



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

February 1, 2024

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. **5:45 PM Work Session**

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

3. **Roll Call**

4. **Consent Agenda**

1. Adoption of the January 18, 2024 Planning & Zoning Commission Meeting Minutes
2. **FINAL PLAT/ Little Elm Court Addition (FP-23-004646)**. Presentation, discussion, and consideration on a request for approval of a Final Plat consisting of 7.224, generally located south of the intersection of Woodlake Pkwy and Farm to Market Road 423, within Little Elm's Town Limits, in order to establish one lot, along with easements necessary for development.
 - Presentation
 - Discussion
 - Consideration
3. **FINAL PLAT/ Buckman Addition (FP-24-000006)**. Presentation, discussion, and consideration on a request for approval of a Final Plat consisting of 6.322, generally located on the southeast corner of the intersection of Highway 380 and Gardenia Boulevard, with 4.094 acres within Little Elm's Town Limits, and 2.228 within Little Elm's ETJ in order to establish two lots, along with easements necessary for development.
 - Presentation
 - Discussion
 - Consideration

4. **REPLAT/ Linden Hills Phase 1 (RP-23-005197).** Presentation, discussion, and consideration on a request for a replat consisting of .60 acres, being a replat of lot 71X, Block 1, Linden Hills Phase 1, generally located east of Rivers Creek Ln and south of Chance St. within Little Elm's Town ETJ.
- Presentation
 - Discussion
 - Consideration

5. **Regular Agenda**

1. **PUBLIC HEARING/ Lakeside Manor Sign Variance (SVAR-23-005270).** Presentation, Public Hearing, Discussion, and take action on a request for a sign variance per Chapter 86 – Sign Ordinance, in order to update an existing, nonconforming, entrance sign structure at the Lakeside Manor Senior Apartments located at 902 W. Eldorado Pkwy, within Little Elm’s Town Limits.
- Presentation
 - Open Public Hearing
 - Receive Public Comment
 - Close Public Hearing
 - Discussion and Recommendation

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

7. **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 January 29th, 2024 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 - Managing Director of Planning Services



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

02/01/2024

OVERVIEW

Project	Adoption of the January 18, 2024 Planning & Zoning Commission Meeting Minutes
P&Z Hearing	02/01/2024
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

Adoption of the January 18, 2024 Planning & Zoning Commission Meeting Minutes

Location

N/A

Planning Analysis

N/A

Recommended Action

N/A

Attachments

January 18,2024 Minutes

DRAFT



Minutes

Town of Little Elm

PLANNING & ZONING COMMISSION

Regular Meeting

Thursday, JANUARY 18, 2024 - 7:00 pm

Present: Jack Skinner, Commissioner; Stephen Horn, Commissioner; Brent Thibeaux, Commissioner; Michael Bell, Commissioner; Ron Trees, Chairman; Robert Martin, Vice-Chair; Deb Cadet, Alternate Commissioner

Absent: Tom Ocelli, Commissioner; Chip Norman, Alternate Commissioner

Staff Present: Fred Gibbs, Director of Development Services
Olga Chernomoretz, Managing Director of Planning Services
Brian Salvesen, Senior Planner
Citlali Castro, Planner

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

Motion: Approve consent agenda as presented.

Motion by Vice-Chair Robert Martin, seconded by Commissioner Michael Bell

AYE: Commissioner Jack Skinner, Commissioner Stephen Horn, Commissioner Brent Thibeaux, Commissioner Michael Bell, Chairman Ron Trees, Vice-Chair Robert Martin, Alternate Commissioner Deb Cadet

7 - 0 Passed - Unanimously

1. Adoption of the January 4, 2024 Planning & Zoning Commission Meeting Minutes.

Agenda item approved in consent agenda motion.

2. **FINAL PLAT/ Little Elm Court Addition (FP-23-004646).** Presentation, discussion, and consideration on a request for approval of a Final Plat consisting of 7.224, generally located south of the intersection of Woodlake Pkwy and Farm to Market Road, within Little Elm's Town Limits, in order to establish one lot, along with easements necessary for development.
 - Presentation
 - Discussion
 - Consideration

Extension request approved in consent agenda motion.

3. **PRELIMINARY PLAT/ Little Elm Public Safety Annex (PP-23-004649).** Presentation, discussion, and consideration on a request for approval of a Preliminary Plat for the Little Elm Public Safety Annex, establishing setback lines and easements necessary for development, on approximately 2.061 acres situated in the Marcella Jones Survey, Abstract No. 662, within Little Elm's Town limits.
 - Presentation
 - Discussion
 - Recommendation

Request approval in consent agenda motion with the following conditions:

- Update to read "Owner's Acknowledgment and Dedication"
- Double check C4: radius appears to be 20' in SDV. Ensure all line and curve data is reviewed and updated accordingly
- Though MSUD did not require extending the waterline, not that MSUD may require easements based on the comments added to the SDV. This can be addressed/reviewed during SDV and final plat review Update year
- Ensure language is updated to reflect "before" vs. "after". Review the most recent Town Development Handbook.

4. **REPLAT/ Linden Hills Phase 1 (RP-23-005197).** Presentation, discussion, and consideration on a request of a replat consisting of .60 acres, being a replat of lot 71X, Block 1, Linden Hills Phase 1, generally located east of Rivers Creek Ln and south of Chance St. within Little Elm's Town ETJ.
 - Presentation
 - Discussion
 - Consideration

Extension request approved in consent agenda motion.

5. **Regular Meeting**

1. **PUBLIC HEARING/Frisco Park Annex Planned Development (PD-23-004986).** Public hearing, discussion, and take action on a recommendation regarding a request to rezone approximately 4.9 acres of land, currently zoned Lakefront District, generally located north of the intersection of Main Street and East Park Drive, within Little Elm's town limits, in order to establish a new Planned Development district, based on Lakefront District standards, creating a regulating plan providing a conceptual framework for redevelopment of this area.
 - Staff Report
 - Re-Open Public Hearing
 - Receive Public Hearing

- Close Public Hearing
- Discussion and Recommendation

Staff presented agenda item.

Commissioner Bell asked for clarification regarding what would happen to the legal nonconforming property with the current zoning. If it gets damaged more than 51% of the appraised value, what are they allowed to rebuild?

- They cannot rebuild, they will have to rebuild according to the allowed standards. If the concept is approved, they can meet with the Board of Adjustment (BOA).

Commissioner Bell asked specifically about the proposed location. Rebuilding one lot at a time is not allowed. What can they rebuild on one single lot under the proposal?

- Under the proposal, rebuilding one single lot will not be able to be rebuilt. Developers are interested in buying and developing one single lot. The goal of the proposal was to prevent that from happening. In order to redevelop, multiple lots will need to be purchased.

Commissioner Bell asked if hypothetically, if someone buys three lots and cannot acquire the fourth lot, will they be able to build on the three lots?

- If they can make it fit into the concept and provide a smooth transition between the new and the existing lots or right-of-way. Having the concept in place will help enforce the transition better. Staff will also guide the applicant towards the concept plan. If there were multiple scenarios available, staff would recommend taking the proposal to the Planning and Zoning Commission and Town Council.

Commissioner Bell expressed his concern because the only value of the property is the existing building, because they will not be able to expand or rebuild on the single lot.

Commissioner Horn asked for clarification regarding what would happen to an existing property under current zoning.

- They will not be able to build a single family detached regardless of the concept plan whether is approved or not. It would be difficult to rebuild because existing homes are encroaching on other property lines.

Chairman Trees asked what the measurements of the proposed town homes are.

- Staff does not have that level of detail. Once a developer comes in with a layout, there will be more information.

Commissioner Bell asked if the impact of not being able to build forcing them to sell to someone who is willing to follow the standards.

- If someone wanted to build our standards, without the concept plan, it would be difficult because there is no platting and dimensions cannot be made. They would have to ask for multiple variances from P&Z and the BOA due to how nonconforming their lots are now. Property owners are allowed to build with Lakefront District standards, but it will be difficult.

Commissioner Cadet asked if there was a major natural disaster and the existing single family homes were destroyed, would the property owners have to be forced to build a town home.

- They have two options. They can develop under Lakefront standards, or they would have to go before the Board of Adjustments to ask if they can rebuild that property. Staff clarified that a nonconforming section in the ordinance is typical, it is not exclusive to the Town of Little Elm.

Commissioner Skinner asked the existing properties how many straddle property lines.

- Staff used an aerial picture to determine that at least 5 homes straddle property lines. The most recent home built in 2003 utilized two lots and combined them to meet standards.

Vice-chair Martin asked for confirmation that the restrictions on replacing a single-family detached

home had been the law for the past six plus years, since 2017.

- Staff confirmed that the Lakefront District allows for four uses:
 - Town homes
 - Livework units
 - Senior living facilities
 - Mixed-use buildings

Vice-chair Martin asked if, since the code changed in 2017, there had been any residents who showed interest in redeveloping to the Lakefront standards.

- Staff did not have any inquiries.

Commissioner Bell motioned to reopen the public hearing and Commissioner Thibeaux second. Approved 7-0.

Chairman Trees opened the public hearing at 6:36pm.

There were three speakers:

- Jeffrey Peters, 401 E Park Dr. Little Elm, Tx 75068
- Pedro Sanchez, 314 E Park St, Little Elm, Tx 75068
- Ryan and Lindsay O'Neil, 316 E Park St, Little Elm, Tx 75068

One unknown resident did not wish to speak but wanted to provide comments in a written form. Unfortunately, Staff did not receive the form. From prior conversation with them, they would like Staff to reconsider changing the nonconforming section to not apply to single-family detached homes in the Lakefront district before approval of the concept plan.

Jeffrey Peters expressed that his intent for the two lots he owns was to build two town homes to conform with the Lakefront zoning. Mr. Peters believes that by codifying the concept plan, his property rights will be removed to own his property in order to put roads across his property, claiming 33 percent of his property and reduces it. He believes that this concept would make his land worthless to anyone besides developers. He believed that the streets would belong to the developer and would be maintained by him. He is concerned that his property value will decrease, and he will not see any return of investment.

Pedro Sanchez was represented by his daughter. She stated that her family does not plan to sell their property anytime soon.

Ryan and Lindsey O'Neil concerns include the possibility of falling into an eminent domain situation by giving leverage to a developer. He asked that Staff does not to move too quickly in making a decision for this concept. He would like the developer to buy all the property.

Chairman Trees closed the public hearing at 6:45 pm.

Commissioner Bell stated his concerns regarding not being able to rebuild under the existing standards or the proposed ones. His concerns also include giving the developer a financial advantage. Also, what they are allowed to build under today's standards. He wishes to see better standards and definitions regarding what the transition would look like.

Commissioner Horn stated that he was torn about making a decision. He does not know what the plan is and what the developer plans on doing.

Chairman Trees stated that he believes it is a good concept plan, but he is concerned about how long the implementation would take. As long as the implementation takes, the existing residents will be in a tough situation.

Commissioner Cadet also agreed that it is a good concept, but the existing residents are going to be

impacted. She stated that the residents would be tied to the developers.

Commissioner Thibeaux believes that it is a good concept and vision for the area. Bringing in a high quality developer is a good path forward.

Commissioner Horn believes that there is a risk in not collectively selling because it can cause a hodge podge. It can also make the implementation of streets harder. He does not know if acting on the concept is the right thing, but he is also concerned about not acting.

Vice-chair Martin agrees with the other commissioners. He stated that the law of the land has been public record for the past six years and there haven't been any residents to come forward. He believes that without the concept, the area could become messy.

Commissioner Bell asked if there would be a reason to have an easement access if it is a private street.

- If it were to develop, the Town would have to abandon its existing right-of-way. The private street would have to be accessible for everybody. There is an infrastructure challenge to making this type of development work. It all comes down to the phasing of the development.

Vice-chair Martin asked if the Staff could foresee an eminent domain situation.

- If someone felt the need that feels, whatever the case may be, qualifies as a taking, it is up to the applicant. This is a concept plan, it is not a taking.

Commissioner Skinner stated that he sees both sides. He does not know if there is the right answer. Action vs inaction could go right or wrong. His concern is taking care of the residents and protecting them, but move forward with the concept.

Motion: Deny agenda item as presented.

Motion by Commissioner Michael Bell, seconded by Alternate Commissioner Deb Cadet

AYE: Commissioner Jack Skinner, Commissioner Stephen Horn, Commissioner Michael Bell, Chairman Ron Trees, Vice-Chair Robert Martin, Alternate Commissioner Deb Cadet

NAY: Commissioner Brent Thibeaux

6 - 1 Passed

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

7. **Adjourn**

Adjourned at 7:02pm.



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

02/01/2024

OVERVIEW

Project	FINAL PLAT/ Little Elm Court Addition (FP-23-004646)
P&Z Hearing	02/01/2024
Council Hearing	N/A
Size	Approximately 7.224 Acres
Current Zoning	Planned Development (Light Commercial Base)
Proposed Use	Light Commercial (LC)
Existing Use	Partially Developed
Future Land Use Plan Designation	Retail/Commercial
Applicant	Andrew Yeoh, Triangle Engineering
Owner	KM 423 Partners, LP
Strategic Goal	

Agenda Item

FINAL PLAT/ Little Elm Court Addition (FP-23-004646). Presentation, discussion, and consideration on a request for approval of a Final Plat consisting of 7.224, generally located south of the intersection of Woodlake Pkwy and Farm to Market Road 423, within Little Elm's Town Limits, in order to establish one lot, along with easements necessary for development.

- Presentation
- Discussion
- Consideration

Location

Generally located south of the intersection of Woodlake Pkwy and Farm to Market Road, within Little Elm's Town Limits.

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.

The applicant requests an extension to allow for more time to bring the plat into compliance with the Town's

standards.

Recommended Action

Staff recommends approval of the applicant's extension request to the February 15, 2024 Regular Planning and Zoning Commission Meeting.



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

02/01/2024

OVERVIEW

Project	FINAL PLAT/ Buckman Addition (FP-24-000006)
P&Z Hearing	02/01/2024
Council Hearing	N/A
Size	Approximately 6.322 acres
Current Zoning	Planned Development (Light Commercial Base)
Proposed Use	Commercial
Existing Use	Vacant
Future Land Use Plan Designation	Retail/Commercial
Applicant	Josh Edge, Dynamic Engineering Consultants, PC
Owner	Buckman Partnership LTD
Strategic Goal	

Agenda Item

FINAL PLAT/ Buckman Addition (FP-24-000006). Presentation, discussion, and consideration on a request for approval of a Final Plat consisting of 6.322, generally located on the southeast corner of the intersection of Highway 380 and Gardenia Boulevard, with 4.094 acres within Little Elm's Town Limits, and 2.228 within Little Elm's ETJ in order to establish two lots, along with easements necessary for development.

- Presentation
- Discussion
- Consideration

Location

Generally located at the southeast corner of Highway 380 and Gardenia Boulevard, with lot 1 located within Little Elm's Town Limits, and lot 2 located 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.

Recommended Action

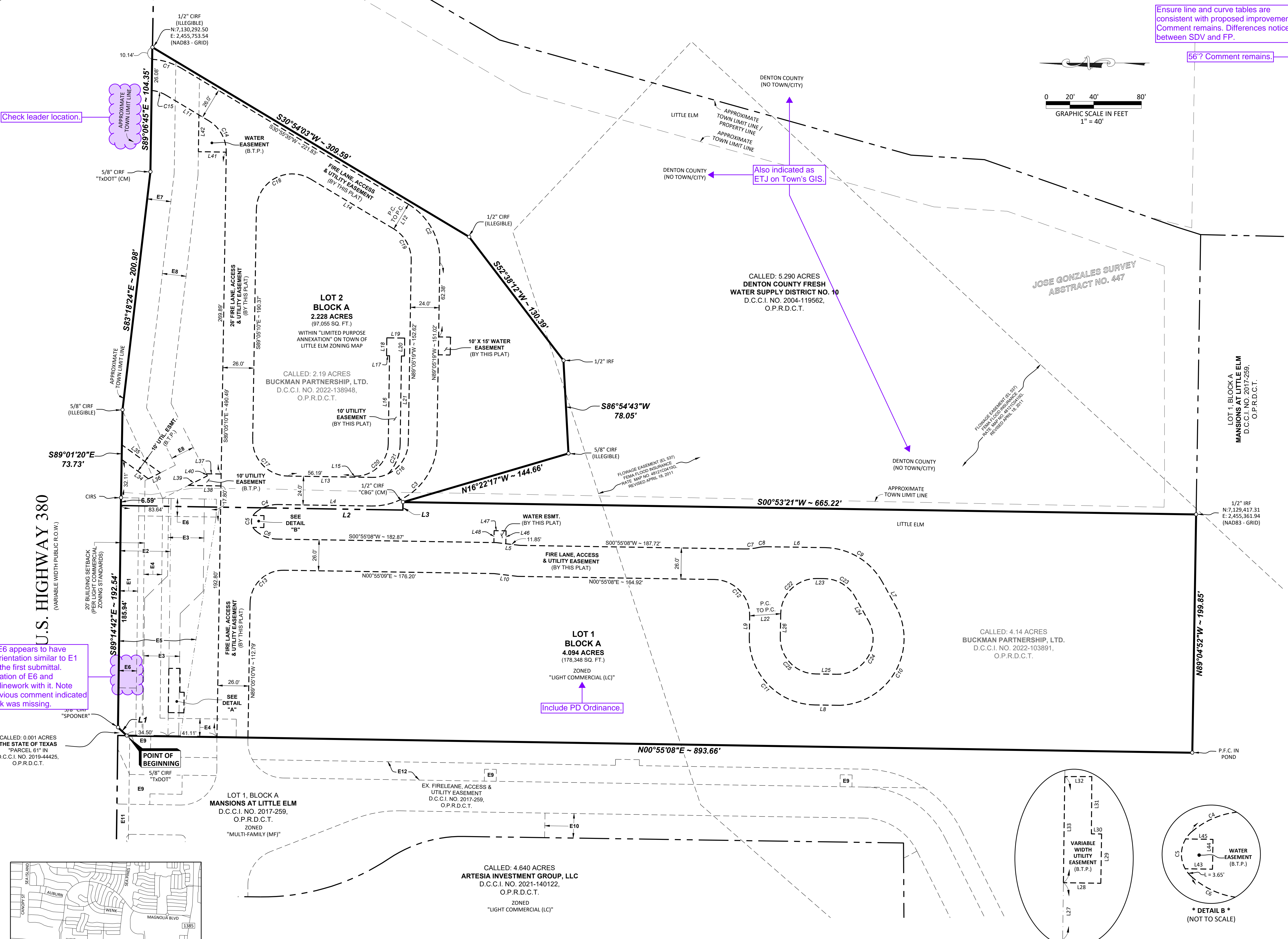
Staff recommends approval of the Final Plat with the following conditions:

- Easement E6 appears to have changed (orientation similar to E1 now) since the first submittal. Confirm location of E6 and associated linework with it. Note that the previous comment indicated that linework was missing.
- Clarify leader locations.
- Ensure line and curve tables are consistent with proposed improvements.
- Clarify Town Boundary.
- Include zoning information.
- Clarify 56' label.

Attachments

Buckman Addition FP-24-000006

Location Map



Ensure line and curve tables are consistent with proposed improvements. Comment remains. Differences noticed between SDV and FP.

[56'? Comment remains.]

CURVE TABLE				
CURVE	RADIUS	LENGTH	CH BEARING	CH LENGTH
C1	54.00'	26.08'	N17°05'21"E	25.83'
C2	54.05'	58.10'	N61°44'46"E	55.34'
C3	53.97'	84.88'	S44°05'10"E	76.40'
C4	27.96'	19.83'	N19°23'32"W	19.42'
C5	10.00'	17.75'	N89°05'10"W	15.51'
C6	28.05'	20.56'	S20°29'46"W	20.10'
C7	54.00'	12.36'	S05°38'15"E	12.34'
C8	30.00'	6.85'	N05°39'12"W	6.84'
C9	56.00'	58.67'	N30°54'10"E	56.02'
C10	56.11'	113.85'	S60°53'32"E	95.31'
C11	56.00'	87.96'	S45°54'59"W	79.19'
C12	30.00'	47.12'	N45°54'59"E	42.42'
C13	28.00'	43.98'	N44°05'01"W	39.60'
C14	30.00'	31.41'	N60°55'18"E	29.99'
C15	30.00'	13.00'	N18°31'01"E	12.90'
C16	30.00'	47.13'	S44°05'14"E	42.43'
C17	30.02'	47.13'	S45°54'05"W	42.44'
C18	30.00'	62.84'	N29°04'47"W	51.96'
C19	30.00'	31.41'	N60°55'08"E	29.99'
C20	27.50'	43.21'	S44°05'00"E	38.90'
C21	37.50'	27.45'	S68°07'41"E	26.84'
C22	30.00'	47.11'	N44°05'54"W	42.42'
C23	30.00'	31.43'	N30°54'10"E	30.01'
C24	30.00'	62.83'	S59°04'56"E	51.96'
C25	30.00'	47.12'	S45°54'59"W	42.42'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N43°15'04"E	10.17'
L2	S00°55'08"W	236.49'
L3	S89°04'52"E	6.71'
L4	N00°54'53"E	78.59'
L5	S06°38'52"W	20.04'
L6	S00°53'21"W	49.08'
L7	S60°54'59"W	23.11'
L8	N00°55'08"E	17.81'
L9	S89°05'10"E	17.80'
L10	N06°38'52"E	20.03'
L11	N30°55'46"E	41.69'
L12	N59°01'20"W	24.00'
L13	N00°54'50"E	70.50'
L14	S30°55'35"W	81.42'
L15	S89°05'10"E	0.80'
L16	S89°08'59"E	73.90'
L17	N00°54'50"E	2.50'
L18	S89°05'10"E	15.00'
L19	S00°54'50"W	15.00'
L20	N89°05'10"W	15.00'
L21	N89°08'59"W	73.90'
L22	S03°56'05"E	26.09'
L23	S00°53'21"W	6.26'
L24	S60°54'59"W	23.11'
L25	N00°55'08"E	17.81'
L26	S89°05'10"E	20.01'
L27	S89°14'42"E	19.90'
L28	S00°55'08"W	13.08'
L29	S89°04'52"E	17.22'
L30	N00°55'08"E	3.57'
L31	S89°34'55"E	20.00'
L32	N00°00'00"E	9.44'
L33	N89°14'42"W	37.07'
L34	S35°54'16"W	27.73'
L35	N35°54'16"E	39.90'
L36	S26°42'01"E	11.30'
L37	N00°55'28"E	12.36'
L38	N00°55'27"E	27.35'
L39	S26°42'01"E	17.92'
L40	S63°17'59"W	1.91'
L41	N00°54'50"E	23.41'
L42	S89°07'33"E	30.85'
L43	S00°54'50"W	9.17'
L44	S89°05'10"E	10.00'
L45	N00°54'50"E	9.16'
L46	S89°04'50"E	10.82'
L47	N00°55'08"E	10.00'
L48	N89°04'50"W	10.00'

* LEGEND *

CIRF	IRON ROD WITH CAP FOUND
IRF	IRON ROD FOUND
(CM)	CONTROLLING MONUMENT
ALUM. MON.	ALUMINUM MONUMENT
P.F.C.	POINT FOR CORNER
(CM)	CONTROLLING MONUMENT
VOL.	VOLUME
PG.	PAGE
D.C.C.I. NO.	DENTON COUNTY CLERK'S INSTRUMENT NUMBER
D.R.D.C.T.	DEED RECORDS, COLLIN DENTON COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS DENTON COUNTY, TEXAS
B.T.P.	BY THIS PLAT
ESMT.	EASEMENT
D.E.	DRAINAGE EASEMENT
W.E.	WATER EASEMENT
UTIL.	UTILITY

THIS DOCUMENT IS
PRELIMINARY
FOR REVIEW PURPOSES ONLY
ERIC S. SPOONER, R.P.L.S.
JANUARY 2, 2024

Update date.

CITY PROJECT NO. _____

FINAL PLAT OF

**LOTS 1 & 2, BLOCK A
BUCKMAN ADDITION**

BEING A PLAT OF A 6.322 ACRE TRACT OF LAND LOCATED IN THE JOSE GONZALES SURVEY, ABSTRACT NO. 447, TOWN OF LITTLE ELM, DENTON COUNTY, TEXAS, SAID 6.3324 ACRE TRACT OF LAND BEING ALL OF THOSE CERTAIN TRACTS OF LAND CONVEYED TO BUCKMAN PARTNERSHIP, LTD., BY THE DEEDS THEREOF FILED FOR RECORD IN DENTON COUNTY CLERK'S INSTRUMENT NO. 2022-103891 & 2022-138948, OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS.

2 LOTS ~ 6.322 ACRES
JANUARY 19, 2024

SHEET 1 OF 2

SURVEYOR:



309 BYERS STREET, SUITE 100, ELLESTON, TEXAS 76039
(817) 685-8448 WWW.SPOONERSURVEYORS.COM
TPLS FIRM NO. 10054900 - S&A 22107
ATTN: ERIC SPOONER
ESPONER@SPOONERSURVEYORS.COM

ENGINEER:



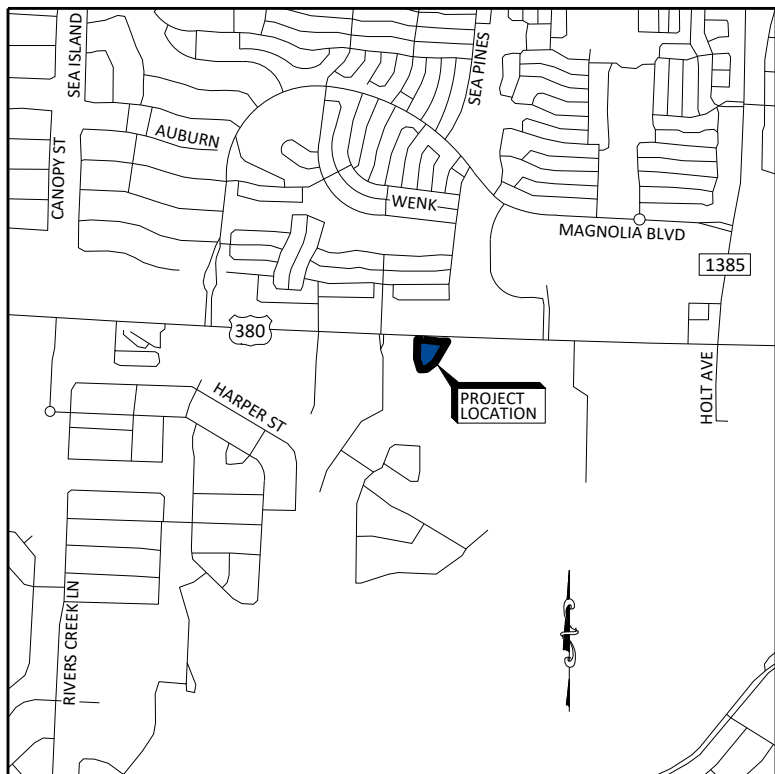
714 S. GREENVILLE AVENUE, SUITE 100
ALLEN, TEXAS 75002 (972) 534-2100
www.dynamiceng.com
ATTN: LINDSEY MAYER, PE
EMAIL: LMAYER@DYNAMICENG.COM

OWNER:

BUCKMAN PARTNERSHIP, LTD.
7400 GAYLORD PKWY.
FRISCO, TEXAS 75034
PH: 972-335-6970
ATTN: MATTHEW RINKER
EMAIL: MRINKER@BPL3.COM

E1 EX. 15' WATER LINE EASEMENT D.C.C.I. NO. 2015-46842, O.P.R.D.C.T.	E2 EX. 42' ACCESS & UTILITY EASEMENT D.C.C.I. NO. 2016-69263, O.P.R.D.C.T.	E3 EX. GAS LINE EASEMENT TO COSERV GAS, LTD. D.C.C.I. NO. 2015-74455, O.P.R.D.C.T.	E4 EX. 15' SANITARY SEWER EASEMENT D.C.C.I. NO. 155894, O.P.R.D.C.T.
E5 EX. VISIBLE EASEMENT D.C.C.I. NO. 2016-69263, O.P.R.D.C.T.	E6 EX. BILLBOARD & ACCESS EASEMENT D.C.C.I. NO. 2016-69263, 2017-34321 & 2017-60125, O.P.R.D.C.T.	E7 20' COSERV GAS ESMT. D.C.C.I. NO. 2014-18191, O.P.R.D.C.T.	E8 20' UTILITY EASEMENT D.C.C.I. NO. 155894, O.P.R.D.C.T.
E9 EX. WATER EASEMENT D.C.C.I. NO. 2017-259, O.P.R.D.C.T.	E10 EX. DRAINAGE EASEMENT D.C.C.I. NO. 2017-259, O.P.R.D.C.T.	E11 EX. SIDEWALK EASEMENT D.C.C.I. NO. 2017-259, O.P.R.D.C.T.	E12 EX. UTILITY EASEMENT D.C.C.I. NO. 2017-259, O.P.R.D.C.T.

* VICINITY MAP *
(NOT TO SCALE)



* OWNER'S ACKNOWLEDGEMENT AND DEDICATION *

STATE OF TEXAS §
COUNTY OF DENTON §

I (we), the undersigned, owner(s) of the land shown on this plat within the area described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with a cap stamped "TXDOT" found (Controlling Monument) on the west property line of the said 4.14 acre tract, same being the east lot line of Lot 1, Block A, Mansions at Little Elm, being an Addition to the said Town and State, according to the plat thereof filed for record in Denton County Clerk's Instrument No. 2017-259, O.P.R.D.C.T., said iron rod found also being at the south property corner of a called 0.001 acre tract of land described as "Parcel 61", conveyed to the State of Texas, by the deed thereof filed for record in Denton County Clerk's Instrument No. 2019-44425, O.P.R.D.C.T.;

THENCE North 43°15'04" East, along the southeast property line of the said 0.001 acre tract, said southeast property line of the 0.001 acre tract being the existing southerly right-of-way line of U.S. Highway No. 380 (being a variable width public right-of-way) a distance of 10.17 feet to a 5/8 inch iron rod with a cap stamped "SPOONER 5922" set (hereinafter referred to as an iron rod set on the north property line of the said 4.14 acre tract;

THENCE South 89°14'42" East, along the said north property line and along the said southerly right-of-way line, a distance of 192.54 feet to an iron rod set at the northeast property corner of the said 4.14 acre tract, same being the northwest property corner of the aforesaid 2.19 acre tract;

THENCE continuing along the said right-of-way line and along the north property line of the said 2.19 acre tract the following courses and distances:

South 89°01'20" East, a distance of 73.73 feet to a 5/8 inch iron rod with an illegible cap found;

South 83°18'24" East, a distance of 200.98 feet to a 5/8 inch iron rod with a cap stamped "TXDOT" found (Controlling Monument)

South 89°06'45" East, a distance of 104.35 feet to a 1/2 inch iron rod with an illegible cap found at the most easterly northeast property corner of the said 2.19 acre tract, same being a northwest property corner of a called 5.290 acre tract of land conveyed to Denton County Fresh Water Supply District No. 10, by deed thereof filed for record in Denton County Clerk's Instrument No. 2004-119562, O.P.R.D.C.T.

THENCE departing the said right-of-way line, and along the common property line of the said 2.19 acre tract and the said 5.290 acre tract the following courses and distances:

South 30°54'03" West, a distance of 309.59 feet to a 1/2 inch iron rod with an illegible cap found;

South 52°38'12" West, a distance of 130.39 feet to a 1/2 inch iron rod found;

South 86°54'43" West, a distance of 78.05 feet to a 5/8 inch iron rod with an illegible cap found;

North 16°22'17" West, a distance of 144.66 feet to a 1/2 inch iron rod with a cap stamped "CBG" found (Controlling Monument) at a southwest property corner of the said 2.19 acre tract, same being on the east property line of the aforementioned 4.14 acre tract;

THENCE South 00°53'21" West, along the said east property line of the 4.14 acre tract and along a west property line of the said 5.290 acre tract a distance of 665.22 feet to a 1/2 inch iron rod found at the southeast property corner of the said 4.14 acre tract, same being the southwest property corner of the said 5.290 acre tract, and being on a north lot line of the aforementioned Lot 1;

THENCE North 89°04'52" West, along the south property line of the said 4.14 acre tract and along the said lot line, a distance of 199.85 feet to a point for corner in a pond;

THENCE North 00°55'08" East, along the west property line of the said 4.14 acre tract and along an east lot line of said Lot 1, a distance of 893.66 feet to the **POINT OF BEGINNING**.

The hereinabove described tract of land contains a computed area of **6.3224 acres (275,403 square feet)** of land, more or less.

and designated herein as Lots 1 and 2, Block A, Buckman Addition, an Addition to the Town of Little Elm, Texas, and whose name is subscribed hereto, hereby dedicate to the public use forever by fee simple title, free and clear of all liens and encumbrances, all streets, thoroughfares, alleys, parks, and trails, and to the public use forever easements for sidewalks, storm drainage facilities, floodways, water mains, wastewater mains and other utilities, and any other property necessary to serve the plat and to implement the requirements, rules, regulations thereon shown for the purpose and consideration therein expressed.

Owner: _____
Date: _____

STATE OF TEXAS §
COUNTY OF _____ §

BEFORE ME, the undersigned authority in and for _____ County, 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/she is _____, and that he/she is authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2024.

Notary Public in and for the State of Texas

Type or Print Notary's Name

My Commission Expires: _____

STATE OF TEXAS §
COUNTY OF TARRANT §

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

Eric S. Spooner, R.P.L.S. Date
Texas Registration No. 5922

THIS DOCUMENT IS
PRELIMINARY
FOR REVIEW PURPOSES ONLY
ERIC S. SPOONER, R.P.L.S.
JANUARY 2, 2024

STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, on this day personally appeared Eric Spooner, 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 stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2024.

NOTARY PUBLIC

County, Texas

GENERAL NOTES

- The bearings shown hereon are referenced to the Texas Coordinate System of 1983, Texas North Central Zone (4202), and are based on the North American Datum of 1983, 2011 Adjustment.
- This plat was prepared without the benefit of a Title Commitment prepared by a title company. The easements shown hereon are the only easements known by Spooner & Associates and does not imply that the any other easements, covenants, restrictions, or other matters of record do not affect the subject property. No other research was performed by Spooner & Associates, Inc.
- According to the Flood Insurance Rate Map published by the Federal Emergency Management Agency, Department of Homeland Security and by graphic plotting only, the subject property appears to be located in Zone "X" (areas determined to be outside the 0.2 % annual chance floodplain) as shown on Map No. 48121C0410G; map revised April 18, 2011, for Denton County and incorporated areas. This flood statement does not imply that the property and/or structures located in Zone "X" will be free from flooding or flood damage. This flood statement shall not create liability on the part of the Surveyor.
- The subject property does not lie within a 100 year flood plain according to Community Panel No. 48121C0410G, dated April 18, 2011, of the National Flood Insurance Rate Maps for Denton County, Texas.
- All lots comply with the minimum size requirement of the zoning district.
- This property may be subject to charges related to impact fees and the applicant should contact the Town regarding any applicable fees due.
- All common areas will be owned and maintained by the HOA/POA.
- Notice - selling a portion of this addition by metes and bounds is a violation of Town ordinance and State Law and is subject to fines and withholding of utilities and building permits.
-
- Minimum finished floor elevations are at least 2 feet above the 100 year floodplain.
- This plat does not alter or remove any existing deed restrictions, if any, on this property.
- The purpose of this plat is to create 2 platted lots from two deeded tracts of land for commercial development purposes.

CERTIFICATE OF FINAL PLAT 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 Final Plat of Lots 1 & 2, Block A, Buckman Addition, an Addition to the Town of Little Elm was submitted to the Planning and Zoning Commission on _____ day of _____, 2024, and the Commission, by formal action, then and there accepted the Final Plat and hereby authorizes the developer to proceed with the construction of public works improvements and infrastructure as indicated on the accompanying construction plans, and said Commission further authorizes the Town Officials to note the acceptance thereof by signing his/her name as hereinabove subscribed.

Witness my hand this the _____ day of _____, 2024.

Town Secretary
Town of Little Elm, Texas

CITY PROJECT NO. _____
FINAL PLAT OF

**LOTS 1 & 2, BLOCK A
BUCKMAN ADDITION**

BEING A PLAT OF A 6.322 ACRE TRACT OF LAND LOCATED IN THE JOSE GONZALES SURVEY, ABSTRACT NO. 447, TOWN OF LITTLE ELM, DENTON COUNTY, TEXAS, SAID 6.3324 ACRE TRACT OF LAND BEING ALL OF THOSE CERTAIN TRACTS OF LAND CONVEYED TO BUCKMAN PARTNERSHIP, LTD. BY THE DEEDS THEREOF FILED FOR RECORD IN DENTON COUNTY CLERK'S INSTRUMENT NO. 2022-103891 & 2022-138948, OFFICIAL PUBLIC RECORDS, DENTON COUNTY, TEXAS.

2 LOTS ~ 6.322 ACRES
JANUARY 19, 2024

SHEET 2 OF 2

OWNER:

BUCKMAN PARTNERSHIP, LTD.
7400 GAYLORD PKWY.
FRISCO, TEXAS 75034
PH: 972-335-6970
ATTN: MATTHEW RINKER
EMAIL: MRINKER@BPL3.COM

ENGINEER:

**DYNAMIC
ENGINEERING**
714 S. GREENVILLE AVENUE, SUITE 100
ALLEN, TEXAS 75002 (972) 534-2100
www.dynamicec.com
ATTN: LINDSEY MAYER, PE
EMAIL: LMAYER@DYNAMICEC.COM

SURVEYOR:

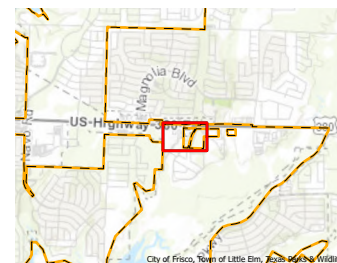
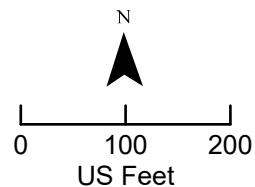
**SPOONER &
ASSOCIATES**
REGISTERED PROFESSIONAL LAND SURVEYORS
OVER 30 YEARS OF SERVICE
309 BYERS STREET, SUITE 100, EULESS, TEXAS 76039
(817) 685-8448 WWW.SPOONERSURVEYORS.COM
TBPLS FIRM NO. 10054900 - S&A 22107
ATTN: ERIC SPOONER
ESPOONER@SPOONERSURVEYORS.COM



Parkwood Collision (FP-24-000006)
Little Elm, TX 75068

Town of Little Elm
Denton County, Tx

Date: 1/26/2024



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



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

02/01/2024

OVERVIEW

Project	REPLAT/ Linden Hills Phase 1 (RP-23-005197)
P&Z Hearing	02/01/2024
Council Hearing	N/A
Size	Approximately .60 acres
Current Zoning	ETJ
Proposed Use	Residential
Existing Use	Residential
Future Land Use Plan Designation	Low Density Residential
Applicant	David Barton, Kimley-Horn & Associates
Owner	Jennifer Eller, Lennar Homes of Texas Land & Construction, Ltd
Strategic Goal	

Agenda Item

REPLAT/ Linden Hills Phase 1 (RP-23-005197). Presentation, discussion, and consideration on a request for a replat consisting of .60 acres, being a replat of lot 71X, Block 1, Linden Hills Phase 1, generally located east of Rivers Creek Ln and south of Chance St. within Little Elm's Town ETJ.

- Presentation
- Discussion
- Consideration

Location

Generally located east of Rivers Creek Ln and south of Chance St. within Little Elm's Town ETJ.

Planning Analysis

The purpose of a replat is to make changes to a recorded final plat. This replat submittal is to replat currently platted and recorded property into two (2) separate lots in order to provide Mustang SUD and the second lot will remain a HOA lot to serve the community.

The applicant requests an extension to allow for more time to bring the replat into compliance with the Town's standards.

Recommended Action

Staff recommends approval of the plat as presented.

Attachments

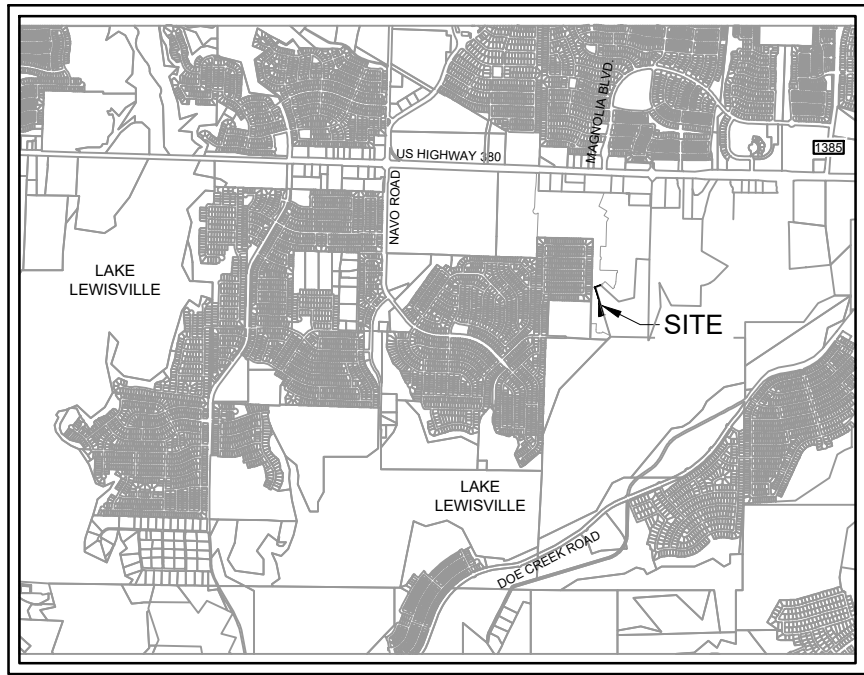
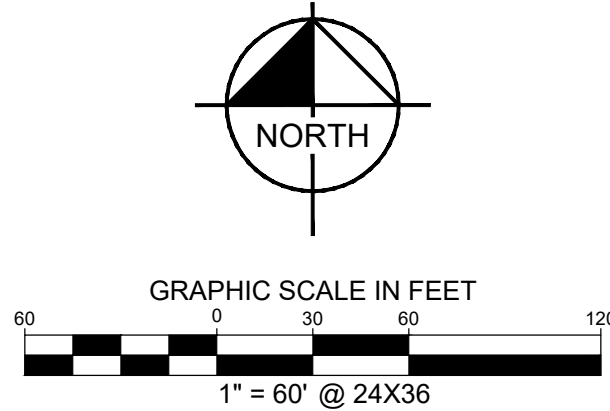
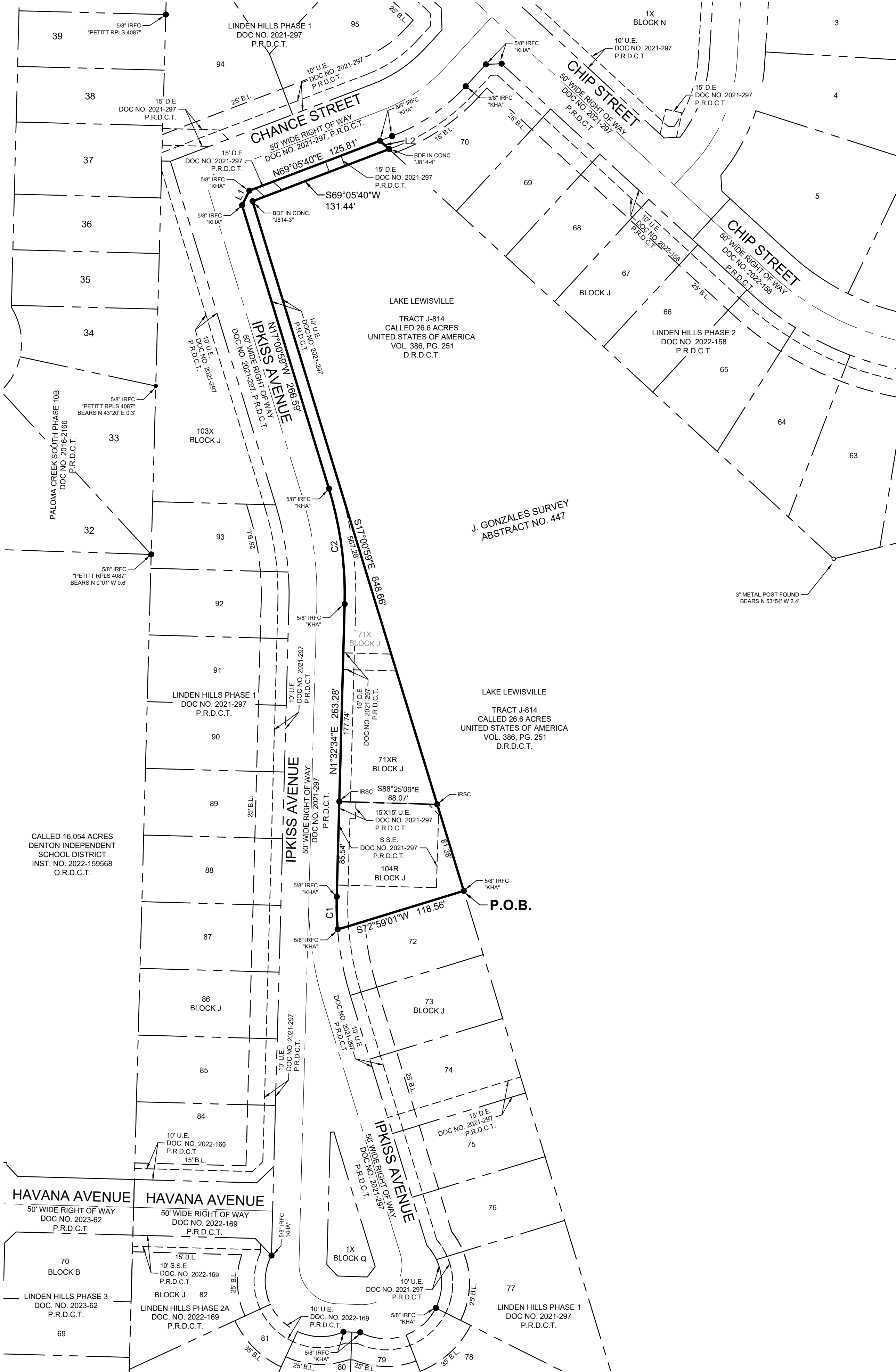
Linden Hills Phase 1 RP-23-005197

Location Map

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	6°08'19"	275.00'	29.46'	N01°31'36"W	29.45'
C2	18°33'33"	325.00'	105.27'	N07°44'13"W	104.81'

LOT TABLE		
LOT NO.	ACRES	SQ. FT.
BLOCK J LOT 71XR	0.369	16,088
BLOCK J LOT 104R	0.229	9,962

LINE TABLE		
NO.	BEARING	LENGTH
L1	N26°02'20"E	14.81'
L2	S47°19'48"E	11.17'



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 ordinance and state law and is subject to fines and withholding of utilities and building permits.
- This plat does not alter or remove existing deed restrictions, if any, on this property.
- All corners set are monumented with a 5/8 inch iron rod with red plastic cap stamped "KHA", unless otherwise noted.
- The purpose of this replat is to create two lots out of Block J, Lot 71X.
- Lot 71XR-2, Block J is to be dedicated to Mustang Special Utility District after recordation of this Replat.

REPLAT
LINDEN HILLS PHASE 1,
BLOCK J, LOTS 71XR AND 104R

BEING A REPLAT OF BLOCK J, LOT 71X
LINDEN HILLS PHASE 1
AND
BEING 0.598 ACRE SITUATED IN THE
JOSE GONZALEZ SURVEY, ABSTRACT NO. 447
TOWN OF LITTLE ELM, DENTON COUNTY, TEXAS

Kimley»Horn

6160 Warren Pkwy., 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	01/16/2024	064519400	1 OF 2

OWNER
Lennar Homes of Texas
1707 Market Place Blvd, Suite
100
Irving, Texas 75063
469-587-5383
Contact: Elizabeth Bentley
elizabeth.bentley@lennar.com

ENGINEER/SURVEYOR:
Kimley-Horn & Associates
6160 Warren Pkwy, Suite 210
Frisco, Texas 75034
972-335-3580
Contact: David R. Barton, P.E.
david.barton@kimley-horn.com

UTILITY CONTACTS:

Mustang SUD
Chris Boyd
PH. 940-440-9561

Cosev
Richard Thorson
PH. 940-321-7885

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
PKF = PK NAIL FOUND
HOA = HOMEOWNERS' ASSOCIATION
B.L. = BUILDING LINE
D.E. = DRAINAGE EASEMENT
S.S.E. = SANITARY SEWER EASEMENT
W.E. = DRAINAGE EASEMENT
P.R.D.C.T. = PLAT RECORDS OF DENTON COUNTY, TEXAS
O.R.D.C.T.= OFFICIAL RECORDS OF DENTON COUNTY, TEXAS
R.P.R.D.C.T. = REAL PROPERTY RECORDS OF DENTON COUNTY, TEXAS

OWNER'S ACKNOWLEDGEMENT AND DEDICATION

STATE OF TEXAS §

COUNTY OF DENTON §

WE, the undersigned, owners of the land shown on this plat within the area described by metes and bounds as follows:

BEING a tract of land situated in the Jose Gonzalez Survey, Abstract No.447, and being all of Lot 71X, Block J, Linden Hills Phase 1, according to the Final Plat thereof recorded in Document No. 2021-297, of the Plat Records of Denton County, Texas and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with red plastic cap stamped "KHA" found for the southerly most southeast corner of said Lot 71X, Block J, common to the northeast corner of Lot 72, said Block J, same being on the westerly line of a called 26.6 acre tract of land as described in deed to United States of America, as recorded in Volume 386, Page 251 of the Deed Records of Denton County, Texas and the westerly line of Lake Lewisville;

THENCE South 72°59'01" West, departing the westerly line of said 26.6 acre tract and said Lake Lewisville, and along the southerly line of said Lot 71X and the northerly line of said Lot 72, a distance of 118.56 feet to a 5/8 inch iron rod with red plastic cap stamped "KHA" found for the southwest corner of said Lot 71X, common to the northwest corner of said Lot 72, same being on the easterly right of way line of Ipikiss Avenue, a 50 foot wide right of way, as dedicated in said Final Plat, and being at the beginning of a non-tangent curve to the right with a radius of 275.00 feet, a central angle of 06°08'19", and a chord bearing and distance of North 01°31'36" West, 29.45 feet;

THENCE along the westerly line of said Lot 71X and the easterly right of way line of said Ipikiss Avenue, the following:

In a northerly direction, with said non-tangent curve to the right, an arc distance of 29.46 feet to a 5/8 inch iron rod with red plastic cap stamped "KHA" found for corner;

North 01°32'34" East, a distance of 263.28 feet to a 5/8 inch iron rod with red plastic cap stamped "KHA" found at the beginning of a tangent curve to the left with a radius of 325.00 feet, a central angle of 18°33'33", and a chord bearing and distance of North 07°44'13" West, 104.81 feet;

In a northerly direction, with said tangent curve to the left, an arc distance of 105.27 feet to a 5/8 inch iron rod with red plastic cap stamped "KHA" found for corner;

North 17°00'59" West, a distance of 266.59 feet to a 5/8 inch iron rod with red plastic cap stamped "KHA" found for the southerly most northwest corner of said Lot 71X, common to the south end of a corner clip at the intersection of the easterly right of way line of said Ipikiss Avenue with the southerly right of way line of Chance Street, a 50 foot wide right of way, as dedicated in said Final Plat;

THENCE North 26°02'20" East, along said corner clip and the northwesterly line of said Lot 71X, a distance of 14.61 feet to a 5/8 inch iron rod with red plastic cap stamped "KHA" found for corner for the northerly most northwest corner of said Lot 71X, common to the north end of said corner clip;

THENCE North 69°05'40" East, along the northerly line of said Lot 71X and the southerly right of way line of said Chance Street, a distance of 125.81 feet to a 5/8 inch iron rod with red plastic cap stamped "KHA" found for the northeast corner of said Lot 71X;

THENCE South 47°19'48" East, departing the southerly right of way line of said Chance Street, and along a westerly line of said Lot 71X, a distance of 11.17 feet to a brass disk stamped "J814-4" in concrete found for an ell corner of a called 96.382 acre tract of land described in a Special Warranty 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, common to an exterior corner of said 26.6 acre tract, same being on the westerly line of Lake Lewisville;

THENCE South 69°05'40" West, along the southerly line of said Lot 71X and a northerly line of said 26.6 acre tract, a distance of 131.44 feet to a brass disk stamped "J814-3" in concrete found for an ell corner of said Lot 71X, common to an exterior corner of said 26.6 acre tract;

THENCE South 17°00'59" East, along the easterly line of said Lot 71X, the westerly line of said 26.6 acre tract, and the westerly line of said Lake Lewisville, a distance of 648.66 feet to the POINT OF BEGINNING and containing 0.598 of an acre (26,049 square feet) of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., ("Owner") does hereby adopt this replat designating the hereinabove property as LINDEN HILLS PHASE 1, BLOCK J, LOTS 71XR AND 104R, 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 does 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 the _____ day of _____, 2024.

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 in and for Collin County, 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/she is _____, and that he/she is authorized to execute the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal this _____ day of _____, 2024.

Notary Public, State of _____

SURVEYORS CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

I, the undersigned, a Registered Professional Surveyor in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

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

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 COLLIN §

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 stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2024.

NOTARY PUBLIC in and for the STATE OF TEXAS

CERTIFICATE OF REPLAT 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 Replat of the LINDEN HILLS PHASE 1, BLOCK J, LOTS 71XR AND 104R to the Town of Little Elm was submitted to the Planning and Zoning Commission on the _____ day of _____, 2024, and the Commission, by formal action, then and there accepted the Replat and public works improvements and infrastructure, and said Commission further authorizes the Town Officials to note the acceptance thereof by signing his/her name as hereinabove subscribed.

Witness by hand this _____ day of _____, 2024.

Town Secretary
Town of Little Elm, Texas

REPLAT
LINDEN HILLS PHASE 1,
BLOCK J, LOTS 71XR AND 104R

BEING A REPLAT OF BLOCK J, LOT 71X
LINDEN HILLS PHASE 1
AND

BEING 0.598 ACRE SITUATED IN THE
JOSE GONZALEZ SURVEY, ABSTRACT NO. 447
TOWN OF LITTLE ELM, DENTON COUNTY, TEXAS

Kimley»Horn

6160 Warren Pkwy., 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	01/16/2024	064519400	2 OF 2

OWNER
Lennar Homes of Texas
1707 Market Place Blvd, Suite
100
Irving, Texas 75063
469-587-5383
Contact: Elizabeth Bentley
elizabeth.bentley@lennar.com

ENGINEER/SURVEYOR:
Kimley-Horn & Associates
6160 Warren Pkwy, Suite 210
Frisco, Texas 75034
972-335-3580
Contact: David R. Barton, P.E.
david.barton@kimley-horn.com

UTILITY CONTACTS:

Mustang SUD
Chris Boyd
PH. 940-440-9561

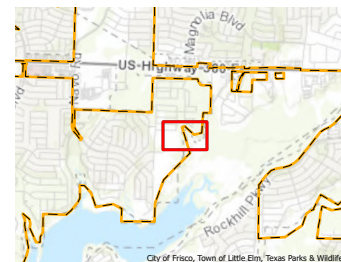
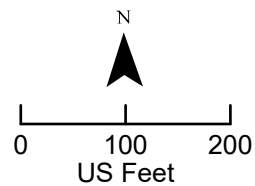
Coserv
Richard Thorson
PH. 940-321-7885



Linden Hills Phase 1 Replat (RP-23-005197) LITTLE ELM, TX 75068

Town of Little Elm
Denton County, Tx

Date: 1/26/2024



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



TOWN OF LITTLE ELM PLANNING & ZONING COMMISSION

02/01/2024

OVERVIEW

Project	PUBLIC HEARING/ Lakeside Manor Sign Variance (SVAR-23-005270)
P&Z Hearing	02/01/2024
Council Hearing	N/A
Size	N/A
Current Zoning	Multi-family
Proposed Use	Multi-family
Existing Use	Multi-family
Future Land Use Plan Designation	Multi-family
Applicant	Bakers Sign & Manufacturing
Owner	Lakeside Manor, Little Elm Leased Housing Associates LP
Strategic Goal	

Agenda Item

PUBLIC HEARING/ Lakeside Manor Sign Variance (SVAR-23-005270). Presentation, Public Hearing, Discussion, and take action on a request for a sign variance per Chapter 86 – Sign Ordinance, in order to update an existing, nonconforming, entrance sign structure at the Lakeside Manor Senior Apartments located at 902 W. Eldorado Pkwy, within Little Elm’s Town Limits.

- Presentation
- Open Public Hearing
- Receive Public Comment
- Close Public Hearing
- Discussion and Recommendation

Location

Generally located 1000 feet west of the intersection of W. Eldorado Parkway and Lobo Lane.

Planning Analysis

BACKGROUND

Lakeside Manor Senior Living, is a 176-unit, multifamily development located at 902 W. Eldorado Pkwy, approximately 1000 feet west of the intersection of W. Eldorado Parkway and Lobo Lane, within Little Elm's Town Limits. The main entrance to this development is off of W. Eldorado Parkway. The facility was constructed in 2006 as a senior living multifamily development, with a unique overhead entryway sign structure.

On October 19, 2023, Baker’s Sign and Manufacturing submitted an application for a sign permit, requesting to alter the existing entryway sign. Staff and the applicant could not locate any prior sign permits for this property; it is also not

located within a Planned Development District, which may sometimes include specific sign standards. With no history of sign permits or variances for the property, it is difficult to understand what mechanism was utilized to install the existing sign.

The existing sign structure is considered nonconforming because it does not fit into any sign categories permitted per Chapter 86 - Sign Ordinance, Section 86-13 - Permitted Signs. Chapter 86 - Sign Ordinance, Section 86-15 - Nonconforming Signs, offers existing nonconforming signs the ability to be refaced without losing nonconforming status, but "not moved, altered, removed, reinstalled or replaced until it is made to conform with this Code." The proposed design, while similar to the existing sign, does not simply reface, but alters the existing sign structure.

On December 22, 2023, the applicant submitted a Sign Variance request in order to pursue the possibility of altering the current nonconforming entryway sign structure.

This request seeks to vary from the standards required in Section 86-13 - Permitted Signs by allowing one overhead gate entryway sign structure to alter the current existing-nonconforming sign structure.

PROPOSAL

The proposed entryway sign area is measured at 6.67 feet by 45.58 feet. The sign area is constructed of an aluminum cabinet with channel letters and aluminum letters. The overall height of the sign structure is 20 feet. Per fire department request, while not a specific Sign Ordinance requirement, a vertical clearing of 14 feet is provided for a fire truck to be able to access the property in case of an emergency. The structure supports are encased in a brick veneer to match the existing development.

Additionally, the applicant worked with a licensed engineer to ensure that the sign withstands the required ATC wind speeds, along with ensuring the cabinet's structural integrity and hardware meets required standards for stability and safety.

SIGN ORDINANCE REQUIREMENTS

The current sign code does not identify a category that the proposed sign could follow. Section 86-13 "permitted signs" identifies two types of signs that are similar but not an exact match to the proposed sign:

Monument sign.

Monument sign is defined as "a sign that is supported from the grade to the bottom of the sign and is surrounded and supported on all sides with a masonry framework."

Requirements for a single tenant monument sign include:

- The base of the sign shall be protected by a landscape area to be maintained in a healthy condition.
- Sign structure must be masonry. The design and structure of the monument sign must be compatible with the architectural and style of the development of the project site.
- Signs shall contain a minimum one-foot masonry (brick/stone) border around all sides of the sign. A sign constructed entirely of masonry materials shall satisfy the border requirement. The one-foot masonry border is included in the maximum area of a sign.
- The maximum area is 60 square feet.
- The maximum height is eight feet.

The existing sign is technically intended for a single tenant, the Lakeside Manor Senior Living Apartments, however, the sign structure would not meet the size, height, material, or landscaping requirements of a single tenant monument sign.

Subdivision entrance sign.

Subdivision entrance sign is defined as "a sign authorized for each major project entry into a legally recorded, multi-lot, multi-sectioned, master-planned residential subdivision, and contains only the name of the subdivision with no other information." There are three types of subdivision development entrance signs: (1) primary, (2) secondary, and (3) tertiary used to define various entries of a subdivision. Subdivision entrance signs are permitted to be "incorporated into a wall, landscape or architectural feature."

Requirements for a subdivision entrance sign include:

- Should be a monument sign constructed of stone, brick, or other maintenance free material.
- The design and construction must be compatible with surrounding development.
- Signage may appear on both sides of the entrance roadway within the recorded or master-planned subdivision. The maximum allowable sign face size limitations will apply separately to each side of the street.
- Lighting should be ground lighting or lights attached to the top of the sign focused downward directly on the sign.
- Maximum sign area is 32 square feet for subdivision containing 100 lots or less. For every 100 lots in the subdivision in addition to the first 100, the size can increase an additional ten square feet to a maximum size of 64 square feet of total sign face area.
- The maximum height of signage should be eight feet including any berms or landscape features on an architectural element. The maximum height of an architectural element should be 20 feet.
- A subdivision primary entrance sign must be located within the subdivision or at an off-premises location adjacent to an arterial roadway within 150 feet of the primary entrance to the subdivision.

The existing sign structure more closely aligns with the requirements of a subdivision entry sign requirements, which allow it to be incorporated into an architectural feature and on both sides of the main entry, but not located over a drive aisle and exceed 32 square feet. The main difference is that this development is not technically a subdivision because all dwelling units are located on one lot.

VARIANCE PROCESS

In 2022, the Town of Little Elm amended the Sign Code to allow the Planning and Zoning Commission to be the final decision makers instead of the Board of Adjustments. It also changed the appeal process to go through Town Council instead of District Court.

Section 86-18 - Variances lists out considerations for a sign variance request. The Planning and Zoning Commission may consider a request on the basis that literal enforcement of the sign ordinance requirements would result in "substantial unnecessary hardship, practical difficulty, or inequity, by reason of exceptional circumstances or surroundings, or due to the unusual size, shape, type, or nature of the sign, and/or on the basis that the proposed improvement, although falling under the definition of a "sign," constitutes a work of fine art that makes a positive contribution to the visual environment." The Planning and Zoning Commission must also conclude that the variance is not contrary to the public interest and so that the variance observes the spirit of this Code and concludes that substantial justice is done.

In considering approval of a variance request, the Planning and Zoning Commission must make the following findings:

- a. The public convenience and welfare will be substantially served;
- b. The appropriate use of surrounding property will not be substantially or permanently impaired or diminished;
- c. The applicant has not created the hardship from which relief is sought;
- d. The variance will not confer upon the applicant a special right or privilege not commonly shared or available to the owners of similar and surrounding property;
- e. The hardship from which relief is sought is not solely of an economic nature;
- f. The variance is not contrary to the public interest;
- g. Due to special conditions, the literal enforcement of this Code would result in an unnecessary hardship;
- h. In granting the variance, the spirit of this Code is observed and substantial justice is done; and/or
- a. The proposed sign constitutes a work of fine art that makes a positive contribution to the visual environment.

JUSTIFICATION

The applicant believes that the property's unique geographical layout presents challenges to the property's visibility. Lakeside Manor Senior Living Apartments are setback over 250 feet from W. Eldorado Parkway and the main entry is mostly obstructed by the neighboring commercial establishments.

The existing nonconforming sign is approximately the same size as the one being proposed, except with a different style and additional design components.

The structure supports, on either side of the aisle, directly attach to the masonry screening wall for the property. Therefore, the proposed sign structure is the appropriate use of surrounding property will not be substantially or permanently impaired or diminished. Along with contributing to the visual environment of the area.

Recommended Action

The proposed sign structure maintains cohesiveness with the existing development and also improves the visual environment for the property overall by providing an updated sign structure. Staff believes that, given the circumstances of the existing sign and the similarities to the subdivision entry sign standards, it is likely some form of administrative interpretation must've been utilized to allow the installation of this entryway structure. Staff believes the property's significant setback from the right-of-way does not create a visual nuisance or distraction to vehicular traffic.

If the request is denied, the applicant has the option to continue utilizing the existing sign structure or revise the proposed sign plans to match the standards of one of the existing permitted sign categories, and resubmit the sign permit request.

Staff recommends the Planning and Zoning Commission review the information presented and consider the variance request based on the ability to establish the necessary findings.

Attachments

Location Map

Sign Variance Exhibits



Bakers' Signs and Manufacturing, Inc.

11201 FM 1485
Conroe, TX 77306
936-446-1239 Office
936-231-1220 Fax

December 15, 2023

Baker's Signs & Manufacturing

11201 FM 1485

Conroe, TX 77306

Permits@Bakerssigns.com

936.446.1239

Dear The Planning and Zoning Commission,

The intent of this letter is to request your consideration for a sign variance pertaining to Lakeside Manor Senior Apartments located at 902 W. Eldorado Pkwy.

The proposed Logo ID gate entrance sign is measured at 6 ft by 45 ft with an OAH of 20'. We intend to use the existing structure, only updating the sign cabinet. This is a single-faced non-illuminated cabinet made of aluminum with push-through letters.

Currently, the sign code does not identify a category that the proposed sign could follow. The current structure is a legally non-conforming sign, but we have been unable to find any records with the previous permit.

This property's unique geographical layout presents challenges in sign placement. The property is set back over 265' from the right of way and is obstructed by neighboring establishments, namely Chicken Express and Sonic. These structural constraints severely limit viable options for visible sign placement that complies with zoning regulations and utility easements.

The sign's visibility from the right of way is crucial for this business. It enables locals and visitors to easily identify the establishment. Good visibility also contributes to positive traffic control, lessening the risk of traffic accidents.

Another factor to consider is a newer, updated sign will significantly contribute to the beautification of the area by introducing modern aesthetics and design elements. Through thoughtful design and incorporation of contemporary visual features, an updated sign serves as more than just a marker; it becomes a focal point that complements the surrounding environment. Its improved appearance not only elevates the business's presence but also enhances the overall aesthetic appeal of the area, creating a more welcoming and visually harmonious environment for residents and visitors alike.

To address safety concerns, we have taken proactive steps. Specifically, we have commissioned a licensed engineer to reinforce the sign cabinet, ensuring it withstands the required ATC wind speeds. The engineer's expertise has led to precise welding techniques and placement, further fortifying the cabinets' structural integrity. Additionally, all hardware used meets or exceeds the required standards for stability and safety.

In conclusion, the unique geographical constraints and the structural impediments surrounding our property severely limit viable options for visible sign placement. The distance from the right of way coupled with the obstructing neighboring establishments leaves few feasible alternatives for adequately showcasing this business. The sign's visibility from the right of way remains pivotal, not only for easy identification but also for contributing to better traffic flow reducing the risk of accidents. Given these challenges and the undeniable value our sign brings to the community and business, we earnestly implore your favorable consideration in granting the variance to retain this non-conforming sign. Your understanding of the practical limitations is greatly appreciated.

Kindest Regards,

Sandi Tzourellas

Permits Coordinator

Bakers Signs & Manufacturing, Inc.

P: 936.446.1239 F:936.231.1220



Current entrance



Initial concept

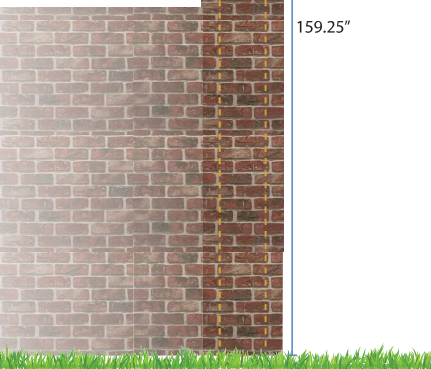
White

PMS 5425 C

PMS 7546 C





Urestone
Used Brick
equoia Clay

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A circular professional engineer seal for the State of Texas. The outer ring contains the text "STATE OF TEXAS" at the top and "PROFESSIONAL ENGINEER" at the bottom, separated by small stars. In the center is a five-pointed star. Below the star, the name "JOHN J. ORLANDO" is printed, followed by the license number "104178" and the word "LICENSED".

Conforms to the requirements of IBC 2018 Chapter 1609 and section 3107, Basic wind speed (3 second gust) = 130 mph, Risk Category = II, Importance factor = 1.0, Exposure = C
John J. Orlando, PE LLC - 165 Old Ridge Road - Macon, GA 31211 - 478 731 5394 - jlorlando@cox.net - Texas License# 104178 Job 202235S sheet 2 of 4

		
White	PMS 5425 C	PMS 7546 C
		
Urestone Used Brick Sequoia Clay		

SIGNAGE PACKAGE DESIGN SHEET

NIGHT VIEW OPTIONS

OPTION 1: Icon: White blackout vinyl with perforated vinyl for symbol to illuminate white at night.
“Lakeside Manor”: Push throughs with opaque vinyl faces for edge glow at night.



OPTION 2: Icon: Digital print on translucent vinyl
“Lakeside Manor”: Push throughs with translucent vinyl faces



This item has been electronically signed and sealed by John J. Orlando, PE using a Digital Signature and date.
Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

SIGNAGE PACKAGE DESIGN SHEET

PRODUCTION DETAIL

Conforms to the requirements of IBC 2018 Chapter 1609 and section 3107, Basic wind speed (3 second gust) = 130 mph, Risk Category = II, Importance factor = 1.0, Exposure = C
John J. Orlando, PE LLC - 165 Old Ridge Road - Macon, GA 31211 - 478 731 5394 - jjorlando@cox.net - Texas License# 104178 Job 2022355 sheet 4 of 4

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