



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

November 18, 2021

Persons may address the Planning and Zoning Commission on any issue. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. Each member of the public who desires to address the P&Z Commission regarding an item on an agenda for an open meeting of the P&Z Commission shall have the right to address the Commission on the item before the Commission's consideration of the item. All speakers not requiring a translator are given 3 minutes to speak and may address the Commission only once on each agenda item. Non-English Speakers who require a translator are given 6 minutes to speak and may address the Commission only once on each agenda item. In accordance with the State of Texas Open Meeting Act, the board may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code. To address the Commission for any public hearing item please sign a speaker's sheet located on the tables by the front entry and submit to a Staff member.

1. **5:30 PM Work Session**

2. **Roll Call**

3. **6:00 PM Regular Meeting**

1. Discuss and take action regarding the approval of the November 4, 2021 regular Planning and Zoning Commission meeting minutes.
2. **FINAL PLAT/CEC Witt Addition (FP-21-05220).** Presentation, discussion, and consideration on a request for a Final Plat for CEC Witt Addition. Establishing one commercial lot from an existing two-property abstract survey on approximately 1.385 acres, situated in the H. KENDAL SURVEY, Abstract No. 713, within Little Elm's town limits.
3. **REPLAT/Shawnee Trail (RP-21-03793).** Presentation, discussion, and consideration on a request for approval of a replat for Shawnee Trail Church of Christ Addition Block A, Lot 1 and creation of Lot 2R, both on approximately 13.058 acres, situated in the Christian Bohrmann Survey, Abstract 86, within Little Elm's town limits, in order to establish multiple utility, access, and fire lane easements, dedicate right-of-way, and abandon multiple easements for the purpose of new commercial development on Block A, Lot 1R.
4. **FINAL PLAT/Gardenia Retail Center (FP 21-05194).** Presentation, discussion, and consideration on a request for approval of a Final Plat for Gardenia and 380 Addition, Lot 1, Block A, on approximately 3.141 acres situated in the Jose Gonzalez Survey, Abstract #447, located in the E.T.J of the Town of Little Elm, establishing multiple utility and access easement necessary for a commercial development.
4. **Discussion of future agenda items, update on Council action, and requests for new business considerations**
5. **Adjourn**

Certificate

I certify that the above notice of the Planning & Zoning Commission meeting was posted on the bulletin board of the Town of Little Elm, Texas on November 12th, 2021, prior to 5:00 p.m. The Little Elm Town Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive service must be made 48 hours prior to this meeting. Please contact the Town Secretary's office at 214-975-0404 or 972-377-5540 (fax) for arrangements.

Olga Chernomorets - Planning Manager



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

11/18/2021

OVERVIEW

Project	Adoption of the November 4, 2021 Planning & Zoning Commission Meeting Minutes
P&Z Hearing	11/18/2021
Council Hearing	N/A
Size	N/A
Current Zoning	N/A
Proposed Use	N/A
Existing Use	N/A
Future Land Use Plan Designation	N/A
Applicant	N/A
Owner	N/A
Strategic Goal	

Agenda Item

Discuss and take action regarding the approval of the November 4, 2021 regular Planning and Zoning Commission meeting minutes.

Location

N/A

Planning Analysis

N/A

Recommended Action

N/A

Attachments

P&Z Minutes November 4 2021



Minutes
Town of Little Elm
PLANNING & ZONING COMMISSION
Regular Meeting
Thursday, NOVEMBER 4, 2021 - 7:00 pm

Present: Brent Hagenbuch, Commissioner; Brian Rawlins, Commissioner; Stephen Horn, Commissioner; Michael Bell, Chairman; Ron Trees, Vice Chairman; Robert Martin, Commissioner; Tom Ocelli, Commissioner

Absent: Brent Thibeaux, Commissioner; Danny Weakley, Commissioner

Staff Present: Hayden Brodowsky, Development Services Manager
Olga Chernomorets, Planning Manager
Brian Salvesen, Planner

1. **5:30 PM Work Session**

2. **Roll Call**

3. **6:00 PM Regular Meeting**

Chairman Bell opened the regular meeting at 6:02 pm.

1. Discuss and take action regarding the approval of the October 21, 2021 regular Planning and Zoning Commission meeting minutes.

Motion: Approval of October 21, 2021 regular Planning and Zoning Commission meeting minutes as presented.

Motion by Commissioner Brian Rawlins, seconded by Commissioner Robert Martin

AYE: Commissioner Brent Hagenbuch, Commissioner Brian Rawlins, Commissioner Stephen Horn, Chairman Michael Bell, Vice Chairman Ron Trees, Commissioner Robert Martin, Commissioner Tom Ocelli

7 - 0 Passed - Unanimously

2. **FINAL PLAT/CEC Witt Addition, (FP-21-05220).** Presentation, discussion, and consideration on a request for a Final Plat for CEC Witt Addition. Establishing one commercial lot from an existing two-property abstract survey on approximately 1.385 acres, situated in the H. KENDAL SURVEY, Abstract No. 713, within Little Elm's town limits.
 - Staff Report
 - Applicant Presentation

- Discussion Recommendation

Staff presented the applicant's request to withdraw the Final Plat.

Motion: Approval of Applicant's request to withdraw the item at this time.

Motion by Commissioner Brent Hagenbuch, seconded by Vice Chairman Ron Trees

AYE: Commissioner Brent Hagenbuch, Commissioner Brian Rawlins, Commissioner Stephen Horn, Chairman Michael Bell, Vice Chairman Ron Trees, Commissioner Robert Martin, Commissioner Tom Ocelli

7 - 0 Passed - Unanimously

3. **FINAL PLAT/Union Park Place Ph 1 (FP-21-05610).** Presentation, discussion, and consideration on a request for the approval of a Final Plat for Lot 1, and Lot 2 of Block A, Lot 1, Block B, and Right-of-Way dedication on approximately 4.005 acres, situated in the Thomas Navo Survey, Abstract No. 964, within Little Elm's town limits.

- Staff Report/Applicant Presentation
- Discussion and Recommendation

Staff presented on the Final Plat and explained the conditions for approval which are as follows:

- Specify Zoning on the adjacent parcels
- Provide the recorded number of the separate instrument establishing the continuation of the 24-foot access easement along Union Place, between Lot 1 Block B and Lot 2 Block A
- Add 10 foot Utility Easement along the west side of Gazebo Street
- Add a 5 foot Irrigation Easement along US Highway 380
- Add 10 foot Utility Easement for gas along Union Place

Motion: Approval of the Final Plat with conditions as outlined above.

Motion by Vice Chairman Ron Trees, seconded by Commissioner Tom Ocelli

AYE: Commissioner Brent Hagenbuch, Commissioner Brian Rawlins, Commissioner Stephen Horn, Chairman Michael Bell, Vice Chairman Ron Trees, Commissioner Robert Martin, Commissioner Tom Ocelli

7 - 0 Passed - Unanimously

4. **Discussion of future agenda items, update on Council action, and requests for new business considerations**

5. **Adjourn**

Chairman Bell closed the regular Planning and Zoning Commission meeting at 6:12pm.



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

11/18/2021

OVERVIEW

Project	FINAL PLAT/CEC Witt Addition (FP-21-05220)
P&Z Hearing	11/18/2021
Council Hearing	N/A
Size	1.385 acres
Current Zoning	Light Commercial (LC)
Proposed Use	Commercial
Existing Use	Vacant
Future Land Use Plan Designation	Low Density Residential
Applicant	Haider Rizv
Owner	Kataliya Quinlan
Strategic Goal	Promote and expand Little Elm's identity

Agenda Item

FINAL PLAT/CEC Witt Addition (FP-21-05220). Presentation, discussion, and consideration on a request for a Final Plat for CEC Witt Addition. Establishing one commercial lot from an existing two-property abstract survey on approximately 1.385 acres, situated in the H. KENDAL SURVEY, Abstract No. 713, within Little Elm's town limits.

Location

Generally located on the north side of Old Witt Road, approximately 285 feet east of Witt Road, with an address of 1707 Old Witt Road, within Little Elm's town limits.

Planning Analysis

The purpose of this Final Plat (FP-21-05220) is to allow building permits to be pulled on this property. As Sec. 107.04.01 - Subdivision procedures and plat types explains:

No building permits will be issued for the construction of any building on any unplatted land within the town and the town's extraterritorial jurisdiction (ETJ), therefore a Final Plat is required to pull a permit for a Certificate of Occupancy or a permit to remodel."

The Planning and Zoning Commission met and approved the applicant's requests to withdraw the item from the agenda on October 21, 2021 and again on November 4, 2021.

The Final Plat was reviewed by staff and found to not meet the following requirements:

1. Section 107.08.01 (b) - Adequate Public Facilities.

- Water. A plat will not be approved unless all of the proposed lots are connected to a public water system which is capable of providing adequate water for health and emergency purposes.
- Wastewater. A plat will not be approved unless all of the proposed lots are served by an approved means of wastewater collection and treatment.

2. Existing permanent structure on site not identified on Final Plat and the existing pavement.

3. The signature block on the Final Plat is incorrect.

Recommended Action

Staff recommends denial of the submitted final plat (FP-21-05220) due to failure to meet the above-mentioned Town requirements.

Attachments

Location Map

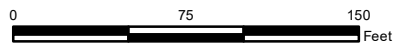
Plat Document

Utility Plan



CEC Witt Addition (FP-21-05220)

Date: 10/14/2021

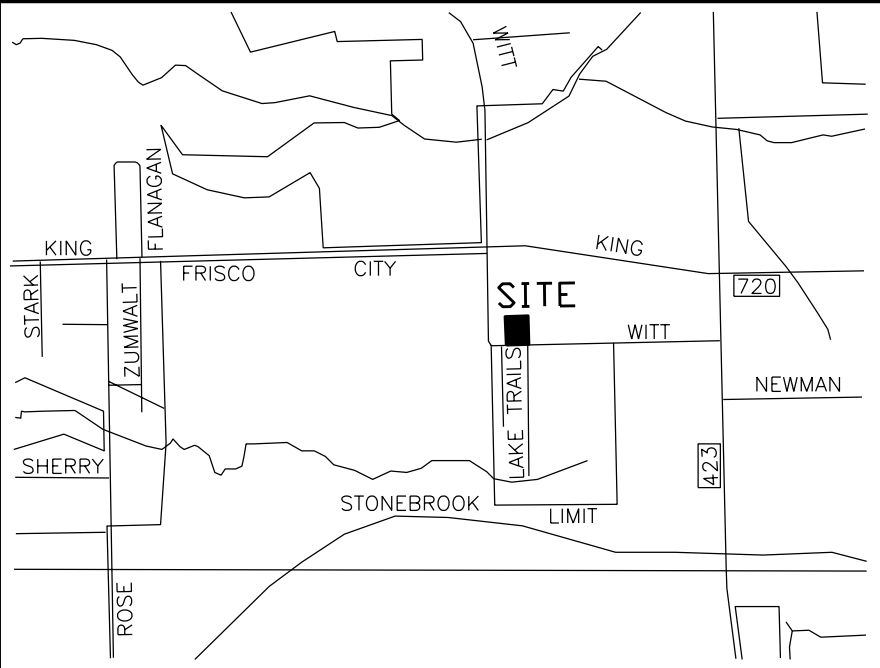


Location Map



This map is the property of the Town of Little Elm, and is not to be reproduced by any means, mechanical or digital, without written consent of the Town.

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.



Notice
selling a portion of this addition by metes and bounds is
a violation of Town ordinance and State Law and is
subject to fines and withholding of utilities and building
permits

FLOOD PLANE NOTE
The subject property does not lie within a 100 year flood
plain according to Community Panel No. 48121C0420G,
dated 4/18/2011, of the National Flood Insurance rate
Maps for Denton County, Texas.

NOTES

All lots comply with the minimum size requirements of the
zoning district.

This property may be subject to charges related to
impact fees and the applicant should contact the Town
regarding any applicable fees due.

This plat does not alter or remove existing deed
restrictions, if any, on this property.

Minimum finished floor elevations are at least 2 feet
above the 100 year flood plain.

All common areas will be owned and maintained by the
HOA/POA.

OWNER'S CERTIFICATE:

That I, _____, being the owner of the hereinafter
described property, do hereby adopt this plat designating the herein described property
as the Lot 1, Block 1 of CEC WITT ADDITION, an addition to the Town of Little Elm,
Denton County, Texas. I do hereby dedicate to the public use forever the streets and
alleys shown thereon. The easements shown thereon are hereby reserved for purposes
as indicated. The utility and access easements shall be open to the public, fire and
police units, garbage and rubbish collection agencies, and all public and private utilities
for each particular use. The maintenance of paving on the utility and access
easements is the responsibility of the property owner. No buildings, fences, trees,
shrubs, or other improvements or growths shall be constructed, reconstructed, or
replaced upon, over or across the easements as shown; said easements being hereby
reserved for the mutual use and accommodation of all public utilities using or desiring
to use the same. All and any 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 in any way endanger or interfere with the construction, maintenance or
efficiency of its respective system on the easements, and all public utilities shall at all
times have the full right of ingress and egress to and from said easements for the
purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding
to or removing all or parts of its respective systems without the necessity at any time
of procuring the permission of anyone. Any public utility shall have the right of
ingress and egress to private property for the purpose of reading meters and any
maintenance and service required or ordinarily performed by that utility.
I do hereby dedicate the mutual access easements shown thereon for use by the
public as a means of pedestrian and vehicle access to the property shown thereon
and to the adjacent property thereon.

This plat approved subject to all platting ordinances, rules, regulations, and resolutions
of the Town of Little Elm, Texas.

EXECUTED THIS _____ day of _____, 2021.

OWNER
WITNESS, my hand this the ____ day of _____, 2021.

NAME _____ TITLE _____

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on
this day personally appeared _____ of _____
known to me to be the person and officer whose name is subscribed to the foregoing
instrument and acknowledged to me that he executed the same for the purposes and
considerations therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____,
2021.

Notary Public in and for the State of Texas

ZONING:
LIGHT COMMERCIAL (LC)

DD KINGS COURT LTD
INST. NO. 28318
D.R.D.C.T.

NOTICE OF INTEND

Please consider this note as a statement of intent to do
a final plat for the property 1707 Witt Rd, Little Elm, TX.
A final plat is required to be approved by the Planning
and Zoning Commission and then be recorded with the
county to operate any new business on this site and
receive the certificate of occupancy for the same.

CERTIFICATE OF FINAL PLAT APPROVAL

(FOR FINAL PLATS WITH REQUIRED PUBLIC IMPROVEMENTS INSTALLED AFTER APPROVAL)

Approved _____ Date _____
Chairman, Planning and Zoning Commission
Town of Little Elm, Texas

The undersigned, the Town Secretary of the Town of Little Elm, Texas, hereby certifies that
the foregoing Final Plat of the _____ Subdivision or Addition to the
Town of Little Elm was submitted to the Planning and Zoning Commission on the
_____ day of _____, and the Commission, by formal action, then and there
accepted the Final Plat and hereby authorizes the developer to proceed with the
construction of public works improvements and infrastructure as indicated on the
accompanying construction plans, and said Commission further authorizes the Chairman of
the Planning and Zoning Commission to note the acceptance thereof by signing his/her name
as hereinabove subscribed.

Witness by hand this _____ day of _____, _____.

Town Secretary
Town of Little Elm, Texas

LEGAL DESCRIPTION

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS, CEC WITT PARTNERS LLC is the owner of a tract of land situated in the H.
Kendal Survey, Abstract NO. 713 and M.E.P. & P.R.R. Co. Survey, Abstract No. 919,
Denton County, Texas, and that tract of land described in Special Warranty Deed with
Vendor's Lien to CEC WITT PARTNERS LLC recorded in Instrument Number 27067 of the
Deed Records of Denton County, Texas, and being more particularly described as
follows:

Beginning at a 1/2 inch iron rod found for corner, said corner being in the southeast
corner of that tract of land described in General Warranty Deed to Ranchetta LLC
recorded in Instrument Number 2005-67916 of the Deed Records of Denton County,
Texas, said corner also being in the West line of that tract of land described in
Special Warranty Deed with Vendor's Lien to DD Kings Court LTD recorded in Instrument
Number 28318 of the Deed Records of Denton County, Texas;

THENCE South 00°53'42" East, along the West line of said DD Kings Court LTD tract
and along the West line of that tract of land described in Right-of-Way Warranty Deed
to Town of Little Elm, recorded in Instrument 2014-117368 of the Deed Records of
Denton County, Texas, a distance of 272.07 feet to an "X" cut set in concrete for
corner, said corner being in the North right-of-way of Witt Road (variable width
right-of-way);

THENCE South 89°45'52" West, along the North right-of-way line of said Witt Road, a
distance of 222.59 feet to an "X" cut set in concrete for corner, said corner being
the Southeast corner of that tract of land described in General Warranty Deed to Ari
Holdings LLC, recorded in instrument Number 2009-122154 of the Deed Records of
Denton County, Texas;

THENCE North 00°44'09" West, along the East line of said Ari Holdings LLC tract, a
distance of 271.04 feet to a 5/8 iron rod found for corner, said corner being in the
South line of said Ranchetta LLC tract;

THENCE North 89°30'01" East, along the South line of Said Ranchetta LLC tract, a
distance of 221.83 feet, to the POINT OF BEGINNING and containing 60,340 square
feet or 1.385 acres of land more or less.

SURVEYORS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Colin J. Henry, a Registered Professional Land Surveyor licensed by the State of
Texas, do hereby certify that I have prepared this plat from an actual on the ground
survey of the land, and the monuments shown hereon were found and /or placed under
my personal supervision in accordance with the platting rules and regulations of the City
Plan Commission of the Town of Little Elm, Texas.

"PRELIMINARY - THIS DOCUMENT SHALL NOT
BE RECORDED FOR ANY PURPOSE."

Colin J. Henry, RPLS
Registered Professional Land Surveyor No. 5230



TBPLS FIRM# 10194594

State of Texas §
County of Dallas §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this
day personally appeared Colin J. Henry, 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 consideration therein expressed.

GIVEN, UNDER MY HAND SEAL OF OFFICE this the _____ day of _____,
2021.

My commission expires: _____

FINAL PLAT

LOT 1, BLOCK 1

CEC WITT ADDITION

1.385 ACRES (60,340 SF)

H. KENDAL SURVEY, ABST. NO. 713 and
M.E.P. & P.R.R. CO. SURVEY, ABST. NO. 919

TOWN OF LITTLE ELM, DENTON COUNTY, TEXAS

Town Project # FP-21-05220

PROPERTY OWNER: CEC WITT LLC
CONTACT: Alan Weiss
4400 Preston Rd. Frisco TX 75034
469-293-2462
ALAN@HOMEFLOORS.NET

PREPARED BY:

DMC HENRY LLC

Texas Engineering Firm Number F-21874
Texas Surveying Firm Number 10194594

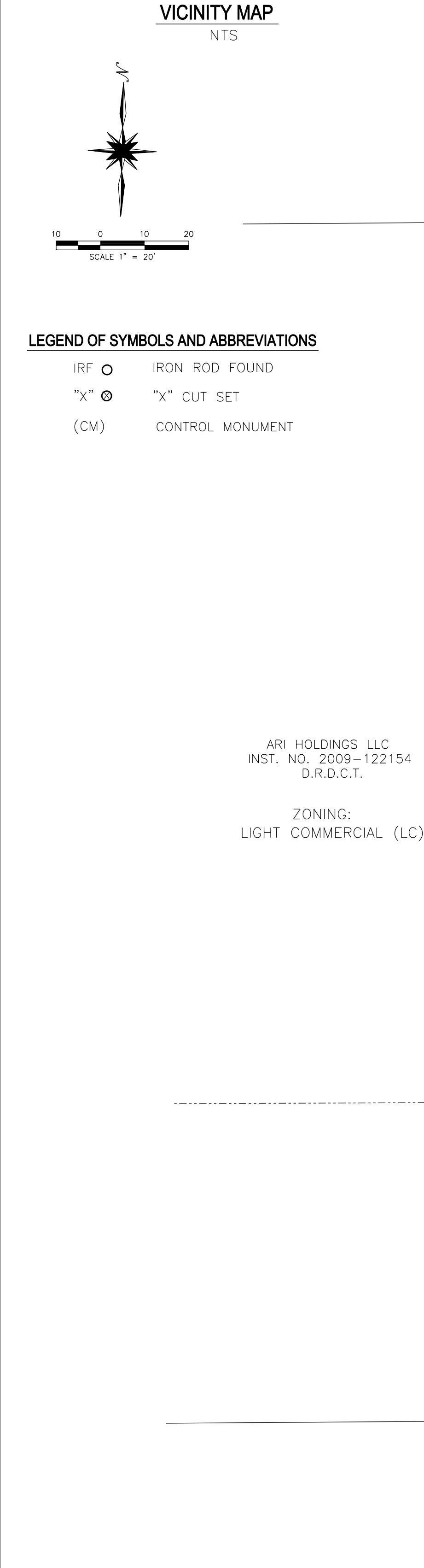
MORI'S ENGINEERING, INC.

CONTACT: MORI AKHAVAN 972-816-2626
moriakhavan@yahoo.com

FIRM NO.
F-7701

BEARING BASIS

Bearing basis is upon the Texas State Plane Coordinate
System, Texas North Central Zone, (4202) North American
Datum of 1983, (2011)



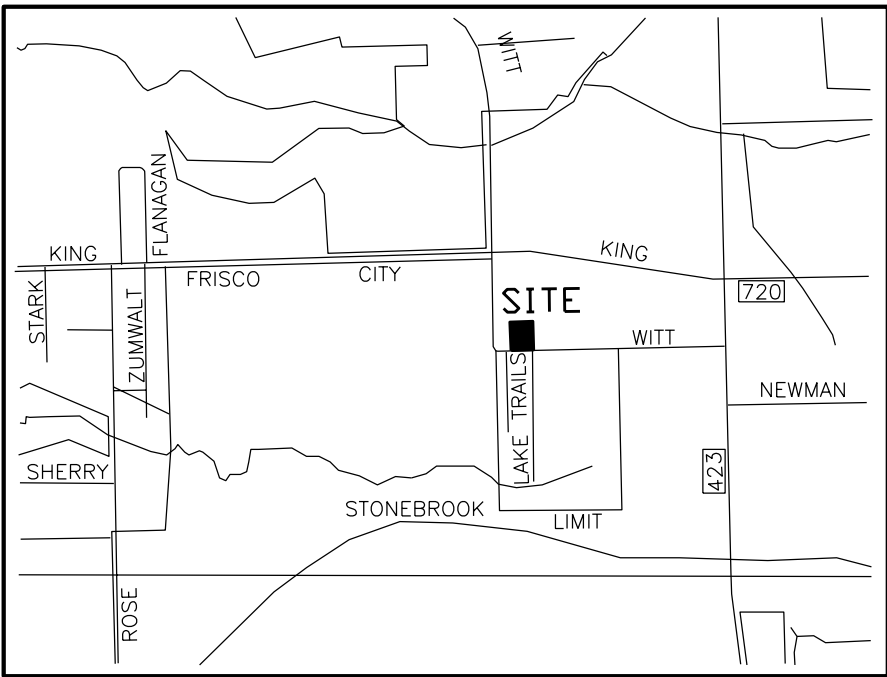
(CM)
5/8" IRF

N 89°30'01" E 221.83'

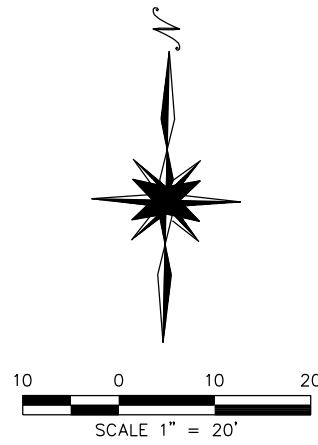
(CM)
1/2" IRF

POINT OF
BEGINNING

S 00°53'42" E 272.07'



VICINITY MAP
NTS



RANCHETTA LLC
INST. NO. 2005-67916
D.R.D.C.T.

ZONING:
LIGHT COMMERCIAL (LC)

(CM)
5/8" IRF

$N\ 89^{\circ}30'01''\ E\ 221.83'$

(CM)
1/2" IRF

POINT OF
BEGINNING

ZONING: LIGHT COMMERCIAL (LC)

CEC WITT ADDITION

LOT 1, BLOCK 1

1.385 ACRES (60,340 SF)

CEC WITT PARTNERS LLC
INST. NO. 27067
D.R.D.C.T.

ZONING:
LIGHT COMMERCIAL (LC)

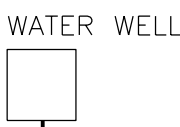
DD KINGS COURT LTD
INST. NO. 28318
D.R.D.C.T.

ARI HOLDINGS LLC
INST. NO. 2009-122154
D.R.D.C.T.

ZONING:
LIGHT COMMERCIAL (LC)

$N\ 00^{\circ}44'09''\ W\ 271.04'$

$S\ 00^{\circ}53'42''\ E\ 272.07'$



PRIVATE WATER LINE

CLEANOUT

PRIVATE SAN. SEWER LINE

1707 WITT ROAD

20' SETBACK LINE

ELECTRIC
TRANSFORMER

30' UTILITY, ACCESS AND
FIRE EASEMENT
(BY THIS PLAT)

EXIST. 8" SAN. SEWER LINE

EXIST. 12" PVC WATER LINE

FH

SS

MH

TOWN OF LITTLE ELM
INST. NO. 2014-117368
D.R.D.C.T.

SS

MH

EXIST. 12" PVC WATER LINE

$S\ 89^{\circ}45'52''\ W\ 222.59'$

WITT ROAD
(VAR. R.O.W.)

NOTES

THIS SITE IS NOT CONNECTED TO THE CITY WATER AND
SANITARY SEWER SYSTEM.

WATER IS PROVIDED FROM PRIVATE WELL, AND SANITARY
SEWER IS CONNECTED TO PRIVATE SEPTIC SYSTEM.

UTILITY PLAN

1707 WITT ROAD

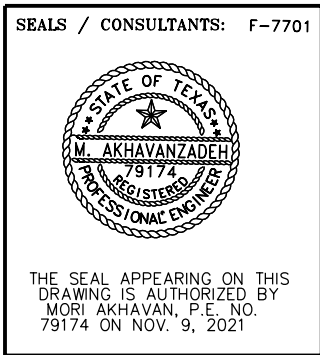
LOT 1, BLOCK 1

CEC WITT ADDITION

1.385 ACRES (60,340 SF)

H. KENDAL SURVEY, ABST. NO. 713 and
M.E.P. & P.R.R. CO. SURVEY, ABST. NO. 919
TOWN OF LITTLE ELM, DENTON COUNTY, TEXAS

Town Project # FP-21-05220



PROPERTY OWNER: CEC WITT LLC

CONTACT:

Alan Weiss
4400 Preston Rd. Frisco TX 75034
469-293-2462
ALAN@HOMEFLOORS.NET

PREPARED BY:

MORI'S ENGINEERING, INC.

MORI AKHAVAN 972-816-2626
moriakhavan@yahoo.com

DATE: NOV. 2021

SCALE:
1"=20'

CONTACT:

FIRM NO.
F-7701



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

11/18/2021

OVERVIEW

Project	REPLAT/Shawnee Trail (RP-21-03793)
P&Z Hearing	11/18/2021
Council Hearing	N/A
Size	13.058 acres
Current Zoning	Light Commercial (LC)
Proposed Use	Commercial
Existing Use	Commercial
Future Land Use Plan Designation	Retail/Commercial
Applicant	Venkat Papudippu
Owner	Venkat Papudippu
Strategic Goal	Promote and expand Little Elm's identity

Agenda Item

REPLAT/Shawnee Trail (RP-21-03793). Presentation, discussion, and consideration on a request for approval of a replat for Shawnee Trail Church of Christ Addition Block A, Lot 1 and creation of Lot 2R, both on approximately 13.058 acres, situated in the Christian Bohrmann Survey, Abstract 86, within Little Elm's town limits, in order to establish multiple utility, access, and fire lane easements, dedicate right-of-way, and abandon multiple easements for the purpose of new commercial development on Block A, Lot 1R.

Location

Generally located at 25663 and 25675 Smotherman Road, on the north side of Smotherman Road, approximately 650 feet east of the intersection of Smotherman Road and FM 423.

Planning Analysis

The purpose of this replat submittal is to replat currently platted and recorded Shawnee Trail Church of Christ Addition Block A, Lot 1 by abandoning easements previously approved for a church development, and establishing new access, utility, and fire lane easements, for the purpose of new commercial development.

In addition, this submittal also establishes Lot 2 within the existing Block A, previously Abstract No. A0086A, Tract 7D, situated in the Christian Bohrmann Survey, Abstract 86, encompassing approximately 9.3361 acres. Given the term "replat" is designated for changes to a recorded final plat, this requested action is inappropriate through a replat.

The plat document has been reviewed by Town staff and found to not be in compliance with the following

requirements:

- Provide Final Plat Checklist (signed)
- Provide Written Statement of intent
- Provide Proof of Ownership
- Provide Copy of Title Commitment
- Provide Zoning of subject property and adjacent property
- Provide existing FEMA 100-year floodplain boundaries with elevations listed
- Provide Name, address, phone number, and email of preparer
- Provide current date of preparation and subsequent revisions
- Unclear drainage easement boundaries must be clarified
- Incorrectly sized block for county recording seal
- Label Fire Lane, Access, and Utility Easements everywhere that is applicable
- **Specifically with regard to establishing Lot 2, per Section 107.08.01 (b) - Adequate Public Facilities:**
 - Water. A plat will not be approved unless all of the proposed lots are connected to a public water system which is capable of providing adequate water for health and emergency purposes.
 - Wastewater. A plat will not be approved unless all of the proposed lots are served by an approved means of wastewater collection and treatment.

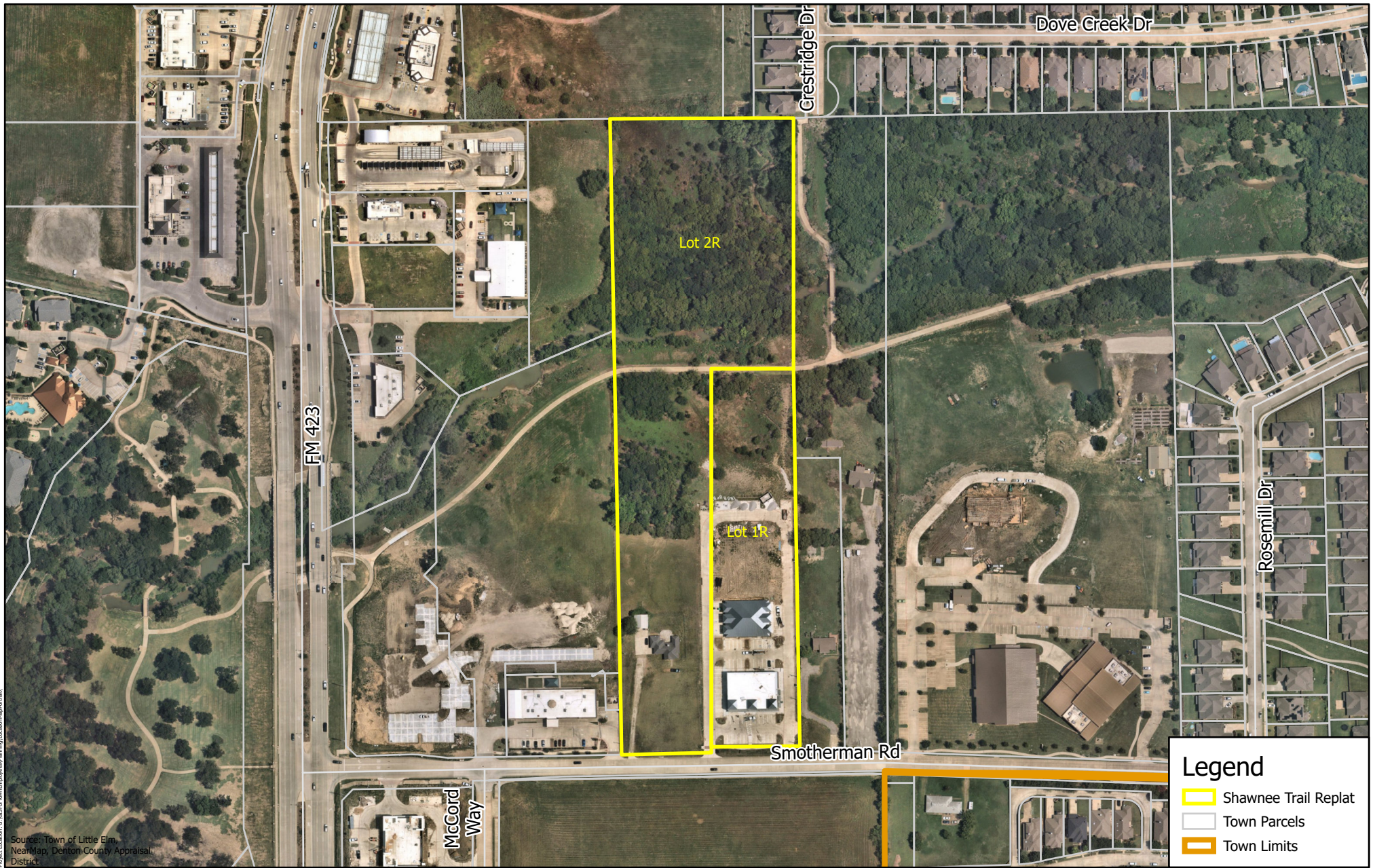
Recommended Action

Staff recommends denial of the replat due to not meeting replatting requirements as listed.

Attachments

Location Map

Replat



Legend

- Shawnee Trail Replat
- Town Parcels
- Town Limits



Shawnee Trail Replat Location Map

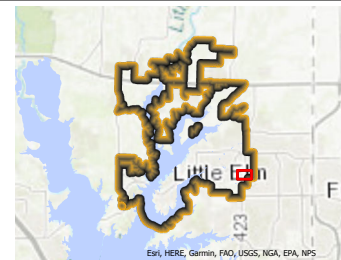
Existing Legal Description: SHAWNEE TRAIL CHURCH OF CHRIST ADDN BLK A LOT 1
Existing Legal Description 2: A0086A BOHRMAN, TR 7D, 9.3361 ACRES



Town of Little Elm
Denton County, Tx

Date: 11/10/2021

0 0.05 0.1 0.2 Miles



This product is to be used for graphical representation only. The accuracy is not to be taken/used as data produced for engineering purposes or by a Registered Professional Land Surveyor for the State of Texas. For this level of detail, supervision and certification of the produced data by a Registered Professional Land Surveyor for the State of Texas would have to be performed. Town of Little Elm and its members assume no responsibility for the accuracy of said data.



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

11/18/2021

OVERVIEW

Project	FINAL PLAT/Gardenia Retail Center (FP-21-05194)
P&Z Hearing	11/18/2021
Council Hearing	N/A
Size	3.141 acres
Current Zoning	N/A
Proposed Use	Commercial
Existing Use	Vacant
Future Land Use Plan Designation	Commercial/Retail
Applicant	Sachi Burlingame, Kirkman Engineering
Owner	Marushi Properties LLC
Strategic Goal	Promote and expand Little Elm's identity

Agenda Item

FINAL PLAT/Gardenia Retail Center (FP 21-05194). Presentation, discussion, and consideration on a request for approval of a Final Plat for Gardenia and 380 Addition, Lot 1, Block A, on approximately 3.141 acres situated in the Jose Gonzalez Survey, Abstract #447, located in the E.T.J of the Town of Little Elm, establishing multiple utility and access easement necessary for a commercial development.

Location

Generally located on the northwest corner of U.S. Highway 380 and Gardenia Boulevard, located within the E.T.J of the Town of Little Elm.

Planning Analysis

This is a final plat for the Gardenia and 380 Addition, Lot 1, Block A, establishing five water easements, one sanitary sewer easement, and one fire lane, access, and utility easement, for the purpose of commercial development.

Town staff have reviewed the plat document and found it to be in compliance with the Town's final plat requirements. One outstanding comment to update the preparation date on the plat document to reflect the most recent date of revision is minor and does not impact the subject property.

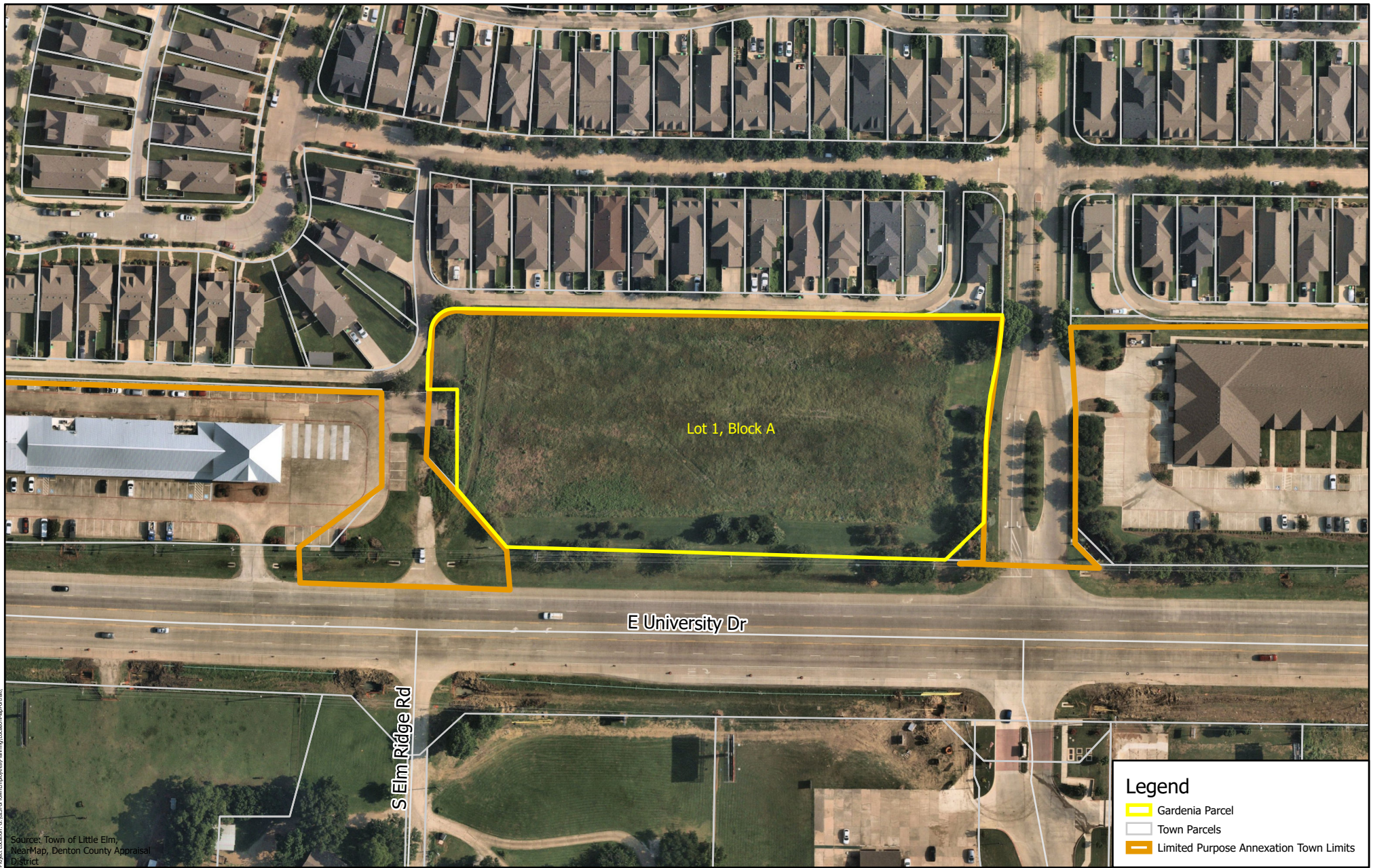
Recommended Action

Staff recommends approval of the Final Plat subject to the condition that the preparation date be accurately reflected on the plat document prior to recording.

Attachments

Location Map

Plat Document



Gardenia and 380 Addition Location Map

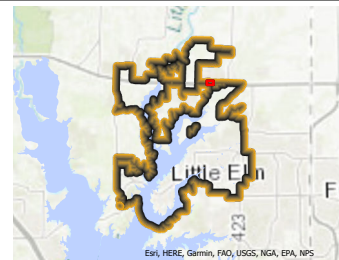
Existing Legal Description: A0447A J. GONZALES, TR 7A(ROW), 3.141 ACRES



**Town of Little Elm
Denton County, Tx**

Date: 11/10/2021

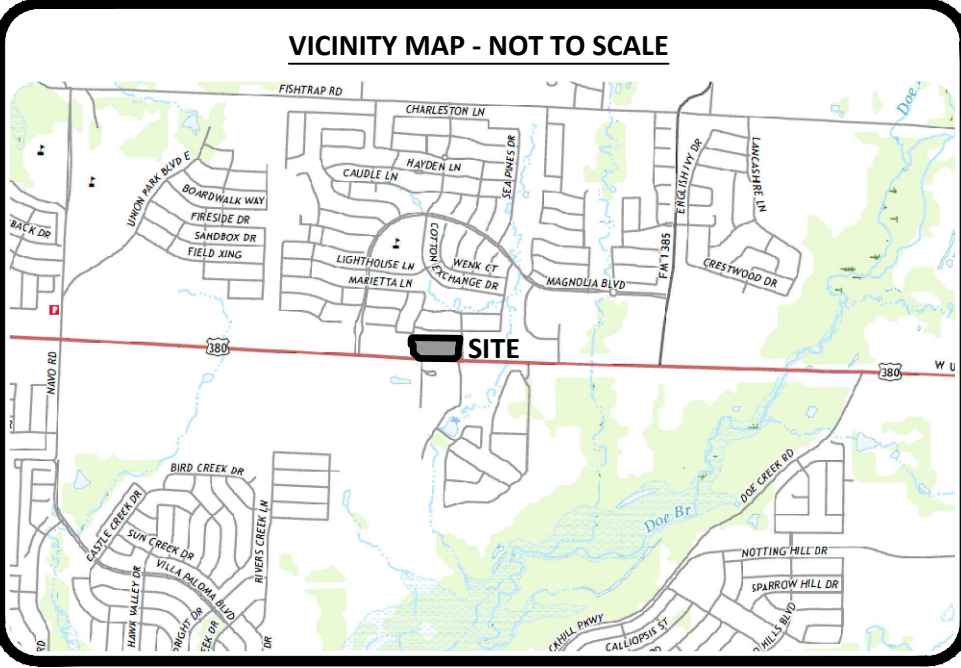
0 0.03 0.05 0.1 Miles



Legend

- Gardenia Parcel
- Town Parcels
- Limited Purpose Annexation Town Limits

This product is to be used for graphical representation only. The accuracy is not to be taken/used as data produced for engineering purposes or by a Registered Professional Land Surveyor for the State of Texas. For this level of detail, supervision and certification of the produced data by a Registered Professional Land Surveyor for the State of Texas would have to be performed. Town of Little Elm and its members assume no responsibility for the accuracy of said data.



- 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

PURPOSE STATEMENT

THE PURPOSE OF THIS PLAT IS TO DEDICATE FIVE WATER EASEMENTS, ONE SANITARY SEWER EASEMENT, AND ONE FIRE LANE, ACCESS, AND UTILITY EASEMENT (SHOWN HEREON)

SURVEYOR'S NOTES:

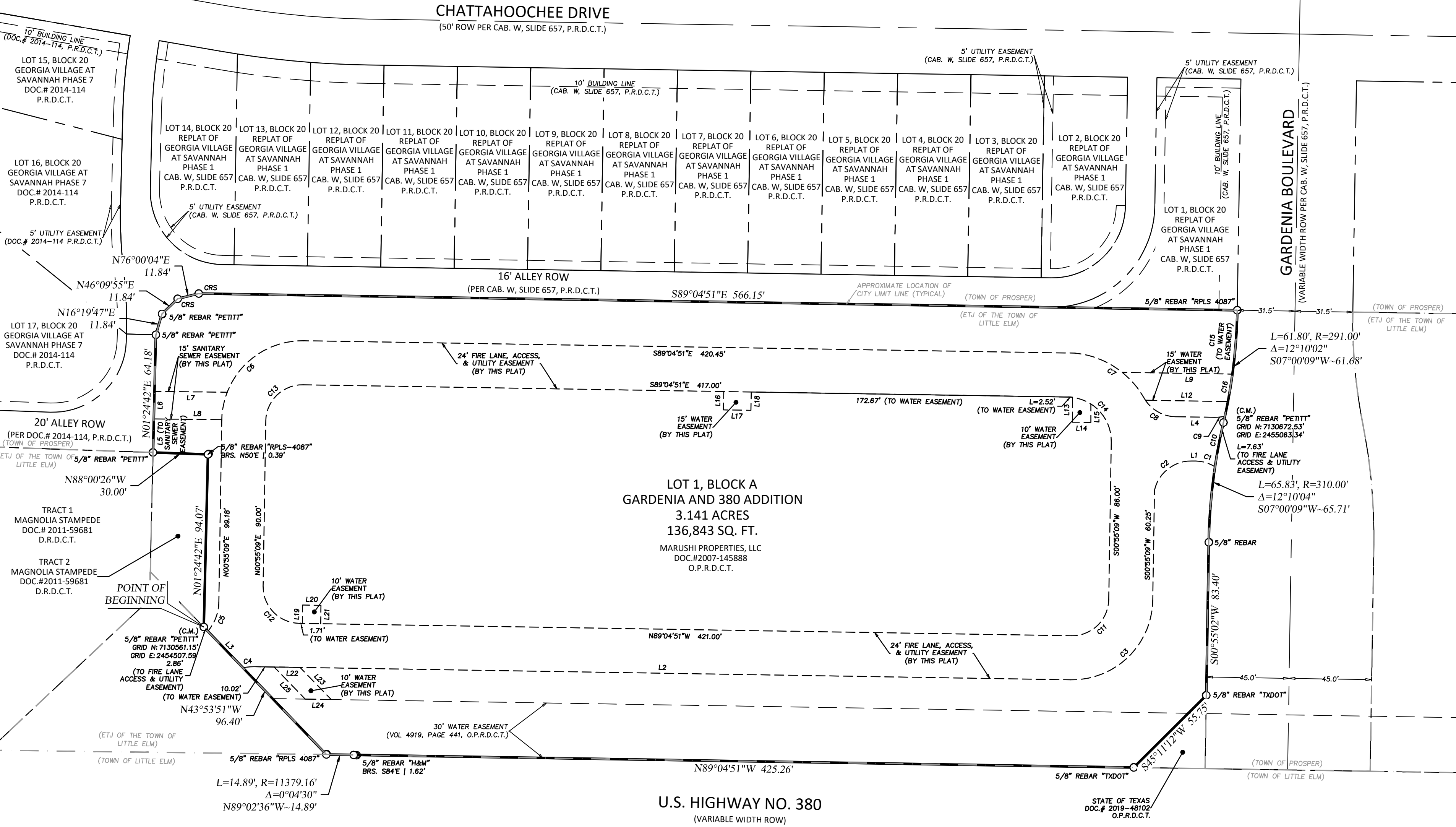
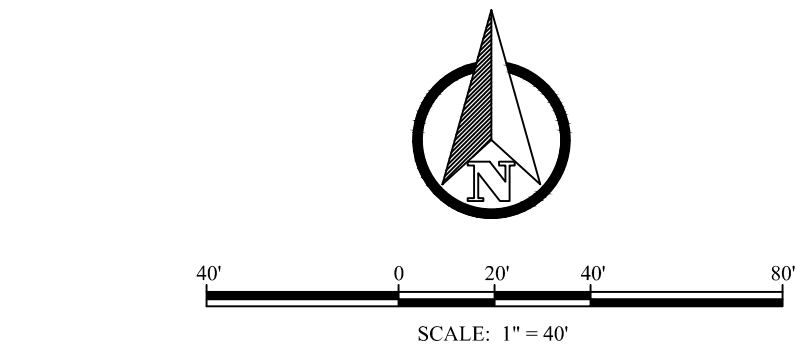
- Bearings are based on the State Plane Coordinate System, Texas North Central Zone (4202) North American Datum of 1983 (NAD '83), distances are surface with a combined scale factor of 1.00015063.
- This property lies within Zone "X" of the Flood Insurance Rate Map for Denton County, Texas and Incorporated Areas, map no. 48121C0410G, with an effective date of April 18, 2011, via scaled map location and graphic plotting. Monuments are found unless specifically designated as set.
- Elevations (if shown) are North American Vertical Datum of 1988 (NAVD '88).

PLAT NOTES:

- This property may be subject to charges related to impact fees and the applicant should contact the Town regarding any applicable fees due.
- All common areas will be owned and maintained by the HOA/POA.
- Notice – selling a portion of this addition by metes and bounds is a violation of Town ordinance and State law and is subject to fines and withholding of utilities and building permits.
- This plat does not alter or remove existing deed restrictions, if any, on this property.
- Minimum finished floor elevations are at least 2 feet above the 100 year flood plain.
- The subject property does not lie within a 100 year flood plain according to Community Panel No. 48121C0410G, dated April 18, 2011, of the National Flood Insurance rate Maps for Denton County, Texas.

Curve Data Table				
Curve #	Arc	Radius	Delta	Chord Bearing
C1	11.01'	20.00'	031°32'06"	N73°18'48"W 10.87'
C2	27.66'	20.50'	077°19'11"	S52°15'34"W 25.61'
C3	69.12'	44.00'	090°00'00"	S45°55'09"W 62.23'
C4	5.98'	25.00'	013°42'43"	S84°03'48"W 5.97'
C5	17.27'	25.00'	039°34'49"	N20°42'33"E 16.93'
C6	69.12'	44.00'	090°00'00"	N45°55'09"E 62.23'
C7	46.62'	48.73'	054°48'56"	S57°00'17"E 44.86'
C8	20.86'	20.00'	059°45'30"	S59°12'06"E 19.93'
C9	5.63'	25.00'	012°54'12"	N84°28'03"E 5.62'

Curve Data Table				
Curve #	Arc	Radius	Delta	Chord Bearing
C10	28.03'	318.49'	005°02'34"	S11°03'34"W 28.02'
C11	31.42'	20.00'	090°00'00"	S45°55'09"W 28.28'
C12	31.42'	20.00'	090°00'00"	N44°04'51"W 28.28'
C13	31.42'	20.00'	090°00'00"	N45°55'09"E 28.28'
C14	37.70'	24.00'	090°00'00"	S44°04'51"E 33.94'
C15	34.92'	291.00'	006°52'34"	S04°21'25"W 34.90'
C16	15.16'	300.04'	002°53'44"	S09°16'30"W 15.16'



Approved _____

Town Official _____ Date _____
Town of Little Elm, Texas

The undersigned, the Town Secretary of the Town of Little Elm, Texas, hereby certifies that the foregoing Final Plat of the Lot 1, Block A, Gardenia and 380 Addition to the Town of Little Elm was submitted to the Planning and Zoning Commission on the _____ day of _____, and the Commission, by formal action, then and there accepted the Final Plat and hereby authorizes the developer to proceed with the construction of public works improvements and infrastructure as indicated on the accompanying construction plans, and said Commission further authorizes the Chairman of the Planning and Zoning Commission to note the acceptance thereof by signing his/her name as hereinabove subscribed.
Witness by hand this _____ day of _____.

Town Secretary _____
Town of Little Elm, Texas

Line Data Table			Line Data Table			Line Data Table		
Line #	Distance	Bearing	Line #	Distance	Bearing	Line #	Distance	Bearing
L1	2.29'	N89°04'51"W	L13	13.57'	N00°02'19"E	L23	24.35'	S44°04'51"E
L2	445.33'	N89°04'51"W	L14	10.00'	N89°57'41"W	L24	14.14'	N89°04'51"W
L3	27.63'	N43°53'51"W	L15	10.00'	S00°02'19"W	L25	24.35'	N44°04'51"W
L4	21.35'	S89°04'51"E	L16	10.00'	N00°55'09"E			
L5	18.27'	N01°24'42"E	L17	15.00'	N89°04'51"W			
L6	15.00'	N01°24'30"E	L18	10.00'	S00°55'09"W			
L7	39.65'	S89°22'59"E	L19	10.00'	N00°55'09"E			
L8	37.04'	S89°22'59"E	L20	10.00'	S89°04'51"E			
L9	60.01'	S89°04'51"E	L21	10.00'	S00°55'09"W			
L12	44.96'	N89°04'51"W	L22	14.14'	S89°04'51"E			

STATE OF TEXAS §
COUNTY OF DENTON §

WHEREAS MARUSHI PROPERTIES, LLC is the owner of a tract of land situated in the Jose Gonzalez Survey, Abstract Number 447, in Denton County, Texas, and being a portion of that same tract of land described by deed to Marushi Properties, LLC, as recorded under Document Number 2007-145888, Official Public Records of Denton County, Texas, (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 5/8 inch rebar with cap stamped "PETITT" found for the westernmost southwest corner of said Marushi tract and the herein described tract;

THENCE with the perimeter and to the corners of said Marushi tract, the following calls:

- North 01 degrees 24 minutes 42 seconds East, a distance of 94.07 feet to a point from which a 5/8 inch rebar with cap stamped, "RPLS-4087" bears North 50 degrees East, a distance of 0.39 feet;
- North 88 degrees 00 minutes 26 seconds West, a distance of 30.00 feet to a 5/8 inch rebar with cap stamped "PETITT" found;
- North 01 degrees 24 minutes 42 seconds East, a distance of 64.18 feet to a 5/8 inch rebar with cap stamped "PETITT" found;
- North 16 degrees 19 minutes 47 seconds East, a distance of 11.84 feet to a 5/8 inch rebar with cap stamped "PETITT" found;
- North 46 degrees 09 minutes 55 seconds East, a distance of 11.84 feet to a 1/2 inch rebar with pink cap stamped "BARTON CHAPA" set (hereinafter called "capped rebar set");
- North 76 degrees 00 minutes 04 seconds East, a distance of 11.84 feet to a capped rebar set;
- South 89 degrees 04 minutes 51 seconds East, a distance of 566.15 feet to a 5/8 inch rebar with cap stamped, "RPLS-4087" found at the beginning of a curve to the right, having a radius of 291.00 feet, with a delta angle of 12 degrees 10 minutes 02 seconds, whose chord bears South 07 degrees 00 minutes 09 seconds West, a distance of 61.68 feet;
- along said curve to the right, an arc length of 61.80 feet to a 5/8 inch rebar with cap stamped "PETITT" found at the beginning of a curve to the left, having a radius of 310.00 feet, with a delta angle of 12 degrees 10 minutes 04 seconds, whose chord bears South 07 degrees 00 minutes 09 seconds West, a distance of 65.71 feet;
- along said curve to the left, an arc length of 65.83 feet to a 5/8 inch rebar found;
- South 00 degrees 55 minutes 02 seconds West, partially with the east line of said Marushi tract, a distance of 83.40 feet to a 5/8 inch rebar with cap stamped "TXDOT" found for the north corner of a tract of land described by deed to the State of Texas as recorded under Document Number 2019-48102, (O.P.R.D.C.T.);

THENCE South 45 degrees 11 minutes 12 seconds West, with the northwest line of said State of Texas tract, a distance of 55.75 feet to a 5/8 inch rebar with cap stamped, "TXDOT" found for the west corner thereof, said point also being in the south line of said Marushi tract;

THENCE with the southerly lines of said Marushi tract, the following calls:

- North 89 degrees 04 minutes 51 seconds West, a distance of 425.26 feet to the beginning of a curve to the right, having a radius of 11,379.16 feet, with a delta angle of 00 degrees 04 minutes 36 seconds, whose chord bears North 89 degrees 02 minutes 36 seconds West, a distance of 14.89 feet, from which a 5/8 inch rebar with cap stamped, "H&M" bears South 84 degrees East, a distance of 1.62 feet;
- along said curve to the right, an arc length of 14.89 feet to a 5/8 inch rebar with cap stamped "RPLS 4087" found;
- North 43 degrees 53 minutes 51 seconds West, a distance of 96.40 feet to the **POINT OF BEGINNING** and enclosing 3.141 acres (136,843 square feet) of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT, MARUSHI PROPERTIES, LLC, owner, does hereby adopt this final plat designating the above described property as **LOT 1, BLOCK A, GARDENIA AND 380 ADDITION**, a subdivision in the E.T.J. of the Town of Little Elm, Denton County, Texas, and whose name is subscribed hereto, hereby dedicate to the public use forever by fee simple title, free and clear of all liens and encumbrances, all streets, thoroughfares, alleys, parks, and trails, and to the public use forever easements for sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements of the platting ordinances, rules, and regulations thereon shown for the purpose and consideration therein expressed. This property is located within a Limited Purpose Sales Area. Denton County is the governing jurisdiction. The Town of Little Elm is not responsible for maintaining infrastructure on this site.

WITNESS my hand this the _____ day of _____, 20____

Marushi Properties, LLC, Owner
_____, Agent

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

STATE OF TEXAS §
COUNTY OF _____ §

I, John H. Barton, III, the undersigned, a Registered Professional Surveyor in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground. Fieldwork was completed on May 9, 2021.

Date of Plat/Map: **October 15, 2021**

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED, VIEWED, OR RELIED UPON AS A FINAL SURVEY DOCUMENT October 15, 2021

John H. Barton III, RPLS# 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
GARDENIA AND 380 ADDITION
LOT 1, BLOCK A
3.141 ACRES SITUATED IN THE
JOSE GONZALEZ SURVEY, ABSTRACT #447
AN ADDITION IN THE E.T.J. OF THE TOWN OF LITTLE ELM
DENTON COUNTY, TEXAS
PREPARED JUNE 17, 2021



5200 State Highway 121
Colleyville, TX 76034
Phone: 817-488-4960

SURVEYOR
BARTON CHAPA SURVEYING, LLC
JOHN H. BARTON, III RPLS# 6737
5200 STATE HIGHWAY 121
COLLEYVILLE, TX 76034
(817) 864-1957
JACK@BCSDFW.COM

OWNER
MARUSHI PROPERTIES, LLC
11704 S. BRADEN AVENUE
TULSA, OKLAHOMA 74137
CONTACT: RUSHI B. MASTER
RMASTERDOS@YAHOO.COM

DEVELOPER
FIRST INFRA, LLC
1925 E. BELTLINE ROAD
CARROLLTON, TX 75006
CONTACT: BHARATH NANDIGAM
408.992.5558
BHARATH@FIRSTINFRA.LLC

JOB NO. 2021.001.189

DRAWN: BCS

CHECKED: JHB

TABLE OF REVISIONS

DATE SUMMARY

LOT 1, BLOCK A
GARDENIA AND
380 ADDITION

E.T.J. OF THE
TOWN OF LITTLE
ELM
DENTON COUNTY
TEXAS

SHEET: