



TOWN COUNCIL COMMUNICATION

DATE: September 17, 2024

FROM: Thad Chambers, Town Administrator

AGENDA ITEM: Conduct a Public Hearing to receive public comment and to consider a Replat of 23.675 acres comprising Lot 1-R1, Lot 1-R2, Lot 5, and Lot 5R of the Eagle Nest Addition, in the Town of Bartonville, Denton County, Texas. The purpose of the replat is to remove an emergency access easement and to remove a utility easement. The subject property is located on the north side of Stonewood Boulevard, immediately north of its intersection with Timberidge Lane. The applicants are Randy and Tamera Hatcher, Mark and Tina Anderson, and Noah Shah. [Town of Bartonville File Number RP-2024-002.]

LAND USE AND ZONING:

Current land use category for Lot 1-R1 is Residential Estates – 2 Acre Lots (RE-2). The land use category for Lots 1-R2, 5, and 5R is Residential Estates – 5 Acre Lots (RE-5). The current zoning for Lot 1-R1 is Residential Estates 2 (2-Acre Lots; RE-2). The current zoning for Lots 1-R2, 5, and 5R is Residential Estates 5 (5-Acre Lots; RE-5).

SUMMARY:

The applicants own four parcels of land, totaling 23.675 acres, located on the north side of Stonewood Boulevard, immediately north of its intersection with Timberidge Lane. The legal description of the property is Eagle Nest Addition Lots 1-R1, 1-R2, 5, and 5R. The corresponding Denton CAD parcel numbers are 703198, 703199, 703200, and 703201, respectively. The Eagle Nest final plat was recorded by Denton County on April 21, 2017. The applicants have applied for a replat (see Exhibit A) in order to vacate an emergency access easement, vacate a utility easement, and combine Lots 1-R2 and 5 into a single lot.

In accordance with Bartonville Development Ordinance Section 2.9, a replat shall be considered at a public hearing before the Town Council, unless it is determined to be a minor replat. As this application involves the vacation of multiple easements, it is not considered a minor replat.

The subject property is part of a recorded residential subdivision. The property consists of a mix of developed and undeveloped parcels.

Replat

Bartonville Development Ordinance (BDO) Section 2.6.e. lists the criteria of approval for a replat (which are the same as a final plat):

1. The plat substantially conforms with the approved preliminary plat and other studies and plans, as applicable;
2. The complete engineering/construction plans for all required public improvements and Town utilities have been submitted to the Town for review/approval by the Town's Engineer (whether specifically stated or not, final plat approval shall always be subject to any additions and/or alterations to the

engineering/construction plans as deemed necessary by the Town Engineer, as needed, to ensure the safe, efficient and proper construction of public improvements within the subdivision); and

3. The plat conforms to applicable zoning and other regulations.
4. The plat has been approved by the Permitting Authority, as defined in Chapter 285 of the Texas Administrative Code, in accordance with Title 30, Texas Administrative Code, Chapter 285, Section 285.4(c) relating to the review of subdivision plans prior to the application for a permit for an on-site sewage facility.

The replat application has been submitted in order to vacate an emergency access easement, vacate a utility easement, and combine Lots 1-R2 and 5 into a single lot. There are no public improvements being proposed in conjunction with this replat. The affected lots continue to conform to the RE-2 and RE-5 zoning standards. No changes have been made that affect the eligibility of the lots to contain and be served by an on-site sewage facility.

Staff have identified five conditions of approval that will support the replat's alignment with the approval criteria above and the standards in the Bartonville Code of Ordinances, as well as to apply minor corrections. To provide for future extension of franchise utilities, a new 10-foot-wide utility easement shall be established along the frontage of parcel 1-R1-A abutting the right-of-way of Stonewood Boulevard and Rustic Circle as part of the replat. In addition, the proposed 10.841-acre Lot 5R-A shall be relabeled as Lot 1-R2-A to avoid duplicate naming with the 9.22-acre lot of the same name immediately to the north.

STAFF RECOMMENDATION: Approve with conditions.

Staff's Recommended Conditions of Approval:

1. Prior to recordation of the plat, a new 10-foot-wide utility easement shall be established along the frontage of parcel 1-R1-A abutting the right-of-way of Stonewood Boulevard and Rustic Circle as part of the replat.
2. Prior to recordation of the plat, the proposed 10.841-acre Lot 5R-A shall be relabeled as Lot 1-R2-A.
3. General Note 4 shall add to the purpose statement of the replat "to combine lots 1-R2 and 5."
4. General Note 2 shall be correctly numbered; the item number is currently missing.
5. The notary block for Tina Anderson's signature shall have her name correctly spelled.

ATTACHMENTS:

- Eagle Nest Lots 1-R1, 1-R2, 5, and 5R Replat Application Packet