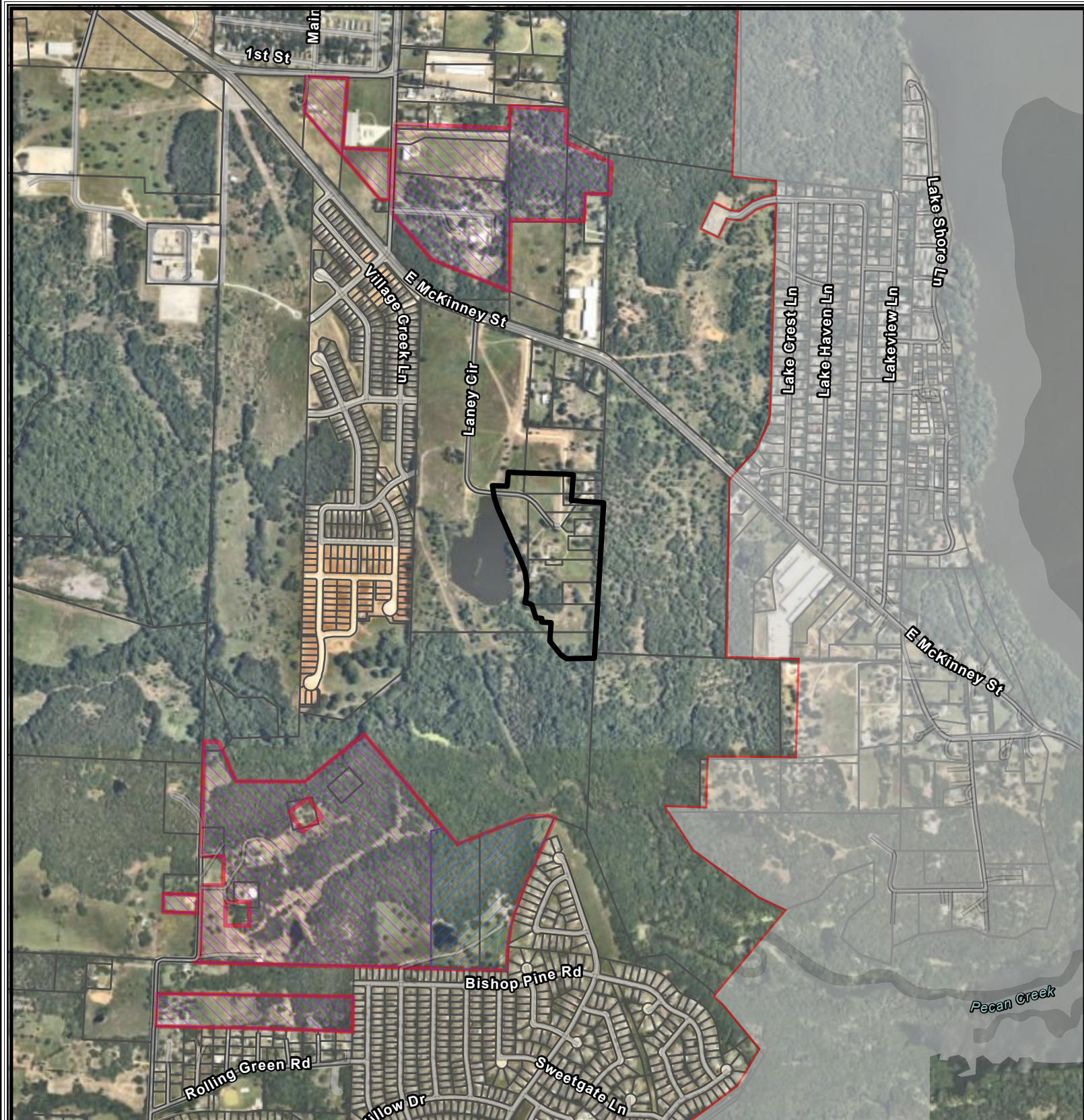
Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
6. Consistent with Interlocal and Development Agreements				
<p>a. The proposed development shall be consistent with any adopted interlocal and applicable development agreements, and comply with the 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;"> 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				
<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;"> 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 style="border: 1px solid black; padding: 5px; margin-top: 10px;"> 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 style="border: 1px solid black; padding: 5px; margin-top: 10px;"> 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>		<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>The proposed Final Plat does not comply with all City regulations as described herein.</div>				
11. Provides Adequate Road Systems				
a. Adequate road capacity shall exist to serve the uses permitted under the proposed development, and the proposed uses shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services. Findings: <div>Adequate road capacity exists external to the site.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Provides Adequate Public Services and Facilities				
a. Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, roads, domestic water, sewer, schools, public safety, fire protection, utilities, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties. Findings: <div>The approach main shall be extended to serve the entire development prior to the time of final plat approval for the second phase of the phased preliminary plat. (DDC 8.4.11)</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Rational Phasing Plan				
a. If the application involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required for that phase, and may not defer those improvements to subsequent phases. Findings: <div>The Final Plat includes all required improvements for Phase 2A of the development.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

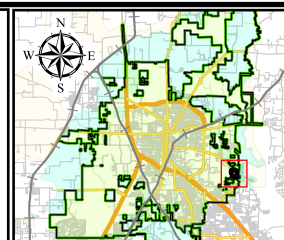
Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)		Applicability		
		Met	Not Met	N/A
13. Whether the final plat conforms to the preliminary plat, including any conditions of approval.		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

FP24-0033 Site Location

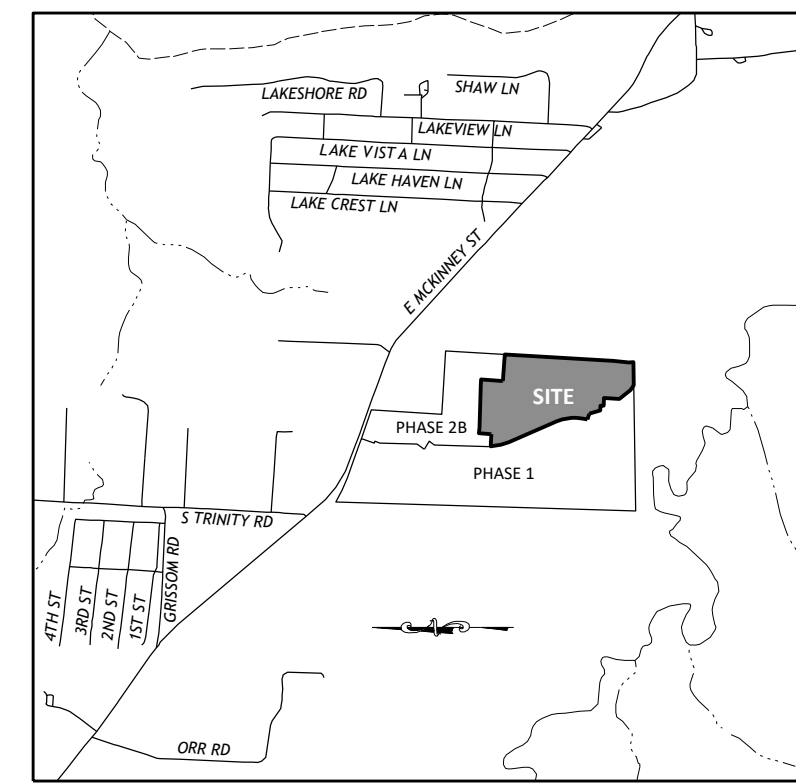


- Roads
- Parcels
- COD
- ETJ
- ETJ 2
- NAA 8/1/20
- NAA 8/1/40

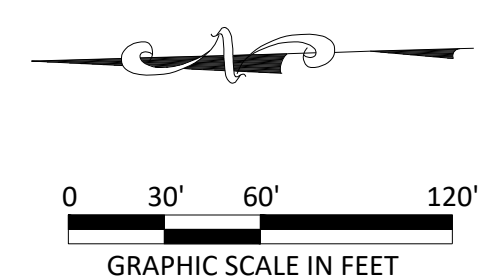


0 325 650 1,300 Feet

CITY OF DENTON
Development Services • GIS
Date: 8/15/2024



* VICINITY MAP *
(NOT TO SCALE)



- * LEGEND ***
- | | | | |
|--------------|----------------------------|--------------|-------------------------|
| CIRF | IRON ROD FOUND WITH CAP | O.P.R.D.C.T. | OFFICIAL PUBLIC RECORDS |
| CIRS | 5/8" IRON ROD SET WITH CAP | P.R.D.C.T. | DENTON COUNTY, TEXAS |
| IRF | IRON ROD FOUND | (B.T.P.) | DENTON COUNTY, TEXAS |
| XCS | "X" CUT IN CONCRETE SET | (EX.) | EXISTING |
| COE | CORPS OF ENGINEERS | | CENTERLINE |
| MON. | MONUMENT | | ARC LENGTH OF 5.00' |
| VOL. | VOLUME | | DRAINAGE EASEMENT |
| PG. | PAGE | | PUBLIC UTILITY EASEMENT |
| R.O.W. | RIGHT OF WAY | | ESMT. |
| D.C.C.I. NO. | DENTON COUNTY CLERK'S | | |
| D.R.D.C.T. | INSTRUMENT NUMBER | | |
| | DEED RECORDS, | | |
| | DENTON COUNTY, TEXAS | | |

- | | |
|------------------------------|---------------------------|
| NEW R.O.W. LINE | NEW LOT LINES |
| EXISTING R.O.W. LINE | PROPERTY LINE |
| ADJOINER PROPERTY LINE | WATER RELATED HABITAT ESA |
| EASEMENTS | USACOE FLOWAGE ESMT. |
| CROSS TIMBERS ESA | BLOCK LABEL |
| 5/8" IRON ROD FOUND WITH CAP | |
| STAMPED "SPOONER 5922" | |
| (UNLESS OTHERWISE NOTED) | |

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

OWNER:
MICHAEL G. LANEY
28 OAK FORREST CIR
DENTON, TX 76210-5552

OWNER:
DAVID HART LANEY
PO BOX 50061
DENTON, TX 76206-0061

OWNER/DEVELOPER:
MERITAGE HOMES
8840 CYPRESS WATERS BLVD, SUITE 100
DALLAS, TEXAS 75026
PH: 855-588-6374
ATTN: FRANK SU

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



BEING A FINAL PLAT OF A 21.0505 ACRE TRACT OF LAND SITUATED IN THE GIDEON WALKER SURVEY, ABSTRACT NO. 1330, DENTON COUNTY, TEXAS, SAID 21.0505 ACRE TRACT 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 D.C.C.I. NO. 2024-30473, O.P.R.D.C.T., SAID 21.0505 ACRE TRACT BEING A PORTION OF A CALLED 0.565 ACRE TRACT OF LAND CONVEYED TO MICHAEL G. LANEY BY DEED RECORDED IN D.C.C.I. NO. 1986-77231, O.P.R.D.C.T., SAID 21.0505 ACRE TRACT A PORTION OF A CALLED 0.6074 ACRE TRACT IDENTIFIED AS "TRACT-1", A PORTION OF A CALLED 1.91 ACRE TRACT OF LAND IDENTIFIED AS "TRACT-4", A PORTION OF A CALLED 3.40 ACRE TRACT IDENTIFIED AS "TRACT-7" BEING CONVEYED TO DAVID HART LANEY, TRUSTEE OF THE DAVID HART LANEY FAMILY TRUST BY SPECIAL WARRANTY DEED RECORDED IN D.C.C.I. NO. 2010-65312, O.P.R.D.C.T., SAID 21.0505 ACRE TRACT BEING A PORTION OF A CALLED 0.746 ACRE TRACT OF LAND CONVEYED TO DAVID HART LANEY, TRUSTEE OF THE DAVID HART LANEY FAMILY TRUST BY WARRANTY DEED RECORDED IN D.C.C.I. NO. 2015-108591, O.P.R.D.C.T.

85 SINGLE FAMILY LOTS
21.0505 ACRES ~ ZONED R6
JULY ~ 2024

* OWNER'S CERTIFICATION *

STATE OF TEXAS §

COUNTY OF DENTON §

WHEREAS MERITAGE HOMES OF TEXAS, LLC, MICHAEL G. LANEY, AND DAVID HART LANEY, TRUSTEE OF THE DAVID HART LANEY FAMILY TRUST, are the sole owners of a 21.0505 acre tract of land situated in the Gideon Walker Survey, Abstract No. 1330, Denton County, Texas, said 21.0505 acre tract 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 21.0505 acre tract being a portion of a called 0.565 acre tract of land conveyed to Michael G. Laney by deed recorded in D.C.C.I.No. 1986-77231, O.P.R.D.C.T., said 21.0505 acre tract a portion of a called 0.6074 acre tract identified as "Tract-1", a portion of a called 1.91 acre tract of land identified as "Tract-4", a portion of a called 3.40 acre tract identified as "Tract-7" being conveyed to David Hart Laney, Trustee of the David Hart Laney Family Trust by Special Warranty Deed recorded in D.C.C.I. No. 2010-65312, O.P.R.D.C.T., said 21.0505 acre tract also being a portion of a called 0.746 acre tract of land conveyed to David Hart Laney, Trustee of the David Hart Laney Family Trust by Warranty Deed recorded in D.C.C.I.No. 2015-108591, O.P.R.D.C.T., said 21.0505 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with a cap stamped "SPOONER 5922" found (hereinafter referred to as a Spooner iron found) at the southeast lot corner of Lot 43X, Block C, Stella Hills 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. 2024-226, O.P.R.D.C.T., said beginning point being on a north property line of 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.;

THENCE along the easterly subdivision lines of said Stella Hills Phase 1 the following courses and distances:

North 55°06'57" West, a distance of 57.08 feet to a Spooner iron found;

North 39°17'16" West, a distance of 143.21 feet to a Spooner iron found;

North 03°40'24" East, a distance of 153.53 feet to a Spooner iron found;

North 86°19'36" West, a distance of 78.50 feet to a Spooner iron found;

North 03°40'24" East, a distance of 31.56 feet to a Spooner iron found;

North 86°19'36" West, a distance of 47.46 feet to a Spooner iron found;

North 17°33'27" West, a distance of 113.33 feet to a Spooner iron found at the beginning of a non-tangent curve to the right having a radius of 277.50 feet;

Along said curve to the right, an arc length of 7.66 feet, and across a chord which bears North 65°15'32" West, a chord length of 7.66 feet to to a Spooner iron found at the beginning of a curve to the left having a radius of 222.50 feet;

Along said curve to the left, an arc length of 53.55 feet, and across a chord which bears North 71°21'46" West, a chord length of 53.42 feet to a Spooner iron found;

North 11°44'31" East, a distance of 55.00 feet to a Spooner iron found;

North 04°49'54" East, a distance of 56.83 feet to a Spooner iron found;

North 00°26'07" East, a distance of 44.24 feet to a Spooner iron found;

North 09°05'52" West, a distance of 99.25 feet to a Spooner iron found;

North 19°29'42" West, a distance of 57.24 feet to a Spooner iron found;

North 23°35'50" West, a distance of 517.46 feet to a Spooner iron found;

North 17°56'10" West, a distance of 86.08 feet to a Spooner iron found;

North 08°39'17" West, a distance of 102.73 feet to a 5/8 inch iron rod with a cap stamped "SPOONER 5922" set (hereinafter referred to as an iron rod set);

THENCE departing the said easterly subdivision lines, over and across the said Meritage Tract and the said Laney Tracts the following courses and distances:

South 87°07'21" East, a distance of 121.63 feet to an iron rod set at the beginning of a non-tangent curve to the right having a radius of 227.50 feet;

Along said curve to the right, an arc length of 7.42 feet, and across a chord which bears North 03°48'41" East, a chord length of 7.42 feet to an iron rod set;

North 04°44'43" East, a distance of 116.55 feet to an iron rod set;

South 85°15'17" East, a distance of 55.00 feet to an iron rod set;

South 88°19'47" East, a distance of 426.94 feet to an iron rod set;

South 85°40'37" East, a distance of 55.00 feet to an iron rod set;

South 04°19'23" West, a distance of 214.38 feet to an iron rod set at the beginning of a curve to the left having a radius of 172.50 feet;

Along said curve to the left, an arc length of 5.20 feet, and across a chord which bears South 03°27'32" West, a chord length of 5.20 feet to an iron rod set;

South 86°15'43" East, a distance of 266.06 feet to an iron rod set on the east property lines of the said Laney Tracts and on the west property line of a called 47.267 acre tract of land conveyed to FSA & S Collin County, LLC, by deed thereof filed for record in D.C.C.I. No. 2015-129157, O.P.R.D.C.T.;

THENCE South 03°26'21" West, in part along the said east property lines of the Laney Tracts, along the said west property line of the 47.267 acre tract and in part along the east property line of the said Meritage Tract, a distance of 1,085.27 feet to a 1/2 inch iron rod with a cap stamped "4158" found;

THENCE South 04°48'50" West, continuing along the said east property line of the Meritage tract and along the said west property line of the 47.267 acre tract, a distance of 156.87 feet to a Corps of Engineers aluminum disc monument stamped "P249 W" found at the southwest property corner of the said 47.267 acre tract, same being a northwest property corner of the said United States of America Tract;

THENCE South 01°14'01" East, along the east property line of the said Meritage Tract and along a west property line of the said United States of America Tract, a distance of 45.85 feet to an aluminum disc in concrete monument found at the southeast property corner of the said Meritage Tract, same being an interior northwest property corner of the said United States of America Tract;

THENCE South 89°08'34" West, along the south property line of the said Meritage tract and along the aforesaid north property line of the said United States of America Tract, a distance of 229.09 feet to the **POINT OF BEGINNING**, containing **21.0505 acres (916,958 square feet)** of land more or less.

NOW, THEREFORE KNOWN BY ALL MEN THESE PRESENTS:

THAT, I, _____, a duly authorized agent for Meritage Homes of Texas, LLC hereby certify that Meritage Homes of Texas, LLC 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.

Meritage Homes of Texas, LLC

_____(duly authorized agent) Date

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

THAT, I, Michael G. Laney, am 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.

Michael G. Laney Date

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 MICHAEL G. LANEY, 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

THAT, I, David Hart Laney, Trustee of the David Hart Laney Family Trust, hereby certify that the David Hart Laney Family Trust 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.

David Hart Laney Family Trust

David Hart Laney (Trustee) Date

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 DAVID HART LANEY, 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 only, the subject property appears to be located in Zone "X" (areas determined to be outside the 0.2 % annual chance floodplain) 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. 48121C0385G; 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" 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.
- 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.
- The purpose of this Final Plat is to create 85 single family 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 CITY. The City, including its agent 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 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 City, the 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 City's written demand (at least 90 days), the 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 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 City's cost of maintaining the Common Areas, the 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 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 C		
LOT	SQ. FT.	ACRES
44	6,203	0.1424
45	6,000	0.1377
46	6,000	0.1377
47	6,000	0.1377
48	6,000	0.1377
49	8,925	0.2049
50	10,110	0.2321
51	8,550	0.1963
52	13,271	0.3047
53	13,644	0.3132
54	18,797	0.4315
55	9,076	0.2084
56	6,778	0.1556
57	6,760	0.1552
58	9,112	0.2092

AREA TABLE - BLOCK J		
LOT	SQ. FT.	ACRES
1	9,067	0.2081
2	6,065	0.1392
3	6,055	0.1390
4	6,834	0.1569
5	7,679	0.1763
6	8,987	0.2063
7	9,573	0.2198
8	10,065	0.2311
9	15,175	0.3484
10	36,463	0.8371
11	25,786	0.5920
12	17,757	0.4077
34	7,334	0.1684
35	7,244	0.1663
36	6,094	0.1399
37	9,987	0.2293

AREA TABLE - BLOCK K		
LOT	SQ. FT.	ACRES
9	7,237	0.1661
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	7,949	0.1825

AREA TABLE - BLOCK L		
LOT	SQ. FT.	ACRES
1	7,930	0.1820
2	6,000	0.1377
3	6,000	0.1377
4	6,000	0.1377
5	6,000	0.1377
6	6,000	0.1377
7	8,927	0.2049
8	12,900	0.2961
9	8,749	0.2008
10	8,227	0.1889
11	7,706	0.1769
12	7,184	0.1649
13	6,663	0.1530
14	6,152	0.1412
15	6,341	0.1456
16	6,420	0.1474
17	6,705	0.1539
18	6,911	0.1586
19	6,925	0.1590
20	6,699	0.1538
21	8,862	0.2034
22	8,882	0.2039
23	6,542	0.1502
24	6,648	0.1526
25	8,156	0.1872
26	7,663	0.1759
27	6,435	0.1477
28	6,488	0.1489
29	7,300	0.1676
30	7,908	0.1815
31	7,421	0.1704
32	8,024	0.1842
33	8,658	0.1988
34	10,189	0.2339

AREA TABLE - BLOCK M		
LOT	SQ. FT.	ACRES
11	8,084	0.1856
12	6,770	0.1554
13	6,836	0.1569
14	6,835	0.1569
15	6,784	0.1557
16	6,376	0.1464
17	6,229	0.1430
18	6,229	0.1430
19	6,037	0.1386
20	6,000	0.1377
21	6,000	0.1377
22	7,792	0.1789

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N55°06'57"W	57.08'
L2	N86°19'36"W	78.50'
L3	N03°40'24"E	31.56'
L4	N86°19'36"W	47.46'
L5	N17°33'27"W	113.33'
L6	N11°44'31"E	55.00'
L7	N04°49'54"E	56.83'
L8	N00°26'07"E	44.24'
L9	N09°05'52"W	99.25'
L10	N19°29'42"W	57.24'
L11	N17°56'10"W	86.08'
L12	N08°39'17"W	102.73'
L13	S85°15'17"E	55.00'
L14	S85°40'37"E	55.00'
L15	S04°48'50"W	156.87'
L16	S01°14'01"E	45.85'
L17	N52°40'50"E	13.12'
L18	N03°40'24"E	72.42'
L19	N68°35'50"W	14.14'
L20	N21°24'10"E	14.14'
L21	S41°54'03"E	13.79'
L22	N47°59'48"E	14.47'
L23	S41°19'36"E	14.14'
L24	S48°40'24"W	14.14'
L25	N41°19'36"W	14.14'
L26	N41°19'36"W	14.14'
L27	N03°40'24"E	73.96'
L28	N37°31'30"E	11.71'
L29	S42°00'12"E	13.81'
L30	S04°19'23"W	29.19'
L31	S48°40'24"W	14.14'
L32	S86°19'36"E	33.50'

CURVE TABLE				
CURVE #	RADIUS	LENGTH	CH BEARING	CH LENGTH
C1	277.50'	7.66'	N65°15'32"W	7.66'
C2	222.50'	53.55'	N71°21'46"W	53.42'
C3	227.50'	7.42'	N03°48'41"E	7.42'
C4	172.50'	5.20'	S03°27'32"W	5.20'
C5	277.50'	66.79'	S71°21'46"E	66.63'
C6	222.50'	48.76'	S70°44'46"E	48.67'
C7	567.50'	270.11'	N09°57'43"W	267.56'
C8	227.50'	105.12'	N10°21'35"W	104.19'
C9	172.50'	15.00'	S00°06'12"W	14.99'
C10	272.50'	98.00'	S12°41'24"E	97.47'
C11	327.50'	152.42'	S09°39'34"E	151.05'
C12	61.00'	260.85'	N53°49'13"W	102.89'
C13	55.00'	62.41'	N36°10'47"E	59.11'
C14	277.50'	98.21'	N76°11'18"W	97.70'
C15	622.50'	296.28'	N09°57'43"W	293.50'
C16	172.50'	16.01'	N20°56'21"W	16.00'
C17	227.50'	26.65'	S00°58'04"W	26.63'
C18	327.50'	117.77'	S12°41'24"E	117.14'
C19	272.50'	126.82'	S09°39'34"E	125.68'
C20	250.00'	60.17'	S71°21'46"E	60.03'
C21	250.00'	95.38'	S75°23'50"E	94.80'
C22	595.00'	283.20'	N09°57'43"W	280.53'
C23	200.00'	98.93'	S09°25'33"E	97.93'
C24	200.00'	23.43'	S00°58'04"W	23.41'
C25	300.00'	107.89'	S12°41'24"E	107.30'
C26	300.00'	139.62'	S09°39'34"E	138.36'



1999 Bryan Street, Suite 890

Dallas, Texas 75201

o | 214.939.7123

f | 888.765.8135

w | www.foresitegroup.net

D/B/A Foresite Consulting Group of Texas, LLC

September 3, 2024

VIA EMAIL

City of Denton
Department of Development Services
Attn: Angie Manglaris
401 N. Elm Street
Denton, Tx 76201
angela.manglaris@cityofdenton.com

RE: FP24-0033 (Stella Hills)

Dear Angie:

We hereby request a 30 day extension on FP24-0033 in order to address comments.

Thank you for your time and consideration.

Sincerely,
FORESITE GROUP, LLC

A handwritten signature in black ink that reads "Sean Faulkner". The signature is fluid and cursive, with the first name "Sean" and last name "Faulkner" clearly distinguishable.

Sean Faulkner, PE
Senior Project Manager


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 #: FP24-0034, **Version:** 1

AGENDA CAPTION

Consider a request by the Foresite Group, LLC for approval of a Final Plat for Stella Hills Phase 2B. The approximately 15.222-acre site is generally located on the south side of E. McKinney Street, and is situated to the east of Laney Circle in the City of Denton, Denton County, Texas. (FP24-0034, Stella Hills Phase 2B, 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: September 11, 2024

SUBJECT

Consider a request by the Foresite Group, LLC for approval of a Final Plat for Stella Hills Phase 2B. The approximately 15.222-acre site is generally located on the south side of E. McKinney Street, and is situated to the east of Laney Circle in the City of Denton, Denton County, Texas. (FP24-0034, Stella Hills Phase 2B, Angie Manglaris).

BACKGROUND

The purpose of this Final Plat is to establish 52 single-family lots, 1 open space lot, and associated right-of-way and easement dedication for the development of the second phase of a single-family residential neighborhood. The subject property is zoned Residential 6 (R6).

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

Date Application Filed:	August 13, 2024
Planning and Zoning Commission Meeting:	September 11, 2024
Days Under Review:	29 Days

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

This application is being considered under Texas Local Government Code (TX LGC) 212.009, which was updated as of September 1, 2023, with the passage of House Bill 3699. The applicant has requested a 30-day extension to allow for time to work through staff's comments on the plat and allow for additional review (Exhibit 5). This extension could be granted to October 9, 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 as Submitted
2. Approve Extension Request
3. Deny with Reasons

RECOMMENDATION

Staff recommends denial of this plat as it does not meet the established criteria for approval; however, staff has no objection to the requested extension (Exhibit 5) which could be granted to a date certain of October 9, 2024. See Staff Analysis (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	Phase 1 Final Plat 30-day Extension Request	Approval
May 15, 2024	Planning and Zoning Commission	Phase 1 Final Plat	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. Request for Extension
6. LLC Members List

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

Prepared by:
Angie Manglaris, AICP
Development Review Manager

Planning Staff Analysis

FP24-0034 / Stella Hills Phase 2B

City Council District #1

Planning & Zoning Commission

REQUEST:

Final plat for approximately 15.222 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.

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 the following items as required by the Final Plat Checklist (FPC) authorized per Denton Development Code Section 2.4.4B:</p><ol style="list-style-type: none">1. Add City-assigned project number (FP24-0034) to all submittal documents. (FPC 2.2).2. Include total land area in both acres and square feet in the title block (FPC 5.3).3. Provide a copy of the current title policy (FPC 1.5).4. 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 2.13).5. Label all lot width dimensions at front property lines. (Checklist 3.4)6. Show, label, and dimension all existing and proposed easements. (FPC 3.6)7. Provide a copy of the computer-generated metes and bounds reports. (FPC 5.2)8. Limit plat notes to those applicable to the plat type submitted. Easement types not shown on plat should not be referenced. (FPC 5.9)</div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
b. The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9. Findings: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <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"> Civil Engineering Plan approval is required prior to recommending approval of the Final Plat. (DDC 2.6.4C.2.d) </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-top: 5px;"> <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-top: 5px;"> <p>The Final Plat is consistent with the approved Preliminary Plat.</p> </div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Consistent with Comprehensive Plan and Other Applicable Plans The proposed development shall be consistent with the Comprehensive Plan and any applicable plans. Findings: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>Due to the passage of House Bill 3699 and resulting changes to Texas Local Government Code Chapter 212, this is no longer applicable.</p> </div>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The decision-making authority shall weigh competing plan goals, policies, and strategies Findings: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <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"/>
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.		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Approval Criteria Applicable to all Applications (DDC Section 2.4.5.E)		Compliance		
		Met	Not Met	N/A
Findings: <div>The overall goals of the Comprehensive Plan are met with the proposed Final Plat.</div>				
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> All applications shall include all required information requested by the Director to demonstrate compliance with City codes per DDC Section 2.4.4B. This Final Plat does not meet all review criteria, as detailed in the following items as required by the Denton Development Code: <ol style="list-style-type: none"> 1. Include a plat note regarding required inches of DBH of tree preservation and mitigation, including all language required by DDC 7.7.4.E.7. </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>As detailed herein, additional detail regarding some of the easements is required.</div>		<input type="checkbox"/>	<input checked="" 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:		<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
No interlocal or development agreements are applicable to this project.				
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> <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>		<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> <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>		<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> <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>		<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> <p>The proposed Final Plat does not comply with all City regulations as described herein.</p>		<input type="checkbox"/>	<input checked="" 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;">The approach main shall be extended to serve the entire development prior to the time of final plat approval for the second phase of the phased preliminary plat. (DDC 8.4.11)</div>		<input type="checkbox"/>	<input checked="" 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 2B of the development.</div>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

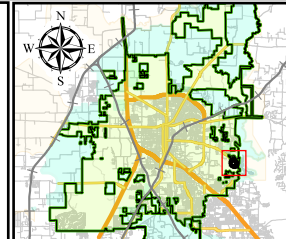
Final Plat Review Applicability Criteria (DDC Section 2.6.4.D)		Applicability		
		Met	Not Met	N/A
<p>13. Whether the final plat conforms to the preliminary plat, including any conditions of approval.</p> <p>Findings:</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Due to the 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 1040 441" style="border: 1px solid black; padding: 5px;"> <p>This Final Plat does not meet all review criteria as required by the DDC, as detailed herein.</p> </div>	<input type="checkbox"/>	<input checked="" 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="204 625 1040 749" style="border: 1px solid black; padding: 5px;"> <p>The Final Plat does not comply with all applicable technical standards and specifications as detailed herein.</p> </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

FP24-0034 Site Location

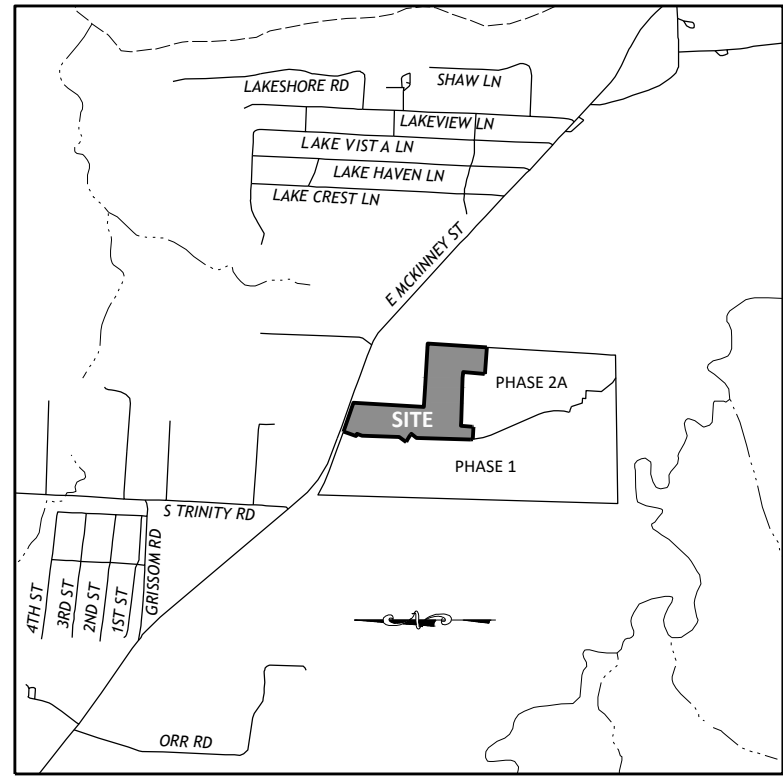


- Roads
- Parcels
- COD
- ETJ
- ETJ 2
- NAA 8/1/20
- NAA 8/1/40

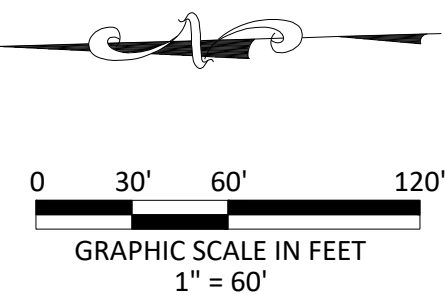


0 300 600 1,200
Feet

CITY OF DENTON
Development Services • GIS
Date: 8/15/2024



* VICINITY MAP *
(NOT TO SCALE)



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

CALLLED: 4.7362 ACRES
JOY LONGVILLE
D.C.C.I. NO. 2006-6846,
O.P.R.D.C.T.

CALLLED: 3.054 ACRES
SELF PET KENNEL, INC.
D.C.C.I. NO. 2011-56758,
O.P.R.D.C.T.

CALLLED: 47.267 ACRES

FSA & S COLLIN COUNTY, LLC
"TRACT 6"
D.C.C.I. NO. 2015-129157,
O.P.R.D.C.T.

WILLIAM DURHAM SURVEY
ABSTRACT NO. 830

APPROX. SURVEY LINE

GIDEON WALKER SURVEY
ABSTRACT NO. 1330

CURVE TABLE				
CURVE #	RADIUS	LENGTH	CH BEARING	CH LENGTH
C1	172.50'	5.20'	N03°27'32"E	5.20'
C2	227.50'	7.42'	S03°48'41"W	7.42'
C3	432.50'	84.33'	N59°01'20"W	84.19'
C4	432.50'	251.46'	N70°05'33"W	247.93'
C5	222.50'	135.50'	N19°07'00"E	133.42'
C6	61.00'	174.58'	S34°29'04"E	120.81'
C7	277.50'	169.00'	S19°07'00"W	166.40'
C8	367.50'	212.55'	S70°00'21"E	209.60'
C9	427.50'	22.94'	S03°12'28"W	22.94'
C10	372.50'	19.99'	N03°12'28"E	19.99'
C11	61.00'	193.42'	N46°40'13"E	121.99'
C12	61.00'	196.24'	S42°00'12"E	121.91'
C13	400.00'	232.58'	S70°05'39"E	229.32'
C14	250.00'	152.25'	S19°07'00"W	149.91'
C15	400.00'	21.47'	N03°12'28"E	21.47'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N85°40'37"W	55.00'
L2	N85°15'17"W	55.00'
L3	S04°44'43"W	116.55'
L4	N08°39'17"W	18.54'
L5	N36°33'48"E	65.00'
L6	N53°26'12"W	11.30'
L7	N36°33'48"E	87.45'
L8	N19°21'40"E	55.00'
L9	N70°38'20"W	21.17'
L10	N53°26'12"W	89.31'
L11	S53°26'12"E	0.80'
L12	N81°33'48"E	21.21'
L13	N36°33'48"E	58.20'
L14	N34°29'04"W	16.15'
L15	S36°33'48"W	58.20'
L16	S08°26'12"E	21.21'
L17	S53°26'12"E	3.50'
L19	N42°00'12"W	13.81'
L20	S46°40'13"W	14.14'
L21	S01°40'13"W	85.77'
L22	S04°44'43"W	1.30'
L23	N04°44'43"E	1.30'
L24	N01°40'13"E	64.51'
L27	N55°30'56"E	18.58'
L28	N47°59'48"E	21.72'
L29	N43°19'47"W	21.21'

DELILAH DRIVE

BLOCK D
STELLA HILLS PHASE 1
D.C.C.I. NO. 2024-226,
O.P.R.D.C.T.

BLOCK E
STELLA HILLS PHASE 1
D.C.C.I. NO. 2024-226,
O.P.R.D.C.T.

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

OWNER:
DAVID HART LANEY
PO BOX 50061
DENTON, TX 76206-0061

OWNER/DEVELOPER:
MERITAGE HOMES
8840 CYPRESS WATERS BLVD, SUITE 100
DALLAS, TEXAS 75206
PH: 855-568-6374
ATTN: FRANK SU

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



309 BYERS STREET, SUITE 100, EULESS, TEXAS 76039
(817) 686-8448 WWW.SPOONERSURVEYORS.COM
TBP.S.FRI.NO. 1036400 SBA 22073
ERIC S. SPOONER, R.P.L.S.

52 SINGLE FAMILY LOTS ~ 1 OPEN SPACE LOT
15.2220 ACRES ~ ZONED R6

JULY ~ 2024

SHEET 1 OF 2

CITY OF DENTON
PROJECT NO. FP
FINAL PLAT
**STELLA HILLS
PHASE 2B**

BEING A FINAL PLAT OF A 15.2220 ACRE TRACT OF LAND SITUATED IN THE GIDEON WALKER SURVEY, ABSTRACT NO. 1330, DENTON COUNTY, TEXAS, SAID 15.2220 ACRE TRACT 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 15.2220 ACRE TRACT BEING A PORTION OF A CALLED 1.91 ACRE TRACT OF LAND IDENTIFIED AS "TRACT-4" AND A CALLED 1.34 ACRE TRACT OF LAND IDENTIFIED AS "TRACT-5" CONVEYED TO DAVID HART LANEY, TRUSTEE OF THE DAVID HART LANEY FAMILY TRUST, BY SPECIAL WARRANTY DEED RECORDED IN D.C.C.I. NO. 2010-65312, O.P.R.D.C.T.

* OWNER'S CERTIFICATION *

STATE OF TEXAS §

COUNTY OF DENTON §

WHEREAS MERITAGE HOMES OF TEXAS, LLC, AND DAVID HART LANEY, TRUSTEE OF THE DAVID HART LANEY FAMILY TRUST, are the sole owners of a 15.2220 acre tract of land situated in the Gideon Walker Survey, Abstract No. 1330, Denton County, Texas, said 15.2220 acre tract 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 15.2220 acre tract being a portion of a called 1.91 acre tract of land identified as "Tract-4" and a called 1.34 acre tract of land identified as "Tract-5" conveyed to David Hart Laney, Trustee of the David Hart Laney Family Trust, by Special Warranty Deed recorded in D.C.C.I. No. 2010-65312, O.P.R.D.C.T., said 15.2220 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found at the most northerly northeast property corner of the said 81.5532 acre tract, same being the northwest property corner of a called 3.054 acre tract of land conveyed to Self Pet Kennel, Inc., by deed thereof filed for record in D.C.C.I. No. 2011-56758, O.P.R.D.C.T., said beginning point being on the south right-of-way line of McKinney Street (being a variable width public right-of-way);

THENCE South 03°33'59" West, along an east property line of the said 81.5532 acre tract, same being the west property line of the said 3.054 acre tract, a distance of 704.43 feet to a 1/2-inch iron rod found at an interior northeast property corner of the said 81.5532 acre tract, same being the southwest property corner of the said 3.054 acre tract;

THENCE South 86°39'55" East, along a north property line of the said 81.5532 acre tract, same being the south property line of the said 3.054 acre tract, a distance of 199.81 feet to a 1/2-inch bolt found at the southeast property corner of the said 3.054 acre tract, same being the southwest property corner of a called 4.7362 acre tract of land conveyed to Joy Longville, by deed thereof filed for record in D.C.C.I. No. 2006-6946, O.P.R.D.C.T.;

THENCE South 86°32'00" East, along a north property line of the said 81.5532 acre tract, same being the south property line of the said 4.7362 acre tract, a distance of 433.36 feet to a 1/2 inch iron rod found at the most easterly northeast property corner of the said 81.5532 acre tract, same being the southeast property corner of the said 4.7362 acre tract, said iron rod found being on the west property line of a called 47.267 acre tract of land identified as "Tract 6" and being conveyed to FSA & S Collin County, LLC, by deed thereof filed for record in D.C.C.I. No. 2015-129157, O.P.R.D.C.T.;

THENCE South 03°26'21" West, along the west property line of the said 47.267 acre tract, in part along the east property line of the said 81.5532 acre tract, and in part along the east property line of said Tract-4, a distance of 591.69 feet to a 5/8 inch iron rod with a cap stamped "SPOONER 5922" (hereinafter referred to as an iron rod set);

THENCE departing the said property lines, over and across said Tract-4, said Tract-5, and the said 81.5532 acre tract the following course and distances:

North 86°15'43" West, a distance of 266.06 feet to an iron rod set at the beginning of a non-tangent curve to the right having a radius of 172.50 feet;

Along said curve to the right, an arc length of 5.20 feet, and across a chord which bears North 03°27'32" East, a chord length of 5.20 feet to an iron rod set;

North 04°19'23" East, a distance of 214.38 feet to an iron rod set;

North 85°40'37" West, a distance of 55.00 feet to an iron rod set;

North 88°19'47" West, a distance of 426.94 feet to an iron rod set;

North 85°15'17" West, a distance of 55.00 feet to an iron rod set;

South 04°44'43" West, a distance of 116.55 feet to an iron rod set at the beginning of a curve to the left having a radius of 227.50 feet;

Along said curve to the left, an arc length of 7.42 feet, and across a chord which bears South 03°48'41" West, a chord length of 7.42 feet to an iron rod set;

North 87°07'21" West, a distance of 121.63 feet to an iron rod set on the east lot line of Lot 43, Block J, Stella Hills 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. 2024-226, O.P.R.D.C.T.;

THENCE along the easterly subdivision lines of said Stella Hills Phase 1 the following courses and distances:

North 08°39'17" West, a distance of 18.54 feet to a 5/8 inch iron rod with a cap stamped "SPOONER 5922" found (hereinafter referred to as an iron rod found);

North 01°40'30" East, a distance of 543.01 feet to an iron rod found;

North 36°33'48" East, a distance of 65.00 feet to an iron rod found;

North 53°26'12" West, a distance of 11.30 feet to an iron rod found at the beginning of a curve to the left having a radius of 432.50 feet;

Along said curve to the left, an arc length of 84.33 feet, and across a chord which bears North 59°01'20" West, a chord length of 84.19 feet to an iron rod found;

North 36°33'48" East, a distance of 87.45 feet to an iron rod found;

North 01°40'13" East, a distance of 371.35 feet to an iron rod found;

North 19°21'40" East, a distance of 55.00 feet to an iron rod found;

North 70°38'20" West, a distance of 21.17 feet to an iron rod found;

North 19°21'40" East, a distance of 135.04 feet to an iron rod found found at the most easterly northeast corner of a called 0.1781 acre right-of-way dedication conveyed to the City of Denton by the said plat of Stella Hills Phase 1, and being on the aforesaid south right-of-way line of McKinney Street;

THENCE South 70°54'41" East, along the north property line of the said 81.5532 acre tract and along the said right-of-way line, a distance of 304.58 feet to the **POINT OF BEGINNING**, containing **15.2220 acres (663,069 square feet)** of land more or less.

NOW, THEREFORE KNOWN BY ALL MEN THESE PRESENTS:

THAT, I, _____, a duly authorized agent for Meritage Homes of Texas, LLC hereby certify that Meritage Homes of Texas, LLC 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.

Meritage Homes of Texas, LLC

(duly authorized agent) Date

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

THAT, I, David Hart Laney, Trustee of the David Hart Laney Family Trust, hereby certify that the David Hart Laney Family Trust 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.

David Hart Laney Family Trust

David Hart Laney (Trustee) Date

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 DAVID HART LANEY, 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.
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 only, the subject property appears to be located in Zone "X" (areas determined to be outside the 0.2 % annual chance floodplain), as shown on Map No. 48121C0385G; 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" will be free from flooding or flood damage. This flood statement shall not create liability on the part of the Surveyor.
- 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.
- The purpose of this Final Plat is to create 52 single family lots and 1 open space lot, 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 CITY.** The City, including its agent 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 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 City, the 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 City's written demand (at least 90 days), the 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 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 City's cost of maintaining the Common Areas, the 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 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 G		
LOT	SQ. FT.	ACRES
3	6,508	0.1494
4	6,520	0.1497
5	6,227	0.1429
6	10,502	0.2411
7	13,393	0.3075
8	6,618	0.1519
9	6,934	0.1592
10	6,852	0.1573
11	6,769	0.1554
12	6,686	0.1535
13	7,491	0.1720
14	8,589	0.1972
15	10,086	0.2315
16	10,812	0.2482
17	7,113	0.1633
18X	4,632	0.1063

AREA TABLE - BLOCK J		
LOT	SQ. FT.	ACRES
13	65,419	1.5018
14	13,097	0.3007
15	12,557	0.2883
16	36,218	0.8315
17	14,492	0.3327
18	6,165	0.1415
19	6,594	0.1514
20	6,672	0.1532
21	6,746	0.1549
22	6,818	0.1565
23	6,891	0.1582
24	6,969	0.1600
25	7,187	0.1650
26	7,319	0.1680
27	26,949	0.6187
28	15,557	0.3571
29	6,009	0.1380
30	6,603	0.1516
31	6,820	0.1566
32	6,451	0.1481
33	6,541	0.1502

AREA TABLE - BLOCK H		
LOT	SQ. FT.	ACRES
9	8,019	0.1841
10	7,711	0.1770
11	7,336	0.1684
12	6,375	0.1463
13	6,375	0.1463
14	6,375	0.1463
15	6,375	0.1463
16	8,807	0.2022

AREA TABLE - BLOCK K		
LOT	SQ. FT.	ACRES
1	7,220	0.1658
2	6,000	0.1377
3	6,000	0.1377
4	6,000	0.1377
5	6,000	0.1377
6	6,000	0.1377
7	6,000	0.1377
8	8,169	0.1875

* CERTIFICATE OF APPROVAL *

Approved this the _____ day of _____,
2024 by the Planning and Zoning Commission of the City of Denton, Texas.

Chairperson

City Secretary

CITY OF DENTON
PROJECT NO. FP
FINAL PLAT

STELLA HILLS
PHASE 2B

BEING A FINAL PLAT OF A 15.2220 ACRE TRACT OF LAND SITUATED IN THE GIDEON WALKER SURVEY, ABSTRACT NO. 1330, DENTON COUNTY, TEXAS, SAID 15.2220 ACRE TRACT 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 15.2220 ACRE TRACT BEING A PORTION OF A CALLED 1.91 ACRE TRACT OF LAND IDENTIFIED AS "TRACT-4" AND A CALLED 1.34 ACRE TRACT OF LAND IDENTIFIED AS "TRACT-5" CONVEYED TO DAVID HART LANEY, TRUSTEE OF THE DAVID HART LANEY FAMILY TRUST, BY SPECIAL WARRANTY DEED RECORDED IN D.C.C.I. NO. 2010-65312, O.P.R.D.C.T.

52 SINGLE FAMILY LOTS ~ 1 OPEN SPACE LOT
15.2220 ACRES ~ ZONED R6

JULY ~ 2024

SHEET 2 OF 2

OWNER:

DAVID HART LANEY
PO BOX 50061
DENTON, TX 76206-0061

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, TX 75206
(214) 939-7123
ATTN: SEAN FAULKNER, P.E.



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ERIC S. SPOONER, R.P.L.S.



1999 Bryan Street, Suite 890

Dallas, Texas 75201

o | 214.939.7123

f | 888.765.8135

w | www.foresitegroup.net

D/B/A Foresite Consulting Group of Texas, LLC

September 3, 2024

VIA EMAIL

City of Denton
Department of Development Services
Attn: Angie Manglaris
401 N. Elm Street
Denton, Tx 76201
angela.manglaris@cityofdenton.com

RE: FP24-0034 (Stella Hills)

Dear Angie:

We hereby request a 30 day extension on FP24-0034 in order to address comments.

Thank you for your time and consideration.

Sincerely,
FORESITE GROUP, LLC

A handwritten signature in black ink that reads "Sean Faulkner". The signature is fluid and cursive, with the first name "Sean" and last name "Faulkner" clearly distinguishable.

Sean Faulkner, PE
Senior Project Manager

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 #: PD24-0002, **Version:** 1

AGENDA CAPTION

Hold a public hearing and consider making a recommendation to City Council regarding a request by Aimee Bissett of 97 Land Company on behalf of the property owner, Greater Texas Land Resources, LP, to rezone approximately 25.96 acres from a Residential 2 (R2) zoning district to a Planned Development with Mixed-Use Neighborhood (PD-MN) and Public Facilities (PD-PF) base zoning districts. The subject site is generally located at the northwest corner of the intersection of North Elm Street and North Locust Street in the City of Denton, Denton County, Texas (PD24-0002, Jefferson North Elm, 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: September 11, 2024

SUBJECT

Hold a public hearing and consider making a recommendation to City Council regarding a request by Aimee Bissett of 97 Land Company on behalf of the property owner, Greater Texas Land Resources, LP, to rezone approximately 25.96 acres from a Residential 2 (R2) zoning district to a Planned Development with Mixed-Use Neighborhood (PD-MN) and Public Facilities (PD-PF) base zoning districts. The subject site is generally located at the northwest corner of the intersection of North Elm Street and North Locust Street in the City of Denton, Denton County, Texas (PD24-0002, Jefferson North Elm, Ashley Ekstedt)

BACKGROUND

The request is a rezoning from Residential 2 (R2) to Planned Development with Mixed-Use Neighborhood (PD-MN) and Public Facilities (PD-PF) base zoning districts (i.e. subdistricts) to facilitate the development of 450 multifamily dwelling units on 15.76 acres and the dedication of 10.20 acres of parkland. Rather than a zoning change to one of the DDC's standard zoning districts, a PD is proposed in order to ensure the property develops in a way that maximizes tree preservation, allows connection to the future park property, and restricts the allowed land uses to offer certainty to neighboring residents about what would be developed on the property.

The subject property is currently developed with a farmhouse on the western portion of the site and a second house on the eastern portion of the site. Prior to addressing the specific details of this PD request, it is important to note that the subject property was previously a farm and home site for the Evers family, and many members of the broader Denton community have expressed interest over the last few years in having the property either dedicated as a City park or designated as a historic landmark to ensure preservation of the farm house and trees on the property. The City's Parks Department previously explored the option of purchasing the property but was not able to do so, and the owner never sought a historic landmark designation for the property. Both the Parks Department and the City's Historic Preservation Officer have visited the property as a part of reviewing this development application. Preserving the farmhouse was initially considered as part of this development. However, after discussions and walk-throughs with city staff, it was determined that it would be financially infeasible for the City to bring the house up to current standards in order to make it a park amenity and that the house has had many additions and changes over the years that resulted in a loss of its historical integrity. Therefore, the house is proposed to be removed, and the developer will work with the Parks Department to create an educational and memorial area within the proposed park.

Planned Development Details

The proposed PD plans are provided as Exhibits 9-12 and include the following:

- Four approximately 54-foot-tall multifamily buildings.

- 765 vehicular parking spaces and 40 bicycle parking spaces for the multifamily development.
- Onsite multifamily amenities, including trails through the development leading to the 10.20-acre park, several outdoor seating areas, a courtyard with a pool, and outdoor grilling stations.
- Conceptual location of amenities on the 10.20-acre park site, the locations of which will be finalized with a separate Park Development Agreement at a later date and will include, at a minimum, the following items called out on the PD plans: trails, a memorial to the Evers farm, benches, and tables.
- Enhanced landscaping within the detention pond, including trees and a mix of native grasses.

The proposed amendments to the DDC standards are outlined in Exhibit 8 and are summarized in the table below. For any standard not specified in the PD Regulations, the PD proposes that the Mixed-Use Neighborhood (MN) District would apply to the multifamily portion of the PD, and Public Facilities (PF) District would apply to the park dedication portion of the PD.

Standard	MN and PF Districts	Proposed PD Development Standards	Difference
Permitted Uses (DDC Subchapter 5)	MN: Uses as outlined in DDC Subchapter 5, including Multifamily Dwellings permitted with Use-Specific Standards	<p>The following principal uses shall be permitted within subdistrict A (PD-MN)</p> <ol style="list-style-type: none"> 1. Multi-family 2. Accessory Uses including: <ol style="list-style-type: none"> a. Amenity Centers b. Leasing Offices c. Garages and Carports d. Home Occupations e. Swimming Pools f. Onsite Resident Amenities <p>This PD shall be exempt from the requirement that the first floor be a minimum of 12 feet in height.</p>	The PD limits the uses to only Multifamily and permitted accessory uses in PD-MN and only Parks, Playgrounds, and Open Space in PD-PF. The first-floor height is not required to be 12 feet in height.
	PF: Uses as outlined in DDC Subchapter 5, including Parks, Playground, Open space	<p>The following principal uses shall be permitted within Subdistrict B (PD-PF)</p> <ol style="list-style-type: none"> 1. Park 	

		2. Playground 3. Open Space	
Landscaping (DDC 7.7.5)	MN zoning minimum landscape area and tree canopy requirements: Minimum Landscape Area 20% Minimum Tree Canopy Coverage 40%	Minimum Landscape Area in Subdistrict A (PD-MN) 30% landscape area Minimum Tree Canopy Coverage in Subdistrict A (PD-MN) 40% tree canopy cover	The entire PD area will meet the minimum or exceed the required landscape area and tree canopy cover in both subdistricts combined.
	PF zoning minimum landscape area and tree canopy requirements: Minimum Landscape Area: 15% Minimum Tree Canopy Cover: 15%	Minimum Landscape Area in Subdistrict B (PD-PF) 90% landscape area Minimum Tree Canopy Cover in Subdistrict B (PD-PF) 50% tree canopy cover	
Tree Preservation (DDC 7.7.4)	Tree Preservation 30% of the total diameter at breast height, in inches (dbh), or 20% with higher mitigation	A minimum of 40% of the total dbh will be preserved within the entire Planned Development area.	At a minimum, an additional 20% of the trees will be preserved, for a total of 40% for the entire PD area. The current plans show 52% preservation, and this number will be finalized with the Parks Development Agreement once the location of trails and details of the memorial are decided.
Building Height (DDC 3.3.1)	In the MN zoning district, the maximum building height is 65 feet when the property is not adjacent to a residential zoning district	The maximum building height is 55 feet.	The PD will limit the building height to 55 feet; this is 10 feet less than the maximum

	(excluding Multifamily Dwelling use in the R7 Zoning District) or adjacent to an existing Single-Family Detached Dwelling, Townhome, or Duplex use.		height permitted in the MN district. Additionally, this height limitation will assist with off-setting any site grading that may otherwise establish a higher finished grade.
Parking (DDC 7.9.4, Table 7.9-I)	<p>1 bedroom and efficiency: 1.25 spaces per unit</p> <p>2 or more bedrooms: one space per bedroom</p> <p>Guest Parking: 10% of required parking</p> <p>Total Required: 796</p>	<p>1 space per bedroom, including efficiency, plus 112 guest parking spaces.</p> <p>Minimum Required: 653 spaces. Guest Parking Required: 112 spaces. Total Provided: 765</p>	The PD proposes 31 parking spaces less than the code would require.
	Off-street parking areas located between the front building facade and the adjacent street frontage is prohibited within MN zoning. (7.9.6D.2)	Parking located between the front building façade and adjacent street frontage is permitted where shown on the PD Development Plan.	Limited front parking allowed
Site and Building Design (DDC 7.10.4)	Any development consisting of 10 or more dwelling units shall set aside a minimum of 8% of the land area as open space. (7.10.4C)	<p>Open Space</p> <p>Subdistrict A shall provide a minimum of 3% open space, and Subdistrict B shall provide a minimum of 95% open space.</p> <p>Subdistrict A and B shall meet the minimum 8% Open Space requirement cumulatively between the two lots.</p>	The PD as a whole proposes to exceed the required open space by dedicating 10.2 acres of parkland.

	<p>Primary building access shall be oriented towards the adjacent street, and building access shall be provided from the street and/or sidewalk. (7.10.4B.1).</p> <p>In mixed-use zoning districts, residential districts abutting a public street shall be designed with entries and windows facing the street. (7.10.4D.2.b)</p>	<p>Due to existing grades and anticipated site grading the building must be elevated and building access from the sidewalk and primary entrances are provided where possible.</p>	<p>A pedestrian path to the future sidewalk along the ROW has been provided where possible.</p>
	<p>The first floor of multifamily buildings shall be a minimum of 12 feet in height. (7.10.4E.2.b)</p>	<p>This PD shall be exempt from the requirement that the first floor be a minimum of 12 feet in height.</p>	<p>The first-floor height is not required to be 12 feet in height.</p>

The PD Development Plan provided in Exhibit 10 reflects the intended layout for the development, which would include a maximum of 450 dwelling units, parking, site amenities, and parkland dedication.

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

In the interest of achieving a balance of competing interests within the Denton 2040 Comprehensive Plan of land and tree preservation, versus development being appropriately scaled to fit with the surrounding area, Staff recommends approval of the request because the proposed request seeks to achieve preservation of land and preservation of an existing tree grove while clustering development on the balance of the property. With the aforementioned balance in mind, the request is found to comply 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 PD District.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
October 31, 1960	City Council	Annexation (Ord 60-40)	Approved
October 2019	City Council	Zoning transition from NR-2 to R2	Approved

PUBLIC OUTREACH:

Fifty-seven (57) notices were sent to property owners within 200 feet of the subject property. One hundred thirty-one (131) courtesy notices were sent to physical and utility addresses within 500 feet of the subject property. As of the writing of this report, the city has received three responses in opposition totaling 1.7% of the land area within 200 feet. These responses are provided in Exhibit 13 – Notification Map and Responses.

A notice was published in the Denton Record Chronicle on August 24, 2024.

A notice was published on the City’s website on August 27, 2024.

Six (6) signs were posted on the property on August 27, 2024.

The applicant held four neighborhood meetings on December 19, 2023, February 15, 2024, June 27, 2024, and September 3, 2024. Concerns raised at these meetings included traffic, tree preservation, status of the existing structures on the property, building height, and comments on the site design. These are summarized in Exhibit 14.

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. Current Zoning Map
5. Future Land Use Map
6. Proposed Zoning Map
7. Applicant Project Narrative
8. PD Development Standards
9. PD Zoning Plan
10. PD Development Plan
11. PD Landscape Plan
12. PD Building Elevations
13. Notification Map and Responses
14. Neighborhood Meeting Summaries
15. Fiscal Impact Analysis
16. Draft Ordinance

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

Prepared by:
Ashley Ekstedt, AICP
Associate Planner

Planning Staff Analysis

PD24-0002/Jefferson North Elm

City Council District #2

REQUEST:

Rezone approximately 25.96 acres from Residential 2 (R2) zoning district to a Planned Development with Mixed-Use Neighborhood (PD-MN) and Public Facilities (PD-PF) base zoning districts (i.e. subdistricts) for a proposed multifamily development and parkland dedication.

SITE DATA:

Located at the northwest corner of the intersection of North Elm Street and North Locust Street, the 25.96-acre site is currently developed with two single-family homes and accessory structures. The property contains a heavily treed area, concentrated mostly on the western portion of the site. The surrounding development includes single-family residential dwellings, duplex dwellings, multifamily dwellings, commercial uses, and institutional uses such as a church, park, and a library.

The general area's street network includes a variety of roadway types:

- **North Locust Street:** North Locust Street is a secondary arterial owned and maintained by TxDOT. It is constructed with one travel lane in each direction. The subject site has approximately 850 feet of frontage along North Locust Street.
- **North Elm Street:** North Elm Street is a primary arterial owned and maintained by TxDOT. It is constructed with two travel lanes in each direction and a center landscaped median. The subject site has approximately 1,400 feet of frontage along North Elm Street.
- **Windsor Drive:** Windsor Drive is a collector. It is constructed with two travel lanes in each direction. The subject site has approximately 1,200 feet of frontage along Windsor Drive.

SURROUNDING ZONING AND USES:

Northwest: Zoning: R3 District Use: Single-family residential	North: Zoning: PF District Use: Park	Northeast: Zoning: PF and R6 Districts Use: Library and Single-family residential
West: Zoning: R4 District Use: Single-family and duplex residential	SUBJECT PROPERTY	East: Zoning: R4 District Use: Single-family residential
Southwest: Zoning: MN and R3 District Use: Commercial and single-family residential (across N Elm)	South: Zoning: MN Use: Commercial	Southeast: Zoning: PF, R2, and R7 Districts Use: Multifamily dwellings, single-family residential, and church

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 for this proposed Planned Development.

3. *Consistent with the Comprehensive Plan and Other Applicable Plans*

The decision-making authority:

- a. *Shall weigh competing goals, policies, and strategies.*

The Comprehensive Plan includes competing goals that are applicable to this project given the significant tree canopy of the property and the intent to develop a multifamily use on site, which are land/tree preservation versus development being appropriately scaled with the surrounding area. It should be noted that this property is not identified on the City's Land Preservation Plan map nor identified on the Wildlife Corridors Map. That being said, there is an extensive grove of trees on this site and a strong desire within the community to preserve the trees.

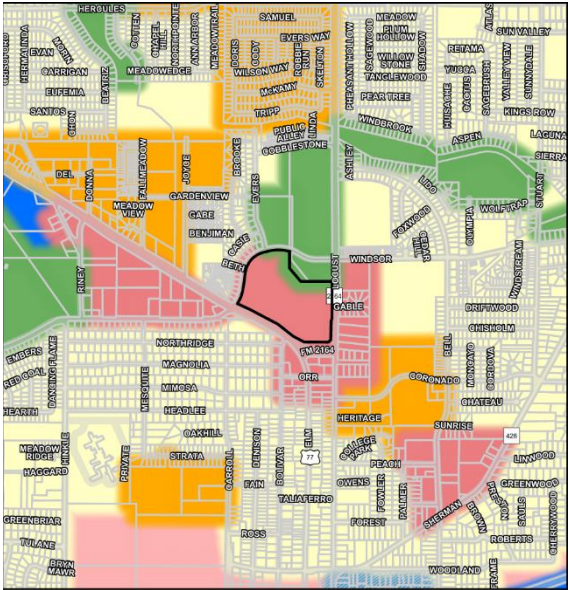
Throughout the Parks, Conservation, & Environment element of the Comprehensive Plan are goals related to protecting the City's urban tree canopy and preservation of heritage trees within the City, which must be balanced against goals in the Comprehensive Plan related to the neighborhood compatibility in terms of the scale, density, and design of projects, especially in infill areas. If the city's priority is land and tree preservation, then for sites such as this, development will have to be designed where density, building mass, and scale are concentrated on a portion of the property in order to allow greater preservation on the balance of the land area. As such, clustering development in a smaller land area results in building heights and scale that could be considered out of character with other surrounding existing development. On the contrary, if lower building heights are of importance to the city in order to maintain the scale of existing surrounding development, then that will result in a larger development footprint due to more shorter buildings being provided to achieve project economic feasibility, which comes at a cost of less preservation of land and trees.

In order to make the development of this property economically feasible, the applicant is seeking to develop 450 multifamily units. With this plan those units are clustered on the eastern part of the site where the tree density is lower, and this allows for a balance to be achieved where at least 40% of the existing diameter inches of trees (measured at breast height) can be preserved on the western portion of the site, which is two times the minimum amount required by the Denton Development Code. Additionally, the developer is proposing to dedicate that treed land area to the City so that trails can be extended through the site as a public park amenity.

Therefore, since the PD plans reflect a balance of these competing goals with a significant amount of the desired land and tree preservation accounted for on the plans, Staff recommends approval. However, if the development scale, which is of concern to many neighboring residents as shown in Exhibit 14, is determined to be of the most importance compared to the land and tree preservation, then the Planning & Zoning Commission and City Council should deny the project.

- 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 Neighborhood Mixed-Use, which is intended for areas where the predominant use is residential, but with a mix of compatible housing types and densities along with local-serving, non-residential retail and service uses. Such use mixes are typically found in established neighborhoods in the city's core that accommodate local services. This designation is also applied in areas of future development suited primarily to single-family development, but where neighborhood-serving retail and services are critical to achieving balanced, accessible neighborhoods. At these locations, a diverse mix of housing types and densities may also be accommodated. Buildings should be appropriately scaled and have an intensity that complements the surrounding neighborhood and environment. Future development in Neighborhood Mixed Use areas will complement and embrace existing, viable uses, and raise the standard of design to increase connectivity and mobility options and create a sense of place to serve the neighborhood.



The request is consistent with the intent of the FLUM in terms of land use. However, as stated previously, the development is proposed to be clustered on the eastern portion of the property to allow for the dedication of a 10.2-acre park and preservation of trees, which requires taller buildings, proposed as 4 stories, to minimize the building footprint. The proposed multifamily development would provide an additional housing option within an established residential area. Furthermore, while the proposed density (17.34 dwellings per acre) is greater than the surrounding residential development, the FLUM does provide for a diverse mix of housing types in these areas. Given the location and size of the parcel, it is unlikely that the types of neighborhood-scale commercial uses suggested within Neighborhood Mixed-Use areas would be economically viable on the property. Non-residential uses exist to the south, some of which are less economically viable than others thereby demonstrating a lack of strong retail/service use market in this area.

Additionally, the development proposes to increase mobility and connectivity within the area by constructing a trail through the future park in addition to a 10-foot sidepath at the perimeter of the entire development along Windsor Drive, North Locust Street, and North Elm Street. This trail would provide connectivity with the existing trail to the north.

Compact Growth

The Denton 2040 Comprehensive Plan highlights the community's desire to encourage infill development and redevelopment as a means to slow outward growth, create vibrancy in commercial districts, and reinvest in and stabilize certain districts and neighborhoods.

With the proposed PD, the property, which has been out of use for many years, would be developed, meeting the following goals:

- GOAL FEV-5: Design a fiscally advantageous land use pattern paired with fiscally responsible infrastructure management and investment.
- Policy 3.12: Encourage more dense development to increase market feasibility and create vibrancy.

While the site was previously utilized as a single-family residence and was part of a farm, the structures on the property have been out of use for some time. The proposed PD and associated residential use would activate an underutilized site that is served by existing public infrastructure, schools, libraries, and parks. The dense, more compact development footprint proposed through this PD would create vibrancy in this area and support existing commercial uses while also allowing for significant tree and land preservation as described above.

Population Projections

According to 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 (Table 1.2). Under current growth trends, this will result in the need for 11,239 additional multifamily dwelling units.

The proposed development is consistent with the overall need for additional housing.

Parks, Conservation, and Environment

As stated previously, the site does not contain any Environmentally Sensitive Areas, and the property is not identified on the city's Preferred Land Preservation Plan map. However, there is an extensive grove of trees that would be preserved within the 10.2 acres proposed to be dedicated as parkland. Additionally, there is an existing trail adjacent to Evers Park that would be continued through the proposed park, as well as a 10-foot side path constructed around the entirety of the proposed PD along North Elm Street, North Locust Street, and Windsor Drive.

With the proposed PD, an additional park would be dedicated to the city, meeting the following Parks, Conservation, and Environment goals and policies:

- 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.
- Policy 4.14.2: Ensure that new development addresses established pedestrian and bicycle networks and provides for additional connectivity to further encourage pedestrian and bicycle mobility, and other alternative transportation modes throughout Denton.
- Policy 5.2: Coordinate acquisition of parks and open space with goals for urban design, mobility, infrastructure, and environmental conservation objectives.
- Policy 5.5: Ensure the protection of Denton's tree canopy as an essential element of Denton's cohesive, broad green infrastructure framework.

The proposed PD would dedicate an additional park to the city's current framework of parks, contributing to a unified network of parks in this area of the City while providing a passive recreation option near an existing park that includes mostly active recreation amenities. Additionally, the proposed PD would improve pedestrian connectivity throughout this general area with the addition of a 10-foot sidewalk around the perimeter of the development and a 10-foot trail throughout the proposed park area. Lastly, the proposed park being dedicated would allow for the preservation of a large amount of contiguous tree canopy.

Housing

The Denton 2040 Comprehensive Plan acknowledges 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." According to the 2020 Census, the 18-to 24 age cohort continues to comprise nearly one quarter of the city's population. This population profile suggests that housing choices which cater to young, single populations are still in demand and more non-single family housing options should be provided for those entering the work force. The proposed development is consistent with the housing goals within the city, including the following:

- 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 location.
- Policy 7.2: Expand the availability of affordable housing choices for community members most in need of housing, including those with low incomes and special needs.

The PD is proposing 50% affordable units and 50% market rate units, which are comprised of approximately 62% studio and one-bedroom, 30% two-bedroom, and 8% three-bedroom units. The proposed development is consistent with the need for additional affordable housing choices to meet the needs of all residents.

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 a PD. The proposed Development Regulations provided in Exhibit 8 indicate an intent to develop in accordance with the 2019 DDC except for specific deviations outlined in the proposed regulations, 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 a PD request including a PD Development Plan. Other departments aside from Planning (Engineering, Solid Waste, Denton Municipal Electric, and Fire) reviewed the proposal for conceptual conformance with the design standards for public facilities and safety. Pending approval of this PD, additional review for full compliance with the DDC will also take place at submittal of the plat, civil engineering plans, and building permit applications.

5. *Compliance with Other Applicable Regulations*

The PD regulations document indicates that the development will comply with all provisions of the 2019 DDC other than those deviations proposed in Exhibit 8. The development will be required to comply with the DDC as well as the city's criteria manuals for roadway, utility, and drainage improvements.

6. *Consistent with Interlocal and Development Agreements*

There are no interlocal or development agreements applicable to the site at this time. As noted previously, if this PD is approved then a separate Park Development Agreement will be entered into in the future once additional engineering design work has been completed to allow for more complete design of the trails and other park features shown on the conceptual plans.

7. *Minimizes Adverse Environmental Impacts*

There are no Environmentally Sensitive Areas on the property, and the site must comply with the city's requirements for storm water management and tree preservation during the platting and engineering plan review process. Beyond the minimums allowed for by the DDC, with the dedication of a 10.2-acre park, the conceptual placement of the trail allows for up to 52.7% tree preservation in the total PD area. The proposed PD regulations provides for a minimum 40% preservation to allow flexibility for any additional tree removal that may need to occur with the construction of the trail and memorial area within the park dedication area. The intent is to save as many trees as possible, and the exact preservation number will be solidified with the Parks Development Agreement and the final placement of the trails.

Additionally, the property is not identified as a target area for preservation on the Preferred Land Preservation Plan, nor are anticipated wildlife corridors identified on the Wildlife Corridor Map. The City's Wildlife Corridor Map does indicate the presence of greenspace (see light green shading on inset map) on a very small portion of the subject property. These open spaces were added to the Wildlife Corridor Map in any areas where there is an existing drainage easement; however, the easement on this property is shown incorrectly on the map as this location does not contain a drainage easement, and therefore, should not be reflected as greenspace. However, despite this mapping error, the entire portion of the development intended for parkland dedication will be greenspace for passive recreation in the future and will retain a significant amount of the existing tree canopy that may support wildlife.



8. *Minimizes Adverse Impacts on Surrounding Property*

As stated previously, the multifamily development has been clustered on 15.76 acres of the property to allow for the dedication of 10.2 acres of parkland to the city. The proposed multifamily buildings are four stories tall (maximum 55 feet) and clustered on the eastern portion of the site.

The site's location and design minimizes potential impacts for the nearby properties, including:

- The buildings are not immediately adjacent to a single-family residential use. All single-family uses to the south or east in the vicinity are separated from the proposed development by arterial roadways.
- The proposed park will be located on the east side of Windsor Drive, opposite from the existing single-family neighborhoods to the west.
- Tree preservation proposed within the park dedication area will maintain the existing tree buffer between the existing single-family residences along Windsor Drive and the proposed multifamily development. With the exception of two west-facing residences located on North Locust Street just north of the Elm Street intersection, the existing residences along the west side of Windsor Drive are the only residences in the area that would face towards the proposed multifamily development.

9. *Minimizes Adverse Fiscal Impacts*

A Fiscal Impact Summary has been completed and it is provided as Exhibit 15. This summary report indicates that the multifamily use would have a positive net impact on the City's General Fund.

10. *Compliance with Utility, Service, and Improvement Standards*

This proposed rezoning will not negatively affect utilities, services, or other improvements. Existing utilities and infrastructure in the area will be extended or improved as necessary to support this development.

11. *Provides Adequate Road Systems*

Access necessary to provide access to proposed dwellings would be provided as shown on the PD Development Plan.

The subject property has approximately 850 feet of frontage on North Locust Street, 1,400 feet of frontage on North Elm Street, and 1,200 feet of frontage on Windsor Drive. North Locust Street is a secondary arterial, and North Elm Street is a primary arterial. Both are TxDOT roadways. Windsor Drive is a collector in this area. Access in and out of the site will be through one main full-access entrance located off North Locust Street and a second right-in, right-out entrance located off North Elm Street. See Exhibit 10 – PD Development Plan. Additionally, any work within the TxDOT rights-of-way will require approval of a TXDOT permit.

Due to the number of trips generated by the request (shown in table below), the applicant was required to submit a Traffic Impact Analysis (TIA).

Land Use	Weekday Trips	AM/PM Peak
Multifamily Housing – Low Rise	2,043	167/176

In order to accommodate the traffic generated by the proposed use, the following recommendations were provided with the approved TIA and will be reviewed as part of the Civil Engineering Plans:

- The section of North Locust Street fronting the proposed site will be widened to its ultimate cross section of 55 feet in the southbound direction.
- A left-turn lane is required along North Locust Street at the site access connection. The minimum required length for this northbound turn lane in North Locust Street is 250 feet (150-foot storage, 100-foot taper).

12. *Provides Adequate Public Services and Facilities*

The proposed Multifamily Dwelling use will not affect public services and facilities within the area. This proposed PD is required to comply with utility, service, and improvement standards. If the PD is approved, future applications will be reviewed to ensure compliance with all applicable standards.

13. *Rational Phasing Plan*

No phasing is proposed.

- B. Section 2.7.3.D of the DDC states that an application for a rezoning to PD district may be approved based on the following conditions:

- a. *Complies with the goals of the Comprehensive Plan.*

As was indicated above, the Future Land Use designation for the subject property is Neighborhood Mixed-Use. The proposed land use is consistent with the Comprehensive Plan's goals.

- b. *Complies with this DDC, except where modifications are expressly authorized through the PD zoning document, the PD development standards document, and in the PD development plan map.*

The proposed PD Regulations indicate an intent to comply with all aspects of the DDC other than those deviations expressly identified in Exhibit 8. These proposed deviations are also summarized in the table provided in Exhibit 1.

- c. *Provides a greater level of building design quality, community amenities, and connectivity than would be required if the project were not being developed in the PD district.*

A portion of the site is proposed to be zoned PD-MN District, which permits multifamily dwellings with the following development standards:

- Maximum building height of 65 feet as the site is not adjacent to a residential zoning district or an existing single-family detached, townhome, or duplex use.
 - The conceptual building elevation (Exhibit 12) includes a maximum building height of 53 feet, 9 inches, approximately 11 feet less than the height permitted in MN zoning. The PD Development Standards (Exhibit 8) allow for a maximum height up to 55 feet to provide a nominal amount of flexibility should any minor adjustments in building design need to be made following full engineering and architectural design review.
- Minimum landscaping of 20 percent of the lot area and minimum mature tree canopy of 40 percent of the lot area minus the building footprint.
 - The Development Plan includes a total landscaped area (includes Multifamily Subdistrict and Park Subdistrict) of 61% or 685,156 square feet and a total tree canopy cover of 47.35% or 479,167 square feet thus exceeding DDC requirements.
- Minimum open space of 8 percent for preservation and protection of natural areas and providing opportunities for passive and active recreation.
 - The Development Plan includes 41% or 461,562 square feet of overall open space and includes trails throughout the multifamily development, seating and gathering areas, a pool, and a park dedicated to the city with tree preservation, trails, and a gathering space.
- Minimum tree preservation of 30% of the dbh of heritage and quality trees, or 20% of the dbh with higher mitigation.
 - The Development Plan includes over 52.7% tree preservation for the entire site area. The PD standards specify a minimum 40% tree preservation to allow for flexibility should it be determined that any additional trees need to be removed while finalizing plans for the proposed park with the Park Development Agreement. No additional trees will be removed that are not necessary for improvements located within the proposed park area.

- d. *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 areas.*

Property surrounding the subject site includes established single-family residential neighborhoods, duplex dwellings, multifamily dwellings, commercial development, and institutional uses.

Multifamily dwellings can be compatible with single-family dwellings and other lower-intensity uses, provided that the design accounts for potential impacts associated with larger structures and higher densities. In this instance, the applicant has worked to design the proposed site layout in a manner to minimize potential building scale impacts towards nearby properties, while also maximizing tree preservation. The proposed buildings are not immediately adjacent to a single-family residential or duplex dwelling use. All single-family uses are separated from the proposed multi-family development by arterial roadways. The proposed park will be located on the opposite side (east side) of Windsor Drive from the existing single-family and duplex neighborhoods to the west. Tree preservation proposed within the park dedication area will maintain the existing tree buffer between the neighborhoods to the west and the proposed multifamily development. Activating the lot with a multifamily use will contribute to the area's housing options and provide additional density to support nearby commercial uses.

- e. *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.*

The park dedication proposed as a part of this PD would allow the continuation of the Evers Park trail and provide a passive recreation opportunity in contrast to the active recreation opportunities available at Evers Park today. The tree preservation throughout the proposed park would provide a natural park with trails and seating areas to serve current and future residents. Additionally, the proposed park contains a memorial to commemorate the former Evers Farm that was located on the subject property, honoring the history of the area.

- f. *The provisions of 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.*

Schools

Per the Denton Independent School District's student generation formula, the proposal would generate approximately 54 elementary students, 23 middle school students, and 27 high school students. The proposed development is located within the attendance zones of Evers Park Elementary School, Strickland Middle School, and Ryan High School.

Nearest Fire Station

The subject property is approximately 1.8 miles from Fire Station #4 (2116 E. Sherman Drive), within the eight-minute or less response time boundary.

Water and Wastewater

Development of the site will require a connection to existing water and wastewater facilities, which are situated along North Locust Street and through the site itself.

Streets

Transportation related to the proposal

As part of the PD rezoning request, the applicant submitted a Traffic Impact Analysis. According to the *ITE's Trip Generation Manual, 11th Edition*, the proposal would generate 2,043 daily trips, with 167 morning peak hour trips, and 176 evening peak hour trips.

As part of the development of the site, the applicant will be required to construct a left-turn lane on North Locust Street and construct the 10-foot side path along the perimeter of the development.

Roadway Impact Fees

Roadway impact fees, paid at the time of development, are determined using a proportionality calculation based on the number of dwelling units and projected vehicle trips. These fees are used to make roadway system improvements related to the Mobility Plan.

Pedestrian Facilities

Internal pedestrian connectivity allows for circulation throughout the site, connecting the buildings, parking areas, future park, and other amenities. The site also features pedestrian connections to the future 10-foot sidewalk along North Elm Street and North Locust Street. A 5-foot bicycle path is also provided throughout the site.

Parks

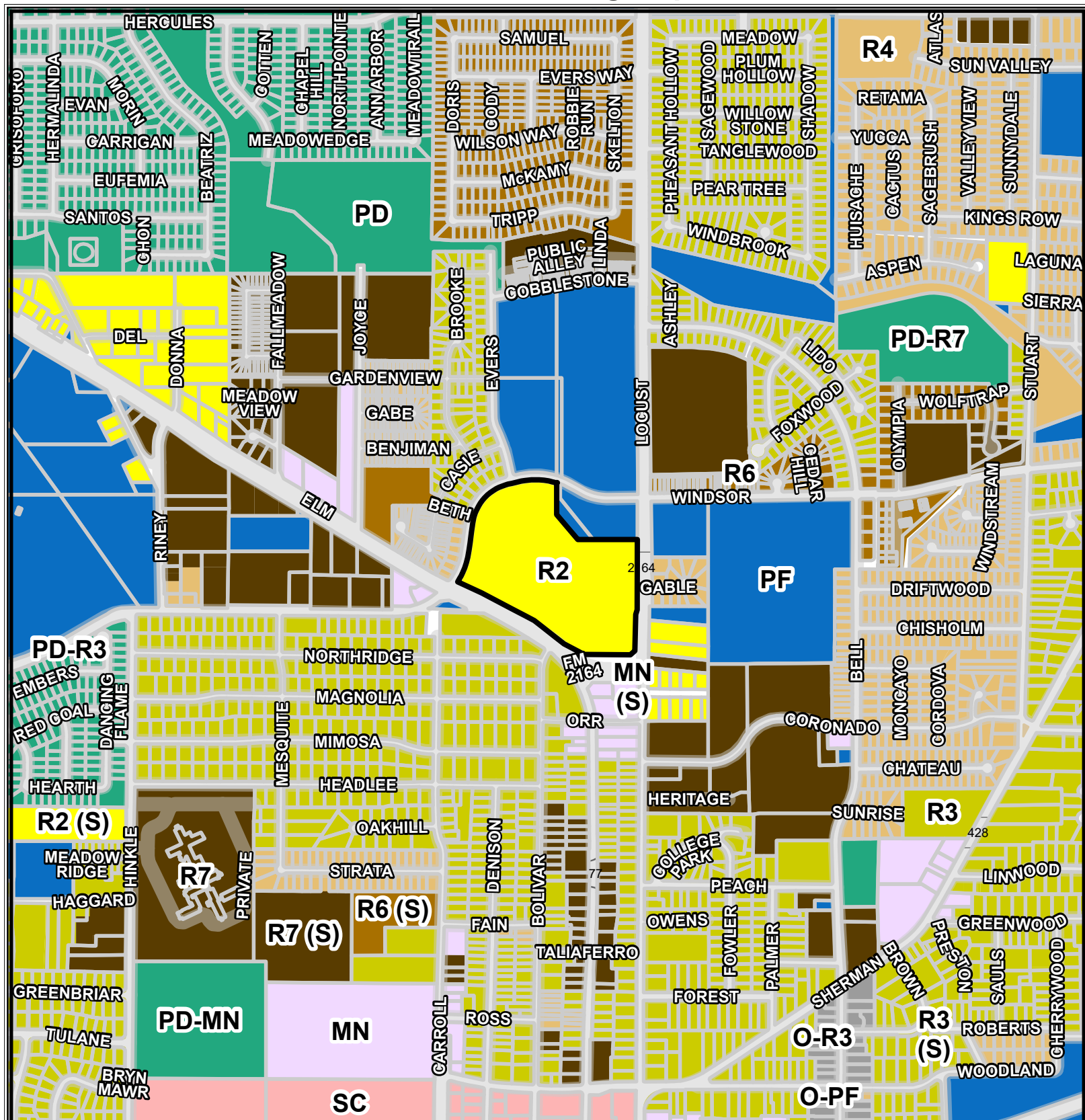
The proposed multifamily development will be immediately adjacent to the proposed new park within the PD. Evers Park is also within a 10-minute walk from the subject property (located immediately north on the opposite side of Windsor Drive). Other park amenities in the general area include the Denton Tennis and Pickleball Center, which is an approximately 14-minute walk (.6 mile), and North Lakes Park, which is an approximately 29-minute walk (1.3 miles).























Site Location

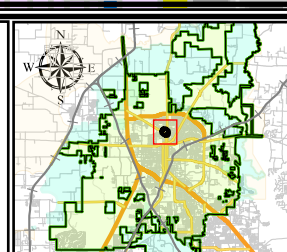


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PD24-0002
Current Zoning Map



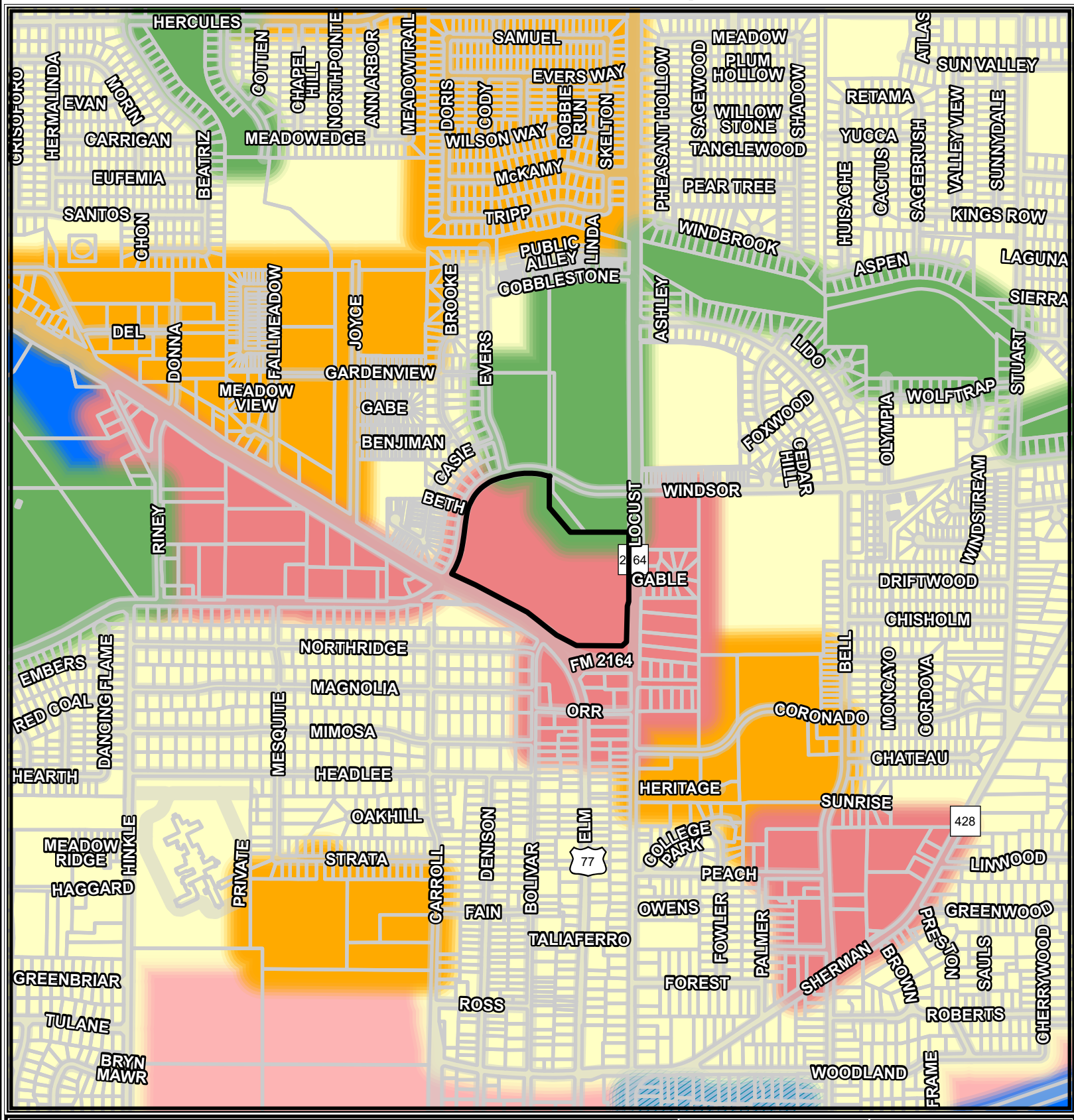
	Roads		R4 - Residential		GO - General Office
	Site Location		R6 - Residential		LI - Light Industrial
	Parcels		R7 - Residential		HI - Heavy Industrial
Current Zoning			MN - Mixed-Use Neighborhood		PF - Public Facilities
	RR - Residential Rural		MD - Mixed-Use Downtown Core		PD - Planned Development
	R1 - Residential		MR - Mixed-Use Regional		MPC
	R2 - Residential		HC - Highway Corridor		OVERLAY
	R3 - Residential		SC - Suburban Corridor		



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PD24-0002

1-Future Land Use Map



PD24-0002 Proposed Zoning Map



<ul style="list-style-type: none"> Roads Site Location Parcels Current Zoning <ul style="list-style-type: none"> RR - Residential Rural R1 - Residential R2 - Residential R3 - Residential 	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> GO - General Office LI - Light Industrial HI - Heavy Industrial PF - Public Facilities PD - Planned Development MPC OVERLAY 			
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PD24-0002
Jefferson North Elm
Project Narrative
August 22,2024

The purpose of the proposed Planned Development (PD) encompassing a total of 25.96 acres, known as the former Evers Farm, located at the intersections of Elm and Locust Street. The purpose of the Planned Development is to facilitate a clustered multi-family development on 15.76 acres while preserving and amenitizing 10.20 acres of open space and existing trees for park land dedication.

The property consists of 25.96 acres currently zoned Residential-2 with a Future Land Use Designation of Neighborhood Mixed-Use.

The proposed rezoning would consist of two subdistricts, one with a mixed-use neighborhood (MN) base and one with a public facilities (PF) base zoning district.

The Future Land Use Designation of Neighborhood Mixed-Use applies to neighborhoods or districts where the predominant use is residential, but with a mix of compatible housing types and densities along with local-serving, non-residential retail and service uses. Such use mixes are typically found in established neighborhoods in the city's core that accommodate local services. This designation is also applied in areas of future development suited primarily to single-family development, but where neighborhood-serving retail and services are critical to achieving balanced, accessible neighborhoods. At these locations, a diverse mix of housing types and densities may also be accommodated. Buildings should be appropriately scaled and have an intensity that complements the surrounding neighborhood and environment.

Future development in Neighborhood Mixed Use areas will complement and embrace existing, viable uses, and raise the standard of design to increase connectivity and mobility options and create a sense of place to serve the neighborhood.

The proposed development consists of the following:

- 450 dwelling units
- 765 parking spaces (PD Standard parking ratio of 1 space per bedroom plus 112 guest parking spaces)
- Four multi-family buildings
- Leasing and amenities center
- Detention ponds
- 10.20 acres of preserved open space and trees, to be dedicated as park land
- Amenities on park land dedication area include an Evers memorial plaza area and walking trails

- Amenities within the multi-family development include a pool, shade structure, grill stations, outdoor seating, and trail connectivity to the park land area

The proposed development is consistent with the Denton Plan 2040, the Future Land Use Plan, the Preferred Land Preservation Plan, and the City's Historic Preservation Plan.

Three neighborhood meetings have been held to date, and ongoing neighborhood engagement will continue throughout the zoning review process.

GENERAL CRITERIA FOR APPROVAL (DDC 2.4.5.E)

PRIOR APPROVALS: 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.

Response: No prior approvals are in effect at this time.

CONSISTENT WITH THE COMPREHENSIVE PLAN: The proposed development shall be consistent with the Comprehensive Plan and any applicable plans.

The Future Land Use Plan designates this area as "Neighborhood Mixed-Use" which is compatible with a variety of neighborhood-scale residential, retail, and commercial. Future development in Neighborhood Mixed Use areas will complement and embrace existing, viable uses, and raise the standard of design to increase connectivity and mobility options and create a sense of place to serve the neighborhood.

This development is consistent with the Comprehensive Plan, providing appropriately scaled dwelling units compatible with the surrounding development pattern. The preservation and park land dedication of 10.20 acres is consistent with the 2040 Preferred Land Preservation Plan.

COMPLIANCE WITH THE DDC: The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.

The proposed Planned Development will comply with all applicable DDC standards and Design Criteria Manuals, except where modified within the Planned Development documents.

COMPLIANCE WITH OTHER APPLICABLE STANDARDS: 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.

The proposed Planned Development will comply with all local, state, and federal regulations as applicable.

CONSISTENT WITH INTERLOCAL AND DEVELOPMENT AGREEMENTS: 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.

There are no applicable interlocal or development agreements regarding the subject property.

MINIMIZES ADVERSE IMPACTS ON SURROUNDING PROPERTY: 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.

The proposed development is thoughtfully designed to preserve 10.20 acres of significant tree canopy adjacent to a City park, to be dedicated as additional park land. Building orientation and site design have intended to minimize any adverse impacts on surrounding property.

MINIMIZE ADVERSE FISCAL IMPACTS: The proposed development should not result in significant adverse fiscal impacts on the city.

The proposed development shall generate new property tax revenue for the City, will include perimeter road improvements that benefit the public, and will provide for park land dedication for public use and enjoyment.

PROVIDES ADEQUATE ROAD SYSTEMS, PUBLIC SERVICES, AND FACILITIES: 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. Adequate public service and facility capacity shall exist to accommodate the proposed development while maintaining adequate levels of service to the public.

Adequate roads and public facilities exist to serve the site. Perimeter road improvements will be required at the time of development to accommodate the increased traffic. Onsite drainage will be required. Nearby schools, libraries and parks can serve the residents of the development. The development design has accounted for adequate fire, EMS, and emergency access.

RATIONAL PHASING PLAN:

No phasing is proposed. The project will be constructed in a single phase.

SPECIFIC CRITERIA FOR APPROVAL (DDC 2.7.3.E.8)

- 1) The proposed project complies with the goals of the Comprehensive Plan, including the Future Land Use element.

The Future Land Use Plan designates this area as "Neighborhood Mixed-Use" which is compatible with a variety of neighborhood-scale residential, retail, and commercial. This development is consistent with the Comp Plan.

- 2) Complies with the goals of relevant Area Plans

N/A – no relevant Area Plans are in effect for the subject property

- 3) Complies with the 2019 DDC, except where modifications are expressly authorized through the PD zoning document, the PD development standards document, and in the PD development plan map;

The proposed development will comply with the 2019 DDC, as amended through the PD zoning document.

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.

The proposed PD calls for enhanced landscaping and design standards, including the preservation of open space.

5) For residential PDs, that the development will promote compatible buildings and uses and that it will be compatible with the character of the surrounding area.

The density and scale of the proposed PD are consistent with the surrounding development and land uses as demonstrated above.

6) For commercial, industrial, institutional, recreational, and other non-residential uses or mixes uses, that such development will be appropriate in area, location, and overall planning for the purpose intended; and

N/A

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.

All public facilities and services are readily available to the subject property.

Zoning and Land Use

Please see the attached PD Standards and Deviations Tables for proposed zoning and land use regulations.

Fiscal Impact Information

- ✓ Estimated Construction Duration – 18 months
- ✓ Estimated Plat Filing Date – January 2025
- ✓ All related Property Identification Numbers – R100560
- ✓ Estimated Roadway – Perimeter Road improvements for Locust Street with Proposed 11' Right and Left Turn lanes
- ✓ All Proposed Uses – multi-family & park land dedication
- ✓ Number of Buildings/Units – 4 buildings, 450 dwelling units
- ✓ Total Building Square Footage - 544,289 sqft
- ✓ Total Land Square Footage – 1,130,635 sqft

Exhibits

Exhibit A – Zoning Plan
Exhibit B – Development Plan
Exhibit C – Legal Descriptions
Exhibit D – Landscape and Tree Plans
Exhibit E – Building Elevations

EXHIBIT B - DEVELOPMENT STANDARDS

PD24-0002

Jefferson North Elm

25.96 acres

PD-MN, Multi-Family Land Use – 15.76 acres

PD-PF, Park Land Dedication and Amenities – 10.20 acres

City of Denton, Denton County, Texas

SECTION 1: Purpose Statement

The purpose of the proposed Planned Development (PD) is to facilitate a clustered multi-family development on 15.76 acres while preserving 10.20 acres of open space and existing trees, adding trails and amenities, and dedicating this area to the City of Denton Parks Department.

The regulations set forth in these development standards are for the PD District which consists of approximately 25.96 acres described in Exhibit A.

SECTION 2: Definitions

Clustered Multi-Family Development: A multi-family development in which density is allowed to be concentrated in exchange for permanent protection of open space. The purpose is to protect sensitive lands and common open space areas.

Park Land Dedication Area: An area within the Planned Development District that has been designated for Tree Preservation and Open Space which exceeds 30% of the overall development and is consistent with the *intent of the Preferred Land Preservation Plan and the goals of the Comprehensive to preserve open space*. This area will have a base zoning designation of Public Facilities (PF), will be considered acreage within the Development Impact Area, and will include trails, benches, and amenities for public use.

SECTION 3: Zoning

Where modifications are not expressly authorized within the Planned Development Standards, all requirements of the Denton Development Code, as amended, must be met.

This PD establishes two subdistricts with separate base zoning districts:

Subdistrict A: Multi-Family Land Use, PD-MN (15.76 acres)

Subdistrict B: Park Land Dedication Area, PD-PF (10.20 acres)

3.1 Subdistrict A

Subdistrict A has a base zoning district of Mixed-Use Neighborhood (MN) containing a primary land use of multi-family dwelling units. Accessory Uses are permitted as listed below. Subdistrict A shall follow the development standards only as provided for in the Mixed-Use Neighborhood (MN) District of the DDC. Uses allowed within this Subdistrict shall be limited to only those uses listed in Section 3.1.1 below. Otherwise, all requirements of the 2019 Edition of the Denton Development Code (DDC), as amended, shall apply except where modified herein.

3.1.1 Permitted Uses

Primary Uses

Multi-family Dwelling Units

Accessory Uses

Amenity Centers

Leasing Offices

Garages and Car Ports

Home Occupations

Swimming Pools

Onsite Resident Amenities

3.1.2 Subdistrict A Dimensional Standards

Dimensional standards required for the MN Zoning District apply to this development, except as amended in this Section.

The maximum building height is 55', with the approval of this Planned Development.

3.2 Subdistrict B

Subdistrict B has a base zoning district of Public Facilities. Uses allowed within this Subdistrict shall be limited to only those uses listed in Section 3.2.1 below. Otherwise, all requirements of the 2019 Edition of the Denton Development Code (DDC), as amended, shall apply except where modified herein.

3.2.1 Permitted Land Uses

Park
Playground
Open Space

3.2.2 Prohibited Land Uses

Any land use not expressly permitted within these PD Standards.

3.2.3 Subdistrict B Dimensional Standards

Dimensional standards required for the PF Zoning District apply to this development.

SECTION 4: Development Standards

This PD shall comply with the development standards listed in this Section below, and in accordance with the Zoning Plan, Development Plan, Landscape Plan, and Building Elevations with attached Exhibits respectively.

4.1 Landscape Standards

All requirements of DDC Subchapter 7.7, Landscaping, Screening, Buffering, and Fences shall apply to this Planned Development, except where amended by this Section.

4.1.1 COMPATIBILITY BUFFER

No Landscape Buffer will be required between Subdistrict A and Subdistrict B, as both are developing uses within this Planned Development.

4.1.2 LANDSCAPE AND TREE CANOPY REQUIREMENTS

DDC Subsection 7.7.5 Table 7.D Shall Apply except that:

- A. Minimum Landscape Area for Subdistrict A shall be 30%
- B. Minimum Landscape Area for Subdistrict B shall be 90%
- C. Minimum Tree Canopy Coverage for Subdistrict A shall be 40%
- D. Minimum Tree Canopy Coverage for Subdistrict B shall be 50%
- E. A combination of parking lot landscaping elements from DDC Subsection 7.7.5 Table 7.E shall be permitted as shown on the Development Plan, including:
 - a. Internal landscape islands with an area of at least 9 feet by 10 feet containing at least one canopy tree; and
 - b. Landscape medians at least 8 feet wide running the length of a parking row and containing at least one large canopy tree per 30 linear feet

4.1.3 TREE PRESERVATION REQUIREMENTS

The total Planned Development Area shall have a minimum tree preservation requirement of 40%.

4.2 Parking Standards

4.2.1 Amount of Off-Street Parking Required:

The minimum parking requirement is 1 space per bedroom. A studio is considered equivalent to a 1-bedroom dwelling unit. A minimum of 653 parking spaces are required, plus 112 guest parking spaces, resulting in 765 spaces provided.

4.2.2 Off-Street Parking Layout and Design

Parking located between the front building façade and adjacent street frontage is permitted where shown on the PD Development Plan.

4.3 Site and Building Design Standards

4.3.1. All requirements of DDC Subchapter 7.10.4, Multifamily Site and Building Design shall apply to the multifamily use in this PD, except where amended by this Section.

Subdistrict A: Multi-family

- A. This Planned Development shall be exempt from the requirement that the first floor be a minimum of 12 feet in height.
- B. Subdistrict A shall provide a minimum of 3% Open Space and Subdistrict B shall provide a minimum of 95% Open Space.
- C. Building 1, as shown on the Development Plan, shall be exempt from the requirement that the primary building access be oriented towards the adjacent street or sidewalk.
- D. Pedestrian paths connecting to adjacent street rights-of-way shall be provided as shown on the PD Development Plan.

SECTION 5: Development Phasing

The development shall be constructed in a single phase.

5.1 Driveway Locations

5.1.1 Improvements within the Texas Department of Transportation (TxDOT) roadways require approval by TxDOT. If TxDOT requires minor alterations to relocate the proposed drive approaches, relocate proposed street trees, adjust building location and relocate parking spaces impacted by the relocation of drive approaches, add a turn lane, or any other minor changes required by TxDOT, these changes may be approved by City staff, provided that the final configuration of the drive approaches and the number of street trees provided comply with the TxDOT requirements as well as all elements of the DDC . All other changes shall require a Planned Development amendment in accordance with the Denton Development Code.

Exhibits

Exhibit A – Zoning Plan

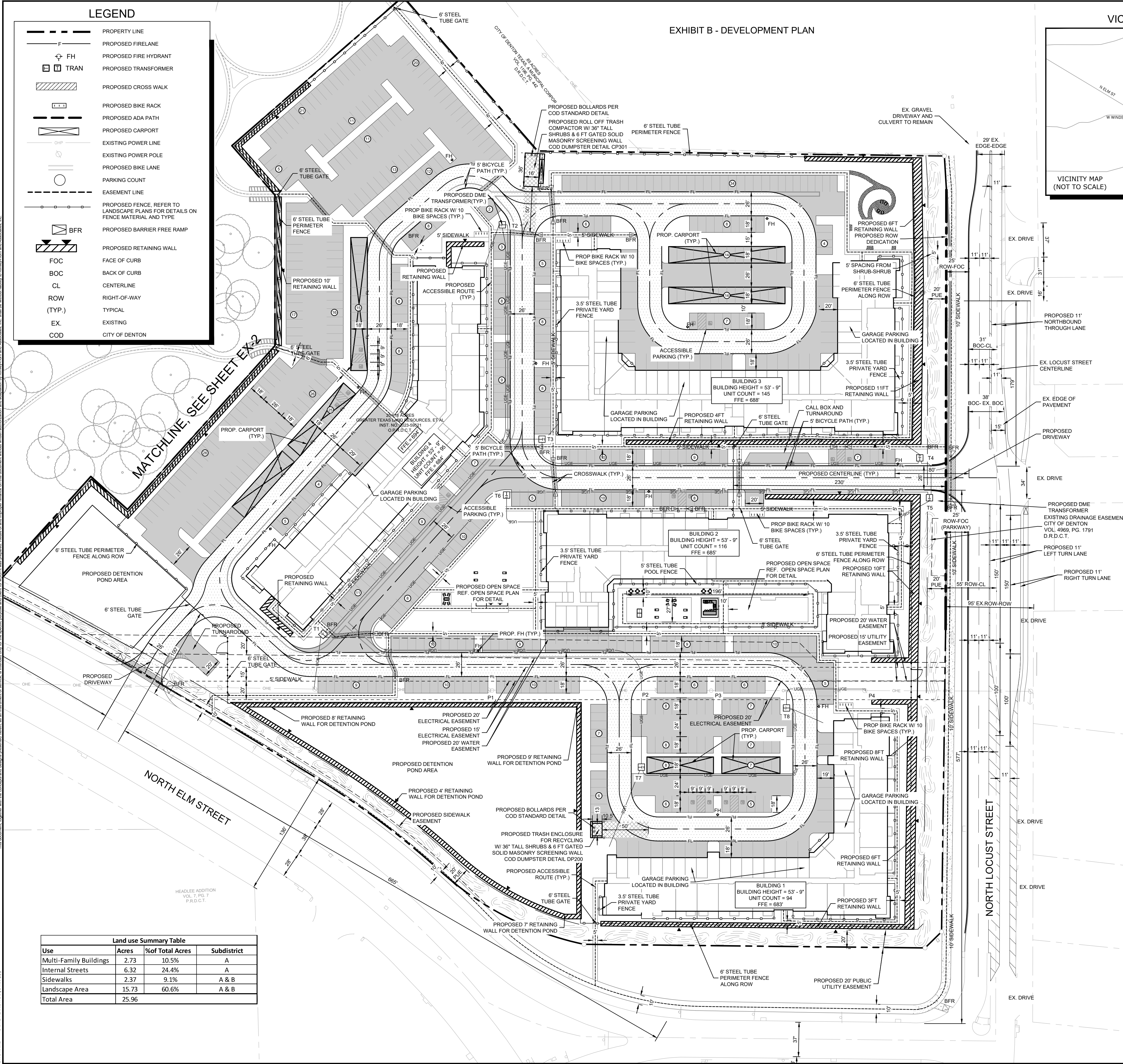
Exhibit B – Development Plan

Exhibit C – Legal Descriptions

Exhibit D – Landscape and Tree Plans

Exhibit E – Building Elevations

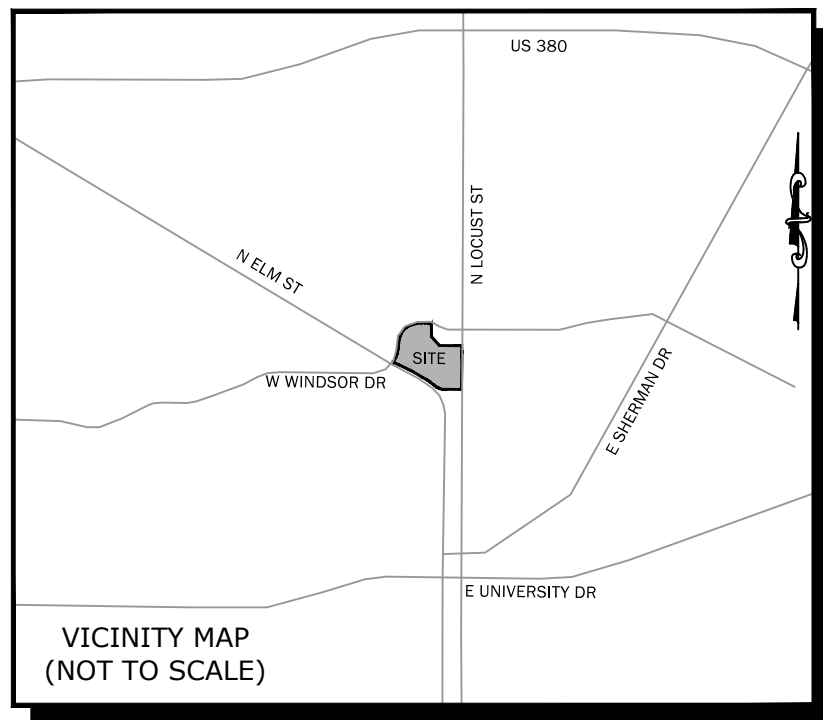
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Plotted by: JPI
DWG NAME: C:\TEMP\PLAN DWG\12406 (2).
This document, together with the conceptual land design presented herein, is an instrument of service, as intended only for the specific purpose and client to which it was prepared. Review of said instrument reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



Land use Summary Table			
Use	Acres	% of Total Acres	Subdistrict
Multi-Family Buildings	2.73	10.5%	A
Internal Streets	6.32	24.4%	A
Sidewalks	2.37	9.1%	A & B
Landscape Area	15.73	60.6%	A & B
Total Area	25.96		

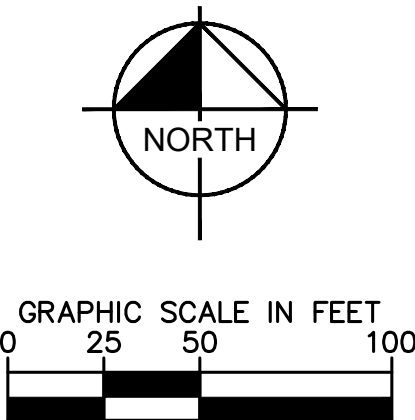
EXHIBIT B - DEVELOPMENT PLAN

VICINITY MAP



CITY SITE PLAN NOTES

1. ALL IMPROVEMENTS IN TxDOT ROW ARE SUBJECT TO TxDOT APPROVAL.
2. REFER TO TREE PRESERVATION PLANS FOR EXISTING TREE LOCATIONS.
3. NO FEMA FLOODPLAIN EXISTS ON THE PROPERTY.
4. WHERE MODIFICATIONS ARE NOT EXPRESSLY AUTHORIZED, ALL REQUIREMENTS OF THE DENTON DEVELOPMENT CODE, AS AMENDED, MUST BE MET.
5. ALL RADII AND TRASH ENCLOSURES WILL MEET AND FOLLOW THE CITY OF DENTON STANDARDS AND STANDARD DETAILS.
6. ON-SITE PEDESTRIAN WALKWAYS ARE DESIGNED TO BE DISTINGUISHABLE FROM VEHICULAR AREAS BY CHANGES IN PAVING HEIGHT.
7. PARK DEDICATION LOT DESIGN IS CONCEPTUAL IN NATURE AND WILL BE FINALIZED THROUGH THE DEVELOPMENT AGREEMENT PROCESS.



Item	Required	Provided
General Site Data		
Net Lot Area (square feet & acres)	none	25.96 acres
Building Footprint Area (square feet)	none	1,130,635 SF
Total Building Area (square feet)	none	544,289 SF
Building Height	none	53'-9"
Building Coverage (percent - x.xx%)	none	10.5%
Development Impact Areas (square feet)	none	1,130,635 SF
Multifamily Units		
# of Studio	45 UNITS	10.00%
# of 1 bedroom	236 UNITS	52.44%
# of 2 bedrooms	135 UNITS	30.00%
# of 3 bedrooms	34 UNITS	7.56%
Total Unit Count	450 UNITS	
Density (Dwelling Unit/Acre)		
Subdistrict A - Multifamily Tract	15.76 acres	28.56 DU/acre
Subdistrict B - Park Tract	10.20 acres	0 DU/acre
Overall Development	25.96 acres	17.34 DU/acre
Parking		
Parking Ratio (Per PD Standards)	1 Spaces per Bed Plus 112 Guest Parking Spaces	
Required Parking	Standard	
1 Space per Bed	653 SPACES	
	Total	653 SPACES
Provided Parking		
	Standard	Accessible
Garage	67 SPACES	
Off-Street	503 SPACES	16 SPACES
Tandem	67 SPACES	
Guest Parking	112 SPACES	
	Total	765 SPACES
Provided Parking		
Bicycle Parking	38 SPACES	40 SPACES
Parking in Excess of 125% of required parking	N/A	0
Landscape Area (Multifamily Tract)		
Open space (square feet and x.xx%)	Required 20,590 SF 3%	Provided 24,360 SF 3.5%
Landscaped Area (square feet and x.xx%)	205,903 SF 30%	266,913 SF 39%
Tree Canopy (square feet and x.xx%)	227,053 SF 40% of Site-Building Footprint	245,645 SF 43.28%
Landscape Area (Park Tract)		
Open space (square feet and x.xx%)	Required 422,076 SF 95%	Provided 437,202 SF 98%
Landscaped Area (square feet and x.xx%)	88,858 SF 90%	418,243 SF 94%
Tree Canopy (square feet and x.xx%)	222,145 SF 50%	233,522 SF 52.56%
Permeable Area		
Permeable Pavement (square feet)		
Other Permeable Area within the lot not including landscaping	N/A	N/A
Impervious Area		
Building Footprint Area (square feet)		118,713 SF
Area of Sidewalks, Pavement, Pavement & other Impervious Flatwork (square feet)	N/A	327,286 SF
Total Impervious Area		445,999 SF

KEYMAP



JPI Denton Elm Water Demand					
2.5 people per unit			170 gpd average daily demand per person per day		
1.5 peak hour demand			2.0 max daily demand		
Units	Residents	Flow (gpd)	Peak Hour Demand (gpd)	Max Daily Demand (mgpd)	Max Daily Demand (mgpd)
450	1125	191,250	286,875	382,500	0.383

Kimley»Horn

13455 NOEL RD. TWO GALLERIA OFFICE TOWER
SUITE 700 DALLAS, TX 75240
PHONE: 972-770-1300 FAX: 972-235-3820
WWW.KIMLEY-HORN.COM TX F-428
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CONCEPT PLAN FOR
REVIEW ONLY. NOT FOR
CONSTRUCTION

KHA PROJECT
069264911

DATE
8/23/2024

SCALE
AS SHOWN

DESIGNED BY
CMD

DRAWN BY
CMD

CHECKED BY
MAL

JEFFERSON ELM
PREPARED FOR
JPI

CITY OF DENTON, TX

DEVELOPMENT
PLAN

EX-1

BY

DATE

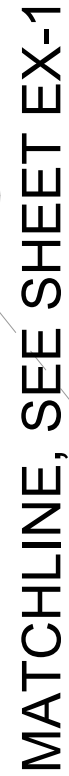
REVISIONS

No.

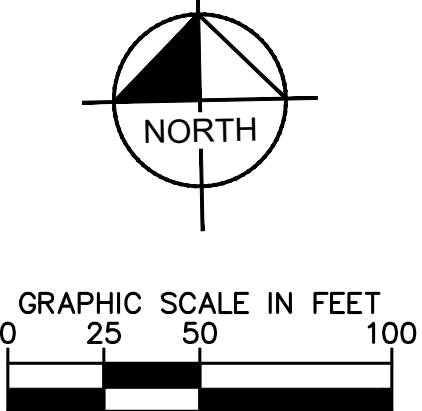
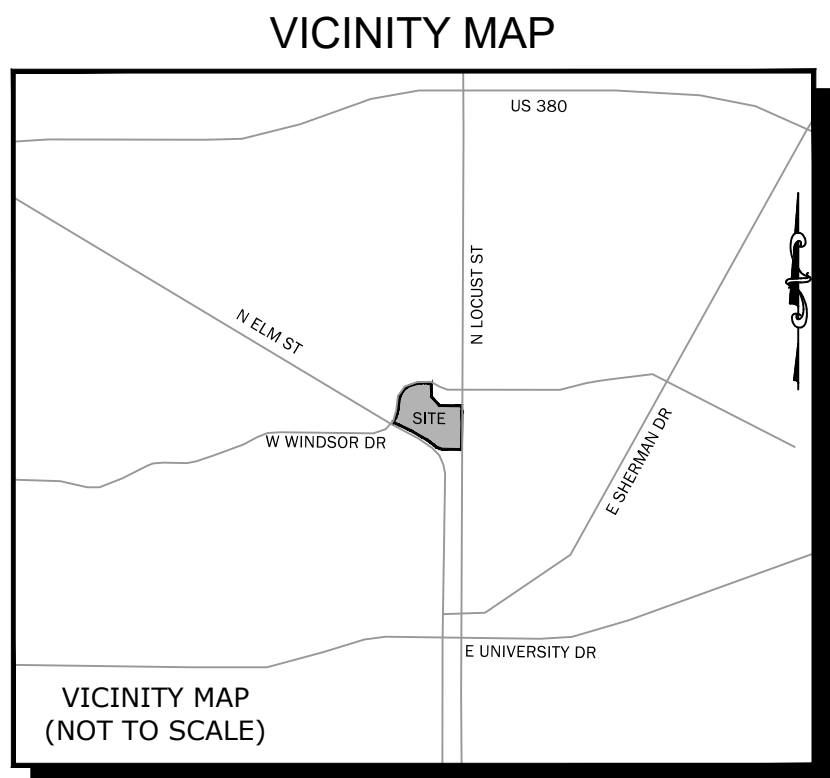
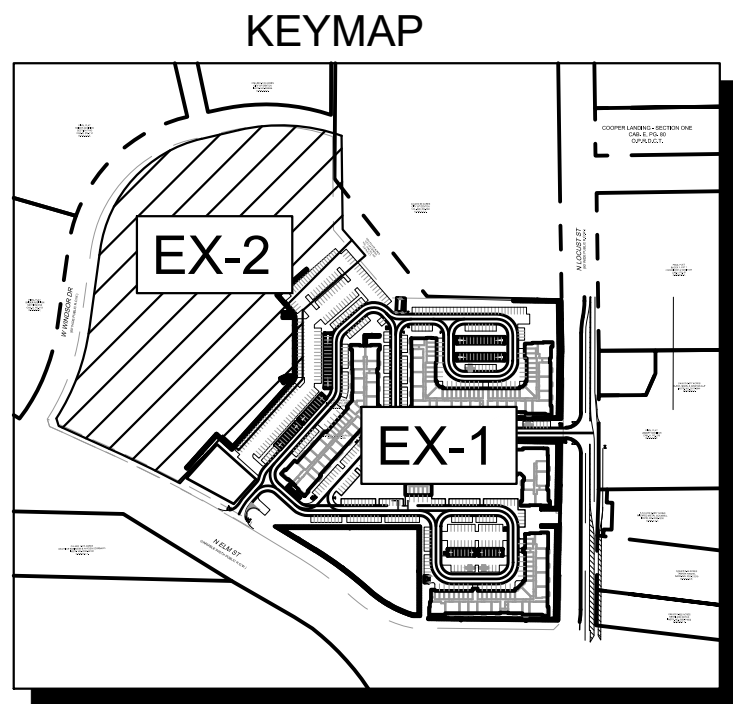
SHEET NUMBER
EX-1

161

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Krimley-Horn and Associates, Inc. shall be without liability to Krimley-Horn and Associates, Inc.









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LEGEND

	PROPERTY LINE
	PROPOSED FIRE LANE
	PARKING COUNT
	EASEMENT LINE
	ACCESSIBLE ROUTE
	PROPOSED RETAINING WALL

Item	Required	Provided
General Site Data		
Net Lot Area (square feet & acres)	none	25.96 acres 1,130,635 SF
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1.5 peak hour demand			2.0 max daily demand		
Units	Residents	Flow (gpd)	Peak Hour Demand (gpd)	Max Daily Demand (gpd)	Max Daily Demand (mgpd)
450	1125	191,250	286,875	382,500	0.383

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Kimley»»Horn

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WWW.KIMLEY-HORN.COM TX F-928
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CONSTRUCTION

KHA PROJECT 069264911	DATE 8/23/2024
SCALE	AS SHOWN
DESIGNED BY	CMD
DRAWN BY	CMD
CHECKED BY	MAL

JEFFERSON ELM
PREPARED FOR
121

DEVELOPMENT PLAN

SHEET NUMBER
EX-2

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EXHIBIT E - BUILDING ELEVATIONS



H1 BUILDING 1 - SOUTH ELEVATION
0 8' 16' 32' 1/16" = 1'-0"



E1 BUILDING 1 - EAST ELEVATION
0 8' 16' 32' 1/16" = 1'-0"

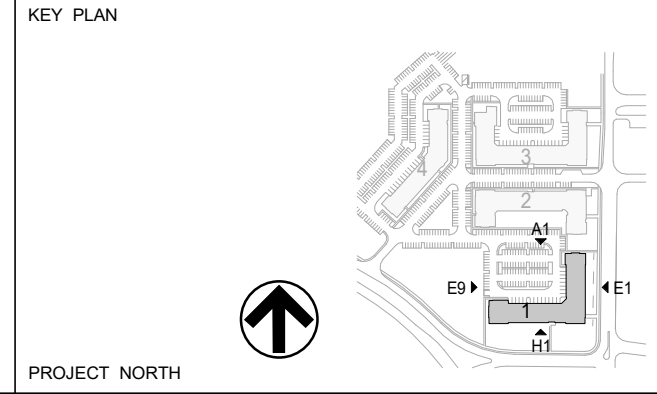


E9 BUILDING 1 - WEST ELEVATION
0 8' 16' 32' 1/16" = 1'-0"



A1 BUILDING 1 - NORTH ELEVATION
0 8' 16' 32' 1/16" = 1'-0"

FENESTRATION CALCULATIONS			
BUILDING 1			
SIDE	WALL AREA	FENESTRATION AREA	%
EAST ELEVATION	10,865 SF	2,880 SF	26.5%
SOUTH ELEVATION	17,499 SF	4,961 SF	28.4%
WEST ELEVATION	10,743 SF	2,505 SF	23.3%
NORTH ELEVATION	17,404 SF	4,052 SF	23.3%



SEAL
CONCEPT PLAN FOR REVIEW
ONLY NOT FOR
CONSTRUCTION.
PREPARED UNDER THE
SUPERVISION OF
JOE GRECO
TX LICENSE NO. 22502



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Planning & Design, Inc.
LordAeckSargent.com

REVISION:



SHEET TITLE
BUILDING 1 ELEVATIONS
SCALE (N/A)

JOB NAME
2900 N. ELM ST. MULTIFAMILY
LOCATION
2900 N. ELM STREET,
DENTON, TX 76201

ISSUE DATE
4/1/2024
JOB NO.
11836-10
DWG. NO.
A-203

NOT FOR CONSTRUCTION

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SHEET TITLE
BUILDING 2 ELEVATIONS

SCALE (N/A)

JOB NAME
2000 N. ELM ST., MULTIFAMILY

LOCATION
2000 N. ELM STREET,
DENTON, TX 76201

ISSUE DATE
4/1/2024

JOB NO.
11836-10

DWG. NO.

A-204

NOT FOR CONSTRUCTION

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SHEET TITLE
BUILDING 4 ELEVATIONS

SCALE (N/A)

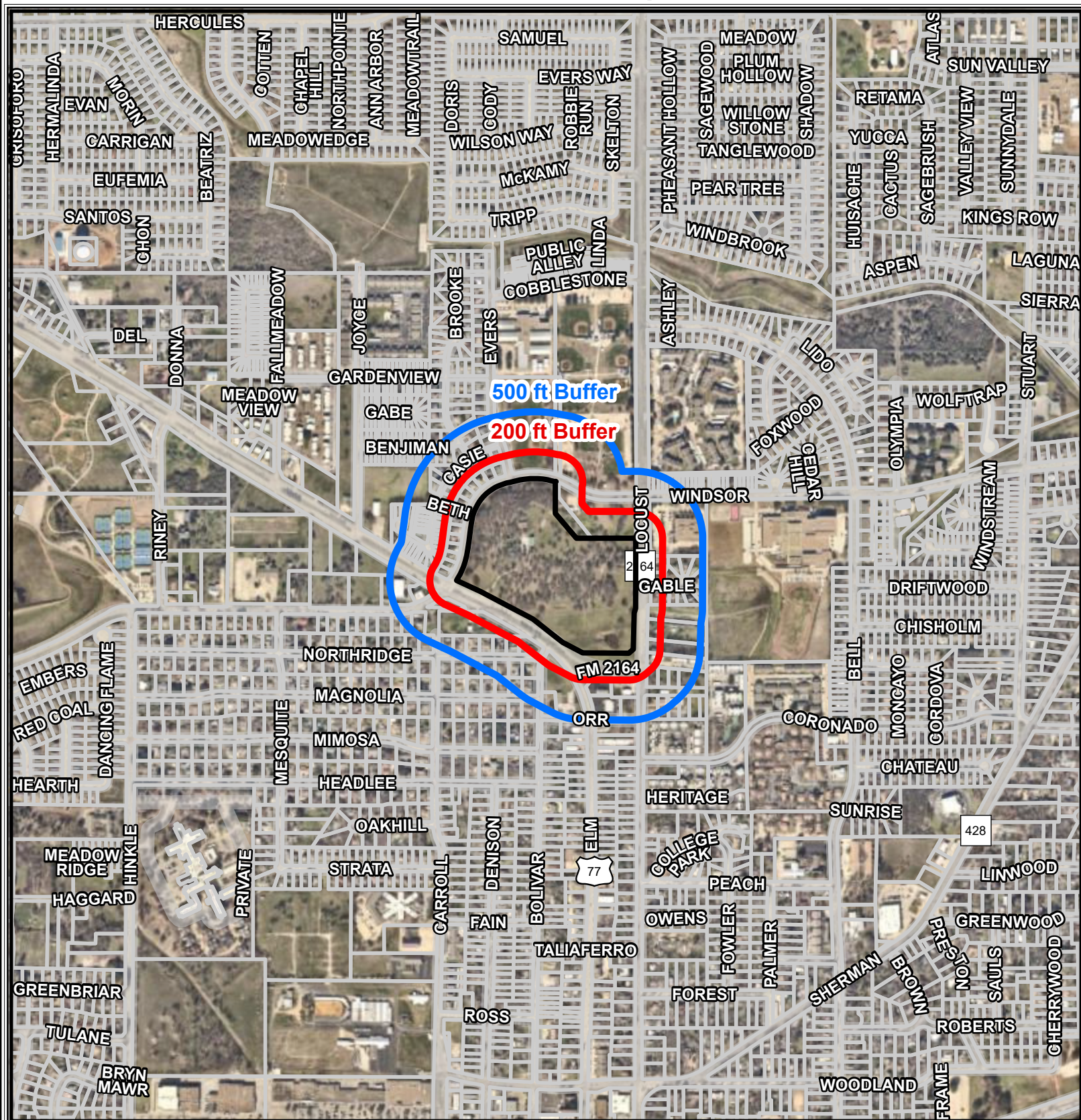
JOB NAME
2900 N. ELM ST. MULTIFAMILY

LOCATION
**2900 N. ELM STREET,
DENTON, TX 76201**

NOT FOR CONSTRUCTION

PD24-0002

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."

**PUBLIC HEARING NOTIFICATION SIGN
AFFIDAVIT OF SIGN POSTING**

Project No. PD24-0002

Date of Planning and Zoning Commission Meeting: 9-11-2024

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 Jefferson North Elm/PD24-0002, located at 2900 N Elm St. Denton Tx. 76201

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 August 27th, 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 N. Elm St., N. Locust St., W. Windsor St.. 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.

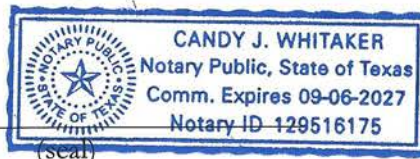
Executed this the 28th day of August, 2024.

Aimee Bissett
Signature of Applicant or Authorized Representative for Project No. PD24-0002

Aimee Bissett
Printed Name of Applicant or Authorized Representative for Project No. PD24-0002

STATE OF TEXAS COUNTY OF Denton BEFORE ME, a Notary Public, on this 28th 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 28 day of August, 2024.

Candy J. Whitaker
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 first public hearing shall result in the postponement of consideration by the Board or Commission.

STAFF USE ONLY:

Date/Time submitted: August 28, 2024 Verified by: Ashley Ekstedt

Locust St. near Library S1



Locust St. near Library S2



Windsor Dr. and Beth St. S1



Windsor Dr. and Beth St. S2



Windsor Dr. at Ballpark and Evers Pkwy. S1





N. Elm St., (77) and N. Locust St., (FM2164) S1



N. Elm St., (77) and N. Locust St., (FM2164) S2

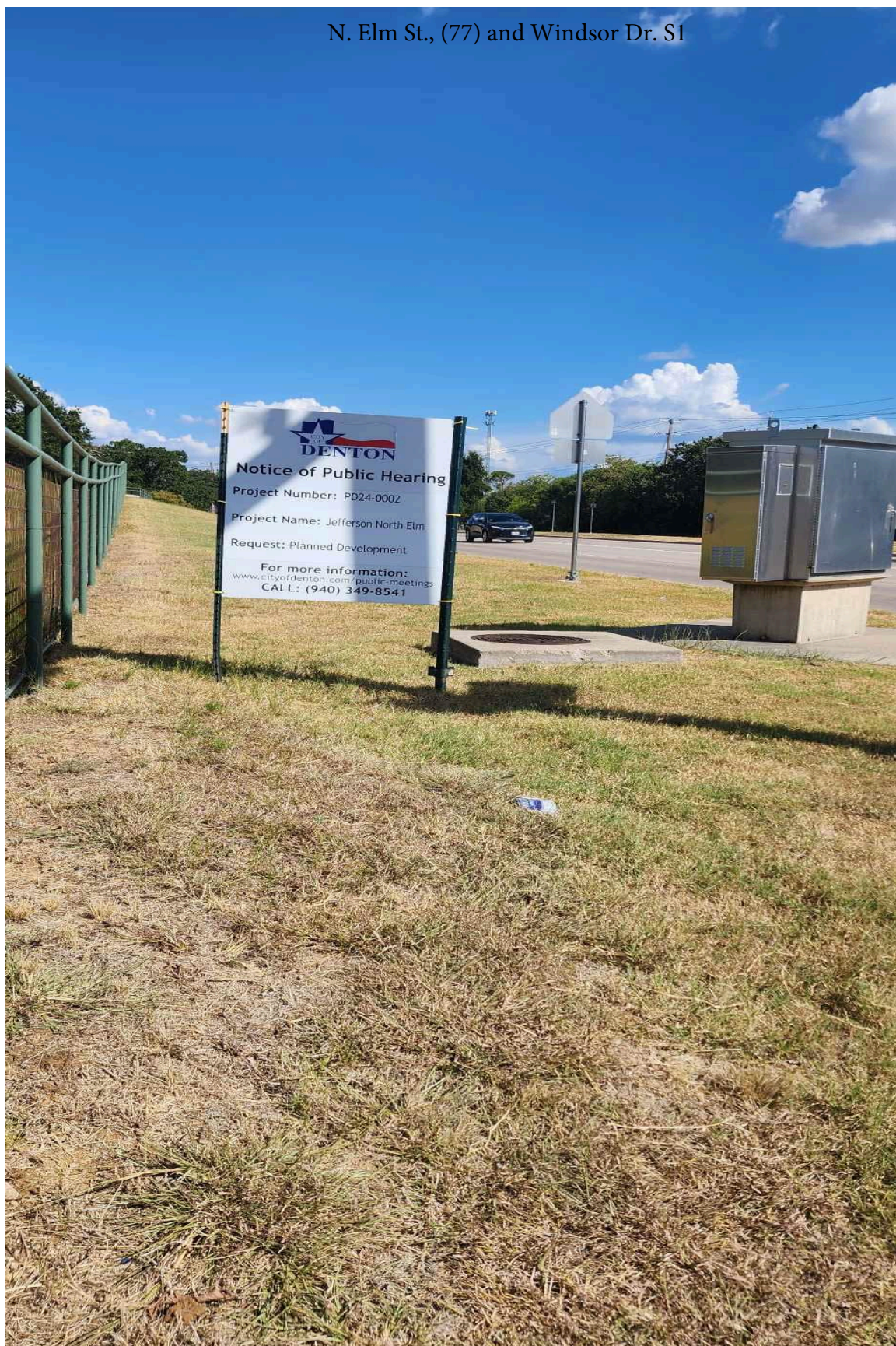




N. Elm St. (77) and Bolivar St. S2



N. Elm St., (77) and Windsor Dr. S1



N. Elm St., (77) and Windsor Dr. S2





Development Services

401 N. Elm St., Denton, TX 76201 • (940) 349-8541

recommend, and City Council may approve, any request which is equivalent to or more restrictive than that which is requested, and which is deemed consistent with Denton Plan 2040.

For more information, please contact Ashley Ekstedt at (940) 349-7187 or ashley.ekstedt@cityofdenton.com; or, on 9/6/2024, visit www.cityofdenton.com/public-meetings for the meeting agenda with staff's analysis and associated exhibits.

Response Form

Project Number: PD24-0002

Jefferson North Elm

In order for your opinion to be counted, please complete and mail this form to:

City of Denton Development Services
Attn: Ashley Ekstedt, Project Manager
401 N. Elm St.
Denton, TX 76201

You may also email a copy to ashley.ekstedt@cityofdenton.com.

Project Number: PD24-0002

Please circle one:

☐ In favor of request

☒ Opposed to request

Comments:

Increased traffic in middle school & elementary school
Increased congestion / Area residents inconvenienced permanently

Signature: Carole Keeton

Printed Name: Carole Keeton

Street Address: 325 Casie Court

City, State and Zip Code: Denton Tx 76207

Phone Number: 214-415-0175

Email Address: carolekeeton@yahoo.com

recommend, and City Council may approve, any request which is equivalent to or more restrictive than that which is requested, and which is deemed consistent with Denton Plan 2040.

For more information, please contact Ashley Ekstedt at (940) 349-7187 or ashley.ekstedt@cityofdenton.com; or, on 9/6/2024, visit www.cityofdenton.com/public-meetings for the meeting agenda with staff's analysis and associated exhibits.

Response Form

Project Number: PD24-0002
Jefferson North Elm

In order for your opinion to be counted, please complete and mail this form to:

City of Denton Development Services
Attn: Ashley Ekstedt, Project Manager
401 N. Elm St.
Denton, TX 76201

You may also email a copy to ashley.ekstedt@cityofdenton.com.

Project Number: PD24-0002

Please circle one:

☐ In favor of request

☒ Opposed to request

Comments:

Increased traffic / Potential for increased crime / Increased
congestion near 2 schools - Hazard to residents - Increased
noise level -

Signature: Carole Kerton

Printed Name: Carole Kerton

Street Address: 329 Casie Court

City, State and Zip Code: Denton, Tx 76207

Phone Number: 214-415-0175

Email Address: CaroleKerton@yahoo.com



Development Services

401 N. Elm St., Denton, TX 76201 • (940) 349-8541

recommend, and City Council may approve, any request which is equivalent to or more restrictive than that which is requested, and which is deemed consistent with Denton Plan 2040.

For more information, please contact Ashley Ekstedt at (940) 349-7187 or ashley.ekstedt@cityofdenton.com; or, on 9/6/2024, visit www.cityofdenton.com/public-meetings for the meeting agenda with staff's analysis and associated exhibits.

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Project Number: PD24-0002
Jefferson North Elm

In order for your opinion to be counted, please complete and mail this form to:

City of Denton Development Services
Attn: Ashley Ekstedt, Project Manager
401 N. Elm St.
Denton, TX 76201

You may also email a copy to ashley.ekstedt@cityofdenton.com.

Project Number: PD24-0002

Please circle one:

☐ In favor of request ☒ Opposed to request

Comments:

The City of Denton is overrun with apartments
Water & electricity problems will only
increase with all of the new construction.
more apartments not needed at this time

Signature: William E. Brady Linda Brady

Printed Name: WILLIAM E. BRADY LINDA BRADY

Street Address: 324 W. Windsor, 113 Tripp Trl, 312-321 McKamy Blvd 76207

City, State and Zip Code: Denton - 76207

Phone Number: 940-305-9292

Email Address: b1bray@verizon.net

ADA/EOE/ADEA

www.cityofdenton.com

TDD (800) 735-2989

mailing address: PO Box 1044

Denton 76202

- At the neighborhood meeting on December 19, 2023, residents asked questions and raised concerns regarding the following topics. The applicant's responses or actions, where applicable, are summarized following each discussion topic.
 - Questions and responses:
 - What amount of parkland is being dedicated. Note, the parkland dedication amount has been revised slightly throughout the review of this project, and 10.2 acres is being dedicated to Parks.
 - Concern that 450 units would increase traffic on a two-lane road. The applicant indicated that a Traffic Impact Analysis (TIA) will be submitted.
 - Will this be affordable housing? Yes, 50% will be affordable.
 - How will it be guaranteed that the trees will be preserved? The PD standards will state the required minimum tree preservation.
 - Will there be pedestrian access to bus stops? A sidewalk will be built around the perimeter of the development.
 - Where will the parking be for the trail? Parking will be available at Evers Park or the library.
 - General Comments:
 - This will be a four-story apartment complex next to single-family homes.
 - The area will not be quiet anymore and this development does not fit in with this area.
 - The two-lane road (North Locust) cannot support the increased traffic.
 - There are not enough entrances for the number of people living there.
 - More trees would be preserved with this plan than if it was developed as a single family.
 - A resident commented that they had changed their mind about the development after seeing the preservation area on the plan.
 - The PD is needed to guarantee the site plan and preservation requirements.
 - The design of the building should fit in with the neighborhood.
- At the neighborhood meeting on February 15, 2024, residents asked questions and raised concerns regarding the following topics. The applicant's responses or actions, where applicable, are summarized following each discussion topic.
 - Questions and Responses:
 - When it's rezoned, will there be a deed restriction? A PD would be tied to the zoning showing exactly what would have to be built. City Council would approve the plan. Any major changes to the proposed plan would also have to go through City Council.
 - Will it be a single owner? Yes.
 - Will the homes, barns, and fence be maintained? At the time, the applicant responded that the home would be kept. However, as the plan went through the review process, it was discovered that several additions had been made to the home over the years which resulted in the loss of its historical integrity. The home will not be preserved, and an Evers Farm memorial will be planned within the park and constructed by the developer with the Parks Development Agreement. The barbed wire fence will be replaced with a

different fence around the multifamily. Parks does not currently have plans to fence the parkland.

- What are the plans to handle traffic with the ballfield and the school that are already there? The TIA will show what is required and improvements will need to go through the City and TxDOT for approval.
- Will this section 8, government regulated? No, this will be workforce housing and 60-80% of AMI.
- How will this impact the school system? Applicant stated that this development is likely to produce 25-50 kids and not as many as you would expect.
- Is this with Denton Housing Authority? Applicant stated that this would be workforce housing with DHA, yes. They are negotiating what percentage will be at what income level.
- Will they have to prove income in order to live there? Yes, 100% of the units will require income qualifications and background checks.
- What research did they do to determine that 450 units was appropriate for this area? They subscribe to market research and believe more units could go there, but believe it is worth preserving part of the site to give the best chance of getting the zoning.
- What do they expect people to do in the public space? Resident is concerned how people will use the park space. They are still working with parks, but it will include walking trails and similar types of activities.
- Will the detention pond stay? The development will have detention.
- Why is the developer keeping the open space and not giving it to the city? At the time, the developer stated that the city did not want to take the land that is now being dedicated. During the review process, this has changed, and the open space will now be dedicated to Parks.
- What is JPI, is it Chinese? The company has been bought by Sumitomo which is Japanese, and they are not trying to change the company.
- What about two-lane roads? TxDOT controls many of the roads around the site.
- Windsor is controlled by the city. Is a widening of Windsor tied to this development? No.
- Questions about the idea that this development would only produce 50 students and concerns over school capacity in the area. Their research shows 50 kids because people in their developments are often those in transition between an apartment and first house.
- What will the rent be? It will vary. Market is 1.92 per SF. This will be lower to varying degrees.
- What tax relief or kickbacks does the developer get? Sales tax relief, but not kickbacks from the city.
- Are they planning to add in bike lanes and multimodal options to reduce car trips? Bike parking and bike lanes through the property will be provided.
- How are the post oaks being protected from negative impacts during development? They will follow the tree preservation requirements set by the city.

- General Comments:
 - Rayzor Ranch was planned and had amenities. They sold it and it was changed, the plan changed. They can't speak to the changes at Rayzor Ranch, but it was not a PD.
 - This development is not like the neighborhood. They do not have four story homes. They see cows now and are worried about what they are going to see.
 - Concerns about residents cutting through their neighborhood.
 - A single-family development won't be able to preserve some of the property and if we don't have density, we will have sprawl.
 - Homes would be better than apartments.
 - The schools are already full.
 - There are a couple species of animals that travel across the neighborhood and that live over there and clearing the underbrush will chase away the animals. Have they looked into that? It has not been studied and they can discuss with Parks what can be planted and whether any areas should be left uncleared to preserve habitat.
 - A resident stated that they would not trust Parks with the property.
 - Comment that they used to live across the street on what was then old Sanger Road and had total access and enjoyed walking through the property and then they closed North Elm to southbound traffic. Will North Elm still be limited as to which direction they can drive? TxDOT will decide the direction of traffic on North Elm.
 - Comment that this is the best chance to preserve the trees and historic home. Someone will come in here eventually and these developers are being nice. California has a homeless problem because they said no to development density. Taxes go up because new houses aren't coming in. If we want people to be able to live here and prevent homelessness, we need to be building more housing now. This is the best chance we are going to get.
 - More units on the market helps to decrease costs or limit costs.
 - Resident stated they have gotten burned a lot, like on Fireside and the PD gives more comfort that they would have to get approval for any changes to the approved plan.
 - Concerns over electricity and water pressure. Studies will be done to be sure that it will not an adverse impact on the systems.
 - Other multifamily in the area are two-story and are setback from the road. Why not two stories and setback more? Shorter buildings mean cutting down more trees and grading more hills.
 - Comment that apartments all along Coronado do not seem to create traffic issues, nor do those on Rayzor Ranch.
 - Statement that "When I lived in Richardson, we had two large apartment towers built and we didn't like it because it was the death of the town as we know it. But these developers seem to respect the property, this seems to be the best we will get."

- Resident stated it's either this or houses where they mow the whole site down.
- At the neighborhood meeting on June 27, 2024, residents asked questions and raised concerns regarding the following topics. The applicant's responses or actions, where applicable, are summarized following each discussion topic.
 - Questions and Responses:
 - Are the trails in the park only for residents? No, this will be a public park.
 - Whether more building were added? No, it is only four buildings.
 - What is to prevent future development of more apartments once they have these buildings built? It will be dedicated to the city.
 - Are all the buildings 4 story? Yes.
 - Will the multifamily parking be for residents only? Yes.
 - Will there be a fence around the park? No.
 - Will there be a street crossing signal from the parking at Evers to the new park? The developer is in discussions with Parks for all improvements.
 - What kind of consideration has been given now that Windsor is going to be open to across the loop and the overpass on Windsor will put more traffic on Windsor. An entrance is not provided along Windsor.
 - How big will the shade structure in the park at the location of the old house be? The idea is to have the structure align closely with the footprint of the house.
 - Where will the turn lane be located? At the entrance to the development on Locust.
 - General Comments:
 - Comment that there is no way to get into the development from Elm Street is coming from the other way. There will be a turn lane constructed on North Locust.
 - Comment that they think that this is better than having it completely leveled.
- At the neighborhood meeting on September 3, 2024, residents asked questions and raised concerns regarding the following topics. The applicant's responses or actions, where applicable, are summarized following each discussion topic.
 - Questions and Responses:
 - Who will you rent to? Mostly young professionals.
 - When did the family start looking to sell this land? Around 2 years ago.
 - Why didn't the city buy this park before? The land budget did not provide for enough funding to purchase.
 - When will the park be open? As soon as it's built.
 - Are you installing the sidewalks? Yes.
 - What is the main entry point? It will be off Locust and secondary on Elm.
 - Why 450 apartments and not 300? If they did a smaller unit count, they would not be able to afford the price.

- Have heard that there is low-income housing coming with this development? Applicant stated that it is not low-income housing, it is attainable housing. Low-income housing is generally a tax credit and 30% of median income. This is going to contain market rate for 50% of the units, and they are partnering with DHA. 5% of the units will serve 50% of the AMI. From the outside looking in, it will look like market rate apartments.
 - Is that just for purposes of tax cuts? They are still paying money to DHA, but it is a way to serve teachers, nurses, policeman, and firefighters with high quality apartments. This is a way to build something brand new that they can still afford.
- General Comments:
- Concerns about traffic
 - We want to keep the cows.
 - It is a very rare urban forest that is there, and the city already has parks.
 - Applicant responded that this property is already zoned for single-family. A single-family developer can develop this entire property without the park, and there is nothing to prevent that.
 - This does not fit into the neighborhood and this historic space.
 - There is so much housing already and now there is 300 more units going in on Elm by the dog park.
 - All this property was part of a big ranch back in the day and this little piece is the last part of it. I think that our community and Council people have dropped the ball on this and should be doing what's best for the residents.
 - Concerns about parking and residents parking in the neighborhoods. Applicant stated that the parking is well studied, and they know how much parking they need for each development.
 - There is a lot of these post oaks and to see it just keep getting chopped away for apartments, how many apartments does the city of Denton need?
 - A plaque that memorializes the Evers family is very minimal, but I do appreciate that you are trying to preserve trees.
 - This is happening everywhere, not just here. Denton is growing and the question is how we grow smart.
 - It is growing but at what cost?
 - This would be a nice pocket park and the 450 units can go somewhere else.
 - We moved to our neighborhood because we enjoyed the quiet and we do not want to look at apartments and we enjoy the land with the cows.
 - The city is not keeping residents in mind and then we don't want to see apartments everywhere. I don't want people cutting through the neighborhood and endangering people walking.
 - What is on the lot to the north? It is a city owned boy scout building.
 - Evers Elementary is right here and you should watch the amount of traffic coming and going by vehicle and by foot.

- The entrance of Locust is not the best entrance because people walk to school in that area.

FISCAL SUMMARY

CITY OF DENTON

GENERAL FUND IMPACTS

Revenues	40 Year Total
AD VALOREM TAXES	\$32,157,400
RETAIL SALES TAX	
Direct Project Retail Sales Tax Revenue	\$0
Net New Resident + New Commuters Retail Sales Tax Revenue	\$7,985,700
OTHER TAXES (Mixed Beverage)	\$0
LICENSE & PERMITS	
Zoning Fees	\$14,200
Building Permits	\$148,200
Certificate of Occupancy	\$0
Beer & Wine Permits	\$0
SERVICE FEES	
Restaurant Inspections	\$0
Grocery Store Inspections	\$0
Swimming Pool Inspections	\$1,600
Electrical Inspections	\$0
Plumbing Inspections	\$0
Development Fees	\$26,400
Plan Review Fees	\$112,600
Expenses	40 Year Total
Neighborhood	(\$6,376,300)
Public Safety	(\$23,757,900)
Transportation	(\$861,500)
Admin & Community Services	(\$6,544,600)
OTHER FUND REVENUES	
TOURISM & CONVENTION SALES TAX	\$0
ENTERPRISE UTILITY FUNDS	
Electric Charge	\$40,627,200
Water Charge	\$13,965,600
Wastewater Charge	\$9,216,100
Drainage Charge	\$266,300
Solidwaste Charge	\$10,047,200
WATER IMPACT FEE	\$296,600
WASTEWATER IMPACT FEE	\$183,100
TOTAL ROADWAY IMPACT FEE	\$1,473,200
TOTAL PARKS LAND DEDICATION & DEV. TRUST	\$83,800
TREE MITIGATION	\$0
ROADWAY MAINTENANCE	
ROADWAY MAINTENANCE	\$0

New Residents From Residential



1,107

New Workers From Non-Residential *



0

* 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

\$40,446,100

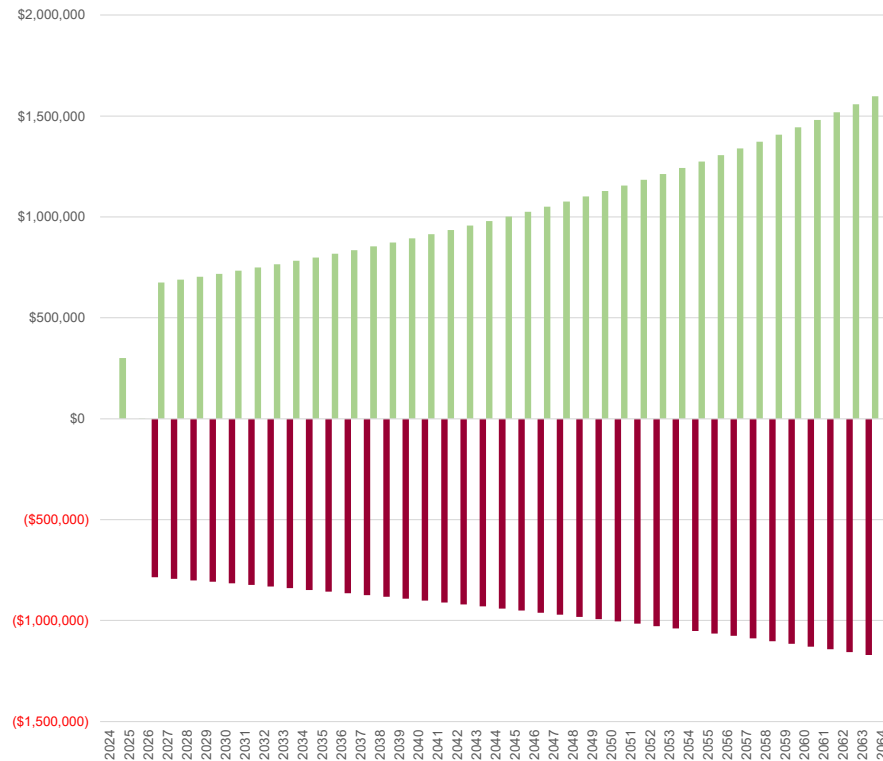
General Fund - Total Expenses

-\$37,540,300

General Fund - Net Impact

\$2,905,800

General Fund - Net Impacts



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS REGARDING A CHANGE IN THE ZONING DISTRICT AND USE CLASSIFICATION ON APPROXIMATELY 25.96 ACRES OF LAND FROM A RESIDENTIAL 2 (R2) DISTRICT TO A PLANNED DEVELOPMENT (PD) WITH MIXED-USE NEIGHBORHOOD (PD-MN) AND PUBLIC FACILITIES (PD-PF) BASE ZONING DISTRICTS. THE SITE IS GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF NORTH ELM STREET AND NORTH LOCUST STREET 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. (PD24-0002a, Jefferson North Elm)

WHEREAS, Aimee Bissett of 97 Land Company, applied on behalf of the property owner, Greater Texas Land Resources, LP, for a zoning change from Residential 2 (R2) District to a Planned Development (PD) with Mixed-Use Neighborhood (PD-MN) and Public Facilities (PD-PF) base zoning districts on approximately 25.96 acres, legally described and depicted in Exhibit "A" (hereinafter, the "Property"); and

WHEREAS, on September 11, 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 approval/denial (0-0) of the amendment; and

WHEREAS, on October 15, 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 a 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 Residential 2 (R2) District to a Planned Development (PD) with Mixed-Use Neighborhood (PD-MN) and Public Facilities (PD-PF) base zoning districts. The Development Standards for the Property are described in Exhibit "B" attached hereto and incorporated herein by reference, and

the PD Development Plans depicting development layout for the Property is provided in Exhibit “C” attached hereto and incorporated herein by reference. Development of the Property shall be in accordance with the Development Standards in Exhibit “B” and the Development Plans in Exhibit “C”.

SECTION 4. The City’s official zoning map is hereby amended to show the change in the zoning district and use classification.

SECTION 5. 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 not affect the validity of the provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 6. Penalty. 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: _____

Exhibit A
Legal Description – Subdistrict A

BEING a tract of land situated in the B.B.B. & C.R.R. Survey, Abstract No. 186, Denton County, Texas, and being part of a called 25.976 acre tract of land described in Special Warranty Deed to Greater Texas Land Resources, Et Al recorded in instrument No. 2023-59521, Official Public Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING PK nail found for the most easterly northeast corner of said 25.976 acre tract, in the west right-of-way line of North Locust Street (a variable width right-of-way);

THENCE with said west right-of-way line of North Locust Street, the following courses and distances:

South 03°27'09" East, a distance of 100.10 feet to a 1/2" iron rod found for corner;
South 00°35'09" East, a distance of 33.30 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;
South 00°45'51" West, a distance of 706.48 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for the northeast end of a corner clip at the intersection of said west right-of-way line of North Locust Street and the north right-of-way line of North Elm Street (a variable width right-of-way);

THENCE with said corner clip, South 45°36'24" West, a distance of 25.00 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for the southwest end of said corner clip, from which a 3-1/4" iron rod with aluminum disk stamped "TXDOT ROW MONUMENT PBS 2144" found bears North 51°02'53" East, a distance of 6.22 feet;

THENCE with said north and northeast right-of-way line of North Elm Street, the following courses and distances:

North 89°23'36" West, a distance of 369.04 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the right with a radius of 334.46 feet, a central angle of 30°33'52", and a chord bearing and distance of North 62°50'43" West, 176.31 feet;
In a northwesterly direction, with said non-tangent curve to the right, an arc distance of 178.42 feet to a 1/2" iron rod found at the beginning of a non-tangent curve to the left with a radius of 906.09 feet, a central angle of 10°29'45", and a chord bearing and distance of North 53°06'57" West, 165.75 feet;
In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 165.98 feet to a 3-1/4" iron rod with aluminum disk stamped "TXDOT MONUMENT PBS 2365" found for corner;
North 58°45'53" West, a distance of 105.52 feet to a 3-1/4" iron rod with aluminum disk stamped "TXDOT MONUMENT PBS 2364" found at the beginning of a non-tangent

curve to the left with a radius of 3,879.72 feet, a central angle of 04°29'02", and a chord bearing and distance of North 60°37'10" West, 303.54 feet;
In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 303.61 feet to a point for corner;

THENCE departing said north right-of-way line of Windsor drive, over and across said 25.976 acre tract, the following courses and distances:

North 42°00'00" East, a distance of 165.25 feet to a point for corner;
South 48°00'00" East, a distance of 53.38 feet to a point for corner;
North 42°00'00" East, a distance of 238.39 feet to a point for corner;
North, a distance of 163.10 feet to a point for corner;
North 41°03'54" East, a distance of 70.89 feet to a point for corner;
North 48°56'06" East, a distance of 245.79 feet to a point for corner in the southwest line of a called 0.65 acre tract described in Warranty Deed to the City of Denton Texas, a Municipal Corporation, recorded in Volume 1196, Page 442, Deed Records, Denton County, Texas;

THENCE with said southwest line of the 0.65 acre tract and the south line of said 0.65 acre tract, the following courses and distances:

South 41°03'46" East, a distance of 221.71 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;
South 89°17'24" East, a distance of 440.00 feet to the **POINT OF BEGINNING** and containing 686,345 square feet or 15.7563 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

Legal Description – Subdistrict B

BEING a tract of land situated in the B.B.B. & C.R.R. Survey, Abstract No. 186, Denton County, Texas, and being part of a called 25.976 acre tract of land described in Special Warranty Deed to Greater Texas Land Resources, Et Al recorded in instrument No. 2023-59521, Official Public Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with red plastic cap stamped "KHA" set at the north end of a corner clip at the intersection of the east right-of-way line of Windsor Drive (a variable width right-of-way) and the northeast right-of-way line of North Elm Street (a variable width right-of-way) and being the beginning of a non-tangent curve to the left with a radius of 570.83 feet, a central angle of 25°02'14", and a chord bearing and distance of North 20°16'08" East, 247.46 feet;

THENCE with said east right-of-way line and the south right-of-way line of Windsor Drive the following courses and distances:

In a northeasterly direction, with said non-tangent curve to the left, an arc distance of 249.44 feet to a 1/2" iron rod with yellow plastic cap found for corner;

North 07°45'01" East, a distance of 209.42 feet to a 1/2" iron rod with yellow plastic cap stamped "H&N 1849" found at the beginning of a tangent curve to the right with a radius of 345.00 feet, a central angle of 69°10'03", and a chord bearing and distance of North 42°20'02" East, 391.65 feet;

In a northeasterly direction, with said tangent curve to the right, an arc distance of 416.48 feet to a 1/2" iron rod with yellow plastic cap stamped "H&N 1849" found for corner;

North 76°55'01" East, a distance of 100.10 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the right with a radius of 478.35 feet, a central angle of 32°33'02", and a chord bearing and distance of South 86°48'25" East, 268.12 feet;

In a southeasterly direction, with said non-tangent curve to the right, an arc distance of 271.76 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner in the west line of a called 0.65 acre tract of land described in Warranty Deed to the City of Denton Texas, a Municipal Corporation, recorded in Volume 1196, Page 442, Deed Records, Denton County, Texas;

THENCE departing said south right-of-way line of Windsor Drive, with said west line and the southwest line of the 0.65 acre tract, the following courses and distances:

South 00°38'27" East, a distance of 244.62 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

South 41°03'46" East, a distance of 12.76 feet to a point for corner;

THENCE departing said southwest line of the 0.65 acre tract, over and across said 25.976 acre tract, the following courses and distances:

South 48°56'06" West, a distance of 245.79 feet to a point for corner;

South 41°03'54" East, a distance of 70.89 feet to a point for corner;

South, a distance of 163.10 feet to a point for corner;

South 42°00'00" West, a distance of 238.39 feet to a point for corner;

North 48°00'00" West, a distance of 53.38 feet to a point for corner;

South 42°00'00" West, a distance of 165.25 feet to a point for corner in said northeast right-of-way line of North Elm Street and being the beginning of a non-tangent curve to the left with a radius of 3,879.72 feet, a central angle of 03°27'18", and a chord bearing and distance of North 64°35'20" West, 233.91 feet;

THENCE with said northeast right-of-way line of North Elm Street, the following courses and distances:

In a northwesterly direction, with said non-tangent curve to the left, an arc distance of 233.95 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner and being the beginning of a reverse curve to the right with a radius of 3,759.72 feet, a central angle of 01°28'32", and a chord bearing and distance of North 65°34'42" West, 96.83 feet;

In a northwesterly direction, with said reverse curve to the right, an arc distance of 96.83 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for the southeast end of said corner clip;

THENCE with said corner clip, North $17^{\circ}38'34''$ West, a distance of 20.12 feet to the **POINT OF BEGINNING** and containing 444,288 square feet or 10.1995 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.



City of Denton

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

Legislation Text

File #: Z24-0002, Version: 1

AGENDA CAPTION

Hold a public hearing and consider making a recommendation to City Council regarding a request to rezone approximately 2.6 acres of land from Residential 2 (R2) district to Residential 4 (R4) district generally located east of Mockingbird Lane, approximately 150 feet south of Audra Lane, in the City of Denton, Denton County, Texas. (Z24-0002, Mockingbird Ln-R2 to R4, Erin Stanley)



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: September 11, 2024

SUBJECT

Hold a public hearing and consider making a recommendation to City Council regarding a request to rezone approximately 2.6 acres of land from Residential 2 (R2) district to Residential 4 (R4) district generally located east of Mockingbird Lane, approximately 150 feet south of Audra Lane, in the City of Denton, Denton County, Texas. (Z24-0002, Mockingbird Ln–R2 to R4, Erin Stanley)

BACKGROUND

The applicant, Cason Shobert of Kingdom Contracting LLC, on behalf of the property owner Ikechukwu Abana, has submitted an application to rezone approximately 2.6 acres of land from R2 district to R4 district to prepare the property for sale and future development. The subject property is currently undeveloped aside from a small barn that has existed on the property since at least the 1960s.

The subject property was annexed into the City of Denton in 1960 and classified as Dwelling District per the annexation ordinance. The zoning of the property transitioned to Agricultural District under the 1969 development code, and that designation remained until the property transitioned to Neighborhood Residential 2 (NR-2) in a city-wide rezoning in 2002. The zoning of the property then transitioned to R2 District with the adoption of the 2019 DDC.

The surrounding properties immediately to the north, east, and southwest are zoned R2. The properties immediately to the south and further west and east are zoned R4. The surrounding property was annexed into the City at the same time as the subject property.

No development plan for the subject property has been submitted at this time. If this zoning change were approved, any use permitted under the R4 zoning district could be developed on the subject property. See Exhibit 8 for a complete list of permitted uses under both the current and proposed zoning districts.

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 rezoning of approximately 2.6 acres of land to R4 district as it complies with the criteria in Section 2.4.5.E of the Denton Development Code for approval of all applications and Section 2.7.2.D of the DDC for approval of a Zoning Map Amendment (Rezoning).

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
October 31, 1960	City Council	Annexed and classified as Dwelling District property	Approved (Ord 60-40)
January 14, 1996	City Council	City-Wide Rezoning (Agricultural District)	Approved (1969-001)
February 20, 2002	City Council	City-Wide Rezoning (Dwelling District to NR2)	Approved (2002-040)
October 1, 2019	City Council	City Wide Rezoning (NR-2 to R2)	Approved (DCA18-0009u)
November 20, 2019	Planning and Zoning Commission: https://dentontx.new.swagit.com/videos/38125?ts=6675	Rezoning from R2 to R4	Recommended approval (4-2-1)
September 2, 2020	Planning and Zoning Commission	Rezoning from R2 to R4	Postponed
September 16, 2020	Planning and Zoning Commission: https://dentontx.new.swagit.com/videos/75793?ts=4983	Rezoning from R2 to R4	Recommended Denial (7-0)
October 20, 2020	City Council	Rezoning from R2 to R4	Remanded to PZ for consideration of additional overlay condition.
November 18, 2020	Planning and Zoning Commission: https://dentontx.new.swagit.com/videos/107350?ts=6228	Rezoning from R2 to R4	Recommended Denial (5-2)

PUBLIC OUTREACH:

The following public outreach efforts were done to meet legal notice requirements and to seek feedback from adjacent property owners and residents:

- A total of thirty-eight (38) notices were mailed out to property owners within 200 feet of the subject property, and one hundred thirty-nine (139) postcards were mailed out to current residents within 500 feet of the subject property. As of the writing of this report, staff has received two written responses in opposition to the request. See Exhibit 9 for responses.
- A notice was published on the City's website on August 22, 2024.

- A notice was published in the Denton Record Chronicle on August 25, 2024.
- One sign was posted on the subject property on August 29, 2024.
- The applicant has spoken to some adjacent neighbors, but no neighborhood meeting was held.

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. Applicant's Project Narrative
4. Site Location Map
5. Future Land Use Map
6. Existing Zoning Map
7. Proposed Zoning Map
8. Table of Allowed Uses
9. Notification Map and Responses
10. Sign Posting Affidavit and Photo
11. Draft Ordinance

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

Prepared by:
Erin Stanley
Assistant Planner

Planning Staff Analysis

Z24-0002 / Mockingbird Ln – R2 to R4

City Council District #2

REQUEST:

Rezoning of approximately 2.6 acres of land to Residential 4 (R4) district.

STAFF RECOMMENDATION:

Staff recommends **approval** of the rezoning of approximately 2.6 acres of land to Residential 4 (R4) district as it complies with the criteria in Section 2.4.5.E of the Denton Development Code for approval of all applications, and Section 2.7.2.D of the DDC for approval of a Zoning Map Amendment (Rezoning).

SITE DATA:

The 2.6-acre subject property is generally located east of Mockingbird Lane, approximately 150 feet south Audra Lane. The property is currently undeveloped aside from a small barn that has existed on the property since at least the 1960s. The property owner is requesting the rezoning to prepare the property for sale and for future development in accordance with the R4 district. No development application has been made at this time.

Existing suburban-style single-family residential neighborhoods surround the subject property, with a few remaining large parcels nearby. The majority of the trees onsite are fence line trees along the perimeter, and no FEMA floodplain or Environmentally Sensitive Areas affect the site.



Currently public water and sewer abut the property in the Mockingbird Lane right-of-way, as indicated by the blue and red lines, respectively, on the inset map below. There are no development plans at this time; however, when the site develops, the owner will be responsible for extending the necessary utilities into the property as needed. The extension and size of the services will be determined during the preparation of civil engineering plans and platting of future development.



SURROUNDING ZONING AND USES:

Northwest: Zoning: Residential 2 (R2) Use: Single-Family Residential	North: Zoning: R2 Use: Single-Family Residential	Northeast: Zoning: R2 Use: Single-Family Residential
West: Zoning: Mockingbird Ln right of way (ROW) and R2 Use: ROW and Single-Family Residential	SUBJECT PROPERTY	East: Zoning: R2 Use: Single-Family Residential
Southwest: Zoning: Residential 4 (R4) Use: Single-Family Residential	South: Zoning: R4 Use: Single-Family Residential	Southeast: Zoning: R4 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 2.7.2.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

On October 31, 1960, the subject property was annexed into the City of Denton with a Dwelling District designation. The zoning transitioned to Agricultural District under the 1969 development code, and retained that zoning when the 1991 development code was adopted. The zoning then transitioned to Neighborhood-Residential (NR2) with the adoption of the 2002 Denton Development Code (DDC) and to Residential 2 (R2) with the adoption of the 2019 DDC.

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 associated 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.*

Comprehensive Plan

The proposed R4 district is consistent with the goals, policies, and actions of the Comprehensive Plan listed below:

GOAL LU-1: Grow Compactly: Achieve sound, sustainable growth in compact development patterns with balanced land uses planned in coordination with transportation and infrastructure systems.

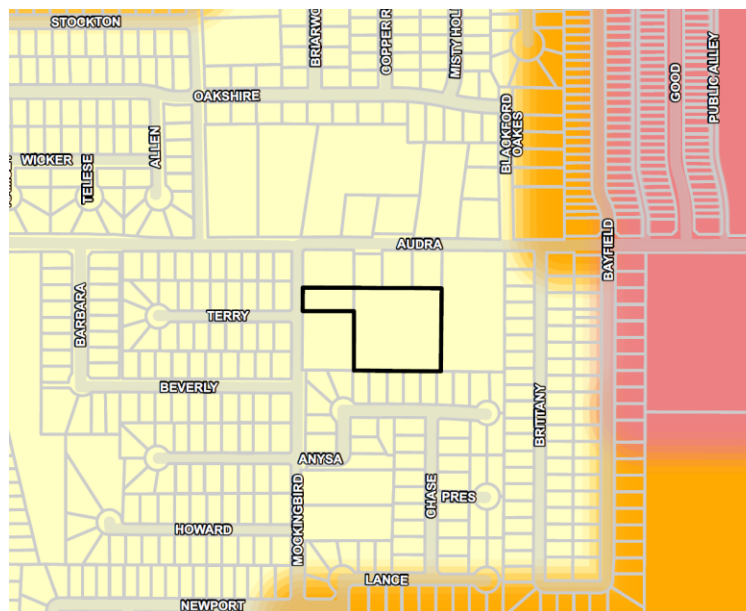
GOAL LU-3: Grow out Assets: Maintain and Strengthen Neighborhoods, Commercial, and Employment Areas. Infill in Residential Areas discussion: “However, the City should take every opportunity to ensure that as gaps in the neighborhood fabric occur, infill development, that is development of vacant or deteriorated properties will be encouraged, complimenting the scale and character of each neighborhood.”

GOAL LU-4: Grow Resourcefully: Manage growth for wise use of land resources with staged, contiguous, and compatible development.

According to the applicant, the purpose of the rezoning request is to prepare the property for sale and future residential development in accordance with R4 district standards. While there are no development plans at this time, the requested R4 district for this property would be consistent with the overall goals of the Comprehensive Plan to grow compactly, resourcefully, and balanced in response to the needs and development patterns within the City of Denton. Given the small size of the subject property, the existing R2 zoning has been an impediment to development, likely due to lots meeting the R2 minimum lot size not being financially feasible, as evidenced by the history of attempts to rezone the property to allow smaller lot sizes consistent with those to the south, east, and west of the property. The requested R4 designation would be consistent with the surrounding area, allowing for appropriate context-sensitive infill of compatible residential uses on this otherwise vacant parcel.

Future Land Use

Per the Future Land Use Map in the Comprehensive Plan, the subject property is designated as Low Residential (see image below and provided as Exhibit 5). The description for the Future Land Use designation is provided below.



(Continued on the next page)

The Low Residential designation includes the city's predominantly single-family neighborhoods, with lot sizes ranging from one acre or more in rural fringe areas up to five units per acre gross density throughout many of the city's suburban subdivisions. Dwellings in this land use district are generally one to two stories with private driveways and open space, consisting of privately maintained tree canopy and front, back and side yards. Building and driveway orientation, the locations of private garages, building material, and the presence of sidewalks vary by neighborhood and the era of neighborhood development. Generally, these types of single-family neighborhoods are developed as distinct subdivisions that are linked by internal circulation systems with limited access to local and connector roads. This category may also include land uses that support residential neighborhoods, such as appropriately scaled commercial at arterial and collector street corners, and appropriately scaled public and quasi-public uses, such as religious and educational institutions.

Since the proposed R4 district permits 7,000 square-foot lots, the requested R4 zoning district would allow for a slightly higher density of six units per acre (based upon an acre's gross square footage and not taking future street right-of-way dedication into account) compared to the Low Residential designation density recommendation which supports up to five units per acre (gross density).. The permitted uses in the R4 district are consistent with the residential character of the Future Land Use designation. Furthermore, as an infill lot surrounded by existing neighborhoods and infrastructure, the proposal furthers the Comprehensive Plan's overall goal to promote a compact development pattern through infill development as discussed above.

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.*

The proposed rezoning would facilitate the development of the subject property in accordance with the DDC's standards and in a manner consistent with adjacent properties. All future 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, landscaping, screening, and buffering.

- 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 to a R4 district is approved, prior to development, a detailed development review will be performed with the required applications such as a zoning compliance plan or specific use permit, plat, civil engineering plan, tree preservation plan, and building permit.

5. *Compliance with Other Applicable Regulations*

If the proposed rezoning to a R4 district is approved, prior to development, a detailed review of the proposed development will be conducted to ensure compliance with other applicable regulations.

6. *Consistent with Interlocal and Development Agreements*

There are no interlocal or development agreements for the subject property.

7. *Minimizes Adverse Environmental Impacts*

There are no Environmentally Sensitive Areas or FEMA floodplain on the subject property. Therefore, no adverse environmental impacts are anticipated. If the proposed rezoning to a R4 district is approved, prior to development, a Tree Survey and Preservation Plan and a detailed drainage review will be required.

8. *Minimizes Adverse Impacts on surrounding Property*

The permitted uses and standards of the R4 district are consistent with the general area, and the rezoning is not anticipated to create adverse impacts to surrounding properties. Adjacent single-family residential developments to the south, east, and west all have similar attributes: R4 zoning district designation with typical developed lot sizes ranging from 6,000 square feet to about 7,500 square feet.

An expansion of the existing R4 district to include the subject property would be a logical extension of the zoning pattern and would facilitate harmonious development. Nonetheless, any development of the subject property would be subject to the City's landscaping, tree preservation, and drainage criteria.

9. *Minimizes Adverse Fiscal Impacts*

No Fiscal Impact Analysis was performed for this rezoning request as no development is proposed at this time. This proposed rezoning is not expected to create adverse fiscal impacts as it is an infill development located on an existing roadway and utility network, consistent with the surrounding development pattern and use.

10. *Compliance with Utility, Service, and Improvement Standards*

When the site is developed, the development will be reviewed to ensure compliance with all utility, service, and improvement standards. At the time of development utilities required to support the use will be connected to or will be extended by the developer or property owner to lots created on the subject property.

11. *Provides Adequate Road Systems*

Ingress and egress to the property will be taken off Mockingbird Lane – a Collector roadway. When the site is developed, the new development must comply with all applicable standards for drive approaches, driveways, and new residential streets.

12. *Provides Adequate Public Services and Facilities*

This proposed rezoning is not anticipated to negatively impact public services and facilities. When sites are developed, the new development must comply with all applicable standards to ensure adequate public services and facilities are available. Adequate city services are in place and available to serve and future residential uses on the subject property.

13. *Rational Phasing Plan*

There is no phasing plan associated with the zoning change request.

- 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 R4 district is consistent with the goals, policies, and actions of the Comprehensive Plan. Although the proposed R4 district permits lot sizes which are smaller than those typically found within the Future Land Use designation of Low Density Residential, the permitted uses conform to the intent to encourage suburban-style residential development and would further the overall goal of encouraging infill development. Additionally, the gross density of six units per acre under the R4 district is comparable to the upper end density range of five units per acre recommended for the Low Density Residential land use designation.

- 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.*

Pursuant to Section 3.5.2A of the Denton Development Code:

The R4 district is intended to accommodate a variety of housing types on lots designed to encourage walking to neighborhood-serving retail and other amenities such as parks and school facilities. This zoning district will ensure existing neighborhood character is maintained while also serving as a transition area between established single-family neighborhoods and mixed-use neighborhoods, commercial areas, and key corridors.

If approved, the R4 district would permit a variety of residential neighborhood uses, including single-family dwellings, Community and Group Homes, Community Service, parks, Religious Assembly, Public Schools, Community Gardens, Amenity Centers, Outdoor Recreation, and Short Term Rentals, with a minimum lot size of 7,000 square feet. Townhomes and duplexes require a Specific Use Permit, which would necessitate additional scrutiny and approval by City Council

through the dual public hearing process. Multi-family dwellings would not be permitted. The full table of permitted uses is provided in Exhibit 8.

The proposed rezoning is consistent with the purpose statement of the R4 District as the permitted uses and scale of development allowed in R4 is consistent with the development context of the overall area.

- d. There have been or will be significant changes in the area to warrant a zoning change.*

There have not been recent significant changes in the area. Development of the surrounding neighborhoods primarily took place in the 1980's, 1990's, and 2000's, but the subject property remained undeveloped. The proposed zoning would continue the established adjacent zoning pattern and allow the subject property to develop in a manner that conforms to the surrounding neighborhoods to the west, south, and farther east.

- e. The intensity of development in the new zoning district is not expected to create significantly adverse impacts to surrounding properties or the neighborhood.*

As discussed in criterion A.8 above, the R4 district is not expected to create significantly adverse impacts to surrounding properties. The uses and standards permitted in the R4 district on the subject property are consistent with the general area. Nonetheless, if this rezoning is approved, any development of the subject property would be subject to the City's criteria for compatibility buffers with any adjacent residential property, landscaping, tree preservation, traffic studies, and drainage studies.

- f. Public facilities and services are available to adequately serve the subject property while maintaining adequate level of service to existing development.*

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.

Water and Wastewater

Public utilities about the subject property. When the site is developed, it will be reviewed to ensure compliance with all utility, service, and improvement standards for extension and connection to City utilities. Additionally, water and wastewater tap, and impact fees will be based upon the intensity of the development and are required to be paid during permitting.

Parks

The subject property is located about 1,000 feet from Audra Oaks Park, well within the Park Department's goal of a 10-minute walk to a park. Additionally, park dedication and development fees will apply to any future residential development of the subject property.

g. There was an error in establishing the current zoning district.

There was not an error in the assignment of the current zoning district.

Kingdom Contracting LLC

Revised Date: 8/6/2024

Project name: Z24-0002 – Mockingbird Rezone Project

Project Location: 1018 Mockingbird Ln Denton, TX, 76209

Project Narrative:

This is a proposal for a rezoning on the land attached to 1018 Mockingbird LN. It is approximately 2.6 acres. This land is presently zoned at R2 and is requested to be rezone as an R4.

There are currently no proposed developments or building plans. No engineers, architects, or other similar professionals are on file for this project as there is no development plan yet. This proposal is for a rezone for the purpose of selling.

Though there are no existing plans for development, the allowances within the R4 designation or consistent with the surrounding neighborhoods. This R4 designation is not only contiguous with bordering R4 zones, but also maintains the housing development density appropriate to the area. Unlike some of the denser regions such as roads intersecting nearby on Audra Ln (particularly Good Ln and Bayfield Dr), this R4 request will allow for similarly built lots with the surrounding single family home areas. This lot is not part of a larger tract and is an undeveloped lot in the middle of an existing neighborhood of 20 – 40+ years. Local housing currently located to the west, south, south-east, and north-east are consistent with R3, R4, or higher.



The proposed zoning request consists of 2.61. The area requesting rezoning is owned by **Ikechukwu Abana** and not a part of a larger holding or development company.

This rezone submission is to the purpose of **preparing land for sale by the current owner. Future development opportunities in accordance with the R4 guidelines is desired by multiple potential buyers at this time.**

PL1.1 Narrative shall include brief overview of how the project meets the applicable criteria for approval below: (DDC 2.7.2)

- a. The proposed rezoning is consistent with the Comprehensive Plan; **Yes, this zoning proposal would maintain the Comprehensive Plan as Low Residential**
- b. The proposed rezoning is consistent with relevant Small Area Plan(s) (No area plans proposed in this area); **Noted**
- c. The proposed rezoning is consistent with the purpose statement of the proposed zoning district, as provided in Subchapter 3: Zoning Districts; **Noted**
- d. There have been significant changes in the area to warrant a zoning change; **Noted – there have not been significant changes in the are to warrant a zoning change. Only that this property is catching up with rezoning in accordance to surrounding residential areas.**
- e. The intensity of development in the new zoning district is not expected to create significantly adverse impacts to surrounding properties or the neighborhood; **Absolutely not. The R4 designation would be a conservative zoning for this area and would allow for single family homes in accordance with present development in the area.**
- f. and Public facilities and services are available to adequately serve the subject property while maintaining adequate level of service to existing. **Public water and sewer facilities are existing in the Mockingbird Ln right-of-way and currently abut the property. Utilities will be extended to lots at the time of development (not presently planned by current owner). Access will be taken off Mockingbird Ln , and a residential street will be built to city standards coming off from Mockingbird Ln at time of development.**
- g. and/or: There was an error in establishing the current zoning; These approval criteria shall not apply to legislative rezonings by the City Council. **No errors are known at this time.**

affidavit of proof of posting and photographs of the installed sign to the project manager at least 10 days before each hearing. Failure to post notification sign(s) and submit the affidavit and photographs will result in the public hearing item being withdrawn and re-noticed for the next available public hearing date. See attached Public Hearing Notification Sign Criteria and Affidavit for complete instructions. **Noted**

Cason Shobert

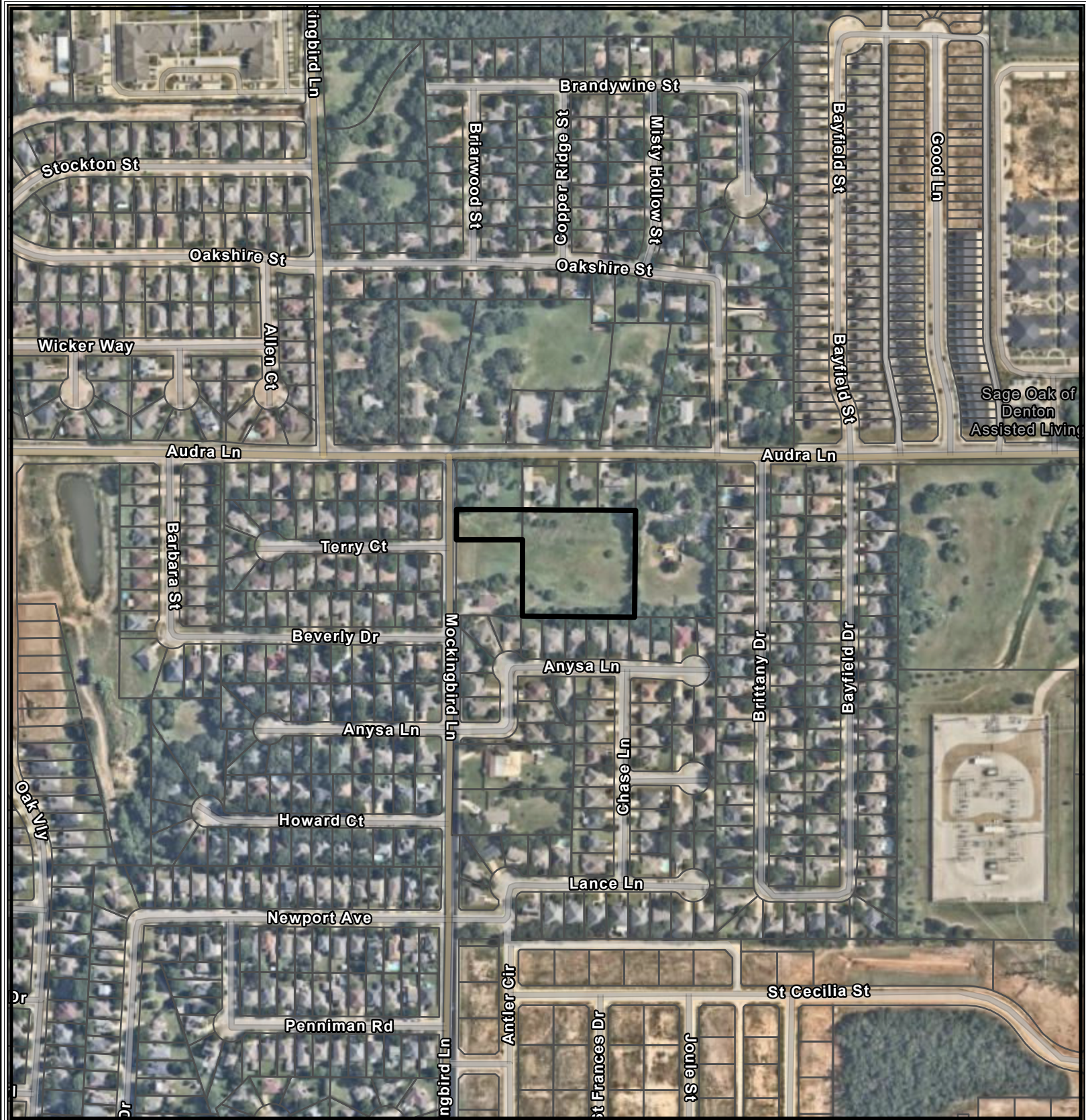
972-316-7651 - Cell

cason@kingdomcontractingtx.com

Owner – Kingdom Contracting LLC

Rezoning Applicant

Z24-0002 Site Location



Sage Oak of
Denton
Assisted Living

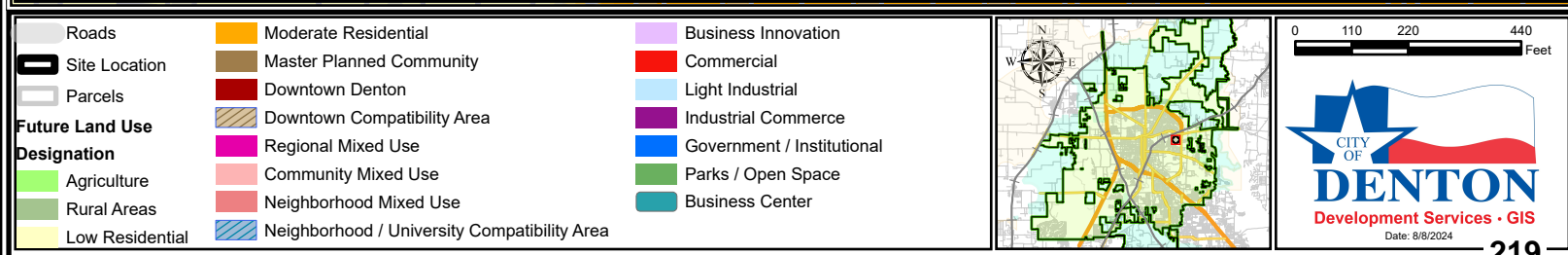
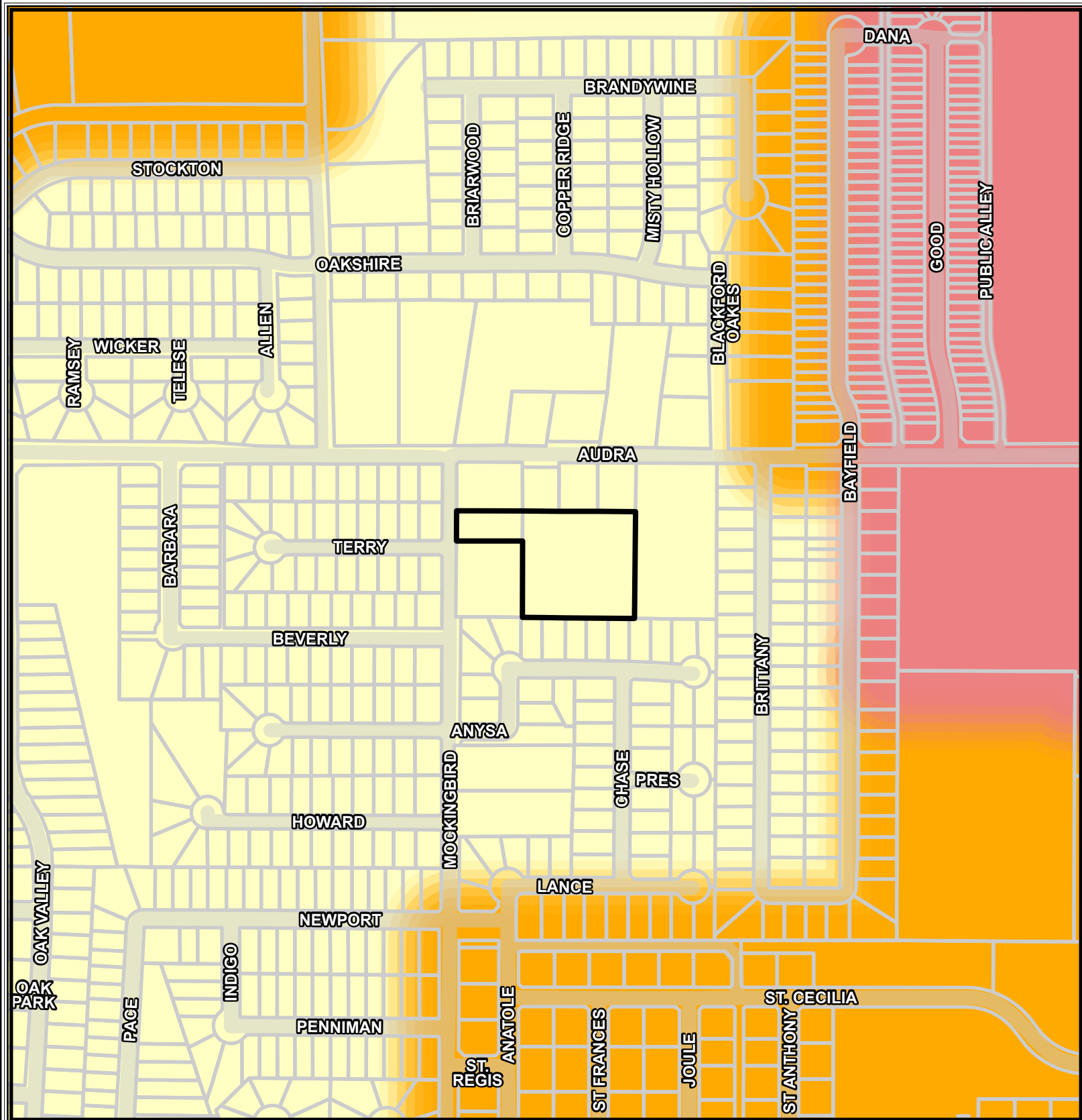
Legend:

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

Date: 8/8/2024

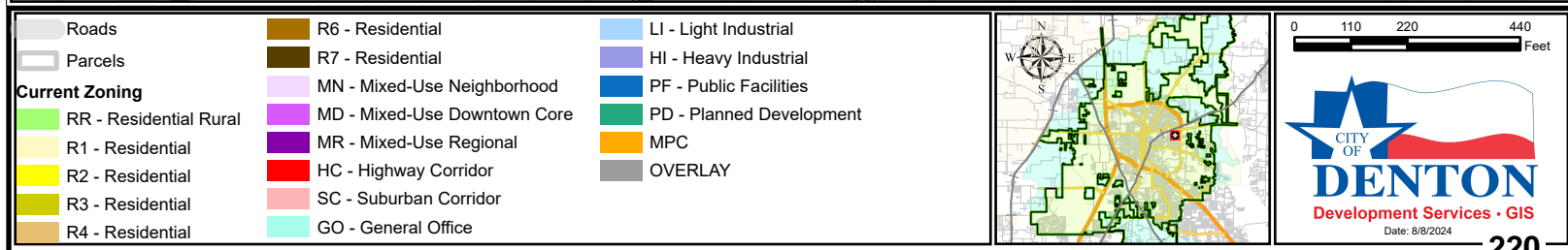
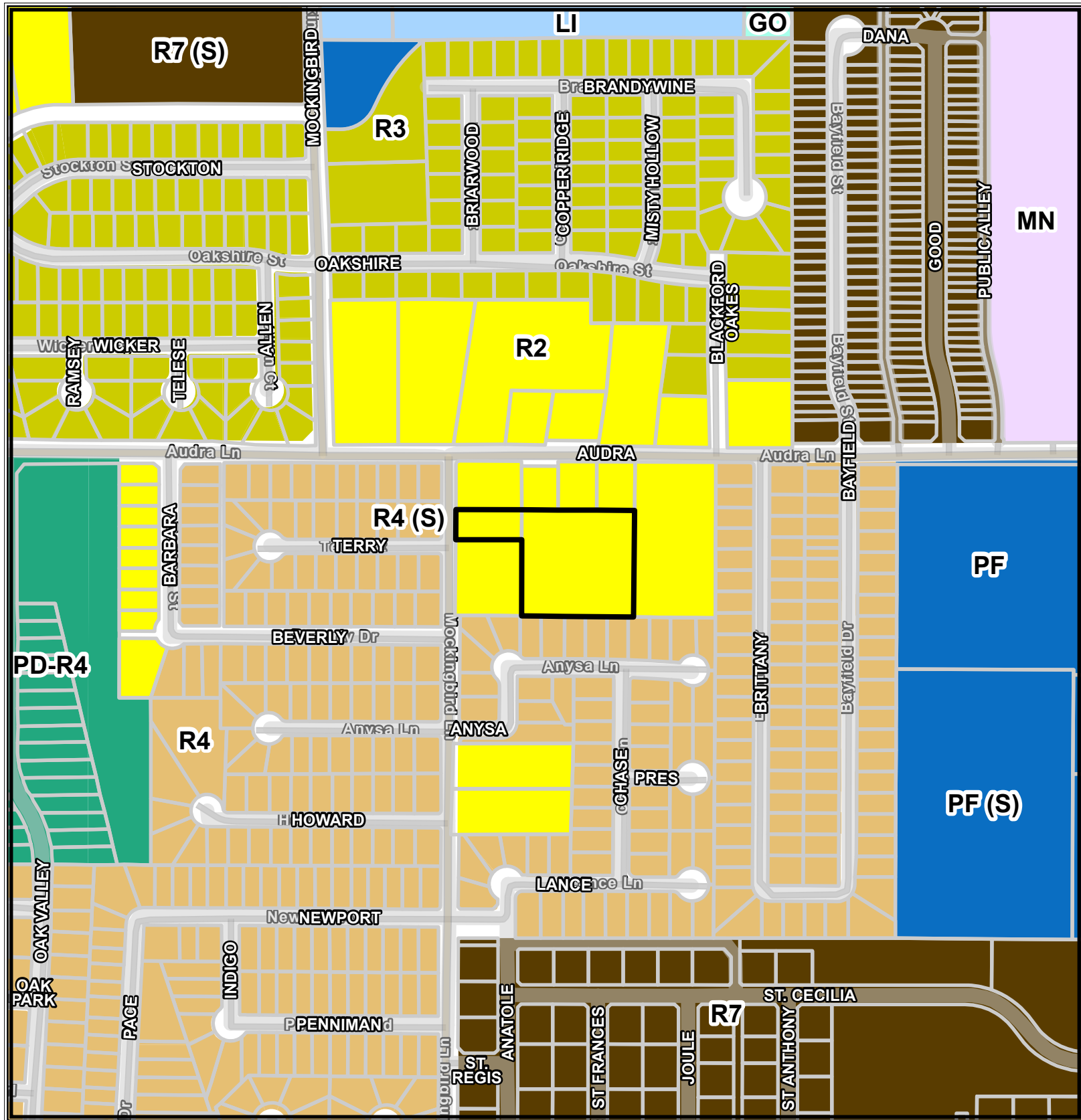
Z24-0002

1-Future Land Use Map

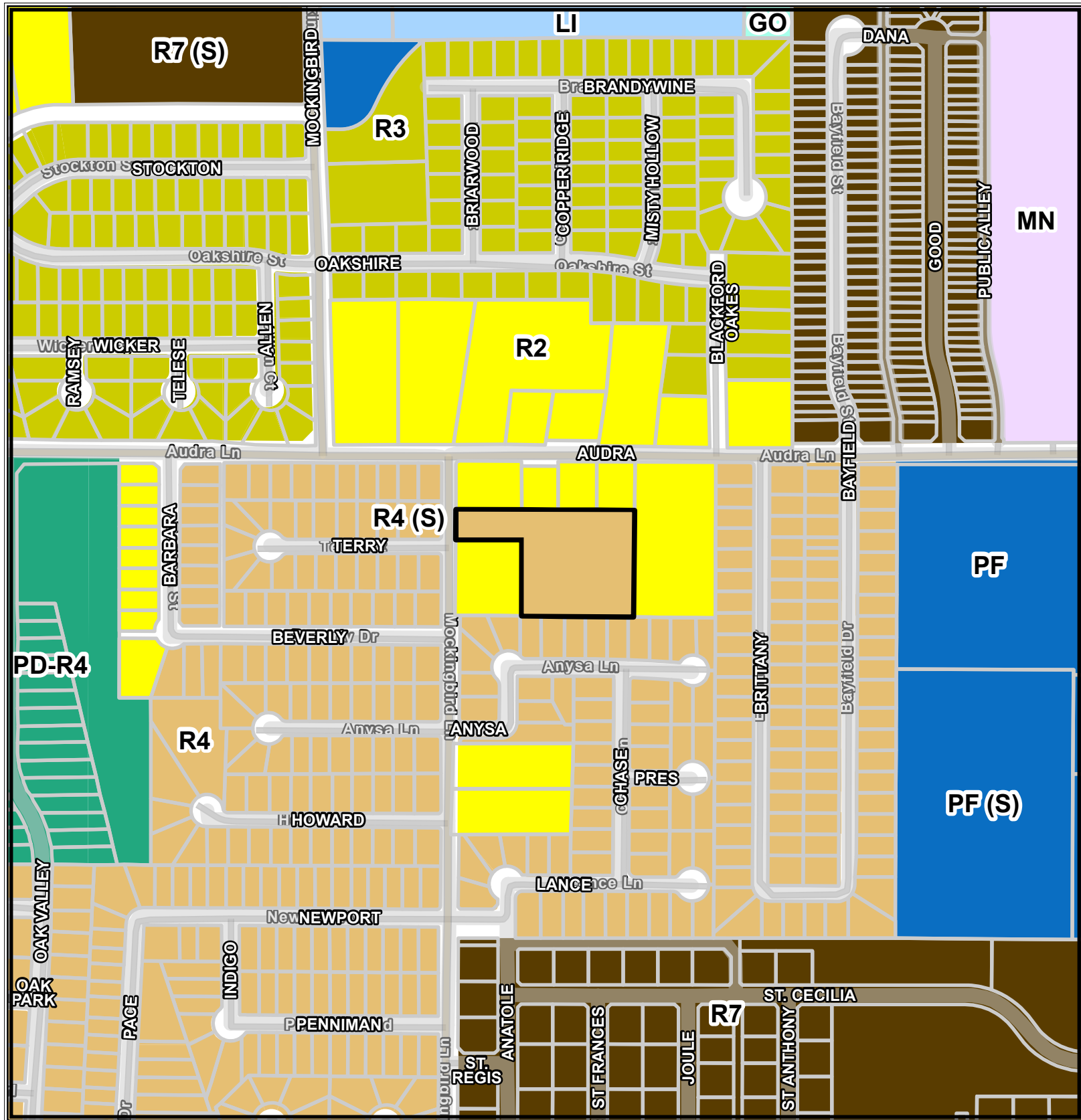


"This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative property boundaries. Although every effort was made to ensure the accuracy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

Z24-0002 Current Zoning Map



Z24-0002 Current 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 	<ul style="list-style-type: none"> R4 (S) 	<ul style="list-style-type: none"> LI GO 			

COMPARISON OF PERMITTED 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	

Subchapter 5: Use Regulations

5.2 Table of Allowed Uses

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	
Cemetery, Privately-Owned	S+		S+							S+	S+	S+	S+	S+		S+	5.3.4I
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	
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			
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

Subchapter 5: Use Regulations

5.2 Table of Allowed Uses

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	
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+	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

Subchapter 5: Use Regulations

5.2 Table of Allowed Uses

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	
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																	
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+	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		
Data Center, Modular														S+	S+	S+	5.3.6I
Data Center, Warehouse										S+	S+	S+	P+	P+	P+	P+	5.3.6J
STORAGE AND WAREHOUSING																	
Outdoor Storage (as a Primary Use)														S+	S+	S+	5.3.6F
Self-Service Storage								S+	S+	S+	P+	S+	P+	P+	P+		5.3.6F.1
Storage of Hazardous Materials															S		
Warehouse and Wholesale Facility										S+	S+	P	P	P	P		5.3.6G.4.a
Public and Semi-Public Utility Uses																	
Basic Utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

Subchapter 5: Use Regulations

5.2 Table of Allowed Uses

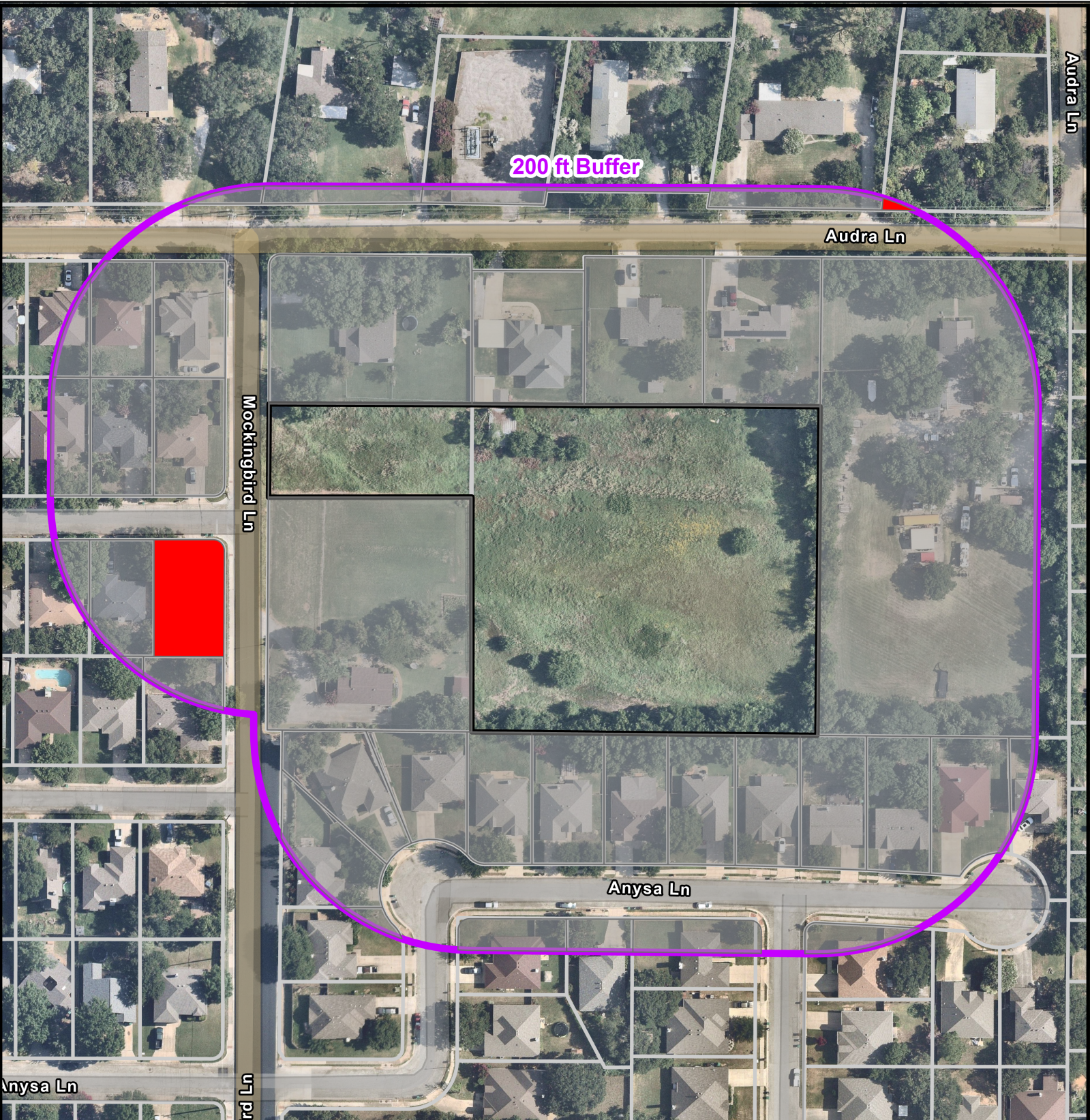
5.2.3 Table of Allowed Uses

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	
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: <i>Wireless Telecommunications Facilities</i>												
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+	05.4.4D
Sale of Produce and Plants Raised on Premises	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.4.4D.1
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

Z24-0002
Notification Response Map



Notification Response

	No Response (40)
	Opposition (2)
	In Favor (0)
	Z24-0002

0 35 70 140 Feet

CITY OF DENTON
Development Services • GIS
Date: 9/4/2024

227

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.



Development Services
401 N. Elm St., Denton, TX 76201 • (940) 349-8600

Response Form

Project Number Z24-0002
Mockingbird Ln

In order for your opinion to be counted, please complete and mail this form to:

City of Denton Development Services
Attn: Erin Stanley, Project Manager
401 N. Elm St.
Denton, TX 76201

You may also email to Erin.Stanley@cityofdenton.com or call (940) 349-8351. Please note any responses are subject to public information requests including the information provided below.

Project Number

Meeting Date (No Data)

Please circle one:

☐ In favor of request ☐ Opposed to request

Comments:

There is inadequate paved roads - narrow, ^{very} NO sidewalks
to support a zone - There are many children who walk
in the streets in this area to and from school for
lack of sidewalks - PLEASE do not add more danger to these
Signature: Marianne Rollins children who walk home from school

Printed Name: Marianne Rollins

Street Address: 2001 Audra Lane

City, State and Zip Code: Denton, TX 76209

Phone Number: 940-898-8858

Email Address: _____

Physical Address of Property within 200 Feet: 2001 Audra Ln

1*****SNGLP 480

ROLLINS, MARIANNE C
2001 Audra Ln
Denton, TX 76209-4725



Narrow 2 lane streets- NO SIDEWALKS
Children walking to school and home
from school (JR High, High school, Gradeschool)
Children often walk in street because
of lack of sidewalks and ditches-
Cars speed down this street- We
need speed bumps-
One child was hit and seriously
injured on Audra Lane 3-4 yrs
ago

Please do not zone this area
commercial and add to the danger
of these school-age children
Too much street traffic as it is-
I know a child again will be
injured or worse if this happens-

Marianne Rollins
2001 Audra Lane



Marianne Rollins
2001 Audra Ln
Denton, TX 76209

From: Jean Gray <gray2372@yahoo.com>
Sent: Monday, September 2, 2024 10:57 AM
To: Stanley, Erin
Subject: Project Z24-0002 Mockingbird LN

This message has originated from an **External Source**. Please be cautious regarding links and attachments.

Dear Erin,

I am opposed to the rezoning of the land across the street from my residence. Since recent developments on Audra, the homeless shelter and further down Mockingbird there has been an increase in traffic and crime. Another rezoning or development in this area would just be overwhelming to the residents. Please do not place this area at further risk by rezoning the property right across the street from me.

Sincerely,

Jean Gray
3008 Terry Ct
Denton Texas 76209
435-830-0897
gray2372@yahoo.com

Project Z24-0002 - I am opposed to the project.

PUBLIC HEARING NOTIFICATION SIGN AFFIDAVIT OF SIGN POSTING

Project No. Z24-0002

Date of Planning and Zoning Commission Meeting: September 11th, 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 Z24-0002, located at 1018 Mockingbird Ln Denton, TX 76209

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 8/29, 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 Mockingbird LN on the street-access side of the lot. 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 30th day of August, 2024.

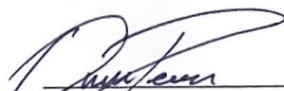

Signature of Applicant or Authorized Representative for Project No. Z24-0002

Cason Shobert
Printed Name of Applicant or Authorized Representative for Project No. Z24-0002

STATE OF TEXAS COUNTY OF Denton BEFORE ME, a Notary Public, on this 30th day personally appeared Cason Shobert (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 30th day of August, 2024.


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 first public hearing shall result in the postponement of consideration by the Board or Commission.

STAFF USE ONLY:

Date/Time submitted: emailed posted sign photo 8/29 Verified by: Erin Stanley Erin Stanley
form returned 8/30



Notice of Public Hearing

Project Number: Z24-0002

Project Name: Mockingbird Ln
Rezoning

Request: 2.6 acres from R2 to R4

For more information:
www.cityofdenton.com/public-meetings
CALL: (940) 349-8541

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, REGARDING A REQUEST TO REZONE APPROXIMATELY 2.6 ACRES OF LAND FROM RESIDENTIAL (R2) DISTRICT TO RESIDENTIAL (R4) DISTRICT GENERALLY LOCATED EAST OF MOCKINGBIRD LANE, APPROXIMATELY 150 FEET SOUTH OF AUDRA 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 A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. (Z24-0002)

WHEREAS, Cason Shobert of Kingdom Contracting, LLC, on behalf of the property owner, requested to rezone approximately 2.6 acres of land from Residential (R2) District to Residential (R4) District, legally described in Exhibit "A", and depicted in Exhibit "B" attached hereto and incorporated herein by reference (hereinafter, the "Subject Property"); and

WHEREAS, on September 11, 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 ____ [X-X] of the request; and

WHEREAS, on _____, 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 Residential (R4) 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 TRACT OF LAND SITUATED IN THE M.E.P. & P.R.R. COMPANY SURVEY, ABSTRACT NUMBER 927, DENTON COUNTY, TEXAS AND BEING ALL OF A CALLED 2.232 ACRE TRACT OF LAND DESCRIBED IN THE DEED FROM R. L. DAVIS TO CARL E. ALLEN AND WIFE, OLETA B. ALLEN, AS RECORDED IN VOLUME 1002, PAGE 573, DEED RECORDS OF SAID COUNTY AND BEING THE REMAINDER OF A TRACT OF LAND DESCRIBED IN THE AFFIDAVIT HEIRSHIP, RECORDED IN DOCUMENT NUMBER 2005-45131, REAL PROPERTY RECORDS OF SAID COUNTY, AND DESCRIBED IN VOLUME 1092, PAGE 287, OF SAID DEED RECORDS; THE SUBJECT TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A MAG NAIL SET IN THE EAST EDGE OF MOCKINGBIRD LANE FOR THE NORTHWEST CORNER OF SAID REMAINDER TRACT AND THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN THE DEED TO CHRISTOPHER CARTER, AS RECORDED IN DOCUMENT NUMBER 2012-132551, OF SAID REAL PROPERTY RECORDS;

THENCE SOUTH 87 DEGREES 32 MINUTES 01 SECONDS EAST WITH SAID COMMON LINE, PASSING A 1/2" IRON ROD FOUND AT 24.92 FEET, AND CONTINUING ALONG SAID COURSE A TOTAL DISTANCE OF 198.95 FEET TO A 3/8" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID CARTER TRACT AND THE NORTHEAST CORNER OF SAID REMAINDER TRACT, THE NORTHWEST CORNER OF SAID 2.232 ACRE TRACT, AND THE SOUTHWEST CORNER OF LOT 1, BLOCK 1 OF BOWMAN ADDITION, AN ADDITION TO THE CITY OF DENTON, DENTON COUNTY, TEXAS, ACCORDING TO THE MINOR PLAT THEREOF RECORDED IN DOCUMENT NUMBER 2014-196, PLAT RECORDS OF SAID COUNTY;

THENCE SOUTH 89 DEGREES 25 MINUTES 46 SECONDS EAST WITH THE NORTH LINE OF SAID 2.232 ACRE TRACT A DISTANCE OF 320.76 FEET TO A POINT IN A TREE FOR THE SOUTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN THE DEED TO CARL E. ALLEN AND WIFE, OLETA ALLEN, AS RECORDED IN VOLUME 473, PAGE 591, OF SAID DEED RECORDS, AND THE NORTHEAST CORNER OF SAID 2.232 ACRE TRACT IN THE WEST LINE OF A TRACT OF LAND DESCRIBED IN THE DEED TO CABLE CONTRACTORS, LLC, AS RECORDED IN DOCUMENT NUMBER 2006-24408, OF SAID REAL PROPERTY RECORDS;

THENCE SOUTH 00 DEGREES 38 MINUTES 57 SECONDS WEST WITH SAID COMMON LINE A DISTANCE OF 304.98 FEET TO A CAPPED IRON ROD STAMPED "KAZ" SET FOR THE SOUTHEAST CORNER OF SAID 2.232 ACRE TRACT IN THE NORTH LINE OF BLOCK E, OF MOCKINGBIRD HEIGHTS, AN ADDITION TO SAID CITY, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET U, PAGE 865, OF SAID PLAT RECORDS;

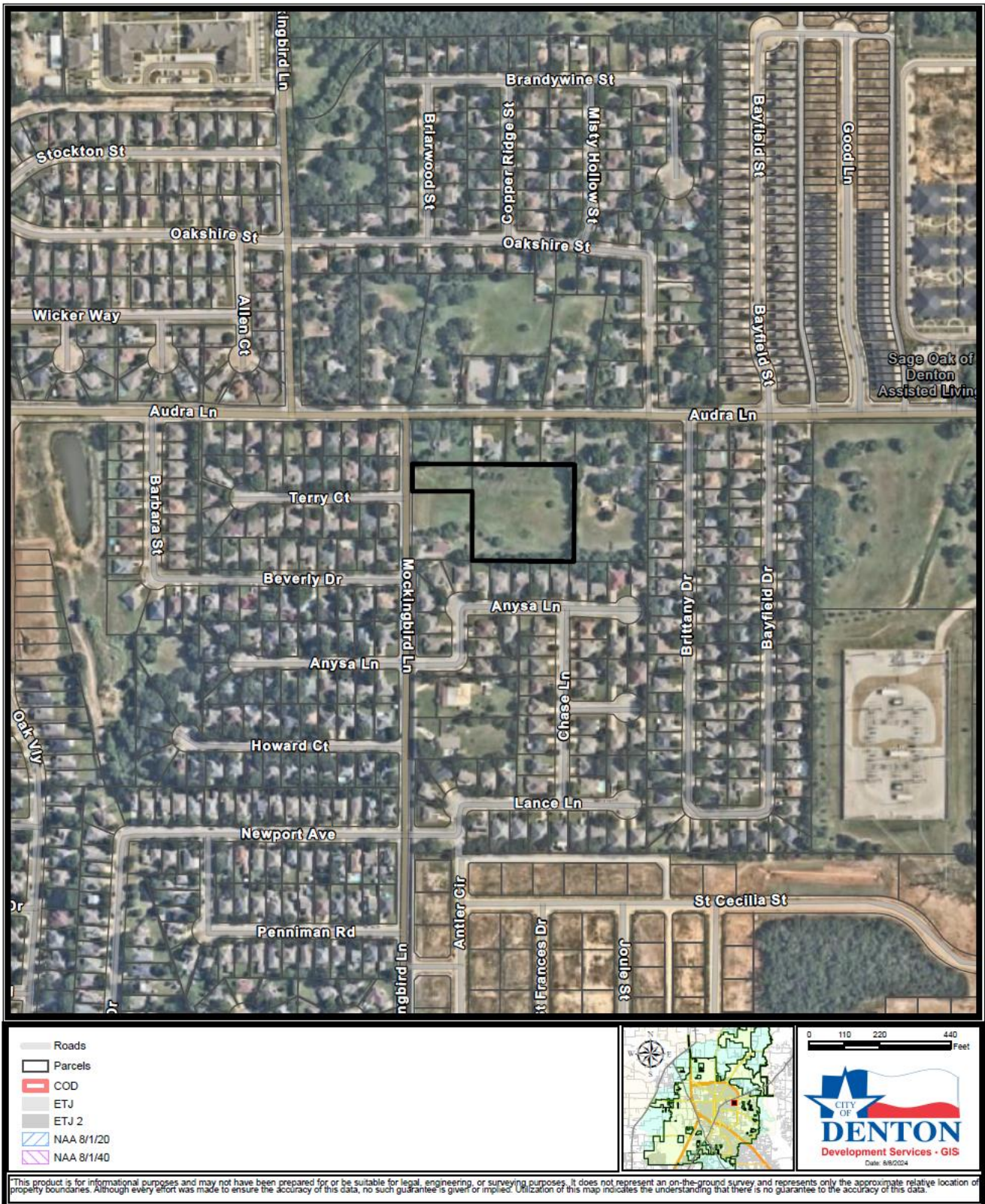
THENCE NORTH 88 DEGREES 56 MINUTES 36 SECONDS WEST WITH SAID COMMON LINE A DISTANCE OF 319.65 FEET TO A METAL FENCE CORNER POST FOUND FOR THE SOUTHWEST CORNER OF SAID 2.232 ACRE TRACT AND THE SOUTHEAST CORNER OF LOT 1 OF ALTON DAVIS ADDITION, AN ADDITION TO SAID CITY, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET U, PAGE 865 OF SAID PLAT RECORDS;

THENCE NORTH 00 DEGREES 25 MINUTES 26 SECONDS EAST WITH SAID COMMON LINE A DISTANCE OF 221.60 FEET TO A CAPPED IRON ROD STAMPED "KAZ" SET FOR THE NORTHEAST CORNER OF SAID DAVIS ADDITION AND THE SOUTHEAST CORNER OF SAID REMAINDER TRACT; THENCE NORTH 89 DEGREES 10 MINUTES 34 SECONDS WEST WITH SAID COMMON LINE A DISTANCE OF 196.50 FEET TO A MAG NAIL SET IN SAID MOCKINGBIRD LANE;

THENCE NORTH 01 DEGREES 04 MINUTES 23 SECONDS WEST A DISTANCE OF 86.42 FEET TO THE PLACE OF BEGINNING AND ENCLOSING 2.61 ACRES OF LAND, MORE OR LESS.

NOTE: THE COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

Exhibit B Subject Property Map





City of Denton

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

Legislation Text

File #: PZ24-153, **Version:** 1

AGENDA CAPTION

Hold a discussion regarding the Planning and Zoning Project Matrix.

2024
Planning and Zoning Commission Requests for Information
Meeting Dates

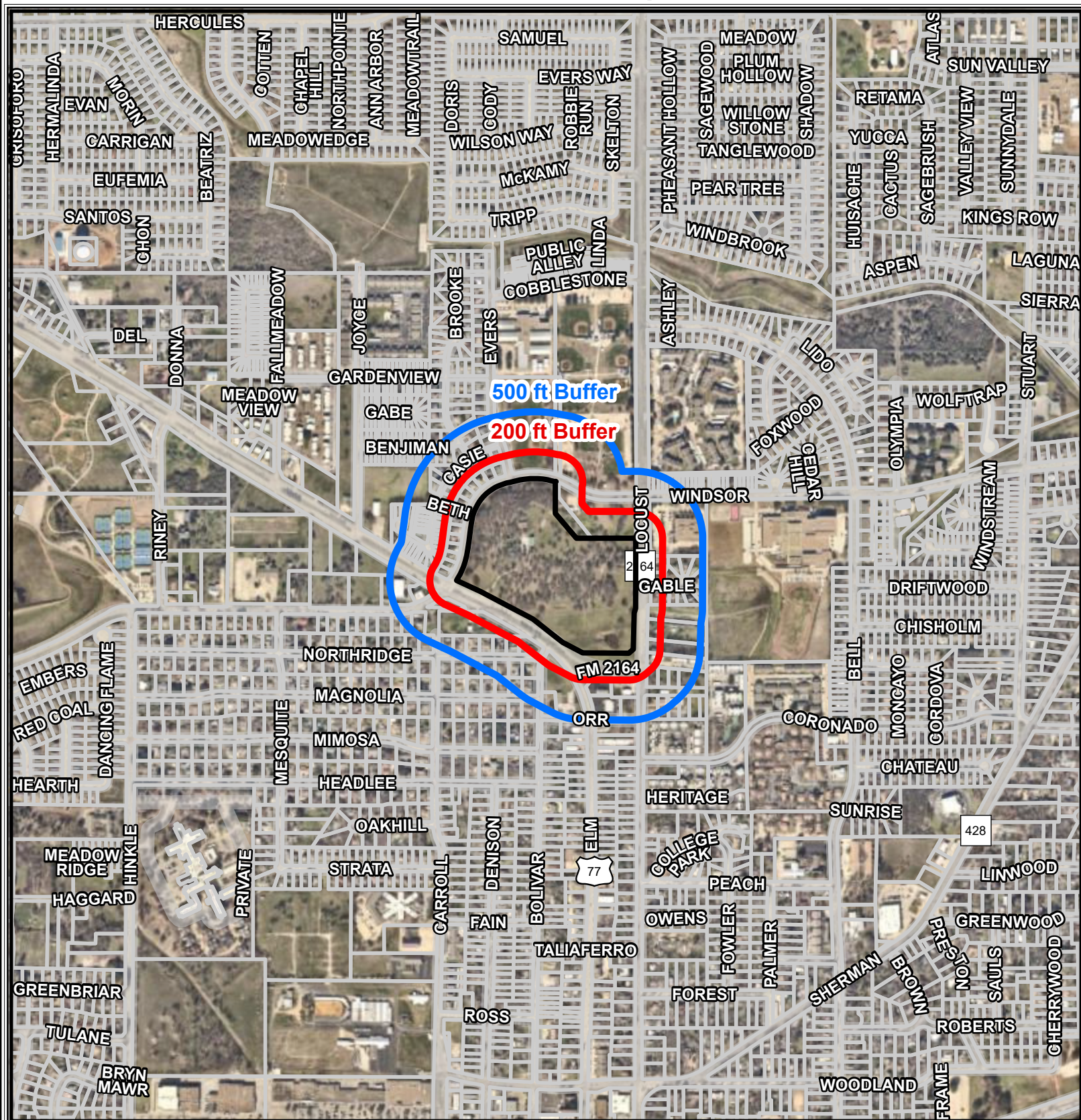
Request		Request Date	Status
Discussion related to removing minimum parking requirements from the DDC.	Villarreal	9/14/2022	This item is on hold given the pending city-wide parking study; City Council to provide subsequent direction at a future date.
Discussion related to impacts of subdividing commercial lots and potential for tree preservation loss.	Ellis	11/15/2023	Work session tentatively scheduled for August/September 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 Fall 2024
Receive a update from Parks and Recreation regarding the Parks Master Plan, specifically relating to aquatics and senior centers.	Ellis	8/14/2024	Work session tentatively scheduled for November 13, 2024.
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.
Request to include link to videos of past Public Meetings related to a project when the Commission has previously had a public hearing on the item.	Ellis	8/14/2024	Links to video recordings of prior public hearings will be provided within the AIS for projects on which the Commission has previously held a public hearing (i.e. amendments to SUPs or PDs).

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 provided on August 28, 2024. 2023 update provided on June 14, 2023.

09/05/2024

PD24-0002

Notification Map



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**PUBLIC HEARING NOTIFICATION SIGN
AFFIDAVIT OF SIGN POSTING**

Project No. PD24-0002

Date of Planning and Zoning Commission Meeting: 9-11-2024

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 Jefferson North Elm/PD24-0002, located at 2900 N Elm St. Denton Tx. 76201

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 August 27th, 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 N. Elm St., N. Locust St., W. Windsor St.. 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 28th day of August, 2024.

Aimee Bissett
Signature of Applicant or Authorized Representative for Project No. PD24-0002

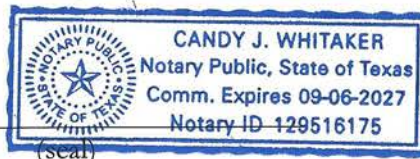
Aimee Bissett
Printed Name of Applicant or Authorized Representative for Project No. PD24-0002

STATE OF TEXAS COUNTY OF Denton BEFORE ME, a Notary Public, on this 28th 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 28 day of August, 2024.

Candy J. Whitaker
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 first public hearing shall result in the postponement of consideration by the Board or Commission.

STAFF USE ONLY:

Date/Time submitted: August 28, 2024 Verified by: Ashley Ekstedt

Locust St. near Library S1



Locust St. near Library S2



Windsor Dr. and Beth St. S1



Windsor Dr. and Beth St. S2



Windsor Dr. at Ballpark and Evers Pkwy. S1



Windsor Dr. at Ballpark and Evers Pkwy. S2



N. Elm St., (77) and N. Locust St., (FM2164) S1



N. Elm St., (77) and N. Locust St., (FM2164) S2

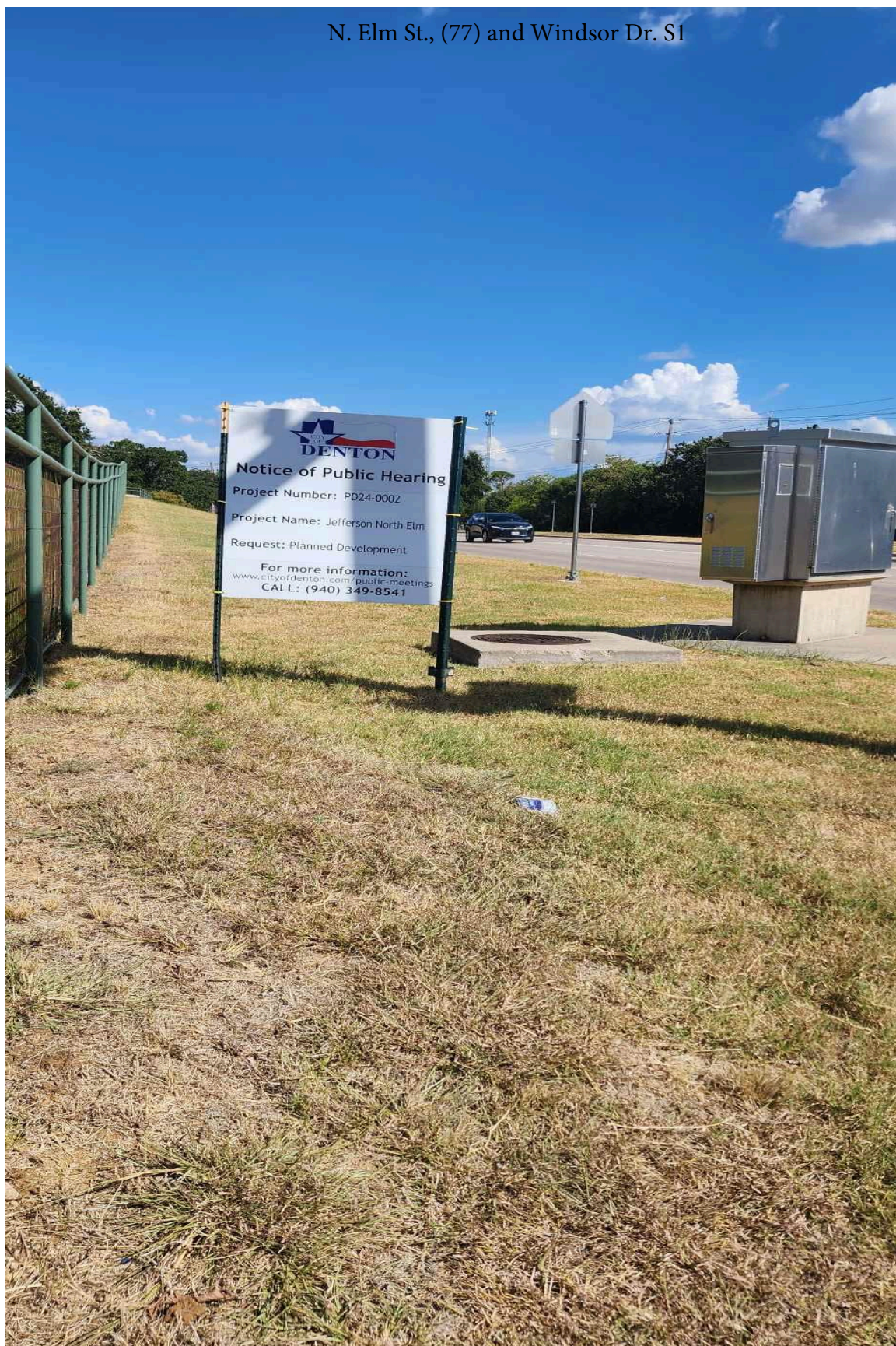




N. Elm St. (77) and Bolivar St. S2



N. Elm St., (77) and Windsor Dr. S1



N. Elm St., (77) and Windsor Dr. S2





Development Services

401 N. Elm St., Denton, TX 76201 • (940) 349-8541

recommend, and City Council may approve, any request which is equivalent to or more restrictive than that which is requested, and which is deemed consistent with Denton Plan 2040.

For more information, please contact Ashley Ekstedt at (940) 349-7187 or ashley.ekstedt@cityofdenton.com; or, on 9/6/2024, visit www.cityofdenton.com/public-meetings for the meeting agenda with staff's analysis and associated exhibits.

Response Form

Project Number: PD24-0002

Jefferson North Elm

In order for your opinion to be counted, please complete and mail this form to:

City of Denton Development Services
Attn: Ashley Ekstedt, Project Manager
401 N. Elm St.
Denton, TX 76201

You may also email a copy to ashley.ekstedt@cityofdenton.com.

Project Number: PD24-0002

Please circle one:

☐ In favor of request

☒ Opposed to request

Comments:

Increased traffic in middle school & elementary school
Increased congestion / Area residents inconvenienced permanently

Signature: Carole Keeton

Printed Name: Carole Keeton

Street Address: 325 Casie Court

City, State and Zip Code: Denton Tx 76207

Phone Number: 214-415-0175

Email Address: carolekeeton@yahoo.com

recommend, and City Council may approve, any request which is equivalent to or more restrictive than that which is requested, and which is deemed consistent with Denton Plan 2040.

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401 N. Elm St.
Denton, TX 76201

You may also email a copy to ashley.ekstedt@cityofdenton.com.

Project Number: PD24-0002

Please circle one:

☐ In favor of request

☒ Opposed to request

Comments:

Increased traffic / Potential for increased crime / Increased
congestion near 2 schools - Hazard to residents - Increased
noise level -

Signature: Carole Kerton

Printed Name: Carole Kerton

Street Address: 329 Casie Court

City, State and Zip Code: Denton, Tx 76207

Phone Number: 214-415-0175

Email Address: CaroleKerton@yahoo.com



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Project Number: PD24-0002

Please circle one:

☐ In favor of request ☒ Opposed to request

Comments:

The City of Denton is overrun with apartments
Water & electricity problems will only
increase with all of the new construction.
more apartments not needed at this time

Signature: William E. Brady Linda Brady

Printed Name: WILLIAM E. BRADY LINDA BRADY

Street Address: 324 W. Windsor, 113 Tripp Trl, 312-321 McKamy Blvd 76207

City, State and Zip Code: Denton - 76207

Phone Number: 940-305-9292

Email Address: b1bray@verizon.net

ADA/EOE/ADEA

www.cityofdenton.com

TDD (800) 735-2989

mailing address: PO Box 1044

Denton 76202