



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

February 3, 2022

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. **Emergency Notice Regarding Public Participation and
Planning & Zoning Commission/Town Staff Attendance
Due to Winter Storm**

Due to the winter storm anticipated to impact the Town of Little Elm and surrounding areas, and the unsafe road and travel conditions anticipated to occur due to the winter storm, the Planning and Zoning Commission has opted, as allowed by Texas Government Code Sections 551.125 and 551.127, to conduct its regularly scheduled Planning and Zoning Commissioner Meeting of February 3, 2022, through remote means. This will allow (1) the Planning and Zoning Commission members and Town employees to participate in a Planning and Zoning meeting via videoconference call or other remote electronic means without a physical quorum of the Planning and Zoning Commission members being present at the site of the meeting; and (2) the use of videoconferencing and other remote means to allow the public to observe the meeting and, when required, to participate in the public meeting.

For the February 3, 2022, Planning and Zoning Commission meeting, individuals will be able to address the Commission on any topic through submission of the web form below. Forms received will be recorded into the record and be given to the Commission

To access the videoconference online, follow these instructions:

- To join the Zoom meeting, click: <https://us06web.zoom.us/j/81298615053>
- To view the live stream meeting, click <https://www.littleelm.org/1258/Agendas-Minutes-Videos>

Pursuant to Section 551.007 of the Texas Government Code, individuals wishing to address the Commission for items listed as public hearings will be recognized when the public hearing is opened. For individuals wishing to speak on a non-public hearing item, they may address the Commission by submitting the online form at the following link: <https://www.littleelm.org/FormCenter/Development-Services-9/LE-Planning-Zoning-Commission-Speaker-Re-88>

Individuals who wish to speak to the Commission directly must register prior to the meeting. Please include in the comment box that you will be logging onto the meeting through the Zoom link above to speak to the Planning & Zoning Commission. If you have any questions, please email bsalvesen@littleelm.org.

Note: A physical quorum of the P&Z Planning and Zoning Commission will not be present during the meeting as the entire meeting will be conducted remotely as permitted by state law in emergency situations.

2. **5:30 PM Work Session**

3. **Roll Call**

4. **6:00 PM Regular Meeting**

1. Discuss and take action regarding the approval of the January 20, 2022 regular Planning and Zoning Commission meeting minutes.

2. 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 on approximately 3.887 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.
 - Staff Report
 - Applicant Presentation
 - Discussion and Recommendation
3. RELIMINARY PLAT/Lakeside Shops and Business Park (PP-21-07426) Presentation, discussion, and consideration on a request for approval of a Preliminary Plat for Lakeside Shops and Business Park, establishing Block A, Lots 1 and 2, on approximately 5.006 acres, situated in the David M. Cule Survey, Abstract No. 226, within Little Elm's Town limits.
 - Staff Report
 - Applicant Presentation
 - Discussion and Recommendation
4. PRELIMINARY PLAT/ Spiritas East Commercial Tract (PP-22-00226). Presentation, discussion, and consideration on a request for approval of a Preliminary Plat for Spiritas East Planned Development, establishing three commercial lots on approximately 5.355 acres, situated in the Marsella Jones Survey, Abstract No. 662, within Little Elm's Town limits.
 - Staff Report
 - Applicant Presentation
 - Discussion and Recommendation
5. FINAL PLAT/ Alta 380 (FP-22-00117). Presentation, discussion, and consideration on a request for approval of a Final Plat for Alta 380, establishing 11 lots on approximately 30.853 acres, situated in the Marsella Jones Survey, Abstract No. 662, within Little Elm's Town limits.
 - Staff Report
 - Applicant Presentation
 - Discussion and Recommendation
6. SUBDIVISION VARIANCE/Witt Road (VAR-21-06705). Presentation, discussion, and consideration on a request for a Variance from Section 107 - Subdivision Ordinance, for CEC Witt Addition on approximately 1.385 acres, situated in the H. KENDAL SURVEY, Abstract No. 713, within Little Elm's town limit, in order to allow a two-year grace period for requirements listed in Section 107.08.01 (b) - Adequate Public Facilities
 - Staff Report
 - Applicant Presentation
 - Discussion and Recommendation
7. PUBLIC HEARING/ Hardwicke EDC Rezoning (Z-22-00287) Presentation, discussion, public hearing, and consideration of a request to rezone approximately .344 acres at 108 Hardwicke Lane, legally known as Lot 11, Block H, Little Elm Townsite from Single Family A1 (A1) to Lakefront District (LF).
 - Staff Report/Applicant Presentation
 - Open Public Hearing
 - Receive Public Comment
 - Close Public Hearing
 - Discussion and Recommendation
8. PUBLIC HEARING/ Providence Commons PD (PD-21-05005). Public hearing, discussion, and take action on a recommendation regarding a request to rezone approximately 9.8 acres of land, in order to establish a new Planned Development district based on Single Family 4 (SF-4) with modified development standards, to allow the development of a new single family residential subdivision.
 - Staff Report/Applicant Presentation
 - Open Public Hearing
 - Receive Public Comment
 - Close Public Hearing
 - Discussion and Recommendation
9. PUBLIC HEARING/ US380 & 2931 Planned Development (PD-21-07422). Presentation, discussion, public hearing, and take action on a request to rezone approximately 19.151 acres of land, currently zoned as Planned Development (Ordinance No. 1589), in order to establish a new Planned Development district based on Light Commercial (LC), to allow a new commercial development with modified uses and development standards.
 - Staff Report/Applicant Presentation
 - Open Public Hearing
 - Receive Public Comment
 - Close Public Hearing

- Discussion and Recommendation

5. **Discussion of future agenda items, update on Council action, and requests for new business considerations**
6. **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 by January 31, 2022, 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

02/03/2022

OVERVIEW

Project	Adoption of the January 20, 2022 Planning & Zoning Commission Meeting Minutes
P&Z Hearing	02/03/2022
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 January 20, 2022 regular Planning and Zoning Commission meeting minutes.

Location

N/A

Planning Analysis

N/A

Recommended Action

N/A

Attachments

P&Z Minutes January 20, 2022

DRAFT



Minutes

Town of Little Elm

PLANNING & ZONING COMMISSION

Regular Meeting

Thursday, JANUARY 20, 2022 - 7:00 pm

Present: Michael Bell, Chairman; Ron Trees, Vice Chairman; Stephen Horn, Commissioner; Robert Martin, Commissioner; Brent Thibeaux, Commissioner

Absent: Brian Rawlins, Commissioner; Brent Hagenbuch, Commissioner; Tom Ocelli, Commissioner; Danny Weakley, Commissioner

Staff Present: Fred Gibbs, Director of Development Services
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 6:00pm.

1. Discuss and take action regarding the approval of the January 6, 2022 regular Planning and Zoning Commission meeting minutes.

Chairman Bell requested that the questioning on the artwork at Shops at Lakefront be changed to reflect himself.

Motion: Approve January 6, 2022 Regular Planning and Zoning Commission Meeting minutes with change as requested by Chairman Bell.

Motion by Vice Chairman Ron Trees, seconded by Commissioner Robert Martin

AYE: Chairman Michael Bell, Vice Chairman Ron Trees, Commissioner Stephen Horn, Commissioner Robert Martin, Commissioner Brent Thibeaux

5 - 0 Passed - Unanimously

2. **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 on approximately 3.887 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.
- Staff Report
 - Applicant Presentation
 - Discussion and Recommendation

Staff presented the plat request. There were no questions for staff or the applicant.

Motion: Deny replat as presented by staff.

Motion by Commissioner Stephen Horn, seconded by Commissioner Brent Thibaux

AYE: Chairman Michael Bell, Vice Chairman Ron Trees, Commissioner Stephen Horn,
Commissioner Robert Martin, Commissioner Brent Thibaux

5 - 0 Passed - Unanimously

3. **PRELIMINARY PLAT/Lakeside Shops and Business Park (PP-21-07426)** Presentation, discussion, and consideration on a request for approval of a Preliminary Plat for Lakeside Shops and Business Park, establishing Block A, Lots 1 and 2, on approximately 5.006 acres, situated in the David M. Cule Survey, Abstract No. 226, within Little Elm's Town limits.
- Staff Report
 - Applicant Presentation
 - Discussion and Recommendation

Staff presented the preliminary plat request. There were no questions for staff or the applicant.

Motion: Deny preliminary plat as presented by staff.

Motion by Commissioner Robert Martin, seconded by Commissioner Brent Thibaux

AYE: Chairman Michael Bell, Vice Chairman Ron Trees, Commissioner Stephen Horn,
Commissioner Robert Martin, Commissioner Brent Thibaux

5 - 0 Passed - Unanimously

4. **FINAL PLAT/ Spiritas Ranch Phase 1L (FP-21-07425).** Presentation, discussion, and consideration on a request for approval of a Final Plat for Spiritas Ranch Phase 1L, establishing 109 residential lots and 4 common area lots on approximately 24.003 acres, situated in the Marsella Jones Survey, Abstract No. 662, within Little Elm's Town limits.
- Staff Report
 - Applicant Presentation
 - Discussion and Recommendation

Staff presented Final Plat request. There were no questions for staff or the applicant.

Motion: Approve with conditions as outlined by staff:

- Prior to recording the plat:
 1. Mustang SUD information regarding water and wastewater utilities (TYP) must be provided.
 2. The number of common lots must be revised to reflect the actual number of lots provided.
 3. Blocks must be identified with letters.
 4. Lot Breakdown under Plat Title must have a separate breakdown for the 4 common area lots with total acreage.
 5. Lot Table must be provided, showing all lots by blocks, with widths and total areas, inclusive of all X lots.
 6. Additionally, a separate chart notating each Common area lot with acreage.
 7. Block "A" in note 17 must be capitalized.

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

AYE: Chairman Michael Bell, Vice Chairman Ron Trees, Commissioner Stephen Horn,
Commissioner Robert Martin, Commissioner Brent Thibaux

5 - 0 Passed - Unanimously

5. **PRELIMINARY PLAT/Royal Court Addition (PP-21-07102).** Presentation, discussion, and consideration on a request for approval of a Preliminary Plat for Royal Court Addition, establishing 47 residential lots and 5 common area lots on approximately 8.52 acres, situated in the H. Kendall Survey, Abstract No. 713, within Little Elm's Town limits.
 - Staff Report
 - Applicant Presentation
 - Discussion and Recommendation

Staff presented the Preliminary Plat request. Per Commission direction, Staff changed the 6th condition to reflect an actual request to change the construction entrance to the same entrance as the future entrance. There were no additional questions for staff or the applicant.

Motion: Approve with conditions as presented by staff:

- Prior to recording the plat:
 1. Date of the plat must reflect the most recent, fully written out date of approved revisions.
 2. Signature block should state "Town Official" instead of "Planning and Zoning Commission Chairman."
 3. Plat Title must include the number of residential lots, common area lots, and proposed right-of-way dedication.
 4. Drainage calculations identify 24.06CFS; it's unclear as to where this number comes from. Provide clear documentation and references to the appropriate areas considered in calculation when submitting for SDV permit.
 5. Include appropriate and detailed calculations, including but not limited to, where the subdivision drainage system tie into existing storm sewer, capacity of the overall system, and for the proposed detention pond.
 6. Place construction entrance/exit in the future entrance to the subdivision.

Motion by Commissioner Brent Thibaux, seconded by Commissioner Robert Martin

AYE: Chairman Michael Bell, Vice Chairman Ron Trees, Commissioner Stephen Horn,
Commissioner Robert Martin, Commissioner Brent Thibeaux

5 - 0 Passed - Unanimously

6. **FINAL PLAT/Union Place Phase 2 (FP-21-07420).** Presentation, discussion, and consideration on a request for the approval of a Final Plat for Lots 4, 5, and 6 of Block C, and Right-of-Way dedication on approximately 4.604 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 the Final Plat request. There were no questions for staff or the applicant.

Motion: Approve Final Plat with conditions as presented by Staff:

- Prior to recording the plat
 1. Blank instrument numbers must be provided on all sheets.
 2. All appropriate standards notations must be listed as in the FP Checklist:
 1. All lots comply with the minimum size requirements of the zoning district.
 2. "This property may be subject to charges related to impact fees and the applicant should contact the Town regarding any applicable fees due."
 3. Full date of preparation, include the day, must be provided on all sheets.

Motion by Commissioner Brent Thibeaux, seconded by Commissioner Robert Martin

AYE: Chairman Michael Bell, Vice Chairman Ron Trees, Commissioner Stephen Horn,
Commissioner Robert Martin, Commissioner Brent Thibeaux

5 - 0 Passed - Unanimously

7. **FINAL PLAT/ Union Park Phase 7 (FP-21-07419).** Presentation, discussion, and consideration on a request for approval of a Final Plat for Union Park Phase 7, establishing 243 residential lots and 6 common area lots on approximately 79.734 acres, situated in the William Lumpkin Survey, Abstract No. 730, and the Thomas Navo Survey, within Little Elm's Town limits.
- Staff Report
 - Applicant Presentation
 - Discussion and Recommendation

Staff presented the Final Plat request. There were no questions for staff or the applicant.

Motion: Approve Final Plat with conditions as presented by staff:

- Prior to recording the Final Plat:
 1. Blank instrument numbers must be provided on all sheets.
 2. Wall maintenance is the responsibility of the HOA for walls exceeding 4' in height. Note must be revised on all sheets.
 3. Full date of preparation, include the day, must be provided on all sheets.
 4. Lot table, with a breakdown by block and lot, with lot sizes and widths, inclusive of X lots, must be provided.
 5. Pages 1-3 still reference 244 residential lots, from previous resubmittal. Must be revised on

all sheets.

Motion by Commissioner Robert Martin, seconded by Vice Chairman Ron Trees

AYE: Chairman Michael Bell, Vice Chairman Ron Trees, Commissioner Stephen Horn,
Commissioner Robert Martin, Commissioner Brent Thibaux

5 - 0 Passed - Unanimously

8. **SUBDIVISION VARIANCE/Witt Road (VAR-21-06705).** Presentation, discussion, and consideration on a request for a Variance from Section 107 - Subdivision Ordinance, for CEC Witt Addition on approximately 1.385 acres, situated in the H. KENDAL SURVEY, Abstract No. 713, within Little Elm's town limit, in order to allow a two-year grace period for requirements listed in Section 107.08.01 (b) - Adequate Public Facilities.
- Staff Report
 - Applicant Presentation
 - Discussion and Recommendation

Staff briefed the Commission that the applicant had requested to table the variance until the February 3rd, 2022 Regular Planning and Zoning Commission Meeting.

Motion: Table item until the February 3rd, 2022 Regular Planning and Zoning Commission Meeting.

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

AYE: Chairman Michael Bell, Vice Chairman Ron Trees, Commissioner Stephen Horn,
Commissioner Robert Martin, Commissioner Brent Thibaux

5 - 0 Passed - Unanimously

9. **PUBLIC HEARING/ Providence Commons PD (PD-21-05005).** Public hearing, discussion, and take action on a recommendation regarding a request to rezone approximately 9.8 acres of land, in order to establish a new Planned Development district based on Single Family 4 (SF-4) with modified development standards, to allow the development of a new single family residential subdivision.
- Staff Report/Applicant Presentation
 - Open Public Hearing
 - Receive Public Comment
 - Close Public Hearing
 - Discussion and Recommendation

Staff briefed the Commission that the applicant has requested to table the item until the February 3rd, 2022 Regular Planning and Zoning Commission Meeting.

Motion: Table item until the February 3rd, 2022 Regular Planning and Zoning Commission Meeting.

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

AYE: Chairman Michael Bell, Vice Chairman Ron Trees, Commissioner Stephen Horn,
Commissioner Robert Martin, Commissioner Brent Thibeaux

5 - 0 Passed - Unanimously

10. **PUBLIC HEARING/Spiritas East (PD-21-07137).** Public hearing, discussion, and take action on a recommendation regarding a request to rezone approximately 38.468 acres of land, generally located south of East University Drive (US 380), approximately 2,500 feet east of Providence Boulevard, in order to establish a new Planned Development district, to allow the development of a new single family residential subdivision in connection with the Spiritas Ranch Planned Development.
- Staff Report/Applicant Presentation
 - Open Public Hearing
 - Receive Public Comment
 - Close Public Hearing
 - Discussion and Recommendation

Staff presented the Planned Development request. There were no questions for Staff or the applicant.

Chairman Bell opened the public hearing at 6:20pm.

With no one indicating they wished to speak, Chairman Bell closed the public hearing at 6:20pm.

Motion: Approve Planned Development as presented by Staff.

Motion by Vice Chairman Ron Trees, seconded by Commissioner Robert Martin

AYE: Chairman Michael Bell, Vice Chairman Ron Trees, Commissioner Stephen Horn,
Commissioner Robert Martin, Commissioner Brent Thibeaux

5 - 0 Passed - Unanimously

11. **PUBLIC HEARING/ Eldorado Bend Planned Development (PD-21-03453).** Public hearing, discussion, and take action on a recommendation regarding a request to rezone approximately 5.79 acres of land, generally located at 1816 W Eldorado Parkway, in order to establish a new Planned Development district, to allow the development of a new single family residential subdivision.
- Staff Report/Applicant Presentation
 - Open Public Hearing
 - Receive Public Comment
 - Close Public Hearing
 - Discussion and Recommendation

Staff presented updates to the Planned Development request since it was last presented to the Commission.

John Barbee, the applicant gave a brief presentation noting the efforts taken to engage with Council members, neighbors, and Town Staff to ensure the new development would fit in with the area.

Commissioner Martin requested clarification on the revised lot numbers. John Barbee answered that previously there were 28 lots, now there will be 25.

Chairman Bell opened the public hearing at 6:26pm.

Kirk Anderson, 4100 Garden Way, voice concern over the number of lots, lot size, and traffic but admitted that based on what could go there he was will to accept the plan. His largest concern was to voice that he would prefer a masonry wall over a board on board fence that was presented.

The applicant let Mr. Anderson know that a Simtech wall will be used, which has the appearance of a masonry wall, and will disturb fewer trees when installed.

Chairman Bell closed the public hearing at 6:32pm.

Commissioner Horn wanted to voice his appreciation for the applicant's willingness to come and meet the Town's standards.

Chairman Bell had concern over the HOA being able to maintain features and future connectivity.

The Commission deliberated the revised proposal and determined that a compromise had been reached.

Motion: Approve the Planned Development as presented.

Motion by Commissioner Stephen Horn, seconded by Commissioner Brent Thibaux

AYE: Chairman Michael Bell, Vice Chairman Ron Trees, Commissioner Stephen Horn,
Commissioner Robert Martin, Commissioner Brent Thibaux

5 - 0 Passed - Unanimously

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

Hayden Brodowsky let the Commission know that he will be moving on to another career opportunity and thanked the commission for their support in his time here.

Staff also let the Commission know that the Lakefront Development is going along as planned, and the EDC will be submitting a rezoning request in line with the previous PD that was withdrawn. Additionally, the Council and P&Z workshop will be coming up soon.

5. **Adjourn**

Chairman Bell adjourned the meeting at 6:50pm.



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

02/03/2022

OVERVIEW

Project	REPLAT/Shawnee Trail (RP-21-03793)
P&Z Hearing	02/03/2022
Council Hearing	N/A
Size	3.887 acres
Current Zoning	Light Commercial (LC)
Proposed Use	Commercial
Existing Use	Under construction commercial development
Future Land Use Plan Designation	Commercial/Retail
Applicant	Venkat Papudippu, HRK Solutions
Owner	Venkat Papudippu, HRK Solutions
Strategic Goal	

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 on approximately 3.887 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.

- Staff Report
- Applicant Presentation
- Discussion and Recommendation

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.

Engineering.

The plat has been rejected for engineering review at this time for the following reason: the submittal package

did not include a response to comments and the original and revision dates are the same as submittal #2; it appears that most of the comments were not addressed.

Recommended Action

Staff recommends denial of the submitted Final Plat due to incorrect and/or missing information on the plat document, necessary for review and determination of compliance with standards in Section 107 - Subdivision Ordinance.

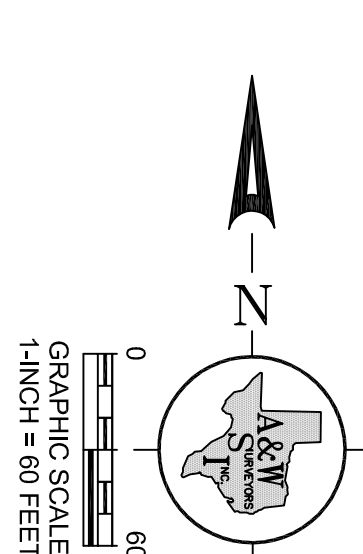
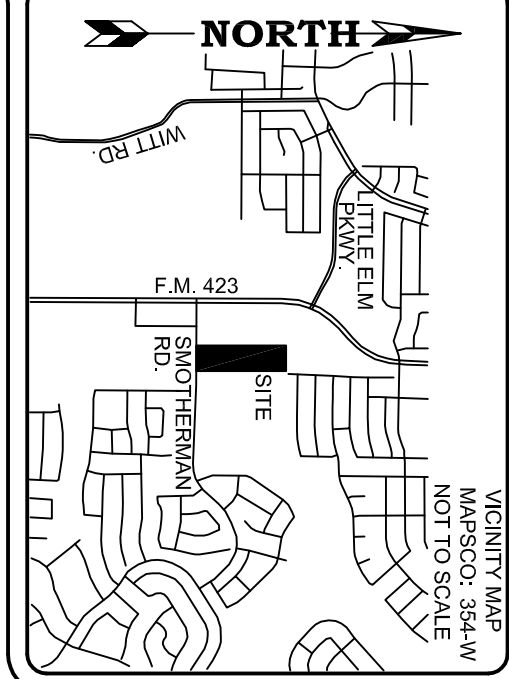
Outstanding comments include the following:

1. Provide response to comments with resubmittal
2. Notate any abandonments by this plat as "xx easement abandoned by this plat"
3. Comments are carried over from the 1st review.
 1. Per the FP Checklist, provide Final Plat Checklist (signed)
 2. Per the FP Checklist, provide Proof of ownership
 3. Per the FP Checklist, provide Copy of Title Commitment
 4. Per the FP Checklist, provide Existing FEMA 100-year floodplain boundaries with elevations listed
 5. Per the FP Checklist, provide Name, address, phone number, and email of preparer
 6. Per the FP Checklist, provide Name, address, phone number, and email of owner
 7. DE appears to cover only a portion of the storm sewer.
 8. Tax certificate shows 3.887 acres and the plat document shows 3.885 acres.
4. Provide a more detailed purpose statement listing out what is being established and what is being abandoned by this plat.
5. There is no Lot 2R associated with this replat. Any mention of Lot 2R must be removed from this plat.

This is the final denial for this plat request. In order to move forward, a new application will need to be filed with the Town.

Attachments

Plat Document



TOWN OF LITTLE ELM NOTES

- 1) All lots comply with the minimum size requirements of zoning district.
- 2) This property may be subject to changes related to impact fees and the applicant should contact the Town regarding any applicable fees due.
- 3) All common areas will be owned and maintained by the HOA/POA.
- 4) Notice - selling a portion of the addition by notes and bonds is a violation of town subdivision Ordinance and Planning Studies and is subject to fines and withholding of utilities and building permits.
- 5) This plot does not alter or remove existing deed restrictions, if any, on this property.
- 6) Minimum finished floor elevations are at least 2 feet above the 100 year flood plain.
- 7) The purpose of this plot is to add the lane and new easements.

OWNER'S CERTIFICATE

WHEREAS HeGrally is the sole owner of a tract of land located in the CHRISTIAN BOHMAN SURVEY, Abstract No. 86, Town of Little Elm, Denton County, Texas, and being Lot 1, Block A, of Shawnee Trail Church of Christ addition, an addition to the Town of Little Elm, Denton County, Texas, according to the plat thereof recorded in Cadwallar V. Page 585, Denton County, Texas, and being the survey of said tract and described as listed to said HeGrally, Denton County, Texas, and being more particularly described as follows:

STATE OF TEXAS
COUNTY OF DALLAS

I, THAI L. A&W Surveys, Inc., do hereby certify that I prepared this Plat from an actual survey on the land and that the corner monuments shown thereon were found and/or properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the Town of Little Elm, Texas.

Witness my hand at Mesquite, Texas,
This _____ day of _____, 20____.

SURVEYOR'S CERTIFICATE

John S. Turner
Registered Professional Land Surveyor #5310

[illegible]

maintaining, and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone.

WITNESS MY HAND, THIS _____ DAY OF _____, 20____

HRK Realty, LLC	Owner
STATE OF TEXAS	

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this _____ day personally appeared, _____, known to me to be the person whose name

subscribed to the foregoing instrument, and acknowledged for the purposes and considerations therein expressed.

Notary Public in and for The State of Texas

CRESTRIDGE DRIVE
EAST DULUTH, MINN.

(30 RIGHT-OF-WAY,

**BLOCK J,
LDORADO ESTATES PHASE
CAB. V, PG. 830, P.R.D.C.T.**

CAB. V, PG. 830, P.R.D.C.T.

LOT 4, BLOCK 1,
LITTLE ELM LANDSCAPE CENTER
CAB. W, PG. 708,
P.R.D.C.T.

SURVEYOR'S NOTES

1. ALL 1/2" IRON RODS SET WITH A YELLOW PLASTIC CAP STAMPED "RHS 5305".
2. ALL COORDINATES SHOWN ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES. NO SCALE AND NO PROJECTION.
3. IT IS THE RESPONSIBILITY OF EACH BUILDER TO DESIGN AND CONSTRUCT THE FOUNDATION, GRADING, AND DRAINAGE HEREON IN ACCORDANCE WITH THE CITY OF HOUSTON ORDINANCES, WHICH WILL CONVEY SURFACE WATER, WITHOUT PONDING IN THE LOT OR UNDER THE STRUCTURE, FROM ITS STRUCTURE TO THE DRAINAGE SYSTEM CONSTRUCTED BY THE SUBDIVISION DEVELOPER.

CURVE	DELTA	CURVE LENGTH	CH BEARD	CH/OZD	
C1	22.1411	30.01	11.86	19.57/16	11.28
C2	21.14137	30.01	10.98	18.93/16	11.56
C3	90.00007	8.07	12.57	14.65/16	11.31
C4	90.00007	8.07	12.57	14.65/15.94	11.31
C5	90.07357	30.01	23.52	52.57/15.92	22.24
C6	44.27522	30.01	23.56	52.72/15.92	22.70
C7	90.00007	30.01	47.12	146.5/15.91	14.48
C8	90.00001	30.01	47.12	146.5/15.90	14.48
C9	44.14211	30.01	23.16	52.2/15.92	22.58
C10	89.93956	15.01	23.56	54.5/15.94	21.21
C11	89.93956	15.01	23.56	54.5/15.91	21.21
C12	89.93956	15.01	23.56	54.5/15.92	21.21
C13	89.91505	15.01	23.37	54.4/15.93	21.07

FLOOD ZONE

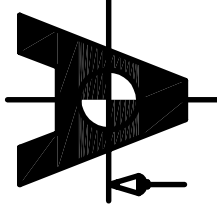
This is to certify that a portion of the subject property shown hereon within the 100 Year Flood Hazard Area as shown on the Flood Insurance Rate Map, Community Panel No. 48121C 0420G, dated 04-18-11, as affected by Letter of Map Amendment, under Case No 12-06-4054-P, dated August 19, 2013.

		LINE	LENGTH	BEARING	LINE TABLE
12	523.37	N 50° 01' 54" W			
13	524.44	N 80° 00' 01" E			
14	523.50	N 50° 01' 52" E			
15	467.55	N 0° 01' 50" E			
16	462.47	S 80° 00' 01" E			
17	467.26	S 50° 01' 50" E			
18	467.26	S 50° 01' 54" E			
19	53.00	S 80° 00' 01" E			
20	53.00	N 50° 01' 54" N			
21	523.50	S 80° 00' 01" E			
22	523.50	N 50° 01' 54" W			
23	12.57	N 80° 00' 01" E			
24	12.57	N 50° 01' 54" W			
25	11.12	N 80° 00' 01" E			
26	11.12	N 50° 01' 54" W			
27	12.57	S 80° 00' 01" E			
28	12.57	S 50° 01' 54" E			
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LEGEND

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
C.M.	Controlling Monument
VOL.	Volume
PG.	Page
1/2" IRF	1/2-inch iron rod found
CAB.	Cabinet
P.O.B.	Place of Beginning



A&W SURVEYORS, INC.
Professional Land Surveyors
TEXAS REGISTRATION NO. 100174-00
P. O. BOX 870029, MESQUITE, TX. 75187
PHONE: (972) 681-4975 FAX: (972) 681-4954
WWW.AWSURVEY.COM

THIS PLAT FILED IN CABINET _____, PAGE _____

3.865 ACRES OF LAND
AN ADDITION TO THE TOWN OF LITTLE ELM
DENTON COUNTY, TEXAS
CHRISTIAN BOHRMANN SURVEY, ABSTRACT 8

REPLAT
SHAWNEE TRAIL CHURCH OF
CHRIST ADDITION
BLOCK A, LOTS 1R, AND 2R

CERTIFICATE OF APPROVAL

Approved by the Town of Little Elm on
the _____ day of _____, 20____

Town Official

ATTEST:

Town Secretary

~ PROPERTY ADDRESS: 25675 & 25663 Smootheman Rd., Little Elm, TX 75033 ~

Owner: HRK Realty, LLC
~ 8479 Kara Creek Rd, Ftisico, TX 75034 ~

Job No.: 18-1047	Drawn by: 517	Date: 06-06-2018	Revised: 7-8-21, 8-6-21
------------------	---------------	------------------	-------------------------

"A professional company operating in your best interest"



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

02/03/2022

OVERVIEW

Project	PRELIMINARY PLAT/Lakeside Shops and Business Park (PP-21-07426)
P&Z Hearing	02/03/2022
Council Hearing	N/A
Size	5.006 acres
Current Zoning	Planned Development
Proposed Use	Commercial
Existing Use	Undeveloped Land
Future Land Use Plan Designation	Commercial/Retail
Applicant	Dan Kelleher
Owner	Hackberry Business Park LLC
Strategic Goal	

Agenda Item

RELIMINARY PLAT/Lakeside Shops and Business Park (PP-21-07426) Presentation, discussion, and consideration on a request for approval of a Preliminary Plat for Lakeside Shops and Business Park, establishing Block A, Lots 1 and 2, on approximately 5.006 acres, situated in the David M. Cule Survey, Abstract No. 226, within Little Elm's Town limits.

- Staff Report
- Applicant Presentation
- Discussion and Recommendation

Location

Generally located on the north side of Old State Highway 24, approximately 300 feet east of FM 720 and 300 feet from West Eldorado Parkway, within Little Elm Town limits.

Planning Analysis

This is a Preliminary Plat for Lakeside Shops and Business Park. The Preliminary Plat establishes two lots of record from two existing tracts of land, and dedicates easements necessary for site development.

The purpose of the Preliminary Plat is to determine the general layout of the lots and blocks of a proposed subdivision to determine the adequacy of public facilities needed to serve the intended development and overall compliance with the Codes of Little Elm, including but not limited to the Zoning Ordinance, Thoroughfare Plan, and Comprehensive Plan.

Engineering.

The plat has been rejected for engineering review at this time for the following reason: outstanding engineering and fire comments, necessary for review and determination of compliance with Section 107 - Subdivision Ordinance, have not been addressed. Outstanding comments include the following:

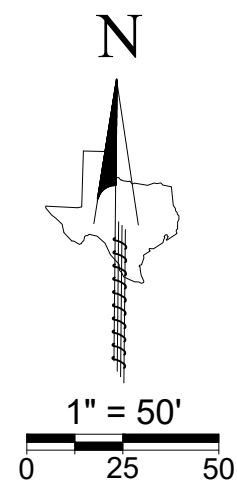
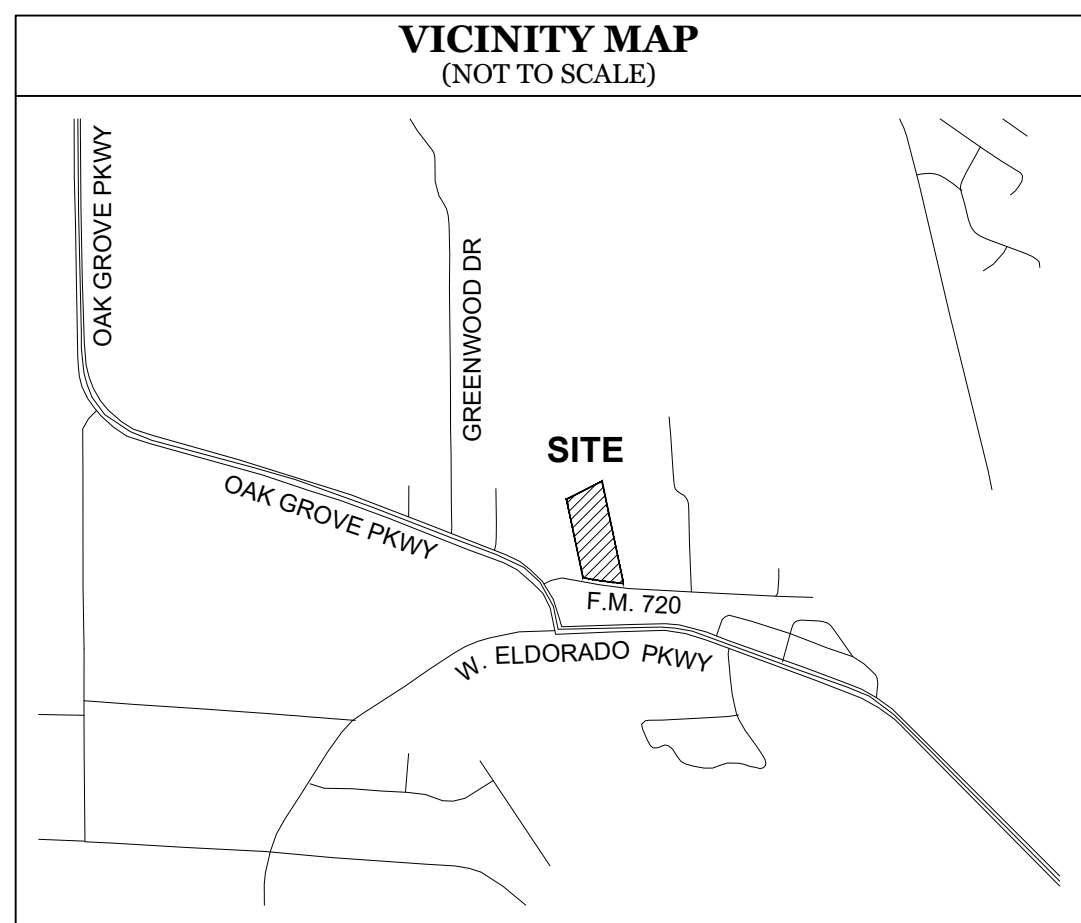
1. Per PP Checklist, provide a preliminary drainage plan.
2. Per PP Checklist, provide a preliminary utility plan.
3. Per PP Checklist, provide a traffic impact checklist. Please note that a traffic impact analysis will be required.
4. To ensure fire lane compliance, need to identify where future buildings will be placed on the back lot.
5. Combined acreage of the two existing tracts of land, as provided on the tax certificates, does not total 5.006 acres.
6. Provide Existing zoning of the subject property and adjacent lots.

Recommended Action

Applicant has requested an extension in order to allow additional time to address the outstanding comments. Staff recommends approval of the extension request.

Attachments

Plat Document



GENERAL NOTES

1. The purpose of this plat is to create two (2) lots of record from two (2) existing tracts of land, and to dedicate easements for site development.
2. The subject property does not lie within a 100 year floodplain according to Community Panel No. 48121C0415G, dated April 18, 2011 of the National Flood Insurance rate Maps for Denton County, Texas.
3. The grid coordinates shown on this plat are based on GPS observations utilizing the AllTerra RTK Network - North American Datum of 1983 (Adjustment Realization 2011).
4. 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.
5. All interior property corners are marked with a 1/2-inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" unless noted otherwise.
6. The bearings shown on this plat are based on GPS observations utilizing the AllTerra RTK Network - North American Datum of 1983 (Adjustment Realization 2011).
7. This property may be subject to charges related to impact fees and the applicant should contact the Town regarding any applicable fees due.
8. All common areas will be owned and maintained by the HOA/POA.
9. All lots comply with the minimum size requirements of the zoning district.
10. This plat does not alter or remove existing deed restrictions, if any, on this property.

LEGEND

■	UTILITY POLE
⊙	STORM DRAIN MANHOLE
✕	WATER VALVE
◆	FIRE HYDRANT
⊗	WATER METER
□	UTILITY VAULT
P.O.B.	POINT OF BEGINNING
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
D.C. NO.	DOCUMENT NUMBER
P.R.D.C.T.	PLAT RECORDS, DENTON COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS, DENTON COUNTY, TEXAS
O.R.D.C.T.	OFFICIAL RECORDS, DENTON COUNTY, TEXAS
R.P.R.D.C.T.	REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS
— — — — —	WIRE FENCE
— OHV —	OVERHEAD UTILITIES

CURVE TABLE					
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	320.48'	2819.79'	6°30'43"	N 81°51'10" W	320.31'

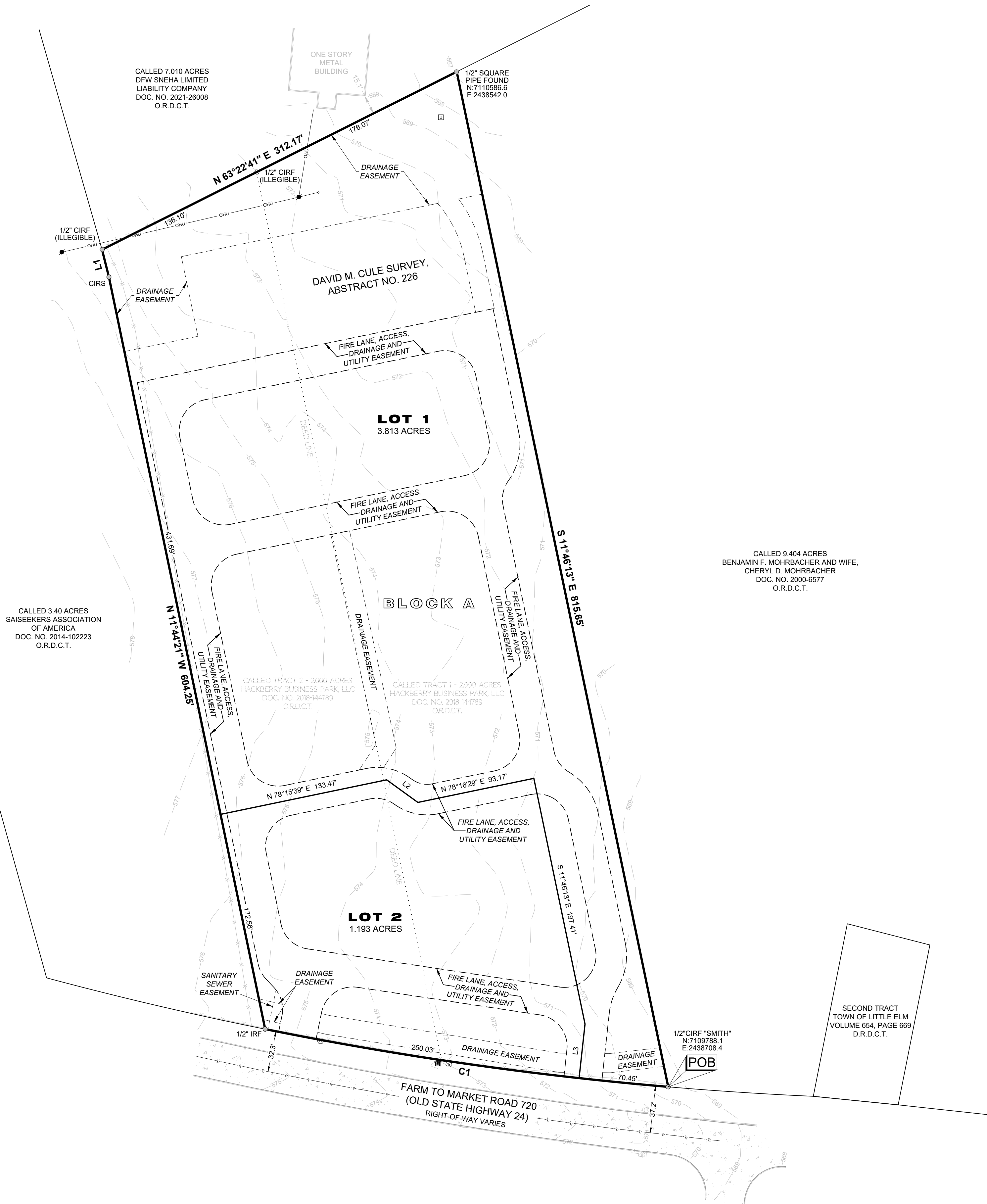
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 14°08'58" W	22.29'
L2	S 54°07'58" E	30.30'
L3	S 06°14'52" W	42.79'

Project	2108.006-03	 EAGLE SURVEYING, LLC 210 S. Elm Street, Suite: 104 Denton, TX 76201 (940) 222-3009 TX Firm #10194177
Date	12-20-2021	
Drafter	CHM	

SURVEYOR
Eagle Surveying, LLC
Contact: Tyler Rank
210 S. Elm Street, Suite: 104
Denton, TX 76201
(940) 222-3009

ENGINEER
Marshall Gage, LLC
Contact: Scott Caruthers, P.E.
207 E. Virginia, Suite: 216
McKinney, TX 75069
(972) 542-9018

OWNER
Hackberry Business Park, LLC
P.O. Box 1217
Frisco, TX 75034



OWNER'S CERTIFICATE & DEDICATION

STATE OF TEXAS
COUNTY OF DENTON

WHEREAS, **HACKBERRY BUSINESS PARK, LLC**, is the owner of a 5.006 acre tract of land out of the DAVID M. CULE SURVEY, ABSTRACT NUMBER 226, situated in the Town of Little Elm, Denton County, Texas and being all of a called Tract 1 - 2.990 acre tract of land and all of a called Tract 2 - 2.000 acre tract conveyed to Hackberry Business Park, LLC by deed of record in Document Number 2018-144789 of the Official Records of Denton County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING, at a 1/2 inch iron rod with yellow plastic cap stamped "JE SMITH" found in the curving North right-of-way line of Farm to Market Road 720 (right-of-way varies), being the Southwest corner of a called 9.904 acre tract of land conveyed to Benjamin and Cheryl Mohrbacher by deed of record in Document Number 2000-6577 of said Official Records, also being the Southeast corner of said 2.990 acre tract and hereof;

THENCE, along the curving North right-of-way line of Farm to Market Road 720, being in part, the common South line of tract 2.990 acre, tract, and in part, the common South line of tract 2.000 acre tract, along a non-langent curve to the right, having a radius of 2819.79 feet, a chord bearing of N81°51'01"W, a chord length of 320.31 feet, a delta angle of 06°30'43", an arc length of 320.48 feet to a 1/2 inch iron rod found at the Southeast corner of a called 3.340 acre tract of land conveyed to Saiseekers Association of America by deed of record in Document Number 2014-102223 of said Official Records, being the Southwest corner of tract 2.000 acre tract and hereof;

THENCE, leaving the North right-of-way line of Farm to Market Road 720, along the East line of said 3.40 acre tract and the common West line of said 2.000 acre tract, the following two (2) courses and distances:

1. N11°44'21"W, a distance of 604.25 feet to a 1/2 inch iron rod with green plastic cap stamped "EAGLE SURVEYING" set;
2. N14°08'58"W, a distance of 22.29 feet to a 1/2 inch iron rod with unreadable orange plastic cap found in the South line of a called 7.010 acre tract of land conveyed to DFW Sneha Limited Liability Company by deed of record in Document Number 2021-26008 of said Official Records, being the Northwest corner of said 2.000 acre tract and hereof;

THENCE, N63°22'24"E, leaving the East line of said 3.40 acre tract, along the South line of said 7.010 acre tract, being in part, the common North line of said 2.000 acre tract, and in part, the common North line of said 2.990 acre tract, passing at a distance of 136.10 feet the 1/2 inch iron rod with illegible yellow plastic cap found at the Northwest corner of said 2.990 acre tract, being the Northeast corner of said 2.000 acre tract, and continuing for a total distance of 176.07 feet to the 1/2 inch iron square pipe found at the Northwest corner of said 9.404 acre tract, being the Northeast corner of said 2.990 acre tract and hereof;

THENCE, S11°46'13"E, leaving the South line of said 7.010 acre tract, along the West line of said 9.404 acre tract, being the common East line of said 2.990 acre tract, a distance of 815.65 feet to the **POINT OF BEGINNING** and containing an area of 5.006 Acres, or (218,052 Square Feet) of land, more or less.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS.

THAT, HACKBERRY BUSINESS PARK, LLC, does hereby adopt this plat, designating herein described property as **LAKESIDE SHOPS AND BUSINESS PARK**, an addition to the Town of Little Elm, Denton County, Texas, and does hereby dedicate to public use forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purpose and consideration therein expressed. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the drainage and utility easements as shown. Said drainage and utility easements being hereby reserved for the mutual use and accommodation of all public utilities desiring to use same. And any and all public utility shall have the right to remove and keep removed all or parts of any improvements or growths or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on the drainage and utility easement and all public utilities shall at all times have the full right of ingress and egress to or from and upon the said drainage and utility 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.

OWNER: HACKBERRY BUSINESS PARK, LLC, a Texas liability company

BY: _____
Authorized Agent

Date

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, the undersigned authority, 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 executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this _____ day of _____, 20____.

Notary Public in and for the State of Texas

CERTIFICATE OF SURVEYOR

STATE OF TEXAS
COUNTY OF DENTON

I, **MATTHEW RAABE**, Registered Professional Land Surveyor, do hereby certify that this plat was prepared from an actual survey made on the ground and that the monuments shown hereon were found or placed with 1/2-inch iron rods with green plastic caps stamped "EAGLE SURVEYING" under my direction and supervision in accordance with the current provisions of the Texas Administrative Code and the Ordinances of the Town of Little Elm, Denton County, Texas.

PRELIMINARY

this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

Matthew Raabe, R.P.L.S. #6402	Date
-------------------------------	------

STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, the undersigned authority, on this day personally appeared **MATTHEW RAABE**, 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 considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this _____ day of _____, 20____.

Notary Public in and for the State of Texas

PAGE 1 OF 1

PRELIMINARY PLAT
**LAKE SIDE SHOPS AND
BUSINESS PARK**
LOTS 1 & 2, BLOCK A

BEING 5.006 ACRES OF LAND OUT OF THE
DAVID M. CULE SURVEY, ABSTRACT NO. 226
TOWN OF LITTLE ELM, DENTON COUNTY, TEXAS

SCALE: 1" = 50'



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

02/03/2022

OVERVIEW

Project	PRELIMINARY PLAT/ Spiritas East Commercial Tract (PP-22-00226)
P&Z Hearing	02/03/2022
Council Hearing	N/A
Size	5.355 acres
Current Zoning	Agriculture (AG)
Proposed Use	Retail/Commercial
Existing Use	Vacant
Future Land Use Plan Designation	Retail/Commercial
Applicant	Jim Nichols, Barraza Consulting Group, LLC
Owner	MM Little Elm 43, LLC
Strategic Goal	

Agenda Item

PRELIMINARY PLAT/ Spiritas East Commercial Tract (PP-22-00226). Presentation, discussion, and consideration on a request for approval of a Preliminary Plat for Spiritas East Planned Development, establishing three commercial lots on approximately 5.355 acres, situated in the Marsella Jones Survey, Abstract No. 662, within Little Elm's Town limits.

- Staff Report
- Applicant Presentation
- Discussion and Recommendation

Location

Generally located on the south side of US 380, approximately 3,000 feet east of Providence Blvd.

Planning Analysis

This is a Preliminary Plat for Spiritas East Commercial Tract, the commercial component of the overall Spiritas East Development, recently approved through the Spiritas East Development Agreement. The Preliminary Plat established three commercial lots on approximately 5.355 acres and dedicates right-of-way easement.

The purpose of the Preliminary Plat is to determine the general layout of the lots and blocks of a proposed subdivision to determine the adequacy of public facilities needed to serve the intended development and overall compliance with the Codes of Little Elm, including but not limited to the Zoning Ordinance, Thoroughfare Plan, and Comprehensive Plan.

Engineering.

Staff has reviewed the submitted plat documents and made the determination that the submittal does not fully meet the requirements of Section 107 - Subdivision Ordinance. The outstanding items are outlined in the engineer's review letter.

Recommended Action

Applicant has requested an extension in order to allow additional time to address the outstanding comments. Staff recommends approval of the extension request.

Attachments

Engineer Review

Plat Document with Comments



ENGINEERING DEPARTMENT

100 W. Eldorado Parkway | Little Elm, TX 75068

214-975-0470

Second Floor Town Hall

January 12, 2022

Barraza Consulting Group, LLC
Attention: Matt Clark, PE
801 East Campbell Road, Suite 650
Richardson, TX 75081

Re: Spiritas East Commercial Preliminary Plat Review #1

Mr. Clark,

As the Town's review engineer, Cobb, Fendley & Associates, Inc. (CobbFendley) has reviewed the following plat for compliance with Town of Little Elm requirements.

Development: Spiritas East Commercial
Town Project #: PP-22-00226

Plat Review: 1st Submittal
Plat Received: January 5, 2022
Plat Date: January 4, 2022

This review does not relieve the design engineer, developer, and / or contractor from meeting all Town of Little Elm, Denton County, TCEQ, TxDOT, TDLR, and other state and federal requirements that apply to this project that may or may not have been identified through this review.

CobbFendley has summarized our review comments along with any comments from the Town of Little Elm staff on the following pages. The submitting engineer / developer should address the following comments prior to plat approval.

I look forward to working with you on receiving approval for this development. If you have any questions, feel free to call at 972.335.3214 or email at pmistry@cobbhendley.com.

Sincerely,
COBB, FENDLEY & ASSOCIATES, INC.

A handwritten signature in blue ink that reads "Priya Mistry".

Priya Mistry, P.E.
Municipal Infrastructure



Town of Little Elm

Summary of Engineering Review Comments

Date: January 12, 2022
 Plan Review : Preliminary Plat Review #1
 Received: January 5, 2022
 Plan Date: January 4, 2022
 Development: Spiritas East Commercial Preliminary Plat

Town Project #: PP-22-00226

Prepared by: PM

All comments on Plan Review Set and Summary of Review Comment form must be addressed. Summary of Review Comment form may NOT be all inclusive of comments made directly on the Plan Review Set.

PDF Page No. (may not correspond to Sht # Label)	Comments	Response (See Note)	Explanation
GENERAL	Reference markups for clarifications and any additional comments/questions that may not be specifically identified here.		
2	Review vicinity map and ensure street names are accurately depicted and named. Similarly for Spiritas East plat.		
2	Appears there is some pieces of an existing building. Ensure location of existing structures, as well as any existing lots, blocks, building lines, water courses, ravines, bridges, and culverts are shown. [PP Checklist] Ensure this is also shown on the Spiritas East plat.		
2	Include the lots, streets, easements etc. associated with the Spiritas East subdivision development, and within adjacent properties.		
2	Include appropriate drainage, water, fire lane, etc. easements. This information may become more clear during the SDV process.		
2	Include appropriate Lot/Block numbers [PP Checklist]		
2	Update with full date - include the day.		
2	Update to reflect note as written in the PP Checklist		
4	Flow direction arrows indicate this area drains both east and west. Please revise and subdivide drainage area as needed.		
4 to 7	C-factor was not used for drainage area S. Revise computations to be consistent throughout plan set.		
7	Please display preliminary proposed grading contours on this sheet to confirm proposed drainage area boundaries.		
8	These drainage structures/pipes will require DE, as well as any additional storm that is designed for the commercial sites, and will need to be shown on the plat. This may become more clear during the SDV process.		
9 to 12	If there are 3 or more taps, the commercial properties will require a 12" looped line [Fire Code]		
9 to 12	Ensure utility meets MSUD requirements		
9 to 12	Ensure easements are provided for offsite utilities		
9 to 12	Sheet does not show site specific utilities for the commercial lots. Is this information available at this time? Note that each lot will require detail design during the SDV process.		
13	Is there a different construction entrance for this commercial site?		

- Notes:**
1. Response: Appropriate response is Agree (Correction Made) or Disagree (Correction Not Made), Explanation Required.
 2. This form must be completed and returned with future submittals.
 3. **Failure to submit Completed Summary of Review Comments form will result in a delay of future plan sets being reviewed.**
 4. **Send all plan submittals directly to the Town of Little Elm**

Town of Little Elm
Engineering Review

1st Review

Comments by: Priya Mistry, P.E.
Cobb, Fendley & Associates, Inc.

Date of Review: January 12, 2022

PRELIMINARY DEVELOPMENT PLANS FOR

SPIRITAS EAST

COMMERCIAL

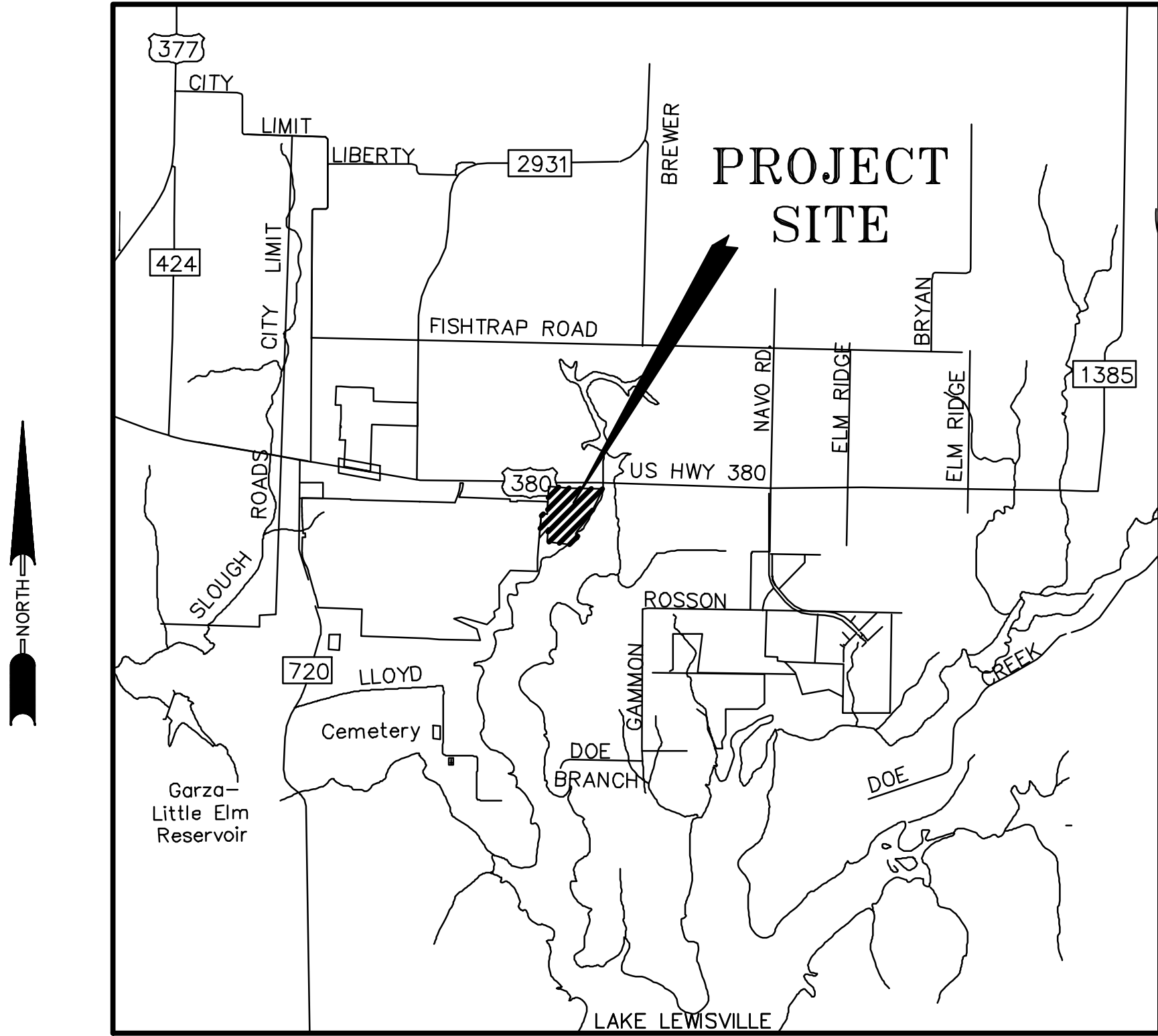
TOWN OF LITTLE ELM

DENTON COUNTY, TEXAS

TOWN PROJECT #: PP-22-00226

NOTE:

SPIRITAS RANCH IS A MASTER-PLANNED & PHASED DEVELOPMENT. THIS PRELIMINARY PLAT & PLAN SET SHOWS ANTICIPATED PHASING THAT IS SUBJECT TO CHANGE. PRELIMINARY ENGINEERING DRAWINGS ASSUME ENTIRE DEVELOPMENT IS CONSTRUCTED SIMULTANEOUSLY. PHASED ENGINEERING CONSTRUCTION PLANS WILL ADDRESS TEMPORARY CONDITIONS AND THE EDGE-CASES WHERE PHASES ABUT. THIS INCLUDES, BUT IS NOT LIMITED TO EROSION CONTROL MEASURES, PAVEMENT HEADERS, STORM HEADWALLS, WATER STUBS & SANITARY SEWER STUBS.



LOCATION MAP
N.T.S.

SHEET LIST TABLE	
SHEET NUMBER	SHEET TITLE
C0.0	COVER SHEET
C0.01	PRELIMINARY PLAT
C1.01	OVERALL PRELIMINARY PAVING PLAN
C2.01	EXISTING DAM
C2.02	OFFSITE EXISITNG DAM
C2.03	TC CALCULATIONS
C2.04	ULTIMATE CONDITIONS
C2.05	DRAINAGE PLAN
C3.01	OVERALL PRELIMINARY WATER PLAN
C3.02	OVERALL PRELIMINARY WATER PLAN
C4.01	OVERALL PRELIMINARY SANITARY SEWER PLAN
C4.02	OVERALL PRELIMINARY SANITARY SEWER PLAN
C5.01	OVERALL PRELIMINARY EROSION CONTROL PLAN
C6.01	OVERALL PRELIMINARY GRADING PLAN

OWNER:

MM LITTLE ELM 43, LLC
1800 VALLEY VIEW LANE, SUITE 300
DALLAS, TX 75234

CONTACT: JACK DAWSON

JACK@CENTURIONAMERICAN.COM

DEVELOPER:

CENTURION AMERICAN DEVELOPMENT GROUP
1800 VALLEY VIEW LANE, SUITE 300
DALLAS, TX 75234

CONTACT: JACK DAWSON

JACK@CENTURIONAMERICAN.COM

ENGINEER/SURVEYOR:



801 East Campbell Road
Suite 650, Richardson, TX 75081
Tel. No. 214-484-7055
TBPE Firm Lic. 20683
TBPLS Firm Lic. 10194538

Contact: Matt Clark, PE #123349
mclark@barraza-group.com

THIS DOCUMENT IS RELEASED
FOR REVIEW PURPOSES ONLY
UNDER THE AUTHORITY OF
MATTHEW C. CLARK, PE 123349

JANUARY 2022

S:\2019\2019017-E-Spiritas Ranch East\Survey\Plan\2019017-E-PP-commercial-tr.dwg 1/4/2022 4:43 PM —

OWNERS CERTIFICATE

STATE OF TEXAS §
COUNTY OF DENTON §

WHEREAS MM LITTLE ELM 43, LLC, is the owner of that certain tract of land situated in the Marsella Jones Survey, Abstract No. 662, in the Town of Little Elm, Denton County, Texas, and being part of that certain called 43.823 acre tract of land described in a Warranty Deed to MM Little Elm 43, LLC, a Texas limited liability company recorded in Instrument Number 2021-221320, of the Real Property Records of Denton County, Texas (RPRDCT), and being part of that certain tract of land described in deed to Robert G. Penley recorded in Volume 623, Page 106, of the Real Property Records of Denton County, Texas (RPRDCT), and part of that certain tract of land described in deed to Robert G. Penley and Faith Penley recorded in Volume 2210, Page 648, RPRDCT, and being more particularly described by metes and bounds as follows:

2.312 ACRE - TRACT NO. 1

BEING that certain tract of land situated in the Marsella Jones Survey, Abstract No. 662, in the Town of Little Elm, Denton County, Texas, and being part of that certain tract of land described in deed to Robert G. Penley recorded in Volume 623, Page 106, of the Real Property Records of Denton County, Texas (RPRDCT), and part of that certain tract of land described in deed to Robert G. Penley and Faith Penley recorded in Volume 2210, Page 648, RPRDCT, and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod with cap stamped "COBB-FENDLEY" found at the northeast corner of said Robert G. Penley tract, said iron rod also being located on the south right-of-way line of US Highway 380 (a variable-width right-of-way), and also being located on the west "take line" of Lake Lewisville;

THENCE North 88°16'39" West, with said south right-of-way line of US Highway 380, a distance of 938.43 feet to a concrete TXDOT monument found;

THENCE North 84°36'22" West, with said south right-of-way line of US Highway 380, a distance of 99.12 feet to the POINT OF BEGINNING of the hereon described tract, a 5/8-inch iron rod with cap stamped "BCG 10194538" set for corner;

THENCE departing said south right-of-way line of US Highway 380, and over and across said Robert G. Penley tract, the following courses to 5/8-inch iron rods with cap stamped "BCG 10194538" set for corner:

South 05°15'54" West, a distance of 200.74 feet;

North 84°22'49" West, a distance of 502.60 feet, said iron rod being located in the west line of a called 3-foot strip of land according to said Robert G. Penley tract recorded in Volume 2210, Page 648, RPRDCT;

THENCE North 03°11'21" East, with said west line of the called 3-foot strip of land, a distance of 191.42 feet to an aluminum TXDOT disk found for corner on said southerly right-of-way line of US Highway No. 380, said disk being the southwest corner of that certain tract of land described in deed to the State of Texas recorded in Volume 4308, Page 1681, RPRDCT;

THENCE South 88°31'59" East, with said southerly right-of-way line of US Highway No. 380 according to said deed to the State of Texas, a distance of 113.60 feet to a 5/8-inch iron rod with cap stamped "COBB-FENDLEY" found for corner at the east corner of said State of Texas tract;

THENCE South 84°30'58" East, continuing with said southerly right-of-way line of US Highway No. 380, said line according to deed to the State of Texas recorded in Volume 315, Page 504, RPRDCT, a distance of 194.05 feet to an aluminum TXDOT disk found for corner;

THENCE South 84°36'22" East, continuing with said southerly right-of-way line of US Highway No. 380 according to said State of Texas tract recorded in Volume 315, Page 504, RPRDCT, a distance of 202.13 feet to the POINT OF BEGINNING, and containing an area of 2.312 acres of land.

2.386 ACRE - TRACT NO. 2

BEING that certain tract of land situated in the Marsella Jones Survey, Abstract No. 662, in the Town of Little Elm, Denton County, Texas, and being part of that certain tract of land described in deed to Robert G. Penley recorded in Volume 623, Page 106, of the Real Property Records of Denton County, Texas (RPRDCT), and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod with cap stamped "COBB-FENDLEY" found at the northeast corner of said Robert G. Penley tract, said iron rod also being located on the south right-of-way line of US Highway 380 (a variable-width right-of-way), and also being located on the west "take line" of Lake Lewisville;

THENCE North 88°16'39" West, with said south right-of-way line of US Highway 380, said south line according to deed to the State of Texas recorded in Volume 315, Page 504, RPRDCT, a distance of 455.08 feet to the POINT OF BEGINNING of the hereon described tract;

THENCE departing said south right-of-way line of US Highway 380, and over and across said Robert G. Penley tract, the following courses to 5/8-inch iron rods with cap stamped "BCG 10194538" set for corner:

South 01°53'44" West, a distance of 209.31 feet;

North 87°10'23" West, a distance of 514.31 feet;

And North 05°15'54" East, a distance of 201.00 feet, said iron rod being located in said south right-of-way line of US Highway 380, from which a TXDOT Aluminum disk found bears North 84°36'22" West, a distance of 282.13 feet;

THENCE with the south right-of-way line of US Highway 380, the following courses:

South 84°36'22" East, a distance of 19.12 feet to a Concrete TXDOT Monument found for corner;

And South 88°16'39" East, a distance of 483.35 feet to the POINT OF BEGINNING, and containing an area of 2.386 acres of land.

0.657 ACRE - TRACT NO. 3

BEING that certain tract of land situated in the Marsella Jones Survey, Abstract No. 662, in the Town of Little Elm, Denton County, Texas, and being part of that certain tract of land described in deed to Robert G. Penley recorded in Volume 623, Page 106, of the Real Property Records of Denton County, Texas (RPRDCT), and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod with cap stamped "COBB-FENDLEY" found at the northeast corner of said Robert G. Penley tract recorded in Volume 623, Page 106, RPRDCT, said iron rod also being located on the south right-of-way line of US Highway 380 (a variable-width right-of-way), and also being located on the west "take line" of Lake Lewisville;

THENCE North 88°16'39" West with said south right-of-way line of US Highway 380, said south line according to deed to the State of Texas recorded in Volume 315, Page 504, RPRDCT, a distance of 233.52 feet to the POINT OF BEGINNING of the hereon described tract;

THENCE departing said south right-of-way line of US Highway 380, and over and across said Robert G. Penley tract, the following courses to a 5/8-inch iron rod with cap stamped "BCG 10194538" set for corner:

South 14°47'27" East, a distance of 5.08 feet;

South 11°51'34" East, a distance of 38.07 feet;

South 00°46'57" East, a distance of 14.90 feet;

South 12°02'26" West, a distance of 10.27 feet;

South 15°43'13" West, a distance of 5.97 feet;

South 37°47'16" West, a distance of 9.58 feet;

South 48°36'19" West, a distance of 10.43 feet;

South 54°02'19" West, a distance of 12.14 feet;

South 51°51'09" West, a distance of 24.67 feet;

South 43°25'46" West, a distance of 25.15 feet;

South 41°48'16" West, a distance of 45.80 feet;

South 41°38'43" West, a distance of 60.89 feet;

North 87°10'23" West, a distance of 52.86 feet;

And North 01°53'44" East, a distance of 210.27 feet to a corner located in said south right-of-way line of US Highway 380, from which a concrete monument found bears North 88°16'39" West, a distance of 533.35 feet;

THENCE South 88°16'39" East with said south right-of-way line of US Highway 380, a distance of 171.56 feet to the POINT OF BEGINNING, containing an area of 0.657 acres of land.

DEDICATION STATEMENT

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, MM Little Elm 43, LLC, a Texas Limited Liability Company, acting herein by and through its duly authorized officer, does hereby adopt this plat designating the herein above described property as Spiritas East Commercial, an Addition to the Town of Little Elm, Texas, and does 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 drain 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.

Witness my hand this ____ day of _____, 2022.

MM LITTLE ELM 43, LLC
A Texas Limited Liability Company

BY: MM LITTLE ELM 43, LLC
A Texas Limited Liability Company,
Its General Partner

BY: MEHRDAD MOAYEDI
Manager

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared MEHRDAD MOAYEDI, Manager of MM Little Elm 43, LLC, 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 ____ day of _____, 2022.

Notary Public in and for the State of Texas

My Commission Expires: _____

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, Jimmie D. Nichols, a Registered Professional Land Surveyor, hereby certify that this plat was prepared from an actual survey made on the ground of the land described hereon, and that the corner monuments shown hereon were properly found or placed under my personal supervision in accordance with the Town of Little Elm and Denton County Subdivision Rules and Regulations.

P R E L I M I N A R Y
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY
PURPOSE AND SHALL NOT BE USED OR VIEWED OR
RELIED UPON AS A FINAL SURVEY DOCUMENT.

Jimmie D. Nichols
Registered Professional Land Surveyor No. 5184

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Jimmie D. Nichols, 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 ____ day of _____, 2022.

Notary Public in and for the State of Texas

My Commission Expires: _____

NOTES:

- Water service to be provided by the Town of Little Elm.
- Utility providers:
 - COSERV Telephone service: AT&T
 - 7701 South Stemmons 2301 Ridgeview Drive
 - Corinth, Texas 75065 Plano, Texas 75025
 - Phone 1-800-274-4014 Phone (972) 569-3084
- Sanitary sewer to be handled by facilities approved by the Town of Little Elm.
- The maintenance of public paving, drainage, water, and wastewater infrastructure improvements dedicated to the Town of Little Elm per this plat is the responsibility of the Town of Little Elm.
- 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 shall be at least 2 feet above the 100-year floodplain.
- **Subject property lies within Zone "X-Shaded" - "Areas of 0.2% Annual Chance Flood: Areas of 1% Annual Chance Flood with Average Depths of Less Than 1 Foot or With Drainage Areas Less Than 1 Square Mile; and Areas Protected by Levees From 1% Annual Chance Flood", and Zone "X" - "Areas Determined to be Outside the 0.2% Annual Chance Floodplain", according to Federal Emergency Management Agency Flood Insurance Rate map for Denton County, Texas and incorporated areas, Number 48121C04056, Revision Date April 18, 2011. Limits of Zone "AE" is shown graphically plotted hereon according to this map.
- All perimeter boundary corners are 5/8" iron rod with caps marked "BCG 10194538" found or set, unless noted otherwise.
- The bearings shown and recited hereon are referenced to the Texas Coordinate System of 1983 - North Central Zone 4202 (NAD83). All distances are surface distances with a surface to grid scale factor of 0.999849393.
- The purpose of this plat is to create 3 commercial tracts.
- Plat and deed calls shown recited hereon are referenced to previously filed recorded plats and deeds for subject and adjoining properties.
- Surveyed on the ground during June & July 2021.
- All common areas, with the exception of easements, are owned and maintained by the Town of Little Elm.
- Notice: selling a portion of this addition by metes and bounds is a violation of the town subdivision ordinance and state platting statutes and is subject to fines and withholding of utilities and building permits.
- TXDOT FND. = denotes a Texas Department of Transportation, concrete monument found.

CERTIFICATE OF PRELIMINARY PLAT APPROVAL (FOR PRELIMINARY PLATS WITH REQUIRED PUBLIC IMPROVEMENTS INSTALLED BEFORE APPROVAL)	
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 PRELIMINARY PLAT of SPIRITAS EAST COMMERCIAL 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 PRELIMINARY PLAT and public works improvements and infrastructure, 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	

Include appropriate Lot/Block numbers [PP Checklist]

Update to reflect note as written in the PP Checklist

PRELIMINARY PLAT
SPIRITAS EAST COMMERCIAL
TOTAL AREA OF 5.355 ACRES
TRACT NO. 1 - 2.312 ACRE
TRACT NO. 2 - 2.386 ACRE
AND TRACT NO. 3 - 0.657 ACRE
3 COMMERCIAL TRACTS

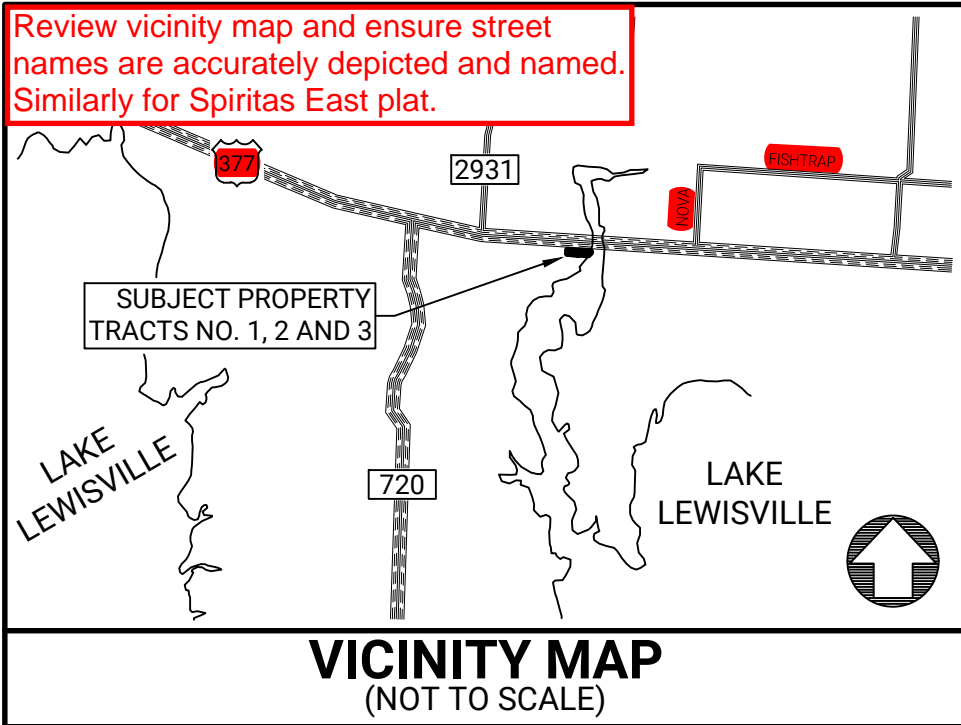
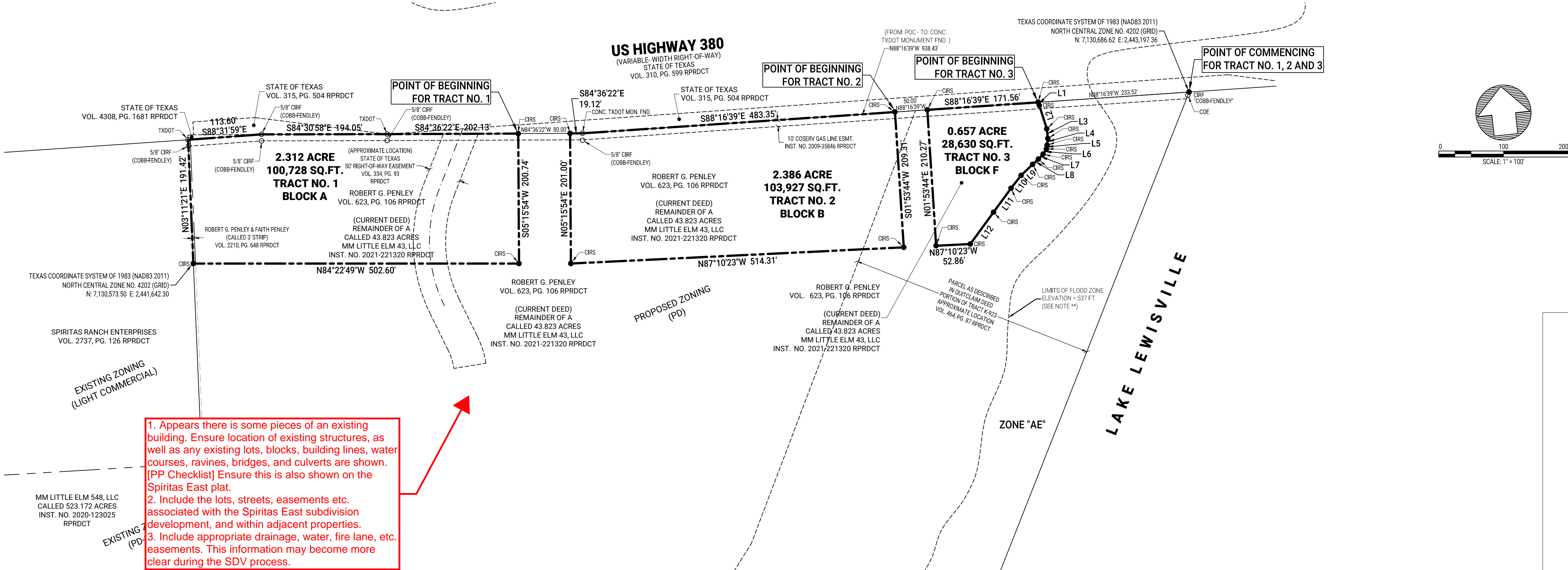
SITUATED IN THE
MARSELLA JONES SURVEY, ABSTRACT NO. 662
TOWN OF LITTLE ELM, DENTON COUNTY, TEXAS

B BARRAZA
CONSULTING GROUP, LLC

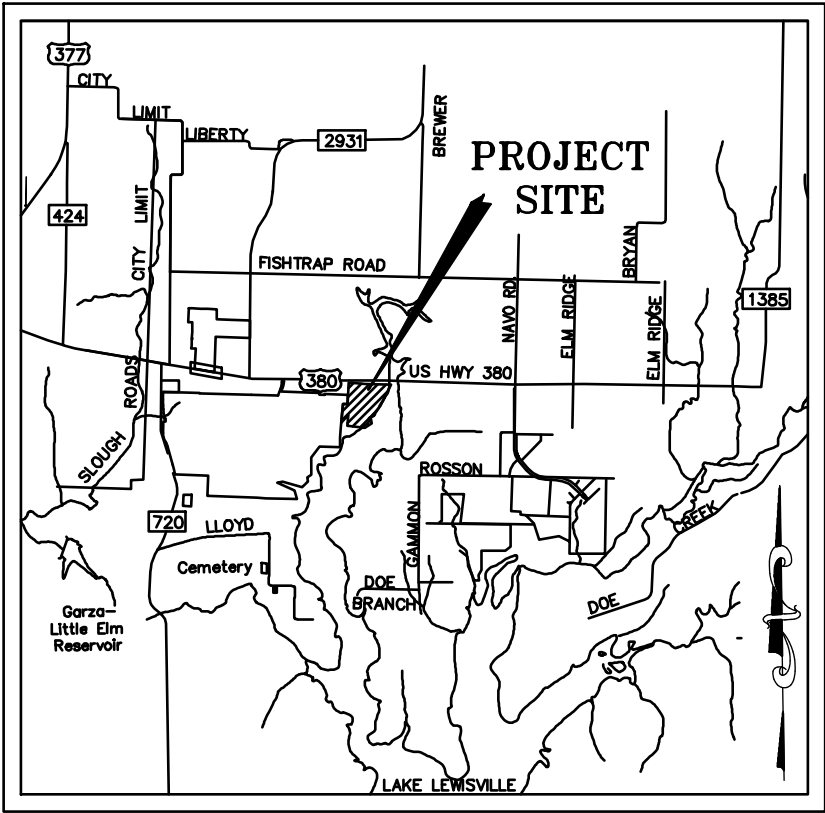
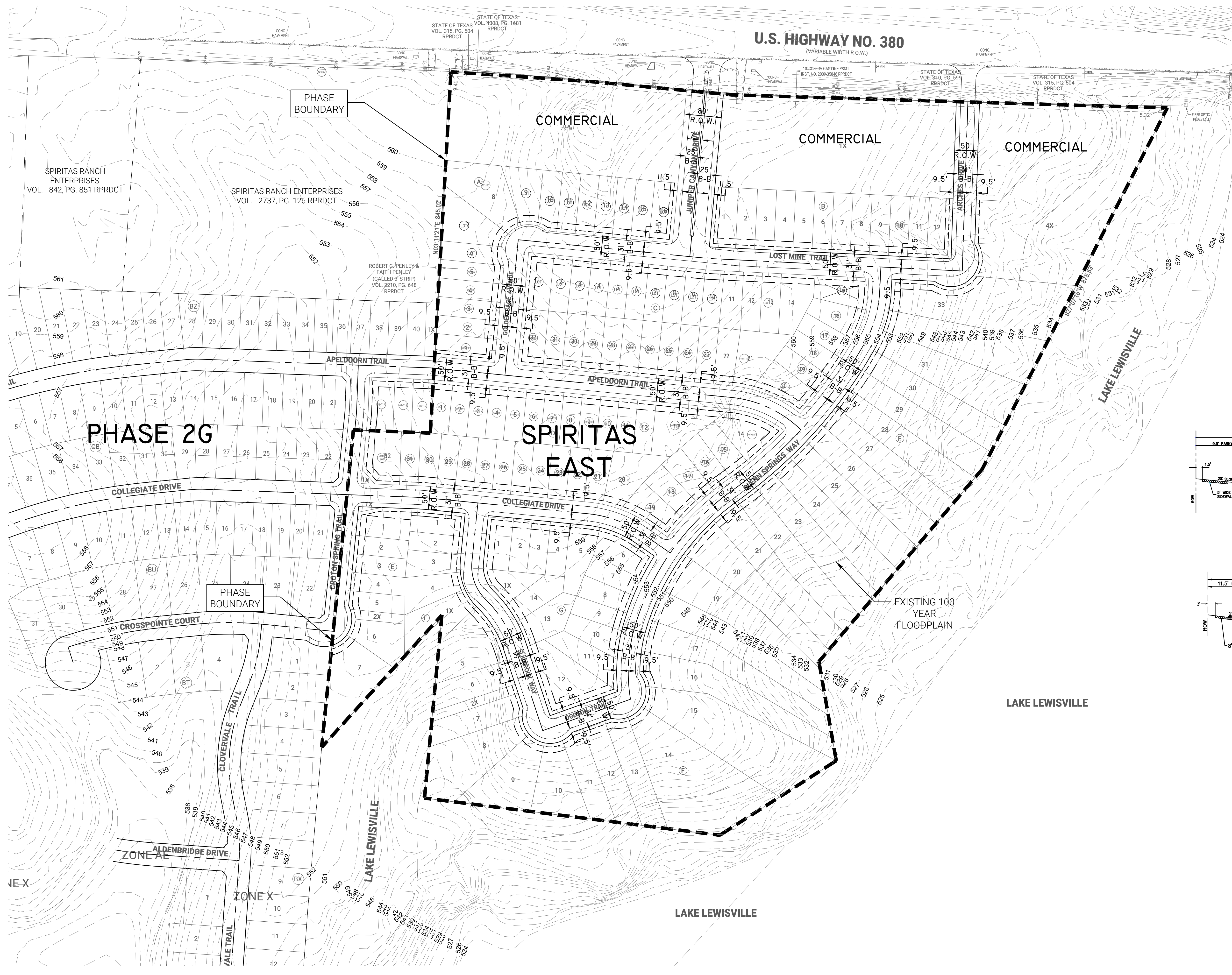
TBPLS FIRM REG. NO. 10194538
TBPE FIRM REG. NO. 206882
1800 Valley View Lane, Suite 300
801 EAST CAMPBELL ROAD, STE. 650
RICHARDSON, TEXAS 75081
TELEPHONE: (214) 484-7055
PROJECT NO. 2019017-E
DATE: January, 2022

TECH=JCF
SCALE 1"=100'
PAGE 1 OF 2

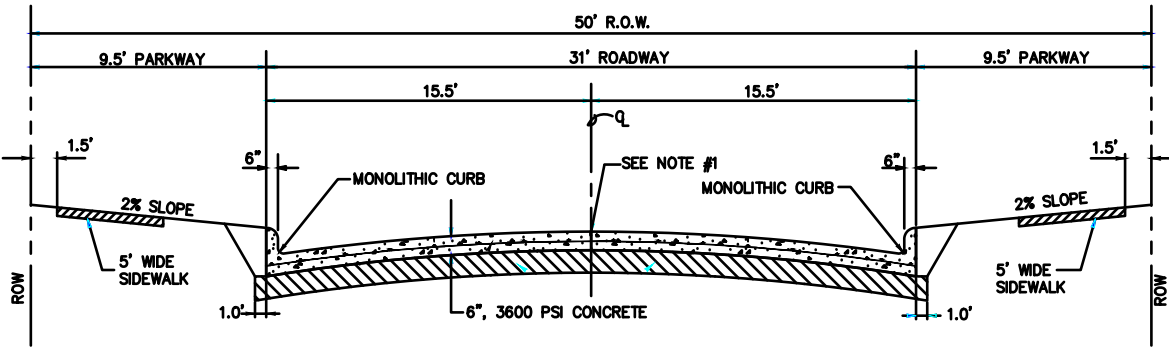
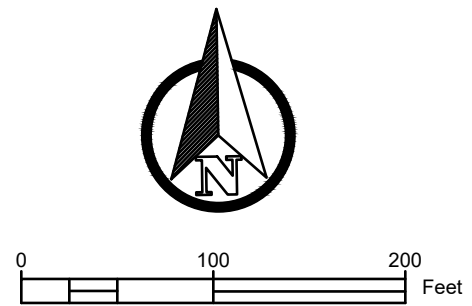
Update with full date - include the day.



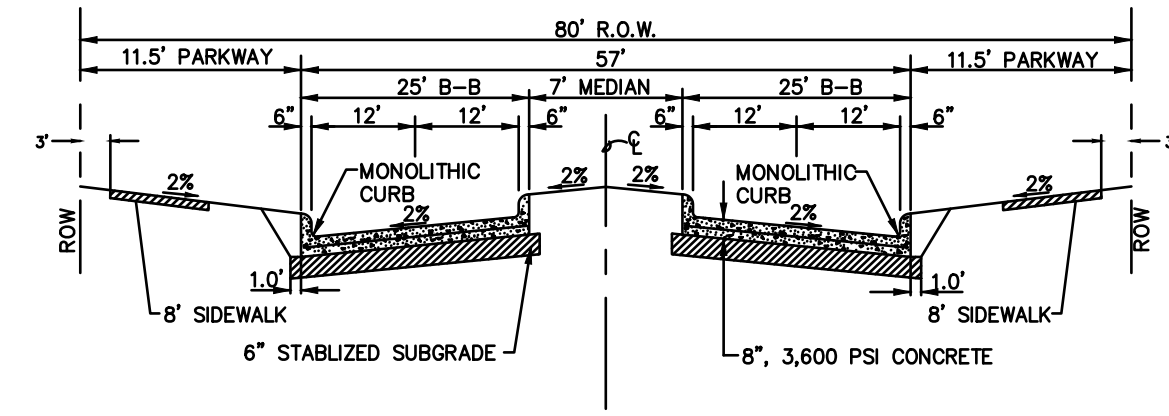
1. Appears there is some pieces of an existing building. Ensure location of existing structures, as well as any existing lots, blocks, building lines, water courses, ravines, bridges, and culverts are shown. [PP Checklist] Ensure this is also shown on the Spiritas East plat.
2. Include the lots, streets, easements etc. associated with the Spiritas East subdivision development, and within adjacent properties.
3. Include appropriate drainage, water, fire lane, etc. easements. This information may become more clear during the SDV process.



LOCATION MAP
NOT TO SCALE



TYPICAL SECTION
R - RESIDENTIAL STREET, 50' RIGHT-OF-WAY
N.T.S.



TYPICAL SECTION - STREET B
(M4D-1 - MINOR ARTERIAL, DIVIDED)
N.T.S.

OWNER: MM LITTLE ELM 43, LLC
CONTACT: MEHRDAD MOAYEDI
1800 VALLEY VIEW LANE, STE. 300
FARMERS BRANCH, TX 75234
PH (469)892-7200

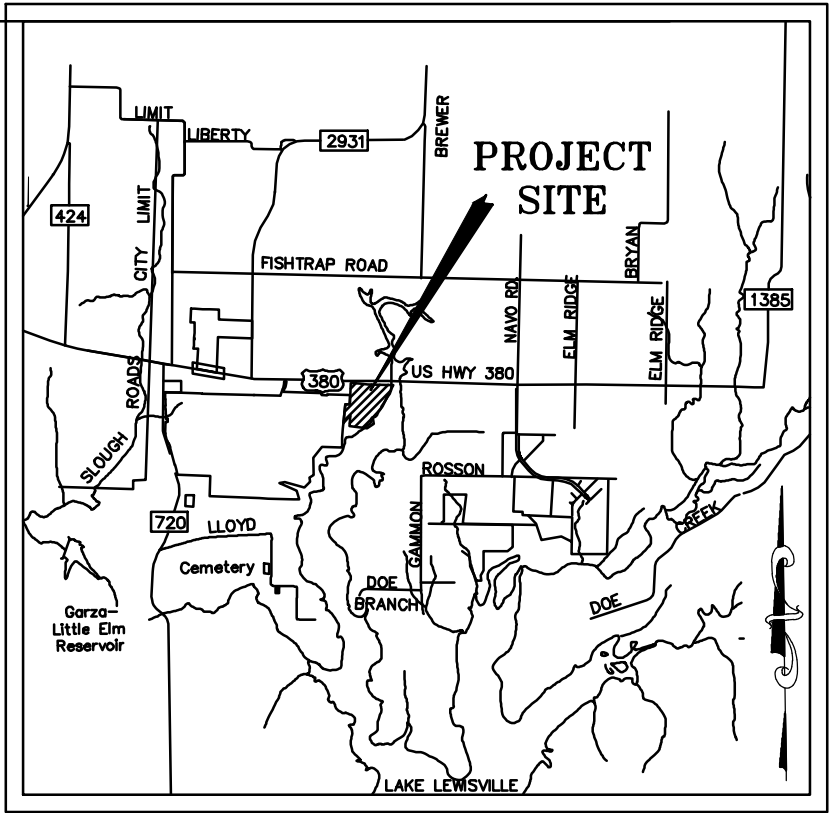
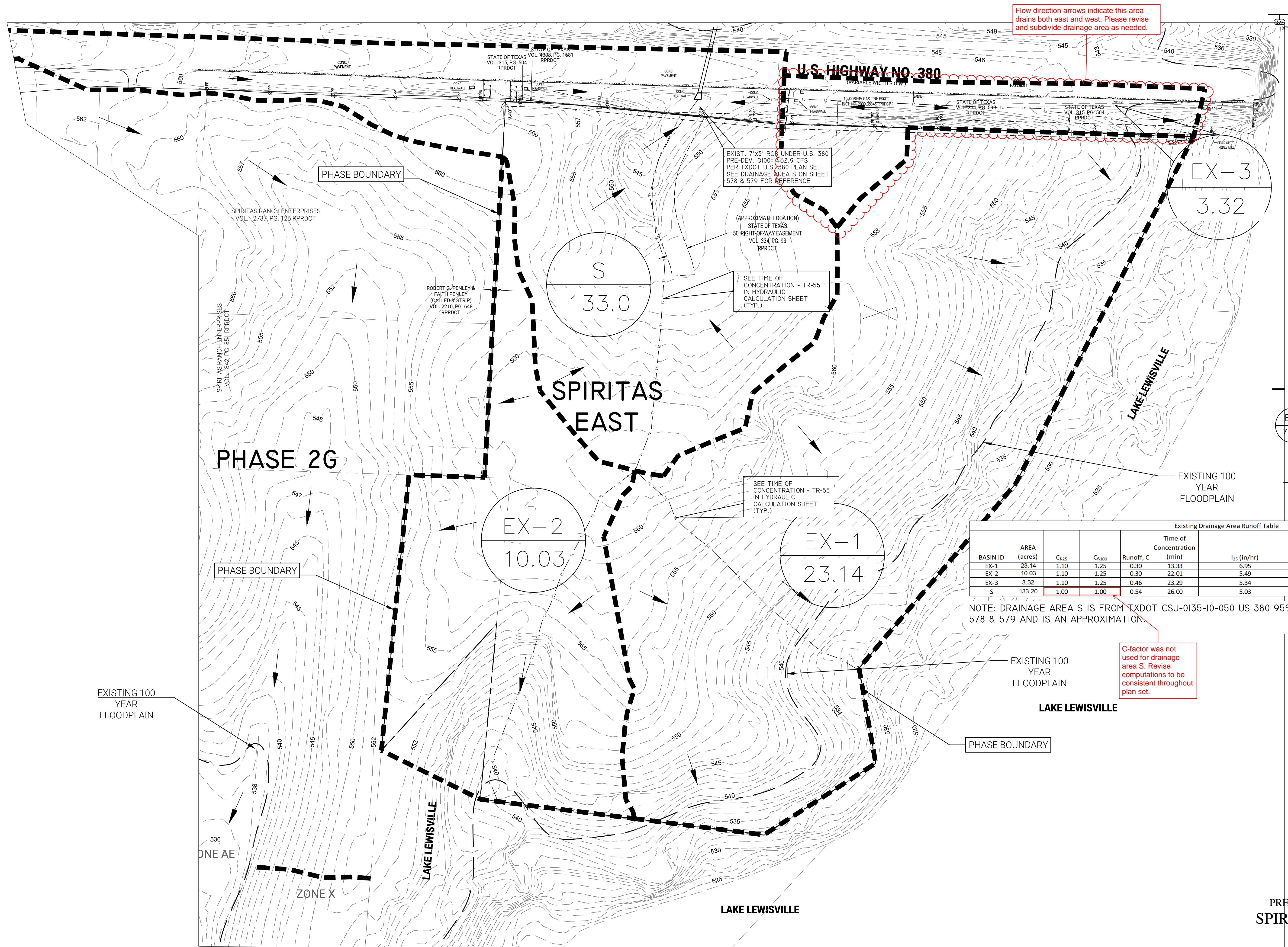
OVERALL PRELIMINARY PAVING PLAN
SPIRITAS EAST COMMERCIAL



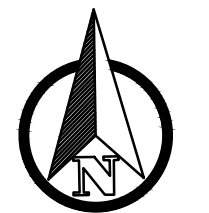
801 East Campbell Road, Ste. 650
Richardson, Texas 75081
TELEPHONE - (214)-484-7055
EMAIL - Mclark@Barraza-Group.com
PROJECT # - 2019017-00
DATE - 1/4/2022

SHT
C1.01

S:\2019\20190714 Spiritas Ranch East\CAD\PRELIM\Commercial Tract Prelim\017-EC-DMA-01.dwg



LOCATION MAP
NOT TO SCALE



0 100 200 Feet

LEGEND

- EXISTING DRAINAGE DIVIDE LINE
- E-1 DRAINAGE AREA ID
- 77.33 PRE-DEVELOPMENT TOTAL ACREAGE
- EXISTING CULVERT
- DIRECTION OF FLOW

Existing Drainage Area Runoff Table										
BASIN ID	AREA (acres)	C ₂₅	C ₁₀₀	Runoff, C	Time of Concentration (min)	I ₂₅ (in/hr)	I ₁₀₀ (in/hr)	Q ₂₅ (cfs)	Q ₁₀₀ (cfs)	Comments
EX-1	23.14	1.10	1.25	0.30	13.33	6.95	8.55	53.05	74.22	Undeveloped
EX-2	10.03	1.10	1.25	0.30	22.01	5.49	6.84	18.19	25.74	Undeveloped
EX-3	3.32	1.10	1.25	0.46	23.29	5.34	6.65	8.96	12.70	Undeveloped
S	133.20	1.00	1.00	0.54	26.00	5.03	6.29	361.98	462.90	REFERENCE TXDOT

NOTE: DRAINAGE AREA S IS FROM TXDOT CSJ-0135-10-050 US 380 95% PLAN SET DATED 08-26-2019 SHEETS 578 & 579 AND IS AN APPROXIMATION.

C-factor was not used for drainage area S. Revise computations to be consistent throughout plan set.

OVERALL PRELIMINARY
PREDEVELOPMENT DRAINAGE PLAN
SPIRITAS EAST COMMERCIAL



801 East Campbell Road, Ste. 650
Richardson, Texas 75081
TELEPHONE - (214) 484-7055
EMAIL - Mclark@Barraza-Group.com
PROJECT # - 2019017-00
DATE - 1/4/2022

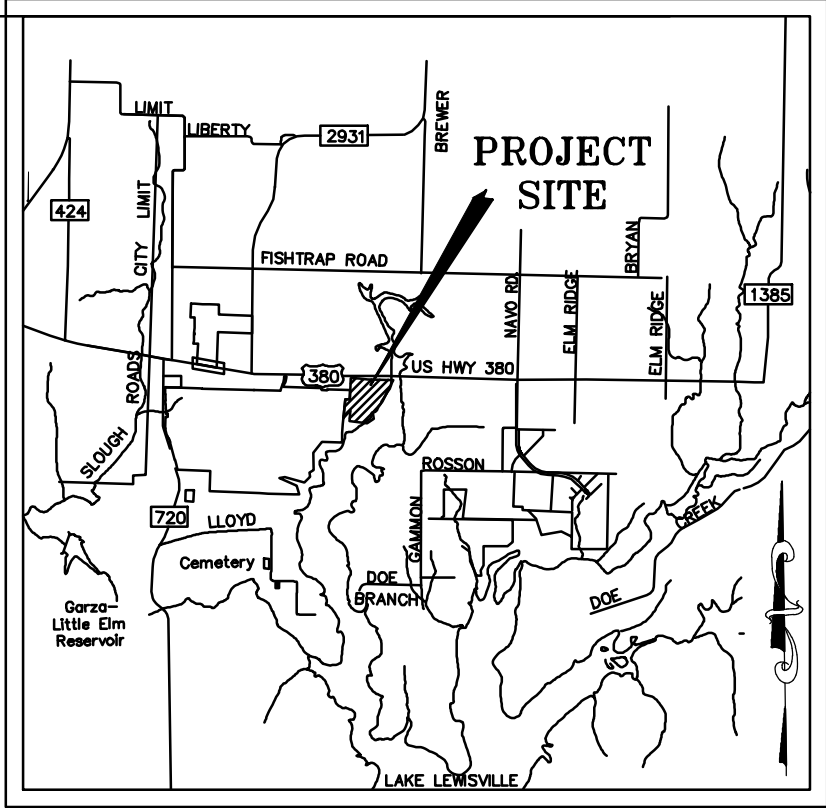
SHT
C2.01

Sheet Scale: 1 inch = 100 Feet

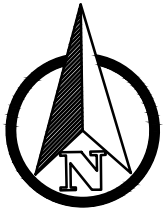
Existing Drainage Area Runoff Table										
BASIN ID	AREA (acres)	C _{i,25}	C _{i,100}	Runoff, C	Time of Concentration (min)	I ₂₅ (in/hr)	I ₁₀₀ (in/hr)	Q ₂₅ (cfs)	Q ₁₀₀ (cfs)	Comments
EX-1	23.14	1.10	1.25	0.30	13.33	6.95	8.55	53.05	74.22	Undeveloped
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EX-3	3.32	1.10	1.25	0.46	23.29	5.34	6.65	8.96	12.70	Undeveloped
S	133.20	1.00	1.00	0.54	26.00	5.03	6.29	361.98	462.90	REFERENCE TXDOT

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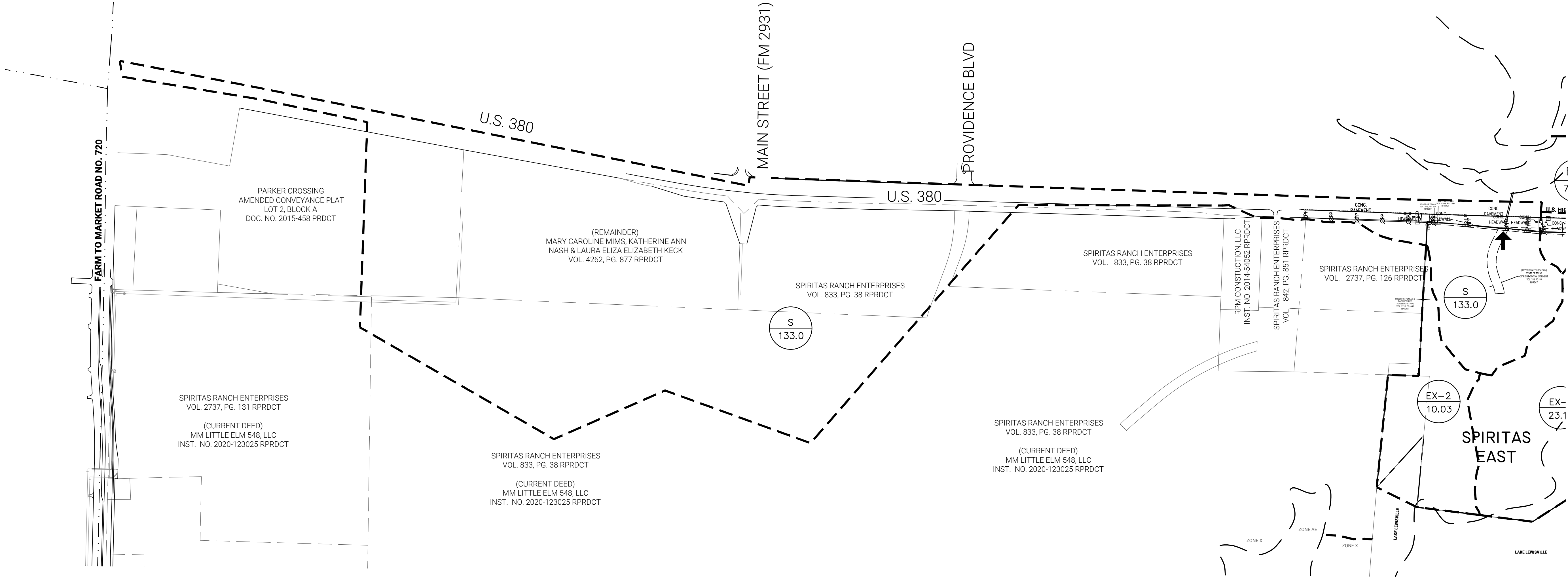
LOCATION MAP
NOT TO SCALE



0 300 600 Feet

LEGEND

- EXISTING DRAINAGE DIVIDE LINE
- DRAINAGE AREA ID
- PRE-DEVELOPMENT TOTAL ACREAGE
- EXISTING CULVERT



OWNER: MM LITTLE ELM 43, LLC
CONTACT: MEHRDAD MOAYEDI
1800 VALLEY VIEW LANE, STE. 300
FARMERS BRANCH, TX 75234
PH (469) 892-7200

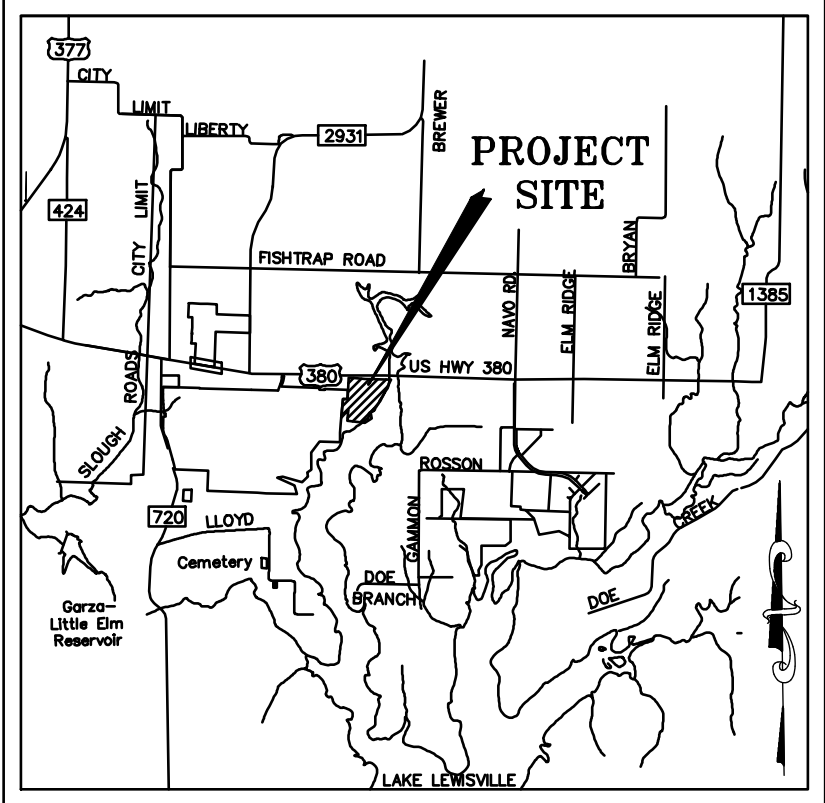
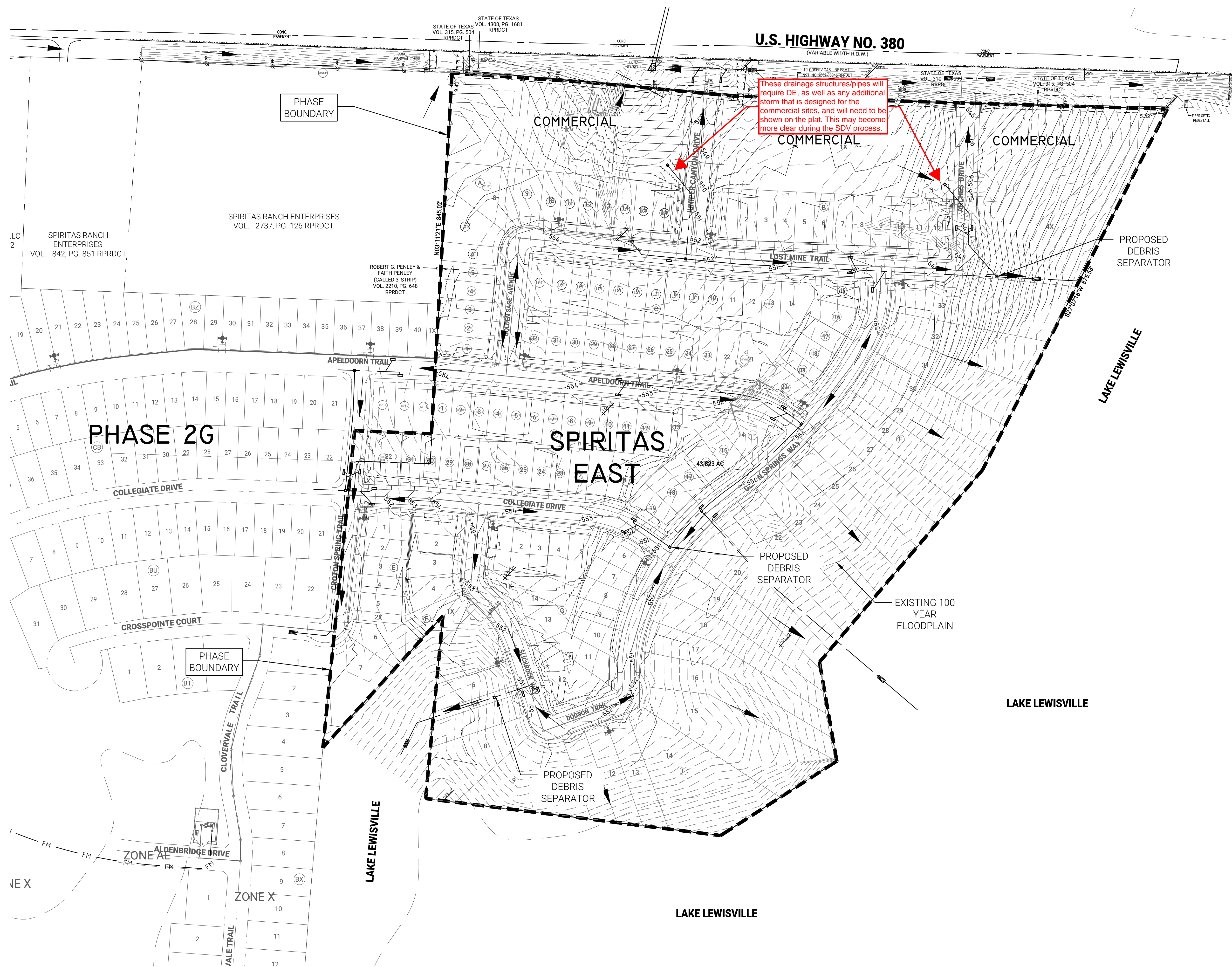
OVERALL PRELIMINARY
PREDEVELOPMENT DRAINAGE PLAN
SPIRITAS EAST COMMERCIAL



801 East Campbell Road, Ste. 650
Richardson, Texas 75081
TELEPHONE - (214) 484-7055
EMAIL - Mclark@Barraza-Group.com
PROJECT # - 2019017-00
DATE - 1/4/2022

SHT
C2.02

Sheet Scale: 1 inch = 100 Feet



LOCATION MAP
NOT TO SCALE



0 100 200 Feet

LEGEND

- PROPOSED STORM LINE
- PROPOSED CURB INLET
- PROPOSED HEADWALL
- PROPOSED CONTOURS
- DIRECTION OF FLOW

OWNER: MM LITTLE ELM 43, LLC
CONTACT: MEHRDAD MOAYEDI
1800 VALLEY VIEW LANE, STE. 300
FARMERS BRANCH, TX 75234
PH (469) 892-7200

OVERALL PRELIMINARY DRAINAGE PLAN
SPIRITAS EAST COMMERCIAL

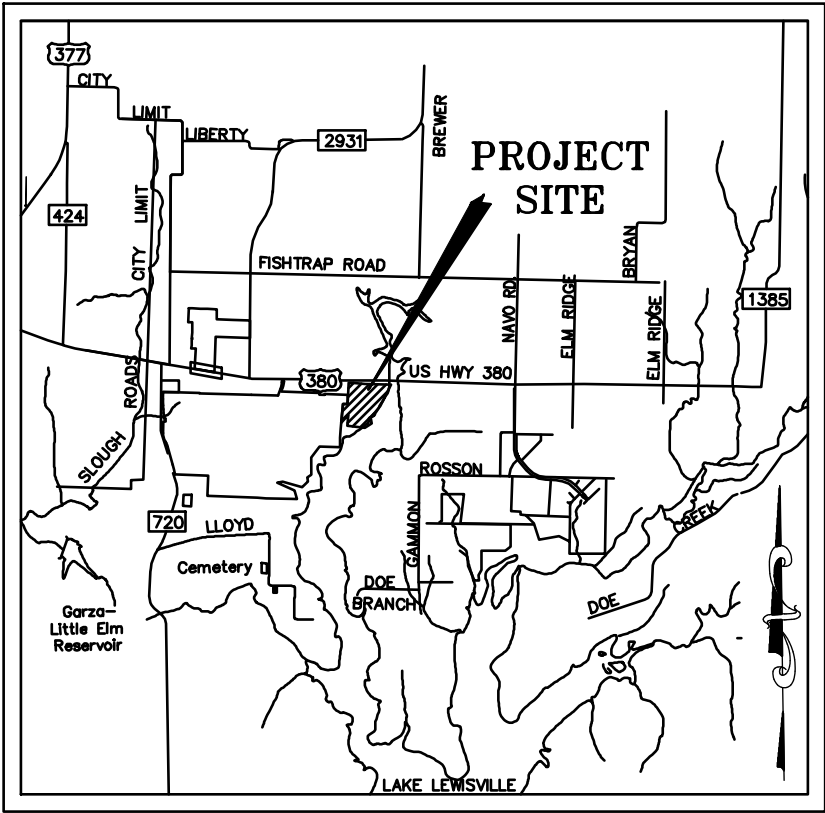
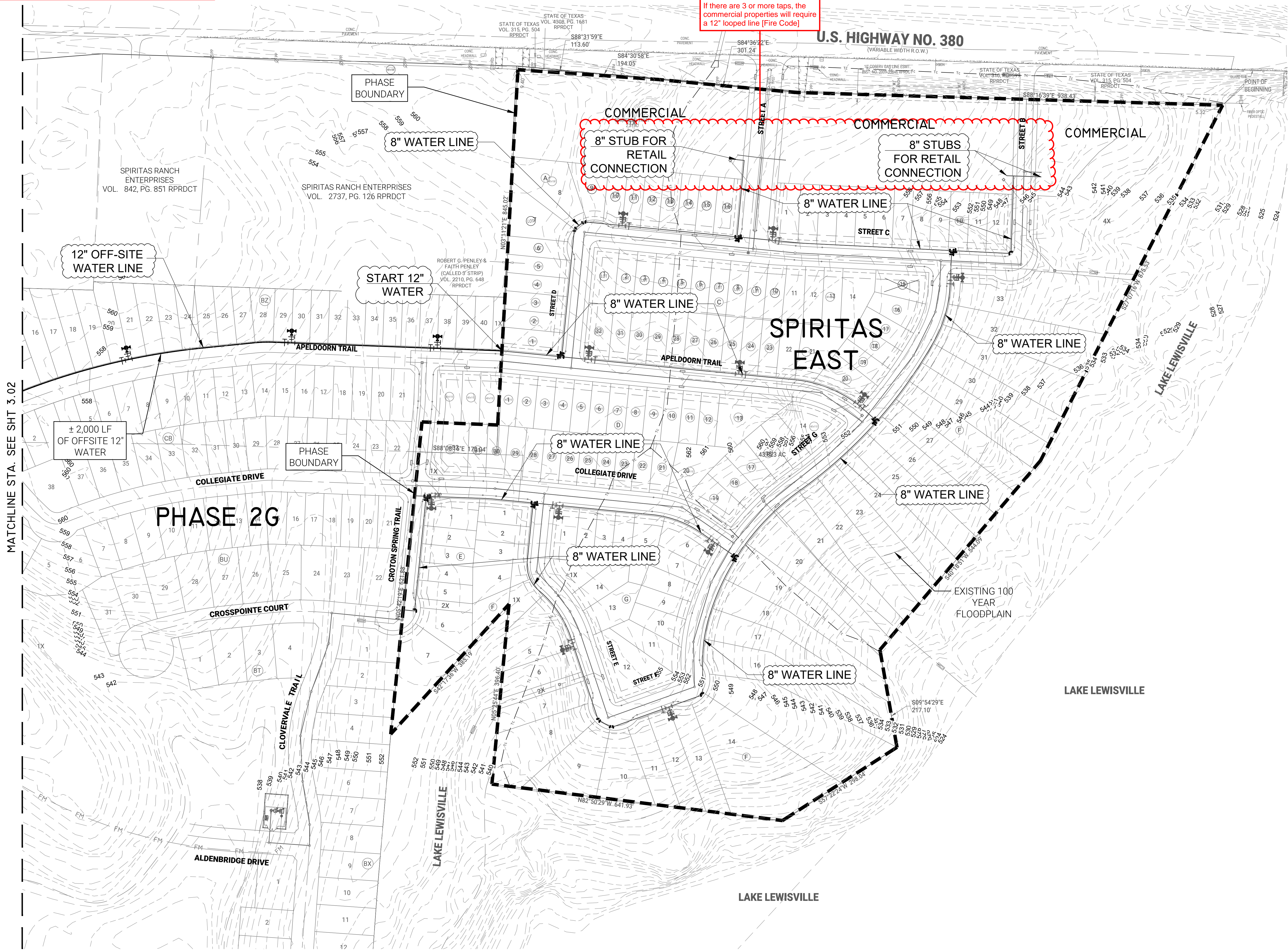


801 East Campbell Road, Ste. 650
Richardson, Texas 75081
TELEPHONE - (214) 484-7055
EMAIL - Mclark@Barraza-Group.com
PROJECT # - 2019017-00
DATE - 12/8/2021

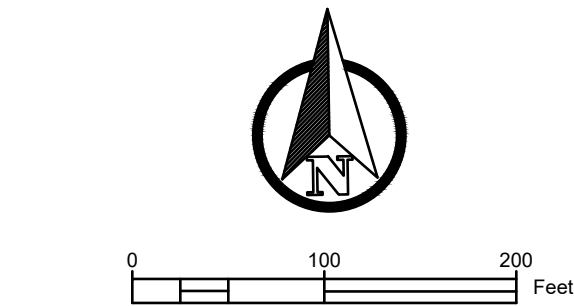
SHT
C2.05

1. Ensure utility meets MSUD requirements
2. Ensure easements are provided for offsite utilities
3. Sheet does not show site specific utilities for the commercial lots. Is this information available at this time? Note that each lot will require detail design during the SDV process.

If there are 3 or more taps, the commercial properties will require a 12" looped line [Fire Code]



LOCATION MAP
NOT TO SCALE



LEGEND

- FIRE HYDRANT
- 8" WATER LINE
- 12" WATER LINE
- SANITARY SEWER
- STORM SEWER

OWNER: MM LITTLE ELM 43, LLC
CONTACT: MEHRDAD MOAYEDI
1800 VALLEY VIEW LANE, STE. 300
FARMERS BRANCH, TX 75234
PH (469) 892-7200

OVERALL PRELIMINARY WATER PLAN
SPIRITAS EAST COMMERCIAL

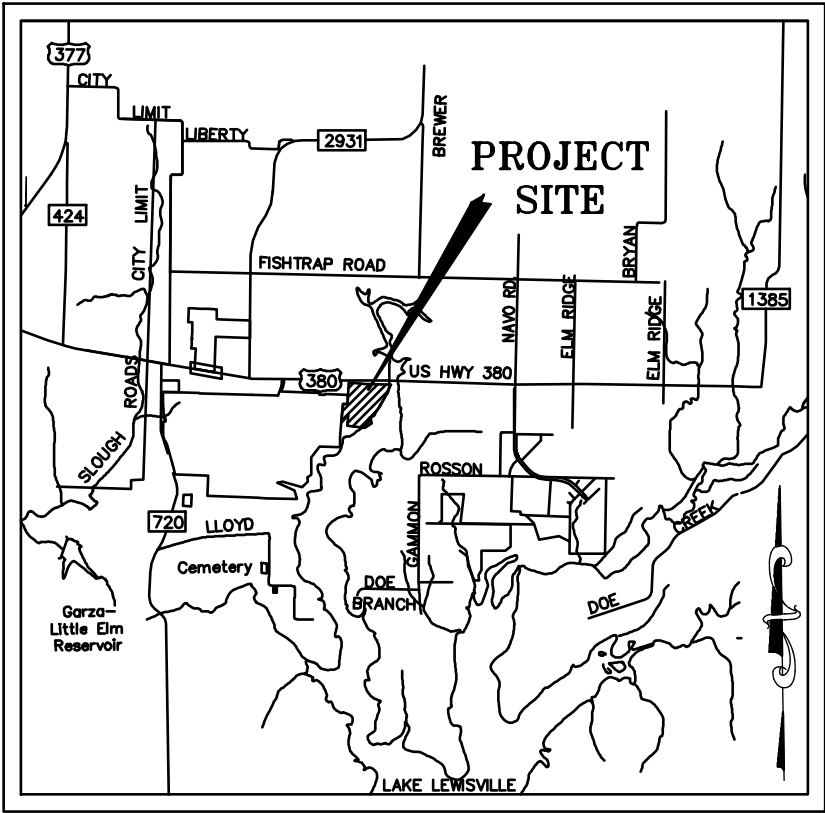
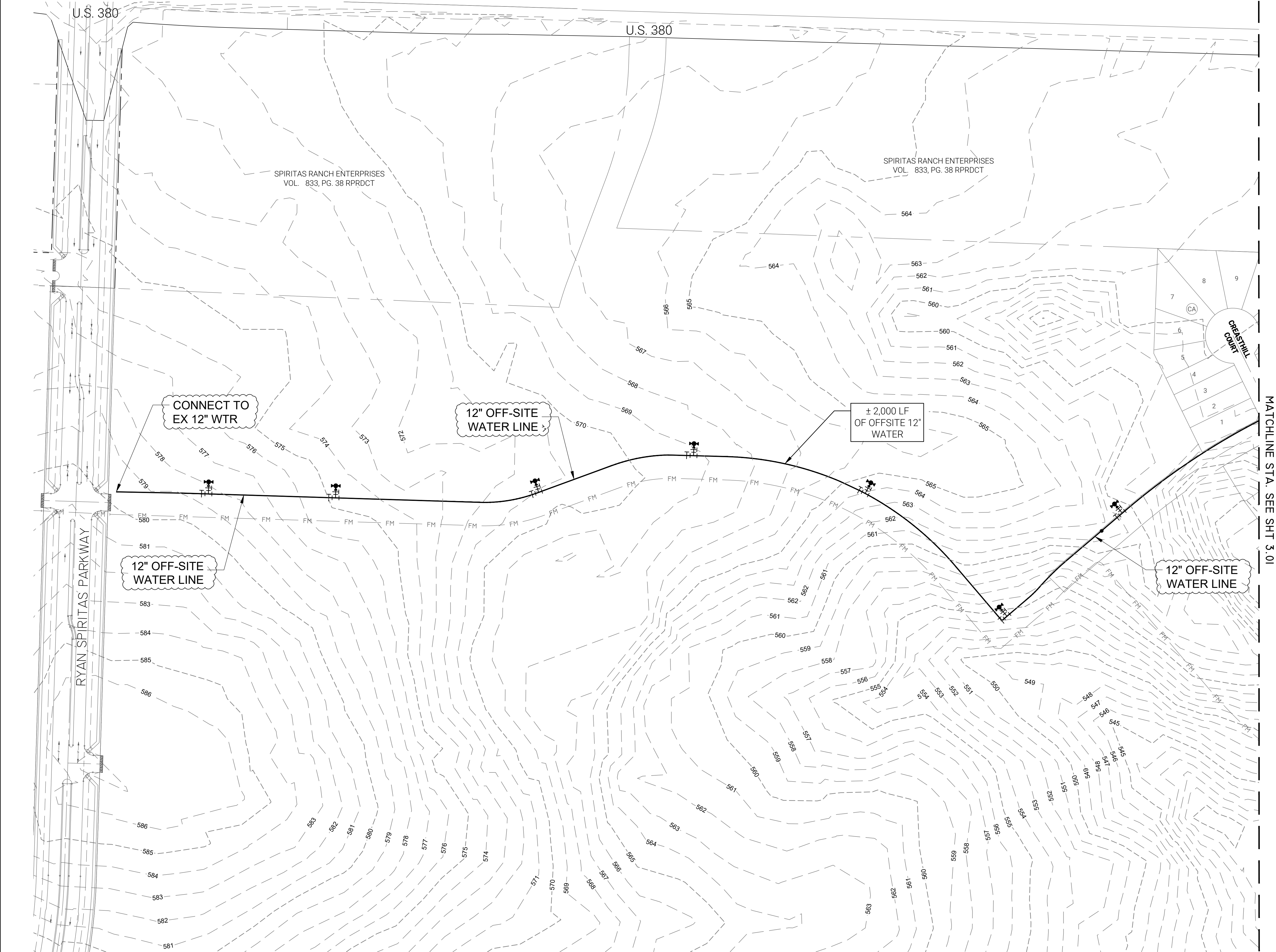


801 East Campbell Road, Ste. 650
Richardson, Texas 75081
TELEPHONE - (214) 484-7055
EMAIL - Mclark@Barraza-Group.com
PROJECT # - 2019017-00
DATE - 1/4/2022

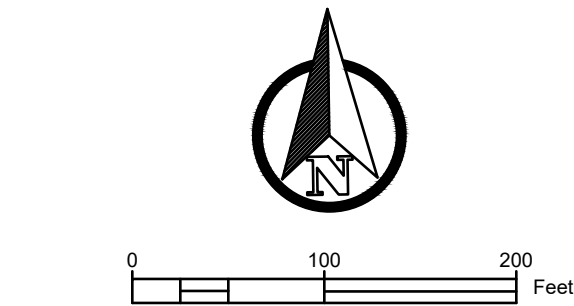
SHT
C3.01

Sheet Scale: 1 inch = 100 Feet

1. Ensure utility meets MSUD requirements
2. Ensure easements are provided for offsite utilities
3. Sheet does not show site specific utilities for the commercial lots. Is this information available at this time? Note that each lot will require detail design during the SDV process.



LOCATION MAP
NOT TO SCALE



LEGEND

- FIRE HYDRANT
- 8" WATER LINE
- 12" WATER LINE
- SANITARY SEWER
- STORM SEWER

OWNER: MM LITTLE ELM 43, LLC
CONTACT: MEHRDAD MOAYEDI
1800 VALLEY VIEW LANE, STE. 300
FARMERS BRANCH, TX 75234
PH (469) 892-7200

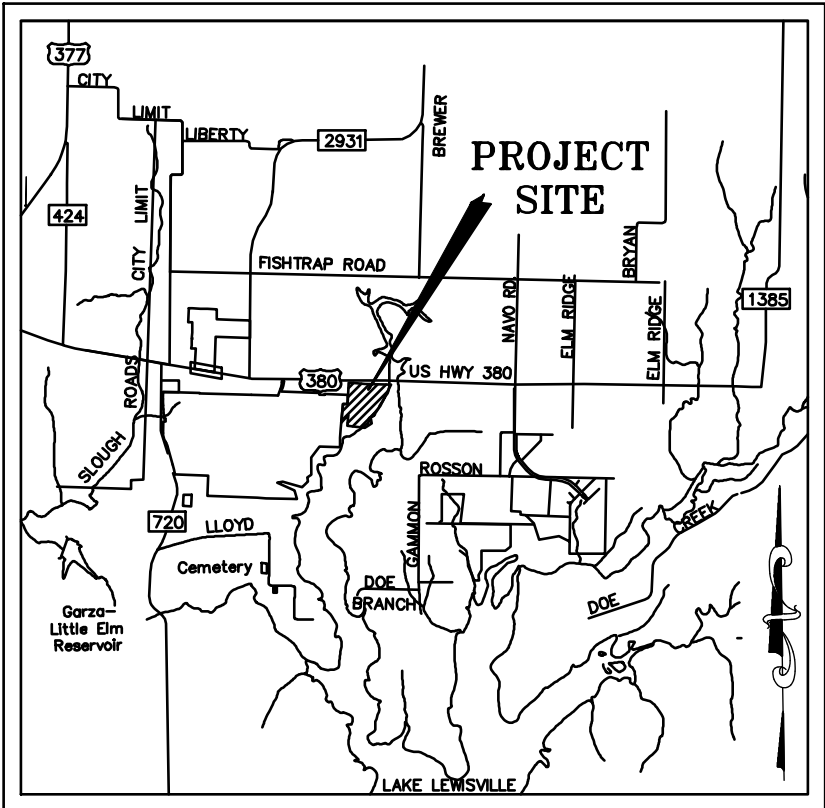
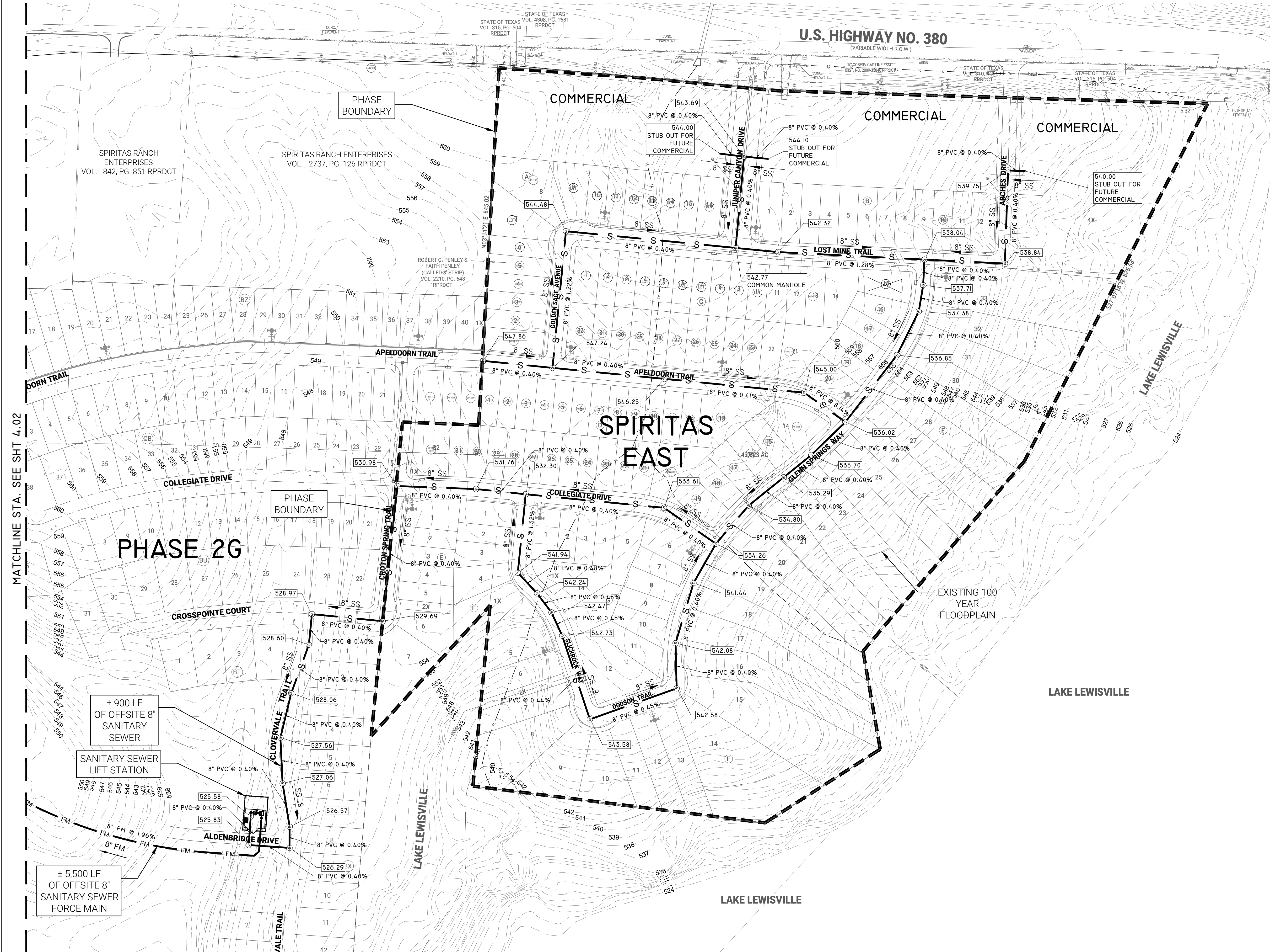
OVERALL PRELIMINARY WATER PLAN
SPIRITAS EAST COMMERCIAL

BARRAZA
CONSULTING GROUP, LLC
PLANNING • ENGINEERING • SURVEYING
Texas Registration No. 20051-10015-Regd. Prof. 00194908

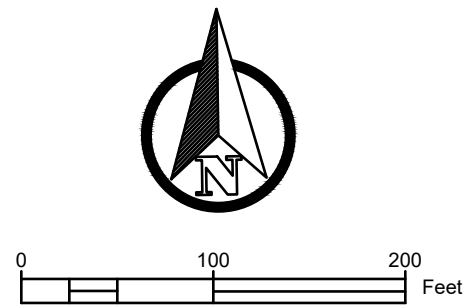
801 East Campbell Road, Ste. 650
Richardson, Texas 75081
TELEPHONE - (214)-484-7055
EMAIL - Mclark@Barraza-Group.com
PROJECT # - 2019017-00
DATE - 1/4/2022

SHT
C3.02

1. Ensure utility meets MSUD requirements
2. Ensure easements are provided for offsite utilities
3. Sheet does not show site specific utilities for the commercial lots. Is this information available at this time? Note that each lot will require detail design during the SDV process.



LOCATION MAP
NOT TO SCALE



LEGEND

- PROPOSED FIRE HYDRANT
- PROPOSED WATER LINE
- PROPOSED MANHOLE
- PROPOSED SANITARY SEWER
- PROPOSED STORM SEWER
- PROPOSED SANITARY SEWER FORCE MAIN

OWNER: MM LITTLE ELM 43, LLC
CONTACT: MEHRDAD MOAYEDI
1800 VALLEY VIEW LANE, STE. 300
FARMERS BRANCH, TX 75234
PH (469)892-7200

OVERALL PRELIMINARY SANITARY SEWER PLAN
SPIRITAS EAST COMMERCIAL

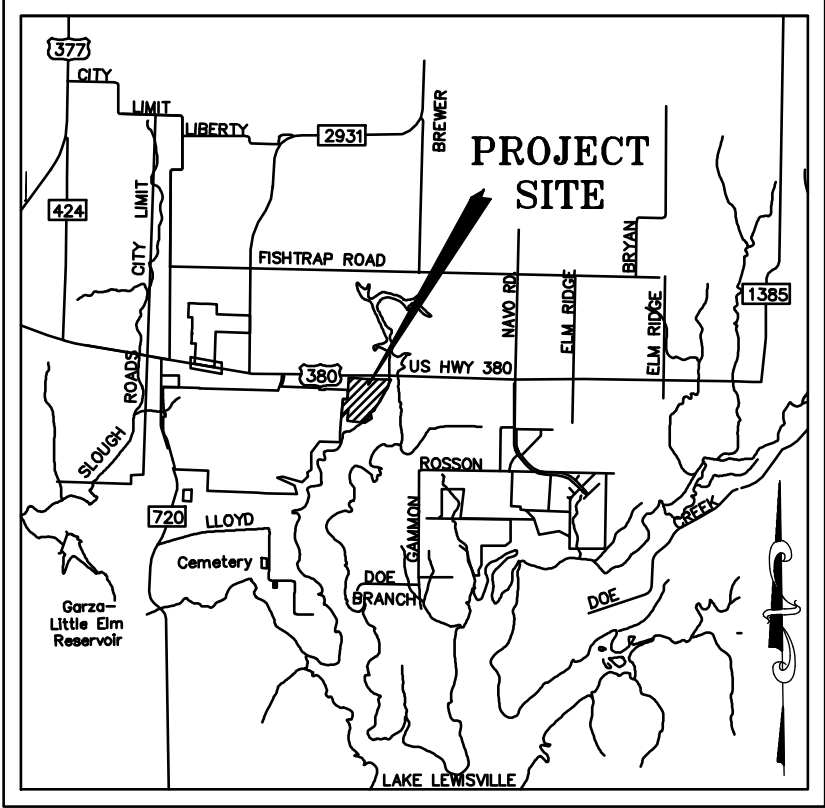
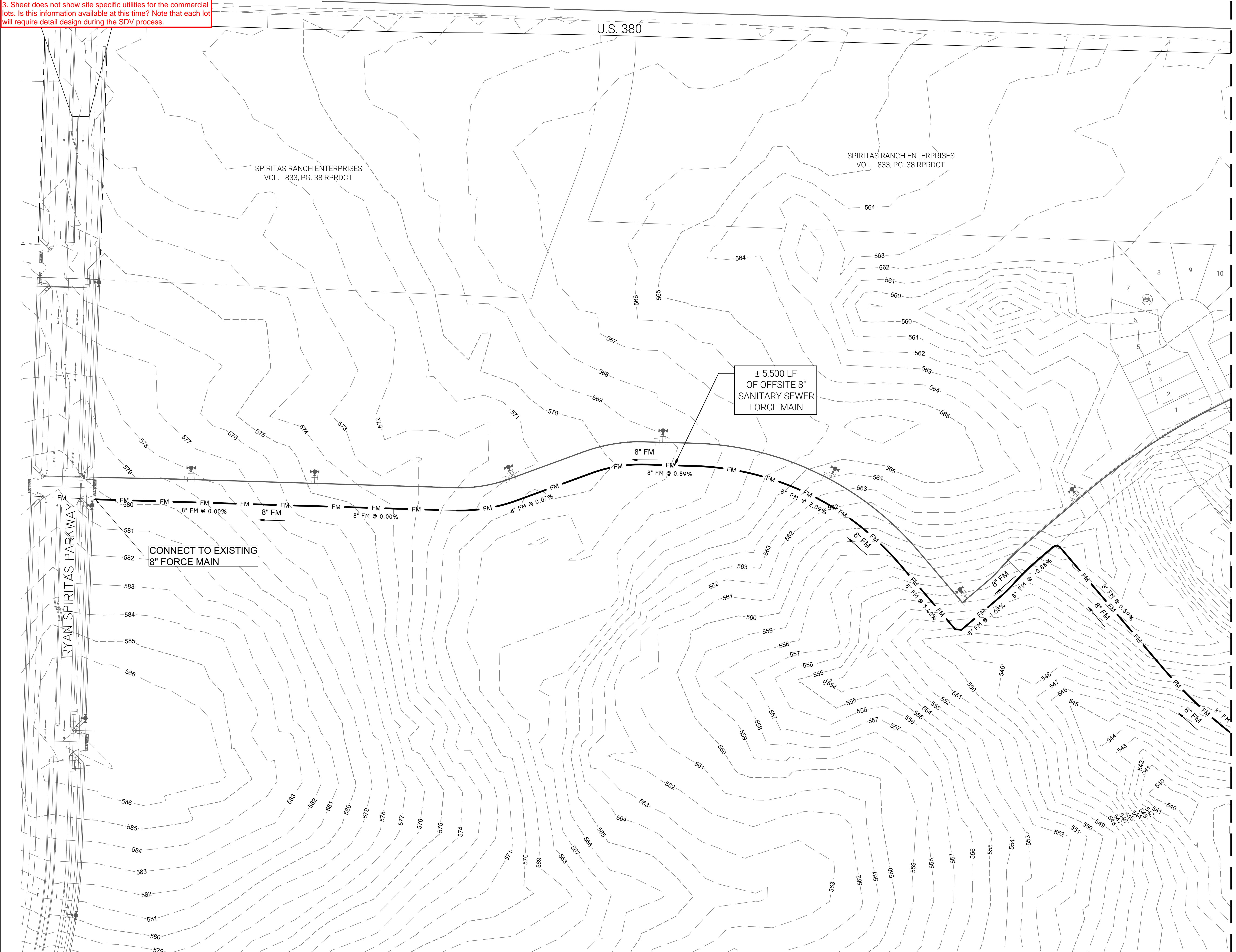


801 East Cambell Road, Ste. 650
Richardson, Texas 75081
TELEPHONE - (214)-484-7055
EMAIL - Mclark@Barraza-Group.com
PROJECT # - 2019017-00
DATE - 1/4/2022

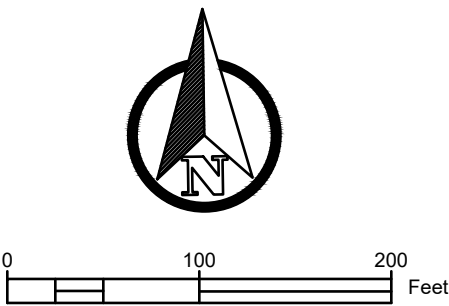
SHT
C4.01

Sheet Scale: 1 inch = 100 Feet

1. Ensure utility meets MSUD requirements
2. Ensure easements are provided for offsite utilities
3. Sheet does not show site specific utilities for the commercial lots. Is this information available at this time? Note that each lot will require detail design during the SDV process.



LOCATION MAP
NOT TO SCALE



LEGEND

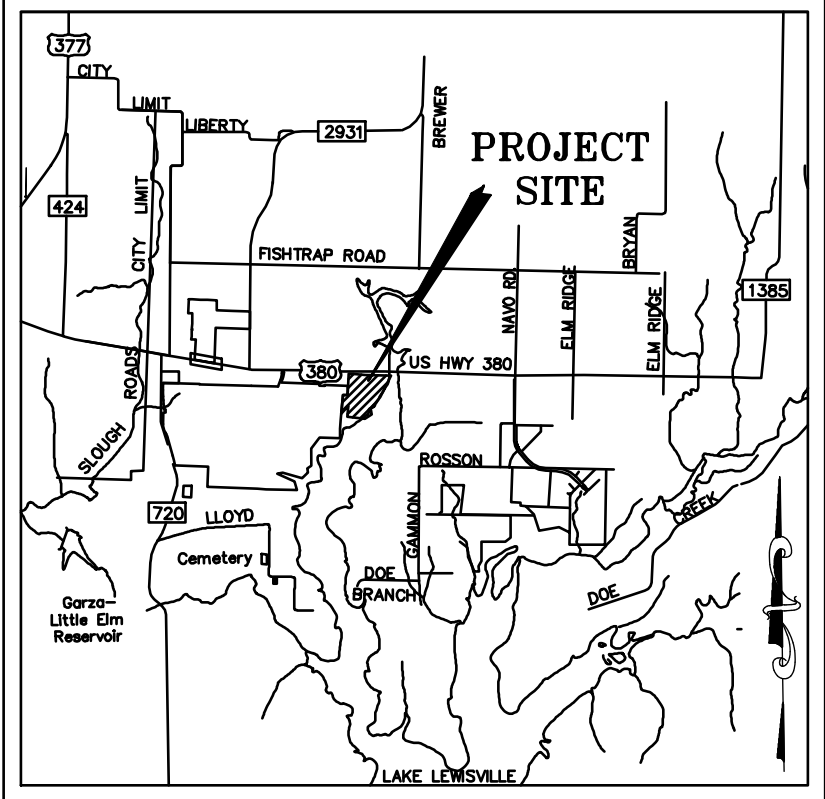
- PROPOSED FIRE HYDRANT
- PROPOSED WATER LINE
- PROPOSED MANHOLE
- PROPOSED SANITARY SEWER
- PROPOSED STORM SEWER
- PROPOSED SANITARY SEWER FORCE MAIN

OVERALL PRELIMINARY SANITARY SEWER PLAN
SPIRITAS EAST COMMERCIAL



801 East Campbell Road, Ste. 650
Richardson, Texas 75081
TELEPHONE - (214) 484-7055
EMAIL - Mclark@Barraza-Group.com
PROJECT # - 2019017-00
DATE - 1/4/2022

SHT
C4.02



OVERALL PRELIMINARY GRADING PLAN SPIRITAS EAST COMMERCIAL

801 East Cambell Road, Ste. 650
Richardson, Texas 75081

TELEPHONE - (214)-484-7055

MAIL - Mclark@Barraza-Group.com
PROJECT # - 2019017-00

DATE -1/4/2022

SHT
C6.01



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

02/03/2022

OVERVIEW

Project	FINAL PLAT/ Alta 380 (FP-22-00117)
P&Z Hearing	02/03/2022
Council Hearing	N/A
Size	30.853 acres
Current Zoning	Planned Development
Proposed Use	Retail/Commercial
Existing Use	Vacant
Future Land Use Plan Designation	Retail/Commercial
Applicant	Ryan Miller or Wood Partners
Owner	2931 Commercial LP, Provident Realty Advisors
Strategic Goal	

Agenda Item

FINAL PLAT/ Alta 380 (FP-22-00117). Presentation, discussion, and consideration on a request for approval of a Final Plat for Alta 380, establishing 11 lots on approximately 30.853 acres, situated in the Marsella Jones Survey, Abstract No. 662, within Little Elm's Town limits.

- Staff Report
- Applicant Presentation
- Discussion and Recommendation

Location

Generally located on the northwest intersection of US 380 and FM 2931 within Little Elm's town limits.

Planning Analysis

This is a Final Plat for Alta 380 Addition, establishing Block A, Lots 1 through 11, on approximately 30.853 acres, identifies setbacks, and establishes easements necessary for development.

The purpose of a Final Plat is to ensure that the proposed subdivision and development of the land is consistent with all standards of this Subdivision Ordinance pertaining to the adequacy of public facilities, that public improvements to serve the subdivision or development have been installed and accepted by the Town or that provision for such installation has been made, that all other requirements and conditions have been satisfied or provided to allow the Final Plat to be recorded.

Engineering.

Staff has reviewed the submitted plat documents and made the determination that the submittal does not fully meet the requirements of Section 107 - Subdivision Ordinance. The outstanding items are outlined in the engineer's review letter.

Recommended Action

Applicant has requested an extension in order to allow additional time to address the outstanding comments. Staff recommends approval of the extension request.

Attachments

Engineer Review

Plat Document

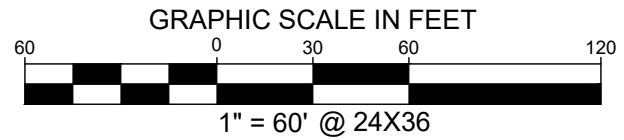
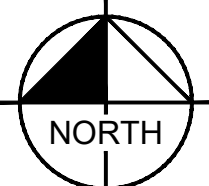
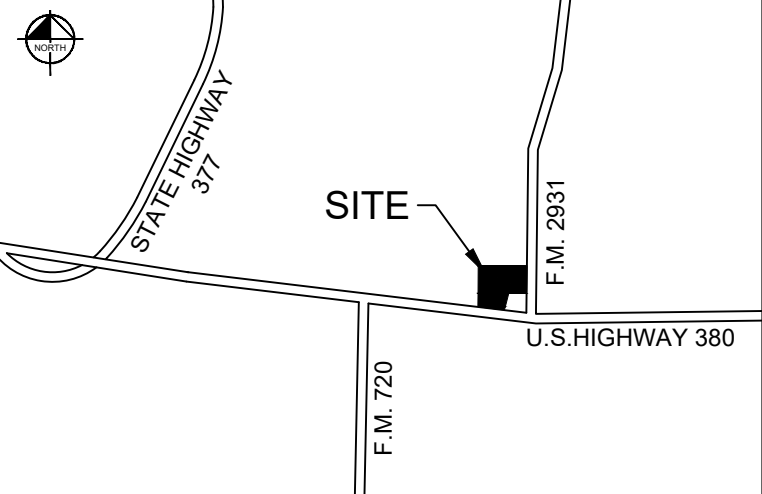
Town of Little Elm
Engineering Review

1st Review

Comments by: Priya Mistry, P.E.
Cobb, Fendley & Associates, Inc.

Date of Review: January 12, 2022

VICINITY MAP



Is this also ROW dedication?

1. Provide written statement of intent, copy of title commitment, and tax certificate from Denton County. [FP Checklist]
2. Acreage or square footage of right-of-way dedicated should be shown, including corner clips and deceleration/turn lanes. [FP Checklist]
3. Building setback lines [FP Checklist]

LEGEND:

XF = "X" CUT IN CONCRETE FOUND
IRFC = IRON ROD FOUND
VOL. = VOLUME PG. = PAGE
DOC. NO. = DOCUMENT NUMBER
INST. NO. = INSTRUMENT NUMBER
O.R.D.C.T. = OFFICIAL RECORDS OF DENTON COUNTY, TEXAS
D.R.D.C.T. = DEED RECORDS OF DENTON COUNTY, TEXAS
P.R.D.C.T. = PLAT RECORDS OF DENTON COUNTY, TEXAS
ESMT = EASEMENT
A.D.U.E. = ACCESS, DRAINAGE & UTILITY EASEMENT
U.E. = UTILITY EASEMENT
W.E. = WATER EASEMENT
D.E. = DRAINAGE EASEMENT
S.U.D. = SPECIAL UTILITY DISTRICT

FINAL PLAT
ALTA 380 ADDITION
LOTS 1-11, BLOCK A

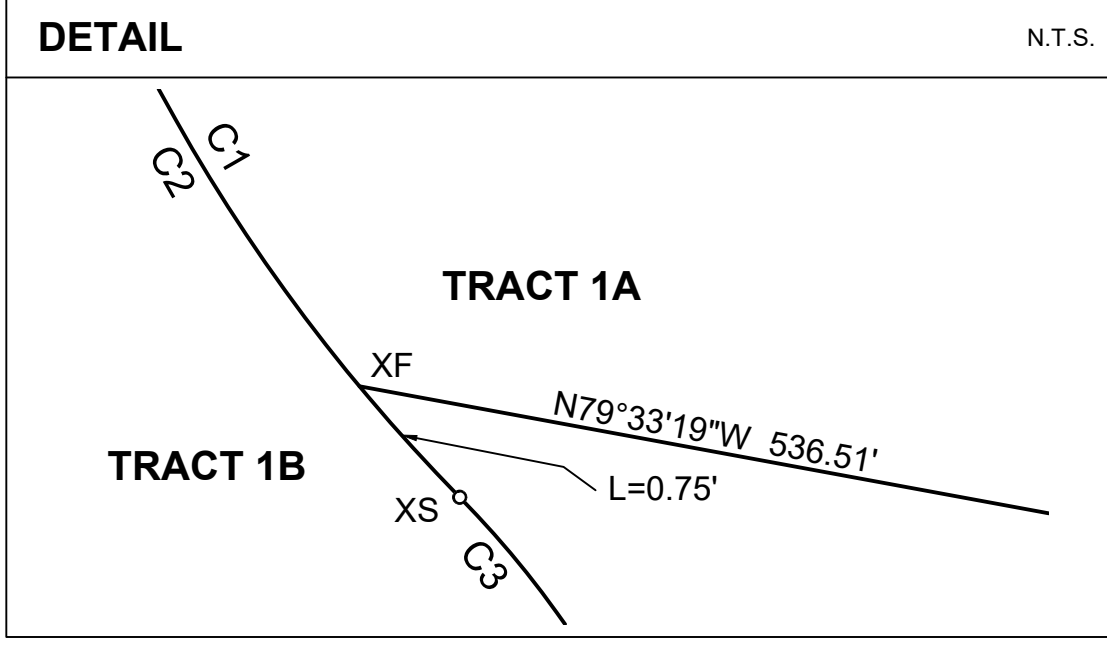
30.853 ACRES OUT OF THE
MARSELLA JONES SURVEY, ABSTRACT NO. 662
TOWN OF LITTLE ELM, DENTON COUNTY, TEXAS
CASE NO. FP-22-00117

Kimley»Horn

13455 Noel Road, Two Galleria Office
Tower, Suite 700, Dallas, Texas 75240
FIRM # 10115500
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	EMP	DJD	DEC. 2021	067780333	1 OF 2

Full date, include the day



Include email address
[FP Checklist]

OWNER:
ALTA 380 PARTNERS, LLC
P.O. BOX 115125
DALLAS, TEXAS 75230
PHONE: 214-593-0218
CONTACT: RYAN MILLER

OWNER:
LITTLE ELM 380 PARTNERS, LLC
P.O. BOX 115125
CARROLLTON, TEXAS 75011
PHONE: 972-466-3183
CONTACT: PETE FLOWER

ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 1300
DALLAS, TEXAS 76102
PHONE: 972-770-1300
CONTACT: SARAH SCOTT, P.E.

is subject to fines and

Acreage does not match the tax
certificate provided; review and
revise accordingly.

Appears there are existing structures on
property, show their location, as well as
any existing lots, blocks, building lines,
water courses, ravines, bridges, or culverts
on the subject property. [FP Checklist]

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

NOTES:

1. All lots comply with the minimum size requirements of the zoning district.
2. This property may be subject to charges related to impact fees and the applicant should contact the Town regarding any applicable fees due.
3. Notice - Selling a portion of this addition by metes and bounds is violating a Town ordinance and state law and is subject to fines and withholding of utilities and building permits.
4. This plat does not alter or remove existing deed restrictions, if any, on this property.
5. The subject tract does not lie within a 100 year flood plain according to Community Panel No. 48121C0405G, dated April 18, 2011, of the National Flood Insurance Rate Maps for Denton County, TX.
6. The coordinates shown are based upon the Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983 on grid coordinate values, no scale and no projection.
7. All interior lot corners will be 5/8-inch iron rod with red plastic cap stamped "KHA" set unless otherwise noted.

Update to match verbiage
on FP Checklist.

violation

property

OWNER'S CERTIFICATE
STATE OF TEXAS §
COUNTY OF DENTON §

WHEREAS **LITTLE ELM 380 2931 PARTNERS, LLC., LP**, and **ALTA 3E**ighty, **LLC.**, are the owners of the tracts of land situated in the Marsella Jones Survey, Abstract No. 662, Town of Little Elm, Denton County, Texas and being all of a called 19.151 acre tract of land described in the Special Warranty Deed to Little Elm 380 2931 Partners, LLC., recorded in Document Number 2021-133264, Official Records, Denton County, Texas, (O.R.D.C.T.), and being all of a called 10.000 acre tract of land and a called 1.697 acre tract of land, described in the Special Warranty Deed to ALTA 3Eighty, LLC., recorded in Document No. 2021-128914, O.R.D.C.T., and being more particularly described as follows:

BEGINNING at an "X" cut in concrete found for the northwest corner of Lot 7, Block A of Brakes Plus Addition, an addition to the Town of Little Elm, Denton County, Texas, according to the plat thereof recorded in Document No. 2017-13, Plat Records, Denton County, Texas (P.R.D.C.T.);

THENCE South 10°31'20" West, with the west line of said Lot 7, Block A, a distance of 283.30 feet to a 1/2-inch iron rod with pink plastic cap stamped "TXDOT SURVEY MARKER, RIGHT OF WAY MONUMENT" (hereinafter referred to as "TXDOT Monument") found for corner in the north right-of-way line U.S. Highway No. 380, (a variable width public right-of-way);

THENCE with said north right-of-way line, the following courses and distances:

North 79°40'11" West, a distance of 23.69 feet to a TXDOT Monument found at the beginning of a tangent curve to the left having a central angle of 1°52'32", a radius of 6556.67 feet, a chord bearing and distance of North 80°36'27" West, a distance of 214.62 feet;

In a northwesterly direction, along said curve to the left, an arc distance of 214.63 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found at the beginning of a reverse curve to the right having a central angle of 1°52'32", a radius of 4643.33 feet, a chord bearing and distance of North 80°36'27" West, a distance of 151.99 feet;

In a northwesterly direction, along said curve to the right, an arc distance of 152.00 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found for corner;

North 79°40'11" West, a distance of 179.66 feet to a 5/8-inch iron rod with yellow plastic cap stamped "Petitt RPLS 4807" found for corner;

North 81°32'43" West, a distance of 231.86 feet to a 5/8-inch iron rod with yellow plastic cap stamped "Petitt RPLS 4807" found for corner;

North 79°13'48" West, at a distance of 3.00 feet, passing an cut "X" found at the southeast corner of said 1.697 acre tract, and continuing with said north right-of-way line for a total distance of 141.22 feet to the southwest corner of said 1.697 acre tract from which a 1/2-inch iron rod with cap stamped "Metroplex" found bears South 2°51'32" East a distance, of 0.39 feet;

THENCE North 1°57'18" East, passing at a distance of 13.78 feet a 5/8-inch iron rod with yellow plastic cap stamped "Petitt RPLS 4807" found at the southeast corner of Lot 4X, Block J of Hillstone Pointe Phase 1A, 2 and 3, an addition to the Town of Little Elm, Texas according to the plat thereof recorded in Document Number 2019-307 P.R.D.C.T., as amended by Document No. 2020-155, P.R.D.C.T., continuing with common line of said 1.697 acre tract and said Hillstone Pointe Phase 1A, 2 and 3, a total distance of 914.32 feet to an "X" cut in concrete found at the southwest corner of Lot 1, Block A, The Landing at Little Elm, an addition to the Town of Little Elm, Texas according to the plat thereof recorded in Document No. 2021-172, P.R.D.C.T.;

THENCE South 88°30'32" East, with the south line of said Lot 1, Block A, passing at a distance of 1441.67 feet, the southeast corner of said Lot 1, Block A, and the southwest corner of a 25 foot right-of-way dedication as dedicated by said Plat of the Landing at Little Elm, and continuing with the south line of said The Landing at Little Elm for a total distance of 1466.67 feet to a 5/8-inch iron rod with red plastic cap stamped "KHA" found in the west right-of-way line of Farm to Market Road 2931 (a variable width public right-of-way);

THENCE South 0°55'50" West, with said west right-of-way line, a distance of 782.08 feet to "X" cut in concrete found for corner;

THENCE North 89°20'36" West, departing said right-of-way, passing at a distance of 10.00 feet the northeast corner of Lot 1, Block A of CST Addition, an addition to the Town of Little Elm, Denton County, Texas, according to the plat thereof recorded in Document No. 2015-425, P.R.D.C.T., and continuing with the north line of said CST Addition, a total distance of 373.81 feet to a "X" cut in concrete found at the northwest corner of said CST Addition and being the northeast corner of said Brakes Plus Addition;

THENCE North 79°33'26" West, with the north line of said Lot 1, Block A, of Brakes Plus Addition, a distance of 131.50 feet to the **POINT OF BEGINNING** and containing a computed area of 1,344,007 square feet or 30.853 acres of land.

OWNER'S DEDICATION
STATE OF TEXAS §
COUNTY OF DENTON §

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That **Little Elm 380 2931 Partners LLC**, and **ALTA 3E**ighty, **LLC.**, ("Owners") do hereby adopt this plat designating the hereinabove property as **ALTA 380 ADDITION**, an addition to the Town of Little Elm, Denton County, Texas, and do hereby dedicate to the public use forever, their streets, alleys and public use areas shown hereon, the easements, as shown, for mutual use and accommodation of the Town of Little Elm and all public utilities desiring to use or using same. The Town of Little Elm and any public utility company shall have the right to remove and keep removed all or parts of any building, fences, shrubs, trees or other improvements or growths, which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on said Easements, and the Town of Little Elm and all public utilities constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems, without the necessity, at anytime, of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the Town of Little Elm, Texas.

WITNESS, my hand, this _____ day of _____, 2022.

Little Elm 380 2931 Partners, LLC.

By: _____

Name: _____

Title: _____

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, A Notary Public in and for said county and state, 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 executed the same for the purpose and consideration thereof expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2022.

NOTARY PUBLIC in and for the STATE OF _____

ALTA 3Eighty, **LLC**

By: _____

Name: _____

Title: _____

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, A Notary Public in and for said county and state, 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 executed the same for the purpose and consideration thereof expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF _____, 2022.

NOTARY PUBLIC in and for the STATE OF _____

SURVEYORS CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

I, David J. De Weirdt, a Registered Professional Land Surveyor in the State of Texas, do hereby declare that I have prepared this plat from an actual on the ground survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with Subdivision Regulations of the Town of Little Elm, Texas.

Date
David J. De Weirdt
Registered Professional Land Surveyor No. 5066
Kimley-Horn and Associates, Inc.
13455 Noel Road
Two Galleria Office Tower, Suite 700
Dallas, Texas 75240
Ph. (972) 770-1300
david.deweirdt@kimley-horn.com

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, a Notary Public, on this day personally appeared David J. De Weirdt, known to me to be the person whose name is subscribed to the foregoing instruments, and acknowledged to me that he executed the same for the purpose and considerations therein expressed and in the capacity therein stated.

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

NOTARY PUBLIC in and for the STATE OF TEXAS

TOWN OF LITTLE ELM APPROVAL

APPROVED this the _____ day of _____, 2022 by the Town Council of the Town of Little Elm, Texas.

Mayor

Town Secretary

Update Town approval block per the 2021 Development Application Handbook

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	46°15'58"	187.00'	151.00'	N21°10'41"W	146.93'
C2	46°29'43"	187.00'	151.75'	S21°11'34"E	147.62'
C3	9°01'27"	100.00'	15.75'	S40°01'42"E	15.73'
C4	25°53'10"	50.00'	22.59'	S22°34'18"E	22.40'
C5	10°22'46"	237.69'	43.06'	S04°23'51"E	43.00'
C6	8°30'16"	334.00'	49.58'	S06°12'25"W	49.53'

FINAL PLAT
ALTA 380 ADDITION
LOTS 1-11, BLOCK A
30.853 ACRES OUT OF THE
MARSELLA JONES SURVEY, ABSTRACT NO. 662
TOWN OF LITTLE ELM, DENTON COUNTY, TEXAS
CASE NO. _____

Kimley»Horn

13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240					
FIRM # 10115500			Tel. No. (972) 770-1300 Fax No. (972) 239-3820		
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	EMP	DJD	DEC. 2021	067780333	2 OF 2

OWNER:
ALTA 3EIGHTY,LLC.
5440 HARVEST HILL RD, STE E06
DALLAS, TEXAS 75230
PHONE: 214-593-0218
CONTACT: RYAN MILLER

OWNER:
LITTLE ELM 380 2931 PARTNERS, LLC
P.O. BOX 115125
CARROLLTON, TEXAS 75011
PHONE: 972-466-3183
CONTACT: PETE FLOWER

ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 NOEL ROAD, TWO GALLERIA
OFFICE TOWER, SUITE 1300
DALLAS, TEXAS 76102
PHONE: 972-770-1300
CONTACT: SARAH SCOTT, P.E.



ENGINEERING DEPARTMENT

100 W. Eldorado Parkway | Little Elm, TX 75068

214-975-0470

Second Floor Town Hall

January 12, 2022

Kimley-Horn and Associates, Inc.
Attention: Sarah Scott, P.E.
13455 Noel Road, Suite 700
Dallas, TX 75240

Re: Alta 380 Final Plat Review #1

Ms. Scott,

As the Town's review engineer, Cobb, Fendley & Associates, Inc. (CobbFendley) has reviewed the following plan for compliance with Town of Little Elm and Denton County requirements.

Development: Alta 380
Town Project #: FP-22-00117

Plan Review: 1st Submittal
Plan Received: January 5, 2022
Plan Date: Jan. 2021

This review does not relieve the design engineer, developer, and / or contractor from meeting all Town of Little Elm, Denton County, TCEQ, TxDOT, TDLR, and other state and federal requirements that apply to this project that may or may not have been identified through this review.

CobbFendley has summarized our review comments along with any comments from the Town of Little Elm staff on the following pages. The submitting engineer / developer should address the following comments prior to plan approval.

I look forward to working with you on receiving approval for this development. If you have any questions, feel free to call at 972.335.3214 or email at pmistry@cobbfendley.com.

Sincerely,
COBB, FENDLEY & ASSOCIATES, INC.

A handwritten signature in blue ink that reads "Priya Mistry".

Priya Mistry, P.E.
Municipal Infrastructure



Town of Little Elm

Summary of Engineering Review Comments

Date: January 12, 2022
 Plan Review : Final Plat Review #1
 Received: January 5, 2022
 Plan Date: Jan. 2021
 Development: Alta 380

Town Project #: FP-22-00117

Prepared by: PM

All comments on Plan Review Set and Summary of Review Comment form must be addressed. Summary of Review Comment form may NOT be all inclusive of comments made directly on the Plan Review Set.

PDF Page No. (may not correspond to Sht # Label)	Comments	Response (See Note)	Explanation
GENERAL	Reference markups for clarifications and any additional comments/questions that may not be specifically identified here.		
1	Provide written statement of intent, copy of title commitment, and tax certificate from Denton County. [FP Checklist]		
1	Acreage or square footage of right-of-way dedicated should be shown, including corner clips and deceleration/turn lanes. [FP Checklist]		
1	Building setback lines [FP Checklist]		
1	Acreage does not match the tax certificate provided ; review and revise accordingly.		
1	Full date, include the day		
1	Is this also ROW dedication?		
1	Appears there are existing structures on property, show their location, as well as any existing lots, blocks, building lines, water courses, ravines, bridges, or culverts on the subject property. [FP Checklist]		
1	Include email address [FP Checklist]		
1	Add "All common areas will be owned and maintained by the HOA/POA.		
1	Update to match verbiage on FP Checklist.		
1	Include size of easement (typ)		
2	Update Town approval block per the 2021 Development Application Handbook		
2	Ensure standard language shown on this sheet is in accordance with the 2021 Development Application Handbook.		

- Notes:**
1. Response: Appropriate response is Agree (Correction Made) or Disagree (Correction Not Made), Explanation Required.
 2. This form must be completed and returned with future submittals.
 3. **Failure to submit Completed Summary of Review Comments form will result in a delay of future plan sets being reviewed.**
 4. **Send all plan submittals directly to the Town of Little Elm**



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

02/03/2022

OVERVIEW

Project	SUBDIVISION VARIANCE/ Witt Raod (VAR-21-06705)
P&Z Hearing	02/03/2022
Council Hearing	N/A
Size	Approximately 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	

Agenda Item

SUBDIVISION VARIANCE/Witt Road (VAR-21-06705). Presentation, discussion, and consideration on a request for a Variance from Section 107 - Subdivision Ordinance, for CEC Witt Addition on approximately 1.385 acres, situated in the H. KENDAL SURVEY, Abstract No. 713, within Little Elm's town limit, in order to allow a two-year grace period for requirements listed in Section 107.08.01 (b) - Adequate Public Facilities

- Staff Report
- Applicant Presentation
- Discussion and Recommendation

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

This request originated from the initial Final Plat request to establish 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. The purpose of the 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 Final Plat was denied by the Planning and Zoning Commission on November 18, 2021, for not meeting the following standards:

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.

At this time, the property owner requests a variance to allow a two-year grace period to the requirements listed in Section 107.08.01 (b) - Adequate Public Facilities. However, both water and wastewater lines are existing along Witt Road and accessible for connecting to the subject property.

Recommended Action

This is a major variance request to Subdivision Ordinance requirements and is first directed to the Town Engineer for determination. The Town Engineer has reviewed and denied the request, which is now brought before the Planning and Zoning Commission. If P&Z chooses to deny the request, the applicant can appeal the decision to Town Council.

Town Engineer recommends denial of VAR-21-06705 based on the following reasons:

- Information regarding the water well operation and quality was not provided in the application. This information is required according to Section 107.08.02(d)(7) of the Town's Subdivision Ordinance.
- Access to the Town's water and wastewater system is located directly adjacent to the subject property and would not require additional off-site utility extensions.
- The application states that financial hardship is the reason for the request. According to section 107.01.01(a)(3) of the Subdivision Ordinance, pecuniary interests alone shall not be justification for the granting of a variance.

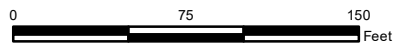
Attachments

Location Map
Letter of Intent
Engineer Review

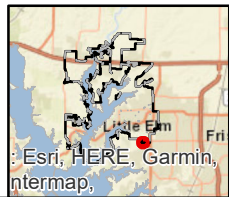


CEC Witt Addition (FP-21-05220)

Date: 10/14/2021



Location Map



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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.



December 14th, 2021

To: Town of Little Elm

RE: Variance - 1707 Witt Road, Little Elm, TX

Attached please find our application for Variance concerning the Water and Sewage elements of our property.

We are requesting that the **existing** potable water well and septic systems be **re-commissioned** and used instead of connecting to "City" utilities.

I have attached the Environmental Site Assessment which confirms that both systems are in conformance with Little Elm's Code Section 107.08.02 #6,7 and (e) as they relate to Water and Sewage. We are **not** going to use the Well water for commercial sale of water. It will only be used for 2 small bathrooms.

Section 107.08.02

(6) Individual wells in ETJ.

a. Well approval. Individual wells within the town's ETJ shall be subject to approval by the Denton County health official, and this approval shall be documented by the health official's signature on the water system statement on the preliminary and final plat. The property owner must submit with the preliminary and final plat applications a certificate from a professional engineer who is registered or a geoscientist who is licensed to practice in the State of Texas verifying the adequacy of the proposed well water supply and potability prior to preliminary plat and construction plans approvals.

b. Compliance with other regulations. Installation, operations and maintenance of individual wells shall comply with town standards, regulations of the Texas Commission on Environmental Quality (TCEQ), and any other applicable county or state rules and regulations. In the event of conflict among these regulations, whichever is the most stringent shall apply.

(7) Alternative water systems. Developments may be approved with alternative water facilities according to the following criteria:

a. Water well operation and quality shall meet the minimum requirements of the Texas Commission on Environmental Quality (TCEQ), Denton County, town health ordinances, and all other regulatory agencies, as applicable.

b. Water wells may not be used for commercial sale of water.

c. The cost to tie onto the public water system must exceed the certified initial capital cost of a well by 25 percent. All costs and engineering designs shall be submitted by a licensed professional engineer and are subject to review and approval by the town engineer. If a residence is located within 1,000 feet of a domestic water supply, that residence must connect to that service.

The cost to connect to the city services will exceed \$20,000 which is well over 25% higher than the already functioning well on the site.

We are willing to connect to the city water if we can get a minimum grace period of 2 years after we open for business.

Thank you,

Alan Weiss
President
Steps America, Inc.
Home Floors Remodeling and Granite Yard
4400 Preston Rd.
Frisco TX 75034
[214-618-2870](tel:214-618-2870) Office
[214-618-2871](tel:214-618-2871) Fax
[469-293-2462](tel:469-293-2462) Direct
www.homefloors.net

MEMO

Date: December 22, 2021

To: Olga Chernomorets, Planning Manager

From: Wesley Brandon, Town Engineer



RE: 1707 Old Witt Road

Variance Request

I have reviewed the variance request received on December 14, 2021 regarding the proposed re-commissioning of an existing water well and septic system. It is my understanding that the property owner intends to utilize the well and septic system to serve a commercial business, rather than connecting to the Town's water and wastewater system.

After reviewing the applicant's request and supporting documentation, as well as the Town's Subdivision Ordinance, I cannot approve the variance request for the following reasons:

1. Information regarding the water well operation and quality was not provided in the application. This information is required according to Section 107.08.02(d)(7) of the Town's Subdivision Ordinance.
2. Access to the Town's water and wastewater system is located directly adjacent to the subject property and would not require additional off-site utility extensions.
3. The application states that financial hardship is the reason for the request. According to section 107.01.01(a)(3) of the Subdivision Ordinance, pecuniary interests alone shall not be justification for the granting of a variance.

Section 107.10.01 of the Town's Subdivision Ordinance contains information regarding the applicant's option to appeal this decision.

Thanks

A handwritten signature in blue ink that reads "Wesley".



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

02/03/2022

OVERVIEW

Project	PUBLIC HEARING/ Hardwicke EDC Rezoning (Z-22-00287)
P&Z Hearing	02/03/2022
Council Hearing	March 1, 2022
Size	Approximately .344 acres
Current Zoning	Single Family A1
Proposed Use	Lakefront District
Existing Use	Vacant
Future Land Use Plan Designation	Lakefront District (LF)
Applicant	Little Elm Economic Development Corporation
Owner	Little Elm Economic Development Corporation
Strategic Goal	

Agenda Item

PUBLIC HEARING/ Hardwicke EDC Rezoning (Z-22-00287) Presentation, discussion, public hearing, and consideration of a request to rezone approximately .344 acres at 108 Hardwicke Lane, legally known as Lot 11, Block H, Little Elm Townsite from Single Family A1 (A1) to Lakefront District (LF).

- Staff Report/Applicant Presentation
- Open Public Hearing
- Receive Public Comment
- Close Public Hearing
- Discussion and Recommendation

Location

Generally located on the East side of Hardwicke Lane, approximately 180 feet South of W. Eldorado Parkway, within Little Elm's town limits.

Planning Analysis

Background. Subject Property consists of a .344 acre- lot currently zoned as Single Family A1 (A1). Most recently, this property was utilized as a single-family residence, which has been demolished and currently contains green open space utilized for occasional special events associated with the commercial kitchen food truck operations on the adjacent lot.

The Town of Little Elm Economic Development Corporation (EDC) owns the subject property and has long

term visions to utilize the property as part of a larger redevelopment opportunity based on the goals and visions of the Lakefront District (LF). While the details of the long term development plans are being realized, EDC would like to move forward with the rezoning of the subject lot to the Lakefront District (LF) in order to streamline the development process in the future. This is a straight rezoning without any requests for modified standards, therefore all the requirements of the Lakefront District will be followed.

Since no development is proposed at this time, no physical changes are being proposed on-site.

Comprehensive Plan. The Town's Comprehensive Plan identifies this area as part of the envisioned Lakefront District, providing the cultural and civic center for the community through enhanced pedestrian friendly atmosphere and lakeside community character. The proposed rezoning aligns with the Town's vision for this area.

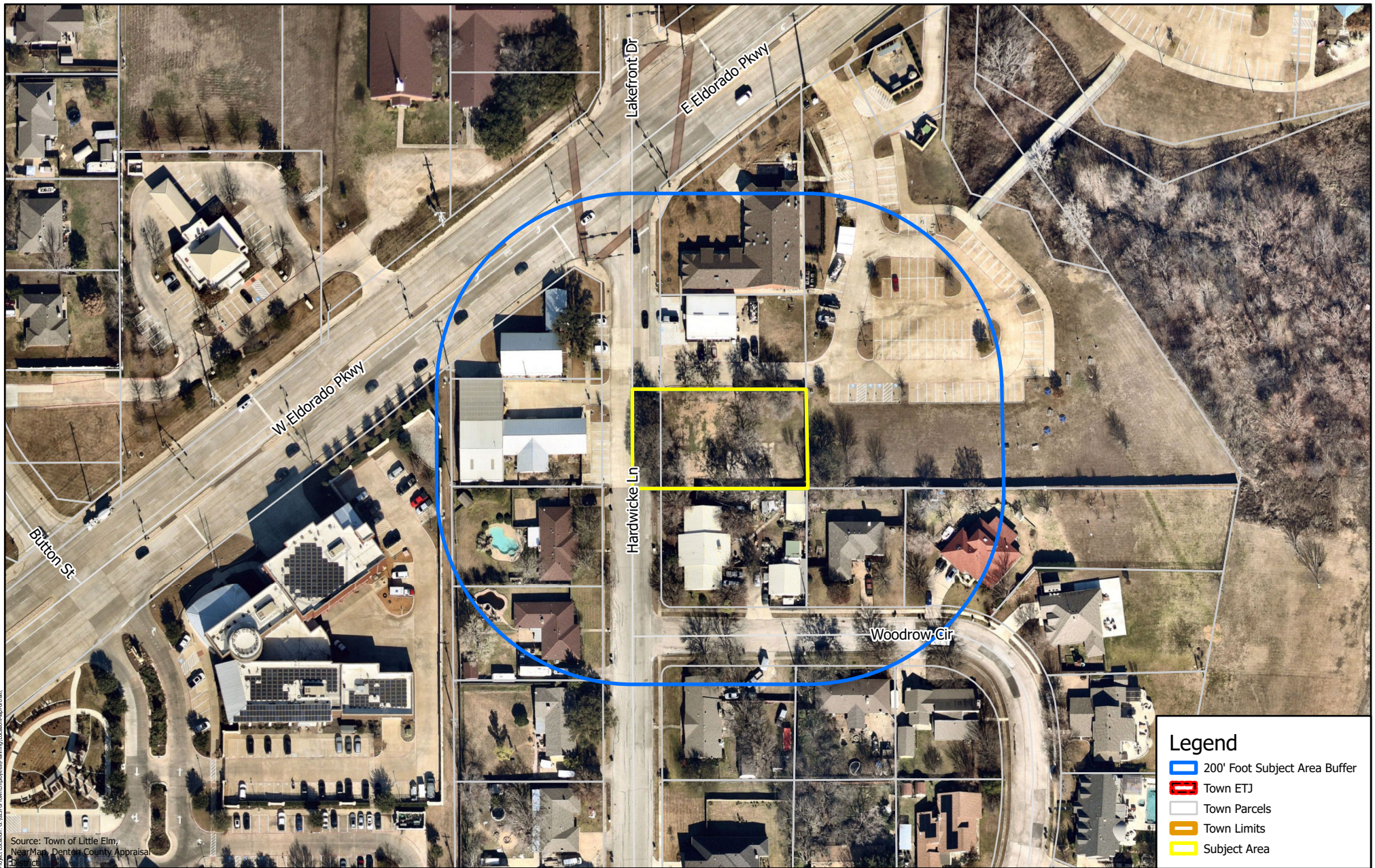
Recommended Action

Staff recommends approval of the requested rezoning as presented.

Attachments

Location Map

Lakefront District Standards and Procedures



- Legend**
- 200' Foot Subject Area Buffer
 - Town ETJ
 - Town Parcels
 - Town Limits
 - Subject Area

Source: Town of Little Elm,
NearMap, Denton County Appraisal
District



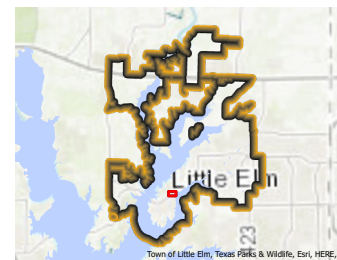
EDC Hardwicke Rezoning

0 0.01 0.03 0.05 Miles



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

Date: 1/24/2022



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.

Sec. 106.04.02 Lakefront District.

DIVISION 1. PURPOSE, GOALS AND INTENT

(a) *Purpose.*

The purpose of the Lakefront District is to implement the adopted recommendations of the comprehensive plan by establishing a pedestrian-oriented lakefront which will serve as the civic and cultural heart of the town for generations.

(b) *Goals.* The goals of this Code are:

- (1) To build on the town's targeted "lakeside community character," with built form and materials that are reminiscent of lakefront communities.
- (2) Make the sustainable through:
 - a. Providing for integrated mixed use;
 - b. Embodying LEED-ND (Leadership in Energy and Environmental Design Neighborhood Development) principles; and
 - c. Assuring pedestrian and bicycle friendliness;
- (3) To provide development and land use flexibility within the framework of a form-based development code;
- (4) To provide a mix of residential, retail and office uses in a pedestrian and bicycle-friendly environment; and
- (5) To encourage high quality development through providing a balance of development standards and expeditious administrative approvals for projects which meet the intent of this Code.

(c) *Intent.* The intent of this Code is:

- (1) To provide a comfortable and attractive environment for pedestrians, which include such things as buildings framing public space, interesting street walls, street trees, lighting and street furniture;
- (2) To construct buildings close to the sidewalk and street;
- (3) To construct continuous building frontage along block faces except where it is desirable to provide for pedestrian and auto pass-through to parking at mid block;
- (4) To provide shared parking that will benefit the entire district;
- (5) To encourage the use of public parks and plazas as a focus for mixed use developments;
- (6) To design and build flexible buildings that can accommodate a range of uses over time;
- (7) To design streets, access lanes and buildings that will provide a high level of connectivity between parcels and projects for pedestrians, bicycles and autos; and
- (8) To create a safe multi-modal mixed use environment.

(Ord. No. 1407, § 2, 8-15-2017)

DIVISION 2. DEFINITIONS

The following definitions shall apply within the Lakefront Code.

Access lane. Any on-site drive or lane intended to accommodate autos or pedestrians.

Charleston house. This is a house that is built close to the front sidewalk but also has one building edge adjacent to a shared property line, thereby creating a useable side yard. (See table 1 Building Disposition) A double Charleston house is two single-family Charleston houses which share a common wall (and property line).

Review committee. A committee constituted by the town to advise the director on major development waivers. (See section 106.04.02, "Lakefront District - division 9(b) review process")

Building facade, primary. Any facade that faces a public street or open space.

District. The entire area covered by the lakefront code.

Entry, primary. The main entry to a building on a block face. There must be at least one main building entry for each ground floor use, tenant or lobby on each block face which contains the use or tenant.

Flats. Urban apartments located in a pedestrian friendly mixed use development, and usually positioned above the ground floor.

Landmark buildings. Buildings which are located on axis with a terminating street or at the intersection of streets. Such buildings shall incorporate architectural features which address height and articulation that emphasize the importance of such a location.

Live-work. A fee-simple dwelling unit that contains, to a limited extent, a separate commercial component on the ground floor. It is in the form similar to a townhouse or store with residential quarters above or behind the commercial use.

Loft. A flexible residential space which may be partially used for an artist or design studio, and which is characterized by higher than normal ceilings, open floor plans and often, exposed duct work.

Loft, mixed use. A mixed use building that includes a majority of residential use such as lofts, apartments, condominiums and offices, but contains nonresidential use in a portion of the ground floor.

Major thoroughfare. This refers to the ultimate configuration of Eldorado Parkway.

Parking, shared. Parking which is shared by tenants, visitors and the general public. Hours of availability and use may be further defined in cooperation with the town.

Patio house. This refers to a home which occupies the boundary of the lot while defining one or more private patios. (See Table 1 Building Disposition)

Regulating plan. A plan that governs the development of a multi-phased project area as defined in. (See section 106.04.02, "Lakefront District - division 9(c) regulating plan")

Retail use. For the purposes of the Lakefront Code, retail use is defined as a business having as its primary function, the supply of merchandise or wares to the end consumer. Such sales constitute the "primary function of the business when sales equal at least 80 percent of the gross sales of the business.

Stacked flat. A condominium, apartment or loft which is part of a building of similar units. Flats located on the ground floor must still meet the requirements for direct front door access to a stoop and a public sidewalk.

Stoop. A structure that is located approximately at the level of the first floor of the structure and intended to provide access to a residential unit.

Story. That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling above the floor of such story. This includes any mezzanine or loft which may comprise only a portion of a full floor plate.

Streetscape. The urban element that establishes the major part of the public realm. The streetscape is composed of thoroughfares (travel lanes for vehicles and bicycles, parking lanes for cars, and sidewalks or paths

for pedestrians) as well as the visible private frontages (building facades and elevations, porches, yards, fences, awnings, etc.), and the amenities of the public frontages (street trees and plantings, benches, streetlights, etc.).

Lakefront engineering and landscape standards. Any approved town standards which govern such items as street, streetscape, drainage, signage and other public improvements in the Lakefront District.

Town manager. The town manager of the Town of Little Elm or his designee.

Townhouse. An attached dwelling unit located on a platted lot which shares at least one common wall with another such unit. Townhouses are grouped together in clusters of three to six units.

Urban design officer (UDO). The planning manager shall serve as the urban design officer for the Lakefront District.

Waiver to design standards, major (major waiver). A significant change to the standards of this Code, as identified in the district regulations and requiring planning and zoning commission and town council approval. (See section 106.04.02, "lakefront district division 3(g) and 9(e) regarding waivers of design standards")

Waiver to design standards, minor (minor waiver). A minor change to the standards of this Code that is not contrary to the stated goals and intent of the district. (See section 106.04.02, "lakefront district division 3(g) and 9(e) regarding waivers of design standards")

(Ord. No. 1407, § 2, 8-15-2017)

DIVISION 3. GENERAL DISTRICT STANDARDS

(a) *Building and land use.*

Intent. It is intended that allowed uses will encourage pedestrian-oriented mixed use projects that are well integrated with retail and residential activities.

- (1) Retail, personal service, residential and office uses shall be allowed throughout the district in accordance with the list of authorized uses set forth in appendix 1 Lakefront Land Use. Uses which are not specifically authorized require a major waiver.
- (2) Where "required retail at-grade construction" is designated on the conceptual framework plan, the ground floor adjacent to the street should be constructed to retail building standards for a depth of at least 50 feet, however a smaller depth may be allowed if the retail is serving as a "liner" use which is masking a parking garage, by minor waiver.
- (3) All changes to access drives require a minor waiver.

(b) *Block face.*

Intent. It is intended that building walls should be continuous along block faces to create a strong edge to the street and contribute to creating an attractive and active pedestrian environment, with allowance for some limited variation and opportunities for outside dining, pocket parks and special building entry features. Buildings should also be constructed close to the street to provide a sense of enclosure.

It is also intended that blocks be as short as practical to both support pedestrian access/walkability and to facilitate the process of renewal and regeneration of buildings and frontages over the long term.

- (1) Continuous building frontage will be considered to be met if 80 percent or more of the primary building facade is located within 15 feet of the right-of-way or build-to line designated on an approved plan. This shall apply to each phase of development unless otherwise approved. However, administrative approval of a minor waiver will permit down to 70 percent, provided that the reduction results in an attractive outdoor dining area, building entry feature or other amenity which contributes to the streetscape. A greater reduction shall require approval of a major waiver.

-
- (2) Facades shall generally be built parallel to the street frontage, except at street intersections, where a facade containing a primary building entrance may be curved or angled toward an intersection.
- (3) Build-to lines.
- a. Build-to lines shall be measured from the planned street right-of-way or public easement, as established on the approved regulating plan and the standards in this chapter. The entire area between the back-of-curb and the primary building facade shall be dedicated as public right-of-way or have a public access easement placed upon it.
 - b. Exterior steps, stoops, chimneys, and bay windows may encroach beyond the build-to line by two feet, but not into a public right-of-way. Balconies ten feet or more above the sidewalk may encroach up to six feet including a public right-of-way or access lane.
 - c. Awnings may encroach above the public sidewalk without limit, but may not extend into a vehicular roadway or accessway.
- (c) *Streets; intent.* It is the intent that public and private streets and accessways provide a framework that will facilitate the movement of pedestrians and autos in an attractive environment, and provide for incremental long term revitalization and redevelopment of parcels to meet changing market sector needs. All streets and blocks in the Lakefront Code shall conform to the provisions of this section.
1. *Street standards.* Standards for streets within the district shall be approved as part of a regulating plan and shall be in generally conformity with appendix 2 thoroughfare assemblies.
 2. *Street pattern.* The pattern of all streets in the project area shall be based upon a small scale grid system of interconnecting streets, and shall connect to adjoining nonsingle-family properties.
- (d) *Streetscape and landscape; intent.* It is the intent to both encourage and require streetscape and landscaping that reinforces the lakefront character of Little Elm as envisioned in the Comprehensive Plan. It is also the intent to create comfortable pedestrian environments and lower summer ambient temperature by shading sidewalks, parking areas and drive lanes.
1. *Streetscape standards.* Shade trees are required along all public street rights-of-way, either within the ROW or immediately adjacent at an average of 20 feet on center.

Where buildings are not adjacent to the sidewalk, a second row of trees shall be provided in place of a building wall unless adjacent to a plaza or pocket park or approved by minor waiver as a temporary condition.
 2. *Site landscaping* shall include drought tolerant grasses and shrubs as listed in the town's list of approved plant materials.
 3. *Residential ground floor frontages* shall be required to landscape a minimum of five feet between the edge of sidewalk and the primary building facade, excluding access to sidewalks, stairs, stoops, porches and patios. This area may be landscaped with ground cover, low shrubs, ornamental trees and street trees. In addition, street tree wells may also be landscaped. Landscaping for tree wells is limited to ground cover and low shrubs.
- (e) *Transition from single-family zoning.* On any property in the Lakefront District which shares a lot line with a single-family zoned property:
- (1) The setback shall be a minimum of 20 feet from the property line, and
 - (2) Maximum building height within 50 feet shall be 35 feet. Beyond 50 feet, the height shall increase at a rate of one foot for each foot the building is set back, to the maximum allowed number of stories.
- (f) *Waivers of design standards.* The following waivers are authorized within the Code, subject to the procedures in division 9E and as otherwise specified in this Code.

Minor waivers include:

- Requirement to line a parking garage with buildings
- Requirement for continuous building frontage
- Establishment of build-to line
- Encroachment into the build-to line
- Residential landscape requirement
- Increased building height for "landmark" buildings
- Design of buildings without tri-partite architecture
- Required frequency of building entries along a street edge
- Window detailing
- Exterior building and roof materials
- Exterior building color
- Retail at-grade design standards
- Landscape standards
- Location of bicycle parking
- Minor revisions to thoroughfare assemblies

Major waivers include:

- Required retail construction
- Building height for non-landmark buildings
- Exceeding the maximum leasable retail area
- Residential at-grade design standards
- Parking requirements
- Parking garage design standards

(Ord. No. 1407, § 2, 8-15-2017)

DIVISION 4. BUILDINGS

(a) *Intent.* The intent of this section is to create an attractive and active Lakefront Town style district; and the size, disposition, function and design of buildings play an important role in achieving that goal. This includes encouraging the appropriate use of:

- Landmark "lighthouse" elements
- Cementitious fiberboard siding in the form of planks or board and batten
- Metal or tile - (clay or cement) roofing material

It is also intended that commercial spaces are designed and constructed in a manner that allows flexibility to accommodate a range of uses over time in order to avoid the need to demolish and rebuild for successive uses. Buildings should directly contribute to the attractiveness, safety and function of the street and public areas. Buildings that accommodate retail at-grade should feature the retail activity over the building's architecture.

Buildings should be constructed in a manner, and with materials, that are highly durable and will continue to endure and be attractive over a long time, especially adjacent to public and pedestrian areas.





It is intended by this section, to encourage a variety of building and design solutions in response to the standards and regulations outlined herein.

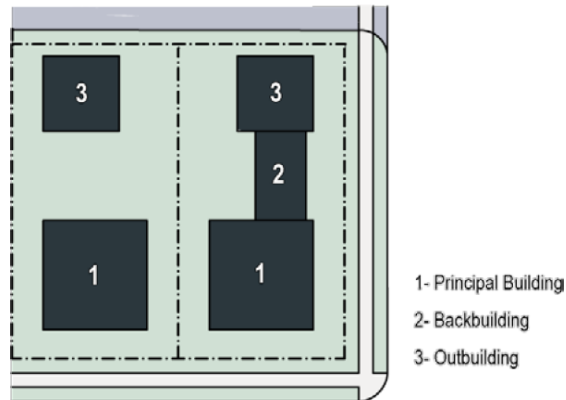
(b) *General building configuration.*

(1) *General building disposition.*

- a. Buildings shall be disposed in relation to the boundaries of their lots according to Table 1 Building Disposition.
- b. One principal building at the frontage and one outbuilding to the rear may be built on each lot. A back-building may be built between the principal building and the outbuilding on the side-frontage of corner lots as shown in Table 2 Building Location.
- c. Facades shall be built generally parallel or tangent to the principal frontage line. For lots having two frontages, the one along the more urban frontage of the two shall be the principal frontage unless otherwise determined by minor waiver.
- d. Single-Family outbuilding rear setbacks shall be a minimum of eight feet from the alley right-of-way to the garage door if there is one, or three feet to the building wall if not. Townhomes with rear patios and a detached garage may have a minimum setback of three feet. In the absence of a rear alley or lane, the rear setback shall be a minimum of three feet.
- e. Loading docks and service areas shall be permitted on frontages only when absolutely necessary, by minor waiver.

Building disposition. This table approximates the location of the structure relative to the boundaries of each individual lot, establishing suitable basic building types for each transect zone.

ARTICLE IV, TABLE B LAKEFRONT BUILDING DISPOSITION	
A. Side yard: Specific Types - Charleston House, Charleston Double House. A building that occupies one side of the Lot with the Setback to the other side. A shallow Frontage Setback defines a more urban condition. If the adjacent building is similar with a blank side wall, the yard can be quite private. This type permits systematic climatic orientation in response to the sun or the breeze. If a Side yard House abuts a neighboring Side yard House, the type is known as a twin or Charleston Double House. Energy costs, and sometimes noise, are reduced by sharing a party wall in this Disposition.	
B. Rear yard: Specific Types - Townhouse, Live-Work unit, loft building, Stacked Flats, Mixed Use Block, Flex Building. A building that occupies the full Frontage, leaving the rear of the Lot as the sole yard. This is a very urban type as the continuous Façade steadily defines the public Thoroughfare. The rear Elevations may be articulated for functional purposes. In its Residential form, this type is the Rowhouse. For its Commercial form, the rear yard can accommodate substantial parking. Garages may be attached or detached.	
C. Courtyard: Specific Types - Patio House. A building that occupies the boundaries of its Lot while internally defining one or more private patios. This is one of the most urban of types, as it is able to shield the private realm from all sides while strongly defining the public Thoroughfare. Because of its ability to accommodate incompatible activities, masking them from all sides, it is recommended for workshops, Lodging and schools. The high security provided by the continuous enclosure is useful for crime-prone areas.	
D. Urban: Specific Types - Stacked Flats, mixed use lofts, office, and retail. A building which occupies the entire site. This is the most urban type, and is common in downtowns. It can accommodate a wide range of functions.	



(c) *Building standards.*

(1) *Building form.*

- a. Buildings shall not exceed four stories except where adjacent to Eldorado, which may be up to seven stories provided that views of the lake are not significantly blocked for neighboring development. Additional height along Eldorado may be allowed at specific locations by minor waiver.
- b. All buildings shall be designed and constructed in tri-partite architecture so that they have a distinct base, middle and top.
- c. Buildings which are located on axis with a terminating street or access lane or at the intersection of streets and/or access lanes shall be considered a landmark building. Such buildings shall be designed with landmark features which take advantage of that location, such as an accentuated entry and a unique building articulation which is off-set from the front wall planes and goes above the main building eave or parapet line.

(2) *Architectural features.* Where clearly visible from a public street, open space or access lane:

- a. *Roofs.* For buildings with hip, gable or mansard roofs (unless otherwise allowed by minor waiver):
 - 1. Allowed materials include standing seam, clay or concrete tile (barrel or Roman shape)
 - 2. Skylights and roof vents shall not be visible.
- b. Windows, except for retail at-grade, shall be vertical in proportion and have at least a three-inch reveal. Vertically proportioned windows which are joined together by a mullion shall be considered as meeting this standard.
- c. Each building and separate lease space at-grade along the street edge shall have a functioning primary entry from the sidewalk. Such entries must be inset from the front building plane by at least three feet. Functioning entries must be located no greater than 60 feet apart. Corner entries may count as a primary entry for both intersecting street frontages.

(3) *Exterior facade materials.* The following shall apply to all exterior walls of buildings and parking structures which are clearly visible from a public street, walkway or open space:

- a. *Allowed exterior materials.* Allowed exterior surface materials are categorized into three groups:
 - 1. Group A. Brick and stone.
 - 2. Group B. Stucco, architectural concrete block with integrated color, factory primed cementitious fiberboard (in the form of lap siding or board and batten). Cementitious fiberboard is limited to 20 percent of any facade.
 - 3. Group C. Accent; Metal, EIFS, wood and tile.
- b. *Prohibited exterior materials.* Prohibited exterior surface materials include cinderblock and aggregate finished surfaces.
- c. *Primary facades.* The following shall apply to all exterior walls of buildings which are clearly visible from a public street, open space, or active storefront:

Primary facades, excluding windows, doors, and other openings, shall be constructed of at least 80 percent group A materials and up to 20 percent group B materials. However, accent materials from group C may be allowed in limited application for architectural features.
- d. *Secondary facades.* The following shall apply to all exterior walls of buildings (15,000 square feet or larger) which are not clearly visible from a public street, open space or active storefront:

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1. Walls, excluding windows, doors, and other openings, shall be constructed of a minimum of 20 percent group A materials and up to 80 percent group B materials. However, the color of the walls shall match the primary facades.
 2. Wrapping the primary facade treatment. Secondary facades which are adjacent to the primary facade shall contain the primary facade treatment for at least ten percent of its area. This may occur as a simple continuation of the primary facade treatment, or elements such as cornices, bases and vertical elements. In all cases, however, wall surface materials shall wrap the corner.
 3. Walls which are constructed on a property line as one of a series of in-line buildings where the wall will become part of a common wall shall be subject to minor waiver approval and may include a greater distance of "wrapping" and more lenient use of other materials such as cinder block.
- e. *Two materials.* At least two materials shall be used on all exterior facades.
 - f. Windows and glazing shall be limited to a minimum of 30 percent and maximum of 70 percent of each building elevation (see 6.b below for special requirements for retail at-grade).
 - g. A variation of up to 15 percent of the standard above, and the material type may be approved by administrative approval of a minor waiver, provided that it is demonstrated that:
 1. The requested material use will result in achieving the town's architectural goals, and
 2. The change will result in an improved architectural design without degrading the quality of public areas or increasing the need for maintenance.
- (4) *Color.*
- a. The dominant color of all buildings (including any above-grade parking structures) shall be muted shades of color. Black and stark white shall not be used except as an accent color. There are no restrictions on accent colors which comprise less than one percent of the building face, except that florescent colors are prohibited.
 - b. Roof colors shall be a muted shade of cool gray, warm gray, brown or red.
- (5) *Residential at-grade.*
- a. All buildings which have residential unit floor plates within six feet of grade shall include a primary front door entrance into the unit which may be accessed from the sidewalk. Any change to this standard shall be considered a major waiver.
 - b. The entry shall be located a minimum of two feet above the sidewalk elevation and include a minimum 24 square foot stoop. If pre-empted by topographic conditions, the entry may be lowered in elevation, subject to approval of the director. However, up to 50 percent of units may be ADA accessible from the sidewalk provided there is a maximum four-foot largely transparent metal fence separating the private area from the public sidewalk area. Any change to this standard shall be considered a major waiver.
 - c. Units must also include windows which provide residents a view of the street or public access easement and sidewalk area. Any change to this standard shall be considered a minor waiver if pre-empted by topographic conditions.
 - d. Lobbies to upper stories may be located at-grade level.
 - e. Balcony and patio railings and fences shall be largely transparent and constructed of glass, wrought iron or metal. Masonry columns may be used on patios provided that they are used as accents. Wood fences and railings and chain-link fencing are prohibited.

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- f. Townhouses shall meet the town standards for that unit type.
- (6) *Nonresidential at-grade.*
- a. The ground floor entry must be located at the approximate elevation of the adjacent sidewalk.
 - b. Retail uses adjacent to the sidewalk at-grade shall:
 - 1. Be constructed to meet fire code separation from any other uses constructed above;
 - 2. Have a minimum clear height of 16 feet between finished floor and the bottom of the structure above. Mezzanines within the retail space shall be allowed per building code;
 - 3. Have an awning or canopy which extends at least six feet over the sidewalk for at least 75 percent of the frontage on any portion of the primary facade. Such awning or canopy shall maintain a minimum seven and one-half foot clearance over the sidewalk; and
 - 4. Have highly transparent glass windows for at least 60 percent, but no greater than 80 percent, of the ground floor facade.

(Ord. No. 1407, § 2, 8-15-2017)

DIVISION 5. PARKING AND ACCESSIBILITY

- (a) *Vehicle parking.*
- (1) *Intent.* The following is the intent of the town's parking policies and this Code:
- a. Support the creation of shared parking in order to enable visitors to park once at a convenient location and to access a variety of commercial enterprises in a pedestrian and bicycle-friendly environment.
 - b. Manage parking so that it is convenient and efficient, and supports an active and vibrant mixed use environment.
 - c. Ensure ease of access to parking.
 - d. Provide flexibility for changes in land uses which have different parking requirements within the district.
 - e. Provide flexibility for the redevelopment of small sites.
 - f. Avoid diffused, inefficient single-purpose reserved parking.
 - g. Avoid adverse parking impacts on residential neighborhoods.
 - h. Ensure that any parking structures do not dominate the public environment, by lining the edge of structures with residential or commercial uses where visible from public roads and open space.
- (2) *Parking requirements.* Off-street facilities shall be provided in accordance with this subsection.
- a. Off-street parking spaces for the applicable use classification shall meet the following minimum number of spaces in Table 3 Parking Calculations.
 - b. *Parking location.* All off-street surface parking shall be located at least 15 feet behind the front facade which faces on a street or public open space, and shall be accessed by alley or short driveway between buildings. Any change to this standard shall be considered a minor waiver.
 - c. *At-grade parking.* All at-grade parking lots fronting roadways shall be screened from view as outlined in division 3(e) streetscape and landscape and division 8 landscape of this Code. Landscaping of the internal surface parking area shall not be required unless it is planned to serve as long term parking. In which case, such long term surface parking areas shall meet the

requirements of division 7(e) parking lot landscape. For the purpose of this section, long term parking shall be determined by the director, and may include parking which has a likelihood of being in place for a period of seven years or more.

- d. *Parking calculations.* The shared parking factor for two functions, when divided into the sum of the two amounts as listed on the required parking table below, produces the effective parking needed for each site involved in sharing. Conversely, if the sharing factor is used as a multiplier, it indicates the amount of building allowed on each site given the parking available.

ARTICLE IV, TABLE C	
LAKEFRONT PARKING CALCULATIONS	
<i>Land Use</i>	<i>Minimum Parking Requirements</i>
Residential	1 space per bedroom, up to 2 spaces per dwelling
Lodging (hotel, inn)	1 space per bedroom
Office, Retail, Restaurant	1 space per every 400 square feet
Civic and Other uses	To be determined by minor waiver

ARTICLE IV, TABLE D				
LAKEFRONT SHARED PARKING FACTOR				
	Residential	Lodging	Office	Retail
Residential	1	1.1	1.4	1.2
Lodging (hotel, inn)	1.1	1	1.7	1.3
Office	1.4	1.7	1	1.2
Retail	1.2	1.3	1.2	1

* Parking requirements are based on at least 90 percent non-reserved stalls; otherwise, the requirement shall be 1/300 square feet for office, retail or restaurant use.

Note 1. Open space and civic space do not require parking.

Note 2. Active recreation or sports facilities parking requirements shall be determined by minor waiver.

Note 3. On-street parking shall not count toward meeting residential parking requirements.

- e. *Parking garages—Where approved.*
- Parking garages which are adjacent to a street shall be set back a minimum of 50 feet and lined with buildings containing any permitted use but parking.
 - Off-street below grade parking is permitted to the lot lines, but must be designed to allow planting of landscape as defined in division 7 landscape. No below grade parking beneath a building shall be visible from the sidewalk.
- f. *Shared parking.*
- Uses may join in establishing shared parking areas if it can be demonstrated that the parking for two or more specific uses occurs at alternating time periods, or where shared parking is massed and configured in a way that increases its efficient use. Required parking shall be determined by a parking analysis study approved by the director.
 - Shared parking shall be clearly designated with signs and markings.

(b) *Bicycle parking.*

- (1) *Goals.* Bicycle parking is required in order to encourage the use of bicycles by providing safe and convenient places to park bicycles.
- (2) *Required bicycle parking.* Bicycle parking shall be provided based on at least one space for every ten automobile parking spaces required as part of the base parking requirement in subsection (a)(2) above.
- (3) *Bicycle parking standards.*
 - a. *Location.*
 1. Required bicycle parking must be located within 50 feet of an entrance to the building. With approval of a minor waiver, bicycle parking may be located in the public right-of-way.
 2. Bicycle parking may be provided within a building, but the location must be easily accessible to bicycles.
 3. Any bicycle parking in the public right-of-way should be located within the band created by street trees and pedestrian street lights, however, it must be placed in a manner that avoids conflicts with pedestrian and vehicular paths.
 - b. *Signs.* If bicycle parking is not visible from the street, then a sign must be posted indicating the location of the bicycle parking facilities.
- (4) *Standards for bicycle rack types and dimensions.*
 - a. *Rack type.* Bicycle rack types and standards shall be approved by the town.
 - b. *Parking space dimensions.*
 1. Bicycle parking spaces must be at least six feet long and two feet wide, and in covered situations, the overhead clearance must be at least seven feet.
 2. An aisle for bicycle maneuvering must be provided and maintained beside or between each row of bicycle parking. This aisle must be at least five feet wide.
 3. Each required bicycle parking space must be accessible without moving another bicycle.
- (c) *Accessibility throughout the district area.* All parcels within a project area shall be platted and laid out in a manner that ensures connectivity for pedestrian and automobile movement both within the project and to adjacent nonsingle-family zoned properties.

DIVISION 6. LIGHTING AND MECHANICAL

- (a) *Intent.* It is the intent of this section to provide a level and consistency of lighting that supports pedestrian activity and promotes safety, and to reduce the visual impact of mechanical equipment on the public realm.
- (b) *Standards.*
 - (1) Average lighting levels within project areas should be approximately:
 - a. Urban Residential three foot-candles (fc);
 - b. Urban Retail six fc;
 - c. Parking areas 1.5 fc;
 - d. Street intersections three fc;
 - e. Street centerline 1.7 fc.

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- (2) Lighting elements shall be incandescent, metal halide, halogen or LED in a white spectrum light. No HID or fluorescent lights (except fluorescent bulbs that screw into standard socket fixtures) may be used on the exterior of buildings.
 - (3) All lighting shall be focused downward or narrowly focused on its intended target such as signs, parking and pedestrian walkways. No lighting source from a commercial activity shall be visible by a residential unit.
 - (4) The entire district shall utilize the basic fixtures and furnishings in the public areas as are approved by the town.
 - (5) Mechanical and electrical equipment, transformers, meters, garbage containers and loading areas shall meet town standards.

(Ord. No. 1407, § 2, 8-15-2017)

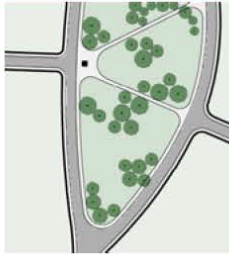
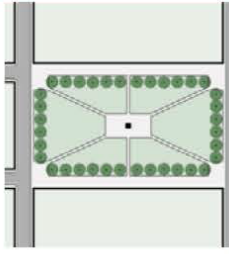
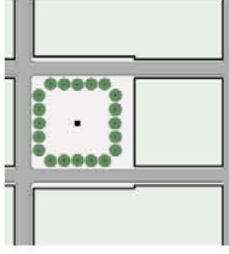
DIVISION 7. LANDSCAPE

- (a) *Intent.* Landscaping within the Lakefront Code shall comply with the provisions in this section, the town's list of approved plant materials and with the standards contained in article VI, part two, landscaping of the town's zoning ordinance. Where conflicts exist between this district and the zoning ordinance, the requirements in this district shall be applied.

It is the intent of this section to:

- (1) Support the Comprehensive Plan's goals for a Lakefront character;
 - (2) Provide the town with a unique and identifiable streetscape corridor;
 - (3) Contribute to pedestrian safety and comfort;
 - (4) Reduce the amount of solar heat gain in paved and hard surface areas.
- (b) *Street trees.*
 - (1) Street trees may be planted between the sidewalk and the curb. They may also be planted within three feet of a curb, sidewalk or other structure, provided that they are selected from the town's urban tree list.
 - (2) All required street trees shall be:
 - a. At least three-inch caliper;
 - b. Single trunk;
 - c. Limbed-up to six feet.
 - (c) *Plant material.* Front yards shall be landscaped except at building entries, seating areas and adjacent to commercial uses, where the front yard may be paved. Plant materials shall consist of shade trees, ornamental trees, shrubs, evergreen ground covers, vines, and seasonal color in conformity with the town's list of approved plant materials and article VI of the town's zoning ordinance. Applicants are encouraged to use palm trees or other hardy desert-type plants to enhance the lakefront character.
 - (d) *Paving material.*
 - (1) Paving material in front yards and on sidewalks shall be warm toned, natural materials such as brick, stone and concrete.
 - (2) Asphalt and gravel as paving materials are prohibited.
 - (e) *Parking lot landscape.*

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- (1) Surface parking lots shall be screened to a minimum height of 30 inches from all adjacent public streets and open space. The screen must extend along all edges of the parking lot and must be in conformity with screening standards set out in article VI, division 2, landscaping of the town's zoning ordinance. It may be accomplished through the use of masonry walls, ornamental metal, evergreen plant materials, or a combination thereof. Planting beds for screen planting shall be a minimum of four feet in width.
 - (2) Interior parking lot landscape shall also be consistent with article VI, division 2, landscaping of the town's zoning ordinance. However, parking lots shall not exceed eight spaces in a row without being interrupted by a landscaped island (nine-foot minimum). Islands shall be planted with a minimum of one shade tree for every eight vehicle spaces.
 - (3) No landscaping shall be required for the interior of structured parking facilities.
 - (f) *Detention/retention ponds.* Detention/retention ponds shall be designed in a manner as to be an amenity to the development and shall not require fencing.
 - (g) *Open space and landscaping for residential mixed use projects.*
 - (1) In lieu of the town's requirement for open space and trees for residential development, a green, square or plaza shall be provided and approved as part of the regulating or site plan. (See Table 4 Open Space)
 - (h) *Other landscape requirements.*
 - (1) The landscape point system shall not apply to projects within the Lakefront District.
 - (2) The requirement for a ten-foot landscape buffer between parcels shall not apply except where adjacent to single-family zoned property.

ARTICLE IV, TABLE E LAKEFRONT OPEN SPACE	
<p>Green: An Open Space, available for unstructured recreation. A Green may be spatially defined by streets, landscaping and/or building frontages. Its landscape shall consist of lawn and trees.</p>	
<p>Square: An Open Space available for unstructured recreation and Civic purposes. A Square is spatially defined by building frontages or streets. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares.</p>	
<p>Plaza: An Open Space available for Civic purposes and Commercial activities. A Plaza shall be spatially defined by building frontages. Its landscape shall consist primarily of pavement but include shade in the form of trees or structure. Plazas should be located at the intersection of important streets.</p>	

DIVISION 8. SIGN STANDARDS

- (a) *Intent.* The intent of this section is to establish architectural controls, limit clutter and regulate commercial and locational signage. It is also intended to help enliven retail and restaurant mixed use areas. These standards should not be interpreted to prevent a for-sale sign, a political sign, or a noncommercial sign that is an exercise of noncommercial freedom of speech. Commercial and locational signage within the district are limited, regulated and controlled as provided in this Code, and all other signage shall be subject to the requirements of such town ordinances, rules and regulations that are in effect from time to time.
- (b) *Signs, general standards.*
 - (1) *General standards.*
 - a. Signage may only be externally lit with full-spectrum source, unless otherwise approved.
 - b. One address number, no more than six inches vertically, shall be attached to the building in proximity to the principal entrance.
- (c) *Prohibited signs.*
 - (1) The following signs shall not be allowed:
 - a. Off-premise signs;
 - b. Internally lit sign boxes;

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- c. Flashing or running light signs;
 - d. Pole signs;
 - (2) Signs shall not be mounted on roofs or project above roof line without approval of a minor waiver, and it is determined to make a positive contribution to the district as a whole.
- (d) *Permitted signs.*
- (1) *Wall signs.*
 - a. One wall sign per occupancy, per street frontage.
 - b. Maximum size is 30 square feet if located 12 feet or higher above grade; ten square feet if less than 12 feet above grade.
 - c. Minimum ten-foot distance between wall signs (excluding building identification sign or directory sign).
 - d. In addition, one wall-mounted sign, not exceeding six square feet in area, is permitted on any side or rear entrance open to the public. Such wall signs may only be lighted during the operating hours of business.
 - (2) *Projecting and hanging signs, including graphic or icon signs, mounted perpendicularly to the wall.*
 - a. A maximum of one per occupancy per building face.
 - b. A maximum area of six square feet per face; and a maximum of three feet in width.
 - c. Distance from the ground to the lower edge of the sign shall be seven and one-half feet or greater.
 - d. Minimum 15-foot distance between signs.
 - e. The height of the top edge of the signboard shall not exceed the height of the wall from which the sign projects, if attached to a single story building; or the height of the sill or bottom of any second story window, if attached to a multi-story building unless approved by minor waiver.
 - (3) *Window signs.*
 - a. The sign shall not exceed 30 percent of the window area.
 - b. Neon signs are allowed behind windows in commercial areas, but shall count toward the allowed window sign area.
 - (4) *Building identification signs.*
 - a. One per building face.
 - b. Must be 12 feet or higher above sidewalk level.
 - c. Maximum size 25 square feet.
 - d. Twenty-four-inch maximum height for letters or logos.
 - e. Applied letters shall be constructed of painted cast metal, bronze, brass, or anodized aluminum. Applied plastic letters are not permitted.
 - (5) *Awning signs (for ground floor uses only).*
 - a. One per occupancy per building face.
 - b. Minimum eight feet above sidewalk level for pedestrian clearance.

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- c. Ten square feet maximum sign area.
 - d. If acting as an auxiliary business sign, it shall be located on the valance only, and the height of the lettering shall not exceed four inches.
 - e. If acting as the main business sign, it shall not be in addition to a wall-mounted sign.
- (6) *Monument signs.*
- a. Monument signs shall only be allowed adjacent to the Eldorado right-of-way.
 - b. Architecturally compatible monument signs shall not exceed six feet in height or eight feet in length.
 - c. Vertically oriented monument signs may also be allowed by minor waiver where it is deemed that such signs will enliven the area.
- (7) *Building directory signs.*
- a. One per entrance.
 - b. The sign shall be located next to the entrance.
 - c. The sign shall project out from the wall to which it is attached no more than six inches.
 - d. The sign shall not extend above the parapet, eave or building facade.
 - e. Maximum size shall be eight square feet.
- (8) *Restaurants and cafes.*
- a. In addition to other signage, restaurants and cafes shall be permitted the following, limited to one of each type of sign per business:
 - b. A wall-mounted display featuring the actual menu as used at the dining table, to be contained within a shallow wood or metal case, and clearly visible through a glass front. The display case shall be attached to the building wall, next to the main entrance, at a height of approximately five feet, shall not exceed a total area of three square feet, and may be lighted.
 - c. An A-frame sidewalk sign displaying the name of the eatery, offerings and hours of operation.
 - d. Restaurant and retail areas may have a neon or special designed exterior sign, if approved by the CRC.

(Ord. No. 1407, § 2, 8-15-2017)

DIVISION 9. LAKEFRONT PROCEDURES

- (a) *Intent.* It is the intent of this section to off-set the high level of detailed standards in this Code with an expeditious approval of projects which meet its general goals and intent, and:
- (1) To ensure adequate linkages and connections within and between project areas, and
 - (2) To ensure consistency and quality of design through use of professional review assistance.
- (b) *Review process.*
- (1) A review committee ("committee") shall be established to provide guidance of interpretation of the Lakefront Code and make recommendations on significant issues that may arise. It is not intended to meet and review every administrative or legislative application that comes forward within the district.
 - The committee shall be comprised of the following:

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- Director of development services ("director")
 - Director of economic development ("EDC rep")
 - Planning manager (serving as "urban design officer" or "UDO")
 - Town engineer ("engineer")
 - A representative of the town council ("council liaison")
- (2) The urban design officer (UDO) shall serve as a technical advisor to the director and the committee. The UDO shall be the planning manager and a portion of the expense of the UDO's services will be borne by development fees paid to the town for development of land within the Lakefront District.
- (3) The director shall coordinate with the UDO and committee, and have staff administrative jurisdiction over any processes authorized under the Lakefront Code. The director of development services, the UDO and the committee shall be expeditious in their review and advance the permitting process by undertaking any action consistent with this code, state law, and the town Charter to facilitate the permitting process.
- (c) *Regulating plan.*
- (1) Approval of a regulating plan is required prior to approval of a site plan for any portion of a multi-phased project site area.
- (2) The regulating plan provides the framework for development and serves as a conceptual layout of a project area. It shall include such things as:
- a. Street and access lanes within the project area and connections to adjacent nonsingle-family zoned properties;
 - b. The location of general land use sites and for identification of retail at-grade;
 - c. Public open space and plazas; and
 - d. Hike and bike corridors and trails.
- (3) An application for a regulating plan shall be processed in accordance with the town's procedures for determining whether an application is complete. Following a determination of completeness, and unless the application is accompanied by a request for a major waiver, the director, or his designee, shall approve, approve with conditions or deny the application for a regulating plan and shall notify the applicant of his decision. In his deliberations, the director may consider a recommendation from the UDO.
- (4) Denial or conditional approval of a regulating plan by the director may be initially appealed to the planning and zoning commission and, following the recommendation of the commission, to the town council. The appeal shall be filed within 30 days of the date of the director's action on the application for approval of a regulating plan.
- (5) If the application includes a request for a major waiver, the director shall request a recommendation from the UDO and if appropriate the CRC, and schedule the application for hearing before the planning and zoning commission with his recommendation on the application. The planning and zoning commission, following a public hearing, shall forward its recommendation to the town council for hearing on the application and waiver request. The town council, following a public hearing, shall approve, approve with conditions or deny the application for a regulating plan and the major waiver request. The notice and hearing procedures for approval of a specific use permit shall be used to process the regulating plan and major waiver application.

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- (6) The director in making an initial decision on a regulating plan application, the planning and zoning commission in making recommendations to the town council, or the town council in deciding the application for regulating plan approval, shall determine whether the plan is consistent with the comprehensive plan and meets the goals and intent of the Lakefront Code.
- (d) *Site plan.*
- (1) Prior to obtaining a building permit, a site plan must be approved by the director or town council, demonstrating that the proposal meets the goals, intent and general standards contained in this Code.
- (2) A site plan application must include the following information and documents that demonstrate compliance with the Lakefront Code:
- Detailed site plan showing proposed streets, buildings, parking areas, and landscaped areas;
 - Proposed uses;
 - Building elevations and sections;
 - Proposed parking calculations;
 - Any waivers being requested;
- (3) An application for a site plan shall be processed in accordance with the town's procedures for determining whether an application is complete. Following a determination of completeness, and unless the application is accompanied by a request for a major waiver, the director, or his designee, shall approve, approve with conditions or deny the application for a site plan and shall notify the applicant of his decision. In his deliberations, the director may consider a recommendation by the UDO.
- (4) Denial or conditional approval of a site plan by the director may be initially appealed to the planning and zoning commission and, following the recommendation of the commission, to the town council. The appeal shall be filed within 30 days of the date of the manager's action on the application for approval of a site plan.
- (5) If the application includes a request for a major waiver, the director shall request a recommendation from the UDO and if appropriate the CRC, and schedule the application for hearing before the planning and zoning commission with his recommendation on the application. The planning and zoning commission, following a public hearing, shall forward its recommendation to the town council for hearing on the application and waiver request. The town council, following a public hearing, shall approve, approve with conditions or deny the application for a site plan and the major waiver request. The notice and hearing procedures for approval of a specific use permit shall be used to process the site plan and major waiver application.
- (6) The director in making an initial decision on a site plan application, the planning and zoning commission in making recommendations to the town council, or the town council in deciding the application for site plan approval, shall determine whether the plan is consistent with the regulating plan for the property (if there is one), and meets the goals, intent and standards of the Lakefront Code.
- (e) *Waivers of design standards.*
- (1) For the purposes of this district, there shall be two types of waivers of design standards - minor and major. Requests for waivers shall not be subject to review or decision by the board of adjustment. A waiver request may only be made in conjunction with an application for a regulating plan, a site plan or subsequent to approval of a site plan.

-
- (2) Minor waivers are those changes to design standards in the Lakefront Code that are determined to meet the goals and intent of this Code as stated in division 1 and throughout this Code. Minor waivers may be approved administratively by the director or his designee.
 - (3) Major waivers are major changes to the design standards in the Lakefront Code or which may appear to be in conflict with the goals and intent of this Code. Major waivers may only be approved by the town council, following a recommendation by the UDO and the planning and zoning commission, in conjunction with a decision on an application for approval of a regulating plan or site plan. In order to approve a major waiver, the town council must find that the waiver:
 - a. Meets the general intent of this district, and
 - b. Is consistent with the overall plan and vision for the district, and
 - c. Will result in an improved project which will be an attractive contribution to the Lakefront District.
 - (4) The town may impose conditions on granting any waiver in order to implement the regulating plan for the property or to mitigate negative impacts to neighboring properties or public streets or open space.
- (f) *Amendments to the regulating plan.*
- (1) Amendments to an approved regulating plan or site plan may be accomplished in the same manner as approval of the original approval, and may be accompanied by a request for major or minor waivers.
 - (2) An amendment to an approved regulating plan or site plan must be made prior to the time for lapse of approval provided in subsection (g) below. In the event an amended plan is approved, the approving authority amending the plan shall specify the time for lapse of such approval, consistent with subsection (g).
- (g) *Lapse of approval.* If a building permit has not been obtained within two years following approval of a regulating plan or site plan, such plan shall lapse unless the property owner requests an extension prior to the expiration of the two-year period. The request for extension shall be considered by the original approving authority in the same manner as for approval of the existing plan. The authority may grant an extension of the time for expiration of the plan for a period not to exceed two years from the date of expiration of the original application.
- Every request for extension shall include a statement of the reasons why the expiration date should be extended. The approving authority may grant a request for extension upon demonstration that circumstances beyond the control of the applicant have resulted in the applicant's inability to perform the tasks necessary to prevent the plan from expiring before the lapse date.
- (h) *Graphics incorporated into Code.* Any and all graphics from the approved form based codes document not supported by textual technological limitations are hereby codified as supporting material by reference.

(Ord. No. 1407, § 2, 8-15-2017)



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

02/03/2022

OVERVIEW

Project	PUBLIC HEARING/ Providence Commons PD (PD-21-05005)
P&Z Hearing	02/03/2022
Council Hearing	N/A
Size	9.8 acres
Current Zoning	Agriculture (AG)
Proposed Use	Low Density Residential
Existing Use	Residential
Future Land Use Plan Designation	Low Density Residential
Applicant	Bart Jetton, RPM xConstruction
Owner	Barry Rich, R&M Materials, LLC
Strategic Goal	

Agenda Item

PUBLIC HEARING/ Providence Commons PD (PD-21-05005). Public hearing, discussion, and take action on a recommendation regarding a request to rezone approximately 9.8 acres of land, in order to establish a new Planned Development district based on Single Family 4 (SF-4) with modified development standards, to allow the development of a new single family residential subdivision.

- Staff Report/Applicant Presentation
- Open Public Hearing
- Receive Public Comment
- Close Public Hearing
- Discussion and Recommendation

Location

Generally located south of Fishtrap Road and west of FM 2931 (Main Street) at the western end of Cherokee Oaks Road, within Little Elm's town limits.

Planning Analysis

Background. The subject property is located north of Highway 380, directly adjacent to the Town of Providence Village. The original property actually consists of 10.317, but the rezoning request only encompasses 9.8 acres, developed with a single-family residential structure, currently zoned as Agricultural (AG) district. The 9.8 acres are situated approximately 800 feet west of FM 2931, with the remainder of the acreage consisting of an existing gravel driveway access from FM 2931, which is not part of this rezoning request. The subject property is surrounded by single family development to the east and south, known as Hillstone Pointe, consisting of 40- and 50-foot lots, and two existing single family lots to the west, currently zoned as AG.

The applicant, RPM Construction, is proposing to create a mixed use community called Providence Commons consisting of a total of five phases, of single-family homes, townhomes, and commercial/retail uses. The majority of the proposed community would be located within the Town of Providence Village, with just Phase 5, 9.8 acres, located within the Town of Little Elm limits. The applicant is anticipating presenting their proposal to the Providence Village Planning and Zoning Commission and Town Council on December 21st. The applicant is proposing to develop a 45-lot single-family, Cape Cod style residential development, intended as Phase 5 of the overall Providence Commons community. The propose development standards do not perfectly fit into any of the Town's existing zoning districts, therefore, the applicant is requesting a Planned Development (PD) district, based on the existing Single-Family 4 (SF4) zoning district with modified development standards in order to allow for this type of residential development product.

Proposal. The proposed project consists of 45 owner-occupied single family residential dwelling units with an amenitized open space on the north portion and a landscaped open space on the southeast corner.

The applicant is proposing Single-Family 4 (SF4) as the base zoning district, with modified development standards as outlined in the following sections. The new Planned Development (PD) district includes development plans and multiple exhibits that will be incorporated into the PD as part of the overall requirements.

Uses. Proposed permitted uses will include the uses currently allowed under SF-4 zoning, primarily single-family detached homes.

Area Requirements. The applicant is requesting the following setback and area requirements:

- Maximum Height 35 feet

- Minimum Front Yard Setback 20 feet, instead of 25 feet

- Minimum Side Yard Setback 5 feet, instead of 6 feet

- Minimum Side Yard Setback on Corner lots 10 feet, instead of— 28 feet Minimum Rear Yard Setback 20 feet

- Minimum Lot Width 50 feet, instead of 60 feet

- Minimum Lot Depth 110 feet

- Minimum Lot Area 5,000 square feet, instead of 6,000 square feet Minimum number of garage spaces 2

- Minimum Lot Coverage 51%

- Minimum Living floor area 2,000 square feet, instead of 1, 200 square feet

Design Standards. The minimum design elements listed in Section 106.06.03 Architectural Standards for Residential Structures will apply unless stated otherwise or shown in the PD exhibits. Some of the major design standards are proposed as follows:

- Exterior materials and design. Homes shall maintain a Cape Cod style, buildings of simple design, using wood siding or simulated materials, incorporating wide overhangs, porches, and tall windows.

- Elevation repetition. Each unique house elevation and color shall not be repeated on the lot most directly across the street or diagonal, nor shall it be repeated on three lots in either direction on the same side of the street.

- Gifts to the Street. All homes shall include at least six of the architectural design features listed in Section 106.06.03(c).

Landscaping and Screening. The proposed PD will follow all landscape requirements per Sections 106.06.11 – 106.06.16 of the Code of Ordinances for residential landscape requirements for a single-family development. Residential lots adjacent to open space or park land shall have wrought iron fencing with a living screen on the open space side. All residential fences shall be board construction to conform to Section 106.06.32 (Residential Fences) of the Zoning Ordinance. Interior portions of fences (alongside and rear yards) shall be board on board construction.

Parking. Each dwelling unit shall have two parking spaces within the garage, as well as two parking spaces in the driveway.

Streets and Access. The proposed development plan shows a 50-foot Right of Way dedication inclusive of 5-foot sidewalks throughout the development on both sides of the street.

Open Space. The minimum required designated open space area shall be ten percent (10%) of the gross land area, totaling 3.68 acres. Open space is required to be landscaped, with at least 5 large trees per acre, irrigated, and amenitized on at least three sides.

Comprehensive Plan. The future land use of this area is identified as residential. The proposed residential development aligns with the Town's vision for future land use of this area.

Update.

On December 16, 2021, the Planning and Zoning Commission held a public hearing and tabled this item due to concerns over access and drainage, as well as the Town of Providence Village not having yet held their public hearing.

On December 21, 2021, the Town of Providence Village Planning and Zoning Commission approved the item, however, the Town Council voted to table the item until January 18, 2022. The item was ultimately approved by the Town of Providence Village Town Council on January 4, 2022, however, the property owner would like to explore other potential development options on the property located within the Town of Little Elm. Staff and the property owner's representatives met on January 11, 2022 to discuss alternate solutions, and the property owner has requested additional time to consider his options. On January 20th, 2022 the Planning and Zoning Commission voted to table the item until the February 3rd, 2022 Planning and Zoning Commission Meeting.

On January 25th, 2022, Staff requested the applicant make their decision on how to proceed and received revised plans for the request. Unfortunately, this does not allow Staff enough time for review.

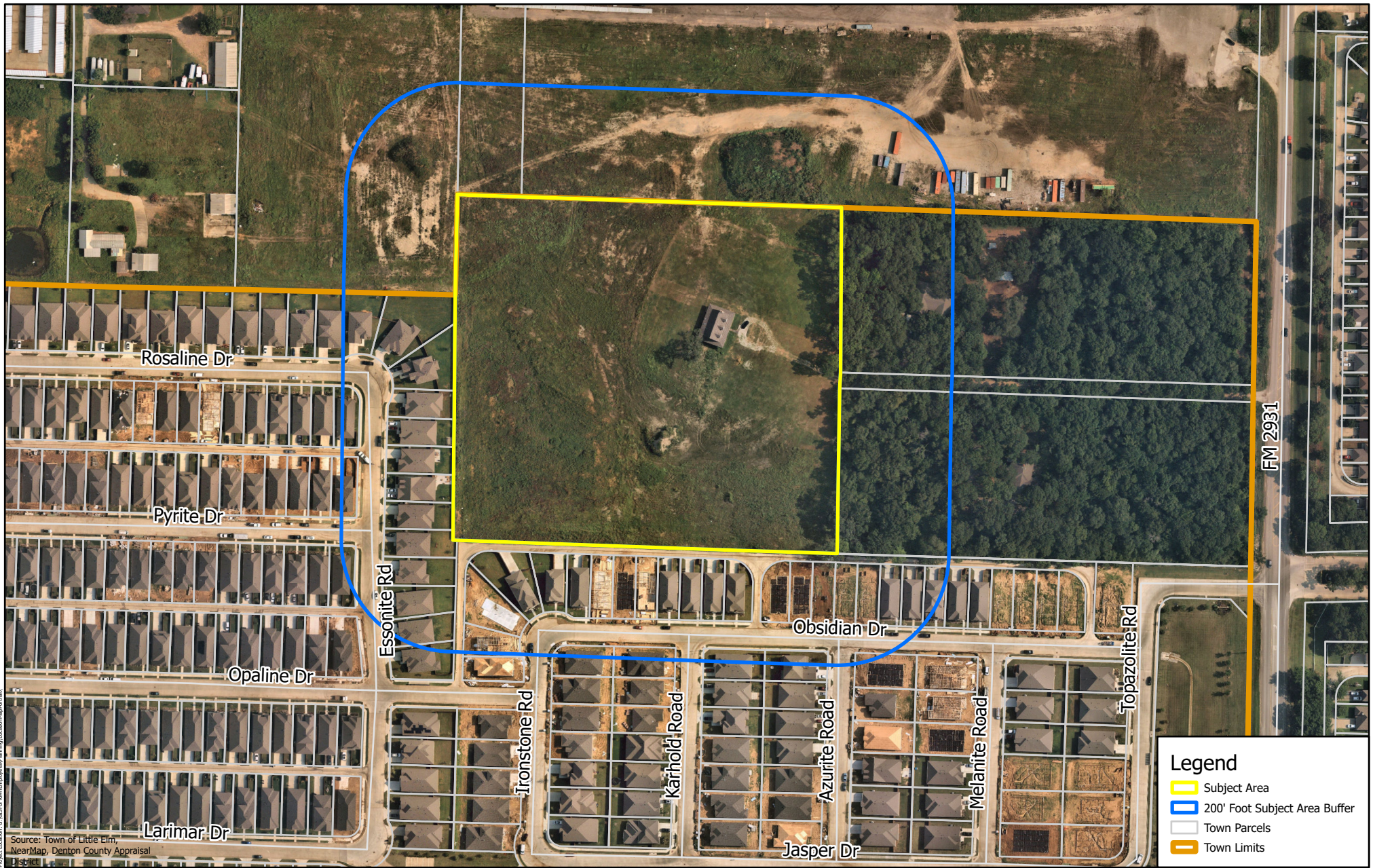
Recommended Action

At this time Staff requests the item be tabled until February 17th in order to allow Staff to review the revised plans.

Attachments

Location Map

PD Exhibits



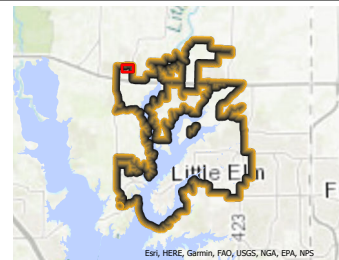
Providence Commons Rezoning and PD Map

0 0.03 0.05 0.1 Miles



Town of Little Elm
Denton County, Tx

Date: 12/6/2021



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.

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PHOENIX

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602.795.4111 *tel*

Submittal Documents in Support of

Providence Commons

**A Planned Development District
in the
Town of Little Elm,
Denton County, Texas**

**Owner:
R&M Materials, LLC
5208 Tennyson Parkway, Suite 130
Plano, Texas 75024**

November 8, 2021

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PROVIDENCE COMMONS
PLANNED DEVELOPMENT DISTRICT
STATEMENT OF INTENT AND PURPOSE

This zoning submittal encompasses approximately 9.8 acres of land within the Town of Little Elm ("Town") more fully described on the legal description attached as Exhibit A (the "Property") and depicted on Exhibit B. The proposed use for the property is to provide single-family residential homes. This planned development ("PD") will provide zoning regulations necessary to develop the site and the final layout must generally conform to Exhibit C.

It is the intent of this PD to alter the base zoning for the tract from Agriculture (AG) to Single Family (SF-4) and exist as part of a larger, connected and unified community outside the Town's limits. Any conflict between this PD and the Zoning Ordinance shall be resolved in favor of those regulations set forth in this PD, or as may be ascertained through the intent of this PD. As used herein, "Zoning Ordinance" means the comprehensive zoning of the Town of Little Elm, Texas, in effect on the effective date of this Agreement, except otherwise defined in this Agreement. Uses and development regulations specifically modified, designated or included in this PD shall not be subject to amendment after the date of the adoption of this PD (the "Effective Date") (whether through the amendment of the Zoning Ordinance or otherwise), except through an amendment of this PD. Uses and development regulations which otherwise are not specifically modified, designated or included in this PD shall be controlled by the "Zoning Ordinance", unless context provides to the contrary.

Project Location

The proposed PD is located south of Fishtrap Road and west of FM 2931 (Main Street) at the western end of Cherokee Oaks Road. Legal descriptions (Exhibit A) and a site plan (Exhibit B) have been provided.

The project is surrounded by existing single family, proposed townhomes and single family, and future low-density residential uses.

This PD will provide for the opportunity to develop the following:

- Single Family (SF) zoning with a maximum of 45 homes with a typical lot size of fifty (50) foot wide and one hundred and ten (110) foot deep.

Site Plan

Exhibit B identifies and locates the proposed Single Family lots within the Property. The proposed development will have unified and consistent design elements and provide an integrated development that compliments Providence Commons community within the Town of Providence Village.

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EXHIBIT A

LEGAL DESCRIPTION

THENCE NORTH 87 DEGREES 55 MINUTES 23 SECONDS WEST, DEPARTING SAID WEST RIGHT-OF-WAY LINE OF F.M. 2931 AND CONTINUING ALONG THE NORTH LINE OF SAID STRADER TRACT, A DISTANCE OF 739.87 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID STRADER TRACT;

THENCE SOUTH 00 DEGREES 52 MINUTES 49 SECONDS WEST, DEPARTING SAID NORTH LINE OF STRADER TRACT AND CONTINUING ALONG THE WEST LINE OF SAID STRADER TRACT, A DISTANCE OF 294.08 FEET TO A 5/8 INCH IRON ROD SET FOR THE SOUTHEAST CORNER OF SAID STRADER TRACT, IN THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEED TO LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD AS RECORDED IN COUNTY CLERK'S FILE NUMBER 22018-12623, O.R.D.C.T., FOR THE SOUTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 87 DEGREES 54 MINUTES 37 SECONDS WEST, DEPARTING SAID WEST LINE OF STRADER TRACT AND CONTINUING ALONG THE COMMON LINE OF SAID LENNAR HOMES TRACT AND TRACT OF LAND DESCRIBED IN DEED TO R&M MATERIALS AS RECORDED IN COUNTY CLERK'S FILE NUMBER 2016-16715, O.R.D.C.T., A DISTANCE OF 689.49 FEET TO A 5/8 INCH IRON ROD SET FOR THE SOUTHEAST CORNER OF LAND DESCRIBED IN DEED TO DIVINEY JOHNA AS RECORDED IN COUNTY CLERK'S FILE NUMBER 2007-54985, O.R.D.C.T., FOR THE SOUTH WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 00 DEGREES 30 MINUTES 06 SECONDS EAST, ALONG THE COMMON LINE OF SAID DIVINEY TRACT AND SAID LENNAR HOMES TRACT, A DISTANCE OF 438.60 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;

THENCE NORTH 88 DEGREES 47 MINUTES 38 SECONDS WEST, DEPARTING THE WEST LINE OF SAID DIVINEY TRACT AND CONTINUING ALONG THE NORTH LINE OF SAID LENNAR HOMES TRACT, A DISTANCE OF 393.75 FEET TO AN IRON PIPE FOUND FOR CORNER;

THENCE NORTH 88 DEGREES 21 MINUTES 17 SECONDS WEST, CONTINUING ALONG THE NORTH LINE OF SAID LENNAR TRACT, A DISTANCE OF 303.57 FEET TO A POINT FOR CORNER;

THENCE NORTH 88 DEGREES 15 MINUTES 22 SECONDS WEST, CONTINUING ALONG THE NORTH LINE OF SAID LENNAR TRACT, A DISTANCE OF 346.77 FEET TO A NAIL FOUND FOR THE SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT, AND THE SOUTHEASTERLY CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO BARTEL, STEVE AND NANCY AS RECORDED IN COUNTY CLERK'S FILE NUMBER 95-12685. O.R.D.C.T.

THENCE NORTH 01 DEGREE 09 MINUTES 13 SECONDS EAST, DEPARTING SAID NORTH LINE OF LENNAR TRACT AND CONTINUING WITH THE COMMON LINE OF SAID BARTEL TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO R&M MATERIALS, LLC AS RECORDED IN COUNTY CLERK'S FILE NUMBER 137069, O.R.D.C.T., A DISTANCE OF 370.71 FEET TO A 5/8 INCH IRON ROD SET FOR THE SOUTHWEST CORNER OF LAND DESCRIBED IN DEED TO FISHTRAP STORAGE, LLC AS RECORDED IN COUNTY CLERK'S FILE NUMBER 2016-39124, O.R.D.C.T., FOR CORNER OF THE HEREIN DESCRIBED TRACT;

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THENCE SOUTH 87 DEGREES 51 MINUTES 41 SECONDS EAST, WITH THE COMMON LINE OF SAID R&M MATERIALS, LLC TRACT (137069) AND SAID FISHTRAP STORAGE TRACT, A DISTANCE OF 346.45 FEET TO A POINT FOR THE SOUTHEAST CORNER OF SAID FISHTRAP STORAGE TRACT AND FOR CORNER OF THE HEREIN DESCRIBED TRACT.

THENCE NORTH 01 DEGREES 16 MINUTES 14 SECONDS EAST, CONTINUING ALONG THE EAST LINE OF SAID FISHTRAP STORAGE TRACT, A DISTANCE OF 365.68 FEET TO A CAPPED IRON ROD FOUND FOR CORNER;

THENCE CONTINUING WITH THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEED TO R&M MATERIALS, LLC (2018-8520) AND (2015-140494) THE FOLLOWING COURSES AND DISTANCES;

SOUTH 87 DEGREES 48 MINUTES 20 SECONDS EAST, A DISTANCE OF 353.29 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;

SOUTH 02 DEGREES 09 MINUTES 20 SECONDS WEST, A DISTANCE OF 26.87 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;

SOUTH 87 DEGREES 43 MINUTES 15 SECONDS EAST, A DISTANCE OF 59.89 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;

NORTH 02 DEGREES 13 MINUTES 01 SECONDS EAST, A DISTANCE OF 26.83 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;

SOUTH 87 DEGREES 38 MINUTES 47 SECONDS EAST, A DISTANCE OF 285.03 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER

NORTH 01 DEGREES 11 MINUTES 39 SECONDS EAST, A DISTANCE OF 447.30 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;

THENCE ALONG SAID NORTH LINE OF R&M MATERIALS (2010-103658) TRACT, SOUTH 88 DEGREES 16 MINUTES 12 SECONDS EAST, A DISTANCE OF 1355.36 FEET TO THE POINT OF BEGINNING AND CONTAINING 57.48 ACRES (2,504,036 SQ. FT.) OF LAND MORE OR LESS.



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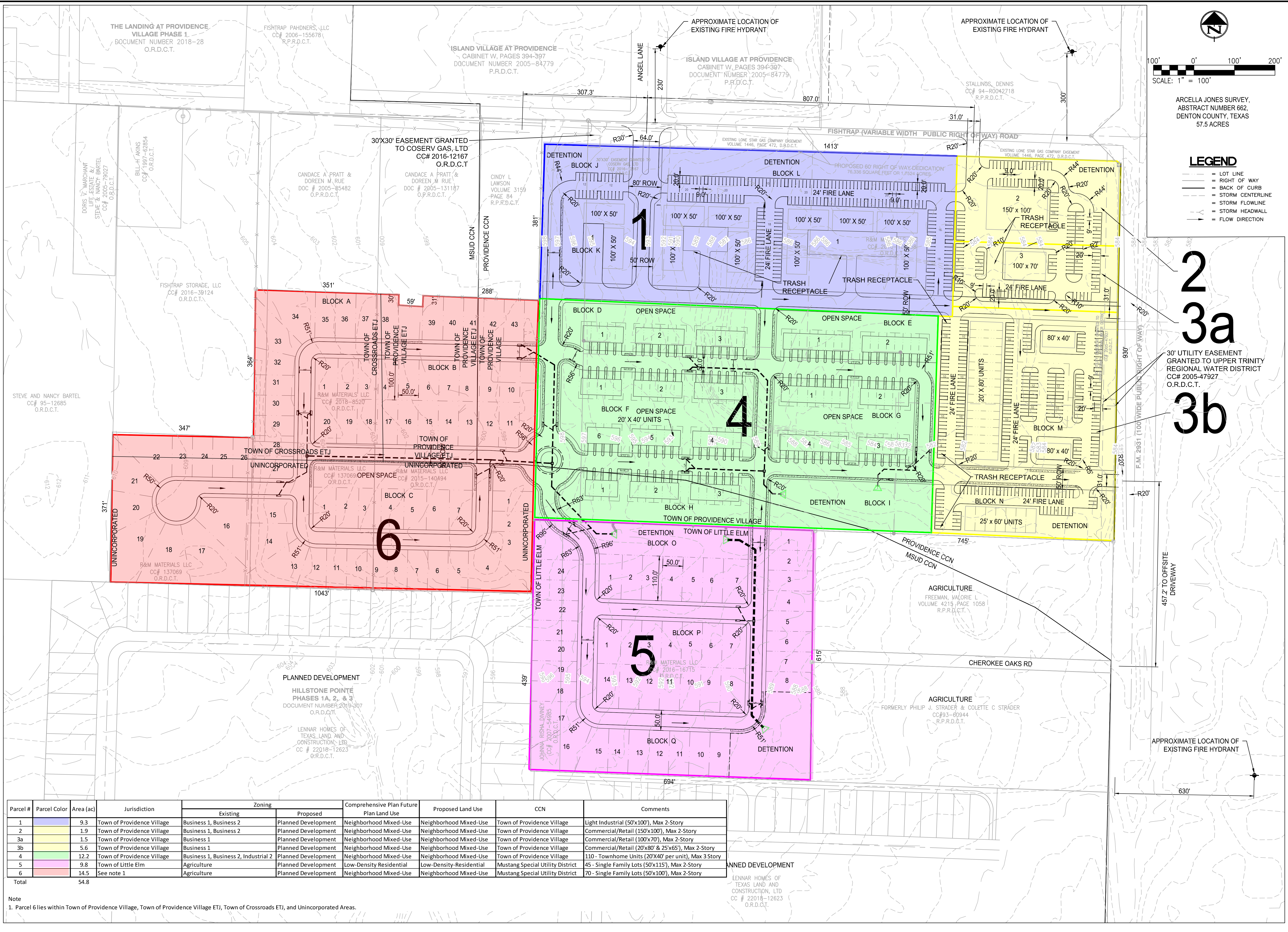
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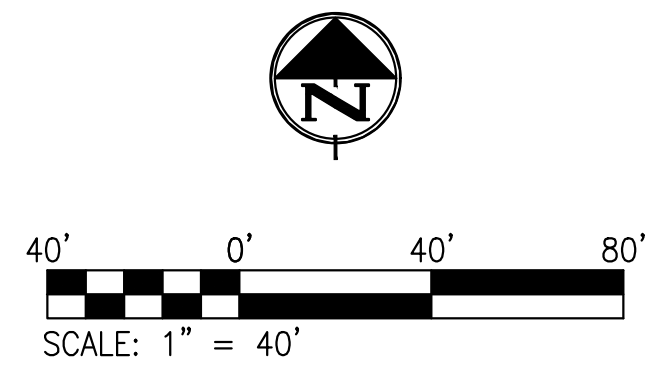
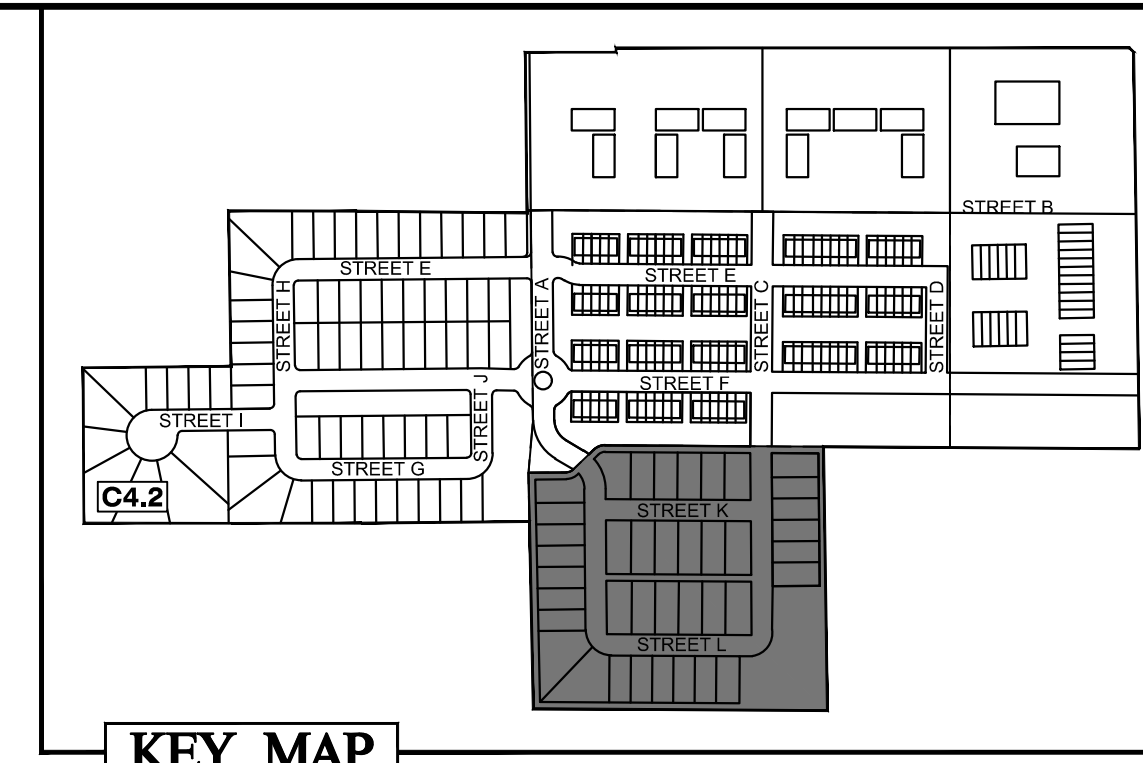
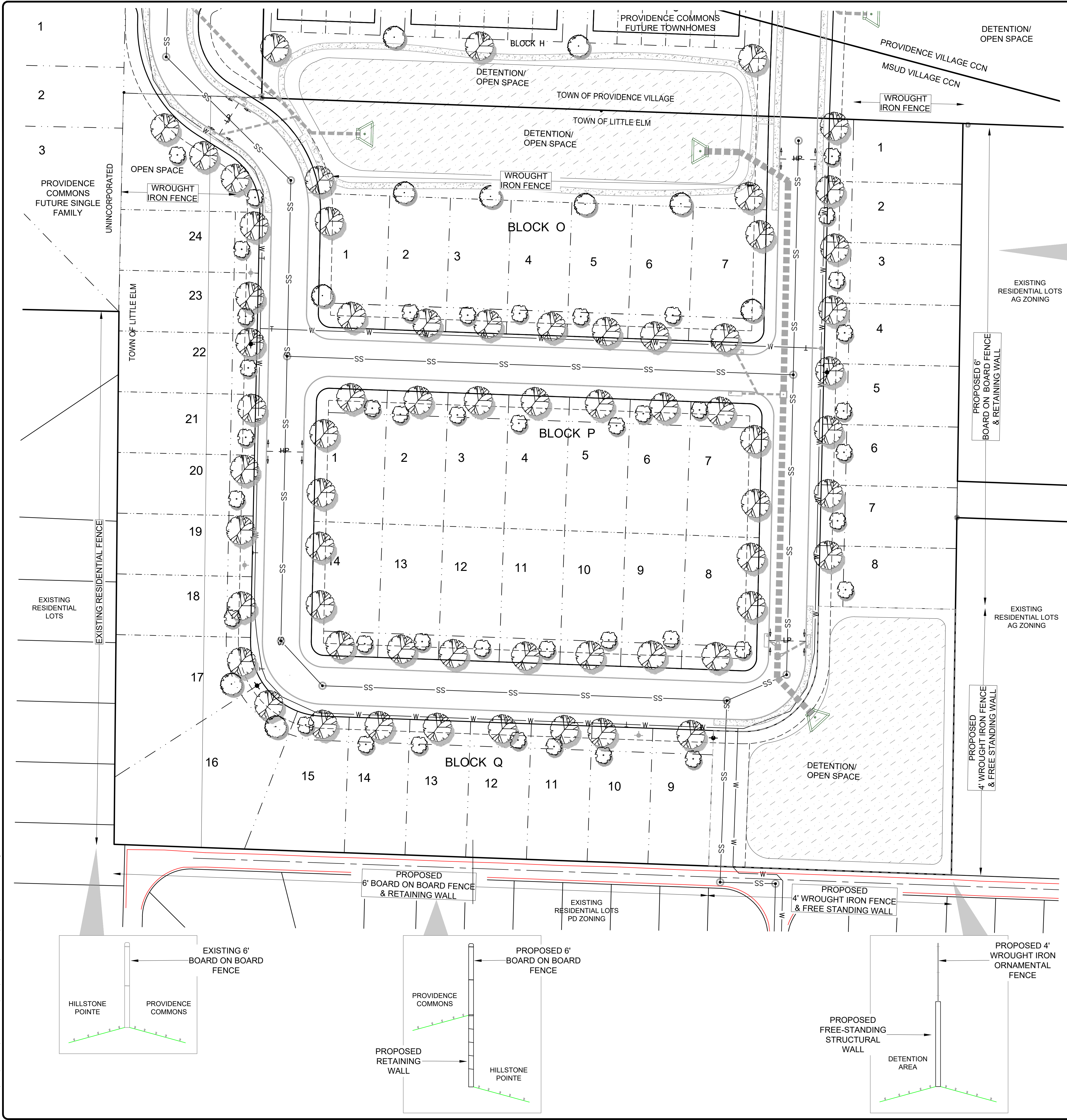
EXHIBIT B



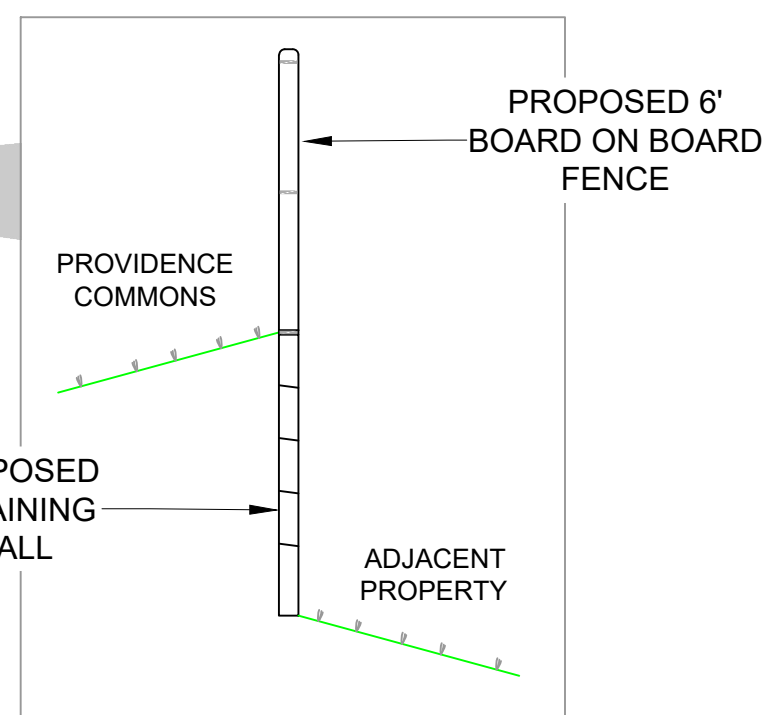
Parcel #	Parcel Color	Area (ac)	Jurisdiction	Zoning		Comprehensive Plan Future	Proposed Land Use	CCN	Comments
				Existing	Proposed	Plan Land Use			
1		9.3	Town of Providence Village	Business 1, Business 2	Planned Development	Neighborhood Mixed-Use	Neighborhood Mixed-Use	Town of Providence Village	Light Industrial (50'x100'), Max 2-Story
2		1.9	Town of Providence Village	Business 1, Business 2	Planned Development	Neighborhood Mixed-Use	Neighborhood Mixed-Use	Town of Providence Village	Commercial/Retail (150'x100'), Max 2-Story
3a		1.5	Town of Providence Village	Business 1	Planned Development	Neighborhood Mixed-Use	Neighborhood Mixed-Use	Town of Providence Village	Commercial/Retail (100'x70'), Max 2-Story
3b		5.6	Town of Providence Village	Business 1	Planned Development	Neighborhood Mixed-Use	Neighborhood Mixed-Use	Town of Providence Village	Commercial/Retail (20'x80' & 25'x65'), Max 2-Story
4		12.2	Town of Providence Village	Business 1, Business 2, Industrial 2	Planned Development	Neighborhood Mixed-Use	Neighborhood Mixed-Use	Town of Providence Village	110 - Townhome Units (20'x40' per unit), Max 3-Story
5		9.8	Town of Little Elm	Agriculture	Planned Development	Low-Density Residential	Low-Density-Residential	Mustang Special Utility District	45 - Single Family Lots (50'x115'), Max 2-Story
6		14.5	See note 1	Agriculture	Planned Development	Neighborhood Mixed-Use	Neighborhood Mixed-Use	Mustang Special Utility District	70 - Single Family Lots (50'x100'), Max 2-Story

[illegible]

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- LEGEND**
- LARGE TREE
 - SMALL TREE
 - ORNAMENTAL TREE

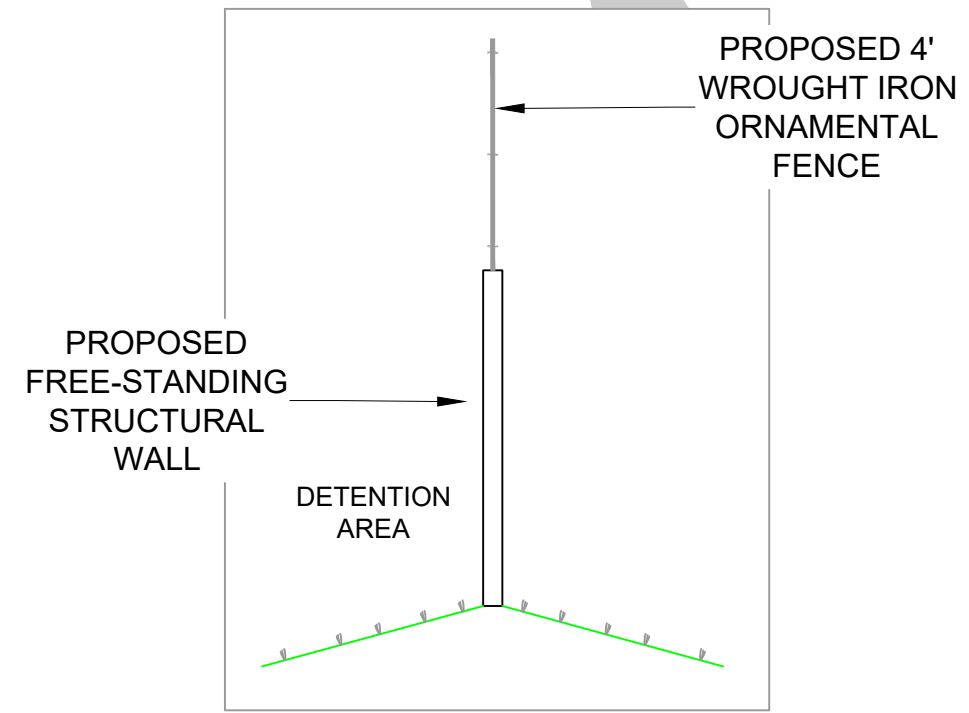
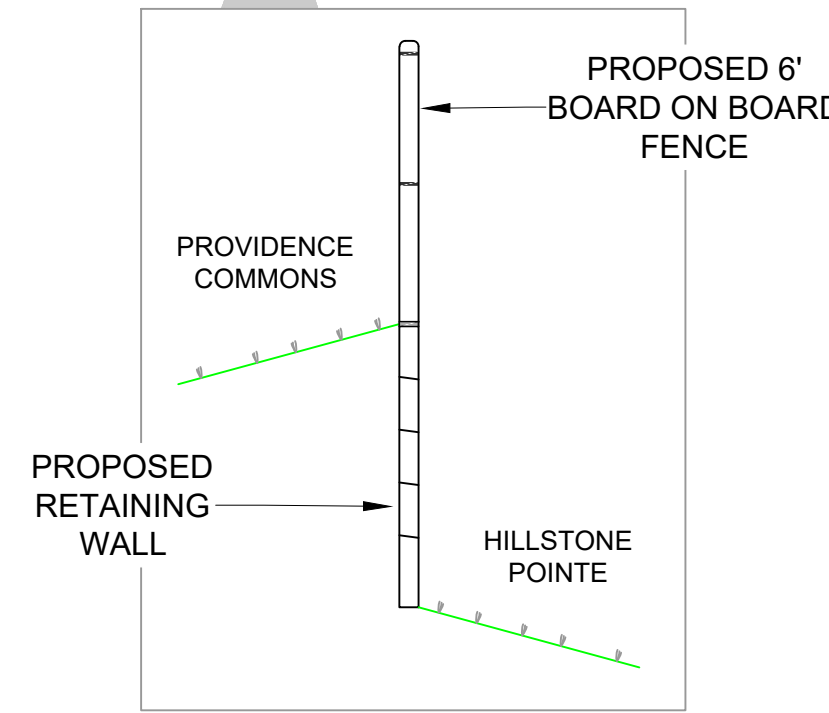
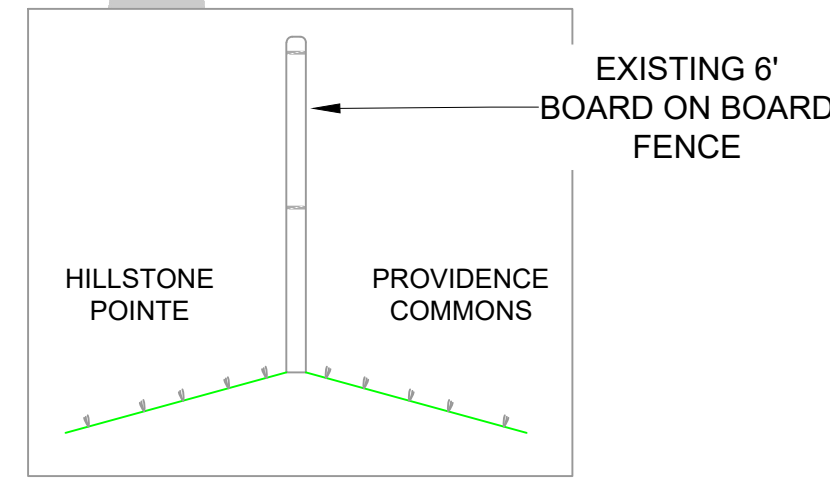


NOTE:
NO TREE MITIGATION PLAN IS REQUIRED AS THERE ARE NO EXISTING TREES ON THE SUBJECT PROPERTY

PROJECT LANDSCAPE DATA TABLE
CITY LANDSCAPE REQUIREMENTS

TYPE	REQUIREMENT	REQUIRED	PROVIDED
GENERAL	ALL RESIDENTIAL LAWNS MUST BE COVERED WITH VEGETATION, INCLUDING GRASS, LIVING GROUNDCOVER, MULCH, AND/OR DECORATIVE STONE.	YES	YES
LOT TREES	REQUIRED LARGE TREES SHALL NOT BE SMALLER THAN FOUR CALIPER INCHES IN SIZE.	YES	YES
	REQUIRED SMALL TREES SHALL NOT BE SMALLER THAN TWO CALIPER INCHES IN SIZE.	YES	YES
	INTERIOR LOTS AND NORTHERN LOTS: FRONT YARD: 1 LARGE TREE AND 1 ORNAMENTAL TREE	21 LOTS	YES
	TREES PLANTED IN THE FRONT YARD OR SIDE YARD ON A CORNER SHALL BE PLANTED IN THE AREA BETWEEN RESIDENCE AND THE SIDEWALK.	YES	YES
	FRONT: 1 LARGE, 1 ORNAMENTAL TREE	22 LOTS	YES
DETENTION/OPEN SPACE	CORNER LOTS, FRONT: 1 LARGE CANOPY TREE, 1 SMALL TREE	2 LOTS	YES
	ALL DETENTION AREAS TO RECEIVE NATIVE GRASS SPECIES	YES	YES

- LITTLE ELM LANDSCAPE PLAN STANDARD NOTES:**
- The owner, tenant and their agent, if any, shall be jointly responsible for the maintenance of all landscaping. All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include mowing, edging, pruning, and fertilizing, watering, weeding and such activities common to the maintenance of landscaping.
 - Landscape areas shall be kept free of trash, litter, weeds and other such material or plants not a part of the landscaping.
 - No substitutions for plant materials are allowed without written approval by the director and acknowledged by an approval stamp on the landscape plan.
 - The right-of-way adjacent to required landscape areas shall be maintained by the adjacent property owner in the same manner as the required landscape area. All driveways will maintain visibility as approved by the director. All plantings intended for erosion control will be maintained. The town may require revegetation to prevent erosion or slippage.
 - All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Plant materials which die shall be replaced with plant material of similar variety and size, within 30 days or a date approved by the director, based on current seasons and weather conditions (e.g. drought or freeze).
 - When power lines are present, trees shall not be planted underneath and should be oriented in a manner to avoid conflict. Substitution of plant material is not allowed without prior written authorization from the director.
 - All required landscape areas shall be provided with an automatic underground irrigation system with rain and freeze sensors and evapotranspiration (ET) weather-based controllers and said irrigation system shall be designed by a qualified professional and installed by a licensed irrigator.
 - All trees are to be equipped with a bubbler irrigation system.
 - Required landscaped open areas and disturbed soil areas shall be completely covered with living plant material, per the landscape ordinance.
 - All landscaping shall be in a planned area that is defined by edging, mulch or another practice approved by the town.



DEVELOPER/OWNER:
RPMXCONSTRUCTION, LLC
5208 TENNYSON PKWY
SUITE 130
PLANO, TX 75024
PHONE 214-239-4722

This document is released for the purpose of preliminary review under the authority of JEREMY DON ROACH, R.P.L.A. No. 27553 on 12/6/21. It is not to be used for bidding, permitting or construction purposes.

PROVIDENCE COMMONS
FM 2031 & FISHTRAP ROAD
PROVIDENCE VILLAGE, TX 76227

CONCEPT LANDSCAPE PLAN

+ DALLAS

cole

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www.coleco.com

CIVIL ENGINEERING / SURVEYING / PLANNING / LANDSCAPE ARCHITECTURE
7/65 / ADA TRANSITION PLANNING
Texas Board of Professional Engineers and Land Surveyors
Registration #10193871
Cadastral Surveying License #10193871

DESIGN/CALC BY: HTT
DRAWN BY: JHH
CHECKED BY: MGZ
DRAWING SCALE: AS SHOWN
DATE: 12/2021
Job Number: 16-0170
Sheet Number: L1.0

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EXHIBIT C PLANNED DEVELOPMENT DISTRICT STANDARDS

GENERAL CONDITIONS FOR PD:

1. Purpose. The purpose of the PD Planned Development district is to allow single-family neighborhood connecting the Providence Commons community which resides primarily within the Town of Providence Village.
2. Use Regulations. No building, structure, land or premises will be used, and no building or structure hereafter be erected, constructed, reconstructed, or altered, except for one or more of the uses specified in Section 106.05.01(a), "Schedule of Uses – Residential."
3. Base Zoning District. The permitted uses and standards shall be in accordance with the Single Family 4 (SF-4) zoning district, unless otherwise specified herein.
4. Height and Area Regulations.
 - a. The height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows:

SF – Single Family District Development Standards	
Maximum Height	35'
Minimum Front Yard Setback	20'
Minimum Side Yard Setback	5'
Minimum Side Yard Setback on corner	10'
Minimum Rear Yard Setback	20'
Minimum Lot Width (at building line) ¹	50'
Minimum Lot Depth ²	110'
Minimum Lot Area	5,500 sq. ft.
Minimum number garage spaces	2
Number of other drive spaces	2
Maximum Lot Coverage (gross lot area)	51%
Minimum Living Floor Area	2,000 sq. ft.

Note 1: Lot width shall be measured at the front building line for cul-de-sac or "knuckle" lots.

Note 2: Cul-de-sac or "knuckle" lots may be a minimum of one hundred (100) feet.

- b. All dwellings shall be accessible from the street and front entry. Minimum front driveway width shall be 16'.
 - c. All public sidewalks shall be five (5) feet in width.

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5. Conceptual plan required. The Concept Plan attached hereto as Exhibit C, and incorporated herein by reference, demonstrates potential locations and relationships of the uses permitted under this PD.

An amendment to a concept plan approved as a part of the ordinance establishing the planned development district is a change in zoning district classification and must follow the same procedures set forth in Section 106.04.03, except the director of planning and development may approve minor revisions which do not alter the basic relationship of the proposed development.

6. Landscape requirements:

- A minimum twenty (20) foot wide landscape and wall buffer is provided for perimeter walls that are adjacent to collector/arterial roads and are to be platted as common areas.
- No rear landscape buffer shall be provided for lots adjacent to other residential lots or open space lots.
- In areas where trees are required, grouping or spacing trees shall be allowed. All large trees must be four-inch (4") minimum caliper diameter at breast height (dbh). All small trees must be two-inch (2") minimum caliper diameter. Measurement is at twelve-inches (12") from grade at time of planting.
- All shrubs shall be a minimum of three (3) gallon in size when planted and shall be planted in the front yard and corner lot landscape beds. Measurement is at twelve-inches (12") from grade at time of planting.
- Tree spacing shall be a minimum of 1 tree per 50' along all residential roads.
- An enhanced entrance shall be located outside the subdivision within the Town of Providence Village on Fishtrap Road and shall consist of a typical eighty (80) foot ROW entrance to align with Angel Lane, with stone columns, community name signage located on or within the hardscape screening and stone planters. Future plans are subject to review and approval by the Director of Development Services.
- All other landscaping shall comply with the Zoning Ordinance, as it exists or may be amended in accordance with the standards in effect at the time of development or requested change.

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7. Screening Standards: All development within this PD District shall comply with the following minimum screening standards:
 - Residential lots adjacent to commercial property: 8' solid masonry wall and 3' landscaped berm (maintained by HOA).
 - Residential lots adjacent to open space or park land: wrought iron fencing with a living screen on the open space side.
 - All residential fences shall be board construction to conform to Section 106.06.32 (Residential Fences) of the Zoning Ordinance. Interior portions of fences (alongside and rear yards) shall be board on board construction.
8. Homeowners Association: A Homeowners' Association (HOA) or associations will be established for the development. Dedicated open space, retaining walls, and screening walls will be owned and maintained by the HOA.
9. Open Space: A minimum of ten percent (10%) of the tract area, excluding rights-of-way for collector and larger size streets, shall be devoted to open space. The open space requirements shall be met for the tract as defined on Exhibit C. Open space includes areas used for facilities such as walks, plazas, courts, recreational amenities, detention/retention ponds, amenity centers, landscape buffers, public or private parks, water features and other similar uses.

Detention/Retention areas must be amenitized on three sides with improvements. A sidewalk, bench or pavilion constitutes an improvement. Open space includes any parcel of land or water (no minimum dimension) exclusive of public right-of-way, associated with all non-residential and residential developments that is generally provided to improve the microclimate and/or aesthetics of the site and that is not covered by buildings, structures, parking or loading areas and driveways (except for parking or loading areas and driveways associated with the open space uses or any principal or accessory use of such open space as described above in this section). Detention/Retention areas must follow requirements of Section 106.06.14.

Tree Requirement in Detention/Retention Areas:

Detention/Retention HOA lots shall provide five (5) large trees for every acre or portion of an acre of detention/retention space. The trees that are provided shall be irrigated.

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Other than the provisions of open space required by this Section 1.8, no park land dedication or construction of park improvements shall be required. Park fees will still be required.

Dry Detention Pond at Southeast Corner



Wet Detention Pond at Northern Boundary



10. Architectural Standards: The intent of this section is to create a residential neighborhood which reflects the character of Providence Commons, a community of single-family homes, townhomes, restaurants, retail space, and commercial space. Minimum design elements listed in Section 106.06.03 Architectural Standards for Residential Structures will apply that are not in conflict the following enhancements:
 - Homes shall maintain a Cape Cod style, buildings of simple design, using wood siding or simulated materials, incorporating wide overhangs, porches, and tall windows.
 - Elevation Repetition. Each unique house elevation and color shall not be repeated on the lot most directly across the street or diagonal, nor shall it be repeated on three (3) lots in either direction on the same side of the street.
 - All homes must include at least six (6) of the architectural design features listed in Section 106.06.03(c).

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- The architectural exhibits provided in this PD, "Exhibit D" are incorporated herein by reference and demonstrate potential elevations and floorplans. The ultimate design must generally conform to Exhibit D and will be provided at time of building permit by designated home builder.

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WAIVERS FOR PD:

Min front yard setback 25' – Requested Min. 20' front yard
setback Min side yard setback 6' – Requested Min. 5' side yard
setback

Min side yard setback on corner 28' – Requested Min. 10' side yard

Min Lot width 60' – Requested Min. 50' front width

Min lot area 6,000 sq. ft. – Requested Min. lot area 5,000 sq. ft.



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EXHIBIT D
Single-Family



This future land use designation is predominantly comprised of single family detached residential dwellings in established residential neighborhoods with a Craftsman style of architecture.

Anticipated Land Uses

- Detached Single-Family Residential dwellings.
- Parks, trails, and open spaces permitted with trail connections to and through adjacent neighborhood.

Development Characteristics

- Sidewalk or trail connections should be provided to nearby destinations.
- Building form, height, setbacks, and sidewalk connections should be consistent in order to form a thoughtful and sensitive transition to commercial or adjacent uses where applicable.
- Craftsman architecture elements like front porches, gabled roofs, and tapered columns are to be incorporated to ensure new development blends with the style of the town.

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TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

02/03/2022

OVERVIEW

Project	PUBLIC HEARING/ US380 & 2931 Planned Development
P&Z Hearing	02/03/2022
Council Hearing	N/A
Size	Approximately 19.151 acres
Current Zoning	Planned Development
Proposed Use	Planned Development
Existing Use	Vacant
Future Land Use Plan Designation	Commercial/Retail
Applicant	Kiew Kam
Owner	Peter Flowers
Strategic Goal	

Agenda Item

PUBLIC HEARING/ US380 & 2931 Planned Development (PD-21-07422). Presentation, discussion, public hearing, and take action on a request to rezone approximately 19.151 acres of land, currently zoned as Planned Development (Ordinance No. 1589), in order to establish a new Planned Development district based on Light Commercial (LC), to allow a new commercial development with modified uses and development standards.

- Staff Report/Applicant Presentation
- Open Public Hearing
- Receive Public Comment
- Close Public Hearing
- Discussion and Recommendation

Location

Generally located at the northwest corner of FM2931 & US380, within Little Elm's town limits.

Planning Analysis

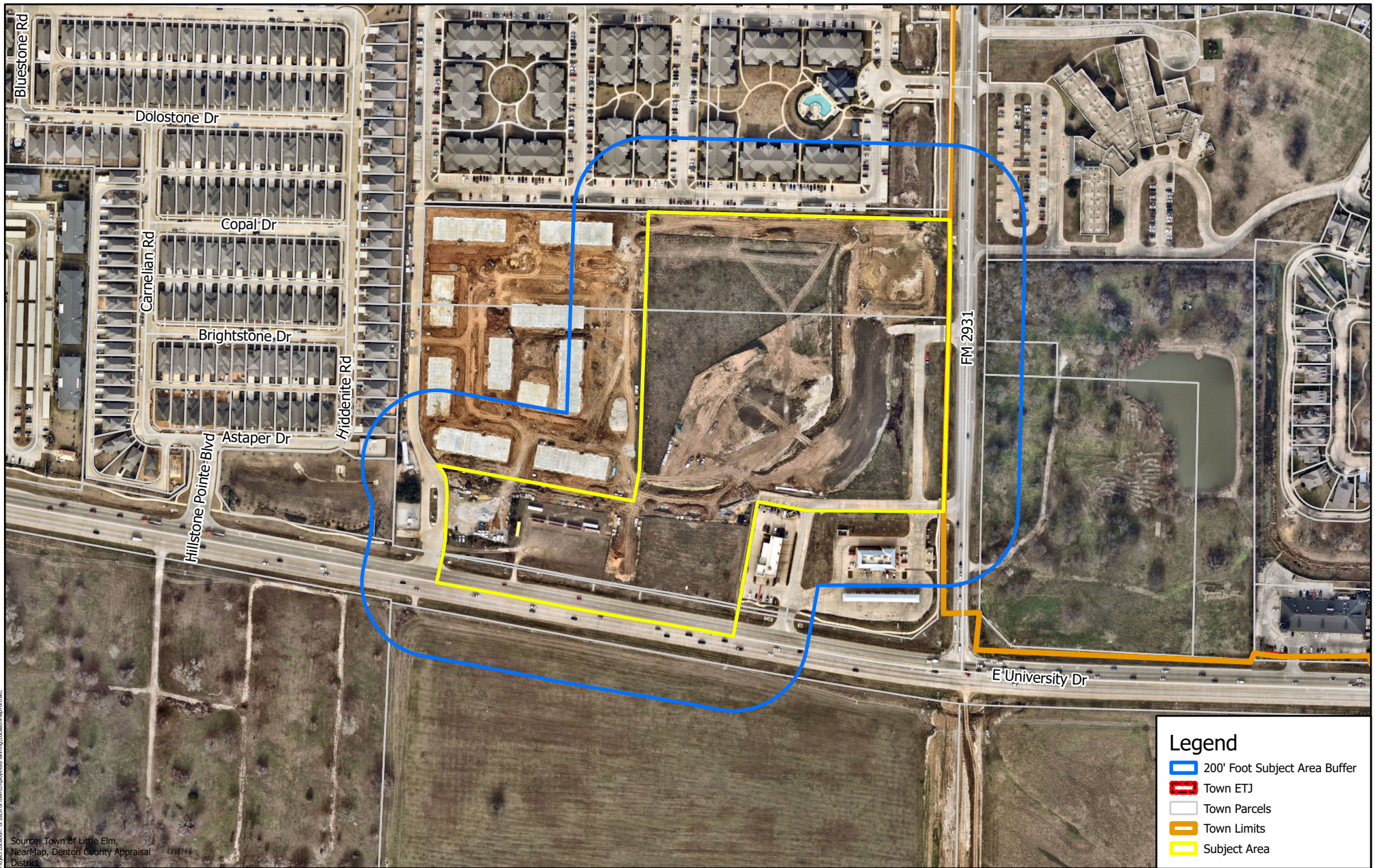
This request was prematurely noticed and is not ready to move forward at this time.

Recommended Action

Staff requests to table until February 17, 2022 to allow the applicant additional time to revise the request.

Attachments

Location Map



Source: Town of Little Elm,
NearMap, Denton County Appraisal
District



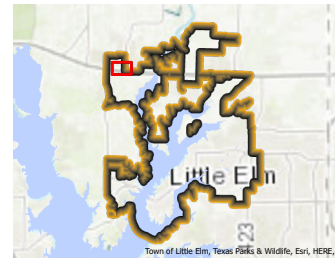
380 Montessori School Planned Development
PD-21-07422

0 0.03 0.05 0.1 Miles



Town of Little Elm
Denton County, Tx

Date: 1/24/2022



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.