



# TOWN COUNCIL COMMUNICATION

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**DATE:** May 21, 2024

**FROM:** Thad Chambers, Town Administrator

**AGENDA ITEM:** Discuss and consider 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. The applicant is Mycoskie & Associates, Inc., on behalf of Knight Development Group, LLC. [Town of Bartonville FP-2024-03.] ***(The Planning & Zoning Commission recommended approval, with conditions, by a vote of 5-0 at its May 1, 2024, meeting.)***

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**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 has applied for a final plat on 101.467 total acres (see Exhibit A) in order to facilitate large lot residential development.

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 has submitted construction plans with this final plat application. The construction plans are under review by the Town Engineer; see recommended conditions of approval regarding timing of construction and approval of public improvements. 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 meet 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.

**Planning & Zoning Commission Recommendation:** Approve with Conditions.

**Planning & Zoning Commission'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. The 10-foot-wide utility easement (UE), the 15-foot-wide water line easement, and the 5-foot-wide drainage easement depicted on the final plat cannot overlap one another in a parallel fashion. Prior to recordation, the final plat shall show these three easements adjacent to one another and the public street, rather than overlapping. These will all fit within the 50-foot building setback, thus not impacting the buildable areas of the lots.
3. In accordance with BDO Section 2.6.5., the final plat shall not be recorded until either:
4. All required public improvements have been constructed and accepted by the Town; or
5. The Town has received an appropriate surety from the applicant guaranteeing the construction of the required public improvements.
6. Prior to recordation, the final plat shall include a note stating that the point where the new public street named "Wiesen Way" meets "Hat Creek Court" shall be gated, closed, and accessible for emergency vehicles only.
7. Prior to recordation the Town approval signature box shall be updated to read "Final Plat".

**Exhibits:**

- A. Final Plat Application Packet