



PLANNING & ZONING COMMISSION COMMUNICATION

DATE: October 2, 2024

FROM: Thad Chambers, Town Administrator

AGENDA ITEM: Discuss and make a recommendation regarding a Final Plat for a 101.467-acre property situated in the Daniel Cook Survey, Abstract Number 230, and A.M. Feltus Survey, Abstract Number 1594, in the Town of Bartonville, Denton County, Texas. The property is located on the north side of E Jeter Road, approximately 2,185 feet east of the intersection of E Jeter Road and Country Court, in Bartonville, Texas. This application constitutes a revision of an approved Final Plat (Town Project File FP-2024-003) The applicant is Mycoskie & Associates, Inc., on behalf of Knight Development Group, LLC. [Town of Bartonville File Number FP-2024-004.]

LAND USE AND ZONING:

Current land use category is Residential Estates – 5 Acre Lots (RE-5). Current zoning is Residential Estates 5 (5-Acre Lots; RE-5).

SUMMARY:

The applicant is the owner of four tracts of land, totaling 178.763 acres, located on the north side of E Jeter Road, approximately 2,185 feet east of the intersection of E Jeter Road and Country Court. The legal description of the property is A1594A A.M. Feltus, TR 3, 10.0 acres, Old DCAD TR #1; A1594A A.M. Feltus, TR 2, 30.0 acres, Old DCAD TR #1A, A1594A A.M. Feltus, TR 1, 78.763 acres, Old DCAD TR #2, and A0230A Cook, TR 8, 60.0 acres, Old DCAD TR #4. The corresponding Denton CAD parcel numbers are 64602, 65099, 65101, and 65110. The preliminary plat for this project was approved by the Bartonville Town Council on February 20, 2024. The applicant originally applied for a final plat on 101.467 total acres in order to facilitate large lot residential development; this final plat was approved by the Bartonville Town Council on May 21, 2024. The applicant has submitted a revised version of the final plat (see Exhibit A) that changes Wiesen Way from a 60-foot public right-of-way to a private road to be owned and maintained by the homeowner's association.

The subject property is part of a former agricultural tract. The property is largely undeveloped, save an apparent energy installation near its northwest corner.

Final Plat

Bartonville Development Ordinance (BDO) Section 2.5.g lists the criteria of approval for a preliminary plat:

1. The plat substantially conforms with the approved preliminary plat or 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 Bartonville Town Council approved the Knight's Landing Preliminary Plat with conditions on February 20, 2024. The submitted final plat conforms to the conditionally approved preliminary plat, which has been designed to create 15 legal lots totaling 101.467 acres. The resulting lots will range from 6.003 to 8.381 acres. The applicant previously submitted construction plans with the previous final plat application. The construction plans are under review by the Town Engineer; with the road becoming private, the only public improvement in the revised development is the public water line to be located within the 15' water easement along Wiesen Way. The zoning district for the subject property is Residential Estates 5 (RE-5), which has a 5-acre minimum lot size. The proposed resulting lots will exceed the zoning district standards for minimum size and lot dimensions. In order to meet all conditions from the preliminary plat approval (many of which have been met through the submittal of this final plat), the plat and accompanying planning materials shall be reviewed and approved by the registered sanitarian for the Town of Bartonville prior to final plat recordation.

STAFF RECOMMENDATION:

Approve with Conditions.

Staff's Recommended Conditions of Approval:

1. Prior to recordation of the final plat, the plat and accompanying planning materials shall be reviewed and approved by the registered sanitarian for the Town of Bartonville, in accordance with Title 30, Texas Administrative Code, Chapter 285, Section 285.4(c).
2. In accordance with BDO Section 2.6.5., the final plat shall not be recorded until either:
 - a. All required public improvements have been constructed and accepted by the Town; or
 - b. The Town has received an appropriate surety from the applicant guaranteeing the construction of the required public improvements.
3. Prior to recordation, the Town approval signature box shall be updated to read "Final Plat".
4. Prior to recordation, the Owner's Dedication section shall remove all references to the dedication of the street in fee simple for public use.
5. Prior to recordation, the Owner's Dedication section shall be corrected to reference "Lot 1X, Lots 1-7, Block 1, and Lots 1-8, Block 2, Knight's Landing".

ATTACHMENTS:

- Final Plat Application Packet