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# Belcheff & Associates, Inc.

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Municipal Engineering & Management  
TBPE Reg. No. F-368

1660 Keller Parkway, Ste. 103  
Keller, Texas 76272

August 17, 2021

*Via e-mail to cfarmer@pondertx.com*

Matthew Poole, Mayor  
Chairman, Planning & Zoning Commission  
Town of Ponder  
102 W Bailey St  
Ponder, TX 76259

**Re: Fox Hollow Preliminary Plat, Ponder ETJ (Review 2)**

Dear Mayor:

Concerning the Preliminary Plat dated July 23, 2021 by LEMC, LLC, Midlothian, Texas, representing owner Tempus Development, LLC, Colleyville, Texas, as received by the Town on June 16, 2021, the following comments are provided:

**Location** –within Ponder Extraterritorial Jurisdiction (ETJ), Denton County, Texas

**Comprehensive Plan**

1. Future Land Use Plan – not addressed
2. Thoroughfare Plan –
  - a) Ponder – not addressed
  - b) Denton Co. – AA Bumgarner Road 2-lane undivided/70' ROW
3. Sewer Master Plan – not addressed; no Ponder service exists
4. Water Master Plan – not addressed; no Ponder service exists

**Zoning** – not applicable (ETJ)

**Proposed Use**

Single Family Residential

**Final Plat Analysis**

This proposed Preliminary Plat is located within the Town's ETJ, confirmed with Denton County's online GIS mapping and is therefore subject to the Town's Subdivision Ordinance (as amended) and an Inter-Cooperative Agreement with Denton County that essentially states that the Town has exclusive jurisdiction to regulate all subdivision plats within the Town's ETJ. However, plats within the Town's ETJ within Denton County remain subject to both entity's rules and regulations, while the more stringent of the two shall apply.

The plat is comprised of two tracts – one 3.335-acre tract south and west of AA Bumgarner Road, and one 10.231-acre tract north. The southwest tract is to be subdivided into nine

lots and the north tract into eleven. All lots are at least 2.00 acres, with the largest being 2.51 acres.

The applicant has indicated the proposed use for the resulting lots as Single-Family in which any potential impacts and resulting exactions to offset such impacts have been based.

The Town does not provide water or sewer service in this area and the properties are not within a Water or Sewer CCN service area. Extending either service appears to be cost prohibitive. Since proposed lot sizes exceed County requirements (minimum 2 acres), on-site water well service with onsite sewer service, such as an aerobic system should be possible pending permitting by the appropriate jurisdiction. Proposed service should be stated on the plat.

Fire protection will be subject to County permitting without a sufficient water system for fire flows. Emergency vehicle access configuration is also subject to Denton County Fire Code requirements.

The submittal includes a preliminary drainage study showing runoff increases and routing changes to existing stormwater conditions. The applicant's engineer has not proposed detention for either developed area, stating that conditions should not require. It is not clear, however whether planned discharge locations may detrimentally effect downstream properties. The applicants engineer has stated that a downstream easement assessment study will be conducted to determine if any additional offsite easements are required.

Access to both platted areas is shown to be via proposed street connections to AA Bumgarner, which is shown to be a 2-lane Minor Arterial on the County's MTP with 70' ROW. The Preliminary Plat shows a dedication of 30', contrary to a required 35'. The adjacent blocks should also include a 16' drainage easement adjacent to the road ROW unless shown to not be necessary.

Both internal streets are proposed as Residential-Estate – 24' roadways within 70' of ROW.

The applicant has requested a variance to construct a "paved" roadway section meeting a design life of 20-years subject to County approval. County minimum is either 2" HMAC or 6" reinforced concrete over a base as determined by geotechnical design to meet the 20-year standard. It is unclear how this section would compare to the Town's minimum 6" HMAC or 5" RC over a 6" of stabilized subgrade.

Block length and hence street length for Street "B" exceed Town limits. The applicant has requested a variance to construct an "eyebrow" mid-length to reduce turn-a-round length to about 1000'. The Town might want to consider an eyebrow to satisfy maximum block length (1320') and maximum cul-de-sac length (600') due to original tract configuration and limited opportunity for eventual connection to future street development.

The applicant has stated that the Fire Marshall is in agreement with their access configuration.

Lot 9 of Block 1 is proposed with direct access within a radius section of AA Bumgarner. The applicant has proposed to limit access to the westernmost frontage to provide maximum sight distance. (Please note that access drives are subject to County permitting requirements.)

Preliminary Plat deficiencies are therefore found as follows:

1. Plat should include an "Improvements Statement" consistent with County rules -
  - a. "Water service to be provided by XXXX."
  - b. All utility providers' names, addresses and phone numbers.
  - c. "Sanitary sewer to be handled by facilities approved by the Denton County Health Department."
  - d. "The maintenance of paving, grading and drainage improvements and/or easements shown on this plat are the responsibility of the individual property owners and do not constitute acceptance of same for maintenance purposes by Denton County."
  - e. "The existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual property owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across the lots."
  - f. "A driveway culvert must be obtained from Road and Bridge Departments by the owner of each lot prior to the construction, installation or placement of any driveway access improvements within the dedicated right-of-way."
2. *Variance* required to install single mid-length eye-brow in Street "B" in lieu of meeting block length limit of 1320'
3. *Variance* required to install single mid-length eye-brow in Street "B" in lieu of meeting maximum cul-de-sac length of 600'
4. Roadway cross-sections should meet minimum Town standards
  - a. *Variance requested* to defer to 20-year design life subject to County approval in lieu of Town standard
5. County Fire Marshall should approve emergency access configuration of Street "B"
  - a. Mid-length eyebrow to resolve cul-de-sac length conditions

**Rough Proportionality Certification**

The Town Engineer certifies that the exaction requirements of the Town of Ponder Subdivision Ordinance, as applied to the proposed subdivision or development, do not impose costs on the applicant for public infrastructure improvements that exceed those roughly proportionate to the impact of the proposed subdivision or development with the following conditions:

1. none

**Town Engineer's Recommendation –**

If the Town is inclined to approve this Preliminary Plat, the following conditions should be included:

1. additional improvement notes as listed above
2. engineer should evaluate discharge of stormwater to adjacent properties for potential easement requirements subject to Town Engineer concurrence
3. approval of a variance to install single mid-length eye-brow in Street "B" in lieu of meeting block length limit of 1320' subject to County Fire Marshall approval
4. approval of a variance to install single mid-length eye-brow in Street "B" in lieu of meeting maximum cul-de-sac length of 600' subject to County Fire Marshal approval
5. approval of a variance to construct roadway section subject to County requirements in lieu of meeting Town standards

Sincerely,

o/s

George Belcheff, P.E.  
Town Engineer for Ponder

cc: Planning & Zoning Commission/Town Council Members *via meeting packets*  
Sheri Clearman, Town Secretary *via e-mail*  
Gary Morris, Director of Public Works *via e-mail*  
Carolyn Farmer, Planning & Zoning Director *via e-mail*  
Applicant  
Surveyor