

1. Agenda

Documents:

[03-23-2017 AGENDA.PDF](#)

2. Meeting Materials

Documents:

[03-23-2017 COUNCIL PACKET \(PUBLIC\).PDF](#)



**Town of Northlake
Council Meeting Agenda
Thursday, March 23, 2017 at 5:30 pm
1400 FM 407 - Chamber Room
Northlake, Texas**

Notice is hereby given as required by Title 5, Chapter 551.041 of the Government Code that the Northlake Town Council will meet in a work session and regular meeting on Thursday, March 23, 2017 at 5:30 pm at the Northlake Town Hall in the Chamber Room, 1400 FM 407, Northlake Texas. The items listed below are placed on the agenda for discussion and/or action

1. Call Regular Work Session to Order

2. Briefing Items

- A. Dr. Ryder Warren, Superintendent Northwest ISD Presentation on a Proposed Bond Election
- B. Chadwick Farms Development Update for Next Phase
- C. Pecan Square Update including Planned Development of Gibbs-Young-Thompson Tracts and Development Agreement
- D. Proposed Water Bill Late Payment Notice and Water Service Disconnect Procedures

3. Call Regular Meeting to Order

Pledge of Allegiance-Moment of Silence

4. Public Input

This item is available for citizens to address the Town Council on any issues that are not the subject of a public hearing. No action by law may be taken on the topic. The presiding officer reserves the right to impose a time limit on this portion of the agenda

5. Consent Items

All items listed below are considered routine by Town Council and will be enacted with one motion. There will be no separate discussion of items unless a Councilmember so requests, in which event the item will be removed and considered separately

- E. Consider for approval the meeting minutes dated March 9, 2017

6. Regular Items

- F. Consider for approval an Ordinance amending Article 8.03 "Junked Vehicles" of the Code of Ordinances of the Town by amending the definition of Junked Vehicles; designating a person to administer this article; updating the Article to be consistent with State Law
- G. Consider for approval an Ordinance providing for the annexation and zoning of a territory more specially described herein, but generally comprising approximately 6.65 acres located in the Patrick Rock Survey, Abstract No. 1063 situated in the extra-territorial jurisdiction of the Town of Northlake, Denton County, Texas; extending the boundary limits of said Town of Northlake, Texas for all municipal purposes (Ordinance No. 17-0323A)

- H. Consider for approval a Preliminary Plat of Lots 1-4, Block 3, Northport Addition, a proposed development consisting of 4 commercial lots on a 14.003-acre tract of land out of the L. Medlin Survey, Abstract No. 830, generally located north of SH 114 between Northport Drive and Dale Earnhardt Way, and zoned Commercial (C). Northport Partners, LLC is the owner/applicant/developer. Deotte, Inc. is the engineer. Pacheco Koch is the surveyor. Case # PP-17-001.
- I. Public Hearing to hear comments for or against a zoning change from Rural Residential (RR) to Mixed-Use Planned Development (MPD) for a proposed master planned development, Pecan Square, to include a mix of commercial and residential uses with a mix of lot sizes and densities, located on approximately 635.5146 acres of land situated in the F.W. Thornton Survey, Abstract No. 1244, and the A. McDonald Survey, Abstract No. 785, and generally located on the west side of Cleveland-Gibbs Road between FM 407 and Mulkey Lane. J. Young Land and Cattle, Ltd. is the owner. Hillwood Communities is the applicant/developer. Case # PD-17-002
- J. Consider for approval an Ordinance amending the Code of Ordinance 14-1211A Appendix 'A' Fee Schedule Article A4.003 Water and Sewer Impact Fee Schedule (Ordinance No. 17-0323B)

7. Convene into Executive Session

Pursuant to Texas Government Code, annotated, Chapter 551 Subchapter D:

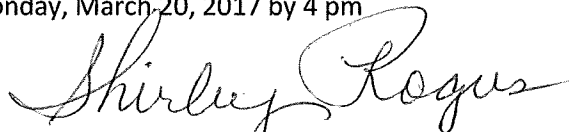
- a. Section 551.071 authorizes a governmental body to consult with its attorney in an executive session to seek his or her advice on a legal matter. It provides as follows: A governmental body may not conduct a private consultation with its attorney except:
 - 1) When the governmental body seeks the advice of its attorney about:
 - (a) Pending or contemplated litigation; or
 - (b) A settlement offer; or

'Town of Northlake vs. City of Justin (Cause No. 15-08170-367)

8. Adjournment

CERTIFICATION

I hereby certify that the above agenda was posted on the front glass doors and bulletin board at Town Hall 1400 FM 407, Northlake, Texas on Monday, March 20, 2017 by 4 pm



Shirley Rogers, Town Secretary

NOTE: The Town Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above as authorized by Texas Government Code Section 551.071 (Consultation with Attorney); Section 551.072 (Deliberations about Real Property); 551.073 (Deliberations about Gifts and Donations); 551.074 (Personnel Matters); 55.076 (Deliberations about Security Devices); 551.087 (Economic Development Negotiations)



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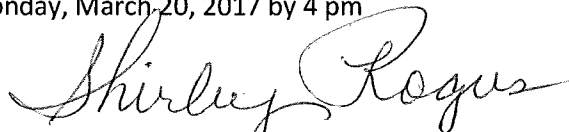
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Regular Work Session

Agenda Item 1



Briefing Items

Agenda Item 2

- A. Dr. Ryder Warren, Superintendent Northwest ISD presentation on a Proposed Bond Election
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Presentation by Dr. Ryder Warren,

Superintendent of Northwest ISD

on the Proposed School Bond Election

Memo

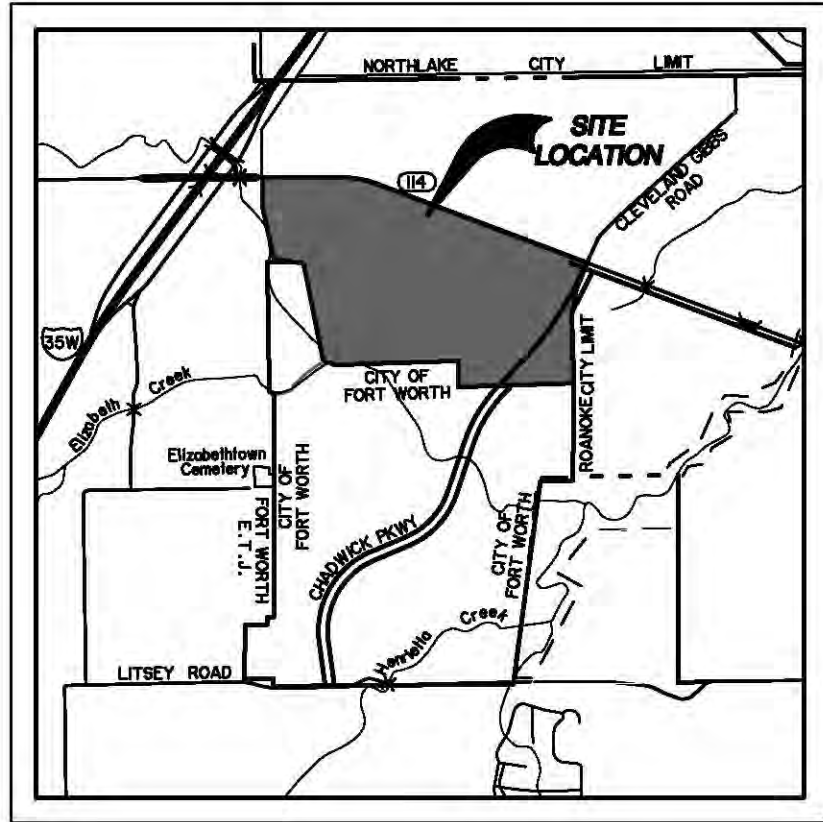
To: Honorable Mayor and Town Council
From: Nathan Reddin, Development Director
CC: Drew Corn, Town Administrator
Shirley Rogers, Town Secretary
Date: March 23, 2017
Re: Chadwick Farms Development Update

Chadwick Farms LTD, the owner/developer of Chadwick Farms, is preparing for their next phase of development and has recently submitted applications for a preliminary plat, site plan and amendment to the Mixed-use Planned Development (MPD) zoning. This next phase of development is for the tracts referred to as Tract 3A and Tract 3B. Tract 3A is planned for approximately 49,300 square feet of commercial space including three pad sites on SH 114. Tract 3B is planned for a multi-family residential development designed to be integrated with the adjacent Tract 3B commercial development with a minimum of 10,000 square feet of commercial development required with development of Tract 3B.

In order to accommodate an updated design to provide a new, more contemporary multi-family product to Northlake which addresses current market demands, the developer has requested an MPD amendment to modify some standards primarily for development of Tract 3B. A draft of the revisions is attached (note that revisions shown under Tract 1 are intended for Tract 3B only) along with an updated development plan showing the proposed new layout for Tracts 3A and 3B. Renderings for the proposed buildings are also attached.

A public hearing for the MPD amendment is scheduled for the April 13th Town Council meeting. The preliminary plat and site plan will also be presented to Council for approval at a subsequent meeting following staff review.

Please contact me at 940.242.5703 if you have any questions.



VICINITY MAP
NTS

TABULATIONS

TRACT 1-MULTIFAMILY

PHASE ONE - (BUILT OUT)

264 TOTAL UNITS
528 PARKING SPACES REQUIRED @ 2 TO 1
528 PARKING SPACES PROVIDED
+11 HC ACCESSIBLE SPACES PROVIDED

PHASE TWO

188 TOTAL UNITS
376 PARKING SPACES REQUIRED @ 2 TO 1
376 PARKING SPACES PROVIDED
+10 GUEST PARKING PROVIDED
(ALLOWABLE BASED ON DENSITY OF 16 UNITS/AC)

TRACT 2-COMMERCIAL

660,201 SQUARE FEET OF BUILDING
3,301 PARKING SPACES REQUIRED @ 1:200
3,710 PARKING SPACES PROVIDED
(PROPOSED AS SHOWN)

TRACT 3A - COMMERCIAL

49,300 SQUARE FEET OF BUILDING
247 PARKING SPACES REQUIRED @ 1:200
327 PARKING SPACES PROVIDED
(PROPOSED AS SHOWN)

TRACT 3B - MULTI-FAMILY

249 TOTAL UNITS
448 PARKING SPACES REQUIRED @ 1.8 TO 1
455 PARKING SPACES PROVIDED
(PROPOSED AS SHOWN)

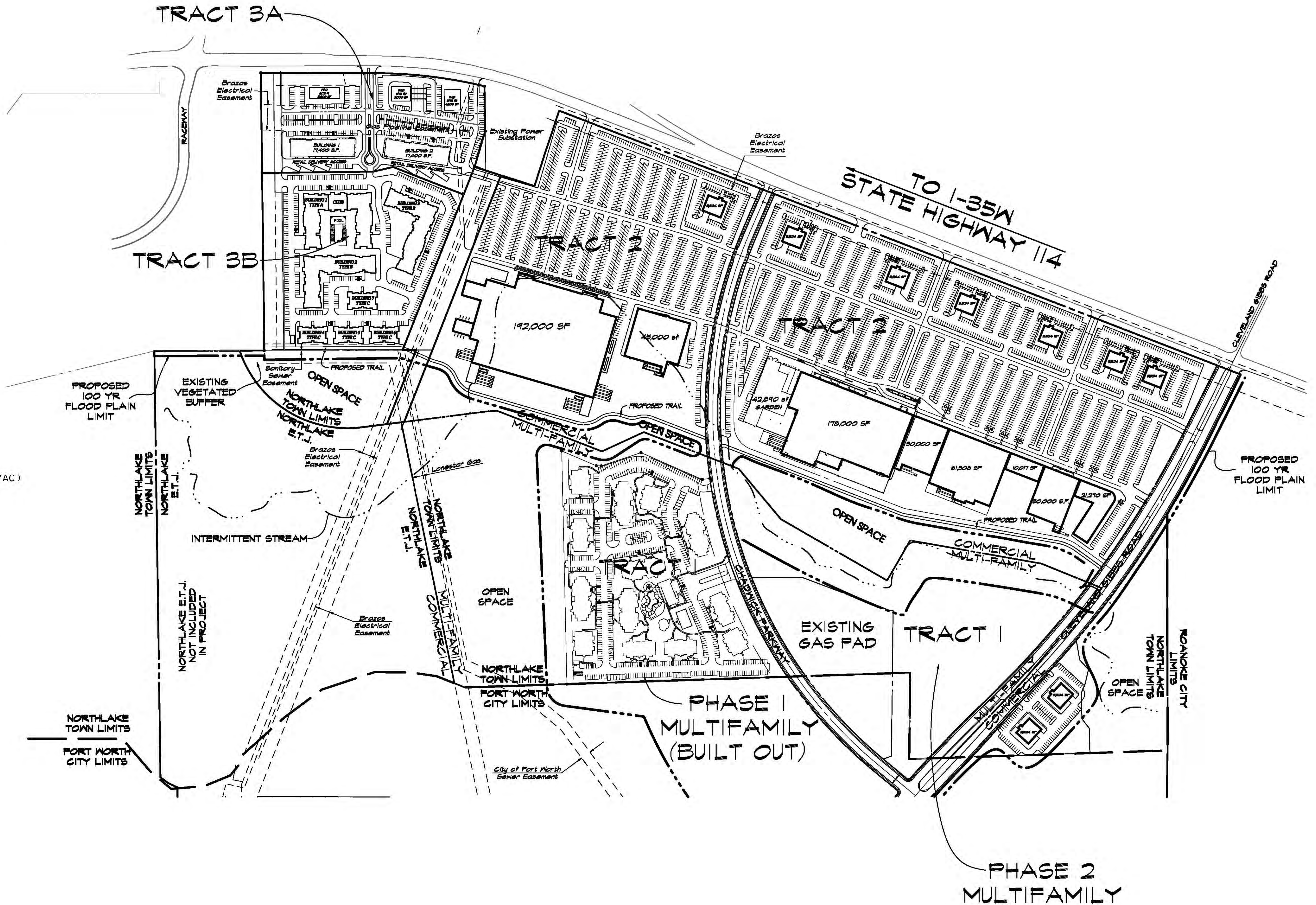
THE MAXIMUM BUILDING COVERAGE FOR THE PROPOSED DEVELOPMENT SHALL NOT EXCEED 50%.

NOTE: All buildings and parking layout and square footage calculations are conceptual only, to be approved as part of the final site plan.

HODGES AND ASSOCIATES
13642 Omega Drive
Dallas, Texas 75244
(972) 387-1000

BGO ARCHITECTS
2211 North Lamar, Ste. 300
Dallas, TX 75202
(214) 740-0080

NOTE: ALL BUILDINGS SHOWN ARE FOR CONCEPTUAL PLANNING ONLY.



NO.	REVISION	DATE
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Chadwick Farms, Ltd.
4000 West Windsor Drive
Flower Mound, Texas 75028

GOODWIN & MARSHALL
CIVIL ENGINEERS-PLANNERS-SURVEYORS
1801 BRIDGE STREET, SUITE 100, FORT WORTH, TEXAS 76102

CHADWICK FARMS NORTHLAKE LAND USE EXHIBIT DEVELOPMENT PLAN

JOB NO. : 9933
DATE : February 2017
DSGN/DRFT : BAC
REVIEW : EWE
SHEET 1
OF 1





EXHIBIT B
+/- 143.209 ACRES

MPD, Mixed-Use Planned Development District

1.00 Tract 1 - Multi-Family Residential (Approximately 45.015 acres)

1.01 General Description: The multi-family residential tract is intended to provide for a high quality medium density development. These multi-family units are attached units. Access shall be provided from private access drives or parking areas connecting to adjacent public streets. These multi-family units will range from 2 units per building to ~~24~~ **100** units per building. Units within multi-family residential facilities restricted to the uses of retirement housing and assisted living may be located within a single building or multiple buildings with greater than 24 units per building. Requirements for multi-family development shall be governed by standards as described below.

1.02 Permitted Uses: Land uses permitted within the Multi-Family Residential areas, indicated as Tract 1, are as follows:

1. Multi-Family Residential units as described herein;
2. The following uses shall be included as a multi-family residential development:
 - a. Retirement Housing, which shall be defined as "A residential facility principally designed for persons 55 years of age or older." This does not include "Convalescent and nursing homes, hospice care, and related institutions" use as defined in the Unified Development Code. Such uses may be allowed with approval of a Specific Use Permit.
 - b. Assisted Living Facility, which shall be defined as "A facility providing residence, supervision and daily assistance for individuals, generally persons 55 years of age or older, with common dining and recreational areas designed for the needs of the elderly. Services in these establishments include assistance with routine living functions that are non-medical in nature, such as dressing, grooming, bathing and social and recreational services, such as meal services, transportation, housekeeping, linen and organized social activities."
 - c. Accessory Buildings as defined in Section 1.15.6.

1.03 Density: The overall allowed density for Tract 1 shall be ~~46~~ **18** units per gross area, including the floodplain area.

1.04 Minimum Lot Area: 20,000 square feet

1.05 Minimum Lot Width: 100 feet

1.06 Minimum Front Yard: 30 feet for one story principle structure
40 feet for two story principle structure
50 feet for three story principle structure

- 1.07 **Minimum Side and Rear Yards:** 25 ~~20~~ feet for one, two and three story principle structures
- 1.08 **Minimum Building Separation:** 15 feet
- 1.09 **Minimum Floor Area Per Dwelling Unit:**
1. Multi-Family Residential Uses
 - a. ~~650~~ **500** square feet - 1 Bedroom
 - b. ~~900~~ **800** square feet - 2 Bedroom
 - c. ~~1100~~ **1000** square feet - 3 Bedroom
 - d. 200 square feet - Each additional bedroom
 2. Retirement Housing and Assisted Living Uses
 - a. 330 square feet – Studio Apartment
 - b. 560 square feet – Shared Unit/Apartment
 - c. 720 square feet - 2 Bedroom
 - d. 110 square feet - Each additional bedroom
- 1.10 **Maximum Lot Coverage:** 35%, excluding accessory buildings
- 1.11 **Maximum Height:** The permitted height of all multi-family structures shall not exceed three (3) stories, or ~~forty-five (45)~~ **fifty (50)** feet to the mean point of the roof, whichever is greater.
- 1.12 **Building Materials:** The exterior building materials shall be a minimum of eighty percent (80%) masonry product (**stucco, stone, brick, fiber cement**), exclusive of windows and doors. A minimum of two exterior materials shall be included on every facade. ~~Hardi-plank may be used above the first story and may be credited as an alternative construction material for up to 30% of the total 80% masonry requirement.~~ ~~Hardi-plank~~ **Fiber cement** may also be used within all breezeways and patios, including the first story. Alternative materials may be approved at the time of Site Plan approval. The development in its entirety shall be consistent with the design theme of its various parts. No metal roofs shall be permitted with the exception of standing-seam metal roofs, which shall be approved in conjunction with the Site Plan.
- 1.13 **Required Open Space:** The minimum amount of required open space for any multi-family lot shall be 20% **15%** of the area of the lot, net of floodplain and adjacent right-of-way.
- 1.14 **Parking Requirements:**
1. Multi-Family Residential: The minimum parking requirement shall be ~~two (2)~~

~~one point eight (1.8)~~ nine (9) foot by eighteen (18) foot parking spaces per unit. All parking shall meet the requirements of the Americans with Disabilities Act (ADA). Parking areas shall be paved with concrete or asphalt and graded to drain appropriately. No head in parking shall be permitted to overhang over any landscaped areas. ~~Twenty percent (20%)~~ **Ten percent (10%)** of the total required parking spaces, as defined above, shall be covered. Said ~~20%~~ **10%** may be a mix of car ports and enclosed garages. In the event an apron is provided in front of the enclosed garages, it shall be counted as a parking space.

2. Retirement Housing and Assisted Living Uses: The minimum parking requirement shall be 0.6 parking spaces sized nine (9) foot by eighteen (18) foot parking spaces per unit. All parking shall meet the requirements of the Americans with Disabilities Act (ADA). Parking areas shall be paved with concrete or asphalt and graded to drain appropriately. No head in parking shall be permitted to overhang over any landscaped areas.
3. Except for the immediate loading and unloading, the parking of recreational vehicles, trailers, and boats shall be prohibited.

1.15 Miscellaneous Multi-Family Residence Provisions:

1. All private balconies shall have lockable, enclosed storage areas.
2. A concrete, stone, masonry or decorative metal wall not greater than six feet (6') in height may be erected in the front yard provided, however, that a minimum of fifty percent (50%) of the wall shall be open construction. Alternatively, an eight foot (8') wall may be constructed, being a combination of masonry and wrought-iron or tubular steel, such that the bottom portion of the wall may be masonry for a height of no more than four and one half feet (4 1/2'), with wrought-iron or tubular steel on top. Further, fences and walls must be constructed in accordance with the Unified Development Code of the Town of Northlake in effect at the time of final Site Plan approval. Solid masonry fences without at least 50% open construction and chain link fences shall be prohibited.
3. All trash collection, storage facilities and loading docks should be located in the rear of the property whenever possible and all such facilities shall be enclosed or screened on a minimum of three sides by the use of masonry walls or plant materials approved by the Town of Northlake at the time of final Site Plan approval.
4. Landscaping shall be provided in accordance with the requirements of the Unified Development Code of the Town of Northlake, including the provision of irrigation. The owner is responsible for maintenance of all required landscaping.
5. Restricted Entry. Entry to the multi-family development may be restricted by the use of gates, the exact location of which shall be approved by the Town of Northlake at the time of final Site Plan approval.
6. Accessory Buildings. An accessory building is a subordinate or incidental building, attached to or detached from the main building, that does not have separate kitchen facilities, is not used as a dwelling or living quarters, and is not used for commercial purposes or financial gain. Accessory buildings may have water and sanitary sewer service and may be climate controlled. Accessory

buildings shall include but are not limited to the following: detached garages, carports, general apartment maintenance buildings, storage sheds and trash collection and storage facilities. Except for carports and the maintenance building, all accessory buildings shall be constructed of the same building materials as the primary buildings as set forth in Section 1.12 above. Accessory buildings may not be permitted without a primary structure. In addition, accessory buildings shall follow the following criteria:

- | | | |
|----|---|----------------|
| a. | Minimum Front Yard Set Backs | 50 feet |
| b. | Minimum Rear and Side Yard Set Backs | 10 feet |
| c. | Minimum Building Separation | 10 feet |

The aforementioned set backs shall be measured to the building walls. Roof overhangs shall be permitted to fall within the defined setbacks.

2.00 Tract 2 - Commercial (Approximately 75.879 Acres)

2.01 **General Description:** The Commercial areas will provide the ability to encourage and to accommodate the development of office, retail, and commercial service centers within growth corridors located along State Highway 114.

2.02 **Permitted Uses:** The following uses shall be permitted in the Commercial areas, subject to compliance with all applicable conditions contained within the Unified Development Code of the Town of Northlake:

- Accessory building or structure
- Amusement: commercial, indoor
- Auto gasoline fuel sales
- Antique shop
- Appliance sales or rentals
- Art supply store
- Auto gasoline or motor fuel sales
- Auto glass, seat cover, muffler shop
- Auto laundry/car wash
- Auto parts and accessory sales, no outside storage
- Auto repair garage, indoor only
- Auto/truck rental service
- Bakery or retail confectioner
- Bank / financial institution
- Building materials sales
- Cabinet or upholstery shop
- Child care center
- Contractor: electrical, mechanical, plumbing, no outside storage
- Convenience store with automotive fuel sales
- Convenience store without automotive fuel sales
- Custom personal shop
- Department store
- Drapery, sewing, or weaving shop
- Drugstore or pharmacy
- Florist shop
- Furniture or appliance store
- Greenhouse or nursery
- Grocery store
- Handicraft shop and art objects
- Hardware or hobby shop
- Health and fitness studio
- Hotel or motel
- Key shop
- Laboratory, medical or dental

- Laundry/dry cleaning: pick up and/or self service
- Lithography or print shop
- Mini-warehouse
- Mortuary or funeral home
- Motorcycle sales and repair, indoor only
- Movie theater or indoor play house
- Musical instrument sales and manufacturing
- Office, business or professional
- Office, medical or dental
- Paint store
- Parking lot or structure
- Pet shop
- Photographer and/or artist studio
- Photographic print shop
- Plumbing shop, without outside storage
- Recreation or health club
- Repair and maintenance services for buildings
- Repair, household appliance
- Repair, small engine
- Restaurant, with drive-in service
- Restaurant, without drive-in service
- Retail specialty shop
- Retail, variety or similar store
- Roller or ice rink
- School, business
- Sewage pumping station
- Shopping center or mall
- Studio, music, dance, and/or drama
- Telephone exchange, switching, relay, or transmission station
- Tool rental
- Veterinarian hospital, indoor only
- Veterinarian, office only
- Veterinarian supply store
- Video/game rental store

2.03 **Specific Uses:** The following use shall be permitted in the Commercial areas only upon approval of a Specific Use Permit by the Town Council in accordance with the procedures and standards of Section 5.11, Specific Use Permit (SUP) of Article 5, Unified Development Code of the Town of Northlake:

- Private club
- Petroleum or gas well

2.04 **Prohibited Uses:** The use of portable storage freight containers shall be prohibited.

~~2.05 **Maximum Floor Area Ratio:** The maximum floor area ratio shall be 1:1.~~

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2.06 **Required Parking:** The minimum parking requirements shall be consistent with those requirements outlined in Article 10, Parking and Loading Standards of the Unified Development Code of the Town of Northlake except as otherwise provided herein. All parking spaces shall be a minimum of nine (9) feet by eighteen (18) feet in size. All parking areas shall be constructed of concrete paving and be curbed and graded to drain appropriately. No head in parking shall be permitted to overhang any landscaped areas. The parking lot shall be subject to the landscape regulations of the Unified Development Code of the Town of Northlake including, but not limited to, the provision of a landscaped strip along public-right-of-way and landscape islands. No seasonal, outdoor sales shall be permitted within any required parking area except for temporary vending in accordance with Article 4.200 Temporary Vending of Chapter 4 of the Town of Northlake Code of Ordinances. Any proposed seasonal, outdoor sales areas must be clearly identified at the time of final Site Plan submittal and approved by the Town of Northlake.

2.07 **Shared Parking:** It is anticipated that the commercially zoned property will have a variety of different uses. Therefore, it is expected that opportunities for shared parking may exist within the project in order to reduce the overall number of parking places otherwise required. At such time as opportunities for shared parking are identified, the owner(s) of all affected properties shall submit proposed shared parking agreements to the Town of Northlake for review and approval. Such agreements shall be signed by all owners and affected parties. If the Town approves a shared parking agreement, such approval shall be conditioned on the uses contained in the shared parking agreement. Any change of use shall require re-submittal, review and approval by the Town of Northlake.

2.08 **Building Materials:** The exterior building materials shall be a minimum of eighty percent (80%) masonry (*stucco, stone, brick, fiber cement*) exclusive of windows and doors. Alternative materials may be approved at the time of Site Plan approval. The development in its entirety shall be consistent with the design theme of its various parts. No metal roofs shall be permitted with the exception of standing seam metal roofs, which shall be approved in conjunction with the Site Plan.

2.09 **Building Height:** No Commercial building shall exceed two (2) stories or forty five (45) feet in height, whichever is greater.

2.10 **Building Articulation:** Building facades shall meet the following minimum standards for articulation:

1. **Horizontal Articulation:** No building wall *front elevation* shall extend for a distance equal to ~~two~~ *three (3)* times the wall's height without having an

offset of ~~15%~~ **10%** of the wall's height, and that new plane shall extend for a distance equal to at least 25% of the maximum length of the first plane.

2. **Vertical Articulation:** No horizontal wall **front elevation** shall extend for a distance greater than ~~two~~ **three (3)** times the height of the wall without changing height **vertically** by a minimum of ~~15%~~ **10%** of the wall's height.

2.11 **Minimum Lot Area:** None.

2.12 **Minimum Lot Width:** None.

2.13 **Minimum Lot Depth:** None.

2.14 **Maximum Lot Coverage:** In no case, shall more than fifty percent (50%) of the total lot area be covered by the combined area of the main buildings. Parking structures and surface parking facilities shall be excluded from the coverage computations.

2.15 **Minimum Front Yard:** The minimum front yard shall be thirty (30) feet.

2.16 **Minimum Side Yard:** The minimum side yard requirements shall be consistent with those requirements outlined for the Commercial (C) zoning district in Section 5.6 Dimensional and Developmental Standards Summary of Article 5 of the Unified Development Code of the Town of Northlake.

2.17 **Minimum Rear Yard:** The minimum rear yard requirements shall be consistent with those requirements outlined for the Commercial (C) zoning district in Section 5.6 Dimensional and Developmental Standards Summary of Article 5 of the Unified Development Code of the Town of Northlake.

2.18 **Screening Requirements:**

1. **Mechanical Equipment:** All mechanical equipment such as gas meters, electrical panels, HVAC equipment and similar devices shall be screened from parking and off-site view.
2. **Trash Collection, Storage Facilities, and Loading Docks** shall be screened from view of parking areas located in front of buildings. Unless approved by the Town of Northlake Town Council or its designee, all trash collection, storage facilities and loading docks should be located in the rear of the property whenever possible. All such facilities shall be enclosed or screened on a minimum of three sides using masonry walls or plant materials approved by the Town of Northlake at the time of final Site Plan approval.
3. **Screening Fences and/or Walls:** If it is determined during final Site Plan approval that screening fences and/or walls are necessary for the phase of development under consideration, such fences and/or walls shall be constructed by the commercial developer prior to the issuance of a Certificate of Occupancy for the phase of development under construction. For security purposes, such

fences shall be concrete, stone, or masonry, and shall not exceed eight feet (8') in height. All screening fences and walls shall be architecturally compatible with the colors and materials of the accompanying building. All screening fences and/or walls shall be constructed in accordance with the requirements of the Unified Development Code of the Town of Northlake.

2.19 Landscaping.

1. Landscaping shall be provided in accordance with the requirements of the Unified Development Code of the Town of Northlake, including the provision of irrigation. The owner is responsible for maintenance of all required landscaping.
2. It is the intent of the developer to utilize the existing open space and natural screen along the rear boundary of the commercial phases of the development. However, if it is determined by the Town of Northlake in conjunction with the approval of the final Site Plan that insufficient natural screening exists between the open space and the adjacent commercial property, a landscape buffer a minimum of twelve feet (12') wide shall be provided. Trees a minimum of three inches (3") in caliper shall be provided at a ratio of one (1) tree per two hundred and fifty (250) square feet of buffer area. Understory plants (shrubs, bushes, etc) shall be provided in order to sufficiently screen the commercial area from the open space when the landscape material reaches maturity. Screening shall be maintained at all times to these specifications by the property owner.

3.00 PLANNED DEVELOPMENT - GENERAL CONDITIONS

- 3.01 **Sign Restrictions:** Sign Restrictions shall be consistent with those requirements outlined in Article 11, Signs, of the Unified Development Code of the Town of Northlake, except that the following signs shall be prohibited:
- Pole/Pylon Signs
 - Moving Signs
 - ~~Portable Signs~~
 - Vehicle Signs
 - Any type of flashing sign
- 3.02 **Emergency Vehicle Accessibility:** A twenty-four (24) foot fire lane shall be provided in the commercial and multi-family portions of the property in accordance with the adopted Fire Code of the Town of Northlake. Adequate turnaround areas shall be provided if there are any dead ends in the Site Plan.
- 3.03 **Driveways:** A maximum of eight (8) driveway connections shall be allowed to State Highway 114, with four (4) located east of the proposed Chadwick Parkway, and four (4) located west of the proposed Chadwick Parkway. Cross access agreements shall be required among all commercial properties in order to provide for shared access to the driveways. Proof of such cross access easements shall be provided to the Town of Northlake prior to the issuance of a building permit in each commercial area. For the purposes of this restriction, Cleveland-Gibbs Road and Chadwick Parkway are not considered driveways, and shall not count against the eight (8) allowed access points. All driveway connections to State Highway 114 are subject to approval of the Texas Department of Transportation.
- 3.04 **Utility Lines:** With the exception of the Brazos Electric Cooperative transmission line along the north boundary line of the property, all utility lines (electricity, phone, gas, cable, etc.) shall be placed underground.
- 3.05 **Roadways:**
1. Cleveland-Gibbs Road: Cleveland-Gibbs Road shall be a divided four lane major arterial within a 100 foot right-of-way.
 2. Chadwick Parkway: Chadwick Parkway, as depicted on the Development Plan, shall be a forty one (41) foot roadway within a sixty (60) foot right-of-way.
- 3.06 **Open Space:**
1. All floodplain and floodways contained within the proposed development shall be included in defined open space areas.
 2. The exact size and configuration of the open space depicted on the development plan shall be determined in conjunction with the adjacent city, state, and federal entities, to be finalized in conjunction with the approval of the final Site Plan of the project by the Town of Northlake. Open space areas shall be maintained by the property owner. Open space areas outside of the multi-family area as

- designated on the development plan shall be open and accessible to the public.
3. Multi-purpose trail connections shall be made through the open space, to interconnect with the parks and open space system located within the City of Fort Worth.
 4. A multi-purpose trail and/or sidewalk connection shall be made between the multi-family portions of the project and shall provide pedestrian access and connectivity from the multi-family areas to adjacent commercial areas of the development.

4.00 SITE LIGHTING STANDARDS

4.01 Outdoor Lighting Plan

An Outdoor Lighting Plan must be submitted with any required site plan or landscape plan on all public or private properties, including rights- of-way, public easements, franchises, and utility easements. Said Outdoor Lighting Plan shall be submitted prior to issuing a building permit and must be approved by the Town Council in conjunction with final Site Plan approval. Plans shall include the following:

1. A layout of the proposed fixture locations.
2. The light source.
3. The luminous area for each proposed light source.
4. The type and height of the light fixture or of the light source above grade.
5. The type of illumination.

4.02 General

1. All building lighting for security or aesthetics will be fully shielded type, not allowing any upward distribution of light. Wallpack type fixtures shall be fully shielded.
2. Relative to landscaping or building lighting, high pressure sodium, metal halide, or mercury vapor sources may not exceed 175 watts, and incandescent sources may not exceed 300 watts.
3. Relative to parking lots and vehicle movement areas, lighting in cut-off type fixtures shall not exceed a maximum of 400 watts.
4. Display, building, and aesthetic lighting must be externally lit from the top and shine downward.
5. Shielding shall be required in all outdoor lighting installations as specified below.

Lamp Type

Low Pressure Sodium (LPS)
High Pressure Sodium (HPS)
Metal Halide
Mercury Vapor
Fluorescent
Incandescent (150 watts/fixture)
Incandescent (<150 watts/fixture)
Any light source <50 watts
Low intensity Neon, Krypton or
Argon Discharge Tubes

Shielding

Fully Shielded
Fully Shielded
Fully Shielded
Prohibited
Partially or Fully Shielded
Partially or Fully Shielded
Partially or Fully Shielded
Unshielded Permitted

Unshielded Permitted

4.03 Non-residential

1. All non-essential lighting shall be turned off after business hours, leaving only necessary lighting for site security.
2. Floodlight, accent, aesthetic and security lights must be fully shielded and no up lighting shall be permitted except that lighting of 50 watts or less is excepted if necessary for security purposes.

4.04 Prohibited

1. Laser Source Light. The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal is prohibited.
2. Searchlights: The operation of searchlights for advertising purposes is prohibited.
3. Floodlights: The use of floodlights is prohibited.
4. Up-lighting of any display, building and aesthetic lighting is prohibited.

4.05 Exemptions

1. All temporary emergency lighting required by the Police or Fire Departments or other emergency services, as well as vehicular luminaries.
2. All hazard warning luminaries required by Federal regulatory agencies, except that all luminaries used must be red and must be shown to be as close as possible to the Federally required minimum lumen output requirement for the specific task.
3. Any luminaire of 50 watts or less provided the accumulated illumination of 50 watt luminaries does not exceed 50 watts.
4. Seasonal decorative lighting.

4.06 Temporary Exemptions. The Town Council or its designee may approve temporary exemptions from these requirements for a period not exceeding 30 days.

5.00 Development Schedule

- 5.01 Cleveland-Gibbs Road has been completed.
- 5.02 Chadwick Parkway has been completed.
- 5.03 Work on Tracts 3A and 3B should commence in 2014 and will take approximately 6-9 months to complete the first phase of Tract 3A and all of Tract 3B. *(Map to show where these tracts are located?)*
- 5.04 Plans are for the entire project to be completed as market conditions dictate.

6.00 Tract 3A - Commercial (Approximately 7.859 Acres) (location?)

- 6.01 **General Description:** The Commercial areas will provide the ability to encourage and to accommodate the development of office, retail, and commercial service centers within growth corridors located along State Highway 114 in conjunction with the development associated with Tract 3B.
- 6.02 **Permitted Uses, Restrictions and Guidelines:** All uses, restrictions and guidelines established in Sections 2.02 to 2.19 shall apply to this tract.
- 6.03 **Access and Connectivity:** In conjunction with development of Tract 2, vehicular access and connectivity shall be provided to this Tract and Tract 3B via a minimum twenty-four (24) foot wide driveway contained within a cross access easement between the properties. Such easement and driveway shall continue to a stub out to the adjacent property at the western boundary of the Tract. Pedestrian access and connectivity shall be provided between this Tract and the adjacent Tract 3B and the other multi-family portions of the project via multi-purpose trail and/or sidewalk connections. Such connectivity shall be identified on the final Site Plan to be approved by the Town Council.

7.00 Tract 3B - Multi-Family Residential (Approximately 14.456 Acres) (*location?*)

- 7.01 **General Description:** The multi-family residential tract is intended to provide for a high quality medium density development. These multi-family units are attached units. Access shall be provided from private access drives or parking areas connecting to adjacent public streets. These multi-family units will range from 2 units per building to 24 **100** units per building. Requirements for multi-family development shall be governed by standards as described above and shall be constructed with at least 10,000 SF of commercial development located within Tract 3A.
- 7.02 **Permitted Uses, Restrictions and Guidelines:** All uses, restrictions and guidelines established in Sections 1.02 to 1.15 shall apply to this tract.
- 7.03 **Access and Connectivity:** In conjunction with development of Tract 2, vehicular access shall be provided to this Tract and Tract 3A via a minimum twenty-four (24) foot wide driveway contained within a cross access easement between the properties. Such easement and driveway shall continue to a stub out to the adjacent property at the western boundary of the Tracts. Pedestrian access and connectivity shall be provided between this Tract and the adjacent Tract 3A and the other multi-family portions of the project via multi-purpose trail and/or sidewalk connections. Such connectivity shall be identified on the final Site Plan to be approved by the Town Council.



PROPERTY DESCRIPTION - TRACT 3A

BEING a tract of land in the Lewis Medlin Survey, Abstract No. 830, situated in the Town of Northlake, Denton County, Texas and being a portion of that tract conveyed to Chadwick Farms, Ltd. by deed recorded in Volume 4684, Page 636 of the Deed Records of Denton County, Texas (33021) and being more particularly described as follows:

BEGINNING at a 5/8" iron pin found at the northwest corner of said Chadwick Farms, Ltd. Tract, said iron pin being on the south right-of-way line of State Highway Number 114, R.O.W. Varied;

THENCE South 89 deg. 51 min. 01 sec. East along the south right-of-way line of said State Highway Number 114 a distance of 431.20 feet to a capped 1/2" iron pin previously set, said point being a Point of Curvature of a non-tangent circular curve to the right, having a radius of 392.85 feet, a central angle of 13 deg. 02 min. 01 sec., and being subtended by a chord which bears South 82 deg. 10 min. 50 sec. East - 430.92 feet;

THENCE in a westerly direction along said curve to the right and along the south right-of-way line of said State Highway Number 114 a distance of 433.50 feet to a 5/8" iron pin found;

THENCE South 00 deg. 52 min. 36 sec. East a distance of 177.37 feet to a capped 1/2" iron pin previously set;

THENCE South 15 deg. 34 min. 46 sec. West a distance of 143.37 feet to a capped 1/2" iron pin previously set;

THENCE South 21 deg. 26 min. 13 sec. West a distance of 120.26 feet;

THENCE North 09 deg. 37 min. 38 sec. West a distance of 209.26 feet;

THENCE South 76 deg. 55 min. 59 sec. West a distance of 89.34 feet;

THENCE South 89 deg. 51 min. 42 sec. West a distance of 436.00 feet to a point in the west line of said Chadwick Farms, Ltd. Tract;

THENCE North 00 deg. 43 min. 26 sec. West along the west line of said Chadwick Farms, Ltd. Tract, a distance of 304.00 feet to the POINT OF BEGINNING, containing 342.57 square feet or 7.859 acres of land.

PROPERTY DESCRIPTION - TRACT 3B

BEING a tract of land in the Lewis Medlin Survey, Abstract No. 830, situated in the Town of Northlake, Denton County, Texas and being a portion of that tract conveyed to Chadwick Farms, Ltd. by deed recorded in Volume 4684, Page 636 of the Deed Records of Denton County, Texas (33021) and being more particularly described as follows:

COMMENCING at a 5/8" iron pin found at the northwest corner of said Chadwick Farms, Ltd. Tract, said iron pin being on the south right-of-way line of State Highway Number 114, R.O.W. Varied;

THENCE South 89 deg. 51 min. 42 sec. West along the south right-of-way line of said Chadwick Farms, Ltd. Tract, a distance of 304.00 feet to the POINT OF BEGINNING of the herein described tract;

THENCE North 89 deg. 51 min. 42 sec. East a distance of 436.00 feet;

THENCE North 76 deg. 55 min. 59 sec. East a distance of 89.34 feet;

THENCE South 09 deg. 37 min. 38 sec. East a distance of 209.26 feet;

THENCE South 21 deg. 26 min. 13 sec. West a distance of 120.26 feet;

THENCE North 09 deg. 37 min. 38 sec. East a distance of 209.26 feet;

THENCE South 21 deg. 26 min. 13 sec. West a distance of 120.26 feet;

THENCE South 89 deg. 51 min. 42 sec. West a distance of 436.00 feet to a point in the west line of said Chadwick Farms, Ltd. Tract;

THENCE North 89 deg. 51 min. 42 sec. East along the west line of said Chadwick Farms, Ltd. Tract, a distance of 304.00 feet to the POINT OF BEGINNING, containing 342.57 square feet or 7.859 acres of land.

THIS DOCUMENT WAS PREPARED FOR EXHIBIT PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY AND SHOULD NOT BE RECORDED FOR ANY PURPOSE.

PREPARED BY:
GOODWIN MARSHALL
CIVIL ENGINEERS - PLANNERS - SURVEYORS
2406 Mustang Drive, Grapevine, TX 76051
Metro (817) 329-4373
TBPLS FIRM No. 10021700

PROPERTY EXHIBIT
SITUATED IN THE
LEWIS MEDLIN SURVEY, ABSTRACT No. 830
TOWN OF NORTHLAKE, DENTON COUNTY, TEXAS

Memo

To: Honorable Mayor and Town Council
From: Drew Corn, Town Administrator
cc: Shirley Rogers, Town Secretary
Nathan Reddin, Development Director
Date: March 23, 2017
Re: Proposed Planned Development Zoning for Pecan Square

At the December 8th Town Council meeting, Hillwood Communities presented a proposed concept plan for the development of tracts of land previously purchased from the Gibbs Family or currently under contract with Young Land and Cattle. Subsequent to that meeting, Hillwood has property owned by the Thompson Family under contract. The proposed master planned community will be a total of 1,200 acres south of FM 407. The Town Council also consented to the creation of a Municipal Management District (MMD) to assist in the financing of the public infrastructure. The MMD request will be discussed in more detail by Town staff after the Hillwood presentation.

On January 12th, Council held an extended workshop on a more detailed presentation on the Gibbs, Young and Thompson property and the proposed temporary wastewater treatment plant (WWTP) or package plant. At the January 30th meeting, Council approved a memo of understanding with Hillwood for the construction of the WWTP with intent to fund and build the ultimate sewer trunk line. On March 9th, Council again heard from Hillwood Communities as they presented their concept for the Gibbs, Young and Thompson Tract development now known as Pecan Square.

For your review, is the draft zoning ordinance. Although there is a scheduled public hearing on the Young property due to the purchase contract for the Thompson property and a revised zoning boundary for the Gibbs property, Hillwood has asked that the public hearing be continued to the April 13th Council meeting so that the Thompson tract can be properly noticed and all three properties can be rezoned in one Council meeting. Council will have over three weeks to review the proposed zoning ordinance and provide comments to staff. No action will occur at the March 23rd meeting on the Pecan Square development.

Also scheduled for Council consideration at the April 13th meeting is the developer agreement which will address the proposed developer-built infrastructure, the timing and funding of this infrastructure as it relates to the Town's master plans and appropriate impact fees.

Please contact me at 940.242.5701 if you have any questions or comments.

PLANNED DEVELOPMENT STANDARDS
PECAN SQUARE
TRACT

I. DEFINITIONS

1. Commercial Subdistrict means the area designated "Commercial" on the Concept Plan.
2. Concept Plan means either of the two concept plans attached as **Exhibit A**, as amended from time to time in accordance with Section III of this Ordinance. The boundaries of each subdistrict on the original Concept Plan are conceptual and are expected to change as the development plan and engineering details for the Property are finalized.
3. District means Northlake Municipal Management District No. 1, including any future expansions and any districts resulting from the subdivision of Northlake Municipal Management District No. 1.
4. EDM means the Engineering Design Manual, as amended following the fifth anniversary of the Town Council's adoption of this PD Ordinance.
5. Estate Subdistrict means the area designated "Estate" on the Concept Plan.
6. Lifestyle Subdistrict means the area designated "Lifestyle" on the Concept Plan.
7. Masonry means brick, stone, stucco, and hardiplank (cementitious fiberboard).
8. Mews lot means a lot accessed by an alley and fronting on an open space area rather than a street.
9. Mixed Use Subdistrict means the area designated "Mixed Use" on the Concept Plan.
10. Open space means the open space areas designated on the Open Space Plan and Concept Plan.
11. Open Space Plan means either of the two open space plans attached as **Exhibit B**, as amended from time to time in accordance with Section V of this Ordinance.
12. PD Ordinance means Ordinance No. __ creating this planned development district.
13. Pecan Square means the property shown on **Exhibit C**.
14. Property means the ____-acre tract of land described on **Exhibit D**.
15. Street Sections means **Exhibit E**.
16. Traditional Subdistrict means the area designated "Traditional" on the Concept Plan.
17. UDC means the Town of Northlake Unified Development Code, as amended following the fifth anniversary of the Town Council's adoption of this PD Ordinance.

II. EFFECTIVE DATE; APPLICABLE REGULATIONS; AMENDMENTS

1. Effective Date. This PD Ordinance shall become effective upon publication as required by law and upon HP Gibbs, LP or its designee acquiring ownership of the Property. If HP Gibbs, LP or its designee has not acquired ownership of the Property by December 31, 2017, this PD Ordinance shall become void and shall be of no further force or effect, and the preexisting zoning of the Property shall be automatically reinstated on the Property. [MODIFY FOR GIBBS]
2. Development and use of the Property shall comply with this PD Ordinance, the UDC, and the EDM, and any other applicable ordinance not specifically modified herein. In the event of a conflict between this PD Ordinance and any other applicable Town ordinances, this PD Ordinance shall control.
3. [An owner within the boundaries of this planned development district may apply for an amendment to the planned development regulations as to the property he/she owns without obtaining the consent of any other property owner within the planned development.]

III. CONCEPT PLAN; SITE PLANS

1. Development of the Property shall generally comply with the Concept Plan.
2. The following changes to the Concept Plan are minor and do not require Town approval: realignment of roadways, the size of each subdistrict provided the size does not change by more than 15 percent from the size of the subdistrict shown on the original Concept Plan attached to this PD Ordinance, changes to the configuration of the open space areas shown on the original Concept Plan a minimum of 15 percent of Pecan Square shall be used as open space. Open space areas shall be a minimum of 0.5 acres in size to satisfy the minimum 15 percent requirement. The amended Concept Plan shall satisfy all applicable regulations.
3. All changes to the Concept Plan that do not fall under Section III(2) shall require Town Council approval. This procedure is not considered a change in zoning, and no public hearing shall be required.
4. No site plan approval shall be required for any development within the Property other than non-residential development (excluding amenity centers and any uses within an open space area). For non-residential development, site plan approval shall be required in accordance with Section 12.15 of the UDC, and the criteria for approval shall be that the site plan demonstrates compliance with this PD Ordinance.
5. With the exception of the approvals required by this Section III, no other concept plan, site plan, development plan, landscaping plan or other plan approvals of any kind are required except in connection with the standard building permit review and approval process.

IV. BASE ZONING DISTRICTS; PERMITTED USES

1. Lifestyle, Traditional, and Estate Subdistricts. The base zoning district for the Lifestyle, Traditional, and Estate Subdistricts shall be the "MU" Mixed Use Zoning District. Permitted uses shall be limited to agricultural uses, single family detached homes, parks, public primary and secondary schools, a public school stadium, and sports facilities, all of which are permitted by right.

2. Commercial Subdistrict. Permitted uses shall be all principal and accessory uses which are allowed by right in the "C" Commercial Zoning District, in accordance with Table 5.2 of the UDC. In addition, agricultural uses are permitted by right. A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the "C" Commercial Zoning District, in accordance with Table 5.2 of the UDC.
3. Mixed Use Subdistrict. Permitted uses shall be all principal and accessory uses which are allowed by right in the "MU" Mixed Use Zoning District, in accordance with Table 5.2 of the UDC, including but not limited to single family detached and single family attached homes, except as follows: agricultural uses, public primary and secondary schools, a public school stadium, and sports facilities are permitted by right, and multifamily and duplex uses are prohibited. A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the "MU" Mixed Use Zoning District, in accordance with Table 5.2 of the UDC.
4. Accessory Uses. All uses that are customarily incidental to the main use on the same platted lot shall be permitted as accessory uses. Accessory uses may include agricultural uses, including in connection with an amenity center. In addition, the following accessory uses identified in the UDC are permitted subject to any restrictions in the UDC that are applicable to these uses: accessory buildings, accessory dwellings, basic utilities, home occupations, and outdoor recreation areas (lighted).
5. Temporary Uses. Temporary uses, including construction offices and temporary concrete/asphalt batching plants, shall be permitted in accordance with Section 5.12 of the UDC. Model homes are permitted by right.

V. OPEN SPACE

1. Development of the Property shall generally comply with the Open Space Plan. The following changes to the Open Space Plan are minor and do not require Town approval: changes to the configuration of the open space areas shown on the original Open Space Plan provided a minimum of 15 percent of Pecan Square shall be used as open space. Open space areas shall be a minimum of 0.5 acres in size to satisfy the minimum 15 percent requirement. All other changes to the Open Space Plan shall require Town Council approval. This procedure is not considered a change in zoning, and no public hearing shall be required.
2. The following improvements are permitted within the open space: landscaping, hardscaping, an amenity center, the existing arena and barn, fountains, ponds, lakes, lighting, signage related to the open space, fencing, trails, pavilions, swimming pools, playground equipment, and similar improvements that are customarily found in parks and open spaces. A wastewater treatment plant is also permitted within open space, but shall not count towards the minimum open space requirement.
3. The following uses are permitted within open space: passive and active recreational uses, meeting space and offices within the existing arena and barn, community gardens, other agricultural uses, one or more amenity centers, food truck or other food and entertainment vending operations, fireworks on national holidays, and similar uses.
4. Open space shall be owned and maintained by a home owners association or the District.

5. With the exception of controlled access areas, including but not limited to the amenity center, pool areas, and any buildings, open space shall be open to the general public.
6. Open space may include: playground equipment for small children; multiple purpose hard surfaced play areas; space for court games, such as basketball, tennis, volleyball and in-line hockey; playfield space for non-organized competitive games such as baseball, football or soccer; picnic tables and grills; restrooms; and drinking fountains and sitting areas.
7. The Open Space Plan shall be deemed to fully satisfy all of the Town's requirements for park land dedication, payment of park fees including any fees in lieu of dedication, and private open space.
8. The requirements in this Section V shall be the exclusive open space requirements applicable to the Property. Without limiting the foregoing, Sections 9.6 through 9.9 of the UDC shall not apply.

VI. DEVELOPMENT STANDARDS

1. Residential. Development of the Lifestyle, Traditional, and Estate Subdistricts shall comply with Table 1 below. The following shall comply with the Estate Subdistrict development standards: an amenity center, any modifications to the existing arena and barn, a school, a stadium, and a sports facility. The maximum residential density shall be below three units per gross acre within the Pecan Square property. The requirements in this Section VI are the exclusive lot size, setback, building height, lot coverage, roof pitch, dwelling size, and masonry requirements applicable to the Lifestyle, Traditional, and Estate Subdistricts.
2. Commercial. The Commercial Subdistrict shall be developed in accordance with the rules applicable to the "C" Commercial Zoning District, except as otherwise modified by this PD Ordinance.
3. Mixed Use. The Mixed Use Subdistrict shall be developed in accordance with Section VI(1) above for residential development and Section VI(2) above for non-residential development. In addition, the mixed use development standards in Section 5.9(D) of the UDC shall apply to non-residential development in the Mixed Use Subdistrict. For single family attached development in the Mixed Use Subdistrict, Table 2 below. The maximum residential density shall be below three units per gross acre within the Pecan Square property. The requirements in this Section VI are the exclusive lot size, setback, building height, lot coverage, roof pitch, dwelling size, and masonry requirements applicable to single family attached uses.
4. Gas Well Setbacks. All future developments adjacent to an existing oil or gas well site shall observe the following setbacks, which shall be the exclusive setback requirements for new development near a gas well, gas pipeline, or any related improvements regardless of any conflicting provisions in the UDC, the Town's building and fire codes, or any other provision of the Town's Code of Ordinances:
 - a. A minimum 150 feet of separation shall be required from the well bore hole to any property line shall be required.
 - b. A minimum 300 feet of separation shall be required from the well bore hole to the

closest buildable portion of a lot.

- c. A minimum 20 feet of separation shall be required from any gas well collection pipe line to the closest buildable portion of a lot.

5. Notwithstanding anything to the contrary in this Section VI, there shall be no story or height limit on an amenity center or the existing arena and barn, or for a stadium or sports facilities, including ancillary structures.

Table 1

Development Standard	Lifestyle Subdistrict		Traditional Subdistrict			Estate Subdistrict
Minimum Lot Width	40'	50'	50'	60'	70'	100'
	(Rear Entry)					
Minimum Lot Depth	90'	110'	115'	115'	125'	200'
Minimum Front Yard Setback	10'	20'	20'	20'	20'	25'
Minimum Side Yard Setback	10' spacing between homes on separate lots	5'	5'	5'	5'	10'
Minimum Rear Yard Setback	7.5'	10'	10'	10'	10'	20'
Porch Minimum Front Yard Setback	5'	12'	12'	12'	12'	12'
Front Porch Minimum Depth	4'	4'	4'	4'	4'	4'
Front Porch Maximum depth	5'	12'	12'	12'	12'	12'
Garage Minimum Front Yard Setback	N/A	20'	20'	20'	20'	25'
Garage Minimum Rear Yard Setback	7.5'	10'	10'	10'	10'	10'
Garage Minimum Side Yard Setback	10' spacing between garages on separate lots	5'	5'	5'	5'	10'
Maximum Building/Structure Height	40'	40'	40'	40'	40'	40'
Maximum Number of Stories	2	2	2	2	2	2
Maximum Lot Coverage	65%	55%	55%	55%	55%	55%
Minimum Roof Pitch	8:12	6:12	6:12	6:12	6:12	6:12
Minimum Dwelling Size	1,300 SF	1,600 SF	1,700 SF	2,000 SF	2,200 SF	2,400 SF
Minimum Masonry % on Exterior of Residence (excluding porch floor, columns, and roof trim)	100%	100%	100%	100%	100%	100%
Maximum Size of Accessory Buildings (cumulative)	600 SF	600 SF	600 SF	600 SF	600 SF	600 SF
Maximum Building Area Occupied for Home Business/Home Occupation	600 SF	600 SF	600 SF	600 SF	600 SF	600 SF

Development Standard	Lifestyle Subdistrict		Traditional Subdistrict			Estate Subdistrict
Maximum % of Homes at Full Buildout per Product Type (per Concept Plan without high school)	50%	50%	50%	40%	10%	N/A
Max Units per Sub-District (per Concept Plan without high school)	1300		1850			
Maximum % of Homes at Full Buildout Per Product Type within each Subdistrict (Per Concept Plan with high school campus)	50%	50%	60%	35%	5%	N/A
Max Units per Subdistrict (per Concept Plan with high school campus)	1380		1200			N/A

Notes to Table 1:

1. Lot coverage is measured as the area covered by the roof of the residence and garage.
2. All wood must be stained or painted.
3. Swimming pools may be located in the required rear yard setback
4. Porch flooring is required to be masonry, concrete, or wood.
5. Porch columns are required to be masonry, wood, or fiberglass.
6. Porch roof trim is required to be wood, fiberglass, or masonry.
7. Roofing materials are required to be asphalt shingles, metal, slate, simulated slate, or tile.
8. Home businesses may be located above or within a garage and must be operated by the home owner.
9. The maximum lot coverage requirements substitute for the maximum impervious cover requirements in the UDC.
10. The front yard setback shall be measured from the street right-of-way to the front face of the building. Covered terraces, eaves, and roof extensions may project into the required front yard.
11. On corner lots, the front yard setback shall be required only along the street on which the home fronts.
12. Every part of a required side yard shall be open and unobstructed except for accessory buildings, fences, landscaping, and the ordinary projections of window sills, belt courses, cornices and other architectural features projecting not to exceed twelve inches into the required side yard, and roof eaves projecting not to exceed 24 inches into the required side yard.
13. Every part of a required rear yard shall be open and unobstructed to the sky from a point 30 inches above the general ground level of the graded lot, except for accessory buildings, fences, landscaping, and the ordinary projections of window sills, belt courses, cornices and roof overhangs and other architectural features projecting not to exceed 24 inches into the required rear yard.
14. Where lots have double frontage, running from one street to another, a required front yard setback shall be provided on both streets.
15. Alleys are permitted, but not required. Front entry, rear entry, j-swing, and side entry garages

are permitted.

16. A minimum of two enclosed parking spaces per dwelling unit shall be required.

17. The following residential architectural standards shall apply to the 40' single family lots in the Lifestyle Subdistrict: All residences shall include at least four of the following design features to provide visual relief along the front of the residence:

- Bay window
- Brick chimney on exterior wall visible from front of the home
- Cast stone accents
- A covered front porch
- Dormers
- Gables
- Variable roof pitch
- Shutters

Table 2

Development Standard	Single Family Attached
Minimum Lot Width	22'
Minimum Lot Depth	80'
Minimum Lot Size	1,760 SF
Minimum Front Yard Setback	None
Maximum Front Yard Setback	20'
Minimum Side Yard Setback (Corner)	None
Minimum Side Yard Setback (Interior)	None
Minimum Rear Yard Setback	None
Maximum Front Yard Setback for a Porch	12'
Minimum Porch Depth	4'
Maximum Porch Depth	12'
Garage Minimum Rear Yard Setback	3.5'
Garage Minimum Side Yard Setback	None
Maximum Building Height	50'
Maximum Number of Stories	2.5
Maximum Lot Coverage	100%
Minimum Roof Pitch	6:12
Minimum Dwelling Size	1,200 SF
Minimum Masonry % on Exterior of Residence (excluding porch floor, columns, and roof trim)	100%
Maximum Number of Single Family Attached Homes	350

Notes to Table 2:

1. Lot coverage is measured as the area covered by the roof of the residence and garage.
2. All wood must be stained or painted.
3. Swimming pools may be located in the required rear yard setback
4. Roofing materials are required to be asphalt shingles, metal, slate, simulated slate, or tile.

5. The maximum lot coverage requirements substitute for the maximum impervious cover requirements in the UDC.
6. The front yard setback shall be measured from the street right-of-way to the front face of the building. Covered terraces, eaves, and roof extensions may project into the required front yard.
7. On corner lots, the front yard setback shall be required only along the street on which the home fronts.
8. Every part of a required rear yard shall be open and unobstructed to the sky from a point 30 inches above the general ground level of the graded lot, except for accessory buildings and landscaping as permitted and the ordinary projections of window sills, belt courses, cornices and roof overhangs and other architectural features projecting not to exceed 24 inches into the required rear yard.
9. Where lots have double frontage, running from one street to another, a required front yard setback shall be provided on both streets.
10. All single family attached residences shall have a rear entry garage. A minimum of one enclosed parking space per dwelling unit shall be required.

VII. DESIGN STANDARDS

1. The design standards in Section 9.5 of the UDC shall apply except as provided in this Section VII.
2. The sole design standards applicable to residential development shall be the masonry requirements of Table 1 and Table 2 above and the following:
 - a. Garages.
 - i. Garage doors must be recessed a minimum of 12 inches from the garage face.
 - ii. Garage doors shall contain at least three of the following enhancements: shed roofs; faux cedar/wood clad doors; double doors; windows; decorative hardware and lights; and reveals/texture.
 - iii. No more than four homes in a row may have garages parallel to and facing the street.
 - iv. Detached garages are permitted.
 - v. The minimum garage dimensions for a two-car garage shall be 20 feet by 20 feet.
 - b. Driveways. All driveways must accommodate the off-street parking of two vehicles without blocking the sidewalk. Driveways shall transition to 12 feet at the street to reduce impervious cover. Driveways shall be constructed without altering drainage swales. Concrete driveways within the right-of-way shall be a minimum of 3,000 PSI concrete with #4 rebar on a 12-inch grid pattern.

VIII. LANDSCAPING, BUFFERS, SCREENING

1. The landscaping and tree preservation requirements of Section 9.10 of the UDC, and the

screening and fencing requirements of Section 9.11 of the UDC, shall apply except as follows:

- a. Landscape buffers, setbacks, and materials along streets shall comply with the Street Sections in lieu of the UDC requirements. Section 9.11.B.1.a of the UDC shall not apply.
- b. One street tree shall be required per residential lot. Street trees along residential streets may be located in the parkway provided the planting does not interfere with utilities or visibility.
- c. Section 9.11.A.3.g of the UDC shall not apply
- d. Section 9.11.A.3.j of the UDC shall be modified to read as follows: Fences for double frontage lots or corner lots adjacent to a street shall be located at least ten feet from the right-of-way line.
- e. Section 9.11.A.3.k of the UDC shall be modified to read as follows: If a corner lot is adjacent to a subdivision's screening wall, a fence may be constructed at least ten feet from the right-of-way line connect with the screening wall.
- f. Development shall comply with the FM 407 setback, landscaping, and fencing exhibit attached as **Exhibit F**.
- g. All required residential landscaping shall be installed by the home builder prior to occupancy of the residence.
- h. Landscaping for residential lots shall consist of drought-tolerant plants. Bermuda will be allowed as a drought-tolerant turf on residential lots. St. Augustin grass is prohibited. At least 50 percent of the available pervious portion of the front yard and corner yard on residential lots must have landscape bed coverage and include shrubs, ornamental grasses, perennials, vines, and ground cover. For purposes of this provision, the front yard means the area within the required front yard setback, and the corner yard means the area within the required street side setback. All shrub beds in the front and corner yard must be fully prepped with compost material and top dressed with a two inch to four inch later of shredded hardwood mulch. Acceptance by the Town shall not be delayed until ground cover is established.
- i. Colored mulch is prohibited.
- j. No other landscaping requirements (including right-of-way landscaping requirements in Sections 7.01-7.05 of the EDM), screening requirements, or fencing requirements shall apply.

IX. STREETS

Development shall comply with the Street Sections. For street types that are not shown on the Street Sections, compliance with standard Town requirements shall be required.

X. SIGNS

[MODIFICATIONS TO SIGN REGULATIONS TO BE PROVIDED]

XI. MISCELLANEOUS

1. All retaining walls not installed by the developer or subdivider shall be (a) constructed and maintained by the owner on the high side; (b) designed so that the face of the retaining wall is on the property line; (c) engineered by a licensed professional engineer if the wall exceeds four feet in height; (d) designed to locate two inch diameter weeps at ten feet on center with weep holes that are three inches above the low side finish grade, cut flush and painted to match the stone; (e) designed to provide a gravel drain pocket and fountain stone per the geotech and engineer's recommendation; (f) designed so that the top of the wall remains flush with the high side finish grade; and (f) designed to allow a high side lot to drain on a low side lot for no more than one lot.
2. In general, block lengths along minor or secondary streets shall not exceed 2,000 feet, and along major streets shall not exceed 2,500 feet. There shall be no minimum block length. For purposes of this provision, major street shall be FM 407, Cleveland-Gibbs, Mulkey, and any collector (as shown in the Street Sections). All other roads shall be considered minor or secondary streets for purposes of this provision.
3. Every lot shall be provided with adequate access to a public street, either by direct frontage on such street, or by public access easement approved by the Town Council; however, mews lots may be served by an alley with a minimum width of 20 feet. Rear and/or side driveway access to FM 407, Cleveland-Gibbs, and Mulkey shall be permitted.
4. The developer or subdivider shall construct all required sidewalks other than those that will be located adjacent to the front or sides of residential lots.
5. No maintenance bond shall be required for the wastewater treatment plant operated by the District.
6. Early grading permits shall be permitted prior to approval of engineering plans at the risk of the developer or subdivider.
7. Building permits may be issued for a maximum of 20 percent of the lots on a platted phase prior to completion and acceptance of all improvements associated with the plat provided each lot for which an early building permit is issued has water service and can be accessed by an all weather road.
8. The Property may be served by a wastewater treatment plant owned and maintained by the District. The wastewater treatment plant may be located on the Property in the general location shown on the Concept Plan.
9. Water wells may not be drilled for the purpose of providing potable water; however, wells may be drilled for the provision of irrigation water, and effluent may be reused for irrigation. If effluent is used, all applicable state laws shall be followed.
10. The scope of any required traffic impact study shall be limited to studying and recommending roadway improvements within the boundaries of Pecan Square.

11. The maximum length of any cul-de-sac shall be the greater of 600 feet measured from the curb line of the intersecting street to the radius point of the turnaround or, 30 single family lots. The right-of-way radius shall be 50 feet and the curb radius 40 feet within the cul-de-sac turnaround. Cul-de-sac turnarounds are not required to be visible from the intersecting street.
12. In Table II-3 of the EDM, the minimum centerline radius for a residential roadway with a rate of superelevation of 0 shall be changed to 200 feet.
13. In Table II-7 of the EDM, (a) the maximum approach grade for all residential driveways shall be changed to 14 percent, as measured from the garage finished floor to the curb line of the intersecting street; (b) the minimum and maximum driveway throat width for a residential local street shall be eliminated; and (c) the minimum distance from a driveway to an intersection for a local residential street shall be changed to 25 feet, except at the intersection of a local residential street and FM 407, Cleveland-Gibbs, or Mulkey.
14. The following provisions in Section 7.03, Part VII Landscaping in the Public Right-of-Way, of the EDM shall not apply: Minimum landscape requirements will be established by the Town. An 8-inch wide concrete mow strip shall be installed between all planting beds and grassed areas. Only trees with a mature height less than 30 feet may be planted closer than 20 feet to either side of an overhead line. No trees shall be directly under utility lines.
15. Street lights shall be installed in all new subdivisions. For residential streets, street lights shall be installed at each intersection, at major curves, at end of cul-de-sacs, and at maximum intervals of 600 feet. The developer/subdivider shall pay the costs for all street lighting. Street light luminaries shall be high pressure sodium (HPS), metal halide (MH), or LED. Luminaires shall be mounted on poles at least 11 feet high as shown on standard details for street lights or as approved by the Town Administrator. Street lighting shall be designed to direct light down. Street light materials and design shall be determined by the developer or subdivider.
16. [The following provision in Section 1.2.2, Part III Drainage, of the EDM shall not apply: If existing channel velocities exceed six (6) feet per second, a maximum increase of ten percent in velocities will be allowed.]
17. Section 3.3 (General Design and Construction Standards, Single Family Lot Grading) of the EDM shall be modified to read in its entirety as follows: All single family lots shall be graded such that the building pads are higher than the street. Lots may be graded to allow drainage towards the adjacent lot and perpendicular to public rights-of-way or drainage easements provided drainage easements are provided for the swales.
18. Section 3.3 (General Design and Construction Standards, Minimum Pipe Sizes and Depths) of the EDM shall be modified to read in its entirety as follows: Minimum pipe sizes are 21" diameter for mains and 18" diameter for inlet leads. Minimum pipe size for lead liens to sag inlets shall be 21". Minimum depth of storm sewer from outside top of conduit to top of curb/pavement is 24 inches.
19. Drainage easements shall include a minimum of ten-foot (10') margin on both sides beyond actual top of bank for improved earthen channels. There shall be no restriction on locating

retaining walls within or adjacent to a drainage easement in order to reduce the easement width; however, the Town may require a geotechnical study and/or an underground drainage system design option prior to approval of retaining walls in a drainage easement.

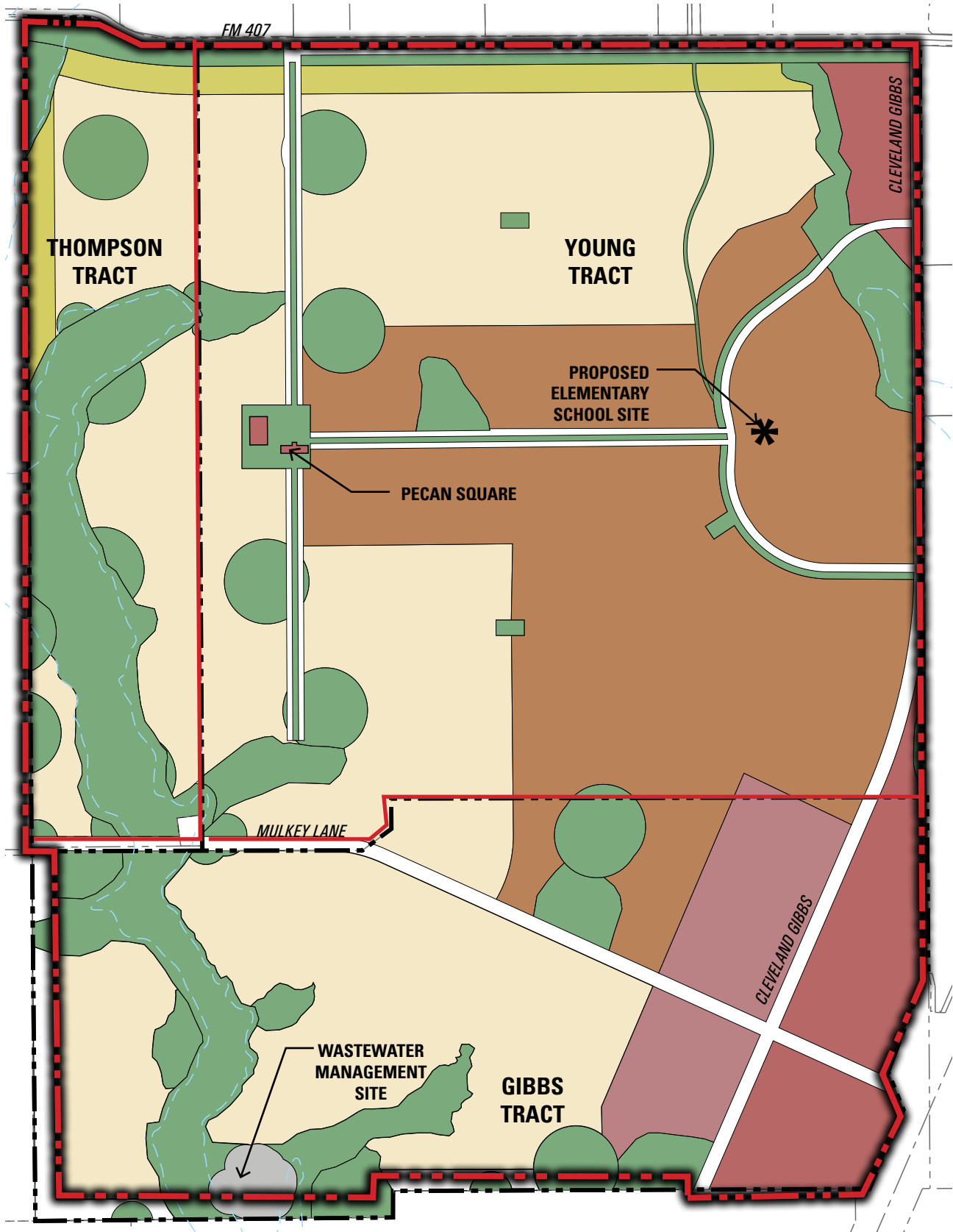
20. Section 26 of Appendix B, Private Development General Notes for Construction Plans, of the EDM shall be modified to read as follows: "Seed/sod shall be furnished to establish ground cover over all disturbed areas as an erosion control measure. The Contractor shall not wait until the completion of the entire project before doing this work." Acceptance of the project shall not be delayed based on compliance with this section.
21. The subdivision acceptance process shall be in accordance with the UDC and EDM in effect at the time of PD adoption.
22. Utility placement shall be as shown on the Street Sections.
23. Water and sewer services may cross open space areas to serve a mews lot.

XII. EXHIBITS

The following exhibits are attached hereto and incorporated into this PD Ordinance for all purposes:

Exhibit A	Concept Plan (Options 1 & 2)
Exhibit B	Open Space Plan (Options 1 & 2)
Exhibit C	Overall Pecan Square Development Boundaries (3 Tracts)
Exhibit D	Metes and Bounds Description and Depiction of the Property
Exhibit E	Street Sections
Exhibit F	FM 407 Setback, Landscaping, and Fencing Details

CONCEPT PLAN OPTION 1

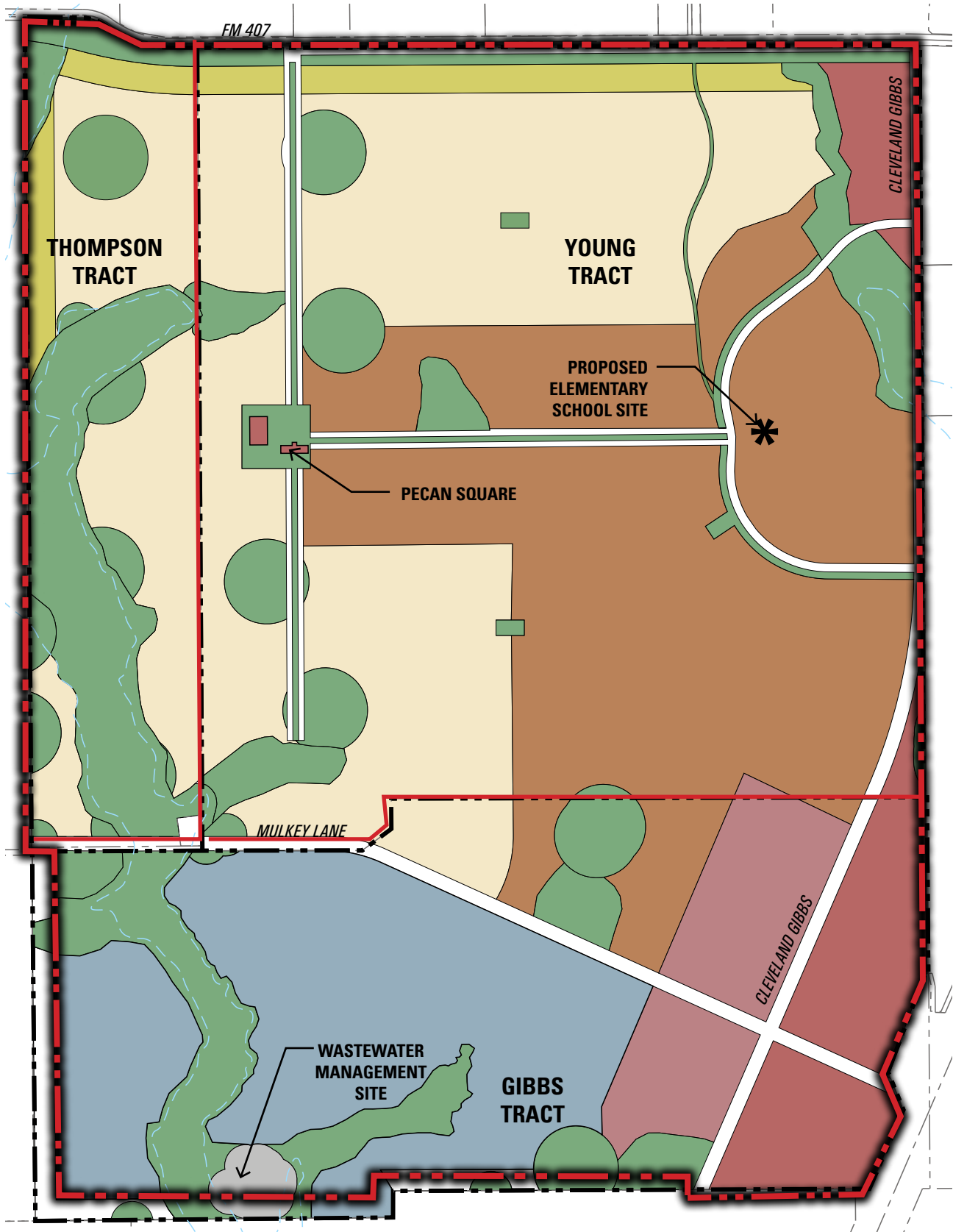


LEGEND	
SYMBOL	DESCRIPTION
	Traditional
	Estate
	Open Space
	Waste Water Management Plant
	Commercial
	Mixed Use
	Lifestyle

	Traditional
	Estate
	Open Space
	Waste Water Management Plant

Notes
- All locations of boundaries, land uses and roads are approximate.

CONCEPT PLAN OPTION 2



LEGEND

SYMBOL	DESCRIPTION
	Commercial
	Mixed Use
	Lifestyle
	Traditional

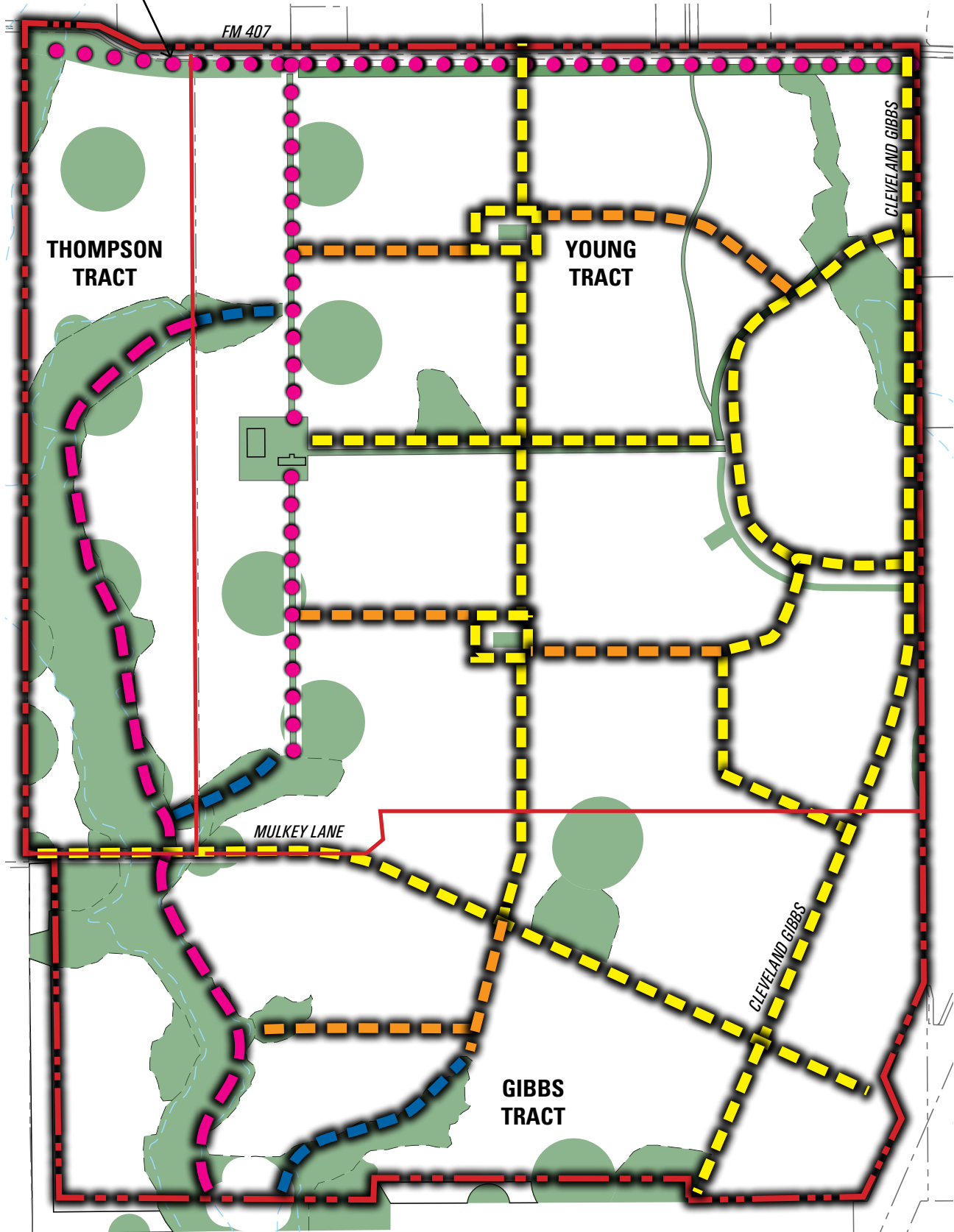
	Estate
	Open Space
	Waste Water
	Management Plant
	School Site

Notes

- All locations of boundaries, land uses and roads are approximate.

OPEN SPACE PLAN OPTION 1

FM 407 SETBACK
SEE EXHIBIT F



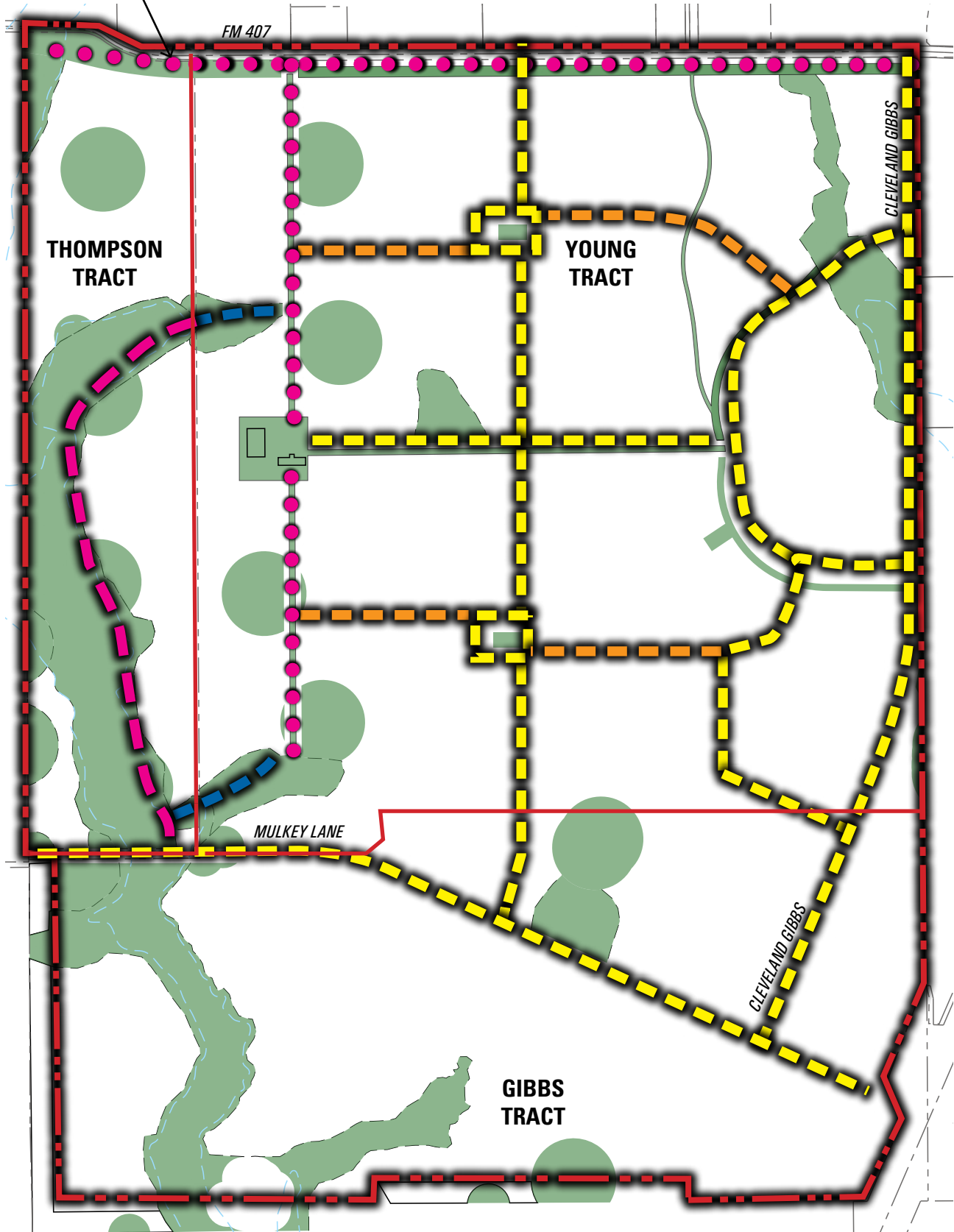
LEGEND

SYMBOL	DESCRIPTION
● ● ● ●	Farm Trail
— — — —	8' Sidewalk Trail (One Side of Street)
— — — —	6' Sidewalk Trail (One Side of Street)
— — — —	6' Park Trail

— — — —	12' Park Trail
— — — —	Open Space
Notes	
- All locations of boundaries, land uses and roads are approximate.	

OPEN SPACE PLAN OPTION 2

FM 407 SETBACK
SEE EXHIBIT F

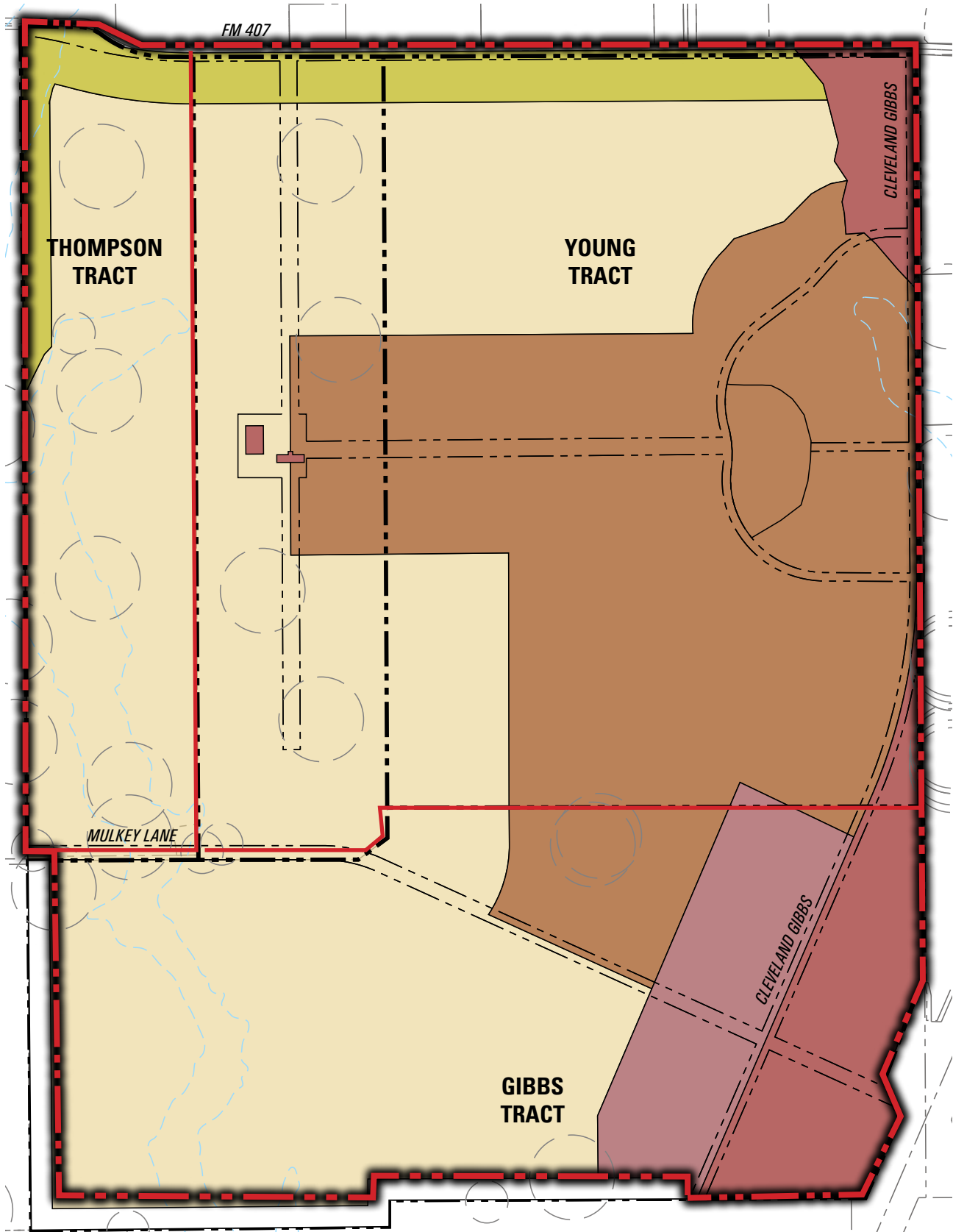


LEGEND

SYMBOL	DESCRIPTION
● ● ● ● ●	Farm Trail
— — — — —	8' Sidewalk Trail (One Side of Street)
— — — — —	6' Sidewalk Trail (One Side of Street)
— — — — —	6' Park Trail

— — — — —	12' Park Trail
— — — — —	Open Space
Notes	
- All locations of boundaries, land uses and roads are approximate.	

EXHIBIT C ZONING PLAN

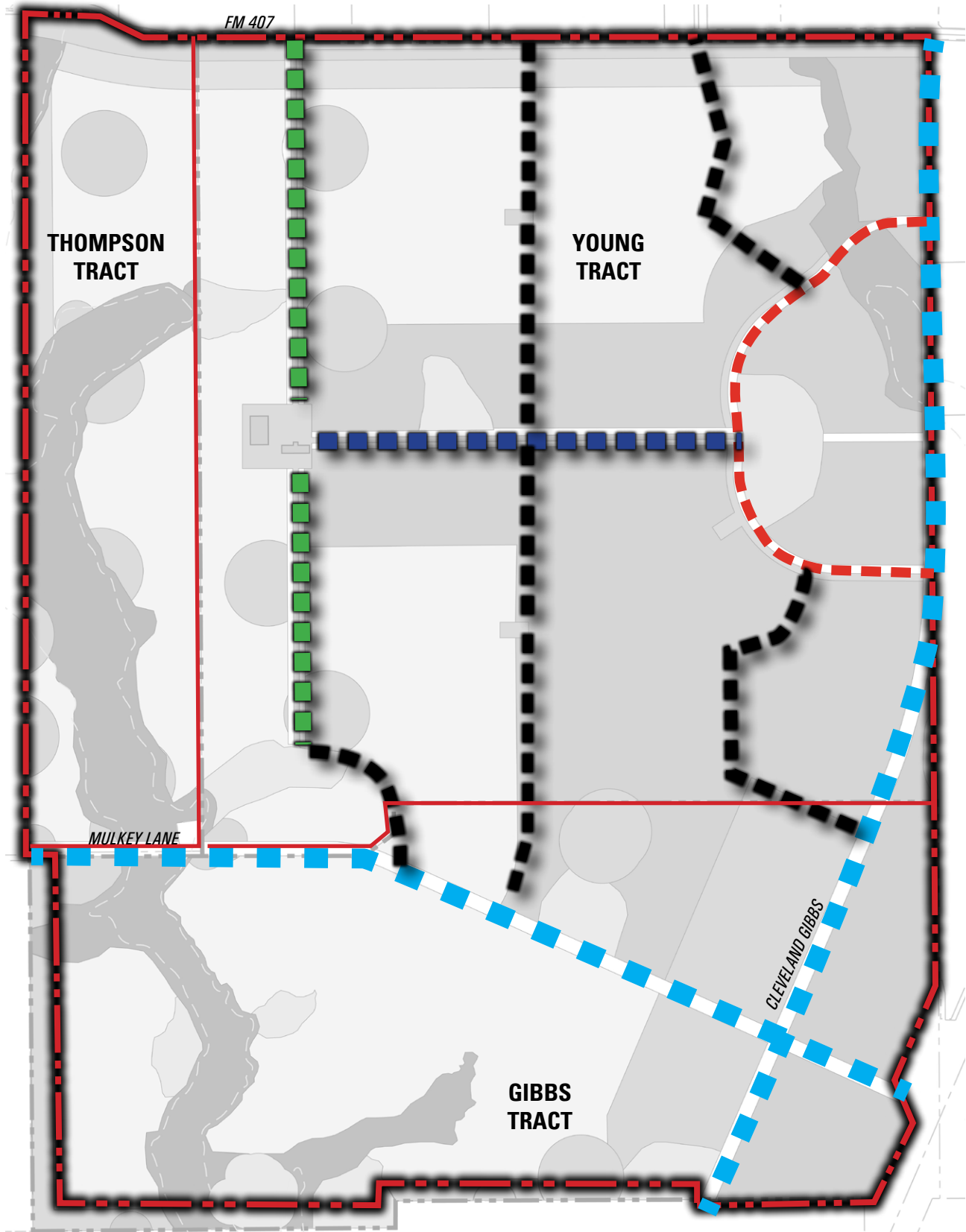


LEGEND

SYMBOL	DESCRIPTION
	Commercial
	Mixed Use
	Lifestyle

	Traditional
	Estate
Notes	
- All locations of boundaries, land uses and roads are approximate.	

EXHIBIT E-1 STREET NETWORK



LEGEND

SYMBOL	SECTION	STREET TYPE
	A	Cleveland Gibbs / Mulkey (100' ROW)
	B	Pecan Street
	C	Elm Esplande
	D	Collector (60' ROW)

	E	Residential Connector (64' ROW)
	F	Residential Street
	G	Alley Street

Notes

- All locations of boundaries, land uses and roads are approximate.

PECAN SQUARE DEVELOPMENT BOUNDARIES

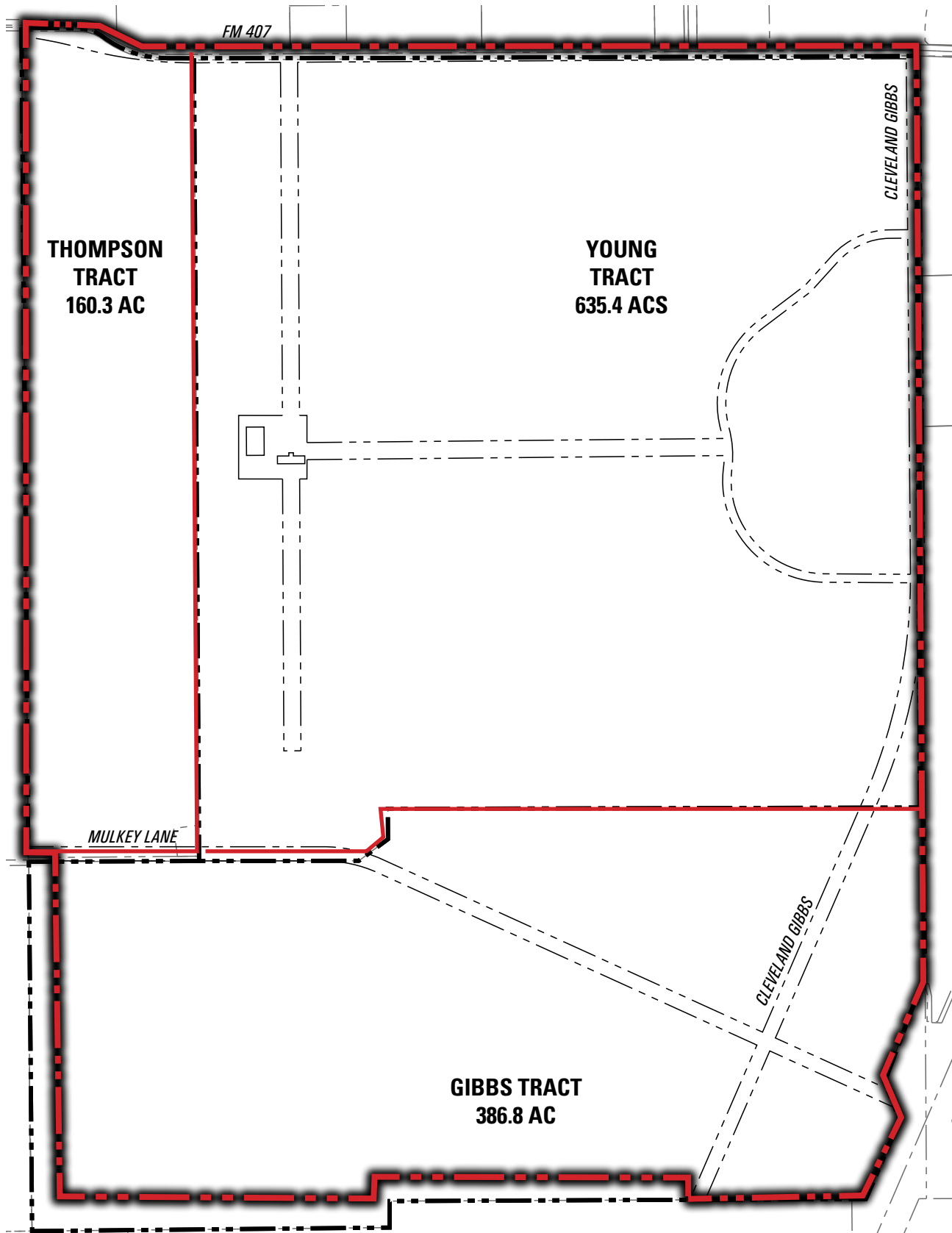
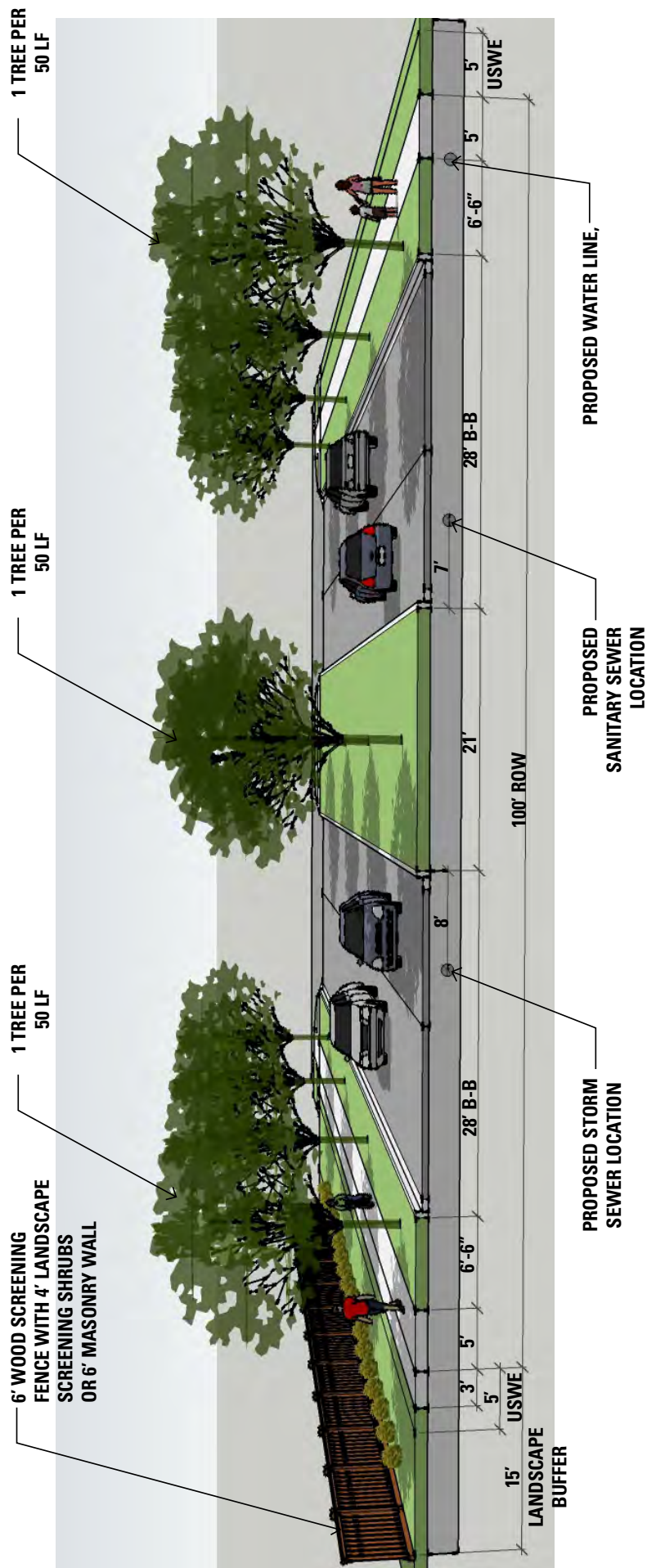
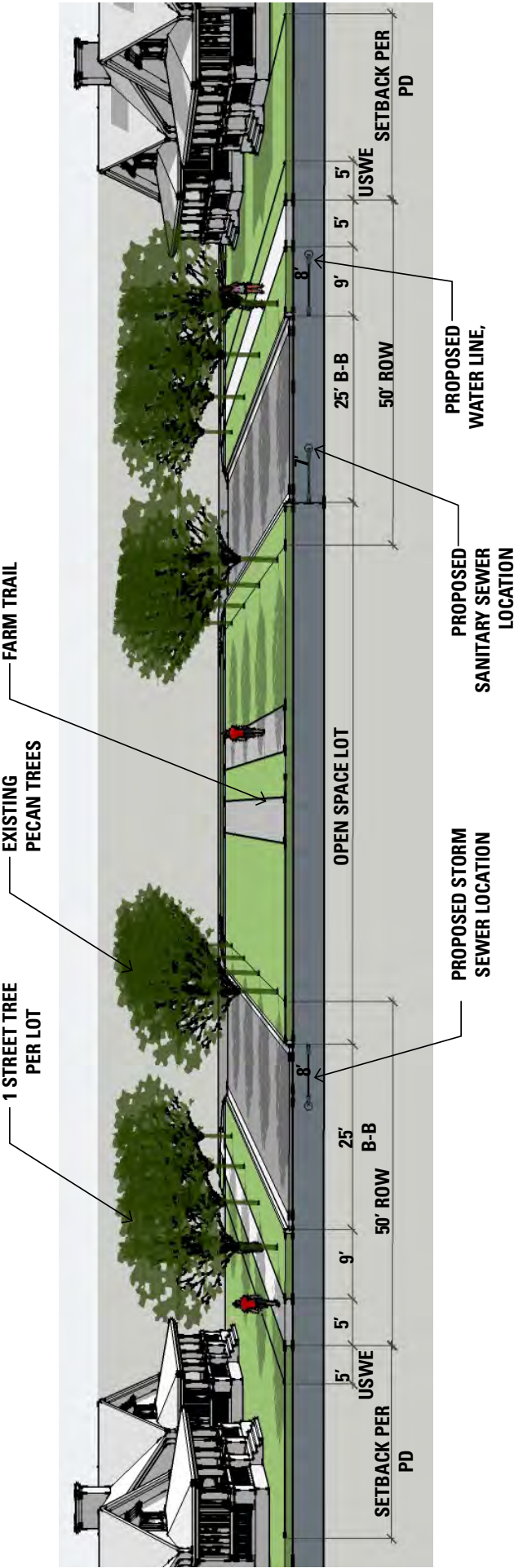


EXHIBIT E-2 (SECTION A)
CLEVELAND GIBBS/MULKEY



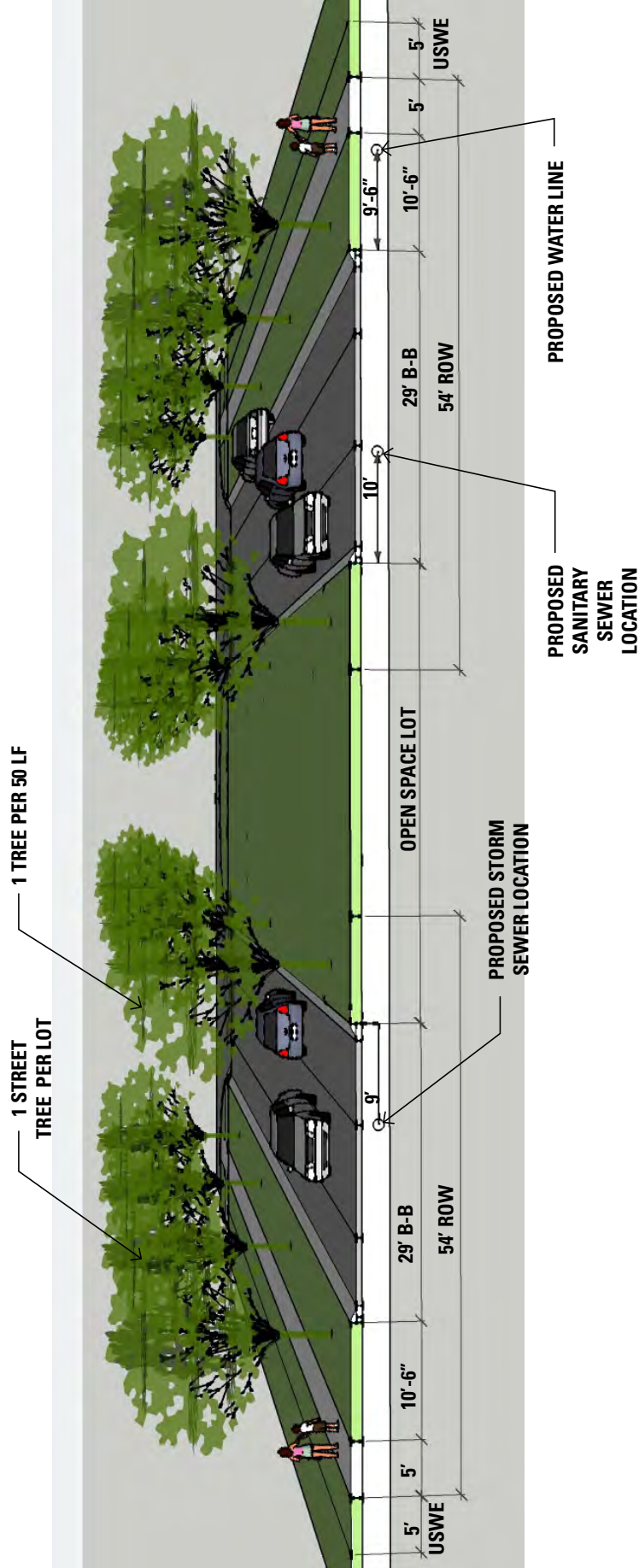
*ALL TREES TO BE CENTERED BETWEEN CURB AND SIDEWALK
** LANDSCAPE BUFFER ONLY REQUIRED TO ADJACENT SINGLE FAMILY OR COMMERCIAL WITHIN TOWN LIMITS
***SHRUBBERY SIDEWALKS, GROUND COVER AND TRAILS ARE ALLOWED WITHIN THE UTILITY AND SIDEWALK EASEMENTS (USWE)

EXHIBIT E-3 (SECTION B)
PECAN STREET



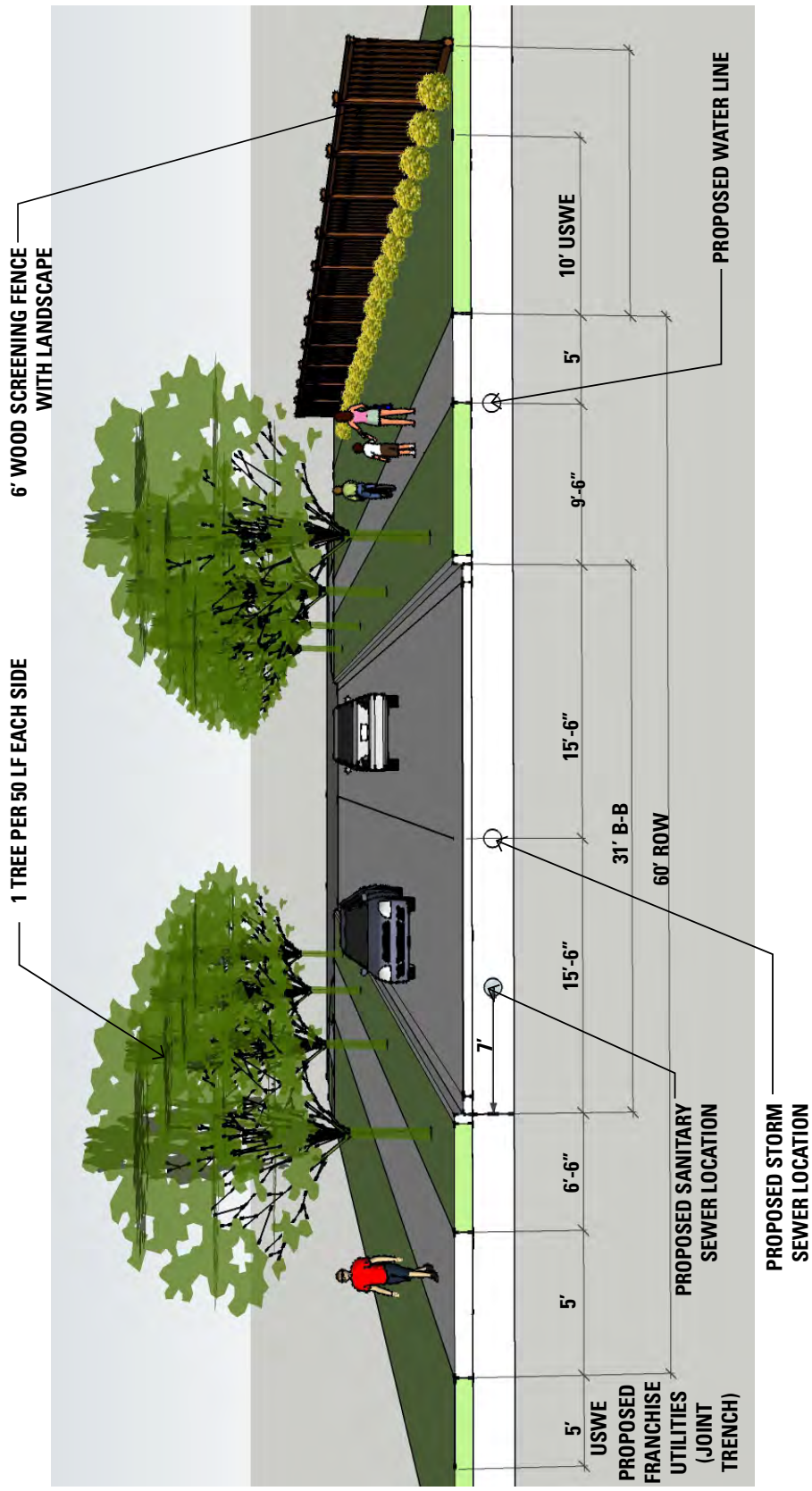
*ALL TREES TO BE CENTERED BETWEEN CURB AND SIDEWALK
**SHRUBBERY SIDEWALKS, GROUND COVER AND TRAILS ARE ALLOWED
WITHIN THE UTILITY AND SIDEWALK EASEMENTS (USWE)

EXHIBIT E-4 (SECTION C)
ELM ESPLANDE



*ALL TREES TO BE CENTERED BETWEEN CURB AND SIDEWALK
**SHRUBBERY SIDEWALKS, GROUND COVER AND TRAILS ARE ALLOWED
WITHIN THE UTILITY AND SIDEWALK EASEMENTS (USWE)

EXHIBIT E-5 (SECTION D)
COLLECTOR ROAD



*ALL TREES TO BE CENTERED BETWEEN CURB AND SIDEWALK
**SHRUBBERY SIDEWALKS, GROUND COVER AND TRAILS ARE ALLOWED WITHIN THE UTILITY AND SIDEWALK EASEMENTS (USWE)
*** PAVEMENT TO BE 36' WIDTH FOR 150' FROM THE CONNECTION POINT TO CLEVELAND GIBBS AND FM 407

1 TREE PER 50 LF

5' USWE

8' ONE SIDE PER OPEN SPACE PLAN

7'

17'

17'

9'

5' USWE

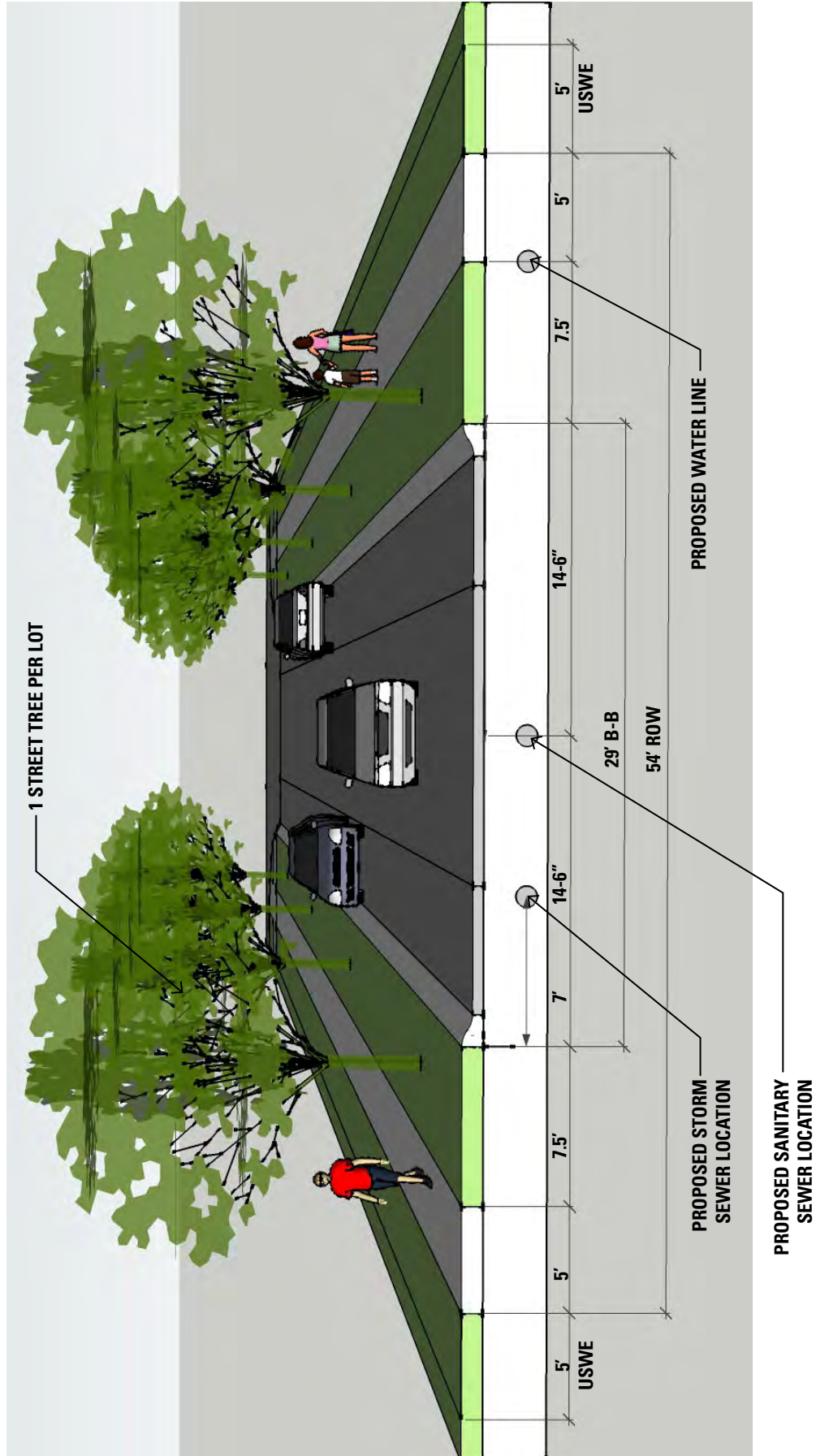
34' B-B

62' ROW

PROPOSED STORM

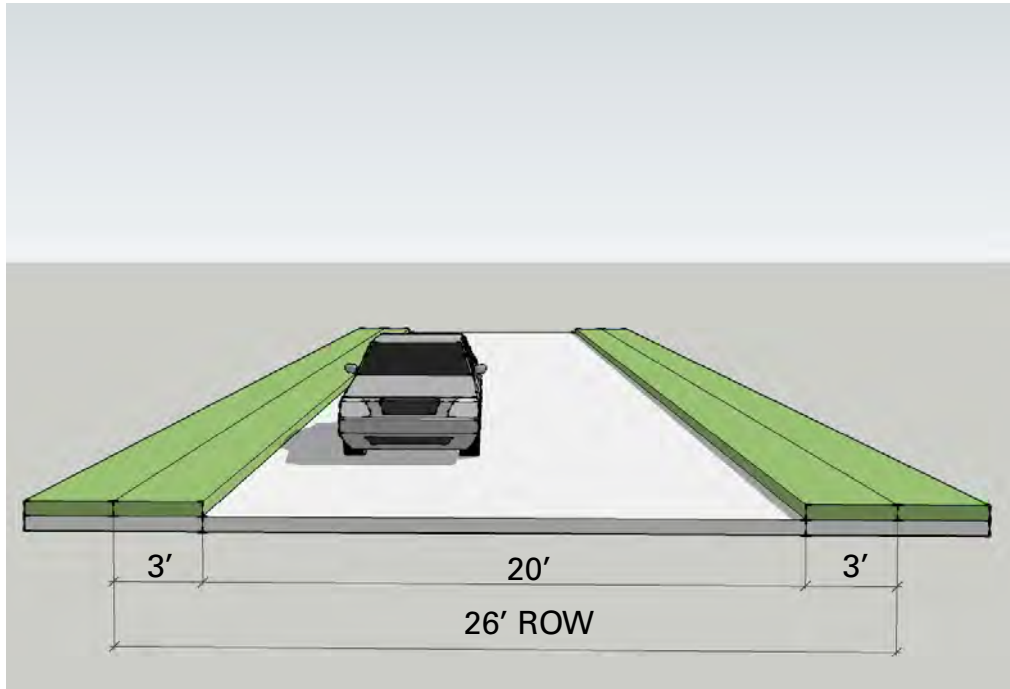
*** ALL TREES TO BE CENTERED BETWEEN CURB AND SIDEWALK**
****SHRUBBERY SIDEWALKS, GROUND COVER AND TRAILS ARE ALLOWED**
WITHIN THE UTILITY AND SIDEWALK EASEMENTS (USWE)
***** PAVEMENT TO BE 36' WIDTH FOR 150 FROM THE CONNECTION POINT**
TO CLEVELAND GIBBS AND FM 407

EXHIBIT E-7 (SECTION F) TYPICAL RESIDENTIAL STREET

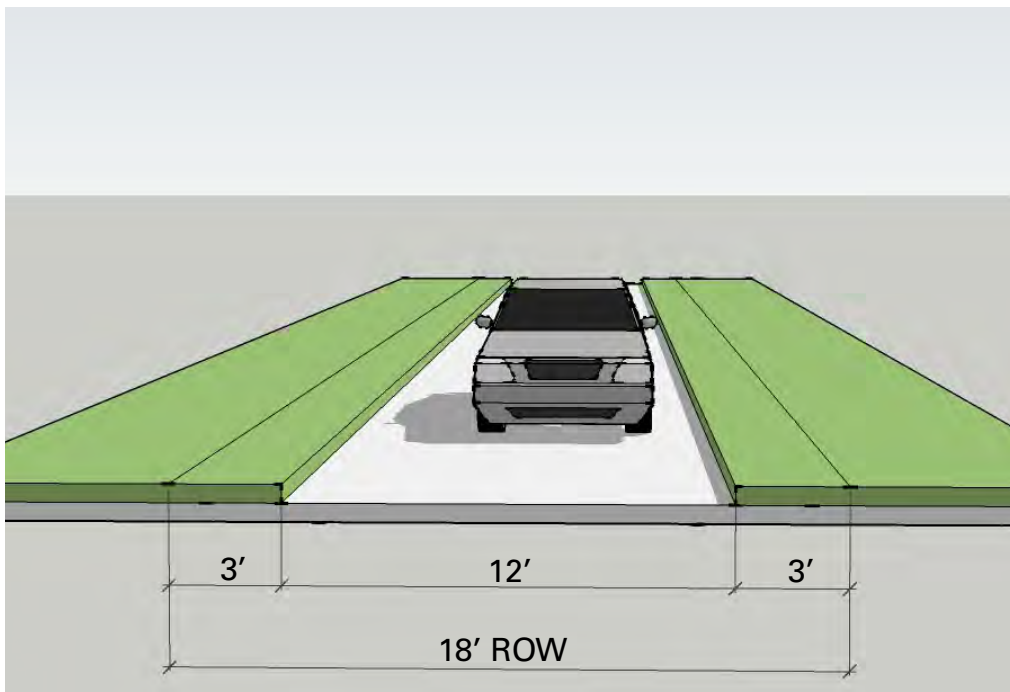


*ALL TREES TO BE CENTERED BETWEEN CURB AND SIDEWALK
 **SHRUBBERY SIDEWALKS, GROUND COVER AND TRAILS ARE ALLOWED
 WITHIN THE UTILITY AND SIDEWALK EASEMENTS (USWE)

EXHIBIT E-8 (SECTION G)
TYPICAL ALLEY SECTIONS



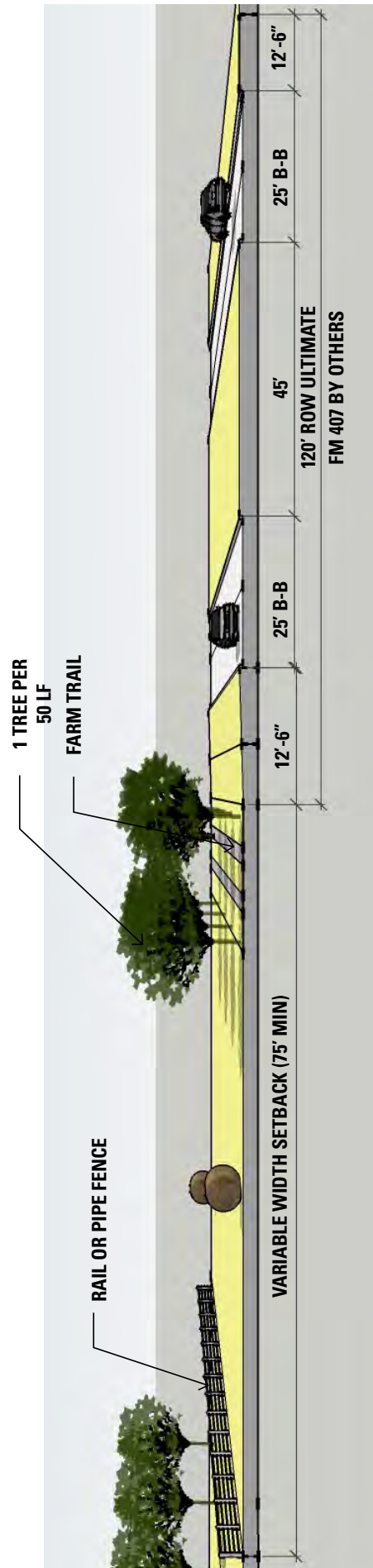
20' ALLEY (MEWS LOTS ONLY)

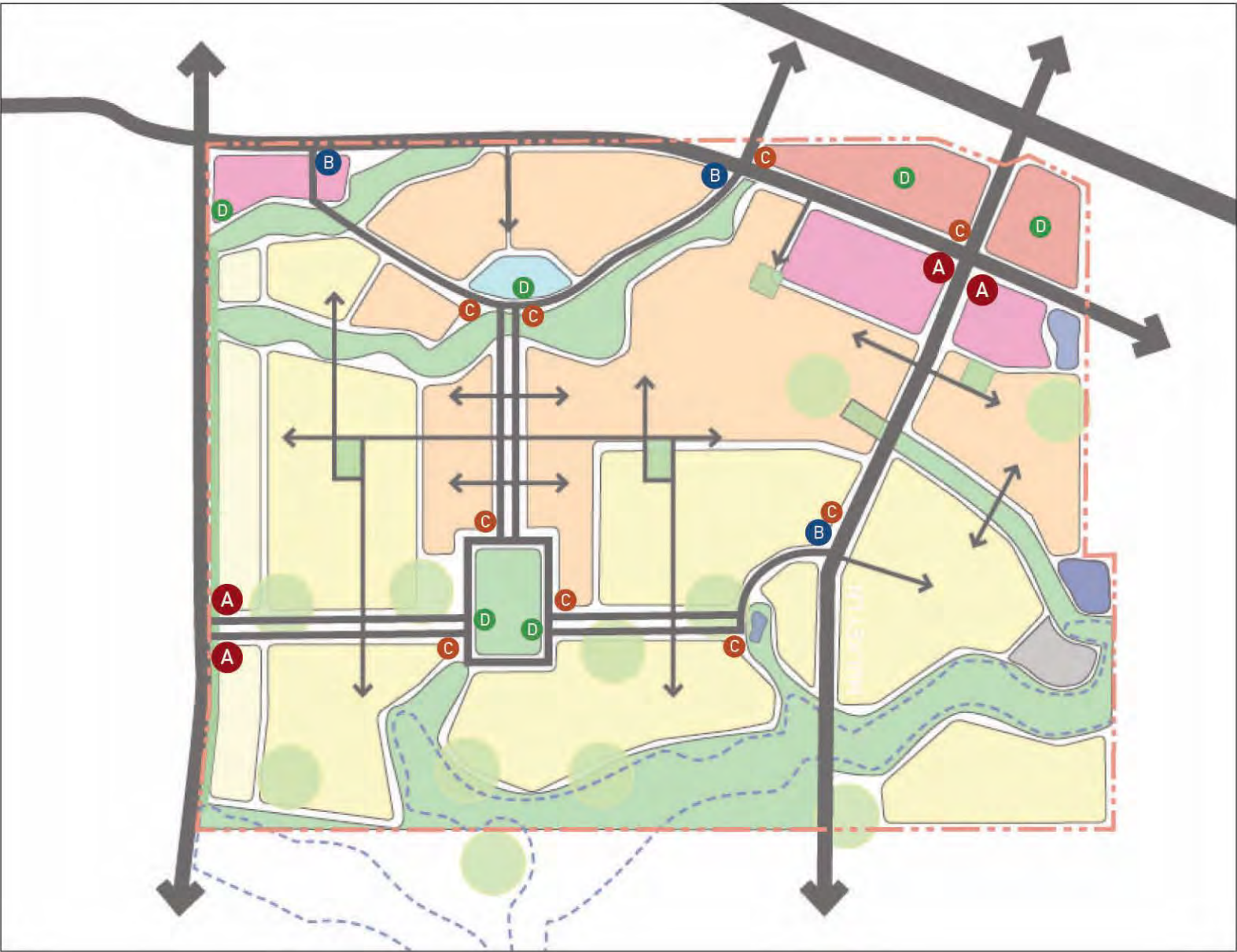


12' ALLEY

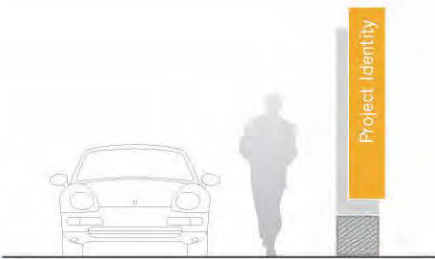
EXHIBIT F

FM 407 SETBACK AND LANDSCAPING





A SIGN A | Primary Identity Monumentation



B SIGN B | Secondary Identity Monumentation



C SIGN C | Vehicular Directional



D SIGN D | Building/Park Identity Monumentation



SIGN E | Pedestrian Directional/Directory*



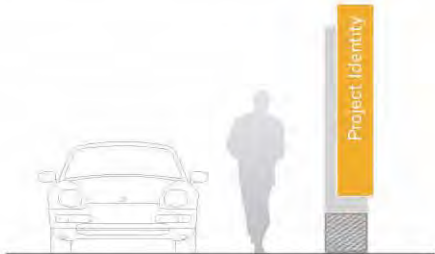
SIGN F | Pedestrian Directional*

* SIGNS NOT YET LOCATED

PECAN SQUARE | Sign Types Defined



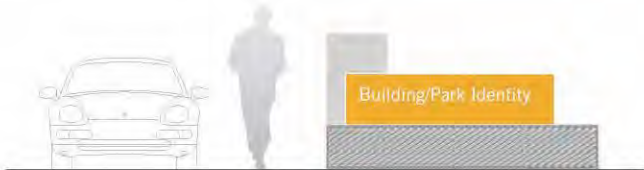
SIGN A | Primary Identity Monumentation



SIGN B | Secondary Identity Monumentation



SIGN C | Vehicular Directional



SIGN D | Building/Park Identity Monumentation



SIGN E | Pedestrian Directional/Directory*



SIGN F | Pedestrian Directional*

SIGN A | Freestanding identity monument installed at project entries. Material palette to include stone, painted metal, and wood as needed. Maximum height to be 18'-0" and width to be 30'-0"; Externally illuminated. Proposed Quantity: 4

SIGN B | Freestanding vertical identity monument installed at secondary entries. This sign intended to identify the project where a smaller footprint is needed. Material palette to include stone, painted metal, and wood as needed. Maximum height to be 12'-0" and width to be 10'-0"; Externally illuminated. Proposed Quantity: 3

SIGN C | Two-sided directional sign. All vehicular directional signs should be located to maintain sight lines along major circulation routes and should be well illuminated for visual clarity and safety. A singular and consistent font of upper and lower case characters should be used, individual tenant logo fonts are strongly discouraged. Copy not to exceed three (3) inches in height. Material palette to include stone, painted metal, and wood as needed. Maximum height to be 6'-0" and width to be 5'-0"; Externally illuminated. Proposed Quantity: 9

SIGN D | Freestanding building/park identity monument installed at noteworthy locations. This sign intended to identify the smaller destinations within the project. Material palette to include stone, painted metal, and wood as needed. Maximum height to be 6'-0" and width to be 12'-0"; Externally illuminated. Proposed Quantity: 6

SIGN E | Two-sided directional sign, text and directory graphic. Pedestrian directional signs and their supports should be used consistently throughout the development. A singular and consistent font of upper and lower case characters should be used, individual tenant logo fonts are strongly discouraged. Copy not to exceed 1.5 inches in height. Material palette to include stone, painted metal, and wood as needed. Maximum height to be 10'-0" and width to be 3'-0"; Externally illuminated. Proposed Quantity: TBD

SIGN F | Non-illuminated post-mounted directional for secondary locations with minimal available ground space. Material palette to include painted metal and wood as needed. Maximum height to be 10'-0" and width to be 3'-0"; Non illuminated. Proposed Quantity: TBD

* SIGNS NOT YET LOCATED

Memo

To: Honorable Mayor and Town Council

From: Karen Bolyard, Finance Director & Eric Tamayo, Public Works Director

cc: Shirley Rogers, Town Secretary
Drew Corn, Town Administrator

Date: March 23, 2017

Re: Updating of Utility Processes

Due to the increase in water customers the Utility Department is experiencing an increase in disconnect for non-payment notices per month. On average there are 27 disconnect notices that are produced each month with 14 of the notifications being mailed to delinquent builder accounts and 13 being hand delivered by utility staff members to the residents.

Due to the increased volume Town staff would like to mail disconnection notices to all customers instead of hand delivering notices or posting notices on the customer's door. Because of this desired change staff feels that the language in section 4 of ordinance 99-1111B, which regulates the process, needs to include language stating that notices are mailed.

When examining ordinance 99-1111B staff discovered a couple of errors concerning the monthly billing processes contained in Section 4. The ordinance states that a late payment service charge of 10% per month of the unpaid bill will be applied to the bill but the original exhibit containing the fee schedule stated that the service charge is 5% per month. The 5% service charge has been carried forward through subsequent fee schedules including the current fee schedule contain in ordinance #15-0910C. In addition Section 4 of ordinance needs to be updated to reflect the changes contained in subsequent ordinances as delinquent charges are applied 15 days from the date of billing.

Staff would also like to update Section 3 which outlines the process utilized to calculate bills when defective meters have been discovered. The suggested process brings clarity to staff and the customer.

The suggested changes to ordinance 99-1111B and to the current cost recovery fee schedule are contained in the attached red-line document for your review. There is also a Late Notice-Disconnect notice for your review; currently we only send out a disconnection notice and no notice is given for being late with a payment.

If you have any questions or comments please contact Eric Tamayo at 940-242-5704 or myself at 940-242-5706.

ORDINANCE No. 99-1111B

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AN ORDINANCE REPEALING ORDINANCE NO. 97-113D BEING ARTICLE 11.200 OF THE CODE OF ORDINANCE OF THE TOWN OF NORTHLAKE, AND REPLACING IT WITH AN ORDINANCE PROVIDING A COST RECOVERY SCHEDULE FOR WATER AND WASTEWATER UTILITIES ACTIVITIES, AS DESCRIBED IN EXHIBIT "A"; PROVIDING A METHOD OF BILLING FOR DEFECTIVE METERS; ESTABLISHING A BILLING AND PAYMENT SCHEDULE; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Northlake has previously adopted Ordinance No. 97-1113D, being Article 11.200 of the Code of Ordinances of the Town of Northlake, which ordinance establishes a policy with reference to deposits on installation of water and sewer meters; implements water and sewer rates; sets connection fees for new water and sewer services; determines rates for sprinkler systems for fire protection; and provides a policy for handling delinquent and unpaid water and service accounts; and

WHEREAS, the Town Council has determined that it is in the best interest of the Town of Northlake to repeal such ordinance, and replace it with an ordinance providing a cost recovery schedule for water and wastewater utilities activities, as described in Exhibit "A", providing a method of billing for defective meters, and establishing a billing and payment schedule;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS:

SECTION 1

Ordinance No. 97-1113D of the Town of Northlake is hereby repealed and replaced with the ordinance as herein established.

SECTION 2

The Town of Northlake cost recovery schedule for water and wastewater utilities activities shall be established in accordance with the charges and fees listed in Exhibit A.

SECTION 3

If during any billing period, a meter stops or becomes defective, thereby failing to accurately register water consumption during that period, the following procedure will be followed in order to provide a reasonable and just billing.

- a) ~~The two previous months' consumptions will be added to the consumption for the previous year's billing for the month in question.~~ result of a calculation using the average of the most recent six months of consumption shall be used as the consumption amount for the billing period in questions.
- b) ~~The resulting total will be averaged, and that figure will be used as the consumption for the billing period in question.~~
- c) If the account in question has no billing history, a minimum billing (identified as an estimated bill) will be sent, and
 1. Consumption for the next three (3) consecutive months will be averaged.
 2. The original estimated bill will be adjusted so ~~as not to be less than the three month average, that the estimated bill equals the three (3) month average, and if the adjustment is larger than a minimum bill, the customer will be billed the difference.~~
 3. If the original estimated bill is less than the final adjusted averaged bill then the customer will be liable for the difference and if the original estimated bill is more than the adjusted averaged bill then the customer's utility account will receive a credit for the difference.

SECTION 4

The meters of water customers shall be read monthly. Monthly billings for both water and sewer services shall be rendered promptly thereafter and shall become delinquent ten (10) days from the date of billing. If said charges are not paid on or before ~~forty (40)~~fifteen (15) days from date of billing, a service charge ~~of ten (10%) per month on the unpaid amount~~ will be added to the bill. If said charges are not paid on or before ~~forty five (45)~~twenty five (25) days from date of billing, both water and sewer services shall be discontinued and neither such service shall be resumed until all said charges, plus the applicable reconnection charges for resumption of water service, are paid in full. If sewer-only service must be physically disconnected, the cost of labor and equipment plus thirty percent (30%) for resumption of service will be charged to the customer.

Utility bills and disconnection notices are mailed to the customer on or before the last day of each month. Failure to receive a bill or disconnection notice does not alleviate a customer from the liability of charges for services rendered, late penalties, reconnection fees or any other water and sewer related charges.

SECTION 5

Any person, firm, association of persons, corporation, or other organization violating the provisions of this ordinance shall be deemed to be guilty of a misdemeanor and, upon conviction, shall be fined an amount not to exceed \$2,000.00 per offense. Each day that a violation continues shall be deemed a separate offense.

SECTION 6

It is hereby declared to be the intention of the Northlake Town Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgement or decree of any court or competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since same would have been enacted by the Town Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 7

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the Town or Northlake, and this ordinance shall not operate to repeal or affect the Code of Ordinances of the Town of Northlake or any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such Code of Ordinances or any other ordinances are hereby repealed.

SECTION 8

This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the state of Texas.

PASSED AND APPROVED on this 11 day of November, 1999.


Michael Savole, Mayor

ATTEST:

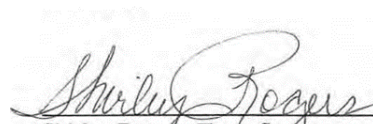

Shirley Rogers, Town Secretary



EXHIBIT "A"
COST RECOVERY FEE SCHEDULE

The original fee schedule contained in this document has been amended several times and, therefore, has been omitted from this document.

The current Cost Recovery Fee Schedule is contained in Article A4.00 "Water and Sanitary Sewer Service Fees" of ordinance 15-0910C and is contained below with the suggested change to Sec. A4.001(b) "Miscellaneous Fees"

(a) Miscellaneous fee.

- (1) Fire hydrant meter charges (all other uses): \$3,000 for deposit + \$100.00 per month rental + in-town commercial usage rate.
- (2) Failure to return fire hydrant meter for reading: \$250.00.
- (3) Water reconnect for nonpayment: \$125.00.
- (4) Water meter reread: One reread annually at no cost, then \$25.00 for each reread thereafter. Fee waived if mistake determined.
- (5) Late payment fee: ~~5%~~10% overdue balance per 15 days (\$10.00 min.).



Date

Re: Utility Courtesy Notification

Dear Customer;

We want to make you aware that we have not received your payment. If you have already paid the amount on this notice, please accept our thanks and disregard this notice. If you feel that your payment should have been received prior to this notice being sent, please contact us before the disconnection date listed below so that we may resolve the situation. You may reach a staff member by calling (940) 648-3290 Monday through Friday from 8:00 a.m. to 4:00 p.m.

If the amount showing on this notice has not been paid then please be aware that your water service will be disconnected if payment has not been received before 4:00 p.m. on _____. Payments may be made at Town Hall Monday through Friday from 8:00 a.m. to 4:00 p.m. After normal business hours, you may place payments in the drop box located by the front door of Town Hall. Town Hall is located at 1400 FM 407 Northlake, TX 76247.

Please be advised that should disconnection occur a reconnection fee of \$125.00 will be placed on your account. The reconnection fee and account balance must be paid in full before service can be restored.

We value you as our utility customer and appreciate your prompt attention regarding this matter.



Regular Session

Agenda Item 3



Public Input

Agenda Item 4



Consent Items

Agenda Item 5

- E. Consider for approval the meeting minutes dated March 9, 2017



**Town of Northlake
Council Meeting Minutes
Thursday, March 9, 2017
1400 FM 407 - Chamber Room
Northlake, Texas**

1. Mayor Peter Dewing called the regular work session to order at 5:30 pm and stated a quorum was present

Councilmembers Present: Peter Dewing, Jean Young, Mike McBride, Michael Ganz, Roger Sessions,

Councilmember absent: Danny Simpson

Staff Present: Drew Corn, Town Administrator; Nathan Reddin, Development Director; Robert Crawford, Chief of Police, Eric Tamayo, Public Works Director; Karen Bolyard, Finance Director; and Shirley Rogers, Town Secretary

Consultants Present: Ashley Dierker, Legal Counsel; Ben McGahey, PE. Town Engineer

2. Briefing Items

Andy Eads, Denton County Pct. 4 Commissioner updated the Council on transportation projects in the precinct:

- IH35W frontage roads in progress (phase 1) southbound to Eagle Parkway, and northbound (phase 2) to start immediately after phase 1 completed
- IH35E project to be completed in 2017
- Currently working on FM 407 from FM 1838 to FM 156. Will be done in phases with IH35W to FM 156 (phase 1), IH35W – SH 377 (phase 2), SH 377 to FM 1838 (phase 3). FM 156 from SH 114 is in construction mode currently. Start with 4 lane divided road with hopes of acquiring the full build out of six lanes for right-of-way
- Great working partnership with TxDot
- Pct. 4 Facility to open soon in Canyon Falls Development

Hillwood Communities Presentation on Gibbs-Young-Thompson Tracts – approx. 1180 acres located south on FM 407, west of IH35W and Cleveland Gibbs Road and south of Mulkey Lane

- Brian Carlock, Sr. Vice President Acquisitions, gave a brief overview of the concept, how it came about, hosting a Live Smart workshop for three days which included approx. 50 stakeholders sharing ideas. Stated the plan met the Town's Neighborhood Residential classification as noted in the Northlake Comprehensive Plan; includes trails, open spaces, parks, and amenities which allows for opportunities to commune with neighbors to be physically active, mix of single family housing products from lifestyle, traditional and estate size lots and including land for schools. Average density of up to 3 units per acre.
- Tom Woliver, Vice President Planning & Development, gave an overview of the planning process and how the name 'Pecan Square' came about. Diversify housing for all needs, strengthen the

identity of the Town, connect the community to the land, protect the rural character of the 407 corridor, respect water, create open spaces that celebrate the character of the land. Repurpose the community barn, make use of the multi-use arena, have an agricultural co-op, create great lawn seating for residents and host events, feature the pecan grove and many other features. Believe this to be a great development for Northlake

3. Mayor Dewing called the regular meeting to order at 7:03 pm (Mayor Pro Tem Simpson absent)
Pledge of Allegiance and a moment of silence was observed

4. Public Input

No written comments received prior to meeting

- Joel McGregor, resident of Northlake, commented on the proposed amendments to the Junked Vehicles ordinance listed on the agenda
- Laura McGregor, resident of Northlake, commented on the proposed amendments to the Junked Vehicles ordinance listed on the agenda and about government rights
- Rena Hardeman, resident of Northlake, commented on the proposed amendments to the Junked Vehicles ordinance listed on the agenda; commented on the Gibbs Young Thompson proposed development presented by Hillwood Communities. Believe the design was top notch but felt the density for housing too high, not what the citizens of Northlake wanted
- Robin Young, resident of Northlake, stated she was for the development since they owned some of the property in the proposed development; believed some people wanted smaller lots and a good neighborhood for their families; likes the open spaces and concept. Stated the developer was not asking for anything that was not allowed by Northlake's Comp Land Plan for that area

5. Consent Items

Councilmember Ganz moved to approve the consent items as presented. 2nd by Councilmember Young
Vote: Motion carried unanimous

- A. February 9, 2017 meeting minutes
- B. Resolution No. 17-4, declaring certain personal property owned by the Town to be surplus property and authorizing the Town Administrator to dispose of such property
- C. Resolution No. 17-5, designating the months of April and September 2017 as Beautification Months in Northlake

6. Regular Items

- D. This item was tabled - Ordinance No. 17-0309 amending Article 8.03 "Junked Vehicles" of the Code of Ordinances of the Town by amending the definition of Junked Vehicles; designating a person to administer this article; updating the Article to be consistent with State
- E. Resolution of the Town of Northlake, Texas, pursuant to Texas Local Government Code, Section 43,028(d) granting the petition to annex approximately 6.65 acres of land located in the Patrick Rock Survey, Abstract No. 1063 situated in the extra-territorial jurisdiction of the Town of Northlake, Denton County, Texas

- i. Mayor Dewing opened the public hearing at 7:30 pm to hear comments for or against the proposed petition for annexation

No one came forward for or against the proposed annexation

Mayor Dewing closed the public hearing at 7:31 pm

- ii. Councilmember Ganz moved to approve Resolution No. 17-6. 2nd by Councilmember McBride
Vote: Motion carried unanimous

- F. Councilmember Sessions moved to approve Resolution No. 17-7, authorizing the Town Administrator to amend contract with Halff Associates Inc. to provide additional specific engineering services on the Water and Wastewater Impact Fee Report update. 2nd by Councilmember Ganz
Vote: Motion carried unanimous

- 7. By general consent, the Board convened into Executive Session at 7:35 pm to discuss the following items below:

Pursuant to Texas Government Code, annotated, Chapter 551 Subchapter D:

- a. Section 551.071 authorizes a governmental body to consult with its attorney in an executive session to seek his or her advice on a legal matter. It provides as follows: A governmental body may not conduct a private consultation with its attorney except:
 - 1) When the governmental body seeks the advice of its attorney about:
 - (a) Pending or contemplated litigation; or
 - (b) A settlement offer; or
 - ‘Town of Northlake vs. City of Justin (Cause No. 15-08170-367)
 - 2) On a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with chapter 551 of the Government Code.
- b. Section 551.087 authorizes a governmental body to convene into executive session to deliberate regarding economic development negotiations
 - 1) Pioneer Grant Performance Agreement with ACG Texas LP
 - 2) Property located in the Town or the Town’s ETJ located at the northwest corner of Sam Reynolds Road and Boss Range Road

By general consent, the Board reconvened into open session at 7:51

Mayor Dewing stated one item (b) 1) needed action

Councilmember McBride moved to approve the Pioneer Grant Performance Agreement between the Town of Northlake, Texas, Northlake Economic Development Corporation and Northlake Community Development Corporation and ACG Texas LP. 2nd by Councilmember Sessions.

Vote: Motion carried unanimous

- 8. By general consent, the meeting was adjourned at 7:52 pm

Passed and approved on this the 23rd day of March, 2017

Town of Northlake, Texas

Peter Dewing, Mayor

Attest:

Shirley Rogers, Town Secretary



Regular Items

Agenda Item 6

- F. Consider for approval an Ordinance amending Article 8.03 “Junked Vehicles” of the Code of Ordinances of the Town by amending the definition of Junked Vehicles; designating a person to administer this article; updating the Article to be consistent with State Law
- G. Consider for approval an Ordinance providing for the annexation and zoning of a territory more specially described herein, but generally comprising approximately 6.65 acres located in the Patrick Rock Survey, Abstract No. 1063 situated in the extra-territorial jurisdiction of the Town of Northlake, Denton County, Texas; extending the boundary limits of said Town of Northlake, Texas for all municipal purposes (Ordinance No. 17-0323A)
- H. Consider for approval a Preliminary Plat of Lots 1-4, Block 3, Northport Addition, a proposed development consisting of 4 commercial lots on a 14.003-acre tract of land out of the L. Medlin Survey, Abstract No. 830, generally located north of SH 114 between Northport Drive and Dale Earnhardt Way, and zoned Commercial (C). Northport Partners, LLC is the owner/applicant/developer. Deotte, Inc. is the engineer. Pacheco Koch is the surveyor. Case # PP-17-001.
- I. Public Hearing to hear comments for or against a zoning change from Rural Residential (RR) to Mixed-Use Planned Development (MPD) for a proposed master planned development, Pecan Square, to include a mix of commercial and residential uses with a mix of lot sizes and densities, located on approximately 635.5146 acres of land situated in the F.W. Thornton Survey, Abstract No. 1244, and the A. McDonald Survey, Abstract No. 785, and generally located on the west side of Cleveland-Gibbs Road between FM 407 and Mulkey Lane. J. Young Land and Cattle, Ltd. is the owner. Hillwood Communities is the applicant/developer. Case # PD-17-002
- J. Consider for approval an Ordinance amending the fee schedule of the Town of Northlake, contained in Appendix ‘A’ to Ordinance 14-1211A including Article A4.003 Water and Sanitary Sewer Services Fees –Impact Fees (Ordinance No. 17-0323B)

ORDINANCE NO. 17-0309

AN ORDINANCE AMENDING ARTICLE 8.03, “JUNKED VEHICLES,” OF THE CODE OF ORDINANCES OF THE TOWN OF NORTHLAKE BY AMENDING THE DEFINITION OF JUNKED VEHICLES; DESIGNATING A PERSON TO ADMINISTER THIS ARTICLE; UPDATING THE ARTICLE TO BE CONSISTENT WITH STATE LAW; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE:

WHEREAS, the Town of Northlake, Texas is a Type A general law municipality located in Denton County, Texas created in accordance with the provisions of Chapter 6 of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the Town previously adopted Article 8.03 identifying junked vehicles as a public nuisance and providing regulations for junked vehicles; and

WHEREAS, the Northlake Town Council has determined to amend Article 8.03 to make it consistent with the state law regarding junked vehicles and to better protect the city from public nuisances; and

WHEREAS, the Town Council has determined that the amendments as outlined herein are in the best interest of the health, safety, and general welfare of the citizens of the Town of Northlake and the public.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS:

SECTION 1. The findings set forth above are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 2. That Section 8.03.002, Definitions, of Article 8.03, Junked Vehicles, of the Northlake Code of Ordinances is hereby amended in its entirety to read as follows:

“The following terms, whenever used or referred to in this article, shall have the same respective meaning unless a different meaning clearly appears from the context:

Antique vehicle. A passenger car or truck that is at least 25 years old.

Inoperable. Incapable of being propelled on its own power.

Junked vehicle.

(a) A vehicle that is:

(1) self-propelled; and

(2) is:

(A) wrecked, dismantled or partially dismantled, or discarded; or

(B) inoperable and has remained inoperable for more than:

(i) seventy-two (72) consecutive hours, if the vehicle is on public property; or

(ii) thirty (30) consecutive days, if the vehicle is on private property.

(b) For purposes of this article, “junked vehicle” includes a motor vehicle, aircraft, or watercraft. This subchapter applies only to:

(1) a motor vehicle that displays an expired license plate or does not display a license plate;

(2) an aircraft that does not have lawfully printed on the aircraft an unexpired federal aircraft identification number registered under Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; or

(3) a watercraft that does not have lawfully on board an unexpired certificate of number and is not a watercraft described by Section 31.055, Texas Parks and Wildlife Code.

Motor vehicle collector. A person who owns one or more antique or special interest vehicles and acquires, collects, or disposes of an antique or special interest vehicle or part of an antique or special interest vehicle for personal use to restore and preserve an antique or special interest vehicle for historic interest.

Special interest vehicle. A motor vehicle of any age that has not been changed from original manufacturer’s specifications and, because of its historic interest, is being preserved by a hobbyist.”

SECTION 3. That Section 8.03.005, Hearing, of Article 8.03, Junked Vehicles, of the Northlake Code of Ordinances is hereby amended in its entirety to read as follows:

“(a) The owner of a vehicle or the owner or occupant of the premises where the vehicle is located or the premises adjacent to the public right-of-way where the

vehicle is located may, within the 10-day period after the notice required by section 8.03.004(b) is mailed, file a written request with the town secretary to set a date and time to appear before the town council for a public hearing to determine whether the vehicle, or part of a vehicle, is a junked vehicle. If a hearing is requested within the 10-day period after the notice required by section 8.03.004(b) is mailed, the junked vehicle shall not be abated by the town until ordered to do so by the town council. If timely requested, the hearing shall be held not earlier than the 11th day after the date the notice required by section 8.03.004(b) is mailed.

(b) At the public hearing, the town council shall hear and consider all relevant evidence, objections or protests and shall receive testimony from owners, witnesses, town employees and interested person relative to such alleged public nuisance. The hearing may be continued from time to time.

(c) At a hearing under this section concerning a motor vehicle, the motor vehicle is presumed, unless demonstrated otherwise by the owner, to be inoperable.

(d) At the conclusion of a hearing under this section, the town council shall consider all evidence and determine whether the vehicle, or part of a vehicle, constitutes a junked vehicle and a public nuisance as alleged. If the town council finds that the vehicle, or part of a vehicle, is a junked vehicle and a public nuisance, that there is sufficient cause to abate the public nuisance, and that the notice requirements provided in this article have been met, the town council shall make a written order setting forth his findings and ordering that the junked vehicle and public nuisance be abated.

(e) If the information is available at the location of the junked vehicle and nuisance, the order requiring removal of the nuisance must include:

(1) for a motor vehicle, the vehicle's:

- (A) description;
- (B) vehicle identification number; and
- (C) license plate number;

(2) for an aircraft, the aircraft's:

- (A) description; and
- (B) federal aircraft identification number as described by Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; and

(3) for a watercraft, the watercraft's:

- (A) description; and
- (B) identification number as set forth in the watercraft's certificate of number."

SECTION 4. That Section 8.03.006, Abatement by town, of Article 8.03, Junked Vehicles, of the Northlake Code of Ordinances is hereby amended in its entirety to read as follows:

"If no hearing is requested prior to the expiration of 10-day window after the notice required by section 8.03.004(b) is mailed, or in the event the town council orders abatement of the nuisance, the town administrator, or his designee, or any duly authorized person may abate such public nuisance by removal and disposal of the junked vehicle in accordance with this article and Subchapter E, Chapter 683, of the Texas Transportation Code."

SECTION 5. That Section 8.03.010, Disposal of vehicle, of Article 8.03, Junked Vehicles, of the Northlake Code of Ordinances is hereby amended in its entirety to read as follows:

"Any junked vehicle removed by the town or any duly authorized person pursuant to the authority of this article may be disposed of by removal and sale to a scrap yard, a motor vehicle demolisher, or a suitable site operated by a municipality or county. The removal of a junked vehicle or parts thereof from property may be by any duly authorized person."

SECTION 6. That Subsection (c) of Section 8.03.012, Violations; penalty, of Article 8.03, Junked Vehicles, of the Northlake Code of Ordinances is hereby amended in its entirety to read as follows:

"(c) The municipal court shall order abatement and removal of the nuisance on conviction for an offense under this section."

SECTION 7. That Section 8.03.013, Removal with permission of owner or occupant, of Article 8.03, Junked Vehicles, of the Northlake Code of Ordinances is hereby amended in its entirety to read as follows:

"If, within the 10-day period after the notice is mailed in accordance with section 8.03.004, the owner of the junked vehicle or occupant of the premises on which the junked vehicle is located or the property adjacent to the right-of-way where the junked vehicle is located shall give his written permission to the town for removal of the junked vehicle from the premises, the giving of such permission shall be considered compliance with the provisions of this article."

SECTION 8. That Article 8.03, Junked Vehicles, of the Northlake Code of Ordinances is hereby amended by adding Section 8.03.015, Authority to enforce article, to read as follows:

“Sec. 8.03.015 Authority to enforce article

(a) The town administrator, or his designee, is authorized to administer the procedures for the abatement and removal of a public nuisance under this article.

(b) The procedures for the abatement and removal of a public nuisance under this article must be administered by regular salaried, full-time employees of the town, except that any authorized person may remove the nuisance.

(c) A person authorized to administer the procedures under this article may enter private property to examine a public nuisance, to obtain information to identify the nuisance, and to remove or direct the removal of the nuisance.”

SECTION 9. Any person, firm or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined a sum not to exceed \$2,000.00 for each offense, and each and every violation or day such violation shall continue to exist, shall be deemed a separate offense.

SECTION 10. With the exception of those Ordinances expressly repealed herein, this Ordinance shall be cumulative of all provisions of Ordinances of the Town of Northlake, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more stringent provision shall apply and the less stringent provision, whether contained within this Ordinance or in any prior Ordinance of the Town, whether codified or un-codified, is hereby repealed to the extent of the conflict, but all other provisions of the Ordinances of the Town, whether codified or un-codified, which are not in conflict with the provisions of the Ordinance, shall remain in full force and effect.

SECTION 11. It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraph section of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court or competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since same would have been enacted by the Town Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 12. All rights and remedies of the Town are expressly saved as to any and all violations of the provisions of this Ordinance, or any other Ordinances affecting the matters addressed herein, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by the Ordinance but may be prosecuted until final disposition by the courts.

SECTION 13. The Town Secretary of the Town of Northlake is hereby directed to publish the caption, penalty clause, publication clause, and effective date clause of this Ordinance.

SECTION 14. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS, ON THIS THE 9th DAY OF MARCH, 2017.

Town of Northlake, Texas

Peter Dewing, Mayor

ATTEST:

Shirley Rogers, Town Secretary

**TOWN OF NORTHLAKE, TEXAS
ORDINANCE NO. 17-0323A**

AN ORDINANCE PROVIDING FOR THE ANNEXATION AND ZONING OF A TERRITORY MORE SPECIFICALLY DESCRIBED HEREIN, BUT GENERALLY COMPRISING APPROXIMATELY 6.65 ACRES LOCATED IN THE PATRICK ROCK SURVEY, ABSTRACT NO. 1063, SITUATED IN THE EXTRA-TERRITORIAL JURISDICTION OF THE TOWN OF NORTHLAKE, DENTON COUNTY, TEXAS; EXTENDING THE BOUNDARY LIMITS OF SAID TOWN OF NORTHLAKE, TEXAS, FOR ALL MUNICIPAL PURPOSES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Northlake, Texas, (the "Town") is a Type A General Law municipality located in Denton County, Texas, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, Section 43.028 of the Texas Local Government Code permits a municipality to annex sparsely occupied territory upon the petition of the landowner(s); and

WHEREAS, on February 9, 2017, Faith 407 Holdings, LLC, owners of an area that is vacant and without residents or on which fewer than three qualified voters reside, less than 1/2 mile wide, and adjacent to the Town of Northlake, filed a petition with the Town requesting the voluntary annexation of certain property pursuant to Section 43.028 of the Texas Local Government Code; and

WHEREAS, a public hearing to hear arguments for and against the requested annexation was held before the Northlake Town Council on March 9, 2017 and the Town Council granted the annexation petition; and

WHEREAS, all of the territory described herein is adjacent to and within one-half mile of the present, corporate limits of the Town, and within the extraterritorial jurisdiction of the Town; and

WHEREAS, pursuant to § 212.172 of the Texas Local Government Code, the Town has entered into a development agreement concerning the hereinafter described property to provide for the terms of the annexation and the Town has complied with said terms; and

WHEREAS, all requirements of the law have been met for this annexation, including compliance with Section 43.028 of the Texas Local Government Code and compliance with the terms as outlined in the development agreement entered into pursuant to Section 212.172 of the Texas Local Government Code.

NOW, THEREFORE, BE IT ORDINANED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS:

**SECTION 1.
ANNEXATION**

All of the territory described herein is, for all purposes, annexed into the Town, and the Town limits are extended to include such territory, to wit: A 6.65 acre tract of land located in the Patrick Rock Survey, Abstract No. 1063 particularly described in Exhibit "A" attached hereto and incorporated herein, for all purposes.

**SECTION 2.
ZONING**

Pursuant to the request of the Development Agreement, and in accordance with the Town's Comprehensive Plan, the territory is zoned as a Rural Estate (RE) zone as described and regulated by the Town's Unified Development Code. The Town Secretary is directed to revise the Town's official Zoning Map to reflect that the territory be subject to such zoning and maintain such map for reference.

**SECTION 3.
RIGHTS AND DUTIES OF OWNERS AND INHABITANTS IN NEWLY ANNEXED AREAS**

The owners and inhabitants of the annexed territory are entitled to all of the rights and privileges of all other citizens and property owners of the Town and are bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be subsequently adopted.

**SECTION 4.
OFFICIAL MAP**

The official map and boundaries of the Town, previously adopted, is amended to include the newly annexed territory as a part of the Town of Northlake, Texas. The Town Secretary is directed and authorized to perform or cause to be performed all acts necessary to revise the official map of the Town to add the territory annexed as required by law.

**SECTION 5.
FILING CERTIFIED COPY**

The Town Secretary is directed to file or cause to file the certified copy of this Ordinance in the office of the County Clerk of Denton County, Texas, and provide a copy of this Ordinance to the Denton County, mapping department and the Denton County Central Appraisal District pursuant to Section 43.028(f) of the Texas Local Government Code.

**SECTION 6.
CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all provisions of ordinances of the Town, except where the provisions are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 7.
SEVERABILITY CLAUSE**

If any section, sentence, phrase, paragraph or word of this ordinance be found to be illegal, invalid or unconstitutional, or if any portion of said property is incapable of being annexed by the town, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph, or provision of any other ordinance of the town. The town council declares that it would have adopted the valid portion and applications of this ordinance and would have annexed and does hereby annex the valid property without the invalid part, and to this end the provisions of the ordinance are declared to be severable.

**SECTION 8.
EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage and it is so ordained.

PASSED AND APPROVED ON THIS THE 23rd DAY OF MARCH, 2017

TOWN OF NORTHLAKE, TEXAS

Peter Dewing, Mayor

ATTEST:

Shirley Rogers, Town Secretary

EXHIBIT A - Metes and Bounds Description of the Property

WHEREAS; FAITH 407 HOLDINGS LLC is the owner of all that certain lot, tract or parcel of land lying and being situated in Denton County, Texas and being a part of the Patrick Rock Survey, Abstract number 1063 and also being part of that called 25.901 acre tract of land as described in deed to Eric Broadaway and Scott Broadaway by deed recorded in Clerks File number 1995-69267, Real Property Records, Denton County, Texas and also being part of that called 5.105 acre tract of land as described in deed to Eric Broadaway and Scott Broadaway by deed recorded in Clerks File number 1995-69265, Real Property Records, Denton County, Texas and being more fully described by metes and bounds as follows;

COMMENCING at a ½ inch iron rod found at the Southwest corner of said 5.105 acre tract, same being in the approximate center of Faught Road;

THENCE along said center, North 00 degrees 35 minutes 49 seconds East, 76.86 feet to the POINT OF BEGINNING of the herein described tract;

THENCE continuing along said center, North 00 degrees 35 minutes 49 seconds East, passing the Northwest corner of said 5.105 acre tract and the most Westerly Southwest corner of said 25.901 acre tract at 133.14 feet, continuing in all a total distance to 917.98 feet to the Northwest corner of said 25.901 acre tract;

THENCE North 89 degrees 43 minutes 46 seconds East, 316.39 feet to a capped iron rod set stamped "KAZ";

THENCE South 00 degrees 16 minutes 14 seconds East, 924.82 feet to a capped iron rod set stamped "KAZ";

THENCE South 89 degrees 43 minutes 46 seconds West, 159.00 feet to a capped iron rod set stamped "KAZ" at the P.C. of a curve to the right, whose long chord bears, North 87 degrees 56 minutes 02 seconds West, 40.37 feet;

THENCE along said curve whose radius is 495.00 feet and an arc length of 40.38 feet to a capped iron rod set stamped "KAZ";

THENCE North 85 degrees 35 minutes 49 seconds West, 67.11 feet to a capped iron rod set stamped "KAZ";

THENCE North 89 degrees 24 minutes 11 seconds West, 44.94 feet to the POINT OF BEGINNING and containing 6.65 acres of land more or less;

Memo

To: Honorable Mayor and Town Council
From: Nathan Reddin, Development Director
CC: Drew Corn, Town Administrator
Shirley Rogers, Town Secretary
Date: March 23, 2017
Re: Preliminary Plat for Northport Addition – Lots 1-4, Block 3 (PP-17-001)

Purpose: To consider approval of a Preliminary Plat of Lots 1-4, Block 3, Northport Addition, a proposed development consisting of 4 commercial lots on a 14.003-acre tract of land out of the L. Medlin Survey, Abstract No. 830, generally located north of SH 114 between Northport Drive and Dale Earnhardt Way, and zoned Commercial (C).

Owner/Applicant: Northport Partners, LLC

Engineer: Deotte, Inc.

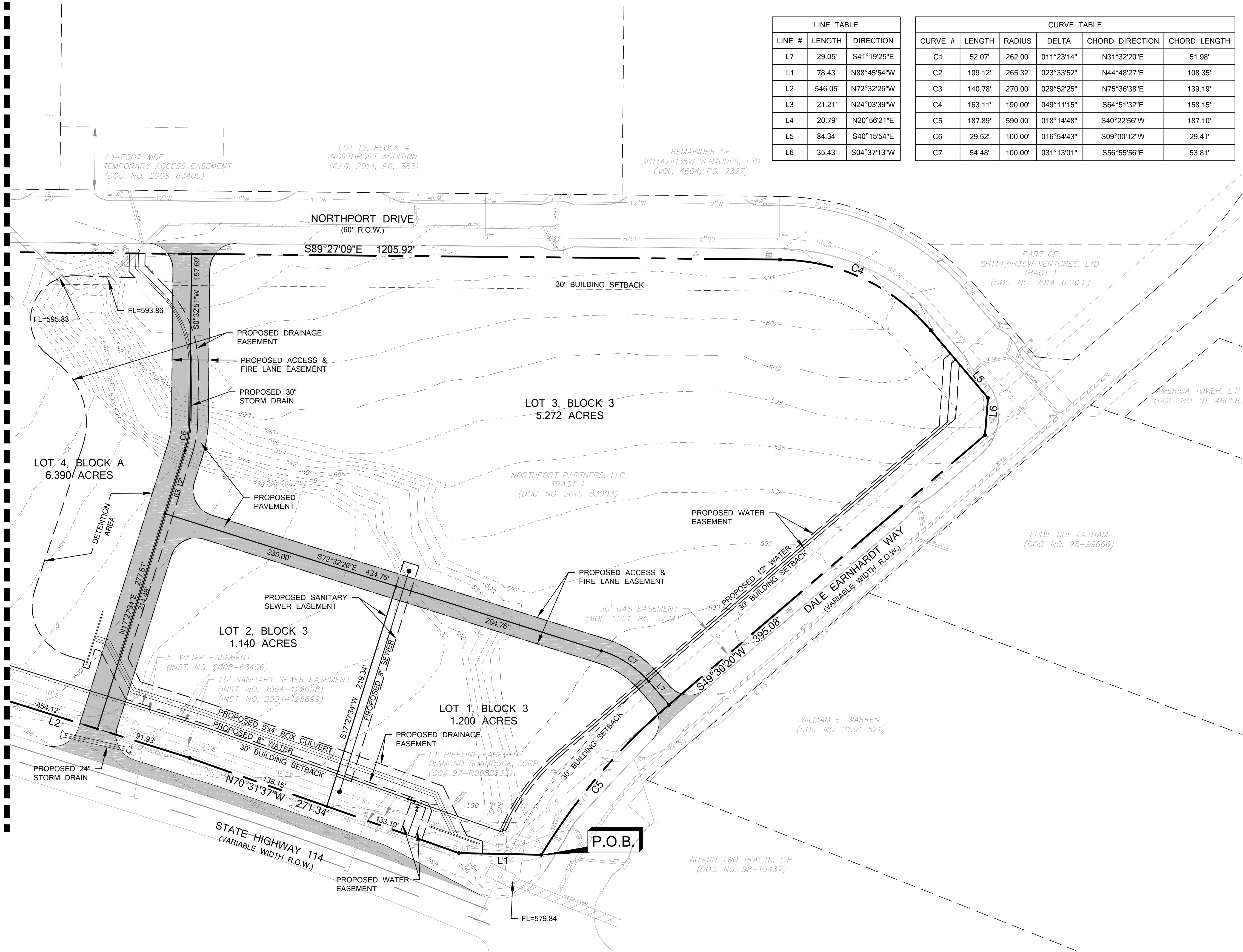
Surveyor: Pacheco Koch

Background: Northport was planned primarily for light industrial/warehouse uses with commercial uses surrounding as a buffer fronting on IH 35W and SH 114. This is a preliminary plat for the southeastern most portion of the Northport development planned for commercial uses with frontage and/or access from SH 114. The area encompassed by this preliminary plat was included in a previously approved preliminary plat that has subsequently expired. This new preliminary plat is the first step in the development process for this block of four lots. Lot 2 is the proposed location for a 7-Eleven gas station and convenience store. No other users have been announced for the rest of the development, but retail and restaurant uses as well as other commercial and office uses could be allowed with the current zoning.

Staff Analysis: The applicant has provided a preliminary plat application in accordance with the requirements of the Unified Development Code (UDC). Preliminary utility plans are incorporated on the preliminary plat sheets. A preliminary drainage study and drainage plans were submitted with the preliminary plat for review. Town Staff has reviewed the plat and plans and finds them acceptable for approval. The preliminary drainage study is still under review which should be approved prior to approval of any final plat and construction plans within this preliminary plat.

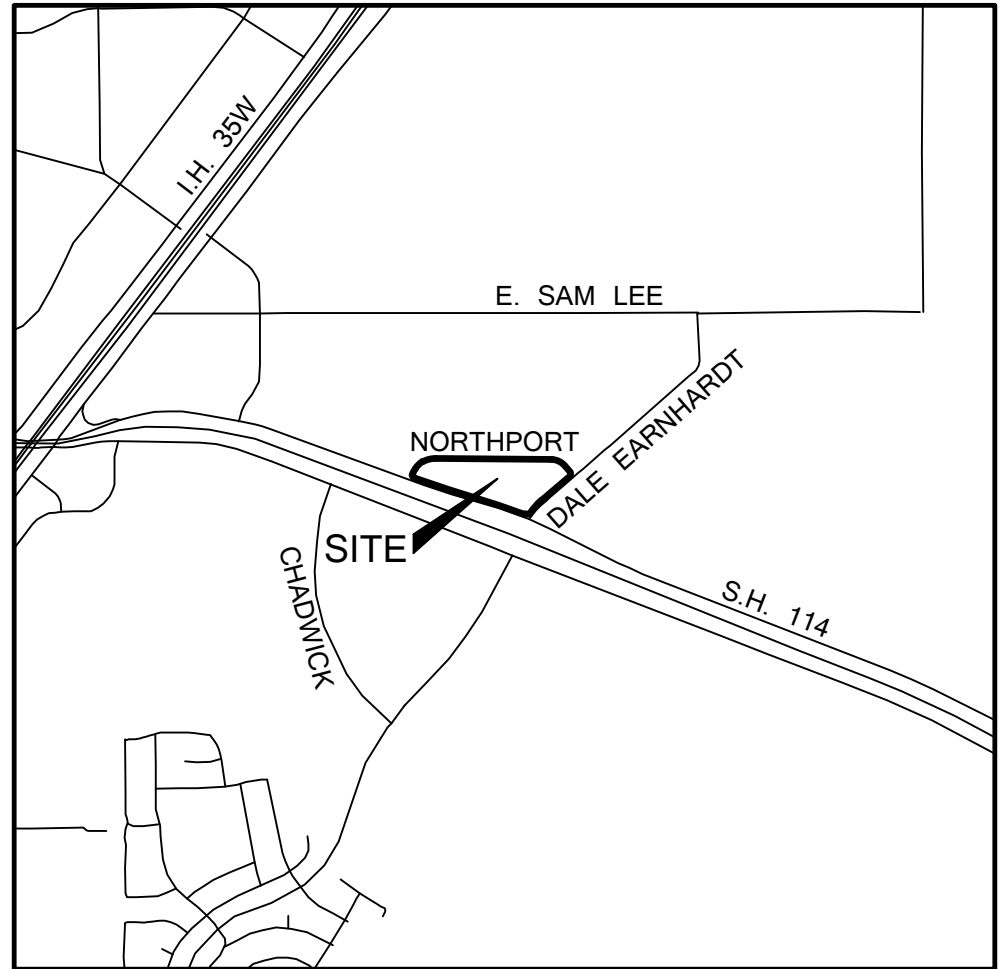
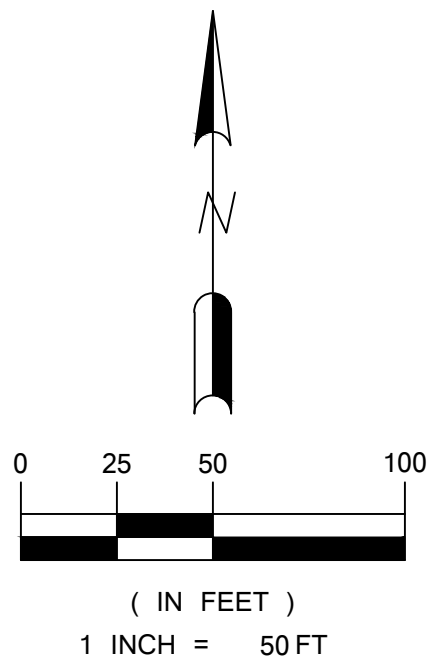
Staff Findings: Staff finds the preliminary plat acceptable for approval as submitted.

MATCHLINE - SEE SHEET 2



LINE TABLE		
LINE #	LENGTH	DIRECTION
L7	29.05'	S41°19'25"E
L1	78.43'	N88°45'54"W
L2	546.05'	N72°32'26"W
L3	21.21'	N24°03'39"W
L4	20.79'	N20°56'21"E
L5	84.34'	S40°15'54"E
L6	35.43'	S04°37'13"W

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	52.07'	262.00'	011°23'14"	N31°32'20"E	51.98'
C2	109.12'	265.32'	023°33'52"	N44°48'27"E	108.35'
C3	140.78'	270.00'	029°52'25"	N75°36'38"E	139.19'
C4	163.11'	190.00'	049°11'15"	S64°51'32"E	158.15'
C5	187.89'	590.00'	018°14'48"	S40°22'56"W	187.10'
C6	29.52'	100.00'	016°54'43"	S09°00'12"W	29.41'
C7	54.48'	100.00'	031°13'01"	S56°55'56"E	53.81'



VICINITY MAP
SCALE: 1" = 2000'

PROPERTY DESCRIPTION

BEGINNING at a Point of Beginning
THENCE NORTH 88 degrees 45 minutes 54 seconds WEST, a distance of 78.43 feet
THENCE along the northern Right Of Way of STATE HIGHWAY 114
1. NORTH 70 degrees 31 minutes 37 seconds WEST, a distance of 271.34 feet
2. NORTH 72 degrees 32 minutes 26 seconds WEST, a distance of 546.05 feet
3. NORTH 70 degrees 48 minutes 01 seconds WEST, a distance of 345.59 feet
THENCE NORTH 24 degrees 03 minutes 39 seconds WEST, a distance of 21.21 feet
THENCE along the southern Right Of Way of NORTHPORT DRIVE
1. NORTH 20 degrees 56 minutes 21 seconds EAST, a distance of 20.79 feet
2. along the arc of a tangent curve having a radius of 262.00 feet, an arc length of 52.07 feet, a chord bearing of NORTH 31 degrees 32 minutes 20 seconds EAST, and a chord length of 51.98 feet
3. along the arc of a tangent curve having a radius of 265.32 feet, an arc length of 109.12 feet, a chord bearing of NORTH 44 degrees 48 minutes 27 seconds EAST, and a chord length of 108.35 feet
4. along the arc of a tangent curve having a radius of 270.00 feet, an arc length of 140.78 feet, a chord bearing of NORTH 75 degrees 36 minutes 38 seconds EAST, and a chord length of 139.19 feet
5. SOUTH 89 degrees 27 minutes 09 seconds EAST, a distance of 1205.92 feet
6. along the arc of a tangent curve having a radius of 190.00 feet, an arc length of 163.11 feet, a chord bearing of SOUTH 64 degrees 51 minutes 32 seconds EAST, and a chord length of 158.15 feet
7. SOUTH 40 degrees 15 minutes 54 seconds EAST, a distance of 84.34 feet
THENCE SOUTH 04 degrees 37 minutes 13 seconds WEST, a distance of 34.43 feet
THENCE along the western Right Of Way of DALE EARNHARDT WAY
1. SOUTH 49 degrees 30 minutes 20 seconds WEST, a distance of 395.08 feet
2. along the arc of a tangent curve having a radius of 590.00 feet, an arc length of 187.89 feet, a chord bearing of SOUTH 40 degrees 22 minutes 56 seconds WEST, and a chord length of 187.10 feet to the Point of Beginning and enclosing 14.003 acres (609,954 square feet).

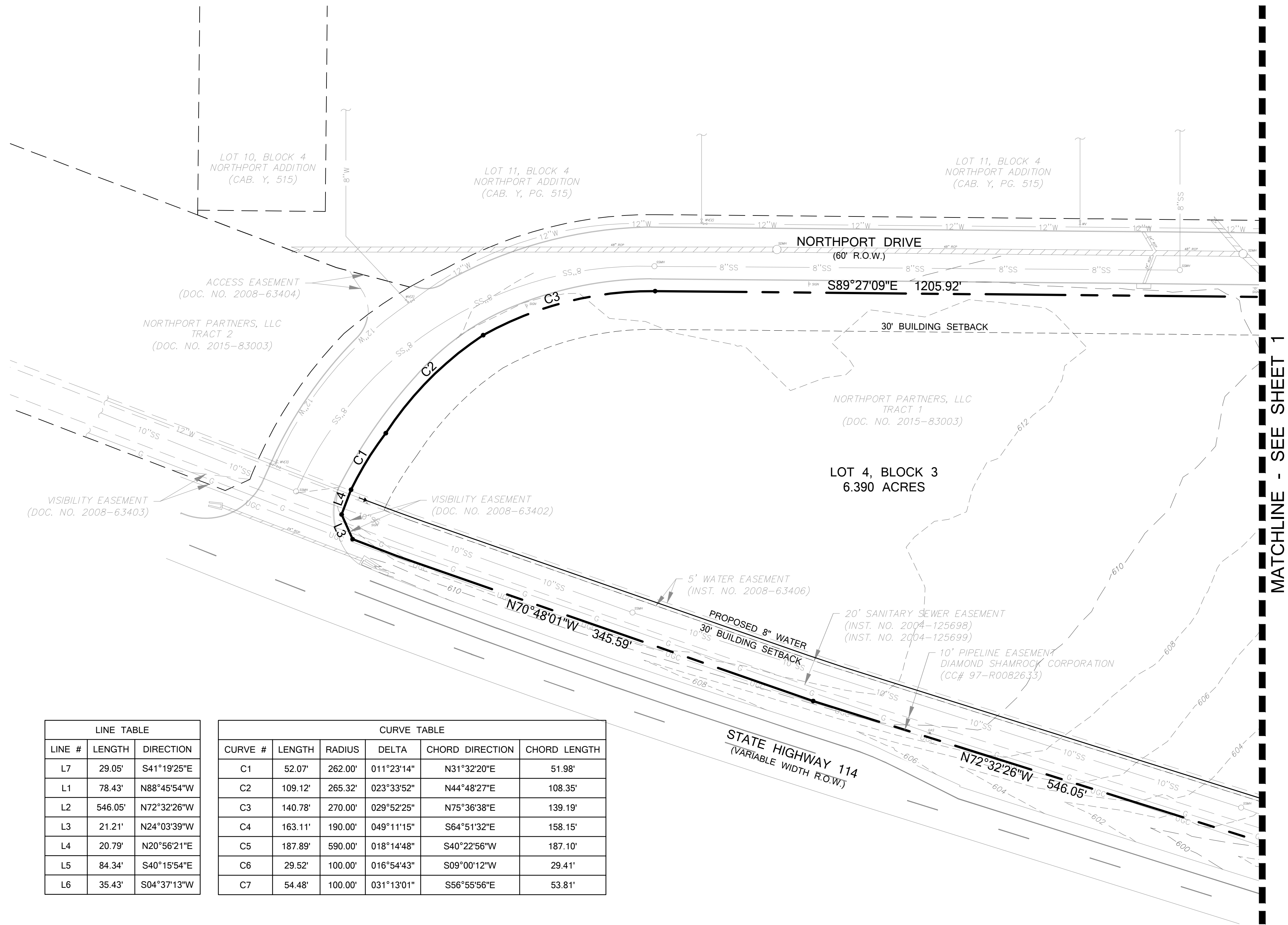
PRELIMINARY PLAT
OF
NORTHPORT ADDITION
LOTS 1-4, BLOCK 3
BEING
14.003 ACRES
IN THE
L. MEDLIN SURVEY ABSTRACT NO. 830
IN THE
TOWN OF NORTHLAKE,
DENTON COUNTY, TEXAS
4 COMMERCIAL LOTS
CURRENT ZONING: C - COMMERCIAL

OWNER/DEVELOPER:
NORTHPORT PARTNERS, LLC
401 MARSHALL ROAD
SOUTHLAKE, TEXAS 76092
CONTACT: WILLIAM VAUGHAN

ENGINEER:
DEOTTE, INC.
420 JOHNSON RD. SUITE 303
KELLER, TEXAS 76248
817.337.8899
WWW.DEOTTE.COM

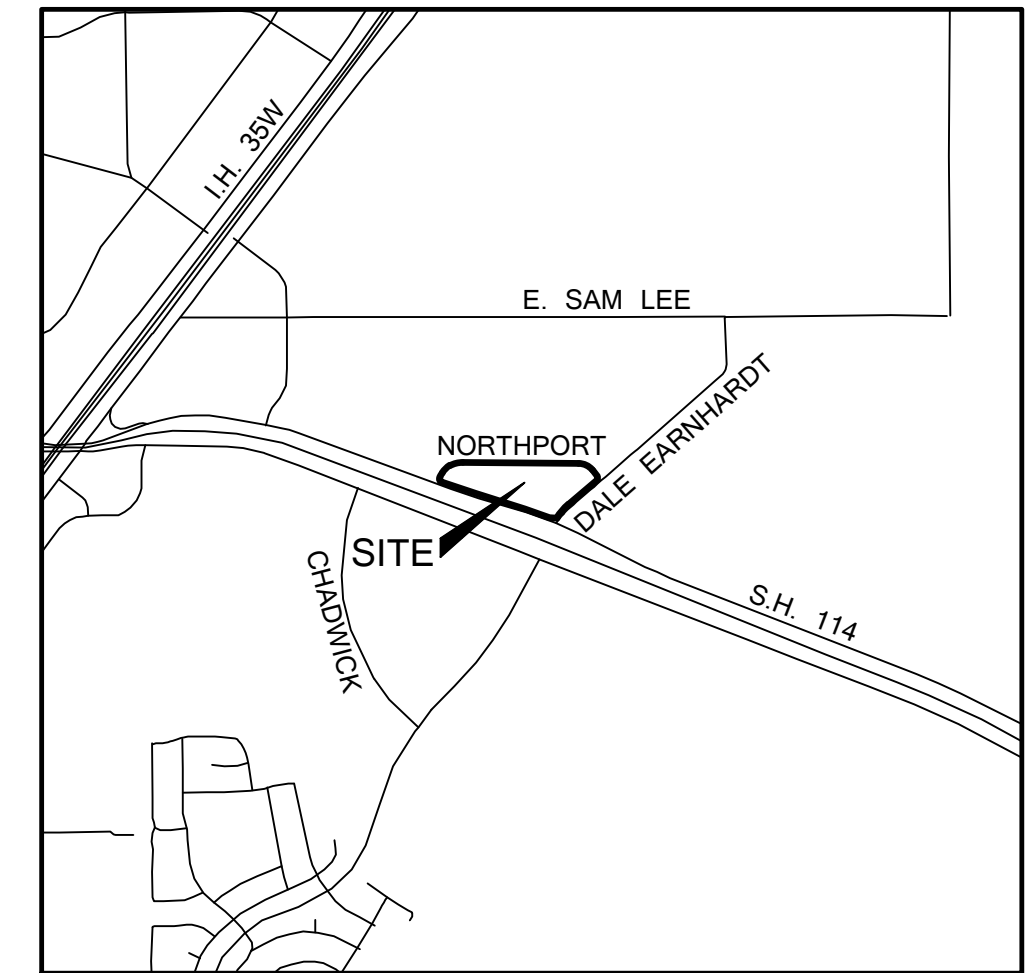
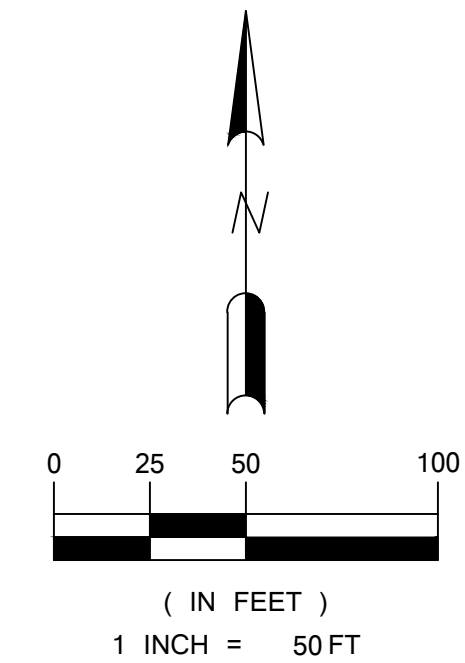
SURVEYOR:
PACHECO KOCH
6100 WESTERN PLACE, SUITE 1001
FORT WORTH, TEXAS 76107
817.412.7155

THIS DOCUMENT IS FOR INTERIM REVIEW
AND IS NOT INTENDED FOR CONSTRUCTION,
BIDDING OR PERMIT PURPOSES.
BY: Clayton T. Redinger
Reg. No.: 97497
Date: 02/07/2017



LINE TABLE		
LINE #	LENGTH	DIRECTION
L7	29.05'	S41°19'25"E
L1	78.43'	N88°45'54"W
L2	546.05'	N72°32'26"W
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C7	54.48'	100.00'	031°13'01"	S56°55'56"E	53.81'	



VICINITY MAP
SCALE: 1" = 2000'

APPROVED BY THE TOWN COUNCIL ON:

Date _____

Mayor, Town of Northlake _____

Town Secretary, Town of Northlake _____

OWNER/DEVELOPER:
NORTHPORT PARTNERS, LLC
401 MARSHALL ROAD
SOUTHLAKE, TEXAS 76092
CONTACT: WILLIAM VAUGHAN

ENGINEER:
DEOTTE, INC.
420 JOHNSON RD. SUITE 303
KELLER, TEXAS 76248
817.337.8899
WWW.DEOTTE.COM

SURVEYOR:
PACHECO KOCH
6100 WESTERN PLACE, SUITE 1001
FORT WORTH, TEXAS 76107
817.412.7155

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PRELIMINARY PLAT
OF
NORTHPORT ADDITION
LOTS 1-4, BLOCK 3
BEING
14.003 ACRES
IN THE
L. MEDLIN SURVEY ABSTRACT NO. 830
IN THE
TOWN OF NORTHLAKE,
DENTON COUNTY, TEXAS
4 COMMERCIAL LOTS
CURRENT ZONING: C - COMMERCIAL

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Northlake Town Council will hold a public hearing on Thursday, March 23, 2017, at a meeting to begin at 5:30 pm at Northlake Town Hall, 1400 FM 407, Northlake, Texas. The purpose of this hearing is to hear comments for or against a zoning change from Rural Residential (RR) to Mixed-Use Planned Development (MPD) for a proposed master planned development to include a mix of commercial and residential uses with a mix of lot sizes and densities, located on approximately 635.5146 acres of land situated in the F.W. Thornton Survey, Abstract No. 1244, and the A. McDonald Survey, Abstract No. 785, and generally located on the west side of Cleveland-Gibbs Road between FM 407 and Mulkey Lane. J. Young Land and Cattle, Ltd. is the owner. Hillwood Communities is the applicant/developer. Case # PD-17-002.

ABOUT THIS REQUEST

The MPD is currently under review. The proposed MPD will be posted on the Town website www.town.northlake.tx.us under News & Notices upon completion of staff review, and a briefing on the proposed MPD will also be presented at the March 9, 2017 Town Council meeting. If you would like more information or have any questions about this request, please contact Nathan Reddin, Development Director, at 940-242-5703 or nreddin@town.northlake.tx.us. You may also visit Northlake Town Hall between the hours of 8:00 am to 4:00 pm, Monday – Friday.

PUBLIC HEARING PROCESS

The public hearing process is designed to provide opportunities for citizen involvement and comment. The public hearing is held before the Town Council. During the public hearing, interested persons are asked to sign in and speak before the Town Council to provide comments for or against the request before the Town Council. Prior to the public hearing, Northlake landowners within two hundred (200) feet of the subject property are notified of the request by mailing of this notice thirty (30) days prior to the date of the public hearing. Notifications are also published in the Denton Record-Chronicle fifteen (15) days prior to the date of the public hearing.

WRITTEN RESPONSE PROCESS

You may also make your opinion known on this request by returning the enclosed Notification Response Form. Please return this form with your comments prior to the date of the public hearing. *This in no way prohibits you from attending and participating in the public hearing.* The Council is informed of the percentage of responses in support and in opposition of the request. If the owners of more than twenty (20) percent of the Northlake land area within two hundred (200) feet of the site submit written opposition, then four (4) out of five (5) votes of the Town Council are required to approve the request. ***These forms are used to calculate the percentage of landowner opposition.***

Page 2 of 2

This map displays the land use planning jurisdiction of Denton County, Texas, as of January 1, 2018. It shows various zoning districts across the county, with each district assigned a unique color. Major transportation corridors such as Interstate 75 (I-75) and State Highway 75 (US-75) are clearly marked. The map also identifies several cities within the county, including Corral City, Argyle, Northlake, and Flower Mound. Individual land parcels are delineated by red lines, and many are labeled with their respective parcel numbers. The map is titled "Landmark GIS © Denton County" at the bottom left.

200 Foot Notification List for Public Hearing

Case Name: Young Tract MPD
Case Type: Planned Development (PD)
Case Number: PD-17-002
Public Hearing Date: March 23, 2017

PROPERTY ID	OWNER NAME	OWNER ADDRESS	CITY	STATE	ZIP	LEGAL DESCRIPTION
OWNER	J YOUNG LAND & CATTLE LTD	13737 FM 1171	NORTHLAKE	TX	76262	A0785A A. MCDONALD, TR 1 & A1244A F. THORTON, TR 45
APPLICANT	HILLWOOD COMMUNITIES ATTN: BRIAN CARLOCK	3000 TURTLE CREEK BLVD	DALLAS	TX	75219	
R133160	GWARTNEY BILLY G & ERICKA L	8669 HIGHWAY 377	ARGYLE	TX	76226	A0785A A. MCDONALD, TR 2A
MULTIPLE	HP GIBBS LP	13600 HERITAGE PKWY STE 200	FORT WORTH	TX	76177	A1461A CLEVELAND, TR 1; A0785A A. MCDONALD, TR 1A; & A1244A F. THORTON, TR 46
R212742	GENE MCCUTCHIN LTD II	PO BOX 802043	DALLAS	TX	75380	A1244A F. THORTON, TR 47B(INSIDE CITY)
R167664	NORTHLAKE TOWN OF	1400 FM 407	NORTHLAKE	TX	76247	A1063A PATRICK ROCK, TR 69A
R68226	THOMPSON GRAIN & CATTLE INC	8729 THOMPSON RD	JUSTIN	TX	76247	A0785A A. MCDONALD, TR 2(PT)



NOTIFICATION RESPONSE FORM

Form revised 9/14/2011

CASE INFORMATION

Public Hearing Date: March 23, 2017, 5:30 pm
Case Type: Planned Development (PD) zoning change
Case Name: Young Tract MPD
Case #: PD-17-002

WRITTEN RESPONSE

Please check one: ☒ In favor of request ☐ Neutral/Undecided on request ☐ Opposed to request

Comments (optional):

This has been the plan of the town for many years. Its time to act and set aside from Mixed Use.

Signature: *Jack Young* Date: 3-3-2017
Printed Name: Jack Young
Address: [REDACTED] City/State/ZIP: Northlake, TX 76262
Phone number: [REDACTED]

RETURN COMPLETED FORM VIA EMAIL, FAX OR HAND DELIVERY BEFORE THE START OF THE SCHEDULED PUBLIC HEARING.

RETURN RESPONSES AND/OR DIRECT QUESTIONS TO:

Town of Northlake
Development Director
Email: nreddin@town.northlake.tx.us
Phone: 940-242-5703
Fax: 940-648-0363

Address:
1400 FM 407
Northlake, Texas 76247

****FOR OFFICE USE ONLY****

Stamp Received

RECEIVED

MAR 06 2017

BY: *JK*

Property within notification area: ☐ Yes ☒ No Property owner
Property ID: N/A
Property Size: N/A



NOTIFICATION RESPONSE FORM

Form revised 9/14/2011

CASE INFORMATION

Public Hearing Date: March 23, 2017, 5:30 pm
Case Type: Planned Development (PD) zoning change
Case Name: Young Tract MPD
Case #: PD-17-002

WRITTEN RESPONSE

Please check one: ☒ In favor of request ☐ Neutral/Undecided on request ☐ Opposed to request

Comments (optional):

Signature: Gene McCutchen Date: 2-23-17
Printed Name: Gene McCutchen
Address: [REDACTED] City/State/ZIP: Dallas, TX 75380
Phone number: [REDACTED]

RETURN COMPLETED FORM VIA EMAIL, FAX OR HAND DELIVERY BEFORE THE START OF THE SCHEDULED PUBLIC HEARING.

RETURN RESPONSES AND/OR DIRECT QUESTIONS TO:

Town of Northlake
Development Director
Email: nreddin@town.northlake.tx.us
Phone: 940-242-5703
Fax: 940-648-0363

Address:
1400 FM 407
Northlake, Texas 76247

FOR OFFICE USE ONLY

Stamp Received
RECEIVED
By Nathan Reddin at 11:53 pm, Feb 23, 2017

Property within notification area: ☒ Yes ☐ No
Property ID: 212742
Property Size: 85.96 ac



NOTIFICATION RESPONSE FORM

Form revised 9/14/2011

CASE INFORMATION

Public Hearing Date: March 23, 2017, 5:30 pm
Case Type: Planned Development (PD) zoning change
Case Name: Young Tract MPD
Case #: PD-17-002

WRITTEN RESPONSE

Please check one: ☒ In favor of request ☐ Neutral/Undecided on request ☐ Opposed to request

Comments (optional):

The town plan has reflected what the developer is requesting. There is no sane reason to deny this zoning change request.

Signature: Robin L-S Young Date: 3-2-2017
Printed Name: Robin L-S Young
Address: [REDACTED] City/State/ZIP: 76262
Phone number: [REDACTED]

RETURN COMPLETED FORM VIA EMAIL, FAX OR HAND DELIVERY BEFORE THE START OF THE SCHEDULED PUBLIC HEARING.

RETURN RESPONSES AND/OR DIRECT QUESTIONS TO:

Town of Northlake
Development Director
Email: preddin@town.northlake.tx.us
Phone: 940-242-5703
Fax: 940-648-0363

Address:
1400 FM 407
Northlake, Texas 76247

FOR OFFICE USE ONLY

Stamp Received

RECEIVED

MAR 06 2017

BY: [Signature]

Property within notification area: ☐ Yes ☒ No Property owner
Property ID: N/A
Property Size: N/A



NOTIFICATION RESPONSE FORM

Form revised 9/14/2011

CASE INFORMATION

Public Hearing Date: March 23, 2017, 5:30 pm
Case Type: Planned Development (PD) zoning change
Case Name: Young Tract MPD
Case #: PD-17-002

WRITTEN RESPONSE

Please check one: ☒ In favor of request ☐ Neutral/Undecided on request ☐ Opposed to request

Comments (optional):

Signature: [Signature] Date: 3/8/2017
Printed Name: ROBERT THOMPSON
Address: [Redacted] City/State/ZIP: Irving, TX 76247
Phone number: [Redacted]

RETURN COMPLETED FORM VIA EMAIL, FAX OR HAND DELIVERY BEFORE THE START OF THE SCHEDULED PUBLIC HEARING.

RETURN RESPONSES AND/OR DIRECT QUESTIONS TO:

Town of Northlake
Development Director
Email: nreddin@town.northlake.tx.us
Phone: 940-242-5703
Fax: 940-648-0363

Address:
1400 FM 407
Northlake, Texas 76247

****FOR OFFICE USE ONLY****

Stamp Received

RECEIVED

MAR 08 2017

BY: [Signature]

Property within notification area: ☒ Yes ☐ No
Property ID: 68226
Property Size: 149.03 ac



NOTIFICATION RESPONSE FORM

Form revised 9/14/2011

CASE INFORMATION

Public Hearing Date: March 23, 2017, 5:30 pm
Case Type: Planned Development (PD) zoning change
Case Name: Young Tract MPD
Case #: PD-17-002

WRITTEN RESPONSE

Please check one: ☒ In favor of request ☐ Neutral/Undecided on request ☐ Opposed to request

Comments (optional):

It's The Natural Progression
40 years Ago Los Colinas
30 years Ago Southlake & Grape vine
20 years Ago Keller & Round Rock
10 years Ago Allen & N Fort Worth
Now = Northlake & Beyond
Tell The People To Get Used To It and Quit Whining Now

Signature: Trace Arnold Date: 3/20/17

Printed Name: TRACE ARNOLD

Address: [REDACTED] City/State/ZIP: Northlake Tx 76247

Phone number: [REDACTED]

RETURN COMPLETED FORM VIA EMAIL, FAX OR HAND DELIVERY BEFORE THE START OF THE SCHEDULED PUBLIC HEARING.

RETURN RESPONSES AND/OR DIRECT QUESTIONS TO:

Town of Northlake
Development Director
Email: nreddin@town.northlake.tx.us
Phone: 940-242-5703
Fax: 940-648-0363

Address:
1400 FM 407
Northlake, Texas 76247

FOR OFFICE USE ONLY

Stamp Received

RECEIVED

By Nathan Reddin at 11:12 pm, Mar 19, 2017

Property within notification area: ☐ Yes ☒ No within 200 ft but in ETJ

Property ID: N/A

Property Size: N/A



NORTHLAKE
TEXAS

NOTIFICATION RESPONSE FORM

Form revised 9/14/2011

CASE INFORMATION

Public Hearing Date: March 23, 2017, 5:30 pm
 Case Type: Planned Development (PD) zoning change
 Case Name: Young Tract MPD
 Case #: PD-17-002

WRITTEN RESPONSE

Please check one: ☒ In favor of request ☐ Neutral/Undecided on request ☐ Opposed to request

Comments (optional): I am in favor of the zoning change. This block of 3 tracts has immediate proximity to I.35 W (one tract has over 1/2 mile of the Town's east boundary line.

Major road frontage is on three sides of the Young tract, w/ Thoroughfare Plan showing future Faught Rd. on the 4th side (West). The plan & use proposed by the Developer is appropriate for this land. Personally, I believe the timing is also right. In the past 6 months, we see the possibility of the widening of Cleveland-Gibbs Rd cutting off the east side of the land, taking out fencing, working cattle pens, possibly the water well & barns. Also, plans to widen FM 407 could take out the North fencing, & land. Widening Mulky on the South is inevitable. We have lived on I.35W for 30 yrs., & the traffic noise has made it difficult to hear outside the houses. I truly believe that Buyers looking for 5 Ac

Signature: Jean Young Date: 3-19-17

Printed Name: J. Young Land & Cattle, LTD

or larger homesites will be looking in areas further ZIP: away from these major
 Phone number: interchanges, & future retail & professional development.

RETURN COMPLETED FORM VIA EMAIL, FAX OR HAND DELIVERY BEFORE THE START OF THE SCHEDULED PUBLIC HEARING.

RETURN RESPONSES AND/OR DIRECT QUESTIONS TO:

Town of Northlake
 Development Director
 Email: nreddin@town.northlake.tx.us
 Phone: 940-242-5703
 Fax: 940-648-0363

Address:
 1400 FM 407
 Northlake, Texas 76247

****FOR OFFICE USE ONLY****

Stamp Received

RECEIVED

MAR 20 2017

BY: [Signature]

Property within notification area: ☐ Yes ☒ No Property owner
 Property ID: N/A
 Property Size: N/A

ORDINANCE NO. 17-0323A

AN ORDINANCE AMENDING CODE OF ORDINANCE NO. 14-1211A APPENDIX A - FEE SCHEDULE, ARTICLE A4.000 WATER AND SANITARY SEWER SERVICE FEES, SECTION A4.003 IMPACT FEES; PROVIDING THAT THE ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCE; AND PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND NAMING AN EFFECTIVE DATE:

WHEREAS, the Town Council of the Town of Northlake has previously adopted a fee schedule as contained in the Code of Ordinances 14-1211A, Appendix A, Article 4.000 "Water and Sanitary Sewer Service Fees", Section A4.003 "Impact Fees"; and

WHEREAS, the Town of Northlake entered into an agreement with the City of Fort Worth for wholesale water service on October 13, 1997; and

WHEREAS, the Town of Northlake is required by the agreement to pay to the City of Fort Worth certain fees for new customers served by the Town of Northlake which would include Fort Worth Water Impact Fees; and

WHEREAS, the Fee Schedule includes the "Fort Worth Impact Fee" which is equal to Water Impact Fees charged to the Town by the City of Fort Worth; and

WHEREAS, the Fort Worth City Council adopted on December 6, 2016 a new Schedule of Impact Fees effective April 1, 2017; and

WHEREAS, the Town Council now deems it necessary to revise the Fee Schedule to assess such Impact Fees to new water customers of the Town of Northlake.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NORTHLAKE, TEXAS:

SECTION 1.

The Town shall assess and collect Fort Worth Water Impact Fees as shown in Exhibit A South Service Area at the time of application for new water service connections to that part of the Northlake water system supplied by the Fort Worth water system (Northlake's South Service Area); such fees as determined to be necessary by the Fort Worth City Council to assist in payment for continued Fort Worth water system expansion and service to the Town of Northlake.

SECTION 2.

That this ordinance shall be cumulative of all other ordinances of the Town of Northlake, and shall not repeal any of the provisions of such ordinance except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 3.

The Town Council shall periodically review the need for and the amount of fees for Town services, uses and activities and shall adopt or revise fees as the Town Council determines is appropriate.

SECTION 4.

It is hereby declared to the intention of the Town Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since same could have been enacted by the Town Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

A person commits an offense if the person conducts an activity or commences a use for which the payment of a fee is required if the person has not paid the fee.

SECTION 6.

Any person, firm or corporation who commits an offense shall be fined not more than \$2,000 for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 7.

This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

PASSED AND APPROVED ON THIS THE 23RD DAY OF MARCH, 2017

Town of Northlake, Texas

Peter Dewing, Mayor

ATTEST:

APPROVED AS TO FORM:

Shirley Rogers, Town Secretary

Ashley Dierker, Town Attorney

APPENDIX A

SOUTH SERVICE AREA

Meter Size	Equivalency Factor	Sewer Impact Fee	Water Impact Fee	Ft. Worth Impact Fee	Total Cost Impact Fee
5/8"	1.00	\$964.00	\$4,350.00	\$971.00	\$6,285.00
3/4"	1.50	\$1,446.00	\$6,525.00	\$1,457.00	\$9,428.00
1"	2.50	\$2,410.00	\$10,875.00	\$2,428.00	\$15,713.00
1.5"	5.00	\$4,821.00	\$21,749.00	\$4,857.00	\$31,427.00
2"	8.00	\$7,713.00	\$34,799.00	\$7,771.00	\$50,283.00
3"	21.75	\$14,462.00	\$65,248.00	\$21,127.00	\$100,837.00
4"	37.50	\$28,924.00	\$130,495.00	\$36,426.00	\$195,845.00
6"	80.00	\$65,079.00	\$293,615.00	\$77,709.00	\$436,403.00
8"	140.00	\$86,773.00	\$391,486.00	\$135,991.00	\$614,250.00
10"	210.00	\$115,697.00	\$521,982.00	\$203,987.00	\$841,666.00

Note:

(1) Subject to change as determined by the City of Fort Worth (above rates effective 4/1/2017).



Executive Session

Agenda Item 7

Pursuant to Texas Government Code, annotated, Chapter 551 Subchapter D:

a. Section 551.071 authorizes a governmental body to consult with its attorney in an executive session to seek his or her advice on a legal matter. It provides as follows: A governmental body may not conduct a private consultation with its attorney except:

1) When the governmental body seeks the advice of its attorney about:

(a) Pending or contemplated litigation; or

(b) A settlement offer; or

'Town of Northlake vs. City of Justin (Cause No. 15-08170-367)