



# TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

December 15, 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. **5:30 PM Work Session**

2. **6:00 PM Regular Meeting**

1. **Roll Call**

2. **Consent Agenda**

1. Discuss and take action regarding the approval of the December 1, 2022 Regular Planning and Zoning Commission Meeting Minutes.
2. **FINAL PLAT/ Linden Hills 3 (FP-21-03423).** Presentation, discussion, and consideration on a request for approval of a Final Plat consisting of 29.035 acres, situated in the S. Guarrara Survey, Abstract No. 456 and the J. Gonzalez Survey, Abstract No. 447, within Little Elm's Town limits, in order to establish lot lines and the easements necessary for development.
  - Presentation
  - Discussion
  - Recommendation
3. **REPLAT/ 2821 E Eldorado (RP-22-12541).** Presentation, discussion, and consideration on a request for approval of a Replat of approximately 1.56 acres, situated on the J. Cox Survey, Abstract No. 219, within Little Elm's Town Limits, in order to divide the lot into 2 lots and establish new easements necessary for development.
  - Presentation
  - Discussion
  - Recommendation

4. **FINAL PLAT/ Spring Branch Addition (FP-22-07165).** Presentation, discussion, and consideration on a request for approval of a Final Plat consisting of 4.99 acres, situated in the David M. Cule Survey, Abstract No. 226, within Little Elm's ETJ, in order to establish lot lines and the easements necessary for development.
  - Presentation
  - Discussion
  - Recommendation

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

4. **Adjourn**

#### Certificate

I certify that the above notice of the Planning & Zoning Commission meeting was posted on the bulletin board of the Town of Little Elm, Texas on December 12, 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.

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Olga Chernomorets - Managing Director of Planning Services



# TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

12/15/2022

## OVERVIEW

<b>Project</b>	Adoption of the December 1, 2022 Planning & Zoning Commission Meeting Minutes
<b>P&amp;Z Hearing</b>	12/15/2022
<b>Council Hearing</b>	N/A
<b>Size</b>	N/A
<b>Current Zoning</b>	N/A
<b>Proposed Use</b>	N/A
<b>Existing Use</b>	N/A
<b>Future Land Use Plan Designation</b>	N/A
<b>Applicant</b>	N/A
<b>Owner</b>	N/A
<b>Strategic Goal</b>	

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### Agenda Item

Discuss and take action regarding the approval of the December 1, 2022 Regular Planning and Zoning Commission Meeting Minutes.

### Location

N/A

### Planning Analysis

N/A

### Recommended Action

N/A

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### Attachments

P&Z Minutes December 1, 2022

# DRAFT



## Minutes

### Town of Little Elm

### PLANNING & ZONING COMMISSION

### Regular Meeting

Thursday, DECEMBER 1, 2022 - 7:00 pm

Present: Ron Trees, Vice-Chair; Tom Ocelli, Commissioner; Jack Skinner, Commissioner; Stephen Horn, Commissioner; Brent Thibeaux, Commissioner; Chip Norman, Alternate Commissioner; Debra Cadet, Alternate Commissioner

Absent: Michael Bell, Chairperson; Robert Martin, Commissioner

Staff Present: Olga Chernomorets, Managing Director of Planning  
Rachel Mendoza, Development Manager  
Brian Salvesen, Planner

1. **5:30 PM Work Session**
2. **6:00 PM Regular Meeting**
  1. **Roll Call**
  2. **Consent Agenda**

Motion: Approve consent agenda as presented.

Motion by Commissioner Jack Skinner, seconded by Commissioner Brent Thibeaux

AYE: Vice-Chair Ron Trees, Commissioner Tom Ocelli, Commissioner Jack Skinner, Commissioner Stephen Horn, Commissioner Brent Thibeaux, Alternate Commissioner Chip Norman, Alternate Commissioner Debra Cadet

**7 - 0 Passed - Unanimously**

1. Discuss and take action regarding the approval of the November 17, 2022 Regular Planning and Zoning Commission Meeting Minutes.

Meeting minutes approved as presented in Consent agenda motion.

2. **REPLAT/ Carter Estates (RP-22-06658).** Presentation, discussion, and consideration on a request for approval of a replat consisting of 2.476 acres situated in the Matthew Jones Survey, Abstract 667, within Little Elm's Town limits, in order to replat 2 lots into 1 and establish new lot boundaries.
  - Presentation
  - Discussion
  - Recommendation

Staff Recommendation: Denial of the plat document.

3. **FINAL PLAT/ Little Elm Marketplace (FP-22-06923).** Presentation, discussion, and consideration on a request for approval of a Final Plat consisting of 7.069 acres, situated in the William McFadden, Abstract No. 893, within Little Elm's Town limits, in order to establish lot lines and the easements necessary for development.
  - Presentation
  - Discussion
  - Recommendation

Staff Recommendation: Approval with the following conditions.

Prior to recording of the plat document:

1. Provide filing information for all existing and proposed easements and rights-of-way within and abutting the subdivision.
  2. Amend Note 3 of Surveyors' Notes to match the Final Plat Checklist language.
  3. Amend Town's signature block to match plat document title and replace Planning and Zoning Commission Chair with Town Official.
  4. Provide linework for existing structures on the plat document.
  5. Update the plat document date to reflect the most current date of revisions.
4. **PRELIMINARY PLAT/ MKPK Addition (PP-22-06025)** Presentation, discussion, and consideration on a request for approval of a Preliminary Plat of approximately 2.06 acres, situated on the Jose Gonzales Survey, Abstract No. 447, within the Town of Little Elm's Extraterritorial Jurisdiction, in order to show proposed lot lines and easements necessary for development.
    - Presentation
    - Discussion
    - Recommendation

Staff Recommendation: Denial of the plat document.

### 3. **Regular Agenda**

1. **PUBLIC HEARING/ Freddy's (SUP-22-12588).** Presentation, discussion, public hearing, and take action on a request for a Specific Use Permit (SUP) for a drive-thru, on property located at 26561 East University Street, currently zoned Planned Development (PD-LC) through Ordinance No. 1283, as amended by Ordinance No. 1589, in order to allow for development of a new quick service food establishment with a drive-thru component.
  - Staff Report/ Applicant Presentation
  - Open Public Hearing
  - Receive Public Hearing
  - Close Public Hearing
  - Discussion and Recommendation

Staff briefed the Commission on the agenda item.

Landon Brack, of Private Street Partners spoke on behalf of his client, the applicant, and was available for questions from the commission.

Vice-Chair Trees opened the public hearing at 6:12pm.

With no one in attendance indicating they wanted to speak, Vice-Chair Trees closed the public hearing at 6:12pm.

Motion: Approve with the following condition:

1. Enhance landscaping on the eastern entry corner as a way to offset the inability to provide the full extent of tree planting along the US 380 frontage.

Motion by Commissioner Jack Skinner, seconded by Commissioner Brent Thibeaux

AYE: Vice-Chair Ron Trees, Commissioner Tom Ocelli, Commissioner Jack Skinner,  
Commissioner Stephen Horn, Commissioner Brent Thibeaux, Alternate Commissioner  
Chip Norman, Alternate Commissioner Debra Cadet

**7 - 0 Passed - Unanimously**

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

Meeting adjourned at 6:22pm.



# TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

12/15/2022

## OVERVIEW

<b>Project</b>	FINAL PLAT/ Linden Hills 3 (FP-21-03423)
<b>P&amp;Z Hearing</b>	12/15/2022
<b>Council Hearing</b>	N/A
<b>Size</b>	Approximately 29.035 acres
<b>Current Zoning</b>	ETJ
<b>Proposed Use</b>	Single Family Residential
<b>Existing Use</b>	Vacant
<b>Future Land Use Plan Designation</b>	Residential
<b>Applicant</b>	David Barton
<b>Owner</b>	Jennifer Eller
<b>Strategic Goal</b>	

## Agenda Item

**FINAL PLAT/ Linden Hills 3 (FP-21-03423).** Presentation, discussion, and consideration on a request for approval of a Final Plat consisting of 29.035 acres, situated in the S. Guarrara Survey, Abstract No. 456 and the J. Gonzalez Survey, Abstract No. 447, within Little Elm's Town limits, in order to establish lot lines and the easements necessary for development.

- Presentation
- Discussion
- Recommendation

## Location

Generally located on the southeast corner of Rivers Creek Ln and Eppright Drive, within Little Elm's Extraterritorial jurisdiction.

## Planning Analysis

The purpose of a final plat is to ensure that the proposed subdivision and development of the land is consistent with all standards of the Town's 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 document and there are still outstanding comments that

need to be addressed in order to fully meet the Subdivision Ordinance.

### **Recommended Action**

Staff recommends approval of the requested plat document with the following conditions to be addressed prior to recording of the plat:

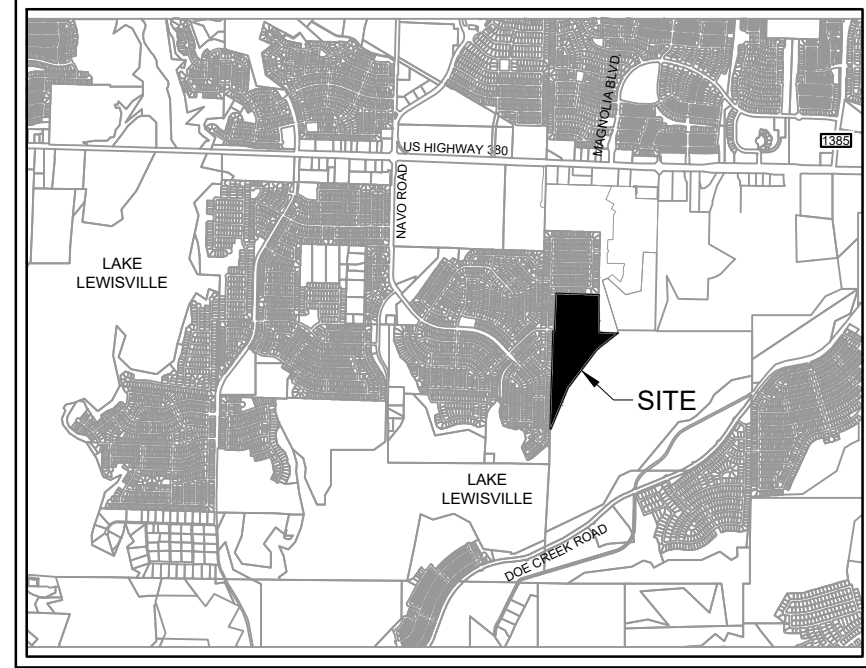
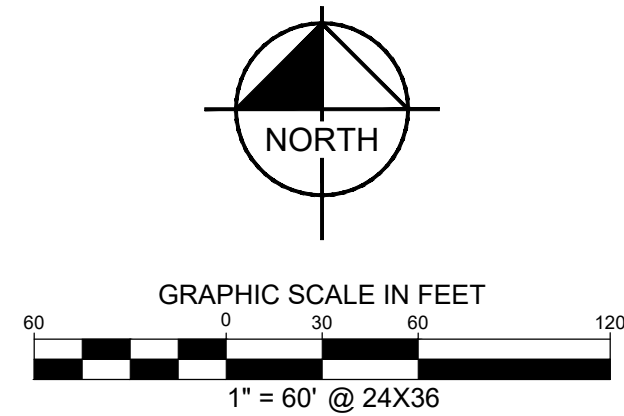
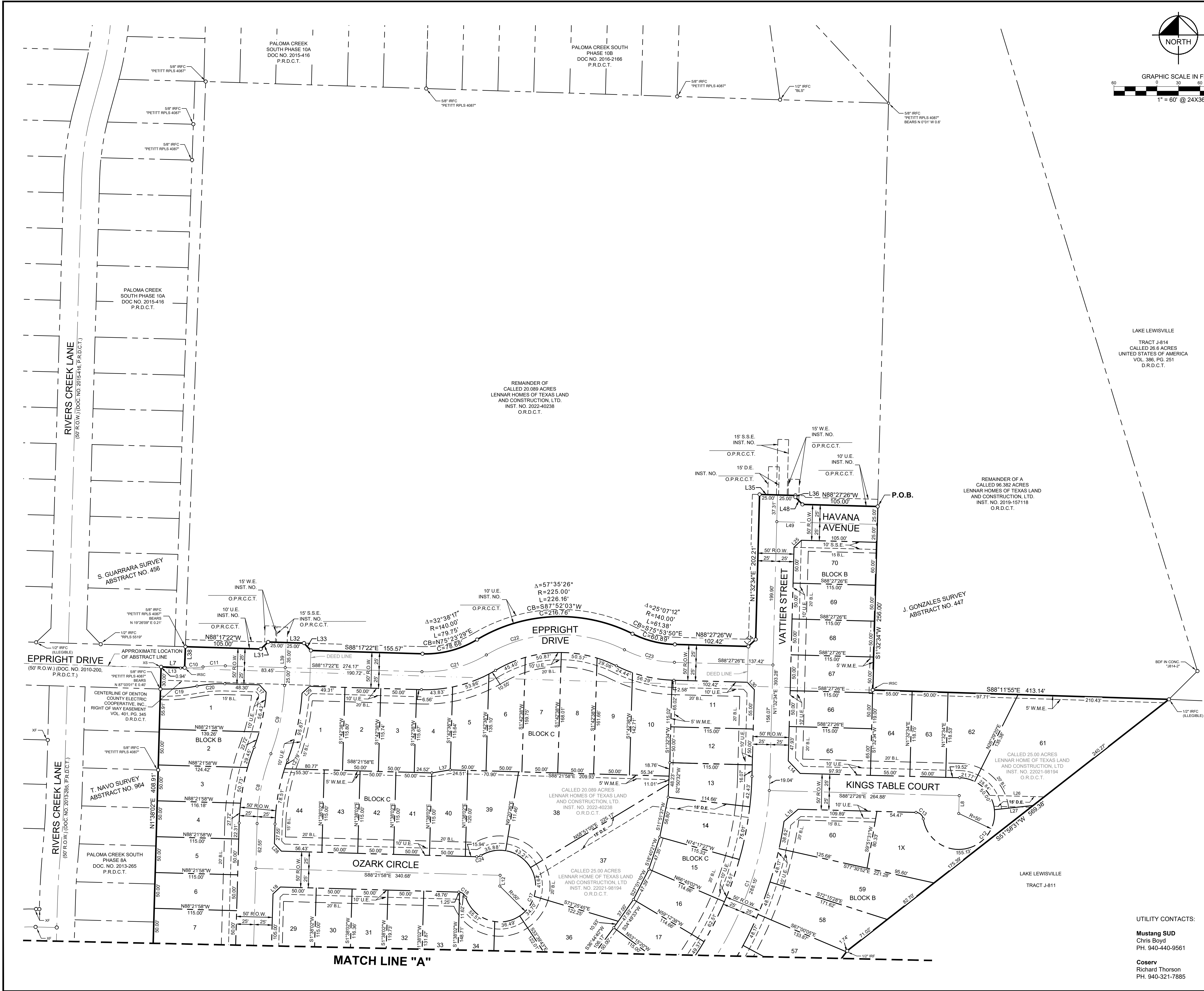
1. Reference instrument number of Development Agreement in Note 8.
2. Provide table showing breakdown for lot widths at building line and lot areas in square feet, per Developent Agreement requirements.
3. Fix text layer errors for utility contacts and plat description.

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### **Attachments**

Plat Document





VICINITY MAP  
N.T.S.

- NOTES:**
- Bearing system for this survey is based upon NAD 83 - Texas North Central Zone, Horizontal Adjustment to NAD 83 (1993). To convert the Surface distances to Grid Values, multiply the distances by a Combined Scale Factor of 0.999853696.
  - According to Community Panel No. 48121C0410G, dated April 18, 2011 of the National Flood Insurance Program Map, Flood Insurance Rate Map of Denton County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, this property is within Zone "X-Unshaded", which is not a special flood hazard area. For portions of this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
  - All common Open Space Lots to be owned and maintained by the H.O.A.
  - All lots comply with the minimum size requirements of the development agreement.
  - This property may be subject to charges related to impact fees and the applicant should contact the Town regarding any applicable fees due.
  - Notice - selling a portion of this addition by metes and bounds is a violation of Town subdivision ordinance and platting statutes and is subject to fines and withholding of utilities and building permits.
  - This plat does not alter or remove existing deed restrictions, if any, on this property.
  - All of the residential lots conform to SF 4.5 per the development agreement.
  - Retaining walls 4 feet in height and greater and their associated private wall maintenance easements shall be maintained by the Homeowners Association (H.O.A.)
  - All corner sets are monumented with a 5/8 inch iron rod with red plastic cap stamped "KHA", unless otherwise noted.
  - See Sheet 2 for line and curve table.

**LEGEND:**

P.O.B. = POINT OF BEGINNING  
IRFC = IRON ROD W/CAP FOUND  
IRSC = 5/8" IRON ROD SET W/ "KHA" CAP  
IRF = IRON ROD FOUND  
XF = "X" CUT FOUND  
XS = "X" CUT SET  
B.D.F. = BRASS DISC FOUND  
C.O.E. = CORPS OF ENGINEERS  
B.L. = BUILDING LINE  
D.E. = DRAINAGE EASEMENT  
P.A.E. = PEDESTRIAN ACCESS EASEMENT  
S.S.E. = SANITARY SEWER EASEMENT  
W.M.E. = WALL MAINTENANCE EASEMENT  
P.R.D.C.T. = PLAT RECORDS OF DENTON COUNTY, TEXAS  
O.R.D.C.T. = OFFICIAL RECORDS OF DENTON COUNTY, TEXAS  
D.R.D.C.T. = DEED RECORDS OF DENTON COUNTY, TEXAS

**FINAL PLAT  
LINDEN HILLS PHASE 3**

**124 RESIDENTIAL LOTS**  
BLOCK B, LOTS 1-70, BLOCK C, LOT 1-44,  
BLOCK D, LOT 1-10

**AND 3 OPEN SPACE LOTS**  
BLOCK B, LOTS 1X, 2X, & 3X

BEING 29.035 ACRES SITUATED IN THE  
S.GUARRARA SURVEY, ABSTRACT NO. 456 AND  
J.GONZALEZ SURVEY, ABSTRACT NO. 447  
TOWN OF LITTLE ELM ETJ,  
DENTON COUNTY, TEXAS

**Kimley»Horn**

6160 Warren Parkway, Suite 210  
Frisco, Texas 75034  
Tel. No. (972) 335-3580  
FIRM # 10193822

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	CDS	KHA	NOV. 2022	064519400	1 OF 3

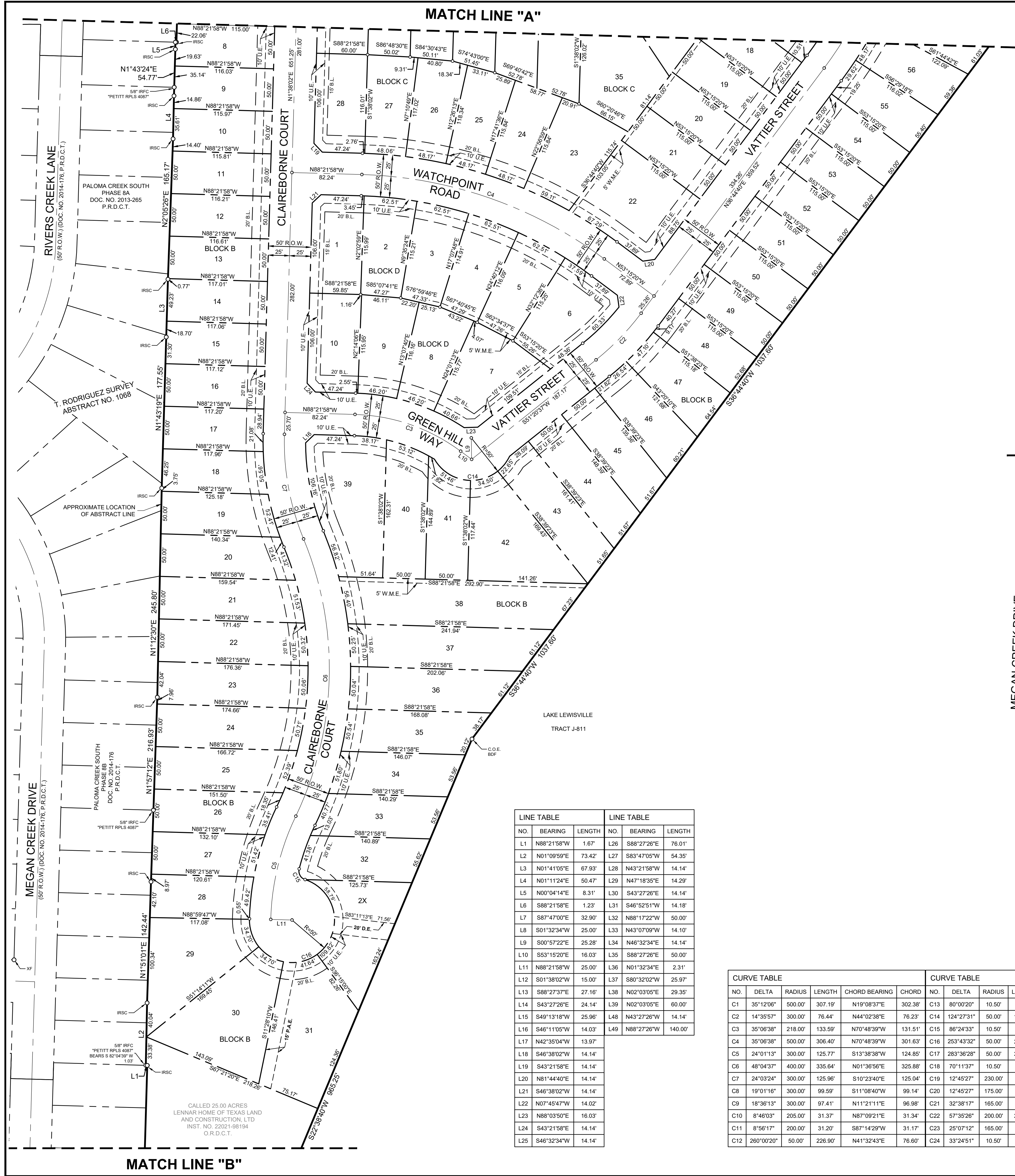
OWNER  
**Lennar Homes of Texas**  
1707 Market Place Blvd,  
Suite 100  
Irving, Texas 75063  
469-587-5383  
Contact: Elizabeth Bentley

ENGINEER/SURVEYOR:  
**Kimley-Horn & Associates**  
6160 Warren Pkwy, Suite 210  
Frisco, Texas 75034  
972-335-3580  
Contact: Casey Ross P.E.

**UTILITY CONTACTS:**

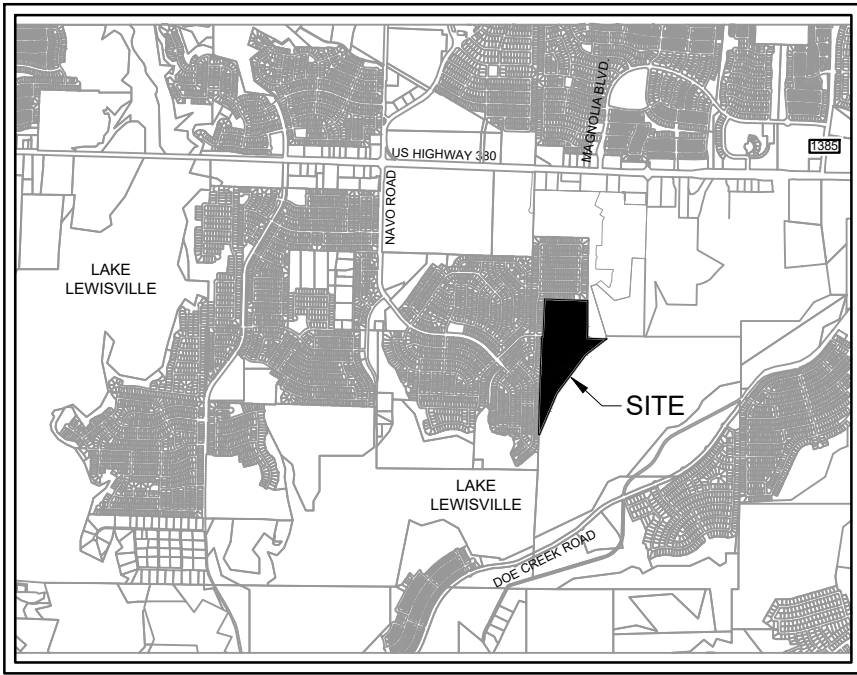
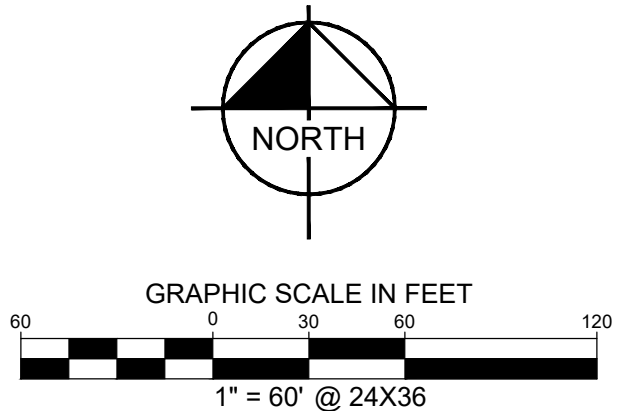
**Mustang SUD**  
Chris Boyd  
PH. 940-440-9561

**Coserv**  
Richard Thorson  
PH. 940-321-7885



LEGEND:

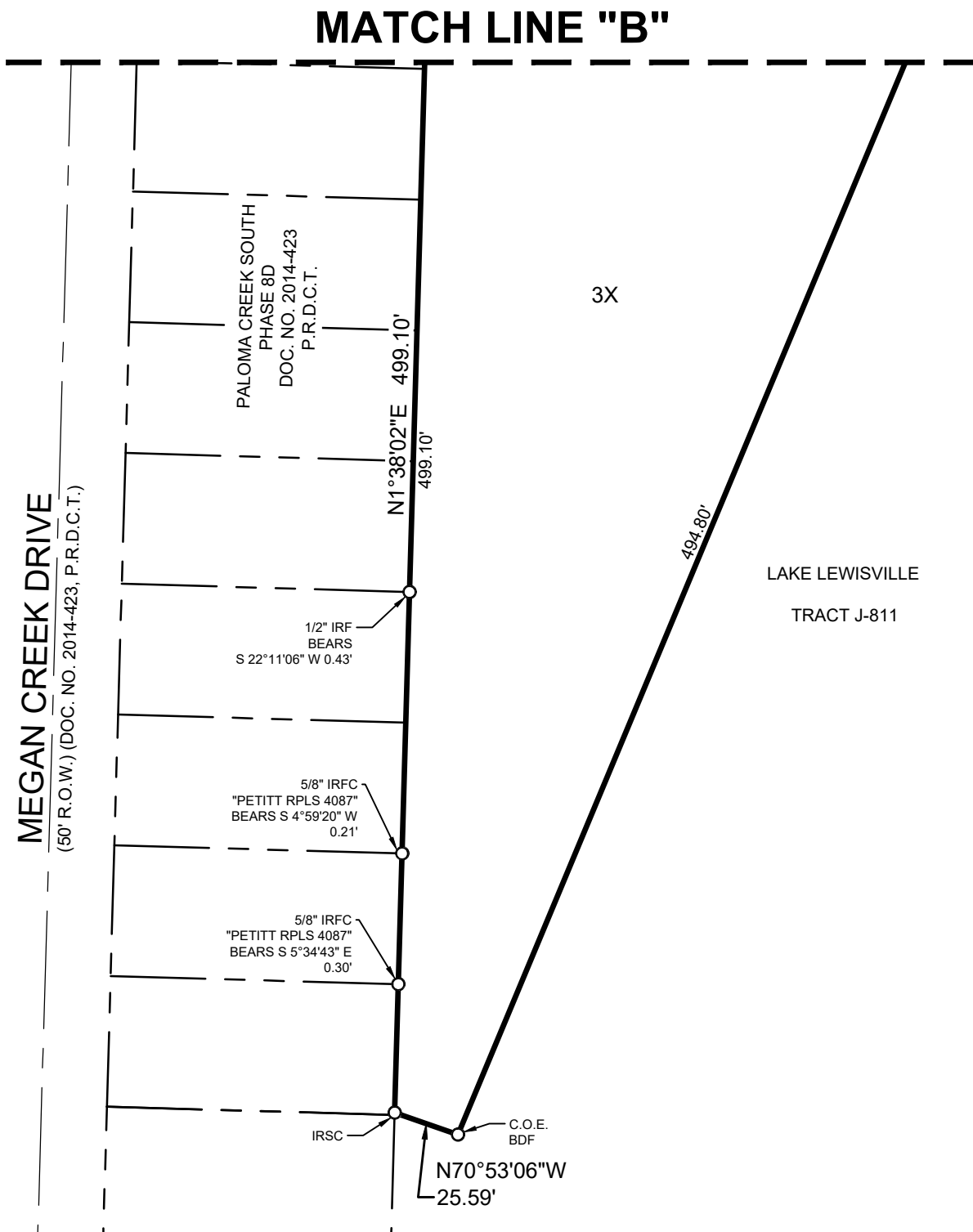
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NOTES:

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FINAL PLAT  
LINDEN HILLS PHASE 3

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Contact: Elizabeth Bentley

ENGINEER/SURVEYOR:  
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972-335-3580  
Contact: Casey Ross P.E.

UTILITY CONTACTS:

**Mustang SUD**  
Chris Boyd  
PH. 940-440-9561

**Coserv**  
Richard Thorson  
PH. 940-321-7885

LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	N88°21'58"W	1.67'	L26	S88°27'26"E	76.01'
L2	N01°09'59"E	73.42'	L27	S83°47'05"W	54.35'
L3	N01°41'05"E	67.93'	L28	N43°21'58"W	14.14'
L4	N01°11'24"E	50.47'	L29	N47°18'35"E	14.29'
L5	N00°04'14"E	8.31'	L30	S43°27'26"E	14.14'
L6	S88°21'58"E	1.23'	L31	S46°52'51"W	14.18'
L7	S87°47'00"E	32.90'	L32	N88°17'22"W	50.00'
L8	S01°32'34"W	25.00'	L33	N43°07'09"W	14.10'
L9	S00°57'22"E	25.28'	L34	N46°32'34"E	14.14'
L10	S53°15'20"E	16.03'	L35	S88°27'26"E	50.00'
L11	N88°21'58"W	25.00'	L36	N01°32'34"E	2.31'
L12	S01°38'02"W	15.00'	L37	S80°32'02"W	25.97'
L13	S88°27'37"E	27.16'	L38	N02°03'05"E	29.35'
L14	S43°27'26"E	24.14'	L39	N02°03'05"E	60.00'
L15	S49°13'18"W	25.96'	L48	N43°27'26"W	14.14'
L16	S46°11'05"W	14.03'	L49	N88°27'26"W	140.00'
L17	N42°35'04"W	13.97'			
L18	S46°38'02"W	14.14'			
L19	S43°21'58"E	14.14'			
L20	N81°44'40"E	14.14'			
L21	S46°38'02"W	14.14'			
L22	N07°45'47"W	14.02'			
L23	N88°03'50"E	16.03'			
L24	S43°21'58"E	14.14'			
L25	S46°32'34"W	14.14'			

CURVE TABLE						CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	35°12'06"	500.00'	307.19'	N19°08'37"E	302.38'	C13	80°00'20"	10.50'	14.66'	N48°27'17"W	13.50'
C2	14°35'57"	300.00'	76.44'	N44°02'38"E	76.23'	C14	124°27'31"	50.00'	108.61'	N87°43'51"E	88.48'
C3	35°06'38"	218.00'	133.59'	N70°48'39"W	131.51'	C15	86°24'33"	10.50'	15.84'	S28°53'14"E	14.38'
C4	35°06'38"	500.00'	306.40'	N70°48'39"W	301.63'	C16	253°43'32"	50.00'	221.42'	N54°46'16"E	80.01'
C5	24°01'13"	300.00'	125.77'	S13°38'38"W	124.85'	C17	283°36'28"	50.00'	247.49'	N20°01'24"E	61.84'
C6	48°04'37"	400.00'	335.64'	N01°36'56"E	325.88'	C18	70°11'37"	10.50'	12.86'	N53°16'10"W	12.07'
C7	24°03'24"	300.00'	125.96'	S10°23'40"E	125.04'	C19	12°45'27"	230.00'	51.21'	N85°19'54"E	51.11'
C8	19°01'16"	300.00'	99.59'	S11°08'40"W	99.14'	C20	12°45'27"	175.00'	38.97'	S85°19'54"W	38.89'
C9	18°36'13"	300.00'	97.41'	N11°21'11"E	96.98'	C21	32°38'17"	165.00'	93.99'	N75°23'29"E	92.73'
C10	8°46'03"	205.00'	31.37'	N87°09'21"E	31.34'	C22	57°35'26"	200.00'	201.03'	S87°52'03"W	192.67'
C11	8°56'17"	200.00'	31.20'	S87°14'29"W	31.17'	C23	25°07'12"	165.00'	72.34'	S75°53'50"E	71.76'
C12	260°00'20"	50.00'	226.90'	N41°32'43"E	76.60'	C24	33°24'51"	10.50'	6.12'	N74°55'36"E	6.04'



OWNER'S CERTIFICATE

STATE OF TEXAS §

COUNTY OF DENTON §

WHEREAS LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., is the sole owner of a tract of land situated in the J. Gonzalez Survey, Abstract No. 447 and the S. Guararra Survey, Abstract No. 456, Town of Little Elm, Denton County, Texas, and being a portion of a called 20,089 acre tract of land described in a Special Warranty Deed to Lennar Homes of Texas Land and Construction, Ltd., as recorded in Document No. 2022-40238 of the Official Records of Denton County, Texas, and also being all of a called 25,000 acre tract of land described in a Special Warranty Deed to Lennar Homes of Texas Land and Construction, Ltd., as recorded in Document No. 2021-98194 of the Official Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northernmost southeast corner of said 20,089 acre tract, common to the northernmost northeast corner of said 25,000 acre tract, being on the westerly line of a called 96.382 acre tract of land described in a deed to Lennar Homes of Texas Land and Construction, Ltd., as recorded in Instrument No. 2019-157118 of the Official Records of Denton County, Texas;

THENCE South 01°32'34" West, along the easterly line of said 25,000 acre tract, and the westerly line of said 96.382 acre tract, a distance of 256.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said 96.382 acre tract, common to an ell corner of said 25.00 acre tract;

THENCE South 88°11'55" East, along the northerly line of said 25.00 acre tract and along the southerly line of said 96.382 acre tract, a distance of 413.14 feet to a 1/2 inch iron rod with plastic cap (illegible) found for the northeast corner of said 25.00 acre tract, common to the southeast corner of said 96.382 acre tract, being on the westerly line of Lake Lewisville;

THENCE along the easterly line of said 25.00 acre tract and along the westerly line of said Lake Lewisville, the following courses and distances:

South 51°58'31" West, a distance of 569.38 feet to a 1/2 inch iron rod found for corner;

South 36°44'40" West, a distance of 1037.60 feet to a Corps of Engineers brass disk found for corner;

South 22°38'40" West, a distance of 965.25 feet to a Corps of Engineers brass disk found for the southeast corner of said 25.00 acre tract;

THENCE North 70°53'06" West, along the southerly line of said 25.00 acre tract and continuing along the westerly line of said Lake Lewisville, a distance of 25.59 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said 25.00 acre tract, being on the easterly line of Paloma Creek South Phase 8D, according to the plat thereof recorded in Document No. 2014-423 of the Plat Records of Denton County, Texas;

THENCE along the westerly line of said 25.00 acre tract, the westerly line of said 20,089 acre tract, the easterly line of said Paloma Creek South Phase 8D, the easterly line of Paloma Creek South Phase 8B, according to the plat thereof recorded in Document No. 2014-176 of the Plat Records of Denton County, Texas, the easterly line of Paloma Creek South Phase 8A, according to the plat thereof recorded in Document No. 2013-265 of the Plat Records of Denton County, Texas, the easterly terminus of Epwright Drive, a 50 foot wide right of way, as dedicated in the plat of Paloma Creek South Phase 9A, according to the plat thereof recorded in Document No. 2010-200 of the Plat Records of Denton County, Texas, and the easterly line of aforesaid Paloma Creek South Phase 10A, the following courses and distances:

North 01°38'02" East, a distance of 499.10 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 88°21'58" West, a distance of 1.67 feet to a point for corner, from which, a 5/8 inch iron rod with plastic cap stamped "Petitt RPLS 4087" found for witness bears South 82°04'39" West, 1.03 feet;

North 01°09'59" East, a distance of 73.42 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 01°51'01" East, a distance of 142.44 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 01°57'12" East, a distance of 216.93 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 01°12'30" East, a distance of 245.80 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 01°43'19" East, a distance of 177.55 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 01°41'05" East, a distance of 67.93 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 02°05'26" East, a distance of 165.17 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 01°11'24" East, a distance of 50.47 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 01°43'24" East, a distance of 54.77 feet to a 5/8 inch iron rod with plastic cap stamped "Petitt RPLS 4087" found for corner;

North 00°04'14" East, a distance of 8.31 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 88°21'58" East, a distance of 1.23 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 01°38'02" East, a distance of 408.91 feet to an "X" cut in concrete set for corner;

South 87°47'00" East, a distance of 32.90 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 02°03'05" East, a distance of 29.35 feet to the northwest corner of said 25,000 acre tract, common to the northernmost southwest corner of aforesaid 20,089 acre tract, the north end of the terminus of said Epwright Drive and the southeast corner of Paloma Creek South Phase 10A, according to the plat thereof recorded in Document No. 2015-416 of the Plat Records of Denton County, Texas;

THENCE departing said terminus, along the northerly line of said 25,000 acre tract and the southerly line of said 20,089 acre tract, the following courses and distances:

South 88°17'22" East, a distance of 105.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 46°52'51" East, a distance of 14.18 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 88°17'22" East, a distance of 50.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 43°07'09" East, a distance of 14.10 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE departing the northerly line of said 25,000 acre tract and the southerly line of said 20,089 acre tract, and crossing said 20,089 acre tract, the following courses and distances:

South 88°17'22" East, a distance of 155.57 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a tangent curve to the left with a radius of 140.00 feet, a central angle of 32°38'17", and a chord bearing and distance of North 75°23'29" East, 78.68 feet;

In a northerly direction, with said tangent curve to the left, an arc distance of 79.75 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a reverse curve to the right with a radius of 225.00 feet, a central angle of 67°35'26", and a chord bearing and distance of North 87°52'03" East, 216.76 feet;

In a southerly direction, with said reverse curve to the right, an arc distance of 226.16 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set at the beginning of a reverse curve to the left with a radius of 140.00 feet, a central angle of 25°07'12", and a chord bearing and distance of South 75°53'50" East, 60.89 feet;

In a northerly direction, with said reverse curve to the left, an arc distance of 61.38 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 88°27'26" East, a distance of 102.42 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner on the easterly line of said 20,089 acre tract and the westerly line of said 25,000 acre tract;

THENCE along the easterly and southerly lines of said 20,089 acre tract and the westerly and northerly lines of said 25,000 acre tract, the following courses and distances:

North 46°32'34" East, a distance of 14.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 01°32'34" East, a distance of 202.21 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 88°27'26" East, a distance of 50.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 01°32'34" West, a distance of 2.31 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 43°27'26" East, a distance of 14.14 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 88°27'26" East, a distance of 105.00 feet to the POINT OF BEGINNING and containing 29.035 acres (1,264,783 square feet) of land, more or less.

OWNER'S DEDICATION

STATE OF TEXAS §

COUNTY OF DENTON §

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., ("Owner") does hereby adopt this plat designating the hereinabove property as LINDEN HILLS PHASE 3, an addition to the Town of Little Elm, Denton County, Texas, and does hereby dedicate in fee simple to Denton County Municipal Utility District No. 1 (The District) to exclusive use forever, the streets and public use areas shown hereon, and do hereby dedicate the easements shown on the plat for the purposes indicated to the District's exclusive use forever, and said dedications being free and clear of all liens and encumbrances except as shown herein or subordinated to this plat. No buildings, fences, trees, shrubs or other improvements shall be constructed or placed upon, over or across the easements of said plat. At the discretion of the District and subject to its written approval. Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use the same unless the easement limits the use to a particular utility or utilities. Said use by public utilities being subordinate to the District's use thereof. Any public utility given the right by the District to use said easements shall have the right to: remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on any of these easements; and any public utility shall at all times have the right of ingress and egress to and from and upon said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time procuring the permission of anyone. I do hereby bind myself, my successors and assigns to forever warrant and defend all and singular above described streets, alleys, easements an rights unto the District against every person whomsoever lawfully claiming or to claim the same or any part thereof by and through Owner but not otherwise. This property is not located within the extraterritorial jurisdiction of any municipality. 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 \_\_\_\_\_, 2021.

LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., a Texas limited partnership

BY: Lennar Texas Holding Company  
Its General Partner

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF \_\_\_\_\_ §

COUNTY OF \_\_\_\_\_ §

Before me, the undersigned authority, a Notary Public in and for The State of Texas, on this day personally appeared \_\_\_\_\_, 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 purpose and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

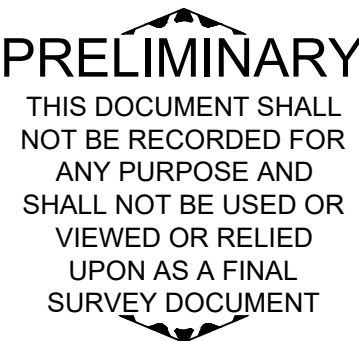
Notary Public, State of \_\_\_\_\_

SURVEYORS CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

I, Sylviana Gunawan, 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.

Sylviana Gunawan  
Registered Professional Land Surveyor #6461  
Kimley-Horn and Associates, Inc.  
6160 Warren Parkway, Suite 210  
Frisco, Texas 75034  
972-335-3580  
sylviana.gunawan@kimley-horn.com



STATE OF TEXAS §  
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, a Notary Public, on this day personally appeared Sylviana Gunawan, 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 the \_\_\_\_ day of \_\_\_\_\_, 2021.

NOTARY PUBLIC in and for the STATE OF TEXAS

CERTIFICATE OF FINAL PLAT APPROVAL

APPROVED

Town Official  
Town of Little Elm, Texas

Date

The undersigned, the Town Secretary of the Town of Little Elm, Texas, hereby certifies that the foregoing Final Plat of the LINDEN HILLS PHASE 3 to the Town of Little Elm was submitted to the Planning and Zoning Commission on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and the Commission, by formal action, then and there accepted the Final 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 \_\_\_\_\_, 20\_\_\_\_.

Town Secretary  
Town of Little Elm, Texas

FINAL PLAT  
LINDEN HILLS PHASE 3

124 RESIDENTIAL LOTS  
BLOCK B, LOTS 1-70, BLOCK C, LOT 1-44,  
BLOCK D, LOT 1-10

AND 3 OPEN SPACE LOTS  
BLOCK B, LOTS 1X, 2X, & 3X

BEING 29.035 ACRES SITUATED IN THE  
S.GUARRARA SURVEY, ABSTRACT NO. 456 AND  
J.GONZALEZ SURVEY, ABSTRACT NO. 447  
TOWN OF LITTLE ELM ETJ,  
DENTON COUNTY, TEXAS

Kimley»Horn

6160 Warren Parkway, Suite 210  
Frisco, Texas 75034  
Tel. No. (972) 335-3580  
FIRM # 10193822

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	CDS	KHA	NOV. 2022	064519400	3 OF 3

UTILITY CONTACTS:

Mustang SUD  
Chris Boyd  
PH. 940-440-9561

Coserv  
Richard Thorson  
PH. 940-321-7885

OWNER  
Lennar Homes of Texas  
1707 Market Place Blvd,  
Suite 100  
Irving, Texas 75063  
469-587-5383  
Contact: Elizabeth Bentley

ENGINEER/SURVEYOR:  
Kimley-Horn & Associates  
6160 Warren Pkwy, Suite 210  
Frisco, Texas 75034  
972-335-3580  
Contact: Casey Ross P.E.



# TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

12/15/2022

## OVERVIEW

<b>Project</b>	REPLAT/ 2821 E Eldorado (RP-22-12541)
<b>P&amp;Z Hearing</b>	12/15/2022
<b>Council Hearing</b>	N/A
<b>Size</b>	Approximately 1.56 acres
<b>Current Zoning</b>	Planned Development (Light Commercial Base)
<b>Proposed Use</b>	Retail/Commercial
<b>Existing Use</b>	Vacant
<b>Future Land Use Plan Designation</b>	Retail/Commercial
<b>Applicant</b>	Shawn Rockenbaugh
<b>Owner</b>	2821 Eldorado LLC
<b>Strategic Goal</b>	

## Agenda Item

**REPLAT/ 2821 E Eldorado (RP-22-12541).** Presentation, discussion, and consideration on a request for approval of a Replat of approximately 1.56 acres, situated on the J. Cox Survey, Abstract No. 219, within Little Elm's Town Limits, in order to divide the lot into 2 lots and establish new easements necessary for development.

- Presentation
- Discussion
- Recommendation

## Location

Generally located 450 feet east of the intersection of FM 423 and Eldorado Parkway, within Little Elm's Town Limits.

## Planning Analysis

The purpose of this replat submittal is to replat currently platted and recorded property into two (2) separate commercial lots in order to accommodate a new commercial development of two quick service drive-thru restaurants.

## Recommended Action

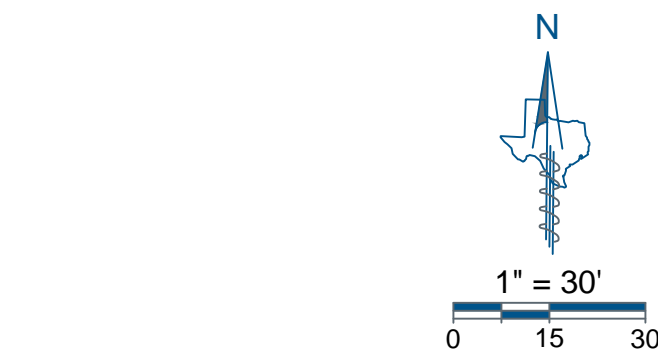
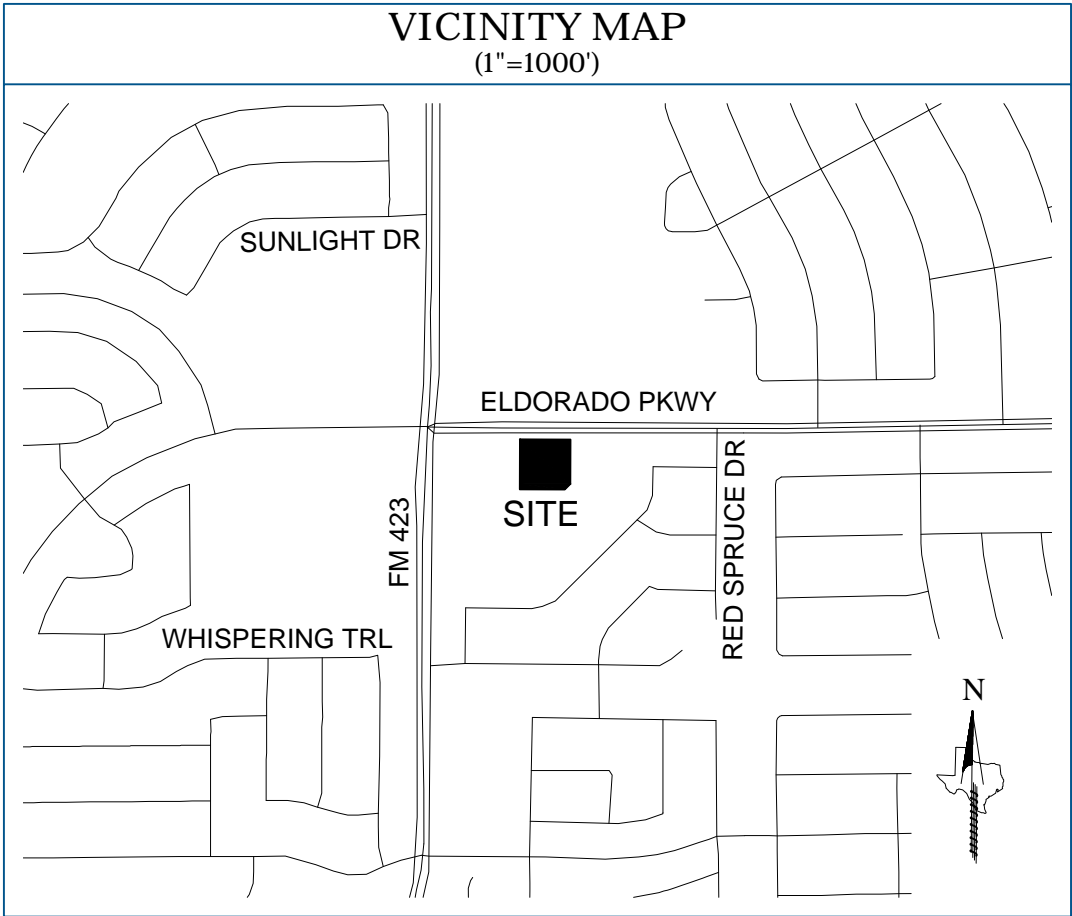
Staff recommends approval of the requested plat document as presented.

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## Attachments

Plat Document



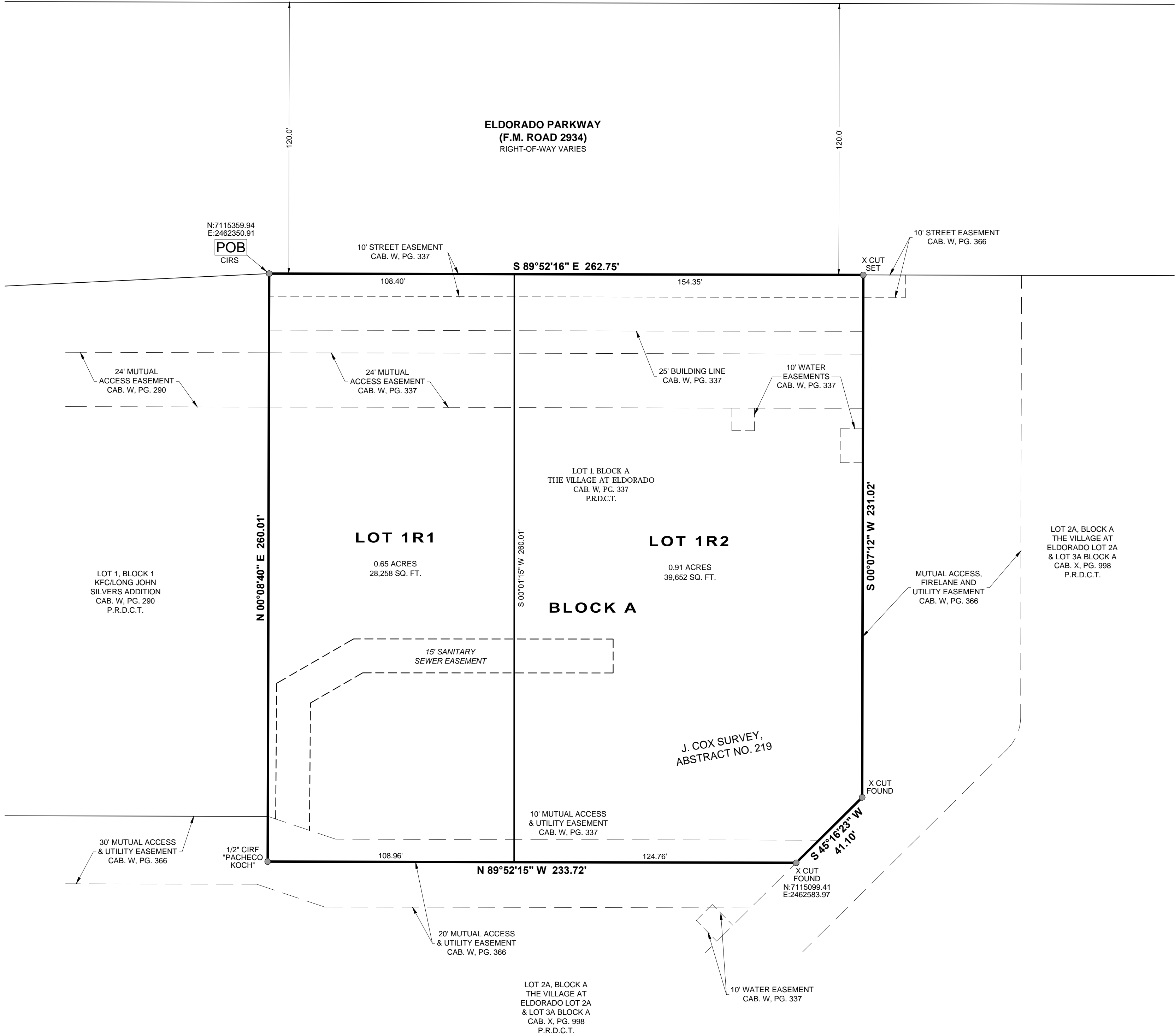


GENERAL NOTES

- The purpose of this plat is to create two lots of record from an existing lot of record.
- This property is located in "Non-shaded Zone X" according to the F.E.M.A. Flood Insurance Rate Map dated April 18, 2011 as shown on Map Number 48121C0420G.
- The bearings and grid coordinates shown on this plat are based on GPS observations utilizing the AllTerra RTK Network. North American Datum of 1983 (2011) Adjustment Realization.
- This property may be subject to charges related to impact fees and the applicant should contact the Town regarding any applicable fees due.
- 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/or withholding of utilities and building permits.
- This plat does not alter or remove existing deed restrictions, if any, on this property.
- All lots comply with the minimum size requirements of the zoning district.

LEGEND

POB = POINT OF BEGINNING  
VOL. = VOLUME  
PG. = PAGE  
CIRS = CAPPED IRON ROD SET  
CIRF = CAPPED IRON ROD FOUND  
DOC. NO. = DOCUMENT NUMBER  
D.R.D.C.T. = DEED RECORDS, DENTON COUNTY, TEXAS  
P.R.D.C.T. = PLAT RECORDS, DENTON COUNTY, TEXAS  
O.R.D.C.T. = OFFICIAL RECORDS, DENTON COUNTY, TEXAS



OWNER'S CERTIFICATE & DEDICATION

STATE OF TEXAS §  
COUNTY OF DENTON §

WHEREAS, **2821 ELDORADO, LLC** is the owner of a 1.56 acre tract out of the J. Cox Survey, Abstract Number 219, situated in the Town of Little Elm, Denton County, Texas, being all of Lot 1, Block A, The Village at Eldorado, a subdivision of record in Cabinet W, Page 337 of the Plat Records of Denton County, Texas, also being all of a tract of land conveyed to 2821 Eldorado, LLC by special warranty deed of record in Document Number 2019-64206 of the Official Records of Denton County, Texas, and being more particularly described by metes and bounds, as follows:

**BEGINNING**, at a 1/2" iron rod with green plastic cap stamped "EAGLE SURVEYING" set in the south right-of-way line of Eldorado Parkway (FM 2934), being the Northeast corner of Lot 1, Block 1, KFC/Long John Silvers Addition, a subdivision of record in Cabinet W, Page 290 of said Plat Records, and also being the Northwest corner of said Lot 1, Block A;

**THENCE**, S89°52'16"E, along the South right-of-way line of Eldorado Parkway, being the common North line of said Lot 1, Block A, a distance of 262.75 feet to an X cut set at a point in the irregular North line of Lot 2A, block A, The Village at Eldorado, Lot 2A & 3A, Block A, a subdivision of record in Cabinet X, Page 998 of said Plat Records, also being the Northeast corner of said Lot 1, Block A;

**THENCE**, along the irregular North line of said Lot 2A, being the common East and South lines of said Lot 1, Block A, the following three courses and distances:

- S00°07'12"W a distance of 231.02 feet to an X cut found;
- S45°16'23"W, a distance of 41.10 feet to an X cut found;
- N89°52'15"W, a distance of 233.72 feet to a 1/2" iron rod with cap stamped "PACHECO KOCH" found, being the Southwest corner of said Lot 1, Block A;

**THENCE**, N00°08'40"E, along the West line of said Lot 1, Block A, being in part the common irregular North line of said Lot 2A, and also being in part the East line of said Lot 1, Block 1, a distance of 260.01 feet to the **POINT OF BEGINNING** and containing an area of 1.56 Acres, or (67,909 Square Feet) of land, more or less.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, **2821 ELDORADO, LLC**, does hereby adopt this plat, designating herein described property as **THE VILLAGE AT ELDORADO, LOTS 1R1 & 1R2, BLOCK A**, an addition to the Town of Little Elm, Denton County, Texas, and does hereby dedicate to public use forever all streets and easements shown on this plat for the mutual use and accommodation of all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other growths or improvements which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements strips and any public utility shall, at all times, have the right of ingress and egress to and from and upon the said strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time procuring the permission of anyone.

OWNER: **2821 ELDORADO, LLC**

BY: \_\_\_\_\_ Date \_\_\_\_\_

STATE OF TEXAS §  
COUNTY OF \_\_\_\_\_ §

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, of 2821 ELDORADO, LLC, 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 \_\_\_\_\_, 2022.

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 \_\_\_\_\_, 2022.

Notary Public in and for the State of Texas

CERTIFICATE OF APPROVAL

On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, Little Elm, Texas hereby **APPROVES** the foregoing Replat of **THE VILLAGE AT ELDORADO, LOTS 1R1 & 1R2**, an addition to Town of Little Elm, Texas, submitted by **2821 ELDORADO, LLC**.

Town Official  
Little Elm, Texas

Town Secretary  
Little Elm, Texas

REPLAT  
THE VILLAGE AT  
ELDORADO  
LOTS 1R1 & 1R2, BLOCK A

BEING LOT 1, BLOCK A, THE VILLAGE AT ELDORADO  
RECORDED IN CABINET W, PAGE 337, P.R.D.C.T.  
1.56 ACRES OUT OF THE  
J. COX SURVEY, ABSTRACT No. 219  
TOWN OF LITTLE ELM, DENTON COUNTY, TEXAS

JOB NUMBER  
2201.005-02  
DATE  
06-01-2022  
REVISION  
-  
DRAWN BY  
TAR



Eagle Surveying, LLC  
222 South Elm Street  
Suite: 200  
Denton, TX 76201  
940.222.3009  
www.eaglesurveying.com  
TX Firm # 10194177

SURVEYOR  
Eagle Surveying, LLC  
222 S. Elm Street, Suite 200  
Denton, TX 76201  
(940) 222-3009

ENGINEER  
Development Engineering  
Consultants, LLC  
5300 Town & Country  
Boulevard, Suite 150  
Frisco, TX 75034

OWNER  
2824 Eldorado, LLC  
10620 Treena Street, Suite 230  
San Diego, CA 92131



# TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

12/15/2022

## OVERVIEW

<b>Project</b>	FINAL PLAT/ Spring Branch Addition (FP-22-07165)
<b>P&amp;Z Hearing</b>	12/15/2022
<b>Council Hearing</b>	N/A
<b>Size</b>	Approximately 4.99 acres
<b>Current Zoning</b>	Extraterritorial Jurisdiction
<b>Proposed Use</b>	Residential
<b>Existing Use</b>	Residential
<b>Future Land Use Plan Designation</b>	Special Planning Area 1
<b>Applicant</b>	Thomas Cudd
<b>Owner</b>	Juan Ramirez
<b>Strategic Goal</b>	

## Agenda Item

**FINAL PLAT/ Spring Branch Addition (FP-22-07165).** Presentation, discussion, and consideration on a request for approval of a Final Plat consisting of 4.99 acres, situated in the David M. Cule Survey, Abstract No. 226, within Little Elm's ETJ, in order to establish lot lines and the easements necessary for development.

- Presentation
- Discussion
- Recommendation

## Location

Generally located 400 feet south of the Shahan Prairie Road and Spring Branch Drive intersection, within Little Elm's ETJ.

## Planning Analysis

The purpose of a final plat is to ensure that the proposed subdivision and development of the land is consistent with all standards of the Town's 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 document and there are outstanding comments that still need to be addressed in order to fully comply with the Town's Subdivision Ordinance.

**Recommended Action**

Applicant requests an extension until January 5, 2023 Planning and Zoning Commission meeting.

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